

2015 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE



CITY OF SANFORD

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**City of Sanford
300 N Park Avenue
Sanford, Florida 32771**

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EXECUTIVE SUMMARY

City of Sanford, in its efforts to proactively further fair housing choice throughout the City, has conducted this *Analysis of Impediments to Fair Housing Choice (AI)* in order to successfully identify and seek to resolve any impediments or barriers negatively affecting its community and citizens.

In exchange for federal funds, entitlement jurisdictions are required to submit certifications of affirmatively furthering fair housing to the U.S. Department of Housing and Urban Development (HUD). This certification has three elements:

1. Complete an Analysis of Impediments to Fair Housing Choice (AI),
2. Take actions to overcome the effects of any impediments identified, and
3. Maintain records reflecting the actions taken in response to the analysis.

In the *Fair Housing Planning Guide*, HUD provides a definition of impediments to fair housing as:

- “Any actions, omission or decisions take because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices [and]
- Any actions, omission or decisions that have this effect.”

The AI process involves a thorough examination of a variety of sources related to housing, affirmatively furthering fair housing, the fair housing delivery system, and housing transactions, particularly for persons who are protected under fair housing law.

In the past, the *Analysis of Impediments to Fair Housing Choice (AI)* was a component of the *Five-Year Consolidated Plan* required by the U.S. Department of Housing and Urban Development (HUD), but more recently, due to the development of Proposed Rule 24 CFR 91, the City of Sanford and Langton Associates, Inc., a private-sector public affairs firm, worked together to develop this detailed analysis as a stand-alone document in conjunction with the *Five-Year Consolidated Plan*. HUD desires that the *Analysis of Impediments to Fair Housing Choice (AI)* serves as a substantive, logical basis for fair housing planning; provides essential and detailed information to policy makers, administrative staff, housing providers, lenders and fair housing advocates, and assists in building public support for fair housing efforts. The City of Sanford, who received direct CDBG Program funding from HUD in an effort to implement affordable housing programs, will work in partnership with Seminole County community services, fair housing advocates, and stakeholders to continuously update this *Analysis of Impediments to Fair Housing Choice (AI)* to ensure that any new impediments identified over time will have a necessary and timely resolution.

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CHAPTER 1: INTRODUCTION, PURPOSE AND SCOPE

OVERVIEW

As a part of the Consolidated Planning process and as a requirement for receiving HUD formula grant funding, this AI was conducted by the City of Sanford and Langton Associates, Inc. to identify impediments to fair housing choice and create reasonable actions to resolve the barriers that have a negative impact on access to affordable housing.

Impediments to fair housing are defined as any actions, omissions or decisions that are taken which restrict housing opportunities for individuals or families from all segments of the population. The purpose of the *Analysis of Impediments to Fair Housing Choice (AI)* is to identify any impediments or barriers to fair housing choice throughout the city and identify strategies to overcome these impediments. The AI also outlines services for housing planning, provides essential information to policy makers, housing providers, lenders and fair housing advocates and assists in building support for fair housing efforts.

This report addresses Fair Housing Planning criteria through:

- The effect that local laws, policies and procedures have on access to affordable housing for all segments of the City's population
- An assessment of how these laws affect the location, availability and accessibility of housing
- An evaluation of conditions, both public and private, affecting fair housing choice for all protected classes
- An assessment of the availability of affordable, accessible housing

Housing choice should not be restricted because of one's demographic characteristics, a number of which are defined in law. While this notion is simple, the causes creating barriers are complex and complicated and very difficult to determine conclusively. At one end, it includes overt acts of discrimination by individuals against others. There are also more institutionalized practices that can undermine "fair housing" and "equal housing opportunity." These practices can occur in both private housing and governmental programs. Given the inherent difficulties in precisely measuring potential problems related to the lack of "fair housing" and "equal housing opportunity," this report examines a number of direct and indirect indicators. The overall research method is to use available data collected by fair housing agencies with general public input to identify restrictive barriers and practices occurring in City of Sanford.

DEFINITIONS AND EXPLANATION OF ACRONYMS

The following definitions were found in HUD's *Fair Housing Planning Guide (FHPG)*. The FHPG serves as HUD's guidance on preparation of an AI for entitlement communities receiving federal funds.

Affirmatively Furthering Fair Housing (AFFH): HUD's requirements of recipients of federal funds to do the following:

- Conduct an analysis to identify impediments to fair housing choice within its jurisdiction
- Take appropriate actions to overcome the effects of any impediments identified through the analysis
- Maintain records reflecting the analysis and actions taken in this regard

Disparate Impact: A theory of liability that prohibits using a facially neutral practice that has an unjustified adverse impact on members of a protected class. A facially neutral practice is one that does not appear to be discriminatory on its face; rather it is one that is discriminatory in its application or effect.

Equal Opportunity: Rights guaranteed by both federal and many state laws against any discrimination in employment, education, housing or civil rights due to a person's race, color, sex (or sometimes sexual orientation), religion, national origin, age or handicap.

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

Impediments to Fair Housing Choice:

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

Acronyms:

AI Analysis of Impediments to Fair Housing Choice

SUMMARY OF THE AI DEVELOPMENT PROCESS

HUD requires that the AI include the following components:

- An analysis of demographic, income, housing and employment data
- An evaluation of the fair housing complaints filed in the jurisdiction
- A discussion of impediments, if any, in:
 - the sale of rental of housing
 - provision of brokerage services
 - financing
 - public policies
 - administrative policies for housing and community development
 - activities that affect housing choice for minorities
- An assessment of current fair housing resources
- Conclusions and recommendations

To develop this AI, the City of Sanford collected and analyzed a variety of data resources, to gain specialized input from key stakeholders, case and complaint data, an understanding of public perception, demographic data and an anthology of public policies that may have an impact on housing choice. The following is a list of sources used to extract the data utilized in this document:

- *City of Sanford Annual Action Plan, FY 2014*
- *U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates*
- *Shimberg Center for Housing Studies, University of Florida, 2011*
- *Shimberg Center for Housing Studies, University of Florida, 2012*
- *Shimberg Center for Housing Studies, University of Florida, 2013*
- *U.S. Census Bureau QuickFacts, Florida, 2013*

In addition to identifying impediments to fair housing choice, City of Sanford has documented a reasonable recommendation for action to help eliminate the impediments that limit residents to rent or own housing, regardless of their inclusion in a protected class.

SCOPE OF ANALYSIS AND ORGANIZATION OF PLAN

This AI is divided into six sections:

- City-wide analysis of demographic data and housing needs

- City-level analysis of conditions and trends impacting fair housing choice
- Local-level analysis of laws, policies and practices affecting fair housing choice
- Evaluation of complaints relating to fair housing choice
- Identification of impediments and recommended actions for resolution
- Documentation of results from public participation efforts and conclusion

The city-wide analysis of demographic data and housing needs provides an overview of demographic information for the city, including population growth, age and gender, racial and ethnic composition, nativity and poverty rates. In addition, household data is provided on a number of housing units, household tenure, vacancy rates and housing burden. Existing conditions, including depletion of resources available for affordable housing, projected loss of subsidized housing; patterns of lending and foreclosures are analyzed to document the impact on fair housing choice.

The city-level analysis of conditions and trends impacting fair housing choice provides an in-depth view of current lending and real estate practices, jurisdictional representation, availability of resources and enforcement of fair housing laws throughout City of Sanford.

The city-level analysis of laws, policies and practices affecting fair housing choice provides an in-depth view of how public sector rules and regulations enable or prohibit jurisdictions and private sector housing providers from achieving fair housing choice in their communities.

The evaluation of complaints relating to fair housing choice provides examples of documented instances, collected by fair housing agencies, of fair housing choice violations and actions taken to resolve the identified impediment.

Included in this analysis is a definitive list of current impediments identified throughout the AI process and recommended actions for each impediment to resolve or eliminate the barrier to fair housing choice.

Also included in the conclusion of this analysis is a summary of comments collected during the first public hearing and two public meetings that were conducted during the development of this report. These comments were carefully evaluated and utilized during the decision-making process to determine feasible recommended actions for each impediment.

OVERVIEW OF CITY CDBG PROGRAM

This section provides an overview of City administered CDBG program and the implications it has on the development and implementation of the City's AI.

Community Development Block Grant Program (CDBG)

Relevant Entitlement Authorities: Entitlement jurisdictions must adhere to the federal regulations that govern the CDBG program described in Title 24, Subtitle B, Chapter V, Subchapter C, Part 570 – Community Development Block Grants.

Geographic and Demographic Conditions: The U.S. Department of Housing and Urban Development directly allocates CDBG funds to the City of Sanford each fiscal year for community development categories, such as Housing, Neighborhood Revitalization, Commercial Revitalization, and Economic Development. The City of Sanford Community Development Program then assigns a specified amount of the funding to priority goals and objectives identified by conducting a series of public meetings to receive public input, review and approval by the City of Sanford City Commission, and a 30 day public comment period on the proposed goals and objectives for funding. The funds are distributed to all areas of the city, with a special emphasis in City Commission District Two due to high levels of low- to moderate-income households. Funds are distributed to areas with household incomes of 80% or below the Area Median Income.

Eligible Activities: In order to respond to the needs and priorities of jurisdictions, the federal CDBG Program allows individual jurisdictions to determine what activities best address local needs with the array of activities eligible under federal rules. Most entitlement jurisdictions choose to focus their CDBG dollars on broad eligible program categories, in order to allow more flexibility on selecting activities or projects based on priority need level.

Local governments participating in the CDBG Program can allocate their funds to the following four program areas:

- Housing
- Neighborhood Revitalization
- Commercial Revitalization
- Economic Development

The amount of funding that a local government is allocated is based on the community's low- to moderate-income population. Typical activities that are funded include:

- Economic development and job creation
- Rehabilitation of substandard housing
- Water and sewer improvements
- Street improvements

- Downtown revitalization
- Drainage improvements

Table 1-1 below describes the specific CDBG categories that will receive allocated funding during the 2015-2016 fiscal year.

Table 1-1 City of Sanford CDBG Funding by Project 2015-2016	
Project Description	Amount of Funding
Public Services:	\$60,254
Employment and Training for Youth/Youth Services/Public safety and security for the elderly	
Public Facilities:	\$35,000
Infrastructure Playgrounds, waterlines, curbs, sidewalks, streetlights and sewers	
Affordable Housing (Rehabilitation)	\$100,000
Home Improvement Emergency Repairs	
Affordable Housing (Reconstruction)	\$125,000
Clearance and Demolition	
Code Enforcement	\$0
No activities	
Economic Development	\$0
Special Economic Development Activities/No activities planned	
Planning/Administration	\$81,563
General Administration of the CDBG Grant	
Total	\$401,817

Source: City of Sanford FY 2015-2016 Annual Action Plan

DATA AND METHODOLOGY

The AI is a required element of the consolidated planning process and for receiving formula grant funding from HUD. In the past, the *Analysis of Impediments to Fair Housing Choice* was a component of the *Five-Year Consolidated Plan*, but more recently, HUD has required the AI to be prepared as a separate report. The City of Sanford must complete an AI and monitor its implementation on an annual basis.

In Sanford, fair housing is not only governed by the federal Fair Housing Act, but also by the state Fair Housing Act described in Florida Statutes Chapter 760 Part

II Fair Housing Act (F.S. 760.20-760.37). Both of these laws include protections based on race, color, religion, national origin, sex, disability and familial status. Fair housing choice is evaluated in relation to this list of protected classes.

Quantitative sources used for this analysis of fair housing choice in Sanford included such sources as the Florida Housing Data Clearinghouse (FHDC), the American Community Survey (2011-2013), and housing complaint data Community Legal Services of Mid-Florida.

Qualitative research included evaluation of relevant existing fair housing research and fair housing case laws in Sanford. Additionally, qualitative research was used in the evaluation of information gathered from the first public hearing and two public meetings conducted to collect public input and through a thorough review of the local laws, policies and procedures that have an impact on fair housing choice and public and private sector policies and practices affecting fair housing choice.

Research conclusions were drawn from these sources and were further evaluated based on HUD's definition of impediments to fair housing choice, as provided in the *Definitions* section of this chapter.

PUBLIC PARTICIPATION

The City of Sanford, in partnership with Langton Associates, Inc., conducted one public hearing and two public meetings, one centrally located in Downtown Sanford and two in the target neighborhoods of Goldsboro and Georgetown, in order to collect public input from the general population, housing providers, local government representatives, fair housing advocacy groups and stakeholders. The public meeting locations were chosen based on geographic and demographic factors such as areas with high minority concentration and low- to moderate-income residents who benefit from HUD-funded grant programs. The chart below provides a schedule of when and where the public meetings were conducted.

Schedule of Public Meetings for the Development of the AI	
September 10, 2014	1 st Public Hearing
October 23, 2014	Goldsboro
November 10, 2014	Georgetown

Public hearing and public meeting participants were notified of the meeting dates and locations in two ways: 1) the City of Sanford Community Development Program issued a legal notice which was advertised in the *Sanford Herald* for fifteen days prior to the beginning of the meetings, and 2) Flyers were distributed within each community at least 10 days prior to each meeting members of the community. Meetings were held at government offices, churches, or community centers within the specific neighborhood or community being targeted.

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CHAPTER 2: CITY DATA ANALYSIS

This section of the AI uses data sets from a variety of sources to highlight population, demographic and housing statistics in the city of Sanford. This portion of the analysis provides a broad view of how demographics in high minority concentrated and impoverished areas directly correlate with a larger number of fair housing choice impediments versus lesser diverse and more affluent areas of the city.

TOTAL POPULATION ESTIMATES

The U.S. Census Bureau American Community Survey 5-Year Estimates for 2009-2013 showed that the city of Sanford had a total population of approximately 54,170 people in 2013. For consistency purposes, this AI will use complete data sets relating to the 2009-2013 American Community Survey 5-Year Estimates for the statistics portion of this analysis.

AGE AND GENDER DEMOGRAPHICS

Table 2-1 below; depict citywide population data based on age and gender demographics. According to the data provided, females between the ages of 18 and 64 years old account for the highest concentration in City of Sanford with a total estimated population of 54,170 persons. The median age is 34 years of age. According to the data provided, females outnumber males by an estimated 904 persons and account for 50.8 percent of the total population. The survey denotes that this data has a +/-0.1 percent margin of error.

Table 2-1 Age and Gender Distribution of People in City of Sanford 2013		
Age Range	Estimated Total Population	Percentage of Total Population
Female		
18 years and over	20,437	51.4%
65 years and over	3,114	56.8%
Male		
18 years and over	19,320	48.6%
65 years and over	2,371	43.2%

Source: U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates

RACIAL AND ETHNIC COMPOSITION

Table 2-2, below, depicts citywide population data based on race demographics. According to the data provided, persons who chose white as their race account for the highest race concentration in Sanford with an estimated total population of 34,104 persons (white), making up 63.0 percent of the city’s population. Though not depicted in the table below, the source used also provided a subset of data that identified specific races under the Hispanic category of races including Mexican, Puerto Rican, Cuban and Other Hispanic or Latino. Out of the four-subset categories, Puerto Rican accounted for the highest concentration in City of Sanford with an estimated total population of 5,548 persons, making up 10.2 percent of the Hispanic or Latino category. The survey denotes that this data has a +/-0.1 percent margin of error.

Table 2-2 Race Distribution of People in City of Sanford 2013		
Race	Estimated Total Population	Percentage of Estimated Total Population
White	34,104	63.0%
Black or African American	15,373	28.4%
American Indian and Alaska Native	161	0.3%
Asian	1,666	3.1%
Native Hawaiian and Other Pacific Islander	190	0.4%
Hispanic or Latino	10,353	19.4%
Other	2,894	5.3%
Total	54,170	100%

Source: U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates

NATIVITY AND FOREIGN-BORN ESTIMATES

Table 2-3, below, depicts Sanford resident population data based on nativity and foreign-born demographics. An estimated 83.3 percent of the people living in Sanford in 2013 were native residents of the United States and 46.3 percent of these residents were born in Florida. An estimated 10.7 percent of the people living in Sanford in 2013 were foreign born. Of the foreign-born population, 47.5 percent were naturalized U.S. citizens and 98.7 percent entered the country before the year 2010. An estimated 1.3 percent of those foreign born entered the country in 2010 or later. According to the data provided, the highest concentration of foreign-born people living in Sanford are from the Latin American category, making up 56.3 percent of the foreign-born population.

Table 2-3 Region of Birth and Percentage of Foreign Born Population in City of Sanford 2013	
Region of Birth	Percentage of Population
North American (Canada)	2.1%
Latin American	56.3%
Oceania	0.1%
Africa	9.9%
Asia	17.7%
Europe	13.8%

Source: U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates

LINGUISTICALLY-ISOLATED HOUSEHOLDS

Table 2-4, below, depicts citywide population data based on linguistically-isolated households. Among people living in City of Sanford in 2009, the most recent information, only 4.0 percent spoke a language other than English at home. Of those people speaking a language other than English at home, 26.6 percent spoke Spanish and 17.9 percent spoke some other language. Though not depicted in the table below, the source mentioned that 5.5 percent of people who reported that they spoke another language at home also noted that they did not speak English “very well.” According to the data provided, Spanish-speaking households make up the highest percentage of non-English speaking households in City of Sanford at an estimated 26.6 percent.

Table 2-4 Percent of Households who Speak a Language other than English in City of Sanford 2013	
Primary Language Spoken at Home	Percentage (%) of Households
Spanish	26.6%
Other Indo-European languages	16.2%
Asian and Pacific Islander languages	12.3%
Other languages	17.9%

Source: U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates

POVERTY RATES AND PARTICIPATION IN GOVERNMENT PROGRAMS

Table 2-5, below, depicts citywide population data based on poverty rates and participation in government programs. An estimated 15.7 percent of children less than eighteen years of age lived below the poverty level compared to only 2.2 percent of people 65 years and over. An estimated 8.8 percent of all families and 20.1 percent of families with a female head of household reported incomes below the poverty level. All of the persons, whose incomes were below poverty level also reported that they had applied for, received or consistently receive government assistance in the form of financial supportive services. The national poverty guidelines for 2013 reported that any average household with a family up to four people were living in poverty if their annual household was equal to or less than \$23,550.

Table 2-5 Poverty Rates in Sanford 2013	
Type of Family or Age Bracket	Percentage (%) of Families below Poverty Level
Families with a Female Head of Household	20.1%
All families	8.8%
Related children under 18 years	15.7%
People age 65 and over	2.2%

Source: U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates

HOUSEHOLDS BY TENURE

Table 2-6 below, depicts citywide demographic data based on households by tenure. In 2013, the U.S. Census Bureau reported an estimate of 18,152 total occupied households in City of Sanford. According to the data provided, 10,348 households are owned and 7,804 are rented. This shows a homeownership rate of 57.01 percent and a rental rate of 42.9 percent citywide.

Table 2-6 City of Sanford Occupied Households by Tenure, 2013		
Jurisdiction	Tenure Type	Household Count
City of Sanford	Owner	10,348
City of Sanford	Renter	7,804

Source: U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates

HOUSING UNITS AND VACANCY RATES

Tables 2-7 and 2-8, below, depict citywide population data for total number of housing units and housing units by type. In 2013, City of Sanford had a total of over 24,597 housing units. According to the data provided, approximately 63 percent were single-unit structures, 34.5 percent were multi-unit structures and 2.5 percent were mobile homes.

Table 2-7 Total Number of Housing Units in City of Sanford, 2013	
Jurisdiction	Total Housing Units
City of Sanford	24,597

Source: U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates

Table 2-8 Housing Units by Type in Florida 2013	
Type of Housing Unit	Percentage of Housing Units
Single-unit structures	63.0%
Multi-unit structures	34.5%
Mobile Homes	2.5%
Boat, RV, Van, Other	0.0%

Source: U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates

Table 2-9, below, depicts citywide population data for housing unit vacancy rates in City of Sanford in 2013. In 2013, there were approximately 6,445 vacant housing units in City of Sanford, representing a vacancy rate of 26.2 percent. These vacancy statistics include seasonal vacancies for persons who claim permanent residency in other states for certain time periods throughout the year.

Table 2-9 Housing Unit Vacancy Rates in City of Sanford, 2013				
Jurisdiction	Occupied	Vacant	Percent Vacant	Total Housing Units
City of Sanford	18,152	6,445	26.2%	24,597

Source: U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates

HOUSING COST BURDEN

Table 2-10, below, depicts citywide population data for housing cost burden in City of Sanford in 2013. In 2013, the average monthly housing cost for homeowners with a mortgage was \$1,213. Housing costs for homeowners without a mortgage had a significantly lower cost burden estimated at \$353 per month. Renters, who also make up the highest percentage of households who spend at least thirty percent or more of their monthly income on housing costs, spent an average of \$1,926 per month.

Table 2-10 Housing Cost Burden in City of Sanford, 2013		
Type of Tenure	Average Monthly Housing Costs	Percentage of Households that spend 30% or more monthly income on housing costs
Owners with mortgage	\$1,213	46.0%
Owners without mortgage	\$353	14.3%
Renters	\$926	61.9%

Source: U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates

SPECIAL NEEDS POPULATIONS

The University of Florida's Shimberg Center for Housing Studies defines special needs populations as "farmworkers, persons with disabilities and homeless individuals and families."

Persons with Disabilities

Table 2-11, below, depicts citywide household data relating to cost burden, tenure and number of households with persons with disabilities ages fifteen and older in City of Sanford.

Table 2-11 Housing Cost Burden, Tenure and Number of Households with a Person(s) with a Disability in City of Sanford, 2012			
Jurisdiction	Housing Cost Burden	Tenure	Households with a Person(s) with a disability 15+ years of age
City of Sanford	30% or Less Cost Burden	Owner	12,526
City of Sanford	30% or Less Cost Burden	Renter	3,630
City of Sanford	Greater than 30% Cost Burden	Owner	7,472
City of Sanford	Greater than 30% Cost Burden	Renter	4,591

Source: Shimberg Center for Housing Studies, University of Florida, 2012

Homeless Persons

Table 2-12, below, depicts regional population data relating to the total number of homeless individuals and families with children, in the Central Florida Continuum of Care (CoC). Homeless individuals in the Central Florida Region make up 26.2 percent of the 42,477 total statewide and homeless families with children make up 25.4 percent of the 30,382 total statewide.

Table 2-12 Homeless Individuals and Families by Region, 2012		
Region	Individuals	Families with Children
Central (Orange, Osceola and Seminole Counties)	3,296	4,647

Source: Shimberg Center for Housing Studies, University of Florida, 2012

Table 2-13, below, depicts citywide and statewide population data relating to transitional and permanent cost-effective units available to serve City of Sanford homeless population. According to the data provided, the Central Florida region has the highest number of transitional and permanent supportive housing beds for homeless individuals. The Central Florida region has the highest total number of transitional housing units available for homeless families in Florida.

Table 2-13 Transitional and Permanent Housing Supply, 2012				
Region	Individuals		Families	
	Transitional Housing Beds	Permanent Supportive Housing Beds	Transitional Housing Units	Permanent Supportive Housing Units
Northwest	915	887	177	79
Northeast	683	971	328	299
Central	2,252	2,281	533	285
Southeast	556	719	224	304
South	2,060	2,887	380	910
Southwest	601	410	100	208
Total	7,067	8,155	1,742	2,085

Source: Shimberg Center for Housing Studies, University of Florida, 2012

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CHAPTER 3: **LAWS, POLICIES, PROCEDURES, AND PRACTICES** **THAT HAVE AN EFFECT FAIR HOUSING CHOICE**

REVIEW OF FEDERAL, STATE AND LOCAL LAWS, POLICIES, PROCEDURES AND PRACTICES

Both federal and state fair housing laws establish protected classes and govern the treatment of these individuals, and are designed to affirmatively further access to housing and community development resources to persons of protected classes. This section provides an overview of these laws.

Federal laws that have an effect Fair Housing Choice

Title VI of the Civil Rights Act of 1964: Prohibits discrimination on the basis of race, color or national origin in programs and activities receiving federal financial assistance.

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) and as amended 1988: Prohibits discrimination in the sale, rental and financing of dwellings, and in other housing-related transactions, based on:

- Race;
- Color;
- National origin;
- Religion;
- Sex;
- Familial status (including children under the age of eighteen living with parents or legal custodians, pregnant women and people securing custody of children under the age of eighteen), and
- Persons with physical, mental and developmental disabilities.

Specifically, in the sale and rental of housing no one may take any of the following actions based on these protected classes:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for 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 multiple listing service) related to the sale or rental of housing
- Refuse to allow reasonable modifications to dwelling or common use areas, at the expense of the renter or owner, if necessary, for the disabled person to use the housing
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary for the disabled person to use the housing

In Mortgage Lending: No one may take any of the following actions based on these protected classes:

- 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
- Set different terms or conditions for purchasing a loan

In addition, 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, or
- Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status or handicap. This prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

Section 504 of the Rehabilitation Act of 1973: Prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

Section 109 of Title I of the Housing and Community Development Act of 1974: Prohibits discrimination on the basis of race, color, national origin, sex or religion in programs and activities receiving financial assistance from HUD's Community Development Block Grant Program. Sections 104(b) and 106(d)(5) specifically require CDBG Program grantees to certify they will affirmatively further fair housing. This requirement was also included in Section 105(c)(13) of the National Affordable Housing Act of 1990.

Title II of the Americans with Disabilities Act of 1990: Prohibits discrimination based on disability in programs, services and activities provided or made

available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance and housing referrals.

Architectural Barriers Act of 1968: Requires that buildings and facilities designed, constructed, altered or leased with certain federal funds after September 1969 must be accessible to, and useable by handicapped persons.

Age Discrimination Act of 1975: Prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Equal Credit Opportunity Act of 1974: Prohibits discrimination in lending based on race, color, religion, national origin, sex, marital status, age, receipt of public assistance or the exercise of any right under the Consumer Credit Protection Act.

Community Reinvestment Act (CRA) of 1977: According to the Federal Office of the Comptroller of the Currency, the CRA provides a framework for financial institutions, state and local governments and community organizations to jointly promote banking services to all members of a community. The CRA:

- Prohibits redlining (denying or increasing the cost of banking to residents of racially defined neighborhoods), and
- Encourages efforts to meet the credit needs of all community members, including residents of low- and moderate-income neighborhoods.

The Community Reinvestment Act (CRA) provides that “regulated financial institutions have continuing and affirmative obligations to help meet the credit needs of the local communities in which they are chartered.” CRA establishes federal regulatory procedures for monitoring the level of lending, investments and services in low- and moderate-income neighborhoods defined as underserved by lending institutions. CRA creates an obligation for depository institutions to serve the entire community, from which its deposits are garnered, including low- and moderate-income neighborhoods.

Home Mortgage Disclosure Act (HMDA) of 1975: Requires banks, savings and loan associations and other financial institutions to publicly report detailed data on their home lending activity. Under HMDA, lenders are required to publicly disclose the number of loan applications by census tract, income, race and gender of the borrower, the type of loan and the number and dollar amount of loans made. Starting in 1993, independent mortgage companies were also required to report HMDA data. HMDA creates a significant and publicly available tool by which mortgage-lending activity in communities can be assessed. HMDA data can be analyzed to determine bank performance and borrower choices.

Executive Order 11063: Prohibits discrimination in the sale, leasing, rental or other disposition of properties and facilities owned or operated by the federal government or provided with federal funds.

Executive Order 12892 (as amended): Requires federal agencies to affirmatively further fair housing in their programs and activities and provides that the Secretary of HUD will be responsible for coordinating the effort. The Order also establishes the President's Fair Housing Council, chaired by the Secretary of HUD.

Executive Order 12898: Requires each federal agency conduct its program, policies and activities that substantially affect human health or the environment in a manner that does not exclude persons based on race, color or national origin.

Executive Order 13166: Eliminates, to the extent possible, limited English proficiency as a barrier to full and meaningful participation by beneficiaries in all federally assisted and federally conducted programs and activities.

Executive Order 13217: Requires federal agencies to evaluate their policies and programs to determine if any can be revised or modified to improve the availability of community-based living arrangements for persons with disabilities.

State Laws that have an effect on Fair Housing Choice

F.S. Chapter 163 Part II Growth Policy; City and Municipal Planning; Land Development Regulation; Community Planning Act (F.S. 163.3161-163.3217): Requires all local governments to maintain a local Comprehensive Plan that determines current and future housing development plans.

F.S. Chapter 760 Part II, Florida Fair Housing Act (Sections 760.20-760.37, F.S.): Describes prohibition of housing discrimination types, consequences, and methods for reporting suspected housing discrimination based on race, ethnicity, sex, family type, or other protected classes set forth.

REVIEW OF LOCAL LAWS, POLICIES, PROCEDURES AND PRACTICES

Methodology of Review

Langton Associates, Inc. conducted an in-depth review of how the public sector and private sector laws, policies, procedures and practices have a direct effect on fair housing choice in the City of Sanford. This section of the AI addresses current comprehensive planning policies, goals and objectives proposed for future affordable housing development, private real estate practices, and trends and activities that could potentially have a negative effect on fair housing choice.

According to the City of Sanford 2015 Comprehensive Plan, which outlines goals and objectives relating to all future land use, housing, and capital improvement projects, the following is a list of all goals and objectives that were reviewed to determine whether or not the policies set forth could create potential barriers to fair housing choice.

FUTURE LAND USE DEVELOPMENT ELEMENT

GOAL 1-1: MANAGE LAND USE DISTRIBUTION AND PROVISION OF SERVICES AND FACILITIES. THE CITY SHALL PROMOTE AN ORDERLY DISTRIBUTION OF LAND USES IN AN ECONOMICALLY, SOCIALLY, AND ENVIRONMENTALLY ACCEPTABLE MANNER WHILE ENSURING THE ADEQUATE AND TIMELY PROVISION OF SERVICES AND FACILITIES TO MEET THE NEEDS OF THE CURRENT AND PROJECTED POPULATIONS.

Analysis of Review:

As an objective to manage land use distribution throughout Sanford, the City will implement the Future Land Use Map (FLUM) series to manage and allocate future land use. The FLUM series includes land use categories and corresponding densities and intensities and are implemented through the City's Land Development Regulations (LDR). This objective prohibits the City from approving amendments, zoning changes, or development that conflicts with the densities and intensities documented in the maps.

Conclusion:

This goal is implemented in coordination with Seminole County, regional and State agencies to strengthen safety and stability of development activities, for both commercial and residential development, and no perceived barriers to fair housing choice were determined.

HOUSING ELEMENT

GOAL 3-1: ACCOMMODATE AFFORDABLE, QUALITY HOUSING FOR CITY'S RESIDENTS. THE CITY OF SANFORD SHALL ALLOCATE LAND AREA TO ACCOMMODATE A SUPPLY OF HOUSING RESPONSIVE TO THE DIVERSE HOUSING NEEDS OF VERY-LOW, LOW, AND MODERATE INCOME HOUSEHOLDS, GROUP HOMES, FOSTER CARE FACILITIES, AND HOUSEHOLDS WITH SPECIAL NEEDS AND ASSIST THE PRIVATE SECTOR IN PROVIDING AFFORDABLE QUALITY HOUSING IN NEIGHBORHOODS SERVED BY ADEQUATE PUBLIC FACILITIES.

Analysis of Review:

As an objective to promote the affordable quality housing and adequate sites for low and moderate-income housing, the City will use the FLUM series to designate acreage for housing sites that can be marketed and developed for all income ranges. This goal also requires the City of Sanford Housing Authority to participate in federally subsidized rental housing programs. Activities performed by the Authority include renovation of Authority owned housing units and the participation in the Section 8 housing program and other available housing programs to meet the housing needs of residents in the City of Sanford. Additional requirements outlined in the objective to achieve this comprehensive planning goals, include continued implementation of the CDBG program and the Section 236 federal housing program which provides a reduction in interest payments to developers constructing rental and cooperative housing for lower income families.

Conclusion:

This goal and corresponding objectives to achieve this goal were implemented in order to promote the creation or rehabilitation of affordable housing for all households income levels in Sanford. The policies set forth in this section of the Comprehensive Plan require objectives that rely on federal funding sources that are not guaranteed available on an annual basis to the offices responsible for implementing these activities. However, in collaboration with the 2015-2020 Consolidated Plan, these goals and objectives correspond with each other and therefore increase efforts to overcome barriers to affordable housing and fair housing choice. Other policies reviewed in this section of the Housing Element of the Comprehensive Plan suggest increasing technical assistance and referral services that promote public and private sector coordination to improve efficiency and expand the capacity of the housing delivery system.

PROTECTED CLASSES AND DISCRIMINATORY PRACTICES

Both federal and Florida fair housing laws establish protected classes and make it unlawful to discriminate in the purchase and rental of housing. The Fair Housing Act (federal) and the Florida Fair Housing Act (Chapter 760 Part II, F.S.) deems it unlawful to “refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person” because of their:

- Race;
- Color;
- Religion;
- National Origin;
- Sex;
- Familial Status (families with children under eighteen or who are expecting or adopting a child), or

- Disability (includes physical, mental and developmental disabilities).

Federal laws, state statutes and case law further define discriminatory practices or acts in housing. The most common discriminatory housing practices fall under the following broadly-defined categories:

- Different Terms & Conditions
- Refusal to Rent, Sell or Provide Home Loans
- False Denial of Availability
- Intimidation and Coercion
- Interference with Rights
- Brokers' Services
- Financing
- Advertising or Discriminatory Statements
- New Construction Accessibility for Persons with a Disability
- Reasonable Modification for Persons with a Disability
- Reasonable Accommodation for Persons with a Disability

Current housing discrimination patterns, where they exist, are less direct and overt. More subtle forms of differential treatment include steering to certain neighborhoods, housing developments or housing loan lending institutions. Disproportionate screening of applicants and access to unconventional types of mortgages, are other types of discrimination used by housing loan lending institutions. The difficulties of detecting these types of discrimination make it hard for fair housing agencies to identify them as impediments and create remedies to prevent them. In most cases, even when housing discrimination is suspected, victims are reluctant to report them or do not have the time or resources to do so.

Income differences, could lead to racial segregation. Observed segregation could be due to differences in the ability to pay for housing in more affluent neighborhoods. Income is the most common factor when determining racial segregation in a neighborhood or community. Self-selection is also a factor that could lead to racial and ethnic segregation in a neighborhood. This is most commonly observed in immigrant populations, where culture and language influence housing choice.

In some cases, local governments may have unintentionally implemented practices leading to housing segregation and undermined fair housing and equal housing opportunity. The placement of subsidized housing projects have historically reinforced housing segregation. Persons who are most dependent on government assistance are often housed in racially-segregated locations in economically-disadvantaged neighborhoods. Even with the element of housing choice for low-income residents, geographic constraints are present due to voucher and certificate limits and voluntary landlord participation. Although these constraints are understandable, they still hinder housing choice and reinforce segregation.

MONITORING BY FUNDING PROGRAM

CDBG Program Fair Housing Monitoring Strategies

The City CDBG program grantees are required to monitor themselves and their subrecipients for compliance with program requirements, including affirmatively furthering fair housing. Grantees use a variety of tools, such as checklists, to determine if program administrators and subrecipients are in compliance with requirements to further fair housing. Some sample questions asked on checklist include:

- Does the grantee follow the City fair housing ordinance or resolution?
- Is there a schedule and description of activities the grantee has planned to promote fair housing choice?
- Is there an assigned fair housing coordinator for the City?
- Is there a description of the process for handling/recording fair housing complaints?
- Is fair housing literature/education training available to the general public?

The City CDBG Program has fair housing literature, in multiple languages, on the website. Fair housing requirements, including quarterly fair housing workshops, training sessions and public events, are described on the City website. Grant Agreements with the City require the grantee to undertake quarterly fair housing activities.

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CHAPTER 4:
CONDITIONS, TRENDS AND ACTIVITIES IMPACTING
FAIR HOUSING CHOICE

This section of the AI provides an overview of the various conditions, trends and activities that have impacted fair housing in recent years, such as foreclosure rates; fair market rental rates; public financial resources for affordable housing units; housing cost burden, and mortgage lending and insurance practices.

The review will examine recent trends and outcomes in the state of Florida, in Seminole County and in the City of Sanford where specific data is available, as they impact affordable housing units, including public housing; federally-assisted housing (privately owned); Section 8 Voucher programs, tax credit and grant-assisted housing and private section affordability encouraged by other governmental intervention efforts such as mandates in local comprehensive plans.

The review will highlight, based upon available data, the current affordable housing inventory through all of the affordable housing creation sources indicated above and determine their positive or negative impact on fair housing choice within the state and in Seminole County specifically.

STATUS OF FORECLOSURE RATES

Sources such as the Census Bureau, Shimberg Center, or RealtyTrac, do not capture city-level government data for foreclosure rates, creating difficulty in determining the latest and most accurate foreclosure rate data in Sanford. Due to this realization, Seminole County foreclosure rate data is used to evaluate the impact that foreclosure has on fair housing choice in Sanford.

Below, Seminole County's foreclosures are displayed by recent foreclosure activity.

The Tables below demonstrate a few key findings:

- Foreclosure activity is slowing.
- The number of properties that were facing foreclosure or are bank owned decreased between 2014 and 2015.

Please refer to the map and tables below, for a more complete picture of Seminole’s recent foreclosure experience.

Table 4-1 depicts the decrease in housing units at risk of foreclosure, have been sold in auction, or are currently bank-owned in Seminole between August 2014 and February 2015.

Table 4-1

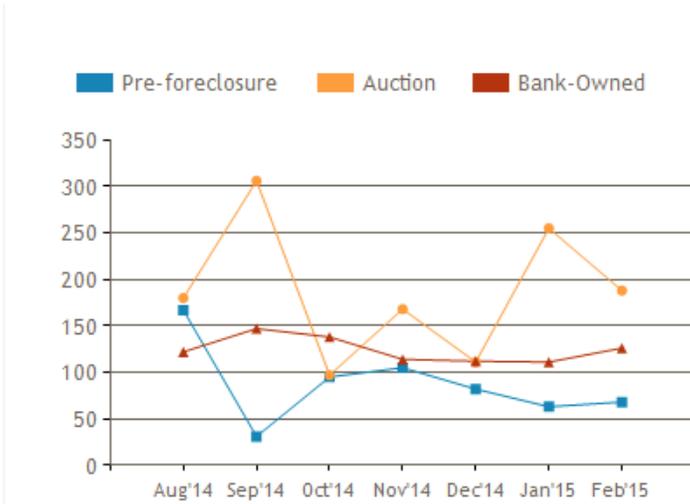
FORECLOSURE FILINGS FOR SEMINOLE COUNTY, FL

The number of new foreclosure filings by foreclosure type.

Pre Foreclosures	
Prior Month	Prior Year
↑ 7.9 %	↓ 38.7 %

Auction	
Prior Month	Prior Year
↓ 26.3 %	↑ 86.1 %

Bank Owned	
Prior Month	Prior Year
↑ 13.5 %	↓ 36.4 %



Add this chart to your website.

Source: Realty Trac <http://www.realtytrac.com/statsandtrends/foreclosuretrends/fl>, February 2015

Table 4-2 below depicts the foreclosure rate breakdown among five municipalities that account for the total foreclosures in Seminole County.

Table 4-2

FORECLOSURE RATES FOR SEMINOLE COUNTY, FL

February 2015

Seminole County, FL

1 in every 433

Top 5 Cities

Longwood

1 in every 363

Winter Springs

1 in every 370

Sanford

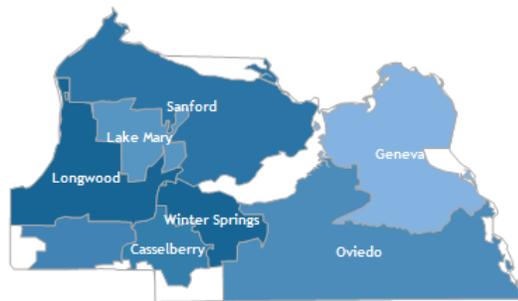
1 in every 376

Casselberry

1 in every 419

Altamonte Springs

1 in every 443



Add this map to your website.

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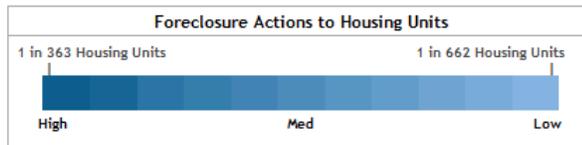


Table 4-3

GEOGRAPHICAL COMPARISON FOR SEMINOLE COUNTY, FL

Total number of foreclosures broken down by type of filing.

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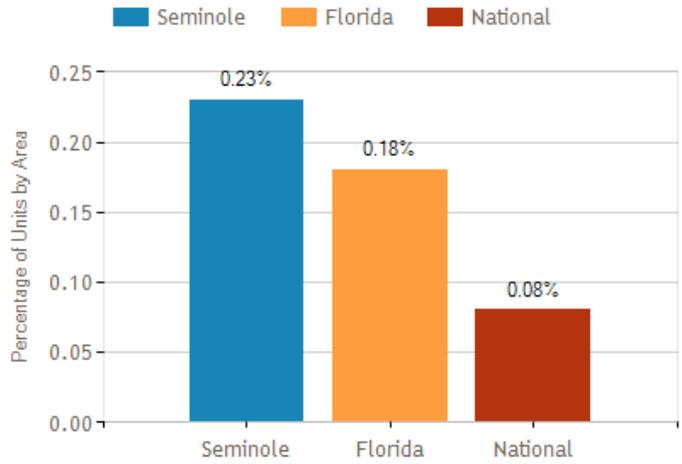


Table 4-4

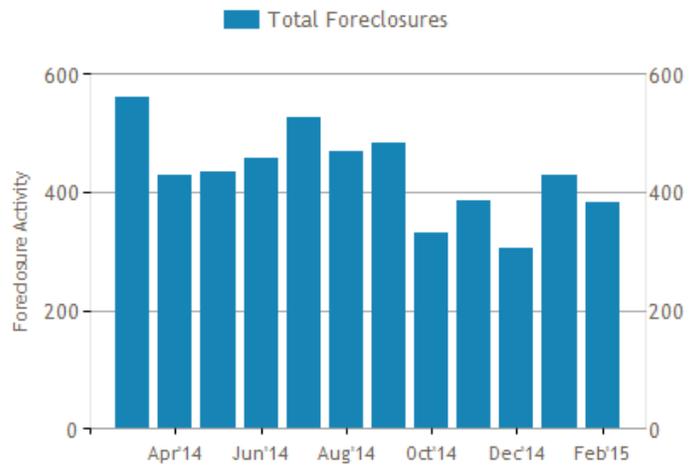
FORECLOSURE ACTIVITY FOR SEMINOLE COUNTY, FL

The number of new foreclosure filings compared to the 30-year interest rate.

- Foreclosure Activity
- Foreclosure Activity and 30 Year Interest Rate.

Add this chart to your website.

GET EMBED CODE



Source: Realty Trac <http://www.realtytrac.com/statsandtrends/foreclosuretrends/fl>, February 2015

Table 4-5

FORECLOSURE STATUS DISTRIBUTION FOR SEMINOLE COUNTY, FL

February 2015

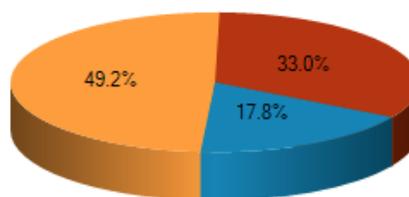
The current distribution of foreclosures based on the number of active foreclosure homes in Seminole County, FL.

Pre Foreclosures	
Prior Month	Prior Year
↑ 7.9 %	↓38.7 %

Auction	
Prior Month	Prior Year
↓ 26.3 %	↑ 86.1 %

Bank Owned	
Prior Month	Prior Year
↑ 13.5 %	↓36.4 %

Pre-Foreclosure Auction Bank-Owned



Conclusion:

All else being equal, foreclosures initially increase the supply of homes for sale and depress prices. After a period of time, the low prices attract buyers. As the inventory reduces, prices rise. However, the entire process can take years.

As homeowners are foreclosed upon, they often lose access to low-cost lending sources, which may cause them to reduce expenditures in other areas. For example, foreclosed homeowners generally are unable to obtain new mortgage loans for at least two years, removing many potential homebuyers from the market. Also, neighborhood foreclosures increase blight and depress home values, causing even more foreclosures. The greatest impact of the housing crash is the reduced capital to homeowners and investors, thus leading to a reduction in housing stock quality.

While the numbers of foreclosure filings has dropped dramatically in the last two years, damage has been done to the available owner-occupied affordable housing units in Sanford and in Seminole County. Most, if not all of these prior homeowners are entering the rental market as an alternative, seeking affordable fair market rents. This increased pressure on the number of available affordable units is further exacerbating that issue, discussed in the next section.

The foreclosure crisis caused by the Great Recession of 2008 will have a long-

term negative impact on the status of availability of affordable housing units and, as a result, fair housing choice for the City of Sanford, Seminole County and Florida’s residents.

STATUS OF FAIR MARKET RENTAL RATES

The population of the city of Sanford, according to the 2013 American Community Survey, is 54,170. The total number of households in the county is 18,152. The average household size for Sanford is 2.88. The total number of renter households in Sanford is 7,804 and makes up for 23.2 percent of Sanford’s household population.

HUD establishes a Fair Market Rent each year for each Metropolitan Statistical Area throughout Florida, which in this case covers Orange County, Osceola County and Seminole County. This rent standard is used to establish payment limits for Section 8 Housing Choice Vouchers, maximum rents in HOME financed rental projects and initial or renewal rents for Section 8 project based assistance. HUD establishes FMR’s for 530 MSA’s and 2,045 counties nationwide each fiscal year.

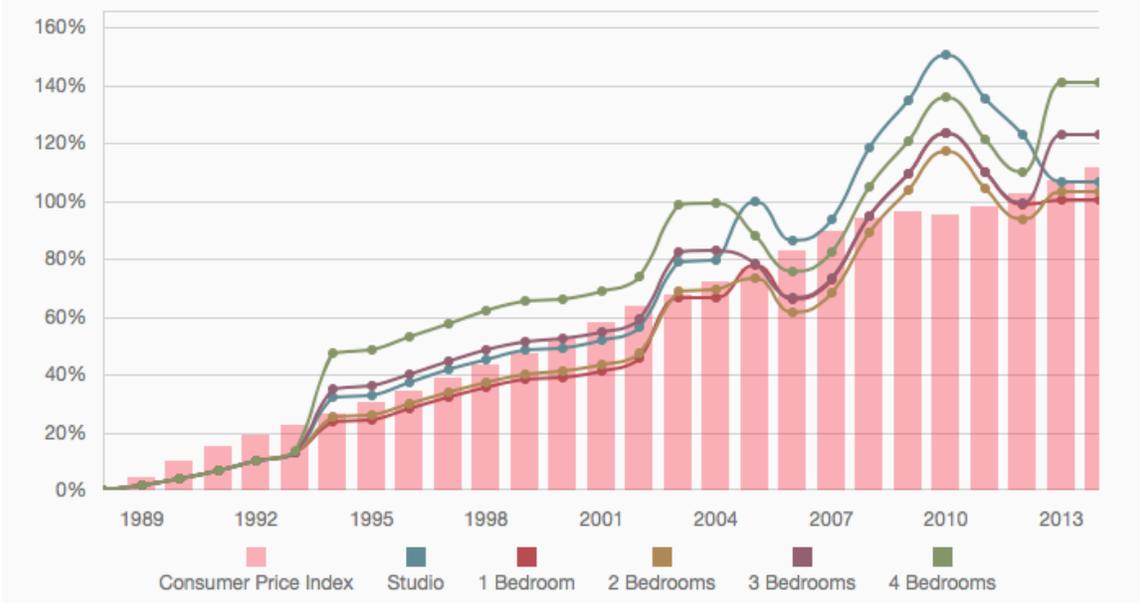
The FMR is largely a statistical derivative of the US Census Bureau's American Community Survey (ACS) 5-year estimates for 2 bedroom median rent. For the most part, in Seminole County, a landlord with a two-bedroom apartment to rent, could not receive more than \$997. Likewise, a renter in need of a 3-bedroom apartment with a Section 8 voucher would have to find a rental housing unit in Seminole County that rented for less than \$1,330.

Table 4-6

2015 Fair Market Rents					
Bedrooms	0	1	2	3	4
Price	\$707	\$836	\$997	\$1,330	\$1608

Table 4-7

Fair Market Rent Percentage Change Since 1988



The affordable housing industry has long used the FMR as barometer for local rents. Though the geographic areas FMR's are based on are broad and there are often wide variations in neighborhood rents throughout an MSA, in general, the FMR is one of the best quick tools one can use to judge housing costs in a place. We took a look at historic FMR's in Seminole County and found that they have risen an average of 2.82% year over year. The first year in our sample is 1985 when the two bedroom FMR was \$420. That same 2 bedroom apartment rent had increased to \$983 by 2013. In 2003 the two bedroom FMR in Seminole County saw it's largest single year increase going up by 14.43%.

It's also interesting to look at the FMR compared to the Consumer Price Index's housing index to understand how Seminole County rents have fluctuated in comparison to the rest of the Nation. The consumer price index grew an average of -0.89% year over year. The two bedroom FMR in Seminole County has grown faster than the CPI indicating faster than average rent growth in the market. The largest single year of 2 bedroom FMR growth was in 2003 at 14.43% while the smallest year of growth was 2006 with a 6.68% decrease.

Conclusion:

Rental Housing for residents of The City of Sanford; low and moderate population groups are becoming less affordable. Local rental rates are worsening at a greater rate than CPI, state and national rates.

STATUS OF PUBLIC FINANCIAL RESOURCES FOR AFFORDABLE HOUSING UNITS

Public and Assisted Housing Properties

In 2011, the U.S. Department of Housing and Urban Development (HUD) condemned six public housing developments that were owned and operated by the Sanford Housing Authority due to severe dilapidated conditions that were proven to be not suitable for rehabilitation. The Orlando Housing Authority, in agreement with the Sanford Housing Authority Advisory Board, gained possession and day-to-day operation and management of the six public housing developments, containing 480 public housing units. It was decided that due to the severe dilapidated conditions of the public housing units, the units would be demolished resulting in a total loss of the City’s public housing inventory.

Rental Assistance for Tenants in Sanford

Also included in the operation and management agreement with the Orlando Housing Authority, 450 Section 8 housing choice vouchers were transferred over to the Housing Authority for re-distribution and management. According to the Orlando Housing Authority, the housing choice vouchers were added to the general distribution list of very low- and low-income residents in the Orlando, Orange County, and Seminole County, and are no longer designated specifically to residents in Sanford. According to the Seminole County Housing Authority, there are currently over 3,000 persons/families on the waiting list to receive rental assistance throughout the county and Sanford.

Table 4-8

HUD Assistance Income Limits - 2015								
Persons	1	2	3	4	5	6	7	8
50% AMI	\$20,450	\$23,350	\$26,250	\$29,150	\$31,500	\$33,850	\$36,150	\$38,500
30% AMI	\$12,250	\$15,930	\$20,090	\$24,250	\$28,410	\$32,570	\$36,150	\$38,500

Income Limits

All affordable housing programs provided by or through the government have maximum income limits to qualify for assistance. These income limits are

typically derived from the Area Median Income (AMI), the theoretical family income of the average household in a given geography.

The AMI is updated each year for each geographical area taking into consideration numerous economic indicators. The geographical areas used for establishing the AMI are either Metropolitan Statistical Areas (MSA's) or counties.

Sanford is in the Orlando-Kissimmee-Sanford, FL MSA MSA. The 2014 Area Median Income for a family of four in Seminole County is \$58,300.

The income limits used for Section 8, public housing, Low Income Housing Tax Credits, the HOME program and other Federal programs all are derived from the HUD defined AMI.

Table 4-9

Low Income Housing Tax Credit Income Limits - 2015								
Persons	1	2	3	4	5	6	7	8
60% AMI	\$24,120	\$27,540	\$30,960	\$34,380	\$37,140	\$39,900	\$42,660	\$45,420
50% AMI	\$20,100	\$22,950	\$25,800	\$28,650	\$30,950	\$33,250	\$35,550	\$37,850
40% AMI	\$16,080	\$18,360	\$20,640	\$22,920	\$24,760	\$26,600	\$28,440	\$30,280
30% AMI	\$12,060	\$13,770	\$15,480	\$17,190	\$18,570	\$19,950	\$21,330	\$22,710

Rent Limits For Affordable Rental Housing

All apartment units that receive Federal assistance whether that assistance is used to subsidize rents or the cost of construction and development, have dollar limits on the amount of rent a landlord may charge each month. These rent limits are based on the incomes of the renters the property is meant to serve.

As we explained in the income limits section, the maximum income a renter can earn to qualify is based on the Area Median income for the market where the apartment community is located. Likewise, the maximum rent is usually determined by multiplying the annual income limit by 30% (the National housing affordability standard) and dividing by 12 months.

In Sanford, a family of four that qualifies for a three bedroom apartment under the Low Income Housing Tax Credit program will not pay more than \$894. Rent limits can range greatly within the same apartment community. If the same apartment property in this example also targets persons earning less than 30% of AMI, our four person family's 68 year old neighbor who earns less than \$12,060 will never pay more than \$323.

Table 4-10

Low Income Housing Tax Credit Rent Limits					
Persons	0	1	2	3	4
60% AMI	\$603	\$646	\$774	894	\$998
50% AMI	\$503	538	\$645	\$745	\$831
40% AMI	\$402	\$430	\$516	\$596	\$655
30% AMI	\$302	\$323	\$387	\$447	\$499

Conclusion:

Inventory of available units at affordable rates supported by public financial resources are on the decline due to falling funding from public sources. State funding for affordable housing programs comes from taxes on property sales, and as those sales fell, so did the revenue for funding. State Housing Initiatives Partnership (SHIP) and **State Apartment Incentive Loan [SAIL] programs** are capitalized through funding established by the William E. Sadowski Affordable Housing Act, passed by the Florida Legislature in 1992. The Sadowski Act created a dedicated source of revenue for affordable housing programs based on a documentary stamp tax paid on all real estate transactions. Both SHIP and SAIL play a key role in enabling affordable housing developers to leverage federal resources.

SHIP provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. A minimum of 30% of SHIP funds are reserved for households with income at or below 50% of the area median income (AMI).

SAIL provides low-interest loans for affordable multifamily developments, with a minimum of 20% of the units set aside for households with income at or below 50% of AMI. When federal Low Income Housing Tax Credits are used in conjunction with SAIL, a minimum of 40% of the units are set aside for residents with income at or below 60% of AMI.

Following the onset of the recession in Florida in 2007, the Florida Legislature transferred Sadowski Act funds to non-housing uses.¹

¹ National Low Income Housing Coalition - Florida Housing Trust Funds Back on Track, June 13, 2014

As demand for affordable housing increased during the downturn, funding decreased, thus increasing the cost burden to renters and homeowners. Wages have not kept pace with housing costs and thus the cost burden on both homeowners and rental owners has reduced income for repairs and upkeep. The data demonstrates that the housing stock is aging and as this occurs upkeep costs will increase.

From fiscal years 2009-10 to 2011-12, when SHIP communities were feeling the worst effects of the Local Housing Trust Fund being used to fund general operations, an average of 2,036 units were assisted per year.² (Much of this activity was made possible by SHIP funds carried over from previous years and by program income.) However, when Local Housing Trust Fund monies are fully appropriated for housing and available to SHIP communities, 8,000 to 10,000 units can be assisted each year.³ Clearly, full SHIP funding would allow local communities to significantly increase their efforts to provide housing for key populations, including those who are homeless or have developmental disabilities⁴. Seminole County's SHIP allocation for FY 2014-2015 is \$1,990,378 which will be a big help in reversing this trend.

Government representation informs policy, giving it context by having dealt with the impact of regulations, or lack thereof. While most planners and regulators operate in an academic setting, the practical application is managed by those in the community and informs regulators by the community's representation. Otherwise, uninformed regulators could contribute to an increase in regulations negatively affecting those who might want to purchase a new home, open a new business, or redevelop and modernize an office building. The acquisition of land not burdened by negative land use policies stimulates growth.

For instance, transportation infrastructure, utilities and other services, such as law enforcement, schools and healthcare all impact a community's ability to grow. Home value and access to families with an income to support local business and the education to work at higher level jobs means that effectively each community

² Florida Housing Coalition. 2014, December 17. State and Local Housing Trust Funds in the 2015 Legislative Session. <http://www.flhousing.org/wpcontent/uploads/2012/04/SHIP-Advocacy-Webinar-2014-12-17-v5JR-edits.pdf>. Last accessed 1/22/15.

³ Florida Housing Finance Corporation. 2014. Strategic Plan [adopted 9/19/14]. <http://www.floridahousing.org/FH-ImageWebDocs/Aboutus/StrategicPlan/2014StrategicPlanningProcess/2014%20Adopted%20Strategic%20Plan%20-%20September%202014.pdf>

⁴ Florida Housing Coalition. 2014, December 17. State and Local Housing Trust Funds in the 2015 Legislative Session. <http://www.flhousing.org/wpcontent/uploads/2012/04/SHIP-Advocacy-Webinar-2014-12-17-v5JR-edits.pdf>.

is in competition with those around it. By distributing equal access to goods and services and through the use of policy and regulation, government can create a leg up for impoverished families, low income communities and those that are willing to work to invest in their community to make it a competitive environment for growth and success, drawing in others to invest. This is the heart of what is often described as a “public-private partnership”.

STATUS OF HOUSING COST BURDEN

A household is considered cost burdened when it spends more than 30 percent of its income for housing. A household is considered severely cost burdened when housing costs are more than 50 percent of its income.

Of those households with a cost burden, some choose, and are capable of affording, higher rents and mortgages, i.e., those with higher incomes have more flexibility and may be able to spend more than 30 percent of their income on housing and still have enough left over for other expenses. However, households with lower incomes (generally those earning 80 percent or less of area median income) are less capable of paying rent or mortgages above 30 percent of their income because they have less income remaining after housing costs for other basic needs.

In addition to housing cost burden, many low-income families spend a large amount of their income on transportation costs. Many homebuyers cannot afford to buy a home in dense urban areas where the most jobs are available. Purchasing a house in the suburbs and commuting is often a more attractive option for these households. Not only are these homebuyers spending more money on gasoline, car payments, car repairs and insurance, they are also contributing to traffic congestion and greenhouse gas emissions.

For purposes of the consolidated planning process, the following income categories were used in relation to the AMI as defined by Community Development Block Grant guidelines:⁵

- Extremely low income: less than 30% of AMI
- Low income: 30.01-50% of AMI
- Moderate income: 50.01-80% of AMI
- Middle income: 80.01-120% of AMI
-

⁵ 24 CFR 81.17 - Affordability

Additional data on City of Sanford's housing cost burden issue is provided by Florida Housing Data, prepared by the Shimberg Center for Housing Studies, University of Florida, in the four Tables, below

Table 4-11

Affordable Housing Need Detail 2010-2020. Number of severely cost burdened (50%+) households in Sanford with income less than 80% AMI by tenure and income level				
<i>Tenure: Owner</i>				
Household income as % of AMI	2010	2013	2015	2020
30% AMI or Less	572	580	603	662
30.1-50% AMI	426	432	448	491
50.1-80% AMI	449	454	472	515
Total	1447	1466	1523	1688
<i>Tenure: Renter</i>				
Household income as % of AMI	2010	2013	2015	2020
30% AMI or Less	1635	1647	1701	1846
30.1-50% AMI	1053	1064	1104	1204
50.1-80% AMI	352	356	369	405
Total	3040	3067	3174	3455

Source: Florida Housing Data, Shimberg Center for Housing Studies, University of Florida, www.flhousingdata.shimberg.ufl.edu

Table 4-12

Severely Cost Burdened (50%+) Households in Sanford with incomes less than 80% AMI by tenure and Income level				
<i>Tenure: Owner</i>				
Households income as % of AMI	2010-2013	2013-2015	2015-2020	Total
30% AMI or Less	8	23	59	90
30.1-50% AMI	6	16	43	65
50.1-80% AMI	5	18	43	66
Total	19	57	145	221
Total Below 80% AMI	19	57	145	221
<i>Tenure: Renter</i>				
Households income as % of AMI	2010-2013	2013-2015	2015-2020	Total
30% AMI or Less	12	54	145	211

30.1-50% AMI	11	40	100	151
50.1-80% AMI	4	13	36	53
Total	27	107	281	415
Total Below 80% AMI	27	107	281	415

Source: Florida Housing Data, Shimberg Center for Housing Studies, University of Florida, www.flhousingdata.shimberg.ufl.edu

STATUS OF MORTGAGE LENDING AND INSURANCE PRACTICES

HUD's 2009 *The State of Fair Housing* report states that African Americans and Latinos have the lowest homeownership rates in the United States—less than 50 percent, as compared to 76 percent for whites. The discrepancy in homeownership has been attributed, in large measure, to the significant problem of mortgage lending discrimination, with private lenders denying mortgages to potential African American and Latino homebuyers at disproportionate rates. Some studies indicate that large differences in mortgage rejection rates based on race occur because loan officers are far more likely to overlook flaws in the credit scores of white applicants or to arrange creative financing for them than they were in the case of black applicants.

According to the most recent estimates from the U.S. Census Bureau 2009-2013 American Community Survey, Latinos constitute 22.9 percent of the United States population, while the non-Latino population is 57.2 percent white, 15.3 percent African American, 2.4 percent Asian, 0.2 percent American Indian or Alaska Native, and 0.1 percent Native Hawaiian and other Pacific Islander. However, the average white person in metropolitan America lives in a neighborhood that is 80 percent white and only seven percent black. A typical black individual lives in a neighborhood that is only 33 percent white and as much as 51 percent black, making African Americans the most residentially segregated group in the United States.

Segregation remains correlated with race, not simply socioeconomic status. The racial and ethnic makeup of neighborhoods experienced by the average White American is starkly different than those experienced by the average Black or Latino American.⁶ The degree of *economic* segregation facing families of color is even starker. Although there are more poor Whites than poor Blacks and Latinos, high poverty neighborhoods (30 percent poverty and higher) are disproportionately Black and Latino; the higher the poverty concentration, the more likely that the neighborhood will be racially isolated. For Blacks and Latinos, relatively high incomes are no protection against segregation: "Disparities

⁶ The Leadership Conference: Future of Fair Housing: Housing Discrimination and Segregation Continue – Dec. 2008

between neighborhoods for blacks and Hispanics with incomes above \$60,000 are almost as large as the overall disparities, and they increased more substantially in the [1990s].”⁷

Segregation has a plurality of causes, including private discrimination, historical and current government policies, income differentials and preference. Although housing discrimination against African Americans and residential desegregation declined slightly between 1980 and 2000, racial steering continues at high levels, and racial isolation within America’s cities and schools increased during that same period based on racial dissimilarity scores.⁸

Reports on marketplace practices demonstrate that Florida has a disproportionate amount of mortgage related fraud. Florida’s LexisNexis Mortgage Fraud Index (MFI) ranked first in the nation for loans investigated in 2013.⁹ Florida’s reported MFI of 529 is more than five times the expected rate of fraud for the state, based on its origination volume. The state had a mortgage fraud index of 529 in 2013. Under the formula, a score of 100 would be expected for each state based on individual amounts of loan originations. While Florida’s index figure has slowly dropped steadily during the past five years — down from a high of 717 in 2009 — the state’s 2013 index was more than double that of Nevada, which ranked second on the list. Nevada had an index figure of 221. Florida has held the nation’s top ranking for instances of mortgage-related fraud since 2009.¹⁰

While fair housing laws have been relatively effective in reducing obvious and overt discriminatory practices in housing sales and rentals, discrimination and discriminatory attitudes still exist in more subtle forms. Real estate and rental property brokers still utilize steering and block busting techniques and continue to misrepresent circumstances and conditions in order to discourage certain persons (i.e., because of race, color, national origin, sex, disability, familial status or religion) from residing in particular areas of a community. Even though they represent a small portion of fair housing complaints filed, advertising, statements or notices that directly or indirectly indicate an intent to make a limitation, specification or to discriminate with respect to members of one of the protected categories still occur, as do threats or intimidation designed to limit the benefits of renting or buying housing or to interfere in any way with the use and enjoyment of housing.

⁷ Lewis Mumford Ctr. for Comparative Urb. & Reg’l Res., *Separate and Unequal: The Neighborhood Gap for Blacks and Hispanics in Metropolitan America 2* (2001).

⁸ Segregation has a plurality of causes, including private discrimination, historical and current government policies, income differentials and preference - December 2007

⁹ The MFI is an indication of the amount of mortgage-related fraud and misrepresentation involving industry professionals found through LexisNexis Mortgage Industry Data Exchange (MIDEX) subscriber fraud investigations in various geographical areas within any particular year.

¹⁰ LexisNexis® 16th Annual Mortgage Fraud Report – December 2014

Discriminatory mortgage lending practices further compound fair housing problems. Equal access to lending is one of the most significant impediments to housing choice for members of protected classes. An analysis of data from 2004 to 2013 collected under the Home Mortgage Disclosure Act has determined there was a significant decrease in home mortgages to African Americans and Latinos since the onset of the housing downturn. The share of non-Hispanic white borrowers increased from 68.1 percent of the total in 2001 to 71.2 percent of the total in 2012, and the share of Asian borrowers rose from 3.8 to 5.7 percent. By contrast, the share of African American borrowers spiked from 6.0 percent in 2001 to 8.0 percent in 2005, before dropping to 4.8 percent in 2012. The pattern for the Hispanic share is similar: 8.85 percent in 2001 to 13.3 percent in 2005, before dropping to 8.6 percent in 2012.¹¹

According to a report issued by Compliance Tech, an Arlington, Virginia-based provider of technology and mortgage data analysis, African Americans and Latinos borrowed 62 percent less to buy or refinance homes in 2009 than they borrowed in 2004. In comparison, mortgages to non-Latino whites declined only 17 percent while Asian Americans obtained nearly an equal amount in mortgages to non-Latino whites. The study also found that African Americans and Latinos have significantly less access to prime loans than whites. Between 2004 and 2009, the number of prime loans to African Americans and Latinos decreased 76 percent while white borrowers only saw a 31 percent decrease and Asian Americans experienced a 28 percent decline.¹²

The emergence of **peer-to-peer lending** in 2006 gave average Americans the ability to issue loans themselves. Peer-to-peer lending, the process of direct loan provision by lenders to borrowers through internet platforms, has surpassed \$1 billion of outstanding loan volume and is still growing rapidly, even accelerating its growth over the last year. In peer-to-peer lending, an investor has the credit history of a prospective borrower and, while race is not included, a lot of personal descriptors still are. Most interesting is the presence of a borrower's geography. Certain areas of the United States have a lower rate of return than others, particularly the state of Florida¹³. Studies have determined that Florida residents are less likely, in a statistically significant way, to pay back their peer-to-peer loans¹⁴. As a result, less peer-to-peer lending is available to Florida's residents as an alternative means of securing financing for a home purchase.

¹¹ The Urban Institute - Where Have All the Loans Gone? The Impact of Credit Availability on Mortgage Volume, March 2014

¹² Compliance Tech - The Foreclosure Crisis and Racial Disparities in Access to Mortgage Credit 2004-2009, February 9, 2011

¹³ Lending Club releases issued loan data quarterly. Last Release: 09/01/2014

¹⁴ Trans Union 2013 Q4 Report [60-Day Mortgage Loan Delinquency Rate by State](#)

After declines each year from 2005 through 2011, home purchase originations for one- to four-family, owner-occupied, site-built properties grew significantly in 2012 and 2013. However, the degree of growth over these two years varied substantially across demographic groups. Loans to Asian and high-income borrowers have grown most quickly at 42 percent and 50 percent, respectively, while loans to African American and low- or moderate-income (LMI) borrowers have grown most slowly at just 12 percent and seven percent, respectively.¹⁵

In terms of borrower income, the share of home purchase loans to LMI borrowers declined significantly in 2013 from 2012, from 33.4 percent to 28.4 percent. In fact, the *number* of loans to LMI borrowers declined slightly from 2012 despite growth in the overall number of home-purchase loans.¹⁶

¹⁵ The 2013 Home Mortgage Disclosure Act Data Federal Reserve Bulletin November 2014 Vol. 100, No. 6

¹⁶ The 2013 Home Mortgage Disclosure Act Data Federal Reserve Bulletin November 2014 Vol. 100, No. 6

Table 4-12 Distribution of Home Loans, by Purpose of Loan, 2004-2013
Percent except as noted

Characteristic of borrower and of neighborhood	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
A. Home purchase										
Borrower race and ethnicity¹										
Asian	4.8	5.0	4.5	4.5	4.9	5.3	5.5	5.2	5.3	5.7
Black or African American	7.1	7.7	8.7	7.6	6.3	5.7	6.0	5.5	5.1	4.8
Other minority ²	1.4	1.3	1.1	1.0	.9	.9	.9	.8	.8	.7
Hispanic white	7.6	10.5	11.7	9.0	7.9	8.0	8.1	8.3	7.7	7.3
Non-Hispanic white	57.1	61.7	61.2	65.4	67.5	67.9	67.6	68.7	69.9	70.2
Joint	2.3	2.3	2.3	2.5	2.8	2.8	2.7	2.8	2.9	3.1
Missing	19.8	11.5	10.5	10.1	9.6	9.3	9.1	8.6	8.3	8.2
All	100	100	100	100	100	100	100	100	100	100
Borrower income³										
Low or moderate	27.7	24.6	23.6	24.7	28.1	36.7	35.5	34.4	33.4	28.4
Middle	26.9	25.7	24.7	25.2	27.1	26.7	25.6	25.2	25.2	25.2
High	41.4	45.5	46.7	47.0	43.1	34.7	37.4	38.8	40.0	44.8
Income not used or not applicable	4.0	4.2	5.0	3.1	1.8	1.8	1.4	1.5	1.5	1.5
All	100	100	100	100	100	100	100	100	100	100
Neighborhood income⁴										
Low or moderate	14.5	15.1	15.7	14.4	13.1	12.6	12.1	10.8	12.8	12.7
Middle	48.7	49.2	49.5	49.6	49.8	50.2	49.4	48.6	43.6	43.7
High	35.8	34.7	33.7	35.1	35.9	35.8	37.7	38.6	43.2	43.2
All	100	100	100	100	100	100	100	100	100	100
B. Refinance										
Borrower race and ethnicity¹										
Asian	3.5	2.9	3.0	3.1	3.1	4.1	5.2	5.4	5.5	4.7
Black or African American	7.4	8.3	9.6	8.4	6.0	3.5	2.9	3.1	3.3	4.4
Other minority ²	1.4	1.4	1.3	1.1	.8	.6	.5	.6	.6	.7
Hispanic white	6.2	8.6	10.1	8.7	5.3	3.2	3.0	3.3	3.9	5.0
Non-Hispanic white	57.2	60.9	59.6	62.7	70.7	74.6	74.3	73.5	72.5	70.5
Joint	2.1	2.1	1.9	2.0	2.2	2.6	2.7	2.8	3.1	3.1
Missing	22.1	15.7	14.6	14.1	11.9	11.4	11.4	11.3	11.1	11.6
All	100	100	100	100	100	100	100	100	100	100
Borrower income³										
Low or moderate	26.2	25.5	24.7	23.3	23.5	19.6	19.0	19.2	19.6	21.1
Middle	26.3	26.8	26.1	25.6	25.5	22.5	22.5	21.3	21.8	21.7
High	38.8	40.8	43.7	46.1	44.8	45.8	49.6	48.1	47.7	46.3
Income not used or not applicable	8.6	6.9	5.4	4.9	6.2	12.1	8.9	11.4	10.9	10.8
All	100	100	100	100	100	100	100	100	100	100
Neighborhood income⁴										
Low or moderate	15.3	16.5	17.9	16.1	11.9	7.7	7.2	7.3	10.1	12.1
Middle	50.0	51.3	52.0	52.2	51.9	47.5	46.1	45.5	41.9	43.8
High	33.9	31.6	29.4	31.0	35.2	43.5	46.0	45.6	47.6	43.9
All	100	100	100	100	100	100	100	100	100	100
Memo										
Number of home-purchase loans (thousands)	4,660	4,836	4,298	3,331	2,533	2,391	2,157	2,018	2,286	2,615
Number of refinance loans (thousands)	6,412	5,692	4,397	3,588	2,869	5,243	4,481	3,823	5,890	4,341

Source: The 2013 Home Mortgage Disclosure Act Data, www.federalreserve.gov

Another area of discrimination related to housing sales and rentals involves the availability and affordability of property insurance. The latest National Association of Insurance Commissioners Annual Report has ranked Florida the nation's most

expensive homeowners insurance market. The average premium for a typical homeowner's policy in Florida is \$1,933, according to NAIC data ranking it first among the states¹⁷. Thus, the absence of easy access to affordable homeowners insurance with favorable terms is a major issue for poor, minority families attempting to purchase their first home and for all home owners in minority neighborhoods, hindering housing and community development efforts.

Furthermore, disparities in homeowner's insurance options available to minorities contribute to more declinations of coverage among minority homebuyers and limit opportunities for integration. Neighborhoods composed predominantly of minority populations are often excluded from the best homeowner's insurance coverage. As the U.S. 7th Circuit Court of Appeals explained in its NAACP v. American Family Mutual Insurance decision¹⁸, procuring insurance is critical to the home purchasing process: "No insurance, no loan; no loan, no house; lack of insurance thus makes housing unavailable."

Examples of insurance discrimination include providing inattentive service to minority customers, offering policies with different terms to members of different racial groups, requiring inspections only in non-white neighborhoods and requiring credit checks for only minority applicants. Unfortunately, the unavailability of data on insurance redlining makes it difficult to determine the scope and nature of discriminatory insurance practices that might exist and, therefore, prevents this potential problem from being appropriately addressed.

The difficulty in providing statistics and analysis on the impact of redlining is demonstrated in the testimony provided to the United States Senate Committee on Banking, Housing and Urban Affairs on March 17, 2009 where J. Robert Hunter, Director of Insurance Consumer Federation of America in discussing the "failure to take recent steps on redlining or insurance availability or affordability. Many states no longer even look at these issues, 30 years after the federal government issued studies documenting the abusive practices of insurers in this regard. Yet, ongoing lawsuits continue to reveal that redlining practices harm the most vulnerable consumers."¹⁹

¹⁷ National Association of Insurance Commissioners Annual Report 2013
18 978 F.2d 287 (7th Cir. 1992)

¹⁹

http://www.consumerfed.org/elements/www.consumerfed.org/file/Hunter_Testimony_Senate_Banking_3-17-09.pdf

Conclusion:

Many factors affect the supply of affordable housing, including low wages for common occupations, high market prices for homes and apartments in decent condition, and limited federal funding for housing programs²⁰. Florida's market for home sales is steadily improving—prices are increasing, the inventory of homes for sale is approaching competitive levels, and the share of homebuyers paying cash, including institutional investors, is declining. However, many Florida metropolitan areas still have the highest share of cash sales in the nation. In the Melbourne, Tampa, and Miami metropolitan areas, cash sales comprise 50.9%, 51.1%, and 59.1% of all home sales, respectively. Although institutional investors are expected to pull back from the home sale market in the coming year, wealthy retirees and international buyers paying cash are likely to maintain a strong presence in Florida markets. The prevalence of cash sales in Florida reduces the inventory of affordable homes available to low-income and first-time homebuyers.²¹

Additionally, access to mortgage credit has become more restricted for these buyers. Key provisions of the Dodd-Frank Act Wall Street Reform and Consumer Protection Act, passed by Congress in 2010, took effect in 2014, including more stringent underwriting standards for residential mortgages, and requirements for banks to hold increased capital. As mortgage lenders have implemented the new rules, they have made fewer loans to homebuyers with low incomes or less-than-ideal credit.²²

It is very challenging for Florida's policymakers and Sanford community advocates to directly influence these factors, but the Sadowski State and Local Housing Trust Funds allow thousands of low- and moderate-income families to rent, buy, and renovate affordable homes each year, while leveraging substantial public and private funds and boosting Florida's economy.

²⁰ Hoag, C. 2015, January 13. "Low-Income Housing Funds are Drying Up All Over America." TakePart [online magazine]. <http://www.takepart.com/article/2015/01/13/low-income-housing>.

²¹ Institute for Economic Competitiveness. 2014. Florida and Metro Forecast: 2014-2017. Orlando: University of Central Florida College of Business Administration. <http://iec.ucf.edu/file.axd?file=2014%2f12%2ffl-forecast-december-2014-s.pdf>

²² Institute for Economic Competitiveness 2014.

Eavis, P. 2014, October 22. "U.S. loosens reins, but mortgage lenders want more slack." New York Times [online article]. http://dealbook.nytimes.com/2014/10/22/u-s-loosens-reins-but-mortgage-lenders-want-more-slack/?_r=0

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CHAPTER 5: FAIR HOUSING COMPLAINTS

OVERVIEW

One challenge facing small entitlement cities, such as the City of Sanford, is the lack of resources available to track and record fair housing complaints on a local level. The U.S. Department of Housing and Urban Development (HUD) and the Florida Commission on Human Relations (FCHR) both record and report fair housing complaints that are received annually on a statewide and countywide basis; however, the reports do not provide relevant data to evaluate the number and types of complaints coming directly from persons who reside in or experienced a fair housing violation in Sanford.

Due to this challenge, it is recommended that the City consider creating a local committee or advisory board that is dedicated to receiving, documenting and reporting fair housing complaints from Sanford residents. The City is encouraged to consider a partnership with a local or regional non-profit organization advocacy group that specializes in assisting Sanford residents with supportive housing services that increase a person or family's right to fair housing choice, in the event that internal staff capacity is an issue. By creating a local committee or advisory board to collect and report fair housing complaint information, the City will greatly benefit from the easily accessible data to complete annual updates to reports, such as the Analysis of Impediments to Fair Housing Choice (AI), and expand efforts affirmatively furthering fair housing choice.

In January 2015, Community Legal Services of Mid-Florida (CLSMF) began collecting and evaluating fair housing complaints, including residents from Seminole County and its municipalities including the City of Sanford, and other surrounding counties. Due to the large capacity of the documentation that is being evaluated, CLSMF will not be able to release reportable data to be utilized on this report before the August 2015 deadline. However, CLSMF did provide an overview of estimated numbers and general types of fair housing complaints that have been received from residents in Seminole County and Sanford.

SEMINOLE COUNTY DATA

According to the HUD Office of Fair Housing and Equal Opportunity, there were a total of 41 fair housing complaints recorded in Seminole County in 2013. Of the 41 total fair housing complaints, 4 were based on race, 4 were based national origin, 25 were based on disability, 7 were based on familial status, 5 were based on sex, and 1 was based on retaliation.

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CHAPTER 6:
IMPEDIMENTS TO FAIR HOUSING CHOICE IDENTIFIED
AND RECOMMENDATIONS FOR RESOLUTION

Impediment #1: Discrimination in Housing Sales and Rental

Recommendations:

1.1 Create a civil rights section on the City website with links to federal and state regulations, etc.

1.2 Encourage subrecipients to target marketing resources to promote fair housing awareness in underserved communities. Examples include targeted TV stations, radio and print media.

1.3 The City should publish a public notice in the local newspaper and post a copy of this notice at the City hall stating the name of their Fair Housing Coordinator and the availability of local fair housing counseling services.

Impediment #2: Lack of Existing/Available Affordable Housing Stock and the Geographic Distribution of Affordable Housing Stock.

Recommendations:

2.1 Recommend implementation of a strong Affirmatively Furthering Fair Housing policy to include proactive monitoring and enforcement efforts.

2.2 The City should follow-up on claims of discrimination and work with the FCHR to ensure that the programs covered by the Consolidated Plan effectively address fair housing requirements. Have FCHR contact information posted on the web pages and collateral materials printed by CDBG.

Impediment #3 – Unintentional Effects of Local Land Use Regulations/Public Policies and/or the Results of Implementing Antiquated Land Use Regulations

3.1 The City should complete an extensive review of their current Comprehensive Plan to ensure that no local land use policy is having a negative impact on fair housing choice for all segments of the population. If it is determined that a policy results in an impediment to fair housing choice, the City will take the appropriate measures to resolve the issue.

Impediment #4 - Local development standards and their implementation e.g. zoning, building or design standards, may constrain development of housing opportunities for minority and low income households

Recommendations:

4.1 Convene AI working group to discuss progress on AI recommendations and solicit feedback for future AI updates

4.2 Encourage the City Planning Department to implement land use policies that encourage fair housing and the construction of housing affordable to lower-income families and workers through the administration of state housing element law

Impediment #5 - Inadequate access for minority households to housing outside of areas of minority concentration

Recommendations:

5.1 Encourage more single-family housing acquisition with CDBG funds through the use of incentives such as project preference.

5.2 Consider ways to increase application from inactive housing providers, including but not limited to individual meetings to discuss what particular barriers to participation exist for the locality.

5.3 Coordinate with PHAs within the City's jurisdiction on best practices related to utilization rates, increasing property portfolio outside areas of concentration, etc. Survey participating PHAs for best practices on:

- a. The extent to which finding landlords willing to accept Section 8 vouchers outside areas of minority concentration is a problem;
- b. How PHAs area marketing available vouchers to underserved populations who may be least likely to apply.

Impediment #6 - Inadequate access to employment opportunities, transportation and public and social services infrastructure to support increased housing opportunities for lower income, minority and disabled households

Recommendations:

6.1 Provide training on HUD Section 3 requirements and require funded jurisdictions to submit Section 3 implementation plans.

6.2 Establish working group to study model city analysis and development criteria incorporate relevant information into ongoing education and technical assistance to local governments and consider incorporation in rating and ranking federal programs and future AI updates as appropriate.

6.3. Convene working group of local jurisdiction and developers in rural areas to address improving the citing of housing and access to jobs, transportation and social services.

Impediment #7 - Discriminatory terms and conditions in rental markets, as well as steering in rental and home purchase markets**Recommendations:**

7.1 Conduct outreach and education activities for housing providers, realtors and property managers about discriminatory actions and steering.

Impediment #8 - Failure to make reasonable accommodation or modification for disabled persons**Recommendations:**

8.1 Conduct outreach and education activities for housing providers.

8.2 Revisit fair housing enforcement and monitoring procedures in order to spot these violations and clearly define consequences for violators.

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