

Section I – Introduction

Overview

The Fair Housing Act of 1968 made it illegal to discriminate in the area of housing because of a person's race, color, religion, or national origin. Sex was added as a protected class in the 1970s. In 1988, the Fair Housing Amendments Act added familial status and disability to the list. Familial status includes parents or legal guardians of minors under the age of 18. Disability covers physical and mental disabilities, as well as people with AIDS or those recovering from alcoholism. While federal housing protection does not cover income or source of income, Oregon Fair Housing Law is extended to source of income as well as marital status.

Furthermore, provisions to affirmatively further fair housing are long-standing components of the United States Department of Housing and Urban Development's (HUD) housing and community development programs. These provisions flow from Section 808(e) (5) of the Fair Housing Act and require the Secretary of HUD to administer its housing and urban development programs in a manner which affirmatively furthers fair housing.

In 1994, HUD published a rule consolidating four of its housing and community development programs into a single plan called the Consolidated Plan for Housing and Community Development. The formula grant programs are the Community Development Block Grant program (CDBG), HOME Investment Partnership Program (HOME), American Dream Downpayment Initiative (ADDI), Emergency Shelter Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA).

As part of the Consolidated Planning process and as a requirement for receiving HUD formula grant program funding, entitlement jurisdictions are required to submit to HUD certification regarding affirmatively furthering fair housing. According to HUD, that includes:

- Completing an Analysis of Impediments to Fair Housing Choice (AI);
- Taking actions to overcome the effects of impediments identified through the analysis; and
- Maintaining records reflecting the analysis and actions taken.

This document offers findings of the Analysis of Impediments to Fair Housing Choice and makes suggestions regarding actions the Community Development Division and others concerned with fair housing in Clackamas County can consider in overcoming the effects of the identified impediments. HUD defines impediments 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 choice; or
- Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choice on the basis of race, color, religion, sex, disability, familial status, or national origin.

Clackamas County Community Development Division (CDD) is committed to affirmatively furthering fair housing and contributing to the elimination of impediments to fair housing choice.

This is the second AI the CDD has undertaken. The first study found that great strides were being made to affirmatively further fair housing in Clackamas County, but housing discrimination still existed, most frequently with familial status and disability bases of discrimination. Furthermore, other evidence suggested that Hispanic and other minority populations, as well as female headed households, faced more subtle forms of discrimination. The AI recommended that county government increase outreach and education and review mass transit planning routes.

Since then, the county has participated in several coordinating committees and organizations, such as the Coordinating Council for Homeless Programs, the Clackamas Housing Advocacy Network, and Metro's Affordable Housing Technical Advisory Committee. Mass transit policy has been considered by different committees over the years. One includes Complete Communities for Clackamas County, a broad-based citizen group that looks at housing, jobs and transportation.

Funding of the Study

The Clackamas County Community Development Division, Department of Human Services, the agency responsible for preparing this study, funded it. The study was prepared by Western Economic Services, LLC, a Portland, OR consulting agency specializing in housing and community development evaluations.

Research Methodology

The Analysis of Impediments is a broad yet thorough examination of a variety of sources related to housing and housing-related services. It involves secondary research, which entails the review of existing data and studies, and primary research, which is the collection and analysis of new raw data.

Secondary Research

Data from the Bureau of Economic Analysis was collected, covering the period from 1969 through 2003, detailing the total number of jobs, average earnings per worker, and per capita income in the county. This information was compared with statewide statistics. Data from the Bureau of Labor Statistics were also collected and analyzed, assessing unemployment rates and the general direction of the county's economy. The purpose of these data was to determine the strength of economic influences in the county's housing marketplace.

The 2000 Census was tabulated for a variety of demographic, economic, and housing-related issues, such as the racial and ethnic make-up of the population, disability status, low-income concentrations, poverty, housing values, housing conditions, and cost burdens.

Housing discrimination complaint records over the period from 1990 through 2005 were released by the Department of Housing and Urban Development. These data were tabulated and analyzed. Additionally, newspaper accounts of housing discrimination were researched and the Department of Justice website was reviewed for recent housing discrimination cases brought to litigation. Additional data was received from the Fair Housing Council of Oregon and the Clackamas

County Community Action Agency regarding calls received, intake processes, and actions taken in response to a fair housing inquiry.

Home loan applications were analyzed as well. Congress enacted the Home Mortgage Disclosure Act (HMDA) in 1975 and amended it from 1988 to 1991. It is intended to provide the public with loan data that can be used to determine whether financial institutions are serving the housing credit needs of their communities and to assist in identifying possible discriminatory lending patterns. Financial institutions are required to report data regarding loan applications, as well as information concerning their loan originations and purchases. The HMDA requires lenders to report the race and sex of home loan applicants. For the Clackamas County AI, HMDA data over the period from 1993 through 2003 was analyzed. This involved the evaluation of almost 370,000 loan applications over the 11-year period.

Primary research

One of the methods HUD recommends to gather public input about perceived impediments to fair housing is to conduct telephone interviews. As another option, HUD suggests public forums on fair housing. For the Clackamas County AI, both methods proved to be useful approaches to collecting data, as well as making the public more aware of the county's efforts to identify impediments to fair housing.

First, a telephone survey was conducted. Participants in the survey were drawn from a broad array of housing-related professionals across the greater Portland metropolitan area, allowing for qualitative analysis of general views and trends experienced across the county. The survey also included interviews with representatives from key agencies, such as the Clackamas Housing Action Network (CHAN), Clackamas County Community Action Agency, Legal Aid Services of Oregon, and the Fair Housing Council of Oregon. The Clackamas County Community Development Division prepared the survey list of nearly 100 prospective respondents, as seen in Exhibit I.1, on the following page.

The county also held three fair housing forums during the second week of June 2005. The first two were held on June 7 in Sandy and Milwaukie, and the last was held on June 8 in Wilsonville. A press release in May 2005 announced the forums to the media and interested parties in the housing and housing-related industries, and local newspapers carried features about the forums. The county also videotaped one of the forums and replayed the tape on Clackamas County Community Access Television during the weeks of June 6 and June 13.

At the forums, preliminary findings of the quantitative and qualitative analysis were presented and the public was asked to respond to what was shown, as well as to offer testimonials of their opinions and experiences with fair housing in Clackamas County. Public comment received at the forums were recorded and transcribed to text.

EXHIBIT I.1
TELEPHONE INTERVIEWS
INDIVIDUALS AND ORGANIZATIONS WITH WHOM CONTACT WAS ATTEMPTED

Kathy Wagner	City of Barlow	Lisa McAllister	CCSSD/ Hispanic Roundtable
John Williams	City of Canby	Georgianne Oblinger	CCSSD/ Disabilities Advocates Coalition
Steve Rhodes	City of Damascus	Maureen Thompson	Clackamas County Community Solutions
Randy Ealy	City of Estacada	Gary DiCenzo	Housing Authority of Clackamas County
Ron Partch	City of Gladstone	Rodney Cook	Office for Children & Families
Gene Grant	City of Happy Valley	Melinda Mowery	Clackamas County Mental Health
Kay Mordock	City of Johnson City	Susan Johnson	CCMH/Continuum of Care
Douglas Schmitz	City of Lake Oswego	Maryna Thompson	Clackamas County Public Health
Mike Swanson	City of Milwaukie	Heather Jefferis	Clackamas County Courts
John Gressner	City of Milwaukie	Linda Preisz	Clackamas County Planning Division
Gene Green	City of Molalla	Gloria Lewton	Clackamas County Community Development
Larry Patterson	City of Oregon City	Alan Levine	Recovery Association Project
Mike Collmeyer	City of Rivergrove	Elaine Krause	National Alliance for the Mentally Ill
Sanora Young	City of Sandy, Planning Director	CB Wright	Edwards Center, Inc.
Sandi Farley	City of West Linn	Robert Joondeph	Oregon Advocacy Center
Sandra Young	City of Wilsonville	Dolly Macken-Hambright	Macken-Hambright Property Management
Dave Flock	Oregon Dept. of Human Services	Dan Steffey	Guardian Management
Betty Dominguez	Oregon Housing and Community Services	Nathan Kadish	Stand for Children
Ray Webber	HUD	Tom Brady	Parrott Creek Child & Family Services
Doug Carlson	HUD	Kristin Kane	Cascade AIDS Project
JoAnn Uhler	Sandy Community Action Center	Brian Redine	Advocate
Nancy Rosendahl	West Linn Senior Center	Debbie Martson	Advocate
Art Ball	Clackamas Service Center	Bear Morris	Advocate
Mary Gottlieb	Canby Senior Center	Larry Tucker	Clackamas Education Service District
Kelli Williams	Estacada Senior Center	Mary Ellen Winterhalter	Oregon City School Dist. Homeless Liaison
Rhonda Garvin	Gladstone Senior Center	Barbara Payette	Oregon Trail School Dist. Homeless Liaison
Berta Dorman	Lake Oswego Adult Center	Maureen Miltenberger	Molalla River School Dist. Homeless Liaison
Joan Young	Milwaukie Senior Center	Kristin Krinnie	N. Clackamas School Dist. Homeless Liaison
Lola Burge	Molalla Senior Center	John Hackworth	Canby School Dist. Homeless Liaison
Kathy Wiseman	Oregon City Pioneer Center	Sara Clark	Clackamas County Sheriff Dept./DVERT
Cami Henderson	Sandy Senior Center	Lani Snyder	Wilsonville Community Sharing Program
Bernadette Brazil	Wilsonville Senior Center	Nancy Alioth	Clackamas County DHS
Danielle Cowan	City of Wilsonville	Andrea Logan	Campfire Teen Parent Program
Jeri McMahan	Hoodland Senior Center	Ethel Swanson	Clackamas Community College Life & Career Options
Darlene Caldwell-Fritsche	Gleaners of Clackamas County	Sam Chase	Community Development Network
Jim Thomas	Estacada Family Resource Center	Tad Everhardt	Community Development Law Center
Tom Mitchell	The Inn Home	Cathie Ross	Bridges to Mobility
Ken Fosheim	CCI Enterprises	Pat Schwoch	Manufactured Home Owners of Oregon
Ronald Rubino	Legal Aid Services of Oregon	Elizabeth Santone	HUD
Warren Rushold	PASS Program	Maryana Pello	Clackamas Children's Commission Home Advocate
Diane Schwartz Sykes	Oregon Legal Aid Services	Nancy Larson	USDA, Rural Development
Peter Hainley	CASA Of Oregon	David Tong	Washington Mutual, Banker
Susan Lind	Catholic Charities Caritas Housing	Ann McGranahan	DHS, Self Sufficiency Oregon City
Julie Massa	Oregon Food Bank	Marge Rhinehart	DHS Service District Manager
Shanna Mack	Centro De Apoyo – Catholic Charities	Olga Gerberg	Catholic Charities
Sue Elder	Clackamas Children's Commission	Caitlyn Kreizel	Home Safe Project Case Manager
Jamison Cavallaro	OR Alliance for Land Use & Affordable Housing	Dave Bearson	Bearson Construction
Martha McLennan	NW Housing Alternatives	Angelique Kauffman	Oregon Human Development Corporation
Ann Witsil and May Cha	Clackamas Women's Services	Mary Brockow	DHS Self Sufficiency Milwaukie
Nancy Yuill	Clackamas Community Land Trust	GM Garcia	El Puente Elementary School
Pegge McGuire	Fair Housing Council	Christina Bird	Clackamas County Senior Citizens Council
Terri Silvis, Ph. D.	Catholic Charities	Joel	Oregon Trail Mortgage
Doug Poppen	Juvenile Dept.	Oscar Del La Noche	Oregon Council of Hispanic Advancement
Jeanie Kuzman-Walling	Clackamas Co. Social Services Div.	Deborah	Pacific Rim Mortgage, Oregon City Branch
Paul Coon		Gloria Wiggins	Catholic Charities, El Programa Hispano