



**Alameda HOME Consortium Jurisdictions
Analysis of Impediments to Fair Housing Choice
January 2010**

Alameda HOME Consortium Jurisdictions

City of Alameda
City of Fremont
City of Hayward
City of Livermore
City of Pleasanton
City of San Leandro
City of Union City
The Alameda Urban County,
including the
City of Albany;
City of Dublin;
City of Emeryville;
City of Newark;
City of Piedmont;
and the Unincorporated County

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Table of Contents

Executive Summary	i
1 Introduction	1
1.1 Purpose of the Analysis of Impediments to Fair Housing	1
1.2 Methodology	1
1.3 Organization of the AI	2
2 Background Data	4
2.1 Demographic Data	4
2.2 Household Income Data.....	19
2.3 Employment Data	26
2.4 Housing Profile	29
2.5 Public and Assisted Housing	47
2.6 Linkages between Housing and Employment Centers	58
3 Evaluation of Current Fair Housing Legal Status	62
3.1 Fair Housing Complaint Process	62
3.2 Fair Housing Complaints	63
4 Identification of Impediments to Fair Housing Choice	66
4.1 Public Sector	66
4.2 Private Sector	75
4.3 Public and Private Sectors	91
5 Assessment of Current Fair Housing Programs and Activities	93
5.1 Programs and Activities that Promote Fair Housing	93
5.2 Problems Related to Current Fair Housing Programs.....	99
6 Findings and Recommendations	101
6.1 Key Findings.....	101
6.2 Recommendations to Support Fair Housing	108
7 Appendix A: Key Informant Interviews	115
8 Appendix B: Minority Census Tracts	117
9 Appendix C: Rental Trends by Region	118
10 Appendix D: Maximum Affordable Sales Price Calculator	123

11	Appendix E: Detailed Fair Housing Complaint Data	126
12	Appendix F: Summary of Action Items by Jurisdiction.....	128

Tables and Figures

Table 2.1: Population and Household Trends, 2000-2009	5
Table 2.2: Household Composition and Size, 2009.....	6
Table 2.3: Large Households, 2000 (a)	8
Table 2.4: Female-Headed Households with Children, 2009.....	9
Table 2.5: Age Distribution, 2009.....	11
Table 2.6: Race and Ethnicity, 2009.....	12
Figure 2.1: Concentrations of Population by Race/Ethnicity, 2009	14
Figure 2.2: Areas of Minority Concentration, Alameda County, 2009	17
Table 2.7: Language Spoken at Home for Population 5+ years old, 2009	18
Table 2.8: Household Income Distribution, 2009	20
Table 2.9: Percent Extremely Low-, Very Low-, and Low-Income	22
Table 2.10: Poverty Status, 2009.....	23
Figure 2.3: Areas of Concentrated Poverty, Alameda County, 2009	25
Table 2.11: Major Employers, Alameda County, 2009	26
Figure 2.4: Major Employers, Alameda County	27
Table 2.12: Job Projections, Alameda County, 2005-2035	29
Table 2.13: Housing Unit Type, 2009	30
Table 2.14: Tenure Distribution of Occupied Units, 2009.....	31
Table 2.15: Housing Stock Age, 2000.....	33
Table 2.16: Housing Conditions, 2000.....	34
Table 2.17: Building Permits by Building Type, Alameda County, 2000-2009.....	35
Table 2.18: Building Permits by Jurisdiction, 2000-2009	36
Figure 2.5: Median Sales Price, Alameda County, 1988-2009	37

Figure 2.6: Sales Volume, Alameda County, 1988-2009	38
Table 2.19: Median Sales Price by Jurisdiction, 2009.....	39
Table 2.20: Rental Market Characteristics, 2Q 2009	41
Table 2.21: Affordability of Market-Rate For-Sale Housing.....	43
Table 2.22: Affordability of Market-Rate Rental Housing	44
Table 2.23: Overpayment by Jurisdiction, 2000	45
Table 2.24: Overcrowding by Jurisdiction, 2000.....	47
Table 2.25: Public Housing Complexes by Jurisdiction.....	49
Figure 2.7: Public and Subsidized Housing Complexes by Jurisdiction.....	50
Table 2.26: Public Housing Authority Section 8 Vouchers	52
Table 2.27: Subsidized Rental Housing, 2007	53
Table 2.28: Subsidized Senior and Disabled Housing Units, 2007.....	54
Table 2.29: Licensed Community Care Facilities by Jurisdiction	56
Figure 2.8: Licensed Community Care Facilities	57
Figure 2.9: Public Transportation	59
Table 2.30: Means of Transportation to Work, 2009	61
Table 3.1: Fair Housing Complaints, Alameda County, 2004-YTD 2009	64
Table 3.2: Fair Housing Complaints by Bases, Consortium, 2004-YTD 2009.....	65
Table 3.3: Fair Housing Complaints by Resolution, Consortium, 2004-YTD 2009..	65
Table 4.1: Disposition of Home Purchase Loans by Jurisdiction, 2007	78
Table 4.2: Disposition of Home Purchase Loans by Race, Consortium, 2007	79
Table 4.3: First-Time Homebuyer Programs.....	81
Figure 4.1: Producer Price Index for Key Construction Costs	84
Table 4.4: Subsidized Units At-Risk of Conversion to Market-Rate	86

Executive Summary

This Analysis of Impediments to Fair Housing Choice (AI) examines policies and practices that may limit residents' ability to choose housing in an environment free from discrimination. The AI assembles fair housing information, identifies any existing barriers that limit housing choice, and proposes actions to overcome those barriers. The U.S. Department of Housing and Urban Development (HUD) defines impediments to fair housing choice as:

- Any actions, omissions or decisions taken because of race, color, religion, sex, disability, familial status or national origin which restrict housing choices or the availability of housing choices; or
- Any actions, omissions or decisions that have the effect of restricting housing choices on the basis of race, color, religion, sex, disability, familial status or national origin.

HUD requires funded jurisdictions to develop and update an Analysis of Impediments as needed. This AI is prepared for the Alameda County HOME Consortium. The Consortium consists of eight CDBG entitlement jurisdictions, including seven cities and the Urban County. The Alameda County HOME Consortium participants are listed below:

- City of Alameda
- City of Fremont
- City of Hayward
- City of Livermore
- City of Pleasanton
- City of San Leandro
- City of Union City
- The Alameda Urban County (the cities of Albany, Dublin, Emeryville, Newark, Piedmont, and the Unincorporated County)

This section summarizes the key findings from the AI, and presents policies and supporting actions that support fair housing in Alameda County. These policies and actions build upon the current fair housing programs and activities described in Section 5.

Key Findings

Demographic Profile

Between 2000 and 2009, Consortium jurisdictions experienced steady population growth. The Consortium totaled 1 million residents in 2009, an increase of nine percent since 2000. The

Consortium makes up about two-thirds of the County's population, which also experienced an eight percent gain over the same period. Fremont is the largest Consortium jurisdiction, with 216,000 residents in 2009.

Population changes experienced by individual jurisdictions vary significantly. Cities such as Albany and Piedmont experienced more modest growth compared to other Consortium jurisdictions, with population gains of less than three percent between 2000 and 2009. Among entitlement jurisdictions, Livermore experienced the largest growth, increasing by 15 percent. Dublin and Emeryville saw the greatest increase within the Urban County, growing by 60 percent and 47 percent, respectively.

Alameda County has an extremely diverse population with no one race comprising a majority in 2009. White persons account for 36 percent of the population, while Asians represent 24 percent and Hispanics and Latinos represent 22 percent of residents countywide. Altogether, the Consortium has a slightly higher proportion of White persons and Asian persons than the County as a whole, with White and Asian residents making up 40 percent and 28 percent of the Consortium's population, respectively. African Americans make up six percent of the Consortium population, compared to 13 percent in the County as a whole. Consistent with the County's diversity, more than one-third of Consortium residents (38 percent) speak a language other than English in their homes.

Although no one race constitutes a majority in the County, racial and ethnic groups are not equally distributed throughout the County. There are two approaches generally used to define areas of minority concentration. One method defines areas of minority concentration as Census tracts where more than 50 percent of the population is comprised of a single ethnic or racial group. In much of Eastern Alameda County and portions of Northern Alameda County, White persons comprise more than 50 percent of the population. There are Census tracts within Hayward, Union City, and Fremont in Southern Alameda County that have a majority Asian population.

Minority concentration can also be defined as an area where the percentage of all minorities (i.e., non-White persons) is at least 20 percent above the overall percentage for the County. In 2009, minorities comprised 65 percent of Alameda County's population. As such, Census tracts where minorities represent over 85 percent of the population can be considered areas of minority concentration. Under this definition, areas of minority concentration exist in Hayward, Union City, and Fremont, as well as portions of unincorporated Alameda County.

Household incomes vary greatly across Consortium jurisdictions. Among entitlement jurisdictions, Pleasanton is the most affluent with a median household income of \$114,400 in 2009. Hayward has the lowest median household income at \$63,900. Within the Urban County,

Piedmont has the highest median household income (\$170,300), and Emeryville the lowest (\$50,200). In the Unincorporated County, Sunol shows the highest income at \$112,100, while Ashland has the lowest median household income at \$49,500. As a basis of comparison, the 2009 countywide median household income is \$70,500.

A relatively small share of Consortium households (five percent) live below the poverty line.

The traditional definition of concentrated poverty is an area where 40 percent of the population lives below the federal poverty threshold.¹ No areas within the Consortium fall within this definition. The highest incidence of poverty is found in the Unincorporated County; approximately 12 percent and nine percent of households in Ashland and Cherryland, respectively, live below the poverty line.

Housing Profile

Consortium households have a higher rate of homeownership than the County as a whole.

Approximately 55 percent of Alameda County households are homeowners, while 62 percent of Consortium households own their own homes. Livermore and Piedmont have the highest homeownership rates among entitlement and Urban County jurisdictions, with 73 percent and 91 percent homeownership rates, respectively. The cities of Alameda and Emeryville are the only incorporated areas within the Consortium where renters comprise the majority of households. Approximately 52 percent of Alameda households and 63 percent of Emeryville households rent their homes.

The median sales price for single-family homes in Alameda County increased dramatically between 2000 and 2007 before falling during the current economic downturn. Countywide, the median sales price for single-family homes rose by 88 percent from \$345,000 to \$650,000 between 2000 and 2007. Since 2007, the median sales price has decreased by 52 percent to \$310,000 during 2009 (data through May).

Although recent declines in home values have improved affordability conditions, many lower-income households will still encounter difficulty buying a home.

As shown in Section 2.4, while the market is generally affordable to low-income households (up to 80 percent of Area Median Income) in Mid-County, market prices in the North, South, and East County still remain an obstacle for these buyers. Moreover, credit markets have responded to the economic downturn with more conservative lending practices, exacerbating the challenge of securing a mortgage, particularly for lower-income buyers.

¹ Wolch, Jennifer and Nathan Sessoms, USC Department of Geography, "The Changing Face of Concentrated Poverty," http://www.usc.edu/schools/sppd/lusk/research/pdf/wp_2005-1004.pdf

In terms of rental housing, rents were the highest in Northern Alameda County and most affordable in Mid-County.² The average monthly rent in Northern Alameda County was \$1,590, compared to \$1,160 in Mid-County. Across the Consortium, monthly rents have increased since 2007 by between 1.4 percent and 5.2 percent. Housing economists generally consider a rental vacancy rate of five percent as sufficient to provide adequate choice and mobility for residents. During the second quarter of 2009, the vacancy rates across the Consortium met this benchmark. East County had the highest vacancy rate, at 8.6 percent, while South County had the lowest at 4.8 percent.

Many lower-income households, particularly in North, South, and East County, will have difficulty locating an affordable rental unit. As with for-sale housing, rental housing in the Mid-County was most affordable, with average market-rate rents generally comparable to the maximum affordable rent for low-income households. However, in North, South, and East County, the average market-rate rent often lay above the maximum affordable rent for low-income households, and exceeded the maximum affordable rent for very low- and extremely low-income households.

High rents and home prices can lead to overpayment on housing. Countywide, approximately one-third of households paid more than 30 percent of their gross incomes for housing in 2000. The proportion of cost-burdened households was slightly lower in the Consortium (32 percent). The incidence of cost burden was higher among renters than owners in the Consortium, with 37 percent of renter households and 30 percent of owner households spending more than 30 percent of their incomes on housing costs.

A lack of affordable homes can also lead to overcrowding. In 2000, approximately 12 percent of all households in the County were overcrowded.³ Overcrowding was substantially higher among renters than owners, with 19 percent of renters and seven percent of owners living in overcrowded situations in the County. The rate of overcrowding in the Consortium parallels the rate for the County as a whole. As with overpayment, rising unemployment and foreclosures may contribute to greater overcrowding rates in Consortium jurisdictions. However, more current data on overcrowding is unavailable.

Extended waiting lists exist for public housing units operated by public housing authorities in the Consortium. The Housing Authority of the County of Alameda (HACA) provides public housing and rental assistance to incorporated and unincorporated areas within the County, with the exception of the cities of Alameda, Berkeley, Livermore, and Oakland, which each have their own

² North County data excludes the cities of Berkeley and Oakland, which are not members of the HOME Consortium.

³ The U.S. Census defines “overcrowding” as more than one person per room, excluding bathrooms and kitchens.

housing authorities. HACA owns and operates five public housing complexes and 34 scattered site public housing units throughout the County. It has a waiting list with 990 persons. In addition, the Livermore Housing Authority owns one public housing complex and a waiting list of 1,238 individuals. The Housing Authority of the City of Alameda owns and operates Esperanza, a 120-unit public housing complex for low- and very low-income families. However, the Housing Authority converted Esperanza from a public housing complex to a project-based Section 8 complex in Fall 2009.⁴ In total, 411 public housing units in the Consortium provide homes for families, the elderly, and disabled individuals.

Alameda County contains 440 subsidized rental developments, including 198 projects within the Consortium in 2007. In total, Consortium jurisdictions housed 9,600 subsidized rental units. Consistent with their larger populations, Fremont and Hayward had the largest share of the Consortium's subsidized units, with approximately 1,550 and 1,500 units, respectively. Together, the subsidized rental units in these two cities make up 32 percent of the total subsidized units in the Consortium; these cities contain 35 percent of the Consortium population.

The Consortium contains 523 licensed care facilities with capacity to accommodate 6,500 individuals. The cities of Fremont, Hayward, and Union City have the largest number of facilities, with over 1,000 beds in each jurisdiction. Altogether, these three cities contain approximately 59 percent of the licensed care facility beds in the Consortium, and 43 percent of the Consortium's total population.

Fair Housing Complaints

Between 2004 and 2008, a total of 25 to 53 fair housing complaints were filed annually in Consortium jurisdictions. In 2009, 26 complaints were filed through August. Fair housing complaints in the Consortium represented 58 percent of all complaints in Alameda County between 2004 and August 2009, even though the Consortium makes up 66 percent of the County's population. HUD found that over 55 percent of complaints filed in the Consortium between 2004 and August 2009 did not have probable cause for a fair housing violation. Another 33 percent were conciliated or resolved. Seven percent were closed administratively, with no finding. In addition, just under five percent of complaints were found by HUD to have cause, with the case going to federal court or being heard by a HUD Administrative Law Judge.

Disability and race emerged as the most common bases for complaint. These accounted for 31 percent and 27 percent, respectively, of all complaint bases over the last five years. Familial status and national origin also appeared as common bases, appearing in 17 percent and 11 percent of all

⁴ Gleason, Leslie, Housing Authority of the City of Alameda, phone conversation with BAE, July 13, 2009.

complaints, respectively. Please refer to Appendix E for additional detail by jurisdiction.

Impediments to Fair Housing Choice

Public sector. As discussed in Section 4, a number of Consortium jurisdictions maintain policies and ordinances that have the potential to raise fair housing concerns. In particular, local zoning ordinances can impact the production of multifamily housing, second units, emergency shelters, transitional housing, and community care facilities, all of which serve lower-income households and special needs populations. As documented in their respective Housing Elements, the Consortium jurisdictions have responded to these issues by adopting programs to address constraints.⁵ Several jurisdictions are also formalizing their reasonable accommodation request procedures to further fair housing efforts. In addition, many jurisdictions are facilitating affordable housing production by reducing parking standards and waiving or reducing fees for affordable developments, in addition to financing a portion of the project. Please refer to Section 4 for a more detailed discussion of individual jurisdictions' actions in this regard.

Private sector. While declining home values have helped many households enter the ownership market, credit access remains a real challenge for potential homebuyers. Even more affordable FHA loans and municipally-sponsored first-time homebuyer programs can be difficult to access for buyers, as many loan officers and realtors prefer to focus on conventional mortgages due to the time and effort associated with these loan products. Consortium jurisdictions and homeownership counselors have responded to these challenges by developing relationships with particular loan officers and agents who can assist buyers with the State and local programs.

Foreclosures have also damaged many households' credit ratings, limiting their ability to buy a home in the future. National data shows that subprime mortgages (which have a strong tie to foreclosure) disproportionately occurred in communities of color, raising a fair housing concern.⁶

According to local affordable housing developers, the availability of financing presents the biggest barrier to producing new subsidized housing. Although the cost of land and construction have declined, the tightened credit market, and decline in State and local subsidies, have made it challenging for affordable housing developers to take advantage of lower costs.

⁵ California law requires local jurisdictions to update the Housing Element of their General Plan every five to seven years. The Housing Element identifies policies and programs to address local housing needs, including affordable and fair housing. It also lists potential constraints to housing development and fair housing, and provides actions to mitigate these constraints.

⁶ *Losing Ground: Foreclosures in the Subprime Market and Their Cost to Homeowners*. Center for Responsible Lending. December 2006.

Housing Constraints for Special Needs Populations

Elderly. Seniors often need accessible units located in close proximity to services and public transportation. Many seniors also live on fixed incomes, making affordability a particular concern. There is a limited supply of affordable senior housing - approximately 3,820 units in the Consortium. In addition, local senior service providers report that many subsidized housing projects serve individuals or couples only and do not accommodate caregivers. In other cases, the caregiver's income may make the senior ineligible for the affordable unit.

Persons with Disabilities. Building codes and HOME regulations require that five percent of units in multifamily residential complexes be wheelchair accessible and another two percent be accessible for individuals with hearing or vision impairments. Affordable housing developers follow these requirements and provide accessible units in their buildings. There are approximately 1,160 affordable units for disabled persons in the Consortium. Nonetheless, service providers report that demand exceeds the supply of accessible, subsidized units. In contrast to this finding, affordable housing providers report that they can have difficulty filling accessible units with disabled individuals. This points to challenges in the application and marketing process that prevent disabled individuals from finding subsidized, accessible housing when needed.

Persons with disabilities face other challenges that may make it more difficult to secure both affordable or market-rate housing, such as lower credit scores, the need for service animals (which must be accommodated as a reasonable accommodation under the Fair Housing Act), the limited number of accessible units, and the reliance on Social Security or welfare benefits as a major income source.

Homeless Individuals. The primary barrier to housing choice for homeless individuals is insufficient income. Interviews with service providers indicate that many homeless rely on Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), which are too low to qualify for most subsidized programs and affordable housing developments. In addition, property managers often screen out individuals with a criminal or drug history, history of evictions, or poor credit, which effectively excludes many homeless persons.

Limited English Proficiency (LEP) Individuals. Local service providers state that as financial institutions institute more stringent lending practices and outreach to minority communities has declined with the economy, LEP and undocumented individuals face greater challenges in securing a mortgage. Furthermore, many households in the Spanish-speaking community and other LEP populations rely on a cash economy, and lack the record keeping and financial legitimacy that lenders require. National origin emerges as a one of the more common bases for fair housing complaints, suggesting that LEP individuals may also encounter discrimination in locating rental

housing.

Recommendations to Support Fair Housing

The following policies and actions respond to the fair housing needs expressed in Section 4 of the AI, and dovetail with the respective jurisdictions' fair housing strategies expressed in other documents, mainly the State-mandated Housing Element. The Housing Element is generally the most comprehensive housing policy document for California jurisdictions, covering fair housing and other affordable housing issues. As each jurisdiction will have a slightly different set of needs, priorities, and programs, this AI refers to the respective Housing Elements for a more comprehensive set of affordable and fair housing activities, and looks to Action 1.2 to encourage implementation. The following policies and actions, however, apply to all the HOME Consortium jurisdictions. Appendix F summarizes these Action Items by jurisdiction, based on a review of each jurisdiction's most current Housing Element. It is also important to note that the Consortium jurisdictions are currently implementing many of the actions outlined below, and this AI recommends that these initiatives continue. More detail is provided in Section 6.

Policy #1: Secure federal funding for community development activities

Federal entitlement grants, particularly CDBG funds, represent a primary source of funding for local affordable and fair housing activities, including contracting with fair housing service providers. These dollars are particularly important today, given the fiscal concerns experienced by many California and Consortium jurisdictions during the current recession. As such, the HOME Consortium jurisdictions must continue to undertake the actions below to secure these resources.

- Action 1.1: Complete a HUD-approved Consolidated Plan and Action Plan.
- Action 1.2: Apply for, receive, and disburse federal entitlement grant funding.
- Action 1.3: Monitor implementation of the Consolidated Plan and Action Plan.

Objective: The HOME Consortium jurisdictions prepare a Consolidated Plan, apply for and receive their respective allocation of federal entitlement grant funds, prepare and submit the requisite CAPERs, and disburse the funds accordingly.

Policy #2: Support local fair housing activities and services

The AI finds that fair housing represents an ongoing concern in the HOME Consortium jurisdictions. In particular, interviews with local service providers indicate that many homeseekers and landlords are unaware of federal and state fair housing laws. They also remain unfamiliar with protections offered to seniors, disabled, and other special needs populations, as well as families and

protected classes. Each of the HOME Consortium currently undertakes a series of fair housing activities, with the primary focus being ongoing outreach and education on fair housing rights for homeseekers, landlords, lenders, and agents. The following actions respond to the need to continue these efforts.

- Action 2.1: Conduct ongoing outreach and education regarding fair housing.
- Action 2.2: Respond to fair housing concerns and complaints in a timely fashion.
- Action 2.3: Consider or continue contracting with fair housing service providers to conduct fair housing testing.

Objective: Through contracts with the HOME Consortium jurisdictions, local fair housing service providers will continue to conduct outreach and education to local residents, landlords, property managers, lenders, and real estate agents.

Policy #3: Collaborate with lenders and financial education providers to support fair lending practices and access to credit

In response to the economic recession and residential real estate downturn, lenders have tightened credit requirements, making it more difficult for potential buyers to access loans. Lenders and homebuyer education providers underscore this issue, and note that limited-English speakers, in particular, have difficulty securing loans. Moreover, this AI finds that many lenders and brokers are resistant to more affordable and accessible loan products offered in conjunction with first-time homebuyer or other government programs, due to their added complexity. As such, the HOME Consortium jurisdictions should continue the following actions to address these needs.

- Action 3.1: Continue to support financial training and homebuyer assistance programs.
- Action 3.2: Maintain a list of partner lenders that can help buyers access below-market-rate loans and locally-sponsored programs.

Objectives: The HOME Consortium jurisdictions maintain a list of financial literacy and first-time homebuyer trainers, as well as lenders that assist homebuyers with below-market-rate loans. To the extent the jurisdictions have quantified objectives in their respective Housing Elements that address local homebuyer assistance programs (e.g., number of households served), these targets are reached.

Policy #4: Continue to support affordable housing production

The analysis of rents, home sales prices, and local household incomes indicates that despite the

decline in the housing market, many very low- and low-income households remain priced out of the local market. In particular, North County, East County, and South County remain more costly than Mid-County. The elderly, disabled, and homeless are especially affected by this issue. As a result, a significant share of households are cost-burdened, overcrowding remains a pressing concern in many areas, and local housing authorities and affordable housing property managers report lengthy waiting lists. The HOME Consortium jurisdictions can help address this issue through the actions below, which support the production of more affordable housing serving extremely low-, very low-, and low-income households and special needs populations.

- Action 4.1: Support affordable housing developers in completing their local projects through financial and technical assistance.
- Action 4.2: Facilitate access to below-market-rate units for all eligible segments of the population, particularly special needs groups.
- Action 4.3: Mitigate constraints on housing production.

Objective: The HOME Consortium jurisdictions achieve the production, rehabilitation, and preservation objectives in their respective Housing Elements for the 2007-2014 planning period. Affordable housing developments with units set aside for special needs populations are effectively filled by their intended residents.

Policy #5: Ensure consistency between local zoning ordinances and fair housing choice

Local jurisdictions' zoning requirements must comply with State law, the federal Fair Housing Act of 1968, and the Fair Housing Amendments Act of 1988. As discussed in Section 4, the AI finds cases where local zoning requirements do conflict with State and federal requirements, and documents how the subject jurisdictions are rectifying these issues. The respective jurisdictions' Housing Elements also serve as the reference for these corrective programs. The following actions identify the primary fair housing issues related to local zoning.

- Action 5.1: Allow for reasonable accommodation in zoning regulations to accommodate the needs of people with disabilities.
- Action 5.2: Establish zoning that treats emergency shelters, supportive housing, and transitional housing consistently with fair housing and State laws.
- Action 5.3: Maintain a definition of family consistent with fair housing law.

- Action 5.4: Establish a zoning ordinance that treats community care facilities consistently with fair housing and State laws.
- Action 5.5: Establish a zoning ordinance that treats secondary units consistently with fair housing and State laws.

Objective: The HOME Consortium jurisdictions amend their respective zoning ordinances as necessary to comply with the actions listed above by 2014.

Policy #6: Maintain and implement an updated Housing Element

In California, each jurisdiction’s Housing Element is a crucial tool to plan for and detail programs to address affordable and fair housing need. An updated Housing Element provides local policymakers and staff a clear guide and timeline to enacting these programs, and indicates agencies responsible for implementation.

- Action 6.1: Strive for a State-certified Housing Element.
- Action 6.2: Implement Housing Element programs according to the timeline identified in the Housing Element.

Objective: The HOME Consortium jurisdictions all have State-certified Housing Elements, and can demonstrate a positive record of implementing their programs during the current planning period (2007-2014).

Policy #7: Work with local housing authorities to ensure fair housing laws are consistently applied in outreach and program implementation

Interviews with housing authorities in the Consortium areas indicate that they are well-versed in fair housing requirements, and aim to apply these consistently in their outreach, property management, waitlist maintenance, and tenant recruitment efforts. The following action emphasizes the need for local jurisdictions can assist local housing authorities in this regard.

- Action 7.1: Assist local Housing Authorities with outreach.

Objective: The three Housing Authorities in the Alameda County HOME Consortium will continue to manage their public housing units, Section 8 programs, and waiting lists in a manner consistent with fair housing law.

Policy #8: Coordinate with local transit agencies to support links between residential and employment centers

Impediments to fair housing choice may occur when poor linkages exist between the locations of major employers and affordable housing. Under these conditions, persons who depend on public transportation, such as lower-income households, seniors, and disabled persons, would be more limited in their housing options. The AI finds that the Consortium's inventory of subsidized housing, public housing, and community care facilities are relatively well-connected to public transportation. Alameda County's largest employment centers are also accessible by public transportation. The HOME Consortium jurisdictions should continue efforts to support transit-oriented development and further improve connections between new housing and employment centers.

- Action 8.1: Plan for and encourage transit-oriented development where appropriate.
- Action 8.2: Work with local transit agencies to facilitate safe and efficient routes for the various forms of public transit.

Objective: The HOME Consortium jurisdictions collaborate with local transit agencies as appropriate when developing Specific Plans, updating their General Plans, and improving local circulation and transportation infrastructure.

1 Introduction

1.1 Purpose of the Analysis of Impediments to Fair Housing

This Analysis of Impediments to Fair Housing Choice (AI) examines policies and practices that may limit residents' ability to choose housing in an environment free from discrimination. The AI assembles fair housing information, identifies any existing barriers that limit housing choice, and proposes actions to overcome those barriers. The U.S. Department of Housing and Urban Development (HUD) defines impediments to fair housing choice as:

- Any actions, omissions or decisions taken because of race, color, religion, sex, disability, familial status or national origin which restrict housing choices or the availability of housing choices; or
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HUD requires funded jurisdictions to develop and update an Analysis of Impediments as needed. This AI is prepared for the Alameda County HOME Consortium. The Consortium consists of eight CDBG entitlement jurisdictions, including seven cities and the Urban County. The Alameda County HOME Consortium participants are listed below:

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- The Alameda Urban County (the cities of Albany, Dublin, Emeryville, Newark, Piedmont, and the Unincorporated County)

1.2 Methodology

In the spring of 2009, the Alameda County HOME Consortium commissioned Bay Area Economics (BAE) to assist with the preparation of the AI for submission to HUD. Staff from Alameda County and the HOME Consortium jurisdictions worked with BAE to:

- Analyze data, documents, current programs, and practices;
- Identify barriers to fair housing choice; and

- Develop strategies for removing impediments and affirmatively furthering fair housing.

To identify additional variables that could indicate barriers to fair housing, data was analyzed on variables such as population and household trends, age, household income, concentration of minority populations, housing affordability indicators, overcrowding, and the geographic distribution of affordable housing and employment centers. The AI incorporates numerous sources including the U.S. Census, the State of California Department of Finance, the Association of Bay Area Governments, and Claritas, Inc., a private demographic data provider.

Complaints about fair housing are one indicator of the presence of impediments to fair housing choice. Data on fair housing complaints and cases from 2004 to 2009 from the HUD Office of Fair Housing and Equal Opportunity (FHEO) was obtained and analyzed. In addition, BAE spoke to city staff and local fair housing service providers about fair housing issues in the Consortium.

In addition to analyzing quantitative data, city planning documents, housing elements, policies, and ordinances were analyzed to determine any direct or indirect impact on fair housing. A total of 22 detailed one-on-one interviews were also conducted with local affordable housing developers, service providers, advocates, and mortgage lenders to elicit feedback about barriers to fair housing in the County and existing work directed at removing these barriers. Appendix A lists the stakeholders interviewed for this study. To augment these interviews, a public meeting was held on December 10, 2009 to provide an opportunity for community input and public comment. Subsequently, City Council and County Board of Supervisors hearings were held by individual jurisdictions to provide an additional opportunity to comment on the AI.

1.3 Organization of the AI

The Analysis of Impediments to Fair Housing is divided into six chapters. Following this Introduction, the AI contains:

- **Chapter 2: Background Data.** This chapter describes the demographic profile, housing stock, and housing market of the County, Consortium, and Consortium jurisdictions.
- **Chapter 3: Evaluation of Current Fair Housing Legal Status.** This chapter provides data on fair housing complaints between 2004 and 2009 in Consortium jurisdictions.
- **Chapter 4: Identification of Impediments to Fair Housing Choice.** Various public and private impediments to fair housing choice are reviewed.
- **Chapter 5: Assessment of Current Fair Housing Programs and Activities.** Chapter 5

outlines the current fair housing programs and activities in the Consortium.

- **Chapter 6: Conclusions and Recommendations.** The final chapter of the AI summarizes the findings, and provides conclusions and recommendations for the Consortium, based on information presented in the preceding chapters.

2 Background Data

This Background Data Section incorporates quantitative data from a variety of sources and qualitative information from various organizations and community stakeholders. Quantitative data sources include the United States Census; the Association of Bay Area Governments; the State of California, Department of Finance; and Claritas, Inc., a private demographic data vendor. Whenever possible, the AI presents the most recent data reflecting current market and economic conditions. For example, data from Claritas, Inc. which estimates current demographic trends based on the 2000 Census, is often used to provide 2009 data. However, in some cases, the 2000 U.S. Census provides the most reliable data and more up-to-date information is unavailable.

2.1 Demographic Data

Population and Household Trends

Between 2000 and 2009, Alameda County's population increased by nearly eight percent to approximately 1.6 million residents. As shown in Table 2.1, the Urban County and the Consortium grew at a faster rate than the County as a whole. Population in the Urban County increased by 12 percent between 2000 and 2009, reaching about 272,000 residents in 2009. The Consortium's population totaled 1.0 million residents in 2009, an increase of nine percent since 2000.

Population changes experienced by individual jurisdictions vary significantly. Cities such as Albany and Piedmont in the Urban County experienced more modest growth compared to other Consortium jurisdictions, with population increases of less than three percent between 2000 and 2009. Among entitlement jurisdictions, Livermore experienced the largest population growth, increasing by 15 percent. Dublin and Emeryville saw the greatest population increase within the Urban County, growing by 60 percent and 47 percent, respectively. Among Consortium jurisdictions, Fremont is the largest city by far, with 216,000 residents in 2009. Hayward, as the second largest Consortium jurisdiction, has 151,000 residents. Together, these two cities make up almost 36 percent of the total Consortium population.

Household growth in Alameda County and the Consortium paralleled population trends, though at a slower rate. There are an estimated 556,000 households in Alameda County in 2009, an increase of over six percent since 2000. The number of households in the Consortium grew by seven percent, totaling 352,000 in 2009.

Table 2.1: Population and Household Trends, 2000-2009

	Population			Households		
	2000	2009 Est.	% Change	2000	2009 Est.	% Change
Entitlement Jurisdictions						
Alameda	72,259	74,683	3.4%	30,226	30,955	2.4%
Fremont	203,413	215,636	6.0%	68,237	71,124	4.2%
Hayward	140,030	150,878	7.7%	44,804	47,379	5.7%
Livermore	73,345	84,409	15.1%	26,123	29,528	13.0%
Pleasanton	63,654	70,097	10.1%	23,311	25,236	8.3%
San Leandro	79,452	82,472	3.8%	30,642	31,270	2.0%
Union City	66,869	73,977	10.6%	18,642	20,276	8.8%
Urban County						
Albany	16,444	16,884	2.7%	7,011	7,109	1.4%
Dublin	29,973	47,922	59.9%	9,325	15,895	70.5%
Emeryville	6,882	10,087	46.6%	3,975	5,745	44.5%
Newark	42,471	44,035	3.7%	12,992	13,263	2.1%
Piedmont	10,952	11,165	1.9%	3,804	3,811	0.2%
Unincorporated County	135,770	142,166	4.7%	48,529	49,974	3.0%
Urban County Total	242,492	272,259	12.3%	85,636	95,797	11.9%
Consortium Total	941,514	1,024,411	8.8%	327,621	351,565	7.3%
Alameda County Total	1,443,741	1,556,657	7.8%	523,366	555,772	6.2%

Note:

(a) 2009 population and household estimates provided by California Department of Finance.

Sources: Claritas, 2000; California Department of Finance, 2009; BAE, 2009.

Household Composition and Size

Table 2.2 provides a distribution of households across various types in 2009. As shown, family households, defined as two or more individuals who are related by birth, marriage, or adoption, represent the majority (65 percent) of households in Alameda County. Single-person households comprise 26 percent of households while the remaining 10 percent are non-family households. Non-family households may include unrelated adults living together and others who do not fall within the Census Bureau's traditional definition of family, including same-sex couples. The Consortium has a higher percentage of family households than the County overall, with families representing 71 percent of all households. This finding corresponds with the fact that Oakland and Berkeley, Alameda County cities with a greater number of non-family households due to the presence of students and younger residents, are not included in the Consortium.

Among entitlement jurisdictions, Union City has the highest percentage of families, at 84 percent. Nearly 82 percent of Piedmont households are families, representing the highest percentage among Urban County jurisdictions. Emeryville is unique among all Consortium jurisdictions in that the majority of households are single-person households; 56 percent of the City's households have

only one person.

The average household size in Alameda County in 2009 is 2.76 persons per household. This is slightly lower than the Consortium's average household size of 2.89 persons per household, and corresponds with the Consortium's higher rate of family households. Consistent with data on household type distribution, Union City has the largest household size among Consortium jurisdictions at 3.67 persons per household, while Emeryville has the smallest household size at 1.70 persons per household.

Table 2.2: Household Composition and Size, 2009

	Household Type			Average Household Size (a)
	Single Person	Family	Non-Family	
Entitlement Jurisdictions				
Alameda	31.3%	59.3%	9.4%	2.41
Fremont	16.2%	76.4%	7.4%	3.03
Hayward	20.4%	71.1%	8.5%	3.16
Livermore	18.9%	74.5%	6.6%	2.82
Pleasanton	19.3%	74.5%	6.2%	2.76
San Leandro	27.5%	64.7%	7.8%	2.65
Union City	10.9%	84.3%	4.8%	3.67
Urban County				
Albany	28.4%	60.5%	11.0%	2.41
Dublin	21.4%	69.9%	8.7%	2.63
Emeryville	55.9%	29.4%	14.7%	1.70
Newark	13.9%	79.6%	6.5%	3.35
Piedmont	14.0%	81.7%	4.4%	2.96
<i>Unincorporated County</i>	<i>21.2%</i>	<i>70.8%</i>	<i>8.0%</i>	<i>2.81</i>
Ashland CDP	23.3%	67.5%	9.1%	2.93
Castro Valley CDP	22.6%	69.7%	7.7%	2.63
Cherryland CDP	24.9%	64.9%	10.2%	2.96
Fairview CDP	17.9%	73.9%	8.2%	2.87
San Lorenzo CDP	18.4%	75.8%	5.8%	3.02
Sunol CDP	16.4%	76.4%	7.2%	2.81
<i>Remainder</i>	<i>16.0%</i>	<i>76.0%</i>	<i>8.0%</i>	<i>2.55</i>
Urban County Total	22.7%	68.9%	8.4%	2.76
Consortium Total	21.0%	71.3%	7.7%	2.89
Alameda County Total	25.5%	64.8%	9.7%	2.76

Sources: Claritas, 2009; BAE, 2009.

Large Households

The U.S. Census Bureau defines large households as those with five or more persons. Large households may encounter difficulty in finding adequately-sized, affordable housing due to the limited supply of large units in many jurisdictions. Additionally, large units generally cost more to

rent and buy than smaller units. This may cause larger families to live in overcrowded conditions and/or overpay for housing.

As shown in Table 2.3, approximately 13 percent of Alameda County households had five or more persons in 2000. Large households were slightly more prevalent within the Consortium, with 14 percent of households having five or more members. A larger proportion of owner households had five or more persons than renter households; approximately 14 percent of owner households were large households in 2000 compared to 13 percent of renter households in the Consortium.

The prevalence of large households varies greatly across entitlement and Urban County jurisdictions. However, in nearly all jurisdictions, a greater proportion of owner households than renters had five or more residents. Consistent with household composition and size data, Union City and Newark had the highest proportions of large households at 26 percent and 21 percent, respectively. Emeryville had the fewest large households with just three percent of all households having five or more members. Within the Unincorporated County, Ashland, Cherryland, and San Lorenzo had slightly higher percentages of large households compared to the County as a whole, with between 15 percent and 17 percent of all households having five or more members.

Table 2.3: Large Households, 2000 (a)

	Large HH Owners		Large HH Renters		All Large Households	
	Number	% of Owners	Number	% of Renters	Number	% of Total
Entitlement Jurisdictions						
Alameda	1,198	8.3%	1,102	7.0%	2,300	7.6%
Fremont	6,729	15.3%	2,869	11.9%	9,598	14.1%
Hayward	4,772	20.0%	3,957	18.9%	8,729	19.5%
Livermore	2,132	11.3%	894	12.3%	3,026	11.6%
Pleasanton	1,849	10.8%	422	6.8%	2,271	9.7%
San Leandro	2,450	13.2%	1,095	9.1%	3,545	11.6%
Union City	3,463	26.1%	1,415	26.4%	4,878	26.2%
Urban County						
Albany	248	7.0%	116	3.4%	364	5.2%
Dublin	669	11.1%	262	8.0%	931	10.0%
Emeryville	33	2.2%	83	3.3%	116	2.9%
Newark	1,775	19.3%	902	23.6%	2,677	20.6%
Piedmont	380	11.0%	29	8.2%	409	10.8%
<i>Unincorporated County</i>	<i>3,760</i>	<i>12.2%</i>	<i>2,209</i>	<i>12.4%</i>	<i>5,969</i>	<i>12.3%</i>
Ashland CDP	473	18.2%	625	13.5%	1,098	15.2%
Castro Valley CDP	1,433	9.5%	513	7.8%	1,946	9.0%
Cherryland CDP	269	17.3%	498	16.1%	767	16.5%
Fairview CDP	345	12.6%	81	15.1%	426	13.0%
San Lorenzo CDP	879	14.8%	278	17.8%	1,157	15.4%
Sunol CDP	47	12.9%	13	10.9%	60	12.4%
<i>Remainder</i>	<i>314</i>	<i>12.7%</i>	<i>201</i>	<i>15.3%</i>	<i>515</i>	<i>13.6%</i>
Urban County Total	6,865	12.6%	3,601	11.5%	10,466	12.2%
Consortium Total	29,458	14.4%	15,355	12.5%	44,813	13.7%
Alameda County Total	39,212	13.7%	27,840	11.7%	67,052	12.8%

Note:

(a) A "large household" is defined as five persons or more.

Sources: U.S. Census, SF1 H-15, 2000; BAE, 2009.

Female-Headed Households

According to the 2006 American Community Survey, 43 percent of single-parent female-headed households nationwide live at or below the federal poverty level, compared to national poverty rate of 10 percent. Single mothers have a greater risk of falling into poverty than single fathers due to factors such as the wage gap between men and women, insufficient training and education for higher-wage jobs, and inadequate child support. Households with single mothers also typically have special needs related to access to day care/childcare, health care, and other supportive services.

Countywide, seven percent of all households are female-headed households with children. Overall, the Consortium has a slightly lower percentage at six percent. Among Consortium jurisdictions, the cities of Hayward and Albany had the greatest prevalence of single-parent female-headed

households at almost eight percent. Within the Unincorporated County, the communities of Ashland and Cherryland had greater proportions of single-parent female-headed households, at 14 percent, and 10 percent, respectively.

Table 2.4: Female-Headed Households with Children, 2009

	Number of Female-Headed HH's w/ Children	Percent of Total Households
Entitlement Jurisdictions		
Alameda	1,802	6.2%
Fremont	3,132	4.7%
Hayward	3,446	7.7%
Livermore	1,593	5.5%
Pleasanton	1,146	4.7%
San Leandro	1,763	6.0%
Union City	1,142	5.8%
Urban County		
Albany	519	7.7%
Dublin	780	5.0%
Emeryville	250	4.2%
Newark	730	5.8%
Piedmont	190	5.3%
<i>Unincorporated County</i>	3,352	7.0%
Ashland CDP	950	13.9%
Castro Valley CDP	1,161	5.7%
Cherryland CDP	469	9.9%
Fairview CDP	154	4.9%
San Lorenzo CDP	371	5.5%
Sunol CDP	14	2.6%
<i>Remainder</i>	233	4.3%
Urban County Total	5,821	6.3%
Consortium Total	19,845	5.9%
Alameda County Total	37,059	7.0%

Sources: Claritas, 2009; BAE, 2009.

Age Distribution 2000

The median age countywide in 2009 is 37.5 years old. As shown in Table 2.5, just over 23 percent of the County's population is under 18 years old while 11 percent is 65 years old or over. The Consortium has a slightly higher proportion of residents under 18 years old, with people in this age cohort comprising 24 percent of the Consortium's population. The age distribution of jurisdictions parallels data on household type and size discussed earlier. Generally, cities with larger household sizes and greater proportions of family households have higher percentages of persons under 18 years old.

Throughout the Consortium, persons age 65 years old and over represented 11 percent of the population. This percentage, however, varies greatly among entitlement and Urban County jurisdictions. The cities of Alameda, San Leandro, and Piedmont have higher proportions of persons aged 65 years old and over, with the elderly representing over 14 percent of the population in each jurisdiction. The City of Dublin has the lowest proportion of elderly residents, with less than seven percent of the population over 65 years old.

Overall, the entitlement jurisdictions of Hayward and Union City have the youngest population, with median ages of 35.1 and 35.9 years old, respectively. Piedmont has the oldest population, with a median age of 45.6 years old. Jurisdictions with younger populations may demand more affordable family housing options while cities with older populations may need more senior housing facilities or services which help people to remain in their homes.

Table 2.5: Age Distribution, 2009

	Age Cohort					Median Age (a)
	Under 18	18 - 24	25 - 44	45 - 64	65 & Older	
Entitlement Jurisdictions						
Alameda	20.1%	7.9%	26.8%	30.9%	14.3%	42.0
Fremont	25.0%	8.2%	29.6%	27.3%	9.9%	37.2
Hayward	25.9%	9.5%	30.3%	23.5%	10.7%	35.1
Livermore	26.4%	8.9%	27.3%	28.1%	9.2%	37.4
Pleasanton	25.8%	8.9%	24.0%	31.4%	9.8%	39.1
San Leandro	22.1%	7.6%	27.2%	27.1%	16.0%	40.6
Union City	25.5%	9.6%	29.1%	26.0%	9.7%	35.9
Urban County						
Albany	19.9%	8.0%	29.3%	31.4%	11.5%	40.5
Dublin	21.0%	9.6%	36.0%	26.5%	6.9%	36.7
Emeryville	12.2%	5.4%	41.4%	29.2%	11.9%	40.3
Newark	25.0%	9.7%	29.4%	26.0%	9.8%	36.3
Piedmont	25.4%	10.0%	13.6%	36.3%	14.6%	45.6
<i>Unincorporated County</i>	23.7%	8.7%	25.9%	28.4%	13.3%	N/A
Ashland CDP	28.0%	8.9%	31.3%	22.7%	9.2%	34.3
Castro Valley CDP	21.5%	8.5%	23.5%	31.1%	15.3%	42.5
Cherryland CDP	27.4%	8.4%	31.4%	22.7%	10.0%	34.7
Fairview CDP	21.0%	9.0%	24.3%	32.3%	13.4%	42.2
San Lorenzo CDP	22.8%	9.5%	25.0%	27.4%	15.4%	40.0
Sunol CDP	19.4%	8.3%	23.2%	35.0%	14.1%	44.3
<i>Remainder</i>	25.8%	7.8%	24.8%	30.2%	11.4%	N/A
Urban County Total	22.8%	8.9%	28.6%	28.2%	11.5%	N/A
Consortium Total	24.2%	8.7%	28.4%	27.5%	11.2%	N/A
Alameda County	23.4%	9.3%	29.2%	26.9%	11.2%	37.5

Notes:

(a) Median age data is not available for unincorporated county, unincorporated remainder, or consortium.

Sources: Claritas, 2009; BAE, 2009.

Race/Ethnicity

Alameda County has a diverse population with no one race comprising a majority in 2009. As shown in Table 2.6, White persons account for 36 percent of the population while Asians represent 24 percent and Hispanics and Latinos represent 22 percent countywide. Altogether, the Consortium has a slightly higher proportion of White persons and Asian persons than the County as a whole, with White and Asian residents making up 40 percent and 28 percent of the Consortium's population, respectively. African Americans make up six percent of the Consortium population.

Table 2.6: Race and Ethnicity, 2009

	Not Hispanic/Latino							
	Hispanic/ Latino (a)	White	Black/ African American	Native American	Asian	Native Hawaiian/ Pacific Islander	Other	Two or More Races
Entitlement Jurisdictions								
Alameda	9.4%	45.7%	6.6%	0.5%	31.4%	0.6%	0.3%	5.4%
Fremont	13.7%	31.3%	2.6%	0.3%	46.7%	0.5%	0.3%	4.7%
Hayward	37.9%	21.3%	10.7%	0.3%	22.7%	2.0%	0.5%	4.6%
Livermore	16.7%	69.4%	1.7%	0.4%	7.6%	0.3%	0.3%	3.7%
Pleasanton	8.5%	69.2%	1.3%	0.2%	17.0%	0.1%	0.2%	3.4%
San Leandro	23.2%	31.1%	11.4%	0.4%	28.7%	0.9%	0.2%	4.1%
Union City	26.1%	14.5%	5.0%	0.2%	48.3%	0.9%	0.3%	4.8%
Urban County								
Albany	8.1%	52.4%	3.1%	0.2%	30.4%	0.1%	0.5%	5.1%
Dublin	14.8%	58.3%	7.3%	0.4%	14.7%	0.3%	0.2%	4.0%
Emeryville	8.2%	38.2%	15.7%	0.3%	32.1%	0.3%	0.4%	4.8%
Newark	31.5%	31.3%	3.5%	0.3%	26.9%	1.0%	0.3%	5.1%
Piedmont	2.8%	73.4%	1.2%	0.1%	18.9%	0.0%	0.3%	3.2%
<i>Unincorporated County</i>	23.7%	44.5%	9.2%	0.4%	17.0%	0.7%	0.3%	4.3%
Ashland CDP	36.5%	18.7%	21.6%	0.6%	17.2%	1.1%	0.2%	4.0%
Castro Valley CDP	13.9%	56.7%	5.8%	0.3%	17.9%	0.5%	0.3%	4.5%
Cherryland CDP	47.8%	25.8%	11.2%	0.3%	10.0%	1.4%	0.2%	3.4%
Fairview CDP	18.9%	42.4%	20.0%	0.2%	12.2%	0.6%	0.3%	5.3%
San Lorenzo CDP	30.2%	40.8%	3.6%	0.4%	19.7%	0.5%	0.2%	4.5%
Sunol CDP	9.7%	76.4%	0.0%	1.3%	6.3%	0.5%	0.0%	5.9%
<i>Remainder</i>	15.3%	54.7%	5.3%	0.3%	19.9%	0.4%	0.6%	3.4%
Urban County Total	21.0%	46.3%	7.5%	0.3%	19.6%	0.6%	0.3%	4.4%
Consortium Total	20.4%	39.5%	6.1%	0.3%	28.2%	0.8%	0.3%	4.4%
Alameda County Total	21.7%	35.8%	12.6%	0.3%	24.4%	0.6%	0.3%	4.3%

Notes:

(a) Includes all races for those of Hispanic/Latino background.

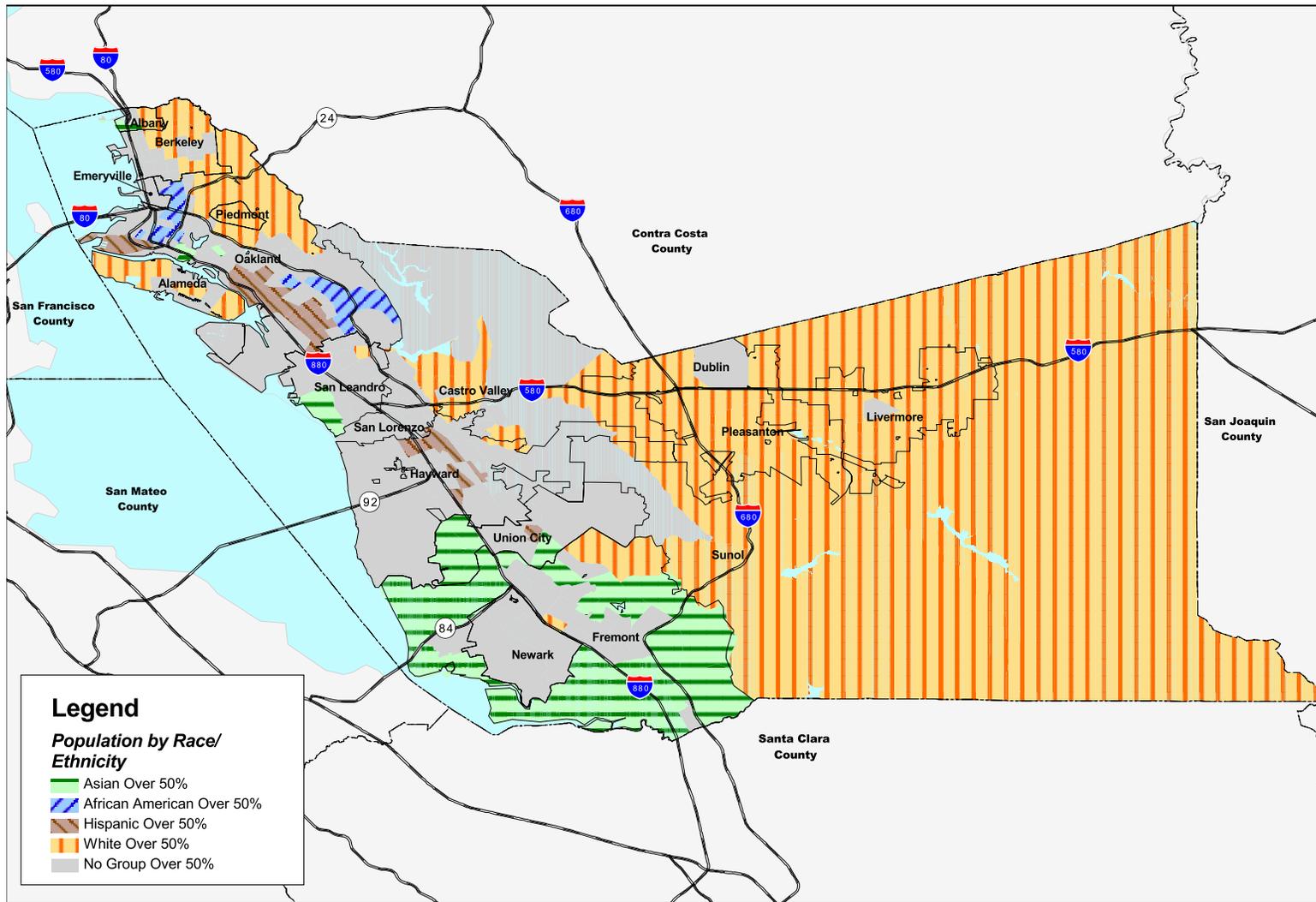
Sources: Claritas, 2009; BAE, 2009.

Although no one race constitutes a majority in the County, racial and ethnic groups are not equally distributed throughout the County. Areas of minority concentration are neighborhoods with a disproportionately high number of minority (i.e., non-White) households.

There are several ways recognized by HUD to define areas of minority concentration. One method defines areas of minority concentration as Census tracts where more than 50 percent of the population is comprised of a single ethnic or racial group. As show in Figure 2.1, in much of Eastern Alameda County and portions of Northern Alameda County, White persons comprise more than 50 percent of the population. Areas of Hayward, Union City, and Fremont in Southern Alameda County have a majority Asian population under this definition. The remainder of the Consortium is largely represented by Census tracts where no one group represents a majority of the

population, highlighting the diversity region's diversity. Appendix B provides a list of census tracts in the Consortium with minority groups representing over 50 percent of the population.

Figure 2.1: Concentrations of Population by Race/Ethnicity, Alameda County, 2009



Sources: Claritas, 2009; BAE, 2009.

Another way to define minority concentration is an area where the percentage of all minorities is at least 20 percent above the overall percentage for the countywide minority population percentage.⁷ In 2009, minorities comprised approximately 65 percent of Alameda County's population. As such, Census tracts where minorities represent over 85 percent of the population are considered areas of minority concentration under this definition. Figure 2.2 shows that areas of minority concentration exist in the Consortium jurisdictions of Hayward, Union City, and Fremont, as well as portions of unincorporated Alameda County.

A third measure commonly employed by demographers and sociologists to analyze patterns of racial/ethnic concentration is the "dissimilarity index." The index is a measure of the evenness with which two groups (generally a minority group and Whites) are distributed across the geographic areas that make up a larger area, such as Census tracts within a county. The index ranges from 0 to 100, with 0 meaning no segregation or spatial disparity, and 100 being complete segregation between the two groups. The index score can also be interpreted as the percentage of one of the two groups that would have to move to a different geographic area in order to produce a completely even distribution between the groups.

The formula for calculating the dissimilarity index for Alameda County, by Census tract, is as follows: $D = 0.5 \sum |P_{ig}/P_g - P_{ih}/P_h|$

- P_{ig} is the population of group g in Census tract i
- P_{ih} is the population of group h in Census tract i
- P_g is the total population of group g in the County and
- P_h is the total population of group h in the County

Analyzing 2009 data for the HOME Consortium Jurisdictions by Census tract results in the following dissimilarity index scores for each minority group:

- Black/African Americans - 50
- Asians - 41
- Hispanic/Latino - 42

This analysis indicates that 50 percent of Black/African Americans, 41 percent of Asians, and 42 percent of Hispanic/Latinos would need to move to a different Census tract in order to achieve spatial integration with the White population.⁸ In general, an index score above 60 is considered high, 30 to 60 is considered moderate, and below 30 is considered low.⁹ As such, this analysis

⁷ Although there is no single definition of areas of minority concentration, this measure has been used by other jurisdictions in the past and has been discussed with Greg Harrick, Community Planning and Development Representative at HUD's Northern California Office.

⁸ Assuming no movement in the White population.

⁹ Massey, D.S. and N.A. Denton. *American Apartheid: Segregation and the Making of the Underclass*.

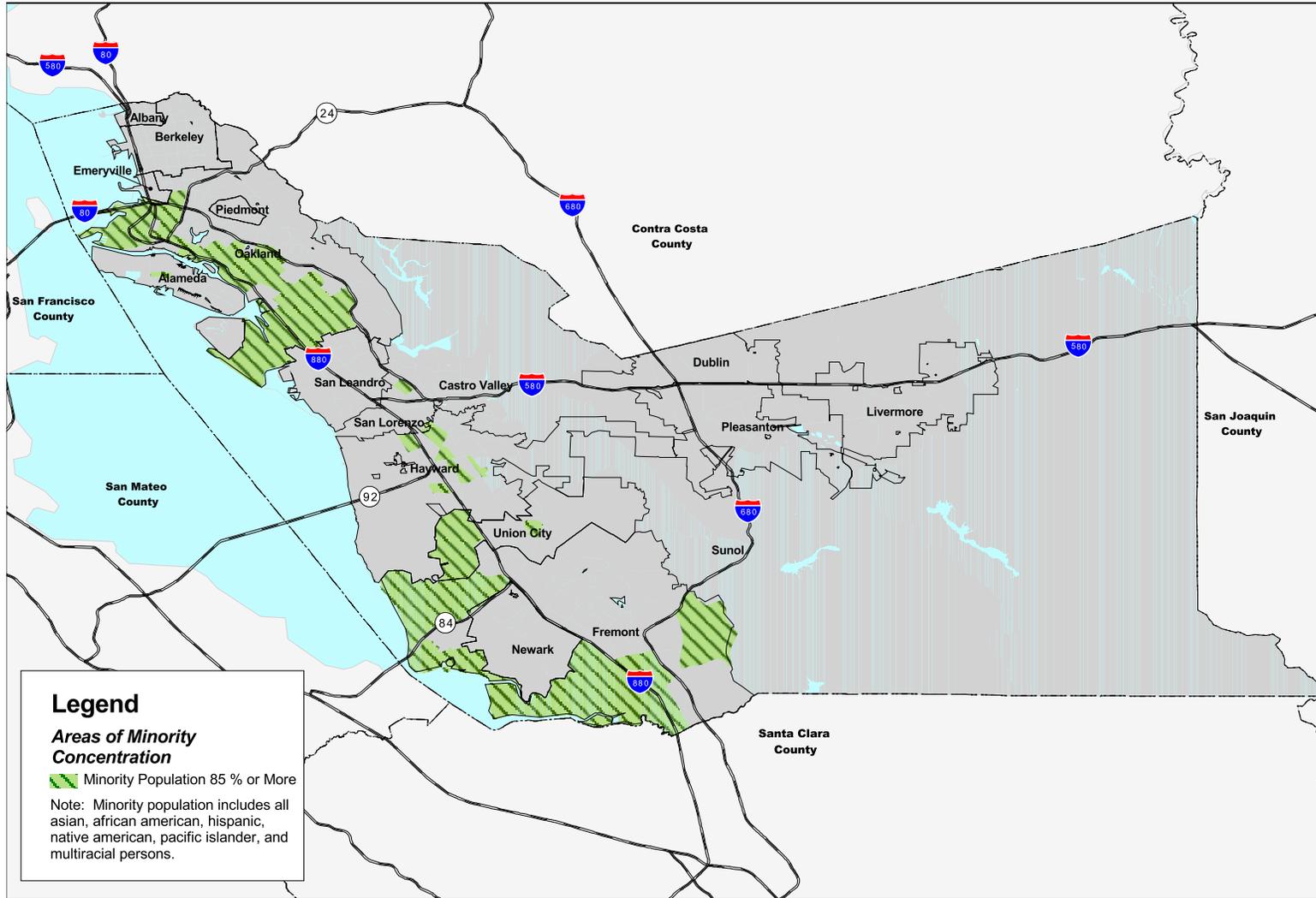
indicates that the Consortium's Black/African American, Hispanic/Latino, and Asian populations experience moderate geographic segregation relative to Whites.

It is worth noting that the Census and associated data sources can undercount particular minority populations. Some communities have seen rapid growth in particular ethnic and racial groups in recent years. Claritas estimates of minority populations may not completely capture large demographic shifts that have occurred since the 2000 Census. As such, some communities may have minority concentrations that are not reflected in this data. For example, the City of Livermore reports that there are two census tracts that have a high population of Hispanic and Latino residents. The two schools (Marylin Avenue and Portola Elementary) serving these neighborhoods have over 70 percent Latino student populations.¹⁰

Cambridge: Harvard University Press. 1993.

¹⁰ Reisner, Frances, City of Livermore, Community Development Department, phone conversation with BAE, September 18, 2009.

Figure 2.2: Areas of Minority Concentration, Alameda County, 2009



Sources: Claritas, 2009; BAE, 2009.

Limited English Proficiency

Given the diversity of Alameda County, there is a large proportion of the population who speak a language other than English at home. As shown in Table 2.7, slightly more than one-third of Consortium residents (38 percent) speak a language other than English in their homes. This includes 16 percent of the Consortium population who speaks an Asian or Pacific Islander language and 13 percent of the population who speaks Spanish. Across the Consortium the prevalence of English as a second language varies greatly. In Union City, 60 percent of the population speaks a language other than English at home, with 32 percent of the population speaking an Asian or Pacific Islander language and 16 percent speaking Spanish. Within the Urban County, Newark has the highest proportion of residents with English as a second language; 49 percent of residents speak a language other than English at home.

Table 2.7: Language Spoken at Home for Population 5+ years old, 2009

Entitlement Jurisdictions	English	Asian or Pacific Islander	Indo-European	Spanish	Other	English as a Second Language (a)
Alameda	66.3%	21.1%	5.5%	6.2%	0.9%	33.7%
Fremont	52.7%	24.5%	13.2%	8.6%	1.0%	47.3%
Hayward	84.1%	3.8%	3.2%	8.7%	0.2%	15.9%
Livermore	54.8%	14.2%	9.1%	21.4%	0.5%	45.2%
Pleasanton	82.1%	7.1%	6.1%	4.2%	0.5%	17.9%
San Leandro	61.0%	19.4%	5.5%	13.3%	0.8%	39.0%
Union City	40.0%	31.7%	11.2%	16.4%	0.7%	60.0%
Urban County						
Albany	63.6%	20.8%	8.2%	5.8%	1.6%	36.4%
Dublin	79.5%	6.3%	5.5%	8.0%	0.8%	20.5%
Emeryville	66.8%	14.0%	10.3%	6.5%	2.5%	33.2%
Newark	51.4%	14.4%	7.1%	26.2%	0.9%	48.6%
Piedmont	82.4%	10.9%	3.7%	2.6%	0.4%	17.6%
<i>Unincorporated County</i>	70.5%	10.0%	5.4%	13.5%	0.7%	29.5%
Ashland CDP	58.1%	13.5%	4.1%	23.1%	1.2%	41.9%
Castro Valley CDP	76.9%	8.8%	7.3%	6.3%	0.7%	23.1%
Cherryland CDP	55.5%	7.3%	3.1%	33.4%	0.7%	44.5%
Fairview CDP	77.8%	8.1%	2.8%	10.2%	1.1%	22.2%
San Lorenzo CDP	69.4%	11.8%	4.6%	13.9%	0.3%	30.6%
Sunol CDP	94.6%	0.4%	1.6%	3.4%	0.0%	5.4%
<i>Remainder</i>	71.4%	12.1%	4.9%	11.2%	0.4%	28.6%
Urban County Total	62.4%	16.3%	7.8%	12.7%	0.8%	37.6%
Consortium Total	62.4%	16.3%	7.8%	12.7%	0.8%	37.6%
Alameda County Total	63.3%	15.3%	6.3%	14.2%	1.0%	36.7%

Note:

(a) This percentage counts all persons, five years and older, who speak a language other than English at home.

Sources: Claritas, 2009; BAE, 2009.

2.2 Household Income Data

Household Income Distribution

In 2009, the median household income in Alameda County is \$70,500. As shown in Table 2.8, 32 percent of households earn between \$75,000 and \$149,999, while another 29 percent earn between \$35,000 and \$74,999 annually.

Household incomes vary greatly across entitlement and Urban County Jurisdictions. Pleasanton is the wealthiest entitlement jurisdiction with a median household income of \$114,400 in 2009. Hayward, on the other hand, has the lowest median household income among entitlement jurisdictions at \$63,900. Within the Urban County, Piedmont is the most affluent jurisdiction with a median household income of \$170,300. Emeryville has the lowest median household income within the Urban County at \$50,200. In the Unincorporated County, Sunol shows the highest income at \$112,100, while Ashland has the lowest median household income at \$49,500.

Table 2.8: Household Income Distribution, 2009

	Less than \$35,000	\$35,000 to \$74,999	\$75,000 to \$149,999	\$150,000 or More	Median HH Income (a)
Entitlement Jurisdictions					
Alameda	21.9%	31.7%	31.9%	14.5%	\$70,292
Fremont	11.9%	23.3%	41.1%	23.7%	\$96,877
Hayward	23.5%	36.3%	31.9%	8.3%	\$63,943
Livermore	12.3%	24.7%	42.6%	20.5%	\$94,859
Pleasanton	9.2%	19.6%	38.3%	32.9%	\$114,361
San Leandro	23.4%	35.8%	31.8%	9.0%	\$64,547
Union City	14.2%	23.0%	42.7%	20.1%	\$93,159
Urban County					
Albany	23.0%	32.2%	33.5%	11.3%	\$68,277
Dublin	8.9%	26.8%	44.1%	20.2%	\$93,915
Emeryville	35.3%	34.1%	23.9%	6.7%	\$50,226
Newark	13.2%	28.7%	43.0%	15.1%	\$86,390
Piedmont	8.9%	10.0%	26.0%	55.0%	\$170,327
<i>Unincorporated County</i>	20.1%	31.9%	33.4%	14.6%	N/A
Ashland CDP	32.9%	38.9%	23.1%	5.1%	\$49,527
Castro Valley CDP	17.5%	29.8%	36.2%	16.5%	\$79,316
Cherryland CDP	26.8%	47.9%	22.9%	2.4%	\$51,822
Fairview CDP	13.0%	23.6%	43.5%	19.9%	\$93,496
San Lorenzo CDP	21.5%	33.6%	36.1%	8.8%	\$69,296
Sunol CDP	8.1%	18.0%	39.5%	34.4%	\$112,121
<i>Remainder</i>	11.3%	20.4%	35.9%	32.3%	N/A
Urban County Total	18.0%	29.9%	35.7%	16.4%	N/A
Consortium Total	17.0%	28.5%	36.8%	17.7%	N/A
Alameda County Total	24.0%	29.1%	31.7%	15.2%	\$70,478

Note:

(a) Median household income data is not available for unincorporated county, remainder of unincorporated county, urban county, or consortium total.

Sources: Claritas, 2009; BAE, 2009

Household Income by Household Type

For planning purposes, households are categorized by HUD as very low-income, low-income, or moderate-income based on percentages of the County's Median Family Income (MFI). These income categories are defined below:

- Extremely Low-Income: Up to 30 percent of County MFI
- Very Low-Income: 31 percent to 50 percent of County MFI
- Low-Income: 51 percent to 80 percent of County MFI
- Moderate-Income: More than 80 percent of County MFI

HUD publishes this income based on the 2000 Census in the Comprehensive Housing Affordability

Strategy (CHAS). Table 2.9 shows the percentage of households that are extremely low-, very low-, or low-income, that is those earning less than 80 percent of MFI, by household type. As shown, 38 percent of County households and 31 percent of Consortium households were lower-income in 2000. Within Unincorporated Alameda County, several communities, including Ashland and Cherryland had particularly high proportions of lower-income households, with more than 50 percent of households earning less than 80 percent of MFI in 2000.

Across all jurisdictions, elderly households had the highest percentage of extremely low-, very low-, and low-income households when compared to all other household types. The majority of elderly households countywide and in the Consortium were lower-income in 2000.

Table 2.9: Percent Extremely Low-, Very Low-, and Low-Income by Household Type, 2000 (a)

Entitlement Jurisdictions	Elderly	Small Family	Large Family	Other	Total
Alameda	50.0%	26.7%	36.2%	36.7%	35.1%
Fremont	52.0%	16.3%	22.1%	22.9%	22.8%
Hayward	64.5%	36.2%	42.1%	38.6%	42.7%
Livermore	48.4%	15.9%	21.5%	27.6%	23.6%
Pleasanton	41.1%	9.4%	8.8%	18.5%	15.7%
San Leandro	62.9%	28.0%	35.2%	40.6%	40.2%
Union City	62.1%	21.5%	24.6%	35.2%	28.0%
Urban County					
Albany	57.0%	30.7%	20.0%	34.4%	35.8%
Dublin	44.9%	14.9%	19.9%	16.2%	18.6%
Emeryville	59.0%	36.1%	70.4%	43.5%	45.2%
Newark	59.5%	22.0%	30.2%	28.0%	29.3%
Piedmont	25.6%	4.6%	9.5%	24.7%	12.6%
<i>Unincorporated County</i>	<i>56.1%</i>	<i>25.9%</i>	<i>35.2%</i>	<i>36.7%</i>	<i>35.6%</i>
Ashland CDP	72.2%	14.1%	44.0%	45.2%	50.8%
Castro Valley CDP	50.3%	5.0%	26.6%	33.3%	29.6%
Cherryland CDP	69.6%	22.2%	59.9%	45.3%	52.8%
Fairview CDP	48.1%	6.4%	27.7%	18.2%	22.7%
San Lorenzo CDP	62.2%	10.6%	32.1%	37.1%	35.5%
Sunol CDP	25.0%	0.0%	0.0%	34.9%	14.8%
<i>Remainder</i>	<i>52.9%</i>	<i>8.8%</i>	<i>32.2%</i>	<i>36.9%</i>	<i>33.1%</i>
Urban County Total	54.0%	7.9%	31.4%	33.5%	32.2%
Consortium Total	55.0%	22.0%	29.5%	32.0%	30.6%
Alameda County Total	58.2%	28.6%	39.4%	41.8%	38.4%

Notes:

(a) Very low-income households defined as those earning less than 50% of median family income (MFI).

Low-income households defined as those earning between 51% and 80% of MFI

Sources: HUD, State of the Cities Data System: Comprehensive Housing Affordability Strategy (CHAS) special tabulations from Census 2000; BAE, 2009.

Areas of Concentrated Poverty

Countywide, approximately eight percent of households had incomes below the poverty level in 2009. Within the Consortium, however, that number was lower, with only five percent of households living below the poverty line (see Table 2.10). Consistent with household income data, the cities of Hayward, Albany, and Emeryville have slightly higher proportions of households living below the poverty line, compared to the Consortium as a whole. However, the highest incidence of poverty is found in the Unincorporated County; approximately 12 percent and nine percent of households in Ashland and Cherryland, respectively, live below the poverty line.

Table 2.10: Poverty Status, 2009

	Families Below Poverty Line	Percent of Total
Entitlement Jurisdictions		
Alameda	1,025	5.9%
Fremont	2,009	3.9%
Hayward	2,318	7.3%
Livermore	936	4.3%
Pleasanton	355	1.9%
San Leandro	902	4.7%
Union City	823	5.0%
Urban County		
Albany	266	6.5%
Dublin	216	2.0%
Emeryville	105	6.0%
Newark	444	4.4%
Piedmont	54	1.8%
<i>Unincorporated County</i>	<i>1,715</i>	<i>5.1%</i>
Ashland CDP	535	11.6%
Castro Valley CDP	399	2.8%
Cherryland CDP	275	8.9%
Fairview CDP	62	2.7%
San Lorenzo CDP	205	4.0%
Sunol CDP	11	2.7%
<i>Remainder</i>	<i>228</i>	<i>5.6%</i>
Urban County Total	2,800	4.4%
Consortium Total	11,168	4.7%
Alameda County Total	27,218	7.9%

Sources: Claritas, 2009; BAE, 2009.

Figure 2.3 shows areas of concentrated poverty within the County. The U.S. Census Bureau uses three benchmarks to discuss the share of population living in poverty—less than 20 percent, between 20 percent and 40 percent, and 40 percent.¹¹ The traditional definition of concentrated poverty is where 40 percent of the population lives below the federal poverty threshold.¹² In fact, as shown in Figure 2.3, there are no areas within the Consortium that have more than 20 percent of the population living in poverty. Poverty areas within the County are in Berkeley and Oakland, which are not part of the HOME Consortium.

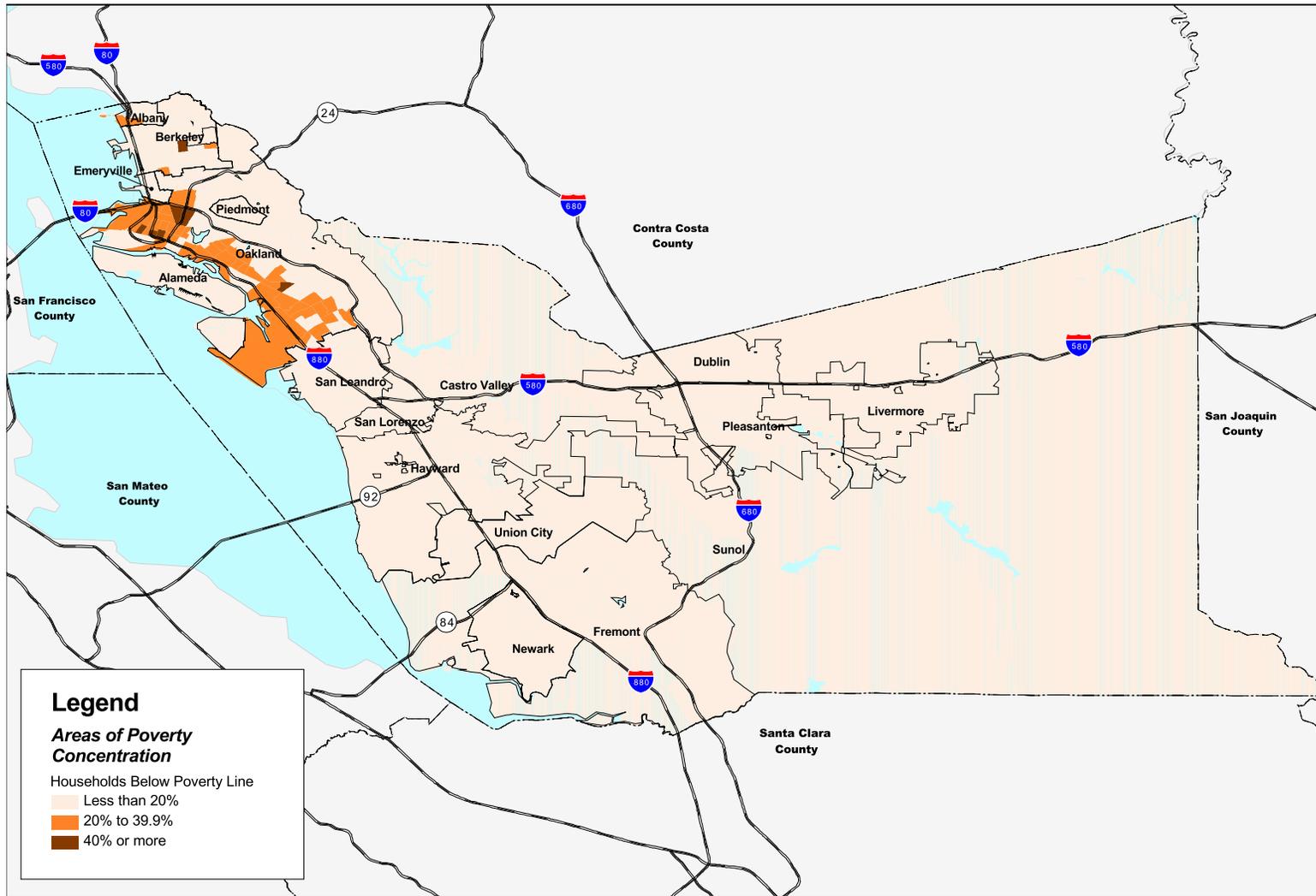
It should be noted that Census and Claritas data can underestimate the prevalence of poverty within

¹¹ U.S. Census Bureau, “Areas with Concentrated Poverty: 1999,” July 2005, <http://www.census.gov/prod/2005pubs/censr-16.pdf>

¹² Wolch, Jennifer and Nathan Sessoms, USC Department of Geography, “The Changing Face of Concentrated Poverty,” http://www.usc.edu/schools/sppd/lusk/research/pdf/wp_2005-1004.pdf

particular areas. This may be the case if communities have large populations of undocumented persons who may not be fully captured by the Census.

Figure 2.3: Areas of Poverty Concentration, Alameda County, 2009



Sources: Claritas, 2009; BAE, 2009.

2.3 Employment Data

Major Employers

The geographic relationship between job centers and accessibility to housing is an important issue for fair housing planning. A lack of accessibility between jobs and housing may limit households' housing choice. Table 2.11 provides a list of the largest employers in Alameda County while Figure 2.4 indicates their locations. Many of Alameda County's largest employers are located in the cities of Berkeley and Oakland. Importantly, 23 of the County's 24 largest employers are within one-quarter mile of a transit station or bus stop.

Table 2.11: Major Employers, Alameda County, 2009

Employer Name	Location	Industry	Number of Employees (a)
University of California- Berkeley	Berkeley	Schools- Universities & Colleges Academic	10,000+
Oracle	Pleasanton	Computer-Software Developers	10,000+
Western Digital Corp.	Fremont	Computer Storage Devices (Mfg.)	10,000+
Praedium Inc	Pleasanton	Real Estate	5,000-9,999
Lawrence Livermore National Laboratory	Livermore	Laboratories- Testing	5,000-9,999
New United Motor Manufacturing (b)	Fremont	Automobile and Truck Brokers	5,000-9,999
Grocery Outlet	Berkeley	Grocers-Retail	5,000-9,999
Clorox Technical Center	Pleasanton	Specialty Cleaning, Polishing, Sanitation	5,000-9,999
Alta Bates Medical Center Inc.	Berkeley	Hospitals	1,000-4,999
Alta Bates Summit Medical Center Inc.	Oakland	Hospitals	1,000-4,999
Bay Area Rapid Transit	Oakland	Marketing Programs and Services	1,000-4,999
Bayer Corp.	Berkeley	Drug Millers	1,000-4,999
Children's Hospital & Research	Oakland	Physicians and Surgeons	1,000-4,999
East Bay Water	Oakland	Transit Lines	1,000-4,999
Fairmont Hospital	San Leandro	Hospitals	1,000-4,999
Kaiser Permanente Hospital	Hayward	Hospitals	1,000-4,999
Kaiser Permanente Medical Center	Oakland	Hospitals	1,000-4,999
Lawrence Berkeley National Laboratory	Berkeley	Physicians and Surgeons	1,000-4,999
Novartis Vaccines and Diagnostic	Emeryville	Pharmaceutical Preparation	1,000-4,999
Permanente Medical Group	Hayward	Physicians and Surgeons	1,000-4,999
Residential and Student Service Program	Berkeley	Giftwares-Manufacturers	1,000-4,999
Transportation Department- California	Oakland	State Government- Transportation Programs	1,000-4,999
UC Berkeley Extension	Berkeley	Schools- Universities & Colleges Academic	1,000-4,999
Waste Management, Inc.	Oakland	Garbage Collection	1,000-4,999

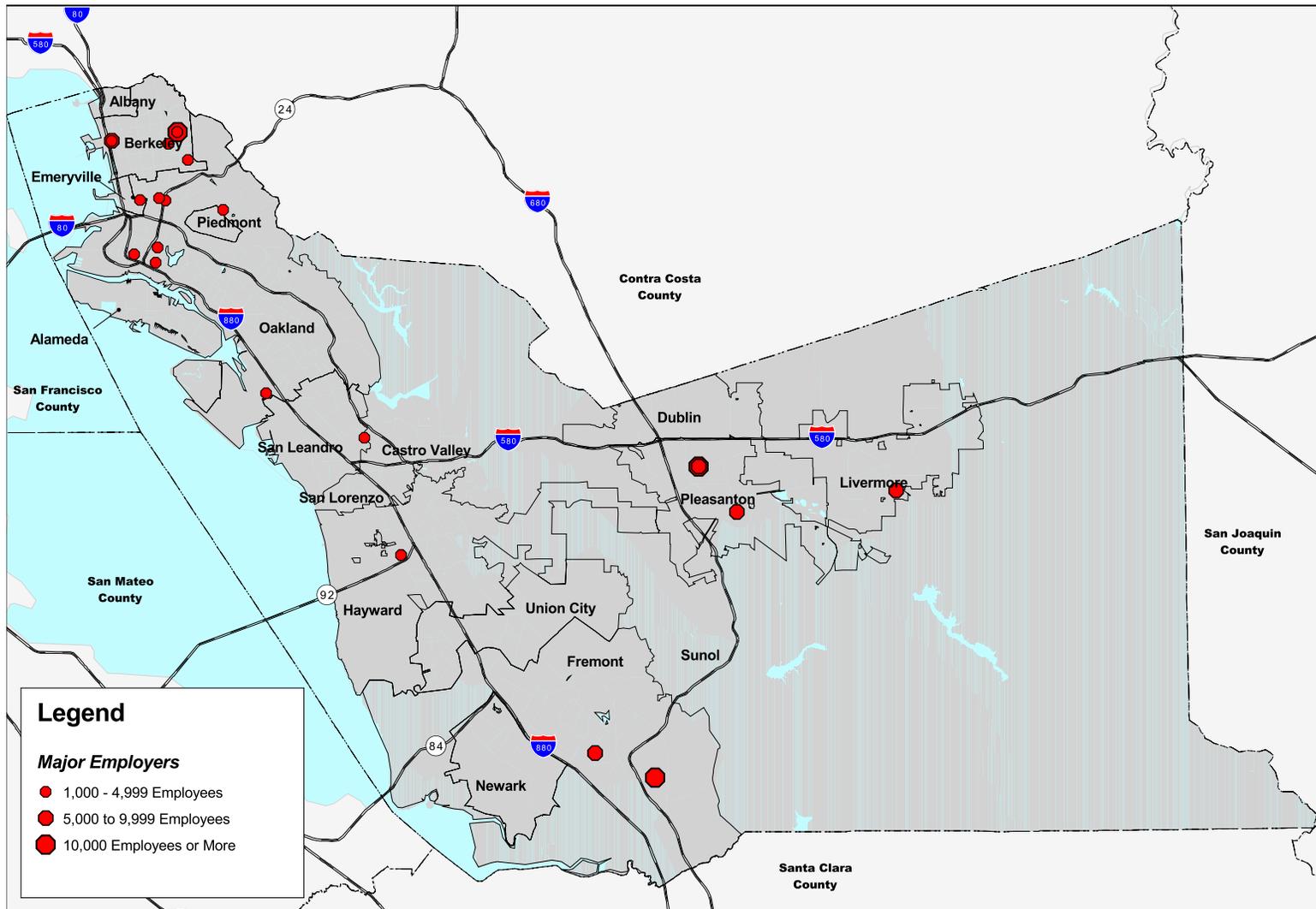
Note:

(a) Employers are ranked by employment size category; no exact employment figures provided by EDD.

(b) New United Motor Manufacturing scheduled to end production in March 2010.

Sources: California Employment Development Department, 2nd Edition 2009 ; BAE, 2009.

Figure 2.4: Major Employers, Alameda County



Sources: California Employment Development Department, 2009; BAE, 2009.

Major Job Centers

In 2005, the Association of Bay Area Governments estimated there were approximately 730,300 jobs in Alameda County. Consistent with information on the County's largest employers, Oakland, Fremont, and Berkeley comprised the top three job centers in 2005. Oakland accounted for 28 percent of all employment countywide, while Fremont and Berkeley contained 13 percent and 10 percent of the County total, respectively.

As shown in Table 2.12, employment in Alameda County is projected to increase by 42 percent between 2005 and 2035, to 1.0 million jobs.¹³ The Consortium is expected to experience more rapid job growth with a projected increase of 49 percent during the same time period. Extremely high job growth, in terms of percentages, is projected for Livermore, Union City, and Dublin because of their small job base in 2005. Nevertheless, Oakland, Fremont, and Berkeley will remain major employment centers within the County. Hayward is projected to surpass Berkeley as the third largest job center in the County by 2035 with nearly 98,000 jobs. This is largely due to the greater amount of available commercial and industrial land in Hayward, compared to the relatively built-out Berkeley.

¹³ Although ABAG released its projections data in the summer of 2009, job growth may fall short of the projections in the near future due to the current recession.

Table 2.12: Job Projections, Alameda County, 2005-2035

	2005	2010	2015	2020	2025	2030	2035	% Change 2005-2035
Entitlement Jurisdictions								
Alameda	27,400	26,970	29,650	32,850	36,160	39,470	42,730	55.9%
Fremont	93,950	94,440	96,410	101,050	112,920	127,800	140,440	49.5%
Hayward	71,690	71,050	72,240	78,250	84,510	91,150	97,510	36.0%
Livermore	32,430	30,550	34,770	40,030	45,480	49,980	55,190	70.2%
Pleasanton	57,300	55,770	61,320	66,760	70,240	74,320	78,000	36.1%
San Leandro	41,650	40,940	42,300	45,680	49,390	53,770	57,760	38.7%
Union City	19,370	20,230	22,170	24,860	31,540	37,270	41,110	112.2%
Urban County								
Albany	4,840	5,030	5,240	5,440	5,500	5,540	5,580	15.3%
Dublin	19,520	19,650	22,900	26,610	32,970	37,020	42,620	118.3%
Emeryville	19,670	18,610	20,460	22,340	24,150	26,110	28,010	42.4%
Newark	20,590	20,350	21,490	22,810	23,570	24,180	24,830	20.6%
Piedmont	2,090	2,090	2,100	2,110	2,120	2,130	2,140	2.4%
Unincorporated County	41,770	42,410	43,840	46,950	49,940	53,010	55,660	33.3%
Urban County Total	108,480	108,140	116,030	126,260	138,250	147,990	158,840	46.4%
Consortium Total	452,270	448,090	474,890	515,740	568,490	621,750	671,580	48.5%
Berkeley	75,430	76,170	77,040	79,610	82,540	84,350	86,200	14.3%
Oakland	202,570	188,590	209,340	229,720	246,780	264,390	281,900	39.2%
Alameda County Total	730,270	712,850	761,270	825,070	897,810	970,490	1,039,680	42.4%

Sources: ABAG Job Projections, 2009; BAE, 2009.

It is important to note that many of the cities anticipating larger employment growth are less connected to transit while the transit-rich cities of Berkeley and Oakland are expected to have more modest increases in jobs. As such, efforts to improve transit access to these communities will help maintain links between residences and jobs.

2.4 Housing Profile

Housing Stock

Housing Unit Type. According to the California Department of Finance, the majority of housing units in Alameda County are single-family (attached and detached) homes in 2009. Single-family homes are even more dominant in the Consortium, representing 67 percent of all housing units. While the distribution of housing unit types across jurisdictions varies, single-family homes represent the majority of housing units in all Consortium jurisdictions except Emeryville. Among entitlement jurisdictions, Livermore has the highest percentage of single-family homes at 81 percent. Within the Urban County, single-family residences are most dominant in Piedmont, where they represent 98 percent of all units.

Table 2.13: Housing Unit Type, 2009

Entitlement Jurisdictions	Total Units	Housing Unit Type		
		Single-Family (a)	Multifamily	Mobile Homes
Alameda	31,997	52.7%	46.4%	0.9%
Fremont	72,390	69.0%	30.0%	1.0%
Hayward	48,561	57.7%	37.6%	4.7%
Livermore	30,079	81.0%	17.6%	1.4%
Pleasanton	25,938	76.8%	21.4%	1.8%
San Leandro	31,975	67.4%	29.7%	2.8%
Union City	20,533	74.8%	20.7%	4.5%
Urban County				
Albany	7,375	54.0%	45.9%	0.1%
Dublin	16,476	58.1%	41.7%	0.2%
Emeryville	6,176	10.8%	88.6%	0.6%
Newark	13,424	77.9%	21.7%	0.4%
Piedmont	3,866	98.0%	1.8%	0.2%
Unincorporated County	51,067	74.4%	23.8%	1.8%
Urban County Total	98,384	67.6%	31.4%	1.1%
Consortium Total	359,857	67.4%	30.6%	2.0%
Alameda County Total	573,111	60.0%	38.7%	1.3%

Notes:

(a) Includes single-family detached and single-family attached units.

Sources: CA Department of Finance, Table E-5, 2009; BAE, 2009.

Tenure. Often, a jurisdiction's housing stock correlates with the tenure distribution of the occupied housing units. Cities with a higher proportion of single-family residences generally have a higher homeownership rate. As shown in Table 2.14, approximately 55 percent of Alameda County households are homeowners. The homeownership rate in the Consortium is higher with 62 percent of households owning their own home. Consistent with the distribution of housing type, Livermore and Piedmont have the highest homeownership rates among entitlement and Urban County jurisdictions, with 73 percent and 91 percent of households owning their home, respectively.

The cities of Alameda and Emeryville are the only incorporated cities within the Consortium where renters comprise the majority of households. Approximately 52 percent of Alameda households and 63 percent of Emeryville households rent their units. In addition, the majority of households in the communities of Ashland and Cherryland in Unincorporated Alameda County are renters.

Table 2.14: Tenure Distribution of Occupied Units, 2009

	Total		
	Occupied Units	Owner	Renter
Entitlement Jurisdictions			
Alameda	29,111	47.7%	52.3%
Fremont	67,156	63.5%	36.5%
Hayward	44,695	52.9%	47.1%
Livermore	29,008	72.5%	27.5%
Pleasanton	24,566	72.4%	27.6%
San Leandro	29,444	60.6%	39.4%
Union City	19,557	71.3%	28.7%
Urban County			
Albany	6,722	50.7%	49.3%
Dublin	15,636	64.6%	35.4%
Emeryville	5,920	37.2%	62.8%
Newark	12,582	69.9%	30.1%
Piedmont	3,576	90.5%	9.5%
<i>Unincorporated County</i>	<i>47,858</i>	<i>63.5%</i>	<i>36.5%</i>
Ashland CDP	6,857	35.6%	64.4%
Castro Valley CDP	20,416	69.8%	30.2%
Cherryland CDP	4,750	33.5%	66.5%
Fairview CDP	3,136	83.7%	16.3%
San Lorenzo CDP	6,806	79.0%	21.0%
Sunol CDP	529	74.9%	25.1%
<i>Remainder</i>	<i>5,364</i>	<i>69.2%</i>	<i>30.8%</i>
Urban County Total	92,294	63.0%	37.0%
Consortium Total	335,831	62.2%	37.8%
Alameda County Total	532,909	54.5%	45.5%

Sources: Claritas, 2009; BAE, 2009.

The rise of foreclosures beginning in 2007 has resulted in minimal change in the overall tenure distribution within the County. During the second quarter of 2009, approximately 4,600 notices of default (the first step in the foreclosure process) were issued in Alameda County.¹⁴ This accounts for less than two percent of all owner occupied housing units in the County. In addition to the small proportion of homes affected by foreclosure, many foreclosed properties continue to be owner-occupied with subsequent households. As such, the overall mix of owner- and renter-occupied units has remained relatively unchanged. According to Claritas estimates, the homeownership rate in Alameda County in 2008 was 55 percent, the same percentage estimated for

¹⁴ DQ News, "California Second Quarter Mortgage Defaults Edge Down," July 22, 2009. <http://www.dqnews.com/Articles/2009/News/California/CA-Foreclosures/RRFor090722.aspx>

2009. Another data source, the U.S. Census Bureau's American Community Survey (ACS), shows a one percent decline in the County's homeownership between 2005 and 2008. The ACS estimates that between 2005 and 2007, the County's homeownership rate was approximately 57 percent. That figure dropped to 56 percent in 2008.¹⁵ This data suggests that foreclosures have not changed the overall tenure distribution in the County.

Housing Stock Age. Unless carefully maintained, older housing stock can create health, safety, and problems for occupants. Generally, housing policy analysts believe that even with normal maintenance, dwellings over 40 years of age can deteriorate, requiring significant rehabilitation. According to the 2000 Census, approximately 62 percent of housing units countywide were built before 1970. The Consortium's housing stock is slightly newer with 51 percent of housing units built before 1970.

As shown in Table 2.15, the age of jurisdictions' housing stock varies across entitlement jurisdictions and within the Urban County. Among entitlement jurisdictions, the City of Pleasanton has the newest housing stock with a median year built of 1981. The City of San Leandro is the entitlement jurisdiction with the oldest housing stock; the median year homes were built is 1957. Within the Urban County, Dublin has the newest housing stock while Piedmont has the oldest.

¹⁵ U.S. Census Bureau, American Community Survey, Table B25003, 2007 and 2008.

Table 2.15: Housing Stock Age, 2000

	1949 or earlier	1950 to 1969	1970 to 1989	1990 to March 2000	Median Year Built
Entitlement Jurisdictions					
Alameda	41.2%	27.7%	25.5%	5.7%	1959
Fremont	3.5%	33.8%	48.3%	14.4%	1975
Hayward	11.6%	46.0%	33.1%	9.3%	1966
Livermore	6.3%	34.7%	37.4%	21.6%	1974
Pleasanton	3.0%	19.1%	52.7%	25.3%	1981
San Leandro	31.6%	39.8%	22.7%	5.9%	1957
Union City	3.7%	18.7%	60.5%	17.0%	1977
Urban County					
Albany	54.0%	23.6%	18.0%	4.4%	1947
Dublin	1.8%	32.0%	34.1%	32.1%	1983
Emeryville	22.0%	10.8%	48.4%	18.8%	1977
Newark	5.4%	41.4%	43.3%	9.9%	1971
Piedmont	79.0%	17.8%	3.2%	0.0%	1940
<i>Unincorporated County</i>	<i>21.8%</i>	<i>45.4%</i>	<i>23.0%</i>	<i>9.8%</i>	<i>N/A</i>
Ashland CDP	26.2%	39.5%	26.4%	7.9%	1961
Castro Valley CDP	16.8%	47.6%	24.4%	11.2%	1963
Cherryland CDP	28.4%	41.8%	24.8%	5.0%	1959
Fairview CDP	13.1%	41.5%	38.8%	6.7%	1967
San Lorenzo CDP	33.4%	57.6%	7.0%	2.0%	1953
Sunol CDP	41.8%	33.2%	19.3%	5.7%	1957
<i>Remainder</i>	<i>16.8%</i>	<i>29.2%</i>	<i>24.7%</i>	<i>29.2%</i>	<i>N/A</i>
Urban County Total	22.3%	38.6%	27.2%	11.9%	N/A
Consortium Total	15.9%	34.9%	36.3%	12.9%	N/A
Alameda County Total	29.8%	32.6%	28.0%	9.7%	1963

Sources: U.S. Census, SF3 H34 and H35, 2000; BAE, 2009.

Housing Conditions. Despite the age of housing units in some jurisdictions, much of the County's housing stock remains in relatively good condition. Data on the number of units which lack complete plumbing and kitchen facilities are often used to assess the condition of a jurisdiction's housing stock. As Table 2.16 illustrates, virtually all of the County and Consortium's housing units contain complete plumbing and kitchen facilities.

The 2000 Census found that less than one percent of the County and Consortium owner- and renter-occupied housing units lack complete plumbing. In addition, less than one percent of owner-occupied units in the County and Consortium lacked complete kitchen facilities. A slightly higher proportion of renter-occupied housing units lacked complete kitchens; approximately 1.5 percent of County and 1.1 percent of Consortium renter-occupied units did not have these facilities. There are slight variations in the lack of plumbing and kitchen facilities across Consortium jurisdictions, but overall housing conditions are relatively good in the Consortium and County.

Table 2.16: Housing Conditions, 2000

	Percent without Complete Plumbing Facilities			Percent without Complete Kitchen Facilities		
	Owners	Renters	Total	Owners	Renters	Total
Entitlement Jurisdictions						
Alameda	0.2%	0.7%	0.5%	0.3%	1.1%	0.7%
Fremont	0.4%	0.7%	0.5%	0.2%	1.4%	0.6%
Hayward	0.3%	0.6%	0.5%	0.1%	1.1%	0.5%
Livermore	0.2%	0.3%	0.2%	0.0%	1.5%	0.4%
Pleasanton	0.3%	0.3%	0.3%	0.0%	0.2%	0.1%
San Leandro	0.4%	0.8%	0.6%	0.4%	1.6%	0.9%
Union City	0.3%	0.4%	0.3%	0.3%	0.2%	0.3%
Urban County						
Albany	0.2%	0.3%	0.2%	0.0%	0.8%	0.4%
Dublin	0.1%	0.3%	0.2%	0.0%	0.2%	0.1%
Emeryville	0.6%	0.8%	0.7%	0.6%	1.8%	1.3%
Newark	0.0%	0.9%	0.3%	0.1%	0.8%	0.3%
Piedmont	0.5%	1.7%	0.6%	0.0%	0.0%	0.0%
<i>Unincorporated County</i>	0.2%	0.9%	0.5%	0.2%	0.8%	0.4%
Ashland CDP	1.0%	1.2%	1.4%	0.7%	0.9%	1.0%
Castro Valley CDP	0.2%	0.2%	0.2%	0.2%	0.5%	0.3%
Cherryland CDP	0.0%	2.0%	1.3%	0.0%	1.2%	0.8%
Fairview CDP	0.0%	2.8%	0.5%	0.0%	0.9%	0.2%
San Lorenzo CDP	0.2%	0.4%	0.3%	0.2%	0.4%	0.2%
Sunol CDP	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<i>Remainder</i>	0.2%	1.2%	0.4%	0.3%	1.2%	0.5%
Urban County Total	0.2%	0.8%	0.4%	0.2%	0.8%	0.4%
Consortium Total	0.3%	0.7%	0.4%	0.2%	1.1%	0.5%
Alameda County Total	0.4%	0.9%	0.6%	0.3%	1.5%	0.8%

Sources: U.S. Census, SF3 H48, H51, 2000; BAE, 2009.

New Residential Building Permits 2006-2008. New residential construction in Alameda County between 2000 and 2009 has been roughly evenly distributed between single-family residences and large multifamily buildings with five or more units. Of the approximately 35,500 residential building permits issued during this time period, 48 percent were for single-family homes and 49 percent were for units in large multifamily buildings.

Table 2.17: Building Permits by Building Type, Alameda County, 2000-2009

Building Type	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2000-2009	% of Total
										YTD (a)	Total	
Single Family	3,155	1,744	2,365	2,126	2,320	1,561	1,602	1,278	780	218	17,149	48.4%
2 Units	12	40	30	42	40	12	36	12	14	14	252	0.7%
3 & 4 Units	116	34	47	74	122	63	147	86	25	7	721	2.0%
5 or More Units	855	1,042	1,152	2,099	2,918	2,740	3,624	1,526	1,114	267	17,337	48.9%
Total	4,138	2,860	3,594	4,341	5,400	4,376	5,409	2,902	1,933	506	35,459	100.0%

Notes:

(a) Includes building permits issued through April 2009.

Sources: U.S. Census Bureau, 2009; BAE, 2009.

As shown in Table 2.18, Consortium jurisdictions issued approximately 70 percent of the residential building permits issued countywide between 2000 and 2009, while making up 66 percent of the County population in 2009. Within the Consortium, the City of Dublin issued the largest number of residential building permits, with approximately 6,300 permits issued. This trend parallels Dublin's rapid growth compared to other Urban County and Consortium Jurisdictions (see Table 2.1). Among entitlement jurisdictions, the City of Livermore issued the largest number of residential building permits, accounting for 10 percent of permits issued countywide. Again, this trend is consistent with Livermore's strong growth since 2000, as shown in Table 2.1.

Table 2.18: Building Permits by Jurisdiction, 2000-2009

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009 YTD (a)	2000-2009 Total	Percent of County Total
Entitlement Jurisdictions												
Alameda	5	14	83	67	83	151	106	106	2	0	617	1.7%
Fremont	489	195	103	87	262	551	252	402	280	75	2,696	7.6%
Hayward	294	242	92	496	474	201	333	260	157	105	2,654	7.5%
Livermore	511	403	788	431	553	440	207	191	70	17	3,611	10.2%
Pleasanton	368	289	259	253	345	210	177	58	35	1	1,995	5.6%
San Leandro	259	113	244	60	48	17	76	32	8	52	909	2.6%
Union City	497	127	88	134	332	116	288	565	21	0	2,168	6.1%
Urban County												
Albany	2	21	14	4	6	8	53	7	2	0	117	0.3%
Dublin	867	669	619	766	1,172	975	924	118	141	37	6,288	17.7%
Emeryville	2	2	1	503	401	156	428	139	127	0	1,759	5.0%
Newark	107	61	84	10	2	2	5	6	1	0	278	0.8%
Piedmont	0	1	0	1	3	7	6	0	1	1	20	0.1%
Unincorporated County	241	138	213	294	134	122	320	206	54	24	1,746	4.9%
Urban County Total	1,219	892	931	1,578	1,718	1,270	1,736	476	326	62	10,208	28.8%
Consortium Total	3,642	2,275	2,588	3,106	3,815	2,956	3,175	2,090	899	312	24,858	70.1%
Alameda County Total	4,138	2,860	3,594	4,341	5,400	4,376	5,409	2,902	1,933	506	35,459	100.0%

Notes:

(a) Includes building permits issued through April 2009.

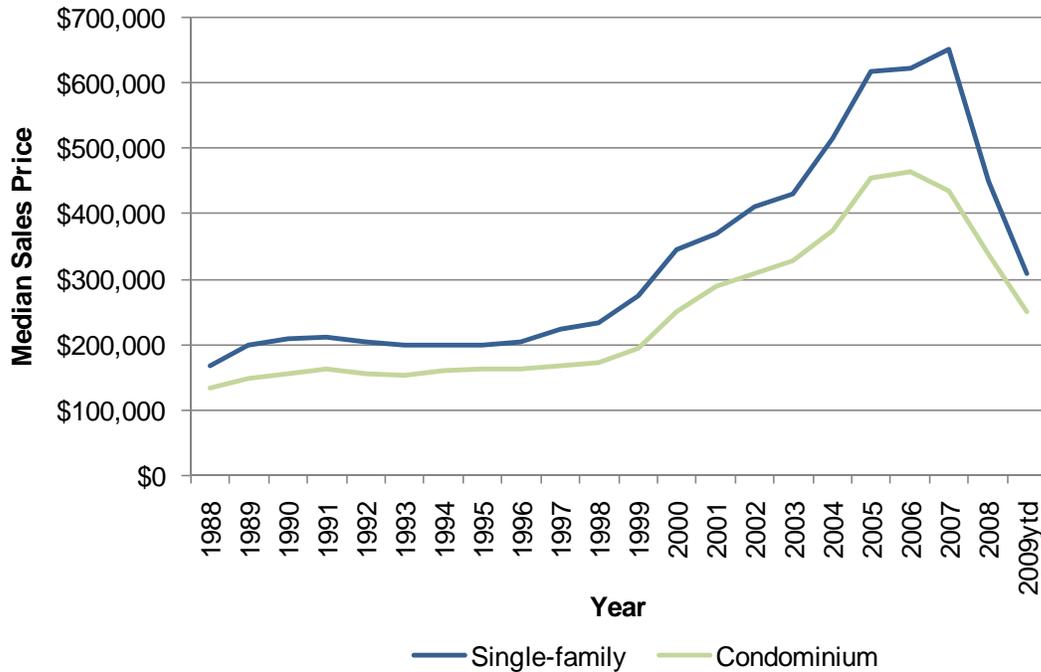
Sources: U.S. Census Bureau, 2009; BAE, 2009.

Housing Market

Home Sale Trends. As shown in Figure 2.5, the median sales price for single-family homes in Alameda County increased dramatically between 2000 and 2007 before falling during the current economic downturn. Countywide, the median sales price for single-family homes rose by 88 percent from \$345,000 to \$650,000 between 2000 and 2007. Since 2007, the median sales price has decreased by 52 percent to \$310,000 during 2009 (data through May).

Condominiums sales prices show a similar trend. The median sales price for condominiums peaked at \$465,000 in 2006 after experiencing an increase of 85 percent since 2000. Between 2006 and 2009, the median sales price decreased by 46 percent to \$250,000.

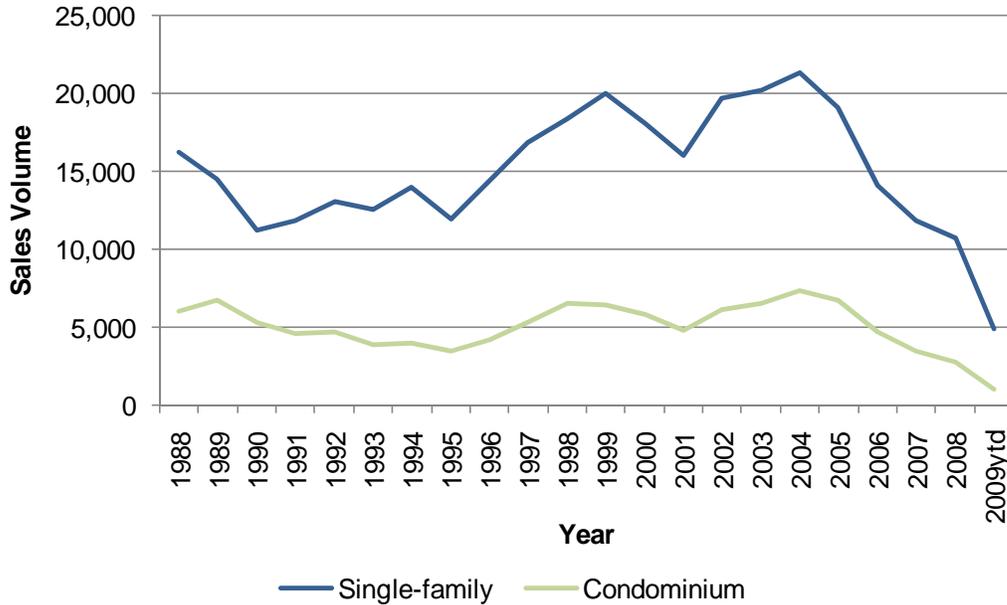
Figure 2.5: Median Sales Price, Alameda County, 1988-2009



Sources: DataQuick, 2009; BAE, 2009.

Figure 2.6 depicts the sales volume for single-family residences and condominiums in Alameda County since 1988. As shown, the sales volume for single-family homes has consistently been more than twice the volume for condominiums. Sales volume for single-family homes peaked in 2004, with over 21,000 units sold that year. Volume for both condominiums and single-family homes has declined steadily since 2004, with a particularly sharp drop in 2008.

Figure 2.6: Sales Volume, Alameda County, 1988-2009



Sources: DataQuick, 2009; BAE, 2009.

Looking at individual jurisdictions, sales price and volume varies significantly across the County. Table 2.19 presents the median sales price for single-family homes and condominiums sold during the first five months of 2009. Among entitlement jurisdictions, Pleasanton had the highest sales price for single-family homes at \$655,000, while condominiums in the City of Alameda were the most expensive with a median sales price of \$350,000. Single-family homes and condominiums in Hayward were the most affordable; the median sales price stood at \$250,000 for single-family homes and \$175,000 for condominiums.

In the Urban County, Piedmont’s median sales price for single-family homes of \$1.3 million far exceeded all other jurisdictions in the Consortium. While the median sales price for single-family homes in Emeryville was the lowest at \$180,000, condominiums in the City had the highest median price at \$398,000, a reflection of the city’s newer condominium stock.

In Unincorporated Alameda County, the median sales price for single-family homes and condominiums was \$318,000 and \$190,000, respectively. Sales data for individual communities within the Unincorporated County during this time period is not readily available. However, it should be noted that sales prices vary greatly across different unincorporated areas. For example, in July 2009, the median sales price for single-family homes and condominiums in San Lorenzo

was \$302,500. By comparison, the median home price in the two Castro Valley zip codes stood at \$400,000 and \$601,250 during the same month.¹⁶

Table 2.19: Median Sales Price by Jurisdiction, 2009 (a)

	Single Family Residences			Condominiums		
	Median Sales Price	Units Sold	% Change in Sales Price from 2005	Median Sales Price	Units Sold	% Change in Sales Price from 2005
Entitlement Jurisdictions						
Alameda	\$585,000	95	-19.8%	\$350,000	26	-37.0%
Fremont	\$445,000	380	-34.3%	\$230,000	138	-51.6%
Hayward	\$250,000	578	-55.4%	\$175,000	126	-57.8%
Livermore	\$365,000	288	-43.2%	\$234,500	58	-42.7%
Pleasanton	\$655,000	119	-23.1%	\$297,000	26	-44.2%
San Leandro	\$311,500	300	-43.3%	\$198,000	49	-47.9%
Union City	\$395,000	175	-41.0%	\$210,000	81	-49.8%
Urban County						
Albany	\$547,250	29	-19.1%	\$370,000	3	-13.5%
Dublin	\$520,000	103	-39.5%	\$373,750	86	-32.0%
Emeryville	\$180,000	55	-60.2%	\$398,250	39	-2.1%
Newark	\$350,000	122	-44.0%	\$240,000	27	-45.5%
Piedmont (b)	\$1,296,000	32	-6.1%	N/A	0	N/A
Unincorporated County	\$318,000	359	-43.2%	\$190,000	44	-55.7%
Urban County Total	N/A	N/A	N/A	N/A	N/A	N/A
Consortium Total	N/A	N/A	N/A	N/A	N/A	N/A
Alameda County Total	\$310,000	4,944	-49.6%	\$250,000	1,050	-45.1%

Notes:

(a) 2009 data includes January to May 2009. Median sales price and sales volume based on sales in zip codes associated with each jurisdiction.

(b) Sales data for Piedmont pulled by city name rather than zip code because of city's small size.

Sources: DataQuick, 2009; BAE, 2009.

Rental Market Trends. A review of rental market conditions in the Consortium was conducted using data from RealFacts, a private data vendor that collects quarterly rental data from apartment complexes with 50 or more units. For the purposes of this analysis, the Consortium was divided into four sub-areas, described below.¹⁷

- **North County:** Albany, Emeryville, Piedmont, and Alameda
- **South County:** Fremont, Newark, Union City, Sunol (Unincorporated County)

¹⁶ DataQuick News, Bay Area Home Sales Activity, July 2009, <http://www.dqnews.com/Charts/Monthly-Charts/SF-Chronicle-Charts/ZIPSFC.aspx>

¹⁷ The four regions do not include the cities of Berkeley and Oakland.

- **East County:** Dublin, Livermore, and Pleasanton
- **Mid-County:** San Leandro, Hayward, and the San Lorenzo, Castro Valley, Ashland, Fairview, and Cherryland areas of the Unincorporated County

Table 2.20 shows rental market characteristics for these four geographies while Appendix C provides more detailed market conditions for each sub-area. During the second quarter of 2009, monthly rents were the highest on an overall and per square foot basis in Northern Alameda County while rental housing was most affordable in Mid-County. The average monthly rent in Northern Alameda County was \$1,590, compared to \$1,160 in Mid-County.

Across the Consortium, monthly rents have increased since 2007 by between 1.4 percent and 5.2 percent. This trend parallels regional trends in the residential rental market, as potential homebuyers have continued to rent until the for-sale housing market recovers, the larger economy rebounds, and/or credit markets loosen.

Housing economists generally consider a rental vacancy rate of five percent as sufficient to provide adequate choice and mobility for residents. Higher rates result in a depressed rental market, while lower rates begin to impinge on resident mobility and lead to housing concerns such as overcrowding and overpayment. During the second quarter of 2009, East County had the highest vacancy rate, at 8.6 percent, while South County had the lowest at 4.8 percent. The higher vacancy rate in East County in the second quarter of 2009 may be, in part, due to the introduction of 305 new units to the market in 2008. Between 2005 and the second quarter of 2009, rates have generally ranged from 4.0 percent to 9.0 percent across the Consortium.

Table 2.20: Rental Market Characteristics, 2Q 2009

	<u>North County (a)</u>	<u>South County (a)</u>	<u>East County (a)</u>	<u>Mid- County (a)</u>
Rent Characteristics				
Average Monthly Rent	\$1,590	\$1,365	\$1,479	\$1,160
Average Unit Size (Sq. Ft.)	848	825	879	796
Average Rent/Sq Ft	\$1.88	\$1.65	\$1.68	\$1.46
% Change in Monthly Rent, 2007-2009	3.9%	1.4%	3.3%	5.2%
Vacancy Rate				
2005	5.9%	4.6%	5.1%	5.0%
Q2 2009	5.4%	4.8%	8.6%	5.6%

Notes:

(a) The geographic regions are defined as follows:

North County: Albany, Alameda, Emeryville

South County: Fremont, Newark, Union City, Sunol

East County: Dublin, Pleasanton, Livermore

Mid-County: San Leandro, Hayward, Piedmont, San Lorenzo, Castro

Valley, Ashland, Fairview, Cherryland

Sources: RealFacts, 2009; BAE, 2009.

Housing Affordability for Various Income Groups

Affordability is generally discussed in the context of households with different income levels. Households are categorized as extremely low-income, very low-income, and low-income, based on household size and percentages of the Area Median Income (AMI). These income limits are established annually by the HUD. Federal, State, and local affordable housing programs generally target households earning up to 80 percent of AMI. Some local programs may provide assistance to households earning up to 120 percent of AMI.

For-Sale Housing. Table 2.21 shows affordability scenarios for four-person households with extremely low-, very low-, and low-incomes. This analysis compares the maximum affordable sale price for each of these households to the market-rate prices for three-bedroom units in the four geographic regions described earlier between April 1, 2009 and June 30, 2009.¹⁸

The maximum affordable sales price was calculated using household income limits published by HUD, conventional financing terms, and assuming that households spend 30 percent of gross income on mortgage payments, taxes, and insurance. Appendix D shows the detailed calculations used to derive the maximum affordable sales price for single-family residences and condominiums.

¹⁸ Due to the low sales volume in North County, analysis for this geography is based on full and verified sales of three-bedroom units sold between January 1, 2009 and June 30, 2009.

Affordability of market-rate housing varies across Alameda County. As shown in Table 2.21, the maximum affordable sales price for a low-income, four-person household seeking to purchase a single-family home is \$275,300. In Mid-County, the majority (51 percent) of three-bedroom homes sold between April 1, 2009 and June 30, 2009 were affordable up to this price point. However, single-family homes in North County, South County, and East County were less affordable. Just three percent of homes sold in North County were affordable to low-income households while 14 percent and 18 percent of South County and East County homes, respectively, were priced below \$275,300. This analysis indicates that while the market is generally affordable to low-income households in Mid-County, current market prices remain an obstacle to single-family homeownership in the North County, South County, and East County geographies.¹⁹

The maximum affordable sales price for condominiums is slightly lower than the price for single-family homes because monthly homeowner's association (HOA) fees are factored into the calculation, thereby reducing the amount available for mortgage payments. With the exception of the South County, a smaller percentage of condominiums were affordable to low-income households. Approximately 12 percent of condominiums in East County and 38 percent in Mid-County sold for less than \$208,800, the maximum affordable sales price for a four-person low-income household. As was the case with single-family residences, North County homes were the least affordable; none of the three-bedroom condominium units sold between January 1, 2009 and June 30, 2009 was affordable to low-income households.²⁰

¹⁹ While the analysis of single-family affordability does not take into account homeowner's association fees, it should be noted that several newer single-family developments in areas of the County charge HOA fees. For example, City of Livermore staff report that HOA fees at some new single-family developments have been cost prohibitive for lower-income households.

²⁰ The small number of condominiums sold during the sample period may overstate the lack of affordability in North County.

Table 2.21: Affordability of Market-Rate For-Sale Housing (a)

Single-Family Residences							
Income Level	Income Limit	Max. Affordable Sale Price (b)	Percent of SFRs on Market within Price Range				
			North County (c) (d)	South County (c)	East County (c)	Mid-County (c)	
Extremely Low-Income (Up to 30% MFI)	\$26,800	\$111,400	0.8%	0.7%	1.9%	0.6%	
Very Low-Income (Up to 50% MFI)	\$44,650	\$185,500	2.4%	3.2%	3.8%	7.3%	
Low-Income (Up to 80% AMI)	\$66,250	\$275,300	3.3%	14.2%	17.6%	51.3%	
Median Sale Price			\$690,000	\$379,500	\$384,300	\$274,000	
Number of Units Sold			123	282	159	524	

Condominiums							
Income Level	Income Limit	Max. Affordable Sale Price (b)	Percent of Condos on Market within Price Range				
			North County (c) (d)	South County (c)	East County (c)	Mid-County (c)	
Extremely Low-Income (Up to 30% MFI)	\$26,800	\$44,900	0.0%	0.0%	0.0%	0.0%	
Very Low-Income (Up to 50% MFI)	\$44,650	\$119,100	0.0%	0.0%	0.0%	5.0%	
Low-Income (Up to 80% AMI)	\$66,250	\$208,800	0.0%	20.3%	11.6%	37.5%	
Median Sale Price			\$489,000	\$280,000	\$379,500	\$217,600	
Number of Units Sold			7	69	43	40	

Notes:

- (a) Analysis based on all full and verified sales of three-bedroom units between April 1, 2009 and June 30, 2009.
Affordable sales price calculated based on four-person household income, as defined by HUD for Alameda County, 2009.
- (b) Assumptions used to calculate affordable sales price:
 - Annual Interest Rate (Fixed) 6.53% Freddie Mac historical monthly Primary Mortgage Market Survey data tables. Ten-year average.
 - Term of mortgage (Years) 30
 - Percent of sale price as down payment 20.0%
 - Initial property tax (annual) 1.00%
 - Mortgage Insurance as percent of loan amount 0.00%
 - Annual homeowner's insurance rate as percent of sales price 0.13% CA Dept. of Insurance website, based on average of all quotes, assuming \$150,000 of coverage and a 26-40 year old home.
 - Homeowners Association Fee (monthly) \$400
 - PITI = Principal, Interest, Taxes, and Insurance
 - Percent of household income available for PITI 30.0%
- (c) The geographic regions are defined as follows:
 - North County: Albany, Alameda, Emeryville, Piedmont
 - South County: Fremont, Newark, Union City, Sunol
 - East County: Dublin, Pleasanton, Livermore
 - Mid-County: San Leandro, Hayward, San Lorenzo, Castro Valley, Ashland, Fairview, Cherryland
- (d) Due to the low sales volume in North County, analysis for this geography is based on full and verified sales of three- to six-bedroom units sold between January 1, 2009 and June 30, 2009.

Sources: U.S. Department of Housing and Urban Development, 2009; DataQuick, 2009; BAE, 2009.

Rental Housing. Table 2.22 compares the maximum affordable monthly rents with the average market rents in the four geographic regions of the Consortium for households of various sizes. Maximum affordable monthly rents assumed that households pay 30 percent of their gross income on rent and utilities.

As was the case with for-sale housing, rental housing in the Mid-County was most affordable, and the maximum affordable monthly rents for low-income households were generally comparable to average market-rate rents. However, for many household sizes, the maximum affordable monthly rent fell slightly below the average market-rate rent in North County, South County, and East

County. In addition, the average market-rate rent far exceeds the maximum affordable rent for very low- and extremely low-income households.

Table 2.22: Affordability of Market-Rate Rental Housing

	Household Size (a)			
	1 person	2 person	3 person	4 person
Average Monthly Rent (b)				
North County	\$1,394	\$1,394	\$1,511	\$1,807
South County	\$1,218	\$1,218	\$1,367	\$1,807
East County	\$1,287	\$1,287	\$1,369	\$1,772
Mid- County	\$1,024	\$1,024	\$1,242	\$1,692
Maximum Affordable Monthly Rent				
Extremely Low Income (30% AMI)				
Household Income (c)	\$18,750	\$21,450	\$24,100	\$26,800
Max. Affordable Monthly Rent (d)	\$416	\$483	\$500	\$533
Very Low Income (50% AMI)				
Household Income (c)	\$31,250	\$35,700	\$40,200	\$44,650
Max. Affordable Monthly Rent (d)	\$728	\$840	\$902	\$979
Low Income (80% AMI)				
Household Income (c)	\$46,350	\$53,000	\$59,600	\$66,250
Max. Affordable Monthly Rent (d)	\$1,106	\$1,272	\$1,387	\$1,519

Notes:

(a) The following unit sizes are assumed based on household size:

- 1 person - 1 bedroom
- 2 person - 1 bedroom
- 3 person - 2 bedroom
- 4 person - 3 bedroom

(b) Reported by Real Facts for Q2 2009.

(c) Household income published by the U.S. Department of Housing and Urban Development for Alameda County, 2009.

(d) Assumes 30 percent of income spent on rent and utilities.

Sources: U.S. Dept. of Housing and Urban Development, 2009; RealFacts, 2009; Alameda County Housing Authority, 2009; BAE, 2009.

Overpayment. According to HUD standards, a household is considered “cost-burdened” (i.e., overpaying for housing) if it spends more than 30 percent of gross income on housing-related costs. Households are “severely cost burdened” if they pay more than 50 percent of their income on housing costs. Countywide, approximately 34 percent of households were cost burdened in 2000. The incidence of cost burden was higher for renters than owners with 39 percent of renter households and 30 percent of owner households spending more than 30 percent of their income on housing costs. The proportion of households overpaying was slightly lower in the Consortium; overall 32 percent of Consortium households were cost burdened in 2000.

While the rate of cost burden varied slightly across jurisdictions, renter households were uniformly more likely to be cost burdened than owner households throughout the Consortium. Emeryville had a substantially higher proportion of cost burdened households when compared to all other jurisdictions. Approximately 42 percent of all households in Emeryville spent more than 30 percent of their income on housing costs in 2000. Piedmont, in turn, had the lowest rate of overpayment among Consortium jurisdictions, with only 28 percent of households being cost-burdened.

During the current economic downturn, the rate of overpayment may have increased due to rising unemployment. Unfortunately, more recent data on overpayment is unavailable.

Table 2.23: Overpayment by Jurisdiction, 2000

	Percent of Households Spending More than 30% of Income on Housing		
	Renters	Owners	All Households
Entitlement Jurisdictions			
Alameda	34.7%	27.7%	31.3%
Fremont	33.5%	28.8%	30.5%
Hayward	39.3%	30.5%	34.6%
Livermore	37.8%	28.7%	31.2%
Pleasanton	32.2%	27.5%	28.7%
San Leandro	36.0%	26.7%	30.3%
Union City	35.6%	30.1%	31.7%
Urban County			
Albany	35.6%	30.9%	33.2%
Dublin	34.8%	31.1%	32.4%
Emeryville	45.1%	37.4%	42.3%
Newark	33.8%	29.8%	31.0%
Piedmont	32.7%	27.5%	27.9%
<i>Unincorporated County</i>	36.9%	28.5%	32.0%
Ashland CDP	37.3%	32.9%	35.7%
Castro Valley CDP	36.3%	27.2%	29.9%
Cherryland CDP	34.7%	29.9%	29.9%
Fairview CDP	36.3%	30.0%	31.1%
San Lorenzo CDP	36.3%	25.9%	28.0%
Sunol CDP	6.3%	24.6%	19.1%
<i>Remainder</i>	45.7%	35.4%	43.7%
Urban County Total	42.3%	30.9%	35.3%
Consortium Total	37.4%	29.3%	32.4%
Alameda County Total	38.7%	29.5%	33.7%

Sources: HUD, State of the Cities Data System: Comprehensive Housing Affordability Strategy (CHAS) special tabulations from Census 2000; BAE, 2009.

Overcrowding. A lack of affordable housing can result in overcrowded households. The U.S. Census defines “overcrowding” as more than one person per room, excluding bathrooms and kitchens. Table 2.24 shows the overcrowding rate among renters and owners by jurisdiction in Alameda County. In 2000, approximately 12 percent of all households countywide were overcrowded. Overcrowding was substantially higher among renters than owners, with 19 percent of renters and seven percent of owners living in overcrowded situations in the County. The rate of overcrowding in the Consortium parallels the rate for the County as a whole.

The prevalence of overcrowding across entitlement jurisdictions and within the Urban County varied. However, across all jurisdictions a larger percentage of renter households lived in crowded situations than owner households. Overcrowding was particularly high among renter households in Hayward, Union City, and Newark, where the overcrowding rate exceeded 25 percent.

As with overpayment, rising unemployment and foreclosures may contribute to greater overcrowding rates in Consortium jurisdictions. However, more current data on overcrowding is unavailable.

Table 2.24: Overcrowding by Jurisdiction, 2000

	<u>Owners</u>	<u>Renters</u>	<u>All Households</u>
Entitlement Jurisdictions			
Alameda	4.4%	13.4%	9.1%
Fremont	6.2%	22.0%	11.8%
Hayward	12.2%	28.0%	19.6%
Livermore	2.1%	13.3%	5.2%
Pleasanton	1.0%	8.4%	3.0%
San Leandro	8.6%	17.2%	12.0%
Union City	12.0%	31.3%	17.6%
Urban County			
Albany	2.6%	11.2%	6.9%
Dublin	2.8%	9.4%	5.1%
Emeryville	5.6%	11.5%	9.3%
Newark	9.5%	26.7%	14.5%
Piedmont	0.0%	3.4%	0.3%
<i>Unincorporated County</i>	5.3%	18.5%	10.2%
Ashland CDP	13.6%	24.6%	20.7%
Castro Valley CDP	2.8%	11.3%	5.4%
Cherryland CDP	14.8%	22.9%	20.3%
Fairview CDP	3.4%	12.3%	4.9%
San Lorenzo CDP	6.6%	20.2%	9.5%
Sunol CDP	3.3%	0.0%	2.3%
<i>Remainder</i>	5.6%	24.8%	12.0%
Urban County Total	5.2%	17.0%	9.5%
Consortium Total	6.3%	19.4%	11.2%
Alameda County Total	6.9%	18.7%	12.2%

Sources: U.S. Census, SF3 H20, 2000; BAE, 2009.

2.5 Public and Assisted Housing

Public Housing

The Housing Authority of the County of Alameda (HACA) provides public housing and rental assistance to incorporated and unincorporated areas within the County, with the exception of the cities of Alameda, Berkeley, Livermore, and Oakland, which each have their own housing authorities. HACA owns and operates five public housing complexes and 34 scattered site public housing units throughout the County. In addition, the Livermore Housing Authority owns one public housing complex. In total, 411 public housing units in the Consortium provide homes for families, the elderly, and disabled individuals. Table 2.25 provides a list of public housing developments while Figure 2.7 identifies their locations.

The Housing Authority of the City of Alameda owns and operates Esperanza, a 120-unit public

housing complex for low- and very low-income families. However, the Housing Authority converted Esperanza from a public housing complex to a project-based Section 8 complex in Fall 2009.²¹ As such, the 120 units in the Esperanza development are included in the City of Alameda's subsidized rental housing inventory, discussed later in this report.

The Alameda County Housing Authority reports a 990-person waitlist for public housing which has not been opened since 2002. The public housing waitlist operates on a preference point system which awards points for families displaced by HACA due to a federal disaster, other displaced public housing families, elderly and disabled individuals, residents of Alameda County, and applicants who were educated in the County. The Livermore Housing Authority maintains a waitlist with 1,238 individuals as of July 2009. The City of Alameda's Housing Authority does not have a public housing waitlist because its public housing development was converted to project-based Section 8 in Fall 2009. It does, however, have an affordable housing waitlist of 276 people for all subsidized housing. The length of each of these lists is an indicator of the demand and need for affordable units serving lower-income households.

²¹ Gleason, Leslie, Housing Authority of the City of Alameda, phone conversation with BAE, July 13, 2009.

Table 2.25: Public Housing Complexes by Jurisdiction

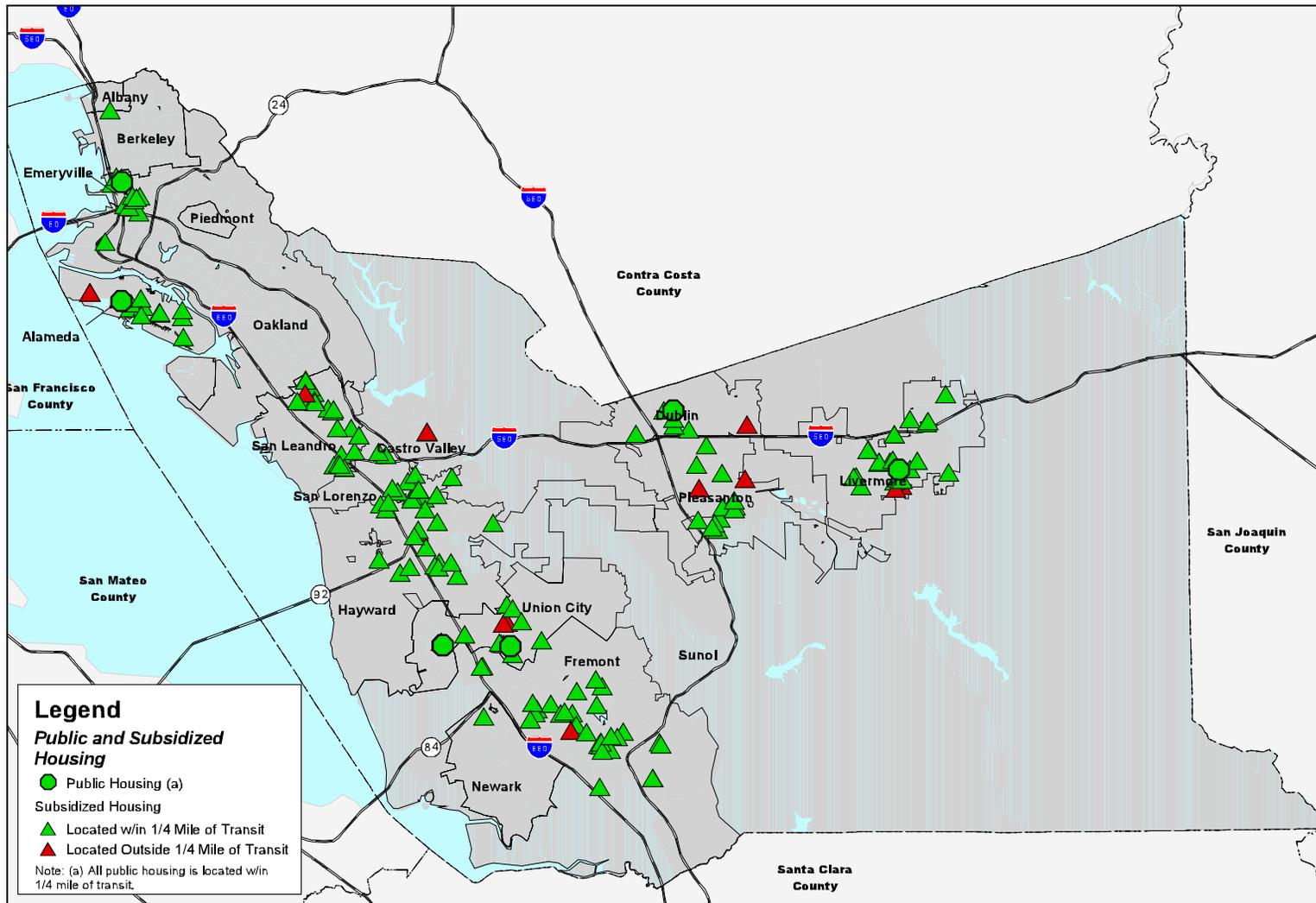
Name	Owner	Number of Units	Housing Type
Dublin			
Arroyo Vista (a) 6700 Dougherty Rd. Dublin, CA 94568	Alameda Co. H.A.	76	Family, elderly, and disabled units
Emeryville			
Emery Glen 6200 Doyle Dr. Emeryville, CA 94608	Alameda Co. H.A.	36	Family units
Livermore			
Leahy Square 3203 Leahy Way Livermore, CA 94550	Livermore H.A.	123	Family units
Union City			
Dyer Complex 4131 Dyer St. Union City, CA 94587	Alameda Co. H.A.	50	Elderly or disabled units
Mission View 4125 Dyer St. Union City, CA 94587	Alameda Co. H.A.	42	Family and disabled units
Nidus Senior Complex 2000 Nidus Ct. Union City, CA 94587	Alameda Co. H.A.	50	Elderly or disabled units
Scattered Units Scattered Sites	Alameda Co. H.A.	34	NA
Total Consortium Public Housing Units		411	

Notes:

(a) Arroyo Vista contains 150 units, but only 76 are currently occupied because of planned redevelopment of the property.

Sources: Housing Authority of the City of Alameda, 2009; Housing Authority of the City of Livermore, 2009; Alameda County Housing Authority, 2009; BAE, 2009.

Figure 2.7: Public and Subsidized Rental Housing



Sources: Alameda County Housing and Community Development Department, 2007; BAE, 2009.

Section 8 Rental Assistance

Section 8 Vouchers include both tenant- and project-based vouchers. The City of Alameda and Livermore Housing Authorities issue their respective allocation of vouchers within their cities, while the HACA issues vouchers to the remaining Consortium cities.

Under the tenant-based housing choice voucher program, the public housing authority (PHA) issues an eligible household a voucher and the household selects a unit of its choice. There are no residency requirements when applying for tenant-based Section 8 vouchers, though local residents for each respective PHA receive a preference over non-residents. Under the project-based voucher program, a PHA enters into an assistance contract with the owner for specified housing units and for a specified term. Households must remain in these specified units in order to retain housing assistance, because Section 8 funding is tied to the unit, rather than the family. However, a household who moves out of a project-based unit may be eligible for a tenant-based Section 8 voucher when one becomes available. In addition to PHA-issued vouchers, HUD provides project-based Section 8 vouchers directly to housing developments through its Multifamily Program.

As shown in Table 2.26, the three PHAs in the Consortium collectively have a total of 7,188 tenant-based vouchers. The housing authorities and HUD also issued 1,778 project-based vouchers. Each PHA has a sizeable Section 8 waitlist. In fact, the HACA reports that its 1,040-person waitlist had been closed since December 2001. Individuals may sign up for more than one Section 8 waitlist at a time. Although the waitlist has not been opened since 2001, HACA does periodically update the list by contacting applicants by mail, asking them to verify their address information. The last update was conducted in 2007. In addition to periodic updates, HACA occasionally purges the list, eliminating applicants who do not respond to HACA mailings. Similar to the public housing waitlist, tenant-based Section 8 applicants are ranked on a preference point system. The most points are awarded to families displacement from a HACA unit by a disaster, followed by other displaced families, public housing tenants that are under- or over-housed, families who worked or lived in the jurisdiction at the time of the application, and elderly or disabled individuals.

Table 2.26: Public Housing Authority Section 8 Vouchers

	<u>Section 8 Vouchers</u>			<u>Sec. 8 Waitlist</u>
	<u>Tenant- Based</u>	<u>Project- Based (a)</u>	<u>Total</u>	
Housing Authorities				
<i>City of Alameda</i>	1,783	62	1,845	622
<i>City of Livermore</i>	472	246	718	1,800
<i>County of Alameda (b)</i>	4,933	1,470	6,403	1,040
Albany	43	0	43	
Castro Valley	216	18	234	
Dublin	204	0	204	
Emeryville	37	49	86	
Fremont	1,028	245	1,273	
Hayward	1,678	596	2,274	
Newark	90	150	240	
Pleasanton	108	31	139	
San Leandro	872	339	1,211	
San Lorenzo	99	0	99	
Union City	558	42	600	
Total	7,188	1,778	8,966	3,462

Note:

(a) Project-based Section 8 vouchers includes those distributed by local public housing authorities in addition to those distributed by HUD's Multifamily Program.

(b) The County of Alameda includes consortium cities only, excluding Berkeley and Oakland. Sources: Housing Authority of the County of Alameda, Section 8 Contract Report, May 2009; Housing Authority of the City of Alameda, 2009; Housing Authority of the City of Livermore, 2009; HUD, Region IX, Section 8 Multifamily Program voucher list, October 2009; BAE, 2009.

Subsidized Housing

In addition to public housing, there are other federal, state, and local programs that subsidize rental housing for lower-income households. These funding sources include low-income housing tax credits, project-based Section 8, HOME, CDBG, HOPWA, HUD Section 202 and 811, and redevelopment agency funds, among others.

As shown in Table 2.27 and Figure 2.7, the County as a whole contains 440 developments with subsidized rental units, including 196 developments within the Consortium in 2007. These include subsidized senior housing developments, as well. In total, there were 9,600 subsidized rental units in the Consortium. Fremont and Hayward had the largest share of the Consortium's subsidized units, with approximately 1,550 and 1,500 units, respectively. Together, the subsidized rental units in these two cities make up 32 percent of the total subsidized units in the Consortium; these cities contain 35 percent of the Consortium population.

Overall, subsidized units represented approximately eight percent of all rental units in the County and Consortium. This figure varies substantially across Consortium jurisdictions. Approximately

15 percent of rental units in Emeryville were subsidized while less than one percent of Albany and Piedmont rental units were subsidized.

Table 2.27: Subsidized Rental Housing, 2007

	Number of Developments (a)	Number of Subsidized Units	Total Rental Units (b)	Subsidized Units as % of Total Rental Units
Entitlement Jurisdictions				
Alameda	24	792	15,216	5.2%
Fremont	32	1,552	24,529	6.3%
Hayward	26	1,498	21,035	7.1%
Livermore	22	852	7,974	10.7%
Pleasanton	15	885	6,790	13.0%
San Leandro	22	733	11,591	6.3%
Union City	12	703	5,604	12.5%
Urban County				
Albany	1	16	3,311	0.5%
Dublin	7	706	5,540	12.7%
Emeryville	14	558	3,717	15.0%
Newark	1	200	3,790	5.3%
Piedmont	-	-	338	0.0%
Unincorporated County	20	1,112	17,455	6.4%
Urban County Total	43	2,592	34,151	7.6%
Consortium Total	196	9,607	126,890	7.6%
Alameda County Total	438	19,848	242,430	8.2%

Notes:

(a) Includes market rate developments that have designated below-market rate units.

Excludes public housing developments.

(b) Per Claritas estimates, 2009.

Sources: Alameda County Housing and Community Development Department, 2007; Claritas, 2009; BAE, 2009.

As a subset of these units, Table 2.28 identifies the number of affordable senior and disabled units in the Consortium. Altogether, the jurisdictions contain approximately 3,820 subsidized senior units and 1,160 disabled units. It should be noted that the categorization of units as senior units or disabled units is self-reported; some cities regarded the two categories as mutually exclusive while others double-counted units to fully represent unit characteristics.

Table 2.28: Subsidized Senior and Disabled Housing Units, 2007

	Affordable Senior Units	Affordable Disabled Units
Entitlement Jurisdictions		
Alameda	206	28
Fremont	436	94
Hayward	416	88
Livermore	472	49
Pleasanton	565	596
San Leandro	361	109
Union City	180	2
Urban County		
Albany	16	0
Dublin	376	63
Emeryville	116	19
Newark	200	18
Piedmont	0	0
Unincorporated County	473	92
Urban County Total	1,181	192
Consortium Total	3,817	1,158

Notes:

(a) Totals may not match previous table. In self-reporting, some cities regarded categories as mutually exclusive, while others double-counted units to fully represent unit characteristics.

Sources: Alameda County Housing and Community Development Department, 2007; BAE, 2009.

Licensed Community Care Facilities

Individuals with special needs, including the elderly or persons with physical or mental disabilities, need access to suitable housing in their communities. This segment of the population often needs affordable housing that is located near public transportation, services, and shopping. Persons with disabilities may require units equipped with wheelchair accessibility or other special features that accommodate physical or sensory limitations. Depending on the severity of the disability and support program regulations and reimbursement levels, people may live independently with some assistance in their own homes, or may live in assisted living or other special care facilities.

Table 2.29 shows the number and capacity of licensed community care facilities in the County by jurisdiction while Figure 2.8 shows the location of these facilities. These licensed facilities are defined by the California Department of Social Services, Community Care Licensing Division:

- **Adult Residential Facilities (ARF)** provide 24-hour non-medical care for adults ages 18 years through 59 years old, who are unable to provide for their own daily needs. ARFs include board and care homes for adults with developmental disabilities and mental

illnesses.

- **Residential Care Facilities for the Elderly (RCFE)** provide care, supervision, and assistance with daily living activities, such as bathing and grooming.
- **Group Homes** provide 24-hour non-medical care and supervision to children. Services include social, psychological, and behavioral programs for troubled youth.
- **Small Family Homes (SFH)** provide 24-hour care in the licensee’s family residence for six or fewer children who require special supervision as a result of a mental or developmental disability or physical handicap.

As shown in Table 2.29, there are 523 licensed care facilities with capacity to accommodate approximately 6,500 individuals within the Consortium. The cities of Fremont, Hayward, and Union City have the largest number of facilities, with over 1,000 beds in each jurisdiction.

In addition to licensed community care facilities, there is an undocumented number of unlicensed facilities in the County. Unlicensed facilities are residences that provide “care and supervision” to residents without having obtained the license required to do so. “Care and supervision” includes assistance in daily activities, central storage and/or distribution of medications, arrangement of and assistance with medical care, and monitoring food intake or special diets, among other activities.²² Unlicensed facilities also include residences that are similar to licensed facilities, but do not provide the services required to obtain a license. Quality varies across unlicensed care facilities, also known as room and board facilities. With little or no oversight, room and board facilities operate outside the system designed to assure safety for residents and neighbors.²³ The State Department of Social Services, Community Care Licensing Division (CCLD) is responsible for inspecting and licensing residential care facilities and also investigates licensing violations.

²² “Care and supervision” is defined in the California Code of Regulations, Title 22, Division 6, Chapter 8.

²³ “Homes for mentally ill called unfit,” *Oakland Tribune*, June 12, 2005.

Table 2.29: Licensed Community Care Facilities by Jurisdiction

Entitlement Jurisdictions	Total		Adult Residential (a)		Residential Care for the Elderly (b)		Group Homes (c)		Small Family Home (d)	
	Facilities	Beds	Facilities	Beds	Facilities	Beds	Facilities	Beds	Facilities	Beds
Alameda	16	414	2	6	14	408	-	-	-	-
Fremont	97	1,166	35	201	58	941	4	24	-	-
Hayward	120	1,410	60	509	52	857	7	38	1	6
Livermore	40	423	3	12	35	399	2	12	-	-
Pleasanton	27	364	2	12	24	346	1	6	-	-
San Leandro	46	708	14	67	28	619	3	18	1	4
Union City	90	1,235	46	269	42	954	2	12	-	-
Urban County										
Albany	3	22	-	-	3	22	-	-	-	-
Dublin	19	112	4	22	12	72	3	18	-	-
Emeryville	-	-	-	-	-	-	-	-	-	-
Newark	22	121	4	18	17	99	-	-	1	4
Piedmont	-	-	-	-	-	-	-	-	-	-
Unincorporated County	43	491	7	55	31	406	5	30	-	-
Urban County Total	87	746	15	95	63	599	8	48	1	4
Consortium Total	523	6,466	177	1,171	316	5,123	27	158	3	14
Alameda County Total	673	9,999	237	1,702	372	7,772	60	509	4	16

Notes:

- (a) Adult Residential Facilities provide 24-hour non-medical care or adults who are unable to provide for their own daily needs.
- (b) Residential Care Facilities for the Elderly provide care, supervision, and assistance with daily living activities.
- (c) Group homes provide non-medical care and supervision to children.
- (d) Small Family Homes provide twenty-four -hour-a-day care in the licensee's family residence for six or fewer children who require special care and supervision due to mental or developmental disabilities or physical handicap.

Sources: California Community Care Licensing Division, 2009; BAE, 2009

2.6 Linkages between Housing and Employment Centers

Impediments to fair housing choice may exist when poor linkages exist between the locations of major employers and affordable housing. Under these conditions, persons who depend on public transportation, such as lower-income households, seniors, and disabled persons, would be more limited in their housing options. As such, affordable housing developments and community care facilities should be located in transit accessible areas.

Public Transit

Several transit systems provide rail and bus service within Alameda County. Bay Area Rapid Transit provides rail service while AC Transit and Wheels provide bus service. Figure 2.9 illustrates the public transit routes in the County.

Bay Area Rapid Transit (BART). BART provides rail service in Alameda, Contra Costa, San Francisco, and San Mateo counties. BART service in Alameda County extends to the City of Fremont to the south and to the cities of Dublin and Pleasanton to the east. There are 19 BART stations in the County. There are several shuttles that connect BART to other areas in the County, including the EmeryGoRound shuttle in Emeryville.

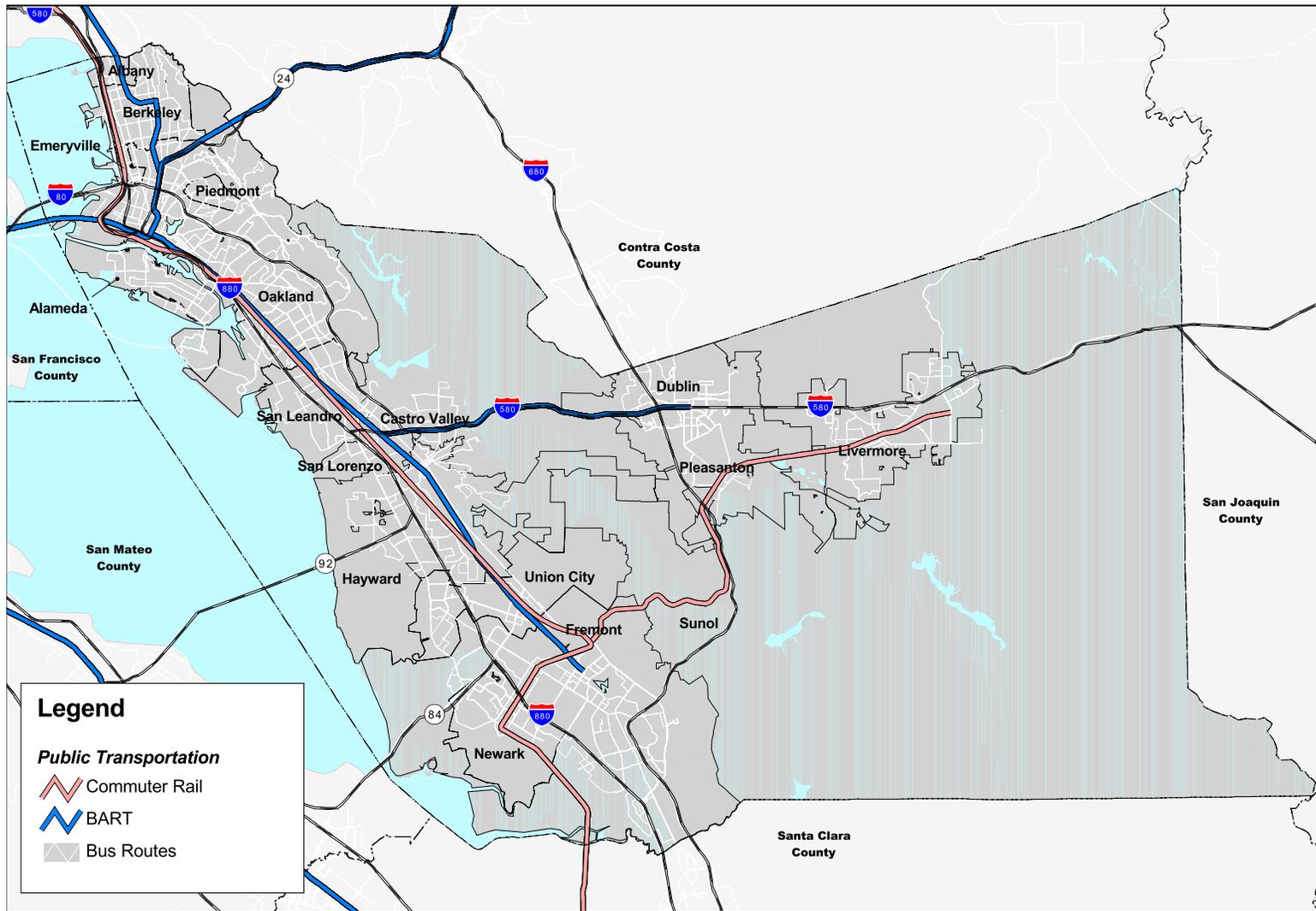
AC Transit. AC Transit provides bus service in Alameda County and Western Contra Costa County. In addition, AC transit provides service to the San Francisco Transbay Terminal.

Wheels. Wheels, a service of the Livermore Amador Valley Transit Authority (LAVTA), provides public transportation for the cities of Dublin, Livermore, and Pleasanton. Wheels' bus service connects various areas in the Tri-Valley to the Dublin/Pleasanton BART Station. Wheels also connects to the Altamont Commuter Express (ACE) Train Station in Livermore. The ACE Train runs from Stockton to San Jose, with stops in Livermore and Fremont.

Ferries. Two ferry services provide transportation between the East Bay and San Francisco. The Alameda/Oakland Ferry provides daily service between Alameda, Oakland, and the Ferry Building and Pier 41 in San Francisco. The Alameda/Oakland Ferry also provides seasonal service to San Francisco's AT&T Park and Angel Island. The Alameda Harbor Bay Ferry provides weekday service between Alameda's Harbor Bay Ferry Terminal and the San Francisco Ferry Building.

East Bay Paratransit. East Bay Paratransit provides transportation to people who have a disability or a health condition that prevents them from using buses or BART trains. BART and AC Transit established this service to meet the requirements of the Americans with Disabilities Act. East Bay Paratransit provides rides in a sedan or lift-equipped van, covering the same service area as AC Transit.

Figure 2.9: Public Transportation



Sources: AC Transit, 2009; BAE, 2009.

Major Employers, Housing, and Community Care Facilities

As discussed in earlier sections of this Chapter, the Consortium's inventory of subsidized housing, public housing, and community care facilities are relatively well-connected to public transportation. All of the public housing facilities in the Consortium are located within a quarter-mile of a transit station or bus stop and 90 percent of subsidized housing facilities are within a quarter-mile of public transportation. In addition, 82 percent of the licensed community care facilities within the Consortium are located within a quarter-mile of public transportation.

The County's largest employment centers are also accessible by public transportation. The cities of Oakland and Berkeley, which have large proportions of the County's jobs, are particularly well connected to public transportation. Furthermore, 23 of the 24 largest employers in the County are located within a quarter-mile of a transit station or bus stop. It should be noted, however, that many of the cities anticipating larger employment growth between 2005 and 2035 are less connected to transit.

Commute to Work

Table 2.30 shows employed residents' means of transportation to work in 2009, another measure of linkages between housing and employment centers. Approximately 11 percent of Alameda County's employed residents used public transportation to go to work. This figure is slightly lower for the Consortium, with seven percent of employed residents utilizing public transportation. The majority of employed residents in both the Consortium and County drove alone in private vehicles to their jobs; 74 percent of Consortium workers and 67 percent of County workers drove alone.

Table 2.30: Means of Transportation to Work, 2009

	Means of Transportation							Worked at Home
	Drove Alone	Car- Pooled	Public Transp.	Walked	Motorcycle	Bike	Other	
Entitlement Jurisdictions								
Alameda	63.1%	12.0%	15.6%	2.6%	0.4%	1.4%	0.8%	4.0%
Fremont	77.5%	12.3%	5.0%	1.1%	0.3%	0.6%	0.6%	2.7%
Hayward	69.0%	18.2%	6.8%	2.1%	0.4%	0.4%	1.2%	1.9%
Livermore	79.8%	10.4%	3.4%	1.4%	0.4%	1.3%	0.3%	3.1%
Pleasanton	80.1%	7.9%	5.0%	1.3%	0.2%	0.4%	0.6%	4.6%
San Leandro	70.3%	13.1%	10.2%	1.9%	0.3%	0.6%	1.1%	2.4%
Union City	73.0%	16.2%	6.3%	1.2%	0.1%	0.5%	0.9%	1.9%
Urban County								
Albany	54.1%	12.4%	19.1%	3.4%	0.4%	4.1%	1.6%	5.0%
Dublin	79.9%	9.6%	5.0%	1.2%	0.3%	0.3%	0.7%	3.0%
Emeryville	57.0%	9.1%	19.0%	6.2%	0.7%	1.2%	1.2%	5.6%
Newark	75.1%	16.9%	3.4%	0.8%	0.4%	0.9%	0.9%	1.6%
Piedmont	62.4%	16.9%	9.8%	1.6%	0.2%	0.8%	0.5%	7.8%
<i>Unincorporated County</i>	74.3%	13.2%	6.5%	1.5%	0.3%	0.4%	0.6%	3.2%
Ashland CDP	66.8%	18.1%	9.7%	2.0%	0.3%	0.8%	0.7%	1.5%
Castro Valley CDP	76.4%	10.6%	6.6%	1.6%	0.4%	0.1%	0.6%	3.7%
Cherryland CDP	67.9%	20.3%	9.0%	1.0%	0.1%	0.5%	0.4%	0.9%
Fairview CDP	77.7%	12.0%	6.2%	0.4%	0.4%	0.1%	0.3%	2.8%
San Lorenzo CDP	75.8%	14.0%	5.4%	1.0%	0.5%	0.4%	0.7%	2.1%
Sunol CDP	78.7%	11.5%	0.0%	6.6%	0.0%	0.0%	0.0%	3.1%
<i>Remainder</i>	73.6%	13.2%	6.8%	1.6%	0.3%	0.4%	0.6%	3.5%
Urban County Total	72.8%	13.0%	7.3%	1.7%	0.4%	0.8%	0.7%	3.4%
Consortium Total	73.5%	13.1%	7.0%	1.6%	0.3%	0.7%	0.8%	3.0%
Alameda County Total	66.7%	13.7%	10.5%	3.2%	0.4%	1.2%	0.9%	3.5%

Notes:

(a) Based on employed residents in Alameda County, sixteen years of age and older.

Sources: Claritas, 2009; BAE, 2009

The average commute time for employed residents in Alameda County was 34 minutes in 2009. This figure varied slightly across jurisdictions, with average commute times ranging from a low of 30 minutes for Emeryville and Piedmont employed residents to a high of 36 minutes for residents from Union City and San Leandro.

3 Evaluation of Current Fair Housing Legal Status

This section outlines the federal fair housing complaint process and provides data on the number of fair housing complaints filed from HUD's Office of Fair Housing and Equal Opportunity (FHEO).

It should be noted that complaints filed with HUD will automatically be filed with the California Department of Fair Employment and Housing (DFEH) as well. In most cases, HUD will send the complaint to the State DFEH for investigation as part of a contractual agreement between the two agencies. Similarly, if a complaint is filed with the State DFEH and is jurisdictional with HUD, it will be filed at the federal agency as well.

In addition to filing complaints directly with FHEO and the State DFEH, individuals may also file fair housing complaints with local fair housing service providers such as Eden Council for Hope and Opportunity (ECHO) and Housing Rights, Inc.

3.1 Fair Housing Complaint Process

Fair housing rights are protected under the Fair Housing Act of 1968. Individuals may file complaints about violations with HUD through the following process:²⁴

- **Intake.** Any entity, including individuals and community groups, can file fair housing complaints at no cost by telephone, mail, or via the internet. An intake specialist will interview the complainant, usually by telephone, and determine whether the matter is jurisdictional.
- **Filing.** If HUD accepts the complaint for investigation, the investigator will draft a formal complaint and provide it to the complainant, typically by mail. The complainant must sign and return the form to HUD. HUD will then send the complaint to the respondent, who must submit an answer to HUD within 10 days.
- **Investigation.** As part of the investigation, HUD will interview the complainant, the respondent, and pertinent witnesses, as well as collect relevant documents and conduct onsite visits when appropriate. HUD has the authority to take depositions, issue subpoenas and interrogatories, and compel testimony or documents.

²⁴ U.S. Department of Housing and Urban Development, HUD's Title VIII Fair Housing Complaint Process, <http://www.hud.gov/offices/fheo/complaint-process.cfm>

- **Conciliation.** The Fair Housing Act requires HUD to bring the parties together to attempt conciliation. The choice to conciliate the complaint is voluntary on the part of both parties. If a conciliation agreement is signed, HUD will end its investigation
- **No Cause Determination.** If HUD's investigation finds no reasonable cause to believe that housing discrimination has occurred or is about to occur, HUD will issue a determination of no reasonable cause and close the case. Complainants who disagree with the decision may request reconsideration. If complainants disagree with HUD's no cause determination in the reconsideration, the complainant can file a civil court action in the appropriate U.S. district court.
- **Cause Determination and Charge.** If the investigation finds reasonable cause to believe that discrimination has occurred or is about to occur, HUD will issue a determination of reasonable cause and charge the respondent with violating the law. A HUD Administrative Law Judge will then hear the case unless either party elects to have the case heard in federal civil court.
- **Hearing in a U.S. District Court.** If either party elects to go to federal court, the Department of Justice will commence a civil action on behalf of the complainant in U.S. District Court. If the court finds that a discriminatory housing practice has or is about to occur, the court can award actual and punitive damages as well as attorney fees.
- **Hearing before a HUD Administrative Law Judge (ALJ).** If neither party elects to go to federal court, a HUD ALJ will hear the case. An attorney from HUD will represent the complainant before the ALJ. The ALJ will decide the case and issue an initial decision. Either party may petition the initial decision to the Secretary of HUD for review.

3.2 Fair Housing Complaints

Table 3.1 summarizes fair housing complaint data obtained from HUD's Office of Fair Housing and Equal Opportunity (FHEO). Between 2004 and 2008, a total of 25 to 53 complaints were filed annually in Consortium jurisdictions, with 26 reported through August 30, 2009. Since 2005, the number of complaints in the Consortium and County annually has increased. Fair housing complaints in the Consortium represented 58 percent of all complaints filed in Alameda County between 2004 and August 2009. Within the Consortium, the largest number of complaints occurred in Hayward during this time period, with 55 complaints. The cities of San Leandro, Alameda, and Fremont also saw a notable number of complaints, with 41, 38, and 35, respectively.

Table 3.1: Fair Housing Complaints, Alameda County, 2004-YTD 2009

Entitlement Jurisdictions	Year						Total Complaints	Percent of Total
	2004	2005	2006	2007	2008	YTD 2009 (a)		
Alameda	0	8	11	10	6	3	38	9.7%
Fremont	6	0	5	6	13	5	35	9.0%
Hayward	19	7	3	10	10	6	55	14.1%
Livermore	4	1	0	2	4	0	11	2.8%
Pleasanton	2	2	1	2	0	1	8	2.0%
San Leandro	5	4	5	12	11	4	41	10.5%
Union City	1	0	0	0	2	2	5	1.3%
Urban County								
Albany	2	0	0	3	1	1	7	1.8%
Dublin	0	0	1	1	1	1	4	1.0%
Emeryville	3	2	0	1	1	0	7	1.8%
Newark	2	1	0	0	0	3	6	1.5%
Piedmont	0	0	0	0	0	0	0	0.0%
<i>Unincorporated County</i>								
Castro Valley CDP	1	0	0	1	4	0	6	1.5%
San Lorenzo CDP	3	0	0	1	0	0	4	1.0%
Sunol CDP	0	0	1	0	0	0	1	0.3%
Urban County	11	3	2	7	7	5	35	9.0%
Consortium Total	48	25	27	49	53	26	228	58.3%
Alameda County Total (b)	67	44	51	82	104	43	391	100.0%

Notes:

(a) YTD 2009 data is current through August 30, 2009.

Sources: The Department of Fair Housing and Equal Opportunity, HUD San Francisco Regional Office, August 2009; BAE, 2009.

Table 3.2 provides data on the bases of the fair housing complaints filed between 2004 and August 2009 in Consortium jurisdictions. Appendix D contains additional data by jurisdiction. As shown, disability and race emerged as the most common bases for complaint during this time period, accounting for 31 percent and 27 percent, respectively, of all complaint bases. Familial status and national origin also appeared as common bases for complaints, appearing in 17 percent and 11 percent of all complaints, respectively. It should be noted that one housing complaint may include several bases for complaint. This data is consistent with information from local fair housing providers, who report that race, disability, and familial status are typically the three major fair housing concerns in the County.²⁵

²⁵ Rocha, Marjorie, Executive Director, ECHO, Phone interview with BAE, October 26, 2009.

Table 3.2: Fair Housing Complaints by Bases, Consortium, 2004-YTD 2009 (a)

Basis	Year						YTD 2009 (b)	Total Bases for Complaints (c)	Percent of Total
	2004	2005	2006	2007	2008	2009 (b)			
Race	16	6	14	18	13	8	75	26.7%	
Color	0	0	1	1	0	0	2	0.7%	
National Origin	6	3	3	6	10	4	32	11.4%	
Sex	1	3	1	2	3	0	10	3.6%	
Disability	14	13	9	24	20	8	88	31.3%	
Religion	0	0	2	1	1	0	4	1.4%	
Familial Status	13	4	2	10	11	7	47	16.7%	
Retaliaton	4	4	6	5	3	1	23	8.2%	
Total (c)	54	33	38	67	61	28	281	100.0%	

Notes:

(a) Reported for Consortium jurisdictions only.

(b) YTD 2009 data is current through August 30, 2009.

(c) "Bases for Complaint" total may not match "housing complaint" total, because one housing complaint may contain several bases for complaint.

Sources: The Department of Fair Housing and Equal Opportunity, HUD San Francisco Regional Office, August 2009; BAE, 2009.

As shown in Table 3.3, over 55 percent of the complaints filed in the Consortium between 2004 and August 2009 were found to not have probable cause for fair housing violation. Another 33 percent were conciliated or resolved. Seven percent were closed administratively, with no finding. In addition, just under five percent of complaints were found by HUD to have cause, with the case going to federal court or being heard by a HUD Administrative Law Judge.

Table 3.3: Fair Housing Complaints by Resolution, Consortium, 2004-YTD 2009 (a)

Basis	Year						YTD 2009 (b)	Total Complaints	Percent of Total
	2004	2005	2006	2007	2008	2009 (b)			
Admin Closure	2	0	1	5	6	2	16	7.0%	
Conciliated or Resolved	19	12	3	10	22	9	75	32.9%	
No Cause	25	12	19	32	23	15	126	55.3%	
Cause	2	0	3	2	1	0	8	3.5%	
Referred and Closed by DOJ	0	1	1	0	1	0	3	1.3%	
Total	48	25	27	49	53	26	228	100.0%	

Notes:

(a) Reported for Consortium jurisdictions only.

(b) YTD 2009 data is current through August 30, 2009.

Sources: The Department of Fair Housing and Equal Opportunity, HUD San Francisco Regional Office, August 2009; BAE, 2009.

4 Identification of Impediments to Fair Housing Choice

4.1 Public Sector

Government regulations can affect housing availability and costs by limiting the supply of buildable land, setting standards and allowable densities for development, and exacting development fees. Publicly imposed constraints on housing supply can subsequently lead to fair housing concerns, as particular segments of the population lose access to affordable homes. This section examines these public sector constraints in more detail to evaluate their impact on fair housing choice in Consortium jurisdictions.

To document potential impediments to fair housing, each jurisdiction in the Consortium was contacted and provided the opportunity to discuss local fair housing issues and actions to address fair housing. In addition, the jurisdictions' Housing Elements were reviewed for a discussion on each item below.²⁶

Growth Management Programs

Growth management programs are intended to curb urban sprawl and promote well-planned development in areas that have access to necessary public infrastructure, facilities, and services. These programs can come in the form of an urban growth boundary (UGB), which establishes a boundary within which urban development should be concentrated, or as an overall cap on new residential development. While growth management programs are intended to promote well-planned development, they may act as a constraint to the extent they limit new housing production and prevent a jurisdiction from addressing its housing needs.

Alameda County Measure D. In 2000, Alameda County voters approved Measure D (the Save Agriculture and Open Space Lands Initiative), which established a County Urban Growth Boundary that focuses urban development in the Unincorporated County in currently developed areas near existing cities. The purpose of the initiative was to preserve and enhance agricultural lands and protect open space in Alameda County from sprawling development. Areas outside of the UGB that were previously designated as “urban reserve” were re-designated as “large parcel agriculture.” In establishing the UGB, Measure D removed North Livermore (and the 12,500 residential units that were in the planning stage) from urban development. In general amendments to the provisions of Measure D require approval of County voters. However, the Board of Supervisors can impose more stringent restrictions on development and land use.

²⁶ Per State law, California jurisdictions must prepare a Housing Element every five to seven years to analyze local housing needs, and provide strategies and actions to address these needs. Housing Elements are discussed in more detail subsequently in this section.

Measure D does include special provisions to accommodate State-imposed housing obligations (i.e., the County's Regional Housing Needs Allocation). The initiative requires that the County meet its housing obligations within the UGB, to the maximum extent feasible. However, if State housing obligations make it necessary to go beyond the UGB, County voters may approve an extension of the Boundary. In addition, the Board of Supervisors may approve residential development beyond the UGB if the following criteria are met:

- It is indisputable that there is no land within the UGB to meet a State housing requirement either through new development, more intensive development, or redevelopment;
- No more land is used outside the Urban Growth Boundary than is required by the affordable housing necessary to meet a State obligation;
- The area is adjacent to the Urban Growth Boundary, or to an existing urban or intensive residential area;
- The percentage goals for low- and very low-income housing in Policy 36 of the East County Area Plan will be met in any housing approved;
- There will be adequate public facilities and services for the housing; and
- The development shall not be on prime agricultural lands, or lands designated, at least conditionally, for intensive agriculture, unless no other land is available under this policy.

The UGB established by Measure D limits the land available for new residential development. However, because there are provisions to accommodate the State-determined housing need for the County, Measure D is not considered a substantial constraint to housing production in Alameda County.

Local Growth Management Programs. In addition to the County UGB, several jurisdictions have established local growth management policies. In particular, Livermore and Pleasanton have enacted both UGBs and caps on residential development.

Livermore: The City of Livermore's Housing Implementation Program (HIP) acts as its growth management policy, limiting the number of residential units that can be built annually. The City adopts a new HIP every three years and, under the 2003 General Plan, can allocate between 140 and 700 dwelling units per year. The HIP also allows the City to target specific types of housing and growth management objectives in each three-year period. To promote affordable housing, projects that include at least 35 percent of the total number of dwelling units for very low-income residents are not required to participate in the competitive HIP process. However, dwelling units associated with these affordable housing projects will be subtracted from the number of dwelling units available to all other competing projects. Residential projects of four units or less are also exempt from the HIP.²⁷ The HIP adopted for 2008-2010 provides for an allocation of 450 units per

²⁷ City of Livermore. *Housing Implementation Program 2008-2010*. Adopted January 28, 2008.

year, yielding a total of 1,350 housing units over the three-year period. When requests for housing units exceeds the approved growth cap, the HIP provides a method for assessing projects and awarding units to those projects that meet the City’s identified housing needs. Through the system used to award units to projects, the HIP provides incentives for the production of low- and moderate-income housing by targeting or emphasizing certain types of projects or areas in the City. Livermore’s growth management programs have not constrained housing development nor significantly raised costs relative to other Tri-Valley cities.

The City of Livermore also maintains a UGB intended to promote infill development and protect existing agricultural uses and natural resources from urban development. The UGB was implemented in two phases. Local voters passed the *South Livermore Urban Growth Boundary Initiative* in March 2000, establishing the boundary along the southern edge of the City. In December 2002, voters passed the *North Livermore Urban Growth Boundary Initiative*, completing the UGB around the northern edge of the City. Although the UGB limits urban development within City limits, the *Northern Livermore UGB Initiative* contains a “State Housing Requirement” provision that allows affordable housing development outside of the UGB to meet State housing requirements, so long as there is no land available within the City boundary to meet the requirement through new development, more intensive development, or redevelopment. The City’s UGB is not considered a constraint because it does not limit the number of units permitted but rather the location of the units.²⁸

Pleasanton: The City of Pleasanton also has number of growth management programs. In 1978, Pleasanton adopted its first growth management ordinance designed to regulate the location and rate of new residential growth. The Growth Management Program (GMP) has been amended several times since its initial adoption and currently limits the number of residential building permits the City can issue to 350 units annually. There are exceptions to this limit and the City Council may, at its discretion, change the annual allocation. Within this annual allocation, 50 units are reserved for affordable housing units, which serve low- and moderate-income households. In order to promote affordable housing, the GMP allows the affordable housing project sub-allocation to be carried over to future years if it is not fully used. In addition, affordable housing developers may use up to four succeeding years’ sub-allocations if necessary.²⁹ In recent years, the number of residential units seeking building permits has been significantly lower than the annual GMP allocation as fewer large residential development sites are available. However, in the future, the GMP may constrain new housing production as the number of homes in the city approaches the 29,000 unit housing cap, discussed below.

<http://www.ci.livermore.ca.us/CDD/Planning/documents/FINAL-HIP2008TO2010REGULATIONS.pdf>

²⁸ City of Livermore, *Draft City of Livermore Housing Element*, January 2009, p.3-42 and 3-43.

²⁹ City of Pleasanton, Municipal Code, Chapter 17.36.

Pleasanton also has an UGB and an overall cap on the number of residential units allowed in the City's Planning Area. In 1996, Pleasanton voters ratified the UGB, which is co-terminus with the Alameda County UGB established by Measure D. City voters also approved Measure GG in 1996, which caps the number of housing units in the City at 29,000. This assumes the buildout of all residential lands designated in the General Plan.³⁰ According to the California Department of Finance, there are approximately 26,000 housing units in the City of Pleasanton in 2009. As a result, an additional 3,000 housing units may be built in Pleasanton under Measure GG.

This cap on residential units may constrain new housing development in the future, although the City has never denied any residential project due to the housing cap. Pleasanton's residential cap is the subject of a lawsuit brought by a nonprofit organization, the Urban Habitat Program, in which the State Attorney General's Office has intervened. This lawsuit contends the housing cap violates State law and seeks to invalidate the cap.³¹

Zoning for Multifamily Housing

Jurisdictions' zoning ordinances establish permitted uses and development standards for zoning districts in accordance with the General Plan. The ordinances specify the zones in which residential development is permitted and the development standards projects must adhere to. Most of the jurisdictions within the Consortium have zoning ordinances which allow for a variety of housing types. However, a few jurisdictions have provisions in their zoning ordinances that may limit the production of multifamily housing. Because multifamily housing is often more affordable than single-family housing, zoning ordinances that restrict this type of development may limit housing opportunities for lower-income households and special needs populations, raising a fair housing concern.

In the City of Alameda, a 1973 voter-approved initiative prohibits the development of multifamily housing in the City. Measure A effectively prohibits the development, through new construction or alteration of an existing structure, of more than two dwelling units in a single-structure. Several exceptions allow for the replacement of existing low-cost housing units by the Alameda Housing Authority and of multifamily units destroyed by fire or other disasters. Nevertheless, in its 2007-2014 Housing Element, the City has identified Measure A as a constraint. The City mitigates this constraint through a number of programs, including the write down of City-owned property, increased inclusionary housing requirements, and the expenditure of redevelopment set-aside funds. The majority of property to be developed over the 2007-2014 housing element period is or is anticipated to be owned by the City of Alameda and the cost of land can be written down to a

³⁰ City of Pleasanton, *Adopted General Plan 2005-2025*, July 21, 2009, p. 2-15 and 2-16.

³¹ California Attorney General, "Brown Sues to Invalidate Pleasanton's Illegal Housing Cap," June 24, 2009, <http://ag.ca.gov/newsalerts/release.php?id=1759>

level whereby the City can subsidize units and ensure affordability.³² The City is also preparing a density bonus ordinance to help mitigate the impacts of Measure A as a constraint on production.

The City of Newark allows for multifamily development in appropriate zones, but requires projects with five or more units to obtain a conditional use permit (CUP), even if the project is proposed for a compatible multifamily residential zone. The CUP process requires public hearings and approvals by the Planning Commission and City Council. As a result, these larger multifamily projects receive a higher level of scrutiny. However, the City of Newark's Housing Element states the CUP requirement has little impact on the time it takes to process an application or the cost to the developer. This is because large multifamily projects are typically handled as planned unit developments (PUDs) that take the same amount of time to process as CUPs. The CUP and PUD are processed concurrently and the required public hearings are held jointly.³³ As part of the City's Housing Element update, it is considering the possibility of replacing the CUP requirement with a new multifamily design review process.

Regulation of Second Units

Second units, also known as accessory dwelling units (ADUs) are defined as a self-contained apartment with a kitchen, bathroom, and sleeping facilities that is attached to a single-family residence or located on the same property as the principal residence. Due to their smaller sizes, second units may provide affordable housing opportunities for lower-income households, including seniors.

State law requires local jurisdictions to either adopt ordinances that establish the conditions under which second units will be permitted or to follow the State law provisions governing second units (Government Code, Section 65852.2). No local jurisdiction can adopt an ordinance that totally precludes the development of second units unless the ordinance contains findings acknowledging that allowing second units may limit housing opportunities of the region and result in adverse impacts on public health, safety, and welfare. Furthermore, AB 1866 amended the State's second unit law in 2003, requiring jurisdictions to use a ministerial, rather than discretionary, process for approving second units.

In compliance with State law, most jurisdictions in the Consortium have updated zoning provisions to approve second units at an administrative level. However, the City of Emeryville has not yet removed obstacles to permitting second units. Currently a conditional use permit is required for second units. As part of the 2007-2014 Housing Element, the City proposes to revise its zoning

³² City of Alameda, Planning and Building Department, *Draft General Plan Housing Element 2007-2014*, p. VI-16 to VI-19.

³³ City of Newark, *Housing Element of the General Plan, Draft*, February 18, 2009, p. 41-42.

regulations to ensure that the requirements for secondary units conform to State law.³⁴

Regulation of Emergency Shelters and Transitional and Supportive Housing

Local land use controls can constrain the availability of emergency shelters and transitional and supportive housing for homeless individuals and shelters if these uses are not permitted in any zoning district or if additional discretionary permits are required for their approval. SB2, a state law that became effective on January 1, 2008, sought to address this potential constraint by strengthening planning requirements around emergency shelters and transitional housing. The law requires all jurisdictions to identify a zone where emergency shelters are permitted by right without a conditional use permit or other discretionary permit. In addition, transitional and permanent supportive housing must be considered a residential use and only be subjected to restrictions that apply to other residential uses of the same type in the same zone.

To comply with SB2, Alameda County will amend its zoning ordinance to permit emergency shelters in the R4 zoning district. The City of Livermore also allows emergency shelters with six or fewer beds as a permitted use in several zoning districts, but will amend its zoning district to allow larger emergency shelters as a permitted use as well. The majority of the jurisdictions in the Consortium do not currently permit emergency shelters by right and have programs in their housing elements to address this issue and bring their zoning ordinance into compliance with SB2.

Regulation of Housing for Persons with Special Needs

Local zoning ordinances also may affect the availability of housing for persons for special needs. In particular, zoning ordinances often include provisions regulating community care facilities and outlining processes for reasonable accommodation.

Community Care Facilities. The Lanterman Developmental Disabilities Services Act requires local jurisdictions to treat licensed group homes and residential care facilities with six or fewer residents no differently than other permitted single-family housing uses. Cities must allow these licensed residential care facilities in any area zoned for residential use and may not require conditional use permits or other additional discretionary permits.

Consistent with State law, most Consortium jurisdictions permit licensed community care facilities for six or fewer residents by right in residential zones allowing single-family residential uses. However, the City of Emeryville currently requires a conditional use permit for group residential uses. The City's Housing Element contains a policy to amend zoning regulations to treat group homes and residential care facilities for six or fewer residents similar to other single-family uses.³⁵

³⁴ City of Emeryville, *Emeryville 2009-2014 Housing Element*, June 2009, p. 83.

³⁵ City of Emeryville, *Emeryville 2009-2014 Housing Element*, June 2009, p. 84.

Reasonable Accommodation. Both the federal Fair Housing Act and the California Fair Employment and Housing Act impose an affirmative duty on cities and counties to make reasonable accommodations in their zoning and land use policies when such accommodations are necessary to provide equal access to housing for persons with disabilities. Reasonable accommodations refer to modifications or exemptions to particular policies that facilitate equal access to housing. Examples include exemptions to setbacks for wheelchair access structures or reductions to parking requirements.

Many jurisdictions do not have a specific process specifically designed for people with disabilities to make a reasonable accommodations request. Rather, local governments provide disabled residents relief from the strict terms of their zoning ordinances through existing variance or Conditional Use Permit processes. Many of the Consortium jurisdictions currently address reasonable accommodation requests in this manner.

In a May 15, 2001 letter, the California Attorney General recommended that local governments adopt formal written procedures for handling reasonable accommodations requests. While addressing reasonable accommodations requests through variances and Conditional Use Permits does not violate fair housing laws, it does increase the risk of wrongfully denying a disabled applicant's request for relief and incurring liability for monetary damages and penalties. Furthermore, reliance on variances and use permits may encourage, in some circumstances, community opposition to projects involving much needed housing for persons with disabilities.³⁶

In 2006 Alameda County adopted a Reasonable Accommodation Ordinance. While requests for reasonable accommodation are currently handled on a case by case basis, the County's Housing Element includes a policy to draft formal reasonable accommodation procedures. Several other cities that currently address reasonable accommodation on an ad hoc basis have policies in their respective Housing Elements to establish more formal procedures. These cities include Dublin, Hayward, Livermore, and Union City.

The City of San Leandro currently requires a public hearing before its Board of Zoning Adjustments for reasonable accommodation requests. The City's Housing Element includes a policy to revise its zoning ordinance to allow reasonable accommodation requests to be processed administratively. The cities of Emeryville and Fremont already have formal reasonable accommodation policies. The City of Albany provides reasonable accommodation for persons with disabilities through the variance and encroachment permit processes, both of which are ministerial procedures.

³⁶ Lockyer, Bill, California Attorney General, Letter to All California Mayors, May 15, 2001. http://caag.state.ca.us/civilrights/pdf/reasonab_1.pdf

Definition of Family. A jurisdiction’s zoning ordinance can constrain access to housing if it contains a restrictive definition of a family. For example, a definition of family that limits the number of persons and differentiates between related and unrelated individuals living together can be used to discriminate against nontraditional families and illegally limit the development and siting of group homes for individuals with disabilities. California court cases (City of Santa Barbara v. Adamson, 1980 and City of Chula Vista v. Pagard, 1981) have ruled a zoning ordinance invalid if it defines a “family” as (a) an individual; (b) two or more persons related by blood, marriage, or adoption; or (c) a group of not more than a specific number of unrelated persons as a single housekeeping unit. The rulings established that defining a family in a manner that distinguishes between blood-related and non-blood related individuals does not serve any legitimate or useful objective or purpose recognized under zoning or land use planning powers of a jurisdiction, and therefore violates privacy rights under the California Constitution.

Most jurisdictions in the Consortium have zoning ordinances which contain a broad definition of family, in compliance with the Lanterman Developmental Disabilities Services Act and the Federal Fair Housing Amendments Act of 1988 which prohibits discrimination on the basis of familial status. The ordinances generally define a family as a group of people operating as “a single housekeeping unit” without limiting the number of people or their relationship. However, the City of Dublin’s zoning ordinance designates that a single-family residence be occupied exclusively by one family and the definition of family limits the number of boarders to no more than four. Collectively, these two definitions constitute a restrictive definition of family. The City of Dublin’s Housing Element includes a policy to amend the zoning ordinance to resolve any potential conflicts with the Lanterman Developmental Disabilities Services Act and federal fair housing laws. The cities of Pleasanton and Albany may also have zoning ordinances which include a restrictive definition of a family. Pleasanton defines a family as an individual or two or more persons related by blood, marriage, or adoption, or a group of not more than five persons, not including servants, who need not be related, living as a single-housekeeping unit. Albany’s zoning ordinance defines a family as two or more persons living in a single housekeeping unit, including any servants and four or fewer boarders. Pleasanton and Albany should review their definitions of family for consistency with State law and amend their ordinances if necessary.

Updating of Housing Elements

The Housing Element is one of seven state-mandated elements of a jurisdiction’s general plan and establishes a comprehensive, long-term plan to address housing needs. Updated every five to seven years, the Housing Element is a jurisdiction’s primary policy document regarding the development, rehabilitation, and preservation of housing for all economic segments of the population. Per State Housing Element law, the document must:

- Outline a community's housing production objectives;
- List policies and implementation programs to achieve local housing goals;
- Examine the need for housing resources in a community, focusing in particular on special needs populations;
- Identify adequate sites for the production of housing serving various income levels;
- Analyze the potential constraints to production; and
- Evaluate the Housing Element for consistency with other components of the General Plan.

One of the major requirements of a Housing Element is that the document demonstrates the city has a sufficient amount of vacant or underutilized residential land zoned at appropriate densities to accommodate the community's Regional Housing Needs Allocation (RHNA) for all income groups. The State of California Department of Housing and Community Development (HCD) determine the RHNA for the nine county Bay Area, which includes Alameda County. The Association of Bay Area Governments (ABAG) then determines the RHNA for city and county in the region. If a jurisdiction fails to identify adequate sites to accommodate its RHNA, it risks having a Housing Element that is deemed to be out of compliance with State law by HCD.

The lack of planning for housing and the repercussions associated with not having a certified Housing Element could constrain market-rate and affordable housing development, and thereby contribute to a fair housing concern.

Jurisdictions in the Consortium are currently working on their Housing Element updates for the 2007-2014 planning period. The deadline for having a certified Housing Element for the current planning period was June 30, 2009. While some Consortium jurisdictions do not yet have a certified Housing Element, most do have draft Housing Elements that are undergoing initial review by HCD or are being drafted. Because the City of Pleasanton just completed its General Plan update, it has only recently started to update its Housing Element.

Other Local Policies

Development Impact Fees. Like cities throughout California, most Consortium jurisdictions collect development fees to recover the capital costs of providing community services and the administrative costs associated with processing applications. Depending on the jurisdiction, developers may be required to pay school, park, and transportation impact fees, sewer and water connection fees, building permit fees, wastewater treatment plant fees, and a variety of handling and service charges. Development impact fees may result in higher housing costs if developers pass fees on to homebuyers.

Impact fees vary greatly across Consortium jurisdictions. For a new single-family residence, impact fees range from approximately \$8,000 in Newark to \$44,000 in Hayward and \$51,000 in

Livermore.³⁷ The types of fees assessed vary across jurisdictions. For example, in addition to the \$51,000 of impact fees assessed in Livermore, the City charges a Social and Human Services Facility fee of \$1,677 per single-family unit.³⁸ While cities' Housing Elements acknowledge that these fees may be a constraint to housing production, they are necessary to provide adequate planning services and maintain public services and facilities. Some cities and the County provide fee waivers or reductions for developers of affordable housing or housing for special needs populations. Jurisdictions that provide some form of fee waiver, reduction, or exemption include Alameda, Hayward, Livermore, and Dublin.

Parking Requirements. Parking requirements may serve as a constraint on housing development by increasing development costs and reducing the amount of land available for or additional units or project amenities. Developers may be deterred from building new housing in jurisdictions with particularly high parking ratios due to the added costs associated with such requirements.

Jurisdictions in the Consortium have reasonable parking requirements that are appropriate for their suburban context and seek to minimize on-street parking problems. In addition, several jurisdictions provide opportunities for reduced parking ratios for affordable or senior housing, housing for persons with disabilities, projects located in close proximity to transit, or developments that provide bicycle parking. Jurisdictions that provide opportunities for some form of parking reduction include Alameda, Hayward, Livermore, San Leandro, Union City, and Dublin.

4.2 Private Sector

In addition to governmental constraints, there may be non-governmental factors which may constrain the production of new housing or impede fair housing. These could include market-related conditions such as the availability of mortgage financing or land and construction costs, or other private sector activities such as application processes for affordable housing developments.

For-Sale Housing Market

Affordability. Between 2000 and 2007, home prices soared in Alameda County and the high cost of housing emerged as the main barrier to housing choice. However, as a result of the current economic downturn and declining home prices, housing affordability has improved (see Table 2.19 and accompanying text for a discussion on affordability).

Local homeownership counseling agencies indicate that housing affordability is not currently the

³⁷ Reference individual jurisdictions' Housing Elements for more detailed data on fees.

³⁸ City of Newark, *Housing Element of the General Plan, Draft*, February 18, 2009, p. 44.
City of Hayward, *Hayward General Plan*, p. 5-64.
City of Livermore, *Draft City of Livermore Housing Element*, January 2009, p. 3-54.

major barrier to housing choice in the County, particularly for moderate-income households. Lower home prices provide these households with greater housing choice, particularly when buyers take advantage of various State and local first-time homebuyer programs.³⁹ Households at or below 80 percent of AMI, however, may still encounter difficulty finding affordable homes for sale, especially in the northern parts of the County.

While housing affordability is currently not one of the major barriers to homeownership, credit accessibility and uncertainty in the economy have emerged as challenges for potential homebuyers. Challenges associated with mortgage financing will be discussed later in this section.

Competition. Looking to capitalize on the soft residential market, many investors have begun to enter the market for lower-priced homes. These investors often have more attractive financing offers (e.g., all cash deals) than first-time homebuyers who are generally more leveraged and may be utilizing various first-time home buyer programs. Sellers, particularly banks' real estate owned (REO) property managers, are interested in selling properties quickly. In this respect, investors with attractive financing deals often have an advantage over other first-time homebuyers, particularly lower-income households.⁴⁰

Foreclosures. Due to a variety of interrelated factors, including an increase in subprime lending activity in recent years, California and the nation are currently undergoing an unprecedented wave of foreclosures. During the second quarter of 2009, approximately 4,600 homeowners received notices of default, which is the first step in the foreclosure process in Alameda County. This represents an 18 percent increase in the number of foreclosures since the second quarter of 2008.⁴¹

During the most recent housing boom, rapid home price escalation spurred lenders to adopt looser, more automated underwriting criteria, assuming greater risk to generate more mortgages. Lenders also offered new loan products, allowing buyers to enter the market with little to no money down and initially low "teaser" interest rates.

Lenders then pooled subprime loans with lower risk mortgages for sale to the secondary market, which failed to hold lenders accountable for these products. Mortgage brokers, whose commissions are unaffected by a loan's foreclosure, also contributed to this shift in the mortgage market by originating almost 60 percent of subprime loans, sometimes through predatory lending

³⁹ Zhovreboff, Walter, Bay Area Homebuyer Agency / First Home, Inc., phone interview with BAE, July 16, 2009.

⁴⁰ Zhovreboff, Walter, Bay Area Homebuyer Agency / First Home, Inc., phone interview with BAE, July 16, 2009.

⁴¹ DQ News, "California Second Quarter Mortgage Defaults Edge Down," July 22, 2009, <http://www.dqnews.com/Articles/2009/News/California/CA-Foreclosures/RRFor090722.aspx>

practices.⁴²

Through these policies, some lenders provided some buyers with imperfect credit and/or lower incomes larger mortgages than they could otherwise afford. Unfortunately, as teaser rates (and other low-variable rates) expired and interest rates increased, many of these households defaulted on their loans, initiating the current rash of foreclosures.

The Center for Responsible Lending (CRL), the Federal Reserve Bank of San Francisco, and the University of Southern California report that data regarding the income, ethnicity, and other characteristics of households losing their homes to foreclosure is not readily available. However, the CRL has examined the ethnicity of borrowers receiving subprime loans, using Home Mortgage Disclosure Act (HMDA) data. Given the strong link between subprime lending and foreclosure, this analysis serves as a rough proxy for the ethnicities of buyers undergoing foreclosure nationally.

The 2006 CRL study found that subprime mortgages disproportionately occur in communities of color. African-American and Latino borrowers were over 30 percent more likely to receive a high-cost loan (a proxy for subprime lending) than White borrowers, even controlling for credit risk. Approximately 52 percent of African-American borrowers and 40 percent of Latino borrowers received a higher-cost loan in 2005, compared to only 19 percent of White borrowers.⁴³

This analysis was conducted on a national scale. Given Alameda County and California's unique ethnic distribution, California homeowners undergoing foreclosure likely have distinct characteristics from national trends.

Lending Policies and Practices

Home Mortgage Disclosure Act (HMDA). Enacted by Congress in 1975, the Home Mortgage Disclosure Act requires lending institutions to publically report home loan data. Lenders must provide information on the disposition of home loan applications and disclose applicant information, including their race or national origin, gender, and annual income. HMDA data indicates which banks are lending in communities and provides insight into lending patterns, including denial rates and the types of loans issued (e.g., home improvement loans, home purchase loans). This data, however, cannot be used to conclude definite redlining or discrimination because many factors, such as income, income-to-debt ratio, credit rating, and employment history, affect approval and denial rates.

⁴² *Losing Ground: Foreclosures in the Subprime Market and Their Cost to Homeowners.* Center for Responsible Lending. December 2006.

⁴³ *Unfair Lending: The Effect of Race and Ethnicity on the Price of Subprime Mortgages.* Center for Responsible Lending. May 31, 2006.

As shown in Table 4.1, over 39,000 home purchase loan applications were submitted in Alameda County in 2007, including 26,300 loans within the Consortium. Overall, 57 percent of home purchase loan applications were approved in the Consortium, a slightly higher rate than the County as a whole, which had a 55 percent approval rate in 2007. The largest proportion of loan applications in the Consortium was filed in the cities of Fremont and Hayward.

Loan approval rates vary by jurisdiction. With the exception of Hayward, all jurisdictions within the Consortium had approval rates of more than 50 percent. Among entitlement jurisdictions, Alameda, Fremont, and Pleasanton had the highest loan approval rates with each exceeding 60 percent. Within the Urban County, Piedmont had the highest approval rate while Newark had the lowest. This data is fairly consistent with the income distribution across jurisdictions. Cities with higher median incomes, such as Fremont, Pleasanton, and Piedmont, had higher approval rates than those with lower incomes.

Table 4.1: Disposition of Home Purchase Loans by Jurisdiction, 2007

Entitlement Jurisdictions	Program
Alameda	Downpayment Assistance Program offers loans from \$50,000 to \$80,000.
Fremont	Welcome Home and Welcome to the Neighborhood Programs offer second loans of up to \$40,000.
Hayward	Homeownership Assistance Program provides downpayment and closing cost assistance.
Livermore	Downpayment Assistance Program offers 3% deferred loan up to \$30,000.
Pleasanton	Downpayment Assistance Program offers 3.5% deferred loan up to \$60,000.
San Leandro	First Time Homebuyer Program provides second loan of up to \$30,000 for downpayment and closing costs
Union City	Down Payment Program provides silent second loans for first-time homebuyers.
Urban County	
Albany	N/A
Dublin	First Time Homebuyer Loan Program offers deferred loan up to 10% of purchase price of market rate homes and up to 15% of BMR homes.
Emeryville	First Time Homebuyers Program provides downpayment assistance in the form of low-interest deferred loan.
Newark	N/A
Piedmont	N/A
Alameda County	Mortgage Credit Certificate Program for first time homebuyers. This program is administered by the County, in partnership with local jurisdictions (see program description below).

Source: BAE, 2009.

For the Consortium as a whole, the loan approval rates varied by race. As shown in Table 4.2, loan applications submitted by Asian persons had the highest approval rate at 69 percent. White

applicants had the second highest approval rate at 63 percent, while African Americans were approved at the lowest rate at 54 percent. A Chi-Square test determined that the differences in approval rates across races are statistically significant. This analysis, however, does not identify a reason for the discrepancy. As mentioned previously, many factors can influence loan application approval rates, including household income, income-to-debt ratio, credit rating, and employment history.

Table 4.2: Disposition of Home Purchase Loans by Race, Consortium, 2007

	Total Number of Loan Applications	Action Type		
		Approved (a)	Denied	Other (b)
American Indian or Alaska Native	255	55.3%	29.8%	14.9%
Asian	8,202	69.2%	15.1%	15.7%
Black or African American	971	54.1%	28.1%	17.8%
Native Hawaiian or Other Pacific Islander	620	57.4%	26.1%	16.5%
White	9,822	63.0%	18.3%	18.6%
Information not provided by applicant	3,481	54.3%	21.5%	24.1%
Not applicable	2,905	1.7%	0.0%	98.3%
Total	26,256	56.5%	16.4%	27.2%

Notes:

(a) Includes loans originated and applications approved but not accepted.

(b) Includes applications withdrawn by applicant, incomplete applications, loans purchased by institution, and preapproval requests denied.

Sources: Home Mortgage Disclosure Act (HMDA), 2007; BAE, 2009.

Conventional Mortgages. As a result of the recession and credit crisis, access to financing has emerged as a major barrier to housing choice in Alameda County and across the state and country. Lenders are implementing stricter underwriting, reporting, and verification of information practices. According to various homeownership counseling agencies, buyers need a credit score of 720 to 740 to qualify for a conventional home mortgage. Banks also look for larger downpayments of 10 percent to 20 percent of the purchase price, which is higher than what was previously required.⁴⁴ Many of these requirements directly address problems in the lending industry that contributed to the current housing and economic downturn. Nevertheless, these standards make it more difficult for buyers to access a mortgage, particularly households with lower incomes, weaker credit scores, and lacking downpayment funds.

FHA Loans. Households which face difficulty qualifying for a conventional mortgage may decide to use a Federal Housing Administration (FHA) loan. FHA loans are insured by the federal government, and have traditionally allowed lower-income households to purchase homes that they

⁴⁴ Lee, May, City of Fremont, phone interview with BAE, July 9, 2009.

could not otherwise afford. Thanks to the FHA insurance, these loans have lower interest rates, require a low downpayment of 3.5 percent, and have more accessible underwriting criteria. In general, lenders report that households with a credit score of at least 640 and a two-year employment history can qualify for a FHA loan. FHA loans have become more popular as underwriting practices for conventional mortgages have become stricter.⁴⁵ In addition, more homebuyers are eligible for FHA loans as a result of declining home prices. In Alameda County the FHA loan limit for a single-family residence is \$729,750.⁴⁶

Despite the more favorable terms associated with FHA loans, there are some challenges associated with purchasing a home with a FHA-backed mortgage. First, stringent guidelines regulate what properties are eligible for purchase. Properties must meet certain requirements related to the condition of the home and pass an inspection by FHA representatives. This requirement is a particular challenge for homebuyers who are purchasing foreclosed properties that have been vacant for a prolonged period and have associated maintenance issues.⁴⁷

FHA also has stringent requirements for condominium purchases that pose additional challenges. One requirement is that a certain percentage of units in a condominium project must be under contract before FHA will back a condominium mortgage. Recently FHA raised the presale requirement 25 percent to 51 percent of units. This can create a “Catch-22” situation where FHA will not issue loans until a certain percentage of units are sold, but developments cannot reach that threshold if buyers are unable to get mortgages. Additionally, FHA will not back mortgages in developments where more than 15 percent of homeowners are 30 days delinquent on homeowner association dues, or in projects where a single entity owns more than 10 percent of units. This latter restriction can create problems as many developers are forming companies to buy units and rent them out due to the slow housing market.⁴⁸

Another potential barrier is that not all banks issue FHA loans. Moreover, many loan officers prefer to focus on conventional mortgages because of the added time and effort associated with processing and securing approval on a FHA loan.⁴⁹ In fact, some real estate brokers state in their realtor-to-realtor listings “no FHA loans.”⁵⁰

⁴⁵ Thompson, Samuel, Chase Bank, phone interview with BAE, July 8, 2009.
Zhovreboff, Walter, Bay Area Homebuyer Agency / First Home, Inc., phone interview with BAE, July 16, 2009.

⁴⁶ FHA Loan Limits for California, http://www.fha.com/lending_limits_state.cfm?state=CALIFORNIA.

⁴⁷ Zhovreboff, Walter, Bay Area Homebuyer Agency / First Home, Inc., phone interview with BAE, July 16, 2009.

⁴⁸ “Condo buyers find it tough to get mortgages,” *San Francisco Chronicle*, August 5, 2009.

<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/08/05/BUCT190GMM.DTL&tsp=1>

⁴⁹ Thompson, Samuel, Chase Bank, phone interview with BAE, July 8, 2009.

⁵⁰ Gonzales, Gilda, Executive Director, Unity Council, phone interview with BAE, July 15, 2009.

First-Time Homebuyer Programs. In addition to conventional mortgages and FHA loans, the State and Consortium jurisdictions offer numerous first-time homebuyer programs. These include various downpayment assistance and second mortgage programs. Some of these second mortgage programs have equity sharing components. For example, the City of Fremont offers first-time homebuyers a second loan of up to \$40,000. The 45-year deferred loan requires homebuyers to provide the City of Fremont with an equity share equal to the percentage of the City’s loan to the original purchase price when the property is sold or when the loan expires.⁵¹ Table 4.3 provides a list of first-time homebuyer programs offered by jurisdictions.

Table 4.3: First-Time Homebuyer Programs

Entitlement Jurisdictions	Program
Alameda	Downpayment Assistance Program offers loans from \$5,000 to \$8,000.
Fremont	Welcome Home and Welcome to the Neighborhood Programs offer second loans of up to \$40,000.
Hayward	Homeownership Assistance Program provides downpayment and closing cost assistance.
Livermore	Downpayment Assistance Program offers 3% deferred loan up to \$30,000.
Pleasanton	Downpayment Assistance Program offers 3.5% deferred loan up to \$60,000.
San Leandro	First Time Homebuyer Program provides second loan of up to \$30,000 for downpayment and closing costs
Union City	Down Payment Program provides silent second loans for first-time homebuyers.
Urban County	
Albany	N/A
Dublin	First Time Homebuyer Loan Program offers deferred loan up to 10% of purchase price of market rate homes and up to 15% of BMR homes.
Emeryville	First Time Homebuyers Program provides downpayment assistance in the form of low-interest deferred loan.
Newark	N/A
Piedmont	N/A
Alameda County	Mortgage Credit Certificate Program for first time homebuyers. This program is administered by the County, in partnership with local jurisdictions (see program description below).

Source: BAE, 2009.

Downpayment assistance and second mortgage programs are attractive to potential homebuyers, particularly during times when financial institutions are approving loans at lower loan to value ratios. However, loan officers sometimes seek to avoid homebuyers utilizing first-time homebuyer programs due to the added time and labor associated with these programs. While

⁵¹ Lee, May, City of Fremont, phone interview with BAE, July 9, 2009.

lenders typically process conventional loans in 30 days, the closing period for homebuyers using first-time homebuyer programs is often 45 days. In addition, loan officers receive smaller commissions under these programs, as they reduce the amount homebuyers need to borrow from the lender.⁵²

Some real estate brokers also prefer not to work with homebuyers using first-time homebuyer programs. Brokers aim to expedite the closing period, while first-time homebuyer programs generally result in extended loan approval processes. As a result, agents may not tell homebuyers about potential State and local programs they would qualify for. Homebuyers who do not attend first-time homebuyer classes or work with nonprofit housing counseling agencies are often unaware of programs available to assist them.⁵³

Local governments and homeownership counselors have dealt with these issues by developing relationships with particular loan officers and real estate agents who are familiar with the State and local programs and are willing to assist homebuyers with the application process. For example, the City of Fremont has a list of four approved lenders that homebuyers are required to use if they want to participate in the City's second mortgage program. These lenders have been trained by the City and are knowledgeable about the program. Over the past five years, between 300 and 400 lenders have expressed interest in becoming one of the City of Fremont's approved lenders. Although there is added work associated with the City program, approved lenders have a constant flow of clients and are able to cut down on their marketing and outreach.⁵⁴ The Unity Council, a nonprofit organization that provides homeownership counseling, has also developed good working relationships with particular banks and real estate brokers who tap into State and local first-time homebuyer programs.⁵⁵

Mortgage Credit Certificate Program. The Alameda County Community Development Agency provides income eligible homebuyers with the opportunity to reduce the amount of their federal income tax through the mortgage credit certificate (MCC) program. MCC participants can take 15 percent of their annual mortgage interest payments as a dollar-for-dollar tax credit against their federal income taxes. By adjusting their federal income tax withholdings, the homebuyer can increase the income available to pay the mortgage. According to County staff, between 35 and 50 households participate in the MCC program annually. The program is coordinated by the County in cooperation with the cities of Albany, Alameda, Berkeley, Dublin, Fremont, Emeryville,

⁵² Thompson, Samuel, Chase Bank, phone interview with BAE, July 8, 2009.

⁵³ Thompson, Samuel, Chase Bank, phone interview with BAE, July 8, 2009.

Zhovreboff, Walter, Bay Area Homebuyer Agency / First Home, Inc., phone interview with BAE, July 16, 2009.

⁵⁴ Lee, May, City of Fremont, phone interview with BAE, July 9, 2009.

⁵⁵ Gonzales, Gilda, Executive Director, Unity Council, phone interview with BAE, July 15, 2009.

Hayward, Livermore, Newark, Oakland, Pleasanton, and San Leandro.

Development Constraints

Supply of Available Land. In many Consortium jurisdictions, the limited availability of land for housing development constrains new housing production. These constraints are particularly challenging for cities like Albany, Alameda, Emeryville, and Newark that do not have the potential to annex additional land. As a result, residential development will increasingly occur as infill development.

Land Costs. Due to the limited supply and high demand, land costs in Alameda County are generally higher than most other places across California. Local developers indicate that land prices are slowly adjusting during this economic downturn. However, developers generally report that the market is not efficient and land owners' expectations of what their land is worth declines slowly. Unless land owners are compelled to sell their property, many will wait for the market to recover.

Remediation Costs. In addition to land costs, sites with environmental hazards will have environmental remediation costs. Depending on the size of the site and level of remediation needed, costs to address soil and/or groundwater contamination may be high. This may be a particular concern for cities with many brownfield or former industrial sites. However, there are programs developers can access to help ease these costs. For example, the city of Emeryville has the Capital Incentives for Emeryville Redevelopment and Remediation (CIERRA) program, which provides financial, technical, and regulatory assistance to property owners and developers to assess and remediate sites for residential development.⁵⁶ Furthermore, large projects can make use of economies of scale to overcome high land and remediation costs.

Construction Costs. In recent months, key construction costs (materials and labor) have fallen nationally in conjunction with the declining residential real estate market. Figure 4.1 illustrates construction cost trends for key materials based on the Producer Price Index, a series of indices published by the U.S. Department of Labor Bureau of Labor Statistics that measures the sales price for specific commodities and products. Lumber prices have declined by 19 percent between 2004 and 2008. As shown in Figure 4.1, steel prices have fallen sharply since August 2008. Local developers report that construction costs, including labor, have fallen by approximately 20 percent in tandem with the weak housing market.⁵⁷

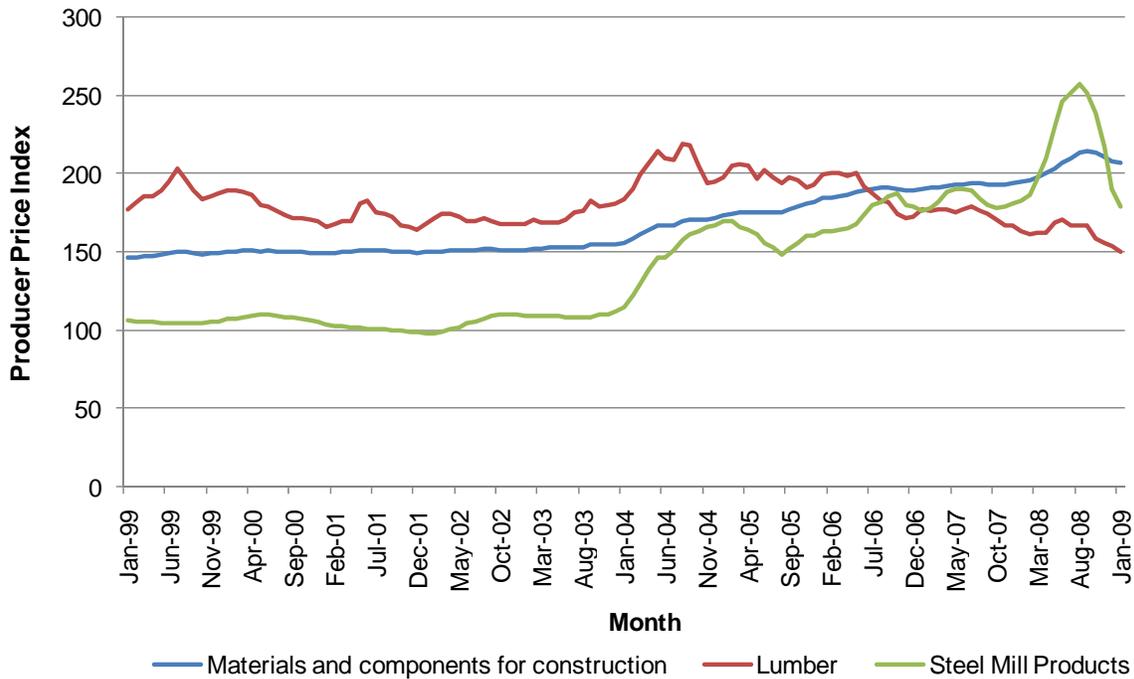
However, it is important to note that although land and construction costs have waned, developers

⁵⁶ City of Emeryville, *Emeryville 2009-2014 Housing Element*, June 2009, p. 154.

⁵⁷ Papanastassiou, Andrea, Director of Real Estate Development, Eden Housing, Inc., phone interview with BAE, July 14, 2009.

report the limited availability of financing now poses a new constraint on production.

Figure 4.1: Producer Price Index for Key Construction Costs



Base year: 1982 = 100
Sources: U.S. Dept. of Labor, Bureau of Labor Statistics, 2009; BAE, 2009

Subsidized Housing

Affordable Housing Financing. According to local affordable housing developers, the availability of financing presents the biggest barrier to producing new subsidized housing. Although the cost of land and construction have declined, the associated tightening of the credit market, and decline in State and local subsidies have made it challenging for affordable housing developers to take advantage of lower costs.

As a particularly salient concern, the value of low-income housing tax credits (LIHTC) has fallen in tandem with the economy. Tax credit investors also now have an even greater preference for new construction, family housing, and senior housing developments, perceived to be less risky than rehabilitation projects and permanent supportive housing.⁵⁸ With this loss in tax credit equity,

⁵⁸ Sawislak, Dan, Executive Director, Resources for Community Development, phone interview with BAE, July 2, 2009.

developers are forced to turn to the State and local agencies for greater subsidies. Unfortunately, uncertainty around State and local finances and the expiration of programs funded by previous State housing bonds limits funds from these sources as well. However, some additional funds are available through the American Recovery and Reinvestment Act of 2009, which provides funding for various housing programs, including the Community Development Block Grant and the Tax Credit Assistance Program.⁵⁹

In addition to constraints associated with capital funds, affordable housing developers report that it is difficult to secure funding for ongoing costs associated with the provision of supportive services. Although this trend is beginning to change, some cities maintain rigid limits on their contributions to supportive services costs due to limited funding or regulatory constraints.⁶⁰

Affordable Housing Application Processes. Due to the requirements associated with various affordable housing funding sources, certain households may encounter difficulties in applying for subsidized housing. For example, applications can involve a large amount of paperwork and require households to provide records for income verification. In some cases, short application time frames and submittal requirements (e.g., by fax) create additional challenges. These requirements present obstacles for homeless or disabled individuals who lack access to communication systems and information networks, as well as the skills to complete and submit the necessary documentation.

Affordable housing developers receive hundreds to thousands of applications for a limited number of units. As a result, applicants who are not selected through the lottery process are put on a waiting list. Households must be proactive and regularly follow-up with property managers to inquire about the status of the waiting list. If applicants on the waiting list move or change their phone number, property managers may not be able to contact them when a unit becomes available. Again, this procedure can make it more difficult to get off a waiting list for transient individuals or families who don't have a regular address, phone number, or email address.

Applicants who are selected through the lottery or who come off the waitlist go through an interview and/or screening process. Property managers routinely screen out individuals with a criminal or drug history, or a poor credit record. This process can effectively screen out homeless or mentally disabled applicants. In some cases, if someone applies for a unit marked specifically

⁵⁹ The Federal Provision to Buy American contained in the ARRA law, requires that funds made available by the Act cannot be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States. The Office of Management and Budget defines a public building or public work as one occupied by a government entity. As such, private or nonprofit affordable housing developers receiving funds through ARRA are not subject to the Provision.

⁶⁰ Cavanaugh, Angela, Affordable Housing Associates, phone interview with BAE, July 14, 2009.

for disabled individuals, they are removed from the lottery for standard units in the development.⁶¹

Due to these challenges, one County official reported that it is actually easier for individuals with mental health issues to secure market-rate housing. Market-rate housing is not subject to the same requirements and oversight that affordable housing has and individual landlords can offer more flexibility.⁶² To help address this issue, accommodations are made by the cities and through other agencies to coordinate with special needs populations, including physically and developmentally disabled residents, to reduce barriers to obtaining housing. Local jurisdictions and organizations such as Community Resources for Independent Living (CRIL) market universally accessible units to disabled clients. Eden I&R also maintains a database of housing which can be accessed through the County’s 2-1-1 phone line.

Conversion of Subsidized Units to Market-Rate. Many subsidized affordable housing developments receive government funding that requires units be made affordable for a specified amount of time. Table 4.4 lists affordable developments owned by for-profit entities that are at-risk of converting to market-rate in the next five years. There may be other properties whose affordability requirements are set to expire in the next five years that are owned by nonprofit organizations. However, these developments are considered to be lower risk because of the nonprofits’ commitment to preserving affordability. Within the Consortium, the cities of Fremont and Hayward have at-risk developments. As shown, there are five developments containing a total of 410 units that have affordability requirements that will expire by the end of 2011.

Table 4.4: Subsidized Units At-Risk of Conversion to Market-Rate

Development Name	Units	Expiration Date
<i>Fremont</i>		
Pasatiempo Apartments	94	September 30, 2011
Rancho Luna	128	September 30, 2010
Rancho Sol	60	September 30, 2010
<i>Hayward</i>		
Hayward Villa	78	October 31, 2010
Montgomery Plaza	50	August 31, 2009
Total	410	

Sources: California Housing Partnership Corporation, 2009; BAE, 2009.

State law requires local jurisdictions’ Housing Elements to include an inventory of subsidized

⁶¹ Wan, Vivian, Abode Services, phone interview with BAE, July 6, 2009.

⁶² Ratner, Robert, Housing Services Office, MHSA, phone interview with BAE, July 9, 2009.

affordable housing developments that could be at-risk of conversion to market-rates during the 10-year period that follows the adoption of the Element. For those units at-risk of conversion, the Housing Element must estimate the cost to preserve or replace the at-risk units, to identify the resources available to help in the preservation or replacement of those units, and to identify those organizations that could assist in these efforts.

Housing Opportunities for Special Needs Populations

Local service providers who assist various special needs populations, including the elderly, individuals with disabilities, the homeless, and limited English proficiency (LEP) individuals consistently report that one of the greatest barriers to housing choice for these populations is the lack of affordable housing. In addition, special needs populations may face particular challenges to housing choice, as discussed below.

Elderly. Seniors often need accessible units located in close proximity to services and public transportation. Many seniors are also living on fixed incomes, making affordability a particular concern. As shown in Table 2.28, the Consortium jurisdictions contain approximately 3,820 subsidized affordable senior units. In addition to this modest supply of affordable senior housing, there are a limited number of subsidized assisted living facilities in the County.⁶³ Faced with this shortage, lower-income individuals often do not have the option of living in an assisted living facility and must bring services into their homes. Organizations such as Alameda County In-Home Supportive Services provide this affordable in-home care to seniors in the County. Many affordable senior housing facilities also have service coordinators who work to provide these services to residents at the development.

Seniors can also face difficulties finding subsidized housing that accommodates a live-in caregiver. According to senior service providers, many subsidized projects serve individuals or couples only and do not accommodate caregivers. In other cases, the caregiver's income may make the household ineligible for the affordable unit. Challenges associated with live-in caregivers may also apply to persons with disability or HIV/AIDS.

Persons with Disabilities. Individuals with mobility disabilities need accessible units that are located on the ground floor or have elevator access, as well as larger kitchens, bathrooms, and showers that can accommodate wheelchairs. Building codes and HOME regulations require that five percent of units in multifamily residential complexes be wheelchair accessible and another two percent of units be accessible for individuals with hearing or vision impairments.⁶⁴ Affordable

⁶³ While federal guidelines do not allow many affordable housing funding programs to finance assisted living facilities, individuals in these facilities can receive funding through other programs. City of San Leandro reports that Carlton Plaza, an assisted living facility, has 29 affordable units.

⁶⁴ Papanastassiou, Andrea, Director of Real Estate Development, Eden Housing, Inc., phone interview with

housing developers follow these requirements and provide accessible units in their subsidized housing developments. There are approximately 1,160 subsidized affordable units for disabled persons in the Consortium (see Table 2.28). However, local service providers report that demand far exceeds the supply of accessible, subsidized housing units.

Nonetheless, affordable housing providers often have difficulty filling accessible units with disabled individuals. Some affordable housing providers report that they only have a few disabled persons on their waiting list. As such, if all disabled individuals on the waiting list are placed in a unit and accessible units still remain, the developer will place a non-disabled person in the unit. This contradicts information provided by other service providers who indicate a great need for affordable accessible housing, and points to barriers in the application process that prevent interested individuals from finding subsidized, accessible housing (as discussed above) or a mismatch between when people who need housing and when it is available. A lack of communication between affordable housing developers and organizations that serve disabled persons also contributes to this problem. In fact, affordable housing providers state that filling accessible units with disabled individuals requires a substantial effort. Property managers must give presentations and meet with clients and service providers in order to secure the applications.

Persons with disabilities face other challenges that may make it more difficult to secure both affordable or market-rate housing. Often persons with disabilities have high medical bills that lead to credit problems. Many individuals also rely on Social Security or welfare benefits. Organizations such as Community Resources for Independent Living (CRIL), who assist disabled individuals secure housing, report that poor credit is one of the biggest barriers to housing choice.

Other challenges disabled individuals may face include difficulties securing reasonable accommodations requests. As discussed previously, the Fair Housing Act prohibits the refusal of reasonable accommodations in rules, policies, practices, or services, when such accommodations are necessary to afford a person with a disability equal access to housing. This applies to those involved in the provision of housing, including property owners, housing managers, homeowners associations, lenders, real estate agents, and brokerage services. Local service providers, including ECHO and CRIL indicate that some individuals have difficulties with landlords approving their reasonable accommodation request. Examples of reasonable accommodation requests include permission to have a service animal in the residence or securing parking closer to the unit. ECHO reports that reasonable accommodations requests for disabled individuals are one of the more common fair housing complaints seen throughout Alameda County.⁶⁵ Part of the problem is that tenants are not always aware of their rights to reasonable accommodation under fair housing law.

BAE, July 14, 2009.

⁶⁵ Arlene Zamorra, Housing Counselor, ECHO, phone interview with BAE, September 30, 2009.

Homeless Individuals. The primary barrier to housing choice for homeless individuals is insufficient income. Interviews with service providers in Alameda County indicate that many homeless rely on Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), which are too low to qualify for most subsidized programs and affordable housing developments. In addition, as noted above, both affordable housing developers and market-rate landlords often screen out individuals with a criminal or drug history, history of evictions, or poor credit.

Securing housing can prove more difficult for homeless families compared to individuals due to occupancy regulations, potential landlord biases against households with children, and the more limited supply of larger units. Staff at Abode Services (formerly Tri-City Homeless Coalition), an organization that offers housing and supportive services for low-income and homeless families, report they have approximately 50 families on their emergency shelter waiting list. By comparison, they do not maintain a waiting list for homeless individuals because of a greater supply of beds.⁶⁶

Housing with accessibility to employment and services is particularly important to the homeless and those transitioning out of homelessness. Many do not own private vehicles and must rely on public transportation to go to work and places that provide social services. According to Tri-Valley Haven staff, accessibility to services is a particular challenge for homeless or formerly homeless individuals living in the Tri-Valley. While there are some services provided in Dublin, Pleasanton, and Livermore, many other services are offered in Hayward or Oakland.⁶⁷

Numerous government agencies and organizations are working to remove barriers to housing for homeless individuals and families. A collaboration of community stakeholders, cities, and Alameda County government agencies put together the EveryOne Home Plan (formerly known as the Alameda Countywide Homeless and Special Needs Housing Plan). The Plan is a multi-faceted, regional response to address the social and economic issues associated with homelessness. The EveryOne Home Plan outlines key strategies to housing and services system that ensures all extremely low-income residents have a safe, supportive, and permanent place to live.⁶⁸ The Plan also contains extensive data on homelessness in the County, and policies and programs to end homelessness. The full Plan is available at www.EveryOneHome.org.

As an additional countywide program to address homelessness, the County has received Homelessness Prevention and Rapid Re-Housing Program (HPRP) funds through the American

⁶⁶ Wan, Vivian, Abode Services, phone interview with BAE, July 6, 2009.

⁶⁷ Burrows, Samantha, Tri-Valley Haven, phone interview with BAE, October 1, 2009.

⁶⁸ EveryOne Home: Ending Homelessness in Alameda County, www.everyonehome.org

Recovery and Reinvestment Act of 2009 (ARRA). Funding for this program is being distributed based on the formula used for the Emergency Shelter Grants (ESG) program.

The HPRP funds have created an opportunity for jurisdictions within the County to centralize and coordinate homeless service systems in order to enhance delivery, and create more effective and efficient programs. Alameda County is comprised of fifteen different jurisdictions. Each jurisdiction has agreed to create distinct geographic hubs in order to provide HPRP services. Households in need of assistance will be able to access a centralized referral system by calling 211, who will refer callers to the HPRP hub in their area. Each geographic hub may include linkages to existing resources for homelessness prevention and rapid re-housing other than HPRP, including programs funded through the Continuum of Care process.

Limited English Proficiency (LEP) Individuals. As financial institutions institute more stringent lending practices in response to the economic downturn, LEP individuals may face greater challenges in navigating the mortgage process. According to Tri-Valley Housing Opportunity Center staff, at the height of the housing boom lenders were very interested in accessing the Latino and Asian populations in the Tri-Valley. However, bank outreach to these communities has since declined.

Despite reduced bank outreach, there are nonprofit housing counseling organizations that continue to assist LEP individuals through the homeownership process. For example, staff at Unity Council, a local organization assisting homebuyers, report that they have developed strong relationships with lenders and the ability of banks to work with Spanish-speaking homebuyers has improved.

As another concern for LEP households, undocumented individuals may face more complicated processes when applying for a mortgage. Furthermore, some groups within the Spanish-speaking community and other LEP populations are “unbanked,” and rely on a cash economy. Because regular banking provides the record keeping and legitimacy that lenders look for, unbanked households have a more difficult time providing documentation to qualify for a mortgage.⁶⁹ To address this issue, housing counseling organizations such as Unity Council offer homebuyer and financial fitness seminars and counseling, encouraging their clients to use standard banking systems.

In addition to challenges accessing housing, undocumented immigrants are also more reluctant to file fair housing complaints with HUD or the State. ECHO has investigated fair housing complaints for immigrant clients. However, clients are often hesitant to file official complaints

⁶⁹ Gonzales, Gilda, Executive Director, Unity Council, phone interview with BAE, July 15, 2009.

with government agencies due to their undocumented status.⁷⁰

Housing Opportunities for Families

Fair housing law prohibits discrimination based on familial status. However, local service providers report that households with children are sometimes discriminated against, particularly when searching for rental housing. Landlords may view households with children as less desirable due to potential noise issues or damage to units. While landlords and property managers may not deny families housing, they may place them in less desirable units such as units at the back of a complex or a downstairs unit. The challenge in identifying discrimination on the grounds of familial status is that often families may not know that other units in a complex are available, and therefore not realize that they are being offered a less desirable unit. ECHO reports that differential treatment on the basis of familial status is another common fair housing issue in the Consortium, particularly among the region's growing Hispanic population.⁷¹

4.3 Public and Private Sectors

In addition to governmental and non-governmental impediments to fair housing, there are some impediments to housing choice that span both the public and private sectors.

Linkage Between Housing and Employment Centers

As discussed earlier, the Consortium's inventory of public and subsidized housing, community care facilities, and major employers are well-connected to public transportation. Local affordable housing developers report that transit accessibility significantly affects site selection decisions for subsidized housing. In addition to the fact that lower-income households tend to have a lower rate of vehicle ownership, the funding structure for affordable housing favors sites with better accessibility. Developers are required to compete for various affordable housing funding sources like low-income housing tax credits (LIHTC). Public transportation access is one of the criteria projects are ranked on; developments with better transit access receive higher scores. Because the competition for affordable housing financing is so great in California, developers report that projects must receive the maximum score in the transit category in order to be competitive. As a result, affordable housing projects tend to be very well connected to transit. All public housing facilities in the Consortium and 90 percent of subsidized housing developments are located within a quarter-mile of public transportation.

While affordable housing projects are often located in close proximity to transit, local public transportation providers are cutting services as a result of budget shortfalls. For example, AC

⁷⁰ Arlene Zamorra, Housing Counselor, ECHO, phone interview with BAE, September 30, 2009.

⁷¹ Arlene Zamorra, Housing Counselor, ECHO, phone interview with BAE, September 30, 2009.

Transit plans to cut at least 15 percent of its bus service because of a mounting budget deficit.⁷²

⁷² Gordon, Rachel, "AC Transit to hold meetings on service cuts," *San Francisco Chronicle*, September 2, 2009, <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/09/02/BAB119H1RI.DTL>

5 Assessment of Current Fair Housing Programs and Activities

5.1 Programs and Activities that Promote Fair Housing

Fair Housing Laws

Fair housing laws are in place at the federal and state levels. Federal, state, and local governments all share a role in enforcing these laws, as well as conducting activities to affirmatively further fair housing.

Title VIII of the Federal Civil Rights Act of 1968 prohibits housing discrimination based on race, color, national origin or ancestry, sex, or religion. The 1988 Fair Housing Amendments Act added familial status and mental and physical handicap as protected classes. The laws prohibit a wide range of discriminatory actions, including refusal to rent, sell, or negotiate for housing, make housing unavailable, set different terms, conditions, or privileges, provide different housing services or facilities, refusal to make a mortgage loan, or impose different terms or conditions on a loan.

At the State level, the Rumford Housing Act prohibits housing discrimination toward all classes protected under Title III, and adds marital status as a protected class. The Unruh Civil Rights Act prohibits discrimination in all business establishments in California, including housing and public accommodations, based on age, ancestry, color, disability, national origin, race, religion, sex, or sexual orientation.⁷³

The California Fair Employment and Housing Act prohibits discrimination and harassment in all aspects of housing including sales and rentals, evictions, terms and conditions, mortgage loans and insurance, and land use and zoning. The Act also requires housing providers to make reasonable accommodation in rules and practices to permit persons with disabilities to use and enjoy a dwelling and to allow persons with disabilities to make reasonable modifications of the premises.

The County and Consortium jurisdictions require developers to comply with all fair housing laws and develop affirmative fair housing marketing plans, which include strategies to attract buyers or renters from groups, regardless of background.

Public Housing Admissions and Continued Occupancy Policies

In its *Admissions and Continued Occupancy Policy*, the Housing Authority of the County of

⁷³ The protection afforded under the law is extended by case law to include sexual orientation. Sexual orientation includes persons who are homosexual, bisexual, or heterosexual.

Alameda (HACA) outlines measures to affirmatively further fair housing in the administration of its public housing program. These measures include taking appropriate action to ensure individuals with disabilities will have equal access to available services programs, and activities and seeking to have bilingual staff or access to translators for limited English proficiency (LEP) families that speak Spanish, Vietnamese, and Farsi/Pashto/Dari.⁷⁴

HACA also has a policy to execute measures to deconcentrate poverty and promote economic integration. As such, HACA affirmatively markets its housing to all eligible income groups. In addition, to the extent that doing so does not conflict with the HUD requirement that at least 40 percent of newly admitted households have an annual income at or below 30 percent of AMI, the Housing Authority bypasses families on the waiting list, as necessary, in order to reach families with a lower or higher income.⁷⁵

The Housing Authority of the City of Alameda and the Housing Authority of the City of Livermore outlined policies aimed at fair housing, reasonable accommodation, and deconcentration of poverty in their respective *Admission and Continued Occupancy Policy* documents.

Local Fair Housing Providers

The primary fair housing activity many jurisdictions undertake is to contract with local nonprofit organizations that specialize in fair housing issues. This model allows for stronger fair housing programs and resources as the nonprofit organizations are able to specialize in fair housing issues and achieve economies of scale by serving a wider geographic area.

ECHO Housing. Within the Consortium, a large majority of jurisdictions contract with the Eden Council for Hope and Opportunity (ECHO). The Urban County and the cities of Alameda, Hayward, Livermore, Pleasanton, San Leandro, Union City, Dublin, and Newark contract with ECHO for fair housing services. With offices in Hayward, Livermore, and Oakland, ECHO provides fair housing counseling and education, tenant/landlord counseling and mediation, and other housing related programs. To address the needs of LEP speakers, ECHO provides services and classes in Spanish, has online information available in Farsi, and has access to a live “language line” service as well. ECHO has also conducted outreach in Spanish via local cable access channels, and maintains an advertisement in the local Spanish-language newspaper. ECHO programs are summarized below.

- **Fair Housing Counseling and Education.** ECHO conducts site investigations and

⁷⁴ Housing Authority of the County of Alameda. *Admissions and Continued Occupancy Policy Governing HUD-Aided Public Housing*. December 12, 2007. Section 3.

⁷⁵ Housing Authority of the County of Alameda. *Admissions and Continued Occupancy Policy Governing HUD-Aided Public Housing*. December 12, 2007. Section 12.2.

enforcement in response to reports of housing discrimination complaints and provides fair housing education for property managers, owners, and realtors. If ECHO's investigation of a fair housing complaint finds discrimination, they will work with the client to file an official complaint with HUD or the State DFEH. In addition, ECHO conducts annual fair housing audits in designated areas to determine degrees of housing discrimination. Typically the fair housing audits will test for discrimination against a particular protected class based on ECHO's knowledge of common complaints and issues in designated communities. The audits, described in further detail below, test randomly selected properties and use a match pair approach with two similar homeseekers who are differentiated by the protected class being tested.

- **Tenant/Landlord Counseling and Mediation.** ECHO's Tenant/Landlord Counseling and Mediation Program provides information to tenants and landlords in Southern Alameda County on their housing rights and responsibilities and has trained mediators to assist in resolving housing disputes.
- **Homeseeking.** The Livermore Office of ECHO provides information and referral services regarding available housing, and counseling and education in the homeseeking process. This service is available to Livermore and Pleasanton residents.
- **Shared Housing Counseling Placement.** The Livermore Office provides referral and matching services for shared housing placement. In addition, ECHO provides counseling on shared living, supportive services, and information and educational workshops.
- **Rental Assistance Program (RAP).** The RAP program assists residents with move-in costs or delinquent rent due to temporary financial setbacks and helps to arrange guaranteed repayment contracts between tenant and landlords. Residents from Dublin, Fremont, Hayward, Livermore, Oakland, Pleasanton, and San Leandro are eligible for this program. ECHO works with clients to negotiate repayment plans with landlords and provides one-time financial assistance in the form of a grant to assist the client.
- **Rent/Deposit Grant Program.** ECHO's Hayward and Oakland offices process grant applications for in-house Alameda County clients who are eligible and have three-day notices or need move-in funds.
- **HUD Mortgage Default.** This program assists families and individuals in Southern Alameda County who are in jeopardy of losing their homes due to foreclosure. Staff work with households to arrange repayment plans and ensure continued occupancy.
- **Homebuyer's Education Learning Program (HELP).** ECHO provides first-time homebuyer counseling for Southern Alameda County residents.
- **Home Equity Conversion Counseling and Education.** The Home Equity Conversion Counseling program provides information and counseling regarding reverse mortgages and other alternatives to low-income senior households.

Housing Rights, Inc. The Northern Urban County cities of Albany, Emeryville, and Piedmont

contract with Housing Rights, an organization that serves parts of Alameda County and Contra Costa County. Housing Rights provides counseling and advocacy, including the investigation and testing of possible housing discrimination, as well as tenant/landlord mediation and attorney and small claims court referral. Housing Rights provides its services in Spanish and Chinese to serve LEP speakers.

- **Housing Rights Counseling.** This program provides housing rights counseling, including investigation and testing of possible discrimination. Housing Rights also promotes enforcement of fair housing laws and landlord/tenant laws through mediation, counseling and advocacy, self advocacy, and education and outreach.
- **Lawyer Referral Service.** Housing Rights offers a certified lawyer referral service for residents looking for legal assistance regarding tenant/landlord law, personal injury, fair housing, real estate fraud, predatory lending, and mediation.
- **Affordable Housing Advocacy Project.** Housing Rights advocates to increase the supply of affordable housing and improve conditions for residents.
- **Homeownership Information Center.** The Homeowner Information Center assists lower-income households in wealth generation through homeownership and other asset building activities.
- **Training Program for Housing Providers.** Housing Rights provides workshops for housing providers, property management staff, housing developers, and local government staff on compliance with fair housing laws.

Project Sentinel. The City of Fremont contracts with Project Sentinel to provide investigation of housing discrimination complaints and tenant/landlord services. Project Sentinel is a nonprofit agency that provides services to help resolve housing problems for residents in Fremont and portions of San Francisco, San Mateo, Santa Clara, and Stanislaus counties. Project Sentinel administers Fremont’s Fair Housing and Landlord Tenant Service program at the City of Fremont Family Resource Center. Services include free, confidential counseling for tenants and landlords to help them understand their rights and responsibilities under state and local laws that affect rental housing. Project Sentinel offers fair housing materials and services in multiple languages, including Spanish, Chinese, Tagalog, Vietnamese, Cambodian, Arabic, Korean, Laotian, Hindi, and Japanese.

Other Local Affordable and Fair Housing Efforts

Training and Outreach. In addition to contracting with local nonprofits, several jurisdictions offer additional fair housing services and programs. For example, some jurisdictions coordinate fair housing training programs with local property manager and landlord organizations. The City of Alameda’s Housing Authority contracts with the Rental Association of Northern Alameda County (RANAC) to provide trainings while the City of Pleasanton coordinates trainings for the

Rental Housing Association of Southern Alameda County and the Bay East Association of Realtors. The City of Livermore has a multi-service center that houses 10 housing and social service agencies, including ECHO and other organizations that help Tri-Valley residents to secure housing.

Consortium jurisdictions also conduct outreach activities to promote the fair housing trainings and programs offered locally. The City of San Leandro officially proclaims April as “Fair Housing Month”, displaying posters at City Hall and the main library, distributing educational flyers with fair housing information to the public, and working with ECHO Housing to provide fair housing presentations. At year end, the City of San Leandro also mails to all landlords educational fair housing flyers related to ECHO Housing’s current fair housing audit theme. Other jurisdictions, like the City of Dublin, have booths at community events to distribute fair housing information. The City of Alameda released a fair housing guide that was published in three languages.

Affordable Housing Programs. In addition to fair housing programs, Consortium jurisdictions offer a range of housing programs aimed at providing affordable housing opportunities to renters and homebuyers. Programs such as inclusionary housing programs that require developers to provide below market-rate units and first-time homebuyer programs make housing more accessible to low- and moderate-income households. The cities of Albany, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Pleasanton, San Leandro, and Union City have inclusionary housing ordinances. In addition, redevelopment areas in the City of Alameda are subject to an inclusionary housing provision.

Rent Mediation Programs. Several Consortium jurisdictions have rent mediation programs that aim to prevent tenants from losing their housing or being forced to move because of a rent increase. Alameda County (governing unincorporated areas) and the cities of Fremont and San Leandro have rent mediation ordinances that require landlords to include specific language on the availability of rent mediation services on rent increase notices to tenants. If a tenant believes a recent rent increase is too high or a landlord has had difficulty with collecting increased rent from a tenant, they can seek rent mediation services. ECHO provides these services for the unincorporated areas of Alameda County.

Assistance to Affordable Housing Developers. The Consortium jurisdictions direct local funds (e.g., redevelopment dollars, inclusionary housing in-lieu fees) to affordable housing developments, and partner with developers in their applications for State and federal sources.

Tri-Valley Housing Opportunity Center (TVOHC). The TVHOC offers home buyer education classes and serves as a conduit for the dissemination of housing information and marketing of local programs for the Tri-Valley region. It also is a model for jurisdictional collaboration.

HUD Fair Housing Audits

Two Consortium Jurisdictions have undergone a fair housing audit by HUD in recent years. The City of Alameda's fair housing audit took place in fall of 2005 while San Leandro's audit was completed in fall of 2007.

The City of Alameda's audit was conducted after fair housing complaints were filed around the closure of Harbor Island Apartments, a multifamily rental project with many Section 8 residents. Although the City was ultimately determined to have no culpability in the case, HUD initiated an audit over five days in 2005. However, HUD has not issued an audit report to the City. Nevertheless, the City of Alameda increased fair housing training and outreach as a result of the audit and subsequently saw a decline in fair housing complaints between 2007 and 2009.

San Leandro's audit coincided with a fair housing complaint filed regarding the City's building department.⁷⁶ HUD ultimately determined that the City had no culpability in the case. The audit did not find major fair housing violations within San Leandro but did identify several corrective actions for the City to undertake. In the spring of 2008, the City of San Leandro entered into a voluntary compliance agreement (VCA) with HUD. The VCA outlined a plan for completing corrective actions within a specified timeframe. Some of the actions included reviewing the City's reasonable accommodations and grievance policies, updating the ADA transition plan, appointing a Section 504 coordinator, and conducting a Limited English Proficiency (LEP) assessment and creating a Language Access Plan (LAP). San Leandro is currently working on implementing the items in its VCA.

Local Fair Housing Audits

Alameda County and its jurisdictions contract with local fair housing providers to conduct fair housing audits. ECHO Housing conducts an annual audit of rental properties in local communities to see how well they are conforming to fair housing law. Each audit focuses on a different protected class.

The FY 2007-2008 audit focused on race discrimination and tested 111 properties, including 25 in unincorporated Alameda County, 15 in Hayward, 10 in Livermore, 10 in Pleasanton, and 10 in Union City; the remainder of the properties were located in Santa Clara and San Mateo counties. The audit found differential treatment based on race in 32 cases (29 percent). Of the 54 properties tested in Alameda County, 28 were found to have race-based differential treatment.

⁷⁶ According to San Leandro City staff, when conducting its fair housing audit of San Leandro, HUD did not specifically identify the fair housing complaint with the building department as the trigger for the audit. The complaint, which involved a disabled person working on home improvements, was investigated by FHEO and found to have no cause.

The FY 2008-2009 audit tested for discrimination based on source of income and included 86 properties. Within Alameda County, properties in the cities of Alameda, Hayward, Livermore, San Leandro, and Union City were included in the audit. ECHO found evidence of differential treatment based on source of income in 19 cases (22 percent). Evidence of differential treatment was more common in Alameda County Jurisdictions, with 34 percent of the 44 properties tested exhibiting differential treatment.

Following the audit, ECHO conducts an educational campaign directed at the property owners and managers involved. Owners of properties involved in the audit are provided with a report on the performance of their agents and are encouraged to meet with ECHO's Fair Housing Counselors. In cases where differential treatment was found, Counselors suggest possible changes that could be made to bring rental policies and practices in compliance with federal and state fair housing laws.

5.2 Problems Related to Current Fair Housing Programs

Limited Resources

Given the diversity of Alameda County, fair housing is a notable concern. Cities and the County continue to support fair housing programs through staff outreach and by contracting with local nonprofit organizations. However, due to budget cuts at various levels of government, staff resources and funding available for fair housing programs has decreased. Jurisdictions are maximizing resources for fair housing while balancing the needs of other housing and community development programs.

Recruiting Fair Housing Testers

Fair housing organizations report that getting a variety of good fair housing testers can be a challenge. ECHO advertises for testers through internet ads, flyers, and announcements at fairs and fair housing trainings. Potential testers go through a training session, which is offered every three months, and take a practice test before being incorporated into the tester pool. ECHO currently has approximately 20 active testers. However, they often have difficulties in recruiting reliable testers for particular classes they are testing. ECHO reports a particular need for more Latino testers and white male testers.⁷⁷

Lack of Public Interest in and Awareness of Fair Housing

According to fair housing organizations, general public education and awareness of fair housing issues is limited. Tenants often do not completely understand their fair housing rights. To address this issue, jurisdictions and fair housing organizations provide various fair housing education and

⁷⁷ Watson, Angie, Fair Housing Coordinator, ECHO, phone interview with BAE, November 23, 2009.

outreach programs. Fair housing resources and educational materials are advertised through various media outlets, flyers at city facilities, and at public events and fairs. While jurisdictions and fair housing organizations are successful in getting the word out about fair housing resources, public interest and motivation to actually access those resources is more limited. The challenge is to motivate people to attend trainings and educate themselves about fair housing rights and responsibilities.⁷⁸

⁷⁸ Remmers, Wanda, Executive Director, Housing Rights, Inc., phone interview with BAE, November 23, 2009.

6 Findings and Recommendations

This section summarizes the key findings from the AI (see Sections 2 through 5), and presents policies and supporting actions that support fair housing in Alameda County. These policies and actions build upon the current fair housing programs and activities described in Section 5.

6.1 Key Findings

Demographic Profile

Between 2000 and 2009, Consortium jurisdictions experienced steady population growth. The Consortium totaled 1 million residents in 2009, an increase of nine percent since 2000. The Consortium makes up about two-thirds of the County's population, which also experienced an eight percent gain over the same period. Fremont is the largest Consortium jurisdiction, with 216,000 residents in 2009.

Population changes experienced by individual jurisdictions vary significantly. Cities such as Albany and Piedmont experienced more modest growth compared to other Consortium jurisdictions, with population gains of less than three percent between 2000 and 2009. Among entitlement jurisdictions, Livermore experienced the largest growth, increasing by 15 percent. Dublin and Emeryville saw the greatest increase within the Urban County, growing by 60 percent and 47 percent, respectively.

Alameda County has an extremely diverse population with no one race comprising a majority in 2009. White persons account for 36 percent of the population, while Asians represent 24 percent and Hispanics and Latinos represent 22 percent of residents countywide. Altogether, the Consortium has a slightly higher proportion of White persons and Asian persons than the County as a whole, with White and Asian residents making up 40 percent and 28 percent of the Consortium's population, respectively. African Americans make up six percent of the Consortium population compared to 13 percent in the County as a whole. Consistent with the County's diversity, more than one-third of Consortium residents (38 percent) speak a language other than English in their homes.

Although no one race constitutes a majority in the County, racial and ethnic groups are not equally distributed throughout the County. There are two approaches generally used to define areas of minority concentration. One method defines areas of minority concentration as Census tracts where more than 50 percent of the population is comprised of a single ethnic or racial group. In much of Eastern Alameda County and portions of Northern Alameda County, White persons comprise more than 50 percent of the population. There are Census tracts within Hayward, Union

City, and Fremont in Southern Alameda County that have a majority Asian population.

Minority concentration can also be defined as an area where the percentage of all minorities (i.e., non-White persons) is at least 20 percent above the overall percentage for the County. In 2009, minorities comprised 65 percent of Alameda County's population. As such, Census tracts where minorities represent over 85 percent of the population can be considered areas of minority concentration. Under this definition, areas of minority concentration exist in Hayward, Union City, and Fremont, as well as portions of unincorporated Alameda County.

Household incomes vary greatly across Consortium jurisdictions. Among entitlement jurisdictions, Pleasanton is the most affluent with a median household income of \$114,400 in 2009. Hayward has the lowest median household income at \$63,900. Within the Urban County, Piedmont has the highest median household income (\$170,300), and Emeryville the lowest (\$50,200). In the Unincorporated County, Sunol shows the highest income at \$112,100, while Ashland has the lowest median household income at \$49,500. As a basis of comparison, the 2009 countywide median household income is \$70,500.

A relatively small share of Consortium households (five percent) live below the poverty line. The traditional definition of concentrated poverty is an area where 40 percent of the population lives below the federal poverty threshold.⁷⁹ No areas within the Consortium fall within this definition. The highest incidence of poverty is found in the Unincorporated County; approximately 12 percent and nine percent of households in Ashland and Cherryland, respectively, live below the poverty line.

Housing Profile

Consortium households have a higher rate of homeownership than the County as a whole. Approximately 55 percent of Alameda County households are homeowners, while 62 percent of Consortium households own their own homes. Livermore and Piedmont have the highest homeownership rates among entitlement and Urban County jurisdictions, with 73 percent and 91 percent homeownership rates, respectively. The cities of Alameda and Emeryville are the only incorporated areas within the Consortium where renters comprise the majority of households. Approximately 52 percent of Alameda households and 63 percent of Emeryville households rent their homes.

The median sales price for single-family homes in Alameda County increased dramatically between 2000 and 2007 before falling during the current economic downturn. Countywide,

⁷⁹ Wolch, Jennifer and Nathan Sessoms, USC Department of Geography, "The Changing Face of Concentrated Poverty," http://www.usc.edu/schools/sppd/lusk/research/pdf/wp_2005-1004.pdf

the median sales price for single-family homes rose by 88 percent from \$345,000 to \$650,000 between 2000 and 2007. Since 2007, the median sales price has decreased by 52 percent to \$310,000 during 2009 (data through May).

Among entitlement jurisdictions in 2009, Pleasanton had the highest sales price for single-family homes at \$655,000, while condominiums in the City of Alameda were the most expensive with a median sales price of \$350,000. Single-family homes and condominiums in Hayward were the most affordable; the median sales price stood at \$250,000 for single-family homes and \$175,000 for condominiums. In the Urban County, Piedmont's median sales price for single-family homes of \$1.3 million exceeded all other Consortium jurisdictions. While the median sales price for single-family homes in Emeryville was the lowest at \$180,000, Emeryville's condominiums had the highest median price at \$398,000, a reflection of the city's newer condominium stock.

Although recent declines in home values have improved affordability conditions, many lower-income households will still encounter difficulty buying a home. As shown in Section 2.4, this AI indicates that while the market is generally affordable to low-income households (up to 80 percent of Area Median Income) in Mid-County, market prices in the North, South, and East County still remain an obstacle for these buyers. It is also important to consider that credit markets have responded to the economic downturn with more conservative lending practices, exacerbating the challenge of securing a mortgage, particularly for lower-income buyers.

In terms of rental housing, rents were the highest in Northern Alameda County and most affordable in Mid-County.⁸⁰ The average monthly rent in Northern Alameda County was \$1,590, compared to \$1,160 in Mid-County. Across the Consortium, monthly rents have increased since 2007 by between 1.4 percent and 5.2 percent. Housing economists generally consider a rental vacancy rate of five percent as sufficient to provide adequate choice and mobility for residents. During the second quarter of 2009, the vacancy rates across the Consortium met this benchmark. East County had the highest vacancy rate, at 8.6 percent, while South County had the lowest at 4.8 percent.

Many lower-income households, particularly in North, South, and East County, will have difficulty locating an affordable rental unit. As with for-sale housing, rental housing in the Mid-County was most affordable, with average market-rate rents generally comparable to the maximum affordable rent for low-income households. However, in North, South, and East County, the average market-rate rent often lay above the maximum affordable rent for low-income households, and exceeded the maximum affordable rent for very low- and extremely low-income households.

⁸⁰ North County data excludes the cities of Berkeley and Oakland, which are not members of the HOME Consortium.

High rents and home prices can lead to overpayment on housing. Countywide, approximately one-third of households paid more than 30 percent of their gross incomes for housing in 2000. The proportion of cost-burdened households was slightly lower in the Consortium (32 percent). The incidence of cost burden was higher among renters than owners in the Consortium, with 37 percent of renter households and 30 percent of owner households spending more than 30 percent of their incomes on housing costs.

While the rate of cost burden varied slightly across jurisdictions, renter households were uniformly more likely to be cost burdened than owner households throughout the Consortium. Emeryville had a substantially higher proportion of cost burdened households when compared to all other jurisdictions. Approximately 42 percent of all households in Emeryville spent more than 30 percent of their income on housing costs in 2000. Piedmont, in turn, had the lowest rate of overpayment among Consortium jurisdictions, with only 28 percent of households being cost-burdened.

A lack of affordable homes can also lead to overcrowding. In 2000, approximately 12 percent of all households in the County were overcrowded.⁸¹ Overcrowding was substantially higher among renters than owners, with 19 percent of renters and seven percent of owners living in overcrowded situations in the County. The rate of overcrowding in the Consortium parallels the rate for the County as a whole. As with overpayment, rising unemployment and foreclosures may contribute to greater overcrowding rates in Consortium jurisdictions. However, more current data on overcrowding is unavailable.

Extended waiting lists exist for public housing units operated by public housing authorities in the Consortium. The Housing Authority of the County of Alameda (HACA) provides public housing and rental assistance to incorporated and unincorporated areas within the County, with the exception of the cities of Alameda, Berkeley, Livermore, and Oakland, which each have their own housing authorities. HACA owns and operates five public housing complexes and 34 scattered site public housing units throughout the County. It has a waiting list with 990 persons. In addition, the Livermore Housing Authority owns one public housing complex and a waiting list of 1,238 individuals. The Housing Authority of the City of Alameda owns and operates Esperanza, a 120-unit public housing complex for low- and very low-income families. However, the Housing Authority converted Esperanza from a public housing complex to a project-based Section 8 complex in Fall 2009.⁸² In total, 411 public housing units in the Consortium provide homes for families, the elderly, and disabled individuals. The three public housing authorities in the Consortium collectively have a total of 5,486 tenant-based Section 8 vouchers. The housing

⁸¹ The U.S. Census defines “overcrowding” as more than one person per room, excluding bathrooms and kitchens.

⁸² Gleason, Leslie, Housing Authority of the City of Alameda, phone conversation with BAE, July 13, 2009.

authorities and HUD also issued 1,756 project-based vouchers. Each PHA has a sizeable Section 8 waitlist. In fact, the HACA reports that its 1,040-person waitlist had been closed since December 2001.

Alameda County contains 440 subsidized rental developments, including 198 projects within the Consortium in 2007. In total, Consortium jurisdictions housed 9,600 subsidized rental units. Consistent with their larger populations, Fremont and Hayward had the largest share of the Consortium's subsidized units, with approximately 1,550 and 1,500 units, respectively. Together, the subsidized rental units in these two cities make up 32 percent of the total subsidized units in the Consortium; these cities contain 35 percent of the Consortium population.

The Consortium contains 523 licensed care facilities with capacity to accommodate 6,500 individuals. The cities of Fremont, Hayward, and Union City have the largest number of facilities, with over 1,000 beds in each jurisdiction. Altogether, these three cities contain approximately 59 percent of the licensed care facility beds in the Consortium, and 43 percent of the Consortium's total population.

Fair Housing Complaints

Between 2004 and 2008, a total of 25 to 53 fair housing complaints were filed annually in Consortium jurisdictions. In 2009, 26 complaints were filed through August. Fair housing complaints in the Consortium represented 58 percent of all complaints in Alameda County between 2004 and August 2009, even though the Consortium makes up 66 percent of the County's population. HUD found that over 55 percent of complaints filed in the Consortium between 2004 and August 2009 did not have probable cause for a fair housing violation. Another 33 percent were conciliated or resolved. Seven percent were closed administratively, with no finding. In addition, just under five percent of complaints were found by HUD to have cause, with the case going to federal court or being heard by a HUD Administrative Law Judge. Within the Consortium, the largest number of complaints occurred in Hayward during this time period, with 55 complaints. The cities of San Leandro, Alameda, and Fremont also saw a notable number of complaints, with 41, 38, and 35, respectively (see Table 3.1).

Disability and race emerged as the most common bases for complaint. These accounted for 31 percent and 27 percent, respectively, of all complaint bases over the last five years. Familial status and national origin also appeared as common bases, appearing in 17 percent and 11 percent of all complaints, respectively. Please refer to Appendix E for additional detail by jurisdiction.

Impediments to Fair Housing Choice

Public sector. As detailed in Section 4 of this AI, local government can affect housing availability and costs by limiting the supply of buildable land, setting standards and allowable densities for development, and exacting development fees. Publicly imposed constraints on housing supply can subsequently lead to fair housing concerns, as particular segments of the population lose access to affordable homes and/or are completely priced out of certain areas.

As discussed in Section 4, a number of Consortium jurisdictions maintain policies and ordinances that have the potential to raise fair housing concerns. In particular, local zoning ordinances can impact the production of multifamily housing, second units, emergency shelters, transitional housing, and community care facilities, all of which serve lower-income households and special needs populations. As documented in their respective Housing Elements, the Consortium jurisdictions have responded to these issues by adopting programs to address constraints.⁸³ Several jurisdictions are also formalizing their reasonable accommodation request procedures to further fair housing efforts. In addition, many jurisdictions are facilitating affordable housing production by reducing parking standards and waiving or reducing fees for affordable developments, in addition to financing a portion of the project. Please refer to Section 4 for a more detailed discussion of individual jurisdictions' actions in this regard.

Private sector. While declining home values have helped many households enter the ownership market, credit access remains a real challenge for potential homebuyers. Even more affordable FHA loans and municipally-sponsored first-time homebuyer programs can be difficult to access for buyers, as many loan officers and realtors prefer to focus on conventional mortgages due to the time and effort associated with these loan products. Consortium jurisdictions and homeownership counselors have responded to these challenges by developing relationships with particular loan officers and agents who can assist buyers with the State and local programs.

Foreclosures have also damaged many households' credit ratings, limiting their ability to buy a home in the future. National data shows that subprime mortgages (which have a strong tie to foreclosure) disproportionately occurred in communities of color, raising a fair housing concern.⁸⁴

According to local affordable housing developers, the availability of financing presents the biggest barrier to producing new subsidized housing. Although the cost of land and construction have

⁸³ California law requires local jurisdictions to update the Housing Element of their General Plan every five to seven years. The Housing Element identifies policies and programs to address local housing needs, including affordable and fair housing. It also lists potential constraints to housing development and fair housing, and provides actions to mitigate these constraints.

⁸⁴ *Losing Ground: Foreclosures in the Subprime Market and Their Cost to Homeowners*. Center for Responsible Lending. December 2006.

declined, the tightened credit market, and decline in State and local subsidies, have made it challenging for affordable housing developers to take advantage of lower costs.

Housing Constraints for Special Needs Populations

Elderly. Seniors often need accessible units located in close proximity to services and public transportation. Many seniors also live on fixed incomes, making affordability a particular concern. There is a limited supply of affordable senior housing - approximately 3,820 units in the Consortium. In addition, local senior service providers report that many subsidized housing projects serve individuals or couples only and do not accommodate caregivers. In other cases, the caregiver's income may make the senior ineligible for the affordable unit.

Persons with Disabilities. Building codes and HOME regulations require that five percent of units in multifamily residential complexes be wheelchair accessible and another two percent be accessible for individuals with hearing or vision impairments. Affordable housing developers follow these requirements and provide accessible units in their buildings. There are approximately 1,160 affordable units for disabled persons in the Consortium. Nonetheless, service providers report that demand exceeds the supply of accessible, subsidized units. In contrast to this finding, affordable housing providers report that they can have difficulty filling accessible units with disabled individuals. This points to challenges in the application and marketing process that prevent disabled individuals from finding subsidized, accessible housing when needed.

Persons with disabilities face other challenges that may make it more difficult to secure both affordable or market-rate housing, such as lower credit scores, the need for service animals (which must be accommodated as a reasonable accommodation under the Fair Housing Act), the limited number of accessible units, and the reliance on Social Security or welfare benefits as a major income source.

Homeless Individuals. The primary barrier to housing choice for homeless individuals is insufficient income. Interviews with service providers indicate that many homeless rely on Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), which are too low to qualify for most subsidized programs and affordable housing developments. In addition, property managers often screen out individuals with a criminal or drug history, history of evictions, or poor credit, which effectively excludes many homeless persons.

Limited English Proficiency (LEP) Individuals. Local service providers state that as financial institutions institute more stringent lending practices and outreach to minority communities has declined with the economy, LEP and undocumented individuals face greater challenges in securing a mortgage. Furthermore, many households in the Spanish-speaking community and other LEP

populations rely on a cash economy, and lack the record keeping and financial legitimacy that lenders require. As noted in Table 3.2, national origin emerges as a one of the more common bases for fair housing complaints, suggesting that LEP individuals may also encounter discrimination in locating rental housing.

6.2 Recommendations to Support Fair Housing

The following policies and actions respond to the fair housing needs expressed in Section 4 of the AI, and reinforce the current fair housing programs and activities described in Section 5. Moreover, the actions dovetail with the respective jurisdictions' fair housing strategies expressed in other documents, mainly the State-mandated Housing Element. As each jurisdiction will have a slightly different set of needs, priorities, and programs, this AI refers to the respective Housing Elements for a more comprehensive set of affordable and fair housing activities, and looks to Action 1.2 to encourage implementation. The following policies and actions, however, apply to all the HOME Consortium jurisdictions. Appendix F summarizes these Action Items by jurisdiction, based on a review of each jurisdiction's most current Housing Element. It is also important to note that the Consortium jurisdictions are currently implementing many of the actions outlined below, and this AI recommends that these initiatives continue.

Policy #1: Secure federal funding for community development activities

Federal entitlement grants, particularly CDBG funds, represent a primary source of funding for local affordable and fair housing activities, including contracting with fair housing service providers. These dollars are particularly important today, given the fiscal concerns experienced by many California and Consortium jurisdictions during the current recession. As such, the HOME Consortium jurisdictions must continue to undertake the actions below to secure these resources.

Action 1.1: Complete a HUD-approved Consolidated Plan and Action Plan. The HOME Consortium jurisdictions shall continue to prepare and submit to the Department of Housing and Urban Development (HUD) one-year Action Plans and a five-year Consolidated Plan that comply with HUD requirements.

Action 1.2: Access, receive, and disburse federal entitlement grant funding. The HOME Consortium jurisdictions shall continue to apply for their annual allocation of Community Development Block Grant (CDBG) funding, as well as other entitlement grant dollars, including HOME and ESG, as appropriate. In addition, the jurisdictions will look for opportunities to secure other federal community development funds as they become available, including dollars associated with the Housing & Economic Recovery Act (HERA) and the American Recovery and Reinvestment Act (ARRA).

Action 1.3: Monitor implementation of the Consolidated Plan and Action Plan. The HOME Consortium jurisdictions shall continue to prepare an annual Consolidated Annual Performance and Evaluation Report (CAPER) that evaluates the progress towards the Action Plan goals and documents the use of entitlement grant funds.

Objective: The HOME Consortium jurisdictions prepare a Consolidated Plan, apply for, receive, and disburse their respective allocation of federal entitlement grant funds, and prepare and submit the requisite CAPERs.

Policy #2: Support local fair housing activities and services

The AI finds that fair housing is an ongoing concern in the HOME Consortium jurisdictions. In particular, interviews with local service providers indicate that many homeseekers and landlords are unaware of federal and state fair housing laws. They also remain unfamiliar with protections offered to seniors, disabled, and other special needs populations, as well as families and protected classes. Each of the HOME Consortium jurisdictions currently undertakes a series of fair housing activities, with the primary focus being ongoing outreach and education on fair housing rights for homeseekers, landlords, lenders, and agents. The following actions highlight the need to continue these efforts.

Action 2.1: Conduct ongoing outreach and education regarding fair housing. The HOME Consortium jurisdictions shall continue to contract with fair housing service providers to educate home seekers, landlords, property managers, real estate agents, and lenders regarding fair housing law and recommended practices. Outreach will occur via training sessions, public events, jurisdictions' websites and other media outlets, staffing at service providers' offices, and multi-lingual flyers available in a variety public locations.

Action 2.2: Respond to fair housing concerns and complaints in a timely fashion. The HOME Consortium jurisdictions shall continue to contract with local fair housing service providers to mediate conflicts between home seekers, landlords, property managers, real estate agents, and lenders. Service providers will also assist in filing of fair housing complaints to the State Fair Employment and Housing Commission (FEHC) and the federal Office of Fair Housing and Equal Opportunity (FHEO), as necessary.

Action 2.3: Consider or continue fair housing testing. The HOME Consortium jurisdictions shall continue to consider contracting with fair housing service providers to continue fair housing testing. The testing program looks for any evidence of differential treatment among a sample local apartment complexes. Following the test, the service provider submits findings to the local jurisdiction and conducts educational outreach to landlords that showed differential treatment during the test.

Objective: Through contracts with the HOME Consortium jurisdictions, local fair housing service providers will continue to conduct outreach and education to local residents, landlords, property managers, lenders, and real estate agents.

Policy #3: Collaborate with lenders and financial education providers to support fair lending practices and access to credit

In response to the economic recession and residential real estate downturn, lenders have tightened credit requirements, making it more difficult for potential buyers to access loans. Lenders and homebuyer education providers underscore this issue, and note that limited-English speakers, in particular, have difficulty securing loans. Moreover, this AI finds that many lenders and brokers are resistant to more affordable and accessible loan products offered in conjunction with first-time homebuyer or other government programs, due to their added complexity. As such, the HOME Consortium jurisdictions should continue the following actions to address these needs.

Action 3.1: Continue to support financial training and homebuyer assistance programs. The HOME Consortium jurisdictions shall continue to support and/or publicize organizations that provide financial literacy and homebuyer education classes. As resources allow, the jurisdictions will also continue to support municipal downpayment and mortgage assistance programs that serve low- and moderate-income households.

Action 3.2: Maintain a list of partner lenders. The HOME Consortium jurisdictions shall continue to maintain a list of lenders that can help buyers access below-market-rate loans and locally-sponsored downpayment and mortgage assistance programs.

Objectives: The HOME Consortium jurisdictions maintain a list of financial literacy and first-time homebuyer trainers, as well as lenders that assist homebuyers with below-market-rate loans. To the extent the jurisdictions have quantified objectives in their respective Housing Elements that address local homebuyer assistance programs (e.g., number of households served), these targets are reached.

Policy #4: Continue to support affordable housing production

The analysis of home sales prices, rents, and local household incomes indicates that despite the decline in the housing market, many very low- and low-income households remain priced out of the local market. North County, East County, and South County remain more costly than Mid-County. The elderly, disabled, and homeless are especially affected by this issue. As a result, a significant share of households are cost-burdened, overcrowding remains a pressing concern in many areas, and local housing authorities and affordable housing property managers report lengthy waiting lists. The HOME Consortium jurisdictions can help address this issue by supporting the

production of more affordable housing serving extremely low-, very low-, and low-income households and special needs populations.

Action 4.1: Support local affordable housing developers. The HOME Consortium jurisdictions shall continue to support local affordable housing developers through a variety of strategies such as applications for State and federal funding, entitlement assistance, outreach to the community and other stakeholders, financial support, and site identification. This includes assistance to developers of senior, transitional, and supportive housing, and units serving disabled individuals.

Action 4.2: Facilitate access to below-market-rate units. The HOME Consortium jurisdictions shall continue to assist affordable housing developers in advertising the availability of below-market-rate units via the jurisdictions' websites, the 2-1-1 information and referral phone service, and other media outlets. The jurisdictions will also facilitate communication between special needs service providers and affordable housing developers, to ensure that home seekers with special needs have fair access to available units.

Action 4.3: Mitigate constraints on production. The HOME Consortium jurisdictions shall attempt to mitigate any constraints on housing production, particularly affordable housing, that are identified in their respective Housing Elements. In particular, jurisdictions shall consider addressing any local regulations that are found to limit project feasibility.

Objective: The HOME Consortium jurisdictions achieve the production, rehabilitation, and preservation objectives in their respective Housing Elements for the 2007-2014 planning period. Affordable housing developments with units set aside for special needs populations are effectively filled by their intended residents.

Policy #5: Ensure consistency between local zoning ordinances and fair housing choice

Local jurisdictions' zoning requirements must comply with State law, the federal Fair Housing Act of 1968, and the Fair Housing Amendments Act of 1988. As discussed in Section 4, the AI finds cases where local zoning requirements do conflict with State and federal requirements, and documents how the subject jurisdictions are rectifying these issues. The respective jurisdictions' Housing Elements also serve as the reference for these corrective programs. The following actions identify the primary fair housing issues related to local zoning.

Action 5.1: Allow for reasonable accommodation. The HOME Consortium jurisdictions shall establish formal procedures to address reasonable accommodation requests in zoning regulations to accommodate the needs of persons with disabilities.

Action 5.2: Establish zoning that treats emergency shelters, supportive housing, and transitional housing consistently with fair housing and State laws. Per State law, the HOME Consortium jurisdictions shall amend their local zoning code as necessary to consider transitional and permanent supportive housing as a residential use, subject only to the same restrictions that apply to other residential uses of the same type in the same zone. In addition, local jurisdictions shall identify a zoning district that allows emergency shelters as a permitted use within one year of adoption of their respective Housing Elements. Again, per State law, the district must have the capacity to accommodate the local need for a homeless shelter.

Action 5.3: Maintain a definition of family consistent with fair housing law. The HOME Consortium jurisdictions' zoning ordinances shall have a definition of family that is consistent with the Lanterman Developmental Disabilities Services Act and the federal Fair Housing Act and the Fair Housing Amendment Act.

Action 5.4: Establish zoning that treats community care facilities consistently with fair housing and State laws. The HOME Consortium jurisdictions shall allow licensed residential care facilities with six or fewer residents in any area zoned for residential use and may not require conditional use permits or other additional discretionary permits, consistent with the Lanterman Developmental Disabilities Services Act.

Action 5.5: Establish zoning that treats secondary units consistently with fair housing and State laws. The HOME Consortium jurisdictions shall revise their zoning regulations as necessary to ensure that the requirements for secondary units conform to State law.

Objective: The HOME Consortium jurisdictions amend their respective zoning ordinances as necessary to comply with the actions listed above by 2014.

Policy #6: Maintain and implement an updated Housing Element

In California, each jurisdiction's Housing Element is a crucial tool to plan for and detail programs to address affordable and fair housing need. An updated Housing Element provides local policymakers and staff a clear guide and timeline to enacting these programs, and indicates agencies responsible for implementation.

Action 6.1: Strive for a State-certified Housing Element. The HOME Consortium jurisdictions shall aim to have their respective Housing Elements be certified by the State Department of Housing and Community Development for the 2007-2014 planning period.

Action 6.2: Implement Housing Element programs. The HOME Consortium jurisdictions shall aim to implement the programs described in their Housing Elements within the current Housing

Element planning period. These programs adopt a comprehensive approach to local affordable housing needs, addressing barriers to local production, fair housing, and housing concerns of lower income households and special needs populations. Each Housing Element will list the timeline and responsible agency for implementation.

Objective: The HOME Consortium jurisdictions all have State-certified Housing Elements, and can demonstrate a positive record of implementing their programs during the current planning period (2007-2014).

Policy #7: Work with local housing authorities to ensure fair housing laws are consistently applied in outreach and program implementation

Interviews with housing authorities in the Consortium areas indicate that they are well-versed in fair housing requirements, and aim to apply these consistently in their outreach, property management, waitlist maintenance, and tenant recruitment efforts. The following action emphasizes the need for local jurisdictions to assist local housing authorities in this regard.

Action 7.1: Assist local Housing Authorities with outreach. The HOME Consortium jurisdictions shall continue to support the Housing Authority of the County of Alameda, the Housing Authority of the City of Alameda, and the Livermore Housing Authority to ensure adequate outreach to minority, limited-English proficiency, and special needs populations regarding the availability of public housing and Section 8 vouchers. Outreach may occur via the jurisdictions' websites and informational flyers in multiple languages available at public locations. Given the extended waiting lists for public housing and Section 8 programs, attention will primarily be paid to fair management of the list.

Objective: The three Housing Authorities in the Alameda County HOME Consortium will continue to manage their public housing units, Section 8 programs, and waiting lists in a manner consistent with fair housing law.

Policy #8: Coordinate with local transit agencies to support links between residential and employment centers

Impediments to fair housing choice may occur when poor linkages exist between the locations of major employers and affordable housing. Under these conditions, persons who depend on public transportation, such as lower-income households, seniors, and disabled persons, would be more limited in their housing options. The AI finds that the Consortium's inventory of subsidized housing, public housing, and community care facilities are relatively well-connected to public transportation. Alameda County's largest employment centers are also accessible by public transportation. The HOME Consortium jurisdictions should continue efforts to support transit-oriented development and further improve connections between new housing and employment

centers.

Action 8.1: Plan for and encourage transit-oriented development. The HOME Consortium jurisdictions shall continue to plan for higher residential and employment densities where appropriate to maximize access to local transit systems.

Action 8.2: Facilitate safe and efficient transit routes. The HOME Consortium jurisdictions shall continue to work with local transit agencies, particularly AC Transit and the Livermore Amador Valley Transit Authority, to facilitate safe and efficient routes for the various forms of public transit.

Objective: The HOME Consortium jurisdictions collaborate with local transit agencies as appropriate when developing Specific Plans, updating their General Plans, and improving local circulation and transportation infrastructure. This collaboration can come in the form of participation on a stakeholder group, regular communications and updates, and/or inter-agency consultations.

7 Appendix A: Key Informant Interviews

Affordable Housing Developers

Affordable Housing Associates

Angela Cavanaugh

Eden Housing

Andrea Papanastassiou, Director of Real Estate Development

Resources for Community Development

Dan Sawislak, Executive Director

Service Providers

Area Agency on Aging

Maureen Schulz

Abode Services

Vivian Wan, Director of Housing

Bay Area Community Services

Lisa Gross

Community Resources for Independent Living

Denicia Gressel

Tri Valley Haven

Samantha Burrows, Director of Homeless and Family Support Services

Lenders and Brokers

Washington Mutual

Sam Thompson, Loan Officer

Housing and Legal Advocates

Bay Area Legal Aid

Lisa Greif, Senior Housing Attorney
Naomi Young, Alameda County Staff Attorney

East Bay Community Law Center

Sharon Djemal

ECHO Housing

Margie Rocha, Executive Director

Angie Watson, Fair Housing Coordinator

Arlene Zamorra, Housing Counselor, Livermore Office

Housing Rights, Inc.

Wanda Remmers, Executive Director and Fair Housing Specialist

Unity Council

Gilda Gonzales, Executive Director

First-Time Homebuyer Resources

BAHBA/First Home

Walter Zhovreboff

City of Fremont First-Time Homebuyer Program

May Lee

Tri-Valley Housing Opportunity Center

Jackie Rickman, Executive Director

Other

Alameda County Behavioral Health Care Services, Mental Health Services Act Program

Robert Ratner, Director

8 Appendix B: Minority Census Tracts

Table B.1: Minority Census Tracts, Alameda County, 2009

Census Tract	Minority as a Percent of Total Pop.	Minority Group (a)	Census Tract	Minority as a Percent of Total Pop.	Minority Group (a)
Oakland			Albany		
Census Tract 4007	56.0%	African American	Census Tract 4204	54.9%	Asian
Census Tract 4009	52.6%	African American	Berkeley		
Census Tract 4010	61.5%	African American	Census Tract 4228	50.4%	Asian
Census Tract 4014	52.4%	African American	San Leandro		
Census Tract 4015	58.2%	African American	Census Tract 4334	54.3%	Asian
Census Tract 4018	71.3%	African American	Hayward		
Census Tract 4019	61.1%	Hispanic	Census Tract 4363	58.5%	Hispanic
Census Tract 4021	68.7%	African American	Census Tract 4366.01	56.0%	Hispanic
Census Tract 4023	67.7%	African American	Census Tract 4367	66.8%	Hispanic
Census Tract 4024	61.0%	African American	Census Tract 4369	53.1%	Hispanic
Census Tract 4025	60.2%	African American	Census Tract 4374	50.3%	Hispanic
Census Tract 4027	52.0%	African American	Census Tract 4375	58.0%	Hispanic
Census Tract 4028	54.2%	African American	Census Tract 4377	61.6%	Hispanic
Census Tract 4030	92.5%	Asian	Census Tract 4379	52.5%	Hispanic
Census Tract 4033	74.5%	Asian	Census Tract 4382.01	53.0%	Hispanic
Census Tract 4055	54.8%	Asian	Union City		
Census Tract 4061	62.0%	Hispanic	Census Tract 4402	82.6%	Hispanic
Census Tract 4062.01	56.6%	Hispanic	Census Tract 4403.02	56.4%	Asian
Census Tract 4062.02	74.7%	Hispanic	Census Tract 4403.04	58.3%	Asian
Census Tract 4071	53.4%	Hispanic	Census Tract 4403.05	51.7%	Asian
Census Tract 4072	77.8%	Hispanic	Census Tract 4403.06	57.9%	Asian
Census Tract 4073	58.8%	Hispanic	Census Tract 4403.09	54.1%	Asian
Census Tract 4074	63.4%	Hispanic	Census Tract 4403.31	57.3%	Asian
Census Tract 4075	64.3%	Hispanic	Census Tract 4403.32	67.6%	Asian
Census Tract 4077	60.5%	African American	Census Tract 4415.01	63.1%	Asian
Census Tract 4082	57.8%	African American	Fremont		
Census Tract 4083	53.6%	African American	Census Tract 4413.01	57.8%	Asian
Census Tract 4085	52.8%	Hispanic	Census Tract 4414.02	50.6%	Asian
Census Tract 4088	53.4%	Hispanic	Census Tract 4415.03	75.9%	Asian
Census Tract 4089	61.4%	Hispanic	Census Tract 4415.21	61.7%	Asian
Census Tract 4091	50.4%	African American	Census Tract 4415.22	55.6%	Asian
Census Tract 4092	53.0%	Hispanic	Census Tract 4419.01	51.8%	Asian
Census Tract 4093	63.2%	Hispanic	Census Tract 4419.22	54.8%	Asian
Census Tract 4094	64.8%	Hispanic	Census Tract 4419.23	54.3%	Asian
Census Tract 4095	62.9%	Hispanic	Census Tract 4420	65.6%	Asian
Census Tract 4096	54.6%	Hispanic	Census Tract 4421	63.6%	Asian
Census Tract 4098	71.5%	African American	Census Tract 4431.01	61.1%	Asian
Census Tract 4099	65.8%	African American	Census Tract 4431.02	69.2%	Asian
Census Tract 4101	60.8%	African American	Census Tract 4431.03	80.5%	Asian
Census Tract 4102	52.0%	African American	Census Tract 4432	68.2%	Asian
Census Tract 4103	54.3%	Hispanic	Census Tract 4433.01	50.3%	Asian
Census Tract 4104	50.1%	Hispanic	Census Tract 4433.02	52.7%	Asian

Notes:

(a) Hispanic includes all hispanic persons regardless of race.

Sources: Claritas, 2009; BAE, 2009.

9 Appendix C: Rental Trends by Region

Table C.1: Overview of Rental Housing Market, Northern Alameda County, Q2 2009 (a)

CURRENT MARKET DATA - Q2 2009					
<u>Unit Type</u>	<u>Number</u>	<u>Percent of Mix</u>	<u>Avg. Sq. Ft.</u>	<u>Avg. Rent</u>	<u>Avg. Rent/Sq. Ft.</u>
Urban Loft	131	2.6%	944	\$1,871	\$1.98
Studio	370	7.3%	512	\$1,114	\$2.18
Jr 1BR/1 BA	99	1.9%	545	\$1,321	\$2.42
1 BR/1 BA	1,819	35.7%	738	\$1,394	\$1.89
1 BR 1.5 BA	1	0.0%	1,490	\$2,225	\$1.49
2 BR/1 BA	1,324	26.0%	857	\$1,511	\$1.76
2BR/1.5 BA	3	0.1%	1,160	\$2,266	\$1.95
2 BR/2 BA	991	19.5%	1,099	\$2,101	\$1.91
2 BR TH	48	0.9%	1,041	\$1,891	\$1.82
3 BR/ 1 BA	19	0.4%	978	\$1,492	\$1.53
3/1.5	4	0.1%	1,890	\$3,178	\$1.68
3 BR/2 BA	275	5.4%	1,076	\$1,941	\$1.80
4 BR	6	0.1%	1,255	\$2,171	\$1.73
Totals	5,090	100.0%	848	\$1,590	\$1.88

AVERAGE RENT HISTORY - ANNUAL					
<u>Unit Type</u>	<u>2007</u>	<u>2008</u>	<u>2007-2008 % Change</u>	<u>2009 (b)</u>	<u>2007-2009 % Change</u>
Studio	\$1,198	\$1,244	3.8%	\$1,114	-7.0%
Jr 1BR	\$1,178	\$1,243	5.5%	\$1,321	12.1%
1BR/1 BA	\$1,340	\$1,442	7.6%	\$1,394	4.0%
2 BR/1 BA	\$1,469	\$1,554	5.8%	\$1,511	2.9%
2 BR/2 BA	\$1,947	\$2,164	11.1%	\$2,101	7.9%
2 BR TH	\$1,958	\$1,945	-0.7%	\$1,891	-3.4%
3 BR/2 BA	\$2,143	\$2,147	0.2%	\$1,941	-9.4%
All Units	\$1,530	\$1,650	7.8%	\$1,590	3.9%

OCCUPANCY RATE	
<u>Year</u>	<u>Average Occupancy</u>
2005	94.1%
2006	92.8%
2007	89.1%
2008	93.8%
Q2 2009	94.6%

AGE OF HOUSING INVENTORY (by Project)	
<u>Year</u>	<u>Percent of Projects</u>
Pre 1960's	3.3%
1960's	56.7%
1970's	16.7%
1980's	0.0%
1990's	10.0%
2000's	13.3%

Notes:

(a) Represents only housing complexes with 50 units or more. Northern Alameda County data collected from 30 properties located in the cities of Alameda, Albany, and Emeryville.

(b) 2009 data includes through second quarter data only.

Sources: RealFacts, Inc., 2009; BAE, 2009.

Table C.2: Overview of Rental Housing Market, Southern Alameda County, Q2 2009 (a)

CURRENT MARKET DATA - Q2 2009

Unit Type	Number	Percent of Mix	Avg. Sq. Ft.	Avg. Rent	Avg. Rent/Sq. Ft.
Studio	465	3.0%	474	\$977	\$2.06
Jr 1BR/1 BA	318	2.0%	555	\$1,081	\$1.95
1 BR/1 BA	6,689	42.5%	685	\$1,218	\$1.78
1 BR 1.5 BA	30	0.2%	1,050	\$1,555	\$1.48
2 BR/1 BA	3,030	19.2%	861	\$1,367	\$1.59
2BR/1.5 BA	176	1.1%	911	\$1,402	\$1.54
2 BR/2 BA	3,453	21.9%	992	\$1,598	\$1.61
2 BR TH	830	5.3%	1,024	\$1,485	\$1.45
3/1.5	74	0.5%	1,101	\$1,675	\$1.52
3 BR/2 BA	480	3.0%	1,235	\$1,807	\$1.46
3 BR/3 BA	95	0.6%	1,431	\$1,975	\$1.38
3 BR TH	102	0.6%	1,263	\$1,743	\$1.38
Totals	15,742	100.0%	825	\$1,365	\$1.65

AVERAGE RENT HISTORY - ANNUAL

Unit Type	2007	2008	2007-2008 % Change	2009 (b)	2007-2009 % Change
Studio	\$982	\$1,024	4.3%	\$1,013	3.2%
Jr 1BR	\$1,106	\$1,195	8.0%	\$1,133	2.4%
1BR/1 BA	\$1,253	\$1,319	5.3%	\$1,270	1.4%
2 BR/1 BA	\$1,361	\$1,434	5.4%	\$1,397	2.6%
2 BR/2 BA	\$1,662	\$1,749	5.2%	\$1,654	-0.5%
2 BR TH	\$1,462	\$1,522	4.1%	\$1,534	4.9%
3 BR/2 BA	\$1,798	\$1,889	5.1%	\$1,845	2.6%
3 BR TH	\$1,650	\$1,715	3.9%	\$1,741	5.5%
All Units	\$1,392	\$1,465	5.2%	\$1,412	1.4%

OCCUPANCY RATE

Year	Average Occupancy
2005	95.4%
2006	96.7%
2007	96.1%
2008	96.5%
Q2 2009	95.2%

AGE OF HOUSING INVENTORY (by Project)

Year	Percent of Projects
Pre 1960's	2.4%
1960's	21.2%
1970's	40.0%
1980's	27.1%
1990's	8.2%
2000's	1.2%

Notes:

(a) Represents only housing complexes with 50 units or more. Southern Alameda County data collected from 85 properties located in the cities of Fremont, Newark, and Union City.

(b) 2009 data includes through second quarter data only.

Sources: RealFacts, Inc., 2009; BAE, 2009.

Table C.3: Overview of Rental Housing Market, Eastern Alameda County, Q2 2009 (a)

CURRENT MARKET DATA - Q2 2009

Unit Type	Number	Percent of Mix	Avg. Sq. Ft.	Avg. Rent	Avg. Rent/Sq. Ft.
Urban Loft	24	0.3%	944	\$1,580	\$1.67
Studio	65	0.7%	520	\$1,237	\$2.38
Jr 1BR/1 BA	62	0.7%	570	\$1,310	\$2.30
1 BR/1 BA	3,584	38.5%	703	\$1,287	\$1.83
1 BR TH	70	0.8%	885	\$1,667	\$1.88
2 BR/1 BA	1,472	15.8%	863	\$1,369	\$1.59
2BR/1.5 BA	32	0.3%	940	\$1,420	\$1.51
2 BR/2 BA	2,950	31.7%	1,001	\$1,644	\$1.64
2 BR TH	490	5.3%	1,158	\$1,781	\$1.54
3 BR/ 1 BA	2	0.0%	1,020	\$1,600	\$1.57
3 BR/1.5 BA	61	0.7%	1,123	\$1,578	\$1.41
3 BR/2 BA	309	3.3%	1,194	\$1,772	\$1.48
3 BR/3 BA	180	1.9%	1,310	\$2,144	\$1.64
3 BR TH	10	0.1%	1,763	\$2,646	\$1.50
4 BR	6	0.1%	1,300	\$1,675	\$1.29
Totals	9,317	100.0%	879	\$1,479	\$1.68

AVERAGE RENT HISTORY - ANNUAL

Unit Type	2007-2008			2007-2009	
	2007	2008	% Change	2009 (b)	% Change
Studio	\$1,237	\$1,320	6.7%	\$1,325	7.1%
Jr 1BR	\$0	\$1,210	NA	\$1,310	NA
1BR/1 BA	\$1,287	\$1,359	5.6%	\$1,337	3.9%
2 BR/1 BA	\$1,319	\$1,413	7.1%	\$1,401	6.2%
2 BR/2 BA	\$1,662	\$1,727	3.9%	\$1,692	1.8%
2 BR TH	\$1,640	\$1,755	7.0%	\$1,772	8.0%
3 BR/2 BA	\$1,916	\$1,991	3.9%	\$1,936	1.0%
3 BR TH	\$0	\$2,778	NA	\$2,763	NA
All Units	\$1,477	\$1,553	5.1%	\$1,526	3.3%

OCCUPANCY RATE

Year	Average Occupancy
2005	94.9%
2006	96.2%
2007	95.8%
2008	95.7%
Q2 2009	91.4%

AGE OF HOUSING INVENTORY (by Project)

Year	Percent of Projects
Pre 1960's	0.0%
1960's	16.0%
1970's	18.0%
1980's	40.0%
1990's	18.0%
2000's	8.0%

Notes:

(a) Represents only housing complexes with 50 units or more. Eastern Alameda County data collected from 50 properties located in the cities of Dublin, Livermore, and Pleasanton.

(b) 2009 data includes through second quarter data only.

Sources: RealFacts, Inc., 2009; BAE, 2009.

Table C.4: Overview of Rental Housing Market, Mid-County, Q2 2009 (a)

CURRENT MARKET DATA - Q2 2009					
Unit Type	Number	Percent of Mix	Avg. Sq. Ft.	Avg. Rent	Avg. Rent/Sq. Ft.
Studio	442	3.7%	544	\$914	\$1.68
Jr 1BR/1 BA	111	0.9%	553	\$1,040	\$1.88
1 BR/1 BA	5,520	45.7%	684	\$1,024	\$1.50
1 BR TH	45	0.4%	675	\$1,165	\$1.73
2 BR/1 BA	2,367	19.6%	855	\$1,242	\$1.45
2BR/1.5 BA	329	2.7%	878	\$1,249	\$1.42
2 BR/2 BA	2,403	19.9%	965	\$1,337	\$1.39
2 BR TH	570	4.7%	963	\$1,315	\$1.37
3 BR/ 1 BA	2	0.0%	1,144	\$1,499	\$1.31
3/1.5	39	0.3%	912	\$1,419	\$1.56
3 BR/2 BA	95	0.8%	1,141	\$1,692	\$1.48
3 BR/3 BA	1	0.0%	1,000	\$2,100	\$2.10
3 BR TH	150	1.2%	1,189	\$1,624	\$1.37
Totals	12,074	100.0%	796	\$1,160	\$1.46

AVERAGE RENT HISTORY - ANNUAL					
Unit Type	2007	2008	2007-2008 % Change	2009 (b)	2007-2009 % Change
Studio	\$888	\$947	6.6%	\$937	5.5%
Jr 1BR	\$949	\$1,033	8.9%	\$1,040	9.6%
1BR/1 BA	\$1,008	\$1,059	5.1%	\$1,068	6.0%
2 BR/1 BA	\$1,186	\$1,261	6.3%	\$1,263	6.5%
2 BR/2 BA	\$1,355	\$1,405	3.7%	\$1,403	3.5%
2 BR TH	\$1,290	\$1,361	5.5%	\$1,338	3.7%
3 BR/2 BA	\$1,594	\$1,668	4.6%	\$1,692	6.1%
3 BR TH	\$1,538	\$1,624	5.6%	\$1,622	5.5%
All Units	\$1,141	\$1,197	4.9%	\$1,200	5.2%

OCCUPANCY RATE	
Year	Average Occupancy
2005	95.0%
2006	96.6%
2007	96.5%
2008	96.3%
Q2 2009	94.4%

AGE OF HOUSING INVENTORY (by Project)	
Year	Percent of Projects
Pre 1960's	10.6%
1960's	43.3%
1970's	22.1%
1980's	19.2%
1990's	3.8%
2000's	1.0%

Notes:

(a) Represents only housing complexes with 50 units or more. Central Alameda County data collected from 104 properties located in the cities of Castro Valley, Hayward, San Leandro, and San Lorenzo,

(b) 2009 data includes through second quarter data only.

Sources: RealFacts, Inc., 2009; BAE, 2009.

10 Appendix D: Maximum Affordable Sales Price Calculator

Table D.1: Maximum Affordable Sales Price Calculator, Single-Family Residences

	<u>Household Income (a)</u>	<u>Sale Price</u>	<u>Down Payment (b)</u>	<u>Total Mortgage (b)</u>	<u>Monthly Payment</u>	<u>Monthly Property Tax (c)</u>	<u>Mortgage Insurance (d)</u>	<u>Homeowner's Insurance (e)</u>	<u>Total Monthly PITI (f)</u>
Extremely Low Income (30% AMI)									
4 Person HH	\$26,800	\$111,370	\$22,274	\$89,096	\$565.01	\$92.81	\$0.00	\$12.18	\$670.00
Very Low Income (50% AMI)									
4 Person HH	\$44,650	\$185,547	\$37,109	\$148,438	\$941.34	\$154.62	\$0.00	\$20.29	\$1,116.25
Low Income (80% AMI)									
4 Person HH	\$66,250	\$275,308	\$55,062	\$220,246	\$1,396.72	\$229.42	\$0.00	\$30.11	\$1,656.25

Notes:

(a) Published by Department of Housing and Urban Development for Alameda County, 2009.

(b) Mortgage terms:

Annual Interest Rate (Fixed)

6.53%

Freddie Mac historical monthly Primary Mortgage Market Survey data tables. Ten-year average.

Term of mortgage (Years)

30

Percent of sale price as down payment

20.0%

(c) Initial property tax (annual)

1.00%

(d) Mortgage Insurance as percent of loan amount

0.00%

(e) Annual homeowner's insurance rate as percent of sale price

0.13%

CA Dept. of Insurance website, based on average of all quotes, assuming \$150,000 of coverage and a 26-40 year old home.

(f) PITI = Principal, Interest, Taxes, and Insurance

Percent of household income available for PITI

30.0%

Sources: U.S. HUD, 2009; Freddie Mac, 2008; CA Department of Insurance, 2009; BAE, 2009.

Table D.2: Maximum Affordable Sales Price Calculator, Condominiums

	<u>Household Income (a)</u>	<u>Sale Price</u>	<u>Down Payment (b)</u>	<u>Total Mortgage (b)</u>	<u>Monthly Payment</u>	<u>Monthly Property Tax (c)</u>	<u>Mortgage Insurance (d)</u>	<u>Homeowner's Insurance (e)</u>	<u>Homeowner's Association Fee (f)</u>	<u>Total Monthly PITI (g)</u>
Extremely Low Income (30% AMI)										
4 Person HH	\$26,800	\$44,880	\$8,976	\$35,904	\$227.69	\$37.40	\$0.00	\$4.91	\$400.00	\$670.00
Very Low Income (50% AMI)										
4 Person HH	\$44,650	\$119,058	\$23,812	\$95,246	\$604.02	\$99.21	\$0.00	\$13.02	\$400.00	\$1,116.25
Low Income (80% AMI)										
4 Person HH	\$66,250	\$208,818	\$41,764	\$167,055	\$1,059.40	\$174.02	\$0.00	\$22.84	\$400.00	\$1,656.25

Notes:

(a) Published by Department of Housing and Urban Development for Alameda County, 2009.

(b) Mortgage terms:

Annual Interest Rate (Fixed)

6.53%

Freddie Mac historical monthly Primary Mortgage Market Survey data tables. Ten-year average.

Term of mortgage (Years)

30

Percent of sale price as down payment

20.0%

(c) Initial property tax (annual)

1.00%

(d) Mortgage Insurance as percent of loan amount

0.00%

(e) Annual homeowner's insurance rate as percent of sale price

0.13%

CA Dept. of Insurance website, based on average of all quotes, assuming \$150,000 of coverage and a 26-40 year old home.

(f) Homeowners Association Fee (monthly)

\$400

(g) PITI = Principal, Interest, Taxes, and Insurance

Percent of household income available for PITI

30.0%

Sources: CA HCD, 2009; Freddie Mac, 2008; CA Department of Insurance, 2009; BAE, 2009.

11 Appendix E: Detailed Fair Housing Complaint Data

FHEO Complaints Filed with HUD 2004-2009

Jurisdiction	Race	Color	National Origin	Sex	Disability	Religion	Familial Status	Retaliaton	TOTAL
2004									
Albany	0	0	0	0	0	0	2	0	2
Castro Valley	0	0	1	0	0	0	0	0	1
Emeryville	0	0	0	1	2	0	1	0	4
Fremont	3	0	0	0	3	0	2	0	8
Hayward	11	0	2	0	5	0	2	3	23
Livermore	0	0	0	0	3	0	1	0	4
Newark	2	0	0	0	0	0	0	0	2
Pleasanton	0	0	2	0	0	0	0	0	2
San Leandro	0	0	1	0	1	0	3	1	6
San Lorenzo	0	0	0	0	0	0	1	0	1
Union City	0	0	0	0	0	0	1	0	1
Total	16	0	6	1	14	0	13	4	54
2005									
Alameda	1	0	0	0	5	0	2	1	9
Emeryville	1	0	0	1	0	0	0	1	3
Hayward	0	0	0	0	5	0	1	1	7
Livermore	0	0	1	0	0	0	0	0	1
Newark	1	0	0	0	0	0	0	1	2
Pleasanton	1	0	1	0	0	0	1	0	3
San Leandro	2	0	1	2	3	0	0	0	8
Total	6	0	3	3	13	0	4	4	33
2006									
Alameda	8	1	2	0	3	0	0	2	16
Dublin	0	0	1	0	0	0	0	1	2
Fremont	4	0	0	0	1	0	0	0	5
Hayward	1	0	0	1	3	0	0	1	6
Pleasanton	0	0	0	0	0	0	1	0	1
San Leandro	1	0	0	0	2	2	0	2	7
Sunol	0	0	0	0	0	0	1	0	1
Total	14	1	3	1	9	2	2	6	38
2007									
Alameda	6	1	1	0	4	0	1	2	15
Albany	2	0	0	0	1	0	1	0	4
Castro Valley	0	0	0	0	1	0	0	0	1
Dublin	1	0	0	0	0	0	0	0	1
Emeryville	0	0	0	0	0	0	1	0	1
Fremont	1	0	2	0	1	0	5	0	9
Hayward	3	0	1	1	6	0	1	1	13
Livermore	1	0	1	0	1	0	0	0	3
Pleasanton	0	0	0	0	2	0	0	2	4
San Leandro	4	0	1	1	7	1	1	0	15
San Lorenzo	0	0	0	0	1	0	0	0	1
Total	18	1	6	2	24	1	10	5	67
2008									
Alameda	3	0	1	0	2	0	0	0	6
Albany	0	0	0	0	1	0	0	0	1
Castro Valley	0	0	3	0	1	0	1	0	5
Dublin	0	0	0	0	1	0	0	0	1
Emeryville	1	0	0	0	0	1	0	0	2
Fremont	2	0	3	0	6	0	4	3	18
Hayward	1	0	1	2	4	0	2	0	10
Livermore	1	0	1	0	2	0	1	0	5
San Leandro	5	0	0	1	3	0	2	0	11
Union City	0	0	1	0	0	0	1	0	2
Total	13	0	10	3	20	1	11	3	61
2009									
Alameda	2	0	0	0	0	0	1	0	3
Albany	0	0	0	0	1	0	0	0	1
Dublin	1	0	0	0	0	0	1	0	2
Fremont	1	0	1	0	3	0	1	0	6
Hayward	3	0	0	0	1	0	1	1	6
Newark	0	0	2	0	0	0	1	0	3
Pleasanton	0	0	0	0	1	0	0	0	1
San Leandro	1	0	1	0	1	0	1	0	4
Union City	0	0	0	0	1	0	1	0	2
Total	8	0	4	0	8	0	7	1	28

Sources: The Department of Fair Housing and Equal Opportunity, HUD San Francisco Regional Office, August 2009; BAE, 2009.

12 Appendix F: Summary of Action Items by Jurisdiction

Table F.1: Summary of Actions

	<u>Alameda</u>	<u>Fremont</u>	<u>Hayward</u>	<u>Livermore</u>	<u>Pleasanton</u>	<u>San Leandro</u>	<u>Union City</u>
"x" denotes Jurisdiction should implement or continue to implement action.							
Policy #1: Secure federal funding for community development activities							
Action 1.1: Complete Consolidated Plan and Action Plan	x	x	x	x	x	x	x
Action 1.2: Apply for, receive, and disburse federal entitlement grant funding.	x	x	x	x	x	x	x
Action 1.3: Monitor Implementation of the Consolidated Plan and Action Plan.	x	x	x	x	x	x	x
Policy #2: Support local fair housing activities and services							
Action 2.1: Conduct ongoing outreach and education regarding fair housing.	x	x	x	x	x	x	x
Action 2.2: Respond to fair housing concerns and complaints in a timely fashion.	x	x	x	x	x	x	x
Action 2.3: Consider or continue contracting with fair housing service providers to conduct fair housing testing.	x	x	x	x	x	x	x
Policy #3: Collaborate with lenders and financial education providers to support fair lending practices and access to credit							
Action 3.1: Continue to support financial training and homebuyer assistance programs.	x	x	x	x	x	x	x
Action 3.2: Maintain a list of partner lenders.	x	x	x	x	x	x	x
Policy #4: Continue to support affordable housing production							
Action 4.1: Support affordable housing developers through financial and technical assistance.	x	x	x	x	x	x	x
Action 4.2: Facilitate access to BMR units.	x	x	x	x	x	x	x
Action 4.3: Mitigate constraints on housing production.	x	x	x	x	x	x	x

Table F.1: Summary of Actions

	Alameda	Fremont	Hayward	Livermore	Pleasanton	San Leandro	Union City
Policy #5: Ensure consistency between local zoning ordinances and fair housing choice							
Action 5.1: Allow for reasonable accommodation in zoning regulations.	x	No action needed	x	x	x	x	x
Action 5.2: Establish zoning that treats emergency shelters, supportive and transitional housing consistently with fair housing and State laws.	Amend zoning	Amend General Plan	Amend zoning	No action needed	Review zoning for consistency and amend if necessary	Amend zoning	Amend zoning
Action 5.3: Maintain a definition of family consistent with fair housing law.	No action needed	No action needed	No action needed	No action needed	Review definition of family	No action needed	No action needed
Action 5.4: Establish zoning that treats community care facilities consistently with fair housing and State laws.	No action needed	No action needed	No action needed	No action needed	No action needed	No action needed	Review for consistency w/ Lanterman Act
Action 5.5: Establish zoning that treats secondary units consistently with fair housing and State laws.	No action needed	No action needed	No action needed	No action needed	No action needed	No action needed	No action needed
Policy #6: Maintain and implement an updated Housing Element							
Action 6.1: Strive for a State-Certified Housing Element	x	x	x	x	x	x	x
Action 6.2: Implement Housing Element Programs	x	x	x	x	x	x	x
Policy #7: Work with local housing authorities to ensure fair housing laws are consistently applied in outreach and program implementation							
Action 7.1: Assist local Housing Authorities with outreach.	x	x	x	x	x	x	x
Policy #8: Coordinate with local transit agencies to support links between residential and employment centers							
Action 8.1: Plan for and encourage transit-oriented development where appropriate.	x	x	x	x	x	x	x
Action 8.2: Work with local transit agencies to facilitate safe and efficient routes.	x	x	x	x	x	x	x

Source: BAE, 2009.

Table F.1: Summary of Actions

	<u>Albany</u>	<u>Dublin</u>	<u>Emeryville</u>	<u>Newark</u>	<u>Piedmont</u>	<u>County</u>
"x" denotes Jurisdiction should implement or						
Policy #1: Secure federal funding for communi						
Action 1.1: Complete Consolidated Plan and Action Plan	x	x	x	x	x	x
Action 1.2: Apply for, receive, and disburse federal entitlement grant funding.	x	x	x	x	x	x
Action 1.3: Monitor Implementation of the Consolidated Plan and Action Plan.	x	x	x	x	x	x
Policy #2: Support local fair housing activities						
Action 2.1: Conduct ongoing outreach and education regarding fair housing.	x	x	x	x	x	x
Action 2.2: Respond to fair housing concerns and complaints in a timely fashion.	x	x	x	x	x	x
Action 2.3: Consider or continue contracting with fair housing service providers to conduct fair housing testing.	x	x	x	x	x	x
Policy #3: Collaborate with lenders and financi						
Action 3.1: Continue to support financial training and homebuyer assistance programs.	x	x	x	x	x	x
Action 3.2: Maintain a list of partner lenders.	x	x	x	x	x	x
Policy #4: Continue to support affordable hou						
Action 4.1: Support affordable housing developers through financial and technical assistance.	x	x	x	x	x	x
Action 4.2: Facilitate access to BMR units.	x	x	x	x	x	x
Action 4.3: Mitigate constraints on housing production.	x	x	x	x	x	x

Table F.1: Summary of Actions

	Albany	Dublin	Emeryville	Newark	Piedmont	County
Policy #5: Ensure consistency between local zoning and State laws						
Action 5.1: Allow for reasonable accommodation in zoning regulations.	x	x	No action needed	x	x	x
Action 5.2: Establish zoning that treats emergency shelters, supportive and transitional housing consistently with fair housing and State laws.	Amend zoning	Amend zoning	Amend zoning	Amend zoning	Amend zoning	Amend zoning
Action 5.3: Maintain a definition of family consistent with fair housing law.	Review definition of family	Amend definition of family	No action needed	No action needed	No action needed	N/A
Action 5.4: Establish zoning that treats community care facilities consistently with fair housing and State laws.	No action needed	No action needed	Amend zoning so CUP not required for group housing	No action needed	Review zoning for consistency	No action needed
Action 5.5: Establish zoning that treats secondary units consistently with fair housing and State laws.	No action needed	No action needed	Allow second units w/o CUP	No action needed	Review zoning for consistency	Review zoning for consistency
Policy #6: Maintain and implement an updated Housing Element						
Action 6.1: Strive for a State-Certified Housing Element	x	x	x	x	x	x
Action 6.2: Implement Housing Element Programs	x	x	x	x	x	x
Policy #7: Work with local housing authorities						
Action 7.1: Assist local Housing Authorities with outreach.	x	x	x	x	x	x
Policy #8: Coordinate with local transit agencies						
Action 8.1: Plan for and encourage transit-oriented development where appropriate.	x	x	x	x	x	x
Action 8.2: Work with local transit agencies to facilitate safe and efficient routes.	x	x	x	x	x	x

Source: BAE, 2009.