2014 State of Alabama
Analysis of Impediments to Fair Housing Choice

Draft Report for Public Review

January 9, 2015

HAS YOUR RIGHT TO FAIR HOUSING BEEN VIOLATED?

If you feel you have experienced discrimination in the housing industry, please contact:

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Department of Housing and Urban Development
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Alabama Department of Economic and Community Affairs
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Local Fair Housing Organizations:

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Center for Fair Housing
602 Bel Air Boulevard
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Residents of Central Alabama Contact:

Central Alabama Fair Housing Center
2867 Zelda Road
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2014 STATE OF ALABAMA
ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

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EXECUTIVE SUMMARY

AI PURPOSE AND PROCESS

As a requirement of receiving funds under the Community Development Block Grant (CDBG), the HOME Investment Partnerships (HOME), and the Emergency Solutions Grant (ESG), states must submit certification 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*, page 2-8, HUD provides a definition of impediments to fair housing choice as:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices [and]
- Any actions, omissions, or decisions which have [this] effect.[1]

The list of protected classes included in the above definition is drawn from the federal Fair Housing Act, which was first enacted in 1968. However, state and local governments may enact fair housing laws that extend protection to other groups, and the AI is expected to address housing choice for these additional protected classes as well.

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

The development of an AI also includes public input and review via direct contact with stakeholders, public meetings to collect input from citizens and interested parties, distribution of draft reports for citizen review, and formal presentations of findings and impediments, along with actions to overcome the identified impediments.

METHODOLOGY

As part of the consolidated planning process, and as a requirement for receiving HUD formula grant funding, the State of Alabama is undertaking this AI to evaluate impediments to fair housing choice within non-entitlement areas of the State. Residents of the State of Alabama are protected from discrimination in housing choice by the federal Fair Housing Act, which includes protections based on race, color, religion, national origin, sex, disability, and familial status[2].

[1] U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide*. Vol. 1, p. 2-8. http://www.hud.gov/offices/cpd/about/conplan/fairhousingexs/Module5_TopSevenAFFH.pdf
[2] 42 U.S.C.A. §3601

The purpose of this report is to determine current impediments to fair housing choice at work in Alabama and to suggest actions that the state can consider in order to overcome the identified impediments. Thus, this report represents only the first step in the three-part certification process presented on the previous page.

This AI was conducted through the assessment of a number of quantitative and qualitative sources. Quantitative sources used in analyzing fair housing choice in the State of Alabama included:

- Socio-economic and housing data from the U.S. Census Bureau,
- Employment data from the U.S. Bureau of Labor Statistics,
- Economic data from the U.S. Bureau of Economic Analysis,
- Investment data gathered in accordance with the Community Reinvestment Act,
- Home loan application data from the Home Mortgage Disclosure Act, and
- Housing complaint data from HUD.

Qualitative research included evaluation of relevant existing fair housing research and national and state fair housing legal cases. Additionally, this research included the evaluation of information gathered from several public input opportunities conducted in relation to this AI. This also included the 2014 Impediments to Fair Housing Choice Survey, a Fair Housing Forum discussion held in Orange Beach on November 13, 2014, and a series of focus groups held with local stakeholders and professionals in the housing industry.

Geographic analyses of racial and ethnic population distributions were conducted by calculating race or ethnicity as the percentage of total population and then plotting the data on a geographic map of Census tracts in the State of Alabama. For the purposes of this AI, maps were produced for several racial and ethnic groups based on both 2000 and 2010 Census data in order to examine how the concentrations of these populations changed over time. Five-year ACS estimates from 2012 were also used for selected maps.

Ultimately, the following list of impediments was drawn from these sources and further evaluated based on HUD's definition of impediments to fair housing choice, as presented on the previous page. The impediments to fair housing choice present within the State were identified; along with actions the State may consider in attempting to overcome the identified impediments.

IMPEDIMENTS TO FAIR HOUSING CHOICE AND SUGGESTED ACTIONS

The following impediments to fair housing choice were identified through review of data gathered from the above-mentioned sources, and actions were proposed to address those impediments. The State of Alabama, through ADECA as its representative, provided feedback on the impediments identified and actions proposed to address those impediments. As per the request of the State, its responses to the identified impediments and proposed actions have been presented in part in the following section, and included in full in Appendix E.

Private Sector Impediments, Suggested Actions, and Measurable Objectives

***Impediment 1*: More frequent denial of home purchase loans to black, Hispanic, and female householders.** This impediment was identified through review of data on home purchase loans gathered under the Home Mortgage Disclosure Act. It should be noted that HMDA data do not include information on several factors that are highly pertinent to the loan application process, such as the credit score of the applicant or the size of the prospective down payment, and so the impact of these factors on loan denial rates is impossible to assess. Nevertheless, the data do provide an index of the experience of loan applicants, and allow for a determination of whether or not those applicants are more or less likely to be denied if they are black, Hispanic, or female. According to these data, the average black loan applicant in the state's non-entitlement areas was almost twice as likely to be denied a home purchase loan as the average white loan applicant. Similarly, 30.7 percent of loan applications from female applicants were denied, compared to a denial rate of 22 percent for male applicants, and the denial rate for Hispanic applicants, 29.6 percent, exceeded that of non-Hispanic applicants by over six percentage points. These data do not necessarily indicate that lenders throughout the state have engaged in a pattern of illegal discriminatory lending; however, differential denial rates do present an impediment to those in protected classes who are subject to higher denial rates.

Action 1.1: Conduct outreach and education of prospective housing consumers on how to acquire and keep good credit.

Measurable Objective 1.1: Number of outreach and education activities undertaken and number of participants in those activities.

The State's Response: "…the State of Alabama agrees that the recommendation is an appropriate one to assert – based on the statements in the above paragraph. However, the State of Alabama's concern is that consumer credit counseling is already available online, over-the telephone, and via in-person seminars which are periodically presented throughout Alabama - usually free of charge, and such services are routinely advertised through the media. At best, the State of Alabama could identify and publicize the availability of such counseling services to prospective homeowners, but to actually engage in the outreach and education of any prospective homeowners would be beyond the administrative and financial capabilities of the State of Alabama and of ADECA."

***Impediment 2*: Apparent predatory lending falls more heavily on black borrowers.** This impediment was identified through review of data gathered under the HMDA, which related in part to the prevalence of high annual percentage rate loans (HALs) among home purchase loans issued in the state. According to these data, over one quarter of the loans issued to black borrowers in the state's non-entitlement areas were HALs, compared to a HAL rate of 16.3 percent for white borrowers and an overall HAL rate of 17.3 percent. As noted above, the data do not necessarily indicate a pattern of targeting black borrowers for high priced loans, nor do they rule out such a pattern. Nevertheless, these high cost loans represents an additional cost to housing seekers, which black borrowers are more likely to have to bear than other borrowers.

Action 2.1: Conduct outreach and education of prospective housing consumers on the attributes of a predatory style loan.

Measurable Objective 2.1: Number of outreach and education activities undertaken and number of participants in those activities.

Action 2.2: Identify lenders who have disproportionately engaged in predatory lending and publish the findings so that consumers can more easily obtain this information about the lenders.

Measurable Objective 2.2: The number of lenders identified as providing predatory style loans and the publication of information relating to those lenders, particularly on the ADECA website.

The State's Position: "…the State of Alabama agrees that the first recommendation (concerning "education on predatory lending practices") is an appropriate one to assert, but the second recommendation (concerning "identifying predatory lenders via a published list") is not an appropriate one to assert. The reasoning for this is similar to the response stated for Comment #1 above. Additionally, predatory lending is legal in Alabama as well as in most, if not all, of the other States. And predatory lenders do fill a useful niche in the consumer lending arena. However, while the practices of the predatory lending business may appear unscrupulous, Congress has not yet enacted laws outlawing such lending practices and procedures. But, the State of Alabama does maintain a State Banking Department that is available to provide information on attempts having been made within Alabama to curb predatory lending abuses."

***Impediment 3*: Discriminatory terms, conditions, privileges, or facilities relating to rental.** This impediment was identified through review of fair housing complaints lodged with the U.S. Department of Housing and Urban Development (HUD), the 2014 Real Estate Professionals Focus Group, and cases lodged by the DOJ against state housing providers on behalf of Alabama residents. Fair housing complaints pertaining to perceived discrimination in the rental housing market were the most common type of complaint with respect to the discriminatory action alleged complaints; this was true for all complaints in general as well as those considered to have cause. In addition, participants in the rental focus group discussion perceived discrimination to be more pronounced in the rental market than in the real estate market. The relative prevalence of discrimination in the rental market was born out to some degree by DOJ cases filed in the state over the last decade, eleven of which concerned discrimination in the rental housing market (out of fifteen total).

Action 3.1: Conduct outreach and education for both housing providers and housing consumers on prospective actions that are in violation of fair housing law.

Measurable Objective 3.1: Number of outreach and education activities undertaken and number of participants in those activities.

The State's Position: "…the State of Alabama agrees that such recommendations would be beneficial for the protection of Alabama's rental housing owners as well as consumers. In fact, this type of work is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) pursuant to the authority bestowed upon each of them. The State of Alabama's effort to address these recommendations could involve considering posting an announcement on ADECA's website (www.adeca.alabama.gov) that would mention that such "rental housing education" and "audit testing services" are being provided by Alabama's three fair housing centers."

***Impediment 4*: Discriminatory refusal to rent.** This impediment was also identified through review of fair housing complaints submitted to HUD and the 2014 Real Estate Professionals

Focus Group. Approximately fifteen percent of complaints cited discriminatory refusal to rent, specifically, and as noted above, complaints alleging violations of fair housing laws in the state's rental markets more generally were relatively common. In addition, participants in the rental focus group discussion perceived discrimination to be more pronounced in the rental market than in the real estate market. Finally, as stated above, eleven out of fifteen DOJ cases against housing providers in Alabama concerned discrimination in rental housing.

Action 4.1: Conduct outreach and education for both housing providers and housing consumers on prospective actions that are in violation of fair housing law.

Measurable Objective 4.1: Number of outreach and education activities undertaken and number of participants in those activities.

The State's Position: "…the State of Alabama agrees that such recommendations would be beneficial for the protection of Alabama's rental housing owners as well as consumers. In fact, this type of work is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) pursuant to the authority bestowed upon each of them. The State of Alabama's effort to address these recommendations could involve considering posting an announcement on ADECA's website (www.adeca.alabama.gov) that would mention that such "rental housing education" and "audit testing services" are being provided by Alabama's three fair housing centers."

***Impediment 5*: Failure to make reasonable accommodation or modification.** This impediment was identified through review of fair housing cases lodged by the Department of Justice against housing providers in Alabama, complaints submitted to HUD by or on behalf of Alabama residents, and minutes from focus group discussions. Of the fifteen fair housing cases in Alabama that HUD referred to the Department of Justice over the last decade, six of them concerned housing discrimination on the basis of disability, with failure to make reasonable accommodation a common accusation. In addition, disability was cited as the discriminatory basis in 45 percent of all complaints lodged with HUD from 2004 through 2014, and failure to make reasonable accommodation was a specific allegation in more than one-fifth of all complaints. Among complaints considered to have cause, disability was the most common perceived basis for discrimination.

Action 5.1: Conduct outreach and education for both housing providers and housing consumers on prospective actions that are in violation of fair housing law.

Measurable Objective 5.1: Number of outreach and education activities undertaken and number of participants in those activities.

Action 5.2: Conduct audit testing to determine the number of properties currently in violation of disability standards.

Measurable Objective 5.2: Number of audit tests undertaken and properties identified as potentially in violation of disability standards.

The State's Position: "…the State of Alabama agrees that such recommendations would be beneficial for the protection of Alabama's rental housing owners as well as consumers. In fact, this type of work is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) pursuant to the authority

bestowed upon each of them. The State of Alabama's effort to address these recommendations could involve considering posting an announcement on ADECA's website (www.adeca.alabama.gov) that would mention that such "rental housing education" and "audit testing services" are being provided by Alabama's three fair housing centers."

***Impediment 6*: Insufficient understanding of fair housing laws.** This impediment was identified through review of the 2014 Impediments to Fair Housing Choice Survey and the 2014 Real Estate Professionals Focus Group. More than half of respondents considered "lack of knowledge or understanding regarding fair housing" to represent an impediment in the State of Alabama, and 30 percent classified it as a moderate or severe impediment. The lack of understanding regarding fair housing laws was also a subject in the Rental Focus Group. One respondent maintained that, due to a lack of fair housing training, "people have no idea… that [the fair housing law] is even there to protect them…"

Action 6.1: Enhance outreach and education by conducting more education opportunities for both consumers and providers of housing

Measurable Objective 6.1: Number of outreach and education activities undertaken and number of participants in those activities.

Action 6.2: Make available both the summary and the entire study, the 2014 Analysis of Impediments to Fair Housing Choice

Measurable Objective 6.2: Publication of the summary and study on ADECA's website.

The State's Position: "…the State of Alabama agrees that such recommendations would be beneficial for the protection of Alabama's rental housing owners as well as consumers. The State of Alabama reiterates its stance that the work of providing education on fair housing laws is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile), and the State of Alabama's effort to address this recommendation could involve considering posting an announcement on ADECA's website (www.adeca.alabama.gov) that would mention that such "fair housing laws education" is being provided by those three fair housing centers. As for making the summary and AI available to the public, ADECA can post these documents on its website where the public can access them."

Public Sector Impediments, Suggested Actions, and Measurable Objectives

***Impediment 1*: Insufficient fair housing testing and enforcement in non-entitlement areas of Alabama.** Three fair housing organizations in the state were contacted in connection with the AI effort, and asked to provide information relating to fair housing activities undertaken in non-entitlement areas of the state, including complaint intake and fair housing testing. None of these organizations provided information concerning complaints they had receive or testing they had conducted, or responded to these requests for information in any way, and one is largely inactive. The perception that fair housing enforcement in the state's non-entitlement areas was insufficient was shared in commentary at the Fair Housing Forum.

Action 1.1: Contract with a Fair Housing Initiate Program (FHIP) participant or other entity to conduct testing and enforcement activities in the non-entitlement areas of Alabama

Measurable Objective 1.1: Record of correspondence with FHIP participants or other entities, contracts entered into, and resources committed to testing and enforcement activities.

Action 1.2: Track the outcome of this testing activity

Measurable Objective 1.2: Number of tests undertaken and the results of such testing, concluding types of violations discovered, if any, and protected classes impacted by those violations.

The State's Position: "…the State of Alabama agrees that such activities would be beneficial activities that could affirmatively further fair housing. And such work involving the testing, enforcing, and reporting of fair housing law activities is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile). All of these centers conduct fair housing enforcement activities in their respective territories in the form of complaint intake/investigation/mediation/referral services for persons who believe they have been victims of discrimination, rental/sales/insurance testing and education/outreach/enforcement activities based on the results of those tests, and fair lending education and outreach activities that specifically target racial and ethnic minorities, persons with limited English proficiency, and persons with disabilities. These centers already receive HUD funds to perform these activities, so the State of Alabama might be limited in its ability to contract with these centers to perform that work which they were created to perform with HUD funds. However, the State of Alabama – by and through ADECA – could (i) establish a dialogue with these centers directed at their inclusion of the rural areas of the State in their testing activities, and (ii) seek from each of these centers the data collected from their testing activities and the outcomes therefrom, which information ADECA could subsequently utilize in its future CDBG planning activities."

***Impediment 2*: Lack of Fair Housing Initiative Program (FHIP) participation in non-entitlement areas of Alabama.** Though residents of southern and central Alabama are served by the Center for Fair Housing and the Central Alabama Fair Housing Center, respectively, residents of northern Alabama are not currently served by a FHIP participant. The fair housing organization operating in that part of the state is not a current FHIP grantee, though it did receive FHIP funding in 2011. This organization does not currently operate a website that would allow members of the public to learn more about its work, or fair housing in general, or to contact them directly with fair housing complaints. In addition, participation of FHIP grantees in the AI process was lacking: though the three fair housing organizations were contacted during the AI process, and were asked to provide information relating to their complaint intake and enforcement activities, none has done so.

Action 2.1: Contract with a Fair Housing Initiate Program (FHIP) participant or other entity to conduct testing and enforcement activities in the non-entitlement areas of Alabama

Measurable Objective2.1: Record of correspondence with FHIP participants or other entities, contracts entered into, and resources committed to testing and enforcement activities.

Action 2.2: Require periodic reporting of activities undertaken

Measurable Objective 2.2: Reports submitted by participating FHIP grantees, or other entities, to ADECA on a quarterly basis, and the number and type of fair housing activities undertaken in the state's non-entitlement areas

The State's Position: "…the State of Alabama agrees that such activities would be beneficial activities that could affirmatively further fair housing. And such work involving the testing, enforcing, and reporting of fair housing law activities is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile). All of these centers conduct fair housing enforcement activities in their respective territories in the form of complaint intake/investigation/mediation/referral services for persons who believe they have been victims of discrimination, rental/sales/insurance testing and education/outreach/enforcement activities based on the results of those tests, and fair lending education and outreach activities that specifically target racial and ethnic minorities, persons with limited English proficiency, and persons with disabilities. These centers already receive HUD funds to perform these activities, so the State of Alabama might be limited in its ability to contract with these centers to perform that work which they were created to perform with HUD funds. However, the State of Alabama – by and through ADECA – could (i) establish a dialogue with these centers directed at their inclusion of the rural areas of the State in their testing activities, and (ii) seek from each of these centers the data collected from their testing activities and the outcomes therefrom, which information ADECA could subsequently utilize in its future CDBG planning activities."

"…the State of Alabama believes that such activities are already being performed by Alabama's three fair housing centers.... the State of Alabama – by and through ADECA – could seek from each of these centers the data collected from their testing activities and the outcomes therefrom, and ADECA could subsequently utilize the data in its future CDBG planning activities."

***Impediment 3*: Lack of understanding of the fair housing laws and duties.** This impediment was identified through review of the 2014 Impediments to Fair Housing Choice Survey. More than half of respondents considered "lack of knowledge or understanding regarding fair housing" to represent an impediment in the State of Alabama, and 30 percent classified it as a moderate or severe impediment. The lack of understanding regarding fair housing laws was also a subject in the Real Estate Professionals Focus Group. One respondent maintained that, due to a lack of fair housing training, "people have no idea… that [the fair housing law] is even there to protect them…"

Action 3.1: Form a task force to oversee the contracted FHIP entity or other entity
Measurable Objective 3.1: Formation of the task force
Action 3.2: Have the task force consider other things that ADECA can do to affirmatively further fair housing, particularly in light of budgetary constraints
Measurable Objective 3.2: Recommendations from the task force, developed in consultation with state FHIP grantees or other entities, on how to affirmatively further fair housing
Action 3.3: Have the task force meet quarterly to review the quarterly report from the FHIP and consider new business
Measurable Objective 3.3: Record and minutes of quarterly meetings

Action 3.4: Conduct outreach and education to both consumers and providers of housing

Measurable Objective 3.4: Number of outreach and education activities undertaken and the number of participants in those activities.

Action 3.5: Coordinate outreach activities during Fair Housing Month, April of each year

Measurable Objective 3.4: Record of outreach activities undertaken in partnership with state FHIP participants, or other entities

The State's Position: "…the State of Alabama reiterates its response [to Private Sector Impediment 6] for the recommendation that (b) outreach activities should be coordinated during Fair Housing Month, the State of Alabama agrees that such recommendation would be beneficial for Alabama's housing owners and consumers. In fact, each year ADECA drafts a "Fair Housing Proclamation" that is signed by the Governor and which proclaims the month of April as "Fair Housing Month" in Alabama. The most recent occurrence of this activity was April 14, 2014, wherein ADECA posted on its website the Governor's Proclamation, the ADECA Director's Announcement that accompanied the Proclamation, and the ADECA CED Division's Fair Housing Posters reflecting the fair housing compliance language. ADECA subsequently sent out that documentation to Alabama's local governments, regional planning commissions, grant administrators, apartment management agencies, local realtors' associations, and other interested parties as part of the outreach activities. Additionally, the State of Alabama reiterates that the work performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) could be better coordinated with the State of Alabama's and ADECA's efforts to conduct additional outreach activities during Fair Housing Month. To this end, the State of Alabama – by and through ADECA – could coordinate with those centers additional activities that would be beneficial to all entities involved."

"…the State of Alabama reiterates that the work performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) could be better coordinated with the State of Alabama's efforts to conduct additional activities to affirmatively further fair housing. And the State of Alabama – by and through ADECA – could strive to meet frequently with those three centers in efforts to coordinate and conduct further fair housing business."

***Impediment 4:* Inadequate enforcement of the State of Alabama Fair Housing Law.** The State of Alabama Fair Housing Law (Ala. Code §24-8-1 *et seq.*) provides for a range of legal rights pertaining to fair housing, roughly corresponding to those provided for in the federal Fair Housing Act. In addition, the state Fair Housing Law establishes a procedure by which the state will accept complaints and investigate claims of discrimination in the housing market, and identifies the Alabama Department of Economic and Community Affairs (ADECA) as the agency responsible for carrying out the provisions of the law. In spite of this, there is little or no evidence that ADECA enforces Alabama's fair housing statute. Though ADECA's website includes a web link to a Fair Housing poster, which provides information on how to file a fair housing complaint, the poster only cites the federal Fair Housing Act and directs those who feel that their fair housing rights have been violated to contact HUD. There is no mention of either the State Fair Housing Law or ADECA on the posters. Under the heading of additional sources, the site includes web links to various HUD

fair housing sites and posters, but does not mention any state or local resources that may be available, whether public or private. However, it is clear that ADECA is designated as the Alabama agency vested with the responsibility to provide recourse to those who feel that they been subjected to unlawful discrimination in the housing market, as well as the legal authority to do so. The full text of the Alabama Fair Housing Law is included in **Appendix F**.

Action 4.1: Include language on ADECA's website noting that discrimination in the housing market is illegal under state as well as federal law, defining the classes that are protected under state law, examples of violations of the law, and who is covered under state law.

Measurable Objective 4.1: Inclusion of the language described above on the ADECA website

Action 4.2: Establish a process by which ADECA will accept complaints from those who feel that they have been subject to illegal discrimination in the housing market, advertise how the process works, and include housing complaint forms on ADECA's website notifying residents where to file and who to contact.

Measurable Objective 4.2: Development of complaint process, publication of complaint process on ADECA's website, including web links to complaint forms

Action 4.3: Establish a procedure for investigation of fair housing complaints, or partnerships with non-profit fair housing organizations to that end, within the limits of the State Fair Housing Law. Document this process on the ADECA website.

Measurable Objective 4.3: Establishment and documentation of the procedure

SECTION I. INTRODUCTION

Title VIII of the 1968 Civil Rights Act, also known as the Federal Fair Housing Act, made it illegal to discriminate in the buying, selling, or renting of housing based on a person's race, color, religion, or national origin. Sex was added as a protected class in the 1970s. In 1988, the Fair Housing Amendments Act added familial status and disability to the list, making a total of seven federally protected classes. Federal fair housing statutes are largely covered by the following three pieces of U.S. legislation:

1. The Fair Housing Act,
2. The Housing Amendments Act, and
3. The Americans with Disabilities Act.

The purpose of fair housing law is to protect a person's right to own, sell, purchase, or rent housing of his or her choice without fear of unlawful discrimination. The goal of fair housing law is to allow everyone equal access to housing.

WHY ASSESS FAIR HOUSING?

Provisions to affirmatively further fair housing are long-standing components of the U.S. Department of Housing and Urban Development's (HUD's) housing and community development programs. These provisions come from Section 808(e) (5) of the federal Fair Housing Act, which requires that the Secretary of HUD administer federal housing and urban development programs in a manner that affirmatively furthers fair housing.

In 1994, HUD published a rule consolidating plans for housing and community development programs into a single planning process. This action grouped the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grants (ESG)[3], and Housing Opportunities for Persons with AIDS (HOPWA) programs into the Consolidated Plan for Housing and Community Development, which then created a single application cycle.

As a part of the consolidated planning process, states and entitlement communities that receive such funds as a formula allocation directly from HUD are required to submit to HUD certification that they are affirmatively furthering fair housing. In the State of Alabama, the cities of Anniston, Auburn, Bessemer, Birmingham, Decatur, Dothan, Florence, Gadsden, Hoover, Huntsville, Mobile, Montgomery, Opelika, and Tuscaloosa must also certify that they are affirmatively furthering fair housing (AFFH), along with the counties of Jefferson and Mobile. The Alabama Development Authority (MDA) certifies for the remainder of the state, herein referred to as "non-entitlement areas". The AFFH certification process has three parts:

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

[3] In 1994, the Emergency Solutions Grants program was called the Emergency Shelters Grants program.

In the *Fair Housing Planning Guide*, page 2-8, HUD notes that impediments to fair housing choice are:

- "Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices [and]
- Any actions, omissions, or decisions which have [this] effect."[4]

State and local governments may also enact fair housing and anti-discrimination laws, which may extend protections against discrimination to groups who are not included in the federal Fair Housing Act. Title 24 at Chapter 8 of Alabama's State Code, also known as the "Alabama Fair Housing Law", enshrines protection from housing discrimination in state law; however, the law does not extend additional protections to groups that are not protected by the federal FHA.[5]

It is essential to distinguish between fair housing and housing production. As discussed above, fair housing protections at the federal level do not include consideration of income and do not address housing affordability outside the context of housing discrimination. While lack of affordable housing can be a significant concern to policymakers, it is not, on its own, a fair housing problem unless members of protected classes face this issue disproportionately. In fact, a large increase in affordable units in close proximity to one another can contribute to a problem for fair housing choice in some cases, such as the concentration of racial or ethnic minorities.

PURPOSE OF THIS RESEARCH

HUD interprets the broad objectives of affirmatively furthering fair housing to include:

- "Analyzing and working to eliminate housing discrimination in the jurisdiction;
- Promoting fair housing choice for all persons;
- Providing opportunities for racially and ethnically inclusive patterns of housing occupancy;
- Promoting housing that is physically accessible to, and usable by, all persons, particularly individuals with disabilities; and
- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act."[6]

The objective of the 2014 AI process was to research, analyze, and identify prospective impediments to fair housing choice throughout non-entitlement areas of the State. The goal of the completed AI is to suggest actions that the State can consider when working toward eliminating or mitigating the identified impediments.

[4] *Fair Housing Planning Guide*.
[5] Ala. Code §24-8-1, et seq.
[6] *Fair Housing Planning Guide*, p.1-3.

LEAD AGENCY

The agency that led the effort of preparing this report on behalf of the State of Alabama was the Alabama Department of Economic and Community Affairs (ADECA).

Commitment to Fair Housing

In accordance with the applicable statutes and regulations governing the Consolidated Plan, the State certifies that it will *affirmatively further fair housing* (AFFH). This statement means that they have conducted an AI, will take appropriate actions to overcome the effects of any impediments identified through that analysis, and will maintain records that reflect the analysis and actions taken in this regard.

GEOGRAPHIC SCOPE OF THE ANALYSIS

This AI addresses the status of fair housing within non-entitlement areas of the State of Alabama. As such, data from the entitlement cities of Anniston, Auburn, Bessemer, Birmingham, Decatur, Dothan, Florence, Gadsden, Hoover, Huntsville, Mobile, Montgomery, Opelika, and Tuscaloosa are excluded from this analysis, along with Jefferson and Mobile County. Map I.1 on the following page, displays the State of Alabama along with the areas encompassed by those entitlement jurisdictions, which are white on this map.

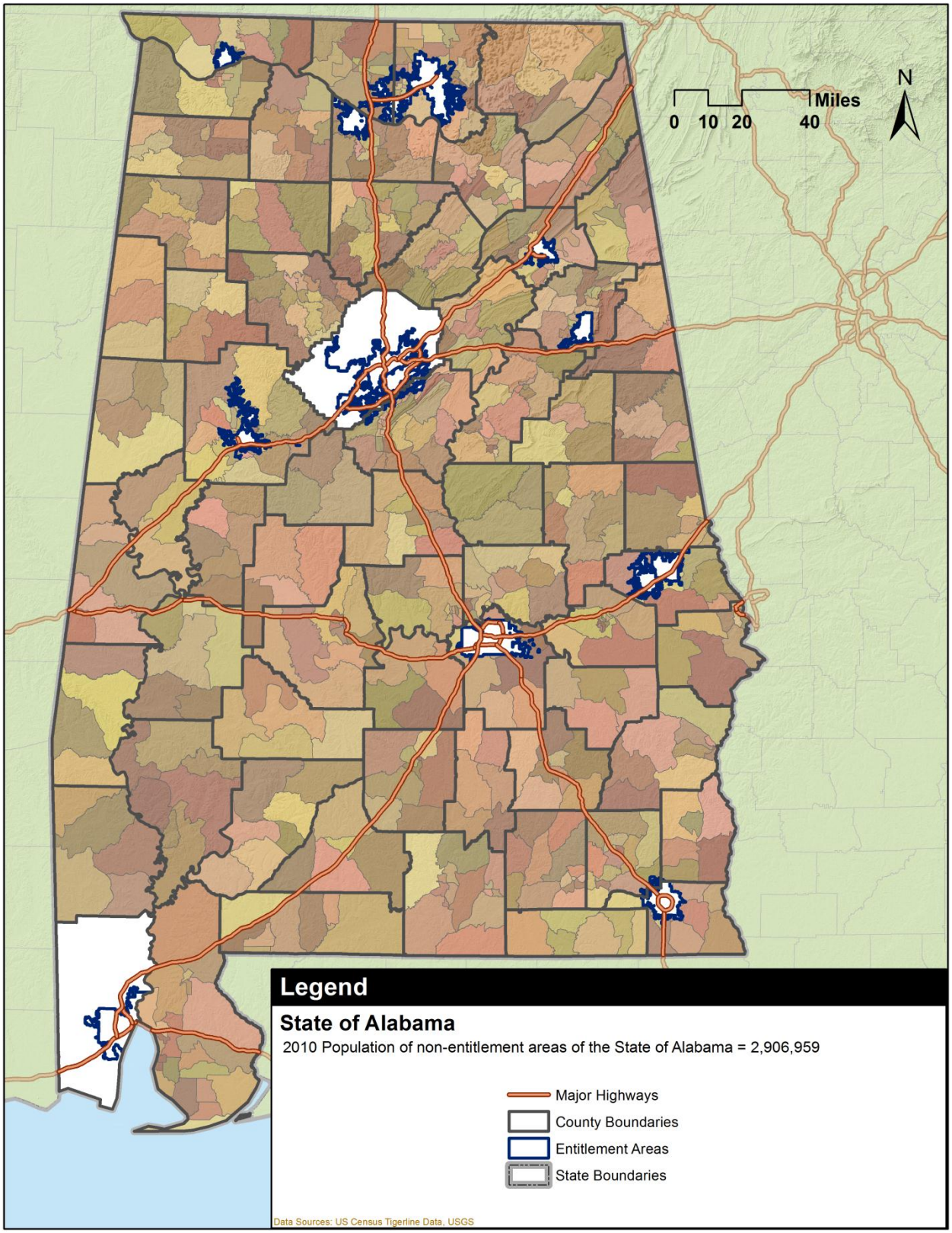
RESEARCH METHODOLOGY

The AI process involves a thorough examination of a variety of data related to housing, particularly for persons who are protected under fair housing laws. AI sources include Census data, employment and income information, home mortgage application data, business lending data, fair housing complaint information, surveys of housing industry experts and stakeholders, and related information found in the public domain. Relevant information was collected and evaluated via four general approaches:

1. *Primary Research*, or the collection and analysis of raw data that did not previously exist;
2. *Secondary Research*, or the review of existing data and studies;
3. *Quantitative Analysis*, or the evaluation of objective, measurable, and numerical data; and
4. *Qualitative Analysis*, or the evaluation and assessment of subjective data such as individuals' beliefs, feelings, attitudes, opinions, and experiences.

Some baseline secondary and quantitative data were drawn from the Census Bureau, including 2000 and 2010 Census counts, as well as American Community Survey data averages from 2008 through 2012. Data from these sources detail population, personal income, poverty, housing units by tenure, cost burdens, and housing conditions. Other data were drawn from records provided by the Bureau of Labor Statistics, the Bureau of Economic Analysis, and a variety of other sources. The following narrative offers a brief description of other key data sources employed for the 2014 AI for the State of Alabama.

Map I.1
Alabama Study Area
Non-Entitlement Areas of Alabama
2010 Census Data



Home Mortgage Disclosure Act Data

To examine possible fair housing issues in the home mortgage market, Home Mortgage Disclosure Act (HMDA) data were analyzed. The HMDA was enacted by Congress in 1975 and has since been amended several times. It is intended to provide the public with loan data that can be used to determine whether financial institutions are serving the housing credit needs of their communities and to assist in identifying possible discriminatory lending patterns. HMDA requires lenders to publicly disclose the race, ethnicity, and sex of mortgage applicants, along with loan application amounts, household income, the Census tract in which the home is located, and information concerning prospective lender actions related to the loan application. For this analysis, HMDA data from 2004 through 2013 were analyzed, with the measurement of denial rates by Census tract and by race and ethnicity of applicants the key research objectives. These data were also examined to identify the groups and geographic areas most likely to encounter higher denial rates and receive loans with unusually high interest rates.

Fair Housing Complaint Data

Housing complaint data were used to analyze discrimination in the renting and selling of housing. HUD provided fair housing complaint data for the State from 2004 through 2014. This information included the basis, or protected class pursuant to the complaint; the issue, or prospective discriminatory action, pursuant to the grievance; and the closure status of the alleged fair housing infraction, which relates to the result of the investigation. The review of 363 fair housing complaints from within non-entitlement areas of the State allowed for inspection of the tone, the relative degree and frequency of certain types of unfair housing practices, and the degree to which complaints were found to be with cause. Analysis of complaint data focused on determining which protected classes may have been disproportionately impacted by housing discrimination based on the number of complaints, while acknowledging that many individuals who believe that they have been subjected to unlawful discrimination in the housing market may be reluctant to step forward with a fair housing complaint for fear of retaliation or similar repercussion.

Fair Housing Survey

HUD recommends that surveys be conducted during the AI process to gain input from the public regarding perceived impediments to fair housing choice in an area. As such, the State elected to utilize a survey instrument as a means to encourage public input in the AI process.

The survey targeted non-entitlement communities and potential applicants for CDBG funding. No fair housing representatives were solicited to participate. The 2014 State of Alabama Fair Housing Survey received 332 responses.

Research Conclusions

The final list of impediments to fair housing choice for the State of Alabama was drawn from all quantitative, qualitative, and public input sources, and was based on HUD's definition of an impediment to fair housing choice as any action, omission, or decision that affects housing choice because of protected class status. The determination of qualification as an impediment was derived from the frequency and severity of occurrences drawn from quantitative and qualitative data evaluation and findings.

PUBLIC INVOLVEMENT

This section discusses analysis of fair housing in the State of Alabama as gathered from various public involvement efforts conducted as part of the AI process. Public involvement feedback is a valuable source of qualitative data about impediments, but, as with any data source, citizen comments alone do not necessarily indicate the existence or lack of impediments to fair housing choice. However, survey and forum comments that support findings from other parts of the analysis reinforce findings from other data sources concerning impediments to fair housing choice.

SECTION II. SOCIO-ECONOMIC CONTEXT

This section presents demographic, economic, and housing information collected from the Census Bureau, the Bureau of Economic Analysis, the Bureau of Labor Statistics, and other sources. Data were used to analyze a broad range of socio-economic characteristics, including population growth, race, ethnicity, disability, employment, poverty, and housing trends; these data are also available by Census tract, and are shown in geographic maps. Ultimately, the information presented in this section illustrates the underlying conditions that shape housing market behavior and housing choice in non-entitlement areas of the State of Alabama.

To supplement 2000 and 2010 Census data, data for this analysis was also gathered from the Census Bureau's American Community Survey (ACS). The ACS data cover similar topics to the decennial counts but include data not appearing in the 2010 Census, such as household income and poverty. The key difference of these datasets is that ACS data represent a five-year average of annual data estimates as opposed to a point-in-time 100 percent count; the ACS data reported herein span the years from 2008 through 2012. The ACS figures are not directly comparable to decennial Census counts because they do not account for certain population groups such as the homeless and because they are based on samples rather than counts of the population. However, *percentage* distributions from the ACS data can be compared to distributions from the 2000 and 2010 Censuses.

DEMOGRAPHICS

As part of the essential review of the background context of the markets which housing choices are made in non-entitlement areas of Alabama, detailed population and demographic data are included to describe the residents of these areas. These data summarize not only the protected class populations, but characteristics of the total population for the entire State's non-entitlement areas, as well as the outcome of housing location choices. These data help to address whether over-concentrations of racial and ethnic minorities exist, and if so, which areas of the State are most affected. Extreme concentrations of protected class populations do not necessarily imply impediments to fair housing choice, but may represent the results of impediments identified in other data.

Table II.1
Census and Intercensal Population Estimates
Non-Entitlement Areas of Alabama
2000, 2010 Census and Intercensal Estimates

Year	Estimate
Census 2000	**2,653,464**
July 2001 Est.	2,687,177
July 2002 Est.	2,701,962
July 2003 Est.	2,722,543
July 2004 Est.	2,747,631
July 2005 Est.	2,779,393
July 2006 Est.	2,821,065
July 2007 Est.	2,856,155
July 2008 Est.	2,889,585
July 2009 Est.	2,915,671
Census 2010	**2,906,959**
July 2011 Est.	2,952,645
July 2012 Est.	2,966,261
July 2013 Est.	2,976,691
Change 00 – 13	**11.5%**

POPULATION DYNAMICS

Table II.1 at right presents population counts in non-entitlement areas of the State of Alabama, as drawn from the 2000 and 2010 Censuses, intercensal estimates for 2001 through 2009, and postcensal estimates from 2011 through 2013. As shown, the population grew by an estimated 11.5 percent from 2000 through 2013. The rate of growth during that time was steady, and increased slightly through the middle of the last decade. By July 2013, the population of the state's non-entitlement areas was an estimated 2,976,691.

POPULATION BY AGE

According to decennial Census counts, the population of the non-entitlement areas of Alabama grew by 9.6 percent between 2000 and 2010, from 2.6 million to 2.9 million persons. As shown in Table II.2 below, the largest age cohort in both years was composed of residents aged 35 to 54, who accounted for well over a quarter of all residents in both years. However, residents in this age group represented a smaller share of the population in 2010 than they had in 2000; that share having dropped by 1 percentage point, from 29.3 to 28.3 percent. By contrast, the share of residents aged 55 to 64 increased by 40.8 percent, from roughly 262,000 to 369,000 over the period.

Table II.2
Population by Age
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Age	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
Under 5	176,519	6.7%	182,009	6.3%	3.1%
5 to 19	572,773	21.6%	593,497	20.4%	3.6%
20 to 24	160,534	6.0%	171,962	5.9%	7.1%
25 to 34	357,250	13.5%	352,155	12.1%	-1.4%
35 to 54	777,558	29.3%	823,594	28.3%	5.9%
55 to 64	262,430	9.9%	369,371	12.7%	40.8%
65 or Older	346,400	13.1%	414,371	14.3%	19.6%
Total	**2,653,464**	**100.0%**	**2,906,959**	**100.0%**	**9.6%**

Meanwhile, the number of residents aged 65 and older also grew by 19.6 percent: much of this increase was driven by growth in the number of residents at the younger end of the elderly cohort, as shown in Table II.3 below. The two youngest cohorts grew at a rate that exceeded that of the elderly cohort as a whole, and while the number of residents in cohorts aged 70-years and older also grew, they did so at a rate that was below the overall average.

Table II.3
Elderly Population by Age
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Age	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
65 to 66	43,559	12.6%	58,464	14.1%	34.2%
67 to 69	60,972	17.6%	78,919	19.0%	29.4%
70 to 74	88,804	25.6%	104,343	25.2%	17.5%
75 to 79	68,518	19.8%	77,017	18.6%	12.4%
80 to 84	45,304	13.1%	52,525	12.7%	15.9%
85 or Older	39,243	11.3%	43,103	10.4%	9.8%
Total	**346,400**	**100.0%**	**414,371**	**100.0%**	**19.6%**

POPULATION BY RACE AND ETHNICITY

The racial composition of the non-entitlement areas of Alabama also shifted over the decade, as shown in Table II.4 on the following page. White residents accounted for 78.4 percent of the population in 2000; by 2010, this share had fallen to 76.7 percent. Similarly, the proportion of the total population represented by black residents fell from 19 percent to 18.3 percent. Hence, both groups were growing more slowly than in the region as a whole, with persons in other groups, such as Asians, "Other", or two or more races swelling in excess of 100 percent.

Furthermore, a more marked shift was observed in the ethnic composition of the state's non-entitlement areas, as the number of Hispanic residents rose nearly 140 percent over the decade, from roughly 47,000 to more than 112,000.

Table II.4
Population by Race and Ethnicity
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Race	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
White	2,079,664	78.4%	2,230,157	76.7%	7.2%
Black	502,835	19.0%	532,667	18.3%	5.9%
American Indian	15,968	.6%	19,725	.7%	23.5%
Asian	9,480	.4%	19,700	.7%	107.8%
Native Hawaiian/ Pacific Islander	782	.0%	1,798	.1%	129.9%
Other	18,592	.7%	58,782	2.0%	216.2%
Two or More Races	26,143	1.0%	44,130	1.5%	68.8%
Total	**2,653,464**	**100.0%**	**2,906,959**	**100.0%**	**9.6%**
Non-Hispanic	2,606,440	98.2%	2,794,231	96.1%	7.2%
Hispanic	47,024	1.8%	112,728	3.9%	139.7%

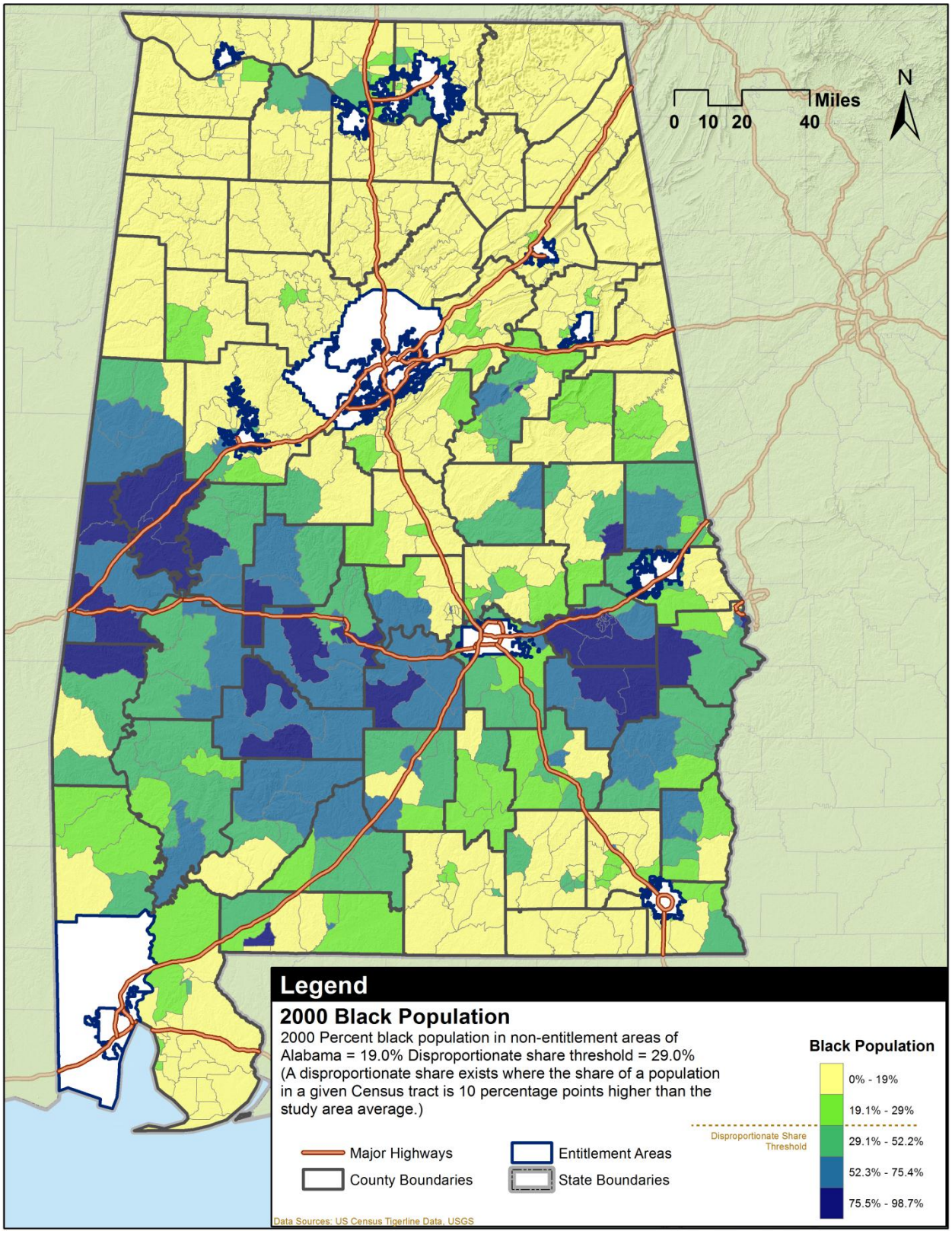
For the purposes of this report, Census tracts are said to have a disproportionate share of a population when the proportion in any particular Census tract exceeds the statewide average by ten percentage points. To take the black population as an example, any Census tracts in which the black population accounted for more than 29 percent of the population in 2000 is said to hold a disproportionate share of black residents, since black residents represented 19 percent of the state's population in that year.

In fact, there were many Census tracts throughout the state's non-entitlement areas in which black residents accounted for more than 29 percent of the population in 2000, as shown in Map II.1 on the following page. Many of these lay in a band that stretched across the state, roughly following the Interstate 85/Highway 80 Corridor. Black residents accounted for more than three quarters of the population in Census tracts throughout this area, including Census tracts in and around Tuskegee and Selma. Additional tracts with above-average and disproportionate concentrations of black residents were observed around urban areas throughout the state.

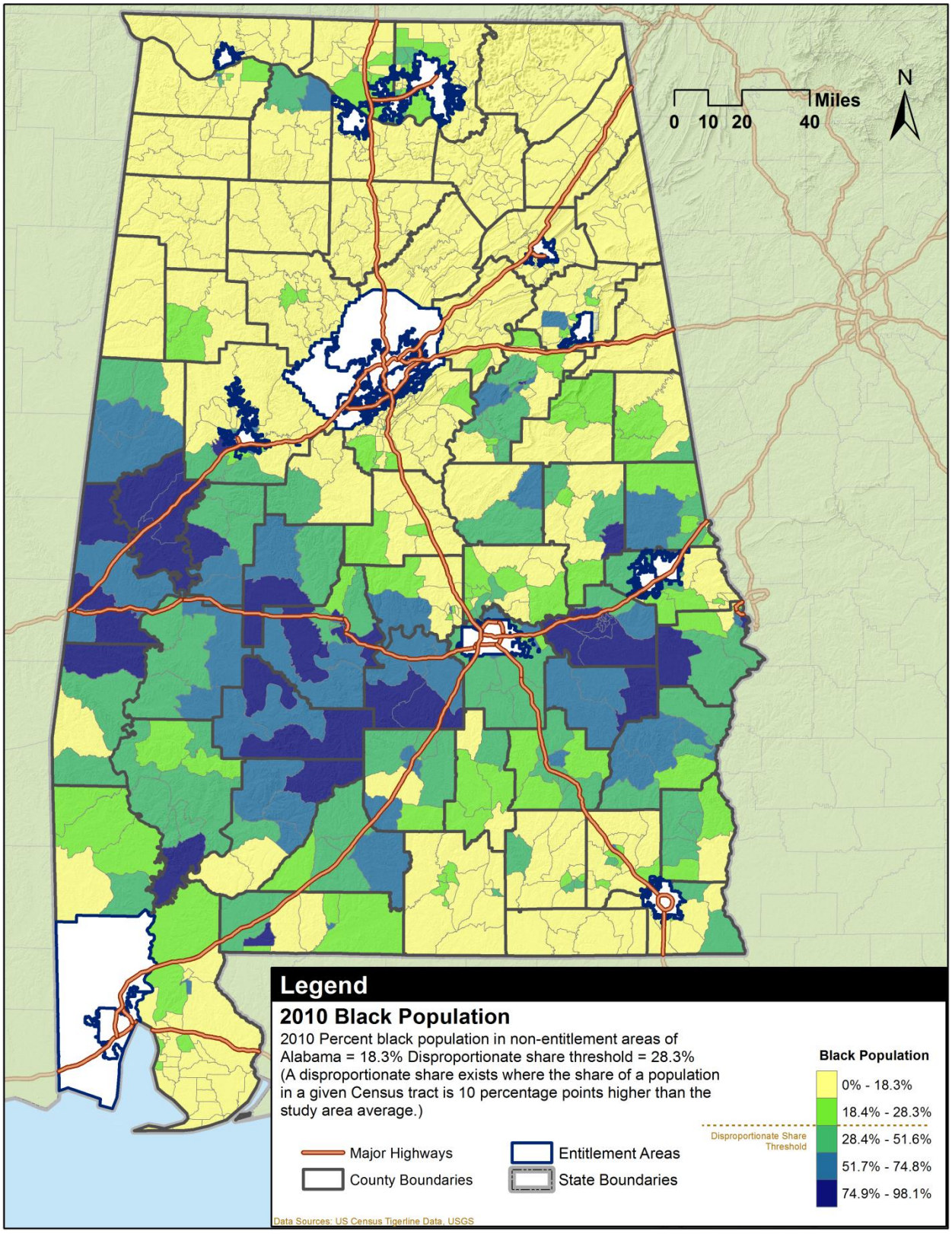
The overall distribution of the black population changed little between 2000 and 2010, as shown in Map II.2 on page 21. General areas that had shown high above-average and disproportionate shares of black residents in 2000 continued to show similar patterns in 2010, even as the overall concentration of black residents throughout the state fell by 0.7 percentage points. There were, however, some subtle changes in the concentration of black residents around urban areas like Selma, Talladega, and Huntsville.

Hispanic residents accounted for a relatively small share of the population of Alabama's non-entitlement areas in 2000 and 2010. Even so, this share grew considerably between Census counts, and Hispanic residents were observed to be disproportionately concentrated in several Census tracts in both years. In 2000, Hispanic residents accounted for 1.8 percent of the state's non-entitlement population, but made up more than a fifth of the population in large rural Census tracts in the north of the state around Fort Payne, Albertville, and Russellville, as shown in Map II.3 on page 22.

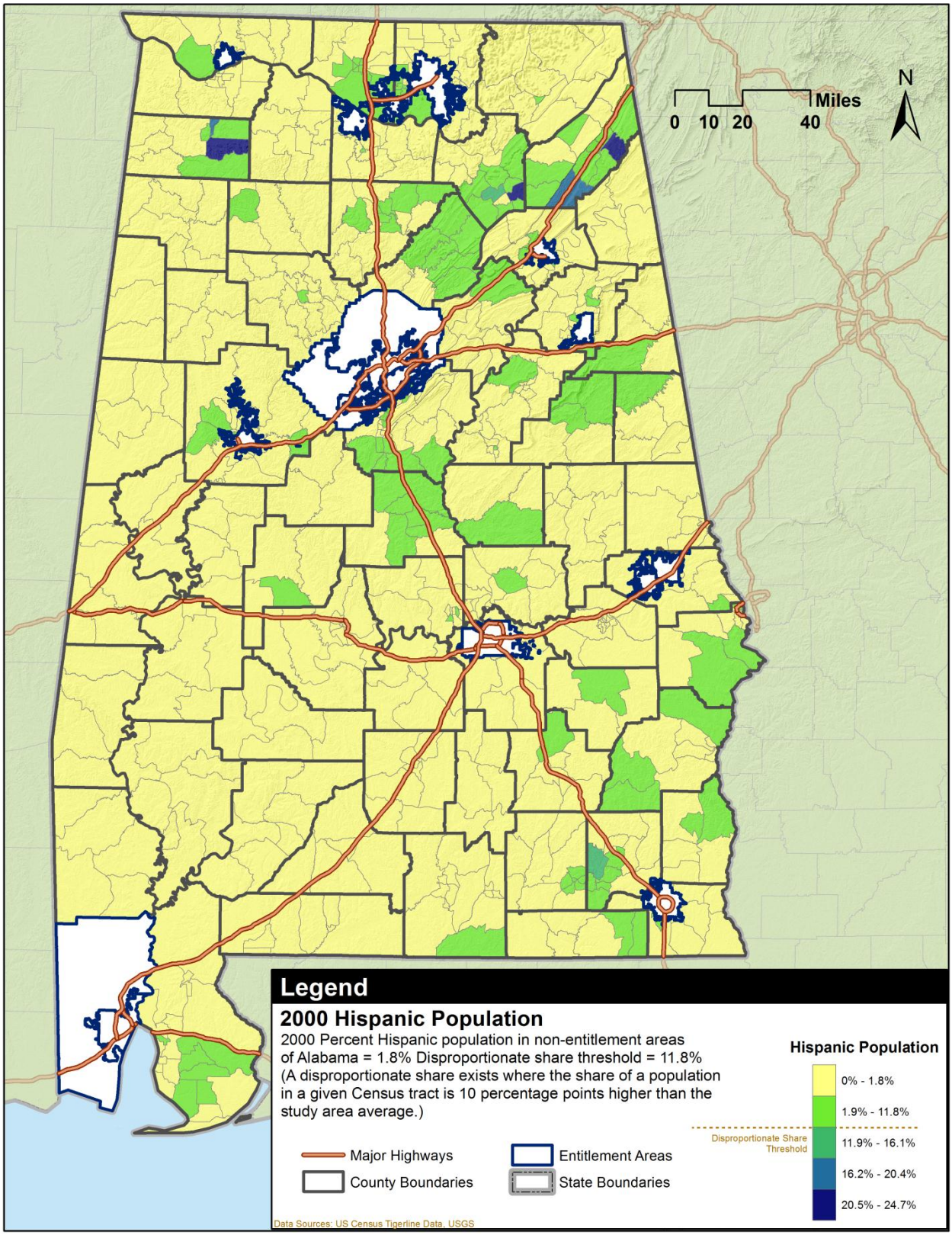
Map II.1
Black Population by Census Tract
Non-Entitlement Areas of Alabama
2000 Census Data



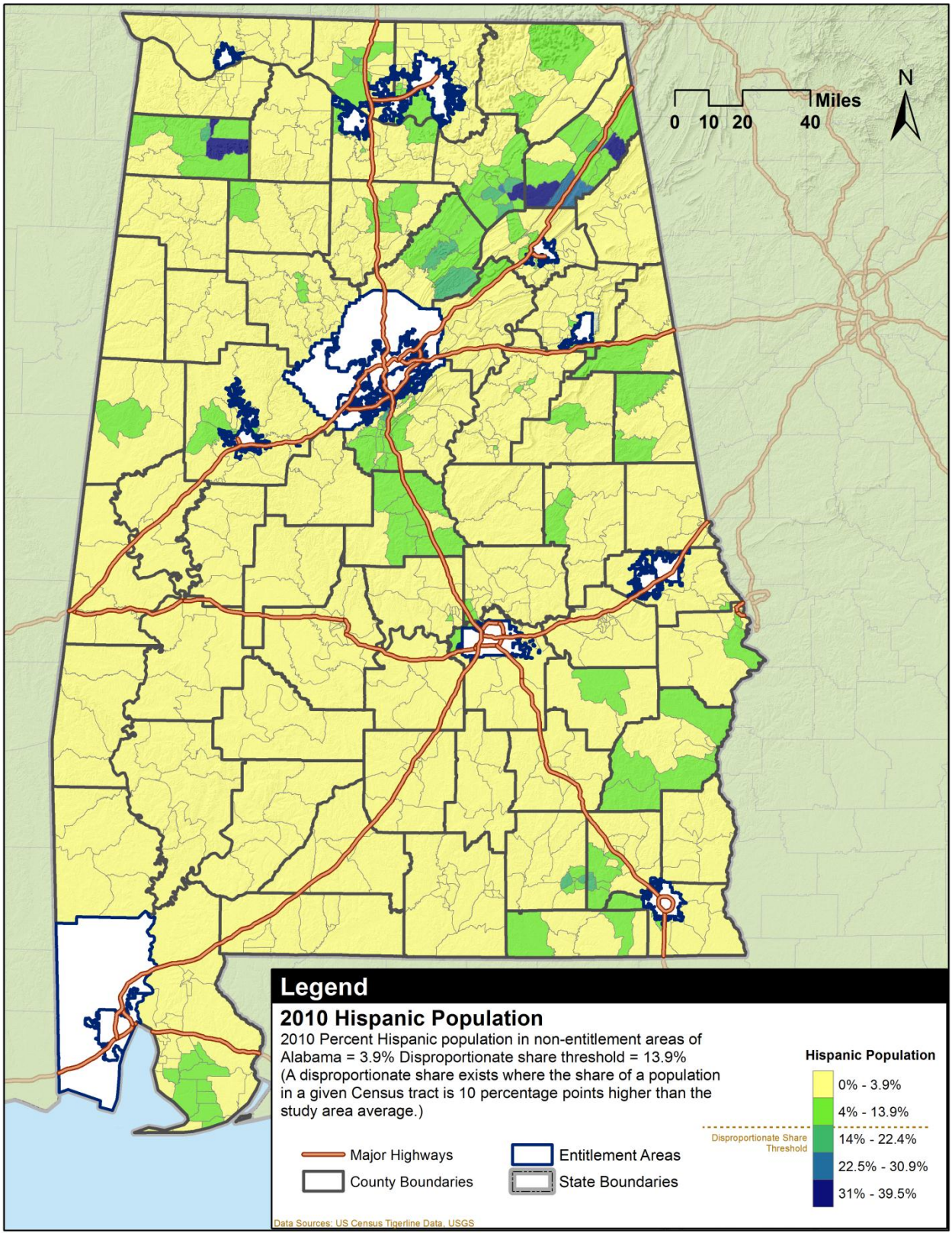
Map II.2
Black Population by Census Tract
Non-Entitlement Areas of Alabama
2010 Census Data



Map II.3
Hispanic Population by Census Tract
Non-Entitlement Areas of Alabama
2000 Census Data



Map II.4
Hispanic Population by Census Tract
Non-Entitlement Areas of Alabama
2010 Census Data



As the Hispanic population grew between the two Census counts, Hispanic residents tended to settle in those same areas. By 2010, many of the same Census tracts held disproportionate shares of Hispanic residents, but the concentration of Hispanic residents had grown within those tracts, as shown in Map II.4 on the previous page. In 2000, the highest concentration of Hispanic residents observed in any Census tract was 24.7 percent. By 2010 that figure had grown to 39.5 percent.

DISABILITY STATUS

The Census bureau also gathers data relating to disabilities, which are defined in the ACS as "limitations of activities and restrictions to full participation at school, at work, at home, or in the community" arising from the interaction among individuals' bodies and the physical and social environments in which they live, work, or play.[7] In the 2000 Census, 24.1 percent of the non-entitlement population was counted as living with some sort of disability, as shown in Table II.5 below. This figure includes 27,103 children between the age of 5 and 15, and 169,261 over the age of 65. In 2012, ACS estimates recorded a disability rate of 17.4 percent, as shown in Table II.6 below.

Table II.5
Disability by Age
Non-Entitlement Areas of Alabama
2000 Census SF3 Data

Age	Total	
	Disabled Population	Disability Rate
5 to 15	27,103	6.4%
16 to 64	387,888	23.2%
65 and older	169,261	51.0%
Total	**584,252**	**24.1%**

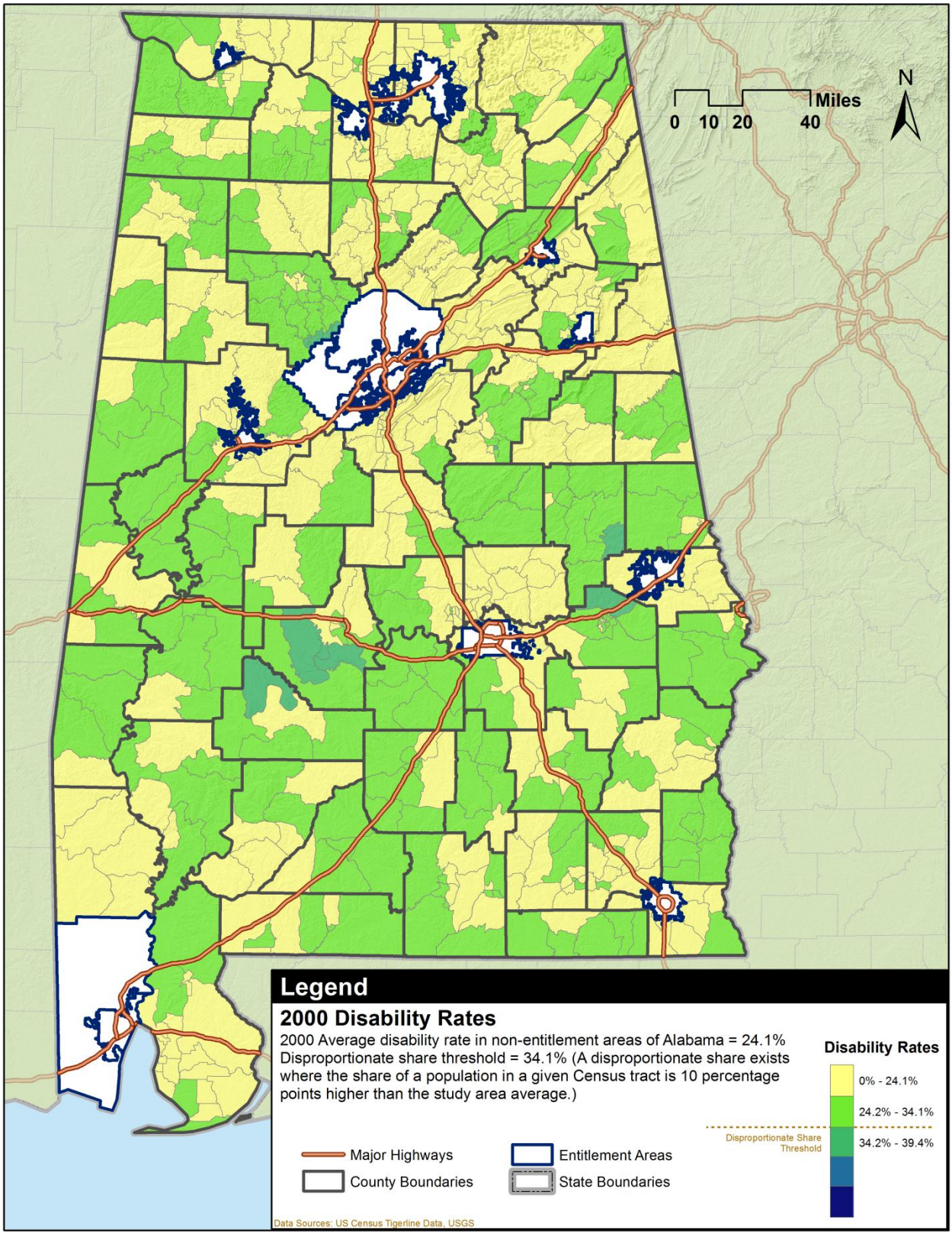
Table II.6
Disability by Age
Non-Entitlement Areas of Alabama
2012 Five-Year ACS Data

Age	Male		Female		Total	
	Disabled Population	Disability Rate	Disabled Population	Disability Rate	Disabled Population	Disability Rate
Under 5	824	.9%	535	.6%	1,359	.8%
5 to 17	21,568	8.2%	12,958	5.2%	34,526	6.8%
18 to 34	25,754	9.0%	22,050	7.3%	47,804	8.1%
35 to 64	111,921	19.9%	117,490	19.5%	229,411	19.7%
65 to 74	40,570	36.0%	43,026	33.5%	83,596	34.7%
75 or Older	37,968	58.1%	60,682	61.1%	98,650	59.9%
Total	**238,605**	**17.2%**	**256,741**	**17.5%**	**495,346**	**17.4%**

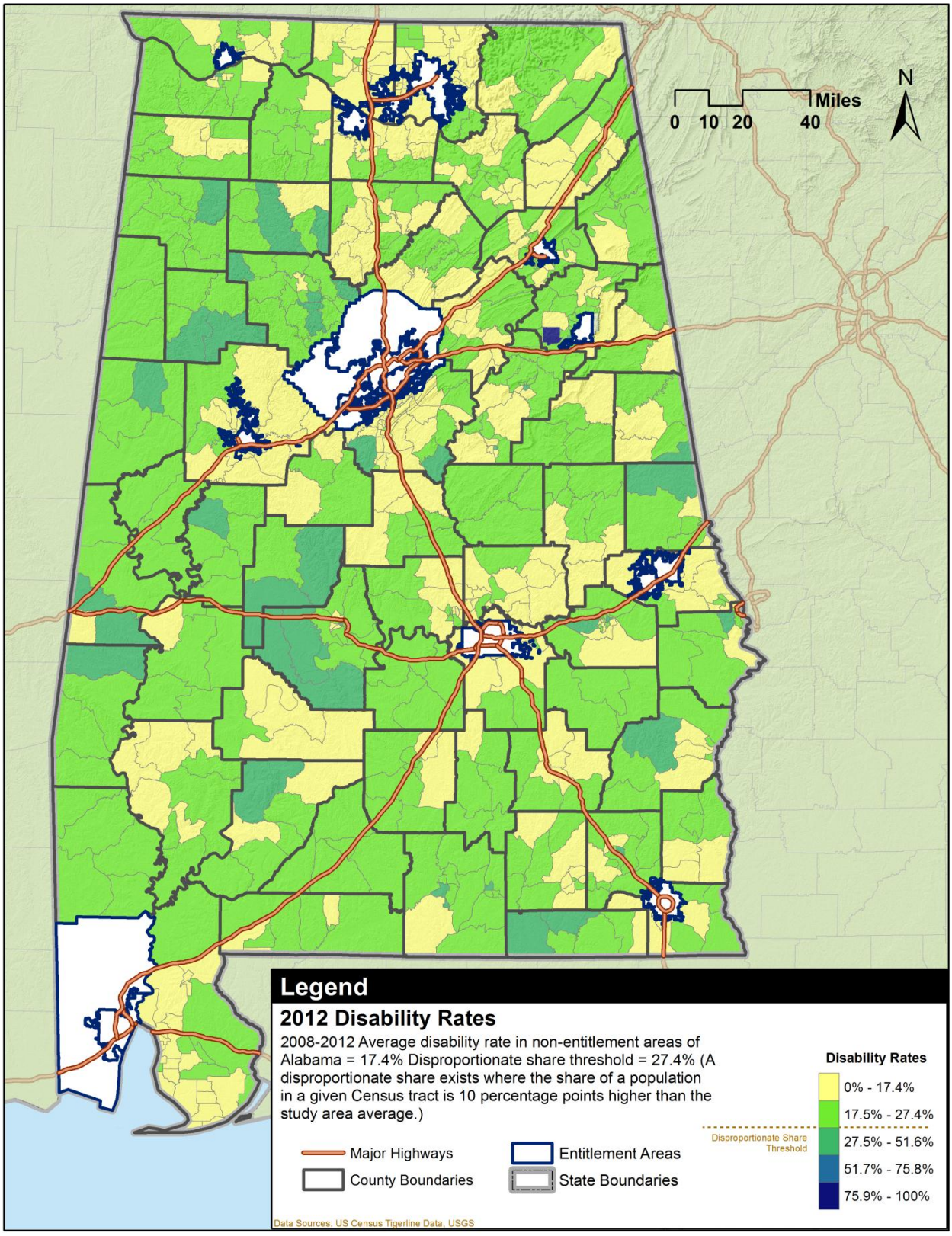
Alabamans with disabilities accounted for 24.1 percent of the state's non-entitlement population in 2000. As shown in Map II.5 on the following page, these residents accounted for disproportionate shares of the population of rural Census tracts near Tuskegee, Selma, Sylacauga, and Birmingham. In 2012, residents with disabilities were disproportionately concentrated in Census tracts throughout the state, as shown in Map II.6 on page 26. Again, these tended to be rural Census tracts.

[7] This definition, adopted for use in the ACS after 2008, is more restrictive than the definition employed in the 2000 Census; as a result, disability data from the recent ACS estimates are not directly comparable to the 2000 Census count.

Map II.5
Population with Disabilities by Census Tract
Non-Entitlement Areas of Alabama
2000 Census Data



Map II.6
Population with Disabilities by Census Tract
Non-Entitlement Areas of Alabama
2012 Five-Year ACS Data



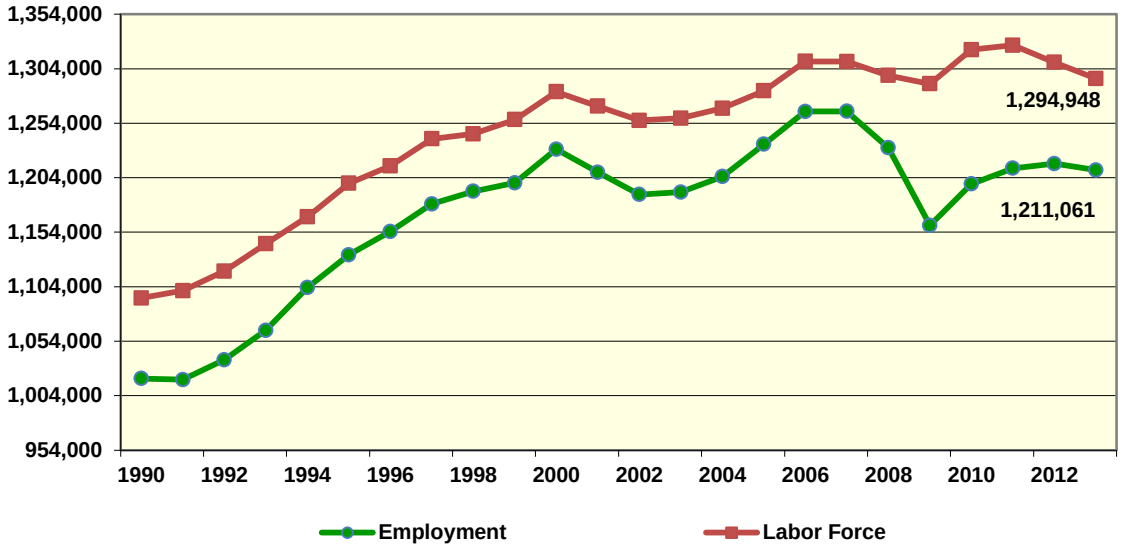
ECONOMICS

Data indicating the size and dynamics of job markets in the non-entitlement areas of Alabama, workforce, incomes, and persons in poverty provide essential contextual background and indicate the potential buying power of State residents when making a housing choice.

LABOR FORCE AND EMPLOYMENT

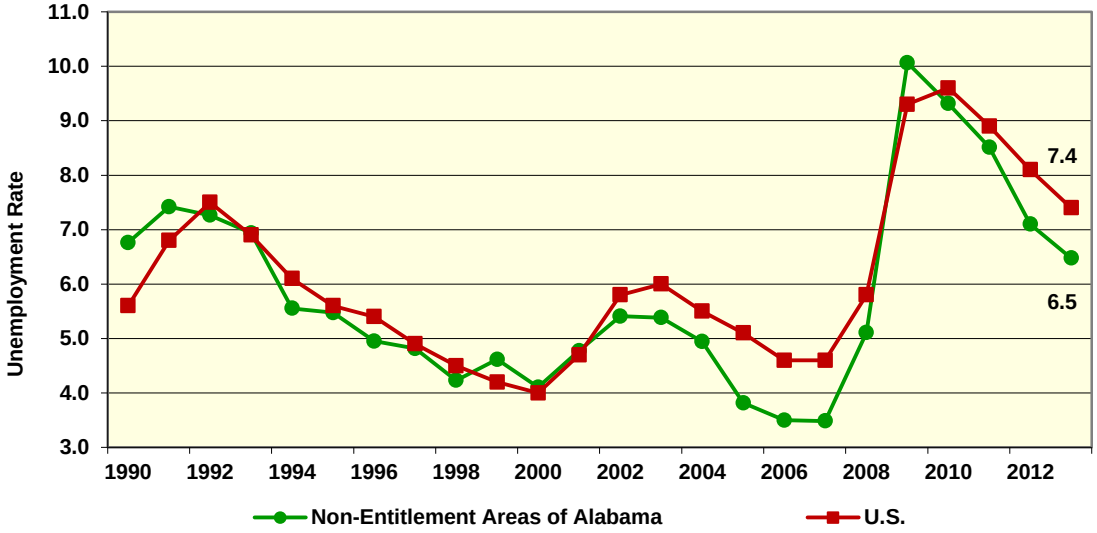
Job growth in non-entitlement areas of the state has been uneven in the period since 1990, as shown in Diagram II.1 below. After 1991, the number of employed persons grew steadily through the year 2000, increasing by over 211,000 workers. However, after peaking in 2000 at around 1,230,000, the number of employed fell for two consecutive years. In 2003, employment once again began to show strong positive growth, but this trend had stalled by 2007. The following two years saw a considerable decline in employment as the number of employed workers fell by over 100,000. Employment figures began to climb after 2009, though they have showed signs of stalling in recent years.

Diagram II.1
Employment and Labor Force
Non-Entitlement Areas of Alabama
1990-2013 BLS Data



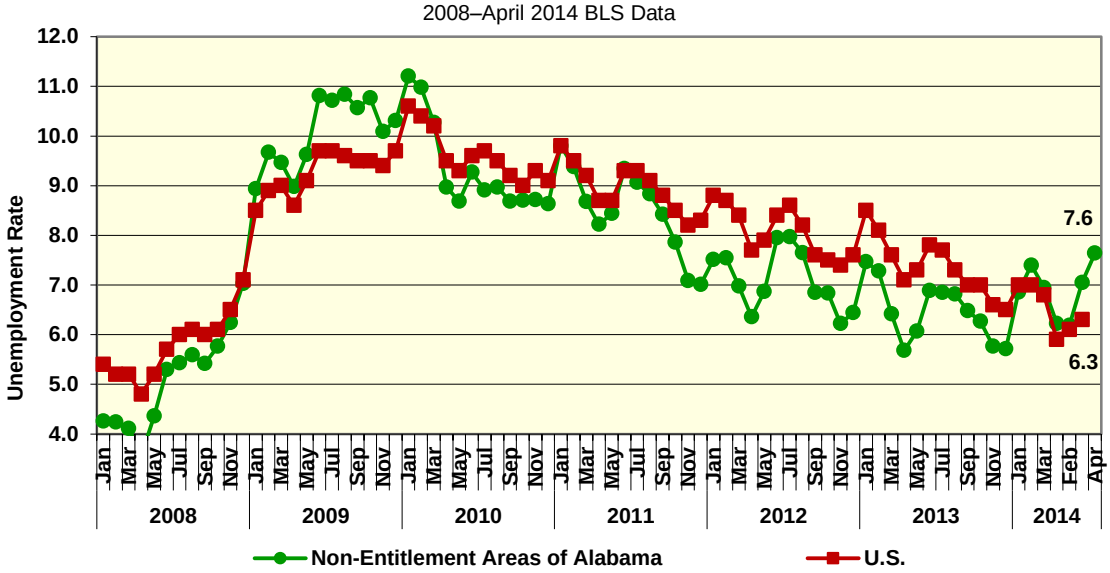
For most of the period trends in employment and the labor force followed each other fairly closely. However, the decline in employment after 2007 was considerably more rapid than the decline in the labor force. The result was a spike in the unemployment rate, which rose from 3.5 percent in 2007 to 10.1 percent in 2009, as shown in Diagram II.2 on the following page. However, since that year, the unemployment rate has been falling steadily, and stood at 6.5 percent in 2013, almost a full percentage point below the national unemployment rate for that year.

Diagram II.2
Unemployment Rate
Non-Entitlement Areas of Alabama
1990–2013 BLS Data



The high unemployment rate of 2009 persisted through the beginning of 2010, peaking in January of that year at 11.2 percent, as shown in Diagram II.3 below. However, after February 2010 the unemployment rate began to fall. In spite of seasonal fluctuations in the unemployment rate, the overall trend in unemployment has been downward since early 2010.

Diagram II.3
Monthly Unemployment Rate
Non-Entitlement Areas of Alabama
2008–April 2014 BLS Data



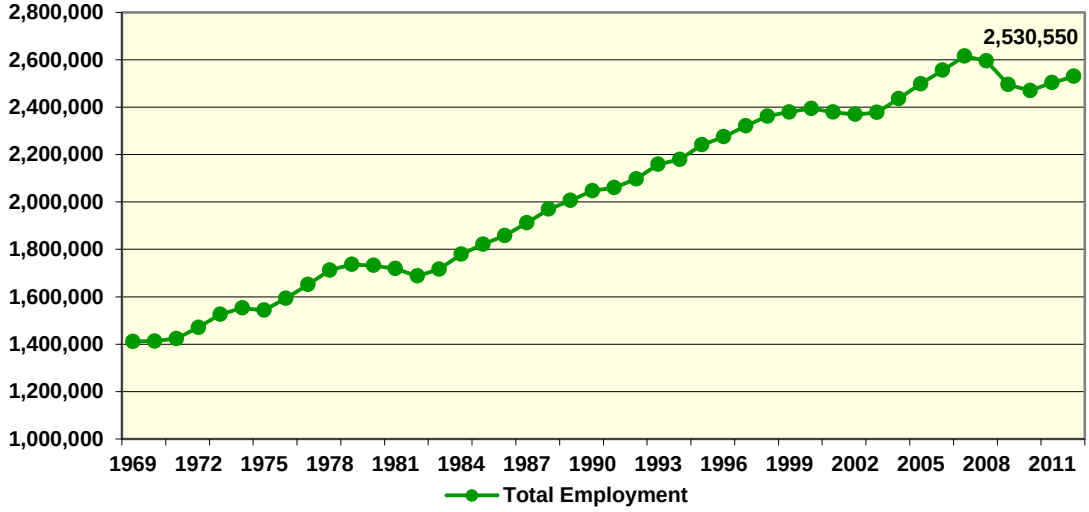
FULL- AND PART-TIME EMPLOYMENT AND EARNINGS

Full employment, as measured by the Bureau of Economic Analysis, refers to the total number of part-time and full-time jobs in the state as a whole. Since the BEA defines employment as a count of jobs rather than workers, workers can be counted twice in these data. However, this

information is not released at any smaller geographic area than the county, so statewide data have been included here as a relative comparison.

Statewide, growth in the number of jobs was steady between 1982 and 2000, rising from around 1,687,000 to 2,395,000 jobs, as shown in Diagram II.4 below. The number of jobs in the state declined by around 25,000 over the next two years, but began to rise again in 2003. This growth continued steadily through 2007, when the number of jobs peaked at 2,615,473. In 2008, however, total employment began to decline and continued to decline over the next two years. By 2010, there were 145,000 fewer jobs than there had been in 2007. This decline reversed the following year, and after two years of growth the number of jobs in Alabama stood at 2,530,550 in 2012, some 85,000 jobs fewer than seen in 2007.

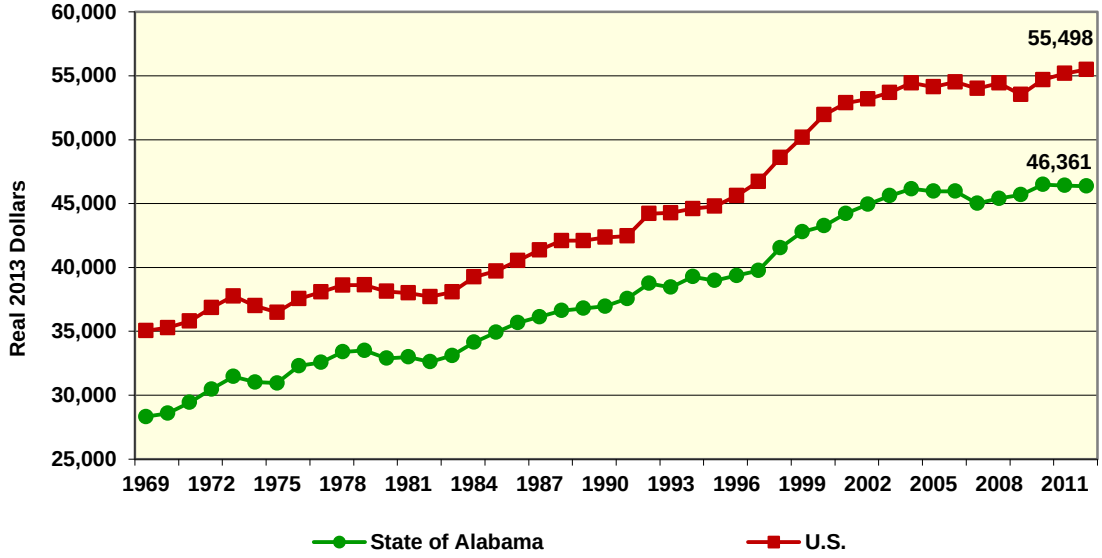
Diagram II.4
Full- and Part-Time Employment
State of Alabama
1969–2012 BEA Data



The BEA also provides data on income and earnings of workers in the state. These figures are presented in the AI as real average earnings per job ("earnings") and real per capita income ("PCI"). Monetary amounts presented in real dollars have been adjusted for inflation, and are presented in 2013 dollars. Earnings per job is defined as total earnings in the state divided by the total number of jobs, while PCI is defined as total income in the state divided by the state's population.

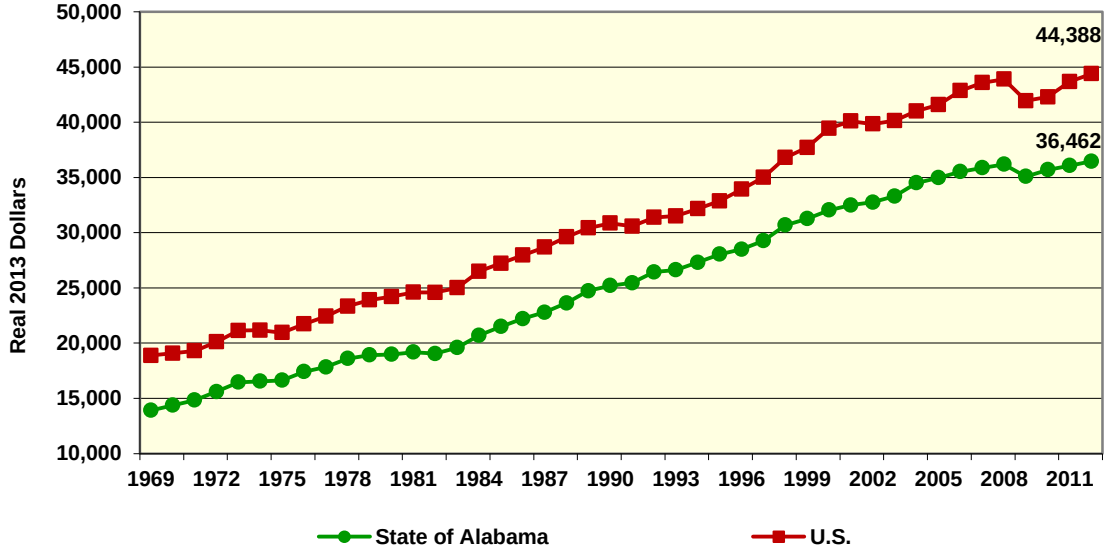
Growth in earnings has generally been positive over the period from 1969 through 2012, though it has been subject to some fluctuation, as shown in Diagram II.5 on the following page. The late nineties saw the beginning of a period of relatively strong and sustained growth, which continued through 2004, when the average worker in the state earned $46,151 dollars at his or her job. Growth in earnings plateaued over the next few years and declined slightly in 2007. Unlike jobs, however, real earnings began to grow, albeit slowly, after 2007. By 2010, the real average earnings had grown to $46,481, and remained near this figure over the next two years. Earnings in the state stood at $46,361 in 2012, roughly $9,600 less than the national average at that time.

Diagram II.5
Real Average Earnings Per Job
State of Alabama
1969–2012 BEA Data, 2012 Dollars



Growth in real PCI has been steadier than growth in earnings since 1969, as shown in Diagram II.6 below. This same steady growth has been the rule over the last twenty years as well, save for a brief decline in 2009. In 1992, the average resident had an income of just over $26,400 in real 2013 dollars. By 2008, this figure had grown to nearly $36,200. Real PCI fell by over $1,000 over the next year; however, growth in average income resumed the following year and continued steadily through 2012, when real average PCI in the state stood at $36,462, roughly $7,900 less than the national average. Real PCI in the state has fallen further behind the national average in recent years.

Diagram II.6
Real Average Per Capita Income
State of Alabama
1969–2012 BEA Data, 2012 Dollars



HOUSEHOLD INCOME

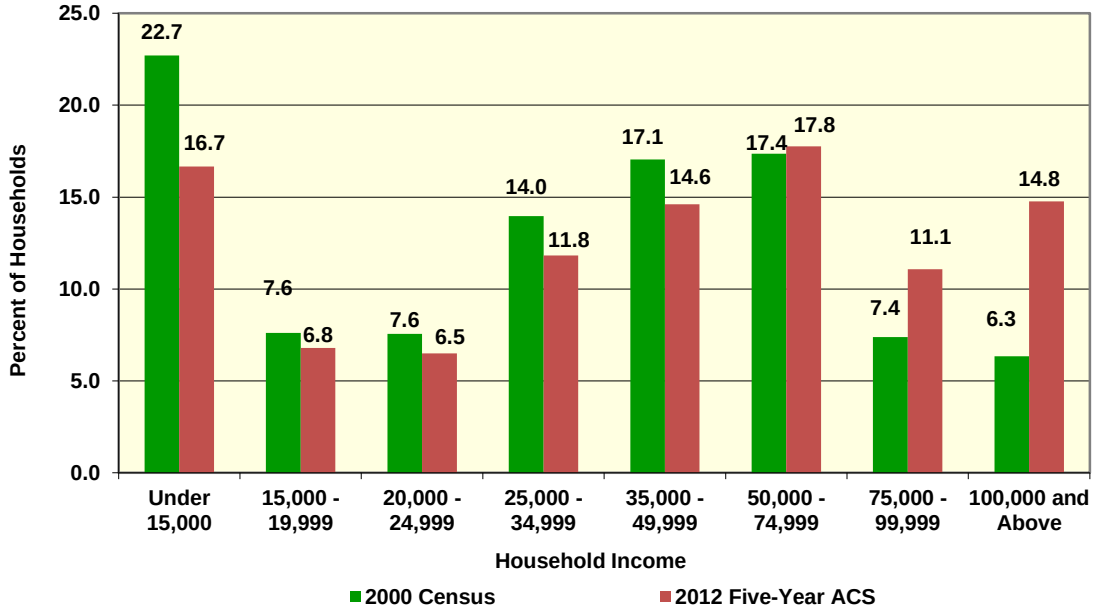
Alabama households experienced a shift toward higher incomes between 2000 and 2012, as measured in current dollars. As shown in Table II.7 below, the most pronounced changes occurred at the lowest and highest ends of the income range. The number of households making less than $15,000 per year fell from 22.7 to 16.7 during this time, while the number of households with incomes of $100,000 and above rose 6.3 percent to 14.8 percent. In fact, the shares of households in all income categories below $50,000 per year fell after 2000, while the share of households in the three highest income brackets grew.

Table II.7
Households by Income
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

Income	2000 Census		2012 Five-Year ACS	
	Households	% of Total	Households	% of Total
Less than $15,000	232,721	22.7%	183,815	16.7%
$15,000 to $19,999	78,023	7.6%	74,974	6.8%
$20,000 to $24,999	77,406	7.6%	71,727	6.5%
$25,000 to $34,999	143,175	14.0%	130,352	11.8%
$35,000 to $49,999	174,760	17.1%	161,094	14.6%
$50,000 to $74,999	177,882	17.4%	195,956	17.8%
$75,000 to $99,999	75,651	7.4%	122,212	11.1%
$100,000 or More	65,066	6.3%	162,850	14.8%
Total	**1,024,684**	**100.0%**	**1,102,980**	**100.0%**

Diagram II.7 below presents these income distributions graphically and further demonstrates the shift from lower- and medium- to higher-income households over time.

Diagram II.7
Households by Income
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data



POVERTY

The Census Bureau uses a set of income thresholds that vary by family size and composition to determine poverty status. If a family's total income is less than the threshold for its size, then that family, and every individual in it, is considered poor. The poverty thresholds do not vary geographically, but they are updated annually for inflation using the Consumer Price Index. The official poverty definition counts income before taxes and does not include capital gains and non-cash benefits such as public housing, Medicaid, and food stamps. In spite of the shift toward higher household incomes between 2000 and 2012, the poverty rate in the non-entitlement areas of Alabama rose from 15.5 to 17.2 percent, as shown in Table II.8 below. This represents a rise of some 87,000 people.

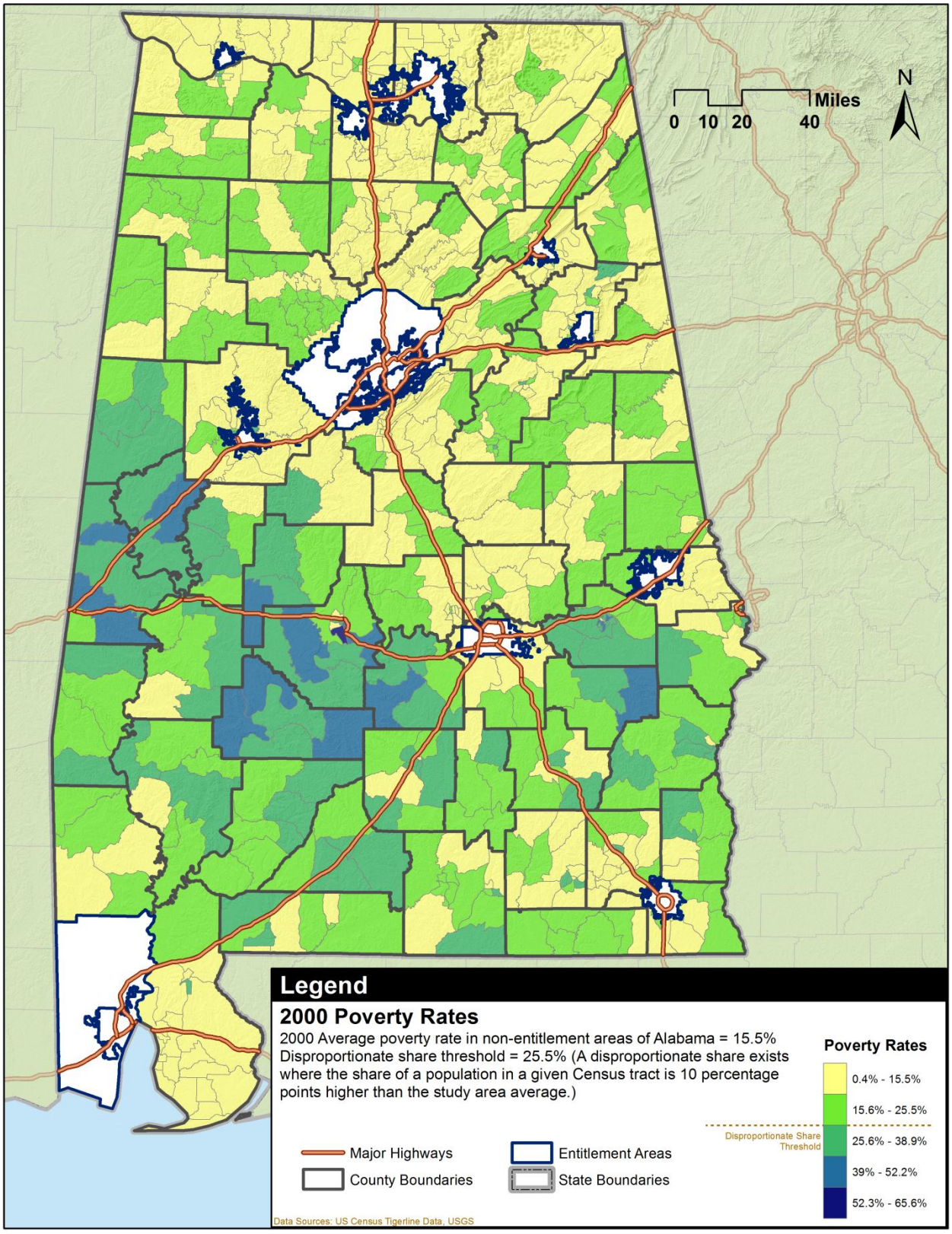
Table II.8
Poverty by Age
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

Age	2000 Census		2012 Five-Year ACS	
	Persons in Poverty	% of Total	Persons in Poverty	% of Total
Under 6	46,063	11.4%	60,678	12.4%
6 to 17	89,730	22.3%	108,585	22.2%
18 to 64	209,524	52.0%	273,307	55.8%
65 or Older	57,229	14.2%	47,185	9.6%
Total	**402,546**	**100.0%**	**489,755**	**100.0%**
Poverty Rate	**15.5%**	**.**	**17.2%**	**.**

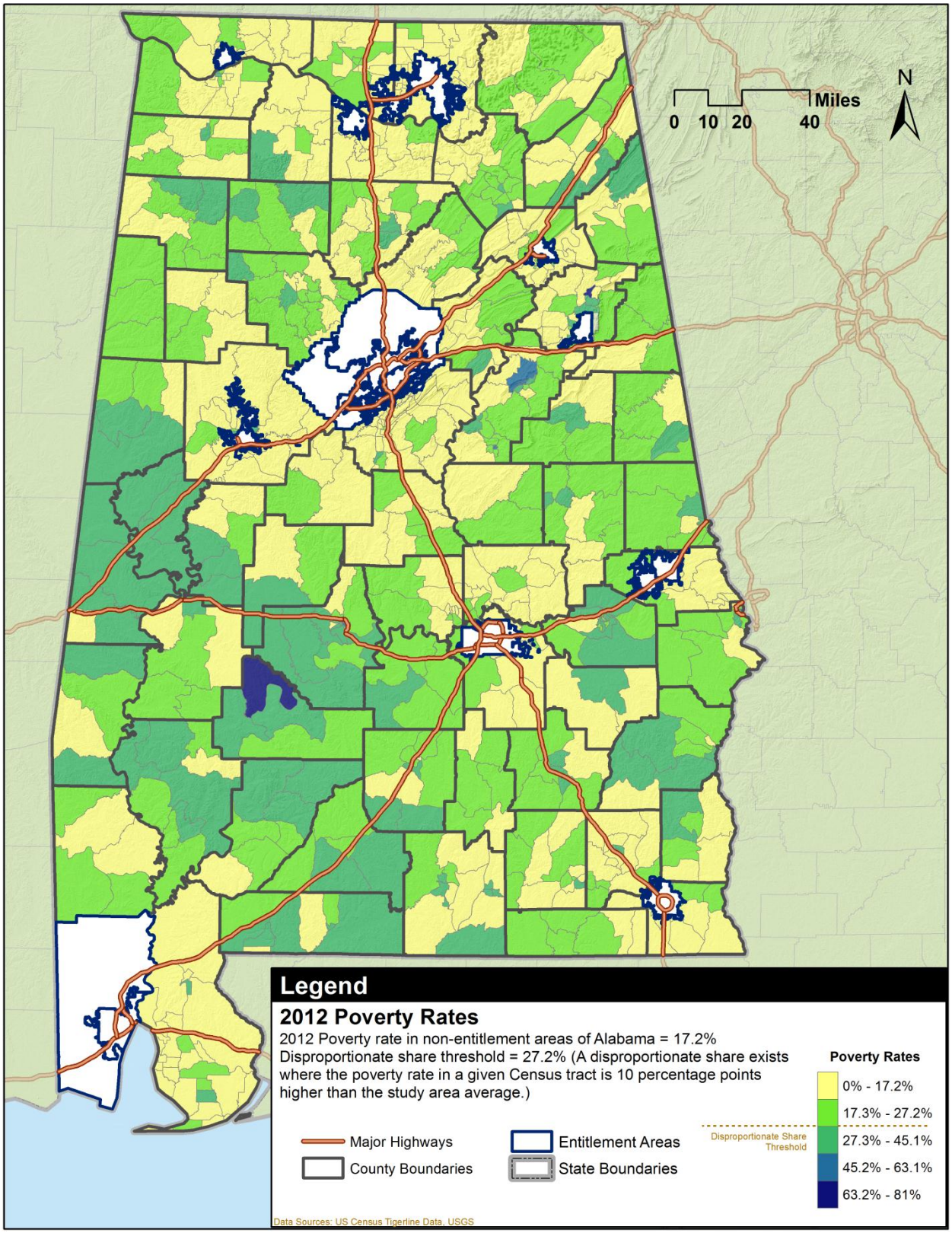
As had been the case with black residents, Census tracts with relatively high shares of residents in poverty were clustered in a geographic band that roughly followed along the Interstate 85/Highway 80 Corridor, as shown in Map II.7 on the following page. A large number of Census tracts throughout that area had poverty rates ranging from 39 to 52.2 percent. Particularly high poverty rates were observed in tracts in and around Phenix City and Selma, where more than 55 percent of tract residents lived in poverty.

The poverty rate in the state's non-entitlement areas increased by nearly two percentage points between the 2000 Census and 2012 ACS, and some Census tracts saw a considerable rise in poverty in the intervening years, as shown in Map II.8 on page 34. In 2000, the maximum poverty rate observed in any individual Census tract was 65.6 percent. In 2010, several Census tracts had poverty rates exceeding that figure. In addition, while tracts with disproportionate shares of poverty were highly clustered in the south of the state in 2000, by 2010 tracts with relatively high poverty rates were appearing throughout the north of the state as well.

Map II.7
Poverty Rate by Census Tract
Non-Entitlement Areas of Alabama
2000 Census Data



Map II.8
Poverty Rate by Census Tract
Non-Entitlement Areas of Alabama
2012 Five-Year ACS Data



HOUSING

Simple counts of housing by age, type, tenure, and other characteristics form the basis for the housing stock background, suggesting the available housing in non-entitlement areas of the State from which residents have to choose. Examination of households, on the other hand, shows how residents use the available housing, and shows household size and housing problems such as incomplete plumbing and/or kitchen facilities. Review of housing costs reveals the markets in which housing consumers in the State can shop.

CHARACTERISTICS OF THE HOUSING STOCK

Between the two Decennial Census enumerations, the total number of housing units in non-entitlement areas of the state increased by 12.4 percent, as shown in Table II.9 below. This growth was appreciably stronger than the rise in population. Among owner-occupied units, the share of housing units that were occupied by their owners was 78.3 percent in 2000, well above the 21.7 percent occupied by rental tenants. By 2010, 75 percent of units were occupied by their owners and 25 percent were occupied by rental tenants, indicating that homeownership declined as a share of occupied housing over this period.

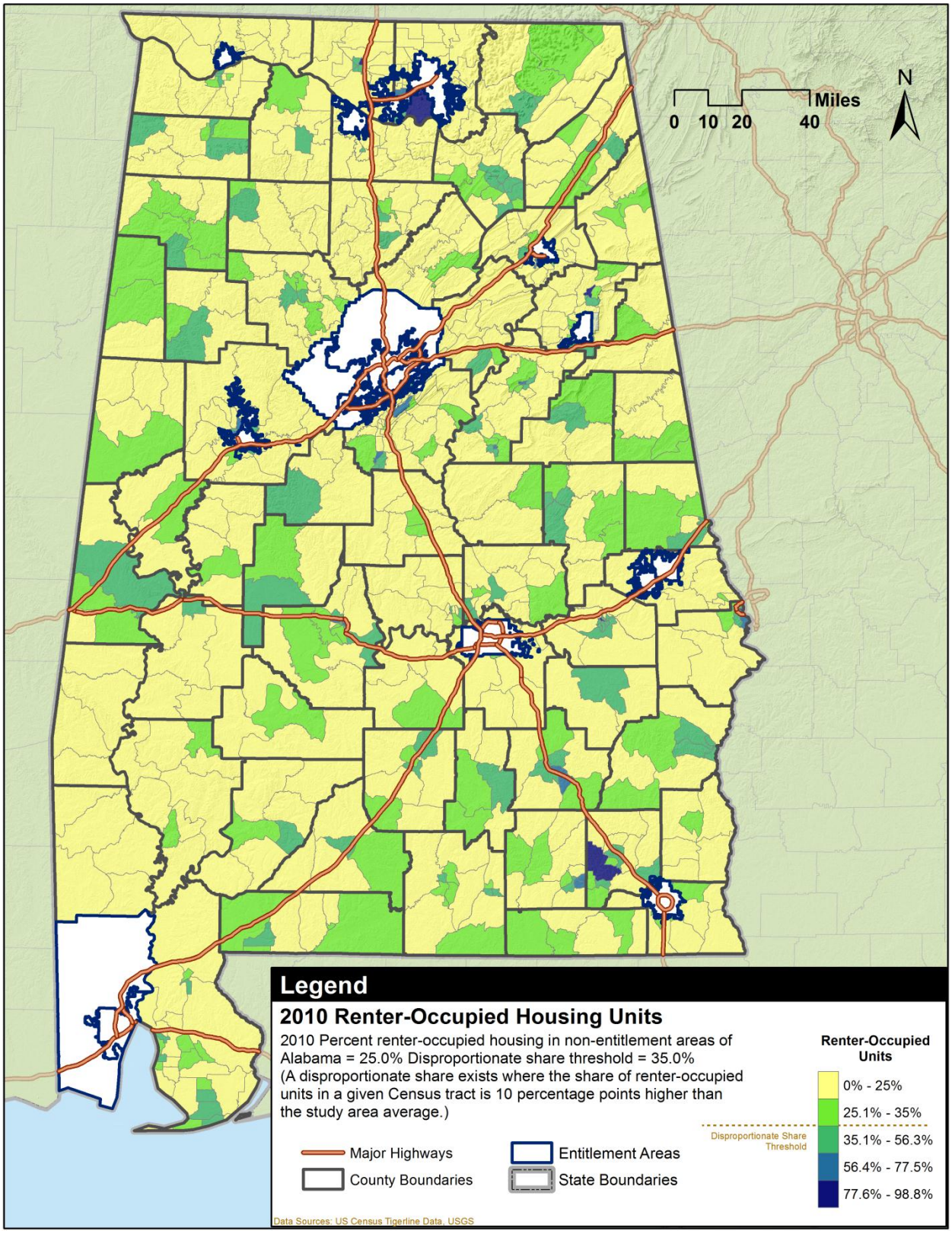
In addition, occupied units declined as a share of all housing units from 86.9 to 85.5 percent. The number of occupied housing units, which grew by only 10.5 percent, grew more slowly than the total housing stock. Hence the number of vacant units rose, with the share of units that were vacant rising from 13.1 to 14.5 percent, or by nearly 38,750 units.

Table II.9
Housing Units by Tenure
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

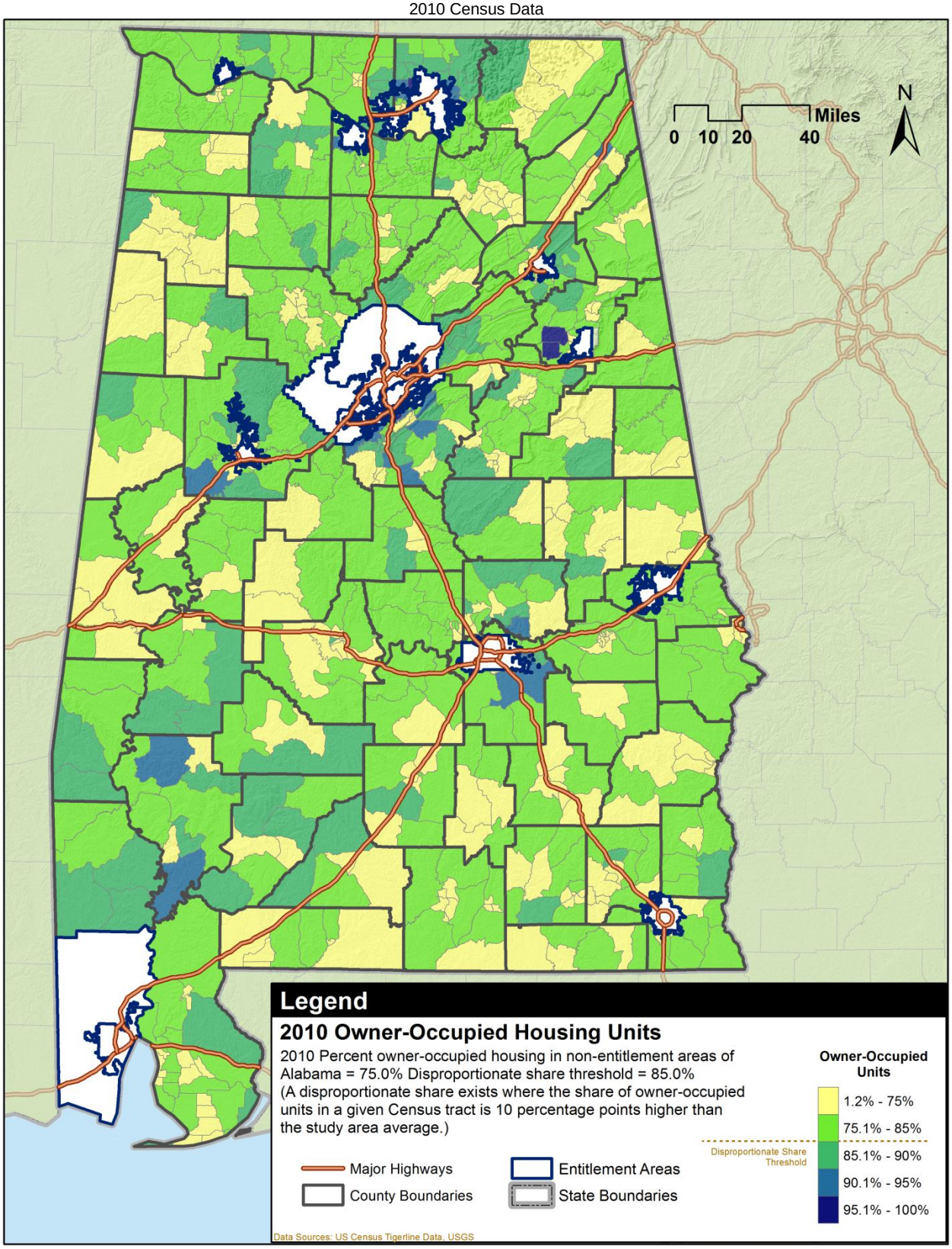
Tenure	2000 Census		2010 Census		% Change 00–10
	Units	% of Total	Units	% of Total	
Occupied Housing Units	1,024,645	86.9%	1,132,502	85.5%	10.5%
Owner-Occupied	802,206	78.3%	848,818	75.0%	5.8%
Renter-Occupied	222,439	21.7%	283,684	25.0%	27.5%
Vacant Housing Units	153,855	13.1%	192,598	14.5%	25.2%
Total Housing Units	**1,178,500**	**100.0%**	**1,325,100**	**100.0%**	**12.4%**

Tracts with relatively high concentrations of renter-occupied units; where renter-occupied units accounted for more than 35 percent of occupied housing units; were distributed throughout the state in 2010, as shown in Map II.9 on the following page. However, these units were most highly concentrated in and around urban areas like Huntsville, Tuskegee, and Jacksonville. Tracts with relatively high concentrations of owner-occupied units were similarly scattered throughout the state, as shown in Map II.10 on page 37. The highest concentration of owner-occupied units was observed in two large tracts near Anniston, where more than 95 percent of occupied housing units were owner-occupied.

Map II.9
Renter-Occupied Housing Units
Non-Entitlement Areas of Alabama
2010 Census Data



Map II.10
Owner-Occupied Housing Units
Non-Entitlement Areas of Alabama
2010 Census Data



VACANT HOUSING

The disposition of those vacant housing units is shown in Table II.10 below. The number of vacant units that were rented or sold but unoccupied fell over the decade, as did the number of units reserved for use by migrant workers. And though the number of vacant units available for rent increased, these units declined as a share of vacant units from 21.6 to 20.8 percent. Meanwhile, the number of vacant units for sale increased by 32.6 percent, and the proportion of units classified as "other vacant" stayed roughly the same. It is this last type of vacant unit, the "other vacant" unit, that tends to be the most problematic. These units are not available to the housing market, and may represent a blighting influence where they are grouped in close proximity to one another.

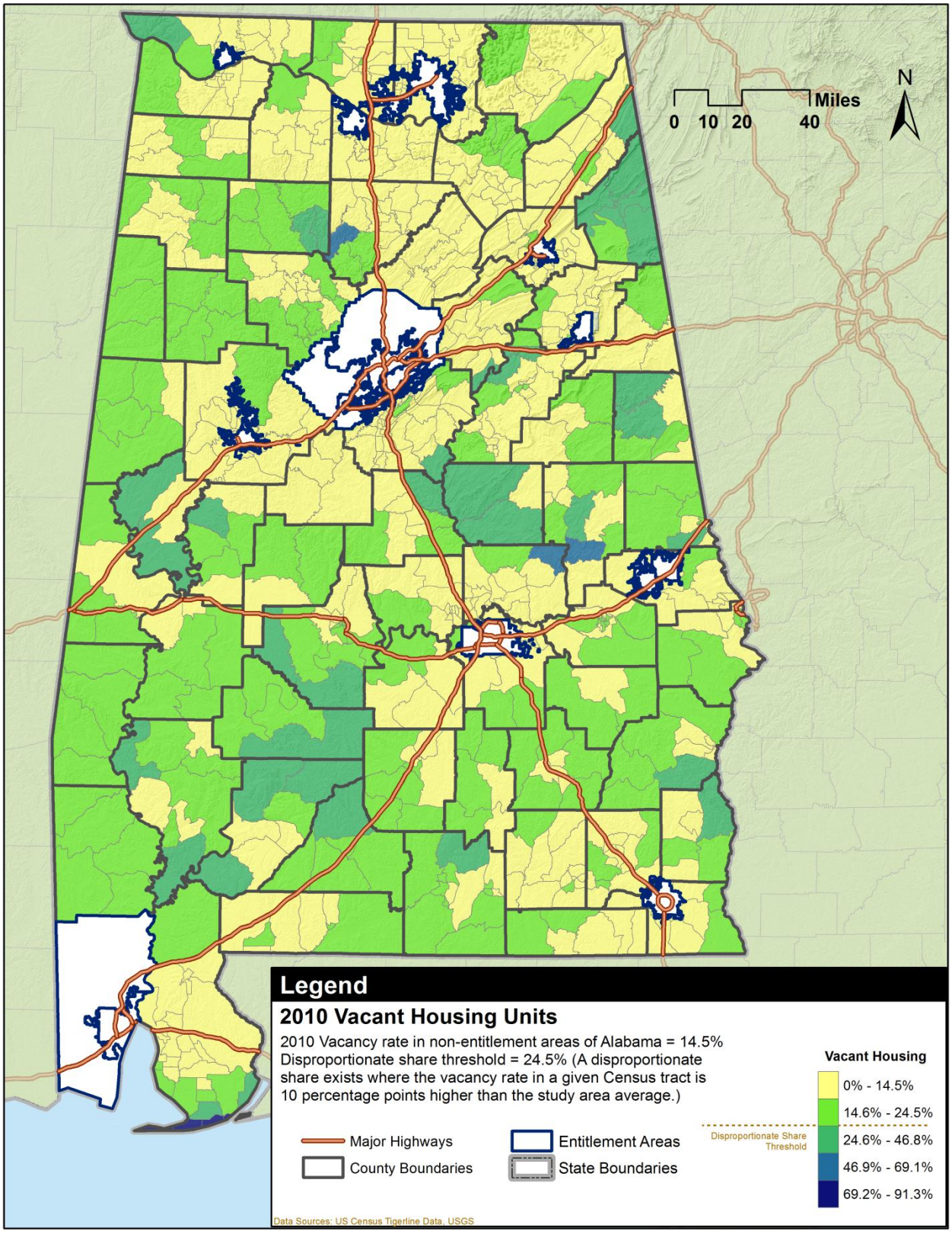
Table II.10
Disposition of Vacant Housing Units
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Disposition	2000 Census		2010 Census		% Change 00–10
	Units	% of Total	Units	% of Total	
For Rent	33,218	21.6%	40,149	20.8%	20.9%
For Sale	15,848	10.3%	21,022	10.9%	32.6%
Rented or Sold, Not Occupied	10,048	6.5%	8,620	4.5%	-14.2%
For Seasonal, Recreational, or Occasional Use	42,661	27.7%	58,266	30.3%	36.6%
For Migrant Workers	314	0.2%	182	0.1%	-42.0%
Other Vacant	51,766	33.6%	64,359	33.4%	24.3%
Total	**153,855**	**100.0%**	**192,598**	**100.0%**	**25.2%**

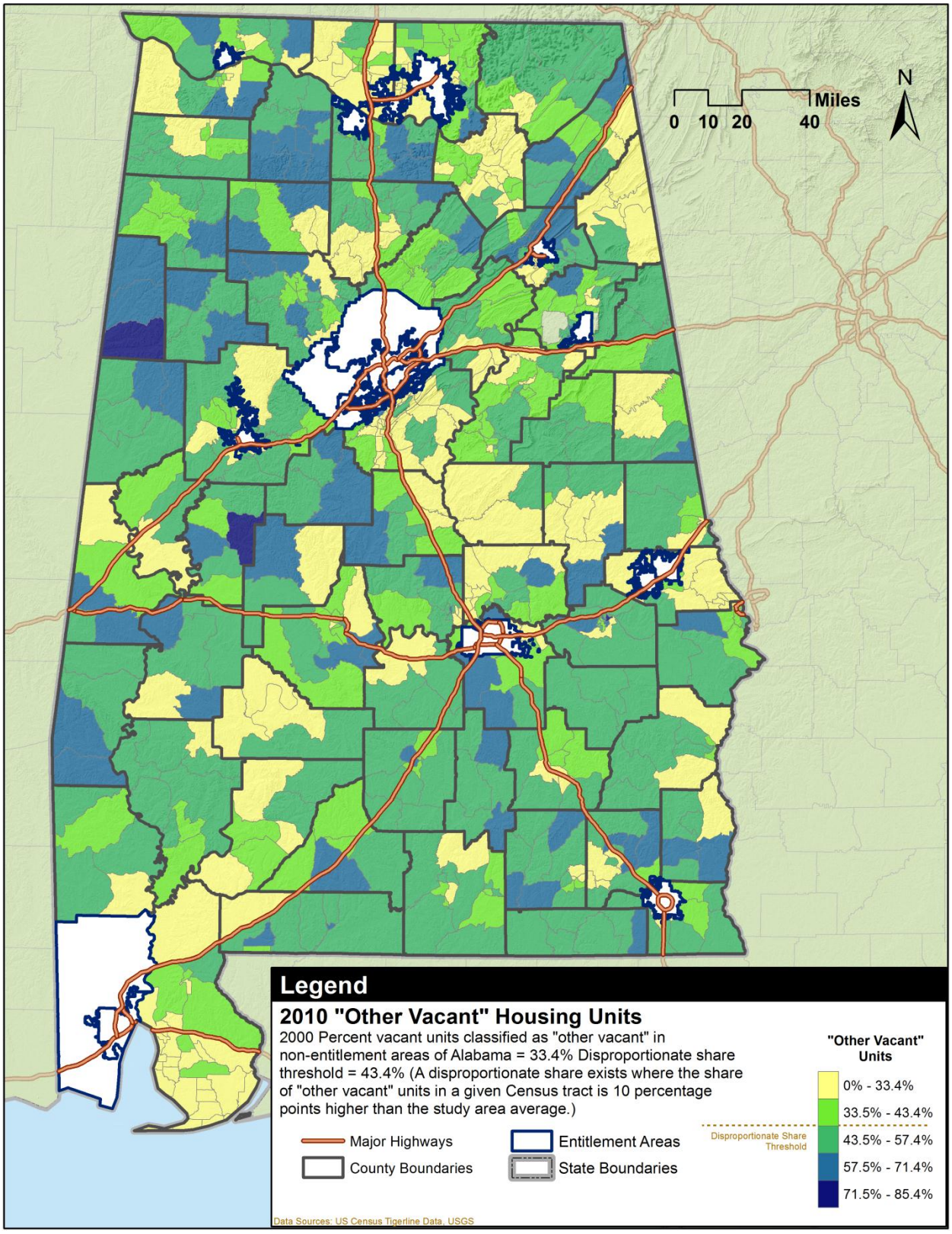
Tracts with relatively high concentrations of vacant housing units were also scattered throughout the state in 2010, with the highest concentrations of vacant units appearing in coastal Census tracts, as shown in Map II.11 on the following page. Note, however, that units classified as "vacant" may include those that are reserved for vacation, occasional, or seasonal use, a category that would likely include many of those coastal units. Indeed more than 65 percent of vacant units in those areas were intended for occasional use. Of more concern are vacant housing units that are classified as "other vacant". These units are not available to the market place, and may create a blighting influence where they are grouped in close physical proximity.

Tracts in which high shares of vacant units were classified as "other vacant" appeared throughout the state, largely in rural Census tracts, as shown in Map II.12 on page 40. However, of more concern are areas like Tuskegee, where we see a high percentage of vacant units, a large proportion of which were classified as "other vacant".

Map II.11
Vacant Housing Units
Non-Entitlement Areas of Alabama
2010 Census Data



Map II.12
"Other Vacant" Housing Units
Non-Entitlement Areas of Alabama
2010 Census Data



HOUSEHOLD SIZE

The size of the average household in the state changed slightly between the 2000 and 2010 Censuses. Three- and four-person households accounted for a smaller share of households in non-entitlement areas of the state at the end of the decade, as shown in Table II.11 below. Meanwhile, the share of one-person households in the state increased by 1.4 percentage points, and the share of two-person households grew by 0.4 percentage points.

Table II.11
Households by Household Size
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Size	2000 Census		2010 Census		% Change 00–10
	Households	% of Total	Households	% of Total	
One Person	246,422	24.0%	287,820	25.4%	16.8%
Two Persons	349,188	34.1%	390,937	34.5%	12.0%
Three Persons	191,698	18.7%	197,849	17.5%	3.2%
Four Persons	152,573	14.9%	153,850	13.6%	.8%
Five Persons	58,101	5.7%	66,197	5.8%	13.9%
Six Persons	17,612	1.7%	22,736	2.0%	29.1%
Seven Persons or More	9,051	.9%	13,113	1.2%	44.9%
Total	**1,024,645**	**100.0%**	**1,132,502**	**100.0%**	**10.5%**

Table II.12 below presents a portrait of the housing stock in the city in 2000 and 2012, separated by housing unit type. Single-family units constituted the most prevalent housing type in both datasets, accounting for 67.1 percent of all housing units in 2000 and 69.7 percent of housing units in 2012, an increase of 2.6 percentage points or nearly 130,000 units. This increase was nevertheless more pronounced than changes in any other housing type after 2000, with the exception of mobile homes. These units decreased as a share of housing units by 3.4 percentage points, falling from 23.8 percent of the housing stock in 2000 to 20.4 percent in 2010.

Table II.12
Housing Units by Type
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

Unit Type	2000 Census		2012 Five-Year ACS	
	Units	% of Total	Units	% of Total
Single-Family	791,109	67.1%	920,943	69.7%
Duplex	23,085	2.0%	26,335	2.0%
Tri- or Four-Plex	24,715	2.1%	26,787	2.0%
Apartment	54,203	4.6%	76,632	5.8%
Mobile Home	280,549	23.8%	268,984	20.4%
Boat, RV, Van, Etc.	4,540	0.4%	1,729	0.1%
Total	**1,178,201**	**100.0%**	**1,321,410**	**100.0%**

HOUSING PROBLEMS

While the 2000 Census did not report significant details regarding the physical condition of housing units, some information can be derived from the SF3 data. These data relate to overcrowding, incomplete plumbing or kitchen facilities, and cost burdens. While these data were not collected during the 2010 Census, data were available for comparison from the 2008 to 2012 ACS averages.

Overcrowding occurs in units housing between 1 and 1.5 persons per room, while severe overcrowding occurs in units with 1.5 persons per room or more. According to the 2000 Census, 1.9 percent of housing units were overcrowded in that year and 0.8 percent of housing units were severely overcrowded, as shown in Table II.13 below. By 2012, the share of overcrowded housing units had fallen to 1.4 percent and the share of severely overcrowded housing units had fallen to 0.6 percent, according to the 2012 ACS. In both years, rental units were more affected by overcrowding than owner-occupied units.

Table II.13
Overcrowding and Severe Overcrowding
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

Data Source	No Overcrowding		Overcrowding		Severe Overcrowding		Total
	Households	% of Total	Households	% of Total	Households	% of Total	
Owner							
2000 Census	785,351	98.0%	12,062	1.5%	4,322	.5%	801,735
2011 Five-Year ACS	817,785	98.7%	7,780	.9%	2,735	.3%	828,300
Renter							
2000 Census	210,935	94.7%	7,760	3.5%	4,035	1.8%	222,730
2011 Five-Year ACS	263,355	95.9%	7,431	2.7%	3,894	01.4%	274,680
Total							
2000 Census	996,286	97.2%	19,822	1.9%	8,357	.8%	1,024,465
2011 Five-Year ACS	1,081,140	98.0%	15,211	1.4%	6,629	.6%	1,102,980

Incomplete plumbing or kitchen facilities are other indicators of potential housing problems. According to the Census Bureau, a housing unit is classified as lacking complete plumbing facilities when any of the following are not present: piped hot and cold water, a flush toilet, and a bathtub or shower. Likewise, a unit is categorized as deficient when any of the following are missing from the kitchen: a sink with piped hot and cold water, a range or cook top and oven, and a refrigerator. As shown in Table II.14 below, 0.6 percent of housing units lacked complete plumbing facilities in 2012, down from 0.7 percent in 2000. Meanwhile, the share of units without complete kitchen facilities grew from 0.6 to 0.8 percent between 2000 and 2012, as shown in Table II.15 below.

Table II.14
Households with Incomplete Plumbing Facilities
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

Households	2000 Census	2011 Five-Year ACS
With Complete Plumbing Facilities	1,016,899	1,096,482
Lacking Complete Plumbing Facilities	7,566	6,498
Total Households	**1,024,465**	**1,102,980**
Percent Lacking	**0.7%**	**0.6%**

Table II.15
Households with Incomplete Kitchen Facilities
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

Households	2000 Census	2011 Five-Year ACS
With Complete Kitchen Facilities	1,018,608	1,094,620
Lacking Complete Kitchen Facilities	5,857	8,360
Total Households	**1,024,465**	**1,102,980**
Percent Lacking	**.6%**	**.8%**

The third type of housing problem reported in the 2000 Census was cost burden, which occurs when a household has gross housing costs that range from 30 to 49.9 percent of gross household income; severe cost burden occurs when gross housing costs represent 50 percent or more of gross household income. For homeowners, gross housing costs include property taxes, insurance, energy payments, water and sewer service, and refuse collection. If the homeowner has a mortgage, the determination also includes principal and interest payments on the mortgage loan. For renters, this figure represents monthly rent plus utility charges.

Finally, the share of households that were cost-burdened grew between the 2000 Census and 2008-2012 ACS, as shown in Table II.16 below, along with the share of households that were severely cost burdened. The share of cost burdened households, in which housing costs account for 31 to 50 percent of the household income, grew by 3 percentage points, accounting for 15.2 percent of households by 2012. Meanwhile, the share of severely cost-burdened households grew from 9.1 to 11.4 percent. As had been the case with overcrowded housing units, the problems of cost-burden and severe-cost burden fell more heavily on rental households than owner-occupied households. A complete version of this table with data for all households is included in Appendix C.

Table II.16
Cost Burden and Severe Cost Burden by Tenure
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

Data Source	31%-50%		Above 50%		Total
	Households	% of Total	Households	% of Total	
Owner With a Mortgage					
2000 Census	44,371	14.2%	27,872	8.9%	313,227
2011 Five-Year ACS	82,876	17.5%	54,471	11.5%	472,392
Owner Without a Mortgage					
2000 Census	12,064	6.1%	8,167	4.1%	197,672
2011 Five-Year ACS	29,010	8.2%	19,894	5.6%	355,908
Renter					
2000 Census	32,103	15.0%	30,130	14.1%	214,410
2011 Five-Year ACS	56,021	20.4%	51,835	18.9%	274,680
Total					
2000 Census	88,538	12.2%	66,169	9.1%	725,309
2011 Five-Year ACS	167,907	15.2%	126,200	11.4%	1,102,980

Renters with a severe cost burden are at risk of homelessness. Cost-burdened renters who experience one financial setback often must choose between rent and food or rent and health care for their families. Similarly, homeowners with a mortgage who have just one unforeseen financial constraint, such as temporary illness, divorce, or the loss of employment, may face foreclosure or bankruptcy. Furthermore, households that no longer have a mortgage yet still experience a severe cost burden may be unable to conduct periodic maintenance and repair of their homes, and in turn, may contribute to a dilapidation and blight problem. All three of these situations should be of concern to policymakers and program managers.

HOUSING COSTS

Census tracts with relatively high median contract rental costs tended to be located close to urban areas and entitlement jurisdictions, as shown in Map II.13 on page 45. The highest contract rental costs were observed in Census tracts near Tuscaloosa, Bessemer, and Hoover,

where median contract rental costs ranged from $1,469 to $2,001. By contrast, median rental costs were $252 or less throughout much of the west and southwest of the state.

As one might expect, many of the same Census tracts with relatively high median contract rental costs also had relatively high median home values, as shown in Map II.14 on page 46. The highest home values tended to be located close to urban areas of the state, while home values in inland tracts in the southwest of the state tended to have relatively low home values. For example, in many of the Census tracts to the south of Selma the median home values were less than $55,000.

SUMMARY

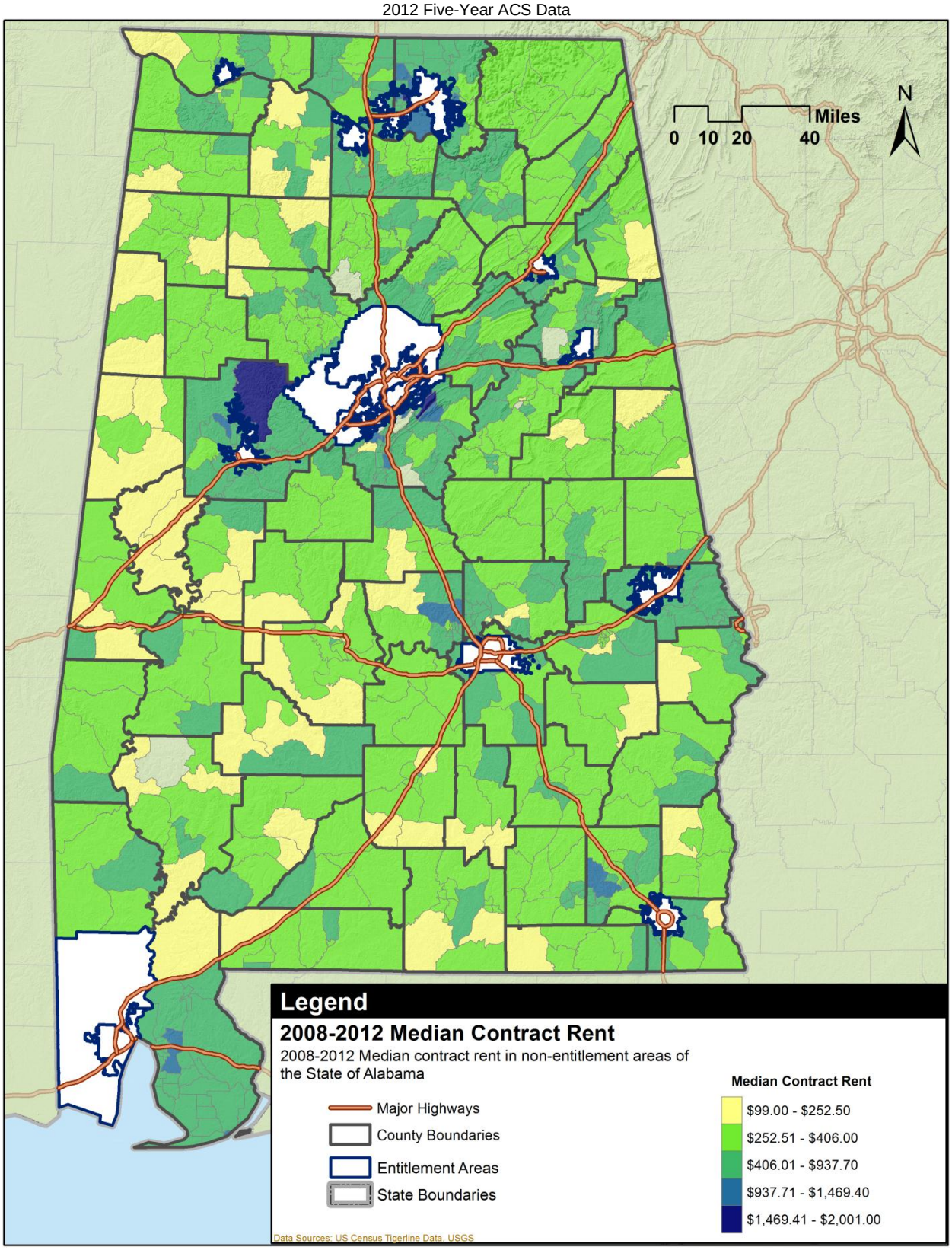
The size of the population in non-entitlement areas of Alabama grew by 9.6 percent between 2000 and 2010. Growth was more pronounced in the older cohorts, or those which included residents aged 55 to 64 and residents 65 and older. These groups grew by 40.8 percent and 19.6 percent, respectively. The elderly cohort, which includes residents aged 65 and older, grew the most rapidly at the younger end of the spectrum, as the number of residents aged 65 to 66 grew by 34.2 percent and the number of residents aged 67 to 69 increased by 29.4 percent.

As the population of the state's non-entitlement areas increased between 2000 and 2010, its racial and ethnic composition underwent a modest shift. White and black residents together accounted for 95 percent of the population in 2010, and white residents accounted for the largest share of any single group, or 76.7 percent. However, these populations grew at a relatively slow pace between Censuses, and declined slightly as a share of the overall population. At the same time, the Hispanic population grew considerably, more than doubling in number and as a share of the overall population, and accounted for 3.9 percent of the state's non-entitlement residents in 2010. Geographically, the black population was largely concentrated in the southern half of the state (the "black belt") and around the cities of Talladega, Huntsville, Madison, and Decatur. The Hispanic population was observed to be concentrated in rural areas in the north of the state.

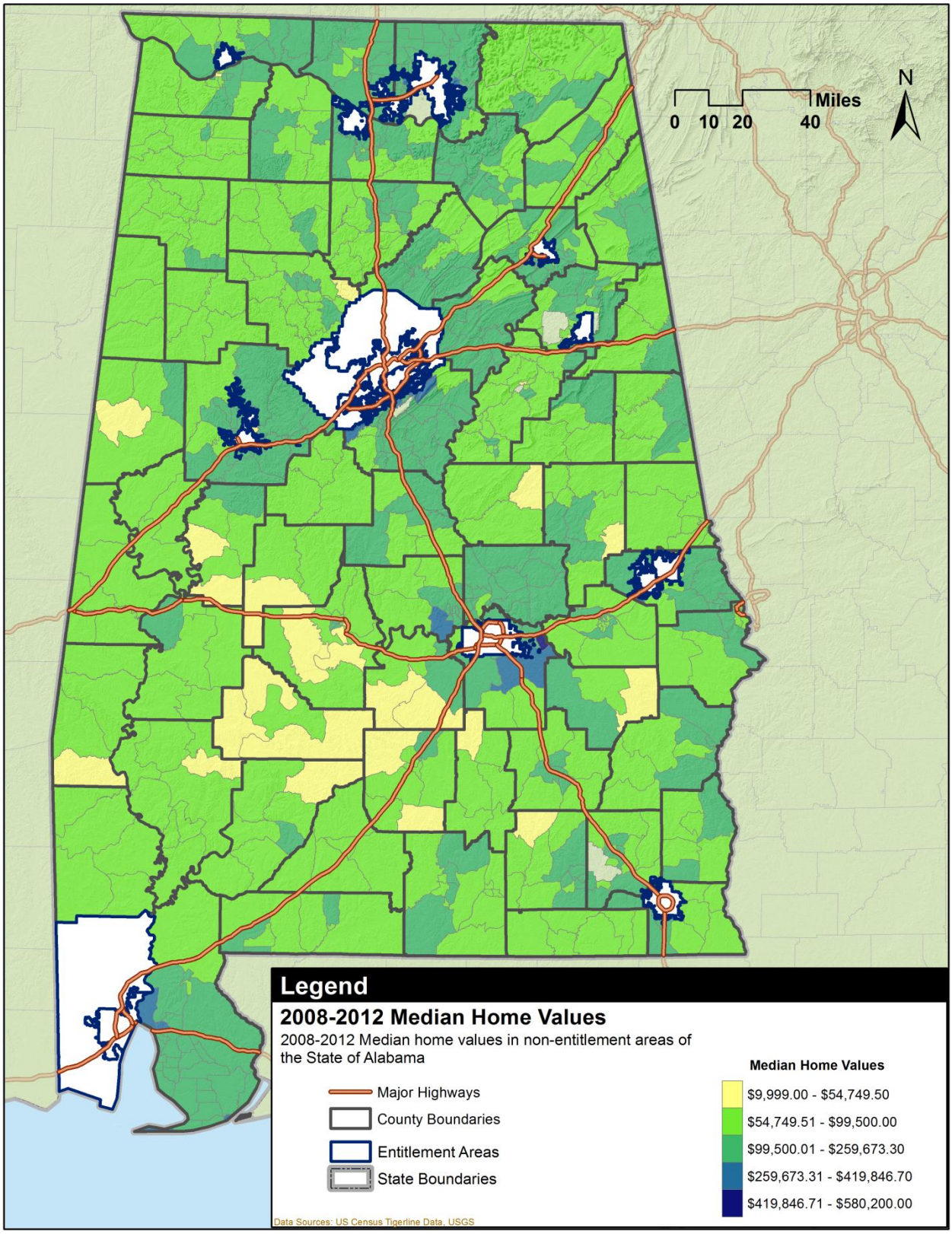
In 2008-2012, there were an estimated 495,346 residents with disabilities in non-entitlement areas of the State of Alabama. Census tracts with relatively high concentrations of residents with disabilities were scattered throughout the state in that year. The share of residents who were living with some form of disability was 24.1 percent in 2000; however, due to changes in the ACS questionnaire in 2008 disability figures established prior to that year are not directly comparable with figures from later years.

The labor market in the state's non-entitlement areas has fluctuated considerably in the years since 1990. Overall, the nineties were a period of solid growth in the number of employed and the size of the labor force. Both declined considerably in the first few years after 2000 before strong growth in the labor market resumed in around 2003-2004. However, by 2007 that growth had leveled off, and the number of employed fell dramatically over the following two years, leading to a spike in the unemployment rate, which topped ten percent in 2009. Growth in the number of employed led to a drop in the unemployment rate over the following years. Though that growth appears to be leveling off, the unemployment has continued to fall through 2013 thanks to a reduction in the size of the labor force, and stood at 6.5 percent in that year.

Map II.13
Median Contract Rent
Non-Entitlement Areas of Alabama
2012 Five-Year ACS Data



Map II.14
Median Home Values
Non-Entitlement Areas of Alabama
2012 Five-Year ACS Data



Real average earnings and real per capita income (PCI) in the state as a whole have also fluctuated in the years since 2000, after a decade of relatively strong growth. Growth in earnings continued through 2004, after which the amount that the average worker earned remained close to $46,000 for several years. That figure dropped to around $45,000 in 2007, but showed positive growth between that year and 2010. Since 2010, earnings have held steady at approximately $46,300 per year in 2012 dollars. Real per capita income, on the other hand, grew steadily from 2002 through 2008, fell by over $1,000 in 2009, and has shown positive growth since that year. By 2012, the average income in the state was $36,462. In spite of overall growth in earnings and income in the state as a whole, the poverty rate in the state's non-entitlement area rose from 15.5 to 17.2 percent from 2000 through 2012. Census tracts with relatively high poverty rates were clustered in inland areas in the south and southwest of the state.

Residents of the state's non-entitlement areas were less likely to be homeowners in 2010 than they had been in 2000, as the share of occupied unit that were owner-occupied fell from 78.3 to 75 percent (the share of renter-occupied units correspondingly grew from 21.7 to 25 percent). At the same time, vacant housing units increased as a share of the overall housing stock by 1.4 percentage points. A majority of vacant units were for rent; for sale; or for seasonal, recreational, or occasional use. However, 33.4 percent of units were classified as "other vacant" in 2010. Such units are problematic, for the reason that they are not available to the marketplace and may represent a blighting influence where they are grouped in close geographic proximity to each other. In this connection, the high concentration of "other vacant" units in and around Tuskegee is potentially a cause for concern: more than 71.5 percent of vacant units in this area were classified as "other vacant".

Though the number of larger households, or those with more than five members, increased between 2000 and 2010, the share of housing units that were overcrowded or severely overcrowded fell to two percent of all housing units. Additionally, the share of housing units with incomplete plumbing facilities fell, and though the share of housing units with incomplete kitchen facilities rose slightly, neither represented more than 0.8 percent of all housing units in the state in 2008-2012. Cost-burdening, on the other hand, impacted a larger share of households: 15.2 percent of households had housing costs that ranged from 31 to 50 percent of their overall income, while 11.4 percent of households paid more than 50 percent of their monthly income toward housing costs.

SECTION III. FAIR HOUSING LAW, STUDY, AND CASE REVIEW

As part of the AI process, existing fair housing laws, studies, cases, and other relevant materials were reviewed on a national and local scale. Results of this review are presented below.

FAIR HOUSING LAWS

FEDERAL FAIR HOUSING LAWS

Federal laws provide the backbone for U.S. fair housing regulations. While some laws have been previously discussed in this report, a brief list of laws related to fair housing, as defined on the U.S. Department of Housing and Urban Development's (HUD's) website, is presented below:

Fair Housing Act. Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, 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 18 living with parents or legal custodians, pregnant women, and persons securing custody of children under the age of 18), and handicap (disability).[8]

Title VIII was amended in 1988 (effective March 12, 1989) by the *Fair Housing Amendments Act*. In connection with prohibitions on discrimination against individuals with disabilities, the Act contains design and construction accessibility provisions for certain new multi-family dwellings developed for first occupancy on or after March 13, 1991.[9]

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

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

Section 109 of the Housing and Community Development Act of 1974. Section 109 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 and Block Grant Program.

Title II of the Americans with Disabilities Act of 1990. Title II 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.

[8] "HUD Fair Housing Laws and Presidential Executive Orders."
http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws
[9] "Title VIII: Fair Housing and Equal Opportunity."
http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/progdesc/title8

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

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

Title IX of the Education Amendments Act of 1972. Title IX prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.[10]

STATE AND LOCAL FAIR HOUSING LAWS

In addition to the federal laws described above, Alabama residents are protected from discrimination in the housing market by the Alabama Fair Housing Law (§24-8-1, et seq.). The protected classes recognized by Alabama law are the same as those recognized in the federal Fair Housing Act.

FAIR HOUSING STUDIES

NATIONAL FAIR HOUSING STUDIES

In 2000, HUD released a publication entitled "Discrimination in Metropolitan Housing Markets," which measured the prevalence of housing discrimination based on race and ethnicity in the U.S. This was the third nationwide effort to measure discrimination against minority home seekers since 1977, conducted in three phases.

Phase 1 – Black and Hispanic Populations

The study, based on 4,600 paired tests in 23 metropolitan cities in the U.S., found large decreases in the levels of discrimination against black and Hispanic home seekers between 1989 and 2000. In the rental markets, a moderate decrease was seen in discrimination toward black individuals, who experienced adverse treatment more often than white individuals, whereas the Hispanic population was more likely to face discrimination in the rental markets than its black and white counterparts. Many black and Hispanic home seekers were told that units were unavailable, although the same units were available to white home seekers, and the black and Hispanic populations were also shown and told about fewer units. In addition, Hispanic individuals were more likely in 2000 than in 1989 to be quoted a higher rent than white individuals who sought to rent the same unit.

Phase 2 – Asian and Pacific Islander Populations

This study, conducted in 2000 and 2001 and based on 889 paired tests in 11 metropolitan areas in the U.S., showed that Asian and Pacific Islander individuals who sought to rent a unit experienced adverse treatment compared to white individuals in 21.5 percent of tests, which was similar to the rate black and Hispanic individuals saw. The study also showed that Asian and Pacific Islander prospective homebuyers experienced adverse treatment compared to white

[10] "HUD Fair Housing Laws and Presidential Executive Orders."

prospective homebuyers 20.4 percent of the time, with discrimination occurring in the availability of housing, inspections, assistance with financing, and encouragement by agents.

Phase 3 – American Indian Population

The last phase of HUD's nationwide effort to measure housing discrimination involved estimating the level of discrimination experienced by American Indian individuals in their search for housing in metropolitan areas across Minnesota, Montana, and Alabama. The findings showed that the American Indian population experienced adverse treatments compared to white individuals in 28.5 percent of rental tests. White individuals were consistently told about advertised units, similar units, and more units than American Indian individuals with similar qualifications. The high level of discrimination experienced by the American Indian population in these areas surpassed rates seen by Hispanic, black, and Asian individuals in the metropolitan rental markets nationwide.[11]

In April 2002, HUD released a national study that assessed public awareness of and support for fair housing law titled *How Much Do We Know?: Public Awareness of the Nation's Fair Housing Laws*. The study found that only 50 percent of the population was able to identify most scenarios describing illegal conduct. In addition, 14 percent of the nationwide survey's adult participants believed that they had experienced some form of housing discrimination in their lifetime. However, only 17 percent of those who had experienced housing discrimination had taken action to resolve the issue, such as filing a fair housing complaint. Finally, two-thirds of all respondents said that they would vote for a fair housing law.[12]

As a follow-up, HUD later released a study in February 2006 called *Do We Know More Now?: Trends in Public Knowledge, Support and Use of Fair Housing Law*. One aim of the study was to determine whether a nationwide media campaign had proven effective in increasing the public's awareness of housing discrimination, and another goal was to determine the public's desire to report such discrimination. Unfortunately, the study found that overall public knowledge of fair housing law did not improve between 2000 and 2005. As before, just half of the public knew the law regarding six or more illegal housing activities. The report showed that 17 percent of the study's adult participants experienced discrimination when seeking housing; however, after reviewing descriptions of the perceived discrimination, it was determined that only about 8 percent of the situations might be covered by the Fair Housing Act. Four out of five individuals who felt they had been discriminated against did not file a fair housing complaint, indicating that they felt it "wasn't worth it" or that it "wouldn't have helped." Others did not know where to complain, assumed it would cost too much, were too busy, or feared retaliation. One positive finding of the survey was that public support for fair housing law increased from 66 percent in 2000 to 73 percent in 2005.[13]

In 2004, the U.S. General Accounting Office's (GAO) released a report titled *Fair Housing: Opportunities to Improve HUD's Oversight and Management of the Enforcement Process*. The

[11] "Discrimination in Metropolitan Housing Markets: National Results from Phase 1, Phase 2, and Phase 3 of the Housing Discrimination Study (HDS)." http://www.huduser.org/portal/publications/hsgfin/hds.html

[12] U.S. Department of Housing and Urban Development, Office of Policy Development and Research. *How Much Do We Know?: Public Awareness of the Nation's Fair Housing Laws*. April 2002. http://www.huduser.org/portal/publications/fairhsg/hmwk.html

[13] U.S. Department of Housing and Urban Development, Office of Policy Development and Research. *Do We Know More Now?: Trends in Public Knowledge, Support and Use of Fair Housing Law*. February 2006. http://www.huduser.org/portal/publications/hsgfin/FairHsngSurvey.html

GAO report found that between 1996 and 2003, the median number of days required to complete fair housing complaint investigations was 259 for HUD's Fair Housing and Equal Opportunity Offices and 195 for Fair Housing Assistance Program (FHAP) agencies, far above the 100-day mandate. However, the report did find a higher percentage of investigations completed within that time limit. The GAO report also identified the following trends between 1996 and 2003:

- The number of fair housing complaints filed each year steadily increased since 1998. An increasing proportion of grievances alleged discrimination based on disability and a declining proportion alleged discrimination based on race, although race was still the most cited basis of housing discrimination;
- FHAP agencies conducted more fair housing investigations than Fair Housing and Equal Opportunity (FHEO) agencies over the eight-year period. The total number of investigations completed each year increased slightly after declining in 1997 and 1998; and
- Over this time period, an increasing percentage of investigations closed without finding reasonable cause to believe discrimination occurred. However, a declining percentage of investigations were resolved by the parties themselves or with help from FHEO or FHAP agencies.[14]

In 2006, the University of Southern California and Oregon State University collaborated to study rental discrimination and race. The universities responded to 1,115 advertisements regarding apartment vacancies in Los Angeles State and signed the bottom of each email with Tyrell Jackson, a traditionally black name; Patrick McDougall, a traditionally white name; or Said Al-Rahman, a traditionally Arab name. Analysis indicated that individuals who were perceived as black were four times more likely to be discouraged from viewing an apartment than persons perceived as white, and individuals considered to be Arab were three times more likely to be discouraged from viewing an apartment than individuals who appeared white. The analysis also noted that applicants perceived as black were more likely to receive negative responses, such as the apartment was no longer available for market rate or above market rate apartments. For example, only an email signed Tyrell Jackson received a reply that reiterated the apartment cost to ensure the apartment was within the applicant's price range. The study also analyzed the responses from private property owners versus corporate property owners, but found no statistical difference in the way the two groups responded to applicants of different races.[15]

Released by the Poverty & Race Research Action Council in January 2008, *Residential Segregation and Housing Discrimination in the United States* asserts that many current governmental efforts to further fair housing actually result in furthering unfair housing practices across the U.S. This article suggests that fair housing efforts can cause residential segregation. For example, if the majority of public housing residents are non-white and most public housing accommodations are grouped in the same Census tracts, residential segregation is resultant. Similarly, many Section 8 voucher holders are racial or ethnic minorities, and most housing that accepts Section 8 vouchers is grouped in selected areas, which again results in residential segregation. The report offers recommendations to curb such residential segregation, including

[14] U.S. General Accounting Office. "Fair Housing: Opportunities to Improve HUD's Oversight and Management of the Enforcement Process." April 2004. http://gao.gov/products/GAO-04-463
[15] Carpusor, Adrian and William Loges. "Rental Discrimination and Ethnicity in Names." *Journal of Applied Social Psychology* 36(4).

dispersing public housing developments throughout cities and communities and providing greater incentives for landlords with several properties to accept the vouchers.[16]

Published in 2009 by the National Fair Housing Alliance, *For Rent: No Kids!: How Internet Housing Advertisements Perpetuate Discrimination* presented research on the prevalence of discriminatory housing advertisements on popular websites such as Craigslist. According to the article, while newspapers are prohibited from publishing discriminatory housing advertisements, no such law exists for websites like Craigslist, as they are considered interactive internet providers rather than publishers of content. As such, they are not held to the same legal standards as newspapers. While individual landlords who post discriminatory advertisements may be held responsible, there are no such standards for companies like Craigslist that post the discriminatory advertisements. Newspapers and other publishers of content are required to screen the advertisements they accept for publishing for content that could be seen as discriminatory. This may include phrases like "no children" or "Christian only," which violate provisions of the Fair Housing Act that state families with children and religious individuals are federally protected groups.[17]

In May 2010, the National Fair Housing Alliance published a fair housing trends report, *A Step in the Right Direction,* which indicated that recent years have demonstrated forward movement in furthering fair housing. The report began with a commendation of HUD's federal enforcement of fair housing law and noted the agency's willingness to challenge local jurisdictions that failed to affirmatively further fair housing. In response to the recent foreclosure crisis, many credit institutions have implemented tactics to reduce risk. However, this report suggests that policies that tighten credit markets, such as requiring larger cash reserves, higher down payments, and better credit scores, may disproportionally affect lending options for communities of color and women. *A Step in the Right Direction* concludes with examples of ways in which the fair housing situation could be further improved, including addressing discriminatory internet advertisements and adding gender identity, sexual orientation, and source of income as federally protected classes.[18]

The positive note that the NFHA struck in its 2010 report carried over into the following year's *The Big Picture: How Fair Housing Organizations Challenge Systemic and Institutionalized Discrimination*, published by the Alliance in April of 2011. This report began by noting an encouraging downward trend in the proportion of individuals in large metropolitan areas living in segregation, which had dropped from 69 to 65 percent between 2000 and 2010, according to census data from 2010. The report also highlighted the work of fair housing organizations to combat systemic and institutionalized discrimination produced by exclusionary zoning, NIMBYism, the dual credit market, and other fair housing challenges, often on limited budgets and with limited personnel. The NFHA closed its 2011 report by praising the work of private fair housing organizations while underscoring the need for continued work.[19]

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[16] U.S. Housing Scholars and Research and Advocacy Organizations. *Residential Segregation and Housing Discrimination in the United States*. January 2008. http://prrac.org/pdf/FinalCERDHousingDiscriminationReport.pdf

[17] National Fair Housing Alliance. *For Rent: No Kids!: How Internet Housing Advertisements Perpetuate Discrimination.* August 2009. http://www.nationalfairhousing.org/LinkClick.aspx?fileticket=zgbukJP2rMM%3D&tabid=2510&mid=8347

[18] National Fair Housing Alliance. *A Step in the Right Direction: 2010 Fair Housing Trends Report.* May 2010. http://www.nationalfairhousing.org/Portals/33/Fair%20Housing%20Trends%20Report%202010.pdf

[19] *The Big Picture: How Fair Housing Organizations Challenge Systemic and Institutionalized Discrimination.* National Fair Housing Alliance 2011 Fair Housing Trends Report. 29 April 2011. *http://www.nationalfairhousing.org/LinkClick.aspx?fileticket=SbZH3pTEZhs%3d&tabid=3917&mid=5321*

The 2012 report from the NFHA focused on issues of fair housing in the context of the shifting demographic composition of the United States, where the white population is projected to no longer represent a majority of residents within thirty years. The report discussed encouraging signals from HUD and the Justice Department, who have "increased their efforts and announced landmark cases of mortgage lending, zoning, and other issues that get to the heart of the [Fair Housing] Act: promoting diverse and inclusive communities[20]." The report also highlights a new arena for discrimination in housing, which has emerged as a result of the massive level of foreclosures in the country in recent years: uneven maintenance of Real Estate Owned (REO) properties in white and minority areas. In concluding, the report hails the creation of the Consumer Financial Protection Bureau as a new ally for fair housing and equal opportunity.[21]

The most recent report from the NFHA outlines an ambitious policy goal: expansion of the Fair Housing Act to prohibit discrimination based on source of income, sexual orientation, gender identity, and marital status. The report relates that cases of housing discrimination in general increased between 2011 and 2012, and that complaints based on non-protected statuses (source of income, etc.) were included in that upward trend. In spite of this, only 12 states include protections based on source of income, 21 states prohibit discrimination based on sexual orientation, sixteen states protect against discrimination based on gender identity, and 22 states offer protections based on marital status (the District of Columbia also extends protections on all of these bases). In concluding the report, the NFHA advocates the modernization and expansion of the FHA to bring the protection of individuals based on source of income, sexual orientation, gender identity, and marital status within its compass.

Fair Housing Cases

National Fair Housing Cases

As noted in the introduction to this report, provisions to affirmatively further fair housing are long-standing components of HUD's Housing and Community Development programs. In fact, in 1970, Shannon v. HUD challenged the development of a subsidized low-income housing project in an urban renewal area of Philadelphia that was racially and economically integrated. Under the Fair Housing Act, federal funding for housing must further integrate community development as part of furthering fair housing, but the plaintiffs in the Shannon case claimed that the development would create segregation and destroy the existing balance of the neighborhood. As a result of the case, HUD was required to develop a system to consider the racial and socio-economic impacts of their projects.[22] The specifics of the system were not decided upon by the court, but HUD was encouraged to consider the racial composition and income distribution of neighborhoods, racial effects of local regulations, and practices of local authorities.[23] The Shannon case gave entitlement jurisdictions the responsibility of considering the segregation effects of publicly-funded housing projects on their communities as they affirmatively further fair housing.

[20] http://www.nationalfairhousing.org/LinkClick.aspx?fileticket=GBv0ZVJp6Gg%3d&tabid=3917&mid=5321
[21] *Ibid.*
[22] U.S. HUD. *39 Steps Toward Fair Housing.* http://www.hud.gov/offices/fheo/39steps.pdf
[23] Orfield, Myron. "Racial Integration and Community Revitalization: Applying the Fair Housing Act to the Low Income Housing Tax Credit." *Vanderbilt Law Review*, November 2005.

More recently, in a landmark fraud case, Westchester County, New York, was ordered to pay more than $50 million to resolve allegations of misusing federal funds for public housing projects and falsely claiming their certification of furthering fair housing. The lawsuit, which was filed in 2007 by an anti-discrimination center, alleged that the County failed to reduce racial segregation of public housing projects in larger cities within the County and to provide affordable housing options in its suburbs. The County had accepted more than $50 million from HUD between 2000 and 2006 with promises of addressing these problems. In a summary judgment in February 2009, a judge ruled that the County did not properly factor in race as an impediment to fair housing and that the County did not accurately represent its efforts of integration in its AI. In the settlement, Westchester County was forced to pay more than $30 million to the federal government, with roughly $20 million eligible to return to the County to aid in public housing projects. The County was also ordered set aside $20 million to build public housing units in suburbs and areas with mostly white populations, and to promote legislation "currently before the Board of Legislators to ban 'source-of-income' discrimination in housing (§33(g))".[24]

In complying with the latter requirement, the County Executive's actions were limited to sending five letters to various fair housing advocates, encouraging them to continue their advocacy, and one letter to the Board of Legislators expressing support for the legislation. This bill failed to pass during the 2009 legislative session, and a similar bill was taken up during the 2010 session. In the meantime, Westchester voters elected Rob Astorino to the position of County Executive. Astorino declined to promote the source-of-income legislation before the Board, and when a weakened version of the bill passed in early 2010, he vetoed it. Finding that Westchester had failed to affirmatively further fair housing in the manner agreed upon in the earlier settlement, HUD rejected the County's AFFH certification and discontinued federal funding. As of April 2013, HUD's decision had been upheld through several rounds of appeals by the County[25]. The ramifications of this case are expected to affect housing policies of both states and entitlement communities across the nation; activities taken to affirmatively further fair housing will likely be held to higher levels of scrutiny to ensure that federal funds are being spent to promote fair housing and affirmatively further fair housing.

In 2008, $3 billion of federal disaster aid was allotted to the Texas state government to provide relief from damage caused by hurricanes Ike and Dolly. These storms ravaged homes in coastal communities, many of which were owned by low-income families that could not afford to rebuild. However, instead of directing the federal funds to the areas most affected by the storms, the State spread funds across Texas and let local planning agencies spend at will. In reaction to this, two fair housing agencies in the state filed a complaint with HUD stating that the plan violated fair housing laws as well as federal aid requirements that specify half of the funds be directed to lower-income persons. In light of the complaint, HUD withheld $1.7 billion in CDBG funds until the case was resolved. A settlement was reached in June 2010; the State was required to redirect 55 percent of the amount of the original funds to aid poorer families that lost their homes. The State was also asked to rebuild public housing units that were destroyed by the storms and to offer programs that aid minority and low-income residents in relocating to less storm-prone areas or areas with greater economic opportunities.[26]

[24] http://www.hud.gov/content/releases/settlement-westchester.pdf
[25] *United States v Westchester State* 712 F.3d 761 2013 U.S. App.
[26] http://www.relmanlaw.com/docs/FinalConciliationAgreementTexas.pdf

In a recent audit of rental properties in the Dallas-Fort Worth area, the North Texas Fair Housing Center (NTFHC) measured the nature and extent of discrimination based on race and familial status in the North Texas region. The NTFHC discussed the findings of this study in a report published in 2011. According to the report, prospective African-American renters in the Dallas-Fort Worth metroplex can "expect to encounter discrimination in 37 percent of their housing searches", while Hispanic renters will discriminate housing discrimination in 33 percent of housing searches, and families with children will face discrimination in 20 percent of housing searches. Although the study relied on limited sample sizes (particularly in testing for discrimination against Hispanic applicants and those with children), the findings suggest that housing discrimination is a live issue in the Dallas-Fort Worth area.[27]

LOCAL FAIR HOUSING CASES

Recent U.S. Department of Justice Cases

The U.S. Department of Justice (DOJ) enacts lawsuits on behalf of individuals based on referrals from HUD. Under the Fair Housing Act, the DOJ may file lawsuits in the following instances:

- Where there is reason to believe that a person or entity is engaged in what is termed a "pattern or practice" of discrimination or where a denial of rights to a group of people raises an issue of general public importance;
- Where force or threat of force is used to deny or interfere with fair housing rights; and
- Where persons who believe that they have been victims of an illegal housing practice file a complaint with HUD or file their own lawsuit in federal or state court. [28]

The DOJ has filed fifteen discrimination cases against housing providers in the State of Alabama in the last ten years. Nearly half of these cases involved discrimination on the basis of race, and the types of discriminatory actions alleged in complaints of racial discrimination included the following:

- Expressing a preference of tenants based on race and color, and citing a lack of African-American tenants as a "selling point" for the apartment complex (*United States v. Biswas*)
- Telling black testers that no apartments were available while telling white testers, who inquired on the same day, that apartments were available in an apartment complex (*United States v. Dawson Development CO. and Milburn Long*)
- Charging black home loan borrowers higher interest rates than white borrowers (*United States v. First Lowndes Bank)*
- Discriminatory pricing and redlining (*United States v. First United Security Bank*)
- Instructing property managers not to rent to black persons and families with children (*United States v. Johnson et al*. and *United States v. Lawrence Properties, Inc., et al*.)

[27] Rental Audit: Dallas-Fort Worth Metroplex. North Texas Fair Housing Center. April 2011. http://www.northtexasfairhousing.org/86bfb8ffc7_sites/www.northtexasfairhousing.org/files/2011_NTFHC_Rental_Audit_Report_FINAL.pdf

[28] "The Fair Housing Act." The United States Department of Justice. http://www.justice.gov/crt/about/hce/housing_coverage.php

- Evicting a rental tenant after learning that her daughter was bi-racial (*United States v. Stevens*)

In addition to these cases, the DOJ filed six complaints against housing providers in the State of Alabama alleging discrimination based on disability status. The specific discriminatory actions alleged in these cases included the following:

- Evicting a patient because of his disability (*United States v. Ashford County Housing Authority and Shirley Foxworth*)
- Failure, on the part of the City of Satsuma and its Board of Adjustment, to make reasonable accommodation by refusing to allow three persons with disabilities to reside together in a group home (*United States v. City of Satsuma, et al*.)
- Failure, on the part of the City of Saraland and its Board of Adjustment, to make reasonable accommodation by refusing to allow the establishment of a group home by special exception to local zoning ordinances (*United States v. City of Saraland, Alabama and Saraland Board of Adjustment*)
- Refusing to allow a tenant with reduced mobility to move into the ground-floor apartment of an apartment complex. This tenant later injured himself falling down the stairs to his second story apartment (*United States and Statlander v. Warren Properties, Inc.*).

The latter case resulted in the largest settlement ever obtained in a single housing discrimination case: $1,195,000 in monetary damages to the complainant and $55,000 to the United States. The amount that complainants were awarded in damages varied considerably across these cases; the minimum amount was $20,000, and the average (among cases that settled and in which monetary damages were assessed) was approximately $100,000. Almost every case filed by the DOJ against housing providers in Alabama was settled.

SUMMARY

Alabama residents are protected from discrimination in the housing market by the federal Fair Housing Act and the Alabama Fair Housing Law. Both prohibit discrimination on the basis of race, color, sex, religion, national origin, familial status, and disability. In spite of the existence of such prohibitions at the state and national level, fair housing studies and cases indicate that housing discrimination persists in the nation and in the State of Alabama, though discriminatory practices and policies are less overt now than in the past. In addition, the fifteen cases filed by the DOJ against housing providers in the state give some indication of the most common kinds of discrimination to which state residents have been subjected. The most common case involved allegations of discrimination on the basis of race, which was cited in seven cases, followed by discrimination against individuals with disabilities, cited in six complaints.

SECTION IV. REVIEW OF THE EXISTING FAIR HOUSING STRUCTURE

The purpose of this section is to provide a profile of fair housing in the State of Alabama based on a number of factors, including an enumeration of key agencies and organizations that contribute to affirmatively furthering fair housing, evaluation of the presence and scope of services of existing fair housing organizations, and a review of the complaint process.

FAIR HOUSING AGENCIES

FEDERAL AGENCIES

U.S. Department of Housing and Urban Development

The U.S. Department of Housing and Urban Development (HUD) oversees, administers, and enforces the federal Fair Housing Act. HUD's regional office in Atlanta oversees housing, community development, and fair housing enforcement in Alabama, as well as Mississippi, Tennessee, Kentucky, North Carolina, South Carolina, Georgia, Florida, the U.S. Virgin Islands, and Puerto Rico. Contact information for HUD is listed below[29]:

Address:
Office of Fair Housing and Equal Opportunity
Department of Housing and Urban Development
451 Seventh Street SW, Room 5204
Washington, DC 20410-2000
Telephone: (202) 708-1112
Toll Free: (800) 669-9777
Web Site: http://www.HUD.gov/offices/fheo/online-complaint.cfm

The contact information for the regional HUD office in Atlanta is:

Address:
Atlanta Regional Office
U.S. Department of Housing and Urban Development Southeast Office
40 Marietta Street
Atlanta, GA 30303
Telephone: (404) 331-5001
Website: http://www.HUD.gov

The Office of Fair Housing and Equal Opportunity (FHEO) in HUD's Atlanta office enforces the Fair Housing Act and other civil rights laws that prohibit discrimination in housing, mortgage lending, and other related transactions in Alabama. HUD also provides education and outreach, monitors agencies that receive HUD funding for compliance with civil rights laws,

and works with state and local agencies under the Fair Housing Assistance Program (FHAP) and Fair Housing Initiative Program (FHIP), as described below.

Fair Housing Assistance Program

The Fair Housing Assistance Program (FHAP) was designed to support local and state agencies that enforce local fair housing laws, provided that these laws are substantially equivalent to the Fair Housing Act. Substantial equivalency certification is a two-phase process: in the first phase, the Assistant Secretary for Fair Housing and Equal Opportunity makes a *prima facie* determination on the substantial equivalency of a state or local law to the federal Fair Housing Act. Once this determination has been made, and the law has been judged to be substantially equivalent, the agency enforcing the law is certified on an interim basis for a period of three years. During those three years, the local enforcement organization "builds its capacity to operate as a fully certified substantially equivalent agency." FHAP grants during this time period are issued to support the process of building capacity. When the interim certification period ends after three years, the Assistant Secretary issues a determination on whether or not the state law is substantially equivalent to the Fair Housing Act "in operation", this is the second phase of the certification process. If the law is judged to be substantially equivalent in operation, the agency enforcing the law is fully certified as a substantially equivalent agency for five years.

HUD will typically refer most complaints of housing discrimination to a substantially equivalent state or local agency for investigation (such complaints are dual-filed at HUD and the State or local agency), if such an agency exists and has jurisdiction in the area in which the housing discrimination was alleged to have occurred. When federally subsidized housing is involved, however, HUD will typically investigate the complaint.

The benefits of substantially equivalent certification include the availability of funding for local fair housing activities, shifted enforcement power from federal to local authorities, and the potential to make the fair housing complaint process more efficient by vesting enforcement authority in those who are more familiar with the local housing market. In addition, additional funding may be available to support partnerships between local FHAP grantees and private fair housing organizations. However, there are no FHAP grantees in the State, either at the state or local level.

Fair Housing Initiative Program

The Fair Housing Initiative Program (FHIP) is designed to support fair housing organizations and other non-profits that provide fair housing services to people who believe they have faced discrimination in the housing market. These organizations provide a range of services including initial intake and complaint processing, referral of complainants to government agencies that enforce fair housing law, preliminary investigations of fair housing complaints, and education and outreach on fair housing law and policy.

FHIP funding is available through three initiatives[30]: the Fair Housing Organizations Initiative (FHOI), the Private Enforcement Initiative (PEI), and the Education and Outreach Initiative (EOI). These initiatives are discussed in more detail below:

The Fair Housing Organizations Initiative (FHOI): FHOI funds are designed to help non-profit fair housing organizations build capacity to effectively handle fair housing enforcement and outreach activities. A broader goal of FHOI funding is to strengthen the national fair housing movement by encouraging the creation of fair housing organizations.

The Private Enforcement Initiative (PEI): PEI funds are intended to support the fair housing activities of established non-profit organizations, including testing and enforcement, and more generally to offer a "range of assistance to the nationwide network of fair housing groups".

The Education and Outreach Initiative (EOI): EOI funding is available to qualified fair housing non-profit organizations as well as State and local government agencies. The purpose of the EOI is to promote initiatives that explain fair housing to the general public and housing providers, and provide the latter with information on how to comply with the requirements of the FHA.

Non-profit organizations are eligible to apply for funding under each or all of these initiatives. To receive FHOI funding, such organizations must have at least two years' experience in complaint intake and investigation, fair housing testing, and meritorious claims in the three years prior to applying for funding. Eligibility for PEI funding is subject to "certain requirements related to the length and quality of previous fair housing enforcement experience." Organizations applying for the EOI must also have two years' experience in the relevant fair housing activities; EOI funds are also potentially available to State and local government agencies.

There are two FHIP organizations currently operating in the State of Alabama: the Center for Fair Housing (CFH) and the Central Alabama Fair Housing Center (CAFHC). The former received $319,795 in HUD grants in 2013 under the Private Enforcement Initiative, and the CAFHC received $324,000 under the same initiative. The MFHC was founded in 1997, and currently serves residents of eight counties in southern Alabama. The CAFHC began in 1995, and serves the residents of 29 counties in Central Alabama. A third fair housing organization, the Fair Housing Center of Northern Alabama, was a FHIP recipient in 2011, but not in 2012, 2013, or 2014.

STATE AGENCIES

The Alabama Department of Economic and Community Affairs (ADECA) is charged by Alabama State Code (§24-8-9 *et seq*) with administering the provisions of the Alabama Fair Housing Law. The text of this law is included in Appendix F, and the complaint process provided for in the law is outlined on pages 64 and 65 below. As part of its powers and duties, ADECA is asked to accept fair housing complaints from Alabama residents, investigate those complaints, attempt to broker conciliation agreements between complainants and respondents,

[30] Though there are four initiatives included in the FHIP, no funds are currently available through the Administrative Enforcement Initiative.

designate panels to hear complaints, and oversee the compliance with orders issued by such panels. In addition, ADECA may initiate studies, publish reports, and "promulgate regulations necessary for the enforcement of [the Alabama Fair Housing Law]", as long as such regulations do not exceed the requirements of the federal Fair Housing Act. ADECA may be contacted through the following information:

Alabama Department of Economic and Community Affairs
P.O. Box 5690
Montgomery, Alabama 36103
Telephone: (334) 242-5100
FAX: (334) 242-5099
Email: contact@adeca.alabama.gov

In spite of the fact that ADECA is vested with the authority and responsibility to receive fair housing complaints and enforce the state's Fair Housing Law, there is little evidence that the agency is currently accepting complaints or that the law is being enforced. ADECA does provide a web link to a fair housing poster on its website; however, this poster directs those who believe that they have been subjected to unlawful discrimination in the housing market to contact HUD. Similarly, additional resources included on the website consist of web links to various contacts and services offered by HUD. The website also mentions that housing discrimination is illegal under federal law but does not note that it is also illegal under state law, nor does it provide information on any state or local organizations, public or private, to which residents can turn to lodge a complaint of housing discrimination.

NON-PROFIT ORGANIZATIONS

There are two current FHIP grantees serving residents of southern and central Alabama: Mobile-based Center for Fair Housing and the Montgomery-based Central Alabama Fair Housing Center. In addition, the Fair Housing Center of Northern Alabama serves residents of northern Alabama.

The Center for Fair Housing

The Center for Fair Housing (CFH) serves residents of eight counties in southern Alabama: Mobile, Baldwin, Monroe, Conecuh, Clarke, Choctaw, Washington, and Escambia Counties. The CFH offers a range of housing services, pertaining to housing counseling, financial literacy, outreach and education, accessibility, enforcement, and legal services. A FHIP grantee, the CFH received roughly $400,000 in HUD funding in 2011, $445,000 in 2012, $320,000 in 2013, and $320,000 in 2014. The CFH may be contacted through the following information:

Center for Fair Housing
602 Bel Air Boulevard, Suite 7
Mobile, Alabama 36606
Telephone: (251) 479-1532
FAX: (251) 479-1488
Email: info@sacfh.org

The Central Alabama Fair Housing Center

The Central Alabama Fair Housing Center (CAFHC) serves residents of twenty-nine counties in Central Alabama: Autauga, Barbour, Bullock, Butler, Chambers, Chilton, Coffee, Coosa, Covington, Crenshaw, Dale, Dallas, Elmore, Geneva, Greene, Hale, Henry, Houston, Lee, Lowndes, Macon, Marengo, Montgomery, Perry, Pike, Russell, Sumter, Tallapoosa, and Wilcox Counties. The mission of the CAFHC is to "promote understanding of and to help insure compliance with the federal Fair Housing Act." In service of this mission, the CAFHC conducts outreach and educational activities related to fair housing; investigates complaints filed by residents of central Alabama; files administrative or court actions; and mediates fair housing disputes between complainants and housing providers. A FHIP grantee, the organization received $274,000 from HUD in 2011, $324,000 in 2012, $324,000 in 2013, and $324,000 in 2014. The CAFHC may be contracted through the following information:

Central Alabama Fair Housing Center
2867 Zelda Road
Montgomery, Alabama 36106
Telephone: (334) 263-4663
FAX: (334) 263-4664

Fair Housing Center of Northern Alabama

The Fair Housing Center of Northern Alabama (FHCNA) serves residents of Northern Alabama who feel that they have been subjected to illegal discrimination in the state's housing market. As a FHIP grantee in 2011[31], the FHCNA conducted fair housing tests and promoted fair housing policy through the provision of education, outreach, enforcement, and investigative services. The FHCNA may be contacted through the following information:

Fair Housing Center of Northern Alabama
1728 Third Avenue North, Suite 400C
Birmingham, Alabama 35203
Telephone: (205) 324-0111
FAX: (205) 320-0238

Complaint Process Review

Complaint Processes for Fair Housing Agencies

U.S. Department of Housing and Urban Development

The intake stage is the first step in the complaint process. When a complaint is submitted, intake specialists review the information and contact the complainant (the party alleging housing discrimination) in order to gather additional details and determine if the case qualifies as possible housing discrimination. If the discriminatory act alleged in the complaint occurred within the jurisdiction of a substantially equivalent state or local agency under the FHAP, the

[31] The Fair Housing Center of Northern Alabama received $275,000 in HUD funding in that year.

complaint is referred to that agency, which then has 30 days to address the complaint. If that agency fails to address the complaint within that time period, HUD can take the complaint back.

If HUD determines that it has jurisdiction and accepts the complaint for investigation, it will draft a formal complaint and send it to the complainant to be signed. Once HUD receives the signed complaint, it will notify the respondent (the party alleged to have discriminated against the complainant) within ten days that a complaint has been filed against him or her. HUD also sends a copy of the formal complaint to the respondent at this stage. Within ten days of receiving the formal complaint, the respondent must respond to the complaint.

Next, the circumstances of the complaint are investigated through interviews and examination of relevant documents. During this time, the investigator attempts to have the parties rectify the complaint through conciliation. The case is closed if conciliation of the two parties is achieved or if the investigator determines that there was no reasonable cause of discrimination. If conciliation fails, and reasonable cause is found, then either a federal judge or a HUD Administrative Law Judge hears the case and determines damages, if any.[32] In the event that the federal court judge finds the discrimination alleged in a complaint to have actually occurred, the respondent may be ordered to:

- Compensate for actual damages, including humiliation, pain, and suffering;
- Provide injunctive or other equitable relief to make the housing available;
- Pay the federal government a civil penalty to vindicate the public interest, with a maximum penalty of $10,000 for a first violation and $50,000 for an additional violation within seven years; and/or
- Pay reasonable attorneys' fees and costs.[33]

If neither party elects to go to federal court, a HUD Administrative Law Judge will hear the case. Once the judge has decided the case, he or she issues an initial decision. If the judge finds that housing discrimination has occurred, he or she may award a civil penalty of up to $11,000 to the complainant, along with actual damages, court costs, and attorney's fees. When the initial decision is rendered, any party that is adversely affected by that decision can petition the Secretary of HUD for review within 15 days. The Secretary has 30 days following the issuance of the initial decision to affirm, modify, or set aside the decision, or call for further review of the case. If the Secretary does not take any further action on the complaint within 30 days of the initial decision, the decision will be considered final. After that, any aggrieved party must appeal to take up their grievance in the appropriate court of appeals.[34]

Alabama Department of Economic and Community Affairs

According to Alabama Code of Law (§24-8-12), those who feel that they have been subjected to unlawful discrimination in housing market in Alabama can file a complaint with the Alabama Department of Economic and Community Affairs (ADECA) within 180 days of the alleged discriminatory act. Once ADECA has received the complaint, it will notify the

[32] "HUD's Title VIII Fair Housing Complaint Process." http://www.hud.gov/offices/fheo/complaint-process.cfm
[33] "Fair Housing—It's Your Right." http://www.hud.gov/offices/fheo/FHLaws/yourrights.cfm
[34] "HUD's Title VIII Fair Housing Complaint Process." http://www.hud.gov/offices/fheo/complaint-process.cfm

respondent, i.e., the accused party. With 30 days of the receipt of the complaint, ADECA will investigate the complaint and notify the complainant whether or not the agency intends to resolve the complaint.

The agency has one hundred days to complete the investigation of the complaint. In the time between the filing of the complaint and the end of the investigation, ADECA may attempt to resolve the complaint informally through conference, conciliation, or persuasion. If the complaint has not been resolved through one of these processes, the investigator will submit a statement of facts to ADECA and recommend either that the complaint be dismissed or that a panel be convened to hear the complaint. However, either party has the option of pursuing the matter in a civil court action in lieu of the administrative process.

If ADECA issues an order for a hearing, the complaint will be heard by a panel of three persons designated by ADECA. If the panel determines that the complaint represents a true instance of housing discrimination, it may levy penalties against the respondent. Such penalties, which may not exceed those provided for in the federal Fair Housing Act, potentially include injunctive relief, fines, actual damages, and reasonable attorney's fees. If the panel determines that no unlawful discrimination occurred the case will be dismissed. Either party may appeal the panel's decision.

If either party elects to bring the complaint before a civil court, they must do so within a year of the alleged discriminatory housing practice. If the court finds that discrimination has occurred, it may issue an order for injunctive relief, actual damages, punitive damages, and reasonable attorney's fees.

SUMMARY

Residents of Alabama's non-entitlement areas who feel that they have been subjected to discrimination prohibited under the federal Fair Housing Act may lodge a complaint with HUD, which also promotes fair housing policy in the state through partnerships with two organizations that serve residents in southern and central Alabama. These organizations, the Center for Fair Housing and Central Alabama Fair Housing Center, provide outreach and education pertaining to fair housing law and policy in addition to furthering enforcement of fair housing law through investigation of fair housing complaints. A third organization, the Fair Housing Center of Northern Alabama, is a former participant in the FHIP program that serves residents of Northern Alabama. The Alabama Department of Economic and Community Affairs (ADECA) is the agency charged with enforcement of the state's Fair Housing Law, though there is no evidence that the law is currently being enforced.

SECTION V. FAIR HOUSING IN THE PRIVATE SECTOR

As part of the AI process, the U.S. Department of Housing and Urban Development (HUD) suggests that the analysis focus on possible housing discrimination issues in both the private and public sectors. Examination of housing factors in the State of Alabama's public sector is presented in **Section VI**, while this section focuses on research regarding the State's private sector, including the mortgage lending market, the real estate market, the rental market, and other private sector housing industries.

LENDING ANALYSIS

HOME MORTGAGE DISCLOSURE ACT

Since the 1970s, the federal government has enacted several laws aimed at promoting fair lending practices in the banking and financial services industries. A brief description of selected federal laws aimed at promoting fair lending follows:

The 1968 *Fair Housing Act* prohibits discrimination in housing based on race, color, religion, and national origin. Later amendments added sex, familial status, and disability. Under the Fair Housing Act, it is illegal to discriminate against any of the protected classes in the following types of residential real estate transactions: making loans to buy, build, or repair a dwelling; selling, brokering, or appraising residential real estate; and selling or renting a dwelling.

The *Equal Credit Opportunity Act* was passed in 1974 and prohibits discrimination in lending based on race, color, religion, national origin, sex, marital status, age, receipt of public assistance, and the exercise of any right under the Consumer Credit Protection Act.

The *Community Reinvestment Act* was enacted in 1977 and requires each federal financial supervisory agency to encourage financial institutions in order to help meet the credit needs of the entire community, including low- and moderate-income neighborhoods.

Under the *Home Mortgage Disclosure Act (HMDA)*, enacted in 1975 and later amended, financial institutions are required to publicly disclose the race, sex, ethnicity, and household income of mortgage applicants by the Census tract in which the loan is proposed as well as outcome of the loan application.[35] The analysis presented herein is from the HMDA data system.

The HMDA requires both depository and non-depository lenders to collect and publicly disclose information about housing-related applications and loans.[36] Both types of lending institutions must meet the following set of reporting criteria:

- The institution must be a bank, credit union, or savings association;
- The total assets must exceed the coverage threshold;[37]

[35] *Closing the Gap: A Guide to Equal Opportunity Lending,* The Federal Reserve Bank of Boston, April 1993. http://www.bos.frb.org/commdev/closing-the-gap/closingt.pdf

[36] Data are considered "raw" because they contain entry errors and incomplete loan applications. Starting in 2004, the HMDA data made significant changes in reporting, particularly regarding ethnicity data, loan interest rates, and the multi-family loan applications.

- The institution must have had an office in a Metropolitan Statistical Area (MSA);
- The institution must have originated at least one home purchase loan or refinancing of a home purchase loan secured by a first lien on a one- to four-family dwelling;
- The institution must be federally insured or regulated; and
- The mortgage loan must have been insured, guaranteed, or supplemented by a federal agency or intended for sale to the Federal National Mortgage Association (FNMA or Fannie Mae) or the Federal Home Loan Mortgage Corporation (FHLMC or Freddie Mac). These agencies purchase mortgages from lenders and repackage them as securities for investors, making more funds available for lenders to make new loans.

For other institutions, including non-depository institutions, additional reporting criteria are as follows:

- The institution must be a for-profit organization;
- The institution's home purchase loan originations must equal or exceed 10 percent of the institution's total loan originations, or more than $25 million;
- The institution must have had a home or branch office in an MSA or have received applications for, originated, or purchased five or more home purchase loans, home improvement loans, or refinancing mortgages on property located in an MSA in the preceding calendar year; and
- The institution must have assets exceeding $10 million or have originated 100 or more home purchases in the preceding calendar year.
- Institutions must report the race, ethnicity, and income of applicants, as well as the location of the property, i.e., the Census tract in which the property lies

HMDA data represent most mortgage lending activity and are thus the most comprehensive collection of information available regarding home purchase originations, home remodel loan originations, and refinancing. While HMDA data are available for more years than are presented in the following pages, modifications were made in 2004 for documenting loan applicants' race and ethnicity, so data are most easily compared after that point.

Home Purchase Loans

Residents of the non-entitlement areas of Alabama applied for 1,888,955 home loans from 2004 through 2013, according to HMDA data. As shown in Table V.1 below, 716,563 of these applications were for home purchase loans. A complete version of this table, with loan data for all year, is included in Appendix C.

Table V.1
Purpose of Loan by Year
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Purpose	Total
Home Purchase	716,563
Home Improvement	149,542
Refinancing	1,022,850
Total	**1,888,955**

[37] Each December, the Federal Reserve announces the threshold for the following year. The asset threshold may change from year to year based on changes in the Consumer Price Index for Urban Wage Earners and Clerical Workers.

Home purchase loan applications are categorized by occupancy status in Table V.2 below. As shown, most of these prospective loans were intended to finance the purchase of homes in which the loan applicant intended to live. The analysis of home lending presented in the AI will focus exclusively on these owner-occupied loans, since they bear most directly on an applicant's ability to choose where he or she lives. Of the 716,563 home purchase loan applications submitted in Alabama's non-entitlement areas, 637,667 were for owner-occupied units. A complete version of this table, with loan data for all year, is included in Appendix C.

Table V.2
Occupancy Status for Home Purchase Loan Applications
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Status	Total
Owner-Occupied	637,667
Not Owner-Occupied	73,930
Not Applicable	4,966
Total	**716,563**

Denial Rates

After the owner-occupied home purchase loan application is submitted, the applicant receives one of the following status designations:

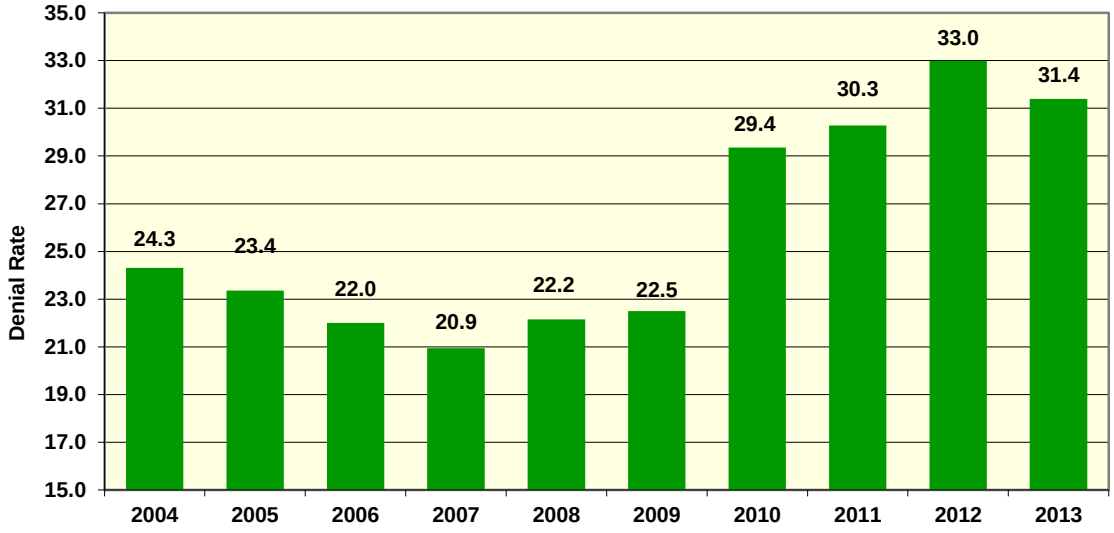
- "Originated," which indicates that the loan was made by the lending institution;
- "Approved but not accepted," which notes loans approved by the lender but not accepted by the applicant;
- "Application denied by financial institution," which defines a situation wherein the loan application failed;
- "Application withdrawn by applicant," which means that the applicant closed the application process;
- "File closed for incompleteness" which indicates the loan application process was closed by the institution due to incomplete information; or
- "Loan purchased by the institution," which means that the previously originated loan was purchased on the secondary market.

Table V.3 on the following page presents the outcome of those owner-occupied home purchase loan applications. As shown, 286,931 loans were originated and 96,902 were denied, for a denial rate of 25.2 percent. Diagram V.1 on the following page illustrates the yearly trend in loan denial rates. As shown, the denial rate in 2004 was 24.3 percent, but fell steadily through 2007, when 20.9 percent of loan applications were denied. After that year, denial rates began to increase, reaching 33 percent in 2013. A complete version of this table, with loan data for all year, is included in Appendix C.

Table V.3
Loan Applications by Action Taken
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Action	Total
Loan Originated	286,931
Application Approved but not Accepted	38,586
Application Denied	96,902
Application Withdrawn by Applicant	37,893
File Closed for Incompleteness	10,361
Loan Purchased by the Institution	166,705
Preapproval Request Denied	251
Preapproval Approved but not Accepted	38
Total	**637,667**
Denial Rate	**25.2%**

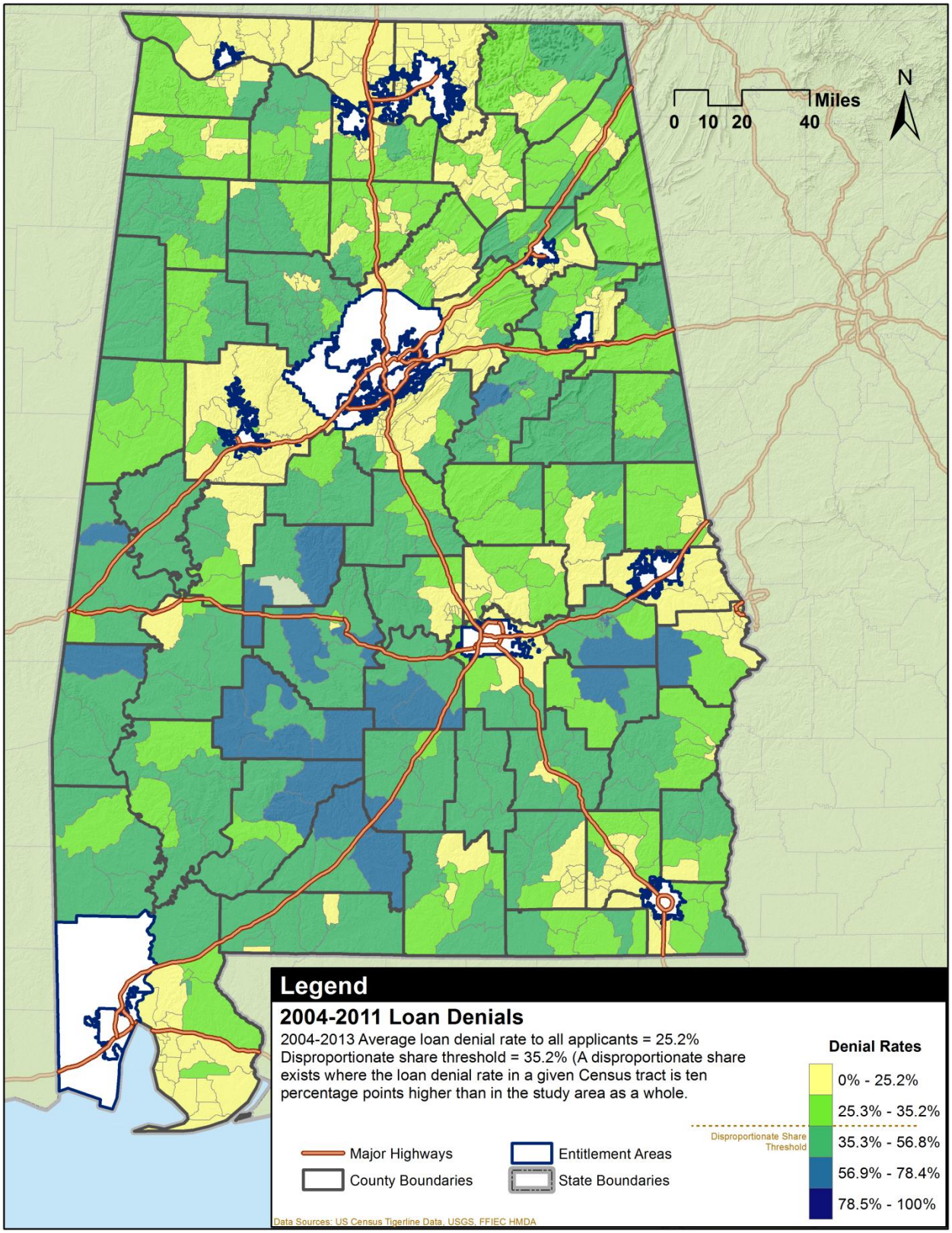
Diagram V.1
Denial Rates by Year
State of Alabama
2004–2013 HMDA Data



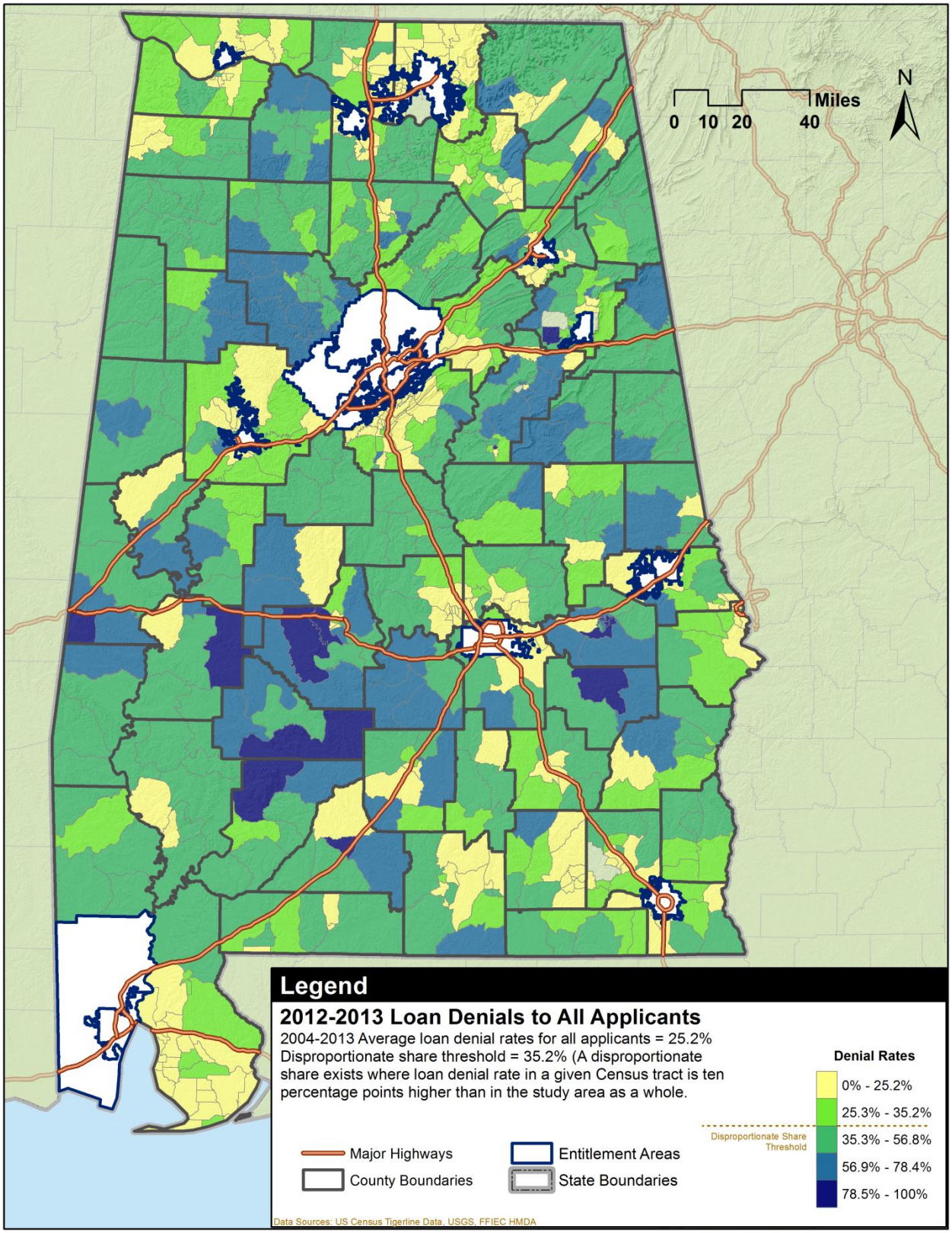
As shown in Map V.1 on the following page, denial rates tended to be at or below the average rate of 25.2 percent in Census tracts surrounding major cities and entitlement areas of the state in the period from 2004 through 2011. Tracts in which the average denial rate was above-average, or disproportionately high, tended to be located in rural areas of the state, particularly in large Census tracts to the west-southwest of Montgomery. In these areas, the percentage of loan applications that were denied ranged from 56.9 to 78.4 percent.

Denial rates continued to be disproportionately high in most rural areas of the state in the period from 2012 through 2013, as shown in Map V.2 on page 72. Areas in which denial rates were average or below average tended to be clustered around major cities and entitlement areas; as they had been in the period from 2004 through 2011. However, while Census tracts with denial rates in excess of 56.9 percent had been largely confined to the southwest of the state in the earlier period, such tracts appeared throughout the state in 2012-2013.

Map V.1
Denial Rates by Census Tract, 2004-2011
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data



Map V.2
Denial Rates by Census Tract, 2012-2013
Non-Entitlement Areas of Alabama
2004-2013 HMDA Data



In addition, the rate of loan denials was observed to differ substantially according to the gender of the applicant, as shown in Table V.4 below. On average, female loan applicants were denied loans at a rate that exceeded the denial rate for male applicants by 8.7 percentage points. Female applicants were subject to higher denial rates than male applicants in every year included; the disparity between the two ranging from 6.2 percentage points in 2008 to 10.9 percentage points in 2012.

Table V.4
Denial Rates by Gender of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Year	Male	Female	Not Available	Not Applicable	Average
2004	20.7%	29.9%	49.1%	6.7%	24.3%
2005	20.3%	28.3%	41.8%	30.0%	23.4%
2006	19.2%	26.7%	38.5%	9.1%	22.0%
2007	18.3%	25.7%	35.9%	36.4%	20.9%
2008	19.7%	25.9%	40.4%	44.4%	22.2%
2009	20.2%	26.7%	31.9%	83.3%	22.5%
2010	26.2%	35.5%	35.6%	33.3%	29.4%
2011	26.3%	36.7%	50.1%	57.1%	30.3%
2012	29.0%	39.8%	49.7%	33.3%	33.0%
2013	27.3%	38.2%	49.8%	20.0%	31.4%
Average	**22.0%**	**30.7%**	**42.4%**	**28.8%**	**25.2%**

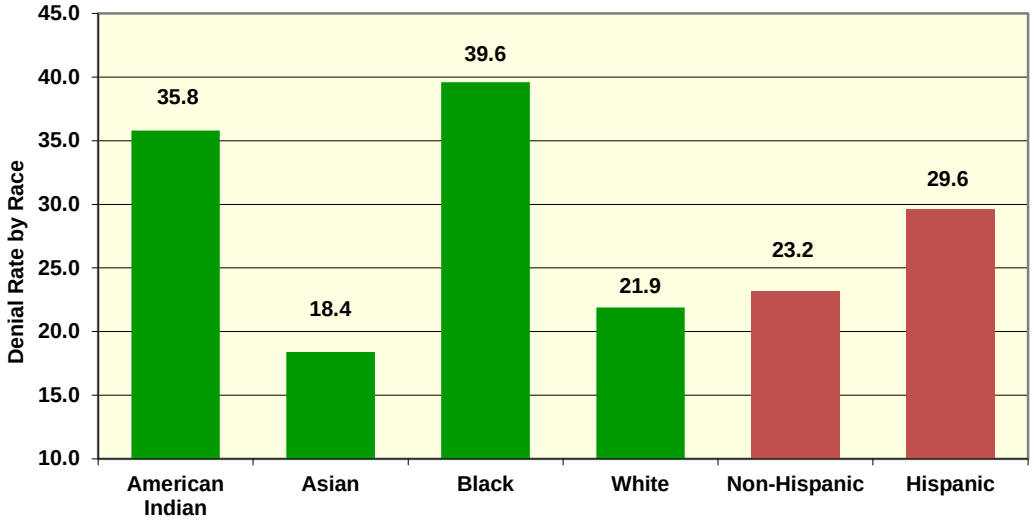
An examination of home purchase loan denials also reveals considerable disparity in loan denials by race and ethnicity. As shown in Table V.5 below, black applicants were denied loans at a rate of 39.6 percent, compared to a denial rate of 21.9 percent for white applicants. Likewise, 29.6 percent of loan applications submitted by Hispanic applicants were denied, compared to a rate of 23.2 percent for non-Hispanic applicants.

Table V.5
Denial Rates by Race/Ethnicity of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race/Ethnicity	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Average
American Indian	30.1%	34.1%	34.6%	36.0%	28.4%	32.8%	34.3%	36.3%	44.9%	45.8%	35.8%
Asian	17.4%	20.2%	13.8%	14.6%	20.1%	20.5%	19.7%	22.1%	21.3%	20.1%	18.4%
Black	42.3%	35.7%	34.4%	33.2%	33.1%	30.8%	40.8%	44.8%	51.9%	51.4%	39.6%
White	19.8%	19.9%	18.9%	18.4%	19.6%	20.6%	26.9%	26.8%	28.7%	26.9%	21.9%
Not Available	42.9%	40.3%	35.9%	29.1%	35.6%	31.5%	36.4%	41.9%	46.6%	47.2%	38.6%
Not Applicable	14.3%	22.2%	9.1%	50.0%	42.1%	080.0%	033.3%	71.4%	33.3%	20.0%	27.1%
Average	**24.3%**	**23.4%**	**22.0%**	**20.9%**	**22.2%**	**22.5%**	**29.4%**	**30.3%**	**33.0%**	**31.4%**	**25.2%**
Non-Hispanic	22.4%	20.9%	20.0%	20.0%	20.9%	21.6%	28.2%	27.6%	29.8%	27.7%	23.2%
Hispanic	35.2%	34.2%	22.2%	24.8%	28.8%	27.1%	31.0%	25.6%	32.2%	34.0%	29.6%

This disparity in overall denial rates by race and ethnicity is presented in Diagram V.2 on the following page.

Diagram V.2
Denial Rates by Race/Ethnicity of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

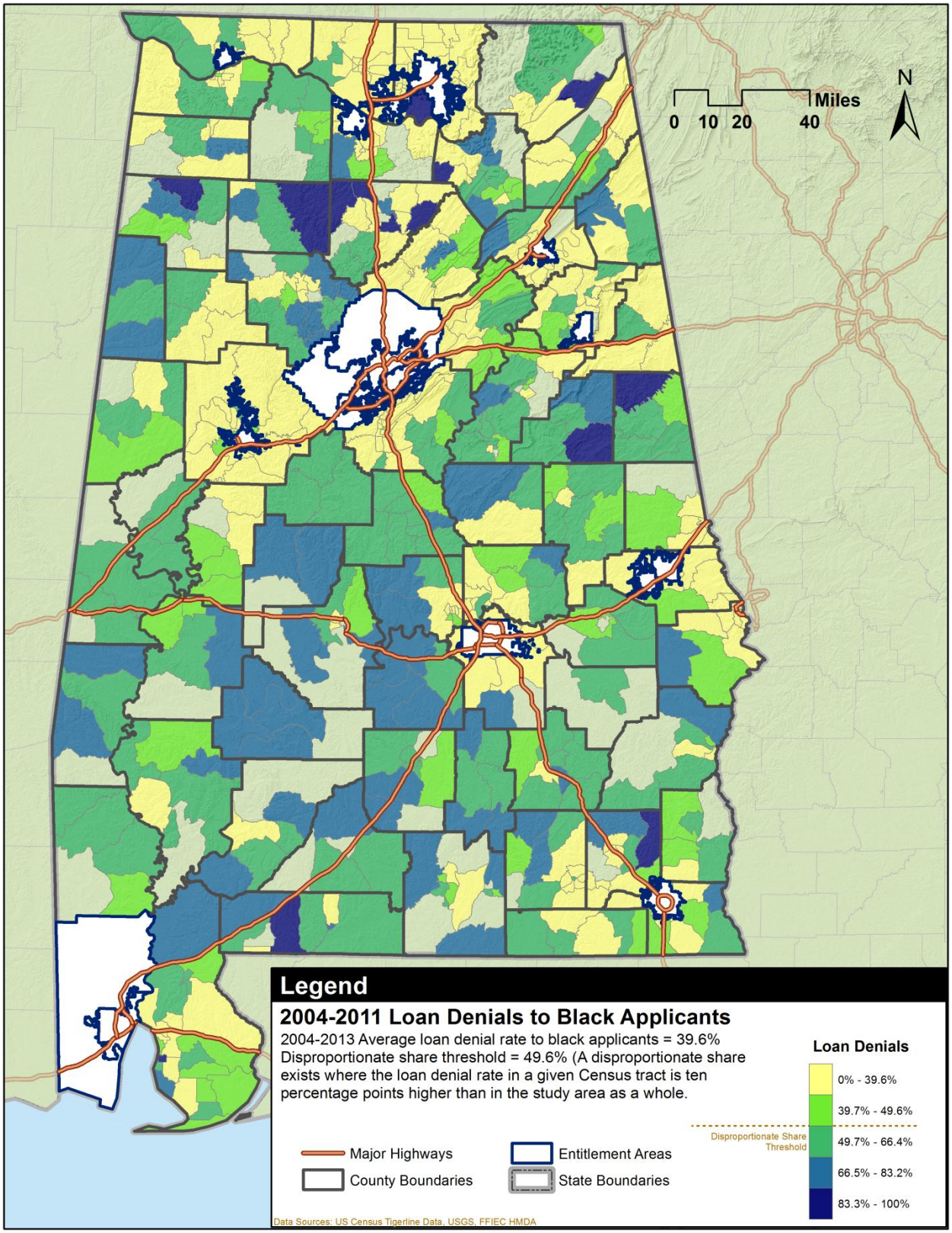


Generally speaking, denial rates tended to be higher in areas with larger shares of black residents. However, the pattern of loan denials to black applicants themselves differed markedly from denial rates overall from 2004 through 2011, as shown in Map V.3 on the following page. Nearly 40 percent of loan denials from black applicants were denied on average, and Census tracts with disproportionately high rates of loan denials to black applicants were scattered throughout the state, and not confined to any particular region.

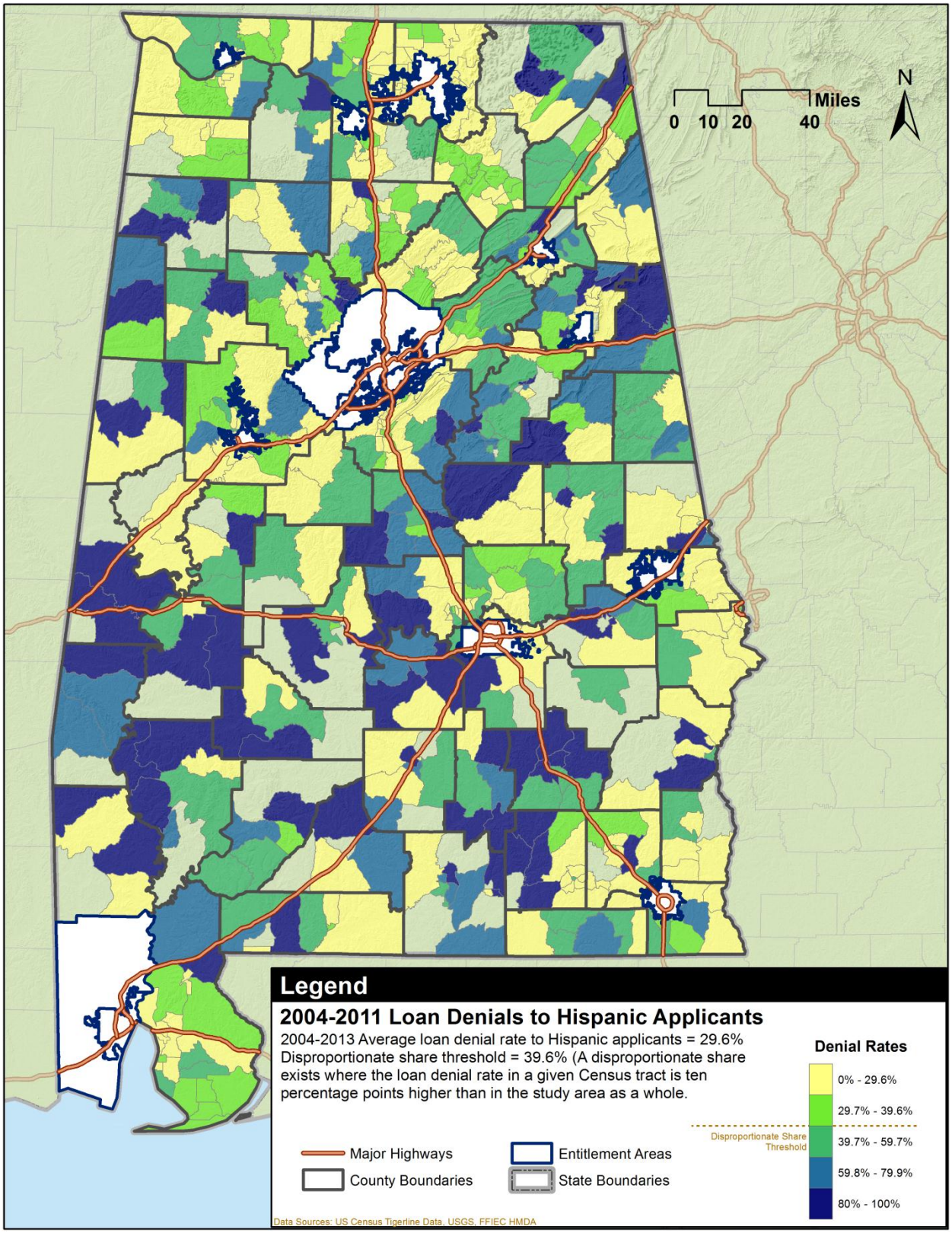
The same was true of loan denials to Hispanic applicants, as shown in Map V.4 on page 76. Just under 30 percent of loan applications from Hispanic residents were denied on average throughout the state's non-entitlement areas from 2004-2011. Census tracts in which the denial rate for Hispanic residents was disproportionately high were observed throughout the state, and were not notably confined to or absent from any particular region.

It is important to note that HMDA data do not include certain information that is highly pertinent to the loan application process, such as the credit score of the applicant or the down payment amount, so it is not possible to analyze all of the factors that lead to a loan denial. For that reason, it is not possible to establish whether, or to what degree, the differential denial rates described above are the result of illegal discrimination on the basis of race, ethnicity, or sex. However, these data do provide some indication of the experience of borrowers in the market place, and indicate that a borrower is less likely to secure a loan if that borrower is black, Hispanic, or female. In addition, borrowers who are able to secure a loan are more likely to be issued high-priced, predatory style loans if they are black or Hispanic.

Map V.3
Denial Rates for Black Applicants by Census Tract, 2004-2011
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data



Map V.4
Denial Rates for Hispanic Applicants by Census Tract, 2004-2011
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data



Credit history was consistently a primary factor in loan denials, as shown in Table V.6 below. More than thirty percent of loans denied between 2004 and 2013 cited credit history as a factor in the denial, and its importance as a factor in loan denials grew substantially between 2004 and 2009. In 2004, credit history was a primary factor in around 27 percent of loan denials; by 2009, that figure had grown to over 45 percent. Since that year, however, credit history has become considerably less prevalent as a factor in loan denials. The prevalence of debt-to-income ratio as a factor in loan denials also increased considerably after 2005. In that year, only around 7 percent of loan denials cited debt-to-income ratio as a primary factor in loans denials. By 2009, unfavorable debt-to-income ratios were a primary factor in approximately 15 percent of loan denials.

Table V.6
Loan Applications by Reason for Denial
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Denial Reason	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Debt-to-Income Ratio	852	908	1,096	1,106	949	903	1,140	1,142	1,224	1,022	10,342
Employment History	124	121	199	147	175	171	194	165	156	121	1,573
Credit History	3,264	3,608	3,599	3,791	2,818	2,667	2,834	2,384	2,548	1,879	29,392
Collateral	452	685	867	668	413	406	413	399	364	418	5,085
Insufficient Cash	223	223	164	191	161	153	147	158	154	150	1,724
Unverifiable Information	131	192	435	226	159	130	127	117	112	127	1,756
Credit Application Incomplete	382	697	543	368	292	188	195	163	248	218	3,294
Mortgage Insurance Denied	2	3	6	8	29	26	20	6	9	10	119
Other	1,209	1,631	1,189	536	383	304	322	290	285	296	6,445
Missing	5,361	4,644	3,766	2,949	1,767	906	2,739	3,544	5,259	6,237	37,172
Total	**12,000**	**12,712**	**11,864**	**9,990**	**7,146**	**5,854**	**8,131**	**8,368**	**10,359**	**10,478**	**96,902**

As one might expect, the rate of loan denials fell as the income of applicants increased. As shown in Table V.7 below, over 70 percent of loans submitted by applicants earning $15,000 per year or less were denied from 2004 through 2012. Denial rates fell progressively for applicants in higher income brackets; for those earning more than $75,000 per year the denial rate was only 12.0 percent.

Table V.7
Denial Rates by Income of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Income	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
$15,000 or Below	66.6%	66.8%	56.6%	62.3%	68.6%	67.1%	74.0%	79.0%	85.5%	84.6%	70.4%
$15,001–$30,000	39.9%	41.1%	41.1%	37.8%	40.6%	38.9%	49.4%	50.8%	55.8%	56.8%	44.5%
$30,001–$45,000	24.8%	25.3%	25.5%	22.7%	24.3%	24.2%	30.3%	32.3%	34.1%	34.4%	27.1%
$45,001–$60,000	18.5%	18.0%	18.7%	18.6%	19.2%	19.4%	23.6%	25.5%	28.2%	25.7%	20.8%
$60,001–$75,000	12.1%	13.5%	13.6%	13.2%	15.2%	15.3%	19.1%	18.4%	19.8%	19.2%	15.3%
Above $75,000	9.9%	11.4%	11.0%	11.1%	11.6%	10.8%	14.1%	13.8%	14.7%	14.2%	12.0%
Data Missing	32.4%	20.7%	24.3%	28.6%	29.2%	36.2%	50.9%	52.2%	43.8%	41.5%	30.0%
Total	**24.3%**	**23.4%**	**22.0%**	**20.9%**	**22.2%**	**22.5%**	**29.4%**	**30.3%**	**33.0%**	**31.4%**	**25.2%**

Though denial rates tended to fall with entry into higher income brackets, the disparities observed previously in denial rates by race and ethnicity persisted even when applicants earned roughly the same incomes, as shown in Table V.8 on the following page. For example, black applicants making more than $75,000 per year were denied loans at a rate of 18.7 percent, compared to 10.7 percent for white applicants. Similarly, Hispanic applicants earning

more than $75,000 per year were subject to a denial rate of 14.8 percent, compared to 11.1 percent for non-Hispanic applicants in the same income range.

Table V.8
Denial Rates of Loans by Race/Ethnicity and Income of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race	<= $15K	$15K–$30K	$30K–$45K	$45K–$60K	$60K–$75K	Above $75K	Data Missing	Average
American Indian	74.5%	49.5%	37.4%	31.6%	23.8%	21.3%	46.9%	35.8%
Asian	58.3%	36.7%	25.4%	16.2%	13.4%	10.6%	19.2%	18.4%
Black	82.1%	59.4%	37.7%	29.5%	21.3%	18.7%	55.2%	39.6%
White	65.4%	39.4%	24.1%	18.5%	13.8%	10.7%	22.7%	21.9%
Not Available	77.1%	62.7%	43.0%	34.5%	24.8%	19.8%	49.3%	38.6%
Not Applicable	.0%	62.5%	5.9%	10.0%	20.0%	16.7%	37.1%	27.1%
Average	**70.4%**	**44.5%**	**27.1%**	**20.8%**	**15.3%**	**12.0%**	**30.0%**	**25.2%**
Non-Hispanic	68.2%	41.6%	25.1%	19.2%	14.2%	11.1%	25.6%	23.2%
Hispanic	66.0%	44.4%	30.2%	24.8%	16.5%	14.8%	28.6%	29.6%

Predatory Style Lending

In addition to modifications implemented in 2004 to correctly document loan applicants' race and ethnicity, the HMDA reporting requirements were changed in response to the Predatory Lending Consumer Protection Act of 2002 as well as the Home Owner Equity Protection Act (HOEPA). Consequently, loan originations are now flagged in the data system for three additional attributes:

- If they are HOEPA loans;[38]
- Lien status, such as whether secured by a first lien, a subordinate lien, not secured by a lien, or not applicable (purchased loans); and
- Presence of high annual percentage rate loans (HALs), defined as more than three percentage points higher than comparable treasury rates for home purchase loans, or five percentage points higher for refinance loans.[39]

Of the 286,351 loans originated in non-entitlement areas of Alabama from 2004 through 2013, 49,580 were HALs, as shown in Table V.9 below. These figures yield a HAL rate of 17.3 percent. Note that the prevalence of HALs has dropped considerably since 2005 and 2006, when over a quarter of home purchase loans issued in non-entitlement areas of the state were HALs. However, even at the lowest point in 2010, the HAL rate was 8.5 percent; it began to rise again after that year, and stood at 10.2 percent in 2012.

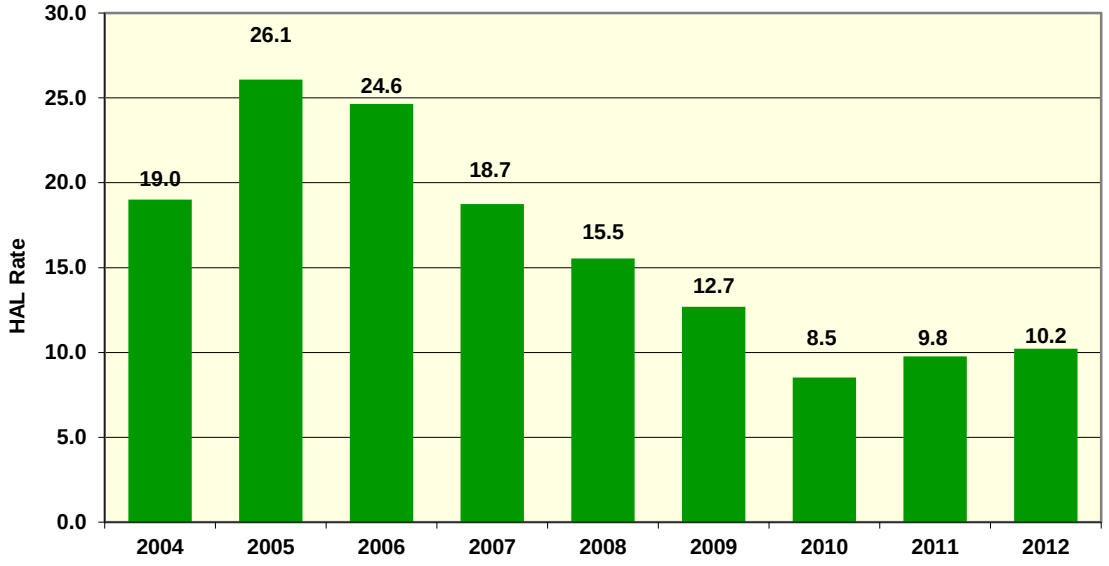
Table V.9
Originated Owner-Occupied Loans by HAL Status
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Other	30,265	30,828	31,699	30,647	21,207	17,608	17,896	17,390	18,895	20,916	237,351
HAL	7,107	10,876	10,367	7,071	3,901	2,559	1,668	1,882	2,152	1,997	49,580
Total	**37,372**	**41,704**	**42,066**	**37,718**	**25,108**	**20,167**	**19,564**	**19,272**	**21,047**	**22,913**	**286,931**
Percent HAL	19.0%	26.1%	24.6%	18.7%	15.5%	12.7%	8.5%	9.8%	10.2%	8.7%	17.3%

[38] Loans are subject to the HOEPA if they impose rates or fees above a certain threshold set by the Federal Reserve Board. "HMDA Glossary." http://www.ffiec.gov/hmda/glossary.htm#H
[39] 12 CFR Part 203, http://www.ffiec.gov/hmda/pdf/regc_020702.pdf

Yearly HAL rate are presented in Diagram V.3 below.

Diagram V.3
HAL Rates by Year
Non-Entitlement Areas of Alabama
2004–2012 HMDA Data

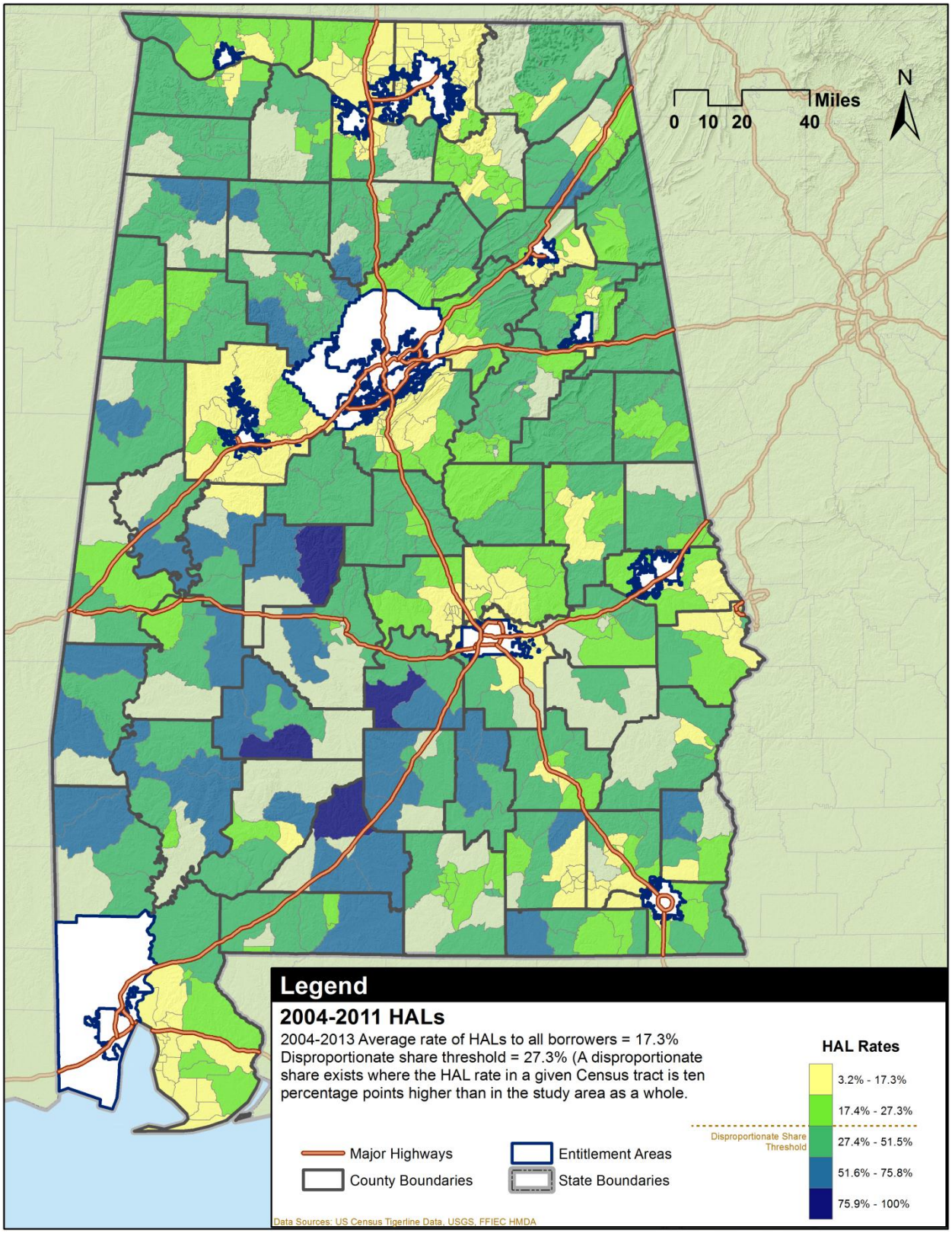


The geographic pattern in the distribution of loans with high annual percentage rates (HALS)[40] from 2004 through 2011 were similar to those of loan denials during the same time period, as shown in Map V.5 on the following page. However, Census tracts in which these predatory style loans were disproportionately concentrated were more widespread. More than a quarter of home purchase loans were HALs in Census tracts throughout the state; these tracts tended to be in rural areas away from major cities and entitlement areas. Those tracts in which HAL rates were at or below average were generally located closer to those entitlement jurisdictions. Most of the tracts in which the HAL rate exceeded 51.5 percent were located in the south and southwest of the state.

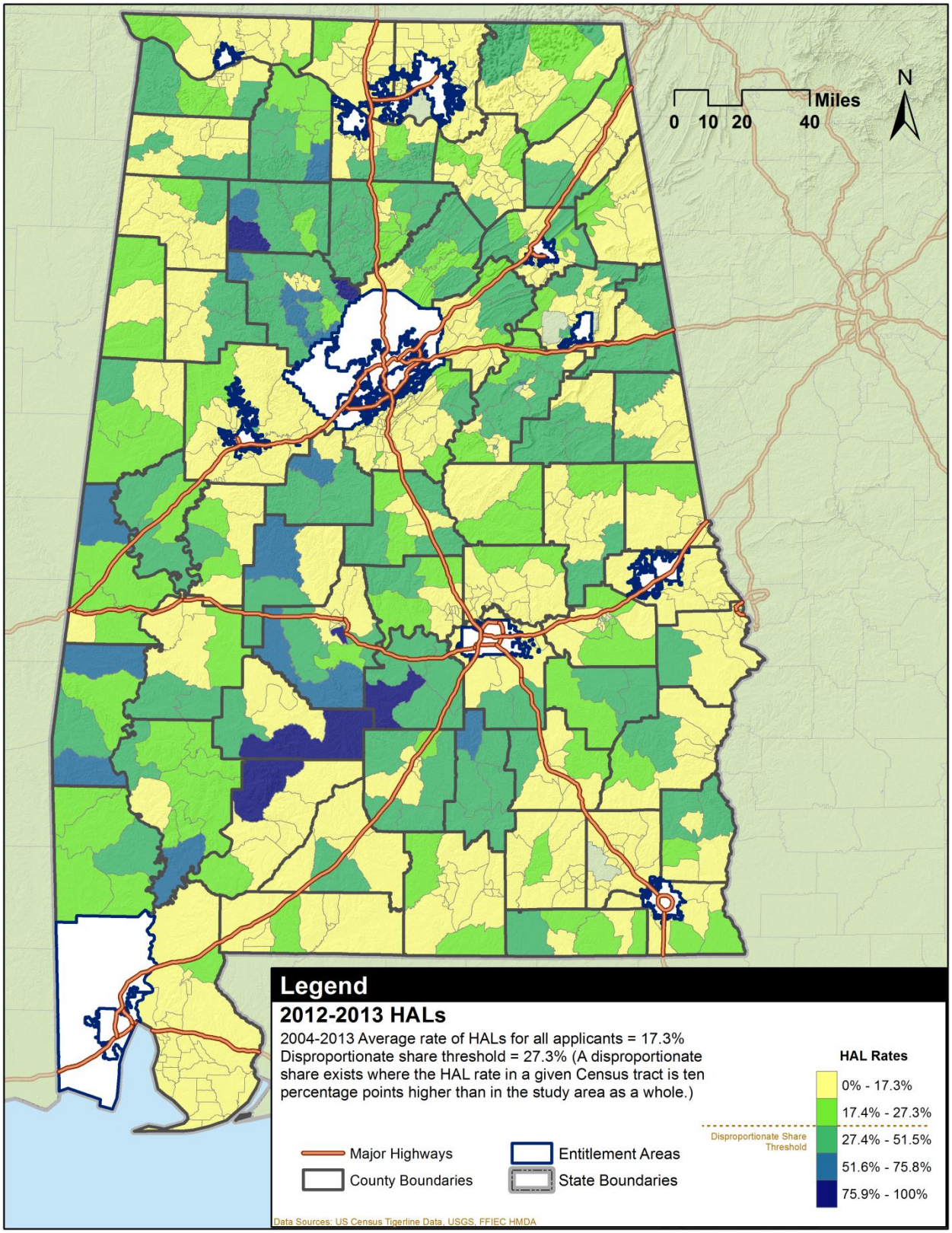
In 2012-2013, HALs continued to be less concentrated in areas in and around the entitlement jurisdictions, as shown in Map V.6 on page 81. Census tracts with relatively high HAL rates were located throughout the state, though tracts with the highest HAL rates were largely concentrated in Census tracts in the west of the state. There was also a large cluster of Census tracts with disproportionately high HAL rates to the northwest of Birmingham.

[40] Loans were considered to have high annual percentage rates if the annual percentage rates on those loans were three percentage points higher than those of comparable treasury instruments.

Map V.5
Rate of HALs by Census Tract, 2004-2011
Non-Entitlement Areas of Alabama
2004–2012 HMDA Data



Map V.6
Rate of HALs by Census Tract, 2012
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data



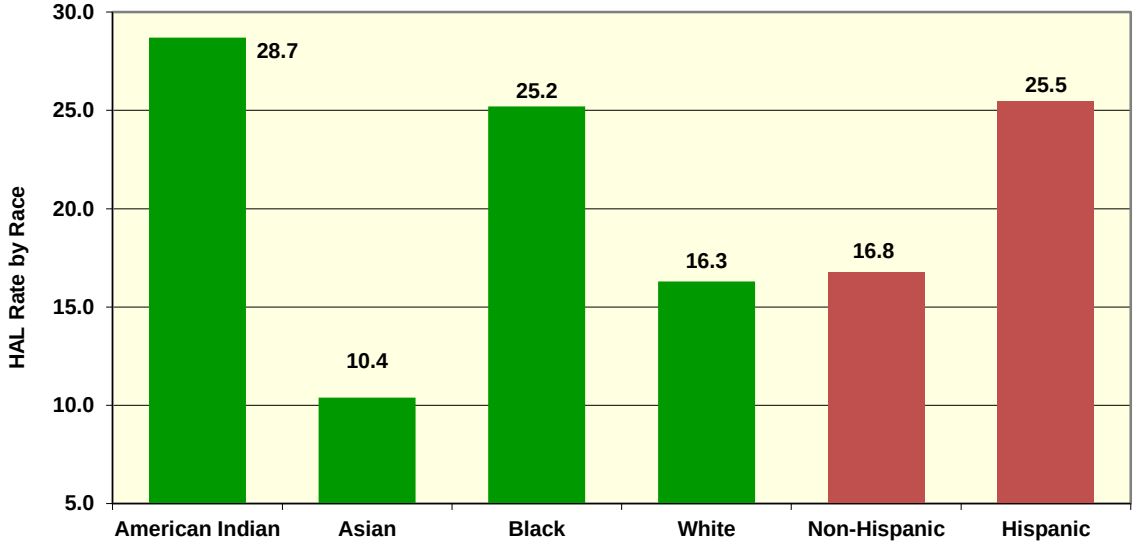
As had been the case with home purchase loan denials, the incidence of HALs varied considerably with the race and ethnicity of the borrower, as shown in Table V.10 below. Over 25.2 percent of loans issued to black borrowers from 2004 through 2013 were HALs, nearly ten percentage points over the rate at which HALs were issued to white borrowers, which was 16.3 percent. Similarly, 25.5 percent of loans issued to Hispanic borrowers were HALs, compared to a HAL rate of 16.8 percent for non-Hispanic borrowers.

Table V.10
Rate of HALs Originated by Race/Ethnicity of Borrower
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Average
American Indian	26.7%	36.0%	31.4%	35.4%	28.4%	36.7%	23.9%	18.6%	27.2%	19.0%	28.7%
Asian	12.1%	21.3%	18.0%	11.4%	5.9%	6.3%	1.4%	1.8%	3.0%	3.9%	10.4%
Black	32.6%	45.3%	38.3%	25.7%	15.5%	11.9%	8.8%	11.8%	14.7%	12.2%	25.2%
White	17.3%	23.7%	22.5%	18.0%	16.0%	13.2%	8.8%	9.7%	9.8%	8.3%	16.3%
Not Available	22.3%	26.2%	31.5%	17.3%	8.4%	5.3%	3.0%	7.5%	7.9%	9.8%	17.5%
Not Applicable	11.1%	28.6%	30.0%	25.0%	9.1%	.0%	.0%	.0%	50.0%	.0%	14.4%
Average	**19.0%**	**26.1%**	**24.6%**	**18.7%**	**15.5%**	**12.7%**	**8.5%**	**9.8%**	**10.2%**	**8.7%**	**17.3%**
Non-Hispanic	19.4%	25.5%	23.6%	18.5%	15.7%	13.0%	8.5%	9.2%	9.1%	7.8%	16.8%
Hispanic	30.1%	37.6%	39.3%	27.8%	19.2%	18.4%	13.0%	10.5%	12.9%	7.3%	25.5%

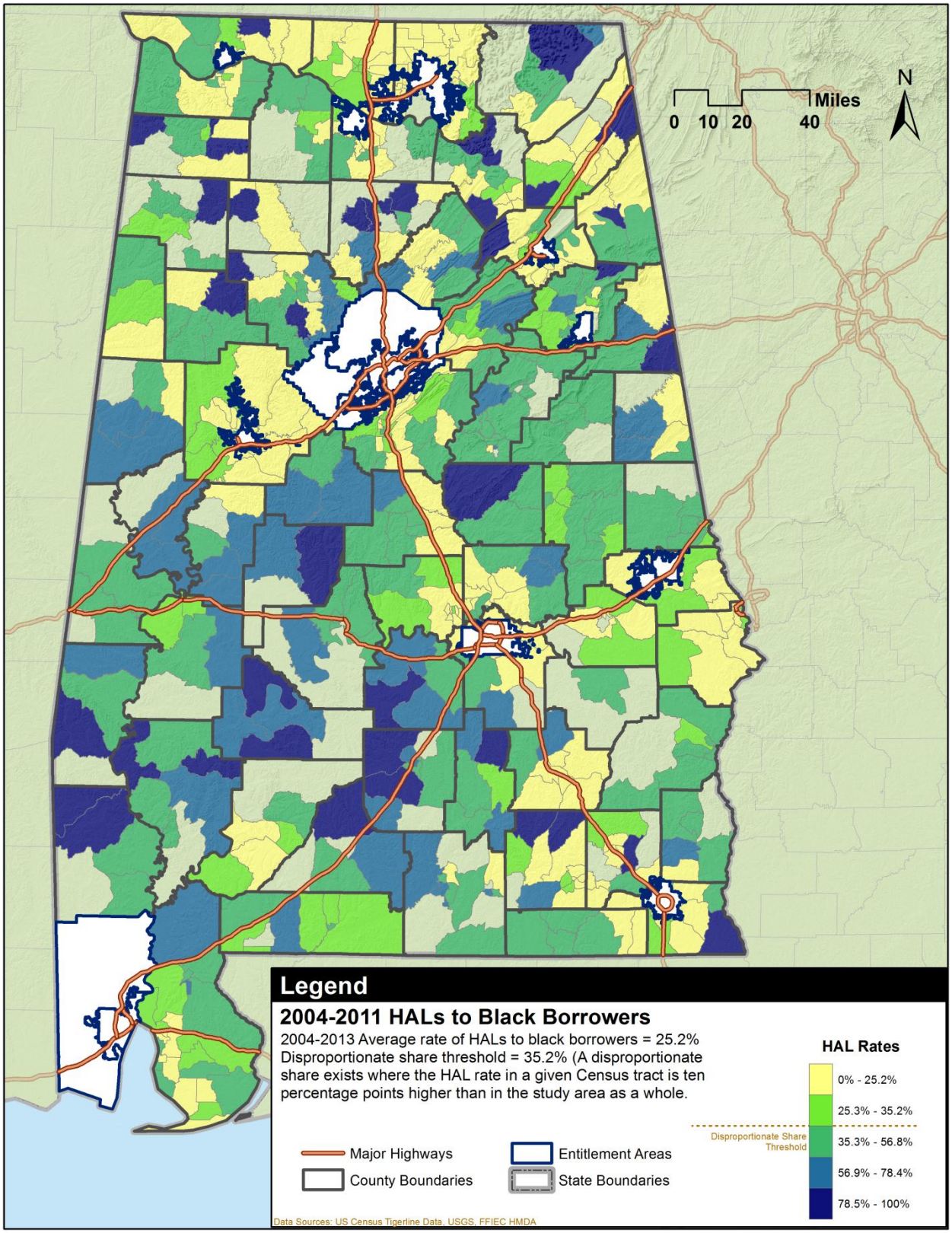
The relative distribution of HALs by racial and ethnic group is presented in Diagram V.4 below.

Diagram V.4
Rate of HALs Originated by Race/Ethnicity of Borrower
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

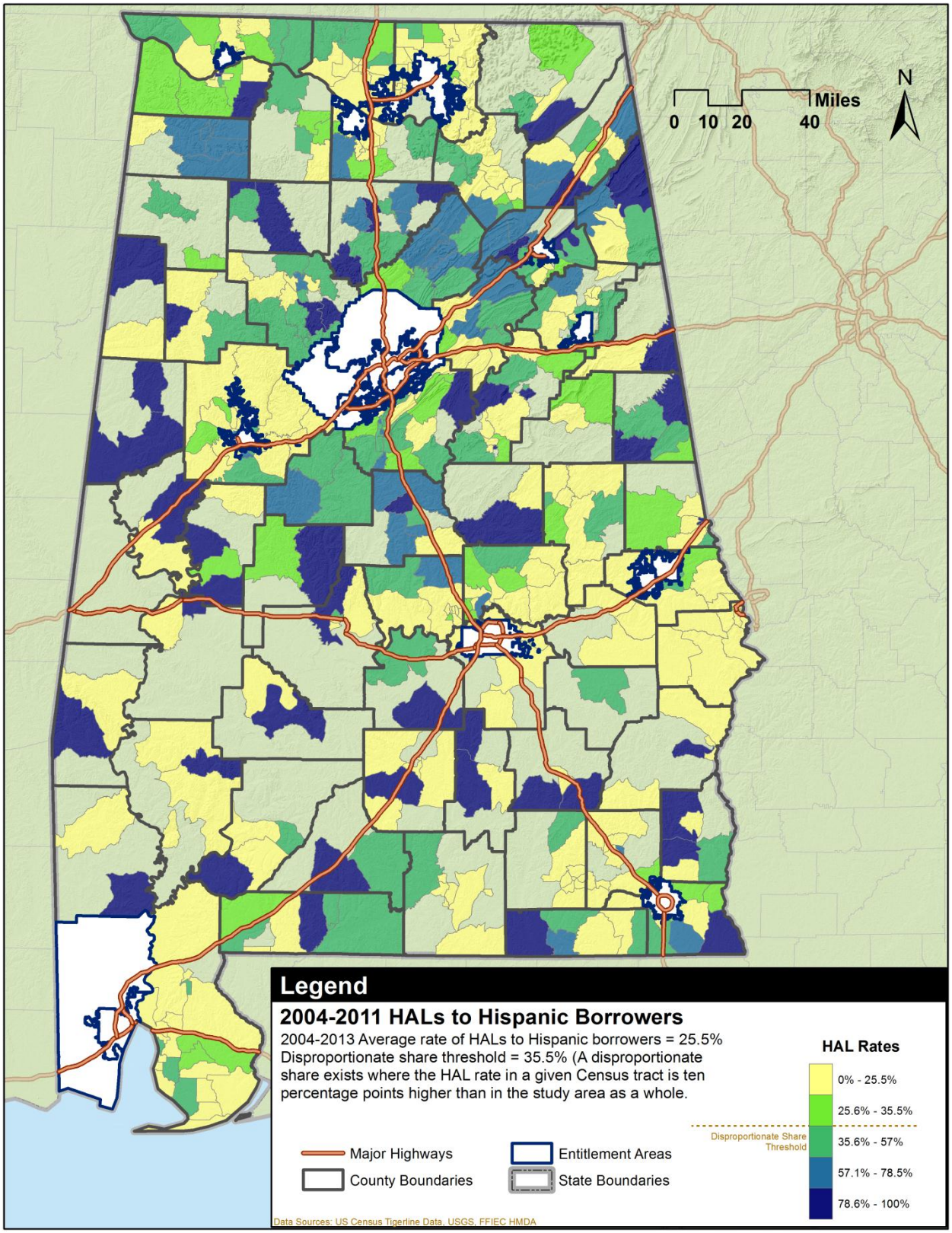


As had been the case when the analysis of loan denials was confined to black loan applicants, black borrowers were issued HALs at disproportionately high rates throughout the state from 2004 through 2011, as shown in Map V.7 on the following page. The HAL rate for black borrowers was considered disproportionately high in Census tracts where the HAL rate for black borrowers exceeded the overall average of 25.2 percent by ten percentage points. More than 56.8 percent of loans to black borrowers were HALs in most Census tracts in the southwestern part of the state and in many tracts to the northeast of Birmingham.

Map V.7
HALs to Black Applicants by Census Tract, 2004-2011
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data



Map V.8
HALs to Hispanic Applicants by Census Tract, 2004-2011
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data



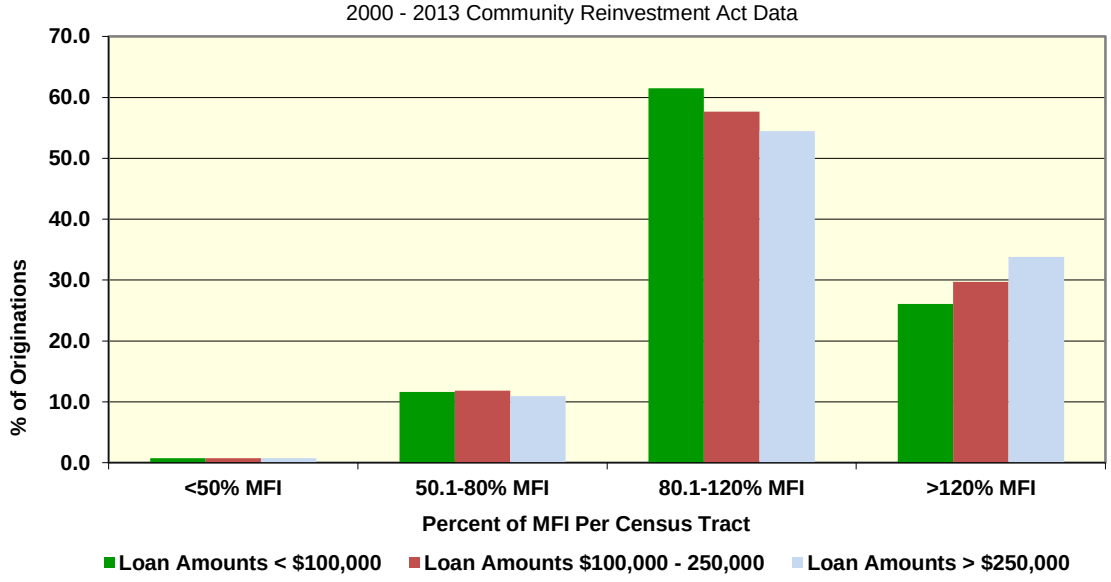
Hispanic borrowers were also subjected to disproportionate HAL rates in Census tracts throughout the state from 2004 through 2011, as shown in Map V.8 on the previous page. However, there was a large cluster of such Census tracts to the northeast of Birmingham. This was an area in which Hispanic residents were observed to be disproportionately concentrated in 2000 and 2010. Additional clusters of tracts with high HAL rates for Hispanic borrowers were observed in the extreme northern part of the state and to the south of Bessemer.

COMMUNITY REINVESTMENT ACT DATA

The economic vitality of neighborhoods can partly be measured through Community Reinvestment Act (CRA) data. According to these data, 670,902 small business loans were issued throughout all non-entitlement areas of the state from 2000 through 2013. The vast majority of these loans, or over 91 percent, were valued at $100,000 or less. The total dollar value of these loans was $27,468,899. Tables with complete CRA data are presented in Appendix A.

Small business loans were also analyzed to determine the location of funding in relation to median family income (MFI) levels. Diagram V.5 below presents the distribution of small business loans by value and by percent of MFI by Census tract. As shown, only a small portion of such loans were issued in Census tracts at the lowest income level, and less than 12 percent of these loans were issued in low-to-moderate income Census tracts. A majority of small business loans went to Census tracts in which the median family income ranged from 80.1 to 120 percent of the area median family income, though more than 25 percent were issued in tracts where the median family income was greater than 120 percent of the area MFI.

Diagram V.5
Percent of Small Business Loans Originated by Census Tract MFI
Non-Entitlement Areas of Alabama
2000 - 2013 Community Reinvestment Act Data



The statewide median for the number of small business loans issued in a Census tract over the entire period from 2000 through 2011 was 749. Map V.9 on page 87 presents the geographic distribution of these loans in the state's non-entitlement areas. As one might expect based on Diagram V.5 above, fewer loans went to Census tracts with relatively high rates of poverty,

many of which were clustered in rural areas in the south and southwest portions of the state. Small business loans tended to be more common in the northern half of the state, especially in Census tracts surrounding entitlement cities in that area.

Map V.10 on page 88 shows the distribution of loans throughout the state's non-entitlement areas in the two-year period from 2012 through 2013. The overall pattern in small business lending during that time was very similar to the pattern observed prior to 2012: small business loans were more numerous in northern Census tracts and relatively uncommon in Census tracts in the southwest, many of which included disproportionate shares of black residents and residents in poverty. The median number of loans issued in all non-entitlement Census tracts during that time was 66.

Maps V.11 on page 89 presents the dollar value of loans issued in Census tracts throughout Alabama's non-entitlement areas from 2000 through 2011. Unsurprisingly, the areas that received the most loans during those time periods also tended to receive the most in loan dollars. Census tracts that received greater than the median amount of loan dollars for the entire state from 2000 through 2011, or $27,121, were largely concentrated in the north of the state and along the Gulf Coast. The same overall pattern was observed in the period from 2012 through 2013, as shown in Map V.12 on page 90.

Fair Housing Complaints

U.S. Department of Housing and Urban Development

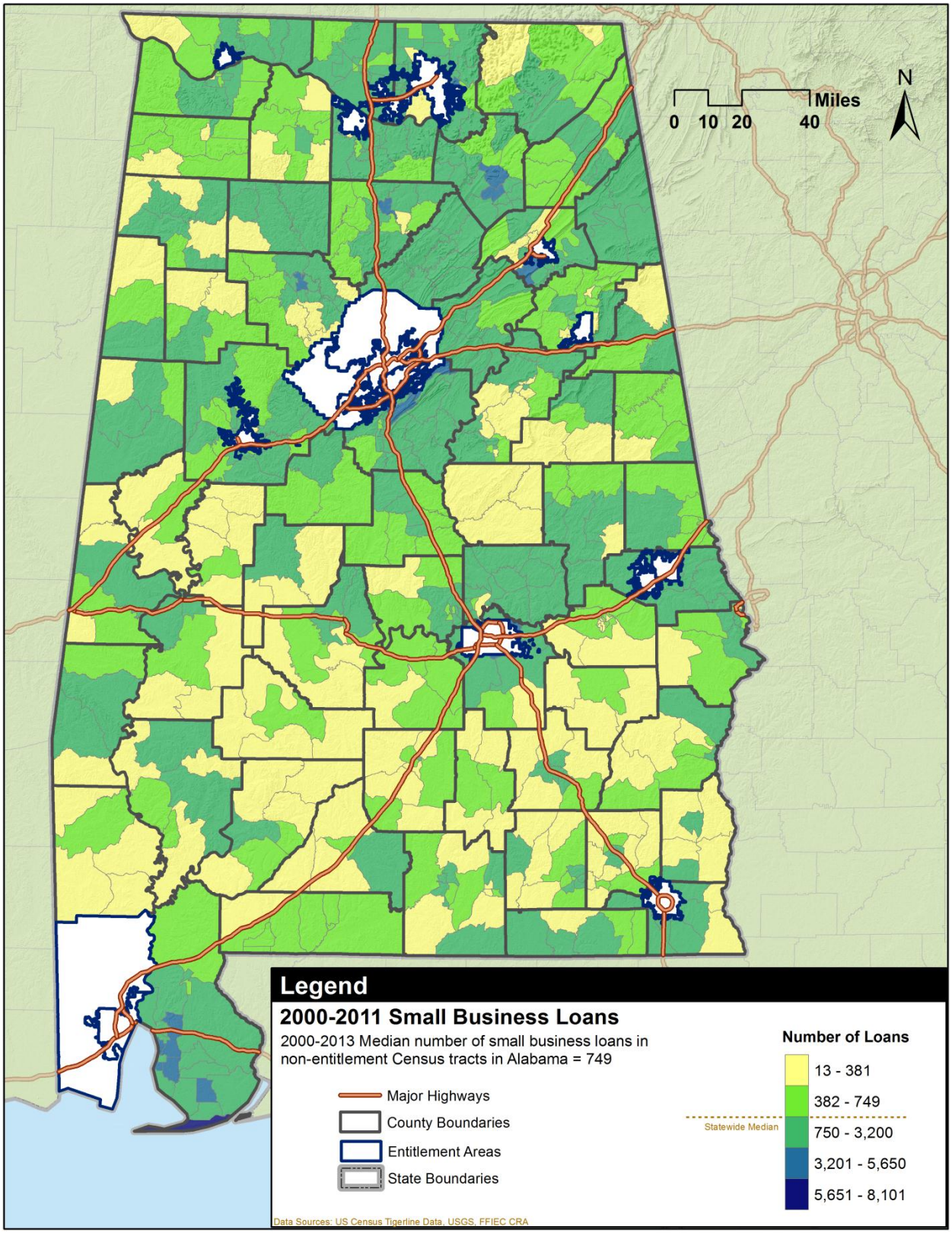
HUD maintains records of complaints that represent potential and actual violations of federal housing law, as described previously in the Complaint Process Review. For the purposes of this AI, HUD provided data on 363 fair housing complaints it had received from residents of Alabama's non-entitlement areas from January 2004 through early November 2014.

As shown in Table V.11 below, race was the perceived basis for discrimination in just over 50 percent of complaints lodged with HUD from 2004 through 2014. The next most common was disability, which was cited in over 45 percent of complaints. Note that complainants may cite more than one basis in complaints filed with HUD; indeed, 524 bases were cited in the 363 complaints HUD received.

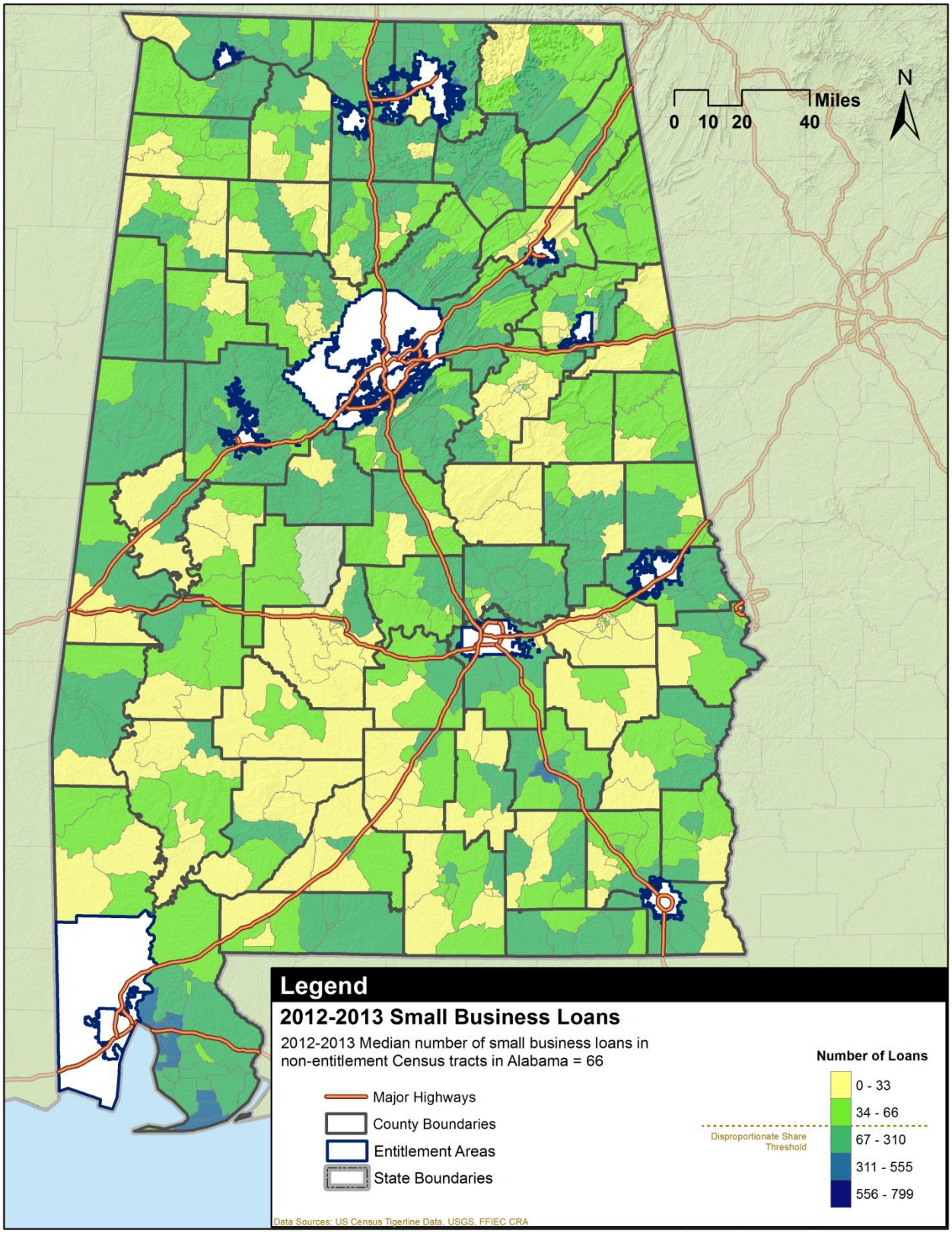
Table V.11
Fair Housing Complaints by Basis
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Race	20	13	19	16	35	23	30	12	3	7	5	183
Disability	15	8	13	18	24	24	23	16	8	13	3	165
Family Status	9	4	4	5	10	13	5	1	2	5		58
Sex	5	3	5	6	9	6	14		2	4	3	57
Retaliation	3	1	3	1	2	3	1	5	2	8	1	30
National Origin		1				5	4	2	2	2	1	17
Religion	3	1					1	1	1	1		8
Color					1	2	1		1		1	6
Total Bases	**55**	**31**	**44**	**46**	**81**	**76**	**79**	**37**	**21**	**40**	**14**	**524**
Total Complaints	34	20	28	31	52	57	57	33	15	26	10	363

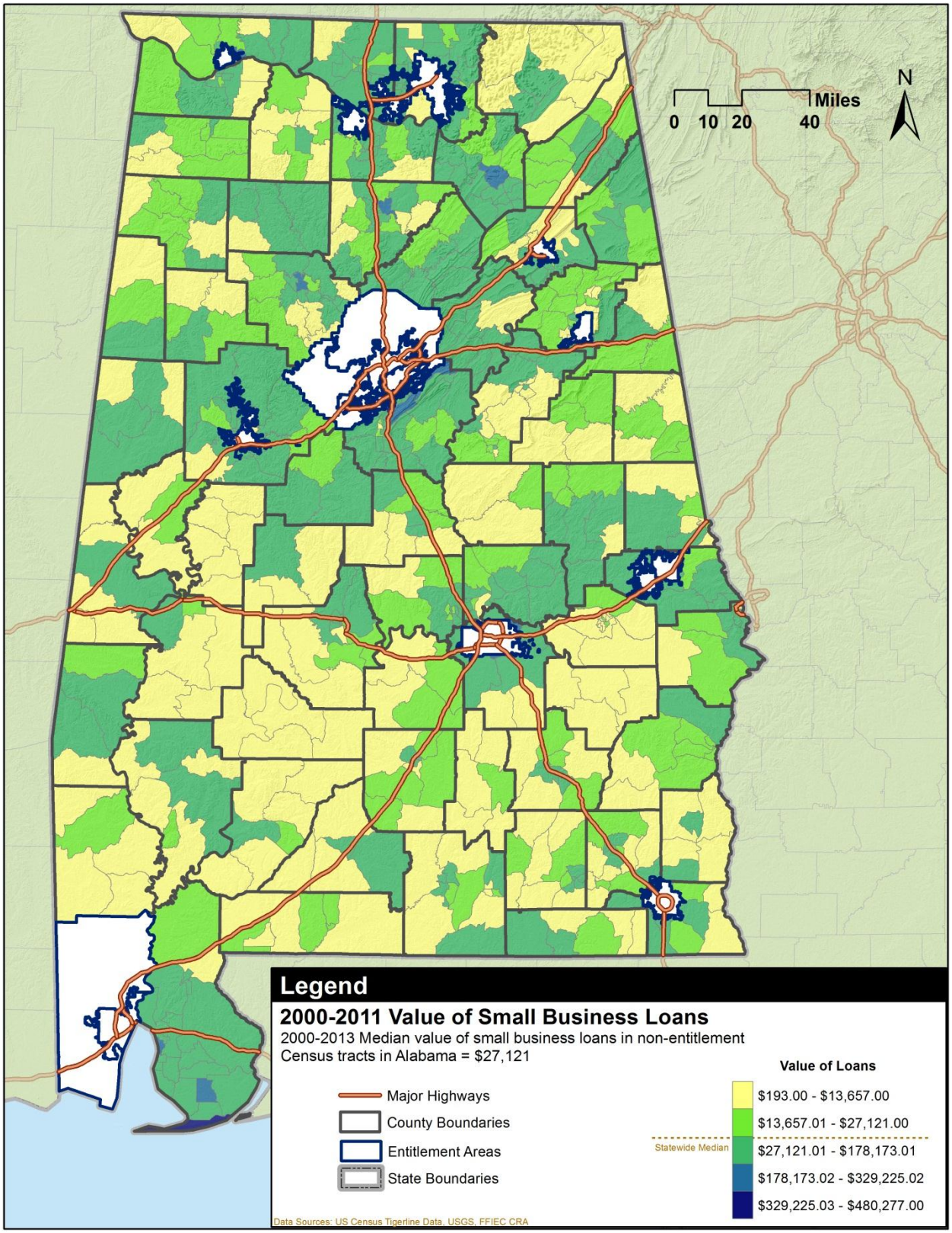
Map V.9
Number of Small Business Loans, 2000-2011
Non-Entitlement Areas of Alabama
2000–2013 CRA Data



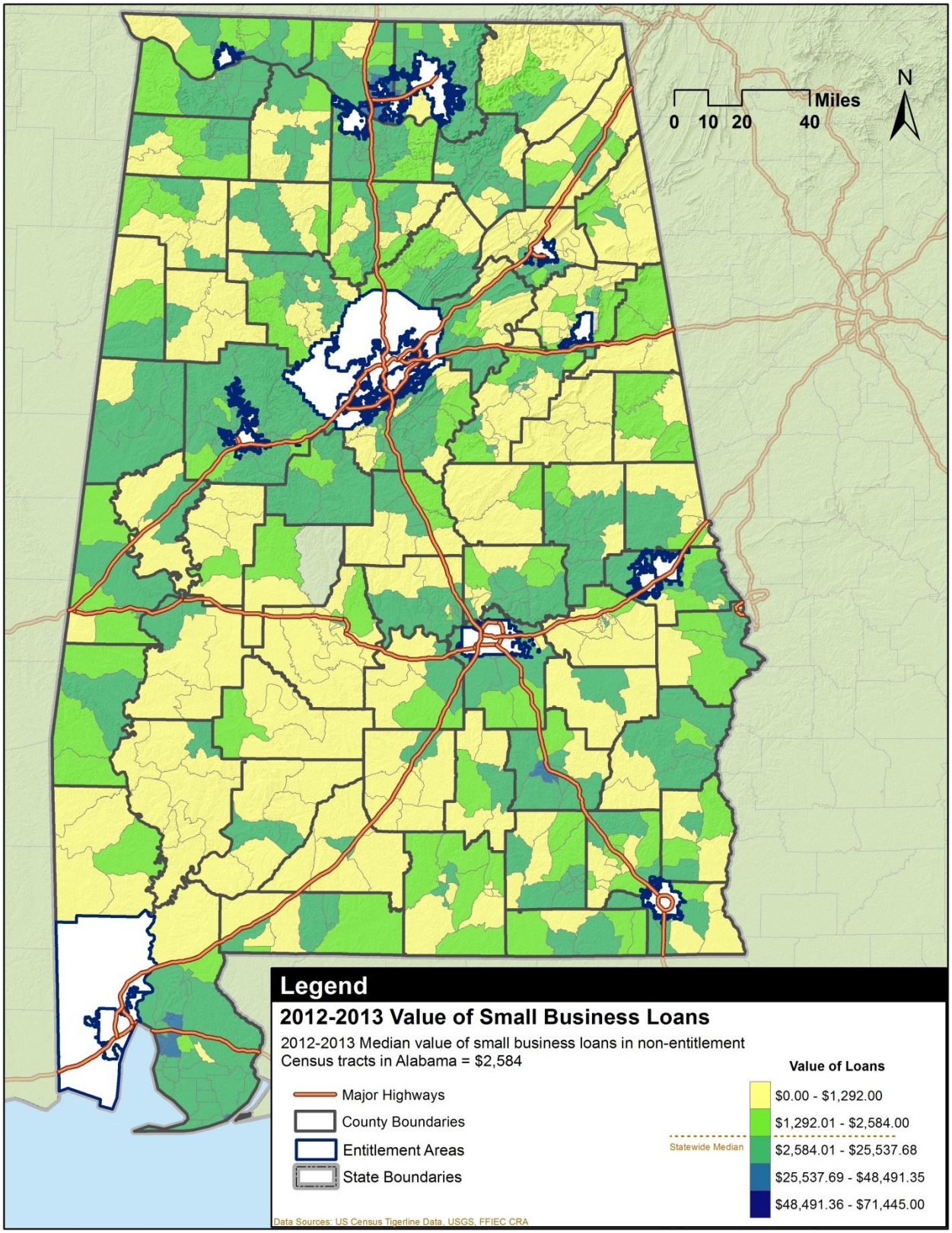
Map V.10
Number of Small Business Loans, 2012-2013
Non-Entitlement Areas of Alabama
2000–2013 CRA Data



Map V.11
Amount of Small Business Loan Dollars, 2000-2011
Non-Entitlement Areas of Alabama
2000–2013 CRA Data



Map V.12
Amount of Small Business Loan Dollars, 2012-2013
Non-Entitlement Areas of Alabama
2000–2013 CRA Data



In addition to the basis for discrimination, HUD records the issue, or alleged discriminatory action related to each complaint. These are presented in Table V.12 below. In the same way that bases are reported, more than one issue may be associated with each complaint. Discrimination in terms, conditions, or privileges relating to rental was by far the most common type of discriminatory behavior alleged, cited in 169 complaints. The next most common complaint related to discriminatory acts under Section 818 of the FHA, which concerns coercive or retaliatory measures taken against those who attempt to exercise their fair housing rights. Not surprisingly, given the number of complaints that alleged discrimination on the basis of disability, failure to make reasonable accommodation was a relatively common issue, cited in 79 complaints. A complete version of this table, with yearly complaint data, is included in Appendix C.

Table V.12
Fair Housing Complaints by Issue
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Issue	Total
Discrimination in term, conditions or privileges relating to rental	169
Discriminatory acts under Section 818 (coercion, etc.)	91
Failure to make reasonable accommodation	79
Discriminatory terms, conditions, privileges, or services and facilities	70
Discriminatory refusal to rent	52
Discriminatory advertising, statements and notices	31
Otherwise deny or make housing available	29
False denial or representation of availability - rental	22
Discriminatory financing (includes real estate transactions)	14
Discrimination in services and facilities relating to rental	11
Failure to permit reasonable modification	11
Discriminatory refusal to rent and negotiate for rental	7
Discrimination in terms, conditions, privileges relating to sale	7
Steering	7
Discriminatory refusal to sell	6
Discrimination in the terms or conditions for making loans	6
Discrimination in making of loans	5
Discriminatory advertisement - rental	4
Refusing to provide municipal services or property	3
Failure to provide accessible and usable public and common user areas	3
False denial or representation of availability - sale	2
Other discriminatory acts	2
Using ordinances to discriminate in zoning and land use	2
Discriminatory refusal to negotiate for sale	1
Discriminatory refusal to negotiate for rental	1
Discriminatory advertising - sale	1
False denial or representation of availability	1
Discrimination in the appraising of residential real property	1
Discriminatory brokerage service	1
Restriction of choices relative to a sale	1
Non-compliance with design and construction requirements (handicap)	1
Failure to provide an accessible building entrance	1
Total Issues	**642**
Total Complaints	363

Around 30 percent of complaints lodged with the HUD were determined to have no cause, meaning that the HUD investigation did not produce sufficient evidence that discrimination had occurred or was about to occur to file a lawsuit against the accused party. Approximately 21 percent of these complaints, or 77, were withdrawn after resolution of the complaints and

67 were conciliated or settled, as shown in Table V.13 below. A complete version of this table, with yearly complaint data, is included in Appendix C.

Table V.13
Fair Housing Complaints by Closure Status
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Closure Status	Total
No Cause	110
Withdrawal After Resolution	77
Conciliated / Settled	67
Withdrawal Without Resolution	37
Complainant Failed to Cooperate	33
Lack of Jurisdiction	18
Open	9
Unable to Locate Respondent	5
Election Made to Go to Court	4
FHAP Judicial Consent Order	1
DOJ Dismissal	1
Unable to Identify Respondent	1
Total Complaints	**363**

Table V.14 below presents the bases cited for the complaints considered to have cause: for the purposes of this study, such complaint includes those that were withdrawn after resolution, conciliated, or settled. Race and disability were again the most common complaint bases cited in these complaints; however, disability was the most common basis in those considered to have cause, cited in 78 complaints, followed by race, cited in 54 complaints.

Table V.14
Fair Housing Complaints Found With Cause by Basis
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Disability	7	1	6	7	13	12	10	12	6	2	2	78
Race	7	6	8	4	9	2	11	6		1		54
Family Status	5	2		1	2	8	2			4		24
Sex	3	3	1	2	4	1	5		1	1		21
Retaliation	1	1			1	1		5	1	1	1	12
National Origin						1	2	2	2			7
Color						1						1
Total Bases	**23**	**13**	**15**	**14**	**29**	**26**	**30**	**25**	**10**	**9**	**3**	**197**
Total Complaints	15	6	10	11	18	20	21	23	9	7	2	142

Discrimination in terms, conditions, or privileges relating to rental was again the most common discriminatory action cited in complaints that were considered to have cause, as shown in Table V.15 on the following page. This issue was cited in 60 of the 142 complaints considered to have cause, or around 42 percent. Failure to make reasonable accommodation was the second most frequent, alleged in 43 complaints.

Table V.15
Fair Housing Complaints Found
With Cause by Issue
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Issue	Total
Discrimination in term, conditions or privileges relating to rental	60
Failure to make reasonable accommodation	43
Discriminatory acts under Section 818 (coercion, etc.)	29
Discriminatory terms, conditions, privileges, or services and facilities	25
Discriminatory refusal to rent	14
False denial or representation of availability – rental	9
Discriminatory advertising, statements and notices	7
Discriminatory financing (includes real estate transactions)	7
Otherwise deny or make housing available	5
Discriminatory refusal to rent and negotiate for rental	3
Discrimination in making of loans	3
Discrimination in terms, conditions, privileges relating to sale	3
Failure to permit reasonable modification	3
Discriminatory advertisement – rental	2
Discrimination in the terms or conditions for making loans	2
Discrimination in services and facilities relating to rental	2
Discriminatory refusal to sell	1
Steering	1
Refusing to provide municipal services or property	1
Using ordinances to discriminate in zoning and land use	1
Failure to provide an accessible building entrance	1
Failure to provide accessible and usable public and common user areas	1
Total Issues	**223**
Total Complaints	142

FAIR HOUSING SURVEY – PRIVATE SECTOR RESULTS

The purpose of the 2014 Analysis of Impediments to Fair Housing Choice Survey was to gather insight into the knowledge, experiences, opinions, and feelings of CDBG stakeholders throughout the State of Alabama regarding fair housing.

The 2014 State of Alabama Fair Housing Choice Survey was completed by 332 persons in the state and was conducted both on paper and electronically/online. In a typical survey question, respondents were presented with an example of a discriminatory policy or practice and asked to rate the severity of that discriminatory practice in their community.

FAIR HOUSING IN THE PRIVATE SECTOR

In order to address perceptions of fair housing in the State of Alabama's private housing sector, survey respondents were asked to identify their awareness of possible housing discrimination issues in a number of areas within the private housing sector. The responses to these questions are outlined in Table V.16 on the following page. In the first series of questions, survey respondents were asked to rate the severity of discrimination against particular groups as it exists in their local housing market. In almost every case, a majority of respondents responded that the discriminatory behavior described was not an impediment. The sole exception concerned language barriers for persons with limited English proficiency: 57.1 percent of respondents identified this as a slight, moderate, or severe impediment. More than thirty percent of respondents perceived at least a slight impediment in discrimination toward

Alabama residents on each of the following bases: race, national origin, familial status, disability, and Housing Choice Voucher participants. By contrast, discrimination due to religion and gender were not widely perceived to represent an impediment to fair housing choice.

When asked to rate the severity of impediments to fair housing choice in various private sector policies and practices, 59 percent of respondents considered limited employment opportunities to be a slight, moderate, or severe impediment; while 44 percent of respondents identified limited housing choice opportunities for persons of low income as an impediment.

Table V.16
Barriers to Fair Housing in the Private Sector
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Please evaluate impediments to fair housing for persons seeking housing in the locality:				
Question	**Not an Impediment**	**Slight Impediment**	**Moderate Impediment**	**Severe Impediment**
Discrimination by Group				
Housing discrimination against households due to racial or ethnic background:	216	52	45	19
Housing discrimination against households due to national origin:	226	55	33	13
Language barriers for persons with limited English proficiency:	141	101	65	22
Housing discrimination against households due to religion:	268	37	17	5
Housing discrimination against households due to gender:	265	42	14	6
Housing discrimination against households due to familial status[41]:	227	50	37	12
Housing discrimination against families with children:	239	52	26	8
Housing discrimination against persons with disability:	208	57	37	17
Housing discrimination against elderly persons:	242	44	26	10
Housing discrimination against Section 8/Housing Choice Voucher Program Participants:	199	61	40	26
Limited Resources as Impediments				
Lack of knowledge or understanding regarding fair housing:	156	74	54	45
Insufficient information and marketing about housing availability:	156	73	62	37
Limited access to technology (e.g., cellular telephone, internet, etc.):	150	83	70	29
Limited employment opportunities:	67	66	110	82
Limited housing choice opportunities for persons of Low Income:	110	71	62	85

[41] Note: the original survey prepared by ADECA cited "sexual orientation" as an example of discrimination on the basis of familial status. In the federal Fair Housing Act, familial status is related to the presence and number of children in a family, or to whether or not a woman seeking housing is pregnant.

SUMMARY

The analysis of private sector conditions impacting housing choice in the State of Alabama included consideration of trends in home and small business lending, fair housing complaints from state residents, and results of the 2014 Impediments to Fair Housing Choice Survey. Lending data gathered under the HMDA; which must by law include information on applicants' race, ethnicity, gender, and income, along with the location of the prospective property; provide for an examination of whether and to what degree the impacts of loan denials and predatory style lending differ among protected class populations.

Residents of the state's non-entitlement areas applied for over 716,000 home purchase loans between 2004 and 2013. A majority of these loan applications were intended to finance the purchase of units in which the owner planned to live. Just over a quarter of these owner-occupied home purchase loans were denied during this time period, with denial rates increasing considerably in the four years after 2009. Denial rates tended to be higher in rural areas in the south and southwest of the state, which held relatively high concentrations of black residents; the denial rate for black borrowers was considerably higher than the overall denial rate. Likewise, Hispanic borrowers were denied loans at a higher rate than non-Hispanic borrowers, and female borrowers were more likely to be denied a loan than male borrowers. Black borrowers tended to be denied loans more frequently in the north of the state, while Hispanic borrowers were subject to relatively high denial rates throughout the state. More than thirty percent of denied loans cited credit history as a factor in the denial, and over ten percent cited the debt-to-income ratio of the applicant. Applicants' incomes made a difference in the probability of their being denied a home loan; however, discrepancies in denial rates between races persisted even when income was taken into account.

Those applicants who were able to secure a home loan were occasionally issued a loan with a high annual percentage rate. These loans, referred to as HALs, accounted for 17.3 percent of home loans issued in the state from 2004 through 2013. These HALs tended to be more common among black borrowers, and in parts of the state with relatively high concentrations of black residents. Hispanic borrowers also received HALs more frequently than non-Hispanic borrowers, 25.5 and 16.8 percent of loans issued to these groups were HALs, respectively.

Small business loans were more commonly issued in Census tracts with moderate to high income levels than in tracts with low to moderate incomes. Geographically, these loans tended to be concentrated in the northern half of the state, as well as along the Gulf Coast. Inland Census tracts in the southern part of the state tended to receive less in the way of small business loans.

The analysis of 363 fair housing complaints lodged with HUD from January 2004 through November 2014 reveals that the most common bases for these complaints were race, cited in 183 complaints, and disability, cited in 165. The most common discriminatory actions alleged in these complaints involved discrimination in rental housing; failure to make reasonable accommodation was also a relatively common allegation. When the analysis was narrowed to examine only those complaints that were considered to have cause, disability became the most common basis for discrimination, followed by race, though discrimination in the rental housing market still dominated the discriminatory issues referenced in these complaints.

Results of the 2014 Impediments to Fair Housing Choice Survey indicate that survey participants tended more strongly to identify impediments to fair housing choice in language barriers to persons with limited English proficiency, and more than thirty percent of respondents considered housing discrimination against residents on the basis of race, national origin, familial status, and disability to represent an impediment, along with discrimination against those who participate in the Housing Choice Voucher program. In addition, 59 percent of respondents perceived the existence of impediments to fair housing choice in limited employment opportunities, and 44 percent considered limited housing choice opportunities for persons of low income to represent an impediment.

SECTION VI. FAIR HOUSING IN THE PUBLIC SECTOR

While the previous section presented a review of the status of fair housing in the private sector, this section will focus specifically on fair housing in the public sector. The U.S. Department of Housing and Urban Development (HUD) recommends that the AI investigate a number of housing factors within the public sector, including health and safety codes, construction standards, zoning and land use policies, tax policies, and development standards. The AI should also examine the placement of public and publicly assisted housing as well as its access to government services.

PUBLIC SERVICES

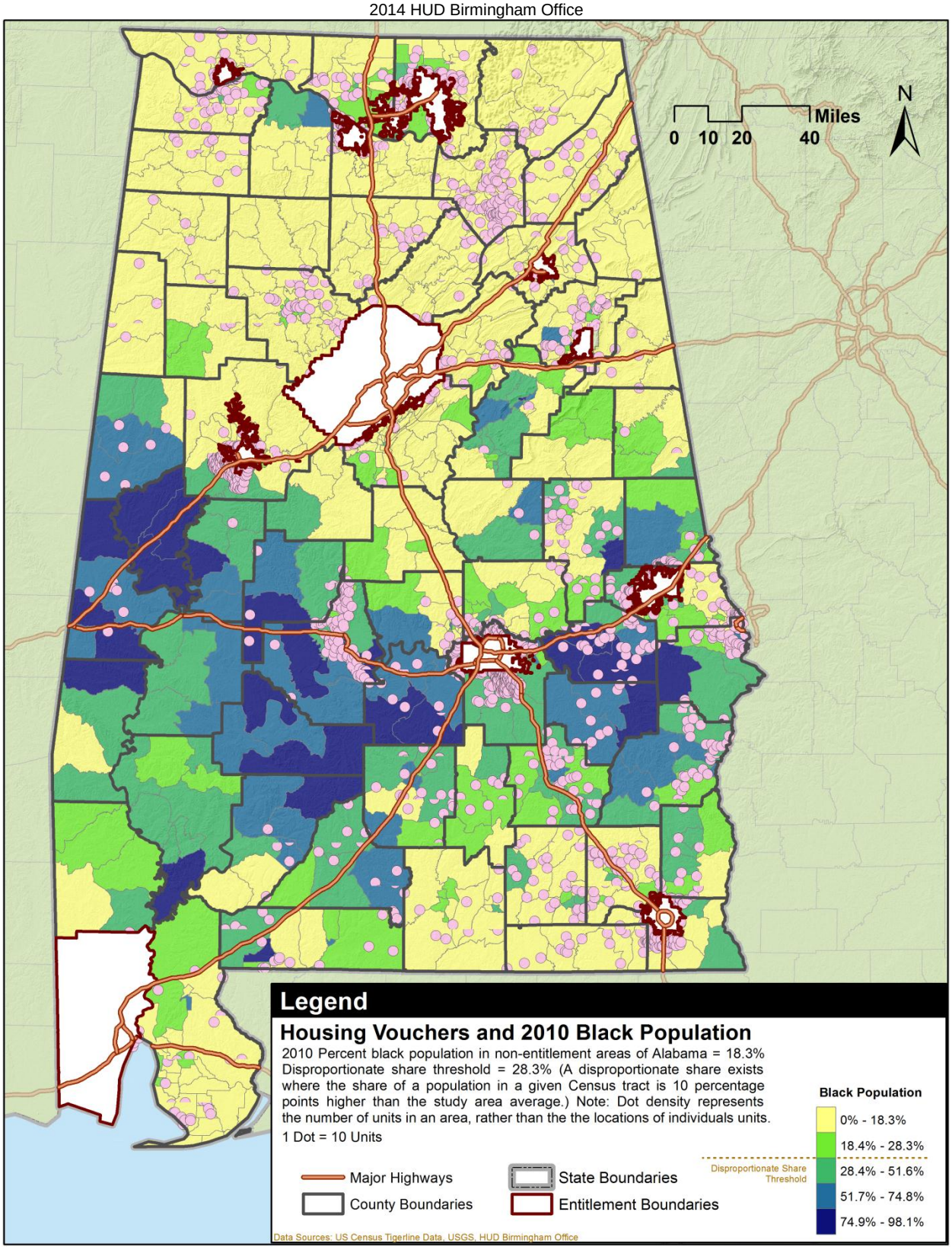
PUBLIC-ASSISTED MULTIFAMILY HOUSING UNITS

Public or assisted housing can exist in several forms, including low-income housing projects, housing voucher programs, and supportive housing. The objective of public and other forms of assisted housing is to provide housing that is suitable for persons with special needs or families of low- to moderate-income levels and to promote access to jobs, transportation, and related community resources. Uneven distribution of public and assisted housing can be the result of an impediment such as land use policies that discourage multi-family or low-income housing in some areas, thus leading to segregation or the overconcentration of low-income and other populations.

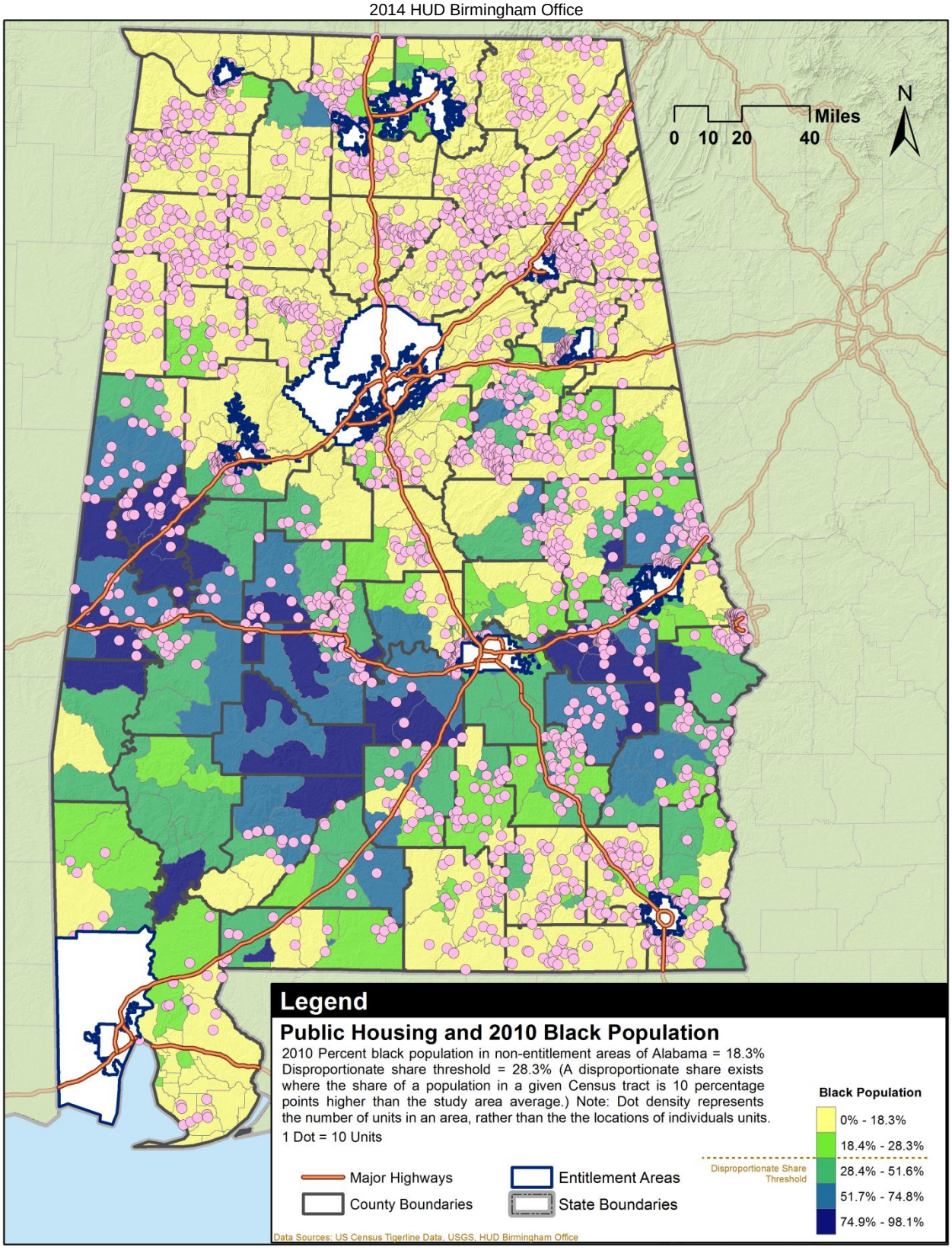
Housing Choice Vouchers are federally funded housing subsidies. These vouchers are portable, meaning that recipients can choose where to live as long as the landlord accepts the vouchers and the unit meets a certain set of HUD-defined criteria, including maximum income limits and the "reasonableness" of the monthly rent charges as compared to units on the private market. The program covers monthly rental costs minus the tenant's contribution, which is not to exceed thirty percent of his or her monthly adjusted income, or ten percent of monthly unadjusted gross income. As shown in Map VI.1 on the following page, units financed by housing choice vouchers were widely scattered throughout the state, though they tended to be concentrated in and around urban areas. They were notably absent from much of the inland rural area in the southwest of the state, and were relatively uncommon in Census tracts in non-entitlement areas in the south of the state.

Units subsidized through HUD's Public Housing program are managed by 150 housing agencies throughout the State of Alabama. The approximate locations of the public housing units in the state's non-entitlement areas are presented in Map VI.2 on page 99. This map shows the dot density of housing units in a given zip code, rather than the location of individual housing units. As shown, public housing units were widely distributed throughout the state, though they tended to be concentrated near urban areas. However, these units were notably absent from the inland rural areas in the southwest of the state. In addition, there were relatively few public housing units in non-entitlement areas in the south of the state.

Map VI.1
Housing Choice Vouchers
Non-Entitlement Areas of Alabama
2014 HUD Birmingham Office



Map VI.2
HUD Public Housing Units
Non-Entitlement Areas of Alabama
2014 HUD Birmingham Office



HOMEBUYER ASSISTANCE

The Alabama Housing Finance Authority (AHFA) administers a range of programs intended to assist Alabama residents in financing the purchase of a home. These programs, which may provide for down payment assistance, reduced mortgage payments, help with closing costs, or low interest rates for home mortgage lending, are generally targeted toward low- to moderate-income residents. As shown in Table VI.1 below, approximately $145,300,000 in homebuyer assistance was distributed to Alabama residents from 2004 through 2012 through these programs, which include the American Dream Downpayment Initiative (ADDI), Downpayment Assistance (DPA), First Step, Habitat for Humanity (HFH), Mortgage Credit Certificates (MCC), the Rural Alabama Mortgage Program (RAMP), Rehabilitation Assistance Partnership (RAP), and Step Up. Together, these programs assisted in the purchase of nearly 3,000 housing units throughout the State's non-entitlement areas.

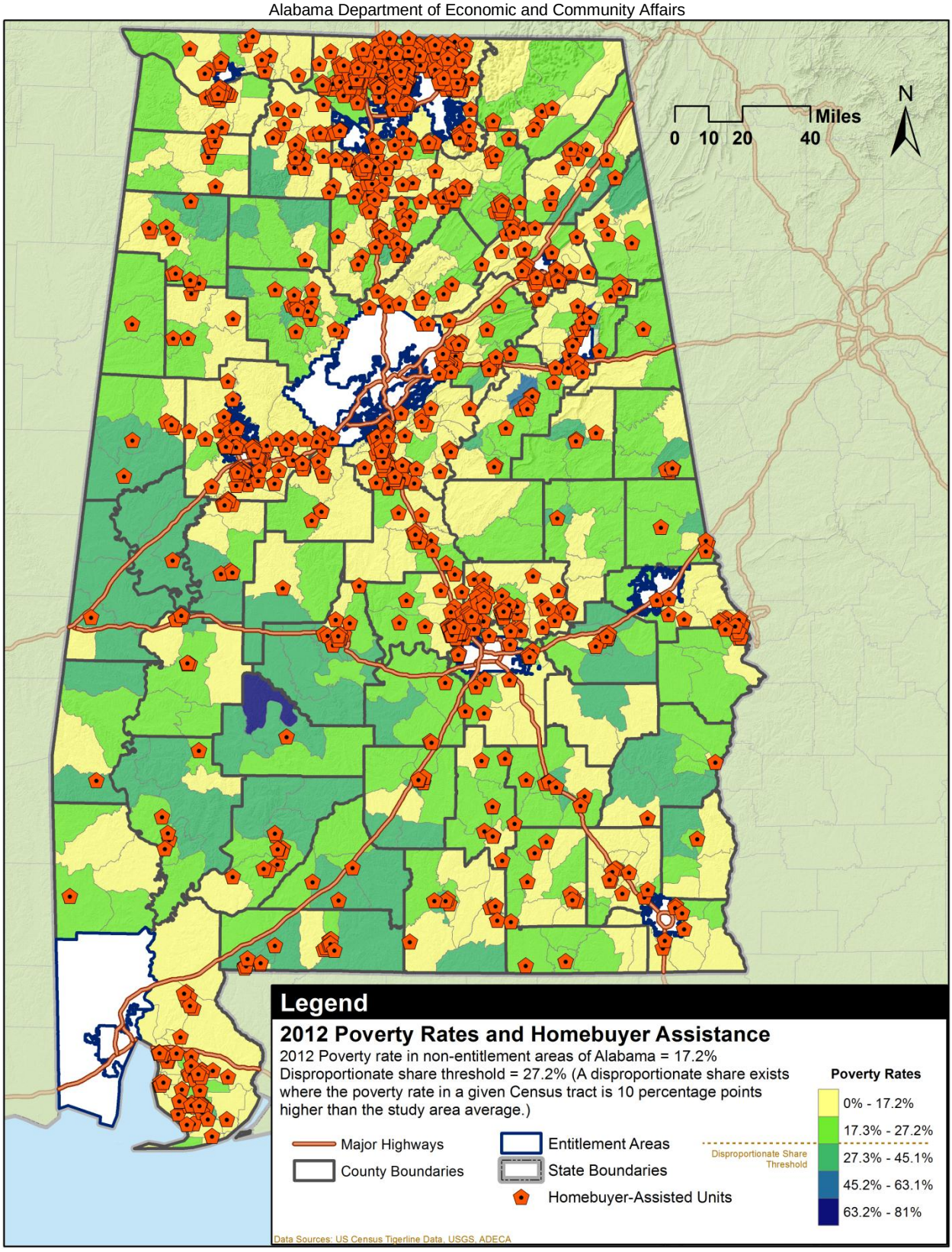
Table VI.1
Homebuyer Assistance (in 1000's of Dollars)
Non-Entitlement Areas of Alabama
Alabama Department of Economic and Community Affairs

Program	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
ADDI	$140	$1,140	$0	$270	$180	$20	$0	$0	$0	$1,750
	(14)	(114)	(0)	(27)	(18)	(2)	(0)	(0)	(0)	(175)
DPA	$113	$61	$506	$1,149	$767	$635	$320	$184	$197	$3,932
	(38)	(23)	(117)	(266)	(201)	(207)	(112)	(64)	(66)	(1,094)
First Step	$0	$0	$13,047	$34,839	$11,913	$1,067	$0	$0	$0	$60,865
	(0)	(0)	(139)	(345)	(122)	(12)	(0)	(0)	(0)	(618)
HFH	$460	$340	$346	$313	$443	$583	$191	$487	$478	$3,641
	(11)	(8)	(7)	(6)	(9)	(9)	(3)	(9)	(8)	(70)
MCC	$237	$632	$678	$471	$897	$3,050	$1,961	$983	$200	$9,108
	(2)	(6)	(7)	(5)	(8)	(26)	(17)	(8)	(2)	(81)
RAMP	$1,037	$689	$612	$29	$0	$0	$0	$0	$0	$2,368
	(34)	(21)	(16)	(0)	(0)	(0)	(0)	(0)	(0)	(71)
RAP	$208	$0	$0	$0	$0	$0	$0	$0	$0	$208
	(22)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(22)
Step Up	$1,884	$1,013	$3,972	$3,083	$10,161	$19,687	$10,644	$6,253	$6,724	$63,420
	(23)	(14)	(95)	(34)	(112)	(196)	(113)	(67)	(69)	(723)
Total	$4,079	$3,875	$19,161	$40,154	$24,361	$25,043	$13,114	$7,908	$7,598	$145,293
	(144)	(186)	(381)	(683)	(470)	(452)	(245)	(148)	(145)	(2,854)

*Number of housing units in parentheses

The geographic distribution of these units throughout the state's non-entitlement areas is displayed in Map VI.3 on the following page. As shown, homes purchased with the help of one or more of the homebuyer assistance programs discussed above appeared throughout Alabama's non-entitlement areas, though they were more common in urban areas in the northern half of the state.

Map VI.3
Homebuyer Assistance
Non-Entitlement Areas of Alabama
Alabama Department of Economic and Community Affairs



FAIR HOUSING SURVEY – PUBLIC SECTOR RESULTS

As mentioned previously, further evaluation of the status of fair housing within the State of Alabama was conducted via paper and electronic/online versions of the 2014 Fair Housing Survey, which was completed by 332 stakeholders and citizens.

FAIR HOUSING IN THE PUBLIC SECTOR

Public sector effects on housing can be complex and varied. The questions in this section of the survey asked respondents to think about possible barriers to fair housing choice within specific areas of the public sector. Tallies for each survey question are presented in Table VI.2 below. As had been the case in portions of the survey pertaining to private sector impediments, a majority of respondents did not consider many of the policies, practices, or factors mentioned to represent an impediment to fair housing choice. However, there were some notable exceptions. For example, more than 52 percent of respondents maintained that NIMBYism represented an impediment to fair housing choice, more than 70 percent of respondents felt that limited or no access to public transportation represented an impediment to fair housing choice, and around 63 percent of respondents identified limited local availability of public and social services to be an impediment.

Table VI.2
Barriers to Fair Housing in the Public Sector
State of Alabama
2014 Impediments to Fair Housing Choice

Local Impediments: Please evaluate local impediments to fair housing in the locality:				
Question	**Not an Impediment**	**Slight Impediment**	**Moderate Impediment**	**Severe Impediment**
The lack of comprehensive fair housing planning:	164	75	53	35
Identifying discrimination is predominantly reactive rather than proactive:	182	65	52	27
Insufficient monitoring and oversight of fair housing activities:	185	69	45	28
Inadequate enforcement of fair housing laws:	204	57	46	23
Inadequate representation of diverse interests (e.g., racial, ethnic, religions, and disabled) on housing advisory boards, commissions, and committees:	202	49	40	33
NIMBYism (Not In My Backyard)/Neighborhood opposition to affordable housing:	157	61	62	48
Local land use controls and zoning prohibit multi-family housing, group homes, etc.	182	69	52	25
Development standards, building codes, or permits discourage affordable housing:	197	52	56	20
Environmental contamination or health hazards (e.g., lead-based paint or mold) limit the availability of land or the rehabilitation of housing units.	209	53	45	19
Limited or no access to public transportation:	96	80	82	69
Limited local availability of public and social services (e.g., health and day care):	118	80	88	40

SUMMARY

The review of fair housing choice in the public sector included an evaluation of the availability of public-assisted housing units throughout the state and the results of the 2014 Impediments to Fair Housing Choice Survey. Subsidized units profiled in the study included those funded in part through the Housing Choice Voucher and Public Housing programs. Units funded through

the Housing Choice Voucher Program were scattered throughout the state, but tended to be concentrated in and around urban areas. Such units were largely absent from inland, rural Census tracts in the southwest of the state. Units funded through the Public Housing Program were more numerous than those financed through the HCV program, but they followed the same overall geographic distribution, as did units purchased through a range of homebuyer assistance programs available to Alabama residents. Few of the public sector policies, practices, or factors identified in the survey were perceived to represent an impediment to fair housing choice by a majority of respondents. Exceptions included perceived social hurdles facing developers and residents of affordable housing, i.e., NIMBYism; limited access to public transportation; and limited local availability of public and social services.

SECTION VII. PUBLIC INVOLVEMENT

This section discusses analysis of fair housing in the State of Alabama as gathered from various public involvement efforts conducted as part of the AI process. Public involvement feedback is a valuable source of qualitative data about impediments, but, as with any data source, citizen comments alone do not necessarily indicate the existence of statewide impediments to fair housing choice. However, survey and forum comments that support findings from other parts of the analysis reinforce findings from other data sources concerning impediments to fair housing choice.

FAIR HOUSING SURVEY

As discussed in previous sections, a 2014 Fair Housing Survey comprised a portion of the public involvement efforts associated with the development of the 2014 AI. While data from the survey regarding policies and practices within the private and public sectors have already been discussed, questions included to gauge and characterize public participation in the survey are discussed below. The purpose of the 2014 Fair Housing Survey, a relatively qualitative component of the AI, was to gather insight into knowledge, experiences, opinions, and feelings of these entities regarding fair housing as well as to gauge the ability of informed and interested parties to understand and affirmatively further fair housing. CDBG grantees throughout the state were solicited to participate.

A total of 332 persons in the State of Alabama completed the survey, which was conducted both on paper and electronically/online.

Respondents of the 2014 Fair Housing Survey were asked to identify their primary role within the housing industry. Elected officials at the city level made up the largest group, accounting for more than a quarter of respondents, while 67 respondents were representatives of nonprofit organizations, 38 were members of entitlement city or non-entitlement local government staff, and 35 were bankers, 21 were county officials, 20 were real estate professionals, as shown in Table VII.1 at right.

Respondents were also asked about their familiarity with fair housing complaints. Results of this question are presented on the following page in Table VII.2. As shown, only 9 respondents stated that they had been made aware of fair housing complaints in their community in the last five years, less than seven percent of those who responded to the question.

Table VII.1
Respondent Categories
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Category	Responses
Elected Officials - City Level	87
Nonprofit Organizations	67
Entitlement City Staff/Non-entitlement Local Government Staff	38
Bankers	35
Elected Officials - County	21
Real Estate Professionals	20
Public Housing Agencies	16
Community Residents	16
Consultants	10
Regional Planning Commissions	8
State Agencies	5
County Staff	5
Continuum of Care/Medical	1
Missing	3
Total	**332**

In both the public and private sector portions of the survey, respondents were asked to identify the source of information by which they identified or ruled out impediments to fair housing choice. In the private sector portion of the survey, 119 respondents identified knowledgeable local officials as their source of information regarding impediments to fair housing choice, as shown in Table VII.3 below. Community organizations were the next most common source of information, cited by 40 respondents, followed by fair housing complaints and Census data, cited in 35 and 32 complaints, respectively. The rest of the respondents were made aware of impediments to fair housing choice through local studies, cited by 14 respondents, or "other" sources.

Table VII.2
Awareness of Fair Housing Complaints
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Have you been made aware of any fair housing complaints in your community in the last 5 years?	
Yes	9
No	120

Table VII.3
Sources of Information, Part 2
State of Alabama
2014 Impediments to Fair Housing Choice Survey

In completing Part 1 above, what sources of information did you use?	
Source of information	**Respondents**
Fair housing complaints received	35
Knowledgeable local officials	119
Community Organizations	40
Census data	32
Local studies	14
Other	10

The sources of information cited in the public sector portion of the survey are presented in Table VII.4 below. As shown, knowledgeable local officials were again the most common source of information, cited in 120 complaints, followed by community organizations and fair housing complaints, cited in 39 and 31 complaints, respectively.

Table VII.4
Sources of Information, Part 2
State of Alabama
2014 Impediments to Fair Housing Choice Survey

In completing Part 2 above, what sources of information did you use?	
Source of information	**Respondents**
Fair housing complaints received	31
Knowledgeable local officials	120
Community Organizations	39
Census data	23
Local studies	19
Other	7

FAIR HOUSING FORUMS AND FOCUS GROUPS

FAIR HOUSING FORUM

Two fair housing forums were held at the Perdido Beach Resort Hotel in Orange Beach, Alabama, on November 13, 2014. The purpose of the presentations and subsequent discussions was to provide prospective CDBG grantees with an opportunity to learn more about the AI process and why it was conducted, to share preliminary findings from the study, and to gain their insight into issues pertaining to fair housing in the state. The recorded minutes of forum discussions are included in Appendix E.

FAIR HOUSING FOCUS GROUPS

Three focus group meetings were held on October 21, 2014 to present the preliminary results of the AI to stakeholders and professionals in the housing industry, as well as to provide an introduction to fair housing law and policy more generally. However, the primary purpose of these focus group discussions was to solicit input from stakeholders with detailed knowledge of various aspects of the housing industry, to better understand the kinds of challenges facing housing seekers in the State of Alabama. Focus group participants attended these meetings remotely via Go-to-Webinar. The three meetings focused on different aspects of the state's housing market: Homeownership, the Rental Housing Market, and Local Government Planning and Zoning.

Among the subjects discussed at these meetings were the barriers facing those who use or seek affordable housing, the relative prevalence of fair housing violations in the rental and real estate markets, and the challenges facing those who need supportive housing due to a disability. Participants in these meetings perceived violations of fair housing law and policy to be more common in the rental housing market than in the real estate market, and considered housing options to be very limited for those who are living with a disability. Complete transcripts from these meetings are included in Appendix E.

SUMMARY

Opportunities for public involvement in the 2014 AI process included the 2014 Impediments to Fair Housing Choice Survey, the Fair Housing Forum held in Alabama, and a series of focus group meetings. A majority of respondents to the survey were elected city officials, representatives of non-profit organizations, local government staff, or bankers. Most had not been made aware of any fair housing complaints in their community in the last five years, and less than fifteen percent of respondents cited fair housing complaints as the source of their knowledge concerning impediments to fair housing choice identified in the public and private sector portions of the survey. Knowledgeable local officials were the most common source of information regarding impediments to fair housing choice in the community, whether in the public or private sector, followed by community organizations. Focus group meetings provided an opportunity for stakeholders in the real estate and rental housing industries to offer their perspective on issues pertaining to fair housing, as did the discussion pertaining to local government planning and zoning.

SECTION VIII. SUMMARY OF FINDINGS

This AI reviews both the public and private sector contexts for housing markets in non-entitlement areas of the State of Alabama, in order to determine the effects these forces have on housing choice. As part of that review, analysis of demographic, economic, and housing data provide background context for the environments in which housing choices are made. Demographic data indicate the sizes of racial and ethnic populations and other protected classes; economic and employment data show additional factors in influencing housing choice; and counts of housing by type, tenure, quality, and cost indicate the ability of the housing stock to meet the needs of the State's residents.

Once this contextual background analysis has been performed, detailed review of fair housing laws, cases, studies, complaints, and public involvement are better supported by the background information. The structure provided by local, state, and federal fair housing laws shapes the complaint and advocacy processes available in the State, as do the services provided by local, state, and federal agencies. Private sector factors in the homeownership and rental markets, such as home mortgage lending practices, have substantive influence on fair housing choice. In the public sector, policies and codes of local governments and a limited location of affordable rental units can significantly affect the housing available in each area, as well as neighborhood and community development trends. Complaint data and AI public involvement feedback further help define problems and possible impediments to housing choice for persons of protected classes, and confirm suspected findings from the contextual and supporting data.

Socio-Economic Context

The size of the population in non-entitlement areas of Alabama grew by 9.6 percent between 2000 and 2010. Growth was more pronounced in the older cohorts, or those which included residents aged 55 to 64 and residents 65 and older. These groups grew by 40.8 percent and 19.6 percent, respectively. The elderly cohort, which includes residents aged 65 and older, grew the most rapidly at the younger end of the spectrum, as the number of residents aged 65 to 66 grew by 34.2 percent and the number of residents aged 67 to 69 increased by 29.4 percent.

As the population of the state's non-entitlement areas increased between 2000 and 2010, its racial and ethnic composition underwent a modest shift. White and black residents together accounted for 95 percent of the population in 2010, and white residents accounted for the largest share of any single group, or 76.7 percent. However, these populations grew at a relatively slow pace between Censuses, and declined slightly as a share of the overall population. At the same time, the Hispanic population grew considerably, more than doubling in number and as a share of the overall population, and accounted for 3.9 percent of the state's non-entitlement residents in 2010. Geographically, the black population was largely concentrated in the southern half of the state (the "black belt") and around the cities of Talladega, Huntsville, Madison, and Decatur. The Hispanic population was observed to be concentrated in rural areas in the north of the state.

In 2008-2012, there were an estimated 495,346 residents with disabilities in non-entitlement areas of the State of Alabama. Census tracts with relatively high concentrations of residents with disabilities were scattered throughout the state in that year. The share of residents who were living with some form of disability was 24.1 percent in 2000; however, due to changes in the ACS questionnaire in 2008 disability figures established prior to that year are not directly comparable with figures from later years.

The labor market in the state's non-entitlement areas has fluctuated considerably in the years since 1990. Overall, the nineties were a period of solid growth in the number of employed and the size of the labor force. Both declined considerably in the first few years after 2000 before strong growth in the labor market resumed in around 2003-2004. However, by 2007 that growth had leveled off, and the number of employed fell dramatically over the following two years, leading to a spike in the unemployment rate, which topped ten percent in 2009. Growth in the number of employed led to a drop in the unemployment rate over the following years. Though that growth appears to be leveling off, the unemployment has continued to fall through 2013 thanks to a reduction in the size of the labor force, and stood at 6.5 percent in that year.

Real average earnings and real per capita income (PCI) in the state as a whole have also fluctuated in the years since 2000, after a decade of relatively strong growth. Growth in earnings continued through 2004, after which the amount that the average worker earned remained close to $46,000 for several years. That figure dropped to around $45,000 in 2007, but showed positive growth between that year and 2010. Since 2010, earnings have held steady at approximately $46,300 per year in 2012 dollars. Real per capita income, on the other hand, grew steadily from 2002 through 2008, fell by over $1,000 in 2009, and has shown positive growth since that year. By 2012, the average income in the state was $36,462. In spite of overall growth in earnings and income in the state as a whole, the poverty rate in the state's non-entitlement area rose from 15.5 to 17.2 percent from 2000 through 2012. Census tracts with relatively high poverty rates were clustered in inland areas in the south and southwest of the state.

Residents of the state's non-entitlement areas were less likely to be homeowners in 2010 than they had been in 2000, as the share of occupied unit that were owner-occupied fell from 78.3 to 75 percent (the share of renter-occupied units correspondingly grew from 21.7 to 25 percent). At the same time, vacant housing units increased as a share of the overall housing stock by 1.4 percentage points. A majority of vacant units were for rent; for sale; or for seasonal, recreational, or occasional use. However, 33.4 percent of units were classified as "other vacant" in 2010. Such units are problematic, for the reason that they are not available to the marketplace and may represent a blighting influence where they are grouped in close geographic proximity to each other. In this connection, the high concentration of "other vacant" units in and around Tuskegee is potentially a cause for concern: more than 71.5 percent of vacant units in this area were classified as "other vacant".

Though the number of larger households, or those with more than five members, increased between 2000 and 2010, the share of housing units that were overcrowded or severely overcrowded fell to two percent of all housing units. Additionally, the share of housing units with incomplete plumbing facilities fell, and though the share of housing units with incomplete kitchen facilities rose slightly, neither represented more than 0.8 percent of all housing units in the state in 2008-2012. Cost-burdening, on the other hand, impacted a larger share of

households: 15.2 percent of households had housing costs that ranged from 31 to 50 percent of their overall income, while 11.4 percent of households paid more than 50 percent of their monthly income toward housing costs.

Fair Housing Law, Study, and Case Review

Alabama residents are protected from discrimination in the housing market by the federal Fair Housing Act and the Alabama Fair Housing Law. Both prohibit discrimination on the basis of race, color, sex, religion, national origin, familial status, and disability. In spite of the existence of such prohibitions at the state and national level, fair housing studies and cases indicate that housing discrimination persists in the nation and in the State of Alabama, though discriminatory practices and policies are less overt now than in the past. In addition, the fifteen cases filed by the DOJ against housing providers in the state give some indication of the most common kinds of discrimination to which state residents have been subjected. The most common case involved allegations of discrimination on the basis of race, which was cited in seven cases, followed by discrimination against individuals with disabilities, cited in six complaints.

Fair Housing Structure

Residents of Alabama's non-entitlement areas who feel that they have been subjected to discrimination prohibited under the federal Fair Housing Act may lodge a complaint with HUD, which also promotes fair housing policy in the state through partnerships with two organizations that serve residents in southern and central Alabama. These organizations, the Center for Fair Housing and Central Alabama Fair Housing Center, provide outreach and education pertaining to fair housing law and policy in addition to furthering enforcement of fair housing law through investigation of fair housing complaints. A third organization, the Fair Housing Center of Northern Alabama, is a former participant in the FHIP program that serves residents of Northern Alabama. The Alabama Department of Economic and Community Affairs (ADECA) is the agency charged with enforcement of the state's Fair Housing Law, though there is no evidence that the law is currently being enforced.

Fair Housing in the Private Sector

The analysis of private sector conditions impacting housing choice in the State of Alabama included consideration of trends in home and small business lending, fair housing complaints from state residents, and results of the 2014 Impediments to Fair Housing Choice Survey. Lending data gathered under the HMDA; which must by law include information on applicants' race, ethnicity, gender, and income, along with the location of the prospective property; provide for an examination of whether and to what degree the impacts of loan denials and predatory style lending differ among protected class populations.

Residents of the state's non-entitlement areas applied for over 716,000 home purchase loans between 2004 and 2013. A majority of these loan applications were intended to finance the purchase of units in which the owner planned to live. Just over a quarter of these owner-occupied home purchase loans were denied during this time period, with denial rates increasing considerably in the four years after 2009. Denial rates tended to be higher in rural areas in the south and southwest of the state, which held relatively high concentrations of black

residents; the denial rate for black borrowers was considerably higher than the overall denial rate. Likewise, Hispanic borrowers were denied loans at a higher rate than non-Hispanic borrowers, and female borrowers were more likely to be denied a loan than male borrowers. Black borrowers tended to be denied loans more frequently in the north of the state, while Hispanic borrowers were subject to relatively high denial rates throughout the state. More than thirty percent of denied loans cited credit history as a factor in the denial, and over ten percent cited the debt-to-income ratio of the applicant. Applicants' incomes made a difference in the probability of their being denied a home loan; however, discrepancies in denial rates between races persisted even when income was taken into account.

Those applicants who were able to secure a home loan were occasionally issued a loan with a high annual percentage rate. These loans, referred to as HALs, accounted for 17.3 percent of home loans issued in the state from 2004 through 2013. These HALs tended to be more common among black borrowers, and in parts of the state with relatively high concentrations of black residents. Hispanic borrowers also received HALs more frequently than non-Hispanic borrowers, 25.5 and 16.8 percent of loans issued to these groups were HALs, respectively.

Small business loans were more commonly issued in Census tracts with moderate to high income levels than in tracts with low to moderate incomes. Geographically, these loans tended to be concentrated in the northern half of the state, as well as along the Gulf Coast. Inland Census tracts in the southern part of the state tended to receive less in the way of small business loans.

The analysis of 363 fair housing complaints lodged with HUD from January 2004 through November 2014 reveals that the most common bases for these complaints were race, cited in 183 complaints, and disability, cited in 165. The most common discriminatory actions alleged in these complaints involved discrimination in rental housing; failure to make reasonable accommodation was also a relatively common allegation. When the analysis was narrowed to examine only those complaints that were considered to have cause, disability became the most common basis for discrimination, followed by race, though discrimination in the rental housing market still dominated the discriminatory issues referenced in these complaints.

Results of the 2014 Impediments to Fair Housing Choice Survey indicate that survey participants tended more strongly to identify impediments to fair housing choice in language barriers to persons with limited English proficiency, and more than thirty percent of respondents considered housing discrimination against residents on the basis of race, national origin, familial status, and disability to represent an impediment, along with discrimination against those who participate in the Housing Choice Voucher program. In addition, 59 percent of respondents perceived the existence of impediments to fair housing choice in limited employment opportunities, and 44 percent considered limited housing choice opportunities for persons of low income to represent an impediment.

Fair Housing in the Public Sector

The review of fair housing choice in the public sector included an evaluation of the availability of public-assisted housing units throughout the state and the results of the 2014 Impediments to Fair Housing Choice Survey. Subsidized units profiled in the study included those funded in part through the Housing Choice Voucher and Public Housing programs. Units funded through

the Housing Choice Voucher Program were scattered throughout the state, but tended to be concentrated in and around urban areas. Such units were largely absent from inland, rural Census tracts in the southwest of the state. Units funded through the Public Housing Program were more numerous than those financed through the HCV program, but they followed the same overall geographic distribution, as did units purchased through a range of homebuyer assistance programs available to Alabama residents. Few of the public sector policies, practices, or factors identified in the survey were perceived to represent an impediment to fair housing choice by a majority of respondents. Exceptions included perceived social hurdles facing developers and residents of affordable housing, i.e., NIMBYism; limited access to public transportation; and limited local availability of public and social services.

Public Involvement

Opportunities for public involvement in the 2014 AI process included the 2014 Impediments to Fair Housing Choice Survey, the Fair Housing Forum held in Alabama, and a series of focus group meetings. A majority of respondents to the survey were elected city officials, representatives of non-profit organizations, local government staff, or bankers. Most had not been made aware of any fair housing complaints in their community in the last five years, and less than fifteen percent of respondents cited fair housing complaints as the source of their knowledge concerning impediments to fair housing choice identified in the public and private sector portions of the survey. Knowledgeable local officials were the most common source of information regarding impediments to fair housing choice in the community, whether in the public or private sector, followed by community organizations. Focus group meetings provided an opportunity for stakeholders in the real estate and rental housing industries to offer their perspective on issues pertaining to fair housing, as did the discussion pertaining to local government planning and zoning.

SECTION IX. IMPEDIMENTS AND SUGGESTED ACTIONS

IMPEDIMENTS TO FAIR HOUSING CHOICE AND SUGGESTED ACTIONS

The following impediments to fair housing choice were identified through review of data gathered from the above-mentioned sources, and actions were proposed to address those impediments. The State of Alabama, through ADECA as its representative, provided feedback on the impediments identified and actions proposed to address those impediments. As per the request of the State, its responses to the identified impediments and proposed actions have been presented in part in the following section, and included in full in Appendix E.

Private Sector Impediments, Suggested Actions, and Measurable Objectives

***Impediment 1*: More frequent denial of home purchase loans to black, Hispanic, and female householders.** This impediment was identified through review of data on home purchase loans gathered under the Home Mortgage Disclosure Act. It should be noted that HMDA data do not include information on several factors that are highly pertinent to the loan application process, such as the credit score of the applicant or the size of the prospective down payment, and so the impact of these factors on loan denial rates is impossible to assess. Nevertheless, the data do provide an index of the experience of loan applicants, and allow for a determination of whether or not those applicants are more or less likely to be denied if they are black, Hispanic, or female. According to these data, the average black loan applicant in the state's non-entitlement areas was almost twice as likely to be denied a home purchase loan as the average white loan applicant. Similarly, 30.7 percent of loan applications from female applicants were denied, compared to a denial rate of 22 percent for male applicants, and the denial rate for Hispanic applicants, 29.6 percent, exceeded that of non-Hispanic applicants by over six percentage points. These data do not necessarily indicate that lenders throughout the state have engaged in a pattern of illegal discriminatory lending; however, differential denial rates do present an impediment to those in protected classes who are subject to higher denial rates.

Action 1.1: Conduct outreach and education of prospective housing consumers on how to acquire and keep good credit.

Measurable Objective 1.1: Number of outreach and education activities undertaken and number of participants in those activities.

The State's Response: "…the State of Alabama agrees that the recommendation is an appropriate one to assert – based on the statements in the above paragraph. However, the State of Alabama's concern is that consumer credit counseling is already available online, over-the telephone, and via in-person seminars which are periodically presented throughout Alabama - usually free of charge, and such services are routinely advertised through the media. At best, the State of Alabama could identify and publicize the availability of such counseling services to prospective homeowners, but to actually engage in the outreach and education of any prospective homeowners would be beyond the administrative and financial capabilities of the State of Alabama and of ADECA."

***Impediment 2*: Apparent predatory lending falls more heavily on black borrowers.** This impediment was identified through review of data gathered under the HMDA, which related in

part to the prevalence of high annual percentage rate loans (HALs) among home purchase loans issued in the state. According to these data, over one quarter of the loans issued to black borrowers in the state's non-entitlement areas were HALs, compared to a HAL rate of 16.3 percent for white borrowers and an overall HAL rate of 17.3 percent. As noted above, the data do not necessarily indicate a pattern of targeting black borrowers for high priced loans, nor do they rule out such a pattern. Nevertheless, these high cost loans represents an additional cost to housing seekers, which black borrowers are more likely to have to bear than other borrowers.

Action 2.1: Conduct outreach and education of prospective housing consumers on the attributes of a predatory style loan.

Measurable Objective 2.1: Number of outreach and education activities undertaken and number of participants in those activities.

Action 2.2: Identify lenders who have disproportionately engaged in predatory lending and publish the findings so that consumers can more easily obtain this information about the lenders.

Measurable Objective 2.2: The number of lenders identified as providing predatory style loans and the publication of information relating to those lenders, particularly on the ADECA website.

The State's Position: "…the State of Alabama agrees that the first recommendation (concerning "education on predatory lending practices") is an appropriate one to assert, but the second recommendation (concerning "identifying predatory lenders via a published list") is not an appropriate one to assert. The reasoning for this is similar to the response stated for Comment #1 above. Additionally, predatory lending is legal in Alabama as well as in most, if not all, of the other States. And predatory lenders do fill a useful niche in the consumer lending arena. However, while the practices of the predatory lending business may appear unscrupulous, Congress has not yet enacted laws outlawing such lending practices and procedures. But, the State of Alabama does maintain a State Banking Department that is available to provide information on attempts having been made within Alabama to curb predatory lending abuses."

***Impediment 3*: Discriminatory terms, conditions, privileges, or facilities relating to rental.** This impediment was identified through review of fair housing complaints lodged with the U.S. Department of Housing and Urban Development (HUD), the 2014 Real Estate Professionals Focus Group, and cases lodged by the DOJ against state housing providers on behalf of Alabama residents. Fair housing complaints pertaining to perceived discrimination in the rental housing market were the most common type of complaint with respect to the discriminatory action alleged complaints; this was true for all complaints in general as well as those considered to have cause. In addition, participants in the rental focus group discussion perceived discrimination to be more pronounced in the rental market than in the real estate market. The relative prevalence of discrimination in the rental market was born out to some degree by DOJ cases filed in the state over the last decade, eleven of which concerned discrimination in the rental housing market (out of fifteen total).

Action 3.1: Conduct outreach and education for both housing providers and housing consumers on prospective actions that are in violation of fair housing law.

Measurable Objective 3.1: Number of outreach and education activities undertaken and number of participants in those activities.

The State's Position: "…the State of Alabama agrees that such recommendations would be beneficial for the protection of Alabama's rental housing owners as well as consumers. In fact, this type of work is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) pursuant to the authority bestowed upon each of them. The State of Alabama's effort to address these recommendations could involve considering posting an announcement on ADECA's website (www.adeca.alabama.gov) that would mention that such "rental housing education" and "audit testing services" are being provided by Alabama's three fair housing centers."

***Impediment 4*: Discriminatory refusal to rent.** This impediment was also identified through review of fair housing complaints submitted to HUD and the 2014 Real Estate Professionals Focus Group. Approximately fifteen percent of complaints cited discriminatory refusal to rent, specifically, and as noted above, complaints alleging violations of fair housing laws in the state's rental markets more generally were relatively common. In addition, participants in the rental focus group discussion perceived discrimination to be more pronounced in the rental market than in the real estate market. Finally, as stated above, eleven out of fifteen DOJ cases against housing providers in Alabama concerned discrimination in rental housing.

Action 4.1: Conduct outreach and education for both housing providers and housing consumers on prospective actions that are in violation of fair housing law.

Measurable Objective 4.1: Number of outreach and education activities undertaken and number of participants in those activities.

The State's Position: "…the State of Alabama agrees that such recommendations would be beneficial for the protection of Alabama's rental housing owners as well as consumers. In fact, this type of work is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) pursuant to the authority bestowed upon each of them. The State of Alabama's effort to address these recommendations could involve considering posting an announcement on ADECA's website (www.adeca.alabama.gov) that would mention that such "rental housing education" and "audit testing services" are being provided by Alabama's three fair housing centers."

***Impediment 5*: Failure to make reasonable accommodation or modification.** This impediment was identified through review of fair housing cases lodged by the Department of Justice against housing providers in Alabama, complaints submitted to HUD by or on behalf of Alabama residents, and minutes from focus group discussions. Of the fifteen fair housing cases in Alabama that HUD referred to the Department of Justice over the last decade, six of them concerned housing discrimination on the basis of disability, with failure to make reasonable accommodation a common accusation. In addition, disability was cited as the discriminatory basis in 45 percent of all complaints lodged with HUD from 2004 through 2014, and failure to make reasonable accommodation was a specific allegation in more than one-fifth of all complaints. Among complaints considered to have cause, disability was the most common perceived basis for discrimination.

Action 5.1: Conduct outreach and education for both housing providers and housing consumers on prospective actions that are in violation of fair housing law.

Measurable Objective 5.1: Number of outreach and education activities undertaken and number of participants in those activities.

Action 5.2: Conduct audit testing to determine the number of properties currently in violation of disability standards.

Measurable Objective 5.2: Number of audit tests undertaken and properties identified as potentially in violation of disability standards.

The State's Position: "…the State of Alabama agrees that such recommendations would be beneficial for the protection of Alabama's rental housing owners as well as consumers. In fact, this type of work is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) pursuant to the authority bestowed upon each of them. The State of Alabama's effort to address these recommendations could involve considering posting an announcement on ADECA's website (www.adeca.alabama.gov) that would mention that such "rental housing education" and "audit testing services" are being provided by Alabama's three fair housing centers."

***Impediment 6*: Insufficient understanding of fair housing laws.** This impediment was identified through review of the 2014 Impediments to Fair Housing Choice Survey and the 2014 Real Estate Professionals Focus Group. More than half of respondents considered "lack of knowledge or understanding regarding fair housing" to represent an impediment in the State of Alabama, and 30 percent classified it as a moderate or severe impediment. The lack of understanding regarding fair housing laws was also a subject in the Rental Focus Group. One respondent maintained that, due to a lack of fair housing training, "people have no idea… that [the fair housing law] is even there to protect them…"

Action 6.1: Enhance outreach and education by conducting more education opportunities for both consumers and providers of housing

Measurable Objective 6.1: Number of outreach and education activities undertaken and number of participants in those activities.

Action 6.2: Make available both the summary and the entire study, the 2014 Analysis of Impediments to Fair Housing Choice

Measurable Objective 6.2: Publication of the summary and study on ADECA's website.

The State's Position: "…the State of Alabama agrees that such recommendations would be beneficial for the protection of Alabama's rental housing owners as well as consumers. The State of Alabama reiterates its stance that the work of providing education on fair housing laws is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile), and the State of Alabama's effort to address this recommendation could involve considering posting an announcement on ADECA's website (www.adeca.alabama.gov) that would mention that such "fair housing laws education" is being provided by those three fair housing centers. As for making the summary and AI available to the public, ADECA can post these documents on its website where the public can access them."

Public Sector Impediments, Suggested Actions, and Measurable Objectives

***Impediment 1*: Insufficient fair housing testing and enforcement in non-entitlement areas of Alabama.** Three fair housing organizations in the state were contacted in connection with the AI effort, and asked to provide information relating to fair housing activities undertaken in non-entitlement areas of the state, including complaint intake and fair housing testing. None of these organizations provided information concerning complaints they had receive or testing they had conducted, or responded to these requests for information in any way, and one is largely inactive. The perception that fair housing enforcement in the state's non-entitlement areas was insufficient was shared in commentary at the Fair Housing Forum.

> *Action 1.1*: Contract with a Fair Housing Initiate Program (FHIP) participant or other entity to conduct testing and enforcement activities in the non-entitlement areas of Alabama
> *Measurable Objective 1.1*: Record of correspondence with FHIP participants or other entities, contracts entered into, and resources committed to testing and enforcement activities.
> *Action 1.2*: Track the outcome of this testing activity
> *Measurable Objective 1.2*: Number of tests undertaken and the results of such testing, concluding types of violations discovered, if any, and protected classes impacted by those violations.

The State's Position: "…the State of Alabama agrees that such activities would be beneficial activities that could affirmatively further fair housing. And such work involving the testing, enforcing, and reporting of fair housing law activities is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile). All of these centers conduct fair housing enforcement activities in their respective territories in the form of complaint intake/investigation/mediation/referral services for persons who believe they have been victims of discrimination, rental/sales/insurance testing and education/outreach/enforcement activities based on the results of those tests, and fair lending education and outreach activities that specifically target racial and ethnic minorities, persons with limited English proficiency, and persons with disabilities. These centers already receive HUD funds to perform these activities, so the State of Alabama might be limited in its ability to contract with these centers to perform that work which they were created to perform with HUD funds. However, the State of Alabama – by and through ADECA – could (i) establish a dialogue with these centers directed at their inclusion of the rural areas of the State in their testing activities, and (ii) seek from each of these centers the data collected from their testing activities and the outcomes therefrom, which information ADECA could subsequently utilize in its future CDBG planning activities."

***Impediment 2*: Lack of Fair Housing Initiative Program (FHIP) participation in non-entitlement areas of Alabama.** Though residents of southern and central Alabama are served by the Center for Fair Housing and the Central Alabama Fair Housing Center, respectively, residents of northern Alabama are not currently served by a FHIP participant. The fair housing organization operating in that part of the state is not a current FHIP grantee, though it did receive FHIP funding in 2011. This organization does not currently operate a website that would allow members of the public to learn more about its work, or fair housing in general, or

to contact them directly with fair housing complaints. In addition, participation of FHIP grantees in the AI process was lacking: though the three fair housing organizations were contacted during the AI process, and were asked to provide information relating to their complaint intake and enforcement activities, none has done so.

> *Action 2.1*: Contract with a Fair Housing Initiate Program (FHIP) participant or other entity to conduct testing and enforcement activities in the non-entitlement areas of Alabama
> *Measurable Objective2.1*: Record of correspondence with FHIP participants or other entities, contracts entered into, and resources committed to testing and enforcement activities.
> *Action 2.2*: Require periodic reporting of activities undertaken
> *Measurable Objective 2.2:* Reports submitted by participating FHIP grantees, or other entities, to ADECA on a quarterly basis, and the number and type of fair housing activities undertaken in the state's non-entitlement areas

The State's Position: "…the State of Alabama agrees that such activities would be beneficial activities that could affirmatively further fair housing. And such work involving the testing, enforcing, and reporting of fair housing law activities is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile). All of these centers conduct fair housing enforcement activities in their respective territories in the form of complaint intake/investigation/mediation/referral services for persons who believe they have been victims of discrimination, rental/sales/insurance testing and education/outreach/enforcement activities based on the results of those tests, and fair lending education and outreach activities that specifically target racial and ethnic minorities, persons with limited English proficiency, and persons with disabilities. These centers already receive HUD funds to perform these activities, so the State of Alabama might be limited in its ability to contract with these centers to perform that work which they were created to perform with HUD funds. However, the State of Alabama – by and through ADECA – could (i) establish a dialogue with these centers directed at their inclusion of the rural areas of the State in their testing activities, and (ii) seek from each of these centers the data collected from their testing activities and the outcomes therefrom, which information ADECA could subsequently utilize in its future CDBG planning activities."

"…the State of Alabama believes that such activities are already being performed by Alabama's three fair housing centers.... the State of Alabama – by and through ADECA – could seek from each of these centers the data collected from their testing activities and the outcomes therefrom, and ADECA could subsequently utilize the data in its future CDBG planning activities."

***Impediment 3*: Lack of understanding of the fair housing laws and duties.** This impediment was identified through review of the 2014 Impediments to Fair Housing Choice Survey. More than half of respondents considered "lack of knowledge or understanding regarding fair housing" to represent an impediment in the State of Alabama, and 30 percent classified it as a moderate or severe impediment. The lack of understanding regarding fair housing laws was also a subject in the Real Estate Professionals Focus Group. One respondent maintained that,

due to a lack of fair housing training, "people have no idea… that [the fair housing law] is even there to protect them…"

Action 3.1: Form a task force to oversee the contracted FHIP entity or other entity
Measurable Objective 3.1: Formation of the task force
Action 3.2: Have the task force consider other things that ADECA can do to affirmatively further fair housing, particularly in light of budgetary constraints
Measurable Objective 3.2: Recommendations from the task force, developed in consultation with state FHIP grantees or other entities, on how to affirmatively further fair housing
Action 3.3: Have the task force meet quarterly to review the quarterly report from the FHIP and consider new business
Measurable Objective 3.3: Record and minutes of quarterly meetings
Action 3.4: Conduct outreach and education to both consumers and providers of housing
Measurable Objective 3.4: Number of outreach and education activities undertaken and the number of participants in those activities.
Action 3.5: Coordinate outreach activities during Fair Housing Month, April of each year
Measurable Objective 3.4: Record of outreach activities undertaken in partnership with state FHIP participants, or other entities

The State's Position: "…the State of Alabama reiterates its response [to Private Sector Impediment 6] for the recommendation that (b) outreach activities should be coordinated during Fair Housing Month, the State of Alabama agrees that such recommendation would be beneficial for Alabama's housing owners and consumers. In fact, each year ADECA drafts a "Fair Housing Proclamation" that is signed by the Governor and which proclaims the month of April as "Fair Housing Month" in Alabama. The most recent occurrence of this activity was April 14, 2014, wherein ADECA posted on its website the Governor's Proclamation, the ADECA Director's Announcement that accompanied the Proclamation, and the ADECA CED Division's Fair Housing Posters reflecting the fair housing compliance language. ADECA subsequently sent out that documentation to Alabama's local governments, regional planning commissions, grant administrators, apartment management agencies, local realtors' associations, and other interested parties as part of the outreach activities. Additionally, the State of Alabama reiterates that the work performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) could be better coordinated with the State of Alabama's and ADECA's efforts to conduct additional outreach activities during Fair Housing Month. To this end, the State of Alabama – by and through ADECA – could coordinate with those centers additional activities that would be beneficial to all entities involved."

"…the State of Alabama reiterates that the work performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) could be better coordinated with the State of Alabama's efforts to conduct additional activities to affirmatively further fair housing. And the State of Alabama – by and through ADECA – could

strive to meet frequently with those three centers in efforts to coordinate and conduct further fair housing business."

Impediment 4: **Inadequate enforcement of the State of Alabama Fair Housing Law.** The State of Alabama Fair Housing Law (Ala. Code §24-8-1 *et seq.*) provides for a range of legal rights pertaining to fair housing, roughly corresponding to those provided for in the federal Fair Housing Act. In addition, the state Fair Housing Law establishes a procedure by which the state will accept complaints and investigate claims of discrimination in the housing market, and identifies the Alabama Department of Economic and Community Affairs (ADECA) as the agency responsible for carrying out the provisions of the law. In spite of this, there is little or no evidence that ADECA enforces Alabama's fair housing statute. Though ADECA's website includes a web link to a Fair Housing poster, which provides information on how to file a fair housing complaint, the poster only cites the federal Fair Housing Act and directs those who feel that their fair housing rights have been violated to contact HUD. There is no mention of either the State Fair Housing Law or ADECA on the posters. Under the heading of additional sources, the site includes web links to various HUD fair housing sites and posters, but does not mention any state or local resources that may be available, whether public or private. However, it is clear that ADECA is designated as the Alabama agency vested with the responsibility to provide recourse to those who feel that they been subjected to unlawful discrimination in the housing market, as well as the legal authority to do so. The full text of the Alabama Fair Housing Law is included in **Appendix F**.

Action 4.1: Include language on ADECA's website noting that discrimination in the housing market is illegal under state as well as federal law, defining the classes that are protected under state law, examples of violations of the law, and who is covered under state law.

Measurable Objective 4.1: Inclusion of the language described above on the ADECA website

Action 4.2: Establish a process by which ADECA will accept complaints from those who feel that they have been subject to illegal discrimination in the housing market, advertise how the process works, and include housing complaint forms on ADECA's website notifying residents where to file and who to contact.

Measurable Objective 4.2: Development of complaint process, publication of complaint process on ADECA's website, including web links to complaint forms

Action 4.3: Establish a procedure for investigation of fair housing complaints, or partnerships with non-profit fair housing organizations to that end, within the limits of the State Fair Housing Law. Document this process on the ADECA website.

Measurable Objective 4.3: Establishment and documentation of the procedure

SECTION X. GLOSSARY

Accessible housing: Housing designed to allow easier access for physically disabled or vision impaired persons.
ACS: American Community Survey
AI: Analysis of Impediments to Fair Housing Choice
AMI: Area median income
BEA: Bureau of Economic Analysis
BLS: Bureau of Labor Statistics
CDBG: Community Development Block Grant
Census tract: Census tract boundaries are updated with each decennial census. They are drawn based on population size and ideally represent approximately the same number of persons for each tract.
Consolidated Plan: Consolidated Plan for Housing and Community Development
Cost burden: Occurs when a household has gross housing costs that range from 30.1 to 50 percent of gross household income.
CRA: Community Reinvestment Act
Disability: A lasting physical, mental, or emotional condition that makes it difficult for a person to conduct daily activities of living or impedes him or her from being able to go outside the home alone or to work.
Disproportionate share: Exists when the percentage of a population is 10 percentage points or more above the study area average.
DOJ: U.S. Department of Justice
ESG: Emergency Shelter Grants program
Fannie Mae: Federal National Mortgage Association (FNMA), a government-sponsored enterprise that purchases mortgages from lenders and repackages them as mortgage-backed securities for investors.
Family: A family is a group of two people or more related by birth, marriage, or adoption and residing together.
FFIEC: Federal Financial Institutions Examination Council
FHAP: Fair Housing Assistance Program
FHEO: Fair Housing and Equal Opportunity
FHIP: Fair Housing Initiative Program
Floor area ratio: The ratio of the total floor area of a building to the land on which it is situated, or the limit imposed on such a ratio.
Freddie Mac: Federal Home Loan Mortgage Corporation (FHLMC), a government-sponsored enterprise that purchases mortgages from lenders and repackage them as mortgage-backed securities for investors.
GAO: U.S. General Accounting Office
Gross housing costs: For homeowners, gross housing costs include property taxes, insurance, energy payments, water and sewer service, and refuse collection. If the homeowner has a mortgage, the determination also includes principal and interest payments on the mortgage loan. For renters, this figure represents monthly rent and electricity or natural gas energy charges.

HAL: High annual percentage rate (APR) loan, defined as more than three percentage points higher than comparable treasury rates for home purchase loans, or five percentage points higher for refinance loans.[42]
HMDA: Home Mortgage Disclosure Act
HOME: HOME Investment Partnerships
HOPWA: Housing Opportunities for Persons with AIDS
Household: A household consists of all the people who occupy a housing unit. A house, an apartment or other group of rooms, or a single room, is regarded as a housing unit when it is occupied or intended for occupancy as separate living quarters; that is, when the occupants do not live with any other persons in the structure and there is direct access from the outside or through a common hall.
Housing problems: Overcrowding, incomplete plumbing or kitchen facilities, or cost burdens
HUD: U.S. Department of Housing and Urban Development
Incomplete kitchen facilities: A housing unit is classified as lacking complete kitchen facilities when any of the following are not present: a sink with piped hot and cold water, a range or cook top and oven, and a refrigerator.
Incomplete plumbing facilities: A housing unit is classified as lacking complete plumbing facilities when any of the following are not present: piped hot and cold water, a flush toilet, and a bathtub or shower.
Labor force: The total number of persons working or looking for work
MFI: Median family income
Mixed-use development: The use of a building, set of buildings, or neighborhood for more than one purpose.
MSA: Metropolitan Statistical Area
NIMBYism: "Not in my backyard" mentality among community members, often in protest of affordable or multi-family housing.
Other vacant units: Housing units that are not for sale or rent
Overcrowding: Overcrowding occurs when a housing unit has more than one to 1.5 persons per room.
Poverty: The Census Bureau uses a set of money income thresholds that vary by family size and composition to determine who is in poverty. If a family's total income is less than the family's threshold, then that family and every individual in it is considered in poverty. The official poverty thresholds do not vary geographically, but they are updated for inflation using Consumer Price Index (CPI-U). The official poverty definition uses money income before taxes and does not include capital gains or noncash benefits (such as public housing, Medicaid, and food stamps).
Predatory loans: As defined by the Predatory Lending Consumer Protection Act of 2002 as well as the Home Owner Equity Protection Act (HOEPA), loans are considered predatory based on:
If they are HOEPA loans;[43]
Lien status, such as whether secured by a first lien, a subordinate lien, not secured by a lien, or not applicable (purchased loans); and
Presence of HALs. For full definition, see **HAL.**

[42] 12 CFR Part 203, http://www.ffiec.gov/hmda/pdf/regc_020702.pdf
[43] Loans are subject to the HOEPA if they impose rates or fees above a certain threshold set by the Federal Reserve Board. "HMDA Glossary." http://www.ffiec.gov/hmda/glossary.htm#H

Protected Class: Group of people protected from discrimination and harassment. Alabama residents are protected from housing discrimination based on race, sex, religion, familial status, disability, national origin, and color.
Public housing: Public housing was established to provide decent and safe rental housing for eligible low-income families, the elderly, and persons with disabilities.
RDA: Redevelopment agency
Severe cost burden: Occurs when gross housing costs represent 50.1 percent or more of gross household income.
Severe overcrowding: Occurs when a housing unit has more than 1.5 persons per room.
Steering: Actions of real estate agents or landlords to discourage a prospective buyer or tenant from seeing or selecting properties in certain areas due to their racial or ethnic composition.
Tenure: The status by which a housing unit is held. A housing unit is "owned" if the owner or co-owner lives in the unit, even if it is mortgaged or not fully paid for. A cooperative or condominium unit is "owned" only if the owner or co-owner lives in it. All other occupied units are classified as "rented," including units rented for cash rent and those occupied without payment of cash rent.

APPENDICES

The following sections present additional data prepared in development of the State of Alabama Analysis of Impediments to Fair Housing Choice.

A. COMMUNITY REINVESTMENT ACT DATA

Table A.1
Small Business Loans Originated: $100,000 or Less by Tract MFI
Non-Entitlement Areas of Alabama
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
			Number of Loans			
2000	429	4,069	28,080	10,483	88	43,149
2001	551	4,653	31,989	12,119	143	49,455
2002	617	5,243	33,817	13,465	138	53,280
2003	355	5,197	33,241	13,364	0	52,157
2004	352	6,932	33,876	12,613	0	53,773
2005	289	6,734	32,077	13,135	0	52,235
2006	423	8,218	40,537	18,133	0	67,311
2007	373	8,351	43,132	18,672	0	70,528
2008	284	6,374	32,253	14,287	0	53,198
2009	119	2,970	13,302	6,088	0	22,479
2010	91	2,447	11,692	5,404	0	19,634
2011	109	2,906	13,712	6,498	0	23,225
2012	301	3,777	15,123	7,851	2	27,054
2013	276	3,386	13,220	7,412	1	24,295
Total	**4,569**	**71,257**	**376,051**	**159,524**	**372**	**611,773**
			Loan Amount ($1,000s)			
2000	7,991	68,868	471,917	186,717	1,957	737,450
2001	11,049	81,509	554,506	236,213	2,529	885,806
2002	12,269	79,573	549,703	236,160	2,375	880,080
2003	5,176	78,633	501,792	205,391	0	790,992
2004	5,621	107,899	522,277	223,495	0	859,292
2005	4,300	95,004	441,616	204,158	0	745,078
2006	4,844	95,750	475,049	224,613	0	800,256
2007	4,647	99,746	495,606	242,249	0	842,248
2008	4,029	82,575	392,066	188,900	0	667,570
2009	1,740	53,348	228,020	110,548	0	393,656
2010	1,875	43,228	190,990	95,616	0	331,709
2011	2,718	46,199	203,476	109,227	0	361,620
2012	4,842	57,174	207,073	119,502	6	388,597
2013	5,155	55,975	209,762	125,788	1	396,681
Total	**76,256**	**1,045,481**	**5,443,853**	**2,508,577**	**6,868**	**9,081,035**

Table A.2
Small Business Loans Originated: $100,001 to $250,000 by Tract MFI
Non-Entitlement Areas of Alabama
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
			Number of Loans			
2000	27	186	1,702	833	8	2,756
2001	39	345	2,109	1,153	11	3,657
2002	37	365	2,180	1,147	12	3,741
2003	15	326	2,119	1,069	0	3,529
2004	15	447	2,010	994	0	3,466
2005	14	350	1,421	719	0	2,504
2006	15	351	1,603	750	0	2,719
2007	15	283	1,380	736	0	2,414
2008	13	275	1,289	588	0	2,165
2009	13	246	938	465	0	1,662
2010	7	176	604	307	0	1,094
2011	5	187	629	388	0	1,209
2012	27	223	728	436	1	1,415
2013	17	247	749	443	0	1,456
Total	**259**	**4,007**	**19,461**	**10,028**	**32**	**33,787**
			Loan Amount ($1,000s)			
2000	3,788	31,102	281,348	138,596	1,388	456,222
2001	6,357	58,575	350,619	192,227	1,748	609,526
2002	5,511	60,086	364,195	193,127	1,973	624,892
2003	2,324	54,705	348,053	182,862	0	587,944
2004	2,573	74,580	333,258	168,385	0	578,796
2005	2,258	57,746	238,238	123,771	0	422,013
2006	2,285	58,408	270,767	130,485	0	461,945
2007	2,388	47,370	237,327	128,245	0	415,330
2008	1,978	46,266	222,601	104,157	0	375,002
2009	2,279	43,035	161,205	81,463	0	287,982
2010	1,146	30,273	103,663	53,382	0	188,464
2011	873	32,592	106,579	69,771	0	209,815
2012	4,474	37,807	124,807	79,012	177	246,277
2013	2,929	42,431	128,205	79,494	0	253,059
Total	**41,163**	**674,976**	**3,270,865**	**1,724,977**	**5,286**	**5,717,267**

Table A.3
Small Business Loans Originated: More than $250,000 by Tract MFI
Non-Entitlement Areas of Alabama
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
			Number of Loans			
2000	26	134	1,005	528	5	1,698
2001	28	218	1,371	844	10	2,471
2002	33	231	1,384	869	4	2,521
2003	7	231	1,358	786	0	2,382
2004	14	275	1,337	772	0	2,398
2005	8	194	965	703	0	1,870
2006	10	240	1,037	672	0	1,959
2007	9	218	1,066	721	0	2,014
2008	11	218	1,029	584	0	1,842
2009	12	160	721	428	0	1,321
2010	5	102	486	331	0	924
2011	9	137	601	387	0	1,134
2012	11	222	705	442	0	1,380
2013	11	192	729	496	0	1,428
Total	**194**	**2,772**	**13,794**	**8,563**	**19**	**25,342**
			Loan Amount ($1,000s)			
2000	11,981	65,617	491,478	249,695	1,835	820,606
2001	12,603	104,190	666,458	417,992	4,618	1,205,861
2002	16,063	117,047	673,531	434,724	1,608	1,242,973
2003	4,416	116,873	667,510	378,018	0	1,166,817
2004	6,056	139,612	656,759	382,505	0	1,184,932
2005	3,777	97,472	484,968	353,241	0	939,458
2006	4,634	117,144	530,642	341,099	0	993,519
2007	4,645	108,527	541,339	364,651	0	1,019,162
2008	6,333	105,179	517,095	298,843	0	927,450
2009	5,788	80,138	361,002	217,986	0	664,914
2010	2,101	50,340	246,823	173,504	0	472,768
2011	4,242	66,621	308,483	209,202	0	588,548
2012	5,011	114,335	359,984	236,061	0	715,391
2013	4,221	98,507	366,489	258,981	0	728,198
Total	**91,871**	**1,381,602**	**6,872,561**	**4,316,502**	**8,061**	**12,670,597**

Table A.4
Small Business Loans to Businesses with Gross Annual Revenues of Less Than $1 Million by Tract MFI
Non-Entitlement Areas of Alabama
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
			Number of Loans			
2000	269	2,672	17,201	5,963	62	26,167
2001	362	2,925	20,854	8,422	126	32,689
2002	343	2,703	18,028	7,450	78	28,602
2003	204	2,990	18,532	6,611	0	28,337
2004	207	4,135	19,506	7,399	0	31,247
2005	180	3,872	18,152	7,469	0	29,673
2006	162	3,663	17,540	7,033	0	28,398
2007	139	3,150	16,156	6,565	0	26,010
2008	105	2,397	11,537	4,707	0	18,746
2009	63	1,400	5,784	2,517	0	9,764
2010	53	1,221	5,195	2,320	0	8,789
2011	81	1,684	7,214	3,646	0	12,625
2012	162	1,950	7,245	4,000	0	13,357
2013	159	1,948	7,243	4,247	0	13,597
Total	**2,489**	**36,710**	**190,187**	**78,349**	**266**	**308,001**
			Loan Amount ($1,000s)			
2000	12,899	100,696	762,773	309,942	4,113	1,190,423
2001	18,383	146,558	1,030,611	541,724	5,827	1,743,103
2002	15,528	150,965	996,089	539,307	3,607	1,705,496
2003	7,394	164,861	946,131	457,686	0	1,576,072
2004	9,431	199,381	972,706	490,014	0	1,671,532
2005	7,111	149,041	753,824	423,772	0	1,333,748
2006	7,999	150,094	694,532	348,418	0	1,201,043
2007	6,825	91,631	474,906	265,763	0	839,125
2008	7,907	103,802	482,376	241,289	0	835,374
2009	6,586	83,564	329,869	193,641	0	613,660
2010	3,357	65,293	264,255	162,631	0	495,536
2011	4,882	78,514	285,105	185,409	0	553,910
2012	8,723	99,579	322,466	201,741	0	632,509
2013	6,312	89,025	313,474	201,376	0	610,187
Total	**123,337**	**1,673,004**	**8,629,117**	**4,562,713**	**13,547**	**15,001,718**

B. Fair Housing Survey Open Questions

IV. Tally of Responses to "Part 3. Please describe any other impediments to fair housing choice and add comments (use additional page if needed):"

Paper responses:

1. Impediment: 30% of AMI keeps many families from receiving the assistance they truly need.

2. There is not enough financial resources to develop affordable housing for very low income. We need funds that help develop small units of housing (3-4 units) instead of big tax credit properties.

3. Stigma still impedes access to safe, affordable housing that can readily be accessed by individuals and families with mental illnesses, developmental disabilities and those recovering from substance use disorders. A recent survey indicated that more than half of all Americans would not befriend an individual with schizophrenia and, more importantly, would not want individuals with schizophrenia to reside in their neighborhoods. Following the partnership between the AL Dept of Mental Health and the AL Housing Finance Authority to develop set-asides for individuals with mental illnesses, developmental disabilities and substance use disorders, property managers were reluctant to offer vacancies to individuals served through the AL Dept of Mental Health or to provide information regarding vacancies. In some instances, the AL Dept of Mental Health was informed that the set-asides were time limited. Ongoing collaboration and cross training is recommended to eliminate barriers to access and to ensure that sufficient treatment supports are in place to access and retain affordable housing in safe neighborhoods with access to community staples for individuals and families experiencing mental illnesses, developmental disabilities and substance use disorders. I am informed that some states utilize HOME funds in a manner that leverages and expands affordable housing opportunities. The AL Department of Mental Health welcomes the opportunity to discuss how other states have maximized HOME dollars toward exploration of similar implementation methods in Alabama.

4. Lack of affordable child care keeps single parents from working and affording housing.

5. The State has a tremendous deficit of safe, decent units affordable to those with low and very low incomes. NLIHC cites the deficit as over 90,000 units. The State puts no money into affordable housing so legislative pressure to at least create a funding mechanism for the Alabama Housing Trust Fund should be prioritized. In addition, State HOME funds should be flexible enough to be decoupled from larger tax credit deals to assist with smaller, multiple projects, infill, etc. Item (e) above needed to also include LGBT representation.

Electronic responses:

1. Most housing that is affordable where I live are run down mobile homes that bring the rest of the neighborhood down with it. The owner/owners of these mobile homes off Margaret Ann and the surrounding area have taken advantage of low income people by

giving them sub standard living. I walked into one of these mobile homes and the roof was caving in and the rain was coming in. This was a home of a disabled person who had contacted the owner several times. These people don't have money to move and/or can't find something as cheap so they settle for these conditions. Several of these mobile homes have been vandalized and left to rot. There are drugs sold out of them and prostitution. The owner of these properties needs to be held accountable or lose his/her ownership in the land. He needs to provide upgrades to the properties as well so they don't devalue all the homes around them. Mobile home parks can be made to look nice so they don't devalue the homes they are near. It should also be gated to keep people from the illegal activities and keep them from crossing onto my property for their illegal acts. There could be a wall, bushes, flowers, etc...it doesn't have to be a dump. The city should hold the owner accountable or they should be held accountable for no action.

2. There are very few affordable subsidized community-based housing units, other than public housing, which are specifically set aside to serve elderly, disabled, and other special needs. Vouchers are not useful if units are not available. To provide housing choices, and de-concentration, there needs to be PSH units integrated into all multi-family apartment projects; and access to funding to create small scale and scattered site housing. Inability to access HOME and CDBG funds for small scale, and scattered site housing development, affordable homeownership, and funding for supportive services are impediments to providing affordable housing choices. Limited access to project-based rental assistance, and Home and Community Based Waivers (and lack of an assisted living waiver) are also impediments to producing community-based housing for seniors, disabled, and other special needs. Also, Homeless program funding is currently being used primarily for shelters, transitional, and group housing for specific populations; not towards expanding choice through production of new integrated community-based units.

3. Federal government rules on housing ownership and financing i.e. escrow and qualified mortgage rules.

4. None that I'm aware of. This is an unincorporated town, so some of these public housing questions don't really apply since there is no subsidized housing in the community.

5. thanks

6. South East Lake Neighborhood has households of different races, income levels, and sexual orientations, so I presume there isn't much active discrimination. Most of the houses are inaccessible - and since the city has stopped maintaining many of the alleys, many of the houses have lost their only ground-level access from a car. I'm active in the neighborhood but haven't heard anything about fair housing planning or oversight. Many of our neighbors do not receive information online - information needs to be distributed by direct mail and through libraries, schools, and churches.

7. One of the aims of the Housing Choice Voucher program is to make available affordable, quality housing options for families, but those choices a few and far between.

8. Lack of municipal sewer system.

9. None.

10. MAIN PROBLEM OUR CITY FACES WITH SUBSIDIZED HOUSING IS THE OWNERS' LACK OF ATTENTION TO UPGRADES, REPAIRS, MAINTENANCE OF EXISTING FACILITIES IN ORDER FOR HOUSING TO MEET CODES AND BE DEEMED LIVABLE. THE UNITS ARE BUILT BUT NOT MAINTAINED.

11. The disabled community is being discriminated against, the fair housing laws are not enforced or even known and it is breeding negativity in a wonderful community with a growing number of wheel chairs we need public transportation for the active or young disabled. Unfortunately, some apartment owners don't know or enforce the fair housing law. The developers are not hiring qualified real estate representatives and they steer disabled away or, the developers obtain funds for a low income area and then jack the price up to student prices. Then, they offer transportation, work out rooms, pools, tables and gazebo bus stops for the abled and not the disabled. The bus system that is accessible is not for ALL. The bus takes to Dialysis and Senior centers. They young disabled community NEEDS to have a voice. I speak for 200 who are too busy caring for the urgent needs of others, while unfortunately hurting themselves. My friend carries her daughter up two flights of stairs in her wheelchair and works to jobs to stay in Auburn. I'M SPEAKING OUT AS AN ADA ADVOCATE! IT'S TIME FOR ALABAMA TO CHANGE!

12. There is lack of funding available in rural areas. While there are adequate programs in our state to support Low Income families with opportunities for decent safe housing those don't exist in the rural areas. Without a rural set-aside rural areas do not and have not participated in housing programs. It is one of the biggest problems in rural areas. Rural areas have not been competitive for LIHTC since 2008 causing a huge hardship on housing availability. Also recovery dollars, and homeless dollars are infrequently spent making rural families suffer un-necessarily. Uncoupling HOME from LIHTC allows rural areas with capacity to serve families in ways that urban areas can. Rural areas should not be penalized they way they are now. It is discrimination on the state level and should stop immediately.

13. In Alabama, American Indians are an invisible minority for the most part and are almost never tracked or considered for positions on advisory boards/consultation by local entities. The cultural differences between Indians and those of Blacks, Whites, Hispanics, and Asian's are generally not considered. Stereotypes such as alcoholism, pagan worship, and others are wide spread to the point that many of Alabama's Indians do not identify themselves as Indians outside of our communities. Those who display identifiable indicators of their race often have stories of discrimination, but unfortunately, discrimination against Indians is widely accepted, not just here in Alabama, but across the nation. Finally, much of Alabama's Indian population is poor to lower middle class. Although the rise in technology usage is assisting our population, we are still undeserved in this area due to both choice and economics. Much of what is being done to make fair housing a reality for most people appears to be occurring in cyber-space, and for those with the access and skills, this is a great assistance. Unfortunately, our poor who are in need of fair housing are not as capable in the use of these tools if they have access to them at all.

14. The communities in Clay and Coosa counties are struggling with having low income housing. Very few options are available to those who have lower incomes.

15. It is the policy of the Housing Authority of the City of Prichard to comply with all Civil

Rights laws, including but not limited to Title VI of the Civil Rights Act of 1964 and our policies are regularly updated.

16. Especially due to the storms in recent years, we have encountered a great many rental units and homes used as the primary residence of the owner which have tremendous mold issues. The roof was fixed after the storm damage, but the mold issues which came later caused by the water in the house, are tremendous.

17. I DO NOT KNOW OF ANY IN MY AREA.

18. Access to Special Lending Programs and Grant Opportunities seem limited in our area compared to other states.

19. At the Bessemer Housing Authority employees have Fair Housing Training Annually.

20. It is hard to write a blanket statement regarding fair housing. I believe in helping the poor, the underserved, the disabled. However, I do not believe in helping people who break the laws, rules, regulations, etc. I do not want to live next to a "crack house" or in a neighborhood haunted by high crime. I work hard for a living and want my family in a safe and happy environment. I believe this community does a good job of providing housing opportunities for most; however, like all communities, we have some people who refuse to work, some who don't care to live in a house or apartment, and some who simply don't want a "better life." A home with a "white picket fence" is not everyone's dream. I definitely believe in providing resources to educate people and my family does all it can to help the less fortunate. However, I believe our community works extremely hard to provide housing opportunities for all that want a place to live. Lack of education, which often precedes crime, continues to be a problem for all of us.

21. None noted

22. Dear Mrs. Thomas, Thank you for taking the time to speak with me today. I decided to submit this letter I wrote to the Secretary of HUD, Shaun Donovan. Although there are many issues that have yet to be resolved in this letter to Mr. Donovan, I was extremely encouraged and hopeful after communicating with you. I have no issues with anyone in this letter. I just felt this was an awesome opportunity to speak for those who have no voice. I only wish to move Alabama forward. Thank you again.
Charisse Allen/Certified Peer Specialist Entire HUD Headquarters and HUD/OIG assist the state of Alabama in violating the rights of minorities, disabled and the poor. Friday, January 11, 2013 2:23 PM Mark as Unread Flag this message
From: "charisse allen" charissemarines@yahoo.com To: "Shaun Donovan" <shaun.l.donovan@hud.gov> Cc: "John Trasvina" <john.d.trasvina@hud.gov> "DMontoya@hudoig.gov" <DMontoya@hudoig.gov> "public@who.eop.gov" <public@who.eop.gov> Full Headers Printable View
Dear Secretary Donovan, Currently and for many years all Alabama Housing Authorities with more than 15 employees have had no qualified Section 504/ADA Coordinators or trained and competent designated employee, no grievance procedures, no enforced reasonable accommodation policy, denial of person over 62/disabled to federally mandated medical deductions and other exclusions, no trained and accountable fair housing programs, Community Block Grants are being used in a discriminatory manner

and many ignore the minority, poor and disabled community needs and focus most of their attention, time and resources on lower middle class issues and people going through foreclosure. Although these issues are extremely important we must stop ignoring the protocol of these HUD funded programs in ADECA's Administrative Plan, which states that funding should start with those individuals with the most severe need, the poorest of the poor, the disabled and minorities. I feel that this problem exist primarily because the poor, disabled and minority public housing community in Alabama has no effective, trained and accountable voice. I do not believe that it is the intention of Alabama's federally funded housing programs to purposely or deliberately ignore the needs or the rights of the poor, disabled and minority communities more over that it is a reflection of little to no appropriate and productive properly trained representation on many of the boards that govern these programs. But, unfortunately at the end of the day the outcome is the same, people in Alabama Public Housing are being severely neglected. I have personally contacted the Director's of the Central Fair Housing Center, Alabama Association of Public Housing Authorities, Alabama Disability Advocacy Program, Alabama Legal Aid and most of the directors of their boards. I have personally spoken with over (15) Alabama Public Housing Authority Executive Directors, some as recently as last month, all with over (15) employees and not one could identify their designated 504/ADA employee. FACT: You could go on most Alabama Public Housing Authority websites today and they will state that the Executive Director is the designated 504/ADA Coordinator. ADECA has entrusted some of the above with countless federal funding to ensure the rights of people in public housing, which is primarily made up of the POOREST OF THE POOR, DISABLED and MINORITIES. I have desperately tried to work with and communicate these issues and concerns in the most respectful and honest way I can to HUD and my home state, Alabama and I will never stop until we as a state are compliant. I also challenge HUD Alabama, HUD Region IV, HUD Headquarters, HUD OIG, and the entire state of Alabama to comply with my/our right to fair housing. When the Auburn, Alabama Housing Authority violated my right to fair housing by refusing to allow me to submit my federally mandated medical deductions I refused to sign my HUD contract, just a few reasons why, it is the law, it is my right, it would have been fraud, it is impossible to calculate my rent without them yet, the AHA was allowed with the knowledge of the above to take my voucher and cause me to become homeless. HUD OIG has a circulating fact sheet that states, "fraud is a high priority to the HUD OIG" and that research has shown that the two main reasons for fraud in the Public Housing Authority is " PHA participants not reporting all of their income and PHA's not granting exclusions and deductions in which participants are entitled". I sent HUD/OIG 105 pages of documented proof, an unquestionable time line of over twenty-five (25) fair housing violations, proof I was wrongfully evicted and made homeless. I spoke with Mr. J. Brian Howell, Counsel to the HUD IG and I inquired why no one was responding to my complaint. If the Auburn Housing Authority has been denying participants entitled exclusions and disability/medical deductions and if the IG were to multiply that money times the years the AHA has operated and the fact that it is happening in most Alabama Housing Authorities, HUD and Alabama have about a trillion dollars to answer for, but Mr. Howell's response was " I am very busy. I don't know who gave you my number, but I am very busy, Ms. Allen I think you just bit off more then you could chew" and he hung up in my face. Although the HUD OIG was in Washington D.C. there was something so familiar about the way Mr. Howell spoke to me, I had to go look up his back ground, graduate of Auburn University. I have been degraded, ignored and completely violated by all the respondents above. I have a countless paper trail of

unethical behavior by some of the top HUD Headquarter employees. I am formally submitting this letter and a request for the immediate and expeditious return of all that was unfairly taken and a conciliation that will allow me to finally deal with my health and disability issues. I also plan to start a Consumer-Run Advocacy/Referral and Education Program that will act as a liaison between disable Alabama PHA participants/applicants and all federally funded Alabama Public Housing Authorities, to ensure that the poor, disabled and minorities in all Alabama PHA's receive appropriated and expeditious attention to complaints and have a voice in the construction of all state administrative plans that directly affect us. I am currently an Alabama Certified Peer Specialist, Certified by the Alabama Department of Mental Health. I specialize in the rights of people with mental illness in Alabama Public Housing. I am also currently training and will soon be a Section 504/ADA Coordinator. I believe I can bring accountability, transparency, compliance, humanity and humility to the Alabama Public Housing System as a whole. Currently the Alabama Public Housing System is completely broken in reference to the needs of those above and the participants are hurting. I know that President Obama does not intend for someone like me to be forgotten, ignored and especially not homeless for standing up for my rights. I know that President Obama would support and commend all that I have. Sincerely, Charisse Allen Contact: charissemarines@yahoo.com Cell: 352 231 9154 Date January 11, 2013
NOTE: This was a letter I wrote to the Secretary of HUD, Mr. Shaun Donovan. I am still currently homeless. I live and work out of a motel in Auburn, Alabama. Thank you for this opportunity to be heard. DONE 7/9/2014

23. Lack of education and training, partnered with inadequate law enforcement of fair housing laws are the main issues creating problems.

24. Funding is really the biggest impediment to (additional) fair housing choice in our community.

25. Domestic Violence victims, who are also undocumented persons, have little to no opportunities other than homeless shelters. The several cases I've worked involve women with children who agreed to come to the U.S. with promises of love and success only to find their undocumented status as one of the best tools abusers use to abuse, exploit, and control their victims.

26. The Community of HOLT (located in Tuscaloosa County) which runs along the Black Warrior River is in a great need to having affordable housing immediately. We some great locations within Holt that would be perfect for new affordable housing.

27. Down payments, closing costs and fees

28. Funding availability for enforcement and monitoring.

29. Affordability. Regulations require size requirements and materials. Local HOAs restrict sf homes from being rented. Transportation (lack of available/adequate public transportation) plays a big part in housing affordability/access to quality housing.

30. The above comments concerning fair housing are based on a Regional perspective and knowledge from working with many communities. However, I have never been made aware of any problems.

31. Some apartment managers in HUD housing act like little czars and try to limit mentally ill citizens from having freedom of choice. When you try to complain, there is really no one to go to. More information about fair housing and consumer rights need to be given to these residents.

32. Low to moderate income housing is not located in safe areas where there is access to healthy food, recreation and socialization.

33. I lost my housing do to a mistake that the Montgomery housing authority made. And they did not take responsibility for their action. Behind this it caused me to be homeless with 5 children that are disabled and I am also disabled for a total of five months! If it had not been for my DISABILITY ADVOCATE Charisse Allen, I would have been railroaded without a place for me and my 5 children. If it had not been for my Advocate Charisse Allen, I would not have known about this survey. Referred by Charisse Allen.

34. Housing is needed in East Wilcox County. Fair is not the problem. Opportunity to own housing is the problem.

35. Financial limitations

36. There have been instances where the stigma associated with mental illness has interfered with the client obtaining safe, affordable housing.

C. Oversized and Additional HMDA Tables

Table C.1
Cost Burden and Severe Cost Burden by Tenure
Non-Entitlement Areas of Alabama
2000 Census & 2012 Five-Year ACS Data

Data Source	Less Than 30%		31%-50%		Above 50%		Not Computed		Total
	Households	% of Total	Households	% of Total	Households	% of Total	Households	% of Total	
Owner With a Mortgage									
2000 Census	238,473	76.1%	44,371	14.2%	27,872	8.9%	2,511	.8%	313,227
2011 Five-Year ACS	332,633	70.4%	82,876	17.5%	54,471	11.5%	2,412	0.5%	472,392
Owner Without a Mortgage									
2000 Census	172,291	87.2%	12,064	6.1%	8,167	4.1%	5,150	2.6%	197,672
2011 Five-Year ACS	301,397	84.7%	29,010	8.2%	19,894	5.6%	5,607	1.6%	355,908
Renter									
2000 Census	111,824	52.2%	32,103	15.0%	30,130	14.1%	40,353	18.8%	214,410
2011 Five-Year ACS	116,212	42.3%	56,021	20.4%	51,835	18.9%	50,612	18.4%	274,680
Total									
2000 Census	522,588	72.1%	88,538	12.2%	66,169	9.1%	48,014	6.6%	725,309
2011 Five-Year ACS	750,242	68.0%	167,907	15.2%	126,200	11.4%	58,631	5.3%	1,102,980

Table C.2
Fair Housing Complaints by Closure Status
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Closure Status	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
No Cause	12	9	7	8	12	16	19	7	3	15	2	110
Withdrawal After Resolution	6	4	7	9	11	15	14	7	2	2		77
Conciliated / Settled	9	2	3	2	7	7	7	16	7	5	2	67
Withdrawal Without Resolution	4	1	3	2	9	10	6	1			1	37
Complainant Failed to Cooperate		2	7	5	4	7	5	1	2			33
Lack of Jurisdiction	2	1	1	3	5	1	4	1				18
Open										4	5	9
Unable to Locate Respondent		1		1	2	1						5
Election Made to Go to Court	1			1	1		1					4
FHAP Judicial Consent Order					1							1
DOJ Dismissal									1			1
Unable to Identify Respondent							1					1
Total Complaints	**34**	**20**	**28**	**31**	**52**	**57**	**57**	**33**	**15**	**26**	**10**	**363**

Table C.3
Fair Housing Complaints by Issue
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Issue	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Discrimination in term, conditions or privileges relating to rental	22	7	15	8	23	30	35	12	7	9	1	169
Discriminatory acts under Section 818 (coercion, etc.)	9	3	8	8	12	13	10	8	5	12	3	91
Failure to make reasonable accommodation	3	3	5	4	14	16	15	10	5	3	1	79
Discriminatory terms, conditions, privileges, or services and facilities	3	2	3	7	9	10	7	3	4	15	7	70
Discriminatory refusal to rent	6	4	3	7	8	8	9	2	1	4		52
Discriminatory advertising, statements and notices				1	2	8	12	2	5		1	31
Otherwise deny or make housing available							6	1	4	11	7	29
False denial or representation of availability - rental	2	2	8	4	3		3					22
Discriminatory financing (includes real estate transactions)	1		1	3		1	2	2	2	1	1	14
Discrimination in services and facilities relating to rental	1	1	1	1	1	1	4			1		11
Failure to permit reasonable modification		2			2		3	3		1		11
Discriminatory refusal to rent and negotiate for rental			1		2	1			2		1	7
Discrimination in terms, conditions, privileges relating to sale			2		1	1	1	1	1			7
Steering		1	2		1	1	1			1		7
Discriminatory refusal to sell	1	2		1				2				6
Discrimination in the terms or conditions for making loans				1		1	2	1	1			6
Discrimination in making of loans			1		1	1	2					5
Discriminatory advertisement - rental			1			3						4
Refusing to provide municipal services or property	1						1			1		3
Failure to provide accessible and usable public and common user areas				1	2							3
False denial or representation of availability - sale		1		1								2
Other discriminatory acts					1				1			2
Using ordinances to discriminate in zoning and land use	1							1				2
Discriminatory refusal to negotiate for sale				1								1
Discriminatory refusal to negotiate for rental											1	1
Discriminatory advertising - sale		1										1
False denial or representation of availability										1		1
Discrimination in the appraising of residential real property		1										1
Discriminatory brokerage service				1								1
Restriction of choices relative to a sale										1		1
Non-compliance with design and construction requirements (handicap)					1							1
Failure to provide an accessible building entrance						1						1
Total Issues	**50**	**30**	**51**	**49**	**83**	**96**	**113**	**48**	**38**	**61**	**23**	**642**
Total Complaints	34	20	28	31	52	57	57	33	15	26	10	363

Table C.4
Fair Housing Complaints Found With Cause by Issue
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Issue	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Discrimination in term, conditions or privileges relating to rental	7	1	5	3	10	9	11	8	4	2		60
Failure to make reasonable accommodation	3		2	2	7	8	7	7	5	1	1	43
Discriminatory acts under Section 818 (coercion, etc.)	2	1		1	4	3	3	6	3	5	1	29
Discriminatory terms, conditions, privileges, or services and facilities	2	1	2	4	2	1	2	2	3	5	1	25
Discriminatory refusal to rent	3	2		2	3	1	2			1		14
False denial or representation of availability - rental	1	2	3		2		1					9
Discriminatory advertising, statements and notices						1	3	1	2			7
Discriminatory financing (includes real estate transactions)	1		1				1	2	1	1		7
Otherwise deny or make housing available							2	1	1		1	5
Discriminatory refusal to rent and negotiate for rental			1		1	1						3
Discrimination in making of loans			1			1	1					3
Discrimination in terms, conditions, privileges relating to sale			2				1					3
Failure to permit reasonable modification								3				3
Discriminatory advertisement - rental						2						2
Discrimination in the terms or conditions for making loans							1	1				2
Discrimination in services and facilities relating to rental						1	1					2
Discriminatory refusal to sell		1										1
Steering						1						1
Refusing to provide municipal services or property	1											1
Using ordinances to discriminate in zoning and land use	1											1
Failure to provide an accessible building entrance						1						1
Failure to provide accessible and usable public and common user areas				1								1
Total Issues	**21**	**8**	**17**	**13**	**29**	**30**	**36**	**31**	**19**	**15**	**4**	**223**
Total Complaints	15	6	10	11	18	20	21	23	9	7	2	142

Oversized and Additional HMDA Tables

Table C.5
Purpose of Loan by Year
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Purpose	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Home Purchase	91,293	104,158	102,635	88,572	59,905	50,705	51,774	52,218	55,645	59,658	716,563
Home Improvement	16,656	21,217	21,160	21,950	16,070	9,641	8,346	14,458	9,790	10,254	149,542
Refinancing	122,212	116,358	110,409	102,163	94,306	118,421	93,684	78,513	98,839	87,945	1,022,850
Total	**230,161**	**241,733**	**234,204**	**212,685**	**170,281**	**178,767**	**153,804**	**145,189**	**164,274**	**157,857**	**1,888,955**

Table C.6
Occupancy Status for Home Purchase Loan Applications
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Status	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Owner-Occupied	81,210	92,425	88,543	77,062	52,754	45,723	47,088	47,633	50,773	54,456	637,667
Not Owner-Occupied	9,406	11,157	12,882	10,596	6,414	4,564	4,532	4,486	4,750	5,143	73,930
Not Applicable	677	576	1,210	914	737	418	154	99	122	59	4,966
Total	**91,293**	**104,158**	**102,635**	**88,572**	**59,905**	**50,705**	**51,774**	**52,218**	**55,645**	**59,658**	**716,563**

Table C.7
Owner-Occupied Home Purchase Loan Applications by Loan Type
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Conventional	67,849	79,587	76,318	64,040	29,998	19,342	20,302	22,694	25,471	29,241	434,842
FHA - Insured	8,640	7,783	6,999	7,558	15,282	14,942	15,857	12,916	12,259	11,505	113,741
VA - Guaranteed	3,531	3,865	4,347	4,156	4,846	5,695	5,780	5,965	5,655	6,360	50,200
Rural Housing Service or Farm Service Agency	1,190	1,190	879	1,308	2,628	5,744	5,149	6,058	7,388	7,350	38,884
Total	**81,210**	**92,425**	**88,543**	**77,062**	**52,754**	**45,723**	**47,088**	**47,633**	**50,773**	**54,456**	**637,667**

Table C.8
Loan Applications by Action Taken
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Action	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Loan Originated	37,372	41,704	42,066	37,718	25,108	20,167	19,564	19,272	21,047	22,913	286,931
Application Approved but not Accepted	5,319	5,336	5,506	4,682	2,493	1,463	2,246	3,775	3,343	4,423	38,586
Application Denied	12,000	12,712	11,864	9,990	7,146	5,854	8,131	8,368	10,359	10,478	96,902
Application Withdrawn by Applicant	5,307	6,017	5,070	3,964	3,264	2,810	3,181	2,691	2,758	2,831	37,893
File Closed for Incompleteness	1,386	1,497	1,538	1,403	1,031	705	713	689	533	866	10,361
Loan Purchased by the Institution	19,826	25,048	22,491	19,298	13,711	14,608	13,241	12,838	12,719	12,925	166,705
Preapproval Request Denied	0	106	6	5	1	109	12	0	5	7	251
Preapproval Approved but not Accepted	0	5	2	2	0	7	0	0	9	13	38
Total	**81,210**	**92,425**	**88,543**	**77,062**	**52,754**	**45,723**	**47,088**	**47,633**	**50,773**	**54,456**	**637,667**
Denial Rate	**24.3%**	**23.4%**	**22.0%**	**20.9%**	**22.2%**	**22.5%**	**29.4%**	**30.3%**	**33.0%**	**31.4%**	**25.2%**

Table C.9
Loan Applications by Selected Action Taken by Race/Ethnicity of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
American Indian	Originated	165	164	153	144	116	90	117	102	103	116	1,270
	Denied	71	85	81	81	46	44	61	58	84	98	709
	Denial Rate	30.1%	34.1%	34.6%	36.0%	28.4%	34.3%	34.3%	36.3%	44.9%	45.8%	35.8%
Asian	Originated	365	455	473	509	239	240	216	218	236	306	3,257
	Denied	77	115	76	87	60	62	53	62	64	77	733
	Denial Rate	17.4%	20.2%	13.8%	14.6%	20.1%	20.5%	19.7%	22.1%	21.3%	20.1%	18.4%
Black	Originated	3,541	4,261	4,285	4,050	2,548	2,062	2,303	2,119	2,113	2,196	29,478
	Denied	2,597	2,364	2,245	2,010	1,261	916	1,587	1,720	2,282	2,327	19,309
	Denial Rate	42.3%	35.7%	34.4%	33.2%	33.1%	30.8%	40.8%	44.8%	51.9%	51.4%	39.6%
White	Originated	31,193	34,506	34,691	30,986	20,996	16,694	15,980	15,838	17,618	19,356	237,858
	Denied	7,700	8,585	8,089	6,975	5,110	4,332	5,888	5,808	7,076	7,140	66,703
	Denial Rate	19.8%	19.9%	18.9%	18.4%	19.6%	20.6%	26.9%	26.8%	28.7%	26.9%	21.9%
Not Available	Originated	2,054	2,311	2,454	2,025	1,198	1,080	946	993	975	935	14,971
	Denied	1,546	1,561	1,372	833	661	496	541	715	852	835	9,412
	Denial Rate	42.9%	40.3%	35.9%	29.1%	35.6%	31.5%	36.4%	41.9%	46.6%	47.2%	38.6%
Not Applicable	Originated	54	7	10	4	11	1	2	2	2	4	97
	Denied	9	2	1	4	8	4	1	5	1	1	36
	Denial Rate	42.9%	40.3%	35.9%	29.1%	35.6%	31.5%	36.4%	41.9%	46.6%	47.2%	27.1%
Total	**Originated**	**37,372**	**41,704**	**42,066**	**37,718**	**25,108**	**20,167**	**19,564**	**19,272**	**21,047**	**22,913**	**286,931**
	Denied	**12,000**	**12,712**	**11,864**	**9,990**	**7,146**	**5,854**	**8,131**	**8,368**	**10,359**	**10,478**	**96,902**
	Denial Rate	**24.3%**	**23.4%**	**22.0%**	**20.9%**	**22.2%**	**22.5%**	**29.4%**	**30.3%**	**33.0%**	**31.4%**	**25.2%**
Non-Hispanic	Originated	30,735	37,869	38,541	34,985	23,450	18,587	18,116	17,786	19,409	21,184	260,662
	Denied	8,869	9,999	9,659	8,765	6,189	5,133	7,100	6,773	8,243	8,125	78,855
	Denial Rate	22.4%	20.9%	20.0%	20.0%	20.9%	21.6%	28.2%	27.6%	29.8%	27.7%	23.2%
Hispanic	Originated	714	897	959	748	453	424	422	390	356	436	5,799
	Denied	388	467	274	247	183	158	190	134	169	225	2,435
	Denial Rate	35.2%	34.2%	22.2%	24.8%	28.8%	27.1%	31.0%	25.6%	32.2%	34.0%	29.6%

Table C.10
Loan Applications by Selected Action Taken by Gender of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Gender		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Male	Originated	26,565	29,365	29,819	26,551	17,753	13,943	13,513	13,471	14,713	16,140	201,833
	Denied	6,930	7,466	7,098	5,939	4,362	3,520	4,799	4,796	5,997	6,058	56,965
	Denial Rate	20.7%	20.3%	19.2%	18.3%	19.7%	20.2%	26.2%	26.3%	29.0%	27.3%	22.0%
Female	Originated	9,891	11,155	11,067	10,256	6,710	5,579	5,456	5,307	5,794	6,156	77,371
	Denied	4,213	4,397	4,032	3,540	2,346	2,027	3,003	3,076	3,830	3,810	34,274
	Denial Rate	29.9%	28.3%	26.7%	25.7%	25.9%	26.7%	35.5%	36.7%	39.8%	38.2%	30.7%
Not Available	Originated	888	1,177	1,170	904	635	644	593	491	538	613	7,653
	Denied	855	846	733	507	430	302	328	492	531	609	5,633
	Denial Rate	49.1%	41.8%	38.5%	35.9%	40.4%	31.9%	35.6%	50.1%	49.7%	49.8%	42.4%
Not Applicable	Originated	28	7	10	7	10	1	2	3	2	4	74
	Denied	2	3	1	4	8	5	1	4	1	1	30
	Denial Rate	6.7%	30.0%	9.1%	36.4%	44.4%	83.3%	33.3%	57.1%	33.3%	20.0%	28.8%
Total	**Originated**	**37,372**	**41,704**	**42,066**	**37,718**	**25,108**	**20,167**	**19,564**	**19,272**	**21,047**	**22,913**	**286,931**
	Denied	**12,000**	**12,712**	**11,864**	**9,990**	**7,146**	**5,854**	**8,131**	**8,368**	**10,359**	**10,478**	**96,902**
	Denial Rate	**24.3%**	**23.4%**	**22.0%**	**20.9%**	**22.2%**	**22.5%**	**29.4%**	**30.3%**	**33.0%**	**31.4%**	**25.2%**

Table C.11
Loan Applications by Income of Applicant: Originated and Denied
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Income		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
$15,000 or Below	Loan Originated	534	431	443	336	170	164	185	166	141	117	2,687
	Application Denied	1,065	869	578	555	371	334	526	626	833	645	6,402
	Denial Rate	66.6%	66.8%	56.6%	62.3%	68.6%	67.1%	74.0%	79.0%	85.5%	84.6%	70.4%
$15,001 –$30,000	Loan Originated	6,441	6,053	4,973	4,843	2,926	2,686	2,843	2,670	2,791	2,710	38,936
	Application Denied	4,274	4,216	3,475	2,942	2,001	1,709	2,780	2,757	3,518	3,559	31,231
	Denial Rate	39.9%	41.1%	41.1%	37.8%	40.6%	38.9%	49.4%	50.8%	55.8%	56.8%	44.5%
$30,001 –$45,000	Loan Originated	9,094	9,769	8,972	8,379	5,743	4,949	4,625	4,392	4,949	5,014	65,886
	Application Denied	3,003	3,300	3,069	2,454	1,845	1,576	2,015	2,100	2,557	2,625	24,544
	Denial Rate	24.8%	25.3%	25.5%	22.7%	24.3%	24.2%	30.3%	32.3%	34.1%	34.4%	27.1%
$45,001 –$60,000	Loan Originated	7,489	8,578	8,556	7,263	5,224	4,172	3,969	3,785	4,067	4,496	57,599
	Application Denied	1,696	1,877	1,972	1,662	1,245	1,007	1,227	1,295	1,601	1,557	15,139
	Denial Rate	18.5%	18.0%	18.7%	18.6%	19.2%	19.4%	23.6%	25.5%	28.2%	25.7%	20.8%
$60,001 –$75,000	Loan Originated	4,916	5,555	5,989	5,379	3,474	2,700	2,556	2,712	2,873	3,244	39,398
	Application Denied	678	869	939	818	623	486	602	610	711	772	7,108
	Denial Rate	12.1%	13.5%	13.6%	13.2%	15.2%	15.3%	19.1%	18.4%	19.8%	19.2%	15.3%
Above $75,000	Loan Originated	8,079	10,335	12,088	11,089	7,345	5,323	5,276	5,447	6,118	7,132	78,232
	Application Denied	891	1,324	1,496	1,387	968	644	867	871	1,055	1,178	10,681
	Denial Rate	9.9%	11.4%	11.0%	11.1%	11.6%	10.8%	14.1%	13.8%	14.7%	14.2%	12.0%
Data Missing	Loan Originated	819	983	1,045	429	226	173	110	100	108	200	4,193
	Application Denied	393	257	335	172	93	98	114	109	84	142	1,797
	Denial Rate	32.4%	20.7%	24.3%	28.6%	29.2%	36.2%	50.9%	52.2%	43.8%	41.5%	30.0%
Total	**Loan Originated**	**37,372**	**41,704**	**42,066**	**37,718**	**25,108**	**20,167**	**19,564**	**19,272**	**21,047**	**22,913**	**286,931**
	Application Denied	**12,000**	**12,712**	**11,864**	**9,990**	**7,146**	**5,854**	**8,131**	**8,368**	**10,359**	**10,478**	**96,902**
	Denial Rate	**24.3%**	**23.4%**	**22.0%**	**20.9%**	**22.2%**	**22.5%**	**29.4%**	**30.3%**	**33.0%**	**31.4%**	**25.2%**

Table C.12
Loan Applications by Income and Race/Ethnicity of Applicant: Originated and Denied
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race		<= $15K	$15K– $30K	$30K– $45K	$45K– $60K	$60K– $75K	> $75K	Data Missing	Total
American Indian	Loan Originated	14	232	296	262	154	295	17	1,270
	Application Denied	41	227	177	121	48	80	15	709
	Denial Rate	74.5%	49.5%	37.4%	31.6%	23.8%	21.3%	46.9%	35.8%
Asian	Loan Originated	25	259	519	701	512	1,161	80	3,257
	Application Denied	35	150	177	136	79	137	19	733
	Denial Rate	58.3%	36.7%	25.4%	16.2%	13.4%	10.6%	19.2%	18.4%
Black	Loan Originated	388	5,166	7,677	6,246	3,923	5,826	252	29,478
	Application Denied	1,782	7,564	4,643	2,609	1,059	1,341	311	19,309
	Denial Rate	82.1%	59.4%	37.7%	29.5%	21.3%	18.7%	55.2%	39.6%
White	Loan Originated	2,074	31,651	54,397	47,574	32,647	66,172	3,343	237,858
	Application Denied	3,923	20,553	17,301	10,792	5,208	7,946	980	66,703
	Denial Rate	65.4%	39.4%	24.1%	18.5%	13.8%	10.7%	22.7%	21.9%
Not Available	Loan Originated	184	1,625	2,981	2,807	2,154	4,758	462	14,971
	Application Denied	621	2,732	2,245	1,480	712	1,173	449	9,412
	Denial Rate	77.1%	62.7%	43.0%	34.5%	24.8%	19.8%	49.3%	38.6%
Not Applicable	Loan Originated	2	3	16	9	8	20	39	97
	Application Denied	0	5	1	1	2	4	23	36
	Denial Rate	.0%	62.5%	5.9%	10.0%	20.0%	16.7%	37.1%	27.1%
Total	**Loan Originated**	**2,687**	**38,936**	**65,886**	**57,599**	**39,398**	**78,232**	**4,193**	**286,931**
	Application Denied	**6,402**	**31,231**	**24,544**	**15,139**	**7,108**	**10,681**	**1,797**	**96,902**
	Denial Rate	**70.4%**	**44.5%**	**27.1%**	**20.8%**	**15.3%**	**12.0%**	**30.0%**	**25.2%**
Non-Hispanic	Loan Originated	2,359	35,232	60,089	52,541	35,789	71,114	3,538	260,662
	Application Denied	5,068	25,133	20,132	12,490	5,916	8,896	1,220	78,855
	Denial Rate	68.2%	41.6%	25.1%	19.2%	14.2%	11.1%	25.6%	23.2%
Hispanic	Loan Originated	80	1,131	1,438	1,093	740	1,222	95	5,799
	Application Denied	155	903	621	360	146	212	38	2,435
	Denial Rate	66.0%	44.4%	30.2%	24.8%	16.5%	14.8%	28.6%	29.6%

Table C.13
Loans by Loan Purpose by HAL Status
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Loan Purpose		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Home Purchase	Other	30,265	30,828	31,699	30,647	21,207	17,608	17,896	17,390	18,895	20,916	237,351
	HAL	7,107	10,876	10,367	7,071	3,901	2,559	1,668	1,882	2,152	1,997	49,580
	Percent HAL	19.0%	26.1%	24.6%	18.7%	15.5%	12.7%	8.5%	9.8%	10.2%	8.7%	17.3%
Home Improvement	Other	4,086	4,709	5,139	5,483	4,286	3,534	3,761	4,794	4,320	4,540	44,652
	HAL	2,086	2,552	2,671	2,627	1,453	886	303	424	257	203	13,462
	Percent HAL	33.8%	35.1%	34.2%	32.4%	25.3%	20.0%	7.5%	8.1%	5.6%	4.3%	23.2%
Refinancing	Other	28,548	23,573	21,945	23,363	24,268	39,161	34,235	28,251	40,552	35,559	299,455
	HAL	10,695	12,315	13,006	10,254	8,654	5,735	1,072	1,120	1,179	914	64,944
	Percent HAL	27.3%	34.3%	37.2%	30.5%	26.3%	12.8%	3.0%	3.8%	2.8%	2.5%	17.8%
Total	**Other**	**62,899**	**59,110**	**58,783**	**59,493**	**49,761**	**60,303**	**55,892**	**50,435**	**63,767**	**61,015**	**581,458**
	HAL	**19,888**	**25,743**	**26,044**	**19,952**	**14,008**	**9,180**	**3,043**	**3,426**	**3,588**	**3,114**	**127,986**
	Percent HAL	**24.0%**	**30.3%**	**30.7%**	**25.1%**	**22.0%**	**13.2%**	**5.2%**	**6.4%**	**5.3%**	**5.3%**	**18.0%**

Table C.14
Loans by HAL Status by Race/Ethnicity of Borrower
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race	Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
American Indian	Other	121	105	105	93	83	57	89	83	75	94	905
	HAL	44	59	48	51	33	33	28	19	28	22	365
	Percent HAL	26.7%	36.0%	31.4%	35.4%	28.4%	36.7%	23.9%	18.6%	27.2%	19.0%	28.7%
Asian	Other	321	358	388	451	225	225	213	214	229	294	2,918
	HAL	44	97	85	58	14	15	3	4	7	12	339
	Percent HAL	12.1%	21.3%	18.0%	11.4%	5.9%	6.3%	1.4%	1.8%	3.0%	3.9%	10.4%
Black	Other	2,387	2,331	2,642	3,009	2,152	1,816	2,101	1,868	1,803	1,927	22,036
	HAL	1,154	1,930	1,643	1,041	396	246	202	251	310	269	7,442
	Percent HAL	32.6%	45.3%	38.3%	25.7%	15.5%	11.9%	8.8%	11.8%	14.7%	12.2%	25.2%
White	Other	25,792	26,324	26,876	25,417	17,640	14,486	14,573	14,304	15,889	17,754	199,055
	HAL	5,401	8,182	7,815	5,569	3,356	2,208	1,407	1,534	1,729	1,602	38,803
	Percent HAL	17.3%	23.7%	22.5%	18.0%	16.0%	13.2%	8.8%	9.7%	9.8%	8.3%	16.3%
Not Available	Other	1,596	1,705	1,681	1,674	1,097	1,023	918	919	898	843	12,354
	HAL	458	606	773	351	101	57	28	74	77	92	2,617
	Percent HAL	22.3%	26.2%	31.5%	17.3%	8.4%	5.3%	3.0%	7.5%	7.9%	9.8%	17.5%
Not Applicable	Other	48	5	7	3	10	1	2	2	1	4	83
	HAL	6	2	3	1	1	0	0	0	1	0	14
	Percent HAL	11.1%	28.6%	30.0%	25.0%	9.1%	.0%	.0%	.0%	50.0%	.0%	14.4%
Total	**Other**	**30,265**	**30,828**	**31,699**	**30,647**	**21,207**	**17,608**	**17,896**	**17,390**	**18,895**	**20,916**	**237,351**
	HAL	**7,107**	**10,876**	**10,367**	**7,071**	**3,901**	**2,559**	**1,668**	**1,882**	**2,152**	**1,997**	**49,580**
	Percent HAL	**19.0%**	**26.1%**	**24.6%**	**18.7%**	**15.5%**	**12.7%**	**8.5%**	**9.8%**	**10.2%**	**8.7%**	**17.3%**
Non -Hispanic	Other	24,772	28,195	29,443	28,497	19,775	16,177	16,577	16,151	17,635	19,529	216,751
	HAL	5,963	9,674	9,098	6,488	3,675	2,410	1,539	1,635	1,774	1,655	43,911
	Percent HAL	19.4%	25.5%	23.6%	18.5%	15.7%	13.0%	8.5%	9.2%	9.1%	7.8%	16.8%
Hispanic	Other	499	560	582	540	366	346	367	349	310	404	4,323
	HAL	215	337	377	208	87	78	55	41	46	32	1,476
	Percent HAL	30.1%	37.6%	39.3%	27.8%	19.2%	18.4%	13.0%	10.5%	12.9%	7.3%	25.5%

Table C.15
Rates of HALs by Income of Borrower
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Income	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Average
$15,000 or Below	47.2%	52.2%	39.3%	51.8%	58.8%	50.6%	33.0%	38.0%	38.3%	35.9%	45.7%
$15,001–$30,000	31.0%	37.9%	38.1%	33.5%	31.2%	23.2%	18.8%	21.9%	22.9%	20.7%	29.9%
$30,001–$45,000	21.9%	30.5%	28.3%	22.1%	17.9%	13.6%	10.4%	11.9%	13.2%	11.9%	20.2%
$45,001 -$60,000	17.3%	26.6%	24.9%	17.1%	14.0%	10.1%	7.4%	8.5%	9.3%	8.3%	16.4%
$60,001–$75,000	12.8%	21.4%	21.0%	14.4%	11.7%	9.2%	4.7%	6.8%	6.4%	5.2%	13.1%
Above $75,000	10.1%	16.3%	17.0%	11.5%	9.3%	8.9%	3.3%	3.7%	3.9%	3.5%	10.0%
Data Missing	14.9%	22.4%	30.0%	32.4%	15.9%	20.8%	4.5%	2.0%	1.9%	4.5%	21.1%
Average	**19.0%**	**26.1%**	**24.6%**	**18.7%**	**15.5%**	**12.7%**	**8.5%**	**9.8%**	**10.2%**	**8.7%**	**17.3%**

Table C.16
Loans by HAL Status by Income of Borrower
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Income		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
$15,000 or Below	Other	282	206	269	162	70	81	124	103	87	75	1,459
	HAL	252	225	174	174	100	83	61	63	54	42	1,228
	Percent HAL	47.2%	52.2%	39.3%	51.8%	58.8%	50.6%	33.0%	38.0%	38.3%	35.9%	45.7%
$15,001 –$30,000	Other	4,443	3,759	3,080	3,223	2,012	2,064	2,308	2,086	2,153	2,148	27,276
	HAL	1,998	2,294	1,893	1,620	914	622	535	584	638	562	11,660
	Percent HAL	31.0%	37.9%	38.1%	33.5%	31.2%	23.2%	18.8%	21.9%	22.9%	20.7%	29.9%
$30,001 –$45,000	Other	7,101	6,785	6,430	6,531	4,715	4,277	4,144	3,868	4,294	4,417	52,562
	HAL	1,993	2,984	2,542	1,848	1,028	672	481	524	655	597	13,324
	Percent HAL	21.9%	30.5%	28.3%	22.1%	17.9%	13.6%	10.4%	11.9%	13.2%	11.9%	20.2%
$45,001 –$60,000	Other	6,192	6,296	6,422	6,019	4,495	3,749	3,677	3,462	3,689	4,125	48,126
	HAL	1,297	2,282	2,134	1,244	729	423	292	323	378	371	9,473
	Percent HAL	17.3%	26.6%	24.9%	17.1%	14.0%	10.1%	7.4%	8.5%	9.3%	8.3%	16.4%
$60,001 –$75,000	Other	4,288	4,369	4,733	4,605	3,066	2,452	2,435	2,527	2,688	3,075	34,238
	HAL	628	1,186	1,256	774	408	248	121	185	185	169	5,160
	Percent HAL	12.8%	21.4%	21.0%	14.4%	11.7%	9.2%	04.7%	6.8%	6.4%	5.2%	13.1%
Above $75,000	Other	7,262	8,650	10,033	9,817	6,659	4,848	5,103	5,246	5,878	6,885	70,381
	HAL	817	1,685	2,055	1,272	686	475	173	201	240	247	7,851
	Percent HAL	10.1%	16.3%	17.0%	11.5%	9.3%	8.9%	3.3%	3.7%	3.9%	3.5%	10.0%
Data Missing	Other	697	763	732	290	190	137	105	98	106	191	3,309
	HAL	122	220	313	139	36	36	5	2	2	9	884
	Percent HAL	14.9%	22.4%	30.0%	32.4%	15.9%	20.8%	4.5%	2.0%	1.9%	4.5%	21.1%
Total	**Other**	**30,265**	**30,828**	**31,699**	**30,647**	**21,207**	**17,608**	**17,896**	**17,390**	**18,895**	**20,916**	**237,351**
	HAL	**7,107**	**10,876**	**10,367**	**7,071**	**3,901**	**2,559**	**1,668**	**1,882**	**2,152**	**1,997**	**49,580**
	Percent HAL	**19.0%**	**26.1%**	**24.6%**	**18.7%**	**15.5%**	**12.7%**	**8.5%**	**9.8%**	**10.2%**	**8.7%**	**17.3%**

D. 2014 Impediments to Fair Housing Choice Survey

The following section offers a more detailed portrait of results from the 2014 Impediments to Fair Housing Choice Survey.

3. Organization/Company:

First State Bank of DeKalb County
1 (1%)

Community Action Partnership of North Alabama
1 (1%)

First Cahawba bank
1 (1%)

Farmers and Merchants Bank

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2 (1%)

regions bank

1 (1%)

The Citizens Bank

1 (1%)

Southern States Bank

1 (1%)

NACOLG

2 (1%)

City of Thomasville Bridge to Success

1 (1%)

Panlites, Inc.

1 (1%)

Prattville Housing Authority

1 (1%)

Albertville Housing Authority

1 (1%)

AIDS Alabama South

1 (1%)

Ozark Housing Community

1 (1%)

AIDS Alabama

1 (1%)

City of Glencoe

1 (1%)

Town of Killen

1 (1%)

City of Abbeville

1 (1%)

Medical AIDS Out Reach

1 (1%)

City of Cullman

1 (1%)

CITY OF GREENVILLE

1 (1%)

Prestige Properties

1 (1%)

Hale Empowerment and Revitalization Organization, Inc. (HERO)

1 (1%)

City of Hartselle

1 (1%)

Alabama Indian Affairs Commission

1 (1%)

Scottsboro Housing Authority

1 (1%)

City of Heflin

1 (1%)

NEWTON HOUSING AUTHORITY

1 (1%)

The Housing Authority of the City of Georgiana, AL

1 (1%)

SITE, Inc.

1 (1%)

Anniston Housing Authority

1 (1%)

Medical AIDS Outreach of Alabama

1 (1%)

Valley Housing Authority

1 (1%)

Cunningham Group

1 (1%)

North Central Alabama Regional Council of Governments

1 (1%)

The Selma Housing Authority

1 (1%)

The Right Place for Housing and Support

1 (1%)

Luverne Housing Authority

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1 (1%)

Shelby Emergency Assistance

2 (1%)

AAMU Community Development Corporaion

1 (1%)

SafeHouse of Shelby County, Inc.

1 (1%)

AloStar Bank

1 (1%)

Family Connection

1 (1%)

First State Bank of the South

1 (1%)

Community Spirit Bank

1 (1%)

Clay County DHR

1 (1%)

Progress Bank and Trust

1 (1%)

Metro Bank

1 (1%)

Jefferson County Housing Authority

1 (1%)

Farmers & Merchants Bank

1 (1%)

Picerne Management

1 (1%)

Traders & Farmers Bank

1 (1%)

Metropolitan, LLC

1 (1%)

Housing Authority of the City of Prichard

1 (1%)

PeoplesTrust Bank

1 (1%)

Small Town Bank

1 (1%)

City of Montgomery, Community Development

1 (1%)

City of Mobile

1 (1%)

Habitat for Humanity of Tuscaloosa

1 (1%)

First Southern Bank

1 (1%)

Brent Housing Authority

1 (1%)

Bank of Vernon

1 (1%)

Friendship Mission Inc

1 (1%)

Bessemer Housing Authority

1 (1%)

FNB Bank

1 (1%)

First Financial Bank

1 (1%)

BBVA Compass, Employer Friendship Mission, Supporter, Volunteer and Board Member

1 (1%)

Family Services Center of Calhoun County, Inc.

1 (1%)

Greenville Housing Authority

1 (1%)

Alabama Department of Mental Health, Consumer Services

1 (1%)

Retired

1 (1%)

New Brockton Housing Authority

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1 (1%)

Troy Bank and Trust
1 (1%)

Millport housing
1 (1%)

Elba Housing Authority
1 (1%)

ADECA
1 (1%)

Bryant Bank
1 (1%)

Monroe & Associates, LLC
1 (1%)

Alabama Dept. of Senior Services
1 (1%)

Exchange Bank of Alabama
1 (1%)

City of York, Alabama
1 (1%)

Pinnacle Bank
1 (1%)

Housing First, Inc.
1 (1%)

NARCOG
3 (2%)

Ashland Housing Authority
1 (1%)

Alabama-Tombigbee
1 (1%)

CB&S Bank
1 (1%)

Legal Services Alabama
1 (1%)

Family Promise of Baldwin County, Inc
1 (1%)

AltaPointe Health Systems
1 (1%)

Citizens Bank & Trust
1 (1%)

Bank of Walker County
1 (1%)

Penelope House
1 (1%)

Randolph County Economic Development Authority
1 (1%)

Farmers Exchange Bank
1 (1%)

Community Action Partnership of North Alabama, Inc.
1 (1%)

Community Action Partnership of North Alabama, Inc.
1 (1%)

Community Action Partnership of N. AL
1 (1%)

Huff Management Co., Inc.
1 (1%)

Family Promise of Coastal Alabama
1 (1%)

Mobile-Baldwin CoC
1 (1%)

Alabama Scenic River Trail
1 (1%)

Friend Bank
1 (1%)

Dumas Wesley Community Center
1 (1%)

Lighthouse
1 (1%)

Trilogy Housing, Inc.

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1 (1%)

Maynard Cooper & Gale PC

1 (1%)

Shelby Emergency Assistance, Inc.

1 (1%)

13th Place INc

1 (1%)

Town of Emelle

2 (1%)

Community Action Agency of Northeast AL Inc

1 (1%)

AlabamaDisabilities Advocacy Program

1 (1%)

Cullman County Economic Development

1 (1%)

ACTS CDC

1 (1%)

Community Consultants

1 (1%)

ACT CDC

1 (1%)

Grant Managment LLC

1 (1%)

Keller Williams Realty

1 (1%)

ATRC

2 (1%)

All Collaborating to Serve Community Development Corporation

1 (1%)

Regional planning Commissin of Greater Birmingham

1 (1%)

Alfred Saliba Center for Families

1 (1%)

Southwest Alabama Behavioral Healthcare Systems, Inc

1 (1%)

Mental Healthcare of Cullman

1 (1%)

Indian Rivers Mental Health Center

1 (1%)

South Central Alabama Mental Health center

1 (1%)

The Salvation Army

1 (1%)

Alabama Department of Senior Services

1 (1%)

EWING-CONNER & ASSOCIATES, INC.

1 (1%)

Community Foundation of Greater Birmingham

1 (1%)

Client of Charisse Allen

1 (1%)

Partners in Progress

1 (1%)

Bank of Wedowee

2 (1%)

Cheaha Regional Mental Health Center

1 (1%)

Southwest Alabama Behavioral Health Care Systems

1 (1%)

Southwest Alabama Behavioral Health Care Systems

1 (1%)

SunSouth Bank

1 (1%)

South Alabama Regional Planning Commission

1 (1%)

Mental Health Center of Madison County

1 (1%)

Fayette County Commission

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1 (1%)

Community Consultants, Inc

1 (1%)

Lamar County Commission

1 (1%)

City of Carbon Hill

1 (1%)

Total: 151

4. Title:

President & CEO

4 (3%)

Community Development Coordinator

1 (1%)

Chairman,president,ceo

1 (1%)

President, CEO, COB

1 (1%)

senior vice president regonal commnity affairs manager

1 (1%)

Chairman, President & CEO

1 (1%)

Community Development Specialist

1 (1%)

Director Governmental Services

1 (1%)

Executive Director

26 (18%)

COO

1 (1%)

Executive Diretor

1 (1%)

Executive Director/CEO

1 (1%)

CEO

5 (3%)

Mayor

5 (3%)

Clerk/Treasurer

1 (1%)

Community Resource Specialist

1 (1%)

City Clerk

2 (1%)

CITY CLERK

1 (1%)

Associate Broker, Council of Residential Specialist, Senor Residential Specialist, ADA Advocate, Fairhousing specialist - at home with diversity, E-pro, Real Estate Investor, and Lee County Realtor of the year 2004

1 (1%)

Council member

1 (1%)

City Planner

1 (1%)

EX. DIRECTOR

1 (1%)

Senior Planning Consultant

1 (1%)

Planning & Development Officer

1 (1%)

Housing Specialist

1 (1%)

Director

2 (1%)

Digital Director

1 (1%)

SAIL Specialist/ Community Case Manager

1 (1%)

Chief Retail Officer

1 (1%)

President/CEO
4 (3%)

Financial Support Social Worker
1 (1%)

Senior Vice President and Chief Risk Officer
1 (1%)

Chief Executive Officer
2 (1%)

Director of Housing Programs
1 (1%)

Compliance Director
1 (1%)

Member
1 (1%)

President and CEO
2 (1%)

Grants Coordinator
1 (1%)

Community Planning and Development Director
1 (1%)

EVP & CFO
1 (1%)

Dir. of Property Management
1 (1%)

Executive Vice President
2 (1%)

Vice President Vice Chairman
1 (1%)

Assistant Director
1 (1%)

Alabama Certified Peer Specialist/Section 504/ADA Coordinator, specializing in the rights of minority, poor and disabled people in Alabama's Public Housing Authorities
1 (1%)

Postal clerk
1 (1%)

SVP
1 (1%)

E Director
1 (1%)

Energy Program Manager
1 (1%)

President
3 (2%)

Director for Alabama Senior Medicare Patrol Program
1 (1%)

Chairman and CEO
1 (1%)

SCSEP Director, ADRC Specialis
1 (1%)

Case Manager
2 (1%)

Assistant Executive Director
1 (1%)

Managing Attorney
1 (1%)

Coordinator
1 (1%)

Compliance Officer
1 (1%)

Compliance, Planning & Results Specialist
1 (1%)

Community Development Team Leader
1 (1%)

Homeownership Specialist
1 (1%)

Central Operations Manager
1 (1%)

Board Member
2 (1%)

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Associate Executive Director
1 (1%)
Special Projects Executive
1 (1%)
Of Counsel
1 (1%)
STEP Program Coordinator/Case Manager
1 (1%)
Direct Care staff
1 (1%)
Grant Administrator
1 (1%)
Program Director
1 (1%)
Staff Attorney
1 (1%)
VICE-CHAIR & CEO
1 (1%)
Consultant
2 (1%)
Co-Owner
1 (1%)
Associate Broker
1 (1%)
Planning Director
1 (1%)
Treasurer
1 (1%)
Deputy Director of Planning
1 (1%)
LCSW, Social Worker
1 (1%)
Director of Planning
1 (1%)
Clinical Director
3 (2%)
Adult IN-home Case Manager
1 (1%)
MI Adult Services Director
1 (1%)
Director of Programs
1 (1%)
Program Division Chief
1 (1%)
PRESIDENT
1 (1%)
Program Officer
1 (1%)
Excutive Director
1 (1%)
Exec. Vice President
1 (1%)
CFO
1 (1%)
Associate Clinical Director
2 (1%)
COO/CFO
1 (1%)
VISTA
1 (1%)
Utilization Coordinator
1 (1%)
Administrator
1 (1%)
County Administrator
1 (1%)

Total: 148

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1 (1%)

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1 (1%)

betsyogle@yahoo.com
1 (1%)

pha131@knology.net
1 (1%)

bwilliams@albertvillehousing.com
1 (1%)

lanita.kharek@aidsalabama.org
1 (1%)

dwalker@ozarkha.org
1 (1%)

kathie@aidsalabama.org
1 (1%)

mayor@cityuofglencoe.net
1 (1%)

timtubbs@bellsouth.net
1 (1%)

pward@cityofabbeville.org
1 (1%)

rforehand@maoi.org
1 (1%)

wmoore@cullmancity.org
1 (1%)

sue@cityofgville.com
1 (1%)

lindapenrodbrandt@gmail.com
1 (1%)

genea46@hotmail.com
1 (1%)

pam@herchousing.org
1 (1%)

jgriffith@hartselle.org
1 (1%)

aiac@att.net
1 (1%)

scotha@scottsboro.org
1 (1%)

ssmith@cityofheflin.org
1 (1%)

cityofdaleville1@centurytel.net
1 (1%)

gahouse01@centurytel.net
1 (1%)

siteconsulting@att.net

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1 (1%)

todom@annistonhousing.org

1 (1%)

dmccloud@maoi.org

1 (1%)

cherylmason@knology.net

1 (1%)

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1 (1%)

Jeffrey.Pruitt@adss.alabama.gov

1 (1%)

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1 (1%)

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1 (1%)

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1 (1%)

rlittle@alostarbank.com

1 (1%)

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1 (1%)

bbolton@communityspiritbank.com

1 (1%)

susan.chappell@dhr.alabama.gov

1 (1%)

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1 (1%)

jbryant@jcha.com

1 (1%)

llatta@f-mbank.com

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dcooley@picernefl.com

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cpharpha@aol.com

1 (1%)

rwhitehead@peoplestrustbk.com

1 (1%)

ahubbard@smalltownbank.com

1 (1%)

mepps@montgomeryal.gov

1 (1%)

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ellen@habitattuscaloosa.org

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DB@HUNTERVENTURES.NET

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1 (1%)

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1 (1%)

rgiles@yourfnbbank.com

1 (1%)

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1 (1%)

Donna.Cooper@BBVACompass.com

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1 (1%)

gfaison@febala.com

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llincoln@capna.org

1 (1%)

rlyons@bellsouth.net

http://adeca2.alabama.gov/Lists/Survey%20of%20Impediments%20to%20Fair%20Housing... 8/7/2014

1 (1%)

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1 (1%)

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1 (1%)

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1 (1%)

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1 (1%)

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1 (1%)

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1 (1%)

wmagroup@att.net

1 (1%)

carrielea@farmerstel.com

1 (1%)

dslawkowski@adap.ua.edu

1 (1%)

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1 (1%)

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1 (1%)

jbice@camh.com

1 (1%)

kjones@rmhc.org

1 (1%)

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dweeca@hotmail.com

http://adeca2.alabama.gov/Lists/Survey%20of%20Impediments%20to%20Fair%20Housing... 8/7/2014

1 (1%)

krogers@foundationbirmingham.org

1 (1%)

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1 (1%)

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1 (1%)

brians@bankofwedowee.com

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2 (1%)

mbean@sunsouthbank.com

1 (1%)

Jmize@sarpc.org

1 (1%)

walter.ballard@mhcmc.org

1 (1%)

fcjg@fayette.net

1 (1%)

acuff@mindspring.com

1 (1%)

lamarcounty@hotmail.com

1 (1%)

jwr.mayor@gmail.com

1 (1%)

Total: 150

6. Community Name:

Old Selma Rd

1 (1%)

DeKalb County

1 (1%)

North Alabama

1 (1%)

Selma,Alabama

1 (1%)

Waterloo

1 (1%)

Alabama Statewide

1 (1%)

Enterprise

1 (1%)

Anniston, Alabama

1 (1%)

Tharptown

1 (1%)

city of luverne

1 (1%)

NACOLG Region(Lauderdale,Colbert,Franklin,Marion and Winston Counties)

1 (1%)

South East Lake in Birmingham

1 (1%)

Thomasville

1 (1%)

Roebuck Springs

1 (1%)

Auburn

3 (2%)

auburn

1 (1%)

Prattville

1 (1%)

Albertville

1 (1%)

Southwest Alabama

1 (1%)

The Housing Authority of the City of Ozark
1 (1%)

Birmingham?
1 (1%)

Glencoe
1 (1%)

Town of Killen
1 (1%)

Abbeville
1 (1%)

Dothan AL
1 (1%)

Cullman
2 (1%)

GREENVILLE
1 (1%)

Auburn, AL Lee County AL
1 (1%)

Auburn AL
1 (1%)

Town of Allgood
1 (1%)

Hale County
1 (1%)

Hartselle, AL
1 (1%)

Alabama's Indian citizens are located in every county in Alabama, but consentrated in the ARC and Black Belt Counties.
1 (1%)

Scottsboro, AL
1 (1%)

Heflin
1 (1%)

Town of Newton
1 (1%)

City of Daleville
1 (1%)

City of Slocomb
1 (1%)

Georgiana
1 (1%)

Several
1 (1%)

Anniston Housing Authority
1 (1%)

Huntsville, AL
2 (1%)

McGehee Road Area
1 (1%)

Valley
1 (1%)

Lee Oaks in Montgomery, AL
1 (1%)

Cullman, Lawrence and Morgan Counties
3 (2%)

Selma, Alabama
1 (1%)

Anniston and surrounding rural area of East Central AL
1 (1%)

City of Luverne
1 (1%)

Shelby County
2 (1%)

Coosa and Clay Counties
1 (1%)

Birmingham Hoover Metro
1 (1%)

Sulligent
1 (1%)

http://adeca2.alabama.gov/Lists/Survey%20of%20Impediments%20to%20Fair%20Housing... 8/7/2014

Red Bay
1 (1%)
Clay County
1 (1%)
Huntsville/Madison County
1 (1%)
Pell City
1 (1%)
Jefferson County
1 (1%)
Piedmont, AL
1 (1%)
Alabaster Bay
1 (1%)
Haleyville
1 (1%)
Tuscaloosa
2 (1%)
Birmingham, AL
1 (1%)
City of Prichard, Alabama
1 (1%)
Hamilton, Alabama
1 (1%)
Wedowee, Heflin, Ranburne, Roanoke
1 (1%)
City of Montgomery
1 (1%)
Mobile
5 (3%)
Tuscaloosa, AL
1 (1%)
Florence, AL
1 (1%)
City of Brent, AL
1 (1%)
DAPHNE
1 (1%)
Vernon, Alabama & Lamar County
1 (1%)
West Montgomery and Chisholm
1 (1%)
Bessemer
2 (1%)
Scottsboro/Jackson County
1 (1%)
Montgomery, AL
1 (1%)
Calhoun County
1 (1%)
Greenville, Butler County, AL
1 (1%)
Statewide
1 (1%)
Huntsville,Al
1 (1%)
New Brockton, AL
1 (1%)
Pike-Coffee County
1 (1%)
Millport
1 (1%)
Elba, Alabama
1 (1%)
Elmore
1 (1%)
Various Cities, Towns and Counties all over Alabama
1 (1%)

http://adeca2.alabama.gov/Lists/Survey%20of%20Impediments%20to%20Fair%20Housing... 8/7/2014

Wetumpka
1 (1%)
Etowah County
1 (1%)
City of York
1 (1%)
Jasper, Al
1 (1%)
Mobile and Baldwin Counties
1 (1%)
Decatur, alabama
1 (1%)
City of Ashland
1 (1%)
Morgan County
1 (1%)
ATRC region
1 (1%)
Russellville
1 (1%)
Baldwin County
2 (1%)
Guntersville, AL 35976
1 (1%)
Jasper
1 (1%)
Randolph County
2 (1%)
HOLT
1 (1%)
Eufaula
1 (1%)
Cullman, Lawrence & Morgan Counties
1 (1%)
Morgan county
1 (1%)
Multiple
1 (1%)
City of Mobile
1 (1%)
Choccolocco Valley, Anniston, AL , Calhoun County
1 (1%)
Dothan, AL
1 (1%)
Mobile, AL
1 (1%)
Guntersville
1 (1%)
Birmingham-Hoover MSA
1 (1%)
LaFayette
1 (1%)
Community Action Agency of Northwest Alabama
1 (1%)
Montevallo
2 (1%)
Etowah
1 (1%)
Calera
1 (1%)
Emelle
2 (1%)
Carrie
1 (1%)
Fairhope
1 (1%)
Cullman County
1 (1%)

http://adeca2.alabama.gov/Lists/Survey%20of%20Impediments%20to%20Fair%20Housing... 8/7/2014

GRAETZ
1 (1%)

City of Cordova, AL
1 (1%)

Graetz Neighborhood
1 (1%)

n/a
1 (1%)

Landmark
1 (1%)

ATRC Region
1 (1%)

Choctaw, Clarke, Conecuh, Dallas, Marengo, Monroe, Perry, Sumter, Washington, Wilcox Counties
1 (1%)

West Montgomery
1 (1%)

Greater Birmingham Region
1 (1%)

Sophia Seals Lewis
1 (1%)

Dothan
1 (1%)

Monroe, Conecuh, Escambia, and Clarke Counties
1 (1%)

Indian Rivers Mental Health Center
1 (1%)

Butler, Crenshaw, Coffee, and Covington Counties
1 (1%)

Mobile / Baldwin
1 (1%)

Alabama
1 (1%)

SEVERAL MUNICIPALITIES IN SOUTHEAST ALABAMA
1 (1%)

5 county area: Jefferson, Shelby, Blount, St. Clair and Walker
1 (1%)

Montgomery Housing Authority
1 (1%)

Pine Apple
1 (1%)

Wedowee
1 (1%)

Counties of Talladega, Clay, Randolph, Coosa
1 (1%)

Escambia County
1 (1%)

Conecuh County
1 (1%)

Dothan, Alabama
1 (1%)

Spring Hill
1 (1%)

Huntsville, Al
1 (1%)

Fayette County Commission
1 (1%)

City of Fayette
1 (1%)

Lamar County
1 (1%)

City of Carbon Hill
1 (1%)

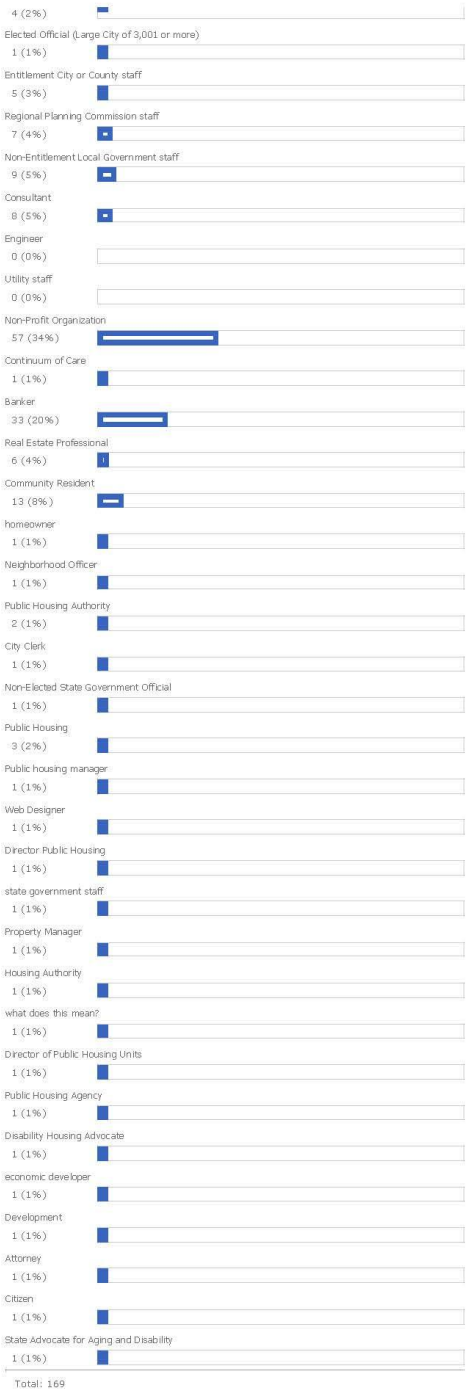
Total: 169

7. Type of Response (Please check one):

Elected Official (County)
1 (1%)

Elected Official (Small City of 3,000 or less)

http://adeca2.alabama.gov/Lists/Survey%20of%20Impediments%20to%20Fair%20Housing... 8/7/2014



http://adeca2.alabama.gov/Lists/Survey%20of%20Impediments%20to%20Fair%20Housing... 8/7/2014

8. Part 1. Please evaluate impediments to fair housing for persons seeking housing in the locality:

		Not an Impediment	Slight	-- Moderate		Severe Impediment
a. Housing discrimination against households due to racial or ethnic background:	(%)	50	21	17	7	5
		1	2	3	4	5
b. Housing discrimination against households due to national origin:	(%)	53	23	13	7	2
		1	2	3	4	5
c. Language barriers for persons with limited English proficiency:	(%)	27	34	20	13	5
		1	2	3	4	5
d. Housing discrimination against households due to religion:	(%)	68	17	9	2	2
		1	2	3	4	5
e. Housing discrimination against households due to gender:	(%)	68	20	5	4	1
		1	2	3	4	5
f. Housing discrimination against households due to familial status (e.g., sexual orientation):	(%)	53	22	14	4	4
		1	2	3	4	5
g. Housing discrimination against families with children:	(%)	59	22	11	3	2
		1	2	3	4	5
h. Housing discrimination against persons with disability:	(%)	52	22	11	8	5
		1	2	3	4	5
i. Housing discrimination against elderly persons:	(%)	59	18	12	3	4
		1	2	3	4	5
j. Housing discrimination against Section 8 / Housing Choice Voucher Program participants:	(%)	44	23	15	8	8
		1	2	3	4	5
k. Lack of knowledge or understanding regarding fair housing:	(%)	30	23	15	19	12
		1	2	3	4	5
l. Insufficient information and marketing about housing availability:	(%)	31	23	18	19	7
		1	2	3	4	5
m. Limited access to technology (e.g., cellular telephone, internet, etc.)	(%)	33	25	22	13	7
		1	2	3	4	5
n. Limited or no access to public transportation:	(%)	18	20	25	14	21
		1	2	3	4	5
o. Limited local availability of public and social services (e.g., health and day care):	(%)	22	21	29	14	11
		1	2	3	4	5
p. Limited employment opportunities:	(%)	11	14	26	23	23
		1	2	3	4	5
q. Limited housing choice opportunities for persons of Low Income:	(%)	17	21	17	15	29
		1	2	3	4	5

Total: 169

9. Part 2. Local Impediments: Please evaluate local impediments to fair housing in the locality:

		Low		Average		High
a. The lack of comprehensive fair housing planning:	(%)	32	29	18	11	9
		1	2	3	4	5
b. Identifying discrimination is predominantly reactive rather than proactive:	(%)	39	23	17	8	10
		1	2	3	4	5
c. Insufficient monitoring and oversight of fair housing activities:	(%)	38	26	15	10	9
		1	2	3	4	5
d. Inadequate enforcement of fair housing laws:	(%)	45	23	14	10	7
		1	2	3	4	5
	(%)	44	18	13	12	9

http://adeca2.alabama.gov/Lists/Survey%20of%20Impediments%20to%20Fair%20Housing... 8/7/2014

		1	2	3	4	5
e. Inadequate representation of diverse interests (e.g., racial, ethnic, religious, and disabled) on housing advisory boards, commissions, and committees	(%)	33	18	22	11	15
f. NIMBYism (Not in My Backyard) / Neighborhood opposition to affordable housing:	(%)	42	20	19	11	6
g. Local land use controls and zoning prohibit multi-family housing, group homes, etc.:	(%)	44	18	20	11	4
h. Development standards, building codes, or permits discourage affordable housing:	(%)	49	20	18	7	4
i. Environmental contamination or health hazards (e.g. lead-based paint or mold) limit the availability of land or the rehabilitation of housing units:		1	2	3	4	5

Total: 168

10. Part 3. Please describe any other impediments to fair housing choice and add comments:

Most housing that is affordable where I live are run down mobile homes that bring the rest of the neighborhood down with it. The owner/owners of these mobile homes off Margaret Ann and the surrounding area have taken advantage of low income people by giving them sub standard living. I walked into one of these mobile homes and the roof was caving in and the rain was coming in. This was a home of a disabled person who had contacted the owner several times. These people don't have money to move and/or can't find something as cheap so they settle for these conditions. Several of these mobile homes have been vandalized and left to rot. There are drugs sold out of them and prostitution. The owner of these properties needs to be held accountable or lose his/her ownership in the land. He needs to provide upgrades to the properties as well so they don't devalue all the homes around them. Mobile home parks can be made to look nice so they don't devalue the homes they are near. It should also be gated to keep people from the illegal activities and keep them from crossing onto my property for their illegal acts. There could be a wall, bushes, flowers, etc...it doesn't have to be a dump. The city should hold the owner accountable or they should be held accountable for no action.

1 (3%)

There are very few affordable subsidized community-based housing units, other than public housing, which are specifically set aside to serve elderly, disabled, and other special needs. Vouchers are not useful if units are not available. To provide housing choices, and de-concentration, there needs to be PSH units integrated into all multi family apartment projects; and access to funding to create small scale and scattered site housing. Inability to access HOME and CDBG funds for small scale, and scattered site housing development, affordable homeownership, and funding for supportive services are impediments to providing affordable housing choices. Limited access to project-based rental assistance, and Home and Community Based Waivers (and lack of an assisted living waiver) are also impediments to producing community-based housing for seniors, disabled, and other special needs. Also, Homeless program funding is currently being used primarily for shelters, transitional, and group housing for specific populations; not towards expanding choice through production of new integrated community-based units.

1 (3%)

Federal government rules on housing ownership and financing i.e. escrow and qualified mortgage rules.

1 (3%)

None that I'm aware of. This is an unincorporated town, so some of these public housing questions don't really apply since there is no subsidized housing in the community.

1 (3%)

thanks

1 (3%)

South East Lake Neighborhood has households of different races, income levels, and sexual orientations, so I presume there isn't much active discrimination. Most of the houses are inaccessible - and since the city has stopped maintaining many of the alleys, many of the houses have lost their only ground-level access from a car. I'm active in the neighborhood but haven't heard anything about fair housing planning or oversight. Many of our neighbors do not receive information online - information needs to be distributed by direct mail and through libraries, schools, and churches.

1 (3%)

One of the aims of the Housing Choice Voucher program is to make available affordable, quality housing options for families, but those choices a few and far between.

1 (3%)

Lack of municipal sewer system.

1 (3%)

None.

1 (3%)

MAIN PROBLEM OUR CITY FACES WITH SUBSIDIZED HOUSING IS THE OWNERS' LACK OF ATTENTION TO UPGRADES, REPAIRS, MAINTENANCE OF EXISTING FACILITIES IN ORDER FOR HOUSING TO MEET CODES AND BE DEEMED LIVABLE. THE UNITS ARE BUILT BUT NOT MAINTAINED.

1 (3%)

The disabled community is being discriminated against, the fairhousing laws are not enforced or even known and it is breeding negativity in a wonderful community with a growing number of wheel chairs we need public transportation for the active or young disabled. Unfortunately, some apartment owners don't know or enforce the fairhousing law. The developers are not hiring qualified real estate representatives and they steer disabled away or, the developers obtain funds for a low income area and then jack the price up to student prices. Then, they offer transportation, work out rooms, pools, tables and gazebo bus stops for the Abled and not disabled. The bus system that is accessible is not for ALL. The leta bus takes to Dialysis and Senior centers. They young disabled community NEEDS to have a voice. I speak for 200 who are too busy caring for the urgent needs of others, while unfortunately hurting themselves. My friend carries her daughter up two flights of stairs in her wheelchair and works to jobs to stay in Auburn. I'M SPEAKING OUT AS AN ADA ADVOCATE! IT'S TIME FOR ALABAMA TO CHANGE!

1 (3%)

There is lack of funding available in rural areas. While there are adequate programs in our state to support Low Income families with opportunities for decent safe housing those don't exist in the rural areas. Without a rural set-aside rural areas do not and have not participated in housing programs. It is one of the biggest problems in rural areas. Rural areas have not been competitive for LIHTC since 2008 causing a huge hardship on housing availability. Also recovery dollars, and homeless dollars are infrequently spent making rural families suffer un-necessarily. Uncoupling HOME from LIHTC allows rural areas with capacity to serve families in ways that urban areas can. Rural areas should not be penalized they way they are now. It is discrimination on the state level and should stop immediately.

1 (3%)

In Alabama, American Indians are an invisible minority for the most part and are almost never tracked or considered for positions on advisory boards/consultation by local entities. The cultural differences between Indians and those of Blacks, Whites, Hispanics, and Asian's are generally not considered. Stereotypes such as alcoholism, pagan worship, and others are wide spread to the point that many of Alabama's Indians do not identify themselves as Indians outside of our communities. Those who display identifiable indicators of their race often have stories of discrimination, but unfortunately, discrimination against Indians is widely accepted, not just here in Alabama, but across the nation. Finally, much of Alabama's Indian population is poor to lower middle class. Although the rise in technology usage is assisting our population, we are still undeserved in this area due to both choice and economics. Much of what is being done to make fair housing a reality for most people appears to be occurring in cyber-space, and for those with the access and skills, this is a great assistance. Unfortunately, our poor who are in need of fair housing are not as capable in the use of these tools if they have access to them at all.

1 (3%)

The communities in Clay and Coosa counties are struggling with having low income housing. Very few options are available to those who have lower incomes.

1 (3%)

It is the policy of the Housing Authority of the City of Prichard to comply with all Civil Rights laws, including but not limited to Title VI of the Civil Rights Act of 1964 and our policies are regularly updated.

1 (3%)

Especially due to the storms in recent years, we have encountered a great many rental units and homes used as the primary residence of the owner which have tremendous mold issues. The roof was fixed after the storm damage, but the mold issues which came later caused by the water in the house, are tremendous.

1 (3%)

I DO NOT KNOW OF ANY IN MY AREA.

1 (3%)

Access to Special Lending Programs and Grant Opportunities seem limited in our area compared to other states.

1 (3%)

At the Bessemer Housing Authority employees have Fair Housing Training Annually.

1 (3%)

It is hard to write a blanket statement regarding fair housing. I believe in helping the poor, the underserved, the disabled. However, I do not believe in helping people who break the laws, rules, regulations, etc. I do not want to live next to a "crackhouse" or in a neighborhood haunted by high crime. I work hard for a living and want my family in a safe and happy environment. I believe this community does a good job of providing housing opportunities for most; however, like all communities, we have some people who refuse to work, some who don't care to live in a house or apartment, and some who simply don't want a "better life." A home with a "white picket fence" is not everyone's dream. I definitely beleieve in providing resources to educate people and my family does all it can to help the less fortunate. However, I believe our community works extremely hard to provide housing opportunities for all that want a place to live. Lack of education, which often precedes crime, continues to be a problem for all of us.

1 (3%)

None noted

1 (3%)

Dear Mrs. Thomas, Thank you for taking the time to speak with me today. I decided to submit this letter I wrote to the Secretary of HUD, Shaun Donovan. Although there are many issues that have yet to be resolved in this letter to Mr. Donovan, I was extremely encouraged and hopeful after communicating with you. I have no issues with any one in this letter. I just felt this was an awesome opportunity to speak for those who have no voice. I only wish to move Alabama forward. Thank you again. Charisse Allen/Certified Peer Specialist Entire HUD Headquarters and HUD/OIG assist the state of Alabama in violating the rights of minorities, disabled and the poor. Friday, January 11, 2013 2:23 PM Mark as Unread Flag this message From: "charisse allen" charissemarines@yahoo.com To: "Shaun Donovan" <shaun.l.donovan@hud.gov> Cc: "John Traevina" <john.d.traevina@hud.gov> "DMontoya@hudoig.gov" <DMontoya@hudoig.gov> "public@who.eop.gov" <public@who.eop.gov> Full Headers Printable View Dear Secretary Donovan, Currently and for many years all Alabama Housing Authorities with more than 15 employees have had no qualified Section 504/ADA Coordinators or trained and competent designated employee, no grievance procedures, no enforced reasonable accommodation policy, denial of person over 62/disabled to federally mandated medical deductions and other exclusions, no trained and accountable fair housing programs, Community Block Grants are being used in a discriminatory manner and many ignore the minority, poor and disabled community needs and focus most of their attention, time and resources on lower middle class issues and people going through foreclosure. Although these issues are extremely important we must stop ignoring the protocol of these HUD funded programs in ADECA's Administrative Plan, which states that funding should start with those individuals with the most severe need, the poorest of the poor, the disabled and minorities. I feel that this problem exist primarily because the poor, disabled and minority public housing community in Alabama has no effective, trained and accountable voice. I do not believe that it is the intention of Alabama's federally funded housing programs to purposely or deliberately ignore the needs or the rights of the poor, disabled and minority communities more over that it is a reflection of little to no appropriate and productive properly trained representation on many of the boards that govern these programs. But, unfortunately at the end of the day the outcome is the same, people in Alabama Public Housing are being severely neglected. I have personally contacted the Director's of the Central Fair Housing Center, Alabama Association of Public Housing Authorities, Alabama Disability Advocacy Program, Alabama Legal Aid and most of the directors of their boards. I have personally spoken with over (15) Alabama Public Housing Authority Executive Directors, some as recently as last month, all with over (15) employees and not one could identify their designated 504/ADA employee. FACT: You could go on most Alabama Public Housing Authority websites today and they will state that the Executive Director is the designated 504/ADA Coordinator. ADECA has entrusted some of the above with countless federal funding to ensure the rights of people in public housing, which is primarily made up of the POOREST OF THE POOR, DISABLED and MINORITIES. I have desperately tried to work with and communicate these issues and concerns in the most respectful and honest way I can to HUD and my home state, Alabama and I will never stop until we as a state are compliant. I also challenge HUD Alabama, HUD Region IV, HUD Headquarters, HUD OIG, and the entire state of Alabama to comply with my/our right to fair housing. When the Auburn, Alabama Housing Authority violated my right to fair housing by refusing to allow me to submit my federally mandated medical deductions I refused to sign my HUD contract, just a few reasons why, it is the law, it is my right, it would have been fraud, it is impossible to calculate my rent without them yet, the AHA was allowed with the knowledge of the above to take my voucher and cause me to become homeless. HUD OIG has a circulating fact sheet that states, "fraud is a high priority to the HUD OIG" and that research has shown that the two main reasons for fraud in the Public Housing Authority is " PHA participants not reporting all of their income and PHA's not granting exclusions and deductions in which participants are entitled". I sent HUD/OIG 105 pages of documented proof, an unquestionable time line of over twenty-five (25) fair housing violations, proof I was wrongfully evicted and made homeless. I spoke with Mr. J. Brian Howell, Counsel to the HUD IG and I inquired why no one was responding to my complaint. If the Auburn Housing Authority has been denying participants entitled exclusions and disability/medical deductions and if the IG were to multiply that money times the years the AHA has operated and the fact that it is happening in most Alabama Housing Authorities, HUD and Alabama have about a trillion dollars to answer for, but Mr. Howell's response was " I am very busy. I don't know who gave you my number, but I am very busy, Ms. Allen I think you just bit off more then you could chew" and he hung up in my face. Although the HUD OIG was in Washington D.C. there was something so familiar about the way Mr. Howell spoke to me, I had to go look up his back ground, graduate of Auburn University. I have been degraded, ignored and completely violated by all the respondents above. I have a countless paper trail of unethical behavior by some of the top HUD Headquarter employees. I am formally submitting this letter and a request for the immediate and expeditious return of all that was unfairly taken and a conciliation that will allow me to finally deal with my health and disability issues. I also plan to start a Consumer-Run Advocacy/Referral and Education Program that will act as a liaison between disable Alabama PHA participants/applicants and all federally funded Alabama Public Housing Authorities, to ensure that the poor, disabled and minorities in all Alabama PHA's receive appropriated and expeditious attention to complaints and have a voice in the construction of all state administrative plans that directly affect us. I am currently an Alabama Certified Peer Specialist, Certified by the Alabama Department of Mental Health. I specialize in the rights of people with mental illness in Alabama Public Housing. I am also currently training and will soon be a Section 504/ADA Coordinator. I believe I can bring accountability, transparency, compliance, humanity and humility to the Alabama Public Housing System as a whole. Currently the Alabama Public Housing System is completely broken in reference to the needs of those above and the participants are hurting. I know that President Obama does not intend for someone like me to be forgotten, ignored and especially not homeless for standing up for my rights. I know that President Obama would support and commend all that I have. Sincerely, Charisse Allen Contact: charissemarines@yahoo.com Cell: 352 231 9154 Date January 11, 2013 NOTE: This was a letter I wrote to the Secretary of HUD, Mr. Shaun Donovan. I am still currently homeless. I live and work out of a motel in Auburn, Alabama. Thank you for this opportunity to be heard. DONE 7/9/2014

1 (3%)

Lack of education and training, partnered with inadequate law enforcement of fair housing laws are the main issues creating problems.

1 (3%)

Funding is really the biggest impediment to (additional) fair housing choice in our community.

1 (3%)

Domestic Violence victims, who are also undocumented persons, have little to no opportunities other than homeless shelters. The several cases I've worked involve women with children who agreed to come to the U.S. with promises of love and success only to find their undocumented status as one of the best tools abusers use to abuse, exploit, and control their victims.

1 (3%)

The Community of HOLT (Located in Tuscaloosa County) which runs along the Black Warrior River is in a great need to having affordable housing immediately. We some great locations within Holt that would be perfect for new affordable housing.

1 (3%)

Down payments, closing costs and fees

1 (3%)

Funding availability for enforcement and monitoring.

1 (3%)

Affordability. Regulations require size requirements and materials. Local HOAs restrict sf homes from being rented. Transportation (lack of available/adequate public transportation) plays a big part in housing affordability/access to quality housing.

1 (3%)

The above comments concerning fair housing are based on a Regional perspective and knowledge from working with many communities. However, I have never been made aware of any problems.

1 (3%)

Some apartment managers in HUD housing act like little czars and try to limit mentally ill citizens from having freedom of choice. When you try to complain, there is really no one to go to. Mor einformation about fair housing and consumer rights need to be given to these residents.

1 (3%)

low to moderate income housing is not located in safe areas where there is access to healthy food, recreation and socialization.

1 (3%)

I lost my housing do to a mistake that the Montgomery housing authority made. And they did not take responsibility for their action. Behind this it cause me to be homeless with 5 children that are disabled and I am also disabled for a total of five months! If it had not been for my DISABILITY ADVOCATE Charisse Allen I would have been railroaded without a place for me and my 5 children. If it had not been for my Advocate Charisse Allen I would not have known about this survey. Referred by Charisse Allen...

1 (3%)

Housing is needed in East Wilcox County. Fair is not the problem. Opportunity to own housing is the problem.

1 (3%)

Financial limitations

1 (3%)

There have been instances where the stigma associated with mental illness has interfered with the client obtaining safe, affordable housing.

1 (3%)

Total: 36

11. Content Type

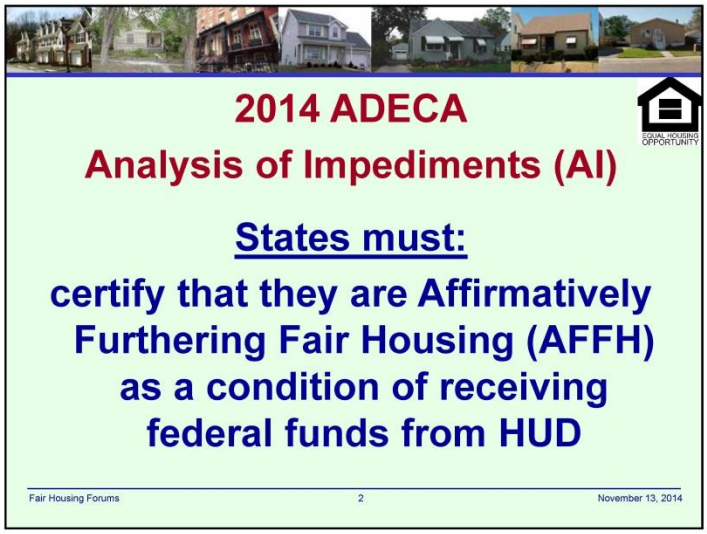
Total: 0

http://adeca2.alabama.gov/Lists/Survey%20of%20Impediments%20to%20Fair%20Housing... 8/7/2014

E. Presentation Materials, Transcripts, Memoranda, and Communications

Fair Housing Forum Presentation

Alabama Analysis of Impediments to Fair Housing Choice



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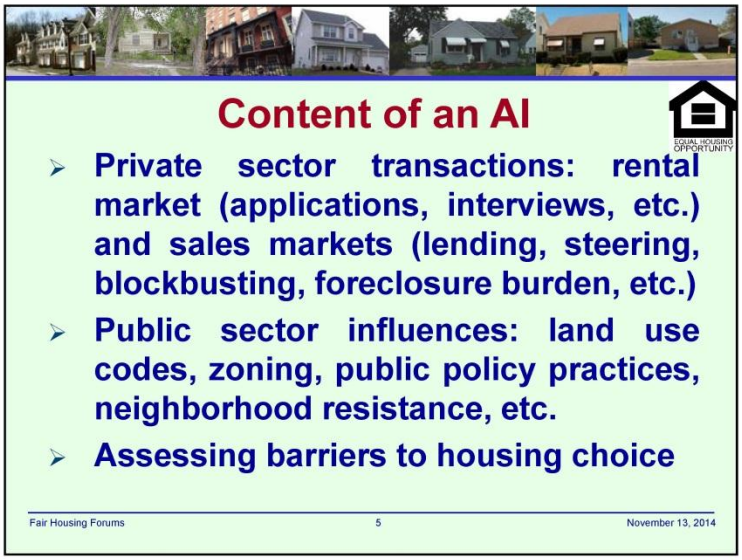
Alabama Analysis of Impediments to Fair Housing Choice

Fair Housing Forums **November 13, 2014: Page 2**

Alabama Analysis of Impediments to Fair Housing Choice



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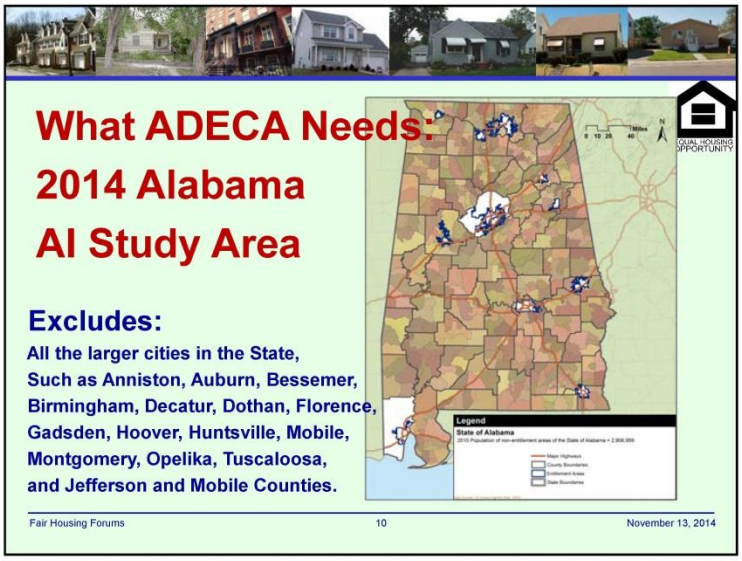
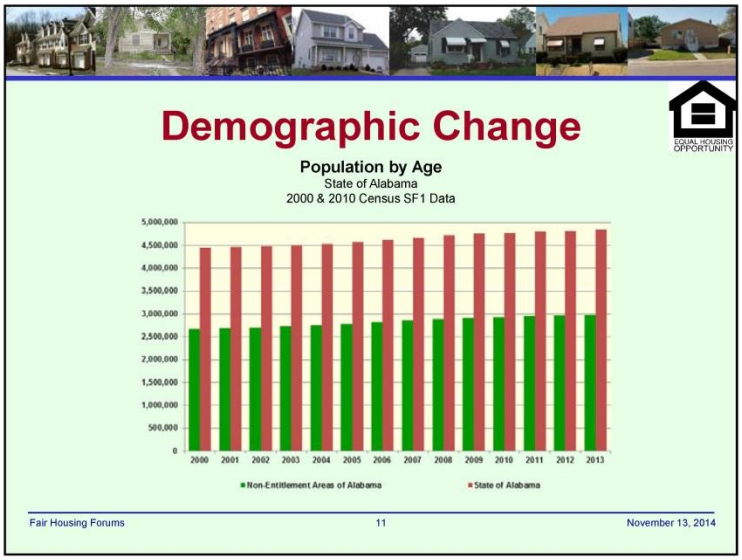
Alabama Analysis of Impediments to Fair Housing Choice

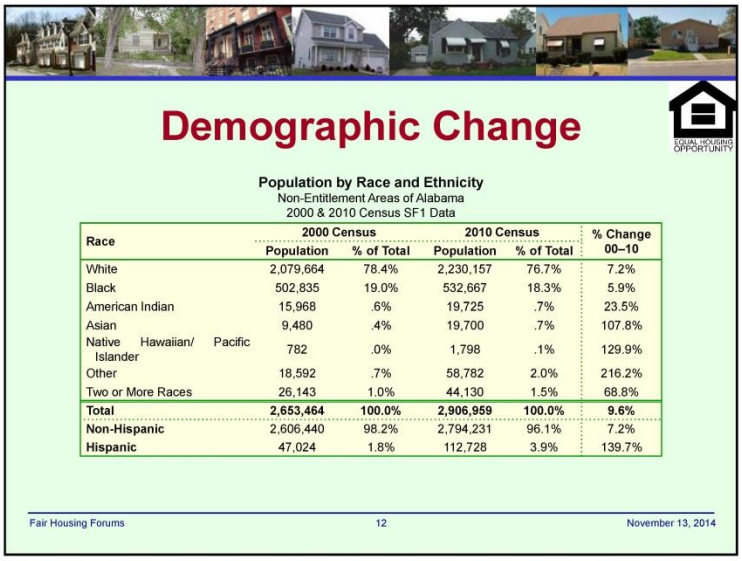
Fair Housing Forums **November 13, 2014: Page 4**

Alabama Analysis of Impediments to Fair Housing Choice



Alabama Analysis of Impediments to Fair Housing Choice





Demographic Change

EQUAL HOUSING OPPORTUNITY

Population by Race and Ethnicity
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Race	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
White	2,079,664	78.4%	2,230,157	76.7%	7.2%
Black	502,835	19.0%	532,667	18.3%	5.9%
American Indian	15,968	.6%	19,725	.7%	23.5%
Asian	9,480	.4%	19,700	.7%	107.8%
Native Hawaiian/ Pacific Islander	782	.0%	1,798	.1%	129.9%
Other	18,592	.7%	58,782	2.0%	216.2%
Two or More Races	26,143	1.0%	44,130	1.5%	68.8%
Total	**2,653,464**	**100.0%**	**2,906,959**	**100.0%**	**9.6%**
Non-Hispanic	2,606,440	98.2%	2,794,231	96.1%	7.2%
Hispanic	47,024	1.8%	112,728	3.9%	139.7%

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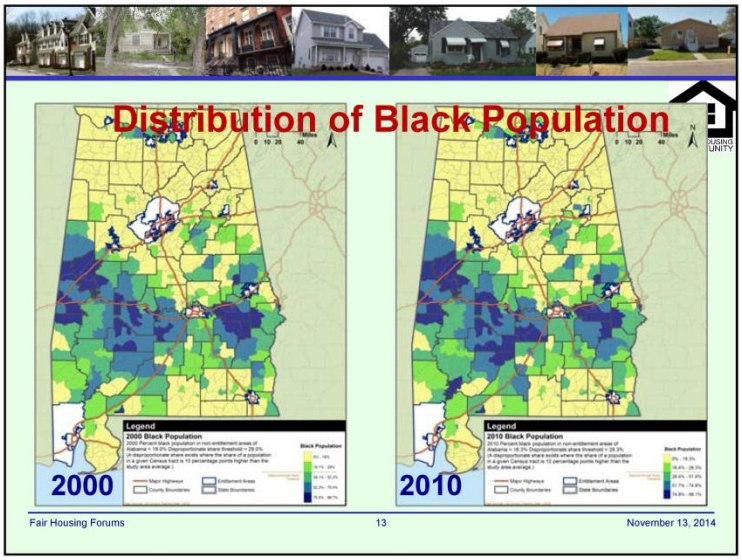
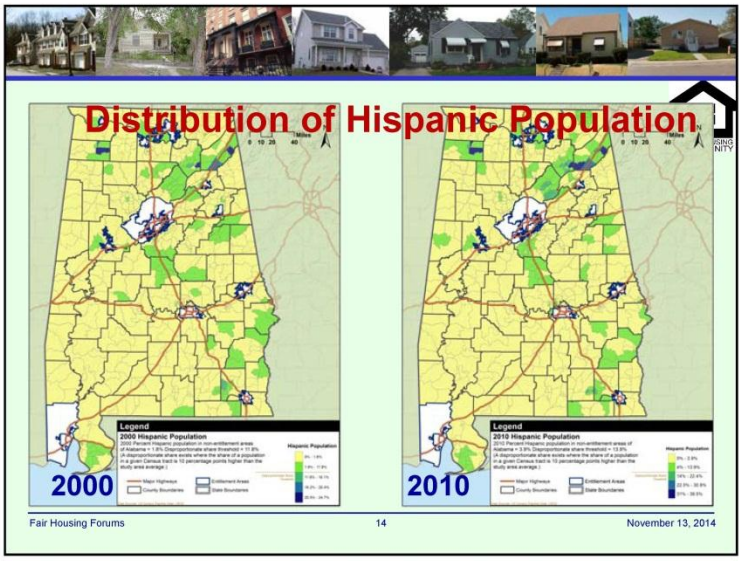
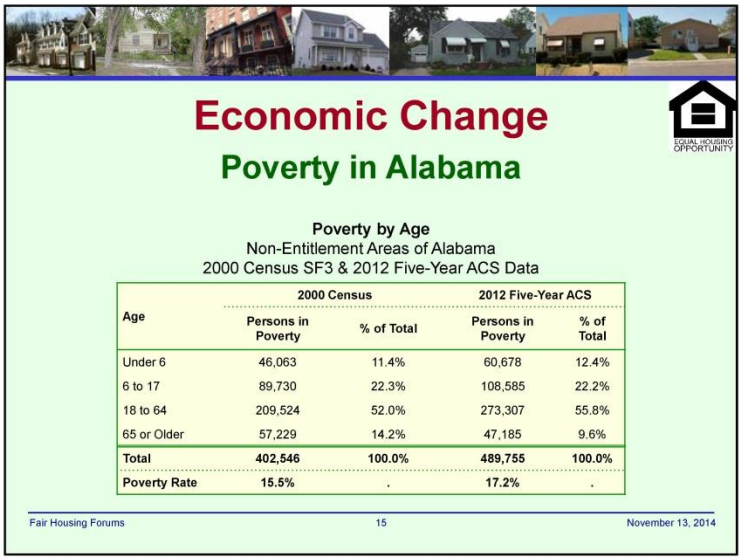
Alabama Analysis of Impediments to Fair Housing Choice



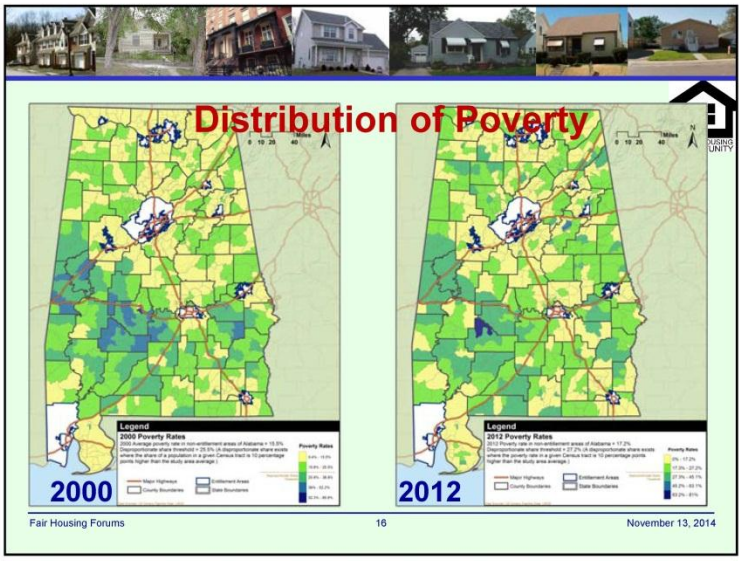


Alabama Analysis of Impediments to Fair Housing Choice

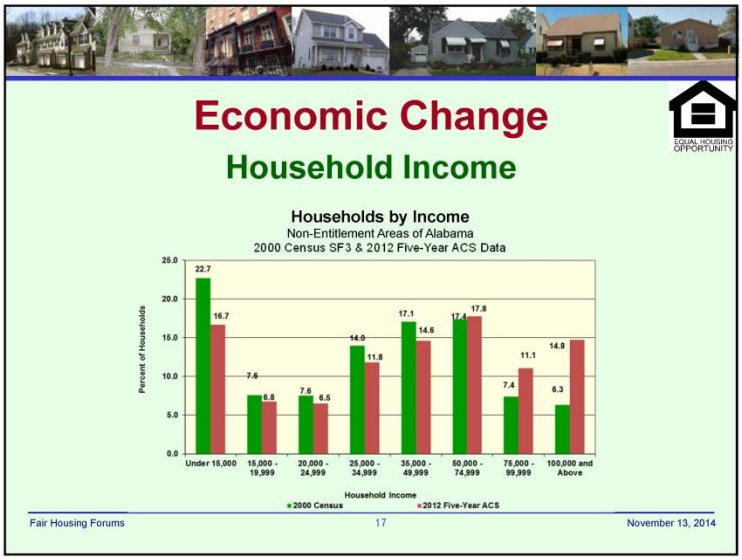


Poverty by Age
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

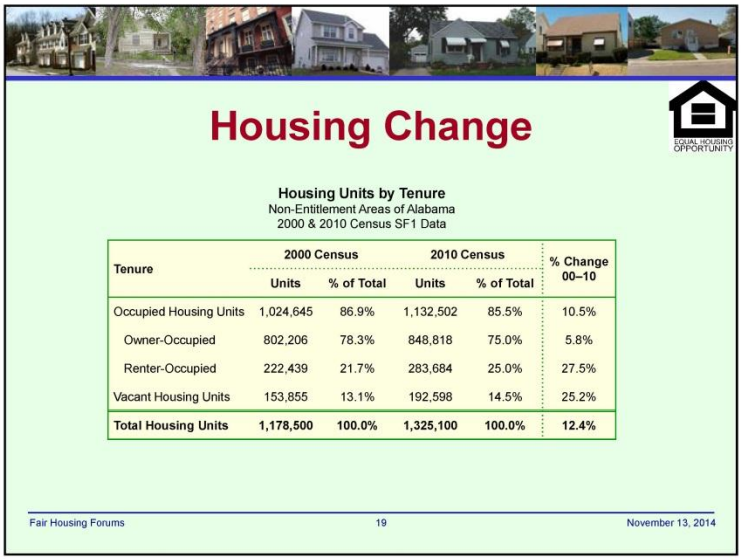
Age	2000 Census		2012 Five-Year ACS	
	Persons in Poverty	% of Total	Persons in Poverty	% of Total
Under 6	46,063	11.4%	60,678	12.4%
6 to 17	89,730	22.3%	108,585	22.2%
18 to 64	209,524	52.0%	273,307	55.8%
65 or Older	57,229	14.2%	47,185	9.6%
Total	**402,546**	**100.0%**	**489,755**	**100.0%**
Poverty Rate	**15.5%**	.	**17.2%**	.

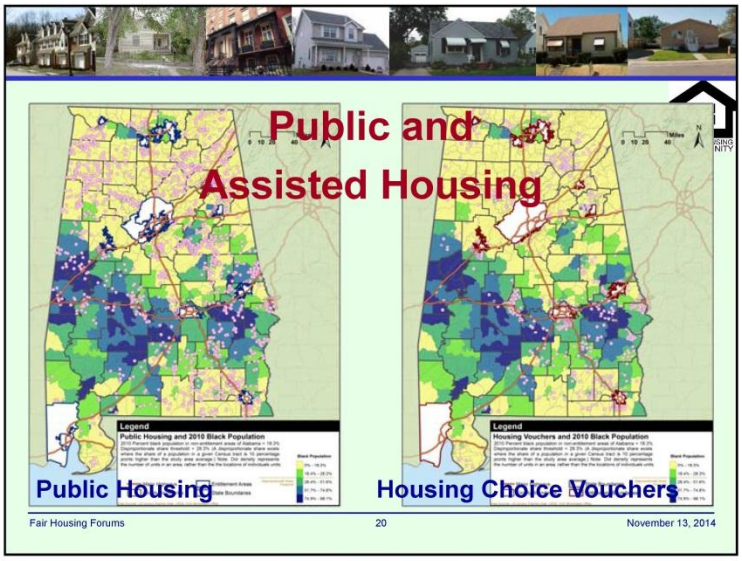


Alabama Analysis of Impediments to Fair Housing Choice



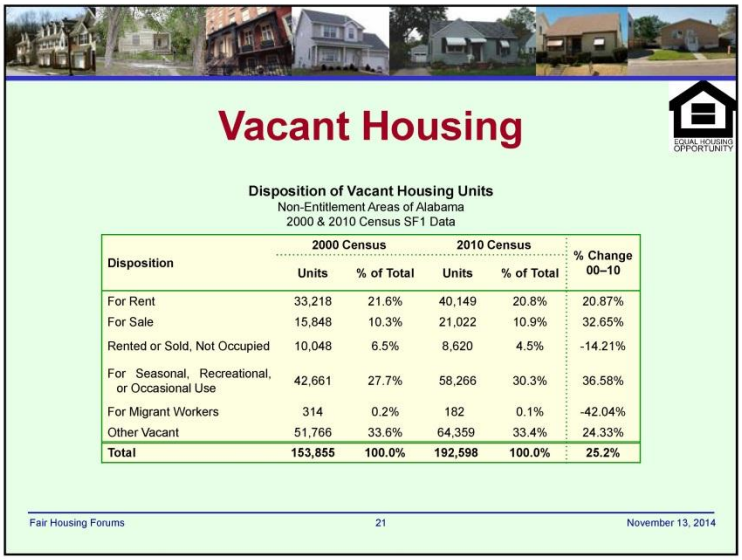
Alabama Analysis of Impediments to Fair Housing Choice





Fair Housing Forums **November 13, 2014: Page 10**

Alabama Analysis of Impediments to Fair Housing Choice



Vacant Housing

Disposition of Vacant Housing Units
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Disposition	2000 Census		2010 Census		% Change 00–10
	Units	% of Total	Units	% of Total	
For Rent	33,218	21.6%	40,149	20.8%	20.87%
For Sale	15,848	10.3%	21,022	10.9%	32.65%
Rented or Sold, Not Occupied	10,048	6.5%	8,620	4.5%	-14.21%
For Seasonal, Recreational, or Occasional Use	42,661	27.7%	58,266	30.3%	36.58%
For Migrant Workers	314	0.2%	182	0.1%	-42.04%
Other Vacant	51,766	33.6%	64,359	33.4%	24.33%
Total	**153,855**	**100.0%**	**192,598**	**100.0%**	**25.2%**

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Housing Complaints

Fair Housing Complaints

Alabama Statewide
2004–2014 HUD Data
Original HUD Reply

Cases	Total
Race	533
Disability	372
Sex	176
Familial Status	134
National Origin	63
Retaliation	51
National Origin – Hispanic	30
Color	18
Religion	14
Total Cases	961

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Alabama Analysis of Impediments to Fair Housing Choice

Housing Complaints

Fair Housing Complaints

Fair Housing Complaints by Basis

Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Race	20	13	19	16	35	23	30	12	3	7	5	183
Disability	15	8	13	18	24	24	23	16	8	13	3	165
Family Status	9	4	4	5	10	13	5	1	2	5		58
Sex	5	3	5	6	9	6	14		2	4	3	57
Retaliation	3	1	3	1	2	3	1	5	2	8	1	30
National Origin		1				5	4	2	2	2	1	17
Religion	3	1					1	1	1	1		8
Color					1	2	1		1		1	6
Total Bases	**55**	**31**	**44**	**46**	**81**	**76**	**79**	**37**	**21**	**40**	**14**	**524**
Total Complaints	34	20	28	31	52	57	57	33	15	26	10	363

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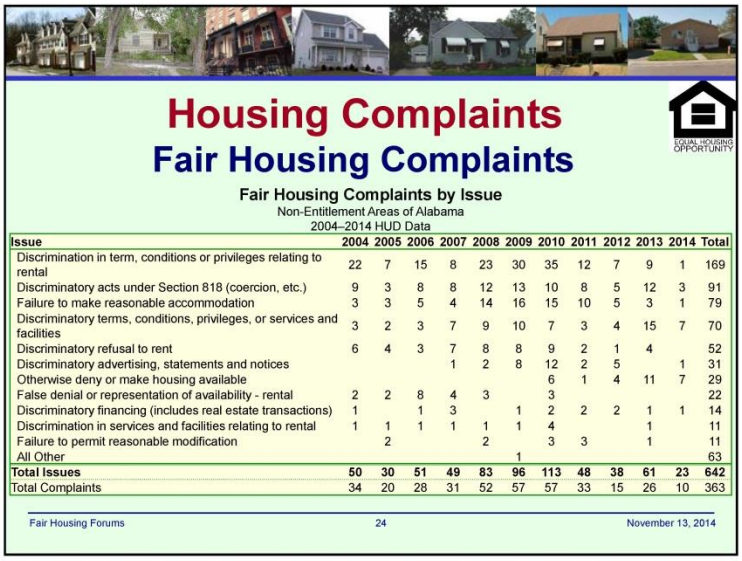

Housing Complaints

Fair Housing Complaints

Fair Housing Complaints by Issue

Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Issue	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Discrimination in term, conditions or privileges relating to rental	22	7	15	8	23	30	35	12	7	9	1	169
Discriminatory acts under Section 818 (coercion, etc.)	9	3	8	8	12	13	10	8	5	12	3	91
Failure to make reasonable accommodation	3	3	5	4	14	16	15	10	5	3	1	79
Discriminatory terms, conditions, privileges, or services and facilities	3	2	3	7	9	10	7	3	4	15	7	70
Discriminatory refusal to rent	6	4	3	7	8	8	9	2	1	4		52
Discriminatory advertising, statements and notices				1	2	8	12	2	5		1	31
Otherwise deny or make housing available							6	1	4	11	7	29
False denial or representation of availability - rental	2	2	8	4	3		3					22
Discriminatory financing (includes real estate transactions)	1		1	3		1	2	2	2	1	1	14
Discrimination in services and facilities relating to rental	1	1	1	1	1	1	4			1		11
Failure to permit reasonable modification		2			2		3	3		1		11
All Other						1						63
Total Issues	**50**	**30**	**51**	**49**	**83**	**96**	**113**	**48**	**38**	**61**	**23**	**642**
Total Complaints	34	20	28	31	52	57	57	33	15	26	10	363

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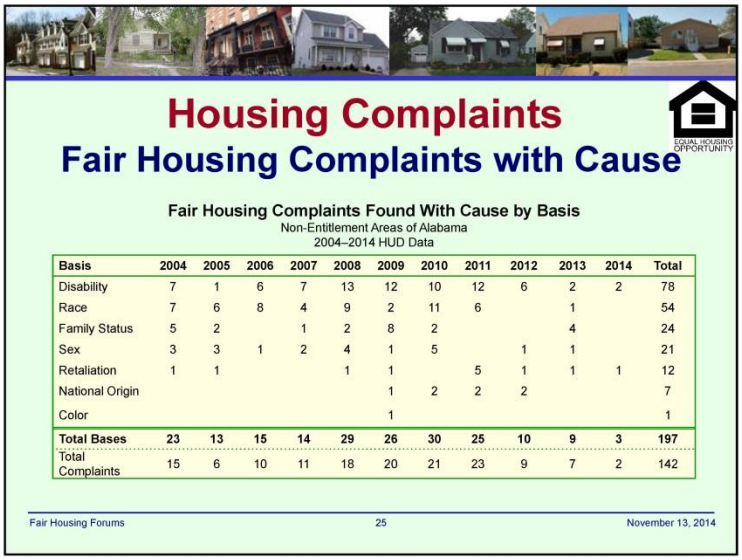
Alabama Analysis of Impediments to Fair Housing Choice



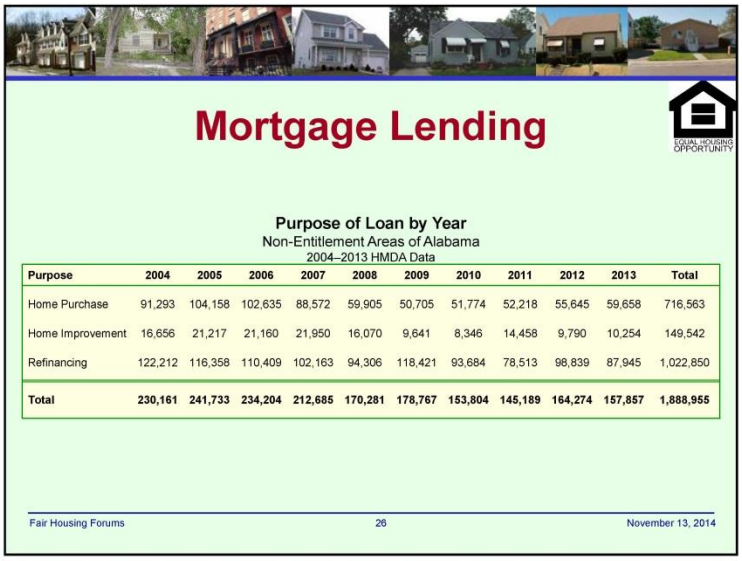
Housing Complaints

Fair Housing Complaints with Cause

Fair Housing Complaints Found With Cause by Basis
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Disability	7	1	6	7	13	12	10	12	6	2	2	78
Race	7	6	8	4	9	2	11	6		1		54
Family Status	5	2		1	2	8	2			4		24
Sex	3	3	1	2	4	1	5		1	1		21
Retaliation	1	1			1	1		5	1	1	1	12
National Origin						1	2	2	2			7
Color						1						1
Total Bases	**23**	**13**	**15**	**14**	**29**	**26**	**30**	**25**	**10**	**9**	**3**	**197**
Total Complaints	15	6	10	11	18	20	21	23	9	7	2	142

Fair Housing Forums 25 November 13, 2014



Mortgage Lending

Purpose of Loan by Year
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Purpose	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Home Purchase	91,293	104,158	102,635	88,572	59,905	50,705	51,774	52,218	55,645	59,658	716,563
Home Improvement	16,656	21,217	21,160	21,950	16,070	9,641	8,346	14,458	9,790	10,254	149,542
Refinancing	122,212	116,358	110,409	102,163	94,306	118,421	93,684	78,513	98,839	87,945	1,022,850
Total	**230,161**	**241,733**	**234,204**	**212,685**	**170,281**	**178,767**	**153,804**	**145,189**	**164,274**	**157,857**	**1,888,955**

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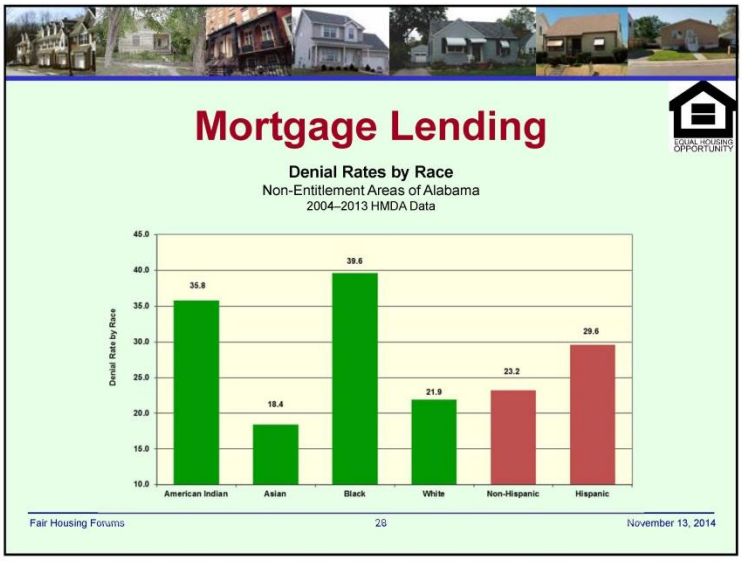
Alabama Analysis of Impediments to Fair Housing Choice



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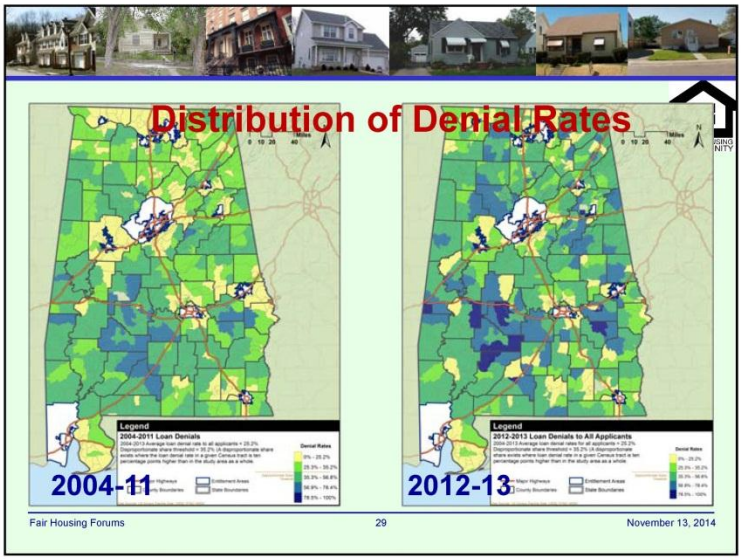
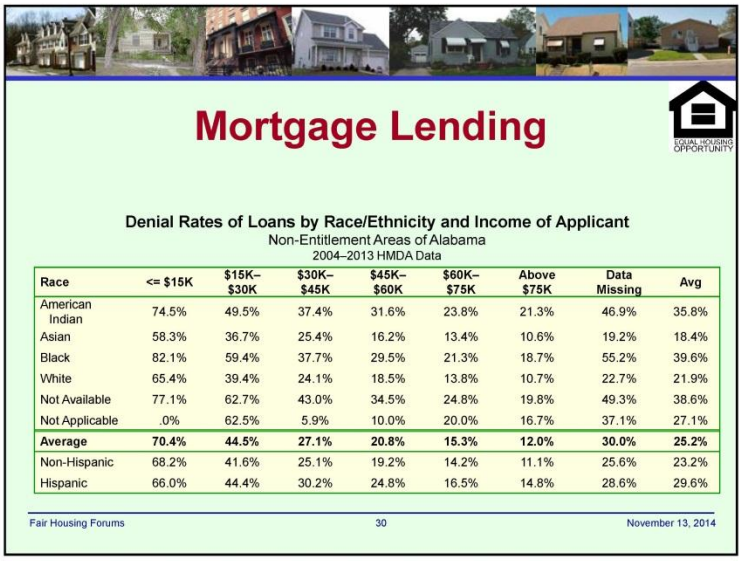




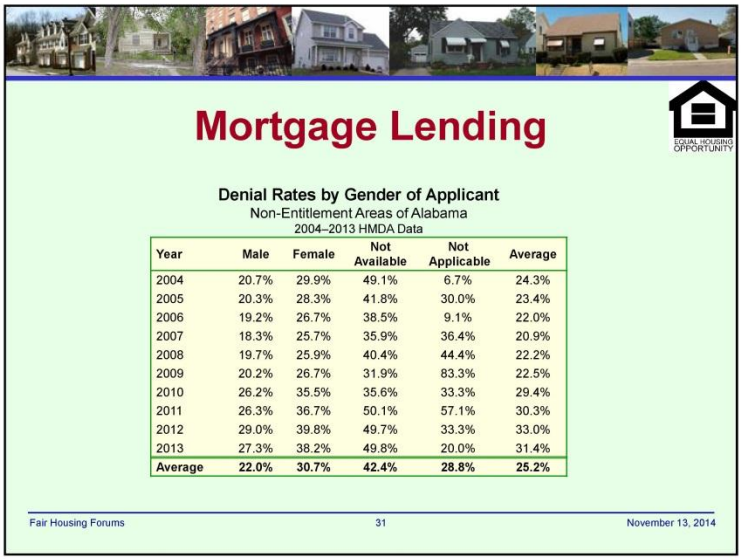
Mortgage Lending

Denial Rates of Loans by Race/Ethnicity and Income of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race	<= $15K	$15K–$30K	$30K–$45K	$45K–$60K	$60K–$75K	Above $75K	Data Missing	Avg
American Indian	74.5%	49.5%	37.4%	31.6%	23.8%	21.3%	46.9%	35.8%
Asian	58.3%	36.7%	25.4%	16.2%	13.4%	10.6%	19.2%	18.4%
Black	82.1%	59.4%	37.7%	29.5%	21.3%	18.7%	55.2%	39.6%
White	65.4%	39.4%	24.1%	18.5%	13.8%	10.7%	22.7%	21.9%
Not Available	77.1%	62.7%	43.0%	34.5%	24.8%	19.8%	49.3%	38.6%
Not Applicable	.0%	62.5%	5.9%	10.0%	20.0%	16.7%	37.1%	27.1%
Average	**70.4%**	**44.5%**	**27.1%**	**20.8%**	**15.3%**	**12.0%**	**30.0%**	**25.2%**
Non-Hispanic	68.2%	41.6%	25.1%	19.2%	14.2%	11.1%	25.6%	23.2%
Hispanic	66.0%	44.4%	30.2%	24.8%	16.5%	14.8%	28.6%	29.6%

Fair Housing Forums 30 November 13, 2014

Alabama Analysis of Impediments to Fair Housing Choice



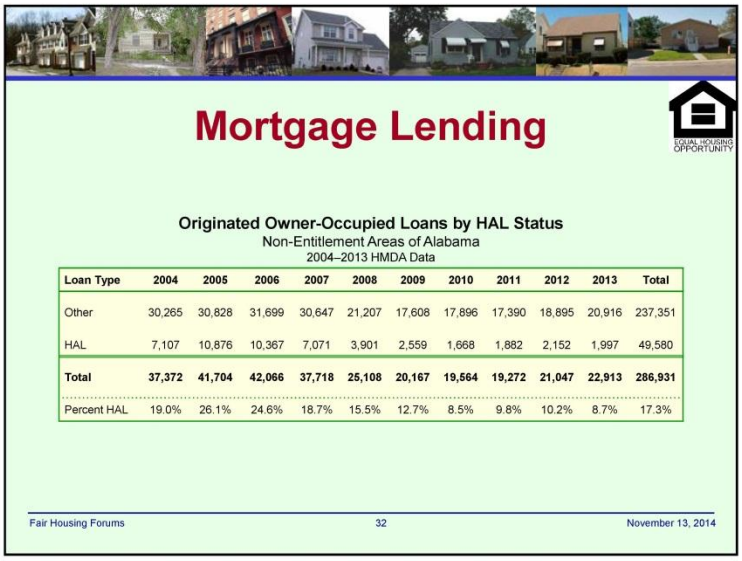
Mortgage Lending

EQUAL HOUSING OPPORTUNITY

Denial Rates by Gender of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Year	Male	Female	Not Available	Not Applicable	Average
2004	20.7%	29.9%	49.1%	6.7%	24.3%
2005	20.3%	28.3%	41.8%	30.0%	23.4%
2006	19.2%	26.7%	38.5%	9.1%	22.0%
2007	18.3%	25.7%	35.9%	36.4%	20.9%
2008	19.7%	25.9%	40.4%	44.4%	22.2%
2009	20.2%	26.7%	31.9%	83.3%	22.5%
2010	26.2%	35.5%	35.6%	33.3%	29.4%
2011	26.3%	36.7%	50.1%	57.1%	30.3%
2012	29.0%	39.8%	49.7%	33.3%	33.0%
2013	27.3%	38.2%	49.8%	20.0%	31.4%
Average	**22.0%**	**30.7%**	**42.4%**	**28.8%**	**25.2%**

Fair Housing Forums 31 November 13, 2014



Mortgage Lending

EQUAL HOUSING OPPORTUNITY

Originated Owner-Occupied Loans by HAL Status
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Other	30,265	30,828	31,699	30,647	21,207	17,608	17,896	17,390	18,895	20,916	237,351
HAL	7,107	10,876	10,367	7,071	3,901	2,559	1,668	1,882	2,152	1,997	49,580
Total	**37,372**	**41,704**	**42,066**	**37,718**	**25,108**	**20,167**	**19,564**	**19,272**	**21,047**	**22,913**	**286,931**
Percent HAL	19.0%	26.1%	24.6%	18.7%	15.5%	12.7%	8.5%	9.8%	10.2%	8.7%	17.3%

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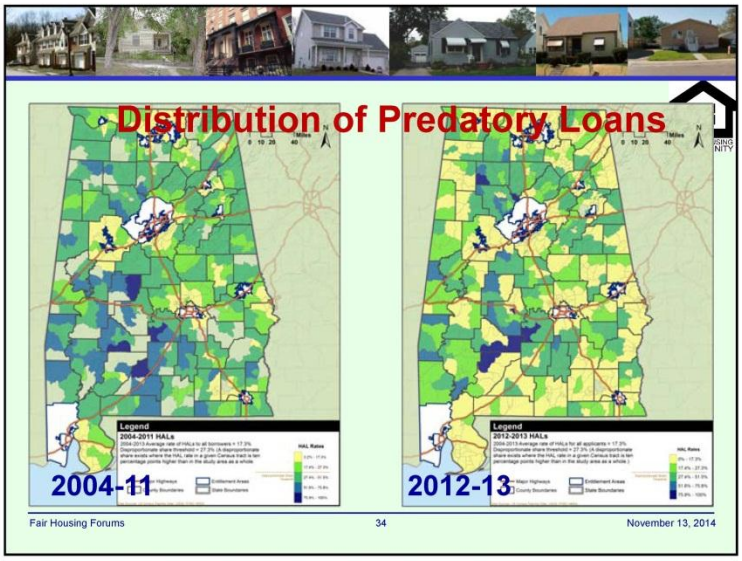
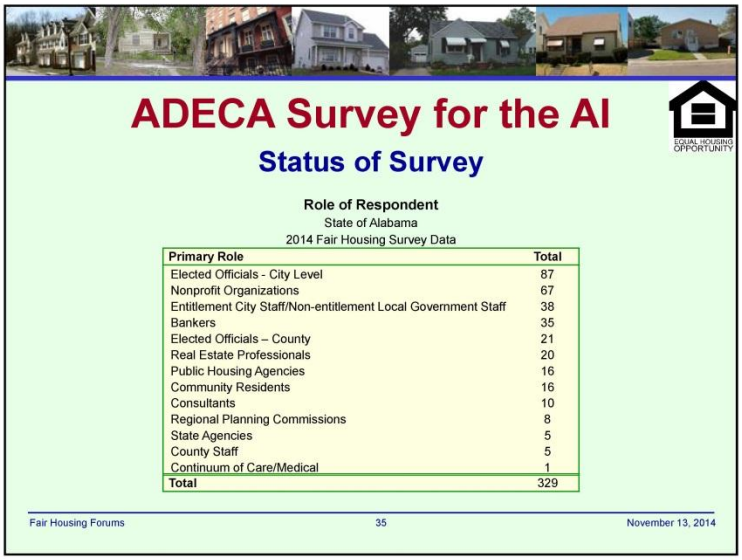
Alabama Analysis of Impediments to Fair Housing Choice

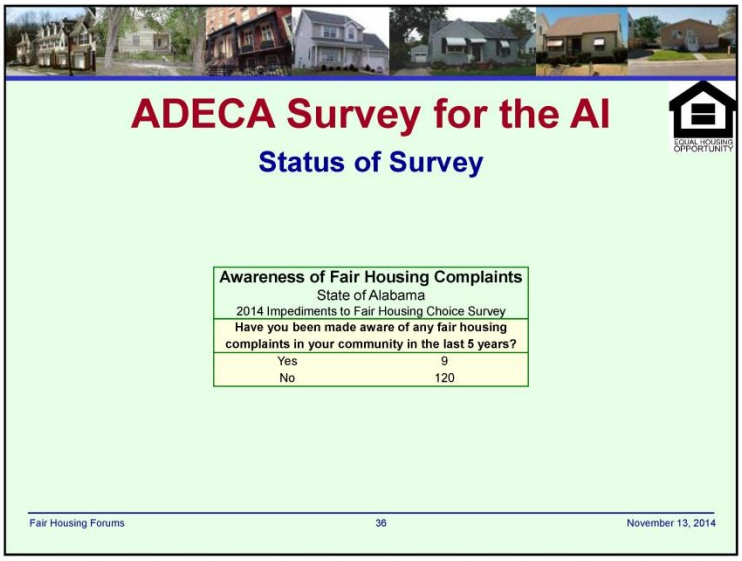


Alabama Analysis of Impediments to Fair Housing Choice



Role of Respondent
State of Alabama
2014 Fair Housing Survey Data

Primary Role	Total
Elected Officials - City Level	87
Nonprofit Organizations	67
Entitlement City Staff/Non-entitlement Local Government Staff	38
Bankers	35
Elected Officials – County	21
Real Estate Professionals	20
Public Housing Agencies	16
Community Residents	16
Consultants	10
Regional Planning Commissions	8
State Agencies	5
County Staff	5
Continuum of Care/Medical	1
Total	329



Awareness of Fair Housing Complaints
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Have you been made aware of any fair housing complaints in your community in the last 5 years?	
Yes	9
No	120

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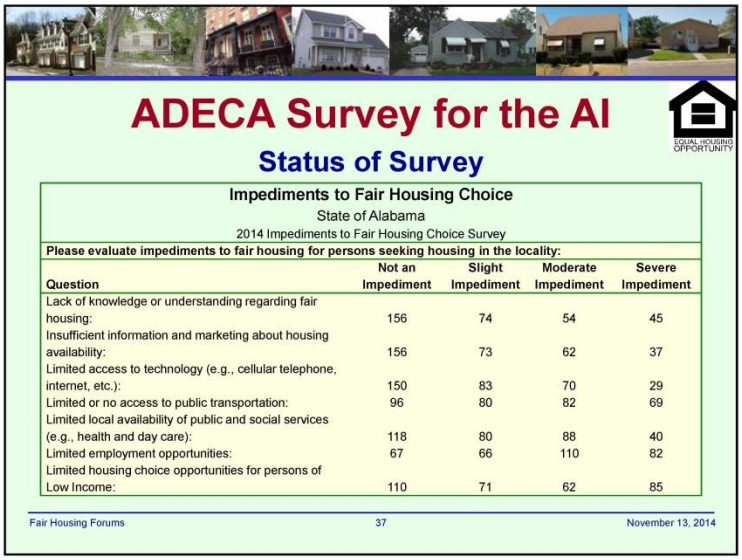
Alabama Analysis of Impediments to Fair Housing Choice



ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Please evaluate impediments to fair housing for persons seeking housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
Lack of knowledge or understanding regarding fair housing:	156	74	54	45
Insufficient information and marketing about housing availability:	156	73	62	37
Limited access to technology (e.g., cellular telephone, internet, etc.):	150	83	70	29
Limited or no access to public transportation:	96	80	82	69
Limited local availability of public and social services (e.g., health and day care):	118	80	88	40
Limited employment opportunities:	67	66	110	82
Limited housing choice opportunities for persons of Low Income:	110	71	62	85

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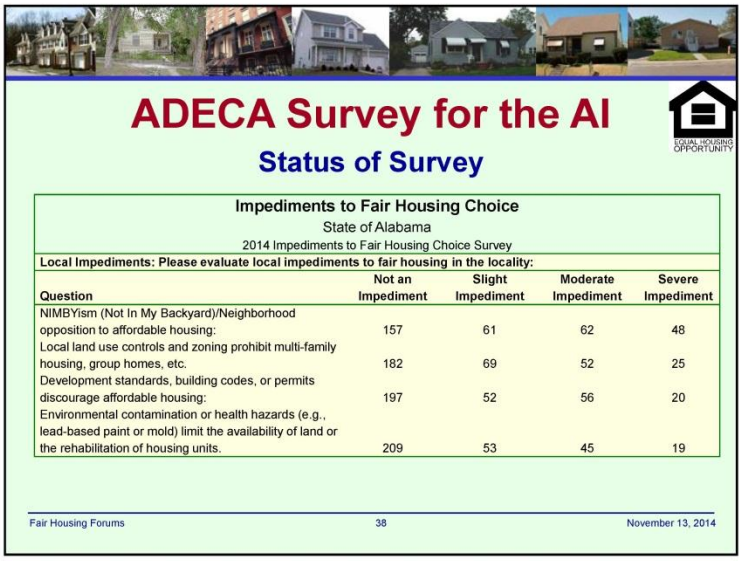

ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
NIMBYism (Not In My Backyard)/Neighborhood opposition to affordable housing:	157	61	62	48
Local land use controls and zoning prohibit multi-family housing, group homes, etc.	182	69	52	25
Development standards, building codes, or permits discourage affordable housing:	197	52	56	20
Environmental contamination or health hazards (e.g., lead-based paint or mold) limit the availability of land or the rehabilitation of housing units.	209	53	45	19

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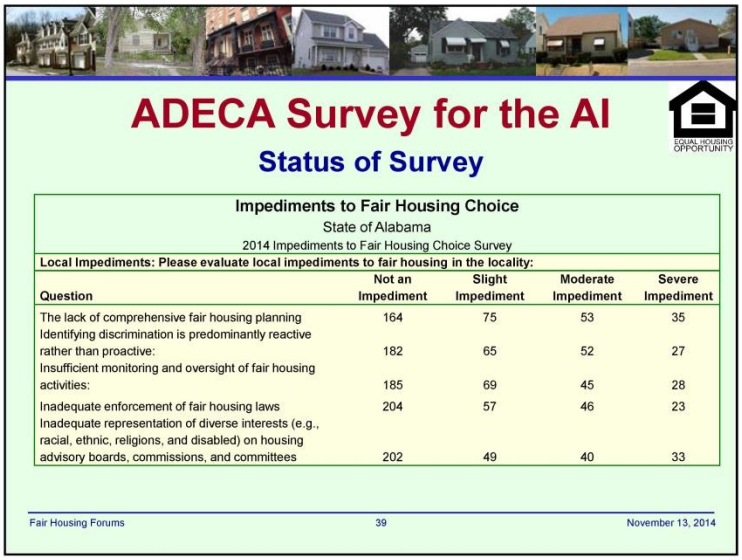
Alabama Analysis of Impediments to Fair Housing Choice



ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
The lack of comprehensive fair housing planning	164	75	53	35
Identifying discrimination is predominantly reactive rather than proactive:	182	65	52	27
Insufficient monitoring and oversight of fair housing activities:	185	69	45	28
Inadequate enforcement of fair housing laws	204	57	46	23
Inadequate representation of diverse interests (e.g., racial, ethnic, religions, and disabled) on housing advisory boards, commissions, and committees	202	49	40	33

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2014 Alabama AI

Preliminary Impediments – Private Sector:

- More frequent denial of home purchase loans to Black, Hispanic and female householders
- Apparent predatory lending falls more heavily on Black borrowers
- Discriminatory terms, conditions, privileges, or facilities relating to rental
- Discriminatory refusal to rent
- Failure to make reasonable accommodation or modification
- Insufficient understanding of Fair Housing Laws

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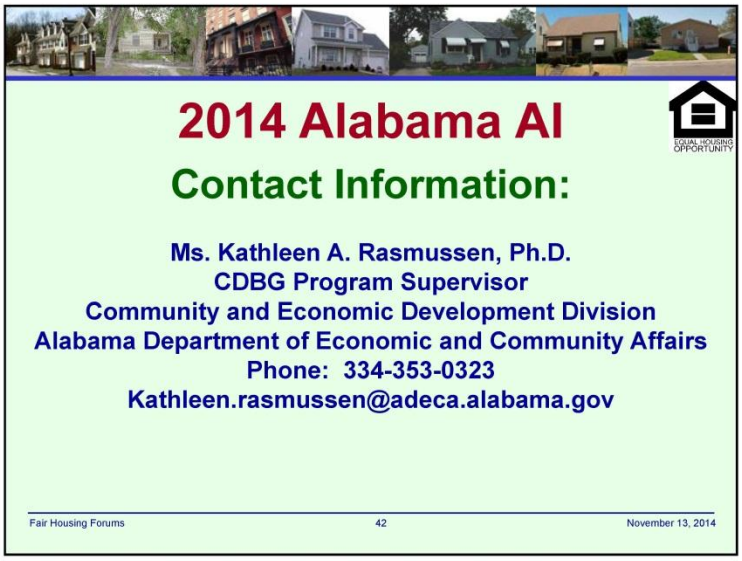
Alabama Analysis of Impediments to Fair Housing Choice



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TRANSCRIPT FROM FAIR HOUSING FORUM PRESENTATION DISCUSSION

Morning Fair Housing Forum

Comment 1: Through your presentation I did not hear any impediment of any credit contact. The credit is the worst impediment of any of the impediments, because the issues of a higher credit score from 600 to 620, 640, or 680. I didn't see anything about credit. That is your biggest, even lending power discrimination against any genders or races or anything thing it had what is possible with credit. So why is that not on there?

Rob Gaudin: The HMDA data does contain a field giving up to three reasons. It does not include the credit score and wherever credit is factor on the denial. Credit is a factor, there are other factors with some being other and other is the most frequent factor. Credit is number two along with missing, so sometimes people do not fill that out.

Comment 2: How do complaints in Alabama compare with the other studies that you have done?

Rob Gaudin: Did everyone hear that question? How do complaints in Alabama compare with other jurisdiction we have evaluated? Over all those that are with cause are lower than the other jurisdictions. Typically I would be classifying a poor relationship as approximately 40 percent and OK as approximately 50 percent. You are down at 30 percent.

Comment 3: In a couple of your slides when you talk about predatory lending for example there were similar slides. Does the populous for some reason always tend to be under? You should try to state that you have Asian, white, and minority responding. Is there a particular reason for that?

Rob Gaudin: Our research in other jurisdictions points largely to the same thing. Asians have lower denial rates at or below white persons. They also have a lower rate of predatory-style lending at or below white persons. Only one jurisdiction had a high rate and that was the Saint Paul/Minneapolis region and they had the Hmong tribe from Vietnam and it was that population that didn't quite understand our credit markets. They didn't understand the ability that what it meant to get credit so they had high denial rates. The population is traditionally very diligent about paying attention to those things and they have lower denial rates as a matter of fact. Other questions or concerns?

Afternoon Fair Housing Forum

Comment 1: There is a reason why that has grown. It doesn't have anything to do with housing. It is jobs.

Rob Gaudin: In these particular Census tracts, jobs do attract people. Why is it those jobs? This is just one piece of a larger picture and if you want to talk about only that thing we can talk about that. The larger picture when we look at this particular graphic, what is it that persists over time. There are very minor changes, but what persists over time. What kinds of things are occurring in the market place that persists over time? This tiny population here also have a tendency, this particular culture, have a tendency to want to live next door to their family, their friends, and their neighbors. In one particular circumstance there may be a Census tract where there are many members of the same family.

(Inaudible)

Rob Gaudin: The point I am trying to make here is that HUD will take a look at this and wonder why. We can discuss employment, but there are additional reasons why we have concentrations.

(Presentation)

Comment 2: Can we go back to the slide before this?

Comment 3: (Inaudible) about the fact of jobs and the income characteristics the fact that we, you put the poverty on top of it, they are not in high paying industries. They are in the (inaudible) now you have two factors, the socioeconomic group and you get poverty based on the fact the you have (inaudible), some of the counties that are EDA eligible for funds. It is because of low-income wage characteristics for the whole county. The question is what do you say and how are you addressing, not addressing the issues or whatever a town of 70 or 1,800 population. What should you be doing to further fair housing in that community? You have been doing this for a long time; I have been out in the field for a long time. What can we do to help them, make them understand what they can do with their limited resources? HUD or the people who know only slots on charts aren't necessarily things that you register (inaudible).

Comment 4: To be honest I live that. I live on a street where Hispanics are in Boaz, Alabama and I am aware of the problems in Agricola, Alabama because of the Hispanic population. I can document that, but when you get into a rural county you have to take more into account in a small city than just the housing that is going on. You have to take into account the demographics and what he was talking about, the jobs. There are other things that come into play than just a graph on the map where these people have congregated, because that is where the jobs are. For instance in Boaz, Pilgrim's Pride just closed down and lost 7,000 jobs. A lot of those where Hispanic workers and they are going to be displaced and they are going to migrate somewhere else on that map or out of the State of Alabama.

Comment 5: Let me add one thing to that too, when you talk about the Hispanic community that moved in. It may be a growth in that community, but how many of those are actually eligible to go to a lending institution of the United States and borrow money to buy a house or will they put that money in the house or have they rather live four families in one and collect that money and send it out of country? You are not talking about legitimate. You are talking about increase in population on that, but how much of that was a legitimate increase of citizenship there opposed to illegals that are not going to be able to get a house anyway?

Rob Gaudin: I can't really answer your question.

Comment 6: The Census did a better job in 2010 in trying to document the Hispanic population in Marshall and DeKalb County, because they simply did not gather that information in 2000.

Comment 7: They will not be able to gather it now, because when they go into that they are not going to be able to get accurate information. When you talk about the growth of the Hispanic community, certainly it is large, but it is not legitimized in the fact that they are putting that stuff back into the community, establishing the fact, or even wanting to buy a house. Not because they needed one, but because they had six other family members move into DeKalb County or Marshall County, move in and increase the number of Hispanics, but

there is not correlation into an impediment to fair housing when they choose not to go get a house, but rather live there. You can't even break it down by economic stress because they choose not to do it.

Rob Gaudin: This is indeterminate. I will say that we do have this embedded poverty and they do correlate with areas where we have more rural populations as we see in these graphs. If I would be able to put all the data and all the charts and all the economics that are in the document to provide with you a kind of a flavor of more why things are going on, I would probably make a mistake and talk for four hours, but this is designed to be an overview and this is also designed as a opportunity for you to provide input. I welcome your input.

Comment 8: I just think that there is more to it than looking at the numbers. Sometimes the numbers do not tell the whole story. I guess is what I am trying to say in my perspective I live there and I should be able to give a little history in what is going on and I could give you the entire history in why the Hispanic population is there. I can also do my brother a favor and if I came in and I couldn't afford a house payment, he is not going to loan me the money and I am employed.

Rob Gaudin: We actually do have some banking records to look at and I will introduce those in a few minutes.

(Presentation)

Comment 9: Why do you have to file a Freedom of Information Act to get public information?

Rob Gaudin: I do not know.

Comment 10: What did you say?

Comment 11: Why does he have to file a Freedom of Information to get public information? I don't understand why that doesn't just produce it?

Rob Gaudin: If you file a Freedom of Information Act request there are rules by which the game is played and they are theoretically to reply within 22 days and give you an estimate of the cost of preparing this. The first time we made the request to HUD we had a lot flack, but we placed it to the FOIA officer in Birmingham. The second time we went to the Regional office in Atlanta and we sent them a letter and we have dealt with Atlanta for 20 years and there is a process for which you go through. The Atlanta office, the Regional office whether it is Denver, Sacramento, or whatever handles these housing complaints in automated system called TEAPOTS. You have to tap into the TEAPOTS database and then sometimes they will produce an excel spreadsheet which is great, then we do not have to do the data entry and other times they well produce a print out and then we have to do the data entry. Either way we always get the same sets and information. We did get that the second time and this is now for the non-entitlement areas of the state we have the basis. That is the protected class. For someone who has felt aggrieved in a housing transition, they have gone and filed a complaint with HUD. The complaint is categorized by basis. Retaliation is not a protected class, but HUD likes to track that, kind of the push back by the housing, the complainant. What we see is that race and disability are significant issues. They take the whopping share of those. Race and disability and familiar status, not necessarily in that order are the top three nationally, regardless of where that is. We have some correlation. This is reasonable data and we have some issues, not a basis.

(Presentation)

Comment 12: Does that correlate with housing prices, because I noticed that in 2008, 9, and 10 we saw a spike in the numbers and now that has tapered back off here as things have improved here in the state.

Rob Gaudin: I believe that the level of vacant housing means that I am just going to go next door and forget this.

Comment 13: Ok.

Rob Gaudin: That is the way that I interpret it. We have so many vacancies; people have not really pursued it. Notice here in 2014 is incomplete year, it is through September, but these are calendar year data. There are also issues. These are also sorted by frequency throughout the 14 year period, 12 year period. The number of records occurring most frequently at the top and it is discriminatory terms and conditions, particularly as it concerns to rental. So, regardless if you are a Hispanic and you are highly concentrated in a particular area, if somebody doesn't want you to rent from them they are going to say one thing to you and something to somebody else. This is what says that. We also have in the previous slide down here national origin is tiny. So we don't really have that many Hispanics making complaints. Race however is significant. What this represents is the rental market. I am sorry you probably can't read that. I can't read that from here, but that is because my eyesight is terrible.

(Presentation)

Comment 14: Underutilization or whether or not the fair housing complaint ants have anything to complain about?

Rob Gaudin: That is the common thought that it is just perfect here.

Comment 15: We were told from the fair housing people in Birmingham that Alabama was the worst place to be. I heard you say this morning, I happen to be here the first time, that a third of the complaints being valid was compared to the other areas that you worked, pretty impressive. So are we that bad or are we not that bad?

Rob Gaudin: Other areas have more valid complaints, meaning that they are using the system more appropriately. They understand fair housing law. They understand how it operates. They understand what to collect when they come in. They understand what is a violation of fair housing law. Really in this environment we are only talking about violations to fair housing law. So if they understand their rights, both as a provider and a consumer you are more likely to have a valid complaint. So the percentage would be higher. So down here at the 30 percent you need some outreach and education to help people to understand what their rights are both as a provider and as a consumer because it does go both ways.

Comment 16: But that is an assumption. You are assuming that they are not using the system properly. What if they are using the system properly and it is only generating one-third valid complaint.

Rob Gaudin: Because the others are not valid, meaning that they shouldn't be complaints. If someone is trying to use the system to game the landlord they would file a complaint.

Comment 17: Do they think they game the food stamp system?

Rob Gaudin: We are not talking about the food stamp system.

Comment 18: But people that would game. No we are talking about the government systems.

Rob Gaudin: We are talking about fair housing. In fair housing I believe that these people have a lack of understanding. Both providers and consumers have a lack of understanding about fair housing law. This has likely led to our inability to generate more valid complaints.

Comment 19: It seems like we are making an assumption from the outset.

Comment 20: Yeah.

Comment 21: That we have a poor system and maybe we have uneducated people therefore they don't understand enough to file the complaint, but some and again housing centers (Inaudible) and that their entire job and they are funded by HUD.

Comment 22: That is their job.

Comment 23: To find out if there is.

Rob Gaudin: I can't really conclude right now. Part of my job is to evaluate the fair housing infrastructure and we have made requests of them and they have gone unanswered. So I can only assume that they deal with their clientele in a similar fashion. So, the complaints typically are often filed with HUD. They are not necessarily always filed with HUD. If they go directly to the private sector and they get an attorney and go to court then we don't see it. So maybe they are more successful that way.

Comment 24: Maybe it doesn't exist at all.

Rob Gaudin: That is possible.

Comment 25: Probable.

Rob Gaudin: I am sorry sir, what were you saying?

Comment 26: I am just saying that there are ADA complaints that have a different path that they run through and the attorneys also put them through a lot quicker than the other ones. They are easier to define.

Rob Gaudin: That may be true. HUDs review of those who failed to make reasonable accommodation. These are usually mitigated. They are consolidated in this. Very few of them actually go to litigation of those that are to be found of with cause. Once they are found to be with cause they try to talk their way out of it, if you will, both sides do. So they mitigate it with some process and try to conciliate some solution to the problem without going to litigation. So very few of these actually wind up in litigation.

Comment 27: Like in Agricola when the Hispanic population first came in, I will be the first to say they were taken advantage of from a fair housing standpoint, but a Hispanic coalition was formed in Agricola to deal with those complaints and they have resolved that issue. They have put that information out there so that the residents in Agricola, Alabama, I know for a fact know where they need to go if they have a complaint that needs to be taken care of. It may not be to the mayor. It will still be to somebody like their self that they can go talk to. Also I know in Public Housing, where my husband is the director, those people and I am going to tell you,

they know how to call HUD those residents. They know how to call their congressman and they will pick up that phone in a heartbeat and call and make a complaint all day long. It gets back to him and he has to determine how. So I fell like the information is not in tune. I feel like it is being handled on the local level, but maybe in just a different environment than what may typically be found in other places.

Rob Gaudin: That may be true. The statistics here regarding those who were found to be with cause is still significantly lower.

Comment 28: But is that not are you, I feel like everything I am saying doesn't matter. I am sorry, but I mean I don't want you to come down on the State of Alabama and you think we are a bunch of morons and we don't know what we are doing. I mean there are places where it is being handled and it is being handled at a local level and when we fill out these fair housing Analysis of Impediments, I don't know what you think we are supposed to tell chairs and chairmen of the County Commission what they are supposed to do when they are doing what they can do.

Comment 29: That is the point that I was making. Obviously when you have 300 complaints and you only legitimize 80 of them, yeah you have a lot of people just like you said pick up the phone in a heartbeat and make a call and find out that it is not legitimate.

Rob Gaudin: Well, yes, sir.

Comment 30: We went through this process again after we were really given to task by HUD Birmingham, but there is 142 valid complaints out of 4 and a half million people. That is .003 percent of the population had a complaint. So why Alabama is are we not that bad or are we that bad and it is just not reflected?

Rob Gaudin: Well I haven't completed the study. There are are and there does seem to be some problem areas. These complaints are largely rentals. So, if you are looking at all the population, you should only be looking at the rental population which is 25 percent of the 2.5 million of the non-entitlement areas.

Comment 31: But the loans from banks for homeowners count too, right?

Rob Gaudin: Those do and that is what these are right here. These particular loans are from the Home Mortgage Disclosure Act for the non-entitlement areas of Alabama over this period of time. The Home Mortgage Disclosure Act asks institution both depository and non-depository to report certain things about loans, loan applications it receives. You know the income of the applicant, the gender of the head of household, race, ethnicity of the household.

(Presentation)

Comment 32: You don't think that the housing market collapse had anything to do with that?

Comment 33: They lost their funds (inaudible)

Comment 34: With FHA regulations probably came into effect.

Rob Gaudin: They came into effect in 2014 and these are loan applicants who have stepped forward to apply.

Comment 35: Does it say how many of these have good credit ratings or bad credit ratings?

Rob Gaudin: We can get into that some had good credit ratings and some had poor employment histories. Some didn't. The record does indicate a reason for the denial, but the reality is who gets denied.

(Presentation)

Comment 36: (Inaudible) Federal agency have the (Inaudible) with the Community Reinvestment Act.

Rob Gaudin: I am sorry I didn't understand you.

Comment 37: What federal agency looks at banks for compliance with the

Comment 38: Community Reinvestment Act.

Comment 39: Community Reinvestment Act?

Rob Gaudin: This is Home Mortgage Disclosure Act and I know it has seven financial institutions that look at the respective lending community. HUD is one. What we do include in this data is manufacture housing, single family housing, duplexes, condos and those kinds of things. We are able to identify the Census tract in which these tend to occur.

Comment 40: The reason I asked the question is that if the landowners are not complaining with the CRA then why the Federal Home Loan Bank or any other agency of the Federal Government won't offer that lending institutions and do we have that information as to how many of the lending institutions in Alabama refused complainants from Federal Home Loan Bank or any such institution.

Rob Gaudin: This is the Home Mortgage Disclosure Act and I am just reviewing with you some of the statistics.

Comment 41: Out of the…

Comment 42: No the numbers.

Comment 43: Out of the ones that are claiming to be denial rates where the rate is the highest of the denial rates, how many of those are legitimate as far as a credit rating and qualifications go?

Rob Gaudin: What I have found that the high denial rates are related to particular groups. Black persons who apply for manufactured housing and that is just what it is. There are two or three lenders that do that. That is the details and it is not just here. It is in New Mexico. It is in Montana and there it is the Native Americans and it is near tribal lands and stuff like that.

Comment 44: So you said…

Comment 45: No my, my, my question is if the Federal Home Loan Bank knows that certain communities in Alabama is discriminating against, you know.

Rob Gaudin: Well Federal Reserve say…

Comment 46: What aren't those agencies going after those that abuse them?

Rob Gaudin: Maybe.

Comment 47: Those of us that are standing out here mostly represent communities and mayors and the people that are doing more action things. OK on some of this stuff if we see there is a shortage and work towards in referring them to the proper place to make a compliant. Once we refer them to the proper place to make a complaint it's not totally our responsibility. It is the responsibility of the regulatory agency to see to it if they are not doing it the banks, red-lining and all, to get them in the system towards the right direction if they have a complaint. The banking and all systems are supposed to regulate this. Not us.

Rob Gaudin: Right. I concur with your opinion. I had a client …

Comment 48: And the County Commission chair and they (Inaudible)

Rob Gaudin: …in Georgia who wanted to have a list of the lending institutions so that they could go after them. I provided the list, of course, and they did not go after them, because they are big and powerful and the local community is not, but there is a role to play. People do get trapped. This is just the denial rates and…

Comment 49: It look to me like the Asian persons were getting preferential treatment.

Rob Gaudin: These statistics here…

(Laughter)

Rob Gaudin: are represented of other geographic areas that I have evaluated throughout the country. Asian persons typically are at or below white persons. They was a rare, one instance in Minneapolis/Saint Paul where they are high like American Indians or blacks and those were just the Hmong form Vietnam. They had a large immigration at that time.

Comment 50: Is it possible that there may be some other factors at work here? Let me give you an example, we administer a program (Inaudible) for SSBCI where we basically make loans and what we have found that typically the loans come in from the Asian persons who never had any problem and part of the reason they never had any problem is because they have very high credit score. Typically the equity in the business often times is close to 50 percent. Now when you have that kind of situation and factors playing into it then it stands to reason that is why you see this discrepancy.

Rob Gaudin: Asian persons typically have some cultural influences at work to help them to understand how to work within the credit markets. These others and I am not necessarily saying that this is representative of discrimination, but it is a problem.

Comment 51: Do I understand correctly that most of the information that you are presenting today is based on numbers that you have got somewhere? There has not been any real on the ground type of investigation that was done. This is based on Census data and other data that is collected here and there. Is that correct?

Rob Gaudin: Well, I guess that is one way to put it. This is Alabama data of non-entitlement geographic areas from the Federal Reserve System. The housing complaints are from HUD for the non-entitlement areas. The population maps and the poverty maps are from the Census

Bureau. Those are also specific up to one year old data for the non-entitlement areas of Alabama.

Comment 52: I appreciate that. I just wanted to make sure that what we are seeing is strictly numbers that came out of somebodies computer. That is what we are looking at.

Rob Gaudin: These didn't come out of my computer, the picture of them did.

Comment 53: They came from the other computers that you have access to.

Rob Gaudin: Yes, we have interpreted…

Comment 54: Somebodies else's data.

Comment 55: I just wanted to make sure.

Rob Gaudin: Right. I didn't create this data.

Comment 56: I wasn't trying to imply anything. I am just wanting to make sure and understand that you are going to various data sources and pulling that data and one slide per estimate is all data sources.

Rob Gaudin: That is right.

Comment 57: Whereas somebody has entered information into a computer and you were able to go in and get it.

Rob Gaudin: That is correct.

Comment 58: And we are going to be judged accordingly. Yes I do see an unfairness there.

Rob Gaudin: Well, what you are going to be judged upon is the recommendation that I will be making for you, based on the impediments that we have seen what is reasonable for ADECA to do given its position within the state. Sometimes people want to have the agency advocate for a fair housing law and instill a group that has the power to do enforcement. Then you can get substantially equivalent status with the Feds. In other words, than the housing complaint would be filed with the state agency wouldn't go to HUD. Well, it would be dually filed and it would go to both places, but the state agency would have the authority. Now I don't think that is something that ADECA would want to advocate for, because they are not a lobby organization. So it is probably not an impediment that I am going to address in here.

Comment 59: Your recommendations are going to be based on for ADECA on the type of data that you are showing us today.

Rob Gaudin: That is correct.

Comment 60: Will your data also include insurance denials, home insurance denials?

Rob Gaudin: I do not have data on that. That is an important issue and it wasn't asked in the survey. We can and we do talk about that in terms of how other geographic areas have incorporated those kinds of things and how insurance denials typically along the coast down here have led to challenges for people in securing a mortgage.

(Presentation)

Comment 61: Is there…

Comment 62: But again you are repeating one factor. If you look at the income alone.

Rob Gaudin: I am trying to communicate about this one factor and each slide talks about one factor.

Comment 63: Well when you keep…

Rob Gaudin: The family of factors might give us some information.

Comment 64: When the lender looks at making a loan, income may be just one of several considerations.

Rob Gaudin: Right.

Comment 65: That is I have…

Comment 66: (Inaudible) look into some of the (inaudible)

Comment 67: As a...

Rob Gaudin: Income is also just one of many factors. Females are denied roughly 10 percentage points more. It is unusually high for a state. Neighboring states don't have this quite as high.

Comment 68: I have a friend that is a farmer that has got 1.2 million dollars worth of assets. He has got combines and that is a lot of assets. That goes off the charts as far as a lot of assets go, but he also has like 1.7 million dollars of debt. His debt to assets ratio is inverted. He would be denied a house loan. He would be denied that. So when you say just because you get into a $75,000 a year income level that is being discriminatory eight points separating who got approved of, it doesn't take into account who set the debt ratio of the application.

Rob Gaudin: Your one friend isn't everybody.

Comment 70: No and neither is this denial rate. It is one.

Rob Gaudin: Actually these are many people who are denied.

Comment 71: But it doesn't give you the credit rating and assets to debt ratios.

Rob Gaudin: There are indicators. It doesn't give me their social security numbers either, but it does tell me something when I compare this to someone else. Did you have a question outside?

Comment 72: I was going to ask what are the factors that made you think that these were unfair denials?

Rob Gaudin: I am only commenting that they are unusually high. Is that unfair.

Comment 73: Yes.

Rob Gaudin: Maybe.

Comment 74: They are relatively high compared to other states that you have looked at, right?

Rob Gaudin: They are relatively high compared; black persons are relatively high compared to whites. They are not any different than other geographic areas that I have studied. So particularly here in the south…

Comment 75: Isn't Alabama considered a poor state?

Rob Gaudin: If you say so.

Comment 76: It defaults…

Comment 77: Your data shows…

Comment 78: Yeah and I am not proud.

Comment 79: (Inaudible) We are trying to simplify, simply by looking at the few…

Comment 80: One set of data. One set of data.

Rob Gaudin: Excuse me sir, could you speak up?

Comment 81: (Inaudible) Contact matter, we don't have a whole lot of evidence where you can site people for what they have done wrong other than choosing the number that says that you must have done something wrong, because the numbers tell the story.

Rob Gaudin: I think it is an error to extract one data element and make a gross generalization. I am just saying that all of these together point to some challenges that people are facing. We saw about rentals, discriminatory terms and conditions, and failure to make reasonable accommodation. The number of people who come forward and complain about that is infinitesimally small, but it does exist. To what extent, what is that challenge?

Comment 82: Again you are making (Inaudible)

Rob Gaudin: This is a private sector issue.

Comment 83: Problems with filing complaints.

Comment 84: Maybe there is no complaint.

Rob Gaudin: Related to lending, we have some quite hundreds and thousands of these records and I analyzed each and every record to come up with these aggregates. I am not, I didn't go into what lender does what where, but the important thing is in addition to denial we can also take a look at those loans which are originated and the attributes of those loans that are originated.

(Presentation)

Comment 85: I just wanted to comment that doesn't the rate that you pay on a mortgage have to do with income and your ability to pay and everything else, not just?

Rob Gaudin: I am sorry. I didn't quite hear you.

Comment 86: I said the rate of the mortgage for the origination fee does that not also correlate with your past credit history?

Rob Gaudin: Yes, of course. I don't really have the credit score or the employment history of each applicant for those that were denied. These are loans that were granted. These loans were all originated, these HALs. So we have a little bit of a differed comparison. We are comparing those loans that were made and who got the predatory style loan instrument and who did not.

Comment 87: Again, if you had a bad credit history that is a bigger risk for that financial institution so they could charge a little more for that risk.

Rob Gaudin: Is that a good thing? That is kind of the question that we need to face. Do these

Comment 88: The housing…

Rob Gaudin: Applicants…

Comment 89: When my husband and I bought a house 27 years ago we had to put 20 percent down. I mean things have changed. Let's just face it; housing is different than it used to be.

Rob Gaudin: I think that is a correct statement there. Housing is very different and peoples ability to get into housing, the landscape is very different and for lenders…

Comment 90: Ten years ago when the housing thing was going on, if I remember, they were making loans with no money down. I am sorry; I didn't grow up like that.

Rob Gaudin: Well neither did I, but the reality is they do, they did, and are continuing to make those kind of loans. Yes, sir.

Comment 91: Once you adopt your plan and you identify your impediments, what impact will it have on all these communities then. When I sit down in my house and I have to fill this out and answer all of these questions. What does it mean? What, how will you answer that with my clients? When I submit that document I hear that HUD certain things out there and the board say no it is not. What is your plan having on the impact and how to deal with it? (Inaudible) There are not going to hear the meaning with that New York reference. How is that impacted?

Rob Gaudin: I don't want to put the cart before the horse. We are not really there yet. I will be making recommendations about what your actions should be. Generally I am not going to recommend something that you do something that. ADECA needs to take responsibility so it is their responsibility. What are they going to do? So that is the context in which I will be talking with the agency. What are they going to do? Not what your are going to do. They may turn it in what you are going to do, but I don't really do it that way. It is their responsibility to do something.

Comment 92: But when you…

Comment 93: When you done, they are going to tell us what we have to do as working people out in the field that is having to do it.

Comment 94: It is accepted, you know because when you have a recommendation and ADECA does not follow that recommendation then HUD will come down on us and say you did not follow that recommendation.

Rob Gaudin: The way that this works…

Comment 95: We can follow the recommendation without imposing on…

Rob Gaudin: Shabbir, wait. The way that this works that this is my recommendations come to you in a progress review memo. After this meeting I will write Kathleen a note saying this is what went on…man we just got beat up. I will talk about what the commentary as. What people had to say? What their objections were to the content. You need to demonstrate a good faith effort and what does that mean? What can you do? So this memo goes to her and we talk about that, then the draft report for internal review is released. It reflects the conversation that we had about this progress review memo. It takes into consideration and I am definitely not going to make any recommendations that you simply can't do or won't do. I don't know, maybe they won't do, and maybe you need some nudging. Stuff you can't do certainly what use would that be? Go after bankers? No, forget that. People in that scenario typically need some education on what the attributes of a predatory loan are. So it is outreach and education. That kind of thing. That is a private sector things and what can you do with the private sector? Not a lot.

Comment 96: That is also coupled with education a lot. Most of these if you are educated enough to know what they are doing you are not going to go ask for a loan from them.

Rob Gaudin: That is correct.

Comment 97: That is the one thing. The other thing is I don't see up here and somehow it just went through. I have a bank in town they closed up and pulled into another locations, but I never noticed in the total of twelve years that they had been there that they had never made a loan.

Rob Gaudin: No wonder why they left.

Comment 98: I got plenty of answers. Another bank has already moved in. It was when they hired all of the old bank employees over to the new bank and they were told that they were going to have to bring some money in and teach them how to process a loan. I said they didn't do that?

Rob Gaudin: They have a community partner.

Comment 99: They would send you, if you wanted a loan; they would send you to another branch about 30 miles away.

Rob Gaudin: Yes, ma'am.

Comment 100: Your evaluation and your documentation is really affecting the poor blacks in the Black Belt who can't qualify under HUD to be able to get a brick home. The only thing that they can get is to go get a mobile home that will allow them to live and survive in the mobile home for approximately ten years before it falls down and then they have to go and get another one because they have to pay the same for a doublewide as they would for a two bedroom brick house.

Rob Gaudin: I am sympathetic with that and these predatory loans typically that occur in the Black Belt, if you will, would typically represent that populations with these predatory-style loans.

Comment 101: You say that you are sympathetic is not going to help them. So we need somebody to not only give us documentation and figures, but to be able to give us some help.

Rob Gaudin: Well, what I can do is make a recommendation to help you. What that comprises…pardon me.

Comment 102: I said that is exactly what we need is some help.

Rob Gaudin: Other comments or concerns? Yes sir.

Comment 103: Which leads to the question as to what she was saying and I agree with that (Inaudible) we both work for the state and both look at HUD in Birmingham just like you said the HUD people told us they are totally dissatisfied with our AI, they are saying that Alabama and our program is the worst. The information you have collected so far is not necessarily reflecting what HUD has already (Inaudible) in Alabama. I think this we kind of need to focus on just what she was saying to identify the impediments. That is an impediment that she is talking about.

Rob Gaudin: I agree.

Comment 104: So, that is an impediment So the thing is what do we do? I know you can't do this. You can't solve our problems, but we have all of these problems, these impediments to people being able to get a home, to get a loan, or whatever. If you are going to live in the State of Alabama like everybody else. We need to really kind of focus on identifying the impediments and then maybe identifying some weak sources and what our primary problem is the state itself. There is no really leadership in civil rights enforcement in the State of Alabama. So, we kind of got our backs up against the wall. So I think we should be sure to try to focus on trying to identifying impediments in the State of Alabama and come up with some resources or laws to advocate to the state to try to change or to enact laws that would benefit everybody and not just the citizens in a certain segment of the population, based on economics, race or whatever.

Rob Gaudin: Thank you for your comment.

Comment 105: Its really affecting the rural areas in the State of Alabama with your decisions. So whether you sympathize with us, we need you to help us not to just hurt us by sending documentation to HUD or ADECA to say don't do this or do this, but help us. That is what we need you to do, because we are tax payers too. I am a County Commissioner. Thank you.

Rob Gaudin: Thank you. Other comments?

(Presentation)

Comment 106: So basically what you are saying is the status of the surveys, the survey information you have received verses the data that you have already gone over, you are saying they don't correlate with one another?

Rob Gaudin: The data doesn't seem to. The other surveys that I have conducted it doesn't agree with those in the community, who were asked were only representatives who were making so it was a smaller audience. So we kind of cherry picked, if you will, from that community. Maybe we should have some something a little broader.

Comment 107: (Inaudible) the survey? This is the one that came in with the applications?

Comment 108: Yes.

Comment 109: They were to fill them out and they filled them out.

(Presentation)

Comment 110: I agree with you that lack of interest in knowledge of affirmatively furthering fair housing for smaller jurisdictions, because we deal with (Inaudible) small communities. I think and I can't speak for the state, working with fair housing that that is probably should go to the top of the list. That maybe the fault of the state in the past and currently that we have not been doing as good a job as we should and presenting that knowledge. What it is (inaudible) it is really a lack of knowledge in the State of Alabama so therefore we don't have anything to really work with. We are just trying to explain to the people and trying to get the community, the small communities, and the counties to see that this is a serious concern for the development of (Inaudible) for everybody else in the nation. This is a big deal and not necessarily just in the State of Alabama, but it is a job that we have to do and probably do a lot better in education in our process we did last. I think that is our, from my perspective that is probably the number one problem of the impediment.

Rob Gaudin: I just want to make sure that these are not numbered. So we are not really ranking them in their order. They are just the impediments, just the preliminary impediments today.

Comment 111: In my opinion the fair housing and housing is a secondary issue. The primary issue is education, job skills, jobs, and that is where the federal government and the state government that is where our resources should be going. Get education high, get the job skills high, let the people have the jobs and the housing will correct the problem by itself. I am going to ask you a question Rob, the lenders and we will assume that many of them are the realtors, lenders; they all are in the business of making money. Would you agree to that?

Rob Gaudin: It is amazing that some lenders aren't really in the business of making sure that their clients are well off after the housing transaction.

Comment 112: There is not one.

Rob Gaudin: Please, one at a time.

Comment 113: The banks don't want your house back. They want you to make a payment on it.

Comment 114: They want you to make a payment.

Rob Gaudin: Yes.

Comment 115: They don't want the house. They want you to…

Comment 116: I don't…

Comment 117: I want to know where those lenders are located? You are telling me the lender isn't worried about making money; he is just worried about helping his client.

Rob Gaudin: I am not saying all lenders. I am just saying that there are some lenders that aren't really that concerned about their client.

Comment 118: Right.

Rob Gaudin: And this is lender who probably did, I mean payday lenders might be a good example outside of this study. Car title lenders might be a good example outside of this study. Are they concerned about the well fair of their client?

Comment 119: No.

Rob Gaudin: That is a debatable. Same for those who have these predatory style instruments. So is everyone interested in making a buck? Of course, we all want to make a buck, but it is important to consider the welfare of our customers. They could come back for another loan when they trade up as well. Yes sir.

Comment 120: (Inaudible) County government, we have had a reduction of over 1,200 in our population from 1991 to 17 to 41. We are struggling with jobs for our local residents. There are no jobs basically to speak of. We have lost over 5,000 jobs in the last ten years. Most of our citizens that are working drive to Tuscaloosa for employment. If they do come back and live in Fayette County, but what should we do? What is there for us to do in regard to…

Rob Gaudin: In your particular circumstance you probably have a surplus of housing, because…

Comment 121: Very few houses move by themselves.

Rob Gaudin: If you have a manufacture house maybe, but you are correct. So they stay and they become dilapidated if they are not being paid attention to. What can you do in this? You have limited capacity. This surplus, people can choose here or there. You face slightly different problems. I am not saying you are going to face all of these problems.

Comment 122: But it is not a problem that is…

Comment 123: It is the majority of …

Comment 124: It is Obama you are talking about now.

Comment 125: I could drag Obama over to DeKalb County and lots are living in manufactured housing that was destroyed by the tornados and they still want to go to manufactured housing.

Rob Gaudin: If you want me…

Comment 126: That is just what they do.

Rob Gaudin: If you want me to optimize, perhaps maybe we need another contract for me to take on the Consolidated Plan. This is a sub optimization. We are only looking at a piece of it.

Comment 127: I am sorry, but I think you already have come up with a preconceived idea that we are not doing whatever it is you think we are supposed to be doing and we are going to be led somewhere we don't want to go. I am sorry. I am just going to tell you that.

Rob Gaudin: You are certainly welcome and I welcome your input.

Comment 128: Excuse me, the people in Sumter County were destroyed by the tornado. When the tornado hit they went and applied for homes to get a house built. I know of two families. They ended up having to get doublewide trailers, mobile homes as you call them, because they could not get a house built. They went to a loaning institution to get a house, but the trailer company whom they paid off with their FEMA money still gave them a bad credit. So, but now they could go to the mobile home companies and get a loan or if they wanted a car they could go and get that. Maybe this is something that you all need to do from the top whereas the government and correct some of this, because it is affecting the low-income people very bad.

Comment 129: Just the lack of jobs across the board.

Comment 130: It is the lack of jobs. I am telling you.

Comment 131: If you get a housing project and right here in my town the housing project is better off than the people that are struggling for jobs and trying to keep up housing.

Comment 132: Right.

Comment 133: You know that they had for long…

Comment 134: Well in Boaz…

Comment 135: It is (Inaudible) because of properties.

Rob Gaudin: Just as an anecdote, I do these studies and people like to beat their show on the table and talk about jobs, but it is really the quality of the jobs. If you are still making minimum wage…

Comment 136: …You are taking personal responsibly out of the whole equation. It is all about what can we do to fix your problem. At what point are we going to stop and say how you can fix your problem. I know that there has got to be some guidelines that you have to try and follow, but we can't fix…that is not the government's responsibility. I don't know at what point we decided it is, but we are totally off base.

Rob Gaudin: I certainly appreciate your concern and your opinions. My duty in this and what I am contracted to do in this is to make recommendations based on the impediments I see and then ADECA needs to act on those or those in which we agree on and beyond that you are discussing something that is outside my purview at this time. I think that is a conversation that you need to have with ADECA at another time.

Comment 137: It appears that my friend over there put it a while ago and they really and I hope that I do not have my head buried in the sand. I am a transplant form another state, but I have really been amazed at what appears to be a very fair housing situation in Alabama. I live in Tuscaloosa County, but it boils down to you can have, whatever you can afford to buy. In Tuscaloosa, a lot of my friends that make home loans and banking and all of that, I mean black, Chinese, German that is irreverent, if you can qualify for the loans you have the house. If you

don't qualify you don't get it. As Shabbir put it very well, you improve your own place in life. More education. You learn how to weld and you work at the Mercedes plant or what have you. You take advantage of opportunities and in return you can go and qualify for a loan and buy anything you want.

Rob Gaudin: I am very sympathetic…

Comment 138: As opposed to well one group doesn't get as many home loans approved, because of that group. I don't think that really represents that, but maybe I have my head in the sand.

Rob Gaudin: Yes, sir.

Comment 139: For the last two years I have been being told that ADECA is saying HUD got concerns with what we are doing with the impediments and make sure that you get detail, make sure that you get detail. I have been to couple conferences dealing with fair housing with HUD and the first slide shows the New York slide. Obviously, these impediments could have an impact. That's all those it is going to take now and I have asked my town and him to fill out this form. If he fills it out incorrectly based on the impediments, what happens? That County in New York did something wrong.

Rob Gaudin: I am not sure what you are asking. If you are asking how to reply to a survey and you think you filled it out wrong?

Comment 140: I am talking about that. I am telling you that we do this and we answer these questions the impediments that you say are impediments and we fill them out, what did the people you work with do wrong? I guess that is my question.

Rob Gaudin: Why did they get sued?

Comment 141: Yes.

Rob Gaudin: They built, when they did their AI they were criticized for not incorporating race and poverty and consideration of those things and how they have increased in certain areas over time. Now a single county is a much different thing to try to look at than an entire state. There are many things going on in an entire state. It is very difficult to formulate policy that will cover all of the things that are going on in the state. It is a very broad, your community and Hispanics and your situation, these are all things that are going on and how do we cover all of these. The ideal is that we would cover them all with more general statements. The actions would also then be somewhat general and the measurement would be there is something that you need to measure to accomplish all of these things. What did you do? We have to be able to decide what those are in conversations with Shabbir and Kathleen and myself.

Comment 142: It is like I said in Agricola, they have a real problem, but they formed a coalition, a Hispanic Coalition that now takes care of those and we do not. It is near the complaints with fair housing. Those individuals work and were taken advantage of when they first moved in.

Rob Gaudin: I am delighted to hear this.

Comment 143: But it took ten years. I mean it didn't happen overnight, but I don't want you thinking that it is just running rampant and everybody is being taken advantage of because there are other and sometimes it can be done locally better.

Rob Gaudin: This isn't a study about yes or no.

Comment 144: It is going to be a study that is going to affect all of us that work in the field.

Rob Gaudin: That is correct.

Comment 145: I don't know how to make it work in the field from what I am seeing on your charts.

Comment 146: From what I understand there will be no work on your part in the field. It is all going to be based on…

Comment 147: …You what we are actually experience.

Rob Gaudin: Correct. You know your picture is actually being painted. I am delighted to hear it. Yes ma'am.

Comment 148: What authorities these counties have and what authorities (Inaudible) The study in New York was fascinating. They were building houses. Not very many of our communities, our counties, or our small towns build public housing or so we talk about assessment. We are looking at statistics for realtors, builders in the area, but we don't have control over affordable housing. We don't have public housing in our county that is controlled by the Country Commission. We don't have public housing that is controlled by some of these small towns. You know we are doing (Inaudible) so we are not able to not do anything. We are not investing in any housing, because we do not have those resources. What have we answered? We act on the assessment that best that we can based on the resources that we have.

Rob Gaudin: Wait, you are supposed to come up with the actions and not ask me for actions. So the idea here is what can you do, right? Form a group locally to process these kinds of complaints for a certain group is kind of what I am hearing is one of our local options.

Comment 149: Maybe the Black Belt should have something like that, but at the same time I don't think that you should have the sole authority to tell us what to do. I guess that is the problem…

Rob Gaudin: I don't actually have any authority to tell you what to do.

Comment 150: They have paid you obviously a lot of money to come up with this…

Rob Gaudin: This is a set of preliminary impediments. We need to articulate them, change them, add some, and delete some. Now, I want you to comment on this, but if you don't want to comment on this today you can send Kathleen an email.

Comment 151: I think I have commented enough.

(Laughter)

Comment 152: We have all.

Rob Gaudin: The idea is at some point we will recommend actions that ADECA need to take and then there will be something in there that measures what that is.

Comment 153: Shabbir can I make a recommendation? Could you ask some of us that are in this room to meet with you and let us review those recommendations with you?

Comment 154: We can most certainly do that. Find out from Rob and we can convene our own.

Comment 155: I think we should. I don't know why we can't take our own study?

Comment 156: Would that be OK with you?

Rob Gaudin: That is fine.

Comment 157: Do you feel that the impediment is…

Comment 158: I am an emotional, that is that.

Rob Gaudin: I'm sorry, excuse me sir.

Comment 159: What level do you feel that the impediments are stemming from? Are they stemming from the local level, the state level, You know HUD not doing their jobs in educating people about their own rules and regulations. At what level do you feel it is favoring here.

Rob Gaudin: To be quite honest with you I see various levels from the local, state, and the feds. The reality of it for Shabbir, he has got to bite the bullet. When the study is done and the final report goes out, HUD looks at it, he has got to take action on the impediments. Right, his department. I have had customers and HUD takes a look at their AI and they don't even have housing. They don't fund it, but once they looked at the AI they decided that something else needed to be done, which was fund some housing so it changed what they do.

Comment 160: When Shabbir put the contract in front of you, if you thought that he couldn't get the state to pay it, would you have taken the job?

Rob Gaudin: You mean would I do this for free?

Comment 161: Right.

Rob Gaudin: I am a for profit organization.

Comment 162: Is that because he is an Indian or because he can't live up to the contract.

Rob Gaudin: Are you suggesting that Shabbir won't live up to this?

Comment 163: No, I was just asking?

Rob Gaudin: That is news to me. Shabbir I thought we had an understanding.

Comment 164: Laughing.

Comment 165: What you are saying is some of the numbers are elevated because the banks don't want to deal with certain types of people. Maybe the people that applied for loans can't afford to pay them and if Shabbir can't get the state to pay you…

Comment 166: That is what I am saying.

Comment 167: If he doesn't have the money it is not because he is Indian.

Comment 168: If you are going to use statistics data to say that a certain class of people were denied a loan you got to look at the data and say what was the credit rating. What is the justifiable rate? Slightly got to pull the legs off a spider and say walk spider and he didn't. So you see you pull all the legs off a spider…I mean it is the wrong interpretation of the data.

Rob Gaudin: You can go after the bank or the lending institution or something like that. I think we need to stay a little bit general here and not talk about the legs of spiders.

Comment 169: Let's talk about credit ratings then. That is pretty general.

Rob Gaudin: Not the general that…

Comment 170: People that have bad credit ratings can't get a loan and that is the end of it.

Rob Gaudin: That might be true.

Comment 171: That is absolutely true.

Rob Gaudin: Would I have taken…

Comment 172: It's suppertime so…

Comment 173: If you don't have a good job, you can't get a good credit rating.

Rob Gaudin: I want to say thank you, especially to all of you that have spoken up today. That is perfect. That is why we have this input session. This has been a lively session and I really appreciate it. I have been at more lively sessions than this, but I am delighted that you came, you listened and you had your opinions to share. I want to thank each and every one of you very much. If you decide that you want to say some more and I record this, so we will have transcript, but please send Kathleen your opinions. Share with her your personal anecdotes that would be great. If you wish Shabbir to set up a group and talk about these at any in that would be great. I will go away and I won't come back, that kind of thing. At least for five years. When it comes up again I will be bidding on it. You need to be involved now; all of you need to be involved now and thank you very much.

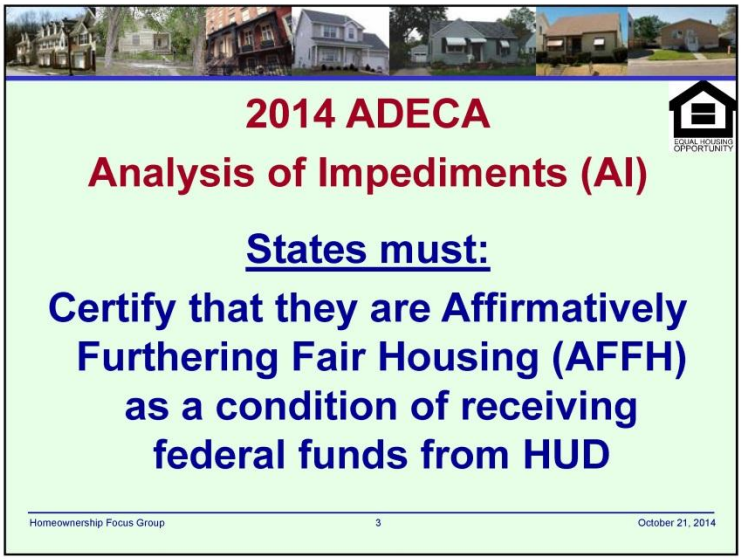
Comment 174: We don't want you to go away and not come back.

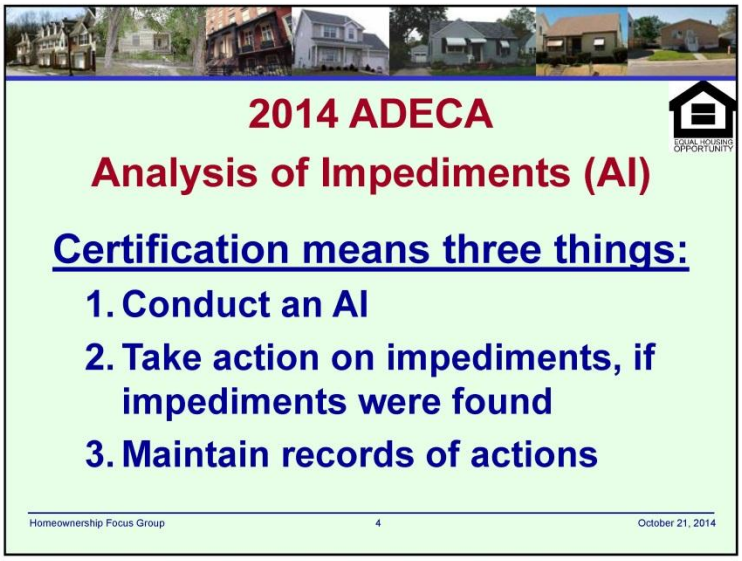
HOMEOWNER FOCUS GROUP

Alabama Analysis of Impediments to Fair Housing Choice

Homeownership Focus Group **October 21, 2014: Page 1**

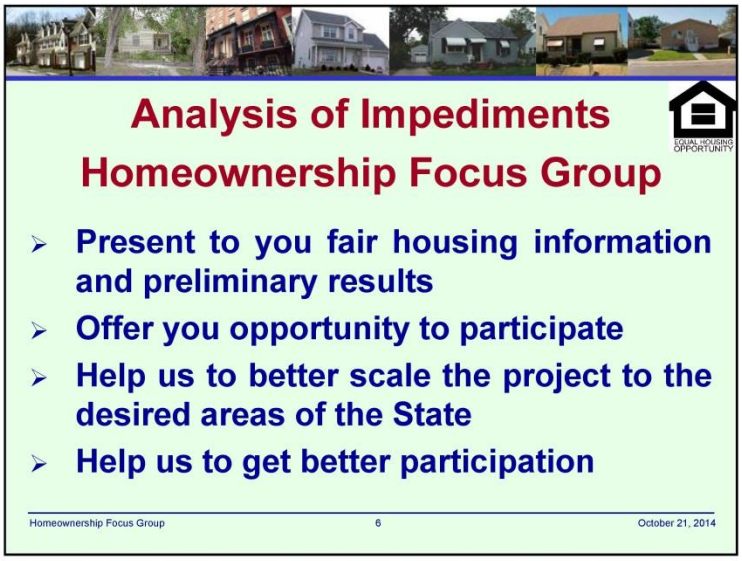
Alabama Analysis of Impediments to Fair Housing Choice





Homeownership Focus Group **October 21, 2014: Page 2**

Alabama Analysis of Impediments to Fair Housing Choice

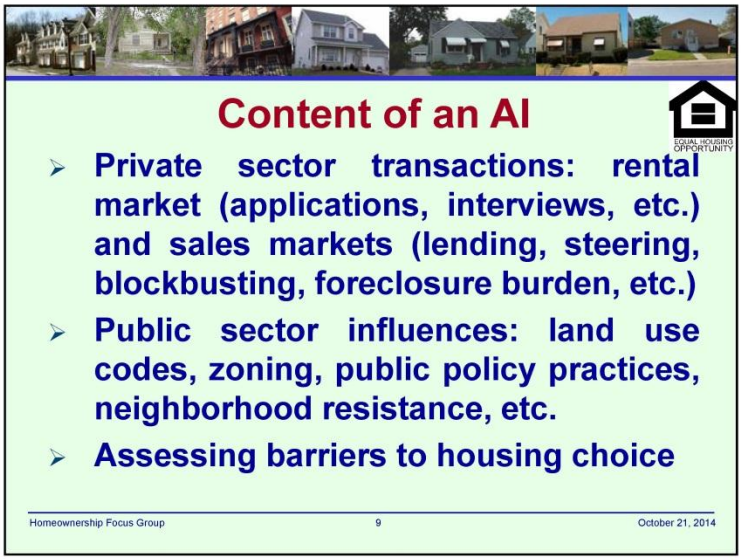


Homeownership Focus Group **October 21, 2014: Page 3**

Alabama Analysis of Impediments to Fair Housing Choice

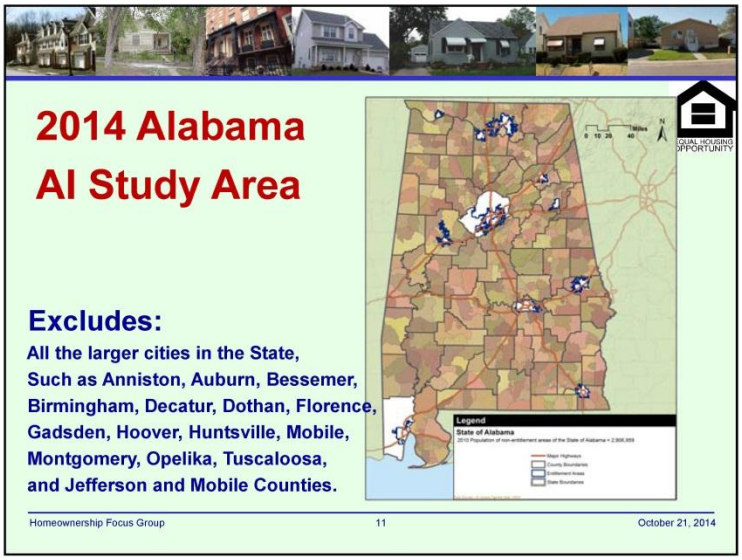
Homeownership Focus Group **October 21, 2014: Page 4**

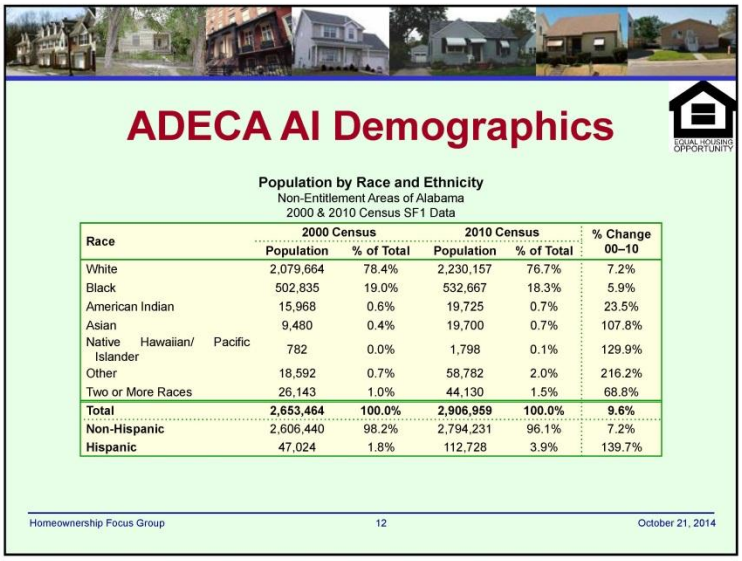
Alabama Analysis of Impediments to Fair Housing Choice



Homeownership Focus Group **October 21, 2014: Page 5**

Alabama Analysis of Impediments to Fair Housing Choice



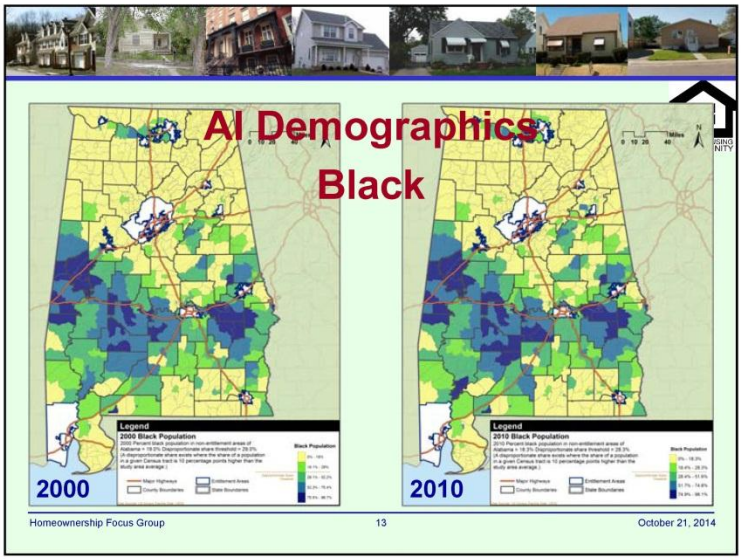


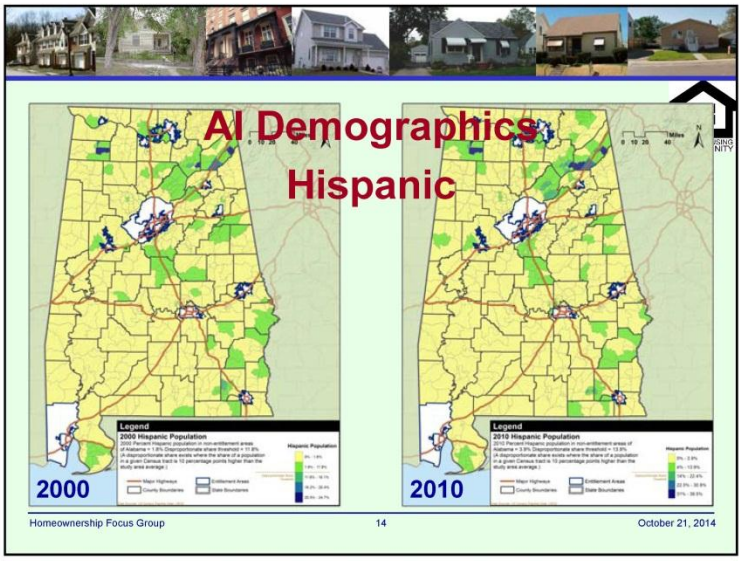
Population by Race and Ethnicity
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Race	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
White	2,079,664	78.4%	2,230,157	76.7%	7.2%
Black	502,835	19.0%	532,667	18.3%	5.9%
American Indian	15,968	0.6%	19,725	0.7%	23.5%
Asian	9,480	0.4%	19,700	0.7%	107.8%
Native Hawaiian/ Pacific Islander	782	0.0%	1,798	0.1%	129.9%
Other	18,592	0.7%	58,782	2.0%	216.2%
Two or More Races	26,143	1.0%	44,130	1.5%	68.8%
Total	**2,653,464**	**100.0%**	**2,906,959**	**100.0%**	**9.6%**
Non-Hispanic	2,606,440	98.2%	2,794,231	96.1%	7.2%
Hispanic	47,024	1.8%	112,728	3.9%	139.7%

Homeownership Focus Group **October 21, 2014: Page 6**

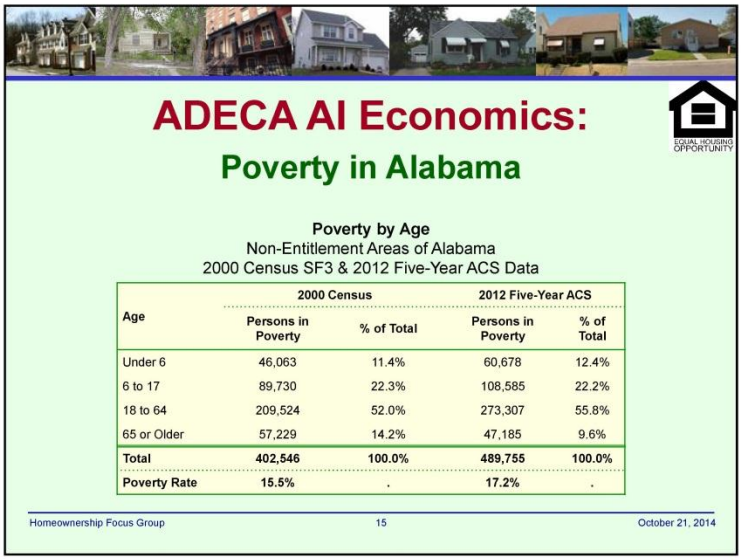
Alabama Analysis of Impediments to Fair Housing Choice





Homeownership Focus Group **October 21, 2014: Page 7**

Alabama Analysis of Impediments to Fair Housing Choice



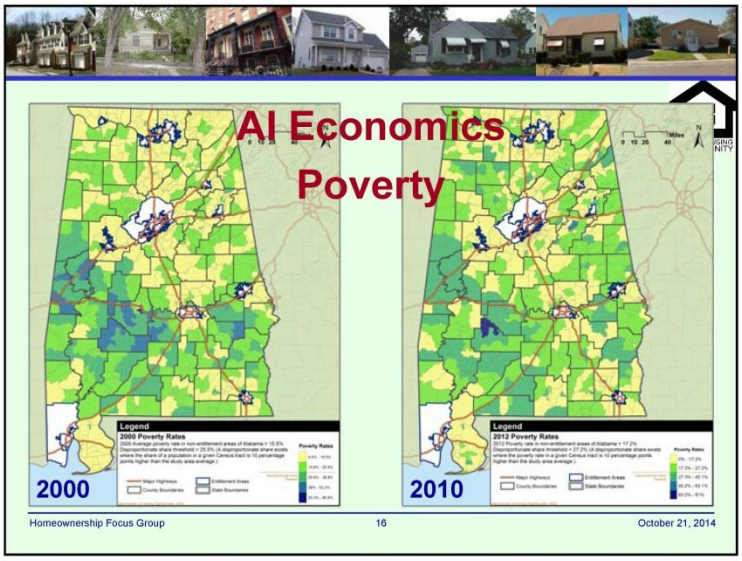
ADECA AI Economics:

Poverty in Alabama

Poverty by Age
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

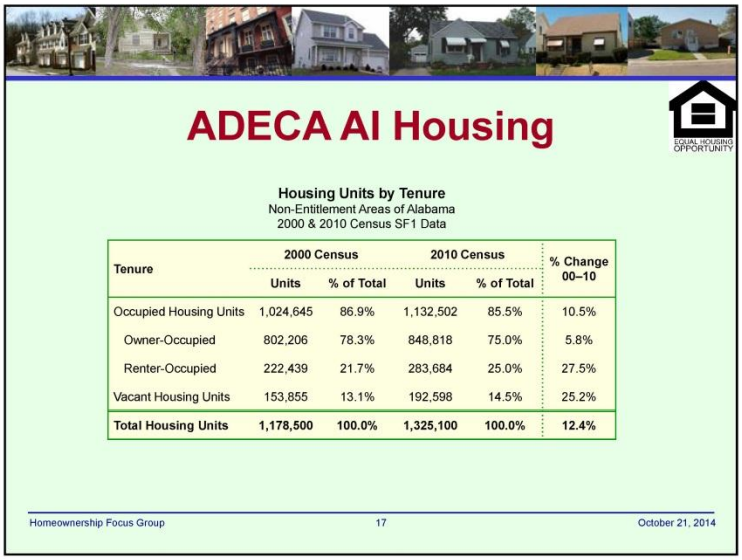
Age	2000 Census		2012 Five-Year ACS	
	Persons in Poverty	% of Total	Persons in Poverty	% of Total
Under 6	46,063	11.4%	60,678	12.4%
6 to 17	89,730	22.3%	108,585	22.2%
18 to 64	209,524	52.0%	273,307	55.8%
65 or Older	57,229	14.2%	47,185	9.6%
Total	**402,546**	**100.0%**	**489,755**	**100.0%**
Poverty Rate	**15.5%**	.	**17.2%**	.

Homeownership Focus Group 15 October 21, 2014



Homeownership Focus Group **October 21, 2014: Page 8**

Alabama Analysis of Impediments to Fair Housing Choice



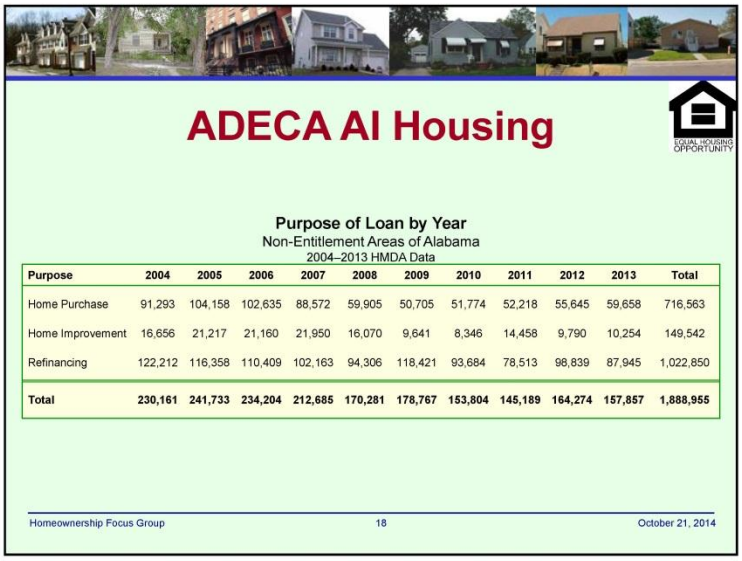
ADECA AI Housing

EQUAL HOUSING OPPORTUNITY

Housing Units by Tenure
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Tenure	2000 Census		2010 Census		% Change 00–10
	Units	% of Total	Units	% of Total	
Occupied Housing Units	1,024,645	86.9%	1,132,502	85.5%	10.5%
Owner-Occupied	802,206	78.3%	848,818	75.0%	5.8%
Renter-Occupied	222,439	21.7%	283,684	25.0%	27.5%
Vacant Housing Units	153,855	13.1%	192,598	14.5%	25.2%
Total Housing Units	**1,178,500**	**100.0%**	**1,325,100**	**100.0%**	**12.4%**

Homeownership Focus Group 17 October 21, 2014



ADECA AI Housing

EQUAL HOUSING OPPORTUNITY

Purpose of Loan by Year
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Purpose	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Home Purchase	91,293	104,158	102,635	88,572	59,905	50,705	51,774	52,218	55,645	59,658	716,563
Home Improvement	16,656	21,217	21,160	21,950	16,070	9,641	8,346	14,458	9,790	10,254	149,542
Refinancing	122,212	116,358	110,409	102,163	94,306	118,421	93,684	78,513	98,839	87,945	1,022,850
Total	**230,161**	**241,733**	**234,204**	**212,685**	**170,281**	**178,767**	**153,804**	**145,189**	**164,274**	**157,857**	**1,888,955**

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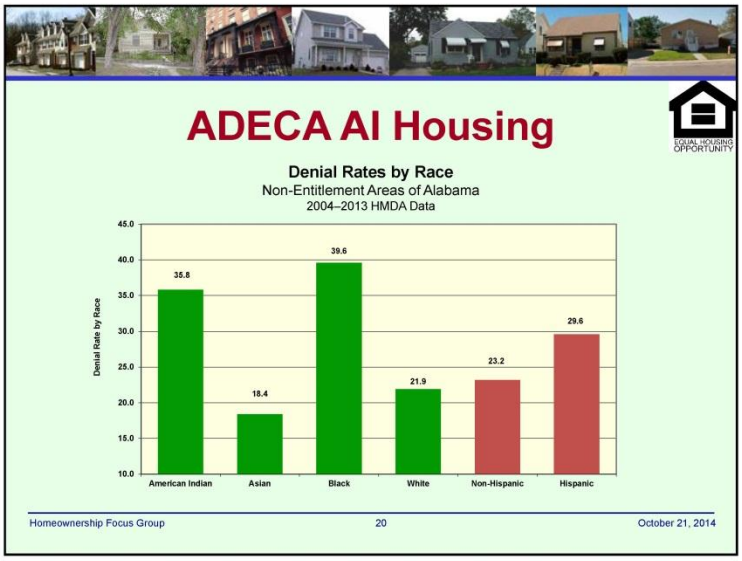
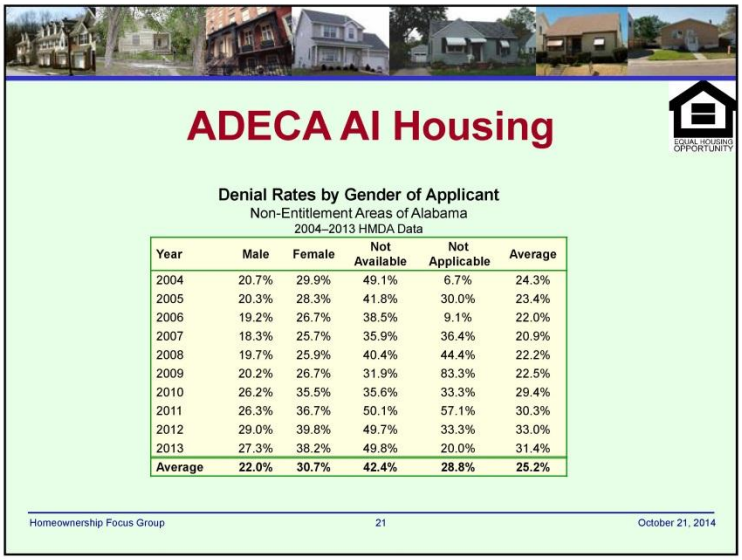
Alabama Analysis of Impediments to Fair Housing Choice



Homeownership Focus Group **October 21, 2014: Page 10**

Alabama Analysis of Impediments to Fair Housing Choice



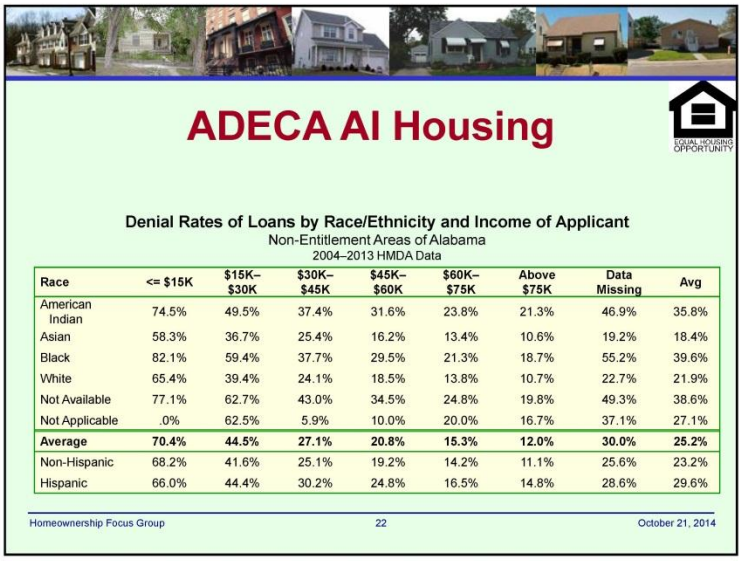
ADECA AI Housing

EQUAL HOUSING OPPORTUNITY

Denial Rates by Gender of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Year	Male	Female	Not Available	Not Applicable	Average
2004	20.7%	29.9%	49.1%	6.7%	24.3%
2005	20.3%	28.3%	41.8%	30.0%	23.4%
2006	19.2%	26.7%	38.5%	9.1%	22.0%
2007	18.3%	25.7%	35.9%	36.4%	20.9%
2008	19.7%	25.9%	40.4%	44.4%	22.2%
2009	20.2%	26.7%	31.9%	83.3%	22.5%
2010	26.2%	35.5%	35.6%	33.3%	29.4%
2011	26.3%	36.7%	50.1%	57.1%	30.3%
2012	29.0%	39.8%	49.7%	33.3%	33.0%
2013	27.3%	38.2%	49.8%	20.0%	31.4%
Average	**22.0%**	**30.7%**	**42.4%**	**28.8%**	**25.2%**

Homeownership Focus Group 21 October 21, 2014



ADECA AI Housing

EQUAL HOUSING OPPORTUNITY

Denial Rates of Loans by Race/Ethnicity and Income of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race	<= $15K	$15K–$30K	$30K–$45K	$45K–$60K	$60K–$75K	Above $75K	Data Missing	Avg
American Indian	74.5%	49.5%	37.4%	31.6%	23.8%	21.3%	46.9%	35.8%
Asian	58.3%	36.7%	25.4%	16.2%	13.4%	10.6%	19.2%	18.4%
Black	82.1%	59.4%	37.7%	29.5%	21.3%	18.7%	55.2%	39.6%
White	65.4%	39.4%	24.1%	18.5%	13.8%	10.7%	22.7%	21.9%
Not Available	77.1%	62.7%	43.0%	34.5%	24.8%	19.8%	49.3%	38.6%
Not Applicable	.0%	62.5%	5.9%	10.0%	20.0%	16.7%	37.1%	27.1%
Average	**70.4%**	**44.5%**	**27.1%**	**20.8%**	**15.3%**	**12.0%**	**30.0%**	**25.2%**
Non-Hispanic	68.2%	41.6%	25.1%	19.2%	14.2%	11.1%	25.6%	23.2%
Hispanic	66.0%	44.4%	30.2%	24.8%	16.5%	14.8%	28.6%	29.6%

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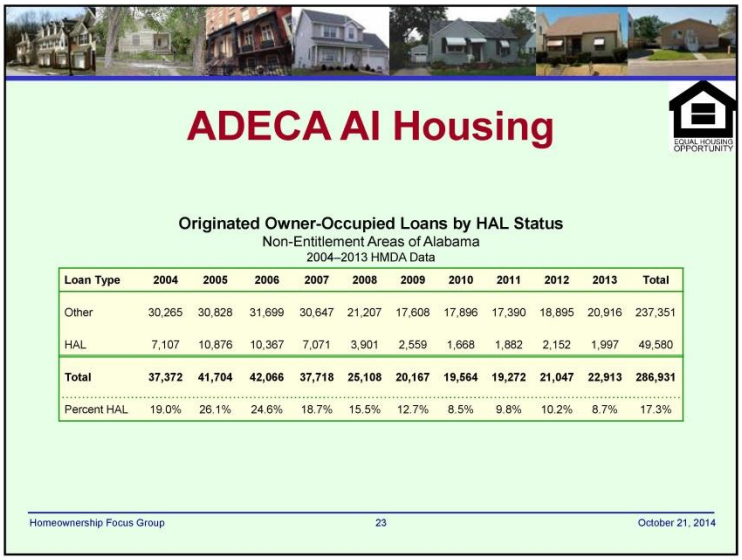
Homeownership Focus Group **October 21, 2014: Page 11**

Alabama Analysis of Impediments to Fair Housing Choice



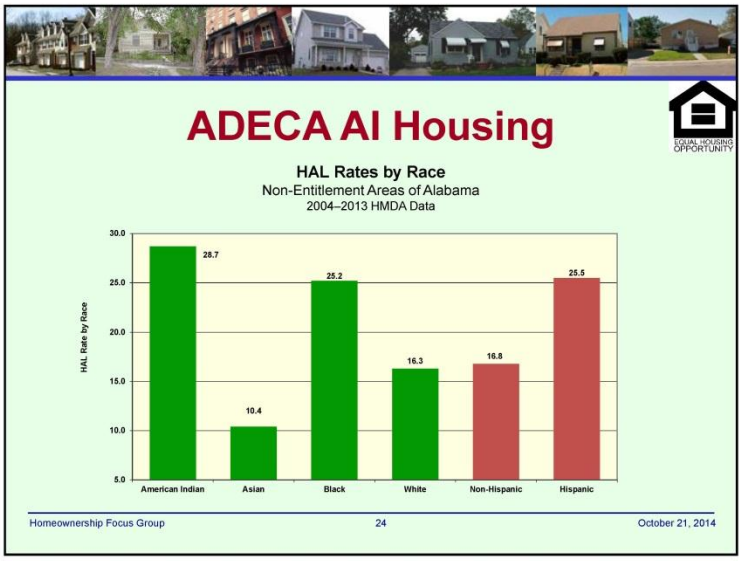
ADECA AI Housing

EQUAL HOUSING OPPORTUNITY

Originated Owner-Occupied Loans by HAL Status
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

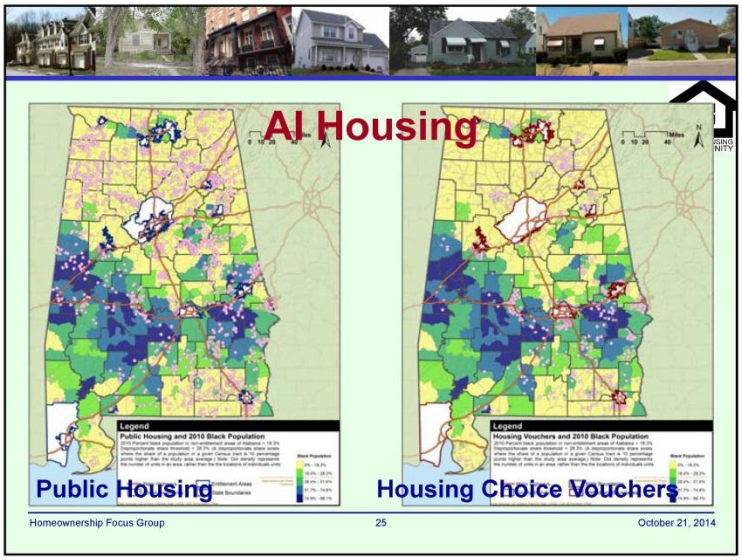
Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Other	30,265	30,828	31,699	30,647	21,207	17,608	17,896	17,390	18,895	20,916	237,351
HAL	7,107	10,876	10,367	7,071	3,901	2,559	1,668	1,882	2,152	1,997	49,580
Total	**37,372**	**41,704**	**42,066**	**37,718**	**25,108**	**20,167**	**19,564**	**19,272**	**21,047**	**22,913**	**286,931**
Percent HAL	19.0%	26.1%	24.6%	18.7%	15.5%	12.7%	8.5%	9.8%	10.2%	8.7%	17.3%

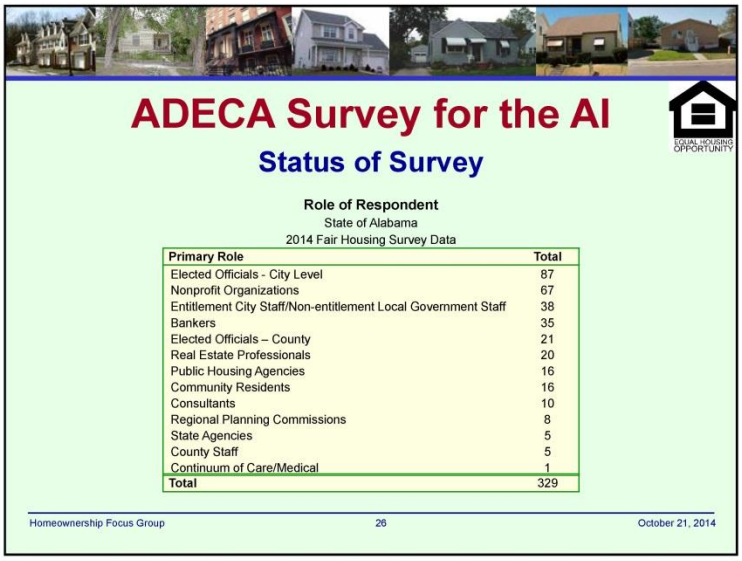
Homeownership Focus Group 23 October 21, 2014



Homeownership Focus Group **October 21, 2014: Page 12**

Alabama Analysis of Impediments to Fair Housing Choice



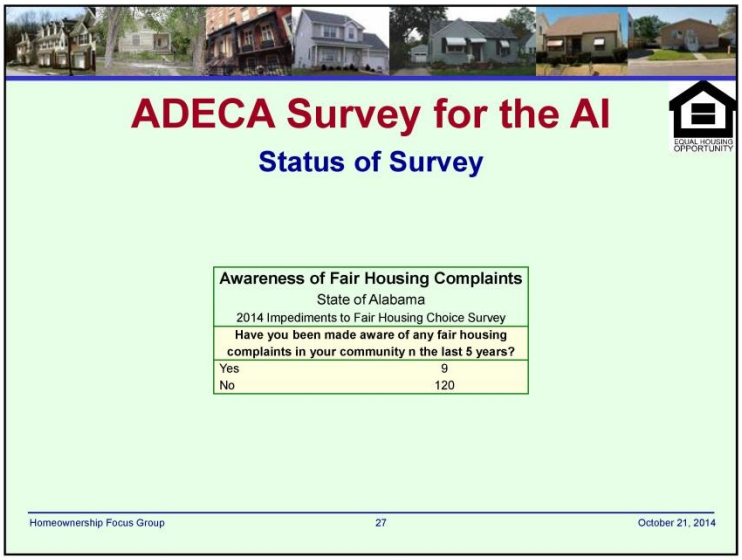


Role of Respondent
State of Alabama
2014 Fair Housing Survey Data

Primary Role	Total
Elected Officials - City Level	87
Nonprofit Organizations	67
Entitlement City Staff/Non-entitlement Local Government Staff	38
Bankers	35
Elected Officials – County	21
Real Estate Professionals	20
Public Housing Agencies	16
Community Residents	16
Consultants	10
Regional Planning Commissions	8
State Agencies	5
County Staff	5
Continuum of Care/Medical	1
Total	329

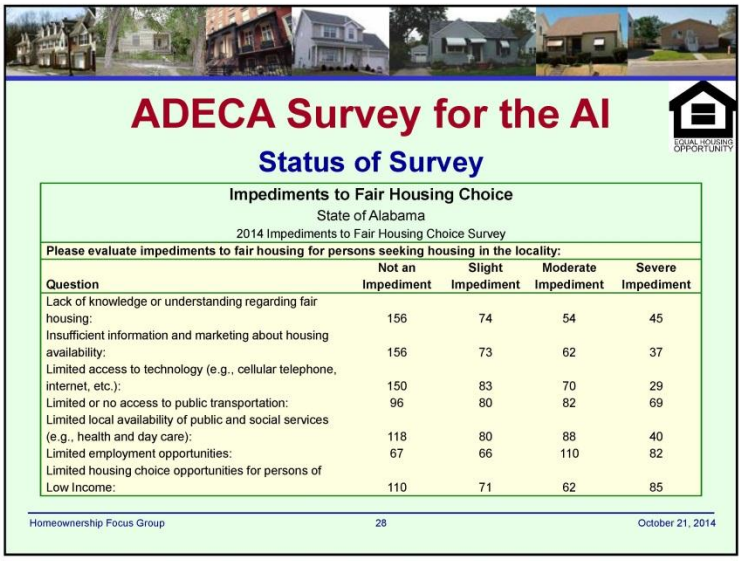
Homeownership Focus Group **October 21, 2014: Page 13**

Alabama Analysis of Impediments to Fair Housing Choice



Awareness of Fair Housing Complaints
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Have you been made aware of any fair housing complaints in your community n the last 5 years?	
Yes	9
No	120



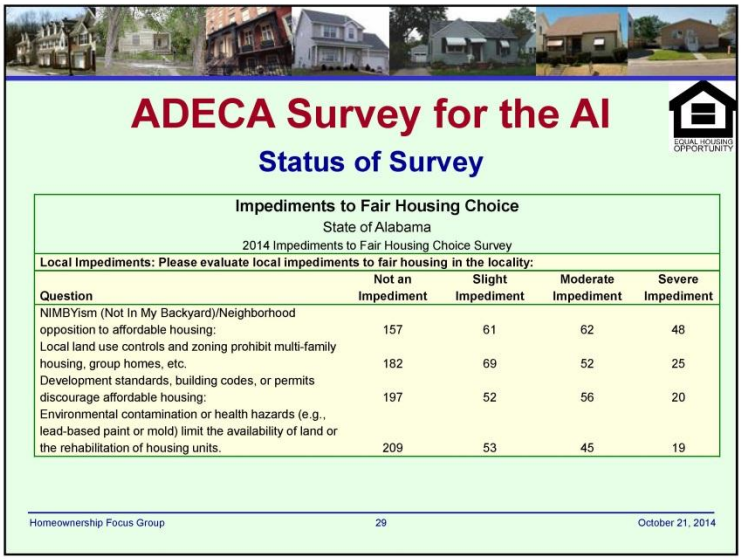
Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Please evaluate impediments to fair housing for persons seeking housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
Lack of knowledge or understanding regarding fair housing:	156	74	54	45
Insufficient information and marketing about housing availability:	156	73	62	37
Limited access to technology (e.g., cellular telephone, internet, etc.):	150	83	70	29
Limited or no access to public transportation:	96	80	82	69
Limited local availability of public and social services (e.g., health and day care):	118	80	88	40
Limited employment opportunities:	67	66	110	82
Limited housing choice opportunities for persons of Low Income:	110	71	62	85

Homeownership Focus Group **October 21, 2014: Page 14**

Alabama Analysis of Impediments to Fair Housing Choice



ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
NIMBYism (Not In My Backyard)/Neighborhood opposition to affordable housing:	157	61	62	48
Local land use controls and zoning prohibit multi-family housing, group homes, etc.	182	69	52	25
Development standards, building codes, or permits discourage affordable housing:	197	52	56	20
Environmental contamination or health hazards (e.g., lead-based paint or mold) limit the availability of land or the rehabilitation of housing units.	209	53	45	19

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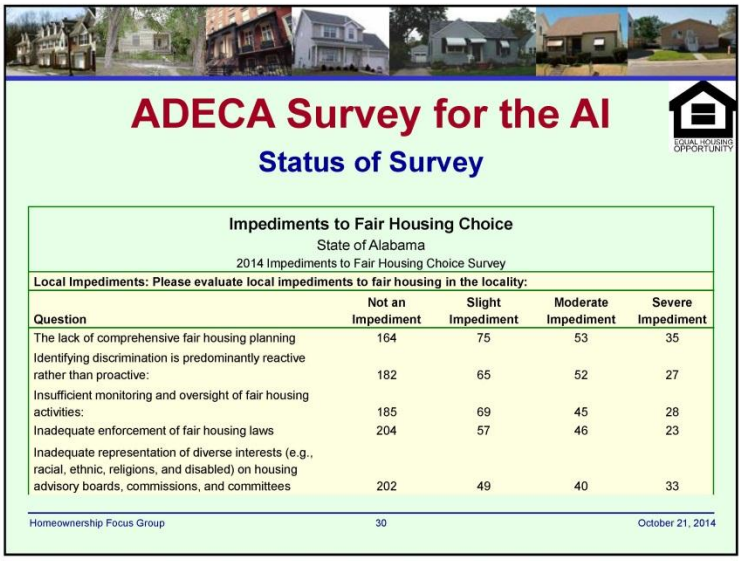

ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
The lack of comprehensive fair housing planning	164	75	53	35
Identifying discrimination is predominantly reactive rather than proactive:	182	65	52	27
Insufficient monitoring and oversight of fair housing activities:	185	69	45	28
Inadequate enforcement of fair housing laws	204	57	46	23
Inadequate representation of diverse interests (e.g., racial, ethnic, religions, and disabled) on housing advisory boards, commissions, and committees	202	49	40	33

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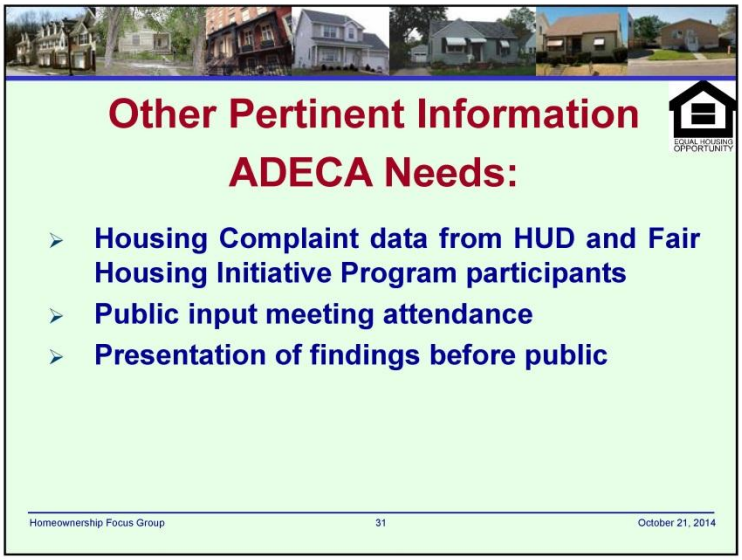
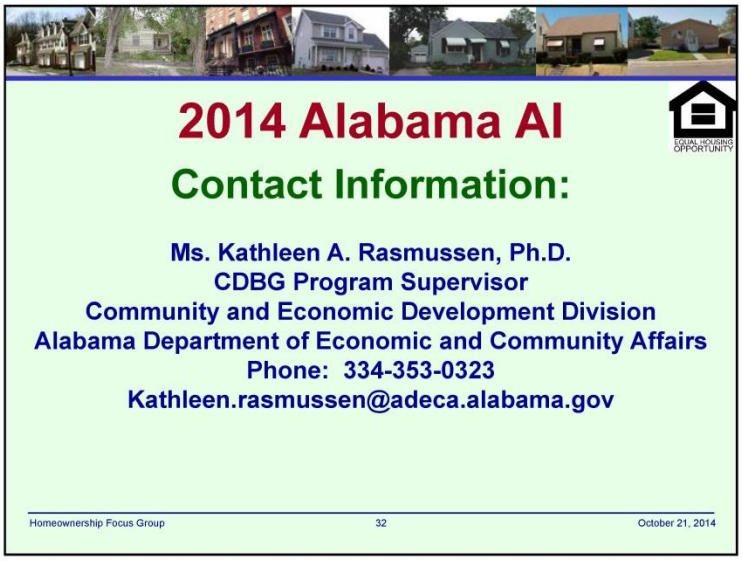
Homeownership Focus Group **October 21, 2014: Page 15**

Alabama Analysis of Impediments to Fair Housing Choice





TRANSCRIPT FROM HOMEOWNER FOCUS GROUP DISCUSSION

10/21/14 Homeowner Focus Group

Comment 1: What I have noticed in our area here is there has been a change in the banking industry. So what we are seeing is some of the people who can't afford or are not approved for more than a certain amount due to the pricing still being driven by foreclosures and short sales that they can't get a loan because many of your big mortgage companies cannot do loans say below $50,000 or the fees that they would normally charge would put them in status of predatory lending. So we have some here, not many, but we do have some mortgage companies here who are saying that they are not doing loans below $75,000.

Rob Gaudin: Right. They actually are saying that or are they just practicing it?

Comment 2: Well then I heard it the first time I called a couple of other larger mortgage companies that I do business with and I don't remember exactly when the change was, but it was earlier this year. They are saying yes, that is a problem, but at least the larger ones would go down to maybe $50,000, but the loan value has to be $50,000 or their organization will not do FHA loans below $50,000. I say FHA, because everyone that I have brought to them just happens to be FHA and not VA or conventional. Conventional I am not running into the problem, because I still have investors who are able to get the 10 percent down or the 5 percent down and the actual loan values are below 50. I haven't done much below that, but when you are talking about an area where it is not uncommon for a nice three bedroom, one bath house to be 50 and then on top of that you are using downpayment assistance for first-time homebuyer and they really can't go much more than that. They are kind of just left. I have a couple of them right now. One is an elderly African-American woman and the other is a young couple and that because of their income they are just trapped. They are going to have to stay in a rental until their income comes up because of this change this year.

Rob Gaudin: Yes in 2014 there was a change.

Comment 3: I agree with you there is not enough fair housing training at all. People have no idea. The public in my opinion and I can only speak for our area, has no idea as to that fair housing is there, that it is even there to protect them, to help them, and I just would like and it is my desire because, I have been at the Cultural Diversity Equal Opportunity Committee and our Board of Realtors had Fair Housing Month and we are planning a public forum to teach fair housing, but for some way we have got to get it out there.

Rob Gaudin: I agree. What is your experience with the rental market or exposure to the rental market.

Comment 4: In my opinion it is the worst.

Rob Gaudin: The worst?

Comment 5: Yes, meaning you have more violations on the rental side than you do on the purchase side. Once again I can only speak for our area. So I find myself as a former property manager, where I am located the only thing that separates Georgia from Alabama is a river, so I am licensed on both sides of the river. From my experience you have more tenants that have no idea how fair housing can help them. None. I have not been a property manager now for

approximately five years, but now I find myself directing more and more tenants to the website to help them to be educated on what their rights are and how fair housing can help them.

Rob Gaudin: What geographic area do you cover?

Comment 6: I cover Russell in Lee County. The eastern part of Lee County.

Rob Gaudin: What types of issues do you see most often in the rental markets?

Comment 7: You will see a difference in pricing of rentals. You will see a difference in response when it comes to assisting with any repairs. You will see a difference in response to application approval. A difference in downpayment or deposit requirements and living conditions. Sometimes it is not just across the areas of ethnicity, but also across the areas of income.

Rob Gaudin: What do you mean there?

Comment 8: Your low-income receive the shorter end of the stick in some cases. You have made a statement in one of the slides about we don't accept FHAP here. That is somewhat common.

Rob Gaudin: The income is not protected in Alabama.

Comment 9: Georgia either.

Comment 10: I don't know if this is necessarily a fair housing issue. I work for the Department of Mental Health and we work primarily with individuals that have disabilities. So we run into and our providers run into an area of accessing housing that is affordable, for one. that won't necessarily over burden the consumers we serve, but then we also have issues with when once someone has access to housing and retaining that housing for various reason. There are some property mangers that are less enthusiastic in terms of housing individuals with particular disabilities; specifically I am talking about serious mental illness. So if you have someone who maybe slightly symptomatic that causes a lot of concern because people are not as educated about the illness. So that poses a particular or unique barrier for us and a challenge. I believe and I am not sure that you are familiar or if you have worked closely with the Low-Income Housing Collation of Alabama, but they have conducted a survey of their own and develop these county profiles that look at number of households that own, that rent, vacant units, hourly wages, rental affordability, fair market rent, and look at a multitude of different factors in terms of poverty rate, employment rate, and those types of things on a county by county basis. That is very informative for our providers. It is helpful to us in making determinations of where the housing stock is actually located. That is a difficult challenge for us, because I think according to HUD, housing is considered affordable when a family spends no more than 30 percent of their income. If someone spends more than 50 percent they are considered severely housing burdened and that is a unique challenge for us, because the majority of people that we serve probably fall in that low-income or poverty level status.

Rob Gaudin: They are largely renters, is that correct?

Comment 11: Yes, I would say that just accessing the rent, the rental properties is a challenge. We really haven't moved on to the areas of homeownership.

Rob Gaudin: Do you sense that there is a shortage of available units that are suitable for the disabled?

Comment 12: I would say and I am speaking for individuals who have serious mental illness. It has been our experience and I really on the research that has already been done by community groups and we are looking at our own. We have group homes and certain housing settings that we provide for individuals that we serve, but moving them out of those settings into and integrating them into the community, we run into barriers with affordability. So there does not seem to be enough affordable units within our state for that particular population.

Rob Gaudin: So what are their outcomes? What are their choices? If there is insufficient, what do they need to do?

Comment 13: What happens is they may have a choice of settings that they are not particularly fond of. They may have to move to a different area and it may be further from family, but that may be the only options made available to them. Their choices are limited. There are long waiting lists for certain types of housing vouchers and things like that. There can be long wait times. So that means that they have to remain in a group home or supervised setting of some sort until at which time they can move out on their own if they are not returning to family. Many return to family, but again that doesn't really help to promote independence. It certainly doesn't help them invest in anything above and beyond ever a rental property.

Rob Gaudin: Right. So people the providers of the rental property are less likely to accommodate the disabled.

Comment 14: I cannot say that we have done, that has been our impression and that has been, that is what we hear. Whether or not that is one, two, or three incidences and everybody else is fully cooperative and has great partnerships with their local community mental health centers. That may be, but our experience and what we hear is that that possess a particular challenge. Then from a state level we are attempting to work closely with public housing authorities and try to bridge those natural partnerships and relationships at the local level so that property managers will feel that they know who they can call if a renter perhaps is displaying some unusual behaviors that concerns them and that the local mental health provider will be responsive to those calls. We have found that that strategy helps make that property manager a little bit more willing to entertain renting to more of our consumers.

Comment 15: The Alabama Housing Trust Fund, are you aware of any efforts around that of developing. I know that it has been passed through legislation that we have an Alabama Housing Trust Funding mechanism for that. Dedicated towards that.

Rob Gaudin: I have not been made aware of that, but that is a housing production problem and I am sure that ADECA in its Consolidated Plan will take a look at that for this fair housing evolution and making additional funds necessarily to secure more affordable housing is actually not so much a part of this, but is of the Consolidated Plan housing planning function.

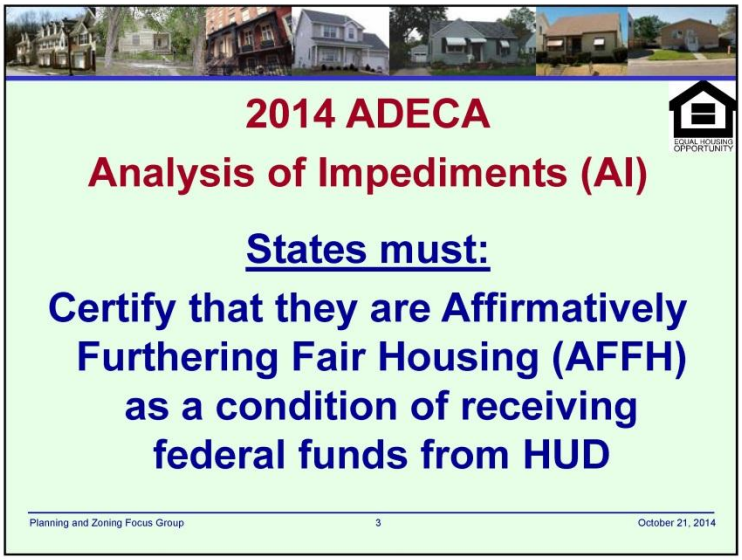
Comment 16: I am jumping ahead.

PLANNING AND ZONING FOCUS GROUP

Alabama Analysis of Impediments to Fair Housing Choice

Planning and Zoning Focus Group **October 21, 2014: Page 1**

Alabama Analysis of Impediments to Fair Housing Choice



Planning and Zoning Focus Group **October 21, 2014: Page 2**

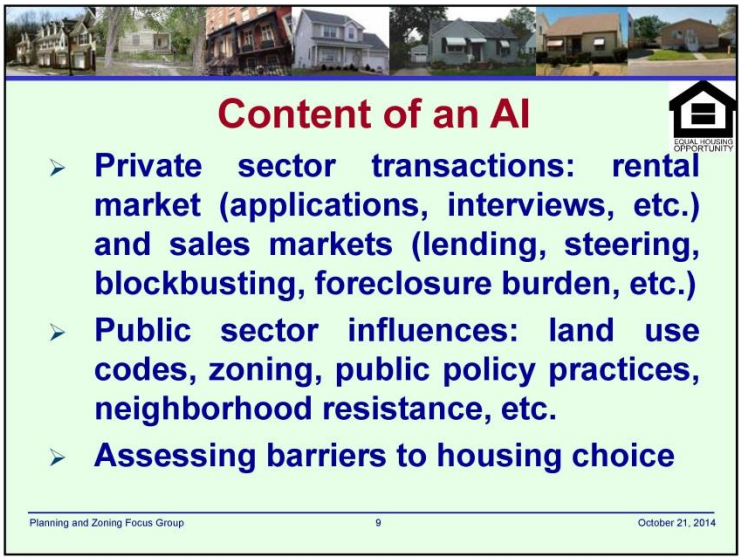
Alabama Analysis of Impediments to Fair Housing Choice

Planning and Zoning Focus Group **October 21, 2014: Page 3**

Alabama Analysis of Impediments to Fair Housing Choice

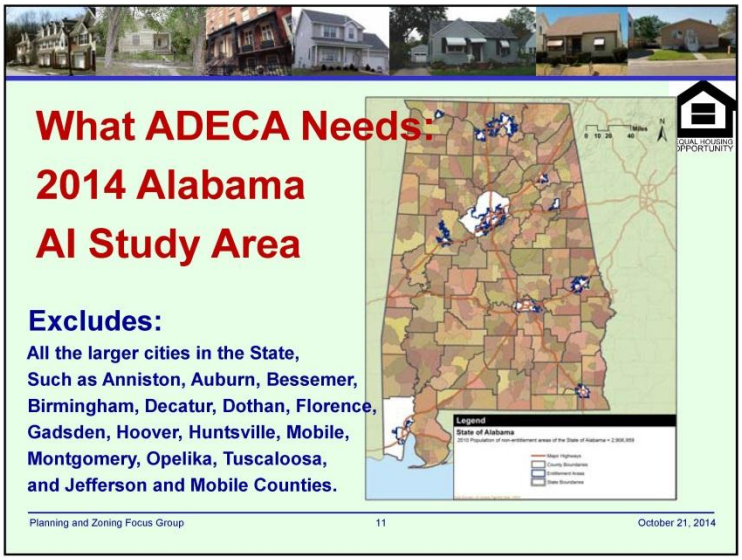
Planning and Zoning Focus Group **October 21, 2014: Page 4**

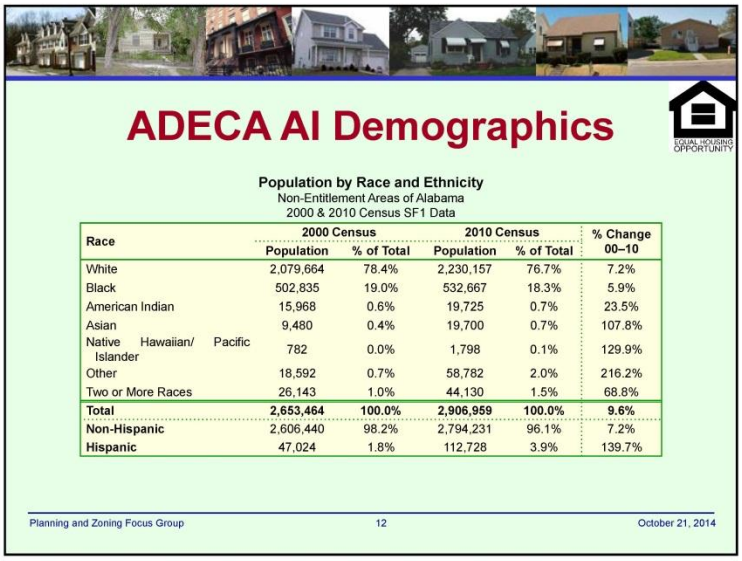
Alabama Analysis of Impediments to Fair Housing Choice



Planning and Zoning Focus Group **October 21, 2014: Page 5**

Alabama Analysis of Impediments to Fair Housing Choice



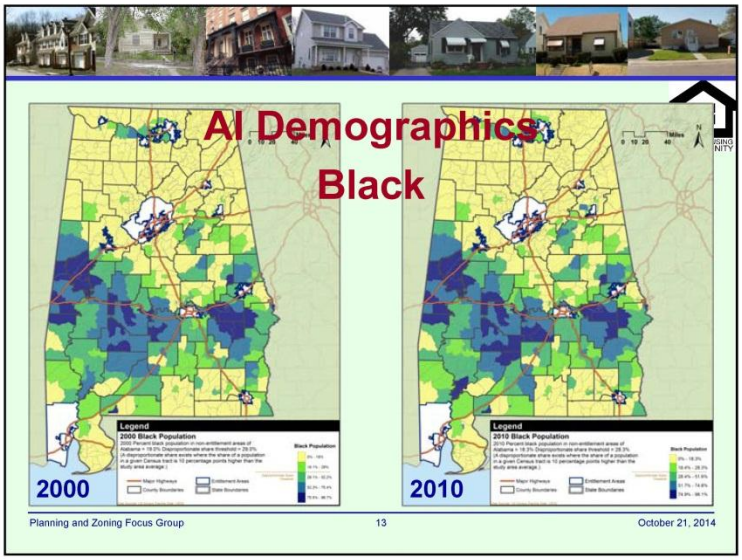


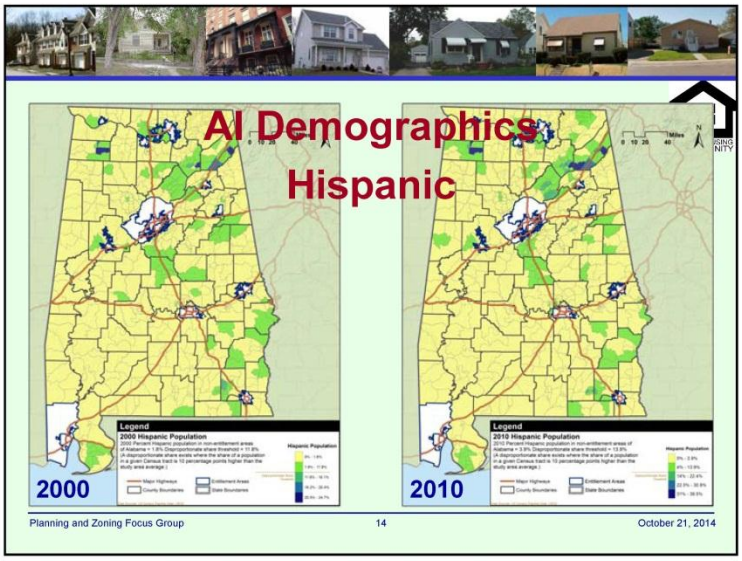
Population by Race and Ethnicity
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Race	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
White	2,079,664	78.4%	2,230,157	76.7%	7.2%
Black	502,835	19.0%	532,667	18.3%	5.9%
American Indian	15,968	0.6%	19,725	0.7%	23.5%
Asian	9,480	0.4%	19,700	0.7%	107.8%
Native Hawaiian/ Pacific Islander	782	0.0%	1,798	0.1%	129.9%
Other	18,592	0.7%	58,782	2.0%	216.2%
Two or More Races	26,143	1.0%	44,130	1.5%	68.8%
Total	**2,653,464**	**100.0%**	**2,906,959**	**100.0%**	**9.6%**
Non-Hispanic	2,606,440	98.2%	2,794,231	96.1%	7.2%
Hispanic	47,024	1.8%	112,728	3.9%	139.7%

Planning and Zoning Focus Group **October 21, 2014: Page 6**

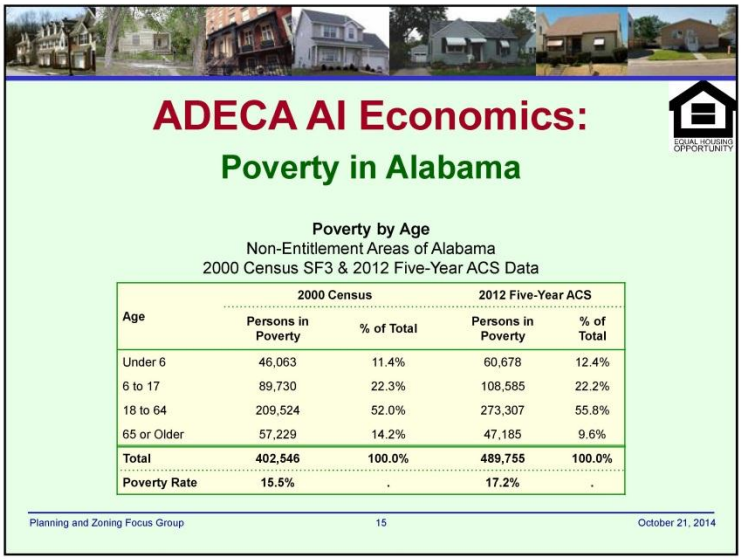
Alabama Analysis of Impediments to Fair Housing Choice





Planning and Zoning Focus Group **October 21, 2014: Page 7**

Alabama Analysis of Impediments to Fair Housing Choice



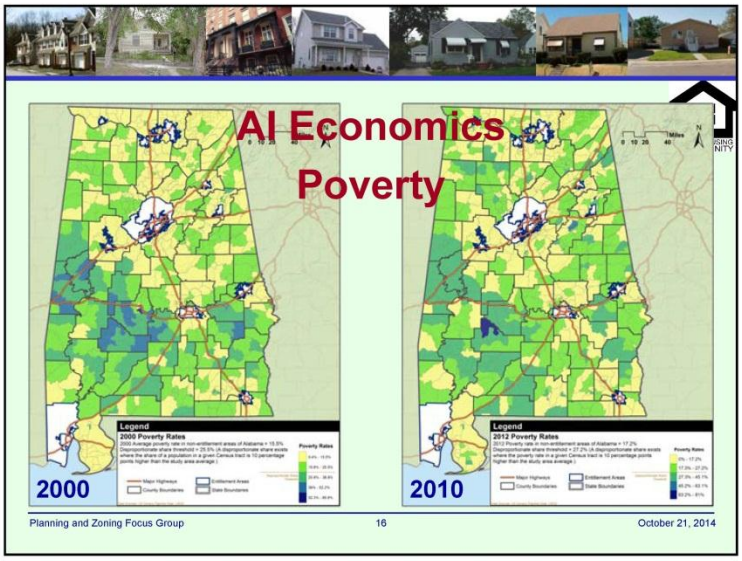
ADECA AI Economics:

Poverty in Alabama

Poverty by Age
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

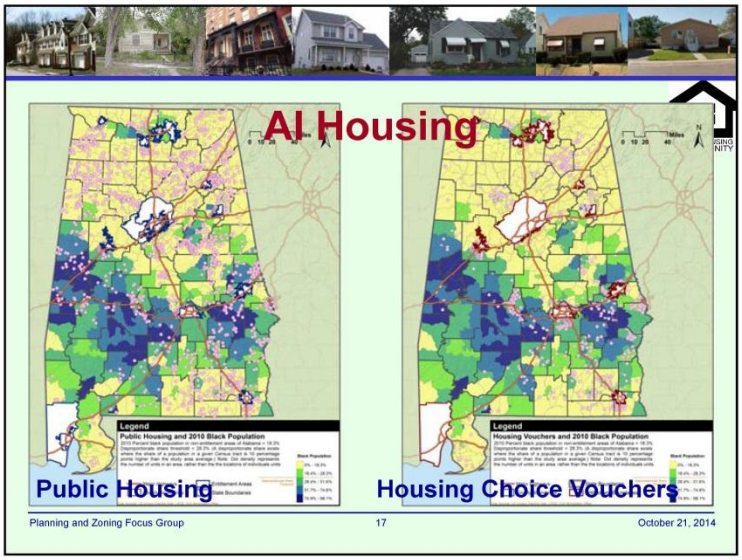
Age	2000 Census		2012 Five-Year ACS	
	Persons in Poverty	% of Total	Persons in Poverty	% of Total
Under 6	46,063	11.4%	60,678	12.4%
6 to 17	89,730	22.3%	108,585	22.2%
18 to 64	209,524	52.0%	273,307	55.8%
65 or Older	57,229	14.2%	47,185	9.6%
Total	**402,546**	**100.0%**	**489,755**	**100.0%**
Poverty Rate	**15.5%**	.	**17.2%**	.

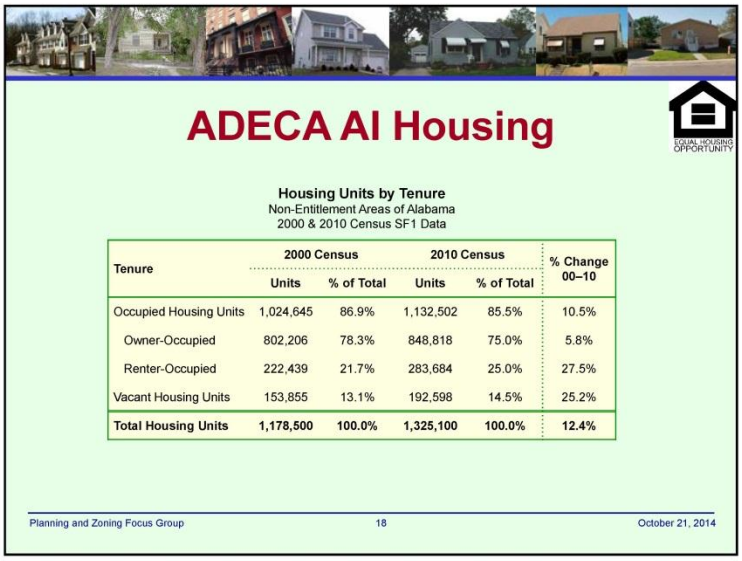
Planning and Zoning Focus Group 15 October 21, 2014



Planning and Zoning Focus Group **October 21, 2014: Page 8**

Alabama Analysis of Impediments to Fair Housing Choice





ADECA AI Housing

Housing Units by Tenure
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Tenure	2000 Census		2010 Census		% Change 00–10
	Units	% of Total	Units	% of Total	
Occupied Housing Units	1,024,645	86.9%	1,132,502	85.5%	10.5%
Owner-Occupied	802,206	78.3%	848,818	75.0%	5.8%
Renter-Occupied	222,439	21.7%	283,684	25.0%	27.5%
Vacant Housing Units	153,855	13.1%	192,598	14.5%	25.2%
Total Housing Units	**1,178,500**	**100.0%**	**1,325,100**	**100.0%**	**12.4%**

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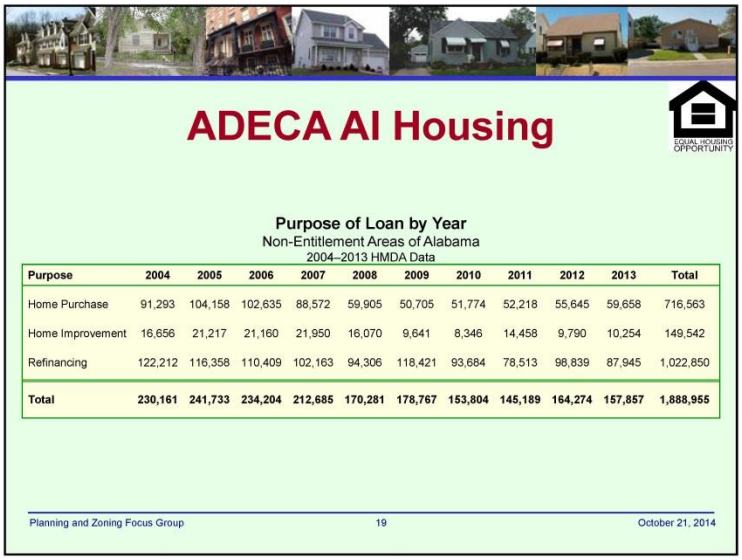
Alabama Analysis of Impediments to Fair Housing Choice



ADECA AI Housing

EQUAL HOUSING OPPORTUNITY

Purpose of Loan by Year
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Purpose	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Home Purchase	91,293	104,158	102,635	88,572	59,905	50,705	51,774	52,218	55,645	59,658	716,563
Home Improvement	16,656	21,217	21,160	21,950	16,070	9,641	8,346	14,458	9,790	10,254	149,542
Refinancing	122,212	116,358	110,409	102,163	94,306	118,421	93,684	78,513	98,839	87,945	1,022,850
Total	**230,161**	**241,733**	**234,204**	**212,685**	**170,281**	**178,767**	**153,804**	**145,189**	**164,274**	**157,857**	**1,888,955**

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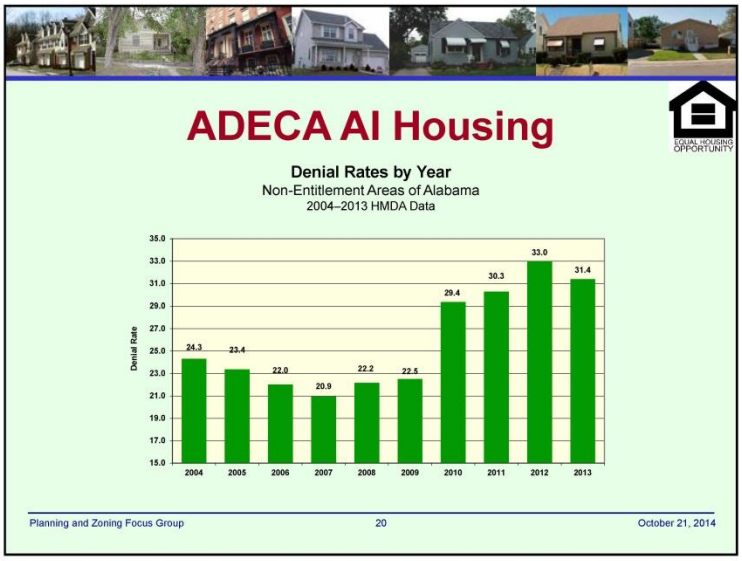

ADECA AI Housing

EQUAL HOUSING OPPORTUNITY

Denial Rates by Year
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

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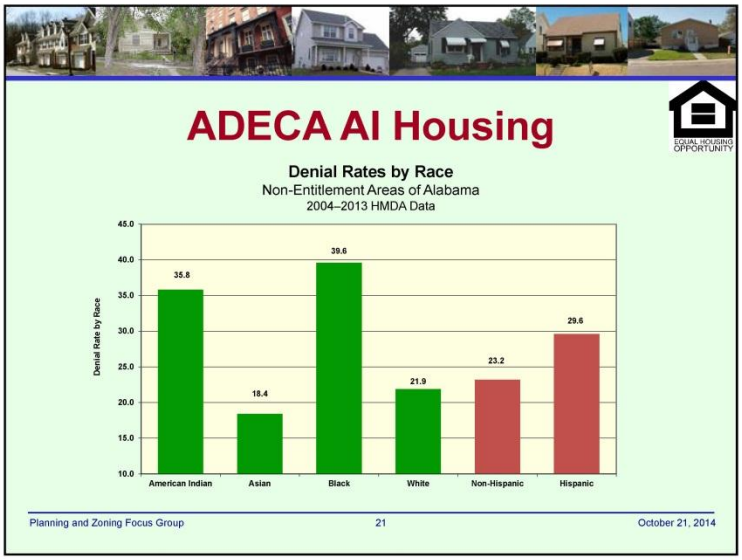
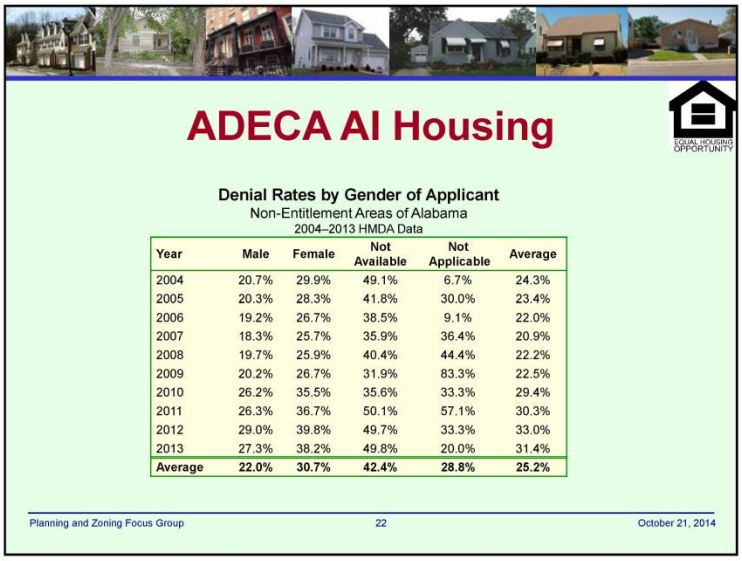
Alabama Analysis of Impediments to Fair Housing Choice





Year	Male	Female	Not Available	Not Applicable	Average
2004	20.7%	29.9%	49.1%	6.7%	24.3%
2005	20.3%	28.3%	41.8%	30.0%	23.4%
2006	19.2%	26.7%	38.5%	9.1%	22.0%
2007	18.3%	25.7%	35.9%	36.4%	20.9%
2008	19.7%	25.9%	40.4%	44.4%	22.2%
2009	20.2%	26.7%	31.9%	83.3%	22.5%
2010	26.2%	35.5%	35.6%	33.3%	29.4%
2011	26.3%	36.7%	50.1%	57.1%	30.3%
2012	29.0%	39.8%	49.7%	33.3%	33.0%
2013	27.3%	38.2%	49.8%	20.0%	31.4%
Average	**22.0%**	**30.7%**	**42.4%**	**28.8%**	**25.2%**

Planning and Zoning Focus Group **October 21, 2014: Page 11**

Alabama Analysis of Impediments to Fair Housing Choice

ADECA AI Housing

EQUAL HOUSING OPPORTUNITY

Denial Rates of Loans by Race/Ethnicity and Income of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race	<= $15K	$15K–$30K	$30K–$45K	$45K–$60K	$60K–$75K	Above $75K	Data Missing	Avg
American Indian	74.5%	49.5%	37.4%	31.6%	23.8%	21.3%	46.9%	35.8%
Asian	58.3%	36.7%	25.4%	16.2%	13.4%	10.6%	19.2%	18.4%
Black	82.1%	59.4%	37.7%	29.5%	21.3%	18.7%	55.2%	39.6%
White	65.4%	39.4%	24.1%	18.5%	13.8%	10.7%	22.7%	21.9%
Not Available	77.1%	62.7%	43.0%	34.5%	24.8%	19.8%	49.3%	38.6%
Not Applicable	.0%	62.5%	5.9%	10.0%	20.0%	16.7%	37.1%	27.1%
Average	**70.4%**	**44.5%**	**27.1%**	**20.8%**	**15.3%**	**12.0%**	**30.0%**	**25.2%**
Non-Hispanic	68.2%	41.6%	25.1%	19.2%	14.2%	11.1%	25.6%	23.2%
Hispanic	66.0%	44.4%	30.2%	24.8%	16.5%	14.8%	28.6%	29.6%

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ADECA AI Housing

EQUAL HOUSING OPPORTUNITY

Originated Owner-Occupied Loans by HAL Status
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Other	30,265	30,828	31,699	30,647	21,207	17,608	17,896	17,390	18,895	20,916	237,351
HAL	7,107	10,876	10,367	7,071	3,901	2,559	1,668	1,882	2,152	1,997	49,580
Total	**37,372**	**41,704**	**42,066**	**37,718**	**25,108**	**20,167**	**19,564**	**19,272**	**21,047**	**22,913**	**286,931**
Percent HAL	19.0%	26.1%	24.6%	18.7%	15.5%	12.7%	8.5%	9.8%	10.2%	8.7%	17.3%

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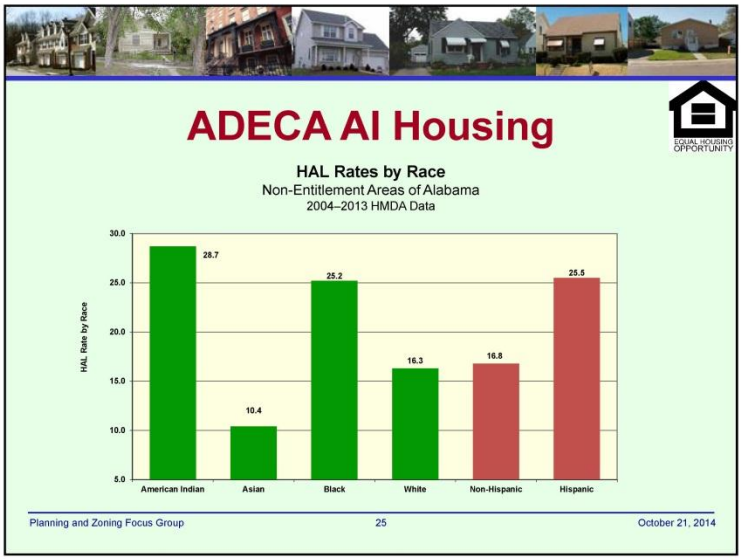
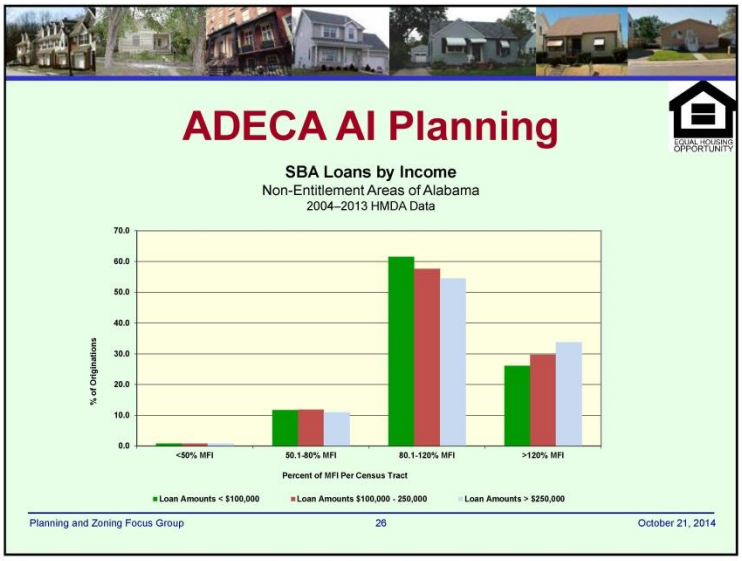
Alabama Analysis of Impediments to Fair Housing Choice





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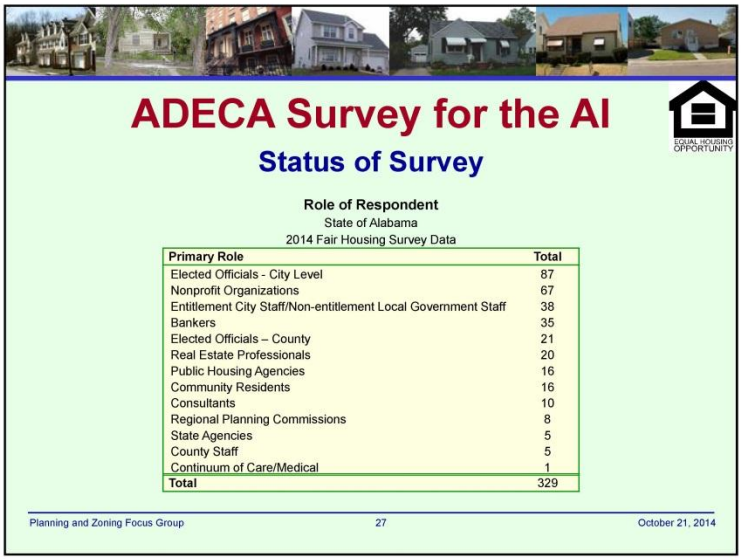
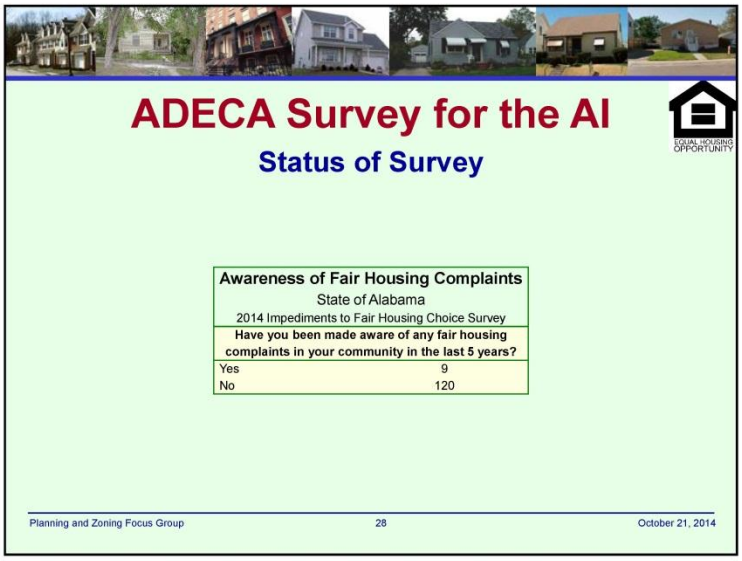
Alabama Analysis of Impediments to Fair Housing Choice



Role of Respondent
State of Alabama
2014 Fair Housing Survey Data

Primary Role	Total
Elected Officials - City Level	87
Nonprofit Organizations	67
Entitlement City Staff/Non-entitlement Local Government Staff	38
Bankers	35
Elected Officials – County	21
Real Estate Professionals	20
Public Housing Agencies	16
Community Residents	16
Consultants	10
Regional Planning Commissions	8
State Agencies	5
County Staff	5
Continuum of Care/Medical	1
Total	329

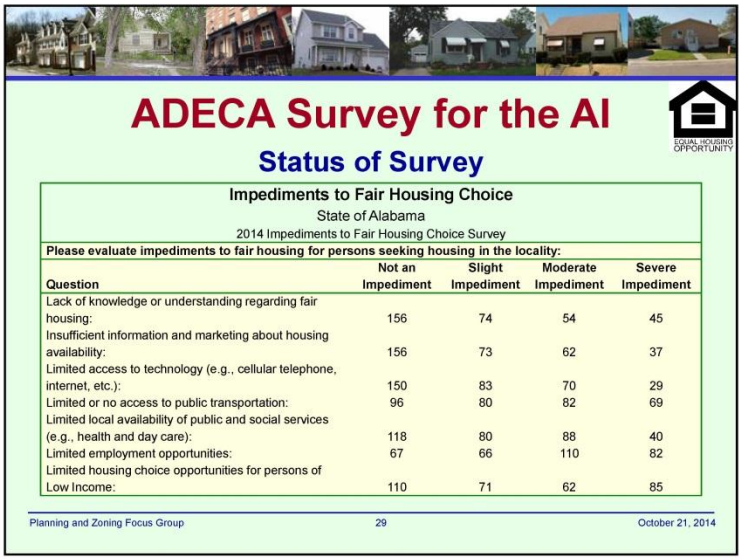


Awareness of Fair Housing Complaints
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Have you been made aware of any fair housing complaints in your community in the last 5 years?	
Yes	9
No	120

Planning and Zoning Focus Group **October 21, 2014: Page 14**

Alabama Analysis of Impediments to Fair Housing Choice



ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Please evaluate impediments to fair housing for persons seeking housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
Lack of knowledge or understanding regarding fair housing:	156	74	54	45
Insufficient information and marketing about housing availability:	156	73	62	37
Limited access to technology (e.g., cellular telephone, internet, etc.):	150	83	70	29
Limited or no access to public transportation:	96	80	82	69
Limited local availability of public and social services (e.g., health and day care):	118	80	88	40
Limited employment opportunities:	67	66	110	82
Limited housing choice opportunities for persons of Low Income:	110	71	62	85

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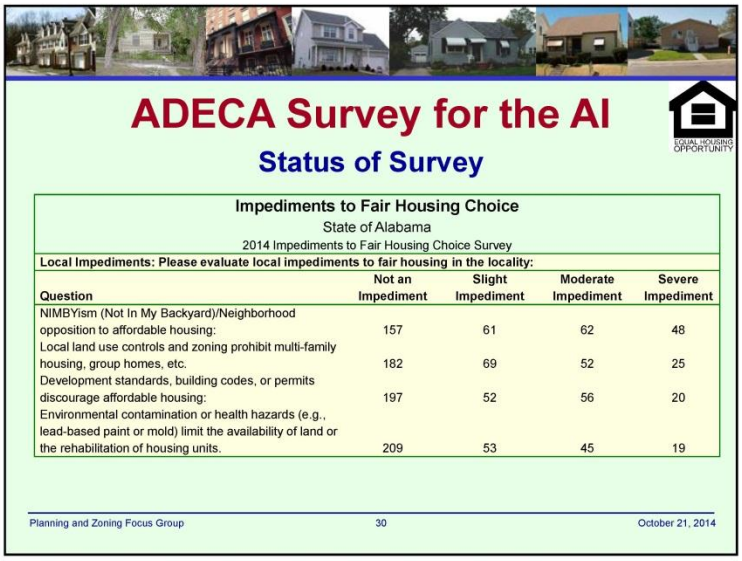

ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
NIMBYism (Not In My Backyard)/Neighborhood opposition to affordable housing:	157	61	62	48
Local land use controls and zoning prohibit multi-family housing, group homes, etc.	182	69	52	25
Development standards, building codes, or permits discourage affordable housing:	197	52	56	20
Environmental contamination or health hazards (e.g., lead-based paint or mold) limit the availability of land or the rehabilitation of housing units.	209	53	45	19

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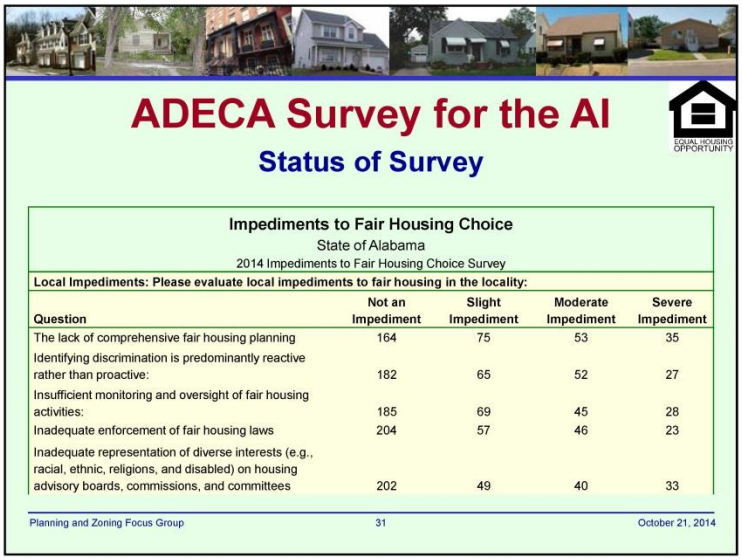
Alabama Analysis of Impediments to Fair Housing Choice



ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
The lack of comprehensive fair housing planning	164	75	53	35
Identifying discrimination is predominantly reactive rather than proactive:	182	65	52	27
Insufficient monitoring and oversight of fair housing activities:	185	69	45	28
Inadequate enforcement of fair housing laws	204	57	46	23
Inadequate representation of diverse interests (e.g., racial, ethnic, religions, and disabled) on housing advisory boards, commissions, and committees	202	49	40	33

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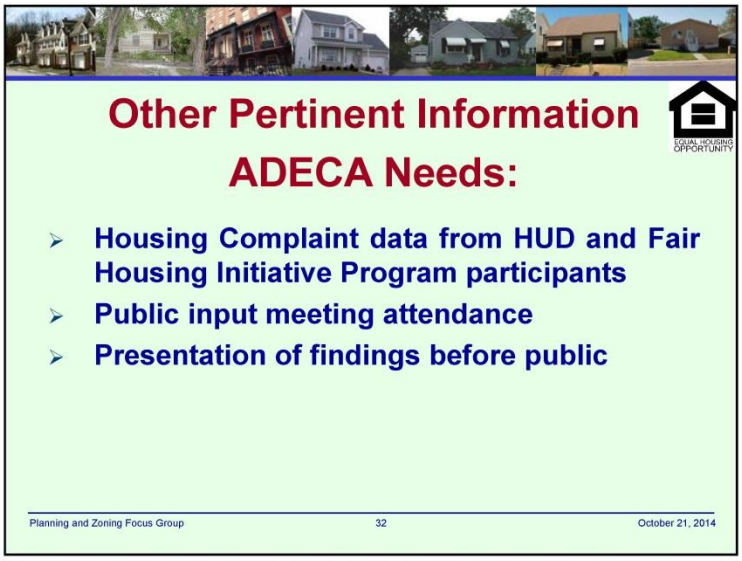

Other Pertinent Information

ADECA Needs:

- Housing Complaint data from HUD and Fair Housing Initiative Program participants
- Public input meeting attendance
- Presentation of findings before public

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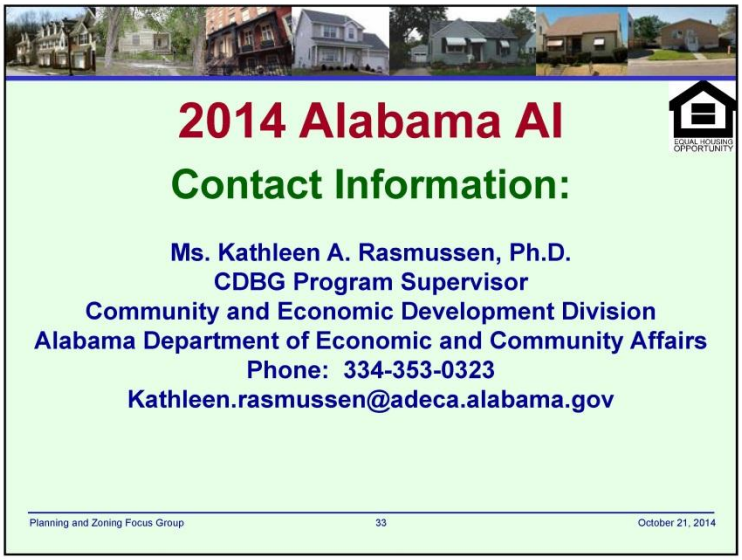
Alabama Analysis of Impediments to Fair Housing Choice



Planning and Zoning Focus Group **October 21, 2014: Page 17**

TRANSCRIPT FROM PLANNING AND ZONING FOCUS GROUP DISCUSSION

10/21/14 Local Government Planning and Zoning Focus Group

Comment 1: I found it interesting that HUD and the other Fair Housing Initiative Programs haven't even responded to you. The lending rate did not surprise me. In my community what I see in things other than and all things across the board is whatever reason since the 2007/8 meltdown and then the banks having all of the problems that they have had. They are only loaning money to what they would consider to be terminology wise, just A plus credit. For anything. Not just housing, but anything. Moving to my community about fair housing, my community is 67 percent minority black. Mostly, I see a lot of need for the modular housing and/or manufactured homes. Some of that as you suggested earlier was predatory from the lenders. We have had a situation here where people, are businesses are selling; I am not sure how to define them and tell you what they are, but they are basically they are 18 by 36 buildings that are not designed for residential occupation. They are not built to code for somebody to live in, but the businesses are selling them to people for like $7,000 or $5,000 and saying that you can finish this out and you can live in it. Then they deliver to my community and it doesn't meet the housing code and the people have already spent their money and yet here is a statute that is not designed to be residential housing. I mean it is almost like a "barn", it just looks real nice. So I don't know if that gives you any answers, but it is what I see here.

Rob Gaudin: What have you been doing, the community to alert people to that?

Comment 2: One of the things that my community has done really goes against the grain of what we are all taught. That is we are doing a lot of spot zoning to allow manufactures homes to go to places that is really single family residential housing, but maybe there is a vacant lot and somebody wants to put a mobile home and maybe they can't afford to build a home or at least they don't want to. To some extent that makes us almost participating in this predatory loan thing if they are getting a new trailer, excuse me a manufactured home, because as you pointed out earlier a lot of that is predatory from an interest rate. They can't get the money from the bank, so the manufacture home company makes a loan to then at an interest rate that is much more favorable to them than it is to the market.

Rob Gaudin: That bears in itself in the data as well.

RENTER FOCUS GROUP

Alabama Analysis of Impediments to Fair Housing Choice

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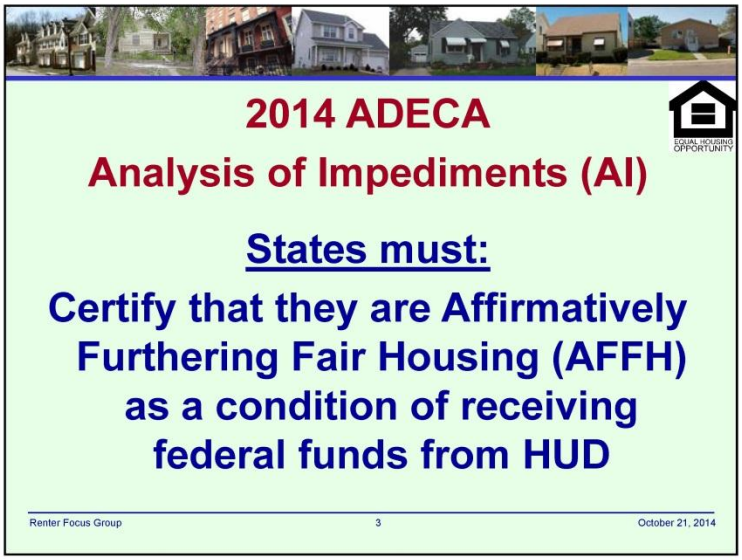
Alabama Analysis of Impediments to Fair Housing Choice



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Alabama Analysis of Impediments to Fair Housing Choice

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Alabama Analysis of Impediments to Fair Housing Choice

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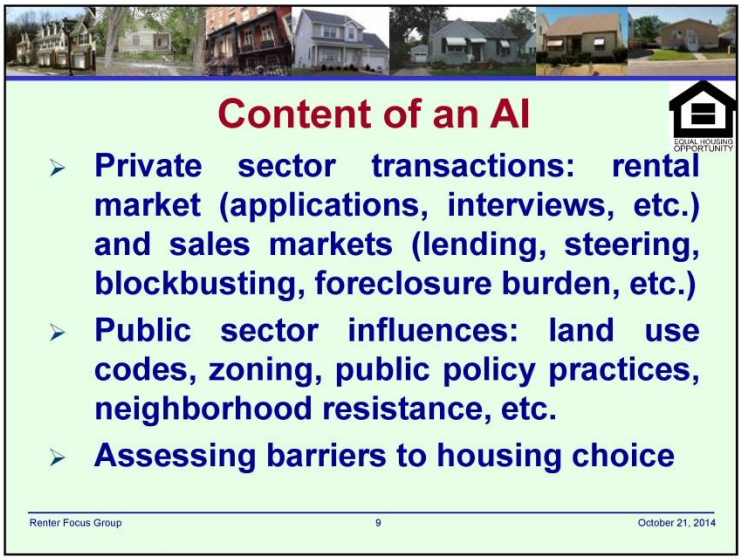
Alabama Analysis of Impediments to Fair Housing Choice



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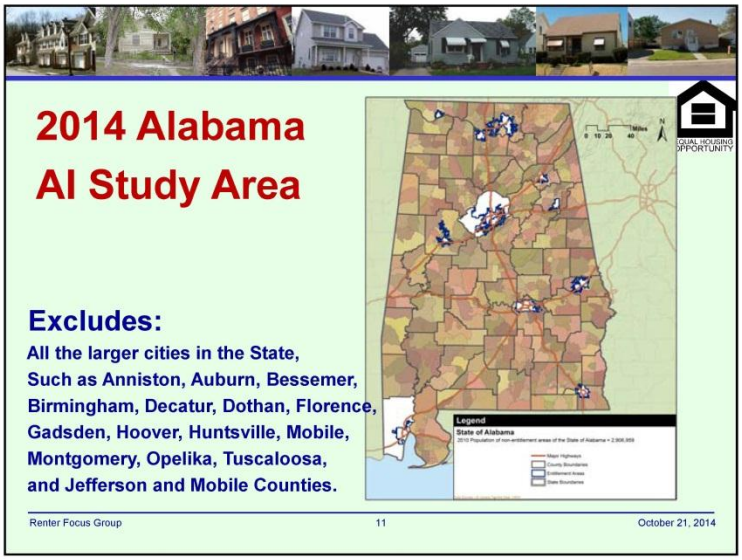
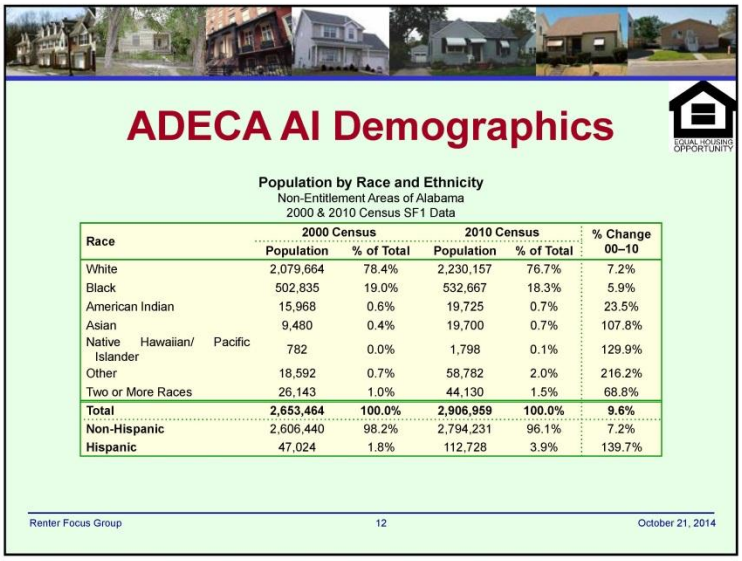
Alabama Analysis of Impediments to Fair Housing Choice





ADECA AI Demographics

Population by Race and Ethnicity
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Race	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
White	2,079,664	78.4%	2,230,157	76.7%	7.2%
Black	502,835	19.0%	532,667	18.3%	5.9%
American Indian	15,968	0.6%	19,725	0.7%	23.5%
Asian	9,480	0.4%	19,700	0.7%	107.8%
Native Hawaiian/ Pacific Islander	782	0.0%	1,798	0.1%	129.9%
Other	18,592	0.7%	58,782	2.0%	216.2%
Two or More Races	26,143	1.0%	44,130	1.5%	68.8%
Total	**2,653,464**	**100.0%**	**2,906,959**	**100.0%**	**9.6%**
Non-Hispanic	2,606,440	98.2%	2,794,231	96.1%	7.2%
Hispanic	47,024	1.8%	112,728	3.9%	139.7%

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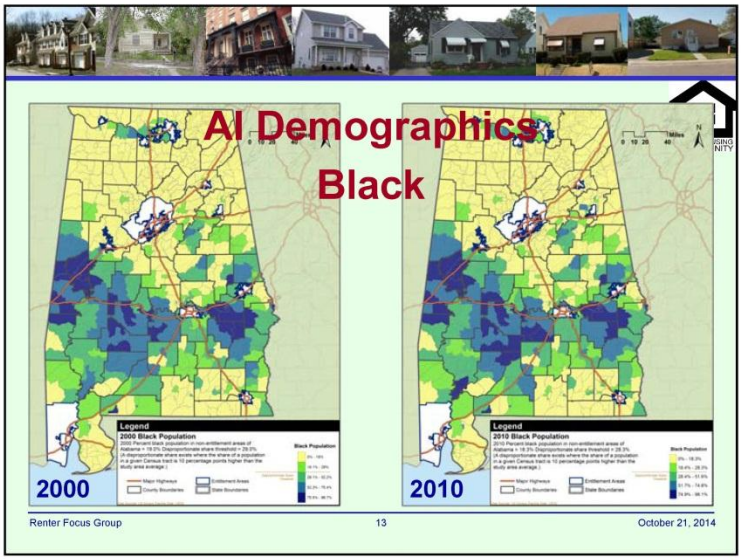
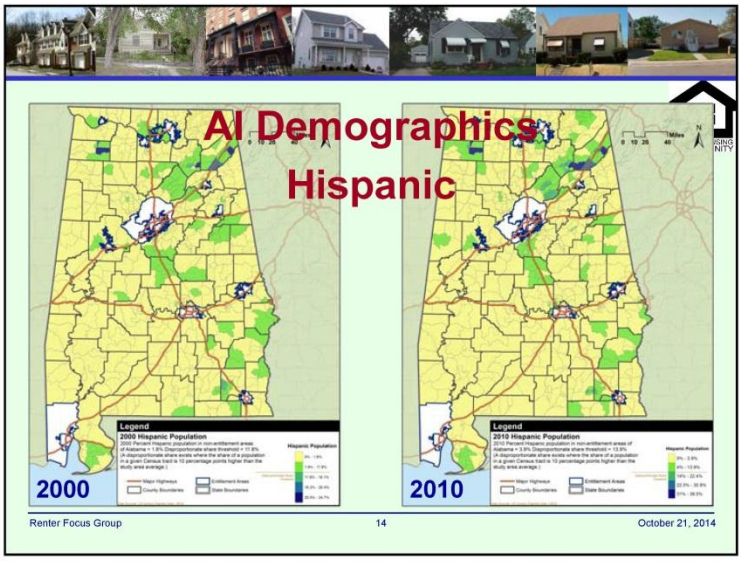
Alabama Analysis of Impediments to Fair Housing Choice





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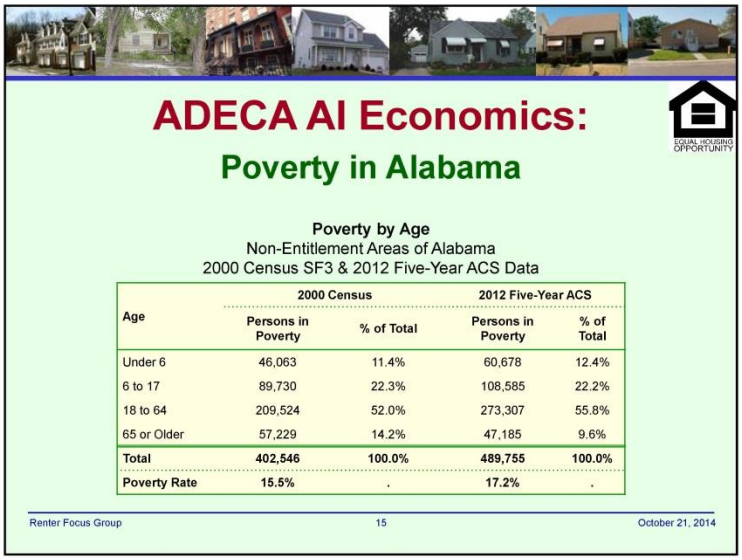
Alabama Analysis of Impediments to Fair Housing Choice



ADECA AI Economics:

Poverty in Alabama

Poverty by Age
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

Age	2000 Census		2012 Five-Year ACS	
	Persons in Poverty	% of Total	Persons in Poverty	% of Total
Under 6	46,063	11.4%	60,678	12.4%
6 to 17	89,730	22.3%	108,585	22.2%
18 to 64	209,524	52.0%	273,307	55.8%
65 or Older	57,229	14.2%	47,185	9.6%
Total	**402,546**	**100.0%**	**489,755**	**100.0%**
Poverty Rate	**15.5%**	.	**17.2%**	.

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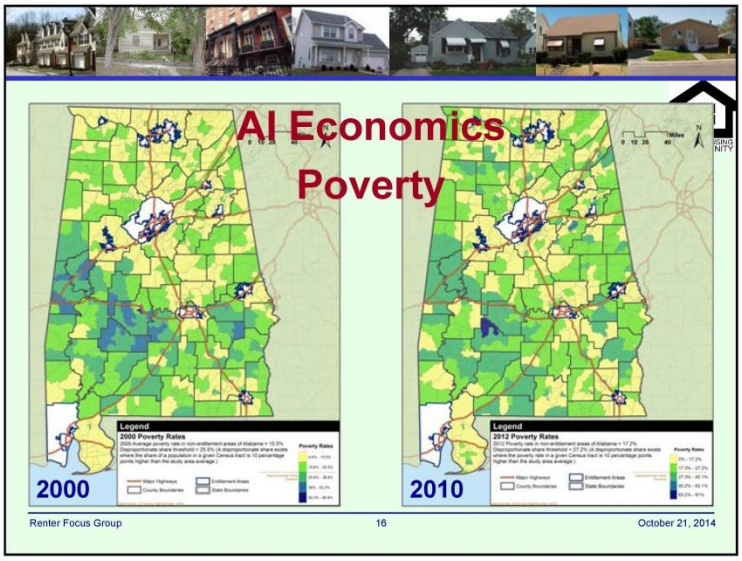

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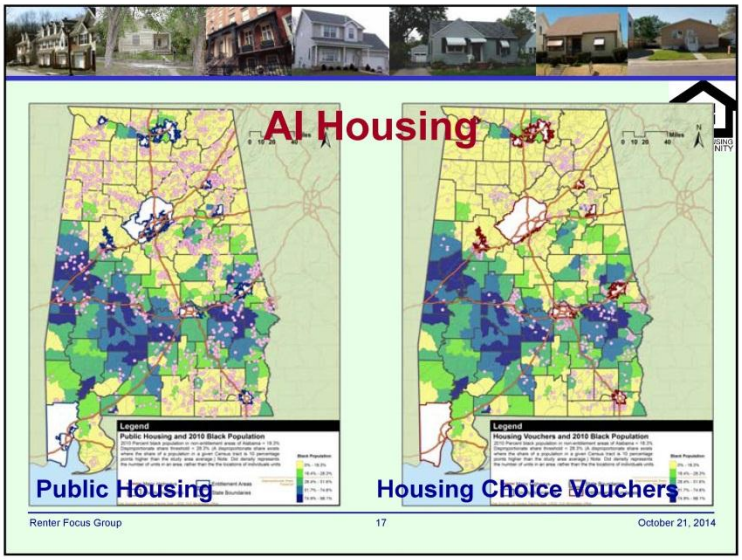
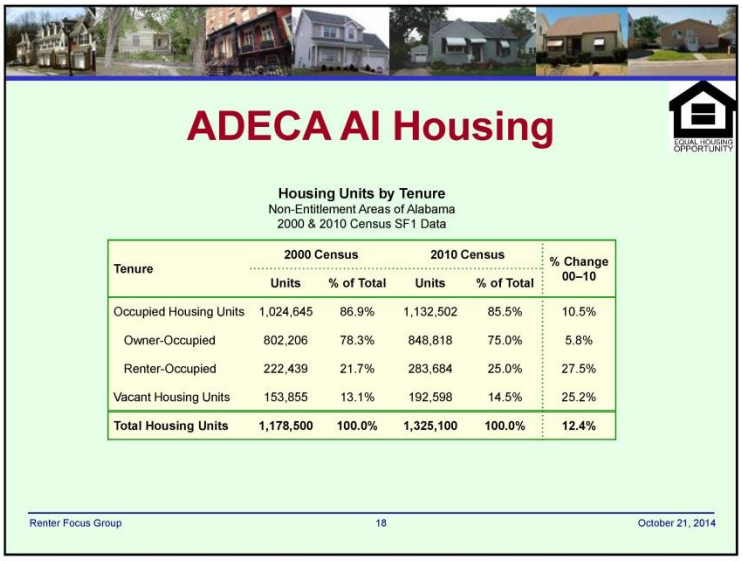
Alabama Analysis of Impediments to Fair Housing Choice





ADECA AI Housing

Housing Units by Tenure
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Tenure	2000 Census		2010 Census		% Change 00–10
	Units	% of Total	Units	% of Total	
Occupied Housing Units	1,024,645	86.9%	1,132,502	85.5%	10.5%
Owner-Occupied	802,206	78.3%	848,818	75.0%	5.8%
Renter-Occupied	222,439	21.7%	283,684	25.0%	27.5%
Vacant Housing Units	153,855	13.1%	192,598	14.5%	25.2%
Total Housing Units	**1,178,500**	**100.0%**	**1,325,100**	**100.0%**	**12.4%**

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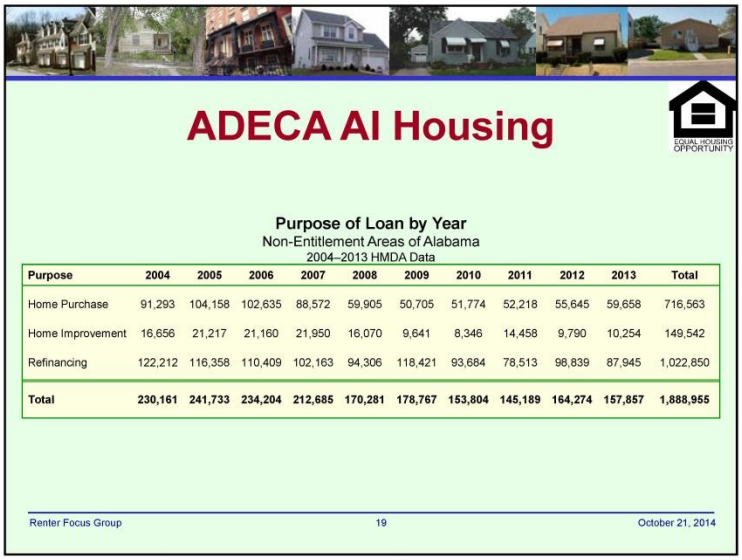
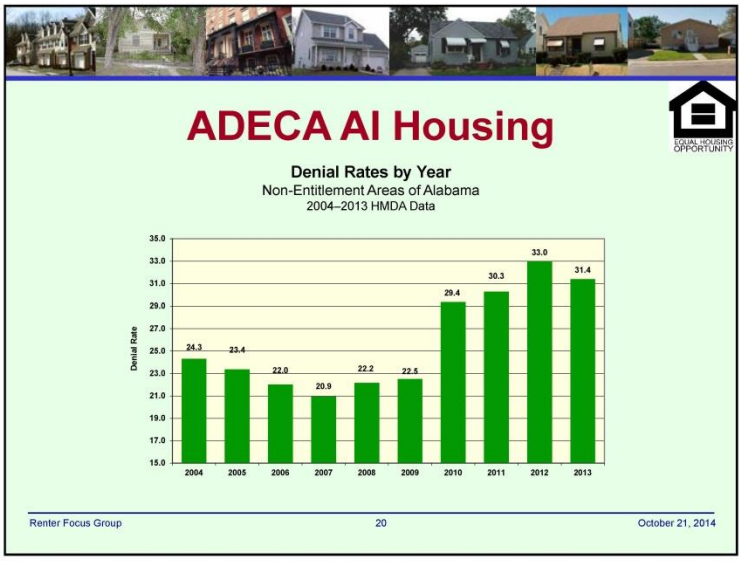
Alabama Analysis of Impediments to Fair Housing Choice



Purpose	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Home Purchase	91,293	104,158	102,635	88,572	59,905	50,705	51,774	52,218	55,645	59,658	716,563
Home Improvement	16,656	21,217	21,160	21,950	16,070	9,641	8,346	14,458	9,790	10,254	149,542
Refinancing	122,212	116,358	110,409	102,163	94,306	118,421	93,684	78,513	98,839	87,945	1,022,850
Total	**230,161**	**241,733**	**234,204**	**212,685**	**170,281**	**178,767**	**153,804**	**145,189**	**164,274**	**157,857**	**1,888,955**



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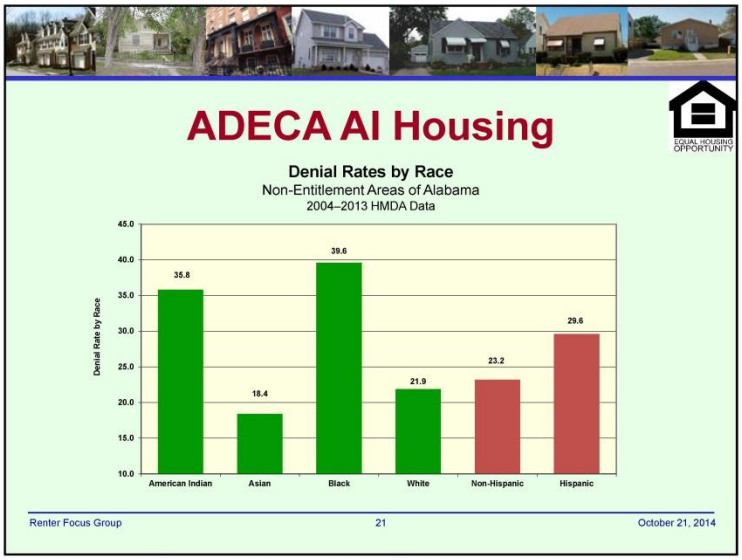
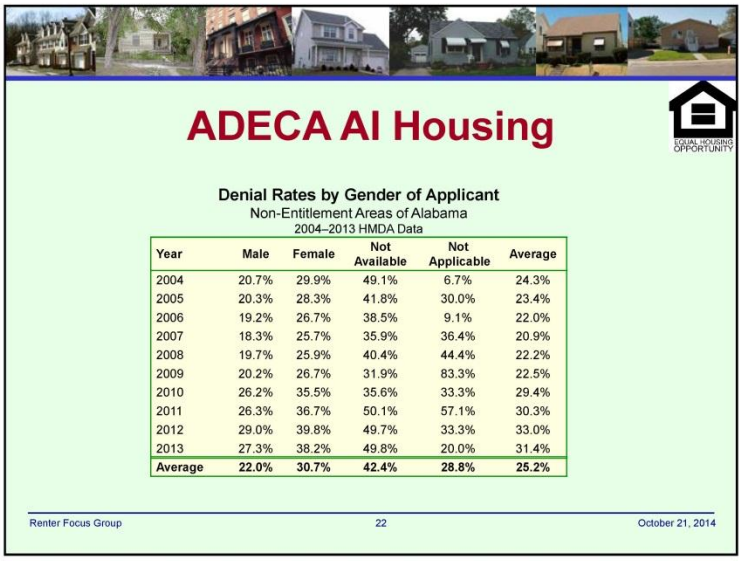
Alabama Analysis of Impediments to Fair Housing Choice





Year	Male	Female	Not Available	Not Applicable	Average
2004	20.7%	29.9%	49.1%	6.7%	24.3%
2005	20.3%	28.3%	41.8%	30.0%	23.4%
2006	19.2%	26.7%	38.5%	9.1%	22.0%
2007	18.3%	25.7%	35.9%	36.4%	20.9%
2008	19.7%	25.9%	40.4%	44.4%	22.2%
2009	20.2%	26.7%	31.9%	83.3%	22.5%
2010	26.2%	35.5%	35.6%	33.3%	29.4%
2011	26.3%	36.7%	50.1%	57.1%	30.3%
2012	29.0%	39.8%	49.7%	33.3%	33.0%
2013	27.3%	38.2%	49.8%	20.0%	31.4%
Average	**22.0%**	**30.7%**	**42.4%**	**28.8%**	**25.2%**

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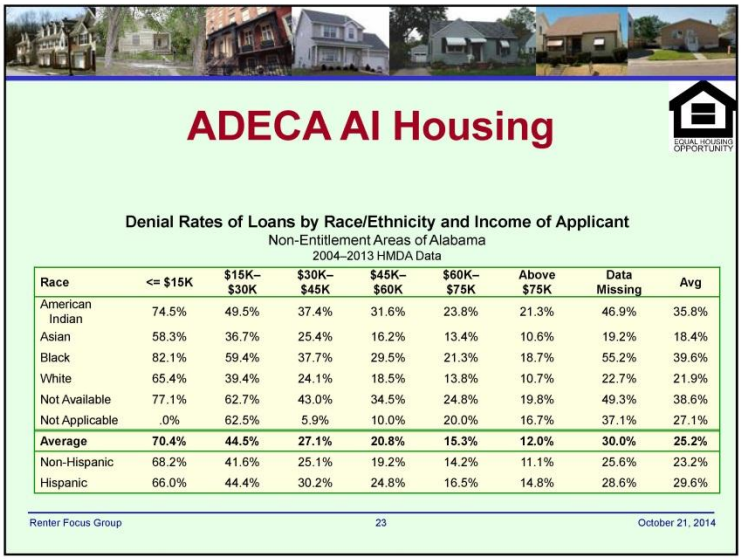
Alabama Analysis of Impediments to Fair Housing Choice



ADECA AI Housing

EQUAL HOUSING OPPORTUNITY

Denial Rates of Loans by Race/Ethnicity and Income of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race	<= $15K	$15K–$30K	$30K–$45K	$45K–$60K	$60K–$75K	Above $75K	Data Missing	Avg
American Indian	74.5%	49.5%	37.4%	31.6%	23.8%	21.3%	46.9%	35.8%
Asian	58.3%	36.7%	25.4%	16.2%	13.4%	10.6%	19.2%	18.4%
Black	82.1%	59.4%	37.7%	29.5%	21.3%	18.7%	55.2%	39.6%
White	65.4%	39.4%	24.1%	18.5%	13.8%	10.7%	22.7%	21.9%
Not Available	77.1%	62.7%	43.0%	34.5%	24.8%	19.8%	49.3%	38.6%
Not Applicable	.0%	62.5%	5.9%	10.0%	20.0%	16.7%	37.1%	27.1%
Average	**70.4%**	**44.5%**	**27.1%**	**20.8%**	**15.3%**	**12.0%**	**30.0%**	**25.2%**
Non-Hispanic	68.2%	41.6%	25.1%	19.2%	14.2%	11.1%	25.6%	23.2%
Hispanic	66.0%	44.4%	30.2%	24.8%	16.5%	14.8%	28.6%	29.6%

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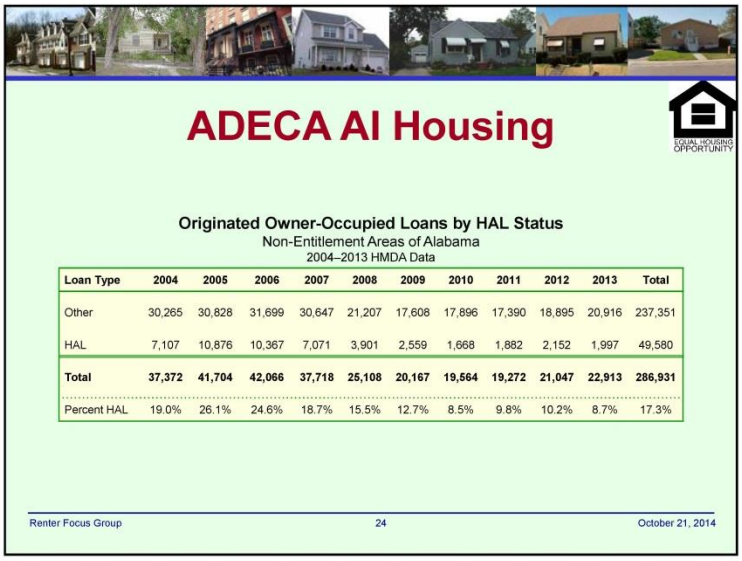

ADECA AI Housing

EQUAL HOUSING OPPORTUNITY

Originated Owner-Occupied Loans by HAL Status
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Other	30,265	30,828	31,699	30,647	21,207	17,608	17,896	17,390	18,895	20,916	237,351
HAL	7,107	10,876	10,367	7,071	3,901	2,559	1,668	1,882	2,152	1,997	49,580
Total	**37,372**	**41,704**	**42,066**	**37,718**	**25,108**	**20,167**	**19,564**	**19,272**	**21,047**	**22,913**	**286,931**
Percent HAL	19.0%	26.1%	24.6%	18.7%	15.5%	12.7%	8.5%	9.8%	10.2%	8.7%	17.3%

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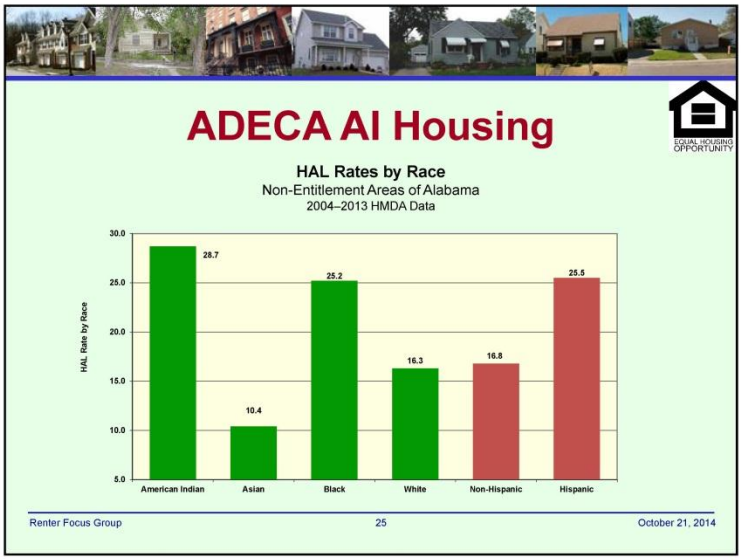
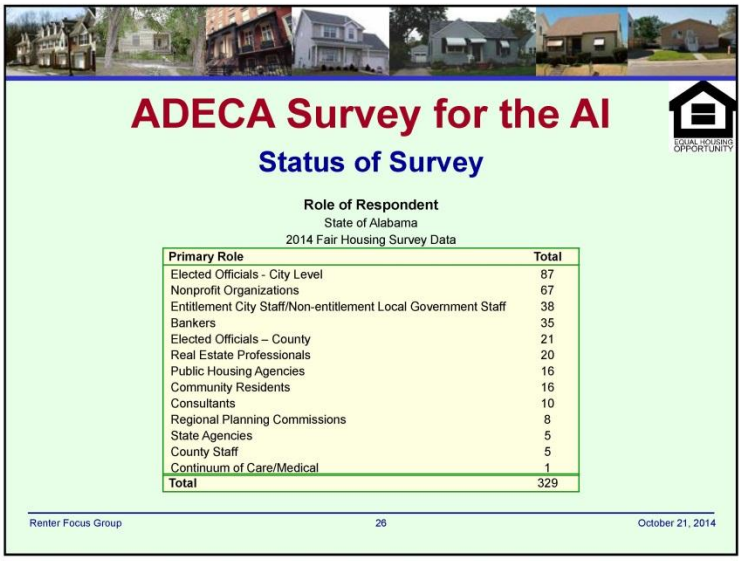
Alabama Analysis of Impediments to Fair Housing Choice





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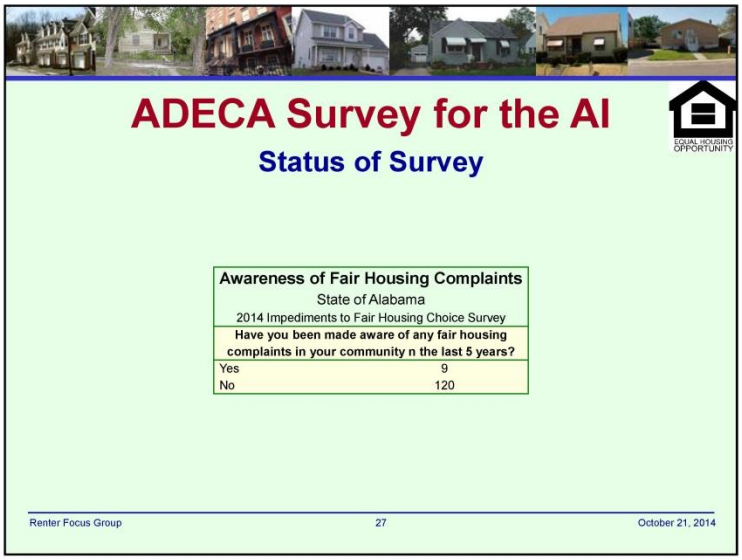
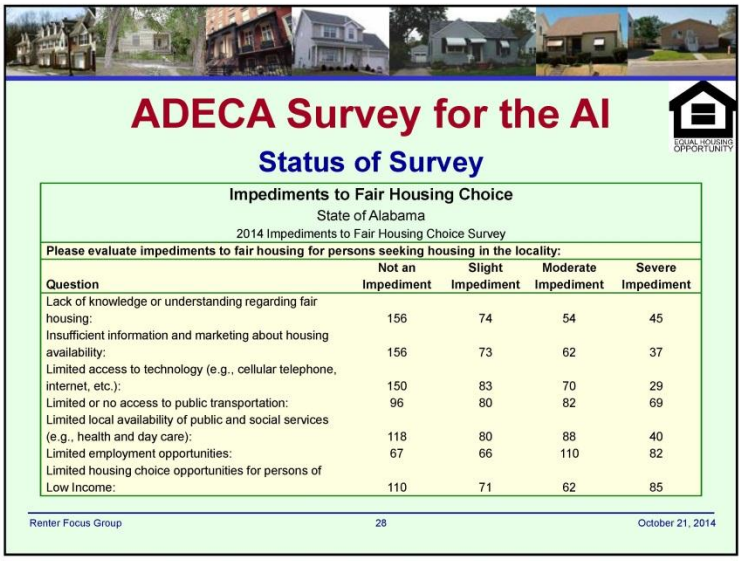
Alabama Analysis of Impediments to Fair Housing Choice



Awareness of Fair Housing Complaints
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Have you been made aware of any fair housing complaints in your community n the last 5 years?	
Yes	9
No	120



Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Please evaluate impediments to fair housing for persons seeking housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
Lack of knowledge or understanding regarding fair housing:	156	74	54	45
Insufficient information and marketing about housing availability:	156	73	62	37
Limited access to technology (e.g., cellular telephone, internet, etc.):	150	83	70	29
Limited or no access to public transportation:	96	80	82	69
Limited local availability of public and social services (e.g., health and day care):	118	80	88	40
Limited employment opportunities:	67	66	110	82
Limited housing choice opportunities for persons of Low Income:	110	71	62	85

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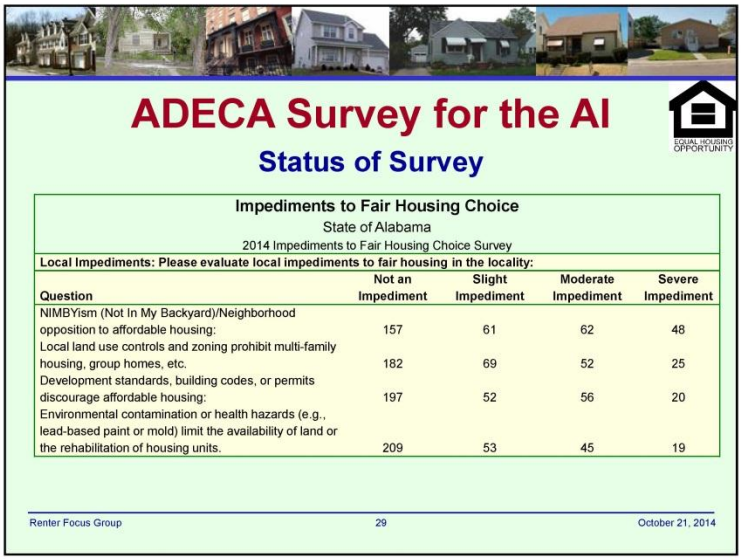
Alabama Analysis of Impediments to Fair Housing Choice



ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
NIMBYism (Not In My Backyard)/Neighborhood opposition to affordable housing:	157	61	62	48
Local land use controls and zoning prohibit multi-family housing, group homes, etc.	182	69	52	25
Development standards, building codes, or permits discourage affordable housing:	197	52	56	20
Environmental contamination or health hazards (e.g., lead-based paint or mold) limit the availability of land or the rehabilitation of housing units.	209	53	45	19

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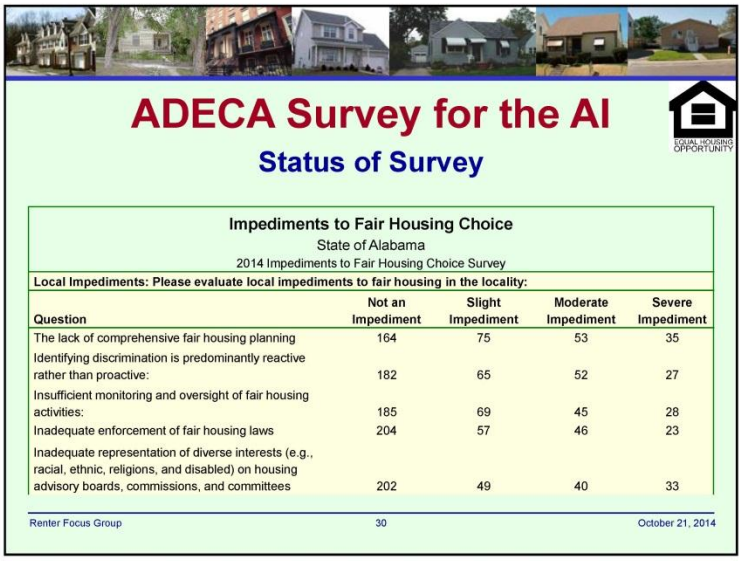

ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
The lack of comprehensive fair housing planning	164	75	53	35
Identifying discrimination is predominantly reactive rather than proactive:	182	65	52	27
Insufficient monitoring and oversight of fair housing activities:	185	69	45	28
Inadequate enforcement of fair housing laws	204	57	46	23
Inadequate representation of diverse interests (e.g., racial, ethnic, religions, and disabled) on housing advisory boards, commissions, and committees	202	49	40	33

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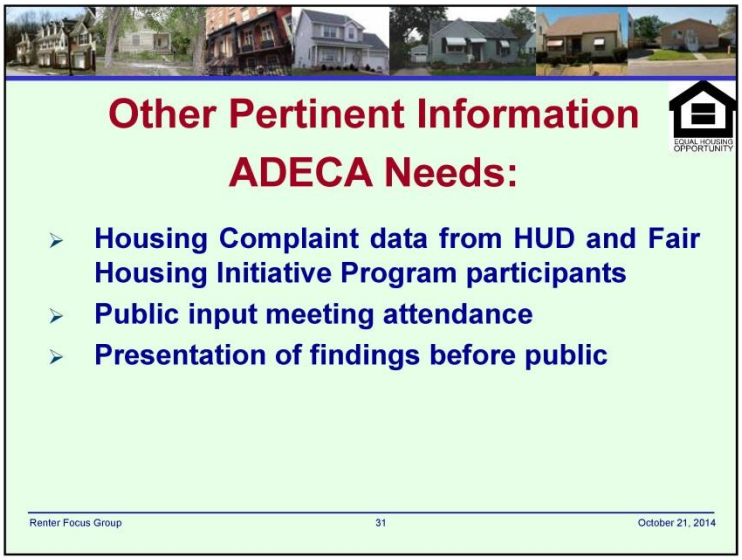
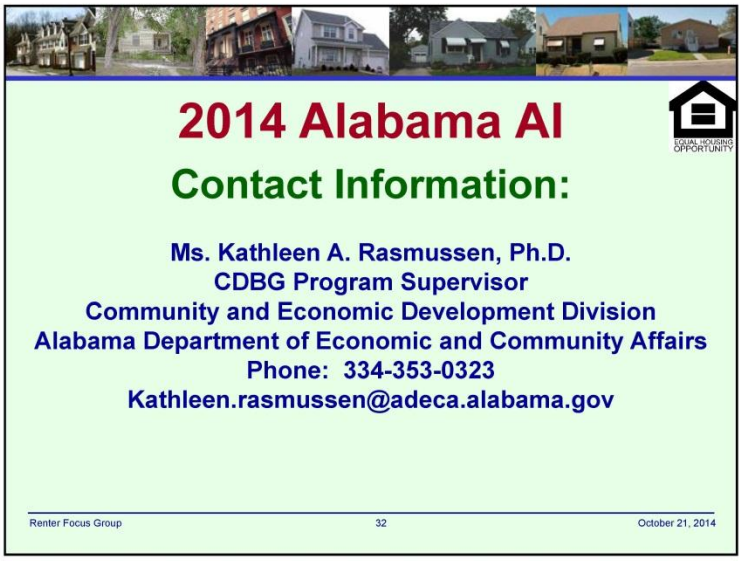
Alabama Analysis of Impediments to Fair Housing Choice





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TRANSCRIPT FROM RENTER FOCUS GROUP DISCUSSIONS

10/21/14 Real Estate Rentals Professionals Focus Group

Rob Gaudin: Do you have any commentary you would like to share?

Comment 1: Not really. I am just taking all of this in. These numbers I have never seen before so it is something new to me.

(Presentation)

Comment 2: Let me ask you this now with my department, with the State Banking Department, I deal with complaints from financial companies. Now the information that I get, how would this help on this part of it. What can I provide or help or contribute to this to be able to help out with the study and everything that you all are doing.

Rob Gaudin: Let me think. You are overseeing the institutions?

Comment 3: Right, financial institutions like RoundPoint Mortgage, Green Tree and places of that nature. Those are the types of companies that are licensed with our department that we deal with.

Rob Gaudin: What would be helpful is do people come to you and lodge complaints?

Comment 4: They do, especially when it is at the part that they are about to lose their home and they think it is some predatory lending involved with it.

Rob Gaudin: Does, do you police them?

Comment 5: I umm…

Rob Gaudin: Not you personally, but your department?

Comment 6: We do.

Rob Gaudin: It would be helpful for me to receive some statistics on those institutions that have received complaints and after you have looked into it those complaints which were valid. Would you have that kind of data?

Comment 7: I can get that kind of data. Yes.

Rob Gaudin: That would be really helpful. Then we could point out the lenders that are probably not real good for consumers.

Comment 8: How far back do you really want us to look into this though?

Rob Gaudin: Would I want you to look into this?

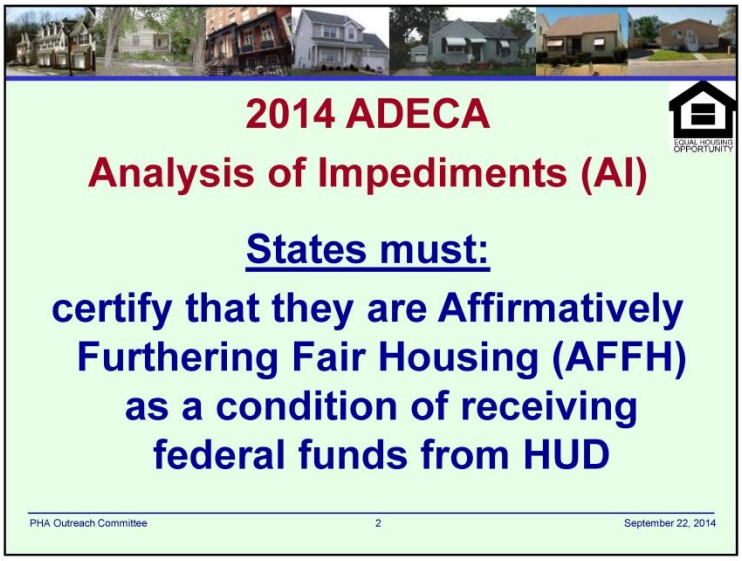
Comment 9: I mean do you want this information for 2014 or would you be asking me to look back a little further?

Rob Gaudin: It would be great if you could go back to 2004 and we could compare that to predatory lending, the HALs we have and what kind of issues are comparable. I am thinking those institutions that provided HALs you would be hearing about them. So it would be good

to get at it from another perspective. That would be really great to have that information. If you are able to pull it together we will incorporate it with the study and that would just be wonderful. It would strengthen the notion that certain lenders should be limited. We could tell people where they are operating and all of that.

PRESENTATION TO PUBLIC HOUSING AGENCY OUTREACH COMMITTEE

Alabama Analysis of Impediments to Fair Housing Choice

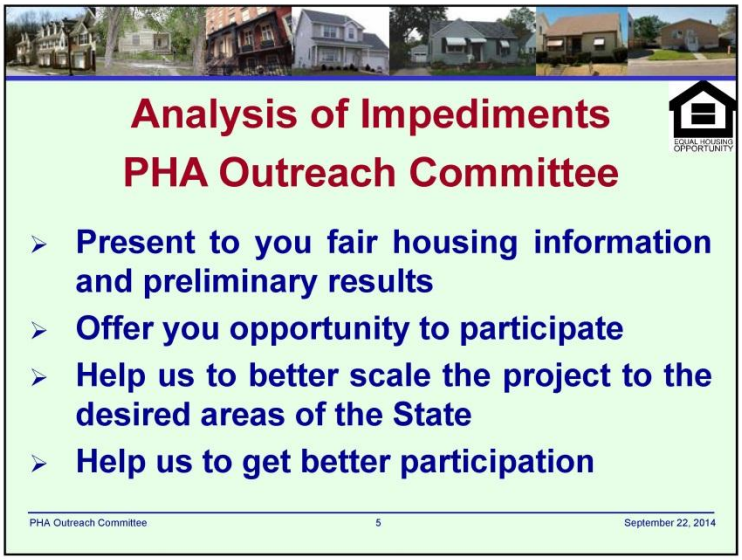


PHA Outreach Committee **September 22, 2014: Page 1**

Alabama Analysis of Impediments to Fair Housing Choice

PHA Outreach Committee **September 22, 2014: Page 2**

Alabama Analysis of Impediments to Fair Housing Choice



PHA Outreach Committee **September 22, 2014: Page 3**

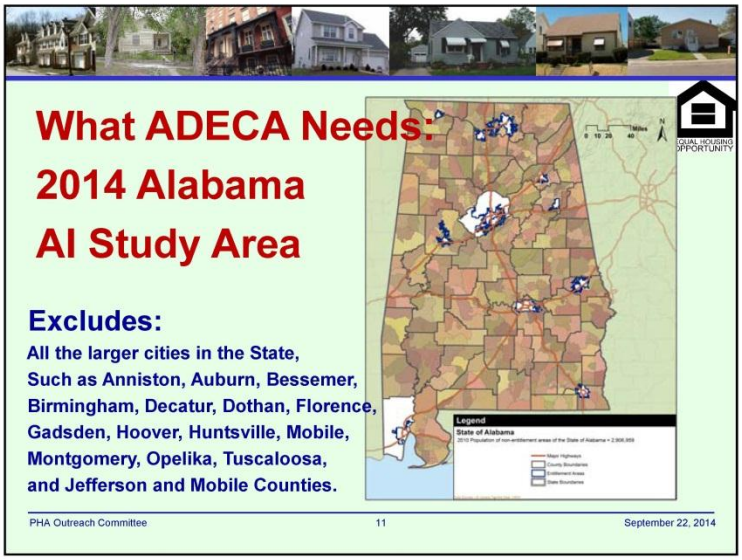
Alabama Analysis of Impediments to Fair Housing Choice

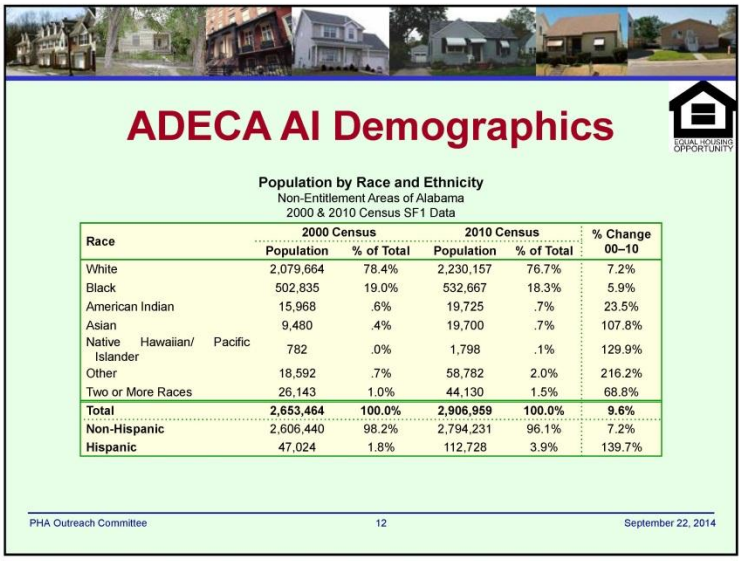
PHA Outreach Committee **September 22, 2014: Page 4**

Alabama Analysis of Impediments to Fair Housing Choice

PHA Outreach Committee **September 22, 2014: Page 5**

Alabama Analysis of Impediments to Fair Housing Choice





ADECA AI Demographics

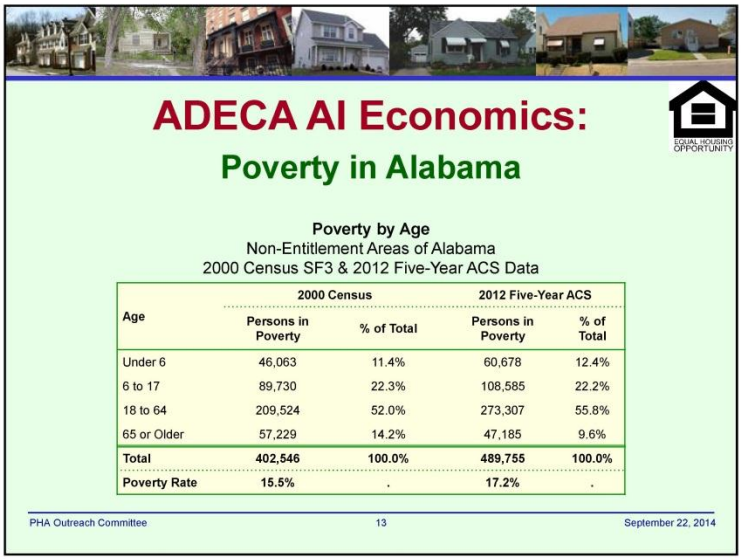
Population by Race and Ethnicity
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Race	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
White	2,079,664	78.4%	2,230,157	76.7%	7.2%
Black	502,835	19.0%	532,667	18.3%	5.9%
American Indian	15,968	.6%	19,725	.7%	23.5%
Asian	9,480	.4%	19,700	.7%	107.8%
Native Hawaiian/ Pacific Islander	782	.0%	1,798	.1%	129.9%
Other	18,592	.7%	58,782	2.0%	216.2%
Two or More Races	26,143	1.0%	44,130	1.5%	68.8%
Total	**2,653,464**	**100.0%**	**2,906,959**	**100.0%**	**9.6%**
Non-Hispanic	2,606,440	98.2%	2,794,231	96.1%	7.2%
Hispanic	47,024	1.8%	112,728	3.9%	139.7%

PHA Outreach Committee 12 September 22, 2014

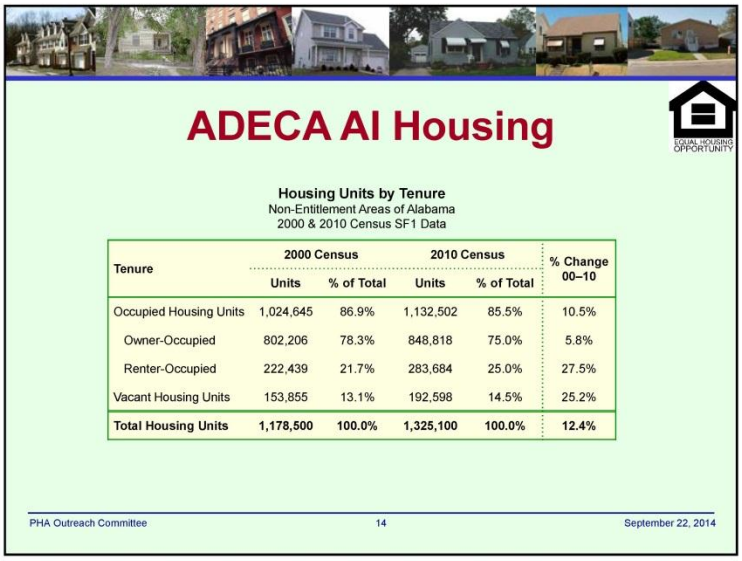
PHA Outreach Committee **September 22, 2014: Page 6**

Alabama Analysis of Impediments to Fair Housing Choice



Poverty by Age
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

Age	2000 Census		2012 Five-Year ACS	
	Persons in Poverty	% of Total	Persons in Poverty	% of Total
Under 6	46,063	11.4%	60,678	12.4%
6 to 17	89,730	22.3%	108,585	22.2%
18 to 64	209,524	52.0%	273,307	55.8%
65 or Older	57,229	14.2%	47,185	9.6%
Total	**402,546**	**100.0%**	**489,755**	**100.0%**
Poverty Rate	**15.5%**	.	**17.2%**	.

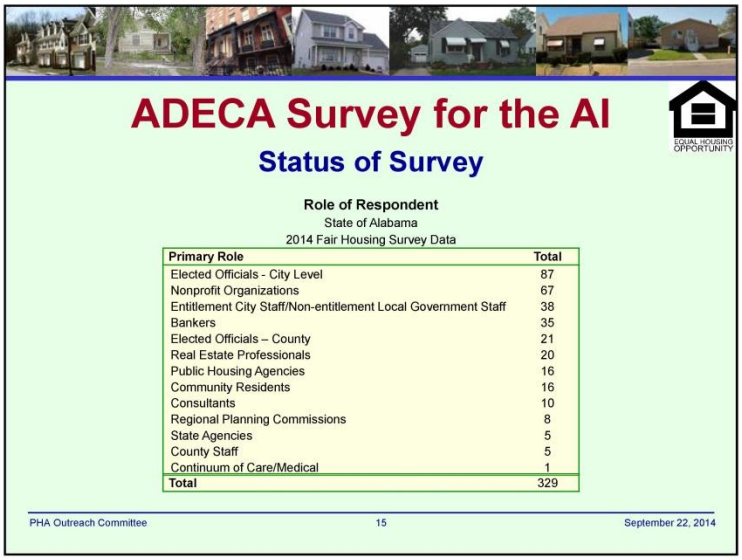


Housing Units by Tenure
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Tenure	2000 Census		2010 Census		% Change 00–10
	Units	% of Total	Units	% of Total	
Occupied Housing Units	1,024,645	86.9%	1,132,502	85.5%	10.5%
Owner-Occupied	802,206	78.3%	848,818	75.0%	5.8%
Renter-Occupied	222,439	21.7%	283,684	25.0%	27.5%
Vacant Housing Units	153,855	13.1%	192,598	14.5%	25.2%
Total Housing Units	**1,178,500**	**100.0%**	**1,325,100**	**100.0%**	**12.4%**

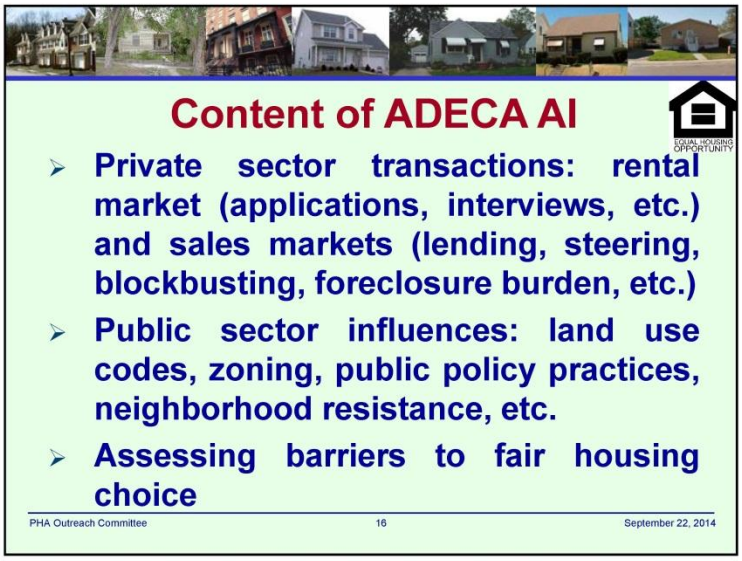
PHA Outreach Committee **September 22, 2014: Page 7**

Alabama Analysis of Impediments to Fair Housing Choice

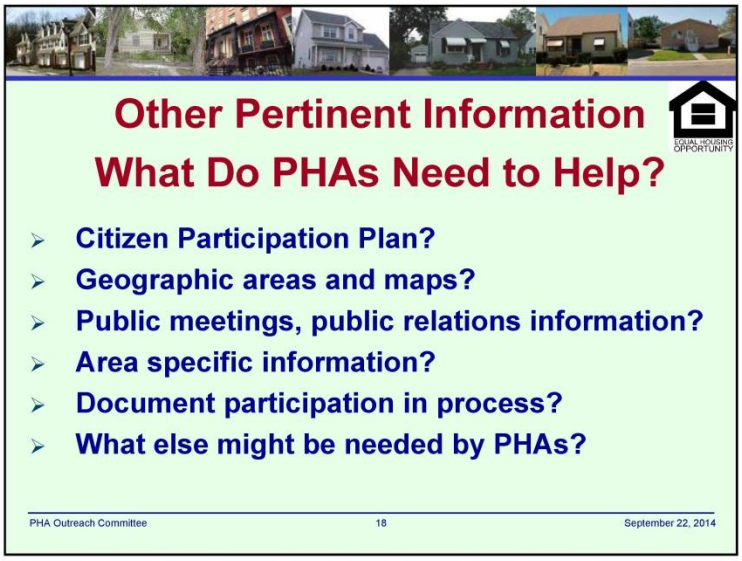


Role of Respondent
State of Alabama
2014 Fair Housing Survey Data

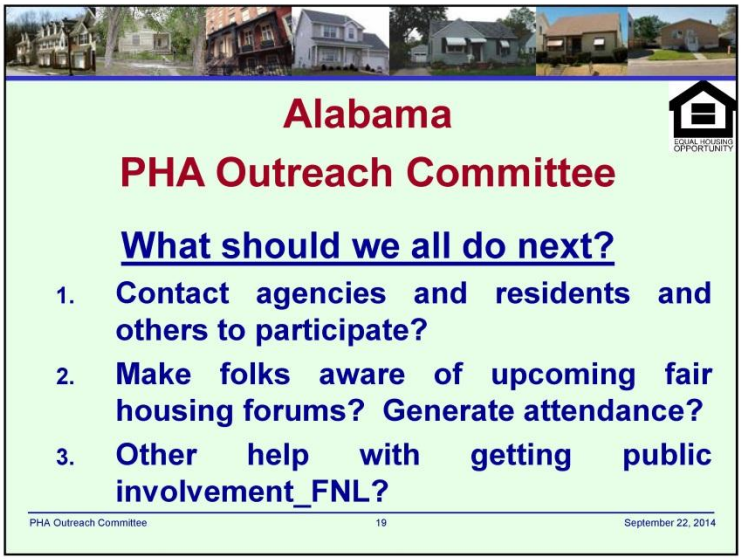
Primary Role	Total
Elected Officials - City Level	87
Nonprofit Organizations	67
Entitlement City Staff/Non-entitlement Local Government Staff	38
Bankers	35
Elected Officials – County	21
Real Estate Professionals	20
Public Housing Agencies	16
Community Residents	16
Consultants	10
Regional Planning Commissions	8
State Agencies	5
County Staff	5
Continuum of Care/Medical	1
Total	329

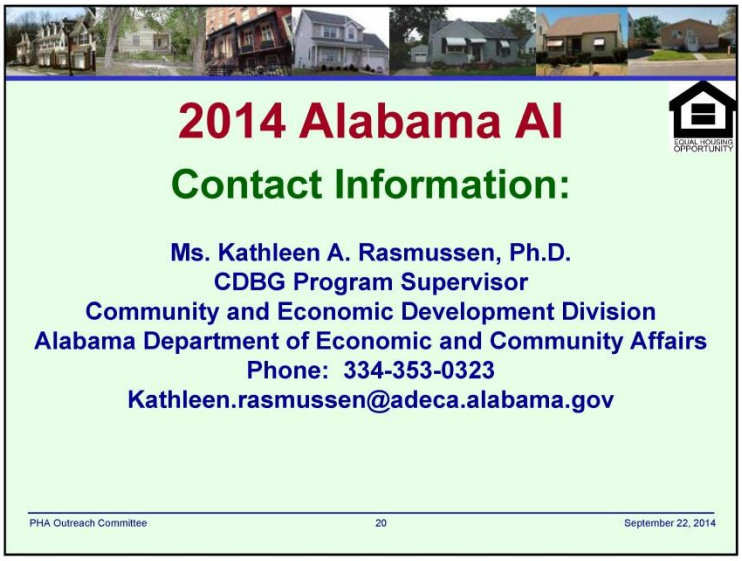


Alabama Analysis of Impediments to Fair Housing Choice



Alabama Analysis of Impediments to Fair Housing Choice





TRANSCRIPT FROM THE FIRST PRESENTATION TO PHA OUTREACH COMMITTEE DISCUSSION

9-22-14 PHA Outreach Committee

Susan Houston: You were given this information that you were maybe having some fair housing meetings perhaps for our residents? Is that correct?

Rob Gaudin: That depends on how the state will be designing the Public Input Meetings or Fair Housing Forums, but we welcome the opportunity of working with you for those public input session which are in November.

Susan Houston: I don't know, I mean do you want us to ask our residents if they would like to be participants in these meetings?

Rob Gaudin: That would be wonderful, yes.

Susan Houston: Okay, so they could just listen with me or do they need to sign up individually?

Rob Gaudin: That depends on you and how you wish to have them participate. If you would like to have them physically attend a meeting then you might think about having a meeting there. If you wish to have them attend a meeting via webinar like this, then we can make that arrangement also.

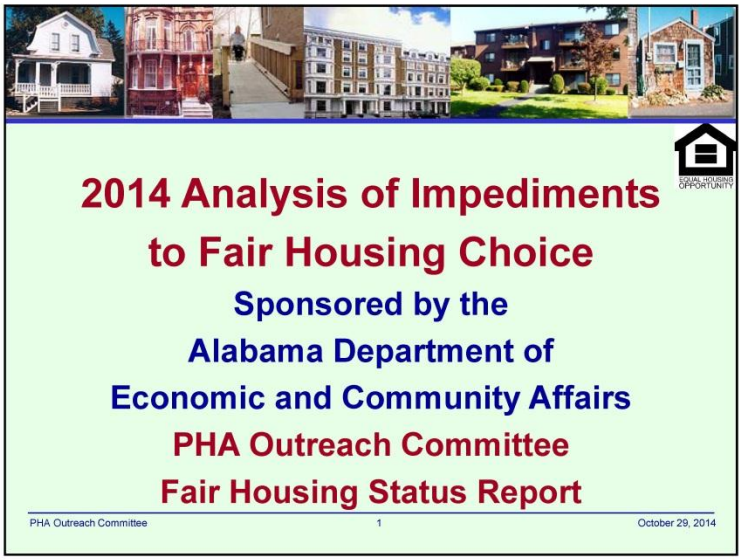
Susan Houston: I don't know what participation I would have or any. I was just wanting to know if someone wanted to be a participant in the meetings that we are going to have monthly, if they would be able to attend with me?

Rob Gaudin: Yes, that would be great.

Shabbir Olia: I would like to make an appeal to the ones that are attending today to seek out some more participants. It seems like we had 17 or 18 sign up, but only ten are online right now, maybe nine, because we are one of the ten. So, we would like to have a little bit more participation and input and further down the line on the following months we would actually like to hear more from them on what they have to say about the whole issue of fair housing.

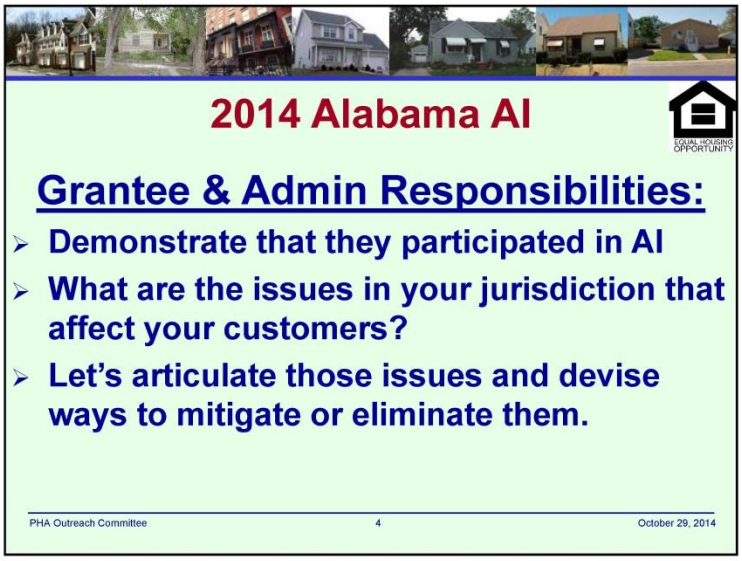
SECOND PRESENTATION TO PUBLIC HOUSING AGENCY OUTREACH COMMITTEE

Alabama Analysis of Impediments to Fair Housing Choice



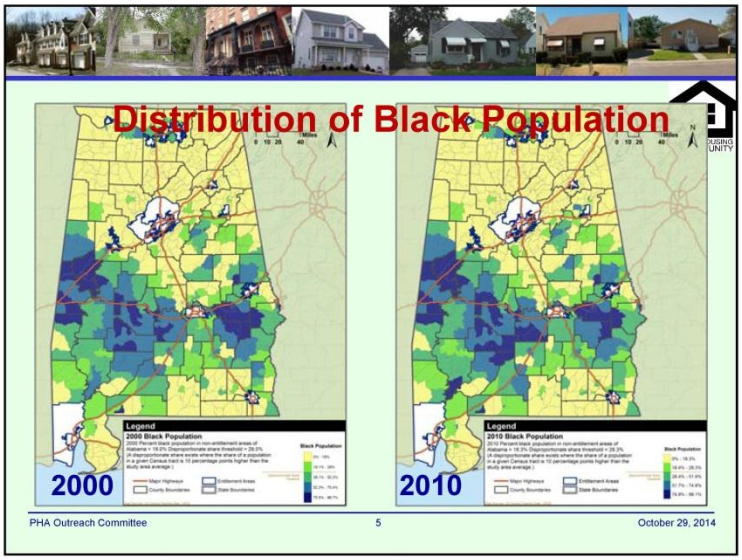
PHA Outreach Committee **October 29, 2014: Page 1**

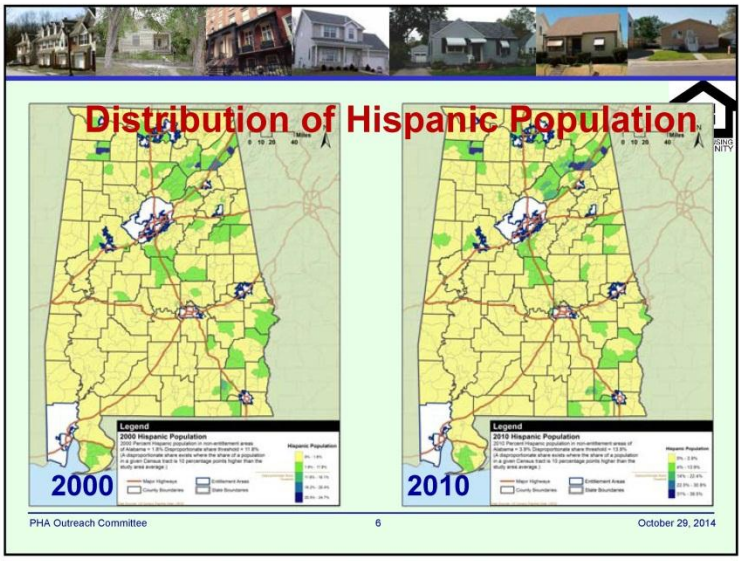
Alabama Analysis of Impediments to Fair Housing Choice



PHA Outreach Committee **October 29, 2014: Page 2**

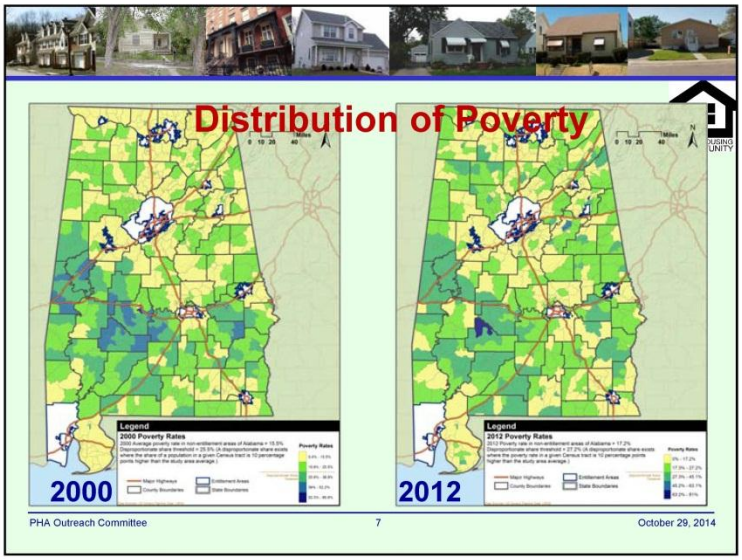
Alabama Analysis of Impediments to Fair Housing Choice





PHA Outreach Committee **October 29, 2014: Page 3**

Alabama Analysis of Impediments to Fair Housing Choice



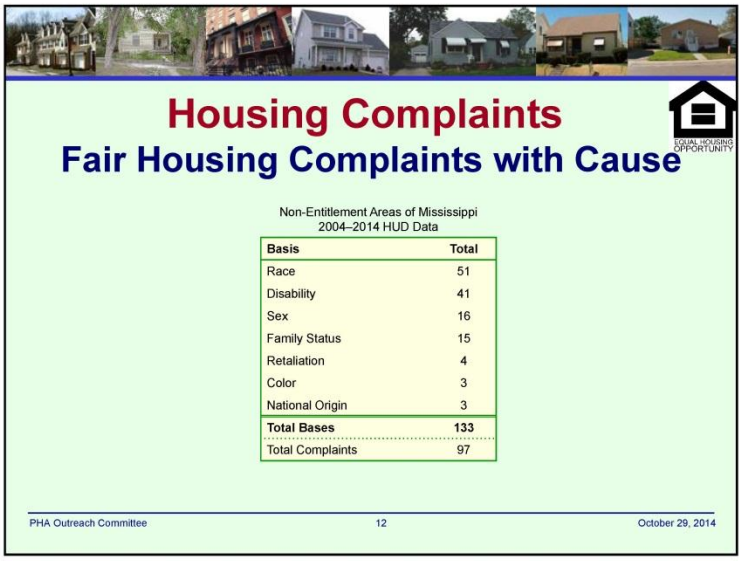
Alabama Analysis of Impediments to Fair Housing Choice

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Total Bases	**66**	**36**	**44**	**47**	**115**	**71**	**54**	**21**	**27**	**14**	**1**	**496**
Total Complaints	41	29	29	32	69	38	44	16	21	9	1	329

PHA Outreach Committee **October 29, 2014: Page 5**

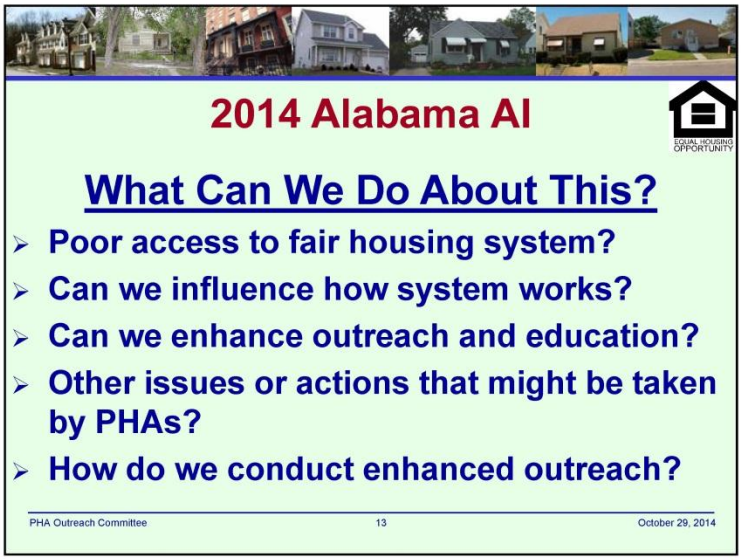
Alabama Analysis of Impediments to Fair Housing Choice

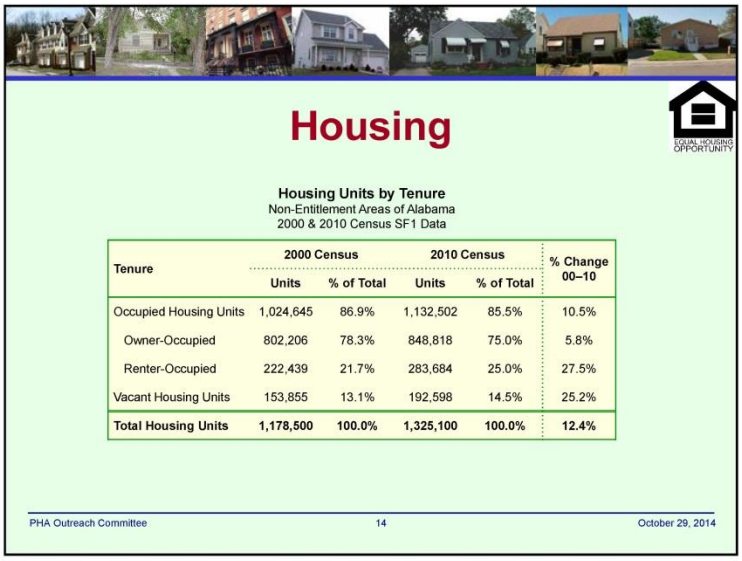
Issue or Alleged Action	Total
Discrimination in term, conditions or privileges relating to rental	146
Discriminatory terms, conditions, privileges, or services and facilities	71
Discriminatory refusal to rent	65
Discriminatory acts under Section 818 (coercion, etc.)	63
Failure to make reasonable accommodation	46
Discriminatory advertising, statements and notices	26
Otherwise deny or make housing available	19
Discriminatory financing (includes real estate transactions)	16
Discrimination in the terms or conditions for making loans	11
Discrimination in terms, conditions, privileges relating to sale	11
False denial or representation of availability - rental	9
Discriminatory refusal to rent and negotiate for rental	8
Refusing to provide municipal services or property	8
Failure to permit reasonable modification	7
All Other	72
Total Issues	**578**
Total Complaints	329



Basis	Total
Race	51
Disability	41
Sex	16
Family Status	15
Retaliation	4
Color	3
National Origin	3
Total Bases	**133**
Total Complaints	97

Alabama Analysis of Impediments to Fair Housing Choice





Housing Units by Tenure
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

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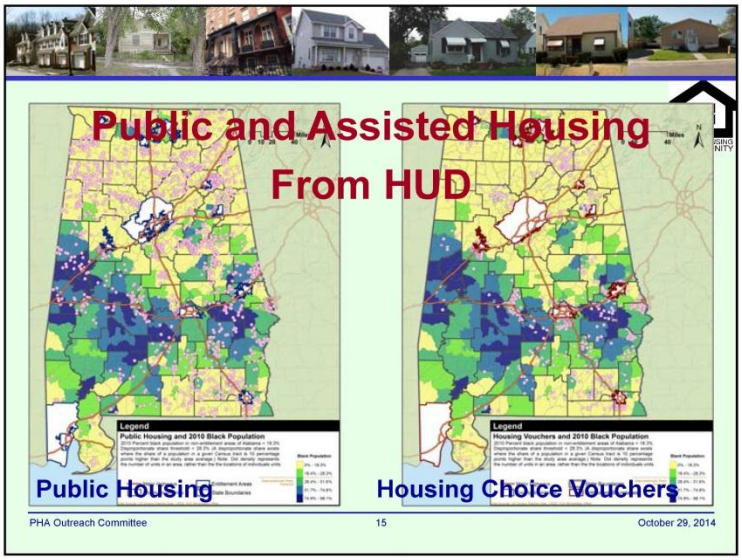
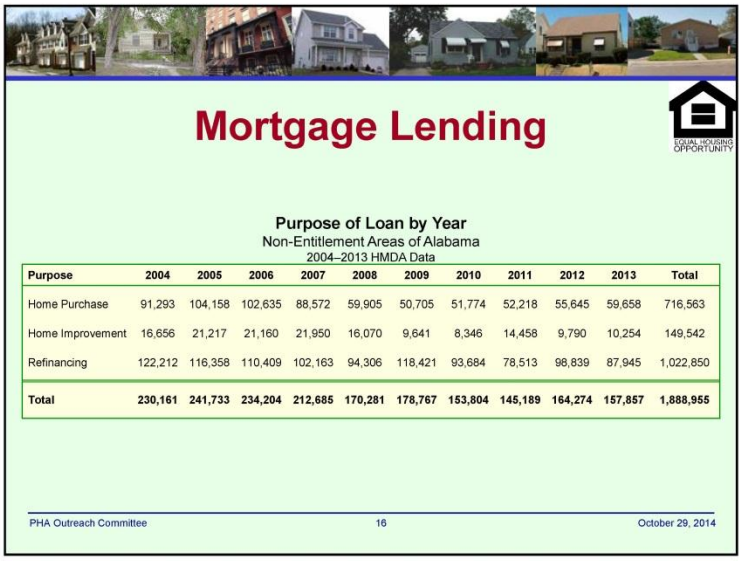
Alabama Analysis of Impediments to Fair Housing Choice





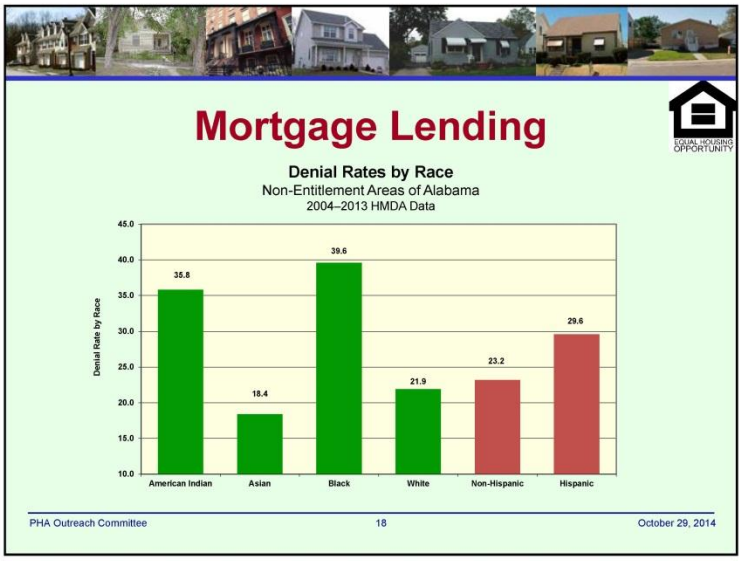
Mortgage Lending

Purpose of Loan by Year
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Purpose	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Home Purchase	91,293	104,158	102,635	88,572	59,905	50,705	51,774	52,218	55,645	59,658	716,563
Home Improvement	16,656	21,217	21,160	21,950	16,070	9,641	8,346	14,458	9,790	10,254	149,542
Refinancing	122,212	116,358	110,409	102,163	94,306	118,421	93,684	78,513	98,839	87,945	1,022,850
Total	**230,161**	**241,733**	**234,204**	**212,685**	**170,281**	**178,767**	**153,804**	**145,189**	**164,274**	**157,857**	**1,888,955**

PHA Outreach Committee 16 October 29, 2014

Alabama Analysis of Impediments to Fair Housing Choice



PHA Outreach Committee **October 29, 2014: Page 9**

Alabama Analysis of Impediments to Fair Housing Choice

Mortgage Lending

EQUAL HOUSING OPPORTUNITY

Denial Rates by Gender of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Year	Male	Female	Not Available	Not Applicable	Average
2004	20.7%	29.9%	49.1%	6.7%	24.3%
2005	20.3%	28.3%	41.8%	30.0%	23.4%
2006	19.2%	26.7%	38.5%	9.1%	22.0%
2007	18.3%	25.7%	35.9%	36.4%	20.9%
2008	19.7%	25.9%	40.4%	44.4%	22.2%
2009	20.2%	26.7%	31.9%	83.3%	22.5%
2010	26.2%	35.5%	35.6%	33.3%	29.4%
2011	26.3%	36.7%	50.1%	57.1%	30.3%
2012	29.0%	39.8%	49.7%	33.3%	33.0%
2013	27.3%	38.2%	49.8%	20.0%	31.4%
Average	**22.0%**	**30.7%**	**42.4%**	**28.8%**	**25.2%**

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Mortgage Lending

EQUAL HOUSING OPPORTUNITY

Denial Rates of Loans by Race/Ethnicity and Income of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race	<= $15K	$15K–$30K	$30K–$45K	$45K–$60K	$60K–$75K	Above $75K	Data Missing	Avg
American Indian	74.5%	49.5%	37.4%	31.6%	23.8%	21.3%	46.9%	35.8%
Asian	58.3%	36.7%	25.4%	16.2%	13.4%	10.6%	19.2%	18.4%
Black	82.1%	59.4%	37.7%	29.5%	21.3%	18.7%	55.2%	39.6%
White	65.4%	39.4%	24.1%	18.5%	13.8%	10.7%	22.7%	21.9%
Not Available	77.1%	62.7%	43.0%	34.5%	24.8%	19.8%	49.3%	38.6%
Not Applicable	.0%	62.5%	5.9%	10.0%	20.0%	16.7%	37.1%	27.1%
Average	**70.4%**	**44.5%**	**27.1%**	**20.8%**	**15.3%**	**12.0%**	**30.0%**	**25.2%**
Non-Hispanic	68.2%	41.6%	25.1%	19.2%	14.2%	11.1%	25.6%	23.2%
Hispanic	66.0%	44.4%	30.2%	24.8%	16.5%	14.8%	28.6%	29.6%

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PHA Outreach Committee **October 29, 2014: Page 10**

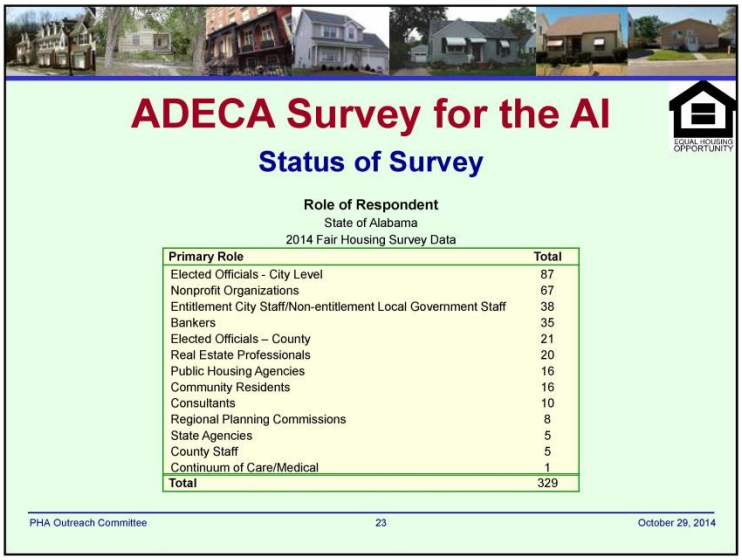
Alabama Analysis of Impediments to Fair Housing Choice

Originated Owner-Occupied Loans by HAL Status
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Other	30,265	30,828	31,699	30,647	21,207	17,608	17,896	17,390	18,895	20,916	237,351
HAL	7,107	10,876	10,367	7,071	3,901	2,559	1,668	1,882	2,152	1,997	49,580
Total	**37,372**	**41,704**	**42,066**	**37,718**	**25,108**	**20,167**	**19,564**	**19,272**	**21,047**	**22,913**	**286,931**
Percent HAL	19.0%	26.1%	24.6%	18.7%	15.5%	12.7%	8.5%	9.8%	10.2%	8.7%	17.3%

PHA Outreach Committee **October 29, 2014: Page 11**

Alabama Analysis of Impediments to Fair Housing Choice



Role of Respondent
State of Alabama
2014 Fair Housing Survey Data

Primary Role	Total
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Bankers	35
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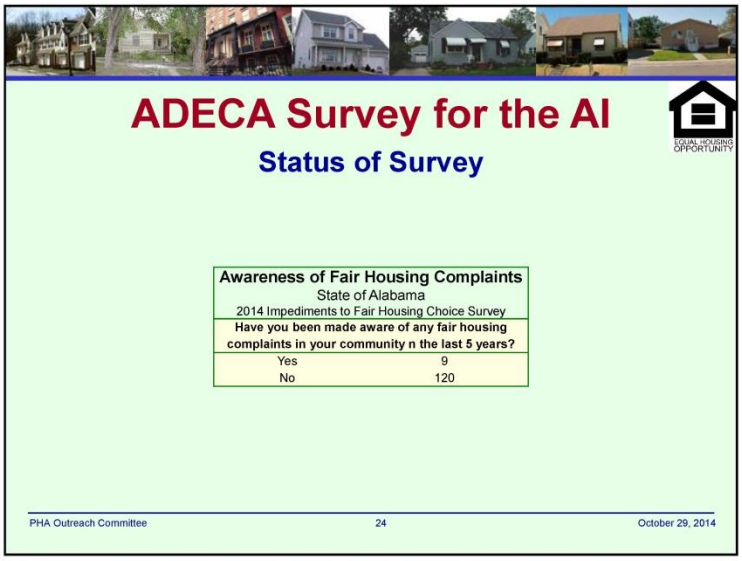
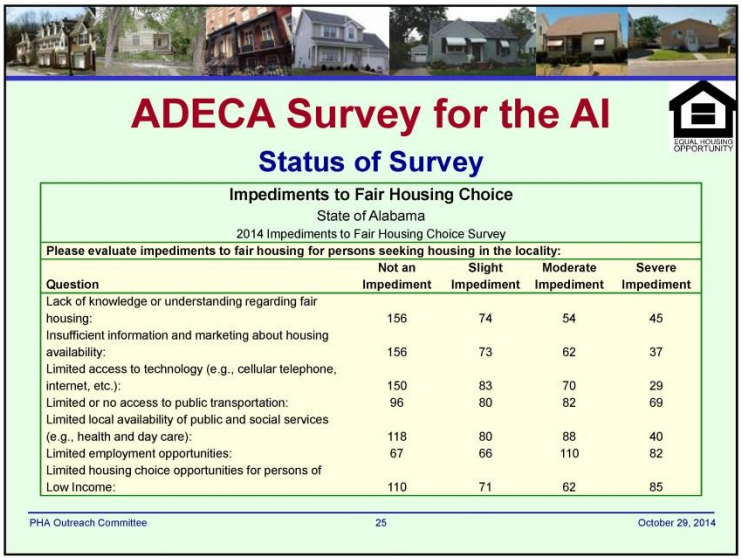


Awareness of Fair Housing Complaints
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Have you been made aware of any fair housing complaints in your community n the last 5 years?	
Yes	9
No	120

Alabama Analysis of Impediments to Fair Housing Choice



ADECA Survey for the AI

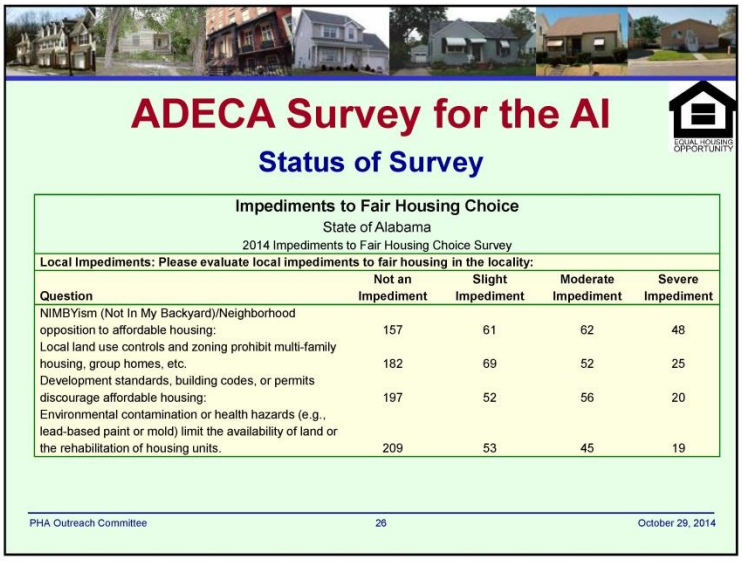
Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Please evaluate impediments to fair housing for persons seeking housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
Lack of knowledge or understanding regarding fair housing:	156	74	54	45
Insufficient information and marketing about housing availability:	156	73	62	37
Limited access to technology (e.g., cellular telephone, internet, etc.):	150	83	70	29
Limited or no access to public transportation:	96	80	82	69
Limited local availability of public and social services (e.g., health and day care):	118	80	88	40
Limited employment opportunities:	67	66	110	82
Limited housing choice opportunities for persons of Low Income:	110	71	62	85

PHA Outreach Committee 25 October 29, 2014



ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
NIMBYism (Not In My Backyard)/Neighborhood opposition to affordable housing:	157	61	62	48
Local land use controls and zoning prohibit multi-family housing, group homes, etc.	182	69	52	25
Development standards, building codes, or permits discourage affordable housing:	197	52	56	20
Environmental contamination or health hazards (e.g., lead-based paint or mold) limit the availability of land or the rehabilitation of housing units.	209	53	45	19

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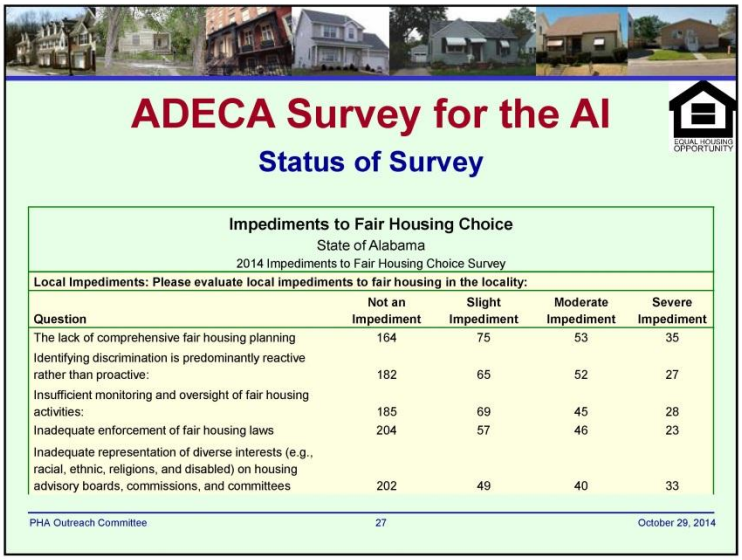
Alabama Analysis of Impediments to Fair Housing Choice



ADECA Survey for the AI

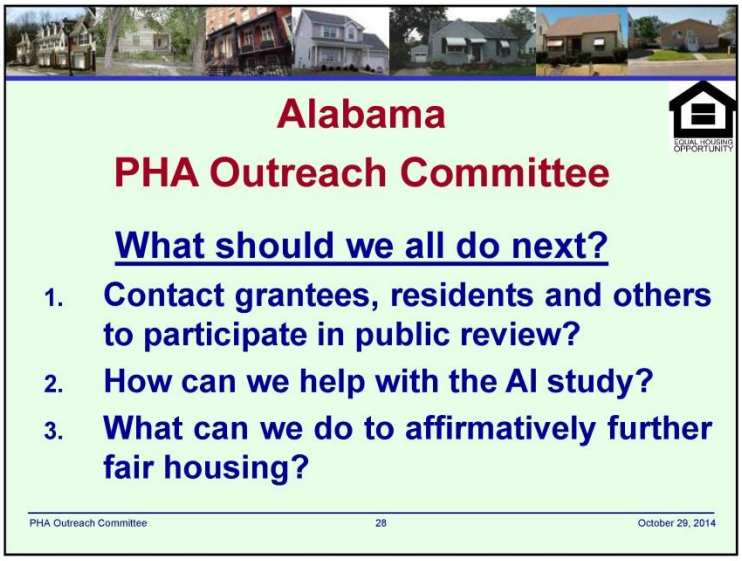
Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
The lack of comprehensive fair housing planning	164	75	53	35
Identifying discrimination is predominantly reactive rather than proactive:	182	65	52	27
Insufficient monitoring and oversight of fair housing activities:	185	69	45	28
Inadequate enforcement of fair housing laws	204	57	46	23
Inadequate representation of diverse interests (e.g., racial, ethnic, religions, and disabled) on housing advisory boards, commissions, and committees	202	49	40	33

PHA Outreach Committee 27 October 29, 2014



Alabama

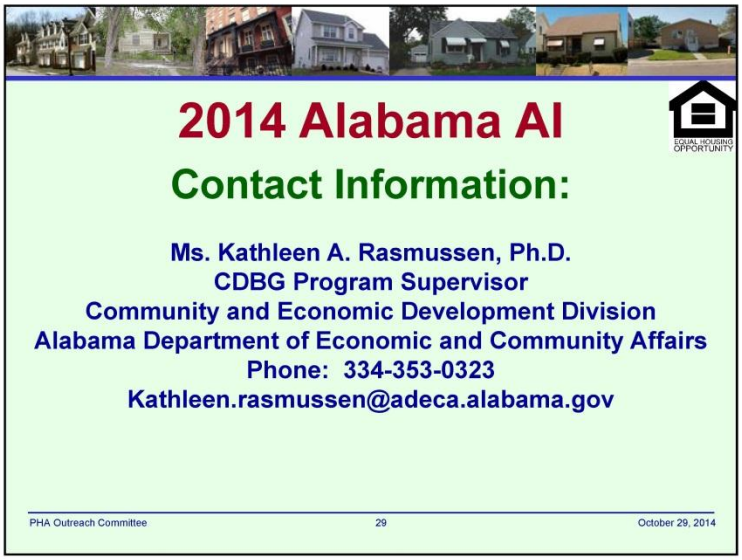
PHA Outreach Committee

What should we all do next?

1. Contact grantees, residents and others to participate in public review?
2. How can we help with the AI study?
3. What can we do to affirmatively further fair housing?

PHA Outreach Committee 28 October 29, 2014

Alabama Analysis of Impediments to Fair Housing Choice



PHA Outreach Committee **October 29, 2014: Page 15**

TRANSCRIPT FROM THE SECOND PRESENTATION TO PHA OUTREACH COMMITTEE DISCUSSION

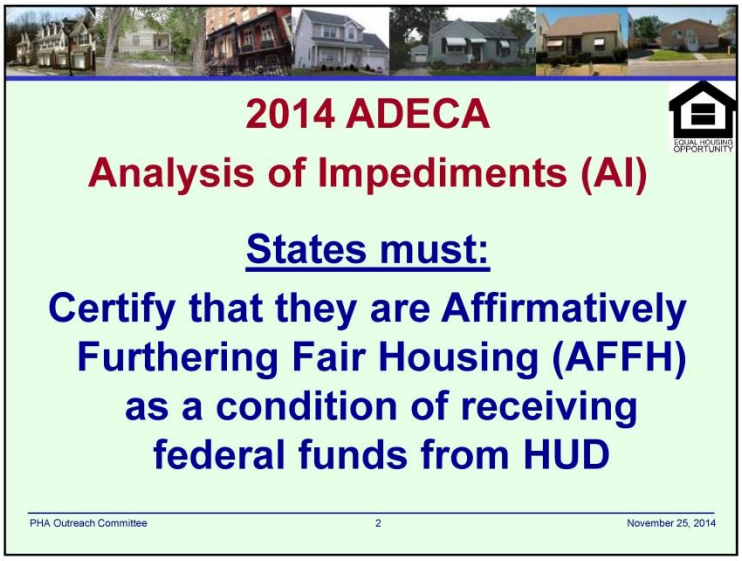
Public Housing Authorities Outreach Committee 10/29/14

Comment 1: I work where there is a large Hispanic population and I am more aware of the complaints there and they have been very well documented and taken care of through the local agencies. So they are trying and I guess sometimes we just don't get credit for trying.

Rob Gaudin: That is correct. It is important for PHAs and they do need to affirmatively further fair housing. They are supposed to conduct a study. On the other hand, if they are to participate with the state then they wouldn't necessarily have to do that. We would be happy to provide any of this research data for your benefit for you to use and to forward on to HUD. The process here is to participate in this together.

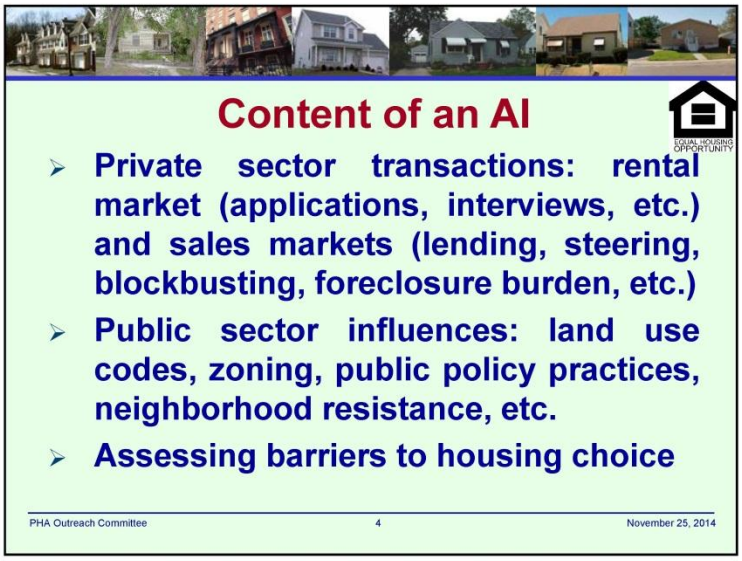
THIRD PRESENTATION TO PUBLIC HOUSING AGENCY OUTREACH COMMITTEE

Alabama Analysis of Impediments to Fair Housing Choice



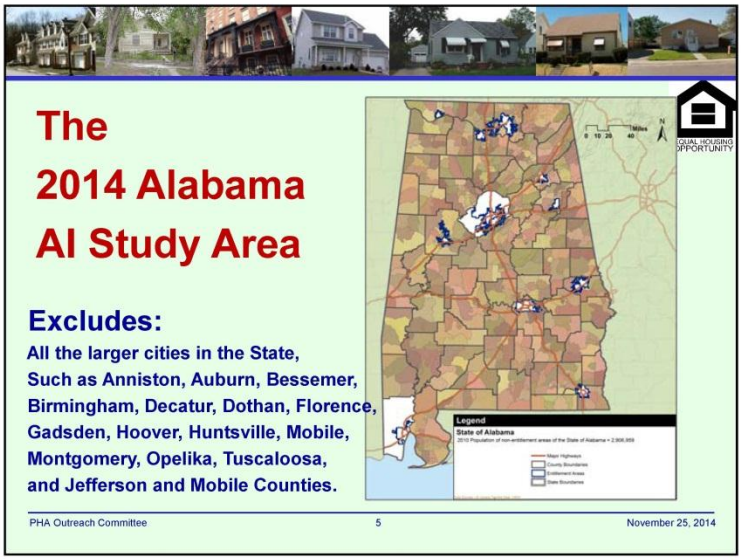
PHA Outreach Committee **November 25, 2014: Page 1**

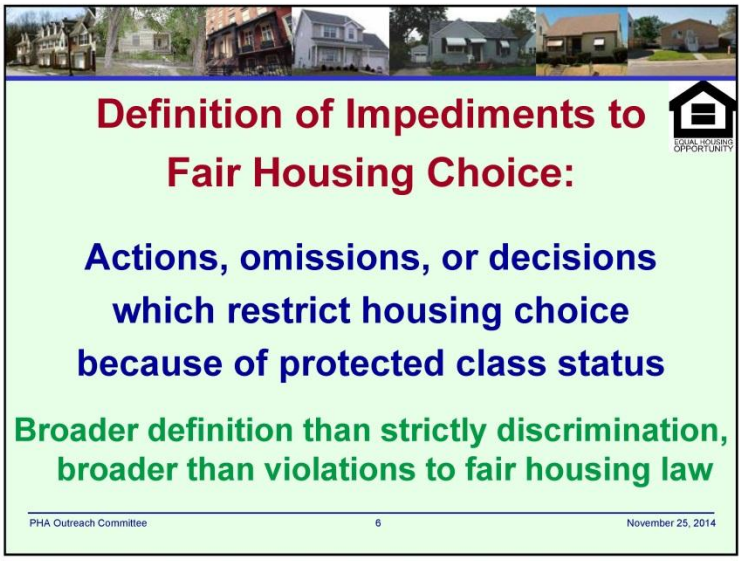
Alabama Analysis of Impediments to Fair Housing Choice



PHA Outreach Committee **November 25, 2014: Page 2**

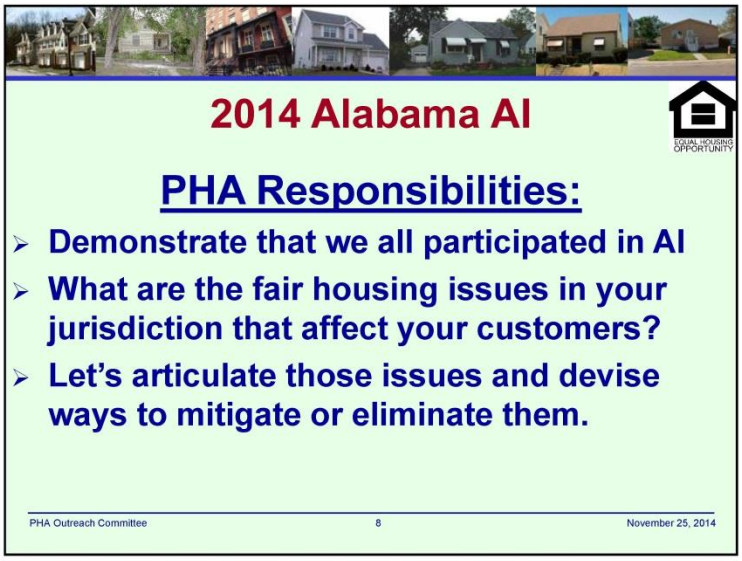
Alabama Analysis of Impediments to Fair Housing Choice





PHA Outreach Committee **November 25, 2014: Page 3**

Alabama Analysis of Impediments to Fair Housing Choice



PHA Outreach Committee **November 25, 2014: Page 4**

Alabama Analysis of Impediments to Fair Housing Choice

Housing Complaints

Fair Housing Complaints

Fair Housing Complaints by Basis

Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Race	20	13	19	16	35	23	30	12	3	7	5	183
Disability	15	8	13	18	24	24	23	16	8	13	3	165
Family Status	9	4	4	5	10	13	5	1	2	5		58
Sex	5	3	5	6	9	6	14		2	4	3	57
Retaliation	3	1	3	1	2	3	1	5	2	8	1	30
National Origin		1				5	4	2	2	2	1	17
Religion	3	1					1	1	1	1		8
Color					1	2	1		1		1	6
Total Bases	**55**	**31**	**44**	**46**	**81**	**76**	**79**	**37**	**21**	**40**	**14**	**524**
Total Complaints	34	20	28	31	52	57	57	33	15	26	10	363

PHA Outreach Committee 9 November 25, 2014

Housing Complaints

Fair Housing Complaints

Fair Housing Complaints by Issue

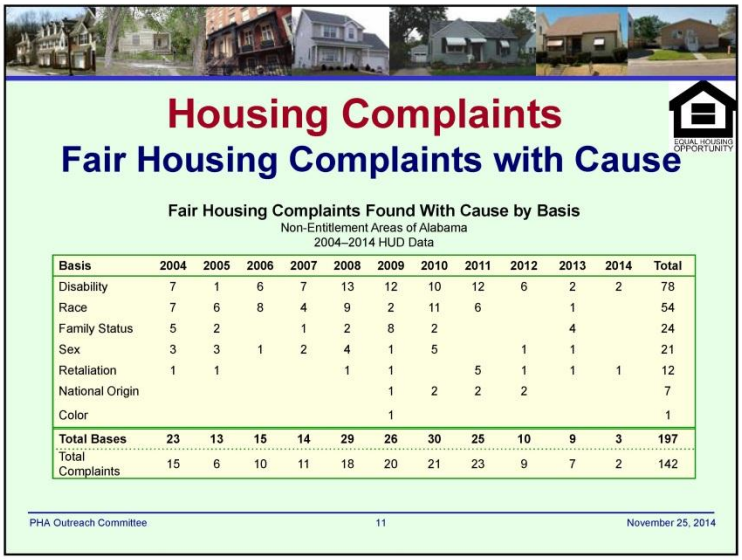
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Issue	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Discrimination in term, conditions or privileges relating to rental	22	7	15	8	23	30	35	12	7	9	1	169
Discriminatory acts under Section 818 (coercion, etc.)	9	3	8	8	12	13	10	8	5	12	3	91
Failure to make reasonable accommodation	3	3	5	4	14	16	15	10	5	3	1	79
Discriminatory terms, conditions, privileges, or services and facilities	3	2	3	7	9	10	7	3	4	15	7	70
Discriminatory refusal to rent	6	4	3	7	8	8	9	2	1	4		52
Discriminatory advertising, statements and notices				1	2	8	12	2	5		1	31
Otherwise deny or make housing available							6	1	4	11	7	29
False denial or representation of availability - rental	2	2	8	4	3		3					22
Discriminatory financing (includes real estate transactions)	1		1	3		1	2	2	2	1	1	14
Discrimination in services and facilities relating to rental	1	1	1	1	1	1	4			1		11
Failure to permit reasonable modification		2			2		3	3		1		11
All Other						1						63
Total Issues	**50**	**30**	**51**	**49**	**83**	**96**	**113**	**48**	**38**	**61**	**23**	**642**
Total Complaints	34	20	28	31	52	57	57	33	15	26	10	363

PHA Outreach Committee 10 November 25, 2014

PHA Outreach Committee **November 25, 2014: Page 5**

Alabama Analysis of Impediments to Fair Housing Choice



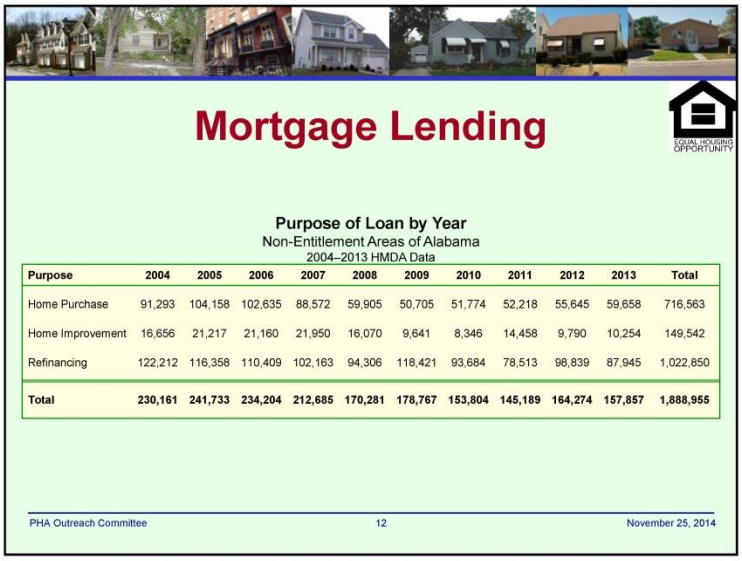
Housing Complaints

Fair Housing Complaints with Cause

Fair Housing Complaints Found With Cause by Basis
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Disability	7	1	6	7	13	12	10	12	6	2	2	78
Race	7	6	8	4	9	2	11	6		1		54
Family Status	5	2		1	2	8	2			4		24
Sex	3	3	1	2	4	1	5		1	1		21
Retaliation	1	1			1	1		5	1	1	1	12
National Origin						1	2	2	2			7
Color						1						1
Total Bases	**23**	**13**	**15**	**14**	**29**	**26**	**30**	**25**	**10**	**9**	**3**	**197**
Total Complaints	15	6	10	11	18	20	21	23	9	7	2	142

PHA Outreach Committee 11 November 25, 2014



Mortgage Lending

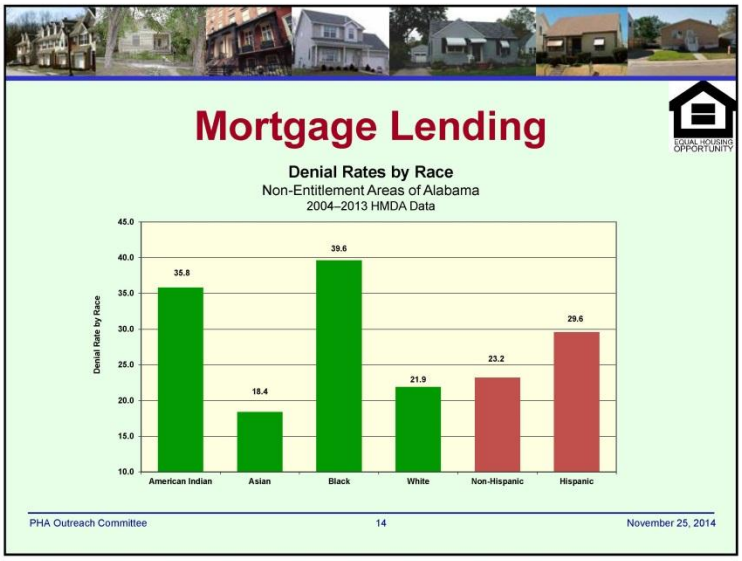
Purpose of Loan by Year
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Purpose	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Home Purchase	91,293	104,158	102,635	88,572	59,905	50,705	51,774	52,218	55,645	59,658	716,563
Home Improvement	16,656	21,217	21,160	21,950	16,070	9,641	8,346	14,458	9,790	10,254	149,542
Refinancing	122,212	116,358	110,409	102,163	94,306	118,421	93,684	78,513	98,839	87,945	1,022,850
Total	**230,161**	**241,733**	**234,204**	**212,685**	**170,281**	**178,767**	**153,804**	**145,189**	**164,274**	**157,857**	**1,888,955**

PHA Outreach Committee 12 November 25, 2014

PHA Outreach Committee **November 25, 2014: Page 6**

Alabama Analysis of Impediments to Fair Housing Choice



PHA Outreach Committee **November 25, 2014: Page 7**

Alabama Analysis of Impediments to Fair Housing Choice

Mortgage Lending

EQUAL HOUSING OPPORTUNITY

Denial Rates of Loans by Race/Ethnicity and Income of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race	<= $15K	$15K–$30K	$30K–$45K	$45K–$60K	$60K–$75K	Above $75K	Data Missing	Avg
American Indian	74.5%	49.5%	37.4%	31.6%	23.8%	21.3%	46.9%	35.8%
Asian	58.3%	36.7%	25.4%	16.2%	13.4%	10.6%	19.2%	18.4%
Black	82.1%	59.4%	37.7%	29.5%	21.3%	18.7%	55.2%	39.6%
White	65.4%	39.4%	24.1%	18.5%	13.8%	10.7%	22.7%	21.9%
Not Available	77.1%	62.7%	43.0%	34.5%	24.8%	19.8%	49.3%	38.6%
Not Applicable	.0%	62.5%	5.9%	10.0%	20.0%	16.7%	37.1%	27.1%
Average	**70.4%**	**44.5%**	**27.1%**	**20.8%**	**15.3%**	**12.0%**	**30.0%**	**25.2%**
Non-Hispanic	68.2%	41.6%	25.1%	19.2%	14.2%	11.1%	25.6%	23.2%
Hispanic	66.0%	44.4%	30.2%	24.8%	16.5%	14.8%	28.6%	29.6%

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Mortgage Lending

EQUAL HOUSING OPPORTUNITY

Denial Rates by Gender of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Year	Male	Female	Not Available	Not Applicable	Average
2004	20.7%	29.9%	49.1%	6.7%	24.3%
2005	20.3%	28.3%	41.8%	30.0%	23.4%
2006	19.2%	26.7%	38.5%	9.1%	22.0%
2007	18.3%	25.7%	35.9%	36.4%	20.9%
2008	19.7%	25.9%	40.4%	44.4%	22.2%
2009	20.2%	26.7%	31.9%	83.3%	22.5%
2010	26.2%	35.5%	35.6%	33.3%	29.4%
2011	26.3%	36.7%	50.1%	57.1%	30.3%
2012	29.0%	39.8%	49.7%	33.3%	33.0%
2013	27.3%	38.2%	49.8%	20.0%	31.4%
Average	**22.0%**	**30.7%**	**42.4%**	**28.8%**	**25.2%**

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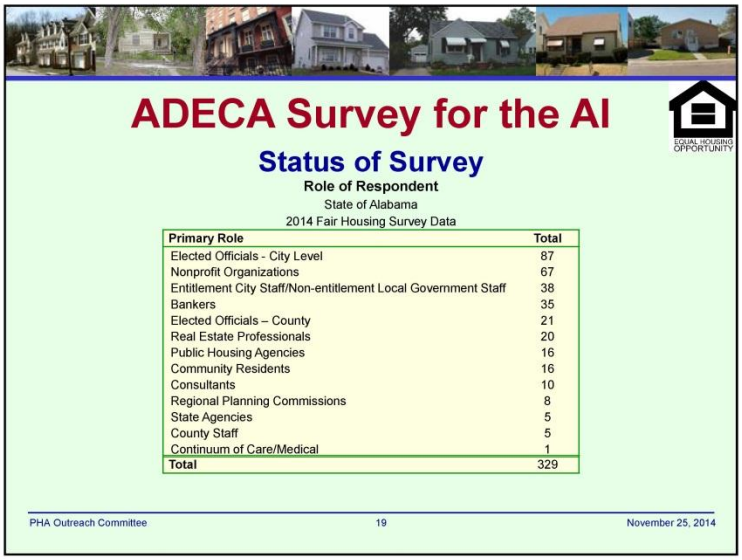
PHA Outreach Committee **November 25, 2014: Page 8**

Alabama Analysis of Impediments to Fair Housing Choice

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Other	30,265	30,828	31,699	30,647	21,207	17,608	17,896	17,390	18,895	20,916	237,351
HAL	7,107	10,876	10,367	7,071	3,901	2,559	1,668	1,882	2,152	1,997	49,580
Total	**37,372**	**41,704**	**42,066**	**37,718**	**25,108**	**20,167**	**19,564**	**19,272**	**21,047**	**22,913**	**286,931**
Percent HAL	19.0%	26.1%	24.6%	18.7%	15.5%	12.7%	8.5%	9.8%	10.2%	8.7%	17.3%

Alabama Analysis of Impediments to Fair Housing Choice

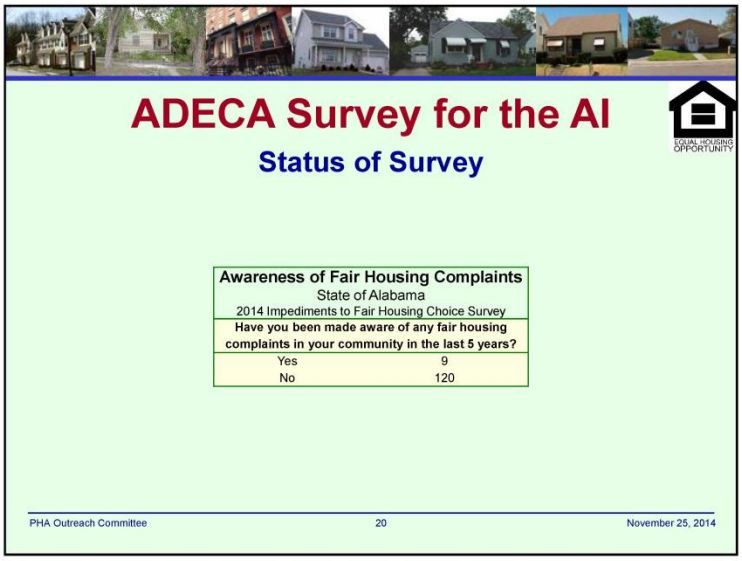


Role of Respondent

State of Alabama

2014 Fair Housing Survey Data

Primary Role	Total
Elected Officials - City Level	87
Nonprofit Organizations	67
Entitlement City Staff/Non-entitlement Local Government Staff	38
Bankers	35
Elected Officials – County	21
Real Estate Professionals	20
Public Housing Agencies	16
Community Residents	16
Consultants	10
Regional Planning Commissions	8
State Agencies	5
County Staff	5
Continuum of Care/Medical	1
Total	329



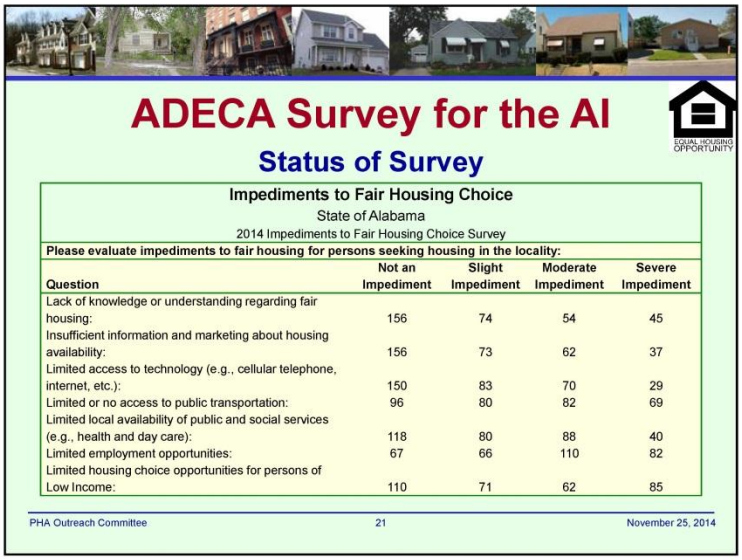
Awareness of Fair Housing Complaints

State of Alabama

2014 Impediments to Fair Housing Choice Survey

Have you been made aware of any fair housing complaints in your community in the last 5 years?	
Yes	9
No	120

Alabama Analysis of Impediments to Fair Housing Choice



ADECA Survey for the AI

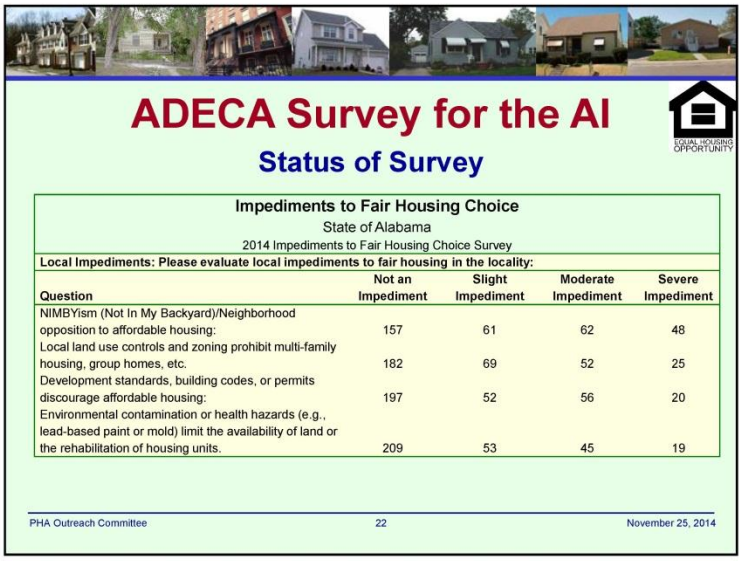
Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Please evaluate impediments to fair housing for persons seeking housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
Lack of knowledge or understanding regarding fair housing:	156	74	54	45
Insufficient information and marketing about housing availability:	156	73	62	37
Limited access to technology (e.g., cellular telephone, internet, etc.):	150	83	70	29
Limited or no access to public transportation:	96	80	82	69
Limited local availability of public and social services (e.g., health and day care):	118	80	88	40
Limited employment opportunities:	67	66	110	82
Limited housing choice opportunities for persons of Low Income:	110	71	62	85

PHA Outreach Committee 21 November 25, 2014



ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

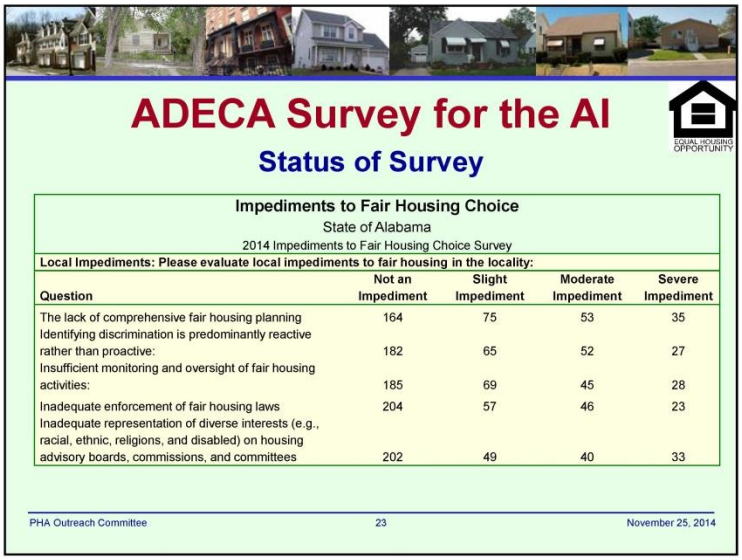
Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
NIMBYism (Not In My Backyard)/Neighborhood opposition to affordable housing:	157	61	62	48
Local land use controls and zoning prohibit multi-family housing, group homes, etc.	182	69	52	25
Development standards, building codes, or permits discourage affordable housing:	197	52	56	20
Environmental contamination or health hazards (e.g., lead-based paint or mold) limit the availability of land or the rehabilitation of housing units.	209	53	45	19

PHA Outreach Committee 22 November 25, 2014

PHA Outreach Committee **November 25, 2014: Page 11**

Alabama Analysis of Impediments to Fair Housing Choice

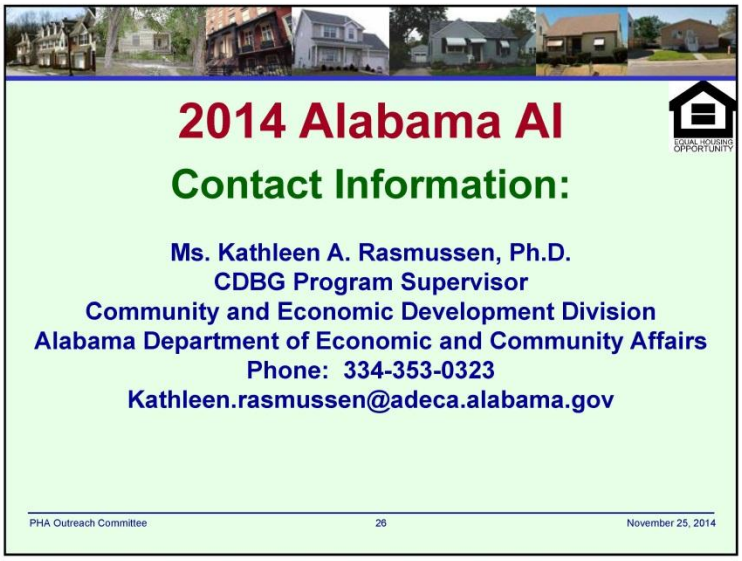


Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
The lack of comprehensive fair housing planning	164	75	53	35
Identifying discrimination is predominantly reactive rather than proactive:	182	65	52	27
Insufficient monitoring and oversight of fair housing activities:	185	69	45	28
Inadequate enforcement of fair housing laws	204	57	46	23
Inadequate representation of diverse interests (e.g., racial, ethnic, religions, and disabled) on housing advisory boards, commissions, and committees	202	49	40	33

Alabama Analysis of Impediments to Fair Housing Choice



PHA Outreach Committee **November 25, 2014: Page 13**

TRANSCRIPT FROM THE THIRD PRESENTATION TO PHA OUTREACH COMMITTEE DISCUSSIONS

11/25/14 Public Housing Authorities Outreach Committee

Comment 1: Your idea of getting ADECA to work through the agencies in existence to get the word out to the surrounding area, the rural areas is a good idea. That is about the only way you are going to educate anybody properly.

Rob Gaudin: What do you think that initial communication from ADECA to the three fair housing agencies, what do you think that should be?

Comment 2: We need your help in getting fair housing out to the rural areas of the state and here is how we can do this and list a few things. That is the only thing that I can think of.

Rob Gaudin: Do you think they should get paid?

Comment 3: Who, they?

Rob Gaudin: Yes, the FHIPs.

Comment 4: No, because that is their job I thought.

Rob Gaudin: Well their job is whatever they think it is. These organizations get some funding from HUD. There are two funding cycles. One is for outreach and education and the other is for testing and enforcement. So, maybe they are in their testing and enforcement grant now. So they are not going to do any outreach and education. They are going to do testing and enforcement. Next year they will do that. I am not sure. I do think though that they should be approached. Is there anything else we can do besides reach out to those guys?

I am thinking as far as generally outreach and education; ADECA could host a meeting like in April. They could host a webinar in April. They could have people come and attend either online or physically. The idea is to conduct outreach and education. ADECA has a responsibility. It shouldn't be just to offload it to you guys. It should be one in which they can take charge. What do you think?

Comment 5: Where would ADECA hold this, in Montgomery?

Rob Gaudin: I am thinking probably need to be in a non-entitlement area.

Comment 6: I would too.

Rob Gaudin: Which community are you calling from?

Comment 7: Prattville. We are in Montgomery's area, but a suburb of Montgomery. So we work with the Fair Housing Montgomery entity. We are close enough to the other areas that ADECA should get out. I guess that is what I am saying too for education purposes.

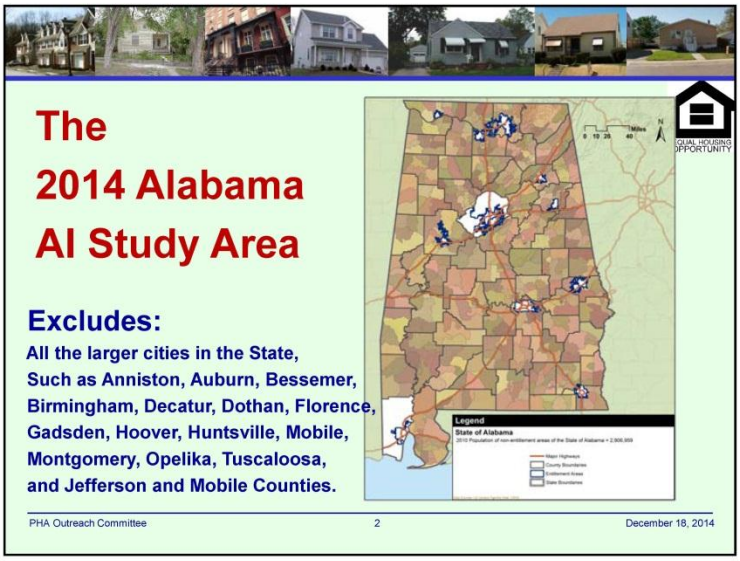
Rob Gaudin: So what have your experiences have been in working with Montgomery Fair Housing folks?

Comment 8: Usually quite good. In my 20 years of doing this we have has two fair housing complaints and handled through them. I am sure that Montgomery has had more than we do, but we are a small agency.

Rob Gaudin: I do think that they have the wherewithal and that the rural areas need a little bit more than what they were getting which is effectively nothing in the past.

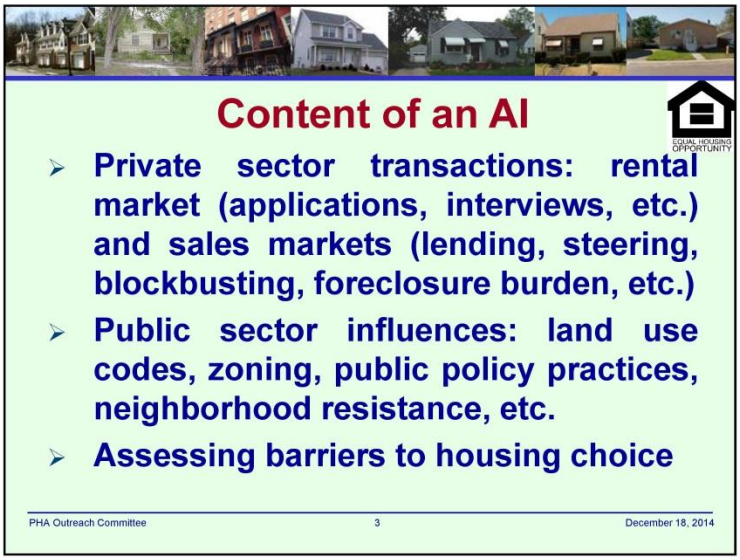
FOURTH PRESENTATION TO PUBLIC HOUSING AGENCY OUTREACH COMMITTEE

Alabama Analysis of Impediments to Fair Housing Choice



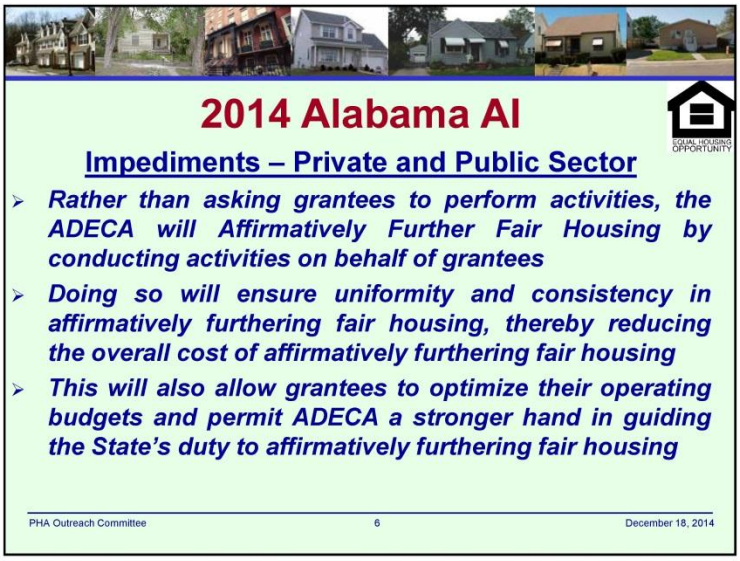
PHA Outreach Committee **December 18, 2014: Page 1**

Alabama Analysis of Impediments to Fair Housing Choice



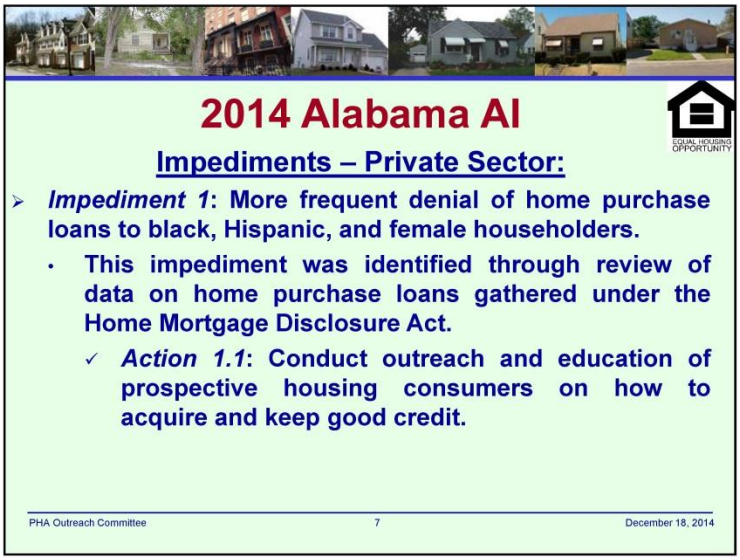
PHA Outreach Committee **December 18, 2014: Page 2**

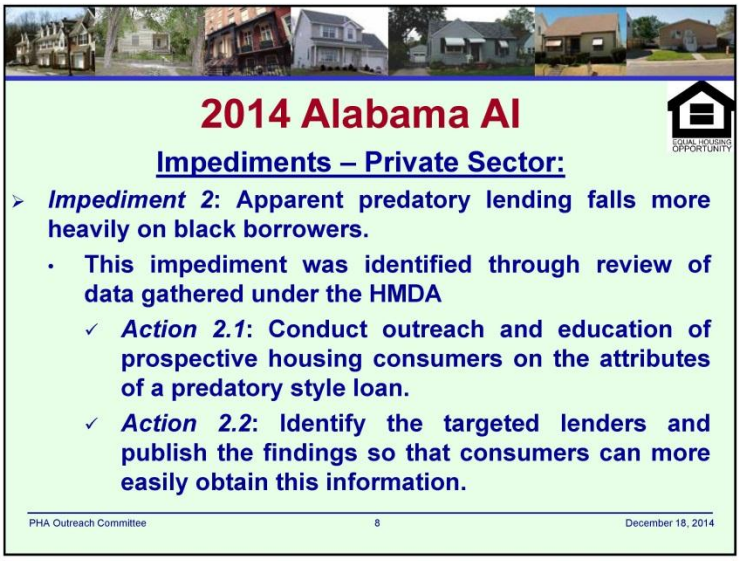
Alabama Analysis of Impediments to Fair Housing Choice



PHA Outreach Committee **December 18, 2014: Page 3**

Alabama Analysis of Impediments to Fair Housing Choice





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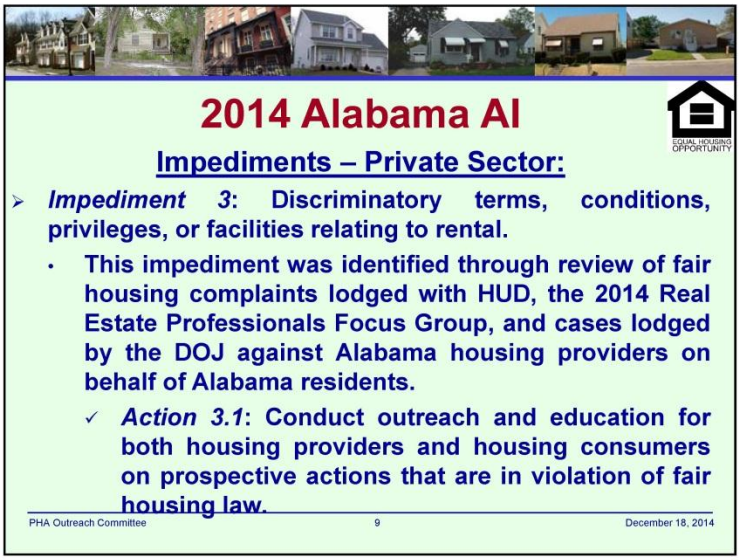

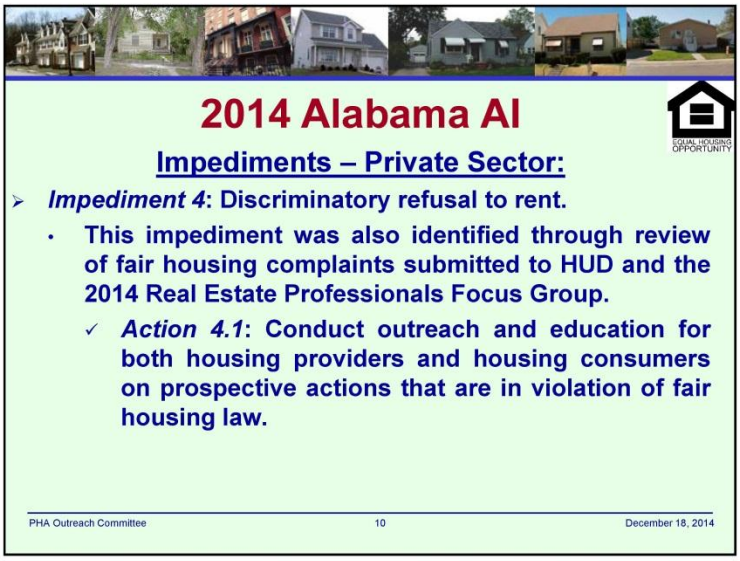

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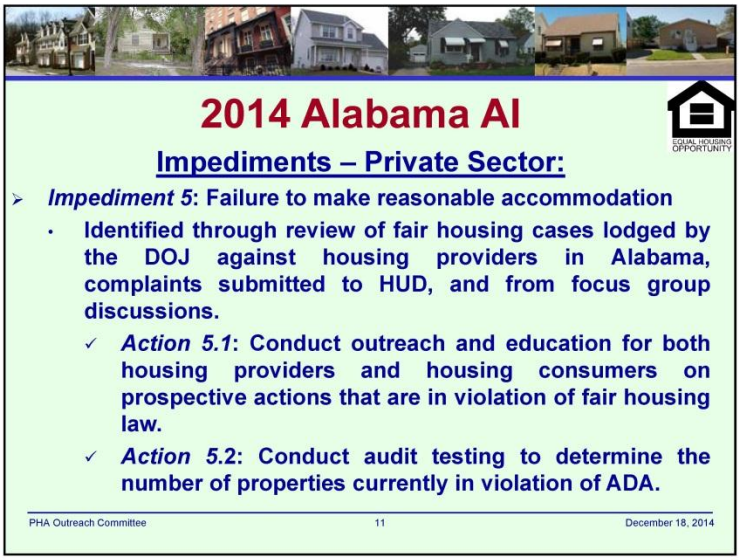
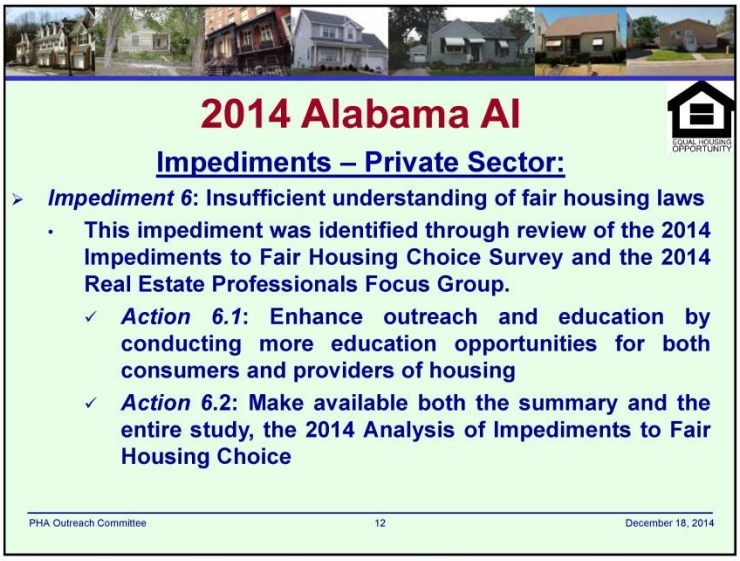
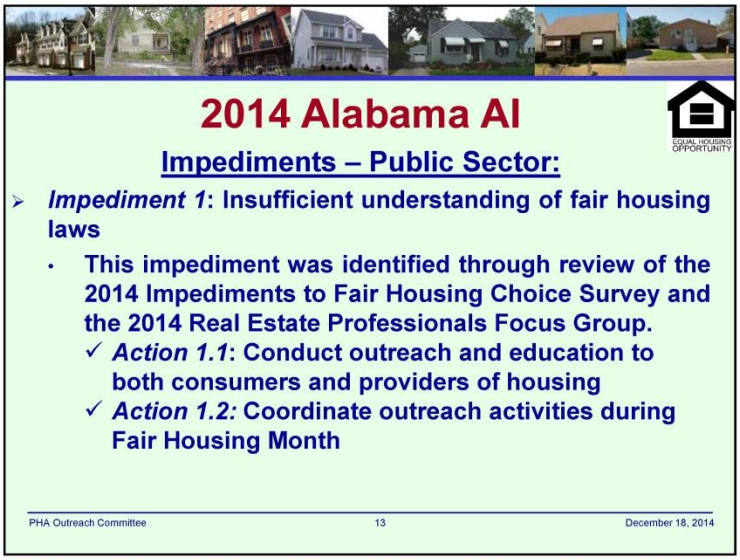
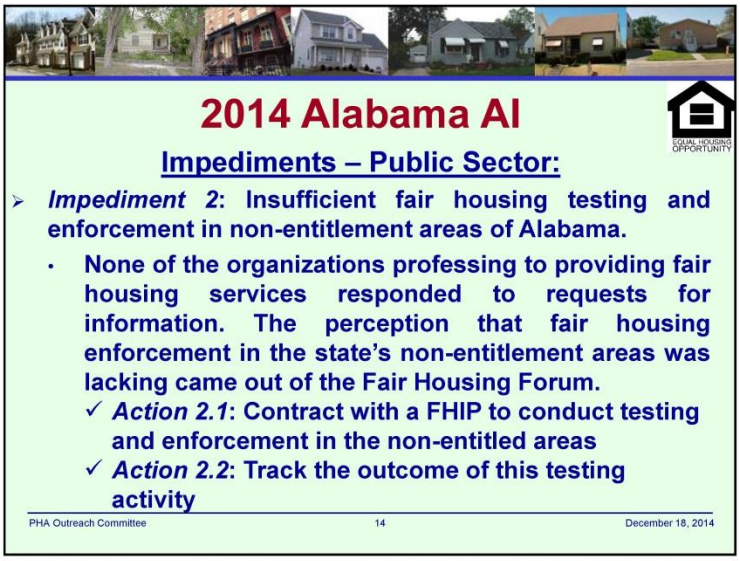


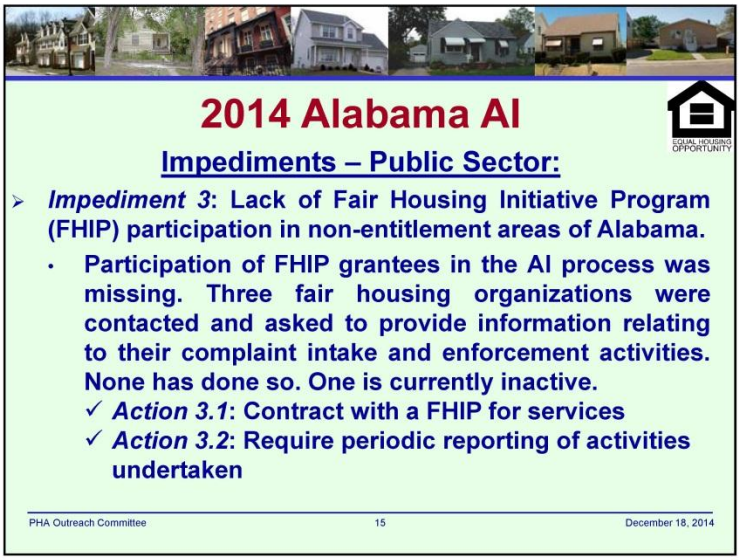


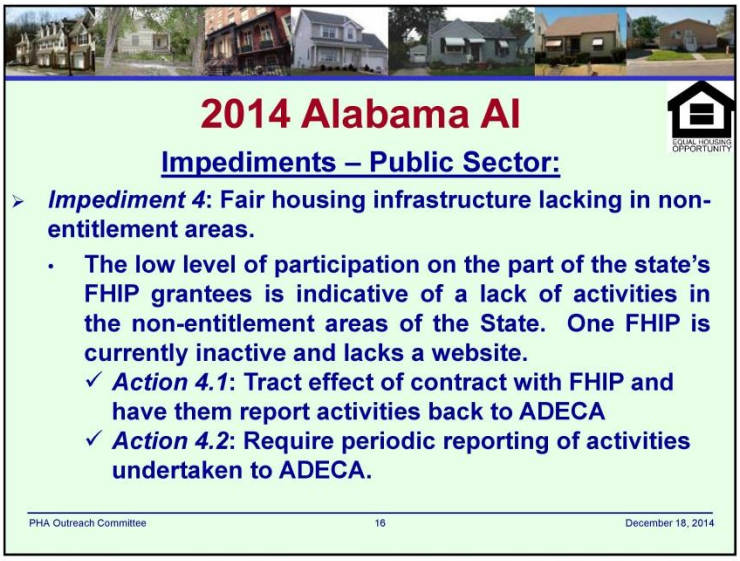
Alabama Analysis of Impediments to Fair Housing Choice





Alabama Analysis of Impediments to Fair Housing Choice





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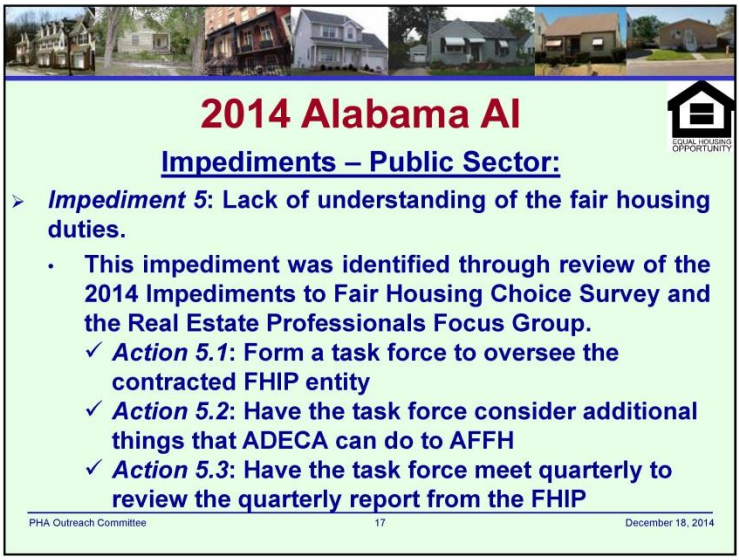

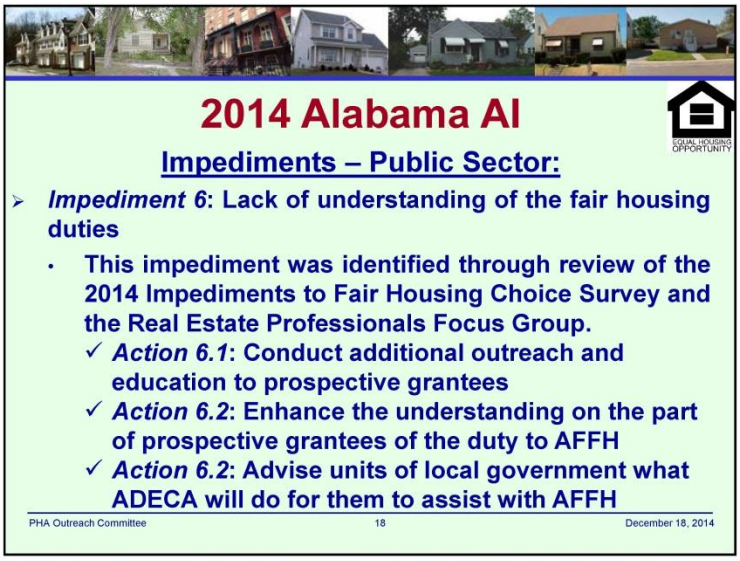

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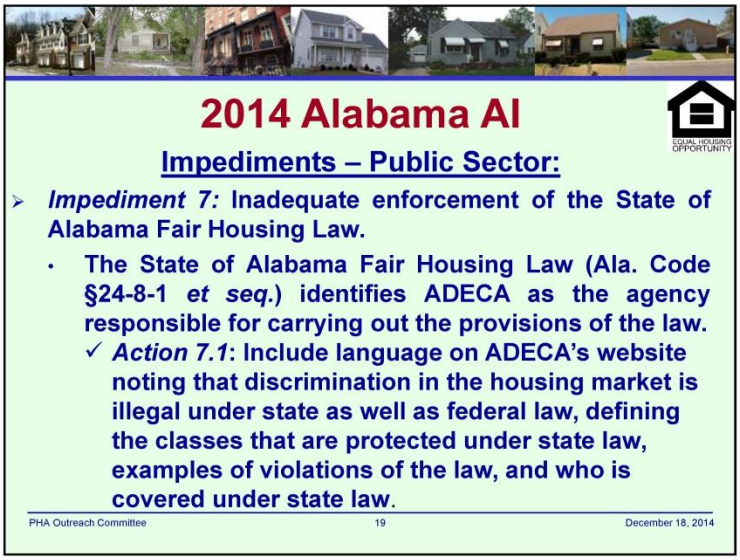

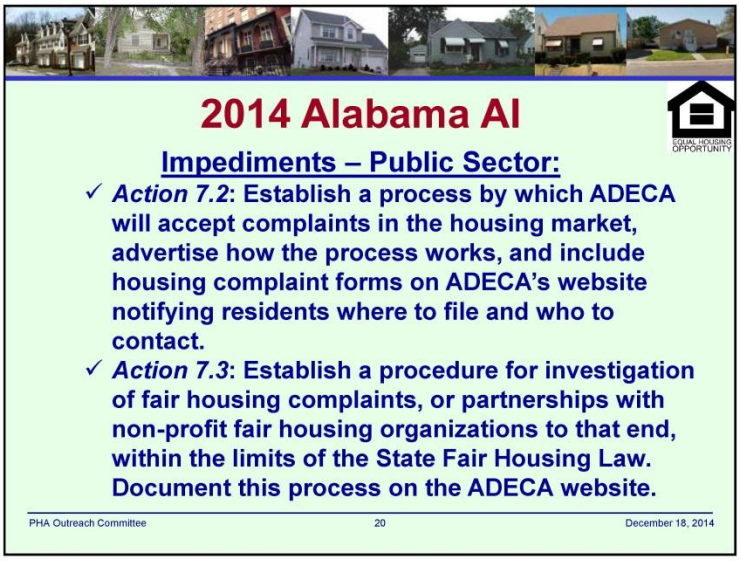

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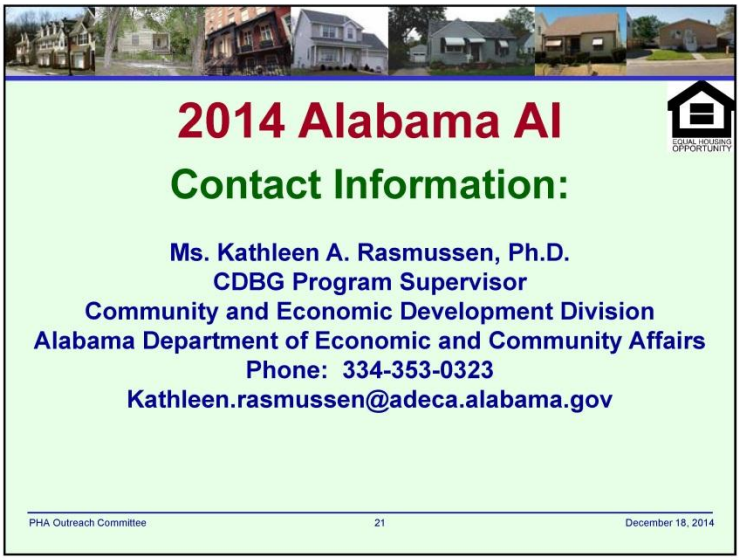


PHA Outreach Committee **December 18, 2014: Page 11**

TRANSCRIPT FROM THE FOURTH PRESENTATION TO PHA OUTREACH COMMITTEE DISCUSSIONS

12/18/14 Public Housing Authorities Outreach Committee

Comment 1: Are you talking about the lenders that you are aware of who are doing this?

Rob Gaudin: We can identify all of the lenders in the database, the HMDA database. We can identify those lenders which are having predatory-style loans made to back borrowers and we can also tell what kind of loans those are. Whether they are for a single family home, whether they are for a manufactured home, and those kinds of things and that would be the information that we could publish for those lenders tend to have predatory lending falling more heavily on back borrowers or all borrowers.

Comment 2: Do they not get any kind of fine unless you, you know what I am saying?

Rob Gaudin: They do not. Typically a lender that has predatory style loan instruments are not from the state, they are typically from out of state and maybe they have gotten it over the internet or something like that. Maybe they have manufactured housing and the lender was a referral through the purchase as a seller and maybe that loan was originated form a lender who might be from out of state. The question would be should we identify these lenders in the document?

Comment 3: Sure.

Comment 4: I agree.

(Presentation)

Comment 5: With respect to conducting outreach and education and all of these different impediments, what form of outreach are we referring? What sort of outreach approaches are we considering?

Rob Gaudin: By that I am referring to conducting advertising or hosting a meeting during Fair Housing Month which is April. Maybe you have speakers, maybe you hand out flyers, maybe you send people out to visit with organizations in the outreach and the education part of it you are teaching them how to make reasonable accommodations and modifications. About their rights and fair housing law. I want to make sure that everyone understands that it is not that you need to do it, but it is ADECA that needs to support it. I am asking ADECA to preform activities on behalf of grantees. That gives them uniformity and consistency across the board and it reduces the overall cost of affirmatively furthering fair housing. It will also allow grantees to optimize their own operating budgets and ADECA also gets a stronger hand in the states duty to affirmatively further fair housing. So I am asking ADECA to make these actions occur. Not each grantee necessarily makes these actions occur.

Comment 6: I understand. The reason I asked was whether or not ADECA would have the staff capacity and the resource capacity to provide the outreach and educational services. That was the primary reason for my question.

Rob Gaudin: We will answer that when we get to the public sector impediments.

(Presentation)

Comment 7: So I guess my initial reaction, I would think with all the federal and it has gone down to ADECA that there would be some recognition of its responsibility early on and maybe pressure from perhaps HUD to make sure that they are representing the fair housing responsibility and acting on those a lot sooner than now. Like the other person who just spoke, I too was surprised that they were a responsible entity for fair housing in the State of Alabama.

Rob Gaudin: I join with your surprise on that, but the state law is fairly clear. What I plan on doing at this point on the public sector impediments, largely the outreach and education and contract with the FHIP into one and add 7.4 which is to explore establishment of a substantially equivalent status with HUD and what that means. You already have the law in place. You already have the responsible agency in place. It is just getting the mechanisms of the responsibly agency working. So that step hasn't been quite completed yet. So I am thinking ADECA has some responsibilities to the citizens of the state to take on that.

Comment 8: Has there been some discussion and obviously I would think that there has been some discussion. I am just curious to ADECAs reaction or its comments to the responsibility or the lack there of.

Rob Gaudin: Maybe Kathleen can respond to that.

Comment 9: Well, that would be up to the agenda director and the governor. We are an executive branch agency, so we go by what the directors and the governor's policy are on how we are supposed to handle our HUD money. We get HUD money for CDBG, ESG, and then we work with the Alabama Housing Financing Authority, HOME partnership grants and a group called Age Alabama up in Birmingham that gets the HOPWA money. Those are the four programs that we operate with HUD money or help other entities operate with HUD money. As part of that responsibility comes the duty to affirmatively further fair housing and that is why we have to do an Analysis of Impediments to Fair Housing Choice and we have sent out two surveys, we have conducted these focus groups and forums to get input and Rob is writing the final version of the Analysis of Impediments and we will post it on our website to get public comments. Then whatever those comments are and the contents of the final version of the AI, then we take to our director and you know the governor just got elected to another four year term and we have folks coming into the legislature. The new legislature starts next march. So it would be up to them to determine with the findings how they would want ADECA to react, or act or react and what steps they want ADECA to take. So that is what we are waiting on is the completion of this AI and the public comments to come on and the response to it and then we take those to the director and he discusses with the governor. We have a contract legislative oversight committee that we have to take all contracts through over at the legislature and they ask questions. So they provide some oversight on this as well then all the cities and the counties in the non-entitlement areas that are eligible to apply for grant funding, we notify them and they are allowed to give input. So it is a very open process to what folks think we should do and then it is ultimately up to the director to decide how we are supposed to approach this.

Comment 10: Very good. I am just curious who do you have assisting you in conducting the Analysis of Impediments?

Rob Gaudin: That would be myself and the firm that I represent which is Western Economic Services. We are out of Portland, Oregon, but we have been conducting AIs for approximately 21 years. HUD has a Fair Housing Planning Guide, one of our first ones were in that guide in

1996 when it was realized. We have conducted AI's in Louisiana, Mississippi, Tennessee, and Georgia for each of those states as well as units of local government within those states as well as many other states. Fifteen other states around the US. When have done 100 or more of these studies over the 20 years.

Comment 11: Very good. Thank you.

Rob Gaudin: You are welcome, sir. That is my presentation is to float these ideas to you. Is there anything here that you object too? I know there is some surprise. I think I have mentioned that many of these public sector impediments are going to be blended into one so that we have it stated that we are going to try to contract with the FHIPs or a FHIP for services, outreach, education, testing, and enforcement activities. Have them report back to us quarterly and annually. Maybe we have a task force set up of grantees or perspective grantees through ADECA to review those things. We want to make sure that the communities in the non-entitled areas of the state are addressed. Ultimately for PHAs, HUD wants PHAs to select an AI to which they wish to adhere to. Maybe if you are in Birmingham and you have a housing authority there you can adhere to the Birmingham Consolidated Plan and AI. If you are scattered in many non-entitlement areas of the state and you are a smaller PHA this would be what you would adhere to. This is why there is a PHA Outreach Committee. It is this exercise. You would be looking to ADECA to help you as well, not just the grantees, but you as well.

Comment 12: I see.

Comment 13: So I guess sort of thinking out loud here, for some of those jurisdictions that maybe smaller and don't have AIs or don't have the ability or resources to have a study conducted, they can and are you suggesting that they would be looking to ADECA and to utilize a piggyback on their AI and if so then I was just wondering how, because I would imagine each jurisdiction would have some particular impediments that maybe unique to that jurisdiction compared to some of the other ones?

Rob Gaudin: I think your point is very well taken. This is for the non-entitled areas of the state. This is my read of what impediments exist in this larger geographic area. I would tend to believe that not necessarily all, but some of these would apply to any particular community in the non-entitled areas and we would look to ADECA to help us affirmatively further fair housing by taking actions. The actions that are listed here in concert with ADECA. Allowing ADECA to take the responsibility to administer to us in their duty to affirmatively further fair housing.

Comment 14: I see.

Rob Gaudin: The way the role of the PHAs would play here would be that they would choose to participate with ADECA in this. They would be a part of it. Maybe they would host the outreach session at their facility. I am sure that they could get residents to attend, providers to attend. Those kinds of things and then the PHAs would also be able to tell HUD yes we are affirmatively furthering fair housing, because we are doing these things. We are in this process with all of these other jurisdiction in the state and so that solves some things that you have to do, but maybe you don't have resources to do them as well.

Comment 15: I would imagine in the outreach educational component in this that we would include recent case law with respect to affirmatively furthering fair housing. Those jurisdictions

that have had some challenges and some legal difficulties as a result of not affirmatively furthering fair housing. It is part of the educational aspect of all of this.

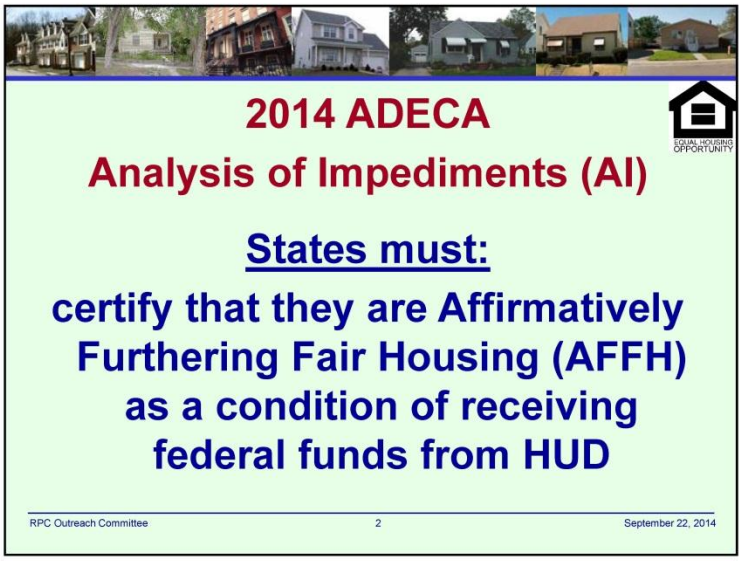
Rob Gaudin: That is exactly correct. ADECA is now in possession of the Draft for Internal Review report which has these initial impediments and actions and in that document we talk about Westchester County. We talk about other things that people have brought forward within the state of Alabama and not just up in New York. We do have cases presented so people can learn from others mistakes. So that is all presented there.

Comment 16: Great. Fantastic.

Rob Gaudin: I think one of the first things here in the public sector was to use this summary to coordinate outreach activities during fair Housing Month which is April. In that time you could release the Executive Summary. You could have the entire document. It is kind of big. It is 260 or 300 pages, but you can have these educational tools for people to make use of.

FIRST REGIONAL PLANNING COMMITTEE PRESENTATION

Alabama Analysis of Impediments to Fair Housing Choice

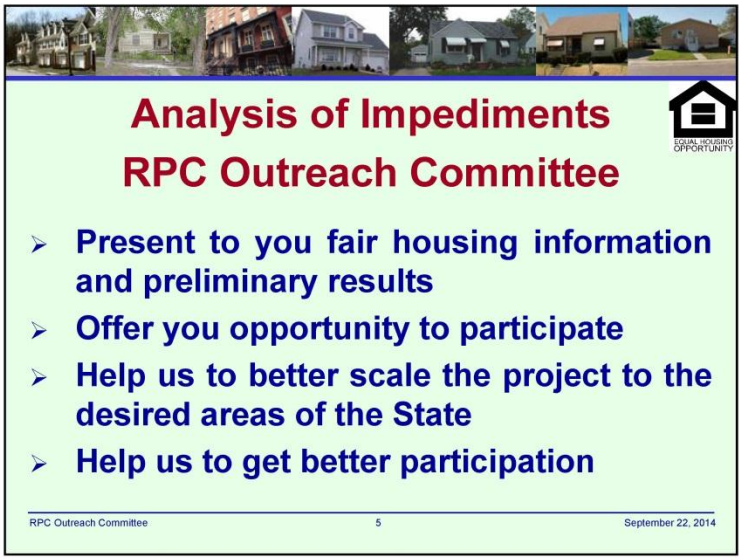


RPC Outreach Committee **September 22, 2014: Page 1**

Alabama Analysis of Impediments to Fair Housing Choice

RPC Outreach Committee **September 22, 2014: Page 2**

Alabama Analysis of Impediments to Fair Housing Choice



RPC Outreach Committee **September 22, 2014: Page 3**

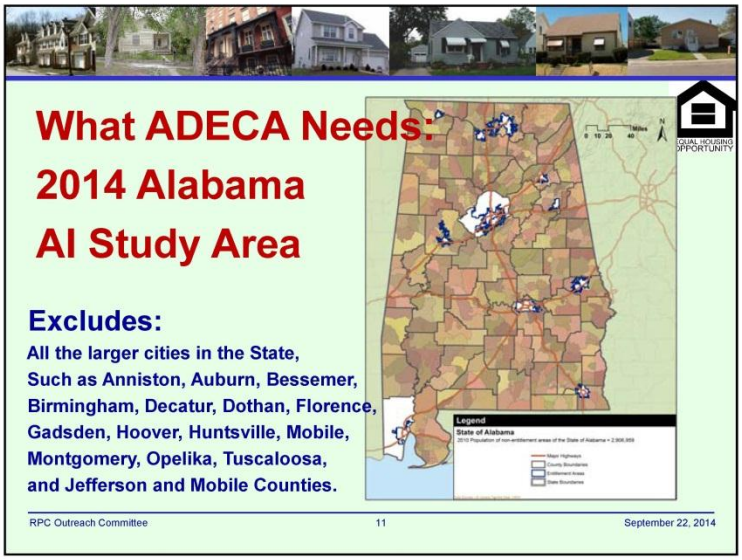
Alabama Analysis of Impediments to Fair Housing Choice

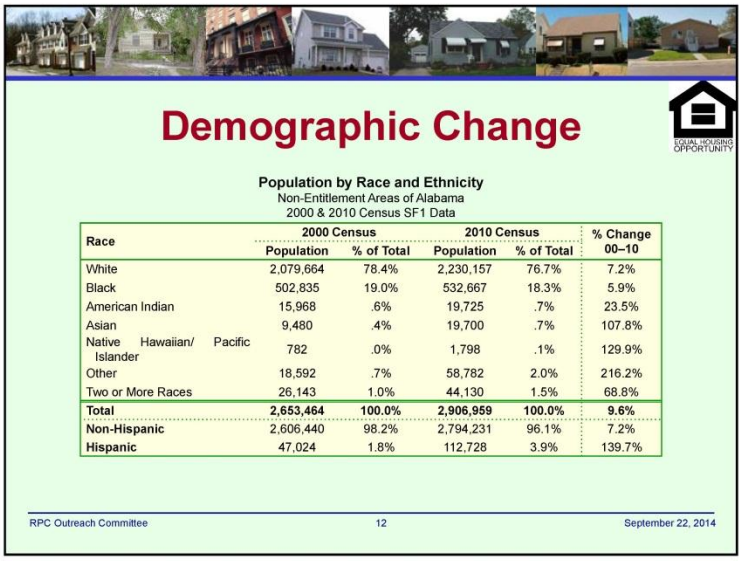
RPC Outreach Committee **September 22, 2014: Page 4**

Alabama Analysis of Impediments to Fair Housing Choice

RPC Outreach Committee **September 22, 2014: Page 5**

Alabama Analysis of Impediments to Fair Housing Choice





Demographic Change

EQUAL HOUSING OPPORTUNITY

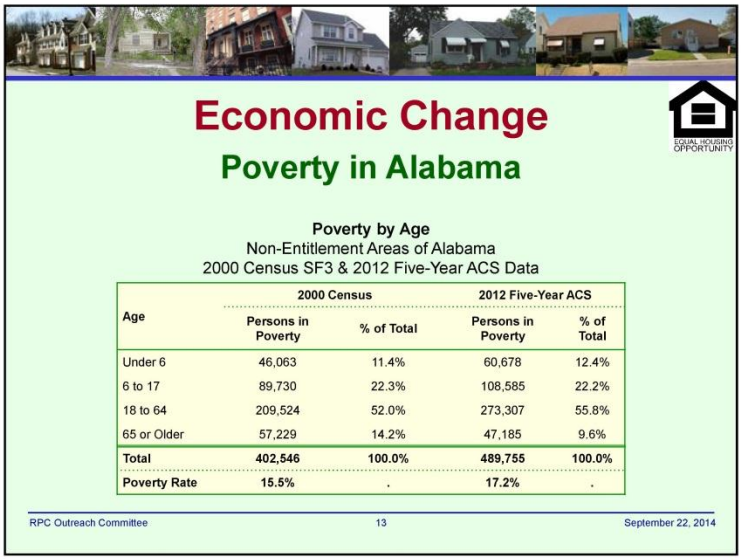
Population by Race and Ethnicity
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Race	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
White	2,079,664	78.4%	2,230,157	76.7%	7.2%
Black	502,835	19.0%	532,667	18.3%	5.9%
American Indian	15,968	.6%	19,725	.7%	23.5%
Asian	9,480	.4%	19,700	.7%	107.8%
Native Hawaiian/ Pacific Islander	782	.0%	1,798	.1%	129.9%
Other	18,592	.7%	58,782	2.0%	216.2%
Two or More Races	26,143	1.0%	44,130	1.5%	68.8%
Total	**2,653,464**	**100.0%**	**2,906,959**	**100.0%**	**9.6%**
Non-Hispanic	2,606,440	98.2%	2,794,231	96.1%	7.2%
Hispanic	47,024	1.8%	112,728	3.9%	139.7%

RPC Outreach Committee 12 September 22, 2014

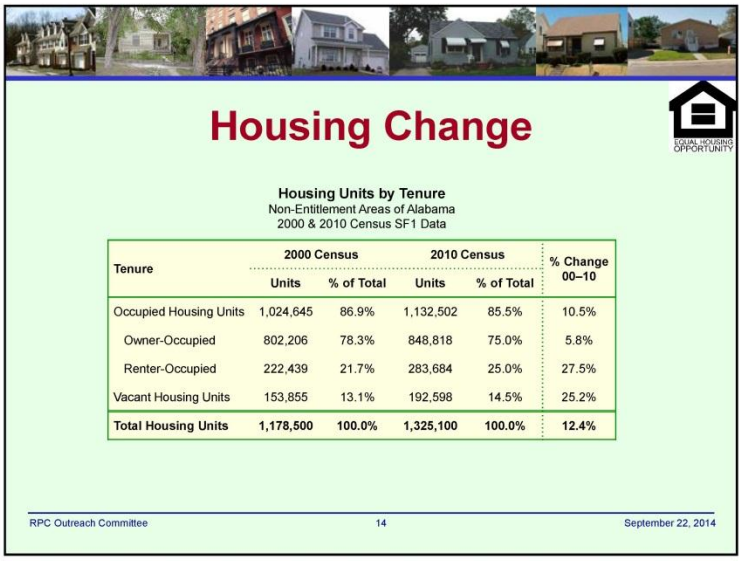
RPC Outreach Committee **September 22, 2014: Page 6**

Alabama Analysis of Impediments to Fair Housing Choice



Poverty by Age
Non-Entitlement Areas of Alabama
2000 Census SF3 & 2012 Five-Year ACS Data

Age	2000 Census		2012 Five-Year ACS	
	Persons in Poverty	% of Total	Persons in Poverty	% of Total
Under 6	46,063	11.4%	60,678	12.4%
6 to 17	89,730	22.3%	108,585	22.2%
18 to 64	209,524	52.0%	273,307	55.8%
65 or Older	57,229	14.2%	47,185	9.6%
Total	**402,546**	**100.0%**	**489,755**	**100.0%**
Poverty Rate	**15.5%**	.	**17.2%**	.

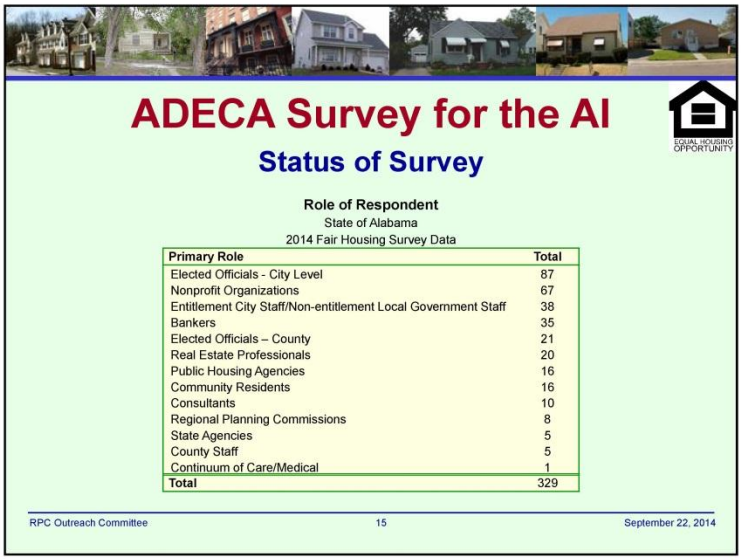


Housing Units by Tenure
Non-Entitlement Areas of Alabama
2000 & 2010 Census SF1 Data

Tenure	2000 Census		2010 Census		% Change 00–10
	Units	% of Total	Units	% of Total	
Occupied Housing Units	1,024,645	86.9%	1,132,502	85.5%	10.5%
Owner-Occupied	802,206	78.3%	848,818	75.0%	5.8%
Renter-Occupied	222,439	21.7%	283,684	25.0%	27.5%
Vacant Housing Units	153,855	13.1%	192,598	14.5%	25.2%
Total Housing Units	**1,178,500**	**100.0%**	**1,325,100**	**100.0%**	**12.4%**

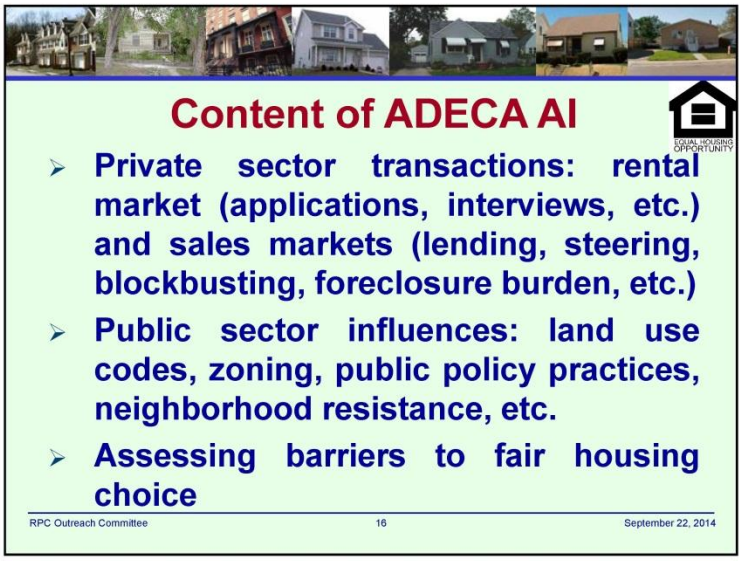
RPC Outreach Committee **September 22, 2014: Page 7**

Alabama Analysis of Impediments to Fair Housing Choice



Role of Respondent
State of Alabama
2014 Fair Housing Survey Data

Primary Role	Total
Elected Officials - City Level	87
Nonprofit Organizations	67
Entitlement City Staff/Non-entitlement Local Government Staff	38
Bankers	35
Elected Officials – County	21
Real Estate Professionals	20
Public Housing Agencies	16
Community Residents	16
Consultants	10
Regional Planning Commissions	8
State Agencies	5
County Staff	5
Continuum of Care/Medical	1
Total	329



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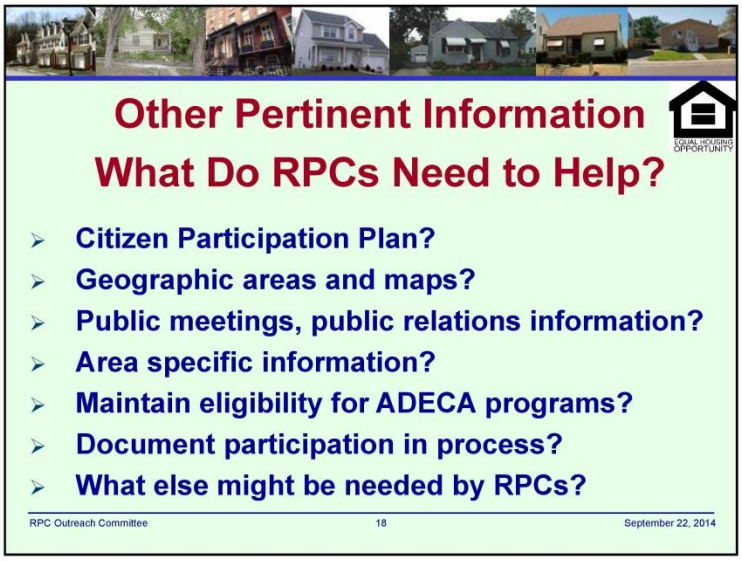

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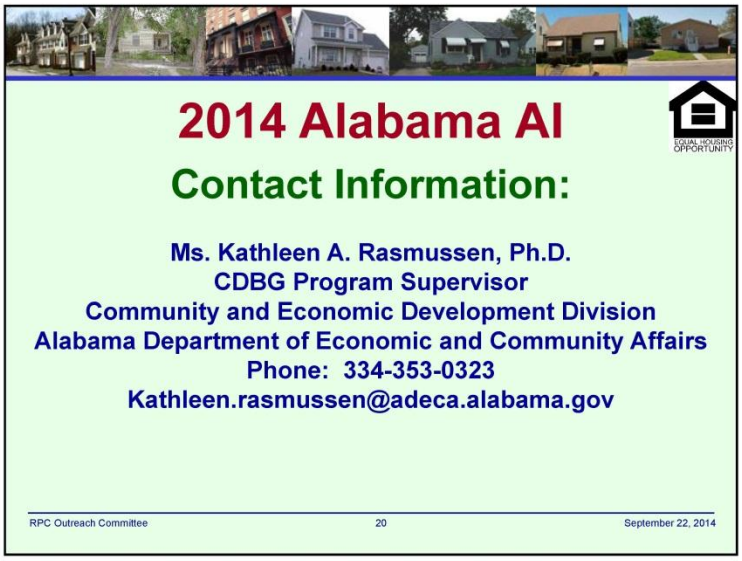


TRANSCRIPT FROM THE FIRST RPC PRESENTATION DISCUSSION

9/22/2014 Regional Planning Commission Outreach Committee

Diane Burnett: I'm not sure if the impediments that we sent them online, but I will go ahead and discuss them. The Biggert-Waters Act and also the flood maps that are being recreated and insurance costs, I mean they have gone up so much that your housing, you mortgage rate is really impacted by additional costs to owning property here in our area which is the Baldwin-Escambia area and I am sure it is like that throughout the state with the tornados and storms that come through and things like that. Also, jobs, wages. We do not have a lot of unemployed. We have a lot of underemployed which effects credit and the ability to get (Audio problem).

Francesca Taylor: I think it might be interesting to explore the options between housing, housing choice and the presence of school systems and that kind of ties to where most people choose to live here in the City of Birmingham, Jefferson County, and Shelby. Additionally, you asked earlier about how to get people involved and engaged. Something that we have been trying to do on various projects is use our social media outlets. So I am just proposing that as a string to get people involved whether it is using a twitter proposal question and have people respond that way or providing information on Facebook and letting people interact at their own will if they are not able to attend meetings.

Rob Gaudin: I think that is a great idea.

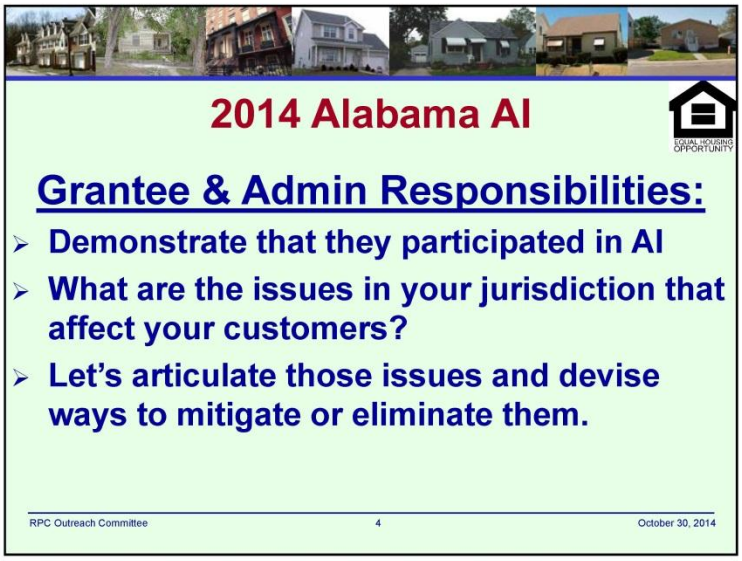
Sharri Miller: We represent a lot of rural communities so the most people that we currently see are a lot of the underemployed and unemployed. Therefore there are a lot of people who can't really afford to purchase houses or to rent them. So you have those problems that come up from that. As far as foreclosures go we don't see a lot of it, because we see a lot more of people who rent homes or also live in low-income housing or who live in mobile homes. Across the board it is a problem of actually be able to afford either rent or even afford the low-income housing is the problem that we currently see. So, that is the problem that we see as far as fair housing goes.

SECOND REGIONAL PLANNING COMMITTEE PRESENTATION

Alabama Analysis of Impediments to Fair Housing Choice

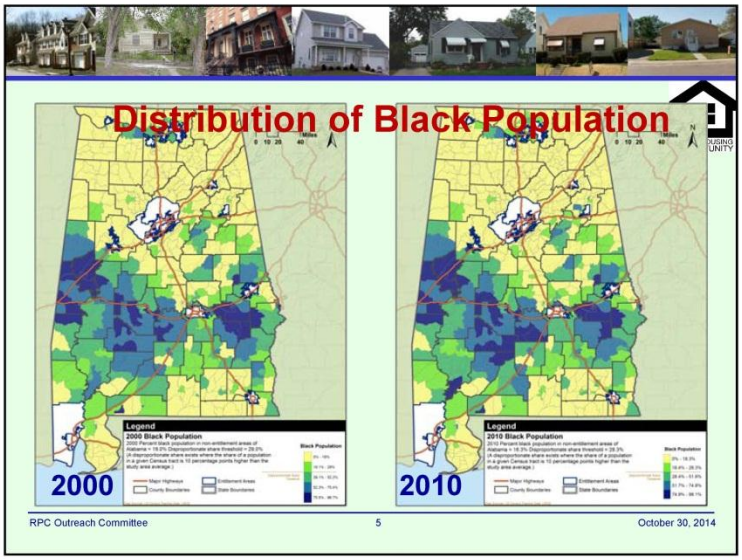
RPC Outreach Committee **October 30, 2014: Page 1**

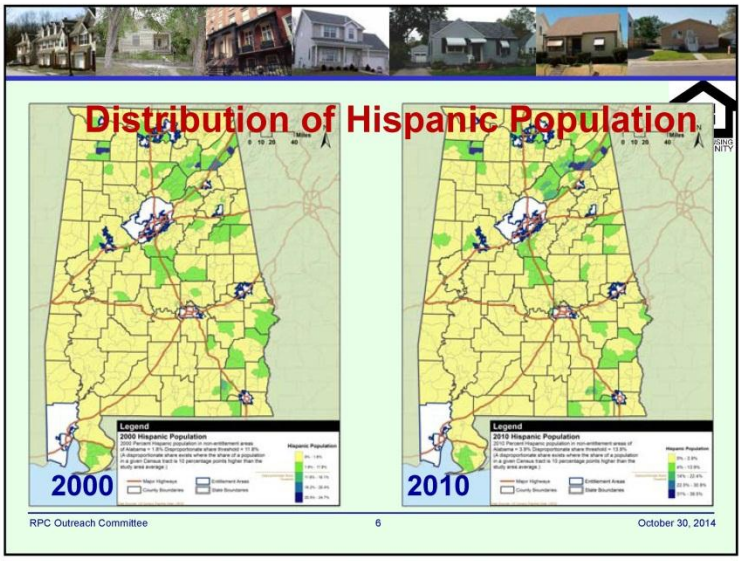
Alabama Analysis of Impediments to Fair Housing Choice



RPC Outreach Committee **October 30, 2014: Page 2**

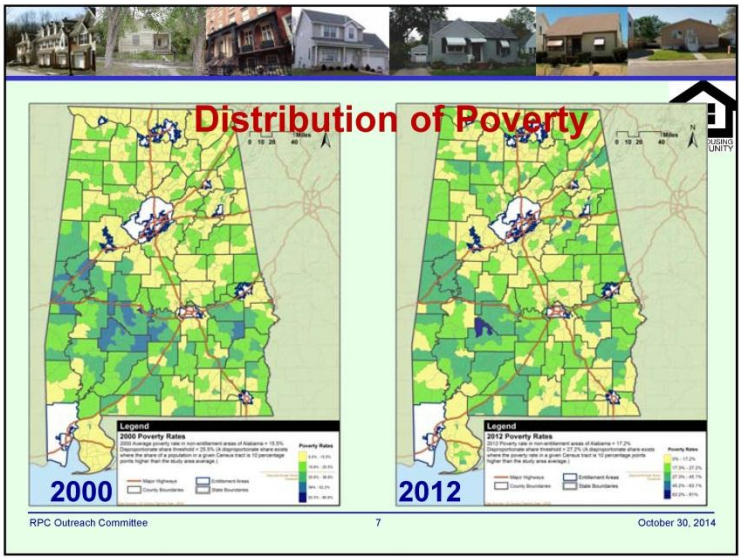
Alabama Analysis of Impediments to Fair Housing Choice





RPC Outreach Committee **October 30, 2014: Page 3**

Alabama Analysis of Impediments to Fair Housing Choice

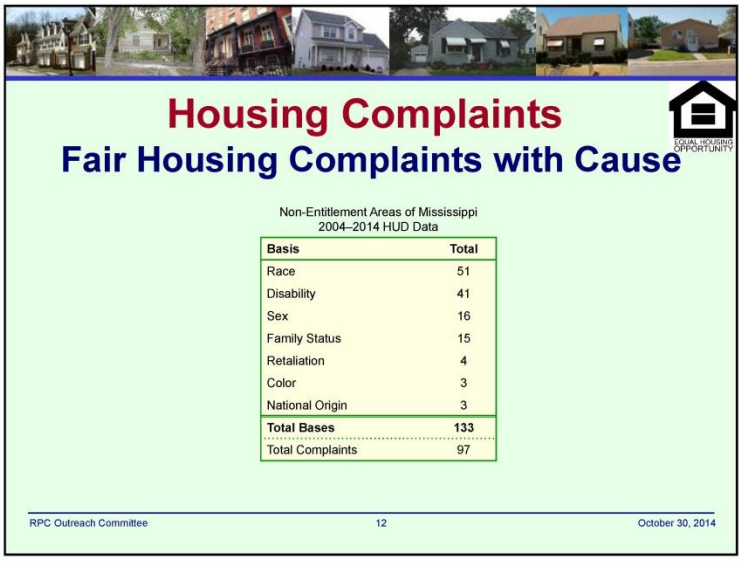


Alabama Analysis of Impediments to Fair Housing Choice

RPC Outreach Committee **October 30, 2014: Page 5**

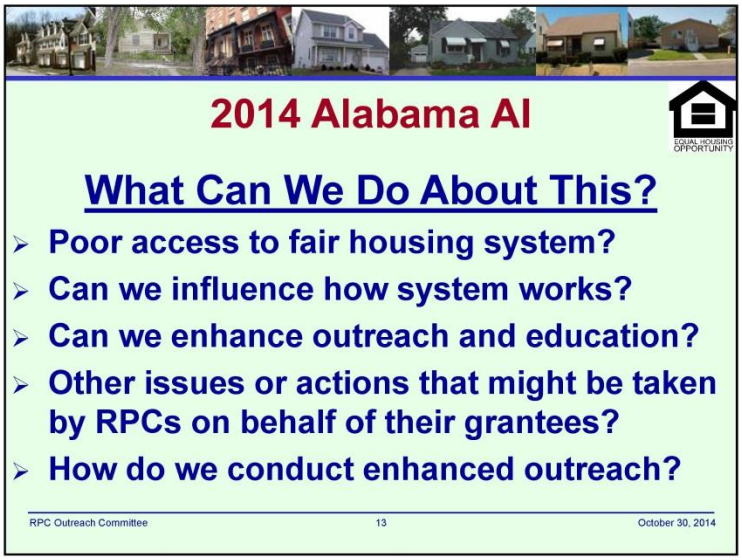
Alabama Analysis of Impediments to Fair Housing Choice

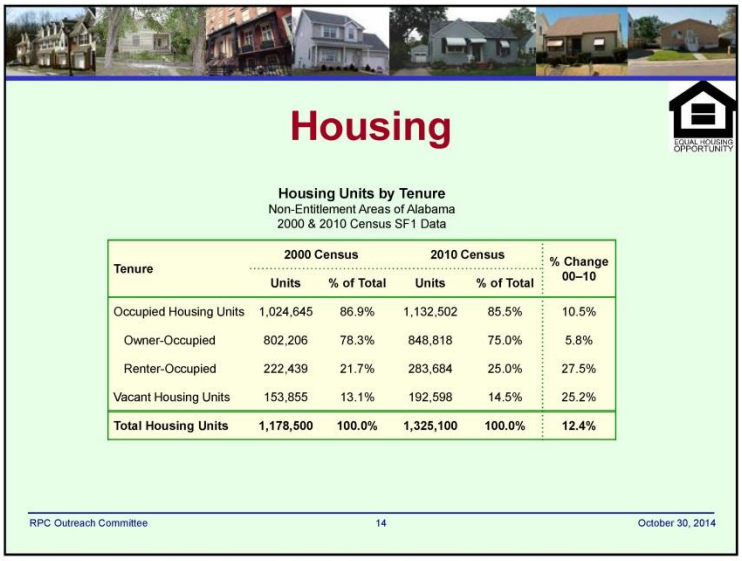
Issue or Alleged Action	Total
Discrimination in term, conditions or privileges relating to rental	146
Discriminatory terms, conditions, privileges, or services and facilities	71
Discriminatory refusal to rent	65
Discriminatory acts under Section 818 (coercion, etc.)	63
Failure to make reasonable accommodation	46
Discriminatory advertising, statements and notices	26
Otherwise deny or make housing available	19
Discriminatory financing (includes real estate transactions)	16
Discrimination in the terms or conditions for making loans	11
Discrimination in terms, conditions, privileges relating to sale	11
False denial or representation of availability - rental	9
Discriminatory refusal to rent and negotiate for rental	8
Refusing to provide municipal services or property	8
Failure to permit reasonable modification	7
All Other	72
Total Issues	**578**
Total Complaints	329



Basis	Total
Race	51
Disability	41
Sex	16
Family Status	15
Retaliation	4
Color	3
National Origin	3
Total Bases	**133**
Total Complaints	97

Alabama Analysis of Impediments to Fair Housing Choice





Housing Units by Tenure
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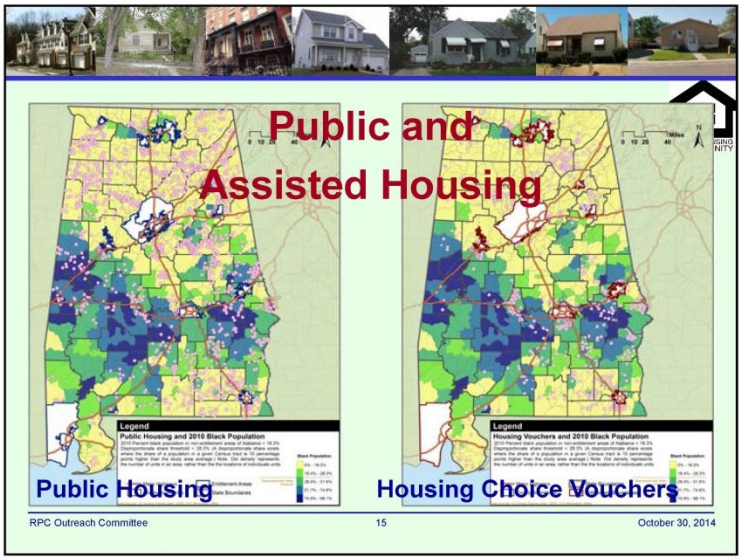
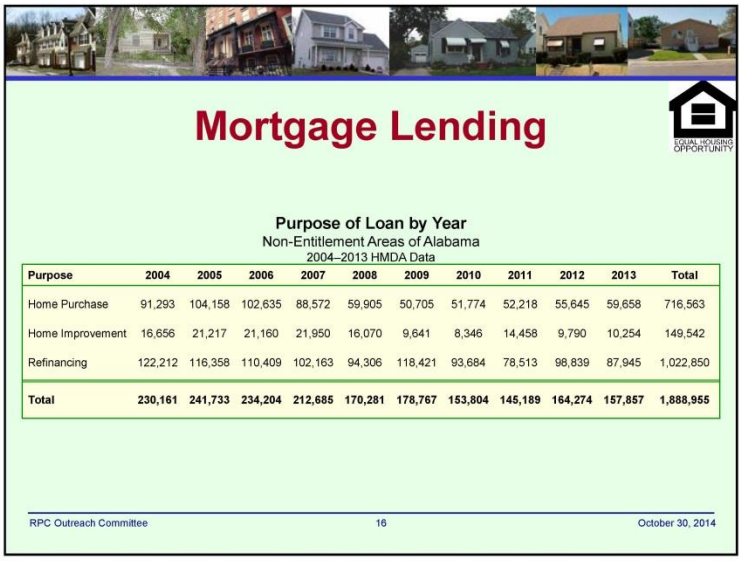
Renter-Occupied	222,439	21.7%	283,684	25.0%	27.5%
Vacant Housing Units	153,855	13.1%	192,598	14.5%	25.2%
Total Housing Units	**1,178,500**	**100.0%**	**1,325,100**	**100.0%**	**12.4%**

RPC Outreach Committee **October 30, 2014: Page 7**

Alabama Analysis of Impediments to Fair Housing Choice





Mortgage Lending

Purpose of Loan by Year
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Purpose	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Home Purchase	91,293	104,158	102,635	88,572	59,905	50,705	51,774	52,218	55,645	59,658	716,563
Home Improvement	16,656	21,217	21,160	21,950	16,070	9,641	8,346	14,458	9,790	10,254	149,542
Refinancing	122,212	116,358	110,409	102,163	94,306	118,421	93,684	78,513	98,839	87,945	1,022,850
Total	**230,161**	**241,733**	**234,204**	**212,685**	**170,281**	**178,767**	**153,804**	**145,189**	**164,274**	**157,857**	**1,888,955**

RPC Outreach Committee 16 October 30, 2014

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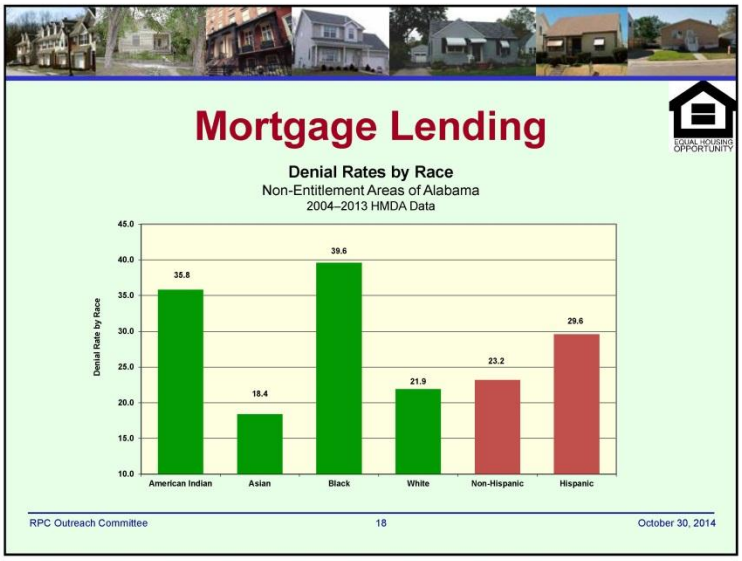
Alabama Analysis of Impediments to Fair Housing Choice



Alabama Analysis of Impediments to Fair Housing Choice

Mortgage Lending

EQUAL HOUSING OPPORTUNITY

Denial Rates by Gender of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Year	Male	Female	Not Available	Not Applicable	Average
2004	20.7%	29.9%	49.1%	6.7%	24.3%
2005	20.3%	28.3%	41.8%	30.0%	23.4%
2006	19.2%	26.7%	38.5%	9.1%	22.0%
2007	18.3%	25.7%	35.9%	36.4%	20.9%
2008	19.7%	25.9%	40.4%	44.4%	22.2%
2009	20.2%	26.7%	31.9%	83.3%	22.5%
2010	26.2%	35.5%	35.6%	33.3%	29.4%
2011	26.3%	36.7%	50.1%	57.1%	30.3%
2012	29.0%	39.8%	49.7%	33.3%	33.0%
2013	27.3%	38.2%	49.8%	20.0%	31.4%
Average	**22.0%**	**30.7%**	**42.4%**	**28.8%**	**25.2%**

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Mortgage Lending

EQUAL HOUSING OPPORTUNITY

Denial Rates of Loans by Race/Ethnicity and Income of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race	<= $15K	$15K–$30K	$30K–$45K	$45K–$60K	$60K–$75K	Above $75K	Data Missing	Avg
American Indian	74.5%	49.5%	37.4%	31.6%	23.8%	21.3%	46.9%	35.8%
Asian	58.3%	36.7%	25.4%	16.2%	13.4%	10.6%	19.2%	18.4%
Black	82.1%	59.4%	37.7%	29.5%	21.3%	18.7%	55.2%	39.6%
White	65.4%	39.4%	24.1%	18.5%	13.8%	10.7%	22.7%	21.9%
Not Available	77.1%	62.7%	43.0%	34.5%	24.8%	19.8%	49.3%	38.6%
Not Applicable	.0%	62.5%	5.9%	10.0%	20.0%	16.7%	37.1%	27.1%
Average	**70.4%**	**44.5%**	**27.1%**	**20.8%**	**15.3%**	**12.0%**	**30.0%**	**25.2%**
Non-Hispanic	68.2%	41.6%	25.1%	19.2%	14.2%	11.1%	25.6%	23.2%
Hispanic	66.0%	44.4%	30.2%	24.8%	16.5%	14.8%	28.6%	29.6%

RPC Outreach Committee 20 October 30, 2014

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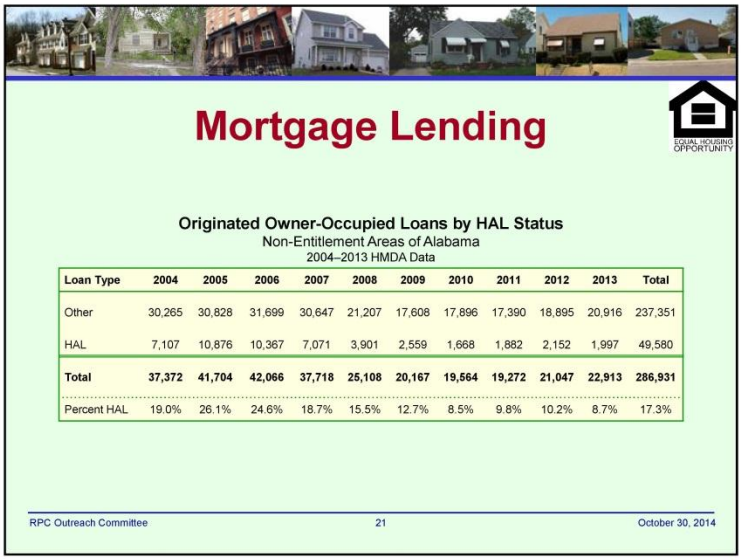
Alabama Analysis of Impediments to Fair Housing Choice



Mortgage Lending

EQUAL HOUSING OPPORTUNITY

Originated Owner-Occupied Loans by HAL Status
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Other	30,265	30,828	31,699	30,647	21,207	17,608	17,896	17,390	18,895	20,916	237,351
HAL	7,107	10,876	10,367	7,071	3,901	2,559	1,668	1,882	2,152	1,997	49,580
Total	**37,372**	**41,704**	**42,066**	**37,718**	**25,108**	**20,167**	**19,564**	**19,272**	**21,047**	**22,913**	**286,931**
Percent HAL	19.0%	26.1%	24.6%	18.7%	15.5%	12.7%	8.5%	9.8%	10.2%	8.7%	17.3%

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Mortgage Lending

EQUAL HOUSING OPPORTUNITY

HAL Rates by Race
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

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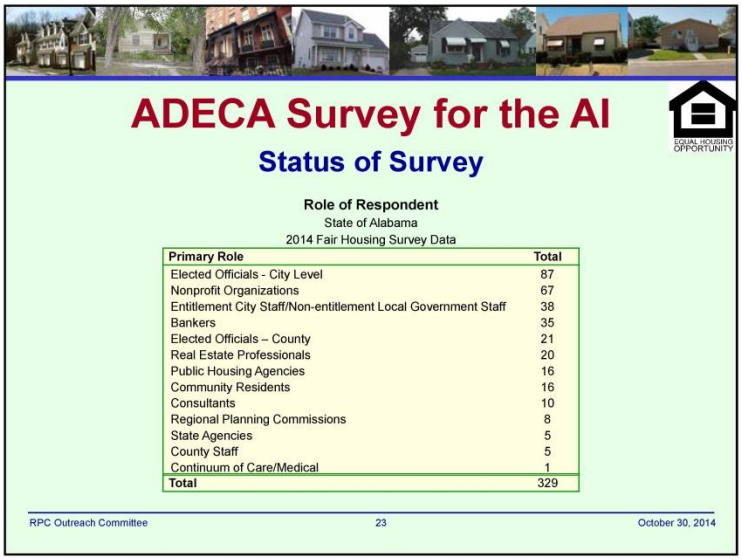
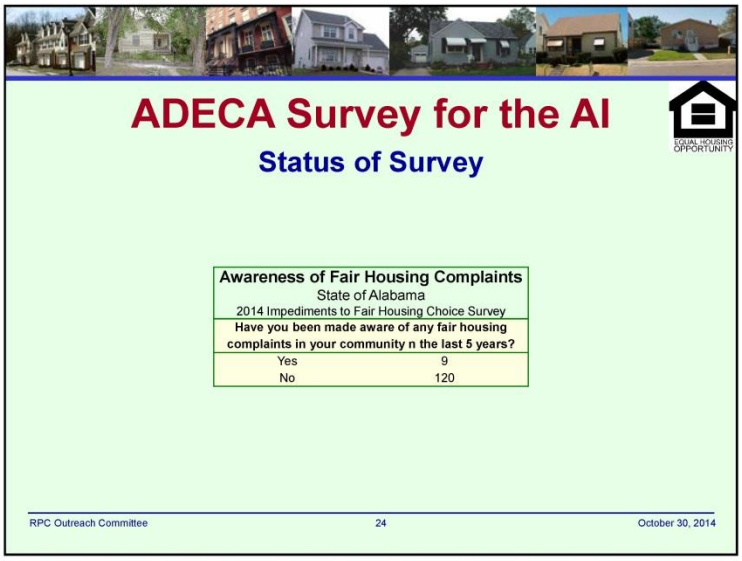
Alabama Analysis of Impediments to Fair Housing Choice



Role of Respondent
State of Alabama
2014 Fair Housing Survey Data

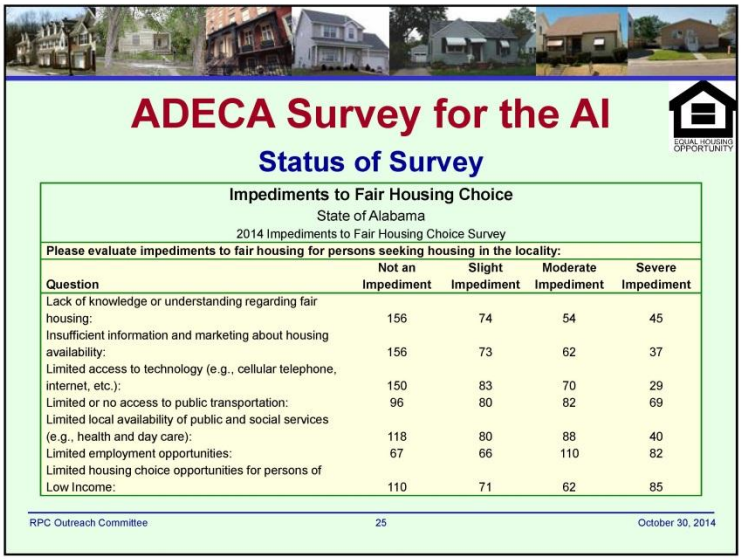
Primary Role	Total
Elected Officials - City Level	87
Nonprofit Organizations	67
Entitlement City Staff/Non-entitlement Local Government Staff	38
Bankers	35
Elected Officials – County	21
Real Estate Professionals	20
Public Housing Agencies	16
Community Residents	16
Consultants	10
Regional Planning Commissions	8
State Agencies	5
County Staff	5
Continuum of Care/Medical	1
Total	329



Awareness of Fair Housing Complaints
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Have you been made aware of any fair housing complaints in your community n the last 5 years?	
Yes	9
No	120

Alabama Analysis of Impediments to Fair Housing Choice



ADECA Survey for the AI

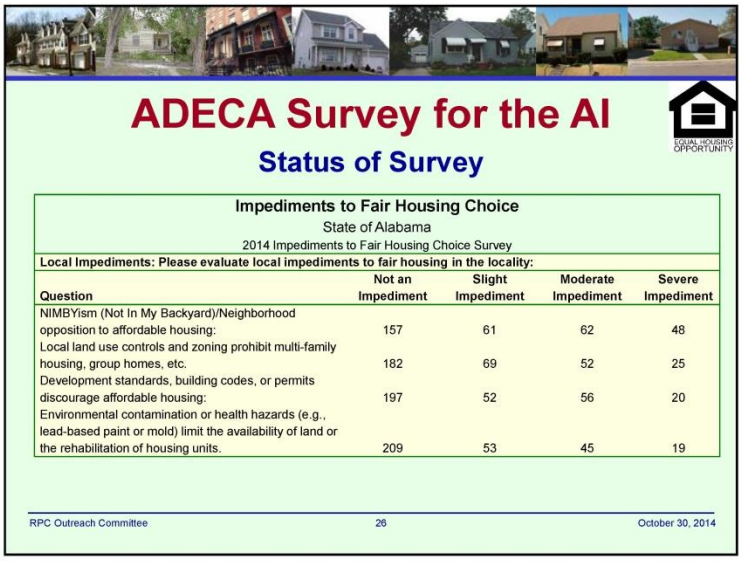
Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Please evaluate impediments to fair housing for persons seeking housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
Lack of knowledge or understanding regarding fair housing:	156	74	54	45
Insufficient information and marketing about housing availability:	156	73	62	37
Limited access to technology (e.g., cellular telephone, internet, etc.):	150	83	70	29
Limited or no access to public transportation:	96	80	82	69
Limited local availability of public and social services (e.g., health and day care):	118	80	88	40
Limited employment opportunities:	67	66	110	82
Limited housing choice opportunities for persons of Low Income:	110	71	62	85

RPC Outreach Committee 25 October 30, 2014



ADECA Survey for the AI

Status of Survey

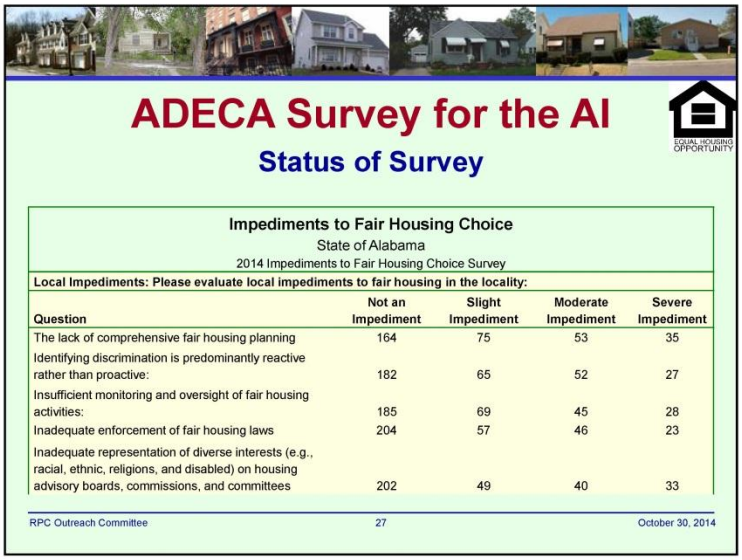
Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
NIMBYism (Not In My Backyard)/Neighborhood opposition to affordable housing:	157	61	62	48
Local land use controls and zoning prohibit multi-family housing, group homes, etc.	182	69	52	25
Development standards, building codes, or permits discourage affordable housing:	197	52	56	20
Environmental contamination or health hazards (e.g., lead-based paint or mold) limit the availability of land or the rehabilitation of housing units.	209	53	45	19

RPC Outreach Committee 26 October 30, 2014

Alabama Analysis of Impediments to Fair Housing Choice



ADECA Survey for the AI

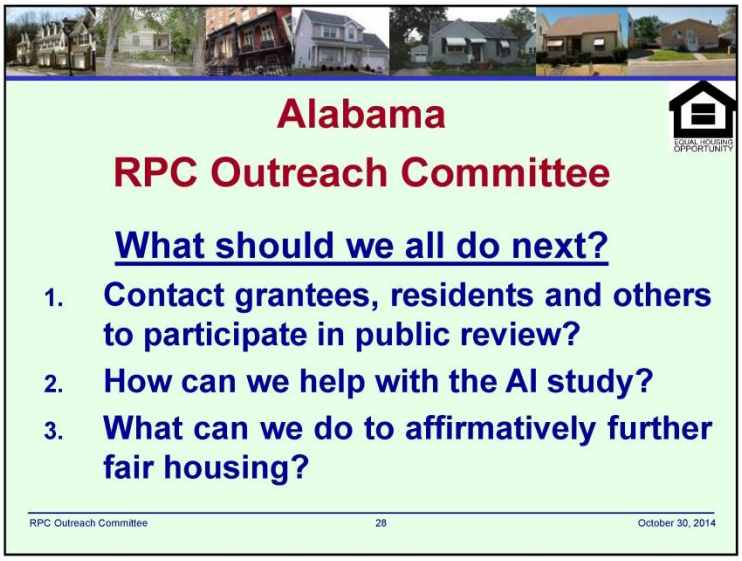
Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
The lack of comprehensive fair housing planning	164	75	53	35
Identifying discrimination is predominantly reactive rather than proactive:	182	65	52	27
Insufficient monitoring and oversight of fair housing activities:	185	69	45	28
Inadequate enforcement of fair housing laws	204	57	46	23
Inadequate representation of diverse interests (e.g., racial, ethnic, religions, and disabled) on housing advisory boards, commissions, and committees	202	49	40	33

RPC Outreach Committee 27 October 30, 2014



Alabama

RPC Outreach Committee

What should we all do next?

1. Contact grantees, residents and others to participate in public review?
2. How can we help with the AI study?
3. What can we do to affirmatively further fair housing?

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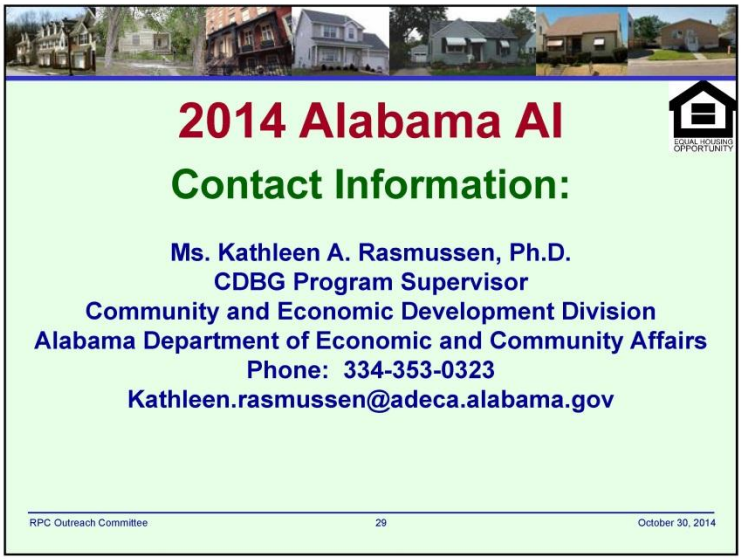
Alabama Analysis of Impediments to Fair Housing Choice



RPC Outreach Committee **October 30, 2014: Page 15**

TRANSCRIPT FROM THE SECOND RPC PRESENTATION DISCUSSION

10/30/2014 Regional Planning Commissions Outreach Committee

Comment 1: I felt like I was being asked if I believe in the communities that I was at or that I work with did I see issues with each one of those things. Did I come in contact with issues with each one of those items on your list? Maybe I was the only one who read it that way?

Rob Gaudin: I am thinking other people as well.

Comment 3: I don't know if I interpreted the questions that way and we typically speak with the elected official and consulted with them on this so I wouldn't say that I have that particular issue, but I would question maybe how well it is understood by the elected officials that are answering the question.

Rob Gaudin: So we have a lack of understanding.

Comment 4: Yes, I don't think if there are problems that they don't necessarily, hearing about them.

Rob Gaudin: What do you think?

Comment 5: I think it is a combination of the first two things there and a lot of the times we deal with small enough towns and they know specific things that may have happened, but as far as for general policies and sort of things, I don't think that they understand what the total overall policies are and actually the amount of work that would be involved in doing part of the whole activities you are talking about. If you are talking about outreach and I will be perfectly candid with you. I think there are things that the Regional Councils could do to help facilitate the doing part of the activities. We have a lot of small towns. I am not sure if they can keep up with all of this if you know what I mean.

Comment 6: I mean I have some waiting on two or three things.

Comment 7: I don't think that there is any question; we can certainly help you with the study if that is what you are talking about. We see enough of these people in their other capacities searching for money and looking for planning activities and things that they can do with their towns. We certainly have enough of an active interface with them to try to help them. If we could put together a uniform program of some sort that we could distribute.

Rob Gaudin: Now that is a good idea. So you believe that the RPCs can be a vehicle for the outreach and education.

Comment 8: I think they certainly can.

Rob Gaudin: How do you feel?

Comment 9: I think it is the Regional Planning Commission can definitely assist with this, but the concern is the Planning Commissions have a lot on their plate already and not having the funds to staff such an effort would definitely hinder the process.

Comment 10: Amen.

Rob Gaudin: So you are saying there are two edges to this. While there is a need there without the funding it cannot get done.

Comment 11: Yes.

Comment 12: We see so many unfunded mandates a year and basic things, but it wouldn't be a surprise to see another one, but the success of it would depend on it having from somewhere along the way, through the Sate or through HUD appropriating something to the State to work on it. I mean 80 percent of it; we are talking about small communities. The mayor is wondering where he is going to get money to fill potholes with and what is he going to do about the fact that he has grinder pumps in his sewer system that are failing and down the road he goes really as a far as I noticed discriminating against people in housing. I am not sure he understands exactly as we have said what all constitutes at least stay at a level of the playing field. That is going to be more than just going out and handing out a brochure. That is something to roll into regional planning or back in the old days, remember HIPS, HOPS, and HAPS communities that were housing assistance plans and things like that. I think if we are going to make a big push about this it is certainly an appropriate thing to make a push about, to get mayors activities are going to have to go into it to make it work or at least that is my thought on it.

Rob Gaudin: Does anyone else share his feelings on that?

Comment 13: I do. Definitely and I would also say that I think it is going to be very difficult. It is a very complex thing. Obviously, there is so much involved, but determining whether discrimination truly even is occurring I think is the hardest part. We do work with a lot of really small communities. There is not a lot of money there. There is not a lot of money being made by folks who are even able to find a job and have a job. You know I thought it was interesting when you were reporting the on the lender piece of this about the credit rates weren't factor or that was something that you either didn't have the information on. You know, but when you start talking about lenders and the decisions they are making, I would say credit reports are really important piece on how they evaluate what they are going to do. I would also say that you can be of higher income and still have a really bad credit score. I don't know if we have all the information always to say why a decision is being made and wherever it is truly discrimination.

Comment 14: Banks now a day are moistly a big conglomerate. It is not like you went to talk to your friendly hometown banker. In most cases anymore, your friendly home town banker can't even make a decision a lot of the times. It is number crunchers that put everything in a funnel and no you can't have one back. That is another factor in this. There is a lot of centralization in those decisions being made and you know what all they put in. I am sure they put in a credit score.

Rob Gaudin: The HMDA data does not include credit score. There are three separate fields that provide a reason for the denial. Credit rating is one of those. So is employment history, debt to income and a few other things like that.

Comment 15: I just think that is a really such a complex multifaceted thing that goes on with even just looking at the homebuyer side of it that I am not sure where the regions could play a role in some of those decision making processes.

Rob Gaudin: I certainly appreciate your participation today as well as sharing with me your opinions and feeling about how we might improve this and how we might do something next. If you think of anything else after the session is over you can contact Kathleen. She would be happy to forward any of that to me.

Comment 16: I had a question. I was very interested in the data that you did share with us today. I find myself even more interested to know how the data from Alabama stacks up with data form other places. Is there a point where we will get to see things like that?

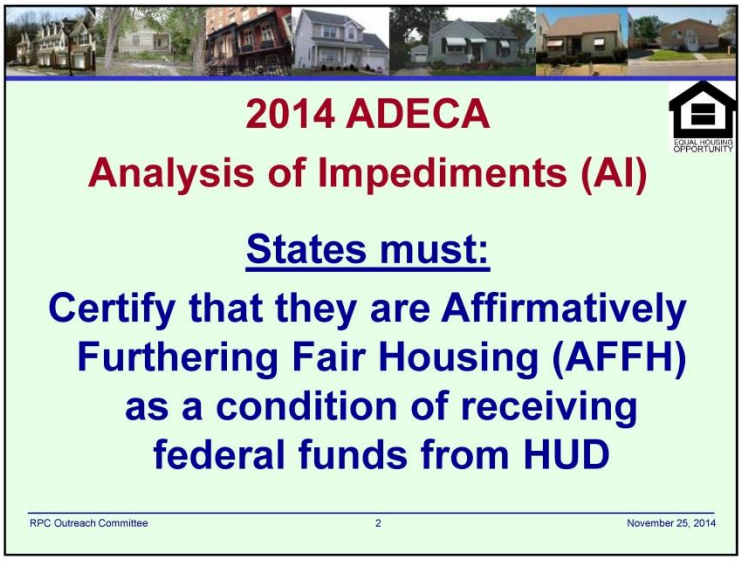
Rob Gaudin: That is not something that was in our Scope of Work. I need to talk to Kathleen about that. We can certainly take Tennessee and Mississippi data. I have done those states and just compare them and see how you are compared to those. It is really the HUD data that is poor and the lending is kind of a high denial rate compared to the other states. So there are some issues.

Comment 17: Are we going to be able to get a set of the slides as a download of some sort? I just wanted a chance to look over some of those and see how they were derived. We can go out and research a little bit ourselves on comparisons and the space. Yes we do have high denial numbers, but I am just curious about all of the numbers behind it. Are they substantially different than a lot of other states or is it simply the fact that we didn't report stuff back correctly to where you could figure out exactly what our mix was. Thank you

Ron Gaudin: I don't think that there is a mix up in reporting. These are from raw statistics so there are some reporting errors buried in there, but I didn't view them to be problematic in Alabama. Any more problematic in Alabama than anywhere else we have done, but the South does tend to have characteristics that are different than say the Midwest or the West or the Southwest for that matter. I would be happy to forward this to Kathleen and as she indicated would me more than happy to share that with you. Lastly, I would like to say thank you for your time. I look forward to getting your advice on how to proceed so thank you very much.

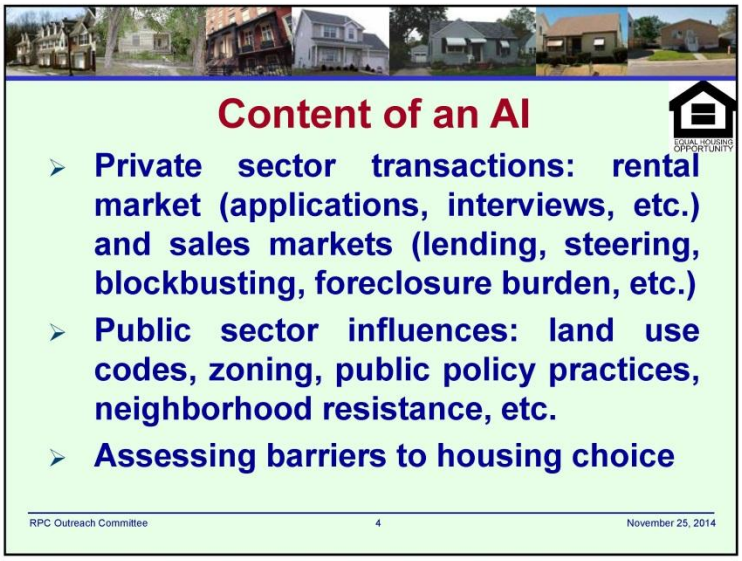
THIRD REGIONAL PLANNING COMMITTEE PRESENTATION

Alabama Analysis of Impediments to Fair Housing Choice

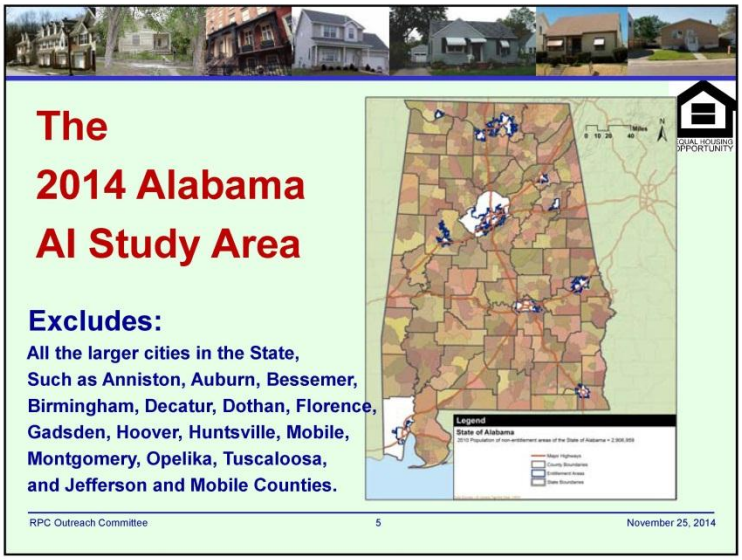


RPC Outreach Committee **November 25, 2014: Page 1**

Alabama Analysis of Impediments to Fair Housing Choice



Alabama Analysis of Impediments to Fair Housing Choice



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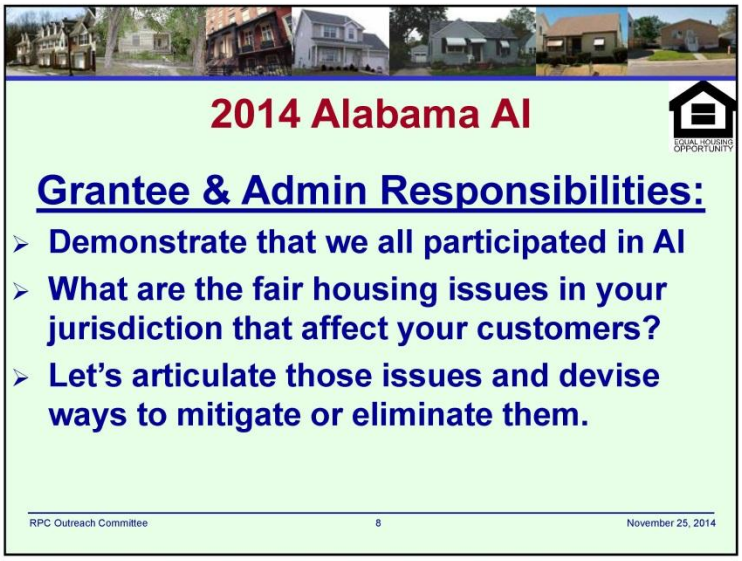
Alabama Analysis of Impediments to Fair Housing Choice



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Alabama Analysis of Impediments to Fair Housing Choice

Housing Complaints

Fair Housing Complaints

Fair Housing Complaints by Basis

Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Race	20	13	19	16	35	23	30	12	3	7	5	183
Disability	15	8	13	18	24	24	23	16	8	13	3	165
Family Status	9	4	4	5	10	13	5	1	2	5		58
Sex	5	3	5	6	9	6	14		2	4	3	57
Retaliation	3	1	3	1	2	3	1	5	2	8	1	30
National Origin		1				5	4	2	2	2	1	17
Religion	3	1					1	1	1	1		8
Color					1	2	1		1		1	6
Total Bases	**55**	**31**	**44**	**46**	**81**	**76**	**79**	**37**	**21**	**40**	**14**	**524**
Total Complaints	34	20	28	31	52	57	57	33	15	26	10	363

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Housing Complaints

Fair Housing Complaints

Fair Housing Complaints by Issue

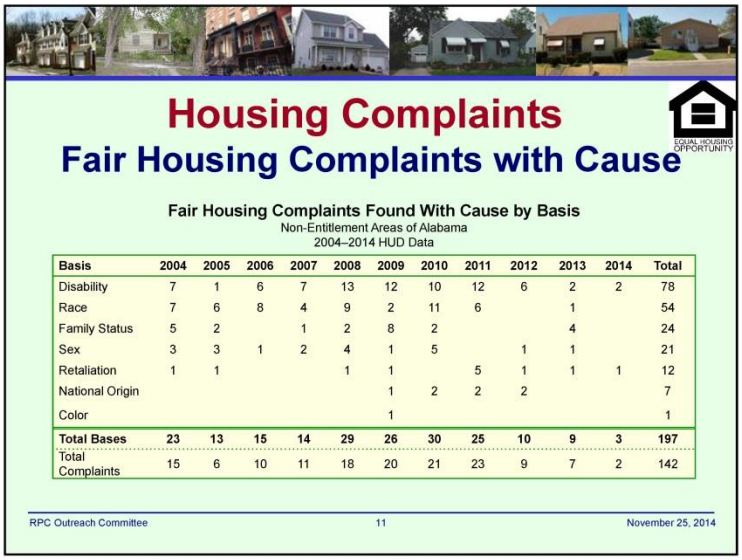
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Issue	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Discrimination in term, conditions or privileges relating to rental	22	7	15	8	23	30	35	12	7	9	1	169
Discriminatory acts under Section 818 (coercion, etc.)	9	3	8	8	12	13	10	8	5	12	3	91
Failure to make reasonable accommodation	3	3	5	4	14	16	15	10	5	3	1	79
Discriminatory terms, conditions, privileges, or services and facilities	3	2	3	7	9	10	7	3	4	15	7	70
Discriminatory refusal to rent	6	4	3	7	8	8	9	2	1	4		52
Discriminatory advertising, statements and notices				1	2	8	12	2	5		1	31
Otherwise deny or make housing available							6	1	4	11	7	29
False denial or representation of availability - rental	2	2	8	4	3		3					22
Discriminatory financing (includes real estate transactions)	1		1	3		1	2	2	2	1	1	14
Discrimination in services and facilities relating to rental	1	1	1	1	1	1	4			1		11
Failure to permit reasonable modification		2			2		3	3		1		11
All Other						1						63
Total Issues	**50**	**30**	**51**	**49**	**83**	**96**	**113**	**48**	**38**	**61**	**23**	**642**
Total Complaints	34	20	28	31	52	57	57	33	15	26	10	363

RPC Outreach Committee 10 November 25, 2014

RPC Outreach Committee **November 25, 2014: Page 5**

Alabama Analysis of Impediments to Fair Housing Choice



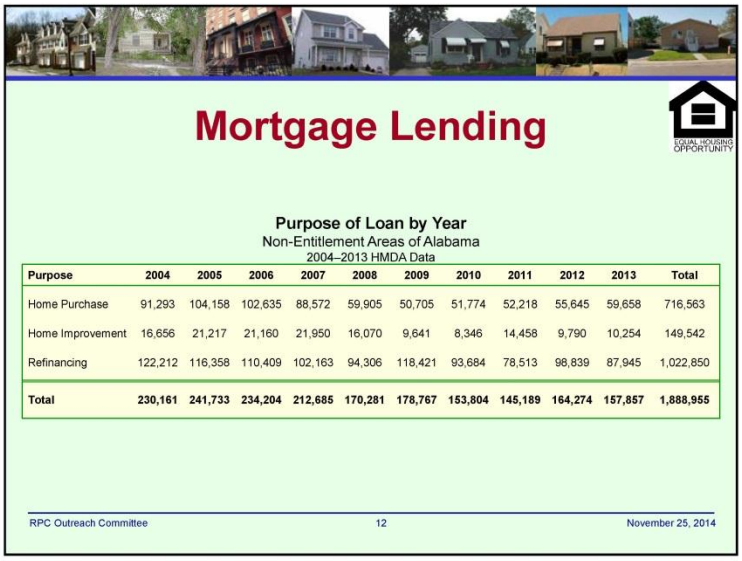
Housing Complaints

Fair Housing Complaints with Cause

Fair Housing Complaints Found With Cause by Basis
Non-Entitlement Areas of Alabama
2004–2014 HUD Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Disability	7	1	6	7	13	12	10	12	6	2	2	78
Race	7	6	8	4	9	2	11	6		1		54
Family Status	5	2		1	2	8	2			4		24
Sex	3	3	1	2	4	1	5		1	1		21
Retaliation	1	1			1	1		5	1	1	1	12
National Origin						1	2	2	2			7
Color						1						1
Total Bases	**23**	**13**	**15**	**14**	**29**	**26**	**30**	**25**	**10**	**9**	**3**	**197**
Total Complaints	15	6	10	11	18	20	21	23	9	7	2	142

RPC Outreach Committee 11 November 25, 2014



Mortgage Lending

Purpose of Loan by Year
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Purpose	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Home Purchase	91,293	104,158	102,635	88,572	59,905	50,705	51,774	52,218	55,645	59,658	716,563
Home Improvement	16,656	21,217	21,160	21,950	16,070	9,641	8,346	14,458	9,790	10,254	149,542
Refinancing	122,212	116,358	110,409	102,163	94,306	118,421	93,684	78,513	98,839	87,945	1,022,850
Total	**230,161**	**241,733**	**234,204**	**212,685**	**170,281**	**178,767**	**153,804**	**145,189**	**164,274**	**157,857**	**1,888,955**

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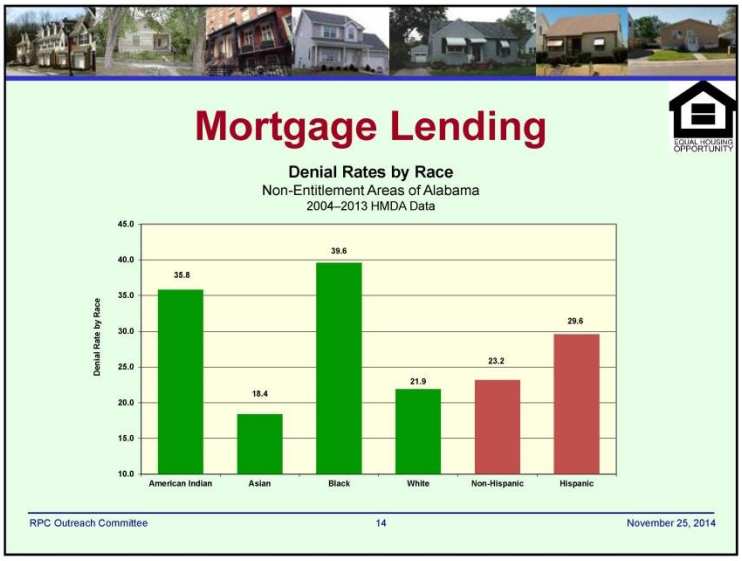
Alabama Analysis of Impediments to Fair Housing Choice



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Alabama Analysis of Impediments to Fair Housing Choice

Mortgage Lending

EQUAL HOUSING OPPORTUNITY

Denial Rates of Loans by Race/Ethnicity and Income of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Race	<= $15K	$15K–$30K	$30K–$45K	$45K–$60K	$60K–$75K	Above $75K	Data Missing	Avg
American Indian	74.5%	49.5%	37.4%	31.6%	23.8%	21.3%	46.9%	35.8%
Asian	58.3%	36.7%	25.4%	16.2%	13.4%	10.6%	19.2%	18.4%
Black	82.1%	59.4%	37.7%	29.5%	21.3%	18.7%	55.2%	39.6%
White	65.4%	39.4%	24.1%	18.5%	13.8%	10.7%	22.7%	21.9%
Not Available	77.1%	62.7%	43.0%	34.5%	24.8%	19.8%	49.3%	38.6%
Not Applicable	.0%	62.5%	5.9%	10.0%	20.0%	16.7%	37.1%	27.1%
Average	**70.4%**	**44.5%**	**27.1%**	**20.8%**	**15.3%**	**12.0%**	**30.0%**	**25.2%**
Non-Hispanic	68.2%	41.6%	25.1%	19.2%	14.2%	11.1%	25.6%	23.2%
Hispanic	66.0%	44.4%	30.2%	24.8%	16.5%	14.8%	28.6%	29.6%

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Mortgage Lending

EQUAL HOUSING OPPORTUNITY

Denial Rates by Gender of Applicant
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Year	Male	Female	Not Available	Not Applicable	Average
2004	20.7%	29.9%	49.1%	6.7%	24.3%
2005	20.3%	28.3%	41.8%	30.0%	23.4%
2006	19.2%	26.7%	38.5%	9.1%	22.0%
2007	18.3%	25.7%	35.9%	36.4%	20.9%
2008	19.7%	25.9%	40.4%	44.4%	22.2%
2009	20.2%	26.7%	31.9%	83.3%	22.5%
2010	26.2%	35.5%	35.6%	33.3%	29.4%
2011	26.3%	36.7%	50.1%	57.1%	30.3%
2012	29.0%	39.8%	49.7%	33.3%	33.0%
2013	27.3%	38.2%	49.8%	20.0%	31.4%
Average	**22.0%**	**30.7%**	**42.4%**	**28.8%**	**25.2%**

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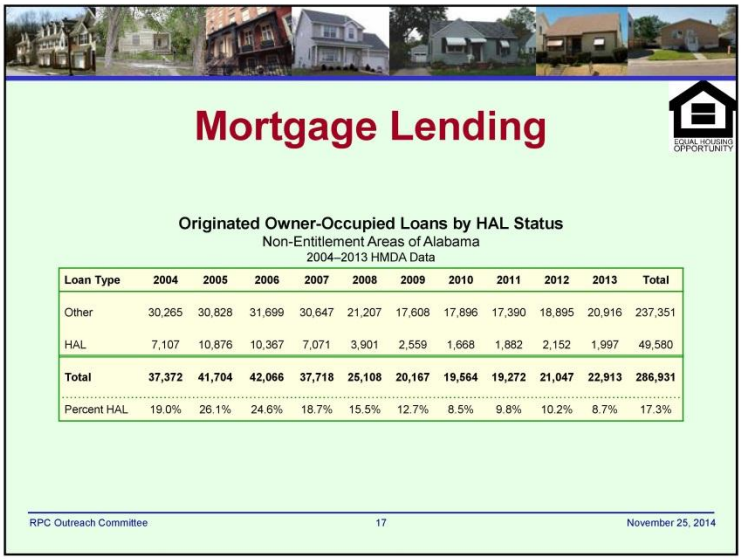
Alabama Analysis of Impediments to Fair Housing Choice



Mortgage Lending

EQUAL HOUSING OPPORTUNITY

Originated Owner-Occupied Loans by HAL Status
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Other	30,265	30,828	31,699	30,647	21,207	17,608	17,896	17,390	18,895	20,916	237,351
HAL	7,107	10,876	10,367	7,071	3,901	2,559	1,668	1,882	2,152	1,997	49,580
Total	**37,372**	**41,704**	**42,066**	**37,718**	**25,108**	**20,167**	**19,564**	**19,272**	**21,047**	**22,913**	**286,931**
Percent HAL	19.0%	26.1%	24.6%	18.7%	15.5%	12.7%	8.5%	9.8%	10.2%	8.7%	17.3%

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Mortgage Lending

EQUAL HOUSING OPPORTUNITY

HAL Rates by Race
Non-Entitlement Areas of Alabama
2004–2013 HMDA Data

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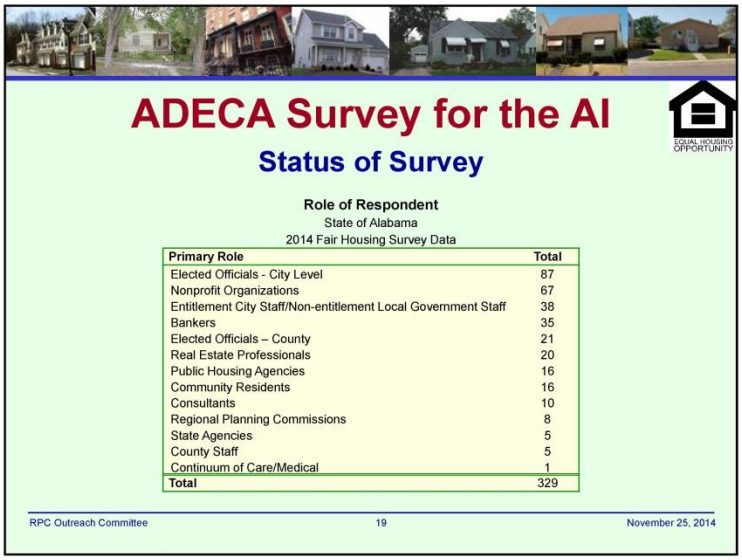
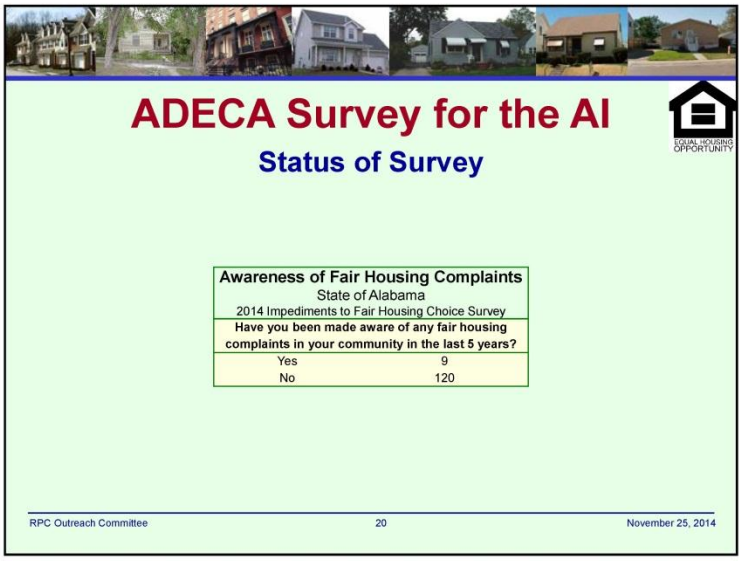
Alabama Analysis of Impediments to Fair Housing Choice



Role of Respondent
State of Alabama
2014 Fair Housing Survey Data

Primary Role	Total
Elected Officials - City Level	87
Nonprofit Organizations	67
Entitlement City Staff/Non-entitlement Local Government Staff	38
Bankers	35
Elected Officials – County	21
Real Estate Professionals	20
Public Housing Agencies	16
Community Residents	16
Consultants	10
Regional Planning Commissions	8
State Agencies	5
County Staff	5
Continuum of Care/Medical	1
Total	329



Awareness of Fair Housing Complaints
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Have you been made aware of any fair housing complaints in your community in the last 5 years?	
Yes	9
No	120

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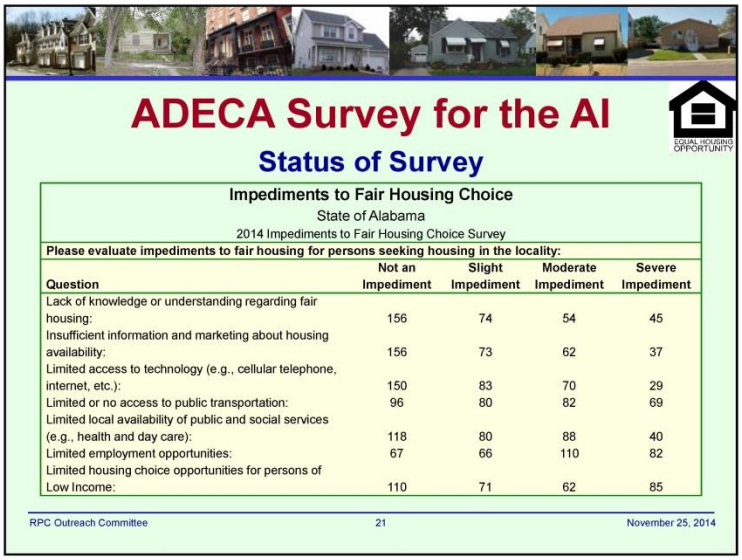
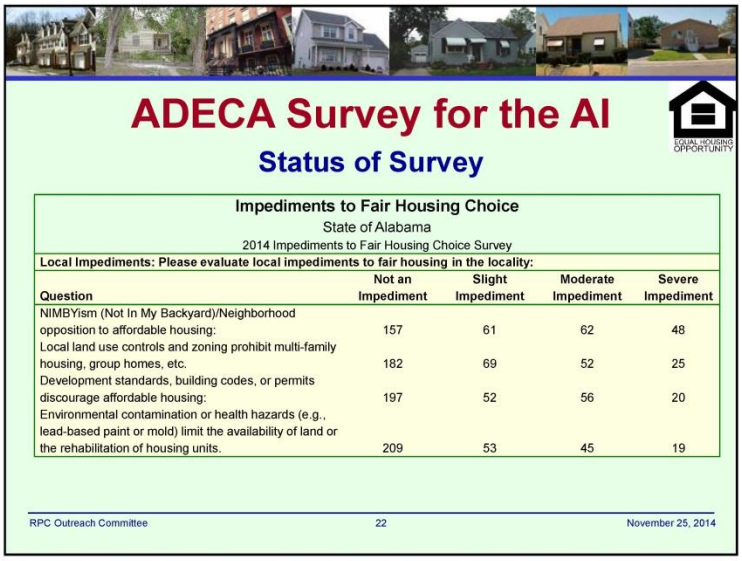
Alabama Analysis of Impediments to Fair Housing Choice



Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Please evaluate impediments to fair housing for persons seeking housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
Lack of knowledge or understanding regarding fair housing:	156	74	54	45
Insufficient information and marketing about housing availability:	156	73	62	37
Limited access to technology (e.g., cellular telephone, internet, etc.):	150	83	70	29
Limited or no access to public transportation:	96	80	82	69
Limited local availability of public and social services (e.g., health and day care):	118	80	88	40
Limited employment opportunities:	67	66	110	82
Limited housing choice opportunities for persons of Low Income:	110	71	62	85



Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
NIMBYism (Not In My Backyard)/Neighborhood opposition to affordable housing:	157	61	62	48
Local land use controls and zoning prohibit multi-family housing, group homes, etc.	182	69	52	25
Development standards, building codes, or permits discourage affordable housing:	197	52	56	20
Environmental contamination or health hazards (e.g., lead-based paint or mold) limit the availability of land or the rehabilitation of housing units.	209	53	45	19

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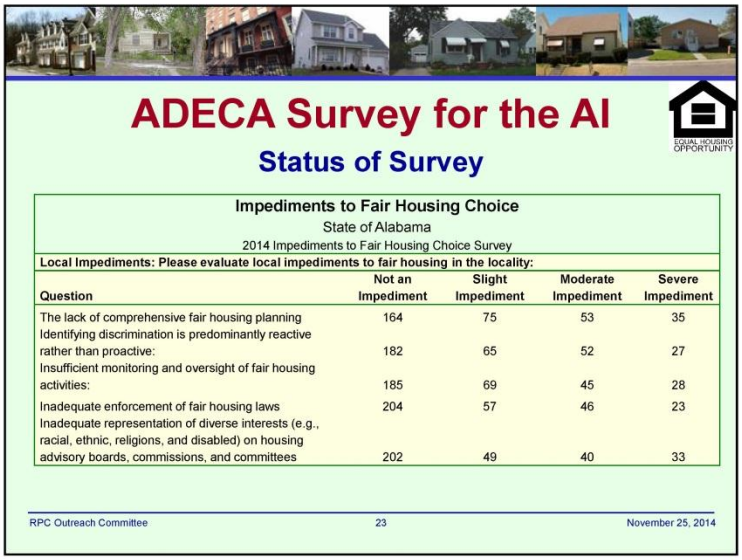
Alabama Analysis of Impediments to Fair Housing Choice



ADECA Survey for the AI

Status of Survey

Impediments to Fair Housing Choice
State of Alabama
2014 Impediments to Fair Housing Choice Survey

Local Impediments: Please evaluate local impediments to fair housing in the locality:

Question	Not an Impediment	Slight Impediment	Moderate Impediment	Severe Impediment
The lack of comprehensive fair housing planning	164	75	53	35
Identifying discrimination is predominantly reactive rather than proactive:	182	65	52	27
Insufficient monitoring and oversight of fair housing activities:	185	69	45	28
Inadequate enforcement of fair housing laws	204	57	46	23
Inadequate representation of diverse interests (e.g., racial, ethnic, religions, and disabled) on housing advisory boards, commissions, and committees	202	49	40	33

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2014 Alabama AI

Preliminary Impediments – Private Sector:

- More frequent denial of home purchase loans to Black, Hispanic and female householders
- Apparent predatory lending falls more heavily on Black borrowers
- Discriminatory terms, conditions, privileges, or facilities relating to rental
- Discriminatory refusal to rent
- Failure to make reasonable accommodation or modification
- Insufficient understanding of Fair Housing Laws

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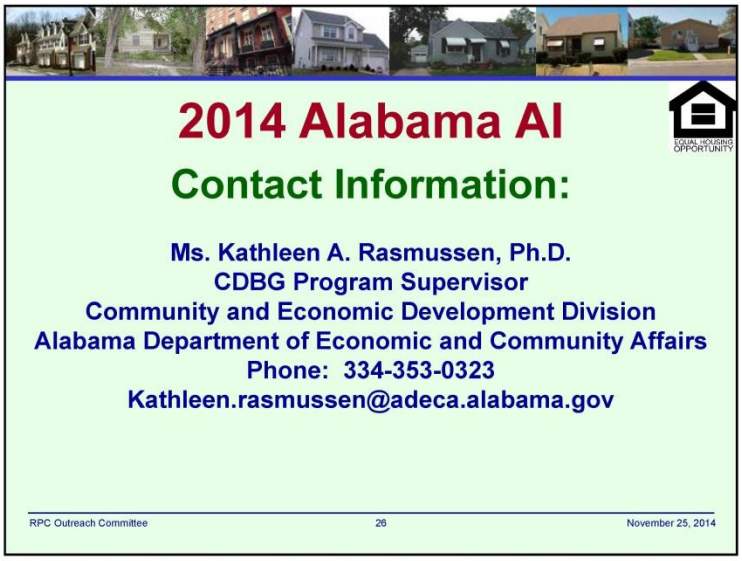
Alabama Analysis of Impediments to Fair Housing Choice



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TRANSCRIPT FROM THE THIRD RPC PRESENTATION DISCUSSION

11/25/2014 Regional Planning Commission Outreach Committee

Comment 1: I was wondering about that too. It looks like there were a few years where there were more complaints both that were founded and were just made. Any reason you can figure why that like 2008, 2009, and 2010 would have had more?

Rob Gaudin: Well, I kind of believe that often times it is the fair housing organizations that are at work in the market place. If they are active, more complaints occur and my guess is that they are not very active right now. I am only basing that in the fact that they ignored all of our requests and dodged our phone calls. Maybe they are not getting enough money from HUD so they are not able to do much. They are not able to reach out to the community much. Also, the 2008 09, 10 and 11 that was when we had that, if you will, the turnaround in the housing market. In 2012 or 13 it has been significantly different. I am thinking those elements, but a lot of times the complaints are driven by the organization and if they are active or inactive. If the organization is active there are going to be more complaints. They are going to go find them. They are going to receive them and process them. If they are not very active, they don't have a very good budget, if you will, they really don't do much and I am kind of thinking that that is happening right now. They are not doing much. They didn't participate in any of this process. They didn't attend any of the public input meetings, they didn't attend, or maybe they didn't know about them, but they didn't attend any of the public input meetings, any of the webinars. Nobody said anything and we tried to contact them. One of them doesn't even have a website. It is inactive. So these are a little bit of a problem.

(Presentation)

Comment 2: I just wondered if we have in the analysis, it looks like that occurs when the housing market is going kaput and I am assuming that the banks are tightening up their credit requirements. Do we know, we have some significant factors in there? Do we know why? Is it because their credit rating is not high enough or are we looking at this strictly in terms of race?

Rob Gaudin: We are not looking at this strictly in terms of race. Ethnicity and gender are not race, but the HMDA data does report up to three reasons or so called reasons for the denial. Credit rating is high, but then so is other and so is missing. So, there really isn't a smooth transition to pin it on why. The important thing is that it is occurring and what should we do to help these individuals not be denied so much.

Comment 3: Do we know how to help them properly?

Rob Gaudin: Well, I think we do know how to help them. It is outreach and education and roles like that. It is important that maybe we can offer classes to teach the value of establishing and keeping good credit. No you shouldn't necessarily buy a new car now if you want to buy a home next year. So those kinds of things. The Federal Reserve and I agree says that you cannot deduct from this that any of these institutions are discriminatory, but we do have a problem. I mean your problem is actually more severe than other geographic areas that I have studied. Not in the way in which blacks are denied because that is about average, but females are denied significantly greater than males. Usually that difference is 2 percent to 4 percent and here you have about 10 or 11 percent. So we have some challenges there.

(Presentation)

Comment 4: One of the things that leaps out at me is this fair housing infrastructure, which is probably as you said located in the larger metropolitan areas, Birmingham, Mobile is trying to from the non-entitlement areas make sure that there is some communication back and forth and we in the community in a non-entitled areas should be able to pass on that communication to their citizens. There needs to be more, we need to publicize how you get in touch with these folks that are supposed to do fair housing and of course if they are not answering their phone it seems like we need to do some education for them. If they are supposed to serve the non-entitlement areas then they need to be made to do so.

Rob Gaudin: Yes ma'am.

Comment 5: Another thing that struck me had some, I worked with HPRP programs administrating a program down here in our area a few years back and I think folks who rent, who are the landlords, I think that they could use some education as well.

Rob Gaudin: I agree with you.

Comment 6: That is my two cents and I think it is sometimes that it is not that somebody is trying. They can be not consistent and sometimes bending the rules for somebody to allow them to be outside of their lease, because they are trying to be compassionate, but then they can't do it for somebody else and they sometimes don't realize that that is wrong too. You have to comply and administer your lease consistently across the board.

Rob Gaudin: Yes ma'am, I agree with you.

Comment 7: I guess if you could wave a magic wand and fix Alabama what would you do?

Rob Gaudin: I would do outreach and education.

Comment 8: And how so?

Rob Gaudin: I mean that is one of the things that I would do.

Comment 9: How would you does that outreach to, are you talking about the region, or are you talking about private folks or bankers. How are you going to do an outreach and how are you going to get a hold of? Have you thought that out?

Rob Gaudin: The purpose of this is to try to get your feeling. I don't really have the answer. I do believe that the role of outreach and education is an important one. This is for ADECA to take on that responsibility, but I would tend to believe that outreach and education can be targeted to particular groups. Maybe we want to educate people about mortgage lending and what are the attributes of a predatory-style loan. What does that mean? I think we can target that. We might coordinate with the three fair housing groups to get more participation by them in communicating with our citizens in the non-entitlement areas. So that would involve ADECA going and conducting outreach to the three fair housing and coordinating their outreach and education efforts so that they would occur. I mean the first step is the most important step. You are making an action that is occurring. Maybe you work with those groups to get something done. April is Fair Housing Month. You could do the kick off in April, for example and have an outreach and education fair. Have something. Between now and then you produce flyers and hand them out. It is a responsibility that people are going to take on a

lot and sometimes it is difficult to do the outreach, but I think those are the kinds of things that we are talking about.

Comment 10: Is there a state that has and I know that you have done this across the country, is there a state that has in your opinion been very successful in an outreach and education action that would be good for Alabama to look at to see how they did it?

Rob Gaudin: The geographic areas of the US, I would say that neighboring states would be better. So you could go look to Mississippi. I would definitely not have ADECA offload to you that you all have to do an AI. That would be silly. I think the more important thing is that each of the communities can say yes we have one or more of these problems. Then you work with the state to implement something and the state will fund it. That is the idea. You can't really expect these small local communities to work through that. So for example Mississippi is running this through their program. They are asking those who want to get a grant to come in and take some classes and, if you will, get educated on how to do outreach. These are small steps and that is really what it is all about. The sum of the small steps. I don't think we can really take a massive effort. I don't think that it is what is warranted. There are too many needs for employment and housing and infrastructure to take a massive effort. We are not that wealthy. I do think the small steps are really important for us to take.

(*Written Comments*)

When somebody was preparing Anniston's AI they looked at HMDA and Census data. In conclusion in Anniston it was impossible to determine if discrimination was occurring because certain non-white groups and women had lower incomes than Asian males.

Fair housing advocates in our region don't even know that fair housing centers exist.

I agree with that.

We have problems within the fair housing community.

I think we have identified that.

These fair housing centers are not really that active in the non-entitlement areas of the state.

Local government officials and staff especially in the rural areas only know what people tell them and most people don't know who to lodge a complaint with.

That is also true.

We need a good fair housing education program. I most definitely agree.

I think that most people don't even know that Alabama has tenants' rights regulations.

Those were all of the comments that have come in, but I think we have a reasonable understanding of where we can go from here. Certainty outreach and education is a good role, trying to get the three fair housing groups active in the non-entitlement areas of the state is a good thing so coordinating with them. That is what I am hearing you all say. Are there some other things that you think we could do?

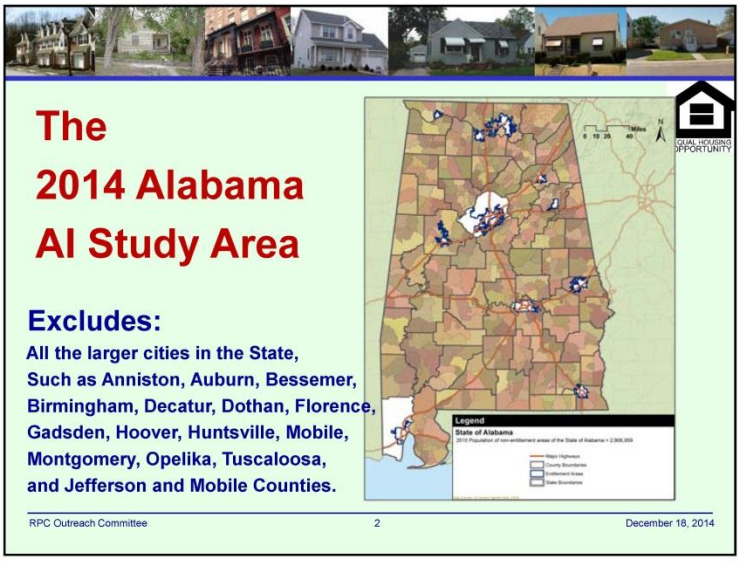
Comment 11: Your statistics for our five counties up in Northwest Alabama to review some of those problem areas that you identified, we would like to see it by county if that was available.

We are going to need to tailor this education and outreach program to our area working with these local governments, 32 cities, 5 county governments. We got problem issues, we need to try to figure out what they are and get a hold of them.

Rob Gaudin: I would be more than happy to work with you. The document that I am going to be giving to ADECA will have geographic maps by Census tract. So you will be able to see how you will compare to the rest of the state for certain types of issues.

FOURTH REGIONAL PLANNING COMMITTEE PRESENTATION

Alabama Analysis of Impediments to Fair Housing Choice



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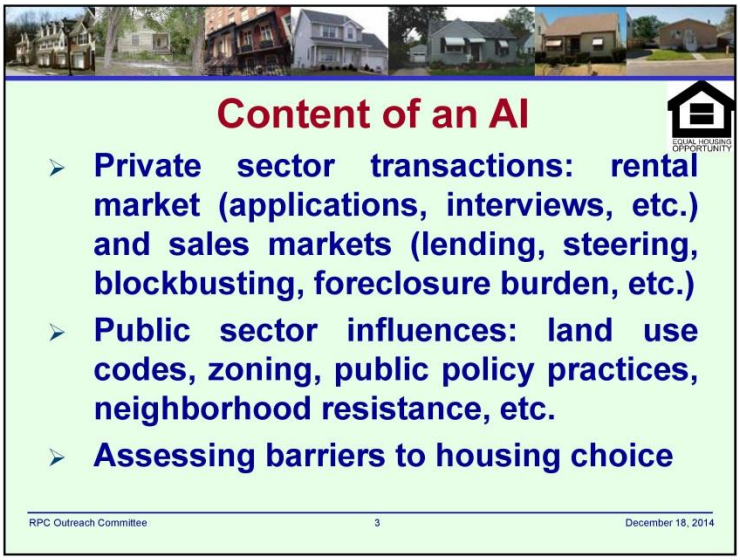
Alabama Analysis of Impediments to Fair Housing Choice



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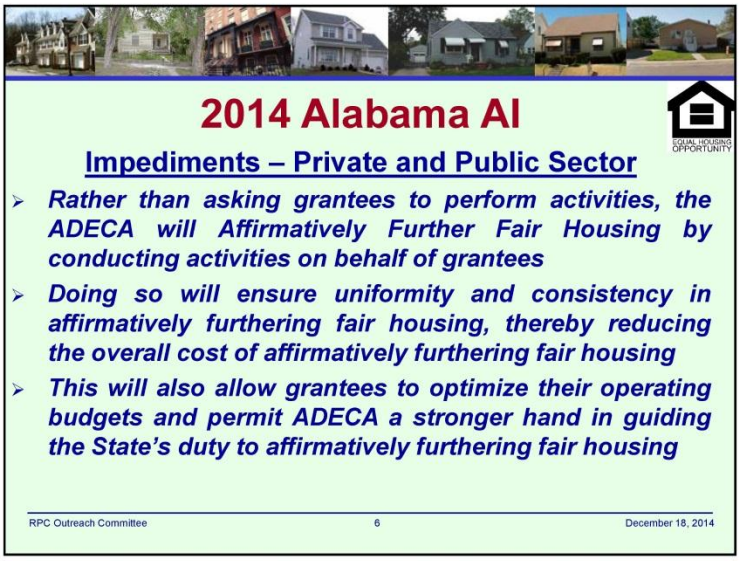
Alabama Analysis of Impediments to Fair Housing Choice



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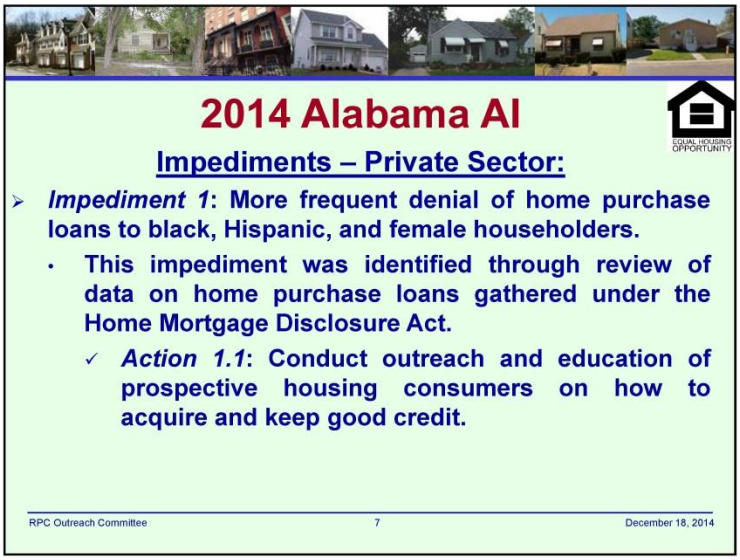
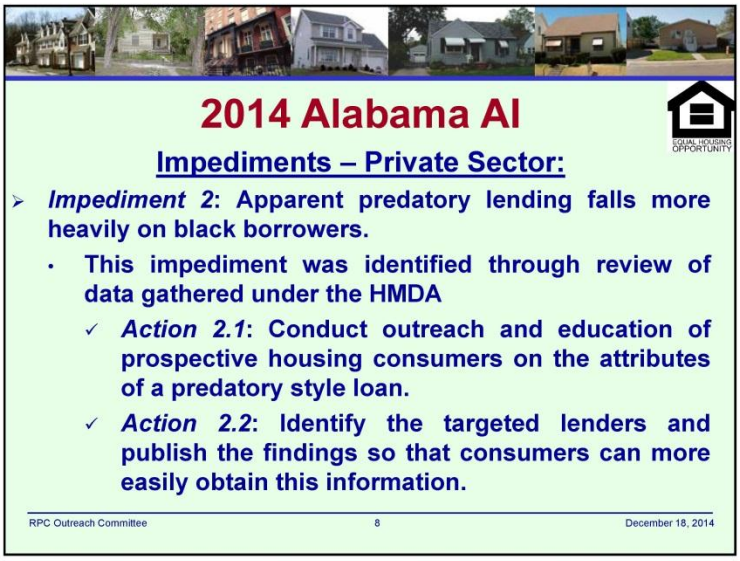
Alabama Analysis of Impediments to Fair Housing Choice





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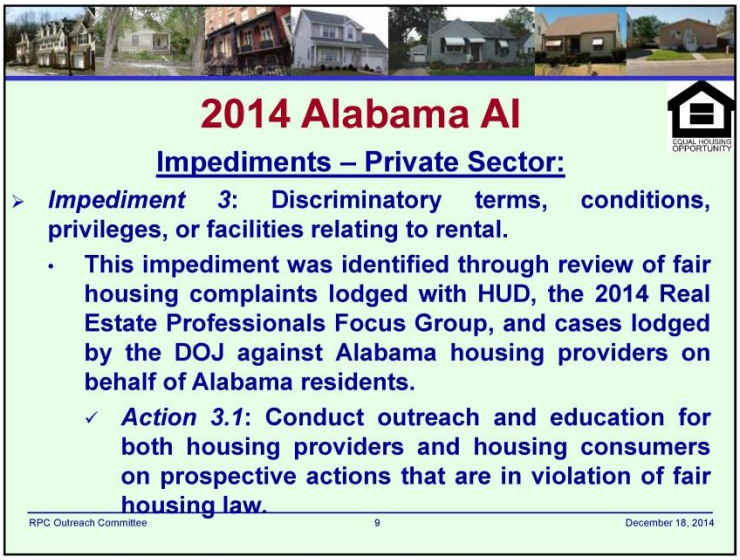

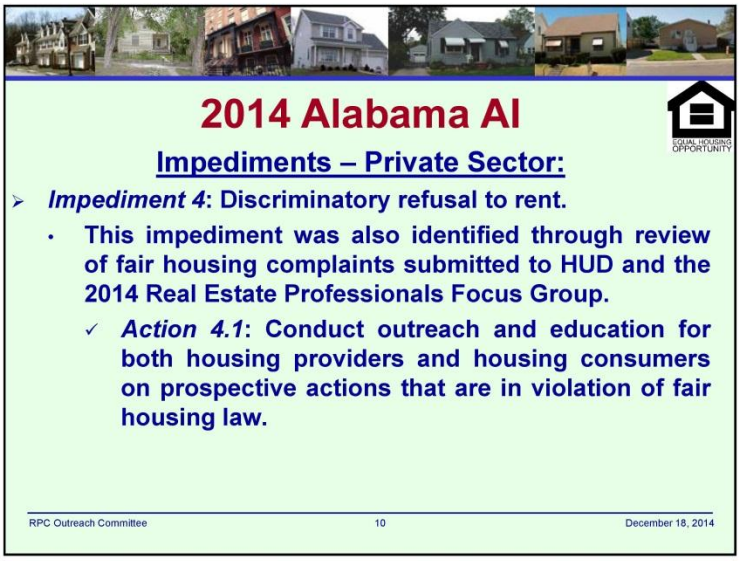

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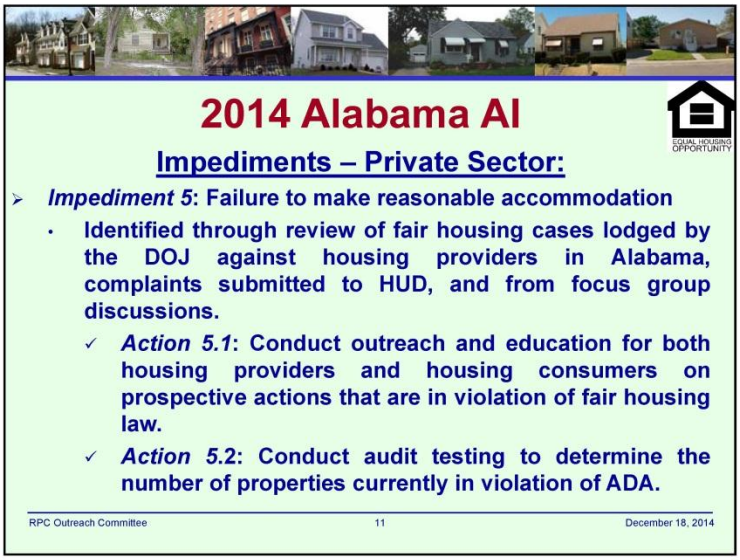

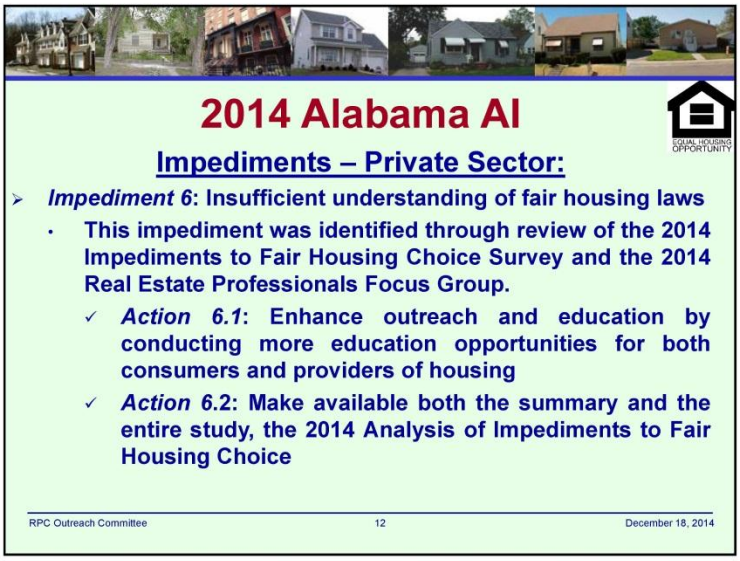

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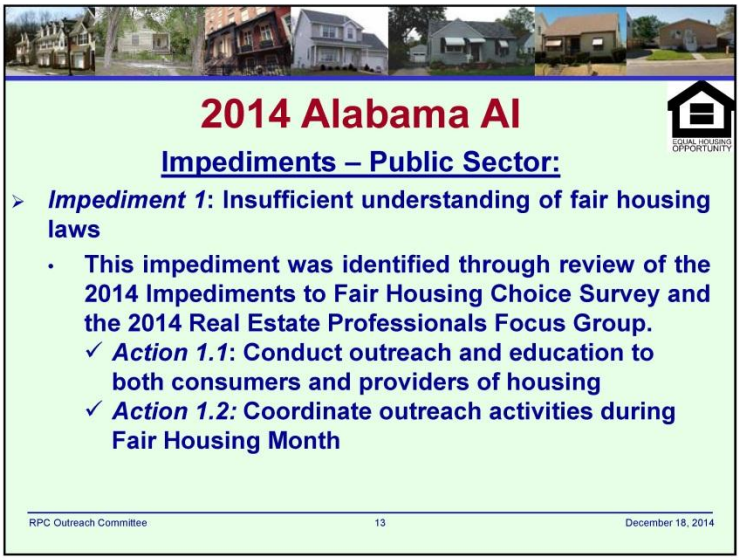

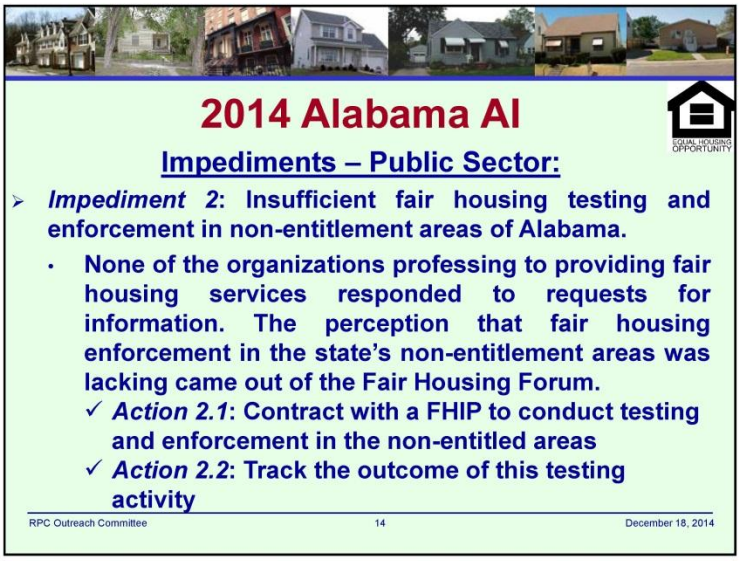

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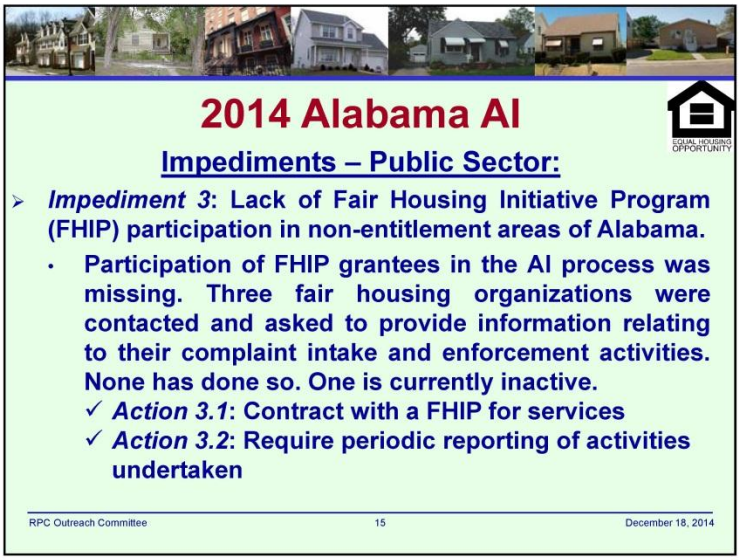

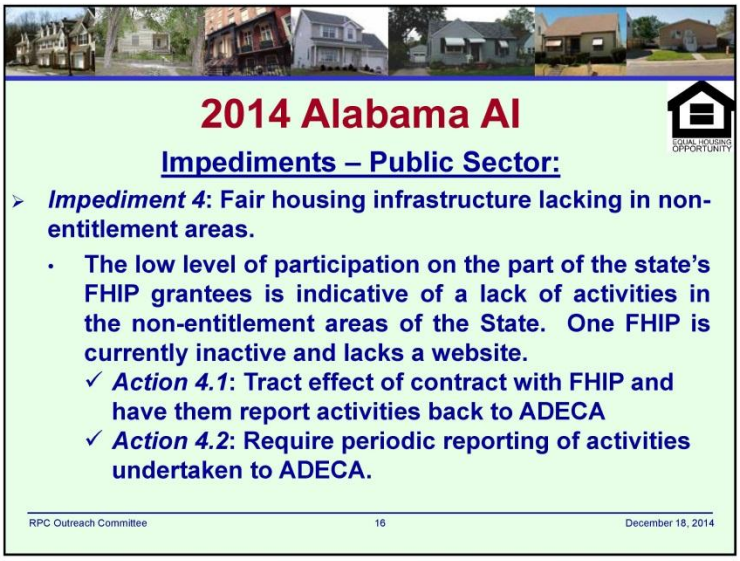

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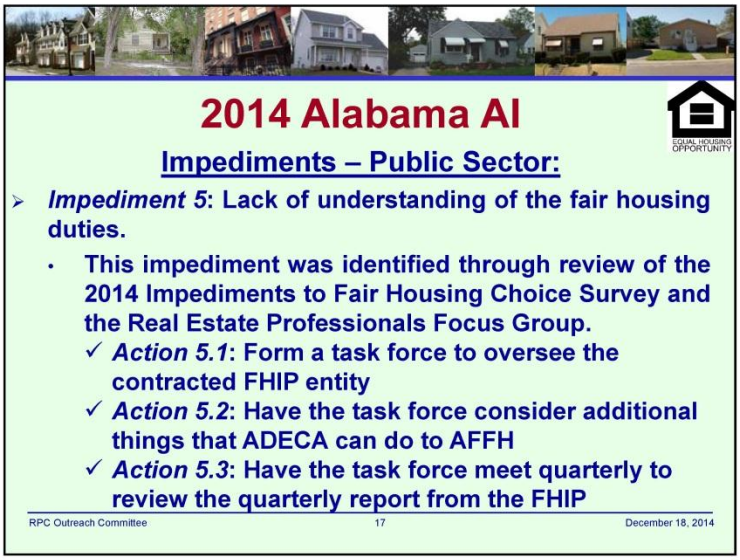
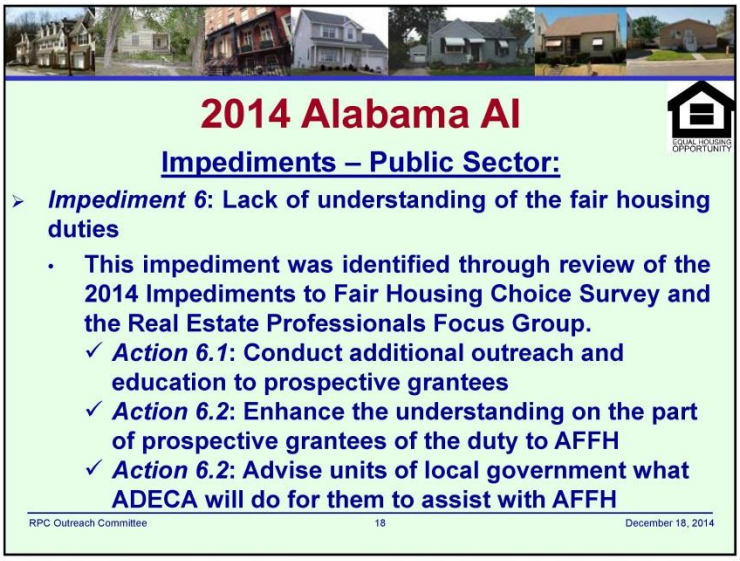
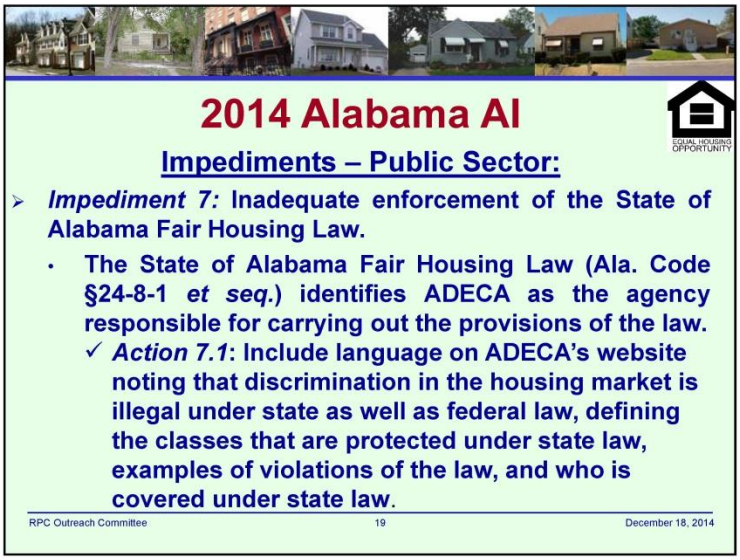
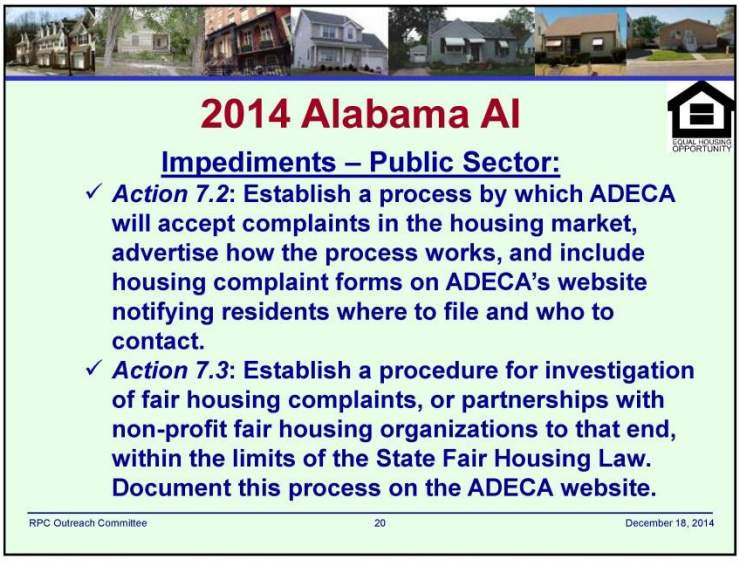


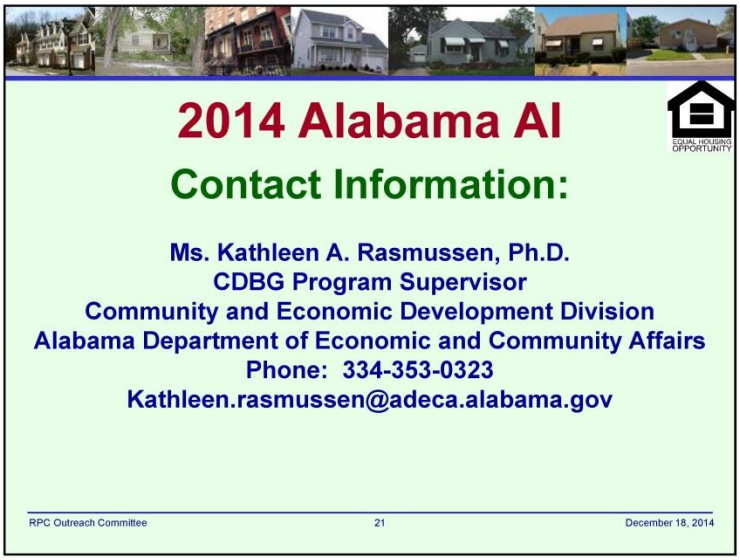


Alabama Analysis of Impediments to Fair Housing Choice





Alabama Analysis of Impediments to Fair Housing Choice



RPC Outreach Committee **December 18, 2014: Page 11**

TRANSCRIPT FROM THE FOURTH RPC PRESENTATION DISCUSSION

12/18/2014 Regional Planning Commission Outreach Committee

Comment 1: So I just wanted and do we need to identify that in these impediments or do? It is just a question.

Rob Gaudin: That is a good idea. Perhaps others should share if whether we should follow through with that. Anyone?

Comment 2: What is the correlation?

Rob Gaudin: I don't have that right now at this moment.

Comment 3: Is it really significant, because that would be my question. If it is really significant, I think it absolutely needs to be apart.

Rob Gaudin: OK. I believe that it is. Would you like to identify these lenders?

Comment 4: I have an issue; I am not sure that identifying the target lenders and publish the findings.

Comment 5: I wouldn't either. I would just identify that it is a type of house that or dwelling units that tends to be used by predatory lenders. The thing is and I don't want to take up a lot of time, it is just that we have found that here in south Alabama that people that don't qualify for whatever reason might want a manufactured home. It cost more, but the credit issues seem to not be issues with this type of home.

Rob Gaudin: These are homes that are on a foundation that way they are able to obtain a mortgage. Otherwise it is a different type of loan. So these are on and they are manufactured homes and they are placed on a permanent foundation. We can make sure that that gets stated. You don't think identifying the targeting lenders would be appropriate?

Comment 6: I think you would be better served to focus on Action 2.1 rather than Action 2.2. That is my personal opinion.

Rob Gaudin: OK, anybody else have an opinion?

Comment 7: I agree and I don't see any reason to identify the targeted lenders. I think that I just probably wouldn't want to do that.

Rob Gaudin: I am just asking for your guidance on that. We can certainly make that change.

(Presentation)

Comment 8: I have a comment. On 5.1, who are the housing providers?

Rob Gaudin: Who are they?

Comment 9: Yes, is that private or is that HUD or is that banks? Who is that housing providers.

Rob Gaudin: These are landlords. Typically they would be not assisted properties. So they are not Section 8. They are not voucher providers, but it is those that might be in the market place.

Comment 10: Then 5.2, conduct audit testing to determine the number of properties currently in violation. You might to conduct an audit testing to determine the number of properties that are not in violation. I mean it is, I just don't know how many houses are going to comply to ADA, private houses unless there is a tenant who needs it and it is specific to that tenant.

Rob Gaudin: If you are talking about single family dwelling, we have a different game plan.

Comment 11: Oh, I see.

Rob Gaudin: Yes, this would be apartment buildings.

Comment 12: Oh, I am sorry. I didn't realize that.

Rob Gaudin: I guess I need to clarify that.

Comment 13: My question was about Action 5.2, Audit testing. What exactly is that?

Rob Gaudin: There are several different types of testing. There is random testing where you just drive along and go pick on somebody. There is complaint based testing, which is a response to the market place and an audit typically might be newly constructed properties. You are not going to litigate with it, but you are going to measure something. In this case we are measuring wherever the properties are up to snuff for our disabled citizens. What that allows us to do is say that we allowed these to be built recently and we have a significant long-term liability. This owner does. Maybe we should try this firm to fully comply for new construction so that they don't end up building in long-term liability.

Comment 14: I would think that that is already something that gets done in the design and construction process.

Rob Gaudin: You would think, but it doesn't.

Comment 15: All the time.

Rob Gaudin: You would think that they do, but it is amazing how many things are overlooked. I have a story from another state where one inspector checked the inside and another inspector checked the outside. The guy inside was pretty familiar. You know they had to have the doors so wide, and rails in the bathroom. The guy outside didn't know anything about it so there was no way for the person in the wheelchair to go up three steps to get into the house, but it was all ADA complaint according to the guy that went inside. So sometimes you just have to make sure that each of the people that are involved in permitting know what they are doing and they way to find out if that is occurring or if someone is dropping the ball, if you will, is to go and conduct an audit test. It is not a test where you are going to spank anyone, you are just going to say that we have this problem and now what are we going to do about it. It is really the currently, newly constructed properties.

Comment 16: In my part of the state I fell like this is handled. I can't see ADECA going out and doing this or contracting out to somebody to do this.

Comment 17: I agree with that last comment. I can't see ADECA being able to perform Action 5.2 and my other question is this particular impediment how did you, what level and for what percentage in the state did determine that this is an impediment? You based it on cases and

extra and so how does it compare? I guess I don't know how you identified the impediments to begin with as far as is there a certain percentage. Is there some type of threshold?

Rob Gaudin: It is not a scientific thing. Every jurisdiction is different in when we do a state not every part of the state is uniformly one way or another. For example this might not be appropriate for certain areas of the state as you suggest, but it might be appropriate in other areas. We did see that housing cases lodged by the Department of Justice were due to making reasonable accommodation. We did get comments from the Focus Groups about how units that have been built recently where people have a hard time getting in and moving around inside so those types of things lead me to make these statements that I don't know how large this is. That is why I am suggestion we conduct some audit tests. Maybe it is a tiny problem and maybe it is a huge problem, and maybe it is only in a certain part of the state. Maybe it is only certain vendors that have this problem, but at this point I am believing that it needs to be explored.

Comment 18: You believe that ADECA should be the one to explore it.

Rob Gaudin: At this time the way that this process works ADECA needs to own that responsibility. Now if they wish to contract with someone to perform the audit test that would fulfill that obligation. Now I am not sure how ADECA has handled that in the past. Maybe they put that off on you guys, given that their responsibility, their duty to affirmatively further fair housing is here and we see that we have this issue what would be appropriate for ADECA would probably be to hire an organization, a FHIP or one of these other fair housing entities and now there are only two active in the state, to go conduct some audit tests. To select a sample and go do it and see what you find. I do believe that we will find some problems to the degree to which there are problems I am not currently positive to how large that is.

Comment 19: The way the impediment is worded with the term reasonable accommodation, are we to defer that reasonable is defined as ADA compliance?

Rob Gaudin: Reasonable accommodation or modification. For example if a renter wanted a ramp, then you would need to allow the ramp. You don't necessarily need to pay for it.

Comment 20: My point here is that before anybody starts auditing a testing there probably needs to be a clear definition of what reasonable is. If it is basically translating to ADA standards that should probably be made clear.

Rob Gaudin: Reasonable accommodation and modification are defined in the housing complaints and I will make sure that come across clearly in the document.

Comment 21: I would just think that anyone is going to be held to a standard that the standard needs to be defined first. I know we are going to talk about the residential units as opposed to these multi-family apartment complexes, but in either case I think that needs to be held upon.

Rob Gaudin: The residential units are different. There is a number of arguments about what is today considered visitability. If you are a single family owner you are not required to do anything for reasonable accommodation, because it is your house, but some jurisdictions are adopting visitability as part of the building code which enables disabled citizens, specifically those in wheel chairs, to at least have one entrance at ground level or some way to get in the building. Maybe it is the back door and not necessarily the front door and that bathroom on that level are accessible.

Comment 22: Is this something that local building codes would require as a municipality or local government would choose?

Rob Gaudin: That is correct and ADECA does not have…

Comment 23: A lot of people's requirements to keep track of in-state potentially.

Rob Gaudin: That is correct. It is really difficult for a state organization to come in and tell units of local government what to do.

Comment 24: Even if they are not telling them what to do, but they are just being tasked with what they are supposed to do and that would be difficult also. I agree with your comments for ADECA as an agency to be able to do that.

Rob Gaudin: What I am referring to here are apartment buildings. This is rental market apartment buildings.

Comment 25: Right, but even so I would still say the same thing.

Comment 26: At our last conference call there was a map discussed. Have you created a map that might show where the impediments are geographically?

Rob Gaudin: No.

Comment 27: OK. Am I thinking not correctly? Did we discuss a map?

Rob Gaudin: I do not recall that.

Comment 28: I think we had been getting that map that you had shown in a much early call were broader in terms of what you are showing. I think we would have accessibility to those.

Comment 29: Are you going to take out Action 5.2 or are you going to leave it in?

Rob Gaudin: If we address that this audit testing is related to multi-family dwellings, I am inclined to leave it in to make that more clear.

Comment 30: I would still stay determining just how the testing would be down and what result that would come out of it would need to be considered.

Rob Gaudin: I tend to believe that…

Comment 31: Something based on local codes and again it sounds like those are going to vary from place to place to see who is incompliance and who is not complying and the actions would have to be determined too afterwards.

Rob Gaudin: Right and that is not here. I agree that what we would likely find is holes in local government's enforcement of current building standards, because that is really what we are talking about for multi-family dwellings and to what extent in certain communities are not policing that correctly. That is a valuable piece of information and we can simply talk to their unit of local government and say that we did this test and this is what we found here. We found it in another community too. I think that educating the unit of local government about those things will go a long way to eliminating those problems. So this is not a negation issue. It is more of an education issue. To get there we have to have some documentation.

Comment 32: I just want to say one more thing. Maybe we will get off of impediment 5 in a minute. I guess I don't, you have already identified that there is an issue here so conducting the audit testing to determine a number so that we go back and then do Action 5.1, I guess I just don't get it.

Comment 33: I just feel like Action 5.2 is an overreach. This may need to be done in the state, but I don't feel like ADECA should be held responsible for it. There has to be other arms within the state that perhaps, any of the housing coalitions. This is going to led to if you have X number of apartment complexes in violation then you are ineligible to apply. We already have those types of situation and I just don't think that we need to go here.

Rob Gaudin: Wait, you already have this problem.

Comment 34: No, we already have thresholds within the grant program and some of our other programs where if certain things are not being meet than they are ineligible to apply for federal funds and this will go right there. I just don't think we need to go there. Does anybody else see what I am saying?

Comment 35: yes.

Comment 36: Yes.

Comment 37: Do you agree?

Comment 38: Yes I do and I agree with her also that this 5.2 is going to be difficult to carry out and you really already identified in 5.1 what you need to do anyway.

Comment 39: Yes.

Rob Gaudin: OK. Let's move on to the next one. I am not saying that I will take it out, but I probably will. That is what the purpose of these webinars are and the feedback I am getting is not positive on a couple of these things and that is good. That is the role that you are supposed to play.

(Presentation)

Comment 40: I think is something that I have certainly learned, but just being on the focus group I have a better understanding now and I think that that could help everybody.

(Presentation)

Comment 41: With the FHIPs are they only supposed to work in the larger cities or is it part of their contract or whatever as it stand now to be working in the non-entitlement areas as well? Do you know that? Do we know that?

Rob Gaudin: Their contracts with HUD state that they are going to work within the geographic areas in a number of counties. So the entire state is not served by the entire FHIP that did not get awarded a grant from HUD over the last several years. For those vendors or those FHIPs that operate they tend to provide service in the more urbanized areas. So we do have areas of the state that are not served at all and some areas of the state that are one not well served by these FHIPs. What I am suggestions and everybody's budgets are now tighter than they used to be including monies coming from HUD for housing and community development planning,

for development, for infrastructure, of water and sewer, for public facilities, and fair housing is the same story. I think the only one that has increased in the past couple of years has been homeless. Never the less to fulfill the certification that they are affirmatively further fair housing, HUD is asking jurisdictions to actual do something about fair housing. Now impediment 3 is outreach and education. We don't have these FHIP grantees doing much. So what I am thinking that between these two impediments we can make them one impediment. Outreach, education, testing, and enforcement. In other words help the FHIPs to build an infrastructure in non-entitled areas of the state. That is an important role to have that. I don't see much going on there. We are really talking impediments 2 and 3 really go together, because we are trying to develop a relationship with the FHIPs and ADECA to do intake, outreach and education in the non-entitlement areas of the state. That would be an important role.

Comment 42: I really did not understand much of the FHIPs role in any of this until we started these sessions. It sounds to me as if there is money from HUD that these organizations have to apply for though a grant to provide this service. I am also hearing you say that monies for these programs are being reduced. As part of your study did you look at how much money is available to the state of Alabama for grantees to be FHIPS? Is it a problem that there isn't just enough money to be had to perform this service or is it that we just don't have groups that are applying for these funds to then apply this service, because it seems to me that the impediment that we have is we don't have enough FHIP groups that are actually functioning to actually carry what is needed in the state as a whole.

Rob Gaudin: Actually two or three is remarkable. Mississippi has zero. So many states have zero. You have two active and one went inactive. What I am suggesting is ADECA should foster a relationship with these guys. They don't get much money, a couple hundred grand from HUD and that doesn't go very far. I know other jurisdictions that set a percent of their allocation and contract that out. Many jurisdictions do that. So this is something I think is worth considering. We should probably consider this when we get to impediment 7.

Comment 43: Get that done in three minutes, because it is already lunch time.

Rob Gaudin: Is it already?

Comment 44: It is about to be noon here.

(Presentation)

Comment 45: As you have already mentioned that there are a couple of these that already say the same thing. So I would really like to see the number of impediments reduced, because several of them say the same thing. I understand what you are saying about the law, but I think we have to be realistic about what we all can do. We are all operating with reduced budgets, reduced staff, and ADECA is in as just need extra hands and feet as all of us are. So I think we have to be a little bit more realistic about, yes we have to follow the law, but seven impediments is a little whatever when several of them say the same thing.

Rob Gaudin: I can reduce them to probably three.

Comment 46: OK.

Rob Gaudin: But this last impediment 7 is important.

Comment 47: I understand that and it stands alone, but some of the other ones can be combined.

Rob Gaudin: I agree with that.

Comment 48: I agree too.

Comment 49: I agree as well.

Comment 50: I would think that this number 7 would give ADECA some leverage in coordinating with the FHIPs that exist in the state. To coordinate better and I can see where they could develop a process where what is put on ADECA website directs you to the FHIPs in some ways.

Rob Gaudin: That is also true.

Comment 51: Our personal experience with the FHIPs is that you can't get a response.

Rob Gaudin: That has been my response.

Comment 52: I am not trying to be anything and I am sure that they are just as understaffed as we are, but perhaps there needs to be a little bit of leverage to encourage their response so that ADECA can fulfill its responsibility in an economically feasible manner.

Comment 53: If they are receiving funds from HUD, then where is the compliance form HUD to the FHIPs carry out their duties as they said they would?

Rob Gaudin: You are asking HUD to be compliant?

Comment 54: Absolutely. Is ADECA an eligible recipient of those funds to create its own division in house? I don't know if they would want to.

Rob Gaudin: They need to have an enforcement arm created. The law allows them to do that. They take that enforcement arm to HUD and say are we substantially equivalent to federal law? There are not any extra state laws and all the classes are specified in state law. So the skeleton is there. You take this new structure to HUD and say are we substantially equivalent to federal law and HUD would go yes. They would do a contract. Not a competitive one, but just a contract for them and they get paid by the case basis to process and take care of fair housing laws. It is a net win, because you get an import of federal money.

Comment 55: Has this been discussed? How do they feel about that?

Rob Gaudin: I don't know.

Comment 56: It is one option to consider at any rate and if there were funding that could be provided towards that effort I would say that it is worth looking into.

Rob Gaudin: Then I will add that as Action 7.4.

Comment 57: I don't know if you want to add that.

Comment 58: We are not talking about adding any actions at this point.

Rob Gaudin: The point is to try to explore obtaining substantial equivalent status in which case you would be paid by HUD to investigate and conduct outreach and education testing and enforcement and do all the things we are saying that ADECA has to do anyways, but they have to come up with the money. If they do it through getting substantial equivalent they get paid directly by HUD. It is the only way that they are going to get paid by HUD for fair housing is if they become substantially equivalent.

Comment 59: It would be great if they were doing their job, but apparently they are not and they can't even pick up the phone. That I find highly distressing.

Comment 60: That they chose to not even participate in this.

Comment 61: Right.

Comment 62: I agree with all of that.

Rob Gaudin: I am with you on that.

Comment 63: Are you going to add that Action?

Rob Gaudin: Yes, I will.

Comment 64: Ok, thank you.

Comment 65: Then you are also going to reduce the number of impediments to three.

Rob Gaudin: Yes.

Comment 66: Going back to the private sector, we are still serious about that one topic we discussed at length.

Comment 67: 5.2.

Comment 68: Yes, thank you.

Rob Gaudin: I think we will take that off, because we added one on ADECA and I think that is a fair trade. I think there was another one here. We are going to delete that one too.

Comment 69: What did that one say?

Rob Gaudin: Identify the targeted lenders and publish.

Comment 70: Yes, take that out.

MEMORANDUM FROM STATE: IDENTIFIED IMPEDIMENTS AND FAIR HOUSING FORUM

The impediments identified in the course of this AI were submitted to the State of Alabama in a memorandum on November 14, 2014. The State of Alabama provided feedback on those identified impediments, and on the fair housing forum discussions held the previous day, in a memorandum sent on November 20, 2014. In accordance with the wishes of the State, its comments concerning the identified impediments, actions proposed to address those impediments, and 2014 State of Alabama Fair Housing Forum are included below.

Begin Quoted Section:

"The State of Alabama and the Alabama Department of Economic and Community Affairs (ADECA) Community and Economic Development Division (CED Division) would like to take this opportunity to thank you for conducting the two Public Forums on Fair Housing Choice on Thursday, November 13, 2014, during which you presented the statistical results obtained thus far relating to the State of Alabama's "Analysis of Impediments to Fair Housing Choice" (AI). Those two public forums were presented during the CED Division's Community Development Block Grant (CDBG) Compliance Workshop that was held in Orange Beach, Alabama on November 13 and 14, 2014. Overall, a total of 134 attendees participated in the two public forums, with 49 attending the morning forum and 85 attending the afternoon forum.

The State of Alabama and ADECA's CED Division also thank you for submitting your November 14, 2014 Progress Review Memo that contains preliminary conclusions on the AI as well as suggestions for addressing those conclusions. Upon receipt of that Progress Review Memo, the ADECA CED Division's staff and other interested parties were invited to review and discuss the Progress Review Memo's contents as well as the overall conduct of the two public forums. Based on the information gathered during those discussions, the State of Alabama and ADECA would like to take this opportunity to provide to you the State of Alabama's brief comments on the Progress Review Memo's contents (the preliminary conclusions and suggestions) and the conduct of the public forums, and that is the purpose of this letter. Thus, these comments are as follows.

Under the heading "***For the Private Sector, consider the following impediments and actions to overcome the impediments***:"

Progress Review Memo Comment: *1. More frequent denial of home purchase loans to Black, Hispanic and female householders.*

a. Action 1. Conduct outreach and education of prospective housing consumers on how to acquire and keep good credit;

The State of Alabama's comment: Although the data on mortgage lending denial rates for home purchase loans (stated on Slides #27 and #28 of the presentation) do reflect an increase in such denials from 2010 through 2013, and do reflect the racial categories negatively impacted by such denials as being Blacks, American Indians, and Hispanics, the public forums' commentary concerned the evident conclusion that was being inferred from these data. The comments were that the conclusion should not be stated as being that such loan denials are based on the race of the loan applicant (be they White/Caucasian, Black/African-American, American Indian/Alaska Native, Asian, Native Hawaiian/Pacific Islander, two or more races, or other) nor that such loan denials are based on the gender of the loan applicant (male or

female), either alone (race or gender) or in combination with each other (race and gender). Instead, it would be more realistic if the conclusion was drawn from an analysis of a variety of factors that explain the data, with the most important factors being each loan applicant's credit rating, ability to repay the home loan amount borrowed, job status/employment history, and related factors. These factors would be true regardless of the loan applicant's race and gender (and other protected status) as well as the home's location within Alabama – be it in an urban or rural area, and be it in the northern, central, southern, western, or eastern part of the State. The forum attendees also voiced concerns that the results and conclusions (as exhibited on the presentation's slides) are based on statistical data alone (collected through Freedom of Information Act requests made to HUD, and data collected from other computer websites), and do not include input from additional research activities (such as personal interviews conducted with bankers, housing providers, and consumer advocates, and visits made to the localities experiencing these loan denial rates) that, if conducted, would have offered explanations for the "who, what, where, why, and how" of the racial and gender results that did emerge from the collected data.

As for the recommendation that consumers be provided education on how to obtain/maintain good credit (such as good credit ratings/FICO scores), the State of Alabama agrees that the recommendation is an appropriate one to assert – based on the statements in the above paragraph. However, the State of Alabama's concern is that consumer credit counseling is already available online, over-the telephone, and via in-person seminars which are periodically presented throughout Alabama - usually free of charge, and such services are routinely advertised through the media. At best, the State of Alabama could identify and publicize the availability of such counseling services to prospective homeowners, but to actually engage in the outreach and education of any prospective homeowners would be beyond the administrative and financial capabilities of the State of Alabama and of ADECA.

Progress Review Memo Comment: *2. Apparent predatory lending falls more heavily on Black borrowers*

a. Action 1. Conduct outreach and education of prospective housing consumers on the attributes of a predatory style loan.

b. Action 2. Identify the targeted lenders and publish the findings so that consumers can more easily obtain this information.

The State of Alabama's comment: In addition to the public forum comments that consumer loans in Alabama are not based on the race nor the gender of the loan applicant (as discussed above), other comments concerned the situation that regardless of race, gender, or other fair housing protected class category, persons who are seeking loans are going to patronize those lending institutions that will work with them – based on their income, credit rating/FICO score, ability to repay the loan amount, etc. If a potential loan applicant does not have the type of "good credit" history desired or sought out by certain lending institutions, then there are other lending institutions that will fill that void and work with those loan applicants who are not in possession of good credit histories, but they will do so using loan repayment terms that reflect the credit rating/status of the loan applicant rather than the loan applicant's race, gender, or other protected class category – as that is the nature of the commercial loan business. Other comments concerned the lack of ability of loan applicants to obtain a loan from a bank for the purchase of a factory-built "mobile home" compared with their ability to obtain a loan from a bank for the purchase of a site-built "brick and mortar home," as banks

tend not to provide loans for mobile home purchases (perhaps due to their "mobile" and "depreciation" factors). Additional commentary pertained to the federal Community Reinvestment Act (CRA) and its focus on encouraging commercial lenders to work with borrowers in all segments of the community – including those in low and moderate-income neighborhoods – to reduce such predatory lending practices affecting those neighborhoods. Statements were made concerning the federal regulatory agencies who are supposed to be examining banking institutions for their CRA compliance, and concerning the appearance that no such information pertaining to the CRA was contained in the public forums' slide presentations.

As for the recommendations that (a) consumers be provided education on predatory lending practices, and (b) predatory lenders be identified via a published list so that consumers can more easily obtain such information, the State of Alabama agrees that the first recommendation (concerning "education on predatory lending practices") is an appropriate one to assert, but the second recommendation (concerning "identifying predatory lenders via a published list") is not an appropriate one to assert. The reasoning for this is similar to the response stated for Comment #1 above. Additionally, predatory lending is legal in Alabama as well as in most, if not all, of the other States. And predatory lenders do fill a useful niche in the consumer lending arena. However, while the practices of the predatory lending business may appear unscrupulous, Congress has not yet enacted laws outlawing such lending practices and procedures. But, the State of Alabama does maintain a State Banking Department that is available to provide information on attempts having been made within Alabama to curb predatory lending abuses.

Progress Review Memo Comment: *3. Discriminatory terms, conditions, privileges, or facilities relating to rental*

a. Action 1. Conduct outreach and education for both housing providers and housing consumers on prospective actions that are in violation of fair housing law.

and

Progress Review Memo Comment: *4. Discriminatory refusal to rent*

a. Action 1. Conduct outreach and education for both housing providers and housing consumers on prospective actions that are in violation of fair housing law.

and

Progress Review Memo Comment: *5. Failure to make reasonable accommodation or modification*

a. Action 1. Conduct outreach and education for both housing providers and housing consumers on prospective actions that are in violation of fair housing law.

b. Action 2. Conduct audit testing to determine the number of properties currently in violation of disability standards.

The State of Alabama's comment: Public forum comments were made concerning the total number of rental housing complaints that had been filed with HUD from 2004 through 2014 (961 total complaints shown on Slide #22) as compared to those deemed to be valid complaints (142 valid complaints shown on Slide #25), over half of which were based on disability access (78 valid disability complaints shown on Slide #25), with commentary focusing on the facts that the majority of complaints had no merit and that disability access – as opposed to racial discrimination – was the primary basis for said rental housing complaints. [NOTE: Additional mathematical analysis of the presentation's data would have revealed that

these complaints – as collected and reported by HUD – averaged approximately 14 valid complaints per year, and less than 1 valid complaint per county per year, emanating from Alabama's 67 counties. The State of Alabama believes that how such small numbers can be viewed as a problem or impediment that is due to "*discriminatory terms, conditions, privileges, or facilities relating to rental*" is problematic in itself.] Additional commentary discussed the three fair housing organizations operating in the State of Alabama (those being the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) who are tasked with (i) conducting educational outreach (such as "know-your-rights" workshops) for community groups and individuals most likely to experience housing discrimination, (ii) conducting training seminars for housing professionals, and (iii) investigating complaints, filing administrative actions with HUD, filing court actions, and mediating disputes on behalf of individuals or groups who bring such housing complaints.

As for the recommendations that (a) housing providers and housing consumers be provided education on actions that would violate fair housing laws, and (b) audit testing be conducted to determine properties that are in violation of disability standards, the State of Alabama agrees that such recommendations would be beneficial for the protection of Alabama's rental housing owners as well as consumers. In fact, this type of work is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) pursuant to the authority bestowed upon each of them. The State of Alabama's effort to address these recommendations could involve considering posting an announcement on ADECA's website (www.adeca.alabama.gov) that would mention that such "rental housing education" and "audit testing services" are being provided by Alabama's three fair housing centers. The State of Alabama must keep in mind the fact that, unlike the federal government, Alabama's constitution requires its budgets to be balanced annually, and the same situation is true for many States. As a consequence, States usually target their funds – moreso in difficult budgetary periods – toward expenditure on higher-priority goals that include education, Medicaid, and corrections. It would simply not be feasible, either financially or administratively, for a State to target limited tax revenues for expenditure on all causes, especially when there is scant evidence to prove the existence of systemic problems (for example, implementing vast efforts regarding education and auditing of rental housing practices when very few housing complaints are based on valid claims of discrimination).

Progress Review Memo Comment: 6. *Insufficient understanding of Fair Housing Laws*

a. *Action 1. Enhance outreach and education by conducting more education opportunities for both consumers and providers of housing*

b. *Action 2. Make available both the summary and the entire study, the 2014 Analysis of Impediments to Fair Housing Choice.*

The State of Alabama's comment: The public forums provided a very brief overview of the data collected from responses to ADECA's "Impediments to Fair Housing Choice Survey." Two particular survey questions pertained to whether or not the survey respondents had been made aware of any fair housing complaints in their communities within the past five years, and whether or not the survey respondents considered the "lack of knowledge or understanding regarding fair housing" as being an impediment to fair housing choice. As presented at the public forums, the data (stated on Slides #36 and #37 of the presentation) indicated that a

majority of the survey's respondents had not been made aware of any fair housing complaints in their communities within the past five years, and that a majority of them also deemed the "lack of knowledge or understanding regarding fair housing" as "not being an impediment" to fair housing choice within their communities. However, the survey's results were presented in the public forums (on Slides #35 through #39) in a manner that appeared to question whether or not the survey respondents even understood the selection of responses from which they could choose their answers (for example, what is meant by 'not an impediment' compared to what is meant by 'slight impediment' or 'moderate impediment' or 'severe impediment'?), and in a manner that appeared to question whether or not the survey respondents were the entities to which housing complaints would be filed by prospective complainants. It appears that because the survey respondents selected the responses that they chose, the resulting data were explained in a manner that appears to presume (i) the survey respondents did not know or understand what their selected answers meant, (ii) the consumers who are living in rental housing are persons who have insufficient knowledge of fair housing laws simply because they had not filed housing complaints, and (iii) the communities' leaders and residents need to be educated on fair housing laws due to their apparent lack of knowledge and understanding of same. As the State of Alabama previously stated herein above, the data on Slides #22 and #25 indicate only 142 of the 961 housing complaints filed with HUD from 2004 through 2014 were deemed to be valid complaints, and 78 of the 142 valid complaints were based on disability. With this information being provided during the public forums, the resulting commentary indicated that persons who do desire to file housing complaints (of whatever basis – race, gender, disability, etc.) are aware of the complaint process – and use it, but the data presented in the public forums conveyed a different conclusion – one wherein the persons who wish to file a complaint do not know how to proceed.

As for the recommendations that (a) housing providers and housing consumers be provided education (on fair housing laws), and (b) the AI be made available to the public, the State of Alabama agrees that such recommendations would be beneficial for the protection of Alabama's rental housing owners as well as consumers. The State of Alabama reiterates its stance that the work of providing education on fair housing laws is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile), and the State of Alabama's effort to address this recommendation could involve considering posting an announcement on ADECA's website (www.adeca.alabama.gov) that would mention that such "fair housing laws education" is being provided by those three fair housing centers. As for making the summary and AI available to the public, ADECA can post these documents on its website where the public can access them.

Under the heading "***For the Public Sector, consider the following impediments and actions to overcome the impediments:***"

Progress Review Memo Comment: *1. Insufficient understanding of Fair Housing Laws*

a. Conduct outreach and education to both consumers and providers of housing

b. Coordinate outreach activities during Fair Housing Month

The State of Alabama's comment: Please see the State of Alabama's response stated herein above at "*6. Insufficient understanding of Fair Housing Laws*."

As for the recommendation that (a) housing providers and housing consumers be provided education (on fair housing laws) through outreach, the State of Alabama reiterates its response stated herein above at "*6. Insufficient understanding of Fair Housing Laws*." As for the recommendation that (b) outreach activities should be coordinated during Fair Housing Month, the State of Alabama agrees that such recommendation would be beneficial for Alabama's housing owners and consumers. In fact, each year ADECA drafts a "Fair Housing Proclamation" that is signed by the Governor and which proclaims the month of April as "Fair Housing Month" in Alabama. The most recent occurrence of this activity was April 14, 2014, wherein ADECA posted on its website the Governor's Proclamation, the ADECA Director's Announcement that accompanied the Proclamation, and the ADECA CED Division's Fair Housing Posters reflecting the fair housing compliance language. ADECA subsequently sent out that documentation to Alabama's local governments, regional planning commissions, grant administrators, apartment management agencies, local realtors' associations, and other interested parties as part of the outreach activities. Additionally, the State of Alabama reiterates that the work performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) could be better coordinated with the State of Alabama's and ADECA's efforts to conduct additional outreach activities during Fair Housing Month. To this end, the State of Alabama – by and through ADECA – could coordinate with those centers additional activities that would be beneficial to all entities involved.

Progress Review Memo Comment: *2. Insufficient fair housing testing and enforcement in Non-entitled areas of Alabama*

a. Contract with a Fair Housing Initiate Program (FHIP) participant to conduct testing and enforcement activities in the non-entitled areas of Alabama

b. Track the outcome of this testing activity

and

Progress Review Memo Comment: *3. Lack of FHIP participation in non-entitlement areas of Alabama*

a. Contract with a FHIP

b. Require periodic reporting of activities undertaken

The State of Alabama's comment: Public forum comments on the presentation slides (Slides #22 through #25) concerned housing complaints and the fact that Alabama currently has the three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) who are tasked with testing and addressing such complaints. Commentary was also offered regarding the fact that Alabama is mostly rural and sparsely populated outside of its entitlement communities, Alabama housing residents already are informed as to whom they can make their complaints known (including reporting those complaints to their FHIPs and their congressional representatives), a Hispanic coalition has been formed in north Alabama to assist members of the Hispanic community with their housing (and other) issues in that area of the State, disability advocacy is being conducted by lawyers who accept cases of disability discrimination under the Americans with Disabilities Act (ADA), and the amount of Alabama's valid housing complaints would be a very small number if compared to those in more populous States.

As for the recommendations that a contract be entered into with a FHIP participant to conduct fair housing testing and enforcement activities, and then subsequently tracking the outcomes of those activities as well as the reporting of the activities that were undertaken, the State of Alabama agrees that such activities would be beneficial activities that could affirmatively further fair housing. And such work involving the testing, enforcing, and reporting of fair housing law activities is already being performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile). All of these centers conduct fair housing enforcement activities in their respective territories in the form of complaint intake/investigation/mediation/referral services for persons who believe they have been victims of discrimination, rental/sales/insurance testing and education/outreach/enforcement activities based on the results of those tests, and fair lending education and outreach activities that specifically target racial and ethnic minorities, persons with limited English proficiency, and persons with disabilities. These centers already receive HUD funds to perform these activities, so the State of Alabama might be limited in its ability to contract with these centers to perform that work which they were created to perform with HUD funds. However, the State of Alabama – by and through ADECA – could (i) establish a dialogue with these centers directed at their inclusion of the rural areas of the State in their testing activities, and (ii) seek from each of these centers the data collected from their testing activities and the outcomes therefrom, which information ADECA could subsequently utilize in its future CDBG planning activities.

Progress Review Memo Comment: *4. Fair Housing infrastructure lacking in non-entitlement areas*

a. Track effect of contract with FHIP and have them report activities back to ADECA

The State of Alabama's comment: The public forums' commentary included statements that families tend to live near each other, which then shows up on a map (on Slides #13, #14, #16, and #20) as "clustering" of the races (Blacks and Hispanics) as well as of illegal or undocumented residents. These maps also indicate where poverty is concentrated, which is primarily due to a lack of jobs in those areas of the State. Many people live in one area but drive to another area to work due to a lack of jobs in their home location, so there is a need to address job creation and job skills development for people within their home communities. With such housing issue being tied to the jobs issue, that circumstance would be a concern for the government. However, there are areas of the State that do not have organized leadership targeting government reform and/or civil rights enforcement, while other areas do have that leadership. It would be beneficial to identify those individual community resources, which could then assist the Legislature in addressing the fair housing impediments in those locations.

As for the recommendation that a contract entered into with a FHIP participant would be tracked for the results of the FHIP's activities, the State of Alabama believes that such activities are already being performed by Alabama's three fair housing centers. Also, the data results that were presented at the public forums did not realistically demonstrate a lack of fair housing infrastructure in Alabama's non-entitlement areas. The data could actually be used to demonstrate quite the opposite – as did the comments, in that families tend to cluster together – which also shows where lack of employment and poverty are located in the State, persons who are aggrieved of fair housing complaints do know the process by which to file those

complaints and do follow those processes, those individuals also have advocates working on their behalf to resolve those issues (the data actually indicated that many of the filed complaints concerning fair housing issues were found to be baseless/not valid), and that people seeking housing loans from lending institutions are treated according to their income levels and not their racial/ethnic/gender origins. However, the State of Alabama – by and through ADECA – could seek from each of these centers the data collected from their testing activities and the outcomes therefrom, and ADECA could subsequently utilize the data in its future CDBG planning activities.

Progress Review Memo Comment: *5. Lack of interest/knowledge in affirmatively furthering fair housing on the part of smaller jurisdictions*

a. Form a task force to oversee the contracted FHIP entity.

b. Have the task force consider other things that ADECA can do to affirmatively further fair housing, particularly in light the budgetary constraints.

c. Have the taskforce meet quarterly to review the quarterly report from the FHIP and consider new business

The State of Alabama's comment: The public forums' commentary included statements that Alabama is a poor State, the closures of companies steadily over the past decades and the resulting lack of jobs – particularly good-paying jobs – in many locations are what contribute to the State's poverty and hamper the State's economic development efforts, the localities are in need of help bringing jobs to their areas, and the localities are in need of help complying with what the government is mandating be done. Together, these are the localities' biggest impediments to fair housing choice, so it is not the lack of interest or knowledge in affirmatively furthering fair housing on the part of those smaller jurisdictions, it is their need for help in complying with the government's mandates.

As for the recommendations, the State of Alabama reiterates that the work performed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) could be better coordinated with the State of Alabama's efforts to conduct additional activities to affirmatively further fair housing. And the State of Alabama – by and through ADECA – could strive to meet frequently with those three centers in efforts to coordinate and conduct further fair housing business.

Progress Review Memo Comment: *6. Lack of understanding of the fair housing duties*

a. Conduct additional outreach to prospective grantees for the purposes of outreach and education.

b. Enhance the understanding on the part of prospective grantees of the duty to affirmatively further fair housing by having an annual work session at the CDBG workshops that addresses fair housing and ways that the prospective grantees can conduct some fair housing activities.

c. Advise units of local government what ADECA will do for them to assist with affirmatively furthering fair housing

The State of Alabama's comment: The public forums' commentary focused on the localities' limited abilities to be effective at affirmatively furthering fair housing due to the changing nature of local economies and populations – including the loss of population due to

job losses when companies and factories shut down, increases in poverty among the existing population due to job losses or reductions in work hours and pay, increases in elderly and disabled populations, and increases in illegal/undocumented residents and persons who speak English as a second language. The localities asked for help in complying with government fair housing mandates, but also for help in providing for their citizens in an overall manner.

As for the recommendations, the State of Alabama states that ADECA's CED Division already performs the suggested activities as part of its operating duties and obligations. The State of Alabama agrees that such activities could always be expanded and/or enhanced.

At this point, the State of Alabama would like to include herein some concluding remarks:

First, the State of Alabama is impressed with the statistical data that you were able to obtain from HUD and from the various other entities for use in this study. The State of Alabama understands what a time-consuming process it is to request, receive, and decipher such data if and when it is provided as requested. However, in light of seeing that data as presented in the public forums' presentations, the State of Alabama is somewhat disappointed by the statements contained in the follow-up November 14, 2014 Progress Review Memo – for the reason that the two public forums' slide presentations and the contents of the Progress Review Memo both do not include and discuss several contributing factors that the State of Alabama believes affect/impact the impediments to fair housing choice in Alabama.

The State of Alabama believes that the study's data, results, and conclusions – that were expressed in the presentation and exhibited on the 42 slides – did present statistical and mapping information that were collected from Freedom of Information Act requests made to HUD and from other computer websites. However, the study and the presentation did not appear to include "follow-up" information from the "human element" that could have been obtained from conducting site visits to localities within Alabama's non-entitlement areas as well as from conducting personal interviews with local government officials, city planners, housing providers, bankers and lending institutions, realtors, housing advocates, residents, and other persons who are similarly-interested. The State of Alabama believes that the collection of such follow-up "human element" information would have been of value in developing conclusions from the study's statistical data results. The two public forums did allow the attendees to
voice their explanations for the "who, what, where, why, and how" of the results that emerged from the collected data, and this did serve as a means to "fill in the gaps" and provide the study with a more accurate picture of the reasons for the current results and conclusions. However, it appears to the State of Alabama that such contributing information has not (yet) been identified, discussed, and analyzed, nor was it included in the November 14, 2014 Progress Review Memo as well as the AI study at this point in the proceedings. As a result, the State of Alabama believes that such information should accompany the results, conclusions, and suggestions contained in subsequent versions of the AI.

Second, the State of Alabama believes that the study and the public forums' presentations did not appear to include much discussion of ADECA's "Impediments to Fair Housing Choice Survey" results that were contained in Slides #35 through #39 exhibited during the presentations, and that ADECA's "Community Needs Survey" results were left out of the

presentations entirely. The State of Alabama believes that a more thorough inclusion of these surveys' results would have helped to explain, and perhaps in some places counteract, the conclusions drawn from the statistical data obtained from HUD and other computer websites.

Third, the State of Alabama believes that much of the collected information – as it was presented in the presentations' slides – did not actually produce "measurable" impediments that could be validated from the data. For example, the State of Alabama believes that simply showing maps detailing where Alabama's citizens reside (by race, income/poverty level, public housing location, and housing choice voucher usage), or by providing graphs and/or maps of the locations of occupied and vacant housing units, mortgage lending and loan denial activity (by year, race, gender, and income level), and predatory loan recipients, when taken separately and altogether, do not tell a complete and accurate story of existing impediments to fair housing choice in Alabama. As a result, it appears to the State of Alabama that the results derived from the data presented thus far are actually inconclusive as to what are actual impediments to fair housing choice.

Fourth, the State of Alabama believes that the study has thus far not taken into consideration the banking and sound financial practices that must be followed by chartered lending institutions pursuant to federal and state banking requirements. Housing/mortgage loan applications approved or disapproved by such chartered lending institutions must be based on nondiscriminatory factors (such as the loan applicant's current income and savings, employment history, existing debt and debt ratio, credit score, assets and collateral, ability to pay a down-payment, and ability to repay the loan plus interest) as opposed to discriminatory factors (the loan applicant's race, color, religion, familial status, sex, disability, and/or national origin). However, the State of Alabama believes that such explanation has not been researched nor considered for inclusion thus far in the study; yet results and conclusions presented at the public forums indicated that such lending practices appear discriminatory purely based on the statistics alone, and do not include further explanations as to the true picture of home mortgage lending practices and results.

Fifth, several of the public forums' attendees offered the opinion that they believed the presentations were provided in a way that demonstrated a dismissive and/or an inconsiderate attitude toward the attendees and the comments that they offered during the discussion portion of the presentations. Additional comments focused on the appearance that the study was composed and written by an author (i) who had developed preconceived notions of what impediments to fair housing exist in Alabama, (ii) who had already made up his mind as to what data would be used to highlight and support those pre-conceived notions, and (iii) who had pre-determined what results and conclusions would be drawn from such data, all before the study was even begun. As such, the attendees believed that they were treated in a dismissive manner – that bordered on being inconsiderate and, at times, insulting – during the presentations, and that their comments were not seriously considered and fell on deaf ears.

Please note that it is the State of Alabama's overall desire that the above-stated comments – as well as the comments stated during the public forums – be included in the final draft of the State of Alabama's Analysis of Impediments to Fair Housing Choice. The State of Alabama believes that such added statements and explanations would enhance the study with detailed information that, if left out or otherwise excluded from the final version, could lead one to draw conclusions that might not be accurate concerning the matters presented therein."

MEMORANDUM FROM STATE: COMMENTARY ON DRAFT AI FOR INTERNAL REVIEW

Comment #1:

"**Impediment 1: More frequent denial of home purchase loans to black, Hispanic, and female householders.** This impediment was identified through review of data on home purchase loans gathered under the Home Mortgage Disclosure Act. According to these data, the average black loan applicant in the state's non-entitlement areas was almost twice as likely to be denied a home purchase loan as the average white loan applicant. Similarly, 30.7 percent of loan applications from female applicants were denied, compared to a denial rate of 22 percent for male applicants, and the denial rate for Hispanic applicants, 29.6 percent, exceeded that of non-Hispanic applicants by over six percentage points.

Action 1.1: Conduct outreach and education of prospective housing consumers on how to acquire and keep good credit.

Response to Impediment 1:

This particular set of data is inconclusive, at best. The mere fact that more of one race is denied home mortgages at a higher ratio, without taking into consideration the criteria used by the banking and mortgage lending elements to make such a determination, is useless. Unless specific mortgage acquisition data is available that can certify, confirm, and endorse that individuals of a specific race were denied a mortgage but had the following:

- *a satisfactory credit history,*
- *a satisfactory credit rating,*
- *a satisfactory debt-to-asset ratio,*
- *a total monthly income that exceeds the projected total monthly housing costs,*
- *a satisfactory employment history, and*
- *the loan or mortgage amount did not exceed the property value, then the assumption that "the denial for the mortgage was based on race alone" is totally invalid, and stating it as a fact in determining impediments to fair housing is incorrect and inappropriate."*

"**Impediment 3: Discriminatory terms, conditions, privileges, or facilities relating to rental.** This impediment was identified through review of fair housing complaints lodged with the U.S. Department of Housing and Urban Development (HUD), the 2014 Real Estate Professionals Focus Group, and cases lodged by the DOJ against state housing providers on behalf of Alabama residents. Fair housing complaints pertaining to perceived discrimination in the rental housing market were the most common type of complaint with respect to the discriminatory action alleged complaints; this was true for all complaints in general as well as those considered to have cause. In addition, participants in the rental focus group discussion perceived discrimination to be more pronounced in the rental market than in the real estate market. The relative prevalence of discrimination in the rental market was born out to some degree by DOJ cases filed in the state over the last decade, eleven of which concerned discrimination in the rental housing market (out of fifteen total).

Action 3.1: Conduct outreach and education for both housing providers and housing consumers on prospective actions that are in violation of fair housing law.

Response to Impediment 3:

First, there is no percentage generated relating to this supposed impediment that can confirm that this is actually an impediment as opposed to just a few isolated occurrences. While the reported statistical data purports to be from HUD, the 2014 Real Estate Professionals

Focus Group, and cases lodged by the DOJ against state housing providers on behalf of Alabama residents, the data fail to mention what percentage this purported impediment constitutes when compared to the overall number of rentals conducted throughout the state. Isolated occurrences making up less than 1% of the overall activity can hardly be considered an impediment for the 99% that are not affected by such an occurrence.

Second, this type of issue is currently already being addressed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) pursuant to the authority bestowed upon each of them."

"**Impediment 4: Discriminatory refusal to rent.** This impediment was also identified through review of fair housing complaints submitted to HUD and the 2014 Real Estate Professionals Focus Group. Approximately fifteen percent of complaints cited discriminatory refusal to rent, specifically; and as noted above, complaints alleging violations of fair housing laws in the state's rental markets more generally were relatively common. In addition, participants in the rental focus group discussion perceived discrimination to be more pronounced in the rental market than in the real estate market. Finally, as stated above, eleven out of fifteen DOJ cases against housing providers in Alabama concerned discrimination in rental housing.

Action 4.1: Conduct outreach and education for both housing providers and housing consumers on prospective actions that are in violation of fair housing law.

Response to Impediment 4:

First, 11 out of 15 complaints, compared to the 100's of thousands of rentals conducted throughout the state, make this supposed impediment to be less than a minuscule portion of the total rental activities in the state. This can hardly be considered an impediment; rather, it is an uncommon and infrequent occurrence that should be addressed.

Second, this type of discrimination is already being addressed by Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile) pursuant to the authority bestowed upon each of them. As such, discriminatory refusal to rent is less than ¼ of 1% of the total rental activities occurring throughout the state. In other words, 99.75% of the rental activity occurring in this state does not reflect any discrimination practices, and the instances where this does occur is rare and more uncommon rather than the 'norm'."

Comment #2:

This comment is going to sound awful, but I cannot believe that we paid for this [AI study]. It appears that all that ADECA can do is update the ADECA website with more information, and then try to engage Alabama's three fair housing centers - who are funded by HUD and who apparently need to do more. Other than that, the law prohibits interference by ADECA or the State of Alabama with lending practices, banking policies, etc. If HUD will agree to the recommendations, then good!

Comment #3:

"I find the Section VIII – Summary of Findings a little ridiculous. It appears that there are two organizations (the Center for Fair Housing, and the Central Alabama Fair Housing Center) and a third organization (the Fair Housing Center of Northern Alabama) that are being funded

to enforce fair housing. Then, HUD comes in and says that there is little evidence that ADECA is enforcing fair housing laws. What more can ADECA do to further "Fair Housing"? The funds used to pay for this study [the "Analysis of Impediments to Fair Housing Choice"] could have been more useful if they had been used to enforce those agencies to do their job."

Comment #4:

"I have received and reviewed the Summary of Findings and Impediments and Suggested Actions as presented to ADECA by Western Economic Services, LLC, relative to the State of Alabama's attempts to overcome impediments to fair housing within the State. After listening to the presentation by Mr. Rob Gaudin of Western Economic Services (WES), it became readily apparent that WES was going to rely heavily on statistical data from the Census and other sources to make the determinations on the state of affairs relative to enforcement and education of the fair housing laws in existence. While statistical data are helpful in a number of endeavors, that data can be totally useless in determining the actual reality of the fair housing situation in a given state. The use of these statistics reminded me of a class I took in graduate studies that was entitled "How To Lie With Statistics." While I do not question the validity of the statistics (for the most part), I do question utilizing them, exclusively, to paint the fair housing picture in Alabama.

After reviewing the "Summary of Findings and Impediments, and Suggested Actions" presented to ADECA by WES, I get the feeling that this document is a "cut and paste" document based on statistical analysis that WES was able to gather. While not attempting to discredit the integrity of WES, I believe that WES has mastered the art of analyzing statistical data to provide its so-called findings about the state of affairs relative to fair housing problems in any given state. I would be interested to see if WES's summary and suggested actions for other states mirror that for Alabama (i.e., "cut and paste" based on statistical analysis of so-called pertinent data).

More specifically, I offer the following:

(1) Impediment 1: *More frequent denial of home purchase loans to black, Hispanic and female householders*. I don't need statistical data to tell me that this is indeed the case, especially after the Dowd/Frank fiasco of "let's approve a home mortgage loan for anyone that had a pay stub," which led to the housing crash in the mid-2000's.

The fact is that, following the housing collapse, lending institutions have much stricter guidelines when it comes to home purchases; and, unfortunately, the lower income applicants for loans (i.e., blacks, Hispanics, and females) will have a higher denial rate than the more affluent populace. Incomes alone are not the only reason for denials, as this segment of the population usually exhibits less than stellar credit histories - which attributes to the denials. Perhaps a better solution would be to raise the minimum wage and/or create better paying jobs for this segment of the population, or subsidize home mortgages for lower income applicants. There is a reason that blacks, Hispanics, and females are denied at a greater rate, and that is the inability to pay off a mortgage given their current earning power.

IT IS NOT ADECA'S OR THE STATE OF ALABAMA'S RESPONSIBILITY TO TELL LENDING INSTITUITIONS HOW TO APPROVE OR NOT APPROVE HOME LOAN MORTGAGES. HOWEVER, CONGRESSIONAL ACTIONS COULD REDUCE DENIAL RATES BY EASING THE REQUIREMENTS FOR HOME MORTGAGE APPROVALS; BUT, THEN AGAIN, THAT'S WHAT THE DOWD/FRANK REGULATIONS ACHIEVED, WHICH LEAD TO MASSIVE FORECLOSURES.

(2) Impediment 2: *Predatory lending falls more heavily on blacks*. WES's data indicated that 25% of black borrowers were paying High Annual Percentage Rate Loans (HALs). When compared to 16.3% of whites paying HALs, and overall 17.3% of the populace paying HALs, this is not surprising. HALs loans are approved because of the risk involved in approving the loan

(i.e., greater risk of default).

UNTIL PREDATORY LOANS ARE ADDRESSED BY CONGRESSIONAL ACTIONS, THIS WILL REMAIN A COMMON OCCURRENCE. I DO NOT BELIEVE THAT THESE LOANS ARE BEING APPROVED BECAUSE OF RACE OR GENDER (WHICH WASN'T ADDRESSED), BUT SIMPLY BECAUSE OF THE INHERENT RISK OF POTENTIAL DEFAULT.

(3) Impediment 3: *Discrimination relating to rental property*. It is obvious that any discriminatory complaints would be filed by tenants rather than homeowners. WES indicated 15 complaints (11 of which involved rental housing - relative to discrimination in the rental housing market) were received over the last decade, which is negligible at best. This in itself indicates that this isn't a real problem.

(4) Impediment 4: *Discriminatory refusal to rent*. WES's own finding is that of the 15 discriminatory complaints received over that past decade, only 15% (or 2 complaints) involved a refusal to rent. Again, this finding is negligible at best, and does not constitute a problem.

(5) Impediment 5: *Failure to make reasonable accommodations*. Again, the data presented by WES involved 15 discriminatory complaints, and 40% of which (6 complaints) involved discrimination on the basis of disability with failure to make reasonable accommodation. Again, this is a negligible concern, given that only 6 complaints over a decade involved failure to make reasonable accommodations. In my opinion, if a tenant rents a property that does not have reasonable accommodations for his or her disability, it is unreasonable to file a complaint or expect the owner to make said accommodations upon taking habitation of the dwelling in question.

(6) Impediment 6: *Insufficient understanding of fair housing laws*. While I agree - in principal - that further education relative to fair housing law content is admirable and should be addressed to some extent, I believe that ADECA has done a good job in making fair housing concerns as well as the law available to all of its grantees who are funded annually through ADECA's administration of the CDBG program.

In closing, I believe that most of the citizens in Alabama are in favor of fair housing as well as the attempts made to treat every citizen equally in terms of home ownership and rental properties. As a grant consultant who has worked in numerous non-entitlement communities in Alabama since 1975, over the years I have seen a diversification of racial and ethnic populations taking up residence in neighborhoods that were traditionally "white" neighborhoods. The "incidents of denial rates for home ownership among blacks, Hispanics, and females being higher than that for higher income persons" is a problem that will be here forever, given the current lending practices and the fact that these persons generally have limited earning potential. THIS IS NOT A FAIR HOUSING PROBLEM, BUT IS A REALITY - ESPECIALLY IN LIGHT OF THE FIASCO ENCOUNTERED UNDER THE DOWD/FRANK LEGISLATION.

The presence of predatory loans is unfortunate; however, it has been common practice among lending institutions to charge higher annual interest rates based on the greater the risk of default. Again, this is NOT A FAIR HOUSING ISSUE; it is an issue that must be regulated by congressional legislation.

With respect to discrimination in rental housing, I find it appalling that WES indicates that this is a prevalent fair housing issue in Alabama by basing such conclusion on a "whopping" 15 such complaints having been filed over the span of a decade.

While the presentation given by Mr. Rob Gaudin of WES at the CDBG Compliance Workshop in Orange Beach, Alabama on November 13, 2014 was entertaining, it became obvious that WES was going to rely solely upon data and data interpretation to draft the "Summary and Suggested Actions" document for the state of fair housing affairs in Alabama. In my opinion, that document is useless; it is, at best, a "cut and paste" document using statistical data to

substantiate the findings contained therein.

The denial of home loan applications is a fact of society, and the fact that such loan denial rates are higher for certain segments of the population is not a FAIR HOUSING ISSUE but is, instead, a cold hard fact based on the income and credit histories of the home loan applicants, and only re-regulation of the home loan lending industry will solve this problem. However, we must be prepared for increased loan defaults (as evidenced by the housing fiasco prompted by the Dowd/Frank legislation), and unfortunately, said defaults will be highest among blacks, Hispanics, and females, which are groups who traditionally are among the lower-income populace in this country."

Comment #5:

While I believe that certain impediments listed in the "Summary of Findings and Recommendations" are completely out of the hands of ADECA, and that there is no possible way ADECA could enforce them, I do believe that the suggested actions by ADECA are appropriate and are reasonable. I believe that the Regional Councils of Governments as well as the individual grant consultants should be able to assist ADECA with improving the understanding "statewide" of Fair Housing - and what it constitutes - by also providing information and contacts on our websites. Furthermore, I believe that ADECA is being unfairly targeted as the responsible party for some of the noted impediments, when the responsible party should be the citizens themselves with regard to whether their situation is poor credit based on bad decisions they have made, or living beyond one's means, etc.. These are individual situations over which ADECA certainly has no control. But, again, I believe that ADECA appropriately addressed these issues in the proposed actions stated in the "Summary of Findings and Recommendations."

Comment #6:

While the State's "Analysis of Impediments to Fair Housing Choice" documents issues that have been identified and actions to be taken, all of the information presented on cases relate to **ONLY** 15 cases over the period of a decade. With this baseline in mind, while there are impediments identified and potential actions to be taken, it must be noted that overall, fair housing in Alabama is doing well - given an overall lack of resources at various levels (i.e., state, local, private, etc.).

One of the main impediments identified in the AI relates to actions taken by individuals (i.e., that result in a lack of credit worthiness that prevents them from obtaining loans to purchase housing or to successfully rent housing). This situation is very difficult for governmental entities to impact. How does the State or any local government cause citizens to make different decisions as to personal spending and budgetary decisions? Educational classes or resources are proposed in the AI, but implementation of these will only effect incremental changes - and to only a few individuals, and they most certainly will result in a low return on investment (i.e., thousands of dollars spent on classes and outreach will only change things for those persons who are willing to take the time and make the decisions necessary to build good credit). Perhaps a better use of funding - that otherwise might be wasted on general and ineffective outreach programs - would be to develop a funding/loan mechanism for poor-credit housing-seekers that would assist them to "get in the door" so to speak, and subsidize their living expenses as they learn to make better monetary decisions and build a good credit history. Such mechanism would provide more concrete assistance to those individuals who are willing to make the changes necessary to become credit-worthy. A mechanism that "assists" rather than "just tells participants what to do" would be more effective to eliminate

barriers for these persons.

Another issue with the AI relates to Impediment #7 that is identified as "inadequate enforcement" by ADECA. I strongly disagree that there has been inadequate enforcement by ADECA, and I also disagree with some of the recommended actions to be undertaken in response to this identified impediment. As an administrator of CDBG and other federal grants at the local level, I know ADECA's requirements that are related to fair housing, and as fair housing relates to the local governments implementing the CDBG grant projects. Without these CDBG grant projects, local governments (i.e., municipalities and counties) wouldn't do anything to further fair housing. With the award of a CDBG grant project, all of that changes due to ADECA's CDBG grant application and compliance requirements. First of all, local governments must post fair housing posters in public access areas of city facilities. Fair housing booklets containing information about fair housing as well as contact information at HUD for addressing any fair housing-related issues are made available in the main local government's office (i.e., city hall) and are available to anyone who wants such a booklet. Also, every local government who is a CDBG grant recipient passes a fair housing resolution or ordinance. Fair housing complaints for that local area are identified and reported to ADECA as part of the local government's documentation that accompanies every CDBG-funded project in that locality. Finally, ADECA enforces these actions by monitoring each CDBG-funded project for compliance, and by making a finding if these actions have not been taken by the affected local government.

Another issue with the AI relates to Action 6.2. (i.e., for ADECA to establish a procedure to receive fair housing complaints). I believe that this proposed action will "muddy the waters" and cause confusion. HUD has always handled these types of complaints. Per this proposed action, ADECA will now be required to "accept complaints," but will then not be the entity to follow up on those complaints that were received, and will just be able to give the complainant contact information. The complainant must then follow up with HUD. This proposal will just frustrate persons who need assistance, as they will tell their complaint to someone at ADECA and will basically be passed off to someone else because ADECA's personnel aren't the ones who are supposed to help them. HUD has always been the intended recipient of these complaints because HUD is the one who must provide follow-up. I believe that posting the contact information and the fair housing information is enough, and any involvement of ADECA personnel in following-up with the individual complainant adds an extra layer of governmental bureaucracy that really isn't in the best interests of the complainant and doesn't need to be there.

Finally, the biggest/major impediment to taking these proposed actions is not even mentioned in the AI, and that impediment is a lack of capacity at the local level. This lack of capacity relates to a lack of qualified personnel, educational resources, and a lack of funding/financial resources. Many rural municipalities in Alabama utilize part-time or non-professional personnel for their administration work. These persons are at their limit managing all of the issues that small towns must face. Adding additional activities that are beyond what is already in place will unduly burden these municipalities. Should the state determine to fund some kind of outreach statewide, then local officials should be asked to participate in - but not by themselves implement - these activities. The outreach should be handled by a team who comes on-site and handles everything, with the cooperation and appreciation of the local officials. Otherwise, there will be no cohesive or effective implementation of the activities, as local capacity varies widely across the state.

Comment #7:

I have read the draft analysis to impediments and believe that the consultant's analysis is fair and justified.

Comment #8:

Upon attending the CDBG workshop held in Orange Beach on November 13, 2014, I listened to the presentation by Mr. Gaudin concerning Alabama's Analysis of Impediments to Fair Housing Choice. Mr. Gaudin's presentation had several charts pointing to areas where it appeared people were concentrated due to their ethnicity, suggesting that there was a lack of housing choice. However, in most instances, it seemed the people concentrated where jobs were available, and sometimes cultural preferences outrank an individual's desire to locate in an area that is unfamiliar to them and that could be uncomfortable. If, however, there is active restriction of people having the ability to make a choice as to where they can live, and if local officials of those communities are made aware of this, then yes, that presents a problem and needs correcting. But, if there are no complaints, how can the state or any community be held accountable for what is not known? Perhaps if more specific instances of fair housing denial as it relates to different geographic areas were given/presented, then a plan could be implemented to correct this situation. I think more specific data is needed as to each community, and not as to a statewide assumption of wrong-doing. I believe that instead of showing a lot of charts and percentages across the state, more specific information relating to each community is needed so as to develop and implement a plan of action to correct any complaints.

Comment #9:

Having attended both Orange Beach public forum sessions and two of the related webinars on behalf of our State Planning District, we have the following observations:

1. The "program" appears to be trying to design a "one size fits all" analysis, based only on general (and very limited) state/federal reporting and statistical analysis – without consideration of actual in-practice actions at the local level. For example, there is the assumption that an above-average rate of declined loan applications in a particular area is symptomatic of a problem that needs a local official's action for remediation when, in fact, it may be a lending/credit and income issue based on the bank and mortgage policies.
2. There has been little consideration made of the relationship between the resources of small rural municipalities and their ability/priority (responsibility?) to address housing issues, where the significant portion of "documented abuse" could theoretically lie with the formal system's ability to process complaints, and accurately report the issues involved in those complaints.
3. Point of contact/source initiation responsibility is certainly an issue - where the state could provide aid to local governments by increasing aide to provide referral assistance (and awareness thereof) in maximizing housing opportunity. A study of how that process works now, and how to best assist the local governments to get housing issues into the already-established federal system, would appear to be more in line with addressing the issue.

Comment #10:

I drew two basic conclusions from the public forum on the Analysis of Impediments to Fair Housing Choice that was presented by Mr. Robert Gaudin in Orange Beach, Alabama on November 13, 2014:

First, Mr. Gaudin sincerely believes that there is rampant housing discrimination within

the State of Alabama, and for that matter, throughout the United States of America. Through his imagination and creative rationalization, Mr. Gaudin interprets any data presented to him - regardless of its content - in such a way as to reinforce his belief system. Simply put, you can't discover the truth about anything if you are convinced that you already know the truth and if you already have "unchangeable" preconceptions. Mr. Gaudin's problem became evident to the participants in the public forum as he responded to their numerous comments and suggestions.

Second, the federal government of the United States, and more specifically the Department of Justice and the Department of Housing and Urban Development, have done a pathetically poor job of educating consumers and service providers of the laws relating to fair housing practices and housing discrimination. Furthermore, instead of improving their programs via a systematic, unified, national program that is designed to address these problems in an efficient way, these federal agencies are trying to force fifty separate and independent state governments to do the federal government's job through very limited state government resources. Nationally-coordinated education of fair housing laws is the only effective, efficient, and quick method for further reducing the limited housing discrimination that still occurs in the U.S.

Comment #11:

I attended both the public forum and the CDBG workshop presentation at the CDBG Compliance Workshop conducted in Orange Beach, Alabama on November 13-14, 2014. My conclusions from these two meetings are:

1. All statistical data presented were taken from the 2010 Census and its derivatives.
2. The presenter (Mr. Gaudin) added caveats based on his "experience."
3. No grassroots interviews of the population had been or were planned to be conducted.

My comments are:

1. While the Census data can be helpful, it is rarely accurate for such specific topics as the AI. For instance, due to privacy issues, data is not available at low-enough levels to determine responses in situations such as a public housing development.
2. When the data were too broad, such as the above example, the presenter (Mr. Gaudin) added his own perceptions/experience, such as "there were probably more people dissatisfied but they did not know where to take their complaints." No amount of "experience" is credible without local documentation, which brings me to my third comment.
3. All of us who work with CDBG grant applications know that rarely do those responses that we receive to income verification questions match the Census data. Consequently, we must verify income "on the ground" to present the most viable CDBG project that we can in our grant application. Without this type of grassroots verification of income, the presenter (Mr. Gaudin) has NOT presented a viable conclusion to the AI study for the State of Alabama.

Comment #12:

I do not agree with Impediment #1 and Impediment #2 due to the lack of more details as to why the individuals were denied housing loans. Also, ADECA cannot tell banks to whom the banks should loan money. The bottom line is that people need to educate themselves on the qualifications for which the banks are looking in order for them to receive a loan from the bank. Banks are not going to make loans to those who cannot repay the loans.

I believe that the number of housing discrimination complaints/cases that were filed

over a 10 year period does not show the existence of a housing discrimination problem.

I believe that more training is a great idea; but realistically, how many people will actually take advantage of such training? ADECA can post more information on its website and on the State's fair housing poster; however, I believe that people will still not use that information.

Comment #13:

Our office (the Central Alabama Regional Planning and Development Commission) has reviewed the summary of findings, and would like to offer the following comments.

It seems that the document/information reported does not take into consideration new federal laws restricting banks and their lending practices. In addition, the downturn in the economy plays a major role in loan denials as well as applicants being able to come up with the necessary down payment required for a loan. Personal responsibility and individual circumstances are left out of the analysis.

In addition, based on the fact that the State has 3 fair housing centers who currently receive HUD funds to conduct such activities as recommended, it would appear that additional funding to provide additional audit testing or similar activities would be a challenge. Including real estate professionals in more fair housing training seems to be a good way to get the public sector more involved in the dissemination of fair housing information.

Overall, our office believes that ADECA is doing a good job of informing local governments - and involving state agencies – as to the requirements associated with fair housing and furthering equality. It is our opinion that the Analysis of Impediments and its overall findings might be somewhat driven by statistical information that does not include how the stock market and the current economy are affecting the housing market, and more particularly how the banks and their lending practices are being affected.

We appreciate ADECA's efforts and commend ADECA in its presentation of fair housing issues and components associated with fair housing law at the workshops attended thus far by our office personnel. Thank you for allowing us this opportunity to comment on this AI process.

Comment #14:

The South Central Alabama Development Commission has no comments regarding the Analysis of Impediments to Fair Housing Choice presentation by Mr. Gaudin.

Comment #15:

The Alabama Tombigbee Regional Commission has the following comments:

1. The demographic numbers appear to be correct throughout the Draft AI, and the assumptions that the denial of home purchase loans to black, Hispanic, and female applicants/householders corresponds to the percentages within the ten county area of the Black Belt.

2. With regard to predatory lending falling on the black population, the State answered that concern through education, but a published list of predatory lenders might lead to lawsuits until laws are in place that can be enforced.

3. ADECA presently carries out the duties suggested in the report to assist in enforcement of the State of Alabama's Fair Housing Law.

4. In the public forums that were conducted in Orange Beach, Alabama on November 13, 2014, the consultant (Mr. Gaudin) seemed eager/anxious to get his questions/concerns out to the audience, but he was not as receptive in the receipt of answers provided from the forums'

attendees.

Comment #16:

It is a concern that statistical data obtained from HUD, the Census, and the American Community Survey were used by WES almost exclusively to arrive at the results and conclusions stated in the Draft AI. ADECA conducted numerous activities to obtain the public's involvement, and that was achieved through public participation in (i) ADECA's "Community Needs Survey" (that involved 429 respondents) and "Fair Housing Choice Survey" (that involved 332 respondents) conducted during June and July 2014, the results for both of which were provided to WES; (ii) Regional Planning Commission Outreach Committee webinars and Public Housing Authority Outreach Committee webinars conducted by WES on a monthly basis from September through December 2014, (iii) real estate sales professionals, real estate rentals professionals, and local government planning and zoning personnel focus group webinars conducted by WES in October 2014, and (iv) public forums conducted by WES in Orange Beach, Alabama in November 2014. All of these were arranged through efforts made by WES and ADECA with Alabama's regional planning commissions/councils of local governments, its public housing authorities and the public housing authority directors association, its state banking agency and the local lending institutions affiliated therewith, its real estate professionals, local non-profit groups operating throughout Alabama (including homeless assistance agencies, the Salvation Army, the Boys and Girls Club, and charitable organizations), the Alabama League of Municipalities, the Alabama Association of County Commissions, etc. Although WES was in possession of this public input/information, WES did not include in the body of the Draft AI any of those public comments offered from these entities, nor did WES utilize said comments as explanatory information that would have more accurately identified, fully explained, and perhaps even mitigated those "impediments" to fair housing choice that statistical data alone indicate exist within Alabama's non-entitlement areas. The results and conclusions stated in the Draft AI should be considered as inconclusive, as said results and conclusions are based solely upon analysis of statistical data without the inclusion of any analysis of the accompanying explanatory information that was offered through public comments.

WES's recommended actions contained in the Draft AI (for example, conducting outreach and education for both housing providers and housing consumers on prospective actions that are in violation of fair housing law) can be considered as best practices that ADECA can adopt and implement by coordinating/making attempts to coordinate such activities with Alabama's three fair housing centers (the Fair Housing Center of Northern Alabama in Birmingham, the Central Alabama Fair Housing Center in Montgomery, and the Center for Fair Housing in Mobile). ADECA can engage in outreach with those centers to jointly produce local seminars that provide educational opportunities wherein ADECA can present fair housing information. ADECA can particularly highlight these outreach activities during the month of April, which is designated by the Governor as "Fair Housing Month" in Alabama.

Comment #17:

On page 19 of the Draft AI, in the second paragraph, Mr. Gaudin states that any Census tract in which the black population accounted for more than 29 percent of the population in 2000 is said to hold a disproportionate share of black residents. With this statement, in essence what Mr. Gaudin is suggesting is that any city, county, census tract, or neighborhood with a black population of 29 percent or more is problematic even if "by some magic wand" this population could be made to perfectly disburse within each geographic area (i.e., 3.5 white households followed with a black household on every street and in every

neighborhood). Using Mr. Gaudin's own argument, this would be a perfect metaphor for a totally integrated society, yet through geographic maps and by the wording in that second paragraph, Mr. Gaudin is portraying this phenomena as wrong and problematic. If Mr. Gaudin had taken the trouble to conduct research for the years that reach further back than the year 2000, he would have discovered how far Alabama and its individual communities have come toward achieving de-concentration of its racial populations. In "historically black" populated counties that include Perry, Sumter, and Wilcox Counties, the actual numbers of black residents residing in those counties between 1990 and 2010 have declined. This population decline is dramatic when compared to Alabama's statewide black population during this 1990-2010 time period, when the black population increased from 1,020,705 residents in 1990 to 1,251,311 residents in 2010. As any elementary-level school math would suggest, when blacks moved from locations with heavier concentrations of black populations to other areas, these "other areas" as pictured on the Draft AI's map appear as concentrations, although the reason for this population movement might well be for employment opportunities in these "other areas." Common sense would suggest this phenomenon to be "upward mobility," yet the Draft AI portrays this phenomenon to be a fair housing problem. It is clear that Mr. Gaudin's intention in writing the Draft AI this way is not to conduct an analysis but, instead, is to prove the existence of a problem, even if that means using a faulty methodology to do so. Now, the question is "why does Mr. Gaudin do that?" The answer may lie in the fact that it is easy to write an AI this way; and probably, this is what HUD's Fair Housing Office wants to see in an AI.

COMMUNICATIONS FROM ADECA REPRESENTATIVE TO CONSULTANT:

EMAIL: DECEMBER 18, 2014 FROM ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

From: Rasmussen, Kathleen [mailto:Kathleen.Rasmussen@adeca.alabama.gov]
Sent: Thursday, December 18, 2014 12:48 PM
To: Rob Gaudin
Cc: Olia, Shabbir
Subject: Attendee/commenter on 12/5/2014 Public Housing Authorities Outreach Committee webinar

Hi Rob:

If I remember correctly, one of the attendees/commenters on this afternoon's PHA Outreach Committee webinar was a gentleman by the name of Mr. Michael Lundy. From what I know of Mr. Lundy, he is the Executive Director/CEO of the Huntsville Housing Authority in Huntsville, Alabama. Huntsville is an entitlement community, and therefore is not included as one of Alabama's non-entitlement communities. So, I am understanding Mr. Lundy's comments on this afternoon's call as being offered from one who is not included in Alabama's non-entitlement communities that are included in the Analysis of Impediments to Fair Housing Choice that you are drafting for ADECA.
Kathleen

EMAIL: DECEMBER 19, 2014 FROM GEORGIANA HOUSING AUTHORITY

From: Georgiana Housing Authority [mailto:gahouse01@centurytel.net]
Sent: Friday, December 19, 2014 2:04 PM
To: Rob Gaudin
Subject: Webinar

Mr. Gaudin,

I have really enjoyed the webinars. The information given has been interesting and enlightening. I apologize for having to leave during the webinar yesterday.

Susan Houston
Georgiana Housing Authority

F. Text of the Alabama Fair Housing Law

Section 24-8-1

Short title.

This chapter shall be known and may be cited as the "Alabama Fair Housing Law."

(Acts 1991, No. 91-659, p. 1248, §1.)

Section 24-8-2

Policy of state.

Within constitutional limitations, it is the policy of this state to provide for fair housing throughout the state.

(Acts 1991, No. 91-659, p. 1248, §2.)

Section 24-8-3

Definitions.

The following words and phrases used in this chapter shall have the following respective meanings:

(1) ADECA. The Alabama Department of Economic and Community Affairs.

(2) COVERED MULTIFAMILY DWELLINGS:

a. Buildings consisting of four or more units if the buildings have one or more elevators; and

b. Ground floor units in other buildings consisting of four or more units.

(3) DISCRIMINATORY HOUSING PRACTICE. An act that is unlawful under this chapter.

(4) DWELLING. Any building or structure, or portion of any building or structure, which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location on it of any such building or structure, or portion of it.

(5) FAMILIAL STATUS. a. One or more individuals who have not attained the age of 18 years and are domiciled with:

1. A parent or another person having legal custody of the individual; or

2. The designee of the parent or other person having the custody, with the written permission of parent or other person.

b. The protections afforded against discrimination on the basis of familial status apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

(6) HANDICAP. With respect to a person:

a. A physical or mental impairment which substantially limits one or more of the person's major life activities;

b. A record of having such an impairment; or

c. Being regarded as having an impairment. The term "handicap" excludes current, illegal use of or addiction to a controlled substance as defined by law.

(7) HOUSING FOR OLDER PERSONS. Housing:

a. Provided under any state or federal program that the Attorney General determines is designed specifically and operated to assist elderly persons, as defined in the state or federal program; or

b. Intended for, and solely occupied by persons 62 years of age or older; or

c. Intended and operated for occupancy by at least one person 55 years of age or older for each unit. In determining whether housing qualifies as housing intended and operated for occupancy by at least one person 55 years of age or older, ADECA shall develop regulations which require at least the following factors:

1. The existence of significant facilities and services specifically designed to meet the physical or social needs of older persons, or if the provision of the facilities and services is not practicable, that the housing is necessary to provide important housing opportunities for older persons;

2. That at least 80 percent of the dwellings are occupied by at least one person 55 years of age or older for each unit; and

3. The publication of and adherence to policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older.

d. Housing does not fail to meet the requirements for housing for older persons by reason of:

1. Persons residing in this housing as of September 13, 1988, who do not meet the requirements of paragraph b. or c.; or

2. Unoccupied units, provided that these units are reserved for occupancy by persons who meet the new requirements of paragraph b. or c.

(8) OFFICE. Office of ADECA.

(9) PERSON. One or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

(10) TO RENT. To lease, to sublease, to let, and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

(Acts 1991, No. 91-659, p. 1248, §3; Acts 1995, No. 95-676, p. 1472, §1.)

Section 24-8-4

Unlawful discriminatory housing practices.

It shall be unlawful:

(1) To refuse to sell or rent after the making of a bona fide offer, to refuse to negotiate for the sale or rental of, or otherwise to make unavailable or deny a dwelling to any person because of race, color, religion, sex, familial status, or national origin;

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with it, because of race, color, religion, sex, familial status, or national origin;

(3) To make, print or publish, or cause to be made, printed, or published, any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin or an intention to make the preference, limitation, or discrimination;

(4) To represent to any person because of race, color, religion, sex, handicap, familial status, or national origin that any dwelling is not available to inspection, sale or rental when the dwelling is available;

(5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status, or national origin;

(6) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of:

a. That buyer or renter;

b. A person residing in or intending to reside in that dwelling after it is sold, rented, or made available; or

c. Any person associated with that buyer or renter;

(7) To discriminate against a person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with the dwelling, because of a handicap of:

a. That person;

b. A person residing in or intending to reside in that dwelling after it is sold, rented, or made available; or

c. Any person associated with that person.

(Acts 1991, No. 91-659, p. 1248, §4.)

Section 24-8-5

Discrimination in services, organizations, or facilities relating to business of selling or renting dwellings.

It shall be unlawful to deny any person access to, or membership or participation in, any multiple listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings or to discriminate against him or her in the terms or conditions of the access, membership, or participation on account of race, color, religion, sex, handicap, familial status, or national origin.

(Acts 1991, No. 91-659, p. 1248, §5; Acts 1995, No. 95-676, p. 1472, §1.)

Section 24-8-6

Discrimination in residential real estate related transactions.

(a) It shall be unlawful for any person or other entity whose business includes engaging in residential real estate related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of the transaction, because of race, color, religion, sex, handicap, familial status, or national origin.

(b) As used in this section, "residential real estate related transaction" means any of the following:

(1) The making or purchasing of loans or providing other financial assistance:

a. For purchasing, constructing, improving, repairing, or maintaining a dwelling; or

b. Secured by residential real estate; or

(2) The selling, brokering, or appraising of residential real property.

(c) Nothing in this chapter prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, handicap, or familial status.

(Acts 1991, No. 91-659, p. 1248, §6.)

Section 24-8-7

Exemptions.

(a) Except for subdivision (3) of Section 24-8-4, Sections 24-8-4 and 24-8-6 do not apply to rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of the living quarters as his or her residence.

(b) Sections 24-8-4 and 24-8-6 do not apply to any single-family house sold or rented by an owner when:

(1) The private individual owner does not own more than three single-family houses at any one time; and

(2) In the sale of any single-family house by a private individual owner not residing in the house at the time of the sale or who was not the most recent resident of the house before the sale, the exemption granted by this subsection shall apply only with respect to one sale within a 24-month period; and

(3) A bona fide private individual owner does not own an interest in, nor is there owned or reserved on the owner's behalf, under any express or voluntary agreement, title to or a right to all or a portion of the proceeds from the sale or rental of more than three single-family houses at any one time.

(c) After August 8, 1991, the sale or rental of a single-family house is excepted from the application of this subsection only if the house is sold or rented without both of the following:

(1) The use in any manner of the sales or rental facilities or the sales or rental services of a real estate broker, agent, or salesperson, or of the facilities or services of a person in the business of selling or renting dwellings, or of an employee or agent of a broker, agent, salesperson, or person.

(2) The publication, posting, or mailing, after notice, of an advertisement or written notice in violation of this chapter. Nothing in this subsection prohibits the use of attorneys, escrow agents, abstractors, title companies, and other professional assistance as necessary to perfect or transfer this title.

(d) For the purposes of this section, a person is considered to be in the business of selling or renting dwellings under any of the following circumstances:

(1) The person has, within the preceding 12 months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest in it.

(2) The person has, within the preceding 12 months, participated as agent, other than in the sale of his or her personal residence, in providing sales or rental facilities or services in two or more transactions involving the sale or rental of any dwelling or any interest in it.

(3) The person is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

(e) This chapter shall not prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental, or occupancy of any dwelling which it owns or operates for other than a commercial purpose to persons of the same religion or from giving preference to those persons, unless membership in the religion is restricted because of race, color, or national origin. This chapter shall not prohibit a private club not in fact open to the public, which as an incident to its primary purpose provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of the lodgings to its members or from giving preference to its members.

(f) This chapter shall not prohibit conduct against a person because the person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance as defined by law.

(g) For purposes of subdivision (6) of Section 24-8-4, the term "discrimination" includes any of the following conduct:

(1) A refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by the person if the modifications are necessary to afford that person full enjoyment of the premises, except that in the case of a rental, the landlord, where it is reasonable to do so, may condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.

(2) A refusal to make reasonable accommodations in rules, policies, practices, or services when accommodations may be necessary to afford the person equal opportunity to use and enjoy a dwelling.

(3) In connection with the design and construction of covered multifamily dwellings for first occupancy after the date that is 30 months after the date of enactment of the Fair Housing Amendments Act of 1988, a failure to design and construct those dwellings in such a manner that:

a. The public use and common use portions of the dwelling are readily accessible to and usable by handicapped persons;

b. The dwelling has at least one building entrance on an accessible route unless it is impracticable to do so because of the terrain or unusual characteristics of the site;

c. All the doors designed to allow passage into and within all premises within the dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

d. All premises within these dwellings contain the following features of adaptive design:

1. An accessible route into and through the dwelling;

2. Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;

3. Reinforcements in the bathroom walls to allow later installation of grab bars; and

4. Usable kitchens and bathrooms that an individual in a wheelchair can maneuver about the space.

(h) Compliance with the appropriate requirements of the American National Standard for Buildings and Facilities Providing Accessibility and Usability for Physically Handicapped People (commonly cited as "ANSI A117.1") suffices to satisfy the requirements of subsection (g)(3)d.

(1) If a unit of local government has incorporated into its laws the requirements in subsection (g)(3), compliance with these laws is considered to satisfy the requirements.

(2) A unit of local government may review and approve newly constructed covered multifamily dwellings for the purpose of making determinations as to whether the design and construction requirements of subsection (g)(3) are met.

(3) The office shall encourage, but may not require, units of local government to include in their existing procedures for the review and approval of newly constructed covered multifamily dwellings, determinations as to whether the design and construction of these dwellings are consistent with subsection (g)(3), and shall provide technical assistance to units of local government and other persons to implement the requirements of subsection (g)(3).

(4) Nothing in this chapter shall be construed to require the office to review or approve the plans, designs, or construction of all covered multifamily dwellings, to determine whether the design and construction of these dwellings are consistent with the requirements of subsection (g)(3).

(i)(1) Nothing in subsection (h) shall be construed to affect the authority and responsibility of the Attorney General to receive and process complaints or otherwise engage in enforcement activities under this chapter.

(2) Determinations by the unit of local government under subsection (h) are not conclusive in enforcement proceedings under this chapter.

(j) Nothing in this chapter shall be construed to invalidate or limit any rule, regulation, resolution, or ordinance of a political subdivision of the state that requires dwellings to be designed and constructed in a manner that affords handicapped persons greater access than is required by this chapter.

(k) Nothing in this chapter with respect to discrimination based on handicap requires that a dwelling be made available to an individual whose occupancy would constitute a direct threat to the health or safety of other individuals or whose occupancy would result in substantial physical damage to the property of others.

(l) Nothing in this chapter limits the applicability of any reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling. Owners and managers of dwellings may develop and implement reasonable occupancy and safety standards based on factors such as the number and size of sleeping areas or bedrooms and the overall size of a dwelling unit so long as the standards do not violate local, state, or federal restrictions. The provisions in this chapter regarding familial status shall not apply to housing for older persons. This chapter shall not prohibit the lease application or similar document from requiring information concerning the number, age, sex, and familial relationship of the applicants and the dwellings' intended occupants. The owner or manager may consider these factors in

determining payment of utilities. The application also may require disclosure by the applicant of the conviction of any intended occupant for violating any laws pertaining to the illegal manufacture or distribution of a controlled substance as defined in Title 22.

(m) Section 24-8-4 with respect to discrimination based on sex does not apply to the rental or leasing of dwellings in a single-sex dormitory property.

(Acts 1991, No. 91-659, p. 1248, §7; Acts 1995, No. 95-676, p. 1472, §1; Acts 1996, No. 96-261, p. 307, §1.)

Section 24-8-8

Interference with person in exercise of right granted under chapter.

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the enjoyment of, exercise of, or the aid or encouragement of any other person in the exercise of any right granted under this chapter.

(Acts 1991, No. 91-659, p. 1248, §8; Acts 1995, No. 95-676, p. 1472, §1.)

Section 24-8-9

Office to administer provisions and may delegate functions, duties, powers to employees.

(a) The office shall administer the provisions of this chapter.

(b) The office may delegate any of its functions, duties, and powers to its employees including functions, duties, and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting, or otherwise acting as to any work, business, or matter under this chapter.

(Acts 1991, No. 91-659, p. 1248, §9.)

Section 24-8-10

Powers of office.

The office may do any of the following:

(1) Promulgate regulations necessary for the enforcement of this chapter which shall not exceed the requirements of the 1988 Fair Housing Amendments Act (Pub. L. No. 100-430) and any subsequent amendments to it.

(2) Make studies with respect to the nature and extent of discriminatory housing practices in representative urban, suburban, and rural communities throughout the state.

(3) Publish and disseminate reports, recommendations, and information derived from the studies.

(4) Cooperate with and render technical assistance to public or private agencies, organizations, and institutions within the state which are formulating or carrying on programs to prevent or eliminate discriminatory housing practices.

(5) Cooperate with the United States Department of Housing and Urban Development to achieve the purposes of that department and cooperate with other federal, state, and local agencies and departments.

(6) Accept reimbursement for services rendered to the United States Department of Housing and Urban Development.

(7) Accept gifts or bequests, grants, or other donations, public or private.

(8) Institute proceedings in a court of competent jurisdiction, for cause shown, to seek appropriate temporary or preliminary injunctive relief pending final administrative disposition of a complaint.

(9) Contract with persons and organizations to perform services as it may consider reasonably necessary to effectuate the purposes of this chapter and to accept reimbursement for services rendered pursuant to the contract. However, the office shall not delegate its decision making authority to a nongovernmental agency. This decision making authority includes acceptance of complaints, approval of conciliation agreements, dismissal of complaints, final disposition of complaints, or other enforcement powers granted by this chapter.

(10) Make contractual agreements within the scope and authority of this chapter with any agency of the federal government. An agreement with the Department of Housing and Urban Development may include provisions under which the office shall refrain from processing a charge in this state in any class specified in the agreement.

(11) Affirmatively administer the programs and activities to further the policies of this chapter.

(Acts 1991, No. 91-659, p. 1248, §10; Acts 1995, No. 95-676, p. 1472, §1.)

Section 24-8-11

Procedures for investigation; subpoenas.

(a) In conducting an investigation, the office shall have access at all reasonable times to premises, records, documents, individuals, and other evidence or possible sources of evidence and may examine, record, and copy the materials and take and record the testimony or statements of persons as are reasonably necessary for the furtherance of the investigation, provided the office first complies with the constitutional provisions relating to unreasonable searches and seizures. The office may issue subpoenas to compel its access to or the production of the materials or the appearance of the persons and may issue interrogatories to a respondent, to the same extent and subject to the same limitations as would apply if the subpoenas or interrogatories were issued or served in aid of a civil action in court. The office may administer oaths. Any examination, recording, copying of materials, and the taking and recording of testimony or statements of persons as reasonably are necessary for the furtherance of the investigation must be solely related to the complaint for which the subpoena was issued.

(b) Upon written application to the office, a respondent is entitled to the issuance of a reasonable number of subpoenas by and in the name of the office to the same extent and subject to the same limitations as subpoenas issued by the office itself. A subpoena issued at the request of a respondent shall show on its face the name and address of the respondent and shall state that it was issued at his request.

(c) Within five days after service of a subpoena upon any person, the person may petition the office to revoke or modify the subpoena. The office shall grant the petition if it finds that the subpoena requires appearance or attendance at an unreasonable time or place, that it requires production of evidence which does not relate to any matter under investigation, that it does not describe with sufficient particularity the evidence to be produced, or that compliance would be unduly onerous or for other good reason.

(d) In case of refusal to obey a subpoena, the office or the person at whose request the subpoena was issued may petition for its enforcement in the circuit court for the county in which the person to whom the subpoena was addressed resides, was served, or transacts business.

(e) Witnesses summoned by a subpoena under this chapter are entitled to the same witness and mileage fees as witnesses in proceedings in court. Fees payable to a witness summoned by a subpoena issued at the request of a party must be paid by that party or, where a party is unable to pay the fees, by the office.

(Acts 1991, No. 91-659, p. 1248, §11.)

Section 24-8-12

Filing of complaint; investigation and notice; resolution by informal methods; filing of answer; local fair housing law; conciliation agreement; completion of investigation; final administrative disposition; burden of proof; termination of efforts to obtain voluntary compliance.

(a) A person who claims to have been injured by a discriminatory housing practice, or who believes that he or she may be injured by a discriminatory housing practice that is about to occur, may file a complaint with the office. Complaints shall be in writing and shall contain information and be in a form required by the office. Upon receipt of a complaint, the office shall serve notice upon the aggrieved person of the time limits and choices of forums provided under this chapter and shall furnish a copy of the complaint to the person who allegedly committed the discriminatory housing practice or is about to commit the alleged discriminatory housing practice and serve notice of the procedural rights and obligations under the law. Within 30 days after receiving a complaint, or within 30 days after the expiration of any period of reference under subsection (c), the office shall investigate the complaint and give notice in writing to the person aggrieved whether it intends to resolve it. If the office decides to resolve the complaint, it shall proceed to try to eliminate or correct the alleged discriminatory housing practice by informal methods of conference, conciliation, and persuasion. If practicable, conciliation meetings must be held in the cities or other localities where the discriminatory housing practices allegedly occurred. Nothing said or done in the course of the informal endeavors may be made public or used as evidence in a subsequent proceeding under this chapter without the written consent of the persons concerned. An employee of the office who makes public any information in violation of this provision is guilty of a misdemeanor punishable by a fine of not more than two hundred dollars ($200), or imprisoned for not more than 30 days.

(b) A complaint under subsection (a) must be filed within 180 days after the alleged discriminatory housing practice occurred. The complaint must be in writing and shall state the facts upon which the allegations of a discriminatory housing practice are based. A complaint may be reasonably and fairly amended at any time. A respondent may file an answer to the complaint against him or her, not later than 10 days after receipt of notice, and may be amended reasonably and fairly by the respondent at any time. Both complaint and answer must be verified.

(c) Wherever a local fair housing law has been certified by the Department of Housing and Urban Development as substantially equivalent, the office shall notify the appropriate local agency of any complaint filed under this chapter which appears to constitute a violation of the local fair housing law, and the office shall take no further action with respect to the complaint if the local law enforcement official, within 30 days from the date the alleged offense was brought to his or her attention, has commenced proceedings in the matter. In no event may the office take further action unless it certifies that in its judgment, under the circumstances of the particular case, the protection of the rights of the parties or the interest of justice require the action. Complaints referred to the office by the Department of Housing and Urban Development may not be referred by the office to a local agency.

(d) Any conciliation agreement arising out of conciliation efforts by the office must be an agreement between the respondent and the complainant and is subject to the approval of the office. Each conciliation agreement must be made public unless the complainant and respondent otherwise agree and the office determines that disclosure is not required to further the purposes of this chapter.

(e) The investigation must be completed in no more than 100 days after receipt of the complaint. If the office is unable to complete the investigation within 100 days, it shall notify the complainant and respondent in writing of the reasons for not doing so.

(f) The office shall make final administrative disposition of a complaint within one year of the date of receipt of a complaint unless it is impractical to do so. If the office is unable to do so, it shall notify the complainant and respondent, in writing, of the reasons for not doing so.

(g) In any proceeding brought pursuant to this section, the burden of proof is on the complainant.

(h) Whenever an action filed by an individual in court pursuant to this section or Section 24-8-14 comes to trial, the office shall terminate all efforts to obtain voluntary compliance.

(Acts 1991, No. 91-659, p. 1248, §12; Acts 1995, No. 95-676, p. 1472, §1.)

Section 24-8-13

Recommendation for hearing by investigator; order for hearing; parties' right to take civil action; amendment of complaint; subpoenas; refusal to allow discovery; hearing; panel opinion and order; review.

(a) If not sooner resolved, the investigator, upon completion of his investigation, shall submit to ADECA a statement of the facts disclosed by his investigation and recommend either that the complaint be dismissed or that a panel of office members be designated to hear the complaint. ADECA, after review of the case file and the statement and recommendation of the investigator, shall issue an order either of dismissal or for a hearing, which is not subject to judicial or other further review.

(b) If the order is for dismissal, ADECA shall mail a copy of the order to the complainant and the respondent at their last known addresses. The complainant may bring an action against the respondent in circuit court within 90 days of the date of the dismissal or within one year from the date of the violation alleged, whichever occurs later, to enforce the rights granted or protected by this chapter and to seek relief as provided for in Section 24-8-14.

(c)(1) If the order is for a hearing, ADECA shall attach to it a notice and a copy of the complaint and require the respondent to answer the complaint at a hearing at a time and place specified in the notice and shall serve upon the respondent a copy of the order, the complaint, and the notice.

(2) Either party may elect to have the claims asserted in the complaint decided in a civil action. ADECA notice must be sent to all parties and inform them of their right to take civil action. An election must be made within 20 days after receipt of the notice. A party making this election shall notify ADECA and all other parties. If an election is made for a civil action, ADECA shall, within 30 days from the date of election, commence and maintain a civil action pursuant to Section 24-8-14 on behalf of the aggrieved person.

(d) At any time before a hearing, a complaint may be amended by ADECA upon the request of the investigator or of the complainant or of the respondent. Complaints may be amended during a hearing only upon a majority vote of the panel of office members for the hearing.

(e) Upon request by any party, ADECA shall issue appropriate subpoenas or subpoenas duces tecum to any witnesses or other custodians of documents desired to be present at the hearing, or at prehearing depositions, unless ADECA determines that issuance of the subpoenas or subpoenas duces tecum would be unreasonably or unduly burdensome.

(f) Upon notification by any party that any party or witness has failed to permit access, failed to comply with a subpoena or subpoena duces tecum, refused to have his deposition taken, refused to answer interrogatories, or otherwise refused to allow discovery, the office, upon notice to the party or witness, shall apply to a court

of competent jurisdiction for an order requiring discovery and other good faith compliance unless the office determines that the discovery would be unreasonably or unduly burdensome.

(g) ADECA shall designate a panel of three persons to hear the complaint.

(h) At any hearing held pursuant to this section, the case in support of the complaint must be presented before the panel by one or more of the offices' employees or agents or by legal representatives of the complaining party. Endeavors at conciliation by the investigator may not be received into evidence nor otherwise made known to the members of the panel.

(i) The respondent shall submit a written answer to the complaint and appear at the hearing in person or by counsel and may submit evidence. The respondent may amend his answer reasonably and fairly.

(j) The complainant must be permitted to be present and submit evidence.

(k) Proceedings under this section are subject to the provisions of the Alabama Administrative Procedure Act, and in the case of conflict between the provisions of this chapter and the Alabama Administrative Procedure Act, the provisions of the Alabama Administrative Procedure Act shall govern. A recording of the proceedings must be made, which may be transcribed subsequently upon request and payment of a reasonable fee by the complainant or the respondent. The fee must be set by the office or upon motion of the panel, in which case copies of the transcription must be made available to the complainant or the respondent upon request and payment of a reasonable fee to be set by the office.

(l) If, upon all the evidence at the hearing, the panel shall find that the respondent has engaged in any unlawful discriminatory practice, it shall state its findings of fact and serve upon the complainant and the respondent in the name of the office an opinion and order for appropriate relief which may include that the unlawful discriminatory practice be discontinued, actual damages, civil penalties which may not be greater than civil penalties established by the Federal Fair Housing Act in Section 812 and reasonable attorney's fees. The office may retain jurisdiction of the case until it is satisfied of compliance by the respondent of its order.

(m) If, upon all the evidence at the hearing, the panel finds that the respondent has not engaged in any unlawful discriminatory practice, the panel shall state its findings of fact and serve upon the complainant and the respondent an opinion and order dismissing the complaint as to the respondent. A prevailing respondent may apply to the office for an award of reasonable attorney's fees and costs.

(n) A copy of the opinion and order of the office shall be delivered in all cases to such other public officers as the office considers proper. Copies of the opinion and order must be available to the public for inspection upon request, and copies must be made available to any person upon payment of a reasonable fee set by the office.

(o)(1) If an application for review is made to the office within 14 days from the date the order of the office has been given, the office, for good cause shown, shall review the order and evidence, receive further evidence, rehear the parties or their representatives, and if proper, amend the order.

(2) Either party to the dispute, within 30 days after receipt of notice to be sent by registered mail of the order, but not after that time, may appeal from the decision of the office to the circuit court of the county in which the hearing occurred, or in which the respondent resides or has his principal office. In case of an appeal from the decision of the office, the appeal shall operate as a supersedeas for 30 days only, unless otherwise ordered by the court, and after that the respondent is required to comply with the order involved in the appeal or certification until the questions at issue in it have been determined fully in accordance with the provisions of this chapter.

(3) The office may institute a proceeding for enforcement of its order of subsection (l), or its amended order of subdivision (1) after 30 days from the day of the order, by filing a petition in the circuit court of the county in

which the hearing occurred, or where any person against whom the order is entered resides or transacts business.

(4) If no appeal under subdivision (2) is initiated, the office may obtain a decree of the court for enforcement of its order upon a showing that a copy of the petition for enforcement was served upon the party subject to the dictates of the office's order.

(Acts 1991, No. 91-659, p. 1248, §13.)

Section 24-8-14

Civil action; sale, encumbrance, etc. consummated before issuance of order; relief and award.

(a) A civil action must be commenced within one year after the alleged discriminatory housing practice has occurred. However, the court shall continue a civil case brought pursuant to this section, from time to time, before bringing it to trial if the court believes that the conciliation efforts of the office or local agency are likely to result in satisfactory settlement of the discriminatory housing practice complained of in the complaint made to the office or to the local agency and which practice forms the basis for the action in court. Any sale, encumbrance, or rental consummated before the issuance of any court order issued under the authority of this chapter and involving a bona fide purchaser, encumbrances, or tenant without actual notice of the existence of the filing of a complaint or civil action under the provisions of this chapter are not affected. A civil action may be commenced by an aggrieved person whether or not a complaint has been filed with the office.

(b) The court may grant as relief, as it considers appropriate, any permanent or temporary injunction, temporary restraining order, or other order and may award the plaintiff actual damages, and punitive damages, together with court costs and reasonable attorney's fees in the case of a prevailing party, if the prevailing party in the opinion of the court is not financially able to assume the attorney's fees.

(Acts 1991, No. 91-659, p. 1248, §14.)

Section 24-8-15

Similar complaint filed with another agency with authority to investigate violation of chapter.

Before accepting any complaint under this chapter, the office shall determine if the complainant has filed a similar complaint with the Federal Home Loan Bank Board, the Comptroller of the Currency, the Federal Deposit Insurance Corporation of the Federal Reserve System, the United States Department of Housing and Urban Development, or any other agency with authority to investigate and resolve complaints alleging a violation of this chapter. If a complaint has been filed or is filed, subsequently the office shall coordinate efforts to resolve the complaint with that agency in order to avoid multiple investigations of the respondent.

(Acts 1991, No. 91-659, p. 1248, §15.)