Travis County Commissioners Court Agenda Request

Meeting Date: December 2, 2014
Prepared By/Phone Number: Christy Moffett, MSSW 854-3460
Elected/Appointed Official/Dept. Head:
Sherri E. Fleming, County Executive of Travis County Health and Human Services & Veterans Service

Commissioners Court Sponsor: Judge Samuel T. Biscoe

AGENDA LANGUAGE:

Consider and take appropriate action on the final draft of the Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

The U.S. Department of Housing and Urban Development (HUD) has a commitment to eliminate racial and ethnic segregation, physical and other barriers to persons with disabilities, and other discriminatory practices in the provision of housing. HUD extends the responsibility of affirmatively furthering fair housing to local jurisdictions through a variety of regulations and program requirements.

As an entitlement county receiving Community Development Block Grant (CDBG) funds from HUD, Travis County must fulfill its fair housing responsibilities by developing an Analysis of Impediments (AI) to Fair Housing Choice and by taking actions to overcome the effects identified in the AI through implementation of a Fair Housing Plan ("FHP") and maintain records reflecting the analysis and actions taken.

An AI is a review of impediments or barriers that affect the rights of fair housing choice and will serve as the basis for fair housing planning, provide essential information to housing stakeholders and assists in building public support for fair housing efforts. A FHP identifies the actions needed to eliminate fair housing barriers which have been identified. HUD defines impediments to fair housing choice as:

- any actions, omissions or decisions taken because of race, color, religion, sex, disability, familial status or national origin which restrict housing choices or the availability for housing choices; and

- 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.

Since the inception of the County's CDBG Program, the County has been operating under the City of Austin's AI published in 2005. In 2012, the County contracted with the consulting firm Mullins & Lonergan to conduct an AI. The draft report was presented in November of 2013 and a 30 day public comment period followed in December 2013. No significant comments were received, as identified in Appendix C. The final report was drafted in April 2014 which updated the status of the fair housing complaint filed by the Del Valle Community Coalition, the dollar amount received for Supplemental Security Income and provided the draft Fair Housing Plan. CDBG staff updated the fair housing plan to its final version in October. It is attached as Appendix B.

While staff has been implementing the final plan and included the results in the PY14-18 Consolidated Plan, staff has been asked to have the Commissioners Court officially approve the final draft.

STAFF RECOMMENDATIONS:

Staff recommends approval of the report and action plan.

ISSUES AND OPPORTUNITIES:

A. The fair housing plan is an operationalized version of the Action Steps included on pages 108-112.
B. The AI looks at processes, policies and procedures of the County as a whole, which impact fair housing choice. This means that multiple Departments and entities such as the Travis County Housing Finance Corporation and the Housing Authority of Travis County are included in this broad level assessment. The results identify areas of potential collaboration and/or recommendations for improvement;
C. The report will be used to assist the County in developing an affordable housing policy or other types of policy which can affect change to opportunity and/or discrimination patterns;
D. The report will be used to assist with program design for CDBG and General Fund projects to target investments strategically to improve the quality of life for constituents;
E. The completion of the AI is required as part of the CDBG program's fair housing obligation;
F. Pages 106-107 of the AI maintain summary level fair housing observations;
G. Pages 108-112 contains public and private sector impediments to fair housing choice along with Action Steps to address each identified impediment.
H. The fair housing plan is an operationalized version of the Action Steps included on pages 108-112 will be implemented simultaneously with the PY14-18 Consolidated Plan.

FISCAL IMPACT AND SOURCE OF FUNDING:

N/A

REQUIRED AUTHORIZATIONS:

None.

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to the County Judge's office, agenda@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

TRAVIS COUNTY, TEXAS

APRIL 2014

MULLIN & LONERGAN ASSOCIATES INCORPORATED

TABLE OF CONTENTS

1 EXECUTIVE SUMMARY

3 INTRODUCTION

3 PURPOSE OF THE AI
4 FAIR HOUSING RESPONSIBILITIES OF URBAN COUNTIES
6 FAIR HOUSING CHOICE
8 THE FEDERAL FAIR HOUSING ACT
10 THE TEXAS FAIR HOUSING ACT
11 COMPARISON OF ACCESSIBILITY STANDARDS
12 METHODOLOGY
13 ANALYTICAL APPROACH
13 DEVELOPMENT OF THE AI

14 DEMOGRAPHIC AND HOUSING MARKET CONDITIONS

14 OVERVIEW OF SETTLEMENT PATTERNS
15 POPULATION TRENDS
24 RACIAL AND/OR ETHNIC CONCENTRATIONS
30 QUANTIFYING INTEGRATION
32 RACE/ETHNICITY AND INCOME
34 RESIDENTIAL SEGREGATION BY INCOME
36 DISABILITY AND INCOME
37 FAMILIAL STATUS AND INCOME
39 ANCESTRY AND INCOME
40 EMPLOYMENT AND PROTECTED CLASS STATUS
41 DISTRIBUTION OF NEIGHBORHOOD OPPORTUNITY
44 HOUSING INVENTORY
49 HOME OWNERSHIP AND PROTECTED CLASS STATUS
50 HOUSEHOLD SIZE AND PROTECTED CLASS STATUS
51 HOUSING COSTS
55 FORECLOSURE

TABLE OF CONTENTS

58 RECORDS OF HOUSING DISCRIMINATION

- 58 EXISTENCE OF FAIR HOUSING COMPLAINTS
- 62 DISCRIMINATION TESTING
- 62 COUNTY INVOLVEMENT IN FAIR HOUSING CASES

63 REVIEW OF PUBLIC SECTOR POLICIES

- 63 POLICIES GOVERNING INVESTMENT OF FUNDS IN HOUSING AND COMMUNITY DEVELOPMENT
- 70 APPOINTED BOARDS AND COMMISSIONS
- 71 ACCESSIBILITY OF RESIDENTIAL UNITS
- 72 LANGUAGE ACCOMMODATIONS
- 73 ZONING, LAND USE AND COMPREHENSIVE PLANNING
- 75 HOUSING AUTHORITY OF TRAVIS COUNTY
- 83 PROPERTY TAXES
- 85 PUBLIC TRANSIT

91 PRIVATE SECTOR POLICIES AND PRACTICES

- 89 MORTGAGE LENDING
- 101 AUSTIN BOARD OF REALTORS
- 101 NEWSPAPER ADVERTISING

104 EVALUATION OF CURRENT FAIR HOUSING PROFILE

- 102 PROGRESS SINCE PREVIOUS AI
- 102 FAIR HOUSING ACTIVITIES
- 103 FAIR HOUSING ADVOCATES

106 GENERAL FAIR HOUSING OBSERVATIONS

108 IMPEDIMENTS TO FAIR HOUSING CHOICE

113 FAIR HOUSING ACTION PLAN

118 SIGNATURE PAGE

APPENDIX A: STAKEHOLDER CHART

1 EXECUTIVE SUMMARY

The preparation of this Analysis of Impediments to Fair Housing Choice (AI) serves as a component of Travis County's efforts to satisfy the requirements of the Housing and Community Development Act of 1974, as amended, which requires that any community receiving Community Development Block Grant (CDBG) funds affirmatively further fair housing. The AI is a review of local regulations and administrative policies, procedures and practices affecting the location, availability and accessibility of housing, as well as an assessment of conditions, both public and private, that affect fair housing choice.

Following an extensive stakeholder consultation process, the County built the context for analysis by examining demographic, economic and housing market trends within the framework of access to housing opportunities. Population explosion across the unincorporated areas of Travis County, which comprise nearly all of the Urban County's CDBG jurisdiction, has resulted in an increase in ethnic diversity and residential income segregation, with some lower-income neighborhoods at the fringe of urban development isolated from interaction with the local economy. Census data indicate that racial and ethnic minorities, persons with disabilities and female-headed households with children are more likely to experience poverty and unemployment. Concentrations of lower-income minorities are most prevalent in the eastern crescent outside of Austin. Larger-lot enclaves farther west are generally more expensive, a fact that has strongly limited the location of Housing Choice Voucher Holders in that area. Across the County as a whole, rent rates and housing values have risen substantially during the last 10 years while household incomes have not kept pace.

An analysis of housing discrimination complaints revealed the persistence of unequal treatment in the local sales and rental markets, particularly on the basis of disability. Additionally, housing advocates reported that the lack of minimum construction standards in unincorporated areas has resulted in the construction of new multi-family developments that are non-compliant with accessibility standards. Older housing stock is often not required to be accessible, and the majority of aging homes in unincorporated areas are not. Housing choice for those with disabilities is further limited by the absence of regular public transit service outside of Austin.

The AI's review of public policies covered the aspects of local government most closely tied to housing, including the County's entitlement grants programs, appointed boards and commissions, building codes enforcement, language accommodations, land use regulations, public housing, taxes and transit. CDBG program administration was found to affirmatively further fair housing, though the County's lack of authority to adopt land use restrictions and enforce building standards limits the extent to which it can compel other entities to meet fair housing standards.

Private-sector policies were additionally evaluated from a fair housing perspective. A thorough review of mortgage application data suggested that upper-income minorities are more likely to experience loan denials or high-cost lending than lower-income White applicants.

Many of the impediments identified in this report can be found in communities throughout the country and are not unique to Travis County. Economic and racial/ethnic segregation, among many other challenges identified in this report, are national problems, but the responsibility for addressing these issues falls primarily to each local jurisdiction where they are present. Affirmatively furthering fair housing is an ongoing process that requires the leadership of elected officials, and the development of this plan is the first step toward increasing fair housing choice in Travis County.

2 INTRODUCTION

A. PURPOSE OF THE AI

The Urban County of Travis County has prepared an Analysis of Impediments to Fair Housing Choice to satisfy the requirements of the Housing and Community Development Act of 1974, as amended. This act requires that any community receiving Community Development Block Grant (CDBG) funds affirmatively further fair housing. As a result, the Urban County is charged with the responsibility of conducting its CDBG programs in compliance with the federal Fair Housing Act. The responsibility of compliance with the federal Fair Housing Act extends to nonprofit organizations and other entities, including local units of government which receive federal funds through Travis County.

These requirements can be achieved through the preparation of an Analysis of Impediments to Fair Housing Choice and implementation of recommended action items. The Analysis of Impediments to Fair Housing Choice (AI) is a review of a jurisdiction's laws, regulations and administrative policies, procedures and practices affecting the location, availability and accessibility of housing, as well as an assessment of conditions, both public and private, affecting fair housing choice. Entitlement communities receiving CDBG entitlement funds are required to:

- Examine and attempt to alleviate housing discrimination within their jurisdiction
- Promote fair housing choice for all persons
- Provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status or national origin
- Promote housing that is accessible to and usable by persons with disabilities, and
- Comply with the non-discrimination requirements of the Fair Housing Act.

B. FAIR HOUSING RESPONSIBILITIES OF URBAN COUNTIES

In recent years, the federal government has increasingly emphasized the obligation of grantees to affirmatively further fair housing and, specifically, the way in which entitlement communities comply with their required fair housing certifications. Each year when an entitlement community submits its Annual Plan to HUD, the chief elected official is required to certify that the jurisdiction will affirmatively further fair housing. However, the Fair Housing Act of 1968, which created that mandate, did not specify what precisely it meant, leaving open a wide range of interpretations reflected in the varying policies and practices of grantee communities. Legal proceedings between grantees, HUD and the U.S. Department of Justice within the last 10 years have provided some clarification.

In August 2009, Westchester County, NY settled a fair housing lawsuit brought against the county by the Anti-Discrimination Center of Metro New York, Inc. This $180 million lawsuit charged that Westchester County, an urban county entitlement under HUD's CDBG program, failed to fulfill its obligation to affirmatively further fair housing and ensure non-discrimination in its programs. At issue in the case was not *whether* Westchester County created affordable housing. In fact, since 1998, the County spent more than $50 million in federal and state funds to aid in the construction of 1,370 affordable rental units and another 334 affordable owner units. It was the *geographic location* of affordable housing units that were created within the county that was the critical factor in the lawsuit, as the Center alleged that the county increased the pattern of racial segregation in Westchester County. Furthermore, the suit charged that the county violated its cooperation agreements with local units of government which prohibits expenditures of CDBG funds for activities in communities that do not affirmatively further fair housing within their jurisdiction or otherwise impede the county's action to comply with its fair housing certifications.

Under the terms of the settlement, the County will pay $21.6 million to HUD in non-federal funds to be deposited in the county's HUD account and used to build new affordable housing units in specified census tracts with populations of less than 3% Black and 7% Hispanic residents. An additional $11 million will be paid to HUD, the Center and its counsel. The county will add $30 million to its capital budget to build affordable housing in non-impacted (i.e., predominantly White) areas.

In another example, HUD threatened in July 2012 to withhold more than a half billion dollars in disaster recovery funds from the City of Galveston in response to the City's refusal to rebuild 569 low-income housing units lost as a result of Hurricane Ike. The City's mayor, who had promised during his campaign not to rebuild the units, favored allocating rental vouchers to those displaced by the storm, which he said would allow residents to live "where they have job opportunities, which do not exist in Galveston." HUD argued that this was

effectively a means of limiting the affordable housing opportunities available in Galveston, a problem that would disproportionately affect members of the protected classes. The agency authorized $109 million in federal funds to replace the lost housing within the City in mixed-income developments, mandating that Galveston rebuild.

In August 2011, the U.S. Department of Justice filed a lawsuit against the City of Joliet, IL, alleging that the City violated the Fair Housing Act and Community Development Act by seizing via eminent domain an affordable housing development of 356 units, displacing 750 residents, almost all of whom were Black. The Department argued that the displaced residents would have nowhere within the City fo live if the units were destroyed, due to the lack of affordable housing available locally and the absence of a "meaningful plan" to counteract the effects of the loss of units. Therefore, according to the argument, the City's actions would have the effect of limiting the number of Black residents within Joliet, perpetuating segregation. The City's Department of Economic and Community Development, which had administered more than $1 million in federal funds, was accused of violating Section 109 of the Housing and Community Development Act by its involvement in City actions to condemn the affordable housing development.

The significance of these proceedings for HUD grantee communities throughout the U.S., particularly urban county entitlements, is clear. First, the requirement to affirmatively further fair housing applies to all aspects of county government, not just HUD programs. Second, an urban county has an obligation to ensure that each local unit of government within its boundary that participates in its federal programs affirmatively furthers fair housing. When an urban county makes this pledge to HUD, it is making the promise not just in its own right but also on behalf of each local unit of government in the county.

This does not necessarily mean that each municipality must finance and develop affordable housing, but it does mean that no municipality may impede or obstruct the creation of such housing by other entities. An urban county should provide CDBG and HOME funds to municipalities that affirmatively further fair housing. Furthermore, an urban county should not provide CDBG or HOME funds to municipalities that impede fair housing as such actions undermine the urban county's own obligation to affirmatively further fair housing.

Finally, within the scope of its authority, an urban county must take action to eliminate barriers to fair housing wherever they may exist in the county.

C. FAIR HOUSING CHOICE

Equal and free access to residential housing (housing choice) is a fundamental right that enables members of the protected classes to pursue personal, educational, employment or other goals. Because housing choice is so critical to personal development, fair housing is a goal that government, public officials and private citizens must embrace if equality of opportunity is to become a reality.

The federal Fair Housing Act prohibits discrimination in housing based on a person's race, color, religion, sex, disability, familial status or national origin. Persons who are protected from discrimination by fair housing laws are referred to as members of the protected classes.

This Analysis encompasses the following five areas related to fair housing choice:

- The sale or rental of dwellings (public and private)
- The provision of financing assistance for dwellings
- Public policies and actions affecting the approval of sites and other building requirements used in the approval process for the construction of publicly assisted housing
- The administrative policies concerning community development and housing activities, which affect opportunities of minority households to select housing inside or outside areas of minority concentration, and
- Where there is a determination of unlawful segregation or other housing discrimination by a court or a finding of noncompliance by the U.S. Department of Housing and Urban Development (HUD) regarding assisted housing in a recipient's jurisdiction, an analysis of the actions which could be taken by the recipient to remedy the discriminatory condition, including actions involving the expenditure of funds made available under 24 CFR Part 570 (i.e., the CDBG program regulations).

As a federal entitlement community, the Urban County of Travis County has specific fair housing planning responsibilities. These include:

- Conducting an Analysis of Impediments to Fair Housing Choice
- Developing actions to overcome the effects of identified impediments to fair housing, and
- Maintaining records to support the jurisdiction's initiatives to affirmatively further fair housing.

HUD interprets these three certifying elements to include:

- Analyzing housing discrimination in a jurisdiction and working toward its elimination
- Promoting fair housing choice for all people
- Providing racially and ethnically inclusive patterns of housing occupancy
- Promoting housing that is physically accessible to, and usable by, all people, particularly individuals with disabilities, and
- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act.

This Analysis will:

- Evaluate population, household, income and housing characteristics by protected classes in each of the jurisdictions
- Evaluate public and private sector policies that impact fair housing choice
- Identify blatant or de facto impediments to fair housing choice where any may exist, and
- Recommend specific strategies to overcome the effects of any identified impediments.

HUD defines an impediment to fair housing choice as any actions, omissions or decisions that restrict or have the effect of restricting the availability of housing choices, based on race, color, religion, sex, disability, familial status or national origin.

This Analysis serves as the basis for fair housing planning, provides essential information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates, and assists in building public support for fair housing efforts. The elected governmental bodies are expected to review and approve the Analysis and use it for direction, leadership and resources for future fair housing planning.

The Analysis will also serve as a point-in-time baseline against which future progress in terms of implementing fair housing initiatives will be evaluated and recorded.

C. THE FEDERAL FAIR HOUSING ACT

i. What housing is covered?

The federal Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

ii. What does the Fair Housing Act prohibit?

a. In the sale and rental of housing

No one may take any of the following actions based on race, color, religion, sex, disability, familial status or national origin:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for the sale or rental of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale, or rental
- For profit, persuade owners to sell or rent (blockbusting), or
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.

b. In mortgage lending

No one may take any of the following actions based on race, color, religion, sex, disability, familial status or national origin:

- Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points or fees
- Discriminate in appraising property
- Refuse to purchase a loan, or
- Set different terms or conditions for purchasing a loan.

c. Other prohibitions

It is illegal for anyone to:

- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right
- Advertise or make any statement that indicates a limitation or preference based on race, color, religion, sex, disability, familial status, or national origin. This prohibition against discriminatory advertising applies to single family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

iii. Additional protections for people with disabilities

If someone has a physical or mental disability (including hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex and mental retardation) that substantially limits one or more major life activities, or has a record of such a disability, or is regarded as having such a disability, a landlord may not:

- Refuse to let the disabled person make reasonable modifications to a dwelling or common use areas, at the disabled person's expense, if necessary for the disabled person to use the housing. Where reasonable, the landlord may permit changes only if the disabled person agrees to restore the property to its original condition when he or she moves.
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary for the disabled person to use the housing. For example, a building with a "no pets" policy must make a reasonable accommodation and allow a visually impaired tenant to keep a guide dog.

iv. Housing opportunities for families with children

Unless a building or community qualifies as housing for older persons, it may not discriminate based on familial status. That is, it may not discriminate against families in which one or more children under the age 18 live with:

- A parent or
- A person who has legal custody of the child or children or
- The designee of the parent or legal custodian, with the parent or custodian's written permission.

Familial status protection also applies to pregnant women and anyone securing legal custody of a child under age 18.

Housing for older persons is exempt from the prohibition against familial status discrimination if:

- The HUD Secretary has determined that it is specifically designed for and occupied by elderly persons under a federal, state or local government program, or
- It is occupied solely by persons who are 62 or older, or
- It houses at least one person who is 55 or older in at least 80% of the occupied units, and adheres to a policy that demonstrates the intent to house persons who are 55 or older, as previously described.

A transition period permits residents on or before September 13, 1988 to continue living in the housing, regardless of their age, without interfering with the exemption.

D. THE TEXAS FAIR HOUSING ACT

The Texas Fair Housing Act (TFHA), codified in Chapter 301 of the Texas Property Code, prohibits housing discrimination based on the same seven protected classes as the federal Fair Housing Act. The TFHA covers most housing but in some circumstances, exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker and housing operated by organizations and private clubs that limit occupancy to members.

One distinction between the TFHA and national standards is the interpretation of disability. Section 301.003(6) of the Property Code follows its definition of disability with specific exceptions that do not appear in the Fair Housing Act, Americans with Disabilities Act (ADA) or Rehabilitation Act: "The term [disability] does not include current illegal use or addiction to any drug or illegal or federally controlled substance and does not apply to an individual because of an individual's sexual orientation or because that individual is a transvestite." While persons currently with or recovering from substance abuse problems are considered to have a disability under both the ADA and the Fair Housing Act, Texas law is generally interpreted as not prohibiting discrimination against alcoholics or drug users in treatment or recovery. National laws do not prohibit discrimination on the basis of sexual orientation or gender identity, but they also do not specifically exclude these categories.

The TFHA includes the same prohibitions involving the sale or rental of housing and mortgage lending as the federal Fair Housing Act.

The Texas Workforce Commission Civil Rights Division (TWCCRD) is the administrative agency tasked with overseeing the processing and investigation of fair housing complaints filed with the State of Texas. TWCCRD was created by the Texas Commission on Human Rights Act, which charged the agency with enforcing the state's anti-discrimination laws.

State or local laws may be certified as substantially equivalent to the federal Fair Housing Act when the U.S. Department of Housing and Urban Development (HUD) determines that the law provides rights, procedures, remedies and judicial review provisions that are substantially equivalent to the Act. Currently, the TWCCRD participates in HUD's Fair Housing Assistance Program (FHAP) by virtue of the Texas Fair Housing Act having been deemed substantially equivalent to the federal Fair Housing Act. TWCCRD's participation allows the agency the opportunity to receive funding to support a variety of fair housing administrative and enforcement activities, including complaint processing, training, implementation of data and information systems and other special projects.

E. COMPARISON OF ACCESSIBILITY STANDARDS

There are several standards of accessibility referenced throughout the AI. These standards are listed below along with a summary of the features within each category or a reference to the full set of detailed standards.

i. Fair Housing Act

In buildings that are ready for first occupancy after March 13, 1991 and include four or more units:

- There must be an accessible entrance on an accessible route.
- Public and common areas must be accessible to persons with disabilities
- Doors and hallways must be wide enough for wheelchairs
- All ground floor units and all units in elevator buildings must have:
  - An accessible route into and through the unit
  - Accessible light switches, electrical outlets, thermostats and other environmental controls
  - Reinforced bathroom walls to allow later installation of grab bars, and
  - Kitchens and bathrooms that can be used by people in wheelchairs.

If a building with four or more units has no elevator and will be ready for first occupancy after March 13, 1991, these standards apply to ground floor units. These requirements for new buildings do not replace any more stringent standards in state or local law.

ii. Americans with Disabilities Act (ADA)

Title II of the ADA applies to state and local services, including state and local housing programs. Government entities are obliged to assure that housing financed through state and local programs complies with ADA accessibility guidelines. A complete description of the guidelines can be found at *www.ada.gov/stdspdf.htm*.

iii. Uniform Federal Accessibility Standards (UFAS)

UFAS accessibility standards are required for facility accessibility by people with motor and sensory disabilities for Federal and federally-funded facilities. These standards are to be applied during the design, construction, and alteration of buildings and facilities to the extent required by the Architectural Barriers Act of 1968, as amended. A complete description of the guidelines can be found at *www.access-board.gov/ufas/ufas-html/ufas.htm*.

iv. Visitability Standards

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

- At least one no-step entrance
- Doors and hallways wide enough to navigate a wheelchair through, and
- A bathroom on the first floor large enough to allow a person in a wheelchair to enter and close the door.

v. Universal Design

Universal design is the design of products and environments to be usable by all people, to the greatest extent possible, without adaptation or specialized design. Seven principles guide Universal Design. These include:

- Equitable use (e.g., make the design appealing to all users)
- Flexibility in use (e.g., accommodate right- or left-handed use)
- Simple and intuitive use (e.g., eliminate unnecessary complexity)
- Perceptible information (e.g., provide compatibility with a variety of techniques or devices used by people with sensory limitations)
- Tolerance for error (e.g., provide fail-safe features)
- Low physical effort (e.g., minimize repetitive actions)
- Size and space for approach and use (e.g., accommodate variations in hand and grip size).

F. METHODOLOGY

The firm of Mullin & Lonergan Associates, Inc. (M&L) was retained as consultants to conduct the Analysis of Impediments to Fair Housing Choice. M&L utilized a comprehensive approach to complete the Analysis involving the Urban County of Travis County. The following sources were utilized:

- The most recently available demographic data regarding population, household, housing, income, and employment at the census tract and municipal level
- Public policies affecting the siting and development of housing
- Administrative policies concerning housing and community development
- Financial lending institution data from the Home Mortgage Disclosure Act (HMDA) database
- Agencies that provide housing and housing related services to members of the protected classes
- The Consolidated Plan, Annual Plans and CAPERs for the Urban County
- Fair housing complaints filed with HUD and the Texas Workforce Commission Civil Rights Division
- Real estate advertisements from area newspapers of record
- Historic race and ethnicity data and shapefiles from a National Historic GIS, a project of the University of Minnesota Population Center
- The Geography of Opportunity report and shapefiles created for the Austin region through a collaborative project with the Kirwan Institute
- Interviews conducted with agencies and organizations that provide housing and housing related services to members of the protected classes.

G. ANALYTICAL APPROACH

Fair housing choice is defined as the ability of persons, regardless of race, color, religion, sex, disability, familial status, or national origin, of similar income levels to have available to them the same housing choices. This AI analyzes a range of fair housing issues regardless of a person's income. To the extent that members of the protected classes, those who are protected from discrimination by fair housing laws, tend to have lower incomes, then access to fair housing is related to affordable housing. In many areas across the U.S., a primary impediment to fair housing is a relative absence of affordable housing. Often, however, the public policies implemented in towns and cities create, or contribute to, the lack of affordable housing in these communities, thereby disproportionately affecting housing choice for members of the protected classes.

This document goes well beyond an analysis of the adequacy of affordable housing in Travis County. This AI defines the relative presence of members of the protected classes within the context of factors that influence the ability of the protected classes to achieve equal access to housing and related services.

Throughout this report, emphasis is placed on the Urban County rather than on the entire county of Travis County. The Urban County of Travis County includes all of the unincorporated area within Travis County and one incorporated place, the Village of Webberville. The Urban County CDBG program does not currently include any other incorporated cities or villages. This analysis includes includes data on those areas for purposes of comparison.

In all cases, the latest available data was used to describe the most appropriate geographic unit of analysis. In most cases, 2010 Census data and 2010 American Community Survey (ACS) were available and incorporated into this report. Where the margin of error for block group estimates was unacceptably high due to small sample size, census tract data has been used.

H. DEVELOPMENT OF THE AI

Within the Department of Health and Human Services and Veterans Services, the Travis County CDBG Office was the lead agency for the preparation and implementation of the AI. The CDBG staff identified and invited numerous stakeholders to participate in the process for the purpose of developing a thorough analysis with a practical set of recommendations to eliminate impediments to fair housing choice, where identified.

The County engaged in a consultation process with local public agencies, nonprofit organizations and other interested entities in an effort to develop a community planning process for the AI. A series of written questionnaires were mailed to many of the interviewees and detailed lists of issues were developed for the focus group sessions and interviews.

During the week of June 12, 2012, the consulting team conducted a series of focus group sessions and individual interviews to identify current fair housing issues impacting the various agencies and organizations and their clients. Comments received through these meetings and interviews are incorporated throughout the AI, where appropriate.

Public meetings were held at two separate sites on consecutive evenings to solicit comment on fair housing issues. While no members of the public attended a meeting on June 12 at the West Rural Community Center, several residents participated in a meeting at the South Rural Community Center on June 13. Public notices announcing the meeting were distributed in English and Spanish among social service providers and posted in well-trafficked public locations. Translators were available at both meetings.

A completed draft of the AI will be placed on public display at various community locations and online for 30 days, during which time stakeholders and members of the public will be invited to review the analysis and submit any comments. Any comments received will be addressed in an appendix to this document. Notice of the public display period will be disseminated according to the County's Citizen Participation Plan.

3 DEMOGRAPHIC AND HOUSING MARKET CONDITIONS

Overview of Settlement Patterns

Beyond the continually broadening borders of the City of Austin, Travis County continues to experience rapid population growth that increasingly demands the conscious effort of balance. As land historically spanned by farms and ranches gives way to the development of livable neighborhoods, community interests and individual property rights are more often at odds. The limited public resources available for investment in water, sewer, road and other infrastructure demand equitable and strategic distribution. The demographic characteristics of the County's population continue to shift in ways driven by the local and national economy and housing market. These and other conditions present an opportunity for unprecedented integration, as Travis County's policies concerning fair housing are now more critical than ever to the developing identities of its communities.

Racial integration in Travis County was spurred by the outcome of *Sweatt v. Painter*, a 1950 U.S. Supreme Court decision that rejected the prevalent "separate but equal" doctrine by requiring the University of Texas to fully integrate its Black students. The case paved the way for the Court's *Brown v. Board of Education* ruling four years later that declared segregated public schools to be illegal. At that point, public schools in Travis County began to integrate. In addition to Black residents, Hispanic residents fought discrimination in the 1960s and 1970s, though some measure of success became clear as minorities were represented in government. Blacks and Hispanics became school board members, state representatives, city councilors and Travis County Commissioners during the late 1960s through the 1970s.[1] During AI interviews, stakeholders referred generally to a crescent-shaped pattern of minority (traditionally Black) concentration. This section of the report will explore and characterize such patterns.

Like all county governments in Texas, Travis County is authorized to exercise only limited authority over development regulation. This has allowed for land consumption to proceed mostly unfettered in unincorporated areas, which is where a large portion of population growth during the last decade has occurred. A perceived freedom from land use controls represents a selling point for some households moving out of the City of Austin.[2] In 1980, about 85% of Travis County residents lived in Austin, compared to less than 74% in 2010. The decline comes in spite of the city's considerably aggressive annexation policies during those years. While population has continued to stream into the widening city, the net influx has been even greater in northern and southern suburbs and near Lake Travis.

[1] Smyrl, Vivian Elizabeth. Handbook of Texas Online (*www.tshaonline.org/handbook/online/articles/hct08*), July 2012. Published by the Texas State Historical Association.
[2] "Travis County Land Use Authority: Draft Report." Commissioners Court, July 2008. Prepared by NuStats, Austin, Texas.

FIGURE 3-1
Decennial Population Change, 1970-2010

	1970	1980	10-Year Change	1990	10-Year Change	2000	10-Year Change	2010	10-Year Change	% Change 1970 - 2010
Urban Travis County*						125,218		179,287	43.2%	
Travis County	295,516	419,573	42.0%	576,407	37.4%	812,280	40.9%	1,024,266	26.1%	246.6%
Austin-Round Rock MSA**	398,938	585,051	46.7%	846,227	44.6%	1,249,763	47.7%	1,716,289	37.3%	330.2%
State of Texas	11,198,655	14,225,513	27.0%	16,986,510	19.4%	20,851,820	22.8%	25,145,561	20.6%	124.5%

* Includes all unincorporated space plus Webberville. Populations of incorporated place parts within county unavailable prior to 2000.
**The definition of the MSA containing Austin changed in 2003 when the Austin-San Marcos MSA became the Austin-Round Rock MSA. All data is based on the 2005 MSA (CBSA) definition.
Source: U.S. Census Bureau

Travis County led all Texas counties in population growth between 2000 and 2010, notching a gain of 26.1% during the decade. This rate outpaced the remarkable 20.6% increase in total population statewide, which was driven primarily by minorities. Texas' non-White population accounted for about 90% of its net gain in residents since 2000, with Hispanics alone accounting for 65%.[3]

In total, the number of people living in Travis County has more than tripled since 1970, reflecting a population boom that has endured across the entire five-county Austin-Round Rock metropolitan statistical area (MSA). Since 1970, the MSA has decenially gained residents at a rate near or exceeding 40%. A higher rate across the more rural MSA compared to Travis County, especially since 2000, indicates that rural areas are growing more rapidly than the urban core.

Urban Travis County currently includes all unincorporated space plus the Village of Webberville.[4] In 2010, the Urban County represented 179,287 residents and 17.5% of the total population in Travis County. The Urban County's population swelled 42.9% during the last 10 years, indicating expansion of a much greater magnitude in unincorporated space than in Austin and other cities and towns. For comparison, across incorporated places only, the population grew 23%.

The overall population boom since 2000 reflects steady gain in the urban core outpaced by rapid growth across unincorporated areas of the County.

[3] Ramsey, Ross, et al. "Minorities Drove Texas Growth, Census Figures Show." *Texas Tribune*, February 18, 2011.
[4] As explained in the introduction, federal CDBG entitlement areas comprising the Urban County currently include unincorporated space and the Village of Webberville.

Differences in population stability, shown in Figure 3-2, are less apparent at the municipal level due to changes in incorporation status and municipal boundaries. Point Venture, Volente and Webberville were not counted by the Census Bureau as places in 2000, though they exist in 2010 data. Leander is largely in Williamson County, though 1,077 of its residents were counted in Travis County in 2010, suggesting community expansion. Large net gains prevailed.

Map 3-1 illustrates the shift in total population distribution that occurred between 1990 and 2010. Municipal boundaries, in this map and throughout the document, represent Census Bureau records and may not reflect annexations that have occurred since 2010.

FIGURE 3-2

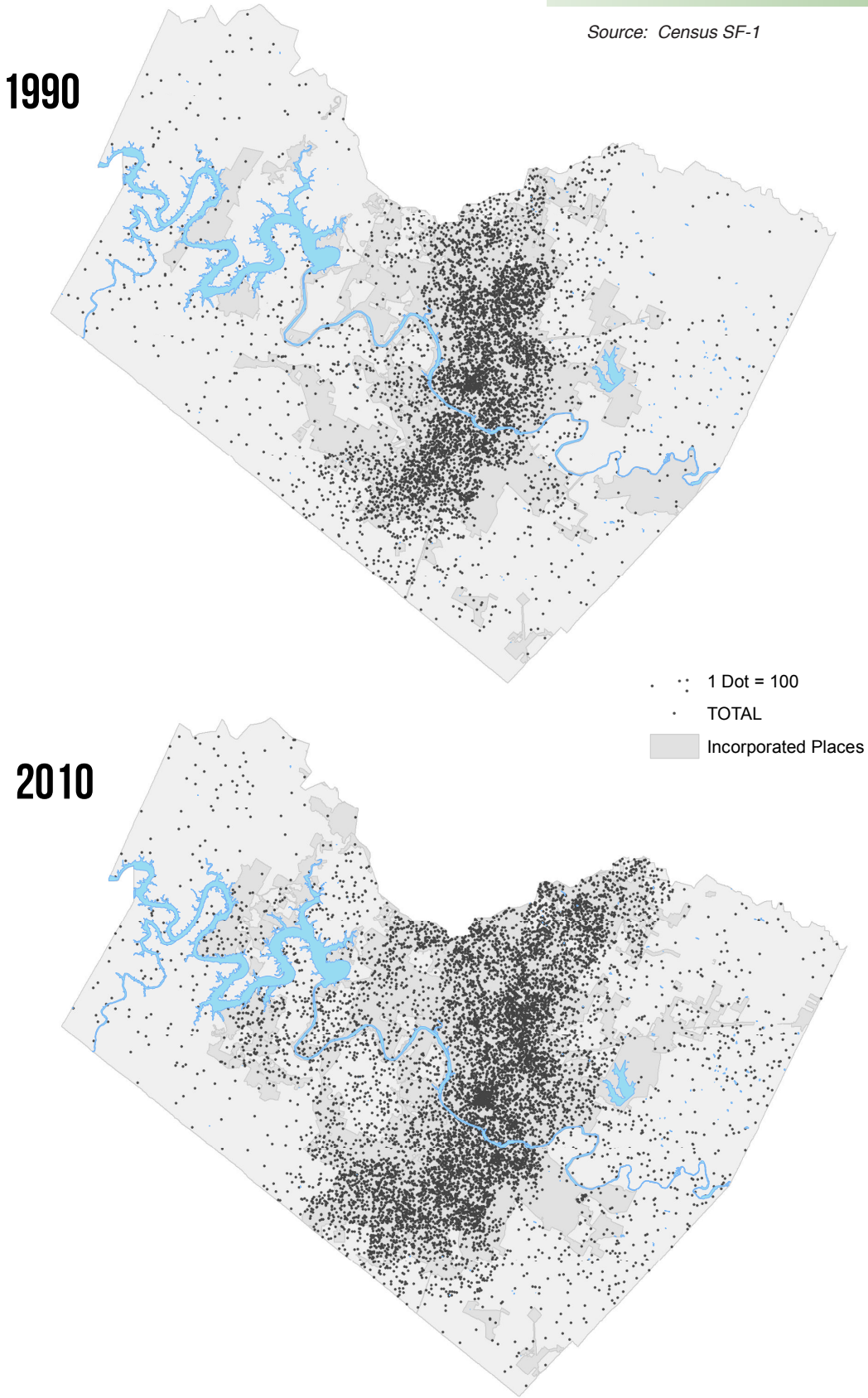
Population Change by Municipality, 2000-2010

Municipality	2000	2010
Austin city*	644,752	754,691
Bee Cave village	656	3,925
Briarcliff village	895	1,438
Cedar Park city	541	489
Creedmoor city	211	202
Elgin city	33	909
Jonestown city	1,681	1,834
Lago Vista city	4,507	6,041
Lakeway city	8,002	11,391
Leander city	0	1,077
Manor city	1,204	5,037
Mustang Ridge city	409	434
Pflugerville city	16,335	46,636
Point Venture village	-	800
Rollingwood city	1,403	1,412
Round Rock city	1,076	1,362
San Leanna village	384	497
Sunset Valley city	365	749
The Hills village	1,492	2,472
Volente village	-	520
Webberville village**	-	392
West Lake Hills city	3,116	3,063
Total Incorporated Areas	**687,062**	**845,371**
Total Unincorporated Areas	**125,218**	**178,895**
Total Travis County	**812,280**	**1,024,266**

** Federal CDBG entitlement community*
*** Participates in Urban County program*
Note: Population figures account for only the portions of each place that fall within Travis County.
Source: Census 2000, 2010

MAP 3-1
Density Distribution of Total Population
by Block Group, 1990 and 2010

Source: Census SF-1



Since 2000, a gain in the raw number of White residents across Travis County has outpaced the gain among non-Whites, especially in the City of Austin. The number of White persons living in Travis County grew by 155,756 (28.1%), compared to a gain of 56,230 (21.8%) among non-Whites. Racial minorities constituted 30.7% of all County residents in 2010, whereas they constituted 31.8% in 2000.

It is worth noting that this White population growth includes some people who are Hispanic, because the Census counts origin and race as separate categories. The 2010 Census form asked respondents to identify their race and whether or not they are Hispanic, noting that "Hispanic origins are not races." Generally speaking, most people choosing "some other race" are Hispanic, but many Hispanic people alternately identify themselves as White, Black or another race.

By any measure, the areas within the CDBG jurisdiction of Travis County have become far more diverse during the last 10 years. Of the net increase of 56,230 non-White persons living across all of Travis County since 2000, 41.5% were found in unincorporated areas or Webberville. In total, the number of non-White residents in the Urban County climbed from 26,690 in 2000, representing 21.5% of the total, to 50,296 in 2010, representing 28.1% of all Urban County dwellers.

The juxtaposition of a growing White population in the City of Austin and growing non-White populations in its suburbs suggests the appeal of comparatively affordable options outside of the city for racial minority households, which typically have access to a range of housing options limited by lower household incomes. This generalization will be further explored later in this section of the AI, but was corroborated by AI interviews reporting a trend of reverse White flight, "bright flight," describing Austin as a destination attractive to wealthy young professionals who drive up housing demand and, therefore, price. Anecdotally, this is clear in the transformation of East Austin, where neighborhoods that were once affordable, isolated Black and/or Hispanic enclaves rapidly gentrified into "hipster havens" where minorities can no longer afford to live.[5]

FIGURE 3-3

Racial and Ethnic Population Composition, 2000-2010

	2000		2010	
	#	%	#	%
Urban Travis County*	**125,218**	**100.0%**	**179,287**	**100.0%**
White	98,258	78.5%	128,991	71.9%
Non-White	26,960	21.5%	50,296	28.1%
Black	7,878	6.3%	15,443	8.6%
Asian/Pacific Islander	5,502	20.4%	10,405	5.8%
American Indian	720	0.6%	1,343	0.7%
Some other race	9,917	7.9%	17,518	9.8%
Two or more races	2,943	2.4%	5,587	3.1%
Hispanic***	24,777	19.8%	51,774	28.9%
Total Travis County	**812,280**	**100.0%**	**1,024,266**	**100.0%**
White	554,058	68.2%	709,814	69.3%
Non-White	258,222	31.8%	314,452	30.7%
Black	75,247	9.3%	87,308	8.5%
Asian/Pacific Islander	36,845	4.5%	60,051	5.9%
American Indian	4,684	0.6%	8,555	0.8%
Some other race	118,294	14.6%	124,706	12.2%
Two or more races	23,152	2.9%	33,832	3.3%
Hispanic***	229,048	28.2%	342,766	33.5%

* Includes all unincorporated space and the village of Webberville.
** This category was not recorded in the 1990 Census.
*** Hispanic ethnicity is counted independently of race.
Source: Census 2000 and 2010 SF1

[5] Smithson, Cate. "Extreme Makeover: Gentrification Transforms East Austin." ABC News, April 27, 2009. Online: *http://abcnews.go.com/OnCampus/story?id=7399717&page=1#.UD_FMSIvmWQ*

As of 2010, more than one-third of all people living in Travis County were Hispanic, compared to 21.1% in 1990. Blacks represent a decreasing share of the minority population, accounting for 8.5% of all County residents in 2010, compared to 11% in 1990. These trends are illustrated in Figures 3-4 and 3-5.

Hispanics account for a smaller share of residents (28.9%) in the Urban County than in Travis County as a whole. The share of Blacks increased from 6.3% of the total population in 2000 to 8.6% in 2010.

Hispanics represent the Urban County's largest minority group, accounting for 28.9% of the total population in 2010.

FIGURE 3-4

Expansion of Diversity among Travis County Racial Minorities, 1990-2010

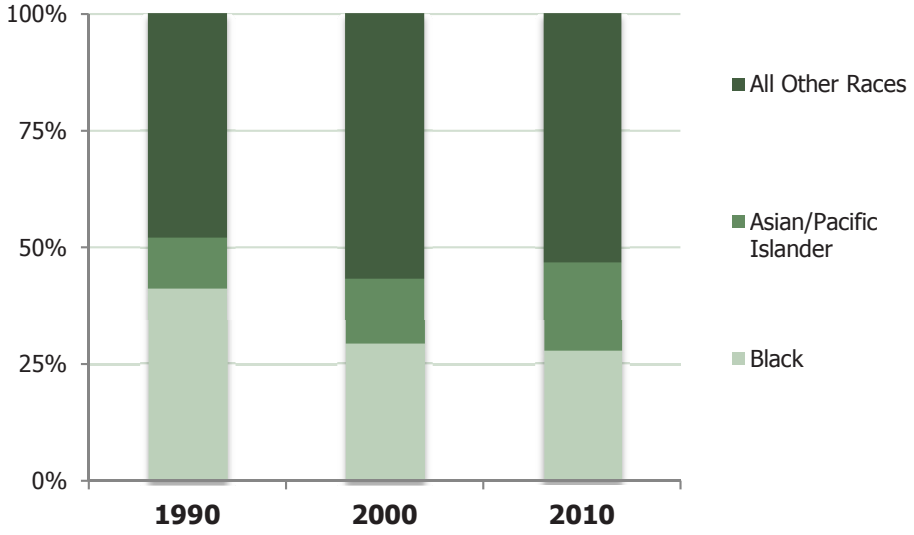


FIGURE 3-5

Changes in Travis County's Hispanic Population , 1990-2010

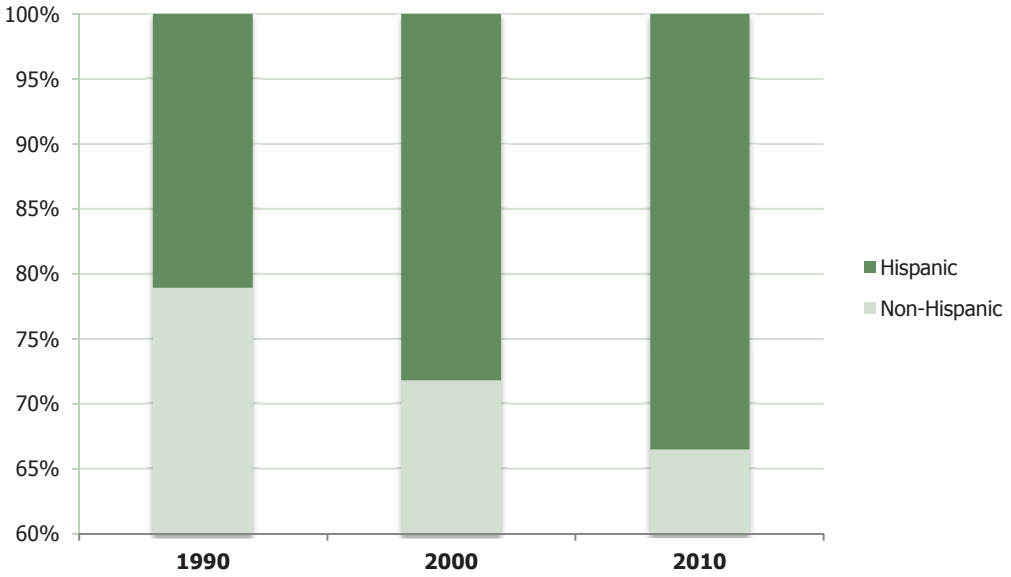
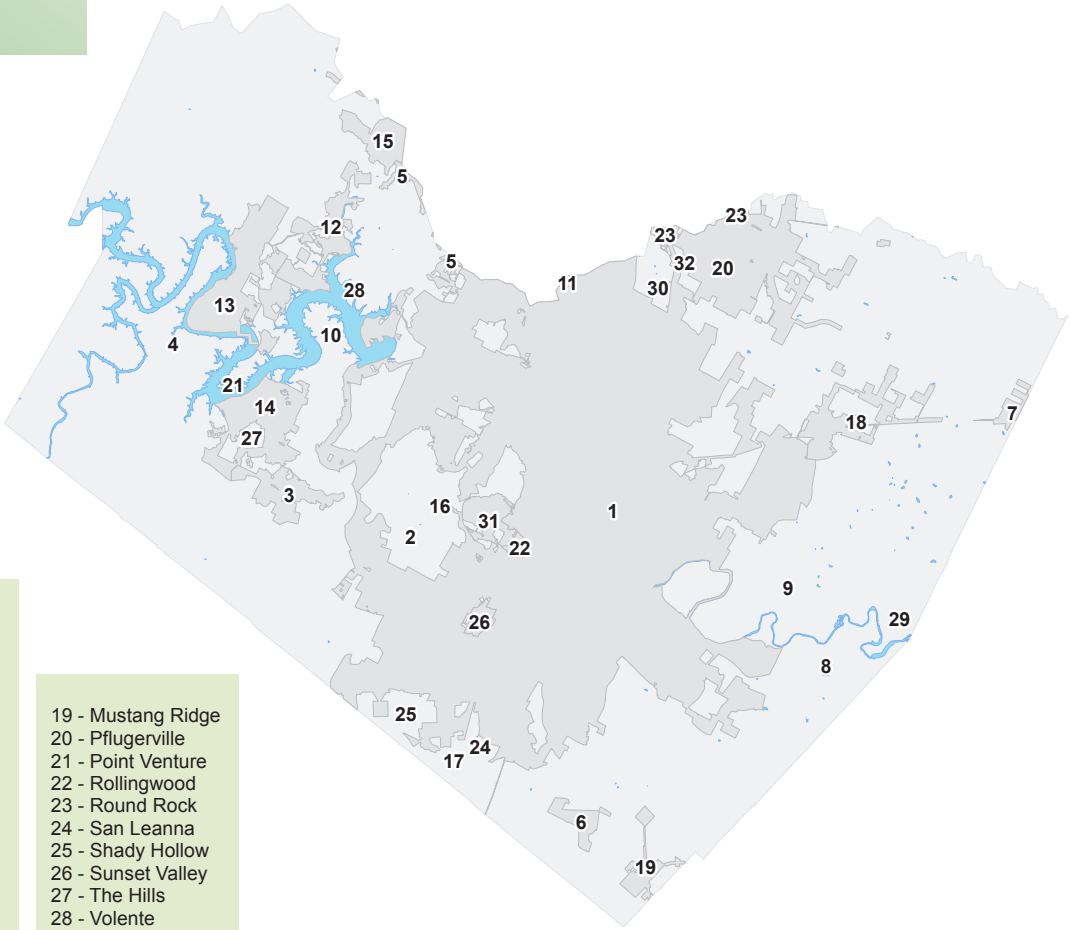


Figure 3-6 presents a breakdown of population by race and ethnicity in 2000 and 2010 for parts of incorporated places that are within Travis County. Some particular changes during that decade are worth note, such as the increase of 94,604 White residents in the Travis County portion of Austin as the City gained 72,224 Hispanic residents and *lost* 2,940 Black residents. Of Pflugerville's net gain of 30,301 citizens, 33.6% were Hispanic; 18.8% were Black.

Studying the distribution of population by race and ethnicity across the County in years prior to 2000 is difficult in tabular format, due primarily to changing geographic boundaries (both Census definitions and local border changes). Map 3-2 is a time series comparing the proportion of Black persons across tracts from 1970 to 2010, tracing distributional patterns across decades. Map 3-3 is a similar time series for the Hispanic population, but dates only back to 1980, the first Census for which data on the "Spanish origin" population was available. These historic patterns provide some context for the current areas of racial and ethnic concentration presented in later maps.

REFERENCE MAP
Places within
Travis County



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor

19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

Urban County Exceptions

FIGURE 3-6

Municipal Population by Race and Ethnicity, 2000 and 2010

	Total Population		White		Black		Asian	
	2000	2010	2000	2010	2000	2010	2000	2010
Austin city*	644,752	754,691	419,437	514,041	65,308	62,368	30,325	45,075
Bee Cave village	656	3,925	618	3,435	0	51	1	216
Briarcliff village	895	1,438	853	1,377	4	4	4	7
Cedar Park city	541	489	400	358	42	35	36	28
Creedmoor city	211	202	168	140	2	0	0	0
Elgin city	33	909	22	552	1	201	0	10
Jonestown city	1,681	1,834	1,551	1,651	17	15	7	29
Lago Vista city	4,507	6,041	4,237	5,574	38	73	30	39
Lakeway city	8,002	11,391	7,713	10,521	64	111	69	368
Leander city	0	1,077	0	977	0	20	0	40
Manor city	1,204	5,037	640	2,298	204	1,389	1	75
Mustang Ridge city	409	434	273	311	22	9	3	0
Pflugerville city	16,335	46,636	12,607	29,930	1,545	7,233	704	3,437
Point Venture village	-	800	-	757	-	7	-	8
Rollingwood city	1,403	1,412	1,347	1,341	0	0	32	33
Round Rock city	1,076	1,362	821	794	92	283	74	75
San Leanna village	384	497	348	451	3	8	2	10
Sunset Valley city	365	749	336	628	0	10	5	59
The Hills village	1,492	2,472	1,450	2,325	18	37	10	52
Volente village	-	520	-	477	-	4	-	19
Webberville village**	-	392	-	336	-	32	-	1
West Lake Hills city	3,116	3,063	2,979	2,885	9	7	40	66
Total Incorporated Areas	687,062	845,371	455,800	581,159	67,369	71,897	31,343	49,647
Travis County	**812,280**	**1,024,266**	**554,058**	**709,814**	**75,247**	**87,308**	**36,845**	**60,051**
Unincorporated Areas	125,218	178,895	98,258	128,655	7,878	15,411	5,502	10,404
Urban County	**125,218**	**179,287**	**98,258**	**128,991**	**7,878**	**15,443**	**5,502**	**10,405**

	Native American		Other		Two+ Races		Hispanic*	
	2000	2010	2000	2010	2000	2010	2000	2010
Austin city*	3,835	6,700	106,484	101,050	19,363	25,457	199,126	271,350
Bee Cave village	1	14	23	86	13	123	50	407
Briarcliff village	1	4	20	24	13	22	66	94
Cedar Park city	1	7	39	40	23	21	77	110
Creedmoor city	0	2	35	56	6	4	100	114
Elgin city	0	10	5	97	5	39	18	315
Jonestown city	7	11	60	84	42	44	161	239
Lago Vista city	12	38	114	195	76	122	355	710
Lakeway city	10	30	69	125	77	236	337	836
Leander city	0	6	0	13	0	21	0	72
Manor city	18	48	316	1,001	25	226	587	2,395
Mustang Ridge city	20	2	81	107	10	5	213	292
Pflugerville city	39	289	993	4,053	447	1,694	2,727	12,907
Point Venture village	-	2	-	17	-	9	-	66
Rollingwood city	3	3	7	7	14	28	69	92
Round Rock city	2	5	68	142	19	63	139	405
San Leanna village	0	0	22	19	9	9	48	104
Sunset Valley city	1	3	17	30	6	19	45	133
The Hills village	5	19	2	16	7	23	33	158
Volente village	-	1	-	8	-	11	-	41
Webberville village**	-	1	-	20	-	2	-	192
West Lake Hills city	9	18	22	18	57	69	120	152
Total Incorporated Areas	3,964	7,213	108,377	107,208	20,212	28,247	204,271	291,184
Travis County	**4,684**	**8,555**	**118,294**	**124,706**	**118,294**	**33,832**	**229,048**	**342,766**
Unincorporated Areas	720	1,342	9,917	17,498	98,082	5,585	24,777	51,582
Urban County	**720**	**1,343**	**9,917**	**17,518**	**98,082**	**5,587**	**24,777**	**51,774**

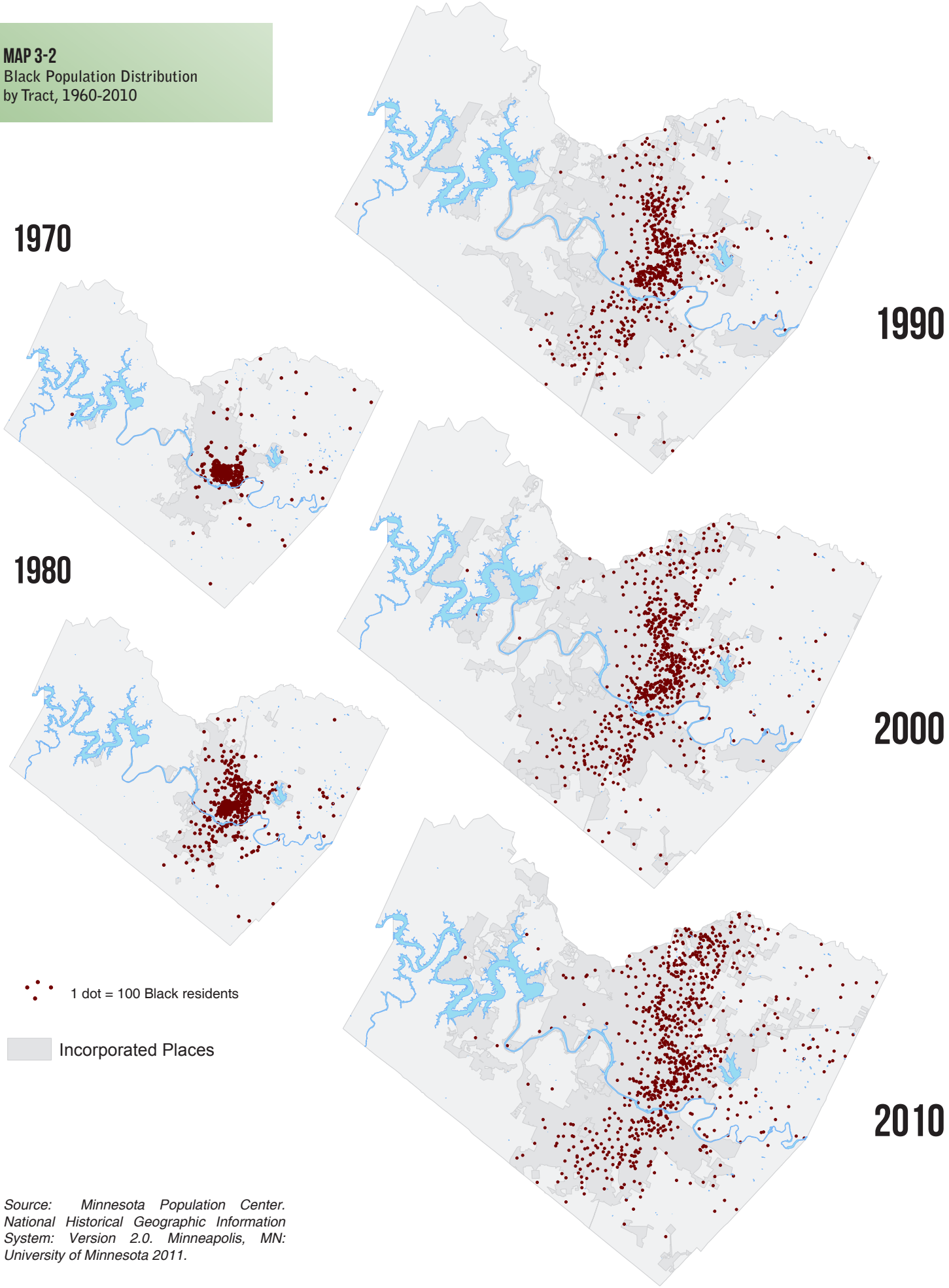
** Federal CDBG entitlement community*

*** Participates in Urban County program*

Note: Population figures account for only the portions of each place that fall within Travis County.

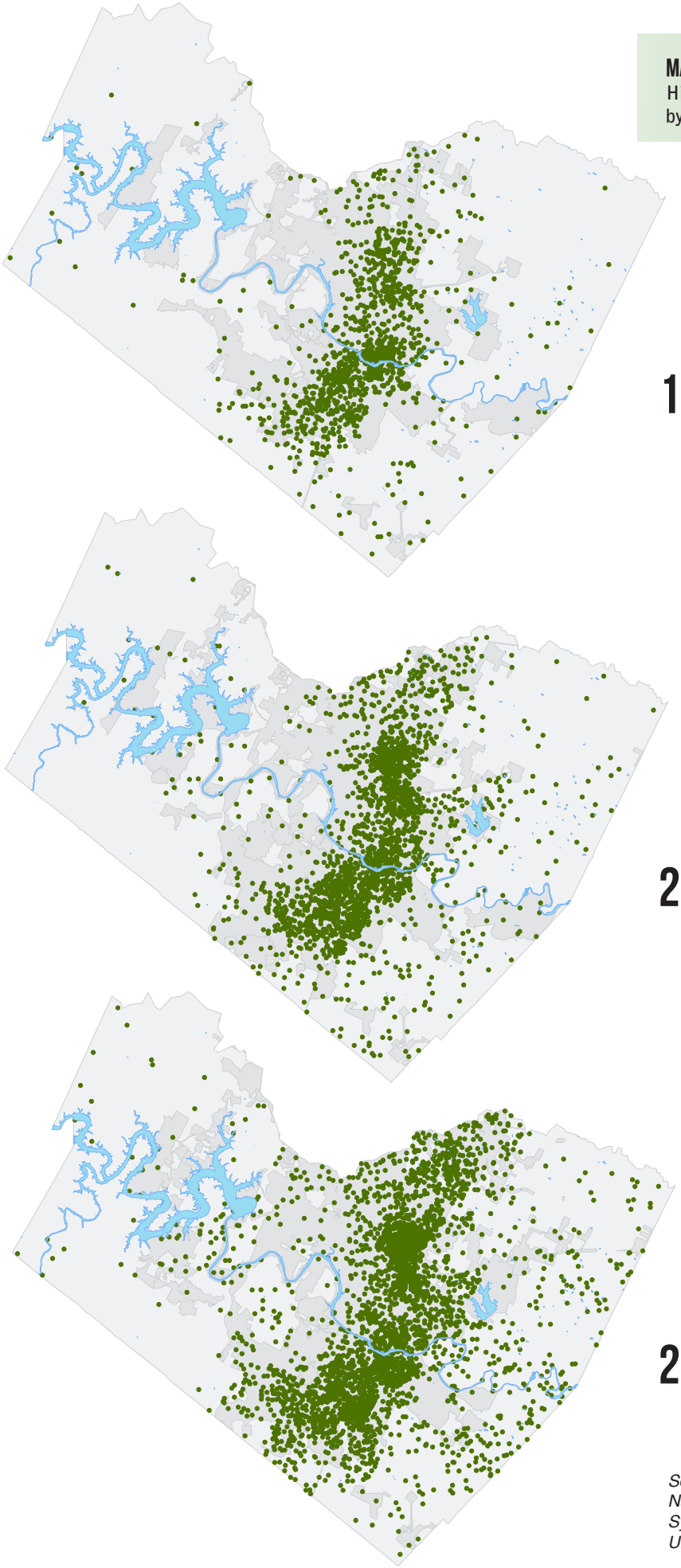
Source: Census 2000, 2010

MAP 3-2
Black Population Distribution by Tract, 1960-2010



Source: Minnesota Population Center. National Historical Geographic Information System: Version 2.0. Minneapolis, MN: University of Minnesota 2011.

MAP 3-3
Hispanic Population Distribution
by Tract, 1980-2010



1 dot = 100 Hispanic residents

Incorporated Places

Source: Minnesota Population Center. National Historical Geographic Information System: Version 2.0. Minneapolis, MN: University of Minnesota 2011.

Racial and/or Ethnic Concentrations

Travis County's Consolidated Plan for FY 2011-2013 establishes a threshold for defining areas of racial or ethnic concentration: A concentrated area is any in which the percentage of a single ethnic or minority group is at least 10 percentage points higher than across the County overall. For purposes of the AI, census block groups were determined to be the most appropriate unit of analysis, and countywide minority group thresholds were determined to identify a manageable number of concentrated areas in the Urban County. (In cases where whole County and Urban County thresholds differ more substantially than they do here, it is possible that selecting the former would result in few or no rural areas of concentration.)

Across Travis County in 2010, Blacks comprised 8.5% of the population. Therefore, an area of Black concentration would include any block group where the percentage of Black residents is 18.5% or higher. Of the 87 block groups across the Urban County, seven (8%) met this criterion, all of which were also areas of Hispanic concentration. An area of Asian concentration, by the same definition, would include any tract where the percentage of Asian residents is 15.9% or higher. Of the 87 block groups in the Urban County, two met this criterion. In Hispanic-concentrated block groups, at least 43.5% of the population is Hispanic. Of 87 total unincorporated block groups, 20 (23%) met this definition.

The CDBG program includes a statutory requirement that at least 70% of funds invested benefit low and moderate income (LMI) persons. As a result, HUD provides the percentage of LMI persons in each census block group for entitlements such as Travis County. Travis County invests its CDBG funds primarily in areas where the percentage LMI persons is 45.14% or higher (LMI areas). Generally, the LMI percentage required for CDBG eligibility is 51%. However, due to a more affluent population in some areas of the County, HUD has established an "exception criteria" that lowers the LMI percentage requirement for Travis County to 45.14%.

Map 3-4 displays the distribution of racially and/or ethnically concentrated block groups in the Urban County. Map 3-5 shows block groups where at least 45.14% of persons are considered low- or moderate-income by HUD standards. Map 3-6 compares the block groups meeting those criteria with LMI block groups, demonstrating the large extent to which they overlap. Map 3-7 isolates block groups meeting both criteria, which will be referred to as impacted areas in other sections of the AI.

There are 22 racially and/or ethnically concentrated LMI block groups in the Urban County, most of which qualify as low- and moderate income (LMI).

FIGURE 3-7

Racially and/or Ethnically Concentrated Areas, 2010

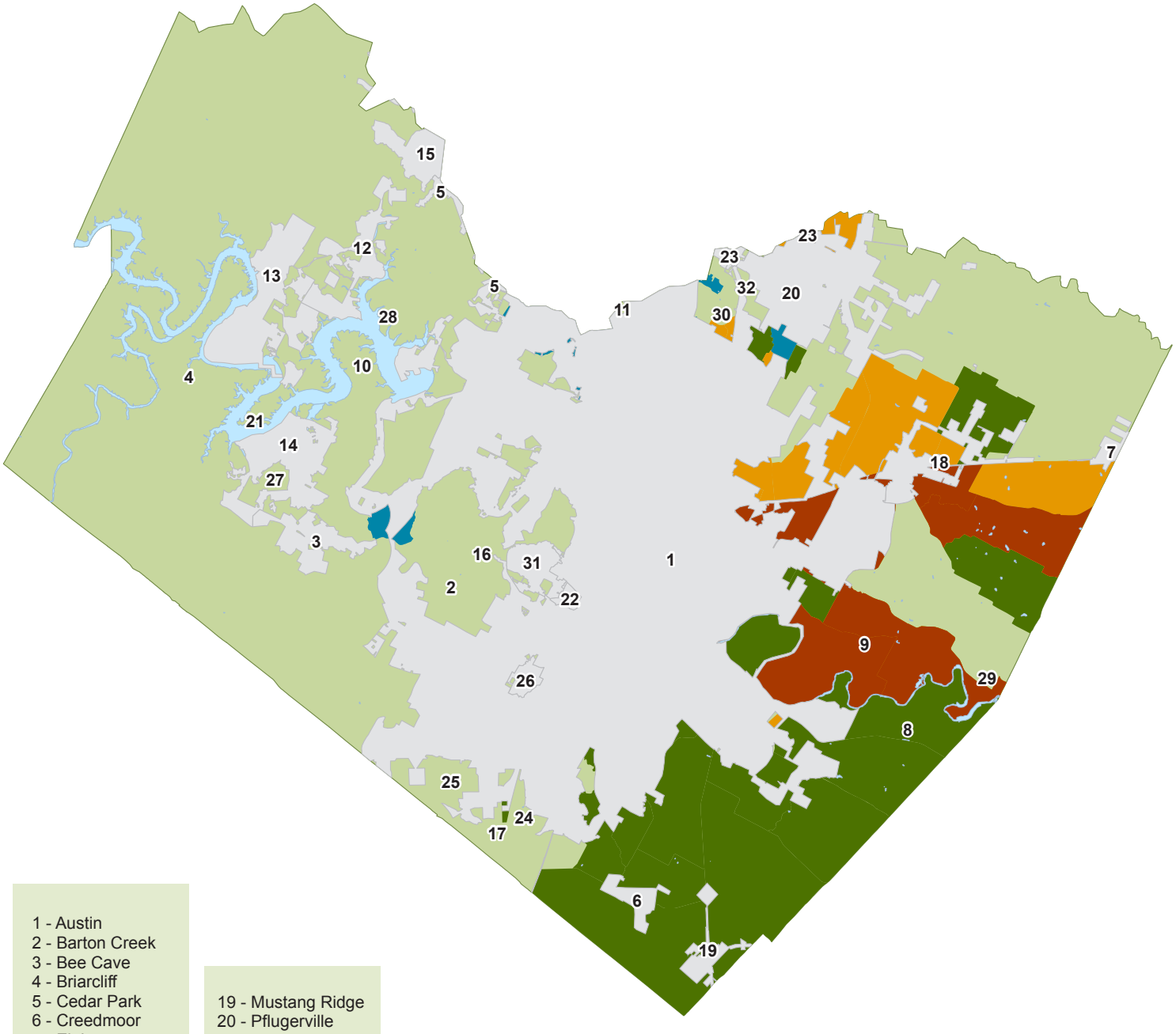
Vicinity	Tract	Block Group	Population	Race and Ethnicity		
				Black	Asian	Hispanic
Travis County			**1,024,266**	**8.5%**	**5.9%**	**33.5%**
Urban County*			**179,287**	**8.6%**	**5.8%**	**28.9%**
Manchaca	1772	2	1,787	4.0%	4.2%	**53.3%**
NE of Austin	1840	1	4,713	16.0%	6.7%	**51.8%**
South of Pflugerville	1841	1	8,097	16.8%	**18.8%**	37.0%
NE of Austin	1841	2	2,024	2.8%	2.4%	**61.3%**
Windemere	1851	1	2,227	10.5%	**17.8%**	21.9%
Eastern Austin border	2201	1	1,080	**47.9%**	0.6%	**46.9%**
Eastern Austin border	2202	3	4,447	**33.8%**	0.2%	**58.9%**
Hornsby Bend/Webberville	2207	1	2,846	**18.6%**	0.2%	**66.0%**
Hornsby Bend/Webberville	2207	2	5,533	**28.2%**	0.9%	**55.3%**
South of Elgin	2209	1	3,077	**28.1%**	0.9%	**51.3%**
South of Manor	2209	2	2,721	**19.6%**	0.8%	**49.5%**
North of Webberville	2210	2	2,462	4.6%	0.3%	**55.8%**
Eastern Austin border	2212	1	567	**21.7%**	0.9%	**57.8%**
Eastern Austin border	2310	2	2,484	8.8%	0.2%	**78.1%**
Southern Austin border	2426	1	6,182	11.0%	1.5%	**70.6%**
Southern Austin border	2428	2	4,097	6.3%	1.9%	**47.7%**
North of Creedmoor	2432	2	968	1.8%	0.8%	**75.2%**
Garfield/Webberville	2433	1	1,793	5.0%	0.2%	**48.4%**
Garfield	2433	2	4,188	13.3%	2.1%	**67.4%**
South of Creedmoor	2434	1	1,718	4.6%	1.1%	**57.3%**
SE of Austin	2435	2	5,036	12.6%	1.4%	**72.3%**
North of Mustang Ridge	2436	1	2,672	3.7%	0.4%	**73.0%**

*Includes all unincorporated space and the village of Webberville.

Source: 2010 Census SF-1

MAP 3-4
Areas of Racial and/or Ethnic Concentration, 2010

Source: 2010 Census SF-1



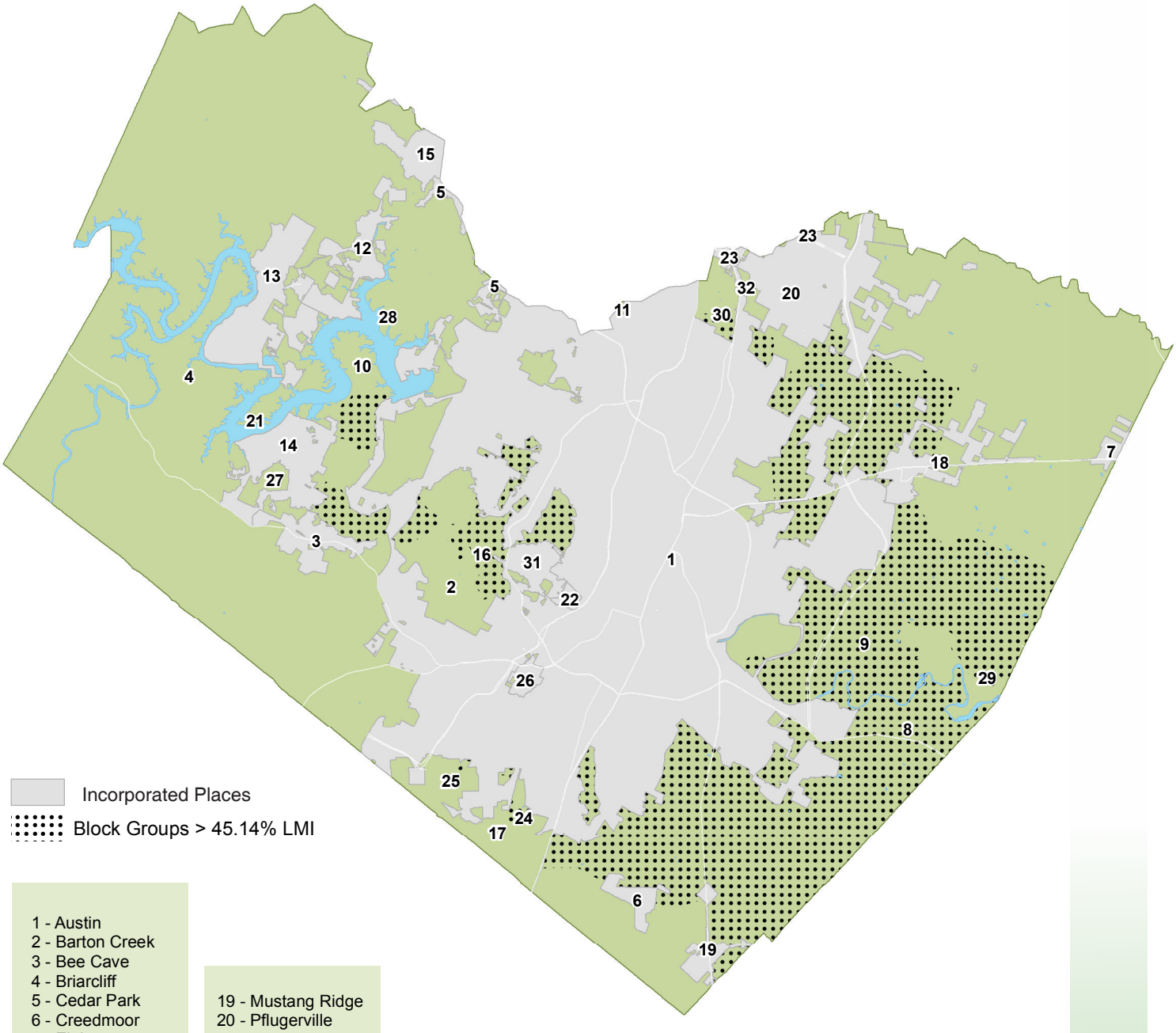
1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor

19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

Incorporated Places
Black AND Hispanic Concentration
Black Concentration
Hispanic Concentration
Asian Concentration

MAP 3-5
Block Groups of at Least 45.14% LMI, 2010

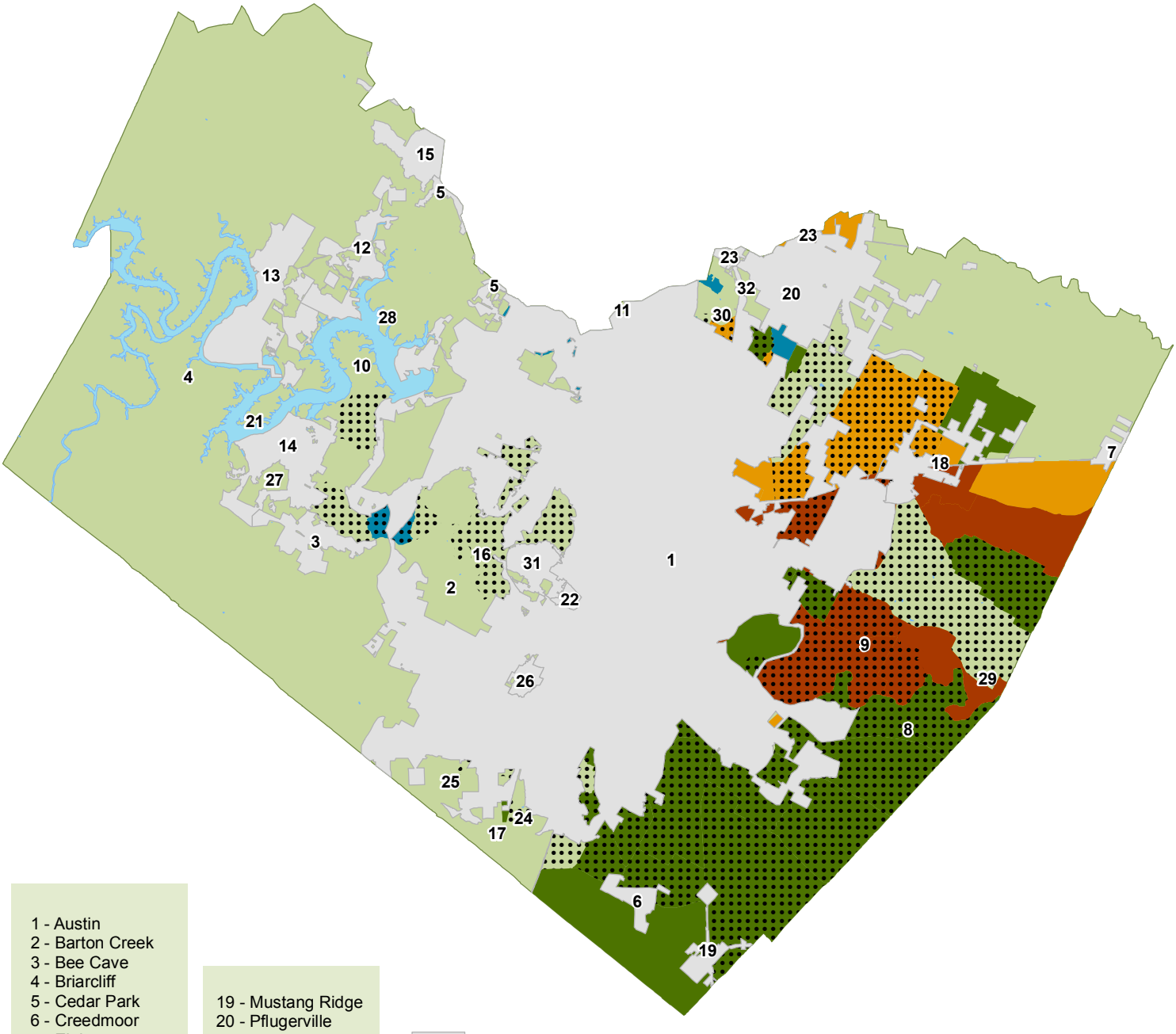
Source: 2012 HUD LMI Estimates



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor
19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

MAP 3-6
Comparison of LMI and Racially/Ethnically Concentrated Block Groups, 2010

Sources: 2010 Census SF-1, 2012 HUD LMI Estimates



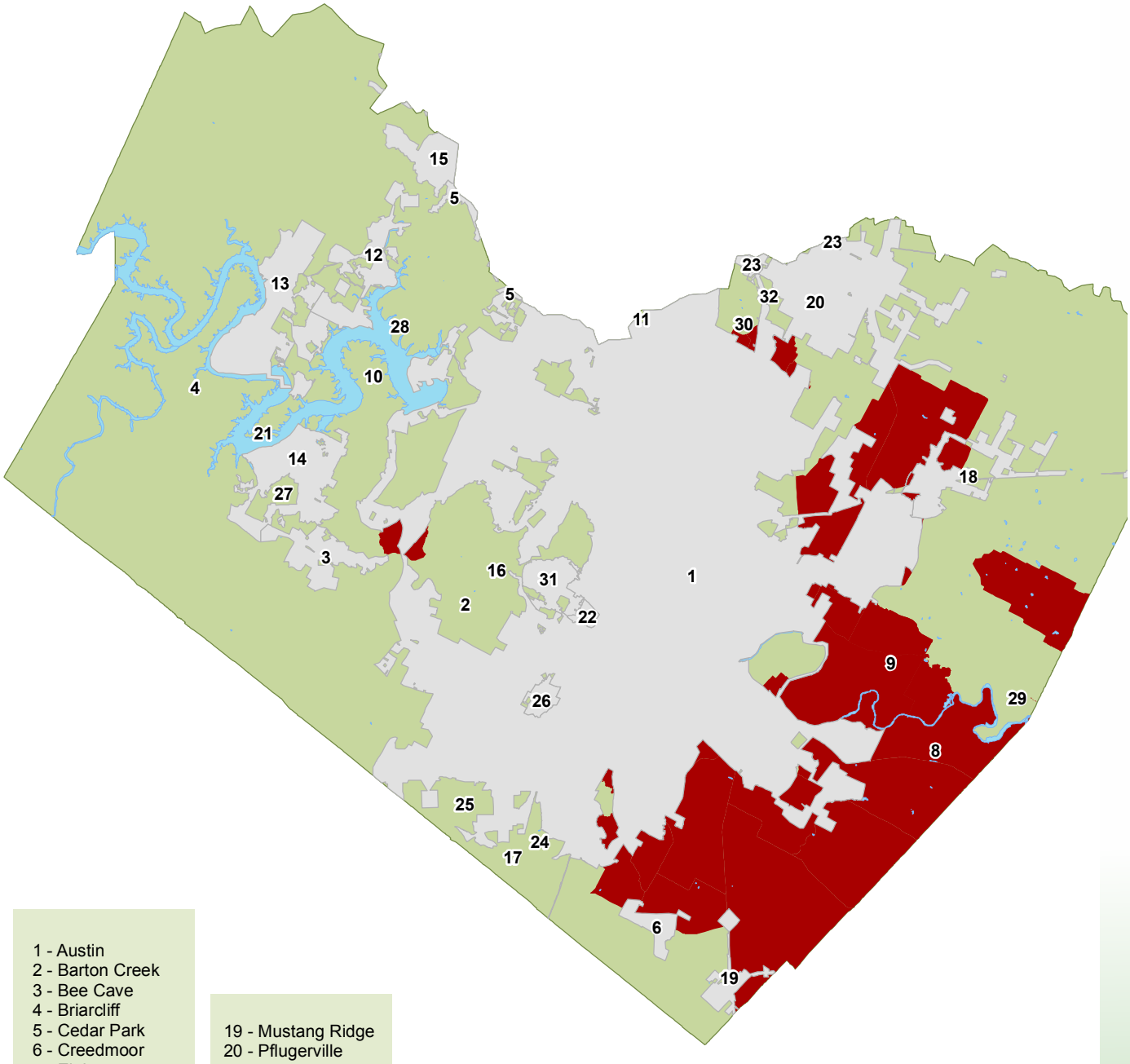
1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor

19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

Incorporated Places
Block Groups > 45.14% LMI
Black AND Hispanic Concentration
Asian AND Black Concentration
Black Concentration
Hispanic Concentration
Asian Concentration

MAP 3-7
Impacted Block Groups, 2010

Sources: 2010 Census SF-1, 2012 HUD LMI Estimates



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor

19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

Incorporated Places

Impacted Block Groups

Quantifying Integration

Residential segregation is a measure of the degree of separation of racial or ethnic groups living in a neighborhood or community. Typically, the pattern of residential segregation involves the existence of predominantly homogenous, White suburban communities and low-income minority inner-city neighborhoods. Latent factors, such as attitudes, or overt factors, such as real estate practices, can limit the range of housing opportunities for minorities. A lack of racial or ethnic integration in a community creates other problems, such as reinforcing prejudicial attitudes and behaviors, narrowing opportunities for interaction, and reducing the degree to which community life is considered harmonious. Areas of extreme minority isolation often experience poverty and social problems at rates that are disproportionately high.[6] Racial segregation has been linked to diminished employment prospects, poor educational attainment, increased infant and adult mortality rates and increased homicide rates.

FIGURE 3-8

Travis County Dissimilarity Indices, 2000 and 2010

		DI with White Population	Population	Share of Total Population
2010	White	-	709,814	69.3%
	Black	48.6	87,308	8.5%
	American Indian	36.1	8,555	0.8%
	Asian/Pacific Islander	41.5	60,051	5.9%
	Other	47.0	124,706	12.2%
	Two or More Races	21.4	33,832	3.3%
	Hispanic**	38.5	342,766	33.5%
	Total	**-**	**1,024,266**	**100.0%**
		DI with White Population	**Population**	**Share of Total Population**
2000	White	-	554,058	68.2%
	Black	53.0	75,247	9.3%
	American Indian*	37.2	4,684	0.6%
	Asian/Pacific Islander	40.6	36,845	4.5%
	Other	50.9	118,294	14.6%
	Two or More Races	27.2	23,152	2.9%
	Hispanic**	44.0	229,048	28.2%
	Total	**-**	**812,280**	**100.0%**

* In these cases, sample size is too small to reliably interpret the DI. Caution should be exercised in interpreting results for subpopulations of fewer than 1,000.

** Hispanic ethnicity is counted independently of race.

Source: Census 2000 and 2010 SF1, Mullin & Lonergan Associates

[6] This aspect of segregation is related to the degree to which members of a group reside in areas where their group predominates, thus leading them to have less residential contact with other groups. See: Fossett, Mark. "Racial Segregation in America: A Nontechnical Review of Residential Segregation in Urban Areas." Department of Sociology and Racial and Ethnic Studies Institute, Texas A&M University, 2004.

[7] The index of dissimilarity is a commonly used demographic tool for measuring inequality. For a given geographic area, the index is equal to 1/2 the sum of ABS [(b/B)-(a/A)], where b is the subgroup population of a census tract, B is the total subgroup population in a city, a is the majority population of a census tract, and A is the total majority population in the city. ABS refers to the absolute value of the calculation that follows.

The distribution of racial or ethnic groups across a geographic area can be analyzed using an index of dissimilarity. This method allows for comparisons between subpopulations, indicating how much one group is spatially separated from another within a community. The index of dissimilarity is rated on a scale from 0 to 100, in which a score of 0 corresponds to perfect integration and a score of 100 represents total segregation.[7] The index is typically interpreted as the percentage of the minority population (in this instance, the Black population) that would have to move in order for a community or neighborhood to achieve full integration.

With a 2010 White-Black dissimilarity index of 48.6, Travis County qualifies as moderately segregated by national standards.[8] The data indicates that in order to achieve full integration among White and Black residents, 48.6% of one subpopulation or the other would have to move to another tract within the County.

In addition to a White-Black index of 48.6, the County has a White-other race index of 50.9, a White-Asian index of 41.5, a White-Hispanic index of 38.5, a White-American Indian index of 36.1 and a low White-multi-race index of 21.4. These numbers indicate that some subpopulations are more integrated with Whites than Blacks across the County.

Though integration has increased during the last 10 years, Travis County's Black and Hispanic populations remain moderately segregated from its White population.

FIGURE 3-9

Changes in Racial and Ethnic Integration, 1960-2010

	Black		Asian		Hispanic	
	Population	DI	Population	DI	Population	DI
2000	75,247	53.0	36,845	40.6	229,048	44.0
2010	87,308	48.6	60,051	41.5	342,766	38.5

Source: Census SF1, Mullin & Lonergan Associates

[8] According to Douglas S. Massey, an index under 30 is low, between 30 and 60 is moderate, and above 60 is high. See Massey, "Origins of Economic Disparities: The Historical Role of Housing Segregation," in Segregation: The Rising Costs for America, edited by James H. Carr and Nandinee K. Kutty (New York: Routledge 2008) p. 41-42.

Race/Ethnicity and Income

Household income is one of several factors used to determine a household's eligibility for a home mortgage loan. The median household income (MHI) in Travis County was $54,074 in 2010, above the state median of $48,259 and the national median of $51,914. Collin County, in the Dallas-Fort Worth metropolitan area, had the highest median in the state in 2010 at $77,671. Generally, median income levels are lower in counties along the state's southern border and much higher in the suburban counties surrounding major cities.

FIGURE 3-10
Median Household Income and Poverty Rates by Race/Ethnicity, 2010

	Median Household Income	Poverty Rate
Travis County	**$54,074**	**16.2%**
Whites	$60,809	12.9%
Blacks	$36,227	24.6%
Asians	$59,690	16.1%
Hispanics	$40,948	24.7%

Note: Five-year sample data was selected because one- and three-year sample data, while available, included an unacceptably high margin of error within smaller racial/ethnic groups.
Source: U.S. Census Bureau, 2006-2010 American Community Survey (B19013, B19013A, B19013B, B19013D, B19013I, B17001, B17001A, B17001B, B17001D, B17001I)

Across racial and ethnic groups in Travis County, Whites had the highest MHI at $60,809. The MHI for Asian households was $59,690. It was substantially lower for Blacks and Hispanics, at $36,227 and $40,948, respectively.

As suggested by the lower median incomes among these groups, minority residents in Travis County experienced poverty at greater rates than White residents. Less than 13% of White residents were living in poverty in 2010, compared with 24.7% of Hispanics and 24.6% of Blacks. Asian households reported poverty at a rate of 16.1%.

The 2010 median income for Black and Hispanic households in Travis County was roughly two-thirds the median income for White households.

Distribution of household income by race and ethnicity is comparable to the trends described above, showing a disparity between White and non-White households in the Urban County and Travis County overall. While more than half of White households and Asian households in the Urban County reported household income of more than $75,000, only 31.6% of Black households and 29% of Hispanic households fell into this category.

There are some differences in the income distribution across racial and ethnic groups between the Urban County and Travis County overall. Generally, those living in the County's incorporated areas (most of whom live in Austin) make less, as households of all races are more evenly distributed across income groups. However, White and Asian households in urban areas are still much more likely to report higher incomes than Black and Hispanic households.

FIGURE 3-11

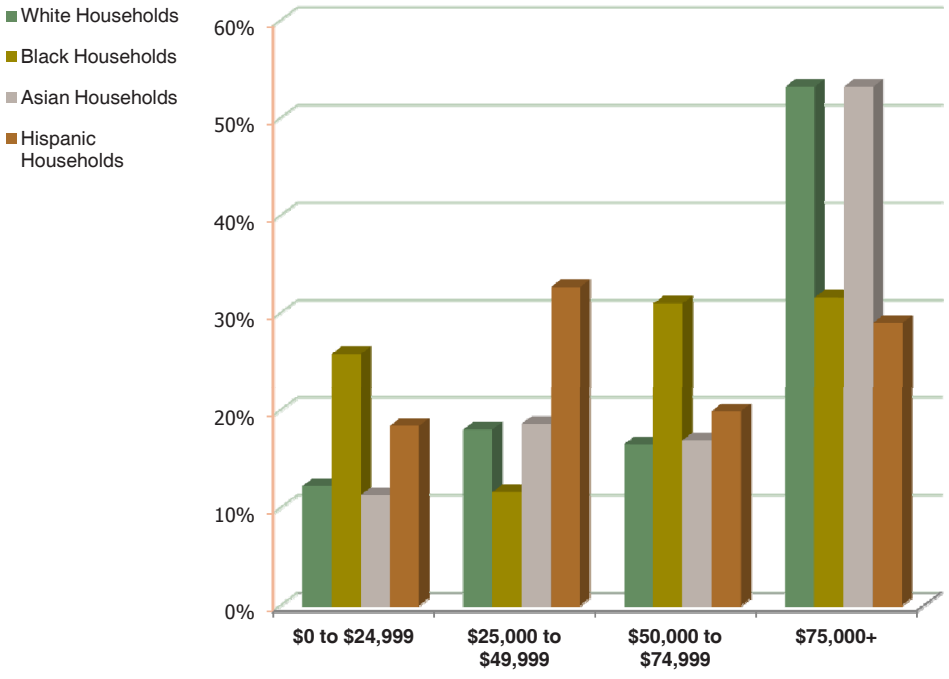
Household Income Distribution by Race and Ethnicity, 2010

	Total	$0 to $24,999	$25,000 to $49,999	$50,000 to $74,999	$75,000 and higher
All Households					
Travis County	390,862	21.5%	24.8%	17.8%	35.9%
Urban County*	58,685	13.3%	21.7%	17.4%	47.6%
White					
Travis County	283,171	18.3%	23.0%	18.0%	40.6%
Urban County*	43,713	12.2%	18.0%	16.5%	53.2%
Black					
Travis County	33,453	33.3%	31.2%	17.2%	18.3%
Urban County*	3,892	25.8%	11.6%	31.0%	31.6%
Asian					
Travis County	21,132	25.1%	19.3%	13.9%	41.7%
Urban County*	3,021	11.3%	18.6%	16.9%	53.2%
Hispanic					
Travis County	96,966	28.3%	31.5%	19.4%	20.8%
Urban County*	12,130	18.4%	32.7%	19.9%	29.0%

** Excludes unincorporated areas and Webberville*
Source: U.S. Census Bureau, 2006-2010 American Community Survey (B19001, B19001A, B19001B, B19001D, B19001I).

FIGURE 3-12

Urban County Household Income Distribution, 2010



Residential Segregation by Income

The Pew Research Center has developed a metric to describe the degree to which high- and low-income residents are spatially segregated from one another within a metropolitan area. The Residential Income Segregation Index (RISI) is calculated by combining the share of low-income residents who live in majority low-income census tracts with the share of high-income residents who live in high-income census tracts, capturing the magnitude of households that live in economically segregated neighborhoods.

Nationwide, the Pew Center found that 28% of lower-income households were located in predominantly lower-income neighborhoods in 2010, up from 23%, and that 18% of upper-income households lived in predominantly upper-income neighborhoods, compared to 9% in 1980.[9] Researchers cited an overarching increase in income inequality as the primary reason for the declining share of mixed-income neighborhoods.

The Pew Center applied its analysis to the nation's 30 largest metropolitan areas as of 2010. The Austin-Round Rock-San Marcos metropolitan area ranked as the country's 35th largest, just outside of the scope of Pew's work. In order to compare the metro area in which Travis County is located to other areas of Texas and the country for purposes of the AI, Pew's methodology was replicated using the same data set and research methods similar to those applied in the article cited below. The only methodological difference was application of a stepwise interpolation in lieu of the Sprague interpolation formula to split income categories in the metro area's 350 census tracts, selected for simplicity following the determination that the regression curves of the two methods were not drastically different.

Pew's analysis allows for a description of neighborhood composition by income. Lower-income households were defined as those making less than $37,990, which is two-thirds the median household income across the Austin-Round Rock-San Marcos metropolitan area in 2010 ($57,561), and upper-income households were defined as those making at least $115,122, which is double the metropolitan median. Lower-income neighborhoods were those where at least 50% of households made less than $37,990, and upper-income neighborhoods are those where at least 50% of households made at least $115,122.

[9] Fry, Richard and Taylor, Paul. "The Rise of Residential Segregation by Income." Pew Social and Demographic Trends, Pew Research Center. Released August 1, 2012.

According to 2010 American Community Survey data, 66,564 of 193,801 lower-income households across the Austin-Round Rock-San Marcos region lived in majority lower-income neighborhoods, a share of 34.3%. A similar share of the region's 121,632 upper-income households, 42,850, or 35.2%, lived in upper-income neighborhoods. Therefore, the RISI score for the region in 2010 was **69.5**.

The score of 69.5 defines Greater Austin as more economically segregated than any other metropolitan region for which Pew published RISI calculations. It is not without context, as the Pew Center noted that three Texas metropolitan areas, San Antonio, Houston and Dallas, have the nation's highest degrees of segregated upper-income households. Respectively in those areas, 25%, 24% and 23% of upper-income households live in predominantly upper-income areas. Of the 10 largest metro areas in the United States by number of households, Houston and Dallas have the highest overall RISI scores (60 and 61), topping New York and Los Angeles. Pew researchers connect the high RISI scores in Texas to the phenomenal population expansion in its metropolitan areas, reflecting influxes of households at both ends of the income scale: lower-wage immigrant families as well as skilled professionals. This observation is consistent with the gentrification patterns reported in and beyond Travis County by AI stakeholders.

FIGURE 3-13
Residential Segregation Comparisons by Metropolitan Region, 2010

	2010 RISI
Austin-Round Rock-San Marcos	***69.5***
San Antonio-New Braunfels	63
Houston-Sugar Land-Baytown	61
Dallas-Fort Worth-Arlington	60
New York-Northern New Jersey	57
Denver-Aurora-Broomfield	55
Detroit-Warren-Livonia	54
Columbus	53
Los Angeles-Long Beach-Santa Ana	51
Philadelphia-Camden-Wilmington	51
Miami-Fort Lauderdale-Pompano Beach	49
Baltimore-Towson	48
Phoenix-Mesa-Glendale	48
Kansas City	47
Cincinnati-Middletown	47
Washington-Arlington-Alexandria	47
Cleveland-Elyria-Mentor	46
National	***46***

Source: Fry, Richard and Taylor, Paul. "The Rise of Residential Segregation by Income." Pew Social and Demographic Trends, Pew Research Center. Released August 1, 2012. Local calculations by M&L.

Disability and Income

As defined by the Census Bureau, a disability is a long-lasting physical, mental, or emotional condition that can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work.

The Fair Housing Act prohibits discrimination based on physical, mental or emotional handicap, provided "reasonable accommodation" can be made. Reasonable accommodation may include changes to address the needs of disabled persons, including adaptive structural (e.g., constructing an entrance ramp) or administrative changes (e.g., permitting the use of a service animal). Across Travis County, 8.6% of the total civilian non-institutionalized population reported a disability in 2010.[9]

The most common type of disability among persons ages 18 to 64 was ambulatory, referring to difficulty moving from place to place that makes it impossible or impractical to walk as a means of transportation. Of County residents between ages 18 and 64, 23,690 (3.4%) reported this type of difficulty, which translates to a need for accessible housing. Additionally, about one in every four seniors age 65 and above (16,334 individuals) reported an ambulatory disability. Of County residents ages 18 to 64, 3% reported a sensory disability such as vision or hearing. Just over one in five seniors reported the same.

According to the National Organization on Disabilities, a significant income gap exists for persons with disabilities, given their lower rate of employment. In Travis County, persons with disabilities were substantially more likely than persons without disabilities to live in poverty. In 2010, 24.1% of residents with disabilities lived in poverty, compared to 14.5% of persons without disabilities who were living in poverty.[10] Median earnings for disabled persons age 16 and older were $21,436, compared to $30,578 for those without disabilities.

Disabled persons and those living in poverty were more prevalent in the County's urban core, a fact likely related to the concentration of public and nonprofit human services and transit available in the County's most densely populated areas.

Travis County residents with disabilities are substantially more likely to live in poverty than those without disabilities.

[9] 2008-2010 ACS (S1810). All available disability estimates were insufficient to subtract entitlement community figures.
[10] 2010 ACS (S1811).

Familial Status and Income

The Census Bureau divides households into family and non-family households. Family households are married couple families with or without children, single-parent families and other families comprised of related persons. Non-family households are either single persons living alone, or two or more non-related persons living together.

Title VIII of the Civil Rights Act of 1968 protects against gender discrimination in housing. Protection for families with children was added in the 1988 amendments to Title VIII. Except in limited circumstances involving elderly housing and owner-occupied buildings of one to four units, it is unlawful to refuse to rent or sell to families with children.

Within the context of continued population in the number of households living in the Urban County, female-headed households with children grew from 6.5% of all households in 2000 to 7.4% in 2010, while the proportion of male-headed households with children declined slightly from 2.3% to 2.1%. By comparison, married-couple family households with children declined from 33.7% to 30.6% over the course of the decade. In the Urban County, non-family households held steady at about one-fourth of the total. However, non-family households are far more common in urban areas: Across all of Travis County, more than one in every four households is non-family, suggesting that single-person households are much more prevalent in Austin than in unincorporated areas. Some of the difference can be accounted for by Austin's large student population. In addition to other institutions, the University of Texas at Austin enrolls more than 46,500 full-time.

FIGURE 3-14
Trends in Household Type, Urban County, 2000-2010

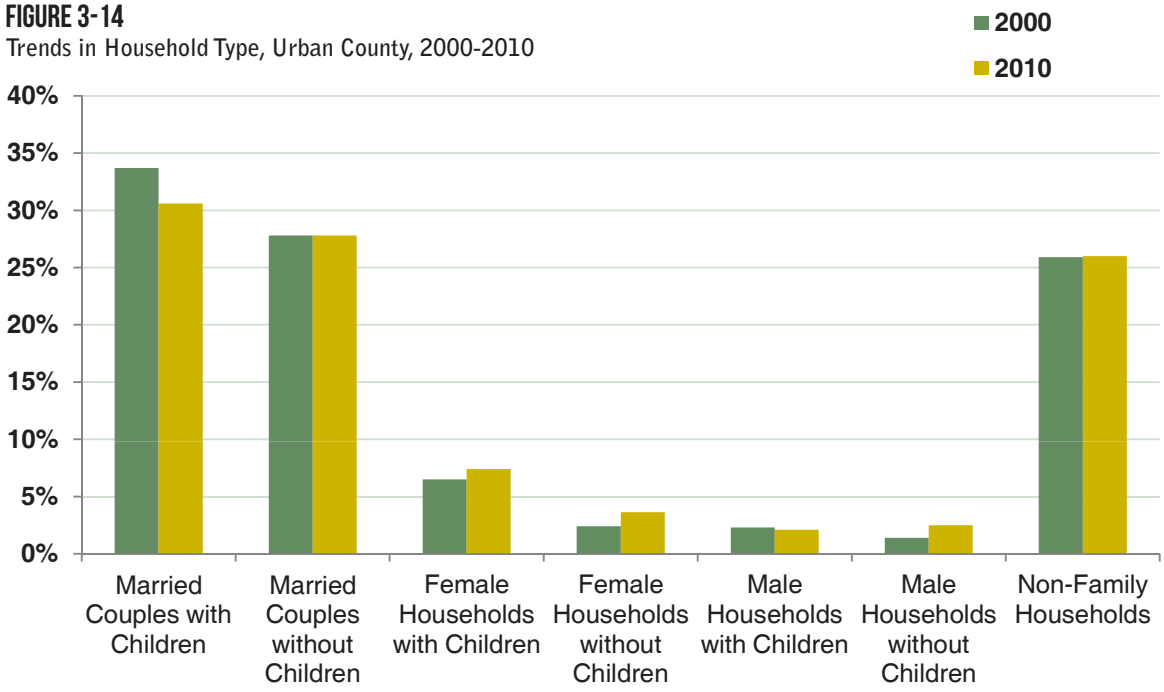


FIGURE 3-15

Household Type and Presence of Children, Urban County, 2000-2010

		Family Households										
			Married-couple families			Female-headed Households			Male-headed Households			
	Total Households	% of Total	#	With Children	Without Children	#	With Children	Without Children	#	With Children	Without Children	**Non-family Households**
2000												
Travis County	320,766	57.3%	136,632	**22.0%**	20.6%	**33,333**	**7.3%**	3.1%	13,867	**2.2%**	2.1%	42.7%
Urban County*	43,850	74.1%	26,975	**33.7%**	27.8%	**3,890**	**6.5%**	2.4%	1,619	**2.3%**	1.4%	25.9%
2010												
Travis County	390,862	57.2%	161,083	**20.2%**	21.0%	**43,797**	**7.2%**	4.0%	18,500	**2.1%**	2.6%	42.8%
Urban County*	58,685	74.0%	34,256	**30.6%**	27.8%	**6,470**	**7.4%**	3.6%	2,679	**2.1%**	2.5%	26.0%

** Includes unincorporated areas and Webberville*

Source: Census 2000 (SF1, QTP10); 2010 American Community Survey (B11001, B11003)

Female-headed households with children often experience difficulty in obtaining housing, primarily as a result of lower-incomes and the potential unwillingness of some landlords to rent their units to families with children. Although they comprised only 12.7% of family households in Travis County in 2010, female-headed households with children accounted for 45.9% of all families living in poverty.[11] Among female-headed households with children, 36% were living in poverty, compared to only 9% of married-couple families with children.

Over one-third of female-headed households with children in Travis County are below the poverty line, compared with only 9% of married couples with children.

Married couples with children under 18 represent a decreasing share of total households in the Urban County, while single females with children have become more common since 2000.

[11] 2006-2010 ACS(B17012)

Ancestry and Income

It is illegal to refuse the right to housing based on place of birth or ancestry. Census data on native and foreign-born populations reported that in 2010, 21.6% of all Travis County residents were foreign-born.[12] A smaller proportion of all people across the Urban County, 12.8%, were foreign-born. By way of origin, more than half of the Urban County's foreign-born population (51.8%) came from Latin American nations, while 28.2% were Asian, 7.8% were European and 3.6% were African natives.

Travis County's foreign-born population is more likely to experience poverty. According to 2006-10 American Community Survey estimates, 16.6% of the foreign-born population for which poverty status is determined fell below the poverty line, compared to 8.8% of all persons Countywide for whom this status is determined.[13]

Persons with limited English proficiency (LEP) are defined by the federal government as persons who have a limited ability to read, write, speak or understand English. American Community Survey (ACS) data reports on the non-English language spoken at home for the population five years and older. In 2010, the Census Bureau reported that 286,963 persons across Travis County (31.7%) spoke at least one language other than English. Of these, 123,846 (43.2%) spoke English less than "very well." This limited English proficiency subpopulation constituted 13.7% of the County's total population. The four language groups with more than 1,000 LEP persons included Spanish, Vietnamese, Chinese and Korean. To determine whether translation of vital documents would be required, a HUD entitlement community must first identify the number of LEP persons in a single language group who are likely to qualify for and be served by the Urban County's programs. HUD uses 1,000 or 5% of the total population as a "safe harbor" threshold, meaning that a jurisdiction addressing the needs of language groups exeeding either figure show strong evidence of compliance with Title VI obligations.

FIGURE 3-16
Limited English Proficiency Language Groups, 2010

Language Group	Number of LEP Speakers	Percentage of Total Population
Spanish	104,076	11.5%
Vietnamese	5,427	0.6%
Chinese	3,650	0.4%
Korean	1,979	0.2%
Tagalog	611	0.1%
French	560	0.1%

Source: American Community Survey 2008-10 Estimates (B16001)

Four language groups in Travis County have large enough numbers of limited-English speakers to warrant further analysis of their access to Urban County programs and services.

More than 100,000 Spanish-speaking County residents have limited English proficiency, though many are located within the City of Austin.

[12] 2006-2010 ACS(B05006)
[13] 2006-2010 ACS(B06012)

Employment and Protected Class Status

In 2010, the latest year for which comprehensive data is available, unemployment rates in Travis County were about on par with statewide levels. Black residents were substantially more likely to be unemployed than White residents, with unemployment rates of 12% and 5.4%, in the Urban County, respectively. Asian residents in the Urban County were unemployed at a rate of 5.8%, and Hispanics reported unemployment at a rate of 7.5%. Black and Hispanic households were more commonly unemployed than Whites and Asians across all of Travis County and Texas in 2010. Higher unemployment, whether temporary or permanent, limits the resources available to meet housing costs.

Blacks and Hispanics were substantially more likely than Whites and Asians to be unemployed in 2010 across the Urban County as well as across Texas.

FIGURE 3-17
Civilian Labor Force
and Protected Class Status, 2010

		Texas		Travis County		Urban County*	
Civilian Labor Force		**Total**	**%**	**Total**	**%**	**Total**	**%**
Total CLF		**11,916,548**	**100%**	**528,778**	**100.0%**	**397,260**	**100.0%**
	Employed	11,087,677	93.0%	492,909	93.2%	**370,330**	93.2%
	Unemployed	828,871	7.0%	35,869	6.8%	**26,930**	6.8%
Male CLF		**6,490,088**	**54.5%**	**279,676**	**52.9%**	**209,997**	**52.9%**
	Employed	6,051,128	93.2%	260,632	93.2%	**196,201**	93.4%
	Unemployed	438,960	6.8%	19,044	6.8%	**13,796**	6.6%
Female CLF		**5,426,460**	**45.5%**	**249,102**	**47.1%**	**187,263**	**47.1%**
	Employed	5,036,549	92.8%	232,277	93.2%	**174,129**	93.0%
	Unemployed	389,911	7.2%	16,825	6.8%	**13,134**	7.0%
White CLF		**9,170,064**	**82.7%**	**390,375**	**73.8%**	**285,598**	**71.9%**
	Employed	8,573,012	93.5%	368,840	94.5%	**270,187**	94.6%
	Unemployed	597,052	6.5%	21,535	5.5%	**15,411**	5.4%
Black CLF		**1,383,294**	**11.6%**	**44,164**	**8.4%**	**32,379**	**8.2%**
	Employed	1,222,785	88.4%	39,153	88.7%	**28,508**	88.0%
	Unemployed	160,509	11.6%	5,011	11.3%	**3,871**	12.0%
Asian CLF		**472,532**	**4.0%**	**30,357**	**5.7%**	**24,242**	**6.1%**
	Employed	445,165	94.2%	28,460	93.8%	**22,837**	94.2%
	Unemployed	27,367	5.8%	1,897	6.2%	**1,405**	5.8%
Hispanic CLF		**4,060,129**	**34.1%**	**168,611**	**31.9%**	**138,525**	**34.9%**
	Employed	3,741,144	92.1%	155,703	92.3%	**128,098**	**92.5%**
	Unemployed	318,985	7.9%	12,908	7.7%	**10,427**	**7.5%**

** Includes all unincorporated space and the village of Webberville.*
Source: U.S. Census Bureau, County: 2006-10 American Community Survey (C23001, C23002A, C23002B, C23002D, C23002I). State: Same tables, 2008-10 ACS.

Distribution of Neighborhood Opportunity

One effect of sprawl across metropolitan regions has been the geographic dilution of jobs and amenities, typically in a way that isolates lower-income minorities living in urban core areas from employment and housing opportunities in outlying suburbs. The expansion of low-density development beyond urban fringes exacerbates residential segregation as White residents, whose typically higher incomes correlate with a greater array of housing choices, move farther into more sparsely populated areas with lower taxes and lower service needs, abandoning the existing housing stock and leaving behind a lower-income population that consists disproportionately of racial and ethnic minorities. A large body of social research has demonstrated the powerful negative effects of residential segregation on income and opportunity for Black and Latino families, which are commonly concentrated in "at-risk, segregated communities characterized by older housing stock, slow growth and low tax bases – the resources that support public services and schools."[14] Households living in lower-income areas of racial and ethnic concentration face diminished opportunities in education, wealth acquisition and employment prospects.[15]

To describe the variation in neighborhood opportunity across metropolitan regions, the Kirwan Institute for the Study of Race and Ethnicity at The Ohio State University has developed the "Communities of Opportunity" model, a fair housing and community development framework that assigns each neighborhood a score reflecting the degree to which its residents have access to determinants of positive life outcomes, such as good schools, jobs, stable housing, transit and the absence of crime and health hazards. The Institute draws upon an extensive research base demonstrating the importance of neighborhood conditions in predicting life outcomes. The ultimate goals of this exercise in applied research are to bring opportunities to opportunity-deprived areas and to connect people to existing opportunities throughout the metropolitan region. The Institute has argued that "we need to assess the geographic differences in resources and opportunities across a region to make informed, affirmative interventions into failures and gaps in 'free market' opportunities."[15]

The Communities of Opportunity model is highly spatial and is therefore map-based, representing the geographic footprint of inequality. The process of creating opportunity maps involves building a set of potential indicators of high and low opportunity, reflecting local issues as well as research literature validating connections between indicators and opportunity. Data is collected at the smallest geographic unit possible for each indicator and organized into sectors (education, mobility, etc.), which are then combined to create a composite opportunity map. The resulting maps allow communities to analyze opportunity "comprehensively and comparatively, to communicate who has access to opportunity-rich areas and who does not; and to understand what needs to be remedied in opportunity-poor communities."

The Kirwan Institute applied this methodology to produce opportunity index distributions for the Greater Austin region. Five dimensions were identified, consistent with research best practices and issues of local relevance: education, economic, mobility/transportation, health/environment and neighborhood

[14] Orfield, Myron. "Land Use and Housing Policies to Reduce Concentrated Poverty and Racial Segregation." *Fordham Urban Law Journal*. Volume 33, Issue 3, 2005.
[15] Turner, Margery, et al. "Discrimination in Metropolitan Housing Markets: National Results from Phase I HDS 2000. Urban Institute. Online: *huduser.org/Publications/pdf/Phase1_Report.pdf*
[16] powell, john a., et al, " The Geography of Opportunity in the Austin Region." Kirwan Institute for the Study of Race and Ethnicity, The Ohio State University, 2006. Includes extensive literature review.

quality. Each dimension includes a collection of variables describing conditions for each census tract in the region. Details are included in Figure 3-18.

On the basis of the composite index, combining all identified dimensions, the study found that higher-opportunity areas were primarily concentrated west of I-35, with the most opportunity-rich areas in the entire region located directly west of the highway in Travis County.

The report found that Hispanic and Black populations were concentrated in low- and moderate-opportunity neighborhoods. Nearly 40% of Whites were located in the region's high- and very-high-opportunity tracts, compared to only 20% of Hispanics and 18% of Blacks. The report also found that more than half of linguistically isolated people were located in very-low- or low-opportunity tracts.

The Central Texas Opportunity Initiative, headed by a steering committee representing organizations throughout Travis County, including County government, arranged for an update of the opportunity maps in Summer 2012 that incorporated updated data and new points of comparison. Map 3-8 incorporates a shapefile from the updated analysis, displaying the 2012 composite opportunity index for tracts across the Greater Austin region. Lighter colors correspond with lower opportunity, while opportunity-rich areas are in dark green.

FIGURE 3-18

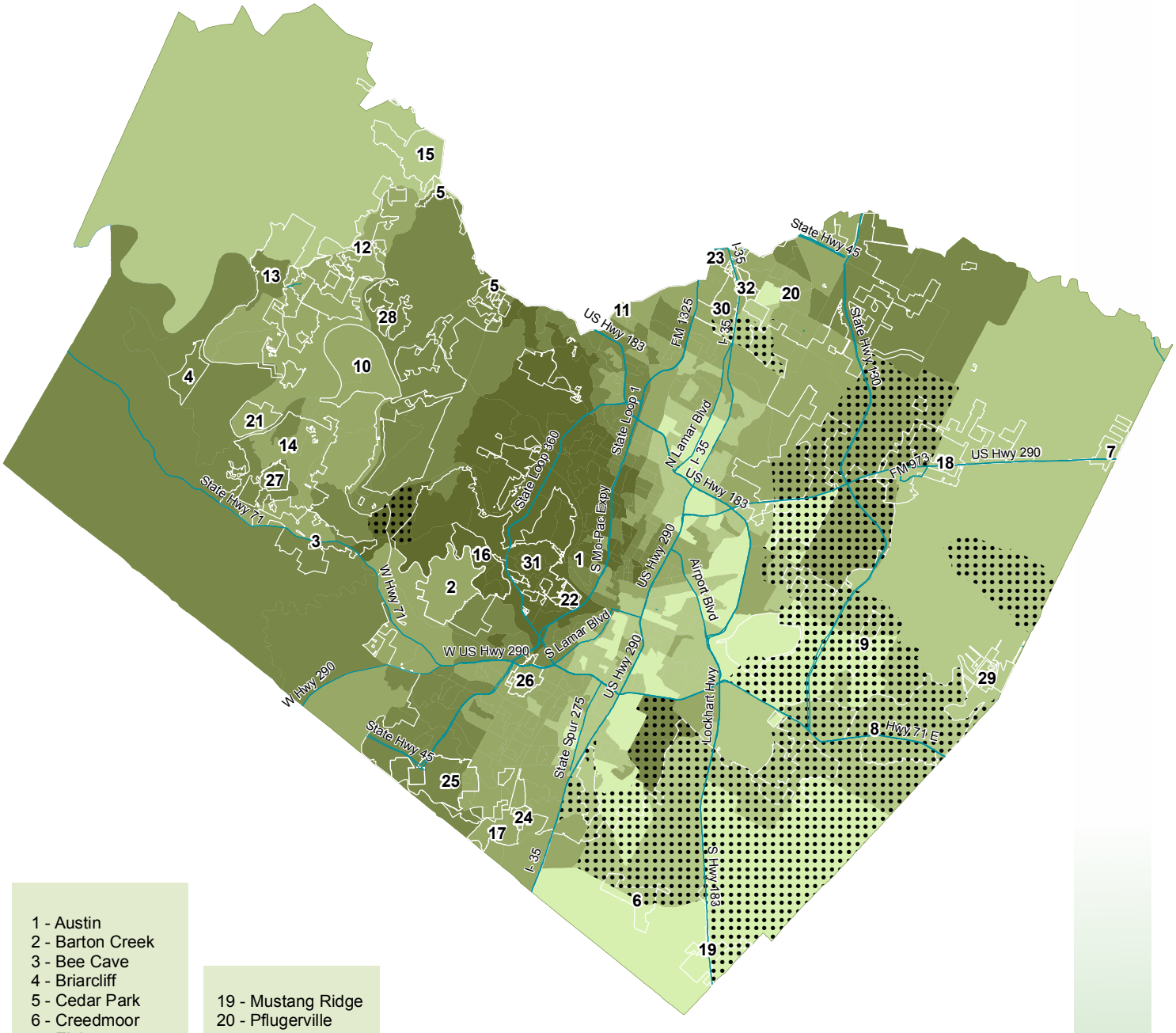
Opportunity Index Dimensions, 2012

Education	Economics & Mobility	Housing & Environment Conditions
• Adult Educational Attainment • Student Poverty • Student/Teacher Ratio • School Reading Proficiency Rate • School Math Proficiency Rate • High School Graduation Rate • Enrollment Rate	• Unemployment Rate • Jobs Within 5 Miles • Mean Commute Time • Transit Access • Median Household Income	• Neighborhood Poverty Rate • Vacancy Rate • Proximity to Parks • Proximity to Toxic Release Sites • Proximity to Brownfields • Crime Index • Food Deserts • Proximity to Health Care Facilities

Source: The Geography of Opportunity: Austin Region. Kirwan Institute. Final report available for review at http://www,greendoors.org/programs/docs/Geography-of-Opportunity-Austin-2013.pdf

MAP 3-8
Regional Composite Opportunity Index, August 2012

Source: Kirwan Institute for the Study of Race and Ethnicity, The Ohio State Universtiy



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor

19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

Major Roads
Impacted Block Groups

Composite Opportunity Score

Very Low
Low
Moderate
High
Very High

Housing Inventory

Rapid population growth since 2000 is reflected in the large net gains of housing units in both Travis County's incorporated areas (86,163 units, or 29.9%) and unincorporated areas (19,196 units, or 40.1%). A Comprehensive Housing Market Study for the City of Austin completed in early 2009 noted that growth on the City's outskirts has been driven by the relative affordability of neighborhoods outside of City limits. The median value of a single-family home in Austin rose from $129,900 in 1998 to $240,000 in 2008, despite complications on the national scale of the housing market crash that began in 2006. The report noted that the supply of housing affordable to households making up to 80% of the HUD median family income, or up to $55,280, increased in the MSA's southwest and northern portions, in addition to neighborhods in and beyond Austin's eastern fringe. At the same time, there has been a decrease in affordable units in all other areas of the City.

Map 3-9 depicts the density of total units by block group across Travis County in 2010. Impacted areas of both racial/ethnic and LMI concentration are also shown for comparison.

The Urban County gained more than 19,000 housing units between 2000 and 2010, an inventory increase exceeding 40% in only 10 years.

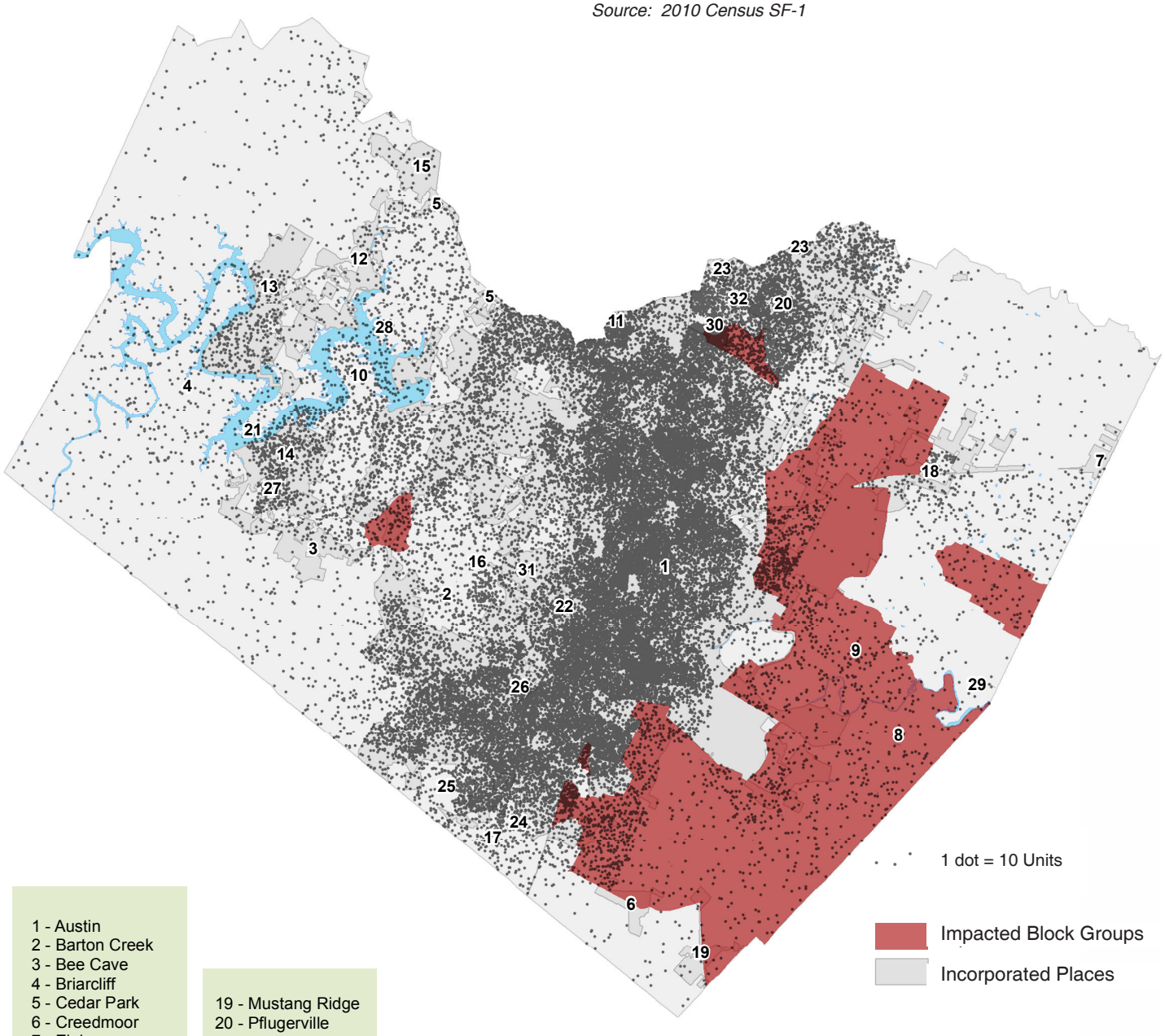
FIGURE 3-19
Total Housing Units by Municipality, 2000-2010

Municipality	2000	2010	Change
Austin city*	271,464	337,930	24.5%
Bee Cave village	246	1,707	593.9%
Briarcliff village	455	717	57.6%
Cedar Park city	248	228	-8.1%
Creedmoor city	89	86	-3.4%
Elgin city	8	305	3712.5%
Jonestown city	770	1,113	44.5%
Lago Vista city	2,155	3,258	51.2%
Lakeway city	3,501	5,249	49.9%
Leander city	0	374	-
Manor city	436	1,645	277.3%
Mustang Ridge city	133	145	9.0%
Pflugerville city	5,239	16,323	211.6%
Point Venture village	-	626	-
Rollingwood city	498	516	3.6%
Round Rock city	573	642	12.0%
San Leanna village	153	212	38.6%
Sunset Valley city	154	324	110.4%
The Hills village	657	1,027	56.3%
Volente village	-	296	-
Webberville village**	-	125	-
West Lake Hills city	1,185	1,279	7.9%
Total Incorporated	287,964	374,127	29.9%
Total Unincorporated	47,917	67,113	40.1%
Total Travis County	335,881	441,240	31.4%

** Federal CDBG entitlement community*
*** Participates in Urban County program*
Note: Population figures account for only the portions of each place that fall within Travis County.
Source: Census SF1 H1: 2000, 2010

MAP 3-9
Total Housing Unit Density by Block Group, 2010

Source: 2010 Census SF-1



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor
19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

FIGURE 3-20

Housing Units by Structure Type Across Municipalities, 2010

Municipality	Total Units	Single-family units	Multi-family units					Mobile home	Boat, RV, van, etc.
			2 to 4	5 to 9	10 to 19	20 or more	Total		
Austin city*	329,725	166,564	30,578	21,390	43,258	62,787	158,013	4,905	243
Bee Cave village	1,436	881	49	29	118	335	531	24	0
Briarcliff village	682	641	2	13	4	19	38	0	3
Cedar Park city	284	37	45	21	81	100	247	0	0
Creedmoor city	113	66	0	0	0	0	0	47	0
Elgin city	295	285	10	0	0	0	10	0	0
Jonestown city	1,013	870	16	0	0	0	16	127	0
Lago Vista city	2,922	2,167	255	136	52	157	600	155	0
Lakeway city	5,082	4,332	563	0	72	115	750	0	0
Leander city	258	258	0	0	0	0	0	0	0
Manor city	1,654	1,576	0	0	0	15	15	63	0
Mustang Ridge city	183	172	0	0	0	0	0	11	0
Pflugerville city	14,811	12,599	603	293	387	368	1,651	561	0
Point Venture village	627	589	0	38	0	0	38	0	0
Rollingwood city	602	602	0	0	0	0	0	0	0
Round Rock city	825	142	74	155	275	159	663	20	0
San Leanna village	246	235	11	0	0	0	11	0	0
Sunset Valley city	236	155	3	0	55	23	81	0	0
The Hills village	1,033	973	39	21	0	0	60	0	0
Volente village	307	301	2	0	0	0	2	4	0
Webberville village**	109	65	0	0	0	0	0	44	0
West Lake Hills city	1,269	1,146	123	0	0	0	123	0	0
Total Incorporated Areas	363,712	194,656	32,373	22,096	44,302	64,078	162,849	5,961	246
Total Unincorporated Areas	63,879	46,175	1,792	1,618	2,726	3,692	9,828	7,798	78
Total Travis County	427,591	240,831	34,165	23,714	47,028	67,770	172,677	13,759	324

** Federal CDBG entitlement community*
*** Participates in Urban County program*
Note: Figures account for only the portions of each place that fall within Travis County.
Source: U.S. Census Bureau, 2006-2010 ACS (B25024)

Multi-family housing structures are less common in unincorporated areas, where they represent 15.4% of the housing stock. By contrast, 44.8% of stock in cities and towns is multi-family.

In 2010, single-family units comprised 72.3% of the housing stock in unincorporated areas of Travis County, compared to only 53.5% in incorporated areas. This is driven by the prevalence of higher-density residential structures in Austin, where about half of all homes are in two- or more-unit structures.

Mobile homes are of notable presence in the Urban County, as there were 7,798 located outside of incorporated spaces in 2010. AI interviews indicated that this is a common avenue of homeownership for lower-income households, particularly Hispanic families, though some mobile homes are located outside of areas with reliable water and sewer infrastructure and may represent substandard living conditions.

FIGURE 3-21

Housing Units by Tenure and Structure Type, 2010

Municipality	Owner-Occupied				Renter-Occupied				% Renter-Occupied Multi-Family
	Total	Single-Family	Multi-Family	% Multi-Family	Total	Single-Family	Multi-Family	% Multi-Family	
Austin city*	137,912	127,125	7,741	5.6%	163,964	31,279	118,383	72.2%	39.2%
Bee Cave village	772	748	0	0.0%	537	38	465	86.6%	35.5%
Briarcliff village	492	481	8	1.6%	37	35	2	5.4%	0.4%
Cedar Park city	37	37	0	0.0%	214	0	214	100.0%	85.3%
Creedmoor city	61	30	0	0.0%	44	28	0	0.0%	0.0%
Elgin city	141	131	10	7.1%	154	154	0	0.0%	0.0%
Jonestown city	641	548	0	0.0%	212	173	0	0.0%	0.0%
Lago Vista city	2,068	1,840	103	5.0%	282	180	58	20.6%	2.5%
Lakeway city	3,586	3,444	142	4.0%	817	297	206	25.2%	4.7%
Leander city	258	258	0	0.0%	0	0	0	-	0.0%
Manor city	1,247	1,188	0	0.0%	231	212	15	6.5%	1.0%
Mustang Ridge city	110	106	0	0.0%	12	7	0	0.0%	0.0%
Pflugerville city	10,870	10,544	0	0.0%	3,096	1,649	1,030	33.3%	7.4%
Point Venture village	335	312	23	6.9%	100	100	0	0.0%	0.0%
Rollingwood city	537	537	0	0.0%	28	28	0	0.0%	0.0%
Round Rock city	108	108	0	0.0%	553	34	485	87.7%	73.4%
San Leanna village	192	192	0	0.0%	41	30	11	26.8%	4.7%
Sunset Valley city	151	151	0	0.0%	30	4	26	86.7%	14.4%
The Hills village	818	818	0	0.0%	85	85	0	0.0%	0.0%
Volente village	187	187	0	0.0%	70	64	0	0.0%	0.0%
Webberville village**	96	53	0	0.0%	3	2	0	0.0%	0.0%
West Lake Hills city	1,006	1,006	0	0.0%	141	67	48	34.0%	4.2%
Total Incorporated Areas	161,625	149,844	8,027	5.0%	170,651	34,466	133,393	78.2%	40.1%
Total Unincorporated Areas	43,878	38,745	8,887	20.3%	14,708	4,285	13,215	89.8%	22.6%
Total Travis County	205,503	188,589	16,914	8.2%	185,359	38,751	146,608	79.1%	37.5%

** Federal CDBG entitlement community*
*** Participates in Urban County program*
Note: Figures account for only the portions of each place that fall within Travis County.
Source: U.S. Census Bureau, 2006-10 ACS (B25032)

In 2010, the Census Bureau estimated that the occupied housing inventory of 58,586 across unincorporated areas of Travis County was 74.9% owner-occupied, compared to the 52.6% rate across the County overall.

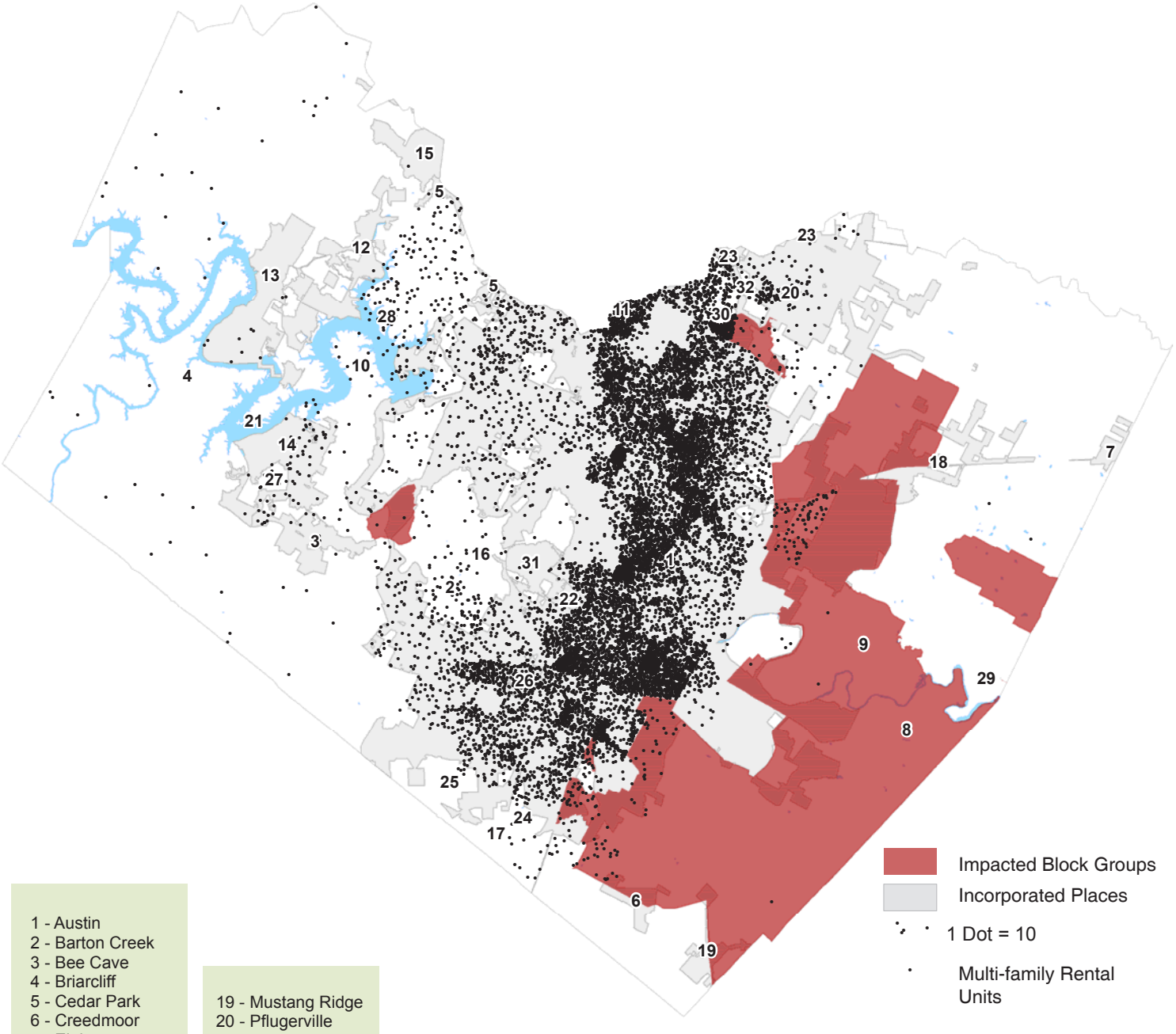
To isolate apartment units from condominium units that are owner-occupied and located within multi-family structures, Figure 3-20 examines the tenure of units by structure type. Of the total owner-occupied housing stock of 43,878 in unincorporated areas, 8,887 units (20.3%) were in multi-family structures. By comparison, there were many more multi-family units within the rental stock. Of the 14,708 rental units in unincorporated areas, 13,215 (89.8%) were in multi-family structures. Multi-family rental units are, unsurprisingly, concentrated in incorporated areas of more dense urban character.

The right-most column of Figure 3-21 represents the proportion of each community's total occupied housing that consists of renter-occupied multi-family units. In many towns and cities, particularly smaller settlements or those for which only a portion of Travis County space is analyzed here, multi-family units represent 0% of the total occupied housing stock.

Owner-occupied units in multi-family buildings, such as condominiums, account for 20.3% of the multi-family stock in unincorporated areas, compared to only 5.6% of multi-family housing in Austin.

MAP 3-11
Distribution of Renter-Occupied Multi-Family Units, 2010

Source: 2010 Census SF-1



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor
19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

Home Ownership and Protected Class Status

The value in home ownership lies in the accumulation of wealth as the owner's share of equity increases with the property's value. Paying a monthly mortgage instead of rent is an investment in an asset that is likely to appreciate.

Historically, minorities tend to have lower home ownership rates than Whites. In 2010 in Travis County, Whites had a home ownership rate of 57.4%. By comparison, Asians owned their homes at a rate of 47.9%; Hispanics at 40.6% and Blacks at a rate of 38.1%.

Ownership was higher across all racial and ethnic groups in unincorporated areas of the County, where about eight in every 10 White or Asian households were homeowners. Outside of city and village borders, two-thirds of Hispanic households and 51.8% of Black households owned homes.

As previously noted, the median income for Black and Hispanic households in Travis County is drastically lower than the median for Whites. This is one among several factors that contribute to the generally lower rates of home ownership among minority families.

Black and Hispanic households are less likely to own homes than White and Asian households across Travis County and in unincorporated areas.

FIGURE 3-22

Housing Tenure by Race and Ethnicity, 2010

Municipality	White		Black		Asian		Hispanic	
	HHs	% Owners	HHs	% Owners	HHs	% Owners	HHs	% Owners
Austin city*	215,565	50.7%	25,712	32.8%	16,666	39.0%	80,145	34.7%
Bee Cave village	1,234	59.6%	33	21.2%	24	45.8%	124	33.1%
Briarcliff village	495	95.4%	0	-	19	100.0%	32	56.3%
Cedar Park city	161	19.3%	57	0.0%	18	33.3%	15	0.0%
Creedmoor city	80	68.8%	0	-	0	-	39	35.9%
Elgin city	208	62.5%	87	12.6%	0	-	13	100.0%
Jonestown city	740	78.8%	31	0.0%	0	-	867	92.5%
Lago Vista city	2,231	87.4%	66	100.0%	0	-	181	72.4%
Lakeway city	4,169	82.4%	16	100.0%	118	100.0%	90	73.3%
Leander city	232	100.0%	0	-	26	100.0%	102	100.0%
Manor city	795	87.8%	465	74.8%	24	100.0%	272	66.9%
Mustang Ridge city	61	91.8%	5	100.0%	3	100.0%	0	0.0%
Pflugerville city	9,463	80.6%	1,974	63.5%	1,072	84.0%	477	86.6%
Point Venture village	419	76.1%	0	-	16	100.0%	47	85.1%
Rollingwood city	533	94.7%	0	-	18	100.0%	3,213	72.7%
Round Rock city	498	21.7%	10	0.0%	54	0.0%	19	100.0%
San Leanna village	212	80.7%	5	100.0%	0	-	12	100.0%
Sunset Valley city	148	79.7%	0	-	17	100.0%	81	0.0%
The Hills village	863	91.1%	0	-	27	100.0%	38	100.0%
Volente village	254	72.4%	0	-	0	-	22	100.0%
Webberville village**	76	96.1%	6	100.0%	0	-	47	68.1%
West Lake Hills city	1,097	87.1%	0	-	9	100.0%	5	100.0%
Total Incorporated Areas	239,534	53.7%	28,467	35.7%	18,111	42.5%	85,841	67.4%
Total Unincorporated Areas	43,637	78.0%	4,986	51.8%	3,021	80.5%	11,125	64.9%
Total Travis County	283,171	57.4%	33,453	38.1%	21,132	47.9%	96,966	40.6%

** Federal CDBG entitlement community*

*** Participates in Urban County program*

Note: Figures account for only the portions of each place that fall within Travis County.

Source: 2006-10 American Community Survey (B25003A, B25003B, B25003D, B25003I)

Household Size and Protected Class Status

Larger families may be at risk for housing discrimination on the basis of race and the presence of children (familial status). A larger household, whether or not children are present, can raise fair housing concerns. If there are policies or programs that restrict the number of persons that can live together in a single housing unit, and members of the protected classes need more bedrooms to accommodate their larger household, there is a fair housing concern because the restriction on the size of the unit will have a negative impact on members of the protected classes. Such policies do not exist in Travis County at the County level, but can potentially exist in municipal ordinances.

In the Urban County, minorities were more likely than Whites to live in households with three or more people. In 2010, 45.2% of White households had three or more people. By comparison, 49% of Black households, 64.7% of Asian households and 67% of Hispanic households were considered to be large.

FIGURE 3-23

Housing Tenure by Race and Ethnicity, 2010

	Percent of Families with Three or More Persons	
	Travis County	Urban County*
White	33.6%	45.2%
Black	39.8%	49.0%
Asian	46.3%	64.7%
Hispanic	56.8%	67.0%
Total	37.6%	50.8%

** Includes all unincorporated space and the village of Webberville.*

Note: Sample size for other racial groups was not sufficiently large for reliable analysis.

Source: Census 2010 (SF1, P28)

FIGURE 3-24

Housing Tenure by Race and Ethnicity, 2010

	Renter-Occupied Housing Stock		Owner-Occupied Housing Stock	
	# units	% of all units	# units	% of all units
Urban County*				
0-1 bedroom	4,562	31.0%	628	1.4%
2 bedrooms	4,046	27.5%	3,465	7.9%
3 or more bedrooms	**6,103**	41.5%	**39,881**	90.7%
Total	14,711	100.0%	43,974	100.0%

** Includes all unincorporated space and the village of Webberville.*

Source: 2006-10 American Community Survey (B25042)

Only one-fifth of rental units in the County have three or more bedrooms, compared to more than nearly four-fifths of owner units.

To adequately house larger families, a sufficient supply of larger dwelling units consisting of three or more bedrooms is necessary. In the Urban County, there are fewer options to rent a unit to accommodate large families. Of the 14,711 rental units in 2010, only 41.5% had three or more bedrooms, compared to 90.7% of the owner housing stock.

Housing Costs

Increasing housing costs are not a direct form of housing discrimination. However, a lack of affordable housing does constrain housing choice. Residents may be limited to a smaller selection of neighborhoods because of a lack of affordable housing in those areas.

Between 1990 and 2010, median housing value (adjusted for inflation to 2010 dollars using BLS indices) increased an incredible 55.2% across Travis County, while real median income rose only 17.7% in real dollars. Median gross rent increased a comparable 52.8% during the same years. The steep increase in median housing value paired with a modest rise in real income means that buying a house is relatively more expensive for individuals and families.

The number of affordable rental units in the Urban County declined between 2000 and 2010. The number of units renting for less than $500 fell by more than half (55.6%). During the same time, the number of units renting for more than $1,000 per month increased from 2,403 to 6,666, or 177%. The data does not provide a distinction between units that were actually lost from the inventory (through demolition, etc.) and those for which rents were increased. This figure should be analyzed with an understanding that $500 was worth more in 2000 than in 2010, due to inflation. This figure, due to the categorical nature of the variable, cannot be adjusted for inflation.

FIGURE 3-25

Changes in Housing Value, Rent and Income, 2000 to 2010

	Median Housing Value (in 2010 $)	Median Gross Rent (in 2010 $)	Median Household Income (in 2010 $)
1990	$129,074	$583	$45,961
2000	$164,311	$811	$59,418
2010	$200,300	$891	$54,074
Change	**55.2%**	**52.8%**	**17.7%**

Sources: U.S. Census Bureau, 1990 Census (STF3-H061A, H043A, P080A), Census 2000 (SF3-H76, H63, P53), 2006-10 American Community Survey (B25077, B25064, B19013); Calculations by Mullin & Lonergan Associates, Inc.

FIGURE 3-26

Loss of Affordable Rental Housing Units, 2000 to 2010

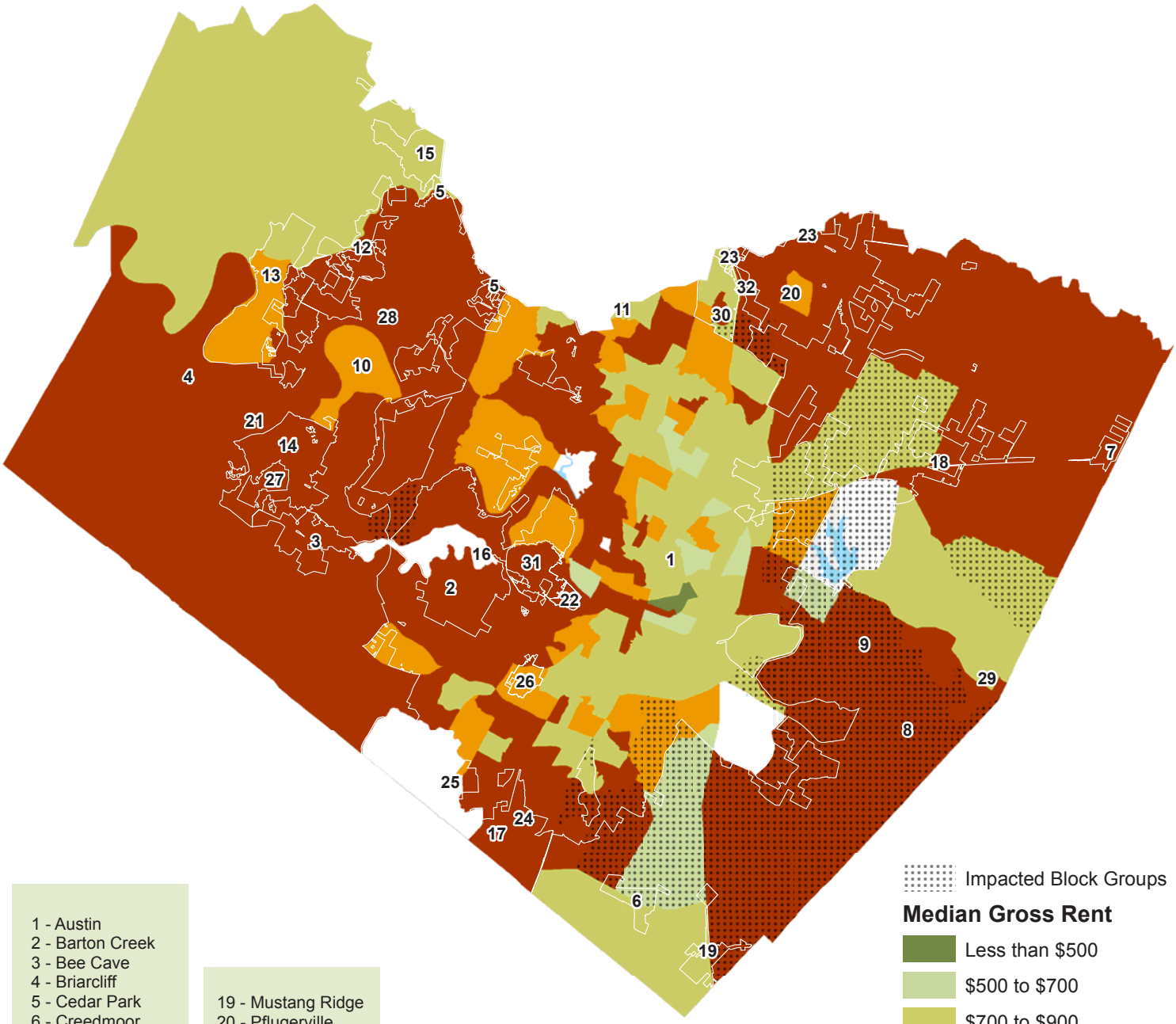
Units Renting for:	2000	2010	Change #	Change %
Urban County*				
Less than $500	756	336	-420	-55.6%
$500 to $699	2,445	1,832	-613	-25.1%
$700 to $999	3,520	5,465	1,945	55.3%
$1,000 or more	2,403	6,666	4,263	177.4%

** Includes all unincorporated space and the village of Webberville.*
Sources: U.S. Census Bureau, Census 2000 (SF3, H062), 2006-10 American Community Survey (B25063)

Between 1990 and 2010, real median housing value soared 55.2% in Travis County, while real household income rose only 17.7%.

MAP 3-12
Median Gross Rent
by Census Tract, 2010

Source: 2010 Census SF-1



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor

19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

The National Low Income Housing Coalition provides annual information on the Fair Market Rent (FMR) and affordability of rental housing in counties and cities in the U.S. for 2012. In Travis County, the FMR for a two-bedroom apartment is $989. In order to afford this level of rent and utilities without paying more than 30% of income on housing, a household must earn $3,297 monthly or $39,560 annually. Assuming a 40-hour work week, 52 weeks per year, this level of income translates into a Housing Wage of $19.

In Travis County, a minimum-wage worker earns an hourly wage of $7.25. In order to afford the FMR for a two-bedroom apartment, a minimum-wage earner must work **105** hours per week, 52 weeks per year. The NLIHC estimates that 53% of Travis County renters are currently unable to afford the two-bedroom FMR.

Monthly Supplemental Security Income (SSI) payments for an individual are $698 in Travis County and across Texas. If SSI represents an individual's sole source of income, $209 in monthly rent is affordable, while the local FMR for a one-bedroom is $812.

Map 3-12 displays median gross rent rates by census tract across the County, illustrating the extent to which lower-cost apartments are confined to particular neighborhoods.

Minimum-wage, single-income households and those depending on SSI payments cannot afford an apartment renting at the fair market rate in Travis County.

The Urban County lost half its units renting for less than $500 between 2000 and 2010, while the number of units renting for more than $1,000 more than doubled.

One method used to determine the inherent affordability of a housing market is to calculate the percentage of homes that could be purchased by households at the median income level. It is possible also to determine the affordability of the housing market for each racial or ethnic group in the County. To determine affordability (i.e., how much mortgage a household could afford), the following assumptions were made:

- The mortgage was a 30-year fixed rate loan at a 4.0% interest rate,
- The buyer made a 10% down payment on the sales price,
- Principal, interest, taxes and insurance (PITI) combined with other consumer debt equaled no more than 35% of gross monthly income, a threshold of financial health commonly used by banks,
- Property taxes were levied at a combined median tax rate of 3%, and
- Additional consumer debt (credit cards, car payment, etc.) averaged $500.

Figure 3-2 details the estimated maximum affordable sales prices and monthly PITI payments for Whites, Blacks, Asians and Hispanics in Travis County (the sample size for income estimates in incorporated areas was too unreliably small for subtraction).

In the Austin real estate market, the 2010 median sales price for single-family homes was $175,300. The Countywide median household income in 2010 was $54,074, which translates to a maximum affordable home purchase price of $166,500. The fact that the median income in Travis County would allow a household to afford less than half of homes on the market suggests that the County is an inherently unaffordable market.

The maximum affordable home purchase prices for Whites and Asians was substantially higher than the affordable home prices for Black and Hispanic homebuyers. The maximum affordable purchase price at the median household income for Blacks was 45.4% of the median sales price and only 47.7% of the maximum affordable purchase price for the County overall.

The housing market in Travis County is widely considered to be increasingly unaffordable. Generally speaking, it is the most unaffordable to Black and Hispanic households as a function of the lower median household incomes among these groups.

FIGURE 3-27

Maximum Affordable Purchase Price by Race/Ethnicity, 2010

	Median Household Income	Monthly Mortgage Payment				Maximum Affordable Purchase Price
		Mortgage Principal & Interest	Real Estate Taxes	Homeowner's Insurance & PMI	Total Debt Service*	
Travis County	**$54,074**	**$715**	**$278**	**$80**	**$1,573**	**$166,500**
Whites	$60,809	$859	$333	$80	$1,773	$200,000
Blacks	$36,227	$342	$133	$80	$1,054	$79,500
Asians	$59,690	$836	$324	$80	$1,740	$194,500
Hispanics	$40,948	$443	$172	$80	$1,194	$103,000
2010 Median Sales Price for Single-Family Home in Austin MLS: $175,300						

* Includes PITI and $500 in assumed average monthly consumer debt service

Sources: 2006-10 American Community Survey (B19013, B19013A, B19013B); the Real Estate Center at Texas A&M University; Calculations by Mullin & Lonergan Associates, Inc.

Foreclosure

In recent years, soaring foreclosure rates across the country have threatened the viability of neighborhoods and the ability of families to maintain housing. While a growing population and job growth in the greater Austin area prevented Travis County from experiencing the relatively devastating concentration of foreclosure activity occurring in some other regions, the number of foreclosure filings has increased substantially since 2007, according to the County's latest Annual Plan. The private financing section of the AI includes more details on the lending environment, analysis of which indicates that minority households tend to receive a greater share of loans with higher interest rates, which are typically associated with a higher foreclosure risk.

Aside from its most direct consequences of displacing families and depleting the local tax base, concentrated foreclosure results in neighborhood deterioration. As many properties remain in the control of financial institutions for longer periods of time, structures are abandoned and streets become blighted, devaluing nearby property and contributing to nuisance activity.

These problems present an opportunity to incorporate fair housing incentives and affirmative marketing conditions in the disposition of property. While policy emphasis is often placed on the immediate problem of getting abandoned property efficiently back into an owner's hands and onto the tax rolls, the volume of foreclosure vacancies and the extent to which they disproportionately affect racially/ethnically concentrated areas of poverty calls for attention to fair housing considerations in their disposition.

Map 3-13 displays the location of residential properties listed for auction in 2010 and 2011. Most of the listings (3,939 in 2010 and 3,387 in 2011) are for single-family homes, though other owner-occupied home types such as condominiums, duplexes, mobile homes and townhomes are illustrated with markers of varying colors.

At the scale required for Map 3-13 to fit into the AI document, the map does not display one dot per auction record. However, zooming in to particular areas of the map reveals neighborhood-level patterns, such as heavy concentrations on particular street blocks. Map insets appear as Figure 3-28.

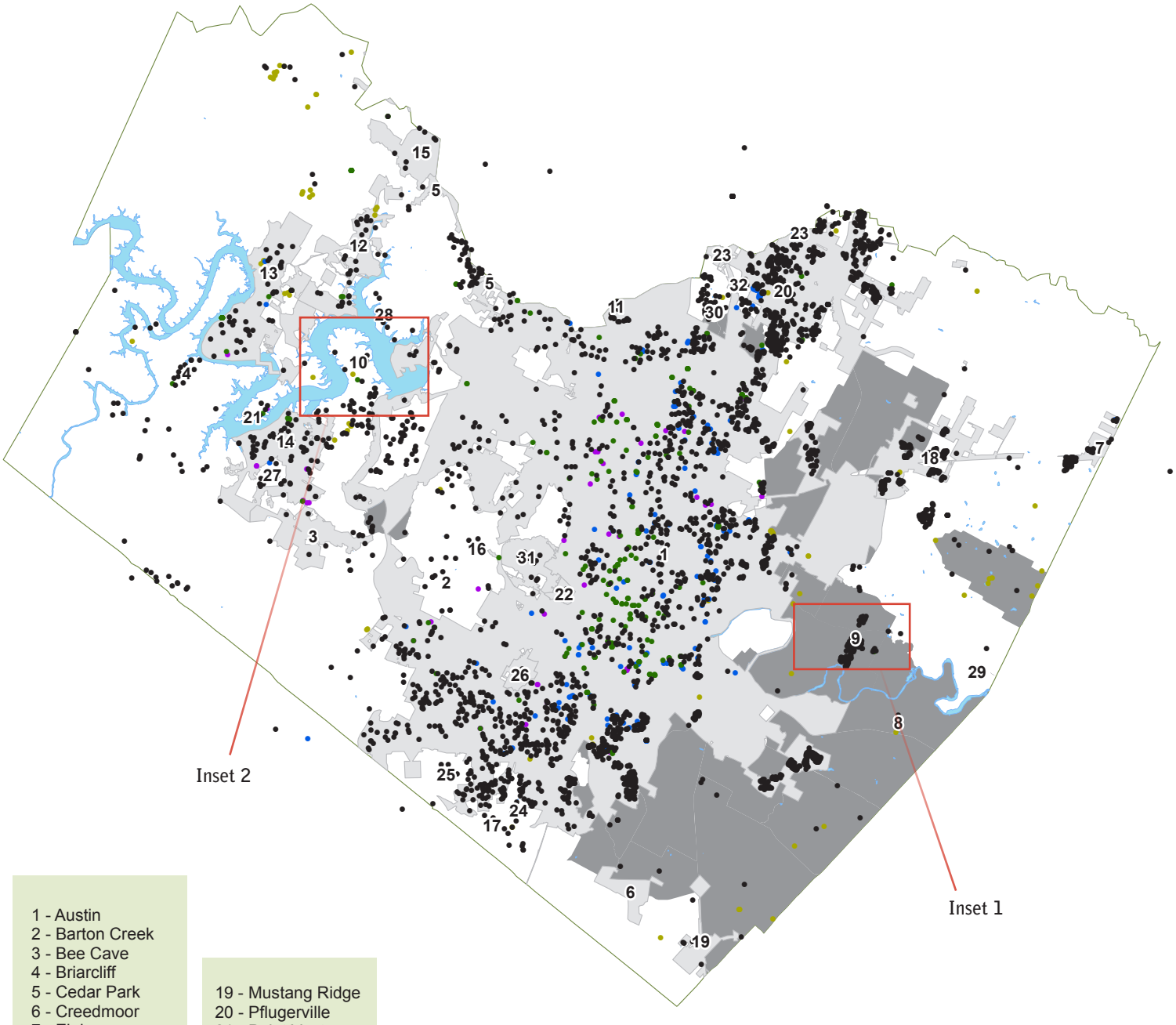
While 15.2% of all housing units in Travis County were located in unincorporated areas in 2010, 27.7% of foreclosure auction listings from 2010 and 2011 were for homes in unincorporated areas. Therefore, while the raw number of foreclosures occurring in the Urban County is far lower than in Austin, foreclosure occurs with greater relative frequency in the Urban County.

With regard to other patterns, mobile home foreclosures are more common in unincorporated areas, though this is also a reflection of the distribution of housing by structure type across the County. As mentioned previously in the Housing Inventory section, multi-family properties are concentrated in Austin, while mobile homes are located primarily outside of the city. Similarly, condominium foreclosures tend to be located in Austin.

The data analyzed in this section was reported by Foreclosure Listing Service, Inc., a proprietary source that publishes data on the number of properties posted for auction. This indicates pre-foreclosure status and a risk for foreclosure, though not all postings result in an actual foreclosure. Because a property may be listed for foreclosure more than once, it is possible that the totals reflect any homes that were listed in both 2010 and 2011, though duplicates within a single year were removed from the data.

MAP 3-13
Foreclosure Listings by Address and Structure Type, 2010 and 2011

Source: Foreclosure Listing Service, Inc.



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor

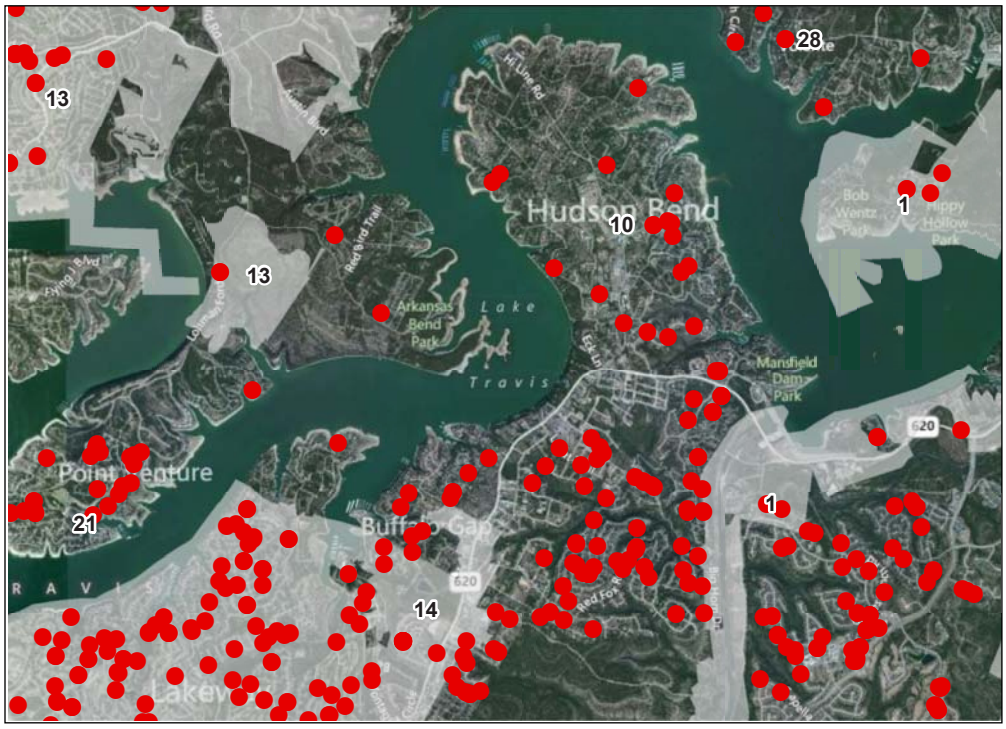
19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

- Single-Family Residential
- Condominium
- Duplex
- Mobile Home
- Townhouse
- Urban County Exceptions
- Impacted Block Groups

FIGURE 3-28
Insets, 2010-2011 Foreclosure Auction Filings

Inset 1: Hornsby Bend

Inset 2: Hudson Bend



In 2010 and 2011, 27.7% of the County's foreclosure auction listings were in unincorporated areas, compared to only 15.2% of all housing units.

4 RECORDS OF HOUSING DISCRIMINATION

This section analyzes the existence of fair housing complaints or compliance reviews where a charge of a finding of discrimination has been made. Additionally, this section will review the existence of any fair housing discrimination suits filed by the United States Department of Justice or private plaintiffs in addition to the identification of other fair housing concerns or problems.

Citizens of Travis County can receive fair housing services from a variety of organizations, including but not limited to the Texas Workforce Commission Civil Rights Division and the Austin Tenants' Council. These groups provide education and outreach, sponsor community events, process fair housing complaints, and in some cases investigate complaints through testing, and/or work to promote a mutual understanding of diversity among residents.

Existence of Fair Housing Complaints

A lack of filed complaints does not necessarily indicate a lack of a problem. Some persons may not file complaints because they are not aware of how to file a complaint or where to go to file a complaint. Discriminatory practices can be subtle and may not be detected by someone who does not have the benefit of comparing his treatment with that of another home seeker. Other times, persons may be aware that they are being discriminated against, but they may not be aware that the discrimination is against the law and that there are legal remedies to address the discrimination. Also, households may be more interested in achieving their first priority of finding decent housing and may prefer to avoid going through the process of filing a complaint and following through with it. According to the Urban Institute, 83% of those who experience housing discrimination do not report it because they feel nothing will be done. Therefore, education, information, and referral regarding fair housing issues remain critical to equip persons with the ability to reduce impediments.

A. U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The Office of Fair Housing and Equal Opportunity (FHEO) at HUD receives complaints from persons regarding alleged violations of the federal Fair Housing Act. Fair housing complaints originating in Travis County were obtained and analyzed for the five-and-a-half year period of January 2007 through June 2012. In total, HUD reported receipt of 649 complaints originating in Travis County during this period, an average of approximately 118 per year. However, all but 39 of the complaints originated in Austin, which

is beyond the geographic scope of this AI. Focusing the review of complaints on those occurring outside of the city allows for the more precise identification of trends that the Urban County has the jurisdiction to address. Outside of Austin, 39 housing complaints were filed during the last five years, an average of about seven annually. This is on par with the neighboring Urban County of Williamson County, which also averages seven complaints per year in CDBG-eligible areas.

A note on methodology is worth mention here. Each HUD field office maintains a slightly different method of record keeping. Complaint data reported by the San Antonio field office includes a separate complaint record for each issue: Therefore, a case dealing with both alleged failure to make a reasonable accommodation and discriminatory terms would be counted as two cases. For the purpose of this analysis from this point on, such cases have been combined and are counted as one. After the removal of duplicate records, the 39 complaints outside of Austin consolidate to 23 unique cases.

There was no clear trend of increase or decline in complaints with HUD during the years studied, as a low of one complaint in 2008 was followed by a high of 13 complaints in 2009. Typically, complaint trends in a given area can be driven by the activities of a local advocate, in this case Austin Tenants Council, or affected by public awareness of fair housing rights and means of redressing violations. Five of the 23 unique cases outside of Austin were filed by ATC, which provides the service of walking tenants through the discrimination complaint process. HUD provided data on closed cases only, so it is unclear how many cases are currently unresolved.

Of the 23 unique cases outside of Austin, 16 (69.6%) regarded properties in Pflugerville. Round Rock had two cases, while one case was reported in each of Del Valle, Manchaca and Manor. HUD also counted two Wichita Falls cases in Travis County records, though that location is in Wichita County.

Six of the 16 Pflugerville cases involved allegations of failure to make reasonable accommodation at a particular property: Cambridge Villas. This is an affordable housing development of 208 fourplex apartments for seniors that was developed by the nonprofit developer associated with the Housing Authority of Travis County (the Strategic Housing Finance Corporation of Travis County). According to the Corporation, 15 units at this site are designed for persons with mobility disabilities, including four units that also include features for persons with sensory disabilities. A third-party property manager oversees the apartments. Of the six cases filed against Cambridge Villas, one ended with a conciliation/settlement and five were withdrawn by the complainant.

Of the 23 housing discrimination complaints filed with HUD since 2007 related to cases outside of Austin, six alleged disability-related discrimination at a single property in Pflugerville.

Disability was the predominant basis for complaint, factoring into 15 of the 23 unique cases (65.2%). Familial status, race and sex were each cited in three cases, and national origin was cited once. Three of the 23 cases involved more than one issue.

Of the 23 cases outside of Austin that were closed as of June 2012, six (26.1%) resulted in a successful conciliation or settlement. A complaint is considered conciliated when all of the parties to the complaint enter into a conciliation agreement with HUD. Such agreements include benefits for the complainant, and affirmative action on the part of the respondent, such as civil rights training. HUD has the authority to monitor and enforce these agreements. The settled cases were geographically scattered (Manor, Manchaca, Pflugerville, Round Rock), and three were filed by ATC. Four involved disability-related charges, such as discriminatory terms, conditions or privileges or a failure to make reasonable accommodation. The remaining two, both ATC cases, involved discriminatory advertising.

Of the 23 total unique cases, four (17.4%) were found to be without probable cause. This occurs when the preponderance of evidence obtained during the course of the investigation is insufficient to substantiate the charge of discrimination. Another 12 cases (52.2%) were administratively closed, due to complaint withdrawal before or after resolution or the complainant's refusal to cooperate.

Caution should be used when interpreting complaints that are administratively closed. This resolution does not always mean that housing discrimination has not occurred. In the case of a complainant withdrawing a complaint, an uncooperative complainant, or a complainant who cannot be located, it is possible that the complainant changed her mind, experienced intimidation, decided against the trouble of following through with the complainant, chose to seek other housing without delay, or some other reasons.

As Figure 4-1 demonstrates, the most commonly cited grounds for complaint were discriminatory terms, conditions, privileges or services/facilities. This general category represented 15 complaints, about two-thirds of the total. The disability-related issues of reasonable accommodation and modification surfaced 12 times, and four cases alleged discriminatory advertising.

FIGURE 4-1

Issues Cited in HUD Discrimination Complaints, 2007-2012

Issue for Complaint	Occurrence	% of Total
Terms, conditions, privileges or services/facilities	15	65.2%
Failure to make a reasonable accommodation	9	39.1%
Advertising	4	17.4%
Failure to permit a reasonable modification	3	13.0%
Refusal to rent	2	8.7%
Financing	2	8.7%
Acts under Section 818 (coercion, etc)	2	8.7%
Non-compliance with design requirements	2	8.7%

Source: HUD, San Antonio Regional Office

B. TEXAS WORKFORCE COMMISSION

The Texas Workforce Commission Civil Rights Division (TWCCRD) accepts and investigates fair housing complaints, cross-filing each it receives with HUD. While both organizations maintain a record of the case, only one agency investigates and seeks resolution of each case. TWCCRD provided data on 18 resolved housing complaints originating across Travis County between January 2007 and June 2012, 10 of which were outside of Austin.

As with the HUD complaints for the same years, the prevalent basis for complaint was disability, which factored into nine of the 10 cases outside of Austin. National origin was the basis for the remaining complaint, and two of the disability-related complaints also alleged discrimination on the bases of familial status and race.

Also similar to the HUD complaints, a large share, seven of 10, were related to properties in Pflugerville, though it is unclear if any involve the senior housing site involved in many of the HUD complaints. One complaint involved a property in Cedar Park, and two were based in Round Rock.

One of the Round Rock complaints, an allegation of refusal to rent and discriminatory terms/privileges on the basis of disability and familial status, resulted in a conciliation.

With regard to other outcomes, six of the 10 cases were closed with a determination of no probable cause, and three were administratively closed due to complaint withdrawal or failure to cooperate with TWCCRD's investigation.

Disability was the issue most commonly cited in fair housing complaints across the Urban County.

Discrimination Testing

The Austin Tenants Council (ATC) is a HUD-certified counseling agency that participates in HUD's Fair Housing Initiatives Program (FHIP), through which ATC partners with HUD to help people identify government agencies that handle complaints of housing discrimination. In filing and settling complaints, ATC's primary goal is not financial compensation, but generally compelling defendants to complete fair housing training and, if applicable, make reasonable accommodations. ATC is not an enforcement agency, so its cases are investigated by HUD, TWCCRD or a local body, such as the City of Austin's Human Rights Commission. In Austin, local ordinances establish additional protected classes, including sexual orientation, marital status, gender identity, student status and age, that do not apply in the Urban County.

During AI interviews, ATC staff members explained that there is no statutory protection from discrimination on the basis of a person's source of income, which makes it legally acceptable for a landlord to refuse to rent to a family receiving government assistance. This, ATC said, is an important barrier to housing choice in Travis County, as only about 10% of landlords in Austin accept housing vouchers. The number is likely even smaller outside city borders, given the relative scarcity of affordable rental units in unincorporated areas.

As part of its activities as a FHIP participant, ATC has conducted between 100 and 150 fair housing tests across Central Texas in recent years. Testing commonly occurs when new multi-family rental properties come online to determine whether facilities are designed and built according to the standards of accessibility mandated by federal law. ATC has found multiple sites in violation, including those in receipt of federal funding. The Council also conducts paired testing of advertised rental or sales properties to determine whether landlords, Realtors or sellers comply with their responsibilities under the Fair Housing Act.

County Involvement in Fair Housing Cases

Travis County is not subject to or operating under any desegregation orders or unlawful segregation orders. The County is not currently involved in or a party to any fair housing lawsuits, nor has it been a party to such litigation in the past five years.

On August 29, 2013, HUD closed its investigation and entered its Determination of No Reasonable Cause and Letter of Finding of Compliance in connection with a complaint filed against Travis County by the Del Valle Community Coalition ("DVCC") alleging, inter alia, housing discrimination pursuant to Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (the Act). Under the Determination of No Reasonable Cause and Letter of Finding of Compliance, HUD found there was no factual or legal support for DVCC's allegations of discrimination under Title VIII, further finding Travis County to have been in compliance with the Act. As result thereof, HUD dismissed the DVCC's complaint and advised DVCC of its right to sue. Travis County continues to monitor this matter.

5 REVIEW OF PUBLIC SECTOR POLICIES

The analysis of impediments is a review of impediments to fair housing choice in the public and private sector. Impediments to fair housing choice are any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status or national origin that restrict housing choices or the availability of housing choices, or any actions, omissions or decisions that 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. Policies, practices or procedures that appear neutral on their face but which operate to deny or adversely affect the provision of housing to persons of a particular race, color, religion, sex, disability, familial status, or national origin may constitute such impediments.

An important element of the AI includes an examination of public policy in terms of its impact on housing choice. This section evaluates the public policies in the Urban County to determine opportunities for furthering the expansion of fair housing choice.

Policies Governing Investment of Funds for Housing and Community Development

From a budgetary standpoint, housing choice can be affected by the allocation of staff and financial resources to housing related programs and initiatives. The decline in federal funding opportunities for affordable housing for lower-income households has shifted much of the challenge of affordable housing production to state, county and local government decision makers.

The recent Westchester County, NY, fair housing settlement also reinforces the importance of expanding housing choice in areas outside of high-poverty concentrations of racial and/or ethnic minorities. Westchester County violated its cooperation agreements with local units of government which prohibit the expenditure of CDBG funds for activities in communities that do not affirmatively further fair housing within their jurisdiction or otherwise impede the county's action to comply with its fair housing certifications. As an Urban County jurisdiction, Travis County is similarly bound to ensure that its entitlement funds are applied only in ways that are consistent with this aim.

Travis County receives federal entitlement funds from HUD in the form of the Community Development Block Grant (CDBG) program, the primary objective of which is to develop viable urban communities by providing decent housing, a suitable living environment, and economic opportunities, principally for persons of low and moderate income levels. For fiscal year 2011, HUD allocated $790,136 in formula grant funds to the County. Funds can be used for a wide array of activities, including: housing rehabilitation, homeownership assistance, lead-based paint detection and removal, construction or rehabilitation of public facilities and infrastructure, removal of architectural barriers, public services, rehabilitation of commercial or industrial buildings, and loans or grants to businesses.

The County's CDBG program, administered within the Department of Health and Human Services and Veterans Services, is young by national standards. Urban Travis County met the population threshold for entitlement community status and was designated as a program community in 2006. The initial operation of the grant program was delayed due to an allocation error from HUD, which resulted in later issues with timeliness. As of the 2011 Annual Plan, the Urban County was administering funds from each of the previous five years concurrently.

The CDBG program's spending mix reflects an exhaustive and professional Consolidated Planning process. The latest multi-year plan, for program years 2011 through 2013, bases its identification of local needs in a comprehensive analysis of available data indicators and community outreach. The County lists three overarching priorities: assisting low- and moderate-income households in obtaining affordable housing, improving the safety and livability of neighborhoods and increasing access to services.

The County has allocated general funds for some activities that further fair housing, such as the AI and tenant services.

To address these priorities, the County has invested CDBG funds in eligible infrastructure installation and improvement projects in low- and moderate-income areas, funded an owner-occupied rehabilitation program and home buyer assistance, provided essential public services to underserved populations and acquired land for affordable housing.

The geographic scope of the Urban County's CDBG program currently includes unincorporated areas of Travis County and the Village of Webberville, the only participating municipality. Incorporated communities that are not part of the Urban County program may compete at the state level for CDBG funds.

Due to limited resources, the CDBG budget for 2006-2011 did not include a line item for pure fair housing activities such as education, outreach or testing, though fair housing activities are funded in 2012. The provision of fair housing services is eligible as either a program administration cost, per 24 CFR 570.206, or as a public service, per 24 CFR 570.201(e). Funding from other County sources has included allocations for fair housing purposes, such as the development of this report and renters' rights assistance services.

Travis County does not receive a direct federal entitlement of HOME funds, which would provide for the development and rehabilitation of affordable rental and ownership housing for low- and moderate-income households. However, the County's Housing Finance Corporation (HFC) works with the Texas Department of Housing and Community Affairs (TDHCA) to address this need, administering a single-family home ownership program and issuing tax-exempt bonds that finance the construction or acquisition of multi-family apartments that provide affordable rental housing to income-eligible families. In the administration of its multi-family bond program, HFC has a stated goal of promoting efficient, well-planned growth and development, particularly proper coordination with surrounding uses, including mass transit if possible, and the limitation and prevention of potential urban blight.

Policies of both the CDBG program and the Housing Finance Corporation are covered in this section of the AI.

A. PROJECT PROPOSAL AND SELECTION

The CDBG program has three separate applications: for County departments (and Webberville), for nonprofit organizations and for resident groups. Applications are accepted on a rolling basis, though each year's funding cycle closes on March 31. Staff members review proposals and potential sites to identify and evaluate all aspects of projects before submitting recommendations to Commissioners Court on which projects should receive funding.

The Court annually approves the criteria for CDBG project selection, which are explained in each year's application materials. Once projects are determined to be CDBG-eligible and consistent with the program's national objectives, they are ranked according to the degree to which they address a high-priority goal of the Strategic Plan, their feasibility, the number of beneficiaries, the benefit to low- and moderate-income persons and whether they include a leverage or match of funding from another source. Infrastructure projects may be phased over three years to achieve 100% funding.

The Housing Finance Corporation evaluates proposals for its bond financing programs on a rolling basis. The Corporation has not established a points system tied to evaluation criteria, but considers multiple angles in determining whether a project should be funded. Feasibility is a primary issue, though location is also a factor. HFC has rejected a proposal for affordable housing development that was "within a stone's throw" of two other subsidized properties to avoid concentration, according to staff members.

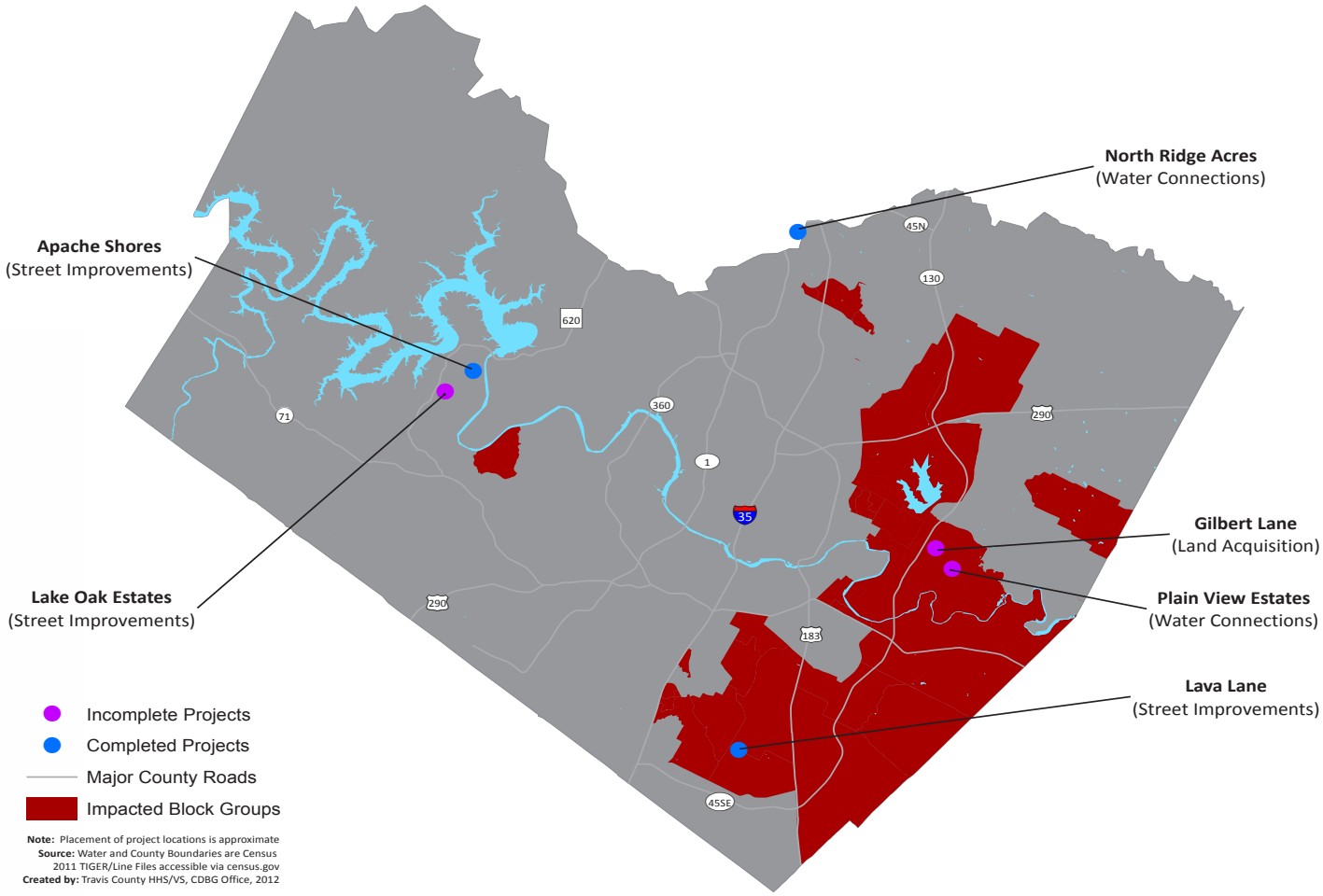
B. GEOGRAPHIC DISTRIBUTION OF INVESTMENTS

To incorporate fair housing best practices, the County's CDBG staff incorporates mapping to a high degree in planning and project selection. One of the first steps in reviewing a CDBG application is to locate the proposed site on a map relative to the County's low- and moderate-income areas and block groups of racial and/or ethnic concentration.

Because the Urban County's CDBG program is not in the business of housing development or redevelopment, its investments in broadening housing opportunities come in the form of creating access, mostly through the installation or improvement of infrastructure or acquisition of land, such as the acquisition of space along Gilbert Lane for the development of affordable housing. By the nature of that work, much of it occurs in neighborhoods in sore need of an improvement in living environment. In Travis County, this includes isolated, impoverished areas that may lack access to public water and sewer and other basic amenities. However, with a goal of connecting lower-income residents with increased options in affordable housing, the County has worked to identify street-level pockets of poverty in the typically more affluent western half of the County where strategic CDBG investment could improve access to a high-opportunity neighborhood.

The County's CDBG program reflects an effort to balance the improvement of living conditions in impoverished areas with the creation of access to opportunity-rich neighborhoods.

MAP 5-1
Travis County CDBG Project Sites, 2006-2012



Map 5-1, which includes sites for CDBG projects proposed, in progress and completed dating back to 2006, demonstrates a balance between improving the living environment in impacted areas and facilitating access to other areas of the County.

The Housing Finance Corporation provided addresses for its current portfolio of project sites, which includes more than 3,600 units funded through the multi-family bond program, 117 homes that were purchased through down payment assistance, 34 sites where tenant-based rental assistance has been used to make apartments or rental homes affordable, and eight Neighborhood Stabilization Program (NSP) undertakings. All of these sites are plotted in Map 5-2.

Most of HFC's multi-family stock appears to be concentrated in Austin, where the majority of its multi-family structures are located. Of 16 such sites, 14 are located in the city, while two sites totaling a combined 510 units are in Pflugerville.

HFC's single-family assistance is, however, limited to unincorporated areas. Self-sufficiency tenants are focused in Pflugerville, though some households are scattered into other areas, including the western half of the County. The locations of households receiving tenant-based assistance are limited to properties with landlords willing to participate in the program. Due to record lows in rental vacancies, HFC has found that locating single-family rental units that will accept households with assistance is very difficult. To broaden opportunities, HFC is currently in the process of creating landlord collateral materials to increase landlord outreach and participation in the program.

Few of the affordable multi-family rental units created through HFC partnerships are located in the Urban County.

C. AFFIRMATIVE MARKETING

The County is federally required to adopt affirmative procedures and requirements for all CDBG- or HOME-assisted housing with five or more units. Such a plan should include:

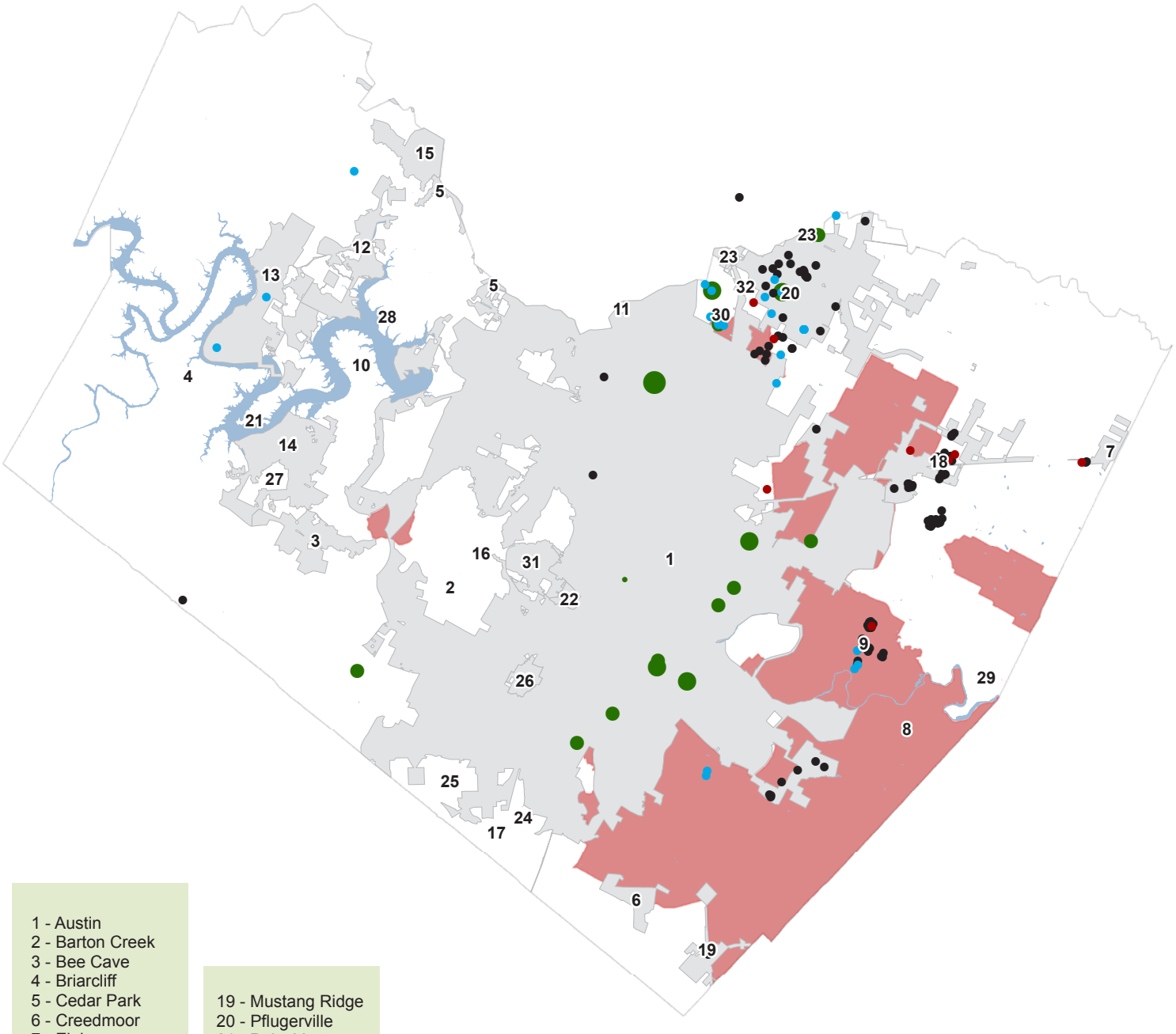
- Methods of informing the public, owners, and potential tenants about fair housing laws and the Urban County's policies
- A description of what the owners and/or the Urban County will do to affirmatively market housing assisted with CDBG funds
- A description of what the owners and/or the Urban County will do to inform persons not likely to apply for housing without special outreach
- Maintenance of records to document actions taken to affirmatively market CDBG-assisted units and to assess marketing effectiveness, and
- A description of how efforts will be assessed and what corrective actions will be taken where requirements are not met.

The County has prepared and implemented a comprehensive Affirmative Marketing Plan that applies to the CDBG program in particular. HFC complies with the requirements of its own funding programs, such as the HOME program, in ensuring adequate marketing of the housing opportunities it creates.

Though the County has not adopted a human rights ordinance to expand the classes protected by law from housing discrimination in the private market, the Affirmative Marketing Plan extends protection beyond the federally protected classes of race, color, national origin, religion, sex, familial status and disability to also include marital status, sexual orientation and gender identity. This reflects recent changes to HUD program regulation prohibiting HUD-funded entities from discriminating on those grounds.

MAP 5-2
Travis County Housing Finance Corporation
Portfolio of Assisted Units by Program, 2012

Source: Travis County Housing Finance Corporation



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor

19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

- Neighborhood Stabilization Program
- Tenant-Based Rental Assistance
- Down Payment Assistance
- Urban County Exceptions
- Impacted Block Groups

Multi-Family Bond Program
Number of Units

- Unknown
- Up to 250
- 250 to 400
- 400 to 600

The Affirmative Marketing Plan states a policy to accommodate people with disabilities and those who do not speak English. The latter are specifically accommodated by the presence of translators at community meetings in precincts where more than 25% of the population speaks a non-English language. Additionally, all marketing and outreach materials are translated into Spanish for purposes of affirmatively marketing to the Hispanic population, and Spanish-language notices are published in Spanish-language periodicals of general circulation. The Plan specifies that all materials, outreach and marketing for Hispanic households must be available in both English and Spanish.

According to the Plan, marketing plans for all housing projects will be specifically designed to reflect their location, the local demographic profile and the type of opportunities being made available. (For instance, marketing for a home ownership program would involve special outreach to Hispanic and Black homebuyers, as they have experienced disproportionate cost burden related to home ownership.)

The Plan includes suggestions for targeted outreach efforts, including selecting neighborhoods in which to disseminate information, advertising in minority-specific publications and distributing information to community organizations, places of worship, fair housing groups, housing and social service centers and housing counselors.

In order to ensure awareness of and compliance with the Plan, the CDBG program requires subrecipients to maintain a training program that includes an overview of affirmative marketing and fair housing. Affirmative outreach and marketing activites are required to be documented, and the Plan suggests use of the standardized HUD Form 27061H, "Race and Ethnic Data Reporting." Subrecipients are held accountable through annual reporting in the County's CAPER.

The Plan concludes with contact information for complaints and grievances related to problems with affirmative marketing, along with contact information related to fair housing issues in general.

By fair housing standards, the Plan is comprehensive and specific, including detailed information on the County's expectations for its own programs and for activities being administered by any subrecipients. The only potential area for further specificity would be a statement of consequences for noncompliance with the Plan, which could potentially include a recapture of funds, disallowance of future participation in the CDBG program and/or referral of the matter to HUD and/or a fair housing rights organization such as Austin Tenants Council.

The CDBG Affirmative Marketing Plan could be strengthened by adding a statement of consequences for noncompliance.

Appointed Boards and Commissions

A community's sensitivity to fair housing issues is often determined by people in positions of public leadership. The perception of housing needs and the intensity of a community's commitment to housing related goals and objectives are often measured by board members, directorships, and the extent to which these individuals relate within an organized framework of agencies, groups, and individuals involved in housing matters. The expansion of fair housing choice requires a team effort and public leadership and commitment is a prerequisite to strategic action.

The following boards and commissions were identified to influence issues related to housing and land use in Travis County.

A. COA COMPREHENSIVE PLAN ADVISORY COMMITTEE

This panel was appointed by Commissioners Court to provide input to the City of Austin during the development of its latest Comprehensive Plan. The city's resolution called for one representative and one alternate to represent the extra-territorial jurisdiction (ETJ) in the following areas: Land Use; Transportation; Storm Water Management and Water Quality; Natural Resources and Environmental Quality; Parks and Open Spaces; and Health and Human Services. Members were appointed to serve no more than 35 months and have finished their service, rendering the committee no longer active. Four White males and one White female participated, none of whom reported a disability.

B. HOUSING AUTHORITY OF TRAVIS COUNTY

The Housing Authority of Travis County provides affordable housing opportunities to low-income residents through the administration of the public housing and housing choice voucher programs, among other initiatives. As of June 2012, its five-member board of directors included a Black male, a Black female, a White male, a White female and a Hispanic male, none of whom were disabled. Board members serve staggered two-year terms.

C. STRATEGIC HOUSING FINANCE CORPORATION

The Strategic Housing Finance Corporation of Travis County is the nonprofit development subsidary of the Housing Authority, created to finance the costs of acquiring residential property in the County. As of June 2012, its board of directors included a Black female, a Black male, a Hispanic female, two Hispanic males, a White female and a White male. No disabilities were reported among board members.

While minorities and females are represented on appointed boards dealing with housing issues, persons with disabilities should also have a place in the discussion.

Texas, a Dillon's rule state, does not allow counties to adopt home rule; therefore, the powers they may exercise are limited to those explicitly granted by state government. For Texas counties, this does not include the authority to adopt building codes. What applies outside of incorporated boundaries are the standards of the International Building Code, which has been effectively adopted by the state. The responsibility for compliance is on builders, who submit construction reports to county governments. Even if such a report indicates that a builder has not met an aspect of the code, however, counties do not wield direct enforcement power.

Therefore, Travis County's authority over new residential construction projects concerns only the issuance of three permits: driveway (if the property is on a county-maintained road), flood plain and septic system. During AI interviews, County staff members emphasized the limitations on their land use control: "basically anything" can be sited anywhere within unincorporated space, as long as its construction conforms to the minimal standards in place.

With regard to accessibility, the International Fire Code applies to commercial structures, including multi-family dwellings, but concerns the site plan only, to the exclusion of interior features such as door widths. For single-family dwellings, the County requires developers to inform the Department of Transportation and Natural Resources (TNR) of the code to which they'll be building and submit proof of a passed inspection. Residences in incorporated areas are subject to any building codes that have been locally adopted.

The Texas Accessibility Standards require accessibility for persons with disabilities in publicly funded, state-owned and state-leased buildings, in addition to public and private buildings as defined by the ADA. During the development of the AI, the Austin Tenants Council reported that its testing of newly constructed rental projects in Travis County, with and without assistance from public sources, has revealed sites of both types that are unlawfully inaccessible to persons with physical disabilities. Given the limitations in powers afforded to Travis County by the State of Texas, the County is currently unequipped to adequately address such issues.

Accessibility of Residential Dwelling Units

The absence of meaningful authority for local control over the design and construction of new residential structures is one possible reason for reported instances of noncompliance with federal and state accessibility requirements. The County has a design and construction problem, ATC staff members said: While TNR reviews structures from the slab down and the fire marshal reviews structures for fire issues from the slab up, no one reviews the structures to determine whether they meet accessibility standards.

The aging housing stock in the County's more rural areas is not required to be accessible and, according to housing advocates, it largely is not. Accessible units are even less common among single-family structures, many of which in rural areas are in poor condition. Agencies such as the Austin Resource Center for Independent Living (ARCIL) can provide retrofitting, but reported in AI interviews that "we can't do bathroom modifications if the roof is falling in," explaining that the deterioration of aging homes creates a set of challenges complicated and expensive to address.

Instead of accessibility problems being identified during the initial phases of building, housing advocates reported that noncompliant features are often identified through the fair housing complaints process.

Retrofitting the aging housing stock in rural areas is often made infeasible by the poor condition of properties.

Language Accommodations

As noted in an earlier section of this report, the number of LEP Spanish speakers in Travis County exceeds 100,000. However, given limitations in ACS data, it is not clear how many persons with LEP are in the Urban County versus Austin, which is a separate entitlement community not served by the County. Through experience working in the community, the CDBG office is aware of particular neighborhoods within the unincorporated areas where a substantial share of the population speaks Spanish as a first language.

The County's Citizen Participation Plan and CDBG Affirmative Marketing Plan address methods of ensuring that the limited-English population has access to County programs and services, largely through ensuring that translators attend critical community events and providing documents and advertisements in both English and Spanish. CDBG staff members annually review ACS data to identify areas where more than 25% of the population speaks a non-English language, then ensures that various language services are available to meet needs in these areas. The CDBG office translates documents related to all programs that provide services (applications, notices, primary surveys, marketing material, etc.) and requires subrecipients to demonstrate how they will serve LEP clients.

The CDBG office has incorporated HUD's guidance relative to Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," in developing a preliminary policy framework that will guide its formal Language Access Plan (LAP), which staff members expect to create during the next year. Although there is no requirement to develop a LAP for persons with LEP, HUD entitlement communities are responsible for serving LEP persons in accordance with Title VI of the Civil Rights Act of 1964. Preparation of a LAP is the most effective way to achieve compliance.

In accordance with HUD's guidance, Travis County's LAP should include a four-factor analysis to determine the extent to which the translation of vital documents is warranted. (The term "vital document" refers generally to any publication that is needed to gain access to the benefits of a program or service.)

The four-factor analysis requires entitlements such as the County to evaluate the need for translation and/or other accommodations based on four factors:

- The number or proportion of persons with LEP to be served or likely to be encountered by the program
- The frequency with which persons with LEP come into contact with the program
- The nature and importance of the program, activity or services provided by the program, and
- Resources available to the grantee vs. costs

Currently, each County department is responsible to ensure that it provides adequate opportunities for engagement by LEP persons. Ideally, adoption of a set of government-wide LAP policies would somewhat standardize the ways in which Travis County serves its limited-English population, which may need assistance accessing local government programs and services.

The CDBG Office is in the process of formalizing its LAP, which should be completed within the next year.

Zoning, Land Use and Comprehensive Planning

A community's comprehensive plan is a statement of policies relative to new development and preservation of existing assets. In particular, the land use element of the comprehensive plan defines the location, type and character of future development. The housing element of the comprehensive plan expresses the preferred density and intensity of residential neighborhoods within the county. Taken together, the land use and housing elements of the comprehensive plan define a vision of the type of place that a community wishes to become.

Travis County has not adopted a comprehensive plan or similar document that contains broad objectives for land use or housing. Like all Texas counties, Travis County is limited by state law in the extent of its land use authority. In unincorporated areas, Texas counties may approve the subdivision of land, construct and maintain subdivision roads and assess costs to landowners, and may specify minimum standards for road construction and drainage. County staff members in the Department of Transportation and Natural Resources (TNR) have expressed a need to exercise more control over land use, particularly to buffer incompatible land uses and control sprawl.

In 2008, the County contracted with a research firm, NuStats, to conduct an empirical study of community views on whether the County's land use authority should be increased. The results of the research, which included 29 in-depth stakeholder interviews, an online survey and public forum, indicated that people supported the concept of more County control in unincorporated areas to manage growth and resolve incompatible uses. By a three-to-one margin, residents agreed that the Commissioners Court should have greater land use authority over unincorporated space, and by a similar margin they agreed that the Court should determine where growth should and should not occur and what types of activities should be allowed. Comprehensive planning had "almost unanimous support," with residents in favor of the Court developing, implementing and enforcing a comprehensive plan.

As a result, County staff members are examining existing plans for individual features (recreation, green space, etc.) to determine whether they can be combined in an overarching document of larger scope, which would also include study of land, water and transportation. The County continues to lobby the state legislature to expand its local land use authority.

In the meantime, in the absence of County authority, the rapid expansion of the County's population has resulted in sprawling settlement, in which subdivisions of urban character have sprung up in rural areas, increasing traffic on County roads and driving a need for off-site infrastructure improvements. Within subdivisions, developers typically handle infrastructure. Therefore, a disparity in quality has historically been noticeable: Wealthy subdivisions were built with high-quality living environments, while lower-income subdivisions were more often subject to substandard infrastructure. The County has more recently adopted subdivision standards, and those with substandard infrastructure are not approved.

Mobile homes in unincorporated areas are often scattered across lots that are not in mobile home parks and do not necessarily have access to public water and sewer amenities.

Public opinion favors greater land use control at the County level.

While land use in Travis County's unincorporated space is not governed by zoning regulations, control commonly takes the form of deed/covenant restrictions. In Travis County, these contracts between buyer and developer are often similar to zoning criteria and are, according to County staff members, very prevalent. Subdivisions and homeowner associations enforce these contractual obligations by litigation. In AI interviews, TNR and housing advocates both acknowledged the existence of discriminatory convenants in some subdivisions: "no renters," "no minorities." While such stipulations may be outdated and unenforced, they violate the Fair Housing Act. Additionally, Texas Property Code Sec. 5.026 makes all discriminatory provisions in deed restrictions throughout the state illegal and unenforceable.

Discriminatory deed/ covenant restrictions are still in place in some neighborhoods, though they have been made illegal and unenforceable.

Advocates reported a general lack of fair housing awareness among homeowner associations, which has resulted in the enforcement of discriminatory rules and a lack of accommodation for persons with disabilities.

Some deed restrictions, covenants and homeowners' association rules violate the Fair Housing Act in more subtle ways. Austin Tenants Council reported that requirements exist in some neighborhoods as a veiled means of weeding out the poor, such a a minimum structure size standard of 1,800 square feet or a stipulation that all sides of a home must consist of masonry. HOAs have been known to deny reasonable accommodation, imposing rules such as "no window air conditioning units" or "no pets" along with stringent parking or grass mowing requirements regardless of a tenant or owner's disability status.

The CDBG program reported that Habitat for Humanity, armed with a list of ready-to-build subdivisions with infrastructure in Travis County, made calls to locate a site where it could construct affordable single-family housing using CDBG funds for land acquisition and had no success in Western Travis County. Many developers indicated that such housing "is not in [our neighborhood's] financial model." In the end, the only viable site Habitat located as a result of that search was in the Eastern part of the County, where more of its racially/ ethnically concentrated areas of poverty are located.

Typically, an analysis of impediments includes an examination of local zoning ordinances within the CDBG program area to evaluate the extent to which regulations advance or limit fair housing opportunities. The analysis of zoning regulations is based on the following five topics raised in HUD's Fair Housing Planning Guide, which include:

- The opportunity to develop various housing types (including apartments and housing at various densities)
- The opportunity to develop alternative designs (such as cluster developments, planned residential developments, inclusionary zoning and transit-oriented developments)
- Minimum lot size requirements
- Dispersal requirements and regulatory provisions for housing facilities for persons with disabilities (i.e. group homes) in single family zoning districts
- Restrictions on the number of unrelated persons in dwelling units.

However, because the Urban County's CDBG program includes only unincorporated space and the Village of Webberville, which does not have a zoning ordinance and has apparently maintained a development moratorium since its incorporation in 2003, there are no local zoning requirements affecting land areas where CDBG funds can be allocated. The absence of local controls implies that outside of limitations imposed by deed and covenant restrictions, affordable housing types and group homes for persons with disabilities may be developed in any area of the Urban County.

Housing Authority of Travis County

The Housing Authority of Travis County (HATC) owns and manages 105 units of public housing spread across three sites in Austin and administers a Housing Choice Voucher program, three Shelter Plus Care projects and a lease-purchase program. Additionally, the Authority's nonprofit subsidary, the Strategic Housing Finance Corporation of Travis County (SHFC), is the general partner for three tax-credit multi-family properties comprising 278 senior units and 192 family units.

HATC's three public housing developments, of 51, 24 and 30 units, were constructed in the early 1980s. One site is located in an area that was originally unincorporated space, though it has since been incorporated by Austin. HATC has no plans for new development, though SFHC is working to acquire tax credit properties for which affordability requirements are set to expire. This would add 600 units to the inventory.

With regard to the Housing Choice Voucher program, HATC currently manages 568 of its own vouchers and 80 port-ins from other jurisdictions. The Authority maintains a reciprocal agreement with the Housing Authority of the City of Austin, non-exclusive jurisdiction, meaning that voucher applicants may apply in either the City or County for either program. Voucher portability between the two jurisdictions, according to staff members, is seamless.

The waiting list for the voucher program has been closed since September 2005. As of June 2012, there were about 250 households on the list. When the list was opened to new applicants for two weeks in 2005, more than 4,000 applications poured in. Austin's voucher waiting list, which exceeds 5,000 applicants, is also closed.

HATC voucher holders are scattered across the eastern half of Travis County, but hardly any are located in its western half, due primarily to the difficulty of finding a unit in this typically wealthier area affordable at the HUD FMR.

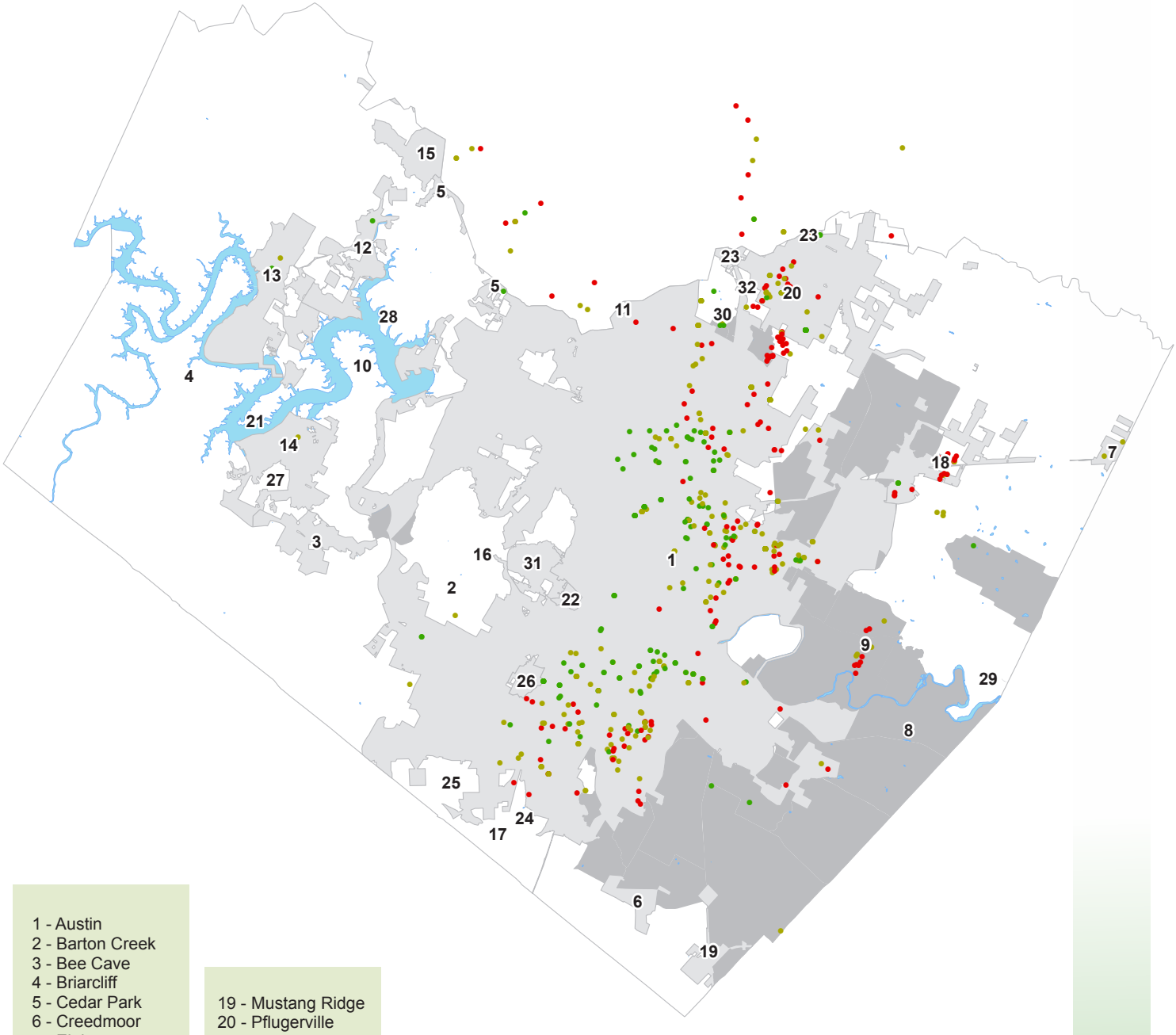
HATC allows voucher holders 60 days to locate an appropriate unit. Staff members reported that there are an adequate number of landlords participating in the program across the Urban County, and that participants generally do not experience difficulty in finding a unit that meets their needs. HATC has not required any household to return a voucher due to inability to locate a suitable place to live.

The distribution of voucher holders appears in Map 5-3. The scale of the map is such that not all 680 sites plotted are discernible, so the map is best interpreted as a generalization of location trends. The majority of HATC voucher holders (505, or 74.2%) had Austin addresses as of June 2012, while 97 were located in Pflugerville, 31 were located in Manor, 14 were located in Round Rock and others were scattered in smaller numbers across Cedar Park, Del Valle and other areas. A handful of port-outs were located in Dallas, Houston, neighboring counties and in other states.

The address data provided by HATC includes contract rent rates for each household. Of all 680 households plotted, 189 (27.8%) paid less than $700 per month, while 312 (45.9%) paid between $700 and $1,000. The remaining 179 households, or 26.3%, paid more than $1,000 per month, up to a maximum of $1,630. With only one exception, all of the above-$1,000 rents were paid for units with three or four bedrooms. The geographic distribution by contract rent suggests that higher rents are commanded in central areas of Austin, while more affordable units are available in and beyond the city's eastern end. Hornsby Bend contains a concentration of voucher households paying less than $700. This area, as noted previously in the report, experienced a high proportion of residential foreclosures in 2010 and 2011.

MAP 5-3
Voucher Household Locations by Contract Rent, 2012
Housing Authority of Travis County

Source: HATC



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor

19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

Vouchers by Contract Rent

- Less than $700
- $700 to $1,000
- $1,000 to $1,600
- Urban County Exceptions
- Impacted Block Groups

Figure 5-1 describes demographic characteristics of both current voucher households and those who are on the voucher waiting list. As mentioned previously, the relatively low number of households on the waiting list is a function of the list having been closed since 2005, since which time HATC has been working through the 4,000 applicants that submitted paperwork during the two weeks that year the list was opened. As of June 2012, staff members were uncertain as to when the waiting list might again be opened.

Hispanic ethnicity was not reported separately, so it is assumed that Hispanic households are distributed among the racial categories listed in Figure 5-1. Black households are extremely overrepresented among families using and applying for vouchers, comprising 62.1% of current voucher families and 64% of the waiting list, compared to their 8.6% share of all households in Travis County. White families, conversely, are underrepresented, as they comprise just over one-third of voucher households, compared to their 72.4% share of total households in the County.

Also of note is the prevalence of households with a disabled member among voucher holders and applicants. About half of all current voucher holders reported a disability, in addition to about one-quarter of those on the waiting list. This suggests that lower-income households with disabilities in Travis County rely on the voucher program as a means of affording suitable housing.

Households with a disabled member and Black households are overrepresented among Housing Choice Voucher holders and applicants.

FIGURE 5-1

Characteristics of Housing Choice Voucher Holders and Applicants, June 2012

	Current Voucher Holders		Waiting List Applicants	
Total households	**670**		**222**	
Income level				
Extremely low income (30% or less of AMI)	543	81.0%		0.0%
Very low income (30.1% to 50% of AMI)	105	15.7%		0.0%
Low income (50.1% to 80% of AMI)	22	3.3%		0.0%
Household type*				
Families with children	326	48.7%	142	64.0%
Elderly	96	14.3%	16	7.2%
Member with a disability	321	47.9%	58	26.1%
Race and ethnicity				
Black	416	62.1%	136	61.3%
White	246	36.7%	85	38.3%
Asian	5	0.7%	1	0.5%
Other race	3	0.4%	0	0.0%
Characteristics by bedroom size				
0 Bedroom	0	0.0%		0.0%
1 Bedroom	172	25.7%		0.0%
2 Bedroom	171	25.5%		0.0%
3 Bedroom	268	40.0%		0.0%
4 Bedroom	58	8.7%		0.0%
5+ Bedroom	1	0.1%		0.0%

* Categories are not mutually exclusive.

Source: Housing Authority of Travis County

A. VOUCHER PROGRAM ADMINISTRATIVE PLAN

The Housing Choice Voucher Administrative Plan (Admin Plan) is the policy and procedure manual that includes the regulations governing this housing assistance program. Generally, the Admin Plan includes policies that describe the selection and admission of applicants from the PHA waiting list, the issuance and denial of vouchers, occupancy policies, landlord participation, subsidy standards, informal review/hearing procedures, payment standards, the Housing Quality Standard (HQS) inspection process, and reasonable rents, to name a few. HATC's Admin Plan was reviewed from a fair housing perspective to ensure that members of the protected classes are afforded adequate housing choices. Specifically, the Plan was reviewed to determine the presence of the following policies and whether these policies were in compliance with the Fair Housing Act:

- Fair housing and equal opportunity non-discrimination clause that provides a list of the protected classes within a PHA's jurisdiction,
- Reasonable accommodation policies for persons with disabilities (in the application process, unit search and selection, and grievance process),
- Accommodations for persons with limited English proficiency (LEP) and a list of services a PHA is willing to provide such persons,
- Definition of "family" and whether or not it includes non-traditional households with unrelated individuals,
- Tenant selection policies and waiting list preferences to determine whether members of the protected classes are given any special consideration or if the local preferences restrict their housing choice,
- Recruitment of landlords who own properties in non-impacted areas,
- Portability policies and procedures and their effect on members of the protected classes,
- Higher payment standards for units that accommodate persons with disabilities, and
- Grievance policies and procedures.

The edition of HATC's Admin Plan reviewed for the AI was updated through May 2012. The Authority's policy to affirmatively further fair housing, which goes beyond a simple declaration of non-discrimination, reflects 2012 changes to HUD program regulation that prohibit discrimination in HUD-funded programs on the basis of sexual orientation, marital status or gender identity, in addition to the classes protected by the Fair Housing Act.

The Plan refers to an Affirmatively Furthering Fair Housing Addendum that documents fair housing efforts that exceed the requirements of federal, state and local non-discrimination and reasonable accommodation regulations. However, the addendum was not included in the items provided for review in the AI.

HATC's policies with regard to accommodating persons with disabilities serve a stated purpose of preventing disability-related discrimination as prohibited by the Fair Housing Act. The Authority advises applicants in writing of their right to request acommodations. The language is included on intake applications, re-examination documents and notices of adverse action.

Possible reasonable accommodations available through HATC come in the form of changes, exceptions or adjustment to rules, policies, practices or services. Among the examples listed in the Admin Plan, HATC includes, among other considerations, higher payment standards for persons with disabilities, allowing applications and re-examinations to be completed via mail, conducting home visits and providing time extensions as needed for families seeking accessible units.

HATC responds in writing within 30 business days to all requests for reasonable accommodation, either formal or informal. If HATC denies a request, the Authority endeavors to discuss with the family whether an alternative accommodation could effectively address its disability-related needs.

The Authority also provides accommodation for persons with sensory disabilities, including TTD/TTY communication, Relay Texas telephone interpreting service and sign-language interpreters upon advance request. Large-print and audio versions of key program documents are made available upon request.

When issuing a voucher to a family that includes an individual with disabilities, HATC includes a current list of known available accessible units and will assist the family in locating an available accessible unit, if necessary. In general, owners must permit the family to make reasonable modifications to the unit. However, owners are not required to pay for such modification and may require that the unit be restored to its original state at the family's expense when the family moves.

Finally, HATC's decision to deny or terminate the assistance of a family that includes a person with disabilities is subject to consideration of reasonable accommodation. The notice of denial or termination informs applicants with disabilities of their right to request reasonable accommodations to participate in the informal hearing process. When reviewing reasonable accommodation requests, HATC considers whether any mitigating circumstances can be verified to explain and overcome the problem that led to HATC's decision to deny or terminate assistance. If a reasonable accommodation will allow the family to meet the requirements, HATC must make the accommodation.

The Admin Plan includes a section on accommodating limited English proficiency (LEP) persons. HATC cites four factors in its consideration of the level of access needed by those with LEP, patterned upon HUD guidance: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the Housing Choice Voucher program; (2) the frequency with which LEP persons come into contact with the program; (3) the nature and importance of the program, activity, or service provided by the program to people's lives; and (4) the resources available to the HATC and costs.

HATC will provide written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000 persons, whichever is less, of those eligible to be served or likely to be affected or encountered. Such documents include but are not limited to: the housing application, briefing packet, annual recertification packet, notice of rent change, termination notice, and notice of informal hearing. Translation of other documents, if needed, can be provided upon request. If there are fewer than 50 persons in a language group that reaches the 5% trigger, HATC does not translate vital written materials, but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials free of cost.

HATC has adopted HUD's definition of family, which applies to two or more elderly or disabled persons living together, one or more elderly or disabled persons living with one or more live-in aides, a family with a child or children, or a single person. HATC expands the definition of a family to also include two or more individuals who are not related by blood, marriage (either licensed or Texas common law), adoption, or other operation of law but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of the family and will be living in the same dwelling unit. This broad and inclusive definition supports non-traditional family types that may choose to live together for economic reasons.

HATC is not currently accepting applications for its voucher program, as its waiting list is closed. According to the Admin Plan, the list is closed when the estimated waiting period for assistance for the most recent applicants reaches 12 months. At least 15 days prior to any re-opening of the list, HATC must publish a notice in local newspapers of general circulation, minority media, and other suitable media outlets.

The Admin Plan includes what is essentially an affirmative marketing plan for the voucher program. HATC monitors the characteristics of the population being served and the characteristics of the population as a whole in within its jurisdiction. If a comparison suggests that certain populations are being underserved, the Authority targets outreach efforts to ensure fair access.

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HATC's local preferences include a homeless set-aside, 55-and-older families for project-based vouchers and a disability preference. Within each targeted funding or preference category, families are selected on a first-come, first-serve basis according to the date and time their complete application is received by HATC.

HATC provides oral briefings and briefing packets to households selected to participate in the voucher program. Among standard inclusions in such briefings, which cover the basics of the programs and the rights and responsibilities of tenants, landlords and the Authority, HATC's briefing packet includes a list of landlords or other parties willing to lease to assisted families or help families find units, especially outside areas of poverty or minority concentration. Additionally, HATC policy states that it may also include additional items in the briefing packet related to expanding opportunity, including maps showing areas with housing opportunities outside areas of poverty or minority concentration, within and beyond Travis County; information about the characteristics of these areas including job opportunities, schools, transportation and other services; and an explanation of how portability works, including a list of portability contact persons for neighboring housing authorities, including names, addresses, and telephone numbers.

HATC's payment standard is currently 100% of the HUD Fair Market rent according to unit size. In 2012, this amounts to $713 for a studio, $812 for a one-bedroom unit, $989 for a two-bedroom unit, $1,331 for a three-bedroom unit and $1,516 for a four-bedroom unit. As mentioned previously, HATC considers the reasonable accommodation of a higher payment standard as needed to assist persons with disabilities to find a suitable accessible unit, though HATC staff members reported in AI interviews that disabled voucher holders generally do not encounter difficulty finding a unit to rent.

B. ADMISSIONS AND CONTINUED OCCUPANCY POLICY

The Admission and Continued Occupancy Plan (ACOP) includes a public housing authority's policies on the selection and admission of applicants from a waiting list, screening of applicants for tenancy, occupancy standards and policies, informal review/grievance hearing procedures, rent determinations, and procedural guidelines on conducting inspections, to name a few. HATC's ACOP was reviewed from a fair housing perspective to ensure that members of the protected classes are afforded adequate housing choices. Specifically, the ACOP was reviewed to determine the presence of the following policies and whether these policies were in compliance with the Fair Housing Act:

- Fair housing and equal opportunity non-discrimination clause that provides a list of the protected classes within a PHA's jurisdiction,
- Reasonable accommodation policies for persons with disabilities (relative to the application process, unit selection, and grievance procedures),
- Accommodations for persons with limited English proficiency (LEP) and a list of services a PHA is willing to provide such persons,
- Definition of "family" and whether or not it includes non-traditional households with unrelated individuals,
- Tenant selection policies and waiting list preferences to determine whether members of the protected classes are given any special consideration or if the local preferences restrict their housing choice,
- Accommodations for applicants who refuse a unit offered due to a disability or other special circumstance,
- Transfer policies and procedures and whether such policies impede housing choice for members of the protected classes,
- Pet policy accommodations for persons with disabilities that require service or assistance animals, and Grievance policies and procedures

HATC's Admissions and Continued Occupancy policy begins with a statement of fair housing and equal opportunity, noting that will comply fully with all federal, state, and local nondiscrimination laws, and with rules and regulations governing fair housing and equal opportunity in housing and employment, prohibiting discrimination on the basis race, color, religion, sex, national origin, age, familial status or disability. The list of protections does not explicitly reflect recent changes to HUD program regulation that expands the number of protected classes for agencies receiving HUD funds. As of a Final Rule effective March 5, 2012,

HUD implemented policy with the intention of ensuring that its core programs are open to all eligible individuals and families regardless of sexual orientation, gender identity or marital status, prohibiting discrimination of those types by any housing provider who receives HUD funding, including public housing agencies, those who are insured by the Federal Housing Administration, including lenders, and those who participate in federal entitlement grant programs through HUD.

HATC applies two different definitions of disability. For the purpose of determining whether a person is entitled to the protections of federal disability civil rights laws, the Authority refers to a broad and inclusive definition; for the purpose of determining who is eligible to receive the disabled family preference, a $400 elderly/disabled household deduction and an allowance for medical expenses, the Authority applies a more narrow HUD definition.

In order to provide reasonable accomodation to persons with disabilities, HATC asks all households during the application process whether a specific accommodation is needed to allow the resident to fully utilize the Authority's programs and services. Provided examples include modifications to units or physical systems, allowing a live-in aide, allowing applications to be completed by mail and allowing an advocate to participate in meetings with staff. Applicants or participants may request an exception, change or adjustment to policies and practices due to disability at any time, in writing or informally.

Within 10 days of a request for accommodation or modification, HATC returns a written decision regarding approval or denial. Requests from persons with disabilities will be granted upon verification that they are made by or on behalf of a person with a disability, that there is a disability-related need for the accommodation and that the request would not impose an undue financial and administrative burden on HATC or fundamentally alter the nature of its operations. When a request is denied, the Authority may discuss alternative accommodation options with the family or inform the family of the right to appeal HATC's decision through an informal hearing or the grievance process.

With regard to persons with limited English proficiency (LEP), HATC states that it will take "affirmative steps" to communicate with people who need services or information in a language other than English, determining the level of access according to HUD's four-factor guidance for LEP compliance with Title VI. Given the evidence from 2010 American Community Survey data that at least one LEP language group in HATC's service area exceeds 1,000 people, in order to fall within the "safe harbor" provided by HUD guidance, HATC would be required to translate its vital documents into Spanish. During AI interviews, staff members indicated that its written materials are available in Spanish and that translators are available.

HATC's definition of a "family" allows those related by blood, marriage, adoption or other arrangement of law, as well as those who can demonstrate that they have lived together previously or certify that each individual's income and resources will be available to meet the needs of the family. Allowing non-traditional households with unrelated members to share public housing units is a flexibility that is commendable from a fair housing perspective.

HATC policy is to close its waiting list when the estimated waiting period for applicants reaches 24 months for the most current applicants. When the list reopens, 10 days' notice is given in media outlets, including (but not limited to) the *Austin American-Statesman*,

El Mundo, *Nokoa* and the *Manor Messager*. When selecting families from the list, HATC applies only one local preference. Working families, in which the head, spouse, co-head or sole member is employed at least 20 hours per week, are given preference "to bring higher-income families into public housing." As required by HUD, this preference is also extended to households in which the head and spouse or sole member is age 62 or older or is a person with disabilities.

Beyond compliance with the federal requirements for poverty deconcentration and income-mixing among units, HATC adopted a statement of integration, specifying that it will not require any specific income or racial quotas per particular development; nor shall it steer based on protected class status for purpose of segregating populations.

HATC applicants who rise to the top of the waiting list and are offered a unit may refuse to accept it for "good cause," with the Authority defines as situations in which the applicant is willing but unable to move, or the applicant demonstrates that accepting the offer would cause undue hardship not related to considerations of race, national origin, etc. Some examples of "good cause" include inaccessibility to employment, education, job training or children's day care. Such applicants are not removed from the waiting list. However, when an applicant rejects a unit offer for reasons other than this, HATC removes the applicants name from the waiting list and informs the family of such, at which point the family may request an informal hearing.

HATC classifies three types of unit transfers: those occurring for emergency purposes (unit defects, a family health condition, a hate crime, etc); HATC-initiated transfers (immediate administrative transfers to accommodate households in need of accessibility features and regular administrative transfers to allow the Authority to meet occupancy goals) and resident-initiated transfers. For the latter, HATC assigns a high priority to transfer requests for medical, safety or reasonable accommodation reasons, and regular priority for larger-unit and transportation access requests.

HATC places restrictions on the number and type of animals that residents may keep as pets and imposes requirements on their care and control. However, exception is provided for assistance animals as a reasonable accommodation.

The ACOP describes HATC's appeal procedures, including the informal hearing process and grievance handling. The informal hearing process applies for applicants, while the grievance process is available to residents. Reasonable accommodations are available through both processes to ensure fair treatment for persons with disabilities.

HATC should update its ACOP to include the expanded class protections provided in recent HUD program guidance, prohibiting discrimination on the basis of marital status, sexual orientation or gender identity.

HATC should consider allowing public housing applicants to refuse a unit at least once without meeting the "good cause" criteria without losing position on the wait list.

Property Taxes

Taxes impact housing affordability. While not an impediment to fair housing choice in and of themselves, real estate taxes can impact the choice that households make with regard to where to live. Tax increases can be burdensome to low-income homeowners, and increases are usually passed on to renters through rent increases. Tax rates for specific districts and the assessed value of all properties are the two major calculations used to determine revenues collected by a jurisdiction. Determining a jurisdiction's relative housing affordability, in part, can be accomplished using tax rates.

However, a straight comparison of tax rates to determine whether a property is affordable or unaffordable gives an incomplete and unrealistic picture of property taxes. Local governments with higher property tax rates, for example, may have higher rates because the assessed values of properties in the community are low, resulting in a fairly low tax bill for any given property. In all of the communities surrounding a jurisdiction, comparable rates for various classes of property (residential, commercial, industrial, etc.) are assigned to balance each community's unique set of resources and needs. These factors and others that are out of the municipality's control must be considered when performing tax rate comparisons.

Real estate taxes are the primary source of government revenue in Texas, levied on land and buildings to revenue streams for counties, municipalities, and school districts. The state is one of only six in the nation that does not levy personal income taxes. This, in part, explains what is a comparatively high property tax burden for Texas residents compared with those living in other states. On the average, Texas residents pay 3.65% of their annual income in property taxes, the 12th highest percentage of income across the country, according to aggregated IRS records.

The Travis Central Appraisal District (TCAD) decides what property is to be taxed and its appraised value, grants exemptions, and identifies what taxing jurisdictions can tax a property. The TCAD is a separate local agency and is not part of County government or the County Tax Assessor's Office. The TCAD determines the market value of all taxable property, and the property is appraised at that value unless it is a primary residence subject to a cap. Once a property's appraised and market values are equal, further increases (or decreases) in value will depend on the market in that neighborhood. The appraisal process allocates the tax burden to ensure that no one property pays more or less than its fair share.

Following the TCAD assessment, each taxing jurisdiction levies a uniform tax millage rate against the assessed value of each property. Levies are measured in tenths of a cent and commonly called "mills." Levies are multiplied by the assessed value of a property to calculate a property owner's real estate tax. For FY 2011, Travis County had a county-wide millage rate of 0.4855, in addition to individual school district rates ranging from 1.04 (Coupland) to 1.62 mills (Dripping Springs) and city rates ranging from 0.02 in Bee Cave to 0.75 in Elgin.

Additional levies exist on the level of municipal utility districts (MUDs), which are political subdivisions of the state authorized by the Texas Commission of Environmental Quality (TCEQ) to provide water, sewage, drainage and other services. Sixty MUDs within Travis County maintain rates of 0.05 to 0.99 mills.

Finally, various levies exist in special districts to serve specific purposes, such as emergency service districts, volunteer fire departments, a community college, local road improvements or local parks and recreation programming. The total tax liability on a property reflects the layering of these various levies.

A homeowner's property tax costs in Travis County are considerable and vary greatly depending on a property's location. The *Austin American-Statesman* reported in June 2012 that the typical Austin homeowner received a 2010 tax bill that was 38% higher than in 2000, despite a median income that has held steady. According to the *Statesman*, Travis County raised its levy on the average home 46% during those years, from $667 annually to $975. Other taxing authorities have kept pace with similar rate hikes.

On a home at the County median value of $200,300, an owner would pay an average of 1.98% in total property tax annually, amounting to $3,972. Figure 5-2 contains a comparison of tax rates for municipalities and school districts in Travis County.

Texas and Travis County have several tax relief programs available to eligible property owners. These include the following:

- School taxes: All residential home owners may qualify to receive a $15,000 homestead exemption from their home's value for school taxes.

- County taxes: If a county collects a special tax for farm-to-market roads or flood control, a residential home owner may qualify to receive a $3,000 exemption for this tax.

- Age 65 or older and disabled exemptions: Individuals 65 and older and/or disabled residential home owners may qualify for a $10,000 homestead exemption, in addition to the $15,000 exemption for all homeowners. If the owner qualifies for both the $10,000 exemption for 65 and older homeowners and the $10,000 exemption for disabled homeowners, the owner must choose one or the other.

- Optional percentage exemptions:
  Any taxing unit, including a city, county, school, or special district, may offer an exemption of up to 20% of a home's value or a property tax freeze for homeowners who are 65 or older or disabled. Some restrictions apply.

- Optional 65 or older or disabled exemptions:
  Any taxing unit may offer an additional exemption amount of at least $3,000 for taxpayers age 65 or older and/or disabled.

- Disabled veterans are eligible for exemptions up to 100%.

FIGURE 5-2
Property Tax Rates by Jurisdiction, 2011

Municipality	Rate	School District	Rate
Austin	0.481100	Austin	1.242000
Bee Cave	0.020000	Del Valle	1.530000
Briarcliff	0.117500	Lake Travis	1.315900
Cedar Park	0.493501	Eanes	1.212500
Creedmoor	0.310900	Lago Vista	1.180000
Elgin	0.753900	Pflugerville	1.480000
Jonestown	0.560000	Hays	1.461300
Lago Vista	0.630000	Coupland	1.040050
Lakeway	0.199600	Elgin	1.540000
Leander	0.670420	Manor	1.515000
Manor	0.821200	Dripping Springs	1.620000
Mustang Ridge	0.357800	Marble Falls	1.290000
Pflugerville	0.599000	Johnson City	1.193000
Point Venture	0.090000	Round Rock	1.335000
Rollingwood	0.144600	Leander	1.499760
Round Rock	0.417280		
San Leanna	0.249800		
Village of the Hills	0.298000		
Volente	0.128600		
Webberville	0.302500		
West Lake Hills	0.053400		

Source: Travis CAD

Public Transit

Households without a vehicle, which in most cases are primarily low-moderate income households, are at a disadvantage in accessing jobs and services, particularly if public transit is inadequate or absent. Access to public transit is critical to these households. Without convenient access, employment is potentially at risk and the ability to remain housed is threatened. The linkages between residential areas (of concentrations of minority and LMI persons) and employment opportunities are key to expanding fair housing choice.

According to the 2010 American Community Survey, there were 24,798 transit-dependent households in Travis County, comprising 6.3% of all households. The majority of households without access to a vehicle (85%) were renters. As further detailed in Figure 5-3, the vast majority of Travis County residents drove to work in 2010 (84.6%), with 73% driving alone. Throughout the County, only 3.9% depended on public transportation to commute. Black and Hispanic households were more likely to use public transportation than White households.

Capital Metro Transportation Authority (Cap Metro) offers a variety of bus and rail lines within the City of Austin. However, routes do not extend into many areas of rural Travis County. Municipal participation in Cap Metro calls for the approval of a 1% local sales tax to support the system. Texas law limits local sales tax to 2%, so cities that already commit a 2% local sales tax to other purposes cannot participate. Round Rock, for example, could not consider a vote to participate in Cap Metro unless its voters rolled back a portion of the current sales tax to allow room for a 1% Cap Metro tax. When Cap Metro was originally formed in 1985, Pflugerville and Cedar Park participated. These jurisdictions later withdrew, resulting in a withdrawal of service running through more areas of the County. Increasing service through the Urban County's CDBG jurisdiction would require some alternative arrangement with Cap Metro.

A fixed-route transit system connecting more employees to downtown Austin and job centers within the County could significantly

FIGURE 5-3

Means of Transportation to Work in Travis County, 2010

	Total		White		Black		Hispanic	
Drove vehicle alone	373,443	73.0%	271,565	75.2%	29,204	76.3%	98,649	64.7%
Carpool	59,442	11.6%	35,580	9.9%	3,485	9.1%	30,656	20.1%
Public transportation	19,809	3.9%	10,612	2.9%	3,089	8.1%	7,783	5.1%
Walked	9,840	1.9%	6,843	1.9%	823	2.2%	2,635	1.7%
Taxi, motorcycle, bike or other means	17,339	3.4%	9,369	2.6%	685	1.8%	8,455	5.5%
Worked at home	31,610	6.2%	26,961	7.5%	969	2.5%	4,255	2.8%
Total	**511,483**	100.0%	**360,930**	100.0%	38,255	100.0%	**152,433**	100.0%

Source: 2006-10 American Community Survey (B08105A, B08105B, B08105I, B08301)

improve employment opportunities for lower-income persons who typically rely on public transit to access jobs, thus increasing their potential success for better housing, including home ownership. Current research indicates a strong connection between housing and transportation costs. A recent study conducted by The Center for Housing Policy found that there is a clear trade-off between affordable housing and transportation expenses among working families. The research revealed that families who spend more than 50% of their income on housing spend only 7.5% on transportation, while families who spend 30% or less of their income on housing spend almost 25% on transportation. This equates to more than three times the amount spent than those in less affordable housing.

The rationale behind this seemingly reverse equation is that many working families are moving further out into the suburbs where they may be able to afford housing, but then must spend much more of their income commuting to and from their jobs. Others may live in urban neighborhoods but are forced to cross-commute out to jobs in the suburbs. In both cases, the study found that in their attempt to save money on housing, these families spent disproportionately higher amounts on transportation. The study concluded that at about 12 to 15 miles in commuting distance, the increase in transportation costs outweighs the savings on housing.

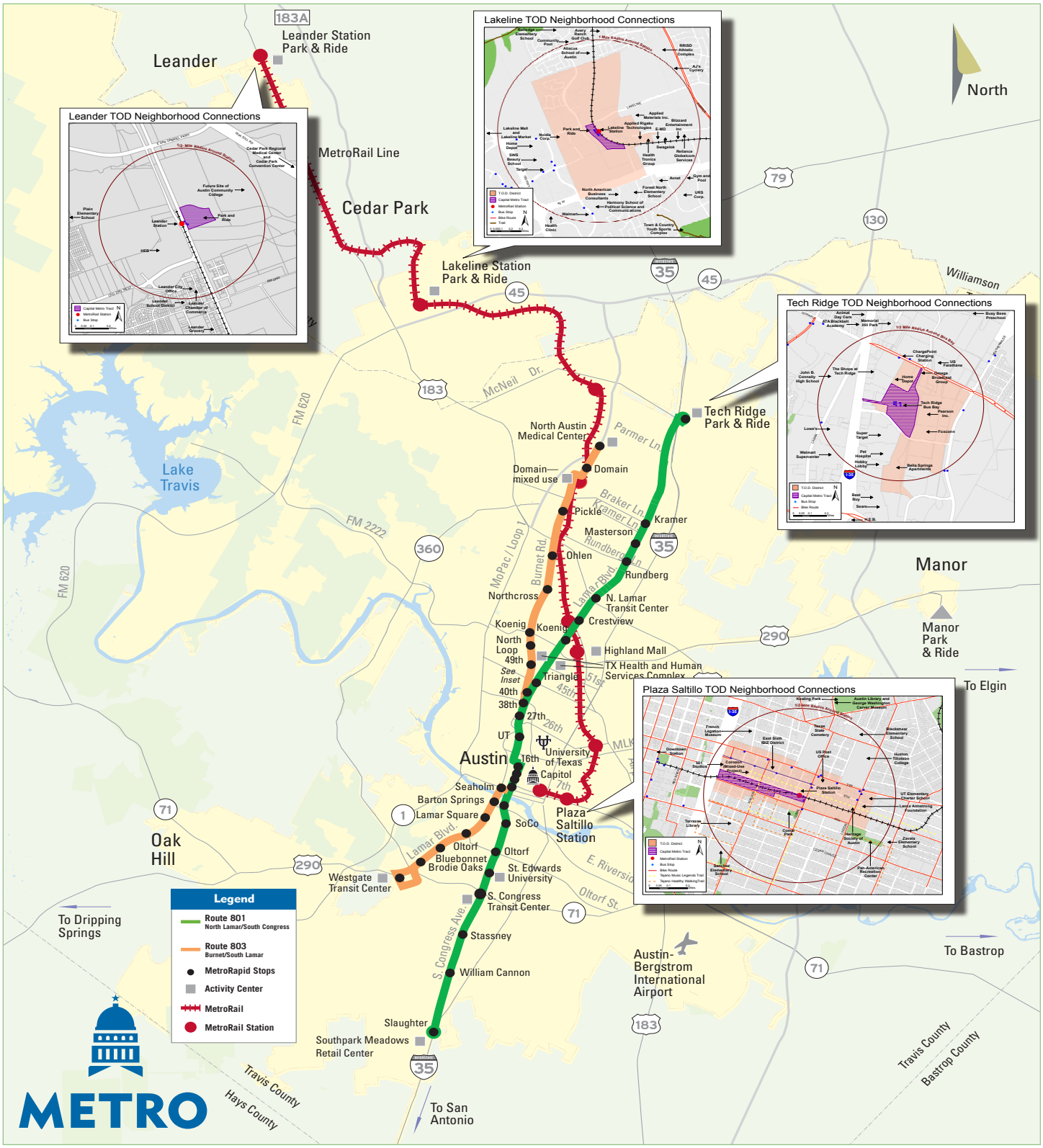
These observations were echoed at the local level by social service providers, who noted that development and housing market patterns are pushing lower-income families to the outskirts of urban space, where no transit is available to connect them with jobs and services. Jonestown, for instance, has one grocery store, to which people drive from a radius of many miles. One affordable housing provider stated that transit service is “basically non-existent” outside of Austin.

Of course, limitations in the scale and frequency of Cap Metro service add up from an operational perspective. Employment is heavily concentrated in Austin, which makes Cap Metro’s hub-and-spoke system model effective in efficiently providing service. A representative from the transit agency explained “the classic transit trade-off” during an AI interview: Given limited resources, a balance must be achieved between service and coverage. In past years, the agency has trimmed routes with low ridership and added capacity to other routes to meet demand. In order for a route to be economically justifiable, it must average 16 riders per hour.

Ultimately, Cap Metro follows federal requirements regarding where it can operate. The boundaries drawn by federal government are seemingly arbitrary and leave gaps, according to a staff member. Other services may or may not cover the areas where Cap Metro does not and cannot operate.

The Capital Area Rural Transit System (CARTS) is one such provider, covering nine counties with fixed routes, commuter routes, curb-to-curb service and other offerings. CARTS was formed by an interlocal agreement among the nine counties and serves 161 communities. CARTS buses are based in five stations: Austin, Bastrop, Round Rock, San Marcos and Smithville. CARTS connects communities outside of Austin with once-daily fixed route service, such as senior shopping days or local service, at a price of $1 to $4 each way. In Travis County, routes generally depart between 8:00 and 9:00 a.m. on weekdays and return in the early afternoon, which indicates that they are not designed for work travel between communities.

MAP 5-4
Transit-Oriented Development Opportunities Identified by Capital Metro



With regard to future planning, Cap Metro is pursuing opportunities to partner with communities to foster transit-oriented developent (TOD) in well-connected locations. TOD provides increased ridership, increased revenues from development, and more choices for the community. Map 5-4 illustrates the location of sites Cap Metro has identified as opportunities where transit-oriented development would be appropriate.

However, future plans remain centered around connecting activity centers, all of which are in incorporated areas. This leaves the problem of connection between employment centers and the lower-income households that live where affordable housing exists in the Urban County's rural areas.

Fixed-route transit service is generally unavailable in most unincorporated areas of Travis County, isolating many lower-income neighborhoods from jobs and amenities.

Future transit-oriented development plans carry the potential to increase affordable housing opportunities in the communities where such plans are proposed, which could theoretically relieve some of the Urban County's unmet affordable housing demand.

6 PRIVATE SECTOR POLICIES AND PRACTICES

Mortgage Lending Trends

The Fair Housing Act prohibits lenders from discriminating against members of the protected classes in granting mortgage loans, providing information on loans, imposing the terms and conditions of loans (such as interest rates and fees), conducting appraisals, and considering whether to purchase loans. Unfettered access to fair housing choice requires fair and equal access to the mortgage lending market regardless of race, color, national origin, religion, sex, familial status, disability, or any other statutorily protected basis.

An analysis of mortgage applications and their outcomes can identify possible discriminatory lending practices and patterns in a community. Home Mortgage Disclosure Act (HMDA) data contains records for all residential loan activity reported by banks pursuant to the requirements of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989. Any commercial lending institution that makes five or more home mortgage loans annually must report all residential loan activity to the Federal Reserve Bank, including information on applications denied, withdrawn, or incomplete by race, sex, and income of the applicant. This information is used to determine whether financial institutions are serving the housing needs of their communities.

The most recent HMDA data available for Travis County is for 2010. The data included for this analysis is for three years, 2008 through 2010, and constitutes all types of applications received by lenders by families: home purchase, refinancing, or home improvement mortgage applications for one- to four-family dwellings and manufactured housing units across the entire County. The demographic and income information provided pertains to the primary applicant only. Co-applicants were not included in the analysis. Figure 6-1 summarizes three years of HMDA data by race, ethnicity, and action taken on the applications, followed by detailed analysis.

FIGURE 6-1

Cumulative Mortgage Data Summary Report, 2008-2010

	Total Applications*		Originated		Approved Not Accepted		Denied		Withdrawn/ Incomplete	
	#	%	#	%	#	%	#	%	#	%
Loan Purpose										
Home purchase	85,284	45.1%	36,637	43.0%	3,374	4.0%	8,046	9.4%	36,069	42.3%
Refinancing	9,859	5.2%	3,516	35.7%	610	6.2%	3,974	40.3%	1,480	15.0%
Home improvement	94,016	49.7%	42,546	45.3%	4,261	4.5%	14,637	15.6%	29,766	31.7%
Loan Type										
Conventional	147,617	78.0%	66,929	45.3%	7,190	4.9%	21,984	14.9%	47,744	32.3%
FHA	33,832	17.9%	12,642	37.4%	855	2.5%	3,869	11.4%	16,070	47.5%
VA	5,232	2.8%	2,205	42.1%	156	3.0%	391	7.5%	2,424	46.3%
FHS/RHS	2,478	1.3%	923	37.2%	44	1.8%	413	16.7%	1,077	43.5%
Property Type										
One to four-family unit	186,806	98.8%	82,082	43.9%	7,641	4.1%	25,867	13.8%	67,001	35.9%
Manufactured housing unit	2,324	1.2%	609	26.2%	604	26.0%	785	33.8%	301	13.0%
Multi-family unit	29	0.0%	8	27.6%	0	0.0%	5	17.2%	13	44.8%
Applicant Race										
Native American	1,158	0.6%	388	33.5%	49	4.2%	374	32.3%	314	27.1%
Asian	8,811	4.7%	4,689	53.2%	454	5.2%	1,132	12.8%	2,285	25.9%
Black	7,009	3.7%	2,461	35.1%	336	4.8%	2,012	28.7%	1,992	28.4%
Hawaiian	482	0.3%	223	46.3%	23	4.8%	108	22.4%	117	24.3%
White	127,406	67.4%	63,874	50.1%	6,039	4.7%	17,910	14.1%	36,720	28.8%
No information	26,580	14.1%	11,055	41.6%	1,343	5.1%	5,121	19.3%	8,185	30.8%
Not applicable	17,713	9.4%	9	0.1%	1	0.0%	0	0.0%	17,702	99.9%
Hispanic**	22,655	12.0%	8,682	38.3%	1,338	5.9%	5,700	25.2%	6,371	28.1%
Total*	**189,159**	**100.0%**	**82,699**	**43.7%**	**8,245**	**4.4%**	**26,657**	**14.1%**	**67,315**	**35.6%**

Source: Federal Financial Institutions Examination Council, 2008 to 2010

Note: Percentages in the Originated, Approved Not Accepted, Denied, and Withdrawn/Incomplete categories are calculated for each line item with the corresponding Total Applications figures. Percentages in the Total Applications categories are calculated from their respective total figures.

* Total applications also include 3,969 loans purchased by another institution.

** Hispanic ethnicity is counted independently of race.

Applicant Characteristics

Across Travis County during the last three years, lenders received 85,284 applications for home purchase, 94,016 applications for mortgage refinancing and 9,859 applications for home improvement equity loans. The prevalence of demand for refinance is a function of historically low interest rates between 2008 and 2010 that promised monthly housing cost savings to households that could qualify. Of all three loan types, refinancing applications were the most likely to be successful, as 45.3% were originated, compared to 43% of home purchase loans and 35.7% of home improvement loans.

More than two in every five home purchase loan applications were withdrawn or left incomplete, and 9.4% were denied. By comparison, 31.7% of refinancing applications were not completed, and an additional 15.6% were denied. Home improvement loans represent a smaller share of all applications, with 5.2% of the total, but carry a notably higher denial rate: 40.3% of applications of this type were rejected.

FIGURE 6-2
Loan Application Type by Race/Ethnicity, 2008-2010

	Total	White	Black	Asian	Other	No data	Hispanic*
Home purchase	85,284	56,556	3,307	4,167	668	20,586	11,324
	45.1%	**44.4%**	**47.2%**	**47.3%**	**40.7%**	**46.5%**	**50.0%**
Refinance	94,016	63,634	3,005	4,397	787	22,193	9,510
	49.7%	**49.9%**	**42.9%**	**49.9%**	**48.0%**	**50.1%**	**42.0%**
Home improvement	9,859	7,216	697	247	185	1,514	1,821
	5.2%	**5.7%**	**9.9%**	**2.8%**	**11.3%**	**3.4%**	**8.0%**
Total	189,159	127,406	7,009	8,811	1,640	44,293	22,655
	100.0%	**67.4%**	**3.7%**	**4.7%**	**0.9%**	**23.4%**	**12.0%**

Note: Percentages within racial/ethnic groups are calculated within each group's total.
* Hispanic ethnicity is counted independently of race.
Source: Federal Financial Institutions Examination Council, 2008 to 2010

Loan application types varied slightly across racial and ethnic groups. The most common loan type for White and Asian households was refinancing, constituting 49.9% of applications for each of those groups. Blacks and Hispanics were somewhat less likely to refinance, as this loan type represented 42.9% and 42.0% of all applications for these households, respectively. Hispanics were more likely than any other group to apply for a home purchase loan, as 50% of applications from Hispanic households were for this purpose.

The vast majority of applications involved one- to four-family housing structures, with only 2,324 applications (1.2%) requesting financing for manufactured units and 29 applications for owner-occupied multi-family units. The denial rate for manufactured units, 33.8%, was substantially higher than the overall denial rate of 14.1% for all housing types.

The most commonly sought type of financing was conventional loans, a category that represented more than three-quarters (78%) of all loan applications. An additional 17.9% of applications were for loans insured by the Federal Housing Administration (FHA), a type of federal assistance that has historically benefited lower-income residents. Smaller percentages of applications were for loans backed by the Department of Veterans Affairs (VA) and the Farm Services Administration or Rural Housing Service (FSA/RHS).

The racial and ethnic composition of loan applicants differs somewhat from the County's general demographic distribution. While 8.6% of all Travis County households in 2010 were Black, Blacks constituted only 4.8% of the loan applications for which racial/ethnic data were reported. Similarly, Hispanic residents comprise 24.8% of all County residents, but only submitted 15.6% of all loans that reported ethnicity data. White households are overrepresented among mortgage applicants, representing a share of applications exceeding their share of households countywide (87.9% of applications compared to 72.4% of all households). Asian applicants represented 6.1% of applications, exceeding their 5.4% share of total households in 2010. Lower participation in the market for home mortgages by Black and Hispanic households is likely a reflection of the lower median income of these minority groups.

Grouping all three years of data into the analysis increases the likelihood that differences among groups are statistically significant. This is especially important in view of the data on mortgage application denials, which also suggests differences according to race and ethnicity.

Geographic Distribution of Approvals by Lender

Figure 6-3 provides a summary of the top 10 lenders in the County based on total number of loan originations between 2008 and 2010. Wells Fargo was the top lender in the County, with more than 9,800 originations over the three-year period, and accounted for more than one in every 10 loans originated in the County. The U.S. Justice Department accused Wells Fargo, a major participant on a national scale in subprime lending prior to 2007, of lending practices that the Department described as reckless at best and predatory at worst, resulting in foreclosure concentrations that have decimated urban neighborhoods. The result has been a disparate negative impact on minority homeowners, who were more commonly the targets of predatory lending. As part of a settlement reached in 2012 with the Department regarding discriminatory policies, Wells Fargo will invest $50 million across eight metropolitan areas to revitalize neighborhoods blighted by foreclosure-related housing abandonment. None of the metropolitan areas receiving settlement funds are located in Texas.

Map 6-1 illustrates the distribution of originations for the top 10 lenders, with each dot representing two mortgage loan originations. There appears to be no particular concentration of loans by location for any particular lender, which suggests the absence of obvious redlining. Notably, some areas in the eastern end of the Urban County are nearly entirely bereft of mortgage originations. The comparative lack of loans by any lender in these areas is an indicator of low investment in their real estate during 2008 to 2010, whether due to disparate impact of the housing market crisis or difficulty of credit access for households who would purchase homes in these areas.

FIGURE 6-3

Top 10 Lenders in Travis County by Number of Originations, 2008-2010

Lending Institution	# of Loans Originated	% of Loans Among All Banks
Wells Fargo*	9,807	11.9%
Bank of America	5,829	7.0%
JP Morgan Chase	3,255	3.9%
Flagstar Bank	2,290	2.8%
Int'l Bank of Commerce	2,242	2.7%
Network Funding	2,067	2.5%
Countrywide Bank	2,035	2.5%
Prime Lending	2,004	2.4%
Capstar Lending	1,938	2.3%
Citimortgage	1,765	2.1%
Total	**33,232**	**40.2%**

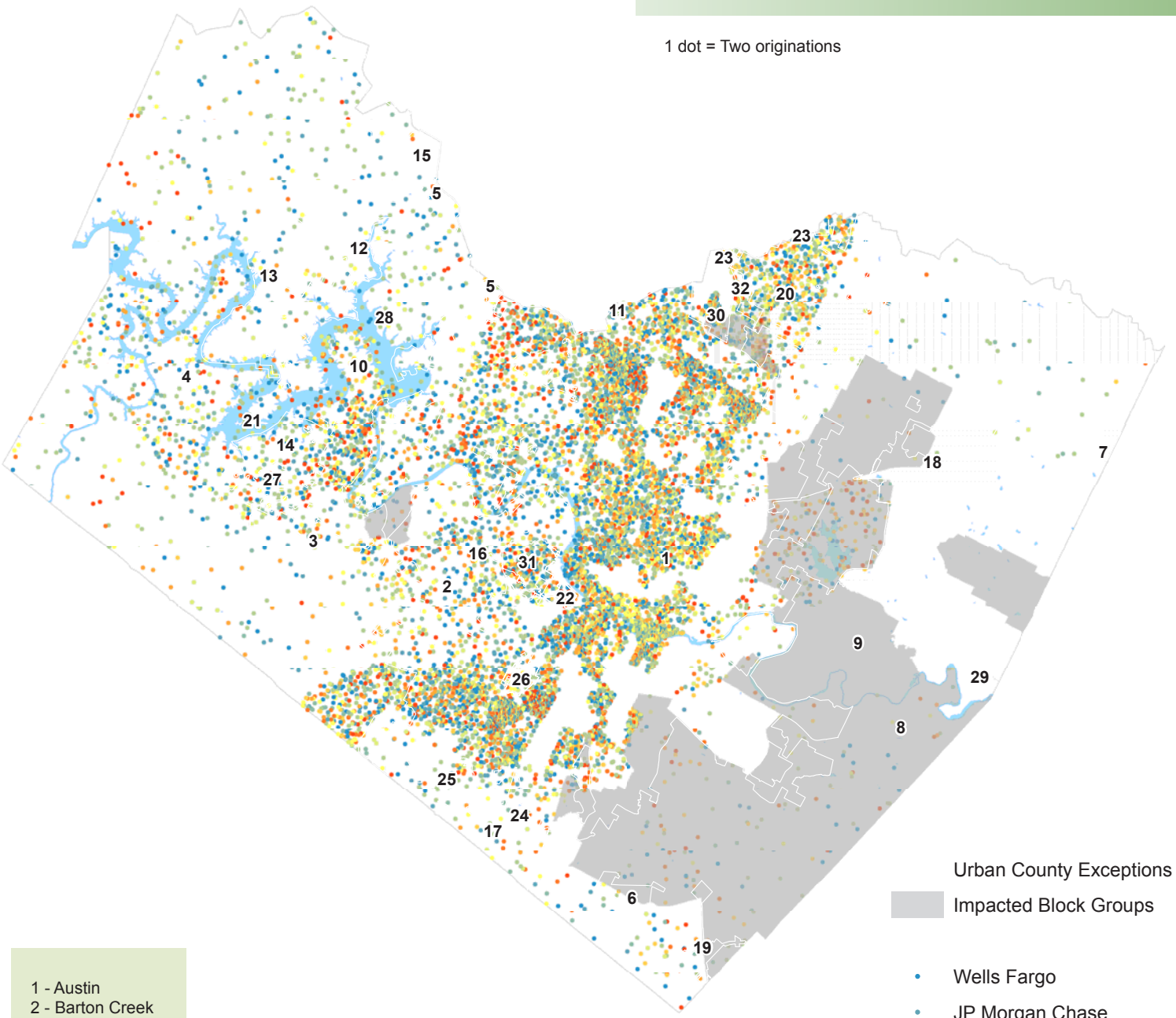
*Wells Fargo Bank and Wachovia Bank merged on December 31, 2008.

Source: Federal Financial Institutions Examination Council, 2008 to 2010

Wells Fargo, which recently agreed to a $50M settlement with the U.S. Justice Department related to allegations of discriminatory and predatory lending, was Travis County's largest mortgage lender by number of originations in recent years.

MAP 6-1
Distribution of Originations by Lender, 2008-2010

1 dot = Two originations



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor

19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

Mortgage Application Denials

During the years 2008 through 2010, a total of 26,657 mortgage loan applications were denied across Travis County. The overall cumulative denial rate was 14.1% with denials by race and ethnicity ranging from 12.8% for Asian households to 32.3% for Native American households.

More than 40% of mortgage denials for Black applicants occurred for no given reason.

In reporting denials, lenders are required to list at least one primary reason for denial and may list up to two secondary reasons. As Figure 6-4 demonstrates, a substantial proportion of denials occurred for no given reason. The primary basis for the rejection of 6,840 applications, or 25.7% of all denials, was left blank. This was even more prevalent in the denials for Black households, 41.3% of which (830 of 2,012) were rejected without a reported reason. Other common reasons given for denial include credit history, lack of collateral, and debt-to-income ratio.

Mortgage loan denial rates among most minority applicants were higher than denial rates for Whites between 2008 and 2010.

FIGURE 6-4

Primary Reason for Mortgage Application Denial by Race, 2008-2010

	Total	White	Black	Asian	Other	Hispanic*	No Info
No reason reported	24.9%	22.4%	41.3%	18.4%	41.7%	29.4%	27.3%
Credit history	17.7%	17.1%	24.8%	22.5%	23.2%	24.6%	18.3%
Debt-to-income ratio	17.7%	19.2%	10.0%	21.8%	11.2%	17.5%	15.0%
Collateral	12.8%	13.7%	8.8%	14.0%	8.7%	10.1%	12.8%
Incomplete application	10.3%	10.5%	4.6%	12.8%	6.0%	5.7%	11.7%
Other	9.4%	9.5%	7.4%	12.5%	6.4%	6.9%	9.1%
Unverifiable information	4.2%	4.3%	1.4%	7.1%	1.5%	3.0%	4.9%
Insufficient cash	1.5%	1.6%	1.0%	1.6%	0.8%	1.3%	1.1%
Employment history	1.4%	1.6%	0.5%	2.5%	0.4%	4.5%	1.2%
Insurance denied	0.1%	0.1%	0.1%	0.4%	0.0%	0.1%	0.1%

* Hispanic ethnicity is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2008 to 2010

For this analysis, lower-income households include those with incomes between 0%-80% of MFI, while upper-income households include households with incomes above 80% MFI. Applications made by lower-income households accounted for 29% of all denials between 2008 and 2010, though they accounted for only 24.5% of total applications for those three years.

Figure 6-5 distributes the denials by income level among racial and ethnic groups. Among lower-income households, denial rates were generally higher for minorities. While the overall lower-income denial rate was 22%, the denial rates for lower-income Blacks, Other Race households (consisting primarily of Native Americans), and Hispanics were 33.6%, 40.6%, and 31.1%, respectively. Lower-income Asian applicants experienced a denial rate of 21.6%, which was comparable to the 20.5% denial rate for Whites.

While denial rates were generally lower for upper-income households, differences persisted across racial and ethnic groups. The overall upper-income denial rate was 12.2%, compared to 10.6%, 20.3%, 22.9%, and 27.1% for upper-income Asian, Hispanic, Other Race, and Black households, respectively. Lower-income White households were much less likely to experience denial than upper-income Blacks households. This pattern is consistent with discrimination.

Map 6-2 on the following page illustrates denial rates by census tract in Travis County. Many of these tracts bearing higher denial rates are located in neighborhoods associated in a prior section of the AI with limited opportunity.

FIGURE 6-5

Mortgage Application Denials by Household Race/Ethnicity, 2008-2010

		Total	White	Black	Asian	Other	No data	Hispanic*
Lower-Income	Total Applications	46,407	32,788	3,168	1,748	630	8,073	10,754
	Denials	10,202	6,732	1,065	377	256	1,772	3,341
	% Denied	**22.0%**	**20.5%**	**33.6%**	**21.6%**	**40.6%**	**21.9%**	**31.1%**
Upper-Income	Total Applications	124,378	89,632	3,093	6,837	947	23,869	10,675
	Denials	15,125	10,604	839	727	217	2,738	2,164
	% Denied	**12.2%**	**11.8%**	**27.1%**	**10.6%**	**22.9%**	**11.5%**	**20.3%**
Total	Total Applications	189,159	127,406	7,009	8,811	1,640	44,293	22,655
	Denials	35,197	17,910	2,012	1,132	482	5,121	5,700
	% Denied	**18.6%**	**14.1%**	**28.7%**	**12.8%**	**29.4%**	**11.6%**	**25.2%**

Note: Total also includes 18,374 applications for which no income data was reported.

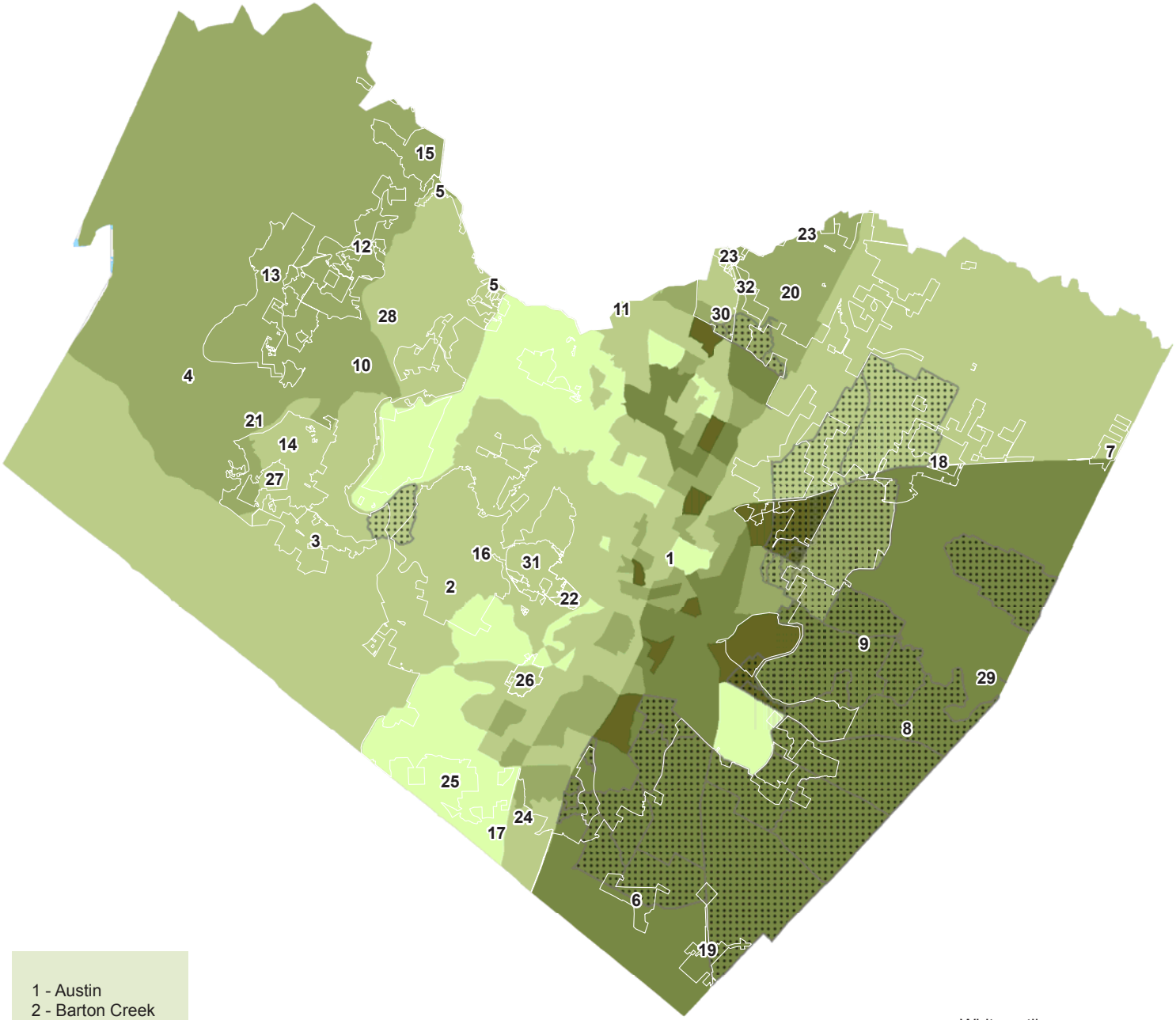
* Hispanic ethnicity is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2008 to 2010

Over the course of the three years studied, upper-income Black and Other Race households received mortgage application denials more often than lower-income White households.

MAP 6-2
Denial Rates by Census Tract, 2008-2010

Source: FFIEC HMDA Files



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor

19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

White outline:
Urban County Exceptions
Impacted Block Groups

Mortgage Denial Rate
Less than 10%
10% to 15%
15.1% to 20%
20.1% to 30%
30.1% to 50%

High-Cost Lending

The widespread housing finance market crisis of recent years has brought a new level of public attention to lending practices that victimize vulnerable populations. Subprime lending, designed for borrowers who are considered a credit risk, has increased the availability of credit to low-income persons. At the same time, subprime lending has often exploited borrowers, piling on excessive fees, penalties, and interest rates that make financial stability difficult to achieve. Higher monthly mortgage payments make housing less affordable, increasing the risk of mortgage delinquency and foreclosure and the likelihood that properties will fall into disrepair.

Some subprime borrowers have credit scores, income levels, and down payments high enough to qualify for conventional, prime loans, but are nonetheless steered toward more expensive subprime mortgages. This is especially true of minority groups, which tend to fall disproportionately into the category of subprime borrowers. The practice of targeting minorities for subprime lending qualifies as mortgage discrimination.

Since 2005, HMDA data has included price information for loans priced above reporting thresholds set by the Federal Reserve Board. This data is provided by lenders via Loan Application Registers and can be aggregated to complete an analysis of loans by lender or for a specified geographic area. HMDA does not require lenders to report credit scores for applicants, so the data does not indicate which loans are subprime. It does, however, provide price information for loans considered "high-cost."

A loan is considered high-cost if it meets one of the following criteria:

- A first-lien loan with an interest rate at least three percentage points higher than the prevailing U.S. Treasury standard at the time the loan application was filed. The standard is equal to the current price of comparable-maturity Treasury securities

- A second-lien loan with an interest rate at least five percentage points higher than the standard

Not all loans carrying high APRs are subprime, and not all subprime loans carry high APRs. However, high-cost lending is a strong predictor of subprime lending, and it can also indicate a loan that applies a heavy cost burden on the borrower, increasing the risk of mortgage delinquency.

Between 2008 and 2010, there were 82,699 home purchase, refinance, or home improvement loans made for single-family or manufactured units in Travis County. Of this total, 79,874 (96.6%) disclosed the borrower's household income and 4,950 (6%) reported high-cost mortgages. Overall, upper-income households, with the exception of Black households, were significantly less likely to have high-cost mortgages as lower-income households.

An analysis of loans in Travis County by race and ethnicity reveals that Black households are overrepresented in high-cost lending. Among lower-income minority households, 17% of mortgages obtained by Hispanic housholds and 12.9% of mortgages obtained by Blacks were high-cost, compared to 8.3% of the mortgages obtained by lower-income White households and only 4.1% of those obtained by lower-income Asian households.

Similar trends were apparent among upper-income households. Asian households were the least likely to have high-cost mortgages (2.9%), while White households experienced a high-cost rate of 5.4%. The high-cost mortgage rate for upper-income Hispanic households was much higher at 7.7%, and Black households had the worst high-cost rate among upper-income borrowers at 10.5%. Details appear in Figure 6-6.

Map 6-3 on the following page depicts the distribution of high-cost loans by census tract across the County, indicating a higher prevalence along Austin's eastern fringe. This area of Travis County is characterized previously in the AI as predominantly lower-opportunity, especially compared to the stable, opportunity-rich neighborhoods west of the city.

Upper-income Black and Hispanic households were more likely to receive a high-cost loan than lower-income White or Asian households.

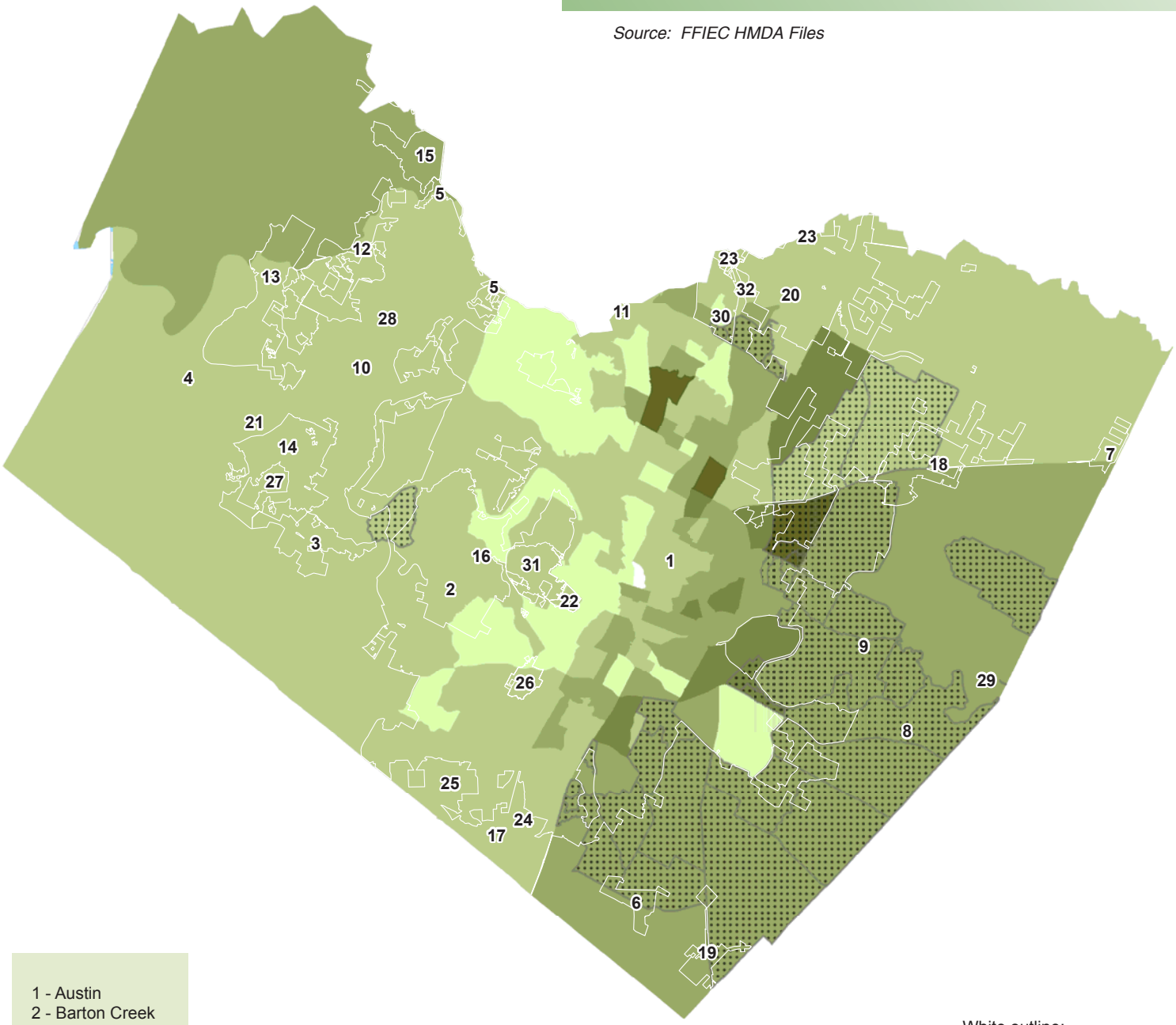
FIGURE 6-6
High-Cost Home Purchase Loans by Race and Ethnicity, 2008-2010

		Total	White	Black	Asian	Other	No data	Hispanic*
Lower-Income	Total Originations	17,910	13,789	966	749	188	2,218	3,537
	High-Cost	1,482	1,116	125	31	29	181	600
	% High-Cost	**8.3%**	**8.1%**	**12.9%**	**4.1%**	**15.4%**	**8.2%**	**17.0%**
Upper-Income	Total Originations	61,964	48,045	1,174	3,856	404	8,485	4,702
	High-Cost	3,261	2,579	123	110	24	425	360
	% High-Cost	**5.3%**	**5.4%**	**10.5%**	**2.9%**	**5.9%**	**5.0%**	**7.7%**
Total	Total Originations	82,699	63,874	2,461	4,689	611	11,064	8,682
	High-Cost	4,950	3,849	286	143	55	617	993
	% High-Cost	**6.0%**	**6.0%**	**11.6%**	**3.0%**	**9.0%**	**5.6%**	**11.4%**

Note: Total also includes 2,825 loans for which no income data was reported.
* Hispanic ethnicity is counted independently of race.
Source: Federal Financial Institutions Examination Council, 2008 to 2010

MAP 6-3
High-Cost Loan Rates by Census Tract, 2008-2010

Source: FFIEC HMDA Files



1 - Austin
2 - Barton Creek
3 - Bee Cave
4 - Briarcliff
5 - Cedar Park
6 - Creedmoor
7 - Elgin
8 - Garfield
9 - Hornsby Bend
10 - Hudson Bend
11 - Jollyville
12 - Jonestown
13 - Lago Vista
14 - Lakeway
15 - Leander
16 - Lost Creek
17 - Manchaca
18 - Manor

19 - Mustang Ridge
20 - Pflugerville
21 - Point Venture
22 - Rollingwood
23 - Round Rock
24 - San Leanna
25 - Shady Hollow
26 - Sunset Valley
27 - The Hills
28 - Volente
29 - Webberville
30 - Wells Branch
31 - West Lake Hills
32 - Windemere

White outline:
Urban County Exceptions
Impacted Block Groups

Percent High-Cost
Less than 4%
4% to 8%
8.1% to 15%
15.1% to 30%
More than 30%

Annual Trends in Mortgage Lending

Studying mortgage application data on an annual basis allows insight into the influence of housing market trends on the behavior of applicants and banks. Figure 6-7 illustrates annual change.

While housing markets across the country have experienced steep declines in sales volume and mortgage applications since 2008 as a result of buyer reluctance in an unstable market, the number of applications in Travis County increased from 55,588 in 2008 to 71,875 in 2009 before falling to 61,696 in 2010. As noted previously, refinancing loans account for a large percentage of total applications. This is true in all three years.

Over the course of the three years studied, the percentage of applications that resulted in loan originations increased, on the whole and across most racial groups, including Black households. The number of loans that were high-cost dropped substantially each year, likely as a direct result of increasing statutory control over predatory lending practices. It is also possible that education and outreach related to borrowing has contributed to the decline in high-cost loans. Between 2008 and 2010, the proportion of applications resulting in denials declined from 17.2% to 13.1%. This change also occurred across all minority groups.

Between 2008 and 2010, high-cost lending rates dropped substantially, both overall and across all racial and ethnic groups.

FIGURE 6-7
High-Cost Home Purchase Loans by Race and Ethnicity, 2008-2010

	2008		2009		2010	
	#	%	#	%	#	%
Total loans						
Applied for	**55,588**	**100.0%**	**71,875**	**100.0%**	**61,696**	**100.0%**
Black	2,575	4.6%	2,554	3.6%	1,880	3.0%
White	37,250	67.0%	47,387	65.9%	42,769	69.3%
Asian	2,283	4.1%	3,370	4.7%	3,158	5.1%
Hispanic*	8,184	14.7%	7,714	10.7%	6,757	11.0%
Other race	623	1.1%	570	0.8%	447	0.7%
No information/NA	12,857	23.1%	17,994	25.0%	13,442	21.8%
Originated	**23,032**	**41.4%**	**31,333**	**43.6%**	**28,334**	**45.9%**
Black	778	30.2%	926	36.3%	757	40.3%
White	17,884	48.0%	24,140	50.9%	21,850	51.1%
Asian	1,128	49.4%	1,822	54.1%	1,739	55.1%
Hispanic*	2,889	35.3%	2,973	38.5%	2,820	41.7%
Other race	216	34.7%	210	36.8%	185	41.4%
No information/NA	3,026	23.5%	4,235	23.5%	3,803	28.3%
Originated - High Cost	**1,914**	**8.3%**	**1,759**	**5.6%**	**1,277**	**4.5%**
Black	140	18.0%	77	8.3%	69	9.1%
White	1,460	8.2%	1,386	5.7%	1,003	4.6%
Asian	42	3.7%	61	3.3%	40	2.3%
Hispanic*	487	16.9%	270	9.1%	236	8.4%
Other race	31	14.4%	14	6.7%	10	5.4%
No information/NA	241	8.0%	221	5.2%	155	4.1%
Denied	**9,581**	**17.2%**	**8,982**	**12.5%**	**8,094**	**13.1%**
Black	922	35.8%	701	27.4%	389	20.7%
White	6,344	17.0%	5,964	12.6%	5,602	13.1%
Asian	319	14.0%	417	12.4%	396	12.5%
Hispanic*	2,463	30.1%	1,833	23.8%	1,404	20.8%
Other race	237	38.0%	149	26.1%	96	21.5%
No information/NA	1,759	13.7%	1,751	9.7%	1,611	12.0%

Note: Data is for home purchase, refinance and improvement loans for owner-occupied units. Other application outcomes include approved but not accepted, withdrawn, incomplete or purchase by another institution.
* Hispanic ethnicity is counted independently of race.
Source: Federal Financial Institutions Examination Council, 2008-10

Newspaper Advertising

Under federal law, no advertisement with respect to the sale or rental of a dwelling may indicate any preference, limitation, or discrimination because of race, color, religion, sex, handicap, familial status or national origin. Publishers and advertisers are responsible under federal law for making, printing, or publishing advertisements that violate the Fair Housing Act on its face. Thus, they should not publish or cause to be published an advertisement that expresses a preference, limitation or discrimination on the basis of race, color, religion, sex, handicap, familial status, or national origin. The law, as found in the Fair Housing Amendments Act of 1988, describes the use of words, photographs, symbols or other approaches that are considered discriminatory.

The classified sections of The Austin American-Statesman for August 26, September 2, and September 9, all Sunday editions, were reviewed for this analysis. While many of the advertisements described be properties located outside of Travis County's CDBG jurisdiction, the review of ads was conducted to determine the newspaper's compliance with fair housing laws and its own publisher's policy.

The real estate section of the three printed Sunday editions stretched across the pages of the Statesman Home newspaper section, containing ads for home sales as well as rental opportunities and feature stories. The publisher's policy on accepting advertisements, which would generally include a statement that the paper reserves the right to edit, refuse, reject or cancel an ad at any time, in addition to any demands of compliance with fair housing standards, was not prominently displayed in the print edition. Nor was it obvious during the process of placing an apartment rental ad on *Statesman.com*, which provides "tips for an effective ad," but no anti-discrimination guidelines. Both in its print and online section of classified ads devoted to real estate, the Statesman should state that it will not knowingly accept any advertising for real estate that is in violation of the Fair Housing Act.

However, in the three print editions reviewed and in a sample of online-only listings, no potentially discriminatory language was found. This suggests that a screening system of some kind is in place at the Statesman to ensure that any discriminatory language is filtered out of published content.

7 EVALUATION OF CURRENT FAIR HOUSING PROFILE

Progress Since Previous AI

This document is Travis County's first Analysis of Impediments to Fair Housing Choice, though it builds upon efforts to affirmatively further fair housing that have already taken root in the County's administration of the CDBG program. When the program was first implemented in 2006 the County operated under the City of Austin's AI, which contained some County-level data, with little specifically reported on the unincorporated areas. Since then, County staff members have developed a better picture of conditions and needs in those areas through the development of the Consolidated Plan, the social work project and other data sources. Staff members have also increased capacity with regard to addressing fair housing issues.

In its Consolidated Planning documents and in day-to-day program activities, the County has already demonstrated recognition of a need to affirmatively further fair housing that extends beyond the County's statutory responsibility to uphold the tenets of the federal Fair Housing Act and the Texas Fair Housing Act. This AI is the result of a comprehensive effort to identify and contextualize barriers to fair housing. Additionally, it provides a specific course for action with the ultimate goal of equalizing housing opportunities for all people. The County will use the AI's recommendations as a pattern for the implementation of fair housing initiatives, then will record fair housing accomplishments in each year's CAPER.

Prior to the development of this document, the County based its understanding of local impediments on the AI conducted by the City of Austin and in collaborative work with community partners and the Kirwan Institute to produce a Geography of Opportunity analysis for the greater Austin region. This report characterized neighborhoods of Travis County and other areas with regard to minority concentrations and access to the indicators of opportunity that predict positive life outcomes.

Fair Housing Activities

Travis County's CDBG program spreads limited resources across projects intended to meet multiple aims: assisting low- and moderate-income households in obtaining affordable housing, improving the safety and livability of neighborhoods and increasing access to services. The County's fair housing activities are built into the way in which these goals are addressed, with attention toward ensuring that housing opportunities are promoted among traditionally underserved populations and that the living environment is improved in isolated, lower-income rural neighborhoods. Infrastructure projects are designed to create *access* for the disproportionately minority LMI areas often forgotten by other social service providers, whether it is in the form of public water where there was none, safe roads to connect communities or social workers to link needs to resouces. At the same time, the County has identified sites within proximity of opportunity-rich western neighborhoods where investments would broaden housing choice for members of the protected classes. The County's fair housing activities are represented in the balance it aspires to strike between revitalizing the areas of greatest need and opening access to its areas of greatest opportunity.

Additionally, fair housing principles factor into the details of program administration, as represented by strong affirmative marketing requirements and expansive outreach to ensure that the Urban County's substantial limited-English-speaking population has full access to County programs and services.

In its 2010 CAPER, the latest available for review, the County reported more concrete fair housing accomplishments. The County published educational information on fair housing via the CDBG website and Travis County's TV channel. CDBG funds paid for

training from the Corporation for Supportive Housing to train Permanent Supportive Housing providers about fair housing and how to ensure the use of preferences and waiting lists without violating fair housing laws. Grant funds also paid for land to assist with the development of affordable single-family homes being built to visitability standards. Additionally, Travis County Social Service Contracts in the amount of $132,582.81 provided legal aid and Austin Tenants Council services to provide fair housing resources for a total of 9,968 clients during the 2010 program year. Social service contracts are also in place to address financial literacy and to increase income through workforce development efforts.

The County's Housing Finance Corporation expands the local inventory of affordable housing through the issue of bonds for affordable residential construction. The HFC's primary consideration in proposal evaluation appears to be feasibility, as there are no geographic priorities in place for the multi-family bond financing program. HFC works closely with the Texas Department of Housing and Community Affairs, which has recently built desegregation incentives into its qualified allocation plan for housing tax credits. However, it is unclear whether the state agency has carried this policy priority into its other programs.

Travis County does not have the authority to empower a local commission to enforce anti-discrimination statutes at the County level. Therefore, County residents living outside of Austin may experience legal discrimination on the basis of sexual orientation, gender identity, age, or student status, though such discrimination is illegal in Austin. Across all of Travis County, landlords are still legally permitted to discriminate based on a person's source of income.

Austin Tenants Council (ATC) is a HUD-certified counseling agency that participates in HUD's Fair Housing Initiatives Program (FHIP), through which ATC partners with HUD to help people identify government agencies that handle complaints of housing discrimination. Additionally, the Council conducts fair housing and outreach activities in Travis County and conducts discrimination testing across Central Texas.

The Council currently has a contract with Travis County to provide landlord-tenant services. For the first six years of the CDBG program, ATC did not provide a project proposal for funding consideration to serve the unincorporated areas. However, in 2012, the program approached ATC about providing fair housing services and negotiated the contract that is now in place.

While ATC focuses primarily on housing rights for tenants, other agencies serve more specific constituent populations. Austin Resource Center for Independent Living, Easter Seals and Family Eldercare provide housing-related services for persons with disabilities, and El Buen Samaritano Episcopal Mission targets the area's Latino population for assistance with health care, education and economic stability. These agencies, among many others, are part of a local network of advocacy to advance fair housing for members of the protected classes in Travis County.

8 GENERAL FAIR HOUSING OBSERVATIONS

This section of the AI is a summary of general observations included in earlier sections of the report. General observations include the results of primary and secondary research that define the underlying conditions, trends, and context for fair housing planning in the Urban County. These observations in and of themselves do not necessarily constitute impediments to fair housing choice. Rather, they establish a contextual framework for the impediments to fair housing choice that are presented in the following section of the AI.

Demographic and Housing Market Observations

1 The Urban County's population grew 42.9% during the last 10 years, a net gain of 54,069 residents. Travis County led all Texas counties in growth between 2000 and 2010.

2 Since 2000, a gain in the raw number of White residents across Travis County has outpaced the gain among non-Whites, especially in the City of Austin. However, the Urban County has become more diverse, driven primarily by strong growth in the Hispanic population. Hispanics represent the Urban County's largest minority group, accounting for 28.9% of all residents. *(See Page 18 for more information on the difference on race and ethnicity in Census categories.)*

3 Recent demographic shifts have been characterized as "bright flight," an attraction of higher-income professionals to Austin that has gentrified traditionally minority neighborhoods and drIven lower-income households to the fringes of urban development.

4 There are 22 racially and/or ethnically concentrated block groups in the Urban County, the majority of which qualify as low- and moderate-income. These impacted areas are concentrated in the eastern half of Travis County.

5 Though integration has increased during the last 10 years, Travis County's Black and Hispanic populations remain moderately segregated from its White population.

6 The 2010 median income for Black and Hispanic households in Travis County was roughly two-thirds the median income for Whites. Lower household incomes among Blacks and Hispanics are reflected in lower home ownership rates when compared to Whites and Asians.

7 Based on the Pew Institute methodology of the largest metropolitan areas in the country, the metro in which Travis County is located ranks as the most economically segregated in the United States. Other areas across Texas also lead the nation in economic segregation.

8 Travis County residents with disabilities were substantially more likely to live in poverty than those without disabilties. In 2010, 24.1% of those with disabilities lived in poverty, compared to 14.5% of those without disabilities.

9 Female-headed households with children accounted for 45.9% of all families living in poverty in Travis County. About one-third of all households of this type were living below the poverty line in 2010.

10 Blacks and Hispanics were substantially more likely than Whites and Asians to be unemployed in 2010 across the Urban County as well as across Texas.

11 The Urban County gained more than 19,000 housing units between 2000 and 2010, an inventory increase exceeding 40% in only 10 years.

12 Multi-family housing structures are less common in unincorporated areas, where they represent 15.4% of the housing stock. By contrast, 44.8% of the stock in cities and towns is multi-family. A lack of larger rental units consisting of three or more bedrooms has a disproportionately greater impact on minority families, who tend to live in larger families.

13 The housing market in Travis County is widely considered to be increasingly unaffordable. Generally speaking, it is the most unaffordable to Black and Hispanic households as a function of the lower median incomes among these groups.

14 Between 2008 and 2010, high-cost lending rates dropped substantially, on the whole and across all racial and ethnic groups. This is likely a direct result of increased statutory control over predatory lending practices, as well as increasing borrower awareness.

Programmatic Observations

1 The CDBG Office currently administers funds from multiple prior grant years simultaneously in an effort to meet HUD timeliness requirements.

2 County departments take individual approaches to ensuring that the substantial limited-English-proficiency population in Travis County is afforded full access to programs and services. The CDBG Office implements its programs according to a comprehensive set of internal LEP policies as it works to formalize a Language Access Plan.

3 The Housing Authority has adopted recent changes to HUD program regulation prohibiting discrimination on the basis of marital status, sexual orientation and gender identity. The Authority has also recently adopted local preferences for homeless persons and those with disabilities.

4 Black and Hispanic households are overrepresented among housing voucher holders and applicants in comparison to their share of all households across the County.

5 The County has allocated general funds to activities that further fair housing, such as the AI and tenant services.

6 In its CDBG administration, the County balances a need to improve the quality of life in impoverished areas with expanding access to opportunity-rich neighborhoods.

9 IMPEDIMENTS TO FAIR HOUSING CHOICE

Public Sector Impediments: Market Based

1 ISOLATION OF LOW-INCOME RURAL COMMUNITIES

Pockets of extreme poverty exist in some rural areas of the Urban County, neighborhoods in which homes and living environments are substandard, sometimes unsafe, and in which residents largely do not interact with the local economy. Settlement in the rural periphery has been accelerated by rising housing costs in Austin that have pressured lower-income minority households to seek affordable units in unincorporated areas beyond the city's border. Jobs and amenities are scarce in such areas and transit connections are very limited.

ACTION STEP 1: The County should continue to invest CDBG funds to provide basic living environment improvements in impacted areas. Additionally, support for social workers should continue, as they have been a critical resource in connecting far-flung low-income residents with available programs and services.

2 POOR CONDITION OF HOUSING STOCK IN UNINCORPORATED AREAS

Due to the absence of building codes applicable to residential construction and mobile homes in unincorporated areas, a substantial share of housing in the Urban County is considered by housing advocates to be substandard, deteriorated or otherwise unsuitable as a living environment. These present challenges for agencies that attempt to provide minor rehabilitation or accessibility retrofitting, as many units actually require substantial rehabilitation.

ACTION STEP 1: The CDBG program should continue investment in the rehabilitation of owner-occupied housing in the Urban County.

ACTION STEP 2: The County should study the feasibility of pursuing Section 108 funds through the CDBG program. If secured, the County could access up to five times its annual entitlement grant to capitalize its rehab program. This activity would make more funds available to the County at one time.

3 INCREASINGLY PROHIBITIVE HOUSING COSTS

The median housing value in Travis County shot up 55.2% between 1990 and 2010, while real median income rose only 17.7%. Property taxes in the County, a substantial component of home ownership costs, have also risen over time. Renting has also become more expensive, as the Urban County lost half of its units renting for less than $500 between 2000 and 2010, while the number of units renting for more than $1,000 more than doubled. Minimum-wage, single-family households and those depending on SSI cannot afford an apartment renting at the fair market rate.

ACTION STEP 1: The County should support the Housing Finance Corporation in growing its tenant-based rental assistance program and seeking greater engagement among landlords, particularly with units outside of impacted areas.

ACTION STEP 2: The County should encourage the HFC to continue its efforts to provide down payment assistance to income-eligible households and work with developers to create affordable units through the single-family and multi-family bond programs.

ACTION STEP 3: The County should encourage the Strategic Housing Finance Corporation to proceed with plans to acquire and maintain the affordability of tax-credit developments for which affordability requirements are set to expire.

ACTION STEP 4: The County should encourage the HFC to incorporate priority areas for new construction investment into its funding guidelines to expand affordable housing in opportunity areas.

ACTION STEP 5: The County should develop an Affordable Housing Policy for Travis County that includes siting recommendations.

ACTION STEP 6: The County should develop incentive-based permitting processes for mixed-income subdivisions.

4 PERSISTENCE OF HOUSING DISCRIMINATION

The most common basis cited in housing discrimination complaints across the Urban County, far and away, was disability. Between 2007 and 2010, six separate complaints were lodged against the same affordable housing development for seniors in Pflugerville. Nearly all alleged a failure to make reasonable accommodation or allow reasonable modification for persons with disabilities. Austin Tenants Council noted that many landlords in the unincorporated areas are smaller outfits, owning only a few units, and may be less aware of fair housing rights and responsibilities.

ACTION STEP 1: The County should continue outreach and education efforts related to fair housing, including publication of such material online and on the County's TV network.

ACTION STEP 2: The County should continue to engage ATC to conduct further education and outreach or paired testing in unincorporated areas, focusing on disability discrimination in the rental market.

Public Sector Impediments:
Policy Based

5 PRESENCE OF DISCRIMINATORY RESTRICTIVE DEEDS/COVENANTS

Because land use in the unincorporated areas is not governed by zoning regulations, control commonly takes the form of deed/covenant restrictions. While discriminatory provisions are illegal and unenforceable, housing advocates reported a general lack of awareness with regard to fair housing rights and responsibilities among homeowners' associations, which has resulted in the enforcement of discriminatory rules and a lack of accomodation for persons with disabilities. Explicitly discriminatory language still exists in some deeds and restrictions ("no minorities"), though less obvious discrimination is more common in requirements (minimum structure size, "masonry only") that attempt to prevent the development of affordable housing types in certain neighborhoods.

ACTION STEP 1: The CDBG office should file a fair housing complaint with HUD or ATC upon encountering any discriminatory restrictive deeds or covenants.

6 CONCENTRATION OF VOUCHER HOLDERS IN IMPACTED AREAS

Due to the wide range of affordability levels across areas of Travis County, Housing Choice Voucher holders are located primarily in less expensive communities that are more likely to be impacted areas. The AI map displaying the distribution of voucher holders shows their near absence from the western half of the County. This suggests that the fair market rent is insufficient to afford a unit in many neighborhoods within that region.

ACTION STEP 1: HATC's voucher briefing packet contains information on areas of opportunity. The Authority should consider increasing its efforts toward assisting voucher holders to find affordable units in the western half of the County.

ACTION STEP 2: HFC should continue its efforts to acquire affordable housing developments before their conversion to market-rate units. This would help to preserve the affordable housing inventory in Travis County.

7 ABSENCE OF AUTHORITY FOR LOCAL OVERSIGHT OVER DESIGN AND CONSTRUCTION

Aside from the limited respects in which the International Fire Code applies to multi-family dwellings, the County has little authority to exercise oversight over the design and construction of residential units, particularly with regard to compliance with accessibility requirements. ATC's testing results have revealed newly constructed rental properties in Travis County that are unlawfully inaccessible to persons with disabilities. Instead of these issues being identified early in the design process, non-compliant features are often identified through the fair housing complaint process.

ACTION STEP 1: The County should contract with ATC to provide training to architects, engineers and other design professionals.

ACTION STEP 2: The County should continue its legislative advocacy efforts in the interest of gaining increased land-use authority and the ability to adopt and enforce a building code.

8 LACK OF LOCAL HUMAN RIGHTS OR FAIR HOUSING ORDINANCE

While the state's fair housing ordinance extends protection against discrimination to Travis County residents, there is no local institutional structure in place to coordinate fair housing efforts or collect housing discrimination complaints. Additionally, private-market discrimination is currently legal in all areas except Austin on the basis of marital status, sexual orientation and gender identity. In all areas of the County, landlords may discriminate based on a person's source of income.

ACTION STEP 1: The County should pass a resolution or proclamation that serves as a government-wide statement of intention to promote fair housing and prohibit discrimination.

9 NEED FOR IMPROVED CONNECTIONS BETWEEN RESIDENTS AND EMPLOYMENT OPPORTUNITIES

From an operational perspective, the footprint of Cap Metro's fixed-route service area and its orientation toward connecting activity centers is logical. However, the absence of regular Cap Metro and CARTS service in most areas of the Urban County creates a disconnect between lower-income residents, employment and amenities. Additionally, the lack of connection represents a barrier to the development of affordable housing in many unincorporated areas.

ACTION STEP 1: The County should continue to collaborate with Cap Metro and CARTS to create innovative solutions that serve particular neighborhood connection needs. One example is the success of the CARTS service in Del Valle.

ACTION STEP 2: The County should participate in Cap Metro's long-range planning efforts to promote the expansion of public transit service in non-impacted, high-growth areas of the Urban County. This could include the creation of ride-to-work public transit routes that consider the needs of second shift workers.

ACTION STEP 3: HFC should prioritize its investment funding criteria to focus on major corridors with public transit service.

10 IMPROVEMENTS NEEDED IN SOME POLICY DOCUMENTS

The CDBG program in Travis County was noted to incorporate fair housing principles, effectively advancing housing choice within the capabilities of the limited resources available. The following recommendations would further strengthen the program and those of other agencies involved in housing across the County as noted.

ACTION STEP 1: The CDBG Office should amend the Affirmative Marketing Plan to include a statement of consequences for noncompliance, which could potentially include a recapture of funds, disallowance of future participation in the CDBG program and/or a referral of the matter to HUD and/or a fair housing rights organization such as Austin Tenants Council.

ACTION STEP 2: The CDBG Office should formalize its Language Access Plan for persons with limited English proficiency.

ACTION STEP 3: HATC should update its ACOP to specifically prohibit discrimination against the new classes protected by changes to HUD program administration as of March 2012 (marital status, sexual orientation or gender identity).

Private Sector Impediment: Market Based

11 QUESTIONABLE PATTERNS IN PRIVATE LENDING

Wells Fargo, which recently agreed to a $50M settlement with the U.S. Justice Department related to allegations of discriminatory and predatory lending, was Travis County's largest mortgage lender by number of originations in recent years. Mortgage loan denial rates among most minority applicants were higher than denial rates for Whites between 2008 and 2010, and more than 40% of the denials for Black applicants included no given reason. During the same years, *upper-income* Black and Other Race households received mortgage application denials more often than *lower-income* White households. Finally, *upper-income* Black and Hispanic households were more likely to receive a high-cost loan than *lower-income* White or Asian households.

ACTION STEP 1: The County has no jurisdiction over lending practices. However, to the extent that it can provide or connect residents to financial counseling and homebuyer education, these services would especially benefit lower-income and minority households.

Fair Housing Action Plan

Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Potential Cost	Date Completed
Impediment #1: Isolation of low-income rural communities						
Improve living conditions for lower-income populations, among which members of the protected classes are heavily represented	Continue to invest CDBG funds to provide basic living environment improvements in impacted areas	CDBG Office, Commissioners Court	Reporting of completed projects in CAPER	Ongoing		
Improve living conditions for lower-income populations, among which members of the protected classes are heavily represented	Continue to support social workers in efforts to connect far-flung low-income residents with available programs and services	CDBG Office, Commissioners Court	Reporting of completed projects in CAPER	Ongoing		
Impediment #2: Poor condition of housing stock in unincorporated areas						
Balance the revitalization of racially/ethnically concentrated LMI areas with the expansion of affordable housing opportunities elsewhere	Continue investment in the rehabilitation of owner-occupied housing in the Urban County	CDBG Office, Commissioners Court	Number of homes rehabilitated	Ongoing		
Balance the revitalization of racially/ethnically concentrated LMI areas with the expansion of affordable housing opportunities elsewhere	Study the feasibility of pursuing Section 108 funds through the CDBG program, which would allow access to up to five times the annual entitlement grant to infuse the housing rehabilitation program with capital	CDBG Office	Completed analysis	2014	Staff time	

Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Potential Cost	Date Completed
Impediment #3: Increasingly prohibitive housing costs						
Balance the revitalization of racially/ethnically concentrated LMI areas with the expansion of affordable housing opportunities elsewhere	Support the Housing Finance Corporation in growing its tenant-based rental assistance program and seeking greater engagement among landlords, particularly with units outside of impacted areas	CDBG Office, Commissioners Court	Increase in participating landlords, geographic reach of program	Ongoing		
Balance the revitalization of racially/ethnically concentrated LMI areas with the expansion of affordable housing opportunities elsewhere	Encourage the HFC to continue its efforts to provide down payment assistance to income-eligible households and work with developers to create affordable units through the single-family and multi-family bond programs	CDBG Office, Commissioners Court	Households assisted	Ongoing		
Preserve affordable housing stock	Encourate the Strategic Housing Finance Corporation to proceed with plans to acquire and maintain the affordability of tax-credit developments for which affordability requirements are set to expire	CDBG Office, Commissioners Court	Number of units preserved	Ongoing		
Balance the revitalization of racially/ethnically concentrated LMI areas with the expansion of affordable housing opportunities elsewhere	Encourage the HFC to incorporate priority areas for new construction investment into its funding guidelines to expand affordable housing in opportunity areas	CDBG Office	Amendment to funding guidelines	2014		
Balance the revitalization of racially/ethnically concentrated LMI areas with the expansion of affordable housing opportunities elsewhere	Develop and Affordable Housing Policy for Travis County that includes siting recommendations	HFC	Implementation of new policy	2016		
Balance the revitalization of racially/ethnically concentrated LMI areas with the expansion of affordable housing opportunities elsewhere	Develop incentive-based permitting processes for mixed-income subdivisions	Planning and Budget Office	Implementation of incentives	2016		

Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Potential Cost	Date Completed
Impediment #4: Persistence of housing discrimination						
Maintain efforts to identify, understand and eliminate discrimination	Continue education and outreach efforts related to fair housing, including publication of such material online and on the County's TV network	CDBG Office	Proliferation of fair housing information	Ongoing		
Maintain efforts to identify, understand and eliminate discrimination	Continue to engage ATC to conduct education and outreach or paired testing in unincorporated areas, focusing on disability discrimination in the rental market	CDBG Office, Commissioners Court	Number of people assisted and/or tests conducted	Ongoing		
Impediment #5: Presence of discriminatory restrictive deeds/covenants						
Remove policy barriers to fair housing opportunity	File a fair housing complaint with HUD or ATC upon encountering any discriminatory restrictive deeds or covenants	CDBG Office	Complaints filed	Ongoing	Staff time	
Impediment #6: Concentration of voucher holders in impacted areas						
Deconcentrate poverty	Increase efforts toward assisting voucher holders to find affordable units in the western half of the County	HATC	Implementation of additional integration strategies	2014	Staff time	
Preserve affordable housing stock	Continue efforts to acquire affordable housing developments before their conversion to market-rate	HFC	Number of units preserved	Ongoing		

Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Potential Cost	Date Completed
Impediment #7: Absence of authority for local oversight of design and construction						
Improve physical accessibility of housing	Contract with ATC to provide training to architects, engineers and other design professionals	CDBG Office	Number of professionals receiving training	2015-2016		
Improve physical accessibility of housing	Continue legislative advocacy in the interest of gaining increased land-use authority and the ability to adopt and enforce a building code	Commissioners Court	Advocacy actions completed	Ongoing		
Impediment #8: Lack of local human rights or fair housing ordinance						
Maintain efforts to identify, understand and eliminate discrimination	Pass a resolution or proclamation that serves as a government-wide statement of intention to promote fair housing and prohibit discrimination	Commissioners Court	Adoption of such	2015		
Impediment #9: Need for improved connections between residents and employment opportunities						
Improve connections between lower-income population and employment opportunities	Continue to collaborate with Cap Metro and CARTS to create innovative solutions that serve particular neighborhood connection needs	CDBG Office	Continued collaboration	Ongoing		
Improve connections between lower-income population and employment opportunities	Participate in Cap Metro's long-range planning efforts to promote the expansion of public transit service in non-impacted, high-growth unincorporated areas, particularly ride-to-work routes	CDBG Office	Continued collaboration	Ongoing		
Improve connections between lower-income population and employment opportunities	Prioritize investment criteria to incentivize affordable housing development on major corridors with public transit service	HFC	Implementation of criteria	2016		

Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Potential Cost	Date Completed
Impediment #10: Improvements needed in some policy documents						
Increase the strength of fair housing policies	Amend the Affirmative Marketing Plan to include a statement of consequences for noncompliance, which could potentially include a recapture of funds, disallowance of future participation in the program and/or a referral of the matter to a fair housing rights organization	CDBG Office	Updated AMP	2014	$0	
Increase access to programs and services for members of the protected classes	Formalize the Language Access Plan for persons with limited English proficiency	CDBG Office	Completion of Plan	2014	Staff time	
Remove policy barriers to fair housing opportunity	Update the ACOP to specifically prohibit discrimination against the new classes protected by 2012 changes to HUD program regulation	HATC	Updated ACOP	2014	$0	
Impediment #11: Questionable patterns in private lending						
Increase credit access, awareness of discriminatory practices among members of the protected classes	Provide or connect lower-income and minority households to financial counseling and homebuyer education	CDBG Office	Households assisted	Ongoing		

Signature Page

By my signature I certify that this report fulfills the requirement that the County, as part of its certification to affirmatively further fair housing, complete an Analysis of Impediments to Fair Housing Choice. The County intends to take appropriate actions to overcome the effects of the impediments identified through the analysis and to maintain records reflecting actions in this regard.

_____

Travis County Judge Samuel T. Biscoe

_____

Date

APPENDIX A

CHART OF STAKEHOLDERS INVITED TO PARTICIPATE IN THE DEVELOPMENT OF THE AI

Type of Organization	Name of Organization
County CDBG & HOME Programs	Travis County Health & Human Services & Veterans Service
	Travis County Housing Finance Corporation
County Planning / Zoning Staff / Director	Travis County Transportation and Natural Resources Department
Public Housing Authority	Housing Authority of Travis County
Affordable Housing Providers, CHDOs	Greendoors
	Austin CHDO Roundtable
	Austin Habitat for Humanity/Homebase
	Frameworks CDC
	Travis County Health & Human Services & Veterans Service
Advocacy Organizations for Persons with Disabilities	Accessible Housing Austin
	Helping the Aging Needy and Disabled (H.A.N.D)
	Family Eldercare
	Texas Department of Aging and Disability Services
Advocacy Organizations for Persons with LEP	Literacy Coalition of Central Texas
	Manos de Christo
	Workers Defense Project / PDL
	American Gateways
	El Buen Samaritano
	Refugee Services of Texas
	Saheli

Type of Organization	Name of Organization
Social Service Organizations, Housing for Special Needs Populations, etc.	Safe Place
	Corporation for Supportive Housing
	Foundation for the Homeless
	AIDS Services of Austin
	Capital Area Food Bank of Texas
	Meals on Wheels and More
	Travis County District Attorney's Office
	Society of St. Vincent de Paul St. Margaret Mary - Cedar Park
	Society of St. Vincent de Paul St. Mary Our
	Joseph's Food Pantry
	Travis County Health & Human Services &
Local fair housing organizations, legal aid agencies	Austin Tenants' Council
	City of Austin Equal Employment and Fair Housing Office
	Texas Rio Grande Legal Aid
Public transit agency	Cap Metro
	CARTS
Realtors Association	Austin Board of Realtors

APPENDIX B

Fair Housing Plan

Travis County Fair Housing Action Plan

Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Progress in 2014	Progress in 2015	Progress in 2016	Progress in 2017	Progress in 2018	Date Completed
Impediment #1: Isolation of low-income rural communities										
Improve living conditions for lower-income populations, among which members of the protected classes are heavily represented	Continue to invest CDBG funds to provide basic living enironeent improvements in impacted areas	CDBG Office, Commissioners Court	Reporting of Completed Projects in the CAPER	Ongoing						
	Continue to support social workers in efforts to connect far-flung low-income residents with available programs and services	CDBG Office, Commissioners Court	Reporting of Completed Projects in the CAPER	Ongoing						
	Look for opportunties to expand services to far-flung low income residents through new investement or by influencing others to invest in a more georgraphically targeted way.	CDBG Office, Commissioners Court	Reporting of New Opportunities in the CAPER	Ongoing						
Impediement #2: Poor condition of housing stock in uncorporated areas										
Balance the revitalization of racially/ethnically concentrated LMI areas with the expansion of affordable housing opportunities elsewhere	Continue investment in the rehabilitation of owner-occupied housing in the Urban County	CDBG Office, Commissioners Court	Number of homes rehabilitated	Ongoing						
	Look for opportunities to invest in the creation of new affordable housing in non-impacted areas of moderate to very high opportunity	CDBG Office	Reporting of New Opportunities Reviewed in the CAPER	Ongoing						
	Study the feasibility of pursuing Section 108 funds through the CDBG program, which would allow access to up to five times the annual entitlement grant to infuse the housing rehabilitation program with capital	CDBG Office	Completed Analysis	2016						

Travis County Fair Housing Action Plan										
Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Progress in 2014	Progress in 2015	Progress in 2016	Progress in 2017	Progress in 2018	Date Completed
Impediment #3: Increasingly prohibitive housing costs										
Balance the revitalization of racially/ethnically concentrated LMI areas with the expansion of affordable housing opportunities	Support the Housing Finance Corporation in growing its tenant-based rental assistance program and seeking greater engagement among landlords, particularly with units outside of impacted areas	CDBG Office, Commissioners Court	Reporting of Completed Projects in the CAPER	Ongoing						
	Encourage the HFC to continue its efforts to provide down payment assistance to income eligible households and work with developers to create affordable units through the single-family and multi-family bond programs	CDBG Office, Commissioners Court	Reporting of Completed Projects in the CAPER	Ongoing						
	Encourage the HFC to incorporate priority areas for new construction investment into its funding guidelines to expand affordable housing in opportunity areas	CDBG Office	Reporting of New Opportunities in the CAPER	Ongoing						
	Develop an Affordable Housing Policy for Travis County that includes siting recommendations	CDBG Office, HFC and Commissioners Court	Implementation of new policy	2015/2016						
	Develop incentive-based permitting processes for mixed-income subdivisions	TNR	Implementation of new incentives	2016						
Preserve affordable housing stock	Encourate the Strategic Housing Finance Corporation to proceed with plans to acquire and maintain the affordability of tax-credit developments for which affordability requirements are set to expire	CDBG Office, Commissioners Court	Number of units preserved	Ongoing						
Impediment #4: Persistence of housing discrimination										
Maintain efforts to identify, understand and eliminate discrimination	Continue education and outreach efforts related to fair housing, including publication of such material online and on the County's TV network	CDBG Office	Proliferation of fair housing information	Ongoing						
	Continue to engage ATC to conduct education and outreach or paired testing in unincorporated areas, focusing on disability discrimination in the rental market	CDBG Office, Commissioners Court	Number of people assisted and/or test conducted	Ongoing						

Travis County Fair Housing Action Plan

Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Progress in 2014	Progress in 2015	Progress in 2016	Progress in 2017	Progress in 2018	Date Completed
Impediment #5: Presence of discriminatory restrictive deeds/covenants										
Remove policy barriers to fair housing opportunity	File a fair housing complaint with HUD or ATC upon encountering any discriminatory restrictive deeds or covenants	CDBG Office	Complaints filed	Ongoing						
Impediment #6: Concentration of voucher holders in impacted areas										
Deconcentrate poverty	Increase efforts toward assisting voucher holders to find affordable units in the western half of the County	HATC	Implementation of additional integration strategies	2017						
Preserve affordable housing stock	Continue efforts to acquire affordable housing developments before their conversion to marketrate	HFC	Number of units preserved	Ongoing						
Impediment #7: Absence of authority for local oversight of design and construction										
Improve physical accessibility of housing	Contract with ATC to provide training to architects, engineers and other design professionals	CDBG Office	Proliferation of fair housing information	2017-2018						
	Continue legislative advocacy in the interest of gaining increased land-use authority and the ability to adopt and enforce a building code	Commissioners Court	Advocacy action complete	2015 & 2017						
Impediment #8: Lack of local human rights or fair housing ordinance										
Maintain efforts to identify, understand and eliminate discrimination	Pass a resolution or proclamation that serves as a government-wide statement of intention to promote fair housing and prohibit discrimination	Commissioners Court	Adoption of such	2015						

Travis County Fair Housing Action Plan

Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Progress in 2014	Progress in 2015	Progress in 2016	Progress in 2017	Progress in 2018	Date Completed
Impediment #9: Need for improved connections between residents and employment opportunitities										
Improve connections between lower-income population and employment opportunities	Continue to collaborate with Cap Metro and CARTS to create innovative solutions that serve particular neighborhood connection needs	CDBG Office	Continued Collaboration	Ongoing						
	Participate in Cap Metro's long-range planning efforts to promote the expansion of public transit service in non-impacted, high-growth unincorporated areas, particularly ride-to-work routes	CDBG Office	Continued Collaboration	Ongoing						
	Prioritize investment criteria to incentivize affordable housing development on major corridors with public transit service	HFC	Implementation of criteria	2016						
Impediment #10: Improvements needed in some policy documents										
Increase the strength of fair housing policies	Amend the Affirmative Marketing Plan to include a statement of consequences for noncompliance, which could potentially include a recapture of funds, disallowance of future participation in the program and/or a referral of the matter to a fair housing rights organization	CDBG Office	Updated AMP	2015						
Increase access to programs and services for members of the protected classes	Formalize the Language Access Plan for persons with limited English proficiency	CDBG Office	Completion of Plan	2015						
Remove policy barriers to fair housing opportunity	Update the ACOP to specifically prohibit discrimination against the new classes protected by 2012 changes to HUD program regulation	HATC	Updated ACOP	2015						
Impediment #11: Questionable patterns in private lending										
Increase credit access, awareness of discriminatory practices among members of the protected classes	Provide or connect lower-income and minority households to financial counseling and homebuyer education	CDBG Office	Households assisted	Ongoing						

APPENDIX C

PUBLIC COMMENT

PUBLIC COMMENT PERIOD

The Draft Analysis of Impediments was presented to the Travis County Commissioners Court on November 5, 2013. After presentation to Travis County Commissioners Court, the draft AI was posted for public review and comment from November 13, 2013 to December 12, 2013. Notices announcing the comment period were posted in English and Spanish on the County's website, in the Travis County Community centers and sent via email and postal mail. Additionally, a public hearing was held at Travis County Commissioners Court on December 3, 2013.

Summary of Comment Received:

- One individual submitted a comment via email, questioning whether 2010 Census data is the most accurate data set for rental rates, and providing updated SSI data.

Response to Comment Received:

- Census data is a generally accepted standard data set among researchers and practitioners. The 2010 Census data is the most reliable, readily available data source to determine median gross rent by census tract. While other rental rates data may be available from local sources, such data is not typically provided at the level required for the AI, and is generally proprietary.
- The SSI payment amount was updated to reflect the amount that was current at the time of report drafting.

The full transcription of the comment follows:

Hello.

I haven't had a chance to read over all of the report, but it is immediately apparent that the map #3-12 (Median Gross Rent by Census Tract, 2010) is way off base and should not be utilized to get an accurate reading of our city's housing situation. Surely more up-to-date and accurate information can be obtained by local entities, rather than relying on 2010 federal census data.

On the following page (53) it indicates the monthly SSI payment is $698/month. That was prior to the last COLA, which brought it to today's standard SSI monthly amount, which is $710.

Thanks, BF

Bart Farar
Care Manager
Meals on Wheels and More
Austin, TX

INVITATION TO COMMENT ON THE DRAFT ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

As part of Travis County's ongoing public engagement related to its Community Development Block Grant (CDBG,) Travis County will make available to the public its Analysis of Impediments to Fair Housing Choice (AI).

An AI is a review of barriers in the public and private sectors that affect the rights of fair housing choice This report informs a 5-year Fair Housing Plan which includes actions to address known obstacles. This report has been completed to meet federal requirements.

COMMENT PERIOD AND DRAFT DOCUMENT

Comments will be accepted for 30 days beginning November 13, 2013 at 8:00 a.m. and ending December 12, 2013 at 5:00 p.m. Beginning November 13, 2013, a draft document will be available for download on the Travis County CDBG page www.co.travis.tx.us/CDBG or available for review at any of the seven Travis County Community Centers:

South Rural Community Center	3518 FM 973 South, Del Valle
Travis County Community Center	15822 Foothills Farm Loop, Suite D, Pflugerville
West Rural Community Center	8656-A Hwy 71 W., Suite 1000, Oak Hill
Northwest Rural Community Center	18649 FM 1431, Suite 6A, Jonestown
East Rural Community Center	600 W. Carrie Manor St., Manor
Palm Square Community Center	100 N. IH-35, Suite 2000, Austin
Post Road Community Center	2201 Post Road, Suite 101, Austin

PUBLIC HEARINGS

The public can provide their comments by attending a Public Hearing scheduled for Tuesday, December 3, 2013 at 9:00 a.m. at the Travis County Commissioners Courtroom, 700 Lavaca St., Austin, TX.

MAILING COMMENTS

The public can also mail their comments to: CDBG Program, Travis County, HHSVS, P.O. Box 1748, Austin, TX 78767 or e-mail them to the CDBG program at cdbg@co.travis.tx.us

For additional information contact Christy Moffett, at cdbg@co.travis.tx.us or call 512-854-3460. To request that an American Sign Language or Spanish interpreter be present at the public hearing, please contact staff at least five business days in advance.

Travis County is committed to compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, as amended. Reasonable modifications and equal access to communications will be provided upon request. Please call 512-854-3460 for assistance.

INVITACIÓN PARA COMENTAR SOBRE LA VERSIÓN PRELIMINAR DEL ANÁLISIS DE IMPEDIMENTOS A OPCIONES DE VIVIENDA JUSTA

Como parte del proceso continuo del Condado de Travis relacionado a la participación pública en el Programa de Subsidios Globales para el Desarrollo Comunitario (conocido como CDBG, por sus siglas en inglés), el Condado de Travis pondrá a disposición del público la versión preliminar del Análisis de Impedimentos a Opciones de Vivienda Justa (AI, por sus siglas en inglés).

El reporte AI es una evalución de las barreras en los sectores públicos y privados que afectan los derechos relacionados a opciones de vivienda justa. Este reporte informa el Plan de Vivienda Justa de Cinco Años, el cual incluye acciones para enfrentar los obstáculos conocidos. Este reporte se ha llevado a cabo de acuerdo a requisitos federales.

Período Para Comentarios y Documento Preliminar

Se aceptarán comentarios durante 30 días a partir del 25 de septiembre de 2013 a las 8:00 a.m. hasta el 12 de diciembre de 2013 a las 5:00 p.m. A partir del 25 de noviembre de 2013, la versión preliminar del documento estará disponible para ser descargada de la página del internet del programa CDBG del Condado de Travis: www.co.travis.tx.us/CDBG, o estará disponible para ser consultada en cualquiera de los siete centros comunitarios del Condado de Travis:

Centro Comunitario Rural del Sur	3518 FM 973 South, Del Valle
Centro Comunitario del Condado de Travis	15822 Foothills Farm Loop, Suite D, Pflugerville
Centro Comunitario Rural del Oeste	8656-A Hwy 71 W., Suite 1000, Oak Hill
Centro Comunitario Rural del Noroeste	18649 FM 1431, Suite 6A, Jonestown
Centro Comunitario Rural del Este	600 W. Carrie Manor St., Manor
Centro Comunitario de Palm Square	100 N. IH-35, Suite 2000, Austin
Centro Comunitario de Post Road	2201 Post Road, Suite 101, Austin

Audiencia Pública

El público puede hacer sus comentarios asistiendo a una Audiencia Pública programada para el martes, 3 de diciembre de 2013 a las 9:00 a.m. en el edificio de la Corte de Comisionados del Condado De Travis, localizada en 700 Lavaca St., Austin, TX.

Envío de Comentarios

El público también puede enviar comentarios por correo postal a: CDBG Program, Travis County, HHSVS, P.O. Box 1748, Austin, TX 78767 o por correo electrónico a CDBG a: cdbg@co.travis.tx.us.

Para mayor información comuníquese con Christy Moffett por correo electrónico a cdbg@co.travis.tx.us, o por teléfono al 512-854-3460. Para solicitar un intérprete en español o de lenguaje americano de señas en alguna de estas audiencias públicas, por favor comuníquese con el personal por lo menos con cinco días hábiles de anticipación.

El Condado de Travis está comprometido a cumplir con la Ley de Americanos con Discapacidades (ADA) y con la Sección 504 de la Ley de Rehabilitación de 1973, según su enmienda. Al solicitarlo, se proporcionarán modificaciones razonables e igual acceso a comunicaciones. Si necesita ayuda, por favor llame al 521-854-3460.