



# **Analysis of Impediments to Fair Housing Choice**

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**Jefferson County, Colorado**



**FINAL REPORT**

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August 9, 2013

# **Analysis of Impediments to Fair Housing Choice**

**Prepared for:**

City of Arvada;  
City of Lakewood; and  
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# Table of Contents

## **I. Demographic and Housing Profile**

Demographics.....	I-1
Transit and Services Linkage.....	I-17
Housing Market and Affordability.....	I-25

## **II. Fair Lending Review**

Lending in Jefferson County.....	II-2
Lending in the City of Lakewood.....	II-9

## **III. Community Input**

Consultation and Public Input Elements.....	III-1
Summary.....	III-2
Resident Housing Choice.....	III-7
Housing Opportunities—Stakeholder Perspectives.....	III-13
Fair Housing Choice.....	III-19

## **IV. Review of Public and Private Practices**

Zoning and Land Use Review.....	IV-1
Zoning and Not-in-My-Backyard Syndrome.....	IV-15
Public Housing Policies and Practices.....	IV-16
Fair Housing Complaint Analysis.....	IV-18
HUD Complaint Trends.....	IV-22
Legal Case Review.....	IV-24

## **V. Impediments and Fair Housing Action Plan**

Fair Housing Activities.....	V-1
Fair Housing Impediments, 2003 Jefferson County AI.....	V-5
2013 Impediments to Fair Housing Choice and Fair Housing Action Plan.....	V-6
Impediments Specific to Arvada.....	V-11
Recommended Fair Housing Action Plan.....	V-12

# **SECTION I.**

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## **Demographic and Housing Profile**

# SECTION I.

## Demographic and Housing Profile

This section provides a demographic and housing market overview of Jefferson County and its jurisdictions for the AI. Specifically, the section contains the required analysis of racial and ethnic concentrations and determines if lack of affordable housing disproportionately affects members of protected classes.

This section incorporates the most recent data available at the time the section was prepared. Primary data sources include:

- 2010 Census;
- Colorado State Demographer;
- 2011-American Community Survey; and the
- 2006-2010 American Community Survey.

This section provides demographic and housing data at the following geographic levels as available:

- Racial and ethnic concentration maps—Census block group;
- Concentrations of persons with disabilities—Census tract;
- Concentrations of female headed-households with children—Census block group;
- Concentrations of low income households—Census tract; and
- Population level and growth, certain household characteristics (protected classes), median rents , median housing values, proportion of county’s affordable rental units and homes—Jefferson County overall, Lakewood, Arvada, Edgewater, Golden, Lakeside, Mountain View and Wheat Ridge.

### Demographics

This section provides data on the county’s and jurisdictions’ population overall, as well as the numbers and types of residents who are members of the protected classes of: race, ethnicity, disability and familial status (focusing on single mothers).

Figure I-1 shows total population in Currently, nearly half of the county population lives in Arvada and Lakewood. Over the decade, the county population grew by 2.4 percent. Arvada saw the largest population increase in numbers (4,821) while Golden saw the largest percent increase (10%). 2000 and 2011 in Jefferson County and county jurisdictions.

**Figure I-1.  
Population, Jefferson  
County and Jurisdictions,  
2000 and 2011**

Source:  
2000 Census and 2011 ACS 1-year  
estimates.

	2000	2011	Change	Percent
<b>Jefferson County</b>	<b>527,056</b>	<b>539,884</b>	<b>12,828</b>	<b>2.4%</b>
Arvada	102,505	107,326	4,821	4.7%
Lakewood	144,089	144,414	325	0.2%
Edgewater	5,445	5,170	(275)	-5.1%
Golden	17,159	18,867	1,708	10.0%
Lakeside	20	8	(12)	-60.0%
Mountain View	569	507	(62)	-10.9%
Wheat Ridge	32,913	30,166	(2,747)	-8.3%

**Race and ethnicity.** Jefferson County residents report their race as predominately white (91.5%). The largest racial minority groups are Asians (2.4%) and African Americans (1%). Edgewater, though small compared to other municipalities, is the most racially diverse city with 24 percent of the population identifying as non-white. Figure I-2 shows the racial composition of Jefferson County and jurisdictions.

**Figure I-2.  
Racial Composition, Jefferson County and Jurisdictions, 2011**

	White	African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some other race	Two or more races
<b>Jefferson County</b>	<b>91.5%</b>	<b>1.0%</b>	<b>0.6%</b>	<b>2.4%</b>	<b>0.0%</b>	<b>1.4%</b>	<b>3.0%</b>
Arvada	92.3%	0.9%	0.9%	2.7%	0.0%	1.5%	1.7%
Lakewood	90.4%	1.6%	0.5%	2.5%	0.0%	1.1%	3.8%
Edgewater	75.6%	1.6%	1.0%	1.3%	0.1%	16.8%	3.6%
Golden	90.6%	1.2%	0.6%	3.8%	0.1%	1.4%	2.3%
Lakeside	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mountain View	80.1%	0.4%	2.4%	0.6%	0.0%	13.6%	3.0%
Wheat Ridge	85.6%	1.2%	1.2%	1.6%	0.1%	6.9%	3.4%

Source: 2011 ACS.

Jefferson County’s population is approximately 15 percent Hispanic, making persons of Hispanic origin the largest minority group. Municipalities with Hispanic population percentages higher than that of the county’s are Lakewood, Edgewater, Mountain View and Wheat Ridge. Over half of the county’s Hispanic population lives in Arvada and Lakewood (56%), which is moderately higher than the overall population share of these cities (46%). Figure I-3 shows the county and jurisdiction population breakdown by ethnicity.

**Figure I-3.  
Ethnicity, Jefferson County and Jurisdictions, 2011**

	Population	Non-Hispanic		Hispanic	
		Number	Percent	Number	Percent
<b>Jefferson County</b>	<b>539,884</b>	<b>461,217</b>	<b>85.4%</b>	<b>78,667</b>	<b>14.6%</b>
Arvada	107,326	92,683	86.4%	14,643	13.6%
Lakewood	144,414	114,785	79.5%	29,629	20.5%
Edgewater	5,170	2,860	55.3%	2,310	44.7%
Golden	18,867	17,314	91.8%	1,553	8.2%
Lakeside	8	8	100.0%	0	0.0%
Mountain View	507	363	71.6%	144	28.4%
Wheat Ridge	30,166	23,857	79.1%	6,309	20.9%

Source: 2011 ACS.

Figure 1-4 shows ethnic concentration data by Census block group in Jefferson County. According to HUD, concentrated block groups are of those where the block group exceeds the county proportion by more than 20 percentage points (35%).

As shown by the map, the areas of concentration are located near the eastern border of the county, mostly in Lakewood. In fact, of the 26 concentrated block groups:

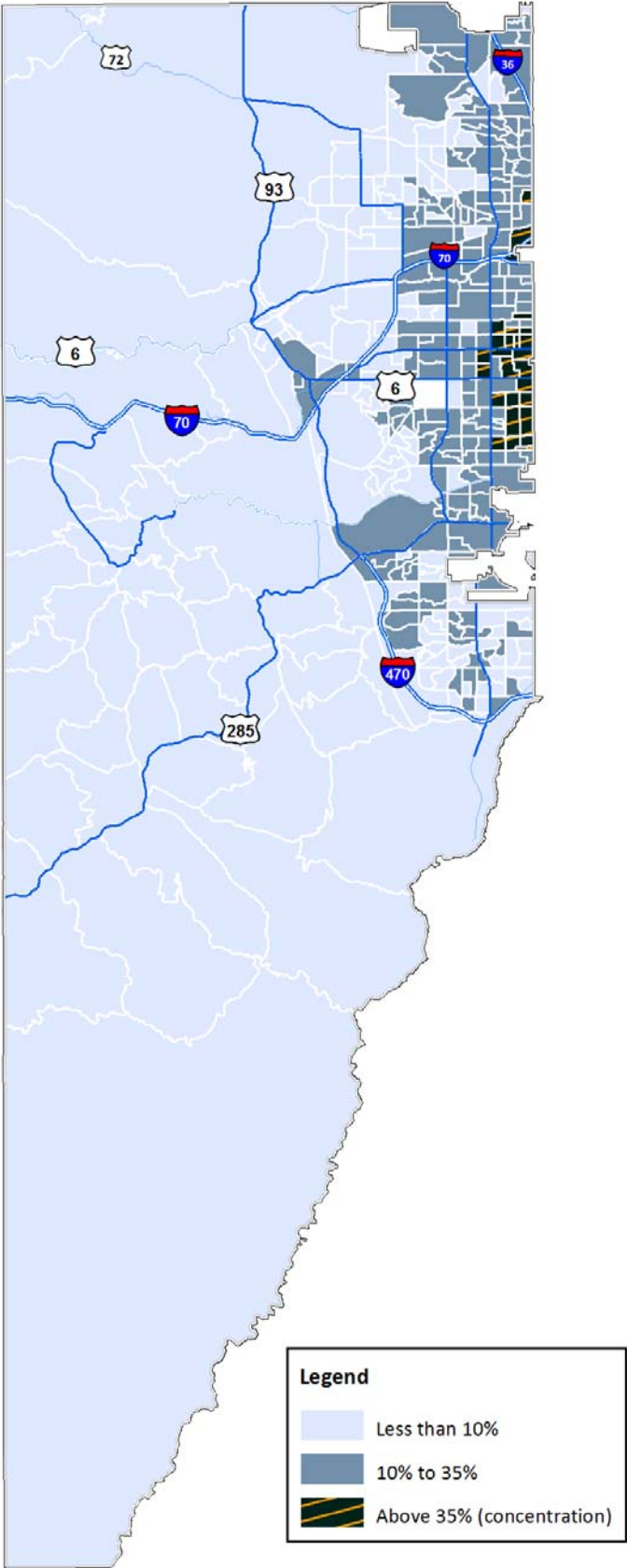
- Twenty-one are in Lakewood,
- Two are in Arvada,
- Two are in Edgewater, and
- One is in Wheat Ridge.

Figure 1-5 shows the proportion of African American residents in Jefferson County block groups. Because there are no concentrations of African Americans in the county, the map instead shows block groups in which African Americans represent a higher percentage than the county proportion (1%) of residents.

Figure 1-6 shows the proportion of Asian residents in Jefferson County block groups. There are no concentrations of Asians in Jefferson County; as such, the map shows block groups in which Asians represent a higher percentage than the county proportion (2.4%) of residents.

**Figure I-4.  
Percent Hispanic  
Population and  
Concentrated Areas,  
Jefferson County, 2010**

Source:  
2010 Census.

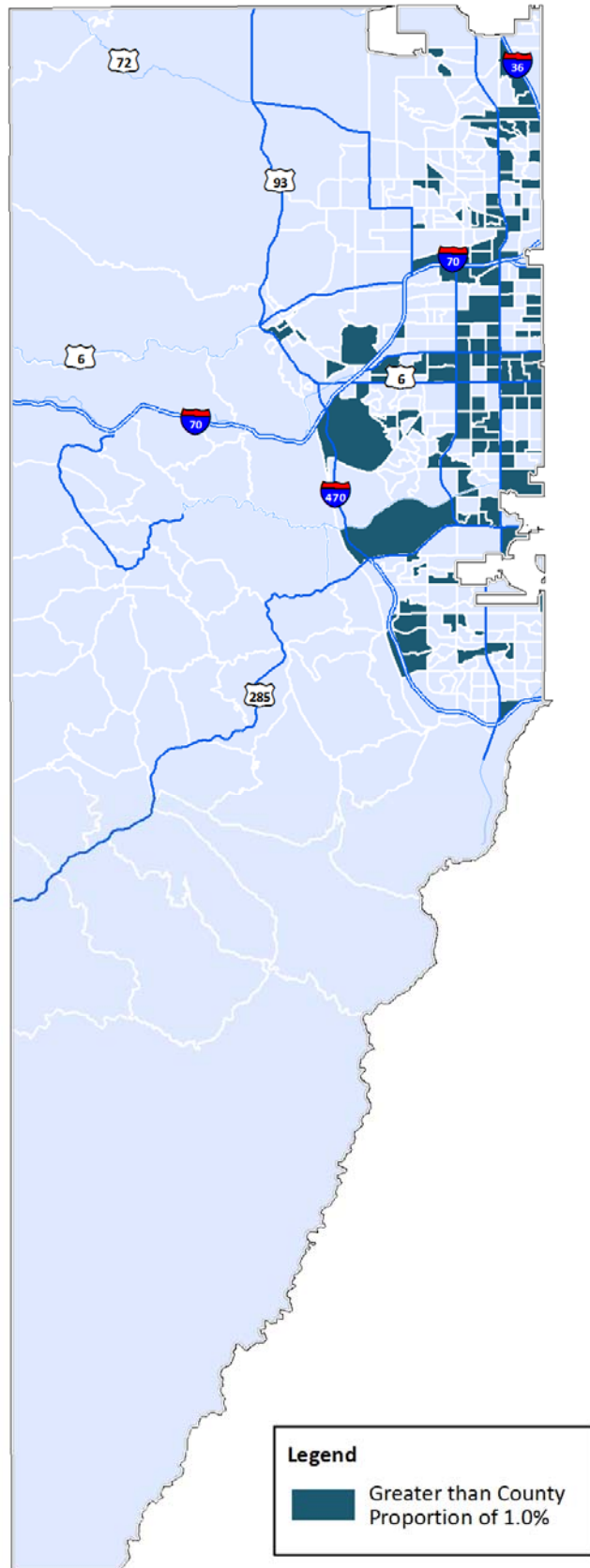




**Figure I-5.  
Percent African American  
Population, Jefferson  
County, 2010**

Source:  
2010 Census.

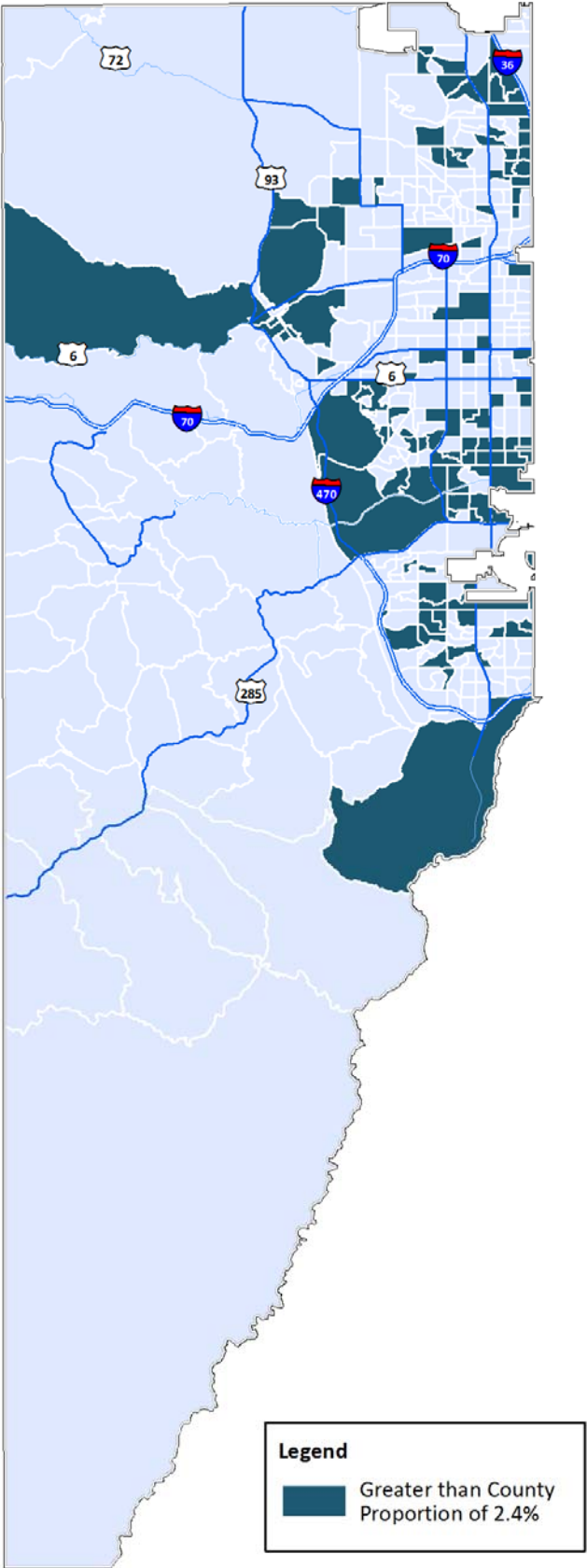
Note:  
There are no block groups with a  
concentration (greater than 21%) of the  
population identifying as African  
American.



**Figure I-6.  
Percent Asian Population,  
Jefferson County, 2010**

Source:  
2010 Census.

Note:  
There are no block groups with a  
concentration (greater than 22.4%) of the  
population identifying as Asian.



**English language proficiency.** In the county overall, about 4 percent of the residents speak English less than “very well” at home. In Arvada this percent of non-fluent English speakers is 3 percent; in Lakewood, it is a higher 6 percent.

**Disability.** About 9 percent of Jefferson County citizens have a disability. The largest age groups with a disability are the 75 years old and over group (46%) and 65 to 74 years old group (21%). Figure I-7 shows disability by age group in Jefferson County. Figure I-8 shows disability by type for in Jefferson County.

**Figure I-7.  
Disability by Age Group,  
Jefferson County, 2011**

Note:

Population represents the total civilian non-institutionalized population.

Source:

2011 American Community Survey 1-Year Estimates.

	Population	Population With a Disability	Percent
Under 5 years	29,113	243	0.8%
5 to 17 years	88,423	3,451	3.9%
18 to 34 years	109,620	4,561	4.2%
35 to 64 years	237,880	20,586	8.7%
65 to 74 years	40,182	8,374	20.8%
75 years and over	28,563	13,029	45.6%
<b>Total</b>	<b>533,781</b>	<b>50,244</b>	<b>9.4%</b>

**Figure I-8.  
Disability by Type,  
Jefferson County, 2011**

Note:

Population represents the total civilian non-institutionalized population.

Source:

2011 American Community Survey 1-Year Estimates.

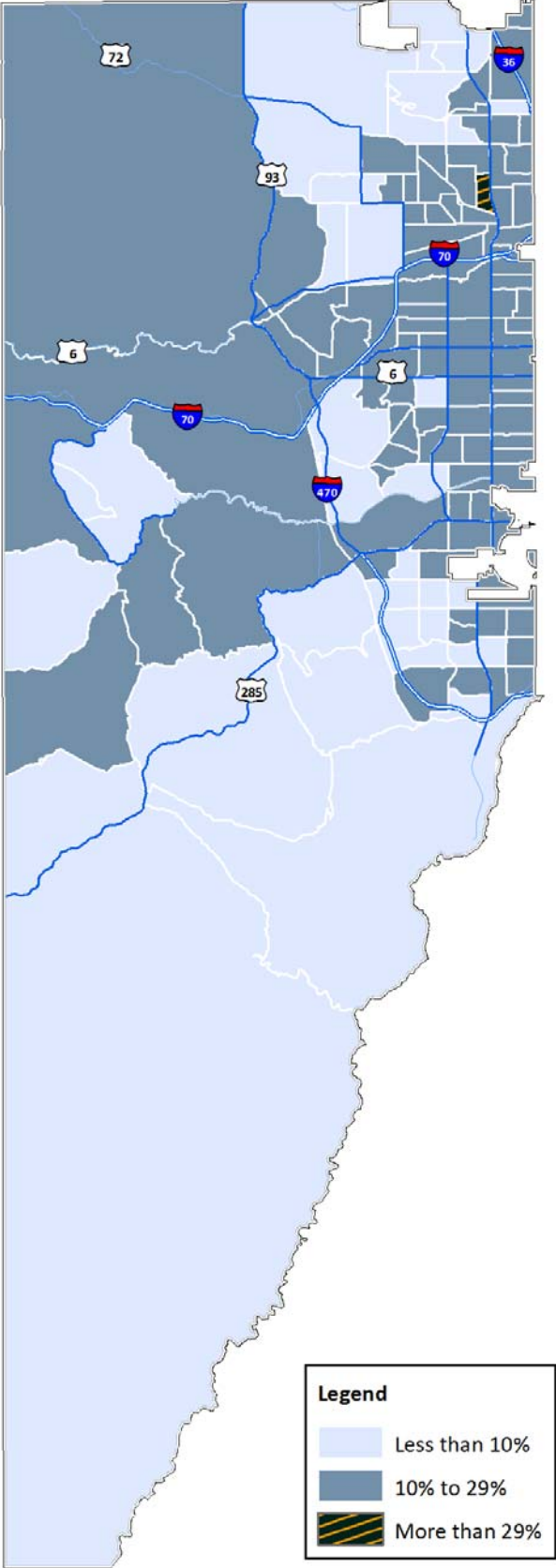
	Number	Percent
<b>Population</b>	<b>533,781</b>	
<b>Population with a disability</b>	<b>50,244</b>	<b>9.4%</b>
With a hearing difficulty	20,105	3.8%
With a vision difficulty	8,494	1.6%
With a cognitive difficulty	16,777	3.1%
With an ambulatory difficulty	23,837	4.5%
With a self-care difficulty	9,321	1.7%

Figure I-9 shows the percent of citizens that have a disability by Census block group. The figure is based on 2000 data, the latest available. At the time, there was one block group that was concentrated.

**Figure I-9.**  
**Percent of Population with**  
**a Disability and Greater**  
**than County Proportion,**  
**Jefferson County, 2000**

Source:  
2000 Census.

Note: Concentrated areas are Census  
tracts with greater than 29 percent of the  
population with a disability.



**Familial status.** Jefferson County’s households are 65 percent family households and 35 percent non-family households. Of all households, 6 percent were single mother households with children. The cities with the largest proportion of single mother households are Edgewater (11%) and Mountain View (also 11%). Golden had the lowest proportion of single mother households (4%).

**Figure I-10**  
**Percent of Households by Type**

	Family Households	Husband/Wife Married Couple			Female Householder (No Husband)			Non-Family Households
		Percent	Percent With Children	Percent Without Children	Percent	Percent With Children	Percent Without Children	
<b>Jefferson County</b>	<b>65.4%</b>	<b>51.1%</b>	<b>21.2%</b>	<b>29.9%</b>	<b>9.9%</b>	<b>6.3%</b>	<b>3.7%</b>	<b>34.6%</b>
Arvada	67.7%	52.5%	22.0%	30.5%	10.7%	6.8%	3.9%	32.3%
Lakewood	57.9%	41.1%	16.1%	25.0%	11.9%	7.6%	4.2%	42.1%
Edgewater	55.1%	33.0%	15.9%	17.2%	16.2%	11.2%	5.0%	44.9%
Golden	53.9%	43.4%	17.4%	26.0%	7.2%	4.3%	2.9%	46.1%
Mountain View	44.2%	26.7%	9.7%	17.1%	13.6%	10.9%	2.7%	55.8%
Wheat Ridge	53.6%	36.5%	13.0%	23.5%	11.6%	6.8%	4.9%	46.4%

Source: 2010 Census.

Note: Lakeside is not shown due to lack of data.

Figure I-11 shows the proportion of single female headed households with children by Census block group in Jefferson County. There are no areas with a concentration of single mother households.

**Figure I-11.**  
**Percent Single Female Headed**  
**Households with Children,**  
**Jefferson County, 2010**

Source:  
2010 Census.

Note:  
There are no block groups with a concentration  
(greater than 26%) of the population as single  
female parent households.



**Income and poverty.** In Jefferson County, the median household income in 2006-2010 was \$66,075, a 15 percent increase since 1999. The cities with the highest median household incomes are Lakeside (\$78,611) and Arvada (\$65,942). The cities with the lowest median household incomes are Mountain View (\$41,429) and Wheat Ridge (\$47,014).

**Figure I-12.**  
**Median Household Income, 1999 and 2006-2010**

Source:  
2000 Census, 2006-2010 ACS 5-year average.

	1999	2006-2010	Percentage Point Change	Variance from County Median
<b>Jefferson County</b>	<b>\$57,339</b>	<b>\$66,075</b>	<b>15.2%</b>	<b>-</b>
Arvada	\$55,541	\$65,942	18.7%	-\$133
Lakewood	\$48,109	\$52,960	10.1%	-\$13,115
Edgewater	\$34,722	\$43,082	24.1%	-\$22,993
Golden	\$46,879	\$53,896	15.0%	-\$12,179
Lakeside	\$40,000	\$78,611	96.5%	\$12,536
Mountain View	\$36,429	\$41,429	13.7%	-\$24,646
Wheat Ridge	\$38,462	\$47,014	22.2%	-\$19,061

In 2006-2010, the proportion of Jefferson County residents living below poverty level was 8 percent. This is an increase of 2.8 percent in the past decade. The city with the highest poverty rate is Edgewater, with 30 percent of residents living below the poverty level. Recall that Edgewater also houses a disproportionate percentage of the county's Hispanic residents.

None of Lakeside's eight residents live below the poverty line. Arvada has second lowest proportion of residents living below the poverty rate (7%).

**Figure I-13.**  
**Residents Living Below the Poverty Level by Municipality, 1999 and 2006-2010**

	Percent Below Poverty Level		Percent Change	Variance from County Median
	1999	2006 -2010		
<b>Jefferson County</b>	<b>5.2%</b>	<b>8.0%</b>	<b>2.8%</b>	<b>-</b>
Arvada	5.2%	7.0%	1.8%	-1.0%
Lakewood	7.1%	11.7%	4.6%	3.7%
Edgewater	10.2%	30.2%	20.0%	22.2%
Golden	11.3%	16.5%	5.2%	8.5%
Lakeside	-	0.0%	-	-8.0%
Mountain View	13.0%	12.3%	-0.7%	4.3%
Wheat Ridge	8.9%	10.9%	2.0%	2.9%

Source: 2006-2010 ACS 5-year estimates.

Figure I-14 shows the poverty rates and median household income by race and ethnicity for the county overall. Eight percent of white residents live below the poverty line. African American and American Indian and Alaska Native residents had the highest poverty rates and lowest median household incomes in the county.

The poverty rate of Hispanics is about three times that of non-Hispanics; the median household income is more than \$20,000 lower.

**Figure I-14.  
Poverty Rate and  
Median Household  
Income, Jefferson County,  
2009-2011**

Source:  
2009-2011 ACS 3-year estimates.

Note:  
Poverty rate is based on the number of  
residents living under the poverty level.

	Poverty Rate	Median Household Income
<b>Race</b>		
White	7.9%	\$67,654
Black or African American	20.4%	\$45,979
American Indian and Alaska Native	28.6%	\$42,216
Asian	12.0%	\$70,010
Native Hawaiian and Other Pacific Islander	0.0%	\$56,139
Some other race	22.2%	\$44,901
Two or more races	12.7%	\$55,067
<b>Ethnicity</b>		
Hispanic	19.2%	\$47,093
Non-Hispanic	6.4%	\$70,279

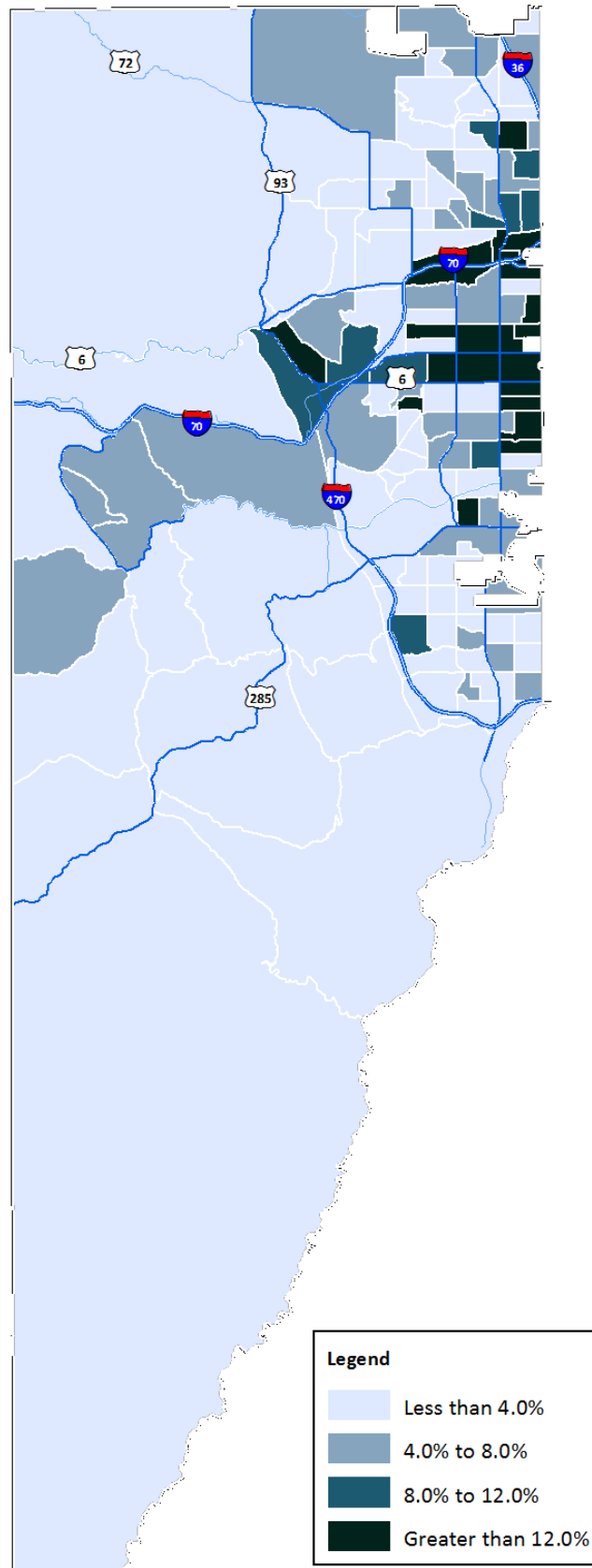
Figure I-15 shows a proportion of families living below the poverty level by Census tract. No Census tracts had a concentration (greater than 28%) of families living below the poverty level. About half of the Census tracts with the highest poverty rates are also areas of Hispanic concentration.



**Figure I-15.**  
**Percent of Families Living**  
**Below the Poverty Level,**  
**Jefferson County, 2010**

Source:  
2010 Census.

Note:  
No Census tracts had a concentration  
(greater than 28%) of families living  
below the poverty level.



**Employment.** Employment in Jefferson County has shifted during the past decade, as jobs have been lost in some high paying sectors (manufacturing, information, construction) and grown in moderate wage sectors (education, health services, public administration). Figure I-16 shows the change in jobs by employment sector from 2001 to 2011.

Figure I-17 on page 16 shows the weekly wages by sector and changes since 2001. The strongest growth occurred in the manufacturing and trade sectors. The leisure and hospitality industry not only has the lowest wages but also experienced the lowest wage growth during the past decade.

Figure I-17 suggests that employees in the sectors of leisure and hospitality, services and, to a lesser extent, information industries could have the most need for lower cost housing in the county.

Worth noting is that the leisure and hospitality industry is one of the county's largest in terms of employment (24,000 employees)—and employees in this industry can only afford to pay \$350 per month in rent, on average, without being cost burdened.

**Figure I-16.**  
**Number of Employees by Sector, 2001-2011**

	Manufacturing	Trade	Information	Financial Activities	Education and Health Services	Leisure and Hospitality	Public Administration	Construction	Other Services
2001	21,491	40,058	4,571	12,293	21,297	24,059	13,932	16,539	6,444
2002	18,700	38,944	4,379	12,325	22,010	23,835	14,646	15,746	6,455
2003	18,187	38,247	4,207	12,761	22,451	23,700	14,693	14,845	6,388
2004	18,492	38,354	4,060	12,735	23,018	23,995	14,630	14,979	6,248
2005	18,541	39,297	4,206	12,610	23,533	24,316	14,527	15,124	6,144
2006	18,676	39,588	4,431	12,364	23,957	24,736	14,492	15,354	6,175
2007	18,790	40,778	4,598	12,325	24,725	25,033	14,438	15,103	6,375
2008	19,030	40,908	4,243	11,809	25,655	24,785	14,600	14,250	6,419
2009	17,824	38,541	4,075	11,658	26,298	23,783	15,262	11,627	6,242
2010	17,345	38,719	3,675	11,261	27,144	23,536	15,845	10,728	6,157
2011	17,322	38,907	3,614	10,904	29,072	24,037	17,306	10,532	6,296
<b><i>Change between 2001 and 2011</i></b>	<b>-19.4%</b>	<b>-2.9%</b>	<b>-20.9%</b>	<b>-11.3%</b>	<b>36.5%</b>	<b>-0.1%</b>	<b>24.2%</b>	<b>-36.3%</b>	<b>-2.3%</b>

Source: Bureau of Labor Statistics.

**Figure I-17.**  
**Weekly Wages by Sector, 2001-2011**

	Manufacturing	Trade	Information	Financial Activities	Education and Health Services	Leisure and Hospitality	Public Administration	Construction	Other Services
2001	\$ 1,128	\$ 666	\$ 570	\$ 656	\$ 643	\$ 252	\$ 693	\$ 771	\$ 484
2002	\$ 1,182	\$ 694	\$ 581	\$ 686	\$ 663	\$ 262	\$ 719	\$ 770	\$ 497
2003	\$ 1,257	\$ 714	\$ 615	\$ 692	\$ 678	\$ 261	\$ 748	\$ 772	\$ 497
2004	\$ 1,155	\$ 760	\$ 670	\$ 711	\$ 711	\$ 268	\$ 773	\$ 797	\$ 507
2005	\$ 1,324	\$ 779	\$ 715	\$ 743	\$ 714	\$ 264	\$ 793	\$ 799	\$ 515
2006	\$ 1,405	\$ 814	\$ 735	\$ 734	\$ 746	\$ 271	\$ 820	\$ 822	\$ 540
2007	\$ 1,533	\$ 861	\$ 781	\$ 774	\$ 748	\$ 287	\$ 850	\$ 861	\$ 558
2008	\$ 1,562	\$ 872	\$ 781	\$ 804	\$ 802	\$ 289	\$ 866	\$ 887	\$ 585
2009	\$ 1,485	\$ 912	\$ 770	\$ 810	\$ 838	\$ 280	\$ 881	\$ 898	\$ 592
2010	\$ 1,596	\$ 943	\$ 772	\$ 830	\$ 836	\$ 287	\$ 884	\$ 904	\$ 620
2011	\$ 1,592	\$ 983	\$ 787	\$ 852	\$ 850	\$ 284	\$ 910	\$ 920	\$ 621
<b><i>Change 2001 and 2011</i></b>	<b>41.1%</b>	<b>47.5%</b>	<b>38.0%</b>	<b>29.8%</b>	<b>32.3%</b>	<b>12.7%</b>	<b>31.3%</b>	<b>19.3%</b>	<b>28.3%</b>

Source: Bureau of Labor Statistics.

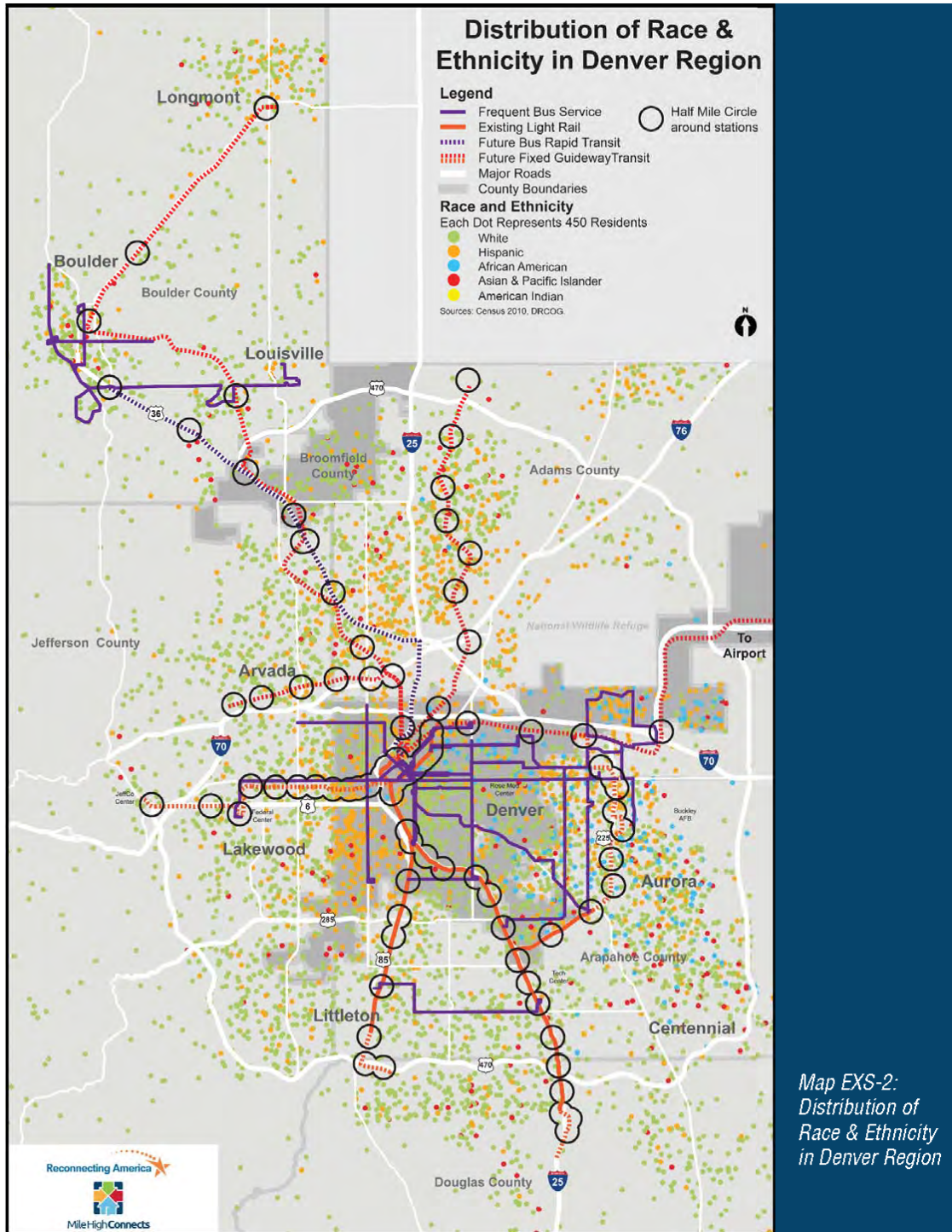
## Transit and Services Linkage

To determine how well Jefferson County residents were served by public transit—in addition to their access to key community resources—data and maps from Regional Equity Atlas conducted by Mile High Connects ([www.milehighconnects.org](http://www.milehighconnects.org)) were reviewed. The atlas illustrates the relationship between public transit and access to employment, quality education and affordable housing.

Maps and findings from the Equity Atlas that pertain to Jefferson County include:

- **Racial and ethnic concentrations.** As shown in Figure I-18 on the following page, the region’s Hispanic population is most prevalent in western Denver and Lakewood. This is consistent with AI concentration maps. The region’s African American population is concentrated in Denver’s northeast neighborhoods and northwest Aurora.
- **Access to transit.** Figure I-19 on page 19 shows that the majority of transit stations in the region are located in low income neighborhoods. However, the atlas concludes that because many of the planned transit stations are extensions to the suburbs, low income (and racial and ethnic minorities) may not benefit from the direct connections. Transit services to health care centers, recreational options, and food and retail stores for older adults will grow in importance as the region’s population ages.
- **Affordable housing.** According to Figure I-20 (federally subsidized affordable housing), affordable housing is plentiful near transit, but major gaps remain. However, as shown by Figure I-19, outside of downtown Denver, a spatial mismatch exists between major job centers and the location of affordable housing. The West Corridor will provide better connections for those in the western part of the region. FasTracks will improve connections between housing and jobs, especially for many low-income households.
- **Education.** The Equity Atlas found that of the 787 public schools in the region, 24 percent were located within a mile of existing or planned FasTracks stations. However, the quality of those schools was lower than the region overall. The atlas notes that although transit cannot directly impact school performance, increasing access to schools via active transportation options can improve student access to quality schools. In addition, areas with better-performing schools will be preferable and these are currently in the suburbs away from transit. Finally, underinvestment in station areas with poorer quality schools may occur if they are not desired by families.

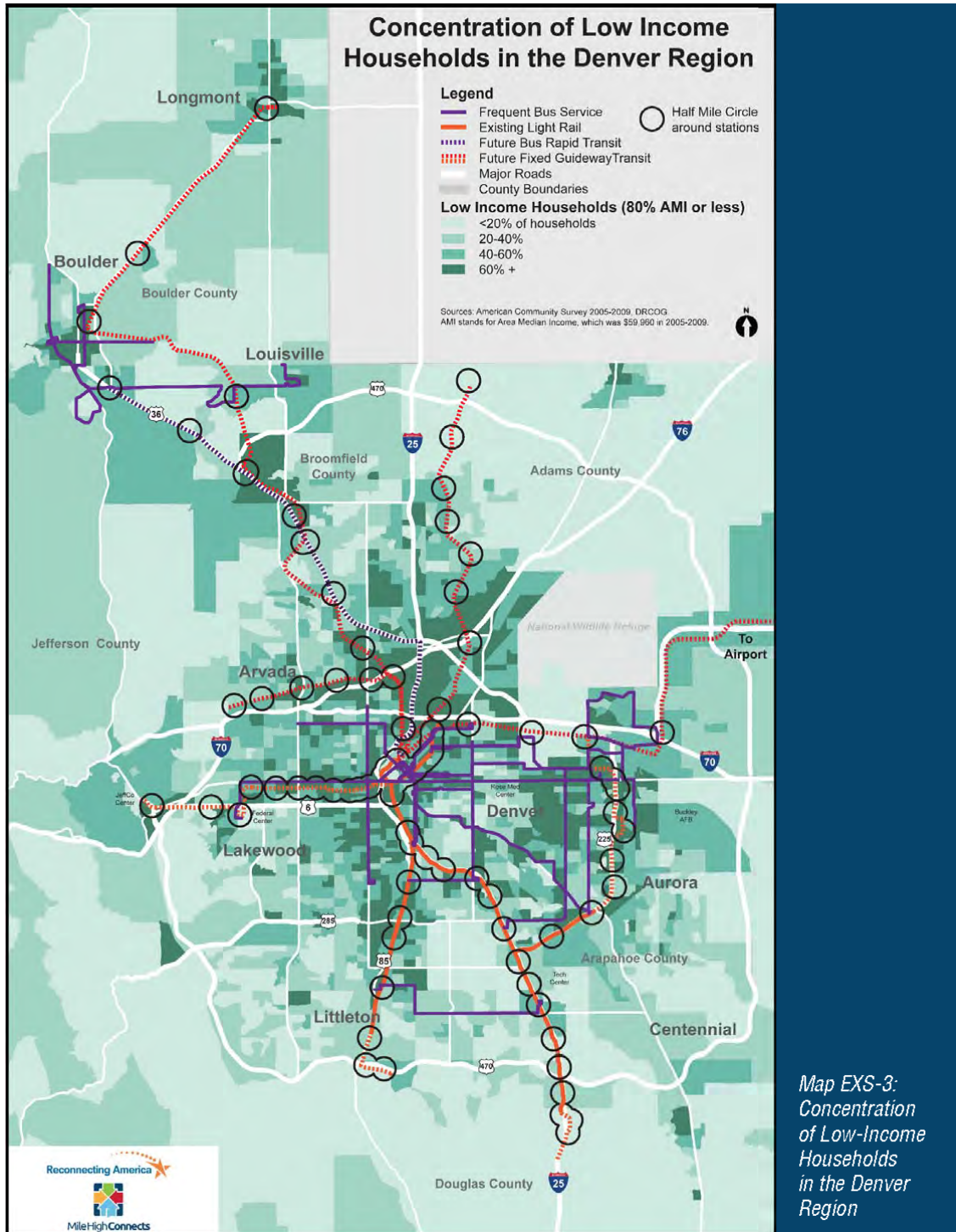
**Figure I-18.**  
**Distribution of Race & Ethnicity in Denver Region, Regional Equity Atlas**



*Map EXS-2:  
 Distribution of  
 Race & Ethnicity  
 in Denver Region*

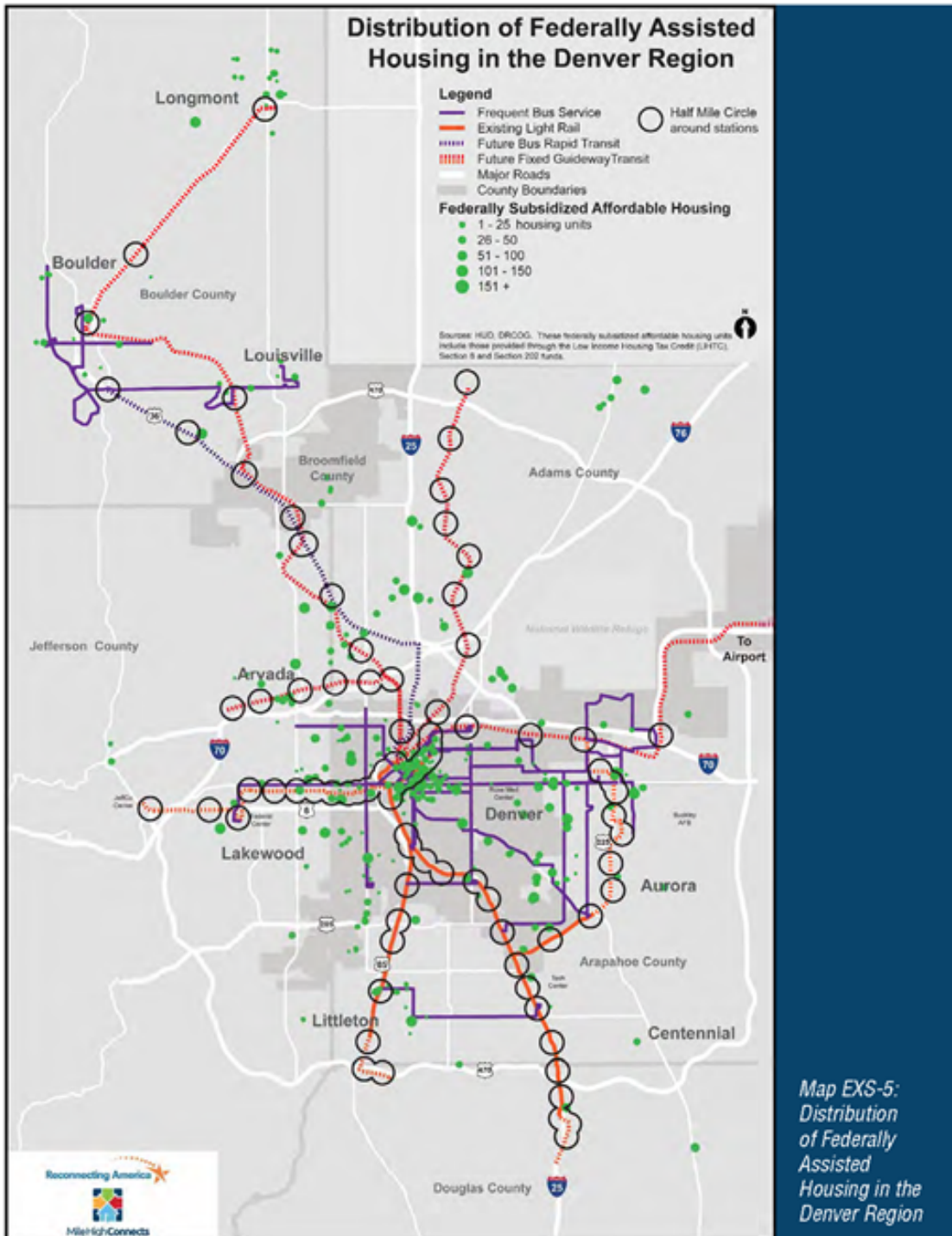
Source: Denver Regional Equity Atlas — Executive Summary, 2011.

**Figure I-19.**  
**Concentration of Low Income Household**  
**in the Denver Region, Regional Equity Atlas**



Source: Denver Regional Equity Atlas — Executive Summary, 2011.

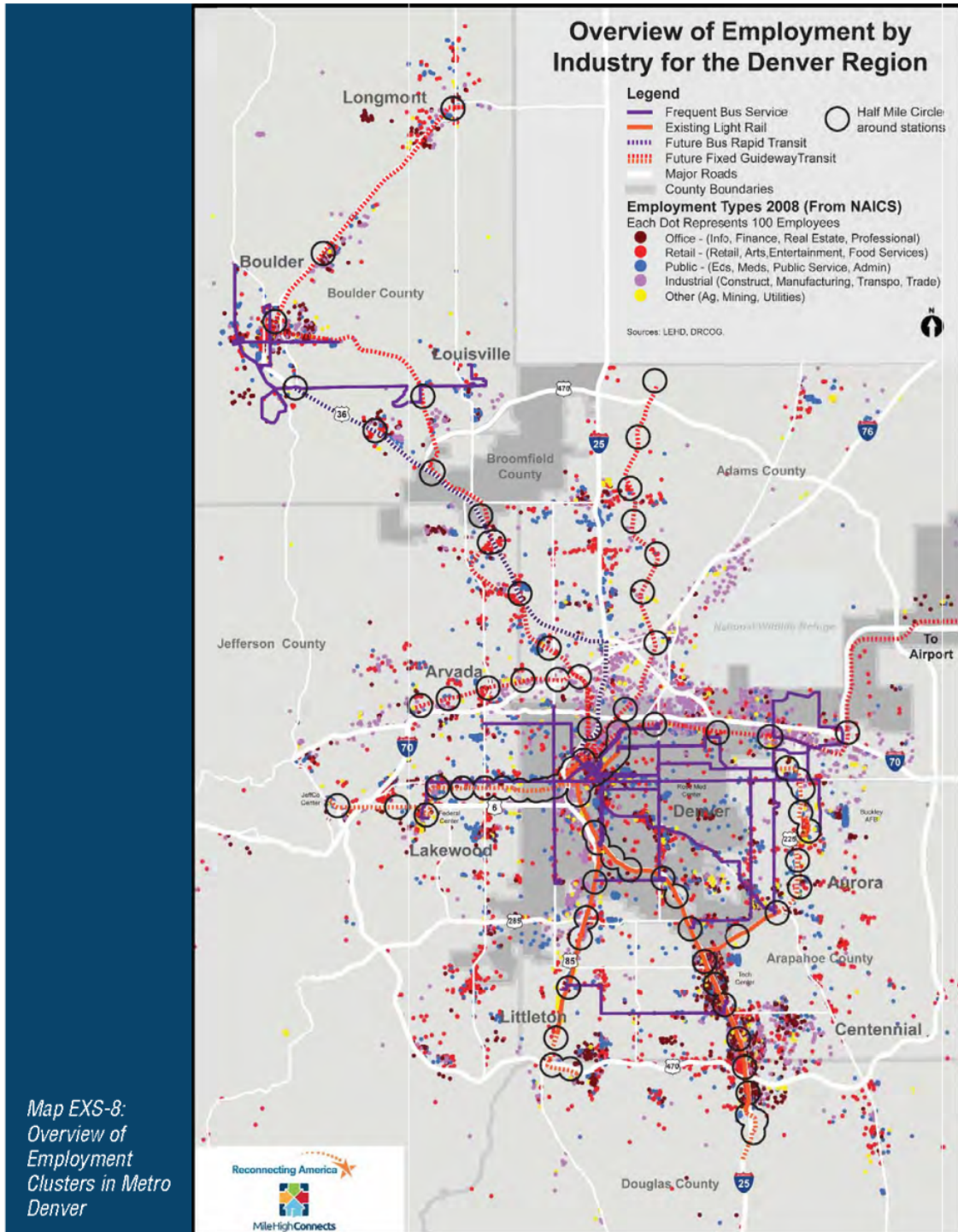
**Figure I-20.**  
**Distribution of Federally Assisted Housing**  
**in the Denver Region, Regional Equity Atlas**



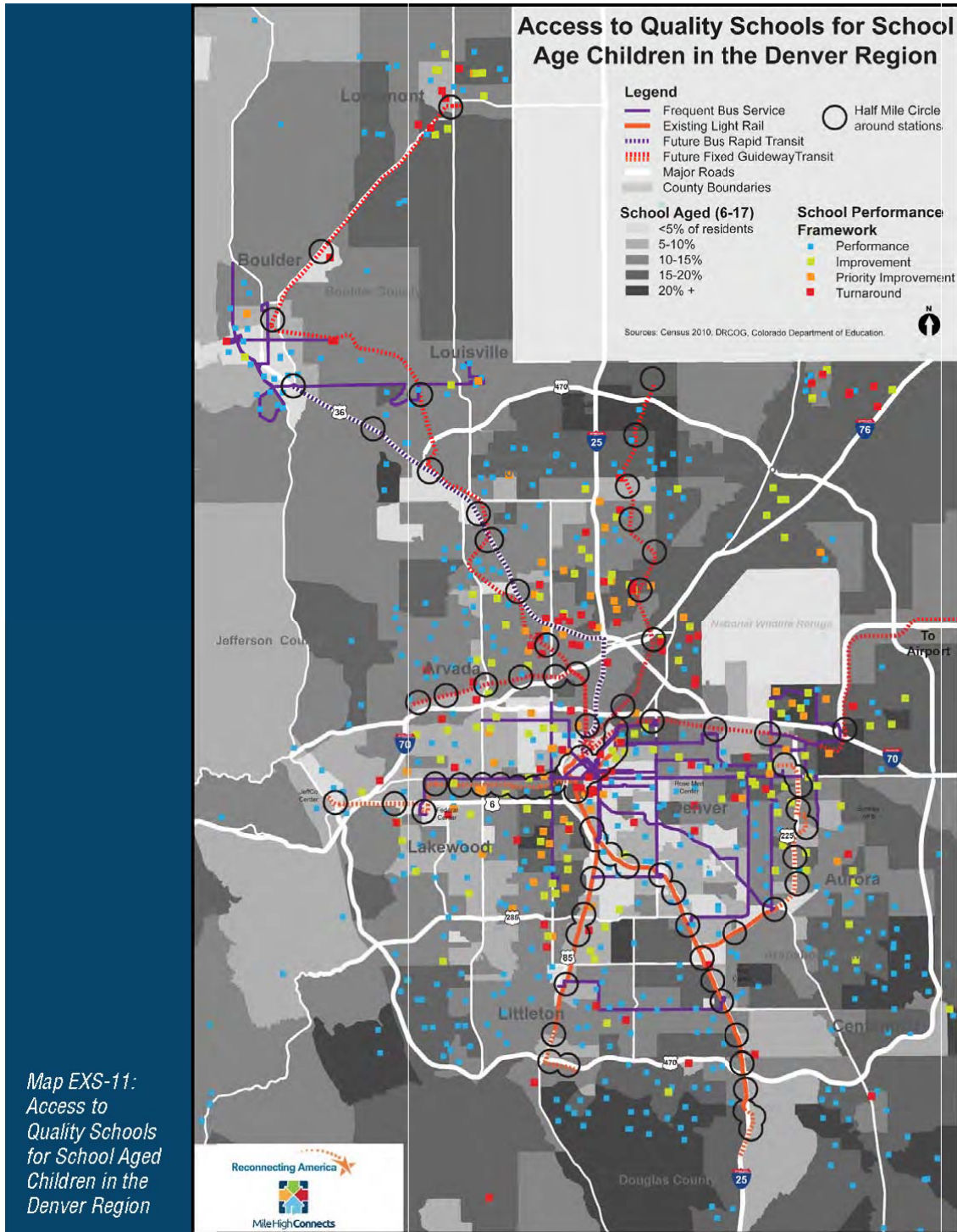
Source: Denver Regional Equity Atlas — Executive Summary, 2011.



**Figure I-21.**  
**Overview of Employment by Industry for**  
**the Denver Region, Regional Equity Atlas**



**Figure I-22.**  
**Access to Quality School for School Age Children**  
**in the Denver Region, Regional Equity Atlas**



Source: Denver Regional Equity Atlas — Executive Summary, 2011.

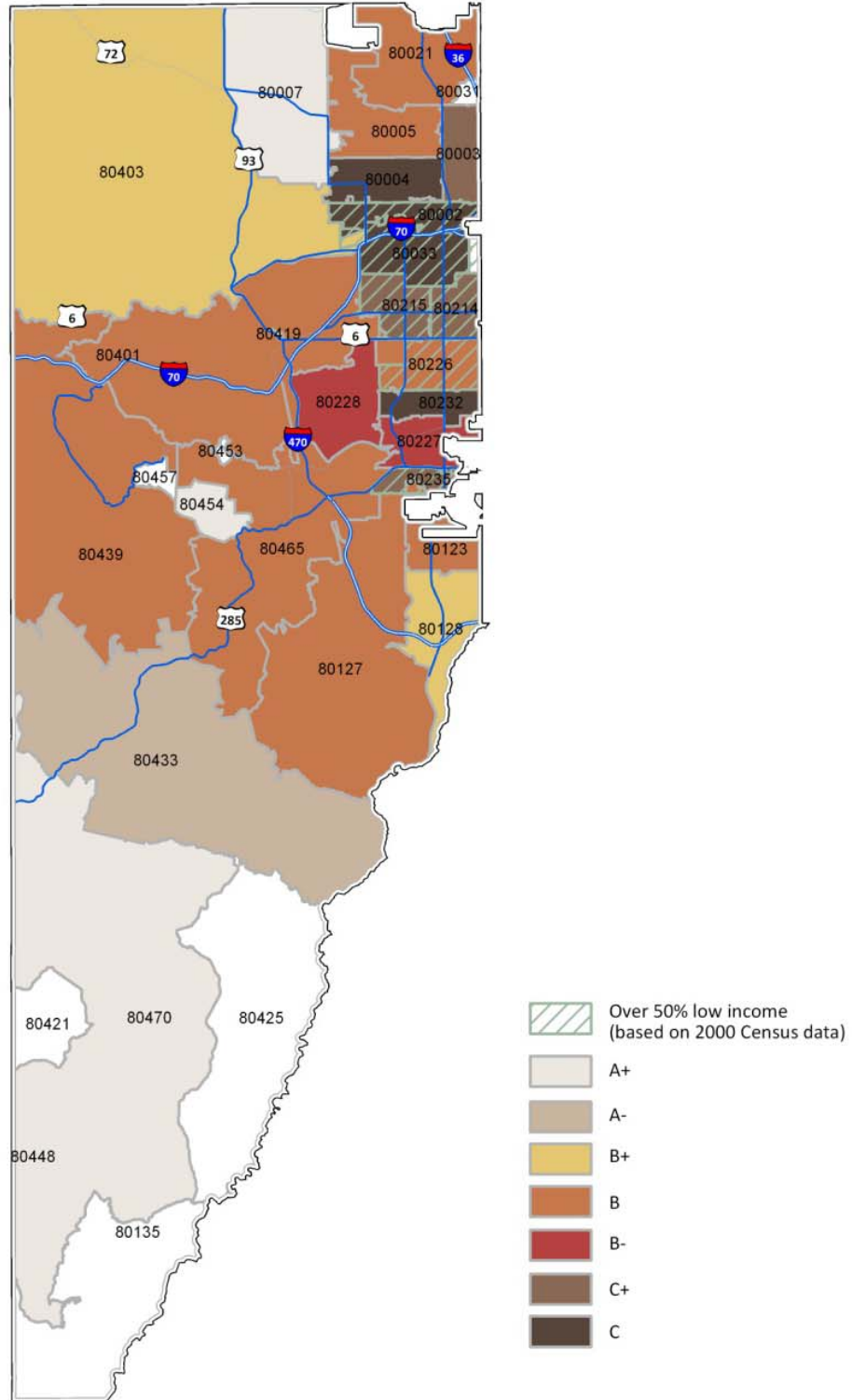
**Supplemental school quality analysis.** A more in-depth analysis of school quality was conducted for the AI. Colorado School Grades is a tool presented by a number of local community groups that compiles data in order to provide information to the public about school performance, quality and improvement. The key performance indicators used are academic achievement, academic growth, academic growth gaps and college and career readiness (for high schools).

Jefferson County schools are graded on the weighted methodology and a letter and number grade is generated for each school (A-F and 100 to 0). In order to measure “school quality” by geography, the grades of each school within a zip code are averaged.

Figure I-23 shows the average school quality letter grade for each zip code in Jefferson County. Low-income Census data is also overlaid this school quality map. As seen on the map, the zip-codes with the highest letter grades are found in the south and northwest parts of the county. The zip codes with the lowest letter grades and concentration of low-income households are found along the eastern border of the county. Some of these are also areas of Hispanic concentration.

**Figure I-23.  
School Quality by  
Zip Code, Jefferson  
County**

Source:  
Colorado School Grades,  
Census 2000, BBC  
Research & Consulting.



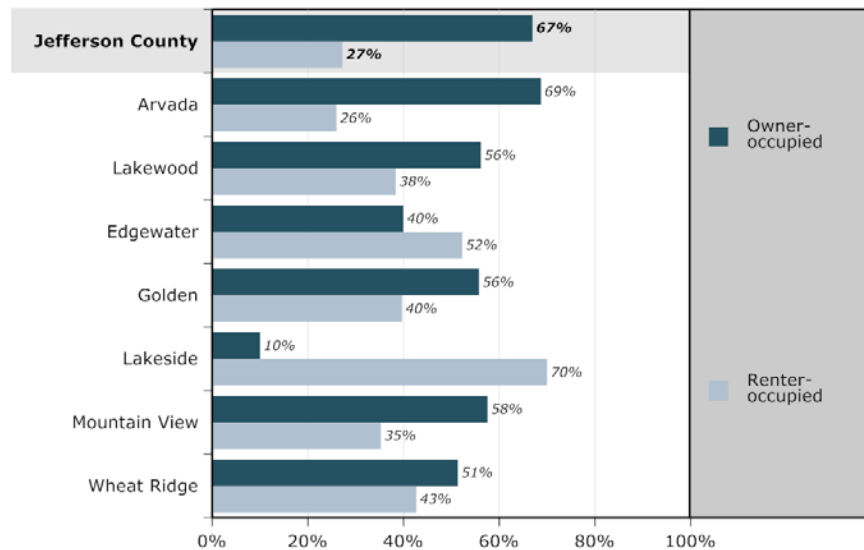
## Housing Market and Affordability

The 2010 Census reported 228,951 housing units in Jefferson County. Two-thirds are owner occupied; one third is renter occupied.

Arvada has the highest proportion of owner-occupied units (69%) while Lakeside and Edgewater have the highest proportion of rental units (70% and 52% respectively). Figure I-24 shows housing tenure by municipality.

**Figure I-24.**  
**Housing Tenure by Municipality, 2010**

Source:  
2010 Census.



There is a wide array of housing types and affordability levels in Jefferson County overall; however, affordability varies substantially across communities.

Figure I-25 shows rental distributions and gross rents by jurisdiction and for the county overall. During the past decade, rents have increased by 19 percent in the county. In 2011, the median gross rent in Jefferson County was \$907. To afford the median rent, a household would need to earn \$36,000 per year. Nearly one-fourth of the county's households earned less than this and would have trouble affording rent and not be cost burdened.

The most affordable communities in which to rent include Edgewater (median rent of \$719), Lakeside (median rent of \$722 but very few rental units) and Wheat Ridge (\$791). Golden, Mountain View and Wheat Ridge, which were some of the more affordable jurisdictions in 2000, saw substantial increases in rental prices during the past decade.

Figure I-25 also demonstrates substantial growth in higher-priced, luxury rentals: the number of rental units in the \$1,500 to \$2,000 range nearly tripled between 2000 and 2011; these high priced units now make up 8 percent of the county's rental stock, up from just 2 percent in 2000.

More striking is the loss of affordable units for extremely low income households. In 2000, 25 percent of rentals were affordable to households earning \$25,000 and less (these units rent for less than \$600 per month). By 2011, the proportion of affordable units had dropped to 10 percent. This compares with 17 percent of the county's households—and 34 percent of the county's renters—who earn less than \$25,000 per month.

**Figure I-25.  
Gross Rents, 2000 and 2011 or 2006-2010**

	Jefferson County			Arvada			Lakewood			Edgewater		
	2000	2011	Percent Change	2000	2011	Percent Change	2000	2011	Percent Change	2000	2006-2010	Percent Change
Less than \$200	1,306	377	-71%	409	177	-57%	499	129	-74%	43	12	-72%
\$200 to \$400	2,316	2,404	4%	442	994	125%	1,076	909	-16%	79	88	11%
\$400 to \$600	10,367	3,846	-63%	2,015	755	-63%	4,079	1,345	-67%	437	60	-86%
\$600 to \$800	16,914	15,857	-6%	3,087	1,874	-39%	7,544	8,000	6%	357	678	90%
\$800 to \$1,000	12,450	15,663	26%	1,373	2,485	81%	5,836	6,551	12%	183	181	-1%
\$1,000 to \$1,250	6,760	10,846	60%	1,006	1,356	35%	2,468	3,540	43%	27	93	244%
\$1,250 to \$1,500	3,209	9,008	181%	623	1,260	102%	1,050	3,870	269%	33	29	-12%
\$1,500 to \$2,000	1,297	5,120	295%	214	910	325%	496	1,759	255%	0	88	-
More than \$2,000	580	1,295	123%	150	268	79%	293	165	-44%	6	0	-100%
<b>Median Gross Rent</b>	<b>760</b>	<b>907</b>	<b>19%</b>	<b>714</b>	<b>868</b>	<b>22%</b>	<b>763</b>	<b>875</b>	<b>15%</b>	<b>609</b>	<b>719</b>	<b>18%</b>
	Golden			Lakeside			Mountain View			Wheat Ridge		
	2000	2006-2010	Percent Change	2000	2006-2010	Percent Change	2000	2006-2010	Percent Change	2000	2006-2010	Percent Change
Less than \$200	66	19	-71%	0	0	-	4	0	-100%	131	101	-23%
\$200 to \$400	247	35	-86%	5	1	-80%	11	4	-64%	292	146	-50%
\$400 to \$600	697	438	-37%	4	0	-100%	32	8	-75%	2,070	774	-63%
\$600 to \$800	896	1,063	19%	3	9	200%	34	21	-38%	2,332	1,983	-15%
\$800 to \$1,000	324	675	108%	0	0	-	23	49	113%	1,013	1,663	64%
\$1,000 to \$1,250	299	474	59%	0	0	-	7	21	200%	404	795	97%
\$1,250 to \$1,500	84	227	170%	0	0	-	0	0	-	114	200	75%
\$1,500 to \$2,000	29	290	900%	0	0	-	0	4	-	28	175	525%
More than \$2,000	0	163	-	0	0	-	0	0	-	24	29	21%
<b>Median Gross Rent</b>	<b>649</b>	<b>840</b>	<b>29%</b>	<b>563</b>	<b>722</b>	<b>28%</b>	<b>656</b>	<b>876</b>	<b>34%</b>	<b>651</b>	<b>791</b>	<b>22%</b>

Source: 2000 Census, 2006-2010 ACS 5-year average, 2011 ACS 1-year average.

Figure I-26 compares each jurisdiction’s share of affordable rentals with the jurisdiction’s share of the county population overall. This provides a rough estimate of the share each community is contributing to housing the county’s lowest income renters. As the Figure demonstrates, the county’s largest cities provide the greatest share of housing to low income renters.

**Figure I-26.  
Number and Proportion of Affordable Units**

	Jefferson County	Arvada	Lakewood	Edgewater	Golden	Lakeside	Mountain View	Wheat Ridge
Less than \$200	377	177	129	12	19	—	—	101
\$200 to \$400	2,404	994	909	88	35	1	4	146
\$400 to \$600	3,846	755	1,345	60	438	—	8	774
<b>Total Affordable Rentals</b>	<b>6,627</b>	<b>1,926</b>	<b>2,383</b>	<b>160</b>	<b>492</b>	<b>1</b>	<b>12</b>	<b>1,021</b>
<i>Percent of County:</i>								
<i>Affordable Rentals</i>		29%	36%	2%	7%	0%	0%	15%
<i>Population</i>		20%	27%	1%	3%	0%	0%	6%

Source: BBC Research & Consulting.

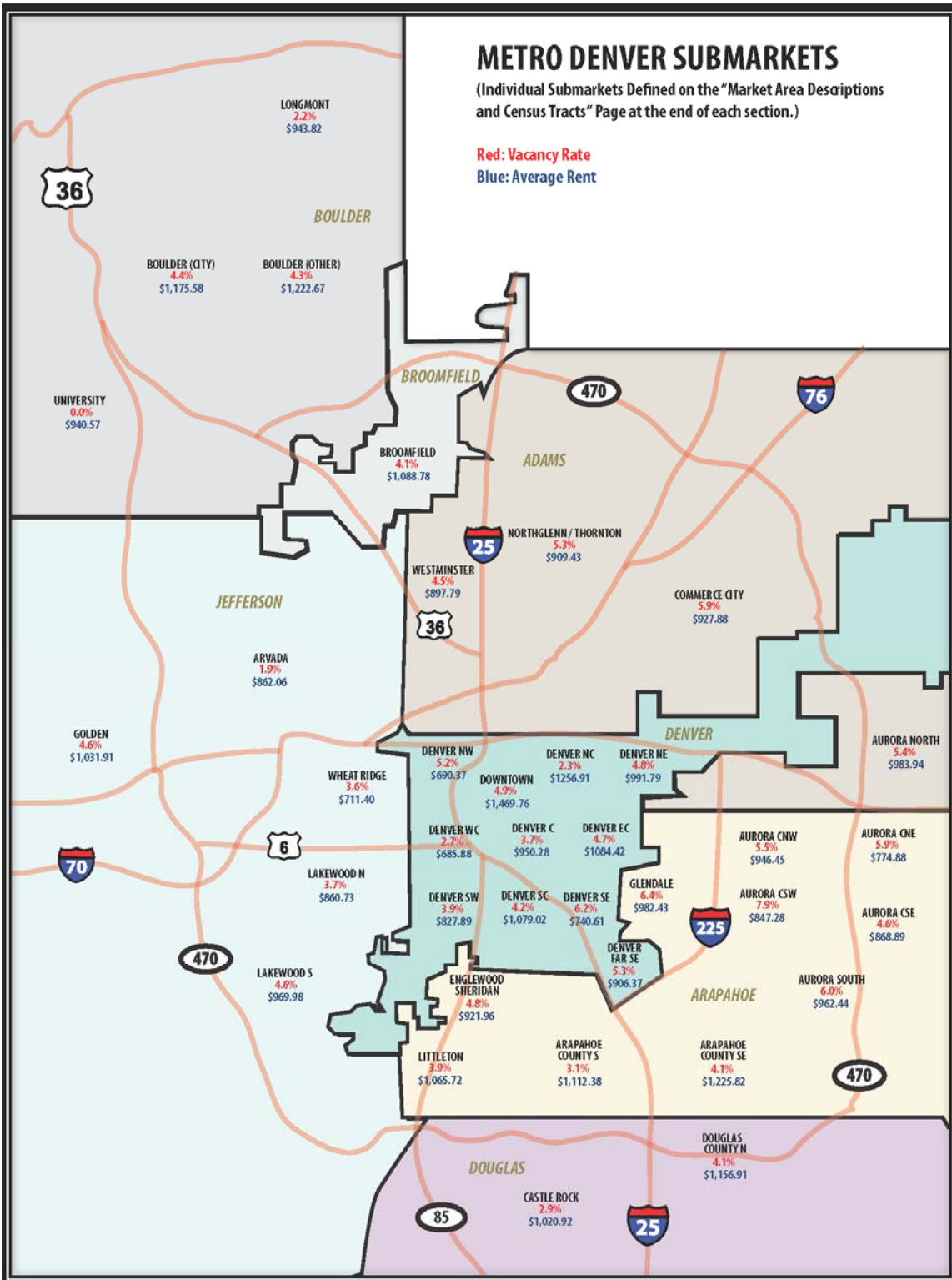
Figure I-27 on the following page provides another picture of rental affordability in Jefferson County, using data from the Metro Denver Vacancy Survey from second quarter 2012. As of second quarter 2012, all areas of the county had very low rental vacancy rates, with Arvada’s at just 1.9 percent, the second lowest in the region next to the area near CU-Boulder.

The vacancy survey reports a countywide median rent of \$877, the highest quarterly median from first quarter 2005 through second quarter 2012. The county’s median is lower than the metro average, however (\$916) and is the second lowest of metro area counties (Adams County is slightly lower at \$872).

The median value of owner occupied units in Jefferson County according to 2011 Census data was \$255,700, an increase of 36 percent since 2000. Of the county’s jurisdictions, Golden had the highest median home value (\$326,300) while Mountain View and Edgewater had the lowest median values (under \$200,000). Home values have risen considerably during the past decade, with the city of Golden leading the county with a 65 percent increase in the median value.

Figure I-28 on page 29, shows values of owner-occupied units in Jefferson County and its jurisdictions.

**Figure I-27.**  
**Apartment Vacancy Rates and Average Rents, Second Quarter 2012**



Source: Metro Denver Apartment Vacancy Survey, 2Q12.



**Figure I-28.**  
**Value of Owner Occupied Units, 2000 to 2006-2010 or 2011**

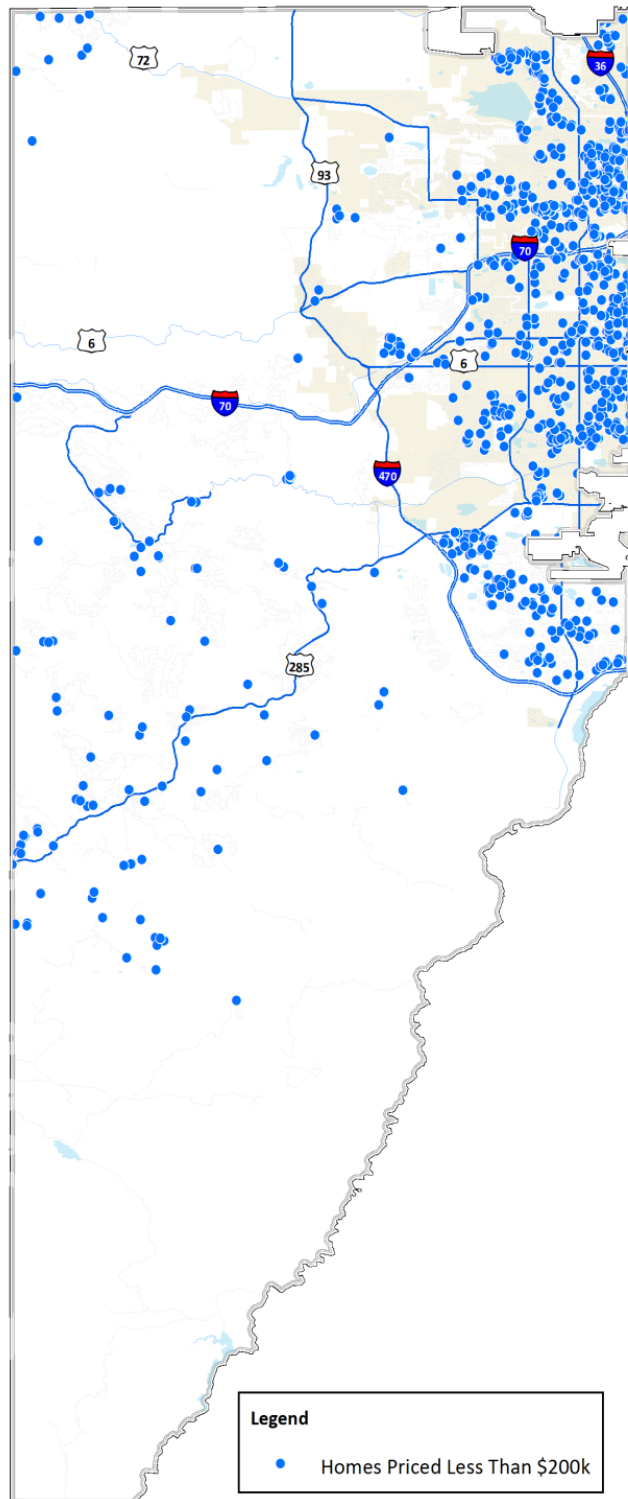
	Jefferson County			Arvada			Lakewood			Edgewater		
	2000	2011	Percent Change	2000	2011	Percent Change	2000	2011	Percent Change	2000	2006-2010	Percent Change
Less than \$50,000	1,852	2,958	60%	44	589	1239%	517	906	75%	18	35	94%
\$50,000 to \$99,999	7,549	3,283	-57%	1,147	676	-41%	3,358	1,557	-54%	149	0	-100%
\$100,000 to \$149,999	30,600	11,538	-62%	7,529	2,717	-64%	9,074	3,966	-56%	650	103	-84%
\$150,000 to \$199,999	48,512	21,372	-56%	11,207	6,216	-45%	12,962	5,958	-54%	247	389	57%
\$200,000 to \$299,999	39,421	57,943	47%	7,142	13,560	90%	8,344	14,101	69%	17	481	2729%
\$300,000 to \$499,999	16,791	39,946	138%	2,108	6,894	227%	2,293	7,571	230%	8	25	213%
\$500,000 to \$999,999	4,201	13,451	220%	202	1,100	445%	226	1,426	531%	0	0	-
\$1,000,000 or more	469	1,268	170%	15	25	67%	65	198	205%	0	0	-
<b>Median Value</b>	<b>187,900</b>	<b>255,700</b>	<b>36%</b>	<b>174,800</b>	<b>240,000</b>	<b>37%</b>	<b>174,900</b>	<b>237,300</b>	<b>36%</b>	<b>132,700</b>	<b>198,900</b>	<b>50%</b>
	Golden			Lakeside			Mountain View			Wheat Ridge		
	2000	2006-2010	Percent Change	2000	2006-2010	Percent Change	2000	2006-2010	Percent Change	2000	2006-2010	Percent Change
Less than \$50,000	556	631	13%	0	0	-	0	4	-	68	227	234%
\$50,000 to \$99,999	327	105	-68%	0	0	-	29	0	-100%	671	237	-65%
\$100,000 to \$149,999	562	132	-77%	0	0	-	93	25	-73%	2,420	631	-74%
\$150,000 to \$199,999	1,152	252	-78%	0	0	-	31	69	123%	2,445	1,652	-32%
\$200,000 to \$299,999	918	972	6%	0	0	-	6	75	1150%	1,712	3,744	119%
\$300,000 to \$499,999	681	1,631	140%	0	0	-	0	0	-	581	1,750	201%
\$500,000 to \$999,999	78	989	1168%	0	0	-	0	0	-	49	164	235%
\$1,000,000 or more	0	54	-	0	0	-	0	0	-	23	12	-48%
<b>Median Value</b>	<b>198,300</b>	<b>326,300</b>	<b>65%</b>	-	-	-	<b>125,000</b>	<b>193,200</b>	<b>55%</b>	<b>167,800</b>	<b>232,200</b>	<b>38%</b>

Source: 2000 Census, 2006-2010 ACS 5-year average, 2011 ACS 1-year average.

Figures I-29 and I-30 show the location of affordable homes to buy in the county. These data represent all homes sold or listed for sale 2011.

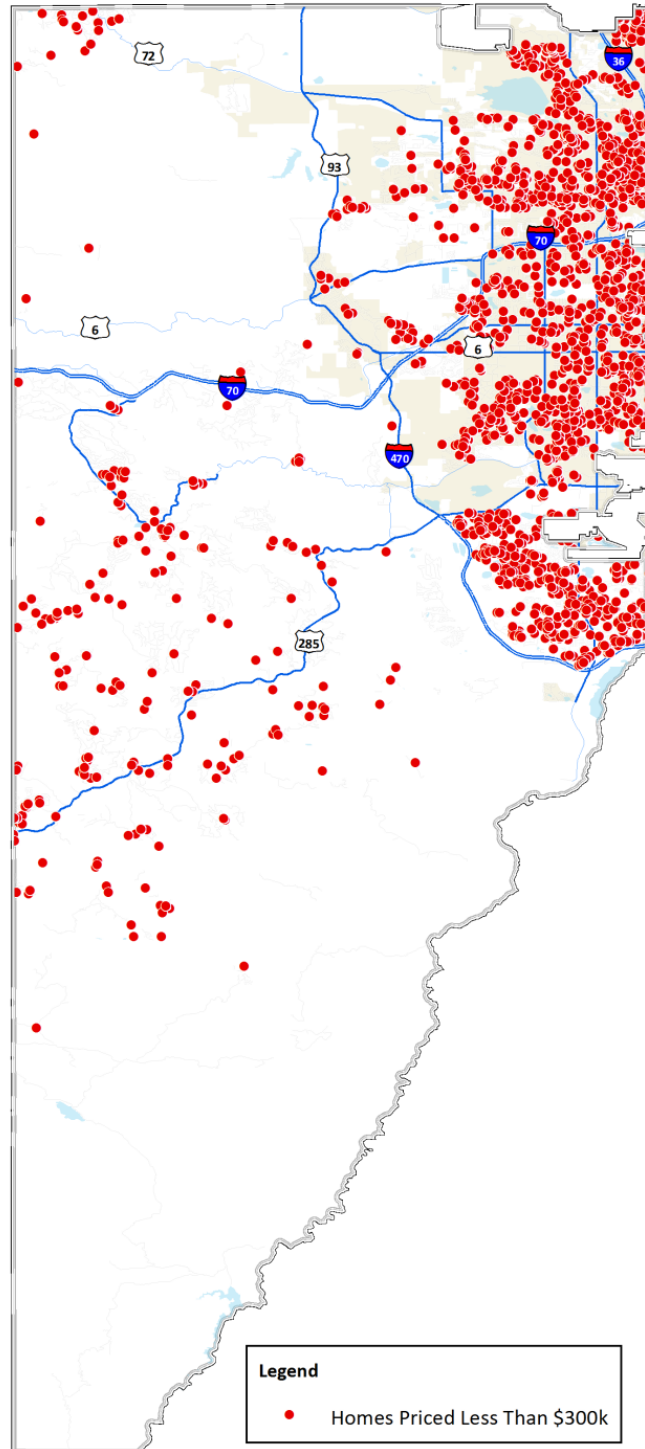
**Figure I-29.**  
**Location of Homes Priced**  
**Less Than \$200,000,**  
**Jefferson County, 2011**

Source:  
BBC Research & Consulting and regional  
MLS data.



**Figure I-30.**  
**Location of Homes Priced**  
**Less Than \$300,000,**  
**Jefferson County, 2011**

Source:  
BBC Research & Consulting and regional  
MLS data.



Jefferson County made up 20 percent of all homes listed or for sale in 2011 in the seven-county region.<sup>1</sup> Sixteen percent of regional homes listed or sold for less than \$200,000 were located in Jefferson County; 19 percent of those listed or sold for less than \$300,000 were in the county. By this measure, Jefferson County had about average affordability. Adams, Denver and Arapahoe Counties were the most affordable, with between 23 and 28 percent of units priced under \$200,000; Boulder, Broomfield and Douglas were the least affordable with less than 5 percent of homes for sale at less than \$200,000.

**Assisted and special needs housing.** Figure I-31 overlays the location of the MWHS and Jefferson County Housing Authority properties with areas of Hispanic concentration in the county, to examine if the county’s most affordable rental—those owned and operated by housing authorities—are predominantly located in concentrated areas. As the map demonstrates, the housing authority properties are largely located in the eastern portion of the county but are not exclusive to ethnically concentrated areas.

Figure I-32 shows the location of accessible housing authority properties, which are mostly located near major roads and appears to be well distributed countywide, except for the northern/northwest portion of the county.

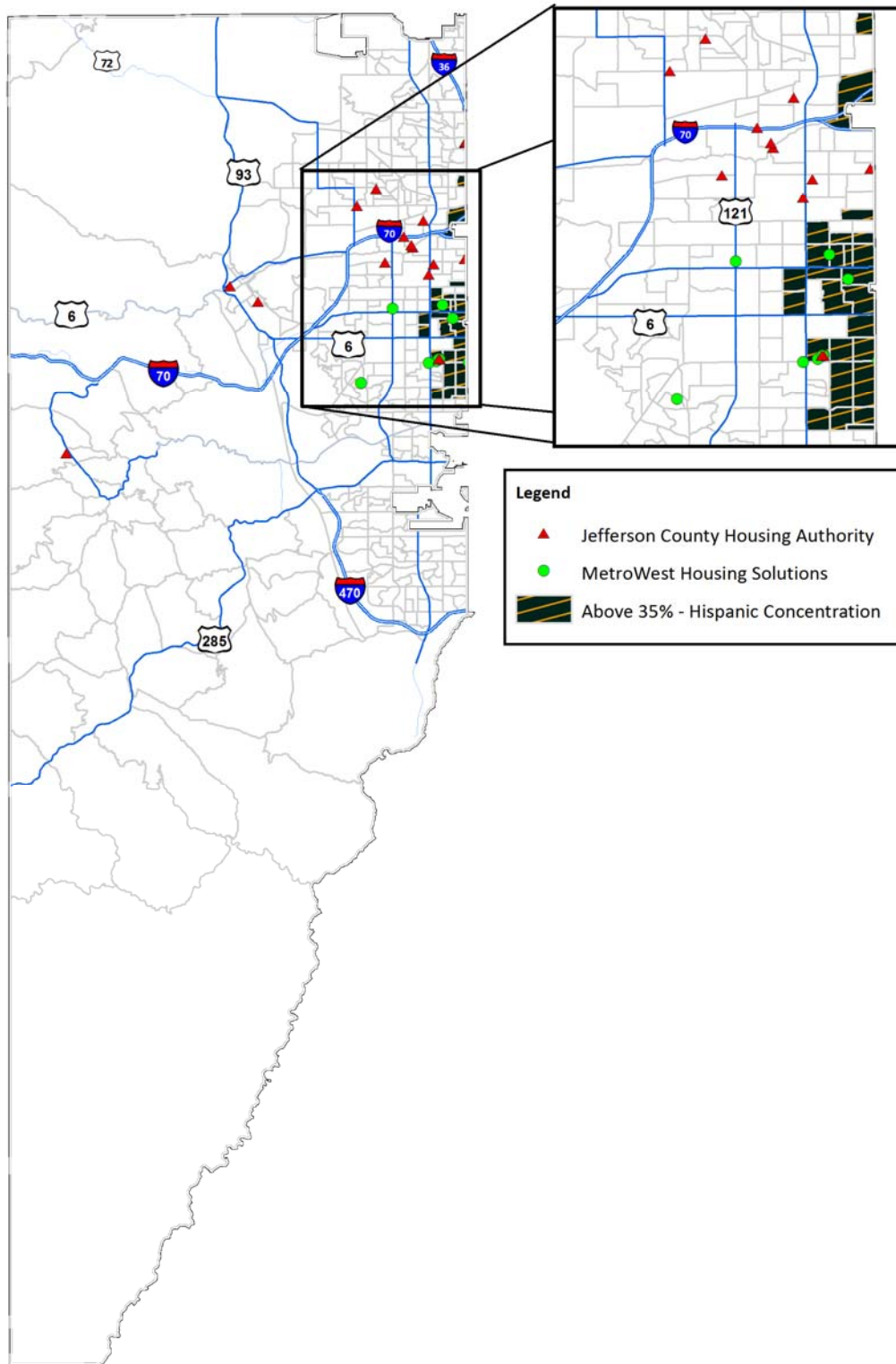
Jefferson County recently convened a work group to examine the demand for increasing the need for housing options for older adults, many of whom are also persons with disabilities. The research conducted by the workgroup resulted in recommendations to increase the diversity of housing types for older adults, including:

- Decreasing minimum lot size requirement and expanding to other residential zones,
- Relaxing occupancy requirement (family requirement),
- Allowing accessory dwelling units by administrative review,
- Incorporating visitability standards into design guidelines,
- Examining the potential to redevelop underutilized commercial space to residential use,
- Developing Shared Housing and Cohousing,
- Offering expedited development reviews and fee waivers, and
- Involving homebuilders to encourage more visitable housing options.

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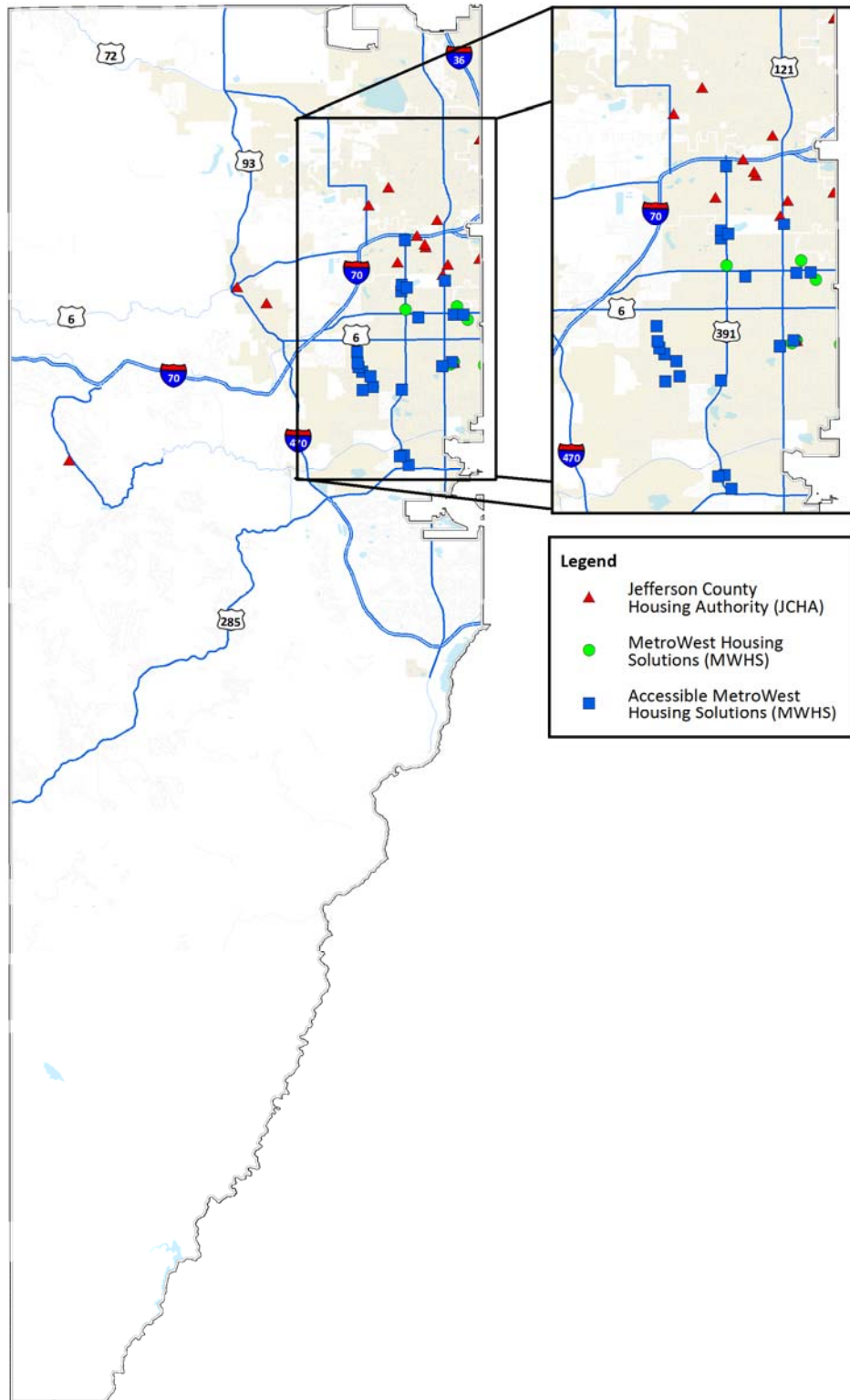
<sup>1</sup> Includes the counties of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas and Jefferson.

**Figure I-31.**  
**Housing Authority Developments and Areas of Hispanic Concentration, Jefferson County, 2012**



Source: Housing Authority websites and BBC Research & Consulting.

**Figure I-32.**  
**Location of Accessible Housing Authority Properties, Jefferson County, 2012**



Source: MetroWest Housing Solutions and BBC Research & Consulting.

## **SECTION II.**

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### **Fair Lending Review**

## SECTION II.

# Fair Lending Review

This section contains an analysis of mortgage loan and community reinvestment data to detect fair lending concerns in Jefferson County. The section begins with a discussion of community investment ratings for banks headquartered in the county. It continues with an analysis and comparison of mortgage loan approvals and denials in 2010 (the latest data available at the time this report was prepared) to data from 2006, which were analyzed as part of a statewide fair lending study.

As of 2004, mortgage loan data contain the interest rates on high cost loans, which allows an analysis of high cost (subprime) lending patterns. Recent changes to banking regulations will make additional variables available in such data in coming years, which will greatly supplement fair lending analyses.

**Community Reinvestment Act (CRA).** The CRA requires that financial institutions progressively seek to enhance community development within the area they serve. On a regular basis, financial institutions submit information about mortgage loan applications as well as materials documenting their community development activity. The records are reviewed to determine if the institution satisfied CRA requirements. The assessment includes a review of records related to the following:

- Commitment to evaluating and servicing community credit needs;
- Offering and marketing various credit programs;
- Record of opening and closing offices;
- Discrimination and other illegal credit practices; and
- Community development initiatives.

CRA ratings for institutions range from substantial non-compliance in meeting credit needs to an outstanding record of meeting community needs.

A search of CRA ratings on the Federal Financial Institutions Examination Council (FFIEC) website found one bank headquartered in Jefferson County that had received a CRA exam in the past five years. This bank was rated “satisfactory.”

It should be noted that households in Jefferson County may obtain loans from banks that are headquartered throughout the United States. The following section contains an analysis of loan records of banks to which Jefferson County residents applied for mortgage loans during 2010.



**Mortgage lending data.** Home Mortgage Disclosure Act (HMDA) data are widely used to detect evidence of discrimination in mortgage lending. In fact, concern about discriminatory lending practices in the 1970s led to the requirement for financial institutions to collect and report HMDA data. The variables contained in the HMDA dataset have expanded over time, allowing for more comprehensive analyses and better results. However, despite expansions in the data reported, current HMDA analyses remain limited because of the information that is *not* reported. Because HMDA datasets do not contain all of the factors that are evaluated by lending institutions when they decide to make a loan to a borrower, direct evidence of lending discrimination is difficult to detect through HMDA analysis alone. This will change in the future, as modifications to financial institutions’ regulations now require additional data (e.g., credit scores) to be reported.

Currently, HMDA data can be used to determine disparities in loan originations and interest rates among borrowers of different races, ethnicities, genders, and location of the property they hope to own. The data can also be used to explain many of the reasons for any lending disparities (e.g., poor credit history).

HMDA data report several types of loans. These include loans used to purchase homes and to make home improvements, and refinance existing mortgage loans, as defined below.

- **Home purchase loan.** A home purchase loan is any loan secured by and made for the purpose of purchasing a housing unit.
- **Home improvement loan.** A home improvement loan is used, at least in part, for repairing, rehabilitating, remodeling, or improving a housing unit or the real property on which the unit is located.
- **Refinancing.** Refinancing is any dwelling-secured loan that replaces and satisfies another dwelling-secured loan to the same borrower. The purpose for which a loan is refinanced is not relevant for HMDA purposes.

The HMDA data are separated into two primary loan categories: conventional loans and government-guaranteed loans. Government-guaranteed loans are insured by the Federal Housing Administration (FHA) and Veterans Administration (VA).

## Lending in Jefferson County

**Loan denials.** During 2010, there were 34,524 mortgage loan applications completed by residents of Jefferson County for primary residence, owner-occupied homes. Twenty-one percent of the mortgage loan applications were made by residents of the City of Lakewood and 18 percent were made by residents from the City of Arvada. Seventy-six percent of all loans originated were conventional loans; 21 percent were FHA-insured; and the balance was Veterans Administration (VA) or other guaranteed loans, as shown in Figure II-1.

**Figure II-1.**  
**Mortgage Loan Applications,**  
**Jefferson County, 2010**

Type	Jefferson County
Conventional	76%
FHA-insured	21%
VA-guaranteed	2%
FSA/RHS	0%
Number of applications	34,524

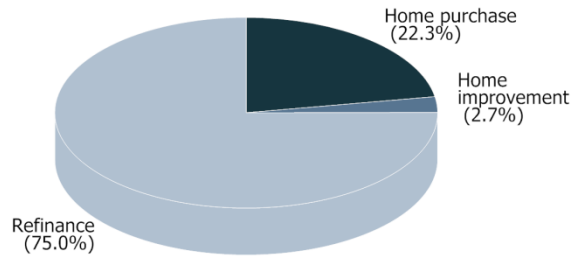
Note: VA-guaranteed loans are available to veterans through the Veterans Administration. FSA/RHS loans are available to residents in rural areas through USDA programs.

Source: Home Mortgage Disclosure Act (HMDA), 2010.

Figure II-2 shows the purpose of the loan applications. The majority were refinances at 75 percent. Twenty-two percent was for home purchases and just 3 percent was for home improvements. Loan purpose mirrors Jefferson County as a whole for both the Cities of Lakewood and Arvada.

**Figure II-2**  
**Purpose of Loan Applications,**  
**Jefferson County, 2010**

Source:  
 Home Mortgage Disclosure Act (HMDA), 2010.

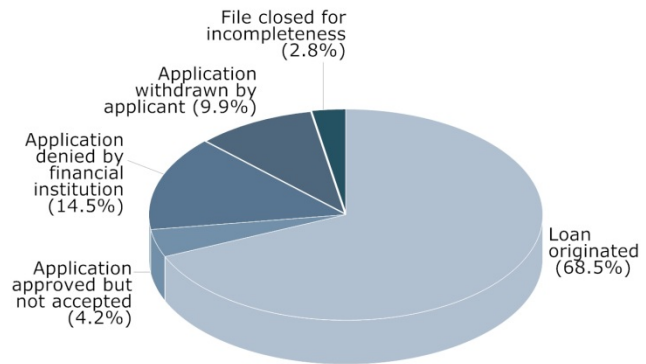


Of all of the loan applications, almost 70 percent were approved and about 15 percent were denied, as shown in Figure II-3 on the following page. Ten percent of the applications were withdrawn by the applicants and, in another 4 percent of cases the applicants did not accept the loans. The loan file was closed as incomplete in about 3 percent of the cases.

There was little difference in the rate of approval by loan type. Conventional loans were approved 69 percent of the time, compared with 68 percent for FHA loans. However, there was a difference in approval rates by loan purpose: Applications for home purchases had the highest approval rate at 75 percent. Sixty-seven percent of refinances were approved. Home improvement loans had the lowest approval rate a little more than 50 percent.

**Figure II-3.**  
**Action Taken on Mortgage Loan**  
**Applications, Jefferson County, 2010**

Source:  
 Home Mortgage Disclosure Act (HMDA), 2010.



**Denial Rates.** Figure II-4a examines the disposition of loan applications in Jefferson County by race and ethnicity. Hispanic denial rates are 7 percentage points higher than for non-Hispanic borrowers and origination rates are 10 percentage points lower. Denial rates are also very high for American Indian/Alaskan Native and Pacific Islander applicants, although the number of applications for these groups is relatively small (approximately 150 applications per group).

**Figure II-4a.**  
**Result of Mortgage Loan Applications by Race/Ethnicity, Jefferson County, 2010**

Jefferson County	Percent of Total Loan Application	Loan Originated	Action Taken			
			Application approved, but not accepted	Denied	Application withdrawn by applicant	Closed for Incompleteness
<b>Race</b>						
American Indian or Alaska Native	0%	53%	3%	27%	14%	3%
Asian	2%	68%	5%	16%	8%	4%
Black or African American	0%	66%	4%	10%	14%	5%
Pac Islander	0%	50%	4%	31%	15%	0%
White	84%	71%	4%	14%	9%	2%
Info not provided by applicant	13%	55%	5%	21%	15%	6%
Not Applicable	0%	80%	0%	0%	20%	0%
<b>Ethnicity</b>						
Hispanic or Latino	5%	61%	6%	20%	11%	3%
Not Hispanic or Latino	82%	71%	4%	13%	9%	3%
Info not provided by applicant	13%	55%	5%	20%	15%	5%
Not Applicable	0%	44%	0%	33%	22%	0%
<b>Racial/Ethnic Comparison</b>						
Hispanic/Latino or Not Hispanic/Not Latino	-77%	-10%	2%	7%	1%	0%

Source: Home Mortgage Disclosure Act (HMDA), 2010.

Figure II-4b overlays areas with denial rates greater than the county average with areas of Hispanic concentration. As the figure demonstrates, areas with higher than average denial rates are not exclusive to areas of Hispanic concentration.

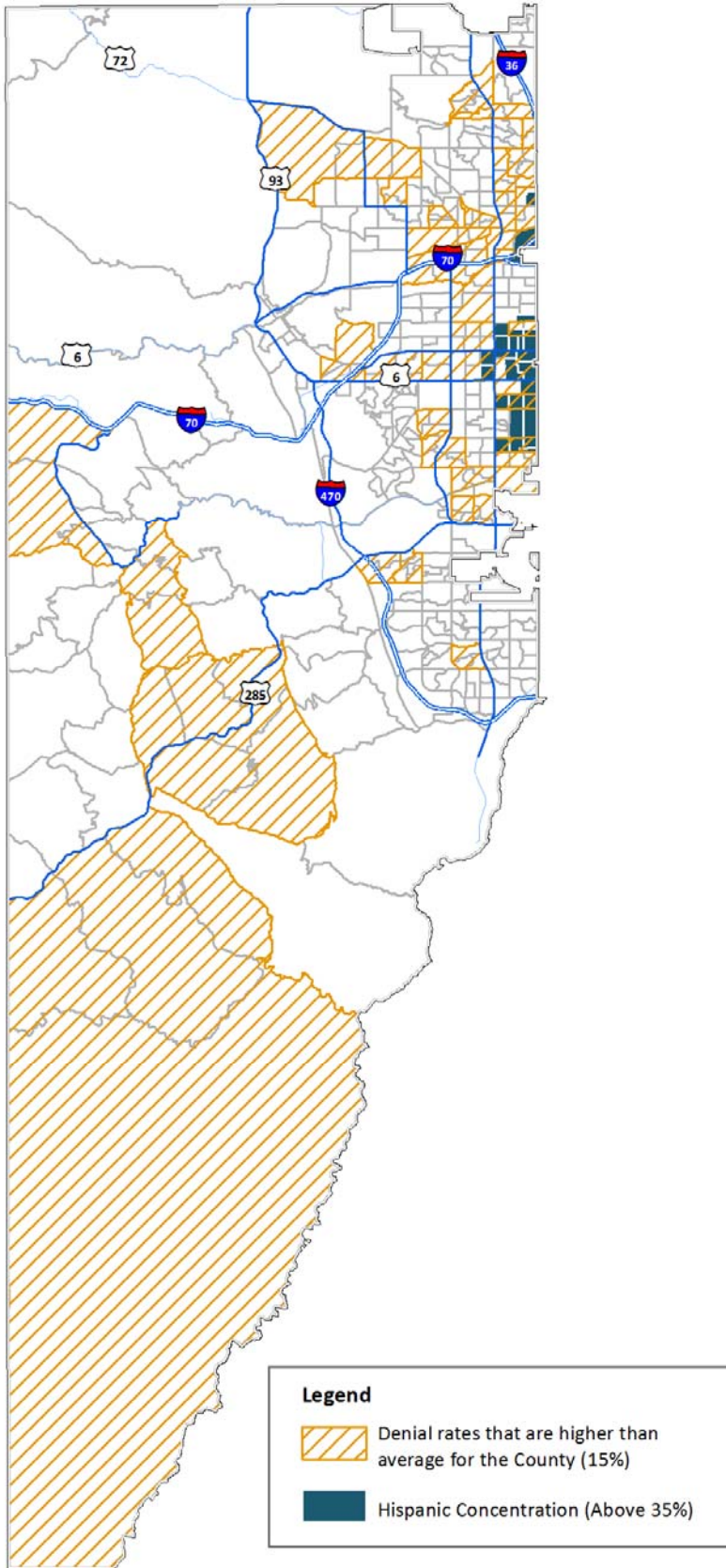
**Figure II-4b.  
Loan Denials and Hispanic  
Concentration, Jefferson  
County, 2010**

Note:

There are no areas of concentration  
for non-white racial groups in  
Jefferson County.

Source:

Home Mortgage Disclosure Act  
(HMDA), 2010; and BBC Research &  
Consulting.



**Reasons for denial.** HMDA data also contain summary information on the reasons for denial by type of loan and applicant characteristics, which can help explain some of the variation in approval rates among applicants. As demonstrated in Figure II-5, high debt-to-income ratios and inadequate collateral are the main reasons for application denials across race and loan type in Jefferson County. For Hispanic or Latino applicants, credit history was also a common reason for application denials; African Americans had a high proportion of “other” reasons.

**Figure II-5.  
Reasons for Denial  
by Loan Type and  
Race/Ethnicity,  
Jefferson County,  
2010**

Source:  
Home Mortgage Disclosure Act  
(HMDA), 2010.

Jefferson County	Asian	Black or African American	White	Hispanic or Latino
Debt-to-income ratio	33%	19%	22%	25%
Employment history	2%	0%	2%	2%
Credit history	10%	6%	12%	19%
Collateral	14%	25%	20%	21%
Insufficient cash	1%	6%	3%	3%
Unverifiable information	13%	13%	10%	9%
Credit application incomplete	10%	0%	14%	10%
Mortgage insurance denied	1%	0%	0%	0%
Other	16%	31%	16%	12%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

**Subprime analysis.** Beginning in 2004, HMDA data contained the interest rates on higher-priced mortgage loans. This allows examination of disparities in high-cost, including subprime, loans among different racial and ethnic groups. It is important to remember that subprime loans are not always predatory or indicative of fair lending issues, and that the numerous factors that can make a loan “predatory” are not adequately represented in available data. Therefore, actual predatory practices cannot be identified through HMDA data analysis. However, the data analysis can be used to identify where additional scrutiny is warranted and public education and outreach efforts should be targeted.

In 2007, BBC conducted an analysis of high cost lending in the state of Colorado as part of a grant the Colorado Civil Rights Division received from HUD. This study examined subprime lending statewide, including in Jefferson County.

The study defined “subprime” loans as those with an annual percentage rate (APR) of more than 3 percentage points above comparable treasuries. This is consistent with the intent of the Federal Reserve in defining “subprime” in the HMDA data. The study also defined “super subprime” loans, which had APRs of more than 7 percentage points above comparable treasuries. This was BBC’s own definition created to identify very high-cost loans.

In Colorado overall, about 24 percent of borrowers received subprime loans in 2006. African American and Hispanic borrowers were twice as likely to receive subprime loans, even as their incomes rose. Overall, white borrowers received subprime loans 20 percent of the time compared to 43 percent of the time for both African American and Hispanic borrowers.

The situation was similar—albeit more severe for African Americans—in Jefferson County. Figure II-6 presents 2006 HMDA subprime data for metro Denver counties. In 2006, in Jefferson County, white applicants received subprime loans 18 percent of the time compared with 47 percent of the time for African American borrowers and 37 percent of the time for Hispanic borrowers. The means that African American borrowers were 2.5 times more likely to receive subprime loans than white borrowers; and, Hispanics, twice as often. The Black/White disparity in Jefferson County was higher than the disparity for the MSA overall; the Hispanic/White disparity was lower.

**Figure II-6.**  
**Loans by County, Race, and Subprime Status, 2006**

County	White Borrowers			Black or African American Borrowers			Hispanic or Latino Borrowers			Black/White Disparity	Hispanic/White Disparity
	Total	Subprime	Percent	Total	Subprime	Percent	Total	Subprime	Percent		
Adams	12,897	3,501	27%	386	183	47%	4,492	2,094	47%	1.75	1.72
Arapahoe	18,682	4,147	22%	1,924	897	47%	2,691	1,241	46%	2.10	2.08
Broomfield	2,470	351	14%	30	10	*	155	37	24%	*	1.67
Denver	16,481	2,935	18%	1,761	803	46%	5,052	2,467	49%	2.56	2.74
Douglas	16,789	2,792	17%	240	83	35%	831	246	30%	2.08	1.78
<b>Jefferson</b>	<b>19,954</b>	<b>3,691</b>	<b>18%</b>	<b>178</b>	<b>83</b>	<b>47%</b>	<b>1,766</b>	<b>662</b>	<b>37%</b>	<b>2.52</b>	<b>2.03</b>
<b>Denver MSA</b>	<b>87,273</b>	<b>17,417</b>	<b>20%</b>	<b>4,519</b>	<b>2,059</b>	<b>46%</b>	<b>14,987</b>	<b>6,747</b>	<b>45%</b>	<b>2.28</b>	<b>2.26</b>

Note: \* Too few loans (less than 60).

Source: 2006 HMDA, Federal Financial Institutions Examination Council and BBC Research & Consulting.

**Subprime lending by race and ethnicity.** Figure II-7 shows the share of all mortgage loans and subprime loans in Jefferson County, in 2006 and 2010, for white, African American and Hispanic borrowers. Nine percent of subprime loans were made to Hispanics in 2010, twice the percentage of all originated loans to the Hispanic population. Comparatively, white borrowers received about 92 percent of all subprime loans compared to 87 percent of all loans originated.

The data also show that the prevalence of subprime lending to minority applicants has declined since 2006: In 2010, Hispanic borrowers represented a much smaller share of the subprime market and subprime loans to African American borrowers were nonexistent.

**Figure II-7.  
Distribution of all  
Loans and Subprime  
Loans by Race and  
Ethnicity, Jefferson  
County, 2006 and 2010**

Source:  
Home Mortgage Disclosure Act  
(HMDA), 2010, 2006 and BBC  
Research & Consulting.



As Figure II-7 suggests, the subprime lending market has changed dramatically since 2006. An analysis of 2010 HMDA data shows that 201 Jefferson County mortgage loan borrowers received subprime rates—just under one percent of all mortgage lending transactions captured in the HMDA data. This is down significantly from the 5,143 subprime loans received by borrowers in the county in 2006.

Figure II-8 shows subprime lending rates for Jefferson and other metro counties in 2006 for borrowers earning more than \$100,000 per year. High-income African American borrowers in Jefferson County received subprime loans 35 percent of the time, and high income Hispanics received subprime loans 31 percent of the time, compared to 17 percent for all borrowers and 16 percent for whites.

Compared to other metro area counties, Jefferson County had a slightly lower subprime likelihood for Hispanic applicants; the subprime likelihood for African American applicants was about average; and the subprime likelihood for Asian applicants was higher.

**Figure II-8.  
Subprime Lending by  
Race/Ethnicity, All Loan  
Types, Income \$100,000  
and Over, 2006**

Source:  
2006 HMDA, Federal Financial  
Institutions Examination Council,  
BBC Research & Consulting.

County	White	Black or African American	Asian	Hispanic or Latino	All
<b>All loans</b>					
Adams	2,775	79	134	414	<b>3,872</b>
Arapahoe	5,456	368	310	358	<b>7,285</b>
Denver	5,137	295	141	400	<b>6,732</b>
Douglas	7,795	119	274	297	<b>9,469</b>
Jefferson	6,346	49	156	326	<b>7,641</b>
<b>Percent subprime</b>					
Adams	22%	44%	19%	36%	<b>24%</b>
Arapahoe	18%	39%	23%	39%	<b>21%</b>
Denver	15%	46%	18%	40%	<b>18%</b>
Douglas	16%	30%	15%	24%	<b>16%</b>
Jefferson	16%	35%	22%	31%	<b>17%</b>
<b>More Likely to Get Subprime Loans</b>					
Adams	1.00	2.04	0.89	1.66	<b>1.13</b>
Arapahoe	1.00	2.13	1.23	2.14	<b>1.15</b>
Denver	1.00	3.12	1.25	2.67	<b>1.21</b>
Douglas	1.00	1.89	0.91	1.51	<b>1.01</b>
Jefferson	1.00	2.14	1.38	1.89	<b>1.08</b>

## Lending in the City of Lakewood

During 2010, there were 7,122 mortgage loan applications completed by residents of the City of Lakewood, representing 21 percent of all Jefferson County loan applications. Seventy-three percent of all loans originated in the City were conventional loans; 24 percent were FHA-insured; and the balance was VA or other guaranteed loans, as shown in Figure II-9.

**Figure II-9.  
Mortgage Loan Applications,  
City of Lakewood, 2010**

Note: VA-guaranteed loans are available to veterans through the Veterans Administration. FSA/RHS loans are available to residents in rural areas through USDA programs.

Source:  
Home Mortgage Disclosure Act (HMDA), 2010.

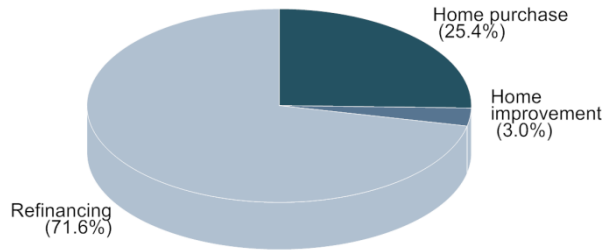
Type	City of Lakewood
Conventional	73%
FHA-insured	24%
VA-guaranteed	3%
FSA/RHS	0%
Number of applications	7,122



Figure II-10 shows the purpose of the loan applications. The majority were refinances at 72 percent. Twenty-five percent was for home purchases; and just 3 percent was for home improvements. Loan purpose is very similar to that of Jefferson County as a whole.

**Figure II-10.**  
**Purpose of Loan Applications,**  
**City of Lakewood, 2010**

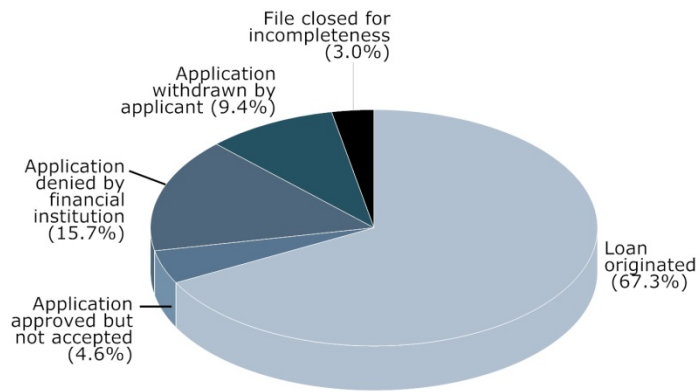
Source:  
 Home Mortgage Disclosure Act (HMDA), 2010.



Of all of the loan applications in the City of Lakewood, 67 percent were approved and 16 percent were denied. Nine percent of the applications were withdrawn by the applicants and in another 5 percent of cases the applicants did not accept the loans. The loan file was closed as incomplete in about 3 percent of the cases. There was not a significant difference in loan application originations or denials than for Jefferson County as a whole.

**Figure II-11.**  
**Action Taken on Mortgage Loan**  
**Applications, City of Lakewood, 2010**

Source:  
 Home Mortgage Disclosure Act (HMDA), 2010.



Like Jefferson County, there was little difference in the rate of approval by loan type: Conventional loans were approved 67 percent of the time, compared with 68 percent for FHA loans. Loan approvals varied, however by loan purpose with home purchases approved most often (75%), compared to just slightly over half for home improvements and 65 percent for refinances.

Figure II-12a shows the disposition of loan applications by race and ethnicity for loans applied for by Lakewood residents. Hispanic borrower denial rates are 5 percentage points higher than for non-Hispanic borrowers. Denial rates for African Americans are about the same as for whites. Loan denials are high for American Indian/Alaskan Native and Pacific Islander applicants, although the number of applications from these groups is relatively small.

**Figure II-12a.**  
**Result of Mortgage Loan Applications by Race/Ethnicity, City of Lakewood, 2010**

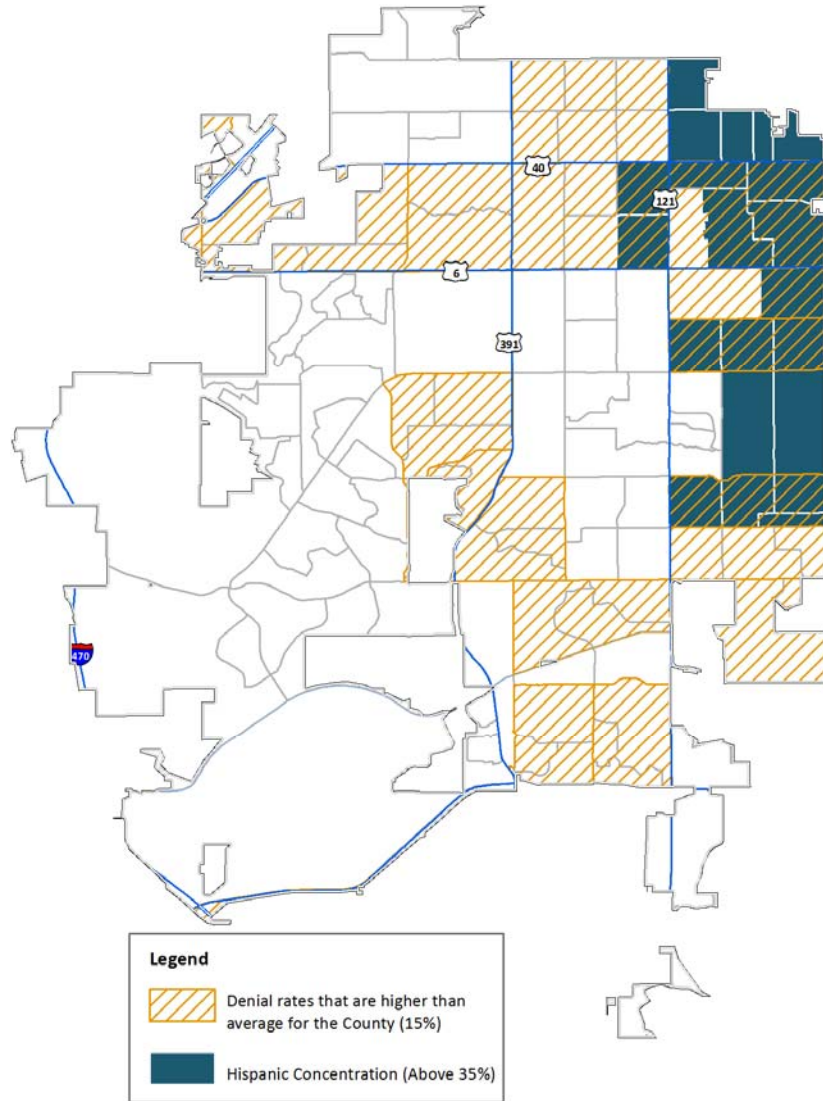
City of Lakewood	Percent of Total Loan Applications	Loan Originated	Action Taken			
			Application Approved, but Not Accepted	Denied	Application Withdrawn by Applicant	Closed for Incompleteness
<b>Race</b>						
American Indian or Alaska Native	1%	56%	2%	33%	6%	4%
Asian	3%	65%	3%	19%	7%	6%
Black or African American	0%	68%	3%	13%	6%	10%
Pac Islander	0%	53%	12%	24%	12%	0%
White	83%	70%	5%	14%	9%	3%
Info not provided by applicant	13%	53%	4%	24%	14%	5%
Not Applicable	0%	100%	0%	0%	0%	0%
<b>Ethnicity</b>						
Hispanic or Latino	8%	60%	6%	19%	10%	4%
Not Hispanic or Latino	80%	70%	4%	14%	9%	3%
Info not provided by applicant	13%	53%	4%	24%	14%	4%
Not Applicable	0%	33%	0%	67%	0%	0%
<b>Racial/Ethnic Comparison</b>						
Hispanic/Latino or Not Hispanic/Not Latino	-72%	-10%	2%	5%	2%	1%

Source: Home Mortgage Disclosure Act (HMDA), 2010.

Figure II-12b examines Hispanic concentration and denial rates in the City of Lakewood. The crosshatch designates Census Tracts with higher denial rates than for the county overall. As the Figure demonstrates, many—but not all—areas with high denial rates are also areas of Hispanic concentration. These areas are also many of the city’s low and moderate income areas.

**Figure II-12b.**  
**Loan Denials and**  
**Hispanic Concentration,**  
**City of Lakewood, 2010**

Source:  
Home Mortgage Disclosure Act  
(HMDA), 2010, and BBC Research &  
Consulting.



As demonstrated in Figure II-13, high debt-to-income ratios and inadequate collateral are the primary reasons for application denials across race and loan type in Lakewood. For Hispanic and Asian applicants, credit history was also a common reason for application denials. African American applicants in the City of Lakewood were denied at a rate 15 percentage points higher than Jefferson County residents as a whole for collateral reasons, and Asians denials were 10 percentage points higher for credit history reasons.

**Figure II-13.  
Reasons for Denial  
by Loan Type and  
Race/Ethnicity, City of  
Lakewood, 2010**

Source:  
Home Mortgage Disclosure Act  
(HMDA), 2010.

City of Lakewood	Asian	Black or African American	White	Hispanic or Latino
Debt-to-income ratio	30%	20%	23%	24%
Employment history	0%	0%	2%	2%
Credit history	20%	0%	15%	20%
Collateral	15%	40%	18%	18%
Insufficient cash	0%	0%	2%	2%
Unverifiable information	8%	0%	10%	11%
Credit application incomplete	15%	0%	13%	9%
Mortgage insurance denied	0%	0%	0%	0%
Other	13%	40%	17%	14%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

## Lending in the City of Arvada

During 2010, there were 6,081 mortgage loan applications completed by residents of the City of Arvada, representing 18 percent of all Jefferson County loan applications. Seventy-two percent of all loans originated were conventional loans; 25 percent were FHA-insured; and the balance was VA or other guaranteed loans, as shown in Figure II-14.

**Figure II-14.  
Mortgage Loan Applications,  
City of Arvada, 2010**

Note: VA-guaranteed loans are available to veterans through the Veterans Administration. FSA/RHS loans are available to residents in rural areas through USDA programs.

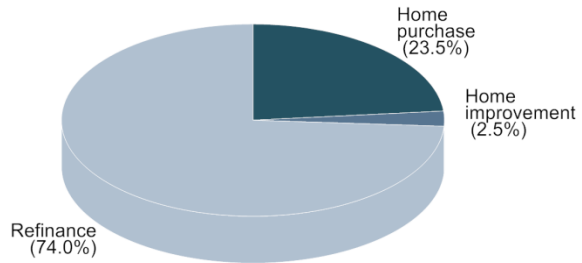
Source:  
Home Mortgage Disclosure Act (HMDA), 2010.

Type	City of Arvada
Conventional	72%
FHA-insured	25%
VA-guaranteed	3%
FSA/RHS	0%
Number of applications	6,081

Figure II-15 shows the purpose of the loan applications. The majority were refinances at 74 percent. Twenty-four percent was for home purchases; and just 3 percent was for home improvements. Loan purpose is very similar to that of Jefferson County as a whole.

**Figure II-15.**  
**Purpose of Loan Applications,**  
**City of Arvada, 2010**

Source:  
 Home Mortgage Disclosure Act (HMDA), 2010.



Of all of the loan applications, 68 percent were approved and 16 percent were denied. Nine percent of the applications were withdrawn by the applicants and in another 4 percent of cases, the applicants did not accept the loans. The loan file was closed as incomplete in about 3 percent of the cases. Denials were 1 percent higher than Jefferson County as a whole (not a significant difference).

Conventional loans were approved 68 percent of the time, compared with 69 percent for FHA loans. Applications for home purchases were approved most often (75% of the time), compared to 59 percent for home improvements and 66 percent for refinances.

**Figure II-16.**  
**Action Taken on Mortgage Loan**  
**Applications, City of Arvada, 2010**

Source:  
 Home Mortgage Disclosure Act (HMDA), 2010.

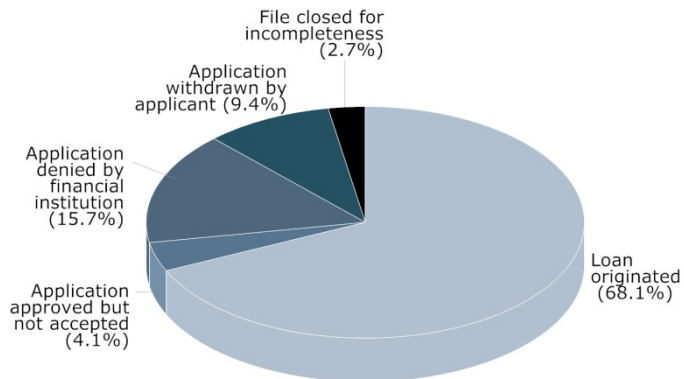


Figure II-17a examines the disposition of loan applications by race and ethnicity in the City of Arvada. Hispanic denial rates are 9 percentage points higher than those of non-Hispanic borrowers. Loans to Hispanic borrowers were originated 54 percent of the time, compared to 71 percent of the time for non-Hispanic borrowers (a difference of 17 percentage points).

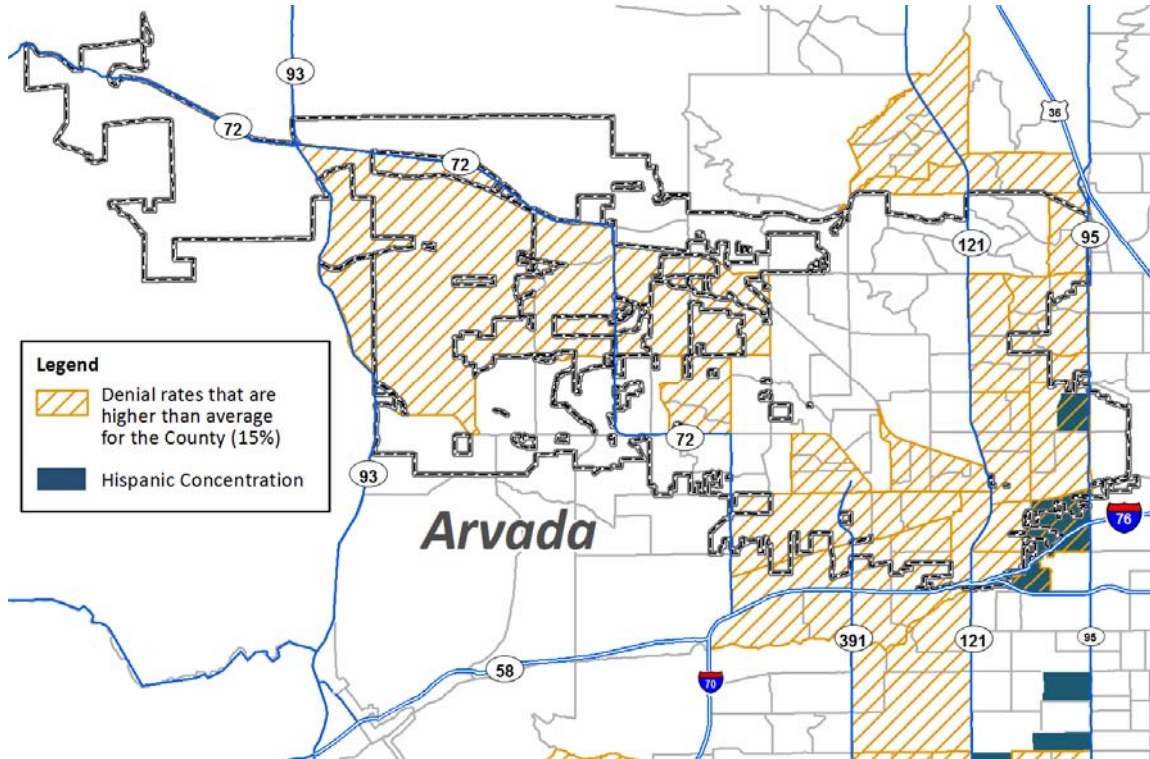
**Figure II-17a.**  
**Result of Mortgage Loan Applications by Race/Ethnicity, Arvada, 2010**

City of Arvada	Percent of Total Loan Applications	Loan Originated	Action Taken			
			Application Approved, but Not Accepted	Denied	Application Withdrawn by Applicant	Closed for Incompleteness
<b>Race</b>						
American Indian or Alaska Native	0%	68%	0%	11%	0%	4%
Asian	1%	64%	4%	16%	4%	4%
Black or African American	0%	50%	0%	8%	0%	17%
Pacific Islander	0%	67%	0%	33%	0%	0%
White	84%	70%	4%	15%	4%	2%
Info not provided by applicant	14%	56%	5%	21%	5%	5%
Not Applicable	0%	100%	0%	0%	0%	0%
<b>Ethnicity</b>						
Hispanic or Latino	6%	54%	7%	23%	7%	4%
Not Hispanic or Latino	81%	71%	4%	14%	4%	2%
Info not provided by applicant	14%	56%	5%	21%	5%	4%
Not Applicable	0%	75%	0%	25%	0%	0%
<b>Racial/Ethnic Comparison</b>						
Hispanic/Latino or Not Hispanic/Not Latino	-75%	-17%	3%	9%	3%	2%

Source: Home Mortgage Disclosure Act (HMDA), 2010.

Figure II-17b. shows loan denials and Hispanic concentration. The crosshatch designates Census Tracts with higher than average denial rates. As the Figure demonstrates, while areas of Hispanic concentration are also areas of higher than average denial rates, there are higher than average denials in many non-concentrated areas.

**Figure II-17b.**  
**Loan Denials and Hispanic Concentration, City of Arvada, 2010**



Source: Home Mortgage Disclosure Act (HMDA), 2010, and BBC Research & Consulting.

As demonstrated in Figure II-18, high debt-to-income ratios and inadequate collateral are the major reasons for application denials across race and loan type in Arvada. For Hispanic or Latino and African American applicants, credit history was also a common reason for application denials.

Unverifiable information and other reasons were material for Asian borrower denials. African American applicants in the City of Arvada were denied at a rate 19 percentage points higher than Jefferson County residents as a whole for credit history and insufficient cash reasons, but were denied 19 percentage points and 13 percentage points less frequently, respectively, for debt-to-income ratios and unverifiable information.

**Figure II-18.**  
**Reasons for Denial by Loan**  
**Type and Race/Ethnicity,**  
**City of Arvada, 2010**

Source:  
 Home Mortgage Disclosure Act  
 (HMDA), 2010.

City of Arvada	Asian	Black or African American	White	Hispanic or Latino
Debt-to-income ratio	30%	0%	23%	31%
Employment history	0%	0%	2%	2%
Credit history	10%	25%	11%	21%
Collateral	10%	25%	20%	17%
Insufficient cash	0%	25%	3%	4%
Unverifiable information	20%	0%	12%	11%
Credit application incomplete	10%	0%	14%	6%
Mortgage insurance denied	0%	0%	0%	0%
Other	20%	25%	15%	8%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>



## **SECTION III.**

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### **Community Input**

# SECTION III.

## Community Input

This section details the results of the community consultation conducted for the Jefferson County AI.

### Consultation and Public Input Elements

The public input effort for the AI included the following elements:

- A paper and online resident survey offered in Spanish and English—207 residents responded to the survey. The online survey was hosted by SurveyMonkey.com, a certified Section 508 compliant website.
- One community meeting to discuss fair housing issues held October 30, 2012—five residents attended the meeting. A separate meeting, conducted as part of the city of Lakewood’s Consolidated Plan on October 16, 2012, had 10 attendees. Both meetings were held at an accessible venue near public transit.
- An online survey of stakeholders about potential barriers to fair housing choice—57 stakeholders completed surveys.
- Interviews with subject matter experts, including housing developers, housing authorities, planners, and social service providers.

**Figure III-1.**  
**Resident Survey Distribution Sites**

Organization
Arvada Community Food Bank
Brothers Redevelopment
Developmental Disabilities Resource Center
Family Tree, Inc
Jefferson Center for Mental Health
Jefferson County Housing Authority
Jefferson County Human Services
Metro West Housing Solutions
Seniors' Resource Center
The Action Center
The ARC in Jefferson County

Source: BBC Research & Consulting.

To encourage participation by low income, minority, special needs, and non-English speaking residents, packets of surveys in both English and Spanish were hand delivered to 11 nonprofit social service organizations in July. In addition, information about the surveys and the community meeting was sent by email and in hard copy to 11 nonprofit social service and housing organizations in the county. Figure III-1 lists the survey distribution sites.

**Reasonable accommodations.** The meeting notices included language offering to make reasonable accommodations for residents as requested. Many of the meeting attendees were persons with disabilities. One attendee brought a service animal, which was accommodated during the meeting.

Because the survey was voluntary and distribution of paper surveys was targeted to lower income and special needs residents, the results are not necessarily representative of Jefferson County residents overall.

## Summary

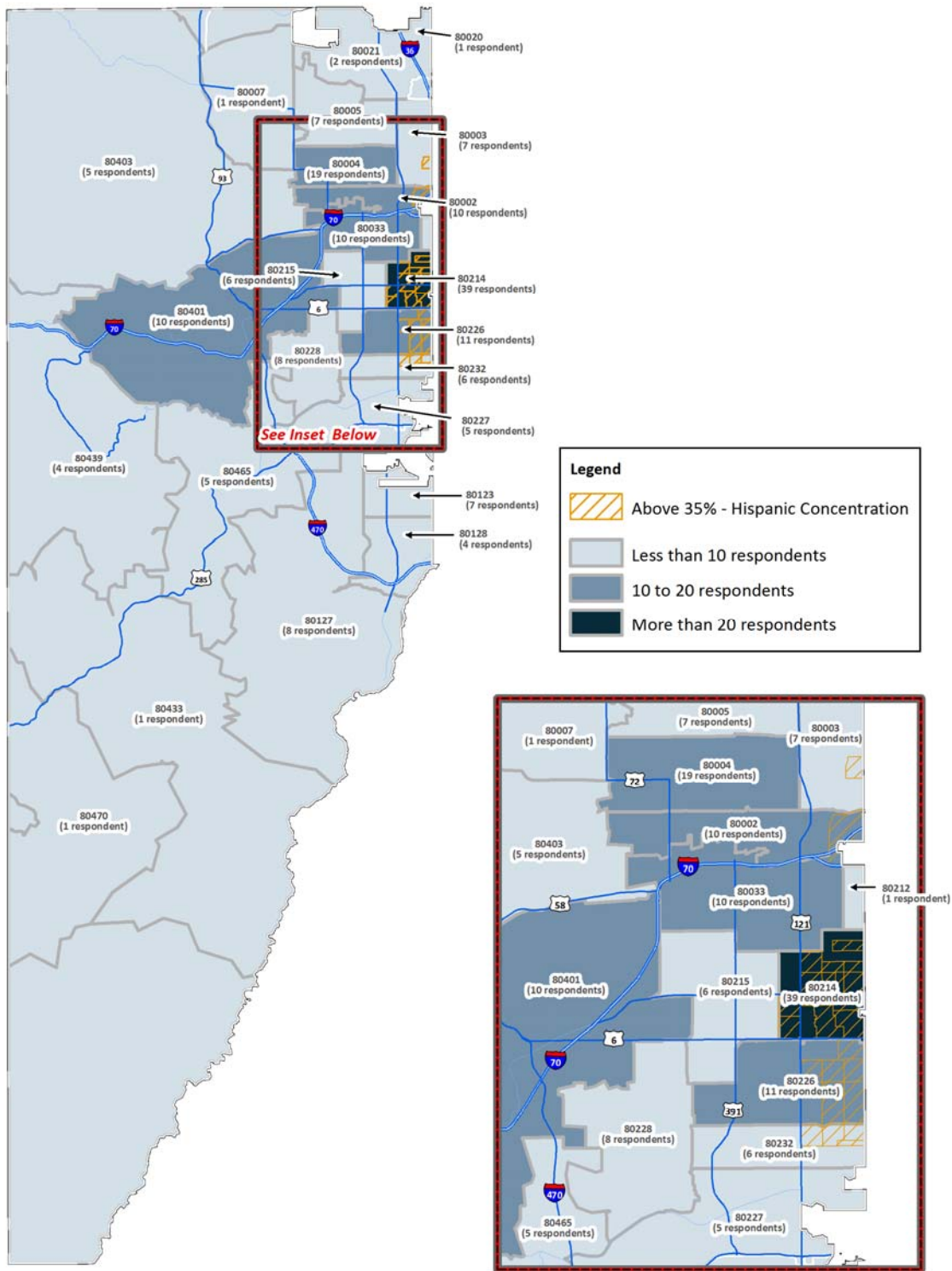
- Jefferson County residents are generally happy with their current housing situation. Residents view the greatest issues, or needs, in their communities as addressing crime, school quality, and neighborhood deterioration; all of which are factors in declining property values.
- The majority of residents did not consider many housing barriers to be very serious problems. On average, residents consider the most serious barriers to be finding affordable housing that has low crime, good quality schools, and neighborhood pride. Residents that are unsatisfied with their housing situation frequently cite declines in property values that prevent moving to another location.
- Residents report a moderate incidence of discrimination in Jefferson County overall, but rates are much higher for minorities and persons with disabilities. In addition, about one-quarter of residents believe that not all members of the community are treated equally. A strong theme emerged from the survey results as to why; class (poor versus affluent), and a person's race or ethnicity.
- Stakeholders consider a lack of affordable housing to be a serious barrier to fair housing choice in Jefferson County.

## Respondent Profile

Residents provided information about their household and stakeholders described their agency or organization. Each is discussed in turn.

**Place of residence.** Residents surveyed live in a broad spectrum of cities within Jefferson County, as the map in Figure III-2 shows.

**Figure III-2.  
Where Survey Respondents Live**



Note: n=183.

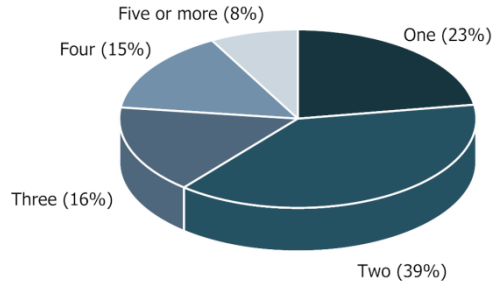
Source: BBC Research & Consulting 2012 Jefferson County Resident Survey.

**Household size.** Figure III-3 presents survey respondents' household size. The median household size is two. Slightly less than one in four respondents has household sizes of four or more.

**Figure III-3.  
Household Size**

Note:  
n=187.

Source:  
BBC Research & Consulting 2012  
Jefferson County Resident Survey.

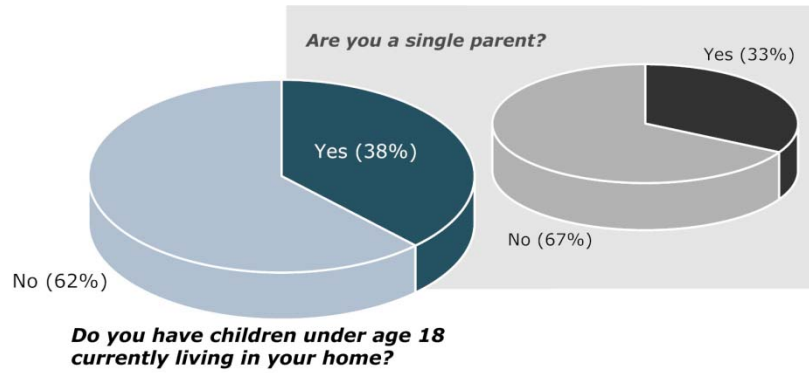


**Children and single parents.** Overall, 38 percent of respondents have children under the age of 18 living in the home. Among these, one-third is single parents.

**Figure III-4.  
Children in the Home  
and Single Parents**

Note:  
n=188 and n=69.

Source:  
BBC Research & Consulting 2012  
Jefferson County Resident  
Survey.

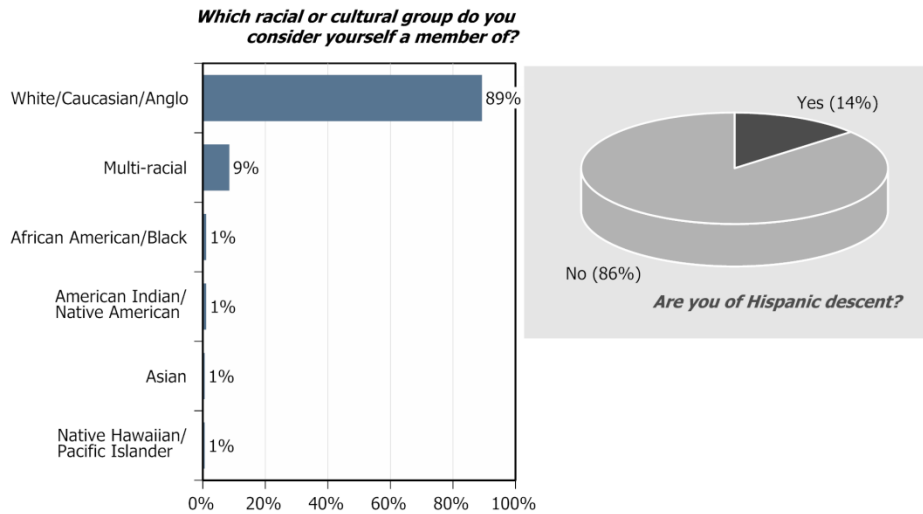


**Race and ethnicity.** The vast majority of respondents classify themselves as white and 9 percent as multi-racial. Slightly more than one in ten is of Hispanic descent. The race and ethnicity of survey respondents matches the race and ethnicity of Jefferson County residents overall (92% white and 14% Hispanic).

**Figure III-5.  
Race and Ethnicity**

Note:  
n=177 and n=183.

Source:  
BBC Research &  
Consulting 2012 Jefferson  
County Resident Survey.

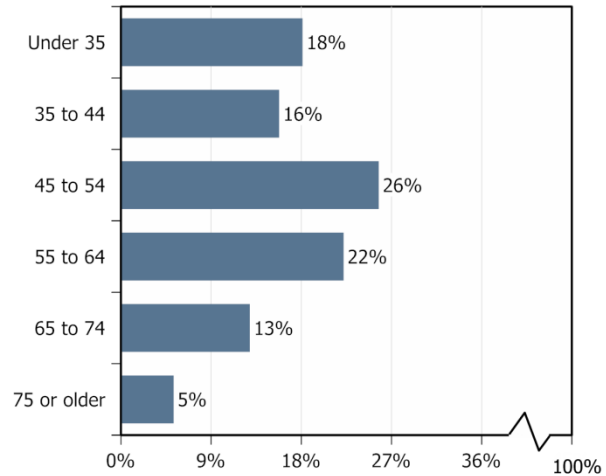


**Age.** Figure III-6 presents the age profile of resident survey respondents. As shown, the median age of respondents is 45 to 54.

**Figure III-6.**  
**Age of Respondent**

Note:  
n=171.

Source:  
BBC Research & Consulting 2012  
Jefferson County Resident Survey.

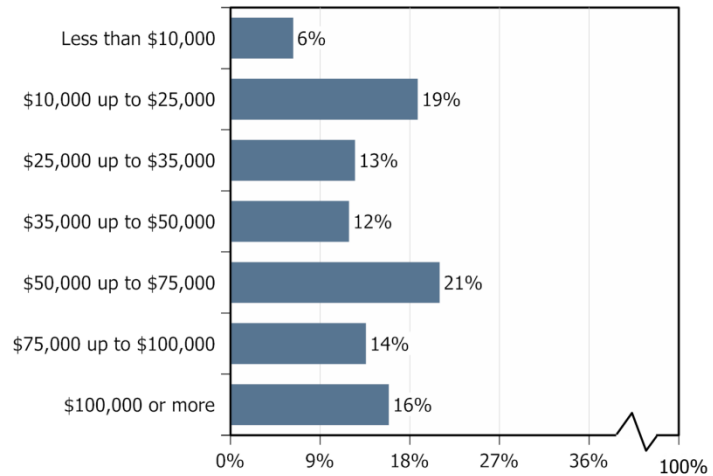


**Household income.** Figure III-7 presents resident survey respondents' household income. As shown, one in four respondents report annual household income of less than \$25,000. The median household income of respondents is \$35,000 up to \$50,000.

**Figure III-7.**  
**Household Income**

Note:  
n=176.

Source:  
BBC Research & Consulting 2012  
Jefferson County Resident Survey.



**Persons with disabilities.** One in four Jefferson County residents surveyed has a disability or has a member of the household with a disability. This is much higher than the proportion of county residents who are disabled (9%) according to the Census.

**Housing accessibility.** The majority of these respondents (82%) say that their current house or apartment meets the individual or family needs for accessibility. Of those residents needing greater housing accessibility, a ramp or grab bars were the primary needs. Other accessibility needs are outlined in respondent quotes that follow:

- “The flooring on the shower has been warped and is bumpy—which has caused several falls; townhouse is two stories—due to physical limitations one story is ideal.”
- “Outside rails by doorways.”
- “Stair lift, flooring, air conditioning.”
- “Ranch style home.”

**Community accessibility.** The survey asked respondents what improvements are necessary in their neighborhood or community, if any, to ensure that the person with a disability in their household is able to access employment, community amenities, facilities or services. A slight minority (47%) of respondents said none. One in 10 residents would like to see greater accessibility to public transportation, and 7 percent of respondents want better curbs and sidewalks.

**Perspectives from community meetings.** Participants in the community meetings, many of whom have physical disabilities, emphasized the need for sidewalk improvements. In an exercise to identify the most serious barriers to fair housing choice, participants selected the issues they considered to be most serious. Two of the top three most serious barriers focused on accessibility issues:

- Housing for persons with disabilities is lacking; and
- Public and private areas are not accessible (lack sidewalks).

Much of the community meeting discussion focused on the need for sidewalks and sidewalk improvements, particularly along major thoroughfares such as Colfax, Wadsworth and Kipling. Other issues include:

- Difficulty navigating sidewalks in a wheelchair after snow because curb gets get iced over by snow plows, and bus stops become inaccessible because snow is piled on the curb;
- Sidewalks in older suburbs are very narrow and are too narrow for wheelchairs;
- The current dog park is not accessible to people with physical disabilities; and
- A lack of affordable and accessible rental units is a barrier.

To illustrate the need for sidewalk improvements, one community meeting participant shared the following by email after the meeting (reproduced with permission):

- “Since buses can only accommodate two wheelchairs and it was a pleasant evening, the three of us using wheelchairs decided to wheel back to our apartment at Nelson and Colfax. It was dark, but my chair has headlights and I led the way back over some rough terrain (even where some remains of a sidewalk existed) on Colfax. Chris failed to follow my exact tracks and wound up getting stuck in a deep hole. Fortunately, Chris can still walk a bit and was able to push his chair out of the hole. If it had been me, I would have had to call 911.”

**Stakeholder profile.** The 57 stakeholders work across the public services spectrum. Their industries and types of organizations include:

- Affordable housing advocacy
- Affordable housing development
- Affordable housing provision
- Child protection
- Criminal justice
- Economic development
- Education
- Fair housing
- Food pantry
- Government
- Homeless services
- Homeownership counseling or services
- Land use planning
- Landlord/tenant services
- Lending
- Own rental property
- Property management
- Public housing authority
- Services for immigrants
- Services for low income residents
- Services for persons with disabilities
- Services for persons with drug or alcohol addictions
- Services for persons with HIV/AIDS
- Services for refugees
- Services for seniors
- Services for veterans
- Transit provider

Service areas range from individual Jefferson County cities, the county as a whole, the west metro Denver region, and the state of Colorado.

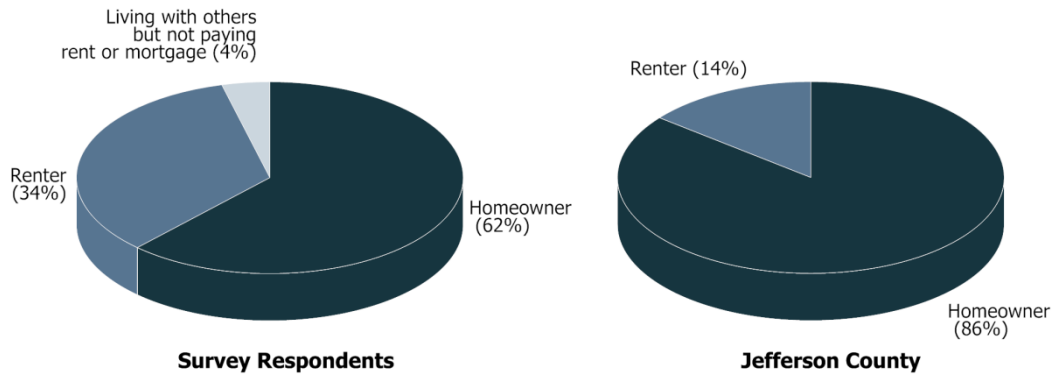
## Resident Housing Choice

Residents responded to a series of questions about their housing choice, including their satisfaction level and factors that contribute to their housing decisions.

**Tenure.** Figure III-8 shows that the share of homeowners to non-homeowners is somewhat different than the county’s homeownership profile. Survey respondents are more heavily weighted to renters than in Jefferson County (34% compared to 14%). Overall, survey respondents (62%) are homeowners, and about three in four of those surveyed live in a single family home. The resident survey questioned non-homeowners’ tenure in more detail than the 2010 Census so the questions are not directly comparable.



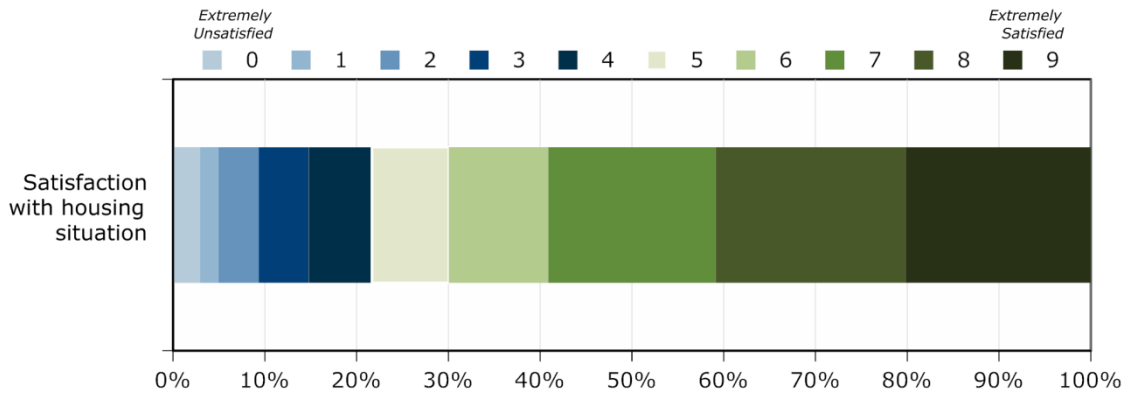
**Figure III-8.**  
**Tenure of Survey Respondents Compared to County Residents**



Note: n=204.  
 Source: BBC Research & Consulting 2012 Jefferson County Resident Survey.

**Satisfaction with current housing.** Survey respondents rated satisfaction with their housing situation on a 0 – 9 scale, with 0 being extremely unsatisfied and 9 being extremely satisfied. Figure III-9 demonstrates that, on average, survey respondents are satisfied with their current housing situation. Nearly 60 percent reported a satisfaction level with their housing situation higher than the overall average of 6.4.

**Figure III-9.**  
**Resident Satisfaction with Housing Situation**



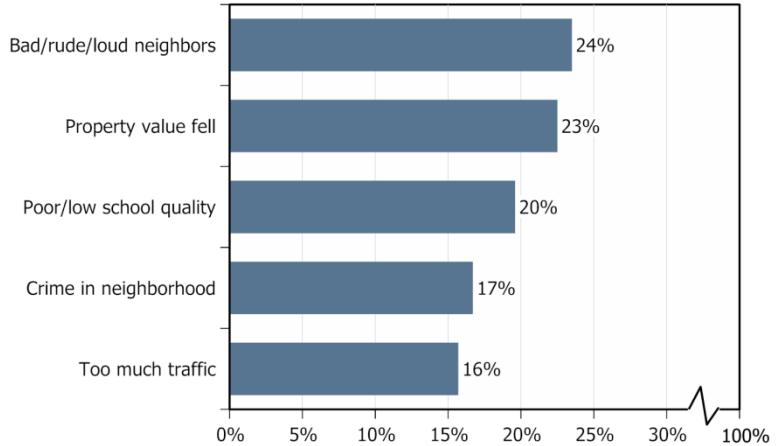
Note: n=203.  
 Source: BBC Research & Consulting 2012 Jefferson County Resident Survey.

Residents that indicated dissatisfaction with their housing situation chose from a list of causes for the dissatisfaction. Figure III-10 outlines the frequency of the top five issues to which residents attributed their housing dissatisfaction. These include bad, rude, or loud neighbors, a decline in property values, poor or low school quality, crime rate, and too much traffic.

**Figure III-10.**  
**Resident Dissatisfaction with Housing Situation**

Note:  
n=102. Numbers add to greater than 100 percent due to multiple responses.

Source:  
BBC Research & Consulting 2012  
Jefferson County Resident Survey.

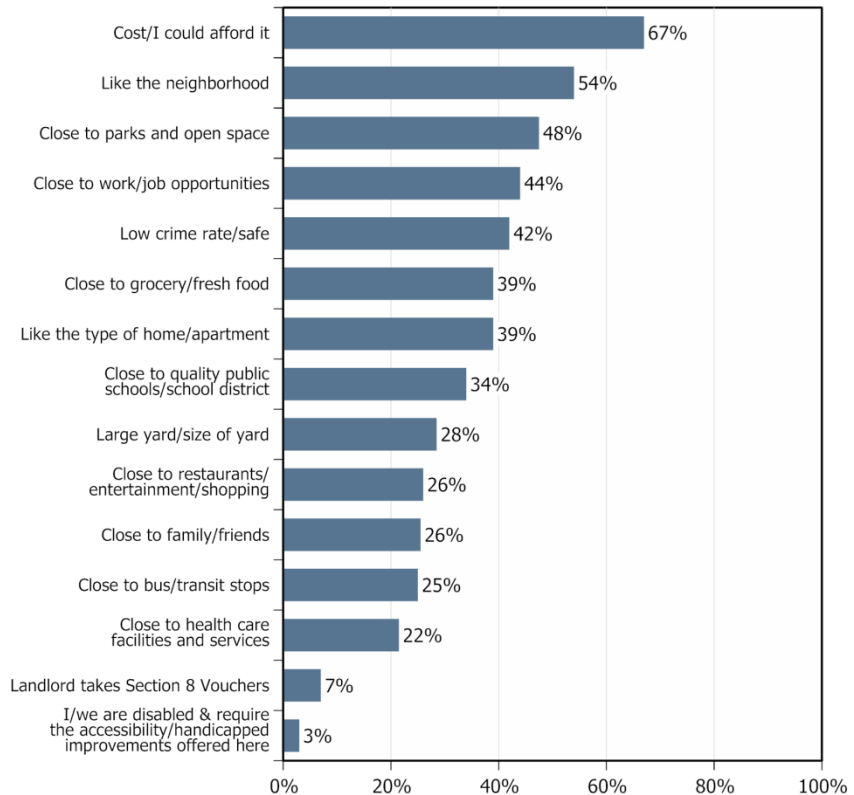


**Factors most important in housing choice.** Residents identified the factors most important to their current housing choice. The greatest proportion of respondents selected affordability as a factor in their housing choice. Other factors of importance include likability of the neighborhood, proximity to parks and open space, low crime rate, and proximity to work and job opportunities, as shown in Figure III-11.

**Figure III-11.**  
**Top Reasons for Current Housing Choice**

Note:  
n=200. Numbers add to greater than 100 percent due to multiple responses.

Source:  
BBC Research & Consulting 2012  
Jefferson County Resident Survey.

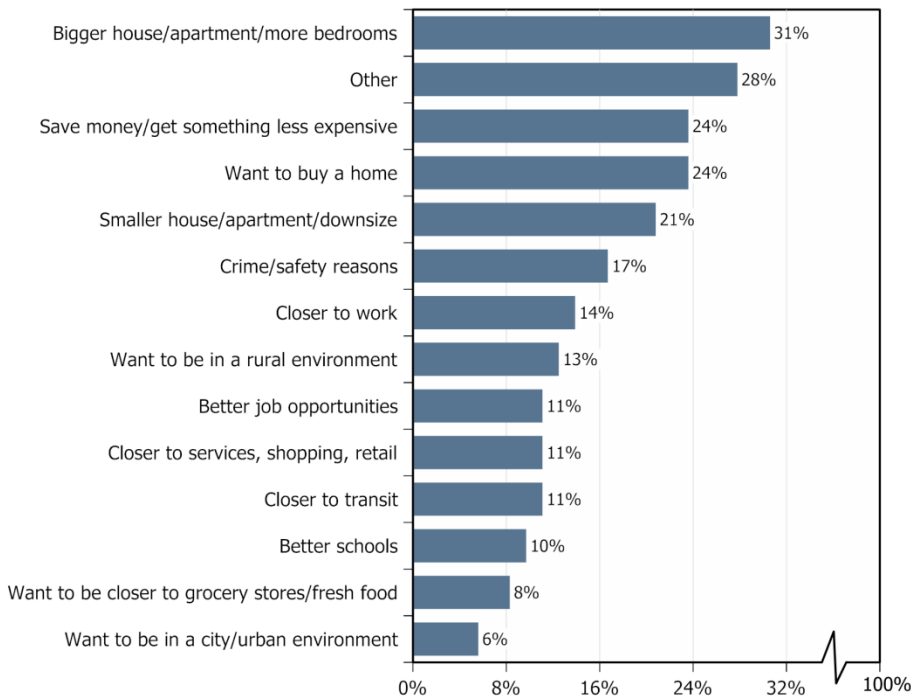


**Why and where residents would like to move.** Given high levels of satisfaction with housing choice, it is no surprise that most residents have no plans to move. Over half of those surveyed said that they would not like to move from their current home. Thirty-six percent of residents would like to move—about the same percentage as those dissatisfied with their current housing. When asked why they wanted to move, residents’ top four reasons were:

- Bigger home/more bedrooms;
- Want to buy a home;
- Save money/get something less expensive; and
- Smaller house/apartment/downsize.

All survey choices and frequency of selection are presented in Figure III-12. Reasons in the “other” category ranged from wanting a new home with more acreage, to living in a better neighborhood. Residents who would like to move chose Lakewood, Golden, Wheat Ridge, and unincorporated Jefferson County most frequently as their desired location.

**Figure III-12.**  
**Factors Influencing Desire to Move**



Note: n=72. Numbers add to greater than 100 percent due to multiple responses.  
Source: BBC Research & Consulting 2012 Jefferson County Resident Survey.

**Highest priority neighborhood changes.** In the neighborhood and community section of the survey, residents were asked what they would change about their neighborhoods if they could. As Figure III-13 demonstrates, at least one in five respondents identified the following as most important to change in their communities:

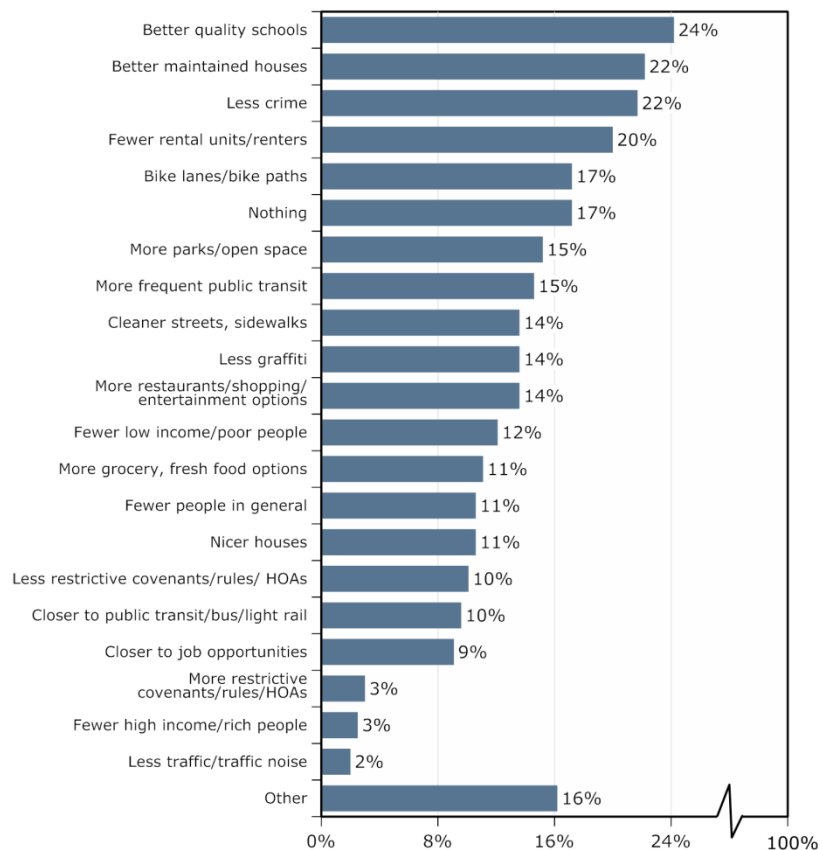
- Better quality schools;
- Better maintained houses;
- Less crime; and
- Fewer rental units/less renters.

As shown, no single area of change was identified by a majority of respondents. Rather, 18 items were selected by at least one in ten respondents.

**Figure III-13.**  
**Desired Neighborhood Changes**

Note:  
n=198. Numbers add to greater than 100 percent due to multiple responses.

Source:  
BBC Research & Consulting 2012  
Jefferson County Resident Survey.



**Reasons for mortgage loan choice.** Among homeowners, 48 percent chose their mortgage because the interest rate was the best they could find. About twenty percent of homeowners reported that the loan amount was what they could afford.

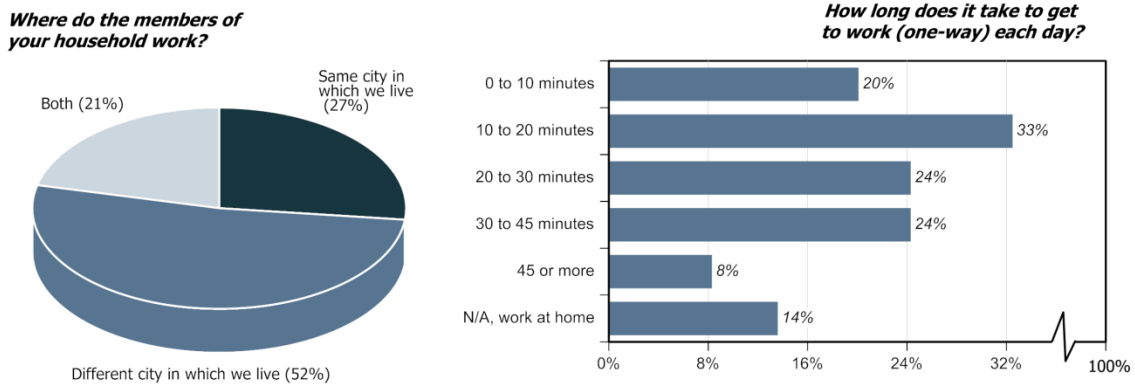
**Loan documents translation.** None of the survey respondents were denied translation of loan or rental documents if English was not their first language.

**Foreclosure status.** Survey respondents were asked if they were worried about their home going into foreclosure. More than 90 percent said no. Two percent of residents said that they are already in foreclosure or have received a default notice. For residents who went through or are going through the process of foreclosure, the main reasons for foreclosure are loss of job or a cut in pay.

**Transportation.** Respondents answered several questions regarding commuting and access to public transportation.

**Commute times.** A little over half of residents surveyed work in a different city than that in which they live, as shown in Figure III-14. More than half of residents commute 20 minutes or less to work each day, and another 14 percent work at home. One in three residents commutes 30 minutes or more one-way each day.

**Figure III-14. Commuting**

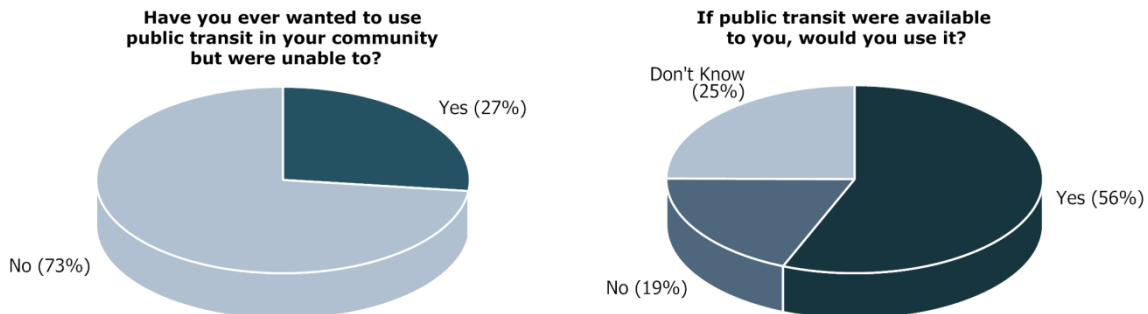


Note: n=164 and n=169. Numbers for commute times add to greater than 100 percent due to multiple responses for all working household members.

Source: BBC Research & Consulting 2012 Jefferson County Resident Survey.

**Public transportation.** Slightly more than one in four respondents has unsuccessfully tried to use public transportation in their community. Overall, 56 percent of respondents said that if public transportation were available to them, they would use it.

**Figure III-15. Public Transportation**



Note: n=182 and n=185.

Source: BBC Research & Consulting 2012 Jefferson County Resident Survey.

## Housing Opportunities—Stakeholder Perspectives

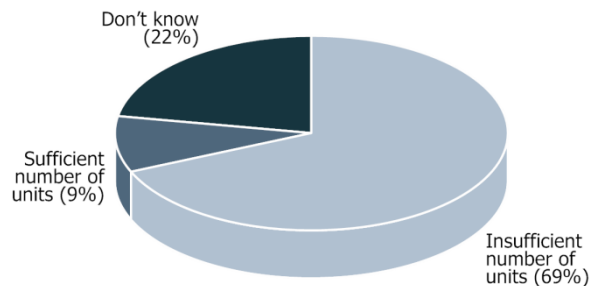
Stakeholders responded to a series of questions related to housing opportunities in Jefferson County for persons with disabilities and low income residents.

**Housing opportunities for persons with disabilities.** Stakeholders shared their perspectives on housing opportunities for persons with disabilities in the county.

**Availability of accessible housing.** Nearly 70 percent of stakeholders believe there are an insufficient number of units accessible to persons with disabilities in the county, as shown in Figure III-16.

Those stakeholders who consider the availability of accessible housing units for persons with a disability to be insufficient described the types of housing needed. By far, affordable (Section 8 or other subsidized housing) and accessible units were the most common housing type cited, followed by accessible units close to public transportation. Representative comments include:

**Figure III-16.**  
**Availability of Accessible Housing for Persons with Disabilities**



Note: n=54.

Source: BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.

- “As someone who works in the field of disability and is a parent of an adult with a disability, I have found housing barriers to be one of the biggest challenges to the potential for individuals to become a contributory member of their chosen communities. I'd like to tell you a little bit about my son's search for housing, which illustrates many of the problem areas. When he was approved for a housing voucher, he received no support on how to find a complex that would accept his voucher and had accessible, available units. He had to contact over 50 housing complexes before he found one that would take a voucher and had a first floor unit available. He never did find one that was wheelchair accessible. He would like to look for somewhere that better meets his needs, but has no idea where to start.”
- “The quantity of Section 8 tenant-based units is insufficient. Oftentimes there are long waiting lists for these units.”
- “More accessible (wheelchair), more affordable, better locations, closer to bus lines.”
- “Because our agency serves a rural community, this is a difficult question to answer. The majority of housing is single family housing; therefore the property owner needs to be willing to modify the house to meet the needs of the disabled.”
- “Subsidized units in general; also need units for individuals who are released from nursing homes.”

- “We have extremely limited options for affordable housing and for housing for persons with disabilities.”
- “Homes for older adults with intellectual/developmental disabilities who also have medical needs. Host homes, where several people live, are desirable, but state funding is limited. Unmet housing needs include affordable independent housing.”

**Quality of accessible housing.** Overall, one-third of stakeholders did not know how to characterize the quality of housing accessible to persons with disabilities (18 out of 53 stakeholders). Of those with knowledge, 26 percent rated the quality “poor;” 54 percent rated the quality “medium;” and 20 percent rated the quality “good.”

**Community-based accessibility improvement programs.** More than half of stakeholders were not aware of whether or not their community has a program to make accessibility improvements for persons with disabilities. Of those with knowledge, the majority responded that their community did have an accessibility improvement program. Most believe these programs are restricted to homeowners. Programs described include:

- Low interest loans and grants from the Jefferson County Housing Authority;
- Programs offered by area nonprofits such as Rebuilding Together Metro Denver, Seniors’ Resource Center, Volunteers for America and Brothers Redevelopment;
- Federally-funded home modification programs through CDBG, the Department of Veterans Affairs, and Medicaid; and
- City and county home modification programs.

**Visitability policy.** Most stakeholders (67%) are not familiar with the term “visitability.” Two believe their community has a visitability policy through city subdivision and development regulations.

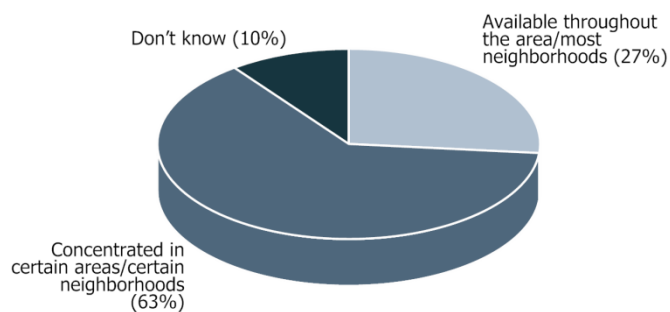
**Housing opportunities for low income residents.** As with persons with disabilities, stakeholders responded to a series of questions about housing opportunities for low income individuals and families in Jefferson County.

**Availability of housing opportunities for low income residents.** As shown in Figure III-17, the majority of stakeholders (63%) believe that housing opportunities for low income residents are concentrated in certain areas in Jefferson County.

**Figure III-17.**  
**Availability of Housing Opportunities for Low Income Residents**

Note:  
n=49.

Source:  
BBC Research & Consulting 2012  
Jefferson County Stakeholder Survey.



Stakeholders described the location of concentrated housing opportunities for low income residents. These include the Colfax, Alameda, Sheridan and Wadsworth corridors. Lakewood, eastern Wheat Ridge, central Arvada, Edgewater, and Bailey were places participants considered concentrated. Representative comments include:

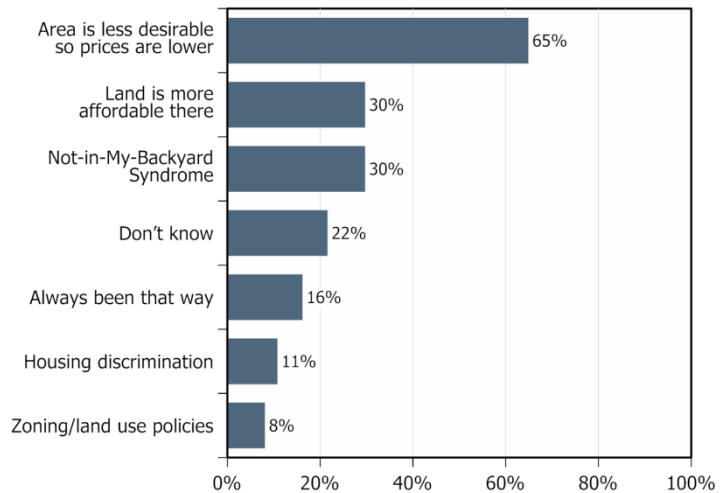
- “The properties that we are able to acquire and build are almost always in low income census tracts. When we are able to locate affordable properties for redevelopment, we often run into NIMBY issues.”
- “In Jefferson County there are some affordable units in the northern part—Wheat Ridge, etc. But most of our clients look to Aurora where there are a lot more affordable units available.”
- “The housing available to lower income families seems to be concentrated in the Park County area, around Bailey. There is also a trailer park in the southern end of our service area of Jefferson County.”
- “Northeast section of Lakewood has a high concentration of low income housing.”

**Cause of concentration.** The majority of stakeholders (65%) believe that the concentration of housing opportunities for low income residents results from market forces—the area is less desirable so prices are lower. Slightly more than one in 10 stakeholders selected housing discrimination as a cause of concentration.

**Figure III-18.**  
**Cause of Concentration of Housing Opportunities for Low Income Residents**

Note:  
 n=37. Numbers add to greater than 100 percent due to multiple responses.

Source:  
 BBC Research & Consulting 2012  
 Jefferson County Stakeholder Survey.



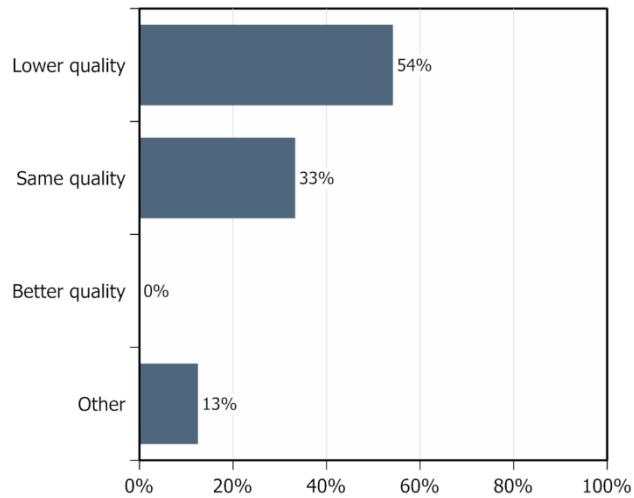


**School quality where low income residents live.** Half of stakeholders believe that school quality is lower in areas where low income residents live when compared to the rest of the county. None thought school quality was better in low income areas.

**Figure III-19.**  
**School Quality Where Low Income Residents Live Compared to the Rest of Jefferson County**

Note:  
 n=48.

Source:  
 BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.



Responses in the “other” category include:

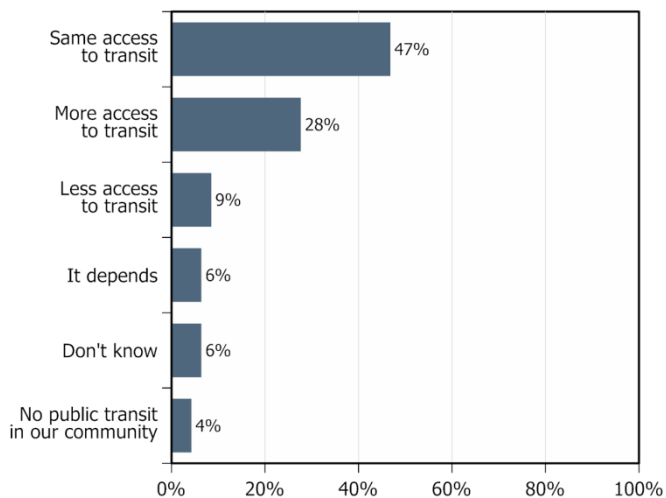
- “They can meet the needs of the children, but due to high poverty rates and other barriers, the performance rates are lower.”
- “Most of the time, lower quality, but there are some stand out schools that in spite of the area are considered excellent (with 94% free and reduced lunch).”
- “Jeffco schools seem to have been hit with budget cuts, but the Head Start program has increased, so it seems that schools are working with budget cuts.”

**Public transit where low income residents live.** Most stakeholders believe that low income areas have at least the same, if not more, access to public transit when compared to the rest of the county, as shown in Figure III-20.

**Figure III-20.**  
**Access to Public Transit Where Low Income Residents Live Compared to the Rest of Jefferson County**

Note:  
 n=47.

Source:  
 BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.

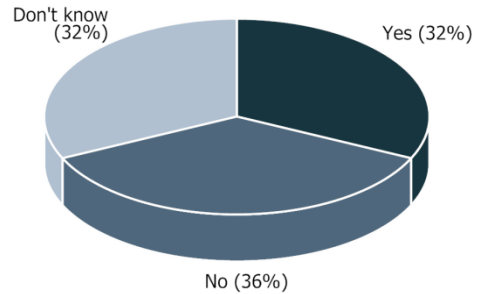


**Proximity of housing opportunities for low income residents to brownfields/poor environmental quality/undesirable infrastructure.** As shown in Figure III-21, stakeholders were split in their perception of whether housing opportunities for low income residents are more likely to be near brownfields, areas of poor environmental quality or undesirable infrastructure.

**Figure III-21.**  
**Proximity to Brownfields/Poor Environmental Quality/Undesirable Infrastructure**

Note:  
 n=50.

Source:  
 BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.



Stakeholder comments about proximity of housing for low income residents to areas of poor environmental quality include:

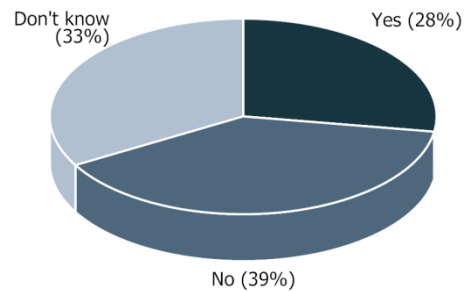
- “Often areas of lower priced properties are indeed closer to industrial areas, railroad tracks, highways, etc.”
- “Two Creeks in Lakewood.”
- “Right off of I-70, near major intersections/busy roads, etc.”
- “Pleasant View—generally runs down trailer courts scattered across JeffCo. West Colfax continues to degrade, along with some neighborhoods adjoining Colfax.”

**Access to employment and housing opportunities for low income residents.** The greatest proportions of stakeholders (39%) believe that housing options for lower income residents in the county do not limit residents’ access to employment opportunities. As shown in Figure III-22, slightly more than one in four stakeholders believe that housing opportunities do limit access to employment.

**Figure III-22.**  
**Do housing opportunities for low income residents limit access to employment?**

Note:  
 n=51.

Source:  
 BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.



From stakeholders' perspectives the limitation on access to employment opportunities is primarily driven by a lack of transportation resources, whether access to public transit or paying the expense for a personal vehicle. This is compounded in mountain and rural communities that lack public transit options. Typical stakeholder comments about the relationship between housing for low income residents and access to employment include:

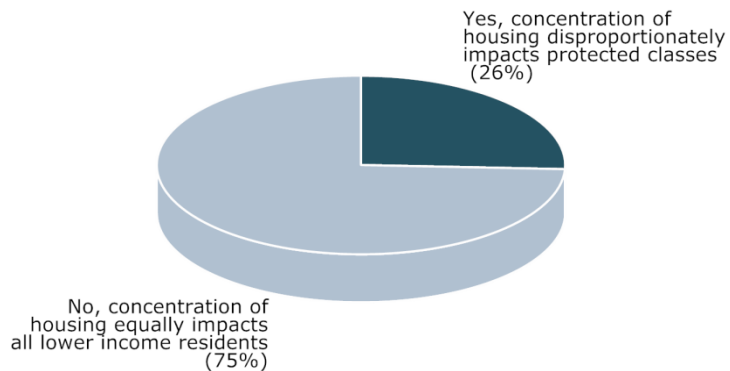
- "Housing options are not available throughout the metro area, requiring long travel by bus or Access-A-Ride to access work opportunities. Accessible, affordable housing, when it can be found, is not in areas with many employment opportunities."
- "They typically need child care and it is not close. People try to locate employment closer to home so as to not have the travel expense."
- "Low income housing options aren't always near bus lines, especially in our mountain communities, making it difficult to get to work due to increased gas prices."
- "They need to travel farther to get to employment and very often don't have good means of transportation."

**Concentration of housing for low income residents and disproportionate impact on protected classes.** As shown in Figure III-23, most stakeholders (75%) believe that the concentration of housing affordable to low income residents in Jefferson County equally impacts all low income residents. Of those who believe members of protected classes are disproportionately impacted by housing concentration, at least 40 percent identified the following protected classes as being impacted: race, disability, color, national origin/ancestry and familial status.

**Figure III-23.**  
**Impact of Concentration**

Note:  
n=47.

Source:  
BBC Research & Consulting 2012 Jefferson County  
Stakeholder Survey.



## Fair Housing Choice

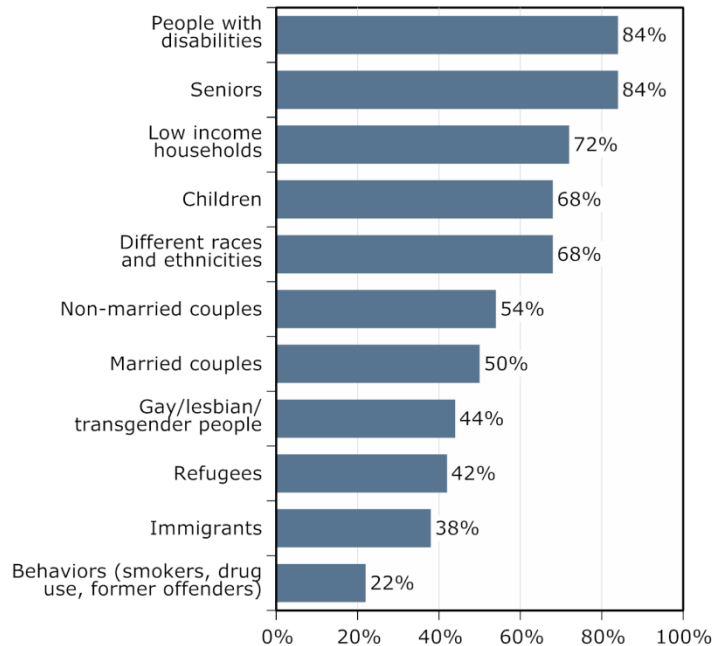
Resident and stakeholder survey participants responded to several questions regarding fair housing choice in Jefferson County.

**Knowledge of protected classes—stakeholders.** Figure III-24 presents stakeholders' opinions as to the groups that comprise protected classes under the state and federal fair housing acts. As shown, 72 percent incorrectly identify low income households as a protected class and 84 percent incorrectly identify seniors. Neither age nor income is a basis for protection from housing discrimination in Colorado.

**Figure III-24.**  
**Stakeholder Knowledge of Federal and State Protected Classes**

Note:  
n=50. Numbers add to greater than 100 percent due to multiple responses.

Source:  
BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.

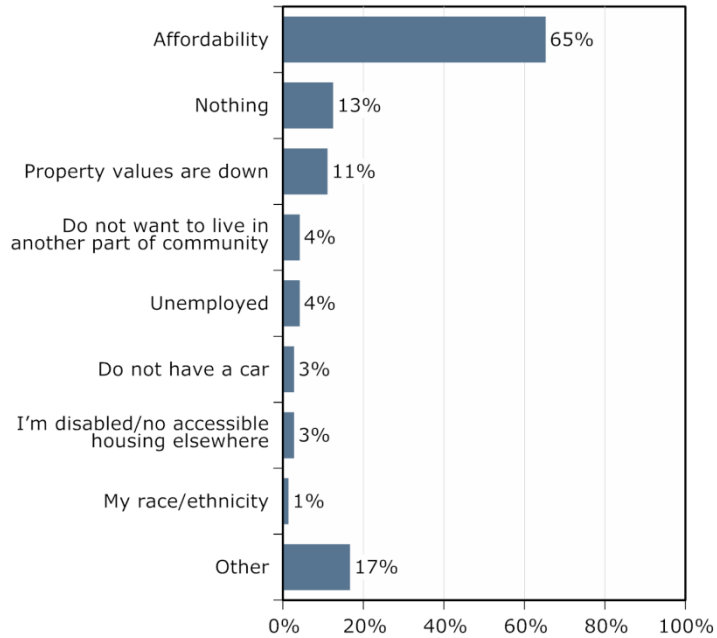


**Barriers to living elsewhere in Jefferson County—resident perspectives.** About two-thirds (65%) of resident survey respondents indicated that affordability is the largest barrier that keeps them from living in another part of the community, as shown in Figure III-25. About one in ten respondents cited property value declines and not being able to afford to sell. Another 17 percent of residents had no barriers (“nothing”) or did not want to live in another part of the community. Comments in the “other” category ranged from wanting a bigger home to not being able to find senior housing.

**Figure III-25.**  
**What are the barriers, if any, that keep you from living in another part of the community?**

Note:  
 n=72. Numbers add to greater than 100 percent due to multiple responses.

Source:  
 BBC Research & Consulting 2012 Jefferson County Resident Survey.



**Housing denials.** In the past five years, 10 percent of residents indicated they had been denied housing to rent or buy. Among these respondents, reasons given for housing denial were primarily due to poor credit or inadequate income. Other denial reasons listed are eviction, no references, have children, have pets, and wait list. About two in three respondents who indicated housing denials experienced the denial in Denver or Lakewood. The remainder of denials took place in Golden, Wheat Ridge, and Jefferson County.

**Protected class comparison.** Figure III-26 compares housing denials in the past five years for whites, non-whites, Hispanics and households with a member with a disability. Note that while the sample sizes are very small, nearly one-third of Hispanics experienced housing denial, compared to 9 percent of whites.

**Figure III-26.**  
**Housing Denial Comparison**

Source:  
 BBC Research & Consulting 2012 Jefferson County Resident Survey.

	White (n=112)	Non-White (n=20)	Hispanic (n=22)	Disabled (n=36)
Yes	9%	15%	32%	8%
No	91%	85%	68%	92%

**Resident inclusivity.** When residents were asked if everyone in their neighborhood was treated equally or the same as residents of other neighborhoods in their community, close to one in four respondents said no (22%). The three primary themes of the responses, in order of frequency of comments, were ethnic or racial discrimination, disparate treatment of the affluent versus the poor, and tenant/landlord issues.

**Protected class comparison.** Figure III-27 compares perceptions of equitable treatment of all residents for whites and selected protected classes. As shown, non-whites, Hispanics and households with disabled members were less likely than whites to believe that all residents are treated equally.

**Figure III-27**  
**Do you feel that all residents of your neighborhood are treated equally or the same as residents of other neighborhoods in your community?**

Source:

BBC Research & Consulting 2012 Jefferson County Resident Survey.

	White (n=157)	Non-White (n=20)	Hispanic (n=25)	Disabled (n=46)
Yes	78%	70%	68%	65%
No	22%	30%	32%	35%

Unedited respondent comments that are representative of responses as a whole follow:

**Ethnicity or Race:**

- “The grocery stores in our neighborhood do not have as many options—especially in the produce department. There are not book stores or libraries in our neighborhood. There are a lot of: pawn shops, liquor stores, and check cashing stores. Our neighborhood is fairly transient, due to the hotels on Colfax, so the neighborhood school is not the finest. There is a large Hispanic community in our neighborhood; these families do not have the same opportunities. My son living in this neighborhood does not have the same opportunities. The disparity is quite apparent to even my four year-old son who frequently asks why ‘that man lives on the street.’”
- “Discrimination and low income multi-cultural families lower the housing market because they do not take care of their homes/animals/children, and are undocumented workers taking jobs from USA citizens. Crime rate, children having children=generation cursed with long-term poverty relying on government assistance. Elderly having to work after age 65 which causes limited job opportunities in the area that in the past would open up to a younger group of employees. Labor unions not being as strong as when they began and employees dropping out due to no support from the labor unions. If this continues, the crime rate will increase and the property value will decrease. We are in the Dust Bowl times again without the Dust..”
- “We have a lot of Latinos and people look to them sometimes as the cause for the negative connotations of the schools and ‘dirty’ streets.”
- “Racism is still a problem. Neighborhoods with higher numbers of people of color have lower property value than comparable homes just a mile away with mostly white residents. Makes it hard to sell ones’ home that was purchased at a higher price. It affects the quality of the school taking money away from much needed education.”
- “I would assume that minorities are still not treated as equally as they deserve because of stigmas and ignorance although I honestly don't see that happening in my day to day community life.”
- “There is racism and prejudice in my neighborhood.”

**Class:**

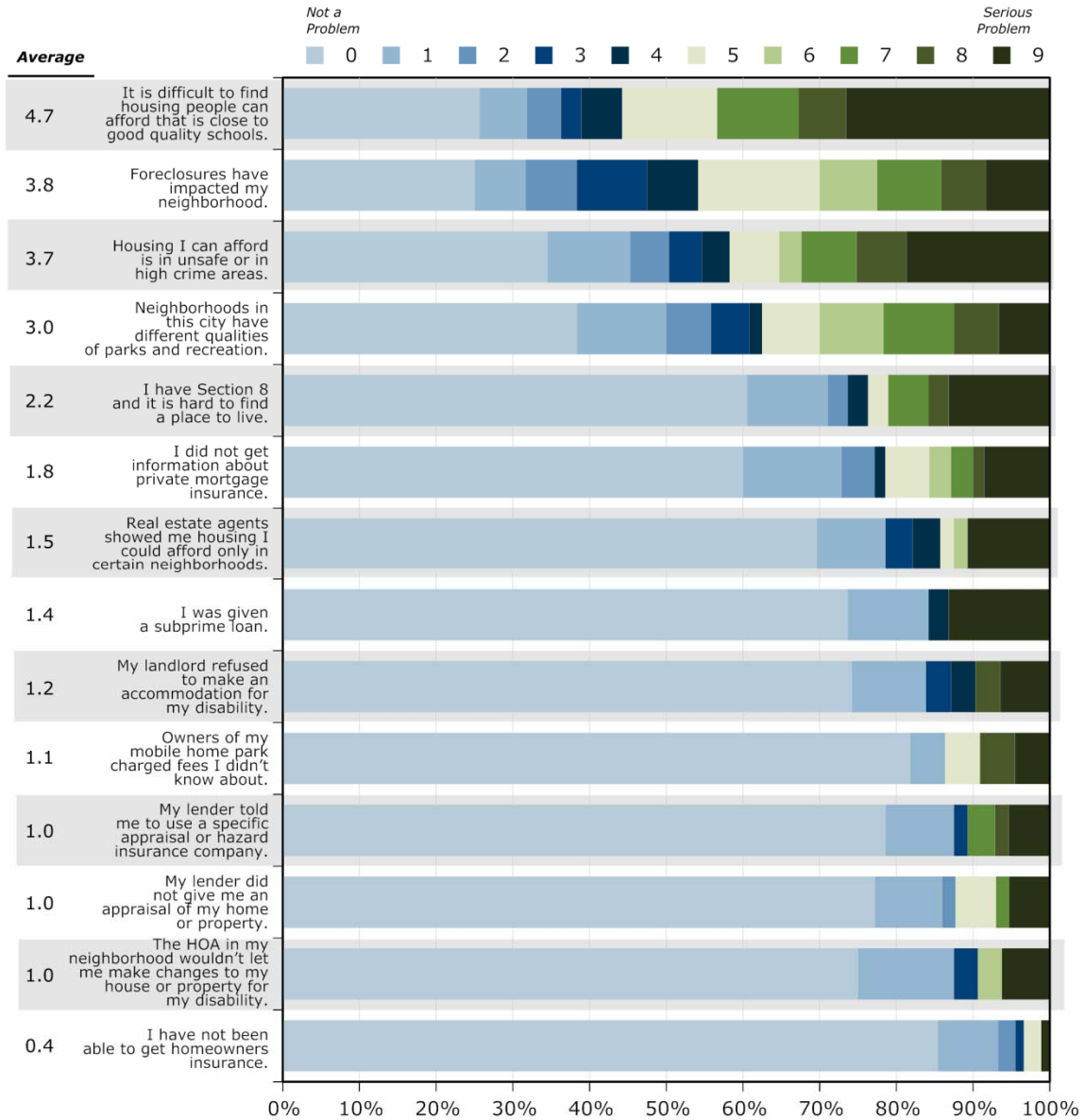
- “Arvada builds all the new recreation facilities on the western side of Arvada and promotes its food bank on the east side. This reinforces the idea the east is for poor people and ups the perception that the east side is full of crime and bad kids.”
- “Our fire station was closed and moved so the homes that are bigger and more expensive could have it close to them. Our area that was established and kept all these years has been abandoned for services so the ‘richer’ people can have better service.”
- “I feel the city puts more attention to the higher upscale housing and lets the old part of town die.”
- “I know there are lower income residents in our neighborhood that would be treated differently than higher income residents of Jefferson County.”
- “Poor people are never treated as well as those that have money.”
- “Actually, I think we are treated better than people in some other neighborhoods. Although, I think the big difference is between rich people and everyone else.”
- “We might be treated better because we are more affluent?”
- “The nicer the house, the nicer the city officials are.”

**Renters and Landlords:**

- “I live in a low income apartment complex, and I feel management singles out certain tenants depending on their situations.”
- “Renters are not treated as equally as they should be compared to single family home owners.”
- “There are a few other rental properties and they have slum lords who do not keep and maintain the properties. So this makes their tenants look bad even though they pay their bills on time...”
- “As far as the ability to obtain rental properties, they are treated equally, but on social levels, they are outcasts from their neighbors.”

**Potential barriers to fair housing choice—resident perspectives.** Residents rated the degree of seriousness that potential barriers to fair housing choice posed for them or their family when trying to rent or purchase housing in Jefferson County. The rating scale ranged from 0 to 9, where 0 meant “not a problem” and 9 meant “a serious problem.” Figure III-28 presents the degree of seriousness of potential barriers perceived by the survey respondents. On average, none of the potential barriers to fair housing choice was considered a serious problem. Slightly more than one in four respondents rated “it is difficult to find housing people can afford that is close to good quality schools” as a serious problem. Foreclosures and affordable housing located in high crime areas are also considered a problem by about one-third of respondents.

**Figure III-28.**  
**Seriousness of Potential Barriers to Fair Housing Choice**



Note: n ranges by question. If a situation did not apply to the respondent (e.g., mobile home park fees) the respondent chose the option "does not apply."

Source: BBC Research & Consulting 2012 Jefferson County Resident Survey.



**Protected class comparison.** Figure III-29 compares perceptions of potential barriers to fair housing choice for whites and selected protected classes. As shown, sample sizes for several of the questions are extremely small (less than 10) and should be interpreted with caution. Meaningful deviation in protected class perceptions from whites are shown in red text. Difficulty finding housing people can afford that is close to good quality schools, foreclosures and housing in safe areas are a greater concern to members of protected classes.

**Figure III-29.  
Potential Barriers to Fair Housing Choice—Comparison**

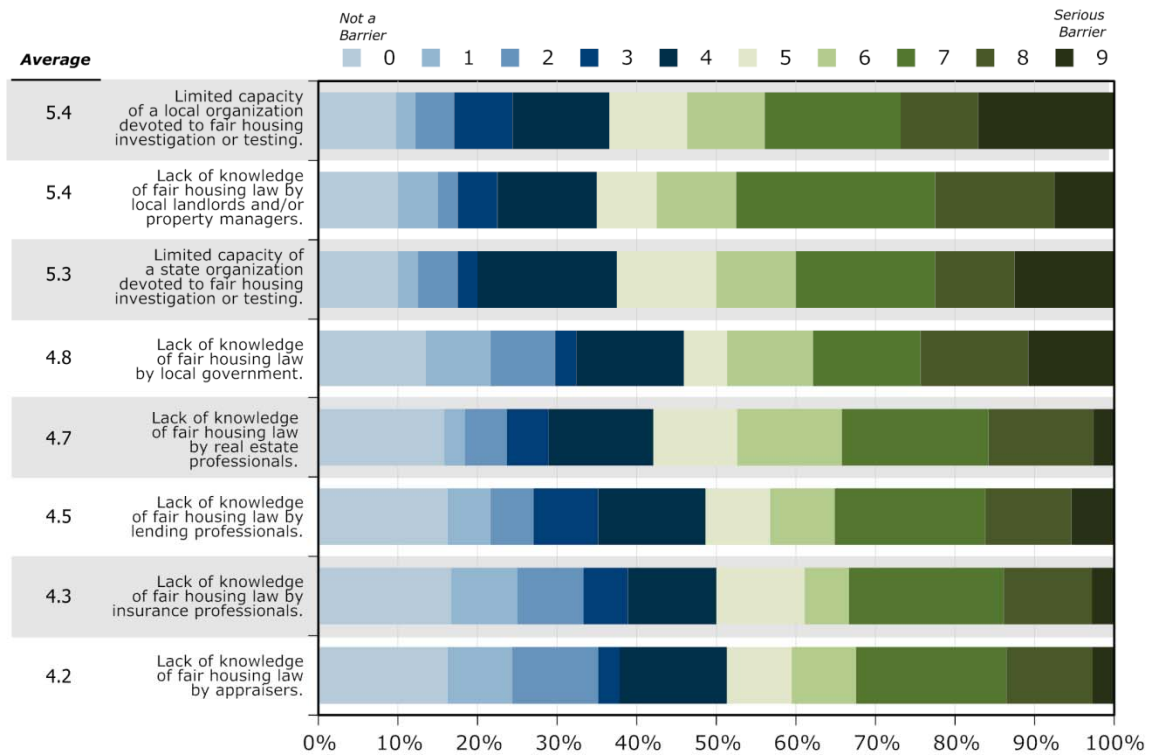
	Average				Number of Responses			
	White	Non-White	Hispanic	Disabled	White	Non-White	Hispanic	Disabled
It is difficult to find housing people can afford that is close to good quality schools.	4.8	5.8	5.2	5.4	91	13	20	27
Foreclosures have impacted my neighborhood.	3.8	4.9	2.9	4.5	99	13	19	27
Housing I can afford is in unsafe or in high crime areas.	3.7	4.5	4.9	3.9	113	17	22	40
Neighborhoods in this city have different qualities of parks and recreation.	2.9	4.9	4.3	2.8	96	14	19	29
I have Section 8 and it is hard to find a place to live.	2.0	2.8	2.0	2.7	29	8	7	14
I did not get information about private mortgage insurance.	1.8	2.2	2.5	2.4	54	11	10	17
I was given a subprime loan.	1.5	0.0	2.2	2.5	29	4	6	15
Real estate agents showed me housing I could afford only in certain neighborhoods.	1.5	2.6	1.8	4.3	45	5	6	11
My lender told me to use a specific appraisal or hazard insurance company.	1.2	0.2	0.0	1.0	45	5	6	12
Owners of my mobile home park charged fees I didn't know about.	1.2	0.0	2.8	1.0	19	3	6	5
My lender did not give me an appraisal of my home or property.	1.2	0.8	0.0	1.8	43	6	6	13
The HOA in my neighborhood wouldn't let me make changes to my house or property for my disability.	0.8	2.3	1.3	2.7	26	4	7	10
My landlord refused to make an accommodation for my disability.	0.6	3.0	1.9	2.1	23	7	7	12
I have not been able to get homeowners insurance.	0.4	0.7	0.3	0.4	72	9	7	19

Source: BBC Research & Consulting 2012 Jefferson County resident survey.

**Potential barriers to fair housing choice—stakeholder perspectives.** Because of their expertise, stakeholders provided their opinions on a more comprehensive list of potential barriers to fair housing choice than residents. For each potential barrier, stakeholders rated the degree of seriousness the potential barrier has for fair housing choice in Jefferson County. Stakeholders were asked to rate each item based on its impact on members of protected classes.

**Capacity issues—stakeholders.** Figure III-30 presents stakeholders’ ratings of capacity-related potential barriers to fair housing choice. As shown, none of the barriers were perceived by stakeholders to be a particularly serious barrier. On average, the three most serious capacity barriers include a lack of capacity by a local organization for testing, a lack of knowledge of fair housing law by local landlords and the limited capacity of a state organization devoted to fair housing investigation.

**Figure III-30.**  
**Potential Barriers to Fair Housing Choice—Capacity Issues**

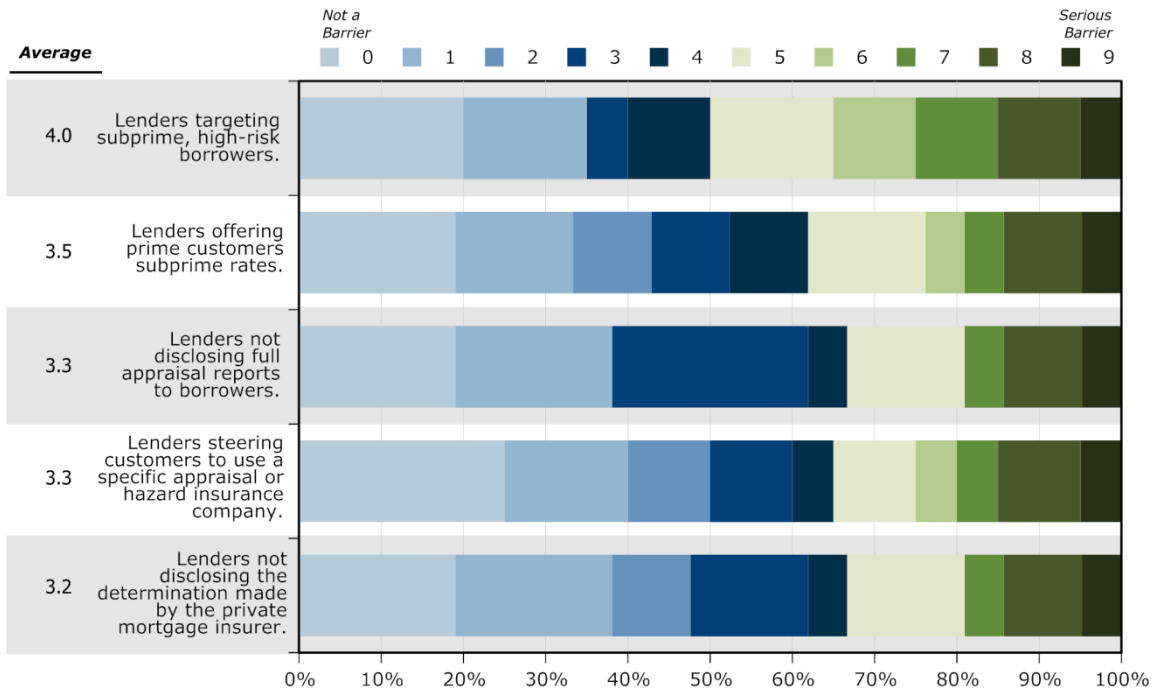


Note: n ranges from 36 to 42.

Source: BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.

**Lending issues—stakeholders.** Figure III-31 presents stakeholder ratings of the degree of seriousness of lending issues as a potential barrier to fair housing choice for members of protected classes. On average, stakeholders did not consider lending issues to be a serious barrier to fair housing choice. Among the lending issues considered, lenders targeting subprime, high-risk borrowers were considered the most serious potential barrier.

**Figure III-31.**  
**Potential Barriers to Fair Housing Choice—Lending Issues**

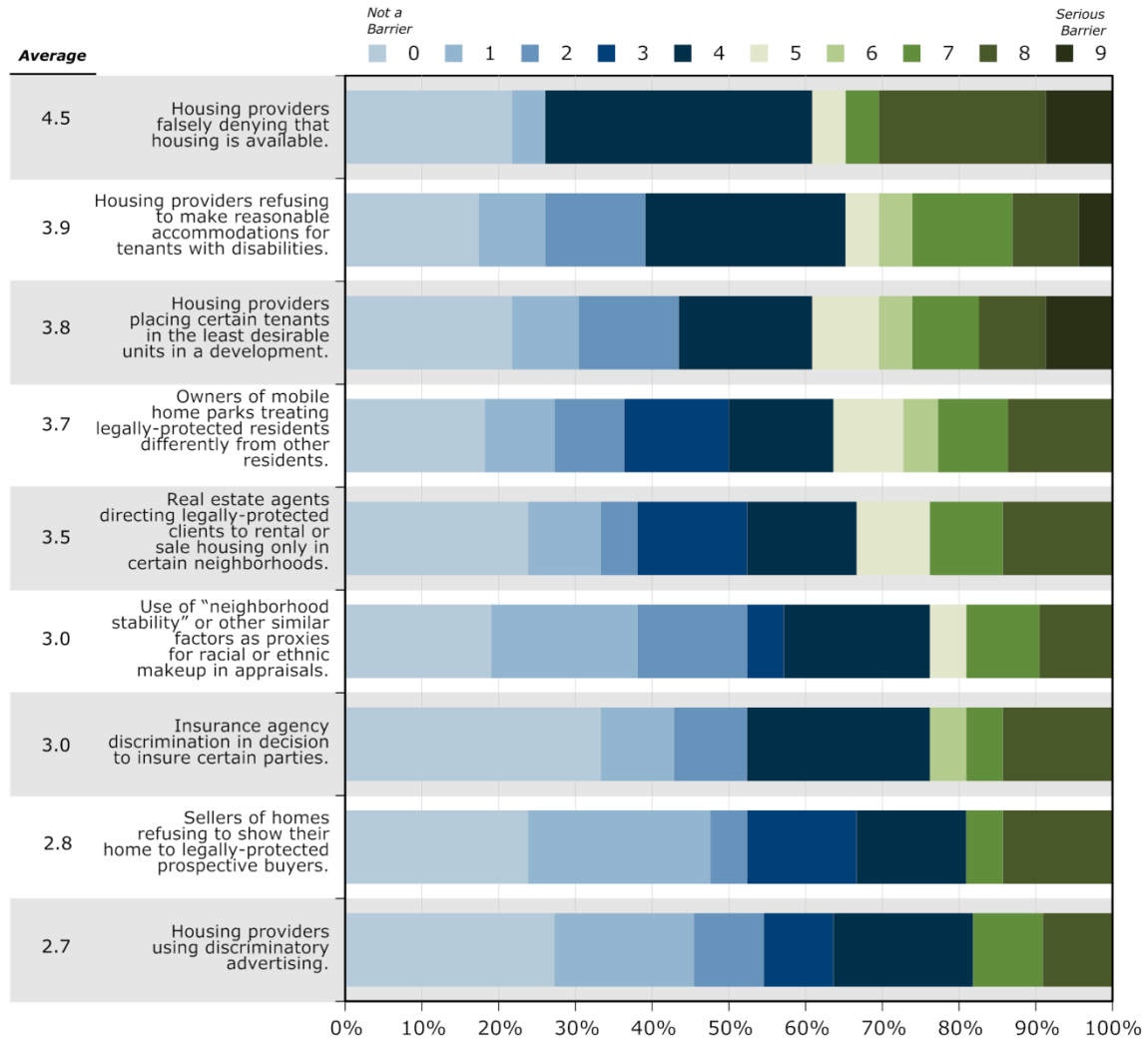


Note: n=21.

Source: BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.

**Real estate issues—stakeholders.** Among real estate activities evaluated by stakeholders, on average, housing providers falsely denying that housing is available received the highest average rating.

**Figure III-32.**  
**Potential Barriers to Fair Housing Choice—Real Estate Issues**

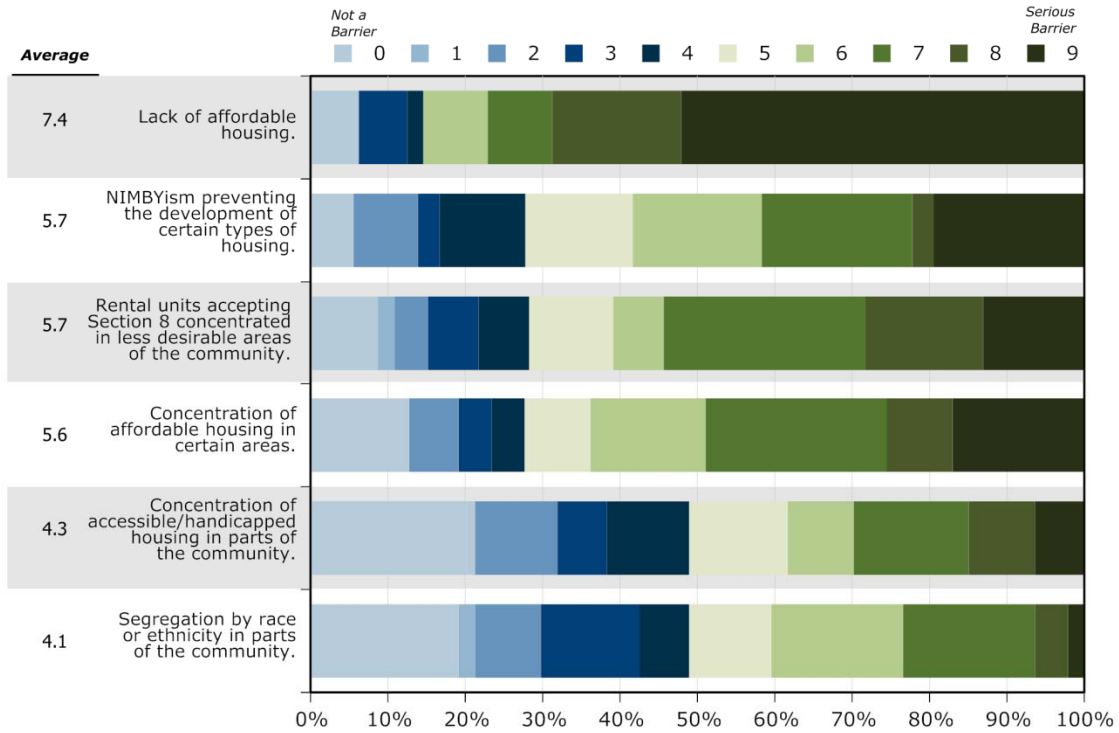


Note: n ranges from 21 to 23.

Source: BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.

**Economic, demographic and housing issues—stakeholders.** On average, stakeholders consider a lack of affordable housing to be a serious barrier to fair housing choice in Jefferson County. NIMBYism and concentration of rental units accepting Section 8 are also potentially serious barriers.

**Figure III-33.**  
**Potential Barriers to Fair Housing Choice—Economic, Demographic and Housing Issues**

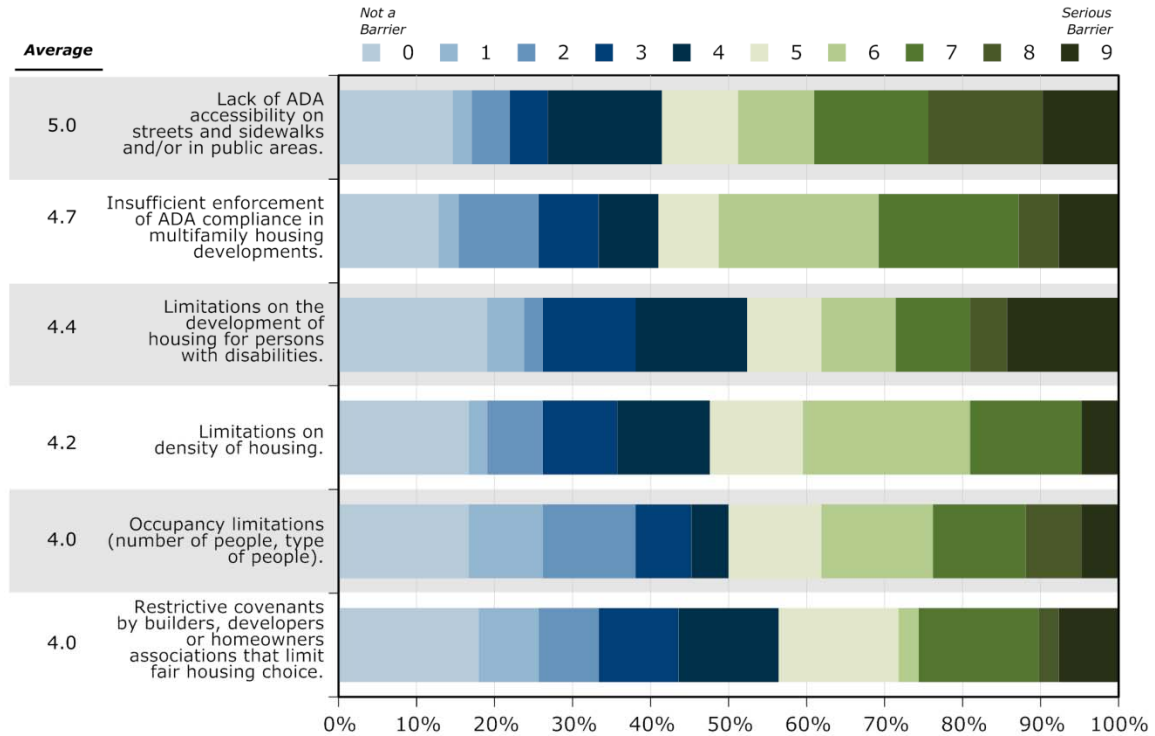


Note: n ranges from 46 to 48.

Source: BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.

**Land use and zoning issues—stakeholders.** Among the zoning and land use issues examined, a lack of ADA accessibility on streets and sidewalks received the highest average rating (5.0), followed by insufficient enforcement of ADA compliance in multifamily housing developments.

**Figure III-34.**  
**Potential Barriers to Fair Housing Choice—Land Use and Zoning Issues**

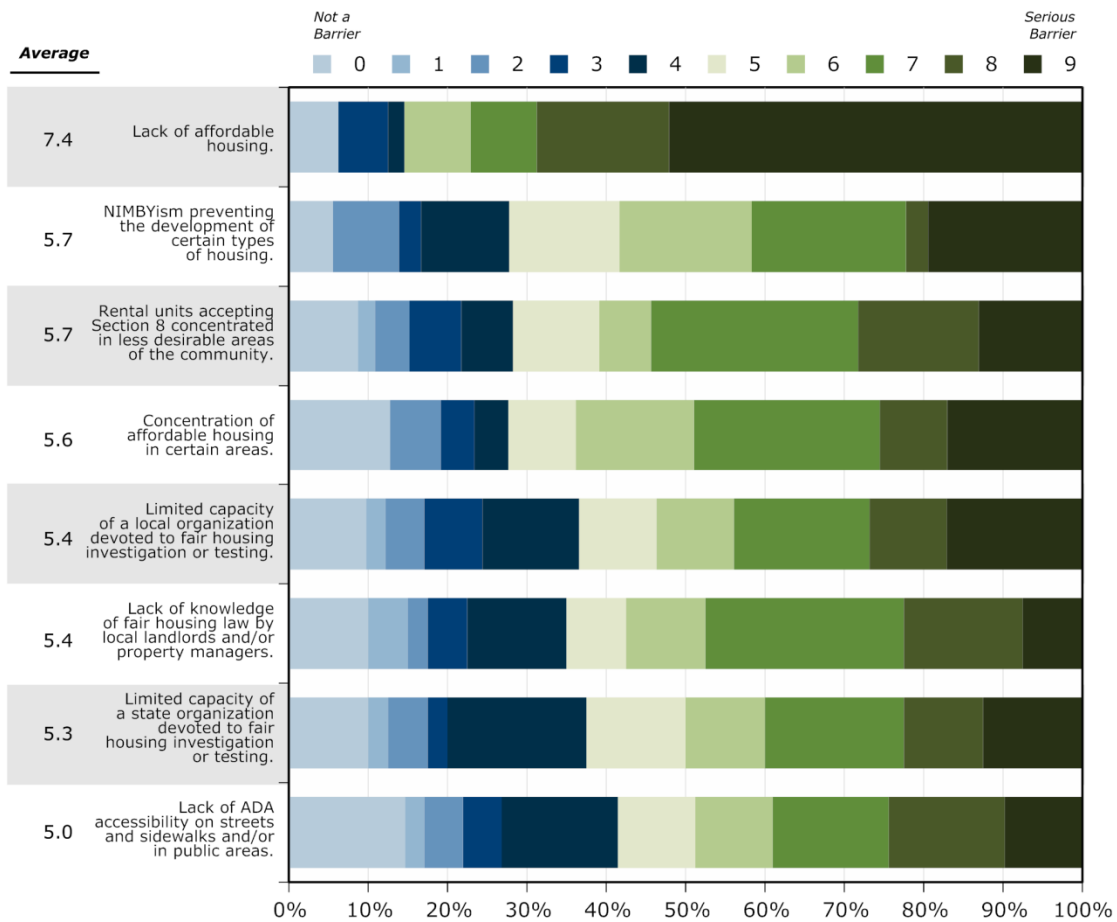


Note: n ranges from 39 to 42.

Source: BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.

**Summary of potential barriers to fair housing choice—stakeholders.** Figure III-35 summarizes the potential barriers to fair housing choice stakeholders considered most serious (average rating of 5.0 or higher). As shown, a lack of affordable housing was considered to be the most serious barrier, followed by NIMBYism preventing the development of certain types of housing. Rental units accepting Section 8 concentrated in less desirable areas of the community, concentration of affordable housing in certain areas and the limited capacity of a local organization devoted to fair housing investigation and testing round out the top found most serious barriers from the perspective of stakeholders.

**Figure III-35.**  
**Summary of Top Potential Barriers to Fair Housing Choice—Stakeholders**



Note: n ranges from 39 to 48.

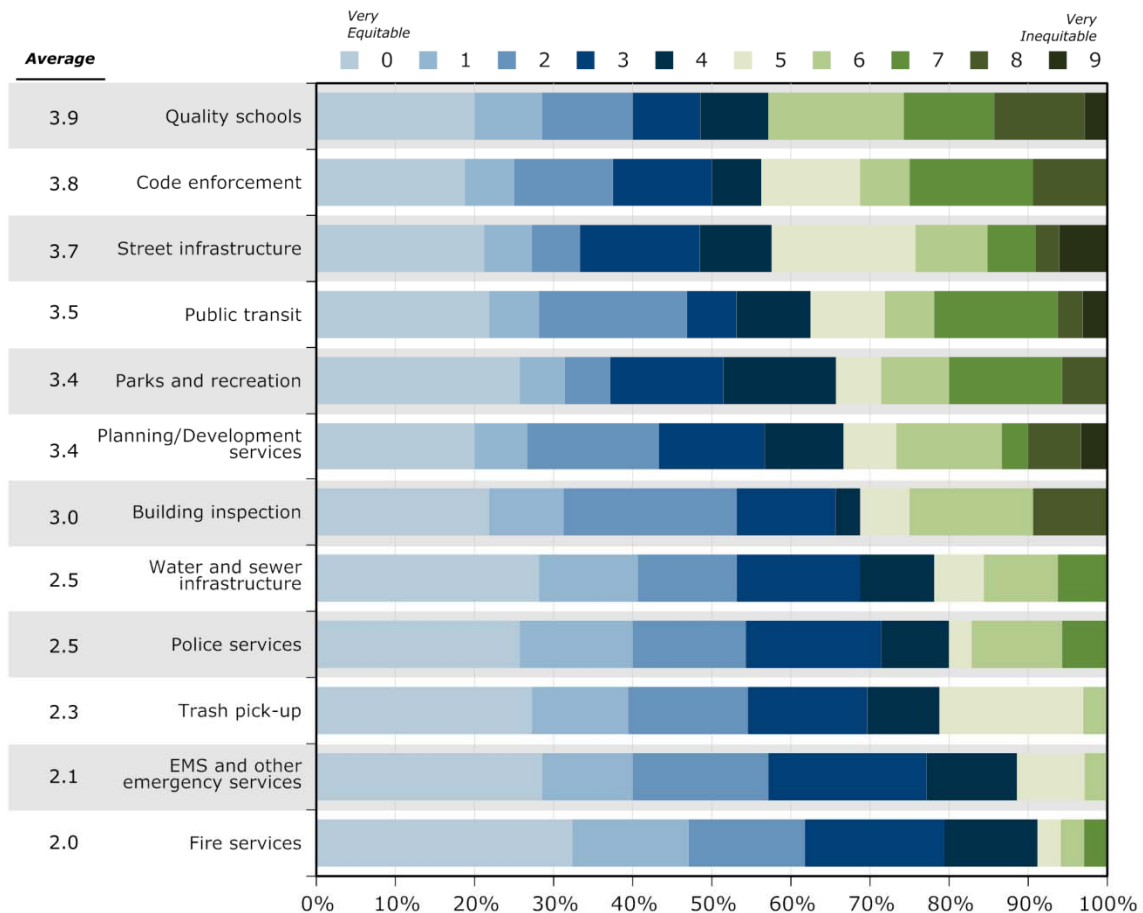
Source: BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.

With respect to barriers to fair housing choice, stakeholders who participated in public meetings and interviews offered their perspectives. These include:

- “The biggest barrier to housing choice is lack of affordable land. It is very difficult to find land at a cost which allows development of housing for residents with the greatest needs—residents at 0-30% AMI, chronically homeless and persons with disabilities.”
- “HUD needs to commit more funding to developing housing that serves chronically homeless and/or persons with disabilities. For example, the SuperNOFA issued in December 2012 had numerous applicants, all with great projects, but enough funding for only one development.”

**Equity of service delivery.** Stakeholders rated the degree to which public services and infrastructure are delivered equitably throughout Jefferson County. On average, stakeholders’ ratings leaned toward equitable service delivery. Fire and emergency services were seen as most equitably delivered, while quality schools, code enforcement and street infrastructure were least equitable, as shown in Figure III-36.

**Figure III-36.**  
**Relative Equity of Service Delivery and Infrastructure**



Note: n ranges from 30 to 35.

Source: BBC Research & Consulting 2012 Jefferson County Stakeholder Survey.



The few stakeholders who considered services to be inequitably delivered described their reasoning. Representative comments include:

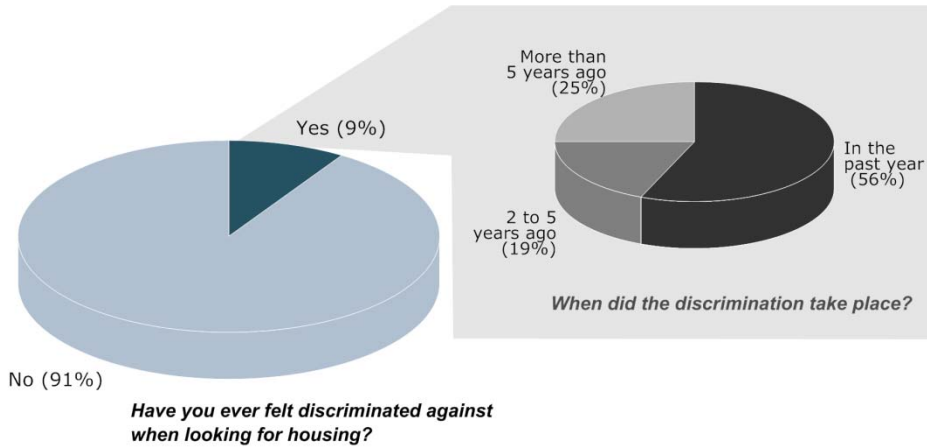
- “Because often low income coincides with certain race/ethnicity classifications... school funding is often lower in low income areas, parks & recreation facilities also suffer from lower funding where low income, racially/ethnically concentrated housing exists, and code enforcement activities are often concentrated in these areas as well because property owners have fewer resources and therefore struggle with code issues more often.”
- “For those with mobility issues, the lack of access to nearby public transit eliminates many locations as housing options.”
- “Certain areas of the city of Lakewood have no curb, gutter or sidewalks or adequate street lights. Children have to walk in the street due to lack of sidewalks usually in lower income, older parts of the city.”

**Housing discrimination perception and action—residents.** Figure III-37 outlines respondents’ perceptions of housing discrimination experience and the timing of its occurrence. About one in ten residents feel that they have ever been discriminated against when looking for housing. Among these respondents, over half reported that the discrimination took place in the past year.

**Figure III-37. Discrimination Experience**

Note:  
n=188 and n=16.

Source:  
BBC Research & Consulting 2012  
Jefferson County  
Resident Survey.



**Protected class comparison.** Non-whites, Hispanics and the disabled are nearly three times more likely than whites to believe they have experienced housing discrimination, as shown in Figure III-38.

**Figure III-38. Discrimination Experience—Comparison**

Source:  
BBC Research & Consulting 2012 Jefferson County Resident Survey.

	White (n=154)	Non-White (n=21)	Hispanic (n=25)	Disabled (n=46)
Yes	7%	24%	24%	24%
No	93%	76%	76%	76%

**Reason for perceived housing discrimination.** When asked why they thought the discrimination occurred, respondents' reasons included age, class, familial status and race/ethnicity. Sample comments include:

- "I am white, poor and can't find 'senior only housing.' The waiting list is 'years' long. I don't want to live with these loud kids, mentally ill homeless people."
- "Because I am Hispanic and because I have small children."
- "My husband is dark complected and they look at him like he does not speak English (immediate denial). They say the property is already rented. Drive by it again and the sign is still up. Sad but true..."
- "My age, young, unmarried and pregnant."

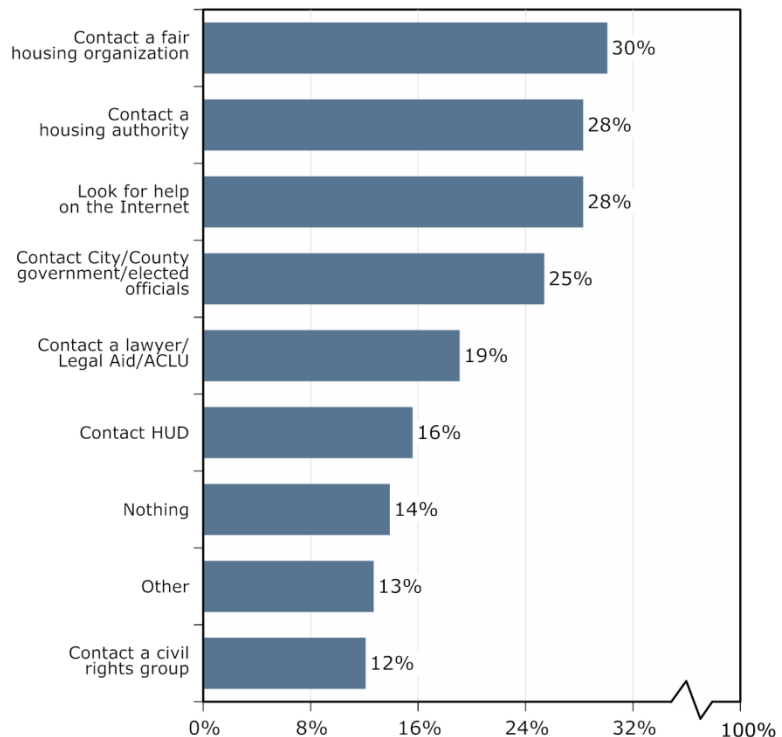
**Response to housing discrimination.** The vast majority of residents who felt they had experienced housing discrimination did nothing (13 out of 15 respondents). Two respondents tried to get information to complain and could not. Not a single resident that felt discriminated against contacted HUD or the Colorado Civil Rights Division. One contacted the housing authority and another contacted a community organization.

Among all survey respondents, if they or someone they knew experienced housing discrimination, the greatest proportion of respondents would contact a fair housing organization, a housing authority or would look for help on the Internet. As shown in Figure III-39, 14 percent of respondents would do nothing.

**Figure III-39.**  
**Response to Discrimination**

Note:  
n=173. Numbers add to greater than 100 percent due to multiple responses.

Source:  
BBC Research & Consulting 2012 Jefferson County Resident Survey.

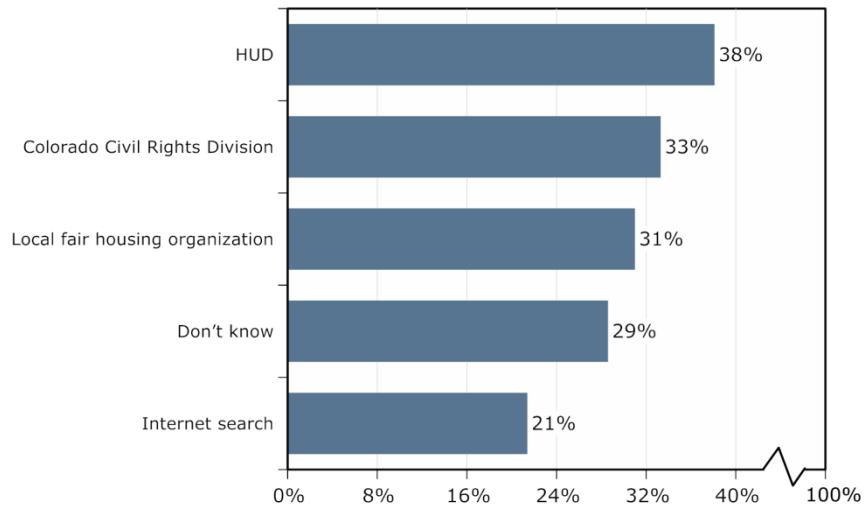


**Stakeholder knowledge and experience with fair housing complaints.** As shown in Figure III-40, the greatest proportion of stakeholders (38%) would refer clients to HUD in order to file a fair housing complaint, and one-third would make a referral to the Colorado Civil Rights Division. More than one in four stakeholders does not know which organization(s) take fair housing complaints. With respect to local fair housing organizations, stakeholders named the Colorado Cross Disabilities Coalition, the Jefferson County, Lakewood and Littleton housing authorities, the Colorado Division of Housing, the Legal Center for People with Disabilities, and landlord/tenant programs.

**Figure III-40.**  
**Organizations to Which Stakeholder Would Refer Clients to File Fair Housing Complaints**

Note:  
 n=42. Numbers add to greater than 100 percent due to multiple responses.

Source:  
 BBC Research & Consulting  
 2012 Jefferson County  
 Resident Survey.



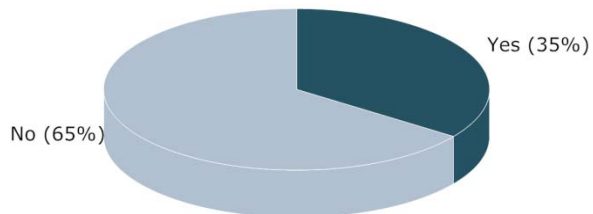
Six stakeholders have experience with filing fair housing complaints. Their experience with the relative ease of the complaint filing process was mixed. Half found the process easy and half found the process difficult. Those who found the process difficult cited its length, non-response on behalf of the complaint-taking agency, and that it was difficult to understand.

**Stakeholder experience with fair housing training.** As shown in Figure III-41, nearly two out of three stakeholders have not had any form of fair housing training in the past. Of those with experience, half received the training as a requirement for their industry and half received training from a fair housing organization.

**Figure III-41.**  
**Have you had fair housing training in the past?**

Note:  
 n=43.

Source:  
 BBC Research & Consulting 2012 Jefferson County Resident Survey.

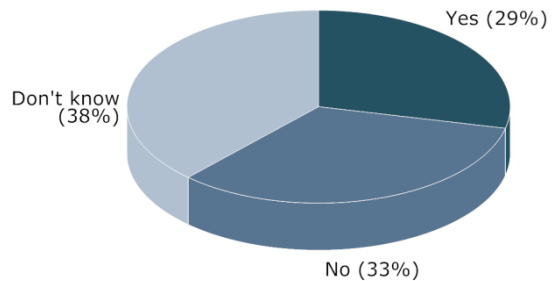


**Adequacy of fair housing information.** As shown in Figure III-42, slightly less than one in three stakeholders believe there is adequate information, resources and training in the areas they serve on fair housing laws.

**Figure III-42.**  
**Availability of Fair Housing Information and Resources**

Note:  
n=42.

Source:  
BBC Research & Consulting 2012 Jefferson County Resident Survey.



**Fair housing activities needed.** From stakeholders' perspective, most (77%) believe that landlord/property manager education and resident education are the most needed fair housing activities in Jefferson County. About one-third would like assistance filing complaints, followed by testing (17%).

**Strategies and policies.** Stakeholders had the opportunity to describe the strategies and policies that Jefferson County and its cities could undertake in order to affirmatively further fair housing and prevent overt acts of housing discrimination.

In response to the question, "How can Jefferson County and its cities most effectively contribute to affirmatively furthering fair housing," representative stakeholder comments include:

- "Information on fair housing, how to change your housing, housing options, etc, should be sent to everyone who receives a housing voucher on at least an annual basis. There are many people in Jefferson County who have significant physical limitations, but do not qualify as developmentally disabled, so have no access to a case manager to support them in working through the programs that they may be eligible for."
- "By being provided sufficient federal resources to provide quality affordable housing options and a major reduction in federal program regulations which hamper effective/efficient program operation."
- "Be more transparent. Where do individuals go to find out what their rights are? Who can support them in finding housing?"
- "There needs to be more affordable housing units, better public transit system, more jobs, more employment opportunities in low income areas, better quality employment opportunities."
- "We need low income housing options in our area."
- "Ongoing education programs. Improving infrastructure."

With respect to strategies Jefferson County and its cities can employ to prevent overt acts of discrimination in housing, stakeholders offered the following comments:

- “To obtain quick and easy contacts at federal and state level. To have those federal and state agencies take action to investigate and take appropriate actions when residents encounter discrimination.”
- “Be deliberate about the development of accessible, affordable housing throughout all areas of the county. Require newly build units to have a certain number of accessible units that accept housing vouchers. Prioritize those with disabilities as tenants of these units. Provide more information on how to find accessible housing, including an actual person to meet with. Consider adding more bus routes and stops near housing complexes. Make it easier for residents to know what their rights are and what to do if they feel that they are being discriminated against. Distribute information on fair housing to all members of the community. This information should be provided to any housing resident.”
- “Make landlords be certified or at least held accountable for their actions.”
- “More education of residents on fair housing.”

## **SECTION IV.**

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### **Review of Public and Private Practices**

## SECTION IV.

# Review of Public and Private Practices

This section reviews public and private practices that can affect housing choice and which are not covered in prior sections. The areas of review include:

- Zoning and land use policies;
- Policies and practices of public housing authorities; and
- Private sector violations documented in fair housing complaints and legal cases.

### Zoning and Land Use Review

BBC reviewed Jefferson County's, Arvada's and Lakewood's zoning codes, Comprehensive Plans and other land use policies to identify fair housing issues and/or policies that could disparately impact protected classes. The review was conducted using a HUD-developed checklist—the “Review of Public Policies and Practices (Zoning and Planning Code)” form produced by the Los Angeles office—that focuses on the most common regulatory barriers.

The following section summarizes the main findings from the review.

#### Jefferson County

Overall, Jefferson County's zoning and land use regulations do not appear to create barriers to housing choice. The county's codes are standard and straightforward and the county has taken many steps to encourage a variety of housing choices. For example, the county recently proposed a new Mixed-Use District, which will allow a quicker development process, accommodate more uses and incentivize residential product type diversity. The county's Planning and Zoning website is easy to navigate and contains an updated list of active zoning cases. The county's various area community plans include goals to provide for diverse housing types to accommodate “different lifestyles and levels of income” and acknowledge that density is an important component to balanced housing development.

One aspect of the county's zoning regulations should be revised to reduce confusion about group home regulations. The county has two definitions of group facilities that house persons with disabilities: Group Homes and Group Living Facilities. Currently, Group Homes, which are allowed by right in residential districts if housing fewer than nine individuals, are defined to include some (developmentally disabled and mentally ill), but not all, types of disabilities. The county's regulations suggest that facilities housing persons with other types of disabilities—e.g., physical disabilities, recovering substance abusers and persons with HIV/AIDS—would be classified as Group Living Facilities, which are not allowed by right in residential districts; instead, a special permit is required. This could have the effect of limiting housing opportunities for people with certain types of disabilities.

Similarly, the county's Permitted Uses section (specifically, definition of Group Homes) within its residential district sections could be misinterpreted to define "disability" only as persons with developmental disabilities or mental illnesses.

*The county should establish clearer and consistent definitions for homes for persons with disabilities and make all types of group homes a residential use by right, without a requirement for special permit, planning board and commissioner approval and public hearings.*

#### **Regulatory review.**

- 1. Does the code definition of "family" have the effect of discriminating against unrelated individuals with disabilities who reside together in a congregate or group living arrangement?**  
No. Jefferson County's definition of family is, "One or more persons related by blood, marriage or adoption, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of persons, but not exceeding six, living and cooking together as a single housekeeping unit, though not related by blood, marriage or adoption, shall be deemed to constitute a family. Family shall not include more than one registered sex offender, unless related by blood, marriage or adoption."
- 2. Does the Code definition of "family" have the effect of discriminating against unrelated individuals with disabilities who reside together in a congregate or group living arrangement?**  
No, see above.
- 3. Is the Code definition of "disability" the same as the Fair Housing Act?** The county's code does not define "disability".
- 4. Does the zoning ordinance restrict housing opportunities for individuals with disabilities and mischaracterize such housing as a "boarding or rooming house" or "hotel"?** No.
- 5. Does the zoning ordinance deny housing opportunities for disability individuals with on-site housing supporting services?** No.
- 6. Does the jurisdiction policy allow any number of unrelated persons to reside together, but restrict such occupancy, if the residents are disabled?** No.
- 7. Does the jurisdiction policy not allow disabled persons to make reasonable modifications or provide reasonable accommodation for disabled people who live in municipal-supplied or managed residential housing?** No.
- 8. Does the jurisdiction require a public hearing to obtain public input for specific exceptions to zoning and land-use rules for disabled applicants and is the hearing only for disabled applicants rather than for all applicants?** No, although the county requires that Group Living Facilities must be reviewed by the Planning Commission and approved by the Board of County Commissioners. However, the zoning of the group living facility does not have to be in strict conformance with community plans because such facilities are regarded as a residential use.



9. ***Does the zoning ordinance address mixed uses?*** Yes, the code includes guidelines for a mixed-use sub district. In November 2012, the county proposed a draft for a Mixed Use Zone District. The draft proposal seeks to promote a mix of residential and commercial uses, infill development, multi-modal transit design, human-scale urban design and maintaining adjacent neighborhood integrity. The proposed guidelines address guidelines for lot and building standards, parking, public space and design incentives.
10. ***How are the residential land uses discussed?*** The County Zoning Resolution divides residential zones between 16 districts with varying densities, locations and requirements. There are three R-1 districts mainly for single family districts and R-2, R-3 and R-4 districts for varying single to multifamily buildings. There is a restrictive residential district, manufactured home district, three mountain residential districts and three suburban residential districts. The code includes regulations of the permitted residential structures for each zoning category and outlines the building code in regards to density, footprint, building height and setback requirements.
- What standards apply?*** The County Zoning Resolution outlines permitted, assessor, special and conditional uses for each district. This also includes lot and building standards, setbacks, and other general requirements.
11. ***Does the zoning ordinance describe any areas in this jurisdiction as exclusive?*** No.
12. ***Are there any restrictions for Senior Housing in the zoning ordinance? If yes, do the restrictions comply with Federal law on housing for older persons (i.e., solely occupied by persons 62 years of age or older or at least one person 55 years of age and has significant facilities or services to meet the physical or social needs of older people)?*** No.
13. ***Does the zoning ordinance contain any special provisions for making housing accessible to persons with disabilities?*** Jefferson County has adopted the 2009 International Building Code which includes provision for persons with disabilities and access to housing.
14. ***Does the zoning ordinance establish occupancy standards or maximum occupancy limits?*** No.
15. ***Does the zoning ordinance include a discussion of fair housing?*** The Zoning Resolution states that no Official Development Plan shall be approved if it is not in accordance with the FHA of 1968.
16. ***Describe the minimum standards and amenities required by the ordinance for a multiple family project with respect to handicap parking.*** Handicapped parking is not directly discussed in the multifamily zoning district regulations.
17. ***Does the Zoning Code distinguish senior citizen housing from other single family residential and multifamily residential uses by the application of a conditional use permit?*** No.
18. ***Does the Zoning Code distinguish handicapped housing from other single family residential and multifamily residential uses by the application of a conditional use permit?*** No.

19. ***How is “special group residential housing” defined in the jurisdiction Zoning Code?*** Jefferson County has two definitions of homes which may house special populations: 1) Group Home and 2) Group Living Facilities.

A **Group Home** is defined as a home for up to eight persons who are mentally ill, aged and/or developmentally disabled and, if housing mentally ill or developmentally disabled persons, is state licensed.

A **Group Living Facility** is a state licensed facility for housing residents in a group home which includes a residential treatment center, community residential home, home for social rehabilitation, assisted living residence, personal care boarding home, communal home, specialized group facility, receiving home for more than four foster home residents, residential child care facility, or shelter for domestic violence.

Group homes are permitted by right in residential districts. However, the county’s definition of permitted uses within residential districts specifies that group homes must not be located within 750 feet of another group home. Group living facilities must be heard and approved by the Planning Commission and Board of County Commissioners.

20. ***Does the jurisdiction’s planning and building codes presently make specific reference to the accessibility requirements contained in the 1988 amendment to the Fair Housing Act?*** There is no specific reference to the accessibility requirements in the FHA.

## **City of Lakewood**

Lakewood’s zoning and land use regulations are very progressive from a fair housing perspective. This is largely due to the city’s broad definition of Group Homes. Like Jefferson County, the city recently updated its code to allow more flexibility in land uses and accommodate a greater variety of housing types. The city’s website is also very transparent and contains tables and maps that demonstrate the progress and location of zoning cases. No fair housing concerns were found in Lakewood’s zoning and land use regulations.

1. ***Does the code definition of “family” have the effect of discriminating against unrelated individuals with disabilities who reside together in a congregate or group living arrangement?***  
No. Lakewood uses a definition of household that includes a variety of possible household compositions. Individuals with disabilities who are unrelated and living in congregate or group living arrangements could be considered as a household, although occupancy is limited to five unrelated individuals. Such individuals could reside together under the city’s group homes and group living facilities regulations.
2. ***Does the Code definition of “family” have the effect of discriminating against unrelated individuals with disabilities who reside together in a congregate or group living arrangement?***  
No, see above.
3. ***Is the Code definition of “disability” the same as the Fair Housing Act?*** Lakewood’s code does not define “disability.”
4. ***Does the zoning ordinance restrict housing opportunities for individuals with disabilities and mischaracterize such housing as a “boarding or rooming house” or “hotel”?*** No.

5. ***Does the zoning ordinance deny housing opportunities for disability individuals with on-site housing supporting services?*** No.
6. ***Does the jurisdiction policy allow any number of unrelated persons to reside together, but restrict such occupancy, if the residents are disabled?*** No.
7. ***Does the jurisdiction policy not allow disabled persons to make reasonable modifications or provide reasonable accommodation for disabled people who live in municipal-supplied or managed residential housing?*** No.
8. ***Does the jurisdiction require a public hearing to obtain public input for specific exceptions to zoning and land-use rules for disabled applicants and is the hearing only for disabled applicants rather than for all applicants?*** No.
9. ***Does the zoning ordinance address mixed uses?*** Yes, the code includes guidelines for mixed-use districts.
10. ***How are the residential land uses discussed?*** Lakewood code had eight residential districts including R-1-43 One Acre Residential, R--18: Rural Residential, R-1-12: Large Lot Residential, R-1-9: Medium Lot Residential; R-1-6: Small Lot Residential, R-2 Two-Family and Small Lot Residential, R-MF: Multifamily Residential; R-MH: Mobile Home Residential. Each district includes guidelines for permitted uses, lot size standards, setbacks and performance standards.  
  
***What standards apply?*** Each district includes guidelines for permitted uses, development standards, lot size standards, setbacks and performance standards.
11. ***Does the zoning ordinance describe any areas in this jurisdiction as exclusive?*** No.
12. ***Are there any restrictions for Senior Housing in the zoning ordinance? If yes, do the restrictions comply with Federal law on housing for older persons (i.e., solely occupied by persons 62 years of age or older or at least one person 55 years of age and has significant facilities or services to meet the physical or social needs of older people)?*** No.
13. ***Does the zoning ordinance contain any special provisions for making housing accessible to persons with disabilities?*** Lakewood has adopted the 2009 International Building Code which includes provision for persons with disabilities and access to housing.
14. ***Does the zoning ordinance establish occupancy standards or maximum occupancy limits?*** No.
15. ***Does the zoning ordinance include a discussion of fair housing?*** No.
16. ***Describe the minimum standards and amenities required by the ordinance for a multiple family project with respect to handicap parking.*** Handicapped parking is not directly discussed in the multifamily zoning district regulations. Instead, the code refers to the minimum number of ADA Accessible Spaces required under the ADA.
17. ***Does the Zoning Code distinguish senior citizen housing from other single family residential and multifamily residential uses by the application of a conditional use permit?*** No.

- 18. Does the Zoning Code distinguish handicapped housing from other single family residential and multifamily residential uses by the application of a conditional use permit?** No.
- 19. How is “special group residential housing” defined in the jurisdiction Zoning Code?** Lakewood has two definitions of homes which may house special populations: 1) Group Home and 2) Group Residential Facility. The primary difference between the two types of facilities is the number of persons allowed.
- A **Group Home** is a facility that provides for the care, treatment and/or supervision, on a temporary or permanent basis, for 12 or fewer individuals. A Group Home may include private dining facilities, health care and similar services.
  - A **Group Residential Facility** is a facility that provides for the care, treatment and/or supervision, on a temporary or permanent basis, for more than 12 individuals.
- Group homes serving one to eight individuals are permitted by right in all residential zone districts. Group homes serving nine to 12 individuals are permitted in all multifamily residential and mixed use districts; their use is limited in single family residential districts. Group residential facilities are permitted in residential multifamily and mixed use districts.
- 20. Does the jurisdiction’s planning and building codes presently make specific reference to the accessibility requirements contained in the 1988 amendment to the Fair Housing Act?** There is no specific reference to the accessibility requirements in the FHA.

## **City of Arvada**

Overall, Arvada’s zoning and land use regulations do not appear to create barriers to housing choice. The city’s codes are standard and mostly straightforward, although the definition of group homes is confusing. The city’s code would be improved if the definitions of group homes, group living facilities and/or disability are clarified.

Similar to Jefferson County’s regulations, Group Homes are allowed by right in residential districts if housing fewer than seven individuals and for certain protected classes: persons who are developmentally disabled or mentally ill. Although the code implies that a reasonable accommodation could be made if another type of “handicapped” facility if proposed, this is presented in the context of sex offenders occupying the home. The city’s regulations suggest that facilities housing persons with other types of disabilities—physical disabilities, recovering substance abusers, persons with HIV/AIDS—would be classified as living in other types of Group Homes, which are not allowed by right in residential districts; instead, a conditional permit is required. This could have the effect of limiting housing opportunities for people with certain types of disabilities.

The city should consider adding a definition of disability to add clarity to its zoning regulations and generalize the definition of Group Home to include persons with all types of disabilities or to eliminate the requirement for conditional use permits for homes that house persons with disabilities other than developmental and mental illness. The term “disability” under the FHA includes Federal laws define a person with a disability as "Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment." This includes people with HIV/AIDS and recovering addicts.

- 1. Does the code definition of “family” have the effect of discriminating against unrelated individuals with disabilities who reside together in a congregate or group living arrangement?**  
No. Arvada’s definition of family is: “One or more persons related by blood, marriage, or adoption, living together as a single household unit or a group of not more than five persons not related by blood, marriage, or adoption, living together as a single household unit. A family foster home, licensed by the State of Colorado, or certified by the Jefferson County Department of Human Services or Adams County Department of Social Services, or a state-licensed child placement agency, and having no more than 4 foster children, shall also be considered a family. A family shall not include more than one (1) person required to register as a sex offender.”
- 2. Does the Code definition of “family” have the effect of discriminating against unrelated individuals with disabilities who reside together in a congregate or group living arrangement?**  
No, see above.
- 3. Is the Code definition of “disability” the same as the Fair Housing Act?** Arvada’s code does not define “disability.”
- 4. Does the zoning ordinance restrict housing opportunities for individuals with disabilities and mischaracterize such housing as a “boarding or rooming house” or “hotel”?** No.
- 5. Does the zoning ordinance deny housing opportunities for disability individuals with on-site housing supporting services?** No.
- 6. Does the jurisdiction policy allow any number of unrelated persons to reside together, but restrict such occupancy, if the residents are disabled?** No.
- 7. Does the jurisdiction policy not allow disabled persons to make reasonable modifications or provide reasonable accommodation for disabled people who live in municipal-supplied or managed residential housing?** No.
- 8. Does the jurisdiction require a public hearing to obtain public input for specific exceptions to zoning and land-use rules for disabled applicants and is the hearing only for disabled applicants rather than for all applicants?** No.
- 9. Does the zoning ordinance address mixed uses?** Yes, the code includes guidelines for all mixed-use sub districts.

- 10. *How are the residential land uses discussed?*** Arvada has eight residential zoning districts including: R-CE Residential Countryside Estate District, R-E Residential Estate District, R-L Residential Low Density District, R-SL Residential Small Lot, Low Density District, R-NT Residential Neo-Traditional District, R-I, One and Two-Family Residence District, R-MD, Residential Medium Density District and R-M, Residential Multi-Family District. The zones differ in their permitted uses and development standards.
- What standards apply?*** The district regulations include guidelines for permitted uses, development standards, lot size standards, setbacks and performance standards.
- 11. *Does the zoning ordinance describe any areas in this jurisdiction as exclusive?*** Not directly, although the R-CE Residential Countryside Estate District states that “limited complementary uses are allowed, such as private schools and places of worship” It is unclear why the definition makes the distinction between public and private schools, which is not made in other residential district definitions.
- 12. *Are there any restrictions for Senior Housing in the zoning ordinance? If yes, do the restrictions comply with Federal law on housing for older persons (i.e., solely occupied by persons 62 years of age or older or at least one person 55 years of age and has significant facilities or services to meet the physical or social needs of older people)?*** No.
- 13. *Does the zoning ordinance contain any special provisions for making housing accessible to persons with disabilities?*** Arvada has adopted the 2009 International Building Code which includes provision for persons with disabilities and access to housing.
- 14. *Does the zoning ordinance establish occupancy standards or maximum occupancy limits?*** No.
- 15. *Does the zoning ordinance include a discussion of fair housing?*** Yes, the FHA is discussed in the definition of “group home” and the permitting of city code modifications (reasonable accommodations) in order to comply with the FHA.
- 16. *Describe the minimum standards and amenities required by the ordinance for a multiple family project with respect to handicap parking.*** Handicapped parking is not directly discussed in the multifamily zoning district regulations.
- 17. *Does the Zoning Code distinguish senior citizen housing from other single family residential and multifamily residential uses by the application of a conditional use permit?*** No.
- 18. *Does the Zoning Code distinguish handicapped housing from other single family residential and multifamily residential uses by the application of a conditional use permit?*** Somewhat. The city’s Allowed and Principal Uses regulation allows group homes for developmentally disabled, elderly and mentally ill by right in single family residential districts; other types of group homes require a conditional permit.

**19. How is “special group residential housing” defined in the jurisdiction Zoning Code?** Arvada’s code contains several definitions of group housing:

Several sub-definitions are included under the broad Group Home definition:

- 1) “**Group Living Facility** in which six or more individuals can live together and receive supportive services and are supervised by persons who live in the residence.”
- 2) “A **Group Home** shall not have more than twelve residents, including supervisory personnel, plus any children of a resident...”

This definition includes a reasonable accommodation provision, but in the context of housing sex offenders: “In the event a group living facility for handicapped persons does not meet the definition of “Group Home” as contained herein, but requires reasonable accommodation pursuant to the Fair Housing Amendments Act...such group living facility shall not include more than one person required to register as a sex offender...”

Additional definitions are included for Group Homes for Developmentally Disabled Persons; Group Homes for Elderly Persons; Group Homes for Juvenile Offenders; and Group Homes for Mentally Ill Persons; as well as Group Living Facilities.

**20. Does the jurisdiction’s planning and building codes presently make specific reference to the accessibility requirements contained in the 1988 amendment to the Fair Housing Act?** No.

**Review of other jurisdictions’ codes.** A comprehensive review of the zoning and land use regulations of other jurisdictions in Jefferson County was beyond the scope of the AI. Instead, a review was conducted of the areas that have the most potential to create housing barriers. This section discusses the results of that review. Figure IV-1 summarizes each jurisdiction’s approach to zoning for group homes.

Other than Edgewater, the jurisdictions could improve their group home definitions and regulations to be more consistent with the FHA. Specifically,

- **Golden** restricts group homes to just two residential districts and their definition of Group Home is problematic:

The city’s Group Home definition does not include facilities that treat substance abusers. Recall that the FHA includes as disabled persons with AIDS, physically and developmentally disabled, mentally ill, and recovering alcoholics and drug addicts (but not current abusers who are not “recovering”). Under the city’s regulations, it appears that group homes housing recovering substance abusers would have a different treatment under the regulations than those serving other types of disabilities.

- **Mountain View's** group home regulations are restrictive in many ways. Group homes appear to be allowed only by "special exemption." To receive a special exemption the Town Board must find that the home will not have any adverse effect on the residential character and quality of life of the Town. This is a subjective assessment that could be applied to disallow group homes in the town. In addition, a special exemption cannot be in effect for more than two years and, after the exemption expires, the group home will need to reapply for another special exemption. This process, unique to group homes, appears to hold group homes to a higher standard than other residential uses. Finally, the town's code specifies that group homes cannot be located within a quarter mile of one another (other codes use 750 feet).
  
- **Wheat Ridge** Group home are defined as exclusive to elderly and children. It is unclear in the city's regulations if group homes that serve persons with disabilities are allowed in residential zoning districts.



**Figure IV-1.  
Zoning of Group Home/Residential Care Facility in Residential Districts, Jefferson County**

Jurisdiction	Term Used in Zoning Code	Definition	Residential Districts Use Permitted
Jefferson County	Group Living Facility and Group Home	<ul style="list-style-type: none"> <li>A Group Living Facility is a state licensed facility for housing residents in a group home which includes a residential treatment center, community residential home, home for social rehabilitation, assisted living residence, personal care boarding home, communal home, specialized group facility, receiving home for more than 4 foster home residents, residential child care facility, or shelter for domestic violence.</li> <li>A Group Home is a home for up to eight persons who are mentally ill, aged and/or developmentally disabled and, if housing mentally ill or developmentally disabled persons, is state licensed.</li> </ul>	<ul style="list-style-type: none"> <li>Group Living Facilities are specially permitted in most residential districts. They are permitted only upon review by the Planning Commission and approval by the Board of County Commissioners.</li> <li>Group Homes are permitted in all residential districts but must not be located with 750 feet of another group home.</li> </ul>
City of Arvada	Group Home	Various definitions. In general, a home in which twelve or fewer individuals can live together and receive supportive services and are supervised by persons who live in the residence.	<ul style="list-style-type: none"> <li>Group homes are allowed conditionally in all residential zoned districts.</li> </ul>
City of Lakewood	Group Home	<ul style="list-style-type: none"> <li>A Group Home is a facility that provides for the care, treatment and/or supervision, on a temporary or permanent basis, for 12 or fewer individuals. A Group Home may include private dining facilities, health care and similar services.</li> <li>A Group Residential Facility is a facility that provides for the care, treatment and/or supervision, on a temporary or permanent basis, for more than 12 individuals.</li> </ul>	<ul style="list-style-type: none"> <li>Group homes serving one to eight individuals are permitted by right in all residential zone districts. Group homes serving nine to 12 individuals are permitted in all multifamily residential and mixed use districts; their use is limited in single family residential districts. Group residential facilities are permitted in residential multifamily and mixed use districts.</li> </ul>
City of Edgewater	Group Home	<ul style="list-style-type: none"> <li>A dwelling where persons are living, together with staff, as a single housekeeping unit providing care, supervision and treatment exclusively for not more than eight (8) persons who are handicapped, developmentally disabled or mentally ill.</li> </ul>	<ul style="list-style-type: none"> <li>Group homes are permitted in all residential districts in the city, subject to all zoning requirements and licensing requirements of the state.</li> </ul>
City of Golden	Group Home	<ul style="list-style-type: none"> <li>A one or two household dwelling unit in which unrelated individuals or related and unrelated individuals live, where physical assistance and/or supervision is provided by resident and/or nonresident professional support personnel as a continual benefit. Group home will not include a hotel, motel, rooming house, or facility housing juvenile or adult offenders or a facility for treatment of substance abuse problems.</li> </ul>	<ul style="list-style-type: none"> <li>R3 district and RC district</li> </ul>
Town of Mountain View	Group Home	<ul style="list-style-type: none"> <li>A residence in which five (5) or more individuals, who are not capable of living independently, can live together and receive supportive services and are supervised by persons who live in the residence. A group home shall not have more than twelve (12) residents, including supervisory personnel.</li> </ul>	<ul style="list-style-type: none"> <li>By special exemption</li> </ul>
City of Wheat Ridge	Residential Group Home	<ul style="list-style-type: none"> <li>Group home for children (not including juvenile offenders), group home for elderly persons with no more than 2 live-in staff persons, congregate care home for more than 8 elderly persons, or nursing home with 24-hour medical services. A "residential group home" shall not include a household of four (4) or more persons occupying a residential dwelling unit and living as a single housekeeping unit if the occupants are handicapped persons</li> </ul>	<ul style="list-style-type: none"> <li>Permitted in all residential districts</li> </ul>

Note: Lakeside is omitted from zoning code analysis because the jurisdiction does not have formal zoning code and relies on municipal staff to make planning and zoning decisions.

Source: Municipal codes of jurisdictions in Jefferson County. "N/A" indicates not addressed in regulations.

**Minimum lot size.** An important element of the Zoning Code in regard to fair housing choice is the minimum lot size and/or maximum density per lot requirement. Zoning codes should, ideally, include zoning regulation and minimum lot requirements that support all types of developments. Overly large lot requirements may discourage or hinder affordable housing development. Figure IV-2 summarizes the minimum lot size and the maximum residential density for the residential districts of the county and six jurisdictions. Most of the incorporated communities in the county offer a variety of densities and lot sizes, allowing for a diversity of housing types.

**Figure IV-2.  
Minimum Lot Size for Residential Districts, Jefferson County**

Source:  
Municipal codes of jurisdictions in Jefferson County.  
"N/A" indicates not addressed in regulations.

Jurisdiction	Density Level			
	Very Low	Low	Medium	High
<b>Minimum Lot Size (square feet)</b>				
<b>Jefferson County</b>	<b>12,500</b>	<b>9,000</b>	<b>7,500</b>	<b>2,904</b>
Arvada	7,500	6,000	4,500	Conditional
Lakewood	12,500	6,000	3,640	1,750
Edgewater	n/a	6,000	5,000	3,750
Golden	9,000	7,000	3,000	2,100
Mountain View	n/a	6,250	4,688	4,500
Wheat Ridge	12,500	9,000	7,500	3,630

**A variety of housing types.** Allowing for a variety and mixture of housing types is important to ensure an array of homes in different price ranges. Encouraging, or, at a minimum, allowing for medium and high density residential dwellings, cluster developments, accessory dwelling units (ADUs) and mixed uses are all ways jurisdictions can provide a wide range of housing types at all income levels.

Only Jefferson County, Arvada, Lakewood, Golden and Wheat Ridge include zoning in support of mixed use districts. The remaining jurisdictions, Edgewater, Lakeside and Mountain View do not have specific mixed use code.

Jefferson County, Arvada, Lakewood and Wheat Ridge provide zoning for mixed-use and consider ADUs within their municipal code. The remaining, Edgewater, Golden, Lakeside and Mountain View do not directly include ADUs in their code.

Although not a direct violation of the FHA, failing to include and/or encourage diverse housing types can create barriers to fair housing choice which may disproportionately impact protected classes.

**Parking requirements.** A lower parking standard than the traditional standard of two parking spaces per dwelling unit may be reasonable in some communities, can lower costs for affordable housing development and is appropriate for multifamily housing, group housing and special needs housing. Parking requirements tend to increase the cost of providing housing by pulling away resources that could be used to reduce overall development costs, in turn lower rents, or provide more services. To reduce development costs, parking requirements may also be reduced for housing located near transit stops.

Most communities require one or two parking spots per dwelling unit.

Allowing lower parking requirements, especially for affordable and mixed-income multifamily housing, is a good practice that can reduce barriers to housing choice through cost reduction.

**Planning, development and building fees.** Overall, impact fees are determined by the number of housing units in a development and the assessed impact of the nature of the project. Municipalities in Jefferson County assess school impact fees and park impact fees through land dedication. In lieu of land dedication, a comparable cash fee may be paid. Only the county charges a traffic impact fee for development of residential units. Edgewater, Lakeside and Mountain View all do not have official impact fees but instead rely on staff review of development plans to assess any fees to offset the infrastructure costs of development.

Figure IV-3 summarizes the development impact fees for the county and jurisdictions. The fees will add to the cost of housing but do not have a disproportionate impact on any one or more protected class.

**Figure IV-3.  
Development Impact Fees**

	School Area Impact Fees		Zoning or Re-zoning	Traffic Impact Fee		Park Impact Fee	
	Single Family Impact Fee	Multifamily Impact Fee		Single Family Impact Fee	Multifamily Impact Fee	Single Family Impact Fee	Multifamily Impact Fee
Jefferson County	Approx. 0.012 acres	Approx. 0.008 acres	\$ 600	\$ 3,276	\$ 2,725	Approx. 0.033 acres	Approx. 0.021 acres
City of Arvada	Approx. 0.011 acres	Approx. 0.007 acres	\$ 1,000	None	None	\$ 1,439	\$ 1,209
City of Lakewood	Approx. 0.013 acres	Approx. 0.008 acres	\$ 1,250	None	None	Approx. 0.018 acres	Approx. 0.011 acres
City of Golden	Approx. 0.012 acres	Approx. 0.008 acres	\$ 600	None	None	5% of the land area or fee-in-lieu	
City of Wheat Ridge	School district assesses case by case		\$ 1,050	None	None	Approx. 0.016 acres	

Note: Development impact fees for Edgewater, Lakeside and Mountain View are determined by city staff on a case by case basis; a cash fee may be made in lieu of land dedications.

Source: Jefferson County and municipality code and staff.

**Occupancy requirements.** Jurisdictions often define occupancy requirements in order to protect the health and safety of its residents by attempting to prevent overcrowding. Similarly, jurisdictions commonly establish a definition of “family” or “household.” Figure IV-4 shows the terms the jurisdiction uses in their code (either family or households), as well as the maximum number of unrelated persons included in their definition. Most communities’ definitions of family are consistent with the FHA.

Note that limiting the maximum number of unrelated persons to five persons can be viewed as restrictive, since it is lower than what is usually applied to group homes (six to eight persons, which allows for a larger supply of units for persons needing a group home setting without compromising the residential character of the group home or creating larger, institutional-like settings). This could have the effect of creating barriers to housing choice for unrelated individuals living together who do not need the services in a group home but benefit from the affordability and communal environment of a shared living environment.

**Figure IV-4.**  
**Zoning Code Definition of Family and Maximum Occupancy of Unrelated Persons, Jefferson County**

Jurisdiction	Term and Definition Used in Zoning Code	Maximum Number of Unrelated Persons
Jefferson County	"Family" is one or more persons related by blood, marriage or adoption, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of persons, but not exceeding 6, living and cooking together as a single housekeeping unit, though not related by blood, marriage or adoption, shall be deemed to constitute a family.	6
City of Arvada	"Family" is one or more persons related by blood, marriage, or adoption, living together as a single household unit; a group of not more than 5 persons not related by blood, marriage, or adoption, living together as a single household unit or a family foster home, having no more than 4 foster children, shall also be considered a "family."	5
City of Lakewood	"Family" is an individual living alone; or any number of individuals, who are related by blood, marriage, or legal adoption, including foster children.	None
City of Edgewater	"Family" is any number of persons living and cooking together on the premises as a single dwelling unit, but it does not include a group of more than three (3) individuals not related by blood or marriage.	3
City of Golden	"Household" is any number of persons related by blood, marriage or adoption, plus domestic servants employed for service on the premises. Up to four children under the age of 18 who may not be related to any or all of the other residents, but who are under the care and supervision of the adult family head. A group including not more than two adults, together with any number of children, related by blood or legal adoption to at least one of the adults; or a group of not more than four (4) unrelated or related and unrelated persons living together as a single housekeeping unit.	4
Town of Mountain View	"Family" is a group of persons related by blood, marriage or adoption, or by the relationship of guardian, ward or foster family who may not necessarily be related by blood or marriage, or a group of not more than three (3) unrelated persons living together in a dwelling unit, living together as a single household unit.	3
City of Wheat Ridge	"Family" is one (1) or more persons related by blood, marriage, adoption, or legal custody plus domestic servants employed for service on the premises, or a group of not more than three (3) persons who need not be so related living together as a single housekeeping unit. Five (5) people over the age of sixty (60) years sharing one (1) housekeeping unit shall also be deemed to be a family. Notwithstanding the foregoing, a family shall be deemed to include four (4) or more persons that are not related by blood, marriage, adoption, or legal custody occupying a residential dwelling unit and living as a single housekeeping unit if the occupants are handicapped persons as defined in title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988.	3

Source: Municipal codes of jurisdictions in Jefferson County. "N/A" indicates not addressed in regulations.

## Zoning and Not-in-My-Backyard Syndrome

Not-in-My-Backyard Syndrome, or NIMBYism, can create significant barriers to housing choice for protected classes. The survey conducted for this AI detected a fair amount of NIMBYism among Lakewood residents. Specifically:

- Twenty percent said they would prefer “fewer rental units/rentals” in their neighborhoods,
- Twelve percent said they would prefer “fewer low income/poor people,”
- Thirty percent of stakeholders attributed concentrations of low income housing to NIMBYism.

The most prominent NIMBY case that occurred during the preparation of the AI involved the placement of the proposed new Rocky Mountain Deaf School building. The remainder of this section describes this case.

**Rocky Mountain Deaf School rezoning case.** The Rocky Mountain Deaf School (school) is a charter school located within the Jefferson County School District (school district). The school received a \$13 million grant from the Colorado Department of Education to construct a school specifically designed to meet the needs of deaf and hard of hearing children.

The school worked with the school district to identify parcels that would be appropriate for the new building; vacant land located on 2990 Wright Street was selected.

Complications with the chain of title of the land and intended use of the property resulted in the school seeking rezoning from the City of Lakewood. The rezoning required a notification of neighborhoods surrounding the properties and hearings to discuss the proposed school.

Administrators of the school describe the hearings as very charged and in some cases, hostile. For example, one resident came to the meeting with a homemade cardboard sign that said “Go Away” which was held up in front of school staff.

Many neighbors objected to the development of the school because they understood the vacant land was to remain as open space and were reportedly resistant to any types of zoning. Some neighbors argued that a deaf school would lead to reduced property values and/or increase service delivery costs.

The City Planning Commission approved the school development unanimously. Because of neighborhood resistance, a supermajority approval was required by City Council, which was obtained.

After city approval, the neighbors sought a referendum to overturn the Council decision. The information presented to obtain signatures on the petition suggested that the land was always intended as open space, which remains unclear (and will be resolved by the courts).

The City of Lakewood considered, but due to fiscal concerns, decided against, continuing the case which would have gone to a citywide vote.

The school determined that it did not have the resources to continue to pursue the case and is looking at other parcels for development, likely in a commercial area where neighborhood resistance is low or nonexistent.

## **Public Housing Policies and Practices**

Three housing authorities operate within Jefferson County: The Jefferson County Housing Authority, Metro West Housing Solutions of Lakewood and the Arvada Housing Authority. This section discusses the policies and practices of each.

**Jefferson County Housing Authority.** The Jefferson County Housing Authority serves all of Jefferson County with administration of Section 8 vouchers (about 1,500) and provision of affordable housing. The housing authority does not own any public housing units. Instead, the housing authority owns and operates 17 affordable properties in Jefferson County: five are located in Arvada, one in Evergreen, two in Golden, two in Lakewood and seven in Wheat Ridge.

The housing authority does not maintain a wait list for Section 8 vouchers. Three years ago the housing authority converted to a lottery system. The wait list has been closed for more than two years; the last time it was opened 2,500 people applied for assistance. The housing authority reports that one to two people visit every day asking for assistance.

The housing authority staff describe the current rental market in the county as very tight and challenging for voucher holders. Many tenants are leaving the county for more affordable areas in the metro area (e.g., Adams County). Staff also cited accessible housing as a significant need in the county.

**Metro West Housing Solutions.** Metro West Housing Solutions (MWHS) serves as the housing authority for the City of Lakewood. The organization's mission is to be a leader in providing quality housing options and transformative opportunities for people and communities. MWHS does not currently own and operate public housing; instead, the organization administers the Section 8 program in Lakewood in addition to operating as a nonprofit housing and service provider.

MWHS currently owns and operates six apartment communities and three senior living communities, with two more apartment communities planned. Annually, MWHS provides more than 1,500 services to clients ranging from bus passes to scholarships and computer literacy classes. MWHS strives to pair housing with supportive services: in 2012, a new state-of-the-art community resource center was opened in an apartment complex that includes a computer lab, kitchen, open gathering room and private office for meetings and service provision. In 2009, Creekside, a senior development of MWHS, was awarded Excellence in Project Design by the National Association of Housing & Community Development Officials (NAHRO).

As of December 2012, MWHS administered approximately 1,400 Section 8 vouchers.

The MWHS wait list for Section 8 vouchers was almost 2,500, about 1,000 more households than in 2011. Of those households on the wait list, almost 25 percent are persons with disabilities and 10 percent are seniors. Forty-six percent of households on the wait list are racial minorities and 42 percent are Hispanic. Therefore, persons with disabilities and racial and ethnic minorities are disproportionately represented on the wait list.

MWHS staff report that the tightening of the rental market has reduced the supply of apartments available to voucher holders and forced clients to locate in lower income, more central communities with the city. The past year was the first that MWHS was not granted bonus points for deconcentration. Staff report that it is much harder for clients to find affordable rentals in high opportunity areas than it has been in the past.

The briefing packet that new voucher holders receive at their orientation meeting was reviewed as part of this AI. The packet was easy to understand, contains information on fair housing rights and requesting a reasonable accommodation, describes portability options and lists accessible apartment complexes.

MWHS's Administrative Plan was also reviewed as part of the AI. No major fair housing concerns were identified in the wait list procedures or fair housing information.

*Two modifications are recommended for the Administrative Plan:*

- 1) In **Section 5.2 Preferences**, it appears that persons who work or live in Lakewood have first preference followed by persons with disabilities. Persons with disabilities should have preferences equal to that of persons who are employed in the city. It is our understanding that this is the policy of MWHS; however, the Administrative Plan could be interpreted to suggest otherwise. The Arvada Housing Authority Administrative Plan, for example, contains model clarifying language: "Note: Any single person, Head of Household or spouse who is 62 years old or older (elderly) or disabled automatically qualifies for the employment/residency preference."
- 2) **Section 1.0 Equal Opportunity** reads:  
"No person shall, on the grounds of race, color, sex, religion, national or ethnic origin, familial status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the Metro West Housing Solutions housing programs."

This section should be updated to reflect the March 5, 2012 final rule that HUD-assisted housing should be made available without regard to actual or perceived sexual orientation, gender identity or marital status.

It may also be worth noting that MWHS staff can inquire about an applicant's or occupant's sexual orientation or gender identity in HUD-assisted properties for the purpose of determining eligibility. Finally, MWHS may want to update its definition of family includes families regardless of actual or perceived sexual orientation, gender identity or marital status of members.

**Arvada Housing Authority.** The Arvada Housing Authority (AHA) was created in 1975 by City Council to assist low income renters with their rent payments. The Housing Authority is governed by the seven members of City Council, who serve as Commissioners of the Authority. The Manager for the Housing and Neighborhood Revitalization Division serves as executive director. AHA has five employees in addition to the executive director.

The primary purpose of the Housing Authority is to administer the federal Section 8 rental assistance program.

As of January 2013, the Housing Authority administered 496 vouchers. Ninety-two percent of voucher holders were white, the same as the overall proportion of city residents who report their race as white. Twenty-five percent were Hispanic, which is higher than the overall proportion of residents who report their ethnicity as Hispanic (14%). A little more than half of voucher holders were families (57%) and 23 percent are disabled, which is much higher than the countywide portion of persons with disabilities (9%).

The voucher wait list is more diverse racially and ethnically than the composition of current voucher holders: 21 percent are racial minorities (14% are African Americans, which is much higher than the proportion of African Americans in the city overall). Thirty-eight percent are of Hispanic descent. Yet just 4 percent are disabled, lower than the rate of disability for current voucher holders and for the county overall. Eighty-five percent have extremely low incomes and the vast majority—85 percent—are females.

AHA's Administrative Plan—specifically Chapters 2 Fair Housing and Equal Opportunity and Chapter 4 Applications, Waiting List and Tenant Selection—was reviewed as part of the AI. Both chapters were very comprehensive, contained easy to follow instructions and contained updated information on fair housing regulations.

The briefing packet that new voucher holders receive at their orientation meeting was also reviewed. The packet was easy to understand, contains information on fair housing rights and requesting a reasonable accommodation, describes portability options and lists accessible apartment complexes.

## **Fair Housing Complaint Analysis**

This section of the AI reviews fair housing complaints received by and/or against individual and organizations in Jefferson County. It begins with a brief overview of federal and state fair housing laws.

**Federal Fair Housing Act.** The Federal Fair Housing Act, passed in 1968 and amended in 1988, prohibits discrimination in housing on the basis of race, color, national origin, religion, gender/sex, familial status and disability. The Fair Housing Act—Amended (FHAA) covers most types of housing including rental housing, home sales, mortgage and home improvement lending and land use and zoning. Excluded from the FHAA are owner-occupied buildings with no more than four units, single family housing units sold or rented without the use of a real estate agent or broker, housing operated by organizations and private clubs that limit occupancy to members and housing for older persons.<sup>1</sup>

HUD has the primary authority for enforcing the FHAA. HUD investigates the complaints it receives and determines if there is a “reasonable cause” to believe that discrimination occurred. If reasonable cause is established, HUD brings the complaint before an Administrative Law Judge. Parties to the action can also elect to have the trial held in a federal court (in which case the Department of Justice brings the claim on behalf of the plaintiff).<sup>2</sup>

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<sup>1</sup> “How Much Do We Know? Public Awareness of the Nation’s Fair Housing Laws”, The U.S. Department of Housing and Urban Development, Office of Policy and Research, April 2002.

<sup>2</sup> Ibid.



**State ordinance.** The State of Colorado has a state law that prohibits housing discrimination (Colorado Revised Statutes, Title 24, Article 34, Part 5 – Housing Practices).<sup>3</sup> The state law includes additional protected classes’ marital status, creed, ancestry and sexual orientation. The Colorado Civil Rights Division (CCRD) enforces the state’s fair housing law. The CCRD:

- “Investigates complaints of discrimination, attempting early resolution, including settlement negotiations, and issues determinations as to whether there is probable cause to believe that illegal discrimination has occurred;
- Provides expert training and information on laws and issues regarding civil rights; and
- Intervenes and helps resolve intergroup, culturally based tensions.”<sup>4</sup>

The Division maintains formal work-sharing agreements with HUD and, through this relationship, has the authority to investigate and resolve housing discrimination complaints.

CCRD has exclusive jurisdiction in situations in which Federal antidiscrimination laws do not apply—e.g., in enforcing cases involving marital status as a basis for housing discrimination and in certain cases of discrimination related to lack of public accommodations and discriminatory advertising.

**Course of action.** Citizens of Jefferson County who believe they have experienced discrimination in violation of the Federal Fair Housing Act (FHA) or state fair housing laws may report their complaints to the following entities:

- HUD’s Denver Office of Fair Housing and Equal Opportunity (FHEO);
- The Colorado Civil Rights Division (CCRD);
- The Colorado Division of Real Estate (certain transactions);
- The Colorado Cross-Disability Coalition (CCDC), as qualified;
- Colorado Legal Services, as qualified; and
- The Legal Center for Persons with Disabilities and Older People, as qualified.

Victims have one year from the date of the alleged discrimination to file a complaint. The following section discusses the investigation process by the various complaint-taking organizations.

**Department of Housing and Urban Development (HUD).** Housing discrimination complaints filed with HUD may be done online<sup>5</sup>; by calling toll free at 1-800-669-9777; or by contacting the Office of Fair Housing and Equal Opportunity in Washington D.C., or the HUD Denver Regional Office of Fair Housing and Equal Opportunity.

When HUD receives a complaint, HUD will notify the person who filed the complaint and will normally notify the alleged violator and allow that person to submit a response. The complaint will be investigated to determine whether there has been a violation of the FHA.

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<sup>3</sup> See <http://www.dora.state.co.us/civil-rights/lawsandregulations.htm> for the actual text of the law.

<sup>4</sup> CCRD website at <http://www.dora.state.co.us/civil-rights/aboutthedivision.htm>

<sup>5</sup> <http://www.hud.gov/complaints/housediscrim.cfm>.

A complaint may be resolved in a number of ways. First, HUD will try to reach an agreement between the two parties involved. A conciliation agreement must protect the filer of the complaint and public interest. If an agreement is signed, HUD will take no further action unless the agreement has been breached. HUD will then recommend that the Attorney General file suit.

If HUD has determined that a state or local agency has the same housing powers (“substantial equivalency”) as HUD, they will refer the complaint to that agency and will notify the complainant of the referral. CCRD is a substantially equivalent local agency (see the CCRD process in the following section). CCRD must begin work on the complaint within 30 days or HUD may take it back.

If during the investigative review and legal processes, CCRD or HUD finds that discrimination has occurred, the case will be heard in an administrative hearing within 120 days, unless either party prefers the case to be heard in Federal district court.

If a person needs immediate help to stop a serious problem that is being caused by a FHA violation, HUD may be able to assist as soon as a complaint is filed. HUD may authorize the Attorney General to go to court to seek temporary or preliminary relief, pending the outcome of the complaint, if irreparable harm is likely to occur without HUD's intervention and there is substantial evidence that a violation of the FHA occurred.

**Colorado Division of Civil Rights (CCRD).** The CCRD is charged with enforcing the state's anti-discrimination laws in the areas of employment, housing and public accommodation.

Alleged victims must first complete a housing intake packet. The packet is available online<sup>6</sup> or may be requested toll free at (800) 262-4845, and includes a housing intake form, a statement of discrimination and an authorization to release information.

Once CCRD receives a fully completed intake packet, the housing intake staff will draft a charge of discrimination, which must be signed by the complainant. A copy is served on the respondent, which initiates the investigation. As part of the investigation, the respondent will be asked to provide a written response to the allegation(s). The person filing the complaint will be provided with a copy of the respondent's position statement and will be afforded an opportunity to submit a rebuttal.

The Division also provides the opportunity to participate in a voluntary mediation conference prior to the initiation of the investigation.

If mediation is not held or is unsuccessful, the case is assigned to a housing investigator. The investigator analyzes the information in the case and writes a summary report and Letter of Determination. If evidence supports the allegation of discrimination, a finding of Probable Cause is issued. Conversely, if the evidence does not support the claim, a finding of No Probable Cause is issued. In a No Probable Cause finding, the complainant has the opportunity to appeal that decision to CCRD.

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<sup>6</sup> <http://www.dora.state.co.us/civil-rights/index.htm>

If a finding of Probable Cause is issued, Colorado law mandates that a conciliation conference be held. A conciliator is assigned to work with both parties to try to resolve the complaint. If successful, a formal agreement with the specifics of the settlement is drafted by the mediator and signed by both parties. If efforts to conciliate the case fail, CCRD's director may issue a dismissal notice along with a Right to Sue letter, allowing the complainant to proceed to court. In some cases, CCRD may authorize the case for hearing before an Administrative Law Judge.

In addition to investigative activities, CCRD staff have written educational curriculum on housing discrimination for licensed real estate agents. Staff also assist or provide training materials to relevant entities (e.g., city councils, homeowners' associations, apartment owners).

**Colorado Division of Real Estate.** The Colorado Division of Real Estate takes complaints against real estate brokers, appraisers and/or mortgage brokers. Complaints can be filed online<sup>7</sup> or complaint packets may be requested by calling the Division at 303-894-2166 or 303-894-2185. The Commission receives an average of 1000 written complaints per year against brokers, salespersons, subdivision developers and appraisers. Approximately 15 percent of those result in some form of disciplinary action. The processes for investigating a complaint differ slightly depending on if the complaint involves an appraisal, a broker or a real estate agent.

**Colorado Cross-Disability Coalition (CCDC).** The Colorado Cross-Disability Coalition, or CCDC, is dedicated to ensuring the independence, self-reliance and full participation of people with all types of disabilities in Colorado. CCDC can be contacted online<sup>8</sup> or the Advocacy Program department can be reached by phone at 303-839-1775, option 2. The CCDC Legal Program brings lawsuits on behalf of CCDC and its members to enforce the Americans with Disabilities Act (ADA) and other statutes that protect the civil rights of persons with disabilities.

**Colorado Legal Services/Center for Persons with Disabilities and Older People (Legal Services).** Colorado Legal Services and the Center for Persons with Disabilities and Older People provide legal assistance to low income persons and seniors. In addition to various other types of cases, the organizations assist qualifying households with fair housing issues. Their services depend on the potential case, but range from advice from an attorney to legal assistance and representation in court. Legal Services can be accessed online (<http://www.thelegalcenter.org>) or by phone at 800-288-1376.

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<sup>7</sup> [www.dora.state.co.us/real-estate/Complaints/Complaints](http://www.dora.state.co.us/real-estate/Complaints/Complaints)

<sup>8</sup> <http://www.ccdconline.org>

## HUD Complaint Trends

HUD was requested to provide a list of all fair housing complaints filed with HUD by citizens in Jefferson County for each year between 2006 and 2012 (to date). This section provides an analysis of the HUD complaint data.

Between 2006 and 2012, there were 86 fair housing complaints filed by or against residents or organizations in Jefferson County. The highest filing year was 2008, where 21 complaints were filed, representing almost one-quarter of all complaints, as shown below.

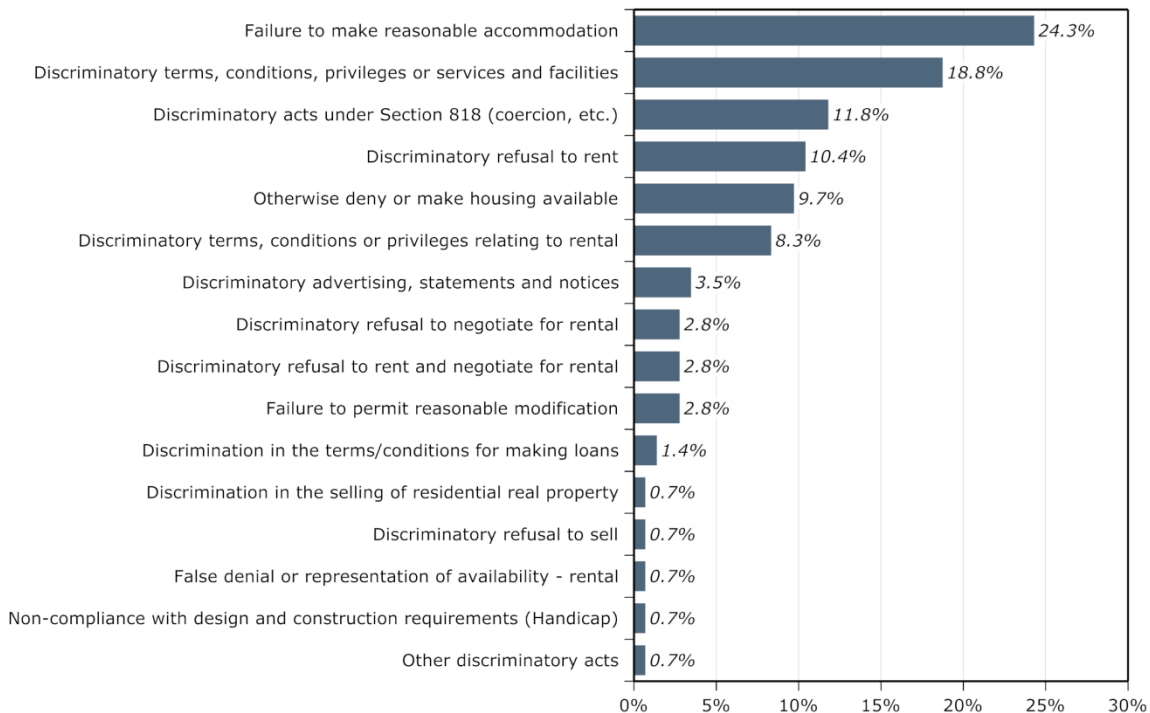
**Figure IV-5.  
Number of Complaints, 2006 – 2012**

Source:  
U.S. Department of Housing and Urban Development

Year	Number of Cases	Percent of Cases
2006	9	10%
2007	9	10%
2008	21	24%
2009	12	14%
2010	10	12%
2011	9	10%
2012	16	19%
<b>TOTAL</b>	<b>86</b>	<b>100%</b>

As shown in Figure IV-6, failure to make reasonable accommodation was the most frequent complaint (24% of all complaints). This was followed by discriminatory terms, conditions or privileges in the provision of services or facilities.

**Figure IV-6.  
Frequency of Complaint Type, 2006 – 2012**



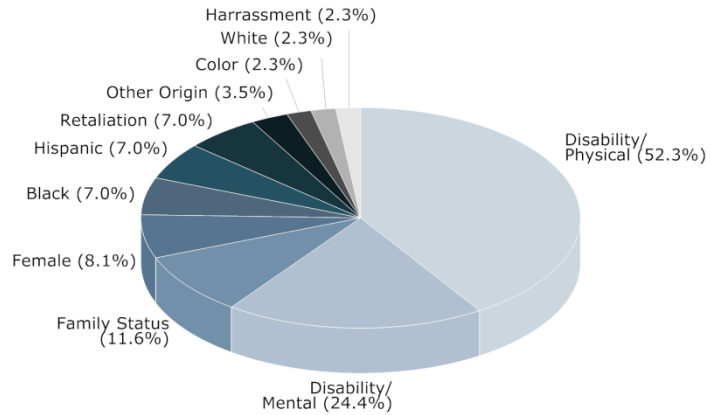
Source: U.S. Department of Housing and Urban Development.

Figure IV-7 shows the basis of the complaints filed as a percentage of the 86 total cases. Mental and/or physical disability was the most common basis (altogether 77% of all complaints).

**Figure IV-7.**  
**Basis of Complaint, 2006 – 2012**

Note:  
n=86; Total greater than 100% due to multiple choices per complainant.

Source:  
U.S. Department of Housing and Urban Development.



Of the cases filed, 74 percent were closed due to no cause determination. Twenty-six percent were found to have cause and 6 percent were settled.

**Figure IV-8.**  
**Reason for Complaint Closure, 2006 – 2012**

Source:  
U.S. Department of Housing and Urban Development.

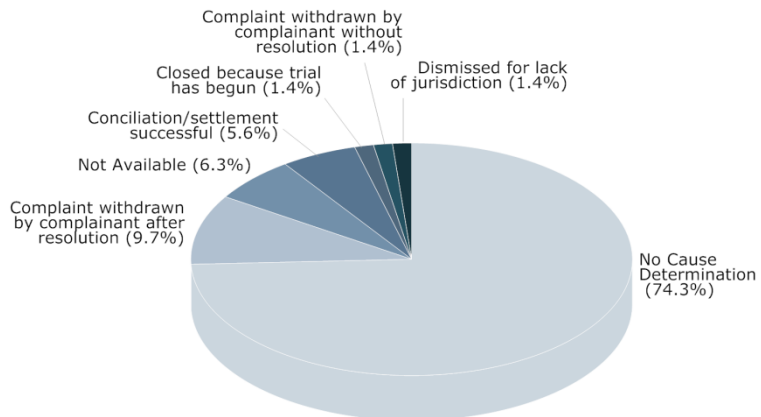
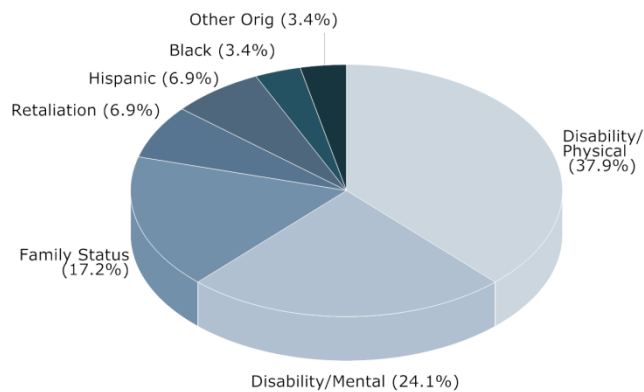


Figure IV-9 shows that of the complaints that were found to have cause, 62 percent were on the basis of physical and/or mental disability, 17 percent were because of familial status, 14 percent were on the basis of race and/or ethnicity, and the remaining were due to retaliation.

**Figure IV-9.**  
**Basis of Complaints that were Found to Have Cause, 2006 – 2012**

Source:  
U.S. Department of Housing and Urban Development.



## Legal Case Review

To examine current issues in fair housing, the databases of the National Fair Housing Advocate Online<sup>9</sup> and the U.S. Department of Justice<sup>10</sup> were examined for recent fair housing lawsuits in Jefferson County.

No recent cases were found. One case occurred in Lakewood in the 1980s; it is described below. Also included is a recent fair housing case against a Colorado county to demonstrate how units of government can be sued under the FHA for failing to issue a building permit to a group home housing Native American adolescents who were recovering substance abusers.

**Glennon Heights, Inc. v. Central Bank & Trust (1983).** This case involves Glennon Heights, Inc., a nonprofit corporation organized for the purpose of pursuing goals common to the residents of Glennon Heights subdivision in the City of Lakewood. Glennon Heights, Inc. and 8 residents of the subdivision (Plaintiffs) filed a lawsuit against the State of Colorado, the executive director of the Colorado Department of Institutions, and Central Bank & Trust (bank) seeking an order restraining the Defendants from constructing and operating two group homes for the institutional care of developmentally disabled persons in a residential zoning district in Lakewood. The State of Colorado, through the Colorado Department of Institutions, was in the process of building two group homes on properties in Glennon Heights that were owned by the bank; each home was designed to house 8 developmentally disabled persons and staff personnel.

The district court dismissed the complaint and the Plaintiffs appealed. The case was heard by the Colorado Supreme Court.

The Plaintiffs claimed that the Defendants were in violation of City of Lakewood zoning ordinances and that the lease agreement between the state and the bank was an illegal debt in violation of the Colorado Constitution.

At the time in Lakewood, group homes were zoned R-1(A) Residential. Construction of the homes in the subdivision required a special use permit, for which the state had not yet applied. Plaintiffs argued that the state had unlawfully disregarded local zoning ordinances in building the group homes.

The Court found in favor of the Defendant for several reasons, including: "While the property owners here have an interest in protecting their property from zoning changes affecting neighboring uses that allegedly diminish the enjoyment, utilization or value of their property, this interest does not amount to a vested right in the maintenance of a particular zoning classification."

The Court also found that the debt arrangement was not unconstitutional.

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<sup>9</sup> <http://fairhousing.com/>

<sup>10</sup> <http://www.justice.gov/crt/about/hce/>

**United States v. Board of Commissioners of the County of Montezuma (2002).** In December, 2000 the United States of America filed a complaint alleging that Montezuma County violated the Fair Housing Act by discriminating on the bases of disability, race, color, and national origin when it refused to permit the establishment of a group home for adolescents recovering from alcoholism and drug abuse. A teacher and counselor with over 25 years of experience working with Native American students had sought to open and operate a group home on a site located in the southwestern corner of the state near three different reservations. Most residents of the home were expected to be Native American. The county denied the application for a land use permit after local residents spoke out against the site of the home, stating that the residents would be people with a history of drug and alcohol abuse, and made disparaging remarks about Native Americans.

The courts determined in favor of the teacher/counselor. The consent order required the county to comply with the FHA, issue written findings of fact when it declined requests for land use or zoning permits, participate in training on the FHA, and advise the United States when it received applications for permits for specified land uses. It also required the county to pay \$30,000 to the individual who was prevented from establishing the proposed group home and a \$5,000 civil penalty to the United States, and to create a \$30,000 fund to provide financial assistance in paying costs and fees associated with providing treatment for youths in Montezuma and Dolores counties to overcome alcohol and/or drug dependency problems. The consent order remained in effect for three years.

## **SECTION V.**

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### **Impediments and Fair Housing Action Plan**



# SECTION V.

## Impediments and Fair Housing Action Plan

This section discusses the fair housing impediments and observations identified through the research conducted for the Jefferson County AI. It begins with an overview of the county's, Lakewood's, and Arvada's efforts in affirmatively furthering fair housing (AFFH); reports the impediments/observations found through the AI research; and concludes with a recommended Fair Housing Action Plan (FHAP). Impediments, observations and fair housing action items are reported separately for Jefferson County, Lakewood, and Arvada where available.

### Fair Housing Activities

This section describes the fair housing efforts undertaken by Jefferson County, Lakewood and Arvada since their last AIs were conducted.

**Jefferson County's fair housing activities.** Jefferson County last conducted an AI in 2003. Annually, the county tracks its progress in addressing the recommendations from the 2003 AI and in mitigating fair housing impediments.

Since 2003, the county has accomplished the following:

#### 2003 AI Recommendations and Accomplishments

- Identify what types of programs would be needed to encourage Jefferson County employees to live in the area as well as recruiting and retaining businesses in the county.
  - Explore creating a Jefferson County Employee Down Payment Assistance Program in partnership with CHAC.
- Convert some of the existing rental housing to condominiums, town homes, or single-family homes for purchase to increase purchase opportunities.
  - The Wheat Ridge Housing Authority has completed nine conversion properties and continues to seek properties viable for such transition.
  - Jefferson County was awarded a Neighborhood Stabilization Program (NSP) grant in the amount of \$5,021,672.00 to purchase, rehabilitate, and make available homeownership houses to low to moderate income households; the county purchased and rehabilitated 25 houses and has sold all 25 houses.
  - Jefferson County was also awarded a NSP grant in the amount of \$1,109,092.00 to purchase foreclosed residential land zoned for multi-family development of 52 units rented to low to moderate income families. These funds benefit the State by stabilizing communities through the purchase, rehabilitation, and sale or rental of foreclosed or abandoned properties.

- Work with local lenders to expand and implement Reverse Annuity Mortgage Programs for seniors who own their homes.
  - The Division partners with Brother’s Redevelopment, Inc., an agency which counsels seniors about reverse annuity mortgages.
  
- Continue supporting rehabilitation loan programs to make needed health and safety improvements to owner-occupied housing, particularly for seniors and lower income households.
  - The Community Development Division actively partners with the Jefferson Housing Corporation and Brothers Redevelopment, Inc. to provide rehab services throughout the county.
  
- Consider mixed-use zoning that would support both residential and non-residential development.
  - The County Planning staff are currently drafting the first Mixed-Use Zone District; once the draft is finalized it will be presented to the Planning Commission for approval.
  
- Addressing the “not in my backyard” (NIMBY) issues:
  - The Community Development Division continues to work with communities to provide education and information regarding the reality of affordable housing in the county, including eligibility and potential program uses.
  
- Reduce development costs, growth management systems, and impact fees:
  - The Community Development Division has partnered with the Planning and Zoning Division through the inclusion of a Planner on the Community Development Advisory Board. This liaison provides feedback and concerns to Planning and Zoning and communicates the same to the Division, including areas such as development costs
  - The Division currently sits on the Aging Well in Jefferson County Housing Committee which hired an intern to research and report on the impact of Accessory Dwelling Units in relation to affordable and senior housing
  
- Obtain additional Section 8 vouchers, so that residents in assisted units are not displaced, or if displaced, are able to find alternative affordable housing.
  - The Community Development Division works closely with the Jefferson County Housing Authority (JCHA) to ensure that affordable housing is readily available to those in need. Because the Section 8 program is in jeopardy and because the JCHA works diligently to provide affordable units, acquiring additional vouchers has not been attempted.
  - The Community Development Division is working closely with Metro West Housing Solutions to provide Project Based Assistance Vouchers to secure permanent, rental housing for homeless veterans and their families.

- Work with area housing agencies and local lenders to distribute information about affordable housing mortgage programs in the area targeting low and very low income households, large families with children, seniors, and persons with disabilities.
  - The Community Development Division has a website that provides information on both the programs administered with Urban County funds and the partners providing the services; the Division also regularly provides information and referrals to the general public via office visits, phone calls, and emails.
  
- Work to increase the availability of resources for those who need assistance with language barriers.
  - Jefferson County contracts with three vendors to provide interpretation and translation services to all Human Services staff and clients, which includes those populations served with Community Development funds:

<b>CHERRY CREEK LANGUAGE CENTER/Translation Links</b> 104 Broadway, 6th Floor Denver, CO 80203 303-756-2520 phone <a href="http://www.TranslationLinks.com">www.TranslationLinks.com</a>	<b>RAQUEL FERSZT &amp; ASSOCIATES</b> 2413 Oakland Circle Aurora, CO 80014 303-752-2640 phone	<b>A &amp; A LANGUAGES</b> 3882 S. Idalia St. Aurora, CO 80013 303-960-6543 phone
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**Lakewood’s fair housing activities.** Lakewood’s mitigation of fair housing barriers is largely carried out through activities to preserve and increase affordable housing opportunities. For example, through ongoing programs such as the Single-family Housing Rehabilitation program, Down-payment Assistance, Self-sufficiency, and Section 8 Landlord trainings, the city has been actively reducing the barriers to fair housing choice.

Lakewood holds the Citizen’s Planning Academy annually for Lakewood residents and business owners. Each October the city celebrates National Community Planning Month by hosting a very popular film series for Lakewood residents and staff that showcases planning-related documentaries and movies. Education is provided to participants, which helps to reduce the potential for NIMBYism.

Lakewood staff pursues opportunities for fair housing training and education when possible. In 2012, staff attended fair housing training sessions through a regional housing and community development conference and invited an FHEO representative to present information about fair housing to Lakewood’s Planning Department staff.

In December of 2012, the Lakewood City Council approved a new zoning ordinance which allows for higher density housing in some of its residential areas and a mix of residential and commercial in areas that previously allowed only commercial uses. This change will result in more housing choices with the expansion of both affordable and market rate rental and for-sale units within Lakewood. Language barriers are addressed through ensuring bi-lingual staff is available during business hours. The city’s website has the ability to translate the text to several languages. Links in English and Spanish to HUD and FHEO are provided on the city’s CDBG webpage and Lakewood publishes all CDBG public notices in Spanish as well as English.

**Arvada’s fair housing activities.** The City of Arvada’s fair housing activities focus on expanding housing choice to all residents of the community—e.g., regardless of their race/ethnicity, disability, or familial status. The city is also vigilant about displaying fair housing information in required locations (e.g., job sites of the city’s home repair program, municipal building). In April 2011, the Arvada City Council approved a Proclamation of Fair Housing Month.

The city’s focus on improving access to residential and commercial properties for persons with disabilities is significant considering persons with disabilities are found in this AI to face disproportionate barriers to housing choice. The city typically installs or replaces an average of 175 ADA ramps per year, in addition to repairing sidewalks, curbs, and gutters. Annually, the city budgets \$50,000 for ADA ramp installation; this has been the case for more than two decades.

The city has also adopted a visitability regulation with the specific purpose of providing for enhanced access for the disabled and elderly. In addition, the city has adopted substantial planning goals to make affordable housing available throughout the city and encourage the development of special needs housing. The city also has an “inclusion team” with the purpose of “developing recommendations for the city’s executive management of actions, changes, additions and/or trainings that should be undertaken to move the city toward a more inclusive environment. “

Finally, the city accommodates persons with disabilities, racial, and ethnic minorities and non-English speakers in many ways, including:

- Accessibility accommodations (e.g., sign language interpretation, audio storytelling) at the Arvada Center for the Arts and Humanities;
- Having an accessible playground for children;
- Maintaining resource folders at city reception areas that can assist residents who need translations or accommodations for a disability; and
- Affirmative marketing efforts to inform all residents about city housing programs and services.

Finally, the city has undertaken a range of affordable housing and related activities to promote a variety of housing choices. These are detailed in the city’s stand alone AI. In sum, the activities include:

- An essential home repairs family rehabilitation program;
- A rental improvement loan program;
- An analysis of uses for available funds associated with the Applecreek Apartment loan repayment;
- A variety of programs offered by the Arvada Housing Authority including 508 unit Section 8 housing assistance and License to Dream Thanksgiving Dinner for clients;

- Provision of Community Wheels Program in concert with the Senior Resource Center;
- Utilizing appropriate tools to encourage additional affordable housing development in the city, as well as continuation, improvement, maintenance, and proper management of assisted rental housing developments;
- Cooperation with both for-profit and nonprofit entities to provide additional housing opportunities to targeted populations in the city and county;
- Implementing an EOC assistance program;
- Foreclosure prevention activities;
- Creekside pedestrian crossing and drainage project; and
- Participation in the Mile High Community Loan Fund.

### **Fair Housing Impediments, 2003 Jefferson County AI**

The 2003 AI conducted for Jefferson County, and including Lakewood, identified the following impediments to fair housing choice. Italics note if they are also identified as impediments in the 2013 AI or, if not, reasons why not.

1. ***NIMBYism is an impediment to fair housing choice.*** Identified as a fair housing “observation” in the 2013 AI. NIMBYism was detected in the survey conducted for the AI—and evidenced in the resistance to rezoning of the Rocky Mountain Deaf School—but it is unclear if NIMBYism has a disparate impact on the housing opportunities of protected classes. For example, much of the resistance in the school case was to development of any type.
2. ***Development costs, growth management systems and impact fees are impediments to fair housing choice as they contribute to housing cost.*** The impact of such fees on development costs is acknowledged; however, such costs are not found to disparately affect protected classes. Yet no communities allow fee waivers for affordable housing developments or offer incentives to encourage affordable housing development.
3. ***The loss of any existing housing units and displacement of those residing in these units is an impediment to fair housing choice.*** The 2003 AI found that the sale of subsidized housing, loss of existing housing units, and displacement of residents was an impediment to fair housing choice. It should be noted that the households displaced in the cases described received relocation assistance.

Stakeholders surveyed for the 2013 AI did not raise displacement or relocation as a barrier to housing choice. It is acknowledged, however, that in the region’s very tight rental market, issuance of Section 8 vouchers to households who are displaced by loss of affordable units may be an inadequate solution, as properties that accept vouchers are limited in supply and difficult to find in high opportunity areas.

4. ***A lack of affordable housing units for low and very low income households, larger housing units for large families and seniors, and accessible units for those with disabilities is an impediment to fair housing choice.*** Lack of accessible units for persons with disabilities is identified as an impediment in 2013. Lack of affordable housing creates barriers to fair housing choice, but may not disparately impact protected classes. Indeed, 75 percent of stakeholders who participated in the AI survey said that they did not believe that concentration of housing disproportionately impacts protected classes. Yet data on the poverty rates of non-white and Hispanic residents—as well as the composition of households on the wait list for Section 8 vouchers—suggest that minorities could be disparately impacted by lack of affordable housing in the county.
5. ***A lack of emergency shelter space and transitional housing is an impediment to fair housing choice.*** The lack of an emergency shelter and transitional housing to serve persons and families who are homeless was raised as a concern by residents who attended community meetings for the AI. The 2012 Point-in-Time Homeless Count for Jefferson County demonstrated that the county’s homeless are more likely to be minorities and have a disability than the county’s population overall. As such, lack of shelter and transitional housing for persons who are homeless could have a greater impact on certain protected classes.
6. ***Housing discrimination that may exist in the community is an impediment to fair housing choice.*** Nine percent of residents who participated in the resident survey for the AI said they felt they had experienced housing discrimination. The reasons cited for the discriminatory incidences included age, class, familial status, and race/ethnicity. Minority respondents report much higher levels of discrimination (24%); however, the data are not statistically significant (i.e., too few responses were collected from minorities for these data to be statistically significant). On average, there are 12 fair housing complaints filed each year with HUD. The vast majority of fair housing complaints received by HUD between 2006 and 2012 (74%) were based on failure to make reasonable accommodations.
7. ***Language barriers are an impediment to fair housing choice.*** The 2013 AI did not find language barriers to be an impediment to fair housing choice except for the lack of fair housing information on jurisdiction and county websites in languages other than English.

## **2013 Impediments to Fair Housing Choice and Fair Housing Action Plan**

This section identifies the impediments to fair housing choice for the 2013 AI. The impediments use the following numbering convention:

- Impediments with a No. All-X numbering apply to all areas of the county, including Lakewood and Arvada.
- Impediments with a No. J-X numbering applies to Jefferson County excluding Lakewood and Arvada.
- Impediments with a No. L-X numbering applies to Lakewood only.
- Impediments with a No. A-X numbering applies to Arvada only.

## Impediments throughout Jefferson County

### **IMPEDIMENT NO. ALL-1—Lack of accessible housing limits the housing choices of persons with physical disabilities and mobility limitations.**

Evidence of this barrier was found in both qualitative and quantitative data obtained for the AI.

Lack of accessible housing for persons with disabilities was raised frequently by residents and stakeholders participating in the AI:

- Twenty-seven percent of survey respondents who are disabled said their current home or apartment does not meet their accessibility needs.
- Sixty-nine percent of stakeholders responding to the survey said that the availability of accessible housing units for persons with disabilities was “insufficient.”
- The majority of attendees attending the AI community meeting needed wheelchair accessible housing and each mentioned the challenges they had finding accessible, affordable housing—often apartments that accept Section 8 vouchers.

Open ended survey comments concerning the lack of accessible housing included the following:

- “As someone who works in the field of disability and is a parent of an adult with a disability, I have found housing barriers to be one of the biggest challenges to the potential for individuals to become a contributory member of their chosen communities.”
- “We have extremely limited options for affordable housing and for housing for persons with disabilities.”
- “[The county needs] more accessible (wheelchair), more affordable, better locations, closer to bus lines.”
- “[The county needs] homes for older adults with intellectual/development disabilities who also have medical needs.”

Quantitative data from the Metro Denver Apartment Association quarterly survey and Metro West Housing Solutions (MWHS) provide further evidence of the lack of and demand for accessible housing:

- The Apartment Association survey reports that accessible 1 bedroom units rent for about \$145 more on average than non-accessible units. Larger accessible units, however, are less expensive than non-accessible units; this is mostly true for those with 4 to 5 bedrooms. These data suggest that demand for 1 bedroom accessible units is higher than for 1 bedroom non-accessible units because these units are difficult to find in the currently very tight rental market.
- MWHS reports more than 500 persons with disabilities on their wait list for Section 8 vouchers, about 20 percent of households on the wait list. Twenty-three percent of households (116) on the Arvada Housing Authority’s wait list are disabled. These

households in need of affordable housing make up more than the county's overall proportion of persons with disabilities (9%).

**Why is this an impediment?** Lack of accessible housing impedes housing choice for people with disabilities.

**IMPEDIMENT NO. J,L-2— Lack of affordable housing opportunities in some parts of the county may lead to increased racial and ethnic concentrations and disproportionately impact Hispanic and residents with disabilities.** It should be noted that this countywide impediment—which has been exacerbated by the increasingly tight rental market—pertains less to Lakewood (as well as Edgewater, Mountain View and Wheat Ridge) than other parts of the county, as Lakewood has some of the county's most affordable housing options, contains much of the county's areas of Hispanic concentration, and has ethnic diversity.

Specifically, the growing lack of affordable rental housing opportunities outside of low income areas has led to an increased clustering of Section 8 voucher holders in lower-income areas. The housing market data suggest that the ethnic concentration in the county is at least partially related to limited affordable housing.

Although there are no areas of concentrated poverty in the county (and thus, no racially/ethnically concentrated areas of poverty), many of the areas with Hispanic concentration have higher than average poverty rates. In addition, Hispanic residents have a poverty rate that is three times higher than non-Hispanic residents. Therefore, because Hispanics are more likely than non-Hispanics to live in poverty, the lack of affordable housing opportunities may disparately impact Hispanic residents. This is also true of persons with disabilities, who have higher poverty rates and lower incomes than non-disabled residents because of their limited ability to work.

It is also important to note that there are many factors affecting affordability that are beyond local government control—such as demand for rental housing, private sector developer willingness to build and mortgage interest rates. The county and cities are limited in their ability to influence housing costs beyond reducing regulatory barriers, funding affordable housing developments and providing development incentives for affordable housing creation.

**Why is this an impediment?** It is acknowledged that concentrations of protected classes may or may not be a fair housing impediment. Some residents will choose to live near people who have similar household characteristics and cultural backgrounds and beliefs.

Yet concentrations that are driven or perpetuated by lack of affordable housing—especially if the lack of affordable housing disparately impacts protected classes—an impediment to housing choice is created. Disparate impact can occur when racial and ethnic minorities, or persons with disabilities, have lower incomes and higher rates of poverty.

**IMPEDIMENT NO. ALL-3—Fair housing information is difficult to find and is not in a language other than English. Fair housing awareness is low.**



A review of the county's, Lakewood's and Arvada's websites found that fair housing information can be difficult to find; most of the time it is located under community development program web pages. A resident who has experienced discrimination or wants more information about their rights is unlikely to look for the information under "CDBG" or "community development programs." Searches on the websites found some documents pertaining to fair housing, but few provided information about who to contact about housing discrimination. None of the information was available in Spanish.

Similar reviews of the Jefferson County Housing Authority and MWHS websites found no fair housing resources and little information in languages other than English (it is acknowledged that front office staff are bilingual).

In addition, the stakeholder survey conducted for the AI found that knowledge and awareness of protected classes by stakeholders is low and residents are mostly likely to "do nothing" when faced with discrimination (See Figure III-22). These responses indicate a need for a broader and concerted effort to educate stakeholders and residents about fair housing laws and rights.

**Why is this an impediment?** Inadequate information on fair housing can create barriers to fair housing choice if the lack of the information denies residents the opportunity to report housing violations. In addition, lack of fair housing information in accessible formats can disproportionately impact non-English speakers and persons with disabilities.

**OBSERVATION NO. ALL-4—NIMBYism may create impediments to fair housing choice.**

Not-in-My-Backyard Syndrome, or NIMBYism, can create significant barriers for affordable housing development and may be directed towards or disparately impact protected classes. The survey conducted for this AI detected a fair amount of NIMBYism among Jefferson County residents. Specifically:

- Twenty-percent said they would prefer "fewer rental units/rentals" in their neighborhoods,
- Twelve percent said they would prefer "fewer low income/poor people,"
- Thirty percent of stakeholders attributed concentrations of low income housing to NIMBYism.

In addition, a heavily contested rezoning case of a land parcel for a new school building that serves deaf and hard-of-hearing children suggests that NIMBYism in some parts of the county could create housing barriers for protected classes. Although this case did not involve residential property, the sentiments expressed by some members of the opposing party, albeit a vocal minority—that the children would increase service costs because of their disability that such a school would lower property values—could also occur when land is proposed for group home or affordable housing developments.

Affordable housing developers interviewed for this study described several cases of NIMBYism associated with proposed affordable housing developments which resulted in the projects not moving forward or significant development delays.

**Why is this an observation rather than an impediment?** The most recent case of NIMBYism did not involve residential property. It is also unclear if NIMBYism has a disparate impact on the housing opportunities of protected classes.

**IMPEDIMENT NO. ALL-5—Services for persons who are homeless—as well as federal resources to fund needed services—are limited in Jefferson County.**

The lack of emergency shelters and transitional housing for the homeless was raised often by attendees at the community meeting conducted for the AI. Jefferson County has very limited resources for persons who are homeless; motels and shelters in Denver serve most of the demand for housing for the homeless.

The county and its cities find it difficult to expand shelters and housing services for persons who are homeless due to federal fiscal restraints. Serving persons who are homeless requires deep subsidies and many levels (federal, state, local) of public resources.

**Why is this an impediment?** Persons who are homeless in Jefferson County are disproportionately likely to be racial and ethnic minorities and persons with disabilities.

### **Impediments specific to Jefferson County**

**IMPEDIMENT NO. J-1—Group home regulations may create disparate treatment of group homes for persons with certain types of disabilities.**

The county has two definitions of group facilities that house persons with disabilities: Group Homes and Group Living Facilities. Currently, Group Homes, which are allowed by right in residential districts if housing fewer than nine individuals, are defined to include some (developmentally disabled and mentally ill), but not all, types of disabilities. The county's regulations suggest that facilities housing persons with other types of disabilities—e.g., physical disabilities, recovering substance abusers and persons with HIV/AIDS—would be classified as Group Living Facilities, which are not allowed by right in residential districts; instead, a special permit is required. This could have the effect of limiting housing opportunities for people with certain types of disabilities.

In addition, although, a comprehensive review of the zoning and land use regulations of other jurisdictions in Jefferson County was beyond the scope of the AI, a limited review of group home regulations in jurisdictions other than Lakewood and Arvada found group home definitions and regulations that needed improving:

- **Golden** restricts group homes to just two residential districts and their definition of Group Home is problematic:

The city's Group Home definition does not include facilities that treat substance abusers. Recall that the FHA includes as disabled persons with AIDS, physically and developmentally disabled, mentally ill, and recovering alcoholics and drug addicts (but not current abusers who are not "recovering"). Under the city's regulations, it appears that group homes housing recovering substance abusers would have a different treatment under the regulations than those serving other types of disabilities.

- **Mountain View's** group home regulations are restrictive in many ways. Group homes appear to be allowed only by "special exemption." To receive a special exemption the Town Board must find that the home will not have any adverse effect on the residential character and quality of life of the Town. This is a subjective assessment that could be applied to disallow group homes in the town. In addition, a special exemption cannot be in effect for more than two years and, after the exemption expires, the group home will need to reapply for another special exemption. This process, unique to group homes, appears to hold group homes to a higher standard than other residential uses. Finally, the town's code specifies that group homes cannot be located with a quarter mile of one another (other codes use 750 feet).
- **Wheat Ridge** Group homes are defined as exclusive to elderly and children. It is unclear in the city's regulations if group homes that serve persons with disabilities are allowed in residential zoning districts.

### **Impediments specific to Lakewood**

#### **IMPEDIMENT NO. L-1—There is inadequate access to transit, housing and businesses along major corridors for people with disabilities.**

Persons with disabilities who participated in the public process for the AI talked often about the challenges they face accessing public transit, bus shelters, and housing, both along major corridors and within the city's many neighborhoods that lack sidewalks. Colfax Avenue was mentioned as being very problematic for its broken sidewalks, obstructions (e.g., utility poles) in the middle of sidewalks and inadequately cleared sidewalks during winter. In addition, snow that is plowed from Colfax Avenue onto sidewalks often blocks wheelchair access to bus shelters, businesses, and housing.

**Why is this an impediment?** Limited transit may create an impediment to fair housing choice because it could have the effect of preventing certain protected classes from accessing housing, employment, services and amenities at the same level as other residents.

### **Impediments Specific to Arvada**

**IMPEDIMENT NO. A-1—Hispanic applicants have 65 percent higher loan application denial rates than non-Hispanic applicants.** An analysis of Home Mortgage Lending Data (HMDA) from 2010 found that Hispanic applicants for mortgage loans on properties in Arvada had 30 percent lower origination rates (17 percentage points) and higher denial rates (9 percentage points, 65% higher) than non-Hispanic applicants (see Figure II-17a). These differences were higher than those in the county and Lakewood.

Disparities also existed for other minority applicants, but the number of minority applications was small, making the data less significant.

**Why is this an impediment?** There are many reasons why minorities may have higher mortgage loan denial rates than non-minorities. The most common reasons are differences in credit scores, higher debt to income ratios, and lack of credit history. Yet patterns of differences in high denials

can signal disinvestment in minority-concentrated areas and/or deny minorities housing opportunities.

## **Recommended Fair Housing Action Plan**

To address the fair housing impediments described above, it is recommended that the county and jurisdictions consider the following Fair Housing Action Plan (FHAP).

### **Action items for Jefferson County, Lakewood and Arvada.**

**ACTION ITEM NO. A-1—Improve the housing environment for people with disabilities.** Lack of accessible, affordable housing was identified as an impediment to housing choice for persons with disabilities in Jefferson County.

To increase housing opportunities for persons with disabilities, Jefferson County should consider the following:

- To the degree resources are available, continue to support nonprofit organizations that assist persons with disabilities find accessible housing, make accessibility improvements/reasonable accommodations, and develop accessible, affordable housing.
- Encourage the production of “visitable,” accessible, and affordable housing by private sector developers. Examples include: visitability ordinances (already adopted by Arvada) or policies, offering accessibility modifications as part of home repair programs (currently in place), exploring fee waivers and/or expedited review for affordable, accessible housing developments, and/or donating land for such developments.
- Maintain a list of resources on city websites (or link to state websites maintained by CHFA and the Division of Housing and/or similar organizations) for people with disabilities—for example, information about rights concerning service animals, reasonable accommodations procedures, list accessible housing. This might be accomplished as part of the efforts of the Metro Denver Fair Housing Center (see Action Item No. A-2).
- As part of preparation of HUD Consolidated Plans, Comprehensive Plans, and similar documents, evaluate the need for accessible housing and housing for all types of persons with disabilities, including group homes, as well as transit.

**ACTION ITEM NO. A-2—Increase the supply of affordable housing and homeless resources in all areas of Jefferson County.**

It is recommended that the county and cities continue or establish reasonable goals to support a balance of housing opportunities in all areas of the county, particularly affordable rental housing in high opportunity areas. This could include the following tasks:

- Explore standard incentives for affordable housing development. Examples are fee waivers and expedited review.
- Encourage developments that incorporate a range of housing choices, particularly affordable rentals.

- Continue efforts to support mixed income housing developments along transit corridors and in high opportunity areas.
- Continue efforts to support nonprofit service and housing providers and expand support if federal dollars for housing and community development increase.

**ACTION ITEM NO. A-3—Strengthen fair housing information, educational and training opportunities.** Jefferson County and its jurisdictions should increase the availability, access, and volume of fair housing information and educational opportunities in the county through exploring activities such as those listed below.

- If the Metro Denver Fair Housing Center offers education and outreach activities to residents and landlords, support through suggesting venues, publicizing events, and providing other types of non-financial assistance.
- Keep new staff abreast of fair housing resources and information. Arvada’s provision of training to staff on accommodating non-English speakers, persons who are hearing impaired, and people with other types of disabilities is a good model for disseminating such information.
- Adding visible, easy to understand fair housing information on county and jurisdictional websites or links to websites. Every jurisdiction and the housing authority should have fair housing information on their websites (or links to websites) that is easy to find and easy to understand.

The information should be prominent and contain links to CCRD and HUD at:

- <http://www.colorado.gov/cs/Satellite?c=Page&childpagename=DORA-DCR%2FDORALayout&cid=1251614735957&pagename=CBONWrapper>
- [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp)

Examples of local government websites with good fair housing information include:

- Douglas County: <http://www.douglas.co.us/cdbg/fair-housing/>
- City of Las Cruces: <http://www.las-cruces.org/Departments/Community%20Development/Sections/Planning%20and%20Neighborhoods/Housing%20and%20Family%20Services/Fair%20Housing.aspx>

### **Action Items Specific to Jefferson County.**

**ACTION ITEM NO. J-1—Modify group home regulations to allow all types of group homes by right in residential areas.**

The county should establish clearer and consistent definitions for homes for persons with disabilities and make all types of group homes a residential use by right, without a requirement for special permit, planning board and commissioner approval and public hearings.

In addition, the county should require jurisdictions with problematic group home language have their regulations reviewed by city attorneys and modified to be more consistent with the Federal Fair Housing Act or submit a written statement to Jefferson County that the legal review found no changes were necessary.

### **Action Items Specific to Lakewood.**

#### **ACTION ITEM NO. L-1—Improve accessibility of major roads and corridors. Make sidewalks and bus stops easier to access and use for persons with disabilities.**

This activity will also benefit persons without disabilities and further revitalization efforts by making neighborhoods more pedestrian- and recreation-friendly.

The City of Lakewood should identify areas along Colfax that need accessibility improvements and better access to bus shelters, especially during the winter when snow removal on the streets can block bus shelters.<sup>1</sup>

The residents who participated in the community meeting for the AI suggested that the city focus on major thoroughfares like Colfax, Wadsworth and Kipling, ensure that sidewalks are wide enough to accommodate a wide variety of non-auto uses (bicycles, skateboards, roller blades, wheelchairs, pedestrians) and encouraged off street paths with signage to access.

When possible, the city will construct “missing link” sidewalk and bicycle connections to light rail stations and on arterial and collector streets, with emphasis on links to existing bus stops, schools, recreation centers and facilities serving seniors and disabled. These projects are very expensive and adequate funding sources are often not available.

### **Action items specific to Arvada.**

**ACTION ITEM NO. A-1—Encourage efforts to improve residents’ creditworthiness.** Share information about disparities in loan approval rates among borrowers with different races and ethnicity with local offices of financial mortgage lending institutions. Encourage Arvada financial institutions to provide educational and counseling classes to desired homebuyers.

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<sup>1</sup> It is recognized that budget constraints may prevent immediate improvements to all areas of major corridors and that temporary fixes may be needed.