



Washington County, City of Beaverton and City of Hillsboro Consolidated Plan/Analysis of Impediments Work Group

December 16, 2019, 9:00 a.m. – **10:30 a.m.**
City of Beaverton City Hall – Council Chambers
12725 SW Millikan Way, Beaverton

AGENDA

1. Welcome/Introductions
2. Minutes from November 18, 2019 Meeting (**Decision Item**)
3. Analysis of Impediments
 - a. Obtain any comments on draft Analysis of Impediments
 - b. Discussion/Input on Actions for Inclusion in the Draft Analysis of Impediments
4. Public Comment
5. Adjourn

Consolidated Plan & Analysis of Impediments Work Group Meeting

Hillsboro Civic Center – Rooms 113 B & C

Monday November 18th, 2019 9:00 a.m. – 12:00 p.m.

Work Group Members:

Ellen Johnson <i>Oregon Law Center</i>	Deborah Imse <i>Multifamily NW</i>	Sheila Fink <i>Community Housing Fund</i>
Olga Acuña <i>Hillsboro School District</i>	Katherine Galian <i>Community Action</i>	Gordon Teifel <i>DEAR & FFIL</i>
Kim Armstrong <i>W.C. Land Use & Transportation</i>	Marcia Hille <i>Sequoia Mental Health</i>	Louise Dix <i>Fair Housing Council of Oregon</i>
Melisa Dailey <i>Washington County Housing Svc</i>	Annette Evans <i>Washington County Housing Svc</i>	

Staff:

Jennie Proctor <i>Office of Community Dev.</i>	Ann Hawkins <i>Office of Community Dev.</i>	Andree Tremoulet <i>Office of Community Dev.</i>
Mari Valencia-Aguilar <i>Office of Community Dev.</i>	Natalie Williams <i>Office of Community Dev.</i>	Javier Mena <i>City of Beaverton</i>
Kathy Peoples <i>City of Beaverton</i>	Omar Martinez <i>City of Hillsboro</i>	Dallin Mueller <i>Office of Community Dev.</i>

Guests:

Mark Forker <i>Habitat for Humanity</i>	Schuyler Warren <i>City of Tigard</i>	Jackie Keogh <i>Proud Ground</i>
Mellani Calvin <i>ASSIST Program</i>	Jen Garner <i>Root Policy (via phone)</i>	Shirley Hoffman <i>Community Member</i>
Nicole Swearingin <i>Luke Dorf</i>	Dan Rutzick <i>City of Hillsboro</i>	Karmen Chavez-Sam <i>APANO</i>
Lisa Bailey (via phone) <i>Fair Housing Council of Oregon</i>	Yoni Kahn (via phone) <i>Fair Housing Council of Oregon</i>	

Calendar of upcoming meetings:

December 16, 2019	January 13, 2020	February 10, 2020	March 16, 2020	April 20, 2020
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Jennie Proctor opened the November meeting of the Consolidated Plan / Analysis of Impediments Work Group at 9:00 a.m.

First Item – (Decision Item) 10/21 Meeting Minutes

The minutes of the last meeting on October 21st, 2019 were approved by consensus.

Second Item – Introductions

Jennie asked for introductions of those present at the meeting. She also introduced a new staff member, Natalie Williams, and a new Work Group member, Deborah Imse, Multifamily NW. She also gave an overview of the agenda.

Third Item – Consultation – Home Ownership by Ann Hawkins

Ann Hawkins introduced her presentation that was researched and put together by PSU student Hillary Hahn on homeownership in Washington County. This research was done in three stages, identifying existing models, data collection, and data review.

Ann provided attendees with a handout including most of the information contained in the slides of her presentation. She went through the presentation, detailing the conditions existing in the County in relation to Median Family Income(MFI), necessary income for median rent and mortgages, and the percentages showing rent-burdened and severely rent-burdened populations in the County.

Ann discussed AMI percentages and home costs in relation to receiving HOME funds for down payments, as well as discussing the current inventory of available homes for purchase in the county. In addition, she listed organizations that help with increasing inventory or providing help with down payment assistance, as well as how many families have been helped by local government programs in 2018-19.

Ann also explained that the HOME grant was available only for homes that fall under a certain price threshold. Ellen Johnson asked what the ratio of homes with accessibility available were that also fell under the HOME grant maximum price range. While not having that exact number, Ann asserted that most of the 300 homes available under the HOME grant price range (of an available 1300 total), were townhomes or apartments, and are unlikely to have accessibility for the disabled or large families. Ann stated that only 13 of those available had 3 or more bedrooms within the HOME grant’s price range.

Mark Forker and Jackie Keogh were also invited to comment on demographics and accessibility as representatives of home-building organizations Proud Ground and Habitat for Humanity. Both expressed that wherever possible, accessibility is pursued in projects, and preference given to disabled applicants for accessible homes, but that it is dependent on the stock and land they are able to acquire.

Fourth Item – Analysis of Impediments

Jennie spoke on transitioning to focus on Analysis of Impediments, and introduced Jen Garner.

Item 4a – Root Policy Research Presentation by Jen Garner on Disproportionate Housing Need, Access to Opportunity, and Fair Lending Analysis

Jen began her presentation, reviewing the data and conclusions established in the packet through a remote presentation on disproportionate housing needs, fair lending, and access to opportunity. She defined disproportionate impacts as differing housing and economic access opportunities in Washington County where the differences create negative outcomes for households. She listed different sources of these impacts such as:

- Historical actions that created imbalances in access to housing and wealth generation

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- Failure of the private and public sectors to adequately address these inequities
- Current barriers to housing choice and access to economic opportunity

Jen then shared findings on the demographics of cost burdens, homeownership, rent increases and displacement, discrimination in loans and housing, as well as increasing housing costs. This report can be found in detail in the 11/18 packet.

Some of the topline findings Jen shared included:

- Severe cost burden: 15% overall. Higher for Native American, African American, and Hispanic households (20-26%)
- Homeownership: 61-63% for White and Asian households v. 37% for Hispanic households and 48% for Black households
- Displacement: 12% overall. Higher for African American (24%) and Hispanic households (28%), large families (20%), and persons with disabilities (20%)
- Increasing housing costs: Latinos report highest median monthly increases
- Experience with discrimination: Finding units that accept voucher holders remain a challenge, even given source of income protections. African American residents are disproportionately likely to rely on vouchers for housing access
- Access to employment: Hispanic and Native American households are more likely than other populations to live near major employment centers yet have the lowest scores on HUD's labor market engagement index. This suggests a mismatch between available employment opportunities and the skills and educational attainment of working age Hispanic and Native American residents
- Access to education: HUD's school proficiency index suggests that overall, Hispanic households are less likely to live in neighborhoods with proficient schools. When the analysis is restricted to households in poverty, differences in access are more pronounced and show Native American households are less likely to live in neighborhoods with proficient schools, as are Hispanic households living in Beaverton

Jen then shared data on the school proficiency index, as well as the labor market engagement index, and then moved to discussion questions with the Work Group.

Ellen Johnson referenced Emily Starbuck's presentation from the kickoff event, saying that high-wage jobs and low-wage jobs are increasing, which is causing a labor market disparity. This follows a national trend, and Ellen posed the question on how to address it. Jen responded, saying that there is even more disparity when you factor in race and ethnicity. Andree Tremoulet said further discussion would be had on these topics later, and Jen ended her presentation.

Item 4b – Fair Housing Testing Results by Fair Housing Council of Oregon

Yoni Khan and Lisa Bailey next presented (by phone) representing the Fair Housing Council of Oregon (FHCO) on the Fair Housing testing results. These results can be found in the 11/18 packet.

Lisa opened the presentation stating that the purpose of the audit was to identify potential illegal discriminatory barriers on the basis of the protected classes, 3 of which are federally protected- race disability, and national origin, as well as the state-protected class of source of income. This audit test randomly selects housing providers in Washington County, Beaverton, and Hillsboro. Two testers are

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assigned, one from a protected class, and one not from a protected class. The housing provider is tested on whether it provides the same information on options, offers, amenities, rent pricing, unit availability etc. Yoni stated that reviewers of the results should focus less on the percentages found here and more so on the existence of the identified barriers.

Yoni also reminded attendees that they did not use the term discrimination, as it is a defined legal term, in their findings, as that ascribes intent to the discriminatory actions, which is harder to establish. Instead, the terms of positive, negative, or inconclusive are used for these studies. He also stated that they were only able to conduct a limited number of tests, 35 in total, and that it shouldn't be considered a statistically significant study. The results found that-

- **Disability** – 2 Positive and 6 Negative out of 8 tests
- **National Origin** – 2 Positive, 4 Inconclusive, and 4 Negative out of 10 tests
- **Source of Income** – 6 Positive, 1 Inconclusive, and 4 Negative out of 11 tests
- **Race** – 1 Positive, 5 Negative out of 6 tests

For more in-depth results, see the Washington County Audit Testing Report in the 11/18 packet.

Lisa shared some of the recommendations in the report including-

- Enhancing education and outreach.
 - Owners and landlords- Investment in education and outreach is critical to informing all stakeholders of their rights as well as responsibilities. The landlord hotline run by FHCO is a good example of this.
 - Advocates- As advocates often serve as a bridge between housing providers and consumers, continued education and expansion of resources is necessary to promote a healthy and thriving community.
 - Consumers- It is critical that renters and tenants be provided with frequent opportunities to learn their rights when confronting different treatment in a housing situation. Many instances go unreported because of a lack of understanding, allowing the problem to persist.
- Continued monitoring of the housing market- education means little if there is no entity to enforce the law. Testing is an essential component to deterring housing discrimination.
- Enhanced distribution of community resources and training for public housing.
- Expand testing to include criminal history and credit scores in the screening process.
- Encourage housing providers to engage in self-testing of staff.

Lisa then opened up time for discussion and questions from the Work Group. It was asked if similar results had been found throughout the state on the basis of income, which Yoni confirmed, that it is a statewide issue. Marcia Hille asked if there was other oversight for landlords- and it was answered that this audit was a one-time contract only. Yoni added that FHCO is the entity where complaints should be directed. Mellani asked if there was mandatory training for housing providers; Yoni expressed he did not believe there was any, but they do have some minimal trainings for certification.

Item 4c – Feedback Discussion

Andree Tremoulet led a feedback discussion that discussed previous presentations and consultations related to the Analysis of Impediments. The conclusions made and notes taken of this discussion will be shared separately.

Fifth Item – Consolidated Plan – Other Actions Discussion

Ann Hawkins led another brief discussion about other actions that need to be considered for this Consolidated Planning cycle. She gave some examples including

- Section 108 program- CDBG loan program that allows you to borrow funds up to 5x's your annual amount for a project.
- Addressing the inventory of accessible public units.
- Analysis of the risk of the displacement of manufactured housing.
- Aligning Washington County with City of Beaverton's CDBG program to address the notice of application cycles and workshops as well as the application process.
- Verbiage in the plan to address disaster zones.
- Make sure we provide prioritization on applications, such as for disabilities.

Ann then asked for other suggestions from the Work Group. Suggestions included-

- Getting more information out to residents. Education outreach training.
- More efforts to combat NIMBYism.
- Find ways to share success stories to build momentum.

Ann concluded her discussion portion and turned the time over to Mari Valencia.

Sixth Item – Community Listening Session debrief by Mari Valencia

Mari gave an update on the Housing Justice event with communities of color that took place on 11/13/19. The event was meant to help close the loop on the engagement process with the Coalition of Communities of Color's focus groups conducted among different groups. She expressed that the event had good attendance and participation, with live translation offered in 3 languages. There were presentations and also activities designed to facilitate discussion.

Mari shared some of the findings briefly, expressing that many attendees felt the findings were similar across the different groups. It was asked if the communities had recognized libraries as public gathering points. Mari mentioned that they seemed to express an awareness of some available resources, but not knowing what they are or how to utilize them. Many still go to Portland for one-stop resource centers, and are still looking for more direct support here in the county.

Mari concluded by sharing some photos of the event, and stated that this was a big step for involving communities of color in the shaping of the Consolidated Plan.

There was no public comment.

Jennie Proctor adjourned the meeting at 12:00 p.m.

Date: December 9, 2019

To: Consolidated Plan/AI Work Group

From: Staff, Office of Community Development

Subject: Analysis of Impediments – Draft

In October, we began shifting gears to focus more on the Analysis of Impediments to Fair Housing Choice. Your Work Group reviewed the first three chapters from Root:

- Demographics
- Complaint/Legal Data
- Zoning and Land Use

In November, you reviewed the chapters on:

- Disproportionate Housing Needs (including publicly assisted housing)
- Access to Opportunity (including infrastructure policy)
- Fair Lending Analysis

- And a standalone report on Pairs Testing in Rental Housing (work conducted by the Fair Housing Council of Oregon)

Andree Tremoulet led a facilitated discussion to gather feedback on the chapters, impediments identified, and potential actions to address impediments. In addition, jurisdiction staff met with Root (via conference call) to review, refine and add to the list.

Attached you will find the full draft of the Analysis of Impediments. In addition, as a separate document, you will find a draft list of actions to be undertaken in 2020-2024 to address the identified impediments. Andree will lead a discussion at your December 16th meeting to gather remaining feedback. Following your review, a draft for an initial comment period will be prepared. This comment period will be scheduled for mid-January to mid-February.

Enclosures



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Washington County – Beaverton - Hillsboro
**ANALYSIS OF
IMPEDIMENTS TO FAIR
HOUSING CHOICE**

PREPARED FOR:

Washington County
Office of Community Development
328 West Main MS#7
Hillsboro, Oregon 97123

<https://www.co.washington.or.us/CommunityDevelopment/>

CREATED

12/09/2019

EXECUTIVE SUMMARY.

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE:
WASHINGTON COUNTY CONSORTIA PLAN; BEAVERTON
CDBG PLAN; HILLSBORO CDBG PLAN

Executive Summary

Washington County Regional AI

The Analysis of Impediments to Fair Housing Choice, or AI, is a planning process for local governments and public housing agencies (PHAs) to take meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination. This AI study was conducted in 2019 and 2020 as a joint effort among the following entities:

- Washington County (lead entity);
- Beaverton;
- Hillsboro; and
- Incorporated and unincorporated areas within Washington County that receive housing and community development funding from the County.

It is important to distinguish between the federal obligation to affirmatively further fair housing (AFFH) as a condition of receiving federal housing and community development funds and the obligation to comply with the Federal Fair Housing Act Amended (FHAA). The AFFH is just one component of the FHAA. Communities that do not receive federal housing and community development funds do not need to take actions to AFFH, although this is a good practice. This document addresses the jurisdictions' obligations under AFFH based on their receipt of CDBG and HOME funds.

HUD defines affirmatively furthering fair housing as: "taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant's activities and programs relating to housing and urban development."

All communities must comply with the FHAA by not engaging in discriminatory actions or implementing policies that could directly or indirectly deny protected classes housing choice.

Community Engagement

The community engagement opportunities that informed the AI research consisted of a resident survey, focus groups with residents most vulnerable to discrimination, and stakeholder participation in a regional working group. These efforts leveraged the outreach

conducted for the Consolidated Plan. Detailed findings from these efforts are summarized in the appendices attached to this section.

Community Engagement Summary

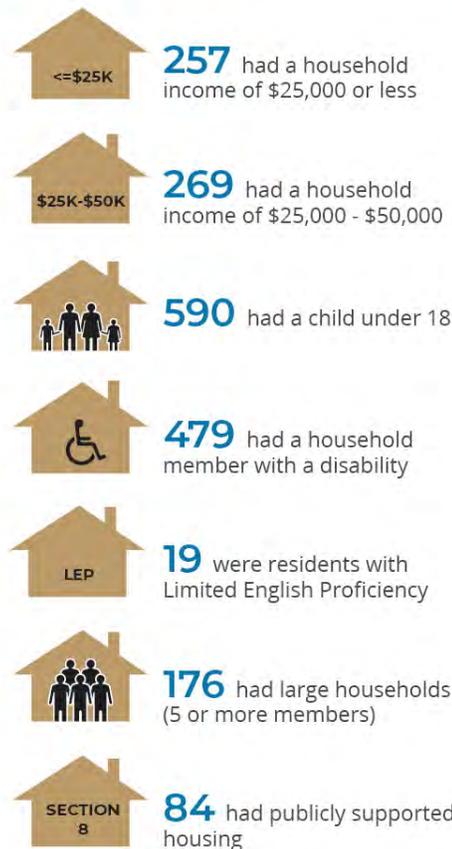


WASHINGTON COUNTY
OREGON

2019 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

COMMUNITY ENGAGEMENT BY THE NUMBERS

WHO PARTICIPATED?



■ Beaverton Residents
■ Hillsboro Residents
■ Other Washington County Residents

RESIDENT SURVEY: **1,899** participants

RESIDENT FOCUS GROUPS: **177** participants

IDENTIFIED AS*

* Respondents could select all that applied.

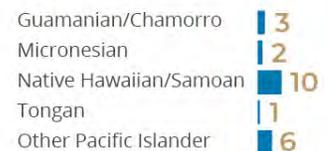
Asian



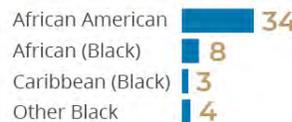
Middle Eastern/ North African



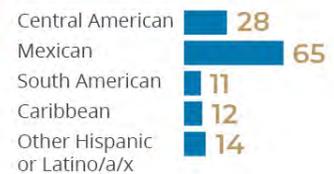
Native Hawaiian/ Pacific Islander



Black/African American



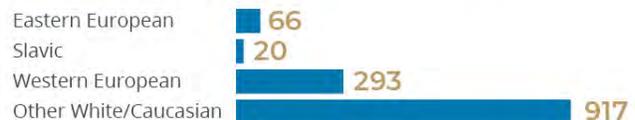
Hispanic/Latino/a/x



Native American



White/Caucasian



Note: Detailed demographic data represent survey respondents only.

Source: Root Policy Research from the 2019 Washington County Resident Survey and Focus Groups.

Focus groups were conducted with residents most vulnerable to housing barriers and most likely to experience housing discrimination, based on fair housing complaints and legal cases.

The target populations and focus group hosts included:

- Homeless adults at Sunrise (9 participants);
- At-risk and homeless youth at HomePlate (9 participants);
- Residents serving time in Washington County Community Corrections (10 participants);
- Residents with mental illness served by Sequoia (10 participants);
- Seniors at the Marjorie Stewart Senior Community Center (8 participants);
- Seniors at the Juanita Pohl Center (5 participants); and
- Seniors and adults with disabilities at Cornelius Place Apartments (21 participants).

The Coalition of Communities of Color (CCC) led focus to engage community members in a discussion around finding and securing housing, , possible areas of discrimination they might face in housing and housing justice. A total of 105 people participated in those focus groups representing the following demographics:

- 19 percent were either African immigrants or African American; 25 percent Latino/a/x; 21 percent Asian/Asian American; 11 percent Native Hawaiian/Pacific Islander; 9 percent Eastern European; 3 percent Middle Eastern; 1 percent White; 2 percent race/national origin unknown.
- Six percent in attendance had a disability;
- 64 percent of participants were renters; 29 percent were owners; 7 percent were precariously housed, including one percent living in transitional housing; 1 percent who are houseless; 1 percent residing with family members; and 4 percent who did not give a response.
- 34 percent had a college degree; 23 percent held advanced or professional degrees; 16 percent had a high school diploma; and 12 percent had less than a high school diploma.
- 32 percent were from Beaverton; 21 percent from Hillsboro; and the balance lived in other areas within Washington County.

Primary Findings

Segregation and denial of housing choice existed in the region long before civil rights laws. The effects of these actions persist and are evident in Washington County segregation, disproportionate housing needs, disproportionate homeownership rates, and access to the benefits of living in a community of opportunity like Washington County.

Segregation and integration. The region exhibits modest concentrations of lower income residents, mostly residents of Hispanic descent, in west central Hillsboro.

Concentrations of residents by race and ethnicity exist and are growing, according to the dissimilarity index (DI), a measure of segregation.¹ Washington County communities have become increasingly segregated since 1990.

Overall, according to the DI, Hispanic residents face the highest levels of segregation, followed by Asian Americans and Pacific Islanders. Trends in segregation measured by the DI show an increase in African American segregation in Washington County.

Disproportionate housing needs. In the Washington County region, the most significant disproportionate housing needs are found in:

Housing cost burden. Thirty-five percent of households in Washington County experience one or more housing problems and 20 percent experience severe housing problems.² These rates are higher for Hispanic households (58% and 36%), Black/African American households (45% and 16%), large families (52%) and non-family households (45%) who represent people living with unrelated persons, often because they cannot find affordable housing.

Access to affordable rental housing. The resident survey conducted for this AI found differences in rent increases and displacement experienced by residents of color and residents with disabilities. Two-thirds of renters participating in the 2019 survey experienced a rent increase in 2018, and the median monthly increase was \$60. Three out of four Latino/a/x renters reported a rent increase and the median monthly increase was \$100. African American respondents, Latino/a/x respondents, households that include a

¹ The DI is an index that measures the degree to which two distinct groups are evenly distributed across a geographic area, usually a county, based on Census data. DI values range from 0 to 100—where 0 is perfect integration and 100 is complete segregation. Dissimilarity index values between 0 and 39 generally indicate low segregation, values between 40 and 54 generally indicate moderate segregation, and values between 55 and 100 generally indicate a high level of segregation. The analysis of the DI for Washington County is found in Section I of the AI—Segregation and Integration section.

² Housing problems, as defined by HUD, include: cost burden—paying more than 30 percent of household income for housing, overcrowding, and living in significantly substandard housing conditions.

member with a disability, and large families all experienced higher rates of displacement than the average survey respondent.

Homeownership rates. There are significant difference in homeownership rates according to collected Census data among different racial and ethnic groups in Washington County: White residents and Asian residents have the highest rates of homeownership (63 percent) while Native Hawaiian/Pacific Islander and Hispanic residents have the lowest (34 percent and 37 percent respectively). Black/African American residents also have relatively low rates of homeownership (48%), as do Native Americans (41%).

Ownership rates vary significantly among jurisdictions: Beaverton and Aloha have relatively high rates of Black/African American ownership (60% and 59%); several urban and rural cities within the county have very high rates of Hispanic ownership.

Differences in access to opportunity. The most significant differences in access to the community amenities that support economic opportunity according to Census data are found in educational opportunities for low income children, especially children of Hispanic descent; differences in access to employment opportunities, with Hispanic and Native American residents having lower labor market engagement; and challenges in accessing public transportation for residents who are elderly and have disabilities.

Impediments

Disproportionate housing needs and differences in access to opportunity are due to “impediments.” The primary impediments to housing choice and access to opportunity identified in the AI research include the following:

Impediment: Differential treatment in rental transactions.

Several areas of research in the AI found differential treatment in rental transactions for certain protected classes, which lead to inequitable housing choice.

- 1) Based on calls received by the Fair Housing Council of Oregon (FHCO) and complaint data received by State of Oregon, persons with disabilities face discrimination in rental transactions. These are mostly related to failure to consider reasonable accommodations and differential treatment by landlords.
- 2) Based on the resident survey and FHCO testing, despite Source of Income being a protected class in Oregon, voucher holders are still refused rental housing or treated differently in rental transactions.
- 3) Race and national origin are other common reasons for complaints about disparate treatment: in the resident survey, Latino/a/x, African American, and Native American respondents are twice as likely to say they experienced housing discrimination than the average respondent.

Impediment: Shortage of affordable rental housing.

The Housing Market Analysis conducted for the Consolidated Plan, a companion study to this AI, found a large shortage of deeply affordable rentals to serve the county's extremely low income households. Because residents of color are more likely to need subsidized rental housing, due to historical denials of economic opportunity and access to ownership, and face higher rates of cost burden, this shortage disproportionately affects these residents.

Supply is also lacking for large families, including large families of color. Coalition of Communities of Color (CCC) focus group participants with large families shared the difficulties they experience trying to buy or rent housing that is suitable for their family's size as well as housing units that are large and culturally appropriate for multigenerational living.

Impediment: Disparities in the ability to access homeownership.

Home loan denial rates among households of different races and ethnicities persist across income categories and loan types (mortgage loans, home improvement loans, and especially in mortgage refinances). Denial rates are the highest for Native American, African American, Hispanic, Native Hawaiian and Pacific Islander households, and these disparities exist across income levels.

The most common reasons that loan applications are denied are poor credit and high debt to income ratios. Yet the differences in mortgage denial rates do not fully explain the major disparities among homeownership rates among racial and ethnic groups in Washington County (63% for White and Asian households; 34% for Native Hawaiian/Pacific Islander households, 37% for Hispanic households, 48% for Black/African American households). Further research would be needed to identify and understand contributing historical, institutional and cultural factors.

In focus groups, the Latino/a/x community highlighted difficulties associated with being undocumented or not having access to required documents leading to being denied housing to rent and impeding their ability to build credit.

Impediment: Access differs for high performing schools in some parts of the county.

The school proficiency index, which measures performance of 4th grade students on state-administered math and science tests, shows that African American, Native American, and Hispanic residents are less likely to attend high performing schools compared to their

White and Asian peers. The gaps are largest for children of Hispanic descent. Gaps exist for children living in poverty, regardless of their race or ethnicity. ³

Impediment: Public transportation access is limited in areas with older residents, residents with disabilities, and low income communities of color.

The areas in the county with the highest concentration of older adults are places that AllTransit™ identifies as having minimal transit markets, i.e., places that cannot efficiently support fixed route bus service. This suggests that alternative methods are needed to help older adults and residents with disabilities who no longer safely drive reach appointments, as well as low income households who cannot afford cars, equitably participate in community life.

In focus groups with seniors and residents with disabilities, lack of access to transportation was identified as a significant challenge for most seniors. Bus service in most communities is commuter-focused and does not connect seniors from where they live to where they need to go (grocery stores, medical appointments, senior centers). Where there is service, how to plan a trip is not intuitive for seniors.

In focus groups with Coalition of Communities of Color participants, a consistent theme of unsafe access to public transportation emerged due to a lack of crosswalks, lighting, and limited or nonexistent sidewalks. Public transportation is particularly important in these communities as immigrant communities face significant barriers to car ownership and working families need other commuting options during the day.

Solutions to Housing and Access to Opportunity Impediments

Development of solutions to address the impediments to housing choice and access to opportunity, summarized above, was guided by racial equity principles. Recognizing that people of color experience disparate outcomes in nearly every category of social wellbeing including housing, it is important for this plan to concentrate on eliminating disparities that people of color experience.” The result will be advanced opportunities for disadvantaged communities while having a positive impact in all Washington County communities.

The jurisdictions participating in this study propose the solutions (in the form of “action items”) to address barriers to housing choice in the region. These are summarized in the following Fair Housing Plan matrix.

³ HUD uses elementary school scores only for this index because they are typically more reflective of school quality and access at the neighborhood level. Middle and high schools draw from larger boundaries and, especially in high school, have more transportation options.

Proposed Fair Housing Action Plan

Please see attached Excel file for discussion.

Source: Participating Partners and Root Policy Research.

SECTION I.

DEMOGRAPHIC PATTERNS

SECTION I.

Demographic Patterns

This section reviews demographic trends in Washington County, Beaverton, and Hillsboro that can contribute to disproportionate housing needs and fair housing challenges. It is organized around the recommended content in HUD’s Assessment of Fair Housing (AFH) template and includes data and maps from HUD’s Affirmatively Furthering Fair Housing (AFFH) tool.

Topics include:

- An overview of the history of segregation in the region;
- A description of the demographic patterns in the jurisdiction, and region, including trends over time and differences in homeownership;
- An analysis of segregation levels, how segregation has changed over time, and where segregation is most significant; and
- The relationship between segregation and concentrated poverty.

It begins with a note about the geographic level of analysis.

Jurisdiction v. region terminology. The “jurisdiction” as defined by the HUD is the city or county or groups of cities and counties that receive HUD block grant funds. The cities participating in this study are Hillsboro and Beaverton. The lead entity is Washington County.

For the purposes of this study, the “region” used in comparative analysis is the Core Based Statistical Area, or CBSA. CBSA boundaries are set by the U.S. Office of Management and Budget (OMB) and include both metropolitan and micropolitan (smaller consolidated cities) areas. The CBSA for Washington County is the Portland–Vancouver–Hillsboro, OR–WA Metropolitan Statistical Area, which includes the counties of Columbia, Yamhill Clackamas, Multnomah, and Washington in the State of Oregon, and Clark and Skamania counties in the State of Washington. Washington County makes up about 19 percent of the region’s population. Consistent with the terminology used in the AFFH maps, the CBSA will be referred to as the “region” in this document.

The data and analysis in this section focus mostly on Washington, Beaverton, and Hillsboro—the jurisdictions that receive HUD block grant funds directly. Trends and conditions of non-entitlement partners (e.g., Tualatin) are discussed when relevant to overall housing challenges in the County and region and where data are available.

History of Exclusion and Segregation in the Region

“Communities of color have always lived in Washington County” begins the Welcome Letter to the 2018 report *Leading with Race: Research Justice in Washington County*, conducted by the Coalition of Communities of Color. “They are part of the fabric of the county and strive to make this place their home.”

Many analyses of demographic patterns focus on recent growth and associated demographic changes—e.g., strong growth in persons of Hispanic descent, which is common in many parts of the U.S. While these trends are important for providing context for housing needs, this approach can suggest that people of color are a new presence in communities. As aptly noted in the 2018 *Leading with Race* report, residents who are often referred to as a racial or ethnic “minorities,” were historically the “majority” population—the original inhabitants of many parts of the U.S. Their minority status was a consequence of laws that forced exclusion into certain neighborhoods or parts of a region and an influx of White settlers. To accurately reflect the demographic history of the region, this section begins with an overview of the history of exclusion and segregation in Washington County and the greater Portland region.

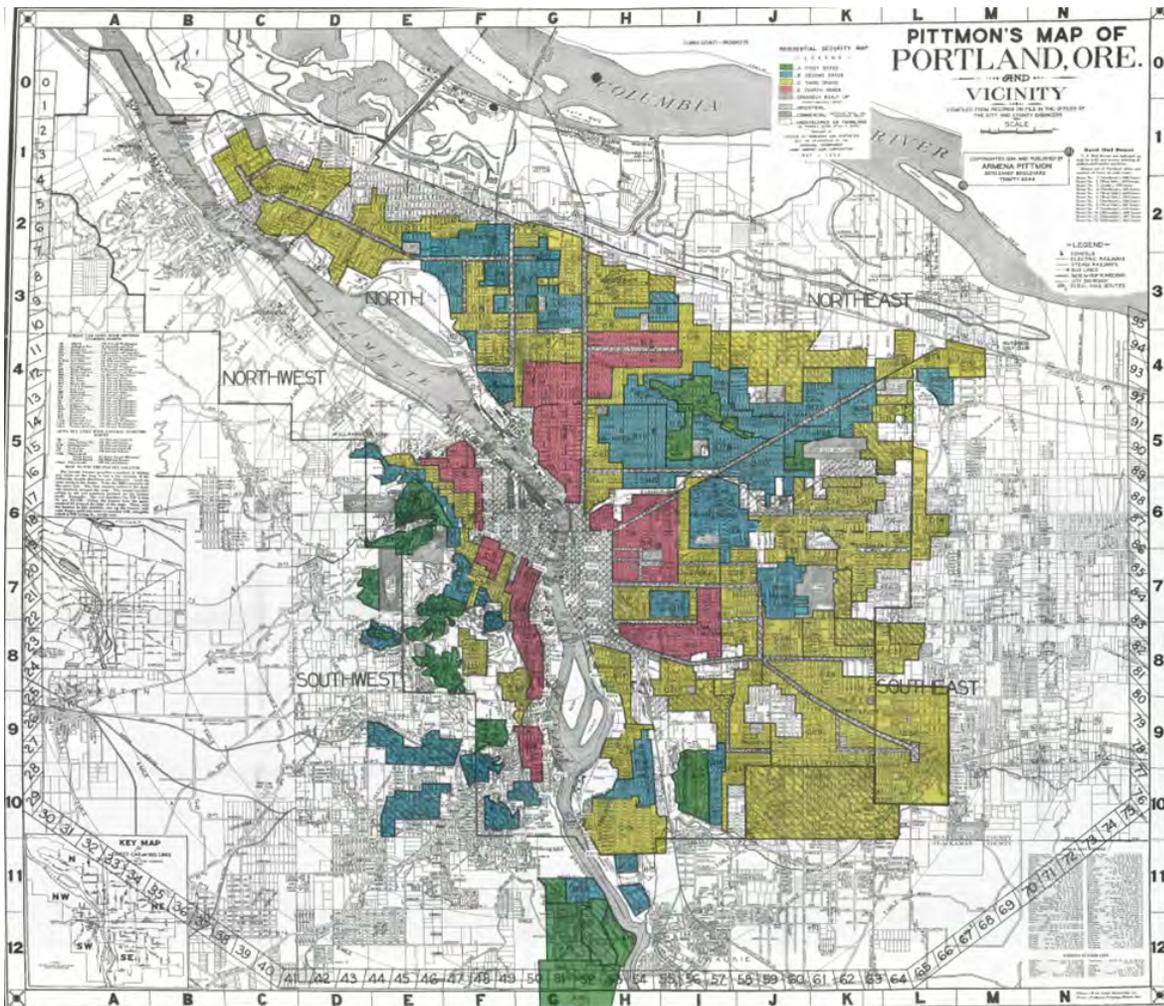
Not unlike most areas of the U.S., the Oregon and the region have long history of institutionalized segregation. Historically, segregation has been highest among Black/African American residents. This history dates back to an “exclusion” law of the 1800s which aimed to keep African Americans out of the territory even before it became a state in 1859. The law was enshrined in the Oregon constitution in Section 35 of the state’s Bill of rights which was legally invalidated a decade later following the Civil War and the passage of the 14th Amendment to the Federal Constitution in 1868. This legacy contributed to the historically low proportion of African Americans in Oregon compared to surrounding states. Exclusionary zoning and racial deed restrictions also worked as direct and indirect mechanisms to force segregation in the region.

Other historic events affected minority populations more broadly, not only Black/African American residents. Following the Great Depression, the Federal Housing Administration (FHA) was created in part by the National Housing Act of 1934. Aimed at broadly increasing homeownership by providing mortgage insurance to home buyers, the underwriting standards established for the program picked winners and losers along racial and ethnic lines by deeming minority neighborhoods unfit for the program’s insurance policies, a term that became known as “redlining.” Many of the redlined areas contained industrial uses and were home to lower income, often immigrant and racial and ethnic minority workers. Thus began a cycle which limited minority community access to capital and wealth creation through homeownership—gaps which remain noticeable today.

The 1938 Insurance Classification map of Portland below reveals areas in red, which were defined by high rates of minority population, and classified as D/Fourth Grade or “Hazardous.”

These red areas now overlap with areas of deep gentrification and displacement, as revealed by the 2013 study “Gentrification and Displacement Study: implementing an equitable inclusive development strategy in the context of gentrification,” commissioned by the City of Portland.

Figure I-1.
1930s Insurance Classification (“Red-line”) Map, Portland



Source: <https://dsl.richmond.edu/panorama/redlining>

Demographic Patterns

The pattern of growth in the region, including Washington County, is regulated by the imposition of an Urban Growth Boundary (UGB), which delineates growth areas based on service capacity including roads, water and sewer systems, parks, schools, and fire and police protection. First adopted in the region in 1978, the UGB for the has been expanded many times to accommodate and plan for greenfield development.

Washington County and the broader region have experienced considerable change since 1990s, largely due to employment and population growth. The 1990s was a decade of very strong population growth within the region, as the burgeoning technology sector brought many new jobs. As housing opportunities became more constrained in the region’s urban core of Portland, Washington County and the cities within the County absorbed development pressure.

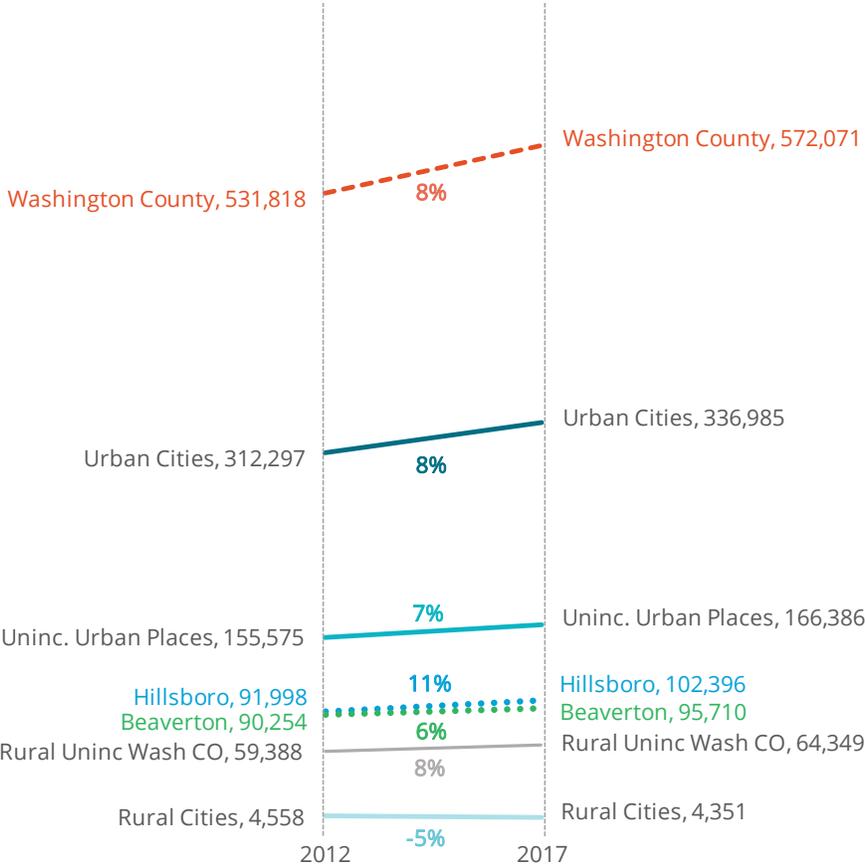
The 2000s were marked by slowing growth early in the decade, influenced by the dot-com bubble burst and later by the Great Recession. Growth resumed with the economic recovery, and has been consistent since then, except for in rural cities.

It is important to note that Washington County is much more than a “bedroom community” to the City of Portland: Several global companies are located in the County and, according to Business Oregon, Washington County’s job growth well outpaced that of both Clackamas and Multnomah Counties between 2005 and 2015.

**Figure I-2.
Population Change by
Geography, 2012-2017**

Note:
Urban Cities include Hillsboro, Beaverton, Tigard, Tualatin, Forest Grove, Sherwood, Cornelius, King City, and Durham. Rural Cities include Gaston, North Plains, and Banks. Unincorporated Urban Places includes Aloha, Bethany, Bull Mountain, Cedar Hills, Cedar Mill, Garden Home-Whitford, Metzger, Oak Hills, Raleigh Hills, Rockcreek, West Haven-Sylvan, and West Slope. Unincorporated Rural Land includes any remaining area in Washington County.

Source:
2012 and 2017 5-year American Community Survey (ACS).



Overall, Washington county has grown much more diverse since 1990. The county is currently 70 percent white compared to 90 percent white in 1990. The county is slightly more diverse than the region overall. This demographic shift is largely due to a growth in persons of Hispanic descent (68,833 increase) and Asian residents (34,431 increase). Increases in Black/African American residents and Native American residents has been very modest.

These trends are consistent with the region overall.

The County also gained 67,344 foreign-born residents and 36,389 residents with Limited English Proficiency (LEP).

The County's shift in age distribution was modest, and the proportion of families with children decreasing slightly. This is also consistent with the region.

Figure I-3.
Demographic Trends, Washington County, OR
1990 and 2000

Race/Ethnicity	Washington County, OR CONSORTIA Jurisdiction					
	1990 Trend		2000 Trend		2010 Trend	
	#	%	#	%	#	%
White, Non-Hispanic	279,079	89.90%	345,096	77.71%	368,197	69.71%
Black, Non-Hispanic	1,931	0.62%	6,636	1.49%	12,644	2.39%
Hispanic	14,330	4.62%	49,642	11.18%	83,163	15.75%
Asian or Pacific Islander, Non-Hispanic	13,099	4.22%	35,902	8.08%	56,956	10.78%
Native American, Non-Hispanic	1,518	0.49%	4,684	1.05%	6,013	1.14%
National Origin						
Foreign-born	22,768	7.34%	63,297	14.25%	86,415	16.36%
LEP						
Limited English Proficiency	11,242	3.62%	37,573	8.46%	48,256	9.14%
Sex						
Male	152,109	49.01%	221,192	49.81%	259,766	49.18%
Female	158,258	50.99%	222,848	50.19%	268,394	50.82%
Age						
Under 18	83,104	26.78%	121,805	27.43%	135,514	25.66%
18-64	195,883	63.11%	283,062	63.75%	339,719	64.32%
65+	31,380	10.11%	39,172	8.82%	52,926	10.02%
Family Type						
Families with children	42,949	51.44%	48,353	52.58%	67,426	50.35%

Note: 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. Refer to the Data Documentation for details (www.hudexchange.info).

Source: Decennial Census; ACS.

Figure I-4.
Demographic Trends, (Portland-Vancouver-Hillsboro, OR-WA) Region
1990, 2000, and 2010

Race/Ethnicity	(Portland-Vancouver-Hillsboro, OR-WA) Region							
	1990 Trend		2000 Trend		2010 Trend		Current	
	#	%	#	%	#	%	#	%
White, Non-Hispanic	1,366,608	89.68%	1,573,518	81.61%	1,698,126	76.29%	1,698,126	76.29%
Black, Non-Hispanic	40,508	2.66%	61,331	3.18%	80,138	3.60%	60,589	2.72%
Hispanic	50,495	3.31%	142,752	7.40%	241,844	10.86%	241,844	10.86%
Asian or Pacific Islander, Non-Hisp.	50,832	3.34%	110,788	5.75%	166,601	7.48%	135,485	6.09%
Native American, Non-Hispanic	12,813	0.84%	28,874	1.50%	34,367	1.54%	15,408	0.69%
National Origin								
Foreign-born	88,168	5.79%	208,423	10.81%	267,363	12.01%	281,081	12.63%
LEP								
Limited English Proficiency	46,263	3.04%	128,392	6.66%	157,670	7.08%	161,051	7.23%
Sex								
Male	746,461	48.99%	956,567	49.62%	1,099,122	49.38%	1,099,122	49.38%
Female	777,175	51.01%	971,314	50.38%	1,126,887	50.62%	1,126,887	50.62%
Age								
Under 18	392,607	25.77%	503,722	26.13%	527,233	23.69%	527,233	23.69%
18-64	948,677	62.26%	1,224,312	63.51%	1,446,558	64.98%	1,446,558	64.98%
65+	182,352	11.97%	199,847	10.37%	252,218	11.33%	252,218	11.33%
Family Type								
Families with children	197,293	49.33%	202,898	49.34%	256,004	46.46%	256,004	46.46%

Note: 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. Refer to the Data Documentation for details (www.hudexchange.info).

Source: Decennial Census; ACS.

Undercounting residents. It is important to note that the U.S. Census requires a rigid identification of race, allowing only persons of Hispanic descent to claim both Hispanic origin and a racial identity. The authors of the *Leading with Race: Research Justice in Washington County* report revised the Census’ estimates to better represent the demographic makeup of the county, based on a recategorization of Census data to take into account mixed racial and ethnic categories and local records like school enrollment. Based on this research, the report puts the count of residents at:

- 10,437 Native Americans (v. 6,013 in the 2010 Census);
- 12,357 African Americans (about the same as the 2010 Census) plus 4,524 African residents;
- 73,701 Asian residents (v. 56,956 in the 2010 Census);
- 96,034 Latinos (v. 83,163 in the 2010 Census); and
- 5,538 Native Hawaiian and Pacific Islanders (about the same as in the 2010 Census).

- In addition, the report identifies: 9,300 persons of Middle Eastern and North African descent and 11,857 Slavic/Russian speaking residents.

The following map, Figure I-5, provides detail of the racial/ethnic distribution of residents in Washington County, focusing on Non-White and Hispanic residents. One dot represents 20 residents, and each color represents a different racial or ethnic group. Racially and ethnically concentrated areas of poverty, or R/ECAPs, indicate areas with very high poverty rates (more than 40%) and a majority Non-White and/or Hispanic resident base.

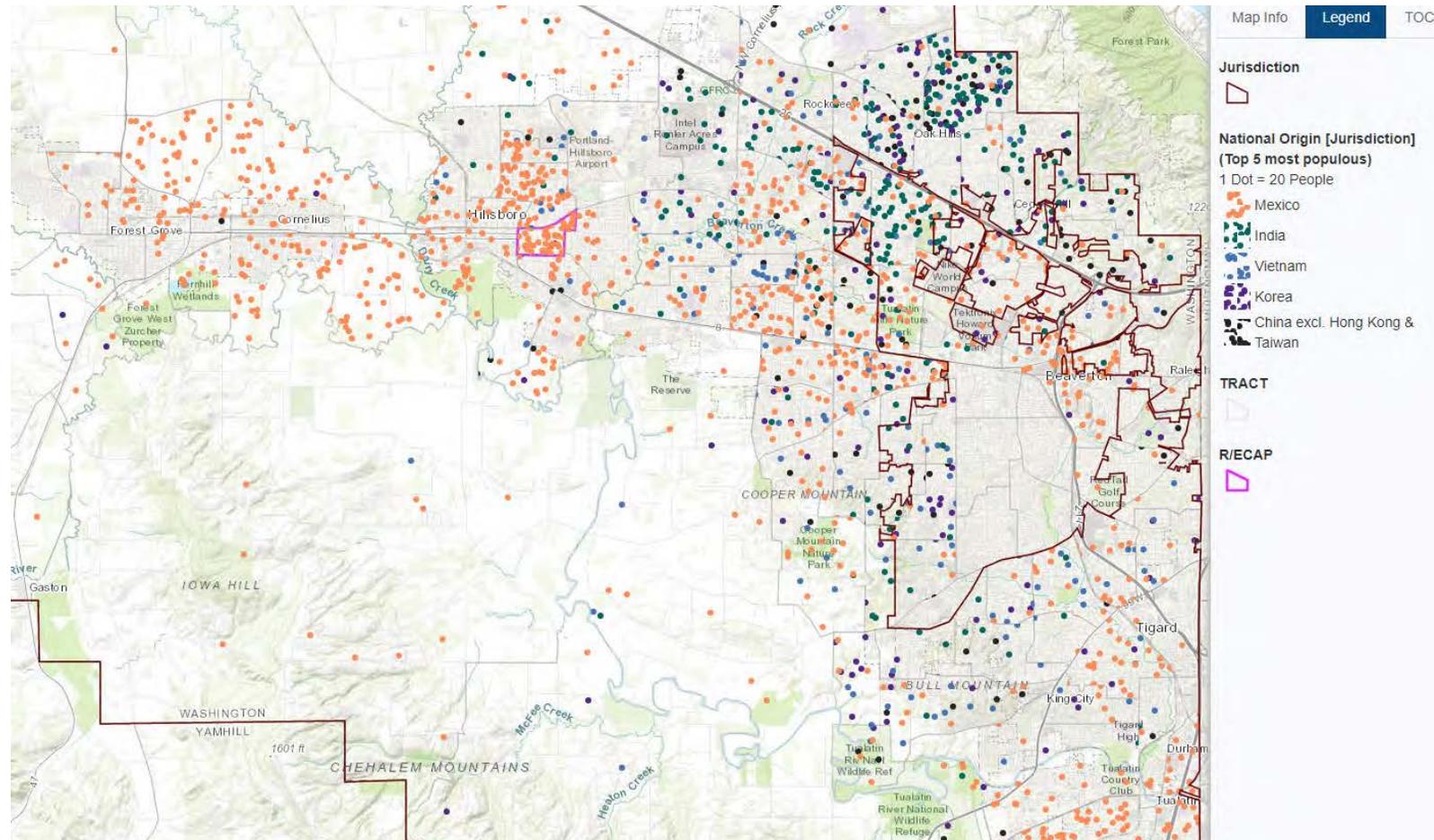
The map reveals that many neighborhoods reflect the diversity of the County overall; however, it also indicates a higher proportion of Hispanic residents live in Forest Grove, Cornelius, western Hillsboro, Aloha, and central Beaverton. Hispanic residents are also clustered in southern areas of the County, such as Tualatin.

There are higher concentrations of Asian/Pacific Islander residents in east Hillsboro and west Beaverton, as well as the north-eastern unincorporated urban places including Bethany and Oak Hills.

There is one R/ECAP in Washington County located in west central Hillsboro, which is home to predominately Hispanic residents.

Figure I-6 shows where cultural groupings exist within Washington County. Like the previous map, one dot represents 20 residents and each color represents a different national origin. Clusters of residents of Mexican origin are located north of Forest Grove and Cornelius, in west Hillsboro (and specifically in the one R/ECAP), and in north and central Beaverton. There are also clusters of residents of Indian origin north and south of Oak Hills.

Figure I-6.
National Origin Concentrations, Washington County



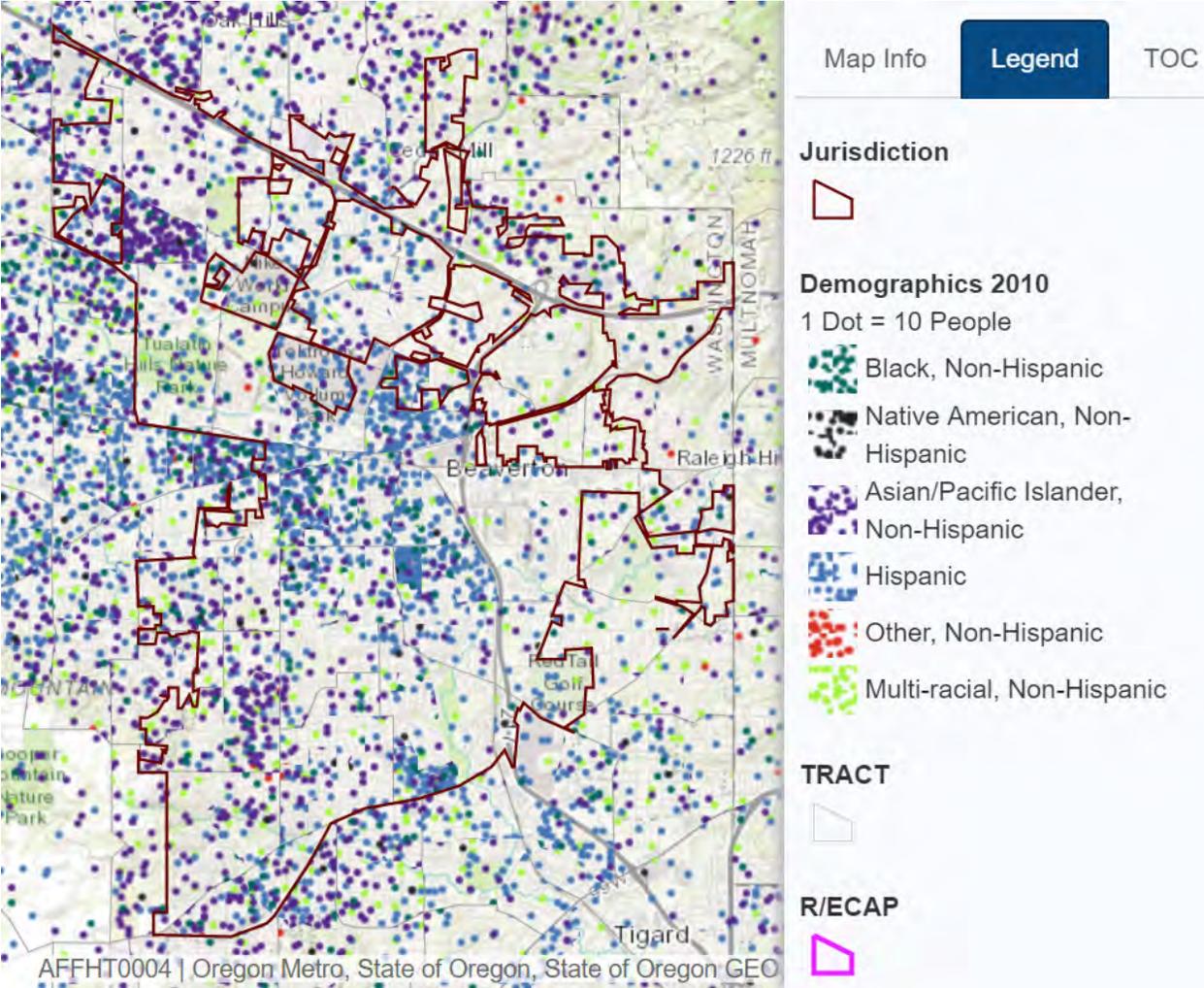
Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool—Version 4. <https://egis.hud.gov/affht/>.

The following map, figure I-7 provides detail of the racial/ethnic distribution of residents in Beaverton, focusing on Non-White and Hispanic residents. For this map, one dot represents 10 residents.

Beaverton’s racial and ethnic distribution is similar to the county overall, with a non-Hispanic White proportion of 65 percent (v. the county at 70%); a Hispanic population of 16 percent (same as the county overall); and an Asian population of 11 percent (v. 9% for the county).

The map reveals that many neighborhoods reflect the diversity of the city overall; however, it also indicates a higher proportion of Hispanic residents in the central parts of the city and Asian/Pacific Islander residents in the northwest.

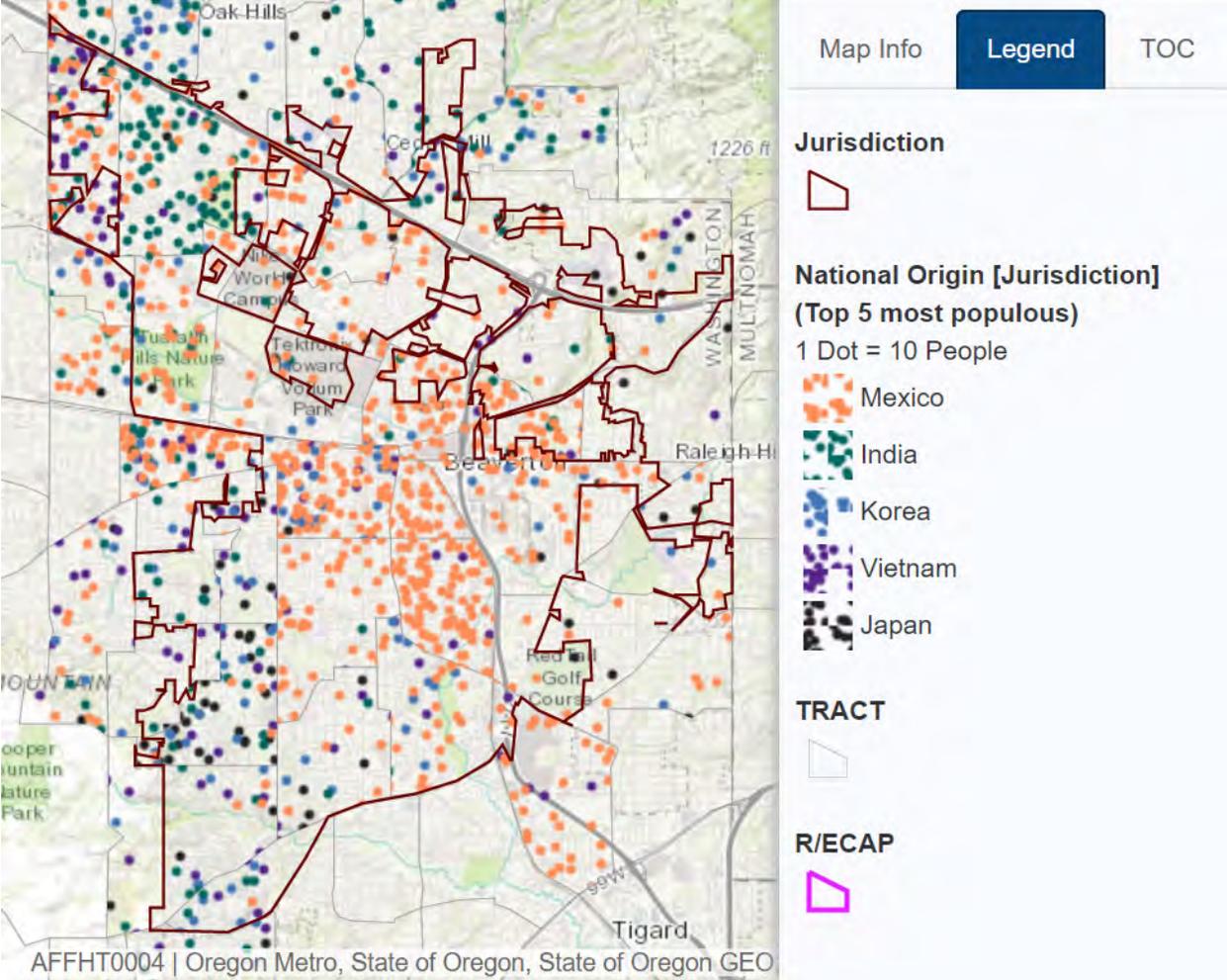
Figure I-7.
Racial and Ethnic Concentrations, Beaverton



Note: White, Non-Hispanic Households were removed to accurately view minority populations. No R/ECAPs exist in Beaverton.
Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool—Version 4. <https://egis.hud.gov/affht/>.

Figure I-8 shows where cultural groupings exist within Beaverton. Like the previous map, one dot represents 10 residents and each color represents a different national origin. Clusters of residents of Mexican origin are located in central Beaverton Census tracts and residents of Indian and Vietnamese origins are located in the northwest.

Figure I-8.
National Origin Concentrations, Beaverton



Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool—Version 4. <https://egis.hud.gov/affht/>.

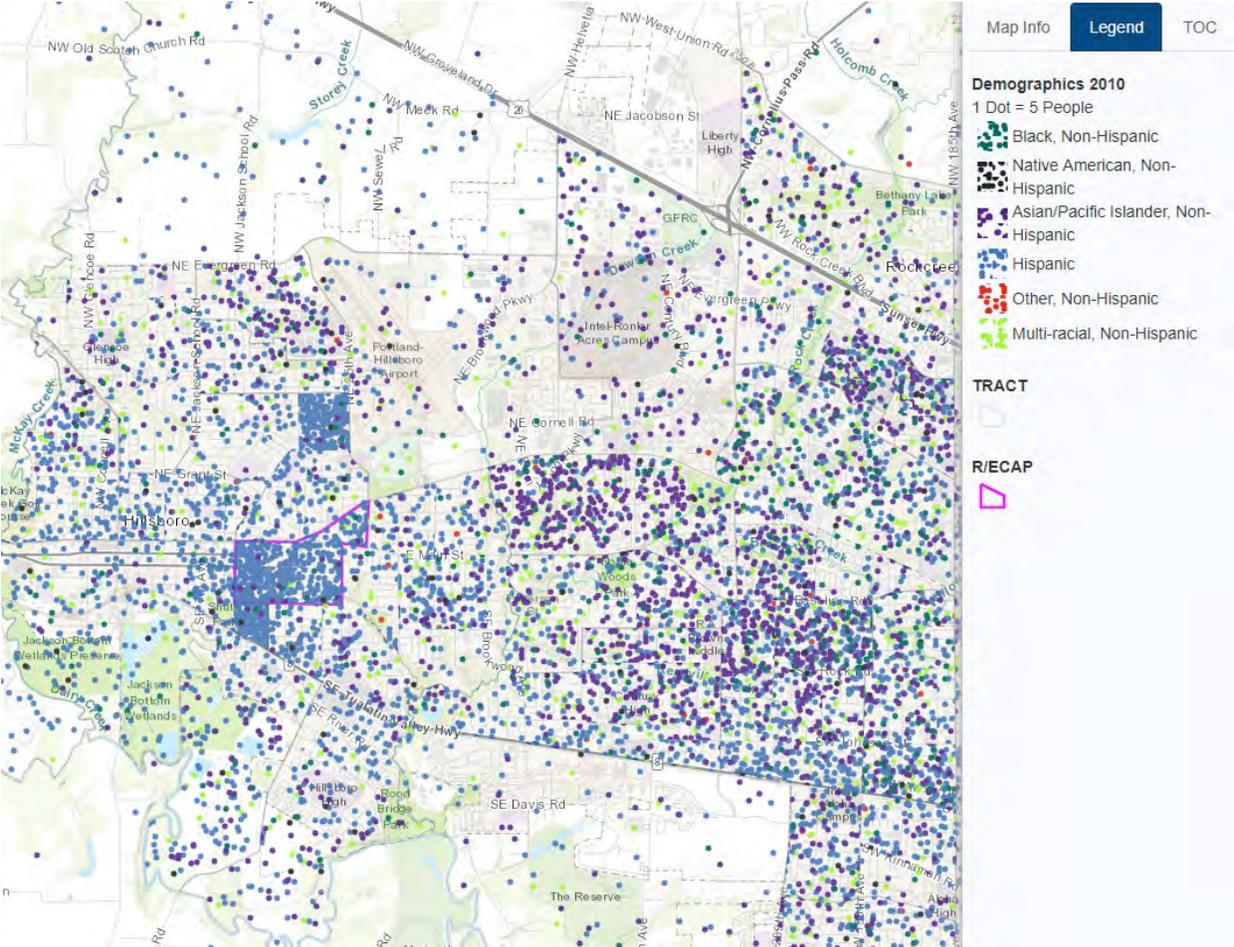
The following map, Figure I-9, provides detail of the racial/ethnic distribution of residents in Hillsboro, focusing on Non-White and Hispanic residents. In this map, one dot represents 5 residents.

Relative to the county overall, Hillsboro is diverse racially and ethnically, with a Hispanic population comprising 23 percent of all residents, an Asian population of 12 percent, and a non-Hispanic White population of 58 percent.

The map reveals that many neighborhoods reflect the diversity of the city overall; however, it also indicates a higher proportion of Hispanic residents in the west central parts of the city and

Asian/Pacific Islander residents in the east. Hillsboro has one Racial/Ethnic Concentrated Area of Poverty (R/ECAP), Census tract 0324.09, located in a west central part of the city—home to predominately Hispanic residents.

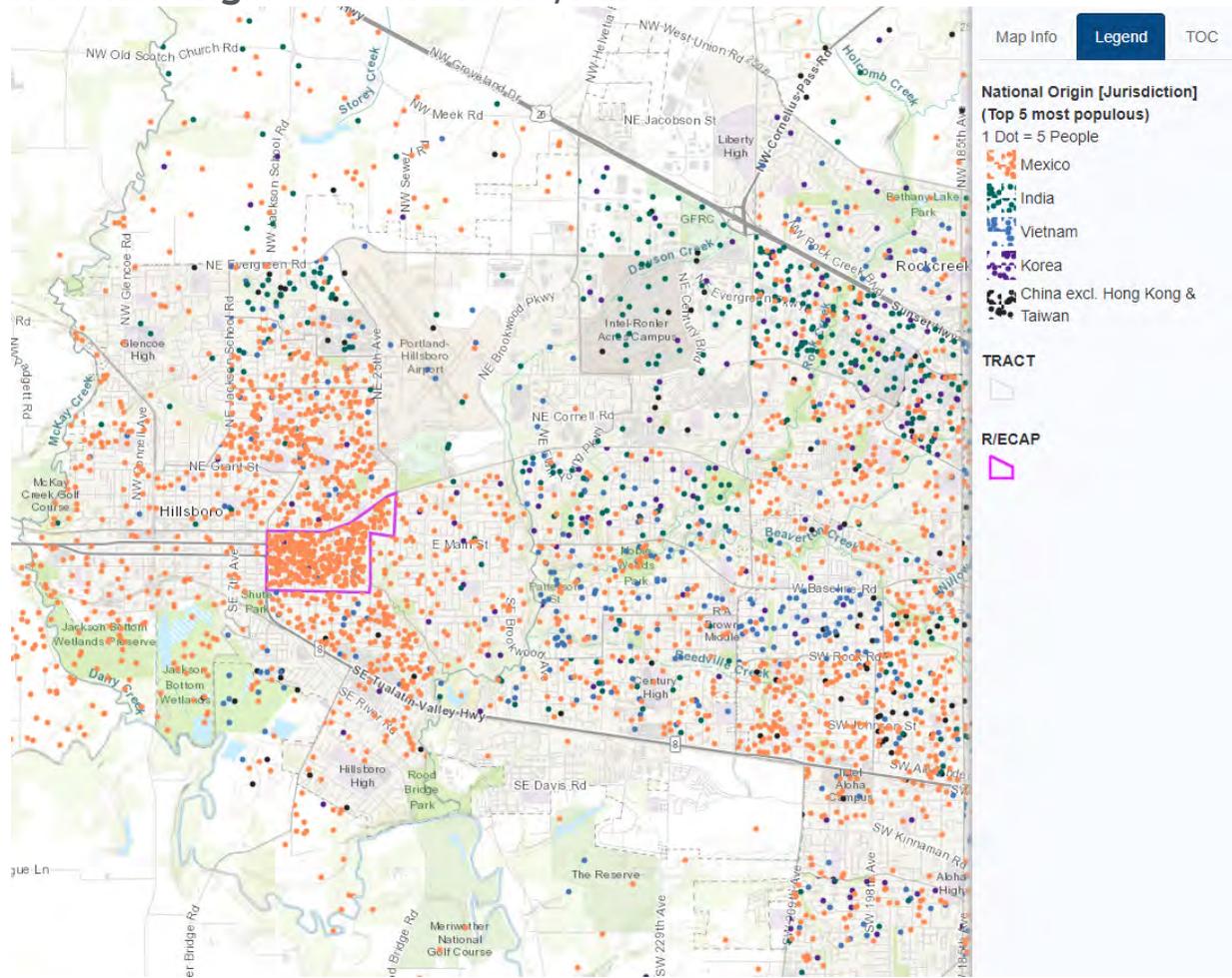
Figure I-9.
Racial and Ethnic Concentrations, Hillsboro



Note: White, Non-Hispanic Households were removed to accurately view minority populations.
Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool—Version 4. <https://egis.hud.gov/affht/>.

Figure I-10 shows where cultural groupings exist within Hillsboro. Like the previous map, one dot represents 5 residents and each color represents a different national origin. Clusters of residents of Mexican origin are located in west central Hillsboro Census tracts and residents of Indian origin are located in the northeast. The city's one R/ECAP, Census tract 0324.09, is home to residents with predominately Mexican origin. Of the 5,060 residents, 3,663 identify as Hispanic (72%).

Figure I-10.
National Origin Concentrations, Hillsboro



Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool—Version 4. <https://egis.hud.gov/affht/>.

Differences in ownership. Barriers in homeownership—particularly in fast-growing and high-demand markets—prevents wealth creation and widens economic gaps. Differences in ownership can also create disparities in access to high quality schools and other community amenities (e.g., recreational facilities and parks), because these are often funded by builders and homeowners’ associations as part of master development agreements and/or fees paid by owners.

Homeownership in Washington County is 61 percent overall. Comparing homeownership across geographies (Figure I-12) reveals that rates of homeownership are much higher in rural areas (up to 80% in unincorporated rural Washington County) than in urban cities, where ownership rates are around 55 percent.

As shown in Figure I-11, there are significant difference in homeownership rates among difference racial and ethnic groups. In Washington County overall, White residents and Asian residents have the highest rates of homeownership (63 percent) while Native Hawaiian/Pacific Islander and Hispanic residents have the lowest (34 percent and 37 percent respectively). Black/African American residents also have relatively low rates of homeownership (48 percent).

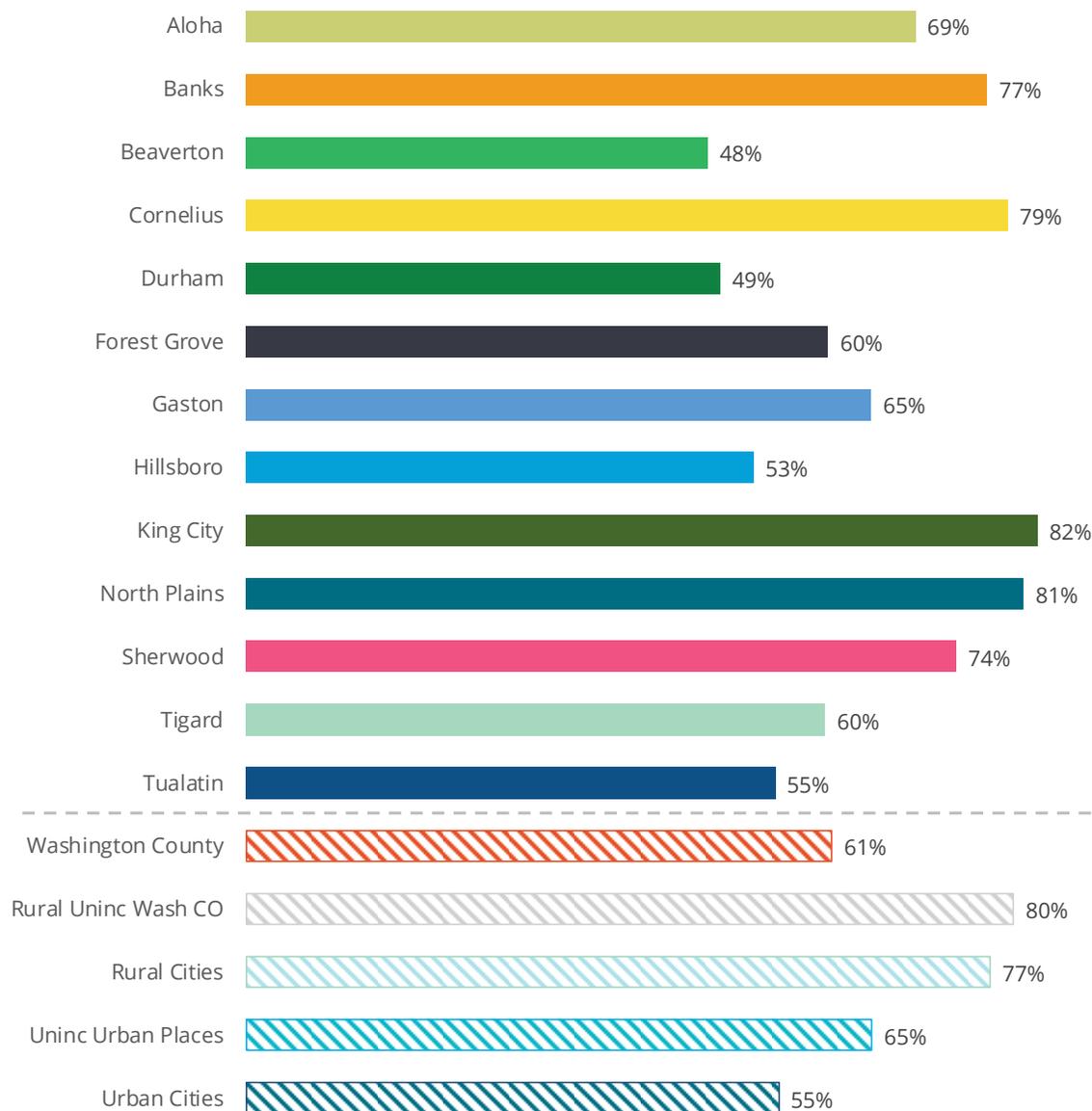
When comparing Hillsboro and Beaverton, the county’s largest two cities, racial and ethnic resident ownership rates are notably different. Black/African American households in Beaverton had a homeownership rate of 60 percent, compared to 38 percent in Hillsboro. Ownership rates are also higher in Beaverton for Asian and Native Hawaiian/Pacific Islander residents, while Hispanic residents and Native American residents in Hillsboro have higher ownership rates.

Figure I-11.
Homeownership Rates by Race and Ethnicity, 2017

	White	Black	Native American	Asian	Native Hawaiian/ Pacific Islander	Hispanic
Aloha	72%	59%	61%	74%	95%	48%
Banks	78%	100%	--	0%	--	67%
Beaverton	50%	60%	13%	50%	21%	20%
Cornelius	79%	100%	57%	100%	--	70%
Durham	56%	11%	0%	21%	0%	21%
Forest Grove	65%	48%	0%	34%	100%	54%
Gaston	64%	--	0%	100%	--	100%
Hillsboro	57%	38%	34%	42%	14%	33%
King City	82%	--	100%	100%	--	100%
North Plains	81%	--	100%	100%	--	100%
Sherwood	73%	--	47%	100%	100%	76%
Tigard	61%	43%	19%	72%	23%	29%
Tualatin	56%	18%	45%	71%	49%	18%
Washington County	63%	48%	41%	63%	34%	37%

Source: 2017 5-year ACS.

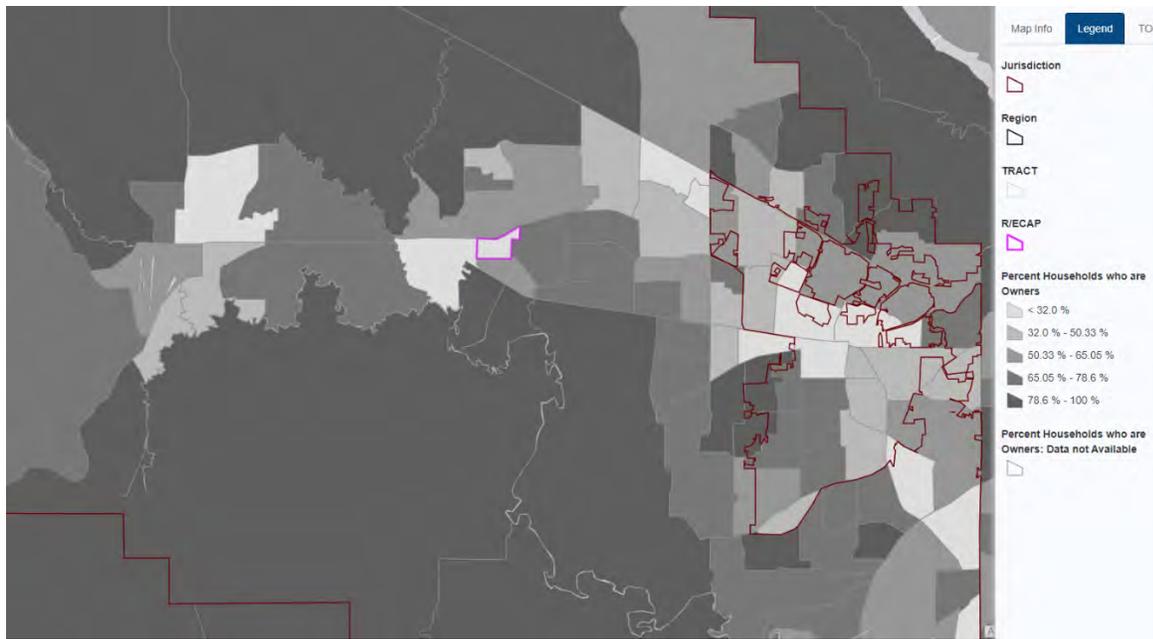
Figure I-12.
Homeownership Rates, 2017



Source: 2017 5-year ACS.

The map below shows the location of owner occupied housing in Washington County. The areas with the lowest ownership rates are some of the same areas in which Hispanic residents are most concentrated, notably in the R/ECAP in Hillsboro.

Figure I-13.
Washington County Ownership by Census Tract



Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool. <https://egis.hud.gov/affht/>.

Segregation/Integration

The Dissimilarity Index, or DI, is a common tool that measures segregation in a community. The DI is an index that measures the degree to which two distinct groups are evenly distributed across a geographic area, usually a county. DI values range from 0 to 100—where 0 is perfect integration and 100 is complete segregation. Dissimilarity index values between 0 and 39 generally indicate low segregation, values between 40 and 54 generally indicate moderate segregation, and values between 55 and 100 generally indicate a high level of segregation.

It is important to note that the DI that HUD provides uses White, Non-Hispanic residents as the primary comparison group. That is, all DI values compare a particular racial group’s distribution in the County against the distribution of White, non-Hispanic residents.

As shown in Figure I-14, Washington County communities have become increasingly segregated across each of the dissimilarity comparisons reported by HUD. These included non-White/White, Black/White, Hispanic/White, and Asian or Pacific Islander/White. This is likely related to the County’s growing diversity, as more diverse communities tend to have higher levels of segregation as measured by the DI.

Overall, according to the DI, Hispanic residents face the highest levels of segregation, followed by Asians and Pacific Islanders. This is true across all years. Notable is the large increase in the DI for African Americans after 2010; prior to 2010, the DI fluctuated little for African American residents.

The good news is that segregation remains “low” overall according to the DI—even given the increase in the measure.

Figure I-14.
Racial/Ethnic Dissimilarity Trends, Washington County, OR
1990, 2000, 2010, and Current

Race/Ethnic Dissimilarity Index	Washington County, OR CONSORTIA			
	1990 Trend	2000 Trend	2010 Trend	Current
Non-White/White	19.42	24.11	24.06	29.01
Black/White	21.42	21.96	23.48	31.49
Hispanic/White	34.80	37.46	35.35	39.31
Asian or Pacific Islander/White	28.57	29.12	28.27	33.67

Note: Refer to the Data Documentation for details (www.hudexchange.info).

Source: Decennial Census.

Compared to the region, Washington County's DI is much lower for African Americans. However, segregation for African Americans in the region declined significantly since 1990—from 63 to 48—while Washington County experienced an increase.

For residents of Hispanic descent, Washington County's DI is slightly higher than the region overall. Yet segregation has been more stable in the county than in the region, where Hispanic segregation grew between 1990 and 2000.

The DI is also higher for Asian residents in the region than in the county.

Figure I-15.
Racial/Ethnic Dissimilarity Trends,
Portland-Vancouver-Hillsboro, OR-WA Region
1990, 2000, 2010, and Current

Race/Ethnic Dissimilarity Index	(Portland-Vancouver-Hillsboro, OR-WA) Region			
	1990 Trend	2000 Trend	2010 Trend	Current
Non-White/White	28.76	27.82	27.20	31.79
Black/White	63.52	47.49	40.90	48.59
Hispanic/White	25.72	34.24	34.26	37.13
Asian or Pacific Islander/White	31.31	31.87	31.74	38.00

Note: Refer to the Data Documentation for details (www.hudexchange.info).

Source: Decennial Census.

Poverty

Poverty is a persistent issue in Washington County despite its relatively strong economy. The term “poverty” generally describes the economic condition of an individual or family who struggles to meet and maintain basic needs including adequate food, sanitation, clothing, housing, and health care. However, poverty also has an objective definition which the Census Bureau specifically defines based on income thresholds that vary based on family size and compositions. This definition does not vary based on geography which severely limits the poverty rates capacity to reflect how purchasing power may differ significantly across geographies. In expensive cities, therefore, poverty rates are lower than they might otherwise be based on their effective purchasing power and not the nationally established limit.

The overall poverty rate in Washington County is 10 percent, which is lower than both the Portland-Vancouver-Hillsboro metropolitan region (12%), and the country overall (15%). Figure I-16 below shows the poverty rate discrepancies among population groups in Washington County and the Portland-Vancouver-Hillsboro MSA. The table reveals that poverty disproportionately afflicts families with children and communities of color. In Washington County, children under the age of 18 have the highest poverty rate (14%).

Families with children have a poverty rate of 13 percent in Washington County. Black households and Native American households have significantly lower rates of poverty in Washington County compared to the MSA overall, while poverty rates for other race and Hispanic Households are high (between 22% and 24%) in Washington County and the MSA overall.

Figure I-16.
Poverty Rates, Washington County and Region, 2017

	Washington County		Portland MSA	
	#	%	#	%
Race/Ethnicity				
White alone	39,797	9%	208,227	11%
Black or African American alone	1,610	15%	19,334	29%
Native American	510	15%	3,972	23%
Asian alone	5,310	10%	18,752	13%
Native Hawaiian or Pacific Islander	333	15%	2,187	19%
Some other race alone	6,685	24%	17,931	24%
Two or more races	3,969	14%	17,682	16%
Hispanic	20,638	22%	62,795	23%
Sex				
Male	26,784	10%	132,143	11%
Female	31,430	11%	155,942	13%
Age				
Under 18	18,603	14%	80,643	16%
18-64	35,346	10%	182,071	12%
65+	4,265	6%	25,371	8%
Family Type				
Families with children	18,049	13%	77,224	15%

Source: 5 year ACS estimates, 2017

The 2017 “Washington County Issues of Poverty” report connected poverty to negative health and development outcomes. According to that research, physical and mental health are strongly correlated to income. Family financial challenges contributes to stresses that are known to have long term negative health affects. A 2016 Community Health Needs Assessment published by the Healthy Columbia Willamette Collaborative identified hypertension/high blood pressure, diabetes and depression as the most commonly diagnosed chronic conditions suffered by low income adults. These conditions are associated with chronic stress.

Poverty, however, impacts individuals throughout their entire life. Sadly, poverty can begin affecting health even before birth, as women who are low-income, unmarried or have less than a high school education are less likely to have had adequate prenatal care. Furthermore, maternal stress impacts long-term health outcomes for babies. According to the report, more than one in five babies born in Washington County lives in a family with income below the Federal poverty level, equivalent to \$25,000 per year for a family of four. Young children and teens in poverty-afflicted families face ongoing challenges included higher rates of absenteeism and higher likelihood of having their education disrupted by moving schools during the school year often due to lack of stable, affordable housing.

Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs)

A Racially Concentrated Area of Poverty or an Ethnically Concentrated Area of Poverty (R/ECAP) is a neighborhood with a poverty rate of 40 percent and a racial and ethnic concentration.

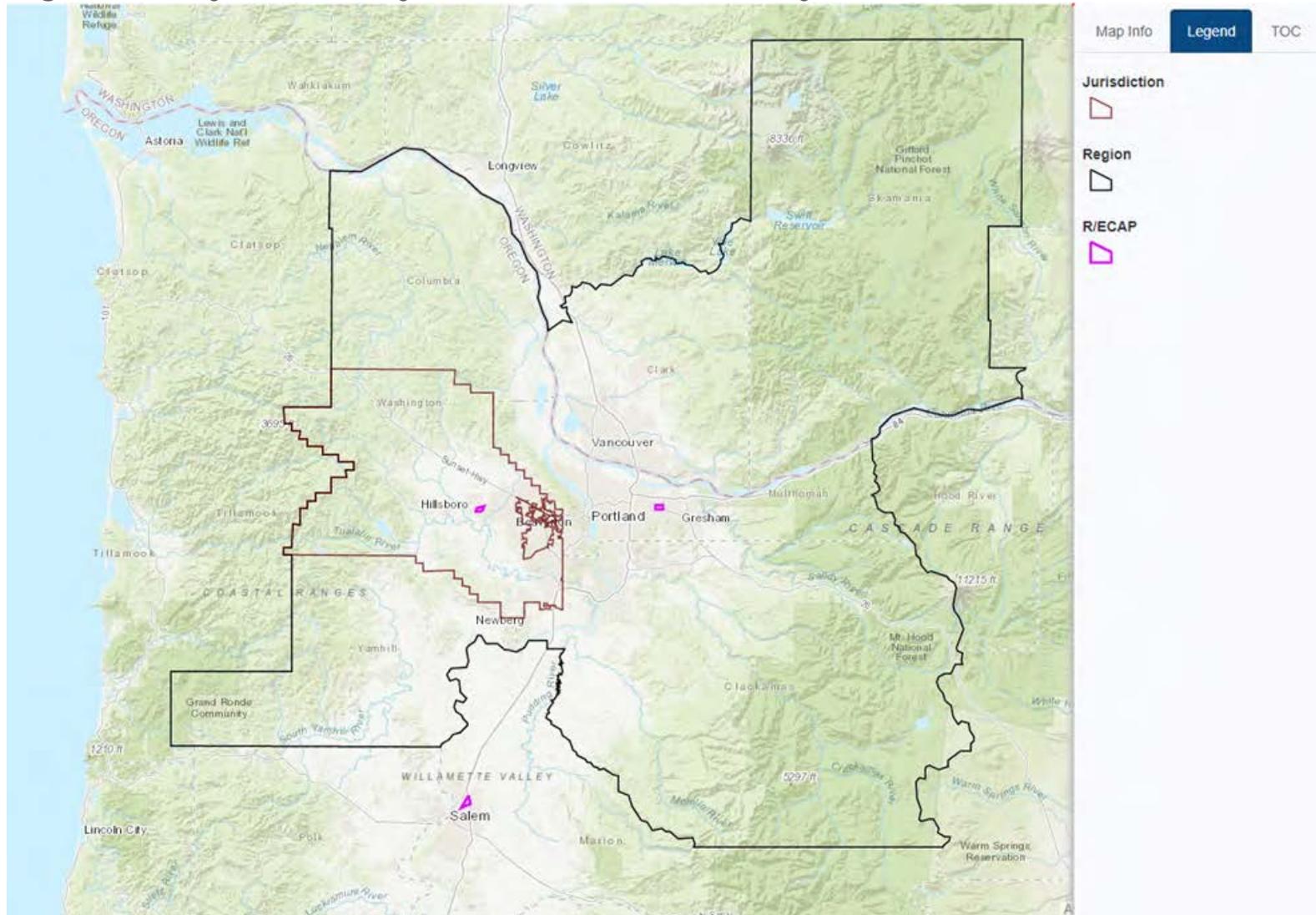
It is very important to note that R/ECAPs are not areas of focus because of racial and ethnic concentrations alone. This study recognizes that racial and ethnic clusters can be a part of fair housing choice if they occur in a non-discriminatory market. Rather, R/ECAPs are meant to identify areas where residents may have historically faced discrimination and continue to be challenged by limited economic opportunity.

HUD's definition of a Racially/Ethnically Concentrated Area of Poverty is:

- A census tract that has a non-white population of 50 percent or more (majority-minority) or, for non-urban areas, 20 percent, AND a poverty rate of 40 percent or more; OR
- A census tract that has a non-white population of 50 percent or more (majority-minority) AND the poverty rate is three times the average tract poverty rate for the County, whichever is lower.

As shown in the map below, there are only two R/ECAPs in the entire region (032409 and 009606). There is one R/ECAP in Washington County located in west central Hillsboro—home to predominately Hispanic residents. The other census tract is in Multnomah County in Gresham, OR near the eastern border with Portland.

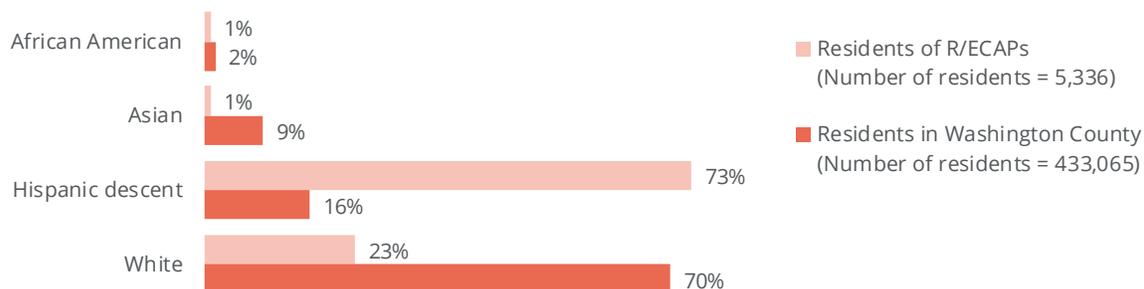
Figure I-17.
Regional Racially and Ethnically Concentrated Areas of Poverty



Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool—Version 4. <https://egis.hud.gov/affht>

The proportion of Hispanic residents with Washington County's R/ECAP is far higher than the proportion of total Hispanic residents in the County: overall, 16 percent of residents in Washington County are of Hispanic descent compared to 73 percent of residents in the County's only R/ECAP. White and Asian residents are under-represented in the R/ECAP.

Figure I-18.
Demographics of Residents Living in R/ECAPs in Washington County



Source: HUD AFFH Tables 1 and 4.

Contributing Factors of segregation and R/ECAPs. While correlation between race and ethnicity and income may contribute to concentrations of population groups in geographic areas due to the relative affordability of housing, this correlation is not sufficient to explain the contributing factors related to both concentration of racial and ethnic communities and concentrations of poverty. Factors contributing to such conditions may be significantly more complex and related to economic, social, and psychological factors as well as institutionalized prejudice within the society as a whole. As documented in the Coalition of Communities of Color research that supported the County's housing and fair housing work, racially and ethnically diverse residents in the County can perceive some communities as unwelcoming.¹ It is also true that access to neighborhoods may be prohibited by structural issues rooted in practices and policies that distribute wealth, income, and power unevenly.

Limited English Proficiency

An individual's or household's capacity to access and understand basic information related to housing and housing opportunities may be severely limited if that information is only provided in English and the individual or family lacks the capacity to read or speak English fluently. These households are considered "Limited or Low English Proficiency" (LEP) households by the Census Bureau. Overall, the percentage of households with low English proficiency in Washington County is 4 percent, slightly higher than the Portland-Vancouver-

¹ *Housing Justice in Washington County: Findings from Communities of Color*, September 2019.

Hillsboro MSA (3%). However, within certain languages, limited proficiency rates are significantly higher. Spanish and Asian/Pacific Island languages are the most commonly spoken in Washington County other than English; these languages constitute the primary language for 11 percent and 7 percent of the total households respectively. Within households where Spanish is the primary language spoken, 17 percent have limited English proficiency. Within households where Asian and Pacific Island languages are the primary language, 20 percent have limited English proficiency. Figure I-19 shows how English speaking capacity compares among households who speak a primary language other than English.

Figure I-19.
Limited English Proficiency (LEP) Households, Washington County and Region, 2017

Primary Language	Washington County				Portland MSA			
	Total		LEP		Total		LEP	
	#	%	#	%	#	%	#	%
All households	212,778	100%	8,562	4%	912,368	100%	29,757	3%
Spanish	22,394	11%	3,875	17%	69,197	8%	12,406	18%
Other Indo-European languages	10,993	5%	1,289	12%	43,230	5%	5,891	14%
Asian and Pacific Island languages	15,034	7%	3,026	20%	43,357	5%	9,836	23%
Other languages	2,216	1%	372	17%	7,878	1%	1,624	21%

Source: 5 year ACS Estimates, 2017

SECTION II.

DISPROPORTIONATE HOUSING NEEDS

SECTION II.

Disproportionate Housing Needs

The primary purpose of a disproportionate housing needs analysis is to identify how access to the housing market differs for members of protected classes—and to determine if such differences are related to discriminatory actions or effects. Section I., Demographic Patterns, introduced the historical factors that denied many people of color in the United States equal housing choice and limited their access to economic opportunity. This section furthers that discussion, focusing on the resulting inequities in housing choice today.

The section begins by defining housing needs and discussing how needs are identified and measured, with a focus on cost burden and homeownership. It then incorporates differences in housing need raised by residents who participated in community engagement. The community engagement findings draw from three sources—the report “Housing Justice in Washington County: Findings from Communities of Color” commissioned by Washington County and prepared by The Coalition of Communities of Color (CCC); an online survey of Washington County residents; and focus groups with youth and adults experiencing homelessness, residents with disabilities, seniors, and people serving time in Washington County Community Corrections. The section concludes with an analysis of publicly supported housing.

Defining Disproportionate Needs

There is no formal definition or mechanism to measure housing needs, much less disproportionate needs. In housing market studies, housing needs are typically measured by:

- Cost burden—when a household pays more than 30 percent of their income in housing costs including basic utilities and property taxes; and Severe cost burden—when a household pays more than 50 percent of their income in housing costs. This is also an indicator of eviction or foreclosure, and homelessness;
- Homeownership rates and access to mortgage loans; and
- The cost of housing (rents, purchase prices), typically relative to household income.

Our focus on disproportionate needs furthers that analysis by:

- Identifying the *differences* in the above housing needs indicators for residents of various protected classes;
- Examining additional factors that affect choice and further economic opportunity including placement of housing and neighborhood access; qualification criteria; and information about housing choices;

- Analyzing whom the private market serves, if the market is addressing housing needs of protected classes differently, and if discrimination is at play; and
- Assessing the effectiveness of housing solutions—affordable housing, public housing programs and policies, mortgage loans, location of housing—on protected classes with disproportionate needs.

Indicators of Disproportionate Needs

The housing needs tables that HUD developed for the Assessment of Fair Housing (AFH) template provide a good starting point for analyzing disproportionate housing needs. Following that framework, differences in cost burden and homeownership are discussed below, followed by differences in mortgage loan acquisition.

Differences in housing problems. Nearly two in five households in Beaverton and Washington County experience one or more housing problems and one in five experience severe housing problems. Figure II-1 presents the number of share of households with housing problems by race, ethnicity, and familial status. As shown:

- Nearly 60 percent of Hispanic households experience one or more housing problems, and this rate is consistent across jurisdictions. Hispanic households are also most likely to experience a severe housing problem.
- Half of large family households experience housing problems, and this share is consistent in both Beaverton and Washington County.
- Compared to the greater region, Black households living in Beaverton and Washington County are less likely to experience housing problems, but nearly two in five Black households in Beaverton and more than two in five in Washington County experience housing problems.
- Asian households and Native American households living in Beaverton are more likely than similar households in Washington County to experience housing problems.

Figure II-1.

Share of Households Experiencing Housing Problems (HUD Table 9) by Household Characteristics

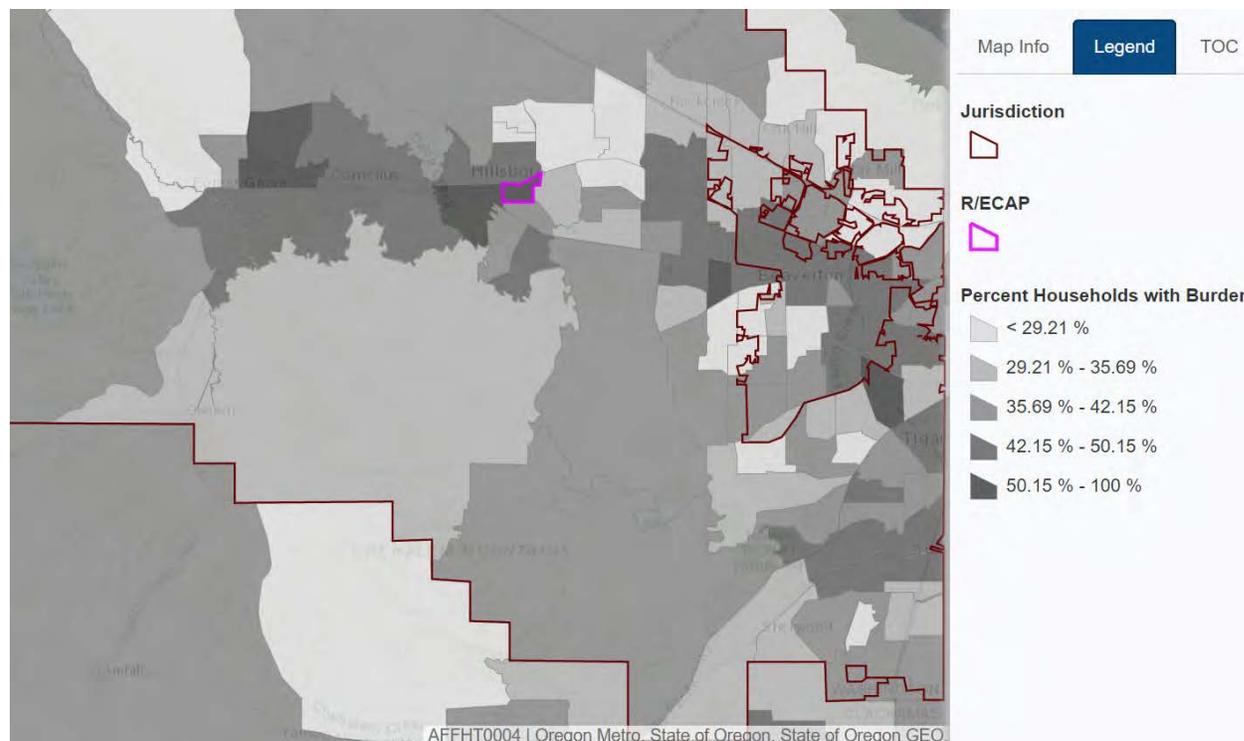
Households Experiencing any of 4 Housing Problems	Beaverton			Washington County			Washington County Consortia			Portland-Vancouver-Hillsboro Region		
	# with problems	# households	% with problems	# with problems	# households	% with problems	# with problems	# households	% with problems	# with problems	# households	% with problems
Race/Ethnicity												
White, Non-Hispanic	9,870	27,365	36%	44,522	128,435	35%	54,392	155,800	35%	264,630	716,335	37%
Black, Non-Hispanic	239	649	37%	1,169	2,582	45%	1,408	3,231	44%	12,474	22,425	56%
Hispanic	2,304	3,929	59%	9,412	16,270	58%	11,716	20,199	58%	35,897	62,142	58%
Asian or Pacific Islander, Non-Hispanic	1,614	3,839	42%	4,449	12,738	35%	6,063	16,577	37%	18,664	45,051	41%
Native American, Non-Hispanic	30	70	43%	161	707	23%	191	777	25%	2,279	4,848	47%
Other, Non-Hispanic	280	905	31%	1,269	3,137	40%	1,549	4,042	38%	8,418	19,863	42%
Total	14,345	36,760	39%	61,005	163,895	37%	75,350	200,655	38%	342,390	870,750	39%
Household Type and Size												
Family households, <5 people	6,350	19,235	33%	29,475	96,368	31%	35,825	115,603	31%	154,050	477,284	32%
Family households, 5+ people	1,345	2,635	51%	8,623	16,512	52%	9,968	19,147	52%	41,260	77,970	53%
Non-family households	6,645	14,880	45%	22,910	51,014	45%	29,555	65,894	45%	147,085	315,490	47%
Households Experiencing any of 4 Severe Housing Problems	# with problems	# households	% with problems	# with problems	# households	% with problems	# with problems	# households	% with problems	# with problems	# households	% with problems
Race/Ethnicity												
White, Non-Hispanic	4,400	27,365	16%	20,112	128,435	16%	24,512	155,800	16%	125,460	716,335	18%
Black, Non-Hispanic	120	649	18%	600	2,582	23%	720	3,231	22%	7,715	22,425	34%
Hispanic	1,520	3,929	39%	5,880	16,270	36%	7,400	20,199	36%	22,049	62,142	35%
Asian or Pacific Islander, Non-Hispanic	1,025	3,839	37%	2,039	12,738	16%	3,064	16,577	18%	9,803	45,051	22%
Native American, Non-Hispanic	15	70	21%	108	707	15%	123	777	16%	1,170	4,848	24%
Other, Non-Hispanic	210	905	23%	698	3,137	22%	908	4,042	22%	4,565	19,863	23%
Total	7,275	36,760	20%	29,440	163,895	18%	36,715	200,655	18%	170,780	870,750	20%

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

Source: HUD CHAS dataset. Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-datll-documentation).

Figure II-2 shows where the neighborhoods with the highest housing burdens are located. In general, housing burden varies dramatically by location. The highest rates of cost burden are found in the northern and central portions of the County, close to the county's one R/ECAP in Hillsboro. These areas align with where concentrations of Hispanic households, predominately of Mexican origin, reside.

Figure II-2.
Housing Problems, Washington County



Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool—Version 4. <https://egis.hud.gov/affht/>.

Differences in cost burden. Cost burden shows how well households can manage housing costs; severe cost burden (paying more than 50% of monthly gross income on a household rent or mortgage plus basic utilities) helps determine which households may be at-risk of losing their housing.

Figure II-3 shows cost burden by race and ethnicity for Washington County. Among White, Asian, and Native American¹ households, about 70 percent are not cost-burdened. This percentage drops for Black, Pacific Islander², and Hispanic households, who experience cost burden at a higher rate.

¹ American Indian / Alaskan Native households make up less than one percent of the total households.

² Pacific Islander households make up less than one percent of the total households.

**Figure II-3.
Cost Burden by Race and Ethnicity, Washington County, 2011 to 2015**

	Percent Not Cost Burdened (≤30%)	Percent Cost Burdened (30% to 50%)	Percent Severely Cost Burdened (>50%)
Washington County Overall	66%	19%	15%
White	68%	18%	14%
Black / African American	65%	21%	15%
Asian	71%	16%	13%
American Indian, Alaska Native	72%	18%	10%
Pacific Islander	51%	37%	12%
Hispanic	54%	24%	22%

Source: CHAS 2011-2015.

Figure II-4 presents a more detailed look at severe cost burden among households in Beaverton, Washington County, and the greater region. Overall, 15 percent of Washington County and Beaverton households (Consortia) experience severe cost burden, similar to that of households in the Portland-Vancouver-Hillsboro region (16%). Households with severe cost burden rates at least percentage points higher than the county average are:

- Hispanic households living in Beaverton (26%);
- Hispanic households living in Washington County (22%);
- Washington County non-family households (22%);
- Native American households living in Beaverton (21%);
- Black households living in Washington County (21%); and
- Beaverton non-family households (21%).

Compared to the region, African American households living in Washington County and Beaverton are less likely to be severely cost burdened.

Figure II-4.

Share of Households Experiencing Severe Cost Burden (HUD Table 10) by Household Characteristics

Households Experiencing any Severe Cost Burden	Beaverton			Washington County			Washington County Consortia			Portland-Vancouver-Hillsboro Region		
	# with severe cost burden	# households	% with severe cost burden	# with severe cost burden	# households	% with severe cost burden	# with severe cost burden	# households	% with severe cost burden	# with severe cost burden	# households	% with severe cost burden
Race/Ethnicity												
White, Non-Hispanic	3,905	27,365	14%	17,760	128,435	14%	21,665	155,800	14%	110,075	716,335	15%
Black, Non-Hispanic	120	649	18%	545	2,582	21%	665	3,231	21%	7,020	22,425	31%
Hispanic	1,035	3,929	26%	3,514	16,270	22%	4,549	20,199	23%	14,060	62,142	23%
Asian or Pacific Islander, Non-Hispanic	755	3,839	20%	1,624	12,738	13%	2,379	16,577	14%	7,513	45,051	17%
Native American, Non-Hispanic	15	70	21%	98	707	14%	113	777	15%	1,024	4,848	21%
Other, Non-Hispanic	180	905	20%	566	3,137	18%	746	4,042	18%	3,849	19,863	19%
Total	6,010	36,760	16%	24,107	163,895	15%	30,117	200,655	15%	143,541	870,750	16%
Household Type and Size												
Family households, <5 people	2,615	19,235	14%	10,881	96,368	11%	13,496	115,603	12%	60,998	477,284	13%
Family households, 5+ people	259	2,635	10%	1,839	16,512	11%	2,098	19,147	11%	9,823	77,970	13%
Non-family households	3,125	14,880	21%	11,326	51,014	22%	14,451	65,894	22%	72,728	315,490	23%

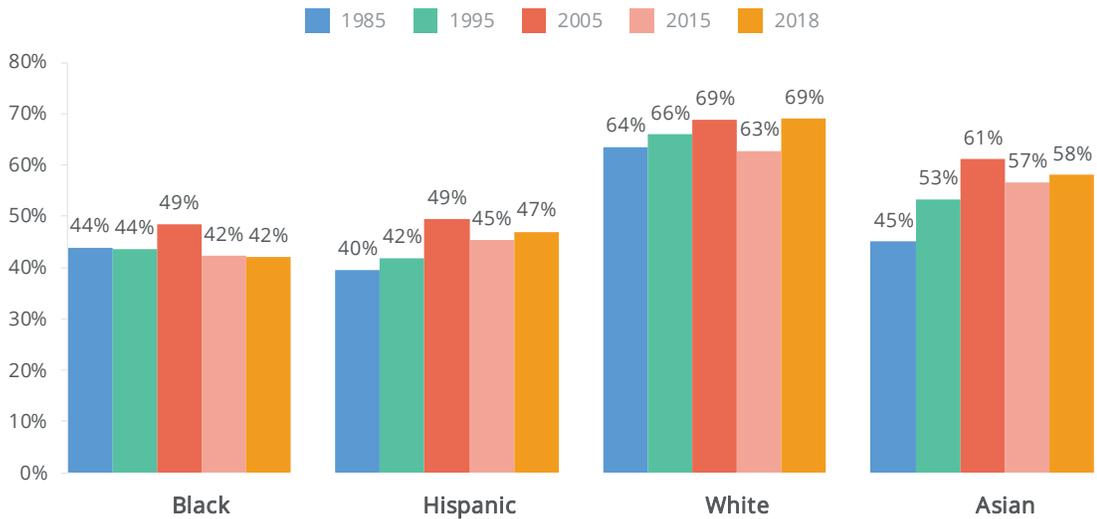
Note: Severe housing cost burden is defined as housing costs that are greater than 50 percent of income.

Source: HUD CHAS dataset. Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-dat11-documentation).

Differences in ownership. Barriers in homeownership—particularly in fast-growing and high-demand markets—prevents wealth creation and widens economic gaps. Differences in ownership can also create disparities in access to high quality schools and other community amenities (e.g., recreational facilities and parks), because these are often funded by builders and homeowners’ associations as part of master development agreements and/or fees paid by owners.

Figure II-5 shows trends in ownership by race and ethnicity in the U.S from 1985 to 2018. While homeownership rates of Asian and Hispanic households have nearly reached pre-Great Recession levels, nationally, African American homeownership rates have not recovered, and are slightly lower than they were in 1985 (42% in 2018 v. 44% in 1985).

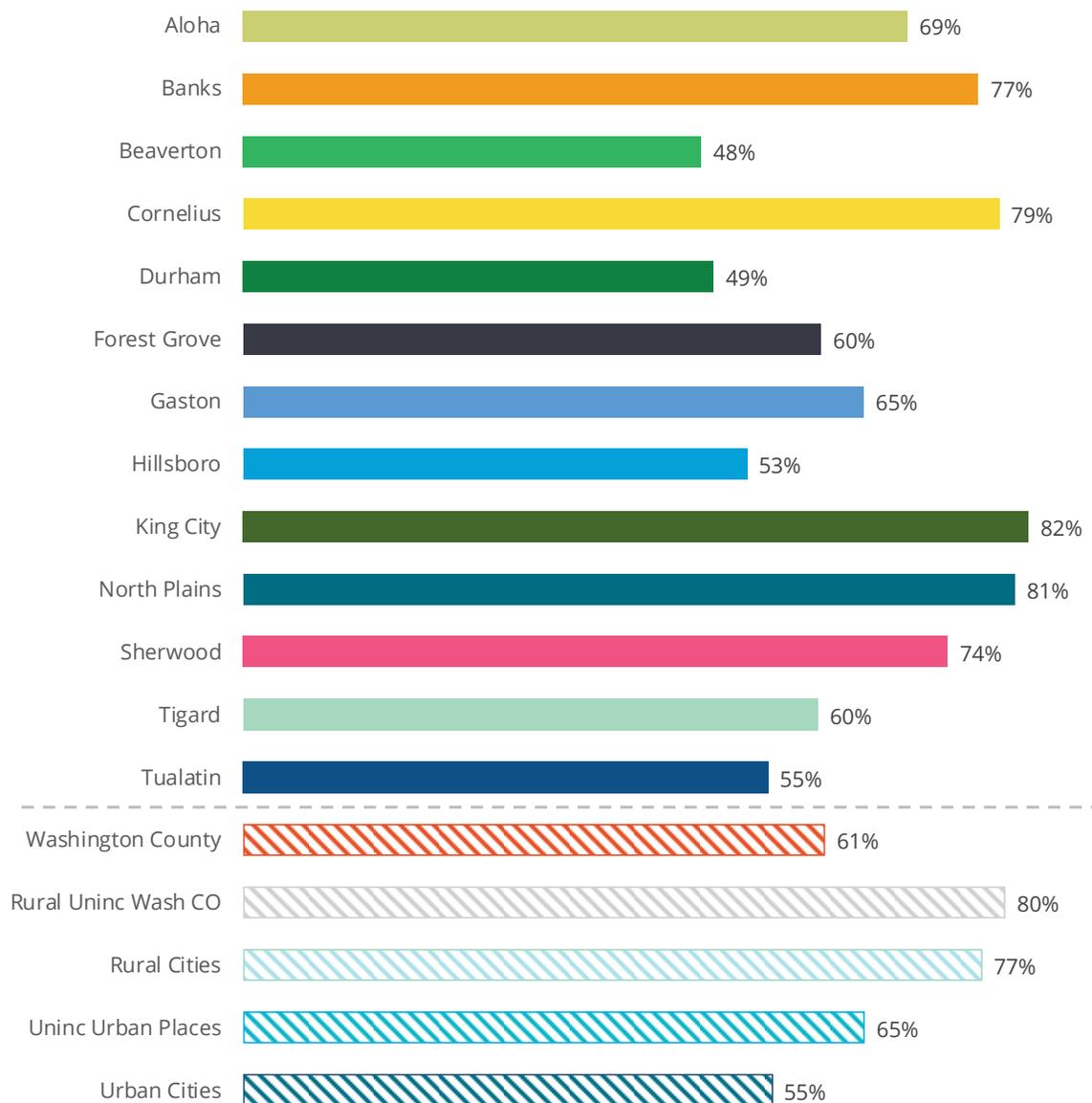
Figure II-5.
Homeownership Trends by Race and Ethnicity, U.S., 1985 to 2018



Source: *Homeownership and the American Dream*, Journal of Economic Perspectives, Winter 2018 and U.S. Census Bureau, Current Population Survey/Housing Vacancy Survey, April 4, 2019.

Homeownership in Washington County is 61 percent overall. Comparing homeownership across geographies (Figure II-6) reveals that rates of homeownership are much higher in rural areas (up to 80% in unincorporated rural Washington County) than in urban cities, where ownership rates are around 55 percent.

**Figure II-6.
Homeownership Rates, 2017**



Source: 2017 5-year ACS.

As shown in Figure II-7, there are significant differences in homeownership rates by race and ethnicity. In Washington County overall, White residents and Asian residents have the highest rates of homeownership (63 percent) while Native Hawaiian/Pacific Islander and Hispanic residents have the lowest (34 percent and 37 percent respectively). Black/African American residents also have relatively low rates of homeownership (48 percent).

- Compared to the US average, Hispanic households living in Washington County are *less likely* to be homeowners, while African American households are *slightly more likely* to be homeowners than African American households nationally.

- Asian households in Washington County are *more likely* than Asian households nationally to be homeowners, and Non-Hispanic White households are *less likely* to be homeowners in Washington County than found nationally.

When comparing Hillsboro and Beaverton, the county’s largest two cities, racial and ethnic resident ownership rates are notably different. Black/African American households in Beaverton had a homeownership rate of 60 percent, compared to 38 percent in Hillsboro. Ownership rates are also higher in Beaverton for Asian and Native Hawaiian/Pacific Islander residents, while Hispanic residents and Native American residents in Hillsboro have higher ownership rates.

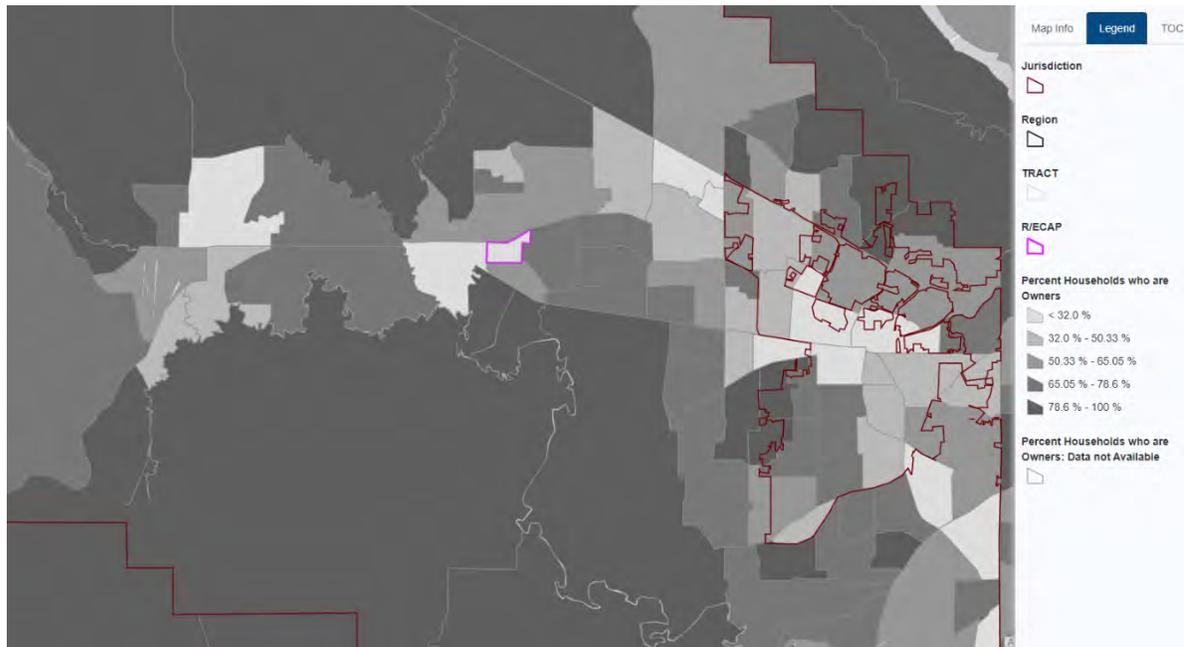
Figure II-7.
Homeownership Rates by Race and Ethnicity, 2017

	White	Black	Native American	Asian	Native Hawaiian/ Pacific Islander	Hispanic
Aloha	72%	59%	61%	74%	95%	48%
Banks	78%	100%	--	0%	--	67%
Beaverton	50%	60%	13%	50%	21%	20%
Cornelius	79%	100%	57%	100%	--	70%
Durham	56%	11%	0%	21%	0%	21%
Forest Grove	65%	48%	0%	34%	100%	54%
Gaston	64%	--	0%	100%	--	100%
Hillsboro	57%	38%	34%	42%	14%	33%
King City	82%	--	100%	100%	--	100%
North Plains	81%	--	100%	100%	--	100%
Sherwood	73%	--	47%	100%	100%	76%
Tigard	61%	43%	19%	72%	23%	29%
Tualatin	56%	18%	45%	71%	49%	18%
Washington County	63%	48%	41%	63%	34%	37%

Source: 2017 5-year ACS.

The map below shows the location of owner occupied housing in Washington County. The areas with the lowest ownership rates are some of the same areas in which Hispanic residents are most concentrated, notably in the R/ECAP in Hillsboro.

Figure II-8.
Washington County Ownership by Census Tract



Note: xxx.

Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool. <https://egis.hud.gov/affht/>

Differences in access to credit. Two federal laws regulate fairness in lending. The FFHA prevents discrimination in residential real estate transactions, including mortgage loans.³ The Equal Credit Opportunity Act (ECOA), which was enacted in 1974, forbids discrimination in all credit transactions and covers the protected classes of race, color, religion, national origin, sex, marital status (not covered by the FFHA; the FFHA uses familial status), age, and income from public assistance (also not covered by the FFHA). Section V. Fair Lending Analysis, explores differences in mortgage lending outcomes in detail.

Differences in Housing Needs Reported by Residents

Residents participating in the community engagement processes conducted in support of the Consolidated Plan and this AI shared their perspectives on differences in housing needs.

Barriers to homeownership. The most common barriers to homeownership experienced by participants in the CCC focus groups include lack of or poor credit history and discrimination in home lending practices. A lack of credit history is typical among new

³ Mortgage lending is covered in the FFHA through the prohibition of discrimination in “residential real estate transactions,” which includes making loans for home purchases.

immigrants, and complicated if the individual is undocumented.⁴ Members of the Muslim Community shared the difficulties they encounter when trying to buy a home due to a lack of Sharia-compliant lending options or difficulties associated with cash purchases.

- *“But when you arrive in that country (Australia or Canada), the minute you arrive you are told exactly what you need to do to start your life. We don't have that here. They are left on their own. And they don't have credit score. So if you have come because your friend/relative is living here, then the friend or relative will have to literally put their credit score down to find an apartment, which is exactly what this lady has done to the two sets of families because they don't have credit score.” (CCC focus group participant, p. 17)*
- *“One result of me wanting to refinance the house, I want to lower the rent I'm paying. All my credit cards should not be above 50%. Everything to be perfect one hundred percent. Instead of putting you out of debt, out of the situation you are in, they push you inside to sink. Make it harder for you so you can lose that house. You're a person who is drowning. Instead of pulling you out of the river, they add more load on you so you die.” (CCC focus group participant, p. 18)*
- *“It is difficult as a Muslim to buy a house because we have to sign interest.” (Muslim Community focus group participant, p. 43)*
- *“And many of us who come from outside the countries are used to paying cash for homes. Here we want to pay cash and we don't do interest; it is a foreign concept for us to get our home. We say we don't want to do interest. And it took a long time before to get out because of the interest issue.” (Muslim Community focus group participant, p. 43)*

Barriers to securing rental housing. Lack of employment history or low wages are barriers to securing rental housing, due to income or rent readiness requirements. In focus groups with members of the Latino Community, difficulties associated with being undocumented or not having access to required documents leads to being denied housing to rent and impedes their ability to build credit.⁵

“Well for me I would say that if I am earning minimum wage or I am unemployed at the time that I'm looking for housing I would not qualify. Because I would not have all the requirements that they are asking as far as check stubs, as far as the amount.” (CCC focus group participant, p. 17)

⁴ “Housing Justice in Washington County: Findings from Communities of Color”, p. 17.

⁵ Ibid p. 30.

"We don't qualify because of income because of the requirements that they are asking us, and we do not have them on hand. And we are concerned about what to do." (Latino Community focus group, p. 30)

Application fees and deposits also pose a significant expense, and was raised as a barrier across communities of color focus groups shared that these fees can comprise a significant amount of household income, making it difficult to make ends meet.⁶

Family size. CCC focus group participants with large families shared the difficulties they experience trying to buy or rent housing that is suitable for their family's size as well as housing units that are large and culturally appropriate for multigenerational living. One of CCC's Housing Justice Calls to Action specifically addresses this issue: "Affordable housing must be directed to culturally specific needs of communities of color with larger units, and units with accessory or in-laws suite."⁷

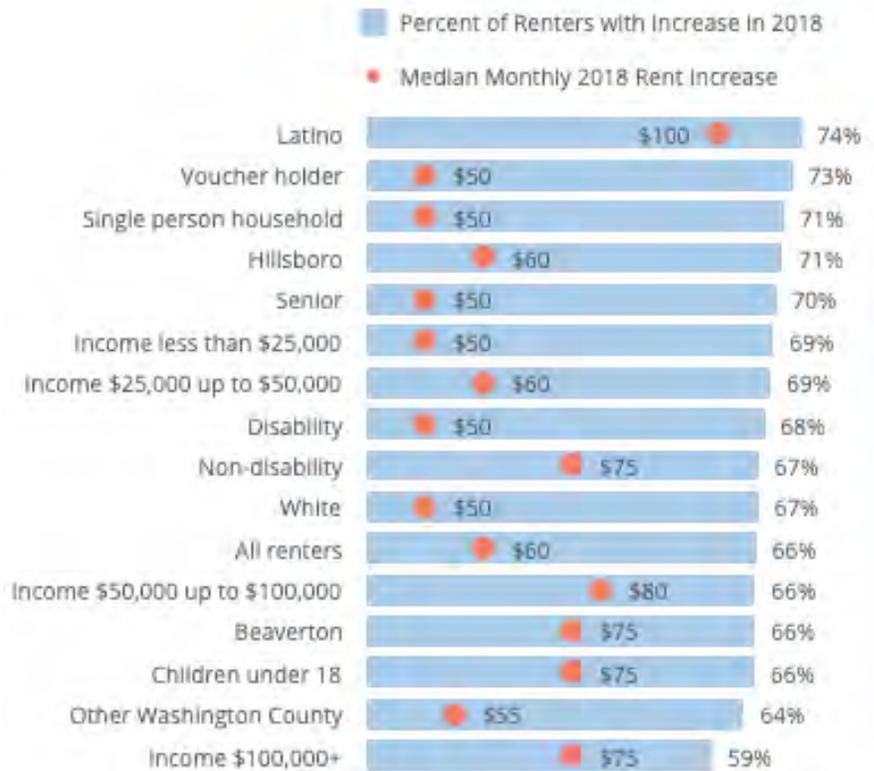
- *"When they see your family size. I had a family live with me for six months. They moved from California and they have six kids, and then I cannot ask them to leave. They have section 8. They live with me. We look everywhere, everywhere, everywhere. No. No. No." (Muslim Community focus group participant, p. 43)*

Rent increases. As shown in Figure II-9, two-thirds of renters participating in the 2019 survey experienced a rent increase in 2018, and the median monthly increase was \$60. Three out of four Latino renters reported a rent increase and the median monthly increase was \$100. About the same proportion of voucher holders (73%) had rent increase, but the median monthly increase was \$50, slightly less than the median rent increase of all renters.

⁶ Ibid p. 31

⁷ Ibid p. 47

**Figure II-9.
Percent of Renters with Rent Increase in 2018 and Median Rent Increase, by Jurisdiction and Selected Characteristics**



Note:

Sample sizes of Asian, African American, and Native American residents with a 2018 rent increase is too small to report.

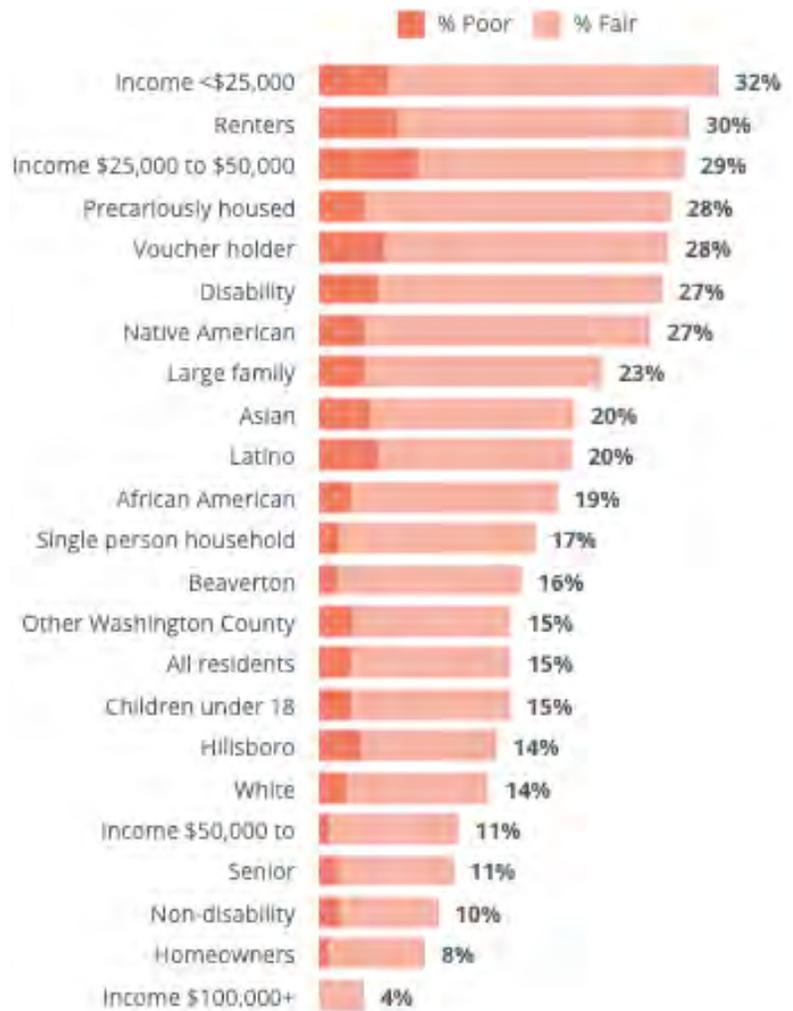
Source:

Root Policy Research from the 2019 Washington County Resident Survey.

Housing condition. When asked to rate the condition of their home, most survey respondents consider it to be in excellent (41%) or good (44%) condition. In general, homeowners are more likely to rate their home’s condition to be excellent than renters. Figure II-10 presents the share of residents who consider their home to be in fair or poor condition, by jurisdiction and respondent characteristic. As shown, more than one in four low and moderate income households, renters, those who are precariously housed, voucher holders, households that include a member with a disability, and Native American respondents consider their home to be in fair or poor condition. High income households, homeowners, households that do not include a member with a disability, and seniors are much less likely to identify their home as being in fair or poor condition. The share of residents rating their home in fair or poor condition is very similar among the jurisdictions, about 15 percent of respondents from each.

Figure II-10.
Housing Condition,
Jurisdiction and Selected
Characteristics

Source:
 Root Policy Research from the 2019
 Washington County Resident Survey.



Displacement experience. Overall, 12 percent of survey respondents report experiencing displacement from a home in Washington County in the past five years. Figures II-11 and II-12 present the share of respondents displaced and the share of those respondents who attribute their displacement experience to: “rent increased more than I could pay,” “landlord selling the house,” “eviction due to being behind on the rent,” and “eviction for no reason”. Rent increases and the landlord selling the home are the most frequently cited reasons for displacement. Eviction plays a smaller role, but its prevalence varies by jurisdiction.

As shown in Figure II-11, current renters are much more likely to have experienced displacement than current homeowners, and low and moderate income households are more likely than higher income households to have experienced displacement.

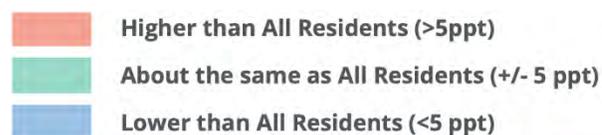
African American respondents, Latino respondents, households that include a member with a disability, and large families all experienced higher rates of displacement than the average survey respondent.

Participants in the CCC Latino Community focus groups identified the rising costs of housing and gentrification as a significant barrier to housing.⁸ Many discussed the loss of historically strong Latino communities in Washington County resulting from gentrification and displacement.

"I'm kind of mad because I've seen my neighbors be replaced like my neighbors have had to move away and every time we talk to them it's not because they want to its like oh yea the rent just got higher and the people said they found someone else who is willing to pay more so now we have to go." (Latino Community focus group participant, p. 33)

⁸ "Housing Justice in Washington County: Findings from Communities of Color", p. 31.

Figure II-11.
Displacement Experience and Reasons for Displacement by Jurisdiction,
Housing Situation, and Household Income



	Percent Displaced	Reason for Displacement			
		Rent Increased More than I Could Pay	Landlord Selling Home	Evicted (behind on rent)	Evicted (for no reason)
All Residents	12%	29%	16%	4%	5%
Jurisdiction					
Beaverton	13%	29%	15%	10%	3%
Hillsboro	14%	35%	14%	4%	0%
Other Washington County	11%	27%	17%	8%	2%
Tenure					
Homeowners	4%	32%	15%	0%	4%
Renters	26%	30%	17%	4%	5%
Precariously housed	39%	-	-	-	-
Voucher holders	23%	-	-	-	-
Household income					
Less than \$25,000	22%	20%	14%	9%	7%
\$25,000 up to \$50,000	24%	29%	18%	5%	6%
\$50,000 up to \$100,000	11%	43%	8%	2%	4%
\$100,000 or more	4%	-	-	-	-

Note: Displacement did not necessarily occur within current community of residence. The respondents' current housing situation (i.e., homeowner) may be a different type of housing situation than when displacement occurred.
 - indicates sample size too small to report.

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Figure II-12.
Displacement Experience and Reasons for Displacement by Selected Characteristics

	Percent Displaced	Reason for Displacement			
		Rent Increased More than I Could Pay	Landlord Selling Home	Evicted (behind on rent)	Evicted (for no reason)
All Residents	12%	29%	16%	4%	5%
Race/ethnicity					
African American	24%	-	-	-	-
Asian	16%	-	-	-	-
Latino	28%	32%	8%	5%	3%
Native American	17%	-	-	-	-
White	10%	28%	17%	3%	6%
Disability					
	20%	29%	17%	5%	5%
Children under 18					
	17%	31%	16%	7%	2%
Large family					
	20%	-	-	-	-
Seniors					
	4%	-	-	-	-

Note: Displacement did not necessarily occur within current community of residence. The respondents' current housing situation (i.e., homeowner) may be a different type of housing situation than when displacement occurred.
 - indicates sample size too small to report.

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Experience with housing discrimination. Overall, 8 percent of survey respondents felt that they or a household member felt discriminated against when they looked for housing in Washington County. As shown in Figure II-13, voucher holders were most likely to believe they experienced housing discrimination, followed by residents of any type of publicly assisted housing, and low income respondents. Latino, African American, and Native American respondents and renters overall are twice as likely to say they experienced housing discrimination than the average respondent.

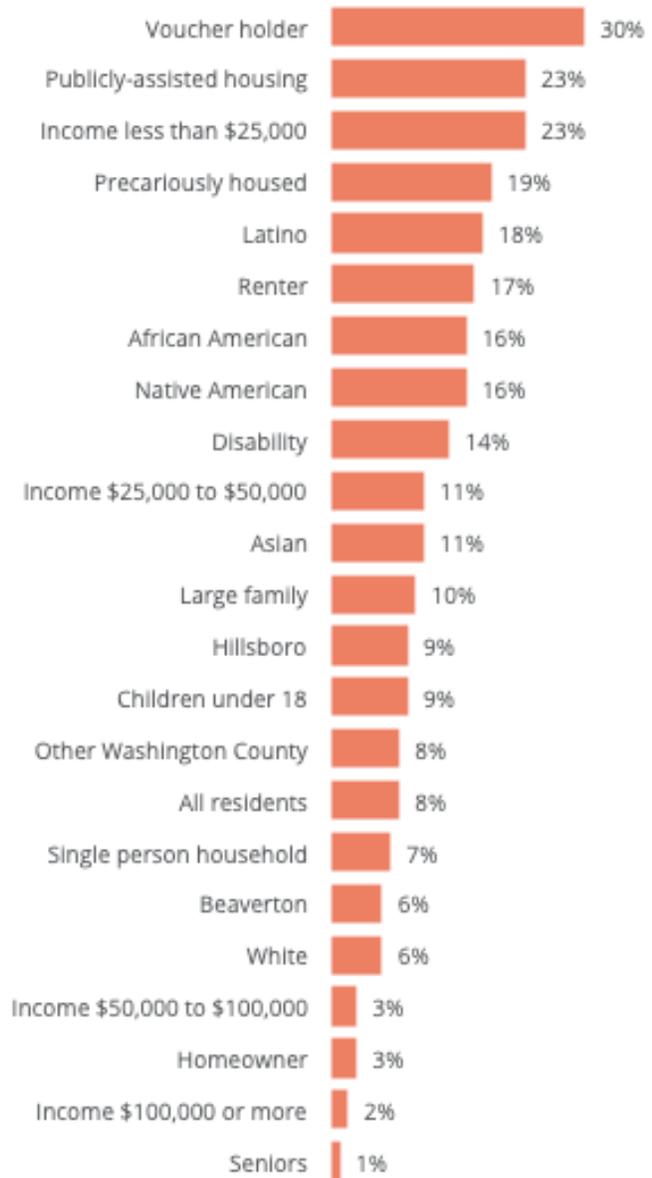
Figure II-13.
When you looked for housing in any part of Washington County, did you or a member of your household feel discriminated against?

Note:

Experience with housing discrimination occurred in the region, but not necessarily in the place of current residence.

Source:

Root Policy Research from the 2019 Washington County Resident Survey.



When asked to describe why they thought they were discriminated against, these reasons include:

- Age (34%);
- Income/low income/class (34%);
- Section 8/housing voucher (21%);
- Race or ethnicity (19%);
- Familial status/having children/large family (18%);

- Looks or appearance (14%);
- Disability (11%);
- Criminal history (10%);
- Past eviction/foreclosure (8%);
- National origin (6%);
- Sex or gender (4%); and
- Sexual orientation/gender identity/LGBTQ (3%).

Participants in CCC focus groups described their experience with discrimination in housing. Examples include:

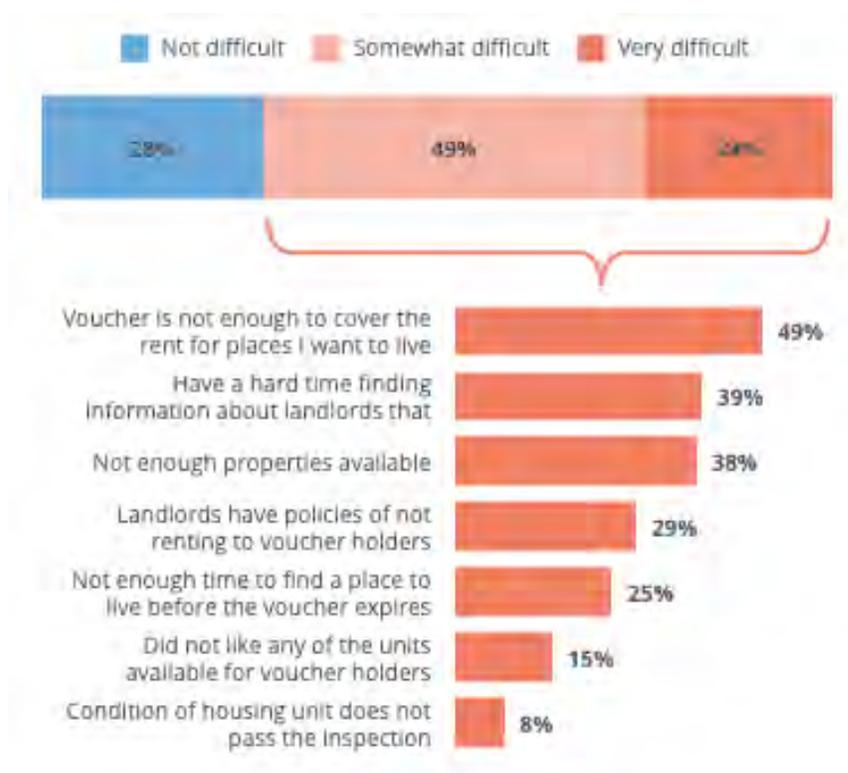
- *"I had a neighbor that I once overheard saying oh my God they're playing that music again. And it's just like, it's just like what is that music mean?... you don't even feel comfortable enough to in your property you know. To just play your music... You know and just little things like that were like oh wow that makes a difference." (Latino Community focus group participant, p. 34)*
- *"Well my husband called and he asked if it was available and they said yes that it was a very small house and the rent was okay. So, they gave us an appointment so we could go for the application and fill it out. And when we got there it was an older couple Anglo-Saxon and they looked at us and saw that we were Hispanic, and they told us no that it was already rented. So, then we left, and we called again but it was a niece is the one that called and asked she was born here and they said yes it was available for her but not for us." (Latino Community focus group participant, p. 34)*
- *"Well, this happened not only to me but other community members ... the owner of the housing wanted to evict all the Somali community that lives there that are low income. So what they did is -- for me, I'm not home all the time. I leave in the morning and come back nighttime. And my kids are not there. And I was surprised to receive two letters of complaining that I make noises and I don't respect my neighbor. At the same time, my other three neighbors receive the same thing complaining. If you receive a third one, we're going to evict you. So that was like a really huge discrimination... only Somali community receiving that letter." (Muslim Community focus group participant, p. 42-43)*
- *"So just walking into some, you know, when I was looking for an apartment, some complex when I'm walking in, you know, they're shocked to see me walking in. Like, they're not welcoming. They're more like, yes, can I help you? Are you lost? Why are you here to apply? They're not expecting me to apply. And so I tell them I'm here to*

see if you have places available. So they're shocked. And they're -- so they -- I can just feel they didn't want to help me.” (Native Hawaiian and Pacific Islander Community focus group participant, p. 37)

Qualification and access. As the rental market has become more competitive, low income renters find it increasingly challenging to find market rate units. Those renters with any type of perceived challenge— income from a variety of sources, a past eviction, a minor criminal infraction, a need for a reasonable accommodation—are often passed over for renters who are perceived as easier tenants. In some cases, these criteria can disproportionately affect certain protected classes. This section addresses the potential fair housing issues related to housing qualification.

Ease of using a housing voucher. Only 28 percent of voucher holders report that it was “not difficult” to find a landlord willing to accept their voucher. Of those who experienced difficulty finding a landlord to take their voucher, the greatest proportion (49%) said that it was difficult because the “voucher is not enough to cover the places I want to rent”.

Figure II-14.
How difficult is it to find a landlord that accepts a housing voucher? Why is it difficult?



Note:

Includes only those survey respondents who currently participate in a housing voucher program.

Source:

Root Policy Research from the 2019 Washington County Resident Survey.

Information and housing access. A common theme of the CCC focus groups centered on lack of access to information about community resources, and this lack of information is particularly acute among immigrant communities. To address this and other needs, participants suggested the need for a community center or space where residents could share culture, knowledge, and receive information about housing and financial

health resources. As one community member pointed out in a recent project Workgroup meeting, *“You can’t make a choice (about accessing housing, opportunity) if you don’t know what your options are.”* Lack of access to information about renters rights or rights under the Fair Housing Act is a significant issue among communities of color.⁹

- *“Informational resources, it is difficult to find information sometimes. Usually I hear about important information from different people. Just a separate office in Washington County, where you can come, sit down and talk to the person.” (CCC focus group participant, p. 18)*
- *“Legal help and about bills, just simple informational, even about buying a house. This service should be available in Washington county.” (CCC focus group participant, p. 19)*
- *“We definitely need more educational resources for our communities just so that you know they are more aware of like why is it important to own or even just owning versus renting like you know how would you even go about doing that what are the systems that we need to navigate even credit right? What is credit why do we need good credit how can we build credit. So, any education piece that I feel our community hasn’t had they should definitely have.” (Latino Community focus group participant, p. 34)*

Disability-related housing challenges. Households that include a member with a disability may experience housing challenges related to needed modifications to the home or accommodations from their housing provider, however these needs are not captured in publicly available datasets. The resident survey provides an opportunity to estimate the extent to which residents with disabilities in Washington County live in housing that does not meet their mobility, sensory, or other accessibility needs.

Overall, **one in five (19%)** Washington County **households that include a member with a disability live in a home that does not meet the needs of the resident with a disability.** This rate is lowest among Beaverton households that include a member with a disability (14%), and highest among Hillsboro (22%) and the areas of Washington County excluding Beaverton and Hillsboro (21%).

Among these households countywide, the modifications or accommodations needed include:

- Grab bars on bathrooms (40%);
- Stair lifts (30%);

⁹ “Housing Justice in Washington County: Findings from Communities of Color” p. 37

- Walk/roll in shower (30%);
- Ramps (29%);
- Wider doorways (22%);
- Reserved accessible parking spot by entrance (17%);
- Service or emotional support animal allowed in home (13%);
- Lower countertops (11%);
- Fire alarm/doorbell made accessible for person with hearing disability/deaf; and
- Alarm to notify if non-verbal child leaves the home (5%).

Residents whose household includes a member with a disability experience other barriers to living in housing in the most integrated, independent setting possible. With respect to these housing challenges:

- One in eight (13%) “worry if I request an accommodation for my disability my rent will go up or I will be evicted”;
- One in 20 (6%) cannot afford the housing that has the accessibility features needed;
- One in 20 (6%) cannot get around the neighborhood due to broken sidewalks or incomplete sidewalk networks;
- One in 20 (5%) “worry about retaliation if I report harassment by my neighbors, building staff, or landlord.”

Few renter respondents (<1%) whose household includes a member with a disability reported being denied a reasonable accommodation in general, or specifically a request for acceptance of a service animal or emotional support animal.

Residents with mental illness and/or a history of addiction participated in a focus group convened by Sequoia and included residents of peer-supported group living homes and residents of project-based subsidized housing with supportive services. All strongly value their case managers and the role the case manager plays in helping them live independently. With respect to supportive services and other program providers, participants described a need for training in trauma-informed care and increased knowledge of best practices in providing care to residents with mental illness. A number of residents expressed desire for the companionship of pets, suggesting a potential need for emotional support or companion animals. Educating this population about their fair housing rights and considering the therapeutic value of pets in housing program design is indicated.

Publicly Supported Housing Demographic and Location Analysis

This section examines the characteristics of publicly supported households and their location, within the jurisdiction and the region, for the purpose of identifying barriers to housing choice and to guide planning for actions to expand housing choice and access to opportunity for Washington County's low-income families.

This section follows the framework for the Publicly Supported Housing Analysis recommended by HUD in the Assessment of Fair Housing (AFH) template. Although the AFH template is not currently required, it nonetheless provides guidance to jurisdictions in the absence of a formal approach.

This analysis responds to the following prompts in the AFH template, which are shown in bold.

Assess whether or not certain racial/ethnic groups are more likely to be residing in one category of publicly supported housing than other categories in the jurisdiction. According to data provided by the Housing Authority of Washington County (number of Public Housing households) and HUD-provided data (households in County as a whole), the racial/ethnic composition of people living in *public housing* is:

- 65% Non-Hispanic households, compared to 82% Non-Hispanic households in the 0-30% AMI income category in the County as a whole
- 9% Black households, compared to 3% Black 0-30% AMI households;
- 35% Hispanic households, compared to 18% 0-30% AMI Hispanic households; and
- 6% Asian or Pacific Islander households, compared to 5% Asian or Pacific Islander 0-30% AMI households.

These data suggest that Non-Hispanic households are underrepresented, Black households are slightly overrepresented, and Hispanic households are significantly overrepresented in public housing in Washington County.

According to data provided by the Housing Authority of Washington County (number of Voucher Holder households) and HUD provided data (households in County as a whole), the racial/ethnic composition of people who are *voucher holders* is:

- 84% Non-Hispanic households, compared to 82% Non-Hispanic households in the 0-30% AMI income category;
- 12% Black households compared to 3% Black 0-30% AMI households;
- 14% Hispanic households, compared to 18% Hispanic 0-30% AMI households; and
- 5% Asian or Pacific Islander households, which is the same proportion as 0-30% AMI Asian or Pacific Islander households.

The data suggest that Hispanic households are slightly underrepresented and that Black households are overrepresented as voucher holders.

Describe patterns in the geographic location of publicly supported housing by program category in relation to segregated areas and R/ECAPs. Based on a review of Map 5 of the HUD AFFH Data and Mapping tool, publicly supported housing, in all categories, is clustered around population centers, including around the R/ECAP tract in Hillsboro, the only R/ECAP tract in Washington County. However, there does not appear to be an overall pattern in the geographic location of publicly supported housing, including housing that serves families with children or elderly, that aligns with the R/ECAP tract boundaries or segregation in general. A housing market analysis conducted to support this study and the Five-year Consolidated Plan found that publicly supported housing is distributed throughout the county; where there are concentrations, they occur in areas with strong access to public transportation.

Compare the demographic composition of occupants of publicly supported housing in R/ECAPs to the demographic composition of occupants of publicly supported housing outside of R/ECAPs. According to HUD provided data, there are no *public housing* units or *other multifamily* units within the Hillsboro R/ECAP tract boundary.

There are 95 occupied project-based Section 8 housing units within the R/ECAP tract and 297 occupied project-based Section 8 housing units in non-R/ECAP tracts. The demographic composition of *project-based Section 8 housing* is:

- 44% White households within the R/ECAP tract compared to 70% White households in non-R/ECAP tracts;
- 2% Black households within the R/ECAP tract compared to 1% Black households in non-R/ECAP tracts;
- 53% Hispanic households within the R/ECAP tract compared to 10% Hispanic households in non-R/ECAP tracts;
- 2% Asian or Pacific Islander households within the R/ECAP tract compared to 15% Asian or Pacific Islander households in non-R/ECAP tracts;
- 51% families with children households within the R/ECAP tract compared to 12% families with children households in non-R/ECAP tracts;
- 16% elderly households within the R/ECAP tract compared to 65% elderly households in non-R/ECAP tracts; and
- 15% households with a disability within the R/ECAP tract compared to 16% households with a disability in non-R/ECAP tracts.

These data suggest that Hispanic households and households that contain families with children are overrepresented in the project-based Section 8 housing units within the R/ECAP tract.

HUD data identify 76 units occupied by voucher holders within the R/ECAP tract and 2,012 units occupied by voucher holders in non-R/ECAP tracts. The data also show the following differences in household composition:

- 66% White households within the R/ECAP tract v. 69% White households in non-R/ECAP tracts;
- 4% Black households within the R/ECAP tract v. 11% Black households in non-R/ECAP tracts;
- 30% Hispanic households within the R/ECAP tract v. 14% Hispanic households in non-R/ECAP tracts;
- 0% Asian or Pacific Islander households within the R/ECAP tract v. 4% Asian or Pacific Islander households in non-R/ECAP tracts;
- 35% families with children households within the R/ECAP tract v. 36% families with children households in non-R/ECAP tracts;
- 18% elderly households within the R/ECAP tract v. 27% elderly households in non-R/ECAP tracts; and
- 33% households with a disability within the R/ECAP tract v. 30% households with a disability in non-R/ECAP tracts.

Similar to the findings from the project-based Section 8 analysis, the data show that Hispanic households are overrepresented in as voucher holders—many likely living in project-based Section 8 housing—within the R/ECAP tract.

Assess whether or not any developments of public housing, properties converted under the RAD, and LIHTC developments have a significantly different demographic composition, in terms of protected class, than other developments of the same category for the jurisdiction.

Compare the demographics of occupants of developments, for each category of publicly supported housing, to the demographic composition of the areas in which they are located. Describe whether developments that are primarily occupied by one race/ethnicity are located in areas occupied largely by the same race/ethnicity. Describe any differences for housing that primarily serves families with children, elderly persons, or persons with disabilities. HUD-provided data identify the composition of publicly supported housing units, for each category of housing, by number of bedrooms and number of households with children. HUD reports 396 public housing units owned and operated by the housing authority. The composition of *public housing* unit households, by number of bedrooms and number of households with children, is:

- 10% of households in 0-1 bedroom units

- 31% of households in 2 bedroom units
- 59% of households in 3+ bedroom units
- 65% of households with children

HUD also identifies 423 project-based Section 8 units. The composition of *project-based Section 8* unit households, by number of bedrooms and number of households with children, is:

- 52% of households in 0-1 bedroom units
- 31% of households in 2 bedroom units
- 10% households in 3+ bedroom units
- 18% households with children

Finally, the HUD data show 87 “other multifamily” units. The composition of *other multifamily* unit households, by number of bedrooms and number of households with children, is:

- 86% of households in 0-1 bedroom units
- 4% of households in 2 bedroom units
- 0% households in 3+ bedroom units
- 1% households with children

The composition of *voucher holders*, by number of bedrooms and number of households with children, is:

- 33% of households in 0-1 bedroom units
- 36% of households in 2 bedroom units
- 27% households in 3+ bedroom units
- 36% households with children

Based on the HUD-provided data, public housing units, comprised mostly of 2 and 3+ bedroom units (90%), are most accommodating to households with children, with 65 percent of units occupied by households with children. Conversely, other multifamily units, comprised mostly of 0-1 bedroom units (86%), house the lowest percentage of households with children (just 1%). Project-based Section 8 developments, which have a good distribution of units by bedroom size, are most likely to house household without children. The distribution of units available to voucher holders appear to adequately represent the needs of a variety of household types, including families with children.

PHA Policies and Practices

This analysis examines the Housing Authority of Washington County (HAWC’s) Admissions and Continued Occupancy Policy plan as related to nondiscrimination and reasonable accommodation. The key policy areas considered in this review are:

- Application process and procedures;
- Resident selection preferences;
- Notification of selection/rejection;
- Reasonable accommodations procedures;
- Criminal history; and
- Compliance with the Violence Against Women Act (VAWA).

These key policy areas directly impact both applicants and residents served by the housing programs administered by housing authorities. A determination leading to a denial of assistance in any one of these policy areas may lead to a claim of discrimination or unequal protection based on current federal, state, and local laws.

Application process and procedures. HAWC's Housing Choice Voucher, Public Housing, and Mainstream Housing Choice Voucher programs are currently closed. HAWC's voucher waitlist last opened May 2-9, 2015. It is unlikely to open for new applicants until at least 2020 or later. There are currently 1,382 households on the Housing Choice Voucher program waitlist. Insufficient funding at the Federal level has resulted in a static number of vouchers that only serve one quarter of the number of families who are in need of housing assistance. This results in the lengthy time period households remain on the wait list.

For the public housing waiting list, HAWC uses a two-step application process. HAWC initially requires families to provide only the information needed to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

When the waiting list is open, application forms are available in electronic (online, linked from the HAWC website) and paper version. Paper applications may be obtained from HAWC's office during normal business hours or by mail upon request. The PHA also makes paper applications available to community social service agencies while the waiting list is open to ensure wide distribution—a best practice in the field.

Completed paper applications must be returned to HAWC by mail or in person during normal business hours and by the deadline determined and advertised by HAWC. Special advocacy groups and community social service agencies may submit applications on behalf of their clients using the standard completion and submission methods available to the community at large.

Applications must be complete in order to be accepted by HAWC for processing. The electronic application utilizes an error checking process that rejects incomplete applications and notifies applicants of missing information. The paper application includes instructions notifying applicants that incomplete applications cannot be processed.

HAWC takes a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard PHA application process. The application processes are fully accessible, and, if additional accommodations are needed, HAWC provides an alternate approach that provides equal access to all types of applicants; this includes persons with limited English proficiency (LEP). Currently, online applications are available in English and Spanish. The Department of Housing Services' (DHS) LEP Plan included in the 2016 Admissions and Continued Occupancy Policy (ACOP) indicates that the DHS will translate vital documents in Spanish, Korean, and Vietnamese.

After the application-taking process has closed, HAWC's computer system randomly orders applications and selects an adequate number of applications to maintain full utilization of available HCV assistance for a period of two years to be placed on the waiting list. The preference system (discussed below) works in combination with the requirements to match the characteristics of the household to the type of unit available. HAWC then places the selected applications on the waiting list in order of the assigned numbers and according to the PHA preferences, and will notify applicants of the results of random selection.

Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. A final determination of eligibility is made when the family is selected from the waiting list.

HAWC maintains one single community-wide waiting list for its developments. Within the list, HAWC designates subparts to easily identify who should be offered the next available unit (i.e. mixed populations, general occupancy, unit size, and accessible units). HAWC does not use site-based waiting lists.

HAWC monitors the characteristics of the population being served and the characteristics of the population as a whole in the PHA's jurisdiction, with the intention of undertaking targeted outreach if certain populations are being underserved.

Preferences. Public housing providers, whose units are nearly always oversubscribed, commonly include preferences for certain resident and household types. These preferences can reflect community needs (e.g., worker housing preferences are very common in high-cost resort communities) and unmet demand for housing for certain resident groups (e.g., persons experiencing homelessness, domestic violence survivors, veterans). Community preferences have come under criticism recently for their potential to restrict housing access, even if they are well-intended.

While some preferences are non-negotiable, as they are required by investors or contribute to the intent to house a specific population, others may unfairly disproportionately affect diverse applicants. Applicants with preferences—who rise to the top of a list—move other applicants, including those who may have applied earlier, lower on a list.

Best practices to avoid discriminatory impacts of local preference policies include:

- Residency preferences should extend beyond a jurisdictional boundary, especially if the jurisdiction's racial, ethnic and/or income distribution does not reflect the region. By basing policies on work, not residency, housing authorities would contribute to a more equitable tenant selection plan.
- Residency preferences established to combat displacement caused by gentrification must be able to demonstrate that they are not purely exclusionary in nature, that they do have the intended effect of maintaining opportunities for residents vulnerable to displacement.

HAWC has the following preferences:

- Residents Experiencing Homelessness
- Victims of Domestic Violence
- Elderly/Disabled Residents on a Fixed Income or No Income
- Income Targeting Requirement
- Mixed Population Developments
- Units Designated for Elderly or Disabled Families
- Deconcentration of Poverty and Income-Mixing

All other applicants who do not qualify for any preference are placed on the waiting list by the date and time of application.

Selection/rejection. Applicants are offered a suitable unit in the location where units are vacant. HAWC maintains a record of units offered, including location, date and circumstances of each offer, each acceptance or rejection, including the reason for the rejection. If more than one unit of the appropriate type and size is available, the first unit to be offered will be the first unit that is ready for occupancy.

Applicants must accept or refuse a unit offer within five business days of the date of the unit offer. Offers made by telephone will be confirmed by letter. If the offer is rejected, the applicant will be removed from the public housing waiting list.

Applicants may refuse to accept a unit offer for "good cause." Good cause includes situations in which an applicant is willing to move but is unable to do so at the time of the unit offer, or the applicant demonstrates that acceptance of the offer would cause undue hardship not related to considerations of the applicant's race, color, national origin, etc. HAWC indicates that examples of good cause for refusal of a unit offer include, but are not limited to, the following:

- Inaccessibility to source of employment, education, or job training, children’s day care, or educational program for children with disabilities, so that accepting the unit offer would require the adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities.
- The family demonstrates to the PHA’s satisfaction that accepting the offer will place a family member’s life, health or safety in jeopardy. The family should offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this good cause exemption.
- A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (as listed on final application) or live-in aide necessary to the care of the principal household member.
- The unit is inappropriate for the applicant’s disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30-day notice to move.
- The unit has lead-based paint and the family includes children under the age of six.

In the case of a unit refusal for good cause the applicant will not be removed from the waiting list. The applicant will remain at the top of the waiting list until the family receives an offer for which they do not have good cause to refuse. The PHA will require documentation of good cause for unit refusals.

HAWC notifies the family by first class mail when it is selected from the waiting list. The notice will inform the family of the following:

- Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview;
- Who is required to attend the interview;
- Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation. (A family is eligible for admission as long as at least one member is a citizen, national, or eligible noncitizen. Families that include eligible and ineligible individuals are considered mixed families. Such families will be given notice that their assistance will be prorated, and that they may request a hearing if they contest this determination.);
- Documents that must be provided at the interview to document eligibility for a preference, if applicable; and
- Other documents and information that should be brought to the interview.

If a notification letter is returned by the Post Office to the HAWC with or without a forwarding address, the family is removed from the waiting list without further notice. Such failure to act on the part of the applicant prevents the housing authority from making an eligibility determination; therefore, no informal hearing will be offered.

Reasonable accommodations. HAWC has a general reasonable accommodation policy that can be applied to all situations, from the first inquiry of an interested family and continues through every programmatic area of the public housing program.

HAWC asks all applicants and resident families if they require any type of accommodations, in writing, on the intake application, reexamination documents, and notices of adverse action by the housing authority.

HAWC encourages families to make reasonable accommodation requests in writing using a reasonable accommodation request form. However, the PHA will consider the accommodation any time the family indicates that an accommodation is needed whether or not a formal written request is submitted.

If a person's disability is obvious or otherwise known to the HAWC, and if the need for the requested accommodation is also readily apparent or known, no further verification will be required.

If a family indicates that an accommodation is required for a disability that is not obvious or otherwise known to HAWC, the housing authority must verify that the person meets the definition of a person with a disability, and that the limitations imposed by the disability require the requested accommodation. HAWC will follow its verification and confidentiality policies.

In addition to the general requirements that govern all verification efforts, the following requirements apply when verifying a disability:

- Third-party verification must be obtained from an individual identified by the family who is competent to make the determination. A doctor or other medical professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual's disability may provide verification of a disability;
- HAWC will request only information that is necessary to evaluate the disability-related need for the accommodation and will not inquire about the nature or extent of any disability; and
- Medical records will not be accepted or retained in the participant file.

It is important to note that these are best practices in preserving trust and confidentiality and HAWC is commended for adopting that verification process.

HAWC must approve a request for an accommodation if the following three conditions are met:

- The request was made by or on behalf of a person with a disability;
- There is a disability-related need for the accommodation; and
- The requested accommodation is reasonable, meaning it would not impose an undue financial and administrative burden on HAWC, or fundamentally alter the nature of HAWC's operations.

Requests for accommodations must be assessed on a case-by-case basis. The determination of undue financial and administrative burden must be made on a case-by-case basis involving various factors, such as the cost of the requested accommodation, the financial resources of HAWC at the time of the request, the benefits that the accommodation would provide to the family, and the availability of alternative accommodations that would effectively meet the family's disability-related needs.

Before making a determination whether to approve the request, HAWC may enter into discussion and negotiation with the family, request more information from the family or may require the family to sign a consent form so that the PHA may verify the need for the requested accommodation.

Criminal history. HAWC checks criminal history for all adults in the household during the application process to determine whether any member of the family has violated any of the prohibited behaviors:

- Fraud, bribery, or any other corrupt or criminal act in connection with any federal, state, or local housing program, or any other public benefits program (such as Temporary Assistance to Needy Families, or Social Security).
- Illegal use of a controlled substance, including a recent history or pattern of such illegal use.
- Abuse of alcohol in a way that may interfere with the health, safety, or peaceful enjoyment of the premises by other residents or neighbors, including a recent history or pattern of such abuse.
- Drug-related criminal activity or any other criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or of the residences of persons residing in the immediate vicinity of the premises, including a recent history or pattern of such activity.
 - Drug related criminal activity does not include use or possession of controlled substance(s), if the Family member can demonstrate that s/he:
 - Has an addiction to a controlled substance,
 - Has a record of such an impairment, OR

- Is regarded as having such an impairment; AND
- Has recovered from such addiction and does not currently use or possess controlled substances.

HAWC requires that the family member provide proof of successful completion of treatment for the addiction.

The family may be denied if a member of the current family has been convicted within the prior 60 months for drug-related criminal activity or any other criminal activity and HAWC determines that the person poses a demonstrable risk to resident safety and/or property.

HAWC will not admit families to its programs that have as a member any person who:

- Has been convicted of, sentenced for, or have a history of convictions for: any violent crime; drug-related crime; violation(s) of parole or probation; violation(s) of restraining or anti-stalking order(s); theft or burglary; animal abuse; or any crime involving fraud, forgery or the theft of identity within the past 60 months prior to the date the applicant is screened for eligibility and HAWC determines that the person poses a demonstrable risk to resident safety and/or property.
- Has been convicted of any form of sexual crime, or crimes against minor children, or have a history of convictions for any form(s) of sexual crime or crimes against minor children and HAWC determines that the person poses a demonstrable risk to resident safety and/or property. Additionally, HAWC prohibits admission to federally assisted housing if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. In the screening of applicants, HAWC will perform necessary criminal history background checks in the state where the housing is located and in other states where the household members are known to have resided.
- Has been convicted of any degree of murder, or have a history of convictions of any degree of murder and HAWC determines that the person poses a demonstrable risk to resident safety and/or property.

HAWC will not be obligated to obtain and verify information concerning a family's criminal activities as part of the processing of an application for assistance; initial screening is limited to routine inquiries of the family and any other information provided to the housing authority. If there is indication that the family or any family member is engaged in drug-related criminal activity or violent criminal activity, HAWC may conduct closer inquiry to determine whether the family should be denied admission.

If the family indicates that they have been convicted within the past 60 months for drug-related or other criminal activity, HAWC shall obtain fact based verification through police reports /court records. In making its decision to deny assistance, HAWC will consider previously defined criteria and factors. Upon consideration of such factors, HAWC may, on a case-by-case basis, decide not to deny assistance.

VAWA. HAWC has adopted a Violence Against Women Act (VAWA) Policy consistent with VAWA, which covers residents and applicants for both public housing and voucher programs.

In compliance with VAWA, no applicant for the public housing program who has been a victim of domestic violence, dating violence, or stalking shall be denied admission into the program if they are otherwise qualified. Victims of domestic violence will receive waiting list preference. Furthermore, HAWC may take into account the pertinent written history of a victim of domestic violence in the mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling.

HAWC will provide all applicants, tenants, as well as landlords accepting vouchers and property managers, written notification concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

Role of local jurisdictions. Local jurisdictions also play a critical role in addressing disproportionate housing needs. On the programmatic side, local jurisdictions make decisions about how to distribute housing and community development funds among various programs. More significant is governmental influence over the built environment. To ensure that direct and indirect government activities and influence is equitable, local governments should:

- Regularly complete analysis of the characteristics of the beneficiaries of housing and service programs relative to the income-adjusted resident population.
- Require that developers receiving public subsidies (monetary or in the form of density bonuses and fast track review) use affirmative fair housing marketing practices;
- Monitor how public sector investments can contribute to economic changes in neighborhoods, possibly accelerating displacement of low income residents; and
- In making planning decisions, be aware of how the built environment communicates inclusiveness or exclusiveness to different types of residents.

SECTION III.

ZONING, LAND USE, AND RESIDENTIAL DEVELOPMENT

SECTION III.

Zoning and Land Use Analysis

Land Development Regulations and Fair Housing

Land use planning policies and regulations affect the type, distribution, and amount of housing available in a community. Federal Fair Housing Act as Amended (FHAA) sets the framework that all levels of government are responsible for not “making unavailable” housing for certain protected classes, as established by the act. This applies to land use and zoning regulations because of their direct impact on the type, distribution, and amount of housing available in a community. Usually barriers are the result of omission, lack of clarity in regulatory language, or an unintended discriminatory consequence of a well-intentioned law or regulation. Sometimes the requirements in one section of the development code inhibit the achievement of clear regulations in another section of the code. For example, a code may include occupancy restrictions that conflict with groups of disabled persons (unrelated) from living together in certain zone districts. This is considered disparate treatment and a barrier to fair housing because it treats disabled persons differently from other groups of people.

The land development and building codes for Washington County and the twelve partnering cities for this AI were reviewed for potential barriers to fair housing, compliance with the FHAA, to cover the full extent of the protections under the act, and the Americans with Disabilities Act (ADA).

In addition to this assessment, barriers to the development of affordable housing are reviewed for Washington County, Beaverton, and Hillsboro. Affordable housing is closely related to issues of fair housing since persons in the seven protected classes under FHAA often are disproportionately represented among lower-income households. The seven classes of person protected under the FHAA are:

- Race
- Color
- National Origin
- Religion
- Sex (gender)
- Familial Status
- Disability

In addition to FHAA and ADA, Oregon has state legislation establishing additional protected classes at the state level. These laws are similar to FHAA but are not the same. State law also prohibits housing discrimination based on marital status, sexual orientation and source of income. However, meeting the Oregon state legislative requirements does not necessarily mean that any conflicts with federal laws is avoided. It is important that both state and federal laws pertaining to fair housing be followed when crafting local land use planning policies and regulations. While some references are made to Oregon state laws in this analysis, the main focus is on potential conflicts or barriers as related to the requirements of FHAA and ADA.

Oregon state law also protects victims of domestic violence. Under ORS 90.449 landlords cannot evict, deny renewal of tenancy, nor deny an applicant if they are a victim of domestic violence. FHAA, also prohibits communities from enacting nuisance ordinances or crime-free housing standards that encourage eviction for use of emergency services by domestic violence or other crime victims.¹

Matrix

The following matrix provides a summary of how each jurisdiction's land development code addresses important elements of FHAA and ADA. The matrix is based on a checklist developed by the Region IX HUD office ("Review of Public Policies and Practices - Zoning and Planning Code"). That checklist poses a series of questions about common zoning regulations that impact fair housing and accessibility. The questions in that checklist were consolidated and customized to address some of the concerns reflected in the comments reported in the 2012 Fair Housing Plan Analysis of Impediments. These additions are shown in italics in the matrix. The resulting matrix presents a series of "indicators" that assess potential regulatory barriers to fair housing. A narrative with more detail regarding the regulations and their potential impact on each indicator follows the matrix.

When reviewing the matrix, both the indicator and response must be read together. A "yes" to one indicator may mean there is a potential conflict, while a "no" to another indicator also may mean there is a potential conflict. In some cases, a code may adequately address a given indicator, but when taken with other regulations, may require some revision to eliminate possible mis-interpretation or cover all protected classes. The matrix may indicate no conflict, but the fuller explanation provided in the narrative following the matrix identifies where there may be gaps or lack of clarity in a particular set of regulations.

Note that Washington County and the cities of Beaverton and Hillsboro are the first three jurisdictions listed in the matrix. They have the largest populations of the jurisdictions

¹ Department of Housing and Urban Development Office of General Counsel "Guidance on Application of Fair Housing Act Standards to the Enforcement of Local Nuisance and Crime-Free Housing Ordinances Against Victims of Domestic Violence, Other Crime Victims, and Others Who Require Police or Emergency Services", September 13, 2016.

reviewed and they receive a brief analysis of potential barriers to affordable housing at the end of this section.

INDICATOR	WASHINGTON COUNTY	BEAVERTON	HILLSBORO	CORNELIUS	FOREST GROVE	SHERWOOD	TIGARD	TUALATIN	BANKS	DURHAM	GASTON	KING CITY	NORTH PLAINS	NOTES
4b. Definition is the same as the FHAA definition of disability.	N/A	N/A	Yes	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
5a. Definitions for "special group residential housing". ²	Yes – Group Care	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	5
5b. Definitions align with FHAA.	No	No	No	No	No	No	N/A	No	No	No	No	No	No	6
5c. Definitions are clear/do not overlap.	Yes	No	No	Yes	Yes	No	N/A	No	No	No	Yes	Yes	No	7
6. Housing for persons with disabilities is restricted to certain use categories, e.g., boarding or rooming house, hotel, etc.	No	Yes	No	No	No	No	No	No	No – 5 or fewer Yes – 6 or more	No	Possible if unlicensed	No	Possible if unlicensed	8
7. Zoning allows for group homes/variety of housing for protected classes in key locations (i.e. near public transit, shopping, health care facilities, schools).	Yes	Yes	Yes	Yes – Hsg No – Res Homes and Res Facilities	Yes	Yes	Yes	Yes	No land zoned MU	No MU zone	No MU zone/MU buildings in C zone	Yes	Yes	9

² A yes indicates that group living for persons protected by FHAA are properly identified in the land development code and unlikely to be limited to a commercial land use category such as "boarding or rooming house".

INDICATOR	WASHINGTON COUNTY	BEAVERTON	HILLSBORO	CORNELIUS	FOREST GROVE	SHERWOOD	TIGARD	TUALATIN	BANKS	DURHAM	GASTON	KING CITY	NORTH PLAINS	NOTES
<p>8a. Housing with on-site support services allowed for persons with disabilities.</p> <p>8b. <i>Such housing is permitted in residential zones and mixed-use zones. (Res/MU)</i></p>	Yes	Yes – 6 or more	Yes - if licensed	Yes - if licensed	Yes	Yes - if licensed	Yes	Yes	Yes – 5 or fewer including staff	Yes – if licensed	10			
	Yes	Yes	Yes	Res – Yes MU – Public Hearing	Yes	Res – Yes MU – Only 6 or more	Yes	Yes	Yes– 5 or fewer including staff	Yes – if licensed	Yes – in residential zones if licensed	Res - Yes MU – Only 6 or more	Res – Yes MU – No in C zones; Yes in NC zone	
<p>9. Different review or public hearings required for exceptions to land use codes for disabled applicants but no hearing required for all other applicants.</p>	No – unlicensed Yes - licensed	Yes	No – unlicensed Reasonable Accomdtn Review - licensed	No – unlicensed Yes - licensed	No	No – Residential Zones Yes – Commcl Zones	No	No	No – 5 or fewer Yes – 6 or more including staff	No – if licensed Unknown for unlicensed facilities	11			
10. Mixed uses allowed.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No – MU zone district but no land zoned MU	No	Yes – in Commercial zone and PUD	Yes – in NMU and LC zones	Yes – in C zones and NC zone	
11. Single-family and multi-family housing	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes – only by PRD or overlay	No small lot SF or MF mid-	Yes	Yes	12

INDICATOR	WASHINGTON COUNTY	BEAVERTON	HILLSBORO	CORNELIUS	FOREST GROVE	SHERWOOD	TIGARD	TUALATIN	BANKS	DURHAM	GASTON	KING CITY	NORTH PLAINS	NOTES
types allowed at a variety of densities. 11b. Limits on house size or lot coverage	Yes - Cottage Housing	No	No]Yes - lot coverage	No	No	Yes - both	No	Yes - lot coverage	No	range No	No	Yes - lot coverage	
12. Zoning code describes areas as exclusive.	No	No	No	No	No	No	No	No	No	No	No	No	No	
13a. Restrictions for Senior Housing. 13b. If yes restrictions comply with Federal law.	Yes Yes	No N/A	No N/A	No N/A	No N/A	No N/A	No N/A	Yes Yes	No N/A	No N/A	No N/A	No N/A	Yes Yes - for age (55), unknown for % occupied	
14a. Senior housing is a specific land use. 14b. A special or conditional use permit is required.	Yes Yes	No N/A	No N/A	No N/A	No N/A	No N/A	No N/A	Yes Yes	No N/A	No N/A	No N/A	No N/A	No Yes	
15. Conditional or special use review permit required for housing for persons with disabilities.	Yes	Yes - Res Yes - Cmcl No - MU	Yes	Yes	No	Yes	No	No	Yes - R2.5 Multi-family	No if licensed Unclear if unlicensed	13			

INDICATOR	WASHINGTON COUNTY	BEAVERTON	HILLSBORO	CORNELIUS	FOREST GROVE	SHERWOOD	TIGARD	TUALATIN	BANKS	DURHAM	GASTON	KING CITY	NORTH PLAINS	NOTES
16a. Minimum standards for handicap parking for multi-family.	OSBC	OSBC	OSBC	OSBC	OSBC	OSBC	Yes	Yes – ADA	OSBC	OSBC	OSBC	OSBC	OSBC	14
16b. Reduction in parking requirements for senior housing or housing for persons with disabilities. (See also #22)	Yes – by request and parking analysis	Yes – Residential Care	Yes – Senior Housing	No	Yes – Senior Housing	No	Yes - Senior Hsg in Dwntwn Plan District	Yes – Senior Housing	No	No	No	No	No	15
17a. Alternative housing types allowed (e.g., co-housing; tiny homes).	No	No	No	No	No	No	Yes – tiny home	No	No	No	No	No	No	
17b. Public hearing/special permits for “non-standardized developments”	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
18. Special design or materials for buildings or site improvements that increase development costs	Yes – high density/transit areas	Yes	Yes	Yes	No – some for building siting and amenities	Yes	Yes - apartment	Yes	No (some in MU zone)	No – base zones Yes – overlay zones	No	No	No	
19. Specific references to the accessibility	Some - Accessible ADU	No	No	Some - sidewalks	Some – pedestrian ways/	No	Some	No	Some – pedestrian	No	No	No	No	16

Table Notes:

1. Includes both “household” or “household living”.
2. Number of disabled persons living together is limited for licensed facilities based on Oregon state statutes (ORS 443.400). Status of unlicensed facilities is unclear. If unlicensed facilities are allowed, it is assumed the limit of unrelated persons as defined in “family” or “household” applies to all unrelated persons regardless of status, unless otherwise specified in the code.
3. Yes indicates the definition of “family” or “household” limits unrelated persons to five or fewer (four or fewer in King City) and there is no limit on the number of related persons. See also Indicator #5 and narrative.
4. FHAA uses the term “handicap”. The current accepted term is “disability”, used in the Hillsboro code and defined in alignment with FHAA definition of “handicap”.
5. In general, definitions align with Oregon state statutes governing residential homes and residential facilities. Tigard does not have any type of special residential group living defined and instead uses the terms “group living” and “household living” only. See narrative.
6. Some codes reference state definitions but physical disabilities may not be included in definition of “residential home” for five or fewer persons. The number of unrelated persons in residential homes may be low, although it complies with state law. See narrative.
7. In some codes it is unclear how facilities that do not require licensing are categorized or some definitions may overlap.
8. Beaverton’s definitions do not appear to allow group living for five or fewer disabled persons. Other codes appear to only allow licensed facilities but are silent about group residential living that does not require licensing. See Indicator 5b. and narrative.
9. It is assumed that zone districts with a mix of residential and commercial uses and transit oriented development districts are intended to locate residential uses in proximity to a variety of community-serving uses and transportation options. See also narrative.
10. Because unlicensed facilities are not included in most definitions, it is unclear, if allowed, how on-site support services are treated. State law requires licensed residential homes, five or fewer, and facilities, six or more, with support services to be allowed where residential uses are allowed. Beaverton would allow a licensed residential home with support services and Banks would allow a licensed residential facility as prescribed by state law, but the codes are silent regarding these uses. See also text for Indicator 8.
11. Any review that is different from the review of single-family or multi-family structures (in the zones where those uses are allowed) is considered different for the purposes of this analysis.
12. Codes reviewed for regulations setting maximum or minimum house sizes (total square feet) and/or lot coverage. Tigard limits house size for noted housing types to create and preserve housing targeted to middle-income households.
13. A yes indicates that conditional use is required in some zone districts or may be required for facilities with six or more residents.
14. OSBC = Oregon State Building Code. Jurisdictions in Oregon are required to comply with the Oregon State Building Code and ORS 447.233 establishes standards for the number of accessible parking spaces, parking space design, and signage. See also text for Indicator 16. Tigard generically references “state and federal” standards (both number and design must be met); Tualatin references ADA. Tualatin parking lot design standards state ADA standards must be met but it is unclear if this includes the number of spaces or only design of parking spaces. No ADA reference in the section for required number of parking spaces.
15. Reductions in parking requirements may only be in some zone districts for the uses specified, for example Hillsboro allows a reduction for senior housing only in the Amber Glen plan area and Forest Grove in the Town Center. Tualatin has a lower parking requirement for retirement community than for single-family dwelling.
16. Because all jurisdictions must use the Oregon State Building Code specific references to FHAA and ADA requirements are not included in the local codes.. To the extent that this code incorporates the International Codes Council ANSI A117.1 and HUD accepted amendments, it aligns with ADA and FHAA accessibility requirements pertaining to building design and parking.
17. None of the land development codes include a discussion of FHAA, although some codes reference FHAA in permitting special residential group living for persons with disabilities. Some comprehensive plans reference FHAA. See narrative.
18. Relocation assistance is available for residents displaced as a result of acquisition, rehabilitation, or demolition involving federal funds under the Uniform Relocation Act (URA). HUD guidance also clarifies the timing and type of notice to residents required. Land development codes typically do not regulate relocation of residents, but other local or state legislation may address relocation issues.

Sources (as available through each jurisdiction’s website; cities with self-published codes noted as “on city website”):

Washington County: Community Development Code of Washington County, Oregon updated November 28, 2018

Beaverton: On city website - Development Code printed February 2017 and effective through Ordinance 4702.

Hillsboro: Community Development Code – Current through Ordinance 6304 and the June 2019 code supplement.

Cornelius: Zoning Code – Current through Ordinance 2019-05, passed June 3, 2019.

Forest Grove: Development Code – Current through Local Legislation Ordinance No. 2018-7, passed 10-8-2018.

Sherwood: Zoning and Community Development Code – Covering Ordinances through 2019-004, passed May 21, 2019.) (Supp. No. 18, Update 10).

Tigard: On city website - Development Code, Update December 2018.

Tualatin: On city website - Development Code, Updated through December 2018.

Banks: Zoning Code contained in Municipal Code 2019 S-10 Supplement contains: Local legislation current through Ord. 2018-11-01, passed 12-11-2018.

Durham: On city website – Durham Development Code, no date.

Gaston: On city website – Gaston Development Code, January 2009, as amended by Ordinance 2010-003, May 19,2010.

King City: On city website – A Codification of the General Ordinances of the City of King City, Oregon, Codified 1990, Revised and Republished 1999 by LexisNexis Municipal Codes.

North Plains: On city website - Chapter 16 of the Municipal Code as provided on the city website; no date given.

Key Findings

This section summarizes key findings relating to *fair housing, accessibility, and reasonable accommodation*. Following the key issue summary is an explanation of each indicator in the matrix and best practices for a particular indicator noted.

1. While none of the codes prohibit unrelated disabled individuals from living together, the definition of family in some of the codes limits the number of unrelated persons differently than family members and may set different occupancy limits for each (see Indicators 1, 2, and 3).
2. Codes do not define “disability” and requests for reasonable accommodation may be mistakenly processed under variance procedures (Indicators 4 and 20).
3. Codes may confuse compliance with Oregon state statutes with compliance with FHAA resulting in the exclusion of covered classes (see Indicator 5).
4. Overlapping definitions or land use categories may result in similar facilities being treated differently or mis-categorized as a boarding or rooming house. (See Indicators 6, 9, and 15).
5. Group residential living may not be included as a permitted use in zones with a mix of residential and commercial uses. (see Indicator 7).
6. On-site support services may not be allowed in group residential living facilities that do not require licensing (see Indicator 8).
7. Group residential living may require a different review and approval process from other similar residential uses which may include a public hearing. Some codes may not reflect Oregon state statutes that require residential homes (five or fewer residents) and residential facilities (six or more residents) to be treated the same for land use purposes as single-family and multi-family uses (see Indicators 9 and 11).
8. Setbacks and other site design requirements may limit house size which may inhibit group residential living from locating in some residential zone districts (see Indicator 11).
9. Accessibility requirements of ADA are not included in development regulations and the Fair Housing Act as amended 1988 (FHAA) is not specifically incorporated in the land development codes. However, accessibility requirements are included in the Oregon State Building Code which must be followed by local jurisdictions. (see Indicators 16, 19, and 21).

10. Housing affordability may be impacted by design guidelines and system development charges, inhibiting housing choice to lower-income households and impacting protected classes (see Indicators 17, 18, and 22).
11. Notice requirements, established by Oregon state law, are intended to increase public awareness but may also increase “NIMBY-ism” (not in my backyard). Notice requirements were reviewed based on comments about “NIMYBY-ism” in the 2012 Fair Housing Plan Analysis of Impediments (see the discussion for Indicators 9 and 15).

Indicators 1, 2, and 3: Definition of family or household and occupancy limitations.

This is a concern when the definition of family or household or occupancy restrictions prohibit unrelated persons, exclude certain types of households (such as disabled persons), or limit the number of unrelated persons who can reside in a dwelling unit. Each of these conditions can raise concerns in the context of FHAA. None of the land development codes reviewed contain a prohibition on unrelated persons with disabilities living together nor prohibit other classes of persons covered by FHAA from residing in any dwelling unit or zone district.

Another concern is if the definition of “family” or “household” could result in discrimination based on sexual orientation or marital status. Some of the codes have a definition of family which identify a family as “two or more persons related by blood, marriage, or adoption” plus a specified number of unrelated persons. All the definitions of family also include unrelated individuals, up to a certain number, as a “family”. A definition of “family” that does not have unrelated individuals would be discriminatory based on marital status or sexual orientation.

Washington County is the only code with no definitions for “family” or “household”. Four of the codes, Beaverton, Cornelius, Forest Grove, and Sherwood, have language in the definition of family that limits the number of unrelated persons that may live together to five or fewer, but allows an unlimited number of related persons plus a set number of unrelated persons. Although this treats families differently from unrelated persons, this treatment is applied to all classes of unrelated persons. However, the number of unrelated persons may be low when compared to average family size and the fact that some definitions exclude live-in servants from the calculation of unrelated persons residing with a related family. It is likely that the five or fewer number is used to align with Oregon state statutes governing licensed residential homes, which are for five or fewer residents. FHAA does not set limits on numbers of unrelated disabled persons living together and care needs to be taken to comply with both federal and state law in making land use decisions regarding residences for persons with disabilities.

Five of the codes avoid this potential conflict, but with different approaches:

- Both Washington County's code and Tigard's code defer to the Oregon State Building Code to determine occupancy limits. This is assumed to be the case with the Washington County code since it does not have a definition for family or household and does not specify occupancy limits. Typically In the absence of regulation in the land development code, occupancy limits would be determined based on the Oregon State Building code. The Tigard code specifically states in the descriptions of both "group living" and "household living" that occupancy limits for dwelling units are based on the Oregon State Building Code.
- Tigard's code also does not define "family". Instead there is a description of "group living" and "household living" both of which state: *"The maximum number of people who may reside in any given dwelling unit is determined by the state building code."* Both "group living" and "household" are land use categories and are permitted uses in all residential zone districts. This is a good approach and avoids special treatment or review for group living uses. As well, there are no limitations placed on number of occupants based on familial status or type of group living use. Rather, regulations focus on built form rather than residential occupancy.
- Tualatin and Hillsboro's codes both have a definition of "family" and a definition or description of "household". Tualatin's definition of family does not limit the number of unrelated or related persons but couples this definition with "household", which is a land use category. Household limits the number of unrelated persons but clarifies that one or more handicapped persons, as defined by FHAA, plus five additional persons, also constitute a household. Hillsboro's definition of family only allows an individual or an unlimited number of related persons. However "household", is a group of not more than five unrelated persons and includes residential homes, residential facilities with eight or fewer residents, and eight or fewer persons with disabilities (excluding caregivers). This definition of household clearly includes both licensed and unlicensed group living situations. A "family" or a "household" are permitted to reside in a dwelling unit.
- Forest Grove does not limit the number of occupants in a household except as required by the building code. However the definition of family limits unrelated persons to five or fewer. Although household is used as the land use category there may be some confusion with the limitation on unrelated persons established under the definition of family, even though regulations are structured to focus on built form rather than residential occupancy. If a definition of "family" is not required for other sections of the development code, it could be deleted to minimize potential confusion.

Setting an arbitrary number for how many unrelated persons may constitute a family or household may result in conflicts with FHAA. A best practice is to defer to the occupancy limits set by building or life/safety codes, like the Washington County and Tigard codes. Such codes are applied to types of structures and life/safety use classifications rather to the characteristics of groups of persons.

Occupancy limitations also may be in other municipal or county code sections. In this review, no other occupancy standards were identified in the local codes. However, many of the codes reviewed defer to Oregon state law in their definition for residential homes and residential facilities. This limits the number of residents in licensed residential homes to five or fewer residents and six to fifteen residents in a residential facility. State law also requires residential homes be allowed in all zone districts where single-family dwelling units are allowed. In those codes where the definitions of “residential home” and “residential facility” reference the state definitions of these facilities, it is unclear how facilities that do not require state licensing are treated (see discussion for Indicators 5 and 6).

Indicator 4: Definition of disability.

Only Hillsboro’s land development code includes a definition of “disability”. The definition is substantially the same as the FHAA definition for “handicapped”. The FHAA and ADA require local governments to make reasonable accommodations in policies, practices, or procedures to prevent discrimination on the basis of disability. A best practice is to include a definition of “disability” that aligns with FHAA or reference the FHAA definition for “handicapped”. This helps ensure that no disabilities covered under FHAA are excluded when processing a request for a reasonable accommodation related to land development standards. See also Indicator 20.

Indicators 5 and 6: Definitions for and Treatment of “Special Group Residential” and “Boarding or Rooming House”

Group living is sometimes mischaracterized as “boarding” or “rooming” house. This usually happens when a land development code does not include a land use category or categories for group living situations. Another issue can occur when seemingly appropriate land use categories have overlapping definitions. Terms such as “congregate care”, “group living”, “care facility”, “assisted living”, or “residential home” may be used. Residences offering the same living situation to similar groups of people may be placed in different land use categories. Those land uses may be allowed in different zone districts or processed under different review procedures. Terminology can be confusing or may specify only certain groups of persons (i.e., certain types of disabilities). This creates barriers to group living for disabled persons, are impediments to fair housing choice, and conflict with FHAA.

All of the codes have land use categories and definitions that distinguish “special group residential” from “boarding or rooming house”. In two instances, broad definitions are used. Tigard broadly defines “group living” and “household living” and cites some examples of the types of living situations or structures that fall under each of these two land use categories. Washington County uses a broad definition for “resident care facility”. This is one of five different types of group care included under the general land use category of “group care”. Each zone district lists the group care allowed, as described in the

special uses section of the land development code, and the review procedure required for the allowed group care uses. The remaining codes all have specific “special group residential” definitions that may or may not be listed as land uses. Beaverton, for example, defines and lists both “residential care facilities” and “care facilities”. Sherwood defines “residential care home”, “residential care facility”, and “group home” but does not list “residential care home” as land use category. (The definition of group home is a footnote to the permitted residential uses table.) Tualatin includes residential facility under its group living definition but lists residential home under its residential structures definitions.

Six of the codes follow the Oregon state statutes in their definitions for residential home and residential facility. The state definitions require licensing and may not align with FHAA. Specifically, Oregon Revised Statutes (ORS) section 443.400, which pertains to residential facilities and homes, specify “mental, emotional, or behavioral” and appear to allow facilities for persons with physical disabilities only “if the purpose of the facility is to serve individuals with co-occurring behavioral health needs”. Where the land development code only references state statutes, it may, unintentionally, prohibit group living situations for physically disabled persons, a protected class under FHAA. Facilities that do not require licensing under state statutes (referred to as unlicensed facilities in this review) are valid uses that serve a variety of groups protected under FHAA, such as women’s shelters, homeless shelters, etc.

The definitions used by Cornelius and Sherwood (for residential facility only) require these facilities to be state licensed. Group living that does not require licensing may be prohibited where the code requires state licensing. The other three codes referencing state regulations in their definitions, Tualatin, Forest Grove, and Hillsboro, also have a land use category of “group living” which may accommodate unlicensed facilities. All three broadly define “group living” and the definition does not include a licensing provision. If this land use category is interpreted to include both licensed and unlicensed facilities in each of these jurisdictions, unlicensed facilities are properly categorized and should not require additional review to determine their status as a land use. In all three of these codes, clarification could be made regarding how unlicensed facilities are categorized.

The Beaverton code does not reference state statutes, use terms used in state statutes, nor require licensing for the two group living types defined in the land development code. However, the definition of “care facilities”, which allows five or fewer residents, specifies children and seniors only, excluding disabled persons. The “residential care facilities” definition is relatively broad and lists types of facilities as examples rather than types of residents. This may avoid discriminatory treatment of different types of group living, but also may lead to arbitrary interpretation of whether a group living use aligns with the examples cited. In addition, the code could be clearer by using language similar to the Washington County Land Development Code to clarify that facilities, whether licensed or unlicensed by the state, that do not fall under the definitions for “care facility” or

“residential care facility” are not regulated as a “care facility” or “residential care facility” and are treated the same as any other household for the purposes of the zoning code.

The Hillsboro code consolidates different forms of special group residential housing into broad land use categories of either “household” or “group living”. It states that group homes for persons with disabilities are considered “group living” but does not define “group homes”. However, eight persons with disabilities living together is an exception to the “group living” description and is considered a “household”. The use “group homes for persons with disabilities” is confusing within the “group living” land use category. If the intent is to specifically include state licensed residential care homes for five or fewer individuals, it would be clearer to use that as an example.

Sherwood’s code includes a definition for “special care facility” which is a state licensed facility not otherwise defined in the Sherwood code. It is unclear if a “residential home” that is licensed by the state would fall under this definition or the definition for “residential care home”, which does not require licensing. The code also defines “specialized living facility”, which is broadly defined to serve “target groups” with “conditions resulting from a physical disability or behavioral disorder and require more than basic services of other established programs”. In the permitted land use table for residential uses, this use is listed as an example of a “specialized living facility”. These appear to be overlapping definitions. There is also a definition for “assisted living facility”, but this use is not listed in the permitted land use tables.

Tualatin’s code may be confusing because it overlaps residential structure types with use of the structure. The term “residential home” is included under types of residential structures but is defined per state definitions in ORS 443.400 which describe use and numbers of persons. While there do not appear to be any special standards in the code for a residential home structure, it is not specifically listed in the code section governing site design. It is unclear which set of site design standards this “structure” would be required to follow. In addition, Tualatin’s code also includes a group of unrelated disabled persons, in the definition of household. It is unclear if such a group would be required to reside in a “residential home” structure or could reside in any type of structure allowed in the zone district.

While all of the codes have land use categories for special residential group living, all but one also includes “boarding house” or “rooming house” as uses. Some incorporate these terms in a broader land use category such as “commercial lodging”. Unlicensed group living situations may mistakenly be included in these categories where the definitions pertaining to group living only allow licensed facilities.

Washington County recently revised how various types of “special group residential” facilities are treated in its land development code in response to recommendations in the 2012 Analysis of Impediments. An extensive review, completed with input from various interest groups including the Fair Housing Council of Oregon, resulted in an update to both

terminology and definitions for a variety of group living situations. The revisions consolidated group living situations based on the land use attributes rather than the occupants of the facility or residence and eliminate overlapping definitions. These revisions provide a good example of how to categorize and treat a variety of group living situations with a robust, inclusionary approach that furthers the intent of the FHAA.

Of particular note is that a distinction is made between state licensed facilities and group living that is necessary for certain groups of people, including disabled persons, who are not subject to state licensing. Specifically, Section 430-53 of the Washington County code states that *"Housing (aside from Retirement Housing Communities) that provides on-site management and/or care that does not require state or federal licensing is not classified or regulated as group care for the purposes of this code, regardless of the population residing or being served at that location."* This statement seems to allow unlicensed group living situations (facilities that do not require state licensing) through the same process as other residential development, provided such facilities meet the applicable regulations of the development code. This means that unlicensed facilities, whether or not there is some level of on-site care or management, are considered based on the type of structure, e.g., single-family detached dwelling, and processed accordingly. The type of dwelling unit determines the level of review required in each zone district, not the occupants, and unlicensed facilities should be processed the same as other dwelling unit types which would align with FHAA. The code could be further clarified to state this is, in practice, how unlicensed group living is treated. This would differ from how licensed facilities are treated. A "resident care facility" is a licensed or certified facility as defined in section 430-53.3. It is processed through a Type III review, regardless of the number of residents, in the three lower density residential districts. An unlicensed facility would require a Type I or Type II review in accordance with the type of residential structure proposed. The type III review is also more stringent than the review level required for other residential uses in these three districts.

Indicators 7 and 8 - Housing for protected classes in key locations/On-site support services allowed for persons with disabilities

Indicator 7 was an issue identified in the 2012 Analysis of Impediments. The review of land development codes only examines if there are zone districts with a purpose and mix of uses that support housing for protected classes near public transit, schools, health care, etc. Usually mixed-use zone districts are intended to allow residential uses in proximity to a range of "neighborhood serving" uses, such as small-scale retail and personal business services, health clinics, and employment. Codes with mixed use zones, transit-oriented development zones (TOD), or commercial zones that allow a mix of residential and commercial are considered to meet the intent of this indicator. Such zones are usually served by or planned around public transportation and are intended to provide a mix of land uses that support the daily living needs of its local population.

All but two of the communities reviewed allow group living situations as a “by-right use” in zone districts that accommodate a mix of residential, commercial, and community service uses. The Cornelius land development code allows a residential facility as a permitted use in two zones: the A-2, Multi Family zone and the new CR, Corridor Residential zone. The A-2 zone only permits residential uses, but the CR zone permits professional offices and public uses (such as schools) and includes both residential facility and residential home. A residential facility is a conditional use in the C-2 zone, Highway Commercial, which also allows multi-family as a conditional use. A mix of uses may also be approved in the A-2, Multi-Family zone but only through a planned unit development. Neither a residential facility nor a residential home are listed as permitted or conditional uses in either of the two new mixed use zones. Sherwood does not allow group living for five or fewer persons in any of its commercial zones and only allows residential facilities as a conditional use in two of those zones. Forest Grove has mixed uses in four zone districts but does not allow any type of group living situation in its NMU zone, Neighborhood Mixed Use. This zone would be a desirable location for small group living homes since it is intended to foster a mix of housing types with “neighborhood-scale” retail, office, civic, and recreational uses. The code states that this zone *“implements the Comprehensive Plan’s Mixed Use designation.”*

Indicator 8 identifies whether the permitted group living situations include on-site support services. On-site support services are allowed where the code definitions reference state requirements and licensing. It is unclear whether on-site support services are allowed for group residential living that does not require licensing.

Where the code references state licensing in its definitions of residential homes and residential facilities, on-site support is included in the state definitions. Both the status of group living situations which do not require state licensing and clarification that on-site support services are allowed is needed in all of the reviewed codes. On-site support services could be allowed as an accessory use to the group living situation. This is particularly relevant now with more at-home services being offered to traditional households, such as massage, yard maintenance, home occupations, and house cleaning.

Of note are the Oregon state statute requirements that residential homes for five or fewer individuals must be a permitted use where single-family dwellings are a permitted use and residential facilities for six or more individuals must be a permitted or conditional use where multi-family residential is a permitted or conditional use. Staff is not counted in the number of residents. (ORS 197.665 and ORS 197.667) . Based on the state statutes, all facilities, regardless of size and meeting the licensing requirements referenced in these sections, must be allowed with support services. Local codes should clearly reflect these state requirements either by having appropriate land use categories or by including a reference to the requirements of the state statutes. This lets providers, developers, local officials, and the public know the status of such facilities and how they are reviewed when proposed in that community.

Indicators 9 and 15 - **Public hearings/Special review for housing for persons with disabilities**

Public hearings may or may not be required based on the use, the definition of the use, or the type of structure allowed in each zone district. While some jurisdictions place groups of disabled persons in a broad land use category of “household”, they may also have land use categories for dwelling unit types (see Tigard and Tualatin). This may lead to confusion as to how an application is reviewed. Others may have a definition that includes only facilities that are licensed under state or federal law, leaving unclear how facilities for groups of disabled persons that are not regulated under these laws are treated in the land development code. In many cases, the level of review may be administrative, not requiring a public hearing, but public notice to the surrounding property owners and the neighborhood is required. Those receiving notice and anyone who comments may appeal the administrative decision. Appeals are reviewed based on the criteria and standards of the code. Since group homes for disabled persons often face neighborhood opposition, decisions on these types of land uses may be appealed more often, causing delay and uncertainty in the process. It should be noted that Oregon state statutes define what kinds of decisions require notice or public hearings, the procedural requirements, and appeal process, for each.³

In addition to FHAA, Oregon state statutes also mandate that residential homes be permitted where single-family residential dwellings are permitted and residential facilities be allowed in the same zone districts and with the same land use status as multi-family residential (e.g. as a permitted or conditional use). In addition, more restrictive requirements than those placed on single-family dwellings units may not be placed on a residential home. (See also Indicator 11).

All the jurisdictions may be able to minimize neighbor opposition to group residential living and increase public awareness of their role in meeting housing demand by working with disability advocates to develop information about such facilities and the state laws that govern how they are located. Such information could be sent with the public notice, when notice is required, and posted on the local jurisdiction’s website.

The Hillsboro and Tigard land development codes identify a process for reasonable accommodation requests. In both these codes, such requests are a “director’s determination” and do not require notice or a public hearing. See also the discussion under Indicator 20 below.

The review processes for group residential living in each jurisdiction are briefly summarized below.

³ ORS 227.175, ORS 215.416, ORS 197.763

Washington County – A public hearing (Type III review) is required for licensed group care in the lower density residential zone districts (R-5, R-6, and R-9). All other residential uses are processed through the Type II procedure. A group of disabled persons living together where a no license is required appears to not be subject to the Type II review. Although no public hearing is required for the Type II review, public notice is sent to property owners in a specified distance and to the community participation organization. These parties and the applicant may appeal the administrative decision. Because a different procedure is used for licensed group living than for the other residential uses, this may be considered disparate treatment and conflict with FHAA.

Group care also is an allowed use in the residential transit oriented zone districts, however the referenced section identifying the type of group care allowed appears to contain an error. . Table A, Permitted and Prohibited Uses in Transit Oriented Districts, references “Group Care – Sections 430-53.31(27)”. For the purposes of this review it is assumed that section 430-53.3, resident care facility, is the intended reference. This is the same land use category as in the standard residential zones. A Type II review also is required in all the transit oriented zone districts where this use is allowed. Table A should be updated with the correct section referenced for the allowed type of group care.

Beaverton – “Residential care facilities”, for six or more residents, are a permitted use in all multiple-use zones, but a conditional use in all residential zones and all commercial zones. The conditional use designation requires a Type III review with a public hearing. Attached dwelling units are an outright use in most of these zones. Other requirements may trigger a conditional review for these structures, but the use itself does not. While all types of residential care facilities are subject to the same conditional review, they are treated differently from other attached dwelling units. There may be a conflict with FHAA when facilities serving disabled persons are subject to a conditional review that is not required for attached dwelling units. This same potential conflict does not occur in multi-use zones since a residential care facility and an attached dwelling are both outright uses in the same multi-use zones and both are not allowed in the same multi-use zones. “Care facilities” are not permitted in multi-use zones and are permitted as an “outright” use (no public hearing, no public notice) in all residential and commercial zones. (Note: Care facilities are only for children and seniors and there is no land use category for other small group living situations). It is unclear how group living situations for disabled persons not meeting the definition of care facilities or residential care facilities are treated and they may only be permitted through a determination of use, other special review procedure, or rezoning. Staff reports that a group of disabled persons, regardless of disability, living together without support services would be treated as any other household living situation. This could be clarified with a statement in the code to this effect. See also Beaverton under Indicator 6.

Cornelius – Special group facilities and residential are treated very similarly under the Cornelius land development code. A residential home, for five or fewer residents, is an

outright use in the standard single-family residential zones but is not permitted in the MHP zone (manufactured home park). It has the same review as single-family detached units. Both residential home and single-family detached units are a conditional use in A-2, Multi-family, zone, requiring a public hearing. Neither are permitted in any commercial or mixed-use (Main Street) zone. A residential facility, for six or more residents, is an outright use in the A-2 zone, and is a conditional use in C-2, Highway Commercial, zone. Attached units and multi-family buildings are treated the same in these zones. Neither residential facility nor residential home are listed as permitted or conditional uses in the two new mixed use zone districts, although residential units and affordable housing are allowed. Residential facilities should be treated the same as the other allowed residential uses in these two mixed use zone districts.

Forest Grove – Residential home and residential facility are included in the group living land use category. Group living for five or fewer residents is permitted in all residential zones and in both TC, Town Center, zones. This is the same as the household living land use category. However there are three zone districts where the two are not treated the same. Group living for five or fewer is not permitted in the NC, Neighborhood Commercial, zone nor the NMU, Neighborhood Mixed Use, zone, and is conditional in the CC, Commercial Core, zone. Household living is permitted in all three of these zones. Group living for six or more residents is a conditional use in all residential zones but household living is an outright use as are various forms of attached dwelling units. The conditional use requires a public hearing process. Group living for six or more is an outright use in both TC zones and in the CC zone, as is household living. Like group living for five or fewer, it is not permitted in the NC or NMU zones, although household living is. Residential facilities should be treated the same as single-family and attached residential where these uses are allowed as permitted or conditional uses.

Hillsboro – Section 12.10.120, Group Living, of the land development code states that eight or fewer persons with disabilities, with or without care, are a household and is not included in the land use category called “group living”. “Household” is a separate land use category. It is an outright use in all residential zones and in most of the mixed-use and commercial zones. Where it is classified as a “limited” use it is because the housing types in those zones are limited or residential use is restricted to multi-use buildings, over commercial uses. Public hearings are not required based on use but may be required based on the type of review required. Since all uses are treated the same, this is not a conflict with FHAA. The land use category of “group living” appears to encompass both licensed and unlicensed residential facilities for six or more persons, with no limit on the number of residents. Group living for persons with disabilities is the only type of group living allowed in six of the seven single-family residential zones. In these zones this use must be approved through the reasonable accommodation process. This is an administrative procedure that requires neither notice nor public hearing. Another land use category of “residential services” includes only state licensed or permitted care facilities for six or more residents. This use is permitted in just one of the single-family residential

zones, all of the multi-family residential zones, and most of the mixed-use and commercial zones. No public hearing is required based on use. A planned unit development is required, triggering a public hearing, if the allowed density (calculated at four persons equivalent to one dwelling unit) is exceeded. This is the same treatment as for other requests for density increase.

Sherwood – Special group facilities and residential are treated very similarly under the Sherwood land development code. Although not defined, a group home of five or fewer residents is permitted as an outright use in all residential zones. It is not permitted in any of the commercial zones. This is the same as single-family detached units. A residential facility, for six or more residents, also is permitted as an outright use in all residential zones. All four commercial zones allow multi-family as an outright use but residential facility is not permitted in two of those zones and is a conditional use in the other two (RC and GC.) A conditional use requires a public hearing.

Tigard - No public hearings are required based on the use of any residential structure by a particular group. Review requirements are based solely on the type of structure, e.g., single-family detached dwelling, rowhouse, apartments, etc. A Type I (administrative/no notice) or Type II (administrative/with notice) review is required for residential structures listed as allowed housing types. The Type II procedure is triggered only when a development requires a transportation impact study, as set forth by Chapter 18.910, Improvement Standards (see section 18.910.030.CC. This same standard is applied to all residential developments. It is beyond the scope of this review to determine if transportation standards may treat residential homes for disabled persons or other protected classes differently from other similarly sized residential structures. The Type II procedure requires public notice, an opportunity to comment in writing, and allows any party entitled to receive written notice to appeal the decision. The appeal is to a Hearings Officer which helps to focus the hearing on the standards of the code rather than potential public bias.

Tualatin – “Household living” is a listed land use that includes *“one or more handicapped persons as defined in the Fair Housing Amendments Act of 1988, plus not more than five additional persons.”* Household living is an outright or a conditional use in all residential zone districts and the three overlay zones. A “residential home” is a listed housing type rather than a use. It is limited to five or fewer individuals and is defined in accordance with “residential home” under state statute ORS 443.400. This type of structure is permitted outright in all residential zones but is not permitted in the two commercial zones that allow household living. “Group living” is a listed land use category that includes “residential facility”. This also is defined per state statute ORS 443.400, and is a facility specifically for six or more individuals. This group living use is an outright use in all residential zones and a conditional use in the two commercial zones with residential uses and the three overlay zones. A conditional use requires a public hearing. There may be some confusion

regarding how to classify groups of disabled persons who meet the definition of “household living” but do not meet the definition of “residential home”.

Indicator 10 - Mixed use allowed

All of the codes establish zone districts that allow a mix of residential and commercial uses. In some cases this is accomplished within standard residential or commercial zone districts, but most of the codes include at least one zone district designated as mixed or multi-use. A best practice is to establish a variety of standard mixed use zone districts, where specified residential and commercial uses can occur as “outright” uses, with development standards that accommodate both types. This eliminates the added time and costs associated with the typical planned unit development process which is sometimes the default method of allowing residential with commercial development.

Indicator 11 - Variety of housing types and densities

All codes include zone districts that allow single-family and multi-family housing types at a variety of densities.

Washington County has a series of standard residential zone districts that allow densities ranging from 4 – 5 dwelling units per acre to over 25 dwelling units per acre. Single-family detached and manufactured homes are outright using in all six residential zone districts and duplex is as well in four of these districts. Four of the residential zone districts allow “attached dwellings”, defined to include any attached dwelling units. However in all cases a Type II review is required for all attached housing. While a public hearing is not required, public notice is required and the administrative decision may be appealed. In essence, developing any kind of attached housing in residential land use districts requires public notice.. The same is true for the two commercial zone districts that allow residential. The Neighborhood Commercial (NC) zone allows dwelling units above ground floor commercial through a Type II review. The Office Commercial (OF) zone allows multi-family only through the planned development process and only within a mixed-use office/commercial development.

In addition to the standard zone districts Washington County has six transit oriented residential zone districts. These zones allow densities from 9 to 120 dwelling units per acre with a wide variety of housing types, including single-family detached, duplex and manufactured home. Specific “attached dwelling” (multi-family) housing types are defined within each zone that are intended to match the densities allowed. For example, “low-rise apartments” are a specific use category in the TO:R12-18 zone but not in the lower density RO:R9-12 zone. Likewise “high-rise apartments” are only allowed in the highest density zones, TO:R24-40 and TO:40-80. All housing types allowed in lower density zones are allowed in the higher density zones as well. However, the residential transit oriented district zones require a Type II review for all residential uses.

The additional review required through the Type II process can add time and cost to development. Consideration should be given to processing all residential housing types that match the density of the zone district as Type I reviews, where no public notice is required.

Washington County limits the size of one dwelling unit type – “cottage housing”. This type of dwelling is allowed in one area, North Bethany, and is intended to encourage housing that targets the middle-income household. Staff reports that an ordinance to allow cottage housing in more residential districts is in progress.

Beaverton defines and lists as land use categories “attached” and “detached” dwellings. Both multi-dwelling structures and single-family attached dwellings are considered “attached dwelling” and are an outright use in three of the six residential zone districts. The definition of multi-unit dwelling can encompass diverse multi-family unit types. These are the zones with higher densities, ranging from about 9 – 35 dwelling units per net acre. Single-family detached dwellings are outright uses in all residential zone districts. Duplex is a conditional use in one of the three single-family zones with only detached dwellings, with the exception of the SC-E zoning districts. All commercial and multi-use zone districts allow attached dwelling units. A single-family detached style called “compact detached housing” is an outright permitted use in seven of the twelve multi-use zone districts. This allows siting of homes that face a common courtyard, green, or public street and has reduced setbacks. There may be lower development costs based on more efficient site design, but this development style must comply with required density for the zone district and additional design review requirements. The multi-use zone districts allow the same density for all styles of housing, ranging from 12 to 60 dwelling units per acre. Live/work style housing is a specified housing type outside the “attached” and “detached” land use categories. This is an outright use in all commercial zones and an outright or conditional use in 10 of the 12 multi-use districts. Manufactured home is an outright use in the three lowest density residential zones, R-5, R-7, and R-10. This housing type also may be appropriate in the smaller lot, higher density zone districts- since it provides a lower-cost construction option and would create an additional opportunity for “middle-market” housing choices.

Hillsboro has a wide array of zone districts that can accommodate a number of different housing types at a variety of densities. Even the lowest density residential zone allows duplexes on a small percentage of the lots in a new development with 20 or more lots. Minimum density ranges in the eight single-family residential zone districts are from 3.5 dwelling units per net acre to 15 dwelling units per net acre near light rail stations. Maximum densities are 4.5 to 23 dwelling units. These density ranges allow for a variety of single-family housing types with smaller lot sizes helping to reduce housing cost. The multi-family districts overlap the densities of the single-family districts, increasing housing options and styles. The maximum density allowed in the highest density multi-family district is 30 dwelling units per net acre. The ten mixed-use zone districts allow lower,

moderate, and high density development, with one district minimum density set between 7.0 and 12.0 dwelling units per net acre and another district allowing up to 65 dwelling units per net acre. The commercial zone districts allow the highest densities, up to 90 dwelling units per net acre in one district. The other zone districts range from 24 to 36 dwelling units per net acre.

Cornelius revised its zoning code with new mixed-use zone districts. The code revisions are effective December 4, 2020. The revised code has five residential zone districts. Two allow only single-family detached as an outright use at densities between three and five dwelling units per acre. These are fairly low densities that do not support small lot sizes for single-family homes. Both zones allow duplexes as a conditional use. The higher density zone (R-7) also allows zero lot line single-family and) as a conditional use. The Manufactured Home Park zone district allows detached manufactured homes at ten dwelling units per acre. This density is more conducive for small scale housing of any type. Manufactured homes are an allowed use in both single-family residential zones. The A-2 multi-family zone district has a modest maximum density of 14 dwelling units per acre. The revised code adds a second multi-family zone district, "Core-Residential" (CR) which has a minimum density of eight dwelling units per net acre for single family detached units and eleven dwelling units per net acre for all other dwelling units. There is no maximum density established. This brings opportunity for a broader range of more affordable single- and multi-family housing options. Both zones allow single-family attached dwellings (townhomes), duplexes, zero lot line homes, and multi-family buildings also are permitted. The four mixed-use zones are consolidated into two mixed-use zones in the revised code. In the Gateway Mixed Use zone (GMU) multi-family buildings and townhomes at a minimum density of 18 dwelling units per acre are allowed. No maximum density is established. The Central Mixed Use zone (CMU) zone allows residential above non-residential uses, except regulated affordable housing is exempt from this requirement. No minimum or maximum density is established. The new Corridor Commercial zone (CC) is allows residential above or behind nonresidential uses and also exempts regulated affordable housing from this requirement. None of these three new zones list residential home or residential facility as a permitted or conditional use. Since these are mixed-use zones, it is desirable to allowing these uses to provide maximum access to the types of services and amenities beneficial to residents.

Forest Grove lists household living and group living as the use categories allowed in all residential zones. In addition, a range of housing types are listed uses, including single-family detached and attached dwellings, duplex, multi-family, manufactured homes, manufactured home parks, and accessory units. This allows a range of housing types across the residential zones. Although household living is an allowed use in all five commercial zones there are no development standards established for any housing types. In three of these zones residential is allowed only as part of a mixed-use development or above the ground floor of a building. It is unclear what housing types are allowed either in

a mixed-use development or in the two zone districts where residential is permitted without mixed-use.

Sherwood has four low density residential districts that allow both single-family detached and attached units. Single-family attached is defined as two units on separate lots. The densities range from one to five dwelling units per acre. It is unlikely that single-family attached housing would be developed at a density less than five dwelling units per acre. Multi-family is defined as three or more attached units and is allowed in three residential zones and all the commercial zones with residential as a use. It is the only housing type allowed in the commercial zones. Townhomes are allowed in only two of the residential zone districts. A greater variety of housing types may be achieved if townhome is included allowed in the medium-low density residential zone districts (MDRL).

Tigard allows different densities and lot sizes for different housing types in four residential zone districts. This is a unique approach to providing housing variety within traditional single-family detached zone districts. Cottage housing, four to twelve small detached homes, and courtyard homes, five to twelve small attached homes, are allowed on a single lot as long as a minimum land area per dwelling unit is met. This housing type along with “quads” and courtyard units have both size and lot coverage limits to help create housing options for middle-income households. Tigard also allows different styles of attached housing including rowhouses, quads (two units above two ground-floor units), and apartments. A wide range of densities are allowed among the housing types, with up to fifty dwelling units per acre possible in some mixed-use zones. Infill development is encouraged by allowing duplexes and triplexes on every residential lot in the city, with processing as an accessory dwelling unit. This is a good approach for adding housing diversity in established neighborhoods. Finally, Lot coverage limits are used in certain zone districts for single family detached housing and apartments also to address the “middle-market’ gap.

Tualatin is interesting in that it allows single-family detached dwelling units as an outright use in only one zone district. An average lot size of 6,400 sq. ft. is required. Small lot subdivisions also are a conditional use, with a minimum lot size of 5,000 sq. ft., in this zone district and one other zone district. Single-family detached dwellings are not permitted in any other zone district, although a wide variety of housing types are allowed in most of the zones with residential uses. However, manufactured dwellings are only allowed in the lowest density zone district unless in a Manufactured Dwelling Park. This is an outright use one residential zone and a conditional use in one commercial CR zone. Also of note is that group living situations such as retirement housing, congregate care, nursing facilities, and group living are allowed at higher maximum densities than household living. This may work as an incentive for such development.

Indicator 11b addresses a concern identified in the previous AI that certain development standards may limit house size in a way that inhibits special group residential living and family-friendly homes to be located in residential zone districts, even if they are a

permitted use. Sometimes codes establish maximum house sizes, which can limit both of these types of housing from occurring in certain zone districts.

Washington County establishes maximum house size for a certain type of residential housing called “cottage housing”. This impacts only that style of housing and is currently only allowed in one zone district, North Bethany. Tigard, as discussed previously, also limits house size and lot coverage for certain types of housing units. It also limits lot coverage for single-family detached units in certain zone districts. The lot coverage requirements would apply to both single-family and a residential facility and do not represent a disparate barrier to such facilities. Although Tualatin’s code seems to have adequate lot coverage requirements to accommodate special residential group living and family-friendly dwellings, the land development code does not specifically list lot coverage standards for the structure type “residential home”. This makes it unclear as to what standards would be required.

Likewise, extensive areas zoned for very small maximum lot sizes, often established to encourage housing for low- and middle-income households, may not be conducive to special group residential or family-friendly housing. The small lot size will result in a small building footprint, with multiple-levels for living spaces. While this may work well for families, it may not for special residential group living. How to accommodate special residential group living in zone districts with small lots and building footprints needs to be discussed with providers to ensure these populations have the same opportunity as other residents to live in all residential settings in a community. See also Indicator 17.

Finally, Oregon state law ORS 197.665 and ORS 197.667 requires residential homes, as defined by ORS 443.400, to be a permitted use in all residential zones and in any commercial zone that allows a single-family dwelling unit. No additional zoning requirements more restrictive than those imposed on a single-family dwelling in the same zone may be placed on a residential home. This same section also requires residential facilities, as defined by ORS 443.400, to be permitted where multi-family dwelling units are permitted and be a conditional use wherever multi-family dwellings are a conditional use. Although the state law does not specifically mention multi-use or mixed use zones, these zones typically include residential uses. As such, mixed- or multi-use zone districts should also permit residential homes where single-family dwellings are and residential facilities should be permitted or conditional where multi-family dwellings are permitted or conditional uses.

Indicator 12 - Exclusive areas

None of the codes describe areas as exclusive for certain groups of people. Areas are described in terms of housing type (e.g., single-family detached) and permitted uses. All of the municipal codes reviewed include low density residential zone districts that only permit single-family detached dwelling units. Washington County allows an “Attached Dwelling

PUD” in its lowest density residential district (R-5) and allows a variety of attached units in all its residential and transit oriented development districts.

Exclusive areas are also addressed in Oregon state law. ORS 197.312, amended by Oregon Senate Bill 1051 in 2017, requires jurisdictions over a certain size to allow accessory dwelling units in all zone districts where single-family dwelling units are allowed. Oregon House Bill 2001, enacted in 2019, requires that “middle-housing” be allowed where all single-family dwelling units are allowed. This includes duplexes, for smaller cities, and duplexes, triplexes, quadplexes, cottage clusters, and townhouses in larger cities.

Indicators 13 and 14 - **Senior housing**

Only the Washington County and Tualatin codes define “retirement housing” and include it as a land use. Both codes age-restrict this housing for persons aged 55 and older. Tualatin’s definition also allows couples where one person is younger than 55. Washington County definition is unclear if a one member of a couple may be under 55, stating only that retirement housing is for persons 55 or older. Both definitions comply with the FHAA exemption the from “familial status” protection. The Housing for Older Persons Act (HOPA) under FHAA, requires that housing for older persons must either be exclusively for persons aged 62 and older or have at least one person aged 55 or older residing in 80 percent of the occupied units.

Washington County includes “retirement housing community” as a type of “group care”, which is the term used as a land use category. Different types of group care are further regulated by special use standards for different types, e.g., day care facility, retirement housing community. Each zone district identifies the specific type of group care allowed by referencing the specific use standard (Section 430-53). A Type III review is required for a retirement housing community in all the zone districts where it is an allowed use. A Type III review requires a public hearing. The term “senior housing” is used in the North Bethany Subarea Plan. It is not defined and is identified as a desired multi-family use in the R-25+ NB zone district. All multi-family development is permitted through a Type II review process, which does not require a public hearing. This is the only zone district that allows “senior housing” to be reviewed and approved in the same manner as other multi-family development.

A best practice is to use the same term for senior housing throughout the code, conform the definition with FHAA, and use the same review process for this use when allowed in similar zone districts, i.e., use the Type II review in both the R-25+ and R-25+ NB zones.

Tualatin’s code includes “retirement housing facility” as a land use category. The definition complies with the age requirements under FHAA and states this is “retirement housing” in a multi-family structure. It is allowed as a conditional use In all residential zones, including the Central Tualatin Residential Overlay. A conditional use requires a public hearing. Retirement housing is not listed as a land use in any other zone district.

Indicator 15. **Special review for housing for persons with disabilities**

See Indicator 9.

Indicator 16. **Standards for handicap parking**

Only the Tigard and Tualatin land development codes provide any references for minimum standards for handicap parking. In no case are the standards set forth in the code. It is likely that the other codes are silent on the requirements because the Oregon state building code contains parking requirements for handicap parking. However, the Oregon state requirements may or may not be compliant with FHAA and ADA requirements. A best practice is to reference both the federal and state requirements in land development standards where federal guidelines have been issued. Some codes, such as Cornelius, reference “ADA accessibility standards” in sections pertaining to curbs, gutters, sidewalks, and landscaping. It is unclear if this reference would also mandate compliance with the number and design of handicap parking spaces for multi-family.

Hillsboro, Forest Grove and Tualatin allow reductions in parking requirements for senior housing. Forest Grove, Tigard, and Hillsboro allow reductions in only certain zone districts. Tigard allows a reduction in its Downtown Plan district for uses that are permanent in nature and a low demand for parking, with senior citizen housing as an example of such a use. Reductions are at the discretion of the Director. Beaverton provides reduced parking for “residential care facilities”, as compared to other residential dwelling units. Residential care facility includes housing for disabled persons but is not specific to senior housing. Washington County does not have a codified parking reduction specific to senior housing. However a parking reduction for any allowed land use, including senior housing or group care facilities, may be requested. A parking analysis must be provided by the applicant with information to substantiate the requested reduction. This request is reviewed and approved by the Director through a Type II process. Under this process notice to interested parties is required and appeal of Director’s decision by interested parties is allowed. A best practice is to have a standardized parking reduction for group care and senior housing to decrease uncertainty for these uses.

Indicator 17. **Alternative housing types**

None of the codes specifically include a land use category for alternative housing types such as cooperatives (co-ops), co-housing, or tiny homes. These housing types often struggle to gain approval in residential zoning districts and require a zoning change because they are not specifically permitted. Absent their inclusion, how they are classified and where they are permitted is subject to interpretation or may only occur through a planned unit development. Both Tigard and Washington County staff report that co-op style housing would be allowed through interpretation of existing regulations. However, consistency of interpretations can be problematic, especially as codes are revised. A best practice is to clearly cite and define such alternative housing types in local codes to

minimize possible mischaracterization and additional review procedures. In the case of “tiny houses” local land development codes can be made clearer by referencing the tiny home definition and requirements of the Oregon Reach Code and Small Home Specialty Code.

Some of the codes include modern residential site design that encourages compact or small-lot development. Washington County allows “cottage housing”, which limits dwelling units to a maximum floor area of 1,500 sq. ft. including a garage. While not a “tiny house”, this is a smaller house size that may not otherwise be developed under the standard housing types in the land development code.

Tigard is the only code that defines “tiny house”,. They are defined as a recreational vehicle constructed to the R-5 standard of the Oregon Reach Code and are prohibited in all zone districts. Tigard does allow a tiny house on a permanent foundation under the definition of “manufactured home”, which allows construction to the R-3 Tiny House standards of the Oregon Reach Code. A tiny house meeting this requirement may be erected for any permitted housing type in a zone district.

The planned unit development (PUD) process could be used in other jurisdictions to allow alternative housing types, such as tiny homes. However this type of process requires a rezoning with public hearings. Even with the flexibility of a PUD, the land development code may need to be amended to specifically include a new housing style that is not otherwise listed in the code. A best practice is to include in the land use code alternative housing types that will meet housing demand for all segments of a community’s population.

All of the codes allow accessory dwelling units and manufactured homes, per Oregon state law. ORS requires accessory dwelling units and manufactured homes to be allowed uses in all cities and counties. Most of the jurisdictions reviewed allow accessory units to be part of the main home or be a detached structure. Washington County incorporates an incentive for accessibility by allowing greater square footage in the accessory unit when built to the accessibility standards of the Oregon Residential Specialty Code. Manufactured homes must be allowed in residential zones where single-family homes are allowed.⁴

An issue identified in the 2012 Analysis of Impediments relates to housing options that do not fit the standard residential use categories typically not included in zoning and land development codes. Historically, uses such as modular homes, tiny homes, co-op housing, and even condominiums may not have been an allowed residential type. Some of the codes reviewed have incorporated some of the modern housing typology, such as tiny houses (i.e., Tigard includes an R-3 rated “tiny house” as a type of modular housing). The more a community can identify and specifically include such housing types in their zoning

⁴ ORS 197.296 and ORS197.312

and land development codes, the fewer the barriers to approval and the lower the costs to development. Where such non-standardized housing types are not identified in a code, an additional steps will be required, adding time and cost. A determination will need to be made as to if it can be included in an existing housing type (as Tigard did with “tiny house”), or a new land use category will need to be added to the code. Alternatively the housing type may be approved through a PUD process.

Indicator 18. Special building design or materials

All of the land development codes reviewed have standards for building design and building materials. The type of structure or the location triggers these design standards and they are not applied differently to group living situations, residential homes, or residential facilities. In general design standards requiring the use of special materials and building design features, e.g., specific roof styles, porches, transparency requirements, add to the construction cost of a development and decreases the affordability of housing units. This can disproportionately impact persons covered under FHAA, e.g., disabled persons, since these groups tend to comprise a greater share of lower-income households than their share of the general population. An interesting approach is in Forest Grove where design review is required in some areas. The developer may choose between two levels of review, and may pursue flexibility in development standards when following adopted design guidelines. Even with the design review, focus is on building siting and amenities not materials and variety in building form.

Indicator 19. Accessibility requirements of FHAA

None of the codes specifically cite the accessibility requirements of FHAA. Most of the codes contain a generic statement that all development and land use must comply with state and federal law. Tigard includes a reasonable accommodation review process which references “federal regulations”, but not specifically FHAA.

A best practice is to specifically reference FHAA and ADA accessibility requirements to reinforce that federal requirements must be met in addition to Oregon state accessibility requirements. Adding “as amended from time to time” or “currently in effect” avoids the concern that the local code may become out of date as federal requirements change.

Indicator 20. Reasonable Accommodation

Both the Hillsboro and Tigard land development codes include a specific process by which a disabled person may request a reasonable accommodation in the application of land use and development requirements. In both codes this procedure is separate from the variance process, establishes review criteria directly relevant to reasonable accommodation, and does not require a public hearing. Typically the variance process cannot be used for reasonable accommodation requests because of strict hardship-based criteria are used to decide variance requests under a quasi-judicial review.

None of the other codes have a specific reasonable accommodation procedure in the land development codes, leaving it unclear as to how such requests are managed. A best practice is to establish a reasonable accommodation process in the land development code to acknowledge the requirements of the FHAA and ADA and avoid delay and confusion in the review of requests to adjust land development standards for reasonable accommodation.

Local governments are required by Oregon state law to follow the Oregon state building codes. This family of codes is adapted from the International Code Council's (ICC) set of building codes and adapted to Oregon building conditions. The Oregon State Specialty Codes (OSSC) include accessibility design and construction standards. Similarly to the ICC codes, the Oregon state building codes also allow for alternative methods in design, materials, and constructions that are approved by the building official. This process could be used to request a reasonable accommodation for a disabled person, e.g., a lower kitchen sink height for a person in a wheelchair.

Indicator 21. References to fair housing

None of the land development codes have a statement on fair housing or the relationship of the code to FHAA. One of the codes, Tualatin, references FHAA or fair housing in the definition "household" and "family". Both the Hillsboro and Tigard reasonable accommodation procedures have a general reference to the requirements of federal and state law but do not identify the specific laws that are the basis for this review. Washington County staff report that while the Comprehensive Development Code does not reference FHAA the community development code was updated in 2018 with revised definitions and standards to better comply with FHAA.

A best practice is to include language in the land development code referencing fair housing, FHAA, and ADA and explaining how the code complies with these policies and laws. This creates on-going awareness of these policies and laws for current and future administrators, builders and developers, and the community. It also establishes the link between the code and local policies that support fair housing.

Several of the jurisdiction's comprehensive plans have policies that reference fair housing and FHAA: Beaverton, Hillsboro, and Tigard. While these three jurisdictions address fair housing in their respective comprehensive plans, the land development codes do not specifically reference FHAA. A best practice is to clearly link the policies of the comprehensive plan with the implementation mechanisms in the land development code.

Indicator 22 - System development charges

Only the Tigard allows reductions in system development charges for affordable housing, which may serve seniors as well as lower income groups. In August 2019, an exemption for accessory dwelling units (ADU) was added to the Municipal Code, Chapter 3.24, System

Development Charge Program. These types of units may also serve as an affordable housing option for seniors and lower income groups. Both types of housing are exempt only from the transportation and park system development charges.

None of the codes allow transportation impact fees to be waived or reduced for targeted housing types, e.g., family housing with two or more bedrooms, work-force housing, or group living for disabled persons. Washington County allows a combined review process for regulated affordable housing under its Flexible Design Option. The combined fee reduces the cost over what would be charged for each individual review.

Reductions or waiver of system development charges and development review fees are well-accepted incentives for affordable housing and to achieve housing goals for other needed housing, such as group living facilities for disabled persons, senior citizen housing, and family-friendly housing.

Oregon state statutes provide several tax exemption options to local jurisdictions that directly or indirectly support affordable housing and higher density housing that could serve lower-income households and group living facilities. These tax exemptions include:

- Nonprofit corporation low-income housing (ORS 307.540), allowed at the discretion of the local jurisdictions. This provides a 100 percent exemption for affordable housing limited to persons at 60 percent AMI. Beaverton, Forest Grove, Cornelius, and Tigard use this exemption.
- Multi-unit housing in core areas or transit oriented districts (ORS 600), slated to sunset in 2022.
- Vertical housing development zones (ORS 307.841) to promote density, with some cities using it for affordable housing. Beaverton, Forest Grove, and Tigard use this exemption, with Hillsboro working to establish one (per the Hillsboro)
- Property owned or leased by a charitable institution and operated as low-income housing (ORS 307.130) with eligibility determined by the local tax assessor. This provides a 100 percent tax exemption for housing developments serving people at 80 percent AMI or below.
- Property owned or leased by a public housing authority (ORS 307.092)

These are important tools that can help achieve both affordable housing and housing that serves a variety of protected classes including seniors, families, and persons with disabilities. Each jurisdiction must determine with its partner taxing agencies how to use these tools to achieve their housing goals and whether these tax exemptions are appropriate for the financial health of their community.

Indicator 23 - Relocation for displaced seniors.

None of the land development codes discuss assistance for the relocation of any category of person displaced due to the closure of mobile home parks or other housing facilities. Land development codes typically do not regulate relocation of residents, but other local or state legislation may establish procedures or programs to provide assistance. Relocation assistance also may be available under the Uniform Relocation Act (URA) for residents displaced as a result of an acquisition, rehabilitation, or demolition involving federal funds. HUD guidance establishes the timing and type of notice to residents required in such actions.

A best practice is to create a set of local resources who can provide a range of assistance, such as housing referral information, short-term loans, moving assistance, etc., to seniors, and other residents in the event of the closure or redevelopment of existing housing serving protected classes and low-income households.

Barriers to Affordable and Middle-Market Housing

Washington County, Hillsboro, and Beaverton land development codes also were reviewed regarding potential barriers to the provision of affordable and middle-market housing. With the largest populations of the nine jurisdictions reviewed in this assessment, these three likely contain more diverse populations and may face more demand for a wider range of housing choice.

Housing choice and affordability are both important factors in fair housing. Housing style, e.g., number of bedrooms, and affordability also are factors in One-bedroom dwelling units may be “affordable” but are neither an appropriate nor desirable housing style for a family. The zoning code may not provide residential zone districts with density, number of dwelling units per acre, that results in housing targeted to middle-income households.

State Law:

Oregon state laws mandate or authorize several housing options intended to address both housing choice and affordability. These include:

- Accessory Dwelling Units (ADU): Effective July 1, 2018 at least one accessory dwelling unit must be allowed in areas within the urban growth boundary zoned for detached single-family dwellings. This applies to cities with a population greater than 2,400 or a county with a population greater than 15,000. The ADU may be an interior, attached, or detached dwelling unit that is accessory to the single-family dwelling. (ORS 197.3120)
- Manufactured Housing: Land development codes must allow manufactured housing units, meeting certain standards, as permitted uses in single-family zone districts. The code also must allow manufactured housing subdivisions in single-family zone districts

and must allow mobile or manufactured dwelling parks in zone districts that allow 6 to 12 dwelling units per acre. (ORS 197.312 – 197.314)

- Residential Facilities: Residential homes for five or fewer individuals must be a permitted use where single-family dwellings are a permitted use and residential facilities for six or more individuals must be a permitted or conditional use as multi-family residential is a permitted or conditional use. Staff is not counted in the number of residents. (ORS 197.665 and ORS 197.667)
- Inclusionary zoning: Cities and counties may offer certain developer incentives in exchange for affordable housing in a new development as long as no more than 20 percent of dwelling units in a multi-family structure of 20 or more units are required to be affordable. A payment-in-lieu may be substituted for the units. (ORS 197.309)

Of note is recent state legislation requiring jurisdictions to allow “middle housing” in areas zoned residential. House Bill 2001 requires cities with a population of at least 10,000 to allow duplexes where single-family dwellings are allowed. Jurisdictions with 25,000 or greater population also must allow triplexes, quadplexes, cottage clusters, and townhouses. Depending on the size of the jurisdiction, land development codes and comprehensive plan policies are to be revised by June 2021 or June 2022. This legislation will affect new development and does not mandate any change to existing dwelling units.

Affordable/Mid-Market Housing in Washington County, Beaverton, and Hillsboro

Washington County: The Urban Area Housing Element of the Washington County Comprehensive Plan includes specific policies that support affordable housing and housing choice.

The land use districts established in the Washington County Community Development Code provide a range of housing densities, with both minimum and maximum density targets in all but one of the residential zone districts. This can help ensure that a land use district achieves its intended share of housing for the community and may help increase diversity in housing within the zone district. However, even with the minimum/maximum density requirements, there may be a gap in middle-market housing in the standard residential zone districts. The allowed maximum density of some districts is less than the allowed minimum of the higher density land use district for the three middle density zone districts, R-9, R-15, and R-24. Housing developed at 10 – 11 dwelling units per acre and at 16 – 18 dwelling units per acre may be constrained since these densities fall in the density gaps between the three land use districts. It is notable that the transit oriented zone districts do not have any gaps in density among its residential zones.

Both single-family detached dwellings and duplexes on approved duplex lots are outright uses in all the standard residential zones except R-25+, the highest density land use district.

Duplexes not on an approved duplex lot fall under the definition of attached housing and would be reviewed under a Type II process. The two highest density districts, R-25+ and R-24, allow attached dwelling units through the Type II review. This requires public notice and potential for appeal. This means that in the land use districts intended for the highest residential densities an extra step, and delay, is required for the approval of a development with the unit types that can meet those densities. The transit oriented districts do not use “attached dwelling” in the listed uses. Instead more descriptive terms are established, including townhome, “low-rise apartment”, and “high-rise apartment”. The benefit of this is that the housing typology listed as an allowed “use” is representative of the densities allowed in the zone district. However, the use of the term “apartment” creates a distinction between owner versus renter. Washington County’s code does a good job of using the building form, rather than who is in the building, as the basis for its land development reviews. A best practice is to use, and define, terms that describe the structure. For example, “low-rise multi-family” or “eight-plex” could replace “low-rise apartment”. As well, terminology should be aligned through all land use districts and updated to reflect modern housing types. All of the residential uses allowed in the transit oriented land use districts also require Type II review. Consideration should be given to allowing some housing types (uses), those most representative of the land use district, to be a Type I review.

Affordable housing incentives are adopted in Section 404-5, Flexible Design Option for Regulated Affordable Housing, of the land development code. This section contains density increase incentives that allow density to be increased by 30 or 50 percent. Twenty percent of the housing must be, under legally binding contract, restricted to households at or below 80 percent of the median household income for 20 years. A development proposing a density increase under 30 percent is allowed to meet alternate development standards from those normally required, including height, parking, minimum lot size, setbacks, landscaping, among others. These proposals are processed as a Type II review (notice/no public hearing/appeal by interested parties). A development with over 30 and up to 50 percent increase must be within a certain distance of a public park or provide gathering space within the development. In addition to the incentives allowed for the 30 percent increase, a 50 percent development may propose alternatives to building façade standards of certain districts and, in the transit oriented districts, may propose alternatives to the design standards for parking areas and garages. The 50 percent development is reviewed through a Type III review (public hearing).

The Washington County affordable housing incentives provide many options for a developer to find a mix of alternative standards that will make affordable housing a viable component of a residential development. It is unclear if the added incentives of alternative building design and parking design are enough to persuade a developer to opt for the over 30 percent increase with the uncertainty of a public hearing. Staff reports that another option for increased density in a development with affordable units is under consideration and that this may allow private developers to offer a mix of market rate and affordable units.

Of note is that the Washington County program targets households with moderate incomes that are priced out of the housing market. Low and very low income households would likely not be able to afford housing provided through this incentive program. Housing for these households typically is developed by non-profit or public housing developers. Barriers to housing targeted to these households can be in the form of fees and infrastructure or system development charges. Although Washington County does offer a reduced development review fee through combined review under the Flexible Design Option, it does not have any reductions or waivers to the standard system development charges for low and very low income housing development. This could be used in conjunction with the affordable housing incentives described above to potentially achieve housing for these households.

Beaverton: The Beaverton Housing Element of the comprehensive plan contains specific goals and policies that address adequate housing supply for future needs, support a variety of housing types to meet housing need and preferences, and call for increased housing supply in the core area of the city. Policies also encourage preservation and development of fair and affordable housing. Within the policies are specific statements for infill housing, high density residential in mixed use and commercial zone districts, and incentives for affordable housing, single level detached homes, and larger multi-family rental units. These housing types are geared to populations often underserved by affordable housing options: lower-income households, families with children, and senior citizens.

The land development code provides a wide variety of zone districts with varying densities and housing types. Minimum and maximum densities are used in some, but not all, of the zone districts. The standard residential zones have a very wide range of densities, with the R-10 zone district having a maximum density of 3 dwelling units per acre and the R-1 zone allowing up to 35 units per acre. There are large density jumps in the two highest density zones. The R-2 zone accommodates densities between 10 and 17 dwelling units per acre and the R-1 zone is between 18 and 35 dwelling units per acre. Development is often at or near the maximum allowed density in a zone district. The large density range in the R-2 zone may inhibit the production of middle-market housing in the 10 – 12 dwelling units per acre. The large density range in the R-1 zone may restrain development of larger multi-family units as developers try to maximum density by supplying more studio and one-bedroom dwellings. Some of this may be alleviated by the overlapping densities in the multi-use zone districts, which have both minimum and maximum densities. Two of these zones, the RC-OT and RC-E, have minimum densities of 12 dwelling units per acre. However, these two zones allow densities of up to 40 units per acre. Only three of the multi-use zones have minimum and maximum density ranges of six dwelling units per acre. While a broad density range encourages many development options and housing types, it may not result in the most needed housing to serve the housing needs of current and future residents.

An affordable housing incentive is contained in Section 60.35.50.2, Affordable Housing Development Incentive Options for a Decrease in Open Space within a Planned Unit Development, of the land development code. A reduction of 50 percent or 60 percent in required open space is allowed for the provision of at least 10 percent or 20 percent, respectively, of the units as affordable housing. This housing must be deed restricted for up to 30 years to households earning up to 100 percent of the median household income, or less as adjusted for family size. The density increase and open space reductions are processed through a planned unit development and require approval by Planning Commission. This is one of three options for open space reductions available to developers. Although the affordable housing option offers the greatest open space reductions, it may not be financially competitive with the other options.

The Beaverton code also includes two levels of adjustment procedures for regulated affordable housing. The minor adjustment option allows up to 10 percent adjustments in site development, density, and parking standards through a Type II review process. The major adjustment option allows between 10 and 50 percent adjustments, except up to 25 percent for density, through a Type III procedure.

Other incentives to achieve affordable housing, such as those offered in the Washington County code, could be considered and to provide more possibilities to implement the stated goals in the Housing Element.

Hillsboro: Section 4, Housing, of the Hillsboro Comprehensive Plan sets goals and policies for variety in housing choice for all incomes, including diverse housing for aging and disabled populations, and manufactured housing. A separate goal supports affordable housing for current and future residents, with policies addressing different housing types (i.e., cooperative housing) and locating affordable housing near services and jobs. The housing section specifically identifies and supports the inclusion of new housing types under a goal to encourage innovation in housing development. Policies under this goal support emerging trends in housing, such as tiny homes, and flexibility in site design, including subdivision standards. This is noteworthy since development standards often pose barriers to different site design and housing styles that support evolving lifestyles, lower development costs, and provide more affordable housing. Examples include tiny homes, “skinny streets”, or car-free neighborhoods.

Incentives for affordable housing are allowed in the UC zone districts (mixed-use) and the Amberglen Plan Districts. Incentives include:

- Amberglen Plan District allows “mixed income housing” by providing a reduction in minimum residential density of 20 percent if 10 percent of the units are affordable to households at 80 percent of the area median income (AMI) for ownership or at 60 percent AMI for rental. The affordability must be assured for a 30 year period.

- Parking standards are reduced to .85 spaces per dwelling unit for regulated affordable housing within 1,300 feet of high-capacity transit stops or frequent bus service stops.
- Processing of the development application shortened from a maximum of 120 days to a maximum of 100 days for an application with at least 50 percent of the dwelling units affordable to households with incomes equal to or less than 80 percent AMI. The affordability must be assured for a 30 year period.

Hillsboro could consider including a density incentives for areas outside the Amberglen Plan District to expand housing choice throughout the city. The expedited review process is a reduction of one month in the maximum processing time allowed under state law. Depending on the actual processing time for applications, this may not be a large enough incentive to offset the costs of restricting half the proposed dwelling units to be restricted as affordable housing.

SECTION IV.

ACCESS TO OPPORTUNITY AND INFRASTRUCTURE POLICY

SECTION IV.

Access to Opportunity and Infrastructure Policy

This section examines the extent to which members of protected classes experience disparities in access to opportunity measured by access to healthy neighborhoods, education, employment, and transportation. The analysis includes HUD opportunity indicators and findings from the community engagement process (Appendix A) and the report “Housing Justice in Washington County: Findings from Communities of Color” prepared by The Coalition of Communities of Color (CCC) in support of the region’s Consolidated Plan and this AI.

HUD Opportunity Indicators

HUD provides several “opportunity indices” to assess and measure access to opportunity in a variety of areas, including education, poverty, transportation, and employment. The opportunity indices allow comparison of data indicators by race and ethnicity, for households below the poverty line, between jurisdictions, and for the region overall. They are also a good starting point for the opportunity analysis, identifying areas that should be examined in more detail.

HUD indices are available for entitlement areas—Beaverton, Washington County, and the Washington County Consortia.¹ Index values for the Portland-Vancouver-Hillsboro CBSA (Region) is shown along with the local indices for regional context.

The HUD opportunity tables—specifically the following six indices in the tables—were the starting point for this Access to Opportunity analysis.

To interpret these indices, use the following rule: a higher number is always a better outcome. The indices should be thought of as an “opportunity score”, rather than a percentage.

The indices include the:

- **Low Poverty Index.** This index measures neighborhood exposure to poverty, with proximity to low poverty areas considered to be an advantage. Higher index scores suggest better access to economically strong (i.e. low poverty) neighborhoods.
- **School Proficiency Index.** This index measures neighborhood access to elementary schools with high levels of academic proficiency within 1.5 miles. Proficiency is measured

¹ HUD developed the indices prior to Hillsboro becoming an entitlement jurisdiction.

by 4th grade scores on state-administered math and science tests. HUD uses elementary school scores only for this index because they are typically more reflective of school quality and access at the neighborhood level. Middle and high schools draw from larger boundaries and, especially in high school, have more transportation options.

- **Labor Market Engagement Index.** This index measures the employability of neighborhood residents based on unemployment, labor force participation, and educational attainment. Higher index scores suggest residents are more engaged in the labor market.
- **Jobs Proximity Index.** The jobs proximity index indicates how close residents live to major employment centers. The higher the index, the greater the access to nearby employment centers for residents in the area.
- **Transit Index.** The transit index measures use of public transit by low income families that rent. The higher the index, the more likely that residents in the area are frequent users of public transportation.
- **Low Cost Transportation Index.** This index measures the cost of transportation, based on estimates of the transportation costs for low income families that rent. Higher index values suggest more affordable transportation.

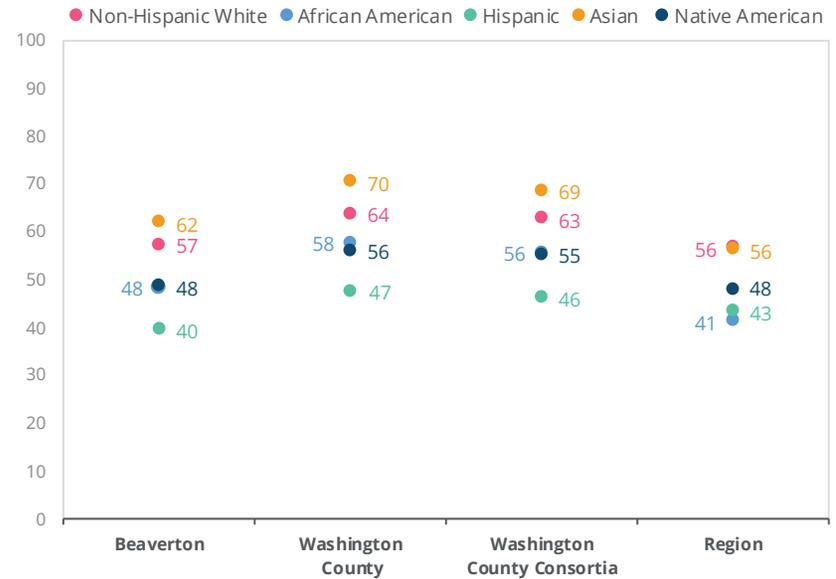
Low poverty index. Figures IV-1a and IV-1b present the values of the low poverty index for each jurisdiction by race and ethnicity. Figure IV-1a shows the index for the total community population, while the Figure IV-1b is restricted to residents with incomes below the poverty level.

As shown, Non-Hispanic White residents and Asian residents, are more likely than African American, Hispanic, and Native American residents to live in economically strong (low poverty) neighborhoods in Beaverton, Washington County and the region overall. This difference persists *after* controlling for poverty, meaning that among households in poverty, African American, Hispanic, and Native American residents are still less likely than Non-Hispanic White and Asian residents in poverty to have access to economically strong neighborhoods.

**Figure IV-1a.
Low Poverty Index, Total Population**

Note:
Higher numbers indicate greater access to economically strong (low poverty) neighborhoods.
Region is the Portland-Vancouver-Hillsboro CBSA.

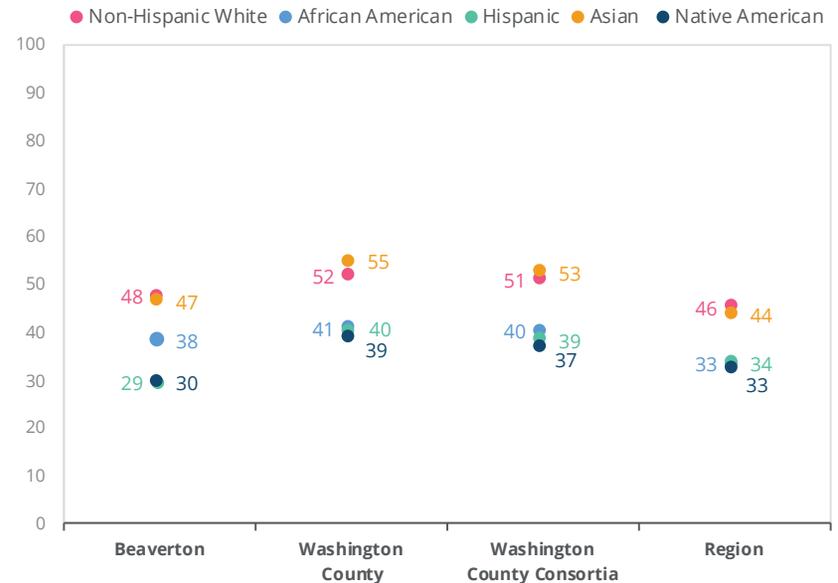
Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Low Poverty Index.



**Figure IV-1b.
Low Poverty Index, Population Below the Poverty Line**

Note:
Higher numbers indicate greater access to economically strong (low poverty) neighborhoods.
Region is the Portland-Vancouver-Hillsboro CBSA.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Low Poverty Index.



School proficiency index.

Figures IV-2a and IV-2b present the values of the school proficiency index for each jurisdiction by race and ethnicity. In Beaverton, Washington County and the region, Non-Hispanic White residents and Asian residents are more likely to live in neighborhoods with proficient schools than African American, Native American, and Hispanic residents.

Compared to the total population, residents in poverty are less likely to have access to proficient schools (lower average index values in IV-2b than IV-2a). With the exception of Native Americans in each jurisdiction and Hispanics in Beaverton, there is little variation by race or ethnicity in access to proficient schools among residents in poverty.

Figure IV-2a. School Proficiency Index, Total Population

Note:
Higher scores indicate greater likelihood of access to proficient schools.
Region is the Portland-Vancouver-Hillsboro CBSA.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, School Proficiency Index.

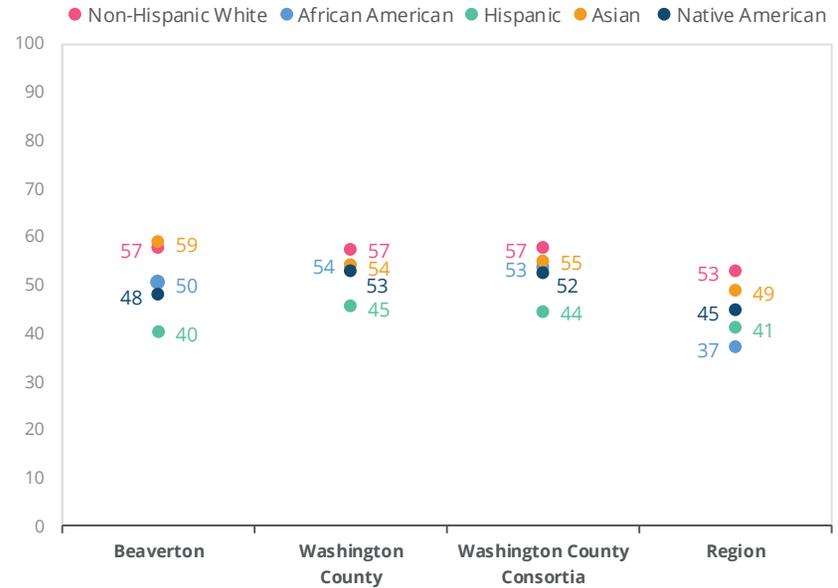
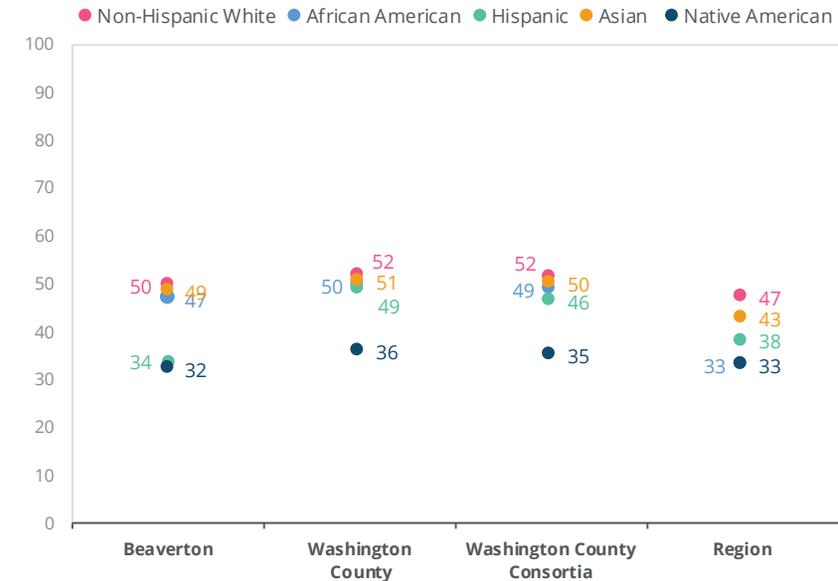


Figure IV-2b. School Proficiency Index, Population Below the Poverty Line

Note:
Higher scores indicate greater likelihood of access to proficient schools.
Region is the Portland-Vancouver-Hillsboro CBSA.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, School Proficiency Index.



Labor market engagement index. Figures IV-3a and IV-3b present the values of the labor market engagement index for each jurisdiction by race and ethnicity. A measure of labor force participation and education, differences in the index demonstrate disparities in access to economic opportunity.

As shown, variation in labor market engagement by race and ethnicity varies consistently across jurisdictions, with Hispanic and Native American residents having lower labor market engagement scores both overall and among residents in poverty.

Figure IV-3a. Labor Market Engagement Index, Total Population

Note:
Higher numbers indicate greater labor market engagement.
Region is the Portland-Vancouver-Hillsboro CBSA.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Labor Market Engagement Index

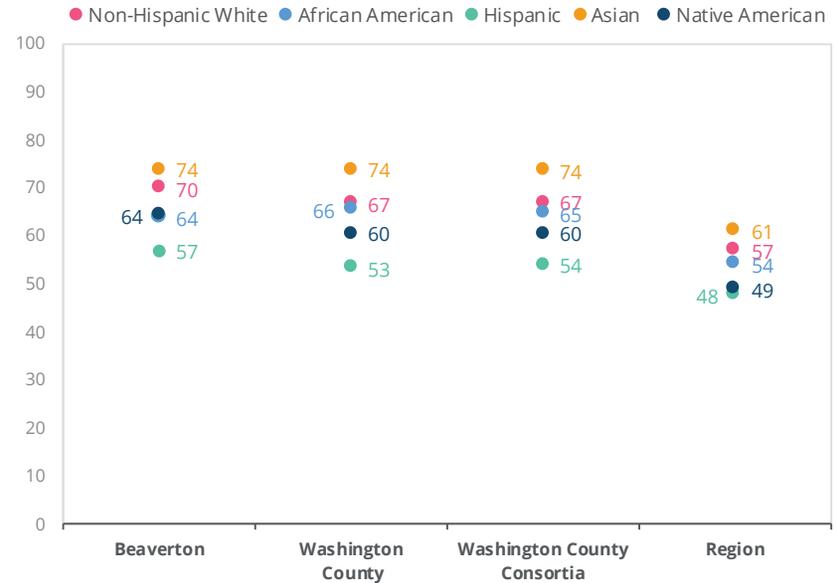
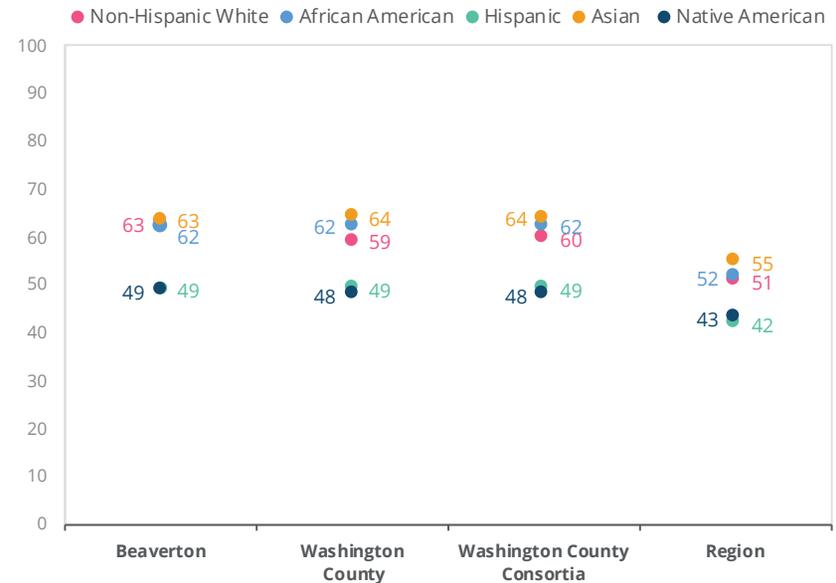


Figure IV-3b. Labor Market Engagement Index, Population Below the Poverty Line

Note:
Higher numbers indicate greater labor market engagement.
Region is the Portland-Vancouver-Hillsboro CBSA.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Labor Market Engagement Index



Job proximity index.

Figures IV-4a and IV-4b present the values of the job proximity index for each jurisdiction by race and ethnicity. Compared to other indices, the dispersion of index values within and across communities is narrower, suggesting less variation in proximity to major employment centers. With respect to living close to job opportunities, Hispanic, African American, and Native American residents have slightly higher index scores, while Non-Hispanic White and Asian residents are less likely to live close to jobs.

Contrasting the job proximity index with the labor force engagement index suggests that while Hispanic and Native American households in particular live close to job opportunities, they are not necessarily able to take advantage of the economic opportunities offered close to home.

Figure IV-4a. Job Proximity Index, Total Population

Note:
Higher numbers indicate greater access to major employment centers.
Region is the Portland-Vancouver-Hillsboro CBSA

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Job Proximity Index.

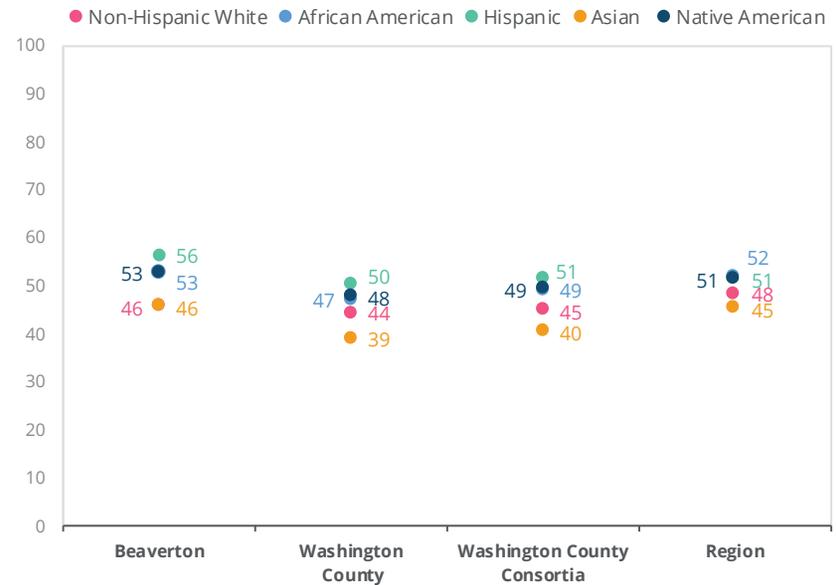
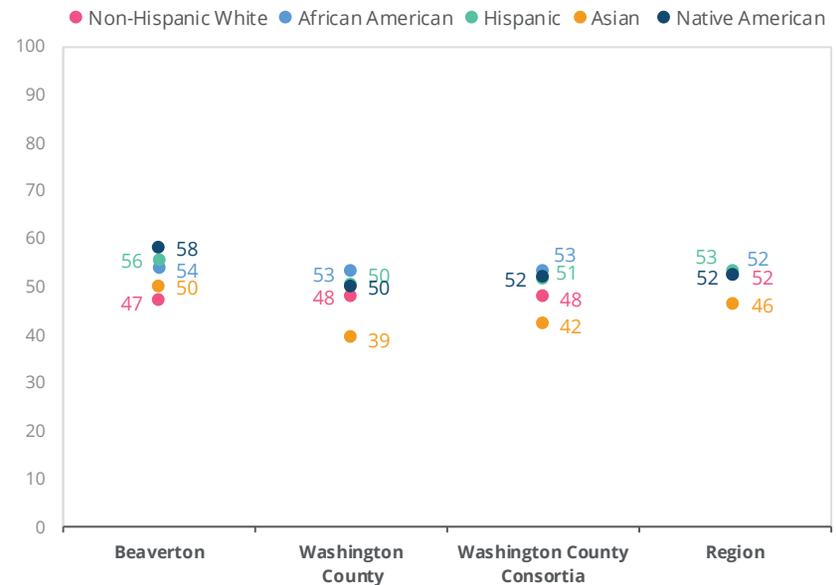


Figure IV-4b. Job Proximity Index, Population Below the Poverty Line

Note:
Higher numbers indicate greater access to major employment centers.
Region is the Portland-Vancouver-Hillsboro CBSA

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Job Proximity Index.



Transit index. Figures IV-5a and IV-5b present the values of the transit index for each jurisdiction by race and ethnicity. There is little variation by race or ethnicity with respect to the likelihood a household uses public transportation among residents of Beaverton and Washington County and this does not change when the population is limited to residents living in poverty.

Figure IV-5a. Transit Index, Total Population

Note:
Higher numbers indicate greater likelihood that residents use public transit.
Region is the Portland-Vancouver-Hillsboro CBSA

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Transit Index.

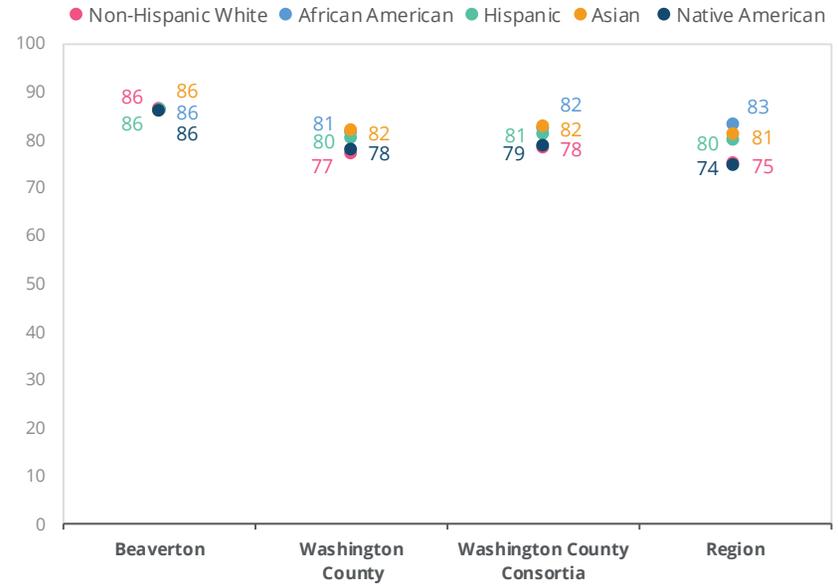
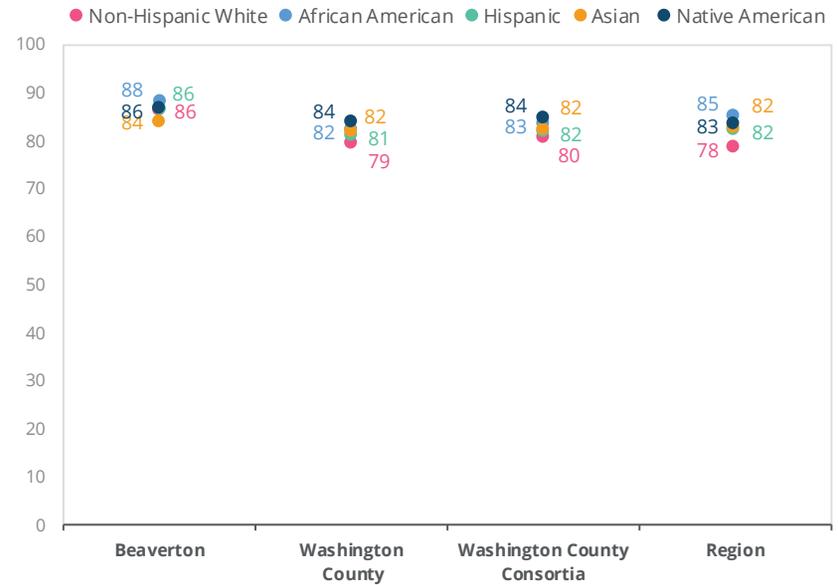


Figure IV-5b. Transit Index, Population Below the Poverty Line

Note:
Higher numbers indicate greater likelihood that residents use public transit.
Region is the Portland-Vancouver-Hillsboro CBSA

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Transit Index.



Low cost transportation index. Figures IV-6a and 6b present the values of the low cost transportation index for each jurisdiction by race and ethnicity. Similar to the transit access index, there is little variation by race or ethnicity within jurisdictions for access to affordable transportation. Beaverton residents are most likely to have access to affordable transportation.

Figure IV-6a. Low Cost Transportation Index, Total Population

Note:
Higher numbers indicate greater access to affordable transportation.
Region is the Portland-Vancouver-Hillsboro CBSA

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Low Cost Transportation Index.

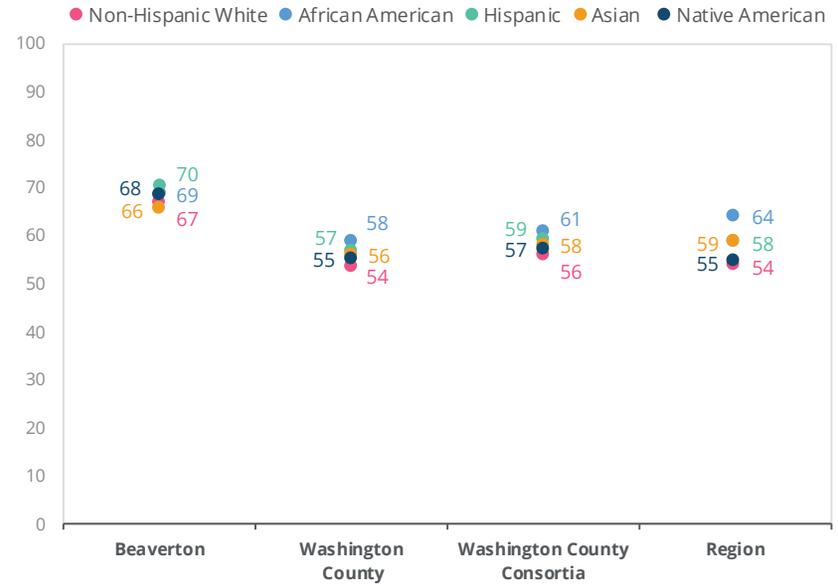
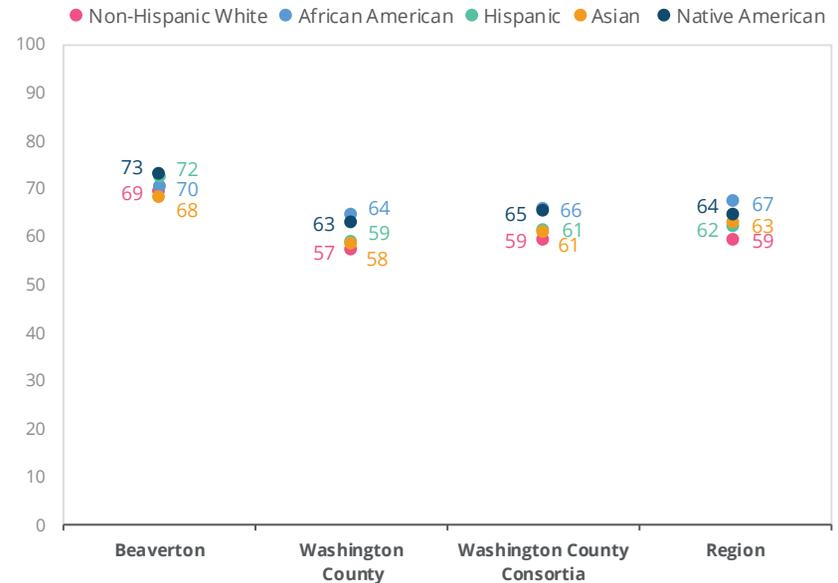


Figure IV-6b. Low Cost Transportation Index, Population Below the Poverty Line

Note:
Higher numbers indicate greater access to affordable transportation.
Region is the Portland-Vancouver-Hillsboro CBSA

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Low Cost Transportation Index.

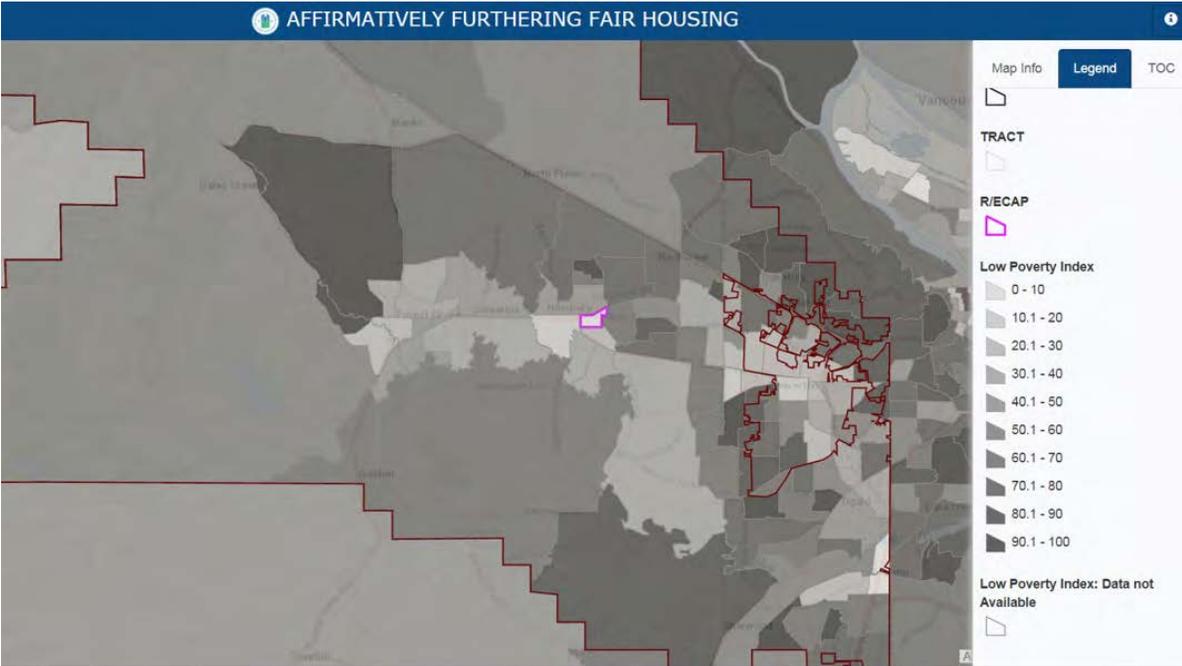


Healthy Neighborhoods

This section discusses findings from the community engagement process with a focus on disparities in access to opportunity for members of protected classes.

Access to low poverty neighborhoods. Figure IV-7 maps the low poverty index at the neighborhood (Census tract) level for Washington County. Darker shading indicates greater access to low poverty neighborhoods.

Figure IV-7.
HUD AFFH-T Low Poverty Index by Census Tract



Note: Darker shading indicates higher likelihood of access to low poverty neighborhood.

Source: Root Policy Research from <https://egis.hud.gov/affht/>.

Most important neighborhood qualities. Throughout the community engagement process, residents of Washington County shared similar preferences for the qualities most important to them when searching for a home.

“Communities of color identify safety, affordability, good schools, and diversity as important factors to consider while searching for housing. The participants of all communities reported being invested in children’s education. Similarly, focus group participants of all cultures, reported diversity and friendly and welcoming neighborhood as priorities while finding and searching for housing.”²

² “Housing Justice in Washington County: Findings from Communities of Color” prepared by The Coalition of Communities of Color, p. 16.

Figures IV-8 and IV-9 present the five neighborhood qualities most important to the greatest proportion of survey respondents based on where they live, their housing situation, and other personal and household characteristics. With one exception, “safety/low crime” was the neighborhood quality most important to the greatest share of respondents. For respondents from the lowest income households, “affordability/I can afford to live there” was the #1 most important factor, followed by “safety/low crime”. Like “safety/low crime”, affordability was among the top five most important neighborhood qualities for all respondent types, as is “quiet and peaceful”. These are qualities considered most important by nearly all types of respondents who live in Washington County.

Residents of Hillsboro are more likely to value “close to work/job opportunities” while Beaverton and Other Washington County respondents consider “close to parks or open space” among the five most important neighborhood qualities. Other preferences vary by household or respondent characteristics. For example, households with children are more likely to consider quality neighborhood public schools/school districts among the most important neighborhood qualities, while seniors are more likely to prioritize neighborhoods that are close to hospitals/health care.

Figure IV-8.
What qualities of your neighborhood are most important to you? Top Five by Jurisdiction, Income

BEAVERTON <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to parks or open space 5 (TIE) Close to grocery stores & Access to quality public schools/school district 	HOMEOWNERS <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to parks or open space 5 Access to quality public schools/school district 	INCOME <\$25,000 <ol style="list-style-type: none"> 1 Affordability/I can afford to live there 2 Safety/low crime 3 Quiet and peaceful 4 Close to grocery stores 5 Close to bus/light rail/public transit 	INCOME \$100,000+ <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Access to quality public schools/school district 4 Close to parks or open space 5 Affordability/I can afford to live there
HILLSBORO <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to work, job opportunities 5 Close to grocery stores 	RENTERS <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to grocery stores 5 Close to bus/light rail/public transit 	INCOME \$25,000 UP TO \$50,000 <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to grocery stores 5 Close to work, job opportunities 	ALL RESIDENTS <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to parks or open space 5 Access to quality public schools/school district
OTHER WASHINGTON COUNTY <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to parks or open space 5 Access to quality public schools/school district 	PRECARIOUSLY HOUSED <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to work, job opportunities 5 (TIE) Close to grocery stores & High speed Internet access/broadband 	INCOME \$50,000 UP TO \$100,000 <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to parks or open space 5 Close to work, job opportunities 	

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Figure IV-9.
What qualities of your neighborhood are most important to you? Top Five by Selected Characteristics

AFRICAN AMERICAN <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Access to quality public schools/school district 5 Close to grocery stores 	NATIVE AMERICAN <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Access to quality public schools/school district 5 Close to parks or open space 	CHILDREN UNDER 18 <ol style="list-style-type: none"> 1 Safety/low crime 2 Access to quality public schools/school district 3 Affordability/I can afford to live there 4 Quiet and peaceful 5 Close to parks or open space 	VOUCHER HOUSEHOLDS <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Close to grocery stores 4 Quiet and peaceful 5 Close to bus/light rail/public transit
ASIAN <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Access to quality public schools/school district 5 Close to work, job opportunities 	WHITE <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to parks or open space 5 (TIE) Close to work, job opportunities & Close to grocery stores 	LARGE FAMILY <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Access to quality public schools/school district 5 (TIE) Close to parks or open space & Close to work, job opportunities 	ALL RESIDENTS <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to parks or open space 5 Access to quality public schools/school district
LATINO <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to work, job opportunities 5 Access to quality public schools/school district 	DISABILITY <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to grocery stores 5 Close to bus/light rail/public transit 	SENIORS <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to grocery stores 5 Close to health care facility/hospital 	

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Housing and neighborhood priorities. In focus groups conducted by the CCC, participants discussed their priorities for housing, neighborhood and community³. Common themes include housing that the family can afford, safe neighborhoods, and quality public schools. Some populations also emphasized the importance of access to transit, shopping, health care, and employment opportunities. Priorities of specific communities include:

- **Native American Community** priorities—affordable housing, safety, school districts;
- **African American Community** priorities—good schools, affordable cost of living, safe neighborhoods, and diverse population;
- **African Community**—population diversity, open space, good school districts, and housing units built to accommodate large and multigenerational living;
- **Asian and Asian American Community**—safe neighborhoods, good school districts, diverse population and proximity to employment opportunities;
- **Latino Community**—work, mobility, and family, especially schools, access to public transportation, grocery stores, hospitals, and parks;
- **Native Hawaiian and Pacific Islander Community**—affordable housing, safety, proximity to church, stores, public transportation, schools, and friendly and welcoming landlords;
- **Russian Speaking Community**—good schools, proximity to public transportation, stores, and hospitals, affordability, and safety; and
- **Muslim Community**—affordability, safe neighborhoods, good schools, walkability, and access to public transportation.

Need for community gathering spaces. Participants in the CCC focus groups identified a need within the County for a community center—*"a space for people to gather, celebrate, learn, inform, teach, and organize; more outreach to marginalized communities educating and informing them on housing and financial information; and free legal services supported by the government."* ("Housing Justice in Washington County: Findings from Communities of Color" p.18).

In the resident survey, respondents had the opportunity to prioritize how Washington County should invest in community buildings and spaces. The top four priorities of the lowest income households are: homeless shelter, centers providing services for people with disabilities, domestic violence shelter, and mental health center. The priority selected by the greatest

³ "Housing Justice in Washington County: Findings from Communities of Color" pages 20, 22, 24, 27, 31, 36, 39, and 42.

proportion of Beaverton and Other Washington County respondents—domestic violence shelter—differs from the top priority of Hillsboro residents—a homeless shelter. Among all respondents, mental health center was selected by the greatest share of respondents.

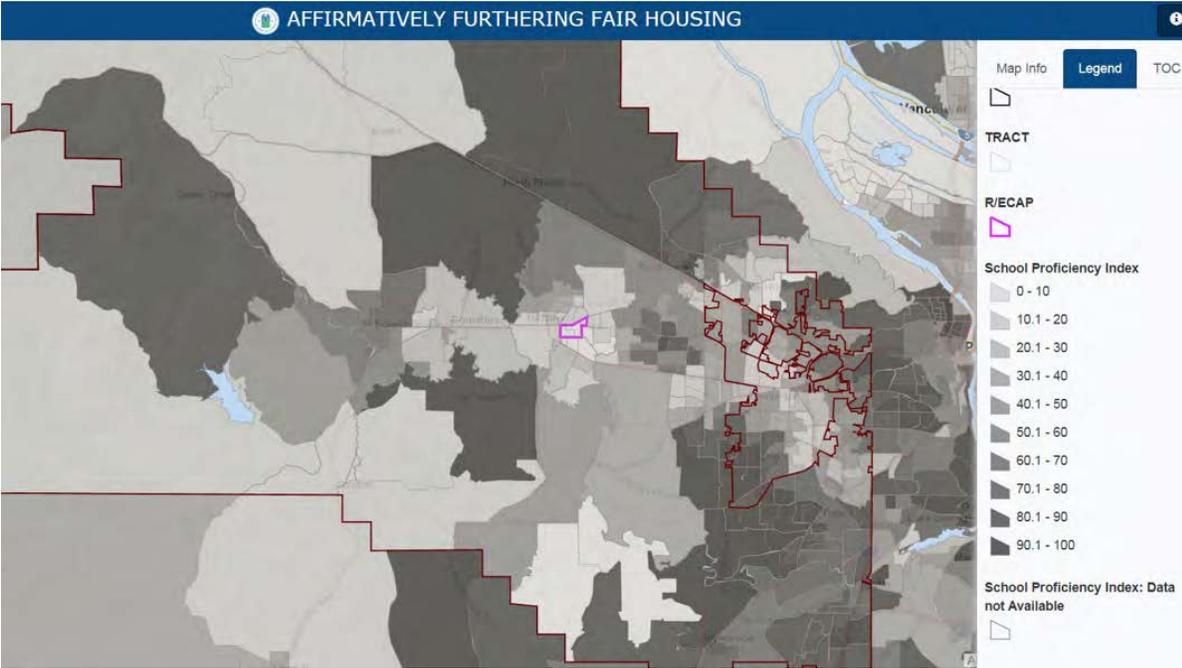
Need for diverse, welcoming and inclusive community. One of the primary cross-cultural findings of the “Housing Justice in Washington County: Findings from Communities of Color” research is the experience of being “made to feel both invisible and visible in different ways” resulting from community size, national origin, immigration status, discrimination and segregation, and racial, cultural, and religious stereotyping. Diverse, welcoming, and inclusive neighborhoods or communities can foster housing stability, access to economic opportunity and (re)building community.

Education

Access to proficient public schools is a key element of access to economic opportunity in a community. As discussed above, residents, particularly those with children, emphasized the importance of school quality in housing choice.

School proficiency index. Figure IV-10 presents the neighborhood-level school proficiency index for Washington County. As shown, neighborhood access to proficient schools ranges widely. The school proficiency index suggests that residents of the R/ECAP neighborhood in Hillsboro have less access to proficient schools than residents to their north and east.

Figure IV-10.
HUD AFFH-T School Proficiency Index by Census Tract



Note: Darker shading indicates higher likelihood of access to proficient elementary schools.

Resident perspectives—access to quality public schools. As discussed previously, families with children value access to quality public schools, but, as demonstrated by the school proficiency index, not all neighborhoods in Washington County have access to proficient schools.

Some participants in the CCC focus groups shared experiences where their children were treated differently than others in the school. For example, CCC reports that “Somali speaking students are 197% more likely than White students to be expelled or suspended from school.” (p.26). African Community participants shared that immigrant children are more likely to be expelled and less likely to receive counseling resources or other resources to help the child succeed in school.

- *“I notice when the kid was immigrant-- The thing is, easy to expel if your kid have couple of fights with kids. It's very easy for them to say 'this kid cannot come to school.' Easy if you're Somali or other culture. If it's white, they will give them counseling. I noticed discrimination. Mexican kid, black, Somali. White will have counselor as much as they could. And they will give them other opportunities that kid can come back and graduate as much as they can. You're the teacher there. Your job is to make it equal for those kids and instead you see his color and what they are wearing-- the hijab.” (African Community focus group participant, p.26)*

The “Housing Justice in Washington County: Findings from Communities of Color” includes three Calls to Action specific to education:

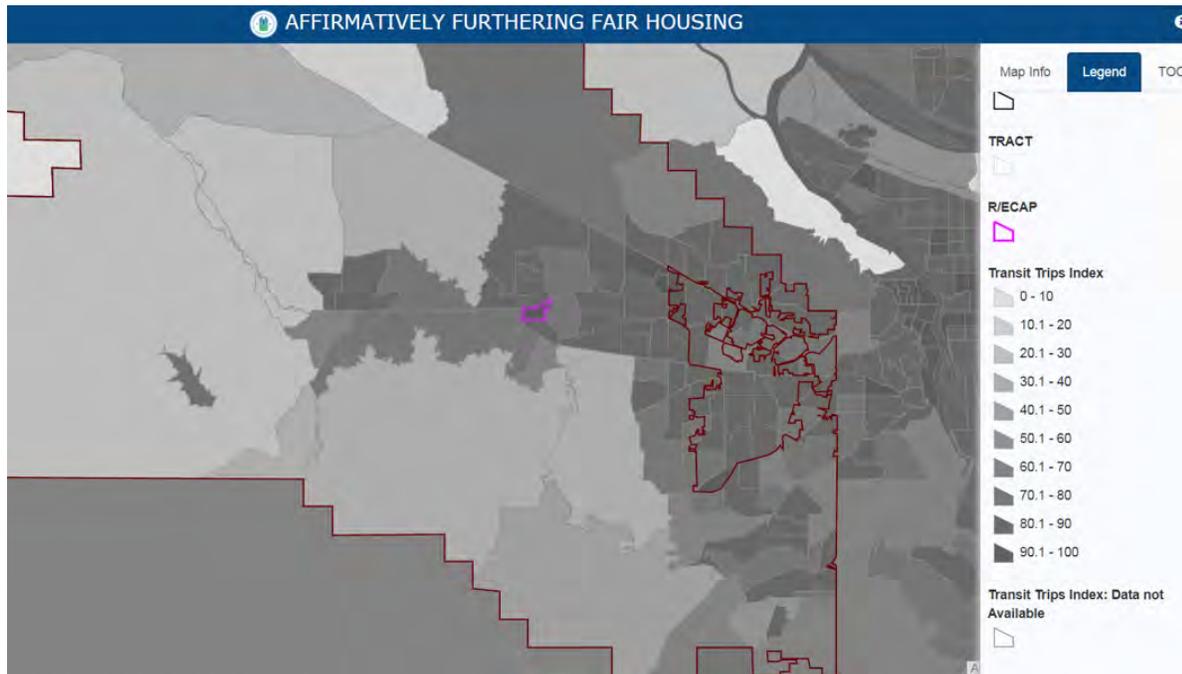
- “Educational institutions should address and dismantle barriers rooted in institutional racism to eliminate disparities in outcomes and experiences of all students of color.
- There is a need for culturally specific school readiness and early childhood programs for young children of color.
- Educational institutions should be safe places for all students of color. “There is a need for culturally specific school readiness and early childhood programs for young children of color.”⁴

Transportation and Mobility

Figure IV-ii shows the transit trips index by neighborhood. The county's more populous areas are more likely to have moderate to high transit trip index scores (darker shading).

⁴ “Housing Justice in Washington County: Findings from Communities of Color”, p. 47.

Figure IV-11.
HUD AFFH-T Transit Trip Index by Census Tract

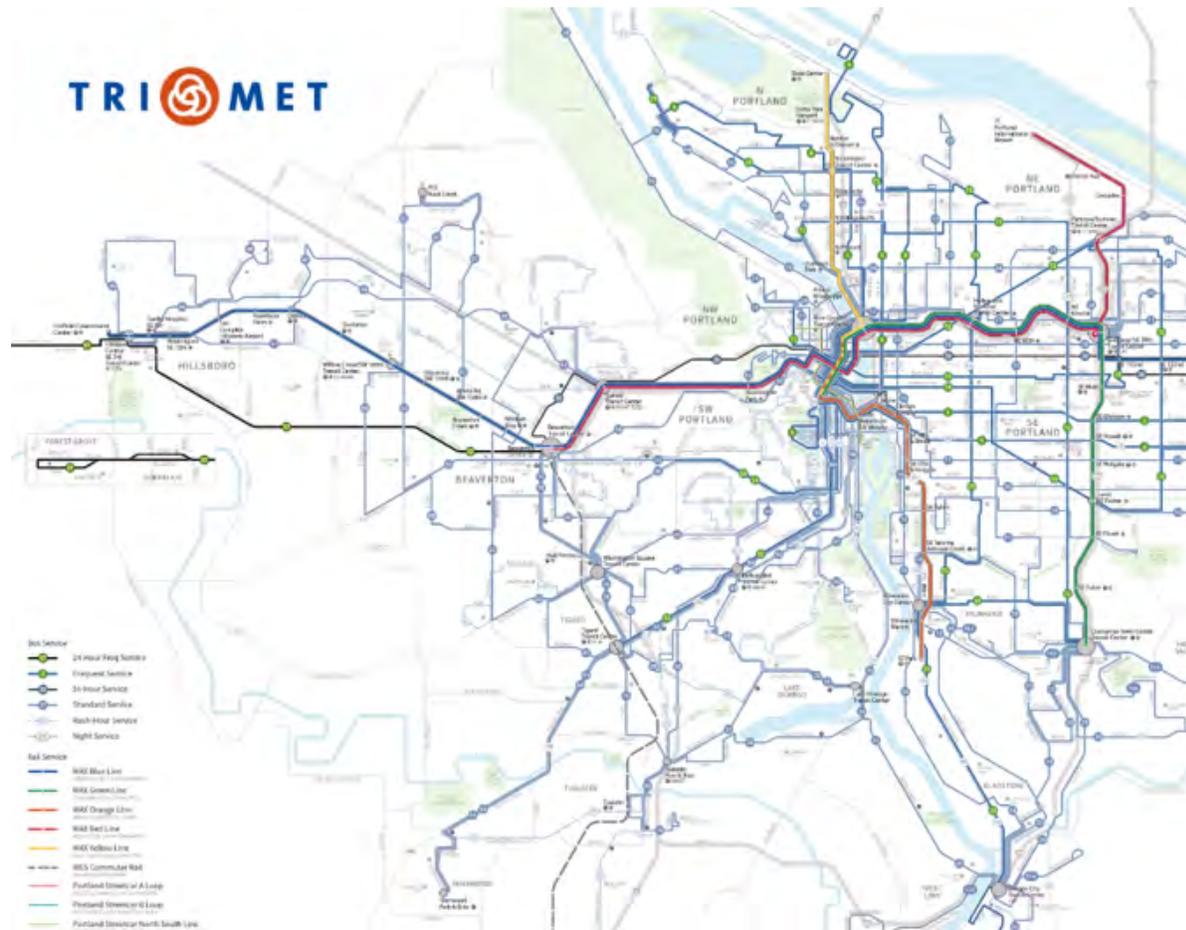


Note: Darker shading indicates neighborhoods where residents are more likely to be frequent transit users.

Source: Root Policy Research from <https://egis.hud.gov/affht/>.

Available transit services. TriMet is the primary provider of public transportation in the region, operating light rail (MAX), commuter rail (WES), and fixed route bus services. TriMet also operates LIFT paratransit, a shared -ride service available to qualified residents with disabilities or disabling health conditions within a ¾ mile radii of TriMet's bus and MAX lines. LIFT service is restricted to the TriMet District area, and service is available during the same hours/days as bus and MAX. Figure IV-12 is TriMet's system map.

Figure IV-12.
TriMet System Map, Focus on Washington County



Note: Light blue lines depict fixed bus routes with standard service; lines in black offer 24 hour bus service. The black hash line is the WES commuter line. The remaining lines map the MAX system

Source: Root Policy Research from <https://trimet.org/maps/img/trimetsystem.png>.

Transit service gaps. The Center for Neighborhood Technology's (CNT's) AllTransit™ information system provides an analysis of transit gaps, identifying areas that are underserved by transit but that have a sufficient market to support transit.⁵ Figure IV-13 maps the AllTransit™ gaps in Washington County. Not all areas have sufficient population to support transit service, thus a lack of transit does not necessarily mean that an area has a gap. AllTransit's™ methodology to identify gaps in transit service is based on areas with a market (demand) for transit and compares that demand to service availability.

AllTransit™ identifies gaps as neighborhoods (Census block groups) with a mismatch between the transit market and available transit service. The transit market is a function of

⁵ <https://alltransit.cnt.org/gap-finder/>

demographics, employment, commerce, urban form, and the available transit service is based on AllTransit's™ Performance Index (API), which measures connectivity, job access, and level of service. The comparison of the transit market to services functions as an indicator of neighborhoods underserved by transit.⁶

- Areas shaded in blue on the map identify block groups where the transit service provided is comparable to transit service in similar markets, an indicator that the service is adequate—neither the best nor the worst. As shown, most of Washington County's most populous areas are adequately served by transit.
- Areas shaded in orange or red are gaps in transit, where the available transit is not adequate to meet demand.
 - **Orange areas indicate neighborhoods with medium transit markets with inadequate transit service.**
 - Red areas indicate neighborhoods with high or strong transit markets that are not adequately served by transit. (None shown in Washington County.)
- Areas without shading do not have sufficient transit market strength—are places with minimal transit markets—such that “adding transit would not represent an improvement.” This includes a sizeable portion of Washington County.

⁶ AllTransit's™ measure of transit demand is a function of demographics, employment, commerce, and urban form. For more detail on their methods see: <https://alltransit.cnt.org/methods/gap-methods-v1.pdf> and <https://staging.alltransit.cnt.org/methods/AllTransit-Methods.pdf>

Figure IV-13
AllTransit™ Transit Gaps in the Region

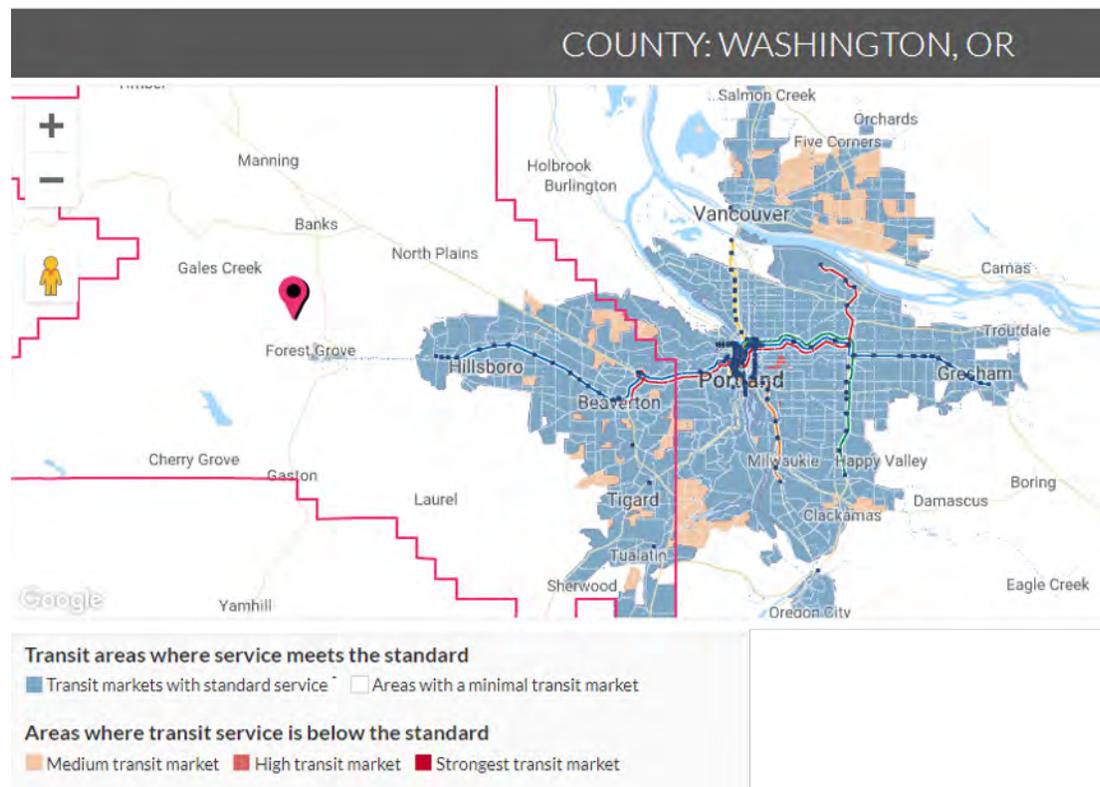
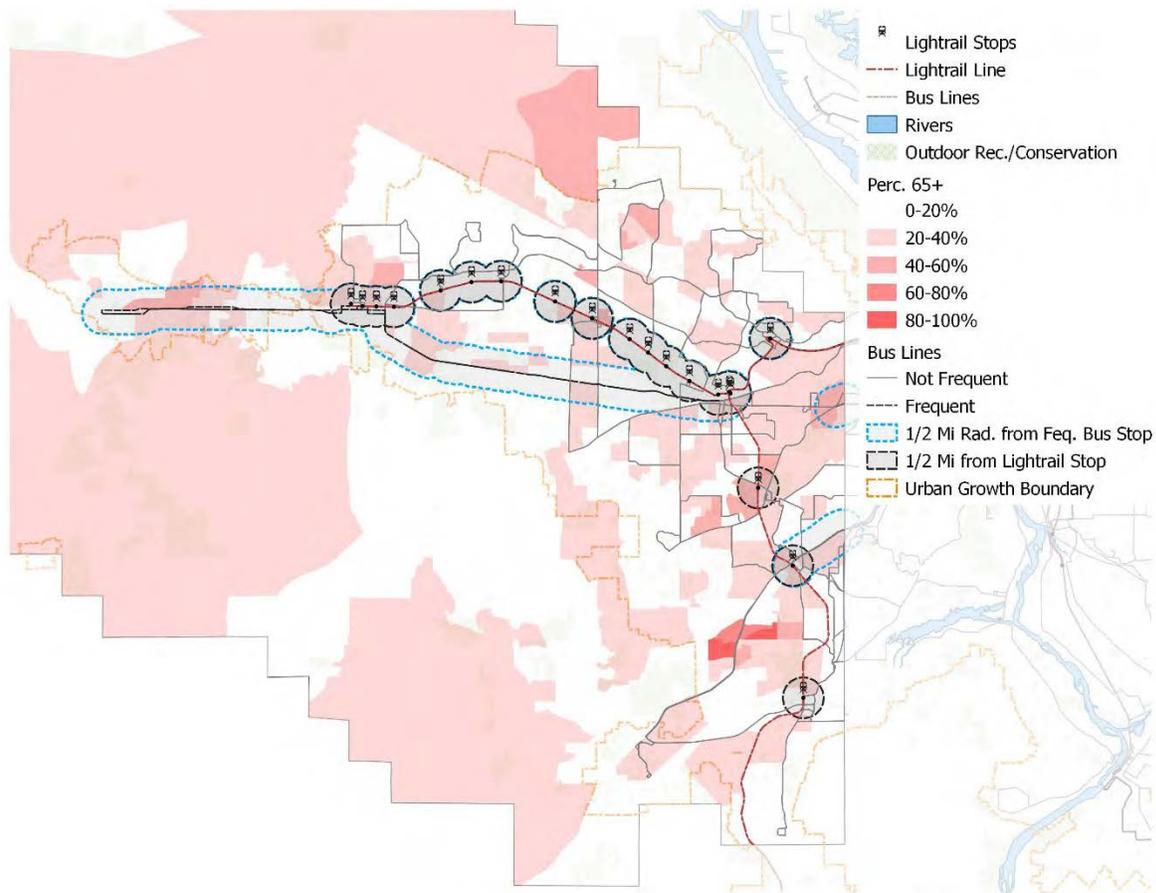


Figure IV-14 presents another method of looking at transit access—a map of the transit system overlaid with the proportion of neighborhood (Census tract) population that is age 65 and older. As shown, many of the areas most highly concentrated by older adults are places that AllTransit™ identifies as having minimal transit markets, i.e., are places that cannot efficiently support fixed route bus service. This suggests that alternative methods are needed to help older adults who no longer safely drive reach appointments, shop, and participate in community life.

The map also illustrates that only narrow segments of Washington County are within a ½ mile of a fixed route bus stop, further limiting the efficacy of bus as a primary mode of transportation.

Figure IV-14.
Access to Light Rail and Frequent Bus Service in Washington County and
Share of Neighborhood Population Age 65+



Source: Root Policy Research.

Resident perspectives—access to transportation. In focus groups with seniors and residents with disabilities, transportation was a frequent topic of discussion. A lack of access to transportation is a significant challenge for most seniors. Those who no longer drive primarily rely on rides with friends to get around. Bus service in these communities is commuter-focused and does not connect seniors from where they live to where they need to go (grocery stores, medical appointments, senior centers). Where there is service, how to plan a trip is not intuitive. Many seniors said they feel accessing TriMet Lift can be intimidating and inconvenient for urgent needs, given the two hour window for arrival/pickup.

Among the Calls to Action for Housing Justice, CCC identified “Housing justice must be tied with transportation equity whereby there needs to be increased number of public transportation services in Washington County.” (p. 47) Considering the importance placed on mobility and transit access by the Latino, Native Hawaiian and Pacific Islander, Russian Speaking, and Muslim communities, increasing access to public transportation throughout Washington County is

foundational to promoting access to economic opportunity. While it appears that there may not be the population density to support additional fixed-transit routes at this time, exploring options to increase the frequency of existing fixed route bus service, analyzing the placement of stops and improving on-demand transportation services like TriMet Lift, could address important gaps in the existing transit service that may disproportionately affect seniors and persons with disabilities.

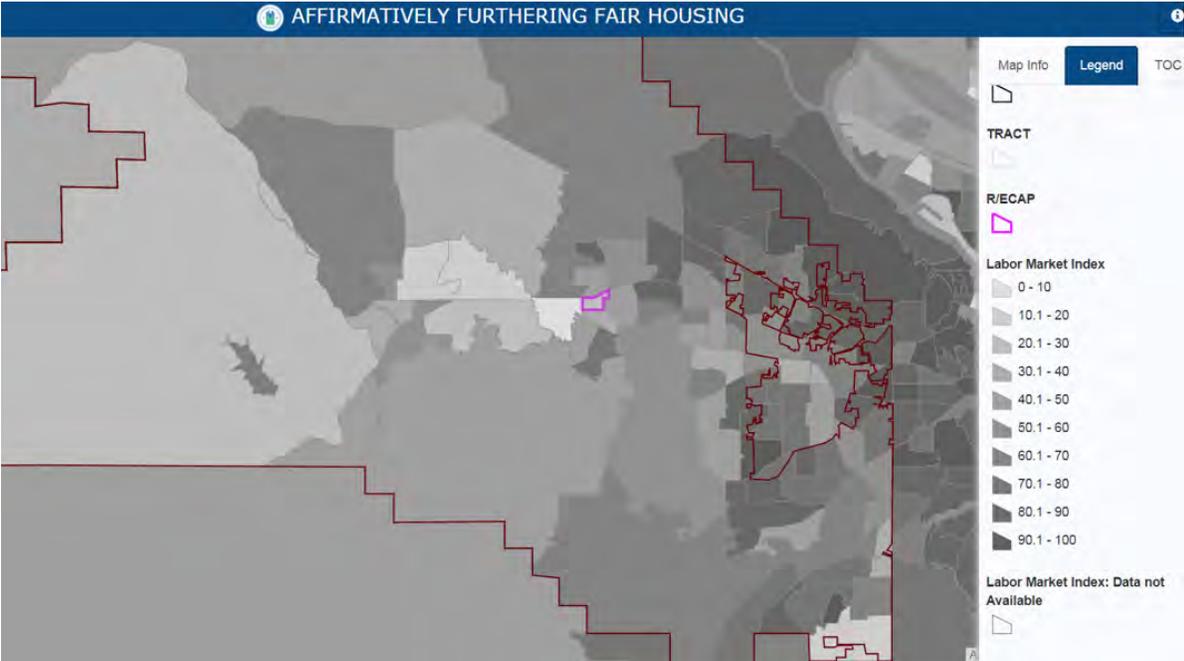
Employment

Access to employment is a cornerstone to economic opportunity for Washington County residents of working age.

HUD employment opportunity indicators. HUD's measures of employment opportunity underscore Washington County's role as both a primary employer as well as a bedroom community of Portland.

Labor market engagement index. In general, labor market engagement scores by neighborhood reflect moderate to high labor market engagement and educational attainment across the county. The R/ECAP in Hillsboro and several of the surrounding neighborhoods have moderate to low labor market engagement index scores, but are not the only pockets of relatively lower labor market engagement.

Figure IV-14.
HUD AFFH-T Labor Engagement Index by Census Tract

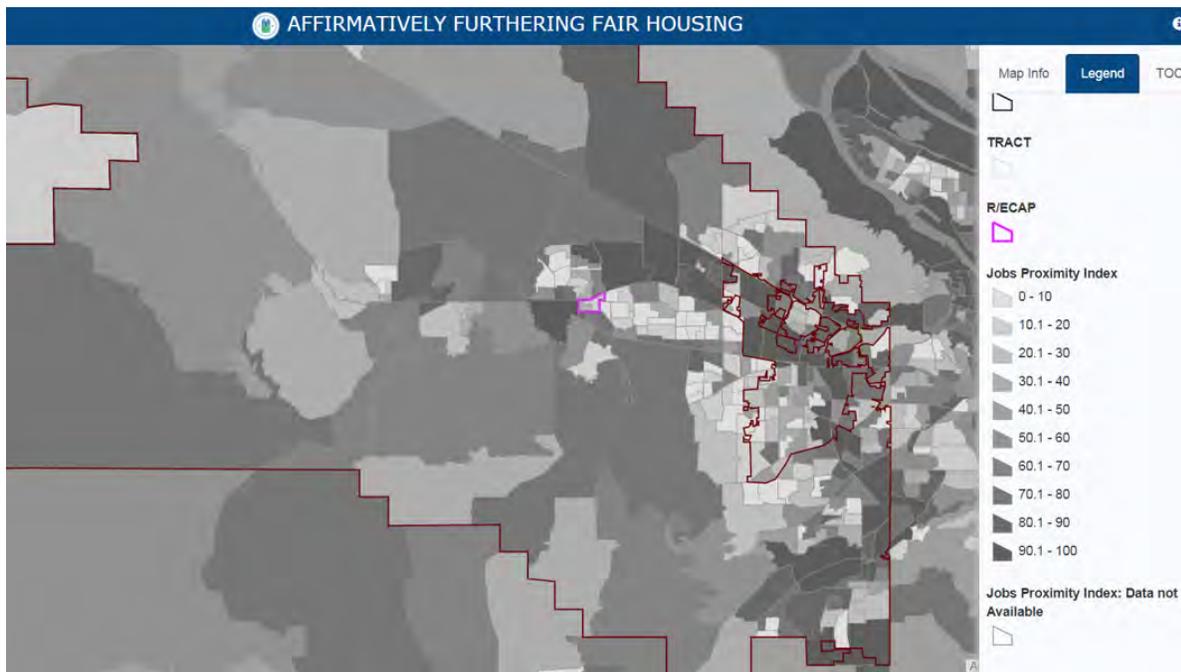


Note: Darker shading indicates neighborhoods with greater labor market engagement.

Source: Root Policy Research from <https://egis.hud.gov/affht/>.

Job proximity index. The geographic variation in the job proximity index demonstrates that many of Washington County’s non-agricultural employment centers are located south of Highway 26 and west of I-5. More lightly shaded areas tend to coincide with traditional suburban housing developments that typically do not include major employment centers.

Figure IV-15.
HUD AFFH-T Job Proximity Index by Census Tract



Note: Darker shading indicates neighborhoods with greater access to major employment centers.

Source: Root Policy Research from <https://egis.hud.gov/affht/>.

Resident perspectives—access to employment. CCC identified “pathways to employment and economic prosperity” as essential to housing justice for communities of color in Washington County. Lack of access to employment, particularly well-paid jobs, is a disparity in access to opportunity experienced by many participants the focus groups, particularly in the Native American Community and among immigrant populations.

CCC’s Call to Action for Equitable Economic Empowerment includes four recommendations:

- “The local government should create pathways to employment and economic prosperity for Communities of Color.
- Government and public agencies should create programs supporting rent-to-own and pay-what-you-can systems to build homeownership in communities of color

- Public agencies and government should establish a system to transfer and accept foreign education credentials to provide communities of color equitable employment opportunities.
- There should be increased resources to provide government assisted financial literacy and legal aid to the communities of color.” (p. 46)

Participants in the Community Corrections focus group did not express difficulty finding employment, but they did share that the mandatory, fixed, probation requirements, often led to job loss, as the newly employed must request time off to attend meetings, classes, etc. There is an opportunity to explore joint probation/housing programming that rewards progress toward goals and living as responsible, contributing members of society.

In a focus group with at-risk youth, demonstrated that a lack of job readiness skills is both an impediment to gaining employment and retaining employment.

In focus groups with homeless adults, all but one disclosed severe mental illness, addiction to opiates or meth, work-related physical disabilities, and/or mobility disability. Some are currently unemployable due to addiction and/or mental illness. Others have injuries that prevent working in their trade and need retraining. Some are unable to keep employment as a direct result of their homelessness (e.g., hygiene, no storage for personal belongings).

Infrastructure Policy

In the resident survey, participants were remarkably consistent in their preference for investing in sidewalks, streetlights, and streets over other infrastructure improvements. Among infrastructure priorities considered, only three—sidewalks, road repair/expansion, and street lighting—were among the top three priorities selected by survey respondents (shown in **bold** below). The order may vary, but no other infrastructure types appear in the top three regardless of jurisdiction or respondent characteristics. This is not a surprising result, as each of the three infrastructure investments prioritized are visible to residents in the course of daily living and residents are more easily able to assess whether or not these types of infrastructure need improvement or greater investment of federal dollars. Water lines, drainage, and sewer systems are hidden, and barring catastrophic (and visible) failure or recent public discussion of maintenance needs, are assumed to be in good working condition.

SECTION V.

FAIR LENDING ANALYSIS

SECTION V.

Fair Lending Analysis

Homeownership is valuable for many reasons, including the primary role it plays in building equity, strengthening credit and providing long-term residential and economic stability. Gaps in homeownership rates among some minority groups compared to White households are, unfortunately, very common. These gaps may relate to factors such as historic housing discrimination, leading to segregation of minorities in neighborhoods with low home values and disproportionately lower incomes, and employment stability among some minority groups.

These gaps exist in Washington County. Figure V-1 compares homeownership rates among minority and White residents in 2017.

At the county level in 2017, White and Asian households had the highest rates of homeownership, both at 63 percent. Native Hawaiian/Pacific Islander and Hispanic households had the lowest rates of homeownership in the county, at 34 percent and 37 percent, respectively. The ownership rate for African Americans in the county is 48 percent.

There is considerable variation in ownership among households by race, ethnicity, and geography. Tualatin and Durham have low homeownership rates for Black and Hispanic households. In contrast, some smaller communities (Banks, Gaston, King City, North Plains and Sherwood) have Hispanic homeownership rates that exceed rates for Non-Hispanic White households. Banks, Beaverton, and Cornelius have African American homeownership rates that exceed that of Non-Hispanic White Households. Some of these cities may have relatively small populations of African American and Hispanic households which may result in higher margins of error in these geographies.

Figure V-1.
Homeownership Rates by Race and Ethnicity, 2017

	White	Black	Native American	Asian	Native Hawaiian/ Pacific Islander	Hispanic
Aloha	72%	59%	61%	74%	95%	48%
Banks	78%	100%	--	0%	--	67%
Beaverton	50%	60%	13%	50%	21%	20%
Cornelius	79%	100%	57%	100%	--	70%
Durham	56%	11%	0%	21%	0%	21%
Forest Grove	65%	48%	0%	34%	100%	54%
Gaston	64%	--	0%	100%	--	100%
Hillsboro	57%	38%	34%	42%	14%	33%
King City	82%	--	100%	100%	--	100%
North Plains	81%	--	100%	100%	--	100%
Sherwood	73%	--	47%	100%	100%	76%
Tigard	61%	43%	19%	72%	23%	29%
Tualatin	56%	18%	45%	71%	49%	18%
Washington County	63%	48%	41%	63%	34%	37%

Source: 2017 5-year ACS.

The following section discusses how disparities in access to residential capital explain some of the gaps in homeownership.

Access to Residential Capital

Home Mortgage Disclosure Act, or HMDA, data are widely used to detect evidence of discrimination in mortgage lending. In fact, concern about discriminatory lending practices in the 1970s led to the requirement for financial institutions to collect and report HMDA data. The variables contained in the HMDA dataset have expanded over time, allowing for more comprehensive analyses and better results. However, despite expansions in the data reported, HMDA analyses remain limited because of the information that is *not* reported.

As such, studies of lending disparities that use HMDA data carry a similar caveat: HMDA data can be used to determine disparities in loan originations and interest rates among borrowers of different races, ethnicities, genders, and location of the property they hope to own. The data can also be used to explain many of the reasons for any lending disparities (e.g., poor credit history). Yet HMDA data do not contain all of the factors that are evaluated by lending institutions when they decide to make a loan to an applicant. Basically, the data provide *a lot* of information about the lending decision—but *not all* of the information.

Beginning in 2004, HMDA data contained the interest rates on higher-priced mortgage loans. This allows examinations of disparities in high cost, including subprime, loans

among different racial and ethnic groups. It is important to remember that subprime loans are not always predatory or suggest fair lending issues, and that the numerous factors that can make a loan “predatory” are not adequately represented in available data. Therefore, actual predatory practices cannot be identified through HMDA data analysis. However, the data analysis can be used to identify where additional scrutiny is warranted, and how public education and outreach efforts should be targeted.

The Federal Reserve is the primary regulator of compliance with fair lending regulations. The Federal Financial Institutions Examination Council (FFIEC) is responsible for collecting and providing public access to HMDA data.

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

This section uses the analysis of HMDA data to examine disparities in lending and loan denials across different racial and ethnic groups and income categories, to determine if loans are being apportioned more favorably to some racial and ethnic groups as opposed to others.

Loan applications in Washington County. Between 2015 and 2017, the latest year for which HMDA data are publicly available in a consistent reporting format, there were 79,928 loan applications made in Washington County secured by residential properties that intended to be occupied by owners.

Eighty percent of the loans were conventional loans, 12 percent were Federal Housing Administration-insured, 8 percent were Veterans Administration-guaranteed, and less than 1 percent were Farm Service Agency or Rural Housing Service loans.

As shown in Figure V-2 two-thirds (67%) of all loan applications were approved and originated. Eleven percent of all loan applications in Washington County were denied and 15 percent were withdrawn by the applicant.

Figure V-3 displays the purpose of the loan applications. The vast majority of applications were for either refinancing or home purchases (52% and 43%, respectively), while 5 percent of the applicants were for home improvements. This trend conveys that the lending purpose mix has returned to more typical rates similar compared rates preceding the Great Recession when home purchase loans dropped dramatically relative to refinancing loans.

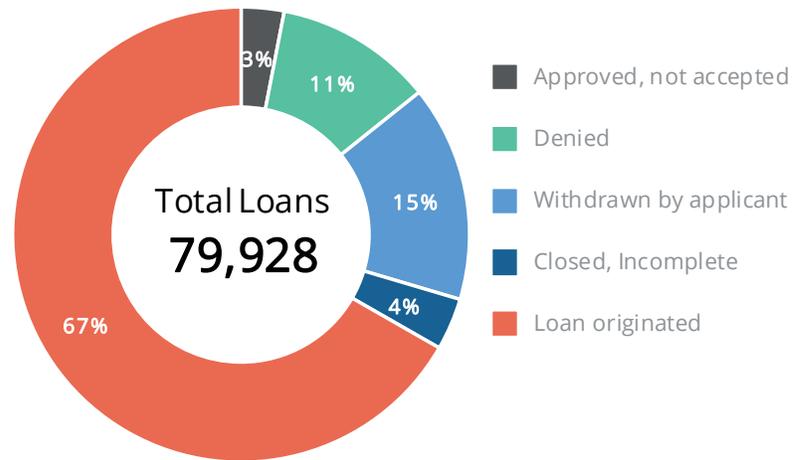
**Figure V-2.
Loan Applications
and Action Taken,
Washington County
2015, 2016, and 2017**

Note:

Does not include loans for multifamily properties or non-owner occupants.

Source:

FFIEC HMDA Raw Data, 2015, 2016, 2017



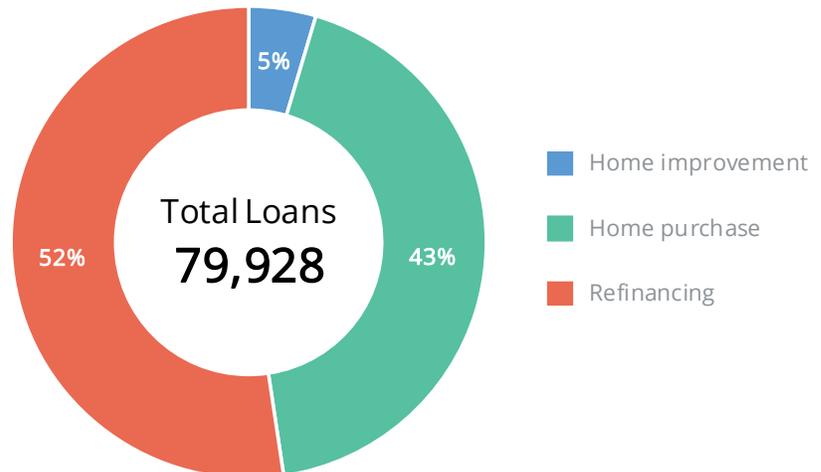
**Figure V-3.
Loan Applications
and Purpose,
Washington
County, 2015, 2016,
and 2017**

Note:

Does not include loans for multifamily properties or non-owner occupants.

Source:

FFIEC HMDA Raw Data, 2015, 2016, 2017



Outcome of loan applications. Figure V-4 presents more detail on the outcomes of loan applications by type, while Figure V-5 focuses on differences in race and ethnicity and income.

Loan originations were highest for home purchases (loans were originated 75% of the time) and lowest for refinances (60%). Application withdrawals and non-acceptance are similar across loan application type.

Figure V-4.**Action Taken on Loan Applications by Race/Ethnicity, Washington County, 2015-2017**

	All Loans		Home Improvement		Home Purchase		Refinance	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Application approved but not accepted	2,423	3%	75	2%	1,213	4%	1,135	3%
Application denied by financial institution	8,959	11%	458	13%	1,983	6%	6,518	16%
Application withdrawn by applicant	12,274	15%	527	14%	4,861	14%	6,886	16%
File closed for incompleteness	2,954	4%	111	3%	487	1%	2,356	6%
Loan originated	53,318	67%	2,486	68%	25,876	75%	24,956	60%
Total	79,928	100%	3,657	100%	34,420	100%	41,851	100%
Denial Rate		18%		13%		7%		20%

Note: The number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Source: FFIEC HMDA Raw Data, 2015, 2016, 2017

As in Figure V-5, loan origination rates were lowest for Hispanic applicants (59%) and Native American applicants (57%). These groups had their loans denied 22 and 24 percent of the time, respectively. Asian and White applicants had the highest origination rates—and the lowest denial rates—with around two-thirds of loans originated and 13 percent of loans denied.

The last rows in the figure compare the application outcomes of potential minority borrowers with potential White borrowers. The largest difference in originations is for Native American and Hispanics applicants: Native American applicants were denied loans 12 percentage points more frequently than White applicants, while Hispanic applicants were denied loans 9 percentage points more frequently than White applicants. The difference for African Americans applicants was 6 percent. There was no difference in denial rates among Asian and White applicants. Compared to 2009, lending discrepancies are similar except for Native American applicants. Denial rates were within 1 to 2 percentage points, with the exception of Native American applicants, whose denial rate increased from 16 percent in 2009 to 24 percent between 2015 and 2017.

Figure V-5.

Action Taken on Loan Applications by Race/Ethnicity, Washington County, 2015-2017

	Native American	Asian	African American	Hispanic	Native Hawaiian/ Pacific Islander	White
Number of loan applications	458	8,679	1,165	4,840	545	52,567
Percent approved but not accepted	1%	3%	3%	3%	3%	3%
Percent denied by financial institution	19%	10%	15%	17%	14%	10%
Percent withdrawn by applicant	17%	16%	16%	17%	17%	15%
Percent closed for incompleteness	5%	4%	4%	5%	6%	3%
Percent originated	57%	67%	63%	59%	60%	69%
Denial Rate	24%	13%	19%	22%	19%	13%
Percentage Point Difference in Denial Rate Over White Applicants Denial	12%	0%	6%	9%	6%	-

Note: The number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Source: FFIEC HMDA Raw Data, 2015, 2016, 2017

Originations of loans are dependent upon the loan application being submitted in a complete form to the lending officer. Loans that are withdrawn, incomplete, or not accepted by the borrower affect borrower origination rates. Figure V-5 also includes these outcomes for borrowers by race and ethnicity. In all three categories, racial and ethnic minority applicants had either the same share or a slightly higher share than White applicants—as such, the effect of withdrawals, incomplete loan applications, and non-approvals on the origination rates is minimal.

As displayed in Figure V-6 (a and b), these disparities in denial rates persist even at high income levels. For applicants with incomes of less than 80 percent AMI, the denial rates for Native American and African American applicants were 12 and 13 percentage points higher than non-Hispanic White applicants, respectively. The difference for Hispanic applicants at this income level was nine percentage points. For applicants between 80 and 120 percent AMI, the denial rates for Native American and African American applicants were 11 and 8 percentage points higher than non-Hispanic White applicants respectively. The difference for Hispanic applicants at this income level was 6 percentage points.

Figure V-6.a.
Denial Rates by Race/Ethnicity by Income Level, Washington County, 2015-2017

	Native American	Asian	African American	Hispanic	Native Hawaiian / Pacific Islander	White
Overall	24%	13%	19%	22%	19%	13%
Percentage Point Difference in Denial Rate Over White Applicants Denial Rate	12%	0%	6%	9%	6%	-
Less than 80% AMI	35%	28%	36%	32%	31%	23%
Percentage Point Difference in Denial Rate Over White Applicants Denial Rate	12%	6%	13%	9%	9%	-
80% to 120% AMI	22%	14%	20%	18%	20%	12%
Percentage Point Difference in Denial Rate Over White Applicants Denial Rate	11%	2%	8%	6%	8%	-
Greater than 120% AMI	20%	9%	13%	14%	12%	9%
Percentage Point Difference in Denial Rate Over White Applicants Denial Rate	11%	-1%	4%	5%	2%	-

Note: The number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Source: FFIEC HMDA Raw Data, 2015, 2016, 2017

**Figure V-6.b.
Denial Rates by
Income Level and
Race/Ethnicity,
Washington
County, 2015, 2016,
2017**

Note:

The number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Source:

FFIEC HMDA Raw Data, 2015, 2016, 2017

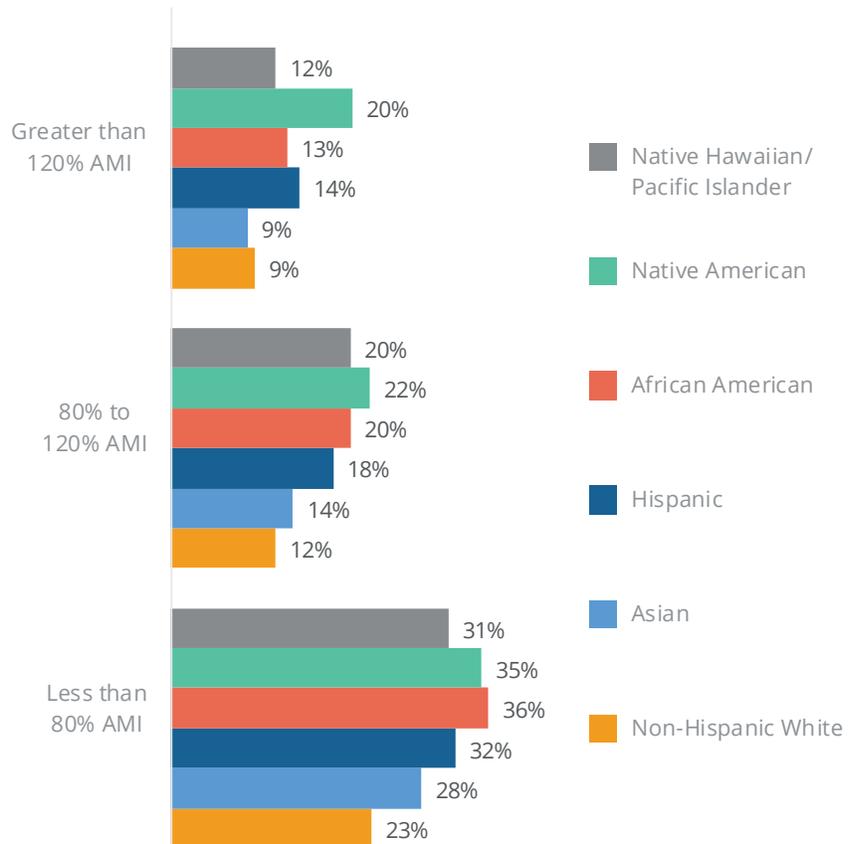


Figure V-7 (a and b) displays the denial rate by race and ethnicity by loan purpose. Denial rates were lowest for home purchase loans and highest for refinance loans for all racial and ethnic groups. Among refinancing loans, which accounted for 52 percent of all loans, the denial rate was highest for Hispanic applicants and Native American applicants (32% and 34%, respectively). These rates were 14 and 15 percentage points higher than White applicants applying for refinancing. White applicants and Asian applicants had the lowest denial rate at 18 percent and 19 percent respectively. A similar trend was found for denial rates for home purchase loans.

Home improvement also had the highest denial rates across racial and ethnic groups. This is of concern, as consistent lack of home improvement capital for certain racial/ethnic groups and/or neighborhoods can lead to disproportionate impact in housing quality and neighborhood conditions.

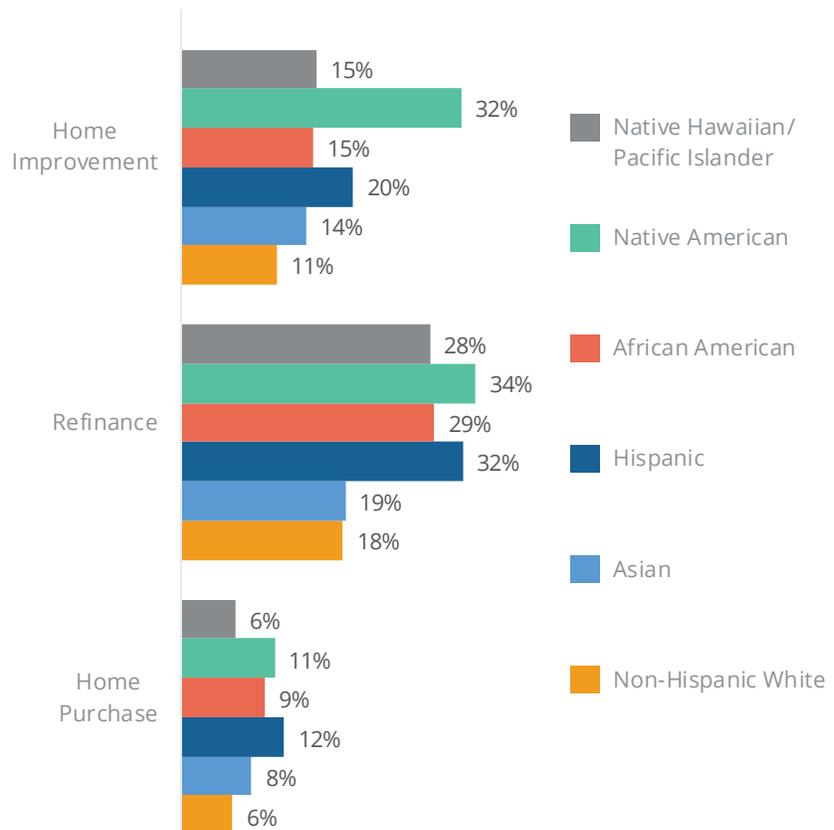
Figure V-7.a.
Loan Denial Rates by Loan Purpose by Race and Ethnicity, Washington County, 2015, 2016, and 2017

	Native American	Asian	African American	Hispanic	Native Hawaiian / Pacific Islander	White
Home Improvement	32%	14%	15%	20%	15%	11%
Percentage Point Difference in Denial Rate Over White Applicants Denial Rate	21%	3%	4%	9%	5%	-
Home Purchase	11%	8%	9%	12%	6%	6%
Percentage Point Difference in Denial Rate Over White Applicants Denial Rate	5%	2%	4%	6%	0%	-
Refinance	34%	19%	29%	32%	28%	18%
Percentage Point Difference in Denial Rate Over White Applicants Denial Rate	15%	0%	10%	14%	10%	-

Note: The number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Source: FFIEC HMDA Raw Data, 2015, 2016, 2017

Figure V-7.b.
Loan Denial Rates by Loan Purpose by Race and Ethnicity, Washington County, 2015, 2016, and 2017



Note:

The number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Source:

FFIEC HMDA Raw Data, 2015, 2016, 2017

HMDA data contain some information on why loans were denied, which can help to explain differences in denials among racial and ethnic groups. Figure V-8 shows the reasons for denials in Washington County. As the table demonstrates, racial and ethnic minorities, with the exception of Asian applicants, are more likely to be denied a loan based on credit history than White non-Hispanic applicants. Overall, Debt-to-Income ratio was the most common reason for denial. This was the most common reason for denial among Non-Hispanic White and Asian applicants who had rates for this reason higher than other racial or ethnic groups.

Figure V-8
Reasons for Denial of Loan Application by Race and Ethnicity of Applicant, Washington County, 2015, 2016, and 2017

	Collateral	Credit Application Incomplete	Credit History	Debt-to-Income Ratio	Employment History	Insufficient Cash	Mortgage Insurance Denied	Other	Unverifiable Information
Total	13%	16%	21%	27%	3%	5%	0%	11%	0
Native American	16%	16%	22%	22%	4%	2%	0%	10%	10%
Asian	12%	11%	15%	30%	3%	6%	0%	12%	10%
African American	12%	19%	24%	22%	1%	7%	0%	10%	5%
Native Hawaiian/Pacific Islander	6%	4%	29%	20%	12%	6%	0%	18%	6%
Non Hispanic White	14%	15%	21%	27%	2%	4%	0%	12%	5%
Not Provided	13%	25%	19%	23%	2%	4%	0%	10%	5%
Hispanic	9%	10%	27%	30%	3%	6%	0%	11%	5%

Source: FFIEC HMDA Raw Data, 2015, 2016, 2017

Bias in credit decisions. Bias is thought to be a human condition that, in theory, could be eliminated by giving the responsibility for the credit decision to a truly objective party, such as a computer. However, a recent study, conducted by researchers at UC Berkeley, found discrimination inherent in the algorithms computers use to determine mortgage pricing.

The study found that, nationally, Hispanic and African American borrowers paid between 5.6 and 8.6 basis points more for mortgage loans made between 2008 and 2015 regardless of the type (computer or human) of lender. This is equivalent to 11 to 17 percent of lender profit on the average loan, meaning that lenders earn significantly more from loans made to Hispanic and African American homebuyers.¹

There was little difference in the rate charged by computer or human, suggesting that the higher rate charged to minority borrowers is a factor of other variables. In refinances, the minority interest rate differential was much lower, between one and three basis points. This led the research team to speculate that timing (urgency of getting a loan to buy a home once found) and frequency of comparison shopping could explain the interest rate differences.

Of equal importance was the finding that face-to-face mortgage transactions led to higher rejection rates for Hispanic and African American borrowers: humans rejected loans to these borrowers four percent more often than a computer did. In fact, computer rejections did not discriminate on the basis of race and ethnicity at all.

Geographic variation in denials. Figure V-9 below reveals the geographic variation in denial rates among cities and urban places in Washington County. The denial rates ranged from 23.5 percent in Aloha to 12.5 percent in Bethany. Both Beaverton and Hillsboro had denial rates around 20 percent.

¹ The time period covered in that study includes the period when subprime loans were common; subprime loans are a much smaller part of the market today. Several lawsuits and challenges have demonstrated that minority borrowers received subprime loans that were not risk-justified.

**Figure V-9.
Denial Rate by
Jurisdiction, Cities
and Urban Areas
in Washington
County, 2015, 2016,
and 2017**

Note:

The number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

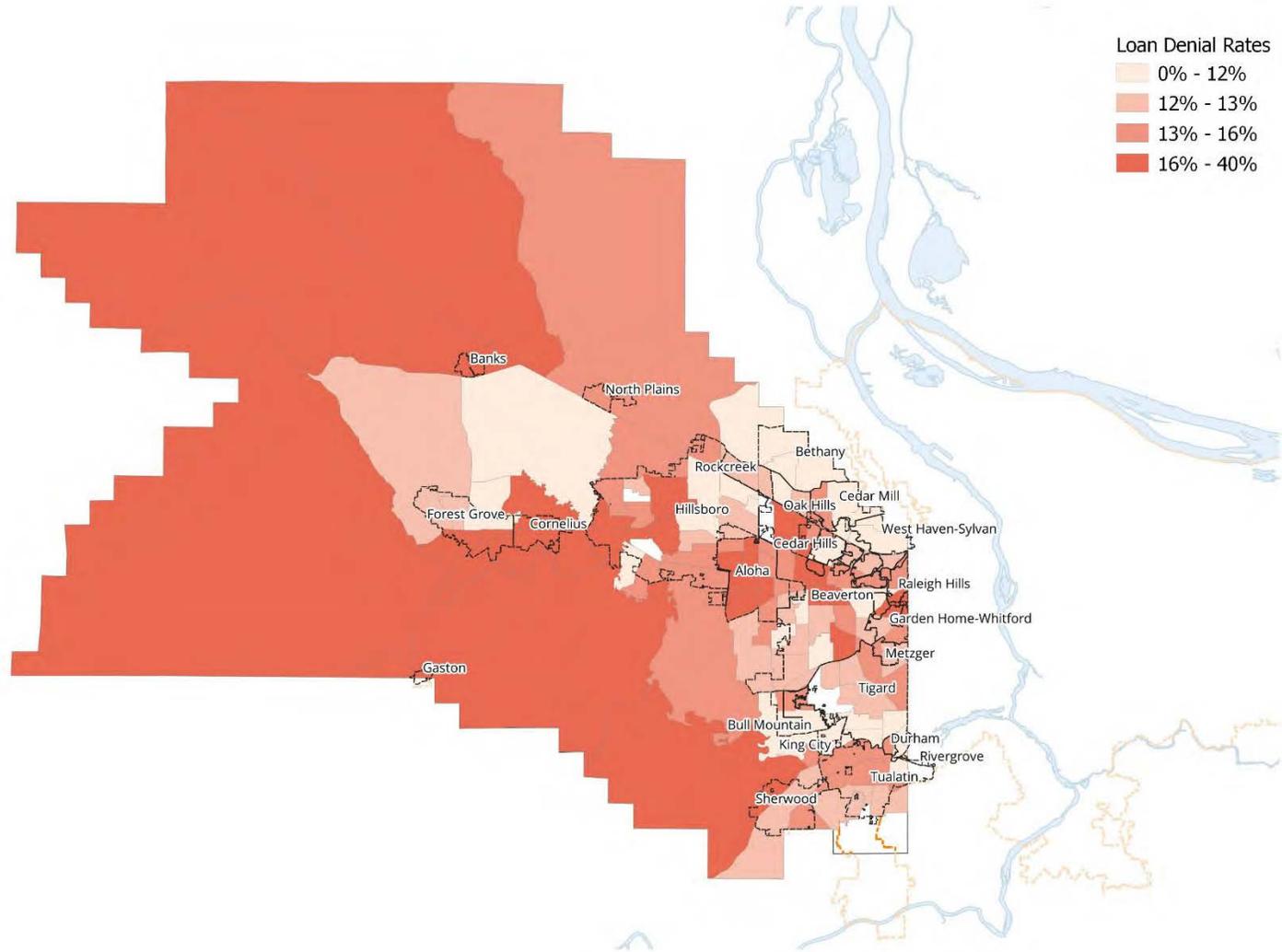
Source:

FFIEC HMDA Raw Data, 2015, 2016, 2017

Jurisdiction	Denial Rate	Total Loans
Aloha	23.5%	4,172
Beaverton	20.0%	6,084
Bethany	12.5%	1,479
Bull Mountain	18.7%	557
Cedar Hills	16.1%	443
Cedar Mill	16.3%	1,005
Forest Grove	18.5%	492
Garden Home-Whitford	21.0%	550
Hillsboro	20.9%	6,007
King City	18.5%	547
Metzger	18.9%	518
Oak Hills	15.2%	864
Raleigh Hills	19.7%	341
Rockcreek	18.0%	799
Sherwood	19.9%	1,570
Tigard	17.9%	4,201
Tualatin	18.8%	1,552
West Haven-Sylvan	16.1%	1,045
West Slope	16.0%	457
Total	19.3%	25,516

The map in Figure V-10 shows denials between 2015 and 2017 by Census tract. The map reveals that both urban and rural Census tracts experience high denial rates. It also reveals that there can be a significant range of denial rates within a city (e.g., Tigard). Both Beaverton and Hillsboro have Census tracts with relatively high and low denial rates.

Figure V-10.
Loan Denial Rates, Washington County, 2015, 2016, and 2017



Note: The number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Source: FFIEC HMDA Raw Data, 2015, 2016, 2017

Figure V-11 and Figure V-12 show the loan actions taken in Hillsboro and Beaverton between 2015 and 2017. Both cities had comparable number of applicants across races and ethnicities, with Beaverton receiving more Asian applicants and Hillsboro receiving more White applicants. In both cities the denial rates among non-White applicants was higher compared to White applicants, except for Asian applicants who had comparable denial rates and lower denial rates in the case of Hillsboro.

Figure V-11.
Action Taken on Loan Applications by Race/Ethnicity, Hillsboro, OR, 2015-2017

	Native American	Asian	African American	Hispanic	Native Hawaiian/Pacific Islander	White
Number of loan applications	81	1,426	208	970	106	7,089
Percent approved but not accepted	1%	5%	4%	4%	1%	3%
Percent denied by financial institution	17%	10%	14%	18%	15%	10%
Percent withdrawn by applicant	19%	14%	21%	16%	21%	15%
Percent closed for incompleteness	7%	4%	2%	4%	6%	4%
Percent originated	56%	68%	60%	57%	58%	68%
Denial Rate	23%	12%	18%	23%	21%	13%
Percentage Point Difference in Denial Rate Over White Applicants Denial	11%	-1%	5%	10%	8%	-

Note: Does not include loans for multifamily properties or non-owner occupants.

Source: FFIEC HMDA Raw Data, 2015, 2016, 2017

Figure V-12.
Action Taken on Loan Applications by Race/Ethnicity, Beaverton, OR, 2015-2017

	Native American	Asian	African American	Hispanic	Native Hawaiian/Pacific Islander	White
Number of loan applications	78	1,001	207	538	85	7,916
Percent approved but not accepted	1%	3%	4%	4%	5%	3%
Percent denied by financial institution	19%	12%	16%	17%	24%	10%
Percent withdrawn by applicant	19%	16%	20%	16%	15%	16%
Percent closed for incompleteness	6%	5%	4%	5%	9%	3%
Percent originated	54%	64%	56%	59%	47%	68%
Denial Rate	26%	15%	21%	21%	31%	13%
Percentage Point Difference in Denial Rate Over White Applicants Denial	13%	3%	8%	8%	19%	-

Note: Does not include loans for multifamily properties or non-owner occupants.

Source: FFIEC HMDA Raw Data, 2015, 2016, 2017

Subprime analysis. When residents are reluctant to seek capital or bank accounts with traditional financial institutions and need banking services, they patronize other, non-traditional sources, which can be unfavorable for credit building. The Federal Deposit Insurance Corporation (FDIC) has consistently surveyed such residents, whom they term “unbanked and underbanked” households. Unbanked households are those that lack any kind of deposit account at an insured depository institution. Underbanked households hold a bank account, but also rely on alternative financial providers such as payday lenders or pawn shops.

The latest survey (2017) found that in the United States, 28 percent of households are unbanked or underbanked (6.5% unbanked and 18.7% underbanked). In Oregon, 4.2 percent of households are unbanked and 20.1 percent are underbanked. The rates of unbanked and underbanked households in the Portland-Vancouver-Hillsboro, OR-WA MSA were lower than the state with 3.0 percent unbanked and 15.5 percent underbanked.

This section examines how often racial and ethnic minority loan applicants in Oregon received subprime loans compared to White applicants. For the purposes of this section, we define “subprime” as a loan with an APR of more than three percentage points above comparable Treasuries. This is consistent with the intent of the Federal Reserve in defining “subprime” in the HMDA data.

Figure V-13 displays the cities and urban places in Washington County by the percentage of total originated loans that were subprime in 2015, 2016, and 2017. The percent of originated loans that were subprime ranged from four percent to under one percent. The highest subprime rate was in Forest Grove while the lowest was in Rockcreek.

**Figure V-13.
Subprime Rate by
Jurisdiction,
Washington
County, 2015, 2016,
and 2017**

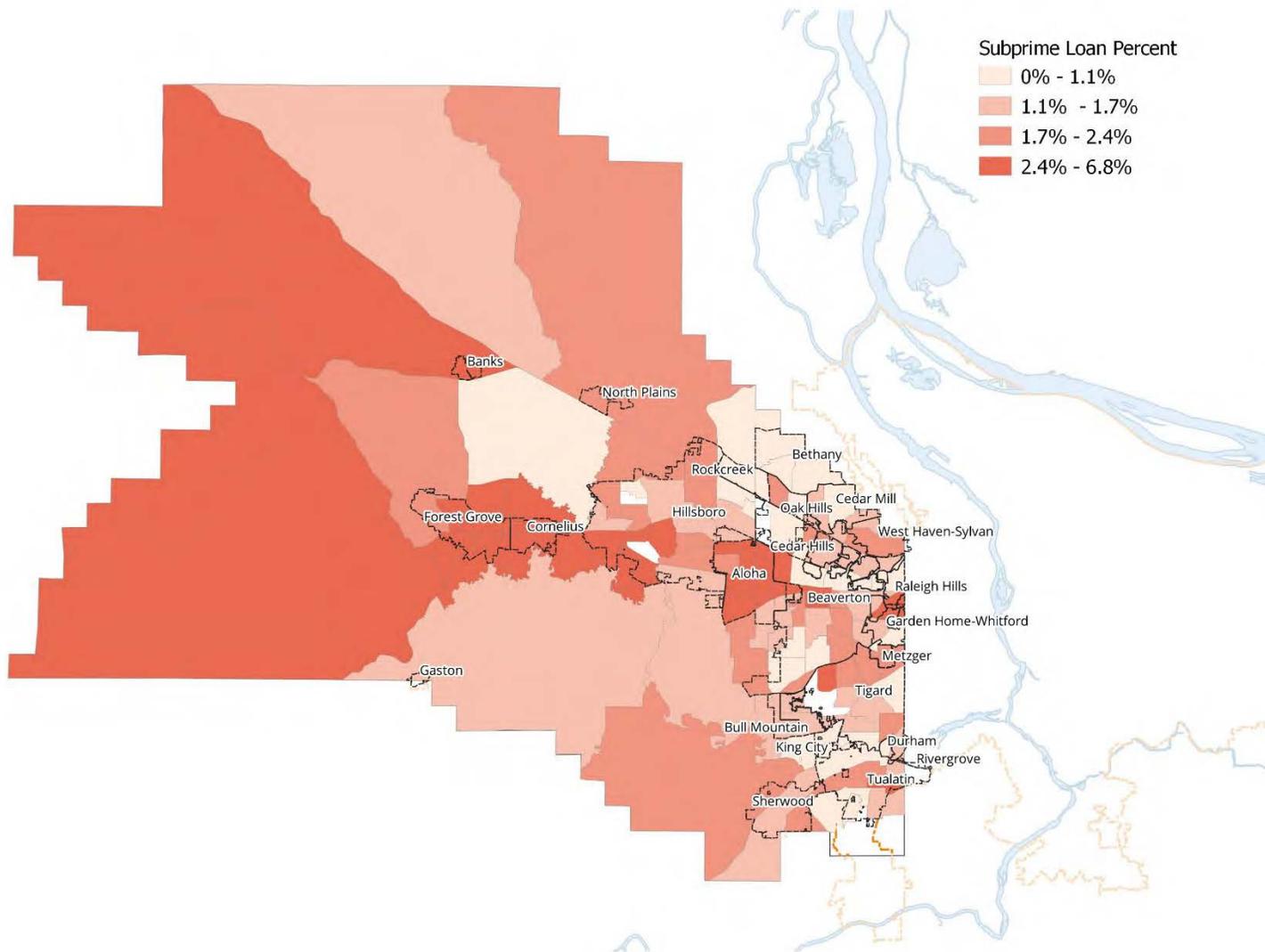
Note: Does not include loans for multifamily properties or non-owner occupants.

Source:
FFIEC HMDA Raw Data, 2015, 2016, 2017.

Jurisdiction	Subprime Rate	Total Loans Originated
Aloha	2.9%	1,534
Beaverton	1.8%	3,740
Bethany	0.6%	1,618
Bull Mountain	1.4%	388
Cedar Hills	1.4%	313
Cedar Mill	0.8%	1,149
Forest Grove	4.0%	221
Garden Home-	1.4%	410
Hillsboro	2.1%	3,351
King City	0.9%	340
Metzger	2.0%	313
Oak Hills	1.7%	726
Raleigh Hills	0.5%	326
Rockcreek	0.3%	560
Sherwood	1.7%	1,112
Tigard	1.5%	3,177
Tualatin	1.4%	1,024
West Haven-Sylvan	1.6%	1,055
West Slope	1.3%	408

The map in Figure V-14 displays the percent of originated loan applications that were subprime in between 2015 and 2017 by city or urban area. The map reveals, despite low rates of subprime lending, relatively higher levels of subprime lending in the rural eastern parts of the county as well as in cities and urban areas on the edge of the urban growth boundary.

Figure V-14.
Subprime Lending Rates, Washington County, 2015, 2016, and 2017



Note: Does not include loans for multifamily properties or non-owner occupants.

Source: FFIEC HMDA Raw Data, 2015, 2016, 2017

SECTION VI.

COMPLAINT AND LEGAL ANALYSIS

SECTION VI.

Complaint and Legal Analysis

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

States or local governments may enact fair housing laws that extend protection to other groups. The State of Oregon adds protections for:

- Marital status,
- Source of income,²
- Sexual orientation including gender identity, and
- Status as a survivor of domestic violence.

Beaverton and Hillsboro both have fair housing ordinances that are enforced at the local level:

- Beaverton’s law (City Code Chapter 5.16.015) includes among its protections that exceed federal protections: marital status, gender identity, sexual orientation, and source of income.
- Hillsboro adds extra protections for marital status, sexual orientation, gender identity, source of income, and domestic partnership (Hillsboro City Code Chapter 7.28.010).

¹ “How Much Do We Know? Public Awareness of the Nation’s Fair Housing Laws”, The U.S. Department of Housing and Urban Development, Office of Policy and Research, April 2002.

² Source of income is intended to protect benefit income, such as social security income or disability income. State legislation originally exempted Section 8 vouchers from this protected class. As of July 1, 2014, Section 8 vouchers and other forms of rental subsidy may not be discriminated against in Oregon.

Fair Housing Complaints

This section reviews trends in fair housing complaints filed by Washington County residents, beginning with the process of investigating complaints.

Process for filing complaints. The Civil Rights Division of the Bureau of Labor and Industries (BOLI) has primary responsibility for enforcing state fair housing laws. BOLI also enforces laws related to discrimination and furthers equal opportunity in the areas of employment, public accommodations and career schools.

For Oregon residents, including Washington County residents, who feel they experienced discrimination, several options are available.

- Residents can contact the Fair Housing Council of Oregon (FHCO) for guidance on filing a complaint or for a referral to an attorney.
- Residents can also contact an attorney directly to pursue a civil complaint, or, if a resident meets income qualifications, he or she could seek representation by Legal Aid Services of Oregon (LASO). This step may be taken if BOLI and HUD do not feel they have evidence for the case to proceed within state or federal court.
- Residents can file a complaint with HUD, which oversees housing discrimination for federal protected classes.
- Residents can file a complaint with BOLI, who investigates violations of state law.
- The state's enforcement agency, BOLI, also investigated complaints on behalf of HUD until 2016. Prior to 2016, Oregon's fair housing law was designated as "substantially equivalent" by HUD (this designation was granted in 2008). However, due to legislative changes to Oregon's state law, HUD deemed BOLI no longer substantially equivalent and terminated its contract/partnership with BOLI as of April 3, 2016. The impact of this procedural change could lengthen the time that complaints are investigated by HUD, due to the loss of a state partner in filling that need.

For protected class categories where there is overlap between state and federal law, depending on the case, it may be advantageous to file at either the federal or state level. Consideration should be given to the precedent of the case as demonstrated in past and similar complaint resolutions; amount of fines and penalties; and capacity to investigate. The FHCO or private attorney can play an advisory role in that decision.

Filing with BOLI. Oregon law that governs discriminatory activity in housing transactions is found in ORS 659A-145 & 421. State law designates BOLI as the state agency with the authority for enforcing both housing and employment protections. Complaints must be filed within one year of the date when the alleged discrimination occurred.

The BOLI intake process begins by completing a questionnaire available on BOLI's website or by phone. An intake officer then drafts a formal complaint document that will be mailed to the complainant and must be signed by the complainant before it is returned to BOLI. After the signed complaint is received, notice of the complaint is sent to the complainant and the respondent.

Case assessment. If it is determined unlikely that an investigation would yield substantial evidence supporting the allegations, the case will be closed and BOLI provides the complainant with information regarding their right to file in civil court, which requires a private attorney.

Further investigation. If BOLI determines there is prima facie case, a BOLI investigator notifies the complainant and respondent and conducts interviews. During the investigation, the case conciliator attempts to find a way to settle the case. A conciliation is a voluntary, no-fault settlement of a complaint. The complainant may be required to attend a fact-finding conference, which aims to identify points of agreement and disagreement and, if possible, settle the complaint. If a settlement is achieved at this stage, a conciliation agreement—a voluntary no-fault settlement of a complaint—is created and the case is closed.

If conciliation is not reached, BOLI continues to investigate. This can include interviewing the complainant, witnesses and gathering evidence of damages. The burden of proof rests with the complainant. To prove discrimination occurred, substantial evidence must be provided especially linking the activity to one's protected class. When the investigation is complete, the investigator makes a recommendation whether to find cause or dismiss the case.

Determination of discrimination. If BOLI finds substantial evidence of discrimination, the investigator issues such a determination (Substantial Evidence Determination) and sends the case to management for review. The case is reviewed for evidence required for an administrative hearing. If the review determines that evidence is not present, the case is closed.

Administrative hearing. An administrative hearing is similar to a court hearing and is held before an Administrative Law Judge (ALJ). After the hearing, the ALJ issues a proposed Order to the Commissioner of BOLI. The Commissioner may adopt, reject or modify the Proposed Order. The Commissioner's Final Order has the same weight as a judge's decision and may specify specific remedies, which may include the rental, lease, or sale of real property, the provision of services, out-of-pocket expenses or benefits lost because of the discriminatory practice, and compensation for emotional distress.

Filing with HUD. Federal claims of fair housing violations will have to be filed directly with HUD. The HUD complaint intake process is free of charge and fair housing complaints can be filed by either individuals or groups. Similar to BOLI, complaints may be filed with HUD by telephone, mail, or via the internet by filling out a complaint form.

A drafted formal complaint is then sent via mail to the complainant for review and signature. Following the receipt of the signed draft, HUD will contact the respondent informing them that a complaint has been filed against them along with a copy of the complaint. The respondent receiving the complaint must submit answers relevant to the complaint within 10 days of receiving the notice.

The investigation will consist of a HUD investigator collecting relevant documents, interviews, and site visits. HUD has authority to take depositions, issue subpoenas and interrogatories, and compel testimony or documents.

HUD is required by the Fair Housing Act to attempt to bring the parties together to reach conciliation in every complaint case; however the choice to conciliate the complaint is voluntary for both parties.

A conciliation agreement will end the investigation and close the case. Conciliation agreements between parties and signed by HUD must protect the public interest. If the agreement is breached by either party HUD may recommend the U.S. Department of Justice (DOJ) intervene to enforce the agreement.

Prior to conciliation, HUD may determine through its investigation that there is no reasonable cause to believe that discrimination occurred resulting in a "no reasonable cause" determination. Such a determination will close the case. If the complainant disagrees with HUD's decision, they may request that the case be reconsidered. Such a request would prompt further evidence gathering and investigation. Following the review of new evidence, the "no reasonable cause" finding may be upheld, at which point HUD will take no further action, or the case may be re-opened. In the case where the complainant's case is upheld as having "no reasonable cause," the complainant may pursue recourse in civil court in the appropriate US district court.

If "reasonable cause" is determined by investigators, HUD will issue a "reasonable cause" determination and the respondent will be charged, and the case will be heard by a HUD Administrative Law Judge. Alternatively, either party may elect to have the case heard in federal civil courts. This election must be made within 20 days of the charge receipt. In that case, the DOJ will commence a civil action on behalf of the aggrieved person in U.S. District Court within 30 days.

If the case goes to the HUD Administrative Law Judge, the judge will hear the case and make an initial decision. If the defendant is found guilty, the judge may award a maximum civil penalty of \$11,000 per violation for a first offense in addition to other compensation including damages for the complainant and attorneys' fees.

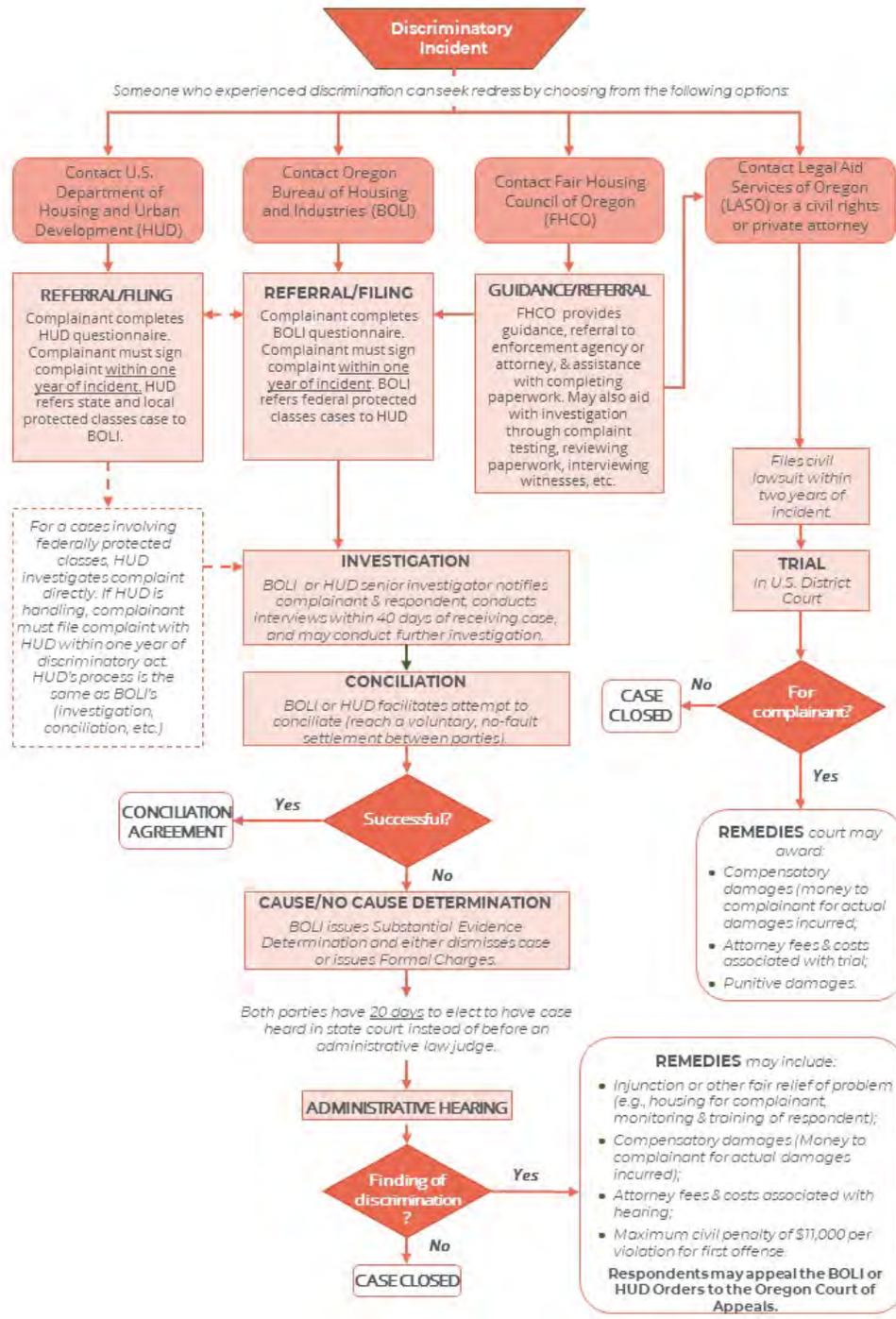
Within 15 days of the issuance of an initial decision, any party can petition the Secretary of HUD for review. The Secretary has 30 days to affirm, modify, or set aside the initial decision or remand the initial decision for further proceedings. If no action is taken

within 30 days, the initial decision will be the final decision. After the final decision is made, any aggrieved party may appeal to the appropriate court of appeals.

Fair Housing Council of Oregon. The Fair Housing Council of Oregon (FHCO) is a state advocacy organization whose mission is to eliminate illegal housing discrimination through enforcement and education. FHCO maintains a hotline for residents who feel they have experienced discrimination; FHCO staff provide options on the best way to proceed, including filing a complaint with the appropriate state or local government agency or bringing the lawsuit in federal or state court. FHCO also refers residents to other appropriate remedies—e.g., in a case of a landlord tenant dispute that does not appear to have a discriminatory motive.

Figure II-1 provides an overview of the primary steps involved in pursuing a fair housing complaint in Oregon.

Figure VI-1.
Fair Housing Complaint Flowchart for Oregon



Note: This diagram is a simplified summary of common pathways for seeking protection of remedies under the Fair Housing Act. It includes principal, but not all, steps and options.

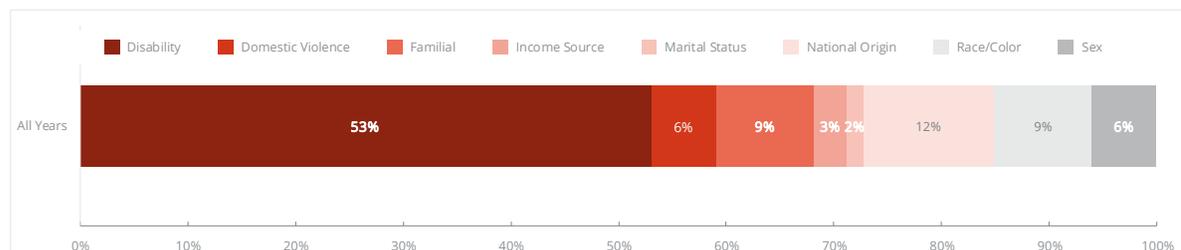
Source: HUD and BOLI

Washington County complaint intake trends. To assist Washington County in evaluating the county’s fair housing issues and barriers to equal access to housing, the FHCO prepared a report title “Analysis of Fair Housing Council of Oregon’s Data for Washington County,” a draft form of which was released in June 2019. The reviewed FHCO’s fair housing inquiries and intake data for the reporting periods between July 2015 through June 2016; July 2016 through June 2017; and July 2017 through June 2018.

During these date ranges FHCO received 452 (165 in FY15-16; 145 in FY16-17; and 142 in FY16-17) hotline calls from Washington County. Of those, 66 (14 percent) resulted in bona fide fair housing allegations.

Intake trends. In the county, intake calls based on disability represented 53 percent of all calls—by far the largest proportion. National origin and familial status represented the second and third largest shares (12% and 9% respectively). Figure VI-2 displays the number and proportion by basis of intake calls from January 1, 2015 to June 30, 2017.

Figure VI-2.
FHCO Report Basis of Intake, Washington County



Note: One primary basis was reported for each intake call.

Source: Fair Housing Council of Oregon

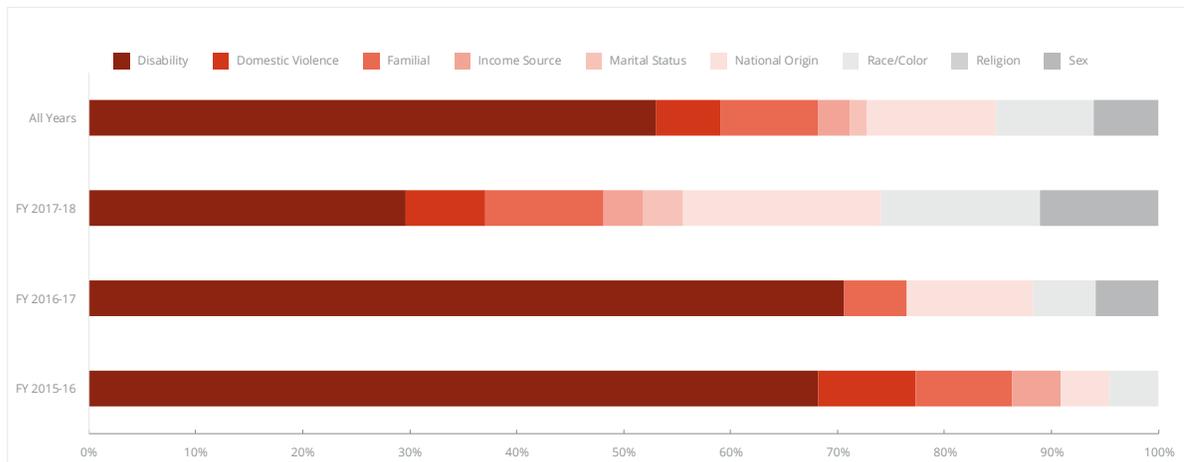
Figure VI-3 shows the basis of intake calls by year. Intake calls based on disability accounted for slightly over half of each year’s total intakes, ranging from 30 percent in 2017-2018 to 71 percent in 2016-17. The share for the other intake bases varied slightly year by year, however in almost all cases, the balance of intake bases in each year represented less than one-third of all intakes. In 2017-2018, however, there was a high proportion of National Origin and race or color related complaints (19 percent and 15 percent respectively).

Figure VI-3.
FHCO Report Basis of Intake, Washington County

Filing Basis	% of Annual Complaints			% All Years	Total All Years
	FY 2015-116	FY 2016-17	FY 2017-2018		
Disability	68%	71%	30%	53%	35
Domestic Violence	9%	0%	7%	6%	4
Familial	9%	6%	11%	9%	6
Income Source	5%	0%	4%	3%	2
Marital Status	0%	0%	4%	2%	1
National Origin	5%	12%	19%	12%	8
Race/Color	5%	6%	15%	9%	6
Religion	0%	0%	0%	0%	
Sex	0%	6%	11%	6%	4
Sex Orientation/Gender	0%	0%	0%	0%	
Annual Total	22	17	27	100%	66

Note: One primary basis was reported for each intake call.

Source: Fair Housing Council of Oregon



Note: One primary basis was reported for each intake call. HUD uses “sex” to refer to gender discrimination.

Source: Fair Housing Council of Oregon

Complaint trends. Complaint data were obtained from the Bureau of Labor and Industry (BOLI). The information contained all fair housing complaints filed or closed with BOLI between January 1, 2013 and December 31, 2017. BOLI reported 59 complaint records in Washington County during this period.

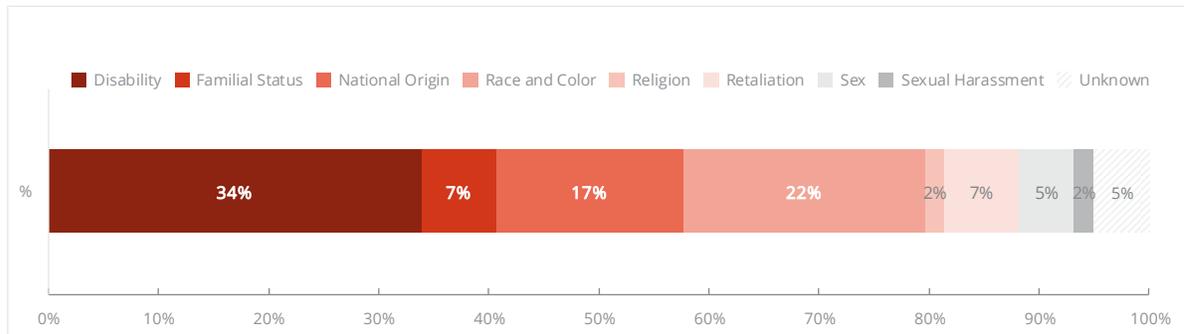
Complaints based on disability represented 34 percent of all complaints filed. Race represented the second largest share at 22 percent, followed by national of origin 17 percent. Figure VI-4 displays the number and percent by basis of complaint over this time period.

Figure VI-4.
BOLI Basis of Complaints,
Washington County
2013 to 2018

Basis	#	%
Disability	20	34%
Familial Status	4	7%
National Origin	10	17%
Race	13	22%
Religion	1	2%
Retaliation	4	7%
Sex	3	5%
Sexual Harassment	1	2%
Unknown	3	5%
Total	59	1

Note:
One primary basis was reported for each complaint.

Source:
Bureau of Labor and Industries.

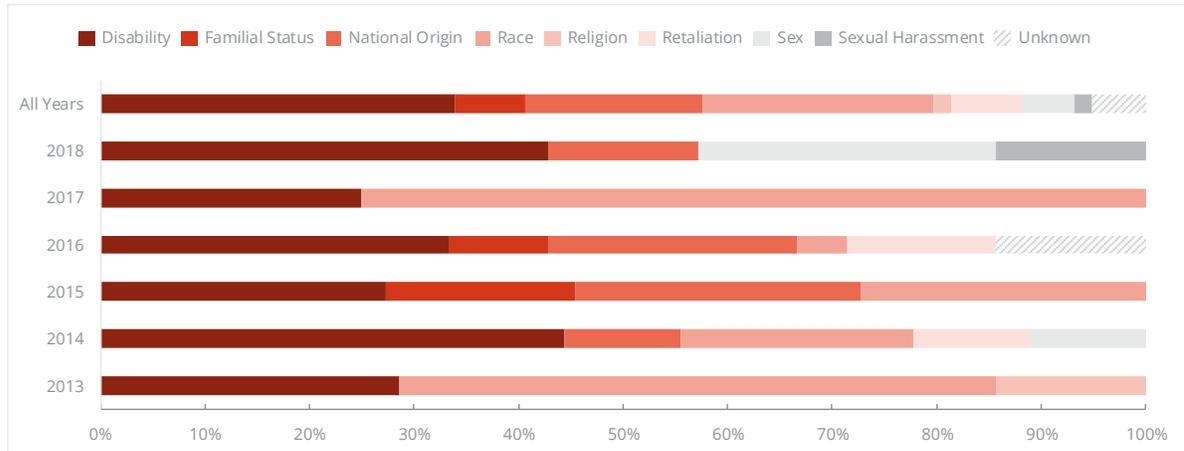


Note: One primary basis was report for each complaint.

Source: Bureau of Labor and Industries

Figure VI-5 shows the basis of complaint by year that the complaint was filed. Complaints based on disability accounted for the greatest share of complaints each year, ranging from 44 percent in 2014 to 25 percent in 2017. Complaints based on race accounted for the second largest share of complaints in most years, excluding 2016 and 2018 when National Origin and Sexual Orientation superseded in those years respectively. The share for the other basis of complaint categories varied year by year, although in most years, the balance of complaint bases represented less than one-third of all complaints.

Figure VI-5.
Basis of Complaints by Year, Washington County



Note: One primary basis was report for each complaint.

Source: Bureau of Labor and Industries

Basis of Complaints by Year, Washington County

Filing Basis	Year						Total
	2013	2014	2015	2016	2017	2018	
Disability	29%	44%	27%	33%	25%	43%	20
Familial Status			18%	10%			4
National Origin		11%	27%	24%		14%	10
Race	57%	22%	27%	5%	75%		13
Religion	14%						1
Retaliation		11%		14%			4
Sex		11%				29%	3
Sexual Harassment						14%	1
Unknown				14%			3
Annual Total	7	9	11	21	4	7	59

Note: One primary basis was reported for each complaint.

Source: Bureau of Labor and Industries

Figure VI-6 conveys how complaints were ultimately resolved in the time period between 2013 and 2018. During this time, of the total 59 complaint files, 43 files, or 73 percent of the complaints were closed. Twenty five of the closed complaints were closed because no substantial evidence was found to substantiate the case. This constitutes 42 percent of all complaints filed. Only 8 percent (5 cases) reached successful conciliation. Sixteen complaints (27 percent) remained open at the time the data were collected for this report.

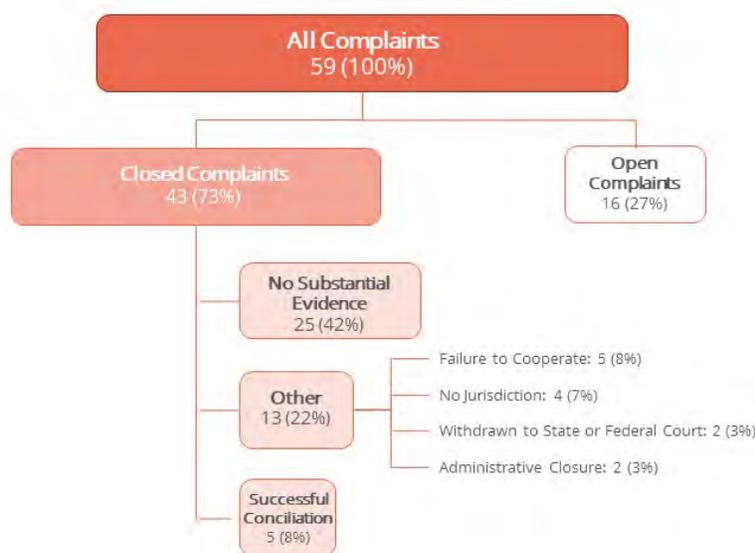
**Figure VI-6.
Resolution of Closed
Complaints,
Washington County**

Note:

Successful conciliation is a combination of: negotiated conciliation before determination of cause, successful conciliation agreement after cause finding, conciliation prior to cause finding, and successful mediation during or after investigation.

Source:

Bureau of Labor and Industries



Fair Housing Council of Oregon Audit Testing Report

In September 2019, the Fair Housing Council of Oregon (FHCO) released a report of findings from tests to determine the frequency and type of discriminatory activity in Washington County. These tests revealed that individuals from protected classes continue to face inequitable barriers when seeking housing.

The tests were conducted to detect discrimination in the market that is still common, despite landmark fair housing cases, expansion of protected classes, and improvements in education and outreach. To proactively assess compliance, FHCO performed 35 audit tests on the basis of source of income, race, national origin, and disability throughout Washington County, the City of Beaverton, and the City of Hillsboro. The tests were conducted between January 2019 and September 2019. While the data collected are not statistically significant, they are not intended to be. Instead, the data represent the day-to-day experience of prospective renters as member of protected classes.

The figure below summarizes the outcome of the audit testing. A “positive” result indicates a circumstance when a protected class experiences one or more differences when compared to the comparative testers. For example, if a protected class tester is provided a

higher quote for a security deposit than the comparative tester, the test will be defined as “positive” because of evidence of adverse differential treatment.

A “negative” test conveys that there were no material differences in treatment. An inconclusive test means that the test failed to reveal a clear positive or negative finding.

Of the 35 tests conducted, 11 focused on source of income. Source of income, which is not a federally protected class, is a protected class at the state and local level in Beaverton and Hillsboro, had the most positive test result (6 positive) of the tested classifications.

The most common violations found in source of income tests include:

- Misrepresentation of availability—offering availability of less total units or failing to offer specific floor plans to voucher holders,
- Terms and conditions—failure to offer a voucher holder the same move-in procedure options, less favorable utility calculations, follow-up correspondence, less favorable application process requiring in-person submission, and significantly delayed move-in dates than someone without a voucher, and
- Refusal to Rent/Otherwise Deny or Make Housing Unavailable.

In most markets, the protected classes that are typically disproportionately impacted by source of income discrimination include: female headed households (especially those relying on child support or alimony), immigrants, seniors, and persons with disabilities—basically, those protected classes who are most likely to rely on non-earned income for rental payment.

Tests representing national origin (ten tests total) and disabilities (eight tests total) each resulted in two positive tests. In the case of national origin, a tester with a discernible Hispanic accent was told that a Social Security Number is required to rent and that federal ITIN numbers are not accepted as a substitute. FHCO generally views policies that restrict admission into housing based on the need to provide Social Security Numbers, without any additional pathway for the prospective renter, as an egregious impediment to equitable housing. The other result showed a Caucasian comparative tester was offered information on several more available units than a Hispanic protected tester (Misrepresentation of Availability). Moreover, a Hispanic protected tester was told that they needed to come in-person to submit an application while the Caucasian comparative tester was told they had the option of applying online or in-person.

In the case of disability, a protected tester identifying as someone with a disability was told about few units than a comparative tester. In addition, the tester identifying as someone with a disability was given a move-in date of four to six weeks later than the comparative tester (Terms and Conditions; Misrepresentation of Availability; Otherwise Deny or Make Housing Unavailable). In another test, a comparative tester was told that there was immediate availability while the tester who identified as being disabled was told that

nothing was immediately available and that the only unit they could pursue was weeks out from renting (Misrepresentation of Availability; Otherwise Deny of Make Housing Unavailable).

There was one positive test of 6 total tests for race, which occurred in Beaverton. In that case, the Caucasian comparative tester was offered information on the availability of several more units than the Black/African American protected tester (Misrepresentation of Availability). Moreover, the Caucasian comparative tester received follow-up communication from an agent in the form of electronic correspondence encouraging them to apply. The Black/African American protected tester received no follow-up communication.

**Figure VI-7.
Washington County Audit Testing**

Classification	Washington County	Hillsboro	Beaverton	Total
Disability	4	2	2	8
Positive	1		1	2 positive
Inconclusive				
Negative	3	2	1	6 negative
National Origin	5	2	3	10
Positive	1	1		2 positive
Inconclusive	1	1	2	4 inconclusive
Negative	3		1	4 negative
Source of Income	5	3	3	11
Positive	4	1	1	6 positive
Inconclusive		1		1 inconclusive
Negative	1	1	2	4 negative
Race	3	2	1	6
Positive			1	1 positive
Inconclusive				
Negative	3	2		5 negative
Total	17	9	9	35

Source: FHCO - Audit Testing Report: January 2019 to September 2019

Based on the testing results, the FHCO recommends expanded testing, education and outreach investments to ensure that housing providers, including those receiving public subsidies, address any differential information and treatment. Furthermore, the jurisdictions should increase education for consumers, as well as advocates and community navigators, to ensure a solid understanding of fair housing laws and to further equal treatment and equal access to housing of one's choice.

Fair Housing Legal Case Review

This section describes fair housing legal actions that were brought and/or resolved during the past ten years, to assess trends in Washington County, the greater Portland region, and the State of Oregon overall. The primary source for the cases below are United States Department of Justice Housing and Civil Enforcement Cases Database.

The purpose of the legal summaries below is to highlight, in a non-technical way, recent legal findings that concern fair housing laws. The summaries are provided in order for local government leaders and staff, stakeholders, and the public to better understand some of the more complex aspects of fair housing laws and be aware of the potential for violations.

The cases are grouped by the primary fair housing violation that was challenged in the case. The cases review begins with cases that involve fair housing accessibility challenges and/or disability discrimination, which represent most of the cases found in the legal review.

Reasonable Accommodation Cases

Bureau of Labor and Industries of the State of Oregon v. Prometheus Real Estate Group Inc., et al. (2014). *Portland metro area.* This case involves a complaint filed with the Bureau of Labor and Industries (BOLI) against Prometheus Real Estate Group for failure to make reasonable accommodation.

In October 2011, the complainant requested a disabled parking spot closer to his unit because his disability limited his ability to walk. The apartment complex in which the complainant lived failed to comply with the request. On January 29, 2012, the complainant fell and was injured in the parking lot of the housing complex. One week after the fall, the housing complex installed the requested signage. The complainant died the following day. A complaint was filed with BOLI, which found substantial evidence of unlawful discrimination on the part of the Prometheus Real Estate Group, including a failure to make reasonable accommodation.

On January 28, 2015, the Prometheus Real Estate Group agreed to pay \$475,000 to settle allegations that it failed to provide a reasonable accommodation. The agreement included a number of stipulations, including that Prometheus provide BOLI with a list of all owned or managed properties, conduct annual fair housing training for employees, maintain a reasonable accommodation log that documents these requests for BOLI semi-annually, and notify all tenants of their rights to reasonable accommodation.

Book v. Hunter (2013). This case involved a refusal to make reasonable accommodation. The complainant, a resident with a disability living with an emotional assistance service dog, sought to rent an apartment from the defendants. After the complainant's rental application was preliminarily approved, she provided the defendants with a physician's note identifying her need for a companion animal. The rental application was subsequently

denied due to, “inaccurate or false information supplied by applicant”, and “undisclosed or unpermitted pet”. The court held that the defendants violated the FFHA by failing to reasonably accommodate the complainant’s disability. The court ruled in favor of the complainant and awarded \$12,000 in damages and recovery of attorney’s fees and costs.

Steven Kulin v. Deschutes County (2010). This case involves alleged violation of FFHA and ADA based on disability status. The complainant was a disabled business owner who operated his business from his home. He received notices from Deschutes County that he violated the county code associated with his property and that a variance from the code was required. The complainant claimed that the county deprived him of his property and enjoyment of his home due to their refusal to accommodate the disabled in the application of the county code and by requiring the disabled to apply for a variance in order to receive accommodation. The court did not find sufficient evidence to support the allegation that the defendants were liable for the violation and dismissed the complainant’s claims.

Kuhn v. McNary Estates Homeowners Assoc. (2017). *Keizer* In this case, a Homeowners Association (HOA) was challenged for denying a reasonable accommodation for the adult child of property owners. Defendant McNary Estates Homeowners Association, Inc., (“HOA”) denied plaintiffs Khrizma (adult child with disabilities), Renee and Gary Kuhn’s (parents of Khrizma) their request for an exception to the HOA’s restrictive covenant prohibiting residents of McNary Estates from parking large vehicles in their driveways; instead, the HOA offered two alternatives, neither of which met the adult child’s needs. The request was accompanied by letters from two of Khrizma’s healthcare providers, who documented the need for Khrizma to travel in the large vehicle to accommodate her multiple disabilities. After the HOA denied plaintiffs’ request, plaintiffs filed this action against the HOA and its president, asserting violations of the federal Fair Housing Amendments Act (“FHAA”) and the Oregon Fair Housing Act, as well as a claim for negligence. This lawsuit was settled for \$300,000.

Design and Construction Cases

United States v. Montagne Development, Inc. (2013) *Salem* The complaint, which was filed on September 30, 2011, alleged that the defendants failed to design and construct Gateway Village Apartments according to the accessibility features required by the Fair Housing Act. Under the terms of the partial consent order, the defendants will perform the necessary retrofits to covered apartment interiors and to the development’s public and common use areas. The defendant was required to pay \$48,000 to the Fair Housing Council of Oregon (FHCO), which filed the original HUD complaint and intervened in the lawsuit, and \$32,000 to establish a settlement fund to compensate individuals with disabilities who were impacted by the accessibility violations.

McVick LLC and JDV Corporation v. United States Department of Housing and Urban Development (2012). This case involves noncompliance with accessibility requirements in the FFHA for persons with disabilities. On September 21, 2009, the Fair Housing Council of Oregon (FHCO) filed a complaint with HUD alleging that McVick LLC discriminated on the basis of disability by building a property that did not comply with the

FFHA's accessibility requirements. Over many months McVick LLC repeatedly refused to allow HUD to inspect the interior of the units. They also filed counterclaims that HUD's inspection should be banned because the complainant, the FHCO, lacked standing and was not an "aggrieved person" under the FFHA.

The court ruled in favor of HUD, concluding that McVick LLC knew of the defendant's desire to inspect the property and that they failed to provide evidence of irreparable harm caused by allowing interior inspections.

Discrimination against a Protected Class

Fishing Rock Owners' Association, Inc. v. David Roberts and Sharon Roberts

(2014). Depoe Bay This case is related to a proposed drug rehabilitation facility in the Fishing Rock subdivision. In February 2009, the defendants, who owned three adjacent lots in the Fishing Rock subdivision, informed the Fishing Rock Owners' Association of their intention to operate an outpatient drug rehabilitation program out of their home. The Association filed a complaint that this action violated the subdivision's prohibition of commercial activity and requested a judgment to stop the defendants from operating a business on their property. The defendants then filed counterclaims alleging disability discrimination in violation of the FFHA.

The court ruled that the defendants failed to present any evidence to support a reasonable accommodation claim or to support the defendants' claim that the Association interfered with their attempts to establish a rehabilitation facility by creating restrictive parking rules. The court dismissed the defendants' counterclaims.

Pacific Community Resource Center et al., v. City of Glendale, Oregon (2014).

This case involves alleged discriminatory enforcement of the City of Glendale's ordinance on occupancy requirements. In October 2009, the complainants established a motel in Glendale's commercial zone. They requested City Council permission for residential tenants to rent rooms. Shortly after, Glendale City Council removed multi-family housing from the permitted uses in the commercial zone and the complainants subsequently received notice from the city of a potential zoning ordinance violation. The complainants were later convicted by a circuit court judge of operating without obtaining an R-2 Certificate of Occupancy or a Conditional Use Permit. The complainants continued to operate the motel for residential uses while they unsuccessfully sought a Certificate of Occupancy and incurred civil penalties totaling \$65,000 by September 16, 2013.

The court found the complainants' evidence provided only an inference of discriminatory impact, not a direct discriminatory impact. The complainants' claim of disparate impact on the American Indian community of Glendale was considered insufficient by the court because two of the three Native American tenants were able to relocate during litigation. The court denied the complainants' motion for relief.

Woodworth v. Bank of America (2011). This case involves alleged discrimination in lending by a financial institution. The complainants are permanently disabled and rely on Social Security Disability for their income. In 2005, they contacted Bank of America to obtain financing for needed repairs to their home. Instead of providing a home equity line of credit, the bank refinanced their home loan in 2005, 2006, 2007 and 2008. The complainants were unable to make the payments on the 2008 loan refinance and defaulted. A foreclosure sale of the complainants' home was scheduled for April 5, 2010.

The complainants claimed that their housing was made unavailable through unaffordable mortgage loans that the bank knew or should have known the complainants could not afford. They also claimed that the bank discriminated against them by issuing successive refinance mortgage loans instead of a conventional home equity line of credit that may be offered to applicants without disabilities.

The court ruled in favor of the defendants, who argued the FFHA only applies to purchase transactions, not refinance loans at issue in this case. The court also held that the complainants failed to provide substantial evidence showing directly or raising the inference that discriminatory intent motivated the defendants' conduct.

United States of America and Fair Housing Council of Oregon v. Hadlock (2010). *Klamath Falls* The Fair Housing Council of Oregon (FHCO) filed a complaint on behalf of the complainant against the defendant for discriminating on the basis of familial status. In June 2007 the complainant contacted the defendant to inquire about an advertised rental property. The defendant asked the complainant if she had any children because she did not intend to rent the property to anyone with children. Testing phone

calls submitted in the case revealed the defendant repeatedly asked callers about family composition and size and noted to one caller that she did not want to rent to families.

The court found substantial evidence that the defendant made discriminatory statements that discouraged families from renting. The complainants successfully demonstrated the differential treatment resulting from the defendant's statements. The court ruled in favor of the complainant and required the defendant retain a professional management company if she continues to rent her property, to obtain fair housing training and to pay damages and attorney's fees to FHCO.

Dean v. Jones (2010). *Portland* This case involves alleged violation of due process rights and retaliation under the FFHA. The complainant represented himself and the other residents of the Alder House, a low income housing facility that receives federal housing credits. The complainant alleged that the defendants discriminated against the Alder House tenants by posting unlawful violation notices and fines against the complainants.

The court held that the complainant cannot claim discrimination under the FFHA because he did not allege that he is a member of any of the classes protected by the Act or that the defendants' adverse actions were based on his status as a protected class member. The court ruled in favor of the defendant and dismissed the complainant's claims. The court also recommended the complainant re-file a complaint that establishes that he is a member of a protected class or that he suffered adverse consequences because he complained about discrimination against tenants of protected classes.

APPENDIX A.

COALITION OF COMMUNITIES OF COLOR REPORT



WASHINGTON COUNTY COMMUNITY ENGAGEMENT PROJECT

FINDINGS FROM FOCUS GROUPS ON HOUSING EXPERIENCES
OF COMMUNITIES OF COLOR IN WASHINGTON COUNTY

2019

COALITION OF COMMUNITIES OF COLOR

Acknowledgment of the Original People of the Land

We cannot talk about racial justice and housing justice in Washington County without an acknowledgement of the original stewards of this land.

What we now call Washington County were the traditional lands of the Atfalati, Tualatin Kalapuya, Clatskanie, Chinook and many other Tribes who made their homes here and were dispossessed and forcibly removed by the United States government. We acknowledge the ancestors of this place and understand that we are here because of the sacrifices forced upon them. By recognizing these communities, we honor their legacy, their lives, and their descendants. Today, many Native American communities continue to make important contributions in their communities and across the land we now refer to as Washington County, Oregon.

EXECUTIVE SUMMARY

HOUSING JUSTICE FOR COMMUNITIES OF COLOR

At different times in US history, people of various ethnicities and nationalities were excluded from living in this land or leasing or owning land and have been impacted by discriminatory housing policies in the 20th century such as redlining. Oregon's housing history is inextricably linked to exclusion of communities of color. In Oregon, the federal government terminated more than 60 tribes in 1953, revoking tribal sovereignty and government responsibilities to Native peoples, as well as claims to reservation land. Resource-rich lands have been removed from Native stewardship throughout history of colonialism and Native Americans have been forcibly displaced from productive lands multiple times. The Exclusion Laws of the late 1800s kept African Americans out of the state. This exclusionary practice has been extended via mid 20th century redlining and exclusionary zoning, and current urban renewal policies that have led to gentrification and displacement of people of color, especially African-American. The discriminatory housing policies of the 20th century such as redlining also excluded Asian people of various ethnicities and nationalities from living or leasing or owning land in Oregon.

In order to dismantle the historical system of injustices, institutions must intentionally adopt policies with racial justice lens. Housing justice envisions home in terms of rebuilding community from the ravages of colonialism, forced displacement from their lands and forced resettlement to urban spaces and segregation. In this context, home is multigenerational and expansive in meaning, with families caring for community. Home supports families, social networks, and religious, social, and cultural institutions. In order for this idea of home to prevail there needs to be housing stability. Housing stability means meaningful connections to their neighborhoods and natural environments. Housing stability creates a place to build community. For us to achieve housing justice, it is essential for institutions to ensure pathways to employment and economic prosperity, affordable housing, especially larger family homes, safe and healthy housing, and redress housing insecurity, including for those in the private housing market. Housing stability is, therefore, intrinsically related to achieving economic stability and ultimately enabling communities to build intergenerational wealth.

BACKGROUND

Washington County and the cities of Beaverton and Hillsboro are undertaking two federally required planning efforts. One is the Consolidated Plan, which is a strategic planning effort to identify and analyze local community needs in order to develop actions and strategies to meet the highest priority needs over a five-year period. The second

planning effort is the Analysis of Impediments to Fair Housing Choice which again, looks at data in the local community relative to fair housing choice. Actions and strategies are developed to try to address these impediments to fair housing. Data collection is an important part of both planning efforts. In this Community Engagement Project, Coalition of Communities of Color (CCC) partnered with the Consortium in working with communities of color, in focus group settings, to engage in a discussion of housing and other basic needs, challenges faced in their daily lives, and possible areas of discrimination they might face in housing. The findings from these focus groups is presented in this report.

Eleven two-hour focus group sessions were conducted between June 18th - July 2nd of 2019. All focus groups were held in various sites in Washington County. Conversations held during the focus groups involved discussions around experiences of communities of color in finding and keeping housing, housing discrimination, and housing justice in Washington County. We were interested in learning about how economic justice pertains to housing justice in communities of color.

FINDINGS

Communities of color identify safety, affordability, good schools, and diversity as important factors to consider while searching for housing. The participants of all communities reported being invested in children's education. Similarly, focus group participants of all cultures, reported diversity and friendly and welcoming neighborhood as priorities while finding and searching for housing.

Community members, across cultures, reported multiple barriers to securing housing and homeownership. Some of the recurring barriers reported by the communities were lack of rental and credit history for new immigrants; undocumented immigration status; discrimination in home loan lending practices; and housing discrimination.

When asked about the community's specific needs, the participants identified various needs pertaining to their community. The recurring themes were community center—a space for people to gather, celebrate, learn, inform, teach, and organize; more outreach to marginalized communities educating and informing them on housing and financial information; and free legal services supported by the government.

Many people present in the focus group sessions felt a sense of healing from joining the conversation and sharing their experiences. Some expressed feeling validated, and emphasized the importance of spaces to share experiences. After a number of sessions,

participants looked to the hosting community organization for opportunities to continue these conversations and to build community together through shared experience.

CONCLUSION

This research finds that there is wide-spread systematic disparities in housing systems in Washington County. Communities of color report several barriers to homeownership including home loan application denial, credit history barrier, and high priced loans. Similarly, when it comes to renting, participants reported that rising cost of rent is outpacing earnings, rising risk of eviction and homelessness, and high cost burden. Communities of color do not experience housing in vacuum—economic justice issues such as employment and income exacerbates housing experiences of the communities of color. Communities of color report feeling isolated from the larger Washington County community and suggested investing resources in outreach and community building efforts geared towards the communities of color.

INTRODUCTION AND OVERVIEW

Jurisdictions that receive annual block grants from the Department of Housing and Urban Development (HUD) for community development, affordable housing and homelessness must (as a condition of receiving the grant funds) engage stakeholders and the public regarding the community's needs in these areas. The data collected on needs is used to inform how to invest scarce federal resources over a five-year period. Grantees report the results of their community member participation and consultation efforts in their five-year Consolidated Plans.

In addition to the Consolidated Plan, these jurisdictions are also required to undertake an "Analysis of Impediments to Fair Housing Choice." This report is often referred to as the AI. This document requires jurisdictions to assess barriers to fair housing by looking at fair housing complaint data, local zoning and code policies/procedures that might unintentionally be discriminatory in nature, lending practices, and other data that might highlight potentially discriminatory practices in the area of housing. Once those areas have been analyzed, jurisdictions then develop actions to address those barriers.

In 2018, the Coalition of Communities of Color (CCC) produced "Leading with Race: Research Justice in Washington County," which represents the culmination of two years of research, engagement and relationship building in Washington County. The report highlights that people of color have always lived in Washington County and are a part of the economy and social fabric. No decisions about policies about people's lives and outcomes can be just and equitable if it does not involve those most impacted. This report presents the findings of the community engagement effort targeted to learn the experience and needs of communities of color living in Washington County to identify best use of federal resources.

WASHINGTON COUNTY CONSORTIUM BACKGROUND

Washington County is a suburban county located on the western edge of Portland, Oregon. Its boundaries extend from the City of Portland to the coast range. The current population is approximately 600,000 people. There is a mix of urban, suburban and rural areas. The eastern half of the County is composed of service industries, light manufacturing, residential and commercial activity. It is relatively densely populated. The western half is primarily farms and rural settings together with several smaller incorporated and unincorporated communities. The County seat of government is in

Hillsboro, Oregon. The County has experienced substantial growth principally in the electronics and high-tech industries. Despite this, communities of color continue to experience economic and housing injustice in Washington County. Leading With Raced showed that communities of color are disproportionately in poverty and the prosperity of Silicon Forest is not equitably experienced by all.

The City of Beaverton is an urban center of Washington County with more than 94,000 residents. The most diverse city in Oregon, over 100 languages are spoken in the Beaverton School District, which also has the highest number of reported homeless students in the state. The workforce is well-educated with about 45% of the population holding a bachelor's degree or higher. While many residents are employed in high-income technology and apparel industries, Beaverton's poverty rate increased from 10% to 15% between 2010-2015, exacerbating the wage gap and increasing income inequality in the city. Legislation surrounding HB 4006 identified Beaverton as severely rent-burdened, a problem that is worsened by being a largely built-out city. With too few regulated affordable units, many low-income community members reside in low-cost market rentals, which are often crowded and/or substandard housing.

The City of Hillsboro is Oregon's fifth largest city with over 100,000 residents, Hillsboro enjoys award-winning urban planning, an affordable cost of living, a strong economic base and one of the state's most diverse populations. It supports the state's fourth largest school district, two higher-education campuses, over 1,500 acres of designated green spaces including the Jackson Bottom Wetlands Preserve. High-tech companies arrived in the 1980s, including Intel, and later SolarWorld. In addition, health care, retail sales, and agriculture, including vineyards and flower farms—are keys to Hillsboro's economy. African-American, Black, Filipino, Latino, Middle Eastern and North African, Native American, and Russian speaking households have lower median household income than the White community in this jurisdiction. More than half of African-American, Black, Filipino, Latino, and Middle Eastern and North African renters spend more than 30% of their income on housing and are therefore cost burdened. Almost all communities of color in Hillsboro experience English language barriers, with the Latino and Vietnamese communities being most impacted. This barrier affects how, when, and where communities access resources and information.

PROJECT OBJECTIVES

- Collect data on needs and lived experiences on housing, basic needs, and fair housing from culturally specific populations in Washington County.

- Broaden people's understanding of the role of the federal programs in Washington County
- Establish and/or strengthen relationships with non-profits that serve culturally specific populations
- Gather input on the draft Consolidated Plan and the Analysis of Impediments to Fair Housing Choice

THE ORGANIZATION OF THE REPORT

This report will be presented in 3 parts.

Chapter 1 presents the research methods of this project. This chapter outlines the Research Justice lens that CCC used to gather and analyze the data presented in this report. The chapter will list the community partners that CCC worked with conducting the focus groups. The chapter also presents the demographic analysis of the focus group participants.

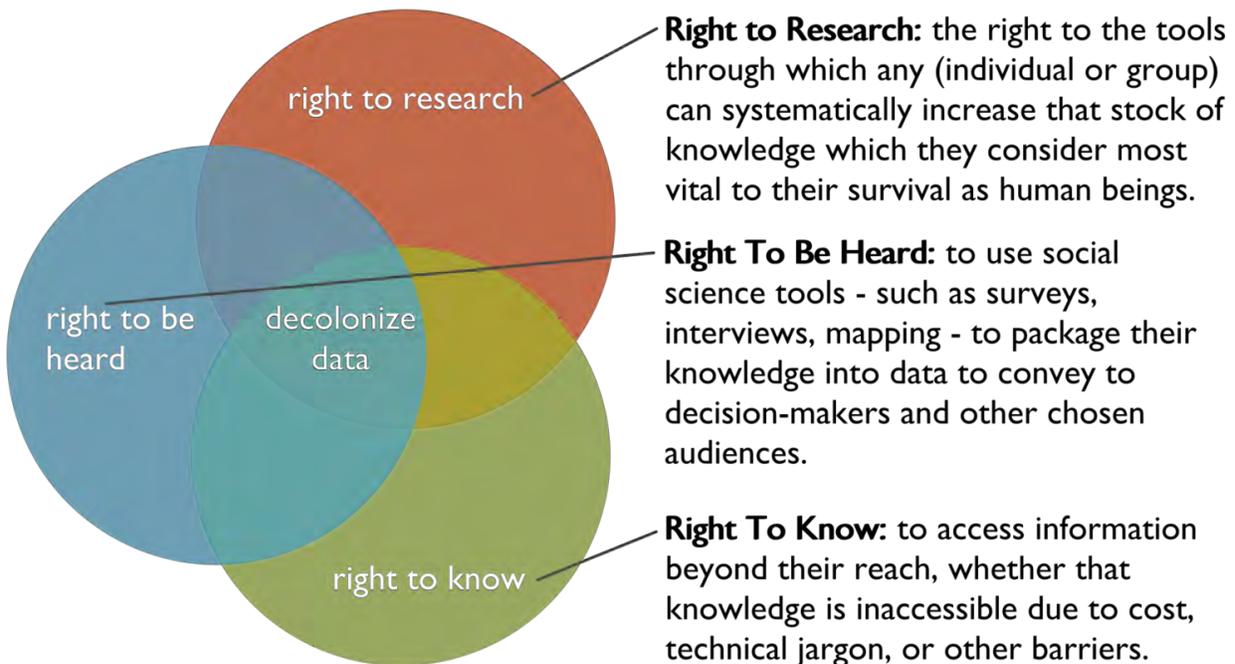
Chapter 2 presents the findings from each focus group with eight communities of color residing in Washington County. The findings will be presented with a housing justice lens. We first report findings that resonate and recur across all the communities engaged in this process. We then present the Native American community as the original stewards of this land and also in acknowledgement that this land was stolen from them. Subsequently, we report the African American findings in acknowledgement that many contemporary institutions and practices of housing injustice are built on the basis of anti-Black racism and excluding Black people from Oregon. We then present findings of the community in alphabetical order.

Chapter 3 presents the recommendations from the communities in achieving housing justice in Washington County. The recommendations are presented as call to actions targeted to encourage the institutions to empower communities of color to collaborate in achieving housing and economic equity in Washington County.

CHAPTER 1: RESEARCH METHOD

RESEARCH JUSTICE VISION

The CCC's approach to designing and implementing this project is informed by our research justice vision that starts with the premise that research processes and practices are just and equitable in order for the outcome to be just and equitable. CCC believes that decolonizing data and research by empowering communities of color as experts of their experience and having the right to research, the right to know and the right to be heard is a crucial part of transformative change. The Research Justice Framework is based on three values:



The Research Justice approach to research is based on the self-determination of communities of color in their pursuit of racial equity and social justice. The following principles inform Research Justice Center strategies:

- Equitable Partnership – Equitable community involvement in the research process including prioritizing common goals, question development, planning, collection analysis, interpretation of data and dissemination.
- Community Priorities – Elevating expertise of communities of color, emphasizing community strengths, and addressing self-determined community priorities through research.
- Transformative Action – Enabling data-driven and community-generated solutions in public policy and decision making towards creating lasting change.
- Sustainable Capacity – Building long-term and sustainable capacity among communities of color to develop their expertise, define priorities and propose meaningful solutions which go beyond a single study.
- Transparency and Accountability – Commitment to a transparent research process, dissemination of findings and accountability to track implementation of data-driven and community generated policy recommendations.

COMMUNITY PARTNERS

In applying the Research Justice lens to this project, the goal was to build capacity in culturally specific community organizations to participate in the community engagement process, in drafting and presentation of findings and to further build relationships in the county. To that end, CCC subcontracted the organization and facilitation of focus groups to culturally specific organizations who either are based in Washington County or want to build community there. In doing so, we partnered with the following organizations:

- Adelante Mujeres
- Asian Pacific American Network of Oregon (APANO)
- Bienestar
- Centro Cultural
- Muslim Educational Trust
- Urban League of Portland
- Immigrant and Refugee Community Organization (IRCO) and their culturally specific programming such as Africa House, Asian Family Center and Slavic center.
- Native Lifeways LLC (Independent Native community contractor)

RESEARCH DESIGN

The partner organizations conducted a total of eleven two-hour focus group sessions. Focus group sessions were conducted between June 18th - July 2nd of 2019. All focus groups were held in various sites in Washington County. Each focus group had between 6-12 participants. During each session food and childcare were provided. Childcare was provided in rooms apart from the sessions.

CCC also contracted with live transcribers for multilingual and English language sessions and contracted with language translators for Spanish and Russian language sessions. The partners provided interpreting services to the participants needing the service. Adelante Mujeres, Bienestar, and Centro Cultural conducted the focus groups in Spanish and IRCO Slavic Center conducted the focus group in Russian. These sessions were audio recorded and later translated and transcribed in English. All other focus groups were conducted in English with provision of interpretation services. All final transcripts were de-identified to protect the identities of people participating in the focus group, and the people that were discussed during the session.

PROCEDURES

The focus group script was semi-structured, with 3 overarching topics indicated, and room for flexibility and adaptability for each focus group session. The script was designed to last two hours, however, most partners indicated that 2 hours was not enough time to cover issues such as housing.

QUANTITATIVE DATA

All the quantitative data cited in this report is retrieved from the report *Leading with Race: Research Justice in Washington County* published by CCC in 2018.

TOPIC AREAS COVERED IN FOCUS GROUP

- Priorities when choosing housing and location
- Barriers to housing in Washington County
- Community needs as it pertains to housing in Washington County

RECRUITMENT

Recruitment was directed at reaching people who identify with eight communities of color identified in *Leading with Race: Research Justice in Washington County*. Participant recruitment was led by partner organization leads in various ways, such as:

- Reaching out to community organization members
- In-person word of mouth
- Phone call
- Email listservs

PARTICIPANT COMPENSATION

Communities of color are experts of their lived experience and their time and expertise should be valued. For a two-hour time commitment plus travel, participants were compensated \$105 cash card for their participation in the focus group sessions. This stipend included a \$5 transportation stipend (approximating the cost of a Trimet day pass). Food, drinks, and childcare were provided free of charge during the sessions.

PARTICIPANT DEMOGRAPHICS

105 people total participated in eleven focus group sessions.

Demographic data was collected on paper via intake forms, prior to the start of the focus group sessions.

Demographic sheets were collected anonymously and are not connected to individual participants in each of the focus group sessions.

AGE

The age of participants ranged from 18 to 76 years, with good representation across ages. 11% were under age 25, 42% were between the ages of 25-45, 43% were age 45 and above.

GENDER

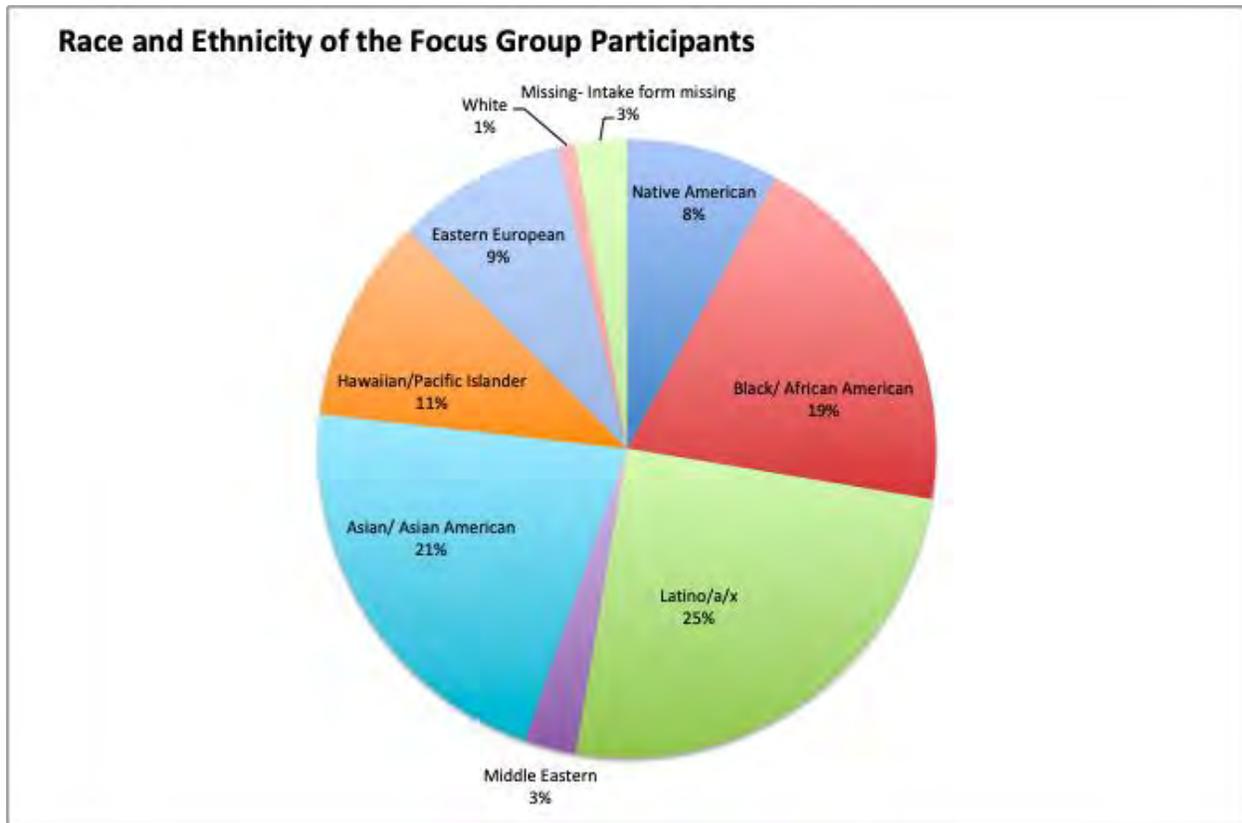
Majority (80%) of the participants identified as female. 17% of the participants identified as male. According to the community partners this was to be expected because they find that in their communities women take the lead in community participation. This is often aided by the fact that in many communities of color men are often out working while women stayed home because of high child care costs.

CCC is pleasantly surprised by the high turnout among women because often times institutional research is gendered, focusing mostly on male-centered issues.

Global development field has recognized multiple roles women take as mothers, educators, care-givers, and workers of the society but these roles are often unseen, unpaid, and unrecognized. The women who participated in our research made our research richer and provided a more holistic and complete picture of what it means to live in Washington County as communities of color.

RACE & ETHNICITY

The focus groups were conducted by community partners who either are based in Washington County or want to build community there. Recognizing that communities of color are not homogenous, we designed community outreach for participation so as to represent diversity of communities of color in Washington County. We did outreach and sought representation from African, African American, Asian, Latinx, Native American, Pacific Islanders, Russian speaking community members and Muslim people of color. The pie-chart breaks down the participants by race and ethnicity. Participants who identified as multi-racial were counted in all the racial and ethnic identities they identify with.



In this report, we have used “alone or in combination with other races” rule to collect data about the communities of color. This means that biracial and multi-racial people are counted as belonging to each community they identified with.

LANGUAGE

Nineteen different languages were listed as languages that are spoken at home, with 53% of participants indicating that they spoke English at home. 27% of participants identified Spanish as the primary language spoken at home. 31% of the participants were bi or multilingual.

DISABILITY

Six participants indicated that they had a disability.

HOUSING STATUS

Majority (63.8%) of the participants indicated that they rent, while a little more than one-quarter (28.6%) indicated that they were homeowners. Other housing statuses indicated were transitional housing, houseless or homeless, or residing with family members.

EDUCATION

34% of participants indicated that they had a college degree. 24 participants (22.8%) indicated that they held an advanced or professional degrees. 16% of the participants reported having a high school degree and 12% indicated having less than a high school diploma.

TOWN OR CITY

Over half of the participants were from City of Beaverton (32%) and Hillsboro (21%). One (1) participant was from Aloha and 8.5% reported Tigard as their town/city of residence. Other cities and towns of residences listed were Bethany, Forest Grove, Cornelius, Tualatin, King City, and Sherwood. Some participants reported their town/city as Southwest Portland. They could be from unincorporated Washington County or Bethany, but we cannot be certain as the participants reported SW Portland as their “Town or City”. We assume that this was because of the confusion about arbitrary borders between counties. SW Portland has a significant presence of communities of color who are often interacting with Washington County’s communities of color and they rarely abide by county borders when coming together as a community.

CHAPTER 2: CROSS-CULTURAL AND COMMUNITY SPECIFIC FINDINGS

This chapter presents the findings from each focus group with eight communities of color residing in Washington County. We first report findings that resonate and recur across all the communities engaged in this process. We then present the Native American community as the original stewards of this land and also in acknowledgement that this land was stolen from them. Subsequently, we report the African American findings in acknowledgement that many contemporary institutions and practices of housing injustice are built on the basis of anti-Black racism and excluding Black people from Oregon. We then present findings of the community in alphabetical order. The findings will be reported using the housing justice lens where we will highlight three themes around housing choices that communities of color make. The three themes are:

1. Priorities: What are the most important things in looking for housing?
2. Barriers: What are the challenges faced in securing housing?
3. Need: What are the specific needs for the community as it relates to housing and livability in Washington County?

At different times in US history, people of various ethnicities and nationalities were excluded from living in this land or leasing or owning land and have been impacted by discriminatory housing policies in the 20th century such as redlining. Oregon's housing history is inextricably linked to exclusion of communities of color. In Oregon, the federal government terminated more than 60 tribes in 1953, revoking tribal sovereignty and government responsibilities to Native peoples, as well as claims to reservation land. Resource-rich lands have been removed from Native stewardship throughout history of colonialism and Native Americans have been forcibly displaced from productive lands multiple times. Likewise, the Exclusion Laws of the late 1800s kept African Americans out of the state. This exclusionary practice has been extended via mid 20th century redlining and exclusionary zoning, and current urban renewal policies that have led to gentrification and displacement of people of color, especially African-American. The discriminatory housing policies of the 20th century such as redlining also excluded Asian people of various ethnicities and nationalities from living or leasing or owning land in Oregon.

In order to dismantle the historical system of injustices, institutions must intentionally adopt policies with racial justice lens. Housing justice envisions home in terms of rebuilding community from the ravages of colonialism, forced displacement from their lands and forced resettlement to urban spaces and segregation. In this context, home is multigenerational and expansive in meaning, with families caring for community. Home supports families, social networks, and religious, social, and cultural institutions. In order for this idea of home to prevail there needs to be housing stability. Housing stability means meaningful connections to their neighborhoods and natural environments. Housing stability creates a place to build community. For us to achieve housing justice, it is essential for institutions to ensure pathways to employment and economic prosperity, affordable housing, especially larger family homes, safe and healthy housing, and redress housing insecurity, including for those in the private housing market. Housing stability is, therefore, intrinsically related to achieving economic stability and ultimately enabling communities to build intergenerational wealth.

CROSS-CULTURAL FINDINGS

Across different communities of color, residents talk about being made to feel both invisible and visible in different ways. They are made invisible because of the size of their communities, immigration (both undocumented and documented) that pushes them into the shadows, or disengages them from civic life, systematic attempts of genocide and exclusion, data practices that are inappropriate, non-representative and not trauma-informed, and by perceptions that some communities are not even considered part of racial justice. On the flipside, racism, intersecting with xenophobia, Islamophobia and patriarchy, “see” communities in very stereotypical and harmful ways. Communities battle racial stereotypes about being illegal, criminals, terrorists, lazy, living off welfare, and “model minorities”.

We embarked on this research in an attempt to learn about experiences of communities of color in finding and keeping housing, housing discrimination, and housing justice in Washington County. We were interested in learning about how economic justice pertains to housing justice in communities of color. We are reporting these findings within the themes of priorities, barriers, and needs..

Communities of color identify safety, affordability, good schools, and diversity as important factors to consider while searching for housing. The participants of all communities reported being invested in children’s education. Similarly, focus group participants of all cultures, reported diversity and friendly and welcoming neighborhoods as priorities in finding and searching for housing.

“The safety of the neighborhood. And check for the crime rates so there's not much crime. And household income, at least middle-income neighborhood and diversity is important. At least some of the diverse people are living there, and close to bus line, MAX line.”

“so when looking for homes right now my biggest thing is price, diverse city, community.”

“I just want an open, friendly community.”

Community members, across cultures, reported multiple barriers to securing housing and homeownership. Some of the recurring barriers reported by the communities were lack of rental and credit history for new immigrants; undocumented immigration status; discrimination in home loan lending practices; and housing discrimination.

“But when you arrive in that country (Australia or Canada), the minute you arrive you are told exactly what you need to do to start your life. We don't have that here. They are left on their own. And they don't have credit score. So if you have come because your friend/relative is living here, then the friend or relative will have to literally put their credit score down to find an apartment, which is exactly what this lady has done to the two sets of families because they don't have credit score.”

“I had a staff member -- it's not my personal experience -- she got a divorce. The husband always -- ex-husband -- always had the credit line. Everything was on him. So she had no credit, no background for anything with any sort of bank or transactions. Even though she worked for a good employer, she and her two daughters ended up being homeless. They stayed in their car for about a year before we all discovered it. It turned out she had to pay about 80% of her salary actually went to rent. ”

“Well for me I would say that if I am earning minimum wage or I am unemployed at the time that I'm looking for housing I would not qualify. Because I would not have all the requirements that they are asking as far as check stubs, as far as the amount.”

“One result of me wanting to refinance the house, I want to lower the rent I’m paying. All my credit cards should not be above 50%. Everything to be perfect one hundred percent. Instead of putting you out of debt, out of the situation you are in, they push you inside to sink. Make it harder for you so you can lose that house. You’re a person who is drowning. Instead of pulling you out of the river, they add more load on you so you die.”

“I think an effort that would focus on exposing the discrimination would be helpful because we know because of our experience what it’s like, but I think the culture, the white culture has no idea what it’s like.”

When asked about the community’s specific needs, the participants identified various needs. The recurring themes pertaining to needs were community center—a space for people to gather, celebrate, learn, inform, teach, and organize; more outreach to marginalized communities educating and informing them on housing and financial information; and free legal services supported by the government.

“What would be great for us is if we had a community center or long house or someplace over here so we could band together and help each other out.”

“Informational resources, it is difficult to find information sometimes. Usually I hear about important information from different people. Just a separate office in Washington County, where you can come, sit down and talk to the person.”

“One of the questions I ask are we aware of the resources and the different things that are available to us in our counties. I have been serving on the housing advisory committee for the last year and a half about for Washington County. And we get all the updates from the departments and one of the things is there’s a large number of African Americans on the wait list for section 8. I keep asking that question for us being a small percentage in this area, why are there so many of us on the wait list? And is anyone doing any kind of outreach or communication to our community to let them know how they get off the wait list.”

“Legal help and about bills, just simple informational, even about buying a house. This service should be available in Washington county. ”

“I don't have any resources and nowhere to go to. There's no legal -- like if the government set up a place where you can get legal advice or be able to talk to a lawyer on no fee. And if the whole thing is about you trying to get out of poverty, how are you going to do that when you don't know what you're doing or need to do and you don't have the resources to go out and even get advice on how to fix it.”

NATIVE AMERICAN COMMUNITY IN WASHINGTON COUNTY

Housing justice for Native Americans envisions home in terms of re-building the community from the violent history of genocide and colonialism. Housing justice for this community therefore entails institutional recognition of the impacts of colonial history of this country and the state. In the focus group, the participants highlighted that their community face serious housing disparities in terms of housing affordability, homeownership, lending practices, and criminal justice.

In terms of priorities, the Native community in Washington County prioritizes affordability of housing, safety of the location, and school districts in choosing the housing. Participants reported that they chose Washington County for safe neighborhoods and good schools for their children. Long-time Native residents of Washington County reported that they chose Washington County for its affordability but are now concerned that with the increase in the housing cost in the county, their children won't be able to afford living here.

“I lived in Washington County for 42 years... It's gone from very affordable to not affordable.”

The Native community identified many barriers to housing in Washington County in the focus groups. Participants identified the process of applying and getting the loan as traumatizing. When it comes to lending, the data from the focus group is representative of the population. The data reported in the Leading with Race show that Native American applicants were 41 % more likely than similar middle income White applicants and 149% more than similarly low income White applicants to have their loan denied.

“The whole process with applying for a loan and going into a bank, talking with the individual who is going to basically sign over on the loan for a person that does not have the money or the resources to do so is really dehumanizing... With a lot of the trauma that Indigenous people have, talking to somebody, like you being a Native, there's a pretty good possibility that the person you're asking for money from is probably going to be White.”

Asking that person for money, it showers on a whole lot of triggers and a whole lot of trauma.”

The Native Community also highlighted that the criminal justice system is integral to housing justice. Historically, this community has been criminalized by the colonial politics where the colonizers often deemed the cultures and practices of colonized people as “savage” and “barbaric”. Participants of the focus group identified how minor and wrongful convictions impacts their ability to build wealth, credit, and eventually buy a house.

“ I'm currently unemployed after doing the same line of work for about 20 years. I was let go from my current employer, due to my criminal history, which is over 20 years old. And I was pardoned by the governor, which doesn't get rid of your record. So my record is now completely sealed. Why am I still unemployed? I don't know. But hopefully those things will definitely change.”

The participants of this community identified historical trauma, wealth disparities, lack of well-paid employment, high rates of criminalization of Native people, and exclusionary mortgage and lending practices as barriers of housing justice. They envision housing justice to redress these issues. The community also identified a need for a space in Washington County to come together to celebrate, share, and organize.

“Because of the different Native groups in Portland, they're way more tight knit. We're over here. It's hard to go over there and participate. What would be great for us is if we had a community center or long house or someplace over here so we could band together and help each other out. That would help all of us survive. But you have to be organized.”

AFRICAN AMERICAN COMMUNITY IN WASHINGTON COUNTY

As of 2015, there were at least 12,357 African-Americans living in Washington County. This is a growing community in the county. According to the Leading with Race (2018) Report, the Black Community had grown by 36% between 2005 and 2015.

Oregon's housing history is inextricably linked to the anti-Black racism - through Exclusion Laws of the late 1800s to keep African-Americans out of the state; into mid-20th century redlining and exclusionary zoning, to current urban renewal policies that have led to gentrification and displacement of people of color especially African-American people. Housing stability ensures not only shelter but also fosters communities that support families, social networks, and religious, social, and cultural institutions. In Washington County, where African-Americans already report feeling isolated are seeking to build community with one another, but the lack of affordable housing for them to rent or own and discriminatory housing practices prevent meaningful connections to their neighborhoods and natural environments. Affordable housing also ensures that African-American residents can invest in their healthcare, education and nutrition.

Oregon's housing history is enmeshed in its racist past where institutional policies aided the exclusion of African-Americans. Despite the long enactment of Fair Housing law, this group continues to face serious housing disparities in terms of affordability, home-ownership, access to mortgage, and racial discrimination in securing housing. Good schools, affordable cost of living, and safe neighborhoods were few things that the community highlighted when asked about what is important to them when seeking housing. The community also highlighted that it is important that they find a place with diverse population.

When discussing the barriers and challenges to secure housing in Washington County, participants pointed to racism and racial discrimination. A participant who had recently moved to the county shared that because of these experiences they are not ready to invest in a home in the county and will likely move elsewhere, a place that is more welcoming and inclusive than Washington County.

“We went out and look at new housing developments and people will sit there and oh, you know, just nonsense stuff. Like, oh, are you guys together? Oh, what are you interested in? ... I know the service is supposed to be better than that. So now we're looking at moving somewhere else and buy a house and not in this community, because I don't want to invest in this area relative to a long term commitment”

Participants also reported being racially profiled by the property managers and homeowners. Many participants shared experiences where the property managers and homeowners were more friendly and seeking to do business with them over the phone and their attitude completely changed when the participants showed up in person.

“The black person doesn't have a housing discrimination issue not because they have a felony. It's just because you show up. They see a black person.”

“What's reported there on Nextdoor, the neighborhood app or the online service where you can go in and see who's in your neighborhood. What's portrayed about us as others is negative based on these ... perceptions of people in your neighborhoods regarding the ethnic community that you belong to.”

The African-American community also shared narratives of economic injustice in terms of lack of opportunities to upward mobility in their workplaces in Washington County and this is directly impacting their housing options.

“I think the thing that our families suffered most is pay inequality, but more important than that is this inability to be promoted into a job that would pay more. My husband specifically has at least three or four different large companies that he's gone to work for. He works there for five years, the managers above him have less education than he has, but when he gets to the point where he wants to be promoted, that's not what they want. So that's the point where they say you are not a good fit for the company and we're letting you go. Like, that has happened so many times.”

Housing is often the single largest expense for a household. Almost 25% of the African American homeowners spend more than a third of their monthly income on housing costs such as mortgages and taxes, and they are more likely than a typical homeowner in Washington County to be severely burdened by housing costs. Participants shared that rapid increase in rent is affecting families and driving them away or in the streets. This fact was also narrated by the participants with the growing concern around the rising housing costs in the County.

“Regardless how well I'm being paid with one job that I'm working full time, 40 hours, I find myself working a lot more which you spend less time with your family and all that domino effects. And you are working harder, putting more stress on your body and it shouldn't be that way. So it gets hard and very stressful and that leads to stressful households as well. So that's been big for me.”

The African-American community in Washington County identify that there is a need for targeted resources catering to this community. According to the available data, in 2013, 13.7% of the Section 8 voucher waiting list and 11.1% of the public housing waiting list identified as Black (Washington County Consolidated Plan, 2012). This when the Black community comprised roughly 3% of the county population in that time period. Participants suggest partnering with community specific organizations like Urban League to build and implement targeted policies. Participants of the focus group stated that housing discrimination is very real and true in 2019 and suggested doing a research to collect data and narratives on it to collect evidences to support the funding for the resources for the community.

“This is not an area where you can go map out six census tracts and say all the black people live here. We're scattered all over the region. So if you go in my neighborhood and do something with the infrastructure, per say, it's not going to help my community at large. They have to think outside the box... In terms of resources they (government) have to use a little more creativity and make a bigger effort to find us where we are and look for programs that assist people more in a scattered manner verses in a group manner.”

AFRICAN COMMUNITY IN WASHINGTON COUNTY

Washington County is home to a growing number of African communities. There are at least 4,524 people in the county who identify Sub-Saharan African countries as their ancestry or place of birth (American Community Survey, 2011-2015). The diversity, safety, plentiful space, and good school districts draws this community to Washington County. For this community, housing justice means ensuring pathways to employment and economic prosperity, affordable housing, and culturally specific housing options catering to large and multi-generational family.

Participants reported that housing is inaccessible to this community.

“It's always like where you would love to live is for a certain kind of people. They will never actually tell you, but you'll probably be on the waitlist forever just waiting to get access -- I've been waitlisted somewhere for the last one year and a half. I really wanted to live there, but I never managed to get there. I don't

know what they consider to get somebody listed for a house. Whether it's about your income or credit report.”

“It's really challenging to own as a person of color. I find it difficult. Not that I'm rich, but it feels like you need to be.”

Participants of focus groups identify number of barriers to homeownership in the community. Participants reported that identifiers (such as name, number of children in the family) in the loan and rental application does not help the community and often is used against them by the bankers, property owners and managers. Participants also identified proof of credit history as a barrier to housing. They said that for new immigrants it is impossible to provide proof of credit history when you are so new to the country and the system. For those of Islamic faith, the Quran prohibits interest rates on loans. That can also restrict Muslim community members from homeownership.

“A lot of people don't know about credit cards. If there was a program where immigrant people, the first thing the county should teach immigrant people is credit card. Some of them don't know how it works. Especially for immigrants who are Muslims, they think about interest. So to explain to them.”

Participants also reported that well-paying income is very important in securing housing in the county. They added that the requirement to provide proof of income that is three times the month rent is a barrier. The focus group participants also reported that they find the rising cost of housing worrisome.

“The other thing is we've been doing these focus groups so many times. I haven't seen much changes. I don't see what the county is doing. We don't see houses built by the county or the government. They just leave rooms for investors... I've attended so many CPO meetings. It's just talking, talking, talking and getting information from people. Private investors from California. That's why our rents are going up. They say we're working on it, but I don't know for how long. We need to see differences. We need to see changes, not just empty talk.”

The community is aware of the resources like Section 8 housing but reported being discriminated by the system when it comes to distribution of those resources.

“I’m a single mother who works hard. Don’t have Section 8; don’t have food stamp. I just depend on my income. And these days in Beaverton, if you want to rent two bedroom, it’s over 1500 if you want a decent place. I applied Washington County Section 8 five years ago. They have never spoke back or answered. Every time you go, they’ll say you’re on the list. And I believe they are discriminating.”

Participants of the focus group also recounted stories of unfriendly, unwelcoming, and racist neighbors who made their opposition to the presence of the community in the neighborhood clear.

“When I moved to the house, the realtor showed me the house. Two ladies came running. They were shaking their arms; we have good neighbors. They looked at them and said, it’s not me. It’s him. You can see their face frowning, not happy. And they just walked away. And I knew I’m going to have a hard time.”

Participants shared similar incidents in schools in Washington County. Somali speaking students are 197% more likely than White students to be expelled or suspended from school. This data is supported by community sharings from the focus group.

“The teachers we have. The way they kick kids out of schools, I don’t know what powers they have. If they have those powers, should be taken away from them. They have to have a good reason to expel a kid from school.”

“I notice when the kid was immigrant-- The thing is, easy to expel if your kid have couple of fights with kids. It’s very easy for them to say ‘this kid cannot come to school.’ Easy if you’re Somali or other culture. If it’s white, they will give them counseling. I noticed discrimination. Mexican kid, black, Somali. White will have counselor as much as they could. And they will give them other opportunities that kid can come back and graduate as much as they can. You’re the teacher there. Your job is to make it equal for those kids and instead you see his color and what they are wearing-- the hijab.”

The community suggested various strategies to cater to the needs of the community. One such strategy is to establish “rent-to-own system” or “pay-what-you-can” system to

support immigrant homeownership. The community also finds that there needs to be an increase in the wage/earning/income to match the growing cost of housing in the County.

“The wage of the workers should be raised up to \$15 because the apartment rent is going up; the food is going up. Like me, I don't have no food stamp... the wages should go up to the 15-dollar, not to 12.50. I don't know where they get that. They don't calculate the rent, the food, the gas, the everything we do. They have to calculate it and see if we can even make our life daily to daily. I think the wage should be \$15 at least.”

The community also suggested other policies and programs that the county should support including programs to educate immigrants of housing, taxes, and other financial and civic issues; a community center that will provide space for the community to come together to celebrate, collaborate, and organize; and support system for immigrants to build skills and capacity. Immigrants are also not able to build capacity because all their time and energy are spent making ends meet.

ASIAN AND ASIAN AMERICAN COMMUNITY IN WASHINGTON COUNTY

The stories of Asians and Asian Americans in Washington County are stories of migration. Some have lived in Oregon and the US for generations and some are recent arrivals; some are immigrants, some are children of immigrants. The data identifies that Asian and Asian American comprise 13% of the county population. Asian and Asian American Community is a diverse community with people of different culture, religion, colonial and geo-political history, socio-economic realities, and immigration processes. According to the official counts, in 2016, 57% of Asian communities in Washington County were immigrants in the US. The top origin countries for Asian immigrants in Washington County are from India, Vietnam, Korea, China, and the Philippines.

At different times in US history, Asian people of various ethnicities and nationalities were excluded from living here or leasing or owning land and have been impacted by discriminatory housing policies in the 20th century such as redlining. Participants of the focus group identified safe neighborhoods, good school districts, diversity of populations, and proximity to workplace as priorities when choosing ideal housing. When it comes to barriers to housing, participants identified many barriers including 1) proof of credit history, 2) non-refundable application fee and large security deposit 3) racist, unfriendly, and unwelcoming neighborhood 4) rising cost of housing and 5) model minority myth.

Washington County is home to ‘Silicon Forest’, a term used to describe the cluster of high tech firms in the area. Silicon Forest is extensively supported by Asian immigrant labor. This industry employs many new immigrants from the region. Participants who identified with this groups reported that credit history is a barrier when looking for housing in the area.

“When we started looking three years back, we were new immigrants here. So the hardship we really faced is they look for the rental history. Which obviously you don't have as you're a new person here. Even though we provided them with all the immigrant documents and the work documents, pay slips, they were still reluctant about it.”

Participants also reported that while searching for apartments non-refundable fees add up and become a significant cost to the process often leading the participants to decide against moving even when their needs are not being met by the unit they are living in. Participants expressed similarly on the issue of security deposit as well.

“When it comes to application, everywhere you apply it's \$45,\$50,\$65... I have 740 credit score. For them telling me I am not credible, it is a slap in the face.”

“I have a long working history, so it took longer for the process to complete. And the manager told me, well, if you want, you can pay double... assuming we won't pass the credit check.”

Many participants identified hostility they face in the neighborhood they live in because of their race. Sometimes these hostilities are overt and sometimes subtle.

“I am going to speak on the street I live and the neighborhood I live that -- about six families have moved out because the kids are growing. But the homes that were sold has now been bought by Hispanic families... There have been incidents where they (white neighbors) had the audacity to come and tell that neighbor that your car is not good enough to be parked here. It doesn't match the neighborhood. You need to move your truck from here. You cannot have people come and go. ”

“Five or six years ago before we had kids, we had family over for July 4th... the sun had just gone down and we lit some fireworks... there was two doors down an older woman and a man (who) threatened to call the cops on us... saying you are not even American and all that.”

These sentiments are not new to the Asian community and plays into the “perpetual foreigner” stereotype, “the assumption that ethnic minorities do not fit the definition of what it means to be an American” (Huynh, Devos & Samalarz, 2011).

Participants also reported the rising cost of housing in the county as a barrier to homeownership and renting in the county. They suggested the county follows up with the residents on their plan to implement the rent cap law passed by the state.

“The way we grew up is not affordable to us anymore. The home we had in our neighborhood and the lot size we had and that kind of space is not available anymore unless it is a different financial ability.”

“We are essentially paying a mortgage for our rent... It is impossible to build any equity on a single income unit.”

“A person who is making \$40,000 a year... is not going to be able to afford or buy a house. You need double the income to afford just a barely decent home.”

Participants in this group also identified that the “model minority myth” are often used to attack and abuse the Asian and Asian American in this community. Asians, overall, are propped up as “model minority” -- people of color who are seen as well-educated and high income. Data practices assume that all Asians have similar socio-economic outcomes that are at par if not better than White people.

“Landlords are looking for opportunities to take advantage of you because they assume a lot of times that Asians have money. I found out yesterday that this manager that I am applying for an apartment with was showing me the worst apartment compared to three other vacant ones, but charging me \$155 more.”

“She said I’m American and so is my husband and you Asian people take jobs away from good people like my husband... and

then she got upset because we weren't taking care of our lawns (by their standards)... she called the police and called us gangsters."

Participants in this community, like other communities, also identified the need for community center- a space to celebrate, gather, and organize.

"There is no place where you can rent and really gather together... for however many years I have organized my events the only place that I can find and will accept is Multnomah Art Center. If I don't get on their calendar one year in advance I can forget doing my events... You can't find any place that will fit the number of people that we have."

They also reported that the lack of sidewalks hinders the mobility of communities of color who come from a culture of walking and people watching.

"My Indian community, when the weather is nice, they walk. Families, generations walk in the evenings... But we have not planned our community for the concept that we are not just going to drive my car to my garage and drive into my mcmansion and stay."

Participants of this community also reported the lack of culturally specific housing options in the county. In most of the Asian culture, extended family is a norm. Most of the participants reported living with their older parents and supporting and taking care of them. They identified a need for culturally specific housing- like homes with in-law suites or accessory dwelling units- catering to this community in the county. They also identified a need for culturally specific real estate agents who understands this need of the community.

"I would need someone that could understand finding something with a mother-in-law suite."

"We have been searching for something that we can move in when we cannot really live in a two-story, three-story home anymore. There's a serious lack of diversity of types of housing... you can't really find anything that is affordable and age appropriate."

The focus group also identified other needs such as senior housing, county funded provision of financial education geared towards immigrants , and institutional policy to cap rent and housing cost in Washington County.

LATINX COMMUNITY IN WASHINGTON COUNTY

The Latinx community in Washington County makes up 17% of the population. Latinos have a long, rich history as residents of Washington County. They are a critical political, social and economic force in the county. Despite this, the Latinx community is isolated primarily because of racist, xenophobic, and discriminatory practices. The Latinx community are often also painted with the same “perpetual immigrants” image as other communities of color in Washington County. This is true in Washington County where the dominant narrative about the Latinx population is that they are immigrants or seasonal farm workers who came here to work on the agricultural sector. The rise of anti-immigrant rhetoric and heightened immigrant enforcement activities generate real fear and distrust of government in this community. Latino may be reluctant to share experiences because of concerns of how their information or presence may be used even when they are US citizens.

This community prioritizes work, mobility, and family when choosing housing. Participants identified schools and easy access to max and public transportation, grocery stores, hospitals, and parks while choosing housing. This community identified many barriers to housing including 1) immigration status 2) Complicated process of renting 3) Rising cost of housing- Gentrification 4) Racist/Unfriendly/Unwelcoming neighborhood.

“I want to share that when my family decided to buy a house, eh, we thought first of all, for it to have the three schools close by. In fact I cannot drive, it seems easier to have schools closer for my children. Then we talked for it to have hospital close by in case of an emergency eh, then the stores where we go grocery shopping which we looked for because my husband during that time he was going to start working as a chauffeur and he would start to leave outside and I would be responsible of my two daughters. That is what we decided, to buy it centered around all of these things.”

Latino immigrants are the backbone of the agricultural economy in the US, despite this they have not been granted the legitimization of becoming documented. This undocumented status adds to instability and insecurity that Latinos already face amidst the xenophobic rhetoric. Participants of the focus groups reported that the legal restrictions hinders their ability to secure proper documentation to qualify for renting let alone homeownership in the county. Because of their undocumented status, this community does not have a social security card. The lack of social security is an obstacle to their ability to build a credit and show proof of income.

“For me and my family the most important thing for housing is to be able to qualify to obtain housing. Since for most housing, a Social Security number is indispensable.”

“We don’t qualify because of income because of the requirements that they are asking us, and we do not have them on hand. And we are concerned about what to do.”

Participants also identified that their immigration status as undocumented limited their ability find legal jobs in the county.

“We are just waiting to get our own car and get all our paperwork in order to get our own jobs because there’s a lot of discrimination, the company that sends my husband to work, gives the better work to other people rather than him. Eh, it’s trips that are badly paid are given to Hispanics and Latinos and the white folks are given the best trips. But the Latinos end up with the lousy pay and the others end up with the best pay.”

Because of this, the process of finding housing was unconventional for this group making this community vulnerable to housing insecurity.

“My son at that time was in Headstart. The social worker came to visit me. I was living with my sister and he said why don’t I will look for a place to live with my children. He told me that I could qualify for subsidized housing since I was homeless, I did not know living with my brother and renting from him was like being homeless.”

“To rent there is a lot of requirements. And if you can’t meet them, I know a person who also went to go live in their car because they could not meet those requirements, he was unemployed.”

Participants also identified that along with the undocumented status, lack of economic opportunities, and complex renting process, non-refundable application fee added strain to their ability to securing housing. The non-refundable application fee added up to be a significant chunk of the household income which was essential in making day-to-day ends meet.

Participants also reported how rising cost of housing was gentrifying the spaces that are strongholds of Latino community in Washington County.

“I’m kind of mad because I’ve seen my neighbors be replaced like my neighbors have had to move away and every time we talk to them it’s not because they want to its like oh yea the rent just got higher and the people said they found someone else who is willing to pay more so now we have to go.”

“I remember my dad, he was around when they were building all the house in Bethany area my friend that moved there in the 90s. Those were all farms and all those farms to like relocate hearing Cornelius and like they are already talking about 50-year plan of like expanding they want to expand all the developments essentially so that up until Highway 26. ”

Participants were also concerned about the unequal development in the county where only certain areas were being developed while others were completely ignored.

“They are wasting most of their money in south Hillsboro right now cuz their building so many houses there. But those big houses who are they going to be for? Who is going to be able to afford those big nice beautiful houses over there? ...they are also obviously focusing on the resources or what we have they are focusing over there. They are going to forget about the area that actually needs help.”

The participants of the focus groups also reported experiences of racial discrimination in the communities they lived in from neighbors, from apartment managers, and landlords.

“I had a neighbor that I once overheard saying oh my God they’re playing that music again. And it’s just like, it’s just like what is that music mean?... you don’t even feel comfortable enough to in your property you know. To just play your music... You know and just little things like that were like oh wow that makes a difference.”

“Well my husband called and he asked if it was available and they said yes that it was a very small house and the rent was okay. So, they gave us an appointment so we could go for the application and fill it out. And when we got there it was an older couple Anglo-Saxon and they looked at us and saw that we were Hispanic, and they told us no that it was already rented. So, then we left, and we called again but it was a niece is the one that called and asked she was born here and they said yes it was available for her but not for us.”

The participants of the focus group identified needs that could be supported by the county to ensure housing justice in this community. The community identified a need for more culturally specific programs supporting homelessness and mental health care.

“Forest grove needs to address like shelters or something for people can go in and get referrals and get followed up on referrals... I know it’s really expensive like I have people I have friends who graduated to dedicate their lives to try to find housing and trying to find sustainable ways to get people to resources and the help like the mental health opportunities... it’s something that I think we need to put resources into.”

“I just think that we also need more accessible mental health institutions because... we are tired we are working so many jobs we are tired we have to deal with all of our family we are tired really tired and is just like I do you deal with all of this? All these things all the discrimination how do you do with all that and pay sixty dollars per counseling session.”

Participants also identified that county needs to support a program educating people about their rights as residents of the county and regarding homeownership and benefits of investing in homes.

“We definitely need more educational resources for our communities just so that you know they are more aware of like why is it important to own or even just owning versus renting like you know how would you even go about doing that what are the systems that we need to navigate even credit right? What is credit why do we need good credit how can we build credit. So, any education piece that I feel our community hasn’t had they should definitely have.”

“I’ve talk to some Latinos that are like no what for? Why should I buy a house it’s better if I rent it’s much easier it’s too much money? They don’t understand this whole longevity investing because that hasn’t been there mentality it’s more like get the day and make sure ends can be met you know?”

The participants of the focus groups identified that county can support the establishment of “rent-to-own” or “pay-what-you-can” system build and support home-ownership culture in the Latinx communities.

NATIVE HAWAIIAN AND PACIFIC ISLANDER COMMUNITY IN WASHINGTON COUNTY

The Native Hawaiian and Pacific Islander identity encompasses at least 20 distinct communities, including Chamorros, Chuukese, Fijians, Marshallese, Native Hawaiians, Samoans and Tongans. It is also important to be cognizant of the impact of US political control and policies on Hawaii and the Pacific Islands to better understand the needs and experience of this community.

Washington County has the second largest Native Hawaiian and Pacific Islander community in Oregon after Multnomah County (American Community Survey, 2011–2015). In both counties, they comprise approximately 1% of the total population. It is essential to understand the Compact of Free Association (COFA)¹ agreement between the

¹ The countries of the Republic of Palau (ROP), Federated States of Micronesia (FSM) and the Republic of the Marshall Islands (RMI) have a unique immigration relationship with the United States. These independent nations have allowed the U.S. Military to occupy their land and sea territory in exchange for security and long term restitution for health and environmental damages. For over 60 years, the U.S. has performed atomic nuclear testing and ballistic missile exercises, displacing families and damaging the economy. The US Congress entered into Compacts with

US and the three Pacific Island nations of the Federated States of Micronesia, the Marshall Islands, and Palau in order to better understand this community in Washington County.

An estimated 1 out of 10 in Native Hawaiian and Pacific Islander communities are immigrants under COFA. They are not citizens or nationals of the United States. COFA workers, legally allowed to work in the U.S., pay taxes but are barred from receiving public assistance such as Medicaid, TANF, Section 8, and SNAP programs.² The focus group participants reported that Pacific Islander community are more likely to experience housing insecurity and economic injustices.

Native Hawaiian and Pacific Islander communities deeply cherish community building and view a stable place to call home as integral to that. They highlighted affordability, safety, proximity to church, stores, public transportation, and schools, and friendly and welcoming property managers as priorities in searching for housing. This community is deeply involved in their community through churches and cultural events.

The participants of the focus group reported rising housing prices, lack of literacy about US financial system such as credit management, lack of knowledge on renters rights, and limited English proficiency as barriers to housing justice.

Similar to other communities of color, the focus group participants reported non-refundable application fee to be a challenge when trying to rent housing. Participants added that this cost adds up when one gets denied over the lack of credit history or bad credit over and over again. The participants also reported discrimination from the property managers when applying for rental housing.

“I’ve gone through the process of housing many times. The main thing that I’ve noticed is discrimination. That’s why management is very important. I faced discrimination through – I faced discrimination through management, and I feel like that affects the decision-making on whether I should get an apartment or not.”

the FSM, RMI and ROP in 1986 and 1994 respectively, with the option for renewal in 2023. The U.S. has secured continued use of many military ranges until 2066. Each Compact provides for the health, housing and security of COFA citizens who remain in their home countries and provides the right for COFA citizens to live and work in the United States. However, when immigrating to the United States, COFA face enormous challenges. Despite the assurances of the compact, once in the U.S. COFA are excluded from many essential low-income, federal services such as higher-education loans, Medicaid, TANF and SNAP programs.

² APANO. COFA OREGON FACTSHEET. http://www.apano.org/wp-content/uploads/2015/03/apano-COFA_final4.pdf

“So just walking into some, you know, when I was looking for an apartment, some complex when I’m walking in, you know, they’re shocked to see me walking in. Like, they’re not welcoming. They’re more like, yes, can I help you? Are you lost? Why are you here to apply? They’re not expecting me to apply. And so I tell them I’m here to see if you have places available. So they’re shocked. And they’re -- so they -- I can just feel they didn’t want to help me.”

The participants reported that this treatment was primarily because of their lack of knowledge on their rights as renters. Some participants shared their experiences about being wrongly punished by the apartment managers for asking to have things fixed in the rented property.

“And then I’ve had members from my community that got evicted after the 72-hour notice -- so they them a gave 72-hour notice. And once after the 72 and they kicked them out, and so I believe it’s because they know that the tenant have no resource, no connection on finding out whether this is the right process for doing this. They just took advantage of that, and with them not knowing and they, you know, they have to move.”

“When I went to the office to go renew my lease, the manager didn’t even wait for me to renew my lease. She met me outside and told me I was not able to renew for a year or two years. I had to be on a month-to-month basis, which was more expensive... So then I had to move. When I moved, I faced even more struggles as I had bad credit and I had bad history because of the previous place that I was in. The stuff that I reported for them to fix in my home, they had charged that on me and sent it to collection. I feel like there should be a thing where we have to really understand our renter’s rights.”

Participants also reported being discriminated because of their limited English proficiency in different circumstances. Many in the community link English proficiency with civic engagement and tools to raise community awareness about their rights.

“This is not just in apartments. This is in a lot of social services. If you come in with an accent, they will treat you bad right away. They will not say welcome. They will not welcome you. They will be really mean. They will give you a face.”

“There's a lot of discrimination at the job site. I used to work for an assisted living, and I have been in situations where I've noticed my other fellow Micronesians who worked with me faced discrimination because they don't really -- they don't speak English, and sometimes when it's -- when they're supposed to be getting a pay raise, they -- the employees -- the employers are not really treating them fairly because they don't speak English, or they're not really understanding what's written in the documents.”

Participants also expressed concerns over increase in housing cost and its impact on their quality of life.

“My husband has two jobs, actually. And the reason why he has two jobs is so that we could be able to afford our rent plus our living expenses, for example, food. And so at this point when we apply for subsidized housing, we're not able to qualify because of the income level that we're on. We exceed the line. And it's not our choice for him to have two jobs, but it is, we have to in order to be able to afford our living costs.”

“I take my wife to work so we can come up with the living expenses to afford rent... Both me and my wife work so we could be able to afford our living expenses. But then when it comes time to file our taxes at the end of the year or beginning of the year, we always have to pay. We always have to pay the state back. And it's a very confusing process because we're here trying to make as much money as we can in order to be able to afford living. But then we're also giving money back to the state. It's confusing. So I just said, if they also notice that every year the cost of living goes up, but the wage doesn't go up every year.”

When asked about the community's specific needs pertaining to housing, the focus group participants emphasized resources to educate property owners and managers about COFA agreement and immigration status granted under this agreement.

“I don't think it's our job to prove to them that we're legal. So I think there should be resources to educate the property owner that, you know, when you are working with FSN, or working with COFA resident, and so they have a different status for them...if nothing changes, we still have to go through the struggle, the challenge, trying to prove we're legit here, and so forth. And especially to look like the way we look. We do not look legit. Just listen. We look like you have to prove yourself that you're legal here.”

The community also reported that there is a need for a community center- a space to celebrate, gather, learn, and organize. Other needs identified were culturally specific legal services representing the renters and translation of legal documents in COFA languages.

RUSSIAN SPEAKING COMMUNITY IN WASHINGTON COUNTY

The Russian speaking community has been the largest refugee-based community in Oregon. They live and work in the county, but few locals realize they are here. In Washington County, population of Russian speaking descent is at least 11,587.³ On the one hand, they are differentially treated as White by institutions such as law enforcement and schools, and on the other hand, their issues and concerns especially related to language barriers, recent immigrant families, and foreign credential recognition are overlooked.

When asked what do they prioritize when searching for housing, the community identified good schools; proximity to public transportation, stores, and hospitals; affordability; and safety.

The data finds that Russian speaking community is 44% more likely to be severely cost-burdened, with at least half of their income spent on housing. Similarly, renters in the community are 22% severely cost burdened by rent (American Community Survey 2011-2015). This was very much supported by the discussion in the focus group. The participants also added that affordable housing were often unmaintained.

³ We say “at least” because the Russian speaking community is conventionally counted as White and only when the American Community Survey asks people to add their language, ancestry or place of birth, can the community be disaggregated from the larger population. Because the American Community Survey is a sample estimate and because people may not answer all the questions, community population disaggregated from that should be considered an under count.

“We moved from Vancouver, WA in 2005. We were searching for work and found one in Hillsboro. My husband had to drive there for a year and we decided to move to Hillsboro or Beaverton. It was very difficult to find an apartment for rent there. Why? It was a difficult time then too, price was high for good places, and affordable places were so old that some of the furniture was rotten.”

“It is an apartment, and it was very, very, difficult to find the right price and quality. Everything that was somewhat nice and recently (build or remodeled) was very expensive. Everything that was affordable was in a horrible condition.”

The Russian speaking community, like other immigrant communities, also identified proof of credit history, non-refundable application fee, and large security deposits as barriers to housing especially for new immigrants. The focus group participants also shared their concerns over increase in housing costs and rising property taxes.

“I work two jobs, so I could pay housing and bills. I am 50 years old already. How long can I work two jobs, I don’t know. I’m starting to have pain in my joints and I slow down my movements. The cost of housing keeps growing.”

“Property taxes became impossible. We have a chance of losing our homes due to high property taxes, therefore will have to apply for subsidized housing.”

“Me and my husband currently have the mortgage on both of us. We made a foolish decision. Nobody told us... We bought the house when the prices were very high at the top. After that in 2008, there was a drop in prices. We could not pay for our house anymore. We had to modify a mortgage twice. I am sick right now. I have a blood cancer. In August, I was at the hospital for two months. I thought I would die. It’s a miracle I’m still alive. If cancer comes back I might not be able to work. My husband is paying the bills alone right now.”

One of the biggest barriers for this community when it comes to housing justice is lack of foreign credential recognition. Focus group participants talked about being

underemployed, whereby they are taking jobs that they were educationally overqualified for in their home countries.

“Anywhere I applied at the beginning I was told I was overqualified. I have a PhD in medical biological area and I was a public health officer. So, for 3 month I worked at a restaurant in the kitchen. Could you imagine how that was? At my previous country I was a sanitary inspector, checking others, but now I am the one cleaning a stove. It’s not a complaint, it’s a fact. I realized, at that time I could not get anything more. My life was turned around 180°.”

“Before we came here, I used to be a professor teaching at a university. Now I was looking for a job. I put down that I hold master’s degree which was confirmed here. Every time I would apply they would not take me. But, nobody told me I was overqualified. They were just saying no, no, no, no job available. I had nothing for eight months. I started cleaning, then worked at some factory.”

“I have two higher degrees from Russia. One of them is in English language. You cannot surprise anybody here with that degree. I work at the flower shop. Because I have an accent, and I don’t have a right to make a mistake in clients name or address, it becomes very hard. When I ask the client: “ Please can you spell out your name?”, they speak so fast, I am unable to keep up. So now, I am forbidden to answer phone calls. My salary is \$16 an hour, I do all the work just like everybody else except others are answering the phone calls and they get \$19 an hour. It is sad.”

Although Russian speaking communities are more likely to have a college degree, they are not earning as much as White workers with the same education for full time workers.

When asked about community specific needs, the focus group participants reported that the community feels isolated from the rest of the county and would like more support around community building. They, like other communities of color, emphasized on the need for a community center, a space to come together to celebrate, learn, teach, inform, and organize.

“If we are to combine to have similar meetings and giving help to the senior citizens and children. Children need to keep the language, the culture. IRCO employees consult and help different people, with different, many different questions. And legal help and about bills, just simple informational, even about buying a house. This service should be available in Washington county.”

Other needs identified were free legal services supported by the county and capacity building opportunities catered to new immigrants in the country.

MUSLIM EDUCATIONAL TRUST FOCUS GROUP FINDINGS

The diversity of communities living in Washington County was well represented in the focus group conducted by Muslim Education Trust (MET). The participants present were from Southeast Asia, Middle Eastern and North African countries. The focus group participants identified affordability, safe neighborhoods, and good school as important considerations while searching for housing. Participants also identified walkability and access to public transit as important factors while searching for housing in this community.

“Not all women drive, at least in the immigrant communities. Not that they cannot drive, but they cannot afford a good car. So be able to walk with your toddlers and a newborn in a stroller. You need a sidewalk that is welcoming, that is safe from the backslash of cars that pass by on a rainy day.”

“I feel that in this driving culture everyone is driving in their car and there is just, there is no socializing. There is no this kind of opportunity to get to know one another, and that is really bad, bad for civic participation... And, also, for people of different income to come together and to experience each other and to see that, hey, people of low income are not like what you think, are thieves or have low standards of behavior, things like that. Yeah, not get stigmatized.”

Participants of the focus group identified multiple barriers to homeownership in the community. Some participants pointed to home loan interest rates being incongruous to the Islamic faith.

“It is difficult as a Muslim to buy a house because we have to sign interest.”

“And many of us who come from outside the countries are used to paying cash for homes. Here we want to pay cash and we don't do interest; it is a foreign concept for us to get our home. We say we don't want to do interest. And it took a long time before to get out because of the interest issue.”

Others added that financial institutions are reluctant to provide loans to potential homeowners because they may not have a credit history and what the banks would consider satisfactory source of income and employment.

“So when I moved to United States I was trying to rent an apartment so the first thing was I don't have a credit history. Then the second one because I just moved so I don't have work or, like, you know, so the landlord she asked me for a co-sign. Then the other one, they ask for a high down payment (security deposit). Like I think it was like rent like a month and a half so if I miss a month, they can cover the expenses.”

Similar to other communities of color, the participants also reported events where they were discriminated because of their race, religion, family size, or language limitation by neighbors and property managers.

“When they see your family size. I had a family live with me for six months. They moved from California and they have six kids, and then I cannot ask them to leave. They have section 8. They live with me. We look everywhere, everywhere, everywhere. No. No. No.”

“Well, this happened not only to me but other community members ... the owner of the housing wanted to evict all the Somali community that lives there that are low income. So what they did is -- for me, I'm not home all the time. I leave in the morning and come back nighttime. And my kids are not there. And I was surprised to receive two letters of complaining that I make noises and I don't respect my neighbor. At the same time, my other three neighbors receive the same thing complaining. If you receive a

third one, we're going to evict you. So that was like a really huge discrimination... only Somali community receiving that letter."

Participants also reported being underemployed, whereby they are taking jobs that they were educationally overqualified for in their home countries. Some also identified that they cannot provide proof of the credentials even when they have gained it because they fled or record-keeping institutions were destroyed.

"I'm in computer science, and I am not able to find work. I started with home depot and I have to drive 60-miles every day just to write something in my resume and then I move to another company and then work with Intel."

"The countries where the institutions, the colleges and educational institutions, are destroyed. You can't write them to ask for a copy of your transcript or anything like that."

Participants of this focus group were also concerned about the increasing property tax and share community narratives about the impact of the hike.

"My mother who bought a property in Tigard, she's losing it right now because she can no longer afford the property tax. She lives on a retired teacher pension. It is very limited. She just feels like she is choked to death because, you know, she just can't deal with this and it is causing a lot of anxiety to her and she's going to have to, you know, sell it and rent a place instead. She's 82 right now. "

When it comes to the community's specific needs, the participants identified a need for a policy that requires property owners to provide applications in the language of their preference. The community also supported the idea of having a county-wide policy whereby all the rental property leasing offices must post renter's rights in different languages and provide interpretation services as per the need of the potential tenant.

"The application forms, if you look at the language it is so legalese, you know. I read and write English very well so it does not intimidate me, but when I help families, when you see pages of that, of that whole English language, it needs to be simplified, I think. There is English where you and I can understand it, and English that is meant to confuse rather than clarify."

“So maybe this is a suggestion. I don't know if it is possible or not but try to make an Arabic or different languages contract so everyone can read it. Because when you read the details you find they are talking about the paint, the building, the complex built it at a certain time and the paint has lead and if you died for any reason, they will not be responsible. ”

“I would suggest affordable housing. For instance, they should have a staff, if not access to interpretation services, at the time when a possible tenant comes by, and someone will sit down with that person, right, and translate what is legal on the document because not everyone can read or write Arabic or Somali.”

Other needs identified by the focus group participants were bigger affordable housing for large and intergenerational families, a community center, and an office where people can complain about their grievances about housing issues supported by the county.

CHAPTER 3: CALL TO ACTION

Communities of color in Washington County experience disproportionately negative outcomes in housing, employment, income, education, community safety, and health. In Washington County, Vietnamese and Filipino workers have lower incomes at similar levels of education as White workers; high income home loan applicants who are black are 86% more likely and Latino applicants are 125% more likely to have their home loan application denied compared to high income White potential homeowners; Somali speaking students are 197% more likely than White students to be expelled or suspended from school; 68% of Native American single mothers with children are in poverty in Washington County, a higher rate compared to nationally.

Despite all of this, communities of color live, play, pray and work in Washington county. They build support networks, create small businesses to nourish their communities, organize around and advocate for dismantling racist barriers that will not only improve their lives, but will raise the quality of living for the entire county.

We began this project to better understand housing and living experience of the diverse communities of color of Washington County. The following call to action from Leading With Race: Research Justice in Washington County have resonated and been validated from this research. These recommendations are identified in broader themes identified through the focus groups.

EQUITABLE ECONOMIC EMPOWERMENT

Communities of color play a significant role in driving the economy of Washington County be it in Silicon forest or the agricultural sector.

- The local government should create pathways to employment and economic prosperity for Communities of Color.
- Government and public agencies should create programs supporting rent-to-own and pay-what-you-can systems to build homeownership in communities of color
- Public agencies and government should establish a system to transfer and accept foreign education credentials to provide communities of color equitable employment opportunities.
- There should be increased resources to provide government assisted financial literacy and legal aid to the communities of color.

HOUSING JUSTICE

Communities of color have varied histories, culture, needs, and lived experience in Washington County.

- Affordable housing must be directed to culturally specific needs of communities of color with larger units, and units with accessory or in-laws suite.
- There should be increased allocation of resources to serve the limited English proficiency population's housing needs.
- The local government must revisit zoning and design standards and adopt flexibility and adaptability to create additional affordable housing units.⁴
- Housing justice must be tied with transportation equity whereby there needs to be increased number of public transportation services in Washington County.

EDUCATION

Communities of color identify education as a tool to economically empower their youths. All the communities identified good education as a priority in making housing decisions.

- Educational institutions should address and dismantle barriers rooted in institutional racism to eliminate disparities in outcomes and experiences of all students of color.
- There is a need for culturally specific school readiness and early childhood programs for young children of color.
- Educational institutions should be safe places for all students of color.

COMMUNITY BUILDING

Communities of color are a significant part of the Washington County populace. They contribute to the fabric of Washington County in numerous ways. Community building is essential to housing justice for communities of color.

- Their efforts to build community and connections to counteract isolation should be resourced and supported.
- There should be an investment in a physical space for communities to gather, celebrate, learn, teach, inform, and organize.

POLITICAL AND CIVIC ENGAGEMENT

Communities of color have varied political and civic engagement experiences.

- Government and public agencies should create opportunities to engage communities of color civically and politically by collaborating with community organizations and meeting the communities where they are at.

⁴ Open Doors Housing Solutions. Washington County Affordable Housing Development Strategy. <https://www.pdx.edu/usp/sites/www.pdx.edu.usp/files/Washington%20County%20OPEN%20DOORS%20FINAL%20REPORT%20060716.pdf>

- The local government must address, dismantle, and redress racial discrimination rooted in institutional racism in law enforcement system.
- Because of the noticeable discrimination, bias and hate incidents in Washington County among people of color, reporting tool for bias/hate incidents like Portland United Against Hate's online should be replicated in Washington County with point of contacts at different culturally specific organizations to guide survivors and victims' to appropriate resources for stabilization, recovery and/or healing.
- Public authorities should build programs to support efforts to organize politically in communities of color.
- Civic Engagement should be inclusive of all people whether they have the right to vote or not.

APPENDIX A: FOCUS GROUP GUIDE

Focus Group Guide

Focus group protocol: The focus group sessions are designed to be semi-structured, with room for flexibility. This design will leave room for adaptation of questions while touching on the most relevant areas of interest. This will also allow for deeper probing when unexpected related topics of interest emerge.

Timing: 2 hours

***Bold and italicized words in script not to be read aloud.**

Overview 10 mins

- **Welcome**

Welcome to our focus group. Thank you for being here and spending your time with us so we can learn more about your experience in the community here.

- **Why are we here?**

We are partnering with Coalition of Communities of Color to conduct listening sessions that reflects the housing experience of communities of color in Washington County. We are having discussions like this with the Latinx community, Muslims of color, Asian, Pacific Islander, African-American, Native American, African and Russian speaking communities around the county.

- We are interested in learning about your experiences with housing (finding and keeping housing, experiences with housing discrimination and so on).
- We are interested in learning about your experiences making ends meet (is childcare an issue, or finding a living wage job?) and how this impacts housing for you and your communities

- **Who is going to read this report?**

This report will be used by Washington County Office of Community Development and the Cities of Hillsboro and Beaverton to better housing outcomes for communities in Washington County. You will be invited back to a community gathering in October/November to look at how they are using these findings.

Introduction (10 mins): We would like to start by having everyone introduce themselves. Today we will be on a first name basis. Let's share our names, gender pronouns and our identities. We ask for people's gender pronouns because we know that one of the ways that gender oppression and transphobia work is by forcing us to make assumptions about how people want to identify. We ask that people share their gender pronouns so we can be sure we are referring to them with the gender pronouns that they want to use.

I can model. My name is _____ and my gender pronouns are _____. I'm _____ (for example the facilitator could say "I am a Latina born and raised in Forest Grove.")

Community Conversation Agreements (5 mins): -

- Please take care of yourself in this space; we will also take breaks.
- We don't expect you to be spokespeople for the entire community; speak from your experience.
- We invite you to be specific – put your experiences in context of your locality (Washington county or the city you live in). For example, "In Beaverton, this happened to me." If you want to share an experience that is not Washington County specific, we invite you to think about how that has impacted your life here. For example, how has something that has happened in another part of the country impacting your experience in Washington County? This allows us later to create strategies and mobilize to reform policies locally. It also allows us to think about how our experiences here compare to our communities' experiences in other places.
- Please share both your positive and negative experiences in the county in this space. Please feel free to share your point of view even if it differs from what others have said. Keep in mind that we are just as interested in differences of opinion, and at times they are the most helpful.
- We recognize that some people need some time to gather their thoughts. Secondly, we will encourage everybody to be mindful of providing everybody space to share.

- **Confidentiality:** we will not use any names in the report.

Note about intake form: We asked you to fill and complete an intake form as you arrived today. We are collecting this information so as we can ensure that our participants in this focus group reflect the group's population (age, gender, income etc.) in the Washington County. Please let me know if you have not completed the intake form yet. We will get to it before you leave today.

Note about transcription: We are recording the session because we don't want to miss any of your comments. People often say very helpful things in these discussions and we can't write fast enough to get them all down. Please speak one at a time so that we don't miss anything.

Note about interpreters: We have interpreters here today supporting some of us. Please be mindful when participating. Please speak slowly and allow time for the interpreter to interpret so as all of us can fully participate in this process.

Note about time – a lot to get through; we will be timing our conversations; see this as part of process and hopefully not only time these conversations happen.

Focus Group Questions (Move on to next prompt if the conversation has come to an end early with one prompt)

What things are most important to you/your family when you are looking for housing/have looked for housing? Please take 3-4 mins to put down your thoughts on the notecard in front of you if you like **(15 mins)**

- **5 mins individual reflection on a notecard; 10 mins share back**

How did you find the process of searching for the housing in the place where you live now? What were the challenges you faced in securing housing? **(20 mins)**

Our research and our lived experience in Washington County show that many communities of color share that they have experienced discrimination in housing by landlords or have difficulty getting bank loans for buying homes or have been evicted from their house. In your experience, how have these issues come up? **15 mins**

Break 5 mins

Our research and our lived experience in Washington County showed that many communities of color have high unemployment/work multiple jobs/earn lower wages for similar levels of education. In your experience, how have these issues impacted your housing experiences, choices, and options?

-- if folks don't have personal experiences, prompt them to share what they have seen among their families, friends, neighbours here. (15 mins)

All this discussion will be included in a strategic planning effort to determine what the local needs are in order to target the scarce federal funds to highest priority areas (such as economic opportunity (employment and business opportunities), addressing poverty,

infrastructure improvements like streets, sidewalks, lighting, water/sewer systems etc). What resources/solutions that meet the specific needs of your community should be considered in devising this plan by the city/county government in terms of housing? **(15 mins)**

- *if folks are struggling with this prompt, then ask “Are there resources that are missing when it comes to the needs of your specific communities?” “What would a better resource or solution look like for your community? How do you see this happening?”*

Additional Statements:

- Is there anything else we have not asked about that you think would be important for us to know?

(5 minutes)

- If there is anything else you think is important to share but did not get the chance to do so or that you did not feel comfortable sharing with the group, please write them down on the note card provided for us to collect.

(5 minutes)

Closing (5 mins): Thank you all for attending. We are trying to better understand the housing experiences of communities of color in Washington County. The feedback you have given throughout this session will be looked at by a team, and will be reported to Washington County, Hillsboro, and Beaverton. We hope that by including your voices here, a more community-centered approach will be taken as Washington County continues to grow and develop. We appreciate you sharing as your voices are invaluable to the work we are trying to do.

Please complete and return the intake form to me as you leave. Please ensure that you have signed in to confirm that you have received your stipend. Please ensure that you have signed the consent form.

APPENDIX B: DETAILED PARTICIPANT DEMOGRAPHIC

Session	N
Adelante Mujeres	10
Bienestar	10
Centro Cultural	6
APANO- Asian	11
APANO-PI	12
IRCO-Asian	10
IRCO-Africa House	10
IRCO- Slavic	10
Muslim Education Trust	8
Native American	9
Urban League	9
Total	105

Race/Ethnicity	%
Native American	8.0%
Black or African	19.6%
Latino/a/x	25.0%
Middle Eastern	2.7%
Asian/ Asian American	21.4%
Hawaiian/Pacific Islander	10.7%
Eastern European	8.9%
White	0.9%
Missing- Intake form missing	2.7%

Gender	%
Male	17.1%
Female	80.0%
Missing	2.9%

Age	%
Under 18	0.0%
18-25	11.4%
25-35	21.9%
36-45	20.0%
46-55	21.0%
55+	21.9%
Missing/No response	3.8%

Housing Status	%
Homeowner	28.6%
Renter	63.8%
Transitional Housing	1.0%
Houseless/Homeless	1.0%
Other	2.9%
Missing/No response	2.9%

Education	%
Less than High School	12.4%
High School	16.2%
Some College	13.3%
College	32.4%
Advanced or Professional Degree	22.9%
Missing/No response	2.9%

Household Income	%
less than 30K	24.8%
30k-60K	40.0%
61K-90K	68.8%
91K-120K	7.6%
121K-200K	1.0%
More than 200 K	1.0%

Missing	15.2%
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Town/City	%
Aloha	10.5%
Beaverton	31.4%
Bethany/ NW Portland	3.8%
Cornelius	1.0%
Forest Grove	6.7%
Hillsboro	21.0%
King City	1.9%
Sherwood	1.0%
Tigard	8.6%
Tualatin	1.0%
SW Portland/Mult Co	6.7%
Missing/ No response	6.7%

Language Spoken at Home	%
English	38.4%
Spanish	19.6%
Russian	7.2%
Somali	8.0%
Chukkese	6.5%
Arabic	2.9%
Chinese	2.9%
Hindi	2.9%
Vietnamese	2.9%
Armenian	1.4%
Swahili	1.4%
Punjabi	0.7%
Malay	0.7%
Salish	0.7%
Japanese	0.7%
Tongan	0.7%
Lao	0.7%
Khmer	0.7%

Nepali	0.7%
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Note: In this report, we have used “alone or in combination with other races” rule to collect data about the communities of color. This means that biracial and mult-racial people are counted as belonging to each community they identify with.

APPENDIX B.

COMMUNITY ENGAGEMENT SUMMARY

APPENDIX B.

Community Engagement Summary

This appendix summarizes the results of community engagement conducted in support of the development of the Analysis of Impediments to Fair Housing Choice (AI) and the Consolidated Plans for Washington County and the cities of Beaverton and Hillsboro.

Community Engagement Opportunities

Figure B-1 summarizes the community engagement process for the AI and Consolidated Plans.

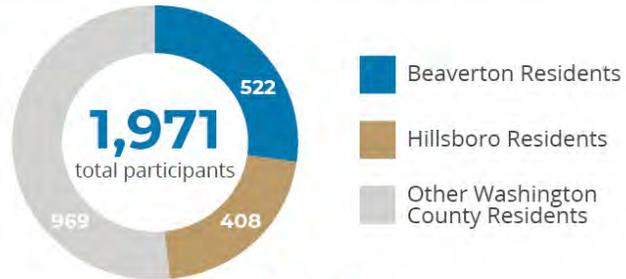
Figure B-1.
Community Engagement by the Numbers



WASHINGTON COUNTY
OREGON

2019 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

COMMUNITY ENGAGEMENT BY THE NUMBERS

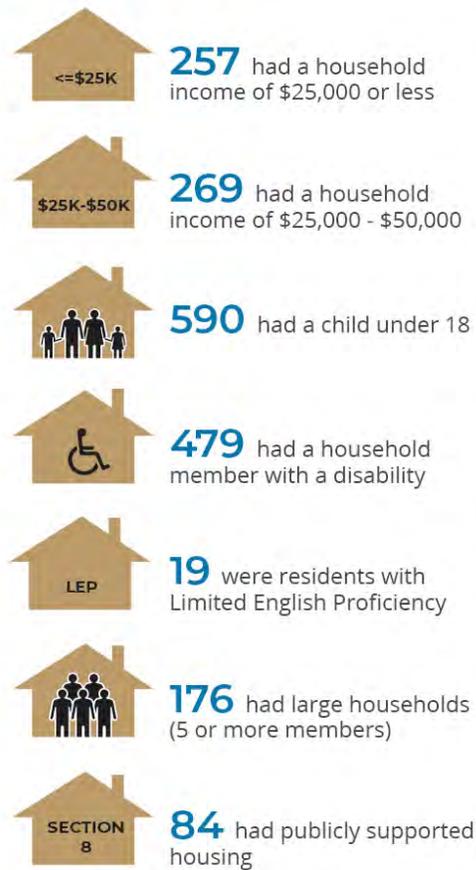


WHO PARTICIPATED?



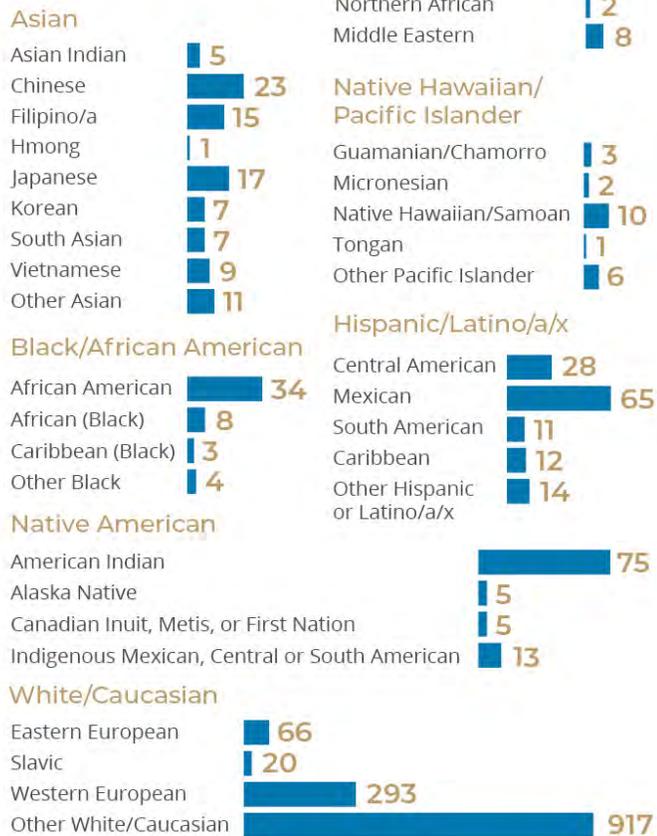
RESIDENT SURVEY: 1,899 participants

RESIDENT FOCUS GROUPS: 177 participants



IDENTIFIED AS*

* Respondents could select all that applied.



Note: Detailed demographic data represent survey respondents only.

Source: Root Policy Research from the 2019 Washington County Resident Survey and Focus Groups.

Community engagement opportunities consisted of a resident survey, focus groups, and stakeholder participation in a regional working group which guided the studies.

Resident focus groups. Washington County staff, in partnership with local service providers and community centers convened seven focus groups with residents who are members of protected classes or are residents who are experiencing homelessness or may be at risk of housing insecurity. Root Policy Research moderated six of the focus groups; the group hosted by Sequoia was facilitated by a member of the Washington County team. Washington County provided refreshments, hygiene items, and a \$25 Walmart gift card to each participant. A total of 72 Washington County residents participated in the focus groups.

The target populations and focus group hosts include:

- Homeless adults at Sonrise (9 participants);
- At-risk and homeless youth at Homeplate (9 participants);
- Residents serving time in Washington County Community Corrections (10 participants);
- Residents with mental illness served by Sequoia (10 participants);
- Seniors at the Marjorie Stewart Senior Community Center (8 participants);
- Seniors at the Juanita Pohl Center (5 participants); and
- Seniors and adults with disabilities at Cornelius Place by Bienestar and BRIDGE Housing (21 participants).

Resident survey. Washington County staff designed an online resident survey to capture residents' experiences with housing choice and access to opportunity and residents' recommendations for housing and community development investments most needed in the area. The Root team provided feedback on the survey instrument and conducted the analysis. Washington County was responsible for all aspects of survey fieldwork, including promotion and online hosting.

Survey outreach and promotion. Each participating jurisdiction marketed the resident survey.

Geographic note. Throughout this summary, survey data reported for Other Washington County excludes responses from residents of Beaverton and Hillsboro; data labeled All Residents include all survey respondents living within the boundaries of Washington County. Survey respondents living outside of Washington County were excluded from the analyses.

Sampling note. The survey respondents do not represent a random sample of the Washington County population. A true random sample is a sample in which each individual in the population has an equal chance of being selected for the survey. The self-selected nature of

the survey prevents the collection of a true random sample. Important insights and themes can still be gained from the survey results however, with an understanding of the differences of the sample from the larger population.

Sample size note. When considering the experience of members of certain groups, the sample sizes are too small ($n < 40$ respondents) to express results quantitatively. In these cases, we describe the survey findings as representative of those who responded to the survey, but that the magnitude of the estimate may vary significantly in the overall population (i.e., large margin of error). Survey data from small samples are suggestive of an experience or preference, rather than conclusive.

Survey respondent profile. A total of 1,899 Washington County residents participated in the survey, including 522 Beaverton residents, 408 Hillsboro residents, and 969 residents of the balance of Washington County (i.e., excluding Beaverton and Hillsboro respondents).

Figure B-2 summarizes the demographic characteristics of survey participants.

Figure B-2.
Profile of Survey Respondents

	Beaverton	Hillsboro	Other Washington County	All Residents
Total Responses	522	408	969	1,899
Race/ethnicity				
Asian/Asian American	31	23	44	98
Black/African American	16	9	17	42
Hispanic/Latino	41	36	54	131
Native American	24	23	39	86
White	306	231	585	1,122
LEP	5	6	8	19
Children under 18	144	125	321	590
Large family (5+ members)	38	34	101	173
Disability	125	112	242	479
Seniors (age 65+)	98	49	167	314
Housing situation				
Homeowner	333	240	700	1,273
Renter	164	148	219	531
Precariously housed	19	12	44	75
Housing voucher holder	43	43	55	141
Any publicly-supported housing	84	73	95	252
Household Income				
Less than \$25,000	74	63	120	257
\$25,000 up to \$50,000	78	62	129	269
\$50,000 up to \$100,000	129	109	234	472
\$100,000 or more	132	76	273	481

Note: Number of responses in individual categories may be smaller than the total number of responses in a jurisdiction due to non-response.

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Current Housing Choice

This section describes the current housing situation of resident survey respondents and provides information about their home's condition and monthly housing costs, including rent increases in the past year.

Current housing situation. Overall, nearly seven in 10 survey respondents are homeowners. The proportion of renters represented in the survey is highest in Beaverton (32%) and Hillsboro (37%), and lowest in the Other Washington County sample (23%). The balance of

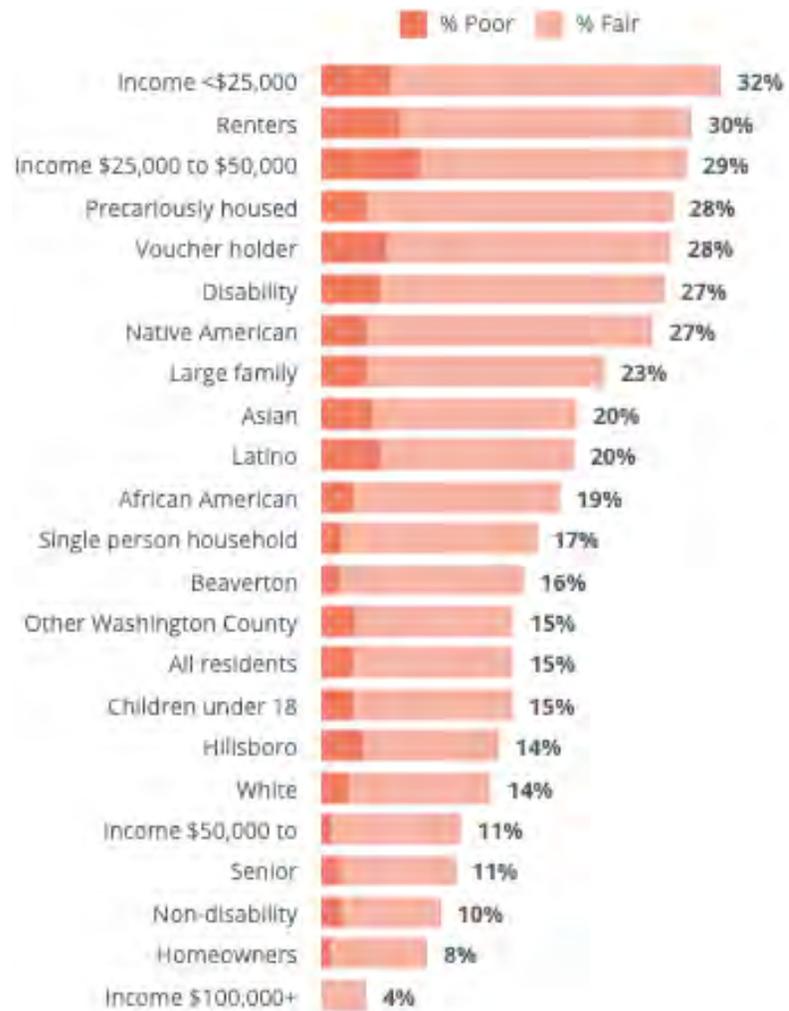
the survey respondents comprise the group termed “precariously housed” (e.g., couch-surfing, staying in cars, shelters, hotels, or transitional housing, camping, etc.).

- Across the board, the greatest proportion of renters have been in their home for at least one year up to five years, while the greatest proportion of homeowners have been in their home for more than 10 years.
- Among homeowners, most live in detached single family homes. About one in 10 homeowners living in Beaverton or Hillsboro live in an attached single family home (e.g., townhome, duplex).
- The greatest proportion of survey respondents in each community who rent live in apartment buildings (55% of renter respondents overall).
 - Among Beaverton renters, two-thirds (66%) live in apartment buildings, 17 percent rent single family homes, and one in 10 rent attached single family homes.
 - In Hillsboro, half (52%) rent in apartment buildings; one in five (22%) rent single family homes, and one in five (20%) rent attached single family units.
 - In the balance of Washington County, nearly half (48%) rent in apartment buildings, while more than one in four (27%) rent single family homes and 15 percent live in attached single family homes.

Housing condition. When asked to rate the condition of their home, most survey respondents consider it to be in excellent (41%) or good (44%) condition. In general, homeowners are more likely to rate their home’s condition to be excellent than renters. Figure B-3 presents the share of residents who consider their home to be in fair or poor condition, by jurisdiction and respondent characteristic. As shown, more than one in four low and moderate income households, renters, those who are precariously housed, voucher holders, households that include a member with a disability, and Native American respondents consider their home to be in fair or poor condition. High income households, homeowners, households that do not include a member with a disability, and seniors are much less likely to identify their home as being in fair or poor condition. The share of residents rating their home in fair or poor condition is very similar among the jurisdictions, about 15 percent of respondents from each.

Figure B-3.
Housing Condition,
Jurisdiction and Selected
Characteristics

Source:
 Root Policy Research from the 2019
 Washington County Resident Survey.



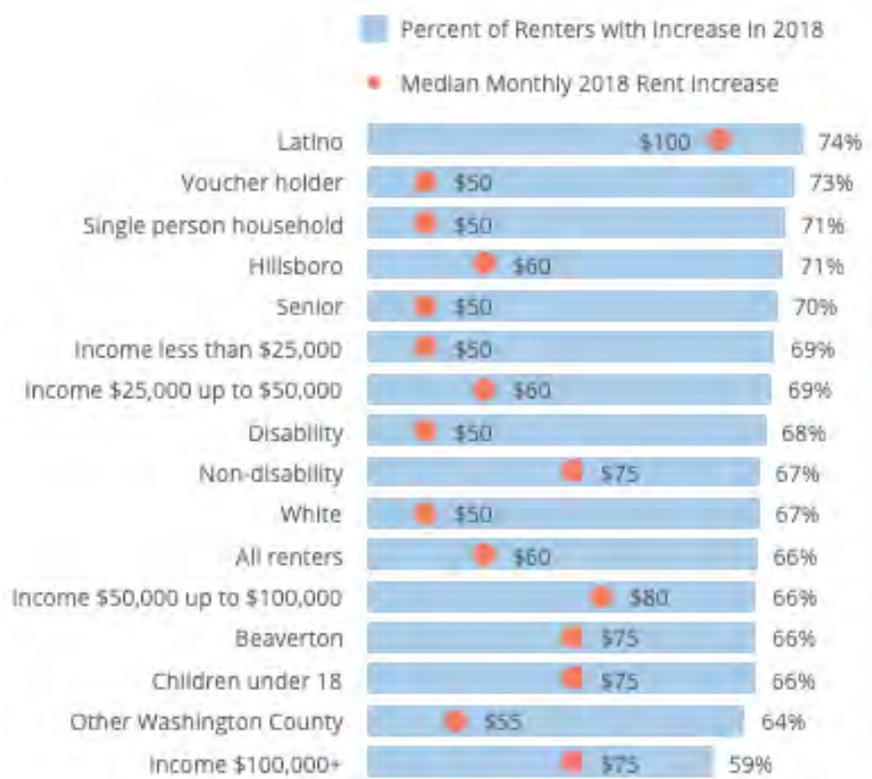
Ratings of condition are also correlated with housing types. Respondents who consider their home to be in excellent/good condition are almost twice as likely to live in single family homes and half as likely to live in apartments in apartment buildings. Overall, 17 percent of survey respondents live in apartments in apartment buildings, but this housing type comprises 31 percent of the group that considers their home to be in fair or poor condition.

Housing costs. The disproportionate housing needs section of the AI and the Housing Market Assessment for each jurisdiction explored the cost of housing in great detail. The resident survey presents the opportunity to understand the share of renter households that experienced a rent increase in the past year and the monthly amount rent increased. Several survey questions asked of respondents with housing vouchers measures the ease with which vouchers can be used and the primary reasons for difficulty using vouchers.

Rent increases. As shown in Figure B-4, two-thirds of renters participating in the 2019 survey experienced a rent increase in 2018, and the median monthly increase was \$60. Three out of four Latino renters reported a rent increase and the median monthly increase was \$100. About

the same proportion of voucher holders (73%) had rent increase, but the median monthly increase was \$50, slightly less than the median rent increase of all renters.

Figure B-4.
Percent of Renters with Rent Increase in 2018 and Median Rent Increase, by Jurisdiction and Selected Characteristics



Note:

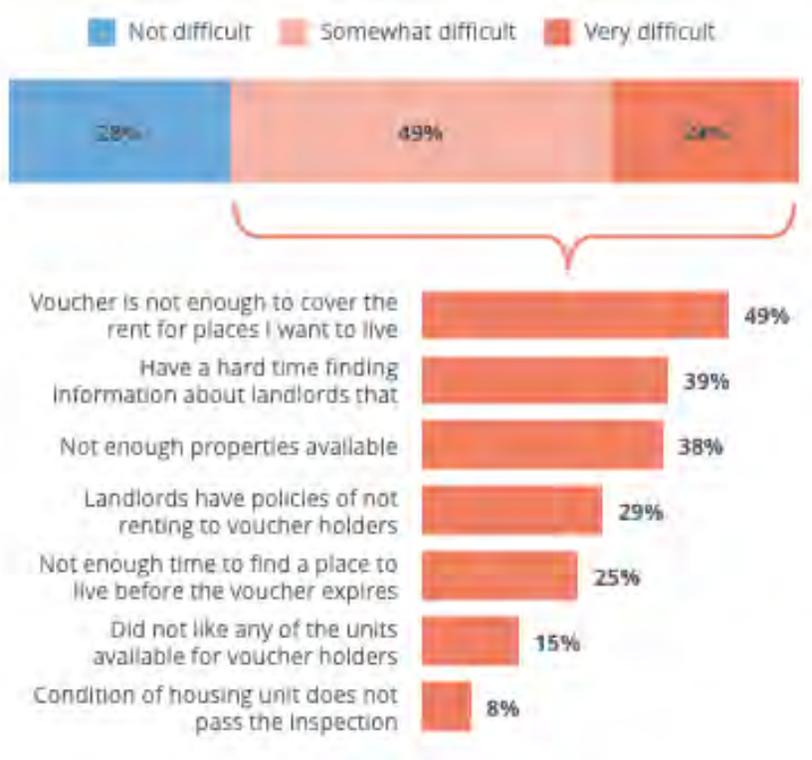
Sample sizes of Asian, African American, and Native American residents with a 2018 rent increase is too small to report.

Source:

Root Policy Research from the 2019 Washington County Resident Survey.

Housing vouchers. Only 28 percent of voucher holders report that it was “not difficult” to find a landlord willing to accept their voucher. Of those who experienced difficulty finding a landlord to take their voucher, the greatest proportion (49%) said that it was difficult because the “voucher is not enough to cover the places I want to rent”.

Figure B-5.
How difficult is it to find a landlord that accepts a housing voucher? Why is it difficult?



Note:
 Includes only those survey respondents who currently participate in a housing voucher program.

Source:
 Root Policy Research from the 2019 Washington County Resident Survey.

Neighborhood Preferences

This section explores residents’ neighborhood preferences and desire to move, given the opportunity.

Most important neighborhood qualities. Figures B-6 and B-7 present the five neighborhood qualities most important to the greatest proportion of survey respondents based on where they live, their housing situation, and other personal and household characteristics. With one exception, “safety/low crime” was the neighborhood quality most important to the greatest share of respondents. For respondents from the lowest income households, “affordability/I can afford to live there” was the #1 most important factor, followed by “safety/low crime”. Like “safety/low crime”, affordability was among the top five most important neighborhood qualities for all respondent types, as is “quiet and peaceful”. These are qualities considered most important by nearly all types of respondents who live in Washington County.

Residents of Hillsboro are more likely to value “close to work/job opportunities” while Beaverton and Other Washington County respondents consider “close to parks or open space” among the five most important neighborhood qualities. Other preferences vary by household or respondent characteristics. For example, households with children are more likely to consider quality neighborhood public schools/school districts among the most important neighborhood qualities, while seniors are more likely to prioritize neighborhoods that are close to hospitals/health care.

Figure B-6.

What qualities of your neighborhood are most important to you? Top Five by Jurisdiction, Income

<p>BEAVERTON</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to parks or open space 5 (TIE) Close to grocery stores & Access to quality public schools/school district 	<p>HOMEOWNERS</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to parks or open space 5 Access to quality public schools/school district 	<p>INCOME <\$25,000</p> <ol style="list-style-type: none"> 1 Affordability/I can afford to live there 2 Safety/low crime 3 Quiet and peaceful 4 Close to grocery stores 5 Close to bus/light rail/public transit 	<p>INCOME \$100,000+</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Access to quality public schools/school district 4 Close to parks or open space 5 Affordability/I can afford to live there
<p>HILLSBORO</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to work, job opportunities 5 Close to grocery stores 	<p>RENTERS</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to grocery stores 5 Close to bus/light rail/public transit 	<p>INCOME \$25,000 UP TO \$50,000</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to grocery stores 5 Close to work, job opportunities 	<p>ALL RESIDENTS</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to parks or open space 5 Access to quality public schools/school district
<p>OTHER WASHINGTON COUNTY</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to parks or open space 5 Access to quality public schools/school district 	<p>PRECARIOUSLY HOUSED</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to work, job opportunities 5 (TIE) Close to grocery stores & High speed Internet access/broadband 	<p>INCOME \$50,000 UP TO \$100,000</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to parks or open space 5 Close to work, job opportunities 	

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Figure B-7.

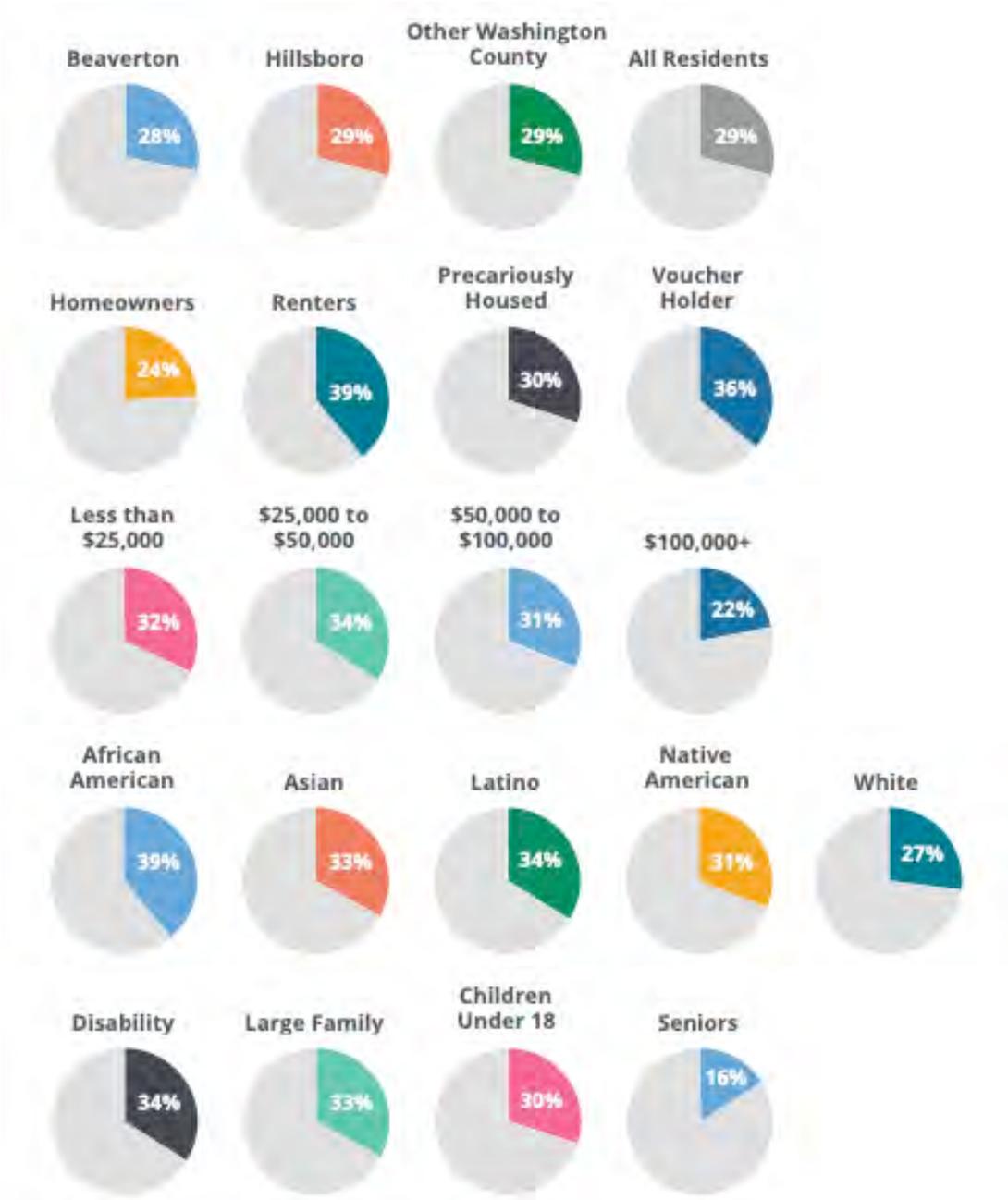
What qualities of your neighborhood are most important to you? Top Five by Selected Characteristics

<p>AFRICAN AMERICAN</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Access to quality public schools/school district 5 Close to grocery stores 	<p>NATIVE AMERICAN</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Access to quality public schools/school district 5 Close to parks or open space 	<p>CHILDREN UNDER 18</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Access to quality public schools/school district 3 Affordability/I can afford to live there 4 Quiet and peaceful 5 Close to parks or open space 	<p>VOUCHER HOUSEHOLDS</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Close to grocery stores 4 Quiet and peaceful 5 Close to bus/light rail/public transit
<p>ASIAN</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Access to quality public schools/school district 5 Close to work, job opportunities 	<p>WHITE</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to parks or open space (TIE) Close to work, job opportunities & Close to grocery stores 5 	<p>LARGE FAMILY</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Access to quality public schools/school district 5 (TIE) Close to parks or open space & Close to work, job opportunities 	<p>ALL RESIDENTS</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to parks or open space 5 Access to quality public schools/school district
<p>LATINO</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to work, job opportunities 5 Access to quality public schools/school district 	<p>DISABILITY</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Affordability/I can afford to live there 3 Quiet and peaceful 4 Close to grocery stores 5 Close to bus/light rail/public transit 	<p>SENIORS</p> <ol style="list-style-type: none"> 1 Safety/low crime 2 Quiet and peaceful 3 Affordability/I can afford to live there 4 Close to grocery stores 5 Close to health care facility/hospital 	

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Desire to move to a different neighborhood. Overall, three in 10 survey respondents would move to a different neighborhood if they had the opportunity. Figures B-8 presents the share of respondents who would change neighborhoods by jurisdiction and for selected respondent characteristics. Overall, renters are most likely to desire to move to a new neighborhood and seniors are least likely.

Figure B-8.
Desire to Move to a Different Neighborhood, by Jurisdiction and Selected Characteristics



Source: Root Policy Research from the 2019 Washington County Resident Survey.

Experience with Displacement and Housing Discrimination

This section explores the extent to which survey respondents experienced displacement—having to move when they did not want to move—and housing discrimination.

Displacement experience. Overall, 12 percent of survey respondents report experiencing displacement from a home in Washington County in the past five years. Figures B-9 and B-10 present the share of respondents displaced and the share of those respondents who attribute their displacement experience to: “rent increased more than I could pay,” “landlord selling the house,” “eviction due to being behind on the rent,” and “eviction for no reason”. Rent increases and the landlord selling the home are the most frequently cited reasons for displacement. Eviction plays a smaller role, but its prevalence varies by jurisdiction.

As shown in Figure B-9, current renters are much more likely to have experienced displacement than current homeowners, and low and moderate income households are more likely than higher income households to have experienced displacement.

African American respondents, Latino respondents, households that include a member with a disability, and large families all experienced higher rates of displacement than the average survey respondent.

Figure B-9.
Displacement Experience and Reasons for Displacement by Jurisdiction, Housing Situation, and Household Income

	Percent Displaced	Reason for Displacement			
		Rent Increased	Landlord	Evicted (behind	Evicted (for
		More than I Could Pay	Selling Home	on rent)	no reason)
All Residents	12%	29%	16%	4%	5%
Jurisdiction					
Beaverton	13%	29%	15%	10%	3%
Hillsboro	14%	35%	14%	4%	0%
Other Washington County	11%	27%	17%	8%	2%
Tenure					
Homeowners	4%	32%	15%	0%	4%
Renters	26%	30%	17%	4%	5%
Precariously housed	39%	-	-	-	-
Voucher holders	23%	-	-	-	-
Household income					
Less than \$25,000	22%	20%	14%	9%	7%
\$25,000 up to \$50,000	24%	29%	18%	5%	6%
\$50,000 up to \$100,000	11%	43%	8%	2%	4%
\$100,000 or more	4%	-	-	-	-

Note: Displacement did not necessarily occur within current community of residence. The respondents' current housing situation (i.e., homeowner) may be a different type of housing situation than when displacement occurred.
 - indicates sample size too small to report.

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Figure B-10.
Displacement Experience and Reasons for Displacement by Selected Characteristics

Legend:

- Higher than All Residents (>5ppt)
- About the same as All Residents (+/- 5 ppt)
- Lower than All Residents (<5 ppt)

	Percent Displaced	Reason for Displacement			
		Rent Increased More than I Could Pay	Landlord Selling Home	Evicted (behind on rent)	Evicted (for no reason)
All Residents	12%	29%	16%	4%	5%
Race/ethnicity					
African American	24%	-	-	-	-
Asian	16%	-	-	-	-
Latino	28%	32%	8%	5%	3%
Native American	17%	-	-	-	-
White	10%	28%	17%	3%	6%
Disability	20%	29%	17%	5%	5%
Children under 18	17%	31%	16%	7%	2%
Large family	20%	-	-	-	-
Seniors	4%	-	-	-	-

Note: Displacement did not necessarily occur within current community of residence. The respondents' current housing situation (i.e., homeowner) may be a different type of housing situation than when displacement occurred.
 - indicates sample size too small to report.

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Experience with housing discrimination. Overall, 8 percent of survey respondents felt that they or a household member felt discriminated against when they looked for housing in Washington County. As shown in Figure B-11, voucher holders were most likely to believe they experienced housing discrimination, followed by residents of any type of publicly assisted housing, and low income respondents. Latino, African American, and Native American respondents and renters overall are twice as likely to say they experienced housing discrimination than the average respondent.

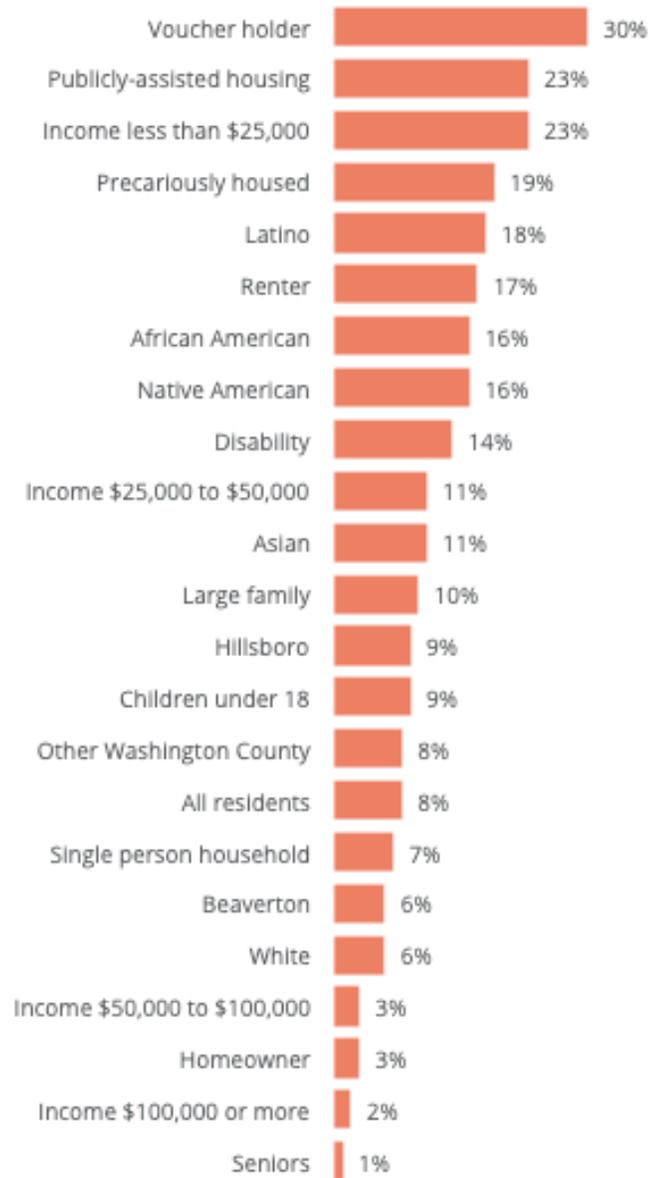
Figure B-11.
When you looked for housing in any part of Washington County, did you or a member of your household feel discriminated against?

Note:

Experience with housing discrimination occurred in the region, but not necessarily in the place of current residence.

Source:

Root Policy Research from the 2019 Washington County Resident Survey.



When asked to describe why they thought they were discriminated against, these reasons include:

- Age (34%);
- Income/low income/class (34%);
- Section 8/housing voucher (21%);
- Race or ethnicity (19%);
- Familial status/having children/large family (18%);

- Looks or appearance (14%);
- Disability (11%);
- Criminal history (10%);
- Past eviction/foreclosure (8%);
- National origin (6%);
- Sex or gender (4%); and
- Sexual orientation/gender identity/LGBTQ (3%).

Housing and Community Development Priorities for Low Income Residents

Survey respondents identified their priorities for types of services, housing, community buildings and spaces, and economic development activities that should receive a greater share of the County’s federal funds.

Services priorities. Survey respondents chose their top four services priorities for receiving a greater share of federal funds from the following list. Those shown in **bold** text appear in the top four services priorities by jurisdiction or selected respondent characteristics (Figures B-12 and B-13). Across the board increasing funds for mental health services and homeless services appeared among the top four priorities for every group considered. Services for seniors or people with disabilities also received top priority. Among the lowest income households, the top service priorities are mental health services, services for people with disabilities, homeless services, and senior services.

- **Senior Services**
- **Services for people with disabilities**
- **Mental health services**
- **Child care services**
- Transportation services (ex. van/bus for seniors)
- **Employment/job training**
- **Medical health services (dental, physical, vision)**
- Lead based paint screening
- Crime awareness, victims’ services

- Tenant/landlord Resolution services or Tenant/Landlord education/outreach
- **Homeless services**
- Short term rent assistance (1 to 6 months)
- Longer term rent assistance (6 months or more)
- Legal services
- Youth services
- Substance abuse services

Figure B-12.

What four types of services for people and families with lower incomes? By Jurisdiction, Tenure, and Income



Source: Root Policy Research from the 2019 Washington County Resident Survey.

Figure B-13.

What four types of services and families with lower incomes? By Selected Characteristics



Source: Root Policy Research from the 2019 Washington County Resident Survey.

Housing priorities. The top four housing types respondents prioritized for greater share of federal funds were very similar among respondent living in each jurisdiction and with different personal or household characteristics. Among the housing types considered, those shown in **bold** text appear at least once in the top four (Figures B-14 and B-15). Affordable rental housing for low income workers and home repair and renovation programs to help low income homeowners were the most common top priorities for housing types.

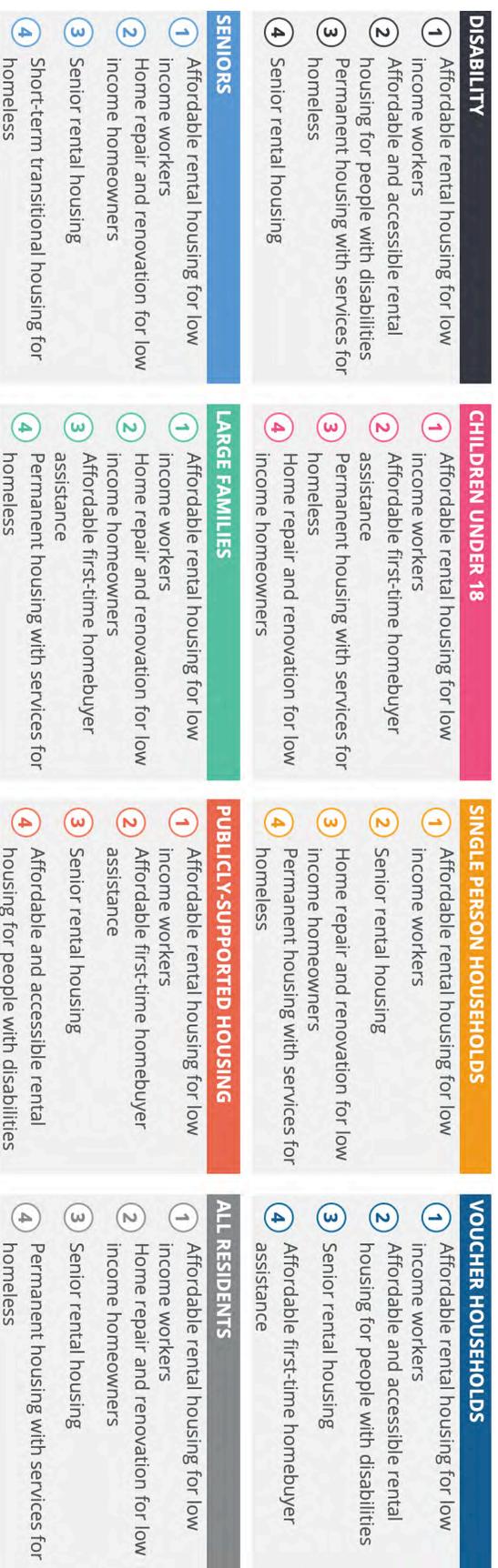
- **Short-term transitional housing for homeless** people, where they can stay for up to 24 months
- **Permanent housing with services for homeless** people with behavioral health and other complicated life challenges
- **Affordable rental housing for low income workers** (families and individuals who work and have lower incomes)
- **Affordable and accessible rental housing for people with disabilities** (group homes/apartment complexes)
- **Senior rental housing**
- Affordable rental housing for people exiting the justice system
- Repair/rehabilitation of affordable apartment complexes
- Accessibility Improvements in homes and apartments (examples include accessible ramps, installing grab bars, installing wheelchair accessible shower)
- **Home repair and renovation programs** to help **low income homeowners** stay in their own homes
- **Affordable first-time homebuyer assistance**

Figure B-14.
What four types of housing should receive a greater share of Washington County’s limited housing resources for people and families with lower incomes? By Jurisdiction, Tenure, and Income



Source: Root Policy Research from the 2019 Washington County Resident Survey.

Figure B-15.
What four types of housing should receive a greater share of Washington County’s limited housing resources for people and families with lower incomes? By Jurisdiction, Tenure, and Income



Source: Root Policy Research from the 2019 Washington County Resident Survey.

Community buildings and spaces priorities. Figures B-16 and B-17 present residents' top four priorities for increased share of federal dollars dedicated to community buildings and spaces. As shown, mental health centers, domestic violence shelter, and homeless shelters are often among the top four priorities. The top four priorities of the lowest income households are: homeless shelter, centers providing services for people with disabilities, domestic violence shelter, and mental health center. The priority selected by the greatest proportion of Beaverton and Other Washington County respondents—domestic violence shelter—differs from the top priority of Hillsboro residents—a homeless shelter. Among all respondents, mental health center was selected by the greatest share of respondents.

- **Centers providing services to people with disabilities**
- Addiction treatment center (overnight or day center)
- **Homeless shelter**
- **Domestic violence shelter**
- **Centers providing services to youth**
- **Health Care Center (medical facilities: dental, vision, medical)**
- **Mental Health Center**
- **Abused/Neglected Children Center**
- **Senior Center**
- Neighborhood/Community Center
- Parks in low income neighborhoods
- Fire station/equipment

Figure B-16
If Washington County had the ability to devote a greater share of resources for community building and spaces, which four would you select? By Jurisdiction, Tenure, and Income

BEAVERTON	<ol style="list-style-type: none"> 1 Domestic violence shelter 2 Mental Health Center 3 Homeless shelter 4 Abused/Neglected Children Center
HILLSBORO	<ol style="list-style-type: none"> 1 Homeless shelter 2 Mental Health Center 3 Domestic violence shelter 4 Abused/Neglected Children Center
HOMEOWNERS	<ol style="list-style-type: none"> 1 Domestic violence shelter 2 Mental Health Center 3 Homeless shelter 4 Abused/Neglected Children Center
RENTERS	<ol style="list-style-type: none"> 1 Homeless shelter 2 Domestic violence shelter 3 Mental Health Center 4 Senior Center
INCOME <\$25,000	<ol style="list-style-type: none"> 1 Homeless shelter 2 Centers providing services to people with disabilities 3 Domestic violence shelter 4 Mental Health Center
INCOME \$25,000 UP TO \$50,000	<ol style="list-style-type: none"> 1 Homeless shelter 2 Domestic violence shelter 3 Mental Health Center 4 Health Care Center (medical facilities: dental, vision, medical)
INCOME \$50,000 UP TO \$100,000	<ol style="list-style-type: none"> 1 Mental Health Center 2 Domestic violence shelter 3 Homeless shelter 4 Abused/Neglected Children Center
INCOME \$100,000+	<ol style="list-style-type: none"> 1 Mental Health Center 2 Domestic violence shelter 3 Homeless shelter 4 Centers providing services to youth
ALL RESIDENTS	<ol style="list-style-type: none"> 1 Mental Health Center 2 Domestic violence shelter 3 Homeless shelter 4 Abused/Neglected Children Center
OTHER WASHINGTON COUNTY	<ol style="list-style-type: none"> 1 Domestic violence shelter 2 Mental Health Center 3 Homeless shelter 4 Center & Centers providing services to youth
PRECARIOUSLY HOUSED	<ol style="list-style-type: none"> 1 Homeless shelter 2 Domestic violence shelter 3 Mental Health Center 4 Centers providing services to youth

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Figure B-17.
If Washington County had the ability to devote a greater share of resources for community building and spaces, which four would you select? Selected Characteristics

<p>DISABILITY</p> <ol style="list-style-type: none"> 1 Mental Health Center 2 Homeless shelter 3 Domestic violence shelter 4 Centers providing services to people with disabilities 	<p>CHILDREN UNDER 18</p> <ol style="list-style-type: none"> 1 Centers providing services to youth 2 Domestic violence shelter 3 Mental Health Center 4 Homeless shelter 	<p>SINGLE PERSON HOUSEHOLDS</p> <ol style="list-style-type: none"> 1 Domestic violence shelter 2 Mental Health Center 3 Homeless shelter 4 Health Care Center (medical facilities: dental, vision, medical) 	<p>VOUCHER HOUSEHOLDS</p> <ol style="list-style-type: none"> 1 Centers providing services to people with disabilities 2 Homeless shelter 3 Domestic violence shelter 4 Health Care Center (medical facilities: dental, vision, medical)
<p>SENIORS</p> <ol style="list-style-type: none"> 1 Domestic violence shelter 2 Mental Health Center 3 Homeless shelter 4 Abused/Neglected Children Center 	<p>LARGE FAMILIES</p> <ol style="list-style-type: none"> 1 Centers providing services to youth 2 Homeless shelter 3 Mental Health Center 4 Neighborhood/Community Center 	<p>PUBLICLY-SUPPORTED HOUSING</p> <ol style="list-style-type: none"> 1 Homeless shelter 2 Centers providing services to people with disabilities 3 Mental Health Center 4 Domestic violence shelter 	<p>ALL RESIDENTS</p> <ol style="list-style-type: none"> 1 Mental Health Center 2 Domestic violence shelter 3 Homeless shelter 4 Abused/Neglected Children Center

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Infrastructure priorities. Among infrastructure priorities considered, only three—sidewalks, road repair/expansion, and street lighting—were among the top three priorities selected by survey respondents (Figures B-18 and B-19). The order may vary, but no other infrastructure types appear in the top three regardless of jurisdiction or respondent characteristics. This is not a surprising result, as each of the three prioritized are visible to residents in the course of daily living and residents are more easily able to assess whether or not these types of infrastructure need improvement or greater investment of federal dollars. Water lines, drainage, and sewer systems are hidden, and barring catastrophic (and visible) failure or recent public discussion of maintenance needs, are assumed to be in good working condition.

- **Sidewalks (build/repair)**
- Water lines
- **Road repair or expansion**
- Storm water/drainage
- Sewer systems
- **Street lighting**

Figure B-18.

If your community had the ability to devote a greater share of resources for infrastructure (sidewalks, roads, water, sewer), what three types are of the most important to you? By Jurisdiction, Tenure, and Income

BEAVERTON	<ol style="list-style-type: none"> 1 Road repair or expansion 2 Sidewalks (build/repair) 3 Street lighting 	HOMEOWNERS	<ol style="list-style-type: none"> 1 Road repair or expansion 2 Sidewalks (build/repair) 3 Street lighting 	INCOME <\$25,000	<ol style="list-style-type: none"> 1 Sidewalks (build/repair) 2 Street lighting 3 Road repair or expansion 	INCOME \$100,000+	<ol style="list-style-type: none"> 1 Road repair or expansion 2 Sidewalks (build/repair) 3 Street lighting
HILLSBORO	<ol style="list-style-type: none"> 1 Sidewalks (build/repair) 2 Road repair or expansion 3 Street lighting 	RENTERS	<ol style="list-style-type: none"> 1 Sidewalks (build/repair) 2 Road repair or expansion 3 Street lighting 	INCOME \$25,000 UP TO \$50,000	<ol style="list-style-type: none"> 1 Road repair or expansion 2 Sidewalks (build/repair) 3 Street lighting 	ALL RESIDENTS	<ol style="list-style-type: none"> 1 Road repair or expansion 2 Sidewalks (build/repair) 3 Street lighting
OTHER WASHINGTON COUNTY	<ol style="list-style-type: none"> 1 Road repair or expansion 2 Sidewalks (build/repair) 3 Street lighting 	PRECARIOUSLY HOUSED	<ol style="list-style-type: none"> 1 Sidewalks (build/repair) 2 Street lighting 3 Road repair or expansion 	INCOME \$50,000 UP TO \$100,000	<ol style="list-style-type: none"> 1 Road repair or expansion 2 Sidewalks (build/repair) 3 Street lighting 		

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Figure B-19.

If your community had the ability to devote a greater share of resources for infrastructure (sidewalks, roads, water, sewer), what three types are of the most important to you? Selected Characteristics

<p>DISABILITY</p> <ol style="list-style-type: none"> 1 Sidewalks (build/repair) 2 Road repair or expansion 3 Street lighting 	<p>CHILDREN UNDER 18</p> <ol style="list-style-type: none"> 1 Road repair or expansion 2 Sidewalks (build/repair) 3 Street lighting 	<p>SINGLE PERSON HOUSEHOLDS</p> <ol style="list-style-type: none"> 1 Sidewalks (build/repair) 2 Road repair or expansion 3 Street lighting 	<p>VOUCHER HOUSEHOLDS</p> <ol style="list-style-type: none"> 1 Sidewalks (build/repair) 2 Street lighting 3 Road repair or expansion
<p>SENIORS</p> <ol style="list-style-type: none"> 1 Road repair or expansion 2 Sidewalks (build/repair) 3 Street lighting 	<p>LARGE FAMILIES</p> <ol style="list-style-type: none"> 1 Road repair or expansion 2 Sidewalks (build/repair) 3 Street lighting 	<p>PUBLICLY-SUPPORTED HOUSING</p> <ol style="list-style-type: none"> 1 Sidewalks (build/repair) 2 Street lighting 3 Road repair or expansion 	<p>ALL RESIDENTS</p> <ol style="list-style-type: none"> 1 Road repair or expansion 2 Sidewalks (build/repair) 3 Street lighting

Source: Root Policy Research from the 2019 Washington County Resident Survey.

Economic development priorities. Respondents selected one economic development activity to prioritize for increased federal funding; across all populations and jurisdictions, small business development was the top priority, by wide margins (68% for small business development and 21% for downtown storefront improvement).

- Downtown storefront improvement program
- Small business development (businesses with 5 or fewer employees)
- Other types of economic development

Resident Focus Groups

The focus group discussions underscored that the factors which contribute to homelessness and housing insecurity among Washington County residents fall on a spectrum, ranging from modest cash shortfalls leading to eviction to family dissolution or disfunction to suffering from severe mental illness and substance use disorders (addiction and/or alcoholism). As participants discussed the type of housing situation that would best help them on a path to stability, their responses emphasized the importance of Washington County and its partners providing a diverse set of housing programs and supports ranging from rapid re-housing with no supports, to short term (less than 60 days) shelter with limited supports, to permanently supportive housing, and a range of options in between. Seniors living on fixed incomes also experience housing insecurity due to rising housing costs (rent, property taxes) and would benefit from a strategy that includes property tax relief, rental assistance, and increasing the number of low and moderate income senior housing units.

Homeless Adults

The adults experiencing homelessness who participated in the discussions currently camp or live in their vehicle. They are chronically homeless and all but one disclosed severe mental illness, addiction to opiates or meth, work-related physical disabilities, and/or mobility disability. Some are currently unemployable due to addiction and/or mental illness. Others have injuries that prevent working in their trade and need retraining. Some are unable to keep employment as a direct result of their homelessness (e.g., hygiene, no storage for personal belongings). Not surprisingly, a wide range of housing options, and movement from one to another along a spectrum of independence, from short-term transitional shelter to permanent supportive housing are needed.



Most are chronically homeless and camp or stay in their car

8 of 9 disclosed mental illness, addiction, and/or physical disability

Most have significant barriers to stable employment

Basic needs minimally met

Need for more frequent shower, hygiene opportunities

Storage for belongings during work/appointments, gas cards, and fresher food needed by some



Full spectrum of housing options needed along with range of services

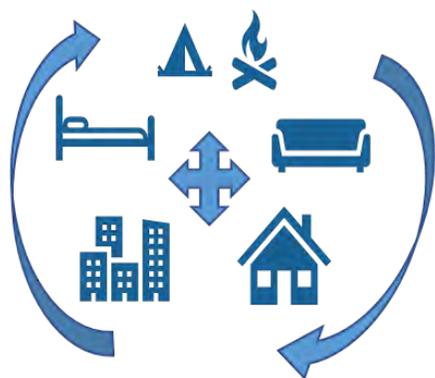
Some may require intensive treatment before housing placement

Some just need <60 days of guaranteed shelter to get on their feet

Source: Root Policy Research from Sonrise Homeless Adult focus group conversations.

At-Risk and Homeless Youth

The youth at risk of homelessness and homeless youth who participated in the discussions at Homeplate generally live in chaotic circumstances, moving in and out of homelessness, couch surfing, living with family, renting with friends, to camping or sleeping at youth shelters (as a last resort). Youth expressed the competing desires of wanting to live independently while needing skill development and support to achieve stability and grow into successful adults. Homeplate is a trusted resource and ideal location for service delivery. Support for expanded drop-in days/hours is desired and could be leveraged to further support these youth in employment, housing, financial, and life skills development.



Housing situations are chaotic, unpredictable, and short term

Most disclose dysfunctional family situations, some mention drug use

Most lack basic job readiness skills

Basic needs somewhat met

Hunger, drug environment, lack of personal safety prevalent issues

Strong need expressed for expanded drop in hours + services at Homeplate



Housing options should include varied degrees of independence/support

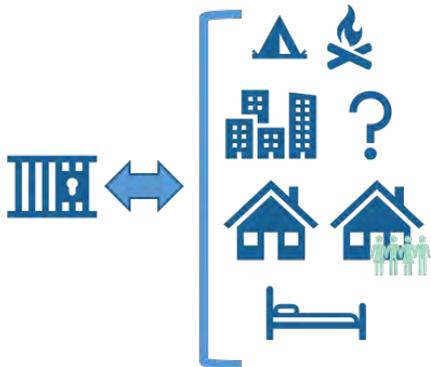
Need for tenant readiness, and other independent living skill development

Consider housing options for couples, parenting children, or peer groups

Source: Root Policy Research from Homeplate At-Risk and Homeless Youth focus group conversations.

Community Corrections

Participants in the Community Corrections focus group had a wide ranging discussion of housing choice, access to opportunity, law enforcement and prosecutors, and the extent to which Washington County's probation system hinders rather than helps their reentry into the community. Criminal history is the primary barrier to securing housing of choice, followed by the cost of securing housing (e.g., deposits, first and last month rent). Most did not express difficulty finding employment, but they did share that the mandatory, fixed, probation requirements, often led to job loss, as the newly employed must request time off to attend meetings, classes, etc. There is an opportunity to explore joint probation/housing programming that rewards progress toward goals and living as responsible, contributing members of society. This population needs hope.



Prior housing situations ranged from homeless to homeowner

Many disclosed history of addiction, drug crimes

Criminal history and lack of training barrier to employment for some

Strict probation requirements at mandatory times and locations sets even the well-intentioned up to fail

Consider a probation incentive program rewarding positive progress

Need for treatment not jailtime



Criminal history = #1 barrier to housing choice, need "felon-friendly" options

Consider time-limited rent support to help the formerly incarcerated stabilize

Eviction prevention may be crime prevention for this population

Source: Root Policy Research from Washington County Community Corrections focus group.

Residents with Mental Illness

Residents with mental illness and/or a history of addiction participated in a focus group convened by Sequoia and included residents of peer-supported group living homes and residents of project-based subsidized housing with supportive services. All strongly value their case managers and the role the case manager plays in helping them live independently. With respect to supportive services and other program providers, participants described a need for training in trauma-informed care and increased knowledge of best practices in providing care to residents with mental illness. A number of residents expressed desire for the companionship of pets, suggesting a potential need for emotional support or companion animals. Educating this population about their fair housing rights and considering the therapeutic value of pets in housing program design is indicated.



Live either in peer-supported group home with services or in project-based subsidized housing with supportive services

All have a history of severe mental illness and/or addiction

Disability may limit employment

Case managers are critical to stability

Strengthen service provider trauma-informed care skills and expertise serving residents with mental illness

Educate residents about fair housing rights, including reasonable accommodations



Most are satisfied with current housing situation

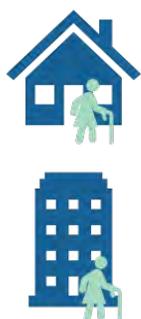
Monitor the extent to which people are living in the most independent, integrated setting

Residents prioritize housing that is safe, transit access

Source: Root Policy Research from Sequoia Mental Illness focus group facilitated by Washington County staff.

Seniors

Managing rising housing costs on fixed incomes is the primary concern of seniors who own their home or live in market rate rental housing. Wait lists low income senior housing may be longer than their life expectancy, especially if they need a ground floor unit. Moderate income seniors have no options for help. If property tax deferrals are available to seniors, none are aware of such a program. Not surprisingly, those living in income-based senior housing are not worried about housing costs. A lack of access to transportation is a significant challenge for most seniors. Those who no longer drive primarily rely on rides with friends to get around. Bus service and in these communities is commuter-focused and does not connect seniors from where they live to where they need to go (grocery stores, medical appointments, senior centers). Where there is service, how to plan a trip is not intuitive. Accessing TriMet Lift can be intimidating—tests administered in Portland—and inconvenient—two hour window for arrival/pickup.



Mix of homeowners and renters
Most live alone

Many are disabled or have mobility limitations

Rising housing costs (market rate rents, property taxes) are a significant concern

Lack of access to transportation results in missed appointments, social isolation, inability to access resources

Seniors centers are invaluable—if seniors can get there

Using public transit is not intuitive



Most prefer their current housing situation

Consider property tax relief, rent assistance, in addition to increasing low/moderate income senior housing

Commuter-focused transit does not serve seniors; explore options friendlier to seniors

Source: Root Policy Research from Cornelius, Sherwood, and Tualatin focus groups with seniors.

APPENDIX E.

FAIR HOUSING COUNCIL OF OREGON TESTING RESULTS

Washington County, the City of Beaverton, and the City of Hillsboro Rental Housing Audit Testing Report

Audit Testing report prepared by:

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Introduction

The federal Fair Housing Act (FHA) was signed on April 11, 1968, and made it illegal to discriminate in housing based on an individual's race, color, national origin, or religion. The FHA was further amended to include the protected classes of sex, familial status, and disability in 1988. The Act intended to end the rampant racial segregation of the mid-20th century and discriminatory government and private actions that created and maintained segregation of neighborhoods and communities.

This advancement of the FHA continues on a federal and state level. Oregon has extended these protections under Oregon Revised Statutes (ORS) Chapter 659A to include marital status, sexual orientation, gender identity, domestic violence survivors, and legal sources of income.

Despite these landmark legislative actions that have instituted civil rights protections in housing, many members of our communities recognize that discrimination and differential treatment continue within the housing market. Today, discrimination and differential treatment are less overt. There is rarely a slammed door or a blatant derogatory statement, but instead a lack of availability, a higher cost, or different terms and conditions provided. Often this leaves a community member with the sense that they have been treated inequitably but without the means to directly identify the discrimination.

Fair Housing Council of Oregon (FHCO) performed 35 audit tests on the basis of source of income, race, national origin, and disability throughout Washington County, the City of Beaverton, and the City of Hillsboro. These tests revealed that individuals from each of these protected classes continue to face inequitable barriers when seeking housing.

The concern is that community members from diverse backgrounds seeking housing are treated less favorably. These same home seekers may have to apply to several places before they can find housing in Washington County. They have trouble accessing the housing of their choice. More than 50 years after the passage of the federal Fair Housing Act, one would hope that this would no longer be happening. Unfortunately, there is still a lot of progress to be made.

Summary

The results of audit tests conducted between January 2019 to September 2019 show that housing providers continue to provide adverse differential treatment to prospective renters based on a person's source of income, race, national origin, and disability. The most common differential treatment is the provision of differing rental terms and conditions, unit availability, and availability/move-in dates. Testing in this audit shows that agents continue to make statements that could either discourage protected class testers from renting or applying or disproportionately encourage comparative testers to rent or apply.

In these audit tests, the fact that source of income yielded the highest rate of adverse differential treatment in our test results is of concern. Housing providers must address any differential information and treatment provided to individuals receiving public funds, including comments made to prospective renters, current tenants, and/or guests. Housing providers should review all policies for unintended discriminatory impact on members of protected classes. Housing consumers must be made aware of their rights. They should be encouraged to remain vigilant in identifying policies and practices that signal differential treatment and urged to take action when such treatment is suspected.

It is critical that all Washington County residents receive equal treatment and have equal access to the housing of their choice. Washington County, the City of Beaverton, and the City of Hillsboro should increase education for consumers, advocates, and housing providers, and the three jurisdictions need to continue monitoring the housing market. Thoughtful policy planning and partnerships between jurisdictions and fair housing advocates will promote equitable access to housing and opportunity. With targeted effort and planning, Washington County can leverage resources in this time of growth to advance social and economic equity for all residents.

About the Fair Housing Council of Oregon

The Fair Housing Council of Oregon is a nonprofit civil rights organization with the mission of eliminating illegal housing discrimination in Oregon.

FHCO promotes equal access to housing by providing education, outreach, technical assistance, and enforcement opportunities specifically related to federal, state, and local fair housing laws. These laws protect against illegal housing discrimination based on "protected class status" in any housing transaction and, in fact, any housing situation.

Audit Testing Analysis

The following report details the results of an audit of rental housing conducted by FHCO within Washington County, the City of Beaverton, and the City of Hillsboro, Oregon for discrimination on the basis of source of income, race, national origin, and disability. This report covers testing that took place over a nine month period, from January 2019 through September 2019.

Evaluation Process

While testing may provide an objective means to identify differential treatment or practices, the presence of differences does not necessarily mean that a housing provider is engaging in housing discrimination. (For example, if different agents at one test site have their own unique sales approach, the testers may report different experiences while receiving substantially similar information.) Likewise, the lack of observed differences at a particular site does not preclude the existence of discriminatory practices. Housing discrimination occurs as a result of adverse differential treatment toward someone because of their protected class.

For the purposes of this report, testing results are defined as either “positive”, negative,” or “inconclusive.” A test will be defined as “positive” when one or more differences are identified in the information provided to the protected class tester which could be considered adverse when compared to the comparative tester. For example, if a protected class tester is provided a higher quote for a security deposit than the comparative tester, the test will be defined as “positive” because of evidence of adverse differential treatment. Tests are defined as “negative” when protected class testers are provided equivalent information (or given equal or better treatment) regarding housing opportunities. In a “negative” test, there should be no materially differential treatment.

A test will be defined as “inconclusive” when the details of the test fail to demonstrate a clear positive or negative finding. For example, a test may be deemed inconclusive if two testers speak to the same agent about the same property, but the protected class tester is told to apply through a different website than the comparative tester. Under such circumstances, the test would be evaluated as inconclusive in order to allow our agency to conduct further investigation in the future.

Summary of Results

The Fair Housing Council of Oregon (FHCO) conducted thirty-five (35) audit tests throughout Washington County, the City of Beaverton and the City of Hillsboro between January 2019 and September 2019. These tests were designed to assess whether members of certain federal and state protected classes encounter different treatment in

the housing market, and the results will help inform all stakeholders of current barriers to housing choice as part of the 2019 federal Analysis of Impediments. Testing by FHCO for this report focused exclusively on four (4) protected classes: source of income, race, national origin, and disability.

To be clear, the findings in this report are *not* statistically significant as they represent a limited snapshot of just a handful of housing transactions. And yet, the statistical significance is *not* the point here. Instead, this synopsis illuminates what the day-to-day experience of a prospective renter encompasses as a member of a protected class.

The value of this document to jurisdictions, agencies, public officials, renters, housing providers, planners, and other relevant stakeholders, lies in the fact that it creates a record of specific barriers that limit diversity, integration, and equity in the places we call home. It is the hope of our agency that this report will contribute to an assessment outlining a broader framework of what residential life in Washington County, and the individual jurisdictions that comprise it, should look like for *all* people.

What follows below is a factual depiction of how barriers to equity in housing may manifest themselves for members of the protected classes tested. As such, it will break down aggregate data pertaining to inequitable trends identified in the application process through testing. As a final introductory point, FHCO wishes to point out that this report is *not* about placing blame on any particular stakeholder; it is intended to inspire informative public dialogue about how to address a central equity problem that affects all of us in one way or another.

Washington County testing numbers				
Classification	Washington County	Hillsboro	Beaverton	Total
Disability	4	2	2	8
Positive	1		1	2 positive
Inconclusive				
Negative	3	2	1	6 negative
National Origin	5	2	3	10
Positive	1	1		2 positive
Inconclusive	1	1	2	4 inconclusive
Negative	3		1	4 negative
Source of Income	5	3	3	11
Positive	4	1	1	6 positive
Inconclusive		1		1 inconclusive
Negative	1	1	2	4 negative
Race	3	2	1	6
Positive			1	1 positive
Inconclusive				
Negative	3	2		5 negative
Total	17	9	9	35

Key Points & Overall Results

EVALUATIVE FACTORS: FOLLOWING THE STATUTE

In evaluating the outcome of each individual test, FHCO was guided solely by the language of the Fair Housing Act (FHA) itself. The statutory language of the FHA prohibits the following activity in a housing transaction (Please note: the following list is not an exclusive list of prohibited conduct in the FHA, but is instead intended to map out the broad parameters of the law):

- **Refusal to rent dwelling or otherwise make unavailable - 42 USC § 3604(a)**
- **Discriminatory terms, conditions, privileges, services or facilities - 42 USC § 3604(b)**
- **Discriminatory advertisements, statements, and notices - 42 USC § 3604(c)**
- **Misrepresenting availability of dwellings - 42 USC § 3604(d)**
- **Refusal to rent or otherwise make unavailable because of disability - 42 USC § 3604(f)(1)**
- **Inquiring about nature or severity of disability - 42 USC § 3604(f)(1)**
- **Discrimination in terms, conditions, or privileges or in services and facilities because of a disability - 42 USC § 3604(f)(2)**
- **Reasonable Accommodation - 42 USC § 3604(f)(3)(B)**
- **Interference, coercion, or intimidation - 42 USC § 3617**
- **Practices, decision, or action having a disparate impact on dwelling availability - 42 USC § 3604(a)**

Each FHA provision cited above constitutes a separate violation of the FHA. As such, tests can be deemed as having an outcome that is positive for different treatment because the evaluators discovered one or more of these violations in a single test. If none of the provisions cited above were found to be violated in a test, then there is no way it would be evaluated as anything other than negative for different treatment.

Tests Overall by Protected Class

FHCO conducted a total of thirty-five (35) tests broken down by the following protected classes.

SOURCE OF INCOME

Of the thirty-five (35) tests conducted by FHCO, eleven (11) focused on source of income as a protected class. Unlike race, national origin, and disability, source of income is not a federally protected class. Before July 1, 2014, landlords could legally refuse to rent to people receiving federal rent assistance, including Section 8 vouchers.

Now, Oregon's fair housing law makes it unlawful for landlords to refuse to rent to an applicant for rental housing because the person receives assistance such as a Section 8 voucher.

Source of income is only protected on the state level. While the percentage of female-headed households, families with children, immigrants, racial minorities, and disabled individuals who receive vouchers in Washington County is beyond the scope of this document, it is possible that all of these federally protected classes may be disproportionately harmed by different treatment based on source of income.

Of the eleven (11) tests conducted by FHCO on the basis of source of income, six (6 total: 4 Washington County; 1 Hillsboro; 1 Beaverton) were deemed positive for different treatment by FHCO's Enforcement Team. One (1) test focusing on source of income as a protected class was inconclusive (1 total: Hillsboro), and four (4 total: 2 Beaverton; 1 Hillsboro; 1 Washington County) were negative for different treatment. When six (6) out of eleven (11) tests based on Source of Income are deemed positive, it should raise red flags for all jurisdictions and stakeholders involved.

In the source of income tests deemed positive for different treatment, the following problematic practices were unveiled: Misrepresentation of Availability (offering availability of less total units or failing to offer specific floor plans to voucher holders), Terms and Conditions (failure to offer a voucher holder the same move-in procedure options, less favorable utility calculations, follow-up correspondence, less favorable application process requiring in-person submission, and significantly delayed move-in dates than someone without a voucher), and finally Refusal to Rent/Otherwise Deny or Make Housing Unavailable.

In order to understand the impact that different treatment based on source of income has on a community, one must first have an understanding of the people generally eligible for housing subsidies from federal, state, local governments as well as non-profits. Generally speaking, these subsidies are reserved for the most vulnerable individuals living amongst us and such funds are distributed in a manner intended to open a pathway to a more stable life with secure housing. Different treatment on the basis of source of income not only contravenes the legislative intent of the Oregon State Legislature, it also has the potential to catastrophically impact people already living on the verge of extreme poverty. Ultimately, being turned away from a dwelling could result in someone taking more time off work, losing custody of their children, or losing their voucher eligibility altogether. Based on these results, there is a lot of work to do to even the playing field.

RACE

Of the thirty-five (35) tests conducted by FHCO, six (6) focused on race as a protected class. FHCO's Enforcement Team determined that one (1) out these six (6) tests were positive for different treatment. This positive finding was based in Beaverton. Five (5) additional tests were deemed negative by FHCO staff (5 total: 3 Washington County; 2 Hillsboro).

Testing captured problematic practices reflecting different treatment. Results demonstrated that a Caucasian comparative tester was offered information on the availability of several more units than the Black/African American protected tester (Misrepresentation of Availability). Moreover, the Caucasian comparative tester received follow-up communication from an agent in the form of electronic correspondence encouraging them to apply. The Black/African American protected tester received no follow-up communication whatsoever. With only six (6) race tests conducted throughout Washington County, jurisdictions should be concerned that this test represented nearly seventeen percent (17%) of the race tests conducted under this contract.

NATIONAL ORIGIN

Of the thirty-five (35) tests conducted by FHCO, ten (10) focused on National Origin as a protected class. FHCO's Enforcement Team determined that two (2 total: 1 Hillsboro; 1 Washington County) out of these ten (10) tests were positive for different treatment. Further, four (4 total: 3 Washington County; 1 Beaverton) out of these ten (10) tests were negative for different treatment. Lastly, four (4 total: 2 Beaverton; 1 Hillsboro; 1 Washington County) out of these ten (10) were deemed inconclusive.

The results demonstrated that a tester with a discernible Hispanic accent was told that a Social Security Number is required to rent and that federal ITIN numbers are not accepted as a substitute. Our agency generally views *policies* that restrict admission into housing based on the need to provide Social Security Numbers, without any additional pathway for the prospective renter, as an egregious impediment to equitable housing. Federal case law demonstrates that policies such as this pose a disparate impact on National Origin as a protected class.¹

In addition, other results showed a Caucasian comparative tester was offered information on several more available units than a Hispanic protected tester (Misrepresentation of Availability). Moreover, a Hispanic protected tester was told that

¹ Giron de Reyes v. Waples Mobile Home Park LP, No. 17-1723 (4th Cir. 2018).

they needed to come in-person to submit an application while the Caucasian comparative tester was told they had the option of applying online or in-person.

Two (2) out of ten (10) tests conducted under this contract were found to be positive for different treatment on the basis of National Origin (20%). This is significant for several reasons: First, a finding involved an entity that refused to rent to a Hispanic individual due to their lack of Social Security Number. Critically, the refusal to rent occurred despite the fact that the Hispanic Protected Tester offered to provide an alternate IRS sanctioned ITIN number for screening purposes. Second, testing results revived concerns that refusal to rent, misrepresentation of availability, and different terms and conditions remain a problem in Washington County's housing market and should be addressed.

DISABILITY

Of the thirty-five (35) tests conducted by FHCO, eight (8) focused on disability as a protected class. FHCO's Enforcement Team determined that two (2 total: 1 Beaverton; 1 Washington County) out of these eight (8) tests were positive for different treatment on the basis of disability. Six (6) of these eight (8) tests were deemed negative for different treatment on the basis of disability (6 total: 3 Washington County; 2 Hillsboro; 1 Beaverton).

Testing results demonstrated that a protected tester identifying as someone with a disability was told about less availability than a comparative tester. In addition, the Protected Tester identifying as someone with a disability was given a move-in date of four to six weeks later than the comparative tester (Terms and Conditions; Misrepresentation of Availability; Otherwise Deny or Make Housing Unavailable). Similarly, results also demonstrated that a comparative tester was told that there was immediate availability while the tester who identified as being disabled was told that nothing was immediately available and that the only unit they could pursue was weeks out from renting (Misrepresentation of Availability; Otherwise Deny of Make Housing Unavailable).

The results are significant because a disabled individual seeking housing may be deterred or discouraged by the fact that they have to wait a significant amount of time to move in, while a non-disabled person would not be because they were provided a more streamlined timeline. Moreover, the results of the test raise suspicion of refusal to rent to a person living with a disability.

Proposed Solutions and Further Recommendations

Housing discrimination cannot be cured through one-dimensional, short-term solutions. If something as simple as the passage of a law had the ability to end discrimination without further effort, then the problem would have died with the passage of the Fair Housing Act more than 50 years ago. The only effective way to combat illegal housing discrimination is through sustained public investment by local, state, and federal entities in programs that take comprehensive and multi-faceted approaches to enhancing education and strengthening enforcement.

Enhancing Education and Outreach

HOUSING PROVIDERS

Additional investment in education and outreach is critical to informing all stakeholders of their rights as well as responsibilities. Housing providers including property management companies, land and homeowners, developers, leasing agents, and small/independent landlords require enhanced access to resources that enable them to learn about the issue of housing discrimination and update them about innovations in the law. Housing providers who regularly attend anti-discrimination trainings conducted by FHCO often respond by altering business practices and adjusting policies that pose a disparate impact on communities historically discriminated against to make them more equitable. Moreover, housing providers who get training in identifying discriminatory practices are often more proactive about monitoring conduct for problematic behavior. Housing providers should train all new staff on fair housing laws, with refresher courses for all staff annually.

Critically, FHCO currently operates a landlord hotline where housing providers can contact our agency to receive guidance on Fair Housing issues. Many landlords have found this resource to be useful, as they can address potential violations before they occur.

ADVOCATES

Because advocates, including tenant protection agencies, organizers, housing specialists, social workers, and care providers, often serve as a bridge between a housing provider and a consumer, continued education and expansion of resources is necessary in order to promote a healthy and thriving community for all individuals. When advocates are kept abreast of the laws, both on a state and federal level, they can participate in a solution driven discourse that assists in informal resolutions. Additionally, they can serve as navigators and resource providers when an individual expresses concerns of discrimination. FHCO recognizes the strong overlap between

advocates and consumers, and recommends training geared towards their specific concerns.

CONSUMERS

It is equally, if not more, critical that renters and tenants be provided with frequent opportunities to learn about their rights when confronting different treatment in a housing situation. Many instances of illegal discrimination in housing go unreported, thereby allowing the problem to persist without any enforcement or accountability. Tenants deserve the opportunity to access materials and trainings that inform them of their options for self-advocacy and point them towards advocates when seeking enforcement against bad actors.

Monitoring of Housing Market

Education and outreach efforts mean little if there is no entity available to enforce the law. Testing is an essential component to deterring housing discrimination. Similar to the way traffic patrol officers prevent drivers from speeding by maintaining a constant presence on the roads, testing removes the incentive for bad actors to discriminate by making them weary of the fact that illegal conduct comes with consequences. This, in turn, leads housing providers to take proactive measures to train their staff to follow Fair Housing law in order to avoid financial liability and embarrassment.

By considering future testing, Washington County, the City of Beaverton, and the City of Hillsboro can better understand the dynamics of the local housing market. More testing will give jurisdictions the opportunity to dissect the circumstances under which different treatment is most likely to occur by bringing problematic practices to the surface. Additional testing, following the implementation of enhanced education, also allows for jurisdictions to assess progress and inform future policy decisions.

Further Recommendations

To work toward remedying differential treatment of communities of color, those born in or perceived to be born in a country other than the United States, individuals who identify as disabled, and those with alternative sources of income outside of employment, FHCO recommends the additional following actions:

- Enhanced distribution of community resources and trainings specific to the process for accepting public funding and section 8 vouchers. In particular, FHCO feels it is critical to make housing providers aware of their legal obligations around source of income as well as inform tenants of the potential for different treatment.

- More community trainings around deconstructing stereotypes and bias related to poverty and low income individuals and families, including the intersection of race, national origin, disability, and socio-economic status. Trainings should also address generational poverty and how it plays out in housing, including rental history, credit, and criminal history.
- Education around reasonable accommodations and the rights and responsibilities of all stakeholders, including, exploration of housing amenities and policies such as parking, assistance animals, and mobility and mental health issues. Stakeholders of all types should be informed of why reasonable accommodations are critical in ensuring equal access.
- Expand testing to include the use of criminal history and credit scores in the rental screening process, which may show a disparate impact on people of color. It is critical for public bodies to look beyond mere rates of adverse differential treatment and better understand the manner in which the different treatment occurs in the housing market place.
- Housing providers should review their practices and policies for any potential adverse disparate impacts and different treatment, including lease agreements, rental screening criteria, posted rules, and notices in common areas. As evidenced by the results of this audit, protected class testers are frequently provided different information about unit availability, prices, means to apply (online or in person), and other rental terms and conditions.
- Housing providers should take steps to ensure that all prospective tenants are provided equivalent information, are given similar informational materials, and are afforded the same amount of follow-up contact.
- Leasing agents should be aware of all potential vacancies and provide all available options to home seekers. Housing providers should not use the excuse that the testers spoke to different agents. All agents should have the same information and impart the same information to all prospective applicants/tenants.
- Housing providers may want to engage in self-testing of their staff to learn exactly how their staff engages the public, particularly consumers who are members of a protected class.
- Housing providers also should remain particularly aware of potential differential treatment and complaints from current residents who are members of all protected classes. Housing providers should also be monitoring how their staff treats in place tenants who are members of protected classes.

APPENDIX A

Legal Background

Federal fair housing laws prohibit discrimination in housing based on race, color, national origin, religion, gender, familial status, and disability.

Oregon fair housing laws also protect people from discrimination in housing on the basis of their marital status, source of income, sexual orientation, gender identity, and status as a survivor of domestic violence.

The federal Fair Housing Act states that the following activities are illegal based on a person's race, color, religion, sex, national origin, disability or familial status:

- Refuse to sell, rent, negotiate or otherwise make unavailable or deny a dwelling;
- Discriminate in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities;
- Make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates discrimination, preference, or limitation; or
- Represent that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact available.

Introduction to Fair Housing Testing

Testing refers to the use of individuals who, without a bona fide intent to rent or purchase a home, apartment, or other dwelling, pose as prospective renters or purchasers to gather information which may indicate whether a housing provider is complying with fair housing laws. Testing is an objective method to compare whether members of a protected class are given different information, services, or treatment than a non-protected class tester, and/or to identify any policies that are not in compliance with fair housing laws.

The courts have consistently determined that testing is a legitimate and lawful activity. In *Zuch v. Hussey* (U.S. 6th Circuit Court of Appeals, 1977), the court stated that, "evidence gathered by a tester may, in many cases, be the only competent evidence available to prove that the defendant has engaged in unlawful conduct." In the landmark case *Havens v. Coleman*, the United States Supreme Court recognized the importance, legality, and power of testing as a mechanism for measuring and correcting discriminatory housing practices.

Fair Housing Audit Testing

Fair housing audit testing helps identify any different treatment and potential illegal acts of housing discrimination, as well as patterns or issues within a region. Housing providers are randomly selected for audit testing within the identified geographic area and for the protected classes selected for the audit. This project sought to test sites in a variety of areas of the city that reflected a sampling of small and independent landlords, large professional management companies, and a variety of types of units.

Purpose of Audit

The goal of this fair housing audit was to identify potential illegal discrimination on the basis of source of income, race, national origin, and disability in rental housing in Washington County, the City of Beaverton, and the City of Hillsboro. Results are analyzed to identify issues of different treatment to illuminate market trends of concern, and to identify areas where education might be targeted, and, where evidence is sufficient, enforcement might be conducted so that, ideally, no one will experience illegal housing discrimination in the future. This audit delivers a point in time perspective of the experiences of a typical renter in a particular housing transaction. One test is generally insufficient evidence of discriminatory treatment, however; one test that demonstrates different and/or adverse treatment toward the protected class tester should be considered a red flag to warrant further investigation necessary to examine the consistent practices of the housing provider.

Considerations

This audit was completed during a time when Washington County continues to experience historically low vacancy rates and increasing rental housing costs. These factors contribute to a high demand for housing units. Housing providers can select from a greater pool of applicants, making this a critical time for ensuring all housing applicants have access to housing choice regardless of their protected class. Rising costs and demand can result in displacement of current residents and force compromises in choice of housing location. Housing location determines access to community resources and opportunities, such as proximity to schools, jobs, transportation, healthcare, and other services. Access to these resources and opportunities has a significant impact on social and economic equity.

This audit examined differential information and treatment provided to prospective tenants based on their protected class. If prospective tenants are provided fewer options, higher rental prices, fewer specials or other incentives, told about more screening requirements or other restrictions, or otherwise discouraged from renting, it

limits housing choice in an already tight rental housing market. It is imperative that all residents receive equal treatment and equal opportunity to housing choice.

Limitations

This audit was conducted for Washington County, the City of Beaverton, and the City of Hillsboro. Because of non-representative sample sizes at the census tract level, testing results are analyzed in the aggregate to identify general market trends.

Because most complaints of housing discrimination are from on-going rental transactions and in-place tenants, testing may not always effectively identify discrimination in the terms and conditions of tenancy. Discrimination may occur during the application screening process or at any time during or at the conclusion of tenancy. Because this testing only compares differences at the initial inquiry phase of a prospective tenant's housing search, differential treatment that may occur later in a housing transaction is not measured in this audit. Due to the high demand in the current rental market where a housing provider can select from several qualified applicants, the nature of this testing may be an important consideration when examining the results of this audit, as it may underestimate the prevalence of discriminatory treatment.

Methodology

Fair housing tests in this audit utilized two match-paired testers who received assignments and instructions prepared by FHCO. Test assignments were structured to facilitate an objective analysis of testing results while minimizing external variables and overlapping protected classes. Each match-paired testing team consisted of a protected class tester and a comparative tester who were matched by other relevant characteristics such as age and gender. The match-paired testing team was assigned similar personal characteristics, such as income and household composition to control for qualification variables and enable an objective comparison to ascertain the existence of any differential treatment, also ensuring that subsequent tests would closely replicate the initial test. Each team contacted the site (sometimes including an initial phone contact) and continued until the test coordinator determined that no further contact should be made.

In this audit, test contacts were made over the phone and by in-person onsite visits. Using testers with a discernible "foreign" accent through phone testing is a plausible methodology for testing based on the protected class of national origin as such accents often serves as the cue for differential treatment, and contact by phone often is how the initial contact from a prospective renter is made with a landlord. For testing on the basis of race, onsite visits were conducted. Testing for differential treatment based on the protected classes of race is done in person so as to provide a visual presentation of the

tester's actual or perceived race. Some onsite tests required initial contact by phone to schedule onsite appointments with a leasing agent.

Tests for disability were conducted over the phone and consisted of a protected class member identifying as having a disability and making a reasonable accommodation request. Similarly, source of income tests involved callers identifying one of their sources of income as a Section 8 voucher. Disability and source of income testers identified their protected class status at the beginning of the phone conversation.

The FHCO test coordinator was responsible for overseeing every aspect of the testing process to include the following:

- Establishing the structure of the tests,
- Identifying appropriate sites for testing,
- Selecting the appropriate testers and assigning tester characteristics,
- Determining the timing and sequence of the tests,
- Maintaining communication with the testers before and after completion of the tests,
- Collecting testing forms and other materials from the testers and ensuring that the forms are properly completed,
- Debriefing the testers, and
- Evaluating the tests with overall review by the Enforcement Team at FHCO.