

Fair Housing Plan

Analysis of Impediments to Fair Housing Choice
in Odessa, Texas

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Introduction and Executive Summary

What is Fair Housing?

Title VI of the Civil Rights Act of 1964 states that “no person in the United States shall on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.”

As a result of Title VI, federal agencies issued rules and regulations on the selection of sites and tenants in federally assisted housing. The main objective of Title VI is to withhold federal funding from state or entitlement cities (grantees), engaging in discriminatory action when certain procedures and efforts to secure voluntary compliance are exhausted.

Title VIII of the Civil Rights Act of 1968, the “Fair Housing Act,” applies to the private housing market. Specific activities that are prohibited by the Fair Housing Act include:

- 1) Refusing to sell or rent to, or deal or negotiate with any person;
- 2) Discriminating by advertising that housing is available only to certain persons;
- 3) Denying that housing is available for inspection, sale or rent when it really is available;
- 4) Blockbusting for profit by persuading owners to sell or rent housing by telling them that minority groups are moving to the neighborhood;
- 5) Denying or making different terms of conditions for home loans by commercial lenders such as banks, savings and loans, or insurance companies, and;
- 6) Denying to anyone the use of or participation in any real estate services, such as brokers, organizations, multiple listing services, or other facilities relating to the selling or renting of housing.

The 1988 amendments to the Fair Housing Act prohibit the denial of housing opportunity and related services on the basis of handicap and familial status (the presence of one of more children under 18 in a household). The Fair Housing Act also mandates handicap accessibility construction requirements for new multi-family properties ready for occupancy after March 1991. The Fair Housing Act provides some exemptions from the familial status rule for housing for the elderly that meets certain requirements. The 1988 amendments established enforcement mechanisms, both administrative and civil, and the potential monetary relief available to those successfully proving discrimination.

The Fair Housing Act applies to privately owned single family housing when a broker or other person in the business of selling or renting housing is used and/or when discriminatory advertising is used. The Act does not apply to an individual owner of a single family home who sells or rents the home without using the services of a broker, providing the owner does not own more than three houses. Additionally, the Fair Housing Act does not apply to housing operated by a religious group or a private club.

In efforts to further the objectives of the 1968 Act, an additional four (4) Acts have followed the Fair Housing Act:

- 1) **Equal Credit Opportunity Act (ECOA)** – enacted in 1974
- 2) **Community Reinvestment Act (CRA)** – enacted in 1977
- 3) **Home Mortgage Disclosure Act (HMDA)** – enacted in 1975
 - This act prohibits racial discrimination in the mortgage and credit industry and encourages banking institutions to issue credit in low income communities where credit is historically lacking.
- 4) **Housing and Community Development Act** – enacted in 1974
 - This act established specific criteria in order for applications for community development block grants (CDBG) to be accepted. Pursuant to the governing regulations of the Code of Federal Regulations, Title 24, Part 570, Sections 570.200-570.207, the Act specifies that CDBG funds must be used for the “development of viable urban communities,” by providing decent housing and a suitable living environment, and expanding economic opportunities, principally for persons of low and moderate income. Additionally, the Housing and Community Development Act requires that grantees must develop fair housing strategies to ensure the availability of low income units to minorities without discrimination.

Odessa’s History of Affordable Housing Opportunities

The U.S. Department of Housing and Urban Development (HUD) and the City of Odessa are committed to affirmatively further fair housing (AFFH) for all persons. Fair Housing enables all persons of similar income levels the availability of equal housing choices regardless of race, color, religion, sex, handicap, familial status, or national origin (Title VI of the Civil Rights Act of 1964).

The City of Odessa, as a Community Development Block Grantee (CDBG) and HOME Investment Partnership Program (HOME) participating jurisdiction receives funds from the U.S. Department of Housing and Urban Development (HUD) in support of numerous housing and community development programs. Under CDBG and HOME Program funding requirements, the City is certifying that it will affirmatively further fair housing by providing equal housing opportunity in both publicly assisted housing and the private housing sector to persons of similar income levels by promoting and adhering to the following:

- 1) The Community Development staff has conducted an analysis of impediments to fair housing choice within the City of Odessa
- 2) The City is taking appropriate actions to overcome the effects of any impediments identified through the analysis
- 3) The Community Development Department will maintain records that reflect Affirmatively Further Fair Housing

The City’s 2010-2014 Consolidated Plan addresses housing and community needs, with emphasis on the housing needs of special populations, such as the homeless, mentally ill, elderly, frail elderly, handicapped, and persons with HIV/AIDS. All data pertaining to the Fair Housing Plan that is derived from the Consolidated Plan will be referenced to the section and page number of the Consolidated Plan, for simplicity purposes.

Update on Actions

Since the original analysis was conducted in 1996, many of the goals and objectives of the initial AI have been successfully achieved and, in some instances, exceeded. The following **highlights** a few updates on actions taken to meet original goals for removal of impediments to fair housing choice:

- Promotion of “Fair Housing Month” every April through City Council and media with a citywide proclamation regarding fair housing, in addition to various programs held throughout the month
- Attendance of Fair Housing training by the Director and Program Manager of Community Development provided by HUD in Forth Worth in 2005
- Established an agreement with the Odessa Board of Realtors to support fair housing goals through the provision of annual fair housing training to their realtors
- Established an agreement with the Odessa Public Housing Authority (OHA) to participate in fair housing month through various programs offered to OHA residents
- Maintenance of a log of calls and visits regarding fair housing complaints and referral of complainants to information on filing a formal complaint with HUD and the Texas Workforce Commission Civil Rights Division
- Conducted a study of lending policies and practices during the 1995-2000, 2000-2005, 2006-2010 and 2010-2014 Consolidated Plan strategies
- Community Development staff continued to discuss local lender participation among all institutions to promote greater participation in community development housing programs
- Secured a waiver of City-initiated fees on affordable housing projects by nonprofits and the Community Development Office, in addition to the development of a Workforce Housing Incentive Program designed to spur the development of housing available to the workforce population.

Analysis of Impediments

The Analysis of Impediments to Fair Housing is divided into eight sections. Following this introduction, the AI contains:

- **Background Information.** This section describes the demographic profile, housing stock and housing market of the City of Odessa.
- **Citizen Survey.** This section provides a summary of the Citizen Survey conducted of City of Odessa citizens and agency service providers.
- **Fair Housing Legal Status.** This section offers an appraisal of the City’s legal status in terms of fair housing by reviewing fair housing complaints filed in Odessa and legal cases regarding fair housing in Texas.
- **Identification of Impediments in the Public Sector.** The following areas were reviewed in order to identify impediments to fair housing in the public sector:

- Community Development Activities
 - Odessa Housing Consortium
 - Developmental Policies
 - Public Transportation
 - Public Housing Authority
 - Coordination Between Public and Private Housing and Social Service Agencies
 - City Policies
- **Identification of Impediments in the Private Sector.** The following areas were reviewed in order to identify impediments to fair housing in the private sector:
- HMDA Compliance Data
 - Foreclosures
- **Identification of Impediments in Cross-Sector Areas.** The following areas were reviewed in areas that cross both the public and private sectors in order to identify impediments:
- Fair Housing Enforcement
 - Informational Programs
 - Visitability
- **Conclusion.** The final section summarizes the findings and outlines the objectives and actions the City will undertake in order to reduce the impact of the impediments to fair housing choice.

Methodology. In efforts to identify impediments to fair housing choice, the analysis is based on information from the following sources:

- 1) Citizen Survey
- 2) 2010-2014 Consolidated Plan
- 3) Housing Programs/Services Review
- 4) Public Housing Assistance Review
- 5) Developmental/City Policies Review
- 6) Fair Housing Complaint Data
- 7) Home Mortgage Disclosure Act and Community Reinvestment Act data
- 8) HUD Neighborhood Stabilization Program data on foreclosures
- 9) 2010-2035 Metropolitan Transportation Plan by Midland Odessa Transportation Organization

Based upon the information obtained for the analysis, the City of Odessa must meet the requirements to affirmatively further fair housing, and to ensure compliance with HUD to overcome the effects of conditions that limit fair housing choice in the city, as mentioned in this plan, and including reference to the 2010-2014 Consolidated Plan.

Executive Summary

The following section summarizes the impediments to fair housing choice identified throughout the analysis, and specifies the actions determined to address each impediment.

Public Sector Impediments

- 1) Updated training on fair housing could help CD staff be more aware of fair housing problems and more adept at solving problems regarding fair housing.
- 2) OHC primarily works with only two lenders which may limit the options for some seeking assistance.
- 3) Many Section 8 voucher holders are having a harder time finding a unit to rent.
- 4) There has been a 785-long waiting list for Section 8 Vouchers since August 2009.
- 5) Property Taxes have been exceptionally high with the recent housing market bubble.

Private Sector Impediments

- 6) The main obstacle to obtaining a home loan is poor or bad credit.
- 7) Banks are lacking in the area south of Business 20 which has a high African-American and Latino concentration.
- 8) Subprime lending and foreclosure rates are especially high in Odessa.
- 9) A study has not been done to analyze lending practices specific to the City's Target Area.

Cross-Sector Impediments

- 10) Many people do not report fair housing discrimination after they experience it. This discrimination is believed to come primarily from landlords of rental properties.
- 11) More houses and apartment units could be made visitable.
- 12) Housing opportunities are limited for those with disabilities and HIV/AIDS.
- 13) Limited quality affordable housing continues to be a problem in Odessa.
- 14) The most common issue for discrimination complaints deals with conditions relating to rental and refusal to rent.

Objectives and Actions

The City has established a series of objectives in order to address every area in which an impediment has been identified. For each objective, an action step(s) has been determined. Further description of the actions, including the group or department responsible for carrying out each action, the funding resources to be utilized, and the intended timeline, can be found in the Conclusion to the Fair Housing Plan.

Foreclosure and Foreclosure Prevention

Objective #1: Help to reduce and/or prevent foreclosures, thereby stabilizing area neighborhoods.

Action Steps

- Provide consumers with foreclosure prevention resources including foreclosure prevention counseling, credit counseling, Individual Development Accounts, Mortgage Credit Certificate (MCC) program and access to loan modifications.

Objective #2: Mitigate negative impact of foreclosures on targeted neighborhoods.

Action Steps

- Acquire, rehab and sell foreclosed properties through the Neighborhood Stabilization Program

Objective #3: Address issues faced by families who have been displaced due to foreclosure.

Action Steps

- Connect families with community resource services

Assisted Housing

Objective #4: Expand availability of Section 8 Housing.

Action Steps

- Effectively market the Section 8 program and its benefits to landlords. Conduct a review of where current voucher holders are living. Areas that are underrepresented by voucher holders should be identified, and targeted for increased landlord recruitment.
- Advocate for Additional Section 8 Housing Choice Vouchers
- Support efforts to bring more multifamily developments with affordable units into Odessa

Objective #5: Expand housing opportunities for people with disabilities and HIV/AIDS

Action Steps

- Continue to be an active participant with the Odessa Public Housing Authority and other nonprofit agencies assisting people with disabilities and HIV/AIDS.
- Support efforts to increase the supply of accessible housing, especially in multifamily developments.

Fair Housing Awareness

Objective #6: Increase awareness of fair housing laws and the complaint process.

Action Steps

- Provide outreach in the form of newspaper ads and fair housing posters
- Have CD staff attend HUD-sponsored Fair Housing Trainings when available, including the upcoming training in Austin, TX in October 2010

Objective #7: Increase awareness of fair housing laws to landlords of rental properties

Action Steps

- During Fair Housing month, provide landlords in the city with brochures detailing relevant fair housing laws and promote participation in the Housing Choice Voucher Program

Lending and Finance

Objective #8: Expand banking and financing opportunities for the traditionally underserved and unbanked.

Action Steps

- Pursue agreements with additional lending institutions to participate as lenders in the Homebuyer's Assistance Programs
- Support efforts to bring more banks into southern Odessa

Objective #9: Assist potential homebuyers with poor credit histories to obtain home loans.

Action Steps

- Refer potential homebuyers with poor credit to credit counseling organizations
- Provide education and assistance with credit counseling

Objective #10: Expand information available regarding lending practices specific to the City's Target Area

Action Steps

- Map out HMDA data to analyze lending practices in the City's Target Area compared to the rest of the City

Visitability

Objective #11: Increase the number of homes that are visitable or accessible.

Action Steps

- Have City of Odessa CD staff attend trainings offered regarding accessibility to more extensively incorporate accessibility/visitability into new homes
- Promote trainings offered regarding accessibility to all builders with whom the city contracts

City Policies

Objective #12: Relieve the extra burden on low-income homeowners due to increased property taxes.

Action Steps

- Conduct study on the location of households who are behind on their property tax payments. Use this study to advocate for additional property tax relief policies for those in need.
- Promote the Mortgage Credit Certificate (MCC) Program to households in need of tax relief options.

Affordable Housing

Objective #13: Expand opportunities for quality affordable housing to low- and moderate-income households in all areas of the City.

Action Steps

- Continue to assist homebuyers with down payment and closing costs through the Homebuyer's Assistance Programs
- Continue the construction of affordably priced quality homes throughout Odessa
- Continue to pursue agreements and provide incentives to private builders who agree to build affordable quality housing within the City limits

City of Odessa Background Information

Demographic and Economic Overview

The demographic and economic analysis for the 2010 AI was completed in conjunction with that required for the Consolidated Plan. Please refer to the following page numbers of the Consolidated Plan for information regarding Odessa's community profile, which provides a context for the Fair Housing Analysis:

Homeless Assessment	41 – 56
Special Needs – Non-Homeless	57 - 70

The following information highlights demographic, economic and income data for the City of Odessa.

Demographic data

- The City of Odessa's current total population is 96,987.
- From the year 1999 to 2000, the City of Odessa experienced population growth of 9.9%, and from July 1, 2008 to July 1, 2009, it saw a 3% growth in population. This placed Odessa as the thirteenth fastest growing city in the nation for that year.
- The make-up of the city's population has been gradually changing since 1990. In 1990, 75.4 percent were White, and in 2000, 76.1 percent. In 2008, 81.1 percent of the population was White. In addition, the Black population has decreased. In 1990, there were 5,355 Black people in Odessa, making up 6% of the population, in 2000 these numbers slightly increased to 5,683 and 6.2 percent. In 2008, there were only 3,323 Blacks in Odessa, making up 3.4 percent of the population.
- Since 1990, the Hispanic population in Odessa has tripled. In 1990, Hispanics (of any race) made up 31.1 percent of the population, with a total of 15,659; in 2000, this number increased to 37,671 (41.4 percent); and in 2008, there were 47,706 Hispanics, making up 49.2 percent of the population.
- The senior population in Odessa has decreased since 2000. In 2000, there were 12,691 individuals over the age of 65, making up 14 percent of the population, while in 2008, there were 10,822 seniors, making up 11.2 percent of the population.¹
- 14.7 percent, or 13,601, of Odessa residents had a disability as of 2008. The majority of these residents, or 56.7%, are in the 16 – 64 age range.² This is decreased from the total amount reported in the 2000 Census, 14,812 residents, or 18.0 percent of the total population. Persons

¹ Information for these first five bullet points comes from 1990 & 2000 Census data and 2006-2008 ACS 3-year estimates

² 2005-2007 ACS data

with disabilities face some of the greatest barriers to finding adequate housing, since they often require housing that has accessibility features, is near public transit and is affordable. Persons with disabilities are also at high risk of experiencing housing discrimination.

- Data projections for 2008 reported a total of 6,893 single parent households in Odessa, representing 20 percent of the City's total households. The vast majority of these households- 14.4 percent, or 5,058 households- were female headed. Female headed households and large households are also at greater risk of experiencing housing discrimination based on familial status than other types of households.
- The average family size of families in Odessa has increased only slightly since 2000. In 2000, the average family size was 3.21, and children under the age of 5 made up 8 percent of the population. In 2008, the family size increased to 3.33, and children under 5 made up 9 percent of the population. Large households can have more difficulty finding housing- particularly affordable rental housing- due to a lack of supply.
- The Texas Department of Health reports that for 2008 there were seven new cases of AIDS reported for the Permian Basin.¹ Since 1980 thru 2008 there have been 196 cases of AIDS, including those that began as HIV. There are currently 138 persons living with HIV/AIDS in the Permian Basin.²

Income data

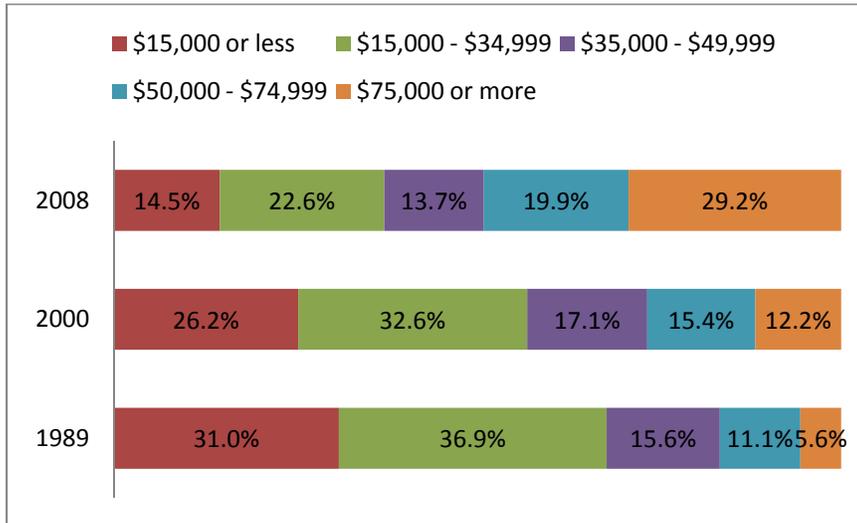
- Data projections for 2008 indicate that 12.3 percent of Odessa's families, and 15.4 percent of individuals, were living below the poverty level. The City's female-headed households with children had the highest incidence rates of poverty, with 38.1 percent of these households living below the poverty level.³
- 1990 and 2000 Census data and 2006 – 2008 ACS data show that since 1990, a greater percentage of the City's population is making a higher salary. As **Graph 1** shows below, the category earning \$15,000 or below decreased from 31 percent of the City's households in 1989 to 14.5 percent in 2008, while the category earning \$75,000 or above increased from only 5.6 percent in 1989 to 29.2 percent in 2008.

¹ Texas Department of Health. HIV/STD Epidemiology Division Surveillance Branch, Annual Report 2008

² Texas Department of Health. HIV/STD Epidemiology Division Surveillance Branch, Annual Report 2008

³ 2006-2008 ACS 3-year estimates

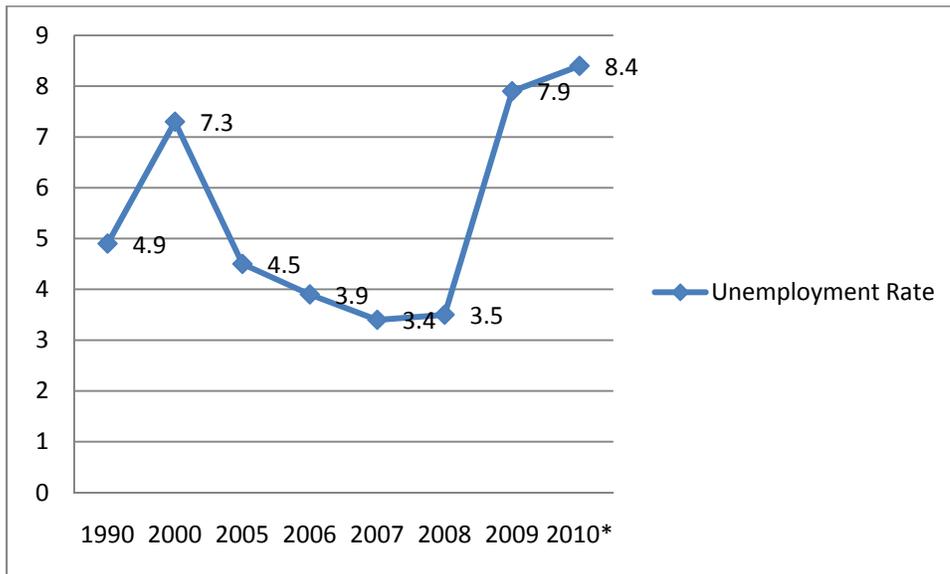
Graph 1. Total Population by Percentage of Income Category, Odessa, TX



Employment Data

- As of July 2010, the unemployment rate in Odessa had climbed to 8.4%, when two years prior it was at an all time low of 3.5%. The following **graph** shows the rates for the years when unemployment data has been available since 1990.

Graph 2. Unemployment Rate, Odessa, TX



Source: The rates for 1990 and 2000 are from US Census data, and the rates for 2005-2010 are from the Texas Workforce Commission
 * 2010 data includes Jan - June only

- The top employment industries have been shifting since 1990. **Table 1** below shows the Top 6 industries by employment for 1990, 2000, and 2008. The top industry in Odessa in 2008 was Educational services, and health care and social assistance.

Table 1. Top Industries in Odessa and Percent of Workers per Total Employed Population

No.		1990	%
1	Retail Trade		18.3%
2	Educational Services		10.5%
3	Mining		9.6%
4	Health Services		7.2%
5	Manufacturing, durable goods		7.1%
6	Construction		6.8%
2000			
1	Educational, health and social services		21.2%
2	Retail trade		13.7%
3	Manufacturing		10.1%
4	Arts, entertainment, recreation, accommodation and food services		7.6%
5	Other services (except Public Administration)		7.5%
6	Agriculture, forestry, fishing and hunting, and mining		7.2%
2008			
1	Educational services, and health care and social assistance		18.4%
2	Retail trade		12.1%
3	Agriculture, forestry, fishing and hunting, and mining		10.5%
4	Manufacturing		10.2%
5	Arts, entertainment, and recreation, and accommodation, and food services		7.8%
6	Construction		7.8%

Source: 1990, 2000 US Census data, 2006-2008 ACS data

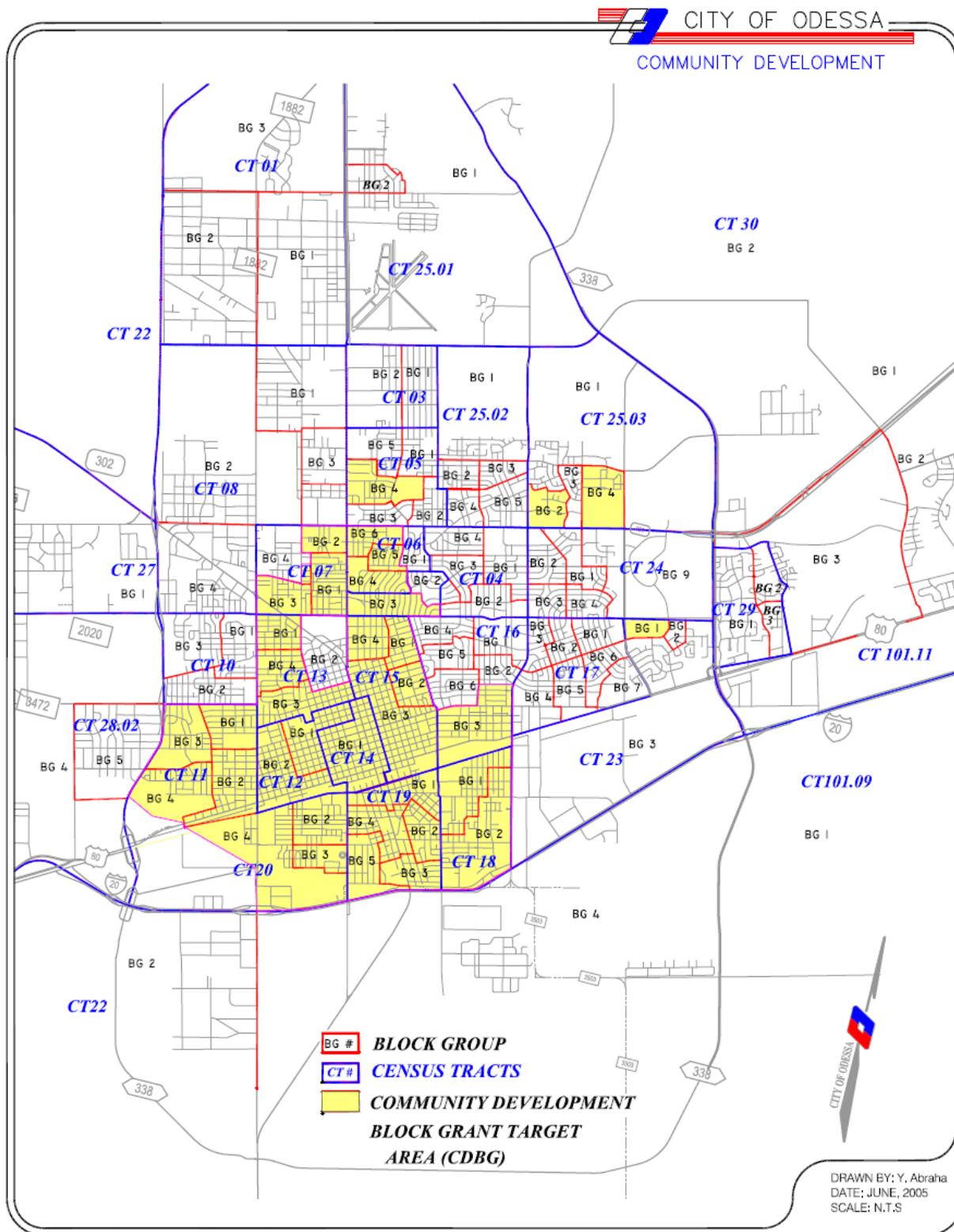
Maps

- The estimated percentage of low-income households or households earning less than 80% of median family income in Odessa is 40.8%.¹ The majority of these households reside within the City's Target Area. The Census 2000 reports that 48% of the City's population resides within the Target Area. The concentration of minorities is also disproportionately greater within the Target Area. **Maps 1** and **2** from the 2010-2014 Consolidated Plan graphically illustrate the CDBG Target Area and the concentrations of low-income and minority residents.

- **Map 3** shows the locations of municipal and other services including schools and colleges, hospitals, banks and credit unions, and the public transportation system, EZ-Rider, bus routes.

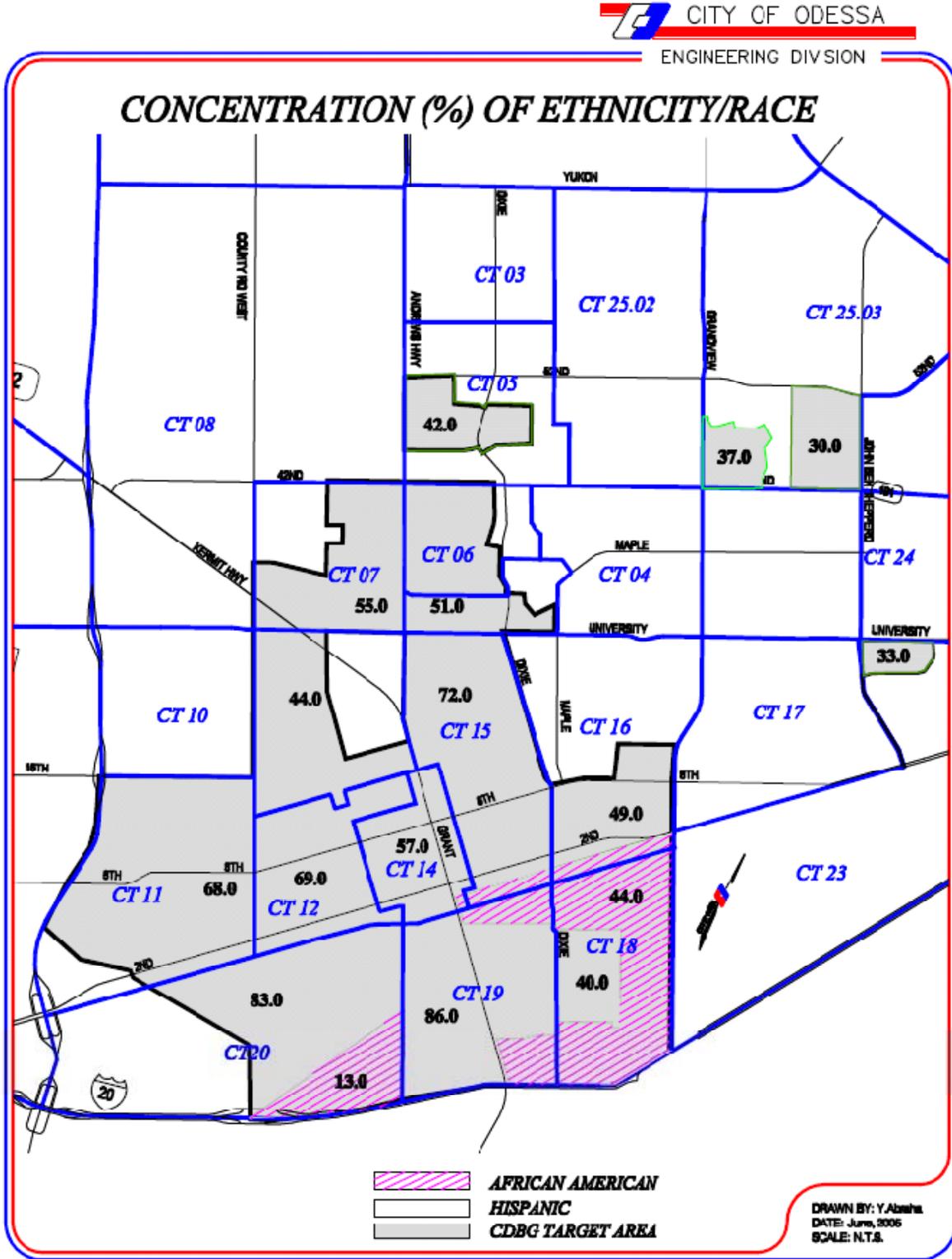
¹ American Fact Finder – Income in the past 12 months.

Map I. CDBG Target Area

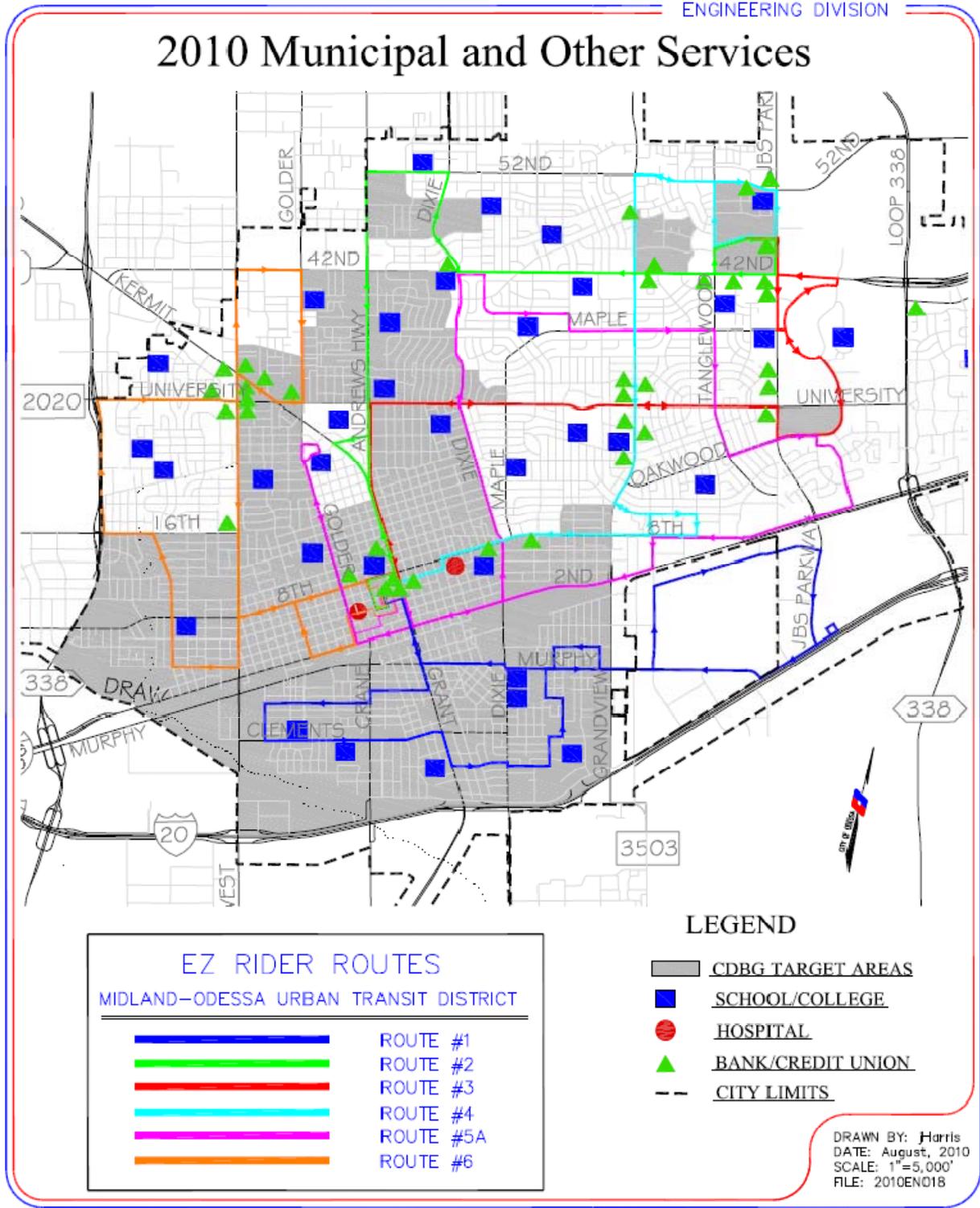


FILE: 2003CD015 p.2

Map 2. Concentration of Race/Ethnicity



Map 3. City of Odessa Municipal and Other Services, 2010.



Housing Profile

The housing market analysis for the 2010 AI was completed in conjunction with that required for the 2010-2014 Consolidated Plan. Please refer to the following page numbers of the Consolidated Plan for information regarding Odessa's housing profile, which provides a context for the Fair Housing Analysis:

Affordable Housing & Homeless Needs	22 – 40
Housing Market Analysis	71 - 97

In addition, for the purposes of the Analysis of Impediments to Fair Housing Choice (AI), the number and type of residential permits issued by the City of Odessa for the last ten years was analyzed. **Table 2** below shows the number of residential permits, broken down by type, including single-family detached homes, apartment complexes, and duplexes or townhomes. The table also includes the number and percentage of these newly built single-family detached homes that were affordable to the Median Family Income household in each year. This gives an idea of the price and affordability of the new homes being built in Odessa. A low percentage would show that a majority of the new homes being built are not affordable to the average household. Odessa has been improving in this area, particularly after 2006, when the City instituted a housing incentive program to encourage builders to construct affordable single-family detached homes. This led to a considerable amount of new affordable housing in Odessa, and as the table shows, new housing spiked in 2006. In addition, the year 2009 saw the highest percentage of newly constructed homes that were affordable to households living at the median family income.

Table 2. Residential Permits Issued by Type, City of Odessa

Year	Single-family detached	Apartment Permits Issued	Duplex/Townhome Permits Issued	Median Family Income*	Housing Price Affordable to MFI	No. of New homes Built Affordable to MFI**	
	Homes Permits Issued					#	%
2000	101	3	0	41,700	120,930	60	59%
2001	93	1	9	42,700	123,830	43	46%
2002	129	1	2	42,700	123,830	69	53%
2003	169	0	4	45,900	133,110	88	52%
2004	176	0	8	48,500	140,650	84	48%
2005	145	2	4	48,500	140,650	59	41%
2006	261	0	0	43,400	125,860	73	28%
2007	216	1	0	43,400	125,860	50	23%
2008	253	2	1	47,000	136,300	71	28%
2009	209	1	12	49,000	142,100	135	65%

*The MFI HUD provided for 2000 - 2005 was for the combined Odessa--Midland Metropolitan Statistical Area (MSA), while after 2005, the MFI was available for the Odessa, TX MSA alone.

**Based on formula of multiplying MFI x 2.9 to determine affordable housing price

Due to the Nation's recession in the past year, living conditions in Odessa have changed dramatically. As of July 2010, the unemployment rate had climbed to 8.2%, when two years prior it was at an all time low

of 3.5%. Although the housing prices have dropped significantly, the community has struggled with employment. The increasing number of available houses may show that many households can no longer afford their homes. In July 2008 there were 266 houses on the market in Odessa with an average sales price of \$169,700. In July of 2009, available houses had doubled to 438 listings with an average sales price YTD of \$150,000. A year later, there are still approximately 409 single-family units for sale as of June 2010. The average sales price is \$139,600 with a median home sales price of \$126,900.¹ Although the prices have dropped steadily in the past few years, only 29% of the homes listed were under \$100,000 and only 15.5% fall within the parameters of the City's Down Payment and Closing Cost Assistance Program price range of \$30,000 to \$80,000. Apartment complexes were at 93% occupancy as of July 2010 and previous numbers show that *affordable* single-family homes are difficult to find. The following information on housing in Odessa includes highlights from the Housing Market Report of the 2010-2014 Consolidated Plan.

Housing Market Data

- The City's housing stock does not appear to be growing as fast as the population. In 1990, there were 37,751 total housing units, in 2000, 37,966, and in 2008, 39,168.² This represents a 3.8 percent increase in housing since 1990, as compared to an 8.1 percent increase in population during this same period. However, this has been improving, as can be seen by the recent increase in new housing construction in **Table 2**.
- Of the 1,084 new homes constructed in the City over the last five years only 133 were constructed in the City's Target Area. The City of Odessa and its housing partners in the Odessa Housing Consortium have been responsible for the construction of 82% of the new homes constructed in the Target Area within the last 5 years.³
- Of the approximately 409 units currently available for sale in Odessa, only 57 of those units are located in the City's Target Area. The average sales price of the homes located in the Target Area, however, is \$82,149 and the median home sales price in the Target Area is \$75,500. The disproportion in sales price of homes in the Target Area versus the rest of the community can be attributed to a significant increase in both the number and value of homes constructed outside of the Target Area and the lack of construction in the Target Area.
- As of 2008, the City of Odessa had 3,850 vacant housing units.⁴ This is approximately 10.4% of the total housing units located within the city limits of Odessa.
- Of the 11,795 rental units in the City of Odessa, the number of complexes reporting facilities for persons with disabilities is only 1.2%.⁵ There is however, no indication of how many units are exclusively designated for persons with disabilities.

¹ Odessa Board of Realtors. Current Market Analysis Report – 2010.

² Based on 1990 and 2000 US Census Data and 2006 -2008 ACS data

³ City Of Odessa Building Inspection Report. New Residential Construction Reports – 2005-2009

⁴ U.S. Census Bureau, 2008 American Community Survey – 1 year estimates

⁵ Odessa Chamber of Commerce: 2010 Odessa Apartment Survey.

- The availability of housing for persons with HIV/AIDS is almost non-existent. There are no residential facilities or inpatient facilities identified in Ector County. Services are also limited. The Permian Basin Community Centers reported providing services for 385 persons in a 12 county area since January 2005.
- The year 2006 to 2007 saw the greatest jump in median sale price of single-family homes, climbing from \$86,900 to \$114,100 in just one year. Home prices have generally been on a more gradual increase since then, with the median sale price for 2009 at \$131,200.¹
- In 2009, 58.7 percent of the population in Odessa could not afford the average priced home.²
- From 2007 to 2008, the median rent in the City of Odessa increased by \$51, from \$566 to \$617.³
- According to the U. S. Government, homes constructed prior to 1979 have the greatest possibility for lead-based paint contamination. The 2009 updated Comprehensive Housing Affordability Strategy (CHAS) data indicated 30,425 residential units were constructed in Odessa prior to 1979. The potential for residents to be exposed to lead based paint appears to be high. Although there are a large number of homes built before 1979 in Odessa, an analysis of data from the Ector County Health Department and the City's Housing Rehabilitation Program indicates the percentage of lead contaminated homes to be relatively low. The City of Odessa Housing Rehabilitation Program has performed approximately 101 lead based paint tests between 1999 and 2010 and only .08% of the homes tested positive for lead based paint. Therefore, based on actual testing of homes there appears to be a small number of homes that contain lead based paint.

¹ Odessa Board of Realtors. Current Market Analysis Report – 2010.

² Based on Income information from 2006-2008 ACS data, Average priced home data from Odessa Board of Realtors, and Affordability calculation based on home price times 2.9

³ US Census Data for 2007 and 2008

Citizen Survey

The Community Development staff developed a “fair housing survey” for the citizens of Odessa. The survey was made available on-line through the City of Odessa website, as well as in paper form. A total of 681 surveys were distributed to the public: 11 local service agencies distributed surveys to their clients, 146 surveys were mailed to area residents who were randomly selected by zip code, and surveys were distributed to 101 service agencies. Surveys were also made available at two public hearings which took place at Southside Senior Citizen Center and Key West Senior Village, and three community meetings which took place at the Woodson Community Center, Floyd Gwin Gym and the City Council Chambers. The meeting at the Council Chambers was for representatives of public service agencies. The public hearings and community meeting dates were posted on the Government Access Channel and ads were placed in English and Spanish in the Odessa American. In addition, television interviews were conducted on four local stations including one interview in Spanish. The on-line survey was publicized through the main page of the City’s website, as well as notices from the Community Development Department. The survey was on-line for 55 days, and the hearings were conducted from February 4, 2010 until March 2, 2010. The Community Development Department received 228 completed surveys for a 33.5% written response rate. The Department also received 63 completed surveys online. The survey (**Appendix A**) contains 20 questions in a simple format.

Respondent Characteristics. In total, the Community Development Department received 291 completed surveys. The characteristics identified of the survey respondents indicate that 56 percent are female. The ethnicity of the respondents indicates that 75 percent are White/Anglo/Caucasian, 11 percent are Black/African American, 9 percent are Native American, and 46 percent are Hispanic. The average age of the respondents is 42 years of age. Of the respondents, 8 percent, or twenty-one (21), indicated they are disabled.

The annual gross income for the respondents indicates 24 percent of the respondents have an income between \$50,000 and \$74,999, while 18 percent have an income between \$15,000 and \$29,999, 20 percent have an income between \$30,000 and \$49,999, and 16 percent have an income of \$75,000 to \$99,999. Twelve (12) percent of the respondents have an income less than \$15,000. In terms of education obtained, 37 percent have completed “some college,” while 23 percent have completed high school/GED.

Identified Needs. The first five (5) questions asked the respondents to rank the City’s needs for various types of assistance. For each item, the respondent could select, No Need, Low Need, Medium Need, and High Need. The questions were as follows:

1. Please rank the City’s needs for the following types of **General Housing Assistance** activities.

Of the fourteen types of assistance listed, five were cited most frequently as being of “High Need.” These include, in order of most cited: Construction of New Affordable Housing, Transitional Housing for Homeless, Emergency Shelter, Facilities for Battered Women and Children, and Home Ownership Assistance.

2. Please rank the City's need for the following improvements in **Public Facilities**:

Of the eight types of facilities listed, three were cited most often as being of "High Need," and these include: Youth Centers, Child Care Centers, and Recreation Facilities.

3. Please rank the following **Public Services** based on the need.

Of the ten services listed, five were selected most often by the respondents as being of "High Need:" Services for Abused Women and Children, Child Care Services, Youth Services, Health Care Services and Mental Health Services.

4. Please rank the following improvements and **Community Development/Infrastructure** needs.

Nine needs were listed, with one being responded to at a particularly high rate of "High Need" answers, at 63% of respondents, and this was Drainage System Improvements to prevent flooding. Other prevalent "High Need" answers include: Clearance of vacant, unsafe structures, Street Improvements (repaving, curbs and gutters), and Fair housing.

5. Please rank the following **Economic Development** Needs.

Of the four needs listed, three were cited most frequently as being of "High Need," including Job Placement, Job Training, and Small Business Loans.

Housing Discrimination. In terms of housing discrimination, the survey asked, "Do you believe housing discrimination is an issue in your neighborhood?" to which 17 percent, or 49 respondents, replied yes, while the majority, 83 percent, responded "no."

The survey went on to ask "Have you ever experienced discrimination in housing?" with the vast majority answering No, (85.9 percent). Of the 41 respondents who responded affirmatively, 46.3 percent believe the landlord or property manager discriminated against them, while 24 percent believe it was a mortgage lender, 20 percent a real estate agent, and 9 percent a mortgage insurer. In regards to where the act of discrimination occurred, the majority of respondents, or 51 percent, answered that it took place in a single family neighborhood. The next most common response was in an apartment complex (26 percent), 15 percent held it was in a public or subsidized housing project, and 8 percent claimed a trailer or mobile home park. When asked on what basis the respondents believed they were discriminated against, the majority chose either Race (49 percent) or Source of Income (46 percent). Family Status, Age, Disability and Color were the next most common responses.

Significantly, of the forty-one who responded affirmatively to being discriminated against, only 10 percent, or four (4) respondents, indicated they had reported the incident. When asked "Why not?" 66 percent of the respondents indicated they didn't believe it would make a difference, while 26 percent indicated they did not know where to report it. Twenty percent were afraid of retaliation, and 14 percent believed it was too much trouble.

The next question asked the respondents to evaluate the City of Odessa regarding various impediments to fair housing in Odessa. For each potential impediment, the respondent could rank it from 1 to 4 (1 being no barrier and 4 being a serious barrier), or select "N/A." The impediment which received the most

responses of “4” was “Lack of knowledge among residents regarding fair housing.” The next three highest responses of “4” were: “Income levels of minority and female-headed households,” “Lack of funding for fair housing activities,” and “Lack of knowledge among Realtors regarding fair housing.”

Additional Comments. The respondents were also given a chance to provide additional comments if they desired. A total of 52 respondents provided comments. **Table 3** shows a listing of the subject of the comments, and the number of times each topic was mentioned. It also includes more specific information for some of the topics as some respondents gave more detailed remarks. Note that the total number of topics/comments comes out to more than 52, as many respondents commented on multiple topics in their comments. The topic mentioned the most was in regard to a need for Drainage System Improvements, followed by Water Quality & Availability, Landscaping Improvements & Code Enforcement, and problems with Vacant Lots & Old Buildings. Homeless Shelters, Housing for the Homeless, Job development, Improvement in the Police Department, Public Transportation Improvements, and the desire to have the private sector do more were all also mentioned multiple times.

Table 3. Additional Comments from Citizen Survey by Type, City of Odessa, 2010

Type/Subject of Need	No. of times mentioned
Drainage System Improvements	5
General- everything/anything is needed	4
Improve water quality/availability	4
"water lines to Ridgewood Addition"	1
Landscaping improvements/Code enforcement	4
Vacant Lots/Old buildings	4
"convert into neighborhood parks"	1
"a lot of old buildings/houses that need to be torn down"	2
Housing	3
"help low income /homeless to get housing of any kind"	1
need money to fix up one's house	1
"More Section 8"	1
Job development	3
"diversify, create other job opportunities"	1
Need to let private sector do more, less govt programs	3
private sector can provide affordable housing	1
should be time limit on any programs	1
Police Department	3
"stop setting speed traps and catch some real bad guys"	1
"repeal or amnesty for fines/fees vs warrant round ups"	1
"better enforcement of traffic laws"	1
Public Transportation	3
needs more stops in residential areas	1
need covered waiting areas	2
Shelter	3
for women not from domestic violence situation	1
for teens not old enough to go to homeless shelters	1
transitional housing for the homeless	1
Code Enforcement	2
"consolidate code enforcement w/ garbage collectors"	1

Asking for ethnicity/race info on survey is discriminatory	2
Don't understand fair housing or the topics generally	2
In support of Odessa	2
Overall thinks odessa does a good job	1
"Much love"	1
Sidewalks Improvement or construction	2
Support of small businesses	2
use to help improve existing communities	1
need small business loans	1
Bike routes- more	1
Development of Downtown area	1
Disabled	1
Financial Support for more mental health offices	1
Homeless	1
Improve criminal detention system	1
Informing the community	1
Meals for homebound elderly	1
Medical Care	1
"urgent care to replace ER overcrowding"	1
Programs for Juvenile Delinquents	1
Specific request to help pay monthly bills	1
Street pavings/improvements	1
Utilities Bill Assistance	1
Water wastage (from lawns)	1
Total	<u>65</u>

Odessa's Fair Housing Legal Status

Fair Housing Complaints

Fair housing complaint information was received from the U.S. Department of Housing and Urban Development and provides a breakdown of complaints filed for Odessa from January 1, 2005 through December 31, 2009. The complaints filed with HUD are received from the Fair Housing and Equal Opportunity (FHEO) regional office in Fort Worth, Texas. Fourteen complaints were filed according to one or more of seven bases, including; National Origin, Color, Religion, Familial Status, Handicap, Sex, and Race. **Table 4** below, shows the breakdown. The total is more than 14 because some cases cited multiple bases in their claim.

Table 4. Basis for Discrimination Complaint, Odessa, TX, 2005-2009

Year filed	Race/Color	National Origin	Familial Status	Dis-ability	Sex	Religion	Totals
2005	2	0	1	0	0	0	3
2006	1	0	1	1	1	0	4
2007	0	0	1	0	0	0	1
2008	3	0	2	0	2	0	7
2009	0	0	0	0	0	0	0
Totals	6	0	5	1	3	0	15

Source: HUD Fort Worth Regional Office of FHEO

The complaint data also revealed the issue of why the complaint was filed, as displayed in **Table 5**. The top two issues from 2005 to 2009 dealt with discrimination in terms/conditions/privileges relating to rental and refusal to rent.

Table 5. Issue of Complaint Filed, Odessa, 2005-2009

Issue	Number
Discrimination in terms/conditions/privileges relating to rental	7
Discriminatory refusal to rent	5
Discriminatory terms, conditions, privileges, or services and facilities	3
Discriminatory refusal to rent and negotiate for rental	2
False denial or representation of availability - rental	2
Failure to make reasonable accommodation	1
Discriminatory acts under Section 818 (coercion, etc)	1
Otherwise deny or make housing available	1
Discrimination in the terms/conditions for making loans	1
Discriminatory advertising, statements and notices	1
Discriminatory advertisement - rental	1

Source: HUD Fort Worth Regional Office of FHEO

Of the 14 complaints, 4 were closed with a satisfactory resolution and one case is pending. Three cases were closed with a no-cause determination. This means that justification for the complaint was not applicable to the Fair Housing Act. Two complaints were withdrawn and in four complaints the complainant failed to cooperate. **Table 6** below, shows the tally of the case closure types by year the case was opened.

Table 6. Fair Housing Complaints by Type of Closure, 2005-2009, Odessa, TX

Type of Closure	2005	2006	2007	2008	2009	Total
Conciliation/settlement successful	0	0	0	4	0	4
No Probable Cause	2	0	1	0	0	3
Withdrawn by complainant after resolution	0	1	0	1	0	2
Complainant failed to cooperate	1	3	0	0	0	4
Totals	3	4	1	5	0	13

Source: HUD Fort Worth Regional Office of FHEO

Legal Analysis

As part of fair housing analysis, recent legal cases were reviewed to determine significant fair housing issues and trends in Texas. A search of the Department of Justice Web site yielded eleven cases across Texas. The important fair housing issues in these cases are described below.

United States v. Prestonwood Properties (N.D. Tex.) The United States filed this complaint on March 8, 1999, after a determination by the Department of Housing and Urban Development [HUD] that reasonable cause existed to believe that Prestonwood Properties, in McKinney, Texas, had violated the Fair Housing when its property manager had sexually harassed female tenants over a six-year period. The United States contend that the property manager of the complex entered women's apartments while they slept or showered and sexually assaulted them, threatened to evict and evicted women who declined his sexual advances, offered women rent subsidies and bigger apartments in exchange for sex, and made vulgar comments to women in the rental office.

A consent order was entered on September 14, 2000, in which the defendants agreed to pay \$150,000 to compensate 17 women the United States identified as victims. The order also bars the defendant from owning or managing any residential rental property for four years.

United States v. Security State Bank (W.D. Tex.) This complaint, filed on September 18, 1995, challenged the bank's alleged practice of charging Hispanics higher interest rates on consumer loans than non-Hispanic applicants. Under the agreement, filed simultaneously with the complaint, the bank agreed to create a \$500,000 fund to compensate victims, pay \$10,000 in civil penalties, and take a series of corrective measures.

United States v. Silva (W.D. Tex.) On September 6, 2005, the United States filed a complaint in *United States v. Silva* (W.D. Tex.). The complaint alleges that the defendants, the owners of nine-single family

homes in the Austin and San Antonio areas, violated Sections 3604(a), 3604(b), 3605, and 3617 of the FHA by leading Hispanics to believe they were purchasing properties offered for sale by the defendants when in fact the complainants were entering into lease agreements for the properties. The United States also alleges that the defendants' conduct constitutes a pattern or practice of discrimination and a denial of rights to a group of persons. On July 17, 2008, the Court issued Findings of Facts and Conclusions of Law and a Final Judgment in *United States v. Silva* (W.D. Tex.), a Fair Housing Act pattern or practice/election case referred by HUD. The judgment awarded \$103,651 in damages to 15 aggrieved persons, \$110,000 in civil penalties, and injunctive relief against both Defendants, Anibal and Janet Silva.

The case was referred to the Division after the Department of Housing and Urban Development (HUD) received a complaint, conducted an investigation, and issued a charge of discrimination.

United States v. Hartland Realty Inc. and Kristi Taylor (W.D. Tex.) On December 23, 2008, the United States voluntarily dismissed the case because the respondents complied with the subpoena. HUD had initiated an investigation of housing discrimination of Hartland Realty Inc. and Kristi Taylor based on the administrative complaint from HUD. The complaint alleged the complainants were denied the opportunity to rent because of their race. The defendants have refused to cooperate with HUD's request for documents. On October 30, 2008, the Department of Justice filed a petition to enforce a subpoena issued by the Department of Housing and Urban Development.

United States v. Dwain Christopher (E.D. Tex.) This is a fair housing case referred to us from HUD alleging discrimination on the basis of race. The United States alleged, in our complaint that the defendant refused to rent a house to the complainant and her five children because two of the children were bi-racial (black/white). The terms of the consent order include the payment of \$9,000.00 to the complainant and her children as well as training and reporting requirements for the defendant.

United States v. Brazoria Manor Apartments, Ltd., et al. (S.D. Tex.) On November 20, 2000, the United States filed a complaint alleging that the defendants, the owners of several multi-family rental properties in Texas, fired the complainant from her job as a site manager in retaliation for her participation in a fair housing investigation. The United States alleges that the firing constitutes a violation of Section 818 of the Fair Housing Act, as amended, which prohibits threatening or interfering with any person on account of their having aided another in enforcing their rights under the Act.

The consent order, filed on June 15, 2001, provides for \$15,000 in compensatory damages to the complainant, in addition to the dismissal of a related unemployment compensation claim Defendant had filed against her. Additional relief includes: an injunction prohibiting further acts of retaliation against the complainant, and also prohibiting additional discriminatory housing practices; mandatory Fair Housing Training of all Defendants and their employees for the next four (4) years; and the establishment of a Fair Housing complaint policy for Defendants' tenants.

The Brazoria Manor consent order is the first settlement filed by the Department that incorporates the Memorandum of Understanding among the Department of Treasury, HUD and the Department of Justice concerning low-income housing tax credit properties. That Memorandum requires the Department to notify state housing finance agencies of the filing and ultimate resolution of Fair Housing Act complaints filed against owners of low-income housing tax credit properties. The Consent Order provides that, in the event that Defendants fail to comply with its terms, the United States may notify the Texas Department of

Housing and Community Affairs of the noncompliance. This provision serves to encourage the Defendants to adhere to the terms of the Consent Order or to risk losing the tax credits they receive through the state-administered Federal program.

United States v. Falvey (W.D. Tex.) On April 11, 2006, the United States filed a Settlement Agreement resolving *United States v. Falvey* (W.D. Tex.) The complaint, filed on April 7, 2006, alleged that the Defendants discriminated on the basis of familial status by placing an advertisement that expressed a preference for persons without children and by refusing to rent an apartment to a Border Fair Housing and Economic Justice Center ("BFHC") tester who posed as a single mother with a seven year old daughter. The settlement agreement prohibits the Defendant from discriminating based on familial status, requires training, notification to the public of its non-discriminatory policies and requires the Defendants and to pay \$10,750 to the Border Fair Housing and Economic Justice Center. The settlement agreement will remain in effect for 2 ½ years.

The case was referred to the Division after the Department of Housing and Urban Development (HUD) received a complaint, conducted an investigation, and issued a charge of discrimination.

United States v. Henry Billingsley, et al. (E.D. Tex.) 6/30/09 On April 24, 2008, the United States filed a complaint in *United States v. Henry Billingsley, et al.* (E.D. Tex.), a Fair Housing Act referral from HUD alleging discrimination on the basis of disability. The complaint alleges that the members of the zoning committee and property owners of Air Park Estates, in Collin County, Texas, violated the Fair Housing Act by refusing to grant a reasonable accommodation by allowing the complainant to keep a footbridge in front of her house. The complainant, who has a mobility disability, needs to use the bridge to reach the street without risk of injury. On June 30, 2009, the Court issued an order granting our motion for preliminary injunction prohibiting the Defendants from removing the bridge or causing it to be removed. The Court granted the motion using broadly favorable language, finding that the complainant would "almost certainly suffer personal injuries" if the bridge were removed and that the United States had presented a likelihood of success on the merits in the suit.

United States v. Hous. Auth. of the City of San Antonio, et al. (W.D. Tex.) On March 28, 2006, the court incorporated the terms of the parties' settlement and release agreement in granting the joint motion for an order of dismissal in *United States v. Housing Authority of the City of San Antonio* (W.D. Tex.). The complaint, filed on June 3, 2005, alleged that the owners and managers of the Westminster Square Apartments, a Section 202 complex in San Antonio, Texas, violated the Fair Housing Act when they refused repeated requests by the complainants to transfer to a first floor unit. The complainant, a double leg amputee who uses a wheelchair, and his wife, who is also disabled, asked on several occasions to move from their third floor unit to a first floor unit so that they would not be dependent on the elevators and would not have to travel as far to get to their unit. The complaint alleged that the defendants denied the requests despite the availability of two first floor units. The settlement requires defendants to transfer the complainants to a first floor unit, to pay \$125,000 in damages and attorneys' fees to the complainants and a fair housing organization that assisted them, to implement a comprehensive reasonable accommodation policy, to attend fair housing training and to submit to standard injunctive relief.

The case was referred to the Division after the Department of Housing and Urban Development (HUD) received a complaint, conducted an investigation, and issued a charge of discrimination.

United States v. JPI Apartment Construction, L.P., et al. (N.D. Tex.) On March 4, 2009, the United States filed a pattern or practice complaint in *United States v. JPI Apartment Construction, L.P., et al.* (N.D. Tex.). The complaint alleges that JPI failed to comply with the design and construction requirements of the Fair Housing Act and ADA in the design and construction of two multi-family housing complexes in Texas and some of JPI's other 205 nationwide multi-family properties.

United States v. SDC Legend Communities, Inc., et al. (W.D. Tex.) On October 2, 2006, the Court entered a consent order in *United States v. SDC Legend Communities, Inc., et al.* (W.D. Tex.). The complaint, was amended on September 28, 2006, and a consent order alleged a pattern or practice of disability discrimination by the architects, engineers, developers, builders, and owners of two, multi-family residential complexes constructed in Austin, Texas, through the use of Low Income Housing Tax Credits. The complaint alleged the Defendants' failure to design and construct 52 ground level units at St. Johns Village and 110 ground level units at Huntington Meadows and the public and common areas in compliance with the accessibility and adaptability features violated section 804(f)(3)(C) of the Fair Housing Act.

The order provides for retrofits of routes, entrances, and public and common-use areas, as well as interior retrofits in certain units and installation of enhanced accessibility features in others. The order also requires the defendants to establish a \$50,000 fund which will be used to compensate individuals harmed by the inaccessible housing and to pay \$10,000 in civil penalties to the government.

Of the eleven cases to come out of Texas, four of the cases alleged discrimination on the basis of race, and another four alleged discrimination on the basis of disability. While these cases did not come out of Odessa, the fact that they are from Texas may mean that the City should be attentive toward matters regarding these issues.

Identification of Impediments in the Public Sector

Community Development Activities

Over the years, the City's efforts to create affordable housing programs have been supported with federal funds. Cooperative efforts and assistance from local banks and agencies, including the Odessa Housing Finance Corporation, the Public Housing Authority, and the Odessa Board of Realtors has enabled much support for these housing programs.

The activities undertaken by the City of Odessa Community Development Department over the past six years (2005-2010) have accomplished the following major community needs:

- Housing Programs
- Public Facilities & Infrastructure Improvements
- Code Enforcement
- Human Service Activities
- Demolition Activities
- Economic Development

Housing Programs Housing continues to be the most important identified need within the community. Through the City's housing assistance programs homeowners and potential homebuyers can obtain assistance to meet a variety of housing needs. All of the City's housing programs are marketed affirmatively. Citizens' demographics confirm that all programs that are administered by Community Development Block Grant funds are subject to "fair housing choice" thus enabling them accessible to all populations. Since 2005 the City Council has allocated \$8,086,186 to all housing programs administered through CDBG, HOME, HERA, and ARRA. A brief description of each of the housing programs is provided below:

- **Homebuyer Assistance Program** – The City of Odessa has developed a Homebuyer Assistance Program to assist low-income citizens to purchase an existing home within the city limits of Odessa. With HOME funds, the "HOME of Your Own Program" provides assistance with the purchase of a home priced between \$30,000 and \$80,000. The buyer, depending on the total household size and income, can receive either 5% or 10% of the sales price of the house for the down payment and up to \$3,500 in approved closing costs.
- **Homebuyer Assistance Program for newly constructed homes**– The City also administers a Homebuyer Assistance Program with HOME funds that can assist with down payment and closing cost assistance for newly constructed homes priced up to \$90,000. The houses can be constructed by one of our housing partners or a private builder. The buyer, depending on the total household size and income, can receive down payment and closing cost assistance ranging from a minimum of \$2,500 to a maximum of \$20,000, and up to \$4,000 for eligible closing costs. In no event will total assistance exceed \$24,000.
- **Infill Housing Program** – The City of Odessa has developed an Infill Housing Program to help revitalize once-thriving residential areas with infill housing on available non-tax producing lots located throughout the City. The homes have been made available to assist low and moderate-income families purchase decent and affordable housing. All the homes constructed through the program are ENERGY STAR qualified. The program has allowed families who typically couldn't

buy a new home the opportunity to purchase newly constructed homes in well-established neighborhoods. To date, five homes have been completed and sold. The income from the sale of the homes is used to construct additional infill homes. The program continues to enhance the economic stability and viability of our community.

- **Neighborhood Stabilization Program** – In order to combat the downturn of existing neighborhoods due to foreclosure and abandonment, the City accepted funding through the Neighborhood Stabilization Program from the Texas Department of Housing and Community Affairs (TDHCA). The Program was established by the Housing and Economic Recovery Act (HERA) of 2008. During the past six months the City has acquired 11 foreclosed homes. Following rehabilitation, properties will be sold to eligible homeowners who can receive up to \$30,000 in assistance to purchase their home. This is available to any eligible family whose income is 120% of median income or less. Households that earn 50% of median income or less are eligible for a 0% interest 30 year mortgage AND up to \$30,000 in assistance through the TDHCA.
- **Owner-Occupied Rehabilitation/Reconstruction Program** – The City of Odessa allocates CDBG and HOME funds to provide rehabilitation/reconstruction assistance to low-income homeowners in an effort to increase the number of low-income families living in decent affordable housing. This assistance creates neighborhood revitalization without the displacement of households. In the past five years, all the homes reconstructed through the program have been constructed to meet the visitability standard. Many of the rehabilitation requests also involve certain projects to make homes more accessible.
- **Emergency and Minor Repair Program** – The CDBG Housing Rehabilitation/Reconstruction Program can also assist with Minor Home Repairs as well as Emergency Repairs. Many of the emergency repairs involve construction of ADA compliant ramps to the doorway of homes, which increases visitability in housing.
- **Weatherization Program** – The Weatherization Program was established under the American Recovery and Reinvestment Act (ARRA) of 2009 for the purpose of weatherizing housing units for households that qualify. The TDHCA administers the ARRA Weatherization funds for the State of Texas.

Table 7 and **Table 8** show the breakdown of those assisted with these programs from 2005 through 2009, both by race/ethnicity and income category.

Table 7. Persons Assisted by CDBG Programs by Income and Race/Ethnicity, 2005-2009

Program: CDBG	No.	0-30%	31-50%	51-80%	Race/Ethnicity				
		Median	Median	Median	Anglo	African American	Hispanic	Asian	Other
Full Housing Rehab Program	21	7	10	4	0	8	13	0	0
Emergency/Minor Repair Program	23	10	9	4	2	13	8	0	0
Total	44	17	19	8	2	21	21	0	0

Source: City of Odessa, Consolidated Annual Performance and Evaluation Reports (CAPER) for 2005 - 2009

Table 8. Persons Assisted by HOME Programs by Income and Race/Ethnicity, 2005-2009

Program: HOME	No.	0-30%	31-50%	51-80%	Race/Ethnicity				
		Median	Median	Median	Anglo	African American	Hispanic	Asian	Other
Full Housing Rehab/Recon Program	20	6	10	3	0	7	13	0	0
Homebuyer Assistance Program	43	3	21	19	10	3	30	0	0
CHDO	22	2	9	11	4	1	17	0	0
Tenant Based Rental Assistance (05-08)	65	40	25	1	12	25	28	0	0
Infill (2009)	3	0	3	0	1	0	2	0	0
Total	153	51	68	34	27	36	90	0	0

Source: City of Odessa, CAPERS for 2005 - 2009

Human Service Activities are funded with the CDBG funds. The City of Odessa has been funding human service activities since 1990, and the City Council has allocated \$1,055,445 in CDBG funds for public service activities during the last six years. Funded past activities include the following:

- Senior Nutritional Services
- Mental Health Services
- Abused Children Services
- Daycare for Low Income Families
- Social Services Information Provider

These activities have been carried out by various local service agency providers. Each agency is monitored on an annual basis by the Community Development Staff. A contract is required for compliance with CDBG and other federal regulations. Each agency is required to submit a monthly report which details financial and required National Objective information.

Over the years, these local agency “subrecipients” have been sound community investments for the City of Odessa’s Community Development Block Grant Program. These agencies have been selected to administer, promote and provide the necessary public services needed as identified in the Consolidated Plan on page 105. The Anti-Poverty Strategy on page 109 describes how some of these and other services are provided by local agencies to combat poverty in Odessa.

Public Facilities and Infrastructure Improvements are carried out in the CDBG target area. These include public building improvements, parks, streets, sidewalks, infrastructure and drainage improvements. Since 2005, the City of Odessa has allocated \$63,815 in CDBG funds to revitalize low income neighborhoods, significantly improving the quality of life in these areas.

Demolition of Unsafe Structures are carried out in the CDBG target area, in efforts to eliminate slum and blight. Activities of the program include conducting asbestos surveys, abatement of asbestos, and demolition of vacant, unsafe commercial and residential structures. Since 2005, 528 residential structures and 16 commercial structures have been demolished. The City of Odessa has allocated \$1,428,565 in CDBG funds since 2005 to eliminate slum and blight in deteriorating neighborhoods, thus revitalizing the

neighborhood. As all the structures demolished must be vacant, the program does not lead to the displacement of any households.

Code Enforcement is carried out in the CDBG target area, in efforts to identify property violations of the city code and state health ordinance in deteriorated areas. The inspections and citations issued by Code Enforcement Officials tend to retain some control of the problem. Since 2005, a total of 32,042 Notices of Violation have been issued, concerning violations of zoning, health & safety, solid waste, and junked vehicles. The majority of the violations tend to concern zoning and health & safety. Over 7,000 inspections and Notices of Violation are conducted on average annually. Property owners' compliance with the Notices takes care of the majority of the problems, and occasionally when a Notice of Violation is not complied, Code Enforcement Officials will issue a work order, Judge's order, summons and/or administrative warrant to gain compliance. The City of Odessa has allocated \$1,222,329 in CDBG funds since 2005 to arrest the decline of the CDBG target area.

Economic Development activities are carried out city-wide. Technical assistance to new and established small businesses is a challenge that is being met by all Chambers of Commerce, M.A.N.O., University of Texas of the Permian Basin Small Business Center, Odessa College Business Incubator and the City of Odessa. The City Council has allocated \$160,377 in CDBG funds to the Main Street Odessa Façade Program since 2005. Main Street Odessa is a non-profit organization that administers the façade program which is designed to provide financial assistance to commercial property owners for exterior façade improvements. The purpose of the program is to improve the exterior appearance of the buildings in order to alleviate slum and blight. Main Street Odessa proposes to provide forgivable loans to two businesses each year within the designated slum and blight area. In addition, the City has partnered with Odessa College to train workers in green building techniques, and has received an Energy Efficiency and Conservation Block Grant (EECBG) administered through the U.S. Department of Energy in the amount of \$915,100. The funds will be used primarily to provide scholarships for the program.

The Odessa Housing Consortium

The members of the Odessa Housing Consortium (OHC) are the primary providers of affordable housing opportunities within the City of Odessa. Members of the OHC include the City of Odessa, Odessa Creative Housing Solutions Corporation, Odessa Housing Finance Corporation and Odessa Affordable Housing, Inc. Odessa Affordable Housing, Inc. is the City of Odessa's Community Housing Development Organization (CHDO). Through its requirements for the HOME Program, the City of Odessa sets aside 15% of the HOME entitlement for the CHDO. Together, these organizations design affordable homes, contract with local homebuilders, provide interim construction financing, monitor construction and market constructed homes.

The commencement of affordable housing construction with support from the City of Odessa began with the Hendley I Subdivision, a development of 52 units which was completed in 1998. Originally, there were many opponents to the project, who believed there would be difficulty selling government-constructed low-income housing. However, once the project was underway, it was clear that the homes did not appear to be the shoddy and poor quality low-income government housing that was expected. They were, in fact, high quality, attractive homes built to a high construction standard. Other cities began to seek advice from Odessa on how to carry out a low-income housing project so successfully.

As the success of Hendley I became evident, a series of various housing developments has since followed. The quality of the constructed homes continues to improve as the City is able to negotiate with their contracted builders to use top-of-the-line and alternative building materials, made possible by savings in other areas of construction. The City strives to construct new affordable housing in a variety of locations across the City to ensure that it is not concentrated, while also paying special attention to the City's Target Area. In 2008, the City built its first three infill homes as a part of the new Infill Housing Program. The object of this program is to build homes on available, non-tax producing lots throughout the City to revitalize once-thriving residential areas. Once the homes are constructed the City of Odessa is then able to assist qualified families with the purchase of these homes through the Homebuyer's Assistance Programs.

Table 9 shows the total number of households that have been assisted, from 1998 through 2009, through the Homebuyer's Assistance Programs, and also details the type of home purchased with the assistance. Since the beginning of the assistance programs, a total of 145 low-income households have been assisted with down payment and closing costs. The city projects assistance of another 40 households in the next five years (2010-2014).

While the current housing projects are a success, it should be noted that there are certain areas of the City where NIMBY attitudes concerning public housing still prevail. The City realizes this is a strongly-held position which is only going to change gradually, and the help of improved education on fair housing will help to increase awareness and understanding.

Table 9. Homes Purchased with assistance from Homebuyer's Assistance Program in Odessa, TX

Housing Development Name/Description	Year	Number of Units	Details
Hendley I	1998	53	City contractor, financed by OHFC
Martinez Addition	2001	13	City contractor, financed by OHFC
Dr. Richard Washington Sr. Addition	2004	6	City contractor, financed by OHFC
Various houses built by Partners	2001-2005	14	Built/financed by Partners in Odessa Housing Consortium
Oxy Estates	2006	12	City contractor, financed by OHFC
Scattered Sites	2006	5	City contractors, financed by OHFC
House on Jeter	2007	1	Individual Contractor financed & constructed
Houses on Wabash	2008	4	City contractor, financed by OHFC
Infill Housing	2008-2009	4	City contractors, financed by City
Hendley II	2009	7	City Contractor, financed by OHFC
Existing Houses in Scattered Sites	2003-2009	27	
	Total	146	

Source: City of Odessa Department of Community Development

The City works with two local financial institutions that provide the financing for eligible individuals in the City's Homebuyer's Assistance Programs for new or existing homes. The City has also recently begun working with two other banks, Chase and Wells Fargo, to provide the gap financing for families who will be purchasing foreclosed homes through the Neighborhood Stabilization Program (NSP). All participating lenders have made a commitment to affirmatively market the housing programs to low and moderate income families.

The Department of Community Development carries out the marketing activities to promote available housing constructed by the CHDO and the Homebuyer's Assistance Program. This affirmative marketing reaches out to the low income and minority citizens of the city. Below are several of the strategies the City uses in order to inform the public of housing developments:

1. Place notices on the Government Access Channel;
2. Place notices on the City of Odessa website;
3. Place advertisements in the local newspaper in English and Spanish;
4. Distribute brochures and other literature in both English and Spanish at local service agencies that assist low-income citizens;
5. Conduct television interviews in both English and Spanish announcing the availability of affordable housing;
6. Place ads on local television and radio stations in both English and Spanish;
7. Conduct a homebuyer fair at a central location in order to provide the public with information on the homebuyer programs available through the City.

Based on the history of the City's homebuyer program it is anticipated that 70 percent of all households receiving assistance to purchase a home will be a minority household.

Developmental Policies

The City of Odessa actively promotes Fair Housing to ensure that affordable units are available to all citizens. The current Planning and Zoning Commission Comprehensive Plan, adopted by the City Council on November 24, 1987 under Resolution No.87-R-87, is designed for long-range housing policy and land-use controls. Many policies in this plan are particularly applicable to developmental guidelines:

1. The neighborhood unit concept shall be followed in developing new or expanding areas for residential and non-residential land uses of industrial or heavy commercial use.
2. The local street system shall be a functional design of varying block lengths with minimum four-way intersections. Local streets shall be encouraged to intersect the major streets at intervals which minimize the interruption of through traffic flow by minor street traffic. Preferably, the secondary street shall collect and distribute the preponderance of traffic between the neighborhood and adjacent thoroughfares.
3. The design of the neighborhood shall encourage a variety of housing types with an average density not to exceed eight units per acre for overall residential use. Innovative subdivision approaches are encouraged to create a superior living environment.
4. The location of retail land shall be at major intersections and be based upon a potential service area. The quantity of land area shall be based upon an estimated population within the service area and a factor of .4 to .5 acres per one hundred persons. Retail uses shall be encouraged to locate in a shopping center setting rather than creating strip type centers.
5. The physical arrangement of streets and lots in a subdivision are the basic element about which the future environment will evolve; therefore, subdivisions are encouraged to be designed above minimum standards and be innovative and creative in their approach to creating building sites.
6. Review current signage standards and policies, identify levels of community acceptance for various types of signage, and develop appropriate changes for consideration as changes to the affected ordinances.
7. Current screening requirements will be reviewed and criteria developed which will improve compatibility between features in the urban area through the use of screening.
8. Buffers and transitions are recognized as methods to improve compatibility between differing land uses, and therefore, will be used whenever feasible as a planning tool in land use and zoning processes.
9. The importance of zoning as a tool for implementing the land use plan and for developing an urban area of compatible use indicates the need to carefully consider each zoning action and to maintain the appropriate ordinances in a manner to meet changing urban conditions.
10. To improve the compatibility of retail and commercial site development, those elements considered to be an integral part of the finished development and not currently set forth in the zoning or subdivision ordinance, will be further studied, and if found to be appropriate, specific policies or ordinances will be developed for consideration and adoption.
11. The City will continue to strive for a superior treatment and development of open spaces associated with municipal facilities, and will take appropriate action on a cooperative basis with Downtown property owners and associations in making positive changes in the area's environment.

12. The City recognizes the importance of landscape treatment with primarily plant materials as a means of softening and improving the visual quality of the environment, and therefore, desires to examine the merits of landscape standards for non-residential zoning districts.
13. Major thoroughfare right-of-way are a major part of the urban environment, and therefore appropriate methods should be designed and implemented to maintain a quality appearance along the City's major streets.
14. Feasibility to develop features at entry points to the City will be explored, and if determined to be desirable, methods will be developed to initiate a "gateway treatment" program.

Overall, the City of Odessa has few of the barriers that are normally considered to be exclusionary. The City of Odessa Planning and Zoning Department has been unable to carry out a new Comprehensive Plan due to budget restraints. However, the current plan is still an effective tool for emphasizing orderly and structured development within the City, and there are no zoning or planning barriers to the construction of affordable housing. The city allows small lots, and the minimum lot size for a single family detached dwelling is 5000 ft², and for a 2-family dwelling it is 6000 ft². There are also a variety of larger lot sizes permitted for single family detached dwellings, allowing for a wide range of development types. The City defines the term "family" for matters of occupancy as the following: No more than 4 unrelated people living in a house. Manufactured homes are not restricted to purely Mobile Home zoning areas, and are permitted in the General Residential zoning areas as well.

The building permits and fees issued by the Planning and Zoning and Building Inspection Departments were reviewed for the purposes of the AI, and were found to be largely standard and do not raise any significant concerns. The lists of these permits/fees are provided in the **Appendix**, items **B** and **C**.

Affordable Housing Development Incentives The City has provided incentives to promote the construction of affordable units. The City is aggressive in its pursuit of developing affordable housing and has been successful in establishing public/private partnerships, developing generous homebuyer assistance programs, utilizing tax foreclosed properties, waiving building permit fees and assisting in the development of Low-Income Housing Tax Credit apartment complexes.

The City has agreed to waive building permit fees for contractors who build affordable housing for the members of the Odessa Housing Consortium. In addition, with non-federal funds the City of Odessa has developed a "Workforce Housing Incentive Program" to stimulate the production and availability of housing accessible to the City's expanding workforce. By providing a financially based incentive program to builders and developers within the city limits, the City has encouraged the construction of homes in the price range or \$70,000 to \$170,000, development of new areas of the City, and the utilization of many of the vacant lots throughout the community. Homes built in the City's Target Area receive an additional incentive amount. Contractors have committed to build 215 homes in this price range and to date 144 homes have been completed and sold. The City has recently ceased the issuance of further contracts, but developers involved in the program have continued to build many more homes available to the workforce that were not contracted through the city. Thus, the program has spurred the development of a remarkable amount of new housing which has filled a great need for the City.

Furthermore, the City provided an incentive to encourage the development of an 8.8 acre tract of vacant land. Consequently, the Hendley II Subdivision is currently under construction and will provide 53 moderately priced "green" homes in Odessa. The City donated the land to the developer and provided

\$250,000 of non-federal funds to assist with the cost of installing infrastructure on the land. As a condition of receiving the incentives the development must contain at least 20 homes that could be made available to those households that earn 80% of median income or less. These homes will be unique for the public and the community. Green Eagle Development has combined architectural design and building science to create a home that is durable, healthy, energy efficient and friendly to the environment. The reduction in the use of natural resources and building material is better known in the building industry as “green” building. Twenty-five homes have been completed and sold with additional homes under construction. Another similar project on the West side of Odessa is under consideration and negotiations.

The City also encourages the construction of new multi-family units affordable to low-income households. The construction of new multi-family units in Odessa was minimal until 2001. With the implementation of the State’s Low-Income Housing Tax Credit Program and HUD’s Section 202 Program (to provide supportive housing for very low-income elderly persons) the City of Odessa has seen the construction of three (3) additional apartment complexes in the past five years which have added an additional 166 units to the City’s housing inventory. Based on the relatively new age of the complexes it is not anticipated that any units will be lost from the inventory of units available for the low to moderate-income households. The Community Development Department assisted in the acquisition of land for one of the complexes. CDBG funding was used to purchase the land for the first phase of Disciples Village, and HOME funds were used for the land for Disciples Village II. Stipulations of the HOME grant require the Community Development Department to monitor this development over the first twenty years of its operation. The two phases of the Key West Senior Village tax credit development were supported by the Odessa Housing Authority. The remainder of the developments were financed and constructed through independent companies. **Table 10** from the 2010-2014 Consolidated Plan, shows the new apartment complexes constructed in the past ten years, the type of funding used to construct them, and the number of units available to different income levels based on 50, 60 and 80 percent of area median income (AMI). An additional tax credit property, Sage Brush Village, is currently under construction and will add an additional 112 units.

Table 10. New Multi-family Units Constructed with State or Federal Assistance

Complex	Funding Type	Total No. of Units	< 50% AMI	< 60% AMI	< 80% AMI
Arbor Oaks	Tax Credit	120			120
Arbor Terrance	Tax Credit	120			120
Desert Haven	Section 202	40	40		
Disciples Village	Section 202	30	30		
Disciples Village II	Section 202	30	30		
Key West	Tax Credit	120	36	84	
Key West II	Tax Credit	36	4	32	
Sedona Springs	Tax Credit	100*	34	51	
Totals		596	174	167	240

* Sedona Springs has 15 units that rent at market rate

Source: 2010-2014 City of Odessa Consolidated Plan

Barriers to Affordable Housing Nevertheless, there are several issues that serve as barriers in developing affordable housing. These barriers include ever-increasing costs of construction and

rehabilitation, lack of contractors, increasing cost of residential lots, availability of residential lots and condition of available housing stock.

The current housing market has impacted the cost of developing affordable housing for the City and its non-profit housing partners with the current average new housing start price of \$171,090. Within the last few years there has been a significant increase in the cost of construction in all segments of the housing market. The cost per square foot for the construction of homes built by the City has increased from an average of \$41.34 per square foot in 2002 to \$75.00 per square foot in 2009, an increase of 81% in just seven years. Increases in the cost of materials, labor and contractor overhead have contributed to higher construction costs, as well as a shortage of homes. Additionally, contractors that typically performed work for the City or its non-profit housing partners now have the ability to charge higher costs because they recognize that they can work elsewhere. The City has taken steps to combat this issue by bidding packages of five or more projects in an effort to provide contractors more than one project in hopes of receiving benefits of economies of scale. The City has also made design changes to the homes it builds and has used alternative building materials to reduce costs.

The increased construction activity in Odessa has resulted in a demand for contractors at all levels of construction. The City has had difficulty in maintaining its current contractor pool and identifying new contractors to participate in the City's Rehabilitation/Reconstruction Program. Some contractors no longer perform work for the City because they are able to make more per square foot in the open market. The City has traditionally had difficulty in enticing contractors to take part in its programs.

The Community Development staff has started several initiatives to solicit more contractors, including the workforce housing incentive program, waving of build permit fees, easing insurance requirements and eliminating bond requirements, as well as exploring the possibility of assisting new contractors in paying their insurance premiums while they are working on a CDBG funded project.

The increase in the cost of residential lots has been driven up by the demand to secure suitable lots for the development of housing. Properties that were once available at a reasonable cost have in some cases doubled in price. The City and its local non-profit housing partners have been aggressive in identifying and purchasing lots and maintaining them in inventory for future affordable housing development.

Much of the development of affordable housing has been located in the City's Target Area and the majority of lots available for development are concentrated within this area. There are very few areas currently available for the development of housing subdivisions that do not require substantial investment of funds for infrastructure such as streets, utilities, curbs and gutters. Odessa, like many other communities in West Texas, has many vacant or unused drill sites located in primarily residential neighborhoods. The City obtained the release of three former drill sites from Occidental Petroleum for the construction of affordable housing. One site was designated strictly for the construction of CHDO homes.

The condition of the available housing stock is a critical issue in the City's Homebuyer Assistance Program. The City is able to provide eligible homebuyers with down payment and closing cost assistance through its programs. However, the difficulty has been in finding homes in relatively good condition. Many of the existing homes are older and many have some level of deterioration. The objective of the

homebuyer program is to assist potential homebuyers to purchase a good quality home to start with; consequently the City has established minimum property standards and requires that any deficiencies be corrected prior to closing. Homebuyers are urged to consider quality, condition and the cost of repairs when looking for a home.

In order to combat the deteriorating state of many of the homes available for purchase by eligible homebuyers, the City has recently received funding for the Neighborhood Stabilization Program (NSP), established through the Housing and Economic Recovery Act (HERA) of 2008. It was developed as a component of the Community Development Block Grant (CDBG) for the purpose of stabilizing communities that have suffered from foreclosures and abandonment. Through this program, the City purchases foreclosed and abandoned homes and then rehabilitates them to ensure they meet stringent property standards. Following rehabilitation, properties will be sold to eligible homeowners who can receive up to \$30,000 in assistance to purchase their home. This is available to any eligible family whose income is 120% of median income or less. Households that earn 50% of median income or less are eligible for a 0% interest 30 year mortgage AND up to \$30,000 in assistance through the Texas Department of Housing & Community Affairs.

Public Transportation

Metropolitan Planning Organization

Public transit planning and implementation assistance is provided by the Midland-Odessa Transportation Organization (MOTOR), which acts as the Metropolitan Planning Organization (MPO) for Midland and Odessa. Federal regulations require the designation of an MPO to carry out a coordinated, continuing and comprehensive transportation planning process for urbanized areas with a population of more than 50,000. MOTOR annually establishes project priorities for consideration by the Texas Department of Transportation (TxDOT) when programming transportation funds. The MPO is also responsible for planning all aspects of the transportation system, including roads, bicycle and pedestrian facilities, public transit and the airport.

In November 2009, MOTOR approved their 2010-2035 Metropolitan Transportation Plan (MTP). Highlights from this plan concerning public transit and accessibility include:

- In the regional survey which MOTOR conducted during the MTP development process, 86 percent of the respondents disclosed that they drove alone at least once a day, affirming that the automobile is still the dominant form of system transportation in the region. As such, the majority of transportation funding is focused on roadway improvements, while urban and rural transit service is expected to remain at current service levels. This means that EZ-Rider, the public transit system, will be somewhat limited in its ability to offer attractive and convenient services.
- Nevertheless, a general consensus from stakeholder involvement indicated that people were interested in improving public transportation, and the preferred scenario and vision plan emphasizes a change in past development patterns and features more compact, mixed-use development in the region along major corridors and in between Midland and Odessa, as well as in the downtown areas. As such, new development will feature more “people-oriented” design, a mix of housing and employment types, and increased density of land uses and population that will enable the region to be more conducive to public transportation.
- The MTP emphasizes that one of the primary goals of any public transit system is to ensure that as many segments of the population as possible have access to reliable transportation and community opportunities.
- Recognizing the importance of the transportation of our nation’s elderly and disabled population, the Federal Transit Administration (FTA) provided formula-based funding to states to assist private non-profit organizations in meeting the transportation needs of our senior and physically disabled citizens. In the Midland-Odessa region, West Texas Opportunities, Inc, (WTO) has been designated by the state as the prime service provider.
- An often-repeated message that was heard throughout the plan’s public outreach process was the need for an intercity bus route. In response to this need, the MPO commissioned a feasibility

study to determine whether such a service was viable. The study concluded that a route is, in fact, feasible. MOTOR will consider submitting a proposal for this intercity service through TxDOT's annual coordinated call for transit projects.

- The plan mentions that transit service is most effective in a setting where land development patterns are mixed-use, compact, and densely populated, and points out that the cities of Midland and Odessa have shown an increased level of support for the land use design standards, policies and principles which promote more pedestrian- and transit-friendly developments. However, the plan also notes that that support needs to be followed by appropriate action to ensure that transit-supportive land use policies and standards are made.
- As funding for public transit is minimal, the EZ-Rider system was fortunate to receive nearly \$4 million of stimulus funds from ARRA, which were allocated to various projects, including passenger benches and shelters, paratransit vans, 30' low-floor buses, and scheduling and farebox software and hardware. In the event that additional funding becomes available, EZ Rider has developed an even longer list of some \$23.8 million worth of additional projects that go beyond routine operations.
- The Plan also contains two projects for the City of Odessa to improve the aesthetics of the street network in downtown with bicycle and pedestrian amenities as well as connecting major city destinations with a bicycle path. Funding for these projects are predicated upon the assumption that they will be favorably reviewed by the Texas Transportation Commission.

EZ-Rider Public Transportation System

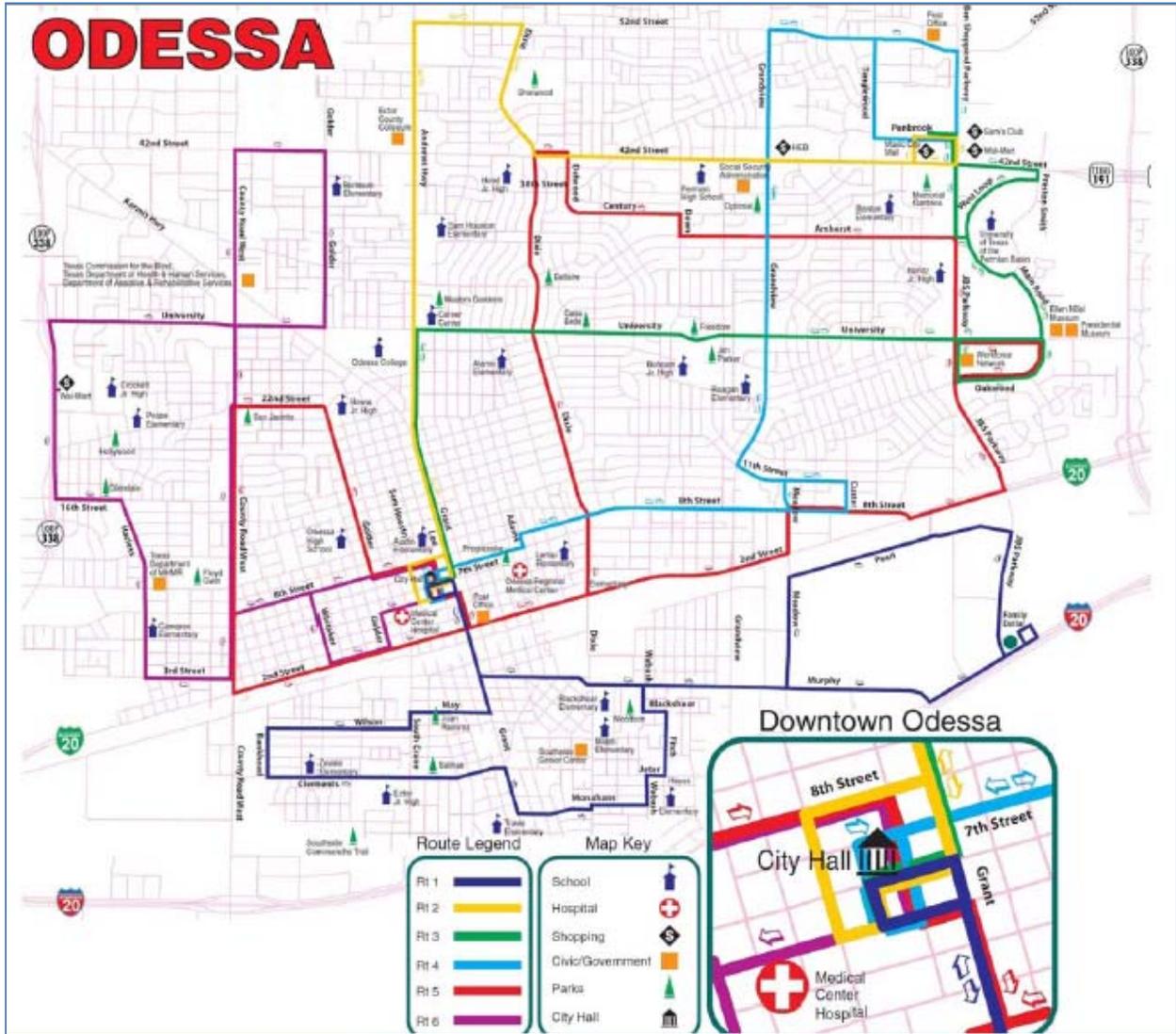
The Midland-Odessa Urban Transit District established the EZ-Rider public transportation system in October 2002 due to surveys conducted showing transportation as a high priority need in the community.

The bus routes map is shown below in **Map 4**. The routes provide connections between job training and housing in the City's Target Area. The Permian Basin Workforce Development Board and the Local Workforce Network consolidated all of the local workforce programs into a one-stop center concept which includes recruiting, WorkinTexas.com, training, retention, Labor Market Information Data, and incentives for employers. Job search services include preparation, placement, transportation, childcare and many other services. As can be seen on the map, there are two separate bus routes that stop right at the corner next to the Workforce Network.

In addition, Odessa College provides training in GED preparation, adult basic education, English for speakers of other languages and a Workforce Training Program. There are four bus routes that pass by Odessa College, making it an easily accessible.

The routes are then well distributed throughout the rest of the City and the City's Target Area to areas of employment, services, education and shopping.

Map 4. EZ-Rider Bus Routes, Odessa, TX



Source: EZ Rider Website: <http://www.ez-rider.org/odessamap.html>, accessed 8/5/10

Public Housing Authority

The policies and procedures of the City of Odessa Housing Authority (OHA) were reviewed as a part of the 2010 AI. The OHA currently owns and maintains 473 rental units and administers 1,043 Section 8 vouchers for residents in the City of Odessa. **Table 11** presents the developments and numbers of units or vouchers operated and/or administered by the OHA, in addition to the number of bedrooms per unit, and the number of families/individuals currently on the waiting list for each development or voucher program.

Table 11. OHA-Provided Housing, Odessa, July 2010

Property Name/Type of HUD Program	Total No. of Units	1 Bdrm Units	2 Bdrm Units	3 Bdrm Units	4 Bdrm Units	Accessible Units	Waiting List
Landmark Apartments (elderly/disabled)	108	104	4	0	0	4	29
Section 8 New Construction Program							
La Promesa Apartments (multifamily)	136	0	64	72	0	8	15
Section 8 New Construction Program							
Third Edition Apartments (multifamily)	73	20	30	20	3	4	143
Low Rent Program							
Total Units	317						
Section 8 Vouchers	<u>1043</u>	na	na	na	na	na	785
Total Rental Subsidized Units/Vouchers	1360	124	98	92	3	16	972

Source: Odessa Housing Authority, 2010

In addition to the apartments listed above, the OHA, along with the Odessa Senior Housing Partnership Limited and Odessa Senior Housing Partnership II, Limited, has recently completed the final construction of Key West Senior Village as a tax credit project. The development has a total of 156 units which are available to seniors and disabled individuals with an income of 60 percent or less than the area median income. The residents pay rent on a sliding scale, based on 30 percent of their income. The development also accepts Section 8 Housing Choice vouchers. While the construction was supported by the OHA, the OHA does not operate the facility.

Table 12 shows a breakdown of the tenants of OHA operated housing and Section 8 voucher holders by ethnicity/race.

Table 12. OHA Occupancy by Race/Ethnicity Status, July 2010

Housing Program	Allocated	Actual # on Program	White	African-American	Hispanic	Asian
Housing Choice Vouchers	1043	810	187	198	424	1
Landmark Apartments	108	107	27	13	67	0
La Promesa Apartments	136	131	11	31	89	0
Third Edition Apartments	<u>73</u>	<u>71</u>	8	10	53	0
Total	1360	1119	233	252	633	1
Percentage			21%	23%	57%	0.02%

Source: Odessa Housing Authority, 2010

A review of policies and an interview with OHA Staff revealed the following:

- As of January 1, 2010, the OHA eliminated their local preferences, and thus no preferences are given to those seeking vouchers or apartment units. However, the Housing Authority does still follow the regulations set forth by the Violence Against Women Act (VOWA), which grants preference to families with a member who have been a victim of domestic abuse, as long as that member can provide the required documentation to verify their situation.
- Individuals are given 60 days to secure a unit with a voucher. Extensions of up to 120 extra days are only given if the individual has a medical reason for which they can provide verification.
- In 2008, apartment rental rates in the City rose dramatically, which has made it harder for individuals to find apartments and landlords willing to rent to them. Every October 1, HUD sets the Fair Market Rents, which are used to determine payment standard amounts for the Housing Choice Voucher program. While HUD increased the rents in 2009, the local rates are still high enough as to continue to cause difficulty. As noted in the housing market section, the average rent in the City in 2008 was \$617.¹ **Table 13**, below, lists the fair market rents set by HUD for 2005 through 2010 in Ector County, for studio and up to 4-bedroom apartments.

Table 13. HUD Fair Market Rents, Ector County, 2005-2010

	FMR 0	FMR 1	FMR 2	FMR 3	FMR 4
2010	530	562	736	1061	1232
2009	506	536	703	1013	1177
2008	396	420	550	793	921
2007	364	386	506	729	847
2006	486	350	371	700	814
2005	352	380	501	730	811

Source: HUD Fair Market Rents, 2005-2010

- The waiting list for the voucher program is currently at 785, although it has been closed since August 2009 (1 year).
- Currently, 16 units in OHA's housing stock have accessibility modifications.
- Three Housing Apartment coordinators are currently on site at three public housing unit locations in the City. The coordinators are responsible for annual inspections, co-ordinate maintenance and identify public housing improvement needs. The success of on site management coordinators at the City's public housing units has enabled the Housing Authority to improve tenant access to management. Improvements in security and on site management have been made to curtail crime, drugs, graffiti, and gang related activities in these complexes.

¹ US Census Data for 2007 and 2008

- The OHA conducts monthly on-site Resident Council Meetings at each public housing complex where speakers from various organizations provide information concerning educational programs, awareness programs, Neighborhood Watch Programs, parenting, life skills classes and employment programs. The Monthly Resident Council meetings with management, residents and speakers encourage residents to become self-sufficient.
- Recently the housing authority has taken steps to improve the success of its Section 8 Homebuyer Assistance Program by training staff to be homebuyer counselors and by working closely with Odessa Creative Housing Solutions. Through the Section 8 Homeowner Initiative the Odessa Housing Authority will identify clients with a desire to become homeowners and have the greatest potential to succeed.
- The Capital Fund allocation for FY 2010 will be utilized to make improvements to the Odessa Housing Authority's public housing units. Repairs and/or replacement of roofs will be conducted at four sites, and will also include the repair/replacement of bathroom vanities, sinks, faucets and cabinets. The remainder of the allocation will fund new refrigerators in 73 units.

Coordination Between Public and Private Housing and Social Service Agencies

Affordable Housing The Odessa Housing Consortium has established coordination among the City of Odessa, the Odessa Housing Authority, the Odessa Housing Finance Corporation, Odessa Affordable Housing, Inc., and Odessa Creative Housing Solutions, local financial institutions, general contractors and subcontractors to reduce the degree of duplication of services through continued communication within these agencies, as well as develop a strong relationship to further provide and expand affordable housing programs in Odessa.

The City has concentrated its efforts to provide affordable housing utilizing CDBG, HOME, HERA and ARRA Program funds through various programs such as Housing Rehabilitation/Reconstruction, Weatherization, the development of new single family housing through the Hendley Subdivision, the Martinez Addition and the Dr. Richard W. Washington, Sr. Addition, the Infill Construction Program, Homeownership Assistance Programs, the Neighborhood Stabilization Program as well as the City's Community Development Housing Organization (CHDO). The City has been able to leverage federal funds with other sources of funding to meet the needs in the community by working with other organizations. The Odessa Housing Finance Corporation, Odessa Affordable Housing, Inc., Odessa Housing Authority, and Odessa Creative Housing Solutions Corporation are important partners in the City's Homeownership Assistance Programs by providing a number of services to prospective homebuyers. The local lending institutions also participate in addressing the need for affordable housing by providing mortgage financing for the purchase of homes. The Odessa Housing Authority administers Section 8 Housing Choice Vouchers, Section 8 New Construction, and Public Housing Assistance Funds. These funds are utilized to provide subsidized rental assistance to low income persons throughout the City.

Social Services Traditionally, the City has allocated CDBG funding to assist social service agencies to provide services throughout the community. This funding has been utilized for nutritional programs, vocational services for mentally disabled citizens, literacy programs, childcare services, counseling services as well as battered women and children's services. The City is meeting the Consolidated Plan goals by providing this funding as well as the social service agencies leveraging funds through other sources in order to meet the human service needs of our community.

Public Housing Coordination between the City of Odessa and the Odessa Housing Authority is extensive. The City of Odessa has partnered with the Odessa Housing Authority on a variety of informational and educational projects including homebuyer assistance, public hearings for both the City and the Housing Authority, Section 8 homebuyer seminars, fair housing promotion, homebuyer education and an informational booth at the Permian Basin Fair.

City Policies

Property Tax Policies

The Ector County Appraisal District uses an annual reappraisal cycle, and state law requires appraisal districts to appraise all taxable property based on its market value as of January 1st each year. For residential property, market value is primarily determined by sales prices of comparable homes.¹

Exemptions available to the residents of Odessa include the following:

- **Homestead Exemption** The general homestead exemption is provided by state law for owner-occupied residential properties. The exemption deducts a portion of the value from taxation, which reduces the tax liability on the principal residence. In order to qualify for this exemption, residents must have owned and occupied the property as of January 1st of that tax year. This property must also be their principal residence and they may not claim another homestead on other property. State law allows residents to claim that portion of their land that they maintain for residential purposes, but this amount may not exceed 20 acres.
- **Over 65 exemption** For residents 65 or older, their residential homestead exemption will qualify for additional exemption deductions. They will also receive a tax ceiling which limits the amount of school taxes.
- **Disability Exemption** A person with a disability may qualify for exemptions if (1) they cannot engage in gainful work because of physical or mental disability or (2) they are 55 years old and blind and cannot engage in their previous work because of blindness.
- **Surviving Spouse** Residents who are 55 years or older may continue to receive the same exemption benefits that their spouse received. If a homeowner who has been receiving the tax ceiling on school taxes dies, the ceiling transfers to the surviving spouse, if the survivor is 55 or older and has ownership in the home.
- **Disabled Veteran Deduction** Residents may qualify for a property tax deduction if they are either (1) a veteran who was disabled while serving with the U.S. armed forces or (2) the surviving spouse or child (under 18 years of age or unmarried) of a disabled veteran.

In addition, appraisal caps were established in Texas by the Legislature to help reduce property tax liabilities for homeowners during times of significantly rising property sales prices. This puts a limit on the maximum “appraised value” of a residence homestead for ad valorem tax purposes in a tax year. The limitation amount is the lesser of the most recent market value of the residence homestead or a 10 percent increase of the appraised value for the preceding tax year. In Ector County, because of a greater demand for housing than the supply could sustain, the sale prices spiraled for the previous five years with double-digit percent increases for several years in a row. Many properties doubled in market value.

¹ Ector County Appraisal District, <http://www.ectorcad.org/>, accessed 7/29/10.

Federal Housing Finance Agency data shows that 2006 saw 20% increases in the Housing Price Index (HPI), the highest values the area has ever seen. In 2008 they began to decline significantly, and they reached their lowest value (since 1987) in the first quarter of 2010, at a decrease of 5.47%. According to Karen McCord, the Chief Appraiser for Ector County, “The 2010 market values have pretty much stabilized and most property owners will not see an increase in “market value” this year. However, the “appraised value” which has been limited to 10 percent increases will continue to increase until it catches up with current market values.”¹ The effect of the cap has been to essentially slow down the rate at which the assessed value increases, working almost like delayed payments. Without the cap, many homeowners’ only option may have been to lose their homes due to inability to pay the increased taxes.

At the same time as housing market values were increasing, the City Council was decreasing property tax rates. Since 2003, the City Council has decreased the rates each year, cutting them from 68.9 cents per \$100 home valuation to 52.28. Thus, as homeowners’ property taxes continue to increase each year due to the appraisal value catching up with current market values, they will also be paying at a lesser rate.

Business Incentives

The City of Odessa created the “South Enterprise Zone” which provides tax incentives for businesses located in economically depressed areas. Under the South Enterprise Zone Program, businesses are eligible to receive tax abatements if certain conditions are met. If abatements are received a minimum of 25% of the jobs created as a result of the abatements must be reserved for low-income persons.

The City of Odessa also established the Odessa Development Corporation (ODC) to use as a tool in attracting new businesses to Odessa. The programs offered through ODC include low interest loans, grants and deferred loans for business development. ODC conditions for assistance also include a requirement that they reserve a minimum of 25% of the jobs created for low-income persons.

Building Codes

In Texas, for commercial projects, handicap accessibility items are required to be reviewed and inspected by a State approved reviewer and State inspector from the Texas Department of Licensing and Registration (TDLR) for projects valued at \$50,000 or more. They must meet the Texas Accessibility Standards (TAS). The TAS are as stringent (in some instances more stringent) as the American Disabilities Act Accessibility Guidelines and have been deemed equivalent to the ADAAG by the United States Department of Justice.

Projects with a construction value of less than \$50,000 are still required to meet all State Requirements and the requirements of the International Building Code (IBC) as adopted by the State of Texas. Odessa has currently adopted the 2006 IBC.

Residential projects of four units or less are exempt from these requirements. However, all homes reconstructed through the Rehabilitation/Reconstruction program of the City are constructed to be ADA compliant, in addition to following strict ENERGY STAR standards, set by the Texas Star Builders

¹ McCord, Karen. (2010 May 2) “Here’s the Downside of Appraisal Caps.” *Odessa American*.

program. Furthermore, all homes constructed with CDBG and HOME funds follow HUD's requirements for accessibility. In addition, the homes built through the Infill program are ENERGY STAR qualified.

Boards and Commissions

The Mayor and City Council make all the appointments to the Boards and Commissions. Citizens interested in being appointed are encouraged to fill out an application, available on the City's website, or from the City Secretary's office at City Hall. The qualifications required to serve on a particular board or commission are determined by ordinance or State statute. Many of the boards do not have specific eligibility requirements beyond residency. Board and commission terms are two-years, with the opportunity to serve additional terms. Boards available to join regarding community planning and zoning are detailed in **Table 14:**

Table 14. Descriptions and Membership Requirements of Boards and Commissions related to Housing in Odessa

Board of Survey*	The board determines what action should be taken regarding buildings which the building official has classified as not meeting safety standards or which owners have refused or failed to remove or repair.
	The Board consists of five members appointed by the City Council and two alternate members appointed by the Mayor.
Building Board of Appeals	The board hears and decides appeals or orders, decisions or determinations made by the Building Official relative to the applications and interpretations of the building code, and City Ordinances. They may affirm, reverse or modify a decision of the buliding official.
	The board consists of seven members with two alternate members appointed by the City Council. The Board requires the members to represent the following professions: Architect, Engineer, Builder of building construction (5+ years), Plumber, Electrical Contractor, Mechanical Contractor (10+ yrs w/ 5 yrs of charge of work), Citizen, and one alternate must have Fire experience of 10+ yrs.
Community Development Advisory Committee	The committee holds public hearings, assesses needs, evaluates and makes recommendations to the City Council regarding proposals of outside public service non-profit agencies requesting allocation of CDBG funds.
	The committee consists of five members who are directly appointed by the City Council representatives.
Housing Authority of the City of Odessa	The board administers programs that provide safe, sanitary and decent housing for low and moderate income families.
	The Authority consists of five members appointed by the Mayor. Members must be residents of the City of Odessa.
Midland Odessa Urban Transit District Board*	The Board is the official governing agency of EZ RIDER, and approves the budget, routes, fares, schedules, policies and procedures, new services, etc.
	The Transit Board is comprised of six individuals from both cities, appointed by their respective City Councils.
Odessa Housing Finance Corporation Board*	The corporation provides financing for the cost of residential ownership and development of affordable housing to provide decent, safe and sanitary housing for residents of the City.
	The Board consists of six members appointed by the City Council members who must be residents of the City of Odessa, and two members must be of low-income.
Planning and Zoning Commission*	The commission makes recommendations to the City Council regarding planning and zoning matters, approves plans, plats, and re-plats. They recommend a comprehensive plan for the physical development of the City.
	The Commission is composed of seven members appointed by the City Council, and all members must be real property taxpayers.
Zoning Board of Adjustment*	The Board hears and decides appeals, special exceptions and authorizes upon appeal in special cases certain variances.
	The board consists of five members each appointed by the City Council and four alternates appointed by the Mayor.

*Board members are required to view a video on Open Government.

Source: City of Odessa City Secretary's Office, July 2010.

Table 15 shows the breakdown of the members of the various boards with regard to gender and race/ethnicity:

Table 15. Gender and Race/Ethnicity of Boards and Commissions related to Housing in Odessa, TX

Board/Commission	Male	Female	White	African American	Other	Hispanic/ Latino
Board of Survey	4	3	5	0	0	2
Building Board of Appeals	8	0	7	0	0	1
Community Development Advisory Committee	3	2	3	1	0	1
Housing Authority of the City of Odessa	3	2	2	1	0	2
Midland Odessa Urban Transit District Board	4	2	3	1	0	2
Odessa Housing Finance Corporation Board	5	1	6	0	0	0
Planning and Zoning Commission	7	0	6	0	0	1
Zoning Board of Adjustment	5	4	7	0	0	2

Source: City of Odessa City Secretary's Office and Directors of Individual Boards

It appears that only two boards consist of only males, and one consists of all White persons. The Building Board of Appeals, which is all male, has the most strict requirements for membership, requiring representatives from the various building professions to be present on the board, which may limit its ability to have more female membership. The “other” category of race is not represented by any board, leaving out Asians, Native Americans, and any others. However, these categories are also not well represented in the City’s total population.

Identification of Impediments in the Private Sector

Compliance Data Analysis

This section contains an analysis of home loan and community reinvestment data. Community Reinvestment Act (CRA) ratings and Home Mortgage Disclosure Act (HMDA) data are commonly used in AIs to examine fair lending practices within a jurisdiction. Fair housing complaint data are important to pinpoint the types of discrimination that are most prevalent and detect improvements or deterioration in fair housing conditions. Used in conjunction, these data sets can identify and then diagnose the reasons for potential or existing housing discrimination. Each data set is reviewed in turn below.

The Federal Financial Institutions Examination Council (FFIEC) is responsible to facilitate public access to data that depository institutions must disclose under the Home Mortgage Disclosure Act of 1975 (HMDA) and the aggregation of annual HMDA data, by census tract, for each metropolitan statistical area (MSA).

CRA compliance. The CRA is federal legislation requiring 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 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 include: Substantial Noncompliance in meeting credit needs, In Need of Improvements, Satisfactory, to an Outstanding Record of meeting community needs. Evaluations are recorded for those institutions whose physical headquarters are in the selected City or State. Odessa has four banks evaluated. Security Bank was most recently evaluated in 2009, West Texas State Bank in 2008, Western National Bank in 2005 and Southwest Bank in 2004, and all received a rating of Satisfactory. It is a positive sign that none of the financial institutions were found to be in need of improvement or substantially noncompliant with the CRA.

HMDA data analysis. HMDA data consists of information about mortgage loan applications for financial institutions, savings and loans, savings banks, credit unions and some mortgage companies. Specifically, 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. 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 be useful in identifying areas of potential concern that may warrant further investigations, such as detecting if applicants of a certain gender, race or ethnicity are rejected at higher rates than applicants with other characteristics.

Loan applications and actions taken. The most recent HMDA data are for the 2008 calendar year. HMDA data from the Odessa, TX Metropolitan Statistical Area (MSA) is used for this analysis, which consists of the City of Odessa and surrounding Ector County. During 2008, a total of 4,877 loan applications were made for owner-occupied homes. Of these, 794 were made for FHA, FSA/RHS, and VA (Government guaranteed) home purchase loans, 1,412 for conventional home-purchase loans, 1,694 for refinances and 977 were for home improvements.

Table 16 shows the percentage of loan applications for each type of loan by race. Overall Whites submitted more loan applications for all types of loans. The exhibit also provides a column comparing the 2006-2008 American Community Survey distribution by race for Ector County. The comparison shows the percentage of Hispanic or Latino applicants was smaller (38.1 percent were Hispanic or Latino) than the percentage of the population that is Hispanic or Latino (49.5 percent).

Table 16. Loan Applications Received by Loan Type and Race, Ector County, 2008

Race/Ethnicity	Government Guaranteed Home Purchase	Conventional Home Purchase	Refinance	Home Improvement	Total Loans	2008 Percent of Population
American Indian/Alaskan Native	0.7%	1.9%	4.7%	5.6%	3.4%	0.6%
Asian	0.3%	1.5%	0.8%	4.0%	0.8%	0.7%
Black/African American	1.4%	1.6%	2.0%	3.8%	2.1%	2.8%
Native Hawaiian/Other Pacific Islander	0.0%	0.5%	0.3%	0.1%	0.3%	0.1%
White	96.3%	94.3%	90.7%	88.6%	92.3%	81.6%
Two or more races	1.3%	0.2%	1.5%	1.5%	1.1%	4.4%
Total*	709	1218	1434	798	4159	116,500
Not provided/not applicable	10.7%	13.7%	15.3%	18.3%	14.7%	
Total records	794	1412	1694	977	4877	129,267
Hispanic/Latino	39.9%	34.3%	37.0%	43.9%	38.1%	49.5%

*The total does not include the "other" Census population category and the HMDA categories "not provided" and "not applicable." It does not include any multifamily properties or non-occupants and loans purchased by the institution. Refinance and home improvement loan applications include both government guaranteed and conventional loans.

Table 17 displays total owner-occupied loan applications during 2008 by loan type, loan purpose and action taken on the loan.

Of the potential actions that could be taken on a loan:

- “Loan originated” indicates that the application was approved and the applicant accepted the loan;
- “Approved, not accepted” means that the application was approved, but the applicant chose not to accept the loan;
- “Denied” signifies that the application was not approved;
- “Withdrawn” indicates that the applicant chose not to pursue the loan before an approval decision had been made; and
- “Determined incomplete” means that the application was incomplete and the loan was not evaluated.

Table 17. Loan Applications Received, by Loan Type and Action Taken, Ector County, 2008

	Government Guaranteed Home Purchase	Conventional Home Purchase	Refinance	Home Improvement	Total Loans
Loan Originated	74%	57%	42%	30%	49%
Approved, not accepted	5%	9%	6%	6%	7%
Denied	13%	26%	36%	55%	33%
Withdrawn	6%	5%	13%	8%	8%
Determined incomplete	<u>2%</u>	<u>2%</u>	<u>4%</u>	<u>3%</u>	<u>3%</u>
Total loan applications	794	1412	1694	977	4877

Note: Does not include any multifamily or non-occupants and loans purchased by the institution.

Source: FFIEC HMDA Raw Data 2008

About three fourths of the applications for government guaranteed home purchase loans (74 percent) were originated and 13 percent of these applications were denied. Conventional home purchase loans had a lower origination rate of 57 percent with a high 26 percent denial rate. The success is lower for other types of loans, with refinance loans originated 42 percent of the time and home improvement loans originated 30 percent of the time. Higher origination rates for government guaranteed loans are typical, since these loans provide more flexible underwriting standards.

Denial rates by race and income. **Table 18** presents denial rates by race and ethnicity, categorized by income level and loan type, for Ector County. It is important to note that for the racial minority groups, the numbers of loan applications were relatively small. As such, caution should be used in interpreting data about groups. For government guaranteed home purchase loans, the denial rate was 13 percent for all loan applications. There were too few applications for each racial and ethnic group to provide a good comparison.

A better picture is provided by analysis of conventional loan denial rates for Whites and Hispanic/Latinos during 2008 because there are slightly more applications for these racial and ethnic groups. However, the amount of data for the remaining race categories was still relatively low. Among Hispanic/Latino

applicants denial rates were 39 percent for low-income applicants and 37 percent for moderate and above income applicants. Low-income White applicants experienced a similar denial rate of 38 percent and moderate- and higher-income applicants had a lower denial rate of 23 percent.

Refinances and home improvement applications also had a relatively small number of minority applicants. Low-income refinance applicants had an overall denial rate of 52 percent, while moderate and above income applicants had a denial rate of 33percent. Home improvement loan applicants have a much higher denial rate (approximately 55%) for all income categories compared to the other types of loans. However, home improvement loans often have higher denial rates than mortgages, because people typically add the home improvement loan on to their mortgage, which adds to the debt burden captured by the household. In addition, the improvements may not increase the value of the home proportionately with the value of the loan.

Table 18. Mortgage Loan Denial Rates by Race/Ethnicity and Income, Ector County, 2008

Race/Ethnicity	Government-Guaranteed Home Purchases			Conventional 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*	0%	0%	0%	33%	25%	26%
Asian*	0%	0%	0%	0%	24%	0%
Black/African American*	33%	0%	10%	40%	7%	16%
Native Hawaiian/Other Pacific Islander*	0%	0%	0%	0%	50%	0%
White	16%	12%	13%	38%	23%	26%
Two or more races*	0%	0%	0%	0%	0%	0%
Total	18%	12%	13%	38%	23%	26%
Hispanic/Latino	22%	13%	15%	39%	37%	38%
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*	44%	61%	57%	79%	48%	58%
Asian*	0%	36%	36%	0%	0%	0%
Black/African American*	69%	13%	39%	85%	65%	73%
Native Hawaiian/Other Pacific Islander*	0%	0%	0%	0%	100%	100%
White	51%	32%	35%	55%	50%	51%
Two or more races*	0%	50%	50%	0%	50%	50%
Total	52%	33%	36%	59%	53%	55%
Hispanic/Latino	53%	42%	44%	60%	53%	56%

Note: Does not include any multifamily or non-occupants.

*The numbers of loan applications of these groups are relatively small. As such, caution should be used in interpreting data about these groups.

Source: FFIEC HMDA Raw Data 2008

Denial rates by gender and income. HMDA data are also available by gender and income. **Table 19** shows the percent of loan denials for applicants by income, and by gender. The 2008 HUD Median Family Income (MFI) of \$47,000 was used when determining income categories. Therefore, an applicant who earns zero percent to 49 percent of the MFI earns less than \$24,250 and an applicant who earns 50 percent to 79 percent of the MFI earns between \$24,250 and \$38,799.

Table 19. Percent of Loan Denials by Gender and Income, All Loan Types, Ector County, 2008

	Total Loan Applications	Percent Denials
GENDER		
Male	1776	29%
Female	759	29%
Joint	1932	25%
Not Available	158	89%
INCOME		
0% to 49% of MFI	265	58%
50% to 79% of MFI	672	38%
80% to 99% of MFI	497	37%
100% to 119% of MFI	649	32%
120% of MFI +	<u>2671</u>	<u>29%</u>
Totals	4754	33%

Note: the 2008 HUD MFI (Median Family Income) equals \$47,000. The FFIEC uses the MFI for the Odessa MSA as reported by HUD.

Source: FFIEC HMDA Raw Data 2008

Among higher income applicants, the denial rate decreases significantly, as would be expected. Interestingly, males and females have similar denial rates, although males submit a larger number of applications. The 2008 denial rates listed above 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. **Table 20** shows the reasons for denials of 2008 loan applications by race, gender, and income for government insured, conventional home purchase loans, refinances and home improvement loans.

Table 20. Reasons for Denial of Loan Applications for All Home Purchase Loans by Race, Gender and Income, Ector County, 2008

	Debt-to- Income Ratio	Employment History	Credit History	Collateral	Insufficient Cash	Unverifiable Information	Credit Application Incomplete	Mortgage Insurance Denied	Other	Total Reasons Denied
Applications Denied	16%	2%	54%	7%	2%	3%	4%	0%	11%	1317
RACE/Ethnicity										
American Indian/Alaska Native	24%	0%	56%	8%	0%	0%	2%	0%	11%	63
Asian/Pacific Islander	13%	0%	38%	13%	0%	0%	13%	0%	25%	8
African American	9%	0%	69%	13%	0%	3%	3%	0%	3%	32
Native Hawaiian/Oth. Pacific Islander	0%	0%	25%	25%	25%	0%	0%	0%	25%	4
White	16%	2%	51%	10%	2%	4%	4%	0%	11%	982
Race not available	15%	1%	59%	7%	2%	2%	3%	1%	10%	248
Hispanic/Latino	17%	2%	53%	9%	2%	3%	3%	0%	11%	628
GENDER										
Male	13%	2%	54%	9%	3%	4%	4%	1%	11%	507
Female	17%	3%	60%	5%	2%	2%	4%	0%	7%	219
Joint	20%	1%	53%	14%	2%	5%	5%	0%	15%	420
Gender Not Available	14%	0%	63%	7%	1%	1%	2%	1%	11%	140
INCOME										
Less than 50% of MSA median	27%	5%	52%	4%	1%	3%	3%	1%	5%	143
50% to 79% of MSA median	23%	0%	55%	6%	3%	2%	3%	0%	8%	213
80% to 99% of MSA median	19%	3%	47%	11%	3%	3%	1%	1%	12%	159
100% to 119% of MSA median	13%	0%	59%	9%	0%	4%	6%	0%	9%	161
120% or more of MSA median	10%	1%	54%	12%	2%	3%	5%	0%	13%	654
Income not available	22%	6%	28%	0%	0%	11%	6%	0%	28%	18

Source: FFIEC HMDA Raw Data 2008.

As demonstrated by the table, poor credit history is the main reason for application denials across race, gender, loan type, and income categories. High debt-to-income ratio, lack of collateral, and “other” reasons for denial are also common. Unfortunately, details about the “other” category are not available.

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 loan to debt ratios play a large role in the decision to deny or approve a loan. Without individual data about the applications analyzed, it is difficult to assess the presence of discrimination by race, ethnicity, or gender. Disparities in approval rates between racial and ethnic groups or gender are not definitive proof of housing discrimination; rather, the presence of disparities suggests the need for further inquiry.

The data is also useful in determining what government sponsored programs might be needed to fill the gaps between what the private market is willing to provide and what is needed. Such programs might include the following:

- Loan application approval rates for home purchases are higher for government guaranteed loans. For borrowers with lower incomes, marginal credit and/or little cash for down payment, the availability of these loans can be key for obtaining home ownership. It is important that potential borrowers are educated about the availability of such loans. In addition, lenders should suggest government guaranteed loan options to applicants for whom conventional loans are not appropriate.
- Education about loan requirements and budgeting, commonly offered through first-time homebuyer classes, may assist potential applicants in understanding how to improve their probability of receiving a mortgage loan and mitigate the damaging impacts of poor credit history. Such classes should include a discussion about predatory lending, a major concern in many cities.
- Education about establishing and maintaining good credit may help young persons avoid credit problems that will hurt their chances of eventual home ownership. Credit counseling for those who already have debt problems is also important.

The City, through members of the Odessa Housing Consortium, now has the resources for intense credit counseling and homebuyer education. Homebuyer education is offered by Odessa Affordable Housing, Inc. and is a requirement of participation in the City’s Homebuyer’s Assistance Program. Odessa Affordable Housing, Inc, located at 3801 N. Dixie, is a HUD approved housing counseling agency which provides Homebuyer Education Programs, Credit Counseling, Foreclosure Prevention Counseling, and Individual Development Accounts. The one-on-one credit counseling allows the applicant to work with a personal counselor in order to correct their credit deficiencies. The down payment and closing cost assistance offered by the City has been the most beneficial service provided to low-income buyers. Many lack the thousands of dollars usually required to purchase a home. Fortunately, the City’s Homebuyer Program has helped dozens of families purchase the home of their dreams.

Foreclosures

The subprime mortgage crisis is an ongoing real estate and financial crisis triggered by a dramatic rise in mortgage delinquencies and foreclosures in the United States, with major adverse consequences for banks and financial markets around the globe. The immediate cause or trigger of the crisis was the bursting of the United States housing bubble which peaked in approximately 2005-2006. High default rates on subprime and adjustable rate mortgages (ARM) began to increase quickly thereafter. An increase in loan incentives such as easy initial terms and a long-term trend of rising housing prices had encouraged borrowers to assume difficult mortgages in the belief they would be able to quickly refinance at more favorable terms. However, once interest rates began to rise and housing prices started to drop moderately in 2006-2007 in many parts of the U.S., refinancing became more difficult. Defaults and foreclosure activity increased dramatically as easy initial terms expired, home prices failed to go up as anticipated, and ARM interest rates reset higher. Falling prices also resulted in homes worth less than the mortgage loan, providing a financial incentive for borrowers to enter foreclosure.

By August 2009, 14.4 percent of all US mortgages outstanding were either delinquent or in foreclosure. Foreclosures are concentrated in particular states both in terms of the number and rate of foreclosure filings. California is one of the states with the highest concentration of foreclosures. According to RealtyTrac, an online marketplace of foreclosure properties which collects and aggregates foreclosure data from more than 2,200 counties, by May 2010, California had 72,030 foreclosure properties and one in every 185 housing units was being foreclosed. Texas' statistics are moderate in comparison.¹ As of May 2010, the state had experienced 11,137 foreclosures, and has a rate of one in every 861 housing units being foreclosed. HUD has also started calculating data on foreclosures in order to identify areas that are at higher risk for foreclosures and abandoned homes so that governments can review these areas for targeting funds. It uses data from the Mortgage Bankers Association National Delinquency Survey to calculate foreclosure rates. Because this information is only available at the statewide level, HUD then uses a combination of data to estimate local rates, including the Federal Reserve Home Mortgage Disclosure Act on high cost loans, the Office of Federal Housing Enterprise Oversight Data on falling home prices, and the Bureau of Labor Statistics on place and county unemployment rates.² **Table 21**, below, shows the foreclosure rate (number of foreclosure starts per total mortgages) and high cost, or subprime, loan rate (total high cost loans per total loans) for the United States overall, the state of Texas, and a variety of Texas cities with populations ranging from 65,000 to 215,000. The City of Odessa's foreclosure rate of 5.5 and subprime loan rate of 45.2 are high in comparison to that of the overall United States, the State of Texas, and it is also on the high end compared to the selection of Texas cities.

¹ <http://www.realtytrac.com/trendcenter/>

² Neighborhood Stabilization Program- Revised 10-20-08, Methodology and Data Dictionary for HUD Provided Data

Table 21. Foreclosure Data for United States, Texas and Various Texas cities, July 2010

Place	No. Foreclosure Starts past 18 months	Total Mortgages	Foreclosure Rate	No. Subprime Loans	Total No. HMDA Loans	Subprime Loan Rate
United States	2,934,386	n/a	4.8%	7,233,998	n/a	11.8%
Texas	142,198	n/a	3.7%	485,558	n/a	12.5%
Brownsville	1,073	14,079	7.6%	3,279	6,345	51.7%
Killeen	481	7,682	6.3%	1,588	3,462	45.9%
Mesquite	1,402	23,624	5.9%	4,880	10,647	45.8%
Odessa	523	9,595	5.5%	1,956	4,324	45.2%
McAllen	851	15,442	5.5%	2,893	6,959	41.6%
Grand Prairie	1,525	28,662	5.3%	5,319	12,918	41.2%
Waco	484	10,239	4.7%	1,636	4,615	35.4%
Beaumont	555	12,911	4.3%	1,789	5,819	30.7%
San Angelo	323	8,412	3.8%	1,219	3,791	32.2%
Wichita Falls	384	10,413	3.7%	1,347	4,693	28.7%
Abilene	359	9,933	3.6%	1,354	4,477	30.2%
Lubbock	815	24,540	3.3%	3,133	11,060	28.3%
Longview	326	9,940	3.3%	1,264	4,480	28.2%
Midland	512	16,151	3.2%	2,168	7,279	29.8%
Denton	354	12,721	2.8%	1,363	5,733	23.8%
Tyler	349	12,491	2.8%	1,306	5,630	23.2%
Lewisville	474	18,362	2.6%	1,899	8,276	22.9%
Amarillo	644	25,587	2.5%	2,755	11,532	23.9%
Carrollton	734	30,530	2.4%	2,965	13,760	21.5%
Richardson	415	21,197	2.0%	1,756	9,553	18.4%
College Station	125	9,413	1.3%	492	4,242	11.6%

Source: HUD Neighborhood Stabilization Program Foreclosure Data, July 2010

No estimates are available to determine demographic information of the families undergoing foreclosures at the local level. **Table 22** below, shows the same Texas cities used in Table 21 with their subprime loan rates, and also highlights the percentage of the population of the cities that are Hispanic/Latino and Black/African American. From this table, it is apparent that cities with higher overall minority percentage rates also tend to have higher subprime loan rates, which may indicate a targeting of subprime lending in these areas.

Table 22. Subprime Loan Rate for Various Texas Cities with Percent Minority Population

Place	Subprime Loan Rate	Population	Percent Black/African American	Percent Hispanic/ Latino (of any race)
United States	11.8%	301,237,703	12%	15%
Texas	12.5%	23,845,989	11%	36%
Brownsville	51.7%	176,073	0%	92%
Killeen	45.9%	104,931	34%	23%
Mesquite	45.8%	140,330	19%	27%
Odessa	45.2%	96,987	3%	49%
McAllen	41.6%	123,732	1%	81%
Grand Prairie	41.2%	164,544	17%	40%
Waco	35.4%	116,126	23%	27%
San Angelo	32.2%	91,187	5%	37%
Beaumont	30.7%	112,216	47%	10%
Abilene	30.2%	114,067	9%	23%
Midland	29.8%	104,737	8%	35%
Wichita Falls	28.7%	101,767	13%	17%
Lubbock	28.3%	215,199	8%	31%
Longview	28.2%	78,232	23%	14%
Amarillo	23.9%	186,806	7%	27%
Denton	23.8%	107,422	10%	20%
Tyler	23.2%	90,695	26%	19%
Lewisville	22.9%	88,212	11%	24%
Carrollton	21.5%	119,123	8%	28%
Richardson	18.4%	102,188	7%	17%
College Station	11.6%	82,691	5%	13%

Source: HUD NSP Foreclosure Data 2010, 2006-2008 ACS Data

It has also been shown through a study conducted by N.Y.U.'s Furman Center for Real Estate and Urban Policy on foreclosures in New York City that home buyers in predominantly black and Hispanic neighborhoods were more likely to get their mortgages in 2006 from a subprime lender than home buyers in white neighborhoods with similar income levels.¹ In addition, George Washington University sociologist Gregory D. Squires has been looking at rates of subprime loans issued in about 350 U.S. metropolitan areas, and has found that when income and credit factors are held constant, subprime loans were more likely to be concentrated in areas with higher levels of racial segregation. He has said, "We see these loans heavily concentrated in poor neighborhoods and targeted to minority neighborhoods. There is some evidence that these neighborhoods were actually targeted -- that lenders have gone after people whom they think are less sophisticated borrowers, including single women and the elderly."² With such mounting evidence of discrimination in the issuance of subprime loans, it will be important to continue to record data so that local areas can be made aware of any trends that may be the result of discrimination and targeting by subprime lending institutions.

¹ Fernandez, Manny. (2007, October 15) "Study finds Disparities in Mortgages by Race." *The New York Times*. <http://www.nytimes.com/2007/10/15/nyregion/15subprime.html?ex=1350187200&en=a9978e04a9864642&ei=5088&partner=rssnyt&emc=rss>, accessed 7/9/10.

² Vedantam, Shankar. (2008, June 30) "Subprime Mortgages and Race: A Bit of Good News May Be Illusory." *The Washington Post*. <http://www.washingtonpost.com/wp-dyn/content/story/2008/06/29/ST2008062902089.html> accessed 7/9/10.

Through the Housing and Economic Recovery Act (HERA) of 2008, the Neighborhood Stabilization Program (NSP) was established as a component of the Community Development Block Grant (CDBG) for the purpose of stabilizing communities that have suffered from foreclosures and abandonment. It does this through the purchase and redevelopment of foreclosed and abandoned homes and residential properties. NSP provides grants to states, local governments, nonprofits and a consortium of nonprofit entities on a competitive basis. The City of Odessa received NSP funds in the amount of \$1,496,249.00 in 2008, a combination of allocation of funding from the direct pool, plus an additional grant request. Through the NSP, the City has purchased a total of eleven foreclosed homes. Bids will be accepted from local contractors to rehabilitate the properties creating additional jobs for the community. Following rehabilitation, properties will be sold to eligible homeowners who can receive up to \$30,000 in assistance to purchase their home. This is available to any eligible family whose income is 120% of median income or less. Households that earn 50% of median income or less are eligible for a 0% interest 30 year mortgage AND up to \$30,000 in assistance through the Texas Department of Housing & Community Affairs.

Identification of Impediments in Cross-Sector Areas

Fair Housing Enforcement

Citizens of Odessa who believe they have experienced discrimination may report their complaints to the following entities: HUD's Office of Fair Housing and Equal Opportunity (FHEO), the Texas Workforce Commission- Civil Rights Division, and the Odessa Housing Authority.

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

The State of Texas enacted the Texas Fair Housing Act in 1989. The State's Act was determined by HUD to be substantially equivalent. The City of Odessa also has a local fair housing ordinance (Ordinance 90-79) that provides substantially equivalent rights and remedies to those granted under the federal law. The Texas Workforce Commission, formally known as the Texas Commission of Human Rights, is the state FHAP agency.

HUD's process begins when an aggrieved person files a complaint within one year of the date of the alleged discriminatory housing or lending practice. The complaint can be submitted to HUD in writing, by a phone call, or through their online complaint form. If it is found that HUD has authority on the matter, then HUD will complete a formal complaint form, also known as a 903, and mail it to the complainant to sign. The complaint must contain the name and address of the complainant and respondent, address and description of the housing involved, and a concise statement of the facts, including the date of the occurrence and the complainant's affirmed signature. Upon filing, HUD is obligated to investigate, attempt conciliation, and resolve the case within 100 days. Resolution can be a dismissal, withdrawal, settlement or conciliation, or no determination as to cause.

The Texas Workforce Commission – Civil Rights Division also takes complaints, investigates the issues, and attempts to conciliate the dispute. The process that the Commission follows was patterned after the process that HUD established for fair housing complaints prior to transferring enforcement activities to substantially equivalent entitlement communities that have completed the training requirements to become a FHAP agency. In Texas, HUD is mandated to turn over all complaints to the FHAP and if federal money is involved the FHAP has the option to turn the case back over to HUD.

The City of Odessa's Public Housing Authority also receives and investigates fair housing complaints. The OHA provides all public housing residents with the "Fair Housing Discrimination Complaint" (Form HUD-903), at the time of their application process and form HUD-903 is available at all times, to both public housing residents and the general public who wish to obtain a form. The residents are instructed on the procedure of filing a "complaint." The Public Housing Authority currently has a "federal fair housing log," although it has not received any complaints in the past few years.

Informational Programs

The following programs are intended to increase awareness and understanding of fair housing laws and issues.

Real Estate Agents The Odessa Board of Realtors supports fair housing goals through the provision of mandatory annual fair housing training to all of their member realtors in Odessa. The Community Development Department remains in contact with the Odessa Board of Realtors to ensure input of any issues affecting fair housing.

Fair Housing Trainings When available, the staff of the Community Development Department will attend fair housing training. The most recent training on fair housing provided by HUD was in 2005 in Fort Worth, Texas and was attended by the Director and the Program Manager of the Community Development Department.

Fair Housing Marketing Marketing programs are on-going efforts to keep the community informed regarding available assistance to fair housing discrimination. Advertisements are published in the local newspaper to inform citizens of who to contact in case of any discrimination acts committed. In addition, regulations require the display of the HUD fair housing poster at any lending institution or brokerage office, and the relevant offices continue to comply with this regulation.

Fair Housing Month Every April the City Council and the media promotes “Fair Housing Month.” The Month is kicked off with a citywide proclamation by the Mayor regarding fair housing. The rest of the month is marked with various programs regarding fair housing which take place at the Housing Authority and the Community Development Department.

Odessa Housing Authority The City of Odessa has partnered with the Odessa Housing Authority on a variety of informational and educational projects including, homebuyer assistance, public hearings for both the City and the Housing Authority, Section 8 homebuyer seminars, fair housing promotion, homebuyer education and an informational booth at the Permian Basin Fair.

Visitability

“Visitability” in housing is a voluntary standard promoted by HUD in new construction and existing properties. Visitability means that: (1) at least one entrance is at grade (no step), approached by an accessible route, such as a sidewalk and (2) the entrance door and all interior doors on the first floor are at least 34 inches wide, offering 32 inches of clear passage space.

Visitability allows mobility impaired residents to visit families and friends where this would not otherwise be possible. A visitable home also serves persons without disabilities (for example, a mother pushing a stroller, a person delivering large appliances, a person using a walker, etc). One difference between “visitability” and “accessibility” is that accessibility requires that all features of a dwelling unit be made accessible for mobility impaired persons. A visitable home provides less accessibility than an accessible home, and is meant to be those units not required to be accessible.¹

The City of Odessa has incorporated the concept of visitability into all of the homes reconstructed so far through the Reconstruction/Rehabilitation program. In the past five years, all the homes reconstructed through the program have been constructed to meet the visitability standard. Many of the rehabilitation requests also involve certain projects to make homes more accessible. Furthermore, many of the emergency repairs carried out through the Emergency and Minor Repair Program involve construction of ADA compliant ramps to the doorways of homes, which increases visitability in housing.

¹ Fair Housing Planning Guide, HUD Office of Fair Housing and Equal Opportunity, Volume 1, Chapter 5.

Conclusion: Fair Housing Action Plan

Impediments to Fair Housing

The following lists the impediments to fair housing identified throughout the Analysis of Impediments:

Public Sector Impediments

- 1) Updated training on fair housing could help CD staff be more aware of fair housing problems and more adept at solving problems regarding fair housing.
- 2) OHC primarily works with only two lenders which may limit the options for some seeking assistance.
- 3) Many Section 8 voucher holders are having a harder time finding a unit to rent.
- 4) There has been a 785-long waiting list for Section 8 Vouchers since August 2009.
- 5) Property Taxes have been exceptionally high with the recent housing market bubble.

Private Sector Impediments

- 6) The main obstacle to obtaining a home loan is poor or bad credit.
- 7) Banks are lacking in the area south of Business 20 which has a high African-American and Latino concentration.
- 8) Subprime lending and foreclosure rates are especially high in Odessa.
- 9) A study has not been done to analyze lending practices specific to the City's Target Area.

Cross-Sector Impediments

- 10) Many people do not report fair housing discrimination after they experience it. This discrimination is believed to come primarily from landlords of rental properties.
- 11) More houses and apartment units could be made visitable.
- 12) Housing opportunities are limited for those with disabilities and HIV/AIDS.
- 13) Limited quality affordable housing continues to be a problem in Odessa.
- 14) The most common issue for discrimination complaints deals with conditions relating to rental and refusal to rent.

Objectives and Actions

The City has established a series of objectives in order to address every area in which an impediment has been identified. For each objective, an action step(s) has been determined, along with the organizations and/or groups responsible for carrying it out, funding resources which will be used, and a timeline that the City intends to follow in order to achieve the outlined objectives. These are listed below.

Foreclosure and Foreclosure Prevention

Objective #1: Help to reduce and/or prevent foreclosures, thereby stabilizing area neighborhoods.

Action Steps

I. Provide consumers with foreclosure prevention resources including foreclosure prevention counseling, credit counseling, Individual Development Accounts, mortgage credit certificate (MCC) program and access to loan modifications.
Who- <i>Odessa Affordable Housing Inc. (OAH), and Odessa Housing Finance Corporation (OHFC)</i>
Resources- <i>OAH (CDBG, King Foundation, UTPB SIP, CHDO PROCEEDS AND POSTCEEDS, HOME), OHFC</i>
Timeline- <i>Ongoing and as needed.</i>

Objective #2: Mitigate negative impact of foreclosures on targeted neighborhoods.

Action Steps

I. Acquire, rehab and sell foreclosed properties through the Neighborhood Stabilization Program
Who- <i>City of Odessa Community Development Department (CD)</i>
Resources- <i>HERA grant</i>
Timeline- <i>11 homes will be acquired, rehabbed and sold by September 2012, which will deplete Odessa's HERA funds unless NSP funding is renewed</i>

Objective #3: Address issues faced by families who have been displaced due to foreclosure.

Action Steps

II. Connect families with community resource services
Who- <i>OdessaLinks</i>
Resources- <i>OdessaLinks (United Way, CDBG)</i>
Timeline- <i>Ongoing and as needed.</i>

Assisted Housing

Objective #4: Expand availability of Section 8 Housing.

Action Steps

I. Effectively market the Section 8 program and its benefits to landlords. Conduct a review of where current voucher holders are living. Areas that are underrepresented by voucher holders should be identified, and targeted for increased landlord recruitment.
Who- Odessa Housing Authority, City of Odessa CD
Resources- OHA, City of Odessa CD
Timeline- First Step: Complete study on location of voucher holders to be completed by next AI. Second step: Use this information to recruit landlords. To be completed by the 2019 AI.

II. Advocate for Additional Section 8 Housing Choice Vouchers
Who- OHA and City of Odessa CD
Resources- OHA, City of Odessa CD
Timeline- Using the results of the study and the outcome of landlord recruitment, advocate the need for more vouchers with HUD officials, as well as Texas' US Senators and Representatives. To be initiated after the completion of the voucher holder study and landlord recruitment effort.

III. Support efforts to bring more multifamily developments with affordable units into Odessa
Who- City of Odessa
Resources- City of Odessa
Timeline- Provide incentives as opportunities arise.

Objective #5: Expand housing opportunities for people with disabilities and HIV/AIDS

Action Steps

I. Continue to be an active participant with the Odessa Public Housing Authority and other nonprofit agencies assisting people with disabilities and HIV/AIDS.
Who- City of Odessa, OHA, OdessaLinks, Permian Basin Community Centers
Resources- City of Odessa, OHA, OdessaLinks, Permian Basin Community Centers
Timeline- Ongoing and as needed.

II. Support efforts to increase the supply of accessible housing, especially in multifamily developments.
Who- City of Odessa
Resources- City of Odessa
Timeline- Provide incentives as opportunities arise.

Fair Housing Awareness

Objective #6: Increase awareness of fair housing laws and the complaint process.

Action Steps

I. Provide outreach in the form of newspaper ads and fair housing posters
Who- <i>City of Odessa CD, lending institutions and brokerage offices</i>
Resources- <i>City of Odessa CD</i>
Timeline- <i>Posters are continuously posted, newspaper ads run continuously</i>
II. Have CD staff attend HUD-sponsored Fair Housing Trainings when available, including the upcoming training in Austin, TX in October 2010
Who- <i>City of Odessa CD</i>
Resources- <i>City of Odessa CD</i>
Timeline- <i>First training to be attended October 2010, others will be attended when offered.</i>

Objective #7: Increase awareness of fair housing laws to landlords of rental properties

Action Steps

I. During Fair Housing month, provide landlords in the city with brochures detailing relevant fair housing laws and promote participation in the Housing Choice Voucher Program
Who- <i>City of Odessa CD, OHA</i>
Resources- <i>City of Odessa</i>
Timeline- <i>First mailing to occur by 2015.</i>

Lending and Finance

Objective #8: Expand banking and financing opportunities for the traditionally underserved and unbanked.

Action Steps

I. Pursue agreements with additional lending institutions to participate as lenders in the Homebuyer's Assistance Programs
<i>Who- City of Odessa CD</i>
<i>Resources- City of Odessa CD</i>
<i>Timeline- Pursue agreements as opportunities arise.</i>
II. Support efforts to bring more banks into southern Odessa
<i>Who- City of Odessa, Odessa Development Corporation</i>
<i>Resources- ODC</i>
<i>Timeline- Promote through advertising and communication with local banks, and provide incentives as opportunities arise.</i>

Objective #9: Assist potential homebuyers with poor credit histories to obtain home loans

Action Steps

I. Refer potential homebuyers with poor credit to credit counseling organizations
<i>Who- City of Odessa, OdessaLinks</i>
<i>Resources- City of Odessa, OdessaLinks</i>
<i>Timeline- City of Odessa CD and OdessaLinks will obtain and begin providing brochures on Odessa Affordable Housing Inc.'s Credit Counseling Program by 2011</i>
II. Provide education and assistance with credit counseling
<i>Who- Odessa Affordable Housing Inc.</i>
<i>Resources- OAH</i>
<i>Timeline- Credit counseling program is ongoing and as needed.</i>

Objective #10: Expand information available regarding lending practices specific to the City's Target Area

Action Steps

I. Map out HMDA data to analyze lending practices in the City's Target Area compared to the rest of the City
<i>Who- City of Odessa CD</i>
<i>Resources- City of Odessa CD</i>
<i>Timeline- Study will be completed by at least 2019, in preparation for the 2020 to 2025 AI and Consolidated Plan.</i>

Visitability

Objective #11: Increase the number of homes that are visitable or accessible.

Action Steps

I. Have City of Odessa CD staff attend trainings offered regarding accessibility to more extensively incorporate accessibility/visitability into new homes

<i>Who-</i> City of Odessa CD

<i>Resources-</i> City of Odessa CD

<i>Timeline-</i> One to two staff members will attend one training by 2015.

II. Promote trainings offered regarding accessibility to all builders with whom the city contracts

<i>Who-</i> City of Odessa CD, Private Builders

<i>Resources-</i> City of Odessa

<i>Timeline-</i> Promotion of trainings will occur as they are available.

City Policies

Objective #12: Relieve the extra burden on low-income homeowners due to increased property taxes

Action Steps

<p>I. Conduct a study on the location of households who are behind on their property tax payments. Use this study to advocate for additional property tax relief policies for those in need.</p>

<p>Who- City of Odessa CD</p>

<p>Resources- City of Odessa CD</p>
--

<p>Timeline- Conduct study by 2019.</p>
--

<p>II. Promote the Mortgage Credit Certificate (MCC) Program to households in need of tax relief options.</p>
--

<p>Who- City of Odessa CD, OdessaLinks, OAH, OHFC</p>
--

<p>Resources- City of Odessa CD, OdessaLinks, OAH, OHFC</p>
--

<p>Timeline- Provide information on program as needed.</p>

Affordable Housing

Objective #13: Expand opportunities for quality affordable housing to low- and moderate-income households in all areas of the City

Action Steps

I. Continue to assist homebuyers with down payment and closing costs through the Homebuyer's Assistance Programs

<i>Who- City of Odessa CD</i>

<i>Resources- CDBG and HOME grants</i>
--

<i>Timeline- 40 low- and moderate-income homebuyers will be assisted from 2010 to 2014</i>
--

II. Continue the construction of affordably priced quality homes throughout Odessa

<i>Who- Members of the Odessa Housing Consortium and its partners</i>

<i>Resources- City of Odessa CD, OHFC, OHC partners, private builders</i>

<i>Timeline- 35 new affordable homes will be constructed from 2010 to 2014</i>
--

III. Continue to pursue agreements and provide incentives to private builders who agree to build affordable quality housing within the City limits

<i>Who- City of Odessa, private builders</i>
--

<i>Resources- City of Odessa</i>

<i>Timeline- Negotiations are ongoing and will continue to be initiated as opportunities arise and as needed.</i>

Appendix

A. Citizen Survey 2010

B. City of Odessa Development and Building Fees

C. City of Odessa Master Permit Fee Schedule

A.

CITY OF ODESSA 2010-2014 CONSOLIDATED PLAN SURVEY

This survey consists of two separate topics the City of Odessa is requesting citizen input on in order to establish goals and objectives for the next 5 years as well as complete an Analysis of Impediments to Fair Housing within our community. If you feel there are additional needs for low and moderate income residents that are not identified below, please list them in the comments box at the end of the survey.

Thank you for taking the time to complete the survey, we appreciate your participation and please be assured that no personal identifiable information will be shared.

1. Please rank the City's needs for the following types of general housing assistance activities

HOUSING

	No Need	Low Need	Medium Need	High Need
Homeownership Assistance				
Construction of New Affordable Housing				
Rental Payments				
Owner-occupied home rehabilitation				
Special Needs Housing Facilities – Mental Illness; Drug/Alcohol				
Removal of Architectural Barriers				
Facilities for Battered Women and Children				
Minor Home Repair Assistance				
Emergency Housing Repair Assistance				
Transitional Housing for Homeless				
Emergency Shelter				
Senior Housing				
Housing & Care for Persons with HIV/AIDS				
Lead-Based Paint Testing & Abatement				

2. Please rank the City's need for the following improvements.

PUBLIC FACILITIES AND IMPROVEMENTS

	No Need	Low Need	Medium Need	High Need
Health Care Facilities				
Child Care Centers				
Senior Centers				

	No Need	Low Need	Medium Need	High Need
Youth Centers				
Park Improvements				
Recreation Facilities				
Community Centers				
Historic Preservation				

3. Please rank the following services based on the need.

PUBLIC SERVICES

	No Need	Low Need	Medium Need	High Need
Child Care Services				
Services for Abused Women and Children				
Senior Services				
Handicapped Services				
Health Care Services				
Substance Abuse Services				
Youth Services				
Transportation Services				
Legal Services				
Mental Health Services				

4. Please rank the following improvements and community development needs.

COMMUNITY DEVELOPMENT/INFRASTRUCTURE

	No Need	Low Need	Medium Need	High Need
Clearance (vacant unsafe structures)				
Code enforcement				
Community development planning				
Fair housing				
Removal of Architectural Barriers (ex: curb cuts)				
Sidewalk Improvements				
Street Improvements (repaving, curbs & gutters)				
Water/Sewer Improvements				
Drainage System Improvements (prevent flooding)				

5. Please rank the following economic development needs.

ECONOMIC DEVELOPMENT

	No Need	Low Need	Medium Need	High Need
Job Training				
Job Placement				
Small Business Loans				
Commercial Rehabilitation (façade improvements)				

ADDITIONAL COMMENTS:

FAIR HOUSING SURVEY

1. Do you believe housing discrimination is an issue in your neighborhood?
 Yes No

2. Have you ever experienced discrimination in housing? **If no, skip to question 7.**
 Yes No

3. Who do you believe discriminated against you?
 a landlord/property manager a real estate agent
 a mortgage lender a mortgage insurer

4. Where did the act of discrimination occur?
 an apartment complex a single family neighborhood
 a trailer or mobile home park a public or subsidized housing project

5. On what basis do you believe you were discriminated against?
 Race Color Religion
 National Origin Ancestry Gender
 Marital Status Sexual Orientation Age
 Family Status Source of Income Disability
(Single parent, family with Children or expecting child) (e.g. welfare, unemployment, insurance benefits) (either you or someone close to you)
 Other (please elaborate) _____

6. If you believe you have been discriminated against, have you reported the incident?
 Yes No
 If no, why not? Don't know where to report Afraid of retaliation
 Don't believe it makes any difference
 Too much trouble

7. On a scale of 1 to 4, please evaluate the following impediments to fair housing in Odessa. (Please indicate if you don't know)
 1 being no barrier, 2 being a minor barrier, 3 being a modest and 4 being a serious barrier
 Income levels of minority and female-headed households
 Concentration of minority households in certain neighborhoods
 Lack of funding for fair housing activities
 Lack of local organization devoted to fair housing investigation/testing
 Lack of knowledge among residents regarding fair housing
 Lack of knowledge among small landlords regarding fair housing
 Lack of knowledge among Realtors regarding fair housing
 Lack of knowledge among bankers/lenders regarding air housing
 Lack of knowledge among insurance industry representatives regarding fair housing

**THE FOLLOWING INFORMATION WILL BE USED FOR
DEMOGRAPHIC PURPOSES ONLY**

1. What is your household's yearly income?

<input type="checkbox"/> Less than \$15,000	<input type="checkbox"/> \$50,000 - \$74,999
<input type="checkbox"/> \$15,000 - \$29,999	<input type="checkbox"/> \$75,000 - \$99,999
<input type="checkbox"/> \$30,000 - \$49,999	<input type="checkbox"/> More than \$100,000

2. Are you Hispanic or Latino?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
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3. What is your race? (Check all that apply)

<input type="checkbox"/> American Indian or Alaska Native Islander	<input type="checkbox"/> Native Hawaiian or Other Pacific Islander
<input type="checkbox"/> Black or African American	<input type="checkbox"/> Native American
<input type="checkbox"/> Anglo	<input type="checkbox"/> Asian

4. What is the highest level of education you have completed?

<input type="checkbox"/> Less than High School	<input type="checkbox"/> 4-year College Degree
<input type="checkbox"/> High School/VGED	<input type="checkbox"/> Master's Degree
<input type="checkbox"/> Some College	<input type="checkbox"/> Doctoral Degree
<input type="checkbox"/> 2-year College Degree	<input type="checkbox"/> Professional Degree

5. Are you disabled?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
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6. Gender

<input type="checkbox"/> Male	<input type="checkbox"/> Female
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7. Age _____

8. Zip Code _____

B.**CITY OF ODESSA**

DEVELOPMENT AND BUILDING FEES

Effective November 15, 2009

1	Original Zoning and rezoning, not requiring a site plan	<u>\$400.00</u> total
2	Site Plan Approval, specific use permits, and rezoning requiring site plan approval (i.e. PD, SPD)	<u>\$500.00</u> total
3	Preliminary, final, short form plats and replats	<u>\$300.00</u> total
4	Variances, special exceptions, appeals	<u>\$200.00</u> total
5	Zoning letter (official)	<u>\$25.00</u> total

Note: No change in fee to the portable sign and vendor permits, which is \$28.50.

C.

CITY OF ODESSA
INSPECTION DIVISION

MASTER PERMIT FEE SCHEDULE
October 1, 2000

BUILDING PERMIT AND ASSOCIATED FEES:

Minimum Building Permit	\$28.50	Mobile Home Location Permit	\$28.50
Certificate of Occupancy Only - (No Remodeling) (existing structure)	\$28.50	(requires separate plumbing/electrical permits)	
Additions & Remodeling		*Moving and/or Demolition Permit	\$28.50
Complete Building Permit (New Construction)	\$ 0.063 sq ft	Sign Permit (Permanent)	\$28.50
New Building Shell Only	\$ 0.037 sq ft	Swimming Pool Permit	\$28.50
Lease Development In Existing Shell	\$ 0.026 sq ft	Water Well Permit	\$28.50
Fire Protection Permit (Sprinkler)	\$ 0.011 sq ft	Reinspection Fee	\$28.50
Fire Alarm Permit	\$ 0.011 sq ft		
Fire Suppression (hood) permit	\$ 28.50 ea.		

PLUMBING PERMIT FEES:

Minimum Plumbing Permit	\$28.50	Finish-out only (New Building Shell)	\$ 0.0125 sq ft
Complete Plumbing Permit (New Construction or Remodel)	\$ 0.025 sq ft	(Rough-in and finish are included with plumbing permit if by same plumbing contractor)	
Rough-in only (New Building Shell)	\$ 0.0125 sq ft	Reinspection Fee	\$25.00

GAS PIPING PERMIT FEES:

Minimum Gas Piping Permit		Reinspection Fee	
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ELECTRICAL PERMIT FEES:

Minimum Electrical Permit	\$28.50	Rough-in only (New Building Shell)	\$ 0.0125 sq ft
New service or replacement	\$28.50	Finish-out only (New Building Shell)	\$ 0.0125 sq ft
Complete Electrical Permit (New Construction or Remodel)	\$0.025 sq ft	Reinspection Fee	\$25.00

MECHANICAL PERMIT FEES:

Minimum Mechanical Permit	\$28.50	Additional piece of equipment	\$ 7.00 ea.
Complete Mechanical Permit (New Construction or Remodel)	\$ 0.025 sq ft	Finish-out only (New or Remodel)	\$ 0.0125 sq ft
Rough-in only (New or Remodel) (commercial hood & vent hood other equipment - First Unit Only)	\$ 0.0125 sq ft \$ 28.50 ea	Reinspection Fee	\$25.00

WATER AND SEWER TAP FEES: See City of Odessa, Billing & Collection, Customer Service Division
(432) 335-3204

Note: All new and remodeling permit fees are charged for square footage under roof.

*A moving permit or demolition permit must post a \$600.00 cash bond, if a Clean-Up Affidavit is not signed by Owner or Agent

Reinspection fees may be assessed by an inspector at any time an inspection is not ready for when the inspector arrives, intentional code violations are found on the project or for failure to correct items noted on prior inspections

P.O. Box 4398

ODESSA, TX 79760

OFFICE: (432) 335-3214

FAX: (432) 335-3256