

2015-2019
Analysis of Impediments to
Fair Housing Choice

San Joaquin County
California

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Executive Summary

The purpose of this Analysis of Impediments to Fair Housing Choice (AI) Report is to examine social and economic characteristics of the public sector and private industry housing practices, as well as housing market conditions that may expose certain population groups to housing discrimination. This report covers the entitlement jurisdiction of San Joaquin County, which includes the unincorporated areas of the county and the incorporated cities of Escalon, Lathrop, Manteca, Ripon, and Tracy, for the 2015-2019 reporting period. The entitlement jurisdiction is also referred to as the San Joaquin Urban County.

In addition to analyzing background information on demographic, economic, and housing characteristics of San Joaquin Urban County, this AI Report analyzes potential impediments to fair housing choice. Representatives from San Joaquin County, participating jurisdictions, and agencies and organizations provided input or attended a workshop that helped refine actions from the 2010-2015 reporting period and identify new recommended actions for 2015-2019. These agencies include San Joaquin Fair Housing Association, Community Medical Centers, American Pacific Mortgage, Visionary Home Builders, the Central Valley Low-Income Housing Corporation, Building Industry Association of the Greater Valley, San Joaquin County Department of Public Health Services, the Housing Authority of the County of San Joaquin, and the San Joaquin County Environmental Health Department.

In general, discrimination based on race/ethnicity is not a significant impediment to fair housing choice in the county. However, persons with disabilities may face barriers to housing choice and independent living because there is generally a lack of housing with accessibility features (e.g., hallways wide enough for wheelchair access). Additional outreach and educational material on fair housing and fair housing services are needed to better inform the public of their rights.

Institutional arrangements that fund and support San Joaquin Fair Housing (SJFH) Association and partnerships with social service organizations, such as Central Valley Low Income Housing Corporation, are assets in the county and provide substantial support for fair housing activities. There is significant organizational capacity to further fair housing practices through continued training of local government staff and collaboration among the various service providers in the county.

San Joaquin County has identified the following actions as priorities for the 2015-2019 reporting period:

1. Provide website links to housing services and resources, fair housing, and consumer information.
2. Provide education on fair housing to County and City staff members who administer and oversee housing programs and code enforcement activities.
3. Support fair housing service providers and other housing service agencies in providing credit counseling, homebuyer counseling, and education on tenant rights and responsibilities for households entering or re-entering the rental market.
4. Work with SJFH to develop and implement a comprehensive testing program to identify the extent of fair housing problems in the county.
5. Provide information on fair housing rights and responsibilities to landlords and managers of smaller rental properties.

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6. Continue to support SJFH in conducting fair housing workshops for residents, apartment owners, landlords, and property managers including providing phone numbers and referral information to SJFH on websites and making issue/case referrals to SJFH as needed.
7. Work with SJFH to increase public awareness of the rights of persons with disabilities, ADA issues, reasonable accommodation, and available services.
8. Continue to comply with antidiscrimination requirements, including all applicable Federal regulations as demonstrated in the County's application for Community Development Block Grant, HOME, and other Federal funds.
9. Continue to implement policies and programs identified in the Housing Element of each participating jurisdiction and implement Zoning Ordinance amendments necessary to further fair housing.

Section 1. Introduction

1.1 Purpose

This Analysis of Impediments to Fair Housing Choice (AI) report is for San Joaquin Urban County, which includes the unincorporated areas of the county and the participating cities of Escalon, Lathrop, Manteca, Ripon, and Tracy. This report will be submitted to the U.S. Department of Housing and Urban Development (HUD) to support grant applications for Federal funding for housing programs over the five-year period. The Consolidated Plan regulations require each local government to submit a certification that it is affirmatively furthering fair housing. This means that local governments will:

- 1) conduct an analysis of impediments to fair housing choice;
- 2) take appropriate actions to overcome the effects of impediments identified through that analysis; and
- 3) maintain records reflecting the analysis and actions.

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

- **Section 1:** Introduction to the report.
- **Section 2:** Analysis of demographic and economic characteristics, housing stock and affordability, geographic distribution of minority and low-income populations, and information on assisted housing resources.
- **Section 3:** Assessment of public, private, and public-private sector impediments.
- **Section 4:** Assessment of fair housing practices and an evaluation of the 2010-2015 AI action items.
- **Section 5:** Recommended action items for the 2015-2019 reporting period.

What is an Impediment to Fair Housing Choice?

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

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

In California the Unruh Civil Rights Act (California Code Section 51) provides protection from discrimination by all business establishments in California, including housing and accommodations. It expands the Federal protected classes to also include age, ancestry, genetic information, medical condition, sexual orientation, citizenship, primary language, and immigration status.

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Affordability is Not a Fair Housing Issue

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

1.2 Regulatory Setting

Federal Fair Housing

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

State Fair Housing

The Fair Employment and Housing Act (FEHA) and the Unruh Civil Rights Act (California Civil Code Sections 51 through 51.3) are California fair housing laws. The FEHA prohibits discrimination and harassment in all aspects of housing, including sales and rentals, eviction terms and conditions, mortgage loans and insurance, and land use and zoning. The FEHA also prohibits retaliation against any person who has filed a complaint with the California Department of Fair Employment and Housing, participated in a Department investigation, or opposed any prohibited activity. In addition, these laws require housing providers to make reasonable accommodations to permit persons with disabilities to live and enjoy a dwelling and allow persons with disabilities to make reasonable modifications to their premises. The Unruh Civil Rights Act provides protection from discrimination by all business establishments in California, including housing and accommodations, because of age, ancestry, color, disability, genetic information, medical condition, marital status, national origin, race, religion, sex (which includes pregnancy, childbirth, medical conditions related to pregnancy and childbirth, gender, gender identity, and gender expression), sexual orientation, citizenship, primary language, and immigration status.

1.3 Key Terms

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

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

Persons with Disabilities: Federal law defines a person with a “disability” as any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of having such an impairment; or is regarded as having such an impairment.

Federal Protected Classes: Race, color, religion, sex, disability, familial status, or national origin.

California State Protected Classes: Age, ancestry, color, disability, genetic information, medical condition, marital status, national origin, race, religion, sex (which includes pregnancy, childbirth, medical conditions related to pregnancy and childbirth, gender, gender identity, and gender expression), sexual orientation, citizenship, primary language, and immigration status.

1.4 Methodology

The scope of analysis and the format used for the AI Report adheres to recommendations contained in the *Fair Housing Planning Guide* prepared by HUD.

San Joaquin County staff (Staff) and Mintier Harnish (Consultants) incorporated information into this report from the 2015-2023 San Joaquin County Housing Element and the 2015-2019 San Joaquin Urban County Consolidated Plan. Staff and Consultants also reviewed Consolidated Plans and AI reports from other cities.

The most up-to-date data sources available were used to describe the county’s demographic and economic profile, including the 2010 U.S. Census, the American Community Survey, and HUD’s Comprehensive Housing Affordability Strategy (CHAS) data. To gain a greater understanding of the existing impediments to fair housing choice, Staff and Consultants consulted with housing specialists, city planners, fair housing experts, and private sector professionals. The interview results were incorporated throughout the report and used to identify recommended action items. Additionally, as part of the 2015-2019 Consolidated Plan Update process for San Joaquin Urban County, the County administered surveys to gain an understanding of local housing issues.

Staff and Consultants held two workshops on July 30, 2015, to gather input from key stakeholders and the community at-large on housing issues in the county. Both workshops were held at the County Public Health Building located at 1601 East Hazelton Avenue in the city of Stockton. The stakeholder workshop was held from 2:00 p.m. to 4:00 p.m. and the community workshop was held from 6:00 p.m. to 8:00 p.m. Participants listened to a short introductory presentation and were asked to provide input. The County

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publicized the workshop using newspaper announcements, email announcements, phone calls, and flyers posted and distributed at County buildings. The County sent invitations to nearly 100 housing stakeholders (e.g., housing service providers, developers, real estate agents, lenders, social service providers, school officials) and distributed workshop information to the County General Plan Update email contact list, which includes over 1,200 contacts throughout the county. Additionally, the County called stakeholders to encourage their participation in the workshops.

Workshop participants included representatives from CMC Centers, AP Mortgage, Visionary Home Builders, the Central Valley Low-Income Housing Corporation, BIA of the Greater Valley, San Joaquin County Department of Public Health Services, the Housing Authority of the County of San Joaquin, and the San Joaquin County Environmental Health Department. Participants identified the need for more outreach to lower-income residents regarding fair housing resources and their rights. Participants suggested the County improve outreach to and expand educational opportunities for groups who serve low-income and special needs groups to educate them on fair housing issues and resources.

Survey Results

As part of the 2015-2019 Consolidated Plan Update process, the County conducted a Community Needs Survey to solicit input from service providers and residents in the Urban County. The County distributed the survey through a number of channels to gather responses from a broad sample. The survey was made available in hard copy format and on the Internet through Survey Monkey, and was in English and Spanish. The County received 28 survey responses on Survey Monkey.

Survey respondents rated the level of need for 52 specific improvement types divided into seven overall areas, including: Community Facilities, Infrastructure, Special Needs Services, Community Services, Neighborhood Services, Economic Development, and Housing. The Housing Services section of the survey asked respondents to rate the need for 11 different housing services, including the need for fair housing services. About 31 percent of survey respondents noted that fair housing services are a high need.

Section 2. Existing Conditions

This section uses data from the 2013 American Community Survey (5-year estimates), the 2000 U.S. Census, and California Department of Finance. The data describing San Joaquin County includes all of the cities in the county as well as the unincorporated areas, unless otherwise labeled as “Unincorporated.”

2.1 Population and Racial/Ethnic Characteristics

As Table 1 shows, the population in the urban county jurisdictions increased from 132,741 in 2000 to 199,552 in 2013, at an annual average growth rate (AAGR) of 3.2 percent. Several cities reported significantly higher population gains than the county. Among the cities in the urban county, Lathrop experienced the largest population increase at an AAGR of 5.3 percent annually between 2000 and 2013. The slowest rate of growth occurred in Escalon, which had an average population increase of 1.6 percent annually between 2000 and 2013.

TABLE 1 POPULATION GROWTH San Joaquin Urban County 2000 and 2013							
Population	Unincorporated County	Escalon	Lathrop	Manteca	Ripon	Tracy	Total Urban County
2000	130,087	5,963	10,445	49,258	10,146	56,929	132,741
2013	145,752	7,306	19,786	72,701	14,822	84,937	199,552
Total Change	13,461	1,281	8,861	22,256	4,534	27,546	64,478
Average Annual Growth Rate	0.8%	1.6%	5.3%	3.2%	3.1%	3.3%	3.4%

Sources: 2000 U.S. Census; California Department of Finance, 2013.

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Over the past 45 years San Joaquin County’s population has become increasingly diverse. In 1970 over 75 percent of the population in the county was white (non-Hispanic) and 13 percent was Hispanic/Latino. Table 2 shows that by 2013, the proportion of white (non-Hispanic) residents was 35.4 percent and the proportion of Hispanic/Latino residents increased to 39.3 percent of the total population. Between 2000 and 2013 the total number of the county’s white (non-Hispanic) population decreased by 7.7 percent whereas Hispanics/Latinos of any race increased by 58.4 percent. From 2000 to 2013, the Asian (non-Hispanic) population increased from 11.2 percent of the total county population in 2000 to 14.0 percent in 2013.

**TABLE 2
POPULATION BREAKDOWN BY RACE AND ETHNICITY
San Joaquin County¹
2000 and 2013**

Race/Ethnicity	2000		2013		2000-2013 Total Group Percentage Change
	Number	Percent of Total	Number	Percent of Total	
NON-HISPANIC OR LATINO					
White	265,960	47.2%	245,469	35.4%	-7.7%
Black or African American	35,321	6.3%	46,840	6.8%	32.6%
American Indian and Alaska Native	3,404	0.6%	2,840	0.4%	-16.6%
Asian	63,201	11.2%	97,353	14.0%	54.0%
Native Hawaiian and Other Pacific Islander	1,553	0.3%	3,504	0.5%	125.6%
Other	1,185	0.2%	968	0.1%	-18.3%
Two or More Races	20,947	3.7%	23,674	3.4%	13.0%
Total Non-Hispanic or Latino	391,571	69.5%	420,648	60.7%	7.4%
HISPANIC OR LATINO					
White	60,354	10.7%	161,818	23.3%	168.1%
Black or African American	1,508	0.3%	3,061	0.4%	103.0%
American Indian and Alaska Native	2,275	0.4%	3,536	0.5%	55.4%
Asian	1,864	0.3%	2,043	0.3%	9.6%
Native Hawaiian and Other Pacific Islander	232	0.0%	236	0.0%	1.7%
Other	91,874	16.3%	77,388	11.2%	-15.8%
Two or More Races	13,920	2.5%	24,447	3.5%	75.6%
Total Hispanic or Latino	172,027	30.5%	272,529	39.3%	58.4%
TOTAL POPULATION	563,598	100.0%	693,177	100.0%	23.0%

¹ Entire county; includes data for all cities within the boundaries, not just the unincorporated area.

Sources: 2000 U.S. Census; 2013 American Community Survey (5-year estimates).

Southeast Asian Households

In the last 30 years, there has been significant immigration of Southeast Asians to San Joaquin County. According to the United Hmong/Lao Family, an organization that assists the Southeast Asian population in finding housing, much of this growth has been concentrated in Stockton. For the purposes of this report, Southeast Asian includes the following groups: Vietnamese, Cambodian, Laotian, and Hmong.

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According to the 2013 American Community Survey (5-year estimates), there are 31,952 Southeast Asians living in San Joaquin County. Southeast Asians accounted for a little over 30 percent of the total Asian population in the county, and about 5 percent of the total county population. There is a high rate of poverty and homelessness in the Southeast Asian community, in part because of recent immigration and language barriers.

According to United Hmong/Lao Family, it can take several weeks for the organization to find housing that is affordable to their clients because Southeast Asian households tend to have larger family sizes. Sometimes the housing in which families are eventually placed is substandard, since there are few low-cost choices for large families. To afford rents, families are often forced to double- or triple-up with relatives or other families, which results in overcrowding.

Geographic Concentrations of Race and Ethnicity

For the purposes of this report, areas with geographic concentrations of minority population within the county are defined as those accounting for 51 percent or more of the total population. Figure 1 shows the location of minority population by Census tracts from the 2013 American Community Survey (5-year estimates). If a Census tract has a low population, such as in areas west of Stockton (e.g., the Delta region), the proportion of racial/ethnic groups may appear higher even though the number of residents may be low. Table 3 summarizes each racial/ethnic category and the percentage of the population in 2013. As shown, Hispanic/Latino comprised the largest racial/ethnic minority in the county.

TABLE 3 SUMMARY OF MINORITY POPULATIONS San Joaquin County¹ 2013		
Race/Ethnicity	Percentage of Population	Minority Percentage
Race		
Black/African American	7.2%	17.5%
American Indian and Alaska Native	0.9%	2.2%
Asian	14.3%	34.8%
Native Hawaiian/Other Pacific Islander	0.5%	1.3%
Some other race alone	11.3%	27.4%
Two or more races	6.9%	16.8%
TOTAL MINORITY	41.2%	100%
Ethnicity		
Hispanic/Latino of any race	39.3%	95.3%

¹ Entire county; includes data for all cities within the boundaries, not just the unincorporated area.

Source: 2013 American Community Survey (5-year estimates).

Figure 1 shows Census tracts with a minority population of 51 percent or greater. The highest concentrations of minority population are located in agricultural areas west of Stockton, the unincorporated community of Thornton, and the city of Stockton. These concentrations outside of

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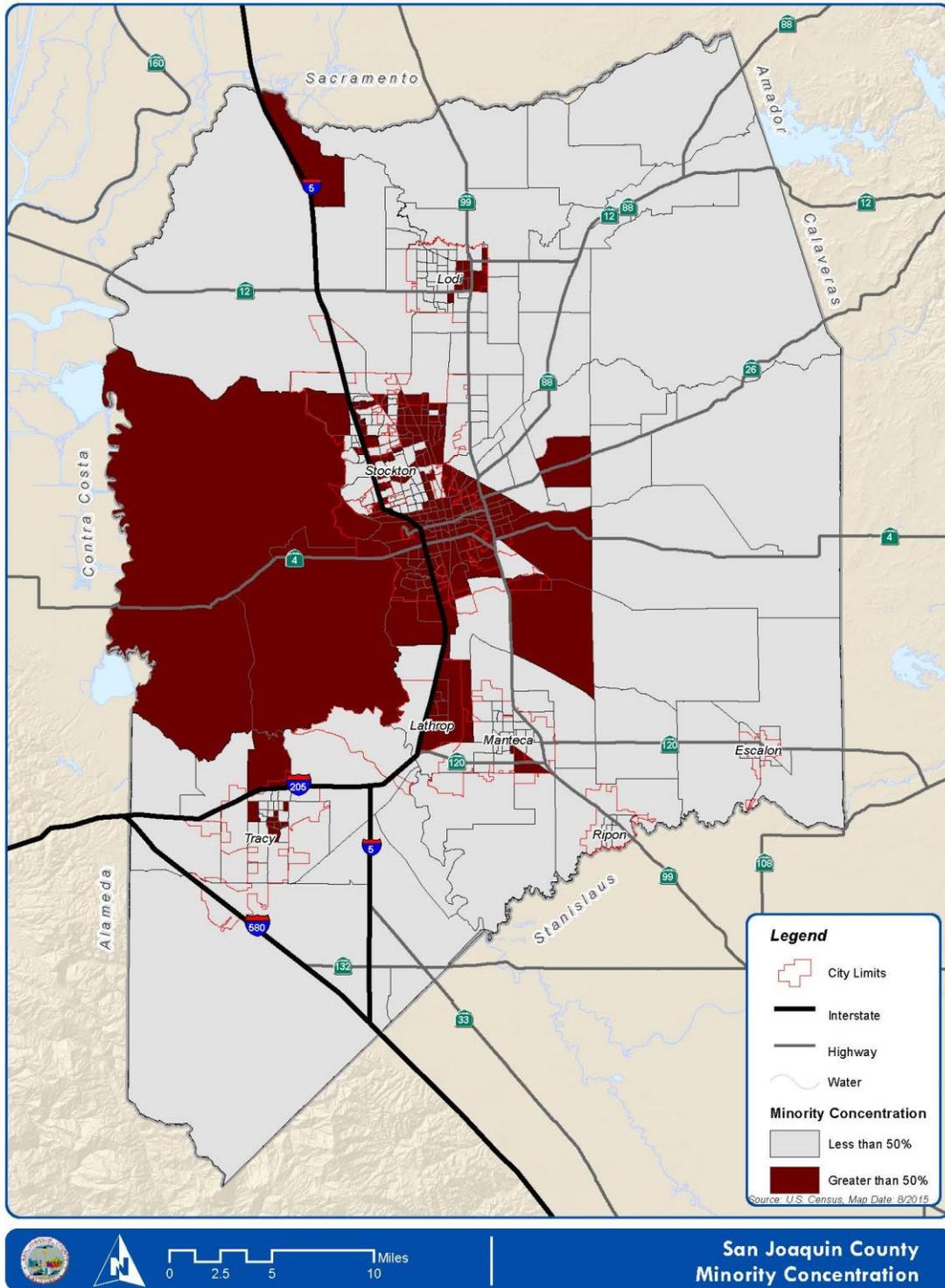
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Stockton are likely attributed to high agricultural areas. The cities of Lathrop, Manteca, and Tracy also have small pockets of concentrated minority population; the cities of Escalon and Ripon have lower minority population than the rest of the county.

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FIGURE 1
MINORITY CONCENTRATION
San Joaquin County, 2013



Source: 2013 American Community Survey (5-year estimates).

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2.2 Household Characteristics

Household Size and Type

Household characteristics, such as size, type, and income level may affect access to housing. A household is defined by the Census as all persons occupying a housing unit. Families are a subset of households and include all persons living together who are related by blood, marriage, or adoption. Single households include persons living alone, but do not include persons in group quarters such as convalescent homes or dormitories. “Other” households are unrelated people living together, such as roommates.

Household composition and size are often two interrelated factors. Communities with a large proportion of families with children tend to have a large average household size. Such communities have a greater need for larger units with adequate open space and recreational opportunities for children. As shown in Table 4, household sizes in San Joaquin County increased from 3.01 in 2000 to 3.14 in 2013. In comparison, the average household size in California in 2013 was 2.94 persons, indicating that average household size in San Joaquin County tended to be larger than in California.

From 2000 to 2013 the number of households in San Joaquin County increased by 18.7 percent. During this time the proportion of family households remained stable at 74.6 percent in 2000 and 74.5 percent in 2013. An estimated 38 percent of all households in 2013 were families with children. The percentage of families with children decreased slightly, by 3.1 percent, from 2000 to 2013.

The proportion of non-family households in the county did not significantly change from 2000 to 2013. However, during this period, the proportion of single person households increased from 16.3 percent in 2000 to 20.2 percent in 2013.

TABLE 4 HOUSEHOLD CHARACTERISTICS San Joaquin County¹ 2000 and 2013				
	2000		2013	
	Number	Percent	Number	Percent
Average Household Size	3.01		3.14	
Total Family Households	135,419	74.6%	160,476	74.5%
Families with Children	75,070	41.3%	82,431	38.2%
Total Non-Family Households	46,193	25.4%	55,087	25.6%
Single Person Households	29,518	16.3%	43,574	20.2%
Others	16,675	9.1%	11,513	5.3%
Total Households	181,612	100.0%	215,563	100.0%

¹ Entire county; includes data for all cities within the boundaries, not just the unincorporated area.

Sources: 2000 U.S. Census; 2013 American Community Survey (5-year estimates).

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As shown in Table 5, in 2013 average household size ranged from a low of 2.76 persons in Escalon to a high of 3.81 in Lathrop. Among the participating jurisdictions, Tracy and Lathrop had the highest percentage of families with children (46.7 and 51.6 percent) in 2013.

TABLE 5 HOUSEHOLD CHARACTERISTICS Escalon, Lathrop, Manteca, Ripon, and Tracy 2013										
	Participating Jurisdictions									
	Escalon		Lathrop		Manteca		Ripon		Tracy	
Average Household Size	2.76		3.81		3.08		2.92		3.41	
Total Family Households	1,804	69.6%	3,889	87.8%	16,747	75.1%	3,888	79.0%	19,829	81.2%
Families with Children	857	33.1%	2,286	51.6%	8,472	38.0%	1,946	39.5%	11,416	46.7%
Total Non-Family Households	787	30.4%	542	12.2%	5,552	24.9%	1,036	21.0%	4,601	18.8%
Single Person Households	648	25.0%	353	8.0%	4,009	18.0%	822	16.7%	3,377	13.8%
Other	139	5.4%	189	4.3%	1,542	6.9%	214	4.3%	1,224	5.0%
Total Households	2,591	100.0%	4,431	100.0%	22,299	100.0%	4,924	100.0%	24,430	100.0%

Source: 2013 American Community Survey (5-year estimates).

Household Income

Income is the most important factor determining the ability of a household to balance housing costs with other basic life necessities. Income level is used as the primary indicator of the standard of living for most of the population. While economic factors that affect a household's housing choice are not a fair housing issue *per se*, the relationships among household income, household type, race/ethnicity, and other factors often create misconceptions and biases that raise fair housing concerns.

According to the 2013 American Community Survey (5-year estimates), the median household income was \$53,380 in San Joaquin County, which was lower than California's median income of \$61,094. The income profile of residents varies significantly among the cities in the urban county. Among the participating cities, the median household income ranged from a low of \$55,875 in Escalon to a high of \$76,098 in Tracy (see Table 6).

TABLE 6 MEDIAN HOUSEHOLD INCOME San Joaquin County, Escalon, Lathrop, Manteca, Ripon, Tracy 2000 and 2013		
Participating Jurisdiction	2000	2013
San Joaquin County ¹	\$41,282	\$53,380
Escalon	\$49,797	\$55,875
Lathrop	\$55,037	\$60,843
Manteca	\$46,677	\$61,458
Ripon	\$56,979	\$72,637
Tracy	\$62,794	\$76,098

¹ Entire county; includes data for all cities within the boundaries, not just the unincorporated area.

Source: 2000 U.S. Census; 2013 American Community Survey (5-year estimates).

Geographic Concentrations of Low- and Moderate-Income Households

For the purpose of this report, low- and moderate-income refers to households earning 80 percent or less of the San Joaquin County median family income, as determined by HUD. In 2013 the median family income in San Joaquin County was \$53,380, and the HUD low- and moderate-income limit for a family of three was \$47,750.

Figure 2 shows Census block groups in San Joaquin County where the percentage of low- and moderate-income households was 51 percent or greater based on the 2013 American Community Survey (5-year estimates). Low- and moderate-income areas are concentrated in the western unincorporated portion of the county, within central and southern Stockton, eastern areas within Lathrop, and southern Manteca. There are also low- and moderate-income areas located within unincorporated areas southeast of Stockton and eastern neighborhoods within Lodi. A low- and moderate-income area is defined as a Census block group with 51 percent or more low- and moderate-income population.

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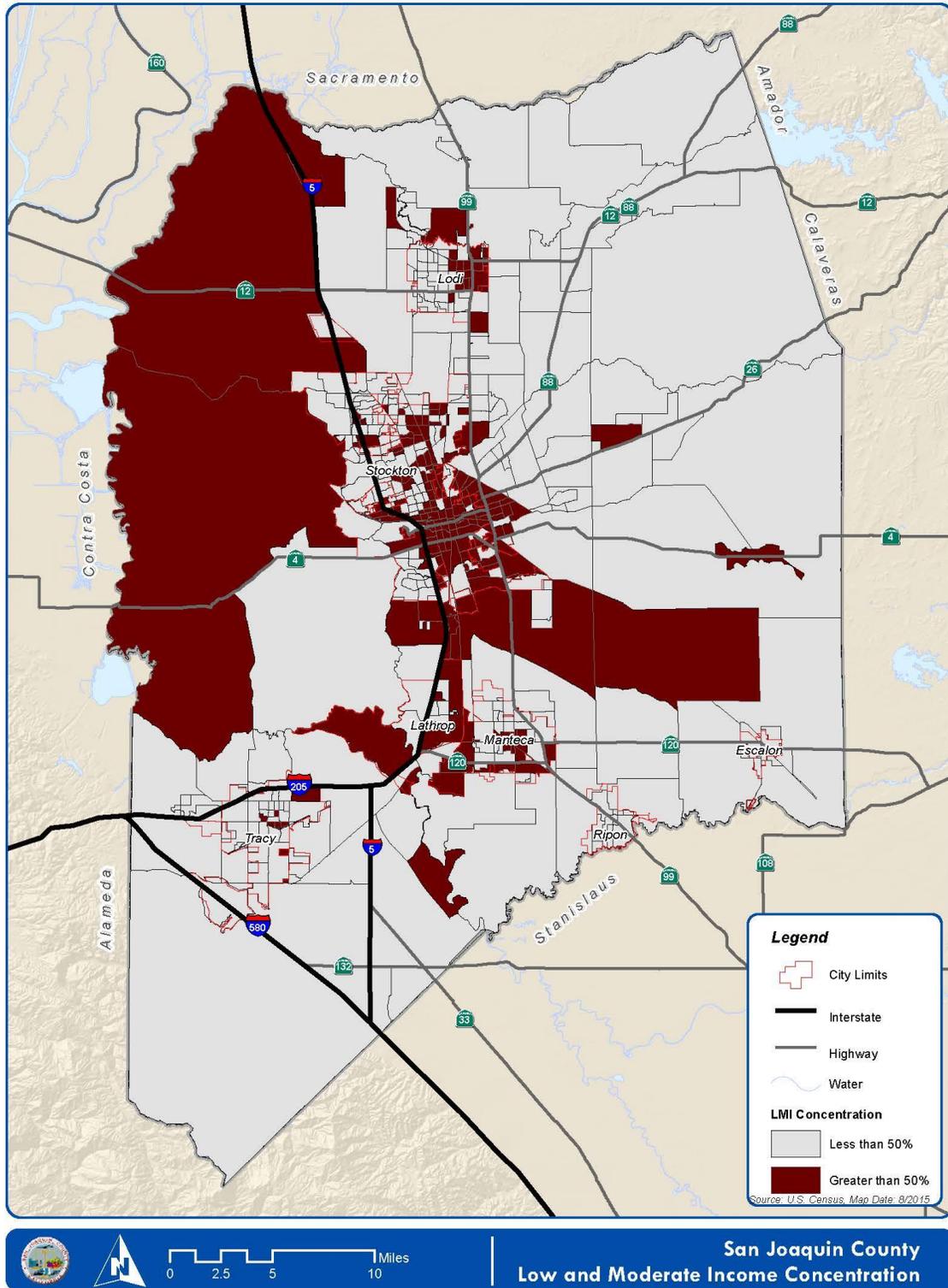
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FIGURE 2
LOW/MODERATE INCOME POPULATION
San Joaquin County, 2013



Source: 2013 American Community Survey (5-year estimates).

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2.4 Special Needs Populations

Certain households have greater difficulty finding suitable and affordable housing because of their special characteristics and needs. These circumstances may be related to age, family characteristics, disability, or employment. This subsection discusses the special housing needs of six groups: seniors, large households, persons with disabilities, farmworkers, homeless persons, and persons diagnosed with AIDS and related diseases.

Seniors

Elderly persons (seniors) are persons over the age of 65, and 11.1 percent (or 74,663 persons) in San Joaquin County are in this category based on the 2013 American Community Survey (5-year estimates). Frail elderly is defined, for the purposes of this report, as individuals age 65 and older with a self-care disability. Elderly persons are considered a special needs group because of their limited income, prevalence of physical or mental disabilities, limited mobility, and high health care expenses. Because of their retired status, incomes for elderly households may be fixed and limited. Their lower income status limits their ability to balance the need for housing and other necessities, such as health care. According to the 2013 American Community Survey (5-year estimates), 10.0 percent, or 7,466 elderly persons countywide, were living below the poverty level.

Seniors often have long-term healthcare needs related to different types and degrees of disabilities. In 2013, 40.4 percent of senior residents (or 30,164 persons) in San Joaquin County reported having some type of disability compared to 36.8 percent in California.

Finding affordable housing and dealing with the eviction of long-term elderly tenants are among the most difficult housing problems currently affecting the elderly in San Joaquin County. A senior on a fixed income faces great difficulty finding safe and affordable housing or relocating after an eviction. Subsidized housing and Federal housing assistance programs, such as Section 8, are increasingly difficult to secure and often involve a long waiting list.

Large Households

HUD defines a large household or family as five or more members. These households are usually families with two or more children or families with extended family members such as in-laws or grandparents. Large households are a special needs group because the availability of adequately sized, affordable housing units is often limited. To afford necessities such as food, clothing, and medical care, low- and moderate-income large households may reside in smaller units, resulting in overcrowding. Furthermore, families with children may face discrimination or differential treatment in the housing market. For example, some landlords may charge large households a higher rent or security deposit, limit the number of children in a complex, limit the time children can play outdoors, or simply choose not to rent to families with children.

According to the 2013 American Community Survey (5-year estimates), 18.3 percent of households in San Joaquin County were large households. A higher proportion of large households in San Joaquin County were renters at 20.4 percent compared to owners at 9.8 percent.

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Persons with Disabilities

Fair housing choice for persons with disabilities may be compromised depending on the nature of their disability. Persons with physical disabilities may face discrimination in the housing market because of the need for wheelchairs, home modifications to improve accessibility, or other forms of assistance. Landlords/owners sometimes fear that a unit may sustain wheelchair damage and may refuse to exempt disabled tenants with service/guide animals from a no-pet policy. Some landlords may refuse to rent to tenants with a history of mental illness. In addition, neighbors sometimes object when a house is converted to a group home for persons with mental disabilities. Jurisdictions sometimes apply special-permit requirements and other zoning restrictions to deny housing to people with mental disabilities. Cities and counties in California are limited as to the restrictions they can place on group homes of a particular size.

A person with a developmental disability, as defined in Section 102 (8) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(8)), is a person with a severe chronic disability that: a) is attributable to a mental, physical impairment, or combination of mental and physical impairments; b) is manifested before the person attains the age of 22; c) is likely to continue indefinitely; d) results in substantial functional limitations in major life activities; and, e) reflects the person's need for a combination of special, interdisciplinary, or generic care, treatment, or other services.

According to the 2013 American Community Survey (5-year estimates), 80,142 persons living in San Joaquin County had a disability, which is 11.7 percent of the total population over five years of age. The unincorporated county had the highest percentage of disabled residents at 18,448 persons or 13.3 percent of the total population.

The proportion of individuals with disabilities increases with age. An estimated 40.4 percent of seniors age 65 years and older in San Joaquin County had a disability. The participating jurisdictions had similar proportions of disabled individuals as the entire county, with the unincorporated county accounting for the highest proportion at 41.4 percent and Ripon at the lowest end at 34.6 percent.

Farmworkers

Farmworkers and day laborers are an essential component of California's agriculture industry. Farmers and farmworkers are the cornerstone of the larger food sector which includes the industries that provide farmers with fertilizer and equipment, farms to produce crops and livestock, and the industries which process, transport, and distribute food to consumers. Farmworker households are often comprised of extended family members or single male workers. Many farmworker households tend to have difficulties securing safe, decent, and affordable housing due to low-income, seasonal income, and family size.

Many farmworkers live in cities on a year-round basis, especially in single-family rental units in older neighborhoods, such as South Stockton. This area of the city is viewed as a desirable location by many farmworkers because of its supply of relatively low-cost housing and its central location in relation to farm-related jobs. According to Visionary Home Builders, many farmworker families live in overcrowded conditions and substandard conditions. The market for low-cost units in Stockton is tight because multifamily units have a low vacancy rate. The market worsened recently because of the loss of single-room occupancy units in the downtown Stockton area.

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Determining the actual number of farmworkers in a region is difficult, due to the variability of the definitions used by government agencies. The Federal government conducts the U.S. Census of Agriculture every five years and gives the most recent estimate on the number and type of farmworkers in San Joaquin County. The most recent U.S. Census of Agriculture was completed in 2012. In 2002, 22,634 farmworkers worked in San Joaquin County; however, by 2007 only 15,508 farmworkers were employed in the county. By 2012, 24,872 farmworkers were employed in the county, which is a significant increase from the 2007 figure, and a return to the levels found in 2002.

Homeless Persons

According to HUD, a person is considered homeless if they are not imprisoned and:

- 1) lack a fixed, regular, and adequate nighttime residence; and*
- 2) their primary nighttime residence is:*
 - a) a supervised publicly or privately operated shelter designed to provide temporary living arrangements including welfare hotels, congregate shelters, and transitional housing for the mentally ill;*
 - b) an institution that provides a temporary residence for individuals intended to be institutionalized; or*
 - c) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.*

Most individuals or families become homeless because they are unable to afford housing in a particular community. Nationwide about half of those experiencing homelessness over the course of a year are single adults. Most enter and exit the system fairly quickly. The remainder essentially lives in the homeless assistance system, or in a combination of shelters and on the streets. There are also single homeless minors, including runaway and “throwaway” youth (children whose parents will not allow them to live at home).

For any community, measuring the number of homeless individuals is a difficult task, in part because in most cases, homelessness is a temporary, not permanent, condition. Therefore, a more appropriate measure of the magnitude of homelessness is the number of people who experience homelessness over time, not the exact number of homeless people at any given time. However, the most recent information available for the county is a “point-in-time” (PIT) count of sheltered and unsheltered homeless persons. The most recent PIT count for unsheltered persons was conducted in late January 2015 at different locations throughout the county and the most recent PIT count for sheltered persons was conducted on January 29, 2015 at the county’s homeless shelters.

The 2015 PIT count found a total of 1,708 homeless individuals in San Joaquin County—about an 8 percent increase from the 2013 PIT count. The increase is primarily due to an increase in the number of unsheltered homeless, a result of a more complete and rigorous unsheltered count. Of the total 1,708 individuals, or 69 percent, were sheltered and 31 percent were unsheltered. It is important to note that the PIT count can be impacted by different elements, including the time of year the count is performed, weather conditions that force migrant farm workers to move north, general weather conditions, and data collection methods.

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In comparing the unsheltered population to adult-only sheltered population, the gender, age, and racial distribution of homeless individuals are similar; however, the percentage of Hispanic persons is lower among unsheltered homeless. Also homeless veterans, whether sheltered or unsheltered, are overwhelming males in adult-only households. Among both the sheltered and unsheltered population, the percentage is consistent.

Persons Diagnosed with AIDS and Related Diseases

According to the 2011 San Joaquin County Community Health Status Report, although overall HIV and AIDS incidences have decreased over time, the epidemic continues to have a disproportionate impact on certain populations, particularly racial and ethnic minorities and gay and bisexual men. As of December 31, 2013, 1,169 people were living with HIV and 679 were living with AIDS in San Joaquin County. Of the people living with HIV, 80 percent were male, and 20 percent were female. Of the people living with AIDS, 79 percent were male and 21 percent were female. Also since December 31, 2009, 479 additional cases of HIV and 125 additional cases of AIDS were reported to San Joaquin County Public Health Services. However, it is important to note that these figures are likely an underestimate since not all persons with HIV/AIDS are aware they carry the disease. In addition, the 2013 PIT homeless count reported 17 sheltered homeless adults with HIV/AIDS in the Stockton/San Joaquin County Continuum of Care region.

Through the Housing Opportunities for Persons with AIDS (HOPWA) program, Federal funds are allocated to the State and County to assist people living with the disease in securing permanent and affordable housing. According to the California Department of Public Health HOPWA Funding Allocation Process Report, published May 2014, the total allocation for fiscal year 2014-2015 for San Joaquin County was \$302,952; the same allocation as fiscal year 2013-2014. As of March 2015, San Joaquin County Public Health operates 12 transitional housing beds, five two-bedroom condominiums, and one three-bedroom single family home for participants of the HOPWA program. Residents can stay in transitional housing for up to 12 months while they secure a job, home, or SSI benefits.

According to area healthcare providers, additional housing needs for people with AIDS and HIV include more emergency housing assistance, funding to cover first- and last-month's rent, low-cost housing for individuals such as residential hotels, and assisted living for persons in the middle to late stages of the disease.

2.5 Housing Profile

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

Housing Stock

Single family housing units include attached or detached dwellings on individual lots. In 2013 approximately 85 percent of the housing units in the unincorporated county were single family dwellings (see Table 7). All of the participating jurisdictions have a similar proportion of this housing unit type as the unincorporated county. The unincorporated county has a smaller proportion of multifamily house at 4 percent and a greater proportion of mobile homes at nearly 11 percent compared to the participating jurisdictions. This difference is likely attributed to farmworker housing and lack of demand for higher-density housing in the unincorporated county.

TABLE 7 HOUSING STOCK San Joaquin Urban County 2013						
	Unincorporated San Joaquin County	Escalon	Lathrop	Manteca	Ripon	Tracy
Single Family						
Number	41,416	2,225	5,044	19,704	4,561	22,035
Percent	85.3%	85.4%	91.1%	81.3%	88.1%	84.8%
Multifamily						
Number	1,932	212	113	3,741	602	3,494
Percent	4.0%	8.1%	2.0%	15.4%	11.6%	13.4%
Mobile Homes/Other						
Number	5,198	168	378	797	13	467
Percent	10.7%	6.4%	6.8%	3.3%	0.3%	1.8%
TOTAL	48,546	2,605	5,535	24,242	51,176	25,996

Source: California Department of Finance, 2013.

Multifamily housing units consist of structures with two or more units. Multifamily dwelling units comprise nearly 19 percent of the San Joaquin County housing stock. The participating jurisdictions have lower percentages of multifamily housing than the county; Lathrop is notable with only 2 percent of its housing stock consisting of multifamily housing.

Occupancy/Vacancy Rates

Table 8 shows the occupancy and vacancy rates for San Joaquin County and California in 2000 and 2013. According to the 2013 American Community Survey (5-year estimates), San Joaquin County and

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California had a similar vacancy rate of approximately 8 percent in 2013. In comparison, San Joaquin County had a vacancy rate of 4.0 percent and California was at 5.8 percent in 2000.

TABLE 8 OCCUPANCY/VACANCY San Joaquin County and California 2000 and 2013				
	2000		2013	
	Number	Percent	Number	Percent
San Joaquin County¹				
Occupied Units	181,629	96.0%	215,563	91.9%
Vacant Units	7,531	4.0%	19,059	8.1%
Total Housing Units	189,160	100.0%	234,622	100.0%
California				
Occupied Units	11,502,870	94.2%	12,542,460	91.4%
Vacant Units	711,679	5.8%	1,184,409	8.6%
Total Housing Units	12,214,549	100.0%	13,726,869	100.0%

¹ Entire county; includes data for all cities within the boundaries, not just the unincorporated area.

Sources: U.S. Census 2000, 2009-2013 American Community Survey.

Housing Conditions

Housing is subject to gradual deterioration over time. Deteriorating housing can depress neighboring property values, discourage reinvestment, and eventually impact the quality of life in a neighborhood if no action is taken to stop the deterioration. The ability of households of all socioeconomic segments of a community to live in a safe and decent living environment is a fair housing concern.

The most recent survey of housing conditions was conducted by the County in 2004 for the unincorporated areas. In the survey, “planning area” refers to County-designated boundaries generally encompassing each city and the surrounding unincorporated areas. The survey rated residential structures by using the following classifications:

- Sound – best condition;
- Minor – needing minor repairs;
- Moderate – needing moderate level of repair or rehabilitation;
- Substantial – needing substantial repairs or rehabilitation; or
- Dilapidated – infeasible to repair, more economical to demolish.

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The following summarizes the results of the housing survey:

- Approximately 60 percent of the dwelling units included in the survey were rated as “sound.” The area with the highest percentage of sound units was the Tracy planning area (82 percent). The area with the lowest percentage of sound units was the Delta planning area, with 34 percent receiving a sound rating. Seven of the 11 areas surveyed had a 60 percent or higher sound rating.
- The “minor” repair category accounted for 16 percent of dwelling units. The Delta planning area had 28 percent, the highest percentage of units in need of minor repairs. By contrast, only 4 percent of dwelling units in the Tracy planning area needed minor repairs.
- Overall, 18 percent of housing units in the survey needed “moderate” repairs (452 dwelling units). The Delta and Stockton planning areas had the highest percentages of needed moderate repair-work, at 28 and 23 percent respectively. The Ripon planning area had the lowest percentage of housing units in need of moderate repairs (2 percent). Countywide, eight of 10 planning areas had moderate repair needs of at least 10 percent.
- Very few homes in the survey – just over 1 percent (42 units) – needed “substantial” repairs. Four of the 10 planning areas had no homes in need of substantial repair. The Delta planning area had the highest percentage with three of 50 homes (6 percent) needing substantial repair.
- Approximately 6 percent of the housing units in the survey (148 housing units) – were rated as dilapidated (infeasible to repair). The Stockton planning area had the highest percentage of homes in dilapidated condition, with 10 percent (119 units) of the 1,235 homes surveyed.

Housing Prices

During the early 2000s there was a significant boom and bust in local housing markets commonly referred to as the “housing bubble,” in which local markets exploded with construction and sales activity fueled largely by subprime mortgage loans. Housing prices increased dramatically, reaching a peak in 2006 and then declining rapidly soon after. San Joaquin County was one of the hardest hit markets when homeowners defaulted on subprime loans and went into foreclosure. More recently the housing market has shown signs of recovery. From January 2006 to January 2016, the median home sales price countywide fluctuated from a high of \$423,275 in 2006 to a low of \$158,000 in 2012, and rose to \$279,400 in 2016 (see Figure 3).

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**FIGURE 3
CHANGE IN HOME SALES PRICES¹
San Joaquin Urban County
2000 to 2016**



Note: ¹ Data was not available for every jurisdiction for each period. The gaps in the line graph demonstrate these data gaps.
Source: Zillow, Median Sale Price, 2016.

Rents

Table 9 shows the average rent by number of bedrooms and bathrooms for San Joaquin County in 2015. Rental rates in San Joaquin County averaged between \$523 for a studio to \$1,793 for a four-bedroom single-family house.

TABLE 9 AVERAGE RENTAL RATES San Joaquin County 2015	
Number of Bedrooms and Bathrooms	Average Rent
Studio	\$523
1-bedroom, 1 bath apartment	\$737
2-bedroom, 1 bath apartment	\$820
2-bedroom, 1 bath single-family house	\$1,050
3-bedroom, 2 bath single-family house	\$1,295
4-bedroom, 2 bath single-family house	\$1,793

Source: Zillow, June 17, 2015.

2.6 Assisted Housing Resources

Public and Private Assisted Housing

The availability and location of public and private assisted housing may be a fair housing concern. If such housing is concentrated in one area of a community or a region, a household seeking affordable housing is limited in their choices. Public and private assisted housing and housing assistance must also be accessible to qualified households regardless of race/ethnicity, disability, or other special characteristics.

Section 8 Vouchers

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

The San Joaquin Housing Authority administers the Section 8 voucher program and manages several public housing developments countywide. As of March 2015 the Housing Authority of the County of San Joaquin (HAC SJ) administered a total of 4,981 Housing Choice Vouchers (Section 8) countywide. The vast majority of the participants live in the city of Stockton, which is not a participating jurisdiction. As of August 2015, 349 total households in the unincorporated areas and participating jurisdictions received Section 8 assistance (see Table 10). Of the 349 voucher recipients, about 43 percent live in Manteca and about 40 percent live in Tracy; the remaining participating jurisdictions in the county have fewer recipients (see Table 10).

TABLE 10 SECTION 8 VOUCHERS San Joaquin Urban County August 2015		
Jurisdiction	Number	Percent
Unincorporated county	13	3.7%
Escalon	11	3.2%
Lathrop	27	7.7%
Manteca	149	42.7%
Ripon	10	2.9%
Tracy	139	39.8%
TOTAL	349	100.0%

Source: San Joaquin County Housing Authority, 2015.

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As shown in Table 11, Section 8 voucher recipients in the participating jurisdictions are primarily white (30.7 percent), followed by African American/black recipients (24.9 percent). Hispanics/Latinos of any race comprised 24.1 percent of all section 8 recipients. Compared to the overall racial/ethnic makeup of San Joaquin County, African American and Native American residents are significantly over-represented among Section 8 recipients.

**TABLE 11
SECTION 8 BY RACE/ETHNICITY
San Joaquin Urban County
August 2015**

Race/Ethnicity	Unincorporated County	Escalon	Lathrop	Manteca	Ripon	Tracy	Total
Race							
White	10	8	27	145	7	111	30.7%
African American/ Black	8	3	25	67	6	140	24.9%
Asian	8	0	11	23	0	65	10.7%
American Indian/ Alaska Native	0	0	0	9	0	1	1.0%
Native Hawaiian and Other Pacific Islander	0	0	4	10	0	71	8.5%
Two or more races	0	0	0	1	0	0	0.1%
Ethnicity							
Hispanic/Latino of any race ¹	5	10	24	120	17	66	24.1%
TOTAL	31	21	91	375	30	454	100.0%

¹ Some individuals may be double counted in both a race category and the ethnicity category.

Source: San Joaquin County Housing Authority, 2015.

Public Housing

The San Joaquin Housing Authority owns and operates 1,123 units of public housing units ranging from single-family homes, duplexes, triplexes, and fourplexes in the cities of Stockton and Tracy, and the unincorporated county. The Housing Authority operates these units in four public housing developments: Sierra Vista Homes (391 units) and Conway Homes (436 units) in Stockton, Tracy Homes (also called Diablo Homes) (195 units) in Tracy, and Mokelumne Manor (81 units) in the unincorporated community of Thornton (see Table 12). Tracy Homes also includes a 20-unit senior-only community (known as Buthmann Homes) in addition to single family homes and duplexes. The Housing Authority also operates a year-round farmworker housing site, Sartini Manor, located in unincorporated Thornton. Sartini Manor has 31 two- to four-bedroom subsidized units for farmworkers and their families.

According to the San Joaquin Housing Authority, as of August 2015 there were 10,379 households on the Housing Authority public housing waiting list (Table 12). About 20 percent are located in San Joaquin Urban County, while the majority are located in Stockton.

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TABLE 12 PUBLIC HOUSING WAITING LIST San Joaquin County August 2015	
Participating Jurisdictions	Applicants
Unincorporated San Joaquin County	203
Escalon	24
Manteca	517
Lathrop	172
Tracy	1,192
Ripon	12
TOTAL (Urban County)	2,120
Other County Jurisdictions	
Stockton	8,006
Lodi	253
TOTAL (All of San Joaquin County)	10,379

Source: San Joaquin Housing Authority, August 2015.

The Housing Authority provides fair housing information to Section 8 voucher recipients and public housing residents. Information provided includes descriptions of types and examples of unlawful discrimination and avenues available to families who believe they are victims of a discriminatory act. Along with all applicable Fair Housing Information and Discrimination Complaint Forms, this information is made available as part of the voucher recipients briefing packet. In addition, all San Joaquin Housing Authority staff regularly attend fair housing training sponsored by HUD and other local organizations to keep current with new developments.

Licensed Community Care Facilities

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

According to California's Community Care Licensing Division, there is capacity for 4,231 individuals in the licensed community care facilities located in San Joaquin County (see Table 13). Community care facilities are distributed countywide, but tend to be concentrated in Stockton and Lodi. San Joaquin County has a diversity of facilities and specialized services such as adoption agencies, adult daycare, adult residential facilities, foster family/agencies, group homes, residential care for the elderly, small-family homes, and social rehabilitation facilities. Adult residential facilities (capacity for 1,003 individuals) and residential care facilities for the elderly (capacity for 2,809 individuals) comprise 90 percent of the community care facilities in the county. While a number of facilities accommodate persons

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with developmental and mental disabilities, care for disabled individuals is primarily provided within adult residential facilities.

TABLE 13 FACILITY CAPACITY FOR LICENSED COMMUNITY CARE FACILITIES San Joaquin County 2015						
Participating Jurisdiction	Licensed Community Care Facility Type					Total
	Small Family Homes	Group Homes ¹	Adult Residential Facility	Residential Care Facility for the Elderly	Social Rehabilitation Facility	
Escalon	0	0	6	32	0	38
Lathrop	0	6	29	12	0	47
Lodi	20	12	109	650	16	807
Manteca	0	12	29	379	14	434
Ripon	0	6	0	59	0	65
Stockton	14	217	765	1,375	21	2,392
Tracy	0	6	29	287	0	322
Unincorporated	0	60	36	15	15	126
Total	34	319	1,003	2,809	66	4,231

Note: ¹ Only includes group homes for children. No data available for Adult Group Homes.

Source: California Department of Social Services, Community Care Licensing Division, 2015.

Section 3. Identification of Impediments to Fair Housing Choice

3.1 Impediments in the Public Sector

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

General Plan

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

Housing Element

As one of the seven State-mandated elements of the general plan, the housing element is subject to review by the California Department of Housing and Community Development (HCD) for compliance with State law. Housing element law assumes that for the private market to adequately address housing needs and demand, local governments must both provide opportunities for and not constrain development of housing for all income levels. Specifically, the housing element must do the following:

- Identify available sites that are appropriately zoned and that have adequate public infrastructure and services necessary to facilitate the development of a range of housing types.
- Encourage the development of adequate housing to meet the needs of low- and moderate-income households.
- Address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing.
- Conserve and improve the condition of the existing affordable housing stock.
- Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

The State requires that housing elements be updated on a regular basis. The jurisdictions in San Joaquin County recently completed its fifth cycle of housing elements, which has a planning period of December 31, 2015 to December 31, 2023.

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Land Use Element

The land use element of a general plan designates the general distribution, location, and extent of uses for land planned for housing, business, industry, open space, community facilities, and other land uses. As it applies to housing, the land use element establishes a range of residential land use categories, describes the types of housing appropriate in a community, and specifies densities of development. Residential land use policy is implemented through zoning districts and development standards specified in the jurisdiction's zoning ordinance (or Development Title in the case of San Joaquin County). State law requires that the zoning ordinance be consistent with the jurisdiction's general plan.

Residential Land Use Densities

A number of factors, governmental and non-governmental, affect the supply and cost of housing in a local housing market. The governmental factor that most directly influences these market conditions is the allowable density range of residentially designated land. In general, higher densities allow developers to take advantage of economies of scale and reduce the per-unit cost of land, improvements, and construction.

Reasonable density standards ensure the opportunity for higher-density residential uses to be developed within a community and increase the potential for producing affordable housing. Minimum required densities in multifamily zones ensure that land zoned for multifamily use will be developed at higher densities.

While the land use elements of San Joaquin County and the participating jurisdictions allow a range of single-family (0 to 15 du/ac) and multifamily (5.9 du/ac to 40 du/ac) residential uses, most jurisdictions do not permit multifamily uses at a density greater than 25 du/ac. Given land and development costs in San Joaquin County, 25 units per acre should be an adequate density in most cases to allow for the production of affordable housing.

All jurisdictions in San Joaquin County allow densities greater than 20 dwelling units per acre in the multifamily designations, which facilitates the development of lower-income multifamily housing. All jurisdictions also allow densities greater than 6 dwelling units per acre in their single-family residential designations. This allows homebuilders to provide moderate-cost single-family homes on small lots of less than 5,000 square feet, zero lot-line homes, attached homes, and other single-family unit types that could be affordable to low- or moderate-income households.

Most San Joaquin County jurisdictions have established minimum densities in each residential land use category. This increases the likelihood that a variety of housing types will be constructed. The City of Ripon is an exception in that its General Plan establishes maximum residential densities, but not minimum densities. Without reasonable minimum density standards, a land use designation nominally intended for multifamily residential uses could be developed for much lower intensity single-family uses.

Nearly all of the San Joaquin County jurisdictions have created additional opportunities to accommodate housing by permitting multifamily residential uses in one or more commercial zones, either by right or with a conditional use permit. Jurisdictions in the county also have planned development processes that provide flexibility in the mix and density of residential uses. These provisions for housing allow localities to promote mixed-uses and "smart growth" alternatives for residential development.

Zoning Ordinance, Development Title, and Other Regulations

Zoning ordinances (for the participating jurisdictions) and the Development Title (in San Joaquin County) implement each jurisdiction's general plan by establishing zoning districts that correspond with general plan land use designations. Development standards and permitted uses in each zoning district are specified to govern the density, type, and design of different land uses for the protection of public health, safety, and welfare (Government Code Sections 65800-65863). Several aspects of a zoning ordinance that may affect access to housing or limit the range of available housing choices are described below. Unless otherwise noted, most of these potential impediments have either been addressed or will be addressed by the recently adopted housing element of each participating jurisdiction.

Restrictions on Single Family Units in Multifamily Districts

Zoning ordinances typically specify the districts in which single family and multifamily uses are permitted by right. Zoning ordinances should avoid "pyramid" or "cumulative zoning" which permits lower-density single family uses in multifamily zones because this practice reduces the potential for multifamily residential development. The following is a summary of zoning allowances/restrictions in multifamily zones:

- Lathrop, Tracy, and San Joaquin County allow the development of single-family housing in multifamily or medium- and high-density designations, which has the potential to be an impediment to the development of higher-density, multifamily housing.
- Escalon also allows the development of single-family housing in the medium-density designation, and on lots of 6,000 sf or less in the high-density designation.
- Manteca and Ripon have restrictions on the development of single-family housing in multifamily designations. Manteca limits the development of single-family housing in multifamily designations by requiring City approval and issuance of a Minor Use Permit. Ripon permits single-family housing in the R-3 District (Limited Multiple Family), although restricts single-family housing development in higher-density designations.

Density Bonus Provisions

State law (California Government Code Section 65915) requires local governments to grant a density bonus and/or financially equivalent incentives to developers who agree to provide a specified percentage of affordable housing or childcare facilities for lower-income families as part of a residential development. The amount of bonus units or incentives depends on the percentage of affordable housing units provided. The Code was amended in 2004 to lower the threshold for achieving density bonuses and increase the incentives and concessions that local governments must provide on a sliding scale of up to 35 percent. San Joaquin County, Manteca, Ripon, Escalon, and Tracy have revised their zoning ordinance or Development Title to comply with State law regarding density bonus provisions. Lathrop does not currently (2016) comply, but is in the process of updating the housing element and will address State density bonus law as a Housing Element implementation program.

Definition of Family

A zoning ordinance can potentially restrict access to housing by defining families in a restrictive manner. California Courts have ruled that an ordinance that defines a "family" as: 1) an individual; 2) two or more

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persons related by blood, marriage, or adoption; or 3) a group of not more than a certain number of unrelated persons as a single housekeeping unit, is invalid. Court rulings stated that defining a family does not serve any legitimate or useful objective or purpose recognized under the zoning and land planning powers of the jurisdiction and, therefore, violates rights of privacy under the California Constitution. A zoning ordinance also cannot regulate residency by relying on a definition of family inconsistent with State law.

Table 14 presents definitions of "family" as currently (2015) contained in each jurisdiction's zoning ordinance or Development Title. Manteca is the only jurisdiction with a definition of "family" that fully complies with State and Federal laws. Each of the participating jurisdictions have indicated that the definition will be revised as a part of implementation of the current housing element.

TABLE 14 DEFINITION OF FAMILY San Joaquin Urban County August 2015	
	Definition
Entitlement Jurisdictions	
San Joaquin County	"Family" means one (1) individual or more than one (1) individual related by blood or marriage or a group of not more than five (5) individuals not related by blood or marriage, excluding servants, living together in a dwelling unit.
Participating Jurisdictions	
Escalon	"Family" means one or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity, or sorority house. A family shall be deemed to include necessary servants.
Lathrop	"Family" means an individual, two or more persons who are related by blood or marriage, or a group of not more than five persons not necessarily related by blood or marriage, living together in a dwelling unit.
Manteca	"Family" means one or more persons living together in a dwelling unit, with common access to and common use of all living, kitchen, and eating areas within the dwelling unit. See Household. "Household" means one or more persons, whether or not related by blood, marriage, or adoption, sharing a dwelling unit in a living arrangement usually characterized by sharing living expenses, such as rent or mortgage payments, food costs, and utilities, as well as maintaining a single lease or rental agreement for all members of the household and other similar characteristics indicative of a single household.
Ripon	"Family" means an individual, or two (2) or more persons related by blood, marriage or legal adoption, or a group of not more than five (5) persons, who are not related, living together as a single housekeeping unit.
Tracy	"Family" shall mean any number of persons living or cooking together on the premises as a single dwelling unit, but it shall not include a group of more than four (4) individuals not related by blood or marriage or legal adoption.

Sources: San Joaquin County Municipal Code: 9-110.4 Definitions, 2015; Escalon Municipal Code: 17.81.070 "F" definitions; Lathrop Municipal Code: 17.04.080 Definitions, 2015; Manteca Municipal Code: 17.100.060, 2015; Ripon Municipal Code: 16.04.050 Rules of Construction, 2015; Tracy Municipal Code: 10.08.320 Family, 2015.

Second Dwelling Units

Second dwelling units are attached or detached dwelling units with completed living facilities located on the same lot as a single-family home (primary unit), but smaller than the primary unit. Second units can provide an affordable housing alternative for lower-income individual households and seniors.

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State law requires cities and counties to adopt ordinances that establish individual standards for second units (California Government Code Section 65852.2). A jurisdiction cannot adopt an ordinance that precludes the development of second units unless the ordinance contains findings acknowledging that allowing second dwelling units may limit housing opportunities in the region and result in adverse impacts on public health, safety, and welfare. State law also requires local governments to use a ministerial, rather than discretionary, permit process for approving second units that does not involve a conditional permit or public hearing. The zoning ordinances or Development Title for San Joaquin County and the participating jurisdictions all comply with State law regarding second dwelling units.

Manufactured Housing and Mobile Homes

State law requires cities and counties to permit factory-built homes in all single-family residential zoning districts so long as they meet Federal safety and construction standards and are placed on a permanent foundation (California Government Code Section 65852.3). Manufactured homes are considered viable housing options for lower-income households. Therefore, restricting the location of such housing units is considered an impediment to fair housing choice. The zoning ordinances or Development Title for San Joaquin County and the participating jurisdictions comply with State law regarding manufactured and mobile homes.

Emergency Shelters, Transitional Housing, and Supportive Housing

Senate Bill 2, passed in 2007 and in effect since January 1, 2008, amended State Housing Element law (California Government Code Sections 65582, 65583, and 65589.5) regarding shelter for homeless persons. SB 2 requires local jurisdictions to strengthen provisions for addressing the housing needs of homeless persons, including the identification of a zone or zones where emergency shelters are allowed as a permitted use.

California Health and Safety Code Section 50801(e) defines “emergency shelters” as: “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.”

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State Housing Element Law (Section 65583(a)(4)(A)) now requires cities and counties to identify:

“a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7), except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter. If the local government cannot identify a zone or zones with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this paragraph within one year of the adoption of the housing element. The local government may identify additional zones where emergency shelters are permitted with a conditional use permit. The local government shall also demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters.”

The provisions go on to state that emergency shelters “may only be subject to those development and management standards that apply to residential or commercial development within the same zone,” but include a list of exceptions. Local governments that already have one or more emergency shelters within their jurisdiction or are part of a multi-jurisdictional agreement that accommodates that jurisdiction’s need for emergency shelter are only required to identify a zone or zones where new emergency shelters are allowed with a conditional use permit.

State Housing Element law also requires that “transitional housing and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.” Transitional housing is designed to assist homeless individuals and families in moving beyond emergency shelters to permanent housing. California Health and Safety Code Section 50675.2(h) defines “transitional housing” and “transitional housing development” as: “buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.”

The zoning ordinances or Development Title for San Joaquin County and the participating jurisdictions all comply with State law regarding emergency shelters, transitional housing, and supportive housing.

3.2 Impediments in the Private Sector

Equal Opportunity in Mortgage and Home Improvement Financing

The majority of potential homeowners within the United States require a home loan to finance the cost of purchasing a home. Under the Home Mortgage Disclosure Act (HMDA), most banks, savings associations, and many mortgage brokers must disclose the racial, gender, and income characteristics of all home loan applicants and how these applications were resolved. This data makes it possible to analyze lending experiences for different groups and the performance of individual lenders.

Analysis of loan application disposition considers both approval and denial rates, primarily because withdrawal of applications can significantly affect these rates. Analyzing both approval and denial rates provides a clearer view of loan activity and trends by allowing multiple points of comparison. As expected, the approval rate of conventional loans increased with income. As shown in Table 15, in 2013 a

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total of 17,471 households applied for conventional loans to purchase homes in San Joaquin County. The majority of loan applicants (70 percent) were upper-income households at 120 percent or more of county median income (MI). Moderate-income (81 percent to 120 percent of MI) and lower-income (less than 80 percent of MI) households accounted for 18.3 percent and 17.7 percent of loan applicants, respectively. For every income category of conventional loan applications, white applicants had higher approval rates and lower denial rates than non-white applicants. Regarding conventional loans, white applicants had higher approval rates (57 percent) and lower denial rates (49 percent) than non-white applicant approval rates (43 percent) and denial rates (51 percent). Both the difference in approval rates between whites and non-white and the difference between above-moderate income and low income applicants were 14 percent. This shows that income and race are strong factors of loan approval rates within San Joaquin County.

Government insured loans are guaranteed or insured by a Federal government agency, such as the Federal Housing Administration (FHA) or Veterans Association (VA). Because these loans are Federally guaranteed, they offer additional means of acquiring financing for home purchases for those unable to qualify for conventional home loans. As shown in Table 15, there were 7,750 applications for government-backed loans to purchase homes within San Joaquin County in 2013. Upper-income applicants represented 35.6 percent of these loan applications, while moderate-income households represented 18.3 percent of the total. More so than with conventional loans, lower-income households account for 46.6 percent of the total government insured loans. Despite Federal backing, the overall approval rate was lower for government insured loans (54 percent) than conventional loans (70 percent). The disparity between approval rates for whites (62 percent) and non-whites (49 percent) was slightly lower (13 percent difference) for government-backed loans than conventional loans (14 percent difference). However, total denial rates were lower for government-backed loans (13 percent) than conventional loans (18 percent).

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**TABLE 15
DISPOSITION OF HOME LOANS¹
BY PERCENTAGE OF MEDIAN INCOME (MI) AND RACE/ETHNICITY
San Joaquin County
2013**

		Less than 50 percent MI		51 to 80 percent MI		81 to 99 percent MI		100 to 120 percent MI		More than 120 percent MI		Total		Total
		White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	
Conventional Home Purchase Loans	Total Applications Received	583	609	887	1,021	788	854	829	721	6,570	4,609	9,647	7,814	17,471
	Loans Originated ⁴	354	338	588	622	568	553	576	486	4,828	3,247	6,914	5,246	12,160
	Percentage Approved	61%	58%	66%	61%	72%	65%	69%	67%	73%	70%	57%	43%	70%
	Applications Denied ⁵	153	204	189	264	125	200	139	149	934	761	1,540	1,578	3,118
	Percentage Denied	26%	33%	21%	26%	16%	23%	17%	21%	14%	17%	49%	51%	18%
Government Insured Home Purchase Loans⁶	Total Applications Received	853	1,823	237	616	273	447	260	402	1,353	1,342	2,940	4,630	7,570
	Loans Originated ⁴	600	610	122	335	155	271	145	236	790	794	1,812	2,246	4,058
	Percentage Approved	70%	63%	51%	54%	57%	61%	56%	59%	58%	59%	62%	49%	54%
	Applications Denied ⁵	91	179	35	104	39	60	41	48	189	206	395	597	992
	Percentage Denied	11%	18%	15%	17%	14%	13%	16%	12%	14%	15%	29%	13%	13%

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

² White, non-Hispanic.

³ Non-White, others including Hispanics.

⁴ Does not include applications approved but not accepted.

⁵ Does not include applications withdrawn, files closed for incompleteness, or loans purchased by the institution.

⁶ Includes FHA, VA, and FSA/RHS loans.

Source: Home Mortgage Disclosure Act (HMDA) data, 2013 via consumerfinance.gov/hmda/explore, 2015.

3.3 Impediments in the Public and Private Sector

Fair Housing Practices in the Ownership Housing Market

On December 5, 1996, HUD and the National Association of Realtors (NAR) entered into a Fair Housing Partnership. Article VII of the HUD/NAR Fair Housing Partnership Resolution provides that HUD and NAR develop a Model Affirmative Fair Housing Marketing Plan for use by members of the NAR to satisfy HUD's Affirmative Fair Housing Marketing regulations. This section provides information about fair housing practices in the ownership market.

Central Valley Association of Realtors

The Central Valley Association of Realtors serves Stanislaus, San Joaquin, and Merced Counties. As part of the National Association of Realtors ethics requirement, all new members of the Central Valley Association of Realtors must take an ethics course as part of their orientation. Standards within the code of ethics require that realtors will not "volunteer information regarding the racial, religious or ethnic composition of any neighborhood" ...nor will "they print, display or circulate any statement or advertisement with respect to the selling or renting of a property that indicates any preference, limitations or discrimination based on race, color, religion, sex, handicap, familial status, or national origin." The Central Valley Association of Realtors also offers regular education classes, computer classes and training, and networking events on a monthly basis.

Homeownership

The process of purchasing a home is more challenging than that of renting. Finding a home typically takes more time and effort than finding a rental unit, and there are more legal and financial requirements. The process is costly, and fair housing issues may further complicate this process.

The most significant fair housing issue can arise before a person has purchased a house. Language in real estate advertising can be a significant fair housing issue. Advertisers must also consider potentially discriminatory implications of marketing practices that can limit information to certain population groups. Even if an agent does not intend to discriminate in an advertisement, it would still be considered a violation to suggest to a reader whether or not a protected class is preferred. Advertisements should not include discriminatory references such as descriptions of:

- Current or potential residents;
- Neighbors or the neighborhood in racial or ethnic terms;
- Adults preferred (e.g., perfect for empty nesters or ideal for married couples without kids); or
- Proximity to churches.

Recent court decisions have held publishers, newspapers, multiple listing services, real estate agents, and brokers legally responsible for discriminatory ads. The Multiple Listing Service (MLS) now prompts a fair housing message when a new listing is added.

In the past, covenants, conditions, and restrictions (CC&Rs) have also been widely used to exclude certain groups from equal access to housing. Currently (2015) the California Department of Real Estate reviews CC&Rs for all subdivisions of five or more lots, or condominiums of five or more units, to

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ensure such discrimination does not occur and that the CC&Rs are compliant with fair housing law. While some communities with old subdivisions or condominium developments may still contain CC&Rs that do not comply with the fair housing law, these regulations are not enforceable.

Fair Housing Practices in the Rental Housing Market

A disproportionate number of fair housing complaints are filed by tenants compared to homebuyers. Tenant complaints are typically filed against property owners or managers. While a potential homebuyer may face discriminatory practices during the initial stages of purchasing a home, a renter may confront housing discrimination not only during the process of renting but throughout the tenancy.

The Rental Process

While the process of renting an apartment may be less expensive and burdensome than the home buying process, it is time-consuming nonetheless, and potential renters may face discrimination during various stages of the rental process. Similar to finding a home to purchase, the main sources of information for rentals are the classified advertisements in local newspapers, word-of-mouth, for rent signs, apartment guides, the Internet, and apartment brokers. The same types of discriminatory language previously described may be used by landlords or apartment managers to exclude members of protected classes.

Discrimination based on race, color, religion, sex, disability, familial status, national origin, age, ancestry, or sexual orientation can also occur either when the potential tenant is viewing the unit or at any point during tenancy.

Discrimination is often more overt during the application process. Typically, landlords require an application that includes a credit score, lists of previous addresses and landlords, and employment history/salary. The criteria for tenant selection, if any, are typically not known to those seeking to rent. Property owners or managers could use credit history as a reason to justify the exclusion of certain individuals.

Once the tenancy has begun, tenants are protected by the lease agreement in two ways: 1) the tenant is assured a place to live for a specific period of time, and 2) the tenant has fixed rent during the lease period. Typically, the lease or rental agreement is standard for all units within the same building. However, the enforcement of the rules contained in the lease or agreement may not be standard for all tenants. During tenancy the most common forms of discrimination a tenant may face are based on familial status, race, national origin, sex, or disability. Usually these types of discrimination appear in differential enforcement of rules, overly strict rules for children, excessive occupancy standards, refusal to make a reasonable accommodation for handicapped access, refusal to make necessary repairs, eviction, notices, illegal entry, rent increases, or harassment. These actions may be used as a way to force undesirable tenants to move on their own without the landlord having to make an eviction.

Section 4. Assessment of Current Fair Housing

4.1 Fair Housing Practices

Typically, fair housing services for renters and homebuyers include the investigation and resolution of housing discrimination complaints, discrimination auditing/testing, and education and outreach, including the dissemination of fair housing information such as written material, workshops, and seminars. Tenant/landlord counseling is another fair housing service that involves informing landlords and tenants of their rights and responsibilities under the California Civil Code and mediating conflicts between tenants and landlords.

San Joaquin Fair Housing Association

Since 1978, San Joaquin Fair Housing (SJFH) Association (formerly the Stockton Community Housing Resources Board) has provided fair housing services throughout San Joaquin County. Located in Stockton, SJFH provides education and outreach services, landlord/tenant mediation services, and fair housing investigations and complaint processing. The SJFH Board of Directors includes representatives from local government, Central Valley Association of Realtors, San Joaquin County Rental Property Association, and California Rural Legal Assistance, Inc. Each city within the county provides funding, primarily Community Development Block Grant funds, to support SJFH's fair housing services.

The overall goal of the San Joaquin Fair Housing is to further fair housing by achieving the following annual performance objectives:

- Attain 50 percent successful resolution of tenant/landlord disputes on an annual basis by diverting disputes from the courts to the SJFH mediation program.
- Attain 50 percent successful resolution of disputes that would otherwise result in legal notices being served to tenants by landlords.
- Use best efforts to increase community participation at seminars and workshops.

To achieve these objectives, SJFH provides the following services on an annual basis:

- Provide fair housing information to both tenants and landlords about their rights and responsibilities under State and Federal housing laws.
- Conduct five Fair Housing seminars and/or workshops on rental issues and tenant/landlord laws.
- Receive and process discrimination complaints and submit complaints to the appropriate Federal and State agencies.
- Provide counseling services to tenants and landlords on safe and sanitary housing conditions, how to obtain home repairs, compliance with rental/lease agreements, and unit maintenance.
- Maintain a current referral portfolio of agencies providing a variety of housing related services that can be used as a reference in assisting clients and providing services.

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- Refer existing or prospective homeowners or renters to housing agencies on matters of housing assistance programs and/or financial/real estate professional services and assistance.
- Provide mediation and conciliation services in resolving tenant/landlord complaints and disputes.

As a service organization SJFH has multiple points of contact with county residents. One of SJFH's primary functions is responding to inquiries by fielding phone calls and mailing/delivering informational brochures, as well as taking formal cases. In recent years SJFH's one-on-one contact has decreased mostly due to improvements in the SJFH website. For example, in fiscal year 2009/2010 there were 4,461 website visitors and by fiscal year 2013/2014 this figure increased to 35,625 website visitors.

The following subsection describes other core functions of SJFH (i.e., training, education, and outreach, and tenant/landlord mediation) in greater detail.

Training, Education, and Outreach

As part of its fair housing services, SJFH has been actively involved in outreach activities. SJFH conducts outreach by sharing informational materials, doing public service announcements, and advertising in newspapers, on television, and on the radio. SJFH outreaches on local access channels 26 and 97, the Stockton Record, the Manteca Bulletin, the Tracy Press, and the Lodi News Sentinel. SJFH distributes flyers to numerous agencies and community groups throughout San Joaquin County, with fliers available in Cambodian, Chinese, Hmong, Spanish, and English.

Additionally, SJFH conducts community presentations/workshops within San Joaquin County, such as the annual Disability Awareness Fair in Stockton and the AIDS Walk and Resource Fair. SJFH provided training and workshops on a range of subjects such as foreclosures, affordable housing, tenant rights, fair housing, and testing. These presentations and workshops have involved a range of organizations and institutions including:

- **Public Agencies and Local Government:** California Human Development, CalWorks, San Joaquin Housing Authority, San Joaquin County Head Start Program, San Joaquin County, City of Stockton, City of Lathrop, and City of Tracy, San Joaquin County WorkNet, Veterans Association
- **Educational Institutions:** San Joaquin Delta College, Sture Larsson High School
- **Private Sector:** Visionary Home Builders
- **Social Service Providers:** Lodi Food Bank, Thornton Community Center, Gospel Rescue Mission, Central Valley Low Income Housing
- **Advocacy and Community Groups:** California Rural Legal Assistance, Miracle Mile Non-Profit Day, El Concilio

Tenant/Landlord Mediation Services

As described above, SJFH also provides both informal and formal landlord/tenant mediation services for residents and landlords that need additional assistance beyond information and referrals. Informal mediation services are conducted over the phone in which both parties are contacted in an attempt to resolve the situation. Formal mediation services consist of a personal meeting with both parties and an SJFH staff member.

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Table 16 shows the types of formal cases (i.e., mediation services) conducted by SJFH within the Urban County in fiscal years 2009/2010 to 2014/2015. (Data was not available for FY 2010/2011.) The total number of formal cases fluctuated during this period, from a low of 35 in FY 2013/2014 to a high of 94 in FY 2009/2010. The most common cases involve 3-day notices (15.6 percent), repairs (14.9 percent), 30-day notices (11.1 percent), and unlawful detainer (8.7 percent).

TABLE 16
SAN JOAQUIN FAIR HOUSING FORMAL MEDIATION SERVICES
(NUMBER OF CASES)
San Joaquin Urban County
FY 2009/2010 to 2014/2015¹

	FY 2009/2010	FY 2011/2012	FY 2012/2013	FY 2013/2014	FY 2014/2015	TOTAL ²	
						NUMBER	PERCENT
3-day notice pay or quit	15	11	2	6	11	45	15.6%
3-day notice to quite/nuisance	1	2	0	0	1	4	1.4%
3-day notice to perform or quit	2	0	1	1	1	5	1.7%
7-day notice	1	1	0	0	1	3	1.0%
30-day notice	10	5	6	3	8	32	11.1%
30-day notice/3-day notice to perform or quit	0	0	0	1	1	2	0.7%
60-day notice	2	3	4	1	6	16	5.5%
Abandonment	0	0	0	0	1	1	0.3%
Breach of contract	2	2	1	3	0	8	2.8%
Discrimination	0	2	0	0	0	2	0.7%
Habitability	9	8	4	3	2	26	9.0%
Homeless	2	0	0	0	0	2	0.7%
Housing Authority	3	1	0	0	0	4	1.4%
Foreclosure	13	2	3	0	0	18	6.2%
Illegal lockout/utility shutdown	6	1	2	1	2	12	4.2%
Illegal rent increase	1	0	0	0	0	1	0.3%
Payment plan	1	0	1	0	0	2	0.7%
Reasonable accommodation	1	3	1	2	0	7	2.4%
Rights to privacy	1	0	1	0	1	3	1.0%
Rental agreement/lease	1	2	3	3	4	13	4.5%
Repairs	11	6	6	6	14	43	14.9%
Retaliation	0	0	0	1	1	2	0.7%
Security deposit	3	6	3	0	4	13	4.5%
Unlawful detainer	9	3	5	4	4	25	8.7%
TOTAL²	94	58	43	35	62	289	100.0%

Note: ¹Data is not available for FY 2010/2011.

²Total number of cases does not equal total types of service requests due to multiple service requests reported for single intake cases.

Sources: San Joaquin Fair Housing Performance Reports, FY 2010/2011 to FY 2014/2015.

4.2 Fair Housing Complaints, Compliance Reviews, or Discrimination Suits

Fair Housing Agency Complaints

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

Table 17 shows the number of cases filed and closed with HUD, FHAP, and DFEH from January 1, 2010 to June 30, 2015. Cases filed in one year are not necessarily closed in the same year. None of the complaints filed were based on sex, color, or religion. The majority of cases were filed in Tracy, based on a disability, and at the State level.

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TABLE 17
TITLE VIII CASES FILED – HUD, FHAP AND DFEH
San Joaquin Urban County
January 1, 2010 to June 30, 2015

	Filed with:			Basis Type of Complaint Filed ¹									
	HUD	FHAP	DFEH	Race	National Origin	Sexual Orientation	Disability	Familial Status	Retaliatory	Family Care	Engagement in Protected Activity	Pregnancy	Genetic Information
Participating Jurisdictions													
Unincorporated	-	2	-	-	-	-	-	-	-	-	-	-	-
Subtotal	-	2	-	2	-	--	1	--	1	-	-	-	-
Entitlement Jurisdictions													
Tracy	2	5	17	3	3	2	8	4	-	2	3	-	-
Escalon	-	-	-	-	-	-	-	-	-	-	-	-	-
Lathrop	-	-	1	-	-	-	1	-	-	-	-	-	-
Manteca	-	7	11	2	3	1	5	3	-	2	-	1	1
Ripon	-	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal	2	12	29	5	6	3	14	7	-	4	3	1	1
TOTAL²	2	14	29	7	6	3	15	7	1	4	3	1	1

¹ There were no complaints filed based on sex, color or religion.

² Some complaints may involve more than one protected class or discriminatory practice, and therefore are reported in each basis type identified in the complaint.

Source: San Francisco Regional Office, HUD Fair Housing, June 2015; CA Department of Fair Employment and Housing, Housing Cases by Respondent, June 2015.

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Section 504 Compliance

Section 504 of the Federal Rehabilitation Act of 1973 prohibits discrimination based on disability in any program receiving Federal financial assistance. This includes provisions for providing reasonable modifications in all rules, policies, and procedures. Programs must be readily accessible to and useable by individuals with disabilities. Major alterations or construction of dwelling units must provide at least 5 percent of units accessible to people with mobility impairments and at least 2 percent of units accessible to people with visual or hearing impairments.

There were no recorded Section 504 complaints filed for any of the participating or entitlement jurisdictions in the county from October 2009 to September 2014.

Hate Crimes

Fair housing violations due to hate crimes occur when people will not consider certain neighborhoods, or have been run off from their homes for fear of harassment or physical harm. To a certain degree, hate crimes can also be an indicator of discrimination. Hate crimes are committed because of a bias against race, religion, disability, ethnicity, gender, gender identity, or sexual orientation. Examples of hate incidents include name-calling, epithets, the display or distribution of hate material in public places, and the display of offensive hate-motivated material on one's property. Freedom of hateful speech is constitutionally protected as long as it does not interfere with the civil rights of others.

In an attempt to determine the scope and nature of hate crimes, the Federal Bureau of Investigation (FBI) Hate Crime Statistics Program collects statistics on these incidents. Tracy was a consistent participant in the Hate Crime Statistics Program from 2009 to 2013 and therefore data was available through this program. Manteca participated in the Hate Crime Statistics Program in 2010 and 2013. Data was obtained for the gap years of 2009, 2011, and 2012 through the City of Manteca Police Department. Similarly, hate crime data for the other jurisdictions that did not participate in the FBI Hate Crime Statistics Program was obtained through each respective police department. Table 18 shows the number of hate crimes reported from January 2009 to December 2013.

Of the total crimes reported, 33.3 percent were committed in Tracy, 25.6 percent in Manteca, 17.9 percent in Lathrop, 12.8 percent in Ripon, and 10.3 percent in Escalon. From 2009 to 2013 the number of hate crimes per year in Tracy ranged from one to six. The greatest number of hate crimes in one year for the participating jurisdictions occurred in 2009 when 12 hate crimes were reported.

Because Tracy participates in the FBI Hate Crime Statistics Program detailed information on the number of incidents by bias motivation is available. In 2013, four out of the six reported hate crimes in Tracy were on the basis of race. Of the total hate crimes reported in Tracy from 2009 to 2013, three out of 13 were based on sexual orientation.

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TABLE 18 HATE CRIME INCIDENTS Escalon, Lathrop, Manteca, Ripon, Tracy January 1, 2009 to December 31, 2013					
Participating Jurisdiction	2009	2010	2011	2012	2013
Escalon	1	1	2	0	0
Lathrop	4	1	2	0	0
Manteca	5	1	0	1	3
Ripon	1	4	0	0	0
Tracy	1	2	2	2	6
TOTAL	12	9	6	3	9

Source: FBI Hate Crime Statistics Program, 2015; Cities of Escalon, Lathrop, Manteca, Ripon, August 2015.

4.3 Evaluation of 2010-2015 AI Report Actions

The following section details the County and participating jurisdictions' accomplishments and efforts to affirmatively further fair housing choice within San Joaquin County and the participating jurisdictions. Because the 2010-2015 Analysis of Impediments to Fair Housing was a joint effort between the County, the City of Stockton, and the participating jurisdictions, the report developed the Action Items together. The accomplishments and efforts described below for each action is based on information and input provided by the County and the participating jurisdictions. It does not evaluate the City of Stockton's progress related to each action item.

Evaluation of San Joaquin County 2010-2015 Action Items

Access to Information

Action 1: The County, City of Stockton, and each participating jurisdiction will provide links through their websites to housing services and resources, fair housing, and consumer information on housing choices. The County, City of Stockton, and each participating jurisdiction will make available such information at local service centers and city offices, public libraries, and other public facilities.

Response: *The cities of Lathrop and Tracy provide links on their websites that direct visitors to fair housing services and resources, including the San Joaquin Fair Housing (SJFH) website and to similar websites associated with other local, State, and Federal fair housing-related organizations and programs. The County recently (2016) updated their website design and while the new website has information on homeless assistance programs and the Home Rehabilitation Program, it does not have information on general housing services and resources, fair housing, or consumer information on housing choices. The City of Escalon's webpage contains a link and phone number to SJFH, although there is no additional information on housing services and resources. Websites for the cities of Manteca or Ripon do not contain any information on housing service and resources.*

Analysis of Impediments to Fair Housing, 2015-2019

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

***Response:** San Joaquin Fair Housing (SJFH) works closely with the County and the various City code enforcement officials to provide both education and training to local government staff. This includes an evaluation of the County/City system and method for responding to a resident's inquiry regarding the fair housing complaint process and/or landlord/tenant issues.*

Action 3: To the extent possible with limited funding, the County, City of Stockton, and each participating jurisdiction will support SJFH in expanding access to its services by increasing the number of hours the office is open and number of hours that the phones are answered.

***Response:** The County and participating jurisdictions continue to financially support SJFH with Community Development Block Grants (CBDG) funds. In turn SJFH assists households countywide with discrimination complaints, including perceived discrimination in areas of race, children, disability, marital status, ethnicity, sexual orientation, or other discrimination on other grounds. SJFH also provides education for fair housing compliance and outreach services on rental issues and tenant-landlord laws for residents, organizations, and agencies, as well as provides tenant-landlord mediation services to mediate differences between the parties and resolve outstanding issues, before reaching official Courts.*

SJFH has expanded access to its services by increasing the number of hours the office is open and number of hours that the phones are answered by expanding office hours to include the lunch hour. This action is completed.

Action 4: The County, City of Stockton, and each participating jurisdiction will support fair housing service providers (e.g., San Joaquin Fair Housing) and other housing service agencies in providing credit counseling, homebuyer counseling and education, and education on tenant rights and responsibilities for households entering or re-entering the rental market, such as formerly homeless households and those entering the homeownership market.

***Response:** The County and the participating jurisdictions continue to financially support SJFH with Community Development Block Grant (CBDG) funds. SJFH does not provide credit counseling—SJFH refers people to Visionary Home Builders for credit counseling. SJFH provides homebuyer counseling related to the first-time homebuyer program with the program packet, and then refers the participants to the City or County depending on where they purchased their home. SJFH provides education on tenant rights and responsibilities for households entering and re-entering the rental market, as well as landlords.*

Analysis of Impediments to Fair Housing, 2015-2019

San Joaquin County, California

Fair Housing Services and Outreach

Action 5: The County, City of Stockton, and each participating jurisdiction will work with SJFH or a similar organization to design and implement a comprehensive testing program in San Joaquin County to identify the extent of fair housing problems in the county. The results will allow SJFH to target its programs to address the problems identified. SJFH shall seek additional funding, such as special grants, to carry out the testing program as well as pursue partnerships with other organizations, such as University of the Pacific or WorkNet.

***Response:** Although SJFH has not implemented a comprehensive testing program, testing is available on a case-by-case basis upon request. During the 2010-2015 period, SJFH did not have many requests for testing. Based on the testing that SJFH did conduct during this period, SJFH did not find any fair housing issues.*

Action 6: The County, City of Stockton, and each participating jurisdiction will continue to work with the fair housing service providers (e.g., San Joaquin Fair Housing), the Housing Authority, and local apartment and realtor associations to reach out to landlords and managers of smaller rental properties. This outreach may include updating mailing lists of smaller rental landlords and managers to provide informational material regarding fair housing rights and responsibilities.

***Response:** The County continues to financially support SJFH with CBDG funds, and relies on SJFH to provide workshops and information sessions throughout the county. Additionally, SJFH continues to partner with fair housing service providers in San Joaquin County, to expand available fair housing education and outreach efforts through information sharing. These fair housing service providers include Head Start, the Housing Authority of San Joaquin County, Visionary Home Builders, and other fair housing non-profit organizations. SJFH maintains a list of smaller rental landlords and managers, as well as a low-income housing list. SJFH sends informational material regarding fair housing rights and responsibilities to landlords and managers on these lists.*

Action 7: The County, City of Stockton, and each participating jurisdiction will continue to support the primary fair housing service provider, San Joaquin Fair Housing (SJFH), in conducting fair housing workshops for residents, apartment owners, landlords, and property managers. Workshops will include translators who speak Spanish and other appropriate languages. The County shall work with SJFH to update and provide brochures for distribution at local service centers and at city and county offices. The County, City of Stockton, and each participating jurisdiction will provide phone numbers and referral information to the SJFH on their websites and will make referrals to SJFH as issues/cases come to their attention. The County will encourage the fair housing service provider to coordinate with the real estate and apartment associations regarding fair housing training.

***Response:** SJFH conducts fair housing workshops with other fair housing service providers, which include Spanish translators. The County and participating jurisdictions maintains links on their website to direct visitors to SJFH and other local, State, and Federal housing organizations and programs, such as the Housing Authority of the County of San Joaquin. Additionally, City and County officials provide contact and referral information to SJFH as issues and cases come to their attention. The cities of Lathrop, Escalon, and Tracy provide phone numbers and referral information to SJFH. The County and the cities of Manteca and Ripon do not provide phone numbers or referral information to SJFH.*

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San Joaquin County, California

Action 8: The County, City of Stockton, and each participating jurisdiction will work with SJFH to increase awareness of the rights of persons with disabilities, ADA issues, reasonable accommodation, and available services.

***Response:** The County continues to financially support SJFH with CBDG funds, and relies on SJFH to provide workshops and information sessions throughout the county, including targeted outreach to special needs groups, such as persons with disabilities. SJFH provides outreach to increase awareness of the rights of persons with disabilities, ADA issues, reasonable accommodation, and available services.*

Action 9: The County, City of Stockton, and each participating jurisdiction will continue to comply with antidiscrimination requirements including, all applicable Federal regulations as demonstrated in the County's application for Community Development Block Grant, HOME, and other Federal funds.

***Response:** The County and each participating jurisdiction complies with all antidiscrimination requirements as identified by the applicable legislation and HUD regulations.*

Public Policies and Programs

Action 10: The County, City of Stockton, and each participating jurisdiction will continue to implement policies and programs identified in the Housing Element of each jurisdiction. In addition, the following actions need to be taken:

- The City of Manteca should amend the zoning ordinance to revise the current definition of "family" to remove the restriction on the number of non-related individuals.
- The City of Ripon should amend the zoning ordinance to remove the current definition of "family" to remove the restriction on the number of non-related individuals; allow the siting of emergency and transitional housing by right in at least one zoning district; and restrict the development of single-family units in multifamily zoning districts.
- The Tracy Zoning Ordinance should be amended to restrict the development of single-family units in medium- and high-density (i.e., multifamily) zoning districts.

***Response:** The County and each of the participating jurisdictions continue efforts to implement the policies and programs identified in their respective adopted Housing Element. The City of Manteca amended the definition of "family" in the zoning ordinance to remove the restriction on the number of non-related individuals. The City of Ripon adopted a program in the 4th cycle Housing Element Update to amend the definition of "family" in the zoning ordinance, although currently (2016) Ripon has not revised the definition. The City of Tracy currently (2016) does not restrict the development of single-family units in medium- and high-density zoning districts.*

5. Recommended Actions

5.1 Basis for Recommended Actions

To develop a basis for recommended actions for the 2015-2019 reporting period and understand more about fair housing issues in the area, Consultants and Staff reviewed progress addressing the 2010-2015 action items, held public workshops, and conducted interviews with community representatives and stakeholders.

The County held two workshops on July 30, 2015, to gather input from key stakeholders and the community on housing issues and conditions in the county. Workshop participants included representatives from CMC Centers, AP Mortgage, Visionary Home Builders, the Central Valley Low-Income Housing Corporation, BIA of the Greater Valley, San Joaquin County Department of Public Health Services, the Housing Authority of the County of San Joaquin, and the San Joaquin County Environmental Health Department, and community members. Participants identified the general lack of outreach to lower income groups regarding fair housing resources and their rights as issues. Participants also suggested the County improve outreach to and expand educational opportunities for groups who serve low-income and special needs groups to educate them on fair housing issues and resources. Additionally, they expressed that the special needs population and farmworkers have the most significant barriers to fair housing choice.

County staff and Consultants also reached out to fair housing service providers and local housing developers, including the San Joaquin Fair Housing Association and Visionary Home Builders. Consultation occurred in the form of email exchanges and phone interviews to gather input on fair housing services, and housing market issues and conditions.

Also, as part of the 2015-2019 Consolidated Plan Update process, the County conducted a Community Needs Survey to solicit input from service providers and residents in the Urban County. The County distributed the survey through a number of channels to gather responses from a broad sample. The Housing Services section of the survey asked respondents to rate the need for 11 different housing services, including the need for fair housing services. About 31 percent of survey respondents noted that fair housing services are a high need.

5.2 Recommended Actions

The recommended action items for the 2015-2019 reporting period address issues and opportunities related specifically to fair housing issues, as they are only one component of housing policy and programs that are implemented by the County. Where some action items have been carried over from the previous reporting period, some are augmented actions to address new challenges that have arisen in San Joaquin Urban County over the past five years. Table 19 provides a matrix of the action items for the 2015-2019 reporting period.

Analysis of Impediments to Fair Housing, 2015-2019

San Joaquin County, California

Access to Information

Action 1: The County and each participating jurisdiction will provide links through their websites to housing services and resources, fair housing, and consumer information on housing choices. The County and each participating jurisdiction will make available such information at local service centers and City/County offices, public libraries, and other public facilities.

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

Action 3: The County and each participating jurisdiction will support fair housing service providers (e.g., San Joaquin Fair Housing Association) and other housing service agencies in providing credit counseling, homebuyer counseling and education, and education on tenant rights and responsibilities for households entering or re-entering the rental market, such as formerly homeless households, and those entering the homeownership market.

Fair Housing Services and Outreach

Action 4: The County and each participating jurisdiction will work with SJFH or a similar organization to design and implement a comprehensive testing program in San Joaquin County to identify the extent of fair housing problems in the county. The results will allow SJFH to target its programs to address the problems identified. SJFH shall seek additional funding, such as special grants, to carry out the testing program as well as pursue partnerships with other organizations, such as University of the Pacific or WorkNet.

Action 5: The County and each participating jurisdiction will continue to work with the fair housing service providers (e.g., San Joaquin Fair Housing Association), the Housing Authority, and local apartment and realtor associations to reach out to landlords and managers of smaller rental properties. This outreach may include updating mailing lists of smaller rental landlords and managers to provide informational material regarding fair housing rights and responsibilities, including rights of persons with disabilities; and conducting fair housing workshops.

Action 6: The County and each participating jurisdiction will continue to support the primary fair housing service provider, San Joaquin Fair Housing Association (SJFH), in conducting fair housing workshops for residents, apartment owners, landlords, and property managers. Workshops will include translators who speak Spanish and other appropriate languages. The County shall work with SJFH to update and provide brochures for distribution at local service centers and at city and county offices. The County and each participating jurisdiction will provide phone numbers and referral information to the SJFH on their websites and will make referrals to SJFH as issues/cases come to their attention. The County will encourage the fair housing service provider to coordinate with the real estate and apartment associations regarding fair housing training.

Action 7: The County and each participating jurisdiction will work with SJFH to increase awareness of the rights of persons with disabilities, ADA issues, reasonable accommodation, and available services.

Analysis of Impediments to Fair Housing, 2015-2019

San Joaquin County, California

Action 8: The County and each participating jurisdiction will continue to comply with antidiscrimination requirements including, all applicable Federal regulations as demonstrated in the County’s application for Community Development Block Grant, HOME, and other Federal funds.

Public Policies and Programs

Action 9: The County and each participating jurisdiction will continue to implement policies and programs identified in the Housing Element of each jurisdiction and implement Zoning Ordinance amendments necessary to further fair housing. In addition, the following actions need to be taken:

- San Joaquin County should amend the Development Title to update the current definition of “family” to remove the restriction on the number of non-related individuals; and to restrict the development of single-family units in medium- and high-density (i.e., multifamily) zoning districts.
- The City of Escalon should amend the zoning ordinance to update the current definition of “family” to remove the restriction on a group of unrelated persons; and to restrict the development of single-family units in medium- and high-density (i.e., multifamily) zoning districts.
- The City of Lathrop should amend the zoning ordinance to update the current definition of “family” to remove the restriction on the number of non-related individuals; to restrict the development of single-family units in medium- and high-density (i.e., multifamily) zoning districts; and to comply with State law regarding density bonus provisions.
- The City of Ripon should amend the zoning ordinance to update the current definition of “family” to remove the restriction on the number of non-related individuals; and to restrict the development of single-family units in multifamily zoning districts.
- The City of Tracy should amend the zoning ordinance to update the current definition of “family” to remove the restriction on the number of non-related individuals; and to restrict the development of single-family units in medium- and high-density (i.e., multifamily) zoning districts.

Analysis of Impediments to Fair Housing, 2015-2019

San Joaquin County, California

**TABLE 19
ACTION PRIORITY MATRIX
San Joaquin Urban County
2015-2020**

Action	Responsible Jurisdiction	Partner/Other Agency	Time frame	Funding Source	Priority	
Access to Information						
1	Provide website links to housing services and resources, fair housing, and consumer information.	All	Various	FY 2016/2017	-	Medium
2	Provide education on fair housing to County and City staff members who administer and oversee housing programs and code enforcement activities.	All	Various	FY 2016/2017	-	High
3	Support fair housing service providers and other housing service agencies in providing credit counseling, homebuyer counseling, and education on tenant rights and responsibilities for households entering or re-entering the rental market.	All	Various	FY 2015/2016 to FY 2018/2019	-	Medium
Fair Housing Services and Outreach						
4	Design and implement a comprehensive testing program in San Joaquin County to identify the extent of fair housing problems in the county.	All	SJFH and similar organizations	FY 2016/2017	Grants, partnerships	Medium
5	Reach out to landlords and managers of smaller rental properties to provide informational material regarding fair housing rights and responsibilities.	All	Various	FY 2015/2016 to FY 2018/2019	-	Medium
6	Continue to support the primary fair housing service provider, San Joaquin Fair Housing (SJFH), in conducting fair housing workshops for residents, apartment owners, landlords, and property managers including providing phone numbers and referral information to the SJFH on websites and making issue/case referrals to SJFH as needed.	All	SJFH	FY 2015/2016 to FY 2018/2019	-	High
7	Work with SJFH to increase awareness of the rights of persons with disabilities, ADA issues, reasonable accommodation, and available services.	All	SJFH	FY 2015/2016 to FY 2018/2019	-	Medium
8	Continue to comply with antidiscrimination requirements, including all applicable Federal regulations as demonstrated in the County's application for Community Development Block Grant, HOME, and other Federal funds.	All	Various	FY 2015/2016 to FY 2018/2019	-	Medium
Public Policies and Programs						
9	Continue to implement policies and programs identified in the Housing Element of each jurisdiction and implement Zoning Ordinance amendments necessary to further fair housing.	All	Various	FY 2015/2016 to FY 2018/2019	-	High