Analysis of Impediments to Fair Housing Choice

City and County of Denver
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SECTION I.

Community Profile
SECTION I.
Community Profile

This section provides a community and housing profile for the City and County of Denver. It includes the race/ethnicity and income concentration maps required by HUD for AIs, an analysis of housing choice and a discussion of access to opportunity—a growing area of emphasis in AIs.

Data sources for this section include the following:

- 2010 Census;
- 2010 American Community Survey (ACS);
- 2000 Census for comparative purposes;
- The City Denver 2012 Housing Task Force Report and Housing Plan;
- Unemployment rates and Quarterly Census of Employment and Wage (QCEW) data from the Bureau of Labor Statistics (BLS);
- The dissimilarity index provided by HUD;
- Variables that can be used to evaluate access to opportunity, which were gathered from a number of local sources.

Demographic Analysis

This section discusses the city’s population level and growth, as well as the income, racial/ethnic, household composition, disability and educational attainment characteristics of its residents.

Demographic Changes 2000-2010. During the past 10 years the City of Denver has changed—while not changing. The city gained population, most recently due to net in-migration (more people moving in than out of Denver). Unlike most parts of the country, this growth has not led to a shift in the city’s racial, ethnic or household composition. And, although poverty has increased, the city’s overall income distribution has shifted upward slightly. Specifically,

- The July 2010 population of Denver was 605,700, compared to 556,700 in 2000. The city has grown by 8.8 percent or by an average of 4,900 people per year.

- Denver remains the metro area’s largest city, housing 28 percent of the metro area population.

- Northeast Denver drove the city’s growth between 2000 and 2010: Stapleton, Montbello and Green Valley Ranch accounted for 75 percent of all population growth.

- Over the past 25 years, Denver has grown mostly due to natural increase (more births than deaths). This began to change in 2006. In 2009, population growth from positive net in-migration exceeded growth due to natural increase.
Denver’s racial and ethnic composition did not change between 2000 and 2010. City residents currently identify themselves mostly as white (69%). Thirty-eight percent reports being of Hispanic ethnicity. Ten percent are African American.

As in 2000, Denver residents are still most likely to be living alone (41%). Seventeen percent are married couples without children; another 18 percent live in other arrangements, which include living with roommates and same-sex partners. The proportion of married families with children—15 percent—was about the same as in 2000.

Poverty increased to 22 percent in 2010, from 14 percent in 1999. Poverty is highest for children: 39 percent of residents under 5 years old live in poverty. Denver’s poverty rate is similar to that of Austin, Minneapolis and Phoenix. Growth in child poverty was one, but not the primary reason, for the increase.

Racial and ethnic concentrations. In 2010, the largest racial group in Denver was white (69%), followed by African American (at a much lower 10%). The majority of Denver residents (52%) were non-Hispanic white and 32 percent were of Hispanic origin. Unlike many urban areas, Denver has added more white and non-Hispanic residents than residents of other races and Hispanic ethnicity. The proportion of persons of Hispanic descent in Denver did not change between 2000 and 2010. Figure I-1 shows the racial and ethnic distribution of Denver in 2000 and 2010.

Figure I-1.
Population by Race and Ethnicity, City of Denver, 2000 and 2010

<table>
<thead>
<tr>
<th>Race</th>
<th>2000</th>
<th>2010</th>
<th>Change in Proportion</th>
<th>Numerical Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Indian and Alaska Native</td>
<td>7,290</td>
<td>8,237</td>
<td>0.1%</td>
<td>947</td>
</tr>
<tr>
<td>Asian</td>
<td>15,611</td>
<td>20,433</td>
<td>0.6%</td>
<td>4,822</td>
</tr>
<tr>
<td>Black or African American</td>
<td>61,649</td>
<td>61,435</td>
<td>-0.9%</td>
<td>(214)</td>
</tr>
<tr>
<td>Native Hawaiian and Other Pacific Islander</td>
<td>648</td>
<td>607</td>
<td>0.0%</td>
<td>(41)</td>
</tr>
<tr>
<td>White</td>
<td>362,180</td>
<td>413,696</td>
<td>3.6%</td>
<td>51,516</td>
</tr>
<tr>
<td>Some Other Race</td>
<td>86,464</td>
<td>71,191</td>
<td>-3.7%</td>
<td>(15,273)</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>20,794</td>
<td>24,559</td>
<td>0.3%</td>
<td>3,765</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>2000</th>
<th>2010</th>
<th>Change in Proportion</th>
<th>Numerical Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic or Latino (of any race)</td>
<td>175,704</td>
<td>190,965</td>
<td>0.1%</td>
<td>15,261</td>
</tr>
<tr>
<td>Non-Hispanic White</td>
<td>287,997</td>
<td>313,012</td>
<td>0.2%</td>
<td>25,015</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, 2000 Census and 2010 Census.
One of the key components of a demographic analysis is an examination of the concentration of racial and ethnic minorities within a jurisdiction to detect evidence of segregation. In some cases, minority concentrations are a reflection of preferences—e.g., minorities may choose to live near family and friends of the same race/ethnicities or where they have access to grocery stores or restaurants that cater to them. In other cases, minority populations are intentionally steered away or discouraged from living in certain areas. Housing prices can also heavily influence where minorities live, to the extent that there are economic disparities among persons of different races and ethnicities.

According to HUD, an area of racial and ethnic concentration (also called a “minority impacted area”) is defined as where the percentage of persons in a particular race or ethnic group is at least 20 percentage points higher than the percentage of persons in the category for the city as a whole.

Using the above definition of concentration, block groups in Denver have a concentration if the following exists:

- A non-Hispanic white population proportion of 72 percent and more;
- A Hispanic population proportion of 52 percent and more;
- A Black or African American population proportion of 30 percent and more; and
- An Asian population proportion of 23 percent and more.
Figure I-2 shows the percentage of non-Hispanic white residents within each block group in the city. Non-Hispanic white concentrations tend to be in the central and southeastern portions of the city.

Figure I-3 shows the ratio of Hispanics to total population by block group in the city. As the map demonstrates, there are Hispanic concentrations in west, north-central and northeast Denver.
Figure I-4 shows the proportion of African Americans by block group in the city. African Americans are primarily concentrated in northeast Denver.

Figure I-4.
Percent of Population that is African American, City of Denver, 2010

Source: 2010 Census and BBC Research & Consulting.

Figure I-5 shows the proportion of Asian residents by block group in the city. There is one block group in the eastern portion of the city with a concentration of Asian residents.

Figure I-5.
Percent of Asian Population by Block Group, City of Denver, 2010

Source: 2010 Census and BBC Research & Consulting.
The Hispanic population is the largest minority group in both Denver and the metro region. Persons of Hispanic descent have historically been concentrated in neighborhoods directly west of downtown Denver, such as Sun Valley. The Highlands and Golden Triangle neighborhoods have also had large Hispanic proportions historically but have recently experienced gentrification and a reduction in the Hispanic population. Other areas of high Hispanic density have developed in the suburbs immediately north of Denver as well as in Aurora.

Historically, the African American population was concentrated northeast of downtown Denver but there has been a shift of the population to the east and southeast and the population has become less densely clustered. Although there is still a strong presence in north Denver, population densities are half what they were in the 1980s.

Racially/ethnically concentrated areas of poverty. Areas of racial and ethnic concentration are not, per se, areas lacking opportunity. Many areas that are racially and ethnically concentrated offer high opportunity amenities. It is therefore important to examine racial and ethnic concentrations in the context of other variables: poverty and income diversity, existence of affordable housing, neighborhood safety, and location of community amenities. This section of the report examines racially and ethnically concentrated areas and areas of concentrated poverty. Section III, the Access to Opportunity analysis, examines minority concentrations and access to affordable housing, quality schools, neighborhood conditions and transit.

"Racially or ethnically concentrated areas of poverty," also known by HUD as RCAPs or ECAPs, are areas in which there are both racial concentrations and high poverty rates. Specifically, they are Census tracts that have family poverty rates exceeding 40 percent or three times the regional poverty rate and are majority minority (minorities account for 50% or more of the total population).1

Altogether, 37 Census tracts in the region are RCAPs/ECAPs; 20 are located in Denver County, 8 are in Adams County, 8 are in Arapahoe County and one is located in Boulder County. Together, these RCAPs/ECAPs represent 5 percent of Census tracts in the region. Among the 150,750 people living in RCAPs/ECAPs, over half (57%) are in Denver, 20 percent are in Arapahoe County, 19 percent are in Adams County and 4 percent are in Boulder County.

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1 The regional poverty measure is defined by core based statistical area (CBSA) and is 9 percent for all portions of the Denver region, excluding Boulder (7%) and Weld (10%) counties.
In the region as a whole, African Americans and Hispanics have highest shares of residents living in RCAPs or ECAPs: 13 percent of African Americans and 14 percent of Hispanics live in RCAP/ECAPs, compared to 5 percent of Asians and 6 percent of other minorities. Overall, 5 percent the region’s population lives in RCAPs or ECAPs.

As displayed in Figure I-7, those proportions differ within each county that contains RCAPs/ECAPs. In Adams County, nearly 20 percent of African Americans live in RCAPs or ECAPs and in Denver County, 28 percent of Hispanic residents live in RCAPs or ECAPs. Denver has the highest proportion of total residents living in RCAPs or ECAPs (14%).
**Dissimilarity index.** The dissimilarity index is another measure of racial and ethnic concentration prescribed by HUD. The dissimilarity index is a way to measure evenness in which two separate groups are distributed across geographic units—such as Census tracts—that make up a larger geographic area—such as a county.

The index typically compares the proportion of the total population of a minority group in a Census tract and the proportion of the total number of the majority population (generally non-Hispanic whites) in that same Census tract.

The dissimilarity index is somewhere between 0 and 1. An index near 0 indicates perfect distribution of racial groups across all Census tracts in a region. An index of 1 indicates perfect segregation of racial groups across the region. As an example, one of the most segregated cities for whites and African Americans in the U.S. is Detroit, which has historically had a dissimilarity index exceeding 0.80.

HUD categorizes the dissimilarity index into three ranges that represent the intensity of segregation: less than 0.40 indicates low segregation, between 0.40 and 0.55 indicates moderate segregation and greater than 0.55 indicates high segregation.

HUD's calculation of the dissimilarity index by race and ethnicity, which was provided to DRCOG for the FHEA, showed a disparity in segregation by race and ethnicity. The comparison of the index between 2000 and 2010 shows very little change in segregation during the past decade.

**Figure I-8.**
**Dissimilarity Index, Denver Region, 2000 and 2010**

Note: NHW is non-Hispanic white. A dissimilarity index below 0.4 indicates low segregation and a dissimilarity index above 0.55 indicates high segregation.

Source: HUD and BBC Research & Consulting.

For this analysis, the dissimilarity index was also calculated for individual counties within the Denver region. Figure I-9 shows the dissimilarity index for each county for four racial and ethnic groups:
- Total minorities and non-Hispanic whites,
- African Americans and non-Hispanic whites,
- Asians and non-Hispanic whites, and
- Hispanics and non-Hispanic whites.

In interpreting the dissimilarity index, it is important to note that areas without much diversity usually have very low dissimilarity indices, while areas with the greatest diversity have high levels of dissimilarity. Thus, a “low” dissimilarity index is not always a positive if it indicates that racial and ethnic minorities face barriers to entry in a community.

### Figure I-9.
**Dissimilarity Index by County, Denver Region, 2010**

<table>
<thead>
<tr>
<th>County</th>
<th>Minority/NHW Dissimilarity Index</th>
<th>Hispanic/NHW Dissimilarity Index</th>
<th>African American/NHW Dissimilarity Index</th>
<th>Asian/NHW Dissimilarity Index</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Index</td>
<td>Index</td>
<td>Index</td>
<td>Index</td>
</tr>
<tr>
<td>Adams County</td>
<td>0.32 Low</td>
<td>0.36 Low</td>
<td>0.49 Moderate</td>
<td>0.27 Low</td>
</tr>
<tr>
<td>Arapahoe County</td>
<td>0.36 Low</td>
<td>0.41 Moderate</td>
<td>0.47 Moderate</td>
<td>0.30 Low</td>
</tr>
<tr>
<td>Boulder County</td>
<td>0.28 Low</td>
<td>0.39 Low</td>
<td>0.18 Low</td>
<td>0.30 Low</td>
</tr>
<tr>
<td>Broomfield County</td>
<td>0.12 Low</td>
<td>0.21 Low</td>
<td>0.19 Low</td>
<td>0.20 Low</td>
</tr>
<tr>
<td>Clear Creek County</td>
<td>0.11 Low</td>
<td>0.18 Low</td>
<td>0.21 Low</td>
<td>0.09 Low</td>
</tr>
<tr>
<td>Denver County</td>
<td>0.49 Moderate</td>
<td>0.55 High</td>
<td>0.56 High</td>
<td>0.35 Low</td>
</tr>
<tr>
<td>Douglas County</td>
<td>0.12 Low</td>
<td>0.12 Low</td>
<td>0.17 Low</td>
<td>0.28 Low</td>
</tr>
<tr>
<td>Gilpin County</td>
<td>N/A - only 1 CT</td>
<td>N/A - only 1 CT</td>
<td>N/A - only 1 CT</td>
<td>N/A - only 1 CT</td>
</tr>
<tr>
<td>Jefferson County</td>
<td>0.27 Low</td>
<td>0.32 Low</td>
<td>0.31 Low</td>
<td>0.27 Low</td>
</tr>
<tr>
<td>Southwest Weld County</td>
<td>0.28 Low</td>
<td>0.33 Low</td>
<td>0.29 Low</td>
<td>0.24 Low</td>
</tr>
</tbody>
</table>

Note: NHW is non-Hispanic white. Gilpin County is comprised of only one Census Tract (CT); as such, the dissimilarity index cannot be calculated.

Source: 2010 Census and BBC Research & Consulting.

### Age.
According to the 2010 Census, the median age of residents in Denver is 33.7, younger than both the state (36) and national (37) median ages. Over one-third of Denver residents are aged 25 to 44. However, the population between ages 55 and 64 was the only cohort to increase as a proportion of the population. Figure I-10 presents the age distribution of Denver by cohort in 2000 and 2010.
Household size. The average household size in Denver in 2010 was 2.22, slightly below the 2000 average of 2.27. As is typical, the average household size of renters in Denver is smaller (3.08) than the average household size of owners (3.36).

Large households, defined by the Census as having five or more persons in a household, made up 8 percent of the total occupied households in 2010. Nearly half (48%) of large households in Denver are renter households.

Large households can have unique housing needs because of the limited housing stock to serve them—especially rental housing stock—as well as lack of support and understanding of familial status protections in the Federal Fair Housing Act.

The map in Figure I-11 examines the location of large households within the city. Concentrated block groups are those in which large households make up more than 28 percent of households. Large household concentrations seem to be correlated with minority concentrated areas.
**Familial status.** Of Denver’s total households, 41 percent are people living alone; 17 percent are people living with roommates, unrelated individuals and others. Another 24 percent are family households with children. Of these 65,048 households with children, 62 percent were husband-wife families and 38 percent were single parent households. Figure I-12 displays the city’s 2010 household composition.

**Figure I-12.**
*Household Composition, City of Denver, 2000 and 2010*

<table>
<thead>
<tr>
<th></th>
<th>2000</th>
<th>2010</th>
<th>2000-2010 Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total households</td>
<td>239,235</td>
<td>263,107</td>
<td></td>
</tr>
<tr>
<td>Living alone</td>
<td>39.3%</td>
<td>40.6%</td>
<td>1.3%</td>
</tr>
<tr>
<td>Married without children</td>
<td>18.7%</td>
<td>17.2%</td>
<td>-1.4%</td>
</tr>
<tr>
<td>Married with children</td>
<td>16.0%</td>
<td>15.4%</td>
<td>-0.7%</td>
</tr>
<tr>
<td>Single Parents</td>
<td>9.8%</td>
<td>9.4%</td>
<td>-0.4%</td>
</tr>
<tr>
<td>Other Living Arrangement</td>
<td>16.2%</td>
<td>17.4%</td>
<td>1.2%</td>
</tr>
</tbody>
</table>

Single parent households—especially those with single mothers—have some of the highest rates of poverty in most communities. As such, they have needs for social services (child care, transportation) and affordable housing. Familial status is also a protected class under fair housing law and, in many communities, one of the most common reasons for fair housing complaints. Single parent households are therefore vulnerable to fair housing discrimination and often have fewer choices in the housing market because of their lower income levels.

Approximately 7 percent of all households in Denver are female-headed households with children. Based on the same definition of concentration as in the ethnicity maps, Figure I-13
shows that there are several block groups with a concentration of female-headed households with children in the city.

**Figure I-13.**
Percentage of Female-Headed Households with Children by Block Group, Denver, 2010

Source: 2010 Census and BBC Research & Consulting.

**Persons with disabilities.** The 2010 Census reported that 10 percent of Denver residents had a disability. Disability rates are highest for the city's senior population—39 percent of residents 65 and older have a disability. Figure I-14 compares disability rates and types of disabilities for seniors and non-seniors in Denver.
The 2010 ACS estimates the presence of persons with disabilities in the workforce. Of persons with disabilities who are working age (18 to 64), over half were not in the labor force, 31 percent were employed and 12 percent were unemployed.

**Income and poverty.** Denver median household income has increased since 1999 in actual, but not real, dollars. African Americans and persons of Hispanic descent experienced the greatest declines—losses of nearly one-fourth of their incomes when adjusted for inflation.

Figure I-15 shows Denver’s median household income by race and ethnicity in 1999 and 2010. In general, minorities have much lower earnings than non-Hispanic Whites.

---

<table>
<thead>
<tr>
<th>Source: U.S. Census Bureau 2010 American Community Survey.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Total Population</th>
<th>597,294</th>
<th>58,292</th>
<th>10%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Seniors (under 65 years)</td>
<td>536,065</td>
<td>34,632</td>
<td>6%</td>
</tr>
<tr>
<td>With a hearing difficulty</td>
<td>7,754</td>
<td>1%</td>
<td></td>
</tr>
<tr>
<td>With a vision difficulty</td>
<td>7,712</td>
<td>1%</td>
<td></td>
</tr>
<tr>
<td>With a cognitive difficulty</td>
<td>17,047</td>
<td>3%</td>
<td></td>
</tr>
<tr>
<td>With an ambulatory difficulty</td>
<td>14,770</td>
<td>3%</td>
<td></td>
</tr>
<tr>
<td>With a self-care difficulty</td>
<td>6,398</td>
<td>1%</td>
<td></td>
</tr>
<tr>
<td>With an independent living difficulty</td>
<td>11,189</td>
<td>2%</td>
<td></td>
</tr>
<tr>
<td>Seniors (65 years or older)</td>
<td>61,229</td>
<td>23,660</td>
<td>39%</td>
</tr>
<tr>
<td>With a hearing difficulty</td>
<td>10,536</td>
<td>17%</td>
<td></td>
</tr>
<tr>
<td>With a vision difficulty</td>
<td>3,458</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td>With a cognitive difficulty</td>
<td>5,753</td>
<td>9%</td>
<td></td>
</tr>
<tr>
<td>With an ambulatory difficulty</td>
<td>14,545</td>
<td>24%</td>
<td></td>
</tr>
<tr>
<td>With a self-care difficulty</td>
<td>6,232</td>
<td>10%</td>
<td></td>
</tr>
<tr>
<td>With an independent living difficulty</td>
<td>11,144</td>
<td>18%</td>
<td></td>
</tr>
</tbody>
</table>
The proportion of households by income category has shifted away from lower income households toward higher income brackets in the past 10 years.

Despite this shift in incomes, Denver’s poverty rate increased significantly between 2000 and 2010. The city’s population of those living below poverty increased by 50,000, as displayed in Figures II-17.
Figure I-17.

<table>
<thead>
<tr>
<th>Age</th>
<th>1989</th>
<th>Percent of Total in Poverty</th>
<th>1999</th>
<th>Percent of Total in Poverty</th>
<th>2004</th>
<th>Percent of Total in Poverty</th>
<th>2010</th>
<th>Percent of Total in Poverty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 5 years</td>
<td>9,890</td>
<td>13%</td>
<td>7,553</td>
<td>10%</td>
<td>14,657</td>
<td>18%</td>
<td>16,843</td>
<td>13%</td>
</tr>
<tr>
<td>5 years</td>
<td>1,709</td>
<td>2%</td>
<td>1,395</td>
<td>2%</td>
<td>1,291</td>
<td>2%</td>
<td>2,701</td>
<td>2%</td>
</tr>
<tr>
<td>6 to 11 years</td>
<td>9,478</td>
<td>12%</td>
<td>8,399</td>
<td>11%</td>
<td>11,984</td>
<td>15%</td>
<td>12,308</td>
<td>10%</td>
</tr>
<tr>
<td>12 to 17 years</td>
<td>6,422</td>
<td>8%</td>
<td>7,293</td>
<td>9%</td>
<td>5,000</td>
<td>6%</td>
<td>9,739</td>
<td>8%</td>
</tr>
<tr>
<td>18 to 64 years</td>
<td>43,166</td>
<td>55%</td>
<td>47,346</td>
<td>61%</td>
<td>45,514</td>
<td>56%</td>
<td>76,709</td>
<td>60%</td>
</tr>
<tr>
<td>65 to 74 years</td>
<td>3,774</td>
<td>5%</td>
<td>2,805</td>
<td>4%</td>
<td>1,533</td>
<td>2%</td>
<td>5,421</td>
<td>4%</td>
</tr>
<tr>
<td>75 years and over</td>
<td>4,076</td>
<td>5%</td>
<td>3,022</td>
<td>4%</td>
<td>1,969</td>
<td>2%</td>
<td>4,033</td>
<td>3%</td>
</tr>
<tr>
<td>Total</td>
<td>78,515</td>
<td>100%</td>
<td>77,813</td>
<td>100%</td>
<td>81,948</td>
<td>100%</td>
<td>127,754</td>
<td>100%</td>
</tr>
</tbody>
</table>

Poverty Rate: 17% 14% 15% 22%


Figure I-18 shows the proportion of *families* living in poverty by Census tract. Approximately 15 percent of all families in Denver are living in poverty, so concentrations are found in Census tracts in which more than 35 percent of families are living in poverty.

Figure I-18.
Percent of Families in Poverty, City of Denver, 2006-2010

Source:
2010 American Community Survey and BBC Research & Consulting.

Figure I-19 overlays Census tracts that have family poverty rates exceeding 40 percent with tracts that have more than 50 percent minority concentration to identify “racially concentrated areas of poverty,” or RCAPs. RCAPs are Census tracts that have family poverty rates exceeding 40 percent and have more than 50 percent minority concentration.
**Education and Employment.** Relative to national and state averages, the City of Denver has both a high proportion of residents with a bachelor's degree or higher and a high proportion of residents without a high school diploma. As displayed in Figure I-20, 41 percent of Denver residents have at least a college degree and 16 percent have not completed high school.

Over the past decade, Denver’s average unemployment rate was generally higher than the State of Colorado as a whole. Along with most communities, Denver's unemployment rate rose sharply in 2008 and 2009. As of 2011, Denver's unemployment rate (9.1%) was above the rate of Colorado (8.3%) and the U.S. (8.9%).
In 2010 there were 420,505 jobs in the City and County of Denver. Eighty-three percent of those jobs (350,773) were in the private sector, and the remaining jobs were in the government sector.

As shown in Figure I-22, the city’s largest employment sector is professional and business services (22% of all private sector jobs), followed by trade, transportation and utilities (21%) and education and health services (15%). The average annual wage for private sector employment in Denver is $57,204. Of all sectors, natural resources and mining pays the highest average wage ($157,362) and leisure and hospitality offers the lowest wage ($24,668).

Figure I-22. 
Private Sector Average Employment and Average Wages, City of Denver, 2010

<table>
<thead>
<tr>
<th>Industry</th>
<th>All Employees</th>
<th>Percent of Employment</th>
<th>Weekly Wage</th>
<th>Annual Wage</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Industries</td>
<td>350,773</td>
<td></td>
<td>$1,100</td>
<td>$57,204</td>
</tr>
<tr>
<td>Natural Resources and Mining</td>
<td>6,446</td>
<td>1.8%</td>
<td>$3,026</td>
<td>$157,362</td>
</tr>
<tr>
<td>Construction</td>
<td>14,080</td>
<td>4.0%</td>
<td>$1,048</td>
<td>$54,488</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>18,954</td>
<td>5.4%</td>
<td>$939</td>
<td>$48,819</td>
</tr>
<tr>
<td>Trade, Transportation and Utilities</td>
<td>73,385</td>
<td>20.9%</td>
<td>$924</td>
<td>$48,037</td>
</tr>
<tr>
<td>Information</td>
<td>13,788</td>
<td>3.9%</td>
<td>$1,953</td>
<td>$101,577</td>
</tr>
<tr>
<td>Financial Activities</td>
<td>33,331</td>
<td>9.5%</td>
<td>$1,601</td>
<td>$83,259</td>
</tr>
<tr>
<td>Professional and Business Services</td>
<td>77,530</td>
<td>22.1%</td>
<td>$1,370</td>
<td>$71,263</td>
</tr>
<tr>
<td>Education and Health Services</td>
<td>52,808</td>
<td>15.1%</td>
<td>$908</td>
<td>$47,204</td>
</tr>
<tr>
<td>Leisure and Hospitality</td>
<td>46,276</td>
<td>13.2%</td>
<td>$474</td>
<td>$24,668</td>
</tr>
<tr>
<td>Other Services</td>
<td>14,152</td>
<td>4.0%</td>
<td>$674</td>
<td>$35,059</td>
</tr>
</tbody>
</table>

Note: Average annual wages assume full-time employment and a 52-week work year.

Source: Bureau of Labor Statistics QCEW.
It should be noted that the employment data above represent jobs located in Denver, not necessarily jobs held by residents of Denver. According to the U.S. Census Bureau's Longitudinal Employer-Household Dynamics data, in 2010, only 29 percent of Denver jobs were held by Denver residents. Among employed Denver residents, 48 percent worked in Denver while 52 percent worked elsewhere.

**Housing Market Analysis**

This section examines the characteristics of Denver’s housing market in terms of homeownership, renter and homeowner characteristics, housing stock, and affordability. It should be noted that there are no sources of the location and availability of accessible housing for people with disabilities who require mobility accessible features. As such, an evaluation of supply relative to demand could not be conducted for this AI. Further research on this topic is a recommended action plan item.

This section was completed in conjunction with a housing market analysis, completed by the city in 2013 and 2014 to support development of the Denver Housing Plan.

**Housing type.** As the central city of a large metro area, Denver’s housing stock reflects a higher level of density than neighboring communities. One-quarter of Denver’s housing units are in large multifamily buildings (with 20 or more units) and slightly fewer than half of Denver’s housing units are single family detached.

<table>
<thead>
<tr>
<th>Figure I-23. Types of Residual Units, 2007-2011</th>
<th>Single Family Detached</th>
<th>Single Family Attached</th>
<th>Duplex/Triplex/Fourplex</th>
<th>5 to 19 units</th>
<th>20 or More Units</th>
<th>Mobile Home</th>
<th>Total Housing Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Denver County</td>
<td>46%</td>
<td>8%</td>
<td>6%</td>
<td>14%</td>
<td>25%</td>
<td>0%</td>
<td>283,658</td>
</tr>
<tr>
<td>Adams County</td>
<td>62%</td>
<td>8%</td>
<td>4%</td>
<td>12%</td>
<td>8%</td>
<td>7%</td>
<td>162,680</td>
</tr>
<tr>
<td>Arapahoe County</td>
<td>56%</td>
<td>9%</td>
<td>4%</td>
<td>17%</td>
<td>13%</td>
<td>1%</td>
<td>236,698</td>
</tr>
<tr>
<td>Boulder County</td>
<td>61%</td>
<td>8%</td>
<td>6%</td>
<td>12%</td>
<td>10%</td>
<td>3%</td>
<td>126,444</td>
</tr>
<tr>
<td>Jefferson County</td>
<td>65%</td>
<td>9%</td>
<td>5%</td>
<td>12%</td>
<td>8%</td>
<td>1%</td>
<td>229,687</td>
</tr>
</tbody>
</table>

Denver also has older housing stock than the rest of the metro area—46 percent of Denver’s housing units were built prior to 1960.

**Housing affordability.** Housing is “affordable” if no more than 30 percent of a household’s income is spent on housing costs (rent, utilities, mortgage, property taxes, etc.) This means that affordable housing is not defined by a specific price point but is relative to the income of residents.

Housing programs generally focus on specific income cohorts defined by HUD regional thresholds. Those thresholds are based on the area median income (AMI), which is $76,677 for the Denver region in 2014.

**Incomes of renters and owners.** In 2012, the median income for Denver renters was $33,629 and the median income for owners was $75,233. Both renter and owner incomes...
increased between 2000 and 2012 but renter incomes did not keep pace with inflation (owner incomes increased faster than inflation).

Figure I-24 displays renters and owners by income level. More than half of the city's renters earn less than $30,000 and 44 percent earn less than $25,000.

Nearly two-thirds of owners earn $50,000 or more; 47 percent earn at least $75,000.

**Figure I-24. Renters and Owners by Income Level, City of Denver, 2010**

Note:
HUD AMI was $75,900 in 2010 and $79,300 in 2012; $25,000 is approximately 30% AMI; and $37,500 is approximately 50% AMI.

Source: 2010 1-yr ACS and BBC Research & Consulting.

**Rental affordability.** Denver has historically had some of the region's most affordable rentals. A recent analysis showed that half of the region's most affordable rentals (<$625/month and affordable to households earning <$25,000/year) are located in the city. Yet trends indicate this is changing: Denver's rental market is becoming one of the most expensive in the region, as median rents in two of Denver's submarkets exceeded $1,400/month in third quarter 2013. Figure I-25 shows median rents by unit type for counties in the metro area as of the third quarter of 2013.

**Figure I-25. Median Rent by Unit Type, Third Quarter 2013**

Source: Metro Denver Vacancy Survey and BBC Research & Consulting.
Many of Denver’s lowest income renters struggle to pay their monthly rent. Approximately 27,000 Denver households at 30 of AMI or below are in need of rental subsidies. Many of those renters have special needs requiring supportive services. Accounting for persons who are homeless, the gap exceeds 30,000. The city has built more than 2,500 units since 2005 to address its rental gap, but the number of renter’s in need outpaced this development.

Figure I-26.
Rental Gap, City of Denver, 2010 and 2012/13
Source: BBC Research & Consulting.

The rental gap of 27,000 units is calculated by comparing the supply of housing at various levels of affordability with the demand for such housing based on the number of households in that affordability bracket. Figure I-27 provides additional detail about that supply and demand mismatch.

Figure I-27.
Rental Gap by Household Income, City of Denver, 2012
Note: There is not a shortage of affordable rental units for households earning more than $20,000 per year.


The city’s renters with the greatest needs are a diverse group. Some are seniors living on fixed incomes; some are students hoping that higher educational attainment will improve their earnings; many are single parents and married couples with children. Many of the city’s renters with the worst-case needs are special needs populations—at-risk of homelessness or formerly homeless, persons with disabilities, victims of domestic violence, residents challenged by mental illnesses and substance abuse. Figure I-28 displays the characteristics of renters earning less than 30 percent of AMI and of renters earning between 30 and 50 percent of AMI.
Figure I-28. Characteristics of Renters by Income, City of Denver, 2012

Source: 2012 ACS and BBC Research & Consulting.

Who are they?

0-30% MFI Renters (<$23,350)

38% of all Denver renters
- 62% 1-person households
- 24% Have children
- 17% Are seniors
- 27% Rent at affordable range
- 49% Renting “up” slightly
- 28% Have a disability

Who are they?

31-50% MFI Renters ($23,351-$38,900)

19% of all Denver renters
- 11% Are large households
- 29% 1-person households
- 59% Rent at affordable range
- 5% Rent “down”
- 28% Have children
- 14% Have a disability
- 9% Are seniors
Ownership affordability. Denver’s homeownership rate was 50 percent in 2010. This is unlikely to change dramatically in the future given limited land to develop and the small number of renters who are potential homebuyers: only 17,500 renters earn more than $75,000 per year.

Many Denver homeowners are lower income (35% earn less than $50,000) yet have been able to buy with sufficient resources. Still, minority homeownership lags behind non-minority homeownership (e.g., 38% of African Americans and Hispanic residents in Denver own homes v. 50% for whites).

Homeownership became more challenging for renters during the past decade: housing prices rose but their incomes did not. Only one-quarter of Denver’s renters can afford to buy the median-priced home.

![Figure I-29. Affordability of Detached and Attached Homes, 2000 and 2013](image)

From 2000 to 2013, the percentage of homes for sale at less than $300K dropped from 85 percent to 71 percent. Homes available for sale at less than $200K dropped from 64 percent to 44 percent.

As displayed by Figure 14, price increases were greater in Denver than in most surrounding communities (except Boulder).

![Figure I-30. Median Price of Homes to Buy, 2000 and 2013](image)

Affordable homes to purchase are located primarily in minority majority neighborhoods. Very few affordable homes are located in neighborhoods with high performing schools. Homes for sale and affordable to a Denver family earning the median income are difficult to find in parts of central and east central Denver, as demonstrated by the following maps.
Access to Opportunity

A growing area of interest in fair housing studies focuses on “access to opportunity.” This focus extends beyond an analysis of fair housing discrimination as evidenced in complaint and legal data and contains a broader examination of the factors that contribute to housing choice and economic opportunity.

Areas in which low income individuals are residentially segregated from middle income individuals are particularly likely to have low rates of upward mobility. Among the largest 100 metros, the Denver MSA ranks 40th for upward mobility of below-median income families.2

A regional evaluation of access to opportunity was conducted in 2014 as part of a Fair Housing Equity Assessment. This evaluation examined the following important community assets, which are critical to the overall quality of a neighborhood:

- Elementary school quality;
- Access to jobs;
- Health services; and
- Poverty.

This section highlights the primary findings from the access to opportunity regional analysis for Denver.

- School quality. Although many schools within Denver Public Schools are showing large performance gains, less than one-quarter of Denver residents live in a neighborhood with high quality schools.

- Job access. Employment opportunities, job training centers, educational attainment of residents and unemployment rates all have an impact on the long-term character and quality of a neighborhood. Job access in Denver is generally very good. The City and County of Denver provides the most jobs of any county in the region, at 29 percent of the region’s total jobs. Denver also has a high proportion of job training resources relative to its population with less than a high school degree.

- Health. Health facilities are reasonably well distributed relative to population density in the city and, through Denver Health, the city provides a health care system serving low-income, uninsured residents which is unparalleled in the region. Within the urban core, however, minority neighborhoods tend to have more limited access to healthy food.

- Poverty and income segregation. Income segregation is a problem region wide and has worsened. In 2010, the Denver metropolitan statistical area (MSA) had the 5th highest residential income segregation among the nation’s 30 largest metro areas.3

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2 Equality of Opportunity Project

segregation in the MSA grew considerably between 1980 and 2010. Denver has traditionally provided most of the region's resource for residents living in poverty—including much of the region's most affordable housing, although this is changing as housing becomes less affordable.

Figure I-31 summarizes access to opportunity for Denver relative to the region overall through graphical representations of diversity, opportunity and access. The variables are scaled to the region as a whole, such that values equal to one are equal to the county as a whole, values of two are twice that of the region and values of one-half are half that of the region. For example, a value of 2 for poverty means the county has twice the poverty rate of the region overall and a score of 0.5 means the county's poverty rate is half that of the region.

For indicators of opportunity and access, values are color coded (green and red) to indicate whether the county is performing better or worse than the region as a whole. For opportunity assets and for indicators of access, "better" means "higher" than the region (e.g., higher school quality is preferable). For opportunity stressors, "better" means lower than the region (e.g., lower crime is preferable).

The graphic is not intended to measure the city against an ideal but rather to show the differences among counties in the distribution of assets, stressors and access.
Figure I-31.
Denver Measures of Diversity, Opportunity, and Access

Diversity
- Radial/ethnic minorities
- Racial/ethnic concentration
- Persons with disabilities
- Families
- Seniors

Opportunity
Assets
- School quality
- Proximity to jobs
- Proximity to health facilities

Stressors
- Poverty rate
- Extreme poverty neighborhoods
- High crime neighborhoods
- Mortgage loan denials

Access
- Transit access
- Transportation costs
- Percent rentals
- Percent subsidized rentals
- Percent rentals less than $625
- Percent rentals $625 to $1,250
- Percent rentals $1,250 to $1,750
- Percent homes less than $150,000
- Percent homes $150,000 to $250,000

Source: BBC Research & Consulting.
SECTION II.

Public Policy Review
SECTION II.  
Public Policy Review

The city’s zoning regulations were reviewed to assess potential fair housing concerns or opportunities resulting from the development process. This section summarizes the findings from this review.

In addition to this review, the city engaged developers and builders in a discussion with city staff in May 2014. A summary of findings from this discussion follows the code review.

The final portion of this section summarizes the findings from a fall 2014 review of the city’s use of the Community Development Block Grant (CDBG) to address housing needs.

Zoning Code Amendments

In June of 2010, City Council adopted a comprehensive update to the Denver Zoning Code. Denver’s new code is a form-based zoning code which organizes code regulations by neighborhood contexts.

Most form-based controls are based on definitions of allowable building forms instead of the more traditional numerical limits on density, lot coverage, height, setbacks, lot size, dwelling unit size, on-site parking, etc. Such numerical limits can impose unintended barriers to affordable development, as was the case in Denver’s old zoning (based on a 2008 code review by Clarion Associates). While form-based zoning still regulates land use, it typically takes a lighter hand on use controls by focusing instead on form and context, which can accommodate a broader range of housing uses. Form-based zoning can also create more opportunities for “by-right” development, reducing the need for special approvals and hearings that can be time consuming and costly.\(^1\)

In theory, form-based zoning can make it easier or more difficult to build affordable housing. For example, if a particular neighborhood context allows for more efficiency in development layouts and/or includes lower parking requirements; affordable housing development becomes more feasible. However, if a particular neighborhood context restricts density, height or lot coverage, the form-based approach may impede affordable development.\(^2\) As a result, it is important for a city to consider affordable housing goals in designing form-based code.

According to an internal review completed by the Community Planning and Development (CPD) department, Denver’s new zoning code does contain specific provisions designed to remove zoning barriers to affordable housing development. Some of those provisions reflect an


expansion of existing successful strategies and some reflect new strategies to foster affordable development.

CPD summarizes the code revisions made to further affordable housing objectives as follows:

- **Parking requirement reductions.** These include reductions in Main Street zone carried forward (and Main Street zoning applied in more places), general reductions in the amount of off-street parking proposed, generalized existing reductions near transit, generalized existing reductions for affordable housing developments. Expansion of existing B-8-G parking exemption for first 5,000 square feet of ground-floor retail commercial uses.

- **Parking location flexibility.** Expansion of previous allowance for tandem parking in more zones. Design flexibility to encourage mechanized parking (less floor area and lower expense per structure space than standard parking spaces).

- **No Minimum Dwelling Unit Size.** Removed minimum dwelling unit size limits (previously 600 square feet) from all residential zone districts and allowed building forms in mixed use zone districts that can accommodate SRO uses.

- **Smaller Lot Size Zones for Single-Unit Housing.** For example, new urban neighborhood context zone districts, where mapped, will allow development on lots as small as 3,500, 4,500 and 5,500 square feet. There are also relaxed nonconforming lot provisions in the new code (no longer need to seek variance to develop on nonconforming lots, if can otherwise meet zone district building standards).

- **Accessory Dwelling Units (ADUs).** ADUs are allowed by-right in a significant number of new single-unit zone districts, across virtually all contexts (except Suburban). They are allowed by-right in all new two-unit, townhouse, and row house zone districts. No spacing requirements, although one flavor of SU zone districts will limit ADUs only to certain corner locations (must intersect with arterial or collector streets). No off-street parking requirement for the ADU.

- **Larger Building Step-backs and Other Urban Design Standard Revisions.** Step-backs retained as an important "transition" tool, where a mixed-use or other large building is adjacent to a smaller-scale (max 2- or 3-story) zone district. Step-backs as an urban design tool to create articulated building walls (for certain zone districts).

- **Density Bonus in FAR-Based Zone Districts.** Density bonus of housing retained in B-5 and B-5-T zone districts.

**Regulations Review**

To evaluate potential fair housing concerns within land use regulations, the city’s regulations were reviewed against the "Review of Public Policies and Practices (Zoning and Planning Codes)" template developed by the Los Angeles fair housing office of HUD. This section poses the questions from this checklist (in italics), along with responses.
Does the code definition of “family” have the effect of discriminating against unrelated individuals with disabilities who reside together in a congregate or group living arrangement? “Family” is not used as a dwelling descriptor in the Denver Zoning Code. Dwelling units are described by form as Single Unit, Two Unit, Multi-Unit, etc. Occupancy of residential units is described as “household living” and “group living.”

Household living is defined as residential occupancy of a dwelling unit by a single household. Tenancy is arranged on a month-to-month or longer basis. Household living includes Single Unit, Two Unit, Multi-Unit, Mixed Use and Live/Work dwellings. Occupancy of these units is limited to two unrelated individuals in single unit dwellings and four unrelated individuals in other dwelling types, but any number of family members (mother, father, grandmother, grandfather, son, daughter, brother, sister, stepson, stepdaughter, stepbrother, stepsister, stepmother, stepfather, grandson, granddaughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, uncle, aunt, nephew or niece) can occupy these units.

Group Living is defined as residential occupancy of a structure by a group of people that does not meet the definitions of “household living,” “lodging,” or “correctional institution.” The size of the group may be larger than a single household, and may include supervisory employees who reside on-site. Often, group living structures have a common eating area for residents. The residents may receive care, training, or treatment, and caregivers may or may not reside at the site. “Group living” includes the term “group home.” Group living use types include Assisted Living Facilities, Community Corrections Facilities, Nursing Homes or Hospice, Residences for Older Adults, Large Residential Care (9+ residents), Small Residential Care3 (8 or fewer residents), Rooming and Boarding Houses and Student Housing.

Household living and group living are permitted differently in different neighborhood contexts and zoning districts.

Zoning Regulation Impediment: Is the code definition of “disability” the same as the Fair Housing Act? Yes. The code defines disability, with respect to an individual as “a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such an impairment.”

Does the zoning ordinance restrict housing opportunities for individuals with disabilities and mischaracterize such housing as a “boarding or rooming house” or “hotel”? No. The definition of a rooming or boarding house specifically excludes residential care use, which describes group living where residents are provided supervised medical, psychological, or developmental care or treatment on a daily, regular basis. Individuals with disabilities, who receive regular supervision or care would be considered a “residential care use,” but even this use is not exclusive to individuals with a disability.

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3 Small and large residential care facilities include Transitional Housing, Homeless Shelters, Community Corrections Facilities and Special Care Homes.
Does the zoning ordinance deny housing opportunities for disability individuals with on site housing supporting services? No. Group living as a residential care use allows for on site support services.

Does the jurisdiction policy allow any number of unrelated persons to reside together, but restrict such occupancy, if the residents are disabled? No. The code restricts occupancy of unrelated individuals to two in a single unit dwelling and four in two unit or multi-unit dwellings; there is no distinct policy if the residents are disabled.

Those occupancy limits can be increased by permit (administrative process and fee) to three in single unit dwellings in Single Family zone districts, to four unrelated individuals in single unit dwellings in all other districts, and to six unrelated individuals in multi-unit dwellings (Section 11.9.4.15).

Any number of unrelated mobile seniors (55 and older) may live together in single or multi-unit dwellings and are not subject to the unrelated occupancy cap. Residential Care Uses allow another exemption to occupancy limits but, by definition, require that residents are provided supervised medical, psychological, or developmental care or treatment on a daily, regular basis.

The city may want to consider whether the occupancy restrictions discussed above have a disproportionate impact on residents with disabilities who may want to live together but do not require daily residential care.

Does the jurisdiction policy not allow disabled persons to make reasonable modifications or provide reasonable accommodation for disabled people who live in municipal-supplied or managed residential housing? No.

Does the jurisdiction require a public hearing to obtain public input for specific exceptions to zoning and land-use rules for disabled applicants and is the hearing only for disabled applicants rather than for all applicants? No. All applicants for variances follow the same process.

Does the zoning ordinance address mixed uses? How are the residential land uses discussed? What standards apply? Yes. The city has Mixed Use zone districts, Residential Mixed Use zone districts and Main Street districts, all of which include residential uses and are incorporated into all neighborhood contexts. (Note: Suburban neighborhood contexts do not include Residential Mixed use districts, but do include both Mixed Use and Main Street districts which have a residential use component). The residential use definitions and standards of these mixed use districts differ slightly between the mixed use district types and within different neighborhood contexts.

Does the zoning ordinance describe any areas in this jurisdiction as exclusive? No.

Are there any restrictions for Senior Housing in the zoning ordinance? If yes, do the restrictions comply with Federal law on housing for older persons (i.e., solely occupied by persons 62 years of age or older or at least one person 55 years of age and has significant facilities or services to meet the physical or social needs of older people)? There are no restrictions of senior housing that do not comply with Federal law. A residence for older adults is defined as a single unit dwelling or
multi-unit dwelling housing a number of unrelated mobile older adults (individuals fifty-five (55) or more years of age in excess of the number of unrelated persons allowed per dwelling unit, receiving fewer services than a special care home or assisted living facility. A residence for older adults shall not be considered a Residential Care use. Residences for Older Adults are limited to one per zone lot in single unit zoning districts and two per zone lot in two unit zoning districts.4

Does the zoning ordinance contain any special provisions for making housing accessible to persons with disabilities? Yes. Article 12.4.5 specifically addresses administrative adjustments for reasonable accommodations under the Federal Fair Housing Act and Article 12.4.7 discusses variances related to disability.

Does the zoning ordinance establish occupancy standards or maximum occupancy limits? As discussed previously, Single Unit dwellings are limited to two unrelated individuals and two unit or multi-unit dwellings are limited to four unrelated individuals, though residences for older adults are exempt. Residential care facilities are also distinguished by occupancy limits—Small residential care facilities can be occupied by up to eight residents and Large Residential Care facilities are those with nine or more residents.

Does the zoning ordinance include a discussion of fair housing? Article 12.4.5.3 discusses permitted types of administrative adjustments to the code, including adjustments to ensure compliance with federal law. The code specifically references compliance with the Federal Fair Housing Act as a guide for making reasonable accommodation.

Compliance with the principles, policies and regulations of federal and state fair housing legislation is also referenced as intent of residential care use limitations in Article 11.2.5.1 of the code.

Describe the minimum standards and amenities required by the ordinance for a multiple family project with respect to handicap parking. Article 10.4.5.5 states that accessible parking for disabled persons shall comply with the Denver Building and Fire Code and with the Americans with Disability Act (ADA) standards, provided, however, that the amount of accessible parking provided for multi-unit dwelling uses shall be no less than one (1) space for each dwelling unit constructed for occupancy by a disabled person.

Does the zoning code distinguish senior citizen housing from other single family residential and multifamily residential uses by the application of a conditional use permit (cup)? No.

Does the zoning code distinguish handicapped housing from other single family residential and multifamily residential uses by the application of a conditional use permit (cup)? No.

How is “special group residential housing” defined in the jurisdiction zoning code? As discussed above, group living is defined as residential occupancy of a structure by a group of people that

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4 A “zone lot” is defined as the land designated as the building site for a structure; also, the land area occupied by a use or a structure. Such land area may be designated as a zone lot only by the owner or owners thereof.
does not meet the definitions of “household living,” “lodging,” or “correctional institution”. The
size of the group may be larger than a single household, and may include supervisory employees
who reside on-site. Often, group living structures have a common eating area for residents. The
residents may receive care, training, or treatment, and caregivers may or may not reside at the
site. “Group living” includes the term “group home”. Group living use types include Assisted
Living Facilities, Community Corrections Facilities, Nursing Homes or Hospice, Residences for
Older Adults, Large Residential Care (9+ residents), Small Residential Care (8 or fewer
residents), Rooming and Boarding Houses and Student Housing.

Does the jurisdiction’s planning and building codes presently make specific reference to the
accessibility requirements contained in the 1988 amendment to the Fair Housing Act? The specific
amendment is not mentioned, but code discusses compliance with the Federal Fair Housing Act
in Article 12.4.5.3. Is there any provision for monitoring compliance? Article 12.11 addresses
enforcement and penalties for all violations of the zoning code.

Other items to note: One fair housing concern in Denver’s old zoning code was the limitations on
spacing of group homes. As a result, BBC examined the spacing, density, site and other
limitations for residential care use of group living in Denver’s new zoning code. A Large
Residential Care use shall be a minimum of 2,000 feet from another such use; and no more than
two other such uses shall exist within a 4,000 foot radius measured from the proposed use. The
Zoning Administrator may approve a Large Residential Care use in violation of the spacing and
density regulations if the spacing violation is less than 10 percent of the required spacing and
the location will not substantially or permanently injure the neighborhood. The Zoning Adminis-
trator may also require up to 200 feet of additional spacing between Large Residential Care uses
in impacted neighborhoods.5

The spacing requirements for Small Residential Care uses are less specific: locating the proposed
use in the neighborhood shall not substantially or permanently injure the appropriate use of
nearby conforming property, and shall not cause or add to the institutionalization of residential
neighborhoods that would prevent all residents, including the special populations, from being
able to reap the benefits of residential surroundings.

Developers Discussion

BBC conducted a focus group with approximately 40 local developers in March of 2014 to
discuss affordable development in the city. For the most part the group agreed that development
fees are fair (or even low) in Denver and that the Office of Economic Development is supportive
of affordable development and relatively easy to work with. However, the group noted that
development approval has become more difficult in recent year, partially due to the high volume
of projects in the pipeline.

The group provided a number of suggestions for what the city could do to improve and/or
incentivize affordable development in the city. Those suggestions included:

5 “Impacted neighborhoods” are those neighborhoods that have more Residential Care uses within their boundaries than the
city-wide average number per neighborhood.
- Priority status for affordable housing development in development review process;
- Relax zoning and code guidelines that add cost to developments (brick façade, garages, other design features);
- Offer fee waivers;
- Density bonus (difficult under form-based code but should be priority);
- Allow site-specific TIF as additional financing tool; and
- Address construction defects through legislation.

Suggestions related to improving/streamlining the development approval process included additional education for public works and fire staff involved in the approval process, providing case manager for affordable developments and coordinating housing priorities across city departments.

**Affordable Housing Performance Audit**

The City and County of Denver Audit Services Division recently released a Denver Affordable Housing Performance Audit (November 2014). The audit acknowledged recent efforts by the city to address the shortage of affordable housing but also identified several specific strategies for improvement:

- Consider leading funding practices such as tax abatements and shared equity mechanisms;
- Focus housing specific portions of the Office of Economic Development's strategic plan more squarely on affordable housing initiatives; and
- Dedicate more CDBG funds to housing (and away from economic development).
SECTION III.

Fair Housing Environment
SECTION III.
Fair Housing Environment

This section of the Denver AI addresses fair lending and fair housing complaints. The first part examines complaint data, testing and legal cases related to fair housing violations in Denver. The second part of this section contains an analysis of mortgage loan and community reinvestment data to detect fair lending concerns. The section ends with a discussion of the policies and procedures of the Denver Housing Authority.

The section begins with an overview of fair housing protections.

Federal and State Fair Housing Laws

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

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

HUD recently added sexual orientation and gender identification to the classes protected in HUD-funded programs.3

State and local fair housing ordinances. In 1991, the City and County of Denver adopted an anti-discrimination ordinance that contains fair housing protections which exceed those contained in the Federal Fair Housing Act.4 In addition to the classes protected in the Federal Act, the Denver ordinance prohibits discrimination based on sexual orientation, gender variance, marital status and military status.

2 Ibid.
3 These are not protected in the FHAA, however.
4 See Article IV, Section 28-95 of the Denver Municipal Code.
The State of Colorado has one of the country’s oldest laws prohibiting housing discrimination (Colorado Revised Statutes, Title 24, Article 34, Part 5 – Housing Practices). The state law includes additional protected classes of marital status, creed, ancestry and sexual orientation.

The Colorado Civil Rights Division (CCRD) enforces the state’s fair housing law. CCRD maintains formal work-sharing agreements with HUD and, through this relationship, has the authority to investigate and resolve housing discrimination complaints that fall under both state and federal fair housing law.

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

Fair Housing Complaints

Denver residents who believe they have experienced discrimination in violation of the Federal Fair Housing Act (FHAA) or state fair housing laws have many options for filing complaints:

- HUD’s Denver Office of Fair Housing and Equal Opportunity (FHEO);
- The Colorado Civil Rights Division (CCRD);
- The Colorado Division of Real Estate (certain transactions);
- The Denver Office of Anti-Discrimination (DADO);
- The Colorado Cross-Disability Coalition (CCDC);
- The Legal Center for Persons with Disabilities and Older People; and
- The new Denver Metro Fair Housing Center (DMFHC).

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

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

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

A complaint may be resolved in a number of ways. First, HUD will try to reach an agreement between the two parties involved. A conciliation agreement must protect the filer of the

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5  See http://www.dora.state.co.us/civil-rights/lawsandregulations.htm for the actual text of the law.
6  http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/online-complaint
complaint and public interest. If an agreement is signed, HUD will take no further action unless
the agreement has been breached. HUD will then recommend that the Attorney General file suit.

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

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

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

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

Alleged victims must first complete a housing intake packet. The packet is available online\(^7\) or
may be requested toll free at (800) 262-4845, and includes a housing intake form, a statement of
discrimination and an authorization to release information.

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

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

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

If a finding of Probable Cause is issued, Colorado law mandates that a conciliation conference be
held. A conciliator is assigned to work with both parties to try to resolve the complaint. If

\(^7\) [http://www.dora.state.co.us/civil-rights/index.htm](http://www.dora.state.co.us/civil-rights/index.htm)
successful, a formal agreement with the specifics of the settlement is drafted by the mediator and signed by both parties. If efforts to conciliate the case fail, CCRD’s director may issue a dismissal notice along with a Right to Sue letter, allowing the complainant to proceed to court. In some cases, CCRD may authorize the case for hearing before an Administrative Law Judge.

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

**Colorado Division of Real Estate.** The Colorado Division of Real Estate takes complaints against real estate brokers, appraisers and/or mortgage brokers for discrimination in real estate transactions. Complaints can be filed online or complaint packets may be requested by calling the Division at 303-894-2166 or 303-894-2185.

**Denver Anti-Discrimination Office.** DADO was created in 1991 as part of adoption of Denver’s anti-discrimination ordinance. DADO assists Denver residents with mediation and resolution of discrimination complaints of many types, including fair housing. Most of the cases they handle are related to employment discrimination. The office has a small staff (1 ½ full time employees), and handles approximately 50 cases per year.
A Denver resident who wishes to have DADO investigate a case ("Complainant") completes an intake form. The intake form must be signed, dated, and notarized. If the intake form is completed away from the agency office, it must be signed, dated, notarized and submitted by certified mail. It is also important that the resident submit copies of all pertinent documents with the intake form and keep documentation about the incident, since documents essential to the charge will be requested and submitted throughout the investigation period.

Within 15 days of the initial intake, DADO sends a letter of notification to the Respondent party. The Respondent must contact DADO upon receipt of notification and schedule a fact-finding conference. A written response may be requested of the Respondent. Both the Complainant and Respondent shall be notified by phone and by letter of fact-finding conference date. The intent of the fact-finding conference is to identify the issues of the case.

During the conference the parties attempt to determine which elements are undisputed, to resolve those issues which can be resolved, and to ascertain whether there is a basis for conciliation agreement. DADO conducts a further investigation of charges that cannot be resolved through mediation, no fault settlements or other alternative dispute resolution techniques.

The agency attempts to resolve the case through a conciliation agreement, signed by all parties and DADO, whereunder the alleged violation is eliminated and the Complainant/Charging Party is made whole to the greatest extent practicable.

A formal hearing may be conducted by DADO after the investigation is completed, if the agency has not settled by conciliation or dismissed the complaint, or where DADO has made a finding of probable cause. DADO will present its charges against the Respondent on behalf of the Claimant, and may use a mediator or alternative dispute resolution method in an attempt to resolve the complaint. Once a decision is made, the hearing officer shall issue a written recommendation to DADO for approval. DADO will then issue a decision to the Respondent, giving them 30 calendar days to comply.

In accordance with Chapter 28, Article IV of the Revised Municipal Code and the Colorado Rule of Civil Procedure 106, any person who does not agree with the decision of DADO, may appeal the decision in writing, with the appropriate court.

DADO’s website contains the city Anti-Discrimination ordinance, contains a form describing the intake process, provides some information on fair housing and gives DADO contact information.\(^8\)

**Colorado Cross-Disability Coalition (CCDC).** The Colorado Cross-Disability Coalition, or CCDC, is dedicated to ensuring the independence, self-reliance and full participation of people with all types of disabilities in Colorado. CCDC can be contacted online or the Advocacy Program department can be reached by phone at 303-839-1775, option 2.\(^9\) The CCDC Legal Program


\(^{9}\) [http://www.cccdconline.org](http://www.cccdconline.org)
brings lawsuits on behalf of CCDC and its members to enforce the Americans with Disabilities Act (ADA) and other statutes that protect the civil rights of persons with disabilities.

**Colorado Legal Services/Center for Persons with Disabilities and Older People (Legal Services).** Colorado Legal Services and the Center for Persons with Disabilities and Older People provide legal assistance to low income persons and seniors. In addition to various other types of cases, the organizations assist qualifying households with fair housing issues. Their services depend on the potential case, but range from advice from an attorney to legal assistance and representation in court. Legal Services can be accessed online or by phone at 800-288-1376.¹⁰

**Denver Metro Fair Housing Center.** DMFHC is a new fair housing organization in Denver and was started by the National Fair Housing Alliance. DMFHC is staffed with housing counselors, investigators and advisors to help residents in the metro area better understand and advocate for their rights and responsibilities. DMFHC also conducts fair housing testing, the results of which are summarized below. DMFHC can be contacted online or by calling 720-279-4291.¹¹

¹⁰ http://www.thelegalcenter.org
¹¹ http://dmfhc.org/complaint-process/
HUD Complaint Trends

BBC obtained complaint data for the city of Denver from HUD for January 2006 through May 2012. During this period, 266 complaints were filed. Figure III-1 presents the number of complaints filed by year. On average, 40 complaints are filed annually.

**Figure III-1. Number of Complaints, City of Denver, 2006 to May 2012**

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>50</td>
</tr>
<tr>
<td>2007</td>
<td>35</td>
</tr>
<tr>
<td>2008</td>
<td>40</td>
</tr>
<tr>
<td>2009</td>
<td>23</td>
</tr>
<tr>
<td>2010</td>
<td>41</td>
</tr>
<tr>
<td>2011</td>
<td>52</td>
</tr>
<tr>
<td>2012 (Jan-May)</td>
<td>25</td>
</tr>
</tbody>
</table>

**Note:** n=266 complaints.

**Source:** HUD FHEO Denver office.

Figure III-2 displays the basis for the complaints filed — that is, the type of protected class whose rights were allegedly violated. As shown, 62 percent of complaints filed cite disability as a basis for the complaint. Race/ethnicity (54%) was the basis of the second greatest proportion of complaints, followed by retaliation (21%).

**Figure III-2. Basis of Complaints, City of Denver, 2006 to May 2012**

**Note:**
- No complaints were filed on the basis of National Origin or Harassment.
- Numbers add to greater than 100 percent due to some complaints involving multiple bases.
- n=266 complaints.

**Source:** HUD FHEO Denver office.
Failure to make a reasonable accommodation was the most common complaint issue, consistent with the high proportion of complaints based on disability. This is followed by discriminatory terms or conditions in services and facilities which are different from residential housing. Discriminatory terms for accessing residential housing was the third most common complaint issue. Figure III-3 presents the issue involved in each of the complaints filed.

### Figure III-3.
**Complaint Issue, Denver, 2006 to May 2012**

<table>
<thead>
<tr>
<th>Issue</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Failure to make reasonable accommodation</td>
<td>55</td>
<td>21%</td>
</tr>
<tr>
<td>Discriminatory terms, conditions, privileges, or services</td>
<td>51</td>
<td>19%</td>
</tr>
<tr>
<td>Discrimination in terms/conditions/privileges, or services</td>
<td>34</td>
<td>13%</td>
</tr>
<tr>
<td>Discriminatory acts under Section 818 (coercion, etc.)</td>
<td>33</td>
<td>12%</td>
</tr>
<tr>
<td>Discriminatory refusal to rent</td>
<td>32</td>
<td>12%</td>
</tr>
<tr>
<td>Otherwise deny or make housing available</td>
<td>26</td>
<td>10%</td>
</tr>
<tr>
<td>Discriminatory advertising, statements and notices</td>
<td>8</td>
<td>3%</td>
</tr>
<tr>
<td>Other discriminatory acts</td>
<td>5</td>
<td>2%</td>
</tr>
<tr>
<td>Failure to permit reasonable modification</td>
<td>4</td>
<td>2%</td>
</tr>
<tr>
<td>Discrimination in the making of loans</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>Steering</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>Discriminatory refusal to negotiate for rental</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>False denial or representation of availability - rental</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>Discrimination in services and facilities relating to rental</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>Discriminatory refusal to sell</td>
<td>1</td>
<td>0%</td>
</tr>
<tr>
<td>Discriminatory refusal to rent and negotiate for rental</td>
<td>1</td>
<td>0%</td>
</tr>
<tr>
<td>False denial or representation of availability</td>
<td>1</td>
<td>0%</td>
</tr>
<tr>
<td>Discriminatory financing (includes real estate transactions)</td>
<td>1</td>
<td>0%</td>
</tr>
<tr>
<td>Discrimination in the terms/conditions for making loans</td>
<td>1</td>
<td>0%</td>
</tr>
<tr>
<td>Adverse action against an employee</td>
<td>1</td>
<td>0%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>266</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Note: n=266 complaints.
Source: HUD FHEO Denver office.

Figure III-4 presents the closure type for each of the 266 complaints. As shown, about 70 percent of complaints are closed with a “no cause determination.” Just 5 percent of the complaints resulted in a judicial consent order, conciliation or settlement.

### Figure III-4.
**Closure Type, Complaints, Denver, 2006 to May 2012**

<table>
<thead>
<tr>
<th>Closure Type</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>No cause determination</td>
<td>188</td>
<td>71%</td>
</tr>
<tr>
<td>Open complaints</td>
<td>23</td>
<td>9%</td>
</tr>
<tr>
<td>Complaint withdrawn by complainant after resolution</td>
<td>21</td>
<td>8%</td>
</tr>
<tr>
<td>Complainant failed to cooperate</td>
<td>12</td>
<td>5%</td>
</tr>
<tr>
<td>FHAP judicial consent order</td>
<td>9</td>
<td>3%</td>
</tr>
<tr>
<td>Conciliation/settlement successful</td>
<td>6</td>
<td>2%</td>
</tr>
<tr>
<td>Dismissed for lack of jurisdiction</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>Complaint withdrawn by complainant without resolution</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>ALJ consent order entered after issuance of charge</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>266</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Note: n=266 complaints.
Source: HUD FHEO Denver office.
DMFHC fair housing audit results. The Denver Metro Fair Housing Center released a report in February of 2014 detailing a housing audit they conducted examining discrimination in the metro area rental market.  The audit used a paired testing approach in which a pair of testers, posing as renters, individually inquire (by phone and/or in person) about the same rental property. The testers are matched such that all qualification characteristics (income, employment, credit history, etc.) are the same; the only difference is the protected characteristic (race, ethnicity or family status). The paired testing approach used in the study is particularly helpful in identifying types of differential treatment since discrimination often takes on subtle form.

The study found that racial/ethnic minorities as well as families with children in the Denver metro area face discrimination in the rental market. In the paired testing audit, African Americans encountered discrimination 67 percent of the time and Hispanics encountered discrimination 91 percent of the time when searching for housing in predominantly white areas. Families with children encountered discrimination 73 percent of the time.

The most common type of discrimination experienced by African American testers was being provided less information about the rental unit or complex followed by higher priced rent quotes. Among Hispanic testers, the most common types of discrimination were being given less information, told about fewer apartments and not being offered specials. Families with children were most likely to experience discrimination through discouraging statements from the rental agent.

Legal Cases

As part of the fair housing analysis, legal cases involving fair housing issues were reviewed to determine significant fair housing issues and trends in the City and County of Denver. Case searches were completed using the National Fair Housing Advocate’s case database and the U.S. Department of Justice’s fair housing database.

The legal cases presented in the databases include those that involved a court decision and have been reported to legal reporting services. (Open or ongoing cases would not be represented unless a prior court decision on the case has been made.) Additionally, disputes that are settled through mediation are not included in the reported cases.

As of July 31, 2012, there has been only one new fair housing legal case in the City and County of Denver since the 2007 AI. The most recent case (HUD v. Windsor Gardens Association) is summarized below along with the Denver cases that were included in the 2007 AI. It should also be noted that the 2007 AI summarized all cases in the Denver metro area whereas the legal cases reviewed below are limited to incidents that occurred in the City and County of Denver. The first two cases involve reasonable accommodations requests or discriminatory behavior based on disability, the third case involves race-based and familial status discrimination and the final case is related to familial status.

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**U.S. Department of Housing & Urban Development (HUD) v. Courthouse Square (2001).** In this case, Rayne Hymn filed a complaint against Courthouse Square Apartments and its property managers. Courthouse Square Apartments is a 157-unit apartment complex located in Denver, which is a HUD-assisted project for the elderly and persons with disabilities. Approximately 30 percent of the tenants are non-elderly handicapped persons.

The case description is lengthy and details many interactions between Ms. Hymn and the property manager for Courthouse Square Apartments. In general, Courthouse Square Apartments considered Ms. Hymn to be a problem tenant because of her abusiveness towards management staff and other tenants. Management evicted Ms. Hymn because of her behavior and noncompliance with the company’s pet policy (which was found in the case to be inconsistently enforced).

HUD investigated the case and found that reasonable cause existed to believe that discrimination had occurred based on the following:

1. Courthouse Square Apartments applied different standards regarding pets and disturbances to Complainant because of her handicap;

2. By terminating Complainant's tenancy because of her handicap, Courthouse Square Apartments directly or indirectly discriminated against Complainant in the rental of a dwelling;

3. By terminating Complainant's tenancy for creating disturbances, Respondents directly or indirectly refused to reasonably accommodate Complainant's mental handicap and thereby discriminated against Complainant; and

4. By terminating Complainant's tenancy because she assisted a fellow mentally handicapped tenant in discussing with Respondents a matter of concern regarding the other tenant's tenancy, Respondents directly or indirectly interfered with Complainant on account of her having aided another person in the exercise of rights granted by the Fair Housing Act.

The Administrative Law Judge who heard the case found in favor of Courthouse Square Apartments, determining that the Complainant had failed to prove that Courthouse Square Apartments engaged in discriminatory practices.

**Weinstein v. Cherry Oaks Retirement Community (1996).** Cherry Oaks was a privately owned residential care facility in Denver for senior citizens who had an impaired capacity to live independently but who were not in need of 24-hour care.

Prior to 1992, Cherry Oaks had a policy requiring facility residents who used wheelchairs or walkers to transfer to ordinary chairs when taking meals in the dining room. The wheelchairs and walkers were then removed from the dining room and placed in another room. The purpose of this policy, according to Cherry Oaks management, was to allow observation of the residents to ensure they were physically appropriate to remain in the boarding home.

In March 1992, the Weinsteins visited the facility as part of the process of selecting a personal care residence. As part of their visit, they ate in the dining room and Mr. Weinstein sat in his
wheelchair during the meal. Subsequent to their visit, the Weinsteins entered into a one-year lease with Cherry Oaks. At that time, Mr. Weinstein was ambulatory, although he required the use of a walker and occasionally a wheelchair.

In June 1992, Mr. Weinstein's condition began to deteriorate and the transfer from his wheelchair to the dining room chair became increasingly painful. The Weinsteins requested that Mr. Weinstein be allowed to dine in his wheelchair. For a while, he was allowed to eat in his wheelchair but eventually Cherry Oaks discontinued that practice and offered Mr. Weinstein two aides at no cost to assist him in the transfer.

As a result of Cherry Oaks' refusal to allow Mr. Weinstein to take his meals while remaining in his wheelchair, the Weinsteins ate all of their meals in their apartment and, at the end of their lease, moved out of the apartment. The Weinsteins filed a complaint with the Colorado Civil Rights Commission alleging that Cherry Oaks' policies and conduct constituted a discriminatory and unfair housing practice based on his disability. The Administrative Law Judge ruled in favor of the Weinsteins.

May v. Colorado Civil Rights Commission (2002). In July 1998, a white woman married to an African-American man with whom she had a child responded to an advertisement for an apartment. The landlord's property manager showed her the apartment and told her that the landlord did not want children living in the apartment. The tenant and the landlord spoke on the phone and the landlord agreed to rent the apartment to her. The landlord and the tenant signed a rental agreement and the tenant gave the landlord a postdated check as a deposit.

The next day, the tenant returned to the apartment and spoke to the property manager. When the tenant told the property manager her husband was African-American, the property manager advised the tenant to tell the landlord about her husband's race. The tenant did so by phone and, two days later, the landlord left a message on her answering machine retracting his offer to rent the apartment. When asked, the landlord said his reason for retracting the rental offer was that her deposit check was returned for insufficient funds.

The tenant filed charges of housing discrimination with the Colorado Civil Rights Commission alleging a violation of the Colorado Fair Housing Act (CFHA) because the landlord refused to rent to her based on her familial status and race. The landlord was served a notice of hearing and complaint and did not answer the complaint. When the case was heard, the landlord did not appear personally or through legal counsel at the hearing. The Administrative Law Judge (ALJ) determined that the landlord had violated the CFHA and awarded damages of $10,000 to the tenant and her family, and ordered the landlord pay an additional $10,000 in civil penalty to the state.

The landlord retained counsel and filed a motion to dismiss the ALJ decision and contended he was entitled to a new trial because of an impaired mental state. The Colorado Court of Appeals rejected all of the landlord's claims but did instruct the ALJ to reverse the award of damages and civil penalty and consider amounts that are more appropriate for the violation.

condominium association with violating the Fair Housing Act by discriminating against families with children under the age of 18. According to HUD's charge, Windsor Gardens Association allegedly maintained discriminatory restrictions and published discriminatory statements and advertisements that limited or denied housing to families with children. One statement read: “Head of household must be 50 years of age; children under the age of 17 are not permitted.”

“Condo associations that don’t meet federal requirements as housing for seniors only don’t have the right to turn away families with children,” said John Trasviña, Assistant Secretary for Fair Housing and Equal Opportunity. “With the nation's shortage of decent, affordable housing it's even more important that we take action against those who violate the Fair Housing Act.”

HUD's charge was the result of an investigation into Windsor Gardens Association's advertising practices. HUD determined that the association's promotional campaign, as well as its rules and policies, unlawfully restricted resident occupancy to persons age 50 and older and prohibited resident children under the age of 17.

Additionally, another ad read, “Windsor Gardens, Denver's premier in Town 50+ Community.” The Fair Housing Act prohibits condo associations from discriminating against families with children, unless the housing is exclusively designed for senior citizens. Housing may qualify as housing for older persons if it meets certain requirements, including that 80 percent of the units have at least one resident age 55 or older and that it publishes policies that demonstrate a consistent intent. Windsor Gardens does not meet the federal definition as housing for seniors only.

The case was settled with a $23,000 civil penalty and Windsor Gardens' agreement to actions in the public interest including mandatory education and training staff, verification of occupancy to ensure Windsor Gardens meets the federal definition as housing for seniors only, display fair housing marketing materials provided by HUD and notify HUD of any fair housing complaint filed against them for a period of five years.
Fair Lending Analysis

This section contains an analysis of fair lending conditions in the City of Denver using residential mortgage lending data and Community Reinvestment Act (CRA) ratings. It examines data on home mortgage applications and loans to detect differences in treatment of borrowers and highlights changes in subprime and predatory lending since the 2007 AI.

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

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

During an examination, the above indicators are evaluated and a rating for each institution is determined. Ratings for institutions range from substantial noncompliance in meeting credit needs to an outstanding record of meeting a community’s credit needs. Figure III-5 shows the CRA Ratings for the examinations of financial institutions in Denver for which CRA exam data were reported.

Figure III-5.
CRA Ratings, 1990 to 2011

<table>
<thead>
<tr>
<th></th>
<th>2000 to 2004</th>
<th>2005 to 2011</th>
<th>All (1990 to 2011)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
</tr>
<tr>
<td>Outstanding</td>
<td>1</td>
<td>6%</td>
<td>4</td>
</tr>
<tr>
<td>Satisfactory</td>
<td>15</td>
<td>94%</td>
<td>17</td>
</tr>
<tr>
<td>Needs to Improve</td>
<td>0</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>Substantial non-compliance</td>
<td>0</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>16</strong></td>
<td><strong>100%</strong></td>
<td><strong>21</strong></td>
</tr>
</tbody>
</table>

Note: Some banks may have been examined more than once.
Source: FFIEC Interagency CRA Ratings.

Three-quarters of the CRA examinations conducted between 1990 and 2011 resulted in a rating of “satisfactory,” and 17 percent were rated “outstanding.” Eight percent of the CRA exams concluded “needs to improve” or “substantial noncompliance” but all of these negative ratings were given prior to 2000. The ratings have continued to improve since 2004, with 19 percent rated “outstanding,” 81 percent “satisfactory” and no negative ratings.

Mortgage lending data. The best source of analysis of mortgage lending discrimination is Home Mortgage Disclosure Act, or HMDA, data. HMDA data consist of information about
mortgage loan applications for financial institutions, savings banks, credit unions, and some mortgage companies. The data contain information about the location, dollar amount, and types of loans made, as well as racial and ethnic information, income, and credit characteristics of all loan applicants. The data are available for home purchases, loan refinances, and home improvement loans.

HMDA data can provide a picture of how different applicants fare in the mortgage lending process. These data can be used to identify areas of potential concern that may warrant further investigations. For example, by comparing loan approval rates of minority applicants with non-minorities who have similar income and credit characteristics, areas of potential discrimination may be detected. Yet HMDA data do not contain all of the factors that are evaluated by lending institutions when they decide to make a loan to a borrower. Basically, the data provide a lot of information about the lending decision—but not all of the information.

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

The Federal Reserve is the primary regulator of compliance with fair lending regulations. When federal regulators examine financial institutions, they use HMDA data to determine if applicants of a certain gender, race, or ethnicity are rejected at statistically significant higher rates than applicants with other characteristics. The Federal Reserve uses a combination of sophisticated statistical modeling and loan file sampling and review to detect lending discrimination.

This section uses the analysis of HMDA data to examine disparities in high-cost lending and loan denials across different racial and ethnic groups, to determine if loans are being apportioned more favorably to some races as opposed to others. Only loan applications for owner-occupied properties are analyzed.

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13 Financial institutions are required to report HMDA data if they have assets of more than $32 million, have a branch office in a metropolitan area, and originated at least one home purchase or refinance loan in the reporting calendar year. Mortgage companies are required to report HMDA if they are for-profit institutions, had home purchase loan originations exceeding 10 percent of all loan obligations in the past year, are located in an MSA (or originated five or more home purchase loans in an MSA) and either had more than $10 million in assets or made at least 100 home purchase or refinance loans in the calendar year.
**Types of loans.** In 2010, there were approximately 31,100 loan applications filed in Denver for owner-occupied properties. Figure III-6 presents the distribution of loan applications by the types of loans applicants applied for in 2010. Most loans in the city were for conventional loans (73% or 22,740 loans). The remaining 27 percent were government-guaranteed loans.

**Figure III-6.**
**Types of Loan Applications, City of Denver, 2010**

Note: Less than 1 percent of loan applications were for FSA or Rural Housing loans. These loans are not included in this Figure.


**Purpose of loan applications.** When Denver residents applied for mortgage loans in 2010, most applied for a mortgage refinance (65%). An additional 32 percent of applicants applied for a loan to purchase a home. The remaining 3 percent of applicants applied for home improvement loans. In 2006, 51 percent of loan applications were for refinances and 43 percent were for home purchases.

**Figure III-7.**
**Purpose of Loan Applications, City of Denver, 2010**


**Action taken on loan applications.** Sixty-seven percent of loan applications submitted by Denver residents in 2010 originated, while 16 percent were denied. This represents a substantial drop from the 2006 denial rate of 25 percent. Figure III-8 compares the action taken on loan applications in Denver in 2010 with 2006.
Loan applications by race and ethnicity. When applicants identified their race and ethnicity as part of their mortgage application, they most often identified themselves as racially white (80%) and ethnically non-Hispanic (77%). Only 11 percent of loan applicants were Hispanic, although 27 percent of Denver’s population aged 18 and older is Hispanic.

Figure III-9 presents loan outcomes by race and ethnicity. Denial rates were highest for applicants who were American Indian/Alaska Native (36%), Hispanic (26%) and Black/African American (25%).

As shown in the figure, African Americans are denied at a rate that is 13 percentage points higher than white borrowers. Hispanic borrowers are denied at a rate 15 percentage points higher than non-Hispanic borrowers.14

<table>
<thead>
<tr>
<th></th>
<th>2006</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Loan Applications</td>
<td>57,144</td>
<td>31,131</td>
</tr>
<tr>
<td>Loan originated</td>
<td>49%</td>
<td>67%</td>
</tr>
<tr>
<td>Application approved but not accepted</td>
<td>9%</td>
<td>4%</td>
</tr>
<tr>
<td>Application denied by financial institution</td>
<td>25%</td>
<td>16%</td>
</tr>
<tr>
<td>Application withdrawn by applicant</td>
<td>14%</td>
<td>10%</td>
</tr>
<tr>
<td>File closed for incompleteness</td>
<td>3%</td>
<td>3%</td>
</tr>
</tbody>
</table>

14 A peer community, the City of Austin, has nearly the same proportion of denials by race and ethnicity and differential. The difference between African American and white borrowers in Austin was 12 percentage points in 2013; the Hispanic/non-Hispanic differential was 10 percentage points.
As the bottom rows of Figure III-9 shows, the most extreme disparity in lending occurs between Hispanic and non-Hispanic applicants: non-Hispanic applicants had a loan origination rate that was 15 percentage points higher than Hispanic applicants'. Similarly, Hispanic applicants had a denial rate that was 12 percentage points higher than non-Hispanic applicants'.

Denial rate by race/ethnicity by census tract. A further examination of loan approvals by race/ethnicity is provided in the maps that follow. Figures III-10 and III-11 overlay Census tracts containing loan denial rates above the city's 16 percent denial rate with the city's racial and ethnic concentrations.

North central Denver has both high rates of denials and Hispanic concentrations. Patterns for African Americans are less clear: some, but not all, areas with African American concentrations are also high-denial areas.

### Figure III-9.
Action Taken on Loan Applications by Race and Ethnicity, Denver, 2010

<table>
<thead>
<tr>
<th>Denials by race/ethnicity</th>
<th>Percent of Population 18 Years and Over</th>
<th>Percent of All Loan Applications</th>
<th>Percent Originated</th>
<th>Percent Denied</th>
<th>Percent Approved but Not Accepted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overall</td>
<td></td>
<td>100%</td>
<td>67%</td>
<td>16%</td>
<td>4%</td>
</tr>
<tr>
<td><strong>Race</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>1%</td>
<td>1%</td>
<td>43%</td>
<td>36%</td>
<td>3%</td>
</tr>
<tr>
<td>Asian</td>
<td>3%</td>
<td>2%</td>
<td>66%</td>
<td>17%</td>
<td>4%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>10%</td>
<td>4%</td>
<td>57%</td>
<td>25%</td>
<td>5%</td>
</tr>
<tr>
<td>Native Hawaiian or Pacific Islander</td>
<td>0%</td>
<td>0%</td>
<td>63%</td>
<td>19%</td>
<td>6%</td>
</tr>
<tr>
<td>White</td>
<td>73%</td>
<td>80%</td>
<td>69%</td>
<td>15%</td>
<td>4%</td>
</tr>
<tr>
<td><strong>Ethnicity</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td>27%</td>
<td>11%</td>
<td>55%</td>
<td>26%</td>
<td>6%</td>
</tr>
<tr>
<td>Not Hispanic or Latino</td>
<td>73%</td>
<td>77%</td>
<td>70%</td>
<td>14%</td>
<td>4%</td>
</tr>
<tr>
<td><strong>Racial and Ethnic differences between...</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>African American/White</td>
<td></td>
<td>-13%</td>
<td>10%</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Hispanic/non-Hispanic</td>
<td></td>
<td>-15%</td>
<td>12%</td>
<td>2%</td>
<td></td>
</tr>
</tbody>
</table>

Note: Twelve percent of applicants did not provide their ethnicity and 13 percent of applicants did not provide their race. As a result the "percent of all loan applications" column does not sum to 100%.

Figure III-10.
Census Tracts with High Denials Overlaid on African American Concentrations, Denver 2010

Subprime analysis. Until recently, one of the fastest growing segments of the home mortgage industry was subprime lending. From 1994 through 2003, subprime mortgage activity grew by 25 percent per year and accounted for $330 billion of U.S. mortgages in 2003, up from $35 billion a decade earlier. In 2006, subprime loans represented about one-fifth of all mortgages in the United States. However, the rates of subprime lending in 2010 were dramatically lower overall than in 2006 due to the collapse of the mortgage lending market in the late 2000s.

Approximately 1 percent (201 loans) of Denver’s originated loans was considered subprime in 2010. Of the subprime loans in which applicants reported their race/ethnicity, 93 percent were made to whites and 90 percent were made to non-Hispanics. African Americans received subprime loans 4 percent of the time and Hispanics received subprime loans 2 percent of the time, compared with 1 percent for whites and non-Hispanics. While there was some disparity in subprime lending by race/ethnicity in 2010, the difference is not great enough to suggest subprime loans were targeted to African Americans or Hispanics.

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This low level of subprime loans marks a dramatic change from 2006, when 26 percent of Denver's originated loans was subprime. Findings from a 2006 predatory lending study in Colorado suggest that subprime lending was highly concentrated in those areas with high minority representation and where linguistically isolated households reside. In 2006, in Denver, African American borrowers were 2.56 times more likely to get a subprime loan than white borrowers and Hispanic borrowers were 2.74 times more likely to get subprime loans. The relationship between subprime lending and income level was less striking than the relationship between subprime lending and minority representation.

Figures III-12 through III-13 demonstrates these trends in subprime lending in 2006. The maps suggest that during the height of the subprime crises, within Denver, minority concentrated areas were also high-subprime areas except for Census tracts in southwest Denver. Conversely, areas of high poverty were not always high-subprime areas.

**Figure III-12.**
Census Tracts with Populations over 50 Percent Minority Overlaid on Subprime Concentration, 2006

Figure III-13.
Higher-than-average Poverty Rate Overlaid on Subprime Loans, 2006

Foreclosure risk. Subprime lending is thought to be a contributor to the foreclosure crises, in addition to poor lending practices in general. Although the national foreclosure crisis has been in remission for the past several years (after peaking in late 2009), many communities—and many households—continue to face the risk of delinquency and foreclosure.

In an effort to inform community decisions regarding foreclosure prevention and neighborhood stabilization, the Local Initiatives Support Corporation (LISC) provides foreclosure risk scores for zip codes by metropolitan area (data are of September 2013). The highest risk zip code in the metro area is assigned a score of 100 and all others are assigned a relative score.

Figure III-14 displays the LISC scores for each zip code in Denver. As indicated by the figure, foreclosure risk is highest in the northern and western portions of the city. The zip code with the highest risk in the metro area was 80219, in southwest Denver. High-foreclosure areas are generally the same neighborhoods that had high subprime rates and a minority majority in 2006.

Figure III-14. LISC Foreclosure Index, Denver, September 2011
According to the Colorado Department of Housing Foreclosure Reports, Denver foreclosures peaked in 2008 at 6,212 filings and 4,362 sales. By 2010, filings had dropped by 19 percent and sales dropped by 34 percent. Foreclosures have continued to decline as shown below.

Figure III-15.
Foreclosure Filings and Sales,
City of Denver, 1Q10 to 2Q11

<table>
<thead>
<tr>
<th></th>
<th>Filings</th>
<th>Sales</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010 Q1</td>
<td>1,416</td>
<td>802</td>
</tr>
<tr>
<td>2010 Q2</td>
<td>1,134</td>
<td>717</td>
</tr>
<tr>
<td>2010 Q3</td>
<td>1,275</td>
<td>817</td>
</tr>
<tr>
<td>2010 Q4</td>
<td>1,228</td>
<td>544</td>
</tr>
<tr>
<td>2011 Q1</td>
<td>830</td>
<td>648</td>
</tr>
<tr>
<td>2011 Q2</td>
<td>826</td>
<td>639</td>
</tr>
</tbody>
</table>

Percent Change: -42% -20%

Source: Colorado Department of Housing.

Denver Housing Authority

The Denver Housing Authority (DHA) provides a variety of decent and safe rental housing options for families, persons with disabilities and seniors. DHA owns and manages traditional publically subsidized rental units, as well as mixed-income rental developments, which include market rates units without income restrictions. DHA also administers the largest jurisdictional housing choice voucher (HCV) program in the state.

This section summarizes DHA’s policies and procedures related to fair housing.

Housing Choice Voucher Program Administrative Plan (Administrative Plan). DHA’s Administrative Plan establishes policies for program implementation and administration under the guidance of HUD requirements. The Administrative Plan covers the eligibility and administration of housing programs with the objective that these programs provide rental housing assistance to extremely low income families, very low income families, and low income families who reside in, or wish to reside in, Denver.

The HCV program is a lottery based application process. Although the dates for the lottery change each year, DHA announces the dates in local newspapers under the public notice section. Applicants, who are at least 18 years old, can also find program entry information and due dates on the DHA website. Lottery ticket numbers are valid for a year and expire on December 31, and applicants must re-apply each year. Random drawings are held throughout the year. If an applicant’s number is selected, they will be notified by mail within 120 days of the drawing.

Once selected, an applicant will receive instructions on how to pick up and complete an application, as well as what additional documents may be required, and the due date to submit the application. The DHA occupancy staff will meet with the applicant to review the submission and determine eligibility. Once the application is approved, it can take 30 to 60 days to receive a housing voucher and set up an applicant orientation.

Public housing policies. DHA owns and manages approximately 3,900 subsidized properties, ranging from townhomes to high-rise communities to single family homes throughout the City
and County of Denver. Many properties on the subsidized housing list are identified as a residence for the elderly.

A public notice for open subsidized programs run in the Denver Post, El Semanario, Denver Weekly, and LaVoz. The notices are posted in English and Spanish. Applicants can also access the information on the DHA website. The “Current Status” page provides a list of properties that currently have units available and are accepting applications. A person interested in an available property listed can complete the online Public Housing Interest card to be added to all three waiting lists.

Applicants will receive a notification letter once their name appears at the top of the waiting list for prequalification; this may take 6 to 12 months. The letter notifies the applicant when and where to pick up an application packet. Once all forms are completed, the applicant will go through an interview to discuss eligibility (e.g., income verification).

Once approved, the applicant will be notified as a vacancy becomes available. Applicants are given two offers and if both are refused the applicant is removed from wait lists.

**Reasonable accommodation in housing for people with disabilities.** The DHA's Reasonable Accommodation in Housing Guidelines (RAHG) provides a policy to address reasonable accommodation in housing for applicants with a recorded physical or mental impairment that substantially limits one or more major life activities. The policy is in place to provide people with disabilities an equal opportunity to participate in, or benefit from, DHA housing programs. This policy provides affordable housing to low-income persons regardless of disability.

A reasonable accommodation is a modification or change DHA can make to its procedures, rules or to the person’s apartment, or to a public/common area, which would provide an otherwise eligible person with a disability an equal opportunity to participate in, or benefit from, DHA housing programs.

It is the responsibility of an individual with a disability to request an accommodation by completing a Request for Accommodation form and submitting it to the DHA’s 504 Coordinator. If an individual has a limitation that renders them unable to provide the request in writing, the DHA staff will assist them. Once the form is complete, a written response regarding the approval or denial of the request will be sent within 30 business days of the submission.

If an individual's disability is obvious or otherwise known to DHA, and if the need for the requested accommodation is readily apparent, DHA may use its discretion to waive the requirement for an individual to complete the full request for accommodation process. DHA staff will complete a Report of Verbal Request for Accommodation/Obvious Disability and Observed Need form. DHA will consider any request for a reasonable accommodation, and will explain, in writing, the basis for any denial to the individual making the request.
SECTION IV.

Public Input
SECTION IV. Public Input

This section details the results of the public outreach process for the AI. The public outreach process consisted of:

- **Resident forums and public meetings.** Fair housing outreach was included with the process for developing the City's Consolidated Plan and the Denver Housing Plan. A March public forum was attended by 80 residents and stakeholders. Comments from the public forums and meetings are incorporated throughout this section.

- **Online and paper resident surveys** offered in English and Spanish—128 responded; and

- **In-depth interviews** with local and regional subject matter experts.

The resident survey was distributed to 83 organizations and BBC staff surveyed individuals at the St. Francis day shelter in downtown Denver. By design, respondents to the resident survey are not statistically representative of Denver's population. Rather, the sampling plan focused on attempting to obtain surveys from members of protected classes.

Profile of Resident Survey Respondents

This section presents the demographic and socioeconomic characteristics of resident survey respondents, in addition to the protected classes they represent.

**Household size.** The greatest proportion of respondents—42 percent—lives alone. As shown in Figure IV-1, one in five respondents live in a large household with five or more members.

**Figure IV-1. Household Size**

<table>
<thead>
<tr>
<th>Household Size</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>One</td>
<td>42%</td>
</tr>
<tr>
<td>Two</td>
<td>22%</td>
</tr>
<tr>
<td>Three</td>
<td>9%</td>
</tr>
<tr>
<td>Four</td>
<td>8%</td>
</tr>
<tr>
<td>Five or more</td>
<td>19%</td>
</tr>
</tbody>
</table>

*Note: n=112.*

*Source: BBC Research & Consulting from the 2013 Denver Resident Survey.*

**Children and single parents.** One in five respondents to the resident survey has children under age 18 currently living in their home. Of these households, nearly 60 percent are single parents.
Figure IV-2.  
Children Under 18 in the Home and Single Parents

<table>
<thead>
<tr>
<th>Do you have children under age 18 living in your home?</th>
<th>Are you a single parent?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No (79%)</td>
<td>No (41%)</td>
</tr>
<tr>
<td>Yes (21%)</td>
<td>Yes (59%)</td>
</tr>
</tbody>
</table>

Note: n=112 and n=22.
Source: BBC Research & Consulting from the 2013 Denver Resident Survey.

Race and ethnicity. Figure IV-3 presents respondents race and ethnicity. About one in four respondents identify as African American—a much larger proportion than in the city overall—and 28 percent as Hispanic.

Figure IV-3.  
Race and Ethnicity

Note: n=109 and n=115.
Source: BBC Research & Consulting from the 2013 Denver Resident Survey.

Age. The median age of survey respondents is 50, and about one in five respondents is under age 35. As shown in Figure IV-4, 13 percent of respondents are age 65 or older.
Household income. As shown in Figure IV-5, half of the residents responding to the survey have household incomes of less than $10,000. Overall, 75 percent of households represented have incomes of less than $25,000.

Disability. Half of the households represented in the survey include a member with a disability. As shown in Figure IV-6, 41 percent of households that include a member with a disability are living in housing that does not meet their accessibility needs. Needed improvements include moving to a ground floor unit, installation of safety devices for the deaf and hard of hearing (e.g., flashing fire alarms, video from the lobby to the apartment, captioning for verbal announcements on intercoms), wheelchair accessible rooms and wheelchair accessible units.
Resident Housing Choice

Survey respondents answered a series of questions related to their current housing choice and housing options. These questions were meant to help determine the extent to which housing choice is limited for protected classes.

A significant proportion of respondents were homeless at the time the survey was administered; as such, respondents were able to personally describe how limited housing choice as affected them and/or their families.

Current housing tenure. Figure IV-7 presents the current housing tenure of resident survey respondents. As shown, the greatest proportion of respondents (42%) described themselves as homeless and an additional 11 percent are living with others but not paying rent. About three in ten respondents are renters. As noted previously, surveys were distributed at a day shelter which explains the high proportion of homeless participating in the research.

Type of housing. Respondents to the resident survey live in a variety of housing types, including having no shelter at all. As shown in Figure IV-8, about the same proportion of respondents live in a single family home (28%) as an apartment (27%). One in five respondents report sleeping in emergency shelters.
Satisfaction with current housing. Figure IV-9 presents satisfaction with current housing for all respondents and by selected respondent characteristics. Residents rated housing satisfaction on a scale from extremely unsatisfied (0) to extremely satisfied (9). Regardless of respondent characteristic, on average, most are not satisfied with their current housing. As shown, the average level of satisfaction for all respondents is 4.0. African Americans are relatively more satisfied (average of 4.8), followed by whites and households that include a member with a disability. The very least satisfied are large households and persons experiencing homelessness.

Figure IV-8.
Type of Housing

Note: n=121.

Source: BBC Research & Consulting from the 2013 Denver Resident Survey.

Figure IV-9.
Satisfaction with Current Housing

Note: African American/Black n=26, White n=55, Disabled n=57, All respondents n=128, Hispanic n=30, Single parent n=21, Large households (5+ members) n=21, Homeless n=49.

Source: BBC Research & Consulting from the 2013 Denver Resident Survey.
Reasons for dissatisfaction with current housing situation. Respondents who considered themselves unsatisfied with their current housing situation offered a number of reasons why they are unsatisfied. At least 20 percent of respondents indicated that crime/drug use in the neighborhood, bad/rude/loud neighbors or not enough job opportunities in the neighborhood were reasons for their dissatisfaction with their current housing situation. Few (5 percent or less) were concerned with decreased property values, a lack of affordable housing and poor/low school quality.

Figure IV-10.
Reasons for Dissatisfaction with Current Housing Situation

![Bar Chart]

Note: n=88. Numbers add to greater than 100 percent due to multiple response.
Source: BBC Research & Consulting from the 2013 Denver Resident Survey.

Most important reasons for choosing current housing. Nearly half of respondents cited affordability as one of the most important factors they considered when choosing their current home. As shown in Figure IV-11, the second greatest proportion of respondents (34%) considered the housing’s proximity to bus or transit stops, followed by proximity to a grocery store or fresh food (27%).
Desire to move. Overall, nearly 60 percent of respondents would like to move from their current housing situation. For 16 percent, this means moving into permanent housing. The greatest proportion of respondents indicated that a bigger housing unit, access to better job opportunities and saving money were reasons they want to move.
Barriers preventing move. Residents who expressed a desire to move from their current housing situation identified the barriers—if any—preventing them from moving. Not surprisingly, affordability was a barrier to moving for more than two-thirds of respondents. The second greatest proportion of participants (29%), responded that not having a car prevented a move. Participants in public forums and meetings prioritized affordable housing, particularly for residents with incomes less than 30 percent of the area median income (AMI). Residents and stakeholders also shared the importance of locating affordable housing, and housing in general, in transit oriented developments and transit-rich corridors.
Neighborhood

Respondents to the survey answered several questions about their neighborhood, including which neighborhood they live in, changes they would like to see in their neighborhood, and the availability of fresh food/grocery and public transportation.

Current neighborhood. Survey respondents live in many Denver neighborhoods. While almost 20 percent of respondents just indicated that they live in Denver, neighborhoods that were specified included Baker, Capitol Hill, Clayton, Cole, Congress Park, Curtis Park, downtown Denver, east Denver, Five Points, Green Valley Ranch, Golden Triangle, Harvey Park, Park Hill, Sun Valley, Washington Park, Westwood, and Whittier.

Desired neighborhood changes. When asked what they would change about the neighborhood they currently live in, at least one in five survey respondents would change their neighborhood to have:

- Less crime;
- Cleaner streets/sidewalks;
- Better maintained houses;
- Closer to job opportunities; and
- Less graffiti.

Figure IV-14 presents all of the aspects of their neighborhood that survey respondents would change.
Figure IV-14. Desired Neighborhood Changes

Note: n=116. Numbers add to greater than 100 percent due to multiple response.

Source: BBC Research & Consulting from the 2013 Denver Resident Survey.

Transportation

Survey respondents answered a series of questions related to transportation.

Travel to work. Underscoring that the respondents to the survey represent Denver’s most low income residents is the mode of transportation they use to get to work. As shown in Figure IV-15, two in five respondents take public transportation to get to work, compared to 7 percent of all Denver commuters. An additional 25 percent of survey respondents walk to work. Only one in four commute by driving, compared to 84 percent of the Denver residents.

Figure IV-15 also shows the typical amount of time it takes survey respondents to get to work. The greatest proportion of respondents (31%) take 45 or more minutes to get to work, much longer than the average Denver resident commute length of 24.1 minutes. This is not surprising given the large share of respondents using public transportation and walking.

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1 All comparisons to Denver survey respondents from 2011 ACS data for the city of Denver.
Figure IV-15.
Travel to Work

Note: n=117 and n=89.

Source: BBC Research & Consulting from the 2013 Denver Resident Survey.

Figure IV-16 compares commute times by mode of travel to work for the survey respondents. As shown, about two in five respondents who take public transportation spend 45 minutes or more getting to work and half of the respondents who walk also have this length commute.

Figure IV-16.
Comparison of Commute Time by Mode

Note: Walk n=18, Drive n=33, Bike n=6, Public Transportation n=37.

Source: BBC Research & Consulting from the 2013 Denver Resident Survey.

Travel mode for errands and groceries. As shown in Figure IV-17, the greatest proportion of respondents (42%) use public transportation for errands and grocery shopping. Slightly less than one-third drives.
Distance to grocery/fresh food. Most respondents to the survey can reach a grocery store or fresh food source within 20 minutes. For about one in ten residents travel time to a grocery store exceeds 30 minutes.

Potential transit use. As noted above, the Denver residents who responded to the survey are disproportionately high users of public transit compared to the overall Denver population. It is not surprising that half of survey respondents would use public transit to get to work if such transit were available in their neighborhood. As shown in Figure IV-15, 42 percent of respondents currently use public transit to commute to work. Figure IV-19 demonstrates that a small proportion of the residents surveyed would not use public transit if it were available in their neighborhood, compared to the majority that would.

Equal Treatment, Discrimination and Fair Housing Knowledge

The majority of survey respondents (64%) feel that residents of their neighborhood are treated the same as other residents in the community. Among the one in three residents who feel that not all community members are treated equally, class, race and homelessness were the most common explanations for disparate treatment. One deaf respondent described hearing residents receiving more favorable treatment from their landlord.
More than 26 percent of survey respondents said they had experienced some type of housing discrimination. The primary reasons respondents felt they had been discriminated against included the way they looked, because of criminal records and due to a hearing disability.

When asked how they responded to the discrimination, many residents “did nothing” (44%). Twenty-two percent of residents contacted a housing authority and 18 percent contacted HUD; many also contacted other organizations. Eighteen percent filed a complaint.

**Issues affecting the fair housing choice of persons with disabilities.** Attorneys and advocates from the Legal Center for Persons with Disabilities and Older People were consulted for this AI to help identify barriers in Denver for people with disabilities, including developmental disabilities, as well as persons with severe and persistent mental illness.

The primary barriers faced by the clients of the Legal Center include the following:

- The shortage of affordable housing—particularly subsidized rental units and Housing Choice Vouchers—disproportionately impacts persons with disabilities. Persons with disabilities living primarily through Social Security Disability Income (SSDI) need deeply subsidized rental units, renting at less than $500 per month.

- It is extremely difficult to find accessible, affordable rental units in Denver, as well as the region. Denver’s older housing stock, most of which was built well-before accessibility requirements, exacerbates this problem.

- Inflexibility of landlords in making reasonable accommodation is a huge problem. Oftentimes, a clients’ needs can be accommodated easily through some creative thinking.

- A growing number of individuals who have chemical sensitivities (to cigarette smoke, chemicals sprayed for bed bugs) contact the Legal Center for assistance with reasonable accommodations. In some circumstances, the only way to accommodate these individuals is by relocating them to another unit, which is very hard to find in the current rental market.

- The lengthy and complex form used by Denver Housing Authority (DHA) for reasonable accommodations requests can be intimidating and difficult for clients.

- The waiver process at the state level is very complicated; consolidation is needed.
Moving from institutions into the community requires many more resources and a higher level of community investment than currently exists. Many clients suffer from "transfer trauma"; this is not well planned for. The region needs more of the Colorado Coalition for the Homeless (CCH) onsite supportive service model. "Bridge vouchers" to help residents find housing (beyond the 60 day time period allowed) is needed.

Continued and frequent training, through a variety of mediums and to variety of landlords, is critical. This might include expanding current training efforts to larger audiences, such as members of the Apartment Association of Metro Denver, the Rocky Mountain Land Use Association, etc.

Tenant knowledge of their fair housing rights and the rights of others (e.g., the person in the building who has a service animal) is also needed.

Public transportation has improved in Denver. Access-a-Ride is over-subscribed and can take hours to reach clients.
SECTION V.

Fair Housing Impediments and Action Plan
SECTION V.
Fair Housing Impediments and Action Plan

Sections I through IV of this report present the research and public outreach processes conducted as part of the City and County of Denver’s update to the 2007 AI. The section begins with a discussion of the impediments found in 2007 compared to current impediments.

2007 Impediments to Fair Housing Choice—Do they remain?

The impediments found in the 2007 AI include the following:

- **Residents lack awareness about how to report fair housing violations.** In 2007, a statistically significant survey of Denver residents was conducted to determine the incidence of fair housing discrimination, as well as fair housing knowledge and awareness. Twelve percent of survey respondents correctly identified the Colorado Civil Rights Division (CCRD) as an organization that investigates complaints. Just 2 percent identified the City’s Agency for Human Rights.

  The survey conducted for this AI was targeted to protected classes and special needs populations to gather broader information about their housing needs. The surveys are not directly comparable; however, they can be used to examine general trends in fair housing.

  Both surveys found that when Denver residents experience discrimination, most do nothing about it and few take actions to report it. Of the 2007 survey respondents who felt they had experienced discrimination, the majority “did nothing” about it (51 percent) and many looked for another place to live/moved out (24 percent). Only 14 percent took some type of action to either obtain information or report their situation; 4 percent of whom tried to get help and couldn’t.

  The 2012 survey found that 44 percent of residents “did nothing” when they felt they had experienced discrimination. This is a down from 2007, yet remains a significant percentage. A larger share of residents took some action about the discrimination: 22 percent contacted a housing authority and 18 percent contacted HUD; many also contacted other organizations. Eighteen percent filed a complaint.

  It appears that the proportion of residents who take action if they feel their rights have been violated has improved. Ensuring that resident awareness remains high should continue to be a priority for the city.

- **Persons with disabilities face barriers to housing choice in the form of lack of accessible housing and discrimination.** This impediment was identified in the 2007 AI as a result of interviews with nonprofit agencies whose clients are persons with disabilities. These organizations reported that landlords do not understand or correctly respond to requests for reasonable accommodations and/or service animals.
Survey responses, public input and interviews with stakeholders collected as part of the current AI report that this continues to be the case for some landlords.

It is important to note that there are no sources of the location and availability of accessible housing for people with disabilities who require mobility accessible features. Nor are there good data to evaluate integrated housing opportunities for people with disabilities leaving institutional settings. As such, an evaluation of supply relative to demand could not be conducted for this AI. Instead, an assessment of how well the city’s housing meets the needs of persons with disabilities was informed through public input. The AI survey found that 41 percent of households that include a member with a disability are living in housing that does not meet their accessibility needs. Further research on the gap in demand for and the supply of accessible affordable housing is recommended.

- **Differences exist in lending to non-white, Hispanic populations.** The 2007 AI identified differences in mortgage lending denials between white and non-white borrowers, as well as Hispanic and non-Hispanic borrowers.

  Mortgage lending data from 2010 also found moderate differences in denial rates: African American borrowers were declined mortgage loans 25 percent of the time compared to 15 percent for whites; Hispanics, 26 percent v. 14 percent.

- **NIMBYism can be a barrier to affordable housing development.** The 2007 AI also identified Not-in-My-Backyard Syndrome (NIMBYism) as a potential barrier to housing choice based on a focus group with nonprofit and private sector developers. NIMBYism was raised less frequently by stakeholders in the 2014 AI.

### 2014 Barriers to Fair Housing Choice

The fair housing impediments found in the AI update include the following:

**IMPEDIMENT NO. 1. Lack of accessible, affordable housing limits housing choice for persons with disabilities.** According to the survey conducted for this AI, 41 percent of households that include a member with a disability are living in housing that does not meet their accessibility needs. Needed improvements include moving to a ground floor unit, installation of safety devices for the deaf and hard of hearing (e.g., flashing fire alarms, video from the lobby to the apartment, captioning for verbal announcements on intercoms), wheelchair accessible rooms and wheelchair accessible units.

Stakeholders who represent persons with disabilities confirmed the findings in the resident survey. Their clients are disproportionately impacted by the shortage of affordable housing, particularly subsidized rental units and Housing Choice Vouchers. Persons with disabilities living primarily through Social Security Disability Income (SSDI) need deeply subsidized rental units, renting at less than $500 per month. Denver’s older housing stock, most of which was built well-before accessibility requirements, exacerbates this problem.
**IMPEDIMENT NO. 2.** Discrimination continues to create barriers to housing choice in Denver and in the broader region. Twenty-six percent of residents responding to the AI survey said they believe they had faced housing discrimination.

The Denver Metro Fair Housing Center released a report in February of 2014 detailing a housing audit they conducted examining discrimination in the metro area rental market.¹ The audit used a paired testing approach in which a pair of testers, posing as renters, individually inquire (by phone and/or in person) about the same rental property.

The study found that racial/ethnic minorities as well as families with children in the Denver metro area face discrimination in the rental market. In the paired testing audit, African Americans encountered discrimination 67 percent of the time and Hispanics encountered discrimination 91 percent of the time when searching for housing in predominantly white areas. Families with children encountered discrimination 73 percent of the time.

The most common type of discrimination experienced by African American testers was being provided less information about the rental unit or complex followed by higher priced rent quotes. Among Hispanic testers, the most common types of discrimination were being given less information, told about fewer apartments and not being offered specials. Families with children were most likely to experience discrimination through discouraging statements from the rental agent.

**IMPEDIMENT NO. 3.** Lack of knowledge of fair housing laws (landlords) and/or not taking action when discriminated against (residents) negatively affect housing choice.

According to stakeholders, many landlords fail to comply with fair housing reasonable accommodations laws, largely because of their lack of understanding of their obligations. In addition, many residents said they "did nothing" when they felt they were faced with discrimination, which can potentially limit their access to housing and perpetuate discrimination.

### 2014 Recommended Fair Housing Action Plan

It is recommended that the City and County of Denver consider the following Fair Housing Action Plan (FHAP) and activities for reducing fair housing impediments:

**Action item 1. Reduce fair housing barriers for persons with disabilities.** The full extent to which Denver residents with disabilities face barriers to fair housing choice is unknown, as is the shortage of accessible units to serve them. Yet the shortage of rental units in Denver is significant, and the need for affordable, accessible units near transit and services further constrains choices in a tight market.

To mitigate existing and potential barriers, we recommend that the city:

- Request that HUD fund a testing program to identify the extent to which persons with disabilities are discriminated against and face barriers to accessing needed housing in

Denver. If HUD is unable or unwilling to conduct such testing, we recommend that the city consider funding a testing program modeled after HUD’s testing studies and using similar methodologies.

- Understand the inventory of accessible units in Denver, the location and condition of the units and the need for additional accessible units. Use this information to develop programs to expand housing choices of persons with disabilities.

- Sponsor fair housing training sessions with landlords and property managers, particularly those who serve the city’s lowest income and special needs populations. A key element of the trainings would be presenting case studies on tricky fair housing landlord/tenant situations and resolving the situations through the training. Participants would be able to offer their own situations for group discussions and explore solutions. If feasible, this training should be conducted regionwide, as these issues cross county boundaries and are a challenge for residents and landlords throughout the metro area.

- Continue to use Community Development Block Grant (CDBG) funds to support barrier removal programs in single and multifamily housing.

**Action item 2. Expand housing choices for protected classes for whom housing is limited.** The Denver Housing Plan contains a number of recommended actions to expand housing choices for residents and reduce barriers to affordable housing development. These action items should also expand access to housing for protected classes. These include:

- Exploring the establishment of a permanent funding stream to support affordable housing creation;
- Streamlining the application process for affordable housing development by better coordinating among departments, with funding partners and offering priority status for affordable housing developments in the review process;
- Increasing access to family oriented housing;
- Using the housing preservation tool created to proactively address loss of existing affordable housing units, particularly in gentrifying neighborhoods;
- Prioritizing city land for affordable housing development wherever possible;
- Working with community development groups to address the negative perceptions associated with affordable housing;
- Addressing construction defects through legislation.

**Action item 3. Continue supporting programs to improve the landlord tenant relationship and landlord understanding of possible tenant accommodations.** The City and County of Denver typically provides CDBG funding annually to organizations that provide landlord tenant counseling. For example, in 2014 Denver issued a Notice of Funding Availability (NOFA) for tenant landlord counseling services to give tenants access to information about their rights and provide referral sources for areas of renter rights under state and federal laws. Three separate nonprofit organizations were funded with a total of $120,000 from CDBG to
deliver these services. This funding will be continued and potentially expanded as resources become available and the need continues.
APPENDIX A.

HUD Fair Housing Guide Crosscheck
<table>
<thead>
<tr>
<th>Fair Housing Issue Area</th>
<th>How the issue is addressed in the AI</th>
<th>Where the issue is addressed in the AI</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date AI update was completed</td>
<td></td>
<td>2013-14</td>
<td></td>
</tr>
<tr>
<td>Data analysis of segregation</td>
<td>Analysis of Census data and mapping</td>
<td>Section I</td>
<td></td>
</tr>
<tr>
<td>Review of unintended impacts of limiting housing choice for protected classes</td>
<td>Resident survey of protected classes, many of whom were homeless</td>
<td>Section IV</td>
<td></td>
</tr>
<tr>
<td>Zoning regulations and code review</td>
<td>Code reviewed using HUD checklist</td>
<td>Section II</td>
<td></td>
</tr>
<tr>
<td>Assessment of how regulations, policies, economics affect location, availability, accessibility of housing for protected classes</td>
<td>Data analysis, policy review, resident input</td>
<td>Throughout AI</td>
<td></td>
</tr>
<tr>
<td>Demographic and housing market analysis</td>
<td>Analysis of demographic and housing data</td>
<td>Section I</td>
<td></td>
</tr>
<tr>
<td>Review of housing stock in range of prices and unit sizes</td>
<td>Analysis of housing data</td>
<td>Section I</td>
<td></td>
</tr>
<tr>
<td>Accessible housing availability</td>
<td>Survey of residents</td>
<td>Section IV</td>
<td>would require separate study</td>
</tr>
<tr>
<td>Assessment of housing needs for persons with disabilities</td>
<td>Survey of persons with disabilities, focus group with Legal Center for Persons with Disabilities, resident input at public meetings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use of scientific methodology</td>
<td>Use of large, statistically sound data sets (Census, apartment vacancy survey)</td>
<td>Throughout AI</td>
<td></td>
</tr>
<tr>
<td>Avoid confusing barriers to affordable housing and impediments to housing choice</td>
<td>AI focuses on impediments, not just affordability</td>
<td>Section V</td>
<td></td>
</tr>
<tr>
<td>Affordability barriers also impediments to fair housing choice</td>
<td>Affordability not primary barrier to choice</td>
<td>Section V</td>
<td></td>
</tr>
<tr>
<td>Fair Housing Action Plan</td>
<td></td>
<td>Section V</td>
<td></td>
</tr>
<tr>
<td>Areas of minority concentration and opportunity analysis</td>
<td>Analysis of Census data and opportunity variables</td>
<td>Section I</td>
<td></td>
</tr>
<tr>
<td>Determination of the presence of barriers based on protected class</td>
<td>As much as possible throughout AI</td>
<td>Section V</td>
<td></td>
</tr>
<tr>
<td>Activities of public housing authority</td>
<td>Denver Housing Authority policy review</td>
<td>Section III</td>
<td></td>
</tr>
<tr>
<td>Public transportation plan</td>
<td>Regional analysis</td>
<td>Section I</td>
<td></td>
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<tr>
<td>School quality and access to housing</td>
<td></td>
<td>Section I</td>
<td></td>
</tr>
<tr>
<td>Source of income analysis</td>
<td></td>
<td>Data not available to assess; source of income testing or surveys have not been conducted in Denver</td>
<td></td>
</tr>
<tr>
<td>Fair housing environment discussion</td>
<td>Complaint and legal analysis; review of access to fair housing resources</td>
<td>Section III</td>
<td></td>
</tr>
<tr>
<td>Actions to ensure that affordable housing available to racial and ethnic minorities and persons with disabilities</td>
<td>Part of Fair Housing Action Plan in Section V and city's broader Housing Plan</td>
<td>Executive Director of Denver Housing Authority sits on Mayor's Housing Commission</td>
<td></td>
</tr>
<tr>
<td>Findings shared with public housing authority</td>
<td></td>
<td>Section IV</td>
<td></td>
</tr>
<tr>
<td>Impediments not identified</td>
<td></td>
<td>Section V</td>
<td></td>
</tr>
<tr>
<td>Environmental or infrastructure issues</td>
<td></td>
<td>Limited in Denver</td>
<td></td>
</tr>
<tr>
<td>Incorporation of findings into funding decisions, yearly planning (as demonstrated through Con Plan, Annual Action Plan, CAPE)</td>
<td>Will begin in 2015, beginning with Housing Plan implementation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Identification of RCAPs and ECAPs</td>
<td></td>
<td>Section I</td>
<td></td>
</tr>
<tr>
<td>Public participation process</td>
<td>Surveys, focus groups, public meetings</td>
<td>Section IV</td>
<td></td>
</tr>
<tr>
<td>Segregation based on familial status</td>
<td>Census data analysis and mapping</td>
<td>Section I, pages 10-12</td>
<td></td>
</tr>
<tr>
<td>Subrecipient monitoring</td>
<td></td>
<td>Forthcoming as part of Fair Housing Action Plan and incorporation of AI into Con Plan</td>
<td></td>
</tr>
<tr>
<td>Incorporation of findings into Consolidated Planning process</td>
<td></td>
<td>Will begin in 2015</td>
<td></td>
</tr>
<tr>
<td>Staff have a knowledge of fair housing</td>
<td>Assessed through city meetings, staff conversations, review of DADO</td>
<td>Section III</td>
<td>Will begin in 2015, beginning with Housing Commission</td>
</tr>
<tr>
<td>Communication of AI findings to subrecipients, partners, stakeholders</td>
<td></td>
<td>Section III</td>
<td></td>
</tr>
<tr>
<td>Evidence of substantially equivalent fair housing ordinance</td>
<td>Ordinance review</td>
<td>Section III</td>
<td></td>
</tr>
<tr>
<td>Equal access based on sexual orientation, gender identity, marital status</td>
<td>Included and enforced in state and local law</td>
<td>Section III</td>
<td></td>
</tr>
<tr>
<td>Integration of people with disabilities leaving institutional settings</td>
<td>Discussed in focus groups</td>
<td>Section IV</td>
<td></td>
</tr>
</tbody>
</table>