

YAKIMA COUNTY CONSORTIUM

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING

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I. INTRODUCTION & EXECUTIVE SUMMARY

BACKGROUND

The Fair Housing Amendments of the Civil Rights Act of 1968 provide protections against discriminatory practices in housing and require federal governmental agencies to administer their programs to prevent discrimination in housing and to encourage actions and policies that affirmatively further fair housing.

In 2010, the County of Yakima received a HOME grant from the U. S. Department of Housing and Urban Development to provide housing assistance to low and moderate income persons in most of the areas outside of the City of Yakima. As a condition to receiving the grant, the County certified that it will undertake steps that affirmatively further fair housing as follows:

1. Conduct an Analysis of Impediments to Fair Housing
2. Take appropriate action to overcome the effects of impediments identified through that analysis, and,
3. Maintain records reflecting the analysis and actions.

This study is intended to assist the County toward meeting the first two obligations by assessing the impediments to fair housing in the jurisdiction and recommending actions to be taken to overcome the impact of identified impediments.

CONDUCT OF THE STUDY

The assessment of impediments was conducted in Fall and Winter of 2010 by the consulting firm John Epler & Associates, under a contract with the Yakima County government.

Several sources of information were utilized in the course of this study. First, basic information and data on housing and demographic issues in the community was obtained from the U.S. Census, the Washington State Office of Finance Management, the U.S. Department of Housing and Urban Development (HUD), the National Low Income Housing Coalition, and the National Fair Housing Alliance. Secondly, the information and analysis of the Yakima County Consortium 2010-14 Consolidated Plan for Affordable Housing provided a strong base for understanding local conditions and trends. Third, local laws, policies and practices were reviewed. Fourth, public data and records on housing complaints and issues were reviewed. Finally, interviews with representatives and staff of key private and public sector organizations (see list in Appendix for persons contributing) proved to be extremely valuable in identifying issues, data and recommendations.

SUMMARY OF CONCLUSIONS

The Analysis of Impediments identified five primary issues that have the effect of impeding fair housing in the County. At the end of the assessment, there is a complete discussion of the impediments with specific recommended actions to alleviate the barriers (see “Impediments to Fair Housing and Recommendations”). They are only summarized below:

Identified impediments to housing choice:

- 1. Hispanics are twice as likely as Whites to be denied financing when applying for conventional loans to purchase housing and to obtain refinancing of existing mortgages, thereby limiting their housing choices.**
- 2. Rental housing vacancy rates are extremely low making it difficult for persons with limited income, poor credit history, large families, disabilities requiring accommodation, no citizen documentation and or unverified income sources to compete for limited standard rental housing meeting the needs of prospective renters. These characteristics are more frequent among minorities, large families and disabled persons.**
- 3. Disadvantaged populations often do not have the necessary English language skills, financial literacy, and/or credit management skills to obtain and maintain affordable housing.**
- 4. The current housing stock does not meet the needs of low-income and minority populations. Many minority families have larger than average family sizes and need larger homes or apartments to prevent overcrowding.**
- 5. There is a lack of affordable and accessible permanent supportive housing choices for persons with disabilities, including chronic homeless persons and persons with developmental disabilities, mental illness, and chronic substance abuse and among persons in need of adult care.**

II. FAIR HOUSING LAWS

FEDERAL LAWS

The U. S. Congress has established basic Laws to protect the rights of individuals in housing. Title VIII of the Civil Rights Act of 1968, with the Fair Housing Act Amendment, prohibits discrimination in the sale, rental and financing of dwellings, and in other housing-related transactions, based on:

- Race or color
- National origin
- Religion
- Sex
- Familial status (including children under the age of 18 living with parents of legal custodians, pregnant women, and people securing custody of children under age 18)
- Handicap (disability)

The Fair Housing Act covers most housing.¹ In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members. Section 818 of the Act makes it unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of rights under the Act.

Impediments to fair housing are defined as:²

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

Impediments to fair housing choice include actions that:

- Constitute violations, or potential violations, of the Fair Housing Act.
- Are counterproductive to fair housing choice, such as:

¹ HUD publication: *Fair Housing: Equal Opportunity for All, 2002...* (www.hud.gov/fairhousing)

² U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, *Fair Housing Planning Guide, Volume 1*.

- Community resistance when minorities, persons with disabilities and/or low-income persons first move into white and/or moderate- to high-income areas.
- Community resistance to the siting of housing facilities for persons with disabilities because of the persons who will occupy the housing.
- Have the effect of restricting housing opportunities on the basis of race, color, religion, sex, disability, familial status, or national origin.

In the **sale and rental of housing**: No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap (disability):

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

Most newspapers will publish a statement to that effect, and may include the HUD Equal Housing Opportunity logo along with information on where to phone to complain of discrimination. These statements inform the public that discriminatory advertising is illegal, that the newspaper screens ads for obviously discriminatory statements, and they provide an avenue of advocacy for victims of discrimination.

The Home Mortgage Disclosure Act (HMDA) data is collected in fifty states, which allows an analysis of both national and local lending practices. This data is used to analyze home purchases and home improvement loans, and collect information on race, ethnicity and income of applicants.

In **mortgage lending**: No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap (disability):

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

The Community Reinvestment Act (CRA) was enacted by Congress in 1977 to encourage depository institutions to help meet the credit needs of the communities in which they operate, including low- and moderate-income neighborhoods.³ Periodically, the CRA requires supervisory agencies to assess performance. The four federal bank supervisory agencies are: Office of the Comptroller of the Currency (OCC), Board of Governors of the Federal Reserve System (FRB), Office of Thrift Supervision (OTS), and Federal Deposit Insurance Corporation (FDIC). Performance is evaluated in terms of the institution (constraints and business strategies), the community (demographic and economic data, lending, investment, and service opportunities), and competitors and peers. Ratings assigned are: outstanding, satisfactory, needs to improve, and substantial noncompliance.

Access to loans is not the only consideration in a review of lending practices. Unscrupulous practices by predatory lenders, appraisers, mortgage brokers and home improvement contractors can be very damaging. Low-income households and those with limited previous access to loans are particularly at risk. Remarkably low interest rates in recent years, accumulated equity, the push to refinance and even assistance with down payments and other strategies to increase homeownership have also increased the opportunity to take advantage of vulnerable borrowers.

Examples of predatory lending include:⁴

- Falsification of appraisals to sell properties for more than they are worth.
- Encouraging borrowers to lie about income or assets to get a loan.
- Knowingly lending more money than borrowers can afford to pay.
- Charging higher interest than is warranted by credit history.
- Charging unnecessary fees.
- Pressuring borrowers to accept higher-risk loans such as balloon loans, interest-only payments and steep pre-payment penalties.
- Targeting vulnerable people for cash-out refinancing.
- Convincing people to refinance over and over again when there is no benefit to the borrower.

In real estate brokerage services, it is illegal for anyone to:

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

³ This discussion and ratings were taken from the Federal Financial Institutions Examination Council web site (www.ffiec.gov).

⁴ Taken from HUD publication “Don’t Be A Victim of Loan Fraud: Protect Yourself from Predatory Lenders.”

Real estate brokers are a key contact for potential home buyers. The broker is in a position to influence choice of location and type of housing as well as providing information about financing options. National studies indicate that minority customers are given full information about housing options less frequently than white customers. Hispanic home seekers, for example, experience this type of discrimination at least 25% of the time.⁵

Additional protections for **persons with disabilities**:

The landlord may not refuse to allow:

- Reasonable modifications to the dwelling or common use areas, at the tenant's expense and where the unit can be restored to the original condition, or
- Reasonable accommodations in rules, policies, practices or services, if necessary for the disabled person to use the property.

Buildings constructed after March 1991 are subject to accommodation requirements, depending on the number of units and presence of an elevator.

Familial status is protected unless the building or community qualifies as housing for older persons as follows:

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

The U.S. Department of Housing and Urban Development (HUD) has been given the authority and responsibility for administering the Fair Housing Laws. This authority includes handling of complaints, engaging in conciliation, monitoring conciliation, protecting individual's rights regarding public disclosure of information, authorizing prompt judicial action when necessary, and referring to the State or local proceedings whenever a complaint alleges a discriminatory housing practice.

STATE LAWS

Washington State has adopted a fair housing law, which is substantially equivalent to federal law and extends protection to the same populations. In addition, it extends protection on the basis of marital status.

⁵ HUD 2000 *Housing Discrimination Study*.

With respect to real estate transactions, facilities, or services it is unfair to discriminate against any person due to sex, marital status, race, creed, color, national origin, families with children status, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a disabled person. (WA ST § 49.60.222)

The Washington State Department of Financial Institutions provides both education and legal assistance in cases of financial fraud. They also regulate and examine all state-chartered financial services institutions as well as provide outreach to protect consumers from fraudulent activities.

The Washington State Human Rights Commission has a cooperative agreement with the Department of Housing and Urban Development to process and investigate dual-filed housing complaints for which the Commission receives funding under the Fair Housing Assistance Program (FHAP). Most of the Commission's housing cases are dual-filed with HUD – the exceptions are cases covered under State law but not covered under federal law.

The mission of the Northwest Fair Housing Alliance is to eliminate housing discrimination and to ensure equal housing opportunity for the people of Washington State through education, counseling and advocacy.

The Fair Housing Center of Washington also plays a role in promoting and enforcing fair housing through its community education programs, complaint investigation and advocacy and its information and referral system.

III. CONDITIONS AFFECTING HOUSING CHOICE

DEMOGRAPHICS

Population

During the ten years between the 1990 and 2000 Census, the population within the areas covered by the HOME Consortia grew by 10%, considerably less than the Washington State growth rate of 21%. During that period, the non-Consortium area of the county grew by 30%. Within the Consortium, Union Gap grew by 80% during that period, while Mabton grew by 28%. In contrast, the unincorporated areas of the county grew by just 3%.

Between 2000 and 2009, the Consortium population actually decreased by 1%, largely due to annexation of unincorporated areas by the City of Yakima. During that time, several cities in the Consortium grew significantly compared to the county as a whole (7%): Grandview (12%); Mabton (11%); and Sunnyside (10%).

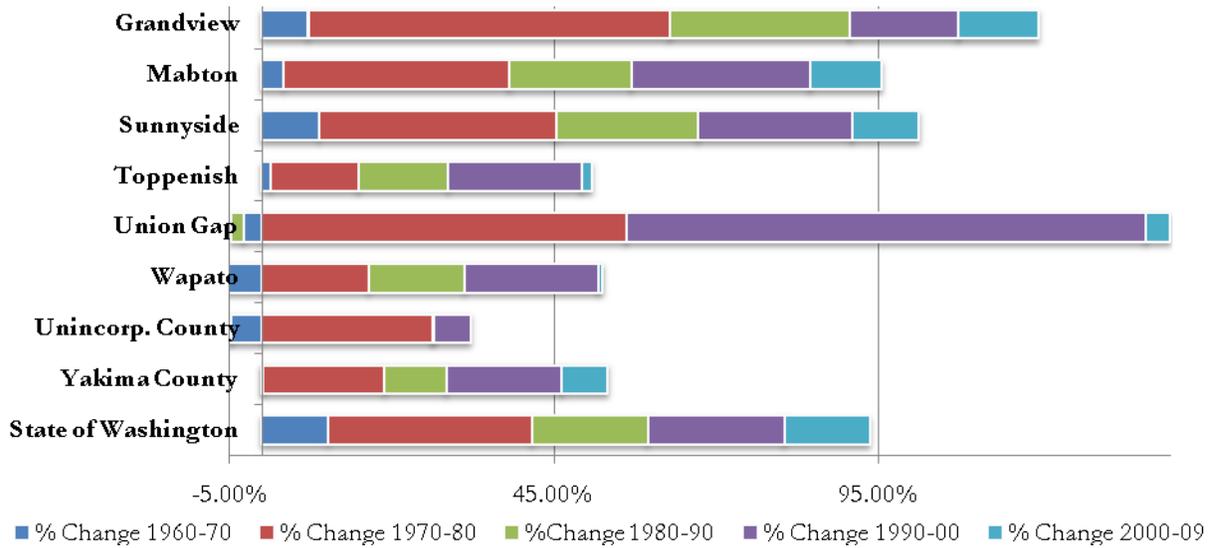
Figure 1 Population Change 1990, 2000, and 2009

Location	Year		Change 1990-2000	Year 2009	Change 2000- 2009
	1990	2000			
Grandview	7,169	8,377	17%	9,405	12%
Mabton	1,482	1,891	28%	2,100	11%
Sunnyside	11,238	13,905	24%	15,340	10%
Toppenish	7,419	8,946	21%	9,090	2%
Union Gap	3,120	5,621	80%	5,830	4%
Wapato	3,795	4,582	21%	4,555	1%
Unincorporated County	90,163	93,192	3%	89,130	-4%
Total HOME Consortium	124,386	136,514	10%	135,450	-1%
<i>Balance of County</i>	<i>66,348</i>	<i>86,043</i>	<i>30%</i>	<i>102,950</i>	<i>20%</i>
Total Yakima County	188,823	222,581	18%	238,400	7%
Washington State	4,866,692	5,894,121	21%	6,668,200	13%
United States	248,709,873	281,421,906	13%	307,006,550	9%

Source: United States Census; 1990, 2000. Washington State Office of Financial Management; Forecasting Division, *April 1 Population of Cities, Towns, and Counties*, 2009.

Long-term trends show that the Union Gap population had been growing at a high rate in the 90s (80%) but has now tapered off to a 4% growth rate over the past 9 years. Wapato and the unincorporated areas of the county also had a negative rate in the 60s, and grew very slowly in the 80s.

Figure 2 Population Trends 1960-2009



Source: Washington Office of Financial Management, Forecasting Division; *Decennial Population Counts for the State, Counties, and Cities: 1960 to 2009*

Yakima County is projected to grow by 25% between 2010 and 2030, about the same rate as Washington State as a whole.⁶ The Consortium is likely to follow this pattern.

Figure 3 Projected Population Change, Yakima County 2000-2030

Period	Change	Births	Deaths	Migration
2000-05	6,719	21,632	8,468	-6,445
2005-10	12,146	22,434	8,603	-1,685
2010-15	16,421	22,988	8,910	2,343
2015-20	15,125	24,046	9,209	288
2020-25	14,476	25,242	9,659	-1,107
2025-30	12,894	26,387	10,321	-3,172

Source: Washington State Office of Financial Management, Forecasting Division; *Washington State Growth Management Population Projections for Counties: 2000 to 2030, Medium Projections, 2007*

Age

The population of the Consortium is relatively young. One-third of the population is under 17 years old. The median ages in the Consortium are largely in the mid-twenties, compared with 31.2 for the County as a whole. Only Union Gap (33.3) is higher than the overall County median age.

⁶ Washington State Office of Financial Management, Forecasting Division; *Washington State Growth Management Population Projections for Counties: 2000 to 2030, Medium Projections, 2007*.

Figure 4 Age of Population 2000

Location	Birth to 17	18 to 44	45 to 64	65 and older	Median Age
Grandview	36%	38%	16%	9%	26.7
Mabton	42%	39%	13%	7%	21.9
Sunnyside	38%	38%	14%	10%	25.1
Toppenish	39%	39%	14%	8%	24.7
Union Gap	28%	38%	20%	13%	33.3
Wapato	38%	39%	15%	8%	24.8
Unincorporated County	31%	36%	23%	10%	-
Total HOME Consortium	33%	37%	21%	10%	-
<i>Balance of County</i>	<i>30%</i>	<i>39%</i>	<i>18%</i>	<i>13%</i>	-
Total Yakima County	32%	37%	20%	11%	31.2
Washington State	26%	40%	23%	11%	35.3
United States	26%	40%	22%	12%	35.3

Source: United States Census; 2000.

Overall the consortium areas were younger than the state’s population in 2000. While the state median age matched the nation at 35.3, in Mabton the median age was just 21.9 – 42% of the population was under 17 years of age. Grandview (26.7), Sunnyside (25.1), Toppenish (24.7), and Wapato (24.8) were also relatively young.

In 2000, Union Gap had the oldest population in the Consortium, where 33% of the population was over 45, compared to 34% in the state. That city’s retirement age population is greater than that of the state (13% versus 11%, respectively).

Figure 5 Age of Population, Yakima County 2009

Age	Location	
	Yakima County	State
Birth to 19	33%	27%
20 to 44	32%	35%
45 to 64	23%	27%
65 and older	12%	12%

Source: Washington State Office of Financial Management; *Intercensal and Postcensal Estimates of April 1 County Population by Age and Sex: 1990-2009*, September 2009.

Like the rest of the US population, Yakima County’s population is beginning to see growing numbers in its older population, as people in the “Baby Boom Bulge” near retirement age. Between 2000 and 2009, the population aged 45 and over grew from 31% to 35% of the total population. As this generation nears retirement, there will be a growing need for more services for seniors and assisted or supportive living units, as well as smaller housing units. By law, this population is eligible to live in legally “age-restricted” communities.⁷ Furthermore, there will be proportionally fewer Consortium residents in their prime working years.

⁷ National Association of Home Builders; *Housing Facts, Figures, Trends*, 2003.

Figure 6 Projected Age of Population, Yakima County 2000-2030

Age	Year						
	2000	2005	2010	2015	2020	2025	2030
Birth to 19	35%	34%	34%	34%	34%	33%	33%
20 to 44	34%	34%	33%	34%	34%	33%	33%
45 to 64	20%	21%	22%	21%	20%	20%	21%
65 and older	11%	11%	11%	11%	12%	13%	14%
Total Population	222,581	229,300	241,446	257,867	272,992	287,468	300,362

Source: Washington State Office of Financial Management, Forecasting Division; *Yakima County Population Projection: Medium Series*, 2007.

Through 2015, the age of Yakima County’s population is projected to remain relatively unchanged. However, between 2015 and 2030 the population 65 and over is projected to increase significantly from 11% to 14%. The population aged 85 and older is projected to remain steady at 2%.⁸

Race and Ethnicity

The HOME Consortium as a whole is significantly more racially and ethnically diverse than the state. In 2000 the state’s Hispanic population reached only 7% of the total population, whereas, Mabton’s population was 89% Hispanic, followed by Wapato (76%), Toppenish (76%), Sunnyside (73%), and Grandview (68%). Toppenish, Wapato, and the unincorporated areas also had a significant American Indian population (8%, 9%, and 7% respectively).

The HUD 2000 CHAS tables provide information on “housing problems” (overcrowding and cost burden) by racial/ethnic groups. County-wide, 52.1% of all renter households and 38.9% of all owner households have housing problems. The comparable percentages for Hispanic households are 71.6% and 66.4% respectively. When comparing the housing problems of the lowest income groups county-wide (households under 30% of area median income), the comparable percentages are 78.4% for renters and 77.6% for owners. Low-income Hispanic households do not fare as well at 86.6% and 87.3% respectively.⁹

⁸ Washington State Office of Financial Management, Forecasting Division; *Yakima County Population Projection: Medium Series*, 2007.

⁹ Source: United States Department of Housing and Urban Development; *CHAS data*, 2000.

Figure 7 Population by Race and Ethnicity 2000

Race	Location											
	Grandview	Mabton	Sunnyside	Toppenish	Union Gap	Wapato	Unincorporated County	HOME Consortium	Balance of county	Yakima County	State	U.S.
White alone	51%	22%	43%	31%	72%	26%	73%	64%	69%	66%	82%	75%
Black or African American alone	1%	0%	0%	1%	0%	1%	0%	0%	2%	1%	3%	12%
American Indian or Alaska Native alone	1%	0%	1%	8%	2%	9%	7%	6%	2%	4%	2%	1%
Asian or Pacific Islander alone	1%	1%	1%	0%	1%	2%	1%	1%	1%	1%	6%	4%
Other race alone	43%	74%	53%	56%	20%	58%	15%	26%	23%	24%	4%	5%
Two or more races	3%	3%	3%	4%	4%	4%	3%	3%	4%	3%	4%	2%
Total*	100%	100%	100%	100%	99%	99%	100%	100%	100%	100%	100%	100%
Ethnicity												
Hispanic (of any race)**	68%	89%	73%	76%	30%	76%	23%	37%	34%	36%	7%	13%
*May not equal 100 percent due to rounding. ** Hispanics are counted separately under ethnicity and therefore should not be counted in race calculations Source: United States Census; 2000.												

It is important to note that for the first time, the 2000 US Census allowed an individual to designate him or herself to be of two or more races, and changed the way Hispanic origins are classified. These changes have made it difficult to assess trends in race and ethnicity. Comparisons of the population composition in 2000 with that in 1990 cannot be completely accurate. In comparison to the US as a whole, the Consortium’s Hispanic population rose 52% from 1990 to 2000, slightly lower than the U.S. rise of 58% and significantly lower than the state’s rate of 106%.

Figure 8 Hispanic Population Change 1990-2000

Location	Total Hispanic Population in 1990	Total Hispanic Population in 2000	Change in Hispanic Population 1990-2000	Percent Change in Hispanic Population 1990-2000
Grandview	3,713	5,700	1,987	54%
Mabton	1,187	1,683	496	42%
Sunnyside	6,423	10,158	3,735	58%
Toppenish	4,616	6,774	2,158	47%
Union Gap	459	1,662	1,203	262%
Wapato	2,443	3,492	1,049	43%
Unincorporated County	14,756	21,592	6,836	46%
Total HOME Consortium	33,597	51,061	17,464	52%
<i>Balance of County</i>	<i>11,517</i>	<i>28,844</i>	<i>17,327</i>	<i>150%</i>
Total Yakima County	45,114	79,905	34,791	77%
Washington State	214,570	441,509	226,939	106%
United States	22,354,059	35,305,818	12,951,759	58%

Source: United States Census; 1990, 2000.

Five of the six City members of the Consortium (the exception is Union Gap), have significant concentrations of Hispanic populations (defined as more than 66%) within their jurisdictions. There are also pockets of concentration in several unincorporated areas as noted by the following map.

Between 2000 and 2008, Yakima County’s Hispanic population rose from 36% to 41% of the total population, while the American Indian population remained 4% of the total population.¹⁰

Figure 9 Population by Race and Ethnicity 2008

Race	Location	
	Yakima County	State
White alone	73%	81%
Black or African	1%	3%

¹⁰ United States Census; 2000 and American Community Survey; 1-Year Estimates, 2008. Please note all 2008 American Community Survey data cited within this document is based on 1-Year Estimates.

American alone		
American Indian or Alaska Native alone	4%	1%
Asian or Pacific Islander alone	1%	7%
Other race alone	18%	4%
Two or more races	3%	4%
Total	100%	100%
Ethnicity		
Hispanic (of any race)*	41%	9%
*Hispanics are counted separately under ethnicity and therefore should not be counted in race calculations Source: United States Census; 2000 and American Community Survey; 1-Year Estimates, 2008.		

Foreign Born Population

In the Consortium as a whole, 17% were foreign born, 57% of who entered the county between 1990 and 2000. Approximately one-third of the 2000 population in Mabton, Sunnyside, Toppenish, and Wapato was foreign born. The unincorporated areas of the County and Union Gap populations had relatively small foreign born populations but Union Gap had an extraordinary growth of 274% in just 10 years.

Figure 10 Foreign Born Population 1990-2000

Location	Total Foreign Born Population in 2000	Percent of Total Population in 2000	Foreign Born who Entered from 1990-2000	Percent Change in Foreign Born Population 1990-2000
Grandview	2,232	27%	1,088	95%
Mabton	643	34%	171	36%
Sunnyside	4,912	35%	2,395	95%
Toppenish	2,907	32%	892	44%
Union Gap	826	15%	605	274%
Wapato	1,540	34%	489	47%
Unincorporated County	9,809	11%	2,670	37%
Total HOME Consortium	22,869	17%	8,310	57%
<i>Balance of County</i>	<i>14,706</i>	<i>17%</i>	<i>8,865</i>	<i>152%</i>
Total Yakima County	37,575	17%	17,175	84%
Washington State	614,457	10%	286,439	47%
United States	31,107,889	11%	13,178,276	42%

Source: United States Census; 1990, 2000.

From 2000 to 2008, Yakima County residents born outside of the US or Puerto Rico dropped 1% (from 17% to 16% of the total population). In 2008, 15% of those born

outside of the US had immigrated after 2000, and 72% of these immigrants were not US citizens in 2008.¹¹

Immigrants in general face significant challenges when entering the country. Among these are: weak to no English language skills; adjusting to a different role of government; and the difficulties of adapting to a new culture, lifestyle, and climate. They also often find their job skills incompatible with the local job market.¹²

Linguistic Isolation

In 2000, approximately one-quarter of the Mabton, Toppenish, and Wapato populations were considered linguistically isolated.¹³ This is a high percentage in comparison to 4% in the state, and 5% in the nation. In the HOME Consortium as a whole, 10% of the population was linguistically isolated in 2000. Of the 20,120 people who spoke English “less than very well” in the HOME Consortium, 22% (4,445) resided in Sunnyside and 40% resided in the unincorporated areas. Union Gap, by contrast, only housed 3% of the county’s population who spoke English “less than very well.”¹⁴

Low-income foreign-born households need additional help just to access the basic necessities that English-speaking lower-income persons can obtain. In 2008, the number of persons that were linguistically isolated was not large enough to adequately show trends.¹⁵ However, using other indicators such as school enrollment, it is clear that large number of non-English speaking or limited-English speaking persons in the area remains a challenge for schools, city governments and social service organizations.¹⁶

Households

In the HOME Consortium, the total number of households increased by 6% between 1990 and 2000, significantly less than the county as a whole (12%). Elderly, single, and nonfamily households all decreased during that time, as large family households (5 or more people) grew by 28%. This change suggests that family sizes are increasing. Large family households increased by 156% in Union Gap and 44% in Wapato between 1990 and 2000.¹⁷

In 2000, 80% of HOME Consortium households were family households. In Yakima County as a whole, the percentage of family households dropped slightly from 74% to 73%

¹¹ United States Census; 2000 and American Community Survey; 2008.

¹² See additional discussion on the impact of migration in the *Schools, Children, and Youth* section of this document.

¹³ United States Census; 2000. A linguistically isolated household is one in which no member 14 years old and over speaks only English, or speaks a non-English language and speaks English "very well." In other words, all household members 14 years old and over have at least some difficulty with English.

¹⁴ United States Census; 2000.

¹⁵ United States Census; American Community Survey; 2008.

¹⁶ See additional discussion on the impact of migration in the *Schools, Children, and Youth* section of this document.

¹⁷ United States Census; 2000.

between 2000 and 2008. More significantly, the percentage of elderly single householders rose from 1% of the county population in 2000 to 9% of the population in 2008.¹⁸

The change in the number of non-family and/or related family households could be attributed to many factors. Local real estate markets impact the nature of household relocation by the availability of suitably sized units. Furthermore, the configuration of a community's existing housing stock generally fits the demands of its market. In the case of the HOME Consortium, a recent and dramatic increase in the size of households may result in excess vacancies of smaller units and increased demand and use of larger-sized housing units.

Racial, ethnic, or familial traditions can impact how household constellations are created: for example, whether households are multi-generational or whether they commonly offer help to unrelated displaced co-workers or friends. Students, single parents, younger persons, and seasonal workers more frequently “double-up” or couch-surf to create large, unrelated households. Additionally, families may be forced to share households with other families or relatives in order to afford rent or mortgages. The impermanence of local jobs impacts laborers moving wherever work is available, often facing tough decisions about whether to relocate alone or bring their families with them.

The consequences of an increase in household size strikes a number of community conditions. Over-crowding can create significant problems if it becomes a permanent living condition, adversely impacting health and family life, and contributing to long-term social problems.

Figure 11 Type of Households, Yakima County 1990 and 2000

	Total HOME Consortium		Balance of County		Yakima County	
	2000	% Change 1990-2000	2000	% Change 1990-2000	2000	% Change 1990-2000
Family Households	34,189	9%	20,395	22%	54,584	13%
<i>Small (2-4)</i>	25,630	4%	16,044	15%	41,674	8%
<i>Large (5+)</i>	8,559	28%	4,351	62%	12,910	38%
Single	6,907	-7%	8,994	19%	15,901	6%
<i>Elderly Single</i>	3,008	-13%	4,109	15%	7,117	1%
Nonfamily Households	8,617	-17%	10,792	5%	19,409	-6%
<i>Small (2-4)</i>	1,646	12%	1,742	30%	3,388	21%
<i>Large (5+)</i>	64	-15%	56	33%	120	3%
Total Households	42,806	6%	31,187	22%	73,993	12%

Source: United States Census; 1990, 2000.

¹⁸ United States Census; 2000 and American Community Survey; 2008.

Households Living in Poverty

Poverty has a clear presence in Yakima County – one that affects services and housing needs. Twenty-one percent of Yakima County’s residents were living in poverty in 1999, compared to 11% in the state and 12% in the nation. The largest concentrations of individuals living in poverty were in Sunnyside (35%), Wapato (34%), Mabton (33%), and Toppenish (32%). Among female householders living alone with children under five, in Wapato (72%) and Mabton (71%) nearly three-quarters were living in poverty. In all consortium cities barring Grandview (49%), more than half of female householders living alone with children under 5 were living in poverty.

Figure 12 Percent of Population Living in Poverty 2008

Population Group	Yakima County	Washington	United States
Individuals	19.7%	10.6%	12.4%
Individuals 18 or older	15.9%	9.6%	10.9%
Individuals 65 and older	11.3%	7.5%	9.9%
Families*	14.8%	7.3%	9.2%
Families with children <18	21.9%	11.2%	13.6%
Families with children <5	28%	14.9%	17%
Females alone with children <18	46.2%	30.8%	34.3%
Females alone with children <5	58.5%	45.6%	46.4%
*Including Couples			
Source: United States Census; 2000 and American Community Survey; 2008.			

Between 2000 and 2008, the number of families living in poverty in Yakima County remained steady at around 15%. However, there were improvements in two categories: the number of individuals in poverty dropped from 19.7% to 18.3%, and a very significant drop in poverty occurred in females living alone with children under five (moving from 58.5% to 41.4% living in poverty in 2008).¹⁹

Figure 13 Percent of Population Living in Poverty 2008

Population Group	Yakima County	Washington	United States
Individuals	18.3%	11.3%	13.2%
Individuals 18 or older	14.8%	10.4%	11.6%
Individuals 65 and older	9.9%	8.2%	9.9%
Families*	14.6%	7.7%	9.7%
Families with children <18	22.3%	12.3%	15.0%
Families with children <5	20.3%	14.3%	16.3%
Females alone with children <18	46.1%	33.0%	36.3%
Females alone with children <5	41.4%	42.0%	44.8%
*Including Couples			
Source: United States Census; 2000 and American Community Survey; 2008.			

¹⁹ United States Census; 2000 and American Community Survey; 2008.

Low- and Moderate-Income Neighborhoods

There are several areas of concentrations of low- and moderate-income households in the Consortium area (concentration is defined as those areas with more than 80% of the population below median household income). These are found particularly in the cities of Wapato, Toppenish, Mabton, and Sunnyside. In addition, the unincorporated areas of the county also have significant pockets in areas such as White Swan, Wiley City, and Buena.

HOUSING AFFORDABILITY

A detailed analysis of housing affordability is compiled in the HUD Comprehensive Housing Affordability Strategy (CHAS) figures from US Census data only every ten years – the most current being 2000. Housing affordability is defined as housing with costs that are less than 30% of the household income. The following CHAS figures indicate the great difficulty households at the lowest income levels, particularly extremely low- (households at 30% of MFI) and low- (50% of MFI) incomes have in finding affordable housing. What the figure demonstrates is that of the 3,069 housing units that are affordable to persons with incomes at 30% of MFI or less, only 32.3% of that population occupy those units; and renter households which can afford more expensive housing are occupying them. There are many reasons for this “mismatch” of affordable housing – among them are that higher income renters are more attractive to landlords and they generally have a competitive edge because of steadier and higher incomes and an ability to pay deposits.

In Yakima County as a whole, 29% of all households (owner and renter) in 2000 were living with a cost burden (paying more than 30% of their income). Mabton (38%), Wapato (37%), and Sunnyside (35%) far exceeded the county in percentage of households living with a cost burden.²⁰

²⁰ Figure 42 includes all areas of the Consortium together - tables of each city and the unincorporated areas are located in the Appendix.

Figure 14 Affordability Mismatch, Yakima County HOME Consortium 2000

Housing Units by Affordability	Renters Units by # of bedrooms				Housing Units by Affordability	Owned or for sale units by # of bedrooms			
	0-1	2	3+	Total		0-1	2	3+	Total
1. Rent <=30%					Value <=30%				
# occupied units	884	976	1,209	3,069		N/A	N/A	N/A	N/A
% occupants <=30%	48.8	29.7	22.3	32.3		N/A	N/A	N/A	N/A
% built before 1970	45.1	53.6	48.0	49.0		N/A	N/A	N/A	N/A
% some problem	50.8	20.3	15.3	27.2		N/A	N/A	N/A	N/A
# vacant for rent	11	-2	6	15	# vacant for sale	N/A	N/A	N/A	N/A
2. Rent >30% to <=50%					Value <=50%				
# occupied units	892	989	889	2,770		696	2,358	2,057	5,111
% occupants <=50%	53.7	50.7	30.1	45.0		48.2	30.9	23.3	30.2
% built before 1970	57.3	56.5	54.2	55.6		45.9	34.6	31.2	34.8
% some problem	65.0	50.5	29.7	48.4		41.3	15.5	8.8	16.3
# vacant for rent	105	123	12	240	# vacant for sale	28	40	72	140
3. Rent >50% to <=80%					Value >50% to <=80%				
# occupied units	1,346	2,130	1,533	5,009		493	1,914	5,786	8,193
% occupants <=80%	83.3	57.9	40.6	59.5		61.3	51.8	36.3	41.3
% built before 1970	41.2	42.6	53.4	45.7		54.8	64.3	53.6	56.2
% some problem	88.2	52.2	36.2	57.1		18.6	8.2	4.6	6.3
# vacant for rent	100	123	21	244	# vacant for sale	40	53	72	165
4. Rent >80%					Value >80%				
# occupied units	396	447	371	1,214		1,015	2,490	13,613	17,118
# vacant for rent	0	-4	4	0	# vacant for sale	6	56	143	205

Source: United States Department of Housing and Urban Development, CHAS data, 2000.

Renters are considered cost burdened when the cost of rent plus basic utilities exceeds 30% of monthly income. A total of 62% of Yakima County renter households that have incomes of less than 50% of median income, are paying more than 30% of their income for rental housing. The corresponding percentages for the individual cities are: Union Gap (89%), Mabton (83%), Wapato (80%), Toppenish (75%), Sunnyside (68%), and Grandview (63%).

The problem is often more severe in large families with limited income. In Grandview, Mabton, and Union Gap, 100% of families with five or more members who are extremely low-income renters (less than 30% of median area income) were cost burdened in 2000.

When “housing problems” are more broadly defined as cost burdened and/or overcrowded, 100% of extremely low-income families with five or more members have housing problems in Sunnyside, Toppenish, Union Gap, and Wapato – both renters and owners. This suggests a critical need for affordable two- to three-bedroom rental housing units.

**Figure 15 Renter Households & Percent with Housing Problems, Yakima County
HOME Consortium 2000**

Household (HH) Income Level	Household Size and Composition				
	Elderly (1-2 people)	Small Related (2-4 people)	Large Related (5+ people)	All Others	Total Renters
HHs at 0% to 30% MFI	484	991	584	457	2,516
% with housing problems	50.6	78.2	96.5	71.5	75.8
% cost burden >30%	50.3	68.3	78.9	66.1	66.8
% cost burden >50%	36.6	55.1	63.9	52.3	53.1
HHs at 31% to 50% MFI	355	986	705	258	2,304
% with housing problems	35.1	74.0	88.6	57.9	70.6
% cost burden >30%	30.6	65.9	48.3	56.1	54.0
% cost burden >50%	16.0	20.0	7.1	8.2	14.1
HHs at 51% to 80% MFI	192	1,242	768	360	2,562
% with housing problems	17.9	42.4	76.4	38.2	50.1
% cost burden >30%	12.6	22.8	13.7	35.5	21.1
% cost burden >50%	3.3	4.0	0.0	6.9	3.2
HHs at 81% of more MFI	268	2,301	913	1,024	4,506
% with housing problems	20.8	14.2	41.1	7.5	18.5
% cost burden >30%	20.9	2.6	2.1	5.8	4.4
% cost burden >50%	9.3	0.2	0.0	1.0	0.9
Total Renter Households	1,299	5,520	2,970	2,099	11,888
% with housing problems	35.3	42.7	72.4	32.9	47.7
% cost burden >30%	33.3	30.2	31.2	30.2	30.7
% cost burden >50%	20.5	14.6	14.3	13.9	14.9

Note: Housing problems include cost greater than 30% of income and/or overcrowding and/or without complete kitchen or plumbing facilities. Cost includes rent and utilities. Totals may vary slightly from census data.
Source: United States Department of Housing and Urban Development; CHAS data, 2000.

Owners are generally considered cost burdened when they pay more than 30% of their monthly income for principal, interest, property taxes, insurance and basic utilities. According to HUD CHAS data, 70% of extremely low-income homeowners in Yakima County in 2000 were cost burdened. Grandview’s extremely low-income homeowners had the highest rate of cost burden (95%), followed by Union Gap (81%), Wapato (79%), Sunnyside (78%), Toppenish (73%), and Mabton (63%).

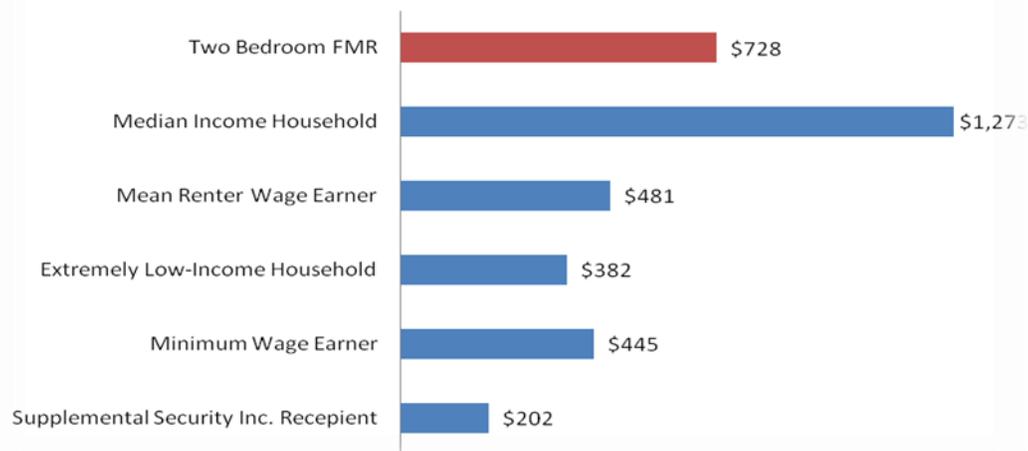
Figure 16 Owner Households & Percent with Housing Problems, Yakima County HOME Consortium 2000

Household (HH) Income Level	Household Size and Composition				
	Elderly (1-2 people)	Small Related (2-4 people)	Large Related (5+ people)	All Others	Total Owners
HHs at 0% to 30% MFI	756	482	408	284	1,930
% with housing problems	67.5	74.4	96.6	66.1	75.3
% cost burden >30%	67.0	69.5	68.1	66.2	67.8
% cost burden >50%	36.5	43.4	54.9	62.3	46.0
HHs at 31% to 50% MFI	988	661	721	151	2,521
% with housing problems	37.7	66.3	88.1	61.5	61.0
% cost burden >30%	37.3	61.0	57.1	64.3	50.8
% cost burden >50%	17.5	33.9	26.8	28.5	25.2
HHs at 51% to 80% MFI	1,540	1,479	1,243	484	4,746
% with housing problems	23.0	49.9	79.0	59.0	49.8
% cost burden >30%	22.4	44.3	40.4	58.1	37.6
% cost burden >50%	8.5	13.6	9.5	26.9	12.2
HHs at 81% of more MFI	4,284	12,054	3,144	1,700	21,182
% with housing problems	9.9	18.6	42.2	21.2	20.6
% cost burden >30%	9.7	15.6	12.5	21.2	14.4
% cost burden >50%	2.5	2.7	1.9	4.2	2.5
Total Owner Households	7,568	14,676	5,516	2,619	30,379
% with housing problems	21.9	25.9	60.4	35.2	31.9
% cost burden >30%	21.5	22.4	28.6	35.3	24.4
% cost burden >50%	9.1	6.4	10.8	16.1	8.7

Notes: MFI is median family income. Housing problems include cost greater than 30% of income and/or overcrowding and/or without complete kitchen or plumbing facilities. Cost includes mortgage payment, taxes, insurance, and utilities. Totals may vary slightly from census data.
Source: United States Department of Housing and Urban Development; CHAS data, 2000.

Figure 17 Affordability Gap, Yakima County 2000

Monthly Rent Affordable to Selected Income Levels Compared with Two-Bedroom FMR



Source: United States Census; 2000.

The Affordable Housing Index (HAI) measures the ability of a middle-income family to carry the mortgage payments on a median price home. When the index is 100 there is a balance between the family's ability to pay and the cost. Higher indexes indicate housing is more affordable.

In the third quarter of 2009, HAI was 150.3 in Yakima County. By contrast, statewide the HAI was 122.9, suggesting that the Yakima County area is currently more affordable than the state as a whole. However, the lower-income population in the Yakima County is still finding it difficult to afford housing. For example, the HAI for first-time homeowners was much lower, at 92.0.²¹

The following figure shows the relationship between income ranges and the affordable housing costs in the county.

Figure 18 Low-Income Ranges and Affordable Housing Costs, Yakima County 2009

Definition	Percent of AMI	Income Limit	Maximum Monthly Housing Costs
Extremely low income	to 30% of AMI	\$15,270	\$382
Very low income	to 50% of AMI	\$25,450	\$636
Moderate income	to 80% of AMI	\$40,720	\$1,018
Note: Estimated AMI (Area Median Income) for the City of Yakima was \$50,900 in 2009. Source: National Low Income Housing Coalition; <i>Out of Reach</i> , 2009.			

Persons with disabilities often have Social Security Income (SSI) as their sole source of income and therefore have difficulty finding housing they can afford; and housing affordability is a major issue with this lower-income household. Based on the SSI payment of \$674/month in 2009, a disabled Yakima County renter would have to pay 83.5% of their benefit for a one-bedroom apartment.²² If SSI represents an individual's sole source of income, only \$202 in monthly rent is affordable. This example is one of the more drastic along the housing need continuum, illustrating that some lower-income persons cannot obtain decent safe and sanitary housing without assistance.

A report by the National Low Income Housing Coalition reveals major problems in affordability for Yakima County renters. To be able to afford a two-bedroom apartment at the HUD-established Fair Market Rents, the amount of annual income needed by a family of four in the Yakima County is \$29,120. Only 51% of the households in the area have a sufficient income to afford an apartment. A wage earner working 40 hours per week would have to earn \$9.25 an hour (higher than the Washington State minimum wage of \$8.55) to afford to pay the rent and utilities.²³

²¹ Washington Center for Real Estate Research, The Housing Affordability Index, First Quarter 2009.

²² National Low-Income Housing Coalition; *Out of Reach*, 2009.

²³ National Low Income Housing Coalition; *Out of Reach*, 2009.

Figure 19 Renter Housing Costs and Income, Yakima County 2009

Housing/Income Factor	Number of Bedrooms				
	Zero	One	Two	Three	Four
Fair Market Rent (FMR)	\$480	\$563	\$728	\$959	\$1,011
Income Needed to Afford	\$19,200	\$22,520	\$29,120	\$38,360	\$40,440
Hourly Wage needed to afford ²⁴ (working 40hrs/week)	\$9.23	\$10.83	\$14.00	\$18.44	\$19.44
Hours per week at minimum wage	43	51	65	86	91

Source: National Low Income Housing Coalition; *Out of Reach*, 2009.

For farmworkers and Native Americans, the problems are even more severe. In 2008, the average farmworker household in the state earned \$17,596 per year, only 60% of what is needed for an affordable two-bedroom unit.²⁵ In 2009, the Yakama Nation Housing Assessment found the median household income for Yakama Nation households was \$17,790, so it is no surprise that 68% of households surveyed said they were unable to find a place to live that was affordable.

Barriers To Affordable Housing

In 2008, the nation entered a major recession, which created major economic crises in many communities of the nation. The loss of jobs, devaluation of housing and tight financial markets all created negative impacts on housing markets. In particular, these factors impacted homeowners who had recently purchased or refinanced their homes. Many found that the value of their home had declined below the amount of mortgage they owed.

Due to the housing bubble burst during the recession, in Yakima County the trend over the past three years has been toward steadily increasing affordability among homeowners and homebuyers: the affordable housing index for middle-income single-family housing purchasers in Yakima County rose from 125.7 in the fourth quarter of 2007, to 145.2 in 2008, and to 165.7 in 2009.²⁶

For first-time homebuyers, in Q4 of 2009 Yakima County housing became more affordable (HAI 101.4) than it had been the year before (HAI 88.9). The statewide index of 79.4 reflects that housing is relatively less affordable to first-time homebuyers in most other areas of the state. A barrier to affordable homeownership is the inability of lower-income households to save enough money to make the down payment and pay closing costs for home purchase, which is even more difficult for those households below 70% of median.

²⁴ Washington State University Center for Real Estate Research states that “Affordable” rents represent the generally accepted standard of spending not more than 30% of gross income on gross housing costs.

²⁵ Washington State Farmworker Housing Trust; *A Sustainable Bounty: Investing in Our Agricultural Bounty, The Washington State Farmworker Survey*, July 2008.

Additionally, due to an increase in area job loss and unemployment plus general financial stress, home buying still remains unattainable to a large portion of the Yakima County households. Yet among those who rent in Yakima County, 31% are paying more for housing costs than is considered “affordable”.

Groups with even more limited choices are renters who are elderly or living with disabilities; particularly those in the lower income brackets. With limited choices of affordable assisted- and independent-living units, members of this group face difficulty in obtaining affordable housing – with a large number of elderly with housing cost burdens, it’s likely that an insufficient range or number of units in Yakima County adequately address their needs.

Providing a sufficient supply of housing that meets these special needs will help prevent escalation of rents for these groups – governmental assistance in particular will be necessary to alleviate the housing cost burden. The limited amount of funds available from the HOME and CDBG entitlements limits the potential for impacting the need for affordable housing. In 2008 and 2009, state-generated funding from the Housing Trust Fund and from the “2060” Revenues has fallen, resulting in reduced ability of the cities and developers to leverage HUD funds for new rental housing. Currently state and federal low-income housing tax credit programs have criteria that encourage larger developments. Without access to leveraged state funds, affordable housing development for renters will generally be limited to a few small multi-family projects.

Flood plains, wetlands, federal reservations limit the availability of land for development. Limitations on housing density and restrictions on the use of manufactured housing also reduce opportunities developing housing at affordable prices.

Another factor is that the Yakama National tribal lands are located in and encompass some of the Consortium cities. Trust lands status of property inhibits the ability of private individuals to obtain financing.

The Homeless Network of Yakima County is taking action in 2010-11 to assess the barriers of affordable housing. This is a major effort to develop a coordinated approach to the issue. The Homeless Network of Yakima County Affordable Housing Committee – which is comprised of multiple service providers, mental health housing organizations, and members of the community who are associated with the development, management, and access to affordable housing in the County – will assist in determining gaps in the housing continuum of care and make recommendations to the Executive Committee on how to best close those gaps in relation to the *Ten-Year Plan to End Homelessness in Yakima County*. To best make these recommendations, the committee will do the following:

- Complete a Housing Needs Assessment
- Compile, analyze, and disseminate “best practices” and innovations regarding affordable housing
- Identify potential partners to assist in addressing those gaps in the housing continuum of care including providers, municipalities, and members of the community

- Advocate and educate consumers and the public to address issues surrounding affordable housing

Vacancy Rates

In September 2009, apartment rental costs in Yakima County averaged \$562, reflecting an annual rental rate increase of 2% since September 2008. Vacancy rates in Yakima County were very low in 2009, as shown in the table below. Generally, vacancy rates of approximately 5% are considered in the industry to reflect a balanced housing market, whereas rates of 3% or lower place upward pressure on rental rates. Yet between September 2008 and 2009, the vacancy rate fell from 2.8% to 2.5% in Yakima County. In contrast, the statewide vacancy rate rose from 4.7% to 6.9% during the same period.²⁷

Figure 20 Apartment Costs and Vacancy Rates, Yakima County, Fall 2009

Type of Unit	Average Size (sq ft)	Average Rent	Vacancy Rate
One-Bedroom Units	610	\$502	2.2%
Two-Bedroom Units	799	\$622	2.5%
Overall Apartment Market	710	\$562	2.5%
Source: Washington Center for Real Estate Research; <i>Washington Apartment Market</i> , September 2009.			

OTHER SPECIAL NEEDS POPULATIONS

In addition to homeless persons, there are many residents of the Yakima County with other special needs, many of whom are at risk of becoming homeless. Housing affordability and availability/affordability of care and supports are typically the critical needs of these populations which include the elderly, frail elderly, domestic violence victims, persons with HIV/AIDS, seriously mentally ill, chronic substance abusers, persons with physical disabilities, and persons with developmental disabilities.

Elderly

For the purposes of this plan, an elderly household is defined as a person 65 years of age or older living alone, or a group of more than one person who shares a common dwelling, and has at least one person in residence 65 years of age or older.

The demographics of the elderly population have changed significantly in the United State as a whole, as well as in the Yakima County. Nationally, since the beginning of the century the number of persons 65 years and older has increased tenfold, while the general population has only experienced a twofold increase.²⁸ The percentage of Yakima County populations that were elderly in 2000 is provided below.

²⁷ Washington Center for Real Estate Research, *Washington Apartment Market*, September 2009.

²⁸ United States Census; 2000 and *Special Report: US Census Demographic Trends in the 20th Century*, 2000.

Figure 21 Yakima County Elderly Populations 2000

Location	Total Elderly Population 65+	% of Elderly in General Population
Grandview	788	9%
Mabton	123	7%
Sunnyside	1,333	10%
Toppenish	703	8%
Union Gap	749	13%
Wapato	384	8%
Unincorporated County	9,495	10%
Total HOME Consortium	13,575	10%
<i>Balance of County</i>	<i>11,346</i>	<i>13%</i>
Total Yakima County	24,921	11%
Washington State	662,148	11%
United States	34,991,753	12%

Source: United States Census,; 2000.

In 2000, the Yakima County HOME Consortium had a slightly lower percentage of elderly than the United States as a whole (10% vs. 12%, respectively).²⁹ Data for age differences among the three cities is discussed earlier in the general population data. However, it is important to note in the figure below that in about six years, significant numbers of aging “Baby Boomers” will push these numbers higher in the next twenty years (14% in the county by 2030).³⁰

The post-war “Baby Boomers” are just now becoming today’s seniors. Since today’s Boomers are considered to be the core community of middle-class consumers, taxpayers, and key workers, their aging into the normal retirement years may initiate significant sociological as well as financial transitions in the communities. Most “Baby Boomers” will have lower incomes in retirement than they had while in the workforce, less comprehensive (if any) medical insurance, and will have increasing health conditions typical of elderly persons.

The first group of aging boomers is entering the early-mid 60s in 2010. While there is currently not an accurate updated count of Consortium population by age available, in 2009 Yakima County as a whole had 56,021 individuals aged 45 to 64 – nearly one-quarter of the entire population.³¹

The figure below shows a steady increase in population over 65 in relation to other age groups from 2010 to 2030, where independent and assisted-living residential units, medical or nursing care-based units, and in-home services will all be in increasing demand. Today’s

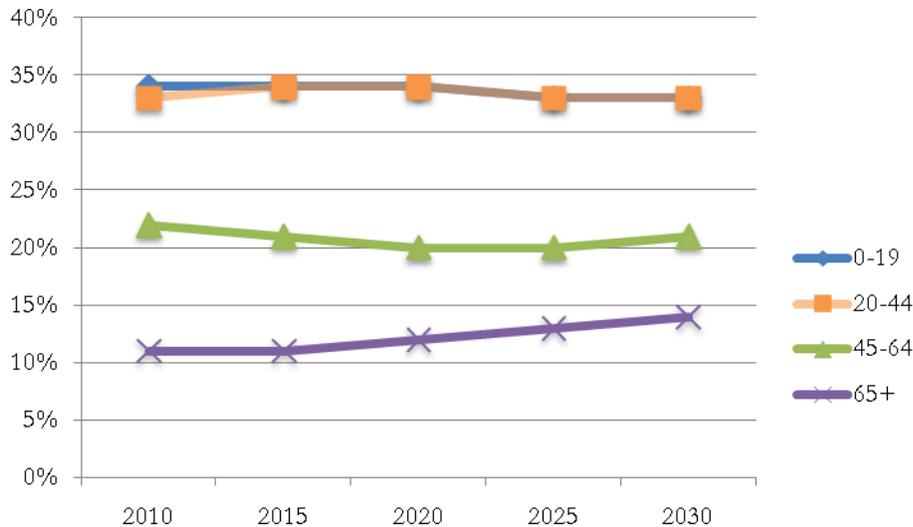
²⁹ United States Census; 2000.

³⁰ Washington State Office of Financial Management, Forecasting Division; *Washington State Growth Management Population Projections for Counties: 2000 to 2030, Medium Series*, 2007.

³¹ Washington State Office of Financial Management, *Intercensal and Postcensal Estimates of April 1 County Population by Age and Sex: 1990-2009*, September 2009.

local facilities and resources are insufficient to address this significant increase in need. As of the 2000 Census, the Yakima County HOME Consortium had a total of 430 persons in local nursing homes, and another 739 in non-institutional group-living situations. This data suggests the vast majority of elderly still remain in their own homes or in independent retirement apartments.

Figure 22 Forecast of Population Over 65 As Percentage of Total Population, Yakima County 2010-2030



Source: Washington State Office of Financial Management, Forecasting Division; *Washington State Growth Management Population Projections for Counties: 2000 to 2030, Medium Series, 2007.*

Frail Elderly

Frail elderly are defined as persons over the age of 65 that have significant physical and cognitive health problems. As people age the probability they will become “frail” increases. Furthermore, as life expectancy rates increase in the US, the elderly population becomes older. According to the *U.S. Census Special Reports on Elderly*, an estimated 9.2% of 65 years olds need help with basic living needs; 11% of 70 to 74 year olds, and more than 49% over 80 years olds need assistance with everyday activities.³²

Data on the actual number of frail elderly is not available; generally related data is used to create estimates. Census data for disabled persons by age can provide a close estimate of the number of frail elderly. In 2008, Yakima County had an estimated 12,445 non-institutionalized persons over the age of 65 with a disability, which was 49% of all individuals over 65.³³ Although not all disabled persons are frail, the number of frail elderly who consider themselves sick rather than disabled (and accordingly did not report a disability to the census) probably balances these numbers.

³² United States Census; *U.S. Census Special Reports on Elderly*, 2000.

³³ American Community Survey; 2008.

Frail elderly are more likely to need intensive living and health supports than the general population of elderly. According to the Census Bureau, 70% of all women and 53% of all men who live to be 65 will live to the age of 80. Five years later, almost one-half of all 85 year olds will have severe disabling conditions.³⁴

In 2009, 4,974 people in Yakima County who were 85 years and older. The U.S. population of age 85 and older has been the fastest population growth of any age group since the beginning of the 20th century.³⁵ Many frail elderly have difficulty obtaining suitable affordable housing with supportive services. Among the elderly, the incidence of low income is higher than in the general population and many of the frail elderly have fixed social-security incomes. Many are limited to care that can be obtained through Medicaid. Independent living and in-home support costs force many into group living facilities and into facilities that have openings for Medicaid-paid care.

Persons with Disabilities

In 2008, 31,713 people in Yakima County had a disability (14% of the population). Of those who were disabled, 1,030 were children under 18 and 12,445 were adults over 65 years of age (43% of all individuals over 65).

As many disabled persons rely on social security supplemental income (the majority income source within the disabled community), housing for persons with disabilities is a tremendous affordability problem. As discussed earlier in this document in an example of cost burden, persons on social security supplemental income can afford less than \$202 a month for rent and utilities (approximately 1/3 of total SSI income). In order to pay the fair market rent for a one-bedroom, a disabled Yakima County renter would have to pay 83.5% of their SSI benefit. Without rent assistance, this extremely low-income group of individuals has little choice but to live in over-crowded or substandard units, reside in their parent's or sibling's homes well into adulthood, couch surf, or become homeless.

Additional needs for the disabled population include help with nutrition and food, and therapeutic services for mental illness or chemical dependency. Among the disabled population the incidence of mental illness and alcohol or drug abuse is higher than among the general public. Reliable transportation, particularly to evening shift jobs and social events is always a need.

Washington's public schools are required to provide education to children with disabilities at least to age 21. Educational services range from mainstream standard classrooms to one-on-one home or hospital-based tutoring. Once they become adults, some can qualify for assistance under a variety of programs with the Department of Vocational Rehabilitation (offering assistance in job training and placement), the Division of Developmental

³⁴ Washington State Department of Health; *Special Report on Elderly*, YEAR.

³⁵ Washington State Office of Financial Management, *Intercensal and Postcensal Estimates of April 1 County Population by Age and Sex: 1990-2009*, September 2009.

Disabilities, and specialized programs for persons who are visually impaired, deaf or hard of hearing.

Persons with Developmental Disabilities

In 2006-2007, DSHS reported 1,905 clients in Yakima County with developmental disabilities (see Figure 53 for an additional breakdown).³⁶ The majority of developmentally disabled persons have multiple disabilities. They may also have disorders such as mental illness or substance abuse problems. As with the elderly and those with other types of disabilities, persons with developmental disabilities have benefited from improvements to medicine, adaptive technologies, and special therapies.³⁷

The DSHS Division of Developmental Disabilities (DDD), a division of the Aging and Disability Services Administration (ADSA), provides support services and opportunities for the personal growth and development of persons with developmental disabilities resulting from mental retardation, epilepsy, cerebral palsy, autism or similar neurological conditions that originated before adulthood. DDD provides a variety of residential, training, job placements, living skills supports, and other services to augment what is provided to persons with other types of physical or mental disabilities. Persons with developmental disabilities generally are born with one or multiple types of specific disabling conditions, either congenitally or due to mechanical injuries during birth.

Because of these conditions, persons with developmental disabilities have a significantly lower than “normal” cognitive ability, and may have severe to mild problems with speech or communication, motor control, impulse control, or other physical anomalies. DDD clients' disabilities are life-long and constitute a substantial handicap to everyday functioning. Generally as a group, developmentally disabled people are living longer, are less likely to reside in nursing homes and institutions, and are more independent than in years past. Since the disabled civil rights advancements of the 1970s and ensuing changes in legislation and programs, DDD clients may exercise choice in residence, job placement, family planning, and other personal rights issues.

Housing for adult developmentally disabled persons is a severe affordability need. As with other disabled persons, they most likely live on social security supplemental income and thus have extremely low incomes. With the advent of de-institutionalization, which began occurring in the 1970's, most DDD persons live in community settings within the general population. Adult clients of DDD also pay for their own rent, food and transportation, though they may receive other funded services to pay for other living expenses, skills development, or job training.

³⁶ Washington State Department of Social and Health Services; *Client Services Database*, February 2010.

³⁷ Washington State Department of Social and Health Services, *Client Services Database*, June 22, 2003 and *DSHS Special Reports on Disabilities*, 2001.

Children under age 6 may receive services if they have Down's syndrome or have developmental delays of 25% or more below children of the same age.³⁸ Focus groups identified a major concern with the aging parents of children with developmental disabilities. As parents reach their senior years, they are less able to continue giving care. As a consequence, a major cost becomes hiring assistance at a time when the parent's income and resources are typically declining.

Persons with Mental Illness

Mental illness ranges from mild and short-term depression to chronic, lifetime conditions such as schizophrenia. Publicly funded services focus on persons whose mental illness affects their ability to work and live in the community independently. Most persons with depression, anxiety, and other mental illnesses that can be self-managed do not reside in institutions. This is largely because publicly funded mental health services mainly focus on stabilization and avoidance of institutionalization.

The Washington State Department of Social and Health Services served 6,285 mental services clients in Yakima County in 2006-2007, representing nearly 3% of the population: 6 cases of children's long-term inpatient programs, 70 in cases in state institutions, and 6,280 cases in community inpatient and outpatient services. Thirty-five percent of all those served under mental health programs were children under 17.³⁹

Persons with HIV/AIDS

As of December 31, 2008, Yakima County had a cumulative history of 249 HIV diagnoses (1% of the state's total diagnoses). Of those, 59 were newly diagnosed between 2003 and 2008. One hundred fifty-nine people in Yakima County were living with HIV at the end of 2008, with 105 of those people living with AIDS.⁴⁰

Currently the incidence of HIV diagnosis is almost twice as high for Hispanics as it is for non-Hispanics. The Washington State Department of Health believes this disparity is due to barriers to services access: language barriers, geographic isolation, lack of health insurance, and an increased cultural stigma of being HIV positive. Yakima County has the third highest population of Hispanics of all Washington State counties.⁴¹ With headquarters in Union Gap, the Yakima Health District has bilingual staff offering testing, referrals, counseling, prevention education, coping sessions, and needle exchange programs. Located in Yakima, the People of Color Against AIDS Network focuses on one-on-one outreach and behavior change sessions to reduce the risk of STD and HIV transmission in the Yakima Valley in communities of color, specifically the Latino community. The New Hope Clinic in Yakima provides holistic health care for people with HIV/AIDS.

³⁸ Washington State Department of Social and Health Services; *Client Services Database*, February 2010.

³⁹ Washington State Department of Social and Health Services, Research and Data Analysis Division; February 2010. Note: these numbers do not add up, likely due to an overlap of cases between programs.

⁴⁰ Washington State Department of Health; *Washington State HIV Surveillance Report 4th Quarter 2009*, January 2010.

⁴¹ Washington State Department of Health; *HIV/AIDS Among Hispanics*, September 2009.

Persons with Drug and Alcohol Dependency

The Center for Disease Control uses the following definition for alcoholism:

Alcoholism is a primary, chronic disease with genetic, psychosocial, and environmental factors influencing its development and manifestations. The disease is often progressive and fatal. It is characterized by continuous or periodic: impaired control over drinking, preoccupation with the drug alcohol, use of alcohol despite adverse consequences, and distortions in thinking, most notably denial.⁴²

Alcoholism is associated with a number of health conditions including liver cirrhosis, pancreatitis, high blood pressure, heart disease, psychological disorders, and cancers of the liver, mouth, throat, larynx, and esophagus. Other problems linked to alcoholism include motor vehicle injuries and deaths, other disabling accidents, domestic violence, rape, divorce, job loss, financial problems, and child abuse. Excessive ingestion of alcohol, even for early abusers or first-time users, can cause death. And event withdrawal from long-term dependency on alcohol has been linked to strokes, heart attack, or death for some persons.

Drug abuse is generally defined as uncontrollable, compulsive drug seeking and use, despite negative health and social consequences.⁴³ Drugs that are the object of an addiction can range from legal prescription medications for pain or physiological health, to illegal natural or synthetic chemicals, including byproducts of natural plants.

A relatively new drug abuse problem is the proliferation of illegal methamphetamine labs and the manufacture of the drug by addicts in their homes, motel rooms, storage units, and automobiles. The problems related to methamphetamine go beyond the addictive problems and dangers to the user: due to the chemistry involved and the potential for exposure to hazardous contamination, children of abusers and other non-using family members, police, and the general public are all at risk of bodily harm.

To qualify as a disabled person for the purposes of receiving SSI, an alcoholic or drug addict must have another co-occurring disabling condition. Therefore a person with a singular diagnosis of alcoholism or drug addiction generally is not considered a candidate for Social Security Disability.

DSHS estimates 33.1% of Medicaid Disabled, 31.1% of Other Medicaid Adults, and 47.3% of General Assistance-Unemployable (GA-U) clients in need of drug and alcohol treatment actually received treatment in 2008 in Washington.⁴⁴

⁴² National Center for Chronic Disease Prevention and Health Promotion; *Alcohol and Public Health, ASAM*, 2001.

⁴³ Alan I. Leshner, Ph.D., Director, National Institute Of Drug Abuse, National Institutes Of Health; *The Essence Of Drug Addiction*, 2001.

⁴⁴ Washington State Department of Social and Health Services; *DASA Treatment Expansion: Spring 2009 Update*, 2009.

Many treatment programs require aftercare maintenance treatments that include transitional housing in alcohol/drug-free environments. During FY2007, 4,109 persons received some type of state-funded alcohol/drug-abuse related services from DSHS in Yakima County (including 2,682 in outpatient treatment and 903 in residential treatment). The type of help ranged from assessment of their alcoholism to residential treatment programs.

The most visible social issues associated with drug abuse are crime, poverty, neglect and abuse of children, family problems, and the decline of neighborhoods, public schools and areas associated with heavy drug trafficking and use. Additionally, addictions have been reported as a major cause of homelessness in Yakima County. In the January 2010 homeless count, 289 (29%) of the persons found homeless in the Yakima County self-reported alcoholism/drug abuse as the reason for their homelessness, with 58 of those identifying themselves as persons with both substance use and mental health problems.

Affordable transitional and permanent housing is vital, particularly for lower-income chemically dependent persons. Yakima County, like most communities in Washington and the US, does not have enough assisted affordable housing to meet the current need, let alone the growing need for post-recovering chemical dependents. Rental assistance vouchers or development of group-setting housing units are needed to add to the chances that lower-income persons exiting treatment remain clean and sober.

Some communities have created so-called “low barrier” housing units with on-site supervision and response access for emergencies. These units do not require sobriety or clean time from drugs as a lease condition. They keep the target population off the streets, near medical/mental health intervention services, and provide a degree of day-to-day supervision. It is also considered a possible connection to treatment over the long-term. For the most part it is a less threatening environment that can somewhat protect the hardest to reach alcoholic/drug addicts. At the same time, it protects the community and general public from the damage and costs suffered from the potentially detrimental lifestyle and ill health of an addict. HUD’s Safe Haven housing program is a funding source for development of such units. While there are low barrier facilities and facilities that tolerate resident alcohol use, there are currently no Safe Haven units in Yakima County.

Special Needs Services

In 2007, Yakima County had the highest use rate of DSHS services of all Washington counties – 122,098 individuals (52% of the total county population) used DSHS services.⁴⁵ Information on the numbers of special needs individuals in the Yakima County are generally estimated based on service-related data. If a person does not seek service and ends up in DSHS or other programs, most likely they are not included in the estimates for special populations. The figure below provides a comprehensive list of area residents that receive one or more services from the variety of programs sponsored by DSHS, which has the

⁴⁵ Washington State Department of Social and Health Services; Research and Data Analysis Division, Client Services Database, February 2010

primary responsibility within the state to serve special needs persons. The 2007 data below provides the most recent comprehensive list of persons receiving these services.

IV. FAIR HOUSING PRACTICES

Housing Lending Activity in Yakima County

Housing lenders are required by the Federal Home Mortgage Disclosure Act (HMDA) to report regularly on their lending activity. The Federal Financial Institutions Examination Council (FFIEC) prepares and distributes aggregate reports on behalf of the Federal Deposit Insurance Corporation, Federal Reserve Board, National Credit Union Administration, Office of the Comptroller of the Currency, Office of Thrift Supervision, and the Department of Housing and Urban Development. The Federal government compiles the results of the loan applications for home purchase, refinancing and improvements made by federally-insured lenders on an annual basis. The data include information on race, ethnicity, gender and income of applicants, which allows an analysis of lending nationally and at the local (regional) level.

While the data does not represent 100% of the home lending that takes place and is based on data collected on the entire metropolitan statistical area, the data show some trends affecting fair housing in the area.

Figure 23 shows the applications that resulted in loan originations and the percent denied by type of institution broken down by race, ethnicity, overall minority status and income of applicants. This is consistent with the census, which in recent decades contains expanded race identifiers, including the option of selecting more than one race. While lending institutions have been more rigorous about collecting demographic information about applicants, there are still gaps, which should be recognized in interpreting the summary data.

Figure 23
2009 Home Mortgage Disclosure Act (HMDA) Aggregate Report
Disposition by Race/Ethnicity of Applicant, Yakima MSA/MD

Race, Ethnicity and Income of Applicant	FHA, VA, FSA/RHS Loans			Conventional Loans			Refinance Loans		
	N	Orig.*	Denied	N	Orig.	Denied	N	Orig.	Denied
By Race									
White (Hispanic & Non-Hispanic)	1,188	71%	11%	925	68%	17%	5,646	52%	23%
By Ethnicity									
Hispanic/Latino	481	64%	14%	245	50%	33%	1,642	30%	42%
Non-Hispanic/Latino	755	78%	8%	728	72%	12%	4,448	58%	19%
By Minority Status									
White, Non-Hispanic/Latino	706	77%	8%	675	72%	12%	4,142	59%	18%
Minority and/or Hispanic/Latino	574	65%	13%	325	54%	29%	2,078	34%	38%
By Income of Applicants									
Less than 50% of MSA/MD Median	137	61%	13%	**	**	**	454	31%	46%
50%-79% of MSA/MD Median	402	71%	13%	210	63%	22%	1,094	39%	35%
80%-99% of MSA/MD Median	220	70%	9%	152	61%	22%	856	45%	29%
100%-119% of MSA/MD Median	195	72%	8%	128	70%	16%	839	47%	26%
120% or more of MSA/MD Median	374	78%	9%	561	73%	11%	3,230	57%	19%
Total Applications	1,346	72%	11%	1,144	67%	17%	7,042	50%	25%
*Applications accepted and resulting in origination of a loan. There were also applications that were approved but not accepted by the applicant or withdrawn.									
**Information not displayed if fewer than 100 loan applications.									
Source: FFIEC. 2009 Home Mortgage Disclosure Report, Aggregate Report. (www.ffiec.gov)									

The 2009 summary was derived from loan applications reported by 88 institutions with a home or branch office in the Metropolitan Statistical Area/Metropolitan Division (MSA/MD) and 165 institutions without a home or branch office in the area. The MSA/MD is an area that has at least one urbanized area of 50,000 or more population, plus adjacent territory that has a high degree of social and economic integration with the core as measured by commuting ties.

The data in Figure 23 include loan applications for single family and small multifamily units (1 to 4 dwellings). The largest number of applications (7,042) was for refinance loans – 5 to 6 times as many applications than for conventional home purchase loans and FHA, VA, FSA/RHS loans. Most (72%) of the FHA, VA, FSA/RHS loan applications resulted in a loan origination and 11% were denied. The remainder were approved but not accepted, withdrawn by the applicant, or were incomplete.

Among conventional loan applications in 2009, 67% resulted in a loan origination and 17% were denied. A much lower percentage of refinance loan applications resulted in loan

originations – just 50% of refinance loan applications in 2009 resulted in a loan origination and 25% were denied. Not surprisingly across all loan types presented, the percent of loan originations increased and denials decreased as incomes of applicants increased.

The HMDA data are useful in indentifying possible discrepancies in loans. Review of the 2009 aggregate reports for the Yakima MSA/MD indicates that Hispanic/Latino and minority applicants had lower percentages of loan originations and higher percentages of denials than non-Hispanic/Latino and non-minority applicants. The information did not provide enough data to determine if this was due to a consistent pattern of racial discrimination or if there are other factors affecting decision. Lenders consider many factors in rating loans, such as debt to income ration, employment history, credit history, collateral and cash on hand. Additional research is required to determine the real cause of differences observed in the table.

There are many reasons for denial of an application. Lenders consider a variety of factors in determining acceptability including debt to income ratios, employment history, credit history, collateral and cash on hand. Loans are denied based on high debt to income ratios, poor credit history, poor rent history, a lack of collateral, insufficient cash/savings, inability to verify or document information, incomplete applications and denial of mortgage insurance among other reasons.

In discussions with bankers and realtors three very significant issues were identified that affected many Hispanics. Many lacked documentation of income as many are paid in cash for their work. Secondly, many applications were left incomplete for either lack of documentation or lack of understanding of how to fulfill the documentation requirements. In addition, in spite of the fact that most lenders and many realtors had some Spanish language capacity within their organizations, understanding of the application requirements/translation issues were cited as problems by several persons we interviewed. Third, realtors indicated that there were cases of Hispanics applicants withdrawing from potential purchases because they (or a family member) did not have proof of citizenship.

Predatory Lending Practices

State Interest and Usury Law, RCW 19.52.020 (1), limits the amount of interest that can be charged to consumers at either 12% per year or 4% above the auction quotes for Federal Reserve 26-week Treasury Bills (whichever is the greater). The usury law applies to consumer loans that are not related to a credit card debt, a retail installment contract or a consumer lease.

In recent years there has been a proliferation of “Payday Loan Stores”, often located in areas where low and moderate income persons and/or where ethnic/minority groups are prominent. These stores offer short term loans to meet the emergency cash needs of borrowers. Many of the loans have resulted in pushing persons further into poverty and ruining credit. The state has limited the number of payday loans that can be made to an individual to 8 loans and has placed limits on the amount of the loan.

According to the State Department of Financial Institutions (WDFI), the following are among the common predatory lending practices:⁴⁶

- **Equity Stripping:** The lender makes a loan based upon the equity in your home, whether or not you can make the payments. If you cannot make payments, you could lose your home through foreclosure.
- **Bait-and-switch schemes:** The lender may promise one type of loan or interest rate but without good reason, give you a different one. Sometimes a higher (and unaffordable) interest rate doesn't kick in until months after you have begun to pay on your loan.
- **Loan Flipping:** A lender refinances your loan with a new long-term, high cost loan. Each time the lender "flips" the existing loan, you must pay points and assorted fees.
- **Packing:** You receive a loan that contains charges for services you did not request or need. "Packing" most often involves making the borrower believe that credit insurance must be purchased and financed into the loan in order to qualify.
- **Hidden Balloon Payments:** You believe that you have applied for a low rate loan requiring low monthly payments only to learn at closing that it is a short-term loan that you will have to refinance within a few years.

Other unregulated predatory lending businesses have offered very low interest rates for home loans in order to entice less knowledgeable homeowners or homebuyers to take out a loan. These businesses often charge extremely high fees and/or include quickly escalating interest rates which go far beyond regulated lending industry standards. Persons with limited financing experience, limited English skills or fear of loss of their property if immediate lending is not approved often fall prey to these practices and in doing so end up damaging their credit when they are unable to meet payments.

A recent phenomenon is the rise of on-line internet services offering payday loans. Many of these operate outside of the regulations and are not licensed in the State of Washington. A recent cease and desist order was obtained in October 2010 by WDFI against an on-line payday loan business operating out of Costa Rica.

⁴⁶ WA State Department of Financial Institutions website information, www.dfi.wa.gov.

V. FAIR HOUSING COMPLAINTS

HUD has the responsibility of enforcing the Fair Housing Act. Complaints that are filed may be investigated directly by HUD or may be investigated and processed by local certified agencies. In the state of Washington, the Washington State Human Rights Commission is the certified agency for fair housing and receives reimbursement from HUD under the Fair Housing Assistance Program. The Commission has separate jurisdiction over claims of discrimination covered under State law that are not otherwise covered under federal law.

The Northwest Fair Housing Alliance (NWFHA), located in Spokane, assists people in Eastern and Central Washington who have been discriminated against in housing because of race, color, national origin, disability, familial status (presence of children), marital status, religion, gender (sexual harassment or domestic violence may qualify), or sexual orientation with the investigation and filing of fair housing complaints with the Department of Housing and Urban Development (HUD) and the Washington State Human Rights Commission (WSHRC).⁴⁷ Their mission statement indicates the Alliance's goal is to eliminate housing discrimination and to ensure equal housing opportunity for people in Washington State through education, counseling and advocacy.

After a complaint is filed, it is normally investigated to determine whether there is reasonable cause to believe the Fair Housing Act has been violated. HUD will also try to help conciliate the complaint and resolve the issue before taking it further. If conciliation is not reached and there is reasonable cause, the complaint goes before an Administrative Law Judge to be heard. The Administrative Law Judge can order relief, and award damages, attorney's fees and costs. Either the respondent or complainant may choose to have the case decided in Federal District Court.

NATIONAL TRENDS

HUD annually prepares a report outlining the fair housing complaints filed nationally. The most recent report, *The State of Fair Housing Report – Annual Report on Fair Housing FY 2009*, summarized that a total of 10,242 complaints were received during the year - 8,165 by Fair Housing Assistance Programs (FHAPs) and 2,077 by HUD. Forty-four percent (44%) of the complaints were filed for discrimination based upon disability, 31% based upon race/ethnicity, 21% based on familial status, 13% based on national origin and 10% based on sex. The most common complaint was based on the terms and conditions of sale or rental of property while 22% was based on a lack of reasonable accommodation (for disabilities).

⁴⁷ www.nwfairhouse.org

The *2010 Fair Housing Trends Report* prepared by the National Fair Housing Alliance⁴⁸ was based on the analysis of 30,213 fair housing claims and complaints reported by member agencies, HUD, the Department of Justice and state and local government agencies in 2009 (this compares with the 17,453 complaints filed just 10 years before - in 1999). Of the total complaints made in 2009, 19,924 were received by the Fair Housing Alliance member organizations. The Alliance estimates that the more than 30,000 total complaints received nationally in 2009 from all sources represents less than 1% of the total fair housing law violations that occurred in the country.⁴⁹

A series of national studies on the experiences of African Americans, Hispanics, and Asians and Pacific Islanders in the housing market has found evidence of consistent adverse treatment in cases of refinancing of existing mortgages. While there was a 97% approval rate of refinancing applications by Whites, only 50% of Blacks received approvals.⁵⁰

Although disability was the most common basis for discrimination in national complaints filed with HUD and FHAP agencies in FY 2005 (49%), a recent HUD study suggests that those complaints also represent only a small fraction of incidents of disability discrimination in the housing market. In July 2005, HUD released its first study of housing discrimination against persons with disabilities. The study, *Discrimination against Persons with Disabilities: Barriers at Every Step*, examined the Chicago-area rental market and found that hearing-impaired people experienced consistent adverse treatment 49.5 percent of the time when using a telephone-operator relay to search for rental housing. Mobility-impaired people using wheelchairs experienced consistent adverse treatment 32.3 percent of the time when they visited rental properties.⁵¹

In December 2010, the Washington State Department of Financial Institutions (WDFI) announced that, as a result of charges filed against Countrywide Home Loans (CHL) was discriminating against ethnic and racially protected classes by offering loan products that were less favorable than those offered to non-protected classes, a \$650,000 settlement had been reached benefitting victims of the company's practices. In the settlement, DFI identified 123 victims of alleged discriminatory pricing. Each of these Washington residents will receive a settlement ranging from \$997 to \$26,176. The amount received depends upon the type of loan, the number of predatory features in the loan and whether or not the consumer was foreclosed upon.⁵²

⁴⁸ www.nationalfairhousing.org

⁴⁹ National Fair Housing Alliance. *2010 Fair Housing Trends Report*.

⁵⁰ FY2009 Annual Report on Fair Housing, HUD Office of Fair Housing and Equal Opportunity.

⁵¹ FY2005 Annual Report on Fair Housing, HUD Office of Fair Housing and Equal Opportunity.

⁵² WA State Department of Financial Institutions, December 23, 2010 News Release. www.dfi.wa.gov.

COMPLAINTS IN YAKIMA COUNTY

Complaints Filed with HUD

Over the past five years only four fair housing complaints have been filed with the Department of Housing and Urban Development involving cases in the County excluding the City of Yakima⁵³. The basis for the formal complaints were national origin (2 cases), disability and Race. There were six violations alleged in the four cases reflecting multiple allegations filed in two cases. The alleged violations cited were:

- Discrimination in terms/conditions/privileges relating to rental agreements (3 cases)
- Discriminatory acts under Section 818 such as coercion, intimidating, threatening or interfering with the rights of individuals (2 cases)
- Failure to make reasonable accommodation for disabilities (1 case)

All of these cases are closed and three were closed with a “no cause determination” indicating there was no violation established with the case. These cases, which were closed without a finding, do not provide sufficient information to demonstrate a pattern of discrimination. However, one case in 2009 involving alleged violation of the rights of a person with disabilities based on a failure to make reasonable accommodation for their needs and for discriminatory terms, conditions or privileges related to a rental agreement was concluded with a successful conciliation/settlement.

Complaints Filed with the Northwest Fair Housing Alliance

According to the Northwest Fair Housing Alliance (NWFHA), since October 2008 when they began maintaining an electronic database on inquiries, they received a total of 87 contacts from individuals in Yakima County excluding the City of Yakima on issues involving fair housing and non-fair housing issues⁵⁴.

NWFHA records show that three fair housing intakes were processed (excluding duplication of HUD intakes noted above). These cases involved disability (2 cases) and national origin (1 case).

Complaints Filed with the Washington State Human Rights Commission

In data provided by the Washington State Human Rights Commission, a total of 55 fair housing complaints were filed in Yakima County from 1999 to 2008. There undoubtedly some duplication of the Commission’s data with HUD and NWFHA data⁵⁵.

The most common bases for filing the cases were: Disability (13 cases); National Origin (13 cases); Race (12 cases); and Retaliation (8 cases) with the remaining 9 spread among familial

⁵³ FOIA Request to the Seattle Office of the U. S. Department of Housing and Urban Development. Report of complaints filed between January 1, 2006-December 31, 2010.

⁵⁴ Records of the NWFHA. January 1, 2006 – January 7, 2011.

⁵⁵ Washington State Human Rights fair housing complaints database 1999 – 2008.

status, sex and marital status. The number of cases ranged from 3-4 for the years 1999-2002, gradually to 7-8 cases during the period 2004-06 before dropping to 5-6 in 2007-08.

The primary violations alleged were:

- Terms and conditions of rental agreements (23 cases)
- Reasonable accommodation (7 cases)
- Eviction (6 cases)
- Refusal to rent (6 cases)
- Intimidation (5 cases)
- Other (11 cases)

Records on disposition of the complaints revealed that more than one-half (54%) resulted in a determination of “no reasonable cause”, “pre-finding settlement” (11), and the remaining some form of closure without resolution or were otherwise withdrawn.

Conclusions on Complaint Data

Caution should be followed in considering the data on complaints as there are different bases of information (the Commission data does include City of Yakima data whereas HUD and NWFHA data do not) and different definitions used among the three agencies.

However, the following observations can be made. The number of complaints made in recent years does not appear to be increasing. Few cases result in actual determinations of cause requiring resolution. Disability, National Origin and Race are the primary bases for filing the complaints. Disputes over the terms and conditions of rental agreements and a lack of reasonable accommodations for disabilities were clearly the most common issues raised by complainants.

VI. HOUSING PROGRAMS & ACTIVITIES IN YAKIMA COUNTY FURTHERING FAIR HOUSING CHOICE

SPECIFIC ORGANIZATIONS AND EVENTS

Several organizations and agencies are making efforts to improve fair housing in the Yakima Valley. The following describes some of the major programs and activities that further fair housing, expand housing choice in the Valley or otherwise assist persons who are in protected classes:

Yakima Valley Housing Authorities

All three housing authorities (Yakima City, Yakama Nation and the City of Sunnyside Housing Authorities) operate subsidized housing in a variety of settings for low and moderate income households including persons in classes protected under the Federal Fair Housing laws. The Authorities file fair housing marketing plans for their owned projects and each works on affirmatively furthering fair housing in their programs. Each of the Authorities take steps to inform residents and applicants of their rights and fair housing laws. Housing Authority staff is trained to answer questions and to make referrals on issues related to fair housing. Each has units for the elderly and disabled. Each coordinates with social services agencies assisting their tenants. Yakima County administers the Section 8 Leasing Program for residents of the County.

Northwest Community Action Center/Yakima Valley Farmworkers Clinic/Mid-Valley Providers Association

The agency provides a wide range of services for persons living in poverty, the elderly and disabled persons. Provide up to 3 months of rental assistance or shelter for families and disabled persons in poverty. Weatherization Programs which help homeowners remain in their housing and reduce housing expenses.

Central Washington Comprehensive Mental Health

With offices in Yakima, the CWCMH agency provides crisis services, housing, therapeutic treatment and counseling for persons for persons with particular disabilities. Assistance is provided to persons with mental illness and substance abuse, victims of domestic violence/sexual abuse and veterans. CWCMH also operates residential treatment facilities in Sunnyside and Yakima.

The Yakima County Asset Building Coalition

The Yakima County Asset Building Coalition (YCABC) was created from the momentum of a local grassroots Earned Tax Credit (EITC) campaign. The Coalition works toward meeting the need for financial literacy, asset building support and assistance for EITC clients and

other low income clients. The Coalition advocates for financial literacy and the development of personal assets for working families and individuals in Yakima County.

Southeast Washington Aging and Long-term Care (ALTC)

ALTC provides a range of services for persons with disabilities and the aging. Programs include physical improvements to make apartments and homes accessible to disabled persons. The agency provides support and assistance for care givers of the elderly or disabled, including respite care, counseling and home assessments; and maintains the Aging and Disabilities Resource Center with information on advocacy and how to navigate through the state and federal benefits programs. ALTC also provides assessment and case management for alternatives to nursing homes, oral health services, meals for the elderly, adult day care, senior re-training for employment programs and transportation services.

Consumer Credit Counseling Service of Yakima Valley

The Service provides debt counseling, credit counseling, housing counseling and pre-bankruptcy counseling for residents of the Valley.

Yakima Association of Realtors/First Time Homebuyer Program

The Program provides education and classes for first-time homebuyers in the County. Classes include budgeting, steps to obtaining a loan and financial literacy. Every other month classes are held in Yakima and Toppenish in English and in Spanish every other month in Yakima.

The Fair Housing Center of Washington

The Fair Housing Center serves western and central Washington by accepting and investigating complaints of housing discrimination, conducting training and education for housing providers and housing consumers to prevent and address housing discrimination. In addition the Fair Housing Center conducted rental, sales and mortgage lending testing.

Northwest Fair Housing Alliance

The Alliance provides counseling, advocacy and education on fair housing issues. Included is comprehensive housing training workshops for landlords and property managers. The agency also processes fair housing complaints.

The Northwest Justice Project

The agency offers legal assistance, education and legal aid to low-income persons in need of advice and counsel through their Spokane office. Services also include referral to other agencies such as Columbia Legal Services and other legal assistance providers.

Washington State Housing Finance Corporation

The WSHFC provides quarterly first-time homebuyer workshops. Among other related information, the classes provide information on loan terminology, appraisal process, general loan qualifications and housing inspections.

Yakama Nation Annual Housing Fair

An annual housing fair is held for tribal residents tribal members attracting 300-400 persons. Information and referrals on housing are provided.

Yakima County Latino Business, Consumer and Career Expo

In May, 2010, the Latino community held an exposition for the Latino community attended by 2,000 persons. The first-ever event provided booths for 100 vendors, businesses and agencies who provided information on job opportunities, products, services, and referrals for benefits.

Project Connect & Annual Homeless Point in Time Count

Each December, homeless providers, government and social services agencies provide a one day event to count the number of homeless in the County and to offer access to housing and services at locations in Yakima and Sunnyside. Homeless persons are offered services by 44 agencies on-site and are assessed and referred for housing. In 2010, almost 1,200 homeless persons were counted and over 500 were provided services.

MAJOR PLANNING ACTIVITIES AND ACTIONS

There are three other long-term planning efforts that have a major impact on furthering fair housing in the County.

Homeless Network of Yakima County

The Network, composed of housing and social services agencies, government and other community organizations, is the primary planning body for homeless planning in the County and has developed a Ten Year Plan to End Homelessness which includes a focus on the housing needs of disabled chronic homeless persons. It has several active committees, including the Affordable Housing Committee and the Self-sufficiency Committee.

The Affordable Housing Committee is engaged in developing a Housing Needs Assessment for the County as a base for determining how best to reduce barriers to the availability and accessibility of affordable housing, particularly for low income families and individuals. As part of that assessment, they will inventory all subsidized housing in the area. They will also compile, analyze and disseminate best practices in developing affordable housing, identify potential partners in providing a housing continuum of care, as well as advocate for and educate consumers and the public regarding issues involving affordable housing.

The Self-Sufficiency Committee is currently undertaking an effort to develop strategies for reducing poverty in the county and developing systems to prepare persons in poverty for increased self-sufficiency.

The Yakima County Government

Department of Human Services

The County Department of Human Services and United Way are collaborating to develop a “Community Indicators Project” which will collect and assess data measuring the self-sufficiency of individual clients and using this information to determine program

effectiveness. The results are intended to be used in improving the community response to the needs of low and moderate residents of the County and improving program outcomes.

In addition, to this project, the Department provides staff support to the Homeless Network (see above), the HUD HOME Program and the Consolidated Strategic Planning process. Staff administer the HOME Program which can offer housing assistance to low and moderate income persons, including persons with disabilities and the elderly. The HOME Program includes affirmative fair housing in administering the assistance provided. The Five Year Consolidated Plan, which provides a framework of action for improving housing and community development in most areas of the county outside of the City of Yakima, importantly includes actions to overcome barriers to affordable housing. Included are programs, which will increase affordable rental housing opportunities (for families and elderly/disabled persons) as well as assistance to help homeowners rehabilitate and bring their homes up to standard housing levels.

Department of Planning

The Planning Department, in support of the Planning Commission is responsible for the Building Codes, the Comprehensive Plan and the Growth Management Plan, each of which has significant potential impact on the availability of housing and housing choices. In addition, the Department is responsible for updating and enforcing the building codes of the County.

The Planning Department maintains a policy and practice of periodically updating the County codes to the latest state building codes. The Department anticipates making a major update to the building codes in 2011, which will include working towards simplification. In addition, in terms of accessibility standards for housing, they are currently using the most recent model building code and standards (ANSI 117.1.12003).

In terms of zoning, the current ordinance allows “mother in law” apartments and accessory apartments. Current efforts to amend the ordinance include adding an urban county ordinance. The Department is currently in the process of amending the zoning map to allow up-zoning in West Valley Planning Area to allow medium-high density in areas which were previously zoned for single family housing.

VII. IDENTIFICATION OF IMPEDIMENTS TO FAIR HOUSING & RECOMMENDATIONS

Below are five issues which have the effect of impeding fair housing choices in Yakima County. Several recommendations can be considered to reduce these impediments, some of which can best be implemented through coordinating efforts of local governmental agencies, non-profit agencies and/or planning organizations. Other recommendations may lead to new initiatives or changes in policies or approaches. Many can be considered through cooperative efforts between governmental agencies and local planning groups and organizations that are seeking to increase affordable housing and encourage self-sufficiency among all residents of the county.

- 1. Hispanics/Latinos are more than twice as likely as other potential borrowers to be denied financing when applying for conventional loans to purchase housing and to obtain refinancing of existing mortgages thereby limiting their housing choices.**

A review of the 2009 Home Mortgage Disclosure Act (HMDA) data on applications for housing financing reveals that the rate of denial of Hispanic/Latino applicants is 33% for conventional loans and 42% for refinancing compared with all other applicant's rate of 12% and 19% respectively. Discussions with bankers and real estate brokers and organizations assisting minorities to obtain housing financing, as well as revealed that the difficulties may stem from a lack of documentation of citizenship, lack of documentation of actual earned income, limited income, lack of understanding of the lending requirements, lack of understanding of loan application requirements, and poor rental or credit history.

In addition, advocates of minority and disabled groups have indicated that consumers are generally not aware of their rights and responsibilities under the Fair Housing Laws.

Recommendations:

- Support community activities that provide workshops, training and information on housing choices to racial/ethnic minorities and persons with limited language skills. Support the provision of citizenship classes.
- When marketing the HOME Program activities such as homeownership new construction and rehabilitation, be certain that the agency displays the fair housing logo among its materials and places of business, provides prospective applicants with information on their fair housing rights, and assists them to obtain counseling on financing and refinancing as

appropriate. As the HOME Program website is further developed, add information and logos on fair housing.

- Provide households representing racial and ethnic minorities with affirmative opportunities to participate in HOME Program homeownership activities.

2. Rental housing vacancy rates are extremely low making it difficult for persons with limited income, poor credit history, large families, disabilities requiring accommodation, no citizen documentation and or unverified income sources to compete for limited standard rental housing meeting the needs of prospective renters. These characteristics are more frequent among ethnic minorities, large families and disabled persons.

Some of the same reasons ethnic minorities fare poorer than others in obtaining and retaining homeownership, also result in creating barriers to their ability to find standard rental housing meeting their needs. According to agencies providing case management and services to low income populations, weak rent history, an inability to document income, applicant fears related to undocumented family members, discrimination against persons with Section 8 Vouchers, large families and a lack of understanding of their rights under landlord-tenant laws, make it difficult for low-income populations and minorities to find and retain housing affordable to them.

Yakima County apartment vacancy rates in March 2010 were a very low 3.2%, the second lowest rate for metropolitan areas in the state (compared to 6.1% statewide and a 5% rate which is considered a “healthy market rate”). For 2 bedroom units it was even lower at 2.4%, indicating that families had even fewer choices than singles and couples.

Hispanic populations are at a major disadvantage as according to HUD CHAS data, 72% of Hispanic renter households have “housing problems” (cost burdened or overcrowding) compared to all County renters at 52%. Representing 41% of the total population in the HOME Consortium, the affected Hispanic population is a significant segment of the population in the area. While representing less than 1% of the Consortium population, African American households have incomes at less than 50% of the median in the area.

The impact of these factors is that minorities and Hispanics are often forced to take rental housing that is too small for their needs, is in substandard or dilapidated condition or is otherwise poorly maintained. In addition, anecdotal information from counselors indicates that landlords will sometimes rent to monolingual Spanish speakers who may be undocumented because the landlords believe the tenants will not complain or try to protect their rights.

Finally, landlords may not be fully aware of their responsibilities, particularly related to persons with disabilities and persons who have been victims of domestic violence.

Recommendations:

- Promote programs and activities that offer the opportunity to construct new affordable rental housing programs serving lower income populations. Encourage programs and projects which most closely meet the specific needs of the disabled, large families, lower income populations and the elderly.
- Utilize the HOME Program as a subsidy to support the construction of affordable rental housing (this is currently planned for a second year activity).
- Support activities which provide counseling to renters on their rights
- Support local efforts and activities to provide landlords with information and understanding of fair housing rights of renters.

3. Disadvantaged populations often do not have the necessary English language skills, financial literacy, and/or credit management skills to obtain and maintain affordable housing.

Area lenders and realtors have identified that many prospective borrowers have difficulty in understanding the potential pitfalls and ramifications of borrowing. Many borrowers do not understand “balloon” payment provisions and refinancing charges. Language is a major barrier to comprehension as fully 10% of the HOME Consortium Hispanic population is “linguistically isolated” meaning they are unable understand complicated rules and regulations.

Many low- moderate-income households lack simple budgeting skills and skill in landlord/tenant relations. Others require preventative education to assist them in avoiding situations that may damage their credit or rent history such as experiences with the many predatory lenders that set up shop in low income and minority areas. Discussions with credit counselors, lenders and social services agencies indicate that predatory lending practices are a major issue, particularly among the lowest income groups. Predatory lending often causes the borrower to go further into debt and ultimately ruin their credit. The result can lead to reducing their housing choices in future years.

Finally, persons with disabilities have similar issues and often must rely on family members or case managers to advocate for them and protect their rights.

Recommendations:

- Support programs and activities which focus on improving self-sufficiency skills and/or assist low income persons with budgeting skills and knowledge of budgeting, home maintenance, credit management, loan terminology and financing, real estate transactions, tenant/landlord relations, and the dangers of predatory lending.
- Support activities which provide classes on English as a second language to persons with limited language skills.
- Wherever feasible, encourage bi-lingual instruction in any public workshops on housing and encourage and support the efforts of the banking and real

estate industry to provide culturally sensitive, bi-lingual assistance to homebuyers, renters and borrowers.

- Seek funding and/or assistance of community agencies to expand education to low- and moderate income persons to provide them with tools and understanding to prevent poor credit and rent histories. Encourage cooperative efforts of city government, local lenders, local realtors, local legal assistance and counseling programs and the state to expand the set of educational and support tools for targeted populations.

4. The current housing stock does not meet the needs of low-income and minority populations. Many minority families have larger than average family sizes and need larger homes or apartments to prevent overcrowding.

There already is an insufficient supply of standard, large apartments in the County. However, this situation has only worsened in recent years. Between 1990-2000, the number large families (five or more persons) in the County grew by 28%, a pace new construction would not be able to match. This trend has continued into the following decade.

Permits for multi-family housing have fallen far behind demand. In 2000, 36% of the County population was renters. However, 83% of housing permitted in the first 8 years of the decade were single family homes. This trend increased in the last 4 years to 90% of the units permitted for single family housing.

Affordability becomes an issue as the large apartments are almost non-existent, forcing large families into large single family homes which tend to have much higher rents than large apartments.

The lack of resources to construct multi-family housing at rents affordable to lower income households is a major barrier to housing choice. Subsidies are needed to encourage the development of new rental housing meeting this demand. Unfortunately, funding available from two major sources of public assistance to support new housing development, the State Housing Trust Fund and the 2060 Housing Assistance Fund have fallen to a fraction of their pre-Recession levels. Funds for infrastructure to support new subsidized housing construction are similarly in limited supply and state infrastructure grant funds are limited to supporting existing housing.

Housing counselors have also indicated that subtle discrimination by familial status may be taking place by landlords charging families by the person in overcrowding situations.

Recommendations:

- Advocate for the re-instatement of the Washington State Housing Trust Fund and other potential state and federal resources which can be used to support housing for lower income persons.
 - Encourage consideration of inclusionary zoning and other actions which support affordable housing in the updating of local planning documents.
 - Encourage the development of affordable rental housing by housing developers and housing authorities, including housing which is suitable for the needs of large families.
 - Encourage the development of new housing resources in locations close to jobs, transportation and services, utilizing “in-fill” sites wherever feasible.
5. **There is a lack of affordable and accessible permanent supportive housing choices for persons with disabilities, including chronic homeless persons; persons with developmental disabilities, mental illness and chronic substance abuse; and among persons in need of adult care.**

Fourteen percent of the County population is considered disabled. As a result of restructuring of social services during the Recession, Title 19 funds and Senior Citizens Act Funds have been deeply cut. Discussions with elder care agencies indicate that there are not enough adult group homes to care for seniors who have challenging behaviors or severe disabilities.

In addition, there is a general lack of preparedness on the part of the general population of the need to plan for long-term care for themselves and older family members. As a result, many find themselves without adequate care in their later years.

A related issue is the aging of care givers and family members of persons who are developmentally disabled. As care givers and family members age, they become physically and financially unable to continue to care for the disabled, resulting in the need for supplemental care and/or suitable housing.

There is also a significant population with mental health issues that lacks both adequate housing and services. A new emphasis on ending homelessness offers the opportunity to develop programs and activities that have a major impact on the seriously mentally ill and chronic substance abusing population that is at risk of homelessness or has fallen into homelessness. The County’s Ten Year Plan to End Homelessness recognizes the need for additional permanent supportive housing resources for persons with disabilities.

Another looming mismatch of housing stock with need is the “aging out” of “Baby Boomers” who are now entering retirement stage. It is estimated that the over 65 population in the County will grow from 11% to 14% of the population in the next 20 years. This will mean the need for a significant amount of small, affordable apartments and group homes (and services) for those needing care.

Recommendation:

- Consider in long-range housing planning efforts the trending housing needs of the elderly and disabled persons.
- Continue to aggressively pursue on an annual basis the McKinney-Vento Homeless Program bonus funds to increase permanent supportive housing resources in the county.
- Advocate for the retention or restoration of critical social service programs supporting the most severely disabled populations.

APPENDIX

ORGANIZATIONS AND REPRESENTATIVES CONTRIBUTING

- Housing Authority of the City of Yakima
- Yakama Nation Housing Authority
- City of Sunnyside Housing Authority
- Northwest Community Action Center/Yakima Valley Farmworkers Clinic/Mid-Valley Providers Association
- Central Washington Comprehensive Mental Health
- Southeast Washington Aging and Long-term Care (ALTC)
- Consumer Credit Counseling Service of Yakima Valley
- Yakima Association of Realtors/First Time Homebuyer Program
- Consumer Credit Counseling of Yakima
- The Fair Housing Center of Washington
- Northwest Fair Housing Alliance
- The Northwest Justice Project
- County of Yakima Planning Department
- County of Yakima Department of Human Services
- Yakima Valley Hispanic Chamber of Commerce
- Yakima Valley Council of Governments
- Yakima County Development Association
- Washington State Human Rights Commission
- U. S. Department of Housing and Urban Development