



**Analysis of
Impediments to Fair
Housing Choice Plan
FY 2020-2024**



City of Downey

**Draft
Public Review
April 10, 2020**



**MDG
ASSOCIATES • INC.**

TABLE OF CONTENTS

I. EXECUTIVE SUMMARY.....	I-1
A. Introduction and Background.....	I-1
B. Methodology and Citizen Participation.....	I-3
C. Status of Prior Impediments and Recommendations	I-5
D. Current Impediments to Fair Housing Choice and Recommendations in Downey	I-6
II. COMMUNITY CHARACTERISTICS.....	II-1
A. Demographic Profile	II-1
B. Income Profile.....	II-15
C. Housing Profile	II-17
D. Special Housing Needs Profile	II-26
III. ANALYSIS OF PRIVATE SECTOR IMPEDIMENTS	III-1
A. Owner-Occupied Housing	III-1
B. Rental Housing.....	III-12
IV. ANALYSIS OF PUBLIC POLICY IMPEDIMENTS	IV-1
A. Land Use Policy	IV-1
B. Development Policy	IV-15
C. Housing-Employment-Transportation Linkage	IV-25
V. ANALYSIS OF CURRENT FAIR HOUSING ACTIVITY	V-1
A. Fair Housing Education.....	V-1
B. Direct Client Services: General Housing	V-3
C. Direct Client Services: Fair Housing.....	V-4
D. Fair Housing Legal Status.....	V-7
VI. 2020-2024 FAIR HOUSING PLAN.....	VI-1
Appendix	APP-A
Signature Page	APP-A

Analysis of Impediments Tables

Table II-1 Demographics of the City of Downey (Jurisdiction)	II-3
Table II-2 Demographics of Los Angeles-Long Beach-Anaheim, CA (Region)	II-4
Table II-3 Demographic Trends of Downey (Jurisdiction)	II-5
Table II-4 Demographic Trends of Los Angeles-Long Beach-Anaheim, CA (Region)	II-6
Table II-5 Racial/Ethnic Dissimilarity Trends.....	II-12
Table II-6 Publicly Supported Houses by Program Category	II-17
Table II-7 Publicly Supported Houses by Race and Ethnicity.....	II-18
Table II-8 Demographics of Houses with Disproportionate Housing Needs.....	II-21
Table II-9 Demographics of Households with Severe Housing Cost Burdens	II-23
Table II-10 Opportunity Indicators by Race/Ethnicity.....	II-26
Table II-11 Disability by Type	II-27
Table II-12 Disability by Age Group	II-28
Table II-13 Disability by Publicly Supported Housing Program Category.....	II-29

Table III-1 Home Loan Application Activity in Downey	III-5
Table III-2 Home Loan Approval Rates by Applicant Characteristics	III-7
Table III-3 Home Loan Approval Rates by Tract Characteristics	III-8
Table IV-1 Single-Family Housing Opportunities Permitted by Zone	IV-5
Table IV-2 Licensed Residential Care Facilities	IV-9
Table IV-3 Fair Housing Impediment Study	IV-12
Table IV-4 Single-Family Residential Development Standards	IV-16
Table IV-5 Multi-Family Residential Development Standards	IV-16
Table IV-6 Discretionary Fees	IV-18
Table IV-7 Comparison of City Permit Fees	IV-19
Table IV-8 Development Impact Fees Per Unit	IV-20
Table IV-9 Public Services and Facilities	IV-30
Table IV-10 Principal Employers	IV-31
Table IV-11 MTA Bus Lines in Downey	IV-32
Table V-1 Direct Services by Requestor Type	V-1
Table V-2 Fair Housing Education Services Provided by FHF in Downey	V-3
Table V-3 Regional Education and Outreach Services Provided by FHF	V-3
Table V-4 Disposition of Downey General Housing Inquiries	V-4
Table V-5 Fair Housing Inquiries by Protected Class	V-5
Table V-6 Investigation Methods for 2018-2019 Fair Housing Cases	V-6
Table V-7 Finding and Disposition of Fair Housing Cases	V-7
Table VI-1 Fair Housing Plan Recommendations	VI-1

Analysis of Impediments Maps

Map II-1 National Origin	II-8
Map II-2 Limited English Proficiency	II-9
Map II-3 School Proficiency	II-10
Map II-4 Race/Ethnicity	II-13
Map II-5 Race/Ethnicity Trends	II-14
Map II-6 Demographics and Job Proximity	II-16
Map II-7 Publicly Supported Housing	II-19
Map II-8 Housing Burden by Race and Ethnicity	II-22
Map II-9 Persons with Disabilities	II-30
Map IV-1 Licensed Residential Care Facilities in Downey	IV-8
Map IV-2 Transportation Lines – Principal Employers	IV-34
Map IV-3 Transportation Lines – Public Services and Facilities	IV-35

I. Executive Summary

A. Introduction and Background

This Analysis of Impediments to Fair Housing Choice (AI) has been prepared to accompany the City of Downey’s 2020-2024 Consolidated Plan, as required by the U.S. Department of Housing and Urban Development (HUD) under federal Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) program statutes.

Fair housing is a condition in which individuals of similar income levels in the same housing market have like ranges of choice available to them regardless of race, color, ancestry, national origin, age, religion, sex, disability, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor. The AI examines local housing conditions, economics, policies and practices in order to ensure that housing choices and opportunities for all residents are available in an environment free from discrimination. The AI assembles fair housing information, identifies any existing impediments that limit housing choice, and proposes actions to mitigate those impediments.

Equal access to housing (housing choice) is vital to meeting essential needs and pursuing personal, educational, employment, or other goals. Recognizing this fundamental right, the City of Downey is committed to addressing fair housing issues in the City and ensuring equal access to housing for all residents.

Fair Housing Laws

In an effort to end housing segregation, in 1968 the United States Congress passed the Civil Rights Act, making housing discrimination based on race, sex, national origin, religion, or ethnicity illegal. In 1988, Congress passed the Fair Housing Amendments Act¹, making housing discrimination against families with children and people with disabilities unlawful. The Fair Housing Act also sets accessibility standards for new multi-family units and requires “reasonable accommodations” for people with disabilities.

In addition to prohibiting discrimination based on federal laws, the State of California has enacted a number of statutes that mirror and, in certain cases, extend federal fair housing protections. The Unruh Civil Rights Act of 1959² and subsequent court decisions require equal access to the accommodations, advantages, facilities, privileges or services of all business establishments regardless of protected status. The courts have interpreted this Act to prohibit any arbitrary discrimination based in any class distinction, regardless of whether or not that basis is enumerated in the Act.

The Fair Employment and Housing Act of 1963³ is the primary state law, which prohibits discrimination in the sale, rental, lease negotiation, or financing of housing based on race, color, religion, sex, marital status, national origin, and ancestry. The California Fair Housing Act of 1992 brought state laws into conformity with the Federal Fair Housing Act of 1988 and added protections

¹42 U.S. Code §§ 3601 et. seq.

²California Civil Code, §§ 51 and 52

³California Government Code §§ 12900-12906

for people with a "mental and physical disability" and "familial status." The Act also requires that housing providers allow disabled persons to modify their premises to meet their needs.

The Ralph Civil Rights Act of 1976 provides that all persons have the right to be free from any violence, or intimidation by threat of violence, committed against their persons or property because of their race, color, religion, ancestry, national origin, political affiliation, sexual orientation, sex, age, disability, or position in a labor dispute. The Act prohibits violence or threat of the same in rental housing situations. The Banes Civil Rights Act also forbids interference by force or threat with an individual's constitutional or statutory rights in places of worship, housing, and private property.

The Federal protected classes include:

- Disability
- Family status
- National origin
- Race
- Color
- Religion
- Sex

The additional State of California protected classes include:

- Marital status
- Medical condition
- Ancestry
- Source of income
- Age
- Sexual orientation
- Gender identity
- Gender expression
- Genetic information
- Arbitrary discrimination

This report considers impediments to fair housing choice experienced by both federal and State of California protected classes.

Defining Fair Housing and Impediments

In light of fair housing legislation passed at the federal and state levels as well as consultation with HUD and professionals providing fair housing services, the following definition of fair housing is used for this report:

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

Within the legal framework of federal and state laws and based on the guidance provided by the HUD Fair Housing Planning Guide, impediments to fair housing choice can be defined as:

Any actions, omissions, or decisions taken because of age, race, color, ancestry, national origin, age, religion, sex, disability, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor which restrict housing choices or the availability of housing choices; or

Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of age, race, color, ancestry, national origin, age, religion, sex, disability, marital status, familial status, source of income, sexual orientation or any other arbitrary factor.

To affirmatively promote equal housing opportunity, a community must work to remove or mitigate identified impediments to fair housing choice. Furthermore, eligibility for the City to receive federal CDBG and HOME funds is predicated upon compliance with fair housing laws. Specifically, to receive CDBG and HOME funds from HUD, a jurisdiction must:

- Certify its commitment to actively further fair housing choice;
- Maintain fair housing records; and
- Conduct an analysis of impediments to fair housing.

The City of Downey actively furthers fair housing choice through the preparation of this AI, annual funding of a fair housing service provider and active monitoring of all housing units with long-term affordability covenants to ensure that fair housing choice is a reality for all Downey residents and prospective residents.

B. Methodology and Citizen Participation

The scope of this AI adheres to the recommended content and format included in Volumes 1 and 2 of the “Fair Housing Planning Guide” published by the U.S. Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity.

Methodology

HUD requires jurisdictions that receive federal funding for community development activities to assess the status of fair housing in their community. As a recipient of CDBG and HOME funds, Downey is required to update the AI every five years and to report the findings and progress in the Consolidated and Performance Evaluation Report (CAPER) submitted to HUD following each program year. The City’s 2015 AI did not identify any impediments meeting the definition established in the *Fair Housing Planning Guide* published by HUD. However, the 2015 AI did identify several housing and fair-housing-related goals.

The purpose of this report is to identify impediments to fair and equal housing opportunities in Downey. This AI provides an overview of the laws, regulations, conditions or other possible obstacles that may affect access to housing and other services in Downey. The scope, analysis, and format used in this AI report adheres to recommendations of the *Fair Housing Planning Guide*.

The AI contains six chapters:

1. *Executive Summary.* This chapter provides background on “fair housing,” methodology, citizen participation, and a summary of the findings and recommendations identified within the report.
2. *Community Characteristics.* This chapter provides a brief history of the City, a demographic profile, income profile, employment profile, housing profile, special needs housing profile and key maps to provide the baseline information necessary to form a complete understanding of the City. This chapter provides a broad overview and understanding of the community so that housing needs are clearly defined. Community profile information analyzed in this chapter includes data elements required by HUD in the online Consolidated Plan system (the eCon Planning Suite) from the 2011-2015 American Community Survey (ACS) 5-Year Estimates and the Comprehensive Housing Affordability Strategy (CHAS) covering the same time period.
3. *Analysis of Private Sector Impediments.* This chapter provides an overview of the private owner-occupied housing market and the renter-occupied housing market. It examines the private-sector impediments to fair housing.
4. *Analysis of Public Policy Impediments.* This chapter identifies and analyzes a range of public activities that may impede fair housing choice, including governmental land use, development regulations, and community development activities. Potential impediments to fair housing choice are discussed.
5. *Analysis of Current Fair Housing Activity.* This chapter includes the current fair housing education, enforcement and legal status of any pending cases currently underway in the City.
6. *Conclusions and Recommendations.* This chapter provides a summary of major issues and recommendations to further fair housing. This chapter outlines the City’s Fair Housing Plan for 2020-2024 including specific actions to be taken to address identified impediments within specific timeframes.

Citizen Participation

The City values citizen input concerning the investment of federal housing and community development resources including CDBG and HOME. To solicit public participation, the City held two Community Meetings on February 12, one Community Meeting on February 22 and one Community Meeting on February 27. In addition, public and private agencies directly or indirectly involved with fair housing issues as well as interested individuals were invited to attend and participate in the Community Meetings. The purpose of the meetings was to provide a background on the scope of the study and solicit input on the most pressing issues affecting housing opportunities in Downey. Citizen participation opportunities were advertised on the City website, in the newspaper, with flyers at several community facilities, and through social media. The City also distributed needs assessment surveys to all persons in attendance to gather information on what they perceive are the highest priority needs of their community. A draft copy of the AI was made

available for public review and comment for a period of 30 days

The City Council is scheduled to formally consider the Analysis of Impediments on April 28, 2020.

C. Status of Prior Impediments and Recommendations

HUD requires the City to analyze impediments to fair housing choice that were identified in prior AIs to determine if those impediments have been resolved or if they should remain as part of the AI. Although the City's 2015 AI did not identify any impediments meeting the definition established in the *Fair Housing Planning Guide*, the 2015 AI did identify the following fair-housing-related goals:

1. *Housing Partnerships*. Explore the development and rehabilitation of affordable housing opportunities with local partners as well as outside developers.

Through the Consolidated Plan, the City partnered with community-based nonprofit organizations during the planning period to provide affordable housing to low-income residents through the implementation of programs to support homeownership, to support decent housing, and to support rental assistance.

2. *Housing Choice for Special Needs Populations*. Promote the construction of affordable for-sale and/or rental housing units with three or more bedrooms that are affordable to very low- and low-income families. The City shall publicize financial and regulatory incentive opportunities (e.g., expediting permit processing, deferred fees, density bonuses, or use of Housing Asset Funds) to developers for these unit types.

Through the Consolidated Plan, the City facilitated the development of for-sale housing and the rehabilitation of for-sale and rental housing during the planning period to provide affordable housing to low-income residents, including those with special needs.

3. *Housing Choice for Low Income Families*. Actively seek replacement funding sources to recover lost funding (e.g., Redevelopment Agency Dissolution, Reduction in CDBG allocation, etc.) to continue facilitating affordable housing.

The City used CDBG and HOME funds to support affordable housing initiatives in the Consolidated Plan from 2015-2019. Similar strategies are planned for 2020-2024.

4. *Reasonable Accommodations for the Disabled*. Direct Fair Housing Foundation to provide information on reasonable accommodation to City residents through dissemination of written materials available at City Hall and appropriate Community Centers. Continue funding a fair housing program that encompasses investigations of discrimination complaints, research of housing related discrimination issues and public education and information.

Each year, the City contracted with the Fair Housing Foundation to provide a robust fair housing program and to provide landlord-tenant mediation services in Downey. As part of this comprehensive fair housing program, the Fair Housing Foundation provided written materials concerning fair housing choice, and more particularly, describing reasonable accommodation so that residents with disabilities had information necessary to ensure their rights were observed.

D. Current Impediments to Fair Housing Choice and Recommendations in Downey

The 2020 AI did not identify any actions, omissions, or decisions taken because of — or which have the effect of — restricting housing choices or the availability of housing choices on the basis of age, race, color, ancestry, national origin, age, religion, sex, disability, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor which restrict housing choices or the availability of housing choices in the City of Downey.

II. Community Characteristics

A. Demographic Profile

According to the Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) Data Documentation, “The Affirmatively Furthering Fair Housing (AFFH) rule created a standardized process for fair housing planning that program participants use to help meet their longstanding requirement to affirmatively further fair housing. As part of this process, program participants analyze data and other information to assess fair housing issues in their jurisdictions and regions.” Data provided by HUD for this demographic profile includes Decennial Census data from 1990, 2000, 2010, data from the Brown Longitudinal Tract Database (LTDB) based on decennial census data, as well as American Community Survey (ACS) 5-year estimates. These data were evaluated, along with local data and local knowledge, to conduct this A.I.

Population Trends

Tables II-1, II-2, II-3 and II-4 below present demographic information and demographic trends both for the jurisdiction and the region. In terms of population growth from the period between 1990 and the present, the City of Downey grew at a slightly higher rate than the region. The region saw a population increase of 13.9 percent within the period, with the number of area residents rising from around 11.3 million to around 12.9 million. The jurisdiction, however, saw growth of close to 21.6 percent within the same period, from 91,924 in 1990 to 111,772 currently. By the latest ACS estimates (2012-2018), the population has grown 22.1 percent from 1990 to the current year, with a population of 112,269 currently.

Age and Sex Characteristics

Table II-1 below outlines the demographic information for the city of Downey, while **Table II-2** outlines the demographic information for the region. **Tables II-3** and **II-4** represent the demographic trends for the jurisdiction and the region, respectively. In keeping with the regions trend, the jurisdiction is made up mainly of individuals between the age of 18 and 64, with a little under 63 percent of the age group making up the city of Downey, while just above 64 percent of that age group makes up the region. This demographic group grew consistent with both the jurisdiction and regions growth since 1990. The jurisdiction saw this age group increase by a slightly larger margin, around 22.8 percent since 1990, compared to the region which saw a growth rate of about 13 percent.

The other two age groups, children under the age of 18 and individuals above the age of 65, also experienced similar growth rates in the jurisdiction and the region. In 1990, children under the age of 18 made up around 24 percent of Downey’s residents, compared to around 26 percent in the current year. For the region, children under the age of 18 made up around 25 percent of the population, compared to 24 percent in the current year. In terms of growth trends, the jurisdiction saw this group increase by around 33 percent since 1990, whereas the region saw an increase of only around 8 percent. Individuals over the age of 65 represent a much smaller percentage of the population, making up around 11 percent of both the jurisdiction and the region. While this group grew in both jurisdiction and the region, the rate of that growth was not the same. The jurisdiction saw them decrease by about 5 percent, whereas the region saw growth of about 32 percent.

In terms of sex, since 1990 females have slightly outnumbered males within the jurisdiction, albeit by a slim margin. That trend has continued during the period under review, as women currently edge out men 51.53 percent to 48.47 percent, very slightly up from the 49.11 percent to 50.89 percent split in 1990. This is in keeping with the regional trend, which saw women grow from 50.06 percent of the population in 1990, to 50.67 percent in the current year.

**Table II-1
Demographics of the City of Downey (Jurisdiction)**

(Downey, CA CDBG, HOME) Jurisdiction			
Race/Ethnicity		#	%
White, Non-Hispanic		19,786	17.70%
Black, Non-Hispanic		3,834	3.43%
Hispanic		78,996	70.68%
Asian or Pacific Islander, Non-Hispanic		7,654	6.85%
Native American, Non-Hispanic		212	0.19%
Two or More Races, Non-Hispanic		1,071	0.96%
Other, Non-Hispanic		219	0.20%
National Origin			
#1 country of origin	Mexico	21,261	20.34%
#2 country of origin	El Salvador	2,764	2.64%
#3 country of origin	Philippines	2,138	2.05%
#4 country of origin	Korea	1,910	1.83%
#5 country of origin	Cuba	1,425	1.36%
#6 country of origin	Guatemala	1,038	0.99%
#7 country of origin	Colombia	948	0.91%
#8 country of origin	Peru	835	0.80%
#9 country of origin	Egypt	824	0.79%
#10 country of origin	Nicaragua	710	0.68%
Limited English Proficiency (LEP) Language			
#1 LEP Language	Spanish	21,564	20.63%
#2 LEP Language	Korean	1,335	1.28%
#3 LEP Language	Tagalog	518	0.50%
#4 LEP Language	Arabic	501	0.48%
#5 LEP Language	Chinese	355	0.34%
#6 LEP Language	Thai	193	0.18%
#7 LEP Language	Cambodian	174	0.17%
#8 LEP Language	Greek	151	0.14%
#9 LEP Language	Other Indic Language	119	0.11%
#10 LEP Language	Other Asian Language	112	0.11%
Disability Type			
Hearing difficulty		2,702	2.61%
Vision difficulty		2,209	2.13%
Cognitive difficulty		3,504	3.38%
Ambulatory difficulty		5,010	4.83%
Self-care difficulty		2,393	2.31%
Independent living difficulty		3,823	3.69%
Sex			
Male		54,174	48.47%
Female		57,598	51.53%
Age			
Under 18		29,972	26.82%
18-64		70,221	62.83%
65+		11,579	10.36%
Family Type			
Families with children		13,583	51.28%

Data Sources: Decennial Census; ACS

**Table II-2
Demographics of Los Angeles-Long Beach-Anaheim, CA (Region)**

(Los Angeles-Long Beach-Anaheim, CA) Region			
Race/Ethnicity		#	%
White, Non-Hispanic		4,056,820	31.62%
Black, Non-Hispanic		859,086	6.70%
Hispanic		5,700,860	44.44%
Asian or Pacific Islander, Non-Hispanic		1,888,969	14.72%
Native American, Non-Hispanic		25,102	0.20%
Two or More Races, Non-Hispanic		267,038	2.08%
Other, Non-Hispanic		30,960	0.24%
National Origin			
#1 country of origin	Mexico	1,735,902	14.34%
#2 country of origin	Philippines	288,529	2.38%
#3 country of origin	El Salvador	279,381	2.31%
#4 country of origin	Vietnam	234,251	1.93%
#5 country of origin	Korea	224,370	1.85%
#6 country of origin	Guatemala	188,854	1.56%
#7 country of origin	China excl. Hong Kong	174,424	1.44%
#8 country of origin	Iran	133,596	1.10%
#9 country of origin	Taiwan	87,643	0.72%
#10 country of origin	India	79,608	0.66%
Limited English Proficiency (LEP)			
Language			
#1 LEP Language	Spanish	2,033,088	16.79%
#2 LEP Language	Chinese	239,576	1.98%
#3 LEP Language	Korean	156,343	1.29%
#4 LEP Language	Vietnamese	147,472	1.22%
#5 LEP Language	Armenian	87,201	0.72%
#6 LEP Language	Tagalog	86,691	0.72%
#7 LEP Language	Persian	41,051	0.34%
#8 LEP Language	Japanese	32,457	0.27%
#9 LEP Language	Russian	28,358	0.23%
#10 LEP Language	Arabic	23,275	0.19%
Disability Type			
Hearing difficulty		303,390	2.52%
Vision difficulty		227,927	1.90%
Cognitive difficulty		445,175	3.70%
Ambulatory difficulty		641,347	5.34%
Self-care difficulty		312,961	2.60%
Independent living difficulty		496,105	4.13%
Sex			
Male		6,328,434	49.33%
Female		6,500,403	50.67%
Age			
Under 18		3,138,867	24.47%
18-64		8,274,594	64.50%
65+		1,415,376	11.03%
Family Type			
Families with children		1,388,564	47.84%

Note 1: All % represent a share of the total population within the jurisdiction or region, except family type, which is out of total families.

Note 2: 10 most populous places of birth and languages at the jurisdiction level may not be the same as the 10 most populous at the Region level, and are thus labeled separately.

Note 3: Data Sources: Decennial Census; ACS

Note 4: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

**Table II-3
Demographic Trends of Downey (Jurisdiction)**

	(Downey, CA CDBG, HOME) Jurisdiction							
	1990 Trend		2000 Trend		2010 Trend		Current	
Race/Ethnicity	#	%	#	%	#	%	#	%
White, Non-Hispanic	50,772	55.23%	30,909	28.72%	19,786	17.70%	19,786	17.70%
Black, Non-Hispanic	2,883	3.14%	3,984	3.70%	4,105	3.67%	3,834	3.43%
Hispanic	29,902	32.53%	62,305	57.88%	78,996	70.68%	78,996	70.68%
Asian or Pacific Islander, Non-Hispanic	7,652	8.32%	8,951	8.32%	8,234	7.37%	7,654	6.85%
Native American, Non-Hispanic	437	0.48%	575	0.53%	369	0.33%	212	0.19%
National Origin								
Foreign-born	23,904	26.00%	38,048	35.35%	39,672	35.49%	39,614	35.44%
LEP								
Limited English Proficiency	14,550	15.83%	26,078	24.23%	26,399	23.62%	25,545	22.85%
Sex								
Male	45,142	49.11%	52,131	48.43%	54,174	48.47%	54,174	48.47%
Female	46,782	50.89%	55,500	51.57%	57,598	51.53%	57,598	51.53%
Age								
Under 18	22,592	24.58%	32,306	30.02%	29,972	26.82%	29,972	26.82%
18-64	57,203	62.23%	63,310	58.82%	70,221	62.83%	70,221	62.83%
65+	12,129	13.19%	12,016	11.16%	11,579	10.36%	11,579	10.36%
Family Type								
Families with children	10,829	45.49%	10,739	53.86%	13,583	51.28%	13,583	51.28%

Data Sources: Decennial Census; ACS

**Table II-4
Demographic Trends of Los Angeles-Long Beach-Anaheim, CA (Region)**

Race/Ethnicity	(Los Angeles-Long Beach-Anaheim, CA) Region							
	1990 Trend		2000 Trend		2010 Trend		Current	
	#	%	#	%	#	%	#	%
White, Non-Hispanic	5,166,768	45.86%	4,417,595	35.72%	4,056,820	31.62%	4,056,820	31.62%
Black, Non-Hispanic	971,105	8.62%	1,001,103	8.10%	932,431	7.27%	859,086	6.70%
Hispanic	3,914,001	34.74%	5,117,049	41.38%	5,700,862	44.44%	5,700,860	44.44%
Asian or Pacific Islander, Non-Hispanic	1,146,691	10.18%	1,651,006	13.35%	2,046,118	15.95%	1,888,969	14.72%
Native American, Non-Hispanic	36,210	0.32%	66,029	0.53%	54,362	0.42%	25,102	0.20%
National Origin								
Foreign-born	3,469,567	30.80%	4,299,323	34.77%	4,380,850	34.15%	4,400,910	34.30%
LEP								
Limited English Proficiency	2,430,630	21.57%	3,132,663	25.33%	3,053,077	23.80%	3,020,453	23.54%
Sex								
Male	5,626,077	49.94%	6,107,286	49.39%	6,328,434	49.33%	6,328,434	49.33%
Female	5,640,051	50.06%	6,258,058	50.61%	6,500,403	50.67%	6,500,403	50.67%
Age								
Under 18	2,911,031	25.84%	3,518,245	28.45%	3,138,867	24.47%	3,138,867	24.47%
18-64	7,280,517	64.62%	7,641,369	61.80%	8,274,594	64.50%	8,274,594	64.50%
65+	1,074,580	9.54%	1,205,730	9.75%	1,415,376	11.03%	1,415,376	11.03%
Family Type								
Families with children	1,318,473	50.20%	1,143,222	53.64%	1,388,564	47.84%	1,388,564	47.84%

Note 1: All % represent a share of the total population within the jurisdiction or region for that year, except family type, which is out of total families.

Note 2: Data Sources: Decennial Census; ACS

Note 3: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

Race and Ethnicity

Among other protected characteristics and classes of individuals, the Fair Housing Act prohibits housing discrimination based on race. While HUD provides data on both race and ethnicity, Hispanics of any race are considered for its purposes as a separate race/ethnic category that "can experience housing discrimination differently than other groups." Therefore, people who identify their ethnicity as Hispanic are excluded from the data provided for the other race groups – Black, Asian and Pacific Islander, Native American, and Other.

A number of generalizations can be made, based upon evaluation of the demographics and demographic trends presented in the tables above. First, the jurisdiction has significantly more Hispanic residents than the region at large. Downey's population is around 70 percent Hispanic, compared to 44 percent in the region. Second, the jurisdiction has significantly less White residents than the region (17 percent versus 31 percent). Third, the jurisdiction has less Black residents than the region (3 percent versus 6 percent).

In terms of growth, the White population within the jurisdiction has followed the negative growth trend of the region (though much more substantially). Whereas the White population declined in the

region by about 21.5 percent between 1990 and the present, the jurisdiction saw a decrease of around 61 percent compared to 1990 levels. The Hispanic population, meanwhile, has grown astronomically since 1990, including a greater than 164 percent population increase among Hispanics within Downey, compared to a greater than 45 percent increase in this group throughout the region.

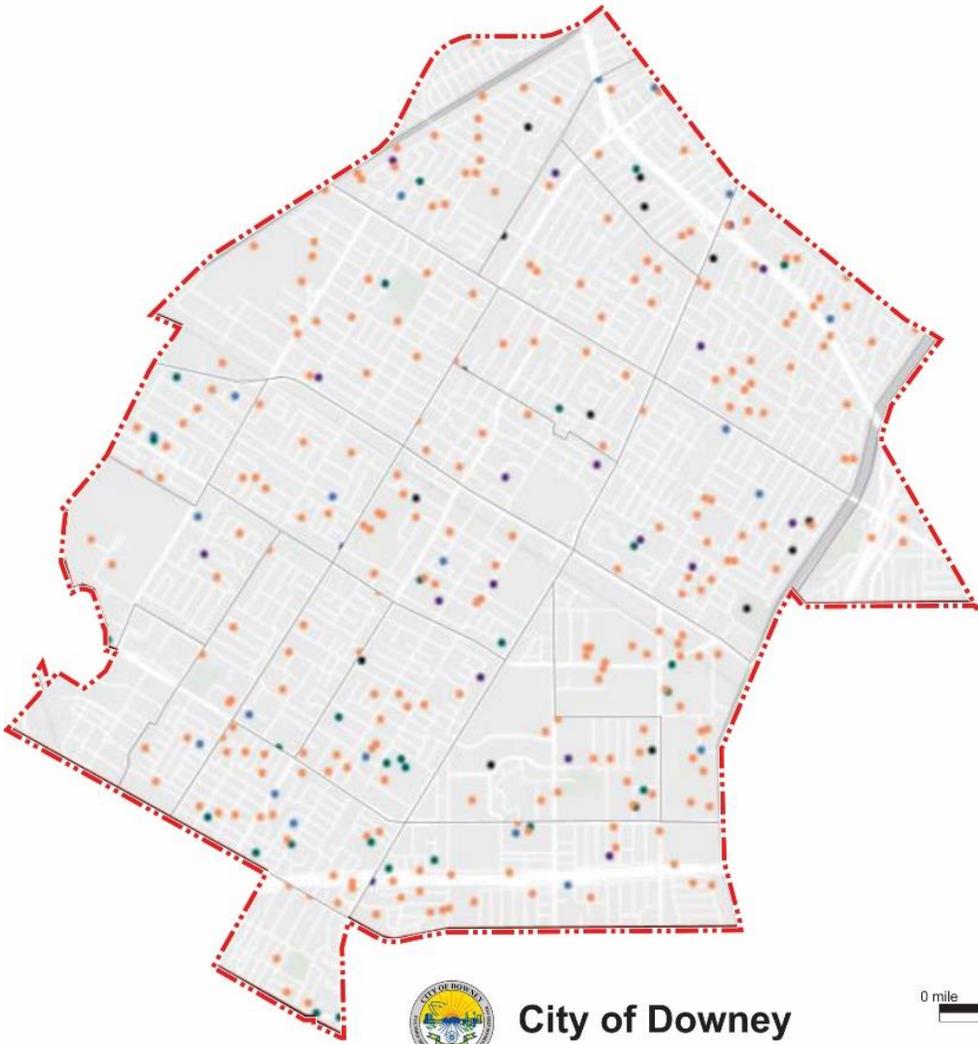
Foreign Born Population and Limited English Proficiency

In terms of national origin, the largest foreign-born population within the jurisdiction and the region is from Mexico, although at 20 percent of Downey's residents, the proportion of this population is well above the 14 percent of Mexican natives who live in the region. While five of the ten largest groups of foreign-born nationals are from Latin America in the region, the jurisdiction's ten largest foreign-born national groups are from Latin America. The remaining three most populous non-native groups in the jurisdiction hail from the Philippines (third-highest), Korea (fourth-highest), Egypt (ninth-highest).

These foreign-born nationals include residents who have less than a fluent mastery of the English language, and therefore need accommodation. Downey residents with Limited English Proficiency (LEP) are among the largest population subgroup, having represented around 15 percent of the population in 1990 while comprising around 22 percent of current residents. This is in line with the regional average, as such residents comprised around 21 percent of the region in 1990 and around 23 percent of the region currently.

One issue that arises from such a demographic breakdown is the potential for residents to face barriers related to language proficiency. In order to visualize such an issue, consider the information detailed by **Map II-1, Map II-2, Map II-3**. Within the jurisdiction, there exists a good deal of residents who are primarily Spanish speakers and have recently immigrated from a Latin American or Asian country. In areas heavily populated by such residents, the school proficiency is generally low. These two issues combine to create a difficult situation for both first-generation children, as well as immigrants, who are attempting to assimilate into the jurisdiction as their ability to access institutions that can help them learn English is extremely limited.

Map II-1 National Origin



Map Info	Legend	TOC	Map Info	Legend	TOC
Downey (CDBG, HOME)					
Name: Map 3 - National Origin			Jurisdiction □		
Description: Current national origin (5 most populous) dot density map for Jurisdiction and Region with R/ECAPs			Region □		
Jurisdiction: Downey (CDBG, HOME)			National Origin [Jurisdiction] (Top 5 most populous) 1 Dot = 75 People		
Region: Los Angeles-Long Beach-Anaheim, CA			<ul style="list-style-type: none">  Mexico  El Salvador  Philippines  Korea  Cuba 		
Data Version: AFFHT0004			TRACT □		
			R/ECAP □		

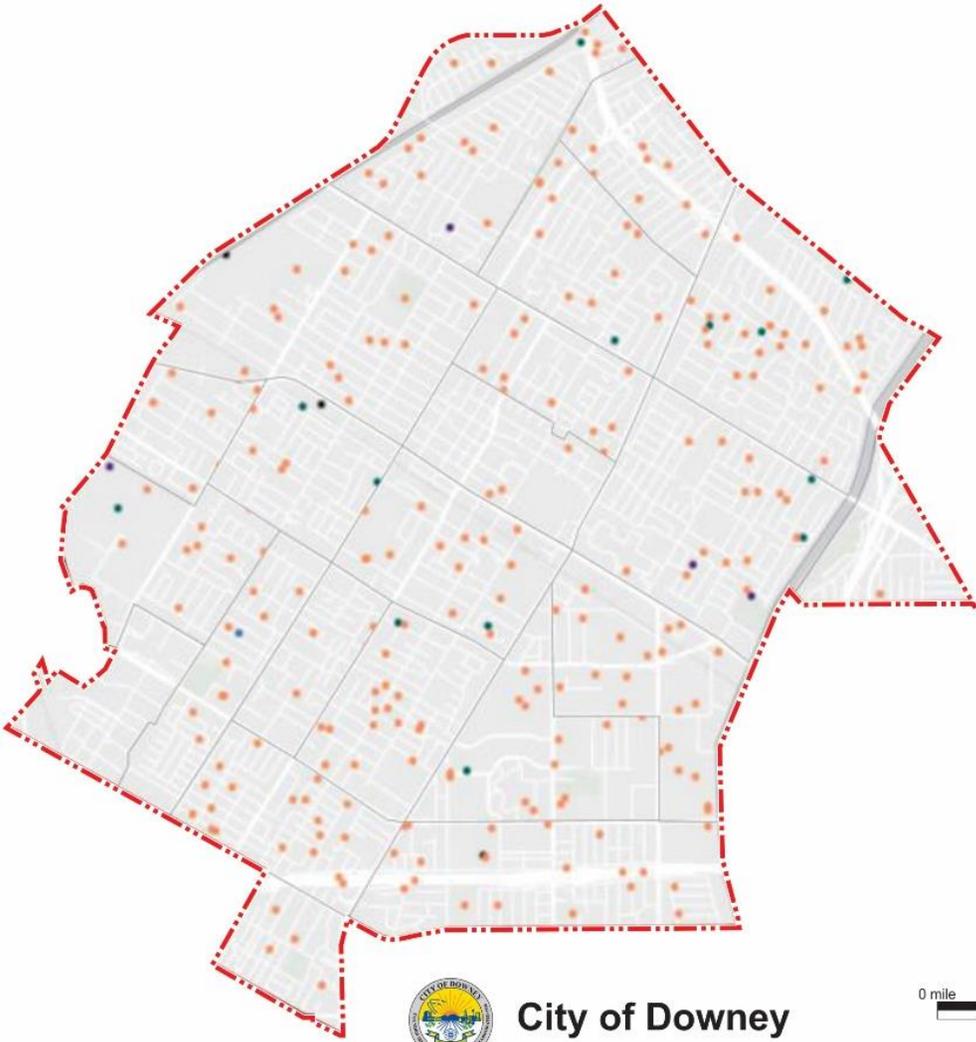


City of Downey



Data Source: *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T)*, U.S. Department of Housing and Urban Development, November 2017.

Map II-2 Limited English Proficiency



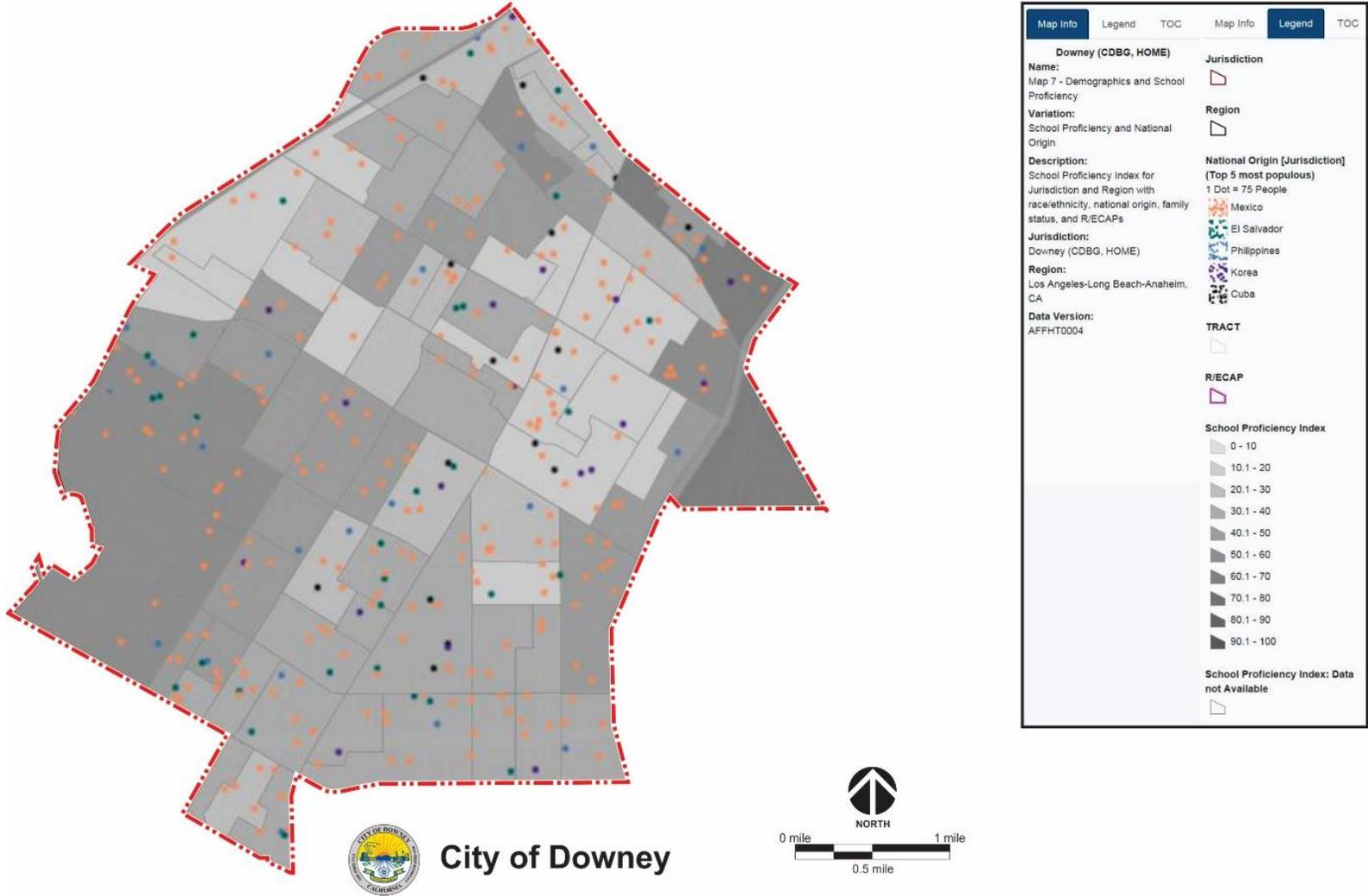
Map Info	Legend	TOC	Map Info	Legend	TOC
Downey (CDBG, HOME)			Jurisdiction		
Name: Map 4 - LEP			□		
Description: LEP persons (5 most commonly used languages) for Jurisdiction and Region with R/ECAPs			Region □		
Jurisdiction: Downey (CDBG, HOME)			Limited English Proficiency [Jurisdiction] (Top 5 most populous)		
Region: Los Angeles-Long Beach-Anaheim, CA			1 Dot = 75 People		
Data Version: AFFHT0004			<ul style="list-style-type: none"> ● Spanish ● Korean ● Tagalog ● Arabic ● Chinese 		
			TRACT □		
			R/ECAP □		



City of Downey

Data Source: *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T)*, U.S. Department of Housing and Urban Development, November 2017.

Map II-3 School Proficiency



Data Source: Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T), U.S. Department of Housing and Urban Development, November 2017.

Racial and Ethnic Integration

HUD has developed a series of indices to help inform communities about segregation and disparities in access to opportunity in their jurisdiction and region. With respect to racial and ethnic background and the extent to which a community is integrated or segregated, HUD provides the Dissimilarity Index.

Dissimilarity Index

According to HUD, “The dissimilarity index (or the index of dissimilarity) is a commonly used measure of community-level segregation. The dissimilarity index represents the extent to which the distribution of any two groups (frequently racial or ethnic groups) differs across census tracts or block groups. The values of the dissimilarity index range from 0 to 100, with a value of zero representing perfect integration between the racial groups in question, and a value of 100 representing perfect segregation between the racial groups.” (AFFH - T)

The City of Downey’s Racial/Ethnic Dissimilarity Index shown below in **Table II-V** compares extremely favorably to the region in terms of absolute values, meaning that Downey is significantly more integrated than the region overall in each of the four comparisons shown in **Table II-V**.

However, an examination of overall trends reveals a different picture. In every category, the City is trending in the direction of more, not less, segregation at a rate that is significantly higher than that of the region overall. With respect to Non-Whites, the level of segregation from Whites, as measured by the Dissimilarity Index, has increased by over 55 percent since 1990. By contrast, although Downey is less segregated than the region according to the Dissimilarity Index, the regional level of Non-White/White segregation has only increased by slightly under 3 percent during the same period. This trend is even more pronounced for Hispanic residents, as well as Asian and Pacific Islander residents, as they have experienced increased segregation by around 51 and 85 percent respectively, compared to 5 percent and 9 percent respectively in the region. Black residents have actually experienced a decrease in their score with respect to White residents, as their score has decreased by around 3 percent in the jurisdiction. This is similar to what the region experienced as the region saw a decrease of about 5 percent.

The relative degree of integration within the City is shown in **Map II-4** on the following pages, wherein concentrations of dots represent various racial/ethnic groups. Each racial or ethnic group is relatively evenly distributed among the Census Tracts that include population centers. Each dot represents 75 people. To compare these trends over time, **Map II-5** shows the same data, but for the year 2010.

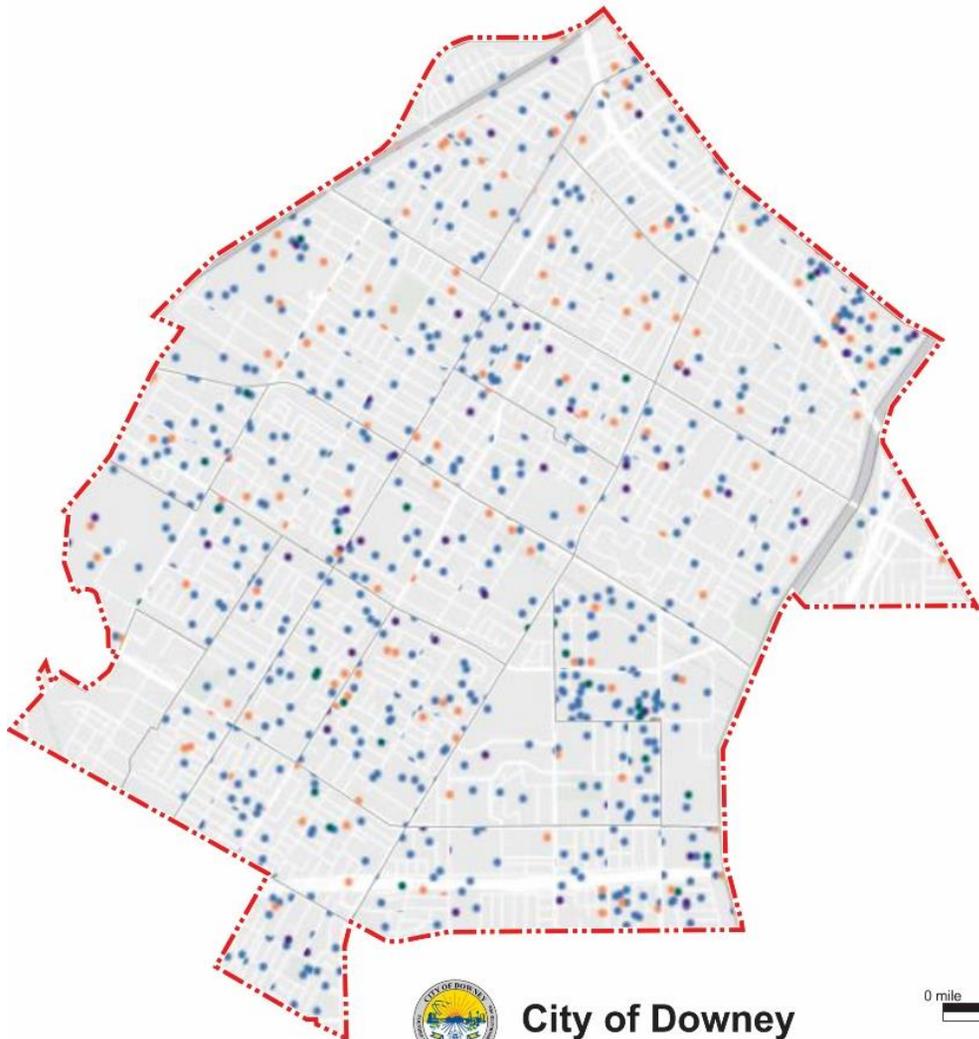
**Table II-5
Racial/Ethnic Dissimilarity Trends**

	(Downey, CA CDBG, HOME) Jurisdiction				(Los Angeles-Long Beach-Anaheim, CA) Region			
Racial/Ethnic Dissimilarity Index	1990 Trend	2000 Trend	2010 Trend	Current	1990 Trend	2000 Trend	2010 Trend	Current
Non-White/White	11.33	12.16	12.43	17.67	55.32	55.50	54.64	56.94
Black/White	36.98	31.62	25.70	35.98	72.75	68.12	65.22	68.85
Hispanic/White	11.92	12.94	12.89	18.04	60.12	62.44	62.15	63.49
Asian or Pacific Islander/White	8.21	8.03	9.76	15.21	43.46	46.02	45.77	49.78

Note 1: Data Sources: Decennial Census

Note 2: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

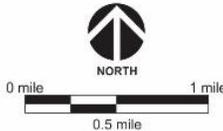
Map II-4 Race/Ethnicity



Map Info	Legend	TOC	Map Info	Legend	TOC
Downey (CDBG, HOME)			Jurisdiction		
Name: Map 1 - Race/Ethnicity			□		
Description: Current race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs			Region □		
Jurisdiction: Downey (CDBG, HOME)			Demographics 2010 1 Dot = 75		
Region: Los Angeles-Long Beach-Anaheim, CA			<ul style="list-style-type: none"> White, Non-Hispanic Black, Non-Hispanic Native American, Non-Hispanic Asian/Pacific Islander, Non-Hispanic Hispanic Other, Non-Hispanic Multi-racial, Non-Hispanic 		
Data Version: AFFHT0004			TRACT □		
			R/ECAP □		

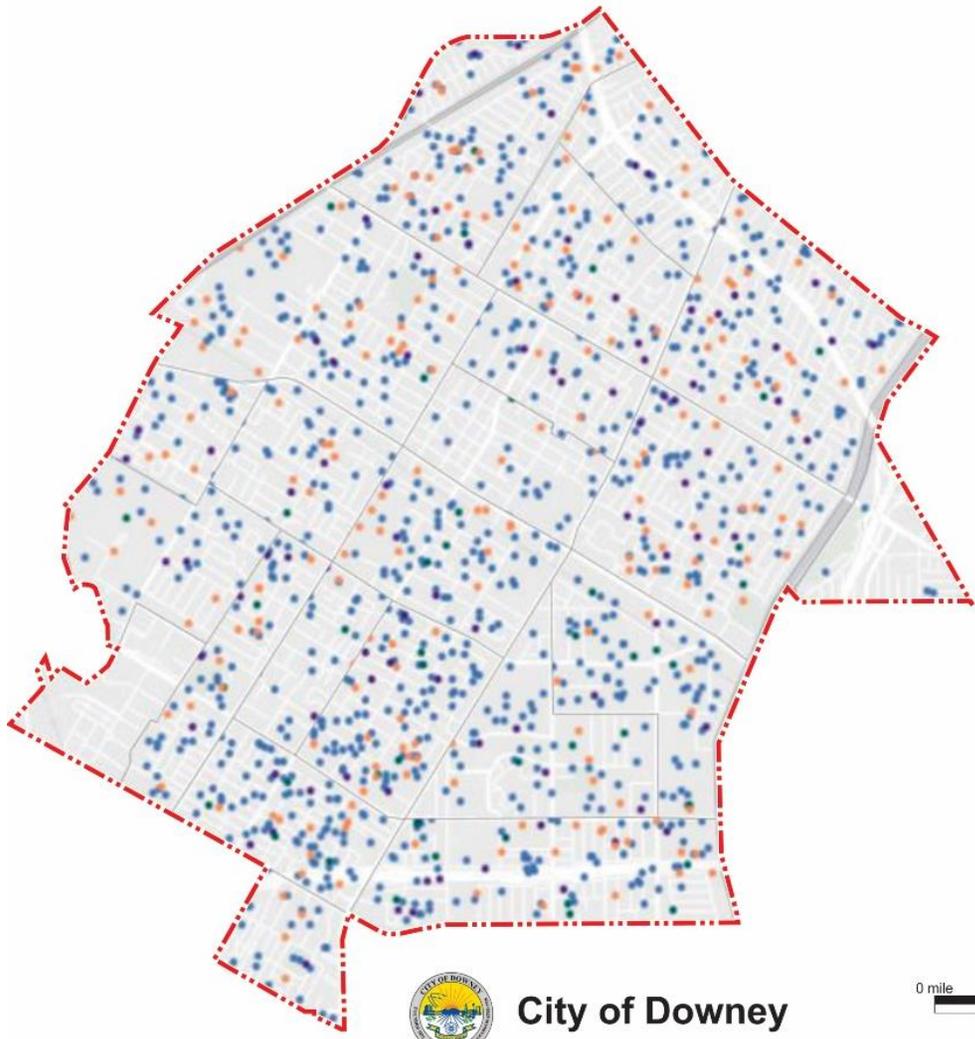


City of Downey



Data Source: *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T)*, U.S. Department of Housing and Urban Development, November 2017.

Map II-5 Race/Ethnicity Trends



Map Info	Legend	TOC	Map Info	Legend	TOC
Downey (CDBG, HOME) Name: Map 2 - Race/Ethnicity Trends Variation: Race/Ethnicity Trends, 2010 Description: Past race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs Jurisdiction: Downey (CDBG, HOME) Region: Los Angeles-Long Beach-Anaheim, CA Data Version: AFFHT0004			Jurisdiction Region Demographics 2010 1 Dot = 75 White, Non-Hispanic Black, Non-Hispanic Native American, Non-Hispanic Asian/Pacific Islander, Non-Hispanic Hispanic TRACT R/ECAP 		



City of Downey



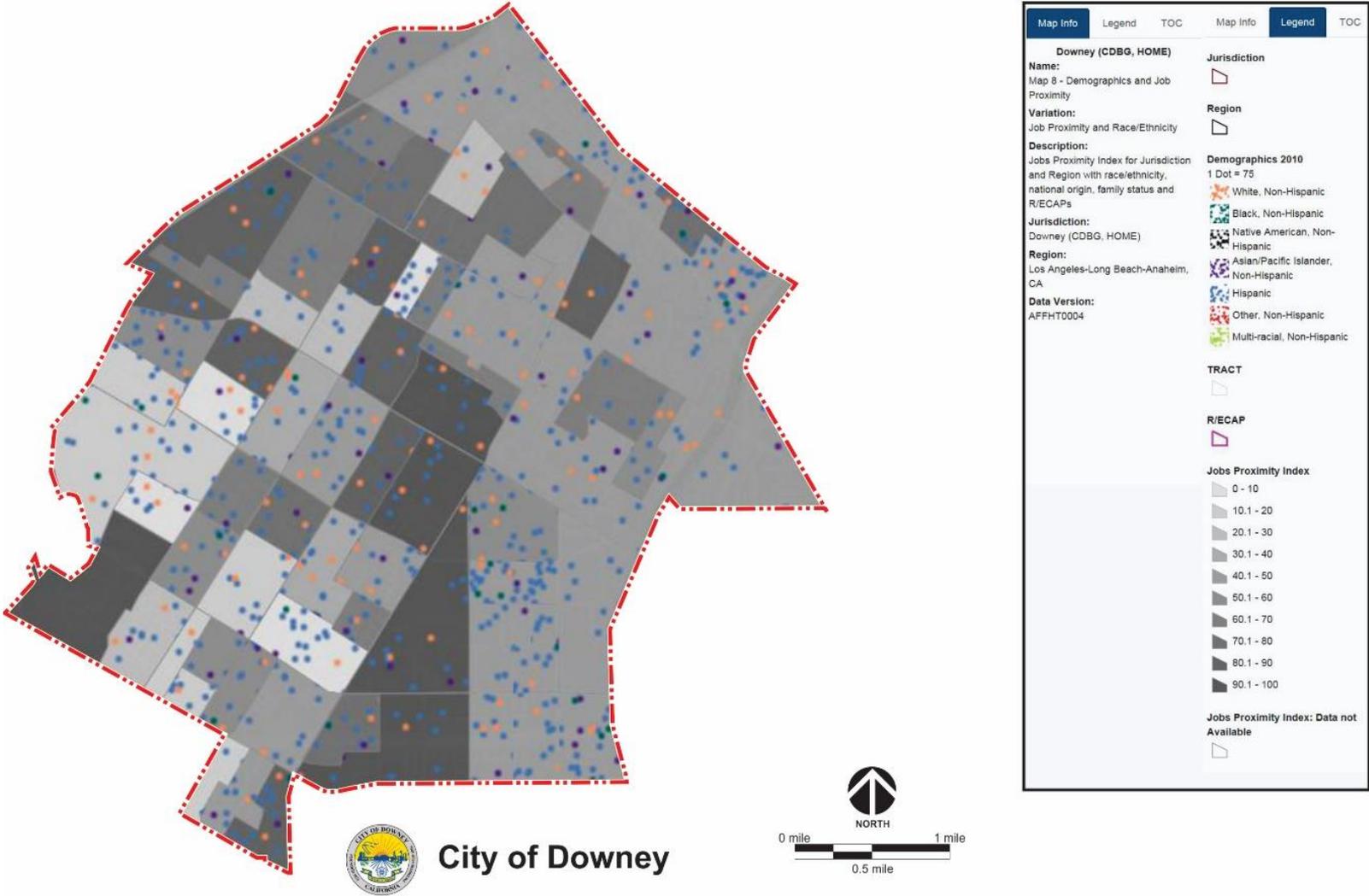
Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T), U.S. Department of Housing and Urban Development, November 2017.

B. Income Profile

When it comes to the Income issues facing Downey, the most important topic of conversation is visualized by **Map II-6**. In this map, the intersection of demographics and job proximity is illustrated. Each dot represents 75 residents of a given ethnic or racial group living in the area, while the shading represents the score of the area on the job proximity index. Though the index for the jurisdiction will be discussed in greater depth the following section, it is important to note that the lower the score on the index, the more difficult it is for someone within the area to find work.

Considering this, in areas heavily populated by non-White residents, it often is very difficult for them to find a nearby job. In each of the lightest areas on the map, there exists clusters of non-white residents, particularly Hispanic residents. There are, however, very few white residents in these lightly shaded areas, though some do exist. This demonstrates that, while the issue isn't as pervasive for White residents, there are a good deal of white residents are similarly struggling to find work. The following section will further discuss whether this problem is unique to Downey, or if it is a problem seen throughout the region.

Map II-6
Demographics and Job Proximity



C. Housing Profile

Public Housing

Following the trends seen in the previous section, the city of Downey faces unique housing issues when compared with the region. Starting with the public housing provided by the jurisdiction, **Table II-6** shows that public housing represents a very small percentage of the overall housing in the city. Less than 2 percent of all houses are publicly supported, with the only publicly supported housing options being part of the HCV program.

However, when looking at **Table II-7** the jurisdiction's limited public housing has a generally similar demographic make-up than that of the region. Percentages for each ethnic and racial group are generally the same between the jurisdiction and the region. The notable exceptions to this is that Hispanic residents in the jurisdiction occupy more than 70 percent of public housing units, whereas they only occupy 33 percent of the region's public housing units. Another issue illuminated by **Table II-7** is the demographic breakdown of houses in relation to the area median income (AMI) of the jurisdiction and the region. AMI is a statistic used by HUD which tracks the median incomes for all cities across a county. When comparing how Downey households compare to the regional averages, the similarities are once again apparent. For every racial or ethnic category, except for Hispanic residents, public housing residents in Downey are less likely to be paying close to the AMI for their units. Unfortunately, a much larger percentage of Hispanic residents in the jurisdiction pay between 0 and 80 percent of the AMI for their houses than they do in the region. This means that the jurisdiction's cost of public housing for Hispanic residents is well above that of the region. Further information regarding public housing can be seen below in **Map II-7**. This map details the locations of the public housing in the jurisdiction. It is important to note that the locations of the jurisdiction's public housing are largely concentrated in low income areas, and are generally near transit services.

Table II-6
Publicly Supported Houses by Program Category

	(Downey, CA CDBG, HOME) Jurisdiction	
Housing Units	#	%
Total housing units	35,601	-
Public Housing	N/a	N/a
Project-based Section 8	N/a	N/a
Other Multifamily	N/a	N/a
HCV Program	602	1.69%

Note 1: Data Sources: Decennial Census; APSH

Note 2: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

**Table II-7
Publicly Supported Houses by Race and Ethnicity**

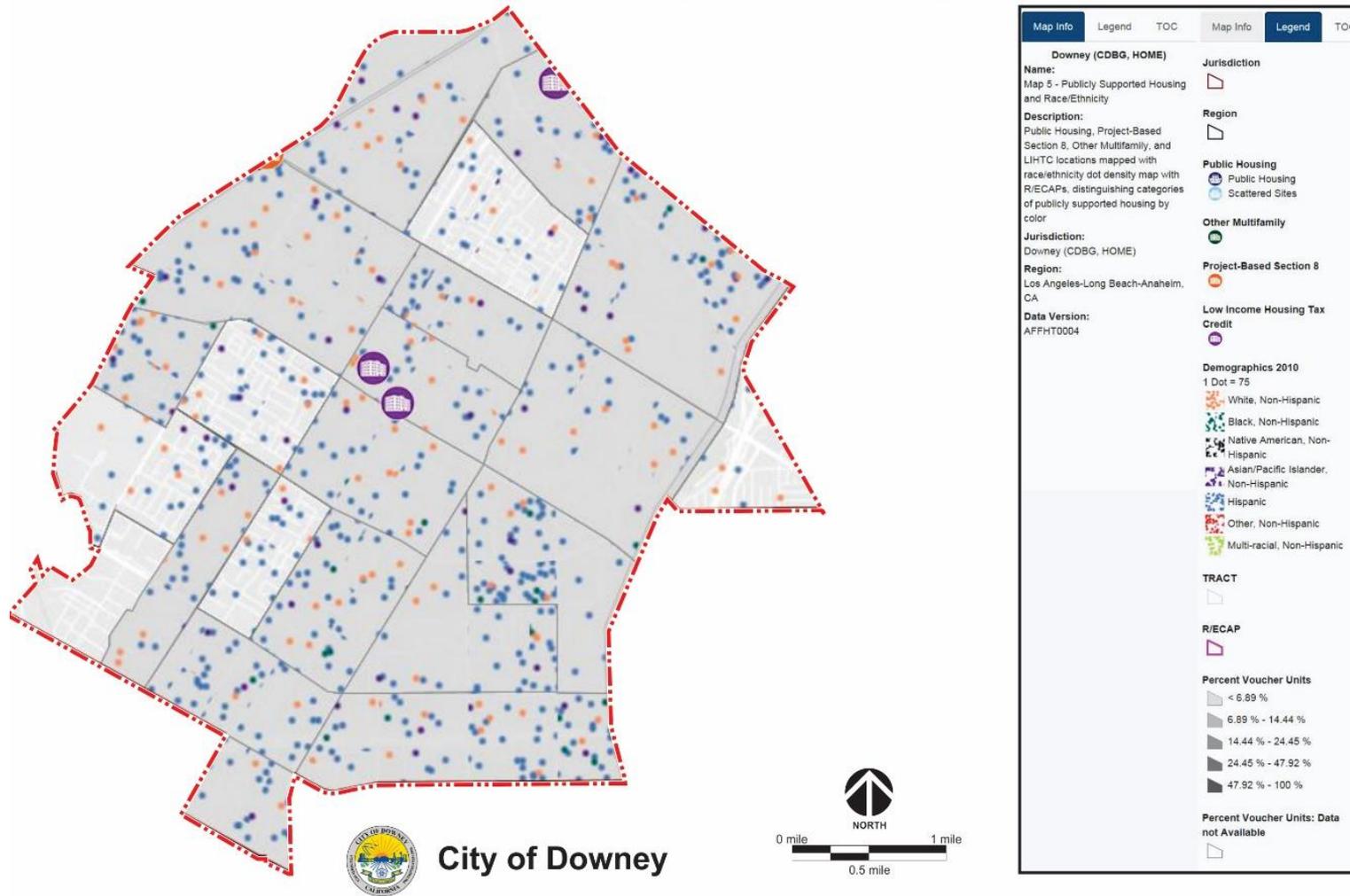
(Downey, CA CDBG, HOME) Jurisdiction	White		Black		Hispanic		Asian or Pacific Islander	
	#	%	#	%	#	%	#	%
Housing Type								
Public Housing	N/a	N/a	0	0.00%	N/a	N/a	N/a	N/a
Project-Based Section 8	N/a	N/a	0	0.00%	N/a	N/a	N/a	N/a
Other Multifamily	N/a	N/a	0	0.00%	N/a	N/a	N/a	N/a
HCV Program	48	8.70%	109	19.75%	391	70.83%	3	0.54%
Total Households	7,970	24.35%	1,463	4.47%	20,580	62.89%	2,445	7.47%
0-30% of AMI	1,015	24.31%	180	4.31%	2,690	64.43%	290	6.95%
0-50% of AMI	1,865	20.45%	385	4.22%	6,055	66.39%	470	5.15%
0-80% of AMI	3,125	20.33%	679	4.42%	10,410	67.71%	755	4.91%
(Los Angeles-Long Beach-Anaheim, CA) Region								
Housing Type								
Public Housing	683	6.99%	2,627	26.90%	6,110	62.56%	344	3.52%
Project-Based Section 8	9,154	23.86%	6,942	18.10%	10,365	27.02%	11,753	30.64%
Other Multifamily	1,707	33.38%	465	9.09%	1,094	21.39%	1,839	35.96%
HCV Program	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a
Total Households	1,766,510	41.80%	333,080	7.88%	1,405,070	33.25%	629,349	14.89%
0-30% of AMI	215,775	29.59%	86,225	11.83%	305,885	41.95%	105,314	14.44%
0-50% of AMI	343,565	26.07%	135,740	10.30%	587,685	44.60%	175,814	13.34%
0-80% of AMI	590,895	28.77%	195,155	9.50%	905,370	44.09%	272,549	13.27%

Note 1: Data Sources: Decennial Census; APSH; CHAS

Note 2: Numbers presented are numbers of households not individuals.

Note 3: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

Map II-7 Publicly Supported Housing



Data Source: Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T), U.S. Department of Housing and Urban Development, November 2017.

Housing Problems

The AFFH-T Data Documentation states the following: “To assist communities in describing and identifying disproportionate housing needs in their jurisdictions and regions, the AFFH-T provides data identifying instances where housing problems or severe housing problems exist. The AFFH-T presents housing problems overall, as well as variations by race/ethnicity, household type and household size.”

The AFFH-T provides data on the number and share of households with one of the following four housing problems:

1. Lacks complete kitchen facilities: Household lacks a sink with piped water, a range or stove, or a refrigerator.
2. Lacks complete plumbing facilities: Household lacks hot and cold piped water, a flush toilet and a bathtub or shower.
3. Overcrowding: A household is considered overcrowded if there are more than 1.01 people per room.
4. Cost Burden: A household is considered cost burdened if the household pays more than 30 percent of its total gross income for housing costs. For renters, housing costs include rent paid by the tenant plus utilities. For owners, housing costs include mortgage payment, taxes, insurance, and utilities.

Additionally, the AFFH-T provides data on the number and share of households with one or more of the following “severe” housing problems, defined as:

1. Lacks complete kitchen facilities: Household does not have a stove/oven and refrigerator.
2. Lacks complete plumbing facilities: Household does not have running water or modern toilets.
3. Severe Overcrowding: A household is considered severely overcrowded if there are more than 1.5 people per room.
4. Severe Cost Burden: A household is considered severely cost burdened if the household pays more than 50 percent of its total income for housing costs.

According to the data in **Table II-8** and **Map II-8** below, the total number of households within the jurisdiction is 32,725. Of those households, 17,345, or 53 percent, experience housing problems. Among those households experiencing problems, 10,720, or 32.76 percent of the total, experience severe housing problems. These percentages are almost identical to the regional average, wherein the incidences of housing problems and severe housing problems are 52.95 percent and 33.17 percent respectively. Additionally, as is true in the region, Hispanic households within the jurisdiction experience housing problems and severe housing problems at higher rates than the average. Almost 60 percent of Hispanic households, while 38.5 percent experience severe housing problems. Another group experiencing significantly larger housing problems in the jurisdiction are Native American residents. In the jurisdiction, these residents experience problems at a rate of 100 percent, nearly double the 52.42 percent that experience them regionally.

**Table II-8
Demographics of Houses with Disproportionate Housing Needs**

Disproportionate Housing Needs	(Downey, CA CDBG, HOME) Jurisdiction			(Los Angeles-Long Beach-Anaheim, CA) Region		
Households experiencing any of 4 housing problems	# with problems	# households	% with problems	# with problems	# households	% with problems
Race/Ethnicity						
White, Non-Hispanic	2,970	7,970	37.26%	755,745	1,766,510	42.78%
Black, Non-Hispanic	773	1,463	52.84%	192,655	333,080	57.84%
Hispanic	12,280	20,580	59.67%	929,985	1,405,070	66.19%
Asian or Pacific Islander, Non-Hispanic	1,270	2,445	51.94%	312,065	629,349	49.59%
Native American, Non-Hispanic	30	30	100.00%	4,990	9,520	52.42%
Other, Non-Hispanic	44	264	16.67%	42,365	82,340	51.45%
Total	17,345	32,725	53.00%	2,237,810	4,225,895	52.95%
Household Type and Size						
Family households, <5 people	9,405	19,239	48.89%	1,061,155	2,236,590	47.45%
Family households, 5+ people	4,825	6,715	71.85%	472,725	646,795	73.09%
Non-family households	3,130	6,775	46.20%	703,940	1,342,510	52.43%
Households experiencing any of 4 Severe Housing Problems						
	# with severe problems	# households	% with severe problems	# with severe problems	# households	% with severe problems
Race/Ethnicity						
White, Non-Hispanic	1,565	7,970	19.64%	404,505	1,766,510	22.90%
Black, Non-Hispanic	433	1,463	29.60%	118,350	333,080	35.53%
Hispanic	7,940	20,580	38.58%	663,905	1,405,070	47.25%
Asian or Pacific Islander, Non-Hispanic	745	2,445	30.47%	187,450	629,349	29.78%
Native American, Non-Hispanic	10	30	33.33%	2,818	9,520	29.60%
Other, Non-Hispanic	29	264	10.98%	24,670	82,340	29.96%
Total	10,720	32,725	32.76%	1,401,660	4,225,895	33.17%

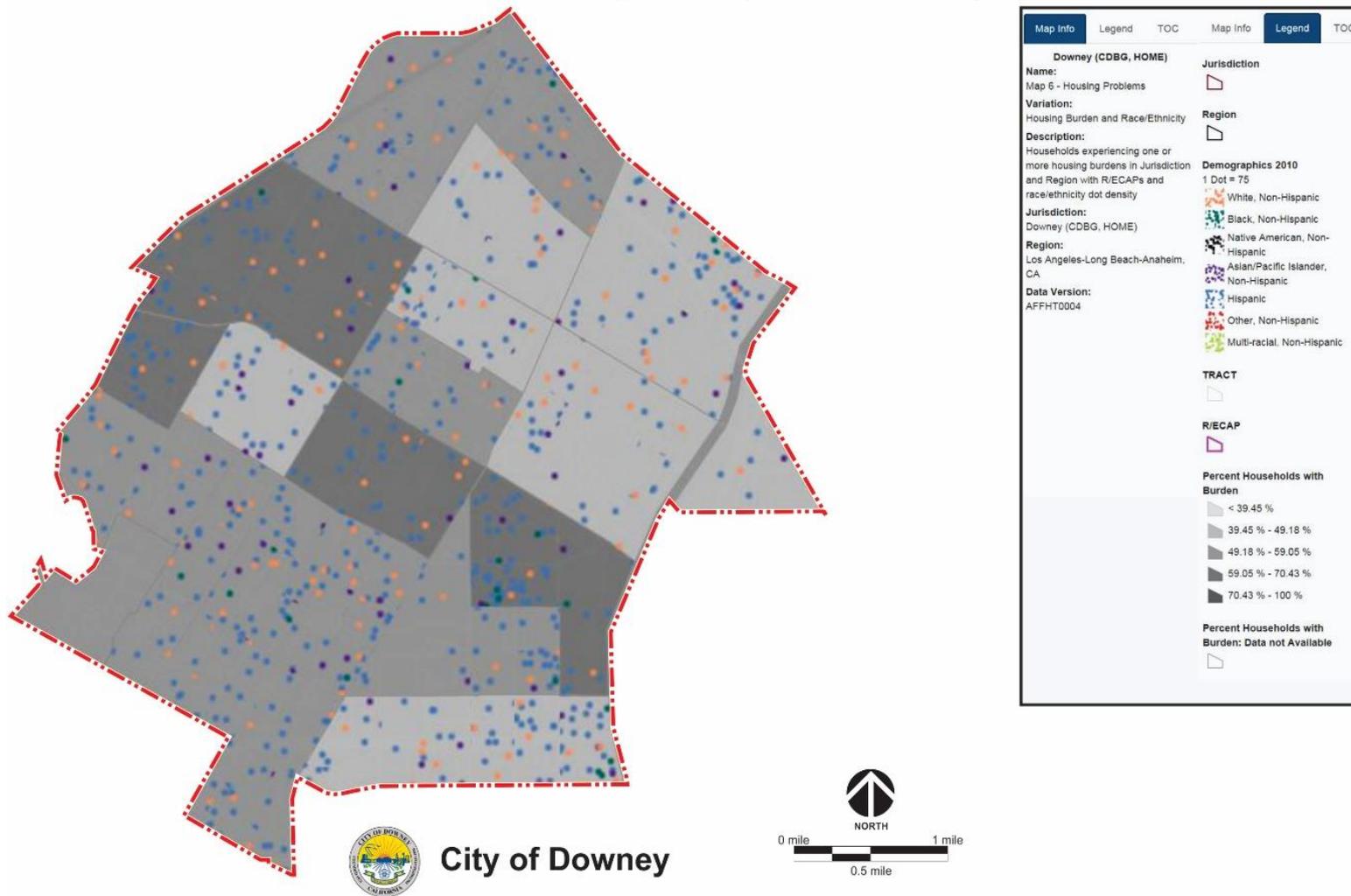
Note 1: The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%. The four severe housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 50%.

Note 2: All % represent a share of the total population within the jurisdiction or region, except household type and size, which is out of total households.

Note 3: Data Sources: CHAS

Note 4: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

Map II-8
Housing Burden by Race and Ethnicity



Data Source: *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T)*, U.S. Department of Housing and Urban Development, November 2017.

Complementing these numbers is the information regarding households with severe housing cost burdens, which is shown in **Table II-9**. HUD defines a severe housing cost-burden as any home which must spend over 30 percent of their income on housing, such that paying for may have difficulty affording necessities such as food, clothing, transportation, and medical care. With the exception of Native American households, Downey out-performs the region for every ethnic group and household type. For Native American households, the 33.33 percent experiencing severe housing cost burdens is 10 percent above the regional average (23.21 percent).

**Table II-9
Demographics of Households with Severe Housing Cost Burdens**

Households with Severe Housing Cost Burden	(Downey, CA CDBG, HOME) Jurisdiction			(Los Angeles-Long Beach-Anaheim, CA) Region		
Race/Ethnicity	# with severe cost burden	# households	% with severe cost burden	# with severe cost burden	# households	% with severe cost burden
White, Non-Hispanic	1,360	7,970	17.06%	363,575	1,766,510	20.58%
Black, Non-Hispanic	260	1,463	17.77%	100,510	333,080	30.18%
Hispanic	5,145	20,580	25.00%	393,495	1,405,070	28.01%
Asian or Pacific Islander, Non-Hispanic	470	2,445	19.22%	135,840	629,349	21.58%
Native American, Non-Hispanic	10	30	33.33%	2,210	9,520	23.21%
Other, Non-Hispanic	14	264	5.30%	20,445	82,340	24.83%
Total	7,259	32,725	22.18%	1,016,075	4,225,895	24.04%
Household Type and Size						
Family households, <5 people	4,144	19,239	21.54%	499,320	2,236,590	22.33%
Family households, 5+ people	1,265	6,715	18.84%	136,540	646,795	21.11%
Non-family households	1,850	6,775	27.31%	380,210	1,342,510	28.32%

Note 1: Severe housing cost burden is defined as greater than 50% of income.

Note 2: All % represent a share of the total population within the jurisdiction or region, except household type and size, which is out of total households.

Note 3: The # households is the denominator for the % with problems, and may differ from the # households for the table on severe housing problems.

Note 4: Data Source: CHAS

Note 5: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

Opportunity Indices

Table II-10 also contains seven additional opportunity indices: environmental health, low poverty index, school proficiency index, labor market index, transit index, low transportation index, and the job proximity index. What follows is a summary of each of the jurisdiction’s scores for these various indices as compared to the region’s scores.

Environmental Health Index

According to HUD, “The environmental health index summarizes potential exposure to harmful toxins at a neighborhood level.” The Index combines standardized EPA estimates of air quality carcinogenic, respiratory and neurological hazards with indexing census tracts. Values are inverted and then percentile ranked nationally. Values range from 0 to 100: the higher the index value, the less exposure to toxins harmful to human health; or, put differently, the higher the value, the better the environmental quality of a neighborhood, where a neighborhood is a census tract.

The EPA standardizes its estimates of air quality hazards using the National Air Toxics Assessment (NATA), which is EPA's ongoing review of air toxics in the United States. EPA developed NATA as a screening tool for state, local and tribal air agencies. NATA's results help these local agencies identify which pollutants, emission sources and places they may wish to study further to better understand any possible risks to public health from air toxics. EPA suggests that local communities use NATA to “prioritize pollutants and emission source types; identify places of interest for further study; get a starting point for local assessments; focus community efforts; inform monitoring programs.” According to EPA, communities have found that using NATA helps “inform and empower citizens to make local decisions about their community’s health. Local projects often improve air quality faster than federal regulations alone.”

Although EPA characterizes NATA results as “a snapshot of outdoor air quality with respect to emissions of air toxics,” it nonetheless suggests long-term risks to human health if air toxics emissions are steady over time, including estimates of the cancer risks from breathing air toxics over many years. It also estimates non-cancer health effects for some pollutants, including diesel particulate matter (PM). It is important to note that NATA only includes outdoor sources of pollutants, and its estimates of risk “assume a person breathes these emissions each year over a lifetime (or approximately 70 years). NATA only considers health effects from breathing these air toxics. It ignores indoor hazards, contacting or ingesting toxics, and any other ways people might be exposed.” (<http://www.epa.gov/national-air-toxics-assessment/nata-overviewepa.gov>)

Table II-10 presents the Environmental Health Index values for various groups within Downey and within the region at large. Across every category, including those results reported for communities below the federal poverty level, Downey scores are well below the regional averages.

Downey shows low environmental index scores across the board, regardless of the race or income of the individual. The highest score on the index is for White residents, with a score of 8.66, which is below the regional average of 25.76. The scores for the other ethnic and racial groups are all similarly low. The score for Blacks is 8.34 compared to a regional score of 13.85. Hispanic residents have a score of 8.42, which is well below the regional average of 14.60. Native Americans experience an average of 8.19 in the jurisdiction compared to 21.67 in the region. Asian and Pacific Island residents in the jurisdiction also experience low averages compared to the region, with the scores being 8.48 and 17.44 respectively. For communities living under the federal poverty level, the jurisdiction once again compares unfavorably to the region: 8.17 vs. 20.26 for Whites; 7.41 vs. 13.70 for Blacks; 8.37 vs. 11.76 for Hispanics; and 8.17 vs. 13.85 for Asians.

According to HUD, the low poverty index captures poverty in a given neighborhood or jurisdiction. The index considers the overall poverty rate of the area, and then converts that rate into a number between 0 and 100. The higher the score, the lower the area’s exposure to poverty is. The jurisdiction’s score for each category is either equal to, or well above, the region’s average. This represents a much lower exposure to poverty in the jurisdiction. Of particular note is the lesser exposure that Black and Hispanic residents have in the jurisdiction, as the city’s score of 52.14 and 55.81 for those groups is well above the regional scores of 36.77 and 36.01.

The school proficiency index uses test scores from fourth grade students to determine whether neighborhoods have high-performing, or low-performing, elementary schools. The higher the score, the higher the quality of elementary schools in the area. Compared to regional averages, the jurisdiction is performing in line with the region, with two exceptions. The first difference is the

score for White residents, wherein the jurisdiction's score of 35.30 is well below the regional score of 68.72. The second difference is for Asian or Pacific Islander residents, where the jurisdiction's score of 35.19 is well below the regional average of 62.51.

The labor market index is meant to convey the general strength of human capital and labor market engagement in a given area. Three factors determine an area's score for this index: the unemployment rate, the labor market participation rate (the total number of workers employed divided by the working age population), and the educational attainment of the census tract (percent with a bachelor's degree). The higher the score, the higher labor market engagement is. Compared to the regional scores, the jurisdiction is, on average, performing slightly above the expected labor market engagement. The main difference once again lies in the scores of White and Asian or Pacific Islander residents. White residents have a score of 46.16 in the jurisdiction compared to 67.34 regionally. Asian or Pacific Islander residents have a score of 47 in the jurisdiction compared to 57.42 regionally.

The transit index is based on estimates of transit trips taken by a family that meets the following description: a 3-person single-parent family with income at 50% of the median income for renters for the region (i.e. the Core-Based Statistical Area (CBSA)). The higher the score, the more likely residents are to utilize public transportation. For this index, the jurisdiction is performing similar to the region for this index. More importantly, use of transit is relatively consistent across each racial group, suggesting that there does not exist a racial disparity in resident's reliance on, or use of, public transit.

The low transportation index is based on estimates of transportation expenses for a family that meets the following description: a 3-person single-parent family with income at 50% of the median income for renters for the region (i.e. CBSA). The higher the score, the lower the transportation cost for an area is. As it did for the transit index, the jurisdiction is performing in line with the region. The high scores for both these indices suggests that the jurisdiction's residents are using the public transit available to them and that said public transit is relatively affordable.

The final index, job proximity index, quantifies the accessibility of a given residential neighborhood as a function of its distance to all job locations within a CBSA, with larger employment centers weighted more heavily. The higher the score, the better access to employment opportunities is for a given area. For every racial category, the jurisdiction is slightly performing the regional averages.

**Table II-10
Opportunity Indicators by Race/Ethnicity**

(Downey, CA CDBG, HOME) Jurisdiction	Low Poverty Index	School Proficiency Index	Labor Market Index	Transit Index	Low Transportation Cost Index	Jobs Proximity Index	Environmental Health Index
Total Population							
White, Non-Hispanic	59.72	35.30	46.16	79.36	83.34	54.00	8.66
Black, Non-Hispanic	52.14	35.79	41.79	80.46	85.26	53.58	8.34
Hispanic	55.81	35.31	44.41	79.85	84.06	52.11	8.42
Asian or Pacific Islander, Non-Hispanic	58.79	35.19	47.00	80.06	83.89	52.46	8.48
Native American, Non-Hispanic	54.47	34.32	42.93	80.32	84.61	50.62	8.19
Population below federal poverty line							
White, Non-Hispanic	58.26	33.71	45.36	80.18	84.09	52.30	8.17
Black, Non-Hispanic	41.70	34.10	35.72	81.44	88.39	63.51	7.41
Hispanic	46.41	35.27	39.40	80.17	85.00	55.00	8.37
Asian or Pacific Islander, Non-Hispanic	48.03	29.65	45.76	82.38	86.76	59.03	8.17
Native American, Non-Hispanic	N/a	N/a	N/a	N/a	N/a	N/a	N/a
(Los Angeles-Long Beach-Anaheim, CA) Region							
Total Population							
White, Non-Hispanic	65.34	68.72	67.34	76.59	79.87	46.74	25.76
Black, Non-Hispanic	36.77	35.61	36.13	81.34	83.42	46.12	13.85
Hispanic	36.01	39.67	35.43	80.65	83.98	43.16	14.60
Asian or Pacific Islander, Non-Hispanic	55.68	62.51	57.42	78.82	82.35	45.30	17.44
Native American, Non-Hispanic	48.97	50.86	48.40	78.04	81.53	44.84	21.67
Population below federal poverty line							
White, Non-Hispanic	53.04	61.67	59.07	80.43	84.23	48.46	20.26
Black, Non-Hispanic	23.71	28.40	26.45	83.34	85.48	44.58	12.70
Hispanic	24.25	33.59	28.83	83.28	86.96	43.89	11.76
Asian or Pacific Islander, Non-Hispanic	45.15	57.07	50.53	82.27	86.69	47.52	13.85
Native American, Non-Hispanic	32.13	37.36	34.86	80.82	84.18	47.51	19.09

Note 1: Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA

Note 2: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

D. Special Housing Needs Profile

Certain residents have more difficulty finding decent and affordable housing or receiving fair housing treatment due to special circumstances. These circumstances may include employment and income, family type, disability, or other characteristics. Downey officials should consider addressing the needs of certain racial/ethnic groups, who make up a growing demographic that experiences cost burden and other housing problems disproportionately, in addition to other fair housing issues. Seniors are another burgeoning population sector with similar issues. Single parent households, especially those headed by women, are growing in number and may need special accommodation. Other groups facing challenges include people with disabilities, large families, persons with limited English proficiency, and currently and formerly homeless persons.

Table II-11 summarizes the proportions of special needs groups in Downey. The following discussion describes and analyzes the housing needs of each group. Data are from the 2010 Census, the Brown Longitudinal Tract Database (LTDB) based on the census, and the 2009-2013 and 2012-2016 American Community Surveys (ACS).

**Table II-11
Disability by Type**

	(Downey, CA CDBG, HOME) Jurisdiction		(Los Angeles-Long Beach-Anaheim, CA) Region	
Disability Type	#	%	#	%
Hearing difficulty	2,702	2.61%	303,390	2.52%
Vision difficulty	2,209	2.13%	227,927	1.90%
Cognitive difficulty	3,504	3.38%	445,175	3.70%
Ambulatory difficulty	5,010	4.83%	641,347	5.34%
Self-care difficulty	2,393	2.31%	312,961	2.60%
Independent living difficulty	3,823	3.69%	496,105	4.13%

Note 1: All % represent a share of the total population within the jurisdiction or region.

Note 2: Data Sources: ACS

Note 3: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

Senior Citizens

According to recent estimates, around 10 percent of Downey’s residents were seniors, defined as persons age 65 or older. This statistic represents a decrease from the 13 percent of the population that were seniors in 1990. Seniors nonetheless comprise a significant contingent of Downey’s residents, who need accommodation in the area of housing, due to limited income and higher disability rates, including ambulatory and other disabilities that require significant retrofitting of housing units.

In terms of disabilities, under 1 percent of City residents between the ages of 5 and 7 have disabilities. As shown in **Table II-12** below, there are nearly identical numbers of persons with disabilities within the age ranges of 18 to 64, and 65 and above. The 4,724 persons aged 18 to 64 who have a disability represent around 7 percent of that population group. Seniors with a disability make up a much larger portion of that sub-group, as the 4,274 seniors with a disability represent around 37 percent of that subgroup.

Table II-12
Disability by Age Group

	(Downey, CA CDBG, HOME) Jurisdiction		(Los Angeles-Long Beach-Anaheim, CA) Region	
Age of People with Disabilities	#	%	#	%
age 5-17 with Disabilities	631	0.61%	78,882	0.66%
age 18-64 with Disabilities	4,724	4.55%	556,100	4.63%
age 65+ with Disabilities	4,274	4.12%	527,738	4.39%

Note 1: All % represent a share of the total population within the jurisdiction or region.

Note 2: Data Sources: ACS

Note 3: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

People with Disabilities

The Fair Housing Act prohibits housing discrimination against any person based on disability. The Americans with Disabilities Act defines a disability as a “physical or mental impairment that substantially limits one or more major life activities.” People with disabilities have special housing needs because of their fixed income, higher health costs, and need for accessible and affordable housing.

Table II-12 reveals that that the City of Downey has 5,355 disabled residents ages 5 to 64, and another 4,274 elderly residents with disabilities. **Table II-11** shown above reveals the numbers living with each different type of disability within the community. According to **Table II-13**, around 22 percent of the jurisdictions public housing units are occupied by a person with a disability.

Interestingly, unlike other demographic factors analyzed in this report, the jurisdiction does not have a concentration of persons with disabilities in any singular location. As seen by **Map II-9**, the 9,629 persons with disabilities within the jurisdiction are spread out across the city. There is no singular location that appears to hold a disproportionate, or significantly higher, percentage of persons with disabilities.

Table II-13
Disability by Publicly Supported Housing Program Category

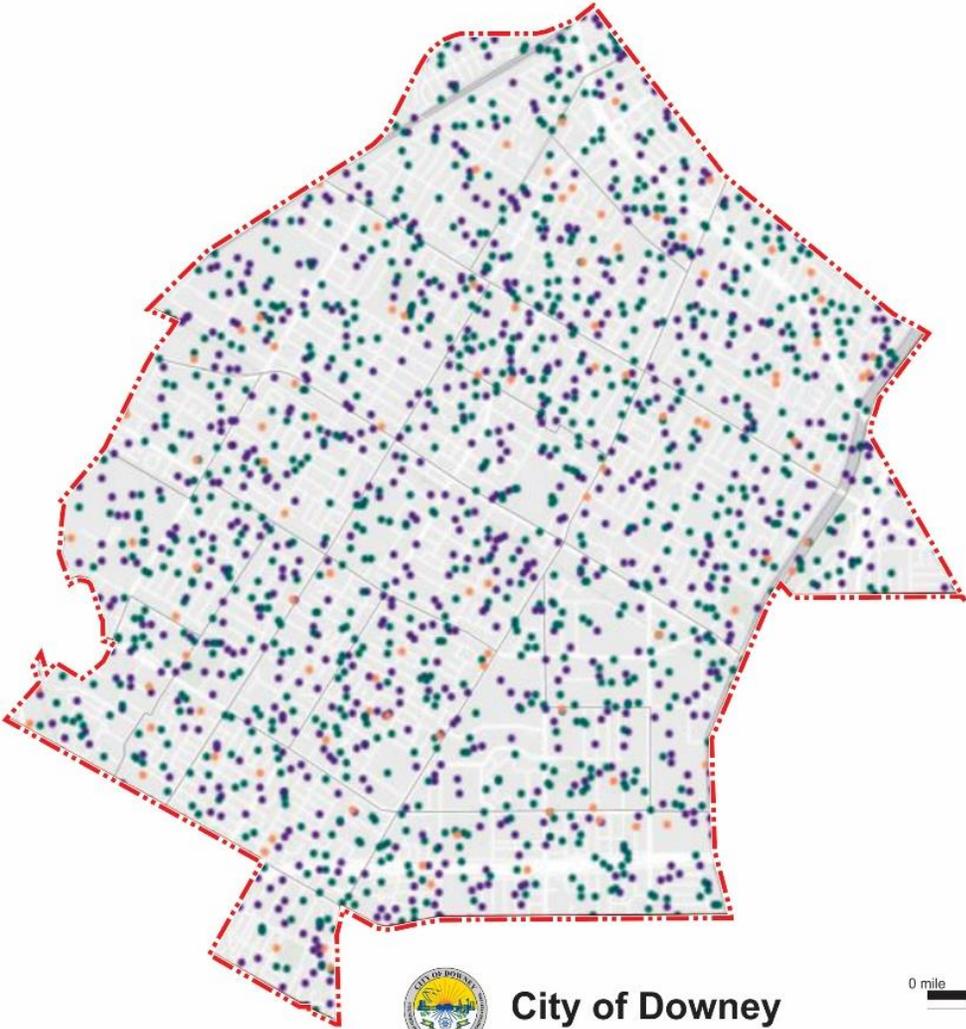
(Downey, CA CDBG, HOME) Jurisdiction	People with a Disability	
	#	%
Public Housing	N/a	N/a
Project-Based Section 8	N/a	N/a
Other Multifamily	N/a	N/a
HCV Program	129	22.05%
(Los Angeles-Long Beach-Anaheim, CA) Region		
Public Housing	1,407	14.32%
Project-Based Section 8	5,013	12.71%
Other Multifamily	869	15.62%
HCV Program	N/a	N/a

Note 1: All % represent a share of the total population within the jurisdiction or region.

Note 2: Data Sources: ACS

Note 3: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

Map II-9 Persons with Disabilities



Map Info	Legend	TOC	Map Info	Legend	TOC
Downey (CDBG, HOME)					
Name: Map 15 - Disability by Age Group			Jurisdiction □		
Description: All persons with disabilities by age range (5-17)(18-64)(65+) with R/ECAPs			Region □		
Jurisdiction: Downey (CDBG, HOME)			Disability 1 Dot = 75		
Region: Los Angeles-Long Beach-Anaheim, CA			<ul style="list-style-type: none"> ● Disabled Ages 5-17 ● Disabled Ages 18-64 ● Disabled Over 64 		
Data Version: AFFHT0004			TRACT □		
			R/ECAP □		



City of Downey



Data Source: *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T)*, U.S. Department of Housing and Urban Development, November 2017.

III. Analysis of Private Sector Impediments

Fair housing opportunity is covered by federal and State regulations and court decisions that prohibit discrimination in the rental, sale, negotiation, advertisement, or occupancy of housing on the basis of protected class. Implementation of fair housing practices is achieved through a network of realtors, apartment associations, housing associations, fair housing providers, and the courts. This chapter provides an overview of the private sector housing industry in Downey and its interrelationship with fair housing services.

A. Owner-Occupied Housing

Part of the American dream involves owning a home in a good neighborhood near schools, parks, shopping centers, jobs and other community amenities. Homeownership strengthens individual households and entire neighborhoods because owner-occupants have made an investment in their own personal property as well as the neighborhood and community. This fosters a greater sense of pride in the appearance and condition of not only the home but of the neighborhood as well. It also promotes owner involvement in the community because owner-occupants have a personal stake in the area and tend to be more active in decisions affecting the community. Fair housing opportunity laws protect an individual or family's right to occupy suitable housing in any location. Ensuring fair housing is an important way to not only preserve but to improve the housing opportunities for all residents in Downey.

Home Buying Process

Purchasing a home presents many challenges to the would-be owner. One of the main challenges in buying a home is the process by which an individual or family must acquire the property. The time required to find a home, the major legal and financial implications surrounding the process, the number of steps required and financial issues to be considered can be overwhelming to prospective buyers. Throughout this time-consuming and costly process, fair housing issues can surface in many ways. Discriminatory practices in the home buying process can occur through the:

- Advertisement of homes for sale;
- Lending process;
- Appraisal process;
- Actions of real estate agents and sellers; and
- The issuance of insurance.

Advertising

The first step in buying a home is generally searching for available housing through advertisements that appear in magazines, newspapers, or on the Internet. Advertising is a sensitive issue in the real estate and rental housing market because advertisements advertently or inadvertently can signal preferences for certain buyers or tenants. Recent litigation has held publishers, newspapers, the Multiple Listing Service (MLS), real estate agents and brokers accountable for discriminatory ads.

Advertising can suggest a preferred buyer or tenant in several ways. Some examples include advertisements or listings that:

- Suggest a preferred type of buyer or tenant household;
- Use models that indicate a preference or exclusion of a type of resident;
- Publish advertisements or listings in certain languages; or
- Restrict publication to certain types of media or locations so as to indicate a preference.

As a rule of thumb, advertisements cannot include discriminatory references that describe current or potential residents, the neighbors or the neighborhood in racial or ethnic terms, or terms suggesting preferences for one group over another (e.g. adults preferred, ideal for married couples with kids, or conveniently located near Catholic church).

Lending

Initially, buyers must locate a lender that will qualify them for a loan. This part of the process entails an application, credit check, ability to repay, amount eligible for, choosing the type and terms of the loan, etc. Applicants are requested to provide sensitive information including their gender, ethnicity, income level, age, and familial status. This information is required to be gathered by the Community Reinvestment Act and the Home Mortgage Disclosure Act (HMDA); however, it does not guarantee that individual loan officers or underwriters will not misuse the information.

A report on mortgage lending discrimination by the Urban Land Institute describes four basic stages in which discrimination can occur:

- **Advertising/outreach stage.** Lenders may not have branches in certain locations, not advertise to certain segments of the population, or violate advertising rules with respect to fair housing.
- **Pre-application stage.** Lenders may not provide applicants of different racial and ethnic backgrounds the same types of information as other preferred groups, or may urge some to seek another lender.
- **Lending stage.** Lenders may treat equally qualified individuals in a different manner, giving different loan terms, preferred rates, or denying a loan based on a factor not related to ability to pay and risk.
- **Loan administration.** Lenders may treat minorities in harsher terms, such as initiating foreclosure proceedings if any payment is late, or by making loans at terms that encourage defaults.

Appraisals

Banks order appraisal reports to determine whether or not a property is worth the amount of the loan requested. Generally, appraisals are based on the comparable sales of properties surrounding the neighborhood of the subject property. Other factors such as the age of the structure, improvements made and location are also considered. Homes in some neighborhoods with higher concentrations of minorities and poverty concentrations may appraise lower than properties of similar size and quality in neighborhoods with lower concentrations of minorities or low-income

households.

Taking these factors into consideration when valuing a property in an appraisal causes the arbitrary lowering of property values and restricts the amount of equity and capital available to not only the potential home buyer but also to the current owners in the neighborhood. Disparate treatment in appraisals is difficult to prove since individual appraisers have the latitude within the generally accepted appraisal practices to influence the outcome of the appraisal by factoring in subjective opinions.

Real Estate Agents Sellers

Finding a real estate agent is normally the next step in the home buying process. The agent will find the home for the prospective buyer that best fits their needs, desires, and budget based on the amount they are qualified for by the lender. Real estate agents may also intentionally or unintentionally discriminate by steering a potential buyer to particular neighborhoods, by encouraging the buyer to look into certain areas or failing to show the buyer all choices available. Agents may also discriminate in determining who they agree to represent, who they turn away and the comments they make about their clients.

Sellers

Even if a real estate agent is following fair housing practices, the current occupant (seller) may not want to sell his/her house to certain purchasers protected under fair housing laws or they may want to accept offers only from a preferred group. Oftentimes, sellers are home when agents show the properties to potential buyers and sellers may develop certain biases based upon this contact. The Residential Listing Agreement and Seller's Advisory forms that sellers must sign disclose their understanding of fair housing laws and practices of discrimination. However, preventing this type of discrimination is difficult because a seller may have multiple offers and choose one based on bias.

Insurance

Insurance agent underwriting guidelines which determine whether or not a company will sell insurance to a particular applicant. Currently, underwriting guidelines are not public information; however, consumers have begun to seek access to these underwriting guidelines to learn if certain companies have discriminatory policies, called redlining. Some states require companies to file the underwriting guidelines with the State Department of Insurance, making the information public.

Home Loan Activity

A key aspect of fair housing choice is equal access to financing for the purchase or improvement of a home. In 1977, the Community Reinvestment Act (CRA) was enacted to improve access to credit for all communities, regardless of the race/ethnic or income makeup of its residents. CRA was intended to encourage financial institutions to help meet the credit needs of communities, including low-moderate income people and neighborhoods. Depending on the type of institution and total assets, a lender may be examined by different supervising agencies for its CRA performance.

In tandem with the Home Mortgage Disclosure Act (HMDA), financial institutions with assets exceeding \$10 million are required to submit detailed information on the disposition of home loans by applicant characteristics. HMDA data can then be evaluated with respect to lending patterns. This study uses a Chi-Square test to analyze loan approval rates. This statistical test can determine whether loan approval rates are significantly different for one group versus another, but cannot establish the presence of bona fide discrimination. Nonetheless, these statistical tests can certainly help provide direction on potential areas to focus further inquiry and study.

During 2017 calendar year, 3,445 households filed loan applications for housing in Downey. Of those applications, 476 were withdrawn before approval or denial and 203 were closed for incompleteness prior to a decision. Lending institutions rendered decisions on 2,766 loan applications. The data in **Table III-1** shows that the number of loan applications is highest for home refinancing loans, followed by home purchase and then home improvement. Loan approval ratings is highest for home purchase loans, followed by refinancing, and then home improvement. Conventional loans were most common for all three types of loans. The average loan approval rate for all loan types was 83.1 percent.

**Table III-1
Home Loan Application Activity in Downey**

Type	Number of Loan Applications	Share of Loan Applications	Number Approved	Approval Rate
Home Purchase	925	33.44%	847	91.57%
Conventional	613	22.16%	561	91.52%
FHA - Insured	282	10.20%	260	92.20%
VA - Guaranteed	30	1.08%	26	86.67%
FSA/RHS	0	0.00%	0	0.00%
Home Improvement	244	8.82%	174	71.31%
Conventional	220	7.95%	151	68.64%
FHA - Insured	20	0.72%	19	95.00%
VA - Guaranteed	4	0.14%	4	100.00%
FSA/RHS	0	0.00%	0	0.00%
Refinancing	1,597	57.74%	1,278	80.03%
Conventional	1,299	46.96%	1,040	80.06%
FHA - Insured	229	8.28%	184	80.35%
VA - Guaranteed	69	2.49%	54	78.26%
FSA/RHS	0	0.00%	0	0.00%
Total:	2,766	100.00%	2,299	83.12%

Source: 2017 Financial Institutions Examination Council – 2017 HMDA Database.

Mortgage Interest Rates & Fees

A key component to securing a home loan is the interest rate and fees associated with the loan. In 2018, *Housing Policy Debate*⁴ published an article authored by Jacob William Fabor which looked at the “Racial Inequality in a Recovered Mortgage Market.” Through their analysis, Fabor was able to isolate a discrepancy not only in loan acceptance rates between various races and ethnicities, but also in the interest rates given to those accepted loans. Fabor found that black applicants were more likely to be charged higher than rates than their white counterparts.

The author of this study used HDMA data from loans between the years of 2014 and 2018, and considered a number of variables, including: race, when the mortgage was originated, borrower’s characteristics (specifically their race and gender), the type of loan issued, tract characteristics of applicants, residential segregation in the applicant’s area, and the census region of the applicant.

According to the authors, the statistics they used suggested clear differences between non-white and white borrowers in almost every respect. Not only where the differences clear, but the

⁴ Fabor, Jacob William, “Segregation and the Geography of Creditworthiness: Racial Inequality in a Recovered Mortgage Market,” *Housing Policy Debate*, Vol. 28 Issue 2, p. 215-247 (2018)

difference in interest rates was substantial, “Black and Latino borrowers were approximately 3 times as likely to receive high-cost loans compared with Whites (and four times as likely as Asian borrowers).” This finding is even more significant as “Racial inequalities persisted even after controlling for borrower, loan, and ecological characteristics.”

Importantly, the study found that spatial factors also influence the interest rates of minority applicants. In neighborhoods that were more heavily integrated, differences in interest rates were minimal. As explained by the author, “Racial gaps in the likelihood of receiving a high-cost loan were much smaller in integrated neighborhoods and metropolitan areas, but widened substantially as racial isolation increased.”

Lending Outcomes

This section summarizes lending activity in Downey from 2017. HMDA data provides some insights regarding the lending patterns in a community. However, the HMDA data is only an indicator of potential problems; it cannot be used to conclude discrimination due to the limitations of the data.

Lending Outcomes by Income and Race/Ethnicity. Generally, home loan approval rates increase as household income increases. The only exceptions were for middle income home purchase and refinance loans, wherein those applicants received slightly lower approval rates than low-income applicants. Low-income applicants had overall approval rates of 78.3 percent, middle-income applicants had an overall approval rate of 76.5 percent, and high-income applicants had an overall approval rate of 82.3 percent. The best approval rates were for low income home purchase loan applicants at 95.4 percent.

For home purchase, home improvement, and refinance loans regardless of income, the majority of applications were from Hispanic applicants. The exception to this was low income home purchase and refinance loans, in which the race of the applicant was not disclosed or was not applicable. Approval rates were generally highest for Whites, followed by those declining to state. African American applicants generally had the lowest approval ratings, being below the average acceptance rate in six of the nine categories (the exception being low and upper income home improvement loans, as well as middle income home purchase loans, though the number of applicants was low for each of these categories). **Table III-2** shows loan approval rates for home purchases, home improvement, and refinances by applicant characteristics.

Differences in approval rates for home loan applications among minorities do not necessarily reflect discriminatory practices. Differences could be due to credit scores, employment history, knowledge of the lending process, debt-income ratio, or other factors. Nonetheless, the persistence of lower loan approval rates among minorities could be the subject of additional inquiry and examination.

**Table III-2
Home Loan Approval Rates by Applicant Characteristics**

Type	Low/Mod Income		Middle Income		Upper Income	
	<80% MFI		80-120% MFI		120+ MFI	
Race/ Ethnicity	Loan Applications	Approval Rate	Loan Applications	Approval Rate	Loan Applications	Approval Rate
Home Purchase	175	95.43%	115	87.83%	635	91.18%
Hispanic	8	75.00%	74	90.54%	375	91.20%
White	4	50.00%	17	82.35%	82	90.24%
Asian	4	25.00%	14	71.43%	71	91.55%
African American	2	50.00%	0	0.00%	18	77.78%
All Others	0	0.00%	0	0.00%	5	80.00%
Decline or N/A	157	100.00%	10	100.00%	84	95.24%
Home Improvement	26	57.69%	51	68.63%	167	74.25%
Hispanic	13	46.15%	29	62.07%	101	74.26%
White	4	75.00%	12	75.00%	23	91.30%
Asian	0	0.00%	5	100.00%	13	69.23%
African American	1	100.00%	2	50.00%	4	75.00%
All Others	0	0.00%	0	0.00%	4	75.00%
Decline or N/A	8	62.50%	3	66.67%	22	59.09%
Home Refinance	379	81.79%	278	73.02%	940	81.38%
Hispanic	123	68.29%	169	76.33%	532	82.14%
White	40	85.00%	37	81.08%	165	80.61%
Asian	10	60.00%	13	84.62%	61	83.61%
African American	5	80.00%	5	60.00%	19	78.95%
All Others	9	55.56%	8	75.00%	19	84.21%
Decline or N/A	192	92.19%	46	52.17%	144	78.47%

Source: 2017 Financial Institutions Examination Council – HMDA Database 2017.

Lending Outcomes by Tract Characteristics. The Community Reinvestment Act (CRA) is intended to encourage regulated financial institutions to help meet the credit needs of entire communities, including low- and moderate-income neighborhoods. Analyzing lending patterns by neighborhood characteristics can show whether significantly fewer home loans are being approved or issued in low/moderate income neighborhoods or neighborhoods with a disproportionately high percentage of minority residents. The lack of lending activity in one or more neighborhoods has been linked to unequal access to credit among different race and ethnic groups and alleged practices of redlining and discrimination.

Table III-3 shows a comparison of home purchase and refinance loan approval rates at the census tract level by the minority concentration in the tract as well as tract income level relative to the Area Median Income. Downey is a multi-cultural community with neighborhoods that reflect the City’s demographics.

**Table III-3
Home Loan Approval Rates by Tract Characteristics**

Tract Characteristics	Home Purchase Loans			Home Refinance Loans		
	Number of Applications	Number Approved	Percent Approved	Number of Applications	Number Approved	Percent Approved
Minority Percentage						
20% to 50%	0	0	N/A	0	0	N/A
50% to 80%	122	110	90.16%	266	220	82.71%
80% +	803	737	91.78%	1,331	1,058	79.49%
Tract Income						
Low	0	0	N/A	0	0	N/A
Middle	644	594	92.24%	1033	828	80.15%
Upper	281	253	90.04%	564	450	79.79%

Source: HMDA data, 2017.

Predatory Lending

Predatory lending involves abusive loan practices usually targeting minority homeowners or those with less-than-perfect credit histories. Examples of predatory lending practices include high fees, hidden costs, unnecessary insurance, and larger repayments due in later years. A common predatory practice is directing borrowers into more expensive and higher fee loans in the “subprime” market, even though they may be eligible for a loan in the “prime” market. Predatory lending is prohibited by a number of state and federal laws.

The Fair Housing Act of 1968 prohibits discrimination in the making or purchasing of loans, or in providing of other financial assistance, or the terms and conditions of such financial assistance for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling because of race, religion, color, national origin, sex, family status, or disability. The Equal Credit Opportunity Act of 1972 also requires equal treatment in loan terms and availability of credit for all of the above categories, as well as age and marital status. Lenders would be in violation of these acts, if they target minority or elderly households to buy higher-priced loan products, treat loans for protected classes differently, or have policies or practices that have a disproportionate effect on the protected classes.

In addition, the Truth in Lending Act (TILA) requires lenders to inform the borrower about payment schedules, loan payments, prepayment penalties, and the total cost of credit. In 1994, Congress amended TILA and adopted the Home Ownership and Equity Protection Act (HOEPA). HOEPA requires that lenders offering high-cost mortgage loans disclose information

if the annual percentage rate (APR) is ten points above the prime rate or if fees are above eight percent of the loan amount. HOEPA also prohibits balloon payments for short-term loans and, for longer covered loans, requires a warning if the lender has a lien on the borrower's home and the borrower could lose the home if they default on the loan payment.

Following North Carolina's lead, in September 2001, California became the second state to pass a law banning predatory lending. Codified as AB489 and amended by AB344, the law enables state regulators and the Attorney General to attempt to prevent "predatory" lending practices by authorizing the state to enforce and levy penalties against licensees that do not comply with the provisions of this bill. The law provides protections against predatory lending to consumers across the state with respect to financing of credit insurance, high loan and points, steering and flipping, balloon payments, prepayment penalties, call provisions, interest rate changes upon default, or encouragement to default when a conflict of interest exists.

Foreclosures

Foreclosure occurs when homeowners fall behind on one or more scheduled mortgage payments. The foreclosure process can be halted if the homeowner is able to bring their mortgage payments current or if the homeowner sells their home and pays the mortgage off. However, if regular payments cannot be resumed or the debt cannot be resolved, the lender can legally use the foreclosure process to repossess (take over) the home. When this happens, the homeowner must move out of the property. If the home is worth less than the total amount owed on the mortgage loan, a deficiency judgment could be pursued. If that happens, the homeowner will lose their home and also would owe the home lender an additional amount.

In the late-2000s the number of foreclosed homes in California hit an all-time high. The problem was so severe in its consequences that numerous factors have been attributed for the high incidence of foreclosure, including but not limited to abnormally high housing prices in the early part of the decade, the origination of sub-prime loans to unqualified buyers, the economic recession and job losses. This confluence of negative economic incidents left most housing markets in the United States in severe decline with historically high rates of foreclosure. Property values declined significantly—in some cases to pre-2000 levels.

Southern California and San Bernardino County, in particular, were characterized by a high percentage of foreclosed homes as many homeowners were unable to keep up with payments. The high foreclosure rate prompted Congress to create the Neighborhood Stabilization Program (NSP), which is administered by the U.S. Department of Housing and Urban Development (HUD) to purchase abandoned and foreclosed properties in an effort to stabilize local housing markets that have been targeted for their high risk of foreclosure. The NSP provided grants to every state and certain local communities to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes. The program was authorized under Title III of the Housing and Economic Recovery Act of 2008.

The high incidence of foreclosure and the housing crisis in general represented a system-wide collapse of the housing market that resulted in numerous national, state and local efforts to reform virtually every aspect of housing acquisition and finance.

Several years have now passed since the foreclosure crisis began, and the housing market is beginning to rebound thanks in part to those efforts. ATTOM Data Solutions recently announced its Fiscal Year 2018, 3rd Quarter numbers, which show that foreclosure filings are down 6 percent from the previous quarter, down 8 percent from the third quarter last year, and were at their lowest levels since the fourth quarter of Fiscal Year 2005.⁵ Not only are foreclosure filings down for the last quarter, foreclosure filings have been below the pre-recession average for eight consecutive quarters. However, that same report indicates that there is still a relatively modest, but widespread, foreclosure risk associated with FHA loans originated in 2014 and 2015, exceeding the long-term average foreclosure rates for all FHA loans. Overall, the housing market seems to have recovered from the recent crisis.

Agency Coordination

Many agencies are involved in overseeing real estate industry practices and the practices of the agents involved. A portion of this oversight involves ensuring that fair housing laws are understood and complied with. The following organizations have limited oversight within the real estate market, and some of their policies, practices, and programs are described.

National Association of Realtors (NAR). The National Association of Realtors (NAR) is a consortium of realtors which represent the real estate industry at the local, state, and national level. Locally, the Greater Downey Association of Realtors (DOAR) is the main association that serves the City of Downey. As a trade association, members receive a range of membership benefits. However, in order to become a member, NAR members must subscribe to its Code of Ethics and a Model Affirmative Fair Housing Marketing Plan developed by HUD. The term Realtor thus identifies a licensed real estate professional who pledges to conduct business in keeping with the spirit and letter of the Code of Ethics.

Realtors subscribe the NAR's Code of Ethics, which imposes obligations upon Realtors regarding their active support for equal housing opportunity. Article 10 of the NAR Code of Ethics provides that "Realtors shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, or national origin. Realtors shall not be a party to any plan or agreement to discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status, or national origin." Realtors shall not print, display or circulate any statement or advertisement with respect to the selling or renting of a property that indicates any preference, limitations or discrimination based on race, color, religion, sex, handicap, familial status, or national origin."

The NAR has created a diversity certification, "At Home with Diversity: One America" to be granted to licensed real estate professionals who meet eligibility requirements and complete the NAR "At Home with Diversity" course. The certification signals to customers that the real estate professional has been trained on working with the diversity of today's real estate markets. The coursework provides valuable business planning tools to assist real estate professionals in reaching out and marketing to a diverse housing market. The NAR course focuses on diversity awareness, building cross-cultural skills, and developing a business diversity plan. In July 1999, the NAR Diversity Program received the HUD "Best Practices" award.

⁵ <https://www.attomdata.com/news/market-trends/foreclosures/foreclosure-market-report-q3-2018/> retrieved October 19, 2018.

California Association of Realtors (CAR). The California Association of Realtors (CAR) is a trade association of 92,000 realtors statewide. As members of CAR, Realtors subscribe to a strict code of ethics. CAR has recently created the position of Equal Opportunity/Cultural Diversity Coordinator. CAR holds three meetings per year for its general membership, and meetings typically include sessions on fair housing issues. They also maintain fair housing and ethics information on their website. The website address is as follows: <http://www.dre.ca.gov/>. The licensure status of individual agents can be reviewed at the following site: http://www.dre.ca.gov/licensees_sub.htm. This web site includes any complaints or disciplinary action against the agent.

Realtor Associations Serving Downey. Realtor associations are generally the first line of contact for real estate agents who need continuing education courses, legal forms, career development, and other daily work necessities. The frequency and availability of courses varies among these associations, and local association membership is generally determined by where the broker is located. Complaints involving agents or brokers may be filed with these associations. Monitoring of services by these associations is difficult as detailed statistics of the education/services these agencies provide or statistical information pertaining to the members is rarely available. DOAR serves the Downey area.

California Department of Real Estate (DRE). The California Department of Real Estate (DRE) is the licensing authority for real estate brokers and salespersons. DRE has adopted education requirements that include courses in ethics and fair housing. To renew a real estate license, each licensee is required to complete 45 hours of continuing education, including three hours in each of the four mandated areas: Agency, Ethics, Trust Fund, and Fair Housing. The fair housing course contains information that enables an agent to identify and avoid discriminatory practices when providing real estate services.

DRE investigates written complaints received from the public alleging possible violations of the Real Estate Law or the Subdivided Lands Law by licensees or subdividers. DRE also monitors real estate licensees conducting business as mortgage lenders and mortgage brokers. If an inquiry substantiates a violation, DRE may suspend or revoke a license, issue a restricted license, or file an Order to Desist and Refrain. Violations may result in civil injunctions, criminal prosecutions, or substantial fines. The Department publishes monthly a list of names of persons and businesses which have been conducting real estate activities without a license.

DRE reviews Covenants, Conditions, and Restrictions (CC&R's) for all subdivisions of five or more lots, or condominiums of five or more units. The review includes a wide range of issues, including compliance with fair housing law. CC&R's are restrictive covenants that involve voluntary agreements, which run with the land they are associated with. In the past, CC&R's were used to exclude minorities from equal access to housing. DRE reviews CC&R's and they must be approved before issuing a final subdivision public report. This report is required before a real estate broker or anyone can sell the units, and each prospective buyer must be issued a copy of the report.

The California Organized Investment Network (COIN). COIN is a collaboration of the California Department of Insurance, the insurance industry, community economic development organizations, and community advocates. This collaboration was formed in 1996 at the request of

the insurance industry as an alternative to state legislation that would have required insurance companies to invest in underserved communities, similar to the federal Community Reinvestment Act (CRA) that applies to the banking industry. COIN is a voluntary program that facilitates insurance industry investments providing profitable returns to investors and economic/social benefits to underserved communities.

B. Rental Housing

Similar to the owner-occupied market, a major challenge to ensuring fair housing in the rental market is the complexity of the process. Stages in the process of renting a home include advertising, pre-application inquiries, viewing the apartment, criteria for qualifying for the lease, lease conditions, and administration of the lease. The process becomes even more difficult and subjective in a tight rental market, where the landlord has numerous options for choosing the future tenant based on subjective factors.

The Rental Process

While the process of renting an apartment or home may be less expensive and burdensome up front than the home-buying process, it may still be just as time-consuming and potential renters may still face discrimination during various stages of the rental process. Some of the more notable ways in which tenants may face discriminatory treatment are highlighted below.

Advertising

The main sources of information on rentals are newspaper advertisements, word of mouth, signs, apartment guides, the Internet, and apartment brokers. Recent litigation has held publishers, newspapers, and others accountable for discriminatory ads. Advertising can suggest a preferred tenant by suggesting preferred residents, using models, publishing in certain languages, or restricting media or locations for advertising. Advertisements cannot include discriminatory references that describe current or potential residents, the neighbors or the neighborhood in racial or ethnic terms, or other terms suggesting preferences (e.g., adults preferred, ideal for married couples with kids, or conveniently located near a Catholic church).

Discriminatory advertising can be one of the most insidious forms of discrimination based on its widespread dissemination. Marketing is typically broad-based, reaching many people, and as such, can have a chilling effect on the market. This is also particularly true when the discrimination is unintentional or subconscious. Landlords who may never discriminate knowingly against a minority applicant may not be contacted by minority potential renters due to unconscious signaling in the advertisements. This is why, even though there are exceptions in the Fair Housing Act for when it applies, there is no similar exception when it comes to the advertising rules.

Viewing the Unit

Viewing the unit is the most obvious, or overt, place where potential renters may encounter discrimination because landlords or managers may discriminate based on race or disability, judge on appearance whether a potential renter is reliable or may violate any rules, or make any other subjective judgments. For example, if a student is wearing a T-shirt with a rap artist on the front, a landlord may suspect that the renter could play loud music disturbing to other tenants. If a

prospective tenant arrives with many children, the landlord may be concerned that the children may disturb other renters. In addition, the prospective tenant may also have an accent or wear religious symbols or jewelry which may again play into the decision to rent the unit. The opportunity for the potential renter to view the unit, is also an opportunity for the landlord to view the potential tenant and make value judgments based on their appearance or personal characteristics.

Qualifying for the Lease

Landlords may ask potential renters to provide credit references, lists of previous addresses and landlords, and employment history and salary. The criteria for tenant selection, if any, are typically not known to those seeking to rent a home. An initial payment consisting of first and last months' rent and security deposit are typically required. To deter "less-than-desirable" tenants, a landlord may ask for an initial payment or security deposit higher than for others. Tenants may also face differential treatment when vacating the unit. The landlord may choose to return a smaller portion of the security deposit to some tenants, claiming excessive wear and tear.

Because the rental market is getting tighter, with more applicants for every available unit than ever before, landlords who wish to do so have more cover when discriminating when choosing whom to rent to. Because there are more applicants, there are more qualified applicants, and the potential for discrimination arises when the landlord has to decide between multiple qualified candidates of different demographics.

The Lease

Most apartments are rented under either a lease agreement or a month-to-month rental agreement, both of which have advantages and disadvantages for both landlords and tenants. Some tenants see a lease as more favorable for two reasons: the tenant is assured the right to live there for a specific period and the tenant has an established rent during that period. However, some tenants prefer the flexibility that a month-to-month tenancy provides. The lease agreement usually includes the rental rate, required deposit, length of occupancy, apartment rules, and termination requirements, and there are rights and responsibilities on both sides of the contract. Typically, the rental agreement is a standard form for all units in the same building. However, enforcement of rules contained in the lease agreement may not be standard. A landlord may choose to strictly enforce rules for certain tenants based on their race/ethnicity, children, or a disability – raising fair housing concerns.

Rental Housing Services

The City of Downey has contracted with Fair Housing Foundation (FHF) to provide fair housing and related services. FHF is a private, non-profit and community-based organization which implement fair housing programs for communities throughout Los Angeles and Orange Counties.

Agency Coordination

Many agencies oversee the apartment rental process and related practices. This oversight includes ensuring that fair housing laws are understood and complied with. The following organizations have limited oversight within the rental housing market, and some of their policies are described.

California Apartment Association (CAA)

CAA is the country's largest statewide trade association for rental property owners and managers. Incorporated in 1941 to serve rental property owners and managers throughout California, CAA represents rental housing owners and professionals who manage more than 1.5 million rental units. CAA has developed the California Certified Residential Manager (CCRM) program to provide a comprehensive series of courses geared towards improving the approach, attitude and professional skills of on-site property managers and other interested individuals. The CCRM program consists of 31.5 hours of training that includes fair housing and ethics along with other courses.

National Association of Residential Property Managers (NARPM)

NARPM promotes standards of business ethics, professionalism, and fair housing practices in the residential property management field. NARPM is an association of real estate professionals experienced in managing single-family and small residential properties. The North Los Angeles Chapter covers Downey. In addition, NARPM certifies its members in the standards and practices of the residential property management industry and promotes continuing professional education. NARPM offers 3 professional designations: Residential Management Professional, RMP®, Master Property Manager, MPM®, and Certified Residential Management Company, CRMC®. These certifications require educational courses in fair housing.

IV. Analysis of Public Policy Impediments

A. Land Use Policy

General Plan

Land use policies are fundamental to ensuring housing opportunities. Any land use policies that do not promote a variety of housing opportunities can impede on housing choice especially for low- and moderate-income persons and households. The Land Use Element of the City of Downey's Vision 2025 General Plan sets forth the City's policies for guiding local development. These policies, together with existing zoning regulations, establish the amount and distribution of land to be allocated for different uses within the City. The City of Downey Vision 2025 General Plan and Zoning Ordinance provide for a range of different intensities of residential land use, including the following:

Single-Family Residential (R-1) - up to 8 dwelling units per acre, including:

- **R-1 5,000** - up to 8 dwelling units per acre;
- **R-1 6,000** - up to 7 dwelling units per acre;
- **R-1 7,500** - up to 5.8 dwelling units per acre;
- **R-1 8,500** - up to 5 dwelling units per acre;
- **R-1 10,000** - up to 4 dwelling units per acre;

Two-Family Residential (R-2) - up to 17 dwelling units per acre;

Multi-Family Residential (R-3) - up to 24 dwelling units per acre;

Mixed Use (M-U) - up to 75 dwelling units per acre;

- **Downtown Downey Specific Plan (DDSP)** – up to 75 dwelling units per acre.

The City also anticipates new development in the mixed-use districts established in the Downtown Downey Specific Plan, adopted in September 2010. Such specific plans provide added flexibility for the creation of residential development within an environment of commercial services.

The Downtown Downey Specific Plan area has been identified by the City as an opportunity area for the development of multifamily housing. The Plan was initiated by the City to guide growth and residential development in Downtown, encourage economic revitalization, and create a lively center of activity for the City. The Specific Plan establishes 131 acres as mixed use and looks to create unique districts with specific development standards and design guidelines. Downtown Downey is envisioned as a vibrant urban center providing a wide array of dining, working, living,

shopping, entertainment, and cultural opportunities all within a short walking distance. The Specific Plan includes specific objectives to focus growth in the Downtown area, by allowing and promoting higher density residential and mixed use development and to develop residential uses for all income levels.

The Specific Plan establishes five unique land use districts, four of which allow for mixed use and residential development by right. The four districts permitting residential development do so at the following densities:

1. Downtown Core – 20 to 40 dwelling units per acre
2. Downtown Residential – 8 to 40 dwelling units per acre
3. Firestone Boulevard Gateway – 40 to 75 dwelling units per acre
4. Paramount Boulevard Professional – 20 to 40 dwelling units per acre

Zoning Ordinance

Chapters 1 through 8 of Article IX of the Downey Municipal Code are referred to as “The Comprehensive Zoning Ordinance of the City of Downey,” or the “Zoning Ordinance.” According to the Municipal Code, “The Zoning Ordinance is adopted as a means for implementing the adopted General Plan of the City.”

The Code states that the purpose of the ordinance is "to consolidate and coordinate all existing zoning regulations and provisions into one comprehensive zoning ordinance in order to designate, regulate, and restrict the location and use of buildings, structures, and land for residence, commerce, trade, industry, or other purposes; to regulate and limit the height, number of stories, and size of buildings and other structures hereafter erected or altered; to regulate and determine the size of yards and other open spaces; and to regulate and limit the density of population and, for said purposes, to divide the City into zones of such number, shape, and area as may be deemed best suited to carry out these regulations and to provide for the administration of said regulations and to provide for their enforcement.

Further, such regulations are deemed necessary to encourage the most appropriate use of land; to conserve and stabilize the value of property; to provide adequate open spaces for light and air and to prevent and fight fires; to prevent the undue concentration of population; to lessen congestion on streets; to facilitate adequate provisions for community utilities and facilities, such as transportation, water, sewerage, schools, parks, and other public requirements; and to protect and promote the health, safety, and the general welfare, all in accordance with the comprehensive General Plan of the City."

Article IX creates seventeen (17) zones, of which four main categories, R-1, R-2, R-3 and M-U, along with their specific subcategories, including R-3-O (Residential Ownership Zone), allow for residential construction.

Housing Element

The Housing Element is one (1) of nine (9) mandated elements within the 2017 General Plan Guidelines of the State of California Governor's Office of Planning and Research. The State of California housing element law, enacted in 1969 and recently amended in 2008 by Senate Bill 2, requires that local governments adequately plan to meet the existing and projected housing needs of all economic segments of their community. The focus of the Downey 2014-21 Housing Element is upon specifically identifying ways to meet the housing needs of existing and future residents.

The Housing Element's primary goals are to conserve and improve the existing stock of affordable housing; provide adequate sites to achieve a variety and diversity of housing; assist in the development of affordable housing; remove governmental constraints as necessary; and promote equal housing opportunity.

All the cities in Los Angeles County have been allocated certain housing growth objectives that will enable the region to meet its projected housing needs in the coming years. The Southern California Association of Governments (SCAG) has been delegated with the responsibility in developing regional growth forecasts and then assigning new housing objectives for each city and county under SCAG's jurisdiction. In addition to establishing an overall objective for new housing units for the defined planning period, from January 1, 2014 to September 30, 2021, the SCAG Regional Housing Needs Assessment (RHNA) also indicated the proportion of future housing units that should be accessible to households with varying incomes. The RHNA that is applicable to Downey is summarized below:

- A total of 210 units should be allocated to very low-income households (less than 50 percent of the Riverside County median income);
- A total of 123 units should be provided for low-income (50 percent - 80 percent of the median income) households;
- A total of 135 units should be provided for moderate-income (80 percent - 120 percent of the median income) households; and
- A total of 346 units should be provided for households with above-moderate (more than 120 percent of the median income) for the county incomes.
- The total number of new housing units that will need to be added to the City's housing inventory during the 2014-2021 planning period is 814 units.

The City of Downey 2014-2021 Housing Element sets forth goals, policies and programs that address five major issue areas:

1. Housing and Neighborhood Conservation;
2. Adequate sites to achieve a diversity of housing;
3. Opportunities for affordable housing;
4. Removal of governmental constraints, as necessary; and
5. Promotion of equal housing opportunities.

The Housing Element also describes various housing programs intended to facilitate meeting the objectives described above. To implement these goals and policies, the Housing Element 2014-2021 describes 21 critical programs. Where relevant to this Analysis of Impediments, housing programs that affect Fair Housing are described in this report. The City's draft Housing Element was adopted June 2013.

Housing Opportunities

Housing Element law requires that cities facilitate and encourage the provision of a range in types and prices of housing for all economic and special needs groups. Local government policies that limit or exclude housing for persons with disabilities, lower income people, people who are homeless, families with children, or other groups may violate the Fair Housing Act. Cities must take these factors into account when regulating land use and development standards in residential zones. **Table IV-1** describes permitted residential uses.

**Table IV-1
Single-Family Housing Opportunities Permitted by Zone**

Housing Type	R-1-5,000	R-1-6,000	R-1-7,500	R-1-8,500	R-1-10,000	R-2	R-3	R-3-O	M-U
Single-family	P	P	P	P	P	P	P	P	P
Multi-family	NP	NP	NP	NP	NP	NP	P	P	P
Second Units	P	P	P	P	P	P	P	P	P
Manufactured Housing	C	C	C	C	C	C	C	C	C
Care Facility for 6 or Less	P	P	P	P	P	P	P	P	P
Care Facility for 7 or More	C	C	C	C	C	C	C	C	C
Emergency Shelters	P	P	P	P	P	P	P	P	P
Farmworker Housing	3	3	3	3	3	3	3	3	3

Sources: Downey Municipal Code, Article IX, Chapter III, Section 9312, 9312.06, 9316.04

1. P = Designates a use permitted by right / C = Designates a conditionally permitted use / NP = Designates a prohibited use / ASP = Designates a use permitted with an approved Specific Plan / O = Designates a use permitted with an overlay plan.
2. Permitted in conjunction with optional development standards.
3. Due to Downey's urban setting, the non-existence of agricultural activities in the City, and nominal farm worker population, the special housing needs of this group can generally be addressed through overall programs for housing affordability.

Single Family and Multi-Family

Single-family residences are a principally permitted use in all residential zones. Single-family residential describes each residential dwelling unit in a development that has a density of eight units to the gross acre or fewer.

According to the Economic Development portion of the City's General Plan update, developers "can respond to demands that are different from Rancho Cucamonga's traditional single-family neighborhoods through General Plan and zoning opportunities that allow construction of condominiums, apartments, compact and clustered detached housing, and townhomes. With a greater diversity of housing options, the City will be able to accommodate a resident workforce that meets the needs of local firms. Specifically, more workforce housing located near transit stops, the Metrolink station, and the proposed Bus Rapid Transit (BRT) line will be particularly critical to attract new residents that work in the local manufacturing and warehousing companies. Young professionals in office-based industries may prefer condominiums and apartments rather than detached housing on lots that require weekend time for maintenance and care. Higher-density attached housing types and mixed-use development along corridors will help stimulate underperforming commercial nodes and corridors, west Foothill Boulevard in particular."

Multi-family developments are permitted in the R-3, and R-3-0 and M-U zones. The maximum

densities are 24 dwelling units per acre.

The City undertook a comprehensive update to its residential development standards in 2008. The adopted residential development standards place slightly greater restrictions on the permitted sizes of houses in R-1 zone districts, including more restrictive setback requirements. These standards are aimed to limit the size of single-family homes in the City to discourage over-sized homes that are incompatible with homes in existing single-family neighborhoods. For properties in the R-3 zoning district, the development standards remain largely unchanged (setback, height, and parking requirements) from the existing standards. Therefore, the new standards will not introduce new regulatory requirements, nor would they impede the redevelopment of underdeveloped multi-family zoned properties as described above.

Manufactured Housing and Mobile Home Parks

Manufactured housing is a residential building or dwelling unit which is either wholly manufactured or is in substantial part manufactured at an off-site manufacturing facility for installation or assembly at the building site, bearing a label that is constructed in compliance with the National Manufactured Home Construction and Safety Standards.

State law requires cities to permit manufactured housing and mobile homes on lots for single-family dwellings provided that the manufactured home meets the location and design criteria established in the Zoning Ordinance. The City's Zoning Ordinance meets this requirement. State law also requires that jurisdictions accommodate a mobile home park within their community; however, a city, county, or a city and county may require a use permit. A mobile home park refers to a mobile home development built according to the requirements of the Health and Safety Code, and intended for use and sale as a mobile home condominium, cooperative park, or mobile home planned unit development.

The City of Downey provides for mobile homes within existing mobile home parks, and manufactured homes in residential established neighborhoods provided they meet specific standards, including being certified according to the National Manufactured Housing Construction and Safety Standards Act of 1974. Manufactured units must be installed on a permanent foundation in compliance with all applicable building regulations and Title 25 of the California Health and Safety Code.

There are 4 mobile home parks in the City of Downey, with 185 total units, including:

- ACE Trailer Park, 12265 Woodruff Avenue Downey, CA 90241, 70 units;
- Orange Grove Mobile Home Park, 13331 Lakewood Boulevard Downey, CA 90242, 48 units;
- SUN Trailer Park, 12532 Lakewood Boulevard Downey, CA 90242, 27 units;
- Tri-City Mobile Lodge, 13441 Lakewood Boulevard Downey, CA 90242, 40 units.

Accessory Units

Enacted in 2002, AB1866 requires cities to use a ministerial process to consider and approve accessory units proposed in residential zones. According to HCD, a local government must

“...accept the application and approve or disapprove the application ministerial without any discretionary review...” In order for an application to be ministerial, the process must apply predictable, objective, fixed, quantifiable, and clear standards. These standards must be administratively applied to the application and not otherwise be subject to discretionary decision-making by a legislative body. The City allows accessory units in all residential zones. Additionally, the City’s zoning ordinance specifically provides for second dwelling units on single-family residential zoned lots in 24 specially designated R-1 overlay districts set aside for second unit development (“SUD’s”).

Residential Care Facilities

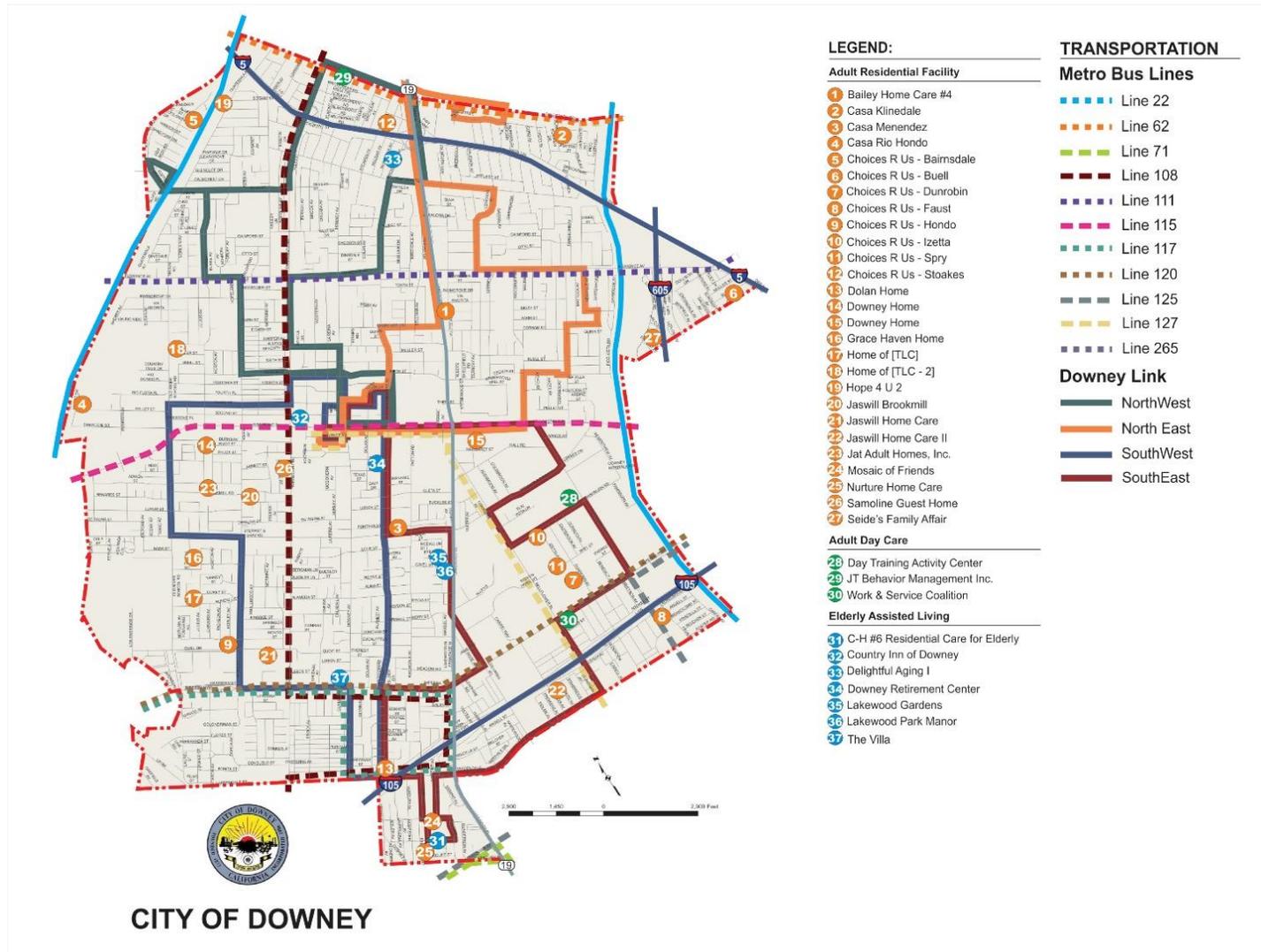
The Lanterman Developmental Disabilities Services Act declares that mentally, physically, and developmentally disabled persons, children and adults who require supervised care are entitled to live in normal residential settings. State law requires that licensed residential care facilities serving six or fewer persons be treated as a residential use under zoning, be allowed by right in all residential zones, and not be subject to more stringent development standards, fees, taxes, and permit procedures than required of the same type of housing (e.g., single-family homes) in the same zone. The City amended its Zoning Ordinance in June 2013 to allow all such facilities by right wherever single- or multi-family housing is allowed.

The City of Downey complies with the Federal Americans with Disabilities Act (ADA) and the 2007 Title 24 Part 2, California Building Code regulations. In addition, the City administers the Housing Rebate and Grant Program that provides financial assistance to disabled households to perform modifications such as access ramps, wider doorways, assist bars in bathrooms, lower cabinets, and elevators.

The Downey Municipal Code currently permits residential care facilities, including facilities for the disabled (with 6 or fewer residents), by right in all zones that all residential uses in the City. For group homes with 7 or more residents, the City requires approval of a conditional use permit in all residential zones in the City. There are no facility concentration or distance requirements or similar limitations for either type of residential care facility. The applicable development standards are no more restrictive than standards that apply to other residential uses of the same type permitted in the same zone.

Map IV-1 illustrates the distribution of such facilities throughout the City of Downey. **Table IV-2** lists thirty-seven (37) licensed residential care facilities that provide accommodations to over 1,042 residents. Eight (8) of the facilities have capacities higher than 6 persons.

Map IV-1
Licensed Residential Care Facilities in Downey



**Table IV-2
Licensed Residential Care Facilities**

No.	Facility	Address	Capacity
Adult Residential Facility			
1	Bailey Home Care #4	10413 Vultee Avenue	4
2	Casa Klinedale ¹	9243 Klinedale Avenue	4
3	Casa Menendez	8521 Stewart & Grey Road	4
4	Casa Rio Hondo	11010 Rio Hondo Drive	4
5	Choices R Us - Bairnsdale	7322 Bairnsdale Street	4
6	Choices R Us - Buell	11302 Buell Street	3
7	Choices R Us - Dunrobin	12363 Dunrobin Avenue	4
8	Choices R Us - Faust	13019 Faust Avenue	4
9	Choices R Us - Hondo	7716 Hondo Street	4
10	Choices R Us - Izetta	12103 Izetta Avenue	4
11	Choices R Us - Spry	9614 Spry Street	6
12	Choices R Us - Stoakes	9022 Stoakes Avenue	4
13	Dolan Home	12522 Dolan Avenue	4
14	Downey Home	11403 Horton Avenue	4
15	Downey Home II	9107 Margaret Street	4
16	Grace Haven Home	7519 Laura Street	4
17	Home of (TLC)	12159 Julius Avenue	6
18	Home of (TLC-2)	7417 Muller Street	6
19	Hope 4 U 2	8737 Guatemala Avenue	6
20	Jaswill Brookmill	7822 Brookmill Road	4
21	Jaswill Home Care	7908 Quill Drive	4
22	Jaswill Home Care II	13054 Ardis Avenue	4
23	Jat Adult Homes, Inc.	7612 Adwen Street	4
24	Mosaic of Friends III	13414 Barlin Avenue	5
25	Nurture Home Care	13651 Barlin Avenue	6
26	Samoline Guest Home	11528 Samoline Street	6
27	Seide's Family Affair	11046 Leibacher Avenue	4
Adult Day Care			
28	Day Training Activity Center	9555 Washburn Road	65
29	JT Behavior Management Inc.	8292 Telegraph Road	90
30	Work & Service Coalition	12626/12628 Bellflower Boulevard	30
Elderly Assisted Living			
31	C-H #6 Residential Care for Elderly	8726 Dorian Street	4
32	Country Inn of Downey	11111 Myrtle Street	150
33	Delightful Aging I	9223 Brookshire Avenue	6
34	Downey Retirement Center	11500 Dolan Avenue	252
35	Lakewood Gardens	12055 S. Lakewood Boulevard	150
36	Lakewood Park Manor	12045 Lakewood Boulevard	160
37	The Villa	12565 Downey Avenue	15
		Total	1,042

Source: State of California, 2020. <https://secure.dss.ca.gov/CareFacilitySearch/>

1. State website lists name as Casa Klindale, address as 9243 Klidale Avenue. No such address exists. There is, however, a 9243 Klinedale Ave. in Downey.

Emergency Shelters/Transitional Housing

State Law (SB2) requires jurisdictions to designate a zone and permitting process to facilitate development of emergency shelters and transitional housing. If a conditional use permit is

required, the process to obtain the conditional use permit may not unduly constrain the siting and operation of such facilities. SB2 also permits the City to apply limited conditions to the approval of ministerial permits for emergency shelters. The identified zone must have sufficient capacity to accommodate at least one year-round shelter.

The Housing Element describes the City's particular history with regard to efforts to build emergency shelters: "Due to funding reductions and staff cutbacks the City was unable to complete the Zoning Code amendments to address transitional housing and emergency shelters in the time specified by the 2008-2014 Housing Plan. The City has drafted an ordinance amending the Zoning Code to allow emergency shelters and transitional living facilities in the Hospital Medical Arts (H-M) Zone by right without any other discretionary permit required. During the planning period a new residential care facility opened for disabled residents and City Staff approved the expansion of an existing emergency shelter. The City will take the Ordinance to City Council in early 2013." Ordinance 1313, amending Article XI, the Land Use portion of the Downey Municipal Code, was adopted June 11, 2013, are there are two confidential emergency shelters or transitional housing facilities in the City of Downey.

According to the 2014-21 Housing Element, the City permits transitional or supportive housing (when there are 6 or fewer residents) in all residential zones in the City, pursuant to State law. These facilities are subject to the same underlying zoning standards as other residential uses in the same residential zoning district.

The Land Use Provisions of the Downey Municipal Code define supportive housing as "Housing with no limit on length of stay, that is occupied by the target population, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (Article IX, Chapter 1, Section 9158)

Single-parent households often require special consideration and assistance due to their greater need for affordable and accessible day care, health care, and other supportive services. In particular, many female-headed households with children are susceptible to having lower incomes than similar two-parent households. Single mothers also face social marginalization pressures that often limit their occupational choices, housing options and access to supportive services.

Apart from female heads of households, developmentally disabled persons may need assistance to live and work independently within a conventional housing environment. As the Housing Element states, "More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person's living situation as a child to an appropriate level of independence as an adult. To assist with any housing needs for persons with developmental disabilities, the City will implement programs to coordinate housing activities and outreach with the South Central Los Angeles Regional Center and encourage housing providers to designate a portion of new affordable housing developments for persons with disabilities, especially persons with developmental disabilities, and pursue funding sources designated for persons with special needs and disabilities."

Fair Housing Impediment Study: Review of the General Plan and Zoning Ordinance

This Analysis of Impediments to Fair Housing Choice includes the review of the General Plan and the Zoning Ordinance in order to identify regulations, practices and procedures that may act as barriers to the development, siting and use of housing for individuals with disabilities. In addition to the review of these City documents, City Community Development Department staff has been interviewed. The data were analyzed to distinguish between regulatory and practice impediments described by the jurisdiction. **Table IV-3** summarizes the results of this study.

**Table IV-3
Fair Housing Impediment Study**

Impediment Description	Type of Impediment "Practice or Regulatory"	Compliance Yes or No	Jurisdiction Practice	Comment
Definition of "Family"	Regulatory	Yes	Family is defined as "Two (2) or more persons bearing the generic character of, and living together as, a relatively permanent single bona fide housekeeping unit." (Downey Municipal Code, Article IX, Chapter 1, Section 9132)	City definition of "Family" is consistent with definition set forth in State Codes.
Definition of "Disability"	Regulatory	Yes	A person who has a physical or mental impairment that limits one or more major life activities, anyone who is regarded as having that type of impairment or, anyone who has a record of that type of impairment. People who are currently using illegal substances are not covered under the Act, unless they have a separate disability.	City uses "Disability" definition set forth in the Federal Fair Housing Amendments Act of 1988 and California's Fair Employment and Housing Act.
Personal Characteristics of residents considered?	Practice	Yes	City does not regulate or consider residents personal characteristics.	City provides equal access to housing for special needs residents such as the homeless, elderly, and disabled.
Mischaracterize ADA housing as "Boarding, Rooming House or Hotel"?	Practice	Yes	City's definition of Boardinghouse/ Rooming House does not refer to ADA housing.	City complies with State law regarding housing opportunities. City does not restrict housing opportunities for individuals with disabilities.
On-site supporting services permitted	Practice	Yes	City provides for on-site supporting services.	City complies with State law regarding ADA services.

Impediment Description	Type of Impediment “Practice or Regulatory”	Compliance Yes or No	Jurisdiction Practice	Comment
Restrict number of unrelated persons residing together if they are disabled	Regulatory	Yes	The City does not restrict on the basis of disability.	City complies with State law.
Allow ADA Modifications in municipal-supplied or managed housing	Regulatory	Yes	The City owns and operates public properties. In 2013, the City also revised the Zoning Ordinance to include standards and policies to reasonably accommodate the housing needs of persons with disabilities.	City complies with State law. City encourages ADA access modifications.
Variations & Exceptions to zoning and land-use rules.	Regulatory	Yes	City requires a public hearing for a zoning variance as required by State law, except minor variances that are approved by the Zoning Administrator.	City complies with State law regarding the granting of variances and exceptions to zoning and land-use rules.
Residential Mixed Land Use Standards	Regulatory	Yes	City allows mixed land use development.	Approval of a Specific Plan is required for the entitlement of a mixed use project.
Zoning Exclusion regarding Discrimination	Regulatory	Yes	City does not exclude or discriminate housing types based on race, color sex, religion, age, disability, marital or family status, creed or national origin.	All City zoning and land use regulations and policies comply with Federal and State law regarding the prohibition of discrimination.
Senior Housing Restrictions & Federal Law	Regulatory	Yes	City permits multi-family senior housing in accordance with zoning standards.	“Senior citizen congregate housing” means a building or buildings, together with related exterior facilities, comprised of individuals residential units designed for use and occupancy by senior citizens.
Zoning for ADA accessibility	Regulatory	Yes	City’s Building Code provides for ADA access.	City’s zone code defers to the 2016 California Building Code regarding ADA access. (Ord. 1363, adopted 1-24-17)

Impediment Description	Type of Impediment “Practice or Regulatory”	Compliance Yes or No	Jurisdiction Practice	Comment
Occupancy Standards and Limits	Regulatory	Yes	City Zoning Ordinance does not limit occupancy. The State Building and Housing Codes establish criteria to define overcrowding.	City codes comply with State law.
Zoning for Fair Housing	Regulatory	Yes	City’s Housing Element promotes Fair Housing; Zoning Ordinance does not conflict with that policy.	City’s General Plan promotes and requires compliance with all Fair Housing laws and policies.
Handicap Parking for Multi-Family Development	Regulatory	Yes	City requires 0.3 spaces per unit. The City also adopted California Building Code in 2017.	City codes comply with State and Federal requirements.
Is a CUP required for Senior Housing?	Regulatory	Yes	The City permits senior citizens housing development in R-3, R-3-O zones. CUP Required in M-U; Convalescent hospitals/nursing homes/assisted living facilities require CUP in C-2, C-3, C-M. ¹	City codes comply with State and Federal requirements.
Does City distinguish between handicapped housing and other types of single-family or multi-family housing?	Regulatory	Yes	The City does not distinguish between handicapped housing and other types of housing.	City complies with State and Federal law regarding ADA designed housing.
How are “Special Group Housing” defined in the zone code?	Regulatory	Yes	Not addressed in Zoning Ordinance.	City practices comply with State and Federal law regarding “Special Group Housing.”
Does the City’s Building and planning codes make specific reference to accessibility requirements as set forth in the 1988 Fair Housing Act?	Regulatory	Yes	City adopted California State Building & Housing Codes.	Community Development Department – Building Division reviews all plans for compliance with adopted codes. Monitoring is the responsibility of the building department.

Summary of General Plan, Land Use and Zoning Ordinance Impediments Study, 2015.

1. Downey Municipal Code, Article IX, Chapter 3, Section 9314, 9316.04.

Based on the fair housing impediment study conducted of the General Plan and Zoning Ordinance, there are no impediments to fair housing choice identified at this time.

B. Development Policy

Development Standards

The Comprehensive Zoning Ordinance of the City of Downey provides policy guidance as to the location of housing and establishes minimum residential development standards to ensure quality of construction, preservation and protection of neighborhoods, and the furtherance of broader City goals. **Table IV-4** highlights pertinent single-family residential development standards in the City, while **Table IV-5** addresses multi-family residential development standards.

**Table IV-4
Single-Family Residential Development Standards**

Standard	R-1-5,000	R-1-6,000	R-1-7,500	R-1-8,500	R-1-10,000	Lots > 15,000
Density (units/acre)	8	7	5.8	5	4	--
Minimum Lot Size (square feet)	5,000	6,000	7,500	8,500	10,000	15,000
Maximum Lot Coverage ^(a) (Floor Area Ratio)	.60	.60	.60	.60	.60	.60
Maximum Height (feet) Main Building Accessory Building	28	28	28	28	28	28
Yard Setbacks ^(b) Front ^(c) /Rear (feet)	20/20	20/20	20/20	20/20	20/20	25/20
Required Parking Spaces	Subject to Chapter 7					

Source: Downey 2014-2021 Housing Element; Downey Municipal Code, Article IX, Chapter 3, Section 9312.08.

Notes:

(a) Single-family dwelling units in the R-1 Zone are eligible for a 0.05 FAR bonus for providing renewable energy sources, for a maximum FAR of 0.65, in accordance with the provisions of Section 9312.08(B)(2).

(b) No more than forty (40) percent of a second story façade may occur at the specified first floor front setback. Remaining portions of the second story shall be set back a minimum of an additional five (5) feet.

(c) Unless the property is identified on the prevailing setback map, as adopted by the Commission, in which case the greater of the two setbacks shall apply.

**Table IV-5
Multi-Family Residential Development Standards**

Standard	R-2	R-3	R-3-O
Density (units/acre)	17	24	--
Minimum Lot Size (square feet)	5,000	10,000	10,000
Maximum Lot Coverage (percent)	50	50	50
Maximum Height (feet) Main Building Accessory Building	30 feet or 2 stories, whichever is less 12 feet	35 feet or 3 stories, whichever is less ^(a) 12 feet	35 feet or 3 stories, whichever is less 12 feet
Yard Setbacks Front/Rear (feet)	20/20	15/See Note ^(b)	15/See Note ^(b)
Required Parking spaces	Subject to Chapter 7	Subject to Chapter 7	Subject to Chapter 7

Source: Downey Municipal Code, Article IX, Chapter 3, Section 9312.08

Notes:

(a) When abutting R-1 or R-2 zoned property, the variable height requirement shall apply in accordance with Section 9534.24.

(b) When the rear yard area abuts an R-1 Zone, the following minimum setbacks are required: twenty (20) feet for a one (1) story building, thirty (30) feet for a two (2) story building, and forty-six (46) feet for a three (3) story building. When the rear yard area abuts a fully dedicated public alley, the following minimum setbacks are required:

no setback required for a one (1) story building, ten (10 feet) for a two (2) story building, and twenty-six feet for a three (3) story building. When the rear yard area abuts another R-3 Zone the following minimum setbacks are required: ten (10) feet for a one (1) story building, fifteen (15) feet for a two (2) story building, and twenty (20) feet for a three (3) story building.

Local Government Fees

Since the passage of Proposition 13 in 1978, local governments have had to diversify their revenue sources. As reliance on General Fund revenues declined, local governments began charging service fees and impact fees to pay for City services needed to support the development of new housing. The City currently charges fees and assessments to cover the costs of processing permits and providing services for residential projects.

Development fees depend on the location, project complexity, and cost of mitigating environmental impacts. **Table IV-6** provides the most common development fees charged for a typical residential project.

**Table IV-6
Discretionary Fees**

Description	Fee*
Conditional Use Permit (Minor)	\$511.25
Conditional Use Permit (Major)	\$3,067.50
Conditional Use Permit (Major Modification)	--
Variance (Minor)	\$1,022.50 ¹
Variance (Major)	\$3,272
Tentative Tract Map	\$5,112.50
Residential Parcel Map Review	\$4,090
Lot Line Adjustment	\$1,022.50
General Plan Amendment	\$6,135
Zone Text Amendment	\$6,135
Negative Declaration (with or without Mitigation)	\$1,738.25
Environmental Impact Review (EIR)	Direct Cost + 10%
Appeal Planning Commission	1/2 of Original Fee
Certificate of Compliance	\$1,022.50

*Additional environmental assessment fees, per lot fees, and other miscellaneous fees may apply.

Source: City of Downey, Effective July 1, 2019.

<https://www.downeyca.org/home/showdocument?id=3080>

1. Cost varies by zone. Fee shown for R-1 Zone.

Table IV-7 compares the minimum fees charged by Downey with those of Bellflower, Lakewood, and South Gate. As indicated in the table, the fees charged by the City are reasonable to those of the neighboring communities surveyed. Given the modest level of City fees, they are not deemed to be a constraint to the production of single-family housing in Downey.

**Table IV-7
Comparison of City Permit Fees**

Permit	Bellflower	Lakewood	South Gate	Downey
Conditional Use Permit	\$1,214	\$2,200.00 plus \$2,500.00 hearing examiner deposit	\$3,959	\$3,067.50
Conditional Use Permit Modification	\$1,214	1/4 of original permit cost	\$3,359	\$511.25
Variance	\$1,214	\$660 - \$3,700	\$3,752	\$1,022.50 - \$3,272
Tentative Tract Map	\$544	--	\$6,297	\$5,112.50
Tentative Residential Parcel Map	\$544	--	\$4,703	\$4,090
Lot Line Adjustment	\$327	\$600	\$3,697	\$1,022.50
Zone Change	\$1,214	\$3,100	\$5,959	\$6,135
General Plan Amendment	\$1,307	--	\$7,158	\$6,135
Zoning Regulation/Development Code (Text) Amendment	\$1,493	\$2,600	\$5,959	\$6,135
Appeal Planning Commission	\$1,138	\$450	\$345	1/2 of Original Fee

Source: City websites, 2019:

[Downey Planning Fees 2019](#)

[Bellflower Comprehensive Fee Schedule](#)

[Lakewood 2020 Fee Schedule](#)

[South Gate Schedule of Fees 2015-2016](#)

Impact Fees

Development impact fees are established for mitigating various development impacts based on the specific existing conditions of and projected needs for infrastructure and public facilities. Therefore, comparing the levels of impact fees across communities does not recognize the unique circumstances for establishing these fees. Furthermore, impact fees are subject to the requirements of State law for ensuring reasonableness and proportionate share of responsibility.

The City has implemented development impact fees that are used for police facilities, park facilities, storm drain facilities and street and traffic signals. The total impact fees are presented **Table IV-8**. Developers can apply for a fee waiver if they can prove the lack of a nexus relationship between the proposed development and the fees charged.

**Table IV-8
Development Impact Fees Per Unit**

Permit Fees	Single Family Unit (a)	Multi-Family (per unit) (b)
Building Permit	\$1,212	\$1,208
Plan Check Fee	\$1,030	\$1,026
Electrical permit	\$2,74.4	\$2,11
Mechanical permit	\$96.70	\$84.1
Plumbing permit	\$137	\$123.7
School Fee	\$4,800	\$3,200
Parkland Dedication Fee	\$1,289.61	\$980.50
Deputy Inspector Registration	\$50	\$50
Plans Archival/Record Management	\$6,000	\$4,000
Strong Motion-State Quake Tax	\$3,000	\$2,000
Green Building Standards	\$1	\$1
TOTAL	\$17,889.71	\$12,883.3

Source: City of Downey, 2012.

Notes:

(a) Calculations based on a single-family unit 1,500 sq ft of living area with 400 sq. ft. garage space. Building Valuation per unit of \$300,000.

(b) Calculations based on a multi-unit 1,000 sq ft of living area with 400 sq ft garage space with a building valuation of \$200,000 per unit.

The reduction of impact fees would diminish services that maintain the quality of life in neighborhoods. Given the modest level of City-controlled fees, they are not deemed to be a constraint to the production of housing in Downey.

State law allows local governments to charge fees necessary to recover the reasonable cost of providing services. State law also allows local governments to charge impact fees provided the fee and the amount have a reasonable nexus to the burden imposed on local governments. While the fees in Downey constitute a modest percentage of housing sales prices, the fees are necessary to provide an adequate level of urban services and to mitigate the impacts of housing development. To facilitate affordable housing development and to off-set the impact of these fees on

development costs, the City has the ability to consider a waiver of the fees based on information presented to the City Council at a public hearing.

Building Codes

Building codes are enacted to ensure the construction of quality housing and further public health and safety. Ensuring that buildings are accessible to people with disabilities is an important way to improve fair housing. However, the rigid adherence to non-essential codes may indirectly create discriminatory impacts on people with disabilities. The following discusses the City's building codes and applicability to persons with disabilities.

The City of Downey has adopted the 2010 edition of the California Building Code, which includes the State Green Building Code. California cities are required to adopt the California Building Standards Code (Title 24 of the California Code of Regulations). The Code is a set of uniform health and safety codes covering building, electrical, mechanical, plumbing, fire safety, and other issues. Uniform codes are considered the minimum acceptable standards for health and safety. The California Building Standards Commission updates these codes every three years based on updates to uniform codes adopted by professional associations (such as the ICBO).

State law allows cities to add local, more restrictive, amendments to the California Building Code, provided such amendments are reasonably necessary to address local climatic, geological, or topographic conditions. To address local conditions requiring more stringent or particular standards, the City has replaced or amended certain sections of the 2007 California Building Code. Those changes to the Building Code, do not directly or indirectly limit the type of housing opportunities available to disabled persons nor do they limit access to housing. All local amendments are intended to strengthen and enhance building and safety standards to provide safer housing opportunities and disabled access to housing in excess of California Code's current requirements.

Accessibility Standards

Cities that use federal funds must meet federal accessibility guidelines that accommodate people with disabilities. For new construction and substantial rehabilitation, at least 5 percent of the units must be accessible to persons with mobility impairments and an additional 2 percent of the units must be accessible to persons with sensory impairments. New multiple-family housing must also be built so that:

- The public and common use portions of such units are readily accessible to and usable by disabled persons;
- The doors allowing passage into and within such units can accommodate wheelchairs; and
- All units contain adaptive design features.⁶

The U.S. Department of Housing and Urban Development (HUD) also recommends, but does not require, that the design, construction and alteration of housing units incorporate, wherever practical, the concept of visibility. This recommendation is in addition to requirements of Section

⁶Section 804(f)(3)(C) of the Fair Housing Act.

804 of the Fair Housing Act. Recommended construction practices include wide enough openings for bathrooms and interior doorways and at least one accessible means of egress/ingress for each unit.⁷

The City's adopted Building Code contains and incorporates the latest accessibility standards promulgated by the state and federal government. The City checks plans for compliance with State and Federal accessibility law so that privately owned and publicly assisted housing with four or more units meets accessibility requirements of the Fair Housing Act. The City of Downey enforces all federal and state accessibility laws but does not require accessibility standards in excess of state and federal law.

Reasonable Accommodation

In 2001, the State Office of the Attorney General issued a letter encouraging local governments to adopt a reasonable accommodation procedure.⁸ The Department of Housing and Community Development has also urged the same. The federal Fair Housing Act and California Fair Employment and Housing Act impose an affirmative duty on local governments to make reasonable accommodation when such accommodation may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. The State Attorney also provided guidance on the preferred procedure.

Pursuant to Government Code Section 65583, the City of Downey is obligated to remove potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels and for persons with disabilities. The Fair Housing Act, as amended in 1988, requires that cities and counties provide reasonable accommodation to rules, policies, practices, and procedures where such accommodation may be necessary to afford individuals with disabilities equal housing opportunities. Reasonable accommodation provides a basis for residents with disabilities to request flexibility in the application of land use and zoning regulations or, in some instances, even a waiver of certain restrictions or requirements from the local government to ensure equal access to housing opportunities. Cities and counties are required to consider requests for accommodations related to housing for people with disabilities and provide the accommodation when it is determined to be "reasonable" based on fair housing laws and case law interpreting the statutes. The City of Downey encourages and promotes accessible housing for persons with disabilities. This includes the retrofitting of existing dwelling units and enforcement of the State accessibility standards for new residential construction.

The City is committed to assisting residents in need of reasonable accommodation and offers financial assistance through the Housing Rebate and Grant Program, and will continue to direct eligible residents to apply for funds. Applicants can apply for grants or a rebate to complete improvement projects that remove constraints to their living facilities. In general, City Staff takes into consideration the provisions of the Americans with Disabilities Act (ADA) in the review and approval of housing projects and grants modifications and deviations from the Municipal Code to accommodate the needs of persons with disabilities. The City anticipates that they will have formal reasonable accommodations prepared by 2013, however in the instance that formal procedures are not implemented during the 2008-2014 planning period due to Staff cutbacks, the City would ensure that they are implemented within one year of Housing Element adoption.

⁷ HUD Directive, Number 00-09.

⁸State Office of Attorney General, May 15, 2001.

Permit Processing

Permit procedures are generally designed to ensure that residential development proceeds in an orderly manner so as to ensure the public's health, safety, comfort, convenience, and general welfare. Although permit processing procedures are a necessary step, unduly burdensome procedures can subject developers to considerable uncertainty, lengthy delays, and public hearings that cumulatively make a project financially infeasible. State law requires communities to work toward improving the efficiency of building permit and review processes by providing one-stop processing, thereby eliminating the necessary duplication of effort. The Permit Streamlining Act helps reduce governmental delays by limiting processing time in most cases to one year and requiring agencies to specify the information needed to complete an acceptable application.⁹

The City explains its permit process in the Housing Element: "Market and governmental factors pose constraints to the provision of adequate and affordable housing. These factors tend to disproportionately impact lower and moderate-income households due to their limited resources to absorb additional costs. The City is committed to removing governmental constraints that hinder the production of housing and offers a streamlined permitting process to facilitate efficient entitlement and building permit processing. In addition to the density bonuses and flexible development standards already in place, the City proposes revisions to the Zoning Ordinance to encourage housing opportunities for extremely low-income households and special needs persons.

The City has put in place policies to address facilitation of the permitting process, including:

- Review development fees annually to ensure that fees and exactions do not unduly constrain the production and maintenance of housing.
- Provide for streamlined, timely, and coordinated processing of residential projects to minimize holding costs and encourage housing production.
- Utilize density bonuses, fee reductions, or other regulatory incentives to minimize the effect of governmental constraints.
- Utilize the Housing Authority as a tool to provide sites and assist in the development of affordable housing.

The City of Downey adopted by reference the California Building Code by means of Ordinance 1363, adopted January 24, 2017. Based on this information, the permit procedures and processing timeframes are appropriate and do not appear to constrain the development of housing.

Assessment

The California Department of Housing and Community Development (HCD) reviews development processing procedures to ensure that such procedures facilitate and encourage the construction of housing for all income levels. HCD often considers that a conditional use permit for multi-family housing subjects the project to unfounded neighborhood criticism that can often lead to rejection of a project that otherwise complies with City regulations. The City is committed to providing sites that can provide housing accommodation that meets its fair share of the

⁹Government Code Section 65920 et seq.

Regional Housing Need Assessment (RHNA). The removal or mitigation of impediments that prevent achievement of this goal is essential.

State law prohibits a local agency from disapproving a low-income housing development, or imposing conditions that make the development infeasible, unless one (1) of six (6) conditions exists. Three (3) conditions are of primary importance: 1) the project would have an unavoidable impact on health and safety which cannot be mitigated; 2) the neighborhood already has a disproportionately high number of low income families; or 3) the project is inconsistent with the general plan and the housing element is in compliance with state law.¹⁰

In its Housing Element, the City commits to the following: "City Staff will periodically review the development standards for the residential zones to identify standards that may constrain the development of affordable housing and housing for special groups, such as disabled individuals. The City of Downey is flexible and is committed to working with developers to build affordable units, which may require modifications to constraining standards. The City will work with the developer through density bonuses or a PUD if necessary and will further review any standards identified in the Housing Element as a constraint and alter them as necessary to ensure that the development of affordable housing is feasible. In the interim, Staff will continue to, on a case by case basis, identify ways that standards can be relaxed if it is determined that such requirements are in any way impeding the development of affordable housing or housing for disabled residents. The City will also continue to provide development standard modifications, streamlined processing for applications related to the creation of affordable housing, and will offer fee modifications for projects proposing affordable units that are required to apply for variations to the existing development standards. Incentives for extremely low-income housing will be encouraged to prioritize the development of units for this income group."

Community Representation

The City values citizen input on how well city government serves its residents. The City Council relies on its Planning Commission, advisory commissions, and boards to provide advice and recommendations in areas of City services. Downey makes an effort to ensure that advisory boards and commissions reflect the diversity of the City's residents. The Planning Commission makes recommendations to the City Council that have the potential to affect land use, building, and other policies that may impact fair housing choice.

Residential Anti-Displacement Policy

It is the policy of the City of Downey to comply with the requirements of Section 104(d) of the Housing and Community Development Act of 1974 with respect to the prevention and minimization of residential displacement as a result of the expenditure of HUD assistance.

C. Housing—Employment—Transportation Linkage

The City of Downey has numerous plans that impact housing opportunity, provision of public services, and access to public transit within the community. These plans include the City's General Plan and Housing Element. This section addresses how Downey furthers fair housing for its residents through housing, service, and transit policies.

This section first provides details on how the City of Downey and other agencies further fair housing for City residents through housing programs, employment, and services. The section concludes with an analysis of transit policies and services to determine if there are impediments to fair housing that are apparent as a result of the locations and concentrations of housing and employment centers as related to public transportation routes in the City.

Housing Programs

The 2014-2021 Housing Element sets forth various housing goals for the community, accompanied by many implementing policies and programs. The Housing Element has identified five (5) main issue categories including:

- Housing and Neighborhood Conservation;
- Adequate sites to achieve a diversity of housing;
- Opportunities for affordable housing;
- Removal of governmental constraints, as necessary; and
- Promotion of equal housing opportunities.

Downey's housing plan for addressing unmet needs, removing constraints, and achieving quantitative objectives is described in this section according to the above five areas. The housing programs referenced on the following pages include programs that are currently in operation and new programs that have been added to address the City's housing needs.

The Housing Element presents the following issues, policies and programs to be implemented by the City to achieve its housing goals during the 2014-2021 Housing Element planning period:

Goal No. 1: Preserve and Improve Existing Housing. The City of Downey will rehabilitate single- and multi-family housing units, conduct code enforcement, and pursue efforts to preserve assisted housing units at risk of converting to market-rate housing.

- Policy 1.1: Monitor and enforce building and property maintenance code standards in residential neighborhoods.
- Policy 1.2: Promote the repair, revitalization, and rehabilitation of residential structures which have fallen into disrepair.
- Policy 1.3: Promote increased awareness among property owners and residents of the importance of property maintenance to long-term housing values and neighborhood quality.
- Policy 1.4: Provide a high quality of services to maintain the appearance of neighborhoods and quality of life of residents.
- Policy 1.5: Pursue comprehensive neighborhood preservation strategies for portions of the community that need reinvestment.

Goal No. 2: The City of Downey will encourage a variety of housing types to meet the existing and future needs of City residents.

- Policy 2.1: Provide adequate sites and zoning to encourage and facilitate a range of housing

to address the regional fair share allocation.

- Policy 2.2: Encourage infill development and recycling of land to provide adequate residential sites.
- Policy 2.3: Facilitate and encourage the development of affordable housing for seniors, large families, and other identified special housing needs.
- Policy 2.4: Assist private and nonprofit developers in providing affordable housing to low-income residents and special needs groups.

Goal No. 3: Provide Housing Assistance Where Needed. The City of Downey will assist groups with special housing needs, including seniors, large families, developmentally disabled persons, disabled persons, single parent families, and extremely low-income individuals, among others.

- Policy 3.1: Use public financial resources, as feasible, to support the provision of housing for lower income households and special needs groups.
- Policy 3.2: Provide rental assistance to address existing housing problems and provide homeownership assistance to expand housing opportunities.
- Policy 3.3: Support the conservation of mobile home parks, government- subsidized housing, and other sources of affordable housing.
- Policy 3.4: Further public-private partnerships to develop, rehabilitate and maintain affordable housing.

Goal No. 4: Remove Governmental Constraints. The City of Downey is committed to removing governmental constraints that hinder the production of housing.

- Policy 4.1: Review development fees annually to ensure that fees and exactions do not unduly constrain the production and maintenance of housing.
- Policy 4.2: Provide for streamlined, timely, and coordinated processing of residential projects to minimize holding costs and encourage housing production.
- Policy 4.3: Utilize density bonuses, fee reductions, or other regulatory incentives to minimize the effect of governmental constraints.
- Policy 4.4: Utilize the Housing Authority as a tool to provide sites and assist in the development of affordable housing.

Goal No. 5: Promote Equal Housing Opportunities. The City will attempt to assure that housing is accessible to all residents, regardless of age, race, religion, family status, or physical disability through reasonable accommodation and through a partnership with the Fair Housing Foundation of Long Beach.

- Policy 5.1: Encourage the use of barrier-free architecture in new housing developments.
- Policy 5.2: Provide Fair Housing Services.

Some of the key programs affecting housing for low- and moderate-income residents include:

Residential Rehabilitation Program

The City relies on its ongoing participation in Los Angeles County housing assistance programs to assist its residents with homeownership and home rehabilitation. According to the Housing

Element, "As a means of further leveraging housing assistance, the City will cooperate with the Los Angeles County Community Development Commission (CDC) and Los Angeles County Housing Authority to promote resident awareness and application for County run housing assistance programs. These programs include:

- Housing Economic Recovery Ownership (HERO),
- Home Ownership Program (HOP),
- American Dream Down Payment Initiative (ADDDI),
- The Single Family Grant Program (SFGP), and
- The Single Family Rehabilitation Loan Program.

The County offers a variety of housing assistance programs that can supplement the City's current housing programs. As the City has little control over how the County's programs are administered the City will be responsible for providing program information on the City's website and at City Hall."

The Single-Family Rehabilitation Loan Program assists low-income owner-occupied households with one to two units in need of rehabilitation. The program provides 3% interest deferred loans that are due and payable upon sale or transfer. The maximum loan amount is \$25,000. In addition, the County's Single-Family Home Improvement Program assists low income qualified owners to repair electrical, plumbing, heating, and roofing systems, and eliminate minor code violations. The maximum loan amount is \$10,000.

Housing Choice Voucher Program

The Housing Element states, "The Section 8 program provides rent subsidies to very low income households who overpay for housing. Prospective renters secure housing from HUD- registered apartments that accept the certificates. HUD then pays the landlords the difference between what the tenant can afford (30 percent of their income) and the payment standard negotiated for the community. The City maintains an on-going memorandum of understanding (MOU) with the Los Angeles County Housing Authority, which permits the Authority to provide rental assistance programs in the City of Downey. The City's Housing Division keeps record on the number of households in Downey that participate in the Section 8 program. On average, there are approximately 620 households that participate in this program annually. The Housing Division regularly refers and provides general qualification and program information to interested individuals. While the City is not directly responsible for the administration of this program, Staff can direct residents to the County website and provide information on the program at City Hall, on the City website and in public places."

Conservation of Existing and Future Affordable Units

The latest City of Downey Housing Element, 2014-2021, which was adopted June, 2013, contains an at-risk housing analysis for the period that extends until 2021. The underlying income use restrictions of these projects were reviewed for potential conversion to market rate during this planning period. The City has determined that of the two rental properties with affordability covenants, neither is at risk during the 2014-2021 planning period. A total of four (4) owner-occupied assisted units, however, will be at risk during the current planning period. These owner-occupied units are shown in Table 4-25 of the Housing Element (p. 70). The City will actively

work to create programs in which the focus is to preserve these units beyond the expiration of the covenant so that the owners are able to have affordable housing options.

The Housing Element goes on to further describe City efforts to preserve existing units and provide for future affordable housing development: "The City will continue to keep an inventory of affordable housing units and promote, through the Housing Division, the use of additional affordable housing assistance programs, as appropriate, to preserve existing affordable units that are at risk of converting to market-rate. When available, the City will utilize resources such as HUD Section 208/811 loans, HOPE II and III Homeownership program funds, HOME funds, CDBG funds, Low-Income Housing Tax Credit Programs, California Housing Finance Agency single-family and multi-family programs, programs to stimulate private developer and non-profit entity efforts in the development and financing of housing for lower and moderate-income households. The City will facilitate discussions between developers and local banks to meet their obligations pursuant to the California Community Reinvestment Act (CCRA) providing favorable financing to developers involved in projects designed to provide lower and moderate-income housing opportunities. Similarly, the City will maintain a list of mortgage lenders participating in the California Housing Finance Agency (CHFA) program and refer the program to builders or corporations interested in developing housing in the City."

Neighborhood Improvements

The City's Housing Element identifies Federal programs and funding sources to assist distressed neighborhoods. These include Neighborhood Stabilization Program (NSP) Funds and Choice Neighborhood Grants. NSP provides funds to purchase abandoned and foreclosed homes and residential property. Choice Neighborhoods Grants are intended to address distressed neighborhoods and public and assisted projects to transform them into viable and sustainable mixed-income neighborhoods by linking housing improvements with appropriate services, schools, public assets, transportation, and access to jobs. Planning grants and implementation grants are also available. Supported activities for these programs include: acquisition, homebuyer assistance, new construction, rehabilitation, economic development, and public services..

Density Bonus Program

The City's density bonus program complies with state law (Government Code Section 6591 for affordable housing). This program incorporates mandates by SB1818 and other recent legislative changes. The purpose of the program is to provide incentives to the private sector to build very low and low income housing, donate land, or build housing for seniors and the disabled, by increasing the number of units above that normally permitted by the zoning.

To facilitate such development, the City offers developers a density increase of 35 percent plus development incentives for qualified affordable projects. To be eligible for the Program, the affordable project must contain: (1) at least 10 percent of the units reserved for low income households; or (2) at least 5 percent reserved for very low income households; or (3) at least 50 percent reserved for senior households. The units must remain affordable for at least 30 years if both the density bonus and development incentives are granted, and 10 years if only the density bonus is granted. Additional incentives are available with planned unit developments. Developers are informed of the Density Bonus Program through contact with Community Development Department staff members and handouts.

Fair Housing Program

The City's Housing Element asserts, "The City will continue to contract with a Fair Housing Foundation to provide residents with fair housing services using Community Development Block Grant (CDBG) funds. Fair housing services provided by the Fair Housing Foundation include counseling and mediation between tenants and landlords. The Fair Housing Foundation also conducts seminars and information activities throughout the region. The City will refer fair housing complaints to the Fair Housing Foundation as appropriate. The City will assist in program outreach through placement of fair housing program multilingual brochures at the public counter, City library, post office, and other community locations."

Public Services and Facilities

A variety of public services and facilities are available to Downey residents. Some of the key facilities and services are identified in **Table IV-9**.

**Table IV-9
Public Services and Facilities**

Public Facility	Location
Apollo Park & McCaughan Gymnasium	12544 Rives Avenue
Barbara J. Riley Community & Senior Center	7810 Quill Drive
Brookshire Children's Park	12510 Brookshire Avenue
Crawford Park	7000 Dinwiddie Street
Dennis the Menace Park	9125 Arrington Avenue
Discovery Sports Complex	12400 Columbia Way
Downey City Hall	11111 Brookshire Avenue
Downey Community Aquatic Center	11040 Brookshire Avenue
Downey Transportation Depot	8150 Nance Street
Furman Park	10419 Rives Avenue
Golden Park	8840 Golden Street
Independence Park	12334 Bellflower Boulevard
Parks and Recreation Department	7850 Quill Drive
Rio Hondo Golf Club	10627 Old River School Road
Rio San Gabriel Park	9612 Ardine Street
Temple Park	7132 Cole Street
The Columbia Memorial Space Center	12400 Columbia Way
The Downey City Library	11121 Brookshire Avenue
The Downey Theater	8435 Firestone Boulevard
Treasure Island Park	9300 Bluff Road
Wilderness Park	10999 Little Lake Road

Source: City of Downey, 2019, [Downey Parks-Facilities](#)

Employment in Downey

A variety of career opportunities are available in Downey with large employers. These entities mainly employ residents in the education, medical, and municipal realms, but they also include manufacturing interests unique to the area, such as the Coca Cola Bottling Company, and a major retail center, the Stonewood Shopping Center. The city's top ten employers are shown in **Table IV-10**.

**Table IV-10
Principal Employers**

Employer	Number of Employees	% of Total City Employment	Type of Business
Kaiser Permanente	4,500	11.86%	Medical
Downey Unified School District	2,764	7.29%	Education
Stonewood Shopping Center	1,765	4.65%	Retail
Rancho Los Amigos Medical Center	1,600	4.22%	Medical
PIH Health (formally Downey Regional Medical Center)	1,500	3.95%	Medical
Office of Education, County of Los Angeles	1,200	3.16%	Education
City of Downey	878	2.31%	Government - Municipal
Coca-Cola Bottling Company	800	2.11%	Mfg/Retail
County of Los Angeles, Internal Service Department	712	1.88%	Government - County
Lakewood Health Center	450	1.19%	Medical
Total			

Source: City of Downey Comprehensive Annual Financial Report, Year ended June 30, 2018.

Housing—Employment—Transportation Linkage

Public transit helps move people who cannot afford personal transportation or who elect not to drive. Elderly and disabled persons also rely on public transit to visit doctors, go shopping, or attend activities at community facilities. Many lower income persons are also dependent on transit to go to work. Public transit that provides a link between job opportunities, public services, and affordable housing helps to ensure that transit-dependent residents have adequate opportunity to access housing, services, and jobs.

Local and Regional Services

The Los Angeles County Metropolitan Transportation Authority (MTA) serves as transportation planner and coordinator, designer, builder and operator for one of the country's largest, most populous counties. More than 9.6 million people – nearly one-third of California's residents – live and within MTA's 1,433-square-mile service area. MTA operates fixed transit routes throughout the City of Downey connecting Downey residents and businesses to the rest of Southern California.

Transit routes within Downey are situated to provide service throughout the City’s residential and commercial corridors and to provide access to key points of interest throughout the City. There are eight (8) principal fixed routes operating within the City of Downey (See **Table IV-11**). Most routes begin service by 6:00 a.m. and cease operation by Midnight. All busses are equipped with lifts to carry wheelchairs and other mobility devices allowing people with a disability to board buses. Bicycle racks are also available for cyclists wishing to use the bus.

Table IV-11
MTA Bus Lines in Downey

Route	Description
62	Long Beach to Boyle Heights via Pioneer Boulevard, Telegraph Road and Olympic Boulevard through Hawaiian Gardens, Lakewood, Norwalk, Downey. 85 stops departing from Terminal 25 and ending in 226th / Norwalk. Starts operating at 5:38 AM and ends at 5:46 PM.
111	Norwalk to Westchester/LAX via Florence Avenue, through Downey, Bell, Cudahy, Huntington Park, Florence, Hyde Park, Inglewood. 70 stops departing from Norwalk Station and ending in 71st / Crenshaw. Starts operating at 12:41 AM and ends at 11:30 PM
115	Norwalk to Playa del Rey, via Firestone and Manchester Boulevards through Downey, Cudahy, Southgate, Florence, Inglewood. 86 stops departing from Norwalk Station and ending in Manchester / Sepulveda. Starts operating at 4:45 AM and ends at 10:37 PM.
117	Downey to Westchester/LAX via Imperial Highway and Century Boulevard through Southgate, Lynwood, Watts, Vermont Knolls, Inglewood. 79 stops departing Lakewood Bus Station and ending in LAX City Bus Center. Starts operating at 12:03 AM and ends at 11:05 PM.
120	Whittier to Hawthorne/LAX via Telegraph Road, Florence Avenue, Imperial Highway through Santa Fe Springs, Norwalk, Downey, Lynwood, Watts, Willowbrook, Los Angeles, Inglewood. 110 stops departing from Whittwood Mall and ending in Aviation / Lax Station. Starts operating at 4:49 AM and ends at 11:47 PM.
258	Paramount to Altadena via Garfield Avenue, Eastern Avenue, Fremont Avenue, Lake Avenue through Southgate, Bell Gardens, Commerce, East Los Angeles, Monterey Park, Alhambra, San Marino, South Pasadena, and Pasadena. 107 stops departing from Paramount / Town Center West and ending in Altadena / Lake. Starts operating at 5:23 AM and ends at 10:23 PM.
265	Lakewood to Pico Rivera via Paramount Boulevard through North Long Beach, Paramount, Downey. 61 stops departing from Lakewood Shopping Center and ending in Jackson / Passons. Starts operating at 5:34 AM and ends at 8:47 PM
266	Lakewood to Pasadena via Lakewood Boulevard, Rosemead Boulevard through Bellflower, Paramount, Downey, Pico Rivera, South El Monte, El Monte, Rosemead, Temple City, Arcadia. 81 stops departing from Lakewood At Hardwick and ending in Sierra Madre Villa Station. Starts operating at 5:03 AM and ends at 10:14 PM.

Source: MTA, 2020; Moovitapp.com

In compliance with ADA and Title VI of the Civil Rights Act, the MTA strives to ensure that its services (including over 200 bus and rail routes) are fully accessible to all of its customers, including those with disabilities.

Metro is also the primary funding source for Access Services, the federally required ADA paratransit service provider for Los Angeles County. This service is offered to individuals whose disabilities prevent them from independently using regular bus or rail service. It is comparable to

fixed-route service and offers curb-to curb service during hours when local bus service is provided. For more information, please call Access Services Incorporated at 1.800.827.0829.

For seniors or persons with a disability, the City of Downey operates a Dial-a-Ride service. For information regarding this service, please call Downey Dial-a-Ride at (562) 904-7215.

The City also offers its own transportation service, called DowneyLINK. All routes begin and end on Firestone Blvd. in front of Stonewood Center Mall between the main automobile entrance and the Olive Garden restaurant. Residents can board a DowneyLINK bus there or look for one of the many DowneyLINK signs located along the routes. DowneyLINK has four routes which connect at the transfer center located on Firestone in front of StonewoodCenter Mall. Residents needing assistance in locating the stop nearest to their home or destination, can call the DowneyLINK office at (562) 529-LINK. Information regarding bus stop accessibility for persons with disabilities may also be obtained at this same number. The fare is only 50 cents a trip. Children two to five years and younger are free when accompanied by an adult. DowneyLINK drivers cannot make change, so riders are asked to have fares ready before boarding the bus. Transit fares depend on the type of user and number of trips purchased. The standard full fare is \$1.75 for a one-way trip, with seniors and disabled persons eligible for a discounted rate of \$0.75. Children age 5 and under may ride MTA busses for free (maximum of two children per paying adult). A 30-day pass is available for adults (\$100.00), college/vocational students (\$43.00), and seniors/disabled (\$20.00).

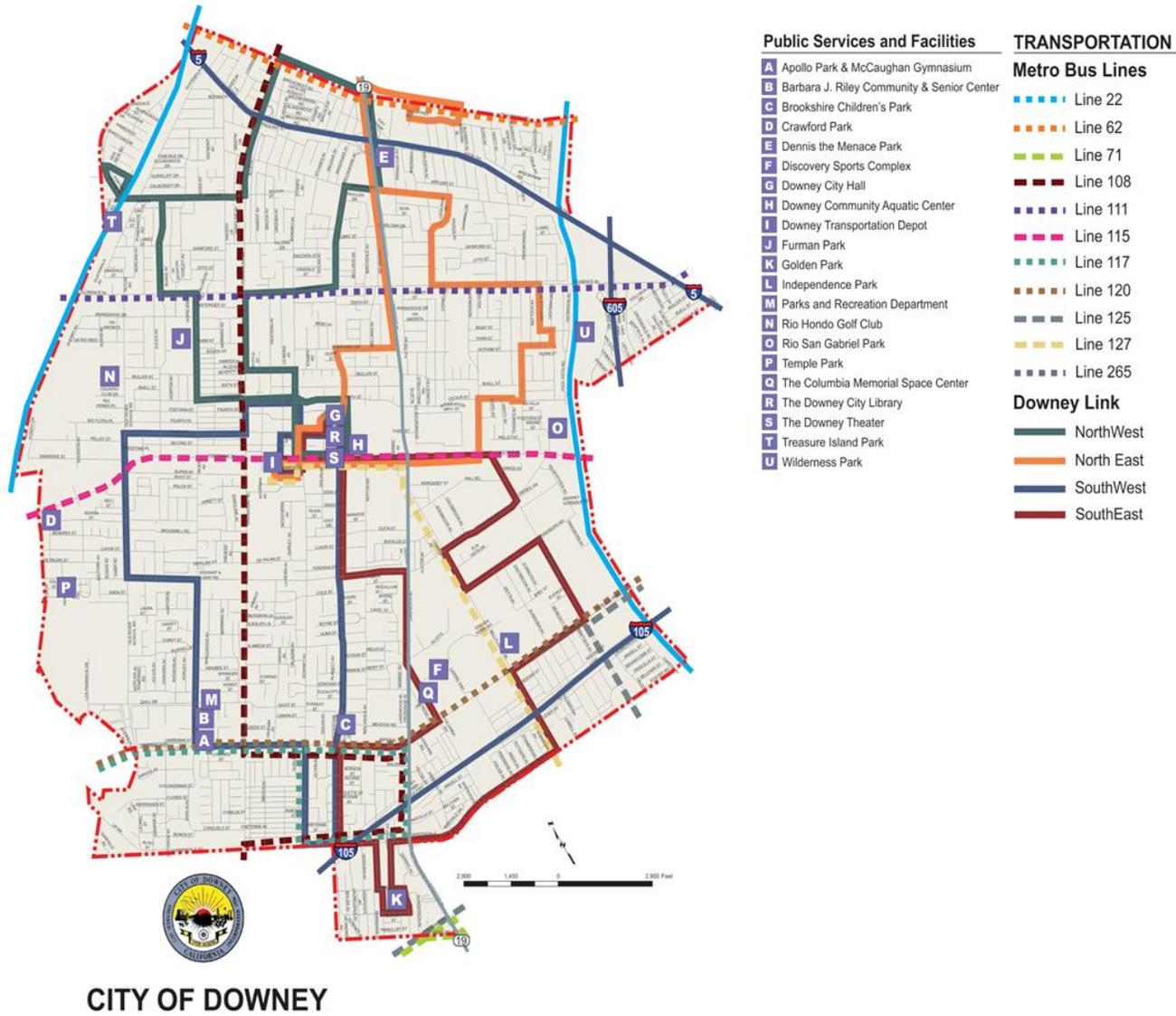
The MTA Green Line station is conveniently located 12801 Lakewood Blvd, Downey, CA 90242. The Green Line begins its route at Marine Avenue in Redondo Beach, travels north on Aviation and east on the I-105 Freeway, eventually terminating in Norwalk. The Green Line offers an LAX shuttle connection point and intersects with the Red Line, which travels between Downtown Los Angeles and Long Beach.

Maps IV-2 and IV-3 show major employers and public facilities in relation to public transportation routes. All major employers and public facilities are located within 3/4 of a mile from a transit line, as is the City's project-based Section 8 affordable housing. MTA maps indicate that the City of Downey is well-served; therefore, there are no transit-related AI findings.

Map IV-2 Transportation Lines – Principal Employers



Map IV-2
 Transportation Lines – Public Services and Facilities



CITY OF DOWNEY

V. Analysis of Current Fair Housing Activity

The City of Downey contracts with the Fair Housing Foundation (FHF), a nonprofit organization dedicated to affirmatively furthering fair housing choice through the provision of education and direct client services. To promote awareness of fair housing laws, FHF implements targeted outreach and education programs for housing consumers including homeowners, prospective homebuyers and tenants as well as housing providers such as sellers, owners, real estate professionals, brokers, landlords and property management firms. Using available data to analyze current discrimination trends, FHF disseminates brochures that promote awareness of specific fair housing issues in an effort to ensure that all persons have the opportunity to secure safe and decent housing that they desire and can afford, without regard to their race, color, religion, gender, sexual orientation, national origin, familial status, marital status, disability, ancestry, age, source of income or other characteristics protected by laws. Direct client services range from providing advice concerning general housing issues to performing investigations and advising residents of their rights and remedies under the law in cases where evidence sustains the allegations of discrimination.

During the most recently completed fiscal year covering July 1, 2018, to June 30, 2019, FHF provided direct client services to 264 Downey residents, landlords, property owners, real estate professionals and property seekers. **Table V-1** shows that 80 percent of direct clients served were in-place tenants of rental housing, comprising the largest segment of Downey residents requesting assistance from FHF.

Table V-1
Direct Services by Requestor Type

Requestor Type	2018-2019 Total	Percentage
Homebuyer	0	0%
In-Place Tenant	212	80%
Landlord/Manager	18	6%
Other	9	3%
Property Owner	20	8%
Realtor	1	1%
Rental Home Seeker	4	2%
Total:	264	100%

Source: Fair Housing Foundation, 2020.

A. Fair Housing Education

FHF’s education programs include informational booths at community events, overview presentations to community-based organizations, resident associations and government agencies and more detailed workshops tailored to specific audiences such as housing consumers or housing providers. Information booths allow FHF staff to distribute brochures and answer questions from interested residents. Presentations to community-based organizations, residents and government agencies involve a 20-40-minute synopsis of FHF’s services and a question and answer session.

For housing consumers, FHF offers a detailed two-hour training geared toward tenants that explains

fair housing laws, leases, notices, tenant obligations, landlord obligations and specific concerns regarding discrimination topics including renting to families with children, occupancy standards and discriminatory rules.

For housing providers, FHF offers three different education programs including landlord workshops, certificate management training and training for real estate professionals. Landlord workshops are focused on promoting awareness of federal and state fair housing laws and best management practices for property owners and managers seeking to operate their rental properties in a manner consistent with the law. Topics of discussion include the rental process, tenant selection criteria, rental agreements, tenant obligations and landlord obligations in matters such as late fees, security deposits, rent increases and termination of tenancy.

Certificate management training is a more intensive four hour session for property owners, managers, management companies and real estate professionals seeking an in-depth understanding of fair housing laws and practical advice on how to handle common scenarios involving areas of the law that are often unknown or misunderstood such as reasonable accommodation for people with disabilities, sexual harassment, arbitrary discrimination, occupancy standards, reasonable regulations of facilities, advertising guidelines, prohibited practices and hate crimes.

Real estate agent training workshops focus on fair housing laws as they pertain to equal treatment of prospective purchasers in their search for a new home. This workshop provides a summary of the fair housing laws, general guidelines, policies and practices, equal treatment needs, advertising requirements and guidelines for showing properties.

Table V-2 provides a summary of the fair housing education services provided in Downey from July 1, 2018, to June 30, 2019. **Table V-3** provides a summary of fair housing education services provided on a regional level from July 1, 2018, to June 30, 2019. At the time of this writing, a similar scope of services is underway for the 2019-2020 Fiscal Year and it is anticipated that these activities will continue during the 2020-2021 Fiscal Year.

**Table V-2
Fair Housing Education Services Provided by FHF in Downey**

Service Type	2018-2019 Total
Brochures Disseminated	4,111
Booths at Community Events	2
Community Meetings	2
Presentations to Community Organizations	3
Presentations to Residents	1
Presentations to Government	1
Tenant Workshops	2
Landlord Workshops	2
Certificate Management Trainings	2
Realtor Workshops	0

Source: Fair Housing Foundation, 2020.

**Table V-3
Regional Education and Outreach Services Provided by FHF**

Service Type	2018-2019
Newsletters	4
Press Releases	8
Public Service Announcements	25
Website visits to http://www.fairhousingfoundation.com/	+100

Source: Fair Housing Foundation, 2020.

B. Direct Client Services: General Housing

General housing services involve the provision of advice to landlords, property owners and tenants requesting advice on their rights and responsibilities under federal and state law. Most of the general housing services provided by FHF for Downey residents are by phone to FHF’s toll-free hotline at (800) 446-3247. Residents may speak with a trained staff member with expertise in the resolution of many common landlord-tenant disputes. Residents may also request to meet with FHF staff at their Long Beach or Orange County offices.

In the provision of general housing services, residents are interviewed to collect demographic information and are screened to determine if the nature of the inquiry requires referral to FHF’s

Discrimination Department. During the 2018-2019 Fiscal Year, FHF received 304 Landlord and tenant inquiries from Downey residents, of which 201 or 61 percent were resolved by FHF by phone or correspondence without referral to another agency. In most cases, residents were informed of the law, civil code and available remedies for their question or issue. Upon initial screening, 14 inquiries or 4 percent of all inquiries were classified as potential fair housing discrimination issues and referred to the Discrimination Department for further review. **Table V-4** provides a breakdown of the ways FHF addressed general housing inquiries.

**Table V-4
Disposition of Downey General Housing Inquiries**

Disposition	Total
Code Enforcement	13
Correspondence	40
FHF Discrimination Department	14
Resolved	201
Small Claims Court	9
Training	27
Total:	304

Source: Fair Housing Foundation, 2020.

C. Direct Client Services: Fair Housing

Fair housing services involve potential discrimination in the sale, rental, lease, negotiation or financing of housing based on a person’s age, ancestry, color, familial status, gender, marital status, mental disability, national origin, physical disability, race, religion, sexual orientation, gender identity, source of income or other arbitrary reason.

Each of the Downey residents receiving fair housing services from FHF during the 2018-2019 Fiscal Year originated from a general housing inquiry. During the initial screening process for each of the 304 general housing inquiries, FHF staff asked a series of questions to obtain information on the treatment of other residents, the racial and ethnic composition of the property, opinions as to why a service was denied or why the resident believes they are being treated differently from other residents or housing seekers. This screening process resulted in the referral of 14 inquiries to the FHF Discrimination Department for further investigation and analysis. **Table V-5** provides a breakdown of the 14 fair housing inquiries by protected class.

**Table V-5
Fair Housing Inquiries by Protected Class**

Protected Class	Total	Percent of Inquiries
Age	0	0%
Ancestry	0	0%
Arbitrary Basis	1	7%
Color	0	0%
Familial Status	2	14%
Gender	0	0%
Gender Identity	0	0%
Marital Status	0	0%
Mental Disability	5	36%
National Origin	0	0%
Physical Disability	4	29%
Race	1	7%
Religion	1	7%
Sexual Orientation	0	0%
Source of Income	0	0%
Student Status	0	0%
Total:	14	100%

Source: Fair Housing Foundation, 2020.

Of the 14 fair housing inquiries during the 2018-2019 Fiscal Year, 10 were counseled and resolved by FHF after review of available facts and four inquiries required a case to be opened because information gathered through the screening and counseling phase substantiated possible discrimination. Each of the four cases that were opened involved in-place tenants of rental housing and none involved residents seeking a rental opportunity. One case involved alleged discrimination based on mental disability, one based on physical disability, one based on familial status, and one based on race.

Most fair housing cases will require some level of investigation by FHF. Standard investigations include property title searches, scouting, telephone tests, on-site pair tests, document review, statistical analysis and evaluation of witness statements. Testing is a procedure approved by the courts whereby non-applicants pose as applicants for a particular housing opportunity to see if members of different protected classes are treated differently. FHF conducts its investigations and testing using internal guidelines developed using resources such as the *John Marshall Law School Tester's Guide to Fair Housing and Fair Housing Laws*. Trained staff and volunteers are used to conduct telephone and on-site pair tests.

Table V-6 shows the investigation methods used to gather information for the four fair housing cases opened during the 2018-2019 fiscal year. In some cases, more than one investigation method was

used.

**Table V-6
Investigation Methods for 2018-2019 Fair Housing Cases**

Method	Total
Data Analysis	3
On-Site Test	0
Property Photos	0
Property Analysis	0
Site Visit	0
Survey	2
Telephone	0
Vacancy Check	0
Witness Statements	1
Total:	6

Source: Fair Housing Foundation, 2020.

Once each investigation is complete, FHF staff determines whether or not the evidence sustains the allegation. During the 2018-2019 Fiscal Year, no cases were determined to have insufficient evidence of discrimination and none of the investigations were inconclusive. In cases with no evidence or inconclusive evidence, residents are provided with education and other referrals as appropriate and the case is closed. The remaining two cases had sufficient evidence to sustain an allegation of discrimination. In these two cases, each resident was provided with their options under the law and were then free to make a decision as to how to proceed with their case.

The primary options available to residents with sustained allegations of discrimination include conciliation, administrative agency referrals and referral to private attorneys with expertise in fair housing law. Conciliation involves FHF assisting the resident by advocating on behalf of the resident with the party accused of discrimination in an effort to find a method of resolution that is mutually agreeable to both the resident and the accused party. Conciliation is the preferred method for resolving cases because residents have an increased likelihood of achieving their housing objective in a timely manner while also encouraging voluntary changes through education or by incorporating formal provisions into a lease or other agreement to codify the agreed upon solution.

When conciliation is not desired by the resident or is not feasible due to lack of cooperation on the part of the party accused of discrimination, the remaining two options include referral to a private fair housing attorney for possible litigation or referral to administrative agencies such as the State of California Department of Fair Employment and Housing (DFEH) or to HUD for further investigation and enforcement.

Table V-7 provides a breakdown of the finding and disposition of the four fair housing cases opened during the 2018-2019 Program Year.

**Table V-7
Finding and Disposition of Fair Housing Cases**

Finding and Disposition	Total
No Evidence or Insufficient Evidence	
Education and Options Provided	0
Client Withdrew	0
Sustains Allegation	
Successful Conciliation	1
Resolved with Options and Training	1
Referred to DFEH	0
Referred to HUD	0
Pending	2
Total:	4

Source: Fair Housing Foundation, 2020.

D. Fair Housing Legal Status

Between July 1, 2018, and December 31, 2019, no cases were filed in a court of competent jurisdiction by FHF to enforce fair housing laws. FHF was successful in conciliating or otherwise addressing the fair housing cases that were investigated on behalf of Downey residents during this time period; therefore, there is no litigation to report.

Previous chapters of this AI examined the demographic profile, private housing market, public policies and fair housing activity in Downey during the last three to five years. The 2015 AI did not identify any actions, omissions, or decisions taken because of—or which have the effect of—restricting housing choices or the availability of housing choices on the basis of age, race, color, ancestry, national origin, age, religion, sex, disability, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor which restrict housing choices or the availability of housing choices in the City of Downey. Additionally, this 2020 analysis did not reveal any conditions meeting the definition of an impediment. Therefore, there are no impediments to fair housing choice identified in this 2020 Analysis of Impediments.

To ensure this condition continues, the 2020-2024 Fair Housing Plan in **Table VI-1** provides recommendations designed to promote housing choice and affordable housing in the community for years to come.

The 2020-2024 Fair Housing Plan is designed to ensure that Downey remains an inclusive, multi-cultural community where individuals of similar income levels have a similar range of housing choice available to them regardless of race, color, ancestry, national origin, age, religion, sex, disability, marital status, familial status, source of income, sexual orientation or any other arbitrary factor.

Each year, the City of Downey contracts with a fair housing service provider to provide fair housing education and general housing services to Downey residents in an effort to prevent incidences of discrimination including but not limited to those listed in **Table VI-1** below. Implementation of the 2020-2024 Fair Housing Plan recommendations shall be the principally undertaken by the City's contracted fair housing service provider, with the participation of the City of Downey Housing Division.

VI. Analysis of Current Fair Housing Activity

**Table VI-1
Fair Housing Plan Recommendations**

Impediment	Recommendations	Timeframe
1) Housing Partnerships	Explore the development and rehabilitation of affordable housing opportunities with local partners as well as outside developers.	Ongoing July 1, 2020 – June 30, 2025
2) Housing Choice for Special Needs Populations	Promote the construction of affordable for-sale and/or rental housing units with three or more bedrooms that are affordable to very low- and low-income families. The City shall publicize financial and regulatory incentive opportunities (e.g., expediting permit processing, deferred fees, density bonuses, or use of Housing Asset Funds) to developers for these unit types.	Ongoing July 1, 2020 – June 30, 2025
3) Housing Choice for Low Income Families	Actively seek replacement funding sources to recover lost funding (e.g., Redevelopment Agency Dissolution, Reduction in CDBG allocation, etc.) to continue facilitating affordable housing.	Ongoing July 1, 2020 – June 30, 2025
4) Reasonable Accommodations for Persons with Disabilities	Direct Fair Housing Foundation to provide information on reasonable accommodation to City residents through dissemination of written materials available at City Hall and appropriate Community Centers. Continue funding a fair housing program that encompasses investigations of discrimination complaints, research of housing related discrimination issues and public education and information.	Ongoing July 1, 2020 – June 30, 2025

Appendix A – Signature Page

I, Gilbert A. Livas, City Manager of the City of Downey, hereby certify that this Analysis of Impediments to Fair Housing Choice represents the City’s conclusions about impediments to fair housing choice, as well as actions necessary to address any identified impediments.

Gilbert A. Livas
City Manager

Date