

**ANALYSIS OF IMPEDIMENTS
TO FAIR HOUSING CHOICE**

2014

FRISCO, TEXAS

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1) INTRODUCTION

PURPOSE OF REPORT

The Fair Housing Act of 1968 states that it is the policy of the United States to provide for fair housing throughout the country and the Act prohibits any person from discriminating in the sale or rental of housing, the financing of housing, or the provision of brokerage services, including or otherwise making unavailable or denying a dwelling to any person because of race, color, religion, sex, national origin, handicap, or familial status. The State of Texas echoes such goal and has also adopted legislation protecting equal access to housing.

Nationally, fair housing and impediments to fair housing are monitored by the United States Department of Housing and Urban Development (HUD) through the use of Community Block Development Grant (CDBG) funding for fair housing advocacy groups. This role of HUD to act as an administrator of fair housing programs originated in 1968 with the passage of the Civil Rights Act, described below.

Each grantee which receives CDBG funding under Title I of the Housing and Community Development Act is required to further fair housing and fair housing planning by conducting an analysis to identify impediments to fair housing choice within those cities/communities within its jurisdiction. The grantee will also take appropriate actions to overcome the effects of any impediments identified and will maintain records which reflect the analysis and actions taken in this regard.

The City of Frisco has consistently supported the concept of the provision of fair housing for its residents without regard to race, color, religion, sex, national origin, handicap, or familial status. To that end, the City has consistently used a portion of its CDBG funding to support programs of fair housing services for low and moderate income households. The fundamental fair housing goal is to make housing choice a reality through fair housing planning, which includes the following:

- Preparing an Analysis of Impediments to Fair Housing Choice (AI);
- Acting to eliminate identified impediments; and
- Providing fair housing records.

The purpose of this AI is to provide essential, specific, and detailed information and data to municipal officials and staff, policy makers, housing developers, lenders, and fair housing advocates. The AI helps build public support for fair housing efforts. This report represents Frisco's efforts in making an objective assessment of the nature and extent of fair housing concerns in the City, and the potential impediments to making fair housing choice available to its residents.

The City's last AI was completed in 2010. This new AI considers the significant changes that have occurred since the development of the previous AI including the effects of population growth, an increasing diverse population, economic change with regard to jobs and the housing market, and the continued need for awareness, education and outreach about fair housing.

DEFINING FAIR HOUSING

Federal Laws

The federal Fair Housing Act of 1968 and Fair Housing Amendments Act of 1988 (42 U.S. Code §§ 3601-3619, 3631) are federal fair housing laws that prohibit discrimination in all aspects of housing, such as the sale, rental, lease or negotiation for real property. The Fair Housing Act prohibits discrimination based on race, religion, and national origin. In 1988, the Fair Housing Act was amended to extend protection to familial status and people with disabilities (mental or physical). In addition, the Amendment Act provides for "reasonable accommodations", allowing structural modifications for persons with disabilities if requested, at their own expense, and sets housing code standards for new multi-family dwellings to accommodate the physically disabled.

Discrimination against Families with Children and Persons with Disabilities are further defined:

Discrimination against Families with Children

Familial Status (often called "families with children") refers to a parent or another person having legal custody of one or more individuals under the age of 18 years. It refers also to a person who is pregnant or in the process of getting legal custody of a minor child. Families with children have under the law the same protection against housing discrimination as other groups protected by the law. In only two instances, does the law permit, as exceptions, discrimination against families with children. Both exceptions pertain to so-called housing for older persons. Housing intended for and occupied solely by people 62 years of age or older and housing in which 80 percent of the units are intended for and occupied by at least one person who is 55 years of age or older do not need to comply with the law's familial status provisions. Discrimination against families with children manifests itself in many ways, the most common of which are in advertising (e.g. indications that rentals are for "no children" or "adults only"), restrictive occupancy standards that unreasonably limit the number of children who may occupy a given space, and steering of families with children to separate buildings or parts of buildings.

Provisions for People with Disabilities

The Fair Housing Act defines "handicap" (or disability) as:

1. a physical or mental impairment which substantially limits one or more of such person's major life activities,
2. a record of having such an impairment, or
3. being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance.

Special Protections

In addition to providing people with disabilities all of the protections against housing discrimination that are provided to members of the other six protected classes, the following provisions of the Fair Housing Act provide important additional protection.

The prohibition against discriminating in the terms and conditions of sale or rental prohibits a landlord from asking any questions of a person with a disability than would be asked of any other applicant. A landlord may not, for example, inquire about the nature or severity of a person's disability or ask whether that person is capable of living alone.

Reasonable Accommodations

It is unlawful to refuse to make such reasonable changes in rules, policies, practices and services, which may be necessary to afford a person with a disability an equal opportunity to enjoy and use a dwelling. These "reasonable accommodations" include such things as making an exception to a "no pets" policy for a person who needs a service animal and providing a reserved, designated parking place for a person with mobility impairment.

Reasonable Modifications

It is unlawful to refuse to permit a person with a disability to make, at his/her own expense, such reasonable changes in the premises as may be necessary to permit use and enjoyment of the premises. "Reasonable modifications" include such things as installing grab bars to facilitate use of bathroom facilities, cabinets lowered or the widening of a doorway to accommodate a wheelchair.

Full Accessibility of "New" Multi-family Housing

Multi-family housing constructed for first occupancy after March 13, 1991 (i.e. buildings consisting of 4 or more units) must be fully accessible to people with disabilities. If a building has an elevator, all units must be accessible; if there is no elevator, only "ground floor" units must be accessible. "Accessible" means: 1) There must be an accessible building entrance on an accessible route; 2) Public and common use areas must be readily accessible to and usable by people with disabilities; 3) All inside doors must be wide enough to accommodate a wheelchair; 4) There must be an accessible route into and through the dwelling; 5) Light switches, electrical outlets, thermostats and other environmental controls must be accessible; 6) Bathroom walls must be reinforced to allow later installation of grab bars; and 7) Kitchens and bathrooms must have enough space to permit maneuvering in a wheelchair.

Three significant changes to the Fair Housing Act were made. These changes are described briefly as follows:

- The Housing for Older People Act of 1995 (HOPA) made several changes to the 55 and older exemption. Since the 1988 Amendments, the Fair Housing Act has

exempted from its familial status provisions properties that satisfy the Act's 55 and older housing condition. First, HOPA eliminated the requirement that 55 and older housing have "significant facilities and services" designed for the elderly. Second, HOPA establishes protection from damages for persons who in good faith believe that the 55 and older exemption applies to a particular property, if they do not actually know that the property is not eligible for the exemption and if the property has formally stated in writing that it qualifies for the exemption.

- Changes were made in the Act to enhance law enforcement, including making amendments to criminal penalties in section 901 of the Civil Rights Act of 1968 for violating the Fair Housing Act.
- Changes were made to provide incentives for self-testing by lenders for discrimination under the Fair Housing Act and the Equal Credit Opportunity Act. See Title II, subtitle D of the Omnibus Consolidated Appropriations Act, 1997, P.L. 104 - 208 (9/30/96)1. In addition, it is also illegal for anyone to threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right and advertise or make any statement that indicates a limitation or preference based on race, color, religion, national origin, familial status or handicap. Both intentional discrimination and unintentional actions or conditions that limit choice are also prohibited.

Texas Laws

It is the policy of the State of Texas to provide, within constitutional limitations, for fair housing throughout the state. The Texas Fair Housing Act (Texas Property Code, Title 15, Chapter 301) prohibits discrimination on the basis of race, religion, color, sex, national origin, disability and familial status. The Texas statute mirrors the Federal Fair Housing Act (FFHA) and is considered "substantially equivalent," meaning that the entity can receive and investigate complaints and be eligible for funding to carry out the law. The Texas Fair Housing Act covers most housing, though in some circumstances, the law exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members. Also, housing developments that qualify as housing for persons age 55 or older may be exempt from the provisions barring discrimination on the basis of familial status.

Texas residents who feel that they might have experienced a violation of the FFHA or state fair housing laws can contact one or more of the following organizations: HUD's Office of Fair Housing and Opportunity in Fort Worth (FHFO) or the Texas Workforce Commission (TWC).

The Texas Workforce Commission (TWC) is responsible for overseeing and providing workforce development services to employers and citizens. The Civil Rights Division (TWCCRD) provides programs for housing discrimination and complaint resolution. The TWCCRD provides a webpage with information on how to file a complaint. The website provides several ways to file a complaint, including filing in person at the Division office in Austin, calling by phone, or writing the Division a letter. The site also has a fair housing fact sheet to help the person identify housing discrimination as well as the steps

which will follow after a complaint is filed. Residents may also write a letter to or call TWCCRD directly at (888) 452-4778, (512) 463-2642 or (800) 735-2989 (TDD).

Upon TWCCRD's receiving the complaint, the agency will notify the alleged violator of the complaint and allow the person to submit a response. An assigned investigator will determine if there is reasonable cause to believe the law had been violated. The TWCCRD will try to reach a conciliation agreement between the complainant and respondent. If such an agreement is reached there will be no further action unless the conciliation agreement has been breached. In that case, the TWCCRD may request that the Texas Attorney General file suit.

Housing discrimination complaints filed with HUD may be done online at (<http://www.hud.gov/complaints/housediscrim.cfm>), toll free at (800) 669-9777, or by contacting HUD's FHEO headquarters in Washington D.C. or HUD's Fair Housing Regional Office, which is located in Fort Worth (817-978-5900 or -5595 TDD). HUD procedure dictates that HUD will notify the person who filed the complaint along with the alleged violator and allow the alleged violator to submit a response. The complaint will then be investigated to determine whether there has been a violation of the FFHA.

A complaint may be resolved in a number of ways. First, HUD is required to try to reach an agreement between the two parties involved. A conciliation agreement must protect both the filer of the complaint and the public interest. If an agreement is approved, HUD will take no further action unless the agreement has been breached.

If HUD has determined that a state or local agency has the same housing powers ("substantial equivalency") as HUD, it may refer the complaint to that state or local agency and notify the complainant of the referral. The agency, called a Fair Housing Assistance Program Partner (FHAP), must begin work on the complaint within 30 days or HUD may take it back. As noted, TWC is the state agency FHAP in Texas.

If, during the investigative, review and legal process, HUD finds that discrimination has occurred, the case will be heard in an administrative hearing within 120 days, unless either party prefers the case to be heard in Federal district court.

Frisco Ordinance

The City of Frisco adopted a revised Fair Housing Ordinance in May of 2011, replacing an existing ordinance. The revised ordinance brought the City's Fair Housing statutes in line with State and Federal law, and established a Fair Housing practices statement, as well as adding and clarifying some definitions.

The City website contains information about fair housing and fair housing complaints. A citizen may contact the City of Frisco Fair Housing Officer for information and referrals related to fair housing. That contact is Mr. Chris Bohlen, who may be contacted at (972) 292-5108 or by email at cbohen@friscotexas.gov.

Fair Housing Defined

In light of the fair housing legislation passed at the federal, state, and local levels, fair housing throughout this report is defined as follows:

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

Impediments Defined

Within the legal framework of federal and state laws and based on the guidance provided by the U.S. Department of Housing and Urban Development (HUD) Fair Housing Planning Guide, impediments to fair housing choice are defined as:

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

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

To affirmatively promote equal housing opportunity, a community must work to remove impediments to fair housing choice.

Fair Housing and Affordable Housing

When discussing “fair housing” and “affordable housing,” the two phrases are often used interchangeably. The concepts are distinct, but intertwined. However, it is important to distinguish between the two in order to clearly identify issues and reduce fair housing discrimination. The phrase “fair housing,” in the context of preparation of an Analysis of Impediments to Fair Housing Choice (AI), refers to persons (families, seniors, individuals, and special needs populations) who are members of protected classes, as specified by federal statutes. It is illegal to discriminate against a person on the basis of their membership in a protected class in the sale, rental, financing, and insuring of housing.

On the other hand, “affordable housing” generally refers to the ability of households to **afford**, based on income, to buy or rent housing within their means. The key difference

between the two concepts is **that issues of discrimination regarding fair housing can apply to all income levels, because protected classes are represented in all income groups.**

Because the two concepts are different, tools to address fair housing are distinguished from tools to increase the supply of affordable housing. Most federal, state, and local funding programs to support the increase in the supply of affordable ownership and rental housing are targeted to low- and moderate-income households. Low-income households are defined by most of those publicly funded programs as earning less than 50 percent of the HUD determined area median income (AMI), with moderate-income households earning 50 to 80 percent of the AMI. In certain instances, affordable housing programs address households with greater incomes. The recently adopted Neighborhood Stabilization Program, for example, which focuses on foreclosed housing, has an income limit set at 120% AMI.

Clearly, there are many actions that can and should be taken that are directly aimed at elimination of discrimination against federally and locally protected groups in the selling, renting, financing, and insuring of housing, as recommended in this AI report. Those actions include: education of prospective homebuyers and tenants as to their rights to access to housing; and, enhancement of the system to study, receive complaints, investigate complaints, resolve complaints, and/or bring charges and prosecute violations of federal and local fair housing laws. While robust implementation of these actions will decrease discrimination in housing, it is not likely that such actions taken alone will eliminate housing discrimination.

Yet it is difficult to talk about addressing impediments to fair housing, and actions to eliminate discrimination in housing, without simultaneously talking about development of policies, plans, programs, and projects to increase the supply of affordable housing. Discrimination in housing will, in part, be reduced by the provision of housing opportunities and choices made affordable to all income groups in all communities, especially low- and moderate-income households.

Certain protected classes have disproportionate representation in the numbers of low- and moderate-income households in Frisco, and so it is reasonable to expect that as the supply of affordable housing is increased in all communities of the City, greater numbers of protected class members will have access to housing without discrimination.

SCOPE OF ANALYSIS

This Analysis of Impediments (AI) to Fair Housing Choice provides an overview of laws, regulations, conditions or other possible obstacles that may affect an individual's or a household's access to housing. The AI involves:

- A comprehensive review of the laws, regulations, and administrative policies, procedures, and practices;

- An assessment of how those laws, regulations, policies, procedures, and practices affect the location, availability, and accessibility of housing; and
- An assessment of conditions, both public and private, affecting fair housing choice.

Geographic Area Covered

This report constitutes the AI for the City of Frisco.

DATA AND METHODOLOGY

The following are key data sources used to complete this AI:

- 2010 U.S. Census and the 2009-2013 American Community Survey
- The City’s Consolidated Plan, 2010-2015, and the 2012 CAPER
- Comprehensive Housing Affordability Strategy (CHAS) Data from HUD
- Home Mortgage Disclosure Act (HMDA) Data
- RealtyTrac and Trulia Housing Sales and Foreclosure Data
- U.S. Department of Housing and Urban Development (HUD), Fair Housing and Equal Opportunity Complaint Data
- The City of Frisco 2010 Analysis of Impediments to Fair Housing Choice
- Housing Element of the 2006 Frisco Comprehensive Plan and information about the current Plan Update

Sources of specific information are identified in the text, tables and figures.

ORGANIZATION OF THE REPORT

The AI is divided into nine (9) chapters:

1. Introduction: Defines “fair housing” and explains the purpose of the report.
2. Community Participation: Describes the community outreach program.
3. Community Profile: Presents the demographic, housing, and income characteristics in the City of Frisco
4. Fair Housing Practices: Identifies and explains the oversight of fair housing by both government and industry organizations
5. Lending and Complaint Data, Advertising: Assesses the nature and extent of fair housing complaints and violations, examines loan data and lending practices, and evaluates advertising
6. Public Policies and Practices: Analyzes public policies and actions that may impede fair housing within the City
7. Resident Survey and Focus Group Meetings: Analyzes results of the resident surveys and the focus group meetings
8. Fair Housing Accomplishments: Describes recent activities and accomplishments related to Fair Housing
9. Identified Impediments, Recommendations, and Action Plan: Describes the Impediments to Fair Housing Choice and summarizes AI findings regarding fair

housing issues; provides recommendations for furthering fair housing choice and describes actions for implementation.

2) COMMUNITY PARTICIPATION

As with the development of the Consolidated Plan, this Analysis of Impediments to Fair Housing Choice (AI) results from a process of consultation and citizen participation, building upon existing participation mechanisms and venues. Citizens, not-for-profit organizations, and interested parties were afforded a variety of opportunities to:

- contribute during meetings, hearings and planning sessions,
- review and comment upon the participation plan, the Analysis of Impediments, and comments made about the Analysis,
- participate in public hearings,
- comment upon the plan and its amendments, and
- register complaints about the Analysis and its amendments.

The City complied with the citizen participation requirements of the regulations by doing the following:

- Preparing, adopting, and following a Citizen Participation Plan;
- Publishing informational notices about the document;
- Holding public hearings in accessible places at convenient times after providing reasonable notice;
- Publishing a summary of the Analysis, describing its contents and purpose and a listing of locations where the entire document could be examined;
- Making the Analysis available for public examination and comment for a period of thirty (30) days before submission to HUD;
- Providing citizens, public agencies, and other interested parties reasonable access to records regarding uses of assistance for affordable and supportive housing the City may have received during the preceding five years; and
- Considering the views and comments of citizens, and preparing a summary of those views for consideration with the submission.

The Community Development and Housing Department staff conducted two publicized public hearings, held on December 3, 2014, and March 11, 2015. These hearings reviewed the basic elements of the AI, after which the floor was opened for comments and questions. In addition, the Department sought input from representatives from lending and financial services organizations, community service organizations, housing developers, housing advocacy groups, and government officials as part of the Comprehensive Plan Update process in July and August of 2014. Attendees at the meetings and public hearings were encouraged to complete a survey that included

questions on fair housing. The survey, in English and Spanish, was publicized and made available to City residents on the City website.

At a City Council meeting, held April 21, 2015, the City Council approved the Analysis of Impediments to Fair Housing Choice and executed Resolution of Authorization. The document was then forwarded to the HUD Regional Office.

3) COMMUNITY PROFILE

Fair housing is concerned with ensuring that: 1) all people are treated equally in the rental, sale, or occupancy of housing; and 2) a range in types and prices of housing is available. This chapter examines the population, housing, and special needs characteristics and trends in the City that may affect equal housing opportunity.

This Community Profile provides insights for identifying potential impediments to fair housing choice. While not definitive indicators of impediments to fair housing choice in and of themselves, these data may point to conditions or situations that could be indicators of impediments to fair housing choice. Observations about issues that **could** arise are made at the end of this section.

OVERVIEW

The City of Frisco is located in Denton and Collin Counties, Texas, north of the City of Dallas. The total area of the City is 70.0 square miles. The City is part of the Dallas–Fort Worth–Arlington metropolitan area, and was the fastest growing City in the United States in 2009, and the fastest growing city in the nation for the period 2000-2009. The City has also been designated as a “Best Place to Live” by CNN and one of “America’s 25 Best Places to Move” by *Forbes* magazine.

Frisco is served by several major highways including the Dallas North Tollway, which connects the community to Dallas, the Sam Rayburn Tollway, US Highway 380, and State Highway 289, Preston Road.

There are a number of college and university programs available in Frisco, including, Collin College, the Preston Ridge campus of the community college district, an academic center of Dallas Baptist University, a local campus of Amberton University, a University of Dallas campus, the professional MBA campus of UT Arlington, and the Frisco campus of the University of North Texas offers core MBA courses.

Major employers include Frisco ISD, Collin County College, Amerisource Bergen Specialty Group, Centennial Hospital, Baylor Medical Center, Conifer, Wingspan, the City of Frisco, and Mario Sinacola & Sons Excavating.

DEMOGRAPHICS

Population

The population of the City was estimated to be 123,663 persons according to the 2009-2013 American Community Survey (ACS). This is a 266.8 percent increase from the 33,714 persons in the 2000 census.

Frisco has a relatively younger population. The median age according to the ACS was 34.5 years. This compares to 37.3 for the United States, though higher than the State's 33.8 years. In Frisco 6.3 percent of the population is over 65, while in Texas, the percentage is 10.7, and the United State percentage is 13.4. The low median age is affected by the presence of a higher percentage of children and adults in the 35 to 44 age cohort. The percentage of persons between the age of fifteen and twenty-four is low relative to both state and national figures, as is the percentage of persons over 54. The table below compares Frisco's population with those of the State and the nation by age cohort, clearly showing the larger percentage of persons in the City under 14.

Population by Age - Frisco - TX - US			
Age Cohort	Frisco %	TX %	US %
<5 Years	9.0	7.5	6.4
5 - 9	10.8	7.6	6.6
10-14	9.2	7.4	6.6
15-19	5.8	7.4	7.0
20-24	3.9	7.3	7.1
25-34	12.3	14.4	13.4
35-44	22.2	13.7	13.1
45-54	13.3	13.4	14.3
55-59	3.8	5.7	6.5
60-64	3.5	4.8	5.6
65-74	4.2	6.1	7.4
75-84	1.7	3.3	4.2
>85	0.5	1.2	1.8

Source: 2013 ACS

As will be seen below, age and household size and structure considerations affect housing needs and requirements, as well as shaping the types of services the residents need.

Race

The table below compares the racial composition of Frisco with that of Texas and the United States, demonstrating racial diversity in the City. As can be seen, Frisco has a larger percentage of White persons than either the State or the nation. The percentage of African-Americans is below that of the State and the US. However, the percentage of Asian persons is well above the State and national percentage.

RACIAL COMPOSITION: FRISCO, TEXAS, & THE UNITED STATES, 2013			
	Frisco %	Texas %	US%
White	76.8	74.4	74.0
Black or African American	7.1	11.8	12.6
American Indian & Alaska Natives	0.3	0.5	0.8
Asian	10.3	4.0	4.9
Native Hawaiian & Pacific Islander	0.0	0.1	0.2
Some Other Race	1.6	6.9	4.7
Two or More Races	3.8	2.3	2.8
Hispanic	12.6	37.9	16.6
<i>Source: 2013 ACS</i>			

The population

Hispanic is

concentrated in the center of the city and is present in high percentages in two Census Tracts, each with approximately 40 percent of the population defining themselves as Hispanic.

An examination of the data from HUD sources does not show concentrations of minority groups. The HUD definition of an area of minority concentration is a census tract in which the population of any racial/ethnic minority group exceeds 50% of the total population of that tract. A high concentration is defined as a census tract in which the population of any racial/ethnic minority group is 75% or more of the total population of that tract.

The percentage of foreign-born persons in Frisco is 14.6 percent, which is below both the State figure of 16.3 percent, but above the national percentage, 12.9. It should also be noted that 20.2 percent of Frisco residents speak a language other than English at home, a percentage that is well below the State but only slightly lower than the US figure of 20.7 percent.

Families and Households

The average household size in Frisco, 2.97 persons, is slightly above the US figure (2.63), but slightly below the Texas’s figure of 2.82 persons. The percentage of Family Households in Frisco is 80.9 percent, well above the US average of 66.4 percent, and the State figure (69.8%). The percentage of families with children under 18, is 51.5 percent, which is seventeen percent higher than the State and over twenty-one percent higher than the national figure. It should be noted that the City has a relatively low percentage of Female Headed Households (9.0%) and the percentage of those households with children under 18 (6.5%) is lower than both State and National percentages.

Though there are 6,572 persons living alone in Frisco (19.1% of the population), the number of persons 65 or older living alone is only 1,490, which is 3.6 percent of the population. The percentage of Frisco households in which there is one or more persons over 65 is only 12.8 percent, a figure well below that of either the State or the US. Thus, the City has a low percentage of non-family households and persons living alone, a low percentage of female head of households with children and a relatively low percentage of persons over 65 living alone. The table below presents this data.

AVERAGE HOUSEHOLD AND FAMILY SIZE AND OTHER HOUSEHOLD CHARACTERISTICS			
FRISCO, TEXAS, AND THE UNITED STATES - 2013 ACS			
	Frisco %	Texas %	US %
Family households	80.9	69.8	66.4
Families w/ Children <18	51.5	34.1	29.6
Female Head of Household	9	14.3	13
Female Head w/ Children <18	6.5	8.5	7.3
Nonfamily households	19.1	30.2	33.6
Householder Living Alone	15.8	24.8	27.5
65 years and older	3.6	7.5	9.8
Average household size	2.97	2.82	2.63
<i>Source: 2013 ACS</i>			

***Disabled
Special
Populations***

***Persons and
Needs***

The Elderly and Frail Elderly

The elderly, 65 and over, constituted 6.3 percent of the total population in City of Frisco in the 2013 ACS. The elderly, especially in very low-income households, face housing difficulties based upon their particular housing needs (size of units, and types of fixtures and amenities), and on the basis of the cost burden they bear for housing and the fact that most are limited by fixed incomes.

The Frail Elderly, those 75 and over, constitute only 2.3 percent of the City’s population. These persons in particular may need additional assistance to live independently and have additional requirements for their housing, such as elevators, grab bars in the bathroom, and special types of kitchen and bathroom fixtures. There are an estimated 2,610 frail elderly in Frisco.

Disabled Persons

The 2013 figures for disability indicate that 5.4 percent of the City’s population has some disability. This represents 6,709 persons. This percentage is below the national figure of 12.1 percent, and the State percentage of 11.5 percent. Information about specific types of disability is not available from the Census data.

The Developmentally Disabled

The Association for Retarded Citizens (ARC) indicates that the base definition of developmentally disabled is an IQ score less than 70. ARC indicates that the nationally accepted percentage of the population that can be categorized as developmentally disabled is two and one-half to three percent of the population. By this calculation, there are an estimated 3,092 developmentally disabled persons in Frisco.

The preferred housing options for the developmentally disabled are those that present a choice and integrate them into the community. This includes supervised apartments, supported living, a skill development home, and family care homes.

The Physically Disabled

In Frisco the number of persons under the age of 18 with disabilities is 1,579, while the number of persons aged 18 to 64 with disabilities is 1,136, or 2.8 percent of the persons in that age group. The number of persons 65 and over with disabilities is 2,221 or 29.2 percent of that age group. These figures, based upon the Census Bureau definition of disability, include a wide range of disabilities and a precise figure for persons with physical disabilities is difficult to determine.

Deducting the number of developmentally disabled persons from the census figure for disabled persons gives an approximate figure of 3,617 persons who may be physically disabled.

Persons with physical disabilities may require assistance with daily living, and additional requirements for their housing including, for example, special types of kitchen and bathroom fixtures and special fire alarms.

The implications for fair housing issues are that there is a need for smaller housing units for the elderly and those living alone. There is a need for housing for the frail elderly and the disabled, but the City’s population percentages would indicate a lower demand for the housing designed for these persons.

ECONOMIC FACTORS

Educational Attainment

Frisco’s population has a high percentage of persons with a Bachelor’s or Graduate degree. The percentage of persons with a Bachelor’s degree is over twice that of the State and National percentages. At the same time, the percentage of persons with a high school diploma or less education is well below that of either the State of the nation. The

<i>EDUCATIONAL ATTAINMENT (POPULATION 25 AND OVER) FRISCO, TEXAS, AND THE UNITED STATES – 2013 ACS</i>				
	Frisco Number	Frisco %	Texas %	US %
Less than 9th Grade	1,191	1.6	9.4	5.9
9th to 12th Grade, No Diploma	1,878	2.5	9.4	8.0
High School Grad. (incl. Equivalency)	8,341	11.0	25.3	28.1
Some College, No Degree	14,929	19.7	22.7	21.2
Associate's Degree	4,959	6.5	6.5	7.8
Bachelor's Degree	31,367	41.3	17.7	18.0
Graduate or Professional Degree	13,200	17.4	8.9	10.8
<i>Source: 2013 ACS</i>				

following table shows these percentages.

Labor Force and Employment

The labor force (persons 16 years and over) in Frisco was 86,278 in 2013. These persons represented 77.3 percent of the working age population, a labor force participation rate that is well above the US figure of 64.3 percent and the State figure of 65.2 percent.

The following table compares the employment by industry of Frisco’s workers with those at the state and national level. The percentage of workers in the Information, Finance and Insurance, and Professional, Scientific sectors are significantly higher than the State and national percentages, though the percentage of workers in the Education and Healthcare sector is somewhat lower and the percentage of public administration workers is about one-half that of the State and nation.

	Frisco Number	Frisco %	Texas %	US %
Agriculture, forestry, fishing and hunting, and mining	656	1.0	3.1	1.9
Construction	2,286	3.6	7.9	6.2
Manufacturing	5,572	8.8	9.4	10.5
Wholesale trade	2,054	3.2	3.0	2.8
Retail trade	7,858	12.4	11.6	11.6
Transportation and warehousing, and utilities	2,230	3.5	5.4	4.9
Information	2,779	4.1	1.8	2.2
Finance and insurance, real estate, rental and leasing	8,978	14.2	6.6	6.7
Professional, scientific, management	10,007	15.8	10.8	10.8
Educational services, health care and social	11,713	18.5	21.7	23.2
Arts, entertainment, and recreation	5,024	7.9	8.7	9.3
Other services, except public administration	2,657	4.2	5.4	5.0
Public administration	1,622	2.6	4.5	5.0

Source: 2013, ACS

The largest employers in Frisco (with the number of employees), according to the City's 2014 Comprehensive Annual Financial Report, are listed below:

Employer	Employees
Frisco ISD (3,358 certified teachers)	6,000
City of Frisco	1,275
Amerisource Bergen Specialty Group	1,200
Wingspan	1,100
Conifer	728

Baylor Medical Center	642
Mario Sinacola & Sons Excavating	603
Collin County College	510
Centennial Hospital	490
Oracle	409

Unemployment

Unemployment was 4.3 percent in Frisco in January of 2014, and has declined slightly gradually since then, reaching 3.7 percent in November of 2014. According to the U.S. Bureau of Labor Statistics the average unemployment rate for 2013 was 4.7 percent. The unemployment rate in Frisco is currently lower than both the State and National figures (November 2014) of 4.9 and 4.8 percent respectively.

SELECTED INCOME AND POVERTY STATISTICS -
FRISCO, TEXAS, AND THE UNITED STATES - 2013 ACS

Median HH Income (\$)	\$108,284	\$51,900	\$53,046
Per Capita Income (\$)	\$42,307	\$26,019	\$28,155
Persons in Poverty (%)	4.4	17.6	15.4

Source: 2013 ACS

Income and Poverty

The following table compares key income and poverty figures for the city, the state, and the United States.

Frisco’s Median Household Income is 204.1 percent of the national figure and 208.6 percent of the State figure. The Per Capita figures are also well above the State and national figures.

As might be expected given the relatively lower percentage of seniors in Frisco, the City does have a lower percentage of households with retirement income than the nation (10.0% vs. 17.7%) and a lower percentage of households with Social Security income (13.2% vs. 28.9%). At the same time, the percentage of persons with Supplemental Security Income is 1.2 percent compared to the national figure of 4.9 percent. The percentage of persons receiving Food Stamp/SNAP benefits is 2.4 percent, which is lower than the national percentage, 12.4.

The table below shows the number and percentage of households at various income levels.

<i>FRISCO AND US HOUSEHOLD INCOMES, 2013</i>			
Income	Frisco Number of HH	Frisco Percentage	US Percentage
Less than \$10,000	558	1.7	7.2
\$10,001 to \$14,999	300	0.9	5.4
\$15,000 to \$24,999	722	2.1	10.8
\$25,000 to \$34,999	1,031	3.1	10.3
\$35,000 to \$49,999	2,131	6.3	13.6
\$50,000 to \$74,999	3,756	11.2	17.9
\$75,000 to \$99,999	4,814	14.3	12.2
\$100,000 to 149,999	9,480	28.2	12.9
\$150,000 to \$199,999	5,534	16.5	4.9
\$200,000 or more	5,294	15.7	4.8
<i>Source: 2013 ACS</i>			

The City has a substantial number of households with an income of greater than \$100,000; indeed, 60.4 percent of households, over 20,000 households, are above this figure. Though the percentage of households with incomes of less the \$15,000 is below the national figure.

HUD has provided detailed data as part of its Comprehensive Housing Affordability Strategy materials to assist in preparing the Consolidated Plan and implementing HUD programs. HUD established five income categories for its analysis of incomes. The five income ranges are:

- Extremely Low (0-30% of the median income),
- Very Low-income (31-50% of the median income),
- Low-income (51-80% of the median),
- Moderate-income (81-100% of the median), and
- Upper-income (100% and above of the median).

The table below shows the income distribution of households in the City based upon this data. The 2014 Median Income figure for a family of four in Frisco, calculated by HUD, is \$67,900.

<i>HUD AREA MEDIAN FAMILY INCOME - FRISCO, 2014</i>			
<i>Income Category</i>	<i>2014 HUD Median HH Income \$67,900</i>	<i>Approx. # of HH</i>	<i>Approx. % of HH</i>
<i><30% AMI</i>	<i>\$20,370</i>	<i>1,229</i>	<i>3.7%</i>
<i>31-50% AMI</i>	<i>\$33,950</i>	<i>1,225</i>	<i>3.6%</i>
<i>51-80% AMI</i>	<i>\$54,320</i>	<i>2,967</i>	<i>8.8%</i>
<i>81-100% AMI</i>	<i>\$67,900</i>	<i>2,125</i>	<i>6.3%</i>
<i>101-120% AMI</i>	<i>\$81,480</i>	<i>2,228</i>	<i>6.6%</i>
<i>>121% AMI</i>	<i>\$82,159</i>	<i>23,820</i>	<i>70.9%</i>
<i>Source: HUD Income Limits Documentation System</i>			

By these definitions, 5,421 (16.1%) of Frisco households are in the low-income categories. Five Census Tracts in the City have a poverty rate greater than 10.0 percent according to data from HUD. Only one of these, Census Tract 406, is Low/Mod tract, meaning that over 51 percent of the residents are low-income households. The low/mod Tract has a poverty percentage of 16.15 percent.

HOUSING DATA

Housing Stock and Condition

Frisco has 43,352 housing units as of the 2013 ACS figures. However, 1,796 units, 4.1 percent, are vacant according to the ACS figures. This figure is one-third of the US 12.5 percent and 34.7 percent of the State figure of 11.8 percent. The Frisco homeowner vacancy rate (1.9%) is below both the national and State percentages, and the rental vacancy rate (3.9%) is lower than that of the State (9.2%) and the nation (7.3%). Please note that these are Census Bureau figures, not current data from local sources.

Housing in Frisco differs from the national norm in terms of the types of structures. Nationally, slightly over 60.0 percent of structures are one-unit structures and the percentage of multi-unit structures is around 40.0 percent. In Frisco 79.5 percent of structures are one-unit detached and only 16.7 percent are multi-unit structures. The table below shows the number and percent of each type of unit in Frisco and compares this to State and national percentages.

Type of Structure	Frisco Number of Units	Frisco Percent of Units	Texas Percent of Units	US Percent of Units
One unit, detached	34,477	79.5%	65.6%	61.7%
One unit, attached	1,615	3.7%	2.7%	5.8%
Two units	130	0.3%	2.0%	3.8%
3 or 4 units	369	0.9%	3.2%	4.4%
5 to 9 units	959	2.2%	4.8%	4.8%
10 to 19 units	2,253	5.2%	6.4%	4.5%
20 or more units	3,143	7.2%	7.9%	8.5%
Mobile home	406	0.9%	7.5%	6.5%
Boat, RV or van	0	0.0%	0.2%	0.1%
Total # of Units	43,352			
<i>Source: 2013 ACS</i>				

The percentage of one- and two- unit structures is well below the national figure, and the percentages of structures with five or more units are lower than those of either the State or the nation. The City has very few mobile homes.

A review of the numbers of units by room size shows that 29.5 percent of units are 3 bedrooms. There are 3,452 small units (no bedroom or one bedroom) – 8.0 percent of housing units, which compares to 13.2 percent for the US. At the same time, there are 22,072 units of four or five bed rooms (50.9% of the total) for large households, compared to 20.2 percent nationally. Though Frisco does not have a high percentage of persons living alone, the relatively low percentage of large units could indicate a problem in finding appropriate housing for smaller families.

The housing stock in Frisco is young. The table below shows the number of units built by decade in the City.

Period Structure Built	% of Units in Frisco
Built 2010 or later	3.7
Built 2000 to 2009	62.3
Built 1990 to 1999	24.7
Built 1980 to 1989	5.4
Built 1970 to 1979	1.9
Built 1960 to 1969	1.0
Built 1950 to 1959	0.6
Built 1940 to 1949	0.3
Built 1939 or earlier	0.2
<i>Source: 2013 ACS</i>	

In the decade between 2000 and 2010 over 27,000 housing units were built, 62.3 percent of the City's current total. Approximately 13,000 units (30.1% of the total) were constructed before in the decades between 1980 and 1999 but only 1,246 units (2.9 of the total) constructed in the 19960s and 1970s. Because of this surge in growth, the median construction date for housing units in Frisco is approximately 2004.

Thus, while the housing stock is young overall, a number of units in the oldest neighborhoods are over fifty years old, and the need for maintenance and rehabilitation is increasing.

The condition of the housing stock in Frisco is considered to be fair to good for the most part. There are 228 units in the City that lack a complete kitchen, and 40 units lack complete plumbing. These units represent 1.8 percent of the City's occupied housing units.

Tenure

The tenure pattern in Frisco varies from the national norm. In Frisco, owner-occupied units constitute 75.5 percent of units while renter-occupied units comprise 24.5 percent of housing. Across the nation, the percentages are 64.9 percent owner-occupied and 35.1 percent renter-occupied. The average household size of a renter-occupied unit is 2.5 persons, compared to 3.12 for an owner-occupied unit.

Housing Cost, Cost Burden, and Affordability

The median rent in Frisco was \$1,222 in 2013, which was above the national median rent of \$904. The impact of this level of expense is that 43.2 percent of households spent 35.0 percent or more of their income for rent, a figure that places them in the "severely cost burdened" category. In addition, another 9.1 percent pay between 30.0 and 34.9 percent of income for rent, making them cost burdened.

In contrast, homeownership in Frisco does not create a high level of cost burden in Frisco. While the median Frisco home was worth \$250,400 in 2013 compared to \$176,500 for the United States, the median mortgage payment for a home in Frisco was \$2,200 in 2013 compared to \$1,540 for the nation, per the ACS data. Only 23.5 percent of Frisco homeowners were paying 30.0 percent or more for housing (cost burdened or severely cost burdened), compared to 35.6 percent nationally.

According to data from Zillow, a nationally known source for real estate sales data, the pricing for housing in Frisco was level for almost four years after the housing "bust" in 2008. However, the market turned and housing prices increased sharply in late 2012 and have increased steadily since then, reaching a listing price of \$450,000 in November of 2014. The number of sales has increased markedly as well. The monthly average number of sales in 2008 was 1,029, and increased to 1,114 in 2010. However the average number of sales per month for the first eleven months of 2014 was 1,339. Sales figures for Frisco homes in Collin County for 2014 show an increase as well, as shown in the following table.

Frisco (Collin County) Average Homes Sales Prices, 2014		
Month	# of Sales	Average Sales Price
January	785	\$265,000
February	973	\$292,000
March	1,197	\$303,600
April	1,312	\$306,100
May	1,583	\$299,500
June	1,779	\$310,000
July	1,771	\$312,000
August	1,674	\$310,700
September	1,356	\$298,700
October	1,269	\$307,800
November	1,035	\$312,100
Average	1,339	\$301,591

Source: Texas A & M Real Estate Data Center, 2015

The average home sales price in 2013 was \$278,067 with the highest average monthly sales price being \$293,400. For 2014, figures from the Real Estate Center indicate an average monthly sale price of \$301,591 and the highest monthly average price being \$312,000. Thus, housing prices in Frisco have increased 8.4 percent in the course of eleven months.

According to this data, the average closing price for a home in November 2014 (the most recent data) was \$312,100. Using the rule of thumb that a house should cost no more than two and one-half times one's income, a family would need an income of \$124,800 to afford an average priced home. The HUD median income in Frisco is \$67,900, leaving a gap of \$56,900 for a household to overcome to acquire the average-priced home. An analysis of the income ranges presented above reveals that approximately 16 percent of households in Frisco have incomes below the \$67,900 figure.

Figures from the National Low Income Housing Coalition indicate that the Fair Market Rent in Frisco for a two-bedroom apartment is \$913 per month. According to the Coalition's figures, the monthly rent affordable to the mean enter wage (\$16.25 per hour) is \$845, which is \$68 less than the Fair Market Rent figure. Thus, the worker making the mean renter wage would need 1.1 jobs at that rate to afford the apartment. However, a minimum wage worker would need 2.4 jobs to afford the apartment.

Public Housing

The Frisco Housing Authority is comprised of 20 units of low-rent public housing. Of these 20 units, 10 are located at 3rd and Maple and 10 are located at 2nd and Pecan. In 2014 residents of the 20 public housing units consist of eight single mother households, four elderly households and eight family households.

OBSERVATIONS

Several key points relevant to potential impediments to fair housing emerge from the preceding discussion. While not definitive indicators of impediments to fair housing choice in and of themselves, they point to conditions or situations that may create impediments. These points are:

1. The population is young and racially and ethnically diverse.
2. The housing stock is heavily oriented toward single family residences, so the supply of rental units may not meet demand.
3. Despite a solid economic base and high income levels, over sixteen percent of the population is in the low-income categories as defined by HUD. Affordability is a problem for a very large portion of the renter population.
4. The housing stock is young and there are few units in need of rehabilitation or lead based paint abatement.
5. There is a high percentage of family households and those families are larger than the national norm, indicating a demand for larger housing units.
6. There are relatively fewer elderly persons and the City has a low percentage of persons living alone, thus a lower demand for smaller housing units.

4) FAIR HOUSING PRACTICES

This section provides an overview of the institutional structure of the housing industry in governing the fair housing practices of its members. The oversight, sources of information, and fair housing services available to residents in Frisco are described and their roles explained.

OVERSIGHT ORGANIZATIONS & ENFORCEMENT PROCESSES

As described above, City residents are protected from housing discrimination by federal, state, and local laws. These laws are enforced by agencies at each level and persons have a number of alternatives for seeking assistance if they feel they have been discriminated against. At the federal level, the Department of Housing and Urban Development and the Department of Justice have enforcement authority. Reports and complaints are filed with these agencies, and the Department of Justice may take legal action in some cases. Typically fair housing service providers work in partnership with HUD and state agencies to resolve problems. However, in some cases where litigation is necessary, the case may be 1) resolved via administrative filing with HUD or the state, 2) referred for consideration to the Department of Justice, Civil Rights Division, Housing and Civil Enforcement Section; or 3) referred to a private attorney for possible litigation.

Texas has its own law, which provides protections to individuals with disabilities in the sale or rental of housing. This state law, known as the Texas Fair Housing Law, defines discriminatory practices and exemptions from the housing provisions in the Texas

Property Code, Title 15, Chapter 301. The Texas Department of Housing and Community Affairs Website notes that the Fair Housing Act does not prohibit the denial of housing on the basis of credit worthiness, previous rental history, or criminal record. Furthermore, the Fair Housing Act does not protect persons who present a direct threat to the persons or property of others. The Texas Workforce Commission notes that in some circumstances, the law exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members. Also, housing developments that qualify as housing for persons age 55 or older may be exempt from the provisions barring discrimination on the basis of familial status. The Texas law does stipulate that to increase a disabled person's ability to access a housing unit, providers must take steps to increase access. For example, the Fair Housing Act requires housing providers to make reasonable accommodations in rules, policies, practices, or services when doing so would allow a person with a disability the equal opportunity to use and enjoy their dwelling. The Fair Housing Act also allows persons with disabilities to make reasonable modifications to their home.

The relationship between Texas landlords and their tenants is governed by several statutes, particularly Chapter 92 of the Texas Property Code, and by various court rulings, which defines and describes rental agreements, landlord obligations, tenant obligations, and enforcement and remedies. There are other sub-chapters of the Texas Property Code, the Texas Local Government Code, the Texas Health and Safety Code, the Texas Human Resources Code, the Texas Government Code, the Texas Civil Practices and Remedies Code and also Articles 6701g-2 and 6573(a) of the Texas Civil Statutes as amended, that apply to residential tenancies. Tenant rights and remedies are summarized in The Landlord and Tenants Guide, published by the Texas A & M Real Estate Center.

The City of Frisco adopted a revised Fair Housing Ordinance in May of 2011, replacing an existing ordinance.

As noted above, there are a number of avenues a Frisco resident can take to file a complaint. The Texas Workforce Commission is the State agency responsible for enforcing statutes relating to discrimination in housing, employment and public accommodation, as well as coordinating State compliance with federal laws prohibiting discrimination. These types of complaints include alleged violations under the Fair Housing Act (Title VIII) and other HUD programs (Section 504 of the Rehabilitation Act of 1973, American with Disabilities Act of 1990, etc.). The Commission has cooperative agreements with HUD and the Equal Employment Opportunity Commission so that federal and State agency investigations do not duplicate or overlap. Complaints may be filed directly with the Commission. In addition, a citizen may contact the City of Frisco Fair Housing Officer for information and referrals related to fair housing.

Local government officials, in agreeing to accept CDBG funds, certify that they will "affirmatively further fair housing". While the law does not specify what type of action recipients must take, it is clear that local government recipients are obligated to take some sort of action to affirmatively further the national goal of fair housing. The City

keeps records that reflect all recipients take one or more actions to affirmatively further fair housing.

COORDINATION & SUPERVISION IN THE HOMEOWNERSHIP MARKET

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

Federal Financial Institutions Examination Council (FFIEC)

The Federal Financial Institutions Examination Council (FFIEC) is a formal interagency body empowered to prescribe uniform principles, standards, and report forms for the federal examination of financial institutions by the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision, and to make recommendations to promote uniformity in the supervision of financial institutions. The FFIEC provides data on loan originations, loan denials, and other aspects of the home loan process, as well as preparing Community Reinvestment Act rating reports on financial institutions.

National Association of Realtors (NAR)

The National Association of Realtors (NAR) is a consortium of realtors, which represent the real estate industry at the local, state, and national level. As a trade association, members receive a range of membership benefits. However, to become a member, NAR members must subscribe to its Code of Ethics and a Model Affirmative Fair Housing Marketing Plan developed by HUD. The term “Realtor” thus identifies a licensed real estate professional who pledges to conduct business in keeping with the spirit and letter of the Code of Ethics. “Realtors” subscribe to the NAR’s Code of Ethics, which imposes obligations upon realtors regarding their active support for equal housing opportunity.

The NAR has created a diversity certification, “At Home with Diversity: One America”, to be granted to licensed real estate professionals who meet eligibility requirements and complete the NAR “At Home with Diversity” course. The certification signals to customers that the real estate professional has been trained on working with the diversity of today’s real estate markets.

Texas Association of Realtors (TAR)

The Texas Association of Realtors is a trade association of realtors statewide. As members of the Association, realtors follow a strict code of ethics. The Association has a legal hotline, offers Professional Standards classes and continuing education classes on ethics, professionalism, and professional standards, as well as the diversity course mentioned above.

Texas Real Estate Commission

The Texas Real Estate Commission is the licensing authority for real estate brokers and salespersons. The Commission has adopted education requirements that include courses in ethics and fair housing. To renew a real estate license, each licensee is required to complete continuing education, including ethics and fair housing issues.

The Collin County Association of Realtors and the Greater Denton/Wise Association of Realtors

The Collin County Association of Realtors (CCAR) and the Greater Denton/Wise Association of Realtors are non-profit organizations that serve area realtors and affiliate members. Both are affiliated with the Texas Association of Realtors (TAR) and the National Association of Realtors (NAR), and provide the Multiple Listing Service, education programs, and a political action program to their members.

COORDINATION & SUPERVISION IN THE RENTAL MARKET

A number of agencies are involved with the apartment rental process and related practices. This oversight includes ensuring that fair housing laws are understood. The following organizations have limited oversight within the rental housing market.

The National Apartment Association

The National Apartment Association (NAA) serves the interests of multifamily housing owners, managers, developers and suppliers. As a federation of more than 170 state and local affiliates, NAA is comprised of over 63,000 members representing more than 7 million apartment homes throughout the United States and Canada. The organization offers a range of courses and information on fair housing issues, including domestic violence, housing design standards and the elderly. In addition, the organization provides a Fair Housing Library for its members.

The Texas Apartment Association

The Texas Apartment Association, Inc. (TAA) is a non-profit statewide trade association affiliated with the National Apartment Association and local associations in 25 Texas cities. Members join TAA and NAA by joining the local affiliate in their community. TAA members are rental housing owners, builders, developers, property management firms and companies that supply products or services to rental properties. The group has more than 11,000 members statewide and represent more than 1.9 million units throughout the state. The organization offers educational program, including courses on Fair Housing and Accessibility.

The Apartment Association of Greater Dallas (AAGD)

The Apartment Association of Greater Dallas is a not-for-profit trade association that includes a wide variety of businesses, including the rental property owners and management companies, with more than 1,890 properties representing over 475,000 units in the eleven counties in the north Texas area, as well as 685 companies that provide professional services and quality products to the property owners and management

companies. AAGD members were instrumental in forming the state and national associations, the Texas Apartment Association and are active in the National Multi Housing Council. The Association offers publications as well as educational programs, including a fair housing course, to its members.

National Association of Residential Property Managers (NARPM)

NARPM is an association of real estate professionals who are experienced in managing single-family and small residential properties. NARPM promotes the standards of property management, business ethics, professionalism, and fair housing practices within the residential property management field. NARPM certifies members in the standards and practices of the residential property management industry and promotes continuing professional education. NARPM offers designations to qualified property managers and management firms, and these certifications require educational courses in fair housing practices.

5) LENDING AND COMPLAINT DATA; ADVERTISING

This section of the AI evaluates lending practices in Frisco, using Home Mortgage Disclosure Act (HMDA) data, information from banking oversight agencies, and complaint data from local, state, and federal organizations and agencies, as well as an assessment of advertising practices.

BACKGROUND

This section of the AI evaluates lending practices in the housing market area of the City of Frisco, Texas using Home Mortgage Disclosure Act (HMDA) data information from banking oversight agencies, and complaint data from local, state, and federal organizations and agencies, as well as an assessment of advertising practices.

The Home Mortgage Disclosure Act (HMDA) was enacted by Congress in 1975 and was implemented by the Federal Reserve Board's Regulation C. On July 21, 2011, the rule-writing authority of Regulation C was transferred to the Consumer Financial Protection Bureau (CFPB). This regulation provides the public loan data that can be used to assist:

- in determining whether financial institutions are serving the housing needs of their communities;
- public officials in distributing public-sector investments so as to attract private investment to areas where it is needed; and
- in identifying possible discriminatory lending patterns.

This regulation applies to certain financial institutions, including banks, savings associations, credit unions, and other mortgage lending institutions. Using the loan data submitted by these financial institutions, the Federal Financial Institutions Examination Council (FFIEC) creates aggregate tables for each metropolitan statistical area (MSA) or metropolitan division (MD) (where appropriate), and individual institution disclosure reports. The aggregate tables and individual disclosure reports for calendar years 1999-

2013 are available on the website (www.ffiec.gov/hmda) or also on the FFIEC website (www.ffiec.gov/reports.htm).

Much of the data provided by the Federal Financial Institutions Examination Council (FFIEC) is at the Metropolitan Statistical Area (MSA) level which includes Collin and Denton Counties. The figures presented in this analysis will reflect the entire MSA and, where available, the City of Frisco, Texas.

HOME LOAN ACTIVITY

A key aspect of fair housing choice is equal access to financing for the purchase or improvement of a home. In 1977, the Community Reinvestment Act (CRA) was enacted to encourage regulated financial institutions to help meet the credit needs of entire communities, including low and moderate-income persons and neighborhoods. The Home Mortgage Disclosure Act (HMDA) requires financial institutions with assets exceeding ten (10) million dollars to submit detailed information on the disposition of home loans. HMDA data were evaluated in this AI with respect to lending patterns.

Two types of purchase financing – conventional and government-backed – are examined, as well as refinancing and home improvement loans.

Conventional financing refers to market-rate loans provided by private lending institutions such as banks, mortgage companies, savings and loans, and thrift institutions.

Government-backed financing refers to loans offered at below-market interest rates that are typically issued by private lenders and are guaranteed by federal agencies. These loans are offered to lower and moderate income households who may experience difficulty in obtaining home mortgage financing in the private market due to income and equity issues. Several federal government agencies offer loan products that have below-market interest rates and are insured (“backed”) by the agencies. Sources of government-backed financing include the Federal Housing Administration, the Department of Veterans Affairs, and the Rural Housing Services/Farm Service Agency (RHA/FSA). Loans backed by local jurisdictions (such as silent second loans by cities and counties) are not covered under HMDA.

HMDA data provide some insight into the lending patterns that exist in a community. However, HMDA data is only an indicator of potential problems; the data cannot be used to conclude definite redlining or discrimination practices. In the format provided on the Website, HMDA data lack the detailed information on loan terms or specific reasons for denial to make conclusive statements.

LOAN ACTIVITY

In 2013, the most recent year for which complete data is available, there were 198,791 loans applications of the four types under review in the Dallas-Plano-Irving, TX Metropolitan Statistical Area (MSA). The table below shows the total number of loans applied for, the numbers of loans originated, and the number denied as well as the results of other actions. It is interesting to note that the number of refinancing loans is over

rate of withdrawal may reflect this fact. The approval rate for home improvement loans is low, 43.2 percent; indeed the denial rate is slightly higher than the origination rate, though this is often the case in many areas.

LOAN DENIAL RATES BY RACE AND ETHNICITY

The HMDA data provide insight into the numbers of loans applied for, originated, and denied by race and ethnicity, though these figures are available only at the MSA level. Thus, a direct comparison or analysis of loan approvals and denials by census tract in the City of Frisco is not possible. However, the figures are useful for examining trends in the larger market, and assessing the general trends in Frisco.

The table below provides the data and calculations for the Dallas-Plano-Irving, TX MSA, showing the number of applications received, loans originated, applications denied, and those withdrawn or otherwise not approved by race and ethnicity of the applicant.

<i>Denial Rates by Ethnicity - Dallas - Plano-Irving, Tx</i>						
Race/Ethnicity	Applications Received	# Loans Originated	Loan Origination Rate	Applications Denied	Loan Denial Rate	Files Withdrawn, Approved but not Accepted, Closed for Incompleteness
American Indian/Alaskan Native	1,016	522	51.4%	308	59.0%	186
Asian	15,903	10,529	66.2%	2,253	21.4%	3,121
Black or African-American	15,029	7,996	53.2%	3,813	47.7%	3,220
Native Hawaiian or Pacific Islander	398	203	51.0%	107	52.7%	88
White	135,728	89,086	65.6%	21,200	23.8%	25,442
Two or More Minority Races	150	77	51.3%	32	41.6%	41
Joint (White/Minority Race)	3,093	2,063	66.7%	471	22.8%	559
Race Not Available	27,510	14,019	51.0%	5,933	42.3%	7,558
TOTAL FOR RACE	198,827	124,495	62.6%	34,117	27.4%	40,215
Hispanic or Latino	20,256	10,846	53.5%	5,027	46.3%	4,383
Not Hispanic or Latino	148,170	97,113	65.5%	23,034	23.7%	28,023
Joint Hispanic or Latino	4,732	3,128	66.1%	786	25.1%	818
Ethnicity Not Available	25,669	13,408	52.2%	5,270	39.3%	6,991
TOTAL FOR ETHNICITY	198,827	124,495	62.6%	34,117	27.4%	40,215
<i>Source: FFIEC, 2013 HMDA</i>						

The figures for the MSA show that “White” loan applicants for all types of loans constituted the largest number (89,086) of loan originations for the period, followed by “Asian” applicants (10,529 loans). It should be noted that the “Race Not Available” group at 14,019 percent was second, which is an unusually high percentage. These

REASONS FOR LOAN DENIAL BY INCOME

Collateral was the greatest source of loan denial for all income groups with exception of those earning less than 50% of the MSA Median Income. Debt to Income Ratio was the leading cause for denial among this group of applicants.

<i>Reasons for Loan Denial by Income</i>											
Income as % of MSA Median	Total # of Applications	Debt to Income Ratio	Employment History	Credit History	Collateral	Insufficient Cash	Unverifiable Info	Credit app incomplete	Other	Total Denials by Income Level	% Denials by Income Level
		# Denied	# Denied	# Denied	# Denied	# Denied	# Denied	# Denied	# Denied	# Denied	# Denied
<50%	12,500	1,567	110	1,288	379	165	227	310	567	4,613	0.37
50-79%	27,918	1,550	110	1,774	732	259	358	589	763	6,135	0.22
80-99%	17,578	694	56	828	455	137	213	353	432	3,168	0.18
100-119%	18,051	575	43	795	406	112	230	375	422	2,958	0.16
>120%	103,677	1,700	227	2,803	2,699	524	1,148	2,134	2,162	13,397	0.13
Income not Available	19,103	210	45	817	201	236	232	463	611	2,815	0.15
TOTAL	198,827	6,296	591	8,305	4,872	1,433	2,408	4,224	4,957	33,086	0.17

Source: FFIEC, HMDA 2013

ORIGINATIONS BY LOAN TYPE 2004-2012

As shown in the tables below, lending activity for new home purchases peaked in 2005 during the height of the housing bubble and then decreased in subsequent years. Home purchase loans as a percentage of all loans peaked in 2006 (82.94%) and decreased to 34.77% in 2012 in the MSA. Refinance loans have increased significantly in recent years and represented 65.23% of all loans in 2012.

High cost loans also peaked during the housing bubble and represented 18.89% of all loans in 2005. High cost loans have steadily decreased in recent years, and only comprised 2.96% of all loans in the MSA in 2012.

MSA/MD Dallas-Plano-Irving									
Purchase	2004	2005	2006	2007	2008	2009	2010	2011	2012
MSA/MD									
Number of Loans	6,447	6,844	6,666	4,795	3,531	3,234	3,084	3,164	2,492
Median Loan Amount	161,000	165,000	175,000	187,000	192,000	191,000	203,000	214,000	248,000
Percent of All Loans	69.06	78.35	82.94	75.23	66.64	40.61	42.03	45.66	34.77
State (Texas)									
Number of Loans	358,261	385,453	405,861	336,164	244,719	210,746	193,217	179,727	215,788
Median Loan Amount	117,000	121,000	127,000	136,000	142,000	143,000	148,000	153,000	162,000
Percent of All Loans	55	65.5	73.65	70.67	65.8	46.32	47.3	45.84	42.87
National									
Number of Loans	4,879,019	5,146,333	4,667,920	3,524,874	2,562,011	2,413,549	2,181,851	2,037,856	2,306,579
Median Loan Amount	156,000	170,000	174,000	176,000	174,000	164,000	168,000	166,000	174,000
Percent of All Loans	42	44.52	46.35	45.53	45.65	31.41	32.36	34.44	28
Refinance	2004	2005	2006	2007	2008	2009	2010	2011	2012
MSA/MD									
Number of Loans	2,888	1,891	1,371	1,579	1,768	4,729	4,254	3,765	4,676
Median Loan Amount	149,000	156,000	159,000	170,000	188,000	196,000	190,000	186,000	205,000
Percent of All Loans	30.94	21.65	17.06	24.77	33.36	59.39	57.97	54.34	65.23
State (Texas)									
Number of Loans	293,254	203,117	145,205	139,490	127,183	244,274	215,308	212,343	287,586
Median Loan Amount	92,000	94,000	97,000	108,000	125,000	155,000	152,000	142,000	150,000
Percent of All Loans	45.01	34.5	26.35	29.33	34.2	53.39	52.7	54.16	57.13
National									
Number of Loans	\$ 6,867,419	\$ 6,413,231	\$ 5,402,695	\$ 4,217,202	\$ 3,049,768	\$ 5,344,270	\$ 4,561,438	\$ 3,879,718	\$ 5,931,851
Median Loan Amount	\$ 140,000	\$ 155,000	\$ 153,000	\$ 160,000	\$ 165,000	\$ 183,000	\$ 179,000	\$ 170,000	\$ 181,000
Percent of All Loans	58.46	55.48	53.65	54.47	54.35	68.89	67.64	65.56	72
High-Cost Loans	2004	2005	2006	2007	2008	2009	2010	2011	2012
MSA/MD									
Number of Loans	957	1,650	1,476	705	338	354	257	232	212
Median Loan Amount	155,000	17,000	176,000	195,000	168,000	58,000	42,000	47,500	53,500
Percent of All Loans	10.25	18.89	18.37	11.06	6.38	5.02	3.5	3.35	2.96
State (Texas)									
Number of Loans	118,433	165,712	167,659	91,231	52,657	30,853	21,415	19,567	22,147
Median Loan Amount	87,000	99,000	105,000	104,000	93,000	80,000	70,000	77,000	82,000
Percent of All Loans	18.18	28.15	30.42	19.18	14.16	7.68	5.24	4.99	4.4
National									
Number of Loans	1,709,639	2,909,619	2,827,156	1,364,023	556,800	311,065	145,203	163,776	171,247
Median Loan Amount	116,000	145,000	152,000	144,000	107,000	103,000	88,000	99,000	100,000
Percent of All Loans	14.55	25.17	28.07	17.62	9.92	4.53	2.15	2.77	2.08
<i>Source: Policy Map, HMDA 2004 - 2012</i>									

HIGH-COST ORIGINATIONS

The analysis shows 5.19 percent of home purchase loans originated in the Dallas-Plano-Irving, MSA in 2013 were high-cost loans compared to 2.16 percent for refinancing loans. A loan is considered high-cost when there is a rate spread reported. In the fourth quarter of 2009, HMDA changed its rules for reporting rate spreads in an effort to more accurately capture the current high-cost lending activity. The percentages of high cost loans were excessive for both home purchase and refinancing loans during the period 2004-2009.

For 2004-2009Q3, the rate spread on a loan was the difference between the Annual Percentage Rate (APR) on the loan and the treasury security yields as of the date of the loan's origination. Rate spreads were only reported by financial institutions if the APR was three or more percentage points higher for a first lien loan, or five or more

percentage points higher for a second lien loan. A rate spread of three or more suggested that a loan was of notably higher cost than a typical loan.

For 2009Q4 and 2010, the rate spread on a loan is the difference between the Annual Percentage Rate (APR) on the loan and the estimated average prime offer rate (APOR). Rate spreads are only reported by financial institutions if the APR is more than 1.5 percentage points higher for a first lien loan, or more than 3.5 percentage points higher for a second lien loan.

<i>High-Cost Lending by Loan Type</i>									
High-Cost Loans	2004	2005	2006	2007	2008	2009	2010	2011	2012
Purchase									
Number of Loans	12,980	22,726	21,857	10,012	5,495	2,526	1,968	1,770	2,266
Median Loan Amount	120,000	125,000	128,000	128,000	116,000	93,000	57,000	69,000	80,500
Percent of Purchase Loans	15.99	28.87	26.21	14.85	11.15	7.04	5.28	5.14	5.39
Refinance									
Number of Loans	10,880	11,570	10,173	5,709	3,140	2,847	1,651	1,334	1,512
Median Loan Amount	\$86,000	\$96,000	\$101,000	\$105,000	\$94,000	\$71,000	\$57,000	\$76,000	\$76,000
Percent of Refinance Loans	16.35	26.41	34.95	20.57	11.9	5.39	3.23	2.76	2.16
<i>High-Cost Loan by Race/Ethnicity</i>									
High-Cost Loans	2004	2005	2006	2007	2008	2009	2010	2011	2012
Loans to Whites									
Number of Loans	13,977	21,180	19,791	10,394	6,203	4,228	2,871	2,476	3,053
Median Loan Amount	\$103,000	\$114,000	\$117,000	\$117,000	\$106,000	\$79,000	\$58,000	\$73,000	\$77,000
Percent of Loans to Whites	69.63	71.34	70.15	72.99	74.91	75.08	74.9	74.34	74.43
Percent of High-Cost Loans	58.58	61.76	61.79	66.12	71.84	78.69	79.33	79.33	80.81
Loans to African Americans									
Number of Loans	4,726	7,506	6,980	2,951	1,336	447	331	237	296
Median Loan Amount	\$108,000	\$121,000	\$126,000	\$128,000	\$117,000	\$102,000	\$65,000	\$84,000	\$97,000
Percent of Loans to African Americans	9.99	11.18	11.58	10.02	8.09	5.8	5.68	5.72	5.91
Percent of High-Cost Loans	19.81	21.89	21.79	18.77	15.47	8.32	9.15	7.64	7.83
Loans to Asians									
Number of Loans	540	749	640	397	219	222	159	140	157
Median Loan Amount	\$122,500	\$141,000	\$149,000	\$149,000	\$127,000	\$56,500	\$36,000	\$48,000	\$55,000
Percent of Loans to Asians	4.95	4.45	4.97	5.71	6.36	7.73	8.46	8.62	8.89
Percent of High-Cost Loans	2.26	2.18	2	2.53	2.54	4.13	4.39	4.51	4.16
Loans to Hispanics									
Number of Loans	5,495	7,714	7,409	3,846	1,979	689	467	414	578
Median Loan Amount	\$90,000	\$98,000	\$102,000	\$99,000	\$88,000	\$85,000	\$76,000	\$75,000	\$84,000
Percent of Loans to Hispanics	13.65	14.26	14.17	13.47	11.35	8.41	8.28	8.42	8.42
Percent of High-Cost Loans	23.02	22.49	23.13	24.46	22.92	12.82	12.9	13.34	15.3
Loans to Nonhispanics									
Number of Loans	14,198	22,409	20,842	10,263	5,984	4,260	2,910	2,485	2,964
Median Loan Amount	\$113,000	\$125,000	\$130,000	\$133,000	\$118,000	\$80,000	\$53,000	\$71,000	\$76,000
Percent of Loans to Nonhispanics	67.25	73.61	74.74	77.02	79.04	81.15	81.48	81.65	81.84
Percent of High-Cost Loans	59.51	65.34	65.07	65.28	68.88	79.29	80.41	80.06	78.45
<i>Source: Policy Map, HMDA 2004 -2012</i>									

CRA LENDING ACTIVITY AND RATINGS

The Community Reinvestment Act is intended to encourage depository institutions to help meet the credit needs of the communities in which they operate, including low- and moderate-income neighborhoods, consistent with safe and sound banking operations. It was enacted by the Congress in 1977 (12 U.S.C. 2901) and is implemented by Regulations 12 CFR parts 25, 228, 345, and 195. (See Regulation).

The CRA requires that each insured depository institution's record in helping meet the credit needs of its entire community be evaluated periodically. That record is taken into account in considering an institution's application for deposit facilities, including mergers and acquisitions (See CRA Ratings). CRA examinations (see Exam Schedules) are conducted by the federal agencies that are responsible for supervising depository institutions: the Board of Governors of the Federal Reserve System (FRB), the Federal Deposit Insurance Corporation (FDIC), and the Office of the Comptroller of the Currency (OCC).

The following table shows the 2013 level of lending activity within the City of Frisco by the most prominent depository institutions located in the City:

2013 Lending Activity in the City of Frisco by Depository Institution

Lender Name	FHA, FSA/RHS, VA Loans		Conventional Loans		Refinancings		Home Improvement	
	Originated	Denied	Originated	Denied	Originated	Denied	Originated	Denied
Bank of America NA (NC)	11	3	115	20	328	66	0	2
Capital One NA (VA)	na	na	8	6	3	3	4	5
Citibank NA (SD)	1	0	38	4	201	31	0	1
Colonial Savings FA (TX)	16	10	90	38	54	70	na	na
Compass Bank (TX)	1	0	53	7	42	15	3	1
First United Bank & Trust Co (OK)	25	0	77	1	78	2	1	0
JPMorgan Chase Bank NA (OH)	9	3	107	39	452	158	2	9
Regions Bank (AL)	1	0	10	1	13	3	1	0
Viewpoint Bank NA	na	na	na	na	3	0	70	56
Wells Fargo Bank NA (SD)	22	4	225	49	678	164	36	61

Source: FFIEC, 2013.

The following table shows the CRA ratings for the above referenced depository institutions. All lending institutions examined received Outstanding or Satisfactory ratings. Six of the ten prominent depository institutions with locations in the City of Frisco received a “satisfactory” rating and four received an “outstanding” rating by their review agency.

Interagency CRA Ratings of Depository Institutions in the City of Frisco, TX

ID	Agency	Exam Date	Bank Name	City	State	CRA Rating
13044	OCC	12/31/2011	Bank of America N.A. (NC)	Charlotte	NC	Satisfactory
24828	OCC	04/04/2011	Capital One Bank (USA) N.A.	Glen Allen	VA	Satisfactory
16971	OCC	01/20/2009	Citibank N.A. (SD)	Sioux Falls	SD	Outstanding
706809	OCC	04/08/2013	Colonial Savings F.A.	Fort Worth	TX	Satisfactory
27419	FDIC	06/01/1997	Compass Bank	Houston	TX	Satisfactory
4239	FDIC	01/01/2015	First United Bank & Trust Co.	Durant	OK	Outstanding
8	OCC	12/31/2010	JPMorgan Chase Bank N.A.	Columbus	OH	Satisfactory
12368	FDIC	12/01/2000	Regions Bank	Birmingham	AL	Outstanding
25024	OCC	01/14/2013	Viewpoint Bank N.A.	Plano	TX	Satisfactory
26983	FDIC	12/08/2008	Wells Fargo Bank N.A.	Sioux Falls	SD	Outstanding

Source: FFIEC, 2013.

FAIR HOUSING COMPLAINT DATA

As described earlier, there are a number of organizations and agencies with oversight in the area of fair housing and discrimination in housing. This section of the Analysis of Impediments will review and assess information about housing discrimination complaints and reports on housing opportunity in Frisco.

In the past five years there were four Title VIII cases in the Federal Court’s North Texas District, but none of these complaints involved entities in Frisco.

The Texas Workforce Commission documents and reports available on its website do not contain any information about housing discrimination complaints pertaining to Dallas County or Frisco specifically. However, since the Commission is the administrator for fair housing issues, the data obtained from the HUD Fair Housing Equal opportunity Website is very likely as accurate and current as any obtained from the Commission.

The FHEO data is available only at the County level and thus the figures presented here reflect the two counties, not simply the City. The data cover the period January 2008 to December 31, 2013, and are the most recent and complete available.

Over the six year period 165 complaints were filed. The table below shows those complaints by year and by basis for the complaint.

FHEO CASES FILED - COLLIN AND DENTON COUNTIES, 2008-2013										
Year	County	Filed Cases	Race Basis	Color Basis	National Origin Basis	Disability Basis	Familial Status Basis	Religion Basis	Sex Basis	Retaliation Basis
2008	Collin County	23	15	0	3	5	2	0	4	1
2009	Collin County	14	2	0	4	7	3	0	0	0
2010	Collin County	22	10	0	4	4	7	0	2	2
2011	Collin County	18	8	0	3	7	4	0	1	3
2012	Collin County	14	4	0	3	6	1	1	3	2
2013	Collin County	10	3	0	0	4	2	1	0	2
TOTAL		101	42	0	17	33	19	2	10	10
2008	Denton County	16	8	0	0	6	3	2	2	1
2009	Denton County	7	2	0	1	2	2	0	0	0
2010	Denton County	14	3	0	1	7	3	0	2	0
2011	Denton County	8	2	0	1	5	1	0	1	0
2012	Denton County	10	2	0	2	6	2	0	0	1
2013	Denton County	9	4	0	1	5	0	0	0	0
TOTAL		64	21	0	6	31	11	2	5	2

Source: HUD, Office of Fair Housing and Employment Opportunity

A complaint may be filed on multiple grounds, so the number of complaints often exceeds the number of cases filed. The number of cases filed averaged 17 per year over the six year period for Collin County and 10 per year for Denton County. In both counties, the number of filings has declined in the last three years compared to the first three years.

The largest number of filings was on the basis of Race. The number of Race Basis cases declined after 2010. Disability was the second most common basis for a complaint and the cases filed in the two counties has been fairly consistent over the period. Familial Status was the third most common basis for complaint, though no trend in filings is discernable over the period.

These data do not capture the totality of fair housing conditions in Frisco. Not all fair housing problems are recorded or come to light as fair housing complaints. Many persons do not lodge a complaint, because, as a fair housing advocate in Oregon observed, “All they [persons seeking housing] want is a house, not a Federal case.”

REAL ESTATE ADVERTISING

This assessment of fair housing practices in Frisco included a review of a number of sources containing advertisements for housing, both for sale and rental. Overall, there does not appear to be any attempt to exclude or discriminate against any of the protected classes.

A number of publications advertising both rental and ownership properties were reviewed as part of this assessment. This review included “ForRent.com,” “NewHomeGuide.com,” as well as real estate advertisements in “Living,” “Frisco Style,” and “Frisco 2014.” The two real estate publications each had a disclaimer in the publication information section indicating that “all real estate advertised herein is subject to the Federal Fair Housing Act,” and that the publication would not knowingly accept advertising in violation of the Act. The Fair Housing logo appeared with this disclaimer. None of the ads in these publications contained any mention of the Act and the logo was not present. Some of the real estate advertisements in the other publications displayed the Fair Housing logo, but there was no fair housing language in any of these ads.

A review of the listings for Frisco in the online edition of the *Dallas Morning News*, *DFW RealEstateFinder* showed that most property ads did not feature the fair housing logo, and none of the ads reviewed made any specific reference to fair housing policies or practices. It should be noted that upon going to the real estate broker’s site (as opposed to the individual property listing) the fair housing logo was often present, usually at the bottom of the page. In reviewing ads for apartments, the reviewer was directed to apartments.com which contained listings for the entire Dallas-Frisco-Fort Worth area. None of these listings contained a fair housing logo or language. However, if one goes to the home page for the site and clicks on “Who We Are,” the logo and the “Equal Housing Opportunity” phrase appear at the bottom of the page.

A review of the City’s Online Yellow Pages showed that the apartment listings did not display the logo nor reference equal housing opportunity. Very few of the listings did include the fair housing logo if one went to the property website.

OBSERVATIONS

1. The HMDA data are inconclusive in identifying or defining any impediment to fair housing.
2. The loan denial rate was highest for Native Americans (59.0%), followed by Hawaiian, Pacific Islander applications (52.7%), African Americans (47.7%) and Two or More Races (41.6%).
3. The number of FHEO complaints for the period under review was modest in light of the size of the population, but had begun to increase Countywide after 2008.
4. There was no clear sign of discrimination in the language or illustrations of housing advertising in the area’s real estate on line sites.

6) PUBLIC POLICIES AND PRACTICES

LAND USE PLAN - HOUSING

Public policies established at the local level can affect housing development and therefore, may have an impact on the range and location of housing choices available to residents. Fair housing laws are designed to encourage an inclusive living environment and active community participation. An assessment of public policies and practices enacted by the City can help determine potential impediments to fair housing opportunity. To identify potential impediments to fair housing choice and affordable housing development, housing-related documents (e.g., zoning code materials, previous fair housing assessments) were reviewed. This section of the Analysis focuses on public policies that may impede fair housing choice in Frisco.

COMPREHENSIVE PLAN

Texas law permits municipalities to prepare Comprehensive Plans, including a Housing Element. This element establishes a goal of ensuring that all residents have access to adequate and affordable housing. The Comprehensive Plan may also include a housing opportunities objective to provide quality housing and a range of housing size, cost, and density that should be provided in each community, to make it possible for all who work in the community to also live in the community. In these Plans local governments evaluate the composition and quality of the community's housing stock, the age and condition of housing, the cost of housing, the needs of households that are cost burdened, the relationship of local housing costs and availability to the socioeconomic characteristics of these households and special housing needs in the community (e.g., housing needs of residents who are elderly; homeless; persons with mental, physical, or developmental disabilities; and persons with HIV/AIDS).

The City's Comprehensive Plan, completed in 2006, addresses housing in a chapter on livability and also refers to housing in a section on growth strategies. In 2014-2015 the City will update that Plan, revising the original housing chapter and setting out new goals and the necessary actions to achieve them. The goals note in particular the need to promote a range of available, accessible and affordable housing, to provide quality housing, and to revitalize existing neighborhoods. The website notes the need to deal with Frisco's transition from a growing city to a city with aging neighborhoods and an aging population, as well as planning for a variety of housing types and sizes, including the increased demand for urban-style multi-family and mixed-use residential development.

ZONING CODE

The City also has a Zoning Code, which serves to protect the public interest and create safe and sanitary living conditions. However, this code can affect fair housing choice. Inspection costs, permit fees, and higher quality construction requirements tend to drive up the cost of housing. Requirements for various kinds of building permits also increase the cost of a housing unit. Similarly zoning requirements that define or exclude certain

types of housing can reduce the opportunity to develop a range of housing choices for individuals across the community.

The fair housing equation is balanced on one end with equal access and on the other end with a range of housing choice. To ensure fair housing choice in a community, a zoning ordinance should provide for a range of housing types, including single-family, multi family, second dwelling units, mobile homes, licensed community care facilities, employee housing for seasonal or migrant workers, assisting living facilities, emergency shelters, and transitional housing. Single and multi-family housing types include detached and attached single-family homes, duplexes, townhomes, condominiums, and rental apartments, as well as accessory units.

The Zoning Code for Frisco permits this range of housing types in various areas within the City. A variety of single family detached, single family attached, multifamily and manufactured housing options are available throughout the community. Group homes for elderly and disabled are allowed in accordance with State guidelines. The Building and Inspections standards do not restrict accessibility and meet state guidelines.

It should be noted that the Code does not mention visitability or universal design, nor does it directly reference the Fair Housing Act or the Americans with Disabilities Act.

TRANSPORTATION

Transportation from housing to work, to services, and to shopping is an essential part of fair housing. Persons without automobiles, persons with disabilities, the elderly, and many others need access to reliable and convenient transportation.

The City does not have a public transportation system, but the City does fund TAPS Public Transit. TAPS provides on-demand curb-to-curb public transportation for the City of Frisco on behalf of Collin County. TAPS buses run Monday-Friday with the earliest available pickup time at 6:00am and the latest available pickup time at 5:30pm. TAPS does not provide service in Collin County on Saturday or Sunday. Riders may schedule a ride to keep a medical appointment, go shopping, attend an event, for any reason. They must schedule a ride at least 24 hours in advance, and may establish a Standing Reservation for a recurring trip.

OBSERVATIONS

1. The City's Comprehensive Plan is being updated and will likely emphasize the development of a range of housing opportunities for all residents and the development of mixed use projects.
2. The City's Zoning Code does not limit fair housing.
3. The does not have a City's public transit system per se, but does address the transportation needs of persons without a car, the elderly, and the disabled and appears to provide adequate service.

7) RESIDENT SURVEY & FOCUS GROUP MEETINGS

FAIR HOUSING SURVEY

The City conducted a Fair Housing Survey to determine the extent to which impediments to housing, whether intentional or unintentional, were evident to residents and what the nature of those impediments is. This survey was available on the City website, was provided in hard copy to attendees at the public hearing in early December, and was available at the City offices. The survey was available between October 20 and December 5, 2014. A copy of the survey is included as an Appendix B to the Analysis of Impediments document.

Respondent Profile

The City received 259 responses to the survey. Responses described below may not always reach this total, as some respondents skipped questions.

Asked how long they had lived in Frisco, 31.5 percent of respondents had lived in Frisco for one to five years, 32.4 percent answered six to ten years and 24.9 percent replied eleven to nineteen years. Only 4.2 percent had lived in Frisco less than one year and no one had lived there all their life. Seventy-five percent of respondents (156) were White, 21 persons were African-American, nine reported Other Race, six persons were Asian, there were Native American, and 13 were Two or More Races. Of the respondents to the question about ethnicity 95.1 percent (195) were Non-Hispanic, 24 were Hispanic and forty persons skipped the question entirely.

While 20.8 percent of respondents “Preferred not to answer” when questioned about income, a quarter reported incomes in the \$100,000 to \$150,000 range and another 19.9 percent reported incomes greater than \$150,000. Only twelve percent of respondents reported incomes of less than \$50,000. The vast majority, 88.2 percent, owned their homes.

The first question asked if the respondents had personally experienced housing discrimination in Frisco. Only five persons (2.0%) answered in the positive, but none of them reported this discrimination. The main reason that the discrimination was not reported was that the people did not think it would make a difference. Though the number of respondents was small, the main perceived reason for the discrimination was race or ethnicity.

Asked if there are areas of Frisco that have fair housing problems, 137 respondents answered No, 101 responded that they did not know, while 16 persons responded that there are problems. Three neighborhoods were named and one person noted that there is an affordability issue.

Asked how much of an issue discrimination was, over two-thirds of respondents felt it was not a concern and another 21 percent had no opinion. Only 20 persons, (7.8%) felt that discrimination was becoming more of a concern.

Asked if persons would know where or how to report discrimination, 79 respondents said Yes, 72 said No, and another 63 said they Did Not Know. The following question asked about the knowledge of fair housing on the part of Buyers and Sellers, Real Estate Professionals, Housing Lenders and Apartment Managers. Buyers and Sellers were deemed to have the least knowledge on the topic, while Real Estate Professionals, and Housing Lenders were thought to have the greatest understanding of the topic.

Over one half of the respondents did not know if there are regulations or policies that represented barriers to fair housing. Of the fifteen persons who felt there are barriers, three mentioned Home Owner Associations, and one person stated that “City ordinances on the topic are outdated.”

While one-third of the respondents felt that there is adequate fair housing outreach in Frisco, 24.5 percent did not feel that there is enough, but 42.1 percent had no opinion. Of those who said No, almost three-quarters felt that there needs to be more media attention to the topic, while Housing Fairs, Brochures, and Public Service Announcements were also thought to be good means to disseminate information. Almost two-thirds of respondents (60.4%) felt well informed about fair housing laws.

FOCUS GROUP DISCUSSIONS

As part of the public participation process for the development of the City’s 2015-2019 Consolidated Plan and the preparation of an updated Analysis of Impediments, the City held a Public Hearing to obtain information on housing discrimination and the needs of low- and moderate-income residents of Frisco. The Public Hearing was held at the Chamber of Commerce at 7:00 PM on December 3, 2014. The Hearing had been publicized through an advertisement in the newspaper of record, on the City website, through a mailing to residents of the low- and moderate-income neighborhoods, and with the placement of 373 door hangers on homes in those neighborhoods. The Hearing began with a brief presentation about the Consolidated Plan and the Analysis of Impediments to Fair Housing Choice, after which the floor was opened for a discussion of needs and priorities.

A copy of the presentation and copies of the sign-in sheets for each are found in Appendix D.

The topic of housing discrimination was raised at each of these meetings. None of the participants felt that they had suffered any housing discrimination, nor did they know of anyone who had. The consensus among the participants was that housing discrimination is not an issue.

OBSERVATIONS

The key points that emerge from the preceding discussion are:

1. There is ambiguity about the extent of housing discrimination in the City, though those that say it is present can identify specific areas in which it occurs.
2. The means or process to report discrimination is not clear.

3. There is a need for increased awareness about housing discrimination, based on the lack of certainty in responses to some questions.

8) FAIR HOUSING ACCOMPLISHMENTS – 2012

The Action Plan for 2013-2014 for Frisco included initiatives specifically to further fair housing choices and increase access to housing and housing programs and services. The following paragraphs, based upon information, provided in the 2014 Consolidated Annual Performance and Evaluation Report, describes these accomplishments.

The City of Frisco is required to affirmatively further fair housing as mandated by Section 808(e)(5) of the Fair Housing Act. HUD requires that the City conduct an Analysis of Impediments to Fair Housing Choice and to take appropriate actions to overcome the effects of any impediments identified through the analysis. In 2010, the City of Frisco prepared an Analysis of Impediments to Fair Housing Choice. The analysis included, 1) a demographic, income, housing, employment, education, and public transportation profile of the community, 2) an assessment of fair housing law, municipal policies, and complaint analysis, 3) a public survey, focus group sessions and community engagement, and 4) a review of home mortgage disclosure data.

A summary of the 2010 Analysis revealed the following impediments:

Impediment 1: Residents are unaware about how to report fair housing/violations. Citizens could benefit from education and training about fair housing issues, according to a resident survey.

Impediment 2: Insufficient affordable housing. A lack of affordable housing is not specifically an impediment; however, it can indirectly lead to housing discrimination if competition is created over what may be a need for more affordable rental units.

Impediment 3. NIMBYism. Frisco residents value the small town feel of Frisco, and fear that low income and workforce housing may change the dynamics of the community and compromise the things they value most within the City.

Impediment 4. Discrimination The resident survey found minimal housing discrimination in Frisco, though it may exist as low-income residents, those most likely to experience discrimination, did not respond to the survey in great numbers.

The City has embarked upon a concerted effort to address these issues, and the table in Appendix E shows these efforts for each of the past four years.

Activities in the past year in particular include the following:

A Fair Housing Information Session was held September 18, 2014, at the George A. Purefoy Municipal Center, the public was invited, and a Notice was published in the newspaper, *Frisco Enterprise*, and on the City's website. The North Texas Fair Housing

Center facilitated the seminar. In addition, City staff hand-delivered notices of the event to every multi-family complex in the City. In addition, Housing and Grants Manager, Stacy Brown, made a presentation on Fair Housing issues at the Fair Housing Symposium held at the Morton Meyerson Center in Dallas, Texas on April 30, 2014.

In support of its efforts to affirmatively further Fair Housing Choice, the Affordable Housing Department acts as a resource for fair housing complaints. No fair housing complaints have been received by staff during the program year. The City remains active in attending related training. Concepts learned in training and interactions with the community contribute to a successful move toward affirmatively furthering Fair Housing.

In PY2013, the City of Frisco operated the CDBG Housing Rehabilitation Program to directly further fair housing by making funds available to low-moderate income households to rehabilitate homes.

The City of Frisco through its' policy of no permit fees for non-profit developers of affordable housing seeks to support the building of affordable housing.

Activities also are targeted to the city's Public Housing units. The annual environmental documentation was completed by City Staff for the Frisco Housing Authority. Fair housing flyers were distributed to each household.

9) IDENTIFIED IMPEDIMENTS, RECOMMENDATIONS AND ACTIONS

Background

This section summarizes the key findings of the AI document, and makes recommendations for actions to eliminate impediments to fair housing choice in Frisco. This information is as comprehensive as possible, and there likely remain a number of additional remedies to these and other problems faced by home seekers.

Housing discrimination continues to occur, and manifests itself in different ways among different segments of the population. Since it continues to be the goal of the City to eliminate any existing discrimination and prevent future housing discrimination and other impediments to equal housing opportunity, the recommendations provided below provide a guide to ensure fair access to housing for all City residents.

This 2014 AI builds upon the previous AI, analyzes recent data, identifies the private and public sector conditions that foster housing discrimination, and provides recommendations for dealing with the fair housing issues identified. Based upon research in statistical materials, a review of HMDA and complaint data, interviews and focus group discussion, as well as surveys, the following is a list of key potential impediments identified in Frisco. Each impediment below is followed by recommendations to address and eliminate that impediment.

Several of these topics are closely related and linkages among them are noted.

It should be noted that in some instances, it is necessary to strike a balance among issues. Land use policies and requirements and development standards, although sometimes adding costs to construction or rehabilitation, are necessary for the safety and health of residents

It should also be noted that Frisco appears to have a low incidence of housing discrimination, especially as evidenced by the small number of complaints on file.

Impediments, Recommendations, and Actions

IMPEDIMENT ONE – NEED FOR INCREASED AWARENESS, OUTREACH AND EDUCATION

Frisco has an active fair housing program. However, survey results note a lack of knowledge about fair housing law, policies, and practices. The need for on-going education, awareness, and outreach remains, especially among lower income households and minorities.

Recommendations:

- 1) Continue and expand efforts by City agencies, housing advocacy groups, and service organizations to inform renters and homebuyers of their rights and means of recourse if they feel they have been discriminated against.
- 2) Continue training sessions and information campaigns especially among rental property owners and managers, as well as apartment owner associations, and management companies.
- 3) Convene focus groups of advocacy groups, community based organizations, real estate industry professionals, lenders, property owners, and government agency officials to review and assess fair housing issues. These groups should identify discriminatory practices, trends, or changes in these practices, focal points of discriminatory practice, and the means or methods to address them.
- 4) Update Fair Housing information regularly and adjust strategies and actions accordingly. In particular, the groups mentioned above should continue to meet yearly (or perhaps twice yearly), for example at the Fair Housing Seminar.
- 5) Expand awareness efforts through school programs (e.g., poster contests, essay contests) coordinated with Fair Housing Month programs, and devote a Housing Seminar session specifically to fair housing law and practice.
- 6) Continue and, if possible, expand existing programs to educate households and housing related organizations by disseminating Fair Housing law literature, conducting Fair Housing law seminars and training, and focusing public awareness campaigns about Fair Housing law in ethnic

and minority neighborhoods, and among Home Owner Association, civic, social, religious, and special interest groups.

IMPEDIMENT TWO – LIMITED SUPPLY OF AFFORDABLE HOUSING

As discussed earlier, affordability is an indirect aspect of housing discrimination and it is difficult to talk about addressing impediments to fair housing, and actions to eliminate discrimination in housing, without simultaneously talking about development of policies, plans, programs, and projects to increase the supply of affordable housing.

Earlier sections of this Analysis addressed the issue of affordability. Suffice to say that even moderate-income households face challenges in purchasing a home in Frisco, and low-income families face a significant cost burden for rental housing. Incentives for the creation of affordable housing should be structured so that they are stringent enough to produce the desired units, but palatable to the developer as well.

Recommendations and Actions

- 1) Continue to use all available federal and state funding resources and programs to address high priority housing needs for rehabilitation, preservation, and development of affordable units.
- 2) Continue to work with community based organizations, affordable housing developers, and housing advocacy groups to increase the supply of disability accessible housing units, leveraging resources to the extent possible.
- 3) Continue and, if possible, expand housing rehabilitation programs to maintain the City's base of affordable units, both owner-occupied and rental.
- 4) Research other affordable housing programs for additional ideas and practices.
- 5) Continue to seek incentives to promote developers constructing a wide range of housing types at a number of price points, considering transportation, employment centers and the availability of services and shopping in their planning.
- 6) Housing for special needs populations and minorities should be scattered throughout the City.

IMPEDIMENT THREE – GOVERNMENT POLICIES

This impediment deals with issues relating to the development of land including housing that is available to a wide range of persons and income levels in disparate locations. This goal is affected by a wide range of factors, some of which are beyond the ability of the City to change. However, the City can address some issues, as noted below.

Recommendations

- 1) Ensure that reasonable accommodation and disabled access issues are properly addressed in municipal zoning and construction codes.
- 2) Do as much as possible to reduce review and approval process times for both new construction and home modification applications.

- 3) Encourage the use of universal design principles in new housing developments.
- 4) Ensure that local zoning ordinances and building codes properly address issues of concern with respect to higher density housing, persons with disabilities, and group homes/congregate living/community care.
- 5) Seek new or additional incentives, as noted in Impediment Two, to get developers to undertake affordable projects or to include affordable units in market rate projects.

IMPEDIMENT FOUR – AWARENESS OF POTENTIAL DISCRIMINATION

The review of demographic information does not provide a clear indicator of housing discrimination among persons in the protected classes. However, statistical data can assist in identifying potential problems and topics of concern,

In the current economy and given the structure of the City’s housing stock, the incidences of discrimination may focus on rental housing, and the focus of efforts in the immediate future should be upon aspects of discrimination in the rental market, and upon some groups within the protected classes.

In particular, discrimination among two protected classes should be addressed.

- Disabled persons may face discrimination or difficulties in finding appropriate units because of the small number of small units and the costs of building or adapting units.
- There is a high percentage of family households and those families are slightly larger than the national norm, indicating a demand for larger housing units.

Recommendations

- 1) Increase housing choice alternatives for the disabled and families with children by encouraging the construction of affordable, and especially rental, housing.
- 2) Convene focus groups of advocacy groups, community based organizations, real estate industry professionals, lenders, property owners, and government agency officials to review and assess fair housing issues. These groups should identify discriminatory practices, trends, or changes in these practices, focal points of discriminatory practice, and the means or methods to address them
- 3) The City should create, or participate in, a Fair Housing testing and auditing program, focusing upon rental properties at this time.

ON CITY LETTERHEAD

The City of Frisco Texas, as a recipient of Community Development Block Grant (CDBG) funds through the Department of Housing and Urban Development (HUD), and in order to comply with its certification to affirmatively further fair housing, has conducted an analysis of Impediments to Fair Housing Choice within the City of Frisco. I affirm that the City of Frisco will support activities to assure non-discrimination in the provision of housing and its accompanying transactions.

Mayor Maso
Mayor

August 7, 2015

