

City of Madera

Analysis of Impediments to Fair Housing Choice

2020-2024

DRAFT

Final
2020

CREDITS

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EXECUTIVE SUMMARY

The purpose of this Analysis of Impediments to Fair Housing Choice (AI) Report is to examine social and economic characteristics of public sector and private industry housing practices, as well as housing market conditions that may expose certain population groups to housing discrimination, under the Code of Federal Regulations (CFR) 24 Part 91. This AI Report covers the 2020-2024 reporting period for the City of Madera.

Madera is a small City with considerable racial and ethnic diversity, and it is becoming increasingly diverse. The City also has a large proportion of minority and lower-income households who face problems finding decent, affordable housing. Persons with disabilities also face barriers to housing choice and independent living, but mostly because of a lack of affordable housing.

In general, housing discrimination has not been documented as a significant impediment to fair housing choice in Madera. Since 2015 there have only been two fair housing complaints recorded by the U.S. Department of Housing and Urban Development (HUD).

However, while there is limited evidence of fair housing problems in the City, residents and stakeholders who participated in the public outreach opportunities for the Analysis of Impediments to Fair Housing Choice suggested that Madera residents might be unaware of their fair housing rights. The lack of fair housing complaints may reflect residents not understanding their rights and recognizing when they are being discriminated against. Therefore, fair housing education and outreach are among the top priorities for the City.

The City has identified the following actions as priorities for the 2020-2024 reporting period:

1. Provide fair housing information on its website as well as links to housing services and resources, fair housing, and consumer information on housing choices.
2. Provide education on fair housing to City staff members who administer and oversee housing programs and code enforcement activities so they can respond to phone calls from the public about fair housing and landlord/tenant issues.
3. Continue to work with local agencies to designate an organization that will act as the lead agency for fair housing issues and formalize a system for processing fair housing complaints in Madera.

4. Work with partner agencies, including fair housing service providers, the Housing Authority, California Rural Legal Assistance, local apartment and realtor associations, and disability rights groups to reach out to landlords and property managers about fair housing issues.
5. Continue to comply with antidiscrimination requirements, including all applicable Federal regulations as demonstrated in the City's application for Community Development Block Grant, HOME, and other Federal funds.
6. Continue to implement policies and programs identified in its Housing Element and implement Zoning Ordinance amendments necessary to further fair housing.
7. Continue to implement the recommended actions in the *City of Madera ADA Self-Evaluation and Transition Plan* to modify its policies, practices, and procedures to avoid discrimination against people with disabilities.

SECTION 1. INTRODUCTION

1.1 Purpose

This Analysis of Impediments to Fair Housing Choice (AI) report is for the City of Madera, an entitlement jurisdiction. The City will submit this report to the U.S. Department of Housing and Urban Development (HUD) to support grant applications for Federal funding for housing programs over the five-year period from July 2020 to June 2024. The Consolidated Plan regulations require each local government to submit a certification that it is affirmatively furthering fair housing. This means that local governments will: 1) conduct an analysis of impediments to fair housing choice; 2) take appropriate actions to overcome the effects of impediments identified through that analysis; and 3) maintain records reflecting the analysis and actions.

The purpose of this AI report is to identify barriers to fair housing faced by protected classes of citizens. This report describes how public policies, laws, and actions may affect housing choice or impede fair access to housing. This report includes the following sections:

- **Section 1:** Introduction to the report.
- **Section 2:** Analysis of demographic and economic characteristics, housing stock and affordability, geographic distribution of minority and low-income populations, and information on assisted housing resources.
- **Section 3:** Assessment of public and private sector impediments.
- **Section 4:** Assessment of past fair housing practices.
- **Section 5:** Recommended action items for the 2020-2024 reporting period.

Definition of Impediment to Fair Housing Choice

Many factors in the public and private sectors have the potential to impede equal access to housing or fair housing choice. HUD defines an impediment to fair housing choice as:

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

In California, the Unruh Civil Rights Act (California Code Section 51 1959) provides protection from discrimination by all business establishments in California, including housing and accommodations. It expands the Federally protected classes (i.e., race, color, religion, national origin, sex, disability, or familial status) to also include age, ancestry, and sexual orientation.

Affordability is Not a Fair Housing Issue

An evaluation of potential impediments to fair housing choice must differentiate between access to housing based on cost and affordability versus access to housing based on illegal discrimination. Affordability, by itself, is not a fair housing issue. When a household has problems obtaining housing due to cost, no fair housing law is violated. Fair housing concerns arise when affordability issues disproportionately impact protected classes. To the extent that these groups are impacted, they are documented in this report.

1.2 Regulatory Setting

Federal Fair Housing

The Federal Fair Housing Act (1968) and Fair Housing Amendments Act (1988) are Federal fair housing laws that prohibit discrimination in all aspects of housing, such as the sale, rental, lease, or negotiation for real property. The 1968 Fair Housing Act prohibits discrimination based on race, color, religion, national origin, and sex (i.e., protected classes). In 1988 the Fair Housing Act was amended to extend protection to familial status and people with mental or physical disabilities. In addition, the amended Act provides for “reasonable accommodation,” allowing structural modifications for persons with disabilities, if requested, at their own expense. The amendment details housing code standards for new multifamily dwellings to accommodate persons with physical disabilities.

State Fair Housing

The Fair Employment and Housing Act (FEHA) and the Unruh Civil Rights Act (Part 2.8 of the California Government Code, Sections 12900-12996) are California fair housing laws. The FEHA prohibits discrimination and harassment in all aspects of housing, including sale and rental, eviction terms and conditions, mortgage loans and insurance, and land use and zoning. The FEHA also prohibits retaliation against any person who has filed a complaint with the California Department of Fair Employment and Housing, participated in a Department investigation, or opposed any prohibited activity. In addition, these laws require housing providers to make reasonable accommodation to permit persons with disabilities to live and enjoy a dwelling and allow persons with disabilities to make reasonable modifications to their premises. The Unruh Civil Rights Act provides protection from discrimination by all business establishments in California, including housing and accommodations, because of age, ancestry, color, disability, national origin, race, religion, sex, and sexual orientation.

1.3 Key Terms

California State Protected Classes: Race, color, religion, national origin, sex, disability, age, ancestry, and sexual orientation.

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

Federally Protected Classes: Race, color, religion, national origin, sex, disability, and familial status.

Impediments: HUD defines impediments to fair housing choice as: 1) any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices; 2) any actions, omissions, or decisions that have the effect of restricting housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

Large Household: A household with five or more members.

Persons with Disabilities: Federal law defines a ‘disability’ or ‘handicap’ as being a physical or mental impairment which substantially limits one or more major life activities; a record of having such an impairment; or being regarded as having such an impairment.

Seniors: Persons age 65 and older.

1.4 Methodology

The Analysis of Impediments is based on information from a variety of sources, including discussions with City staff, phone interviews with community representatives, and review of relevant City documents, which include the following:

- 2020-2024 Consolidated Plan
- 2016-2024 Housing Element
- 2015-2020 Analysis of Impediments to Fair Housing
- 2019 Fresno-Madera Continuum of Care Point-in-time Count
- Housing Authority of the City of Madera 5-year Plan, updated 2013

Other sources of data include the 2011-2013 and 2013-2017 American Community Survey. The Housing Authority of the City of Madera provided data related to public housing residents and Housing Voucher program applicants. The Fresno Housing Authority provided data and information on the homeless. Information on fair housing complaints and cases was obtained from HUD's Office of Fair Housing and Equal Opportunity and from the California Department of Fair Employment and Housing. The U.S. Department of Justice provided data on hate crimes.

The City held seven focus group discussions spanning the weeks of April 13-24, 2020 to compile quantitative research on housing needs. In addition to the information collected at community meetings, the City conducted key stakeholder interviews with Madera residents and officials. Input gathered at these meetings and interviews was used to inform the City's actions for the next program years.

SECTION 2. EXISTING CONDITIONS

2.1 Population and Racial/Ethnic Characteristics

Exhibit 1 shows the historic population trends for the City of Madera since 1950. As shown in the table, the City grew at an average rate between 3 and 4 percent annually from the 1970s to 2010. However, from 2010 to 2014 the average annual growth was 0.6 percent. Growth rebounded from 2014-2019 with a population increase of 1.6 percent, but early trends suggest a continuation of slower population growth than Madera has historically experienced.

Exhibit 1: Summary of Housing Needs

Year	Population	Change	Percent Change
1950	10,497	-	-
1960	14,430	3,933	3.2%
1970	16,044	1,614	1.1%
1980	21,732	5,688	3.1%
1990	29,281	7,549	3.0%
2000	43,207	13,926	4.0%
2010	61,416	18,209	4.2%
2014	63,008	1,592	0.6%
2019	64,058	1,050	1.6%

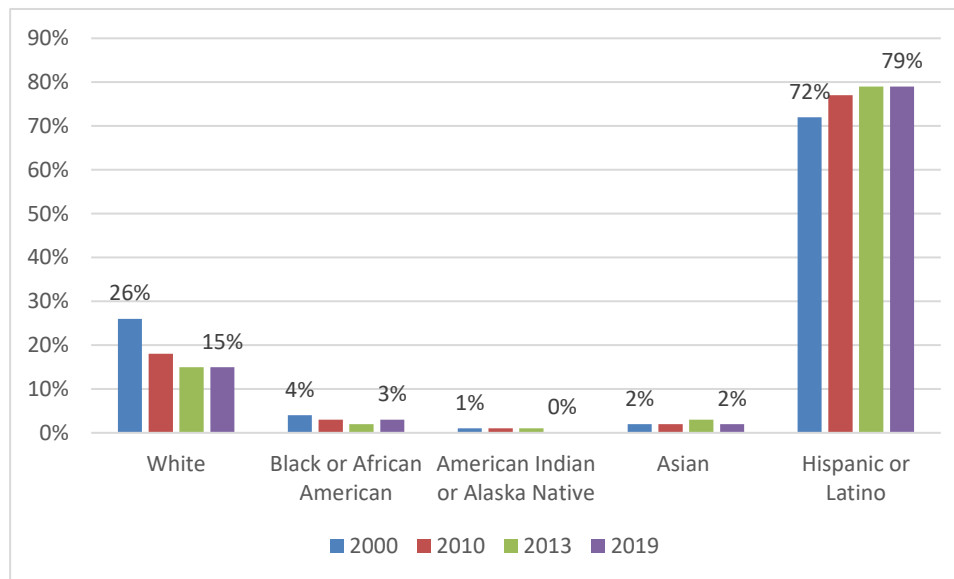
SOURCE: American Community Survey, 2003-2017 5-Year Estimates, HCD Pre-Approved Data Package, State of California, Department of Finance, E-4 Population Estimates for Cities, Counties, and the State, 2011-2014, with 2010 Census, U.S. Census, 1910-2010.

Exhibit 1 shows information on the race and ethnicity of Madera residents. Persons of Hispanic or Latino origin (an ethnic category exclusive of race) showed the greatest increase, up from 72 percent in 2000 to 79 percent in 2019. By comparison, the Hispanic or Latino population of California is 39 percent. Madera's White, non-Hispanic or Latino population decreased from 26 percent of the population in 2000 to 15 percent in 2019. The Black or African American population in Madera has remained stable, as have Asian and American Indian populations.

Geographic Concentrations by Race and Ethnicity

An “area of minority or racial and ethnic concentration” is defined as any block group in which the percentage of persons of a racial or ethnic minority exceeds the Citywide percentage of such persons by 10 percent. The Hispanic population constitutes a majority of the total population in most block groups in Madera.

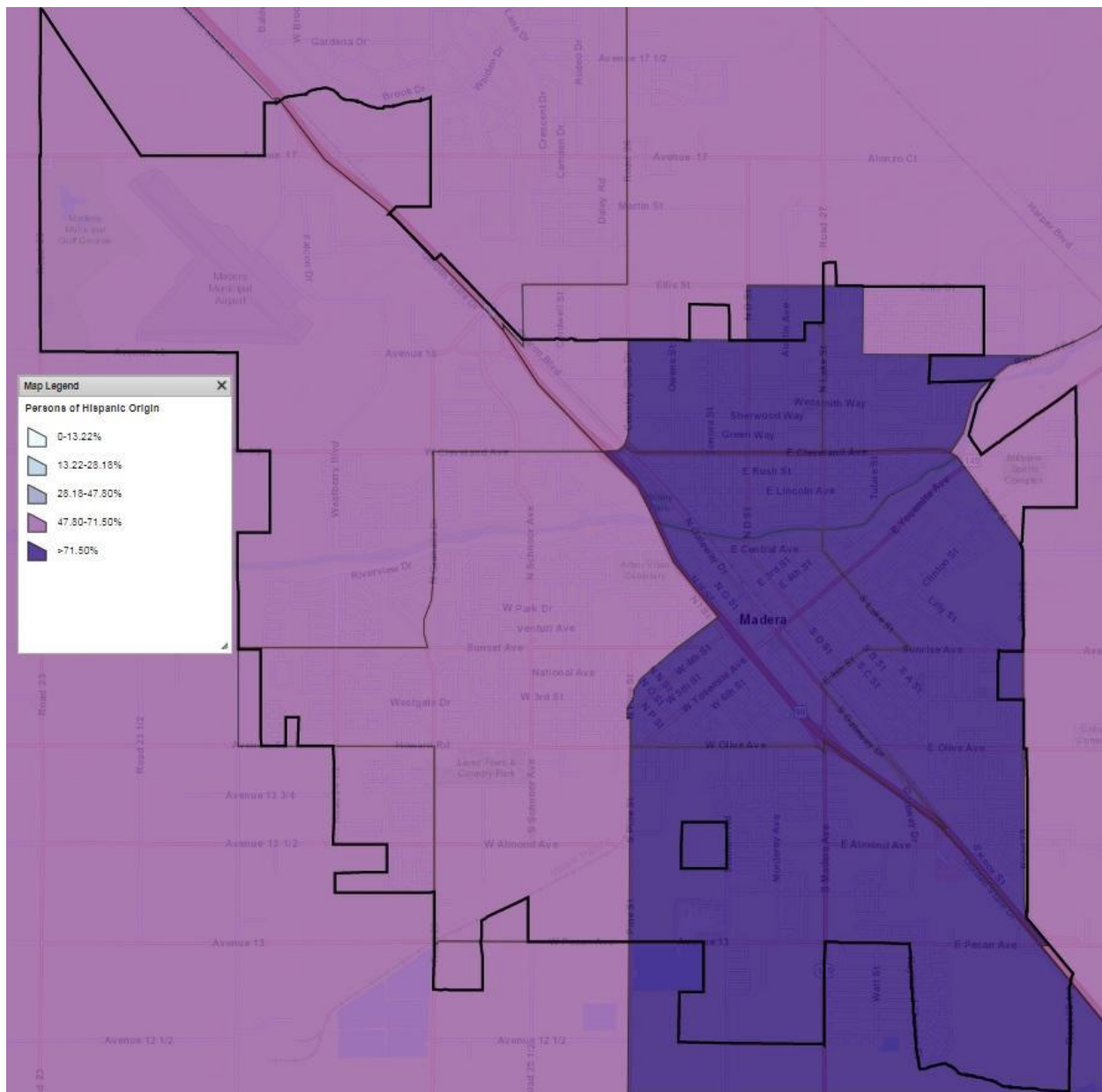
Exhibit 2: Population by Race/Ethnicity



SOURCE: American Community Survey, 2013-2017 5-Year Estimates, 2011-2013, 2000 Census

Based on 2017 ACS data that noted the Citywide average at 79 percent, many block groups on the eastern side of Madera are identified as areas of Hispanic concentration, including block groups 507-3, 604-1, 603-2, 602-3, 602-2, 900-1, 900-2, 900-3, 800-2, 800-3, 800-4, 502-1, and 508-2. The lowest percentage of Hispanic population is found in the census tracts in western Madera. Exhibit 2 shows block groups with Hispanic and Latino residents as a percent of the total population. There are no block groups with a concentration of any other race.

Exhibit 3: Racial and Ethnic Characteristics by Census Tract



Sources: CPD Maps, HUD GIS

2.2 Household Characteristics

Household Size and Type

Household characteristics, such as size, type, and income level may affect access to housing. A household is defined by the Census as all persons occupying a housing unit. Families often prefer single family homes or condominiums to accommodate children, while single persons generally occupy smaller apartments or condominiums. Single-person households may include seniors living alone or young adults but do not include persons in group quarters such as convalescent homes or dormitories. “Other” households are unrelated people living together, such as roommates.

Communities with a larger proportion of families with children tend to have a larger average household size. Such communities have a greater need for larger housing units with adequate open space and recreational opportunities for children. The average household size in Madera was 3.62 in 2019, down nearly 5 percent from the average size of 3.81 in 2013.

Madera is a family-oriented City. Family households made up 78 percent of all households in 2019 (compared to the state average of 68 percent), and families with children comprised 47 percent of households (compared to the statewide average of 31 percent). Non-family households made up 21 percent of households in 2019.

Exhibit 4: Households and Families

	Number	Percent Family HH
HH With 1 or More People Under 18		
Married-Couple Family	5,241	37.8%
Other Family, Male Householder	537	3.8%
Other Family, Female Householder	2,535	18.2%
Total Families with Children	8,313	59.9%
HH With 0 People Under 18		
Married-Couple Family	3,961	28.5%
Other Family, Male Householder	456	3.2%
Other Family, Female Householder	1,131	8.1%
Non-family household (Single Householder)	5,548	40.0%
Total Family Households	13,861	ND
Total Households	17,606	ND

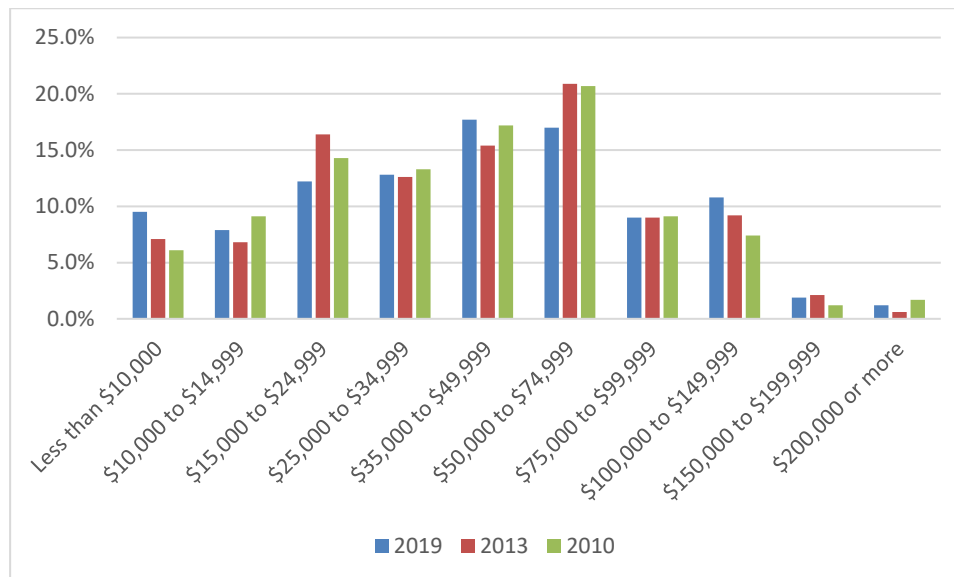
SOURCE: American Community Survey, 2013-2017 5-Year Estimates

Household Income

Income level is used as the primary indicator of the standard of living for most of the population. While economic factors that affect housing choice are not a fair housing issue, the relationships between household income, household type, race/ethnicity, and other factors often create misconceptions and biases that raise fair housing concerns.

Exhibit 5 shows the income distribution of households in Madera in 2010, 2013, and 2019 based on the U.S. Census and the 3-year 2013-2017 ACS estimates. Overall, there was a reduction in the percentage of households making less than \$35,000 and a decrease in the percentage of households making between \$50,000-\$74,000 annually. Specifically, the percentage of households earning less than \$10,000 increased 2.4 percent from 2013-2019. Two person households earning less than \$16,460 annually would be considered extremely low-income based on the 2018 Madera County HCD Income Limits. The percentage of households earning \$25,000-\$34,999 remained relatively the same between 2013 and 2019 at 12.6 and 12.8 percent of households, respectively.

Exhibit 5: Household Income Distribution



Source: American Community Survey, 2013-2017 5-Year Estimates

Exhibit 6: Household Income Distribution

	HH (2010)	Percent	HH (2019)	Percent	% Change 2010-2019
Less Than \$15,000	967	6.1%	1,673	9.5%	73.0%
\$15,000- \$24,999	1,443	9.1%	1,391	7.9%	-3.6%
\$25,000- \$34,999	2,268	14.3%	2,148	12.2%	-5.3%
\$35,000- \$49,999	2,109	13.3%	2,254	12.8%	6.8%
\$50,000- \$74,999	2,727	17.2%	3,116	17.7%	14.3%
\$75,000- \$99,999	3,282	20.7%	2,993	17.0%	-8.1%
\$100,000- \$149,999	1,443	9.1%	1,585	9.0%	9.8%
\$150,000- \$199,999	1,173	7.4%	1,901	10.8%	62.1%
\$200,000 or more	190	1.2%	335	1.9%	76.3%
Total HH	15,857	-	17,606	-	11.0%

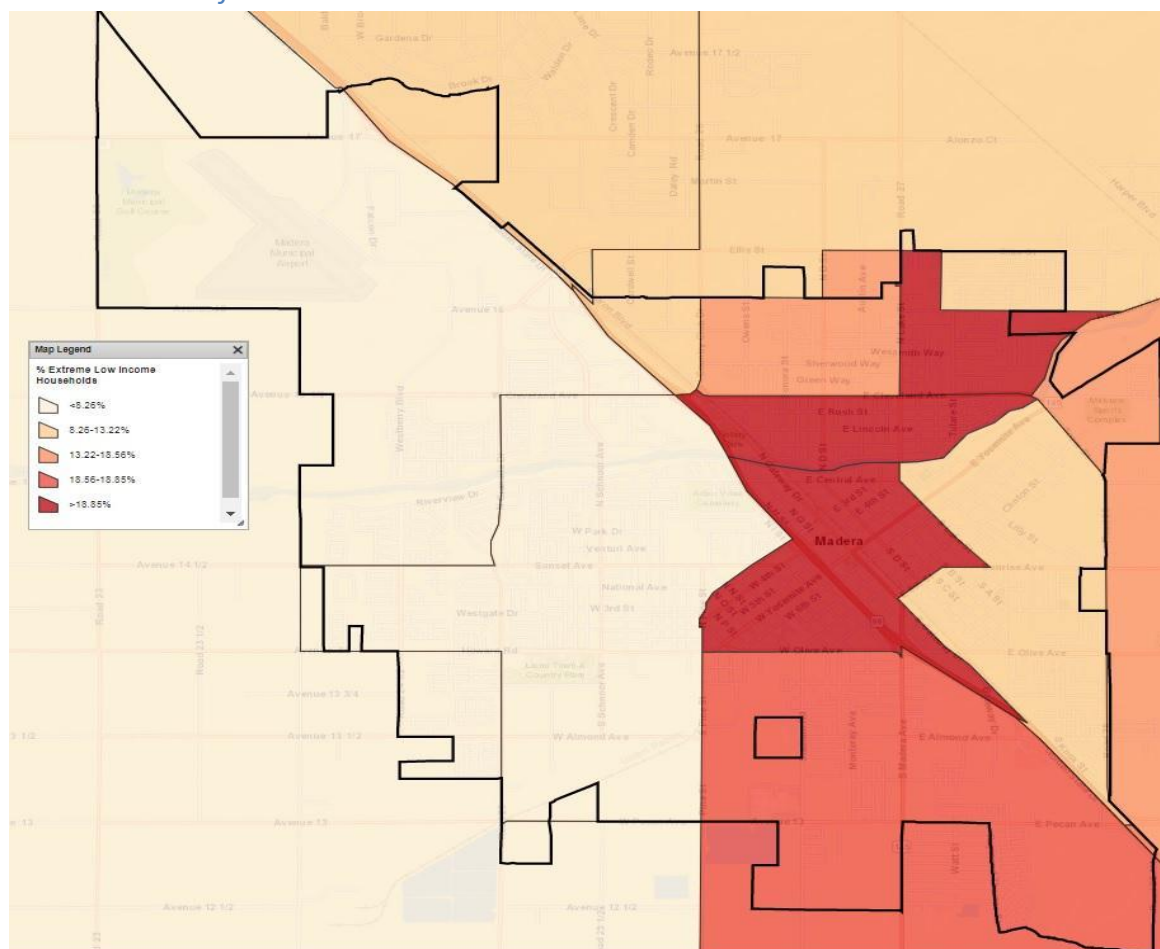
SOURCE: American Community Survey, 2013-2017 5-Year Estimates, 2010 Census

The median income is the midpoint of all incomes reported in the City during the Census. In 2013, the U.S median household income was \$57,652 and in California it was \$67,169. The 2013 median income in Madera was \$40,731 which is lower than both the national and statewide median incomes, and down 2.6 percent from 2013. National and state median incomes increased between 2013-2019.

Geographic Concentrations of Low- and Moderate-Income Households

For the purposes of this AI Report, an “area of low-income concentration” is defined as any census tract in which the percentage of households with low-income exceeds the Citywide average by 10 percentage points for such households. Citywide, 42 percent of households are lower income. Based on the data, census tracts 5.02, 6.02, 6.03, and 8 are areas of low-income concentration.

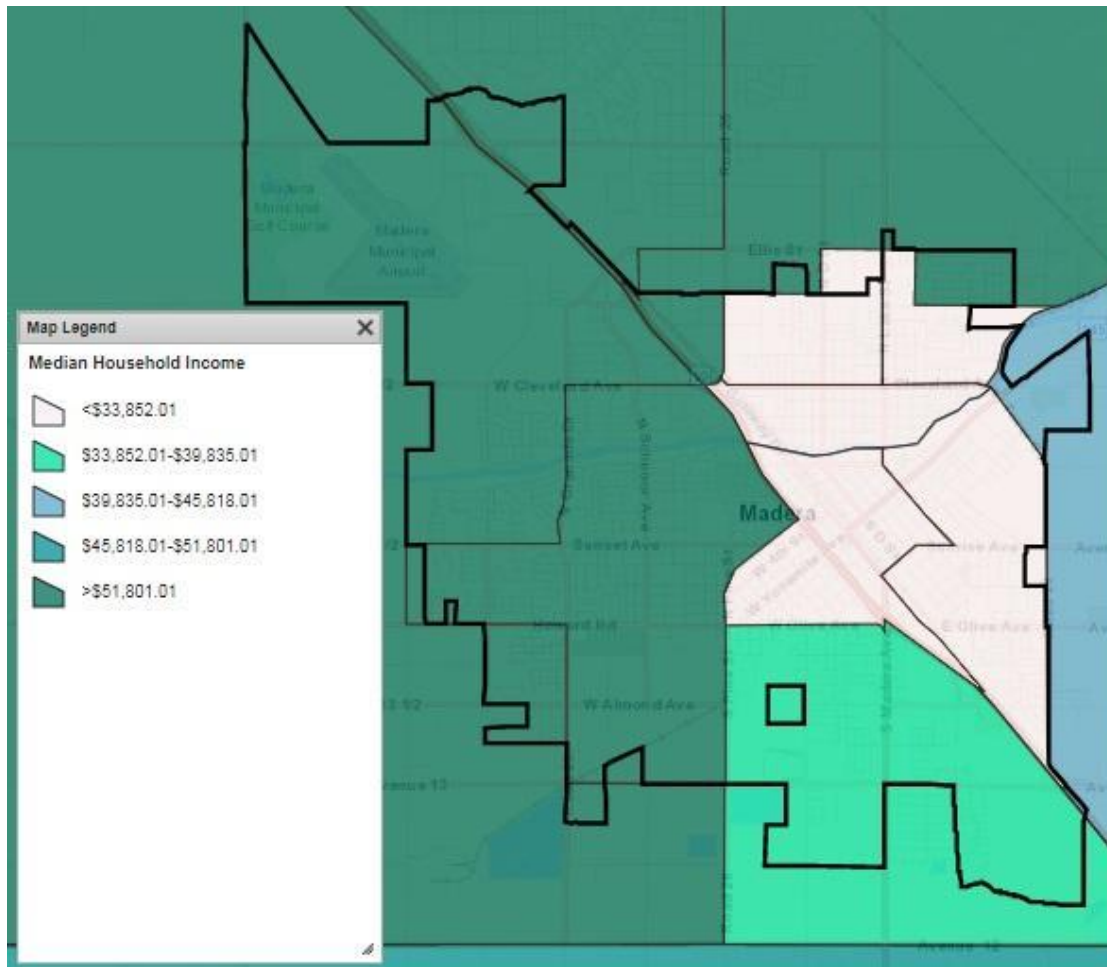
Exhibit 7: Area of Low-Income Concentration



Source: CPD Maps, HUD GIS

As illustrated in Exhibit 8, the census tracts with the lowest median incomes are located on the east side of the City. Within census tracts 6.02, 6.03, 8, and 9 the highest median income is less than \$33,000. All Madera tracts with low median incomes also have a disproportionate number of racial and ethnic minority households.

Exhibit 8: Median Household Income by Census Tract



Source: CPD Maps, HUD GIS

2.3 Special Needs Populations

Certain households have more difficulty finding adequate and affordable housing because of special circumstances and housing needs. These circumstances may be related to age, family characteristics, disability, or employment status. This section discusses the special housing needs of: seniors, large households, persons with disabilities, farmworkers, homeless persons, and persons with HIV/AIDS.

Seniors

Seniors, defined as persons 65 years and older, are considered a special needs group due to limited incomes, prevalence of physical or mental disabilities, limited mobility, and high healthcare costs. Incomes for many senior households are fixed and limited. The low-income status of many seniors can limit their ability to afford adequate housing and other necessities such as healthcare.

In 2010 there were 5,079 seniors (65 years and older) in Madera; this number increased to 5,313 in 2019. While the number of seniors increased, seniors as a percentage of the total population decreased slightly from nearly 8.6 percent in 2010 to 8.3 percent in 2019. Approximately one in every five (20 percent) of the elderly live alone, which may diminish their chances of obtaining regular and convenient assistance with domestic tasks.

Exhibit 9: Seniors

	Number (2010)	Percentage	Number (2019)	Percentage
Number of Persons 65 years and over	5,075	8.60%	5,313	8.30%
Number of Persons 85 years and over	826	1.40	795	1.20%
Males 65 years and over	2,194	7.20%	2,260	7.20%
Females 65 years and over	2,939	10.30%	3,053	9.30%
Total City Population	59,006	-	64,058	-

SOURCE: American Community Survey, 2013-2017, 5-Year Estimates, 2010 Census

According to statistics from the American Community Survey (ACS) conducted by the U.S. Census Bureau from 2013-2017, the majority of senior households in Madera were homeowners. Of all households headed by a person 65 years or older, 62 percent owned their homes and 38 percent rented. In contrast, households headed by non-seniors were more likely to rent than own their home, with 42 percent renters and 58 percent owners. This implies that many seniors have already purchased their homes and are less inclined to move than younger populations. In total, 45 percent of Madera households are owner occupied, down from 48 percent in 2013.

While many more seniors are homeowners, it is the senior renters who experience the greatest housing needs due to low, fixed incomes and rising rental rates. Senior homeowners on fixed incomes, however, may face the problem of maintaining their homes.

Supplemental Security Income (SSI) is a needs-based program that pays monthly benefits to persons who are 65 or older, are blind, or have a disability. Seniors who have never worked or have insufficient work credits to qualify for Social Security disability often receive SSI benefits. The Federal SSI payment is determined by the recipient's countable income, living arrangement, and marital status. In 2020, the SSI Federal Benefit Rate is \$783 per month for individuals and \$1,175 for couples. SSI is often the only source of income for low-income elderly persons and, while the benefit amount has increased over the years, with these maximum monthly benefit amounts, SSI recipients are likely to continue having difficulty in finding housing that fits within their budgets.

The Senior Services Division, which is part of the City Parks and Community Services Department, provides services for senior citizens 60 years and older. Services include recreation, meals, special outings, health services, and information and referral. The Senior Nutrition Program, funded in part by the Fresno-Madera Area Agency on Aging, serves hot meals at three centers in Madera: the Frank Bergon Senior Center, the Adult Day Care Center, and the Pan American Community Center.

There are 412 senior housing units in eight developments in Madera. 77 units of senior housing are public housing. The senior housing developments in the City of Madera are as follows:

- Valle de las Brisas: 80 units (all low income)
- Yosemite Manor: 76 units (all low income)
- Madera Gardens: 65 units (63 low income)
- PH-800 E. Yosemite: 50 units (all available to low-income households, the elderly, and persons with disabilities)
- PH-131 Mace Street: 20 units (all available to low-income households, the elderly, and persons with disabilities)

- PH-123 Santa Cruz: 4 units (all available to low-income households, the elderly, and persons with disabilities)
- PH-1022 Clinton: 3 units (all available to low-income households, the elderly, and persons with disabilities)
- Cedar Creek: 114 units (0 low income)

There are waiting lists for all of these units.

Large Households

HUD defines a large household or family as one with five or more members. These households are usually families with two or more children or families with extended family members such as grandparents or in-laws. Large households have special housing needs because the availability of adequately sized, affordable housing units is often limited. To afford necessities such as food, clothing, and medical care, large households with low or moderate incomes may live in smaller units, resulting in overcrowding. Furthermore, families with children may face discrimination or differential treatment in the housing market. For example, some landlords may charge large households a higher rent or security deposit, limit the number of children in a house or apartment complex, or simply choose not to rent to large families with children. Some workshop participants noted that some landlords in Madera discriminate against large families, choosing to rent to smaller households.

There were 4,156 large households in Madera in 2013, and 3,985 in 2019, accounting for about 25.5 percent of all households in 2013, and 22.2 percent in 2019. These households usually require housing with four or more bedrooms, which is rare, especially in apartment units and rentals in general. Ideally, housing for these households should also provide safe outdoor play areas for children and should be located with convenient access to schools and childcare facilities. These housing needs can pose challenges particularly for large households that cannot afford to buy or rent single family homes, as apartment and condominium units are most often developed with childless, smaller households in mind.

Persons with Disabilities

Fair housing choice for persons with disabilities may be compromised depending on the nature of their disability. Persons with physical disabilities may face discrimination in the housing market because of the need for wheelchair accessibility or building modifications to improve accessibility. Landlords sometimes fear that a unit may sustain wheelchair damage or may refuse to exempt disabled tenants with service animals from a no-pet policy. Landlords may refuse to rent to tenants with a history of mental illness, and neighbors often object when a nearby house is converted to a group home for persons with mental disabilities. Some jurisdictions have special use permit requirements and other zoning regulations that restrict access to housing for people with mental disabilities. However, State law limits the restrictions jurisdictions can place on group homes of a particular size.

According to the 2013-2017 ACS, 11.4 percent of the total population in Madera had a disability. Almost half (47 percent) of seniors had a disability, while just under 11 percent of the population 18 to 64 years of age had a disability.

The Department of Mental Health provides and coordinates housing services for people who are mentally ill. The department works closely with facility and service providers in the County, such as the Madera County Community Action Partnership and the Madera Rescue Mission, to ensure that clients receive housing services and other supportive services. Housing programs for persons with disabilities are primarily available through the Housing Authority of the City of Madera. Many of the units identified for seniors are also available to persons with disabilities.

Qualitative research revealed fair housing issues were not as significant as affordability issues for persons with disabilities. Participants noted that persons with disabilities, especially those collecting SSI, have trouble finding affordable housing. The City of Madera distributes 281 Housing Choice Vouchers for families with a disability.

Farmworkers

Farmworker households often include extended family members or single male workers. Many farmworker households tend to have difficulties securing safe, decent, and affordable housing due to low incomes, seasonal incomes, and family size. The estimated number of agriculture, farming, fishing, and forestry jobs in 2012 in the City was 6,174, which was about 25 percent of the workforce (persons aged 16 and older).

According to the USDA Census of Agriculture, there were 15,654 hired farm laborers in the County in 2017. More specifically, 6,889 of those farmworkers worked 150 days or more, while 8,765 farmworkers worked fewer than 150 days. An expected 5,444 workers were identified as migrants.

A special report prepared for the Housing Authority of the City of Madera and the Darrin M. Camarena Health Centers, Inc., provides information on the needs of farmworkers in Madera County. The study included surveys of agricultural workers to assess the current health and housing options for agricultural workers in Madera and to identify some of the problems they are facing. The study consisted of surveys of 200 agricultural workers, the Immigrant Voice Survey, and the Agricultural Worker Health and Housing Program (AWHHP) survey, as well as three focus group sessions to discuss current and future health and housing needs of farmworkers. Findings from this study include the following:

- **Large and Growing Families.** Average family size was 5.8 persons, much larger than the Madera average family size. Most of the households had at least one child under the age of 10.
- **Household Income.** A reasonable estimate of the typical hourly pay (or piece work equivalent) for agricultural workers would be \$6.75 to \$8 per hour. This, combined with the high level of underemployment, results in very low household incomes. The average yearly household income for AWHHP participants was \$12,055.
- **Living Arrangements.** The majority of the AWHHP participants were living in houses (67), followed by apartments (24), single rooms (6), and mobile homes (1).
- **Housing Quality.** Almost half of the AWHHP respondents reported problems with insect or vermin infestation. Other problems included heating and cooling, plumbing, electrical wiring, and sewer. Approximately 10 percent in both surveys cited poor quality housing as the reason for their last move.
- **Lack of Affordable Housing.** The need for more affordable housing options, as either apartment complexes or homes, was the focus of much of the discussion at the three focus group meetings.
- **Exploitation by Landlords.** With their low incomes, and in some cases undocumented status, many workers are vulnerable to being exploited by landlords. Landlords may fail to make necessary repairs, leaving tenants to make repairs on their own. In addition, rental deposits are often excessive.

The study concludes that the very low wages paid to agricultural workers, the seasonal nature of farm labor, and the rising housing costs in the Central Valley pose serious constraints on the ability of Madera agricultural workers to secure decent and affordable housing. The ineligibility of undocumented workers for government-sponsored housing programs is a serious problem as well.

The Housing Authority of the City of Madera is responsible for providing assisted rental housing through its public housing farmworker rental units. The Housing Authority owns 100 rural development units of farm labor housing located on three different sites. Residency is restricted to farm labor families that are U.S. citizens or have residency. The farmworker sites operated by HACM are the 28 units at 1110 Kennedy Street, 28 units at 800 Lilly Drive, and 44 units at 337 Knox Drive.

Homeless Persons

As elsewhere in the nation, homelessness is usually the result of multiple factors that converge in a person's life. The combination of loss of employment, inability to find a job because of the need for retraining, and high housing costs lead to some individuals and families losing their homes. For others, the loss of housing is due to chronic health problems, physical disabilities, mental health disabilities, or drug and alcohol addictions, along with an inability to access the services and long-term support needed to address these conditions. The cities and counties of Madera and Fresno have joined to form the Fresno Madera Continuum of Care (FMCoC) to work together to prevent, reduce, and end homelessness in the region.

The FMCoC completed a Point-In-Time (PIT) Homeless Street Count in the Fresno and Madera region for 2019. This FMCoC study involved a day-long data collection strategy, using the personal interview method of individuals on the street, in areas known to be frequented by homeless persons, including the perimeters of emergency shelters, soup kitchens, parks, railways, and under bridges. Community members including homeless service providers, private citizens, public agency representatives, and justice and social service agencies volunteered and participated in the Point-In-Time count of homeless on the street. The community was notified of volunteer opportunities via social network sites, a volunteer match site, referrals from past volunteers, outreach at local colleges, and announcements distributed to service providers. To enroll, volunteers had to complete and submit the Registry Week Volunteer Application.

- In the entire Fresno-Madera region, a total of 2,508 homeless individuals were counted. Of those, 439 were sheltered and the majority, 2,069, were unsheltered homeless individuals.
- In the City of Madera, a total of 356 homeless individuals were counted. Of those, 96 were sheltered and 260 were unsheltered.
- Roughly 21 percent of sheltered and 12 percent of unsheltered homeless individuals counted during the PIT count were in the City of Madera.

A number of private, public, and nonprofit organizations operate and provide services to the homeless such as job training, day care and counseling. For example, The Community Action Partnership (CAP) of Madera County is a prominent local provider which takes a case management approach with all of its program participants to develop personal self-sufficiency plans and ensure appropriate access to all pertinent and available social-service programs in the City and County. The Partnership's first goal with every client is to establish a consistent source of income. Its second goal is to ensure long-term self-sufficiency. In addition, the Housing Authority of the City of Madera provides low cost public housing, Housing Choice Vouchers for subsidized rent payments, housing for the elderly, and farm labor housing.

A variety of housing facilities and services are offered to homeless individuals by organizations within Madera, including Emergency Shelters, Transitional Housing, and Permanent Supportive housing options. The table below shows, there are 135 Emergency Shelter beds available in Madera to households with only adults. There are 19 Transitional Housing beds available to households with adults. There are 53 Permanent Supportive housing for households without children and 42 households with adults and children.

Exhibit 10: Permanent/Transitional/Emergency Housing

Project Type	Organization Name	Project Name	CH Beds HH w/ Children	CH Beds HH w/o Children	Year Round Beds	PIT Count	Total Count
ES	Community Action Partnership of Madera	Martha Diaz Shelter			18	13	18
PSH	Community Action Partnership of Madera	Shunammite Place	3	18	21	20	21
TH	Community Action Partnership of Madera	Victim Services			14	15	14
ES	County of Madera	Cal Works ETA			5	5	5
ES	Madera Rescue Mission	Men's Emergency Shelter			80	52	80
ES	Madera Rescue Mission	Women & Children Emergency Shelter			32	11	32
PSH	The Housing Authority of the City of Madera	VASH Madera	39	28	102	74	102
PSH	Turning Point (TPOCC)	Serenity Village		7	7	7	7
TH	Valley Teen Ranch	Transitional Living Home			4	4	4
<i>Source: FMCoC Housing Inventory Chart, 2019</i>							

The Fresno-Madera Continuum of Care (FMCoC) operates several programs that offer housing assistance. As the table above reveals, there are several program types that offer beds for families, adults, and children on year-round or seasonal bases. The housing program the FMCoC administers with the largest number of beds is the Permanent Supportive Housing program for adults.

Persons with HIV/AIDS

The Madera County Public Health Department administers the Countywide AIDS Program. The Department also administers the Housing Opportunities for Persons with AIDS (HOPWA) Grant Program, which provides housing assistance to persons with AIDS. The Public Health Department has indicated that specific data regarding the housing needs of persons with AIDS is not available at the City level. According to data from the California Department of Public Health, a total of 154 cases of HIV/AIDS had been reported in Madera County between 2013 and 2017. In addition, the 2019 Point In time count reports that two sheltered and 15 unsheltered adults with HIV/AIDS are homeless in the Fresno-Madera region. According to the California Department of Public Health HOPWA Funding Allocation Process Report, the total final allocation for fiscal years 2019-2023 for Madera HOPWA Programs is \$58,926, annually.

Public Health officials note that persons with AIDS may also suffer from mental illnesses or have financial problems due to their illness that make it difficult to find housing. Persons with HIV and AIDS in need of housing face a number of barriers, including discrimination where often individuals are afraid to complain about fair housing issues for the fear of being singled out or identified as having HIV/AIDS.

2.4 Housing Profile

This section provides an overview of the characteristics of the local and regional housing markets. The Census Bureau defines a housing unit as a house, apartment, mobile home, group of rooms, or single room that is occupied or intended for occupancy as separate living quarters.

Housing Stock

Exhibit 11 presents comparative data on the housing stock in the City of Madera, Madera County, and California. The table breaks out the total housing stock in each area according to the type of structures in which units are located, total occupied units, and vacancy rates.

As shown in the table, single family detached housing units account for the majority of housing in the City of Madera, Madera County, and the entire state. The City of Madera has a slightly larger proportion of detached units than the state, and a smaller proportion than the County. Madera has a higher percentage of vacant units than both state and County averages.

Occupancy/Vacancy Rates*Exhibit 11: Housing Stock by Type and Vacancy*

	Madera	Madera County	California
Detached	13,039	40,432	8,190,950
Attached	324	659	994,710
2-4	2,169	3,379	1,132,562
5+	1,886	2,614	3,357,051
Mobile Homes	449	3,412	559,820
Occupied	16,484	44,210	13,085,036
% Vacant	7.7%	12.4%	8.1%

Source: American Community Survey, 2013-2017 5-Year Estimates

Vacancies are essential to the healthy function of the housing market. Vacancies are necessary to facilitate population mobility and have an important role in moderating housing prices. Too few vacancies can have an undesirable upward effect on prices. Conversely, excessive vacancy rates can have an inhibiting effect on investment in housing, including maintenance of rental properties. In most urban housing markets, a vacancy rate of about 4 percent balances both the mobility needs of residents and the investment interests of property owners. An extremely low-vacancy rate, such as 1.5 percent for apartment units, will tend to raise rents and can result in household overpayment, inability to qualify, and possibly overcrowding. Five percent is often used as a rule of thumb for a desirable gross vacancy rate in most urban areas because it allows for about a 4 percent market vacancy rate and about a 1 percent “other vacancy” rate.

Vacancy rates in 2019 for owner-occupied units were 4.2 percent. The owner-occupied vacancy rate is lower than the Countywide rate and statewide rate. Renter-occupied units had a lower vacancy rate - 1.8 percent. The renter-occupied vacancy rate is similar to the Countywide rate but higher than the statewide rate.

Exhibit 12: Vacancy Rates

	Madera	Madera County	California
Renter Occupied	1.9%	1.8%	1.2%
Owner Occupied	2.1%	4.2%	3.6%

SOURCE: American Community Survey, 2013-2017 5-Year Estimates

Housing Conditions

In the absence of a recent housing conditions survey, the City must estimate the condition of its housing stock according to the age of the stock. As shown in Exhibit 13, 29 percent of the housing stock was built before 2000 or later, which accounts for a strong housing construction cycle the City experienced during this time. Overall housing supply in Madera has increased by 5,330 housing units since 2000, though only 180 units have been built in the last 5 years. An estimated 45 percent of housing units were built before 1979. It is probable that many of these older units require some level of rehabilitation and some would require replacement.

Exhibit 13: Year Structure Built

	Units	Percent
Built 2014 or later	180	1.0%
Built 2010 to 2013	353	1.9%
Built 2000 to 2009	4,797	26.0%
Built 1990 to 1999	2,633	14.3%
Built 1980 to 1989	2,206	12.0%
Built 1970 to 1979	3,383	18.3%
Built 1960 to 1969	1,270	6.9%
Built 1950 to 1959	1,905	10.3%
Built 1940 to 1949	1,026	5.6%
Built 1939 or earlier	705	3.8%

SOURCE: American Community Survey, 2013-2017 5-Year Estimates

Overcrowding

Typically, a housing unit is considered overcrowded if there is more than one person per room and is considered severely overcrowded if there are more than 1.5 persons per room. A “room” in this context includes bedrooms and living rooms, but not kitchen or bathroom facilities. A family of five living in a three-bedroom home with one living room would be calculated as 1.25 persons per room and, therefore, would technically be considered “overcrowded.”

Exhibit 14 shows overcrowding by tenure for occupied housing units in the City and County. As shown in Exhibit 14, roughly 10 percent of occupied housing units in the City were overcrowded in 2019. This data point is made up of the following percentages (out of the total housing units):

- 6.9 percent had between 1.01 and 1.50 persons per room
- 2.7 percent had 1.51 or more persons per room

Countywide, 13.7 percent of households were overcrowded. These statistics reveal a slightly lower rate of overcrowding in the City than in the County, which is atypical.

Exhibit 14: Crowding

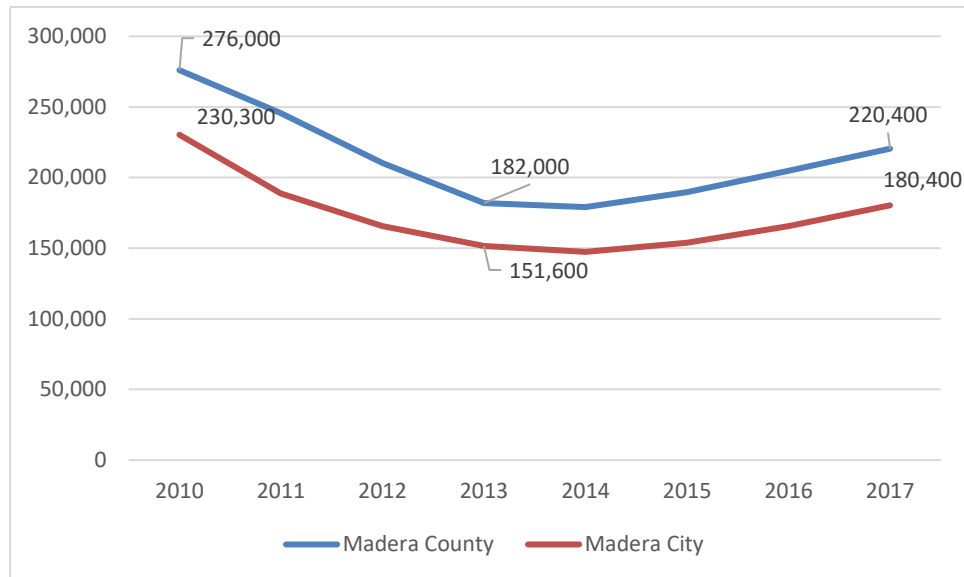
	Madera	Percent	Madera County	Percent
Occupied housing units	44,458		17,606	
1.00 or less	40,187	90.6%	15,203	86.4%
1.01 to 1.50	3,077	6.90%	1,616	9.2%
1.51 or more	1,194	2.70%	787	4.5%

SOURCE: American Community Survey, 2013-2017 5-Year Estimates

Housing Prices

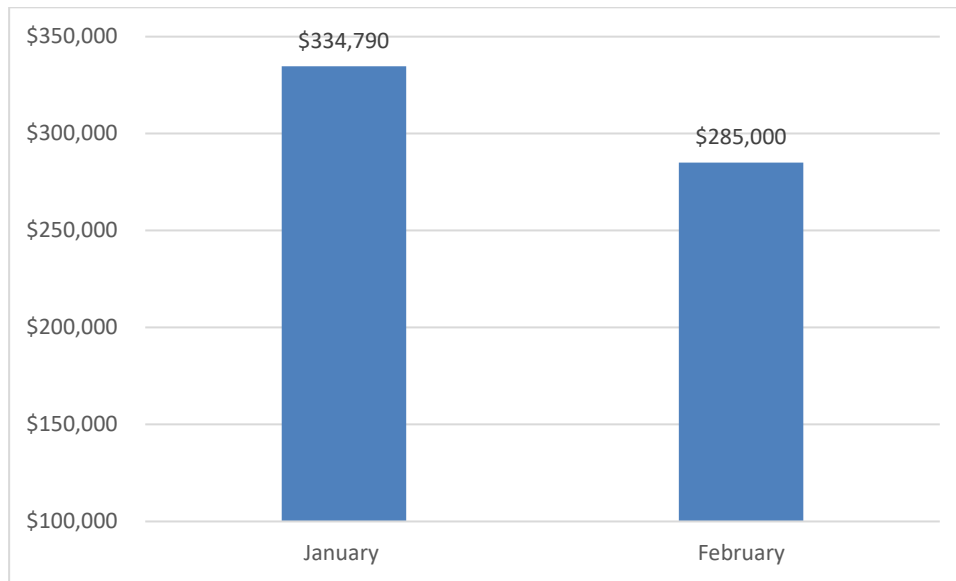
Between 1998 and 2010 there was a significant boom and then bust in local housing markets. Commonly referred to as the “housing bubble,” local markets exploded with construction and sales activity fueled by rampant speculation, loosening of credit requirements, and subprime loans for homeowners. According to data from the California Association of Realtors, from January 2002 to January 2006 the median home price in Madera more than doubled, from about \$130,000 to \$320,000, and then fell to below \$200,000 by June 2008. This trend was consistent with other jurisdictions in the region and the state. From 2010-2013, prices fell by as much as 34%, before rising back from \$182,00 to \$220,400. Recent 2020 numbers from the California Association of Realtors place home values close to \$300,000 in Madera, a confirmation of the housing uptick to this point.

Exhibit 15: Change in Home Sale Prices (2010-2017)



Source: ACS 2010-2017 Estimates

Exhibit 16: Madera Home Prices, January - February 2020



SOURCE: California Association of Realtors

The economic challenges of the past decade resulted in large price swings on Madera homes. Though the market saw a large bottoming out (along with the rest of the nation) between 2007 and 2011, values have continued to climb since then. In May 2020, the value per square foot of Madera homes was \$182, up 13% from 2019, with a median price of \$332,000, up 30% from 2019. Madera's housing market was scored 71/100, or "very competitive", according to Redfin, a real estate Brokerage. It should be noted this report was completed during the COVID-19 pandemic, which may alter the housing market in a number of ways, potentially limiting the amount of available housing stock, thus affecting prices.

With regards to lower income residents, the forecasts are not encouraging. As the cash investor market grows and competition with investors also increases, many low-income residents may be prevented from becoming homeowners. Rents for the most part have steadily increased since the lowest parts of the previous decade's economic recession.

Rents

Annually, the U.S. Department of Housing and Urban Development (HUD) prepares a schedule of Fair Market Rents (FMRs) for the Housing Choice Voucher (HCV) Program (formerly known as Section 8), a Federal program administered by public housing authorities. Other Federal programs use this schedule as a standard to determine rent affordability for very low- to low-income households. The FMR includes the shelter rent and the cost of utilities, except for telephones. HUD sets the FMR to be high enough to provide a wider selection of units and neighborhoods for low-income families and low enough to serve as many low-income families as possible. FMRs are set at the 40th percentile rent (40 percent of the rents should be lower than the FMR and 60 percent should be higher).

HUD defines housing affordability as a household spending no more than 30 percent of their household income on rent and utilities. As shown in Exhibit 17, the average rent of apartments in Madera was under the California FMR in 2019, suggesting that rents are generally affordable in Madera.

Exhibit 17: Fair Market Rent

Unit Size	Madera	California
Studio	\$883	\$914
One-Bedroom	\$839	\$1,050
Two-Bedroom	\$1,105	\$1,337
Three-Bedroom	\$1,584	\$1,865
Four-Bedroom	\$1,717	\$2,166

SOURCE: HUD FMR

2.5 Assisted Housing Resources

The availability and location of public and private assisted housing may be a fair housing concern. If such housing is concentrated in one area of a community or a region, a household seeking affordable housing is limited in their choices. Public and private assisted housing must also be accessible to qualified households regardless of race/ethnicity, disability, or other special characteristics. The Housing Authority of the City of Madera is the City's Public Housing Agency. The Housing Authority operates the Housing Choice Voucher (HCV) program and administers Public Housing rental assistance programs to lower-income families.

Housing Choice Voucher Program

The HCV Program (previously Section 8) is a rent subsidy program that helps very low-income families and seniors pay rent for private units. HCV tenants pay a maximum of 30 percent of their income for rent. The local housing authority pays the difference up to a payment standard they establish based on the FMR. The program offers very low-income households the opportunity to obtain affordable, privately-owned rental housing and to increase their housing choices. The owner's asking price must be supported by comparable rents in the area. Any amount in excess of the payment standard is paid by the program participant.

Exhibit 18: Housing Choice Voucher Waiting List

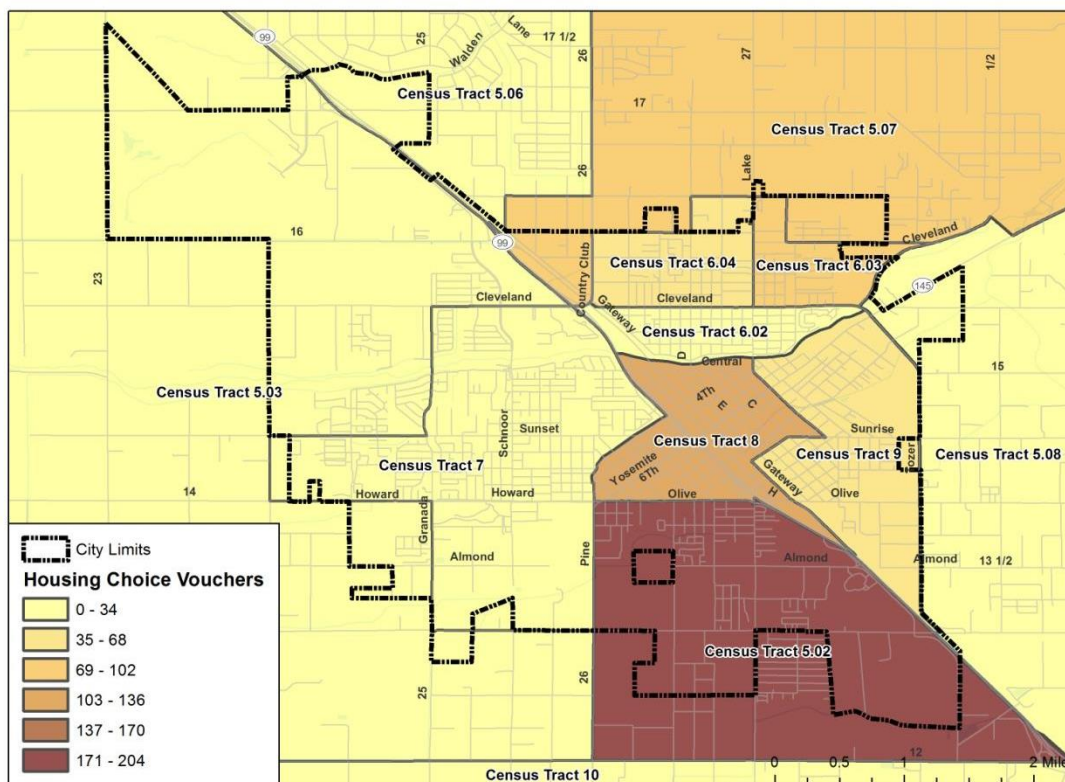
Criteria	Number of Applicants	Percent of Total Applicants
Waiting list total	767	100%
Income		
Extremely low-income <=30% AMI	547	71.3%
Very low-income (>30% but <=50% AMI)	102	13.3%
Low-income (>50% but <80% AMI)	85	11.1%
Family Type		
Families with children	509	66.4%
Elderly families	83	10.8%
Families with disabilities	100	13.0%
Race/Ethnicity		
American Indian	32	4.2%
Asian/Pacific Islander	8	1.0%
Black/African American	224	29.2%
White Non-Hispanic	102	13.3%
Hispanic/Latino	386	50.3%

Source: Housing Authority of the City of Madera, May 2020.

As shown in Exhibit 19 HCV applicants are primarily Black/African American (29.2 percent) or Hispanic/Latino (50.3 percent). Compared to the overall racial/ethnic makeup of Madera residents, African American residents are over-represented among HCV applicants, making up the majority of applicants, but only 3.2 percent of the total population in the City. The majority of applicants are extremely low-income households (71.3 percent or 547). Of the 767 HCV applicants, 66 percent (509) are families with children, 13 percent (100) are families with disabilities, and 10.8 percent (83) are elderly families.

Exhibit 19 shows the general distribution of Housing Choice Vouchers by census tract in the City in 2017. Census Tracts 6.03 (portion), 6.04 (portion), 5.02 (portion), and all of 8 had the highest concentration of Housing Choice Vouchers. These census tracts are located on the northern and southern ends of the City.

Exhibit 19: Housing Choice Vouchers by Census Tract

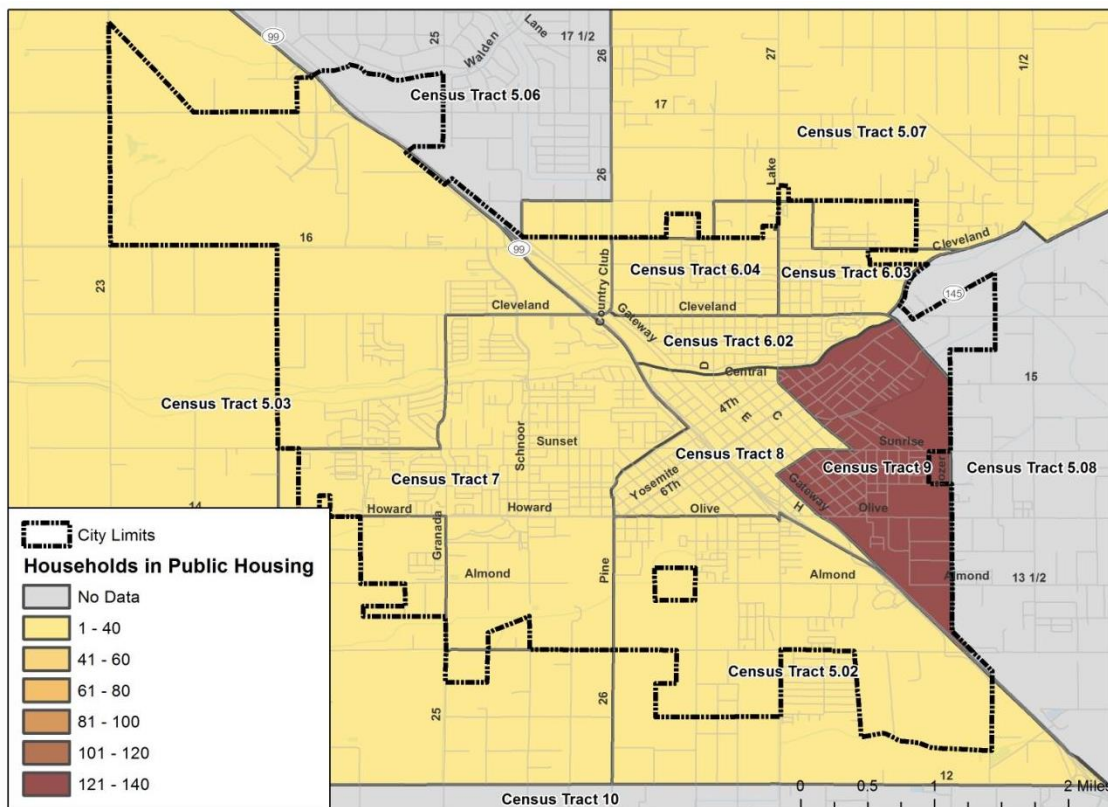


Source: TRF Policy Map, 2017.

Public Housing

The Housing Authority of the City of Madera owns and operates 244 units of conventional public housing. Exhibit 20 shows where these units are located throughout the City; however, the highest concentrations of public housing units are on the east side (Census Tract 9).

Exhibit 20: Location of Public Housing Units in Madera



Source: TRF Policy Map, 2017.

Exhibit 21 shows information about the applicants on the Housing Authority waiting list for public housing in Madera. As shown in the table, the characteristics of the applicants on the waiting list for public housing are like those on the waiting list for the HCV program. The majority are Hispanic (66.9 percent). Most applicants (72.2 percent) are extremely low-income households; about 57.7 percent are families with children, and about 13.0 percent are families with disabilities.

Exhibit 21: Public Housing Waiting List

Criteria	Number of Applicants	Percent of Total Applicants
Waiting list total	1,173	100%
Income		
Extremely low-income <=30% AMI	847	72.2%
Very low-income (>30% but <=50% AMI)	182	15.5%
Low-income (>50% but <80% AMI)	92	7.8%
Family Type		
Families with children	677	57.7%
Elderly families	160	13.6%
Families with disabilities	153	13.0%
Race/Ethnicity		
American Indian	33	2.8%
Asian/Pacific Islander	12	1.0%
Black/African American	142	12.1%
White Non-Hispanic	192	83.2%
Hispanic/Latino	386	50.3%

Source: Housing Authority of the City of Madera, May 2020.

The Housing Authority provides a fair housing briefing packet to HCV recipients and public housing residents. Information provided includes descriptions of types and examples of unlawful discrimination and avenues available to families who believe they are victims of a discriminatory act. Additionally, Housing Authority staff attend the annual Central Valley Fair Housing Conference.

Other Assisted Housing

Publicly assisted housing is defined as units for which all or part of the costs are subsidized by the public sector so that housing is affordable to lower-income households. This includes units subsidized through programs administered by HUD, the Low-Income Housing Tax Credit Program (LIHTC), and the U.S. Department of Agriculture's Rural Housing Assistance (USDA) program. As shown below, there are a total of 825 assisted housing units in the City of Madera.

Exhibit 22: Assisted Housing Units

Property	Address	Total Units	Total Affordable Units	Target Population
Cottonwood Creek	2236 Tozer	40	39	Special Needs
Valle de Las Brisas	101 East Adell Street	81	80	Senior
Madera Apartments	1525 East Cleveland Avenue	68	67	Non-Targeted
Madera Garden Apartments	1600 N. Lake Street	65	58	Non-Targeted
Sunrise Terrace	601 Sunrise Avenue	52	52	Large Family
Sherwood Pointe Apartments	338 Sherwood Way	81	80	Large Family
The Crossings at Madera	120 W. Adell Street	64	63	Large Family
Lakewood Terrace	1995 North Lake St.	76	76	Large Family
Valley Vista	1832 Merced Street	60	60	Large Family

The Village of Madera	501 Monterey Street	75	75	Large Family
Madera Family Apartments	785 Milano	40	40	-
Yosemite Manor	108 P Street	76	76	-
Arborpoint Apartments	300 W. Clark St.	64	32	Large Family
Madera Villa Apartments	2190 Schnoor	136	28	Non-Targeted
Total		978	825	1

Source: City of Madera, 2020.

In addition to these assisted multifamily units, there are hundreds of units, many of which are single family homes, that were assisted with Redevelopment Agency funding. These units have affordability restrictions for a variety of lengths from 30 to 55 years.

Licensed Community Care Facilities

A community care facility provides non-medical care and supervision to children and adults. Community care facilities provide a supportive housing environment to persons with special needs in a group situation. In California these facilities are licensed by the Community Care Licensing Division of the California Department of Social Services. Restrictions that deter or prevent these types of facilities from locating in a community may impede access to adequate housing for special needs groups requiring particular housing arrangements.

According to California's Community Care Licensing Division of the Department of Social Services, several licensed community care facilities are located in Madera County, not counting child day care facilities. This includes a diversity of facilities and specialized services such as children's residential group homes, adult residential and day care, and assisted living care for the elderly. Specific facilities by type are as follows:

Children's Residential Group Homes include:

- La Jolla Court
- Promesa, Madera House
- Valley Teen Ranch

Adult Residential Facility (adults ages 18 through 59)

- Coronado ARF
- Desert Moon
- Farr's Family Facility
- Granada House
- Jackson House Kensington
- McAlister Guest Home I
- McAlister Guest Home II
- Taylor Adult Residential Facility
- Thompson Adult Residential Care
- Watt's Residential Ridge Way

Adult Day Care (adults 18 and older)

- Golden Years Adult Day Care
- Heartland Center
- Madera Adult Day Care
- Star Center, ADP
- SVS Oakhurst Adult Day Program

Assisted Living Residential Care for the Elderly

- Cedar Creek Senior Living
- Country Rose Guest Home
- Farr's Family Facility, Elderly

- Golden Years Residential Care Home
- Johnnie's Place
- Loden Board & Care Center
- McAlister's Residential Center for the Elderly
- Oakhurst Board & Care for the Elderly
- Sierra Estates Assisted Living

Down Payment Assistance Program

The City of Madera operates a CalHome first time homebuyer down payment assistance program, with the goal of increasing homeownership opportunities for low-income first-time homebuyers. Through the program the City provides deferred interest housing loans to assist in the purchase of a home located within Madera City limits. This program is limited to the former RDA Target Area. In addition, the City, in collaboration with the County of Madera, administers the Neighborhood Stabilization Program 3 (NSP3). This program provides deferred payment “silent” second priority loans as gap financing toward the purchase price and closing costs of affordable housing units. NSP3 is limited to the HUD target area, which is the Parkwood subdivision area in Madera, and is administered by Self-Help Enterprises.

Exhibit 23 shows characteristics of recipients of the Down Payment Assistance and the NSP3 Program. Since the 2010/1011 program year, the City has provided assistance to roughly 30 households through these programs. A majority of recipients are Hispanic. As shown in the table, two recipients are extremely low-income households, nine are very low-income, and eight are low-income households. In addition, two people were identified as having a disability.

Exhibit 23: Characteristics of Down Payment Assistance and NSP3 Program Recipients

	Characteristic	Number
Race ¹	Black	1
	White	7
	Other	21
Ethnicity ¹	Hispanic	24
	Non-Hispanic	5
Income	Extremely Low and Very Low	15
	Low	8
	Moderate	1
	Above Moderate	5
Sex	Male	16
	Female	13
Disability	Yes	2
	No	27
Familial Status	Married	12
	Single	17
Source: City of Madera, May 2020.		
¹ Race and ethnicity is self-reported and does not necessarily align with the Census definitions of race and ethnicity.		

SECTION 3. IMPEDIMENTS TO FAIR HOUSING CHOICE

3.1 Impediments in the Public Sector

Public policies established at the regional and local levels can affect housing development and, therefore, may impact the range and location of housing choices available to residents. Fair housing laws are designed to encourage an inclusive living environment, and an assessment of public policies and practices can help determine potential impediments to fair housing opportunity. This section presents an overview of government regulations, policies, and practices enacted by the City of Madera that have the potential to impact fair housing choice.

California law contains several provisions aimed at removing barriers to housing for lower-income residents and those with special housing needs. As described in this section, the City updated its Zoning Ordinance to comply with State law requirements and remove barriers to housing production. Therefore, very few potential impediments remain.

General Plan

Required by California law in every City and County, a general plan establishes a vision and provides long-range goals and policies to help guide a jurisdiction achieve its vision and goals over the long term. Two of the seven State-mandated general plan elements, housing and land use, have direct impacts on the local housing market in terms of the amount and range of housing choice.

Housing Element

California law requires that housing elements be updated on a regular basis. The City's most recent Housing Element serves the planning period from 2016 to 2024. The housing element is subject to review by the California Department of Housing and Community Development (HCD) for compliance with State law. Housing element law assumes that, for the private market to adequately address housing needs and demand, local governments must provide opportunities for and not constrain development of housing for all income levels. Specifically, through its housing element, the City must do the following:

- Identify available sites that are appropriately zoned and have adequate public infrastructure and services necessary to facilitate the development of a range of housing types.
- Assist in the development of adequate housing to meet the needs of low- and moderate-income households.

- Address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing.
- Conserve and improve the condition of the existing affordable housing stock.
- Preserve assisted housing developments at-risk of converting to market-rate.
- Promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

The Housing Element contains several policies and actions that seek to remove governmental constraints on housing. These actions are identified throughout this section of the Analysis of Impediments Report.

Land Use Element

The land use element of a general plan designates the general distribution, location, and extent of development of housing, business, industry, open space, community facilities, and other land uses. As it applies to housing, the land use element establishes a range of residential land use densities. Residential land use policy is implemented through zoning districts and development standards specified in the City's zoning ordinance. State law requires that the zoning ordinance be consistent with the general plan.

Residential Land Use Densities

The allowable density range of residentially designated land is perhaps the one governmental factor that most directly influences the supply and cost of housing in a local housing market. In general, higher densities allow developers to take advantage of economies of scale and reduce the per-unit cost of land, improvements, and construction. Higher residential densities also increase the potential for producing affordable housing.

As shown in Exhibit 24, the General Plan includes four residential designations and Community Commercial and Village Mixed Use designations that permit a range of residential development types.

The Department of Housing and Community Development (HCD) considers 20 units per acre an adequate density, in most cases, to allow for the construction of affordable housing in Madera. The City of Madera General Plan allows a range of single family (0 to 50 du/ac) and multifamily (7.1 to 50 du/ac) residential uses. According to Pacific Companies, a local developer, and the Housing Authority of the City of Madera (co-partner with Pacific Companies in a recent affordable housing project called Arbor Point), 15 units per acre is the most ideal density in Madera to achieve economies of scale that allow developers to provide affordable housing units. This is largely due to the relatively lower cost of land in the area and the higher construction costs associated with building more than two stories. The residential densities allowed by the City of Madera General Plan are not an impediment to affordable housing.

Exhibit 24: Zoning Ordinance

General Plan Designation	Residential Use	Density	Minimum Lot Size	Corresponding Zoning Districts
Residential Land Use Designations				
Very Low-Density Residential (VLD)	Single family units	0-2 units/net acre	0.5 acres	--
Low-Density Residential (LD)	Single family units	2.1-7 units/ net acre	6,000 sq. ft.	R-A, R-1, PD
Medium-Density Residential (MDR)	Zero-lot line single family units and all multifamily units	7.1-15 units/ net acre	None	R-2
High-Density Residential (HD)	Single family and multifamily units; intended to be applied to lands within walking distance of existing or planned shopping districts and in Village Centers	15.1-50 units/ net acre	None	R-3
Commercial Land Use Designations				
Community Commercial	Single family and multifamily units	N/A, residential only allowed with special review		Mixed-Use Overlay
Mixed Use Designations				
Village Mixed-Use	This category provides for a mix of uses generally corresponding to the Medium Density Residential, High Density Residential, Neighborhood Commercial, and Community Commercial land use categories. This designation is to be applied in the Village Centers and implemented through standard zoning districts, specific plans, planned development, or other methods.	Villages: 6-8 du/acre; Village Centers: 8-18 du/acre	N/A	Mixed-Use
<i>Source: City of Madera 2016-2020 Land Use Element.</i>				

The Zoning Ordinance implements the City's General Plan by establishing zoning districts that correspond with General Plan land use designations. Development standards and permitted uses in each zoning district are specified to regulate the density, type, and design of different land uses (Government Code, Sections 65800-65863). Several aspects of a zoning ordinance that may affect access to housing or limit the range of available housing choices are described in this section. The City conducted an update to its Zoning Ordinance, which addressed several of the potential impediments identified in the 2015 Analysis of Impediments to Fair Housing Choice.

Restrictions on Single Family Units in Multifamily Districts

Single and multifamily housing types include detached and attached single family homes, duplexes or half-plexes, townhomes, condominiums, and apartments. Zoning ordinances typically specify the districts in which each of these uses is permitted by right. Zoning ordinances should avoid “pyramid” or “cumulative zoning” which permits lower-density single family uses in multifamily zones. Such practice reduces the potential for multifamily residential development. The City allows single family housing as a permitted use in all residential zones, including higher-density residential districts (i.e., R3). This has the potential to be an impediment to the development of higher-density, multifamily housing.

Density Bonus Provisions

State law (California Government Code Section 65915) requires local governments to grant a density bonus and/or financially equivalent incentives to developers who agree to provide a specified percentage of affordable housing or child care facilities for lower-income families as part of a residential development. The amount of bonus units or incentives depends on the percentage of affordable housing units provided. Developments can receive up to a 35 percent density bonus and up to three incentives. The City updated the Density Bonus Ordinance to comply with State law in 2015.

Definition of Family

A zoning ordinance can potentially restrict access to housing by defining families in a restrictive manner. California Courts have ruled that an ordinance that defines a “family” as: 1) an individual; 2) two or more persons related by blood, marriage, or adoption; or 3) a group of not more than a certain number of unrelated persons as a single housekeeping unit, is invalid. Court rulings stated that defining a family does not serve any legitimate or useful objective or purpose recognized under the zoning and land planning powers of the jurisdiction and, therefore, violates rights of privacy under the California Constitution. A zoning ordinance also cannot regulate residency by relying on a definition of family inconsistent with State law.

The City of Madera updated its Zoning ordinance to define “family” as, “One or more persons related by blood or legal status or persons not so related who are functioning as a family or single-housekeeping unit, meaning that they have established ties and familiarity with each other, jointly use common areas, interact with each other, share meals, household activities, expenses and responsibilities” This definition of family is not restrictive.

Second Units

A second unit is an attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons. It includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary single-family dwelling. A second unit also includes attached or detached efficiency units, or manufactured homes, as defined in Sections 17958.1 and 18007 of the Health and Safety Code.

State law requires localities to allow ministerial review for second units (i.e., without discretionary review or hearings). To be considered a ministerial review, the process used to approve second units must “apply predictable, objective, fixed, quantifiable, and clear standards.” Applications for second units should not be subject to onerous conditions of approval or public hearing process or public comment. The second unit law also established maximum standards for second units on lots zoned for residential use that contain existing single-family dwellings.

The City updated its Zoning Ordinance to permit second units on all lots where one single family detached dwelling is permitted, consistent with State law.

Manufactured Housing and Mobile Homes

Manufactured housing can provide quality housing at an affordable price. The recent trend in State legislation has been to encourage homeowners to place and finance manufactured homes on single family lots. As a result, mobile homes as well as factory-built housing may now be taxed as real estate and may be set on permanent foundations, like conventional site-built housing.

California law (Government Code Sections 65852.3 and 65852.4) prohibits local jurisdictions from excluding manufactured homes from all lots zoned for single family dwellings; in other words, limiting the location of these homes to mobile home parks is forbidden. However, the law does allow the local jurisdiction to designate certain single family lots for manufactured homes based on compatibility for this type of use. The City of Madera Zoning Ordinance permits manufactured housing in residential zones upon approval by the Zoning Administrator. Therefore, the Zoning Ordinance does not act as a constraint to manufactured housing.

Emergency Shelters

In effect since January 1, 2008, Senate Bill (SB) 2 (Cedillo, 2007) requires the City to allow emergency shelters without any discretionary action in at least one zone that is appropriate for permanent emergency shelters. The law also requires that the City demonstrate site capacity in the zone identified to be appropriate for the development of emergency shelters. Within the identified zone, only objective development and management standards may be applied, given they are designed to encourage and facilitate the development of or conversion to an emergency shelter. Those standards may include:

1. The maximum number of beds or persons permitted to be served nightly by the facility;
2. Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.
3. The size and location of exterior and interior on-site waiting and client intake areas;
4. The provision of on-site management.
5. The proximity to other emergency shelters providing that emergency shelters are not required to be more than 300 feet apart.
6. The length of stay.
7. Lighting; and
8. Security during hours that the emergency shelter is in operation.

The City updated its Zoning Ordinance to permit emergency shelters by-right in the C-2 (Heavy Commercial) zone, in compliance with State law.

Transitional and Supportive Housing

Transitional housing is defined by California law as rental housing for stays of at least six months, but where the units are recirculated to another program recipient after a set period. It may be designated for a homeless individual or family transitioning to permanent housing. This housing can take many structural forms, such as group housing and multifamily units, and may include supportive services to allow individuals to gain necessary life skills in support of independent living.

Supportive housing is defined by California law as housing with on-site or off-site services with no limit on the length of stay and occupied by a target population (i.e., low-income person with mental disabilities, AIDS, substance abuse, or chronic health conditions; or persons whose disabilities originated before the age of 18). Services linked to supportive housing are usually focused on retaining housing, living and working in the community, and/or health improvement.

California law requires that transitional and supportive housing types be treated as residential uses subject only to those restrictions that apply to other residential uses of the same type in the same zone. The City updated its Zoning Ordinance to comply with State law and permit transitional and supportive housing in all zones permitting residential uses, subject to the same permit requirements of other residential uses of the same type in the same zone.

Group Homes

Currently (2020) the City of Madera considers group homes part of the “foster homes, day care facilities, rehabilitation center, and other related facilities which provide housing for six or fewer unrelated persons” category. The Madera Zoning Ordinance allows group homes and other related facilities (six or fewer persons) in residential zones upon administrative approval. Administrative approval does not require an application or staff review. Group homes that provide housing for more than six persons are allowed in residential zones upon obtaining a conditional use permit from the Planning Commission. These facilities are also allowed with a conditional use permit in the Light Commercial (C-1) and Heavy Commercial (C-2) zones. Group homes are not permitted in any other zones. The City’s provisions for group homes do not act as a constraint.

Reasonable Accommodation Procedures

The Fair Housing Act prohibits discrimination against applicants or residents because of their disability and from treating persons with disabilities less favorably than others because of their disability. In addition, the Act makes it unlawful for persons to refuse to make reasonable accommodations in “rules, policies, practices, or services” when necessary for persons with disabilities. Reasonable accommodation refers to a change, exception, or an adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling or public and common areas.

The City updated its Zoning Ordinance to formalize a reasonable accommodation procedure to remove housing constraints for persons with disabilities and will make information available about requesting reasonable accommodation

Building Codes and Accessibility

The City has adopted the 2007/2008 Uniform Building Code with no additional local provisions. The City actively enforces ADA requirements, as well as Title 24 of the California Administrative Code, which regulates disabled accessibility to facilities. While the City has considered universal design elements, the City has not adopted these code provisions.

Transit Services

City transit services provide access to employment centers, educational opportunities, and shopping. In addition, there are special options available to seniors and persons with disabilities. The City operates two bus services: Madera Metro (MM), a fixed-route system, and Dial-A-Ride, a general public demand-response system. All buses are wheelchair accessible and the City provides discounted fare for Seniors, the disabled, and Medicare cardholders. Overall, the transit system connects residents with major employment areas of the City, shopping opportunities, the Madera Community Hospital, and City services.

MM is available weekdays from 7:00 a.m. to 6:30 p.m. and on Saturdays from 9:00 a.m. to 4:00 p.m. The MM system consists of three routes using four buses throughout the day. Route 1 operates on a 35-minute headway from Cleveland Avenue and Schnoor Avenue through Central Madera, with alternating route ends operating hourly to the Madera County Government complex on Road 28 and the Madera Community Hospital. Route 2 operates on a 70-minute headway from Cleveland Avenue and Schnoor Avenue to Community Hospital via Howard Road. MAX provides over 140,000 passenger trips per year with approximately 12,500 service hours. The fare is \$1.00 for a one-way trip. Half fare (\$0.50) is in effect from 10:00 a.m. until 2:00 p.m. for senior, disabled, and Medicare riders.

Dial-A-Ride is a general public transit system primarily serving the elderly and disabled. Dial-A-Ride provides an alternative service for passengers preferring the convenience of curb-to-curb transportation due to age, disability, or distance from a transit route. Although Dial-A-Ride is available to any member of the general public, its priority is to provide complementary paratransit service in response to the Americans with Disabilities Act (ADA). The service operates weekdays from 7:00 a.m. to 6:30 p.m., Saturdays from 9:00 a.m. to 4:00 p.m., and Sundays from 8:30 a.m. to 2:30 p.m. The one-way DAR fare within the fixed route area, other parts of the City, and parts of the County is \$1.00 for ADA riders and seniors and \$3.00 for the public. The fare for all riders in the DAR service area outside the \$1.00 County area is \$3.00 for all riders. Dial-A-Ride operations take place within the Madera urban area, covering a five-mile radius from the downtown area, and transport approximately 70,000 riders annually. The City provides an ADA-Paratransit brochure in both English and Spanish.

3.2 Impediments in the Private Sector

Equal Opportunity in Mortgage and Home Improvement Financing

The majority of potential homeowners within the United States require a loan to finance the cost of purchasing a home. Under the Home Mortgage Disclosure Act (HMDA), most banks, savings associations, and many mortgage brokers must disclose the racial, gender, and income characteristics of all home loan applicants and whether these applications were approved. This data makes it possible to analyze lending experiences for different groups and the performance of individual lenders. The HMDA data presented in this section applies to the Madera-Chowchilla Metropolitan Statistical Area (MSA).

As shown in Exhibit 25, 700 households applied for conventional home loans and 792 households applied for government insured home purchase loans in the Madera-Chowchilla MSA in 2017. The majority of loan applicants (40.2 percent) were upper-income households earning 120 percent or more of the area median income (MI). Moderate-income (80 to 119 percent of MI) and lower-income (less than 80 percent of MI) households accounted for 27.3 percent and 32.5 percent of loan applicants, respectively.

Analysis of loan application disposition considers both approval and denial rates, primarily because withdrawal of applications can significantly affect these rates. Analyzing both approval and denial rates provides a clearer view of loan activity and trends by allowing multiple points of comparison. The approval rate of conventional loans as expected, increased with income.

Overall for conventional loans, White applicants had higher approval rates (71.7 percent) and lower denial rates (12.1 percent) than non-White applicant approval rates (62.7 percent) and denial rates (17.9 percent). For nearly every income category, White applicants had higher approval rates and lower denial rates than non-White applicants (except for 100-119 percent median income, where non-Whites had a higher approval rating). The nine percent difference in approval rates between Whites and non-Whites is similar to the difference in approval rates based on income. This indicates that race and ethnicity may be a similar factor of loan approval rates than income in the Madera-Chowchilla MSA.

Federally backed loans are those guaranteed or insured by a Federal government agency, such as FHA or VA home loans. Because these loans are Federally guaranteed, they offer additional means of acquiring financing for home purchases for those unable to qualify for conventional home loans. As shown in Exhibit 25, 792 applications were made for government-backed loans to purchase homes within the Madera-Chowchilla MSA in 2017. Upper-income applicants represented 30.4 percent of these loan applications, while moderate-income households represented 13.3 percent of applicants, and lower-income households comprised 45.6 percent of applicants. Overall, denial rates are slightly higher for government-backed loans than conventional loans. The approval rates varied by income and by race. White applicants had higher approval rates than non-White applicants.

Impediments to Fair Housing Choice

3.0

Exhibit 25: Disposition of Home Loans by Percentage of Median Income and Race/Ethnicity¹

		Less than 50 percent MI		50 to 79 percent MI		80 to 99 percent MI		100 to 119 percent MI		120 percent or more MI		Total		Total
		White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	White ²	Non-White ³	
Conventional Home Purchase Loans	Total Applications Received	20	31	49	73	54	34	47	33	251	108	421	279	700
	Approved ⁴	#	13	19	33	34	39	20	31	23	186	79	302	175
		%	65.0%	61.3%	67.3%	46.6%	72.2%	58.8%	66.0%	69.7%	74.1%	73.1%	71.7%	62.7%
	Applications Denied ⁵	#	6	8	8	18	8	6	4	5	25	13	51	50
		%	30.0%	25.8%	16.3%	24.7%	14.8%	17.6%	8.5%	15.2%	10.0%	12.0%	12.1%	17.9%
	Other ⁶	#	1	4	8	21	7	8	12	5	40	16	68	54
		%	5.0%	12.9%	16.3%	28.8%	13.0%	23.5%	25.5%	15.2%	15.9%	14.8%	16.2%	19.4%
Government Insured Home Purchase Loans	Total Applications Received	14	71	45	182	55	79	46	59	133	108	293	499	792
	Approved ⁴	#	8	41	31	120	39	55	42	39	97	78	217	333
		%	57.1%	57.7%	68.9%	65.9%	70.9%	69.6%	91.3%	66.1%	72.9%	72.2%	74.1%	66.7%
	Applications Denied ⁵	#	3	15	8	32	7	12	1	9	20	16	39	84
		%	21.4%	21.1%	17.8%	17.6%	12.7%	15.2%	2.2%	15.3%	15.0%	14.8%	13.3%	16.8%
	Other ⁶	#	3	15	6	30	9	12	3	11	16	14	37	82
		%	21.4%	21.1%	13.3%	16.5%	16.4%	15.2%	6.5%	18.6%	12.0%	13.0%	12.6%	16.4%

¹ SOURCE: HDMA, 2017

SECTION 4. ASSESSMENT OF CURRENT FAIR HOUSING

4.1 Fair Housing Practices in Madera

Typically, fair housing services for renters and homebuyers include the investigation and resolution of housing discrimination complaints, discrimination auditing/testing, and education and outreach, including the dissemination of fair housing information such as written material, workshops, and seminars. Tenant/landlord counseling is another fair housing service that involves informing landlords and tenants of their rights and responsibilities under California law and mediating conflicts between tenants and landlords. While the City of Madera has had limited resources to devote to these activities, it has worked with other organizations and agencies in the past to promote fair housing in Madera.

Fair Housing Organizations

Fair Housing Council of Central California

The Fair Housing Council of Central California (FHCCC) has worked with the City in the past in a number of areas to promote fair housing. The FHCCC is a private, non-profit agency that facilitates equal access to apartments, homes, mortgage loans, and insurance policies for residents of the Central Valley. As an operating member of the National Fair Housing Alliance, the FHCCC is dedicated to educating the housing industry and community in regard to State and Federal housing laws; conducting research into the nature and extent of housing, lending, and insurance discrimination; and enforcing the Federal Fair Housing Act to increase housing opportunities for all people. The FHCCC provides services and accepts complaints from residents throughout the Central Valley. Its activities include developing and implementing auditing and testing programs to assess discriminatory practices in the housing market.

California Rural Legal Assistance

California Rural Legal Assistance (CRLA) is a non-profit legal and political advocacy group that promotes the interests of migrant laborers and the rural poor. While CRLA's mission is much broader than fair housing issues, CRLA does deal with fair housing complaints on behalf of its clients. Specifically related to housing, CRLA addresses matters involving tenants' rights, sub-standard housing, lockouts and utility shut offs by landlords, housing discrimination, farmworker housing, rent deposit refunds, and eviction defense. CRLA has a regional office located in the City of Madera.

Housing Authority of the City of Madera

The Housing Authority of the City of Madera provides fair housing information to its Housing Voucher participants to assist them as they look for housing and negotiate with property owners. Also, like previously mentioned, the Housing Authority provides a fair housing briefing packet to HCV recipients and public housing residents. Additionally, Housing Authority staff attend the annual Central Valley Fair Housing Conference.

Resources for Independence Central Valley

The Resources for Independence Central Valley is a non-profit advocacy organization that assists people with disabilities in living more independently. The Resources for Independence Central Valley provides housing-related services, which include information and referral, landlord/tenant advocacy, home modification resources, apartment referral list, and homeowner/rental assistance.

Auditing and Testing in Madera

In October and November 1998 FHCCC conducted an Audit of Race and Familial Status Discrimination in the City of Madera, with the results presented to the City Council in June 1999. Sixteen paired tests were conducted on 12 apartment complexes in Madera. Testing sought to uncover discrimination based on race, the presence of children, and the number of children. Based on race, African Americans experienced discrimination in 88 percent of their attempts to enter into a rental agreement. Families with children experienced discrimination in 71 percent of their attempts to enter into a rental agreement. Recommendations from the audit included the following:

- Conduct fair housing training for housing providers, consumers, faith-based, educational, and civic groups.
- Investigate and resolve fair housing violations.
- Encourage recipients of CDBG funds to integrate their mission with the goal of promoting fair housing; and
- Work in a collaborative effort to proactively further fair housing.

Nine years later, in October 2007, FHCCC conducted a similar audit. Fifteen properties were audited within Madera. Properties were in different parts of the City and were all apartment complexes. These properties represented about 80 percent of available rental properties at the time of the audit. Tests were set up as pairs, with one African American profiled as the “protected” tester and one White tester profiled as the “control” tester. Two sets of pairs were used in the audit. Results indicated that the African American tester was treated differently or given different information than the White tester 75 percent of the time. Only three projects treated both testers the same and provided the same availability and rental information. Seven administrative lawsuits were filed by the FHCCC as a result of this testing.

4.2 Public Participation

The City held seven focus group discussions from April 21-23, 2020 to compile quantitative research on housing needs. In addition to the information collected at community meetings, the City conducted key stakeholder interviews with Madera residents and officials. Input gathered at these meetings and interviews was used to inform the City’s actions for the next program years.

The City conducted an extensive community outreach program during the process of developing the Consolidated Plan. Specifically, the public consultation process included the following components:

Consultation with Public and Nonprofit Agencies

In preparing the Consolidated Plan, the City consulted with a variety of agencies, including local and regional service providers, the Housing Authority, business groups, nonprofits, and many others. The City also attended meetings and spoke with local housing and homeless service providers to gain additional input. The goal of the consultation process was to gather data, inform the community, and determine priority needs of Madera residents to develop the priorities and strategies contained within this five-year plan.

Focus Groups

From April 21-23, 2020, the City held 7 Focus Group Meetings. Due to restrictions from COVID-19, the meetings were held digitally, via Zoom technology. The City publicized the Focus Group Meetings using email announcements, the City’s website and social media accounts, phone calls, and at a City Council Meeting. Outreach was conducted in both English and Spanish. Approximately 20 people attended the focus group discussions, which offered a Spanish language group for those who were interested.

Community Needs Survey

The City conducted a Community Needs Survey to solicit input from residents and workers. The survey informed respondents that the City was updating the Consolidated Plan for Federal CDBG funds that primarily serve low- to moderate-income residents. The survey polled respondents about the level of need in the City for various types of improvements that can potentially be addressed using CDBG funds, including housing, public facilities and services, infrastructure, and economic development improvements. The City collected 302 survey responses, including surveys collected electronically and on paper. Of the 302 surveys, 270 individuals responded to the survey in English and 32 individuals responded in Spanish.

Summary of the objectives and outcomes identified in the Citizen Participation

The Needs Assessment identified several types of programs, projects, and services that are needed in the community, including the following:

General Housing Needs

1. Increased supply of affordable housing.
Rentals for those with extremely low-income and very low-income. This would also include rental assistance programs.
Increased supply of housing (e.g., apartments and lower-cost homes) for people on a fixed income or otherwise at-risk of being “priced out” of the area – specifically, low-income seniors, people living with disabilities, and others on a fixed income.
2. Additional resources for people experiencing homelessness.
Additional capacity of temporary shelters.
Transitional support housing for individuals who are experiencing homelessness, mental health and/or substance use issues.
Housing for homeless young people and young people transitioning out of foster care.
3. Increased supply of apartments suitable for people living with disabilities.
4. Additional specialized housing (e.g., seasonal or congregate-style units) for agricultural workers.
5. Additional, centralized sources of housing information for low income residents – especially in select areas in Madera.
6. Additional resources to improve the quality of existing apartments and houses such as energy efficient improvements.
7. Additional shelters and support services for abused, abandoned, or neglected children; this would also include greater access to information about existing services.
8. Urgent resources for individuals and families impacted by the COVID-19 pandemic including information and support services (e.g., food, clothing, sanitation, and job

support services) for those at-risk of becoming homeless, easily accessible information regarding foreclosure and eviction laws and rights, increased supply of temporary shelters (as noted above).

Non-housing community development needs

Public Facilities

1. Additional health and wellness activities for youth such as Teen Activity programs, new / renovated Teen Centers, and other community-led activities.
2. Increased downtown revitalization.
3. Increased / improved services for people experiencing homelessness including but not limited to food, clothing, healthcare including behavioral healthcare, showers, toilets, and child support/day care.

Public Services

1. Expanded job training and employment opportunity programs. Program to assist with job-skills development and job placement. This may increase in priority as the current COVID-19 pandemic continues to impact communities and the related economic need.
2. Additional services to address community health needs, e.g., mental health, substance misuse / abuse; intimate partner violence; services for abused, abandoned, or neglected children; and people living with HIV/AIDS.
3. Expanded Meals-on-Wheels for home-bound seniors.

Economic Development and Public Improvements

1. Improved infrastructure such as street maintenance; additional, accessible sidewalks; and, improved maintenance of existing sidewalks.
2. Additional incentives to incentivize new development such as (but not limited to) reduce regulatory and permitting fees, increased zoning and building requirement flexibility.
3. Enhanced public transportation – including better access for seniors, youth, and people living with disabilities.

4.3 Fair Housing Complaints, Compliance Reviews, or Discrimination Suits

Fair Housing Agency Complaints

Complaints alleging housing discrimination can be filed at the Federal and State level. At the Federal level complaints are filed with HUD's Office of Fair Housing and Equal Employment Opportunity (FHEO). FHEO administers the Fair Housing Assistance Program (FHAP) which awards and manages the Fair Housing Initiatives Program grants and proposes fair housing legislation. Complaints can be submitted to the central HUD office or to field offices located in each state.

Exhibit 26 shows the number of cases closed with HUD from January 1, 2013, to September 30, 2016. Cases filed in one year are not necessarily closed in the same year. None of the complaints filed were based on national origin, sex, or familial status. The most common type of complaints filed were cases that dealt with a disability.

Exhibit 26: Fair Housing Complaints

Date	Number of Filed Cases	Number of Filed Cases with a Race Basis	Number of Filed Cases with a Black or African-American Race Basis	Number of Filed Cases with a Disability Basis	Number of Filed Cases with a Retaliation Basis
1/8/2013	1			1	1
1/17/2013	1			1	
1/28/2013	1	1	1		
8/8/2013	1			1	
8/12/2013	1			1	
9/4/2014	1			1	
10/8/2015	1			1	
8/25/2016	1			1	

¹ There were no complaints filed based on national origin, sex, or familial status. All other complaints were filed with FHEO's Fair Housing Assistance Program (FHAP).

² One complaint case had two bases (Disability and Retaliation) counted as a single case.

Source: San Francisco Regional Office, HUD Fair Housing, January 2017.

Section 504 Compliance

Section 504 of the Federal Rehabilitation Act of 1973 prohibits discrimination based on disability in any program receiving Federal financial assistance. This includes provisions for providing reasonable modifications in all rules, policies, and procedures. Programs must be readily accessible to and useable by individuals with disabilities. Major alterations or construction of dwelling units must provide at least 5 percent of units accessible to people with mobility impairments and at least 2 percent of units accessible to people with visual or hearing impairments. According to the FHEO there have been 8 Section 504 complaints filed against the City or the Housing Authority of the City of Madera during the period of January 2013 and August 2016.

Hate Crimes

When people are kept from moving or locating in certain neighborhoods by a fear of hate crimes, this constitutes a fair housing violation. To a certain degree, hate crimes can also be an indicator of discrimination. Hate crimes are committed because of a bias against race, religion, disability, ethnicity, or sexual orientation. Examples of hate speech include name-calling, epithets, and the display or distribution of hate material in public places, and the display of offensive hate-motivated material on one's property. Freedom of hateful speech is constitutionally protected if it does not interfere with the civil rights of others.

To determine the scope and nature of hate crimes, the Federal Bureau of Investigation (FBI) Uniform Crime Reporting Program collects statistics on these incidents as reported by local law enforcement agencies. Because motivation is subjective, it is sometimes difficult to know with certainty whether a crime resulted from an offender's bias. Moreover, the presence of a bias alone does not necessarily mean that a crime can be considered a hate crime. According to the FBI, only when law enforcement investigation reveals sufficient evidence to lead a reasonable and prudent person to conclude that the offender's criminal actions were motivated, in whole or in part, by his or her bias, should an incident be reported as a hate crime.

The Madera Police Department provided hate crime data since 2009. While there were no hate crimes reported in 2009, there were a total of nine hate crimes reported in 2010. However, the total number of reported hate crimes per year has decreased since 2010. In 2011 a total of two hate crimes were reported; in 2012 a total of three; in 2013 a total of two; and from 2014 - 2019 no hate crimes were reported.

SECTION 5. FAIR HOUSING ACTION PLAN

This section of the report builds upon the previous analysis and presents a list of specific ongoing actions the City will continue to undertake in order to address the impediments.

Access to Information

Action 1: The City of Madera will provide fair housing information on its website as well as links to housing services and resources, fair housing, and consumer information on housing choices. The City will make available such information at local service centers, City offices, the Housing Authority office, the public library, and other public facilities.

Priority: High

Action 2: The City will provide education on fair housing to City staff members who administer and oversee housing programs and code enforcement activities so they can respond to phone calls from the public about fair housing and landlord/tenant issues.

Priority: Medium

Fair Housing Services and Outreach

Action 3: The City will continue to work with local agencies to designate an organization that will act as the lead agency for fair housing issues and formalize a system for processing fair housing complaints in Madera.

Priority: High

Action 4: The City will seek opportunities to work with a fair housing organization to conduct an auditing program of fair housing problems in the City.

Timeframe: Ongoing

Priority: Medium

Action 5: The City will work with partner agencies, including fair housing service providers, the Housing Authority, California Rural Legal Assistance, local apartment and realtor associations, and disability rights groups to reach out to landlords and property managers about fair housing issues. This outreach may include compiling mailing lists of rental property owners and managers to provide informational materials regarding fair housing rights and responsibilities, including rights of persons with disabilities; and conducting fair housing workshops.

Priority: Medium

Public Policies and Programs

Action 6: The City will continue to comply with antidiscrimination requirements, including all applicable Federal regulations as demonstrated in the City’s application for Community Development Block Grant, HOME, and other Federal funds.

Priority: High

Action 7: The City will continue to implement policies and programs identified in its Housing Element and implement Zoning Ordinance amendments necessary to further fair housing.

Priority: Medium

Action 8: The City will continue to implement the recommended actions in the *City of Madera ADA Self-Evaluation and Transition Plan* to modify its policies, practices and procedures to avoid discrimination against people with disabilities.

Priority: High

APPENDIX A: SOURCES

California Association of Realtors

California Department of Fair Employment and Housing

California Department of Finance

California Rural Legal Assistance (telephone interview)

City of Madera ADA Self-Evaluation and Transition Plan, 2009

City of Madera Housing Element, 2009

City of Madera Consolidated Plan, 2020-2024

City of Madera Police Department

Fair Housing Council of Central California (telephone interview)

Federal Bureau of Investigation (FBI) Uniform Crime Reporting Program

Fresno-Madera Continuum of Care Point-in-Time Count, 2014

Home Mortgage Disclosure Act (HMDA) data, 2017

Housing Authority of the City of Madera

U.S. Department of Housing and Urban Development. HUD User Data Sets. Fair Market Rent, 2013

U.S. Department of Housing and Urban Development Fair Housing, San Francisco Regional Office

U.S. Census Bureau, American Community Survey

U.S. Census Bureau, 2010 Census

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APPENDIX B: ADOPTING RESOLUTION

Placeholder