

# City of Jackson Tennessee Assessment of Fair Housing



June 10, 2019



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# I. Executive Summary

The preparation of the Analysis of Impediments (AI) serves as a component of the efforts of the City of Jackson, Community Development Department (CDD) and the Housing Authority of City of Jackson (HACJ) to satisfy the requirements of the Housing and Community Development Act of 1974. This act requires that any community receiving Entitlement funding under the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Emergency Solutions Grant (ESG) and all public housing authorities “affirmatively further fair housing.”

The federal Fair Housing Act prohibits discrimination in housing based on a person’s race, color, religion, gender, disability, familial status, or national origin. In addition, the U.S. Department of Housing and Urban Development (HUD) issued a Final Rule on February 3, 2012 that prohibits entitlement communities, public housing authorities, and other recipients of federal housing resources from discriminating on the basis of actual or perceived sexual orientation, gender identity, or marital status. Persons who are protected from discrimination by fair housing laws are referred to as “members of the protected classes.”

This Analysis of Impediments is a review of demographic data, metrics of discrimination and disparity, and local regulations and administrative policies, procedures, and practices that affect the location, availability, and accessibility of housing. It also assesses the conditions, both public and private, that affect fair housing choice.

A citywide analysis and discussion on the trends and issues relating to housing drove the development of the AI. The community engagement process solicited multiple perspectives including those of government agencies, City Boards and Commissions, fair housing advocates, social service agencies, housing developers, apartment owners, non-profit organizations, business and industry, civic and neighborhood associations, educational institutions, public and assisted housing residents and the general public.

Strategic planning sessions were held with City of Jackson Community Development Department management and staff; and other City of Jackson Departments with policy, regulatory and program responsibilities that potentially impact housing, fair housing and neighborhoods; and the Housing Authority of the City Jackson management and staff, to refine the work plan and approach for the AFH and to identify key issues and data for the analysis. Public meetings with stakeholder, interviews, plus additional phone interviews as needed, were conducted March 19, 2019. A survey, which was publicized simultaneously with the meetings and interviews, solicited input from residents and stakeholders about their knowledge and experiences related to housing discrimination.

The combination of quantitative data analysis and qualitative research identified a series of factors that significantly contribute to fair housing issues in Jackson. These contributing factors were assigned three priority levels based on the amount and strength of the supporting evidence that initially identified the factor:

- High – factors that limit or deny fair housing choice or access to opportunity, as well as other factors that are urgent or establish a foundation for future actions
- Medium – moderately urgent or building on prior actions
- Low – limited impact on fair housing issues

The contributing factors are organized into groups that align with the issues discussed in the Fair Housing Analysis section of the AI: (B)(i) Segregation/Integration; (B)(ii) Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs); (B)(iii) Disparities in Access to Opportunity; (B)(iv) Disproportionate Housing Needs; (C) Publicly Supported Housing; (D) Disability and Access; and (E) Fair Housing Enforcement, Outreach Capacity, and Resources.

# Acknowledgements

The following organizations were consulted with and or invited to provide input during the community participation process:

## **Government Departments, Agencies**

Housing Authority of City Jackson

City of Jackson Community Development Department

## **Real Estate**

Board of Realtors

Chamber of Commerce

## **Banking and Mortgage Companies**

## **Housing Developers, Builders and Contractors**

Builders

Construction Industry

## **Home Buyer Education and Credit Counselors:**

## **City of Jackson Mayor and City Council**

## **Agencies and Organizations:**

Continuum of Care

Council on Aging

## **Religious Institutions and Faith Based Organizations**

## **Educators and Institutions**

## **Non-Profit and Community Services Organizations**

## II. Community Profile

### Introduction

The Community Profile is a review of demographic, income, employment, and housing data of Jackson, Tennessee, gathered from the 2010 Census estimates, 2013-2017 American Community Survey (ACS) 5-Year estimates, 2010 and 2017 U.S. Census, City of Jackson, Jackson Area Chamber of Commerce, and other sources. The following sections provide an overview and analysis of the current status of the community in Jackson:

- Demographics - analyzes the basic structure of the community in terms of racial diversity, population growth, and family structure.
- Income - analyzes income sources, the distribution of income across income class, and poverty.
- Employment - examines unemployment rates, occupation trends, employment.
- Public Transportation – analyzes access and availability of public transit system.
- Housing - examines data on the housing stock, with particular attention to the age of the housing stock, vacancy rates, tenure, and cost burdens.

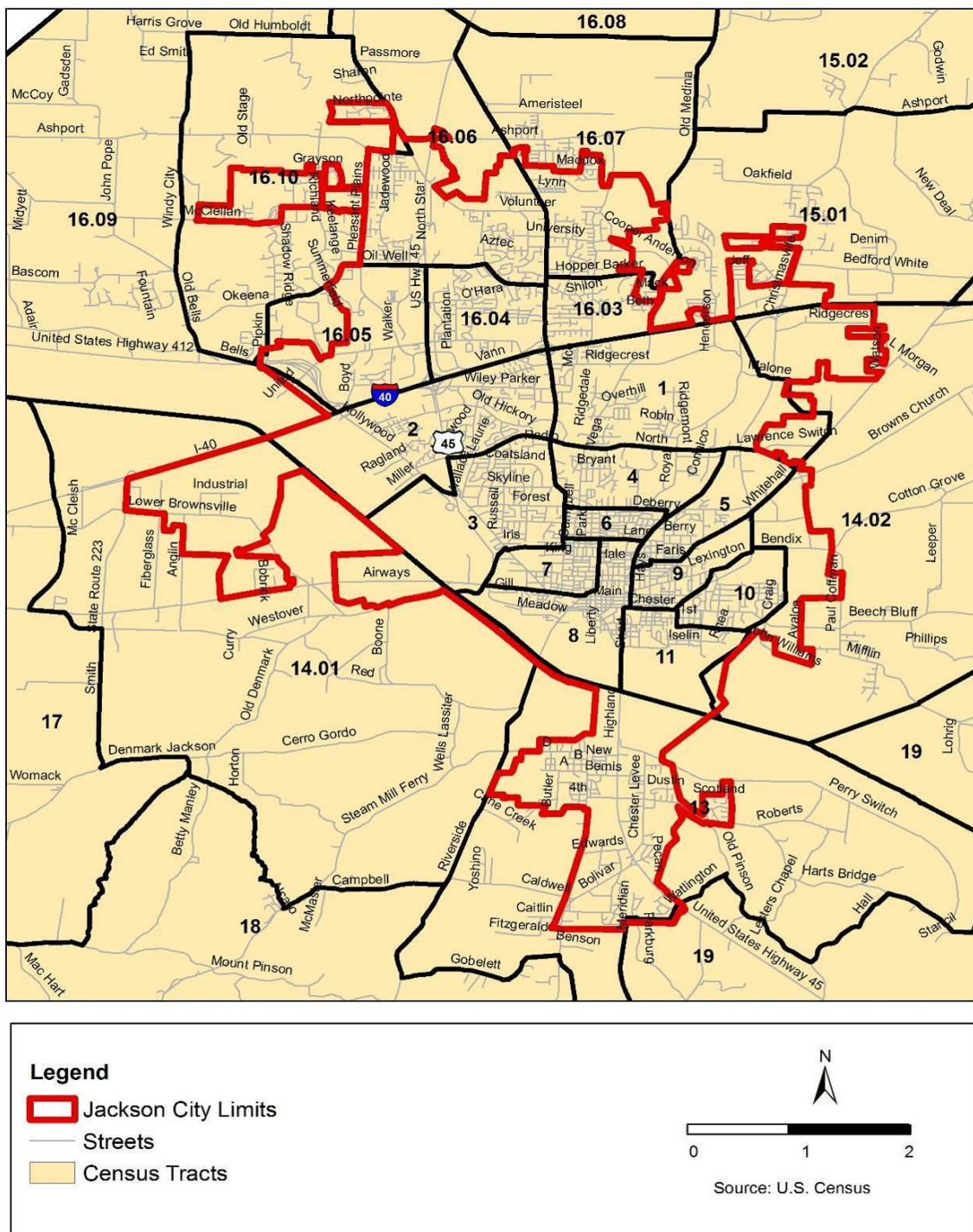
Detailed analyses will concentrate on the three major ethnic groups in Jackson: White, African American, and Hispanics. All other ethnic groups are smaller in number and percentage and, therefore, the results of their analysis will not be presented in detail. The analysis is supported with tables and maps provided as reference materials. Most of the data presented in the tables and maps are directly referenced in the text. There may be some cases where additional information was included for the reader's benefit, though not specifically noted in the text.

### 1.1. Demographics

The demographic analysis of Jackson concentrates on the magnitude and composition of the population and changes that occurred between 2013 and 2017. Please note that the attached maps present data by census tract with an overlay of the city limits. For reference, Map 1.1, on the following page, provides a visual representation of Jackson.



Map 1.1: Jackson, Tennessee



Map 1.1 Source: 2013-17 American Community Survey (ACS) – U.S. Census

According to the 2017 American Community Survey estimates, the total population of Jackson was 66,977, a 4.0 percent increase between 2010 and 2017. Table 1.1, below, shows the distribution of population by race and ethnicity in the city. The White population increase by 6.7 percent, and their percentage of the total population increased from 52.10 percent to 53.5 percent between 2010 and 2017. African Americans increased by 296 persons and made up 45.2 percent of total population in 2017. Jackson experienced a 17.2 percent increase in the Hispanic population between 2010 and 2017. The percentage of Hispanic population of the total population increased from 3.9 percent in 2010 to 4.4 percent in 2017, a 0.5 percentage point increase. The Census Bureau does not recognize Hispanic as a race, but rather as an ethnicity. This may account for the high decrease of 29.5 percent in the “Other” category between 2010 and 2017. It is a common misidentification for ethnic Hispanics to choose the ‘other’ category on the Census for race rather than White or African American.

Other populations had percentage increases between 2010 and 2017, a 61.3 percent increase in American Indian and Alaska Native population, 37.7 percent increase in Asian population, but numerically and as a percent of total population, these increases were actually much less significant.

**Table 1.1**  
Total population by race and ethnicity for Jackson, 2010 and 2017

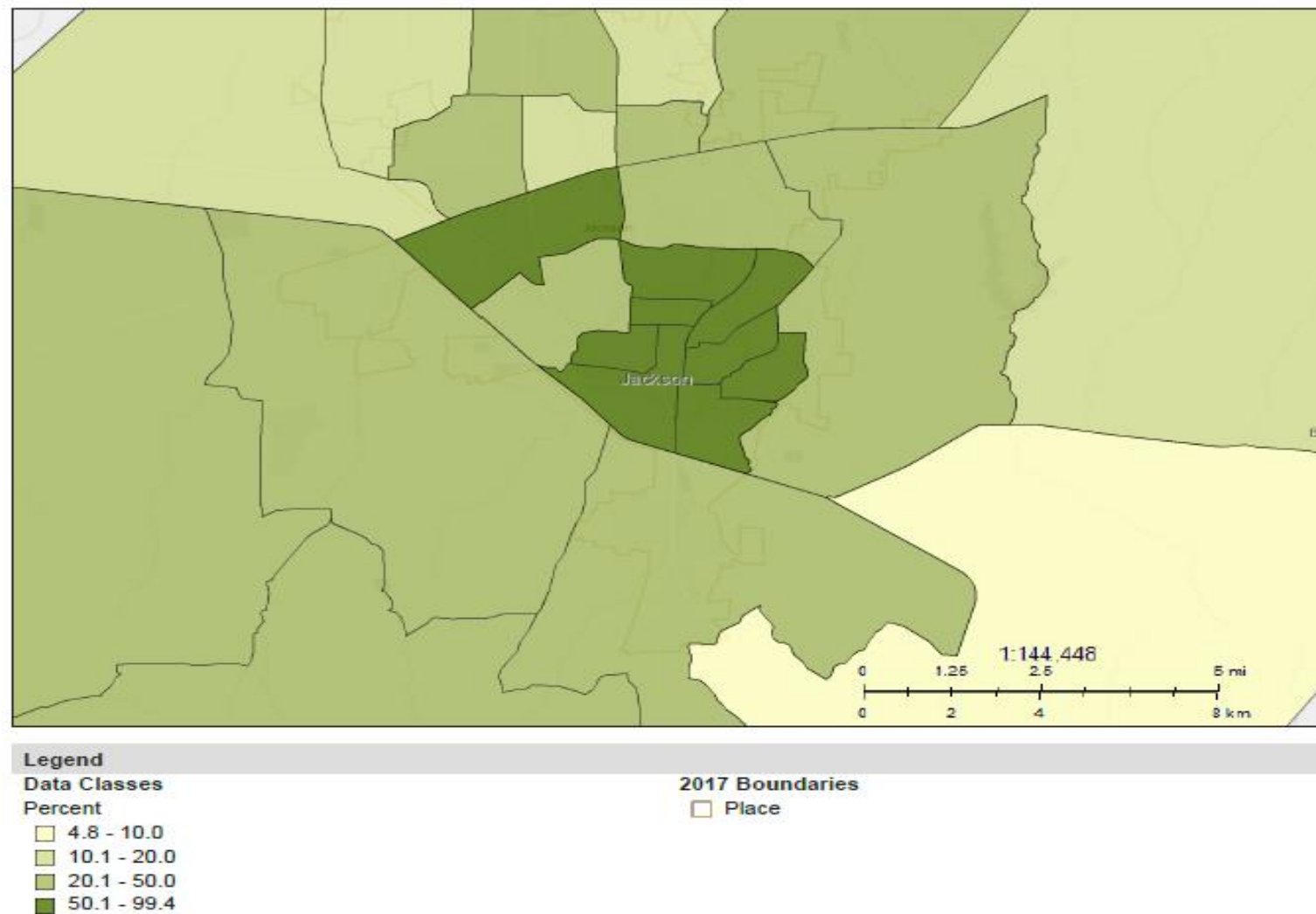
	<b>2010</b>		<b>2017</b>		<b>% Change</b>
<b>Race</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>2010-2017</b>
<b>Jackson</b>					
White	33,562	52.10%	35,819	53.5%	7%
Black or African American	29,956	46.50%	30,252	45.2%	1%
American Indian and Alaska Native	328	0.50%	529	0.8%	61%
Asian	868	1.30%	1,195	1.8%	38%
Native Hawaiian and Other Pacific Islander	62	0.10%	0	0.0%	-100%
Some other race	723	1.10%	510	1%	-29%
Total	64,418	100%	66,977	100%	4%
Hispanic (ethnicity)	2,501	3.9%	2,932	4.4%	17%

Table 1.1 Source: 2013-17 American Community Survey (ACS) – U.S. Census

The series of Maps 1.2 through 1.5 on the following pages show the spatial concentrations of the various racial and ethnic groups within Jackson.



**Map 1.2: Percent African-American 2017**



Map 1.2 Source: 2013-17 American Community Survey (ACS) – U.S. Census

**Map 1.3: Percent Hispanic 2017**



**Legend**

**Data Classes**

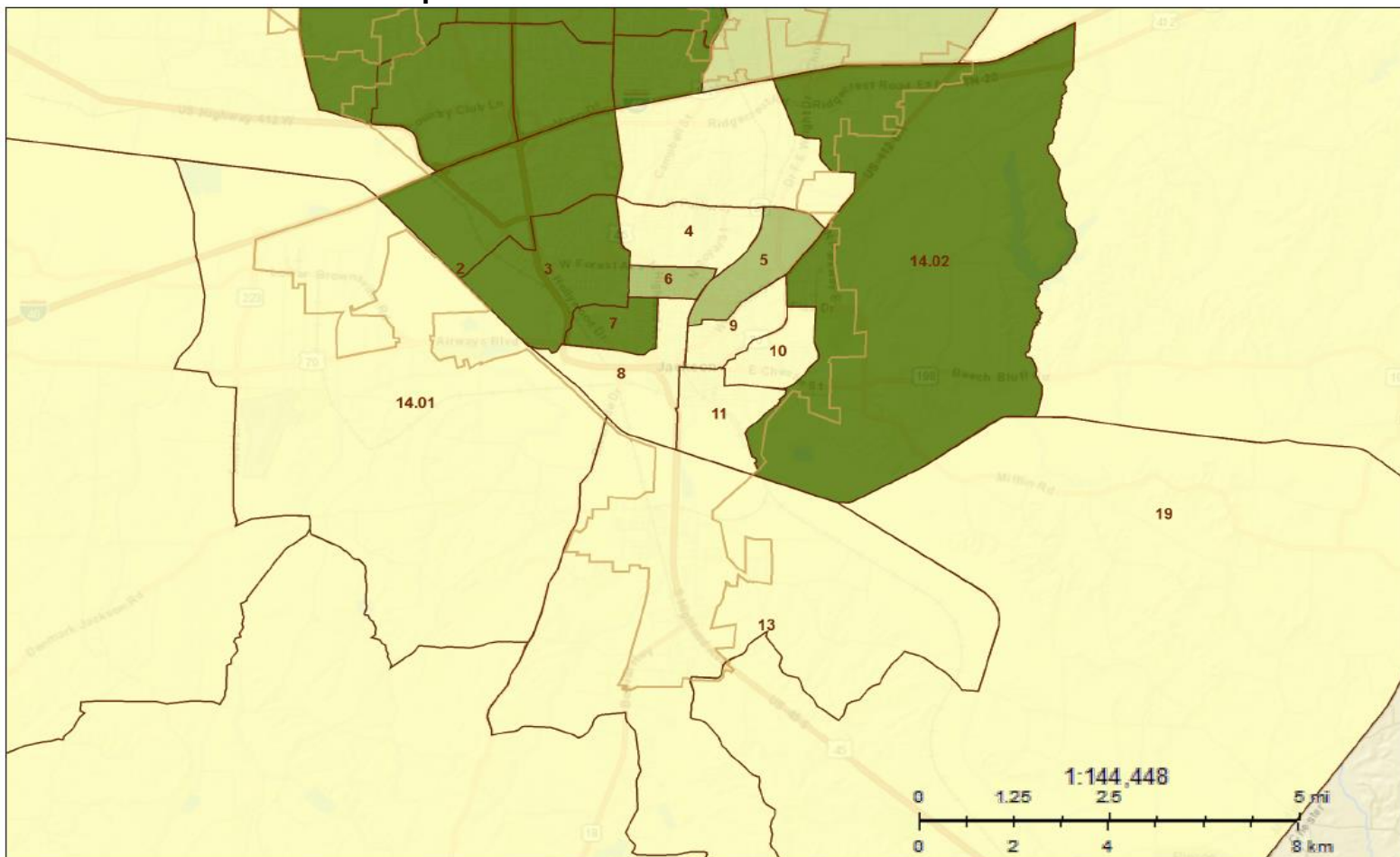
Percent

- 0.0 - 0.9
- 1.0 - 2.0
- 2.1 - 4.0
- 4.1 - 16.2

**2017 Boundaries**

- Census Tract
- Place

**Map 1.4: Percent Asian and Pacific Islander 2017**



**Legend**

**Data Classes**

**Percent**

- 0.0 - 0.2
- 0.3 - 0.5
- 0.6 - 1.0
- 1.1 - 5.4

**2017 Boundaries**

- Census Tract
- Place

Map 1.5: Percent American Indian and Eskimo 2017



**Legend**

**Data Classes**

**Percent**

- 0.0 - 0.1
- 0.2 - 0.3
- 0.4 - 0.5

**2017 Boundaries**

- Census Tract
- Place

In many communities, female-headed households and female-headed households with children face a high rate of housing discrimination. Higher percentages of female-headed households with children under the age of 18, sometimes correlates to increases incidents of reported rental property owners' refusal to rent to tenants with children. This factor is evidenced when comparing this demographic factor to fair housing complaint data. As shown in Table 1.2, below, the percentage of female-headed households among White households in the city was 8 percent, compared to 35 percent in African American households, and 12 percent in Hispanic households. Only 26 percent of African American households were husband/wife family households, compared to 51 percent of White households and 56 percent of Hispanic households.

Non-family households, defined by HUD as a single occupant household or non-related individuals living together as indicated in the census data, among Whites made up 39 percent of all White households in the city. Non-family households among African Americans accounted for 35 percent of all African American households. Non-family households among Hispanics accounted for 16 percent of all Hispanic households. Most of the non-family households were householder living alone.

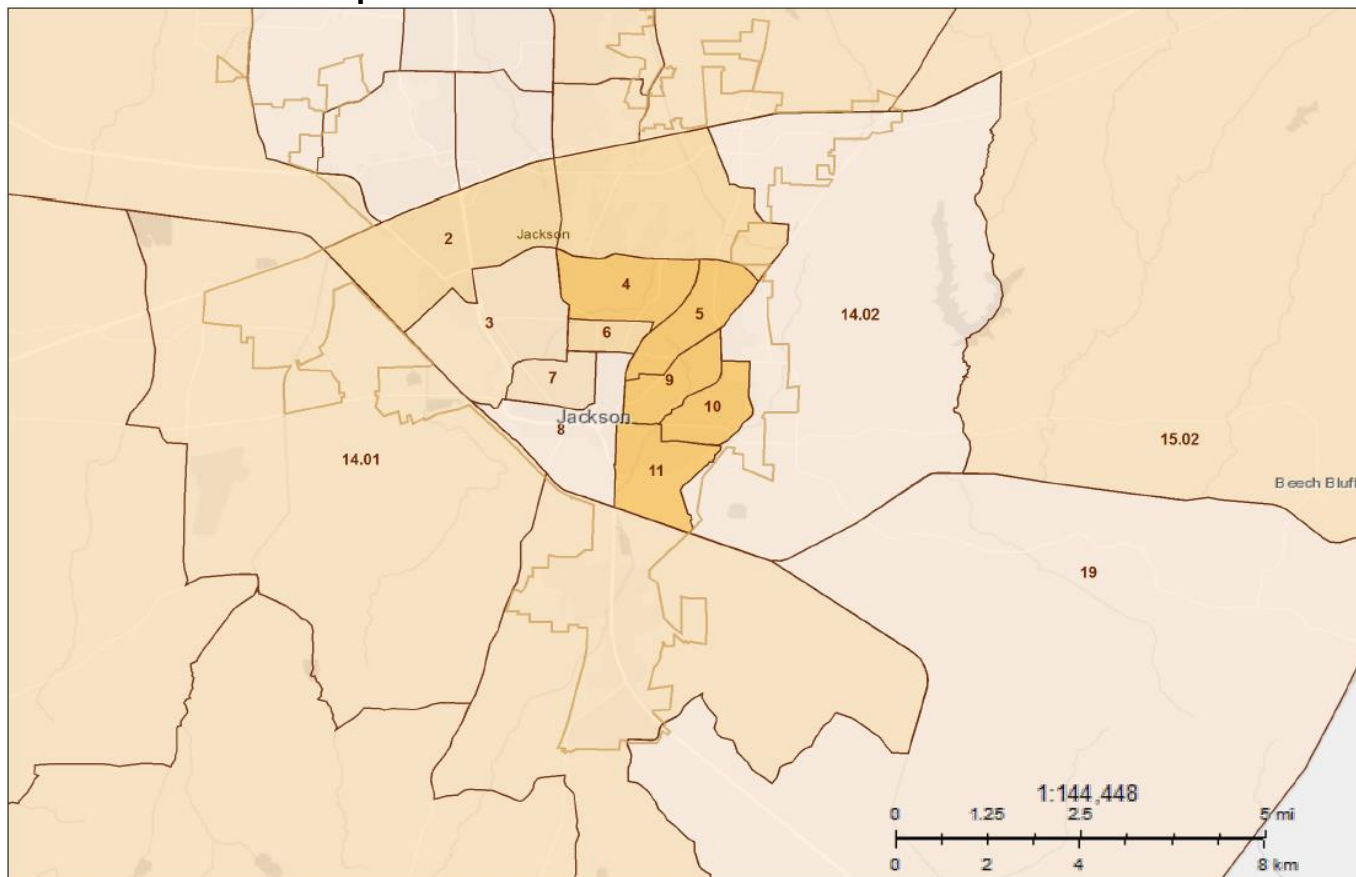
**Table 1.2**

Household structure by race for Jackson, 2013-2017 (5-Year Average)

	White Non-Hispanic		African-American		Hispanic	
	# of	% of	# of	% of	# of	% of
Household Type	Households	Households	Households	Households	Households	Households
Family households:	8,133	61%	7,113	65%	579	84%
Married-couple family	6,851	51%	2,808	26%	385	56%
Other family:	1,282	10%	4,305	39%	194	28%
Male householder, no wife present	279	2%	500	5%	112	16%
Female householder, no husband present	1,003	8%	3,805	35%	82	12%
Nonfamily households:	5,236	39%	3,873	35%	113	16%
Householder living alone	4,153	31%	3,486	32%	79	11%
Householder not living alone	1,083	8%	387	4%	34	5%
Total Households	13,369	100%	10,986	100%	692	100%

Table 1.2 Source: 2013-17 American Community Survey (ACS) – U.S. Census

**Map 1.6: Percent Female-Headed Households 2017**



**Legend**

**Data Classes**

**Percent**

- 5.2 - 10.0
- 10.1 - 20.0
- 20.1 - 30.0
- 30.1 - 46.4

**2017 Boundaries**

- Census Tract
- Place

Map 1.6 Source: 2013-17 American Community Survey (ACS) – U.S. Census



## **1.2. Income**

Low-income households tend to be housed in less desirable housing stock and in less desirable areas in the city. Income limitations often prevent those households from moving to areas where local amenities raise the value of the housing and access to quality goods and services may be limited. Income plays a very important part in securing and maintaining housing.

The data in Table 1.3 and Chart 1.1, on the following page, show the distribution of income across income classes among Whites, African American, and Hispanics. Overall, the income distribution data show a higher proportion of low-income households within the African American and Hispanic communities. In general, limitations on fair housing choice are more commonly found to affect housing decisions among low-income persons.

Chart 1.1 shows that the modal income class, the income classes with the highest number of households, for Whites was the \$50,000 to \$74,999 category with 21.9 percent of Whites in this income range. The most frequently reported income for African American households was the less than \$10,000 range with 16.7 percent of households in this range. The most frequently income class for Hispanic households was the less than \$10,000 range with 21.8 percent of households in this range.

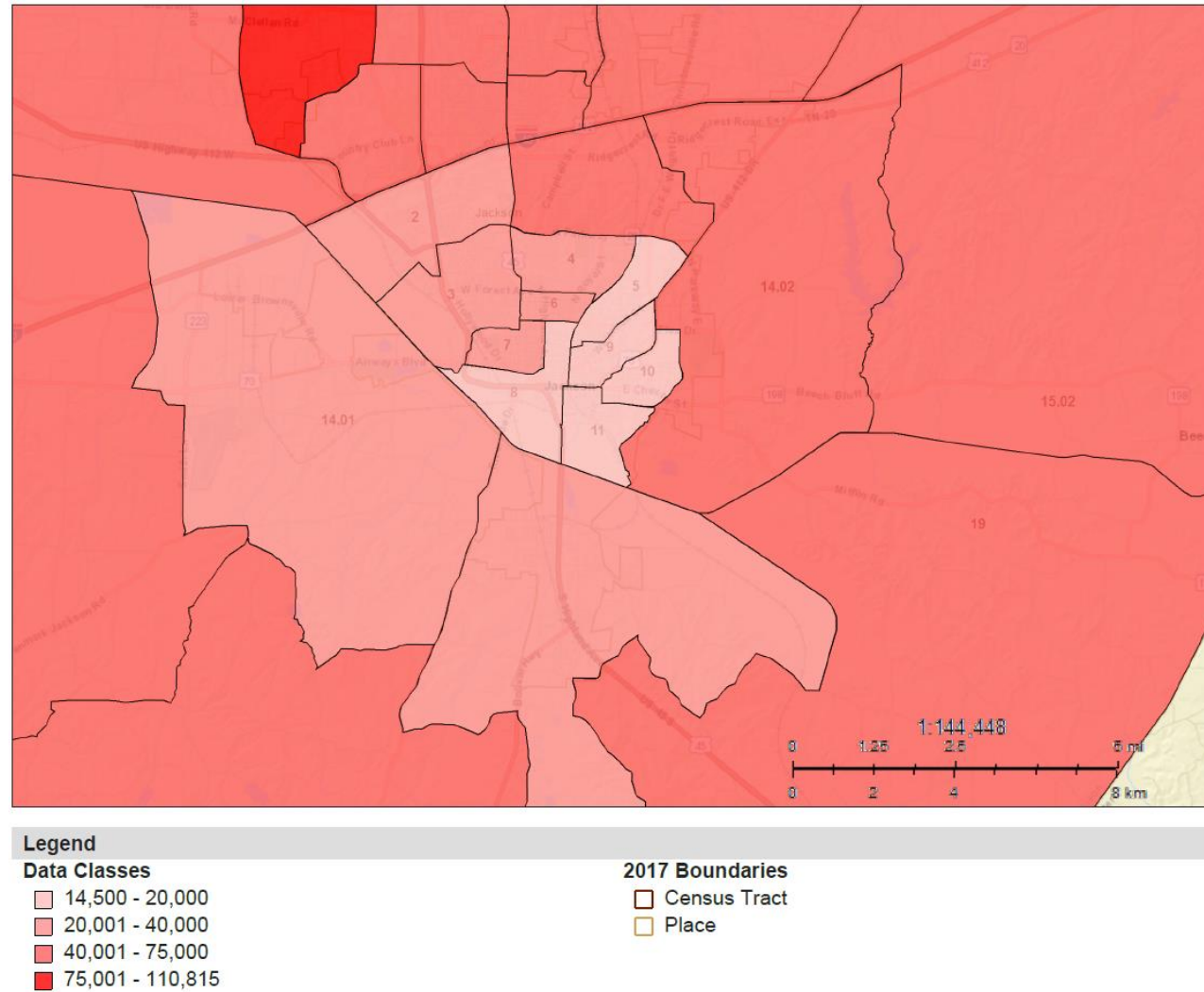
According to the 2013 - 2017 ACS estimates, the median household income was \$54,291 for White households, \$30,152 for African American households, and \$26,184 for Hispanic households. Map 1.7, on page 12, shows the median household income by census tract between 2013 and 2017

**Table 1.3**  
Households by race by income for Jackson, 2013-2017

	White Non-Hispanic		African-American		Hispanic	
	# of	% of	# of	% of	# of	% of
Household Type	Households	Households	Households	Households	Households	Households
Less than \$10,000	1386	10.2%	1,837	16.7%	151	21.8%
\$10,000 to \$14,999	466	3.4%	1247	11.4%	52	7.5%
\$15,000 to \$24,999	1673	12.4%	1,681	15.3%	134	19.4%
\$25,000 to \$34,999	1669	12.3%	1,401	12.8%	130	18.8%
\$35,000 to \$49,999	1826	13.5%	1,816	16.5%	42	6.1%
\$50,000 to \$74,999	2957	21.9%	1,359	12.4%	84	12.1%
\$75,000 to \$99,999	1434	10.6%	872	7.9%	20	2.9%
\$100,000 or more	2,120	15.7%	773	7.0%	79	11.4%
Total	13,531	100.0%	10,986	100.0%	692	100.0%
Median Household Income	\$54,291		\$30,152		\$26,184	

Table 1.3 Source: 2013-17 American Community Survey (ACS) – U.S. Census

**Map 1.7: Median Household Income 2017**



Map 1.7 Source: 2013-17 American Community Survey (ACS) – U.S. Census

The poverty data in Table 1.4, below, shows major effects on all three populations, including highest poverty levels among White households in at least one age group. The incidence of poverty was also highest among all populations for the Age Group 18 to 64 Years, where among African Americans, the percent in poverty was 54.5 percent in the 18 to 64 years age group, 68.9 percent among Whites and among Hispanics 47.9 percent, in the same age group. Among White persons, the data reported the lowest percentage of poverty in the Under 5 year's category with 7.8 percent in poverty compared to 13, 3 percent for African Americans and 14.5 percent for Hispanics for the Under 5 year's age group.

**Table 1.4**  
Poverty Status by race Jackson, 2013-2017

<b>Age Group</b>	<b>White Non-Hispanic</b>		<b>African-American</b>		<b>Hispanic</b>	
	<b># in Poverty</b>	<b>% in Poverty</b>	<b># in Poverty</b>	<b>% in Poverty</b>	<b># in Poverty</b>	<b>% in Poverty</b>
Under 5 Years	340	7.8%	1268	13.3%	208	14.5%
5 Years	149	3.4%	236	2.5%	27	1.9%
6 to 11 Years	177	4.1%	1,306	13.7%	170	11.8%
12 to 17 Years	130	3.0%	1054	11.1%	279	19.4%
18 to 64 Years	2,988	68.9%	5,185	54.5%	689	47.9%
65 to 74 Years	334	7.7%	260	2.7%	64	4.5%
75 Years and Over	216	5.0%	207	2.2%	0	0.0%
<b>Total</b>	<b>4,334</b>	<b>100.0%</b>	<b>9,516</b>	<b>100.0%</b>	<b>1,437</b>	<b>100.0%</b>

Table 1.4 Source: 2013-17 American Community Survey (ACS) – U.S. Census

Higher incidents of poverty among the 18 to 64 age group indicates a higher probability of persons experiencing difficulties in acquiring housing that meets their needs at a cost that is affordable based on their income. All other age groups demonstrated significantly lower percentages of population living in poverty but highest among the Under 5 Years to the 12 to 17 Age Groups which are generally dependent on persons in the 18 to 64 Years Age Group for their housing.

### 1.3. Employment

Employment opportunities in the area and educational levels of the employees make a significant impact on housing affordability and the location choice of residents. Table 1.5, below, presents our analysis of occupation data, which indicate that there has been some shift in the distribution of occupations between 2010 and 2017. Professional, scientific, and management, and administrative and waste management services had the largest increase, up 35.3 percentage points. Finance and insurance, and real estate and rental and leasing, up 25.3 percentage points. Retail trade had the third largest increase, up 20.5 percent. Information realized the largest reduction leading to 40.1 percent change in workforce. Construction had a decrease of 16.9 percentage points.

**Table 1.5**  
Occupation of employed persons for Jackson, 1990 and 2013-2017 (5-Year Average)

<b>Industry</b>	<b>2010</b>	<b>2013-2017 Average</b>	<b>% Change</b>
Agriculture, forestry, fishing and hunting, and mining	77	90	16.9%
Construction	1,740	1,224	-29.7%
Manufacturing	4,142	3,239	-21.8%
Wholesale trade	785	721	-8.2%
Retail trade	3,486	4,200	20.5%
Transportation and warehousing, and utilities	1144	1056	-7.7%
Information	444	266	-40.1%
Finance and insurance, and real estate and rental and leasing	976	1223	25.3%
Professional, scientific, and management, and administrative and waste management services	1,812	2,451	35.3%
Educational services, and health care and social assistance	8,003	8,519	6.4%
Arts, entertainment, and recreation, and accommodation and food services	3,072	3,270	6.4%
Other services, except public administration	1,380	1,446	4.8%
Public administration	1240	1107	-10.7%

Table 1.5 Source: 2013-17 American Community Survey (ACS) – U.S. Census

**Table 1.6**  
Employment Status by race for Jackson, 2013-2017

Employment Status	White Non-Hispanic		African-American		Hispanic		Total	
	#	%	#	%	#	%	#	%
In Labor Force:	15,320	57.8%	13,394	59.5%	1,051	54.54%	29,765	58.4%
In Armed Forces	0	0.0%	7	0.1%	0	0%	7	0.02%
Civilian	13,960	91.1%	12,737	95%	1,051	100%	27,748	93.2%
Employed	14,929	107%	11,861	93%	991	94.3%	27,781	100.1%
Unemployed	391	2.8%	1,526	12%	60	5.7%	1,977	7.1%
Not in Labor Force	11,185	42%	9,107	40%	876	45.5%	21,168	41.6%
Total	26,505	100%	22,501	100%	1,927	100%	50,926	100%

Table 1.6 Source: 2013-17 American Community Survey (ACS) – U.S. Census

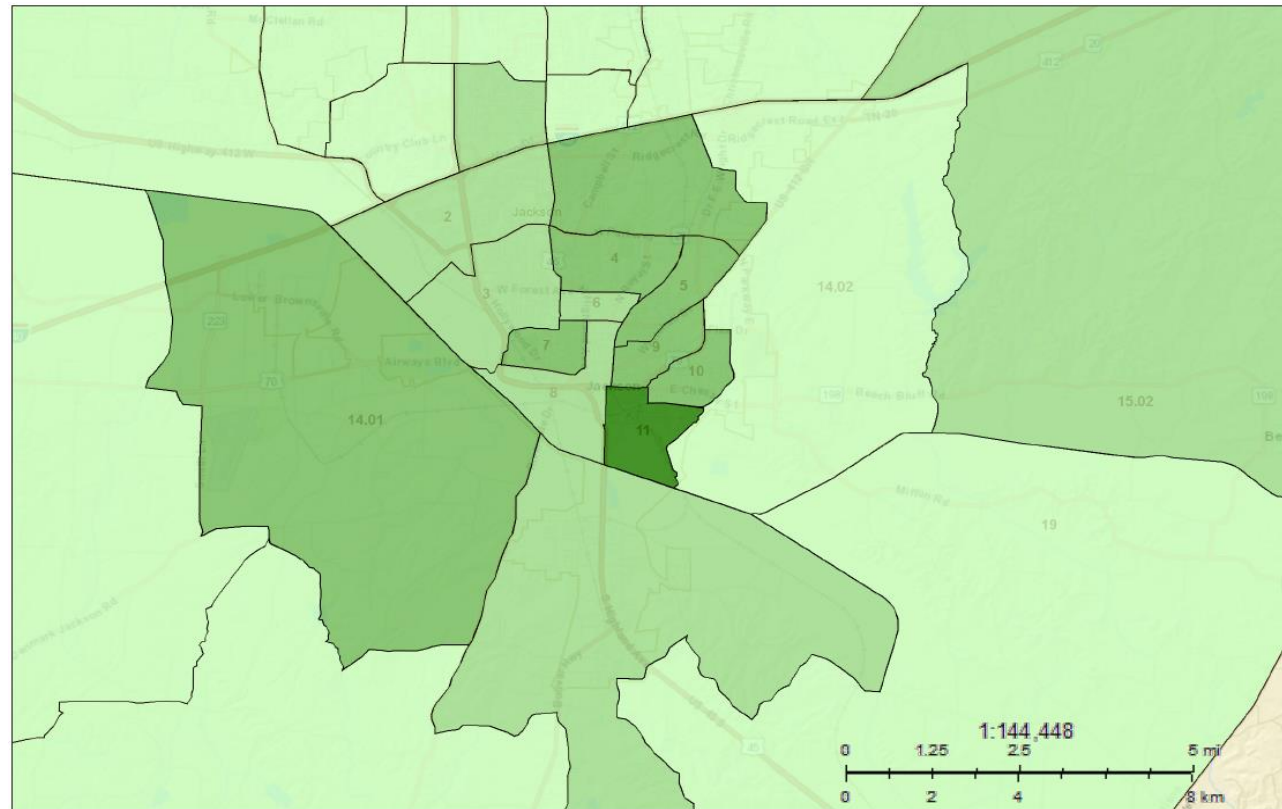
The data presented in Table 1.6, provide a portrait of the distribution of the unemployed. A closer look at the distribution of unemployment by Race and Ethnicity indicates that unemployment is disproportionately higher among African American households compared to Whites and Hispanics. Between 2013 and 2017, 2.8 percent of White persons age 16 and over reported being unemployed. African Americans persons in the same age group reported a 12 percent unemployment rate and the data for Hispanics showed 7.1 percent unemployment rate. As a comparison.

According to the Bureau of Labor Statistics, the unemployment rate for the City of Jackson has slightly decreased from 10.8 percent in 2010 to 3.3 percent as of February 2019. Map 1.8, on the following page, shows the complete distribution of unemployment in the City of Jackson.



## Map 1.8: Unemployment Rate 2017

Map 1.8 Source: 2013-17 American Community Survey (ACS) – U.S. Census



### Legend

#### Data Classes

Percent

- 0.7 - 5.0
- 5.1 - 10.0
- 10.1 - 20.0
- 20.1 - 39.3

#### 2017 Boundaries

- Census Tract
- Place

According to the Jackson Area Chamber of Commerce, the major employers in the area include West Tennessee Healthcare with 7,000 employees, Jackson-Madison County School System with 1,086 employees, and Delta Faucet Company with 1,070 employees. The Kellogg Company has 900 workers, Madison County has 898 employees, Union University has 824 workers, Stanley Black & Decker employs 785 workers, City of Jackson has 724 employees, The Jackson Clinic has 715 employees, and TBDN Tennessee Company has 546 workers.

In Jackson, unemployment is disproportionately higher among African Americans and Hispanics compared to White. The difference in the unemployment rate between the three groups can, to some extent, be attributed to limitations due to educational attainment. According to the 2013 - 2017 ACS estimates (5-year average), 35.9 percent of Hispanics age 25 and above reported less than a high school education compared to 7.9 percent of Whites and 14.2 percent for African Americans in the same age group. As a comparison, the percentage of population with less than a high school education in the city was 11.2 percent during the period.

The availability of jobs, consistent with the skill levels and educational levels of low-income persons, is largely dependent on the geographic location of the jobs and the workforces' ability to get to and from the employment centers where those jobs are located. If jobs are concentrated in largely upper income areas, far removed from the areas where lower income persons live, their ability to get to and from work may be difficult, without public transportation, sometimes causing hardships on employees or potential employees that cannot afford their own private automobile.

To further examine the impact of employment proximity relative to housing choice for low- and moderate-income persons, we analyzed the use and availability of public transportation and the extent to which public transportation provides flexible routes, affordable rates, time efficient commutes with direct route and limited transfers, and routes and schedules that provide access to major employment centers for peak and off-peak work shifts.

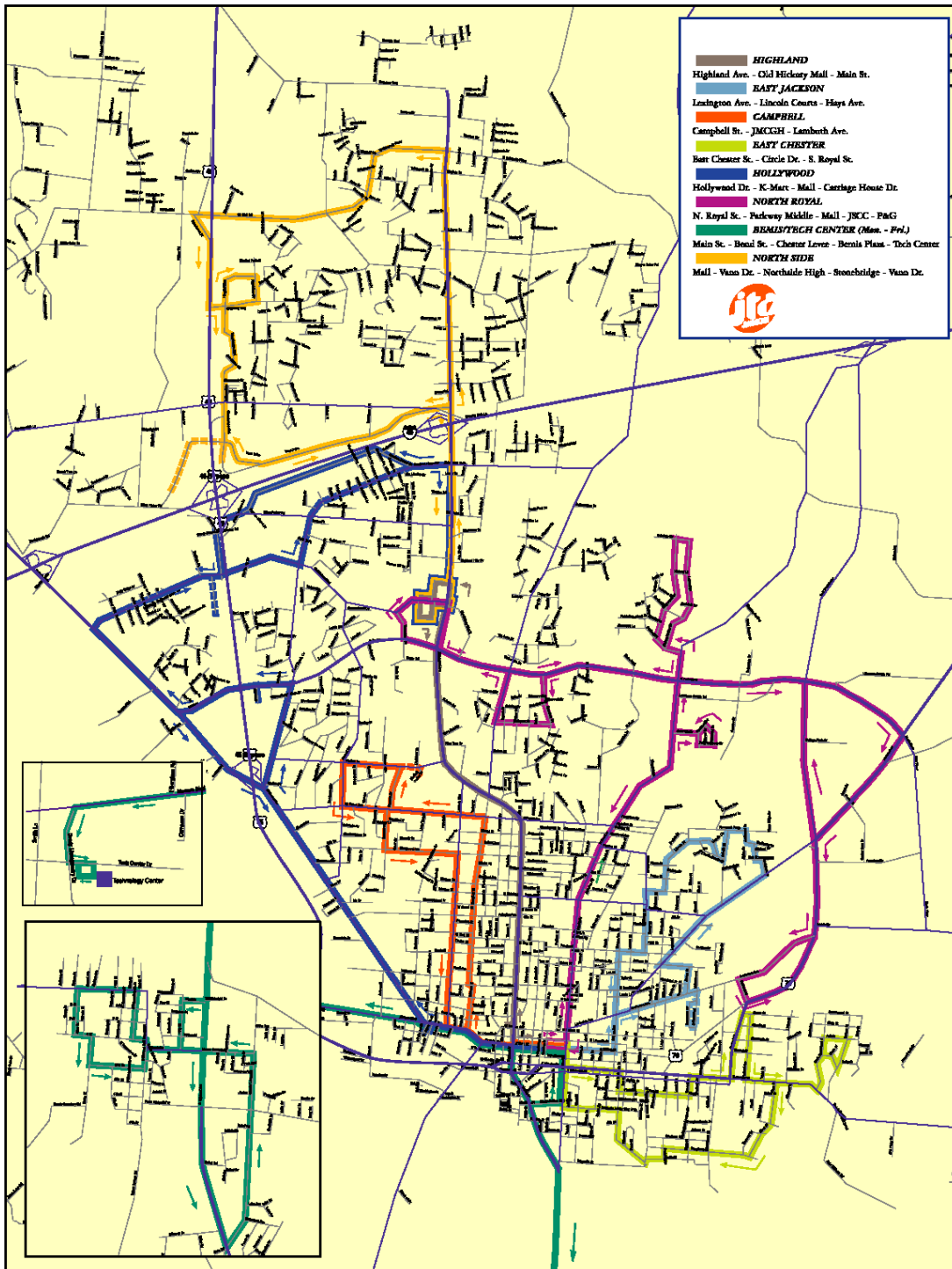
#### **1.4. Public Transportation**

Jackson Transit Authority (JTA) provides bus service and paratransit service in Jackson. JTA has 13 fixed route buses and 7 paratransit buses in service. JTA's contingency fleet is made up of one fixed route bus. All of JTA's vehicles are lift equipped in accordance with ADA.

Jackson Transit Authority's (JTA) "The Lift" is a curb-to-curb, demand-response transportation service within the City limits for the mobility impaired Jackson. Reservations are required for paratransit service and must be made with a 24-hour advance notice or by 3:30 p.m. the day before. This bus is specifically designed to be mobile in residential areas so as to pick-up and drop-off passengers at their residences with ease.

Jackson Transit Authority operates Monday through Saturday from 6:00 a.m. to 10:30 p.m. JTA buses do not operate on Sundays and locally observed holidays. The bus service is provided for affordable fares along with bus passes, and reduced fares are available senior citizens, disabled persons, and the bus service is free for children. Map 1.9, on the following page shows JTA's bus routes in the city.

Map 1.9: Jackson Transit Authority - Bus Route Map



Map 1.9 Source: Jackson Transit Authority

## 1.5. Housing

According to the 2017 American Community Survey, the total number of housing units in the city was 29,640 with 13.9 percent vacant units. As shown in Table 1.7, to the right, there were 28,589 housing units in Jackson in 2010. The total number of

**Table 1.7**  
Tenure for housing in Jackson, 2000,  
and 2013-2017 (5-Year Average)

Tenure	2010		2013-2017 (Average)	
	Number	Percent	Number	Percent
Owner-occupied	14,519	50.7%	13,817	46.6%
Renter-occupied	10,442	36.4%	11,699	39.7%
Vacant	3,628	12.6%	4,124	13.9%
Total:	28,589	100.0%	29,640	100.0%

Table 1.1 Source: 2013-17 American Community Survey (ACS) – U.S. Census

housing units in the city increased by 1,051 housing units between 2010 and 2017. According to the 2013-2017 ACS estimates (5-year average), the total number of housing units in the city was 29,640 of which, 46.6 percent were owner-occupied, 39.7 percent were renter-occupied, and the remaining 13.9 percent were vacant. The median housing value in the city was \$110,000 and the median contract rent was \$564 between 2013 and 2017.

**Table 1.8**  
Housing type for Jackson, 2013-2017 (5-Year Average)

Units in Structure	Number*	Percent
Single-Family detached	20,801	70.1%
Single-Family attached	608	2.0%
2-4 units	3,660	12.3%
Multifamily	3,926	13.2%
Mobile home or Other	645	2.1%
Total	29,640	100.0%

Table 1.2 Source: 2013-17 American Community Survey (ACS) – U.S. Census

Table 1.8, to the right, shows that of all housing units, 70.1 percent of were categorized as single-family detached housing units, 2.0 percent as single-family attached units, 12.3 percent contained two to four units, 13.2 percent were multifamily, and 2.1 percent mobile home or other.

As shown on Table 1.9, on the following page, 16.4 percent of all housing units were built prior to 1950, 10.5 percent were built between 1950 and 1959, 11.7 percent were built between 1960 and 1969, 15.0 percent were built between 1970 and 1979, and 50.3 percent were built after 1979. Over 28.1 percent of the housing stock is more than 50 years old, built prior to 1960. Over 43.1 percent of the housing stock was built prior to 1970 and based on national standards these units may contain lead-based paint or likely need repairs and maintenance.

**Table 1.9**  
Age of Housing Stock in Jackson, 2013-2017 (5-Year Average)

Year Built	Number	Percent
Built 2014 or later	186	0.6%
Built 2010 to 2013	643	2.2%
Built 2000 to 2009	4,285	14.5%
Built 1990 to 1999	6,073	20.6%
Built 1980 to 1989	3,657	12.4%
Built 1970 to 1979	4,431	15.0%
Built 1960 to 1969	3,450	11.7%
Built 1950 to 1959	3,087	10.5%
Built 1940 to 1949	1,728	5.9%
Total:	29,640	100.0%

Table 1.9 Source: 2013-17 American Community Survey (ACS) – U.S. Census

According to the 2013-2017 ACS data shown in Table 1.10, the homeownership rate among Whites was 68.2 percent, compared to 36.5 percent among African Americans, and 45.6 percent among Hispanics.

**Table 1.10**  
Tenure by Race in Jackson, 2013-2017 (5-Year Average)

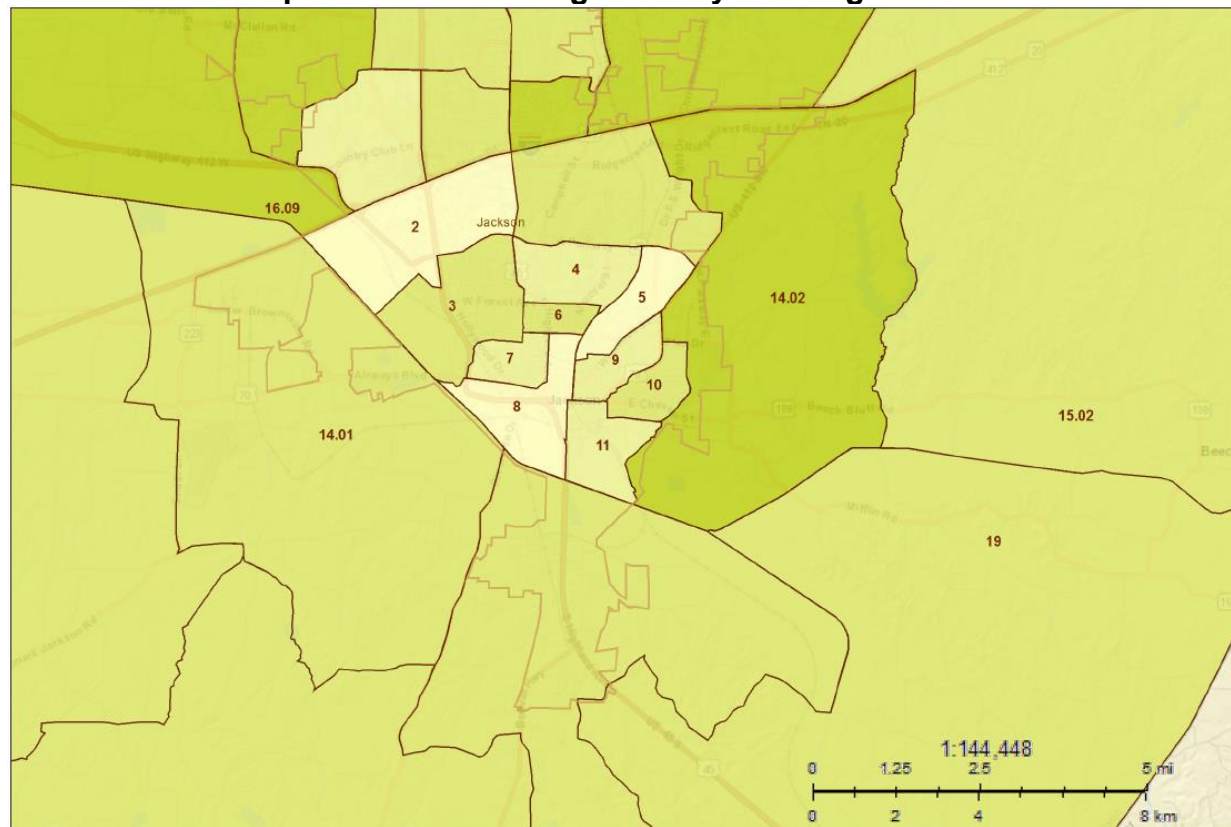
Tenure by Race	Owner-occupied		Renter-occupied	
	#	%	#	%
White	9,493	68.2%	4,406	31.7%
African-American	4,019	36.5%	6,967	63.4%
Hispanic	256	45.6%	305	54.3%

Table 1.10 Source: 2013-17 American Community Survey (ACS) – U.S. Census

Maps 1.10, on following page, and Map 1.11, on page 23, indicate the distribution of single-family and multifamily housing across the city. Map 1.12, on page 24, provides a geographic representation of the distribution of the oldest housing stock in the city. Maps 1.13 and 1.14, on pages 25 and 26, provide a geographic depiction of the distribution of housing values and rents across the city.



**Map 1.10: Percent Single-Family Housing Units 2017**



**Legend**

**Data Classes**

**Percent**

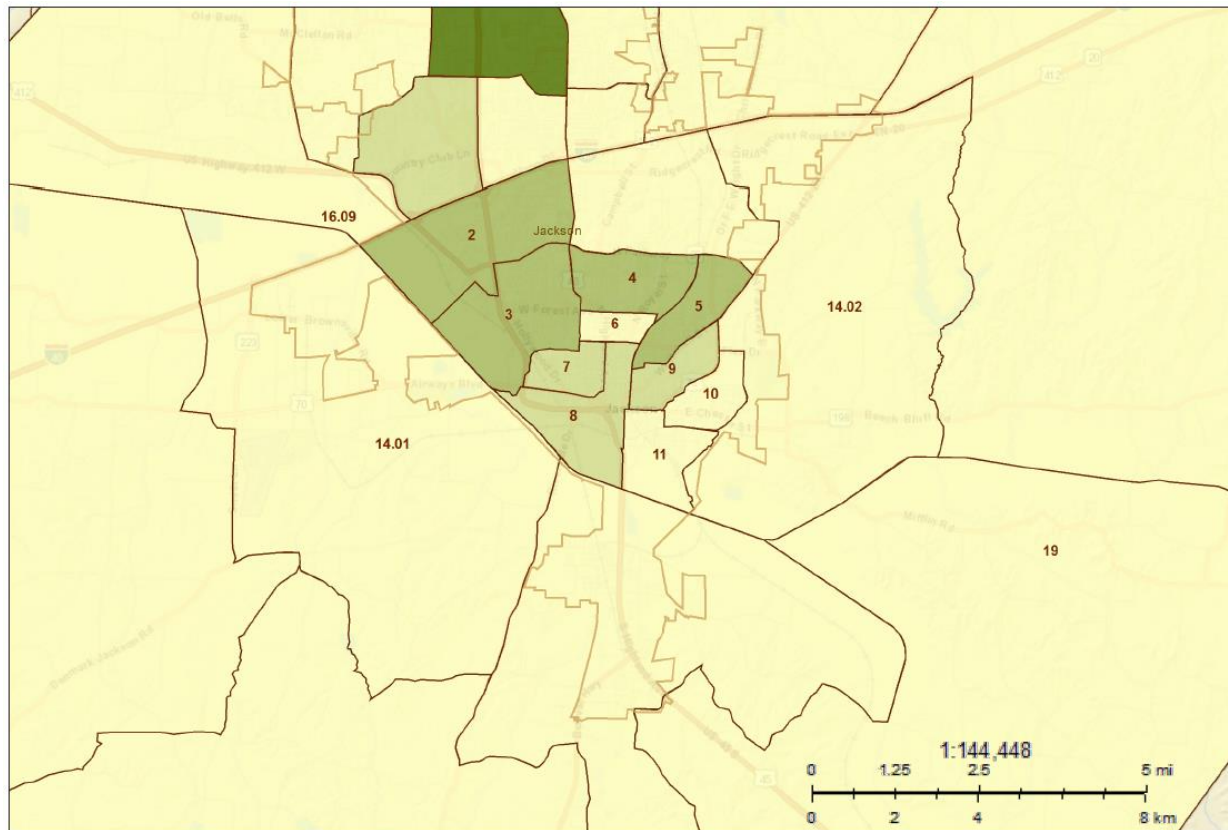
- 38.5 - 50.0
- 50.1 - 70.0
- 70.1 - 90.0
- 90.1 - 99.4

**2017 Boundaries**

- Census Tract
- Place

Map 1.10 Source: 2013-17 American Community Survey (ACS) – U.S. Census

**Map 1.11: Multifamily Housing Units 2017**



**Legend**

**Data Classes**

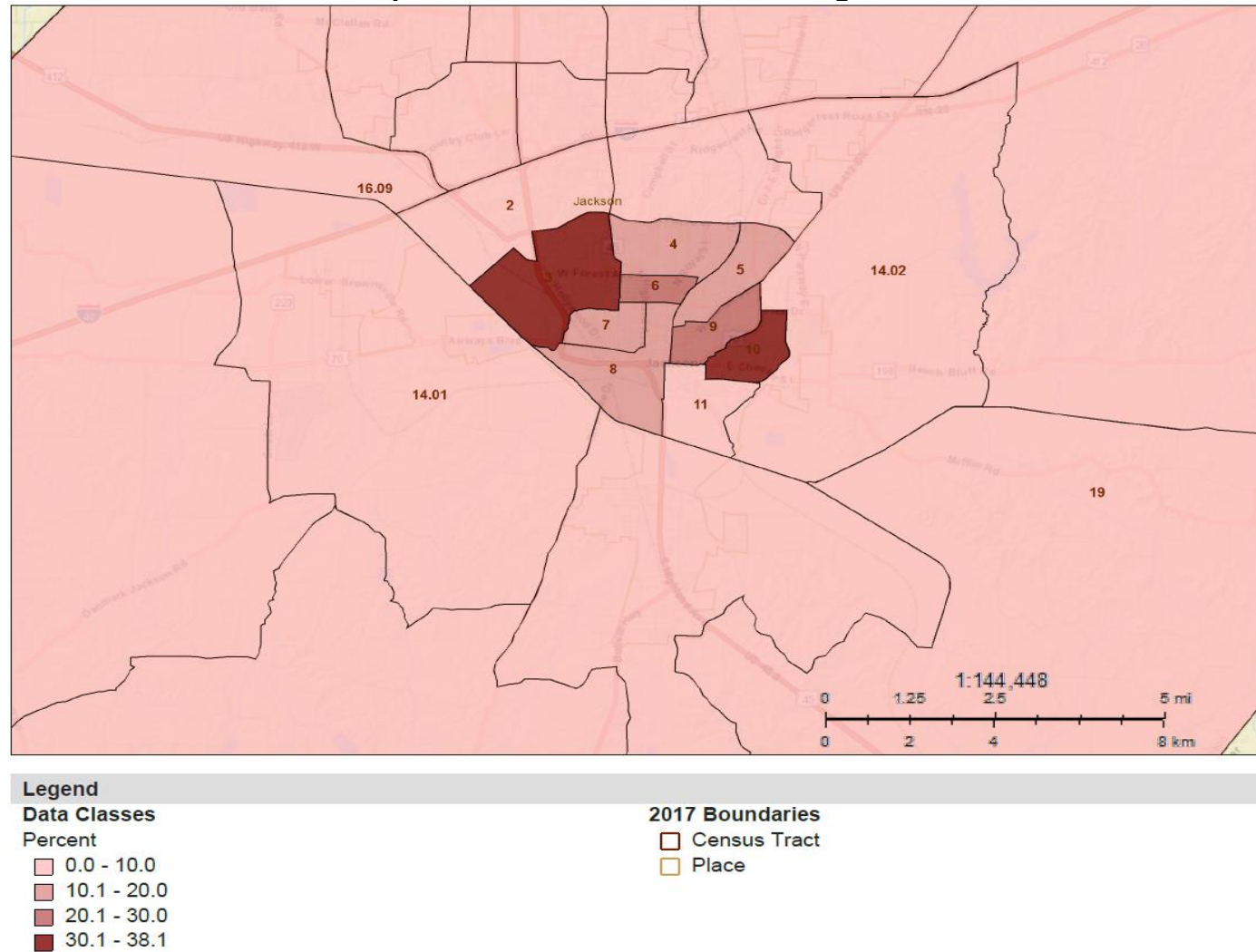
- 0 - 300
- 301 - 600
- 601 - 900
- 901 - 1,334

**2017 Boundaries**

- Census Tract
- Place

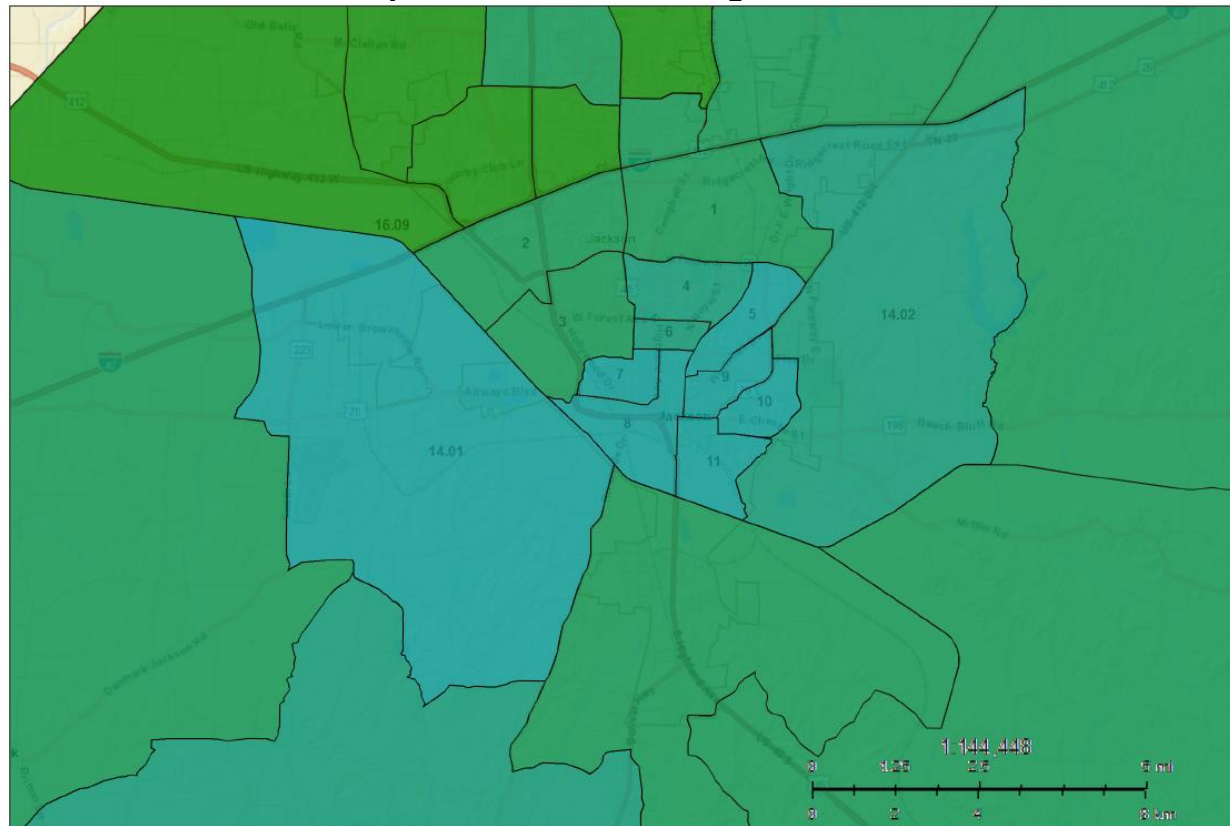
Map 1.11 Source: 2013-17 American Community Survey (ACS) – U.S. Census

**Map 1.12: Percent Pre-1960 Housing Stock**



Map 1.10 Source: 2013-17 American Community Survey (ACS) – U.S. Census

**Map 1.13: Median Housing Value 2017**



**Legend**

**Data Classes**

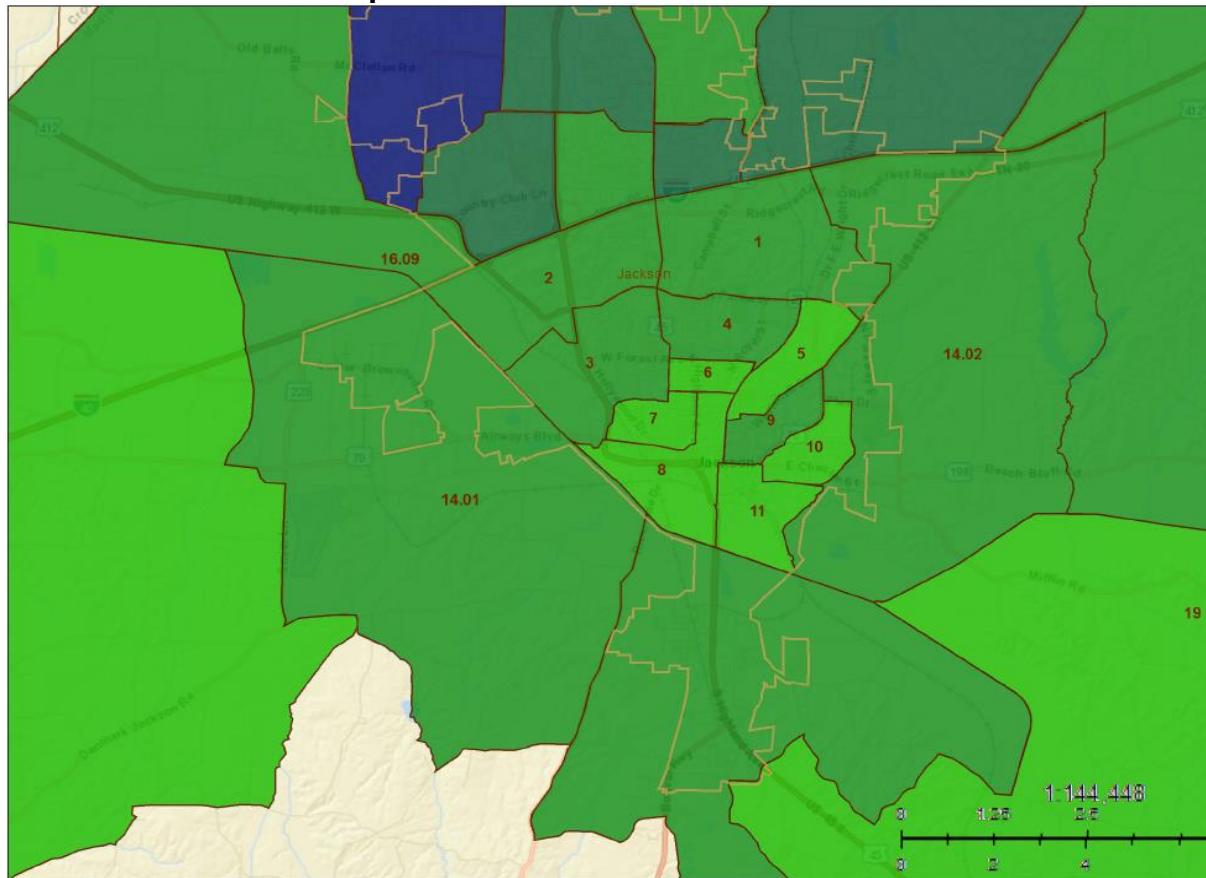
- 40,000 - 75,000
- 75,001 - 100,000
- 100,001 - 150,000
- 150,001 - 305,700

**2017 Boundaries**

- Census Tract
- Place

Map 1.13 Source: 2013-17 American Community Survey (ACS) – U.S. Census

**Map 1.14: Median Contract Rent 2017**



Map 1.14 Source: 2013-17 American Community Survey (ACS) – U.S. Census

Data contained in the Comprehensive Housing Affordability Strategy (CHAS) Table for the year 2015, duplicated in Table 1.11, on the following page, indicates that the impact of housing costs on household incomes is very severe on low- and very low-income households. The table shows that 79.6 percent of all very low-income renters (those earning between 0 percent and 30 percent of the median family income) and 75 percent of very low-income homeowner households paid more than 30 percent of their income on housing expenses. Furthermore, 65.1 percent of very low-income renters and 62.8 percent of very low-income homeowners paid more than 50 percent of their incomes on housing expenses in 2015.

Looking at the “Other Low-Income” households (those earning between 31 percent and 50 percent of the median family income), 86 percent of low-income renters and 67.1 percent of low-income homeowners paid more than 30 percent on housing expenses in 2015. Also, 54 percent of renters and 32.3 percent of homeowners paid more than 50 percent on housing expenses.

In 2015, the moderate-income category (those earning between 51 percent and 80 percent of the median family income), shows 52.5 percent of renters and 50.4 percent of homeowners had rent burdens in excess of 30 percent, and 8.2 percent renters and 7.3 percent of homeowners paid more than 50 percent on housing expenses.



**Table 1.11**  
Cost Burden by income and tenure, 2011 - 2015

<b>Income Distribution Overview</b>	<b>Owner</b>	<b>%</b>	<b>Renter</b>	<b>%</b>	<b>Total</b>
Household Income <= 30% HAMFI	700	17.11%	3,390	82.89%	4,090
Household Income >30% to <=50% HAMFI	990	29.55%	2,360	70.45%	3,350
Household Income >50% to <=80% HAMFI	2,250	52.94%	2,000	47.06%	4,250
Household Income >80% to <=100% HAMFI	1,495	60.90%	960	39.10%	2,455
Household Income >100% HAMFI	8,580	78.18%	2,395	21.82%	10,975
Total	14,020	55.79%	11,110	44.21%	25,130
<b>Income by Cost Burden (Owners and Renters)</b>	<b>Cost burden &gt; 30%</b>	<b>%</b>	<b>Cost burden &gt; 50%</b>	<b>%</b>	<b>Total</b>
Household Income <= 30% HAMFI	3,225	78.85%	2,665	65.16%	4,090
Household Income >30% to <=50% HAMFI	2,690	80.30%	1,595	47.61%	3,350
Household Income >50% to <=80% HAMFI	2,185	51.41%	330	7.76%	4,250
Household Income >80% to <=100% HAMFI	835	34.01%	140	5.70%	2,455
Household Income >100% HAMFI	735	6.69%	70	0.64%	10,980
Total	9,670	38.48%	4,800	19.10%	25,130
<b>Income by Cost Burden (Renters only)</b>	<b>Cost burden &gt; 30%</b>	<b>%</b>	<b>Cost burden &gt; 50%</b>	<b>%</b>	<b>Total</b>
Household Income <= 30% HAMFI	2,700	79.65%	2,225	65.63%	3,390
Household Income >30% to <=50% HAMFI	2,030	86.02%	1,275	54.03%	2,360
Household Income >50% to <=80% HAMFI	1,050	52.50%	165	8.25%	2,000
Household Income >80% to <=100% HAMFI	235	24.48%	-	0.00%	960
Household Income >100% HAMFI	145	6.05%	-	0.00%	2,395
Total	6,160	55.45%	3,665	32.99%	11,110
<b>Income by Cost Burden (Owners only)</b>	<b>Cost burden &gt; 30%</b>	<b>%</b>	<b>Cost burden &gt; 50%</b>	<b>%</b>	<b>Total</b>
Household Income <= 30% HAMFI	525	75.00%	440	62.86%	700
Household Income >30% to <=50% HAMFI	665	67.17%	320	32.32%	990
Household Income >50% to <=80% HAMFI	1,135	50.44%	165	7.33%	2,250
Household Income >80% to <=100% HAMFI	600	40.13%	140	9.36%	1,495
Household Income >100% HAMFI	590	6.88%	70	0.82%	8,580
Total	3,515	25.07%	1,135	8.10%	14,020

According to the 2013.-2017 ACS estimates, as shown in Table 1.12 to the right, 53.1 percent of renter households paid more than 30 percent of their household income towards rent. About 63.9 percent of the renter households with household income of less than \$10,000, 88.5 percent of the renter households that earned between \$10,000 to \$19,999, and 71.5 percent of the renter households that earned between \$20,000 to \$34,999 spent more than 30 percent of their household income towards rent during the five-year period.

As shown in Table 1.12, to the right, 66 percent of owner-occupied households were under 30 percent cost burden and 14.9 percent were under 50 percent cost burden during the same period.

**Table 1.12**  
Gross Rent as a Percent of Household Income in Jackson, 2013-2017 (5-Year Average)

<b>Gross Rent as a Percent of Household Income</b>	<b>Number of Households</b>	<b>Cost Burden 30%</b>
Less than \$10,000	2,384	
Less than 30.0 percent	108	
30.0 percent or more	1,524	63.93%
Not computed	752	
\$10,000 to \$19,999	2,838	
Less than 30.0 percent	323	
30.0 percent or more	2,512	88.51%
Not computed	3	
\$20,000 to \$34,999	2,200	
Less than 30.0 percent	552	
30.0 percent or more	1,574	71.55%
Not computed	74	
\$35,000 to \$49,999	1,662	
Less than 30.0 percent	1,151	
30.0 percent or more	497	29.90%
Not computed	14	
\$50,000 or more	2,615	
Less than 30.0 percent	2,437	
30.0 percent or more	108	4.13%
Not computed	84	
Total Renter Households	11,699	
Less than 30.0 percent	4,571	
30.0 percent or more	6,215	53.12%
Not computed	927	

Table 1.3 Source: 2013-17 American Community Survey (ACS) – U.S. Census

African Americans and Hispanics in particular, face a number of demographic concerns that typically impact housing choice and affordability negatively. One of the most revealing indicators that minorities lag far behind Whites in obtaining housing of their choice is in the category of homeownership. The homeownership rate among Whites was 69.6 percent, 33.1 percentage points higher than African Americans at 36.5 percent and 32.7 percentage points higher than that of Hispanics, reporting a homeownership rate of 36.9 percent between 2013 and 2017.

Overall, there were significant disparities in the demographic characteristics for minorities compared to that of Whites in most all categories, including income, poverty, unemployment, educational attainment and household characteristics. These demographic characteristics likely influenced minorities' choices in the geographical location and condition of housing and neighborhoods, housing type, cost of housing, decisions to become or remain a renter verses a homeowner, and unduly contributed to the housing of their choice being a cost burden or creating overcrowded conditions for their household.

**Table 1.13**  
Owner Housing Costs as a Percent of Household Income in Jackson,  
2013-2017 (5-Year Average)

Housing Cost as a Percent of Household Income	Number of Owner Households	Percent
Less than 30.0 percent	10,173	66.0%
30.0 percent or more	2,079	14.9%
50.0 percent or more	1,379	7.7%
Not computed	186	1.3%
Total Owner-Occupied households	13,817	100.0%

Table1.13 Source: 2013-17 American Community Survey (ACS) – U.S. Census

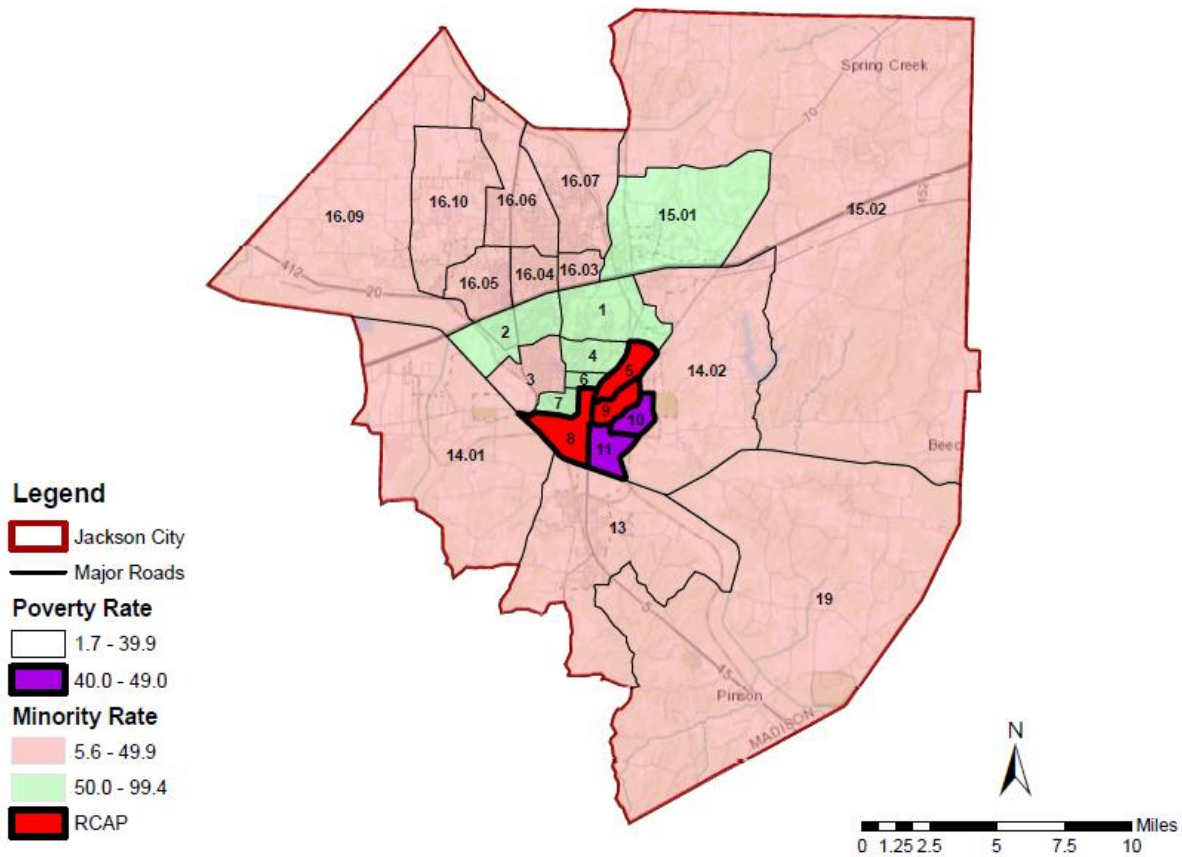
## **Areas of Concentrated Poverty and Racial / Ethnic Concentration and Segregation (RCAP/ECAP)**

The U. S. Department of HUD has defined “Areas of Poverty, Racial and Ethnic Concentration and Segregation (R/ECAP) – as areas or census tracts within a jurisdiction comprised of 50% or greater minority population and 3 times or more the poverty level of the MSA and generally lacking the basic amenities and failing to provide a quality of life expected and desired for any area within the MSA. The goal of de-concentration would be to achieve minority concentrations and poverty level less than defined above by R/ECAP and to transform these areas of concentration into “Opportunity Areas”. Opportunity Areas – areas offering access to quality goods and services, exemplary schools, health care, range of housing, transportation to employment and service centers, adequate public infrastructure, utilities, and recreation. The Map 1.8 on the following page depicts the census tract defined as concentrated and segregated as defined by the HUD R/ECAP Calculation.

The poverty rate in Jackson is 24.7 percent. Three times the poverty is 74 percent, so 40 percent is the poverty threshold for the RCAP/ECAP criteria for the city. The census tracts within the City of Jackson that are comprised of 50 percent or greater minority population and 40 percent and greater poverty rate are in the central City of Jackson.

In addition to poverty, racial and ethnic concentrations and segregation, these areas contain housing units in very poor condition and neighborhood conditions and infrastructure that needs improvement in order for conditions to be reversed and become areas of opportunity.

**Map 1.15: Areas of Concentrated Poverty and Racial / Ethnic Concentration and Segregation (RCAP/ECAP)**



### **III. Fair Housing Law, Court Cases, Policy, Regulatory and Complaint Analysis**

#### **Introduction**

It is important to examine how the City of Jackson's laws, regulations, policies and procedures will ultimately affect fair housing choice. Fair housing choice is defined, generally, as the ability of people with similar incomes to have similar access to location, availability and quality of housing. Therefore, impediments to fair housing choice may be acts that violate a law or acts or conditions that do not violate a law but preclude people with varying incomes from having equal access to decent, safe, and affordable housing.

The first part of this section, Section 2.1, will address the existing statutory and case law that work to remove impediments and promote fair housing choice. The Federal Fair Housing Act can be effective in mitigating barriers to fair housing choice, depending upon enforcement efforts. Relevant judicial court case decisions pertaining to fair housing were reviewed and are incorporated in the analysis. Other related regulations and case law that provide further interpretation, understanding, and support to the Federal Fair Housing Act were considered and will also be discussed.

The City of Jackson has not enacted substantially equivalent Fair Housing Law. Therefore, our analysis of applicable fair housing laws focused on the State of Tennessee Fair Housing Act. In the analysis the State of Tennessee statutes were compared to the Federal Fair Housing Act to determine whether they offered similar rights, remedies, and enforcement to the federal law and might be construed as substantially equivalent. Pertinent related laws, such as the Community Reinvestment Act and Home Mortgage Disclosure Act, were reviewed with respect to how they can facilitate fair lending. Section 2.2 summarizes the level of fair housing enforcement activity in the City of Jackson.

A more difficult, but intertwined, aspect of evaluating barriers to fair housing involves analysis of public policy, programs and regulations that impact the availability of affordable housing. Our analysis centered on how governmental actions impact fair housing choice and the availability of adequate, decent, safe, and affordable housing for people of all incomes. We examined government subsidies and public funding appropriations used to provide housing assistance for very low- and moderate and low-income households. This included an analysis of city operated housing programs provided in Section 2.3. Numerous documents were collected and analyzed to complete this section. The key documents are Consolidated Plans, current and previous Annual Action Plans, the Consolidated Annual Performance Evaluation Reports (CAPER), Jackson Housing Authority Five Year and Annual Plans and documentation on various housing programs and projects. City and PHA staff also provided information on current and future initiatives to develop affordable housing and acquire additional funds.

Our analysis of development regulations, City advisory board actions and public policy documents are presented in Section 2.4. This section focuses on building codes, zoning ordinances, land use plans, local initiatives and governmental actions relative to development and incentives that stimulate development. The analysis of public policy includes decisions by elected and appointed advisory boards and commissions such as the Jackson Housing Authority Board, and City of Jackson City Council, Community Economic Development, Housing Board of Adjustment and Appeals, Planning, Zoning Appeals, and Community Redevelopment Agency.

Section 2.5 provides an analysis of fair housing complaints filed with HUD. Section 2.5 also contains conclusions about fair housing barriers based on the existing law, enforcement efforts, complaint analysis, and the availability of affordable housing. The HUD Atlanta, Georgia Regional Fair Housing and Equal Opportunity (FHEO) Office has responsibility for fair housing enforcement in Jackson. Official compliant date was received from the HUD Atlanta, Georgia Regional Office, Fair Housing Equal Opportunity Division.

## **2.1. Fair Housing Law**

The Federal Fair Housing Act (the Act) was enacted in 1968 and amended in 1974 and 1988 to add protected classes, provide additional remedies, and strengthen enforcement. The Act, as amended, makes it unlawful for a person to discriminate on the basis of race, color, sex, religion, national origin, handicap, or familial status. Generally, the Act prohibits discrimination based on one of the previously mentioned protected classes in all residential housing, residential sales, advertising, and residential lending and insurance. Prohibited activities under the Act, as well as examples, are listed below.

It is illegal to do the following based on a person's membership in a protected class:

- Misrepresent that a house or apartment is unavailable by:
  - ✓ Providing false or misleading information about a housing opportunity,
  - ✓ Discouraging a protected class member from applying for a rental unit or making an offer of sale, or
  - ✓ Discouraging or refusing to allow a protected class member to inspect available units;
- Refuse to rent or sell or to negotiate for the rental or sale of a house or apartment or otherwise make unavailable by:
  - ✓ Failing to effectively communicate or process an offer for the sale or rental of a home,
  - ✓ Utilizing all non-minority persons to represent a tenant association in reviewing applications from protected class members, or
  - ✓ Advising prospective renters or buyers that they would not meld with the existing residents;
- Discriminate in the terms, conditions, or facilities for the rental or sale of housing by:
  - ✓ Using different provisions in leases or contracts for sale,
  - ✓ Imposing slower or inferior quality maintenance and repair services,



- ✓ Requiring a security deposit (or higher security deposit) of protected class members, but not for non-class members,
  - ✓ Assigning persons to a specific floor or section of a building, development, or neighborhood, or
  - ✓ Evicting minorities, but not whites, for late payments or poor credit;
- Make, print, publish, or post (direct or implied) statements or advertisements that indicate that housing is not available to members of a protected class;
- Persuade or attempt to persuade people, for profit, to rent or sell their housing due to minority groups moving into the neighborhood by:
  - ✓ Real estate agents mailing notices to homeowners in changing area with a listing of the homes recently sold along with a picture of a Black real estate agent as the successful seller, or
  - ✓ Mailed or telephonic notices that the "neighborhood is changing" and now is a good time to sell, or noting the effect of the changing demographics on property values;
- Deny or make different loan terms for residential loans due to membership in a protected class by:
  - ✓ Using different procedures or criteria to evaluate credit worthiness,
  - ✓ Purchasing or pooling loans so that loans in minority areas are excluded,
  - ✓ Implementing a policy that has the effect of excluding a minority area, or
  - ✓ Applying different procedures (negative impact) for foreclosures on protected class members;
- Deny persons the use of real estate services;
- Intimidate, coerce or interfere; or
- Retaliation against a person for filing a fair housing complaint.

The Fair Housing Act requires housing providers to make reasonable accommodations in rules, policies, practices, and paperwork for persons with disabilities. They must

allow reasonable modifications in the property so people with disabilities can live successfully. Due to the volume of questions and complaints surrounding this aspect of the federal act, in March 2008, the Department of Justice (DOJ) and the Department of Housing and Urban Development (HUD) released a joint statement to technically define the rights and obligation of persons with disabilities and housing providers.

In addition to prohibiting certain discriminatory acts, the Act places no limit on the amount of recovery and imposes substantial fines. The fine for the first offense can be up to \$11,000; the second offense within a five-year period, up to \$27,500; and for a third violation within seven years up to \$55,000.

The prohibition in the Fair Housing Act against advertising that indicates any “preference, limitation or discrimination” has been interpreted to apply not just to the wording in an advertisement but to the images and human models shown. Ad campaigns may not limit images to include only or mostly models of a particular race, gender, or family type.

As a test to determine if advertising relative to housing and real estate in the local housing market have impediments to fair housing, a review of local advertisements in real estate publications was conducted. These types of advertisements cover an area larger than just Jackson City, and the time-period is insufficient to conclusively establish a pattern of discrimination. The data does however provide an accurate snapshot of the advertising available, and a general overview of the state of compliance with fair housing law. The advertising, especially those with images of prospective or current residents was reviewed, with a sensitivity toward:

- Advertising with all or predominately models of a single race, gender, or ethnic group;
- Families or children in ad campaigns depicting images of prospective residents;
- Particular racial groups in service roles (maid, doorman, servant, etc.);
- Particular racial groups in the background or obscured locations;

- Any symbol or photo with strong racial, religious, or ethnic associations;
- Advertising campaigns depicting predominately one racial group;
- Campaigns run over a period of time, including a number of different ads, none or few of which include models of other races;
- Ads failing to contain Equal Housing Opportunity (EHO) statements or logos, or contains the statement or logo, but it is not readily visible; and
- Ad campaigns involving group shots or drawings depicting many people, all or almost all of whom are from one racial group.

Publications advertising the sale or rental of housing directed toward persons in the greater Jackson area were reviewed including Apartment Finder, The Real Estate Book, and various local real estate sales publications. There were no major concerns revealed. Some publications made blanket statements at the front of the publication stating that the magazines as well as their advertisers are subject to the Federal Fair Housing Act. Most of the advertisers advertise with the equal housing opportunity logo or slogan. Including the logo helps educate the home seeking public that the property is available to all persons. A failure to display the symbol or slogan may become evidence of discrimination if a complaint is filed. Additionally, most of the images included in the selected materials either represented racial, ethnic or gender diversity among the models selected.

### **Fair Housing Assistance Program (FHAP) Agencies**

The U. S. Department of Housing and Urban Development (HUD) provides funding to state and local governmental agencies to enforce local fair housing laws that are substantially equivalent to the Fair Housing Act. Once a state and a city or county in that state have a substantially equivalent fair housing law, they can apply to become certified as a Fair Housing Assistance Program (FHAP) Agency and receive funds for investigating and conciliating fair housing complaints or a Fair Housing Initiatives Program (FHIP) Agency and receive funds for education, promoting fair housing, and

investigating allegations. It should be noted that a county or city must be located in a state with a fair housing law that has been determined by HUD to be substantially equivalent. Then, the local jurisdiction must also adopt a law that HUD concludes is substantially equivalent in order to participate in the FHAP Program. The local law must contain the seven protected classes - race, color, national origin, sex, religion, handicap, and familial status - and must have substantially equivalent violations, remedies, investigative processes, and enforcement powers.

In addition, the process for investigating and conciliating complaints must mirror HUD's. HUD's process begins when an aggrieved person files a complaint within one year of the date of the alleged discriminatory housing or lending practice. The complaint must be submitted to HUD in writing. However, this process can be initiated by a phone call. HUD will complete a complaint form, also known as a 903, and mail it to the complainant to sign. The complaint must contain the name and address of the complainant and respondent, address and description of the housing involved, and a concise statement of the facts, including the date of the occurrence, and the complainant's affirmed signature. Upon filing, HUD is obligated to investigate, attempt conciliation, and resolve the case within 100 days. Resolution can be a dismissal, withdrawal, settlement or conciliation, or a determination as to cause.

The FHAP certification process includes a two-year interim period when HUD closely monitors the intake and investigative process of the governmental entity applying for substantial equivalency certification. Also, the local law must provide enforcement for aggrieved citizens where cause is found. It can be through an administrative hearing process or filing suit on behalf of the aggrieved complainant in court. The FHAP certification process is contingent on the type of funding for which the agency is applying. There are four programs to which an agency can apply; Fair Housing Organizations Initiative (FHOI), Private Enforcement Initiative (PEI), Education Outreach Initiative (EOI), and Administrative Enforcement Initiative (AEI). Currently, there is no funding under the AEI status.

The State of Tennessee Code Ann. Section 4-21-202 as amended, Tennessee Fair Housing Act, was amended most recently in 1996. This Act declares it illegal to discriminate in the sale, rental, advertising, financing, or providing of brokerage services for housing. The Tennessee Statute parallels the Federal Fair Housing Act and has been determined to contain all of the requisite provisions to pass HUD's scrutiny as a substantially equivalent law. The City of Jackson has not enacted local Fair Housing

### **Court Decisions**

The impact of Landmark Cases and other significant Court Cases were reviewed to examine how court litigation and settlements might be impacting interpretation of Fair Housing Law. The following summarizes some of the key cases that provide responses to Fair Housing issues and solutions and remedial actions for resolving those issues.

**Texas Department of Housing and Community Affairs v. Inclusive Communities Project Inc.** is the first case to affirm disparate impact must be considered in determining violations to the 1968 Fair Housing Act. On June 25, 2015, the U.S. Supreme Court, in a 5-4 decision written by Justice Kennedy, upheld the disparate impact doctrine under the Fair Housing Act. This precedent-setting opinion affirmed both 40 years of legal jurisprudence and the decisions of 11 U.S. appellate courts in holding that disparate impact is cognizable under the Fair Housing Act.

The Court acknowledges the Fair Housing Act's continuing role in moving the Nation toward a more integrated society. The Court affirmed that disparate impact is an important protection for all of us. This also affirms that those protected under the 1968 Fair Housing Act, individuals and families, and their right to housing, cannot be restricted because they have children, women who experience domestic violence can cannot suffer eviction just because they suffered abuse or their previous address is a shelter, and communities of color can live with the security of knowing that the

predatory lending practices that dumped millions of subprime loans into their neighborhoods will not be allowed. Neighborhoods still trying to recover from the financial crisis can have hope because disparate impact is an important tool in addressing unfair practices that contribute to economic and wealth disparities. Where we live makes

**Walker v. HUD** represents a landmark case, settled by consent decree, and establishing precedent as to HUD, PHA and City responsibilities and culpability for insuring the elimination of segregation in public and assisted housing. - The **Walker** public housing/Section 8 desegregation litigation began in 1985 when one plaintiff, Debra Walker, sued one Dallas, Texas area suburb, Mesquite. The lawsuit contended that Mesquite's refusal to give its consent for DHA to administer Section 8 certificates within Mesquite violated the 14th Amendment and the other civil rights law prohibiting racial discrimination in housing. The early stage of **Walker** resulted in the entry of the 1987 consent decree involving DHA and HUD without any liability findings. The suit was subsequently amended to bring in DHA, HUD, and the City of Dallas and to provide for a class of Black public housing and Section 8 participants who contended that the Dallas Housing Authority segregated person in public housing by race leading to racial concentrations of African Americans in minority concentrated areas. The suburbs, with the exception of Garland, gave their consent to the operation of DHA's Section 8 program within their jurisdiction and were dismissed from the case. The City of Dallas was subsequently found liable for its role in the segregation of DHA's programs in the Court's 1989 decision, **Walker III**, 734 F. Supp. 1289 (N.D. Tex. 1989).

HUD and DHA were subsequently found liable for knowingly and willingly perpetuating and maintaining racial segregation in DHA's low income housing programs. HUD was found liable not just for its failure to affirmatively further fair housing under the Fair Housing Act but also for purposeful violations of the Fifth Amendment to the U.S. Constitution, Title VI of the 1964 Civil Rights Act, 42 U.S.C. §§ 1981, 1982, and 1983. The district court found that the defendants had the remedial obligation to not only

cease any present discrimination but to also eliminate the lingering effects of past segregation to the extent practical.

Court orders entered in this case have provided the following desegregation resources:

(a) approximately 9,900 new assisted units have been made available to **Walker** class members.

(b) Approximately \$22 million was made available for the creation of housing opportunities in predominantly white areas of the Dallas metroplex.

(c) \$2 million was provided for the operation of a fair housing organization that focused on the problems of low-income minority families.

(d) Hope VI funding for 950 units in the West Dallas project.

(e) \$94 million was provided by the City of Dallas for neighborhood equalization and economic development in the public housing project neighborhoods.

(f) \$10 million was provided for mobility counseling to be used in connection with the Settlement Voucher program.

Similar to the Walker case, Young v. HUD represents a landmark case, settled by consent decree, and establishing precedent as to HUD, PHA and City responsibilities and culpability for insuring the elimination of segregation in public and assisted housing. The Young case involved 70 plus housing authorities in 36 counties in East Texas, HUD, and the State of Texas. The litigation did not end until 2004. The remedy involved the equalization of conditions including the provision of air conditioning in the segregated black projects, desegregation of the tenant population in previously segregated black and white projects, use of the public housing and Section 8 programs and funding for a private fair housing organization to provide over 5,000 desegregated housing opportunities in predominantly white areas, equalization of neighborhood conditions around the predominantly black projects, injunctions against local cities blocking the development of public housing in white neighborhoods, sale of the Vidor

public housing and the use of the proceeds for housing opportunities in white areas that were accessible by black public housing tenants, and \$13 million in State funding for neighborhood equalization. Most of the relief was obtained only after the record of HUD's violations of previous remedial orders was compiled and presented to the Court.

Some of the orders, agreements, and reports from this case that are attached are:

- A. The final judgment that was entered by the Court in 1995,
- B. The order modifying final judgment entered in 2004. This order includes a HUD manual on creating desegregated housing opportunities as exhibit 3 to the order,
- C. The agreement between the plaintiffs and the State of Texas for the last \$4.4 million of the total \$13 million that the State contributed to the neighborhood equalization activities required by the Final Judgment.

At the inception of the Fair Housing Act, insurance companies took the position that they were not covered by the Act. However, in 1992 a Wisconsin Appeals Court determined that the Act "applies to discriminatory denials of insurance and discriminatory pricing that effectively preclude ownership of housing because of the race of an applicant." The case was a class action lawsuit brought by eight African American property owners, the NAACP, and the American Civil Liberties Union against the American Family Insurance Company. The plaintiffs claimed they were either denied insurance, underinsured, or their claims were more closely scrutinized than Whites. American Family's contention was that the Act was never intended to prohibit insurance redlining. The appeals Court stated, "Lenders require their borrowers to secure property insurance. No insurance, no loan; no loan, no house; lack of insurance thus makes housing unavailable." A 1998 court verdict against Nationwide Insurance further reinforced previous court action with a \$100 million judgment due to illegally discriminating against black homeowners and predominantly black neighborhoods.



Another case was settled for \$250,000 in Maryland when Baltimore Neighbors, Inc., a non-profit organization, alleged that real estate agents were steering. Fine Homes' real estate agents were accused of steering prospective African American buyers away from predominantly White neighborhoods and Whites were almost never shown homes in predominantly African American zip codes.

In 2009 a landmark housing discrimination case was settled between the Connecticut Fair Housing Center and the New Horizons Village Apartments. In this case, the State of Connecticut Office of Protection and Advocacy for Person with Disabilities sued New Horizons Village, an apartment complex which provides independent housing for people with severe physical disabilities. Under the consent decree, New Horizons will no longer be allowed to require tenants to open their private medical records for review and require them to prove they can "live independently". CT Fair Housing Center stated "The Fair Housing Act is clear that it is impermissible to limit the housing choices of people with disabilities based on stereotypes about their ability to care for themselves; people with disabilities are entitled to the same freedom to choose how and where they want to live as people without disabilities."

In *County of Edmonds v. Oxford House*, the United States Supreme Court ruled that the Fair Housing Amendments Act of 1988 prevents communities from excluding group homes for the handicapped from single-family residential zones. The Oxford House is a nonprofit umbrella organization with hundreds of privately-operated group homes throughout the country that house recovering alcoholics and drug addicts. Recovering alcoholics and drug addicts, in the absence of current drug use or alcohol consumption, are included under the protected class of handicapped in the Fair Housing Act as amended in 1988. In *Oxford House v. Township of Cherry Hill*, 799 F. Supp. 450 (D. N.J. 1991), the federal court rejected a state court ruling that recovering alcoholic and drug addicted residents in a group home do not constitute a single-family under the Township's zoning ordinance. In *Oxford House-Evergreen v. County of Plainfield*, 769 F. Supp. 1329 (D. N.J. 1991) the court ruled that the county's conduct, first announcing

that the Oxford House was a permitted use only to deny it as a permitted use after neighborhood opposition, was intentionally discriminatory.

*“Unjustified institutionalization of persons with mental disabilities...qualifies as discrimination.”*- was stated as the majority opinion of the U.S. Supreme Court. In a landmark decision by a 6-3 vote, the U.S. Supreme Court ruled in June 1999, that a state may not discriminate against psychiatric patients by keeping them in hospitals instead of community homes. The court said that the Americans with Disabilities Act (ADA) may require that states provide treatment in community-based programs rather than in a segregated setting. This case, known as the Olmstead case, ruled that community placement is a must when deemed appropriate by state professionals, agreed to by the individual with the disability, and resources available are sufficient. The courts agreed with “the most integrated setting” provision of the ADA.

In a historic federal settlement order to resolve a lawsuit brought by the Anti-Discrimination Center (ADC) against Westchester County, NY. Westchester County conducted its own Analysis of Impediment to Fair Housing and did not examine race and its effects on housing choice. Only income was studied from a demographic perspective. Westchester did not believe that racial segregation and discrimination were the most challenging impediments in the County. ADC filed lawsuit against Westchester stating that the entitlement is not taking appropriate steps to identify and overcome impediments of fair housing. The Court stated that grant recipients must consider impediments erected by race discrimination, and if such impediments exist, it must take appropriate action to overcome the effects of the impediments. The settlement order issued in August 2009 found that Westchester had “utterly failed” to meet its affirmatively furthering fair housing obligations throughout a six-year period. All entitlements receiving federal funds must certify that they have and will “affirmatively further fair housing.” Because of the tie to federal funds, a false certification can be seen as fraudulent intent. Westchester was ordered to submit an implementation plan of how it planned to achieve the order’s desegregation goals. One major outcome from

the landmark agreement is the construction of 750 units of affordable housing in neighborhoods with small minority populations.

In 2003, a settlement was ordered by the District Court in New Jersey for the owner of the internet website, [www.sublet.com](http://www.sublet.com), who was found guilty of publishing discriminatory rental advertisements which is prohibited by the Fair Housing Act. It was the first of its kind to be brought by the Justice Department. It was thought to be imperative that the federal laws that prohibit discriminatory advertising should be enforced with the same vigor with regard to internet advertising as it would for print and broadcast media. The court ordered the site to establish a \$10,000 victim fund to compensate individuals injured by the discrimination. They were also ordered to pay a civil penalty of \$5,000, adopt a non-discrimination policy to be published on the website, and require all employees to undergo training on the new practices.

Under the Fair Housing Act, apartment complexes and condominiums with four or more units and no elevator, built for first occupancy after March 13, 1991, must include accessible common and public use areas in all ground-floor units. An apartment complex near Rochester, New York was ordered to pay \$300,000 to persons with disabilities for not making its housing facility fully accessible, with \$75,000 set aside for the plaintiffs. They were required to publish a public notice of the settlement fund for possible victims and pay a \$3,000 civil penalty.

In 2005, the Connecticut Commission on Human Rights and Opportunities (CHRO) issued a charge of discrimination on the basis of disability when an apartment manager refused to rent to a person with a disability on the first floor of the complex due to the absence of access ramp. The apartment manager was unwilling to make a modification to add a ramp. The court recognized that the renter has a disability and the defendant knew the fact and refused to make accommodations. The court concluded that the renter was entitled to compensatory and emotional distress damages of \$10,000 and imposed a civil penalty of \$1,000.

In 2007, the 9th Circuit Court of Appeals gave a decision in support of Fair Housing Council of San Fernando Valley that Roommates.com has violated the fair housing laws by matching roommates by gender, sexual orientation, and parenthood. By asking prospective roommates to put in their status on these criteria and allowing prospective roommates to judge them on that basis is a violation of Fair Housing Act.

In 2005, the National Association for the Advancement of Colored People (NAACP), The National Association of Home Builders (NAHB), and the Home Builders Association (HBA) of Greater Austin, filed a federal lawsuit against the County of Kyle, Texas. The plaintiffs contended that ordinances passed by the Kyle County Council, imposing requirements such as all-masonry construction, expanded home size, and expanded garage size, drive up the cost of starter homes by over \$38,000 per new unit. The allegation is that this increase has a disproportionate impact on minorities and this effect violates the Fair Housing Act. The County of Kyle filed a motion to dismiss, asserting that both NAACP and NAHB lack standing. The federal district court recognized the plaintiff's standing in 2006. Thereafter, the cities of Manor, Round Rock, Pflugerville, and Jonestown, all moved to join the litigation on the grounds that they each have ordinances similar to the one being challenged in Kyle and that any positive decision in this case would allow NAHB and NAACP to sue them at some later date. In May the court decided that the cities could participate as friends of the court but may not join in the litigation otherwise. This case is in progress and a judgment is expected in 2009.

### **Homelessness and the Fair Housing Act**

Homelessness is defined as lacking a fixed, regular, and adequate night-time residence; or where the primary night-time residence is:

- A supervised publicly or privately-operated shelter designed to provide temporary living accommodations;
- An institution that provides temporary residence for individuals intended to be institutionalized; or,
- A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

The Fair Housing Act's definition of "dwelling" does not include overnight or temporary residence, so mistreatment of the homeless is not generally covered by Fair Housing Law. The ability of persons to find affordable housing is a protected right of Fair Housing; therefore, the inability of people to find affordable housing which may lead to homelessness, is in conflict with the Fair Housing Law.

### **Unfair Lending Practices**

Unfair lending practices are more difficult to detect and to prove. However, there are laws, other than the fair housing law, to assist communities in aggressively scrutinizing fair lending activity. One such law is the Home Mortgage Disclosure Act (HMDA), which requires banks to publish a record of their lending activities annually. Frequently, fair housing enforcement agencies and nonprofits use this data to help substantiate a discrimination claim or to determine a bank's racial diversification in lending. Another law frequently utilized by community organizations is the Community Reinvestment Act (CRA). When a bank wants to merge with or buy another bank or establish a new branch, the community has an opportunity to comment. Usually, the CRA commitments made by the bank are analyzed, utilizing other data such as HMDA, to determine adherence. The community can challenge the action if the bank has a poor record. Sometimes agreements can be reached with the bank promising a certain level of commitment to the community. Additionally, the Equal Credit Opportunity Act (ECOA) prohibits discrimination in lending generally and can be quite significant when it comes

to securing information about unfair lending practices and imposing remedies, which may include up to one percent of the gross assets of the lending institution.

The U.S. Supreme Court ruled in June 2009 that states may investigate national banks to determine if they have discriminated against minorities seeking home loans. Furthermore, states may charge accused violators if found guilty. The new legislation stemmed from a discrimination investigation of national banks by the New York attorney general. The federal Office of the Comptroller of the Currency (OCC) sought legal action through the courts to stop the attorney general's investigation because legal principals suggested that only federal regulators can require national banks to conform to regulations and practices that discourages unfair lending. The Supreme Court overturned this ruling giving state government power to enforce consumer-protection and lending policies.

## **2.2. Enforcement**

It has long been settled that fair housing testing is legal and that non-profits have standing to sue so long as certain criteria are met. These decisions make it feasible for non-profits to engage in fair housing enforcement activities.

The Department of Housing and Urban Development (HUD) enforce local, state and federal fair housing laws which prohibit discrimination in the buying, selling, rental or enjoyment of housing because of race, color, national origin, religion, sex, disability or familial status.

The Regional HUD Office in Atlanta conducts investigations of fair housing complaints that are reported directly to their office. Tennessee is part of HUD's Region VI that includes Alabama, Florida, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico and the Virgin Islands. When HUD Regional Office investigates complaints of discrimination, an investigator generally spends time in the city, on-site, interviewing the complainant, respondents, and witnesses, reviewing records and documentation,

while observing the environment. A detailed discussion of the complaints filed with HUD follows in Section 2.5.

When a complaint is filed with any of the jurisdictions, HUD is notified of the complaint. HUD will notify the violator of the complaint and permit all parties involved an opportunity to submit an answer. HUD will conduct investigations of the complaint to determine whether there is reasonable cause to believe the Federal Fair Housing Act and or Tennessee Ordinance has been violated. The complainant is then notified. A detailed discussion of the complaints filed with HUD follows in Section 2.5. A case is typically heard in an Administrative Hearing unless one party wants the case to be heard in the Federal District Court.

## **Education and Outreach**

The City of Jackson Community Development Department receives fair housing complaints and makes referrals to HUD for enforcement. This agency is also responsible for conducting public education, training and outreach of fair housing rights and remedies in Jackson. The City of Jackson also contracts with West Tennessee Legal Services to provide Fair Housing Services to the public regarding the rights and responsibilities afforded by fair housing law. These services are an essential ingredient of fair housing enforcement. This includes outreach and education to the general public, landlords and tenants, housing and financial providers, as well as citizens, concerning fair housing and discrimination. It is important that potential victims and violators of housing and/or lending discrimination law be aware of fair housing issues generally, know what may constitute a violation, and what they can do in the event they believe they have been discriminated against. Likewise, it is important for lenders, housing providers, and their agents to know their responsibilities and when they may be violating fair housing law.

Often, people may be unaware of their fair housing rights. Present day housing discrimination tends to be subtle. Instead of saying that no children are allowed, they

may impose unreasonable occupancy standards that have the effect of excluding families with children. Rather than saying, “We do not rent to Hispanics,” they may say, “Sorry we do not have any vacancies right now, try again in a few months,” when, in fact, they do have one or more vacancies. Printed advertisements do not have to state, “no families with children or minorities allowed” to be discriminatory. A series of ads run over an extended period of time that always or consistently exclude children or minorities may very well be discriminatory. In addition, a person who believes he/she may have been discriminated against will probably do nothing if he/she does not realize that a simple telephone call can initiate intervention and a resolution on his/her behalf, without the expenditure of funds or excessive time. Thus, knowledge of available resources and assistance is a critical component.

### **2.3. Production and Availability of Affordable Units**

An assessment of characteristics affecting housing production, availability, and affordability in Jackson was conducted, including the adequacy and effectiveness of housing and housing related programs designed and implemented by the City of Jackson Community Development Department (CDD), and Public Housing and the Section 8 Voucher Programs operated by the Jackson Housing Authority (JHA). The assessment evaluated the programs’ ability to reach their target markets and how effective they are in identifying and serving those who have the greatest need. We also assessed the extent to which the agencies prioritized funding and utilized programs to address impediments identified in the City’s Fair Housing Impediment Analysis conducted prior to FY 2015. Our analysis for this section is also based on the Jackson Housing Authority Administrative Plan and Annual Contributions Contract (ACC) and Section 8 Management and Assistance Plans and City of Jackson’s Community Development Department Consolidated Plan, Annual Action Plan, Consolidated Annual Performance Evaluation Report, and other documentation provided by the city and housing authority.



## **2.4. Regulatory and Public Policy Review**

The City of Jackson has not enacted substantially equivalent fair housing law. Having a fair ordinance, especially one that is substantially equivalent to the federal Fair Housing Act, exemplifies a jurisdiction's local commitment to enforcing fair housing regulations and it provides public awareness of individuals' rights under the Fair Housing Act.

The city zoning ordinance, development code and public policies were examined to reveal any current ordinances or policies that impede fair housing choice. Jackson's land development codes and zoning regulations address affordable housing and the provision of making allowances through the code to allow the construction of a variety of types of housing including single family and multifamily housing. The regulations provide for the consideration of variances to development barriers that affect the feasibility of producing housing within the jurisdictions.

## **2.5. Analysis of Fair Housing Complaints**

Fair housing complaint information was received from the Atlanta, Georgia FHEO Division of the Regional Office of the U.S. Department of HUD. We requested data providing a breakdown of complaints filed for Jackson from December 1, 2014 through December 31, 2018. HUD indicated that during this period, 14 complaints were filed according to one or more of seven bases (19 Cases based on basis), including; National Origin, Color, Religion, Familial Status, Handicap, Sex, and Race.

Table 2.1 depicts how complaint cases are divided on a protected class basis if complaints had been received.

**Table 2.1: Number of Complaints Filed by Protected Class by Year (2014 - 2018)**

Protected Class	Race/ Color	National Origin	Familial Status	Disability Retaliation	Sex	Religion	Totals
<b>2014</b>							
<b>2015</b>	1			2	1		4
<b>2016</b>				2	1	1	4
<b>2017</b>				5			5
<b>2018</b>	1		2	3			6
<b>Totals</b>	2		2	12	2	1	19

**Source: HUD Atlanta Regional Office, FHEO**

Table 2.2 is used to tally the case closure types by year the case was opened.

**Table 2.2: Closure of Complaints by Protected Class by Year (2014 - 2018)**

Type of Closure	2014	2015	2016	2017	2018	2019	Total
Open						2	2
Case Conciliated						1	1
No Probable Cause				3	2	2	7
Withdrawn							
Lack of Jurisdiction							
Complainant failed to cooperate							
Unable to Locate the complainant							
FHAP judicial dismissal							
FHAP judicial consent order							
<b>Totals</b>				3	2	5	10

**Source: HUD Atlanta, Georgia Regional Office, FHEO**

## **2.6. Conclusions and Implications for Fair Housing Barriers and Impediments**

The State of Tennessee has enacted fair housing law that is substantially equivalent to the Federal Fair Housing Act. The City of Jackson has not enacted local substantially equivalent Fair Housing Law. The State of Tennessee ordinance disallows the same activities prohibited under the federal act. Having a fair ordinance, especially one equivalent to the federal Fair Housing Act, evidences a jurisdiction's commitment to fair housing choice. Between November 2014 and December 2018, there were 14 complaints received and investigated through the HUD FHEO Regional Office in Atlanta, Georgia. The City provides referral of fair housing complaints to HUD for investigation and enforcement and is responsible for conducting public education, training and outreach of fair housing rights and remedies.

Real estate related publications advertising the sale or rental of housing and advertising home improvements and remodeling, directed toward persons in the greater Jackson area were reviewed. Some publications made blanket statements at the front of the publication stating that the magazines as well as their advertisers are subject to the Federal Fair Housing Act. Some advertiser included EHO statements and/or logos. Including these logos can be a means of educating the home seeking public that the property is available to all persons.

Fiscal Year CAPERS submitted to HUD by the Community Development Department indicated that the City of Jackson received Entitlement funding annually over the past five years. Based on Jackson City's planned utilization of these funds for housing and housing related programs, they should enhance their ability to address impediments relative to housing advocacy, education, outreach and enforcement; increased availability and affordability, rehabilitation, homeownership, and financial literacy programs; and de-concentrations of public and assisted housing, racial / ethnic concentrations, and poverty as identified in this AI conducted in Program Year 2019. The city zoning ordinance and public policies were examined to reveal any current ordinances or policies that impede fair housing. No concerns were noted as a result.

## IV. Community Engagement

### Introduction

This section will report on the results from two focus group sessions held on March 19, 2019 at the Jackson Tennessee City Hall, 121 east Main Street Jackson, Tennessee, 38301; and Jackson Tennessee Housing Authority at 125 Preston Street, Jackson, Tennessee 38301. Participants in the focus groups sessions and supplemental interviews included City Staff, Jackson Housing Authorities personnel and other government representatives; West Tennessee Legal Services and Regional Continuum of Care representatives, administrators from local colleges, universities, and school districts; non-profit organizations, CHDO organizations, home builders, housing and social service agencies representatives; real estate and financial industry representatives; and the general public and other community representatives.

Attendees were gathered through invitations sent to select resident and community leaders, organizations, industry professionals and public officials and a public meeting notice published in the local newspaper. At each focus group session, general issues related to the housing market, neighborhoods and concerns pertaining to fair housing choice in Jackson were discussed. Supplemental interviews were conducted with various community, professional and industry representatives to obtain information from those unable to attend the sessions on March 19, 2019. The Focus Group sessions were hosted by the City of Jackson Community Development Department and the City of Jackson, Tennessee Housing Authority.

It should be noted that the comments summarized in this section represent the comments and views of the focus group participants and those participating in supplemental interviews. JQUAD has made every effort to document all comments as a matter of record, and to ensure that the comments, as presented

on the following pages, have not been altered to reflect our analysis, investigation or substantiation of information obtained during these sessions. Focus Group comments and information obtained during interviews were later analyzed and to the extent substantiated or collaborated by the data and analysis, included in Section Six: Impediments and Remedial Actions. Comments from Focus Group participants included the following.

### **3.1. Focus Group Concerns and Comments**

#### **Social-Economic Conditions**

Among the social-economic issues mentioned in the focus group sessions was the perception that the supply of affordable housing is inadequate and the cost to purchase homes or to rent housing continues to soar beyond the range affordable to many local area residents. Others believed that poverty and the number of persons lacking sufficient income for housing was on the rise, severely impacting housing choice for the lowest income households. Participants indicated that poverty and limited incomes are also having an adverse impact on the condition and quality of neighborhoods and single family owner occupied housing in some areas. The impacts of unemployment, lack of job opportunities and insufficient incomes to afford decent housing were cited as contributing factors to housing and neighborhood decline.

Focus group participants wanted to have a greater emphasis placed on financial assistance to acquire housing suitable to meet the needs of the changing demographics in the city and specific problems faced by residents and the working poor relative to foreclosure. Participants also felt that increased housing counseling-both pre-purchase and post purchase support-was needed to help applicants qualify for financing and to remain current with mortgage payments and home maintenance needs. Increased funding should be identified to provide rental assistance to those needing assistance with rent and utilities and security deposits necessary to initiate a lease. Persons were in need of utility assistance and other essential housing related support to remain in the housing they current

reside and to avoid homelessness. Homebuyers will be faced with providing greater down payments and equity investments when buying a home, due to the mortgage crisis.

Participants emphasized the need for increased funding for project based rental assistance due to limitations in the Section 8 Vouchers program, fair market rents that lag far below many of the rents charged by multifamily and single family rental housing providers, increased demand for rental assistance, and additional development funding for new scattered site public and assisted housing units. The Housing Authority indicated that Fair Market Rents (FMR) were sometimes restrictive in their client's ability to access quality housing, especially housing in non-racially concentrated census tracts. The FMR limitation is a contributing factor along with historical segregation within this community.

Housing programs such as Neighborhood Stabilization Program (NSP) while successful, are experiencing problems with affordability due to housing related cost such as taxes and insurance. Solutions are needed to insure that as values increase under NSP Housing, the ability for homeowners to keep pace with housing related cost is addressed.

### **Housing Supply, Neighborhood Conditions, and Infrastructure and Regulatory Controls**

Participants' desired greater emphasis is placed on building codes and regulatory controls being utilized to improve housing conditions, cost and accessibility. They recommended incorporating energy efficiency and green building standards in construction of affordable housing; the need for infrastructure to support new housing development and repair funding for owner occupied housing; and assurance that zoning regulations provide variances, when necessary, to induce vacant lot infill housing in developed neighborhoods. Acquisition and utilization of vacant lots, homebuyer subsidies for repairs, drainage, sidewalks, and increased emphasis on code enforcement were also cited as needs.

### **Public Policy and Public Awareness of Fair Housing**

Participants cited public awareness of fair housing rights as a concern. They felt that despite programs funded by the City, some residents appear to be unaware of their rights under fair housing law and that the number of violations reported and cases substantiated may be much lower than the number of violations actually occurring. Others felt that residents often fear retaliation by those who violate the laws. For example, attendees and persons interviewed felt that in some instances, people do not register fair housing complaints for fear of retaliation by their landlords, or if they report violations such as housing code, enforcement will result in higher rents or evictions actions by their landlords.

Participants also felt that residents needed increased access to homebuyer education and counseling when considering purchase of a home and rental housing and tenant's rights counseling and advocacy for renters. They were concerned that first-time home buyers often do not know where to go for help or how to start the process of purchasing a home. Anecdotal accounts by attendees and those interviewed included obstacles faced by renters such as denial of rental applications based on having no prior address, and/or frequent gaps in their rental histories. Others cited housing barriers faced by the "untouchables", persons such as ex-offenders, convicted sex offenders and others recently discharged from the criminal justice system.

### **Access to Banking and Financial Institutions Products, and Basic Goods and Services**

Predatory lending practices were identified as a major issue. Perception were that predatory lenders are absorbing much of the market formerly controlled by FDIC insured banks and other reputable financial institutions and fast becoming lenders of choice in some low income and minority concentrated areas. In other instances, persons facing economic hardships are being preyed upon due to their inability to qualify for traditional lending and banking services. For example, predatory businesses provide individuals with loans backed by the title to their



car or house at relatively high interest rates. Lenders are quick to foreclose in the event the borrower misses a payment. Attendees were concerned that a growing number of people have fallen prey to sub prime loans because they have a poor credit rating or limited to no credit history.

Others expressed concerns that lower income residents are paying higher prices due to a lack access to basic goods and services. For example, healthy food choices were often limited resulting in resident in low income and minority concentrated neighborhoods having diets lacking in fresh vegetables and fruits and other commodities being priced outside their affordability. Neighborhood markets and grocery stores in the neighborhoods are sometime limited to convenience stores charging exorbitant prices, taking advantage of persons with limited mobility or access to public transportation.

### **Lending, Foreclosures and the Mortgage Industry**

The inability to obtain home mortgages was seen as a major barrier that limits housing choice. Criminal background histories and immigration status are relatively new factors contributing to the inability to qualify for home purchases and rental housing leases. Credit issues appeared to be the major barrier, based on focus group participants' comments. Both a lack of qualified applicants and an adequate pool of applicants for mortgages, coupled with the inability of some housing units to qualify based on lending program guidelines were cited as barriers. Participants felt that greater emphasis should be placed on credit counseling and financial literacy being accessible to a broader population including youth and young adults age eighteen to thirty. Persons with a criminal felony record and those convicted of sex crimes are having particular problems finding housing to rent as well as qualifying for mortgages.

Other participants cited instances in which elderly and other owners of affordable housing are no longer able to afford routine maintenance on their home. Any major systems failure such as roof replacement, foundation problems or even

heating and air conditioning replacement can render their home a health and safety risk or place the homeowner in violation of local property standards codes.

### **Special Needs Housing**

Participants were concerned that greater funding be provided for the elderly to age in place, and to provide housing for others in need of special needs housing. Participants cited the growth expected in the elderly population over the next decade which will elevate this problem. Without such funding elderly and disabled persons are sometimes placed in nursing homes prematurely, even though they could otherwise continue to live on their own with some limited assistance or ADA accessibility modifications where they currently reside. Participants were also concerned that limited options exist for persons in need of transitional housing whether they be recently paroled, victims of domestic violence, mentally ill, physically handicapped, and homeless or at risk of becoming homeless. Others cited a need for more permanent supportive housing. Participants felt that more public resources should also be identified and dedicated to homeless programs, shelters and supportive services to the homeless and elderly.

Participants were also concerned with limitations in available rental housing for the disabled and a lack of emphasis on building code standards that require new home construction to meet “visitable housing” standards. Some were concerned that information as to availability of ADA compliant housing is not readily available to those in need. These standards include insuring that at least one main entry into the dwelling and at least one bathroom, downstairs bedroom and hallway are handicapped accessible.

Housing for the homeless and those persons at risk of becoming homeless was cited as an important issue that needs to be addressed. Housing for the homeless, victims of domestic violence and others were seen as particularly needed due to the limited supply of shelter, transitional and permanent housing

and housing services in Jackson. Others were concerned with limitations in funding for existing agencies providing services to the homeless.

### **Public Transportation and Mobility**

Participants cited limited mobility and public transportation as impediments to housing choice. These limitations also included a concern for elderly and disabled persons in need of public transportation to access supportive services. Public transportation was deemed inadequate, for persons commuting to major employment centers.

### **3.2. Other Issues and Solutions**

Attendees indicated a need for increased emphasis on mitigating the impacts of increased incidents of discrimination or impediments to housing for persons with disabilities, renters with past criminal records or prior convictions for sexual abuse related crimes, those in need of special needs housing or facing evictions, foreclosures and homelessness.

Participants voiced support for a greater emphasis on credit education and housing consumer counseling. Increased financial literacy courses taught in high schools was a best practice identified by the facilitator for the focus group session and well received by participants.

Participants cited the need for additional funding for fair housing outreach, education and enforcement, fair housing training for landlords and homeowner associations and other at risk of violating fair housing law.

## V. Home Mortgage Disclosure Act Analysis

### Introduction

The Consumer Financial Protection Bureau (CFPB) gathers data on home mortgage activity from the federal agencies that regulate the home mortgage industry. This data was formerly gathered by the Federal Financial Institutions Examination Council (FFIEC) until 2016. The data contain variables that facilitate analysis of mortgage lending activity, such as race, income, census tract, loan type, and loan purpose. The CFPB provides the HMDA databases through their website for download and analysis. Data were input into a spreadsheet for analysis. For this analysis, the CFPB databases were utilized for 2014 through 2017.

The data reported in this analysis are summarized by a variety of methods. Tables 4.1 and Tables 4.2 provide information for the City of Jackson and Madison County. Table 4.4 provides information for Madison County. Tables 4.3 and the charts present the data by census tract income groups in Madison County. The maps, provided at the end of this section, present data according to census tracts for Madison County.

### 4.1. Analysis

Table 4.1 compares home loan activities in the City of Jackson and Madison County. The data are presented by loan type, ethnicity, income, and loan purpose. In the county, White applicants represented the largest number of loan applicants at 6,947. Origination rates, the percentage of applications that result in loans being made, for Whites were about 65 percent. African Americans were the next largest applicant group with 2,463 applications submitted and an origination rate of about 46 percent. Hispanics had 207 applications and an origination rate of about 54 percent. Asian origination rates were over 63 percent,

with 107 applications reported. High-income applicants showed both the highest number of applications, at 3,941, and the highest origination rate, at over 67 percent. Both the number of applications and the origination rates drop for all other income groups, with 910 applications from middle-income applicants and an origination rate of about 63 percent. Conventional loans account for the largest number of applications for loan type, at 6,092, with an origination rate of over 74 percent. Home refinance loans show the highest number of applications for loan purpose, at 5,143, and an origination rate of just over 44 percent. Home purchase loans had the highest origination rate at 73 percent with 5,048 loan applications. Home Improvement loans show 206 applications and an origination rate of over 44 percent.

Within the Jackson metropolitan area for Loan Type, “Conventional” shows the highest number of loan applications at 8,024 and the percentage of loan originations at over 56 percent of all applications. FHA loans show an origination rate of about 43 percent and VA and other loans origination rates of about 46 percent. For loan purpose, over 54 percent of home purchase loans were originated out of 6,723 applications. The origination rate for home improvement was about 49 percent and for refinance loans was about 42 percent. In Jackson, White applicants had the highest origination rate of 63 percent and the highest number of loan applications at 9,679. The origination rate for African Americans was over 44 percent with 2,683 applications. The origination rate for Hispanics was about 51 percent with 307 applications. The origination rate for the very low-income group was 40 percent, compared to 65 percent in high-income group.

Table 4.2 displays the HMDA data for the same data categories (Loan Type, Ethnicity, Income, and Loan Purpose). On this table, however, percentages are taken within category, rather than demonstrating the percentage of applications that result in loan originations. For example, the first percentage in the “% of Originations” column indicates that 58 percent of originations in the county were for conventional loans compared to a 74 percent origination rate in Table 4.1.

For comparison, ethnic percentages were included under the “%Pop.” column to compare the percentage of originations by ethnic group to their percentage in the population.

Within the “Loan Type” category, “Conventional” shows the highest percentage at about 58 percent of all originations in Madison County. FHA loans, which are government insured, were over 26 percent of all originations. Referring back to Table 4.1, the origination rates were about 69 percent for FHA versus approximately 74 percent for conventional.

For Ethnicity, “White” shows the highest percentage of originations of over 73 percent of the total originations in the county. The percentage of Whites in the population was over 61 percent. African American applicants accounted for over 18 percent of all originations, with 38 percent of the total population in the county. Hispanic applicants accounted for 1.8 percent of originations, while their presence in the population was 3.7 percent of all residents. Asian applicants represent 1.0 percent of originations with 1.4 percent of the total population in the county.

The highest income group (>120% median) displays the highest percentage of originations, at about 43 percent of all originations. In contrast, the very low-income group accounts for just over 7 percent of all originations.

The loan purpose data for the county shows that home purchase loans were the most frequent purpose at about 60 percent. Refinance loans accounted for over 38 percent of the originations. Home improvement loans accounted for about 12 percent of all originations.

In Jackson, 58 percent of all originations were from conventional loans. FHA loans were over 24 percent of the originations. In the area, Whites had the highest percentage of origination, over 76 percent of the total. The percentage of

Whites in the population was over 66 percent. African American applicants accounted for about 15 percent of all originations with about 32 percent of the total population. Hispanic applicants accounted for 1.9 percent of originations, while their presence in the population was 4.2 percent of all residents. Asian applicants represented 0.9 percent of originations with 1.1 percent of the total population. Native American applicants represented 0.4 percent of originations with less than 0.5 percent of the total population. The highest income group (>120% median) displays the highest percentage of originations at about 43 percent of all originations in the city. In contrast, the very low-income group accounts for over 7 percent of all originations. The loan purpose data show that home purchase loans were the most frequent purpose at over 59 percent of all originations in the city. Refinance purchase loans accounted for over 38 percent of the originations. Home improvement loans accounted for about 2 percent of all originations in the area.

Table 4.3 examines the HMDA data more closely with respect to the possibility of redlining within the county. Redlining relates to the avoidance of certain locations by mortgage lenders, where loan originations appear to be significantly influenced by undesirable characteristics of the area. Assuming that these negative characteristics can be epitomized by the lowest income census tracts (<51% median in the tables), a comparison of origination rates within these tracts to higher income tracts should shed some light on the probability of redlining. Origination rates for Jackson indicate that Very Low-Income applicants (<51% median income) were successful in obtaining mortgage loans 40.3 times per 100 loan application submissions, Low-Income applicants (51-80% median income) were successful 56.2 times per 100 submissions, Moderate-Income (81-95% median income) had an origination success ratio of 61.9 percent, Middle-Income applicants (96-120% median income) had an origination success ratio of 60.6 percent, and High-Income applicants (>120% median income) had a 65.0 percent success ratio. When isolating the Very Low-Income census tracts, the origination rates are lower than the overall city origination rates. In Very Low-

Income tracts, Very Low-Income applicants generated originations 18 percent of the time, a 16-percentage point decrease from their overall success in the city. Similar differences in origination rates are noted in the other income groups. Moderate-Income applicants in very low-income tracts had a 11.1 percent origination rate, 52 percentage points lower than in the city overall. High-Income applicants in very low-income tracts had a 25.8 percent origination rate, 42.3 percentage points lower than in the city overall.

Comparing Very Low-Income tracts to High-Income tracts, significant differences are noted between origination rates. Within High-Income tracts, Very Low-Income applicants generated a 40.4 percent origination rate, 22.3 percentage points higher than Very Low-Income applicants in the Very Low-Income tracts. High-Income applicants generated a 68.6 percent origination rate within High-Income tracts, 42.8 percentage points higher than in Very Low-Income tracts. Origination rates for Middle-Income applicants in High-Income tracts were 42.4 percentage points higher than in the Very Low-Income tracts. While this analysis does not provide conclusive proof that redlining exists, the expectation for higher income applicants would be for relatively equal origination rates across all census tracts. The large differences in origination rates among all income groups in Very Low and High-Income tracts, suggest that some characteristics of redlining may be occurring, with origination rates heavily influenced by location and value assigned the property, as opposed the credit worthiness of the buyer.

Table 4.4 compares origination rates between minorities and White applicants for the various loan purposes and income groups in Madison County. For all loan purposes shown, White origination rates are higher than minorities. For home purchase loans, origination rates were 76 percent for Whites and over 64 percent for minorities, a difference of about 12 percentage points. White applicants for home improvement loans were successful about 23 percentage points more often than minorities. The rates for refinance loans show an over 20 percentage point difference between Whites and minorities.



Looking at the income group comparison in the county, minorities have origination rates 14 percentage points lower than Whites in the High-Income group (>120% MFI) and 16 percentage points lower in the Middle-Income group (96-120% MFI). In the Very Low-Income group (<51% MFI), Minority origination rates were 21 percentage points lower. In the Low-Income group (51-80% MFI), Minority origination rates were 15 percentage points lower.

Chart 4.1 provides an analysis of origination rates by census tract income for the loan types: conventional, FHA, and VA. As would be expected, government insured loans have higher origination rates in all income groups except High-Income groups. Conventional origination rates closed the gap as incomes rise.

Chart 4.2 shows origination rates by ethnicity and income of the census tract. In Very Low- and Middle- income tracts, White rates are exceeded only by Asians. While Asian rates are sometimes higher than White rates, these percentages are based on relatively low numbers of applications. African American origination rates exceed Hispanic rates only in Very Low-Income tracts.

Chart 4.3 looks at total loan applications by year. Conventional home loan applications peaked in 2016 with over 1600, as did refinance loan applications for the year. The highest amount of government insured home loan applications were submitted in 2016 and 2017. In 2017, over 1400 home purchase applications were recorded, compared to less than 200 for home improvement loans.

Chart 4.4 looks at origination rates by loan purpose and income of the census tract. Applications for all loan types have a higher success rate as the tract income increases, as do home improvement loans, peaking at almost 56 percent for the High-Income tracts. Refinance loans generally have the lowest origination rates, overall, and were just over 31 percent in Very Low-Income tracts. In all income categories, home purchase loans show the highest origination rates.

Maps 4.1 through 4.6 provide loan activity by census tract. The ratio of denials to originations was calculated for each loan purpose and loan type. Tracts shown in the darkest purple and blue indicate those areas where 87 or more applications are denied for every 100 applications that are originated. The red areas show 49 to 86 applications denied for every 100 applications originated. The yellow areas show 31 to 48 applications denied for every 100 applications originated. The tan areas show 0 to 30 applications denied for every 100 applications originated.

## **4.2. Conclusions**

In Madison County and the City of Jackson, Tennessee the highest success in loan origination was found in the home purchase loan sector and the least success was in the refinance loan sector.

Overall, the origination rates among Whites were higher than minorities in home purchase, home Improvement and refinance loans. Home purchase loans were the most frequent loan type in the county and the city. The loan applications and originations were significantly lower compared to their percentage in population for African Americans and Hispanics in the county and the city. This is likely attributable to two issues, the lack of applications from minorities and a higher percentage of loan denials to loan applications. The reasons for lower loan originations among minorities were inconclusive based on the overall data. However, during the period between 2014 and 2017, the majority of loan denials for all applicants were related to the applicants' poor credit history, or higher debt-to-income ratio.

Additionally, while the analysis does not provide conclusive evidence of redlining, the data provides support to the thesis that some characteristics of redlining may be impacting loan originations in lower income census tracts. Ideally, origination rates should be similar among same income groups regardless of the income for the census tract where the subject property is located. However, the origination

rates for all the income groups increases as the tract income increases and decreased as the tract income decreased. This indicates that families with similar income are more likely to originate a loan for property in a higher income census tract in the county and the city. While it is expected that very low-income applicants tend to have lower origination rates, within the very low-income census tracts, even high-income applicants showed a poor success rate. However, due to very low number of applications in the lower income census tracts, any conclusive determination of redlining is impossible for the county or the city.

The disparate impact of lower numbers of loan applications, higher denial rates, and disparities in loan origination rates for minorities compared to Whites; coupled with the possibility that characteristics of redlining may be adversely impacting originations in lower income concentrated census tracts where minorities are most likely living, are indicative of impediments to fair housing.

**Table 4.1**

**Home Mortgage Disclosure Act (HMDA) Analysis  
Comparison of Number of Loan Applications and Origination  
Rates  
Jackson and Madison County  
2014 - 2017**

	<b>Jackson Number of Apps</b>	<b>Origin. Rate</b>	<b>Madison County Number of Apps</b>	<b>Origin. Rate</b>
<b>Loan Type:</b>				
<b>Conventional</b>	8,024	56.77%	6,092	74.77%
<b>FHA</b>	3,397	43.99%	2,771	69.58%
<b>VA &amp; Other</b>	2,195	46.86%	1,534	89.24%
<b>Ethnicity:</b>				
<b>American Indian or Alaska Native</b>	64	54.69%	42	57.14%
<b>Asian</b>	117	62.39%	107	62.62%
<b>Black or African American</b>	2,683	44.91%	2,463	45.47%
<b>Information not provided</b>	1,042	39.73%	817	40.64%
<b>Native Hawaiian or Other Pacific Islander</b>	26	38.46%	17	47.06%
<b>Not applicable</b>	5	80.00%	4	75.00%
<b>White</b>	9,679	63.14%	6,947	64.95%
<b>Hispanic or Latino</b>	307	51.14%	207	53.62%
<b>Income:</b>				
<b>&lt;51% median (very low)</b>	1,399	40.39%	1,074	41.15%
<b>51-80% median (low)</b>	2,975	56.24%	2,245	56.08%
<b>81-95% median (moderate)</b>	1,238	61.95%	817	60.95%
<b>96-120% median (middle)</b>	1,113	60.65%	910	62.64%
<b>&gt;120% median (high)</b>	5,177	65.02%	3,941	66.66%
<b>Unknown</b>	1,714	47.02%	1,410	47.52%
<b>Loan Purpose:</b>				
<b>Home improvement</b>	333	49.25%	206	44.66%
<b>Home purchase</b>	6,723	54.02%	5,048	72.54%
<b>Refinance</b>	6,560	42.62%	5,143	44.95%
<b>Totals</b>	13,616	57.70%	10,397	58.34%

Table 4.1 Source: Home Mortgage Disclosure Act (HMDA)

**Table 4.2**

**Home Mortgage Disclosure Act (HMDA) Analysis  
Comparison of Originations Within Categories  
Jackson and Madison County  
2014-2017**

	<b>Jackson</b>			<b>Madison County</b>		
	<b># of</b>	<b>% of</b>	<b>%Pop.</b>	<b># of</b>	<b>% of</b>	<b>%Pop.</b>
	<b>Originations</b>	<b>Originations</b>		<b>Originations</b>	<b>Originations</b>	
<b>Loan Type:</b>						
<b>Conventional</b>	4,555	58.01%		3,545	58.44%	
<b>FHA</b>	1,928	24.55%		1,586	26.15%	
<b>VA &amp; Other</b>	1369	17.44%		935	15.41%	
<b>Ethnicity:</b>						
<b>American Indian or Alaska Native</b>	35	0.44%	0.06%	24	0.39%	0.07%
<b>Asian</b>	73	0.91%	1.10%	67	1.08%	1.40%
<b>Native Hawaiian or Other Pacific Islander</b>	10	0.12%	0.01%	8	0.13%	0.01%
<b>Black or African American</b>	1,205	15.05%	32.00%	1,120	18.13%	38.20%
<b>White</b>	6111	76.30%	66.9%	4,512	73.05%	61.00%
<b>Hispanic or Latino</b>	157	1.96%	4.2%	111	1.80%	3.7%
<b>Not provided</b>	414	5.17%		332	5.37%	
<b>Not applicable</b>	4	0.05%		3	0.05%	
<b>Income:</b>						
<b>&lt;51% median</b>	565	7.20%		442	7.29%	
<b>51-80% median</b>	1673	21.31%		1,259	20.76%	
<b>81-95% median</b>	612	7.79%		498	8.21%	
<b>96-120% median</b>	794	10.11%		570	9.40%	
<b>&gt;120% median</b>	3,366	42.87%		2,627	43.31%	
<b>Unknown</b>	842	10.72%		670	11.05%	
<b>Loan Purpose:</b>						
<b>Home Purchase</b>	4,686	59.68%		3,662	60.37%	
<b>Home Improvement</b>	164	2.09%		92	1.52%	
<b>Refinance</b>	3,002	38.23%		2,312	38.11%	
<b>Totals</b>	7,852	100.00%		6,066	100.00%	

Table 4.2 Source: Home Mortgage Disclosure Act (HMDA)

**Table 4.3**

**Analysis of Home Mortgage Disclosure Act Data, 2014-2017  
Madison County  
Analysis of Redlining in Very Low-Income Census Tracts**

	<b># of Apps.</b>	<b>% Orig.</b>
<b>Very Low Income Tracts</b>		
<51% median	111	18.0%
51-80% median	78	11.5%
81-95% median	27	11.1%
96-120% median	23	21.7%
>120% median	31	25.8%
Unknown	10	60.0%
<b>High Income Tracts</b>		
<51% median	280	40.4%
51-80% median	825	60.8%
81-95% median	491	66.0%
96-120% median	440	64.1%
>120% median	2302	68.6%
Unknown	376	43.9%
<b>Difference Between High and Very Low Tracts (percentage point difference)</b>		
<51% median		22.3%
51-80% median		49.3%
81-95% median		54.9%
96-120% median		42.4%
>120% median		42.8%
Unknown		-16.1%
<b>Origination Rates for the City of Jackson</b>		
<51% median		40.3%
51-80% median		56.2%
81-95% median		61.9%
96-120% median		60.6%
>120% median		65.0%
Unknown		47.0%

Table 4.3 Source: Home Mortgage Disclosure Act (HMDA)

**Table 4.4**  
**Analysis of Home Mortgage Disclosure Act Data**  
**HMDA Activity for Madison County, 2014 - 2017**

	<b># Apps.</b>	<b>% of Apps.</b>	<b>% Denied</b>	<b>% Orig.</b>
<b>Home Purchase Loans</b>				
Minorities	1,251	24.18%	19.66%	64.67%
White	3,657	70.69%	10.01%	7.66%
Not Provided	265	5.12%	29.43%	50.57%
<b>Home Improvement Loans</b>				
Minorities	63	28.90%	34.92%	28.57%
White	141	64.68%	24.82%	51.06%
Not Provided	14	6.42%	64.29%	14.29%
<b>Refinance Loans</b>				
Minorities	1,532	29.35%	40.47%	32.83%
White	3,149	60.34%	22.48%	52.08%
Not Provided	538	10.31%	36.99%	36.43%
<b>Income Groups</b>				
<b>&lt;51% MFI</b>				
Minorities	424	38.20%	50.94%	30.19%
White	584	52.61%	32.53%	51.88%
Not Provided	102	9.19%	53.92%	23.53%
<b>51 to 80% MFI</b>				
Minorities	716	31.16%	30.73%	47.21%
White	1,406	61.18%	18.78%	62.80%
Not Provided	176	7.66%	43.75%	34.66%
<b>81 to 95% MFI</b>				
Minorities	300	29.85%	28.33%	50.00%
White	640	63.68%	15.47%	67.34%
Not Provided	65	6.47%	38.46%	49.23%
<b>96 to 120% MFI</b>				
Minorities	222	27.31%	29.73%	51.35%
White	537	66.05%	12.85%	68.90%
Not Provided	54	6.64%	35.19%	44.44%
<b>&gt;120% MFI</b>				
Minorities	696	17.40%	23.85%	56.75%
White	3,025	75.61%	11.70%	70.51%
Not Provided	280	7.00%	26.07%	48.93%

Table 4.4 Source: Home Mortgage Disclosure Act (HMDA)

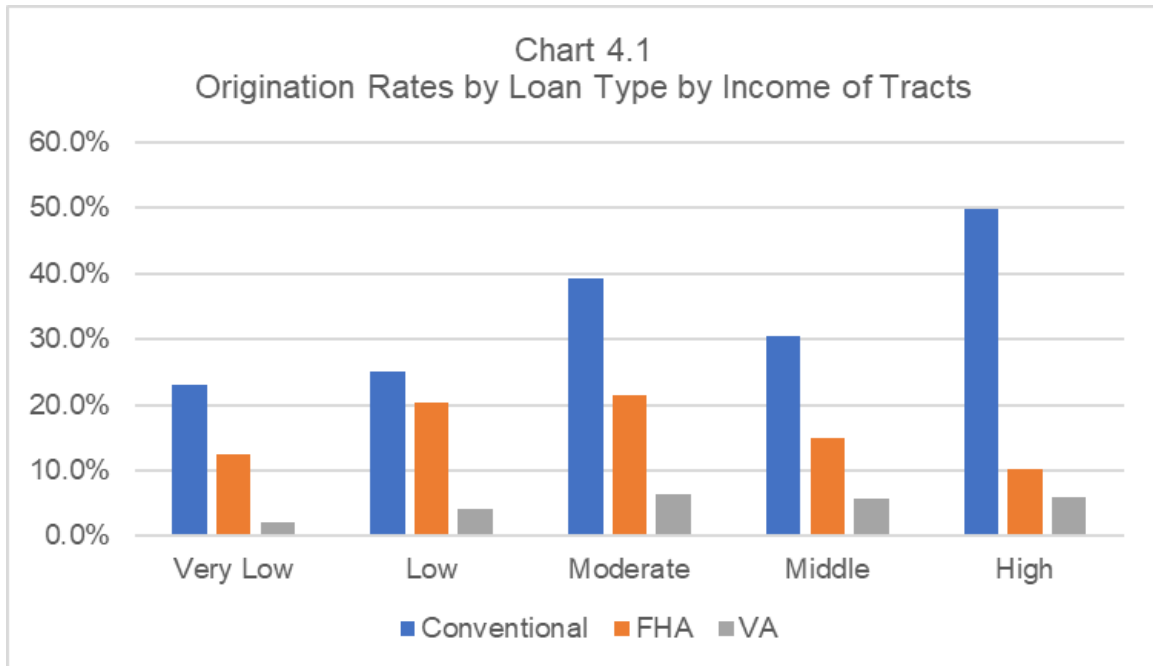


Chart 4.1 Source: Home Mortgage Disclosure Act (HMDA)

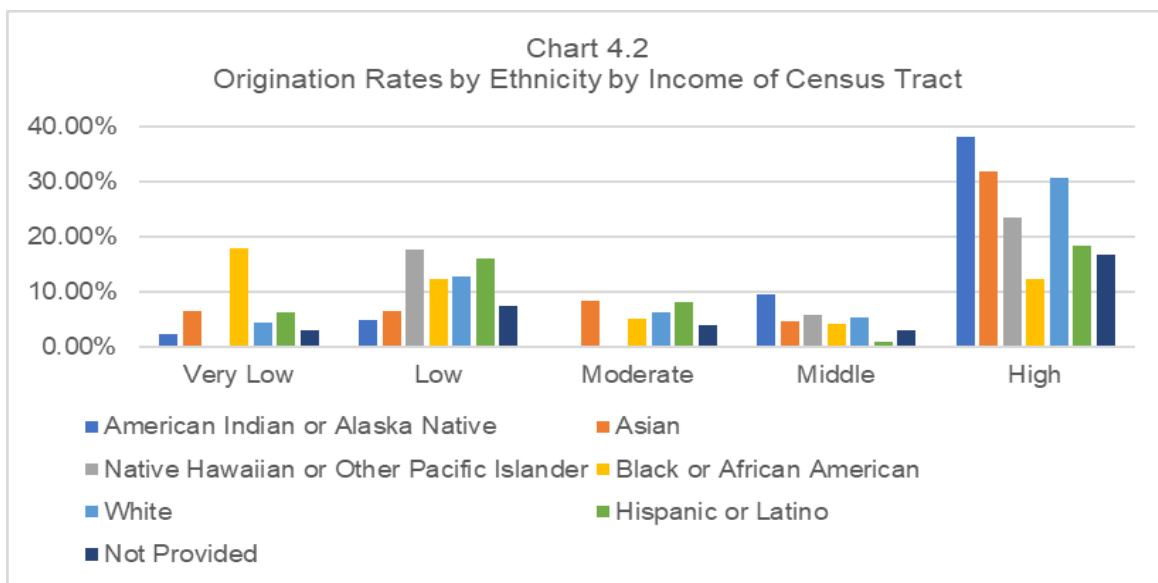


Chart 4.2 Source: Home Mortgage Disclosure Act (HMDA)



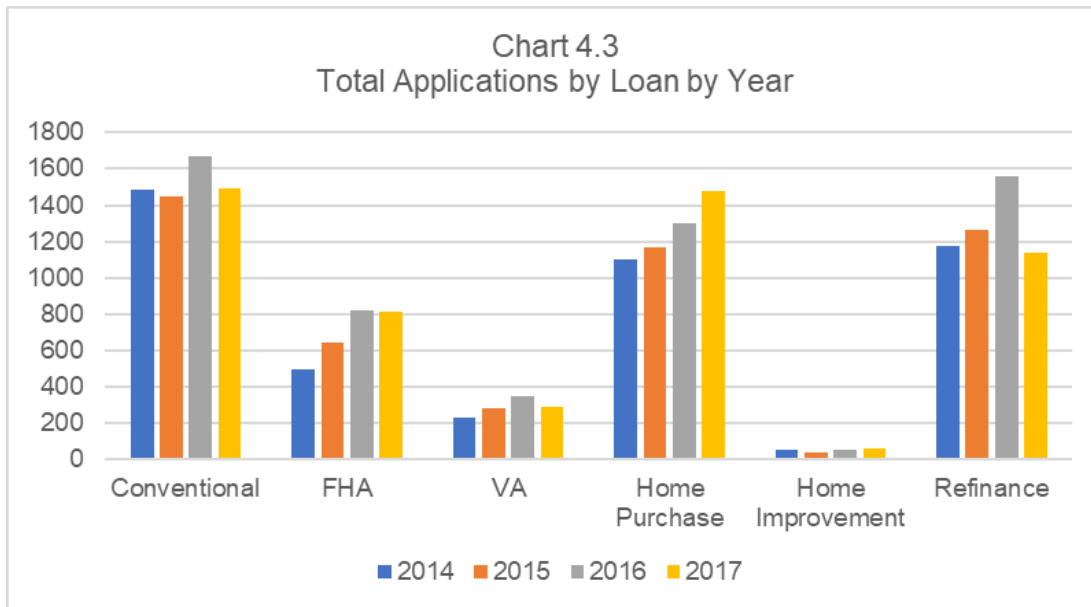


Chart 4.3 Source: Home Mortgage Disclosure Act (HMDA)

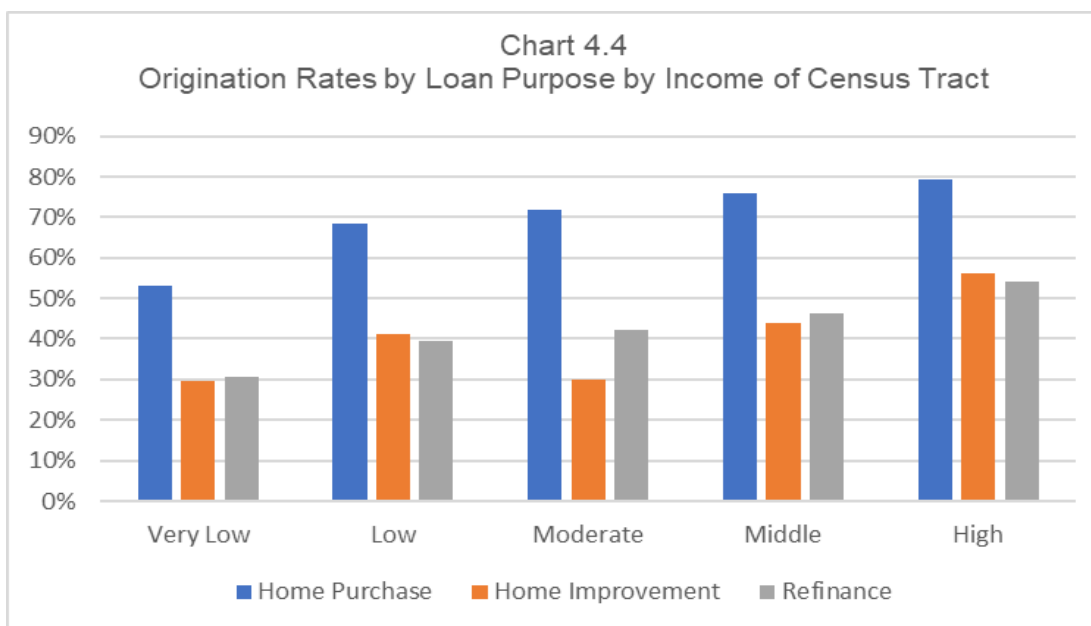
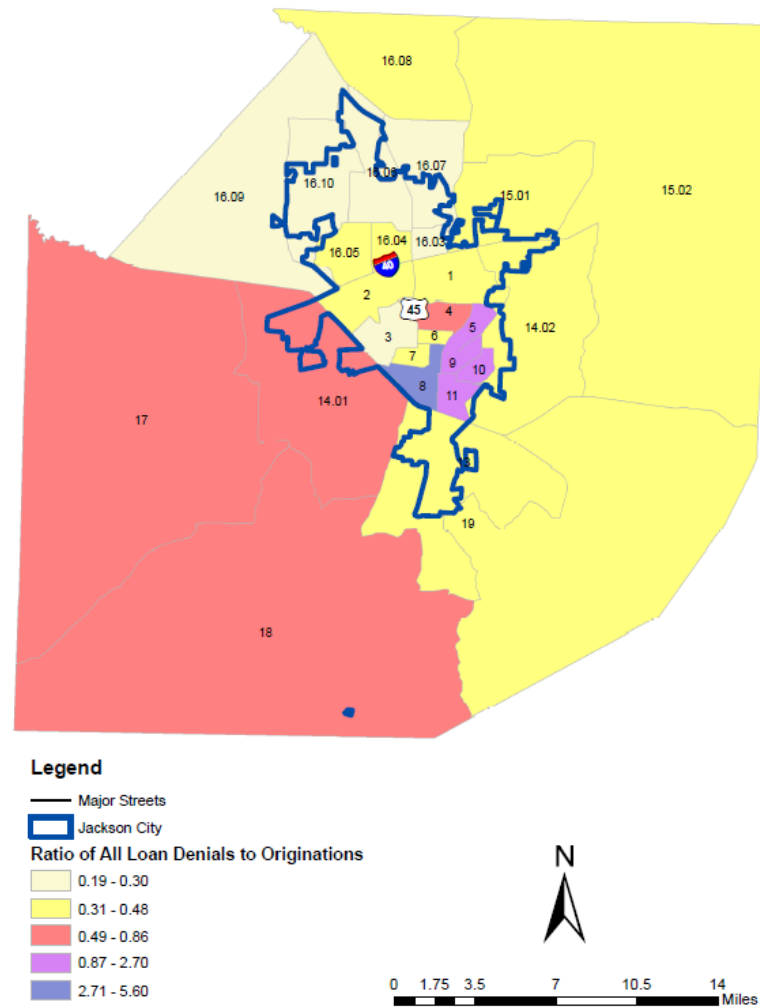


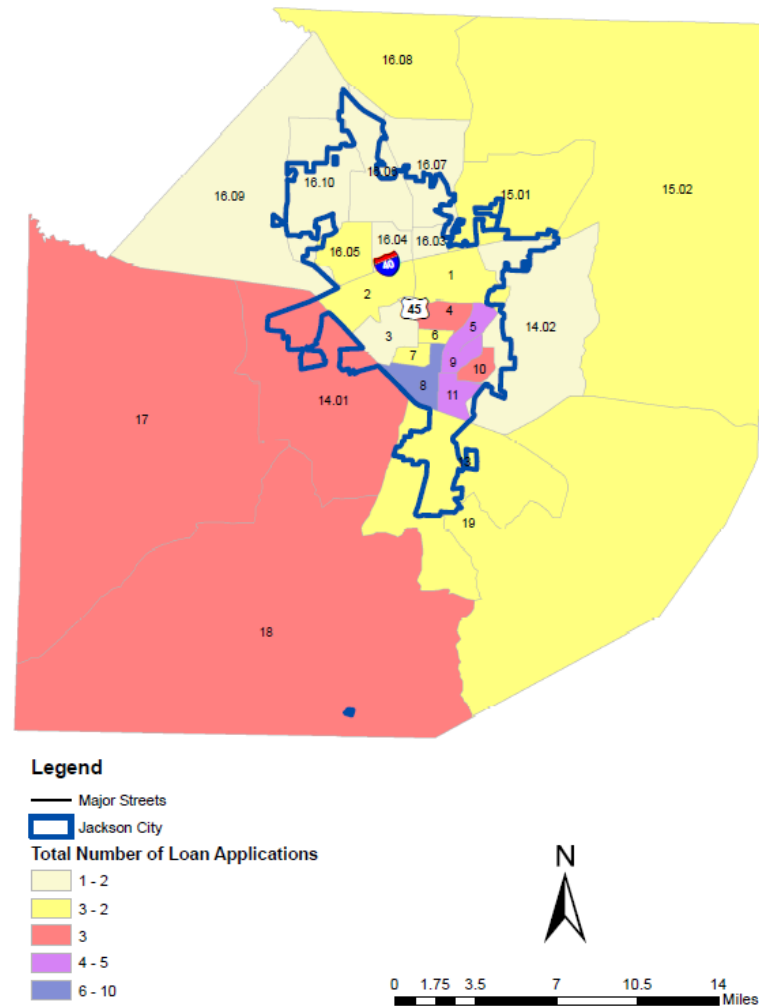
Chart 4.4 Source: Home Mortgage Disclosure Act (HMDA)

**Map 4.1: Ratio of All Loan Denials to Originations, 2014-2017**



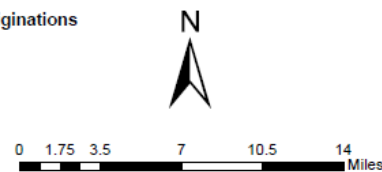
Map 4.1: Source Home Mortgage Disclosure Act (HMDA)

**Map 4.2: Total Number of Loan Applications,  
2014-2017**



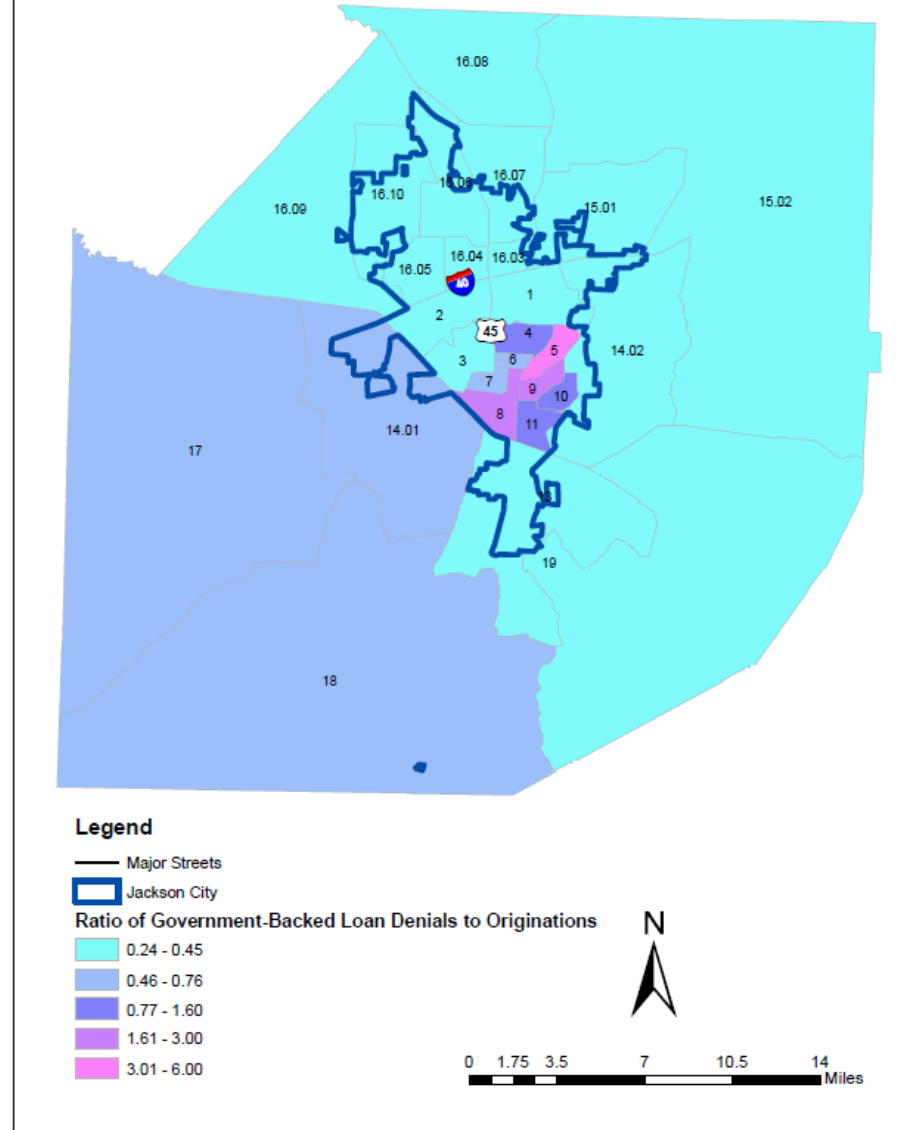
Map 4.2: Source Home Mortgage Disclosure Act (HMDA)

The map displays the 11th Congressional District in North Carolina, highlighted in purple. The district is bounded by the 16th, 15th, 14th, 13th, 12th, 11th, 10th, 9th, 8th, 7th, 6th, 5th, 4th, 3rd, 2nd, and 1st districts. Major highways shown include I-40, I-45, and I-85. The map also shows the 16th, 15th, 14th, 13th, 12th, 11th, 10th, 9th, 8th, 7th, 6th, 5th, 4th, 3rd, 2nd, and 1st districts. The 11th district is highlighted in purple, and the 16th, 15th, 14th, 13th, 12th, 11th, 10th, 9th, 8th, 7th, 6th, 5th, 4th, 3rd, 2nd, and 1st districts are shown in various colors. The map also shows the 16th, 15th, 14th, 13th, 12th, 11th, 10th, 9th, 8th, 7th, 6th, 5th, 4th, 3rd, 2nd, and 1st districts. The 11th district is highlighted in purple, and the 16th, 15th, 14th, 13th, 12th, 11th, 10th, 9th, 8th, 7th, 6th, 5th, 4th, 3rd, 2nd, and 1st districts are shown in various colors.

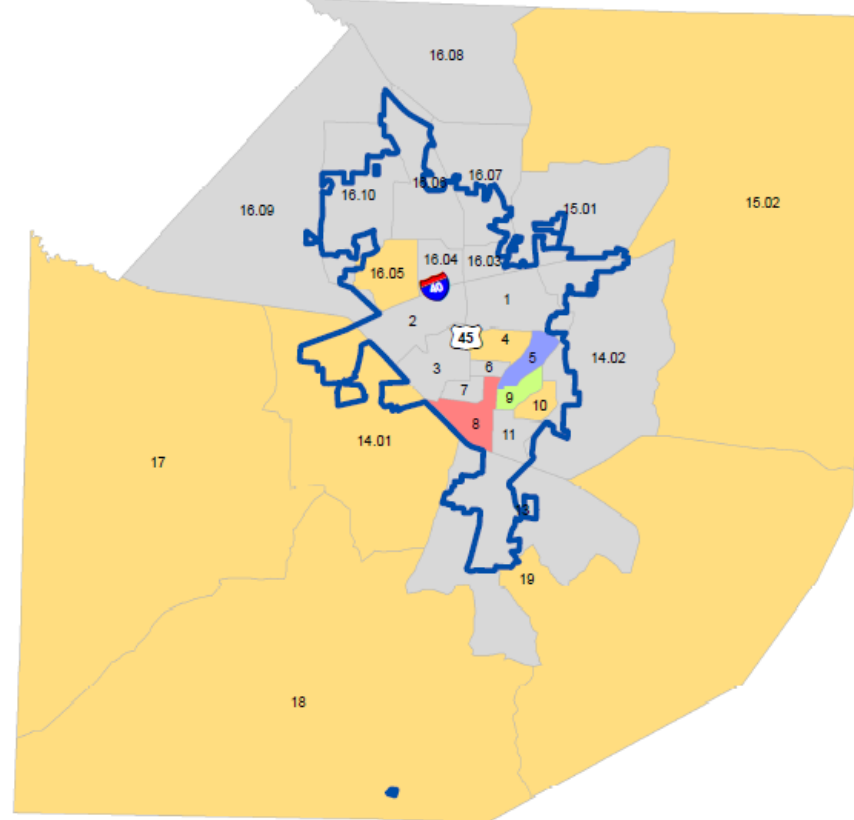


Map 4.3: Source Home Mortgage Disclosure Act (HMDA)

**Map 4.4: Ratio of Government-Backed Loan Denials to Originations, 2014-2017**



**Map 4.5: Ratio of Home Purchase Loan Denials to Originations, 2014-2017**



**Legend**

— Major Streets

□ Jackson City

Ratio of Home Purchase Loan Denials to Originations

0.00 - 0.26

0.27 - 0.61

0.62 - 1.50

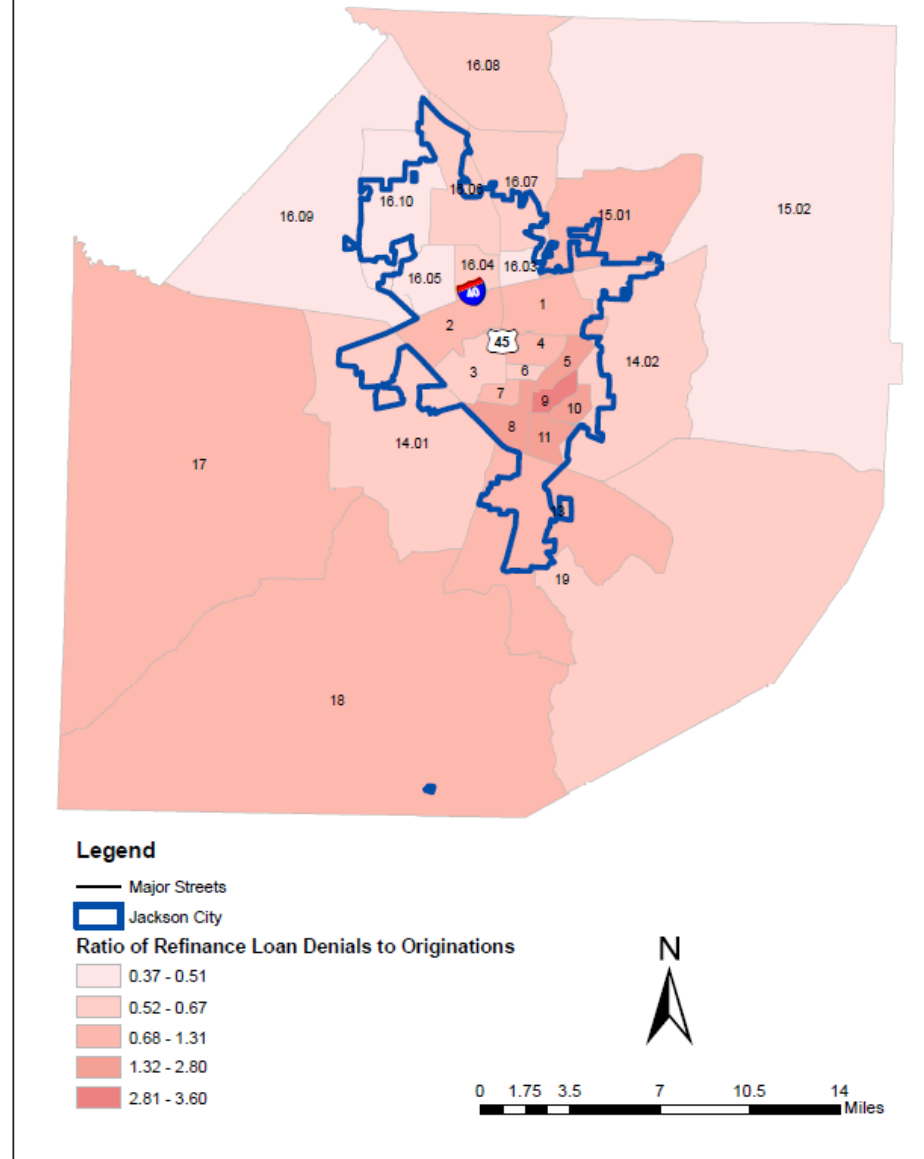
1.51 - 3.50

3.51 - 8.40



Map 4.5: Source Home Mortgage Disclosure Act (HMDA)

**Map 4.6: Ratio of Refinance Loan Denials to Originations, 2014-2017**



Map 4.6: Source Home Mortgage Disclosure Act (HMDA)

## **VI. Assessment of Impediments – Past Performance Goals, Remedial Actions, and Strategies for 2012 AI**

### **1. Section VI. Fair Housing Impediments and Goals identified and prioritized for action in recent Analysis of Impediments or other relevant planning documents:**

#### **2012 Analysis of Impediments to Fair Housing Choice**

Impediments to fair housing choice are detailed in Section Six of 2012 Analysis of Impediments report. The impediments identified draws on information collected and analyzed to provide a detailed analysis of fair housing impediments in Jackson. Impediments were divided into five major categories: Real Estate Impediments; Public Policy Impediments; Neighborhood Conditions as Impediments; Banking, Finance, and Insurance Related Impediments; and Socioeconomic Impediments. For each impediment identified, issues and impacts are detailed. Remedial actions are recommended, when appropriate, to address each impediment. Some of the remedial actions and recommended goals are conceptual frameworks for addressing the impediments. The goals require further research, analysis, and final program design by the City of Jackson for implementation.

#### **Goals and Remedial Activities designed to address impediments**

The major focus of the recommended remedial actions and goals are centered on creating partnerships, identifying new federal resources and leveraging private funding needed to enhance the jurisdiction's ability to increase its supply of affordable housing and better meet the needs of low-income and moderate-income households. Other remedial actions are recommended as a means of reversing the negative and sometimes disparate impacts of the market conditions and mortgage lending trends that adversely and disproportionately impact minorities and members of the protected classes under the fair housing act. These include sub-prime lending, foreclosures, credit and collateral deficiencies that impact loan origination rates, poverty, employment and income. The goals were prioritized by the City with input from



the public and the details of the identified goals and remedial actions are presented in this section of the 2012 Analysis of Impediments report.

**a. City's progress toward their achievement of the goals of previous AI.**

The following describes the goals that were included in the City's 2014 Analysis of Impediments to Fair Housing and the progress that has been made toward their achievement:

**Real Estate Impediments**

**Impediment No.1:** Housing affordability and insufficient income, that is households having inadequate income to acquire housing currently available in the market, may be the most critical impediment faced by households in Jackson. Based on data on affordability and financing and according to local affordable housing developers, agencies and individuals, availability of financing presents a primary barrier to producing new affordable and subsidized housing. Credit access remains a real challenge for potential homebuyers. Cost burden is also a major concern as the 2008-2011 ACS estimates revealed a significant percentage of the population at all income levels are paying more than 30 percent of their income for rent and home ownership.

**Impediment No. 2:** Development constraints and supply of available constrains new housing production. In the inner city, the issue of land available for affordable housing is further complicated by the number of vacant private and adjudicated properties that cannot be utilized for development due to various legal constraints and tax encumbrances. As a result, new residential production occurring as infill projects is often a more challenging and costly development type. Land cost are high and not cost effective in some instances when developing affordable housing. Construction cost associated with construction (materials and labor) have increased due to market increases and natural disasters.

**Goals:** Support the increased production of affordable housing through public private partnerships with developers, and capacity building for nonprofits. Facilitate access to below-market-rate units. Maintain a list of lenders and implement programs that leverage resources that help buyers' access below-market-rate loans and locally sponsored down-payment and mortgage assistance programs. The City will to work with Jackson Housing Authority, local banks, developers and non-profit organizations

to expand affordable housing and economic development and encourage private sector support for affordable housing initiatives. Seek State and non-entitlement grant resources to increase funding for housing development, mortgage assistance and encourage private sector support for affordable housing initiatives.

### **Banking, Finance, Insurance and other Industry related impediments**

**Impediment No. 3:** Impacts of Increased Foreclosures, Rising Unemployment Rates, and the Sub-Prime Mortgage Lending Crises on Housing Choice, Affordability and Sustainability.

**Goals:** The City will continue to support initiatives that reduce mortgage defaults and foreclosure rates among low and moderate-income home buyers **and** removing language barriers that reduce housing choice for limited English-speaking persons.

**Impediment No. 4:** Low number of loan applications for minorities and low origination rates for minority applicants. This is evidenced in the HMDA analysis that shows African Americans and Hispanics accounting for the second and third highest percentages of Jackson's population in years 2006 - 2010, but their percentages of loan originations are much lower compared to their percentage of population in the jurisdiction. In the City of Jackson, Whites had the highest percentage of origination, 76.4 percent of the total. The percentage of Whites in the population was 60.0 percent. African American applicants accounted for about 14.0 percent of all originations with 37.1 percent of the total population. Hispanic applicants accounted for 3.8 percent of originations, while their presence in the population was 0.8 percent of all residents

**Goals:** Allocate entitlement funding, if available, for homebuyer outreach and education, credit counseling and financial literacy in order to increase the number of minorities who apply and qualify for mortgage loans. Encourage financial institutions and mortgage companies to expand their homebuyer support services to more people as a means of improving the origination rates among minorities, as well. Supported programs that provide financial literacy and credit counseling services between. Support homebuyer education and credit counseling programs that address poor credit and lack of credit which remain the leading cause for denial among applicants of all races and ethnicities.

**Impediment No. 5:** Predatory lending practices are aggressively absorbing the market formerly controlled by FDIC insured banks and other reputable financial institutions and fast becoming lenders of choice in some low income and minority concentrated areas. In other instances, persons facing economic hardships are being preyed upon due to their inability to qualify for traditional lending and banking services. In other instances, participants were concerned with underwriting criteria used by lenders, failure to adjust ratios or provide funding with more favorable terms, or simply the influences of the foreclosure rates and sub-prime lending on mortgage approvals and higher private mortgage insurance for small loans.

**Goal:** Encourage lending institutions to extend banking services to low-income census tracts and provide outreach to the low income and minority households to lessen the use of predatory lenders by offering products and services to establish or reestablish checking, saving, and credit accounts for residents that commonly utilize check cashing services.

## **Socio-Economic Impediments**

**Impediment No. 6:** Barriers to Fair Housing Choice Impacts on Special Need Populations. Special needs populations face a disproportionate rate of barriers to fair housing choice than that of mainstream populations. A shared disadvantage faced by many special need's households are the impacts of living in poverty, lost wages and living on lower, fixed or no income. These limitations are major factors preventing their exercise of housing choice. Minority and special needs populations are hardest hit by poverty and lower income. Challenges for other special needs populations such as the elderly and disabled are changing as they trend toward living longer, experience unaffordable maintenance and overhead, cost and finding housing allowing them to live and age in place.

**Goal:** Provide language assistance to persons with limited English proficiency. The City of Jackson and its entitlement grant-funded agencies shall implement and maintain a language access plan (LAP) consistent with federal guidelines to support fair access to housing for LEP persons.

**Goal:** Implement an Affirmative Fair Housing Marketing Plan (AFHMP) to create fair and open access to affordable housing, insuring that individuals of similar economic levels in the same housing market areas have equal access to a like range of housing

choices regardless of race, color, religion, sexual orientation, gender, familial status, disability, or national origin. Provide outreach to private landlords not receiving entitlement funding and encouraging landlords to embrace fair education for the staff and management and participate in entitlement funded affordable housing and fair housing programs education and outreach.

**Goal:** Continue to expand job opportunities through the recruitment of corporations, the provision of incentives for local corporations seeking expansion opportunities, assistance with the preparation of small business loan applications, and other activities whose aim is to reduce unemployment and expand the base of higher income jobs. The city, in conjunction with local business interest, will continue to actively recruit industries that match the demographics of the populations most unemployed, as a means of improving poverty rates, incomes and home ownership rates in the city.

**Impediment No. 7:** Reduce poverty and low-income among minority populations impacting fair housing choice. The poverty data shows major disparities for African Americans compared to that of Whites and citywide poverty totals. The 2005 - 2009 ACS Census averages shows incidence of poverty among African Americans was 37.2 percent and among Hispanics 19.6 percent of their total population. Among White persons, the data reported 10.2 percent lived in poverty between 2005 and 2009. In comparison, the poverty rate for the city was 22.6 percent during the period. Of equal concern is the poverty rate for children under the age of five years. The poverty rate among young children in Jackson was 68.5 % for African American households, and 30.7% for Hispanics compared to 9.3% for children in White households under the age of five.

**Goals:** The City and local Chamber of Commerce will continue to work on expanding job opportunities through the recruitment of corporations, incentives for local corporations seeking expansion opportunities, and other activities aimed at reducing unemployment and expanding the base of higher income jobs. The City in conjunction with the Chambers will actively support recruiting industries that match the demographics of the populations experiencing high unemployment, as a means of decreasing poverty rates, and increasing incomes and home ownership rates.

**Impediment No. 8:** High Poverty and lower incomes, limited job training, workforce development, and economic opportunity among minority populations and lack of access to healthy, affordable food choices. For many households, low access to healthy, affordable food translates into a higher incidence of nutrition-related diseases, including diabetes and heart disease and is a major factor preventing their exercise of housing choice.

**Goals:** The City of Jackson should evaluate and consider applying for USDA Food Desert, Housing Choice Neighborhood Grant and related grant funding.

### **Neighborhood Conditions Related Impediments**

**Impediment No. 9:** Limited affordable housing units and resources to assist lower income, elderly, and disabled homeowners maintain their homes and stability in neighborhoods. While some neighborhoods in the City of Jackson are relatively stable and its housing stock in fair to good condition, there were neighborhoods experiencing moderate to severe decline. Other neighborhoods are in transition, showing early characteristic of declining conditions and likely will continue to decline if routine and preventive maintenance does not occur in a timely manner. A major component of affordable multifamily - public and assisted housing in Jackson is comprised of public housing developments operated by Jackson Housing Authority and privately-owned multifamily housing funded with various forms of federal and state assistance. A number of these developments were built prior to 1975 and some need substantial renovation or otherwise obsolete based on today's standards. Many of these units are concentrated in minority concentrated areas and areas with high concentrations of lower income residents. Participants in focus group sessions were concerned about limited housing choices and affordability for former felons, homeless populations, and associated cost including security deposits, cost of utilities, and ability to be approved based on leasing qualifications.

**Goals:** The City of Jackson, in conjunction with the Housing Authority of Jackson will evaluate applying for a HUD Choice Neighborhood Implementation Grant from HUD as a primary means of improving neighborhoods experiencing decline and currently designated as concentrated and segregated R-ECAP areas.

The City will continue efforts in providing volunteer-based initiatives aimed at improving housing conditions and neighborhood stability. Other activities that will be considered include:

- Increase self-help initiatives such as "fix-up," "paint-up," or "clean-up" campaigns and "corporate repair projects
- Implement Youth Construction Build and Repair Program in conjunction with school district, formally funded by HUD to public housing authorities.
- Organize a "Compliance Store" where home builders, building supply stores, merchants, and celebrities, are used to demonstrate simple, cost effective ways to make improvements to houses and donate building supplies for use in self-help projects. The supplies and storage facility for supplies could be provided to enrollees by building supply stores, contractors, and hardware stores.
- Organize "adopt-a-block" and "adopt-an-intersection" campaigns
- Continue promoting Community Gardens as interim uses on select vacant lots provide an opportunity for neighborhood residents to work together to increase the attractiveness of their neighborhood.

### **Public Policy Related Impediments**

**Impediment No. 10:** Increased public awareness of fair housing rights and local fair housing legislation and local enforcement should be evaluated. The City of Jackson has not enacted local Fair Housing Law deemed substantially equivalent to the federal act, offering similar rights, remedies, and protections to the protected classes afforded protections under the federal law. The City does not provide for local enforcement of the State and Federal Fair Housing Acts, instead relying on the federal government and State agencies for enforcement.

**Goals:** The City of Jackson will evaluate the enactment of local fair housing legislation and local funding for education and outreach.

**2. Section VI. Fair Housing Impediments and Goals Description of City achieving past goals, and /or how you have fallen short of achieving those goals (including potentially harmful unintended consequences).**

The City continues to address issues of infrastructure, workforce development – economic development, affordable housing, and provide public services that support low income, disabled and senior persons and households with its entitlement programs. Competitive federal grant funding including the Neighborhood Stabilization Program has greatly enhanced the City and Jackson Housing Authority's ability to implement programs addressing the impediments identified in previous Analysis of Impediments. Despite many challenges and limited funds available, the City and Jackson Housing Authority remains committed to improving their ability to address the needs of persons desiring and requesting funding and removing barriers and impediments to fair housing. Below are the actions taken in response to the 2012 Analysis of Impediments.

**Real Estate Impediments**

**Impediment No. 1:** Housing affordability and Insufficient Income, that is households having inadequate income to acquire housing currently available in the market, may be the most critical impediment faced by households in Jackson. Based on data on affordability and financing and according to local affordable housing developers, agencies and individuals, availability of financing presents a primary barrier to producing new affordable and subsidized housing. Credit access remains a real challenge for potential homebuyers. Cost burden is also a major concern as the 2008-2011 ACS estimates reveal a significant percentage of the population at all income levels are paying more than 30 percent of their income for rent and home ownership.

**Impediment No. 2:** Development constraints and supply of available land for housing development constrains new housing production. In the inner city, the issue of land available for affordable housing is further complicated by the number of vacant private and adjudicated properties that cannot be utilized for development due to various legal constraints and tax encumbrances. As a result, new residential production as infill projects is often a more

challenging and costly development type. Land cost are high and not cost effective in some instances when developing affordable housing. Construction cost associated with construction (materials and labor) have increased due to market increases and natural disasters.

**Implementation:** The Community Development Department has developed new units utilizing Home and CDBG Entitlement, Neighborhood Stabilization funding, and Public Housing Funding to leveraging private financing to make housing affordable. One successful example is NSP program near downtown Jackson

### **Banking, Finance, Insurance and other Industry Related Impediments**

**Impediment No. 3:** Impacts of Increased Foreclosures, Rising Unemployment Rates, and the Sub-Prime Mortgage Lending Crises on Housing Choice, Affordability and Sustainability., Tennessee.

**Implementation:** The City worked to address barriers to affordable housing development and availability in order to reduce the cost burden on low and moderate income residents by implementing the following strategies: implemented initiatives to reduce predatory lending directed toward low income residents; created access to financial institutions and provided financial education to assist in improving their financial profile; expanded homebuyer education classes and credit repair classes to increase the stream of qualified homebuyers entering the housing market; worked with Community Partners to develop a widely accessible purchase program that will help builders find buyers for affordable houses. The City sponsored Homebuyer Assistance Program has been used for the past four years as a primary means of leveraging private mortgage funding with entitlement funded down payment and closing cost for affordable housing purchase.



**Impediment No. 4:** Low number of loan applications for minorities and low origination rates for minority applicants.

**Implementation:** The City worked to address barriers to affordable housing development and availability in order to reduce the cost burden on low and moderate income residents by implementing the following strategies: implemented initiatives to reduce predatory lending directed toward low income residents; created access to financial institutions and provided financial education to assist in improving their financial profile; expanded homebuyer education classes and credit repair classes to increase the stream of qualified homebuyers entering the housing market; worked with Community Partners to develop a widely accessible purchase program that will help builders find buyers for affordable houses.

**Impediment No. 5:** Predatory lending practices are aggressively absorbing the market formerly controlled by FDIC insured banks and other reputable financial institutions and fast becoming lenders of choice in some low income and minority concentrated areas. In other instances, persons facing economic hardships are being preyed upon due to their inability to qualify for traditional lending and banking services. In other instances, participants were concerned with underwriting criteria used by lenders, failure to adjust ratios or provide funding with more favorable terms, or simply the influences of the foreclosure rates and sub-prime lending on mortgage approvals and higher private mortgage insurance for small loans.

**Implementation:** The City continued to support initiatives that increase the development of affordable housing and mortgage financing, and initiatives that help reduce mortgage defaults and foreclosures rates among low- and moderate-income home buyers. The City continued to support programs repair existing housing and preserve affordability among low- and moderate-income home buyers and existing homeowners.

## **Socio-Economic Impediments**

**Impediment No. 6:** Barriers to Fair Housing Choice Impacts on Special Need Populations. Special needs populations face a disproportionate rate of barriers to fair housing choice than that of mainstream populations. A shared disadvantage faced by many special needs' households are the impacts of living in poverty, lost wages and living on lower, fixed or no income. These limitations are major factors preventing their exercise of housing choice. Minority and special needs populations are hardest hit by poverty and lower income.

**Implementation:** The City and HACS in partnership with the local universities and businesses continued to work on expanding job training and employment opportunities through the recruitment of corporations the provision of incentives for local corporations seeking expansion opportunities, and job training activities aimed at reducing unemployment and expanding the base of higher income jobs.

**Impediment No. 7:** Reduce poverty and low-income among minority populations impacting fair housing choice. The poverty data shows major disparities for African Americans compared to that of Whites and citywide poverty totals. The incidence of poverty among African Americans in Jackson was 31.9 percent of their total population between 2007 and 2011, and among Hispanics 21.6 percent. Among White persons, the data reported 9.6 percent lived in poverty.

**Implementation:** The City and Chamber in partnership with the local universities and businesses continued to work on expanding job training and employment opportunities through the recruitment of corporations the provision of incentives for local corporations seeking expansion opportunities, and job training activities aimed at reducing unemployment and expanding the base of higher income jobs.

**Impediment No. 8: High Poverty and lower incomes, limited job training, workforce development, and economic opportunity among minority populations and lack of access to healthy, affordable food choices.**

**Implementation:** The City of Jackson continues to work closely with the Chamber and business community to address job creation.

### **Neighborhood Conditions Related Impediments**

**Impediment No. 9: Limited number of affordable housing units and resources to assist low income, elderly and indigent homeowners maintain their homes and stability in neighborhoods.**

The City will continue efforts in providing volunteer-based initiatives aimed at improving housing conditions and neighborhood stability. Other activities that will be considered include:

The City continued its efforts in providing volunteer-based initiatives aimed at improving housing conditions and neighborhood stability. Current activities were continued, and the City expanded volunteer activities as funds were available.

### **Public Policy Related Impediments**

**Impediment No. 10:** Increased public awareness of fair housing rights and local fair housing legislation and local enforcement should be evaluated. The City of Jackson has not enacted local Fair Housing Law deemed substantially equivalent to the federal act, offering similar rights, remedies, and protections to the protected classes afforded protections under the federal law. The City does not provide for local enforcement of the State and Federal Fair Housing Acts, instead relying on the federal government and State agencies for enforcement. There are limited Entitlement funds directly allocated to Fair Housing outreach or education.

**Implementation:** The City continued increasing fair housing education and outreach in an effort to raise awareness and increase the effectiveness of its local fair housing ordinances. The City considered a regional approach to local enforcement through a partnership of other local jurisdictions and the City of Jackson and submittal a joint application for FHAP and FHIP funding to HUD. However, the consensus was with limited staff the best solution would be to refer all fair housing complaints to the Tennessee Fair Housing Commission for action. The City continued to target fair housing education and outreach to the rapidly growing Hispanic and immigrant populations.

**3. How the experience of program participation(s) in implementing past goals has influenced the selection of current goals.**

Many of the participants for this AI are the same persons and agencies that participated in the AI in 2012. Some have been working in partnership with the City to address these issues and goals identified at that time. These are difficult goals to address and many require additional resources. We are therefore focusing on how the City and our partners can identify additional resources or alternative approaches to implementing the goals.

## **VII. Fair Housing Impediments Goals and Priorities for 2019 AI**

### **2019 Analysis of Impediments to Fair Housing Choice**

Impediments to fair housing choice are detailed in Section Six of the 2019 Analysis of Impediments report. The impediments identified draws on information collected and analyzed to provide a detailed analysis of fair housing impediments in Jackson. Impediments were divided into five major categories: Real Estate Impediments; Public Policy Impediments; Neighborhood Conditions as Impediments; Banking, Finance, and Insurance Related Impediments; and Socioeconomic Impediments. For each impediment identified, issues and impacts are detailed. Remedial actions are recommended, when appropriate, to address each impediment. Some of the remedial actions and recommended goals are conceptual frameworks for addressing the impediments. The goals require further research, analysis, and final program design by the City of Jackson for implementation.

### **Goals and Remedial Activities designed to address impediments**

The major focus of the recommended remedial actions and goals are centered on creating partnerships, identifying new federal resources and leveraging private funding needed to enhance the jurisdiction's ability to increase its supply of affordable housing and better meet the needs of low-income and moderate-income households. Other remedial actions are recommended as a means of reversing the negative and sometimes disparate impacts of the market conditions and mortgage lending trends that adversely and disproportionately impact minorities and members of the protected classes under the fair housing act. These include sub-prime lending, foreclosures, credit and collateral deficiencies that impact loan origination rates, poverty, employment and income. The goals were prioritized by the City with input from the public and the details of the identified goals and remedial actions are presented in this section of the report.

The contributing factors pertaining to each identified impediment were assigned three priority levels based on the amount and strength of the supporting evidence that initially identified the factor. The contributing factors are grouped by the same issues that organize the AI, and some factors may appear for multiple issues.

- High – factors that limit or deny fair housing choice or access to opportunity, as well as other factors that are urgent or establish a foundation for future actions
- Medium – moderately urgent or building on prior actions
- Low – limited impact on fair housing issues

### **Goal 1: De-concentration of Poverty, Race/Ethnicity, and Public and Assisted Housing.**

#### **Contributing Factors:**

Location and type of affordable housing

The availability of affordable units in a range of sizes

Lack of affordable, accessible housing in range of unit sizes

#### **Fair Housing Issues:**

Segregation/Integration R/ECAPs

Disparities in Access to Opportunity

Disproportionate Housing Needs

Transforming Concentrated Areas into Opportunity Areas

**Metrics, Milestones for Achievement:**

Request HUD Increase Section 8 FMR's to enhance utilization of HCVs in non-R/ECAP areas;

Request HUD funding for Choice Neighborhood Program Implementation;

Lobby State legislature to amend LIHTC Funding Criteria to include a Location Criteria Policy that incentivizes developers' applications to choose non poverty and racial/ethnic concentrated census tracts to help reduce concentrated poverty, race and ethnicity;

Request HUD funding for Neighborhood Revitalization in R/ECAP areas and new housing development and investment in Opportunity Areas;

Request HUD provide funding to Incentivize Landlord Participation in Section 8 Voucher Program; and fund After School Learning Centers and Adult Literacy Programs in privately owned multifamily housing development.

**Responsible Program Participant(s)**

City of Jackson, TN

Jackson Housing Authority

**Discussion**

Fair housing is distinct from affordable housing. However, there is a great deal of overlap between the two issues. Fair housing experts and advocates, including those consulted in Jackson indicate that the most prevalent barrier to fair housing is poor housing and neighborhoods in areas of concentrated poverty, low income and public and assisted housing. To address the contributing factors related to the type and location of affordable housing, the City will partner with the Jackson Housing Authority, private market and other public organizations to increase access to the supply and variety of affordable housing.

**Goal 2: Expand supply of affordable housing, housing choice and access to financing.**

**Contributing Factors:**

Location and type of affordable housing

The availability of affordable units in a range of sizes

Lack of affordable, accessible housing in range of unit sizes

**Fair Housing Issues:**

Appraisal Values,

Supply of Affordable Housing

Recapture of Adjudicated and abandoned properties for affordable housing

**Metrics, Milestones for Achievement:**

Continue to maintain a list of local publicly supported developments with expiring subsidies in order to identify partners and potential sources of funding for preservation.

Request City consider enacting Inclusionary Zoning regulations to generate additional affordable housing units. City staff will evaluate the impact on fair housing for residential development proposal.

Encourage City of Jackson utilize incentives to encourage those that increase the supply of affordable housing in high opportunity areas and/or outside of “concentration areas.”

Encourage private landlords to increase participation in the Housing Choice Voucher program, particularly those in higher opportunity neighborhoods.

Implement Mortgage Subsidy; Property Acquisition \ Adjudication; Appraisal Exceptions; and City Infrastructure Replacement programs in support of affordable housing programs.



**Responsible Program Participant(s)**

City of Jackson, TN

Jackson Housing Authority

**Discussion:**

Concentrated poverty, lower income, and public and assisted housing must be reduced in R/ECAP areas to address contributing factors related concentrations and improve the type and location of affordable housing. Deteriorated conditions replaced with access to quality affordable housing and goods and services. The City, Jackson Housing Authority, and private market will support increased supply of quality affordable housing.

**Goal 3: Increase homeownership for low-income protected class members.****Contributing Factors**

Location and type of affordable housing

The availability of affordable units in a range of sizes

Lack of affordable, accessible housing in range of unit sizes

**Fair Housing Issues**

Segregation/Integration R/ECAPs

Disparities in Access to Opportunity

Disproportionate Housing Needs

Disability and Access

## **Metrics, Milestones for Achievement**

Within the next five-year planning cycle, create a framework for providing down payment assistance for qualified first-time homebuyers.

Within the next three years, begin holding annual homebuyer education and financial literacy workshops.

## **Responsible Program Participant(s)**

City of Jackson, TN

## **Discussion**

The City of Jackson has a relatively low homeownership rate, especially among certain racial and ethnic groups. African American households have much lower homeownership rates than other racial/ethnic groups. Persons with physical disabilities looking to buy a home also face difficulty in finding a unit that is already accessible or easily modified. Increasing homeownership for protected classes not only helps these households build wealth and access opportunity, it relieves pressure from the rental market. The Community Development Department and Jackson Housing Authority will coordinate to help qualifying residents and low-income households achieve homeownership.

## **Goal 4: Improve transportation for low- income and disabled persons.**

### **Contributing Factors**

The availability, type, frequency, and reliability of public transportation

Limited affordability for transportation by seniors, disabled persons and lower income.

Location of employers and essential services not easily accessible.

Access to private transportation for persons with disabilities costly and sometimes limited availability.

## **Fair Housing Issues**

Disparities in Access to Opportunity

Disability and Access

## **Metrics, Milestones for Achievement**

Design and implement a CDBG funded Transportation Assistance Program for seniors and disabled persons to access essential services and increase mobility.

Identify key community asset or major employer currently underserved by transit service.

## **Responsible Program Participant(s)**

City of Jackson, TN

## **Discussion**

Economical transportation is an essential element of daily city life. For many low-income households and members of the protected classes, the available transportation options in Jackson are inconvenient or costly enough to be unreasonable choices. The City will work together with transportation agency and local employers to assess the current effectiveness and feasibility of additional public transportation in addressing the needs of the low-income and protected classes, and to effectively adjust service accordingly.

**Goal 5: Enact Local Fair Housing legislation, and increase outreach and education and anti- discrimination investigation, enforcement, and operations**

## **Contributing Factors**

Local Fair Housing legislation needed to access resources for the City, and fair housing agencies and organizations to increase resources for education and enforcement.

## **Fair Housing Issues**

Local Fair Housing Enforcement, Outreach Capacity, and Resources.

## **Metrics, Milestones for Achievement**

Enact substantially equivalent fair housing legislation

Apply for FHIP and FHAP funding to support local initiatives.

Support increased funding to State and HUD- certified organization to conduct paired discrimination testing in the rental market.

Annually train city staff to refer callers about fair housing to the designated state and federal agencies. In addition, train all staff that interacts with the public in techniques to communicate with those with language and/or cultural barriers.

## **Responsible Program Participant(s)**

City of Jackson, TN

## **Discussion**

Any effort to affirmatively further fair housing can only go so far without effective and efficient investigation and enforcement of discriminatory actions. However, resources for these activities are already limited and are only becoming more so. The City will ensure that discriminatory activity is properly referred to enforcement agencies for investigated by a trained agency. In addition, the City of Jackson will evaluate and strive to improve the way they interact with the public in order to prevent unintentional barriers from occurring.

**Goal 6: Increase the level of fair housing knowledge and understanding among housing developers, real estate professionals, landlords and owners of private rental housing, elected officials, and the general public.**

**Contributing Factors**

Community opposition, NYMBYSM, lack of industry requirement for fair housing training.

**Fair Housing Issues**

Segregation/Integration

Publicly Supported Housing

**Metrics, Milestones for Achievement**

Advertising fair housing resources, where to file fair housing complaints and violations, and providing compliant filing procedures.

Partner with local organizations such as lending institutions, attorneys, realtors, etc. to host a fair housing community forum annually. Hold an annual fair housing training for elected officials, appointed boards, and department staff.

**Responsible Program Participant(s)**

City of Jackson, TN

**Discussion**

While fair housing education and outreach are constant needs in any jurisdiction, the City will work to improve the level of fair housing knowledge and understanding among local housing developers, real estate professionals, local elected officials, design and construction professionals and the public with a focus on members of the protected classes. The City will focus on internal education and training to reduce the chances of

creating impediments to fair housing within their own organizations. The City will partner with state, regional and local organizations whose clients are hard to reach, protected class members, in an effort to help citizens better understand their rights provided under the Federal and State Fair Housing Acts and to report violations to fair housing.

## **Goal 7: Increase Housing Affordability, Homeownership, Resources for Affordable Housing, and Accessibility.**

### **Contributing Factors**

Financial Literacy

Limited Resources

Access to financing

### **Fair Housing Issues**

Segregation/Integration

Limited Accessibility

### **Metrics, Milestones for Achievement**

Consider enacting Energy Efficiency and Green Building standards; “Visitable” Housing Regulations in building codes.

Work with Financial Institutions, Real Estate Associations and Educational Institutions to design and implement local Financial Literacy / Life Skills programs as required curriculum for high school juniors and seniors.

Partner with local organizations such as lending institutions, attorneys, realtors, etc. to host a fair housing community forum annually. Hold an annual fair housing training for elected officials, appointed boards, and department staff.

## **Responsible Program Participant(s)**

City of Jackson, TN

## **Discussion**

Fair housing education and outreach are constant needs, and the City will work to improve the level of fair housing knowledge and understanding among local housing developers, real estate professionals, local elected officials, design and construction professionals and the public with a focus on members of the protected classes. The City will focus on internal education and financial literacy aimed at helping 18 to 30-year old reduce the chances of creating financial and credit related impediments to fair housing.

**Goal 8: Increase Rehabilitation, Preservation, Sustainability of affordable housing and program efficiency.**

## **Contributing Factors**

Infrastructure to support housing development

Limited homebuyer resources to make housing affordable

Access to financing

## **Fair Housing Issues**

Segregation/Integration

Limited Accessibility

## **Metrics, Milestones, and Timeframe for Achievement**

Consider creating additional Volunteer Repair Programs – People Helping People and expanding others as a means for improving and preserving existing affordable housing, and corporate challenges for volunteer programs, compliance Store, and fix it clinics.

## **Responsible Program Participant(s)**

City of Jackson, TN

## **Discussion**

Neighborhoods and housing most affordable to low- and moderate-income persons are experiencing decline. Programs and funded is needed to maintain existing housing, enhance the quality of life and amenities in aging neighborhoods, and to assist owners and renter with maintenance, repairs and affordability. Commercial corridor reinvestment is needed to provide quality goods and services and to improve entrances and access to neighborhoods.

**Goal 9: Increase Economic Development, Job Creation, Small Business Entrepreneurial Opportunities and Commercial Corridor Revitalization.**

## **Contributing Factors**

Limited Resources

Access to financing

Job that do not pay living wages or match the qualifications of the demographics of protected class members and those with limited education and skills.

## **Fair Housing Issues**

Segregation/Integration

Lack of Living Wages

Lack of Income



## **Metrics, Milestones for Achievement**

Commercial Corridor Reinvestment

Micro Business Enterprise Development

Economic Development – Workforce Readiness collaboration

## **Responsible Program Participant(s)**

City of Jackson, TN

## **Discussion**

Employment opportunities for lesser skilled and lesser educated persons are limited. Many jobs do not pay living wages that support a person's ability to afford housing and housing related cost without paying more than 30% of their household income. The City and Chamber should continue to recruit industry and jobs that mirror these demographics in the workforce, encourage living wages, and support job training and education program that will help person become qualified for better paying jobs.

## **Goal 10: Expand Housing Types and Locations.**

### **Contributing Factors**

Limited Resources

Access to financing

### **Fair Housing Issues**

Segregation/Integration

Lack of housing types

Lack of Income and affordability

## **Metrics, Milestones, and Timeframe for Achievement**

Live-Work Housing

Lower cost Cluster or Cottage Housing for seniors

Shared – Intergenerational Housing

Affordability housing for at risk populations including former felons and persons existing jail or prison; homeless and those at risk of becoming homeless, seniors aging in place.

Housing Reinvestment in R/ECAP Areas

## **Responsible Program Participant(s)**

City of Jackson, TN

## **Discussion**

Residential and Commercial reinvestment is needed neighborhoods, to provide affordable alternative housing types, to provide quality goods and services, and to improve entrances and access to neighborhoods.