

**Report**

**Analysis of Impediments to Fair  
Housing Choice**

City of Albuquerque

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**Report**

May 15, 2004

**City of Albuquerque Analysis of  
Impediments to Fair Housing Choice**

**Prepared for**

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# **SECTION I.**

## **Introduction**

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# SECTION I.

## Introduction

This document is the 2004 Analysis of Impediments to Fair Housing Choice (AI) for the City of Albuquerque. This first section provides general background on AIs and the Fair Housing Act, outlines the research methodology used to complete this analysis, and previews the organization of the remainder of the report.

### Analysis of Impediments Background

The AI is a U.S. Department of Housing and Urban Development (HUD) mandated review of impediments to fair housing choice in the public and private sector. The AI is required for the City of Albuquerque to receive federal housing and community development block grant funding.<sup>1</sup>

The AI involves:

- A review of a city's laws, regulations, and administrative policies, procedures and practices;
- An assessment of how those laws, policies and practices affect the location availability and accessibility of housing; and
- An assessment of public and private sector conditions affecting fair housing choice.

According to HUD, impediments to fair housing choice are:

- Any actions, omissions, or decisions *taken because of* race, color, religion, sex, disability, familial status or national origin that restrict housing choices or the availability of housing choices.
- Any actions, omissions or decisions that have the effect of restricting housing choices or the availability of housing choices *on the basis of* race, color, religion, sex, disability, familial status or national origin.

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<sup>1</sup> The city is also required to submit a Consolidated Plan for Housing and Community Development and an annual performance report to receive funding each year. These reports were prepared separately from the AI and are available from the city.

Although the AI itself is not directly approved or denied by HUD, its submission is a required component of a city's or state's Consolidated Plan performance reporting. HUD desires that AIs:

- Serve as the substantive, logical basis for fair housing planning;
- Provide essential and detailed information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates; and
- Assist in building public support for fair housing efforts both within a city's boundaries and beyond.

In 2003, the City of Albuquerque contracted with BBC Research & Consulting (BBC) to conduct an AI for the city. BBC is an economic research and consulting firm with a specialty in housing studies, including fair housing.

### **Fair Housing Act**

The Federal Fair Housing Act, passed in 1968 and amended in 1988, prohibits discrimination in housing on the basis of race, color, national origin, religion, gender, familial status and disability. The Fair Housing Act covers most types of housing including rental housing, home sales, mortgage and home improvement lending, and land use and zoning. Excluded from the Act are owner occupied buildings with no more than four units, single family housing sold or rented without the use of a real estate agent or broker, housing operated by organizations and private clubs that limit occupancy to members, and housing for older persons.<sup>2</sup>

HUD has the primary authority for enforcing the Fair Housing Act. HUD investigates the complaints it receives and determines if there is a "reasonable cause" to believe that discrimination occurred. If reasonable cause is established, HUD brings the complaint before an Administrative Law Judge. Parties to the action can also elect to have the trial held in a federal court (in which case the Department of Justice brings the claim on behalf of the plaintiff).<sup>3</sup>

### **Research Methodology**

BBC's approach to the City of Albuquerque's AI was based on the methodologies recommended in HUD's Fair Housing Planning Guide, Vol. I and our experience conducting AIs for other cities. Our workscope consisted of the following:

**Task I. Project initiation.** BBC met city staff to refine work tasks and the project schedule, establish reporting relationships and review expectations of the project. We also collected relevant data, identified potential candidates for key person interviews, and discussed the telephone surveys and public participation components of the study.

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<sup>2</sup> This is a very general description of the Fair Housing Act and the actions and properties covered by the Act. For more detailed information on the Fair Housing Act, please see the full text, which can be found on the U.S. Department of Justice's website, [www.usdoj.gov/crt/housing/title8.htm](http://www.usdoj.gov/crt/housing/title8.htm).

<sup>3</sup> "How Much Do We Know? Public Awareness of the Nation's Fair Housing Laws", The U.S. Department of Housing and Urban Development, Office of Policy and Research, April 2002.

**Task II. Community data review.** BBC reviewed existing demographic, economic, employment and housing market information for the City of Albuquerque using Census 2000 demographic and housing data. Section II reports on the socioeconomic and housing conditions in Albuquerque.

**Task III. City policy review.** BBC compiled information about the city's current housing policies and programs that influence fair housing choice and impediments, through a review of the city's zoning regulations and land use policies and from discussion with key persons knowledgeable about such policies.

**Task IV. Compliance data review.** BBC examined all available data regarding compliance with local, state and federal Fair Housing Law, including the Home Mortgage Disclosure Act (HMDA), the Fair Housing Act and the Community Reinvestment Act (CRA). We conducted standard statistical tests on the HMDA data, reviewed CRA data, and analyzed fair housing complaints.

**Task V. Focus groups and key person interviews.** On March 4, 5 and 6, 2004, BBC held four focus groups with targeted populations – African Americans, persons of Hispanic descent, persons with disabilities and Vietnamese – to discuss impediments to fair housing choice in Albuquerque. Spanish translation was available at the groups and the Vietnamese group was conducted entirely in Vietnamese. BBC also conducted key person interviews by telephone and in person with people involved in housing and community development in Albuquerque.

**Task VI. Identification of impediments.** We examined our findings from the first five tasks in order to determine what barriers to fair housing exist in Albuquerque. Our findings and identified impediments are detailed in Section V of the report.

**Task VII. Recommendations.** BBC developed a recommended Fair Housing Action Plan for addressing the identified impediments. The Action Plan and recommendations appear in Section V of the report.

## **Report Organization**

The balance of this document contains four sections:

- Section II. Community and Housing Profile
- Section III. Compliance Data Analysis
- Section IV. Public Outreach
- Section V. Fair Housing Activities.
- Section VI. Identified Impediments, Recommendations and Action Plan

**SECTION II.**  
**Community and Housing Profile**

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## **SECTION II.**

# **Community and Housing Profile**

### **Introduction**

This section of the AI describes the population, housing patterns and socioeconomic characteristics of residents in Albuquerque to set the context of the fair housing analysis.

The City of Albuquerque receives and administers the federal Community Development Block Grant (CDBG) funding. As a condition for receiving these funds, Albuquerque is required to “affirmatively further fair housing choice” by identifying barriers to fair housing in the city and work to mitigate fair housing impediments. As such, this study focuses primarily on the City of Albuquerque geographic area. The secondary geographic area analyzed includes the nine Community Planning Areas (CPAs), primarily located within city boundaries.<sup>1</sup>

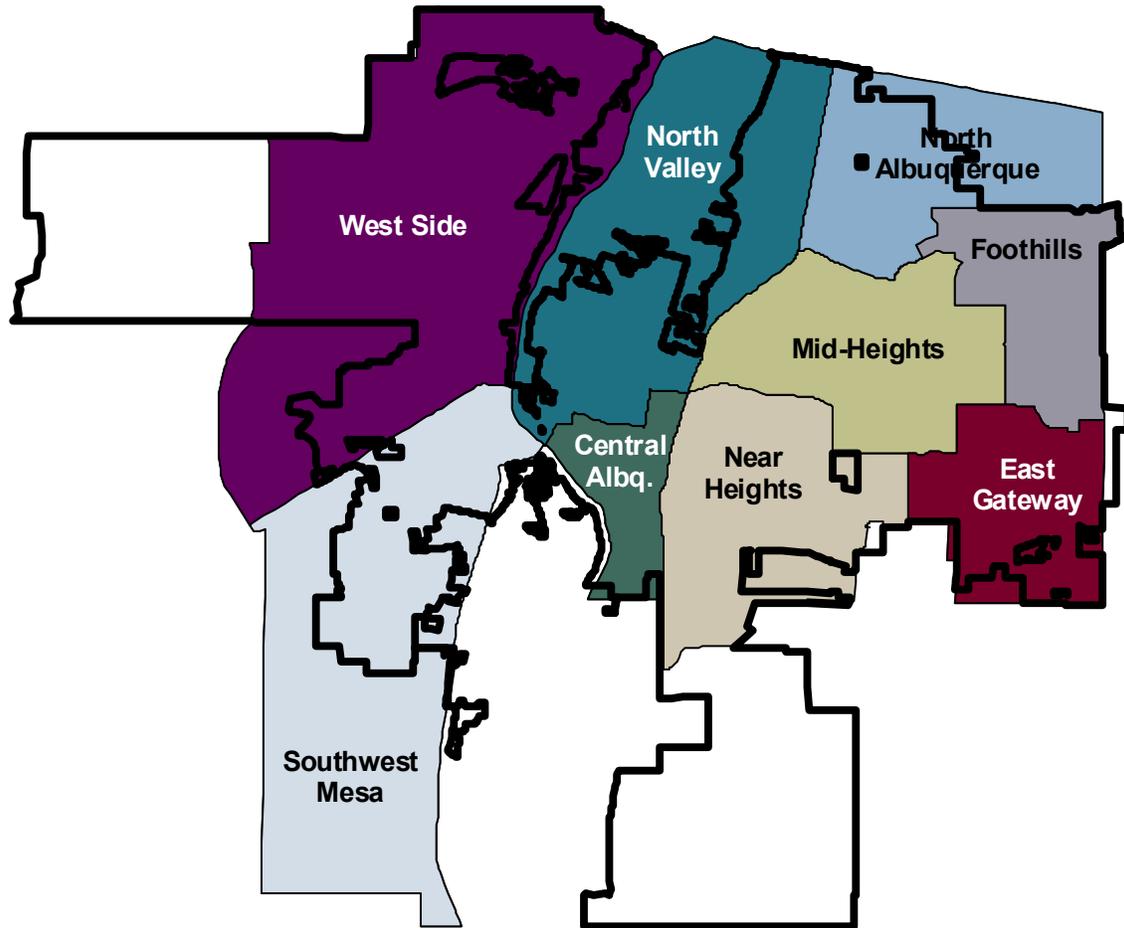
Exhibit II-1 displays the City of Albuquerque municipality boundaries and the CPAs.<sup>2</sup>

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<sup>1</sup> BBC Research & Consulting reported data on the nine CPAs that are located primarily in the City of Albuquerque’s municipal boundaries. The South Valley CPA is located almost entirely within unincorporated Bernalillo County and was therefore not included in this study.

<sup>2</sup> Data for the CPAs was obtained by selecting census tracts whose geographic centers were located within the respective CPA boundaries. Some CPA boundaries extend beyond Albuquerque’s municipal boundaries and include parts of the unincorporated county. As such, the sum of data for the CPAs does not equal the total for the City of Albuquerque. Additionally, due to differences in methodology, the data reported in this study is not identical, although similar, to data reported in the *City of Albuquerque 2003-2007 Consolidated Plan*.

**Exhibit II-1.**  
**City of Albuquerque and Community Planning Areas (CPAs), 2000**



Note: The bold black line depicts the City of Albuquerque boundaries.

Source: The City of Albuquerque, Geographic Information Systems, <http://www.cabq.gov/gis/download.htm> and BBC Research & Consulting.

### **Population Growth**

According to the Census, Albuquerque's population increased 16.6 percent during the past decade, from 384,736 in 1990 to 448,607 in 2000. The city's population grew at a compound annual rate of 1.5 percent over the decade. Albuquerque's population growth was similar to that of Bernalillo County, which increased 15.8 percent from 1990 to 2000.

Data obtained from the City of Albuquerque Planning Department projects the city's population to increase by about 1 percent annually until 2030. Albuquerque is projected to grow to 476,763 by 2005, an increase of 6.3 percent over the 5-year period. The city's population is projected to increase to 505,471 by 2010 (an increase of 6 percent from 2005); to 532,891 by 2015 (an increase of 5 percent from 2010); to 559,066 by 2020 (an increase of 5 percent from 2015); to 583,800 by 2025 (an increase of 4 percent from 2020); and, to 607,200 by 2030 (an increase of 4 percent from 2025).

Exhibit II-2 below shows growth rates in the nine CPAs, which varied from negative growth to strong growth over the decade.

**Exhibit II-2.  
Population Trends, City  
of Albuquerque and CPA,  
1990 and 2000**

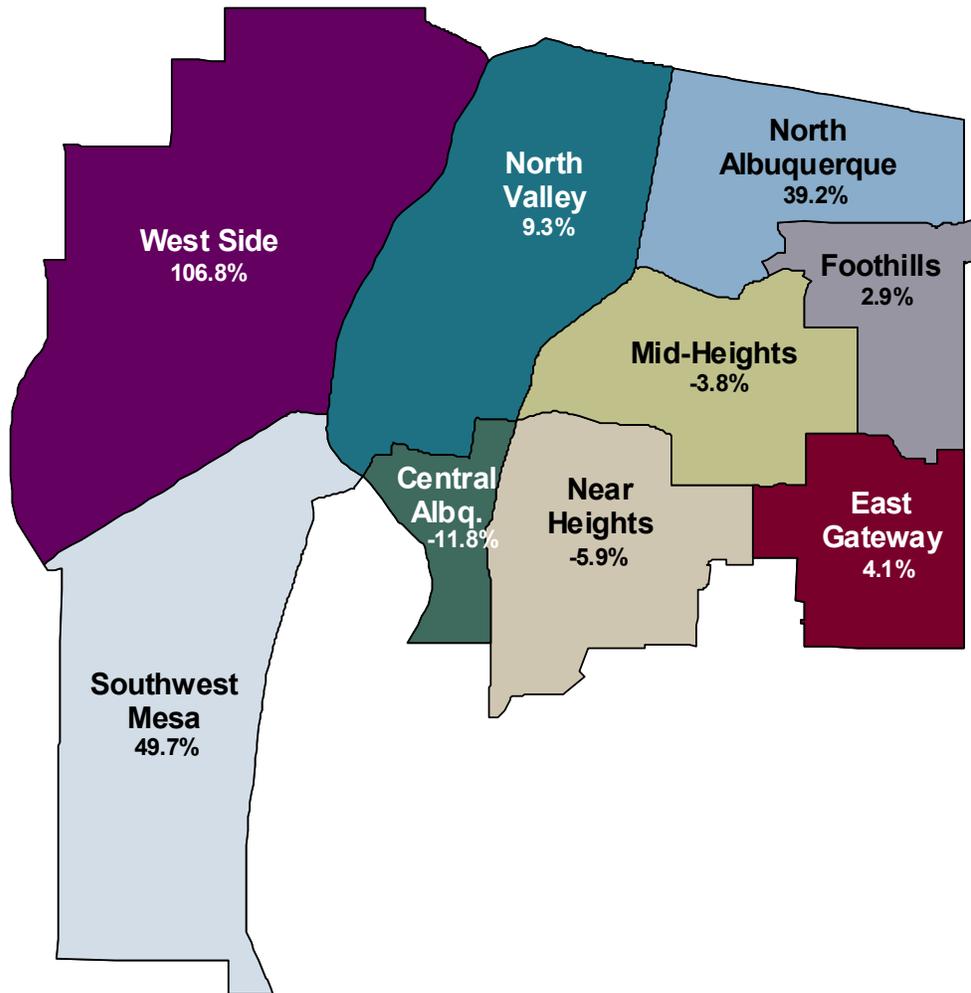
Source:  
U.S. Census Bureau, 2000 Census and  
BBC Research & Consulting.

	1990	2000	Percent Change 1990 – 2000
Albuquerque	384,736	448,607	16.6%
CPAs			
Central Albuquerque	22,338	19,708	-11.8%
East Gateway	47,709	49,647	4.1%
Foothills	35,006	36,017	2.9%
Mid-Heights	91,810	88,304	-3.8%
Near Heights	74,437	70,027	-5.9%
North Albuquerque	28,751	40,030	39.2%
North Valley	46,868	51,204	9.3%
Southwest Mesa	34,342	46,918	49.7%
West Side	32,968	70,654	106.8%

As shown in Exhibit II-2 above, the West Side CPA experienced the highest rate of growth over the decade; population in the CPA increased by 107 percent. Southwest Mesa and North Albuquerque CPAs also experienced relatively high growth rates, increasing 50 percent and 39 percent respectively. Central Albuquerque, Mid-Heights and Near Heights CPAs all experienced negative growth from 1990 to 2000.

Exhibit II-3 presents a map of the CPAs and their respective population growth from 1990 to 2000.

**Exhibit II-3.  
Population Growth by CPA, 1990 to 2000**



Source: U.S. Census Bureau, 1990 and 2000 Census and BBC Research & Consulting.

### **Race and Ethnicity**

Data on race and ethnicity require a bit of an introduction about how the U.S. Census Bureau collects and analyzes the data. The 2000 Census asked two different questions about race and ethnicity: the first question asked respondents to identify their race; the second asked whether or not respondents were of Hispanic/Latino origin. The Census Bureau does not classify Hispanic/Latino as a race, but rather as an identification of origin and ethnicity. If a respondent reported Hispanic/Latino ethnicity but did not mark a specific race category, they were classified in the Some other race category. Persons of Hispanic/Latino descent most commonly report their race as White or Some other race.

According to the U.S. Census, 72 percent of Albuquerque’s population was White in 2000. The next largest racial category reported was the “Other race” category at 19 percent of the city’s residents. Forty percent of the city’s population reported to be of Hispanic/Latino descent in 2000.<sup>3</sup>

Of all the CPAs, the Southwest Mesa CPA was the most diverse and had the highest percentage of persons of Hispanic/Latino descent. Central Albuquerque CPA had the second highest percentage of minorities and the second highest percentage of persons of Hispanic/Latino descent. The Foothills and North Albuquerque CPAs were the least racially and ethnically diverse. The racial and ethnic distributions of Albuquerque and the surrounding area are shown in Exhibit II-4 below.

**Exhibit II-4.  
Percent Population by Race and Ethnicity, Albuquerque and CPAs, 2000**

	White	African American/Black	American Indian/Alaska Native	Asian	Other Race	Hispanic/Latino
Albuquerque	71.6%	3.1%	3.9%	2.3%	19.1%	39.9%
CPAs						
Central Albuquerque	57.6%	4.2%	3.9%	0.7%	33.5%	69.7%
East Gateway	72.0%	4.1%	4.4%	3.7%	15.8%	32.0%
Foothills	84.9%	2.2%	1.8%	2.8%	8.2%	18.1%
Mid-Heights	76.8%	2.8%	4.0%	2.4%	14.1%	30.6%
Near Heights	71.3%	4.5%	5.3%	3.4%	15.5%	32.2%
North Albuquerque	83.0%	1.7%	2.0%	3.4%	9.9%	21.9%
North Valley	70.7%	1.2%	3.3%	0.6%	24.3%	57.3%
Southwest Mesa	50.1%	3.3%	3.9%	0.6%	42.1%	77.9%
West Side	72.2%	3.2%	4.0%	1.6%	19.0%	39.8%

Source: U.S. Census Bureau, 2000 Census.

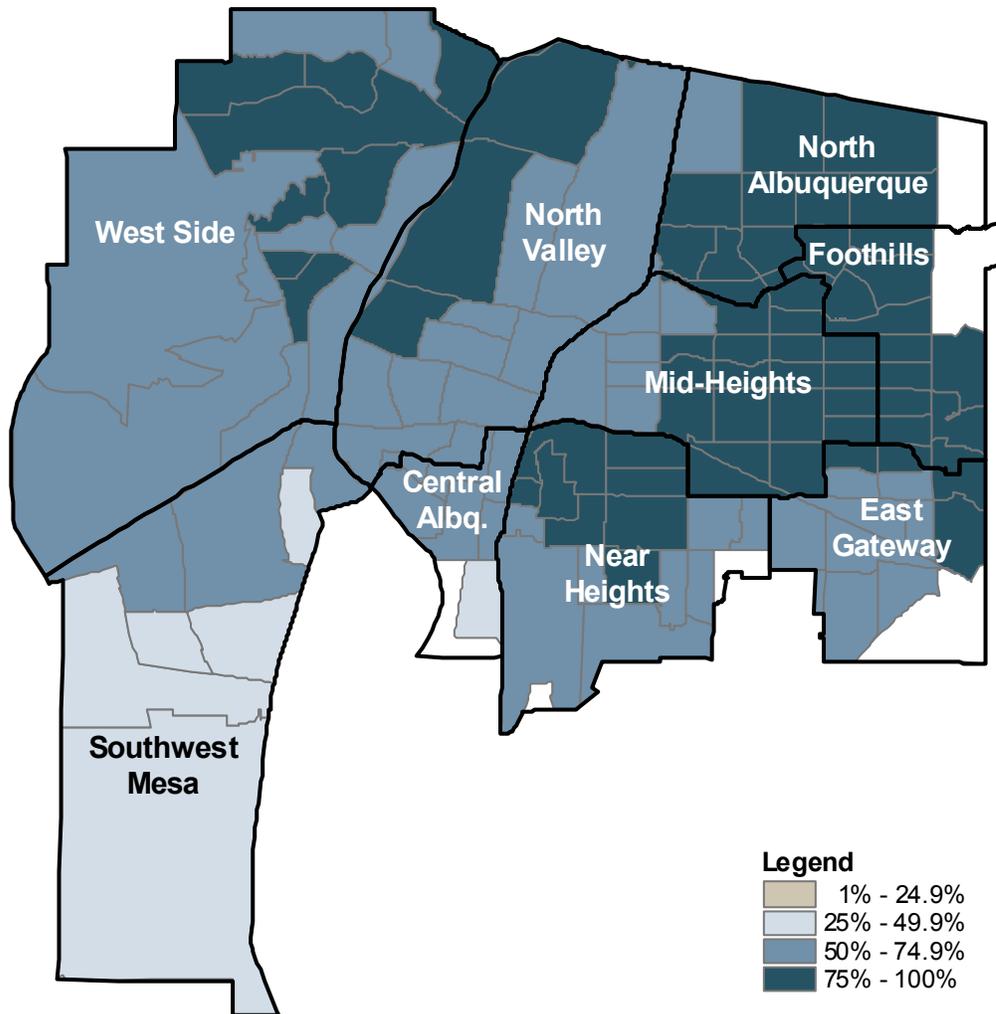
As noted above, the Other race category listed above likely represents persons of Hispanic descent who did not choose other racial categories in response to the Census question on race.

**Population growth.** The fastest growing racial population in Albuquerque from 1990 to 2000 was the “Other race” category, which grew 59 percent during the decade. It should be noted, however, that this population combines the 2000 Census “Other race” category and “Two or more races” category to be comparable to 1990 data; as such, growth could possibly be under or overstated. The Asian population was the second fastest growing population, increasing 58 percent from 1990 to 2000. However, the Asian population was the smallest population in actual numbers.

**Distribution within Albuquerque.** Exhibit II-5 shows the distribution of Albuquerque residents who classified themselves as White in the 2000 Census.

<sup>3</sup> BBC combined the “Some other race” category and “Two or more races” category so that 2000 Census data would be comparable to 1990 Census data. The “Some other race” category includes all other responses not included in the “White,” “Black or African American,” “American Indian or Alaska Native,” “Asian,” and “Native Hawaiian or Other Pacific Islander” race categories. Respondents providing write-in entries such as multiracial, mixed, interracial, or a Hispanic/Latino group (for example, Mexican, Puerto Rican, or Cuban) in the “Some other race” write-in space are included in this category.

**Exhibit II-5.**  
**Percentage of White Residents, by Census Tract, Albuquerque, 2000**

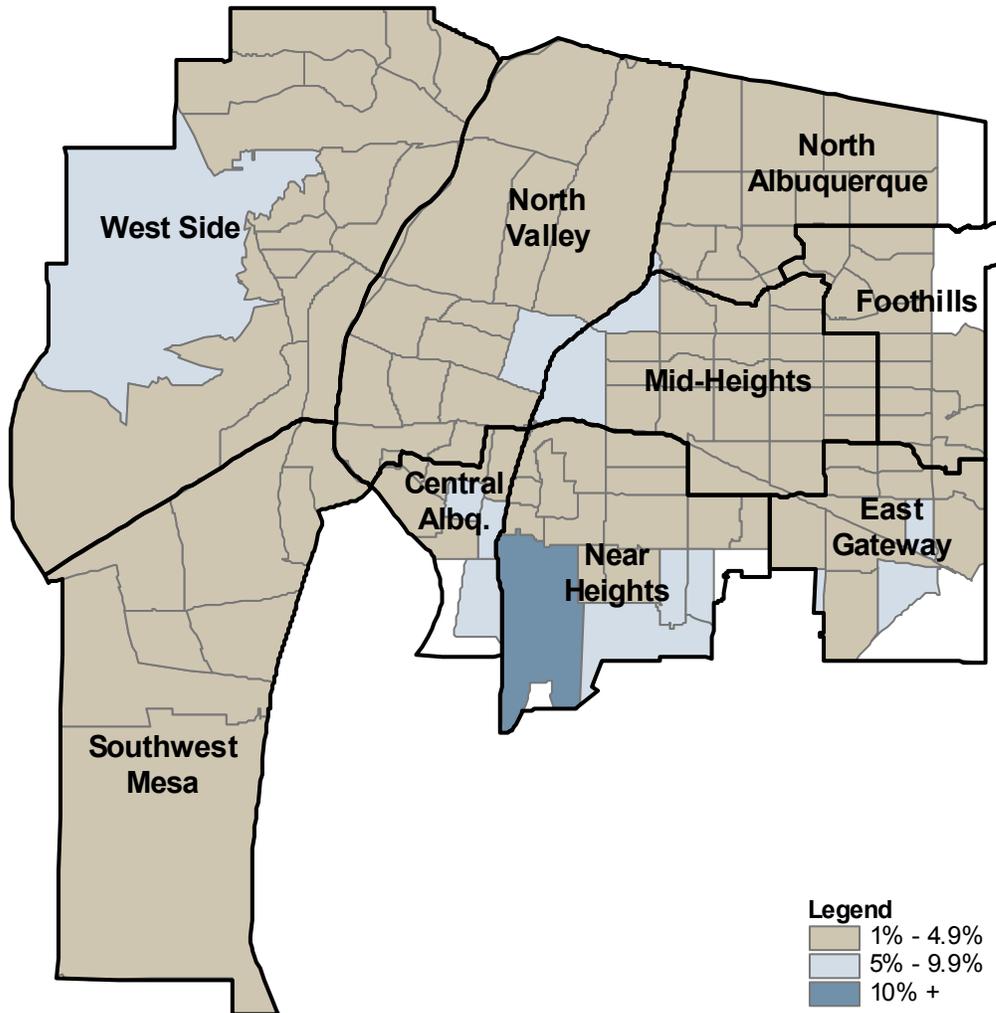


Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

As shown above, the North Albuquerque, Foothills and Mid-Heights CPAs are largely White, with some pockets of concentration in the Near Heights, North Valley and West Side CPAs. The Southwest Mesa has the smallest percentage of White residents.

Exhibit II-6 on the following page shows the concentration of African Americans in Albuquerque.

**Exhibit II-6.**  
**Percentage of African American Residents, by Census Tract, Albuquerque, 2000**



Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

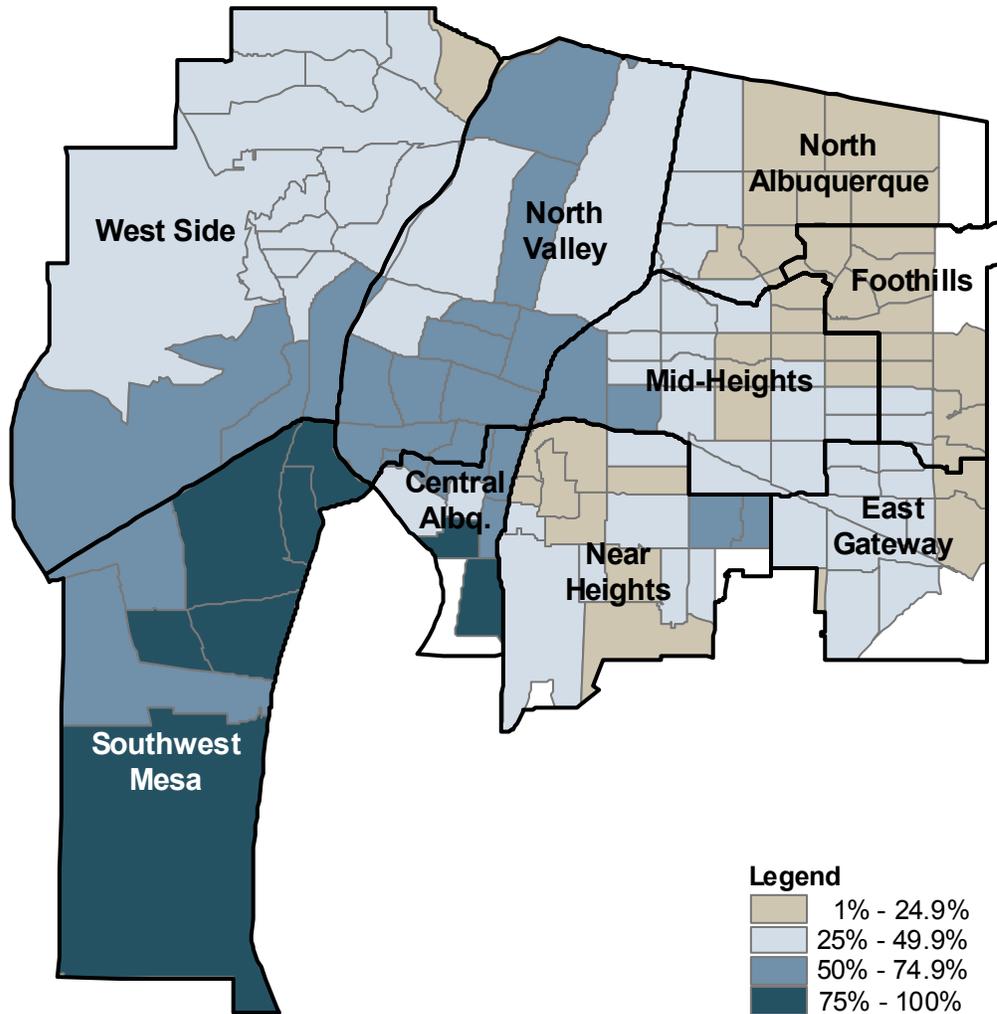
The highest concentration of African American residents is in Census Tract 12.00, in the southwest of the Near Heights CPA. African Americans composed 10.9 percent of the total population in this Census Tract and 5 percent of the city's African American population resided in this Census Tract.

African Americans were even more concentrated in the south end of Census Tract 12.00, comprising 18 percent of the population in Block Group 3 and 16 percent in Block Group 4. About 4 percent of the city's African American population resided in Block Groups 3 and 4.

On average, African Americans comprise 2.9 percent of the population of all the other Census Tracts in the city, which compares favorably with the percentage of African Americans in the city overall (3.1 percent).

Exhibit II-7 on the following page displays the concentration of Hispanics/Latinos in Albuquerque.

**Exhibit II-7.**  
**Percentage of Hispanic/Latino Residents, by Census Tract, Albuquerque, 2000**

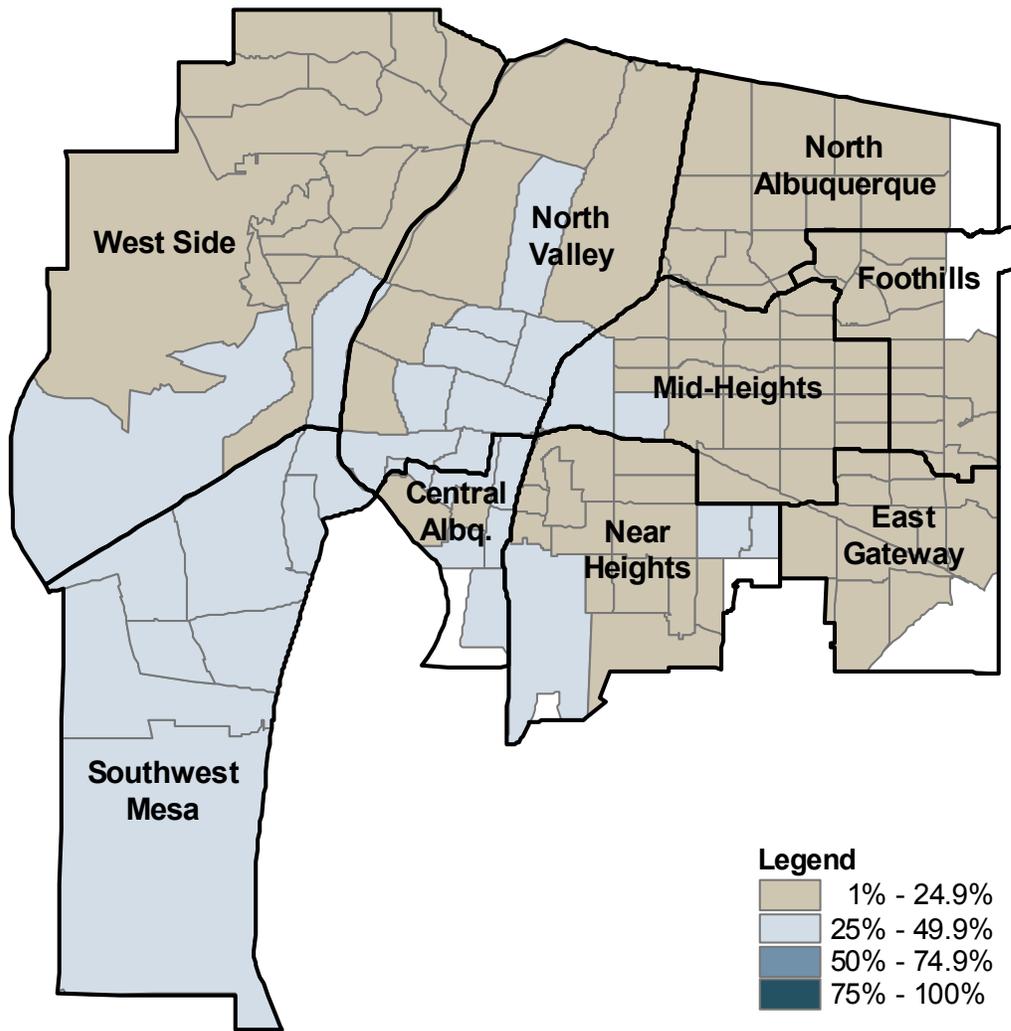


Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

As shown above, most Hispanics/Latinos in Albuquerque live in the Southwest Mesa, Central Albuquerque and West Side CPAs, with pockets of Hispanic/Latino residents concentrated in the North Valley and a handful of Census Tracts in the Mid Heights and Near Heights CPAs.

Exhibit II-8 on the following page shows the concentration of residents identifying themselves as “Other race” in Albuquerque.

**Exhibit II-8.**  
**Percentage of “Other Race” Residents, by Census Tract, Albuquerque, 2000**



Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

The concentration of residents of “Other races” is similar to that of Hispanic/Latino residents: The Southwest Mesa and Central Albuquerque CPAs have concentrations between 25 percent and 50 percent of “Other race” residents. In addition, the West Side, North Valley, and Near Heights CPAs contain pockets of “Other race” concentrations. The correlation of the location of the “Other race” and Hispanic/Latino residents is likely due to the self-identification of Hispanics/Latinos as “Other race” rather than other racial categories on Census surveys.

### **Household Characteristics**

The number of households in Albuquerque grew from 153,818 in 1990 to 183,236 in 2000, an increase of 19.1 percent. The ACS estimates that the city had 191,976 households in 2002, an increase of 5 percent over the 2000 total. Exhibit II-9 summarizes household trends from 1990 to 2000.

**Exhibit II-9.  
Household Trends,  
City of Albuquerque and  
CPAs, 1990 and 2000**

Source:  
U.S. Census Bureau, 2000 Census and  
BBC Research & Consulting.

	1990	2000	Percent Change 1990 – 2000
Albuquerque	153,818	183,236	19.1%
CPAs			
Central Albuquerque	8,877	7,416	-16.5%
East Gateway	19,044	20,666	8.5%
Foothills	13,824	15,686	13.5%
Mid-Heights	39,232	39,243	0.0%
Near Heights	32,667	31,008	-5.1%
North Albuquerque	10,862	15,663	44.2%
North Valley	17,098	20,341	19.0%
Southwest Mesa	9,503	14,838	56.1%
West Side	12,018	26,151	112.6%

**Household size.** The average household size in Albuquerque was 2.40 in 2000. According to the 2000 Census, the average household size of renters in Albuquerque (2.16 people per household) was slightly smaller than the average household size of owners (2.55 people per household).

Average household size also varied by race and ethnicity. Exhibit II-10 displays the average household sizes by race and ethnicity for Albuquerque residents in 2000.

**Exhibit II-10.  
Average Household Size  
by Race and Ethnicity,  
Albuquerque, 2000**

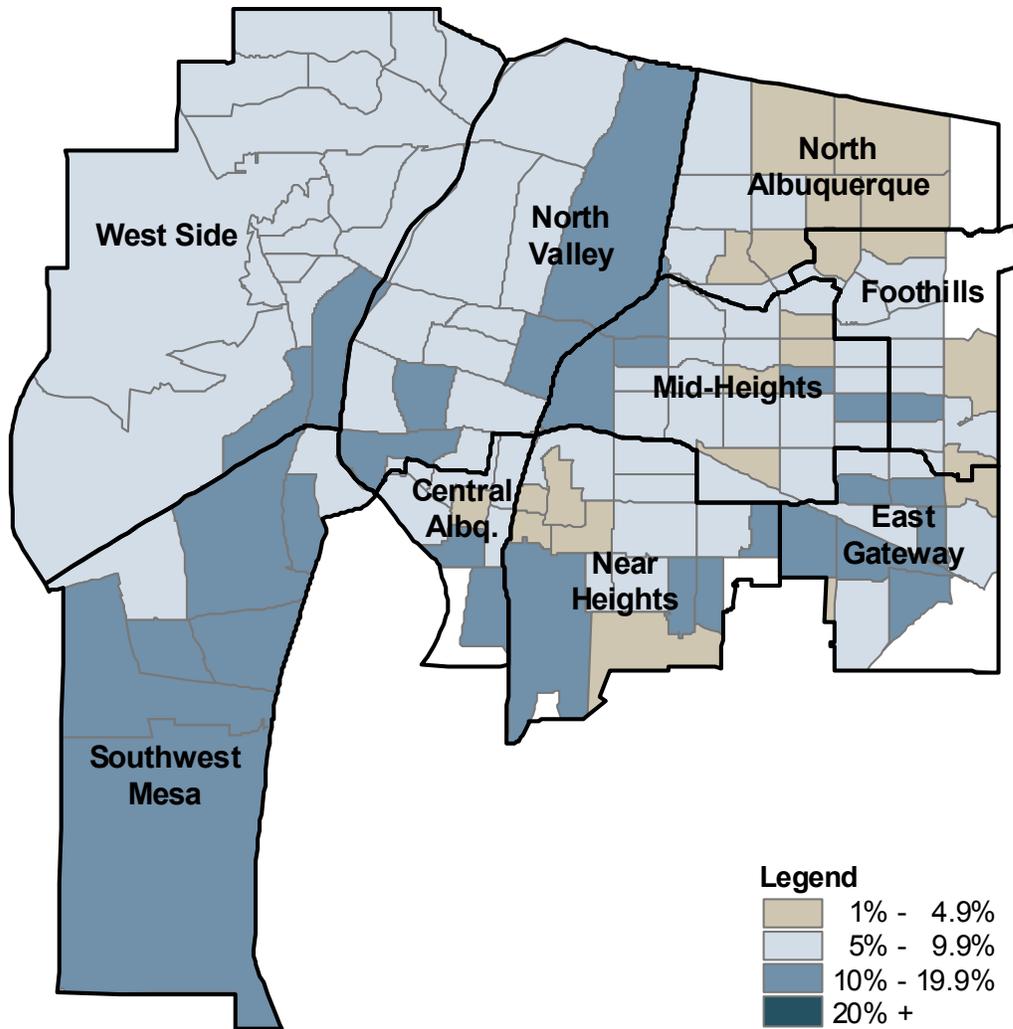
Source:  
U.S. Census Bureau, 2000 Census and  
BBC Research & Consulting.

Race and Ethnicity	Average Household Size
<b>Race</b>	
American Indian and Alaska Native alone	2.79
Asian alone	2.82
Black or African American alone	2.50
Native Hawaiian or Pacific Islander alone	2.68
Other Race alone	2.91
Two or more races alone	2.58
White alone	2.28
<b>Ethnicity</b>	
Hispanic/Latino alone	2.76

As shown above, persons reporting themselves in the “Other race” category, American Indian and Alaska Native, Asian and Hispanic/Latino households had the largest household sizes in Albuquerque in 2000. African American and White households were the smallest. However in general, the variance in household sizes by race and ethnicity is minimal.

**Large households.** Large households, defined by the Census as having 5 or more persons in a household, made up 15 percent of the total households in Albuquerque in 2000. As shown below in Exhibit II-11, large households are concentrated in the Southwest Mesa CPA, which correlates with the city's concentration of Hispanic/Latino residents. Large households are also concentrated in a few Census Tracts in the North Valley, Near Heights, Central Albuquerque and East Gateway CPAs.

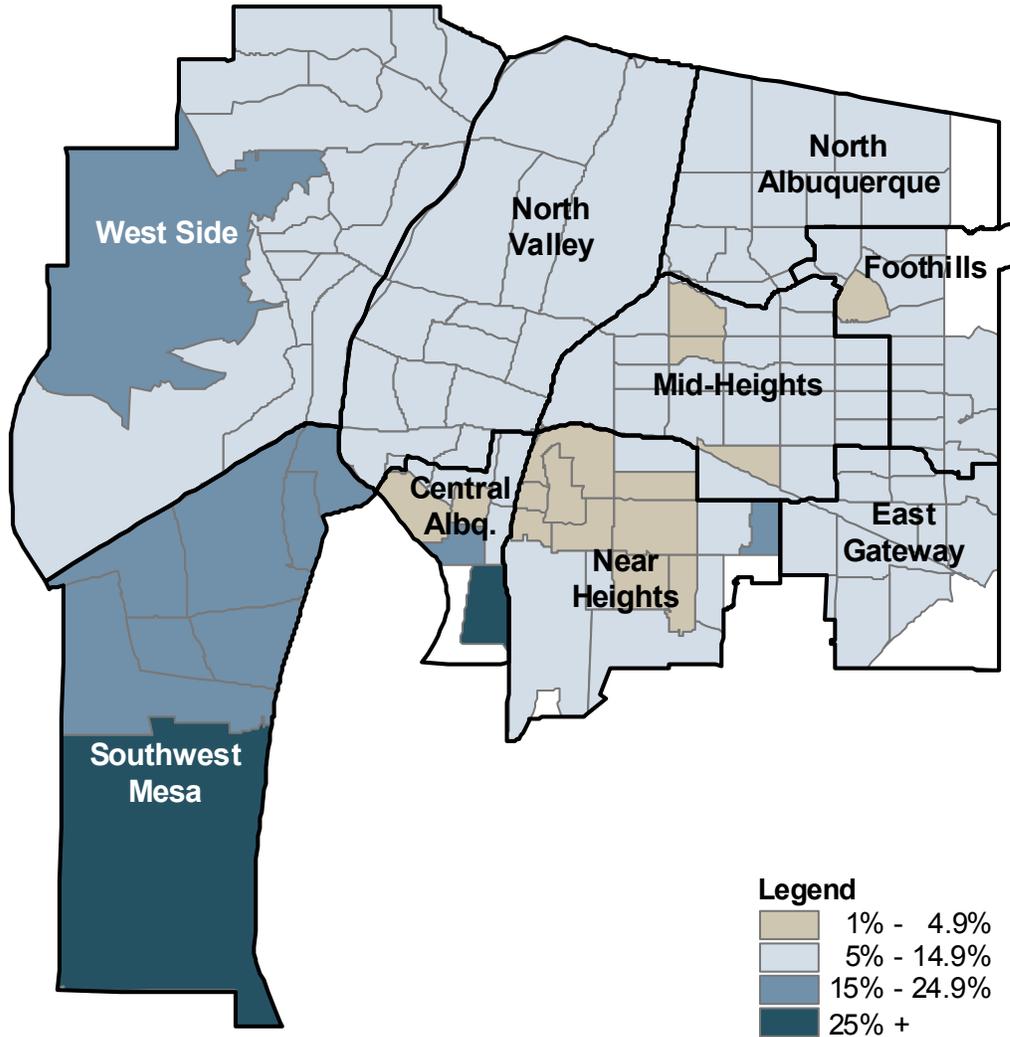
**Exhibit II-11.**  
**Percentage of Large Households, by Census Tract, Albuquerque, 2000**



Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

**Female-headed households.** Exhibit II-12 below displays concentrations of single female-headed households with children in Albuquerque in 2000. Approximately 17 percent of Albuquerque’s total households were single female-headed with children.

**Exhibit II-12.**  
**Percentage of Female-headed Households, by Census Tract, Albuquerque, 2000**



Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

As shown in Exhibit II-12, high concentrations of single female-headed households with children are also in areas where Hispanic/Latino households are concentrated. The highest concentrations of single female-headed households with children are in the Southwest Mesa and Central Albuquerque CPAs.

According to the City of Albuquerque 2003-2007 Consolidated Plan, Central Albuquerque CPA had the highest percentage of female-headed households, comprising 30 percent of all households in the CPA. Southwest Mesa CPA also had a high percentage of households headed by a single female at 26 percent, followed closely by Near Heights CPA at 25 percent of its households. The North Albuquerque CPA had the smallest concentration of households headed by single females compared to all other CPAs, at 14 percent.<sup>4</sup>

**Subfamilies.** The 2000 Census collected and reported data on “subfamilies,” which are defined as married-couple, mother-child or father-child families who reside with relatives. In 2000, there were 4,498 subfamilies and 10,698 persons in subfamilies in the City of Albuquerque representing 2 percent of the population. Most of the subfamilies (54 percent) consisted of mother-child families. In total, 4,971 children in Albuquerque lived in subfamily arrangements in 2000.

The Census also collected information on grandparents who live with and are responsible for their grandchildren. In 2000, 4,272 grandparents in Albuquerque were responsible for caring for their grandchildren; of these grandparents, 36 percent had been caring for their grandchildren for more than 5 years.

**Persons with disabilities.** The 2000 Census reported that 19.6 percent of Albuquerque residents had a disability in 2000. The Census’ definition of disability status is based on individuals’ answers to several Census survey questions. According to the Census, individuals have a disability if any of the following three conditions were true: (1) they were 5 years old and over and had a response of “yes” to a sensory, physical, mental or self-care disability; (2) they were 16 years old and over and had a response of “yes” to going outside the home disability; or (3) they were 16 to 64 years old and had a response of “yes” to employment disability. As shown in Exhibit II-13, Central Albuquerque CPA had the largest concentration of residents with disabilities within its respective boundaries at 27.4 percent.

**Exhibit II-13.**  
**Percentage of Population with Disabilities and Where They Reside, Albuquerque and CPAs, 2000**

Source:  
U.S. Census Bureau, 2000 Census and  
BBC Research & Consulting.

	Persons with a Disability	Percentage of Persons with a Disability/CPA
Albuquerque	80,464	19.6%
CPAs		
Central Albuquerque	4,752	27.4%
East Gateway	9,645	21.1%
Foothills	4,670	14.0%
Mid-Heights	16,673	20.2%
Near Heights	13,325	21.3%
North Albuquerque	5,157	13.8%
North Valley	10,382	21.7%
Southwest Mesa	10,178	24.2%
West Side	9,153	14.5%

<sup>4</sup> City of Albuquerque, 2003-2007 *City of Albuquerque Consolidated Plan*.

Of the 80,464 persons with disabilities in 2000, about 60 percent were between 21 and 64 years of age. Persons aged 65 and over comprised another 27 percent of persons with disabilities, with 17 percent of these persons aged 75 and over. Slightly more than 10 percent of persons with disabilities were less than 20 years of age.

While the 21 to 64 years of age cohort contained the largest percentage of persons with disabilities, the older age cohorts (age 65 years and older) had the highest prevalence of persons with disabilities. As shown in Exhibit II-14 below, 32 percent of persons between 65 and 74 years of age had some type of disability. The percentage rises for persons aged 75 and older; in 2000, 56 percent of persons in this age cohort had some type of disability.

**Exhibit II-14.  
Disability by Age**

Age cohort	Number of persons in age cohort	Percent of persons in age cohort	Number of persons with a disability	Percent of persons with a disability, overall	Percent of persons with a disability w/in age cohort
Age 5 to 15 years	66,624	16%	4,066	5%	6%
Age 16 to 20 years	32,351	8%	4,866	6%	15%
Age 21 to 64 years	261,098	63%	49,439	61%	19%
Age 65 to 74 years	27,521	7%	8,763	11%	32%
Age 75 years and over	<u>23,927</u>	<u>6%</u>	<u>13,330</u>	<u>17%</u>	56%
<b>Total</b>	<b>411,521</b>	<b>100%</b>	<b>80,464</b>	<b>100%</b>	

Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

**Linguistic isolation.** The 2000 Census collected information on “linguistically isolated” households, defined as households where no member of the household 14 years and older speaks English only or speaks English “very well.” In Albuquerque, 8,193 households were linguistically isolated in 2000, or 15 percent of all households in the city. Most of the city’s linguistically isolated households (84 percent or 6,854 households) were Spanish-speaking households.

**Income and Income Distribution**

According to the 2000 Census and the City of Albuquerque 2003-2007 Consolidated Plan, more than 11,200 families, or approximately 10 percent of all families in the city, had incomes below the poverty level. More than 15 percent of all families *with children* had incomes below poverty, and nearly 20 percent of families *with children under 5 years old* had incomes under the poverty level.

The 2000 Census reported a median household income of \$38,272 for the City of Albuquerque, an increase of 39 percent over the \$27,555 median in 1990. This represents an annual compound growth rate of 3.3 percent. The 2002 ACS estimated median income was \$40,852 in 2002 for Albuquerque, an increase of 7 percent over the 2000 median.

**Low-income households.** HUD defines low-income households as households earning 80 percent or less of the median income in a given area. Very low-income households are defined as households

earning 50 percent or less. Using this definition, very low-income households in Albuquerque in 2000 were those households earning less than approximately \$20,000. According to the 2000 Census, about 44,000 Albuquerque households earned less than \$20,000. Very low-income households represented nearly one-quarter of Albuquerque's total households in 2000. Exhibit II-15 shows the percentage of very low-income households in Albuquerque and in each of the CPAs, in addition to the distribution of very low-income households *among* the CPAs.

**Exhibit II-15.**  
**Percent of Households Who Earn Less Than \$20,000, 1999**

	Percent Earning < \$20,000	Distribution of Households Earning < \$20,000 throughout all CPAs	Distribution of Total Households throughout all CPAs
Albuquerque	23.9%		
CPAs			
Central Albuquerque	45.5%	7.6%	3.9%
East Gateway	24.8%	11.4%	10.8%
Foothills	14.2%	5.0%	8.2%
Mid-Heights	23.7%	20.8%	20.6%
Near Heights	34.5%	23.9%	16.2%
North Albuquerque	11.8%	4.1%	8.2%
North Valley	28.6%	12.9%	10.6%
Southwest Mesa	23.9%	7.9%	7.8%
West Side	11.0%	<u>6.4%</u>	<u>13.7%</u>
<b>Total</b>		100.0%	100.0%

Note: The distribution of households earning less than \$20,000 is shown as a percentage of all the CPAs combined, not as a percentage of the City of Albuquerque. This methodology was used because some CPAs extend beyond the municipal boundaries and include data from the unincorporated county.

Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

As shown in Exhibit II-15, Albuquerque had approximately the same percentage of very low-income households as Southwest Mesa and Mid-Heights CPAs. Central Albuquerque CPA had the highest percentage of very low-income households, and West Side CPA had the lowest percentage.

The exhibit also displays the distribution of very low-income households and all households within the CPA boundaries in 2000. To interpret which CPAs have a high concentration of very low-income housing relative to other CPAs, it is important to compare a CPAs' share of very low-income households with its total share of households (although, except for the Near Heights CPA, the differences are fairly minimal).

Additionally shown in the exhibit, the Central Albuquerque, Near Heights and North Valley CPAs have more very low-income households than their proportionate share of total households. In contrast, the Foothills, North Albuquerque and West Side CPAs have fewer very low-income households than their proportionate share of total households.

**Income by race/ethnicity.** Exhibit II-16 shows the percentage of very low-income Albuquerque households by race and ethnicity. Twenty-nine percent of the African American households, 30 percent of the Hispanic/Latino households, and 22 percent of the White households in Albuquerque were very low-income in 2000. According to the 2000 Census, the median income for White households in the city was \$40,747, compared with \$32,271 for African Americans and \$32,314 for persons of Hispanic/Latino descent.

**Exhibit II-16.  
Percent of Households  
Who Earn Less than  
\$20,000 by Race and  
Ethnicity, Albuquerque,  
1999**

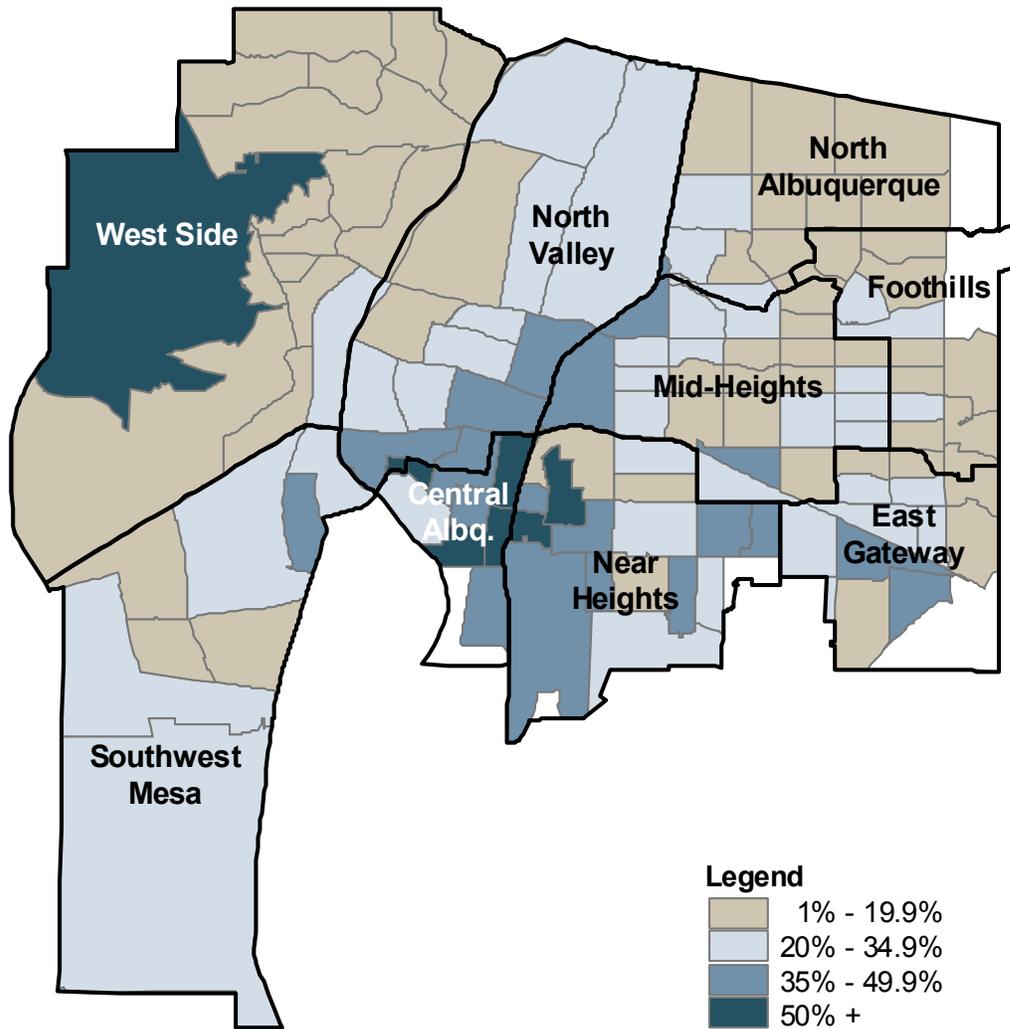
Source:  
U.S. Census Bureau, 2000 Census.

Race and Ethnicity	Percent Earning < \$20,000
Hispanic/Latino	29.6%
American Indian and Alaska Native alone	34.0%
Asian alone	25.2%
Black or African American alone	29.1%
Native Hawaiian and Other Pacific Islander alone	22.7%
Other race alone	29.3%
Two or more races	31.4%
White alone	22.1%
<b>Total very low-income households</b>	<b>23.9%</b>

In the Census Tract with the highest concentration of African Americans, 41 percent of households had an annual income of less than \$20,000. The percentage of very low-income households ranged from 18 percent to 53 percent in Census Tracts with concentrations of 75 percent or more of Hispanic/Latino residents.

Exhibit II-17 shows the concentration of very low-income households in Albuquerque.

**Exhibit II-17.**  
**Location of Households Earning Less than \$20,000 Annually, Albuquerque, 1999**



Note: Census Tract 48.00 is the only low-income Census Tract in the West Side CPA. It contains only 0.3 percent of the CPA's total population. Overall, the West Side CPA contains relatively middle to high cost housing units.

Source: U.S. Bureau of the Census, 2000 and BBC Research & Consulting.

As shown above, the Census Tracts in the Central Albuquerque and Near Heights CPAs contain the highest percentages of low-income households (earning less than \$20,000). One Census Tract in the West Side CPA (Census Tract 48.00) is low-income, but its households compose only 0.3 percent of total households in the CPA. The North Albuquerque, Foothills and most of the West Side CPAs contain the lowest percentage of low-income households.

**Poverty and disability.** According to the 2000 Census, 53,378 Albuquerque citizens who were age 5 and over lived in poverty. Twenty-seven percent of this population, or 14,322 citizens living in poverty, had a disability. This compares to 20 percent of the total population with a disability. Therefore, persons with disabilities are disproportionately represented in the city's population living in poverty.

## Housing Stock Characteristics

According to the 2000 Census, there were 198,465 housing units in Albuquerque. Between 1990 and 2000, the City of Albuquerque's housing stock increased by nearly 20 percent, adding 31,600 units. Albuquerque's housing stock grew at a compound annual rate of 1.7 percent between 1990 and 2000.

**Distribution of housing units.** In 2000, approximately 21 percent of all housing units within the CPA boundaries were located in Mid-Heights CPA. Near Heights CPA had the second largest concentration of housing units within the CPA boundaries, containing 17 percent of the CPA-wide housing stock. Exhibit II-18 shows the distribution of housing units by CPA in 1990 and 2000.

**Exhibit II-18.**  
**Distribution of Housing Units by CPA, 1990 and 2000**

	1990		2000		1990 to 2000 Percent Change
	1990	Distribution of Units within CPA Boundaries	2000	Distribution of Units within CPA Boundaries	
Albuquerque	166,870		198,465		18.9%
CPAs					
Central Albuquerque	10,155	5.7%	8,413	4.1%	-17.2%
East Gateway	20,434	11.6%	22,107	10.7%	8.2%
Foothills	15,217	8.6%	16,775	8.1%	10.2%
Mid-Heights	41,946	23.7%	42,573	20.6%	1.5%
Near Heights	36,092	20.4%	34,560	16.8%	-4.2%
North Albuquerque	11,343	6.4%	16,470	8.0%	45.2%
North Valley	18,493	10.5%	21,823	10.6%	18.0%
Southwest Mesa	10,355	5.9%	16,014	7.8%	54.6%
West Side	12,747	7.2%	27,583	13.4%	116.4%

Source: U.S. Census Bureau, 1990 and 2000 Census and BBC Research & Consulting.

As shown above, during the past decade the North Albuquerque, Southwest Mesa and West Side CPAs increased their proportion of the county's housing stock, while the proportion in other areas either declined or stayed the same.

**Tenure.** As shown in Exhibit II-19 on the following page, 60 percent of the housing units in Albuquerque were owner occupied in 2000; 40 percent were renter occupied. North Albuquerque CPA had the highest percentage of owner occupied units at almost 82 percent. Near Heights CPA had the lowest percentage of owner occupied units at 40 percent, which is likely due to the location of the University of New Mexico in the CPA.

**Exhibit II-19.  
Percent of Units Owner  
and Renter Occupied,  
Cities in Albuquerque  
and CPAs, 2000**

Source:  
U.S. Census Bureau, 2000 Census and  
BBC Research & Consulting.

	Percent Owner Occupied	Percent Renter Occupied
Albuquerque	60.4%	39.6%
CPAs		
Central Albuquerque	44.7%	55.3%
East Gateway	62.0%	38.0%
Foothills	60.9%	39.1%
Mid-Heights	55.6%	44.4%
Near Heights	40.2%	59.8%
North Albuquerque	81.7%	18.3%
North Valley	69.8%	30.2%
Southwest Mesa	78.5%	21.5%
West Side	74.1%	25.9%

**Distribution of housing units.** Exhibit II-20 and Exhibit II-21 below show the number of rental and single family units by CPA. The exhibits also compare the distribution of housing units to rental and single family units. By comparing the distribution of *all housing units* by CPA to the distribution of *rental units* and *single family units* by CPA, it is possible to discern which CPAs have a disproportionate share of rental or single family units.

**Distribution of rental units.** As shown below in Exhibit II-20, rental units total 72,616 for all the CPAs. The next column displays the distribution of these 72,616 rental units across the nine CPAs. For example, the Near Heights CPA contains the largest share of rental units at 25 percent, followed by Mid-Heights CPA at 24 percent. The next column to the right shows the distribution of *all housing units (rental and single family units)* by CPA. As shown in this column, Mid-Heights CPA contains the largest share of all housing units at 21 percent, followed by Near Heights CPA at 17 percent. The last column, labeled “Difference” displays the discrepancy between the distribution of rental units and all housing units. If CPAs contain a lower percentage of rental units than their proportionate share of total units, it is concluded that they have less than their proportionate share of rental units.

As shown in the exhibit, the Near Heights CPA had the largest disproportionate share of rental units. It contained 25 percent of the total rental units within the CPA boundaries in 2000, compared to 17 percent of the housing stock for the total area; a discrepancy of 9 percentage points. The Central Albuquerque, Foothills and Mid-Heights CPAs also had disparities in rental housing. In contrast, the West Side CPA contained 9 percent the rental stock within the CPA boundaries but 13 percent of the total housing stock. The North Albuquerque CPA had about half of its share of rental units, compared to all housing units. The East Gateway CPA was the only CPA to have a proportionate share of rental units to all housing units.

**Exhibit II-20.  
Distribution of CPA Rental Units, 2000**

	Rental Units	Distribution of Rental Units within CPA Boundaries	Distribution of All Units within CPA Boundaries	Difference
CPAs				
Central Albuquerque	4,101	5.6%	4.1%	1.5%
East Gateway	7,847	10.7%	10.7%	0.0%
Foothills	6,126	8.4%	8.1%	0.3%
Mid-Heights	17,443	23.9%	20.6%	3.3%
Near Heights	18,154	25.4%	16.8%	8.6%
North Albuquerque	2,859	3.9%	8.0%	-4.1%
North Valley	6,146	8.4%	10.6%	-2.2%
Southwest Mesa	3,190	4.4%	7.8%	-3.4%
West Side	<u>6,750</u>	<u>9.2%</u>	<u>13.4%</u>	-4.2%
Total	72,616	100%	100%	

Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

**Distribution of single family units.** Exhibit II-21 shows the distribution of single family housing units and compares the distribution of single family units within the CPA boundaries to all housing units. The CPAs with a disproportionate share of owner occupied housing is nearly the inverse of the previous table. The West Side and North Albuquerque CPAs contained the largest disparities of owner occupied housing. The West Side CPA contained 16 percent of the total owner occupied units within the CPA boundaries in 2000, compared to 13 percent of the housing stock for the total area. Similarly, the North Albuquerque CPA contained 11 percent of owner occupied units, compared to 8 percent of all units. The Foothills and East Gateway CPAs contained proportionate shares of owner occupied housing.

**Exhibit II-21.**  
**Distribution of CPA Owner Occupied Units, 2000**

	Owner Occupied Units	Distribution of Owner Occupied Units within CPA Boundaries	Distribution of All Units within CPA Boundaries	Difference
<b>CPAs</b>				
Central Albuquerque	3,315	2.8%	4.1%	-1.3%
East Gateway	12,819	10.9%	10.7%	0.2%
Foothills	9,560	8.1%	8.1%	0.0%
Mid-Heights	21,800	18.5%	20.6%	-2.1%
Near Heights	12,467	10.6%	16.8%	-6.2%
North Albuquerque	12,804	10.9%	8.0%	2.9%
North Valley	14,195	12.0%	10.6%	1.4%
Southwest Mesa	11,648	9.9%	7.8%	2.1%
West Side	19,327	16.4%	13.4%	3.0%

Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting

**Housing type by race/ethnicity.** Exhibit II-22 displays tenure by race and ethnicity in Albuquerque, according to the 2000 Census.

**Exhibit II-22.**  
**Tenure by Race and Ethnicity, Albuquerque, 2000**

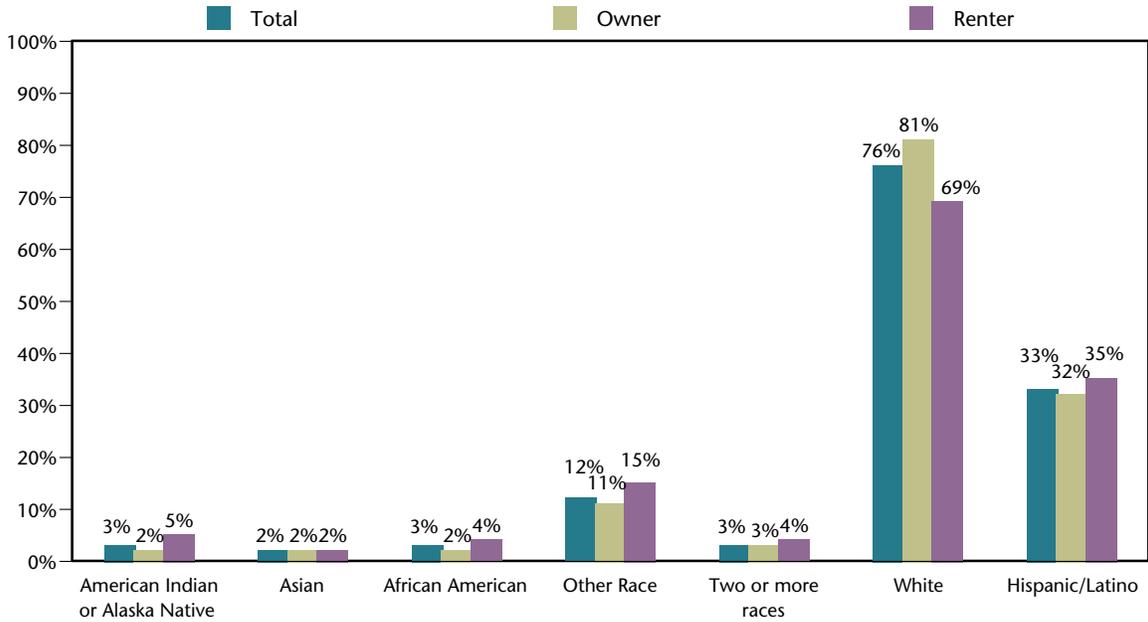
	Number of Households	Owner-Occupied Units	Renter-Occupied Units
<b>Race</b>			
American Indian or Alaska Native alone	5,740	1,793	3,947
Asian alone	3,275	1,759	1,516
Black or African American alone	5,484	2,228	3,256
Other Race alone	22,596	11,988	10,608
Two or more races alone	5,958	2,921	3,037
White alone	140,044	88,852	50,192
<b>Ethnicity</b>			
Hispanic/Latino	61,016	35,326	25,615

Note: The exhibit does not show the Native Hawaiian or Other Pacific Islander race category because the percentage of this race was less than 0.5 percent in Albuquerque.

Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

Exhibit II-23 compares the distribution of Albuquerque's housing stock by *all units*, *owner-occupied units* and *renter-occupied units* across the races and ethnicities of residents as of the 2000 Census.

**Exhibit II-23.**  
**Distribution of Tenure by Race and Ethnicity, Albuquerque, 2000**



Note: The exhibit does not show the Native Hawaiian or Other Pacific Islander race category because the percentage of this race was less than 0.5 percent in Albuquerque.

Bar graphs total more than 100 percent because Hispanic/Latino is considered an ethnicity, not a race.

Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

As shown above, 81 percent of households in single family homes in Albuquerque were White, compared to 2 percent who were African American and 32 percent who were of Hispanic/Latino descent. Sixty-nine percent of the city’s renter households were White in 2000, 4.5 percent were African American, and 35 percent were of Hispanic/Latino descent.

The City of Albuquerque’s overall racial and ethnic household distribution in 2000 was 77 percent White, 33 percent Hispanic/Latino and 3 percent African American. Therefore, a higher proportion of Whites are homeowners and a smaller proportion of minorities are homeowners compared to the racial and ethnic distribution of the city’s population overall. Conversely, a smaller proportion of Whites are renters and a higher proportion of minorities are renters than households overall. However, the relative disparities between Whites and other races and ethnicities is not considerable. To illustrate, in 2000, Hispanics/Latinos made up 33 percent of the households in the city, 32 percent of the city’s homeowners and 35 percent of the city’s renters.

**Housing affordability.** Exhibit II-24 below displays the income required to afford the median home value and median rent in Albuquerque according to 2000 Census data.

**Exhibit II-24.**  
**Median Home Value and Rent and Income Required for Affordability, Albuquerque**

	Median Home Value	Income Required to Afford Median Home	Median Rent	Income Required to Afford Median Rent
Albuquerque	\$123,700	\$32,343	\$560	\$22,400

Note: Income required to afford median rent is based on HUD's 30 percent AMI. Income required to afford a median home assumes 5.5 percent interest over a 30-year term with 1.2 percent real estate taxes, closing costs, etc..

Source: U.S. Census Bureau, 1990 and 2000 Census and BBC Research and Consulting.

According to the Census, approximately 106,914 Albuquerque households (58 percent of total households) could afford the median home value. Seventy-three percent of Albuquerque households (133,243) could afford the median rent.

Very low-income households, earning no more than \$19,136, could afford to buy a single family home priced at \$70,776 or less.<sup>5</sup> Given this price cap, approximately 10.4 percent of the total single family housing stock — or 11,465 units — was affordable to very low-income households in Albuquerque. Very low-income households could also afford to pay \$478 or less in rent per month.<sup>6</sup> Approximately 32 percent of the rental stock — or 23,552 units — was affordable to very low-income households in the city.

The Census also provides data on cost burdened households, or households paying more than 30 percent of their incomes for housing. In 2000, 54,557 Albuquerque households – 32 percent of total households – were considered cost burdened. Of these 54,557 households, nearly 60 percent were living in renter-occupied units. The ACS estimates that the number of cost burdened households increased to 58,432 in 2002, representing 30 percent of total Albuquerque households, which is a slight decrease from 2000.

**Distribution of affordability.** Exhibit II-25 on the following page shows the distribution of the 13,284 single family homes and 22,367 rental units affordable to very low-income households (earning between 31 percent to 50 percent of the Albuquerque median income) within the CPA boundaries.

<sup>5</sup> A single family home affordable to very low-income households assumes 5 percent down, a 5.5 percent interest rate over a 30-year term, adjusted for PMI, hazard insurance, property taxes, etc.

<sup>6</sup> An affordable rental unit to very low-income households is based on HUD's 30 percent AMI.

**Exhibit II-25.  
Housing Stock Affordable to Very Low-Income Households within the CPA Boundaries and  
Where it is Located, 2000**

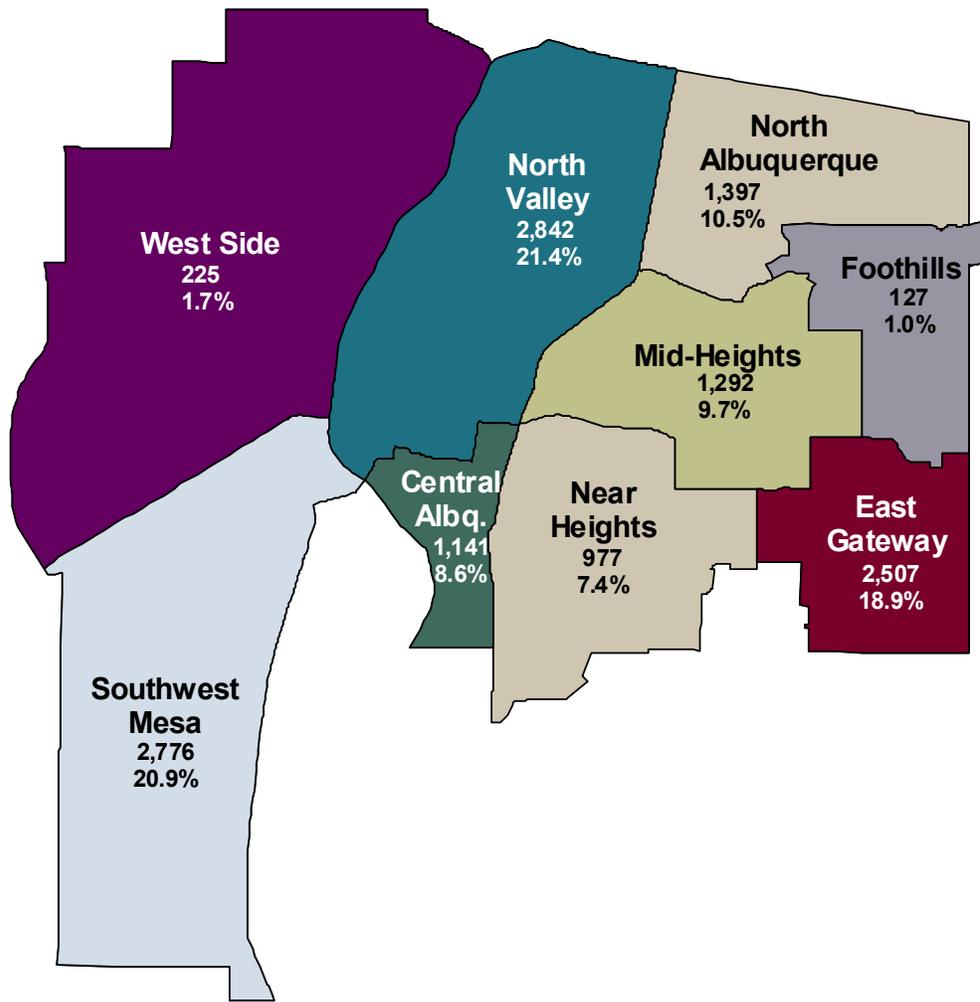
	Affordable Single Family Homes		Affordable Rental Units	
CPAs				
Central Albuquerque	1,141	8.6%	2,033	9.1%
East Gateway	2,507	18.9%	2,550	11.4%
Foothills	127	1.0%	496	2.2%
Mid-Heights	1,292	9.7%	4,968	22.2%
Near Heights	977	7.4%	8,120	36.3%
North Albuquerque	1,397	10.5%	450	2.0%
North Valley	2,842	21.4%	2,180	9.7%
Southwest Mesa	2,776	20.9%	1,147	5.1%
West Side	225	1.7%	424	1.9%
<b>Total</b>	<b>13,284</b>	<b>100.0%</b>	<b>22,367</b>	<b>100.0%</b>

Note: Data differ for Albuquerque and the CPAs as the CPA boundaries differ from the City of Albuquerque municipality boundaries. For example, Albuquerque had 11,465 single family units affordable to very low-income households; the CPAs have a total of 13,284 single family units affordable to very low-income households. Data for the CPAs are calculated as a percentage of the CPA boundaries, not the City.

Source: U.S. Census Bureau, 2000 Census and BBC Research and Consulting.

Exhibits II-26 and II-27 on the following pages display the location of the housing affordable to very low-income households by type in Albuquerque.

**Exhibit II-26.  
Single Family Homes Affordable to Very Low-Income Households within the CPA  
Boundaries and Where They Are Located, 2000**

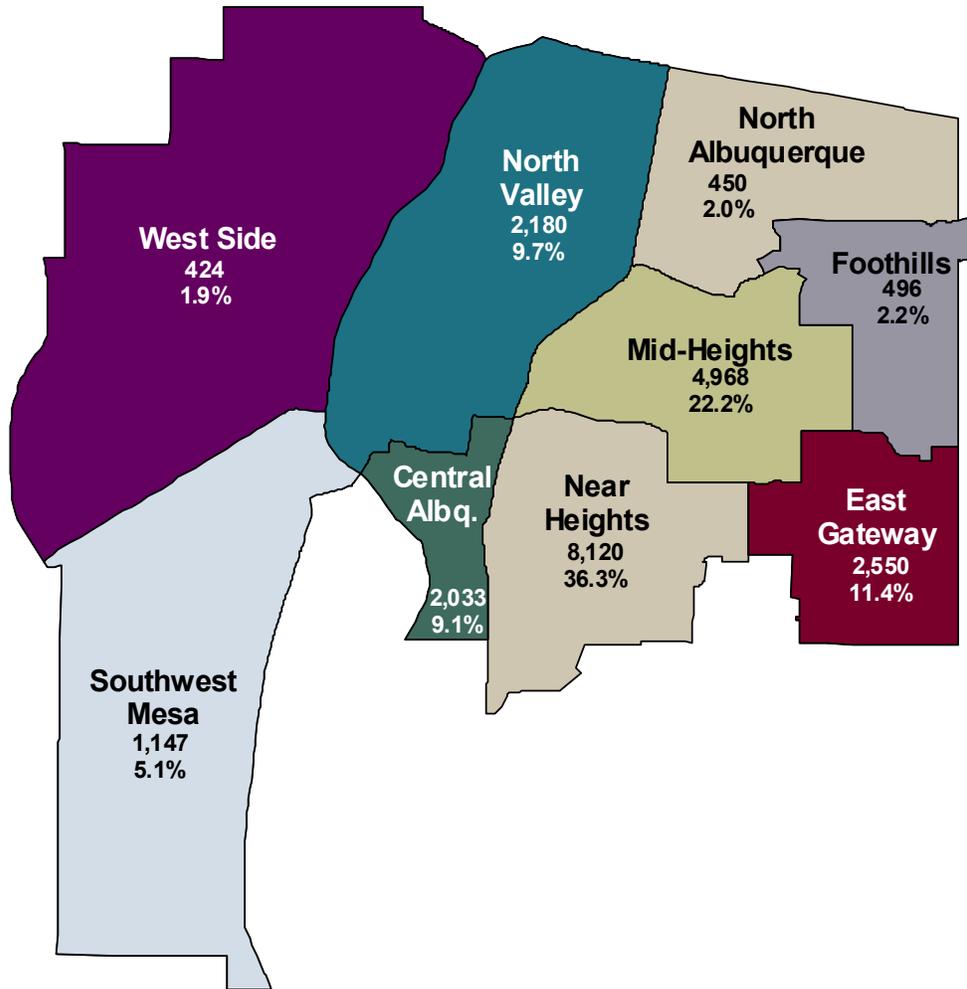


Note: Data differ for Albuquerque and the CPAs as the CPA boundaries differ from the City of Albuquerque municipality boundaries. Data for the CPAs are calculated as a percentage of the CPA boundaries, not the City.

Source: U.S. Census Bureau, 2000 Census and BBC Research and Consulting.

As shown in Exhibit II-26 above, affordable single family stock within the CPA boundaries is concentrated in the North Valley, East Gateway and Southwest Mesa CPAs.

**Exhibit II-27.  
Rental Units Affordable to Very Low-Income Households within the CPA Boundaries and  
Where They Are Located, 2000**



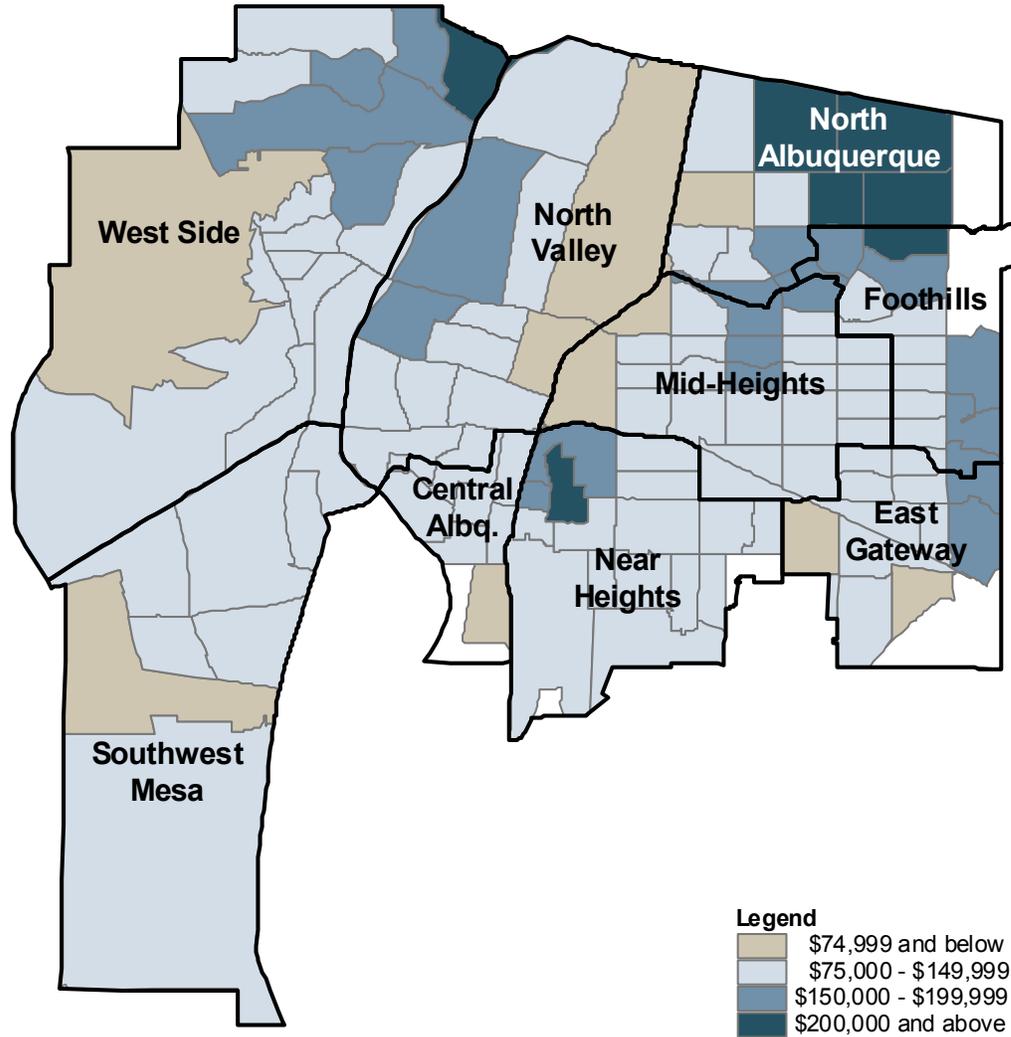
Note: Data differ for Albuquerque and the CPAs as the CPA boundaries differ from the City of Albuquerque municipality boundaries. Data for the CPAs are calculated as a percentage of the CPA boundaries, not the City.  
Source: U.S. Census Bureau, 2000 Census and BBC Research and Consulting.

As shown above, affordable rental housing within the CPA boundaries is concentrated in the Near Heights and Mid-Heights CPAs.

Another way to evaluate the distribution of affordable housing is to examine median home values and rents by census tract and CPA.

Exhibit II-28 on the following page shows the distribution of single family housing by median value as of the 2000 Census.

**Exhibit II-28.**  
**Median Single Family Home Value Distribution, Albuquerque, 2000**

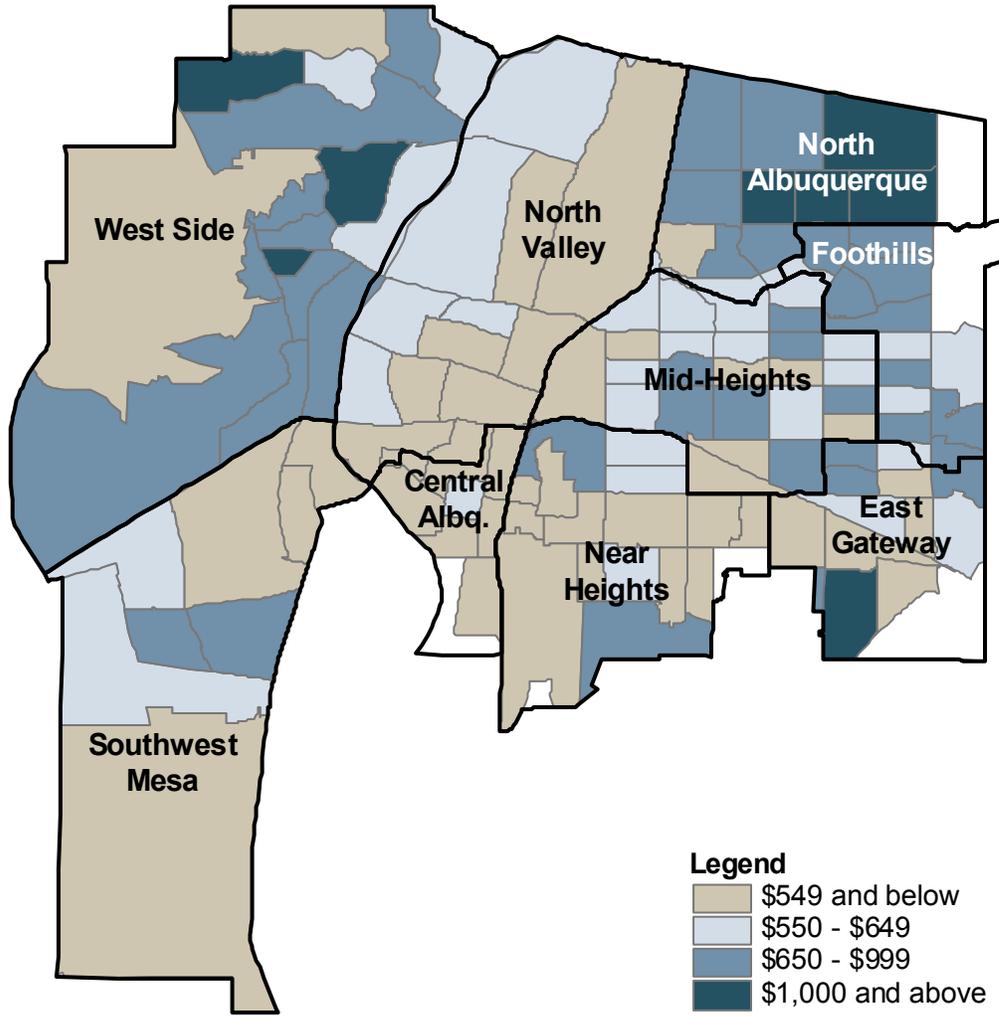


Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

As Exhibit II-28 displays, the most affordable homes are located in the Central Albuquerque and Southwest Mesa CPAs, followed by the North Valley, East Gateway and Mid-Heights CPAs. The most expensive housing is found in North Albuquerque.

Exhibit II-29 shows the distribution of rental housing in Albuquerque by median rent as of the 2000 Census. In general, the Southwest Mesa, Central Albuquerque and North Valley CPAs contain the most affordable for rental housing.

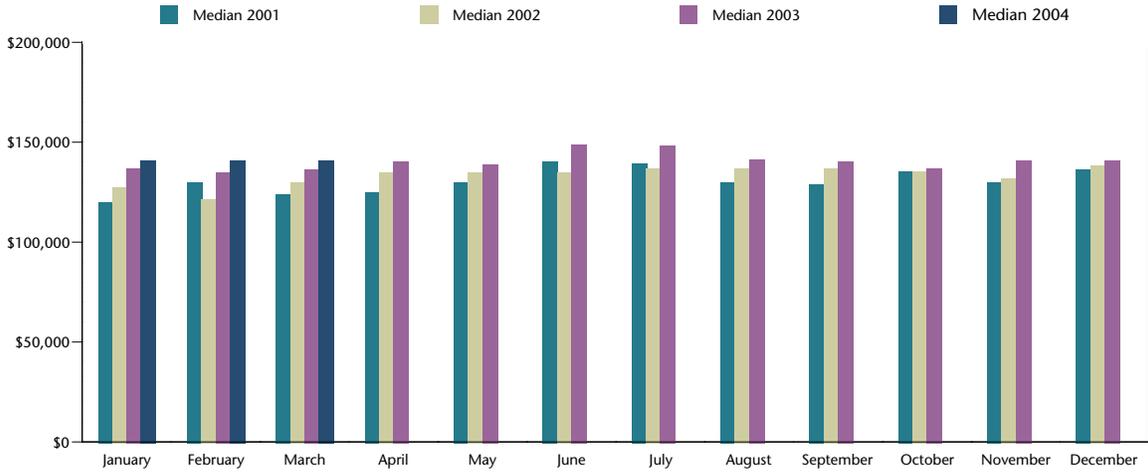
**Exhibit II-29.**  
**Median Rent Distribution, Albuquerque, 2000**



Source: U.S. Census Bureau, 2000 Census and BBC Research & Consulting.

**Affordability in 2002 and 2003.** Data from the Albuquerque Metropolitan Board of Realtors Southwest Multiple Listing Service (MLS) show that the 2003 median home price for a single family detached home in Albuquerque was \$142,000. Existing condos and attached townhomes had a 2003 median price of \$107,500. Exhibit II-30 displays median home price by month from January 2001 to March 2004 for existing, detached single family homes in Albuquerque. As the exhibit shows, 2003 median home prices have been consistently above 2001 and 2002 prices. Home prices in 2004 have been higher than 2001 and 2002 prices, but similar to housing prices in the last half of 2003.

**Exhibit II-30.  
Median Home Price, Existing Single Family Homes, Albuquerque, January 2001 to March 2004**

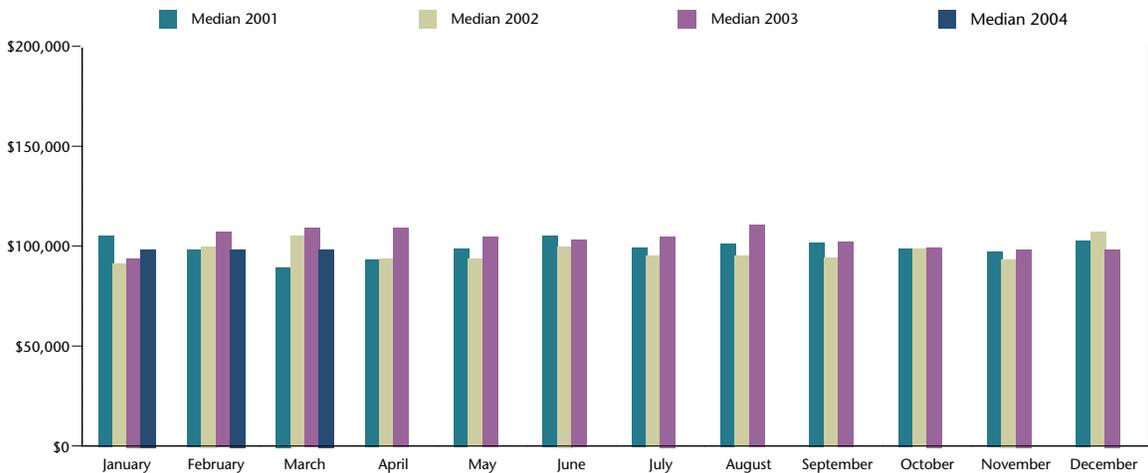


Source: Albuquerque Metropolitan Board of Realtors, Housing Statistics Archive, Southwest Multiple Listing Service, [http://www.ambr.org/documents/housing\\_statistics/](http://www.ambr.org/documents/housing_statistics/)

The median home price peaked in June 2003, at \$148,500; the lowest median home price occurred in January 2001, at \$119,900.

Exhibit II-31 presents median home price by month from January 2001 to March 2004 for existing, attached condominiums and townhomes in Albuquerque.

**Exhibit II-31.  
Median Home Price, Existing Condominiums and Townhomes, Albuquerque, January 2001 to March 2004**

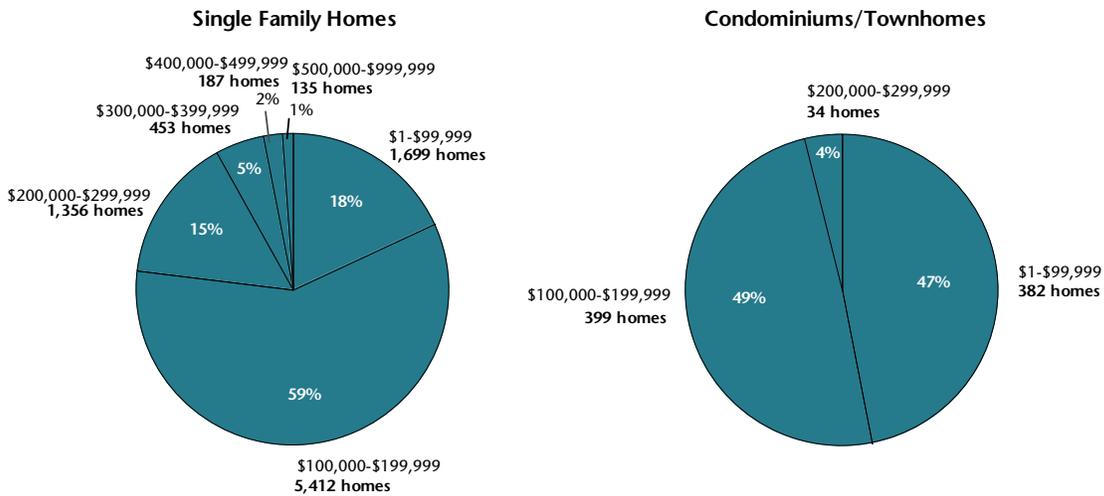


Source: Albuquerque Metropolitan Board of Realtors, Housing Statistics Archive, Southwest Multiple Listing Service, [http://www.ambr.org/documents/housing\\_statistics/](http://www.ambr.org/documents/housing_statistics/)

As shown in Exhibit II-31, median home prices for condominiums and townhomes in 2001 were often higher or equal to median home prices in 2002. Moreover, while median single family detached home prices rose overall in 2003, the 2001 January and June median home price for condominiums and townhomes was higher for those months than in 2003. Prices in 2004 have been relatively stable and similar to prices in the last quarter of 2003.

Exhibit II-32 displays existing, detached single family homes by price range in 2003. As shown, nearly 60 percent of single family homes fell into the \$100,000 to \$199,999 price range. Another 15 percent of single family homes sold for between \$200,000 and \$299,999, and 18 percent of the single family housing stock sold for less than \$99,000.

**Exhibit II-32.**  
**Number of Single Family Homes, Condominiums and Townhomes Sold by Price Range, Albuquerque, 2003**



Note: Data show seven single family homes within the \$1,000,000 + category and one condo/townhome within the \$300,000 to \$399,999 category  
 Source: Albuquerque Metropolitan Board of Realtors, Housing Statistics Archive, Southwest Multiple Listing Service, [http://www.ambr.org/documents/housing\\_statistics/](http://www.ambr.org/documents/housing_statistics/)

Approximately half of the condominiums and townhomes purchased in 2003 sold for between \$100,000 and \$199,999; another 47 percent sold for less than \$99,000. Less than 5 percent sold for more than \$200,000.

Given Albuquerque’s 2000 median income, very low-income households (earning between 31 percent and 50 percent of the Albuquerque median income) could have afforded to purchase approximately 724 of the 9,242 single family homes, or 8 percent of the single family homes on the market in 2003. These households could also have purchased 163 of the 815 condominiums and townhomes, or 20 percent of the condominiums and townhomes sold in 2003. While this comparison is not exact, as it compares 2000 median income to 2003 home sales, it provides an idea of the availability of homes to very low-income households.

Exhibit II-33 displays the 2003 and first quarter 2004 average sales price of existing, detached single family homes by neighborhood. As shown below, in 2003 and thus far in 2004, the Southwest neighborhood had the lowest average sales price, and the North Albuquerque Acres neighborhood had the highest average sales price.

**Exhibit II-33.  
Average Sales Price,  
Existing Single Family  
Homes by Neighborhood,  
2003 and First Quarter  
2004**

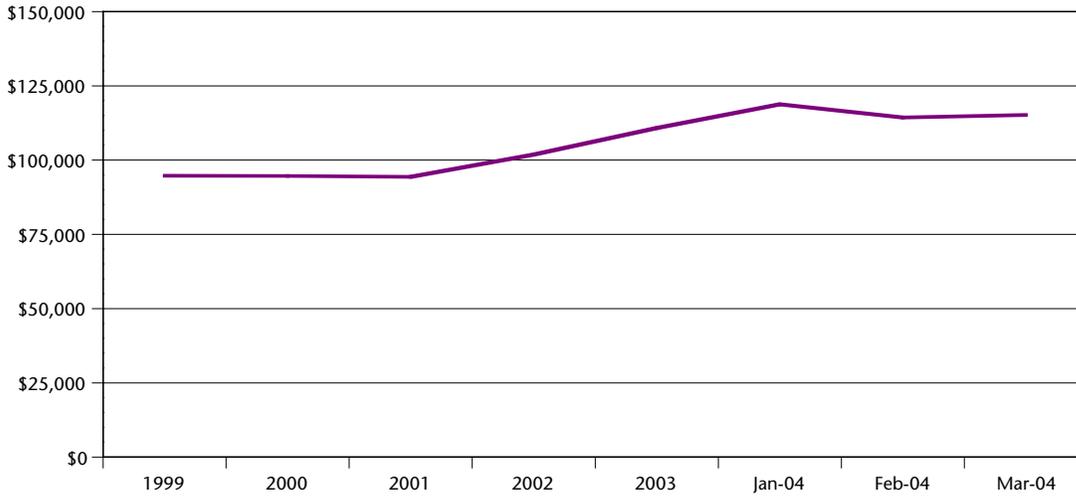
Source:

Albuquerque Metropolitan Board of Realtors, Housing Statistics Archive, Southwest Multiple Listing Service, <http://www.ambr.org/documents/housing-statistics/>

Albuquerque Neighborhood	2003 Average Sales Price	First Quarter 2004 Average Sales Price
Bernalillo/Algodones	\$112,090	\$259,267
Corrales	\$328,141	\$397,613
Downtown	\$140,726	\$118,200
East Mountain Area	\$152,103	\$177,572
Far NE Heights	\$211,740	\$238,188
Four Hills	\$221,551	\$228,940
NE Heights	\$138,646	\$151,750
Near NE Heights	\$138,952	\$155,950
North Albuquerque Acres	\$452,287	\$518,334
North Valley	\$209,351	\$204,704
Northwest Heights	\$137,986	\$148,283
Paradise Hills	\$159,851	\$169,829
Placitas	\$299,296	\$334,631
Rio Rancho Mid/Corrales Heights	\$121,380	\$123,556
Rio Rancho North	\$138,057	\$146,122
Rio Rancho South	\$124,756	\$153,543
Sandia Heights	\$332,295	\$392,192
SE Heights	\$134,635	\$145,650
Southwest	\$94,478	\$96,726
Valencia County	\$102,184	\$124,379

**Single family price/construction trends.** An examination of the valuation of single family building permits (which is correlated with home prices) issued by the City of Albuquerque from January 1999 through March 2004 showed a very modest increase in the average permit value in 2002 and 2003. Average permit values peaked in January 2004; however, average permit values for February and March 2004 are lower, suggesting that the average for 2004 as a whole may not be as high. Exhibit II-34 shows the average valuation for all single family permits during this period.

**Exhibit II-34.  
Building Permits, City of Albuquerque, January 1999 – March 2004**



Source: City of Albuquerque.

According to a review of building permit data from January 1999 through March 2004, the vast majority of the housing units constructed recently have been single family. Approximately 21,803 permits were issued for single family home construction during this period, compared to 125 permits for multifamily buildings, condominium buildings and duplexes that include about 3,814 units.

According to the *State of Affordable Housing* study, conducted by the Affordable Housing Committee in October 2003, an “affordable house” is estimated to cost in the vicinity of \$125,000. Exhibit II-35 below shows the estimated sales prices and number of building permits issued throughout Albuquerque in 2003.

**Exhibit II-35.  
Estimated Sales Price and Number of Building Permits Issued, Albuquerque, 2003**

Estimated Sales Price	Total Units	NE	NW	SE	SW
\$100,000 SF Home	656	69	253	10	324
\$125,000 SF Home	1,114	209	574	35	296
\$135,000 SF Home	271	73	160	2	36

Source: *State of Affordable Housing*, Affordable Housing Committee, October 21, 2003.

As shown above, the bulk of permits issued were in the \$125,000 sales price range and in the Northwest area of the city. Single family homes in the \$100,000 range were concentrated in the Northwest and Southwest regions; for \$135,000 homes, in the Northwest region.

**Housing condition.** Assessments of housing condition are notoriously difficult due to the lack of accurate, informative data. The best available housing condition indicators issued by the Census include age, overcrowding and presence or absence of amenities.

According to the Census, in 2002, 630 units (or 0.3 percent of all housing units) in Albuquerque lacked complete plumbing facilities. Nearly 90 percent of these units were built before 1990, with more than one-third built before 1960. Eleven units, or 1.7 percent of units lacking plumbing, were also overcrowded and built before 1939. An additional 31 units, or 4.9 percent of units lacking plumbing, were defined as overcrowded and built before 1969, as well as lacking complete plumbing facilities.

Units without telephone service are also often considered substandard (although less so with the rise in cellular phone use as a substitute for telephones at home). Of the 183,406 occupied housing units in Albuquerque, approximately 2 percent did not have telephone service. Of these 4,260 units, 42 percent had incomes below poverty level.

Finally, the Census reports substandard units that have selected physical and financial conditions. These units are defined as having at least one of the following conditions: (1) lacking complete plumbing facilities, (2) lacking complete kitchen facilities, (3) with 1.01 or more occupants per room, (4) selected monthly owner costs as a percentage of household income in 1999 greater than 30 percent, and (5) gross rent as a percentage of household income in 1999 greater than 30 percent. Exhibit II-36 displays owner and renter occupied units that qualify for one or more of the selected physical and financial conditions.

**Exhibit II-36.  
Housing Units with  
Selected Physical and  
Financial Conditions,  
Albuquerque, 2000**

Source:  
U.S. Census Bureau, 2000 Census and  
BBC Research & Consulting.

	Units with Selected Physical and Financial Conditions	Percent of Total Occupied Units
Total occupied units	183,406	
Owner occupied units	110,782	60.4%
With one selected condition	27,568	15.0%
With two selected conditions	1,100	0.6%
With three selected conditions	36	0.0%
With four selected conditions	8	0.0%
No selected conditions	82,070	44.7%
Renter occupied	72,624	39.6%
With one selected condition	31,120	17.0%
With two selected conditions	2,897	1.6%
With three selected conditions	83	0.0%
With four selected conditions	5	0.0%
No selected conditions	38,519	21.0%

According to these data, about one third of occupied units in Albuquerque had at least one condition problem in 2000.

The City of Albuquerque 2003-2007 Consolidated Plan conducted a housing conditions windshield survey in five Community Planning Areas with identified condition needs. Homes were evaluated as Standard (in need of no apparent repairs), Lightly Deteriorated (in need of minor repair, such as exterior painting or re-stuccoing minor wall cracks), Light to Moderately Deteriorated (in need of roof repairs, repair of cracks in walls or foundation, etc.), Moderately Deteriorated (in need of replacement of roofs, windows, and/or exterior wall surface), and Extremely Deteriorated (in need of significant repairs/replacement of all parts of the structure, fire damaged, major code violations). Exhibit II-37 displays the findings of the housing conditions survey for single family homes.

**Exhibit II-37.  
Housing Conditions by CPA**

CPA Neighborhood	Standard	Light	Light to Moderate	Moderate	Extreme
Central Albuquerque/San Jose	162 (20%)	373 (45%)	245 (30%)	47 (6%)	0
East Gateway/Singing Arrow	573 (97%)	13 (3%)	0	0	0
Mid-Heights/Bel Air	999 (82%)	174 (14%)	47 (4%)	5 (0.4%)	0
North Valley/Near N. Valley	986 (54%)	638 (35%)	179 (10%)	22 (1%)	0
West Side/West Mesa	1,242 (70%)	426 (24%)	70 (4%)	15 (0.8%)	12 (0.7%)

Source: City of Albuquerque 2003-2007 Consolidated Plan.

As shown above, the highest concentration of deteriorated single family homes was in the Central Albuquerque/San Jose neighborhood. More than 80 percent of the units showed some sign of deterioration, with 45 percent showing only light signs of deterioration and 36 percent indicating more extensive need of repairs. The North Valley/Near N. Valley had the second highest concentration of units showing signs of deterioration, followed by the West Side Mesa neighborhood in the Southwest Mesa CPA.

**Summary**

- The City of Albuquerque has and continues to experience modest population growth. According to the Census, Albuquerque’s population increased 16.6 percent during the past decade, from 384,736 in 1990 to 448,607 in 2000. The Census’ American Community Survey (ACS), a nationwide survey that provides updated socioeconomic and housing data, estimates Albuquerque’s 2002 population at 461,422. The strongest growth during the decade occurred in the West and Southwest portions of the city. Population declined in the central areas of the city.
- According to the U.S. Census, 72 percent of Albuquerque’s population was White in 2000. Four percent of the city was American Indian or Alaskan Native and 3 percent was African American. In 2000, 40 of the city’s population reported to be of Hispanic/Latino descent.

- Albuquerque's White residents primarily live in the North, Northeast and Eastern portions of the city. The Hispanic/Latino population is concentrated in the West, Southwest and Central portions of the city. The city's African American population is not heavily concentrated in any one area in the city.
- The city's very low-income households are mostly concentrated in the central portions of the city. The Central Albuquerque, Near Heights, and North Valley planning areas have house a disproportionate share of the city's very low-income households, while the Foothills, North Albuquerque, and West Side areas house less than their proportionate share.
- American Indian or Alaskan Natives, African Americans, persons of Two or More Races and persons of Hispanic/Hispanic/Latino descent have a higher incidence rate of poverty than households of other races and ethnicities. For example, one in five White households were living in poverty in Albuquerque in 2000, compared to one in three Hispanic/Latino households. In addition, persons with disabilities are disproportionately represented in the city's population of persons living in poverty.
- In 2000, 58 percent of households in Albuquerque could afford to buy the median valued home in the city; 73 percent could afford the median rent. Very low-income households could afford to buy about 10 percent of the city's single family housing stock in 2000 and rent about 32 percent of the city's rental units.
- The North Valley, Southwest Mesa, and East Gateway areas contain the highest percentages of single family homes affordable to persons with very low-incomes. The Near Heights and Mid Heights areas contain the highest percentages of affordable rental units. Very low-income households could afford very few of the houses or rental units in the West Side and Foothills areas and portions of the North Albuquerque area.
- The city's home values have been on a slight upward trend since 2000. Of the homes on the market between in 2003, 8 percent of *single family homes* and 20 percent of the *condominiums and townhomes* were affordable to very low-income households.
- According to the U.S. Census, about one-third of occupied housing units in Albuquerque had one of the following problems: lacked complete plumbing or kitchens, were overcrowded and had a household that was cost burdened. A study of housing conditions completed for the city's Consolidated Plan found that as much as 80 percent of the housing stock in the Central Albuquerque area had some type of deterioration. Almost half of the housing stock in the West Side/West Mesa area had some type of deterioration.

**SECTION III.**  
**Policy and Regulatory Analysis**

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## SECTION III. Policy and Regulatory Analysis

### Introduction

This section contains an analysis of home loan, community reinvestment and fair housing complaint data, as well as an analysis of city policies related to housing. This section also includes a discussion of recent legal cases and actions in Albuquerque related to fair housing.

### Community Investment Compliance

The Community Reinvestment Act (CRA) requires that financial institutions progressively seek to enhance community development within the area they serve. On a regular basis, financial institutions submit information about mortgage loan applications as well as materials documenting their community development activity. The records are reviewed to determine if the institution satisfied CRA requirements. The assessment includes a review of records as related to the following:

- Commitment to evaluating and servicing community credit needs;
- Offering and marketing various credit programs;
- Record of the opening and closing of offices;
- Discrimination and other illegal credit practices; and
- Community development initiatives.

The data are evaluated and a rating for each institution is determined. Ratings for institutions range from substantial noncompliance in meeting credit needs to an outstanding record of meeting community needs. Exhibit III-1 shows CRA compliance for the 19 financial institutions that were subject to CRA and that underwent examinations in the City of Albuquerque. These ratings represent audits conducted between 1990 and 2002; ratings are shown for the most recent audit only.

#### Exhibit III-1. CRA Ratings, Albuquerque, Audits between 1990 and 2002

Source:  
FFIEC Interagency CRA Rating, October 2003.

Rating	Number of Banks	Percent
Outstanding	3	16%
Satisfactory	15	79%
Needs Improvement	1	5%
Substantial Noncompliance	0	0%

As shown in the above exhibit, the majority of banks in Albuquerque are meeting the community investment goals mandated by the CRA. Three banks exceeded the CRA goals, according to exams conducted during the past decade, and one bank fell short of the CRA requirements.

In recent years, the importance of CRA ratings in measuring community investment has become less significant. As the financial condition of banks has improved, audits have become less frequent, so CRA ratings are not always a recent measure of community investment performance. Furthermore, the audit procedures required to measure CRA compliance are not as comprehensive as they could be in order to fully understand an institutions' performance. Finally, with the expansion of online lending and bank mergers, measures of local lending have become less important in measuring access to credit. Therefore, it is important to examine other fair housing data in addition to the CRA data when considering the performance of lending institutions.

### **Fair Lending Analysis**

Home Mortgage Disclosure Act (HMDA) data consist of information about mortgage loan applications for financial institutions, savings and loans, savings banks, credit unions and some mortgage companies.<sup>1</sup> The data contain information about the location, dollar amount and types of loans made, as well as racial and ethnic information, income and credit characteristics of all loan applicants. The data are available for home purchases, loan refinances and home improvement loans.

HMDA data can provide a picture of how different applicant types fare in the mortgage lending process. These data can be used to identify areas of potential concern that may warrant further investigations. For example, by comparing loan approval rates of minority applicants with non-minorities that have similar income and credit characteristics, areas of potential discrimination may be detected.

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

The HMDA data tables in this section present summary HMDA data for the Albuquerque Metropolitan Statistical Area (MSA) where available.<sup>2</sup> It should be noted that discriminatory practices cannot be definitively identified from a review of aggregate HMDA data. Lending discrimination tests require detailed statistical analyses and comparative tests of individual loan files. However, examinations of denial rates and general applicant characteristics can suggest areas for further examination.

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<sup>1</sup> Financial institutions are required to report HMDA data if they have assets of more than \$32 million, have a branch office in a metropolitan area, and originated at least one home purchase or refinance loan in the reporting calendar year. Mortgage companies are required to report HMDA if they are for-profit institutions, had home purchase loan originations exceeding 10 percent of all loan obligations in the past year, are located in an MSA (or originated five or more home purchase loans in an MSA) and either had more than \$10 million in assets or made at least 100 home purchase or refinance loans in the calendar year.

<sup>2</sup> The Albuquerque MSA includes Sandoval, Bernalillo, Valencia and Tarrant counties.

**Loan applications and action taken.** The most recent HMDA data available are for the 2002 calendar year. During 2002, there were 71,570 loan applications made in the Albuquerque MSA for owner occupied homes. The majority of the loan applications – 63 percent – were for mortgage refinances. Eleven percent of the applications were for conventional home purchase loans, 11 percent were for government guaranteed home purchase and 5 percent were for home improvement loans. Exhibit III-2 shows total loan applications during 2002 by loan type (government, conventional, refinance, home improvement), loan purpose, and action taken on the loan.

**Exhibit III-2  
Loan Applications Received, by Loan Type Albuquerque MSA, 2002**

	Government Guaranteed Home Purchase	Conventional Home Purchase	Refinance	Home Improvement
Total loan applications	7,736	15,936	44,610	3,288
Loan originated	75%	69%	56%	45%
Approved, not accepted	4%	9%	7%	7%
Denied	10%	14%	20%	39%
Withdrawn	10%	7%	14%	8%
Determined incomplete	1%	2%	3%	1%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

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

Source: FFIEC HMDA Aggregate Reports, 2003, and BBC Research & Consulting.

As shown above, government guaranteed mortgages had the highest origination rate at 75 percent. This compares to an origination rate for conventional home purchases of 69 percent (higher origination rates for government guaranteed loans are typical, since these loans provide more flexible underwriting standards). Mortgage refinances and home improvement loans were originated 56 and 45 percent of the time, respectively.

Ten percent of government guaranteed home purchases were denied in 2002, compared with 14 percent of conventional mortgage loans, 20 percent of refinance loans and 39 percent of home improvement loans.

**Denial rates by race and income.** Exhibit III-3 on the following page presents denial rates by race and ethnicity, categorized by income level and loan type for the Albuquerque MSA. It should be noted that the large majority of applicants during 2002 were either White Non-Hispanic/Latino or of Hispanic/Latino origin, joint applicants or did not disclose their race on their loan application. The number of applications for American Indian/Alaskan Native, Asian/Pacific Islander, African American and Other races and ethnicities were very low compared to applications from White Non-Hispanic/Latinos and persons of Hispanic/Latino origin. Therefore, the HMDA data are in general more representative of the lending experience of these two groups than of others.

As shown in Exhibit III-3, White and Asian applicants consistently had lower denial rates than applicants of other races and ethnicities. Mid to upper-income joint applicants (consisting of one White and one non-White applicant) also had relatively low denial rates. This is true across all loan types. Perhaps the strongest conclusion that can be drawn from the exhibit is through the comparison of White Non-Hispanic/Latino and Hispanic/Latino applicants: Hispanic/Latinos consistently had about twice the denial rate of Whites regardless of loan type or income level.

**Exhibit III-3.  
Mortgage Loan Denial Rates by Race/Ethnicity and Income, Albuquerque MSA, 2002**

Race/Ethnicity	Government Guaranteed Home Purchases			Conventional Home Purchases		
	Low Income Applicants (<80% of Median)	Moderate, Middle and Upper Income Applicants (80% of Median or Greater)	Total Applicants	Low Income Applicants (<80% of Median)	Moderate, Middle and Upper Income Applicants (80% of Median or Greater)	Total Applicants
American Indian/ Alaskan Native	19%	10%	16%	52%	24%	40%
Asian/Pacific Islander	17%	2%	9%	7%	7%	7%
African American	15%	8%	14%	28%	15%	20%
Hispanic/Latino	16%	8%	15%	26%	12%	19%
White	8%	4%	7%	16%	5%	8%
Other	8%	16%	16%	15%	9%	11%
Joint	18%	5%	10%	23%	7%	9%
Not Available	9%	4%	7%	48%	15%	25%

Race/Ethnicity	Refinances			Home Improvement Loans		
	Low Income Applicants (<80% of Median)	Moderate, Middle and Upper Income Applicants (80% of Median or Greater)	Total Applicants	Low Income Applicants (<80% of Median)	Moderate, Middle and Upper Income Applicants (80% of Median or Greater)	Total Applicants
American Indian/ Alaskan Native	46%	16%	26%	71%	30%	61%
Asian/Pacific Islander	15%	15%	15%	50%	21%	25%
African American	29%	20%	23%	42%	40%	41%
Hispanic/Latino	25%	18%	20%	50%	31%	40%
White	14%	9%	10%	36%	18%	23%
Other	26%	16%	19%	36%	44%	41%
Joint	22%	13%	14%	64%	17%	24%
Not Available	48%	32%	37%	60%	39%	48%

Note: The Albuquerque MSA includes all Sandoval, Bernalillo, Valencia and Torrance counties.

Source: FFIEC HMDA Aggregate Reports, 2003, and BBC Research & Consulting.

**Approval rates by minority concentration.** Exhibit III-4 displays the disposition of loan applications from different census tracts in the Albuquerque MSA in 2002 for government guaranteed and conventional mortgage loans. The census tracts are grouped by proportion of minority residents. As shown in the exhibit, as minority concentration increases, origination rates decline: 80 percent of mortgage loans in White majority census tracts were originated, compared with 51 percent in minority majority census tracts. Therefore, loan applications from areas where there are high concentrations of minorities have a greater chance of being denied than applications from areas where Whites are the majority.

**Exhibit III-4.  
Loan Disposition by Minority Concentration, All Mortgage Loan Types, Albuquerque MSA, 2002**

	Less than 10% Minority	10% to 19% Minority	20% to 49% Minority	50% to 79% Minority	80% to 100% Minority
Total loan applications	469	2,939	13,400	6,037	800
Loan originated	80%	79%	74%	62%	51%
Approved, not accepted	11%	6%	7%	8%	11%
Denied	4%	8%	10%	19%	29%
Withdrawn	3%	6%	8%	9%	8%
Determined incomplete	3%	1%	1%	2%	2%
<b>Total</b>	<b>101%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Source: FFIEC HMDA Aggregate Reports, 2003, and BBC Research & Consulting.

**Approval rates by gender and income.** HMDA data are also available by gender and income for the Albuquerque MSA. Denial rates on government-backed and conventional mortgage loans, as well as refinancing and home mortgage improvement loans, are shown in Exhibit III-5.

**Exhibit III-5.  
Loan Denials by Gender and Income, All Loan Types, Albuquerque MSA, 2002**

	Total Loan Applications	Male	Female	Joint	Not Available	All Applicants
0% to 49% of AMI	2,959	25%	27%	25%	65%	29%
50% to 79% of AMI	5,959	14%	12%	17%	38%	15%
80% to 99% of AMI	3,266	11%	9%	10%	28%	11%
100% to 119% of AMI	2,712	8%	7%	9%	13%	8%
120% of AMI +	7,982	7%	6%	5%	14%	6%
<b>Totals</b>	<b>22,878</b>	<b>13%</b>	<b>13%</b>	<b>9%</b>	<b>28%</b>	<b>12%</b>

Note: The Albuquerque MSA includes all of Sandoval, Bernalillo, Valencia and Torrance counties.  
Source: FFIEC HMDA Aggregate Reports, 2003, and BBC Research & Consulting.

As would be expected, denial rates tend to decline as incomes rise: 30 percent of applicants earning less than 50 percent of the city's Area Median Income (AMI) are denied loans, compared with just 6 percent of applicants with incomes of 120 percent and more of AMI. The denial rates were very similar for both genders and joint applicants, and as such, do not suggest gender discrimination in loan approvals.

**Reasons for denial.** HMDA data also contain summary information on the reasons for denial by type of loan and applicant characteristics, which can help explain some of the variation in approval rates among applicants. Exhibits III-6 and III-7 on the following pages show the reasons for denials of 2002 loan applications by race, gender and income for government insured and conventional home purchase loans. The numbers in boldface type represent the most common reason for denial of each group of applicants.

**Exhibit III-6.**

**Reasons for Denial of Loan Applications for Government Guaranteed Home Purchase Loans, by Race, Gender and Income of Applicant, Albuquerque MSA, 2002**

	Debt-to- Income Ratio	Employment History	Credit History	Collateral	Insufficient Cash	Unverifiable Information	Credit Application Incomplete	Mortgage Insurance Denied	Other	Total
<b>RACE</b>										
American Indian/Alaska Native	25%	0%	61%	0%	4%	4%	4%	0%	4%	100%
Asian/Pacific Islander	29%	0%	57%	0%	0%	0%	0%	0%	14%	100%
African American	26%	4%	48%	0%	7%	4%	4%	0%	7%	100%
Hispanic/Latino	22%	8%	36%	1%	10%	2%	5%	0%	16%	100%
White	19%	6%	31%	3%	10%	2%	9%	1%	20%	100%
Other	30%	0%	40%	0%	10%	0%	0%	0%	20%	100%
Joint	30%	5%	38%	2%	5%	4%	4%	2%	11%	100%
Race not available	32%	14%	29%	0%	4%	11%	0%	0%	11%	100%
<b>GENDER</b>										
Male	24%	7%	33%	2%	9%	3%	6%	0%	16%	100%
Female	24%	5%	29%	1%	15%	2%	6%	0%	17%	100%
Joint	21%	8%	42%	1%	5%	2%	4%	0%	15%	100%
Gender not available	28%	6%	39%	0%	11%	11%	0%	0%	6%	100%
<b>INCOME</b>										
Less than 50% of MSA median	34%	8%	24%	1%	14%	3%	4%	0%	13%	100%
50% to 79% of MSA median	18%	9%	43%	1%	8%	2%	4%	0%	15%	100%
80% to 99% of MSA median	15%	4%	42%	4%	7%	2%	8%	0%	17%	100%
100% to 119% of MSA median	16%	2%	45%	2%	4%	5%	7%	0%	20%	100%
120% or more of MSA median	6%	3%	42%	3%	1%	3%	11%	3%	28%	100%
Income not available	21%	3%	52%	0%	3%	0%	10%	0%	10%	100%

Note: The Albuquerque MSA includes all of Sandoval, Bernalillo, Valencia and Torrance counties.  
 Source: FFIEC HMDA Aggregate Reports, 2003, and BBC Research & Consulting.

**Exhibit III-7.  
Reasons for Denial of Loan Applications for Conventional Home Purchase Loans,  
by Race, Gender and Income of Applicant, Albuquerque MSA, 2002**

	Debt-to- Income Ratio	Employment History	Credit History	Collateral	Insufficient Cash	Unverifiable Information	Credit Application Incomplete	Mortgage Insurance Denied	Other	Total
<b>RACE</b>										
American Indian/Alaskan Native	15%	8%	49%	2%	2%	2%	3%	0%	20%	100%
Asian/Pacific Islander	17%	4%	29%	8%	4%	8%	13%	0%	17%	100%
African American	16%	0%	40%	0%	0%	4%	4%	0%	36%	100%
Hispanic/Latino	16%	4%	39%	6%	6%	3%	4%	0%	22%	100%
White	18%	4%	33%	6%	4%	3%	7%	0%	26%	100%
Other	8%	0%	33%	17%	17%	0%	0%	0%	25%	100%
Joint	15%	8%	34%	4%	5%	3%	5%	0%	25%	100%
Race not available	17%	3%	33%	8%	3%	4%	4%	1%	27%	100%
<b>GENDER</b>										
Male	17%	4%	36%	6%	4%	4%	6%	0%	24%	100%
Female	17%	3%	39%	6%	5%	2%	5%	0%	23%	100%
Joint	17%	6%	34%	6%	5%	4%	5%	0%	24%	100%
Gender not available	18%	2%	33%	8%	3%	4%	5%	1%	27%	100%
<b>INCOME</b>										
Less than 50% of MSA median	23%	6%	41%	2%	4%	1%	2%	0%	20%	100%
50% to 79% of MSA median	18%	4%	39%	4%	5%	3%	4%	0%	23%	100%
80% to 99% of MSA median	17%	3%	33%	7%	6%	4%	6%	1%	25%	100%
100% to 119% of MSA median	19%	6%	30%	9%	4%	3%	2%	0%	27%	100%
120% or more of MSA median	11%	2%	31%	11%	4%	5%	9%	0%	26%	100%
Income not available	4%	2%	29%	11%	0%	7%	17%	0%	31%	100%

Note: The Albuquerque MSA includes all of Sandoval, Bernalillo, Valencia and Torrance counties.  
Source: FFIEC HMDA Aggregate Reports, 2003, and BBC Research & Consulting.

As demonstrated in the exhibits, poor credit history is the major reason for application denials across race, gender, loan type and for most income categories. High debt-to-income ratios are another primary factor for government guaranteed loans.

**National Community Reinvestment Coalition Study.** In early 2003, the National Community Reinvestment Coalition (NCRC) completed a study titled “America’s Best and Worst Lenders: A Consumer’s Guide to Lending in 25 Metropolitan Areas.” The study evaluated the performance of mortgage home loan and refinance lenders in reaching traditionally underserved populations – women, minorities and low- and moderate-income borrowers – in 25 metropolitan areas. Albuquerque was included in the study.

The study found that Albuquerque was one of five cities with the *greatest* disparity in lending to persons of Hispanic/Latino origin in 2001. The study found that Hispanics/Latinos in Albuquerque were more likely to use subprime lenders than in peer cities. A complete report, as well as the performance rankings of all institutions in the Albuquerque area, can be accessed on NCRC’s website at [www.ncrc.org](http://www.ncrc.org).

**What do the data suggest?** There are many reasons that loan approval rates may vary for applicants in the same income brackets – credit ratings, net worth, and income to debt ratios play a large role in the decision to deny or approve a loan. Without individual data about the applications analyzed above, it is difficult to assess the presence of discrimination by race, ethnicity, or gender. Disparities in approval rates between racial and ethnic groups or genders are not definitive proof of housing discrimination; rather, the presence of disparities suggests the need for further inquiry.

The analysis of HMDA data for the Albuquerque MSA consistency show higher denial rates for persons of Hispanic/Latino origin compared to White, Non-Hispanics/Latinos. The data also show a much higher denial rate for applicants living in areas with high percentages of minorities relative to applicants living in low minority areas.

The HMDA data also highlight areas where city governments can work to improve access to credit for citizens. As shown in Exhibits III-6 and III-7, high debt-to-income ratios and poor credit histories are the top reasons that credit is denied to citizens in the Albuquerque MSA – regardless of race, gender or income level. It appears that citizens in the Albuquerque MSA would benefit from education about personal credit management and the requirements for obtaining home loans.

### **Fair Housing Complaint Data**

Citizens of Albuquerque who believe they have experienced discrimination may report their complaints to HUD’s Office of Fair Housing and Opportunity (FHEO) and the Albuquerque Human Rights Office and Legal Services.

As part of the AI, these organizations were contacted and requested to provide summary information about cases that had been filed by or against organizations or residents in Albuquerque. Data was received from both HUD and the City of Albuquerque Human Rights Office.

**Complaints filed with HUD.** HUD provided us with summary data on housing discrimination complaints filed between January 1998 and November 2000. Exhibit III-8 below summarizes the number and types of cases filed in Albuquerque during this period.

**Exhibit III-8.  
Reasons for Discrimination  
Complaints Filed in  
Albuquerque with HUD,  
1998 to 2000**

Source:  
U.S. Department of Housing &  
Urban Development.

	1998	1999	2000	Total
Race	1	6	9	16
Ethnicity	2	1	6	9
Familial status	2	11	2	15
Disability	1	6	2	9
Religion	–	1	1	2
Gender	1	–	1	2
Harassment	–	1	2	3
<b>Total</b>	<b>7</b>	<b>26</b>	<b>23</b>	<b>56</b>

As shown in Exhibit III-8, the most common reasons that complaints were filed were alleged discrimination based on race and familial status, and to a lesser extent, ethnicity and disability.

Exhibit III-9 shows the disposition of the complaints by type.

**Exhibit III-9.  
Disposition of Complaints Filed with HUD, by Type**

	In Court	No Cause Determination	Complaint Settled	Complaint Withdrawn/ Resolution	Lack of Jurisdiction
Race	–	8	5	3	–
Ethnicity	2	7	–	–	–
Familial status	–	5	8	2	–
Disability	1	5	1	–	2
Religion	–	2	–	–	–
Gender	–	1	1	–	–
Harassment	–	3	–	–	–
<b>Totals</b>	<b>3</b>	<b>31</b>	<b>15</b>	<b>5</b>	<b>2</b>

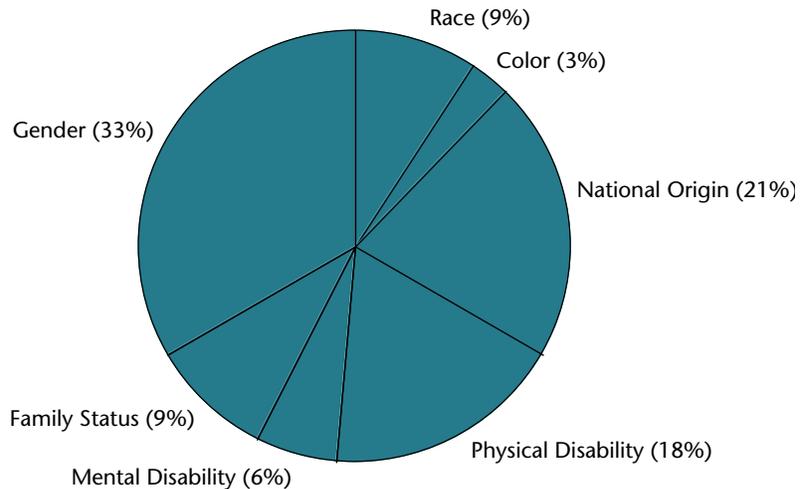
Source: U.S. Department of Housing & Urban Development.

As shown above, the majority – 55 percent – of complaints were found to have No Cause; about one-fourth of the complaints were settled; 3 were in court at the time the data were reported and the rest were either withdrawn or found to be out of jurisdictional authority.

**Complaints filed with the Albuquerque Human Rights Office.** The City of Albuquerque Human Rights Office provided us with their 2003 Progress Report that included case data. The Office received 28 housing cases during 2003 and one informal complaint, which was resolved with no charges pressed. Of the 28 complaints, five cases contained more than one basis of discrimination. As shown in Exhibit II-10, discrimination based on gender comprised the highest number of complaints.

**Exhibit III-10.  
Reason for Discrimination  
Complaints Filed with the  
City of Albuquerque  
Human Rights Office, 2003**

Note:  
No complaints were filed for discrimination based on ancestry or religion.  
The Human Rights Office received a total of 28 complaints; the data presented are based on 33 complaints due to multiple basis of discrimination for 5 cases.  
Source:  
City of Albuquerque Human Rights Office, February 2004.



**Legal Cases**

As part of the AI, recent legal cases were reviewed to determine significant fair housing issues and trends in Albuquerque. BBC searched the Department of Justice, HUD, and the National Fair Housing Advocate’s databases for cases involving the Fair Housing Act. Similar to the complaint data, the majority of the cases involved discrimination based on race, ethnicity and familial status. This section summarizes the issues in each case.

**United States vs. Fair Plaza Associates, et. al.** In September 2002, the United States filed a lawsuit against the owners and managers of the El Pueblo Apartments, the Fair Plaza Apartments, and the Playa del Sol Apartments in Albuquerque, alleging familial status and race discrimination. The allegations include the apartment owners/managers refusing to rent an apartment to a man with a small child and wrongfully evicting a tenant after his African American fiancée moved in. Additionally, the owners/managers gave different information about available units to paired testers from the local Legal Aid Society and from the Division based on the race of the testers and whether the testers had children.

**United States vs. Javier Villegas and Jose Villegas.** In January 2003, the United States Attorney’s Office for the District of New Mexico, on behalf of HUD, alleged a breach of a conciliation agreement on the part of Javier Villegas, the owner of a rental trailer in Albuquerque, and Jose Villegas, the adult son of Javier Villegas. Javier and Jose Villegas entered into a conciliation agreement with HUD regarding two sexual harassment complaints, but then failed to pay the \$1,500 agreed upon in the conciliation process. This case was brought to the courts to enforce the conciliation agreement, enjoin the Villegases from violating the Fair Housing Act, award compensatory and punitive damages to the complainants and assess a civil penalty.

**United States vs. Queens Point Manor, et. al.** In January 2003, Queens Point Manor was charged with fair housing discrimination when they refused to negotiate to rent apartments on the basis of familial status. The Fair Housing Project of the Legal Aid Society of Albuquerque, Inc. conducted testing at Queens Point Manor and found that the apartment complex had stated preferences to rent to families without children and quoted higher rental rates to families with children. In addition, the complex had published advertisements designed to promote renting to families without children. The Court prohibited Queens Point Manor from future discrimination on the basis of familial status and required them to rescind the policies set forth above, including "Families with Children Welcome" in all advertising, implementing fair housing training for employees, submitting to record keeping and reporting requirements, and paying \$12,000 for damages to aggrieved persons and a civil penalty. The Court order will remain in effect for three years and nine months and applies to all rental properties owned/managed or operated by the owners/managers of Queens Point Manor.

**United States vs. Sunburst Mobile Home Village, Inc.** On November 26, 2002, the Housing Division charged Mr. Geiger, the owner of Sunburst Mobile Home Village, and Mr. Riviera, the Mexican-American on-site manager, for engaging in a pattern or practice of discrimination on the basis of national origin in violation of the Fair Housing Act. Specifically, their rental practices revealed a pattern of discriminatory treatment of tenants and rental applications of Cuban national origin. The defendants were charged \$19,000 in monetary damages and a \$1,000 civil penalty. Additionally, the defendants were required to establish nondiscriminatory standards and procedures at the mobile home park, notify all employees and tenants of their nondiscriminatory policies, attend fair housing training, pay for three years of fair housing testing, and file reports with the Justice Department for three years.

**United States vs. Vernon.** Based upon evidence obtained through the Legal Aid Society of Albuquerque's testing program, the Justice Department claimed that the owner and operator of Monterey Manor Apartments discriminated against African Americans and families with children. African American testers who visited the complex were informed that there were no apartment units available, while the paired White tester was told that there was a unit either available or becoming available shortly. The former resident manager admitted liability of the charge, and was required to pay \$75,000 in monetary relief, including \$25,000 in civil penalties for the owner of the complex and \$1,000 in civil penalties for the former resident manager. The court also required the owner to send his employees to fair housing training, implement and advertise non-discriminatory rental policies, and pay for self-testing over the next several years.

**United States vs. Wes Winters, Jr.** The United States, on behalf of Clyde and Judy Mercer and Susan Anderson, sued Wes Winters, Jr., in October 1994 for refusing to rent or negotiate on the basis of familial status. Wes Winters, Jr., owns and operates Wes Winters Resort Park, a park for manufactured residential homes. The court found Wes Winters, Jr. liable for fair housing discrimination and ordered him to pay compensatory and punitive damages to the Mercers and Ms. Anderson. Further, the order enjoined him from further fair housing discrimination, required him to take certain ameliorative actions and ordered him to maintain records by which his compliance with the ruling could be monitored for a period of three years.

**Sandoval vs. Mazer.** In September 1995, Jose Rudy Sandoval and his ex-daughter-in-law, Lori Ann Sandoval, filed a claim against Boyd and Carmen Mazer, owners of the North Court Mobile Home Park, for refusal to rent based on familial status and violation of the Fair Housing Act. Mr. Sandoval attempted to purchase a mobile home for Ms. Sandoval and her children, located in the North Court Mobile Home Park. However, he was unable to purchase the mobile home because the Mazers refused to lease the space upon which the mobile home was located, indicating that they did not want children on their property. The Mazers claim that their refusal to rent was due to problems with the septic system at the time and because of their policy requiring all homes to be occupied by the owner. However, mobile home park managers, Eugene and Bernadette Padilla, testified that the Mazers repeatedly instructed them not to rent space to families with children or teenagers.

### **Public Housing Policies**

The policies and procedures of the City of Albuquerque Department of Family and Community Services, Division of Housing Services (AHS) were reviewed as part of this AI. AHS management was interviewed to discuss the AHS's policies and procedures of placing residents in AHS developments and distributing Section 8 vouchers. Significant findings are included below.

**Application process/waiting lists.** The AHS uses relatively the same procedure for placing potential AHS property residents and Section 8 voucher holders on their waiting lists. The AHS does not actively advertise, although they have advertisements in the local phone book and information on the city's website. If the AHS has a large vacancy in their units, they will advertise in the local newspaper, but this occurs very infrequently.

Applicants for both AHS properties and Section 8 vouchers receive the same application, where they indicate the program of their choice. Applicants can apply for one or both programs and are offered a AHS unit or voucher, depending on which becomes available first. Applications can be obtained from the AHS office, be mailed to the applicant or downloaded from the AHS's website. Applications can be returned in person, mailed or faxed to the AHS office. The AHS does not accept applications over the phone. If applicants have questions, they can contact the AHS directly.

Applicants must have at least legal residence status to apply. The AHS screens all applicants over age 18 for criminal activity. Any violent criminal activity is cause for rejection, and all applicants with sexual or drug-related criminal activities are banned from applying for life. The AHS also conducts a credit check on applicants to review any history of debt to landlords, outstanding utility payments or outstanding payments to other AHSs. If the applicant has such outstanding debts, they must be resolved before they can apply again. The AHS does not reject applicants if they have outstanding medical debts.

Once applicants are approved, they are placed on a waiting list. The AHS's list remains open, unless they determine that they cannot serve clients within a reasonable time frame. The AHS's waiting list is presently open. The current wait period for both AHS units and Section 8 vouchers is approximately 18 months. When a voucher or a AHS unit becomes available, applicants are contacted and any information over 6 months old is updated, including background checks. Verification of employment and income information must be no more than 3 months old. Applicants who are elderly, have disability status and have been involuntarily displaced by government action are given preference and expedited through the application process. The current wait period for those with these preferences is approximately 4 to 6 weeks.

After verification of their information, applicants applying for a AHS unit are shown the unit and if it is acceptable, enter in a lease with the AHS in which their total tenant payment is 30 percent of their adjusted income. The AHS pays for all utilities. The applicant can refuse a AHS unit once without substantial reason. In general, the AHS works with individual clients to accommodate their needs.

For Section 8 voucher applicants, they are given a list of current, participating landlords and tax-credit housing. However, applicants are also encouraged to seek properties that have not participated in the voucher program before. In accordance with federal regulations, Section 8 voucher holders have 120 days in which to obtain a unit, after which the voucher expires. No extensions are granted. In certain circumstances, the AHS will allow a client to pay up to 40 percent of their income towards housing. The AHS feels that it is fairly easy to find a place that accepts Section 8 vouchers, that landlords are very receptive to the program and that units are distributed relatively evenly throughout the City. In addition, the City has a cooperation agreement with the Bernalillo County AHS, in which county clients can use their vouchers within the City limits without having to apply through the Albuquerque AHS.

The AHS has Spanish speaking staff available.

**Demographics of AHS tenants.** The AHS collects demographic on their tenants living in AHS units and using Section 8 vouchers. Exhibit III-11 displays the demographics of tenants as of March 2004.

**Exhibit III-11.  
Demographics of AHS  
Unit Residents and  
Section 8 Voucher  
Tenants, March 2004**

Source:  
Albuquerque Housing Services, data  
received from interview with AHS staff.

	Percent
<b>Race</b>	
Asian	1.6%
American Indian	4.5%
Black or African American	7.6%
Native Hawaiian or Other Pacific Islander	1.0%
White	85.3%
<b>Ethnicity</b>	
Hispanic or Latino	63.5%
Not Hispanic or Latino	36.5%

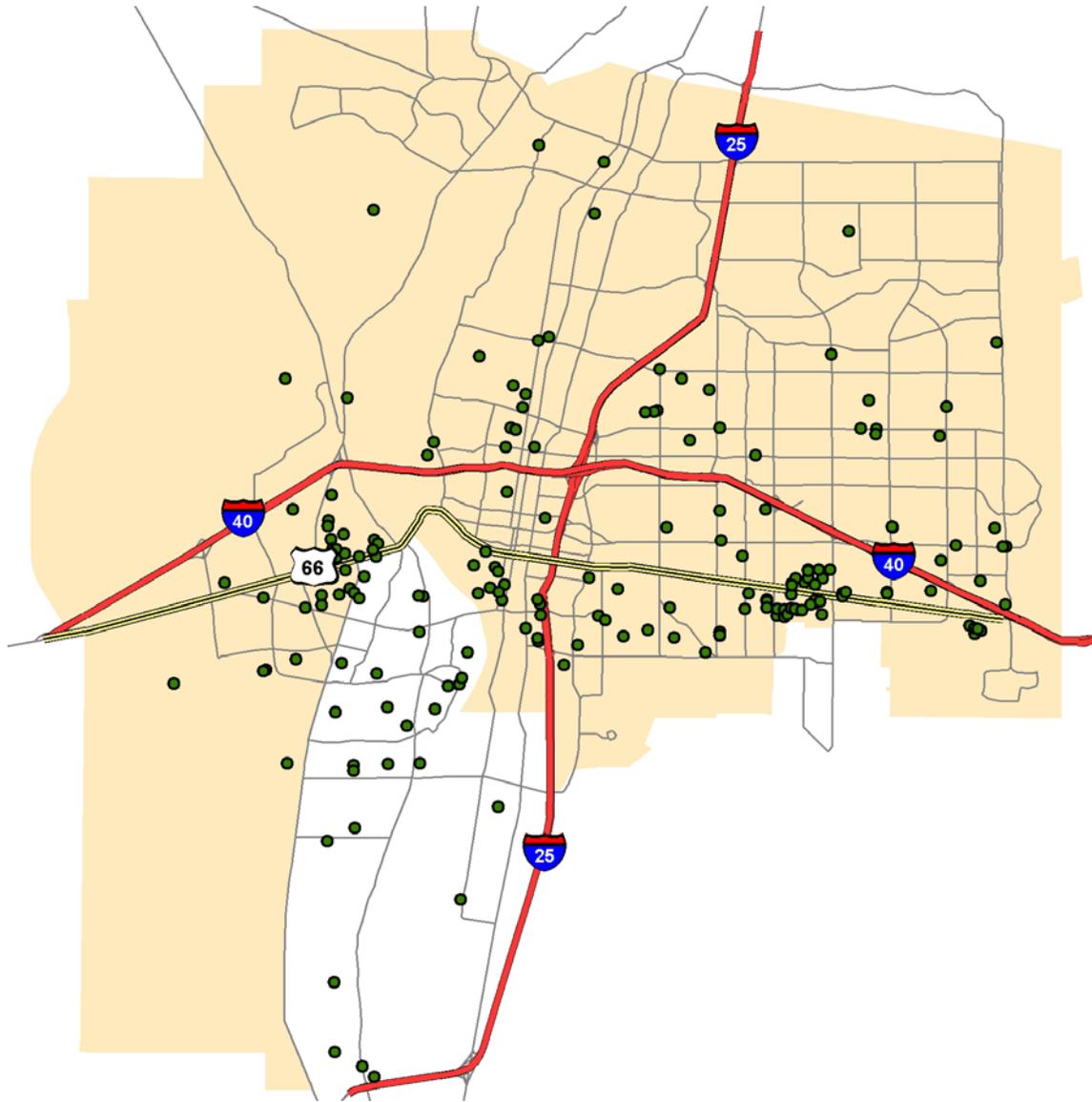
In addition, there were 652 elderly persons, 1,436 persons with disability and 14 handicapped persons.

**Demand for housing.** Currently, the Albuquerque AHS manages 953 public housing units and issues 3,886 Section 8 vouchers. Of the 953 public housing units, approximately 390, or 10 percent, are specified for the elderly or persons with disabilities.

The waiting list for AHS units is 707 persons long and 2,086 persons long for Section 8 vouchers. There are an additional 754 elderly, persons with disabilities and persons involuntarily displaced by government action on the waiting list for both AHS units and Section 8 vouchers. As indicated by AHS staff, the waiting list for Section 8 vouchers is nearly 3 times as long as for AHS units because of their convenience in allowing clients to choose the neighborhood in which to live.

**Location of Section 8 units.** As part of the AI, we obtained a database that listed the addresses of the multifamily units that currently accept Section 8 vouchers. Exhibit III-12, shows the location of the units that accepted Section 8 at the time of the study. Data on race and ethnicity require a bit of an introduction about how the U.S. Census Bureau collects and analyzes the data. The 2000 Census asked two different questions about race and ethnicity: the first question asked respondents to identify their race; the second asked whether or not respondents were of Hispanic/Latino origin. The Census Bureau does not classify Hispanic/Latino as a race, but rather as an identification of origin and ethnicity. If a respondent reported Hispanic/Latino ethnicity but did not mark a specific race category, they were classified in the Some other race category. Persons of Hispanic/Latino descent most commonly report their race as White or Some other race.

**Exhibit III-12.  
Location of Units That Accept Section 8**



Source: Albuquerque Housing Services.

As shown in Exhibit III-12, most of the units are concentrated in the southwest, central and eastern portions of the city. There are far fewer units located in the northwest, north and northeast portions of the city.

## **Housing and Services Planning**

The City of Albuquerque has a joint Comprehensive Plan (Plan) with the Bernalillo County. The Plan was first adopted in 1988 and last amended in 2002. The Plan is an overall vision for city planning – including housing, transportation and human service delivery. As part of the AI, we reviewed the City of Albuquerque’s Comprehensive Plan to assess potential fair housing concerns or opportunities. Items that positively and negatively affect fair housing choice are discussed below.

The City’s Comprehensive Plan includes an extensive focus on affordable housing needs. The Plan’s overriding goal for housing is “To increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.”

The Plan contains a number of policies and techniques that can be implemented to achieve these goals:

**Affordable housing.** To ensure that the supply of affordable housing is preserved and increased, the Plan suggests an ongoing assessment/study of the city’s housing inventory and affordability; a working group to evaluate and monitor affordability in the city; monitoring of the percentage of housing developed with public resources in each Census Tract and construction of assisted housing in tracts with low percentages (defined as less than 15 percent); and periodically reviewing the effects of development costs on housing costs.

**Quality housing.** To improve the overall quality of the city’s housing, the Plan calls for encouragement of quality and innovation in new housing design, as well as “concentrated renovation programs in deteriorating neighborhoods.” The city’s techniques for improving housing quality include monitoring the number of substandard units; targeting rehabilitation efforts; providing adequate funding for systematic code enforcement activities; and amending and revising city and county codes to encourage innovation in housing design and renovation of deteriorated areas.

**Fair housing.** There are two parts to the city’s policies in the Comprehensive Plan that have fair housing implications: displacement of low income households and ensuring a “wide distribution” of housing for persons in protected classes.

**Displacement.** The displacement policy in the Comprehensive Plan states that “The displacement of low income households shall be ameliorated and the objectives of historic preservation and conservation of affordable housing be balanced.”

To this end, the Comprehensive Plan includes techniques to monitor the effects of home improvement and preservation programs on nearby land costs, property values and rents and conversions to non-residential uses. The Plan’s strategies to minimize displacement include 1) Identifying funding to assist individuals and families whose homelessness has been caused by displacement and 2) Coordinating the work of local government agencies.

**Discrimination.** The Comprehensive Plan’s policy that most closely relates to discrimination in housing states that “Availability of a wide distribution of decent housing for all persons regardless of race, color, religion, sex, national origin, ancestry, or handicapped status shall be assured.”

The techniques to achieve this policy which are outlined in the Plan include enforcing Human Rights Ordinances; providing information on fair housing practices to a variety of organizations engaged in housing activities; completing an analysis of “housing demographics” and use the information to target locations for ordinance enforcement activities and to select sites for public housing, and integrating a fair housing system with other city and county activities aimed at preventing discrimination.

**Areas for improvement.** The following ideas could strengthen several of the policies and techniques outlined in the Comprehensive Plan’s Housing section:

1. Outline specific strategies, sources of funding and programs to assist persons and families who are in need of housing because of displacement.
2. Identify specific organizations, other than the now-defunct Public Interest Research Group, that the city will work with to disseminate information about fair housing practices.
3. Develop specific activities to broaden the location of affordable housing in the city.

**Human Services.** In addition to Housing, the Comprehensive Plan contains a section that includes goals for access to human service facilities. The section includes a policy of establishing community-based residential care facilities equitably throughout the city and county. It also calls for minimization of the “development’s negative effects upon individuals and neighborhoods.”

Overall, the city’s goals and policies addressing fair housing as outlined in the Comprehensive Plan are ambitious and comprehensive and, through implementation, should go far in ensuring affordability, quality and fairness of housing in the city.

## **Summary**

- The analysis of mortgage loan data for the Albuquerque MSA that was completed for this section consistently show higher denial rates for persons of Hispanic/Latino origin compared to White, Non-Hispanics/Latinos. The data also show a much higher denial rate for applicants living in areas with high percentages of minorities relative to applicants living in low minority areas. High debt-to-income ratios and poor credit histories are the top reasons that credit is denied to citizens in the Albuquerque MSA – regardless of race, gender or income level. It appears that citizens in the Albuquerque MSA would benefit from education about personal credit management and the requirements for obtaining home loans.
- A recent study that evaluated the performance of mortgage home loan and refinance lenders in reaching traditionally underserved populations found that Albuquerque was one of five cities with the *greatest* disparity in lending to persons of Hispanic/Latino origin in 2001. The study also found that Hispanics/Latinos in Albuquerque were more likely to use subprime lenders than peer cities.

- A review of housing discrimination complaint data showed that recent complaints in Albuquerque have been most often related to alleged discrimination based on race and ethnicity, disability, gender and familial status. The majority of the recent legal cases that were reviewed for this section also involved discrimination based on race, ethnicity and familial status.
- A discussion with the Albuquerque Housing Services did not reveal any fair housing concerns.
- The City's Comprehensive Plan has established an excellent framework for implementing policies to address affordable and fair housing needs in the city.

**SECTION IV.**  
**Public Outreach**

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## **SECTION IV.**

### **Public Outreach**

This section summarizes the results of four focus groups and key person interviews conducted as part of the public outreach process for the City of Albuquerque AI. The findings from these activities are discussed in turn.

It should be noted that the focus groups represent participants' opinions, impressions and perceptions of fair housing conditions in the City of Albuquerque. The information they shared in the groups was not investigated or verified, may not be supported by actual data and should not be interpreted as fair housing complaints.

#### **Fair Housing Focus Groups**

On March 4, 5 and 6, 2004 BBC held four focus groups with targeted populations – African Americans, persons of Hispanic descent, persons with disabilities and Vietnamese – to discuss impediments to fair housing choice in Albuquerque. The persons of Hispanic descent and Vietnamese attendees were recruited randomly among households with Spanish and Vietnamese surnames who reside in Albuquerque. Spanish translation was available to the group of persons of Hispanic descent. The Vietnamese group was conducted entirely in Vietnamese.

The African American focus group attendees were recruited through organizations that target African Americans and with the participation of African American community representatives and leaders. Attendees at the focus group for persons with disabilities were recruited with assistance of the Independent Living Center in Albuquerque and the local chapter of the National Alliance for the Mentally Ill (NAMI).

The focus groups were held in three different community centers in the city, all of which were accessible to persons with disabilities. A total of 48 people attended the four focus groups.

This section reports the findings from the four focus groups.

**Format and discussion questions.** After introductions, the focus groups began with general questions about housing and community needs. The first question asked about how easy it was for attendees to find a place to rent or buy in Albuquerque. Attendees were also asked about the ease in accessing needed services and transportation in the city. Finally, attendees were asked how they felt about the condition in their neighborhoods and what they would like to see changed.

To prompt a discussion about discrimination, we described a number of situations that occur in housing which could constitute unfair treatment, and asked attendees if they or someone they knew had experienced the situations (or something similar). We also asked the focus group attendees what they would do if they or someone they knew had experienced discrimination and if they knew who investigated discrimination complaints in Albuquerque.

These questions were meant to solicit in depth discussions about fair housing in the city, which they did. The discussions, which are summarized below according to topic, ranged from detailed personal experiences about obtaining housing, to complaints about community disinvestment and lending practices, to suggestions about what the city should be doing to mitigate fair housing barriers. The data are presented in the order in which the focus groups occurred: African Americans, persons of Hispanic descent, persons with disabilities and Vietnamese persons.

**Housing situations of attendees.** During the focus group introductions, the attendees were asked to tell us how long they had lived in Albuquerque and if they rented or owned a home.

- Most of the attendees of the African American group owned their homes and were long-time residents of Albuquerque.
- The majority of the persons with disabilities who attended the focus group rented. Most of the renters depended on the Section 8 voucher program for housing assistance. One person mentioned that the county’s Section 8 homeownership program had helped her buy a house and she wished the city had a program. The focus group was split between long-time Albuquerque residents and people who had recently moved to the city.
- The focus group for persons of Hispanic descent consisted of both owners and renters and long- and short-time residents. Owners and long-time residents were more vocal and made comments more frequently than renters and new residents.
- Most Vietnamese attendees were long-time residents and homeowners. Of the small number of renter attendees, half used Section 8 vouchers to subsidize their rent and half had rented for 6 to 7 years.

**Difficulty obtaining housing.** Focus groups attendees were asked how easy was it for them to find a place to rent or buy in Albuquerque.

**African Americans.** Persons attending this focus group said it was both easy and hard to find housing, depending on a person’s economic status and where they wanted to live. Some persons commented on the very long waiting lists in the city for housing assistance and noted that African Americans “never seem to get to the top of the lists.” The attendees said that African Americans in the city tend to be concentrated in certain areas.

**Persons of Hispanic descent.** As represented by the focus group attendees, persons of Hispanic descent feel that it is easy to rent and purchase a house in Albuquerque. One person noted that it was much easier to rent than buy because of the requirements for obtaining a mortgage loan, including coming up with a downpayment.

**Persons with disabilities.** Persons with disabilities said that finding housing that meets their needs is very difficult. The majority of attendees said they were dissatisfied with their past and current housing situations because they feel unsafe where they live.

The persons with disabilities group said that accessible housing, particularly accessible single family housing for sale, is very limited in the city. One person said she was able to find and purchase a single family house in the city, but that she is unable to pay the mortgage payment and make needed repairs. Another person said that when she was looking for a house to buy she encountered many homes that were advertised as being accessible, but actually were not – e.g., the hallways were not wide enough for a wheelchair. “ADA compliance is poor, units are advertised as accessible but they are not fully accessible. Realtors listing the home shouldn’t be able to advertise them as such, or units should be certified as accessible in advance of the listing.”

The group also noted that a major problem with the affordable housing stock in the city is that it is older and, as such, it is not accessible to persons with disabilities and is very costly to make accessible.

Persons with disabilities said that ground floor apartments are also difficult to find. And, although ground floor apartments are often more convenient for persons with physical disabilities, they do not feel as safe in them, so they will often take second and third floor apartments out of concern for their personal safety.

One man expressed concern about obtaining the help he needed after an upcoming surgery. He currently lives independently in an apartment complex, but will not be able to function independently during his recovery and his apartment complex does not offer supportive services.

**Vietnamese.** Participants in this focus group said that it was relatively easy to both rent an apartment and buy a home. Most felt it was easier to buy a home than rent because of the occupancy restrictions that landlords often impose on large families. A common situation that participants presented was a large family, able to afford a nice unit in a desirable neighborhood, but forced to live in a sub-standard unit or in an undesirable area because the landlord was willing to overlook the occupancy restrictions.

**Affordable housing needs.** We asked focus group attendees if, in their opinion, the city had enough housing that is affordable to all types of people.

Overall, the focus group attendees agreed that affordable housing is fairly easy to find in the city, but that much of the affordable housing stock is in substandard condition and/or located in unsafe areas or undesirable places to live. The group of persons with disabilities also noted that affordable two bedroom rentals are difficult to find.

**Access to community services, transportation.** Focus group attendees were asked how easy it is to get around the city to access services that are needed and/or to get to work.

**African Americans.** This group commented on the limitations of the city’s bus system, especially in lower income neighborhoods. They said that the buses need to run later; they stop so early that people can’t get home from work. They also feel that the buses routes in lower income neighborhoods are inconvenient.

**Persons of Hispanic descent.** Persons of Hispanic descent said that the bus system in Albuquerque is adequate, affordable and easy to use.

**Vietnamese.** Vietnamese persons said that public transportation in the city is limited, due to the small number of bus routes. Transportation for students near the university is adequate, but more difficult in other areas of the city.

**Neighborhood conditions.** Focus group attendees were asked to think about their communities and neighborhoods: How do you feel about conditions in your neighborhood? Are there things that you would like to see improved or changed?

**African Americans.** The African American focus group feels that there has been and continues to be extensive disinvestment in their neighborhood. “The lower-income areas [in the city] should not have to carry the homeless shelters 100%. [We shoulder the burden] unlike the rich areas where they don’t allow it, and that drives down home value in our neighborhoods.” Another comment to this effect was: “Compare the environmental design of South Albuquerque to the upper class neighborhoods. There’s more liquor stores, more prostitution etc.”

The group also talked about the vacant lots in their neighborhoods that are in drastic need of being cleaned and of absentee landlords who do not keep up their properties. “If a landlord doesn’t have the money for upkeep, they shouldn’t be able to own the property. They are taking the money and running. They don’t care because they don’t live here.”

They also said they feel that Community Development Block Grant (CDBG) funding should be allocated to the neighborhoods where most African Americans live rather than to other areas that have fewer needs.

**Persons of Hispanic descent.** In general, this focus group felt that conditions in their neighborhoods and communities were fine. Their comments about conditions in the city overall fell into two categories: 1) The city needs to focus on urban infill development and control urban sprawl, and 2) The city need to do something about improving conditions and reducing crime in the “War Zone” of the city.

**Persons with disabilities.** Attendees of this focus group reiterated safety issues in their neighborhoods – that they can only find affordable housing in certain neighborhoods and that they don’t feel safe in these areas or in the apartment complexes in which they live.

**Vietnamese.** Participants of this focus group felt that the city needed to focus on general infrastructure problems and address these problems with more rapidity. They cited the lack of streetlights and street and curb repairs.

**Experience with housing discrimination.** For questions about discrimination, we described a number of situations that occur in housing which could constitute unfair treatment, and asked attendees if they or someone they knew had experienced the situations (or something similar).

**African Americans.** In general, the African American group felt that discrimination was widespread in Albuquerque. One attendee said that her daughter was refused by several landlords because she has children.

In addition to feeling that African Americans do not have equal access to housing assistance, they said that financial institutions had been redlining African American neighborhoods for years. One man described his situation in trying to obtain a loan five years ago: “I went to get a loan at the bank. They made me wait in the lobby for a long time and then they told me that there wasn’t a manager to speak with me. I never got a chance to apply.” Another person described being asked to over-collateralize a loan and paying a higher interest rate on a loan because of his race.

**Persons of Hispanic descent.** Persons of Hispanic descent felt that there is less housing discrimination in the city than there used to be, but that discrimination still exists. “It used to be much more difficult for minorities to purchase housing,” for example. The focus group attendees said they felt that discrimination is more subtle than it used to be and that the city should have a testing program in place to detect Fair Housing Act violations. One attendee said that one of her relatives had been told that she could not rent an apartment because she had children.

**Persons with disabilities.** Housing discrimination is very common, according to the persons with disabilities focus group:

- One man with a disability described being continually harassed in the common areas of his apartment complex; he has complained to his landlord but nothing has been done.
- A disabled couple said their landlord continually harasses them.
- One person said he has documented 10 to 12 pages of the harassment he has experienced in his apartment complex. He is currently trying to find another rental unit.
- One person said she was at risk of being evicted because she had too many belongings and was a fire hazard. “People with disabilities should be allowed to have the things they need.”
- One person had experienced problems getting landlords to accept service animals.
- Some people described landlords using renovations as reasons to get persons with disabilities to move from their apartment complexes. “I was told to move the belongings in my apartment because it was getting recarpeted. I have a bad back and requested help. The landlord declined to get me help.”

**Vietnamese.** Most participants in this focus group felt that there was little to no discrimination directed toward them in Albuquerque. Some participants felt that they had been discriminated against because of their language barrier, and one participant thought that his real estate agent only showed him houses the agent thought he could qualify for. However, most participants felt that they had received favorable treatment when looking for housing in the city.

**Resolving housing discrimination.** Finally, we asked the focus group attendees what they would do if they or someone they knew had experienced discrimination and if they knew who investigated discrimination complaints in Albuquerque.

**African Americans.** African Americans said that, in their opinions, it takes too much time to file complaints about housing discrimination, that they are told they are not “qualified” to file a complaint, or that the only way to file a complaint is to hire a lawyer, which is too expensive.

**Persons of Hispanic descent.** In general, persons of Hispanic descent feel that there are avenues to resolve discrimination if residents have lived in the community long enough and have developed the right contacts. They also said that the media has done a good job presenting information about what a person should do if they think they’ve been discriminated against. One person said they had tried to use the landlord-tenant hotline recently and was upset that it wasn’t in operation.

**Persons with disabilities.** Persons with disabilities do not feel that they have anywhere to go to get help with housing discrimination. They said they have not had success with getting Legal Aid to handle their complaints because Legal Aid has such limited resources. One person noted that Legal Aid wouldn’t take her case until she was evicted, in which case she would have been homeless. One person said he was told that Legal Aid would “laugh at him” if he brought his case to them. The group said because they could not afford a lawyer, they didn’t have anywhere to go.

The persons with disabilities group also said they had used the landlord-tenant hotline and found it helpful. They were upset that it was no longer operating.

**Vietnamese.** Most participants of this focus group felt that there were a number of resources available to handle complaints about housing discrimination. One respondent mentioned an office in the Civic Center that handled cases of housing discrimination; another participant said that most hospitals and work places post signs with the name and telephone number of the department one could contact to log a complaint. This group also mentioned that the Vietnamese community is tight-knit and they receive a great deal of their resources through their community center and through word-of-mouth.

### **Key Person Interviews**

As part of the process to develop this AI, key person interviews were conducted with representatives of special needs groups in Albuquerque, as well as the Office of Human Rights. The key points from our discussions about fair housing issues in Albuquerque are summarized below. The points are listed alphabetically, by topic area.

**City policies.** Zoning regulations exist which present fair housing barriers, including large minimum lot sizes, gated communities, and resistance to variances in certain areas. Interviewees said they have heard that developing affordable housing can be difficult because of “red tape”. They also said that there is a lot of Not In My Backyard Syndrome (NIMBYism) in the city. Also, the city’s program that had recently closed down a number of motels that provided affordable transitional housing has decreased the already limited supply of housing that is affordable to the lowest income groups.

## **Discrimination.**

- One key person interviewee said there is a lot of anecdotal evidence that landlords sexually harass female renters (with and without children), enter their apartments without warning and threaten eviction or rent increases if the tenants will not provide sexual favors. He mentioned that this type of discrimination appears to be more prevalent in Albuquerque than in much larger cities.
- Interviewees also said that discrimination occurs in high-income areas. For example, builders will refuse to return calls from minorities or try to talk them out of building in mostly White areas.
- An interviewee who works with the city’s Indian population said that the population is discriminated against frequently when trying to find housing and generally faces more discrimination than other races and ethnicities. The most common types of discrimination faced by Indians include:
  - Refusal to rent based on race/ethnicity,
  - Charging higher rents than to other races/ethnicities,
  - Evictions or threats of evictions because of overcrowding or complaints about the conditions of rental units, and
  - Requests for sexual favors and harassment by landlords.

**Early entry units.** One interviewee remarked that the city’s efforts to enforce building code standards and reduce criminal activity in aging motels that are used as “early entry units” for the city’s lowest income populations is displacing these populations from the only housing that is affordable to them. He suggested that the city examine the effect of such policies on these citizens.

**Earning and income gaps.** Albuquerque, according to one interviewee, is a city split between the “haves” and “have nots.” Residents are either very high income or very low income. The population of the city is very segregated because of the large gap in earnings and incomes.

**Housing condition.** Absentee landlords are a huge problem.

**Landlord tenant hotline.** The local landlord tenant hotline was a tremendous resource for city residents. It not only assisted renters who were in dire need of assistance, it was a vehicle through which landlords were educated. This service should be brought back.

**Lack of affordable rental and accessible housing.** Much of the rental housing stock in Albuquerque was built during a time when a “one step” entry was common. This type of housing is typically inaccessible to persons with physical disabilities. The city should work on making its current rental and single family housing more accessible rather than building new housing. It makes the most sense to work on the easiest solutions first – e.g., accessible entry ways, grab bars in bathrooms, housing sharing programs and in home care – that keep people in existing housing, rather

than investing in building new housing that might not serve the lowest income, special needs populations with the greatest needs.

**Mobile home parks.** According to interviewees, fair housing issues are prevalent in mobile home parks. A common practice is for landlords to collect rent from tenants and, in mid-month, try to collect additional payments by threatening tenants. The quality of housing is also an issue at the parks, as well as refusal to accommodate children (e.g., not allowing them to play outside).

**Predatory lending.** Interviewees said that there seem to be a lot of problems with predatory lending in Albuquerque. There is a lot of anecdotal evidence that predatory lending is occurring. Predatory lending practices seem to be especially prevalent with purchasing and/or leasing mobile homes and with persons of color and single elderly women. There has been a shift in discriminatory lending practices; discrimination in lending is more subtle and the practices are more difficult to detect.

**SECTION V.**  
**Fair Housing Activities**

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## **SECTION V.**

### **Fair Housing Activities**

This section describes the activities that the City of Albuquerque has undertaken to improve access to fair housing choice in the city.

#### **City Housing and Community Development Objectives**

The City of Albuquerque has developed a comprehensive plan for allocating CDBG and HOME funds to mitigating housing and community development needs. These objectives include a plan for the following:

- Improving the condition of the city’s housing stock through a rehabilitation program for single family units – annual goal is 70 houses;
- Providing funds for emergency home repairs, including accessibility modifications for housing occupied by elderly and persons with disabilities – annual goal is assistance to 1,800 to 1,900 persons;
- Funding new construction of affordable single family homes – annual goal is 40 units;
- Providing first time homebuyers with downpayment assistance – annual goal is 10 to 20 persons;
- Allocating funding for numerous neighborhood revitalization activities in low income areas;
- Providing funds for development and renovation of homeless shelters;
- Funding counseling services for victims of sexual assault and domestic violence – annual goal is 800 persons;
- Funding health care and case management services to children from low income families – annual goal is 2,960 children;
- Providing crisis shelter services to abused, neglected and abandoned youth – annual goal is 100 youth;
- Funding residential treatment services for homeless persons recovering from substance abuse additions and/or experiencing mental health problems;
- Providing day care services for children from homeless families – annual goal is 130 children;
- Funding short term housing for persons who are homeless – annual goal is 235.

In addition:

- The city continues to require, as part of its application packets for organizations applying for funds to construct and/or renovate housing, an affirmative marketing plan with each application. These plans identify community outreach activities and media contacts that will be used to ensure that all persons have equal access to housing.
- The city was instrumental in assisting the Greater Albuquerque Housing Partnership (GAHP) secure a \$25,000 grant from Freddie Mac to implement a counseling campaign designed to increase home ownership knowledge and opportunities for minority persons. GAHP will be working in partnership with the Bank of America and United South Broadway Corporation.

### **Affordable Housing Committee**

The Affordable Housing Committee (AHC) was established in 1989 under the City of Albuquerque Family and Community Services Department and officially began its work in March 1990. The primary responsibility of the AHC is to advise the City of Albuquerque on policies and activities related to affordable housing. The AHC is also responsible for performing the following additional functions:

- Recommend city policy and strategy initiatives aimed at increasing access to safe, decent and affordable housing for all residents, especially low and moderate income households;
- Create ways to increase production of affordable housing by all sectors of the economy; and
- Assist in efforts to streamline the city's regulatory system.

Currently, the AHC is carrying out work as identified in the Affordable Housing Committee's 3-Year Action Plan, January 1, 2002 through December 31, 2004. The Action Plan identifies four areas of focus:

- Affordable rental housing;
- New affordable housing products;
- City policies and code enforcement/planning; and
- Information/Relationship building and system delivery.

Listed below are recent activities the AHC has accomplished as part of their 3-Year Action Plan.

**Apartment Search.** In August 2002, the website "Apartment Search" went online. Apartment Search provides the consumer with affordable rental vacancies that are no more than 30 days old. Apartment Search was created through a partnership consisting of the City of Albuquerque, New Mexico Mortgage Finance Authority (NMMFA), Albuquerque Mental Health Housing Coalition (AMHHC) and the McCune Foundation.

**Affordable Housing Hotline.** During 2000 and 2001, the Housing Development Subcommittee worked with developers of city-sponsored affordable housing developments, city staff and the city's communications contractor, Norstan Communications, to create and put on line the Affordable Housing Hotline. The Hotline provides information about affordable homeownership opportunities that have been developed through city-sponsored programs, including Section 8 vouchers, units available through the Tax Credit Program, project-based Section 8 and units subsidized through Rural Development Section 515. It refers the caller to the location and the telephone number for each of the city-sponsored developments. The Hotline provides this information in English and Spanish.

**Family Housing Development Program.** The AHC continues to oversee the Family Housing Development (FHD) Program, assess its effectiveness and determine whether changes should be made in the program. The FHD Program was created in November 1999 to increase the production of affordable housing by the private sector. A second of goal of the Program is to develop mixed-income communities. Through the FHD Program, homebuilders can receive incentives that include a rebate of certain fees and fast tracking through the subdivision approval process.

**Housing Rehabilitation Program.** Albuquerque Housing Services provides deferred loans and low interest loans to qualified low and moderate-income homeowners and if funding is available, to owners of rental property. The loans are made for the purpose of rehabilitating residential properties and rental units. Family income and family size determine the type of loan a person may qualify to receive.

**Legislative Subcommittee.** The Legislative Subcommittee was formed in August 2002 and immediately began work to garner support for passage of Amendment No. 6 in the November election. Amendment No. 6 changed the Anti-Donation clause of the State constitution to allow state and local governments to provide significant support for the creation of affordable housing and help reduce the cost of land and infrastructure which are often costs that make a housing development unaffordable for low and moderate income families.

**Universal Design.** In November 2001, the AHC took on the challenge of beginning a "community conversation" about Universal Design, a building concept that designs places that are friendly, or easy to navigate, for everyone. The Universal Design Subcommittee of the AHC formed as a result of this goal. The subcommittee identified a list of Essential Universal Design Features and then engaged builders and architects in a process of communicating with the Universal Design Subcommittee about the cost of incorporating Universal Design Features versus the "standard" features into the design of their homes. The Universal Design Subcommittee developed an informational brochure for buyers that explains the elements of the Universal Design Package, discusses the costs of the package and identifies the architects and builders who participated in the Universal Design Project and are familiar with Universal Design principles.

## **Albuquerque Human Rights Office**

The Albuquerque Human Rights Office provides for resolution of discrimination complaints, community outreach, training, fair housing, technical assistance, and a broad range of other human rights related activities. Discrimination complaints are investigated and/or conciliated in employment, housing, and public accommodations based on race, color, religion, sex, national origin and ancestry, age (only in employment), or physical disability.

The Office offers training in fair housing, sexual harassment in employment, cultural sensitivity, and civil rights laws. Technical assistance is provided to public and private employers, businesses, housing providers, and others relative to discrimination and other human rights related issues.

In 2003, the Albuquerque Human Rights Office was awarded \$60,000 for their Fair Housing Program. Requirements for activities in this Program included:

- Advised 275 individuals of their rights relating to fair and equal housing;
- Accepted and processed 26 housing discrimination complaints based on the Albuquerque Human Rights Ordinance;
- Coordinated a special program in recognition of April Fair Housing Month to increase awareness in housing discrimination;
- Attended 15 meetings of organizations or agencies representing or providing services to minorities, women, individuals with disabilities, youth and seniors to increase awareness of fair housing in Albuquerque;
- Conducted 24 workshops and make presentations relating to Fair Housing for ABR, Crime-Free Unit, real estate agencies, property managers, private non-profit housing providers and community organizations and agencies; and
- Conduced three special Fair Housing presentations to educate newcomers to Albuquerque, who have come through the immigration process, of their rights and responsibilities to Fair Housing.

For nearly all activities, the Albuquerque Human Rights Office either fulfilled or exceeded the stated requirements. For many of their activities, brochures and publications are available in Spanish and Vietnamese, in addition to English.

The Albuquerque Human Rights Office also publishes a quarterly newsletter, the *Human Rights Review*. The newsletter is issued in both English and Spanish and discusses human rights and diversity issues in Albuquerque.

**New Mexico Protection and Advocacy System, Education and Outreach Initiative.** The Protection and Advocacy System of New Mexico (P&A-NM) plans to improve access to housing for underserved populations in southern and central New Mexico, with the following groups as its target population: persons with mental or physical disabilities, non-English speakers, recent immigrants, residents of the Colonias, the homeless and the elderly. By collaborating with grassroots and faith-based organizations, at least two persons representing each of the target populations (ideally, a member of an advocacy group and a self-advocate) will receive training on federal, state and local fair housing laws and accessing enforcement processes. The statewide grant total is \$100,000.

## **SECTION VI.**

### **Fair Housing Impediments and Action Plan**

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## **SECTION VI.**

# **Fair Housing Impediments and Action Plan**

This section summarizes the impediments to fair housing choice identified in the research conducted for the AI. It also discusses the positive actions related to fair housing that are occurring in the city and recommends an Action Plan for the City of Albuquerque.

### **Summary of Impediments to Fair Housing Choice**

Sections II through IV presented the research and public outreach processes conducted as part of the City of Albuquerque's 2004 AI. This research identified the following impediments to fair housing choice in Albuquerque:

- **Lack of accessible, safe housing that is affordable.** The analysis of the city's housing market conducted for the AI showed that housing in the city is generally affordable. In 2000, 58 percent of households in Albuquerque could afford to buy the median valued home in the city; 73 percent could afford the median rent. Focus group attendees said that affordable housing is easy to find, but that much of it is located in the least desirable areas of the city. Persons with disabilities remarked on the difficulty finding affordable housing in areas where they felt safe and the lack of accessible housing in the city overall.
- **Housing discrimination.** Information on how often housing discrimination occurs in the city is not available. A review of housing discrimination complaint data and legal cases found that most complaints and legal cases were related to alleged discrimination based on race, disability, gender and familial status. According to the focus groups, persons who are disabled, African American or have children are most likely to be discriminated against when trying to obtain housing. Key person interviewees said that discrimination was most common for the city's Indian population, mobile home residents and women.
- **Lack of resources.** Many focus group attendees and key person interviewees said that citizens would benefit from greater resources to serve tenants with fair housing concerns and persons who felt they had been discriminated against.
- **Lending to Non-White populations.** The analysis of HMDA data for the Albuquerque MSA consistency show higher denial rates for persons of Hispanic/Latino origin compared to White, Non-Hispanics/Latinos. The data also show a much higher denial rate for applicants living in areas with high percentages of minorities relative to applicants living in low minority areas. A review of the reasons for denial found that high debt-to-income ratios and poor credit histories are the major factors that Albuquerque citizens are denied loans.

## Positive Actions

There is much good news about the state of fair housing in the City of Albuquerque. Section V, Fair Housing Activities, outlines the many ongoing city activities that are in place to reduce barriers to fair housing choice. In sum, the city's many efforts include:

- **Well-defined housing and community development goals.** The city, through its Consolidated Plan process, has developed a well-defined and targeted plan for using CDBG, HOME and ESG dollars to meet housing and community development needs. The city's funding priorities address the condition of housing, lack of affordable housing (including for persons with disabilities and elderly), and shelter and services for the city's special needs populations. The plan is summarized in Section V of this AI.
- **Human Rights Office.** The City's Office of Human Rights is dedicated to taking and resolving discrimination complaints and fair housing community outreach, technical assistance and education. The office received \$60,000 in city funding to carry out fair housing activities in 2003.
- **Comprehensive Plan addressing housing needs.** The City's Comprehensive Plan that was amended in 2002 contains a solid and comprehensive framework for addressing many of the fair housing impediments identified in this study. The Comprehensive Plan's overall housing goals are to provide affordable, quality housing; ameliorate the problems of homelessness, overcrowded housing and displacement of low-income households; and assure against discrimination in housing.
- **Engagement in housing and homeless policy.** City policymakers and staff have established a variety of working groups – e.g., the Homeless Advocacy Committee (HAC), the Affordable Housing Committee (AHC), and the Universal Design Subcommittee (of the AHC) – to address the city's problems with affordable housing, accessible housing and homelessness. These groups are engaged in the issues and have expressed a commitment to addressing the city's needs in these areas.

## Action Plan

Based on our research for this AI, BBC recommends the City of Albuquerque consider the following Action Plan and activities for reducing fair housing impediments:

1. **Continue efforts to improve housing and neighborhood conditions.**
  - Expand safe, decent and sanitary rental housing, and increase housing choices for the city's extremely low-income citizens, including those displaced from "early entry units."
  - Target community development funding to those areas that have experienced the greatest disinvestment and have the largest reinvestment needs.

**2. Improve housing conditions for persons with disabilities.**

- Continue to work with individuals who have disabilities to examine the need for improvements to rental housing for persons with disabilities. Examine safety and substandard condition issues in apartment complexes that commonly provide housing to persons with disabilities.
- Continue and expand on programs that provide a deferred loan or grant program which provide low cost financing for accessibility improvements to persons with disabilities who are or would like to become homeowners.
- Implement an educational program targeted to persons with disabilities to help them better understand their fair housing rights, and educate and assist them about how to file complaints.

**3. Continue funding fair housing activities.** Continue funding the fair housing services related to investigation, complaint taking, community outreach, technical assistance and educational activities.

**4. Fund homebuyer counseling activities.** Consider establishing and/or funding a homebuyer counseling program that would help to inform citizens credit issues and about fair lending practices.