

*2010-2015
Analysis of Impediments to
Fair Housing Choice*

San Joaquin County and City of Stockton

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Analysis of Impediments to Fair Housing Choice

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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 jurisdictions of the City of Stockton and San Joaquin County, and the participating jurisdictions of the Cities of Escalon, Lathrop, Manteca, Ripon, and Tracy for the 2010-2015 reporting period.

In addition to analyzing background information on demographic, economic, and housing characteristics of the City of Stockton and San Joaquin County, this AI Report reviews analyzes potential impediments to fair housing choice. Representatives from City of Stockton, San Joaquin County, participating jurisdictions, and the following agencies and organizations helped refine actions from the 2005-2010 reporting period and identify new recommended actions for 2010-2015: the Board of Directors of San Joaquin Fair Housing Inc., San Joaquin Housing Authority, City of Stockton Mayor's Task Force on Persons with Disabilities, Disability Resource Agency, Salvation Army, St. Mary's Interfaith Community Services, Valley Mountain Regional Center, San Joaquin County Rental Property Association, Central Valley Board of Realtors, Stockton Shelter for the Homeless, and Central Valley Low Income Housing Corporation.

In general, discrimination based on race/ethnicity is not a significant impediment to fair housing choice in the county. Both the City of Stockton and San Joaquin County support an ethnically/racially diverse population. Foreclosures and predatory lending practices currently present some fair housing issues, as does the need for addition landlord/tenant mediation and education. Persons with disabilities face barriers to housing choice and independent living. There is generally a lack of housing with accessibility features (e.g., hallways wide enough for wheelchair access).

Institutional arrangements that fund and support San Joaquin Fair Housing Inc. and partnerships with social service organizations such as Central Valley Low Income Housing Corporation are great 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.

As a result, the City of Stockton and San Joaquin County have identified the following actions as priorities for the 2010-2015 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 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.
4. 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
5. Design and implement a comprehensive testing program in San Joaquin County to identify the extent of fair housing problems in the county.

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6. Reach out to landlords and managers of smaller rental properties to provide informational material regarding fair housing rights and responsibilities.
7. 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.
8. Work with SJFH to increase awareness of the rights of persons with disabilities, ADA issues, reasonable accommodation, and available services.
9. 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.
10. Continue to implement policies and programs identified in the Housing Element of each jurisdiction.

Section 1. Introduction

1.1 Purpose

This Analysis of Impediments to Fair Housing Choice (AI) report is for the entitlement jurisdictions of the City of Stockton and San Joaquin County, and the participating jurisdictions of the Cities of Escalon, Lathrop, Manteca, Ripon, and Tracy. This report will be submitted along with the San Joaquin County and City of Stockton Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD) to support grant applications for Federal funding for housing programs over the five-year period from July 2010 to June 2015. 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 2005-2010 AI action items

Section 5: Recommended action items for the 2010-2015 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 1959) provides protection from discrimination by all business establishments in California, including housing and accommodations. It expands the Federal protected classes (i.e., race, color, religion, national origin, sex, disability, or familial status) to also include age, ancestry, and sexual orientation.

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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. To the extent that these groups are impacted, they are documented in this report.

1.2 Regulatory Setting

Federal Fair Housing

The Federal Fair Housing Act (1968) and Fair Housing Amendments Act (1988) are Federal fair housing laws that prohibit discrimination in all aspects of housing, such as the sale, rental, lease, or negotiation for real property. The 1968 Fair Housing Act prohibits discrimination based on race, color, religion, national origin, and sex (i.e., protected classes). In 1988 the Fair Housing Act was amended to extend protection to familial status and people with 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 multi-family dwellings to accommodate persons with physical disabilities.

State Fair Housing

The Fair Employment and Housing Act (FEHA) and the Unruh Civil Rights Act (Part 2.8 of the California Government Code, Sections 12900-12996) are California fair housing laws. The FEHA prohibits discrimination and harassment in all aspects of housing, including 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, national origin, race, religion, sex, and sexual orientation.

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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, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, sexual orientation, 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; 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 ‘disability’ or ‘handicap’ as being a physical or mental impairment which substantially limits one or more of such person’s major life activities; a record of having such an impairment; or being regarded as having such an impairment.

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

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

1.4 Methodology

The scope of analysis and the format used for this AI Report adheres to recommendations contained in the 1998 *Fair Housing Planning Guide* prepared by HUD.

City of Stockton and San Joaquin County staff (Staff) and Mintier Harnish (Consultants) incorporated information into this report from the 2009 City of Stockton Draft Housing Element, the 2009 San Joaquin County Housing Element, the 2005-2010 City of Stockton Consolidated Plan, and the 2005-2010 San Joaquin 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. However, in many cases 2000 U.S. Census data was the most recent or only information available which means that the analysis of demographic trends in this report is not significantly different from the 2005-2010 City of Stockton AI Report or 2005-2010 San Joaquin County AI Report. To gain a greater understanding of the current impediments to fair housing choice, Staff and Consultants conducted over 20 interviews from December 2009 to February 2010 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, as shown in Section 5.

Staff and Consultants held a public workshop on December 16, 2009, to gather input from the fair housing stakeholder community. Workshop participants included San Joaquin Fair Housing, San Joaquin County Environmental Health Department, City of Tracy, California Rural Legal Assistance, Valley Mountain Regional Center, San Joaquin Farm Bureau Federation, and Campaign for Common Ground. Participants identified increasing tenant and landlord education as the most important action to be taken to further fair housing practices in the county. Participants discussed how foreclosures have not only made

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the housing market more affordable, but have also increased the supply of rental housing. They identified that an increase in rental properties is a positive trend, but that additional funding is needed for landlord education and repair and rehabilitation of rental units. Participants agreed that discrimination is generally not a problem in Stockton or the county, and while there are pockets of high minority concentration, these are based on affordability of certain neighborhoods. They stated that special needs populations and farmworkers have the most significant barriers to fair housing choice in the county.

Section 2. Existing Conditions

This section uses data from the 2000 U.S. Census, the 2008 American Community Survey (1-Year Estimates), and California Department of Finance 2009 Population Estimates. American Community Survey data is available only for San Joaquin County (including all the cities and unincorporated areas) and the City of Stockton. Where data is shown for San Joaquin County, it includes data for all the cities and unincorporated areas unless otherwise labeled as Unincorporated.

2.1 Population and Racial/Ethnic Characteristics

San Joaquin County is one of the fastest growing counties in California. The county’s population increased from 563,598 in 2000 to 689,480 in 2009, an increase of approximately 18 percent (Table 1). In comparison, the population in California increased by 11.5 percent during the same period. Several cities reported significantly higher population gains than the county. Many of the southern county cities, such as Lathrop, Ripon, and Tracy, grew at rates almost double that of the countywide rate. The greatest gain was within Lathrop, which grew by 40 percent. The slowest rate of growth occurred within unincorporated areas, which increased by 11 percent from 2000 to 2009.

TABLE 1 POPULATION GROWTH San Joaquin County 2000-2009								
Population	Entitlement Jurisdictions		Participating Jurisdictions					Total County
	Unincorporated	Stockton	Escalon	Lathrop	Manteca	Ripon	Tracy	
2000	130,066	243,771	5,963	10,445	49,258	10,146	56,929	563,598
2009	146,196	290,409	7,163	17,671	67,754	15,260	81,714	689,480
Total Change	16,130	46,638	1,200	7,226	18,496	5,114	24,785	125,882
Percent Change	11.0%	16.1%	16.8%	40.9%	27.3%	33.5%	30.3%	18.3%

Sources: 2000 U.S. Census; Department of Finance, 2009.

In 1970 over 90 percent of the population in the county was white. Over the past thirty years, however, San Joaquin County’s population has become increasingly diverse. By 2000, 58.1 percent of San Joaquin County and 43.3 percent of Stockton was white.

From 2000 to 2008 Asian population increased by 43.8 percent in San Joaquin County and 29.8 percent in Stockton; however, this was 25.8 percent of the total new growth in San Joaquin County and 45.0 percent of the total new growth in Stockton. From 2000 to 2008 there was also an increase in the Hispanic/Latino population in both the county, from 30.5 percent to 37 percent, and in Stockton from 32.5 percent to 37.9 percent. In 2000 the U.S. Census reported that the cities of Lathrop and Stockton, and the unincorporated areas, had the highest proportion of Hispanic/Latino residents in the county; Ripon and Escalon had the smallest.

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**TABLE 2
POPULATION BREAKDOWN BY RACE AND ETHNICITY
San Joaquin County and Stockton
2000-2008**

	San Joaquin County ¹					Stockton				
	2000		2008		Change	2000		2008		Change
	Number	Percent	Number	Percent		Number	Percent	Number	Percent	
White	327,607	58.1%	417,877	62.1%	27.6%	105,446	43.3%	129,870	47.1%	23.2%
Black or African American	37,689	6.7%	51,169	7.6%	35.8%	27,417	11.2%	32,420	11.8%	18.2%
American Indian and Alaska Native	6,377	1.1%	6,763	1.0%	6.1%	2,727	1.1%	3,952	1.4%	44.9%
Asian	64,283	11.4%	92,445	13.7%	43.8%	48,506	19.9%	62,973	22.8%	29.8%
Native Hawaiian and Other Pacific Islander	1,955	0.3%	2,478	0.4%	26.8%	981	0.4%	2,155	0.8%	119.7%
Other	91,613	16.3%	68,913	10.2%	-24.8%	42,208	17.3%	28,849	10.5%	-31.7%
Two or More Races	34,074	6.0%	32,743	4.9%	-3.9%	16,486	6.8%	15,666	5.7%	-5.0%
TOTAL	563,598	100.0%	672,388	100.0%	19.3%	243,771	100.0%	275,885	100.0%	13.2%
Hispanic or Latino (of any race)	172,073	30.5%	248,563	37.0%	44.5%	79,217	32.5%	104,494	37.9%	31.9%

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

Sources: 2000 U.S. Census; 2008 American Community Survey 1-Year Estimates.

Southeast Asian Households

In the last 25 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. According to United Hmong/Lao Family estimates, there are approximately 40,000 Southeast Asians in the county, a group that includes Hmong, Cambodians, and Laotians. The 2000 Census data do not separate Southeast Asian immigrants from other Asian-born immigrants. As of 2000 Stockton's population included over 30,000 Asian-born immigrants. The vast majority (23,852, or 78 percent of the total) arrived since 1980.

There is a high rate of poverty and homelessness among the Southeast Asian community, in part due to recent immigration and language barriers. Low- and very-low incomes, combined with the average family size of six or seven persons, create a significant challenge to finding affordable housing and puts the population at high risk for homelessness.

According to United Hmong/Lao Family, it can take several weeks for the organization to find housing that is affordable to their clients. Sometimes the housing in which families are eventually placed is substandard, since there are few low-cost choices for large families. Furthermore, to afford rents, families are often forced to double- or triple-up with relatives or other families. This can result in crowding over 10 people into a one- or two-bedroom house or apartment. According to the 2000 U.S. Census, Asian

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households have a higher incidence of overcrowding (34.9 percent) compared to all other households in the county (14.3 percent).

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 having more than twice the county average for a given group. Figures 1 to 4 show the location of minority population for Census tracts from the 2000 U.S. Census. It is important to note that concentration is defined by the proportion of a racial/ethnic group in the total population of a Census tract. If a Census tract has low population, such as in areas west of Stockton (e.g., the Delta), 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 2000. As shown, Hispanic/Latino comprised the largest racial/ethnic minority in the county.

TABLE 3 SUMMARY OF MINORITY POPULATIONS San Joaquin County 2000		
Race/Ethnicity	Percentage of 2000 Population	Minority Percentage
Asian/Pacific Islander	11.9%	23.8%
Black/African American	6.5%	13.0%
Hispanic/Latino	30.5%	61.0%
TOTAL MINORITY	52.8%	-

Source: 2000 U.S. Census.

Figure 1 shows Census tracts with concentrations of minority population greater than the county average of 52.8 percent. The city of Stockton, agricultural areas to the west of Stockton (i.e., the Delta), and the unincorporated community of Thornton have the most areas of concentrated minority population. 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.

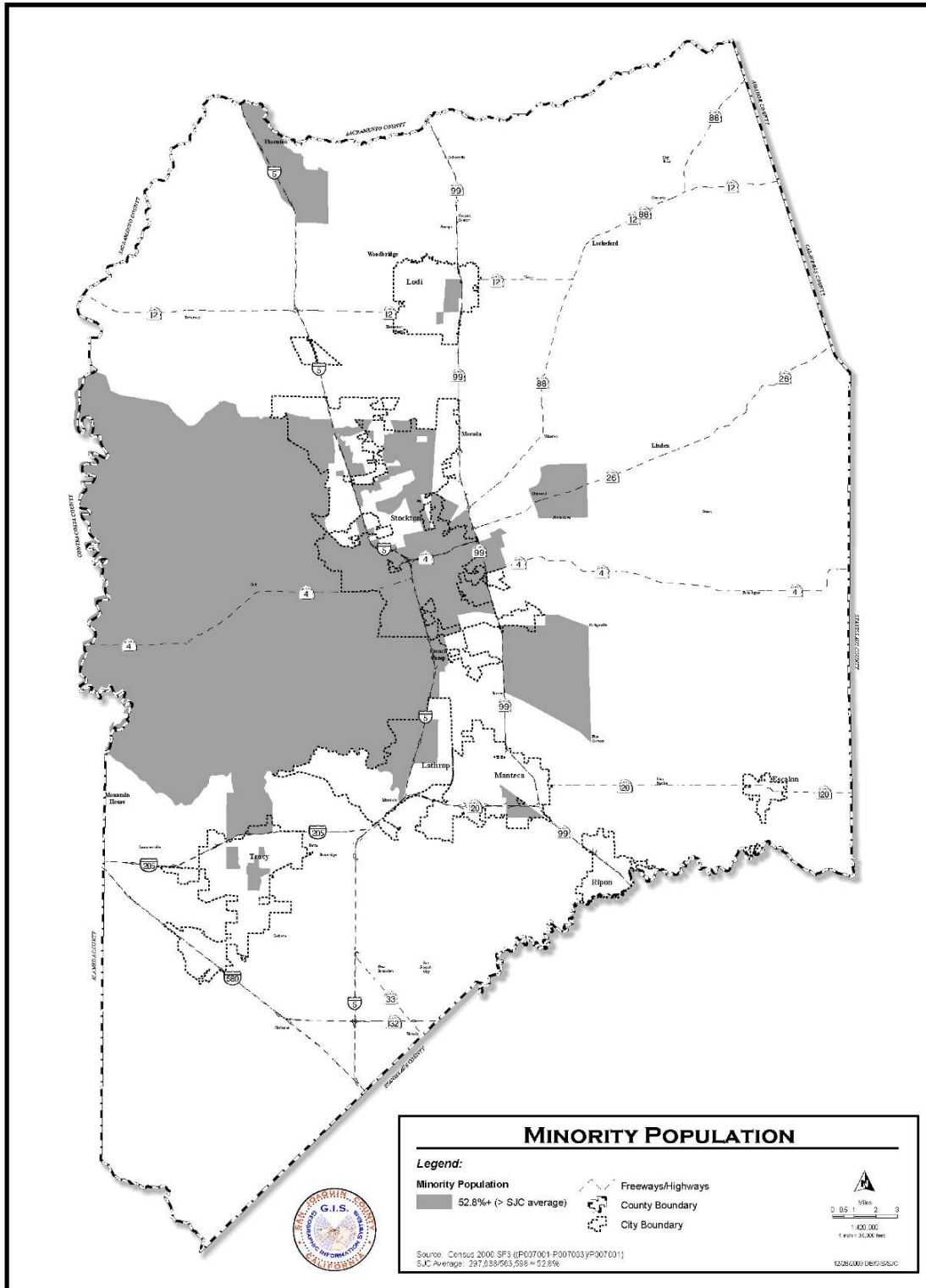
Figures 2 to 4 show additional detail about the geographic concentrations of specific racial/ethnic groups in the county. The figures show Census tracts where concentrations of a particular racial/ethnic group are above the countywide average and areas where concentrations are twice the countywide average. As shown in Figure 2, Asian/Pacific Islander population is concentrated (at twice the county average) in: north Stockton residential neighborhoods (e.g., West Lane and Delta View); east Stockton residential areas (e.g., East Stockton and East Homestead); south of State Route 4 on the western side of State Route 99 (e.g. River View); and in north Lathrop along Interstate-5. Figure 3 shows scattered concentrations of Black/African American population in south Stockton, French Camp, and rural residential/agricultural areas southeast of Stockton and southwest of Lathrop.

As shown in Figure 4, the Hispanic/Latino population is distributed throughout the county. The highest concentrations of Hispanic/Latino population are located in agricultural areas west of Stockton, the unincorporated community of Thornton, and the city of Stockton.

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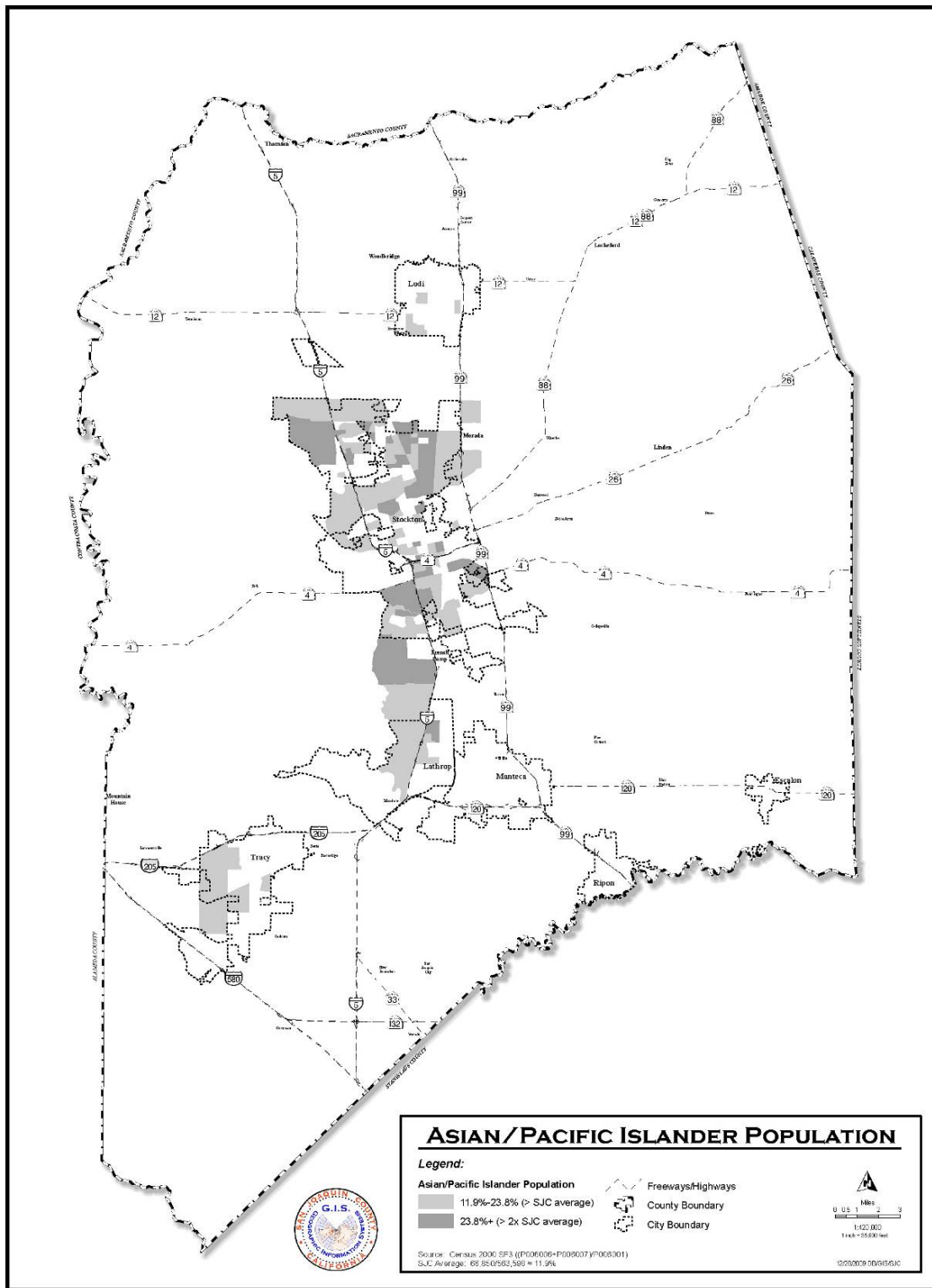
FIGURE 1
MINORITY CONCENTRATION
San Joaquin County, 2000



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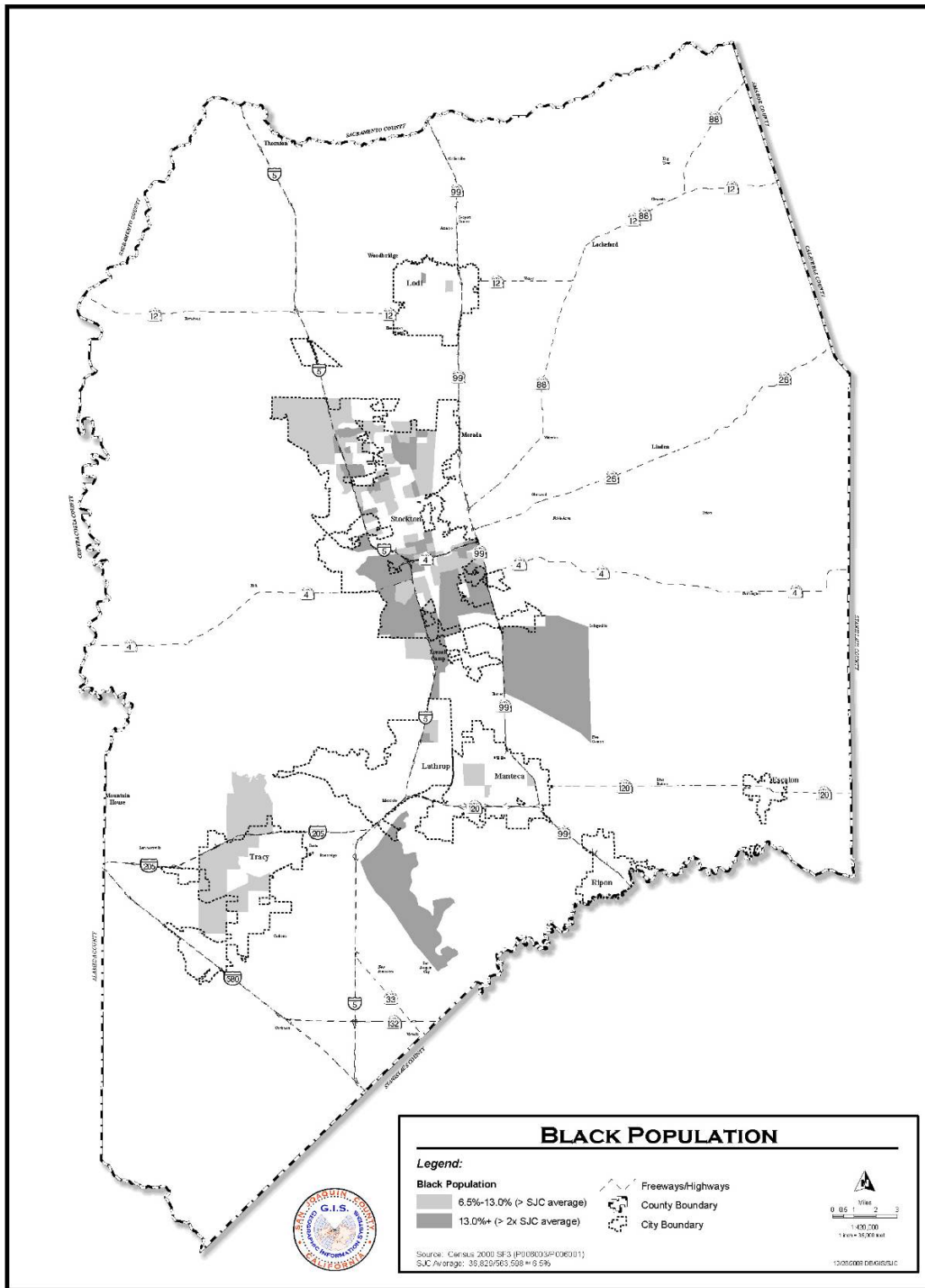
FIGURE 2
ASIAN/PACIFIC ISLANDER POPULATION
San Joaquin County, 2000



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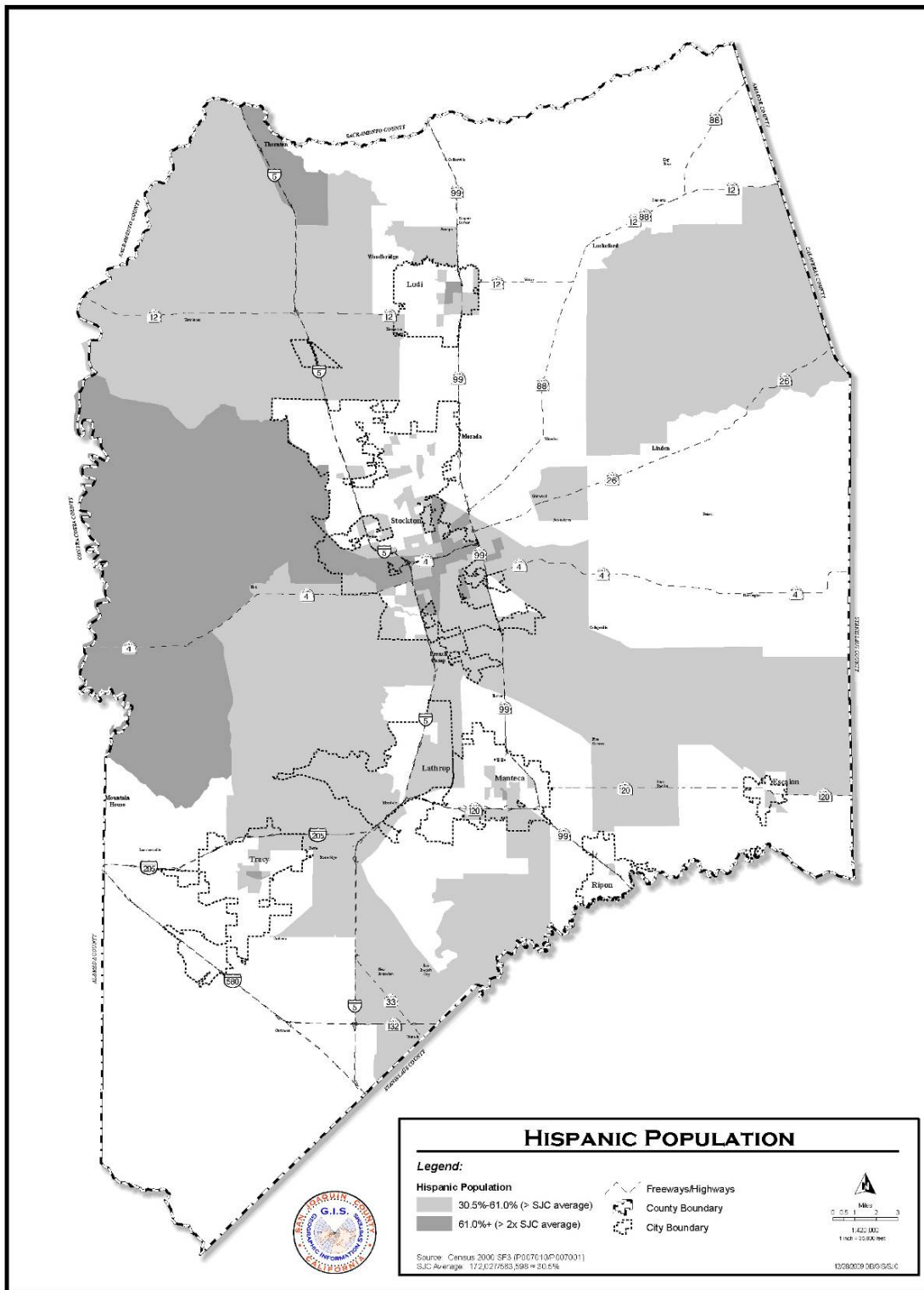
FIGURE 3
BLACK/AFRICAN AMERICAN POPULATION
San Joaquin County, 2000



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FIGURE 4
HISPANIC/LATINO POPULATION
San Joaquin County, 2000



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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 both San Joaquin County and Stockton increased from 2000 to 2008 from 3.01 to 3.18, and 3.02 to 3.12, respectively.

From 2000 to 2008 the number of households in San Joaquin County increased by 12.9 percent. Of these new households, approximately three-quarters were family households. Approximately 41 percent of all households in 2008 were comprised of families with children. The percentage of families with children increased only slightly for the county and Stockton from 2000 to 2008.

The proportion of non-family households in the county and Stockton did not significantly change from 2000 to 2008. However, over this same time period, county residents shifted from “other” non-family households (i.e., 38.4 percent decrease) to single person households (i.e., 43.1 percent increase).

TABLE 4 HOUSEHOLD CHARACTERISTICS San Joaquin County and Stockton 2000-2008								
	San Joaquin County ¹				Stockton			
	2000		2008		2000		2008	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Average Household Size	3.01		3.18		3.02		3.12	
Total Family Households	135,419	74.6%	152,542	74.4%	56,684	72.1%	62,344	72.1%
Families with Children	75,070	41.3%	84,702	41.3%	32,693	41.6%	36,424	42.1%
Total Non-Family Households	46,193	25.4%	52,514	25.6%	21,910	27.9%	24,151	27.9%
Singles	29,518	16.3%	42,248	20.6%	17,972	22.9%	19,438	22.5%
Others	16,675	9.1%	10,266	5.0%	4,398	5.6%	4,713	5.4%
Total Households	181,612	100.0%	205,056	100.0%	78,594	100.0%	86,495	100.0%

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

Sources: 2000 U.S. Census; 2008 American Community Survey.

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As shown in Table 5, in 2000 average household size ranged from a low of 2.87 persons in Escalon to a high of 3.58 in Lathrop and 3.21 in Tracy. In comparison, the average household size in California was 2.87 persons, indicating that household size in San Joaquin County tended to be larger than in California.

Among the participating jurisdictions, Tracy and Lathrop had the highest percentage of families with children (52 and 51 percent) in 2000.

TABLE 5 HOUSEHOLD CHARACTERISTICS Escalon, Lathrop, Manteca, Ripon, and Tracy 2000										
Participating Jurisdictions										
	Escalon		Lathrop		Manteca		Ripon		Tracy	
Average Household Size	2.87		3.58		2.98		2.98		3.21	
Total Family Households	5,391	90.4%	9,829	94.1%	43,771	88.9%	9,194	90.6%	52,233	91.8%
Families with Children	850	41.3%	1,486	51.1%	7,080	43.3%	1,534	45.5%	9,115	51.7%
Total Non-Family Households	546	9.2%	606	5.8%	5,010	10.2%	841	8.3%	4,351	7.6%
Single Person Households	402	6.7%	301	2.9%	3,051	6.2%	570	5.6%	629	1.1%
Other	144	2.4%	305	2.9%	1,959	4.0%	271	2.7%	3,722	6.5%
Total Households	5,963	100.0%	10,445	100.0%	49,258	100.0%	10,146	100.0%	56,929	100.0%

Source: 2000 U.S. Census.

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.

In 2008 the median household income was \$54,882 in San Joaquin County and \$49,034 in Stockton, which represented increases of 33 and 38 percent, respectively, over the 2000 level. The income profile of residents varies significantly among the cities in the county. In 2000 median household income ranged from a low of \$35,453 in Stockton to a high of \$62,794 in Tracy (Table 6).

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TABLE 6 MEDIAN HOUSEHOLD INCOME San Joaquin County 2000 and 2008		
Jurisdiction	Median Household Income	
	2000	2008
Entitlement Jurisdictions		
Stockton	\$35,453	\$49,034
San Joaquin County ¹	\$41,282	\$54,882
Participating Jurisdictions		
Escalon	\$49,797	-
Lathrop	\$55,037	-
Manteca	\$46,677	-
Ripon	\$56,979	-
Tracy	\$62,794	-

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

Sources: 2000 U.S. Census; 2008 American Community Survey (1-Year Estimates).

Geographic Concentrations of Low- and Moderate-Income Households

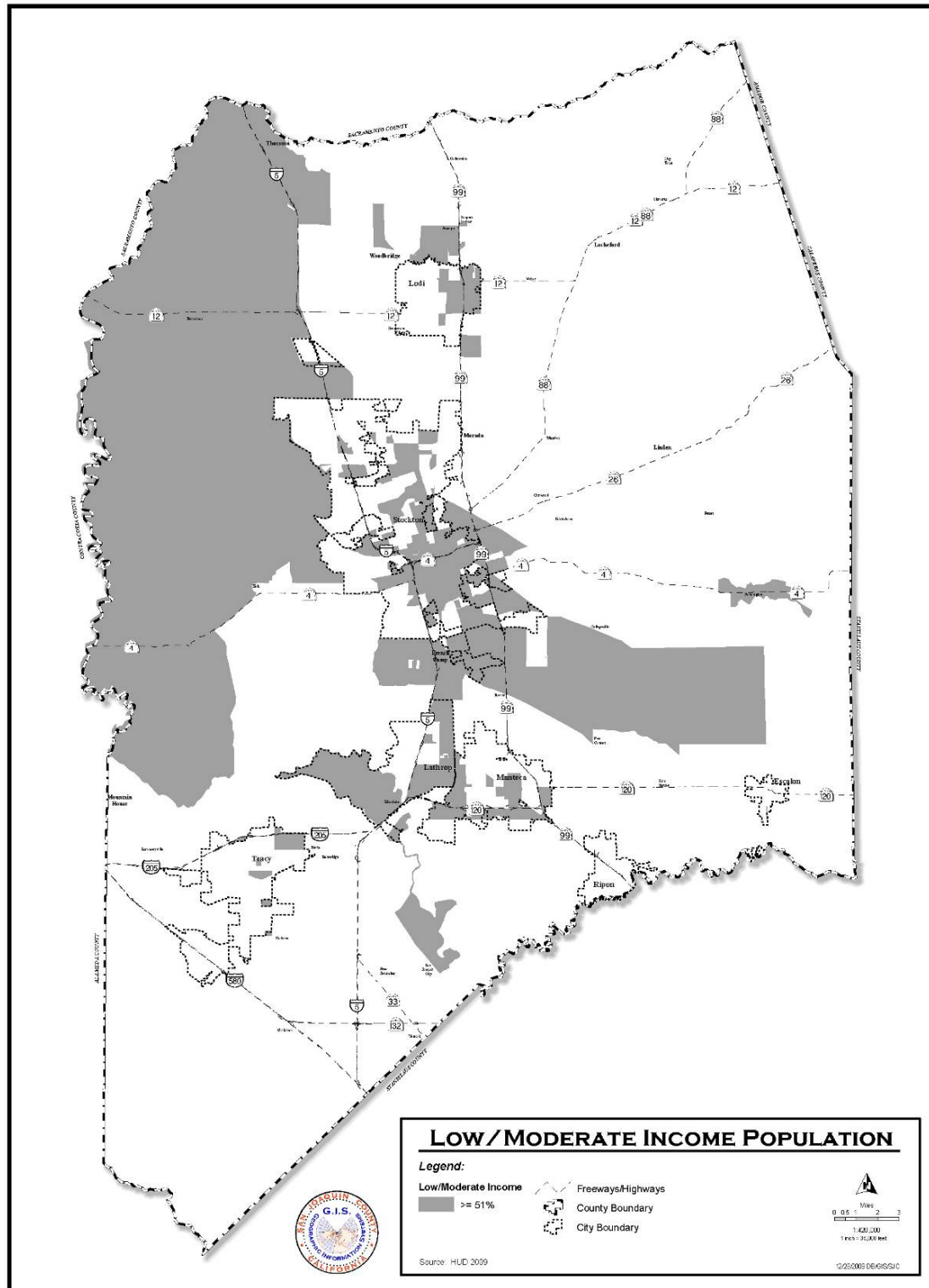
For the purpose of this report, low- and moderate-income refers to households earning 80 percent or less of the San Joaquin County median family income, as determined by HUD. In 2009 the median family income in San Joaquin County was \$63,000, and the low- and moderate-income limit was \$50,900.

Figure 5 shows Census block groups in San Joaquin County where the percentage of low- and moderate-income households was greater than 51 percent in 2000. 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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FIGURE 5
LOW/MODERATE INCOME POPULATION
San Joaquin County, 2000



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2.4 Special Needs Populations

Certain households because 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

Due to limited income, prevalence of physical or mental disabilities, limited mobility, and high healthcare costs, seniors are considered a special needs group. Incomes for senior households are often fixed and limited. Their low-income status limits their ability to fulfill their need for housing and other necessities such as healthcare. According to the 2008 American Community Survey, approximately 12.5 percent of persons in San Joaquin County, aged 65 years and over, had income over the past 12 months below the poverty level. This percentage was slightly lower in Stockton (11.3 percent).

Seniors often have long-term healthcare needs related to different types and degrees of disabilities. In 2008, 44.3 percent of senior residents (29,225 persons) in San Joaquin County and 47.9 percent of seniors in Stockton reported having some type of disability.

Some of the housing problems facing elderly persons include finding affordable housing and dealing with their eviction after long-term tenancies. 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.

In 2000 approximately 21 percent of households in San Joaquin County were large household renters; this was lower in Escalon, Manteca, Ripon, and Tracy. The lowest proportion of large household renters was within the community of Ripon, with only 11 percent. Lathrop had a significantly larger proportion of large household renters, with 32 percent being large household renters.

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

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need for wheelchairs, home modifications to improve accessibility, or other forms of assistance. Landlords/owners sometimes fear that a unit may sustain wheelchair damage or 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.

According to the 2000 Census 108,656 persons living in San Joaquin County had a disability, comprising 21 percent of the total population over five years of age. Stockton had the highest percentage of disabled residents, 46,714 or 23.4 percent of the total population.

The proportion of individuals with disabilities increases with age. Approximately 47 percent of seniors age 65 years and older had a disability. Over half of the population aged 65 years and older in Manteca and Lathrop had disabilities. Most communities had similar proportions of disabled individuals as the entire county.

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 compromised 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 non-profit Visionary Home Builders, many farmworker families live in overcrowded conditions and substandard conditions. The market for low-cost units in Stockton is tight because multi-family units have a low vacancy rate. The market worsened recently due to the loss of single-room occupancy units in the downtown Stockton area.

Determining the actual number of farmworkers in a region is difficult, due to the variability of the definitions used by government agencies. The U.S. Department of Health and Human Services released a study in 2000 estimating the number of migrant and seasonal farmworkers and their non-farmworker household members in the a report entitled *California: Migrant and Seasonal Farmworker Enumeration Profiles Study*. The report was based on secondary source material, including existing database information and interviews with knowledgeable individuals. The study reported that in 2000 San Joaquin County had an estimated 60,184 farmworkers, including 27,865 migrant farmworkers and 32,319 seasonal farmworkers. The U.S. Census of Agriculture estimates that from 2000 to 2007, the number of farm workers had decreased by 25 to 30 percent (Table 7). According to the Census, in 2007, there were 23,037 farm workers, of which 15,508 were migrant or seasonal workers.

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TABLE 7 FARMWORKERS San Joaquin County¹ 2002 to 2007			
Type of Farm Labor¹	2002	2007	Percent Change
Hired farm labor (farms)	1,761	1,541	-12.5%
Hired farm labor (workers)	30,957	23,037	-25.6%
Workers by days worked – 150 days or more	8,323	7,529	-9.5%
Workers by days worked – less than 150 days	22,634	15,508	-31.5%
Migrant farm labor on farms with hired labor	525	426	-18.9%
Migrant farm labor on farms reporting only contract labor	118	100	-15.3%

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

Source: U.S. Census of Agriculture, 2002 and 2007.

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 the streets. There are also single homeless minors, including runaway and “throwaway” youth (children whose parents will not allow them to live at home).

The housing needs of homeless persons are more difficult than those of other special needs population to measure and assess. Since these individuals have no permanent address, they are not likely to be counted in the Census.

Preliminary results from a homeless count conducted in San Joaquin County in January 2009 counted 2,977 homeless persons in the County. The majority of individuals counted (2,815) were sheltered. About 5 percent (162) of the homeless individuals counted were unsheltered. About 60 percent were male and 40 percent were female. The results of the January 2009 homeless count are not yet available at the city level, so the number of homeless persons in Stockton is unknown; however, a large percentage of the individuals counted were residing in Stockton.

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Both the City of Stockton and San Joaquin County use comprehensive approaches to address homelessness in the county. A comprehensive three-fold approach called "Continuum of Care" is used to meet the needs of the homeless. The first tier is emergency shelter and short-term housing, the second tier is transitional housing, and the third tier is permanent affordable housing.

San Joaquin County administers the Supportive Housing and Shelter Plus Care Programs to provide special supportive housing for the homeless and persons with disabilities. The Shelter Plus Care Program is designed to provide housing and supportive services on a long-term basis for homeless persons with disabilities, primarily those with serious mental illnesses, chronic problems with alcohol and/or drugs, AIDS, or related diseases, who are living in places not intended for human habitation or in emergency shelters.

Persons Diagnosed with AIDS and Related Diseases

According to the San Joaquin County Public Health Services Department, there have been over 1,100 reported cases of AIDS since the onset of the disease in the county in the 1980s. Through the Housing Opportunities for Persons with AIDS (HOPWA) program, Federal funds are allocated to the State and the County for the purpose of assisting people living with the disease in securing permanent and affordable housing. Through San Joaquin County Public Health Services, Stockton Shelter uses HOPWA funds to purchase and run transitional houses for AIDS-infected persons who are homeless or having financial difficulties. Residents can stay in transitional housing for up to 12 months while they secure a job, home, or SSI benefits. Within Stockton, the Stockton Shelter administers one transitional house with capacity for eight individuals, and five condominiums for families of three to four people. In addition to transitional housing, Stockton Shelter also provides emergency assistance for people who cannot afford their housing payments due to a health emergency or high healthcare costs.

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.

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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 2009 approximately 76 percent of the housing units in San Joaquin County were single-family dwellings (Table 8). All of the participating jurisdictions have a larger proportion of this housing unit type than the county as a whole, while Stockton has a much lower proportion than the cities or the county.

TABLE 8 HOUSING STOCK San Joaquin County 2009							
	Entitlement Jurisdictions		Participating Jurisdictions				
	San Joaquin County ¹	Stockton	Escalon	Lathrop	Manteca	Ripon	Tracy
Single-Family							
Number	177,430	69,601	2,133	4,535	18,373	4,457	21,997
Percent	77.5%	71.9%	84.7%	90.8%	80.0%	87.2%	86.0%
Multi-Family							
Number	41,773	25,965	251	106	3,737	642	3,093
Percent	18.2%	26.8%	10.0%	2.1%	16.3%	12.6%	12.1%
Mobile Homes/Other							
Number	9,778	1,288	135	351	851	11	476
Percent	4.3%	1.3%	5.4%	7.0%	3.7%	0.2%	1.9%
TOTAL	228,981	96,854	2,519	4,992	22,961	5,110	25,566

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

Source: California Department of Finance, January 2009.

Multi-family housing units consist of structures with two or more units. Multi-family dwelling units comprise 18 percent of the San Joaquin County housing stock. Over one-quarter of the housing stock in Stockton is multi-family. The participating jurisdictions have lower percentages of multi-family housing than the county or Stockton; Lathrop is notable with only 2.1 percent of its housing stock consisting of multi-family housing.

Occupancy/Vacancy Rates

Table 9 shows the occupancy and vacancy rates for Stockton, San Joaquin County, and California in 2000 and 2009. Stockton and San Joaquin County have both had lower vacancy rates than the state average since 2000. The vacancy rate in Stockton has remained around 4.2 percent since 2000, while the statewide vacancy rate has been closer to 6 percent.

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According to the California Department of Housing and Community Development (HCD), the desired minimum vacancy rates necessary to provide a stable housing environment are approximately 2 percent for the for-sale housing market and 5 percent for the rental housing market. According to the 2007 American Community Survey, the vacancy rate of for-sale housing available for occupancy in Stockton was 2.0 percent and the vacancy rate for rental housing available for occupancy was 3.2 percent. Countywide there was a vacancy rate of 2.1 percent for both rental and for-sale housing. The Stockton and county vacancy rates for for-sale housing was at the desired minimum levels; however, Stockton had less than optimal vacancy rate for rental housing, indicating that Stockton has a need for more rental units.

TABLE 9 OCCUPANCY/VACANCY Stockton, San Joaquin County, and California 2000 and 2009				
	2000		2009	
	Number	Percent	Number	Percent
Stockton				
Occupied Units	78,522	95.6%	92,738	95.8%
Vacant Units	3,603	4.4%	4,116	4.2%
Total Housing Units	82,125	100.0%	96,854	100.0%
San Joaquin County¹				
Occupied Units	181,629	96.0%	219,970	96.1%
Vacant Units	7,531	4.0%	9,011	3.9%
Total Housing Units	189,160	100.0%	228,981	100.0%
California				
Occupied Units	11,502,870	94.2%	12,733,414	94.1%
Vacant Units	711,679	5.8%	797,305	5.9%
Total Housing Units	12,214,549	100.0%	13,530,719	100.0%

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

Sources: California Department of Finance, 2009, Table E-5; and U.S. Census 2000.

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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.

In 2004 a survey of housing conditions was conducted by the County for the unincorporated areas only. In the survey, the term "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

Dilapidated – infeasible to repair, more economical to demolish

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, 28 and 23 percent respectively. The Ripon planning area had the lowest percentage of housing units in need of moderate repairs (2 percent). Countywide, 8 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, with 3 of 50 homes (6 percent) needing substantial repair, had the highest percentage.

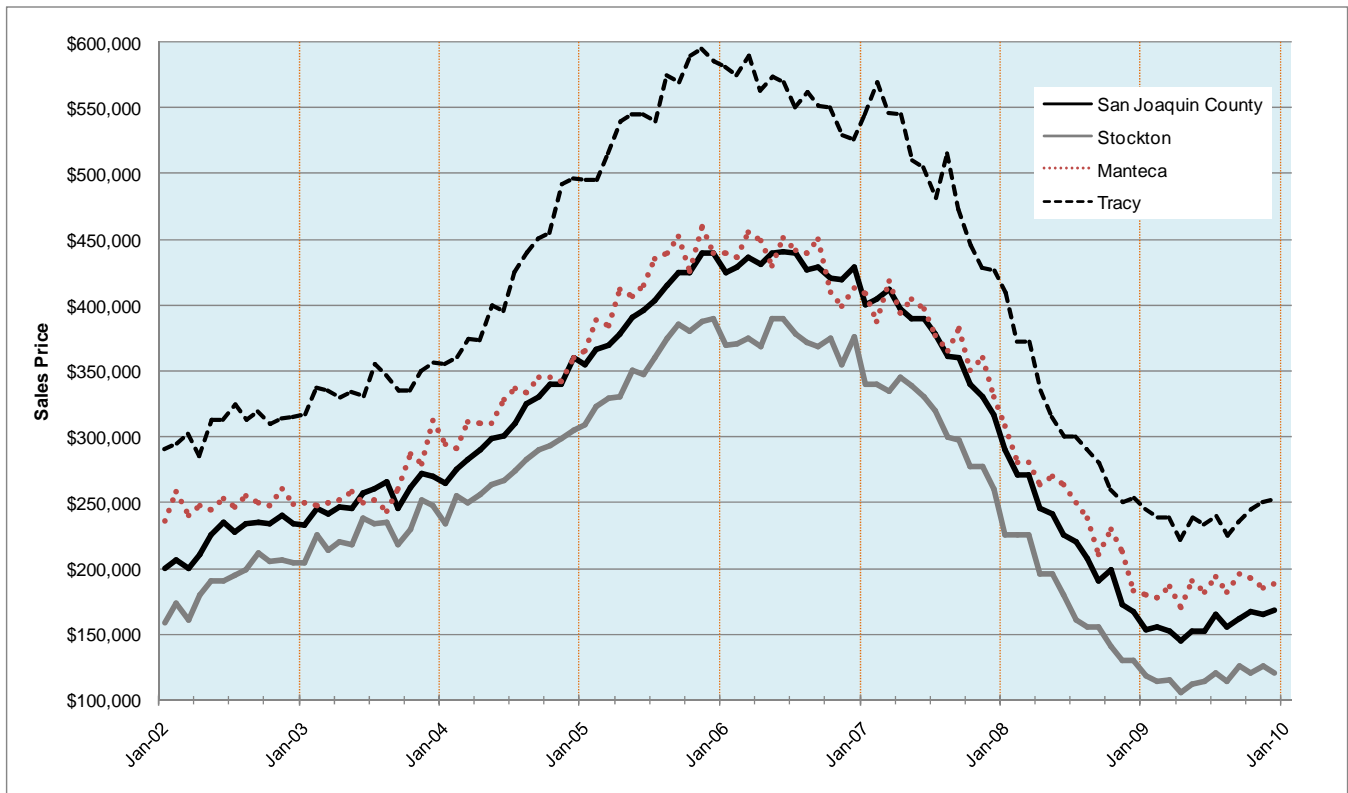
Approximately 6 percent of the housing units in the survey (148 housing units)—were rated as dilapidated (infeasible to repair). The Stockton planning area had the highest percentage of homes in dilapidated condition, with 10 percent (119 units) of the 1,235 homes surveyed.

Housing Prices

Between 1998 and 2009 there was a significant boom and then bust in local housing markets. Commonly referred to as the “housing bubble,” local markets exploded with construction and sales activity fueled by rampant speculation, loosening of credit requirements, and sub-prime loans for homeowners. According to data from the California Association of Realtors, from January 2002 to June 2006 the median home price in Stockton more than doubled, from about \$158,000 to \$390,000, and then fell to the lowest at \$105,000 in April 2009 (Figure 6). Since April 2009 sales prices have stabilized. This trend held for the other jurisdictions in the county.

While the drastic decline in median home prices occurred throughout California and San Joaquin County, Stockton was one of the hardest hit markets in the nation. According to HUD, as of June 2008, 12.3 percent of homes in Stockton and 10.5 percent of homes in San Joaquin County were in foreclosure. Figure 7 shows the distribution of foreclosures in the county as of December 2009. As shown, foreclosures are not only concentrated in areas of low- and moderate-income; the cities of Escalon, Ripon, Tracy, and Manteca all show high concentrations of foreclosures.

FIGURE 6
CHANGE IN HOME SALES PRICES
January 2002 to December 2009

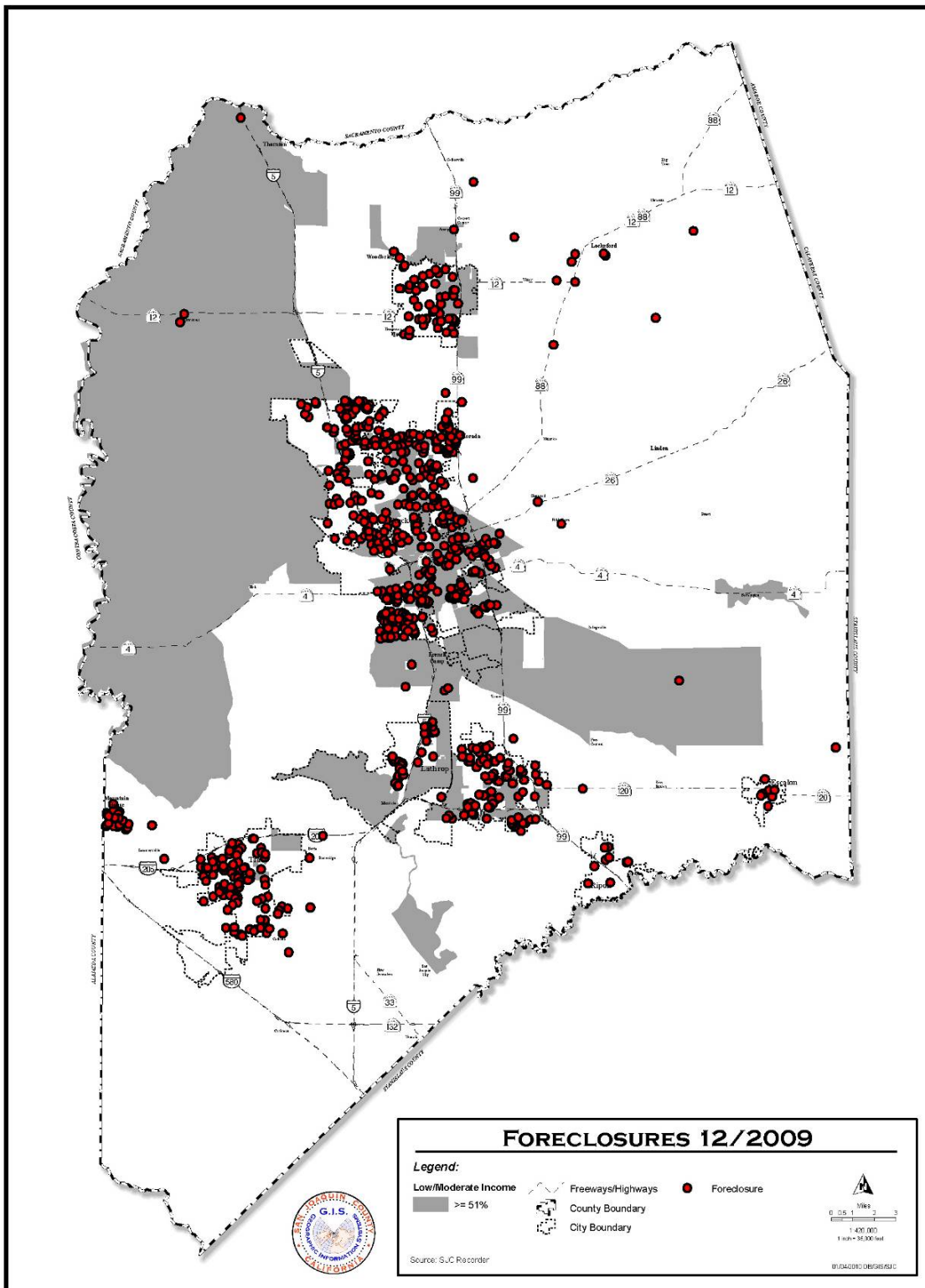


Source: California Association of Realtors, December 2009.

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FIGURE 7
FORECLOSURES FOR DECEMBER 2009
San Joaquin County, 2000



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Rents

Table 10 shows the average rent by jurisdiction. In general, the estimated average rental rates in San Joaquin County in 2009 averaged between \$586 for a studio to \$1,270 for a three-bedroom unit. Among the participating and entitlement jurisdictions, Tracy had the highest average, while Escalon, Stockton, and unincorporated areas had among the lowest average rental rates.

TABLE 10 AVERAGE RENTAL RATES San Joaquin County 2010							
	Entitlement Jurisdictions		Participating Jurisdictions ³				
	San Joaquin ¹	Stockton ²	Escalon	Lathrop	Manteca	Ripon	Tracy
Studio	\$586	\$629	N/A	N/A	\$775	N/A	\$690
One-Bedroom	\$631	\$732	N/A	N/A	\$738	\$733	\$815
Two-Bedroom	\$800	\$945	\$715	\$900	\$833	\$717	\$1,168
Three-Bedroom	\$1,270	\$1,020	\$1,269	\$1,319	\$1,214	\$1,314	\$1,389
All Sizes	\$822	\$833	\$661	\$1,110	\$890	\$921	\$1,354

¹San Joaquin County Housing Element, 2009.

²The weighted average as reported by RealFacts. RealFacts calculates the rent for each unit in the database and multiplies it by the numbers of units. Then RealFacts adds the total number of units and the total rent for all units. The total rent is divided by the total units to determine the weighted average.

³Rental rates are an average from a sample of rents found on Rent.com, Craigslist.com, Move.com, and Apartmenthunterz.com on 2/12/10 and include a mixture of both apartments and homes for rent.

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 December 2009, 7,719 households received Section 8

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assistance (see Table 11). Participants in the Section 8 voucher program reside throughout San Joaquin County; however, the vast majority (92.2 percent) of participants live in Stockton. About 2 percent of voucher recipients live in Manteca (2.2 percent) and Tracy (2.1 percent); the remaining communities in the county have even fewer recipients.

TABLE 11 SECTION 8 VOUCHERS BY JURISDICTION San Joaquin County 2009		
	Number	Percent
Entitlement Jurisdiction		
Stockton	7,116	92.2%
Unincorporated county	26	0.3%
Participating Jurisdiction		
Escalon	11	0.1%
Lathrop	28	0.4%
Manteca	168	2.2%
Ripon	12	0.2%
Tracy	160	2.1%
TOTAL	7,719	100.0%

Source: San Joaquin County Housing Authority, 2010.

As shown in Table 12, Section 8 voucher recipients are primarily African American Non-Hispanic (30.8 percent), American Indian Non-Hispanic (20.8 percent), White Non-Hispanic (12.9 percent), and White Hispanic (10.3 percent). 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. Of the 7,719 Section 8 voucher recipients approximately 36 percent (2,810) are persons with disabilities; of which 83 percent (2,331 persons) live in Stockton.

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TABLE 12
SECTION 8 BY ETHNICITY
San Joaquin County
2009

Ethnicity	Entitlement Jurisdictions		Participating Jurisdictions					TOTAL ¹ (PERCENT)
	Unincorporated	Stockton	Escalon	Lathrop	Manteca	Ripon	Tracy	
White Hawaiian Non-Hispanic	0	4	0	0	0	0	0	0.1%
White Hawaiian Hispanic	0	6	0	0	1	0	1	0.1%
White African American Non-Hispanic	0	1	0	0	0	0	0	0.0%
Asian Hawaiian Non-Hispanic	0	4	0	0	0	0	0	0.1%
Native American Hawaiian Non-Hispanic	1	0	0	0	0	0	0	0.0%
Native American Asian Non-Hispanic	0	2	0	0	0	0	0	0.0%
African American Hawaiian Non-Hispanic	0	15	0	0	0	0	2	0.2%
White Hispanic	13	659	3	9	35	2	28	10.3%
African American Hispanic	0	667	0	0	0	0	1	8.7%
Native American Hispanic	0	23	0	0	0	0	0	0.3%
Asian Hispanic	0	15	0	0	0	0	0	0.2%
Native Hawaiian Hispanic	0	0	0	0	0	0	0	0.0%
White Non-Hispanic	7	723	7	5	84	8	41	12.9%
African American Non-Hispanic	4	2,261	0	12	31	2	60	30.8%
American Indian Non-Hispanic	1	1,590	0	0	3	0	3	20.8%
Asian Non-Hispanic	0	599	1	2	14	0	21	8.4%
Native Hawaiian Non-Hispanic	0	547	0	0	0	0	3	7.1%
TOTAL	26	7,116	11	28	168	12	160	100.0%

¹ Total includes data for the entire county, including Lodi.

Source: San Joaquin County Housing Authority, 2010.

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Public Housing

The San Joaquin Housing Authority owns and operates 1,103 units of conventional public housing (Figure 8) including Sierra Vista Homes and Conway Homes in Stockton; Tracy Homes, Diablo Homes, Burton Homes, and Kraft Homes in Tracy; and Mokelumne Manor in the unincorporated community of Thornton.

The Housing Authority also operates three State-owned migrant farm labor camps (288 units) in French Camp and Lodi and one 31-unit facility in Thornton. The State-owned housing is available to migrant workers annually from mid-March through the end of October and the facility in Thornton is open year-round. Daycare centers are provided for migrant workers as well as services from the California Employment Development Department, the U.S. Social Security Administration, and education and healthcare services. From mid-December through mid-March, one of the migrant camps in French Camp is used as a cold-weather overflow homeless shelter for families.

According to the San Joaquin Housing Authority, as of January 2010 there were over 12,956 families on the Housing Authority public housing waiting list (Table 13). This is a 22 percent increase from 2004, when there was a total of 10,600 families on the waiting list.

TABLE 13 PUBLIC HOUSING WAITING LIST (NUMBER OF APPLICANTS) San Joaquin County January 2010	
	Applicants
Entitlement Jurisdiction	
Unincorporated	186
Stockton	10,349
Participating Jurisdiction	
Escalon	31
Manteca	616
Lathrop	191
Lodi	499
Tracy	1,059
Ripon	25
TOTAL	12,956

Source: San Joaquin Housing Authority, January 2010.

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.

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Other Affordable Housing Projects

According to HUD and the U.S. Department of Agriculture (USDA), there are 39 privately-owned and Federally-subsidized rental housing developments in San Joaquin County (Figure 8). These units are available to households earning 80 percent or less of the County median family income, at a cost of no more than 30 percent of the occupant incomes. These facilities are all located in Stockton but vary in size; about 38 percent have capacity for less than 50 persons, 36 percent have capacity for 51 to 100 persons, and 26 percent have capacity for 100 to 200 persons.

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.

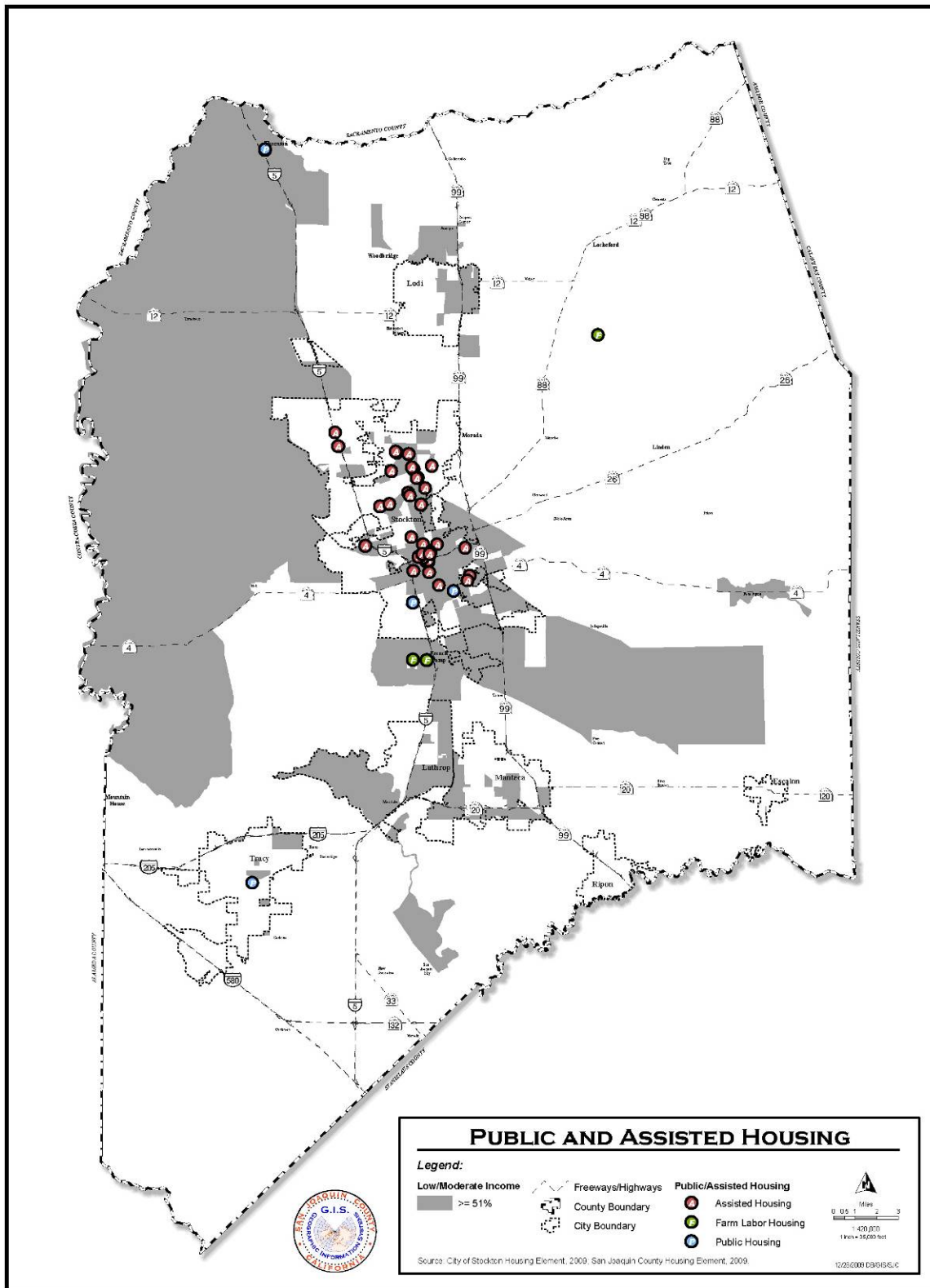
According to California's Community Care Licensing Division, 371 licensed community care facilities are located in San Joaquin County. This includes a diversity of facilities and specialized services such as adoption agencies, adult daycare, adult residential facilities, foster family/agencies, group homes, residential care for the elderly, small-family homes, and social rehabilitation facilities. Adult residential facilities (175) and residential care facilities for the elderly (103) comprise 75 percent of the community care facilities in the county. While a number of facilities accommodate persons with developmental and mental disabilities, care for disabled individuals is primarily provided within adult residential facilities.

As shown in Figure 9, community care facilities are distributed countywide, but tend to be concentrated in northern Stockton.

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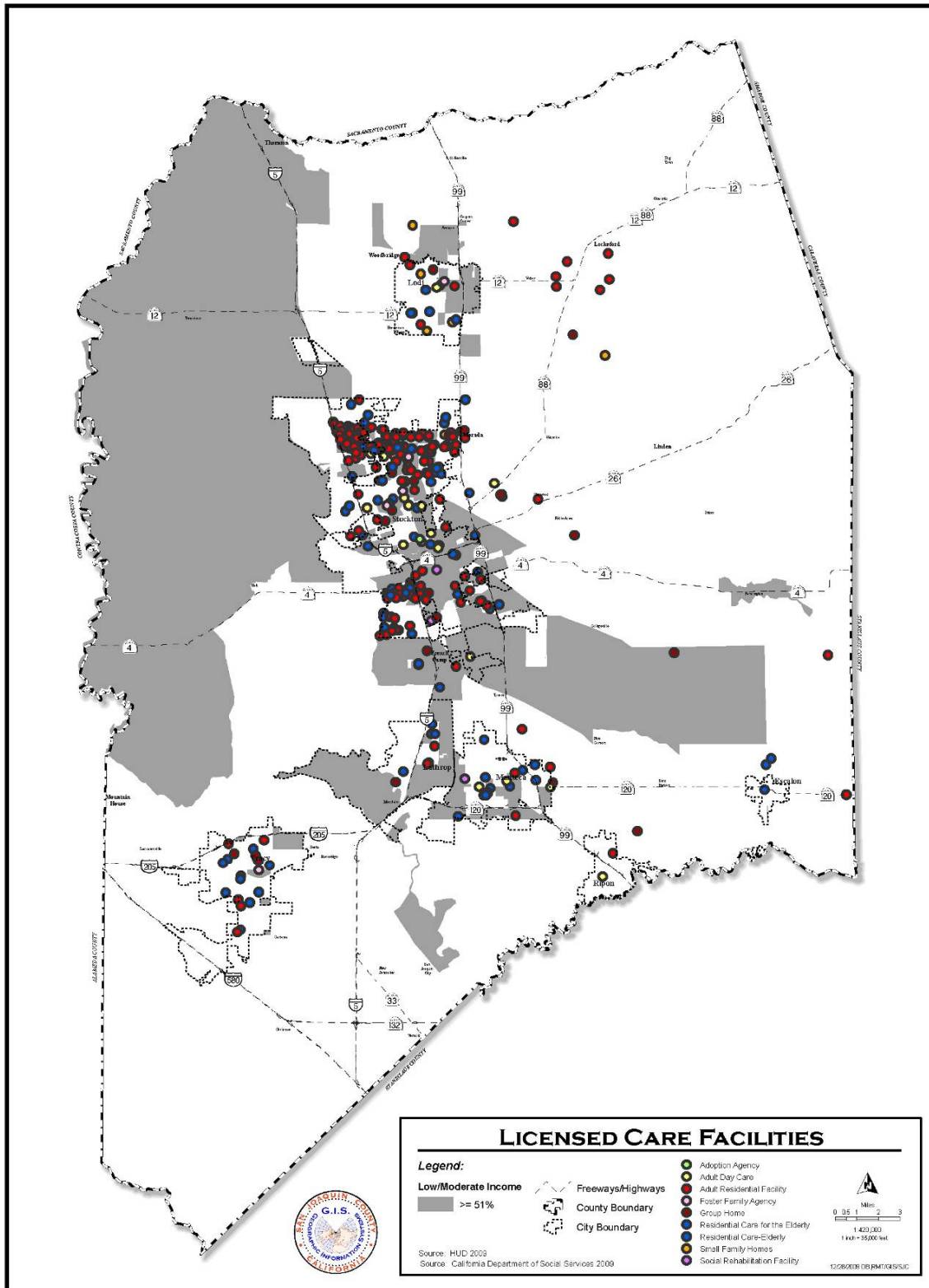
FIGURE 8
LOCATION OF PUBLIC HOUSING
San Joaquin County, 2009



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FIGURE 9
LOCATION OF COMMUNITY CARE FACILITIES
 San Joaquin County, 2009



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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 are currently working within a seven and a half year planning cycle that started January 1, 2007, and will end June 30, 2014. Housing elements were due to the State for review by August 30, 2009. While San Joaquin County and the City of Stockton have prepared housing elements, completed the review process with the State, and have conditional approval of the Housing Elements (i.e., they are in compliance with State law as interpreted by HCD), the participating jurisdictions have draft documents

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and are still working with HCD to comply with State requirements. Many of the action items identified in the 2005 City of Stockton AI Report and the 2005 San Joaquin County AI Report are being addressed through the HCD review process as the entitlement and participating jurisdictions bring their housing policy and programs into compliance with State law.

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 multi-family zones ensure that land zoned for multi-family use will be developed at higher densities.

While the land use elements of San Joaquin County, Stockton, and the participating jurisdictions allow a range of single-family (0 to 14 du/ac) and multi-family (6 to 50 du/ac) residential uses, most jurisdictions do not permit multi-family uses at a density greater than 30 du/ac. Given land and development costs in San Joaquin County, 30 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, except Escalon and Lathrop, allow densities greater than six du/ac in their single-family residential designations and greater than 20 units per acre in their multi-family designations.

Jurisdictions that do not permit single-family densities greater than 6 dwelling units per acre may impede the ability of 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. This potential impediment would be decreased to the extent that localities permit single-family homes in the lowest-density multi-family category of 6 to 15 du/ac.

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 multi-family residential uses could be developed for much lower intensity single-family uses.

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Nearly all of the San Joaquin County jurisdictions have created additional opportunities to accommodate housing by permitting multi-family 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 Stockton and 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 during the current (for the 2007 to 2014 planning period) housing element update process carried out by each jurisdiction.

Restrictions on Single-Family Units in Multi-family Districts

Single- and multi-family housing types include detached and attached single-family homes, duplexes or half-plexes, townhomes, condominiums, and apartments. Zoning ordinances typically specify the districts in which each of these uses would be permitted by right. Zoning ordinances should avoid “pyramid” or “cumulative zoning” which permits lower-density single-family uses in multi-family zones. Such practice reduces the potential for multi-family residential development. Stockton, San Joaquin County, Escalon, Lathrop, and Manteca do not allow single-family housing in multi-family districts. Ripon and Escalon, however, do not restrict the development of single-family housing in multi-family or medium- and high-density designations, which has the potential to be an impediment to the development of higher-density, multi-family housing.

Density Bonus Provisions

State law (California Government Code Section 65915) requires local governments to grant a density bonus and/or financially equivalent incentives to developers who agree to provide a specified percentage of affordable housing or 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. Amendments to the Code in 2004 lowered the threshold for achieving density bonuses and increased the incentives and concessions that local governments must provide. Stockton, San Joaquin County, and the participating jurisdictions all have revised their zoning ordinance or Development Title to comply with State law regarding density bonus provisions.

Definition of Family

A zoning ordinance can potentially restrict access to housing by defining families in a restrictive manner. California Courts have ruled that an ordinance that defines a “family” as: 1) an individual; 2) two or more persons related by blood, marriage, or adoption; or 3) a group of not more than a certain number of unrelated persons as a single housekeeping unit, is invalid. Court rulings stated that defining a family does not serve any legitimate or useful objective or purpose recognized under the zoning and land

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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 (2010) contained in each jurisdiction's zoning ordinance or Development Title. However, each jurisdiction, except Manteca, has indicated that the definition will be revised as a part of implementation of the current housing element to remove limitations on number of unrelated individuals.

TABLE 14 DEFINITION OF FAMILY San Joaquin County January 2010	
	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.
Stockton	No definition.
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 an individual or two or more persons related by blood, marriage or adoption, or a group of not more than five persons who need not be related by blood or marriage, living in a single housekeeping unit. Wards of the court or other dependent children placed with families under provisions of the laws of the state and county are considered as belonging to a family unit.
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; Escalon Municipal Code: 17.81.070 "F" definitions; Lathrop Municipal Code: 17.04.080 Definitions; Manteca Municipal Code: 17.61.030 Definitions; Ripon Municipal Code: 16.04.050 Rules of Construction; Tracy Municipal Code: 10.08.320 Family.

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.

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

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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 Stockton, 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). Zoning ordinances must be compliant with this law. 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 Stockton, San Joaquin County, and the participating jurisdictions all 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. This legislation 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.”

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.

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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 Stockton, 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.

As shown in Table 15, 16,750 households applied for conventional loans to purchase homes in San Joaquin County in 2007. The majority of loan applicants (63 percent) were upper-income households at 120 percent or more of county median family income (MFI). Moderate-income (81 percent to 120 percent of MFI) and lower-income (less than 80 percent of MFI) households accounted for 6.7 percent and 5.1 percent of loan applicants, respectively.

Analysis of loan application disposition considers both approval and denial rates, primarily because withdrawal of applications can significantly affect these rates. Analyzing both approval and denial rates provides a clearer view of loan activity and trends by allowing multiple points of comparison. As expected, the approval rate of conventional loans increased with income. As shown in Table 7-72, loan applications from upper-income households had a 44 percent approval rate, with only 29 percent of applications denied. White applicants had higher approval rates (55 percent) and lower denial rates (20 percent) than Non-White applicant approval rates (39 percent) and denial rates (33 percent). Moderate-income applicants received a slightly higher approval rate of 56 percent, with 21 percent denied. Lower-income applicants received only a 43 percent approval rate, with 23 percent of applications denied.

For every income category White applicants had higher approval rates and lower denial rates than Non-White applicants. The 15 percent difference in approval rates between Whites and Non-White is greater than the difference in approval rates between the 1 percent difference between above-moderate income and low income applicants. This shows that race is a stronger factor of loan approval rates than income within San Joaquin County.

Federally-backed loans are those guaranteed or insured by a Federal government agency, such as FHA or VA home loans. Because these loans are Federally guaranteed, they offer additional means of acquiring

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financing for home purchases for those unable to qualify for conventional home loans. As shown in Table 15, 323 applications were made for government-backed loans to purchase homes within San Joaquin County in 2007. Upper-income applicants represented 48 percent of these loan applications, while moderate-income households represented 16 percent of the total and lower-income households comprised 13 percent of the total. More so than with conventional loans, the approval rate was higher for those of upper and moderate incomes (70 and 64 percent) than those of lower incomes (37 percent). The disparity between approval rates for Whites (74 percent) and Non-Whites (57 percent) is greater (17 percent difference) for government-backed loans than conventional loans. However, denial rates are lower for government-backed loans than conventional loans.

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TABLE 15
DISPOSITION OF HOME LOANS¹
By Percentage Of Median Income (MI) And Race/Ethnicity
San Joaquin County
2007

		Less than 50 percent MI		50 to 79 percent MI		80 to 99 percent MI		100 to 119 percent MI		120 percent or more MI		Total		Total
		White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	
Conventional Home Purchase Loans	Total Applications Received	70	99	261	397	309	547	410	714	3,482	7,076	4,532	8,833	16,750
	Loans Originated ⁴	37	21	152	149	175	257	245	388	1,925	2,767	2,534	3,582	7,378
	Percentage Approved	53%	21%	58%	38%	57%	47%	60%	54%	55%	39%	56%	41%	44%
	Applications Denied ⁵	13	40	57	149	63	160	63	172	696	2,336	892	2,857	4,721
	Percentage Denied	19%	40%	22%	38%	20%	29%	15%	24%	20%	33%	20%	32%	28%
Government Insured Home Purchase Loans	Total Applications Received	3	8	9	21	20	31	17	36	71	84	120	180	323
	Loans Originated ⁴	1	3	5	6	14	20	13	21	56	52	89	102	200
	Percentage Approved	33%	38%	56%	29%	70%	65%	76%	58%	79%	62%	74%	57%	62%
	Applications Denied ⁵	1	2	1	7	3	6	2	8	11	9	18	32	54
	Percentage Denied	33%	25%	11%	33%	15%	19%	12%	22%	15%	11%	15%	18%	17%

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

²White, non Hispanic.

³Non-White, others including Hispanics.

⁴ Does not include applications approved but not accepted.

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

Source: Home Mortgage Disclosure Act (HMDA) data, 2007.

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 house has been purchased. 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. Today, 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 assure such

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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 as opposed 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.

San Joaquin County Rental Property Association

The San Joaquin County Rental Property Association serves all of San Joaquin County and provides property owners and managers access to educational courses, information, networking opportunities, and resources. The Association provides regular workshops and educational course offerings on topics such as rental forms, discrimination, ethics, marketing, resident screening and credit reports, and fair housing. The Association works with San Joaquin Fair Housing in its education programs, and members of the association serve on the SJFH Board of Directors.

The Rental Process

While the process of renting an apartment may be less expensive and burdensome than the home buying process, it is still time-consuming, 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, and 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 Inc.

Since 1978 San Joaquin Fair Housing, Inc. (SJFH, 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 including Stockton 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 at least 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 informational brochures, as well as taking formal cases. Each year for the past five years SJFH has had contact with anywhere from 34,000 to 27,000 people. In recent years this one-on-one contact has decreased mostly due to improvements in the SJFH website. In fiscal year 2008/2009 there were 2,757 website visitors and 6,400 page views.

The following 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, including the provision of informational materials, brochures, as well as frequent newspaper, television and radio advertisements, and public service announcements. SJFH distributes flyers to numerous agencies and community groups throughout San Joaquin County, with fliers available in Cambodian, Chinese, Hmong, Spanish, and English.

Since July 2004 SJFH has conducted 44 community presentations/workshops within San Joaquin County. These include workshops at conferences and fairs such as the Disability Awareness Fair held annually in Stockton and the AIDS Walk and Resource Fair. SJFH provided training and workshops on a range of subjects such as foreclosures, affordable housing and tenant rights, fair housing, and testing. These presentations and workshops have involved a range of organizations and institutions including:

Public Agencies and Local Government: CalWorks, San Joaquin Housing Authority, Head Start Child Development Council, and Santa Fe Head Start; and San Joaquin County, City of Stockton, City of Lathrop, and City of Tracy

Educational Institutions: San Joaquin Delta College

Private Sector: Farmers and Merchants Bank, San Joaquin Rental Property Association, Empire Corporation Property Management, Chesapeake Bay Apartments, Metzger Management

Social Service Providers: Stockton Family Shelter, The Haven of Peace Shelter, Gospel Rescue Mission, Central Valley Low Income Housing, San Joaquin Public Nursing

Advocacy and Community Groups: Bear Creek High School, Parents as Teachers, El Concilio, Kentfield Action Team, and NAACP

Ongoing public service announcements are broadcast in the following media outlets:

Local Television Access Channels 26 and 97 with ongoing broadcasting throughout the County

Stockton Record, Manteca Bulletin and Tracy Press: Notice To Readers within the Real Estate Classified Section—Daily

SJFH staff distributes fliers throughout the county, including city halls, public libraries, and Code Enforcement offices of the participating jurisdictions, as well as California Rural Legal Assistance, Cal-

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Works, San Joaquin Rental Property Association, El Concilio, California Human Development Corporation, and San Joaquin County Mental Health Services to advertise workshops and services.

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.

Table 15 displays the types of formal cases (i.e., mediation services) conducted by SJFH within Stockton and the county in fiscal years 2004/2005 to 2008/2009. The total number of formal cases fluctuated over this period, from a low of 357 in FY 2006/2007 to a high of 661 in FY 2008/2009. The most common cases deal with 3-day notices (16 percent), 30- or 60-day notices (14 percent), habitability (12 percent), and repairs (12 percent). Since FY 2007/2008 foreclosures have been a more common issue with over 238 cases in the past two years (FY 2007/2008 and FY 2008/2009). This is true for both San Joaquin County and Stockton, however, over 80 percent of the formal cases are based in Stockton.

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TABLE 16
SAN JOAQUIN FAIR HOUSING FORMAL MEDIATION SERVICES
(NUMBER OF CASES)
San Joaquin County and Stockton
FY 2004/2005 to 2008/2009

	FY 2004/2005		FY 2005/2006		FY 2006/2007		FY 2007/2008		FY 2008/2009	
	County ¹	Stockton	County	Stockton	County	Stockton	County	Stockton	County	Stockton
3-day notice	9	69	10	75	14	58	24	132	10	93
30/60-day notice	10	98	20	83	14	52	25	87	8	53
7-day notice	1	8	-	1	1	1	2	1	-	4
90-day notice	-	1	1	7	2	4	1	4	-	3
Abandonment	1	3	-	2	-	-	-	3	-	8
Breach of contract	2	21	6	21	4	20	14	46	2	9
Discrimination	3	6	3	7	1	2	-	4	3	5
Habitability	24	76	24	61	16	32	25	70	2	47
Housing Authority	5	29	2	14	0	6	4	15	2	15
Foreclosure	-	-	-	-	-	-	30	91	19	98
Illegal lockout/utility shutdown	2	9	3	10	-	3	5	16	2	17
Illegal rent increase	2	5	1	4	1	1	-	-	1	-
Other	-	-	1	16	-	-	-	-	2	9
Payment plan	4	27	3	17	-	6	-	8	1	4
Reasonable accommodation	3	7	1	11	-	8	1	9	2	7
Relocation assistance/homeless	15	45	6	29	-	17	3	16	2	6
Right to privacy	-	-	-	-	-	-	-	-	3	10
Rent increase	1	7	1	8	-	5	-	8	2	3
Rental agreement/lease	2	17	7	13	-	3	2	17	3	25
Repairs	5	62	6	48	8	41	19	79	12	84
Retaliation	1	2	-	1	-	4	2	2	-	2
Overpayment	-	-	-	6	1	4	-	6	-	5
Security deposit	5	19	5	12	-	10	12	40	6	29
Unlawful detainer	11	36	5	29	2	16	10	40	11	32
<i>Subtotal</i>	<i>106</i>	<i>547</i>	<i>105</i>	<i>475</i>	<i>64</i>	<i>293</i>	<i>179</i>	<i>694</i>	<i>93</i>	<i>568</i>
TOTAL²		653		580		357		873		661

¹ County includes all of the cities and unincorporated areas, but excludes Stockton.

² Total 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 2004/2005 to FY 2008/2009.

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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 HUD's Office of Fair Housing and Equal Employment Opportunity (FHEO). FHEO administers the Fair Housing Assistance Program (FHAP) which awards and manages the Fair Housing Initiatives Program grants and proposes fair housing legislation. Complaints can be submitted to the central HUD office or to field offices located in each state.

Table 17 shows the number of cases filed and closed with HUD and FHAP from January 1, 2005, to December 31, 2009. Cases filed in one year are not necessarily closed in the same year. None of the complaints filed were based on color or religion. The majority of cases were filed for Stockton.

TABLE 17 TITLE VIII CASES FILED AND CLOSED – HUD AND FHAP San Joaquin County January 1, 2005 to December 31, 2009										
	Filed with:		Closed by:		Type of Complaint Filed ¹					
	HUD	FHAP	HUD	FHAP	Race	National Origin	Sex	Disability	Familial Status	Retaliator
Participating Jurisdictions										
Stockton	11	41	11	41	19	6	3	20	6	4
Unincorporated	1	1	1		1	1			1	
Subtotal	12	42	12	41	20	7	3	20	7	4
Entitlement Jurisdictions										
Tracy	1	6	2	5	1	1	-	4	2	
Lathrop	-	2	-	2	1	1	-	1	-	-
Manteca	-	5	-	2	1	1	-	3	-	-
Ripon	-	2	-	2	-		-	2	-	-
Subtotal	1	15	2	11	3	2		10	2	-
TOTAL	13	57	14	52	23	10	3	30	9	4

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

Source: San Francisco Regional Office, HUD Fair Housing, January 2010.

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At the State level, the California Department of Fair Employment and Housing processes fair housing complaints. From 2005 to 2009 there were a total of 75 complaints filed (Table 16).

TABLE 16 HOUSING COMPLAINTS FILED CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING San Joaquin County 2005-2009	
Year	Complaints
2005	12
2006	22
2007	17
2008	17
2009	7
TOTAL	75

Source: CA Department of Fair Employment and Housing, Housing Cases by Respondent, February 2010.

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 have been no Section 504 complaints filed for any of the participating or entitlement jurisdictions in the county from April 2005 to December 2009.

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, or sexual orientation. Examples of hate incidents include name-calling, epithets, and the display or distribution of hate material in public places, and the display of offensive hate-motivated material on one's property. Freedom of hateful speech is constitutionally protected as long as it does not interfere with the civil rights of others.

In an attempt to determine the scope and nature of hate crimes, the Federal Bureau of Investigation (FBI) Uniform Crime Reporting Program collects statistics on these incidents. According to the FBI, hate crimes take place in San Joaquin County, Stockton, and Manteca, on an average of 11 times per year. Between 2005 and 2008 (the most recent data available), 44 hate crimes were committed based on race (48 percent), ethnicity (30 percent), religion (11 percent), and sexual orientation (11 percent); there were

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no crimes committed based on disability. Four out of the five total crimes based on sexual orientation or religion occurred in Stockton.

Of the total crimes committed, 68 percent were committed in Stockton and 23 percent were committed in Manteca. There were only one to two crimes reported for Tracy, unincorporated San Joaquin County, and Ripon over the same time period. From 2005 to 2008 the number of hate crimes in Stockton ranged from five to ten. The largest number of hate crimes occurred in 2007, with 10 hate crimes taking place, 9 of which were related to race or ethnicity. During this same period two to three hate crimes occurred per year in Manteca. Eight of the ten total hate crimes committed in Manteca were based on race or ethnicity.

In 2008, of the 18 cities with populations over 200,000, Stockton ranked 13 in terms of number of hate crimes. Stockton was below other similar cities such as Sacramento, Modesto, and Riverside. This low level of activity is consistent with statements made by fair housing stakeholders that discrimination is not a major issue in the county or Stockton. While there are a higher number of hate crimes in Stockton than in other areas of the county, there is no evidence that these are from a specific neighborhood or community.

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4.3 Evaluation of 2005-2010 AI Report Actions

The City of Stockton and San Joaquin County conducted separate Analysis of Impediments to Fair Housing Choice (AI) Report for the 2005-2010 reporting period. As such, the evaluation of the action items for each AI Report is shown below. Responses were written by City and County staff responsible for the implementation of the AI Report over the previous reporting period.

Evaluation of San Joaquin County 2005-2010 Action Items

Expanding Affordable Housing Opportunities

Action 1: The San Joaquin County and participating jurisdiction will continue to provide homeownership opportunities and assistance by promoting First Time Homebuyer programs and Down-payment Assistance programs. The County and participating jurisdictions will focus outreach efforts toward households earning between 50 percent and 80 percent of median income, particularly to Hispanic, Asian, and Black households who face difficulties in obtaining financing.

Response: From 2005 to 2010 the County and participating jurisdictions have continued to promote homeownership programs for moderate- and lower-income residents. The County and City of Lathrop provided funding through CBDG and HOME funds; the Cities of Tracy, Ripon, and Manteca provided funding through their Redevelopment Agencies. The County and participating jurisdictions worked with community groups that represent minority populations to conduct workshops and classes at their regularly-scheduled meetings. Information about the First Time Homebuyer program and Down-payment Assistance programs is also available on the County's website.

From 2005 to 2008 there was lower interest in homebuyer assistance programs than in the past ten years. Where it used to be difficult to get a loan without income verification and substantial down payments, the increased availability of creative mortgage packages allowed more moderate- and lower-income households to purchase homes. During this time the County did not support non-traditional loans; it supported only fixed-rate 30-year packages. As a result the County's lending portfolio has a very low foreclosure rate.

From 2008-2010 interest in the Down-payment and Homeownership Assistance programs has once again increased, mostly due to the collapse of a mortgage/lending system that supported non-traditional loans. Potential buyers are now having difficulty purchasing properties, not because of financing, but because it has become a competitive market for foreclosed properties.

Action 2: The County and participating jurisdictions will continue to facilitate the development of housing for all income groups within the community through the implementation of its General Plan Housing Element. To the extent feasible, the County and participating jurisdictions will facilitate the development of housing affordable to lower- and moderate-income households according to the Regional Housing Needs Allocation identified in each Housing Element. The County and participating jurisdictions will facilitate affordable housing through a combination of financial and regulatory assistance, depending on each jurisdiction's administrative capacity and access to funding from outside sources.

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Response: *San Joaquin County adopted an updated Housing Element in January 2010. The other participating jurisdictions are currently (February 2010) in the process of completing updates to their Housing Elements. Both the County and the participating jurisdictions will continue to provide financial assistance and remove regulatory barriers as identified in the Housing Elements. In addition to down payment assistance programs, many jurisdictions are funding programs through other State and Federal funding sources like the Federal Neighborhood Stabilization Program (NSP), tax credits, and fee deferrals.*

Action 3: The County and participating jurisdictions will support fair housing service providers (such as San Joaquin Fair Housing) and other housing service agencies in providing credit counseling and education services for households entering or re-entering the rental market, such as formerly homeless households and those entering the home ownership market.

Response: *The County and each participating jurisdiction continue to financially support San Joaquin Fair Housing (SJFH) with CBDG funds. The County and participating jurisdictions also fund two non-profit HUD-certified agencies (i.e., Visionary Homebuilders and Clear Point Counseling) and Central Valley Low Income Housing Corporation (CVLIHC) to provide counseling services, homebuyer training, and credit counseling. CVLIHC, Lutheran Social Services of Northern California, and New Directions work with the County to implement the Shelter-Plus-Care and Supportive Housing programs which help homeless persons transition to permanent housing.*

Rehabilitation Assistance

Action 4: Each participating jurisdiction, through the County's housing rehabilitation program and/or local redevelopment agency programs, will continue to provide financial assistance to home owners for rehabilitation, emergency repairs, and the correction of code violations through applicable rehabilitation programs. The County and participating jurisdictions will ensure that information about these programs is provided through brochures and advertisements in local public access cable television in English, Spanish, and other appropriate languages.

Response: *From 2005 to 2010 the County and participating jurisdictions have continued to promote rehabilitation programs for homeowners through a variety of methods. The County maintains a waiting list of qualified households for the rehabilitation programs. Printed descriptions of these programs are distributed by door hanger campaigns to targeted neighborhoods and through local advertising flyers such as Penny Saver. This information is also posted on the County and participating jurisdiction websites. The County and participating jurisdictions have held an annual Housing Fair to promote homeowner resources like the rehabilitation programs.*

Funding for these programs is provided by CBDG and HOME funds (from the County and cities of Lathrop and Lodi) and Redevelopment Agencies (from the cities of Tracy, Ripon, and Manteca).

Access to Information

Action 5: The County and participating jurisdictions will provide links through its website to housing services, and resources, and consumer information on housing choices. The County and participating

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jurisdictions will make available such information at local service centers and city offices, public libraries, and other public facilities.

***Response:** In 2005 to 2007 the County worked with SJFH to update their website with information about housing services and resources and consumer information. SJFH is contractually obligated to conduct at least seven workshops (one per entitlement and participating jurisdiction) per year to raise awareness in the community about their services. The County will continue to work with participating jurisdictions to ensure that there are links to SJFH on each city's website.*

Public Policies and Programs

Action 6: As discussed in Section 6.6, San Joaquin County and all of the participating jurisdictions have various impediments identified within public policies and regulations contained within their Development Title and zoning ordinances. Specifically, each community, as part of the preparation and implementation of its housing element, will review its policies and regulations to address the potential impediments identified by the county or city.

Escalon: The Escalon Zoning Ordinance should be amended to address the placement of emergency shelters and transitional housing. The City should also prohibit single-family dwellings in multi-family zoning districts.

Lathrop: The Lathrop Zoning Ordinance should be amended to remove the definition “family.” The City should also prohibit single-family dwellings in multi-family zoning districts.

Lodi: The City of Lodi should amend its zoning ordinance uses to comply within State law. Specifically, the City should adopt density bonus provisions in compliance with State law; allow the placement of emergency shelters and transitional housing; explicitly permit mobile homes or manufactured housing; permit by right licensed residential care facilities for six or fewer persons within residential zones; and permit second units through an administrative approval process within appropriate zones. The City should also prohibit single-family dwellings in multi-family zoning districts.

Manteca: The City of Manteca should revise the zoning ordinance to remove the definition of “family”; allow the placement of emergency shelters and transitional housing; and permit second units according to an administrative approval process. The City should also prohibit single-family dwellings in multi-family zoning districts.

Ripon: The Ripon Zoning Ordinance should be amended to remove the definition of “family”; revise the local density bonus ordinance; remove the conditional use permit process for multi-family residential uses; require second units through an administrative approval process; permit the siting of mobile homes or manufactured housing; and allow the siting of emergency and transitional housing. The City should also prohibit single-family dwellings in multi-family zoning districts.

Tracy: The Tracy Zoning Ordinance should be amended to remove the definition of “family”; amend the local density bonus ordinance to comply with State law; permit by right licensed residential care facilities for six or fewer persons in residential zones; and allow the siting of transitional housing and emergency shelters. The City should also prohibit single-family dwellings in multi-family zoning districts.

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San Joaquin County: The County Development Title should be amended to remove the definition of “family” and prohibit single-family dwellings in the multi-family zoning districts.

Response: San Joaquin County adopted an updated Housing Element in January 2010. The other participating jurisdictions are currently (February 2010) in the process of completing updates to their Housing Elements. Many of these action items have been completed through the Housing Element update process.

- **Escalon:** All actions will be completed as part of the 2009-2010 Housing Element Update.
- **Lathrop:** All actions will be completed as part of the 2009-2010 Housing Element Update.
- **Lodi:** All actions will be completed as part of the 2009-2010 Housing Element Update. The City is also updating the General Plan and will revise land use designations to restrict single-family housing in multi-family zones.
- **Manteca:** The actions have been partially completed in the 2009-2010 Housing Element Update. The City updated the second unit permit process to only require administrative approval and will revise the Zoning Ordinance to allow emergency and transitional housing in General Commercial zones by right. The City must still revise the Zoning Ordinance to remove the definition of “family” (the current definition limits occupancy of non-related individuals to five or fewer). While the City does not reserve multi-family zones for multi-family housing only, the high- and medium-density land use designations in the general plan have minimum densities (i.e., 15 and 8.1 units per acre, respectively) that support the construction of multi-family housing. The General Plan Designations imply that single-family residential is not allowed because the minimum density cannot be reached based on the minimum lot size for single-family residential. The City has a pending zoning amendment to reduce single-family lot size to achieve the minimum densities for each zone and allow attached single-family.
- **Ripon:** The actions have been partially completed since 2005. The City updated the local density bonus ordinance to comply with State law; allows second units to be approved through an administrative process; and permits the siting of manufactured housing. The City has not removed the definition of “family” (the current definition limits occupancy of non-related individuals to five or fewer); still requires site plan approval by the Planning Commission for emergency shelters; and allows single-family dwelling units in multi-family districts (i.e., R3 and R4).
- **Tracy:** The actions have been partially completed since 2005. The City amended the density bonus code to comply with State law in 2008-2009. The City will amend the zoning code as part of the 2009-2010 Housing Element Update to revise the definition of family, permit licensed residential care facilities for six or fewer persons in residential zones, and allow the siting of transitional and emergency shelters. While the City does not have multi-family zones, the medium- and high-density zones allow single-family units.

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- **San Joaquin County:** All actions will be completed as part of the 2010 Housing Element Update.

Outreach for Lenders

Action 7: The County will continue to work with local lenders and government institutions to provide outreach to lower-income residents about government-backed financing, particularly for home improvement financing. The County and each participating jurisdiction will encourage local lenders to conduct home buying workshops and provide information in English, Spanish, and other appropriate languages.

Response: The County will continue to meet with local branches of major banks (e.g., Chase, Wells Fargo, MBNA), local lenders, and title companies to ensure their involvement in future Annual Housing Fairs. Many of the banks hold their own community meetings to council potential homebuyers, or persons with poor credit. The County will continue to encourage local branches of major banks to conduct home buying workshops and provide information in English, Spanish, and other appropriate languages.

Fair Housing Services and Outreach

Action 8: The County and each participating jurisdiction will continue to work with the fair housing service providers (such as San Joaquin Fair Housing), the Housing Authority, and local apartment and realtor associations to reach out to managers and property owners of smaller rental properties. This outreach may include updating mailing lists of smaller rental property owners and managers to provide informational material regarding fair housing rights and responsibilities.

Response: The County and each participating jurisdiction (along with the City of Stockton) provide 100 percent of the funding for San Joaquin Fair Housing (SJFH). One of SJFH's main objectives is to work with property managers and property owners to educate them on fair housing rights and responsibilities. SJFH also allows property managers and property owners to advertise properties on their website. Neither the County nor SJFH works very closely with local realtors associations. This will be continued as an action in 2010-2015.

Action 9: The County and participating jurisdictions will continue to support the primary fair housing service provider, San Joaquin Fair Housing (SJFH), in conducting fair housing workshops for residents, apartment owners, and property managers, particularly during Fair Housing Month in April of each year. Workshops will include translators who speak Spanish and other languages. The County shall work with SJFH to update and provide brochures for distribution at local service centers and at city and county offices. Each city and the County 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: As discussed above, SJFH is required to hold at least seven workshops to educate the public on fair housing rights and responsibilities. SJFH also conducts training sessions for property managers and rental property owners to help them understand their rights and responsibilities as landlords. They often work with volunteer translators for specific ethnic/minority groups. The County purchases space on billboards during each April to advertise Fair Housing Month and the services provided by SJFH.

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In 2005, following the previous AI Report and Consolidated Plan, the County distributed flyers to all of the primary phone receptionists for each participating jurisdiction to help them answer questions about where to refer fair housing questions. This action should be repeated following the 2010 AI Report and Consolidated Plan with updated resources and information. SJFH operates a 1-800 number that is answered Monday to Friday 9:00 a.m. to 4:00 p.m. to field questions from the community about fair housing rights.

Action 10: The County will offer fair housing training through SJFH for city and county staff members who administer and oversee housing programs and code enforcement activities.

Response: The County needs to continue to work on this action in the 2010-2015 AI.

Action 11: The County and participating jurisdictions 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 participating jurisdictions will continue to comply with anti-discrimination requirements.

City of Stockton: 2005-2010 Action Items

Expanding Affordable Housing Opportunities

Action 1: The City will continue to provide homeownership opportunities and assistance by promoting a Down Payment Assistance Program. As currently structured, the Program may be used by lower-income (low- and moderate-income) households who have lived within the City of Stockton for a minimum of 12 months to purchase or purchase/rehabilitate homes. The program provides up to \$50,000 to help with the down payment portion of a home purchase and closing costs. It also contains a rehabilitation component of up to \$50,000, which a homeowner can use to improve the house, if he or she meets the underwriting criteria. This newly revised program has built-in flexibility and may be adjusted to meet market conditions. The City will focus outreach efforts on households earning between 50 percent and 80 percent of median income, and in particular to reach Hispanic, Asian, and Black households who face difficulties in obtaining financing.

Response: Between July 2005 and June 2009 the City assisted over 60 households through the Down Payment Assistance Program. The Program has been modified throughout this time period to meet the changes in the housing market, and continues to be successful in providing homeownership opportunities for low-income households. The City plans on continuing to operate the Program.

Action 2: The City will continue to facilitate the development of housing for all income groups within the community through the implementation of its General Plan Housing Element. Programs to implement the Housing Element are described in Chapter 3 of the Element and include the following:

Designating adequate sites for housing for all income levels and monitoring the development of those sites;

Revising the Zoning Ordinance to preclude single-family development in multi-family zones;

Complying with State law regarding second units;

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Rezoning land for residential uses, particularly higher-density residential uses;

Amending the Zoning Ordinance to establish a process for designating newly annexed land for a variety of residential densities and uses; and

Monitoring the provision of utilities needed to serve new residential development and redeveloped areas in the central city.

Response: *As part of the 2009 Housing Element Update, the City will complete each of the items listed under Action 2. Prior to 2009 the City amended the Zoning Ordinance to establish a process for designating newly annexed land for a variety of residential densities and uses.*

Action 3: The City 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 City has provided funding on an annual basis to support San Joaquin Fair Housing. Contact information for Fair Housing is available at City Hall and on the City's website. Information is also available regarding organizations that provide homebuyer counseling and foreclosure prevention counseling. Much of the information is available in both English and Spanish.*

Rehabilitation Assistance

Action 4: The City will continue to provide financial assistance to homeowners for rehabilitation, emergency repairs, and the correction of code violations through the City's current Emergency Repair, Housing Rehabilitation, Neighborhood Improvement Fund, Housing Reconstruct, and Rental Housing programs. These new and revised programs can be adjusted to meet market conditions. The City will ensure that information about these programs is provided through brochures and advertisements in local public access cable television in English, Spanish, and other appropriate languages. The City will promote its programs to rental property owners to improve the quality of rental housing.

Response: *Between July 2005 and June 2009 the City assisted 74 homeowners rehabilitate their homes, provided 112 loans through the Emergency Repair Program, and assisted 25 households through the Neighborhood Improvement Program. Information regarding the City's programs is available through brochures that are available at City Hall and on the City's website and are available in English and Spanish.*

Access to Information

Action 5: The City will continue to provide links through its website to housing services and resources, along with consumer information on housing choices. The City will make available such information at local service centers and City Hall, public libraries, and other governmental facilities.

Response: *The City provides links through its website to a variety of housing services and resources including information regarding the housing projects developed with City assistance, a list of Restricted Income housing developments, links to low-income housing developers, and links to the Housing Authority. This information is also available at City Hall and in the offices of several of the low-income housing developers.*

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Public Policies and Programs

Action 6: As an ongoing effort the City will continue to pursue affordable housing development programs and funding for affordable housing providers as identified in the Housing Element and Consolidated Plan. To the extent feasible the City will facilitate the development of housing that is affordable to lower- and moderate-income households according to the Regional Housing Needs Allocation identified in the Housing Element.

Response: City staff continually researches and applies for additional funding through State and Federal programs and supports individuals and organizations seeking funding to develop affordable housing in Stockton. During the past five years the City has applied for and received funding through the CalHome and HELP programs to provide additional funding for the City's down payment assistance and housing rehabilitation programs. The City has assisted housing developers with applications for Low Income Housing Tax Credits to help finance the construction and rehabilitation of several multi-family complexes. The City also received over \$1.4 million in Infill Infrastructure Grant funds which will help finance the construction of infrastructure needed for a 93-unit apartment complex which will provide housing for low- and very-low income households.

Outreach for Lenders

Action 7: The City will continue to work with local lenders and government institutions to provide outreach to lower-income residents about government-backed financing, particularly for home improvement financing. The City will encourage local lenders to conduct home buying workshops and provide information in English, Spanish, and other languages.

Response: The City provides information to various lenders regarding the City's programs. The City also provides information regarding the rehabilitation programs to Code Enforcement officers that they can provide to low-income homeowners who are residing in structures that are not in compliance with building codes.

Fair Housing Services and Outreach

Action 8: The City 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 managers and property owners of smaller rental properties. This outreach may include updating mailing lists of smaller rental property owners and managers to provide informational material regarding fair housing rights and responsibilities.

Response: The City has provided funding on an annual basis to support San Joaquin Fair Housing who conducts outreach to property owners and managers.

Action 9: The City will continue to support the primary fair housing service provider, San Joaquin Fair Housing (SJFH), in conducting fair housing workshops for residents, apartment owners, and property managers, particularly during Fair Housing Month in April of each year. Workshops will include translators who speak Spanish and other appropriate languages. The City will continue to make referrals to SJFH as issues/cases come to the City's attention. The City will work with SJFH to update brochures for distribution at local service centers and at City Hall. The City will encourage the fair housing service provider to coordinate with the real estate and apartment associations regarding fair housing training.

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Response: *The City has provided funding on an annual basis to support the San Joaquin Fair Housing fair housing workshops. City staff makes referrals to SJFH on a regular basis. Information regarding San Joaquin Fair Housing is available at City Hall and on the City's web site.*

Action 10: The City will continue to provide fair housing training for City staff members who administer and oversee housing programs and code enforcement activities.

Response: *Additional periodic training of City staff regarding fair housing issues, especially for those who answer the telephones, would be beneficial and could improve the quality of service provided to the public.*

Action 11: The City will continue to comply with anti-discrimination requirements including all applicable Federal regulations as demonstrated in the City's application for Community Development Block Grant, HOME, and other Federal funds.

Response: *The City has continued to comply with anti-discrimination requirements. In addition, the City also includes a requirement in all loan agreements with developers who receive financial assistance from the City that requires preparation and approval of a marketing plan that includes a commitment to affirmative marketing efforts and compliance with fair housing laws.*

Section 5. Recommended Actions

5.1 Basis for Recommended Actions

To develop a basis for recommended actions for the 2010-2015 reporting period and understand more about fair housing issues in the area, Consultants and Staff reviewed progress addressing the 2005-2010 action items, held a public workshop, and conducted over 20 interviews with community representatives.

Workshop participants, including representatives from San Joaquin Fair Housing, San Joaquin County Environmental Health Department, City of Tracy, California Rural Legal Assistance, Valley Mountain Regional Center, San Joaquin Farm Bureau Federation, and Campaign for Common Ground, identified increasing tenant and landlord education as the most important action to be taken to further fair housing practices in the county. Participants discussed how foreclosures have not only made the housing market more affordable, but also that re-sales have increased the supply of rental housing. They identified that an increase in rental properties is a positive trend, but that additional funding is needed for landlord education and rental rehabilitation. Participants agreed that discrimination is generally not a problem in Stockton or the County, and while there are pockets of high minority concentration, these are based on affordability of certain neighborhoods. They expressed that the special needs population and farmworkers have the most significant barriers to fair housing choice.

Interviews with representatives from the County and participating cities, the Housing Authority of the County of San Joaquin, City of Stockton Mayor's Task Force on Persons With Disabilities, Disability Resource Agency, Salvation Army, St. Mary's Interfaith Community Services, Valley Mountain Regional Center, San Joaquin County Rental Property Association, Central Valley Board of Realtors, Stockton Shelter for the Homeless, Central Valley Low Income Housing Corporation, and the Board of Directors of San Joaquin Fair Housing helped refine actions from the 2005-2010 reporting period and identify new recommended actions for 2010-2015.

In general, the interview respondents felt that in San Joaquin County discrimination based on race/ethnicity is not a significant problem. The area is diverse and there is a broad acceptance of the diverse population. However, there are reports of some discrimination against working single mothers because of their lack of income and difficulty taking care of and supervising their children.

Most respondents said that SJFH has been doing a good job publicizing and delivering its services. However, some thought that the organization should increase its visibility in the community and broaden its activities (e.g. to persons with disabilities). Many of the respondents mentioned the need to begin a testing program to assess the level of discrimination in the community as well as a means of encouraging compliance with fair housing laws.

The participants were asked to identify the biggest fair housing problems and to suggest actions to address the problems. The responses are summarized below.

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Biggest Fair Housing Problems

1. Foreclosure and Predatory Lending

Many of the current fair housing issues concern owners of foreclosed homes who are renting them without notifying the tenants that they are in foreclosure. Some clients are being evicted because the house they are renting is foreclosed and taken back by the lender. This results in emergency relocation for those tenants.

Banks are slowly advertising foreclosed properties, and when they do, often first-time homebuyers lose out to investors with cash offers.

2. Landlord/Tenant Mediation

Some property owners feel that SJFH is not neutral in its mediation and that landlords do not get equal treatment. They believe there is a bias in favor of tenants.

3. Education and Outreach

Better education on fair housing rights for city and county staff to enable them to better respond to inquires from the public about eviction and code violation notices.

The community needs better education about fair housing rights (e.g., what it does and what it covers).

4. Need for Testing

- The extent of the fair housing problem in the County is unknown because the only information is from complaints. A testing program that compares the results of paired applicants (testers) for evidence of discrimination by landlords would provide more information.

5. Assistance for Persons With Disabilities

The community is not aware of the barriers that the persons with disabilities encounter with housing choice and independent living.

There is a lack of housing with features enabling accessibility by persons with disabilities, such as hallways wide enough for wheelchair access.

Suggested Actions to Consider

1. Begin a Testing Program

Fair housing testing is a way of measuring the quality, quantity, and content of information and customer service given to potential renters, homebuyers, etc., by a housing provider based on a protected class (e.g., race, national origin, sex, disability) under fair housing law. Testers as similar as possible in all characteristics, except protected class characteristic, visit the site of a housing provider (within an appointed time period) and inquire about the availability of housing. Afterwards, the testers objectively record in detail everything that happened during the test including what was said, what was offered, and what price was quoted for an available apartment. Later, the test coordinator compares the testers' objective reports to determine whether a difference in treatment based on the protected class occurred.

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Testing would help put the spotlight on the primary purpose of SJFH, furthering fair housing and addressing discrimination rather than just landlord/tenant mediation. Testing would give SJFH an additional tool in dealing with property owners who are not complying with the law.

Testing is an important tool and would help SJFH learn if there are systematic problems and where. Then the organization could target its programs to address the problems identified.

Include education as part of any testing program.

If there is not enough funding to carry out a testing program, seek additional funds from grants or develop partnerships with University of the Pacific or WorkNet (Federal stimulus funds).

2. Education, Outreach, and Access

SJFH should increase its educational activities, both to tenants and landlords. Education should include better outreach to the Rental Property Association and help tenants to understand their rights.

SJFH should decrease the amount of time spent on tenant/landlord mediation so that other fair housing activities such as increasing outreach and education can be given more consideration.

To the extent possible with limited funding, SJFH should increase access to its services by expanding the hours the office is open and phones are answered. (Currently, SJFH is not open all the time during the regular workday.)

SJFH should become more visible in the community by working with community organizations, such as St. Mary's Interfaith Community Services, to take the fair housing message directly to residents. SJFH staff should periodically attend to St. Mary's daily lunch to be available to answer questions and provide information. It is often difficult for people to attend the SJFH workshops (timing, lack of transportation, etc.)

The County and participating jurisdictions should assist SJFH in its outreach efforts by informing SJFH about upcoming community events where it would be appropriate for SJFH to participate and provide fair housing information.

3. Expand Outreach to Persons With Disabilities

Increase awareness of rights for persons with disabilities, ADA issues, and services available. Many landlords and managers do not understand the requirements of reasonable accommodation. With increased education clients with disabilities will understand how to assert their reasonable accommodation rights.

Widen participation in the subcommittees of the Stockton Mayor's Task Force on Persons With Disabilities, including designating a SJFH representative to participate on its Housing subcommittee.

Work with the staff of agencies working with persons with disabilities so that they understand discrimination laws and are aware of available resources.

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5.2 Recommended Actions

The recommended actions for the 2010-2015 reporting period combine the actions items from the 2005-2010 reporting period from the City of Stockton and San Joaquin County into one comprehensive set (as opposed to maintaining separate action items for each entitlement jurisdiction). The recommended action items 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 City and County. Where some action items have been carried over from the previous reporting period, many are new actions to address new challenges that have arisen in Stockton and San Joaquin County over the past five years.

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.

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.

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. *[Source: New Action]*

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. *[Source: City of Stockton, 2005-2010 AI, Expanding Affordable Housing Opportunities, Action 3]*

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. *[Source: New Action]*

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. *[Source: San Joaquin County, 2005-2010 AI, Fair Housing Services and Outreach, Action 8]*

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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. *[Source: San Joaquin County, 2005-2010 AI, Fair Housing Services and Outreach, Action 9]*

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. *[Source: New Action]*

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. *[Source: San Joaquin County, 2005-2010 AI, Fair Housing Services and Outreach, Action 11]*

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. *[Source: San Joaquin County, 2005-2010 AI, Public Policies and Programs, Action 6, Manteca]*
- 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 multi-family zoning districts. *[Source: San Joaquin County, 2005-2010 AI, Public Policies and Programs, Action 6, Ripon]*
- The Tracy Zoning Ordinance should be amended to restrict the development of single-family units in medium- and high-density (i.e., multi-family) zoning districts. *[Source: San Joaquin County, 2005-2010 AI, Public Policies and Programs, Action 6, Tracy]*

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TABLE 17
ACTION PRIORITY MATRIX
San Joaquin County
2010-2015

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 2010/2011	-	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 2010/2011	-	High
3	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.	All	SJFH	FY 2010/2011 to FY 2013/2014	-	Medium
4	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 2010/2011 to FY 2013/2014	-	Medium
Fair Housing Services and Outreach						
5	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 2010/2011	Grants, partnerships	High
6	Reach out to landlords and managers of smaller rental properties to provide informational material regarding fair housing rights and responsibilities.	All	Various	FY 2010/2011 to FY 2013/2014	-	Medium
7	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 2010/2011 to FY 2013/2014	-	High
8	Work with SJFH to increase awareness of the rights of persons with disabilities, ADA issues, reasonable accommodation, and available services.	All	SJFH	FY 2010/2011 to FY 2013/2014	-	Medium
9	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 2010/2011 to FY 2013/2014	-	Medium
Public Policies and Programs						
10	Continue to implement policies and programs identified in the Housing Element of each jurisdiction.	All	Various	FY 2010/2011 to FY 2013/2014	-	High