



# ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING

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City of Salem CDBG

City of Salem/Keizer HOME Consortium

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Contact:  
City of Salem  
Urban Development Department  
350 Commercial Street NE.  
Salem, OR 97301

## **INTRODUCTION AND GENERAL SUMMARY**

### **ASSESSMENT OF THE IMPEDIMENTS TO FAIR HOUSING**

In order to continue receiving federal funds for housing and community development activities in Salem and Keizer, the City of Salem is required by the U.S Department of Housing and Urban Development (HUD) to prepare a Housing and Community Development Consolidated Plan (Consolidated Plan). The Consolidated Plan describes strategies, priorities, and proposed actions including activities taken to Affirmatively Further Fair Housing. In order to Affirmatively Further Fair Housing, HUD requires jurisdictions that receive federal funds to prepare an Analysis of Impediments to Fair Housing Choice and develop activities to overcome the effects of identified impediments.

Impediments to Fair housing Choice are defined as any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin that have an effect of restricting housing choice or the availability of housing choice. The Analysis reviews the entitlement community's laws, regulations, administrative procedures, and practices. It assesses how laws affect the location, availability, and accessibility of housing while considering conditions, both public and private, affecting fair housing choice for all protected classes within the jurisdiction.

City of Salem recognizes that there are many obstacles that prevent residents from attaining or retaining housing. The costs of housing or incentives to develop, maintain, or improve housing in Salem and Keizer is affected by both public and private sector policies. Public policies include taxation of land and other property, land use regulations, zoning ordinances, building codes, fees, and urban growth boundaries. Private sector policies include the tightening of lending standards, unfair lending practices, housing discrimination, and other issues that directly or indirectly affect an individual's housing choice.

### **Funding and Services**

The Federal Programs division of the City of Salem Urban Development Department administers federal allocation of Community Development Block Grant (CDBG) for Salem and HOME Investment Partnership Program (HOME) funds for both Salem and Keizer. CDBG and HOME funds are provided by HUD to fund housing activities, community development projects and public improvements for the benefit of low- and moderate-income individuals, families, and neighborhoods.

On July 24, 2007, staff of the Urban Development Department-Federal Programs division attended a Fair Housing class. The executive director of the Fair Housing Council of Oregon (FHCO) and the education and outreach assistant were present to speak, provide updates, and answer questions relating to fair housing. This analysis incorporates the concerns raised at the class and includes input of interviews with City of Salem and Keizer staff as well as representatives of the community.

### **FAIR HOUSING LAWS**

Title VIII of the Civil Right Act outlaws discrimination in regards to everyone's access to housing resources. Also known as the Fair Housing Act, the act as amended came to encompass federally-protected classes including:

- Race or Color
- Religion or Creed
- National Origin
- Sex
- Disability
- Familial Status

The Fair Housing Act outlaws discrimination in the sale, rental, and financing of housing based on the protected classes listed above.

Salem’s Revised Code Chapter 97 (Human Rights) in addition to the above stated protected classes ensures that marital status, domestic partnership, sexual orientation, gender identity and source of income are protected against housing discrimination.

## **CONDUCT OF THE ANALYSIS**

This Analysis of Impediments to Fair Housing builds on the Impediments Analysis completed in May 2003. It considers information, strategies, and goals contained in the 2005-2009 Housing and Community Development Consolidated Plan. City of Salem Urban Development Department staff reviewed several documents and information during the development of this analysis. Information from the following agencies was included in the analysis:

- Fair Housing Council of Oregon (FHCO)
- Mid Willamette Valley Council of Government
- Salem Human Rights and the Human Rights & Relation Advisory Commission
- Salem Housing Authority
- United States Census Bureau
- United States Department of Housing and Urban Development (HUD)
- Salem Area Transit
- City-data.com
- Oregon Housing and Community Services Report on Poverty 2004
- Oregon Labor trends

## **SUMMARY OF IMPEDIMENTS IDENTIFIED**

Impediments to fair housing are affected by both the public and private sector in Salem and Keizer. Fair housing programs and practices especially in recent years have gone a long way to addressing many actual and potential impediments in the area. A summary of identified Impediments and recommendation are discussed below.

### **✓ *Impediment: Language and Cultural Differences***

As Salem and Keizer minority Hispanic/Latino population continues to grow, increasing cultural differences and language barriers become an impediment to fair housing. Complaint diversity categories filed with HUD and the City of Salem Human Rights and Relation Commission indicate that even though language is not a protected class, it aligns with national origin, ethnicity, and sometimes race. When

adequate communication is absent, issues of discrimination can easily arise either intentionally or unintentionally.

✓ ***Impediment: Housing Industry Practices***

Housing Industry practices as well as additional requirements and cost make both owner and rental housing resources inaccessible to low-moderate income families. Data from the Home Mortgage Disclosure Act (HMDA) indicate that, there was unequal lending on the basis of ethnicity and race in Salem. The 2005-2009 Consolidated Plan recognizes this fact and stresses support actions to increase affordable housing stock and reduce the cost burden for residents of Salem.

✓ ***Impediment: Limited Awareness of Fair Housing Resources/Rights***

As mentioned in the 2003 Impediments analysis, education is very important to increasing awareness of agencies and private individuals who provide housing in the community. Housing consumers, especially those classified as protected classes in the community need sensitization on their fair housing rights, complaint processes, and the availability of affordable housing assistance programs. Lack of knowledge of the complaint process is potentially an impediment to fair housing because it intensifies discriminatory practices by failing to identify and eliminate them.

**Other Impediments**

The 2003 Impediments analysis identified numerous barriers to fair housing in Salem and Keizer. Several barriers to affordable housing were also identified in the Consolidated Plan to be problems intensifying the lack of access and availability to fair housing choices. Some of the barriers to affordable housing include:

- Population growth
- Decreased financial resources for families, agencies, and publicly funded assistance programs
- Relatively high housing development fees and system development charges
- Resistance in some neighborhoods to accept special needs affordable housing

## BACKGROUND DATA

### Demographics Information

Salem, Oregon's capital and second largest city lies in the center of the lush Willamette River valley, 47 miles from Portland. Salem is a city of over 47 square miles, located an hour from the Cascade Mountains to the east and an hour from the ocean beaches to the west. Salem's current population is 147,225 (July 2005) with a sustainable growth rate of approximately 1.5% per year.<sup>1</sup>

The northern edge of Salem is bordered by Keizer with a population of 34,880. Keizer is the 14th largest City in Oregon. It is nestled in the center of the Willamette Valley and is recognized as the "Iris Capital of the World." The City is bordered on the western edge by the Willamette River, eastern edge by Interstate 5, and the northern edge by rural portions of Marion County. In the 1990's, the City experienced a rapid increase in new residential housing buildings, establishing Keizer as one of the fastest growing cities in Oregon.<sup>2</sup>

### Population

The rapid increase in population growth experienced in Keizer and Salem is due to net migration into the area. Major industries including agriculture, food processing, education, and food products manufacturing as well as state government agencies are the main sources of economic attraction for residents moving into the area. Salem alone witnessed an increased population growth of 36.6% from 1990 to 2005. Between 2000 and 2005, the population grew by 7.5% in Salem while Keizer witnessed an increase of 5.6% in its population.

The Median age of residents in Salem and Keizer stands at 33.7 years and 34.4 years respectively, compared to 37.0 years for the entire state of Oregon.

**Table 1**  
**Population Total: 2000 and 2005**

Population Totals: Salem and Keizer, 2000 and 2005						
	Salem			Keizer		
	2000	2005	% Change	2000	2005	% Change
Population	136,924	147,225	7.5	32,203	34,010	5.6
Families	32,326	35,009	8.2	8,642	9,300	7.7
Households	50,676	55,425	9.4	12,110	13,663	12.8

Source: U.S Census Bureau; CityofSalem.net; Portland State University, population Research Center, Profiles of General Demographics Characteristics, Salem and Keizer

### Racial and Ethnic Composition

A majority of Salem and Keizer residents are white although data shows a 3 and 4 percentage decline in that population between 2000 and 2005 for the two cities respectively. The increasing numbers of minorities in the Salem/Keizer area suggests that the jurisdiction is expected to have greater

<sup>1</sup> This discussion is taken from the welcome page on cityofsalem.net

<sup>2</sup> This discussion is taken from Keizer.org

responsibilities serving low- and moderate income individuals and an opportunity to reach out to minority groups and communities.

**Table 2**  
**Population by Race and Ethnicity, 2005**

Race	Salem	Keizer	Oregon
White	80.2%	87.0%	86.8%
Black/African American	1.0%	0.8%	1.7%
American Indian and Alaskan Native	1.6%	2.4%	1.3%
Asian	3.4%	1.2%	3.5%
Native Hawaiian and Pacific Islander	0.1%	0.1%	0.2%
Some other race	11.1%	4.0%	3.5%
Two or more race	2.6%	4.5%	3.0%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
<b>Hispanic or Latino (of any race)</b>	<b>21.6%</b>	<b>15.6%</b>	<b>9.9%</b>

Source: City-data.com; U.S Census Bureau

### Income Data

In 1999, Census Bureau reported median household incomes for Salem and Keizer as \$38,881 and \$45,052 respectively. Median household incomes for Salem and Keizer in 2005 were \$39,259 and \$48,200 respectively, while Oregon’s statewide median household income was reported to be \$42,944. Salem’s median household income, as seen below, falls short of the income levels for both Oregon and national income figures while Keizer’s exceeds both.

**Figure 1**

### Median Household Income



Source: U.S Census Bureau, 2005; City-data.com, 2005

In the 20 years after 1979, the poverty rate in Marion County increased from 10.8% of the population to 13.5%. The number of persons in poverty rose from 21,178 people to 37,104 people. Fifteen percent of individuals living in Salem between 1989 and 1999 were living below the poverty line. According to the

2000 Census data, between 1989 and 1999, the percentage of persons living below the poverty line rose by 2.2% to 9.3% in Keizer. Households in poverty by type indicate that, female household heads without husbands or related children present were the hardest hit by poverty in the Salem/Keizer area.

**Table 3**  
**Household Income: Salem and Keizer, 1999 and 2005-2007**

	Salem				Keizer			
	1999		2005-2007		1999		2005-2007	
<b>Income</b>	No.	%	No.	%	No.	%	No.	%
Less than \$10,000	4,497	8.9	3,892	7.1	769	6.4	773	5.7
\$10,000-\$14,999	3,490	6.9	3,409	6.2	680	5.6	823	6.0
\$15,000-\$24,999	6,903	13.6	7,621	13.9	1,360	11.2	1,332	9.7
\$25,000-\$34,999	7,530	14.9	7,806	14.2	1,672	13.8	1,524	11.2
\$35,000-\$49,999	9,309	18.4	8,779	16.0	2,326	19.2	2,115	15.5
\$50,000-\$74,999	10,231	20.2	10,877	19.8	2,885	23.8	2,983	21.8
\$75,000-\$99,999	4,580	9.1	5,474	10.0	1,310	10.8	2,267	16.6
\$100,000-\$149,999	2,771	5.5	5,028	9.2	812	6.7	1,317	9.6
\$150,000 or more	1,274	2.5	2,059	3.6	296	2.5	529	3.8
<b>Total</b>	50,585	100	54,946	100	12,110	100	13,663	100
<b>Median Household Income</b>	<b>\$38,881</b>		<b>\$42,050</b>		<b>\$45,052</b>		<b>\$51,617</b>	

Source: Oregon Census Abstract, 1990. Portland State University - Population Research Center, Profiles of General Characteristics, Salem & Keizer; U.S Census Bureau, American Community Survey.

## Employment

Management, professional, and related occupations comprise the largest areas of employment for the civilian population 16 years of age and above in Salem and Keizer. Sales and office occupations follow closely in both cities while farming, fishing, and forestry jobs have the least individuals in the labor force. In 2005, 107,926 of Salem's total population comprised individuals 16 years of age and over.

**Table 4**  
**Civilian Employed Population 16 years and Over**

Type of Occupation	Employees	
	Keizer	Salem
Management, professional, related	5,596	20,904
Service Occupations	3,277	11,891
Sales and office	4,621	17,639
Farming, fishing, and forestry	126	2,501
Construction, extraction, maintenance and repair	1,102	6,560
Production, transportation, and material moving	2,068	7,862
<b>Total</b>	<b>16,970</b>	<b>67,357</b>

Source: U.S Census Bureau, American Community Survey 3-Year Estimate, 2005-2007

According to the Census Bureau –American Community Survey, 2005-2007, out of the 74,408 people in the civilian labor force in Salem, 9.5% were unemployment. A total of 18,293 people were in the civilian labor force in Keizer with 8.2% unemployed.

Major employers in Salem are shown in Table 5 below. Salem hospital and Spirit mountain casino are the largest non manufacturing employers in the area with 3,300 and 1,500 employees respectively. Norpac food is the largest manufacturing industry with 700 employees.

**Table 5  
Largest Private Employers**

<b>Employer</b>	<b>Employees</b>
Salem Hospital	3,300
Spirit Mountain Hotel/Casino	1,500
T-Mobile	1,000
Norpac Food( Food Processing)	700
Fred Meyer	700
Keizer Permanente	700
Willamette University	650
SUMCO Oregon	600
Roth's	500
State Farm Insurance	474

Source: city-data.com, 2007

Women-Owned business as a percentage of all firms in Oregon is growing.<sup>3</sup> Census data show that 27% of businesses in Salem are owned by women while 40.7% of all businesses are owned by women in Keizer. A majority of women owned businesses in the Salem/Keizer area are in Health care and social assistance. Professional, scientific, technical, retail, and other services follow closely.

Employment levels and trends especially for women are important benchmarks for fair housing analysis. Higher levels of employed women increase homeownership rates, stable households, and assist in lowering fair housing discrimination.

### **Transportation**

The cities of Salem and Keizer are served by the Cherriots public transportation system. Even though Cherriots administers the alternative rideshare program with carpools, vanpools e.t.c., a large percentages of residents in both cities drive alone to their work places. The number of single occupancy vehicles is beginning to decline gradually although growth in population compensates for the shortfall. According to the 2000 Census, 71.8% of individuals commuting to work drove alone in Salem compared to 78.1% in Keizer. Between 2005 -2007, 73.3% of individuals commuting to work drove alone in Salem while 15.3% carpooled. A total of 2.5% of the 65,824 individual's community to work in Salem used the public transit system, while 3.6 % walked to work.

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<sup>3</sup> Oregon Labor Trends, May 2007

In Keizer, 77.3% of individual commuting to work drove alone. A total of 2,481 persons representing 15% of commuting workers in Keizer carpooled. The public transit system was patronized by 1.8% of commuters in Keizer while less than 1% of commuters walked to their work places.

As mentioned in the 2003 Impediments analysis, a major element of the transit plan includes direct services to major destinations. However the transit service is still not in service on Sundays and limited in terms of the times it is available to riders the rest of the week. This trend among others things, has led to a decline in transit ridership to workplaces from 5.2% and 3.3% in 1980 and 2000 respectively, to 2.4% in 2005. A similar trend is seen in Keizer with transit ridership falling by 5% between 1980 and 2000.

**Table 6**  
**Modal Splits for Home to Work Travel: Salem/Keizer Work Area**  
**2005-2007**

Commuting to Work	Salem		Keizer	
	Population	%	Population	%
Drove Alone	48,244	73.3	12,827	77.3
Carpooled	10,041	15.3	2,481	15.0
Public Transportation	1,677	2.5	302	1.8
Walked	2,360	3.6	143	0.9
Other Means	1,332	2.0	364	2.2
Worked at Home	2,171	3.3	476	2.9
<b>Mean travel time in Minutes</b>	<b>22.4</b>	<b>*</b>	<b>20.8</b>	<b>*</b>

Source: U.S Census Bureau, American Community Survey 2005-2007.

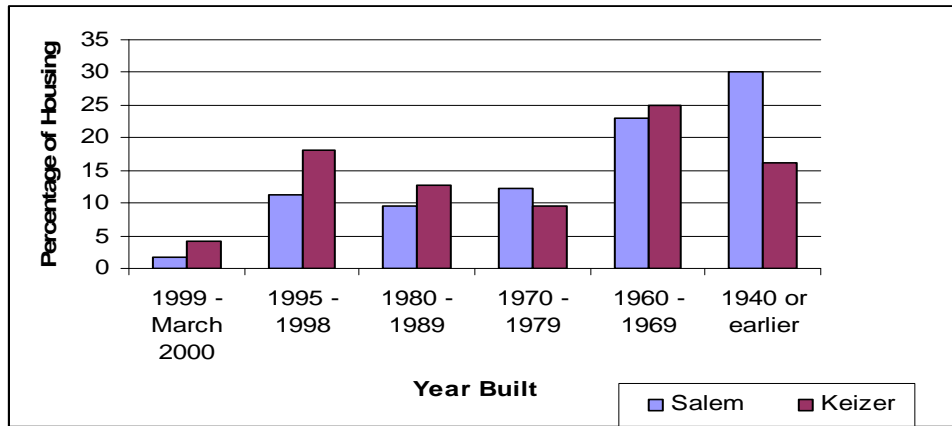
### Housing

According to the 2000 census data, there were 53,730 housing units in Salem and 12,775 housing units in Keizer. A total of 35% of the housing units in Salem were constructed between 1960 and 1979 while 34% of all housing units in Keizer were built during that same period. High construction rates of multiple family housing in the 1990's as mentioned in the 2003 Impediments analysis has assisted in meeting rental demand in both cities.

The Federal Programs division of the City of Salem Urban Development Department is committed to assisting low- and moderate-income residents of Salem and Keizer in obtaining clean, safe, and affordable housing. Since many of the housing units in the area were built prior to 1978 (See figure 2), they are generally susceptible to structural damage, wear and tear, and many pose lead-based hazards. The City of Salem has identified a total of 22,583 homes as having the potential for lead-based hazards. It is estimated that 9,777 of those homes are inhabited by low- and moderate-income families.

According to the Code of Federal Regulation 24 CFR Part 35, any housing rehabilitation project involving houses constructed prior to 1978, and receiving \$5,000 or more in Federal funding shall be tested for lead-based paint. Projects receiving more than \$5,000 in federal funding shall have all identified lead-based paint hazards mitigated or abated. The City has established a policy that all housing rehabilitation projects subject to CFR Part 35 shall utilize abatements methods. The City has invested money in an X-ray fluorescent machine which test for lead in paint.

**Figure 2**  
**Selected Housing Characteristics: Year Housing Units Constructed, 2000**



Source: U.S Census Bureau. Census 2000.

A majority of housing in Salem and Keizer are single-family detached units (See table 7). More people are living in single family households in Keizer (64.5%) compared to Salem (59.0%). Census data indicate that fewer people are living in mobile homes and trailers in the seven years following the year 2000 census. The average household size for the state of Oregon is 2.51 persons compared to 2.56 and 2.6 persons in Salem and Keizer respectively.

**Table 7**  
**Selected Housing Occupancy Characteristics**

	Salem				Keizer			
	2000		2005-2007		2000		2005-2007	
Units in Structure	#	%	#	%	#	%	#	%
1 unit, detached	31,912	59.4	34,756	59.0	8,267	64.7	9,045	64.5
2 units, detached	2,330	4.3	2,215	3.8	637	5.0	716	5.1
2 to 4	4,862	9.1	5,447	9.3	1,231	9.6	1,708	12.1
5 to 9	3,442	6.4	5,726	9.7	657	5.1	1,159	8.3
10 or more	7,934	14.8	7,813	13.3	1,188	9.3	820	5.8
Mobile home, trailer	3,118	5.8	2,852	4.8	786	6.2	565	4.0
Other	132	0.02	83	0.1	9	0.1	0	0.0
Total	42,601	100	58,922	100	12,775	100	14,013	100

Source: U.S Census Bureau. Census 2000; American Community Survey 2005-2007

According to the 2005-2009 Consolidated Plan, the cost of single-family dwellings will increase approximately 8.5% in the next several years. This will impact the ability of low-income families to become homeowners and limit their opportunity to create wealth. As the U.S housing downturn deepens, the major concern expressed by the Housing Authority is the ability to provide decent housing options and services as needs increase.

Although the cost of housing increased and the incentives to maintain permanent housing decreased because of the slowdown in the economy, homeownership rates increased between the year 2000 and 2005. The “Some other races” category saw the largest increase of 6.6% followed by a 2.4% increase among Asians.

**Table 8**  
**Housing Units by Race of Householder Salem, 1999 and 2005**

Race	1999	2005	1999-2005
	%	%	% Change
White	89	86.2	-3.2
Black or African American	0.7	0.9	0.2
American Indian & Alaskan Native	0.1	1.6	1.5
Asian	0.2	2.6	2.4
Hawaiian and Other Pacific Islander	-	-	-
Some other race	0.5	7.1	6.6
Two or more Races	0.2	1.7	1.5

Source: U.S Census Bureau. Census 2000; American Community Survey 2005

\*\*Note: Data for Keizer not available\*\*

### Cost of Housing

A total of 594 new single-family construction building permits were issued in Salem in 2006. The average cost of those homes was \$163,300 each. Fifty six construction building permits were issued in Keizer during that same period with average cost of \$212,000 per home. Estimated median house/condominium values in 2005 for Salem, Keizer, and Oregon were \$156,600, \$170,000 and \$201,200 respectively. More than 23,385 housing units in Salem and 6,637 housing units in Keizer had mortgages. A total of 17,593 housing units in Salem had monthly mortgage payments between \$1,000 and \$3,000. In Keizer, 5,339 housing units had mortgages between \$1,000 and \$3,000. More than 8,740 and 2,081 housing units in Salem and Keizer respectively were with no mortgage payments. Median gross monthly rent for Salem was \$617 in 2005.

According to the National Low Income Housing Coalition (NLIHC), the Fair Market Rent for a two bedroom apartment in the Salem Metropolitan Statistical Area (MSA) is \$635. In order to afford this level of rent and utilities without paying more than 30% of income on housing, a household must earn \$2,116 monthly or \$25,400 annually. A resident working 52 weeks per year and 40 hours a week must earn a housing wage of \$12.21 an hour to be able to afford decent housing. A minimum wage worker earning \$7.95 an hour must maintain 1.5 full time jobs in order to afford Fair Market Rent in the Salem MSA.

### Tenure

Between 2005 and 2007, 63.8% of occupied housing units in Keizer were owner-occupied. A total of 58.8% of occupied housing was owner occupied in Salem. Between the 2000 census and 2007, homeowner occupancy rates were fairly steady in Salem and Keizer. Although new housing building permit activities in the area increased between 2000 and 2007, the vacant housing unit rates stood at 2.5% in Salem and 6.7% in Keizer (See Table 9). The average household size of owner-occupied units was 2.67 persons in Keizer and 2.59 persons in Salem.

**Table 9  
Housing Tenure by Occupied housing Units**

	<b>Salem</b>	<b>Keizer</b>
Occupied Housing Units	58,922	14,013
Owner Occupied	32,125	8,718
Renter Occupied	22,821	4,945
Vacant Housing Units	2.5%	6.7%

Source: U.S Census Bureau, American Community Survey 2005-2007.

**Evaluation of Jurisdiction’s Current Fair Housing Profile: Human Rights and Relation Advisory  
Commission Individual Discrimination Complaint Process**

The City of Salem Human Rights and Relation Commission (HRRAC) was created in 1964 by the City council to respond to concerns of the treatment of minority residents of Salem. The Salem Non-Discrimination code-Salem Revised Code (SRC Chapters 8 and 97) establishes the Commission and describes the definition, offenses, and administration/enforcement of the City’s local law.

Under City of Salem Revised Code Chapter 8.010, the HRRAC is empowered to take action on alleged acts of discrimination in employment, housing and public accommodation in the City of Salem. Chapter 97 specifically prohibits discrimination on the basis of an individuals’s race, color, religion, national origin, sex, age, marital status, disability, familial status, domestic partnership, sexual orientation, gender identity, and source of income.

Persons who have been discriminated against under the provisions of the Federal Fair Housing Act have the right to file an administrative complaint with the U.S Department of HUD and the Oregon Bureau of Labor and Industry (BOLI). The complaint must be filled within one year of the alleged discriminatory activity. The investigating agency will determining where there is “reasonable cause” to believe discrimination has taken place and proceed as required. The Oregon Comprehensive Housing Manual, developed with the assistance of a HUD grant, provides additional details.

Citizens experiencing discrimination or harassment or who have other human rights concerns are able to contact the HRRAC by phone, by sending letters, filling complaint on-line, or visiting the Commission during one of the Commission’s monthly general meetings. Commissioners and/or staff determine if the complaint has a reasonable basis under Salem ordinance or other law. This depends on whether;

- The act was discriminatory
- Occurred in Salem
- Unlawful
- Significant to human relations
- Occurred within the last twelve months

The HRRAC is empowered to seek informal resolution of a complaint through fact finding, mediation, and discussion with all parties to the complaint. The HRRAC attempts to accomplish this settlement in a

quick and efficient manner. Complaints through state or federal agencies can be more lengthy and complicated but may be appropriate where the complainant seeks more than an informal resolution.

### **Steps in Complaint Resolution**

Two avenues are available to consider in resolving discrimination cases that come to the Commission.

- First avenue involves complaints except those that are against the City of Salem.
- Second avenue deals solely with discrimination complaints that are against the City.

According to the HRRAC individual discrimination complaint process, in the event of complaints against the City, there are prescribed administrative processes that must first be exhausted, mainly involving complaints involving police action or employer-employee cases. If Commissioners receive complaints against the city, they should contact staff to assist with the appropriate next steps. For all other complaints that are brought to the Commission, the following steps apply:



#### **Step 1.**

When a complaint is received by staff or a Commissioner, an intake form is completed immediately. This form should contain as much information as possible, but at a minimum must include:

- ✓ Date and time of the complaint intake and the name of the person completing the form
- ✓ Name, address, and phone (if available) of the complainant
- ✓ Name, address, and phone of the respondent

Staff can provide Commissioners with a word document with this information as well. Whenever possible, complainants should be urged to submit written information as a summary of their concerns to include with the intake information. Complainants can also submit this information on-line through the Commission's website ([www.cityofsalem.net/~scserv/HRRAC/complaint\\_form.htm](http://www.cityofsalem.net/~scserv/HRRAC/complaint_form.htm)).



#### **Step 2.**

In special cases where the role of a Commissioner is necessary, either staff or the Chair may request assistance from a Commissioner or from a community advocate to work with staff on the complaint.



#### **Step 3.**

By the seventh working day following the intake, a return contact should be made with the complainant and an interview arranged, either by phone or in person. The Commissioner and/or staff will discuss options with the complainant and determine a course of action for the complaint. The Commissioner will prepare a statement of concern describing the situation or some other means of providing this information directly to staff for inclusion in the complaint file that staff prepares. If the statement is prepared solely by a Commissioner, it will be given to staff within seven working days of the interview.

## **Guidelines for Commissioners And Or Staff - Intake and Initial Processing:**

After hearing and taking notes of important points described in the problem, staff and or the Commissioner should work with the complainant to determine an appropriate resolution option. It may be determined quickly that the complaint either does not fall under the jurisdiction of the Commission or is clearly in need of being referred to another agency or organization. If unsure of what options are appropriate, arrange a meeting with staff. The complainant should make the decision on what course of action is followed but would need help in identifying options.

After the interview, a one-page statement of concern is written outlining the issues in the complaint. This statement details the issues discussed in the interview. The statement should include the options chosen for resolution and any referrals given. If the complaint is closed without further action, the statement serves as a record of the Commission's response to the situation. All notes on the discussion and outcome should be provided to staff for inclusion in the complaint file that staff prepares.



### **Step 4.**

Within seven working days of the interview, contact will be made with the respondent(s) in the case. In cases where a Commissioner is assigned to work on a complaint, if contact cannot be made with the complainant within seven days, staff will meet with the Commissioner to discuss the case. The Commissioner and/or staff should discuss the complaint with the respondent and outline the desired outcomes as determined in the complainant interview. From this interview, the Commissioner determines what steps are needed to achieve resolution. If the respondent is willing and it is appropriate to the case, a meeting should be arranged between the parties in the case. In cases where the complainant is or was a client or employee of the respondent, a release of information may be needed. The respondent may give information contradicting the claims in the complaint. Additional fact finding may be needed to determine action. Resolution of the complaint or referral to another agency is the goal. The Commissioner and/or staff should begin completing the Discrimination Complaint Case Form or some other means of providing this information directly to staff for inclusion in the complaint file that staff prepares.

## **Guidelines for Commissioners and/or Staff - Resolution Options:**

**Referral:** The nature of the situation may make it appropriate for referral to another agency or group. In some cases the Commissioner and/or staff may make the initial contact and explain the situation to the referral. Complainants may need help filling out forms or want someone to accompany them to an interview. With complaints against law enforcement, the Commission has agreed to help facilitate community members access to the internal complaint process and to provide follow-up with the law enforcement agency.

**Conciliation:** If the complaint is appropriate for resolution by the Commission, the Commissioner and/or staff, after consultation with one another, will attempt conciliation in the most informal manner available. First contact can be made by telephone to the respondent to attempt resolution. The Commissioner and/or staff should explain the situation to the respondent and ask for their response to the situation.

The manner of conciliation will vary according to the issues in the complaint. An apology may be all the complainant wishes. An agreement to stop the offending behavior or to have employees attend training to correct behavior could be part of the conciliation. Information to help correct the situation may be needed, especially in cases of American with Disability Act violations or other situations where the respondent is unaware of options for resolving the situation. The Commissioner and/or staff, after consultation with one another, may request a mediated meeting between the complainant and the respondent to discuss the situation.

If no resolution can be reached, the complaint can be referred to another agency or legal counsel. At this time, it is considered closed by the Commission but can still be monitored to learn the ultimate outcome.

**Correspondence/Contacts:** All correspondence regarding the complaint between complainants and respondents will either be mailed on City letterhead or emailed by staff. Staff should be informed of all meetings between complainants and respondents, be available as a resource on the complaint process, and should be kept informed of its progress.



**Step 5.**

When the case is successfully conciliated, it is considered closed. The complainant should be satisfied with this determination. The case will also be considered closed if it is successfully referred to another agency. If an agreement is reached, where appropriate, prepare a written statement of agreement for both parties and Commission files and update the complaint file to report on resolution. Once the case is closed, Commissioners should complete the Discrimination Complaint Case Form and/or provide staff this information to include in the complaint file.



**Step 6.**

After a case is closed, Staff will follow up with the complainant to find out their level of satisfaction with the handling of the complaint and to determine how to improve services to complainants in future cases. A Case Closing Survey may be used to gather this anecdotal information from the complainant. In some cases, the complainant may not be satisfied with the result of the Commission's work. Staff and the Commission can then determine further steps that could be taken as a way of improving the process.



**Step 7.**

In appropriate cases, after a case is closed, the Commission Chair and staff will evaluate the handling of the complaint and the overall complaint process. In some cases, the complainant may not be satisfied with the result of the Commission's work. The Commission can discuss the situation to determine whether further action should be taken. The Case Review for Commissioners form is a two-sided format designed as a self-evaluation tool for the Commissioner involved in the case. The Commission will schedule an annual evaluation of its complaint process and case resolution.

### Fair Housing Complaint Statistics

The fair housing complaint data used in this analysis was provided by the Salem Human Rights and Relations Commission. Complaint diversity categories provided below covers periods from September 1998 to March of 2007. Race and National Origin, Disability, and the “other” classification of protected classes were the highest complaints category recorded during nine year period. The information in Table 10 below includes duplicated counts (one complaint may include several protected areas and/or categories).

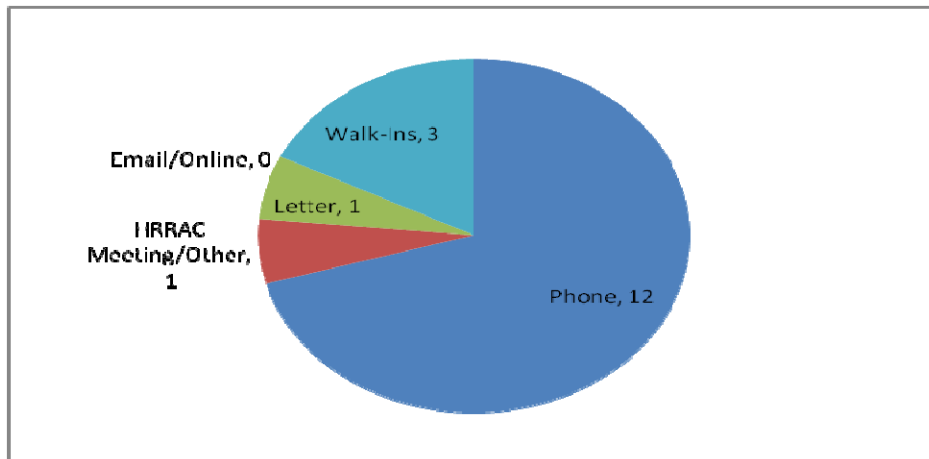
**Table 10**  
**City of Salem**  
**Complaint Diversity Categories by Class**

<b>Cases by Protected Classes</b>	<b>Number</b>
Race/National Origin	21
Age	1
Disability	25
Religion	*
Gender Identity	*
Familial Status	*
Sexual Orientation	2
Source of Income	8
Other	32
<b>Total</b>	<b>88</b>

Source: Salem Human Rights and Relation Commission

Housing related complaint summary identified from July 2006 to June 2007 showed that 12 phone calls were made to the Human Rights and Relations Commission. All other complaint intake methods totaled five with no complain filled through email/online. None of the complaints recorded were related to sex, gender identity, or religion.

**Figure 3**  
**Complaints Diversity**



Source: Salem Human Rights and Relation Commission

## Home Mortgage Disclosure Act (HMDA) Analysis

According to a report prepared by the Urban Institute for the U.S. Department of Housing and Urban Development, minorities seeking to buy homes continue to face discrimination from mortgage lending institutions. "Not all Americans enjoy equal access to the benefits of homeownership, in part because of unequal access to capital." The 2006 urban institute report acknowledges that "minorities are less likely than whites to obtain mortgage financing and, if successful in obtaining a mortgage, tend to receive less generous loan amounts and terms."<sup>4</sup>

In 1975, the U.S Congress voted to create the HMDA and the Federal Financial Institution Examination Council (FFIEC) to track and disclose information on lending patterns. HMDA data particularly covers homes purchases and home improvements loans and includes information on race, ethnicity and income of applicants which allows for an analysis of lending disparity practices. Table 14 below shows the lending disparity profile for Salem Metropolitan Statistical Area (MSA).

**Table 11**  
**Lending Disparity Profile, 2006**  
**Salem Metropolitan Statistical Area**

	<b>Originations</b>	<b>Denials</b>	<b>Fallout</b>	<b>Purchased</b>	<b>Total</b>
Race	#	%	%	Loans	Applications
White	6,807	13.19%	19.27%	1,607	11,685
Black	39	20.25%	30.38%	9	88
Hispanic	1,256	25.65%	22.77%	197	2,630
Asian	253	14.68%	22.39%	44	446
Native American	39	27.27%	22.08%	11	88
Hawaiian	35	16.92%	29.23%	7	72
Multi-Race	14	16.67%	36.67%	0	30
Unknown/NA	509	18.58%	32.66%	3,312	4,356
<b>Totals</b>	<b>8,952</b>	<b>63.01</b>	<b>21.10</b>	<b>5,187</b>	<b>19,395</b>

Source: 2006 National HMDA-LAR

## **Public Policies and Fair Housing Actions**

### **Provision of Financial Assistance for Dwelling**

The 2005-2009 Housing and Community Development Consolidated Plan, established four primary goals for allocating CDGB and HOME funds. According to the Annual Performance Report for 2006-2007, projects receiving allocation of CDBG or HOME funds helped the City to meet one of the four goals of the Consolidated Plan by assisting individuals and families earning 80% or less Median Family income obtain or retain decent housing. The following is a summary of Consolidated Plan goals:

1. Reduction in the number of Homeless persons or persons at risk of homelessness
2. Preservation and development of affordable housing
3. Removal of accessibility barriers to housing
4. Community and Economic development

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<sup>4</sup> Discussion from HUD fair lending Studies-Mortgage Lending Discrimination in America

In order to increase home ownership, support community development, and increase access to affordable housing, HUD provides the City with HOME and CDBG funds. The HOME investment partnership program was created to develop partnerships between public and private agencies in order to provide affordable housing. HOME funds can be used to carry out multi-year housing strategies through acquisition, rehabilitation and new construction of housing and to provide tenant based rental assistance.<sup>5</sup>

**Table 12**  
**2006 HOME Program Assistance Impact**  
**Totals for All Objectives/Outcomes**

<b>Race</b>	<b>Total</b>
White	102
Asian	1
Black/African American	7
Black/African American And White	
American Indian/Alaskan Native	3
American Indian/Alaskan Native And Black/African American	
Other	1
Other Multi-Racial	114
<b>Total</b>	<b>228</b>

Hispanic	23
Russian	1

The Community Development Block Grant (CDBG) program consolidates several categorical grants such as urban renewal, neighborhood development and model cities into a single block grant program. The primary objective of the CDBG apart from providing affordable housing to low and moderate income persons is to develop a strong community through the provision of;

- Decent housing
- Suitable living environments and
- Expanded economic opportunities

The table below shows the 2006 CDBG program year assistance impact. More than 78 households and 2,728 persons received assistance through the City's CDBG program.

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<sup>5</sup> Discussion from State of Oregon 2001-2005 Consolidated Plan Draft

**Table 13**  
**2006 CDBG Program Assistance Impact**  
**Total of All Objectives/Outcomes**

<b>Race</b>	<b>Households</b>	<b>Persons</b>
White	75	2,165
Asian	*	22
Black/African American	1	*
American Indian/Alaskan Native	1	72
American Indian/Alaskan Native/White	1	98
Native Hawaiian/Other Pacific Islander	*	11
Other Multi-Racial	1	37
Other Multi-Racial	*	323
<b>Total</b>	<b>78</b>	<b>2,728</b>

The Federal Programs Section administers the City’s federal allocation of CDBG and HOME programs. 2006/2007 loan and grants impacts include the following.

- 2,728 people are living in safer housing conditions
- 2,673 homeless or at risk of homelessness individuals/families received assistance from social service programs
- 55 new businesses were created
- 192 homeless or at risk of homelessness tenants received housing financial assistance
- 14 individuals/families purchased a home with our assistance
- 30 individuals/families rehabilitated their home with our assistance
- \$1,581,103 of CDBG funds were provided
- \$1,052,717 of HOME funds were provided

These numbers include those assisted through the first time homebuyer program, single-family rehabilitation program, critical rehabilitation program, emergency housing as part of social services, TBRA, Detoxification, and Security Deposits.

**Conclusions and Recommendation**

Conclusions drawn from data gathered in this AI report suggest that;

- Additional cost and requirements make both the rental and owner housing markets unavailable to low/moderate income persons
- Discriminatory and unfair lending practices are impediments to fair housing in Salem and Keizer
- Education is needed to increase the awareness of residents of Salem and Keizer to their fair housing rights, available housing resources, and housing assistance programs
- Families with low and moderate incomes are hindered from attaining affordable housing
- Language and cultural difference are impediments to fair housing
- Increasing resources for fair housing programs and activities will promote access to affordable housing.

## RECOMMENDATIONS

In addition to various strategies mentioned earlier in this report, the City of Salem and Keizer remains committed to assisting residence in obtaining and retaining decent, safe, affordable housing. Salem and Keizer should continue to partner with non-profit organizations, the Salem Housing Authority, Community Housing and Development Organizations (CHDO's), Fair Housing Council of Oregon, and other government agencies to further improvement toward fair housing.

To eliminate homelessness, provide affordable housing, and promote community and economic development, it important that the jurisdiction focuses its attention on removing barriers that impede fair housing. The following activities are intended to steer the City towards achieving fair housing goals:

- Supporting fair housing education for consumers, lenders, real estate agents, landlords, and all individuals providing housing services.
- Supply community education tools to non-English speaking residents in both cities.
- Make available, information regarding federal housing assistance programs and resources.
- Encourage the production of additional housing to increase greater choice.
- Target communities with high percentages of low- and moderate incomes persons with first-time homebuyer assistance programs.

