

## D. Performance by Lender

Table 62 summarizes the top lenders in Ventura County. These lenders accounted for 49 percent (85,144 applications) of all loan applications in the County in 2003 and 59 percent (23,480 loans) of all applications in 2008.

**Table 62: Top Lenders in Ventura County**

2003			2008		
Lender	# of Applications*	% of County Total	Lender	# of Applications*	% of County Total
Countrywide Bank, FSB	20,423	11.7%	Countrywide Bank, FSB	5,754	14.4%
Washington Mutual Bank, FA	14,400	8.3%	JPMorgan Chase Bank, N.A.	4,700	11.8%
Wells Fargo Home Mortgage	11,518	6.6%	Wells Fargo Bank, N.A.	3,659	9.2%
Bank of America, N.A.	10,199	5.9%	Bank of America, N.A.	2,448	6.1%
ABN AMRO Mortgage Group, Inc.	5,706	3.3%	CITIMortgage, Inc	2,129	5.3%
GMAC Mortgage Corporation	5,527	3.2%	Wachovia Mortgage FSB	1,359	3.4%
CHASE Manhattan Mortgage Corp	5,303	3.0%	GMAC Mortgage LLC	1,165	2.9%
Ameriquest Mortgage Company	4,200	2.4%	Flagstar Bank	861	2.2%
CITImortgage	4,019	2.3%	Beneficial Company LLC	766	1.9%
World Savings Bank	3,849	2.2%	First Tennessee Bank, N.A.	639	1.6%
<b>Top 10 Lenders Total</b>	<b>85,144</b>	<b>48.9%</b>	<b>Top 10 Lenders Total</b>	<b>23,480</b>	<b>58.8%</b>
<b>Total for Ventura County</b>	<b>174,235</b>	<b>100%</b>	<b>Total for Ventura County</b>	<b>40,002</b>	<b>100%</b>

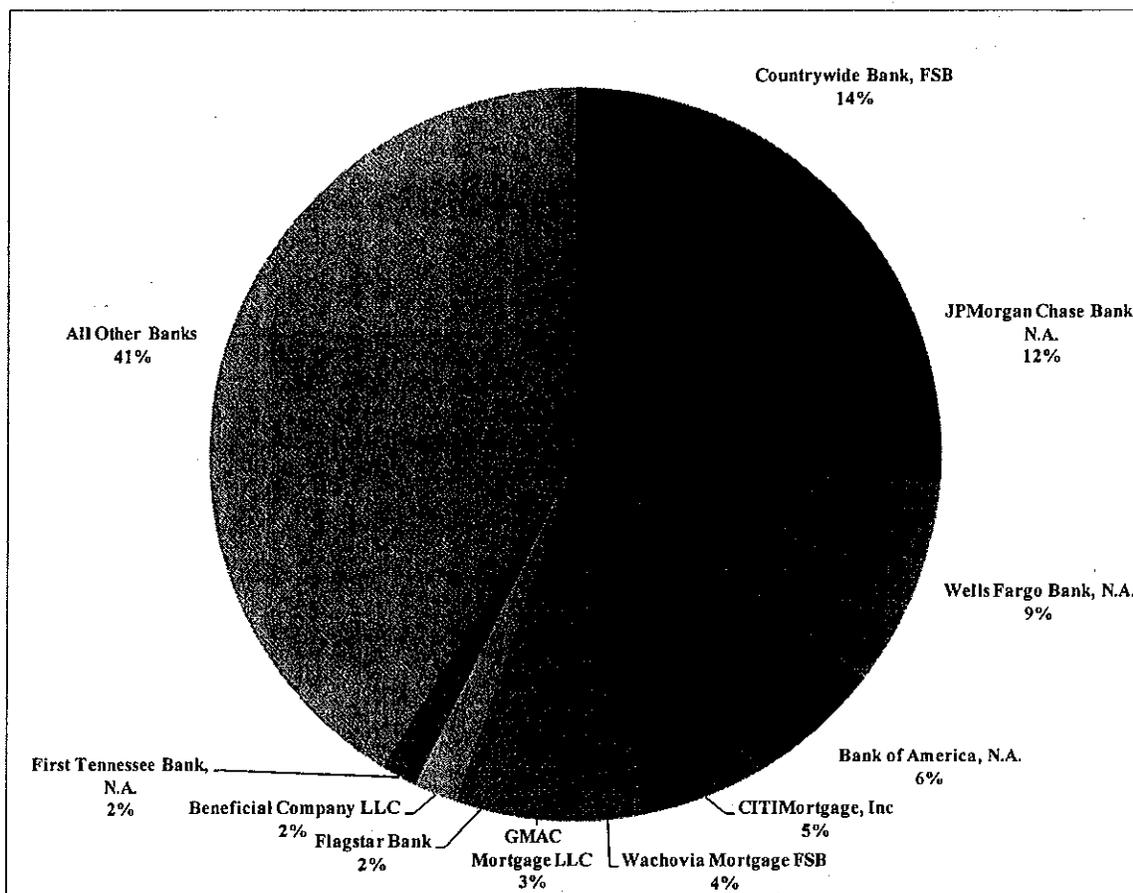
*Notes:*

\* = Includes conventional and government-backed home purchase, home improvements, and refinance loan applications.

Source: Home Mortgage Disclosure Act (HMDA) Data, 2003 and 2008.

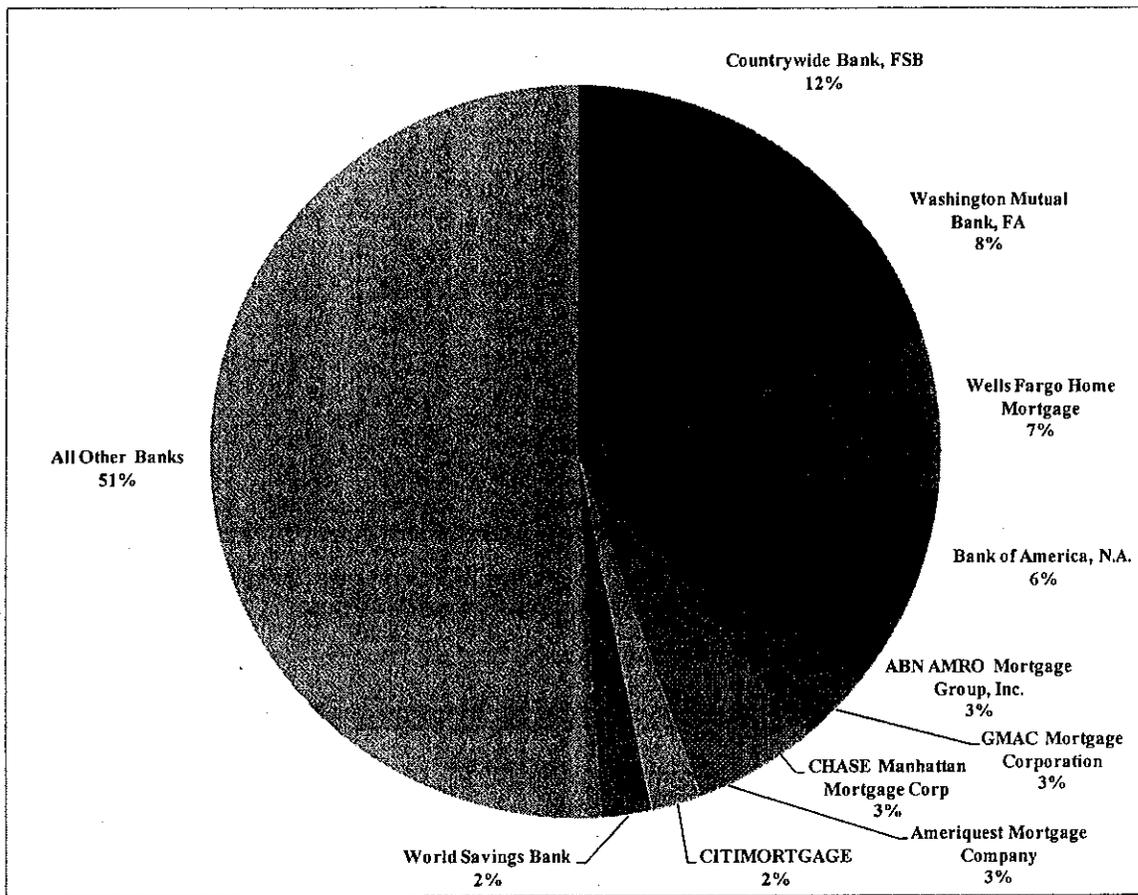
The top lender in 2008, Countrywide Bank, FSB, accounted for 14 percent of all loan applications, followed by JP Morgan Chase Bank and Wells Fargo Bank, N.A., with 12 percent and nine percent of all loan applications, respectively.

Figure 13: Top Lenders in Ventura County (2008)



In 2003, the top lender in Ventura County was also Countrywide Bank, FSB, which accounted for 12 percent of all applications in the County, followed by Washington Mutual Bank, FA and Wells Fargo Home Mortgage, at eight percent and seven percent, respectively.

Figure 14: Top Lenders in Ventura County (2003)



**Table 63: Disposition of Loans by Lending Institution (2003)**

Lender Name	Total Apps.	Approved		Denied		Withdrawn or Closed	
		#	%	#	%	#	%
Countrywide Bank, FSB	20,423	10,294	50.4%	276	1.4%	1,449	7.1%
Washington Mutual Bank, FA	14,400	10,391	72.2%	1,511	10.5%	390	2.7%
Wells Fargo Home Mortgage	11,518	10,417	90.4%	543	4.7%	396	3.4%
Bank of America, N.A.	10,199	5,769	56.6%	644	6.3%	626	6.1%
ABN AMRO Mortgage Group, Inc	5,706	4,505	79.0%	134	2.4%	581	10.2%
GMAC Mortgage Corp	5,527	3,060	55.4%	699	12.7%	996	18.0%
CHASE Manhattan Mortgage Corp	5,303	4,044	76.3%	386	7.3%	113	2.1%
Ameriquist Mortgage Company	4,200	478	11.4%	859	20.5%	2,863	68.2%
CITIMortgage, Inc	4,019	2,375	59.1%	99	2.5%	319	7.9%
World Savings Bank	3,849	2,557	66.4%	409	10.6%	706	18.3%
<b>Top 10 Lenders</b>	<b>85,144</b>	<b>53,890</b>	<b>63.3%</b>	<b>5,560</b>	<b>6.5%</b>	<b>8,439</b>	<b>9.9%</b>
<b>Total All Lenders</b>	<b>174,235</b>	<b>107,765</b>	<b>61.9%</b>	<b>15,210</b>	<b>8.7%</b>	<b>19,493</b>	<b>11.2%</b>

Source: Home Mortgage Disclosure Act (HMDA) Data, 2003.

Notes: Total Applications includes the following types of loans, which are not represented in the table: purchased, preapproval denied, preapproval approved not accepted, and missing/invalid data.

**Table 64: Disposition of Loans by Lending Institution (2008)**

Lender Name	Total Apps.	Approved		Denied		Withdrawn or Closed	
		#	%	#	%	#	%
Countrywide Bank, FSB	5,754	2,952	51.3%	1,013	17.6%	703	12.2%
JPMorgan Chase Bank, N.A.	4,700	951	20.2%	450	9.6%	111	2.4%
Wells Fargo Bank, N.A.	3,659	2,328	63.6%	553	15.1%	772	21.1%
Bank of America, N.A.	2,448	1,589	64.9%	443	18.1%	272	11.1%
CITIMortgage, Inc	2,129	660	31.0%	203	9.5%	347	16.3%
Wachovia Mortgage, FSB	1,359	534	39.3%	341	25.1%	261	19.2%
GMAC Mortgage LLC	1,165	140	12.0%	216	18.5%	435	37.3%
Flagstar Bank	861	648	75.3%	126	14.6%	1	0.1%
Beneficial Company LLC	766	17	2.2%	693	90.5%	56	7.3%
First Tennessee Bank, N.A.	639	447	70.0%	189	29.6%	2	0.2%
<b>Top 10 Lenders</b>	<b>23,480</b>	<b>10,266</b>	<b>43.7%</b>	<b>4,227</b>	<b>18.0%</b>	<b>2,960</b>	<b>12.6%</b>
<b>Total All Lenders</b>	<b>40,002</b>	<b>18,342</b>	<b>45.9%</b>	<b>8,322</b>	<b>20.8%</b>	<b>5,235</b>	<b>13.1%</b>

Source: Home Mortgage Disclosure Act (HMDA) Data, 2008.

Notes: Total Applications includes the following types of loans, which are not represented in the table: purchased, preapproval denied, preapproval approved not accepted, and missing/invalid data.

Approximately four times as many households applied for loans in 2003 than in 2008 (174,235 loans in 2003 versus 40,002 loans in 2008). The approval rates for the top ten lenders fluctuated a great deal by jurisdiction during this time period, however, the County as a whole recorded a large decrease in the number of approved loans (53,890 approved loans in 2003 versus 10,266 approved loans in 2008) by Ventura's top lenders. Approval rates in

2008 for the County's top lenders ranged from two percent (Beneficial Company LLC) to 75 percent (Flagstar Bank). As shown, lending has been tightened not only overall, but by individual lenders. In 2003, Wells Fargo had a 90 percent approval rate, which dropped to 64 percent in 2008. The high approval rates by Wells Fargo, Washington Mutual, ABN AMRO, and CHASE in 2003 were reflective of the loose underwriting criteria during the mortgage lending "frenzy." While high loan approval rates generally indicate the availability of financing, it can also be a cause for concern. During the past few years, an overabundance of mortgage financing with liberal underwriting criteria, combined with the overly aggressive marketing of mortgage financing to households who could not really afford to purchase homes, have contributed to the current credit crunch and foreclosure crisis.

### CRA Rating

Depending on the type of institution and total assets, a lender may be examined by different supervising agencies for its CRA performance. A search was performed on the databases for the Federal Reserve Board (FRB), Federal Financial Institutions Examination Council (FFIEC), Federal Deposit Insurance Corporation (FDIC), Office of the Comptroller of the Currency (OCC), and Office of Thrift Supervision (OTS). CRA ratings are provided for the main or regional headquarters of the financial institutions. Ratings for the top ten lenders are presented in Table 65.

**Table 65: CRA Ratings for Top 10 Lenders in Ventura County**

Lender Name	Rating	Rating Institution	Year
Countrywide Bank, FSB	Needs to Improve	OTS	2008
JPMorgan Chase Bank, N.A.	Outstanding	OCC	2007
Wells Fargo Bank, N.A.	Outstanding	OCC	1998
Bank of America, N.A.	Outstanding	OCC	2001
CITIMortgage, Inc	N/A*		
Wachovia Mortgage, FSB	Outstanding	OTS	2005
GMAC Mortgage, LLC	N/A*		
Flagstar Bank	Satisfactory	OTS	2007
Beneficial Company, LLC	N/A*		
First Tennessee Bank, N.A.	Satisfactory	OCC	2005

Source: FFIEC Interagency CRA Rating Search, (<http://www.ffiec.gov/craratings/default.aspx>), 2009.

\* Indicates bank did not receive a rating

Note: The Community Reinvestment Act (CRA) requires the federal financial institution supervisory agencies, in connection with their examinations of certain depository institutions, to assess the institutions' CRA performance. A financial institution's performance in helping to meet the credit needs of its community is evaluated in the context of information about the institution (capacity, constraints and business strategies), its community (demographic and economic data, lending, investment, and service opportunities), and its competitors and peers. Upon completion of a CRA examination, an overall CRA Rating is assigned using a four-tiered rating system. These ratings are: Outstanding, Satisfactory, Needs to Improve, and Substantial Noncompliance.

Among the top ten lenders active in Ventura County, Wells Fargo, Wachovia Mortgage, FSB, Bank of America, N.A., and JP Morgan Chase Bank, N.A. were all awarded an “Outstanding” rating. Flagstar Bank and First Tennessee Bank received a “Satisfactory” rating, while Countrywide Bank, FSB received a “Needs to Improve” CRA rating.

## **E. Mortgage Refinancing**

At the peak of the housing market boom, many households purchased homes that were over their financial means but relied on the strategy of refinancing to lower housing costs at a later date. In 2003, due to the historically low interest rates available, refinancing mortgages were seen as an attractive option for many households to lower monthly housing costs. During that time, Ventura County residents were much more likely to file a mortgage refinancing application than a home purchase application. The number of Ventura County residents who applied to refinance their mortgages nearly doubled the number of residents who applied for home purchase loans. In 2003, 134,468 Ventura County households applied to refinance, with the most applications coming from the cities of Thousand Oaks, Simi Valley, and Oxnard (Table 66). Over one-half (62 percent) of these applications were approved and eight percent were denied.

By 2008, however, the collapse of the housing market and resulting credit crunch made refinancing extremely difficult. As shown in Table 67, just 21,417 households in Ventura County applied to refinance their homes in 2008. Again the cities of Thousand Oaks, Simi Valley, and Oxnard had the highest number of applicants. Approval rates for home refinancing, however, dropped significantly since 2003, with just 44 percent of all applications approved in Ventura County.

**Table 66: Disposition of Conventional Mortgage Refinancing Applications (2003)**

Jurisdiction	Total		Approved		Denied		Withdrawn or Closed		Loans Purchased	
	#	#	%	#	%	#	%	#	%	
Camarillo	11,949	7,597	63.6%	843	7.1%	1,273	10.7%	2,236	18.7%	
Fillmore	2,269	1,320	58.2%	226	10.0%	361	15.9%	362	16.0%	
Moorpark	7,513	4,741	6.1%	582	7.7%	792	10.5%	1,398	18.6%	
Ojai	1,394	886	63.6%	138	9.9%	153	11.0%	217	15.6%	
Oxnard	19,289	11,445	59.3%	2,084	10.8%	2,667	13.8%	3,093	16.0%	
Port Hueneme	2,918	1,748	59.9%	295	10.1%	423	14.5%	452	15.5%	
Santa Paula	2,849	1,704	59.8%	315	11.1%	403	14.1%	427	15.0%	
Simi Valley	25,834	16,122	62.4%	2,055	8.0%	3,088	12.0%	4,569	17.7%	
Thousand Oaks	29,414	18,780	63.8%	2,156	7.3%	2,886	9.8%	5,592	19.0%	
Ventura	15,993	10,194	63.7%	1,152	7.2%	1,745	10.9%	2,902	18.1%	
Unincorporated County	15,066	9,379	62.3%	1,236	8.2%	1,739	11.5%	2,712	18.0%	
<b>Total County</b>	<b>134,488</b>	<b>83,916</b>	<b>62.4%</b>	<b>11,082</b>	<b>8.2%</b>	<b>15,530</b>	<b>11.5%</b>	<b>23,960</b>	<b>17.8%</b>	

Source: Home Mortgage Disclosure Act (HMDA) Data, 2003.

**Table 67: Disposition of Conventional Mortgage Refinancing Applications (2008)**

Jurisdiction	Total		Approved		Denied		Withdrawn or Closed		Loans Purchased	
	#	#	%	#	%	#	%	#	%	
Camarillo	1,996	905	45.3%	433	21.7%	290	14.5%	368	18.4%	
Fillmore	388	108	27.8%	130	33.5%	73	18.8%	77	19.8%	
Moorpark	1,133	575	50.8%	225	19.9%	121	10.7%	212	18.7%	
Ojai	259	118	45.6%	40	15.4%	42	16.2%	59	22.8%	
Oxnard	3,238	1,156	35.7%	1,009	31.2%	461	14.2%	612	18.9%	
Port Hueneme	679	263	38.7%	226	33.3%	75	11.0%	115	16.9%	
Santa Paula	593	234	39.5%	181	30.5%	75	12.6%	103	17.4%	
Simi Valley	3,906	1,774	45.4%	855	21.9%	528	13.5%	749	19.2%	
Thousand Oaks	4,437	2,132	48.1%	853	19.2%	560	12.6%	892	20.1%	
Ventura	2,496	1,154	46.2%	559	22.4%	297	11.9%	486	19.5%	
Unincorporated County	2,292	1,014	44.2%	516	22.5%	318	13.9%	444	19.4%	
<b>Total County</b>	<b>21,417</b>	<b>9,433</b>	<b>44.0%</b>	<b>5,027</b>	<b>23.5%</b>	<b>2,840</b>	<b>13.3%</b>	<b>4,117</b>	<b>19.2%</b>	

Source: Home Mortgage Disclosure Act (HMDA) Data, 2008.

Aggressive lending practices have resulted in many “innovative” loan terms that allow many households to purchase a home during the peak of the housing market. Loans with zero downpayments, negative amortization<sup>11</sup>, short-term low fixed rates, and variable rates, among other financing techniques have misled many regarding the affordability of home ownership.

<sup>11</sup> In negative amortization, a borrower pays monthly mortgage payments that are lower than the required interest payments and include no principal payments. The shortage in monthly payments is added to the principal loan. Therefore, the longer the borrower holds that loan, the more they owe the lender despite making monthly payments.

Many homebuyers were under the false assumption that their homes would continue to increase in value and refinancing to more favorable loan terms later would always be available as an option. However, when the inflated market imploded in 2007, many households began to face increased monthly payments on homes with decreased values. The credit market collapsed and refinancing to lower interest rates became increasingly stringent. As shown in Table 68, approval rates for refinancing in 2008 were lower for minority applicants, especially for Blacks. In 2003, approval rates for refinancing were lower for Black and Hispanic applicants, but Asian applicants were approved for loans at rates equal to Non-Hispanic Whites (Table 68). When refinancing is not an available option, many homeowners who could not afford the higher variable-rate loans were faced with foreclosures.

**Table 68: Refinancing of Conventional Home Purchase Loans (2003)**

Race	Total Applications	Approval Rate
Asian	5,424	70.0%
Black	1,120	63.7%
Hispanic	17,034	63.3%
Non-Hispanic White	68,295	70.9%
<b>Total*</b>	<b>134,468</b>	<b>62.4%</b>

\* = Includes other race categories not displayed in table  
 Source: Home Mortgage Disclosure Act (HMDA) Data, 2003.

**Table 69: Refinancing of Conventional Home Purchase Loans (2008)**

Race	Total Applications	Approval Rate
Asian	790	48.7%
Black	181	34.8%
Hispanic	3,290	37.1%
Non-Hispanic White	11,175	51.8%
<b>Total*</b>	<b>16,082</b>	<b>48.3%</b>

\* = Includes other race categories not displayed in table  
 Source: Home Mortgage Disclosure Act (HMDA) Data, 2008.

More Ventura County households (721 households) applied for government-backed home refinancing loans than any other type of government-backed financing in 2008. Approximately 21 percent of these applicants were approved, while 34 percent were denied. In 2003, 1,084 households applied for FHA home refinance loans. Of these applications, 52 percent were approved and just five percent were denied.

## F. Purchased Loans

Secondary marketing is the term used for pricing, buying, selling, securitizing and trading residential mortgages. The secondary market is an informal process of different financial institutions buying and selling home mortgages. The secondary market exists to provide a venue for lending institutions to raise the capital required to make additional loans. In the

1960s, as interest rates became unstable, housing starts declined, and the nation faced capital shortages as many regions, including California, had more demand for mortgage credit than the lenders could fund.

The need for new sources of capital prompted Congress to reorganize the Federal National Mortgage Association (FNMA) into two entities: a private corporation (today's FNMA) and a government agency, the Government National Mortgage Association (GNMA). In 1970, Congress chartered the Federal Home Loan Mortgage Corporation (FHLMC) to purchase conventional loans. Both FHLMC and FNMA have the same goals: to increase the liquidity of the mortgage market and make homeownership more widely available to the average citizen. The two organizations work to standardize the documentation, underwriting, and financing of home loans nationwide. They purchased loans from originators, hold them, and issue their own debt to replenish their cash. They are, essentially, very large, massive savings and loan organizations. These two organizations set the standards for the purchase of home loans by private lenders in the U.S.

### **Fair Housing Concerns**

During the peak of the housing market (2000-2006), the practice of selling mortgage loans by the originators (lenders that initially provided the loans to the borrowers) to other lenders/investors was prevalent. Predatory lending was rampant, with lenders utilizing liberal underwriting criteria or falsified documents to push loan sales to people who could not afford the loans. The lenders were able to minimize their financial risks by immediately selling the loans to other lenders or to investors in the global market.

Table 70 shows the loans purchased in each jurisdiction of Ventura County, as well as the race/ethnicity of each applicant. According to HMDA data, countywide, 4,208 loans were purchased in 2008. Overall, Non-Hispanic Whites had the highest percentage of loans purchased, with 73 percent, followed by Hispanic applicants (15 percent), Asian applicants (seven percent) and Black applicants (1 percent). However, in some jurisdictions, including Fillmore and Santa Paula, Hispanics actually had the highest proportion of loans purchased.

**Table 70: Percent of Loans Purchased by Area and Race of Applicant**

Area	Loans Purchased	Percent of Loans Purchased*			
		Asian	Black	Hispanic	Non-Hispanic White
Camarillo	109	6.4%	0.9%	7.3%	81.7%
Fillmore	18	5.6%	0.0%	50.0%	33.3%
Moorpark	51	3.9%	0.0%	9.8%	86.3%
Ojai	17	0.0%	0.0%	0.0%	100.0%
Oxnard	214	13.1%	1.4%	30.8%	50.0%
Port Hueneme	52	9.6%	1.9%	7.7%	78.8%
Santa Paula	26	0.0%	0.0%	53.8%	46.2%
Simi Valley	203	9.9%	2.0%	7.9%	73.9%
Thousand Oaks	223	4.5%	1.8%	4.9%	85.2%
Ventura	126	3.2%	0.8%	19.0%	73.8%
Unincorporated County	148	6.8%	0.7%	13.5%	75.7%
<b>Total County</b>	<b>1,187</b>	<b>7.3%</b>	<b>1.3%</b>	<b>14.9%</b>	<b>72.5%</b>

\* = Percentages may not equal 100 percent since total loans purchased also includes other race categories not displayed in table.

Source: Home Mortgage Disclosure Act (HMDA) Data, 2008.

## G. Sub-Prime Lending Market

In general, lending institutions are divided into two categories based on the type of loans or mortgages they offer, *prime* and *subprime*. According to the Federal Reserve, prime mortgages are offered to persons with excellent credit and employment history and income adequate to support the loan amount. Sub-prime loans are loans to borrowers who have less-than-perfect credit history, poor employment history, or other factors such as limited income. By providing loans to those who do not meet the credit standards for borrowers in the prime market, sub-prime lending can and does serve a critical role in increasing levels of homeownership. Households that are interested in buying a home but have blemishes in their credit record, insufficient credit history, or non-traditional credit sources, may be otherwise unable to purchase a home. The sub-prime loan market offers these borrowers opportunities to obtain loans that they would be unable to realize in the prime loan market.

Sub-prime lenders generally have interest rates that are higher than those in the prime market, and often lack the regulatory oversight required for prime lenders because they are not owned by regulated financial institutions. Unlike banks and savings and loans, which must submit regular regulatory compliance audits and whose activities are overseen by a variety of institutions such as the FDIC and OTS, many subprime lenders are not subject to rigorous oversight. Historically, independent mortgage companies did most of the subprime lending in the United States. However, over the last decade, an increasing number of large banks such as Citibank, Countrywide, and Washington Mutual have entered the subprime market either directly or through the acquisition of other financial institutions.

Though the subprime market usually follows the same guiding principles as the prime market, a number of specific risk factors are associated with this market. According to a joint HUD/Department of the Treasury report, subprime lending generally has the following characteristics:<sup>12</sup>

- **Higher Risk:** Lenders experience higher loan defaults and losses by subprime borrowers than by prime borrowers.
- **Lower Loan Amounts:** On average, loans in the subprime mortgage market are smaller than loans in the prime market.
- **Higher Costs to originate:** Subprime loans may be more costly to originate than prime loans since they often require additional review of credit history, a higher rate of rejected or withdrawn applications, and fixed costs, such as appraisals, that represent a higher percentage of a smaller loan.
- **Faster Prepayments:** Subprime mortgages tend to be prepaid at a much faster rate than prime mortgages.
- **Higher Fees:** Subprime loans tend to have significantly higher fees due to the factors listed above.

While sub-prime lending cannot in and of itself be equated with predatory lending, studies have shown a high incidence of predatory lending in the sub-prime market. Unlike in the prime lending market, overly high approval rates in the sub-prime market is a potential cause for concern when the target clients are considered high risk. High approval rates may indicate aggressive lending practices.

HUD annually identifies a list of lenders that specialize in subprime home lending. The most recent HUD Supprime Lender List was produced in 2005. According to the 2005 list, two of the top ten lenders in Ventura County -- CITImortgage and Wells Fargo Financial, California -- are subprime lenders. Subprime lenders tend to have low approval rates, high rates of closed or withdrawn applications, and a strong presence in low and moderate income and minority concentrated neighborhoods. CITImortgage and Wells Fargo Funding did not exhibit these patterns in the 2008 HMDA data. And, real estate news from 2009 have indicated that both of these institutions had relatively low default rates—3.4 percent for Wells Fargo and less than one percent for CITImortgage.<sup>13</sup>

HMDA data do not include a field that identifies whether an individual loan application was a subprime home loan application. As such, analysis on this topic is difficult.

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<sup>12</sup> U.S. Department of Housing and Urban Development and the U.S. Department of Treasury, *Curbing Predatory Home Mortgage Lending*, June 2000.

<sup>13</sup> <http://www.dqnews.com/Articles/2009/News/California/CA-Foreclosures/RRFor090422.aspx>.

## H. Predatory Lending

Predatory lending is a growing fair housing issue. No studies or reports on predatory lending in Ventura County were analyzed as a part of this AI; however, the following discussion provides an overview of predatory lending, examples of predatory lending practices, recent trends, and existing and proposed regulations.

### Defining Predatory Lending

Predatory lending involves abusive loan practices usually targeting minority and/or low income homeowners or those with less-than-perfect credit history. The predatory practices typically include high fees, hidden costs, and unnecessary insurance and larger repayments due in later years. One of the most common predatory lending practices is placing borrowers into higher interest rate loans than called for by their credit status. Although the borrowers may be eligible for a loan in the “prime” market, they are directed into more expensive and higher fee loans in the “sub-prime” market. In other cases, fraudulent appraisal data is used to mislead homebuyers into purchasing over-valued homes, or fraudulent or misrepresented financial data is used to encourage homebuyers into assuming a larger loan than can be afforded. Both cases almost inevitably result in foreclosure.

Predatory lending often is difficult to define, since a 15 percent interest rate on a loan to one person could be predatory while it might be appropriate for another, based on the borrower’s risk factors. During the last ten years, predatory lending has become a growing issue in California due to the State’s tight housing market, high home costs, and large minority population – typical targets for predatory lending practices.

The following set of general definitions for predatory lending is provided by the Federal Home Loan Mortgage Corporation:

- **High Interest Rates:** Interest rates that are more than seven to eight percentage points above market rates.
- **Excessive Fees:** For example, fees charged up-front without lowering the interest rate; costs and fees above normal.
- **Negative Amortization:** Repayment schedules set up so that the monthly payment fails to pay off accrued interest and actually increases the original amount borrowed.
- **Balloon Payments:** In this payment structure, the balance due on the mortgage must be paid at the end of the loan, usually 15 years. At the end of the loan, the balloon payment that is suddenly due will be a large sum of money, probably beyond one’s ability to repay, forcing the borrower to borrow more money to pay back the loan.
- **High Loan-to-Value (LTV) Loans:** Loans that are more than 100 percent LTV may lock the borrower into additional debt.

- **Credit Insurance:** Life, accident, and health insurance should not be included as a condition of a loan. It will increase the total amount the borrower owes.
- **Mandatory Arbitration:** Loan contracts requiring mandatory, binding arbitration instead of the court system. Arbitration is more favorable to lenders than to consumers.
- **High-Pressure Sales Tactics:** Frequent calls and letters asking the borrower to refinance.<sup>14</sup>

Predatory lending has also penetrated the home improvement financing market. Seniors and minority homeowners are the usual targets. In general, home improvement financing is more difficult to obtain than home purchase financing. Many homeowners have a debt-to-income ratio that is too high to qualify for home improvement loans in the prime market and become targets of predatory lending in the sub-prime market. Seniors are often swindled into installing unnecessary devices or making unnecessary improvements that are bundled with unreasonable financing terms.

Data available to investigate the presence of predatory lending are extremely limited. At present, HMDA data are the most comprehensive data available for evaluating lending practices. However, as discussed before, HMDA data lack the financial details of the loan terms to conclude any kind of predatory lending. Efforts at the national level are pushing for increased reporting requirements in order to curb predatory lending.

### **Examples of Predatory Lending**

As defined above, predatory lending includes a wide variety of improper practices. In fact, over 39 different types of predatory lending have been documented involving all aspects of the lending process, from origination to the collection of the loan.<sup>15</sup> These practices typically target and steer low income, minorities, or the elderly to high-rate lenders.<sup>16</sup>

In particular, HUD has raised concern about two categories of improper or predatory lending practices. The first type, which generally is easier to identify, involves blatant fraud or acts of deception such as forging signatures or obtaining signatures on blank documents, falsifying loan applicant income or appraised value of the property, or employing bait and switch tactics.

A second type, which is often more difficult to identify, involves various manipulative practices that cause borrowers to enter into abusive loans. Common abusive loans include:

- **Equity Stripping:** This type of practice occurs when a loan is based on the equity of a home rather than the borrower's ability to repay. This type of loan often has high

<sup>14</sup> "Don't Borrow Trouble" Federal Home Loan Mortgage Corporation, 2002.

<sup>15</sup> Bill Brennan of Atlanta Legal Aid, Testimony before the U.S. Senate Special Committee on Aging, March 16, 1998.

<sup>16</sup> Testimony of Assistant Secretary for Housing/Federal Housing Commissioner William Apgar before the House Committee on Banking and Financial Services, May 24, 2000.

fees, prepayment penalties, and different terms and conditions than a regular home loan.

- **Packing:** This involves the practice of adding credit insurance or other extras into the loan. The supplements to the loan are often very profitable to the lenders and are typically financed in a single up-front or balloon payment.
- **Flipping:** This practice is a form of equity stripping and happens when a lender convinces a borrower to repeatedly refinance a loan within a short period of time. The lender typically charges high points and fees each time as part of the mortgage.<sup>17</sup>

### **Protections against Predatory Lending**

Predatory lenders who discriminate receive some scrutiny under the Fair Housing Act of 1968, which requires equal treatment in terms and conditions of housing opportunities and credit regardless of race, religion, color, national origin, family status, or disability. This applies to loan originators as well as the secondary market. The Equal Credit Opportunity Act of 1972 requires equal treatment in loan terms and availability of credit for all of the above protected categories, as well as age, sex, and marital status. Lenders that engage in predatory lending would violate these acts, if they target Black, Hispanic or elderly households to buy higher priced and unnecessary loan products; treat loans for protected classes differently than those of comparably credit-worthy applicants; or have policies or practices that have a disproportionate effect on the protected classes.

In addition, the Truth in Lending Act (TILA) promotes the informed use of consumer credit, through disclosure of loan costs and terms. To comply with this act, lenders must disclose information about payment schedules, prepayment penalties, and the total cost of credit. In 1994, Congress amended the TILA in response to abusive lending practices. The new legislation, referred to as the Home Ownership and Equity Protection Act (HOEPA), provides new information to protect borrowers. HOEPA identifies a specific class of high-cost mortgage loans that may put consumers at risk of losing their homes. HOEPA requires disclosure of information if the annual percentage rate (APR) is ten percentage points above the prime or if fees are above eight percent of the loan amount. HOEPA also prohibits balloon payments for short-term loans. In addition, for covered loans, HOEPA provides a warning if the lender has a lien on the borrower's home and the borrower could lose the home if default on the loan payment.<sup>18</sup>

Several attempts have been made over the last decade by California law makers to pass legislation addressing predatory lending. Most of these efforts have been unsuccessful. However, a law (Senate Bill 537) signed by Governor Gray Davis provided a new funding mechanism for local district attorneys' offices to establish special units to investigate and

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<sup>17</sup> Dan Tatar, Community Affairs Office of the Federal Reserve Bank of Richmond, "Predatory Lending: The American Nightmare," *Marketwise*, Winter 2001.

<sup>18</sup> Federal Reserve Governor Edward M. Gramlich, "Predatory Lending" *Cascade* (Federal Reserve Bank of Philadelphia), Summer/Fall 2000.

prosecute real estate fraud cases. The law enabled county governments to establish real estate fraud prosecution units.

In September 2001, California became the second state to pass a law banning predatory lending (AB 489; as amended AB 344). The law enables state regulators and the Attorney General to attempt to prevent "predatory" lending practices by authorizing the state to enforce and levy penalties against licensees that do not comply with the provisions of this bill. The law provides protections against predatory lending to consumers across the state as summarized below:

- **Financing of Credit Insurance:** On all home loans, the bill prohibits the financing of single premium credit insurance policies as part of a loan. Credit insurance policies on home loans may still be sold as long as they are paid off monthly like other insurance.
- **Covered loans:** The legislation's other protections apply to home loans with very high fees and rates when the total loan amount is \$250,000 or below. For borrowers in these higher-cost home loans, the bill extends additional consumer protections against some of the most abusive practices.
- **Financing of Points and Fees:** The bill prohibits the financing of lender and broker fees beyond six percent of the original loan amount, minus the fees.
- **Steering:** The bill prohibits borrowers in covered loans from being steered or counseled into loans with rates above what is appropriate for their credit risk, according to the lender's classifications.
- **Home Improvement Contracts:** The bill prevents home improvement contractors from getting paid directly out of the proceeds of covered loans. The loan proceeds must go directly to the borrower, or otherwise must be paid out to an escrow account or to the borrower and contractor jointly only in increments with written certification that the work has been finished.
- **Fiduciary Responsibility of Brokers:** The legislation establishes that any mortgage broker providing a covered loan has a responsibility to protect the borrower's financial interests, regardless of any of the broker's other financial relationships (including their status as an agent of the lender), and that any violation of those duties constitutes a violation of the law.
- **Ability to Repay:** The bill prohibits lenders from making a covered loan, knowing that the borrower cannot repay.
- **Loan Flipping:** The bill prohibits covered loans where there is no clear benefit to the borrower, taking into account the costs of the loans, but also the borrower's reasons for seeking it.

- **Prepayment Penalties:** When a prepayment penalty is included in a loan, the borrower must pay a penalty to refinance out of that loan into another loan within a certain time period. In the prime market, prepayment penalties are generally accompanied by a slightly lower interest rate on the loan. But in the subprime market, these penalties are commonly used to trap borrowers at higher interest rates than they should be paying or force them to pay an extra fee to receive a loan with a more reasonable interest rate. The bill sets restrictions on some of the worst abuses - limiting such penalties on covered loans to no longer than three years and requiring the originator to offer a choice of a loan without a prepayment penalty at least three days before closing.
- **Balloon Payments:** No balloon payments are allowed in the first five years of the loan, as in the federal Home Ownership Equity Protection Act (HOEPA).
- **Negative Amortization:** The principal amounts of second mortgages may not increase over the course of a covered loan.
- **Prepaid Payments:** Prepaid installments may not be financed into the loan, resulting in extra interest charges.
- **Call Provisions:** Call provisions, which permit the lender to call in the entire balance of the loan immediately, may not be included in covered loans.
- **Interest Rate Changes upon Default:** The interest rate may not increase as a result of the borrower defaulting.
- **Encouragement of Default:** A lender or broker may not encourage a consumer to default on the consumer's existing home loan when soliciting to refinance the consumer into a new covered loan.
- **Disclosures:** Originators of covered loans are required to provide borrowers with one page of disclosures about the availability of loan counseling services and other information about the loan.

Predatory lending and unsound investment practices, central to the current home foreclosure crisis, are resulting in a credit crunch that is spreading well beyond the housing market, now impacting the cost of credit for local government borrowing, as well as local property tax revenues. In response, the U.S. House passed legislation, HR3915, which would prohibit certain predatory lending practices and make it easier for consumers to renegotiate predatory mortgage loans. The Senate introduced similar legislation in late 2007 (S2452). The Mortgage Reform and Anti-Predatory Lending Act (HR1728) was passed in the House in May 2009 and amends the Truth in Lending Act to specify duty of care standards for originators of residential mortgages. The law also prescribes minimum standards for residential mortgage loans, directs the Secretary of Housing and Urban Development (HUD) to establish a grants program to provide legal assistance to low and moderate income homeowners and tenants, and prohibits specified practices, including:

- Certain prepayment penalties;
- Single premium credit insurance;
- Mandatory arbitration (except for reverse mortgages);
- Mortgage loan provisions that waive a statutory cause of action by the consumer; and
- Mortgages with negative amortization.

In addition to anti-predatory lending laws, the Mortgage Forgiveness Debt Relief Act was enacted in 2007 and allows for the exclusion of income realized as a result of modification of the terms of a mortgage or foreclosure on a taxpayer's principal residence.

As of August 2009, Assembly Bill 260 was being considered by the California legislature. This bill is intended to stop certain predatory lending practices believed to have contributed to the subprime mortgage crisis.

## I. Foreclosures

Foreclosure occurs when homeowners fall behind on one or more scheduled mortgage payments. The foreclosure process can be halted if the homeowner is able to bring their mortgage payments current. If payments cannot be resumed or the debt cannot be resolved, the lender can legally use the foreclosure process to repossess (take over) the home. When this happens, the homeowner must move out of the property. If the home is worth less than the total amount owed on the mortgage loan, a deficiency judgment could be pursued. If that happens, the homeowner would lose their home and also would owe the home lender an additional amount.

California has been hit particularly hard by the recent credit crisis, resulting in the foreclosure of many homes. In 2008, out of the nearly 8.5 million houses and condos in the State, 236,231 homes, or 2.8 percent of California's housing stock, were foreclosed on.<sup>19</sup> In the fourth quarter of 2008, alone, over 1,300 properties in Ventura County received Notices of Default (the first step in foreclosure process).

Table 71 presents current foreclosure data by jurisdiction. An estimated 2.7 percent of the County's housing stock is at various stages of foreclosures. While the percentage of foreclosures countywide is on par with the State average, the cities of Fillmore, Ojai, and Oxnard are experiencing significantly higher rates of foreclosure.

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<sup>19</sup> <http://www.dqnews.com/News/California/CA-Foreclosures/RRFor090127.aspx>

**Table 71: Foreclosures (September 2009)**

	<b>Pre- Foreclosure Sales</b>	<b>Bank- Owned</b>	<b>Auction</b>	<b>Total</b>	<b>% of Total Housing Stock</b>
Camarillo	290	129	186	605	2.4%
Fillmore	76	48	79	203	4.6%
Moorpark	132	62	106	300	2.8%
Ojai	70	29	39	138	4.1%
Oxnard	854	691	754	2,299	4.4%
Port Hueneme	125	85	90	300	3.7%
Santa Paula	121	83	94	298	3.4%
Simi Valley	584	232	459	1,275	3.0%
Thousand Oaks	248	157	185	590	1.3%
Ventura	417	224	250	891	2.1%
Unincorporated County <sup>3</sup>	317	95	236	648	1.9%
<i>Newbury Park</i>	139	20	114	273	--
<i>Oak Park</i>	44	15	30	89	--
<i>Oak View</i>	32	26	25	83	--
<i>Piru</i>	6	2	6	14	--
<i>Somis</i>	14	6	9	29	--
<i>Westlake Village</i>	82	26	52	160	--
<b>Total County</b>	<b>3,234</b>	<b>1,835</b>	<b>2,478</b>	<b>7,547</b>	<b>2.7%</b>

*Notes:*

- 1. Pre-foreclosures are those properties that are in default in the mortgage payments and notices of default have been filed. The owner can still correct the situation by paying off the defaulted amounts or by selling the property.*
- 2. Bank-owned properties are those properties that go back to the mortgage companies after unsuccessful auctions.*
- 3. Foreclosure numbers for unincorporated Ventura County were estimated from foreclosure activity in the unincorporated neighborhoods of Newbury Park, Oak Park, Oak View, Piru, Somis, and Westlake Village.*

*Sources: www.realtytrac.com; Department of Finance, 2009.*

# Chapter 5 - Public Policies

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Public policies established at the regional and local levels 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, and an assessment of public policies and practices enacted by jurisdictions within the County can help determine potential impediments to fair housing opportunity. This section presents an overview of government regulations, policies, and practices enacted by each of the jurisdictions in Ventura County that may impact fair housing choice.

## A. Policies and Programs Affecting Housing Development

The General Plan of a jurisdiction establishes a vision for the community and provides long-range goals and policies to guide the development in achieving that vision. Two of the seven State-mandated General Plan elements – Housing and Land Use Elements – have direct impact on the local housing market in terms of the amount and range of housing choice. The Zoning Ordinance, which implements the Land Use Element, is another important document that influences the amount and type of housing available in a community – the availability of housing choice. In addition, four jurisdictions (Oxnard, Port Hueneme, Ventura, and the unincorporated County) have Local Coastal Plans that also play a significant role in affordable housing in the Coastal Zone of each jurisdiction.

### 1. Housing Element Law and Compliance

As one of the State-mandated elements of the local General Plan, the Housing Element is the only element with specific statutory requirements and is subject to review by the State Department of Housing and Community Development (HCD) for compliance with State law. Enacted in 1969, Housing Element law requires that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for and do not unduly constrain housing development. Specifically, the Housing Element must:

- Identify adequate sites which will be made available through appropriate zoning and development standards and with services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels in order to meet the community's housing goals;
- Assist in the development of adequate housing to meet the needs of low- and moderate-income households;

- Address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing;
- Conserve and improve the condition of the existing affordable housing stock; and
- Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

### Compliance Status

Table 72 summarizes the Housing Element compliance status of jurisdictions in Ventura County. A Housing Element found by HCD to be in compliance with State law is presumed to have adequately addressed its policy constraints. According to HCD, of the 11 participating jurisdictions (including the County), only two Housing Elements were in compliance, six have submitted initial drafts, two were in development, and two Housing Elements were under review by the agency as of August 2009.

**Table 72: Housing Element Status for 2008-2014 Cycle**

Jurisdiction	Document Status	Date Reviewed by State	Compliance Status
Camarillo	Adopted	8/13/09	In
Fillmore	Draft	12/29/08	Out
Moorpark	In Development	N/A	Out
Ojai	Draft	6/1/09	Out
Oxnard	Draft	4/24/09	Out
Port Hueneme	Adopted	10/21/09	In
Santa Paula	Draft	8/22/08	Out
Simi Valley	In Development <sup>1</sup>	N/A	Out
Thousand Oaks	Adopted	12/29/09	In Review
Ventura	Draft	11/23/09	In Review
County	Draft	10/09/09	Out

*Source: Department of Housing and Community Development, State of California, August 24, 2009.*

*Note:*

*1. Will have a draft by publication of this AI*

Common issues cited by HCD in its review of Housing Elements found to be out of compliance with State law include the need for:

- An analysis of the existing and projected needs of extremely low-income households;
- An inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment;
- The identification of zoning districts available to encourage and facilitate a variety of housing types, including emergency shelters, transitional housing, and farmworker housing;

- A detailed analysis of the potential impacts the jurisdiction's land use controls may have on the cost and supply of housing;
- The identification of subdivision level on- and off-site improvement requirements;
- An analysis of permit approval procedures by zone and housing type;
- A thorough analysis of special needs groups and their specific housing needs; and
- Programs needed to mitigate or remove governmental constraints and assist in the development of housing.

## **2. Land Use Element**

The Land Use Element of a General Plan designates the general distribution, location, and extent of uses for land planned for housing, business, industry, open space, and public or community facilities. As it applies to housing, the Land Use Element establishes a range of residential land use categories, specifies densities (typically expressed as dwelling units per acre [du/ac]), and suggests the types of housing appropriate in a community. Residential development is implemented through the zoning districts and development standards specified in the jurisdiction's zoning ordinance.

### **Residential Densities**

A number of factors, governmental and non-governmental, affect the supply and cost of housing in a local housing market. The governmental factor that most directly influences these market conditions is the allowable density range of residentially designated land. In general, higher densities allow developers to take advantage of economies of scale, reduce the per-unit cost of land and improvements, and reduce developments costs associated with new housing construction. Reasonable density standards ensure the opportunity for higher-density residential uses to be developed within a community, increasing the feasibility of producing affordable housing. Minimum required densities in multi-family zones ensure that land zoned for multi-family use, the supply of which is often limited, will be developed as efficiently as possible for multi-family uses.

Table 73 presents a summary of allowable densities by land use type for jurisdictions in the Ventura County. While most jurisdictions have Land Use Elements that allow a range of single-family (0-14 du/ac) and multi-family (6-30+ du/ac) residential uses, Ojai, due to the characteristics of existing residential neighborhoods, does not accommodate multi-family uses at a density greater than 15-20 du/ac without a density bonus or other incentive for affordable housing. The City of Moorpark also requires a conditional use permit for multiple-family projects.

The City of Simi Valley is in the process of updating its General Plan. The land use provisions included in the AI report represent existing land use designations under the

current General Plan. The proposed Land Use Element includes higher density development in areas designated for transit-oriented developments.

The City of Oxnard is nearing completion of its 2030 General Plan, which focuses future development on transit-oriented Urban Villages and areas within the Oxnard City Urban Restriction Boundary that are not yet developed.

State law requires a local government to make a finding that a density reduction, rezoning, or downzoning is consistent with its Housing Element prior to requiring or permitting a reduction of density of a parcel below the density used in determining Housing Element compliance. The legislation also allowed courts to award attorneys' fees and costs if the court determines that the density reduction or downzoning was made illegally.

**Table 73: Typical Land Use Categories & Permitted Density by Jurisdiction**

Generalized Land Use (By Density)	Density Range (du/ac)	Typical Residential Type	Camarillo	Fillmore	Moorpark	Ojai	Oxnard	Port Hueneme	Santa Paula	Simi Valley	Thousand Oaks	Ventura	County
<i>Single-family</i>													
Estate/Rural	<1	Very low-density housing where agricultural is predominant	■	■	■	■	■	■	■	■	■	■	■
Very Low	0-1	Single-family homes on large lots in rural areas	■	■	■	■	■	■	■	■	■	■	■
Low	1-3	Single-family homes on large lots	■	■	■	■	■	■	■	■	■	■	■
Medium	3-6	Single-family homes on medium-sized lots	■	■	■	■	■	■	■	■	■	■	■
High	6-14	Smaller single-family homes	■	■	■	■	■	■	■	■	■	■	■
<i>Multiple-family</i>													
Low	6-15	Town homes, duplexes, condominiums, and small single-story apartments	■	■	■	■	■	■	■	■	■	■	■
Medium	15-20	One and two-story apartment complexes	■	■	■	■	■	■	■	■	■	■	■
High	20-30	Two and three-story apartment complexes	■	■	■	■	■	■	■	■	■	■	■
Very High	30-50	Large multi-story apartment and condo complexes	■	■	■	■	■	■	■	■	■	■	■
Special High	50+	High-rise apartment and condo complexes	■	■	■	■	■	■	■	■	■	■	■

Source: *General Plan Land Use Elements and Zoning Ordinances for jurisdictions in Ventura County.*

Note: *This table represents a summary of typical land use categories, as defined by density. These categories are not necessarily representative of a specific jurisdiction's General Plan Land Use categories. Instead, they are meant to provide an overview of the type of land uses and densities permitted in that jurisdiction. The squares identify a jurisdiction as supporting land use densities within the identified range (according to the General Plan's Land Use Element). However, a jurisdiction's land use category might not include all the densities listed in that range. For example, a jurisdiction's Multi-Family Very High density category might support densities from 21 to 35 du/ac, but the High and Very High categories will be checked since the range covers both categories.*

### **3. Zoning Ordinance**

The Zoning Ordinance implements the General Plan by establishing zoning districts that correspond with General Plan land use designations. Development standards and permitted uses in each zoning district are specified to govern the density, type, and design of different land uses for the protection of public health, safety, and welfare (Government Code, Sections 65800-65863). Several aspects of the Zoning Ordinance that may affect a person's access to housing or limit the range of housing choices available are described below.

As part of the Housing Element update, jurisdictions are required to evaluate their land use policies, zoning provisions, and development regulations, and make proactive efforts to mitigate any constraints identified. However, the following review is based on the current Zoning Ordinances as of the writing of this AI.

#### **Definition of Family**

A community's Zoning Ordinance can potentially restrict access to housing for households failing to qualify as a "family" by the definition specified in the Zoning Ordinance. For instance, a landlord may refuse to rent to a "nontraditional" family based on the zoning definition of a family. A landlord may also use the definition of a family as an excuse for refusing to rent to a household based on other hidden reasons, such as household size. Even if the code provides a broad definition, deciding what constitutes a "family" should be avoided by jurisdictions to prevent confusion or give the impression of restrictiveness.

California court cases<sup>20</sup> have ruled that a definition of "family" that: 1) limits the number of persons in a family; 2) specifies how members of the family are related (i.e. by blood, marriage or adoption, etc.), or 3) a group of not more than a certain number of unrelated persons as a single housekeeping unit, is invalid. Court rulings stated that defining a family does not serve any legitimate or useful objective or purpose recognized under the zoning and land planning powers of the jurisdiction, and therefore violates rights of privacy under the California Constitution. A Zoning Ordinance also cannot regulate residency by discrimination between biologically related and unrelated persons. Furthermore, a zoning provision cannot regulate or enforce the number of persons constituting a family. Currently, Zoning Ordinances for Camarillo, Port Hueneme, and Thousand Oaks include definitions of "family" that constitutes a potential impediment to fair housing choice. However, Camarillo's recently certified Housing Element includes a program to update its definition of family.

#### **Density Bonus**

California Government Code Section 65915 provides that a local government shall grant a density bonus of at least 20 percent (five percent for condominiums) and an additional incentive, or financially equivalent incentive(s), to a developer of a housing development agreeing to provide at least:

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<sup>20</sup> City of Santa Barbara v. Adamson (1980), City of Chula Vista v. Pagard (1981), among others.

- Ten percent of the units for lower income households;
- Five percent of the units for very low income households;
- Ten percent of the condominium units for moderate income households;
- A senior citizen housing development; or
- Qualified donations of land, condominium conversions, and child care facilities.

The density bonus law also applies to senior housing projects and projects which include a child care facility. In addition to the density bonus stated above, the statute includes a sliding scale that requires:

- An additional 2.5 percent density bonus for each additional increase of one percent Very Low income units above the initial five percent threshold;
- A density increase of 1.5 percent for each additional one percent increase in Low income units above the initial 10 percent threshold; and
- A one percent density increase for each one percent increase in Moderate income units above the initial 10 percent threshold.

These bonuses reach a maximum density bonus of 35 percent when a project provides either 11 percent Very Low income units, 20 percent Low income units, or 40 percent Moderate income units. In addition to a density bonus, developers may also be eligible for one of the following concessions or incentives:

- Reductions in site development standards and modifications of zoning and architectural design requirements, including reduced setbacks and parking standards;
- Mixed used zoning that will reduce the cost of the housing, if the non-residential uses are compatible with the housing development and other development in the area; and
- Other regulatory incentives or concessions that result in "identifiable, financially sufficient, and actual cost reductions."

As of August 2009, Zoning Ordinances for Moorpark, Oxnard, Santa Paula, and Thousand Oaks specified density bonus provisions in accordance with State law. The City of Simi Valley will update its density bonus provisions by May 2010. Other jurisdictions have not yet revised the Zoning Ordinances to reflect new State law. However, when requested by a development applicant, the jurisdiction must comply with the new density bonus provisions. Specifying the density bonus provisions and types of incentives and concessions available in the Zoning Ordinances provides certainty to developers.

## Parking Requirements

Communities that require an especially high number of parking spaces per dwelling unit can negatively impact the feasibility of producing affordable housing or housing for special needs groups by reducing the achievable number of dwelling units per acre, increasing development costs, and thus restrict the range of housing types constructed in a community. Typically, the concern for high parking requirements is limited to multiple-family, affordable, or senior housing. The basic parking standards for jurisdictions in Ventura County are presented in Table 74. Many jurisdictions offer reductions in parking requirements in conjunction with density bonuses for affordable and senior housing.

**Table 74: Parking Requirements**

Jurisdictions	Single-Family	Multiple-Family				Guest Space	Second Dwelling Unit
		1br	2br	3br	4+br		
Camarillo	2	1.5	2	2.0	2.0	0.2	1
Fillmore	2	1.5	2	2.5	2.5	0.33	2
Moorpark	2-3	2	2	2	2	0.5	1-2
Ojai	2	1.5-2	1.5-2	1.5-2	1.5-2	0.5-1	1
Oxnard	2-5	1	2	2	2	0.5-1	1
Port Hueneme	2-3	1.5	2	2	2	0.5	1
Ventura (City)	2	1	2	2	2	0.25	1
Ventura (County)	2-5	1.25-2	1.5-2.2	2-2.3	2-2.3 + 0.2/br	0.25	1-2
Santa Paula	2-3	1.5	1.75	2	2.25-2.5	0.25	1.5-2.5
Simi Valley	2	See Note below				0.2	1/BR
Thousand Oaks	2-4	1	2	2.5	2.5	0.5	1/BR

Source: Zoning Ordinances for jurisdictions in Ventura County.

Notes:

1. City of Ojai: Standards for multifamily vary by number of units in the development.
2. City of Oxnard: One visitor space per unit for the first 30 units; 0.5 visitor space per unit required after the 31<sup>st</sup> unit.
3. City of Port Hueneme: Density bonus provisions for seniors and persons with disabilities (lower income households) allow for reductions in the number of parking spaces.
4. City of Santa Paula: SDU parking must conform to the multi-family parking standards.
5. City of Simi Valley: 1.76 spaces per 1,000 square feet of gross residential floor area; plus 0.17 space per unit. 1 guest space per 5 dwelling unit; or 2.5 spaces per dwelling unit, whichever is greater.

Most jurisdictions in the County have comparable parking requirements. However, Moorpark has parking standards for multiple-family uses that make little or no distinction between parking required for smaller units (one or two bedrooms) and larger units (three or more bedrooms). Because smaller multiple-family units are often the most suitable type of housing for seniors and persons with disabilities, requiring the same number parking spaces as larger multiple-family units can be a constraint on the construction of units intended to serve these populations. As such, parking requirements in these jurisdictions could be perceived as a potential impediment to fair housing choice.

Jurisdictions will also sometimes establish minimum standards and requirements for handicapped parking. Most of the jurisdictions in the County specify that handicapped parking must comply with the requirements and standards outlined in Title 24 of the Building Code.

### **Variety of Housing Opportunity**

To ensure fair housing choice in a community, a Zoning Ordinance should provide for a range of housing types, including single-family, multiple-family, second dwelling units, mobile and manufactured homes, licensed residential care facilities, emergency shelters, supportive housing, transitional housing, and single room occupancy (SRO) units. Table 75 provides a summary of each jurisdiction's Zoning Ordinance as it relates to ensuring a variety of housing opportunities.

**Table 75: Variety of Housing Opportunity**

Housing Type	Camarillo	Fillmore	Moorpark	Ojai	Oxnard	Port Hueneme	Santa Paula	Simi Valley	Thousand Oaks	Ventura	County
Single-family	P	P	P	P	P	P	P	P	P	P	P
Multiple-family	D	D	C	P	P/C	P	P	P	P	P	D
Second Dwelling Units	P	C	D	P	P*	P	P	P	P	P	P
Mobile Home Parks	C	D	C	C	C	C	P	C	P	P	C
Manufactured Housing	P	D	P	P	P	P	P	P	P	P	P
Residential Care Facilities (6 or fewer persons)	P	P	P	C	P	P	--	P	--	P	P
Residential Care Facilities (more than 6 persons)	C	C	C	C	C*	C	C	C	--	C	C
Emergency Shelters	C	D	--	C	C	C	C	P/D	--	--	--
Transitional Housing	C	--	--	C*	C	--	C	C	--	--	--
Supportive Housing	D	--	--	--	C	--	--	--	--	--	--
SRO	D	--	--	--	C	--	C	--	--	--	--
Farmworker Housing	D	C	--	C	C	--	C	--	--	C	C

Notes: P – permitted; D – Development Review Permit; C – Conditional or Special Use Permit. -- - Potential impediments. \* - Permitted but with a potential impediment.

I. Only new construction requires a Development Review Permit.

### *Single- and Multiple-Family Uses*

Single- and multiple-family housing types include detached and attached single-family homes, duplexes or half-plexes, town homes, condominiums, and rental apartments. Zoning Ordinances should specify the zones in which each of these uses would be permitted by right. Most jurisdictions in Ventura County accommodate the range of residential uses described above without a use permit; Moorpark being the exception. Use permit requirements for multiple-family uses within land use designations and zoning districts that have been identified as being suitable for higher density residential land uses may extend the time frame for project review and increase the uncertainty of project approval.

Zoning Ordinances should also avoid “pyramid or cumulative zoning” (e.g. permitting lower-density single-family uses in zones intended for higher density multi-family uses). Pyramid or cumulative zoning schemes could limit the amount of lower-cost multiple-family residential uses in a community and be a potential impediment to fair housing choice. Most jurisdictions in Ventura County have some form of pyramid zoning and permitting single-family residential uses in multiple-family zones is the most prevalent example. Fillmore and Simi Valley are the only jurisdictions that do not have a form of pyramid zoning. Camarillo’s recently certified Housing Element, however, includes a program for maintenance of the density balance by requiring language in specific plans that the density range will be achieved. Allowing or requiring a lower density use in a zone that can accommodate higher density uses is regulated by State law (SB 2292, Dutra). A local government is required to make a finding that an action that results in a density reduction, rezoning, or downzoning is consistent with its Housing Element, particularly in relation to the jurisdiction’s ability to accommodate its share of regional housing needs.

### *Second Dwelling Units*

Second dwelling units are attached or detached dwelling units that provide complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, cooking and sanitation. Second units may be an alternative source of affordable housing for lower income households and seniors. These units typically rent for less than apartments of comparable size.

California law requires local jurisdictions to adopt ordinances that establish the conditions under which second units are permitted. Second units cannot be prohibited in residential zones unless a local jurisdiction establishes that such action may limit housing opportunities in the region and finds that second units would adversely affect the public health, safety, and welfare in residential zones.

The State’s second unit law was amended in September 2002 to require use of a ministerial, rather than discretionary, process for reviewing and approving second units. A ministerial process is intended to reduce permit processing time frames and development costs because proposed second units that are in compliance with local zoning standards can be approved without a public hearing.

Most jurisdictions in the County have amended their Zoning Ordinances and currently permit second unit development via a variety of review processes such as a zoning clearance or an administrative permit. However, Fillmore and Moorpark require approval of a discretionary permit and Oxnard does not provide for second dwelling units within the coastal zone. Because second dwelling units can be an important source of suitable type of housing for seniors and persons with disabilities, overly restrictive or conflicting provisions for these units can impede housing options.

### *Mobile Home Parks*

Provisions for mobile home parks vary among the Ventura County jurisdictions. Most jurisdictions require a use permit; however, mobile home parks are allowed with a development review permit in Fillmore and by right in Santa Paula, Thousand Oaks, and the City of Ventura.

### *Manufactured Housing*

State law requires local governments to permit manufactured or mobile homes meeting federal safety and construction standards on a permanent foundation in all single-family residential zoning districts (Section 65852.3 of the California Government Code). A local jurisdiction's Zoning Ordinance should be compliant with this law. Currently, the Thousand Oaks Zoning Ordinance does not explicitly accommodate manufactured or mobile homes in single-family residential zoning districts consistent with State law. Fillmore requires approval of a development review permit when ministerial approval is required. Because these units can be a source of housing for lower income individuals, including seniors and the disabled, overly restrictive regulation of these uses can indirectly impede housing choice.

### *Residential Care Facilities*

The Lanterman Developmental Disabilities Services Act (Sections 5115 and 5116 of the California Welfare and Institutions Code) declares that mentally and physically disabled persons are entitled to live in normal residential surroundings and that the use of property for the care of six or fewer disabled persons is a residential use for zoning purposes. A state-authorized, certified, or licensed family care home, foster home, or group home serving six or fewer persons with disabilities or dependent and neglected children on a 24-hour-a-day basis is considered a residential use that is permitted in all residential zones. No local agency can impose stricter zoning or building and safety standards on these homes (commonly referred to as "group" homes) of six or fewer persons with disabilities than are required of the other permitted residential uses in the zone.

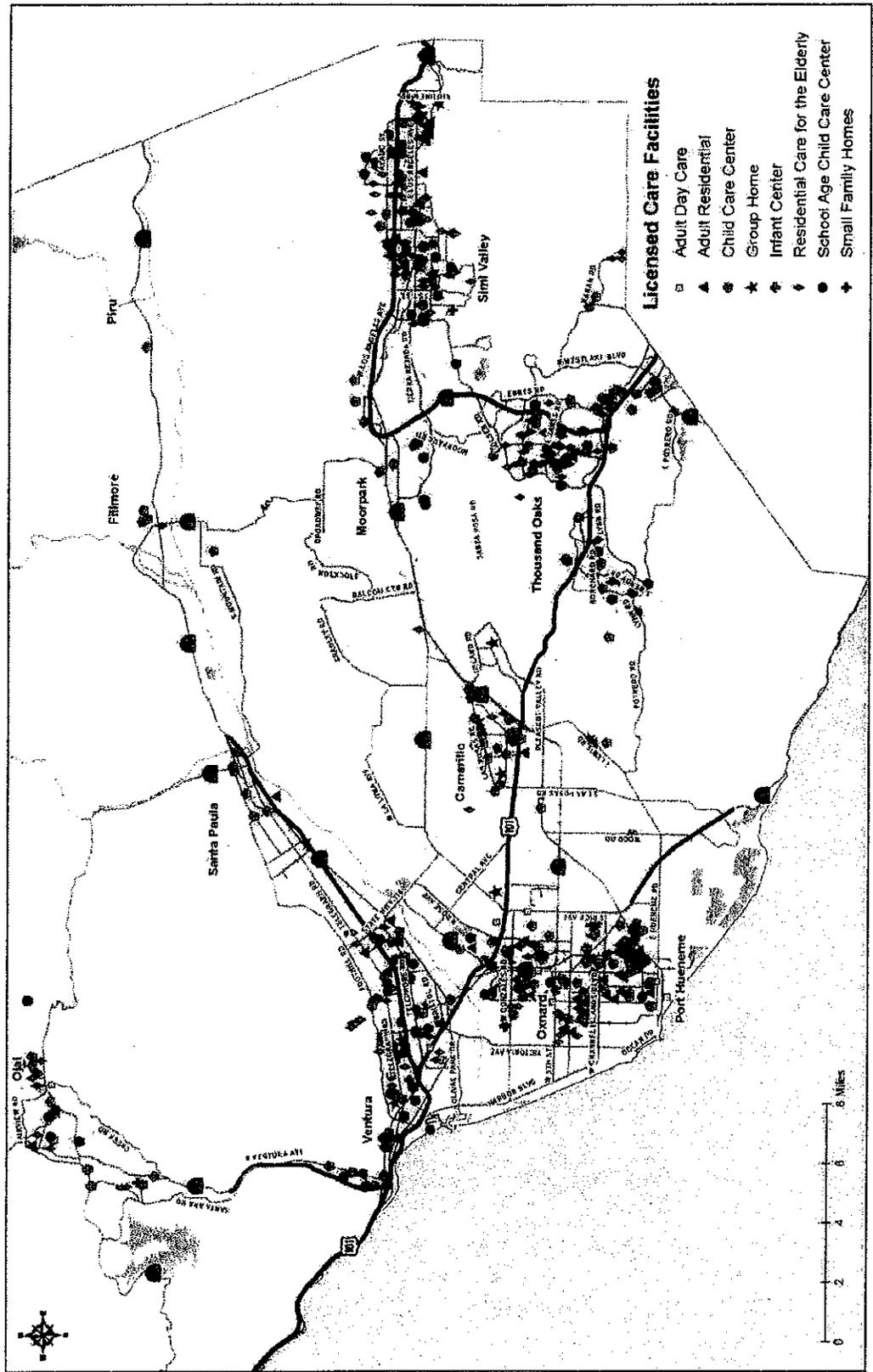
There are a total of 947 licensed community care facilities and 29,416 beds in Ventura County as of September 2009. Table 40 (page 63) provides a tabulation of licensed care capacity by jurisdiction and Figure 15 illustrates the geographic distribution of these facilities. The cities of Oxnard and Simi Valley had the highest number of facilities (267 and 165 respectively); however, the City of Ventura had the highest number of beds (6,063) in the County. Yet when reviewing the number of beds per 1,000 people, Ojai and Camarillo

had the highest concentration of beds. Specifically, Ojai had 149.44 beds per 1,000 residents and Camarillo had 56.22 beds per 1,000 residents. Community care facilities are least concentrated in Santa Paula and Port Hueneme, all of whom have less than 23 beds per 1,000 residents. The concentration of community care facilities is also small in the unincorporated County, though this is primarily because it is significantly more efficient to place facilities within cities, so that they can be close to other necessary services.

Although there does not appear to be a relationship between Zoning Ordinance provisions for residential care facilities and the location of these facilities by jurisdiction, a number of jurisdictions do not include provisions for residential care facilities serving more than six persons in their Zoning Ordinance. Thousand Oaks does not have provisions for residential care facilities in its Zoning Ordinance. Ojai and Santa Paula do not explicitly permit licensed residential care facilities serving six or fewer persons by right in family residential zones. Oxnard limits the number of individuals that can occupy larger residential care facilities. No provision for or overly restrictive regulation of residential care facilities can indirectly impede fair housing choice in Ventura County.

Furthermore, the Lanterman Act covers only licensed residential care facilities. The California Housing Element law was recently amended (SB 2) to address the provision of transitional and supportive housing, which covers also non-licensed housing facilities for persons with disabilities. This topic is discussed later.

Figure 15: Licensed Care Facilities in Ventura County



### *Emergency Shelters*

An emergency shelter is a facility that provides temporary shelter and feeding of indigents or disaster victims, operated by a public or non-profit agency. State law requires jurisdictions to identify adequate sites for housing which will be made available through appropriate zoning and development standards to facilitate and encourage the development of a variety of housing types for all income levels, including emergency shelters and transitional housing (Section 65583(c)(1) of the Government Code). Pursuant to recent changes in State law (SB 2), requires that local jurisdictions make provisions in the zoning code to permit emergency shelters by right in at least one zoning district where adequate capacity is available to accommodate at least one year-round shelter. Local jurisdictions may, however, establish standards to regulate the development of emergency shelters. At the writing of this report, none of the 10 jurisdictions in the County permits emergency shelters by right in at least one zone in accordance with State law. However, in their Housing Elements, a number of jurisdictions have committed to adding appropriate provisions for emergency shelters to their Zoning Ordinances.

### *Transitional and Supportive Housing*

State law (AB 2634 and SB 2) requires local jurisdictions to address the provisions for transitional and supportive housing. Under Housing Element law, transitional housing is defined as buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months (California Health and Safety Code Section 50675.2).

Under the Housing Element law, supportive housing is defined as housing with no limit on length of stay that is occupied by a target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community (California Health and Safety Code 50675.14 (b)). Target population includes adults with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5, commencing with Section 4500, of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people (California Health and Safety Code 53260 (d)).

Pursuant to SB 2, transitional and supportive housing constitutes a residential use and therefore local governments cannot treat it differently from other types of residential uses (e.g., requiring a use permit when other residential uses of similar function do not require a use permit). As of August 2009, no jurisdiction in Ventura County included provisions for supportive housing in their Zoning Ordinance without a conditional review. Transitional housing is conditionally permitted in some districts in Camarillo, Ojai, Oxnard, Santa Paula, and Simi Valley.

Supportive and transitional housing provides additional housing options people with disabilities, a protected class of the population. To facilitate and encourage the provision of supportive housing in the region, the Zoning Ordinances of most jurisdictions should be amended to define and identify zones for transitional and supportive housing consistent with SB 2.

#### *Single-Room Occupancy (SRO)*

AB 2634 amending the State Housing Element law also mandates that local jurisdiction address the provision of housing options for extremely low income households, including Single Room Occupancy units (SRO). SRO units are one room units intended for occupancy by a single individual. It is distinct from a studio or efficiency unit, in that a studio is a one-room unit that must contain a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many SROs have one or the other. Currently, only the cities of Camarillo, Oxnard, and Santa Paula provide for SRO units. Camarillo permits SROs as efficiency units or under the definition of lodging house. SRO units are one of the most traditional forms of affordable private housing for lower income individuals, including seniors and persons with disabilities. These protected classes are required to have suitable housing options, which SRO's provide. All jurisdictions in Ventura County should amend their Zoning Ordinances to facilitate and encourage the provision of SROs consistent with AB 2634.

#### *Farmworker Housing*

California Employee Housing Act requires that housing for six or fewer employees be treated as a regular residential use. The Employee Housing Act further defines housing for agricultural workers consisting of 36 beds or 12 units be treated as an agricultural use and permitted where agricultural uses are permitted. The City of Simi Valley allows agricultural uses, and by extension farmworker housing, in its Open Space districts. With the exception of Simi Valley and Port Hueneme (where there is no agriculturally designated land use or agricultural operations), all communities do not currently comply with the Employee Housing Act requirements for farmworker housing. This, however, does not account for cities that permit farm worker housing in residential zoning districts, as not all farmworkers need to be housed on agricultural land.

**Table 76: Farmworker Housing by Jurisdiction**

Jurisdiction	Agricultural Zoning	Permits Farmworker Housing in ZO	Compliance with Employee Housing Act
Camarillo	Yes	CUP <sup>4</sup>	No
Fillmore	No	CUP <sup>1</sup>	No
Moorpark	Yes	No	No
Ojai	Yes	CUP	No
Oxnard	Yes	CUP <sup>2</sup>	No
Port Hueneme	No	No	Yes
Santa Paula	Yes	CUP	No
Simi Valley	No <sup>3</sup>	No	Yes
Thousand Oaks	Information not available		
Ventura	Yes	CUP	No
County	Yes	CUP <sup>5</sup>	No

*Notes:*

- 1. The City of Fillmore currently has no agricultural zoning but permits via a CUP process farmworker congregate housing. The Draft Fillmore Housing Element indicates that the Zoning Ordinance will be amended to include an agricultural district and permit farmworker housing according to the Employee Housing Act.*
- 2. The City of Oxnard permits farmworker housing via a CUP process. However, employee housing for six or fewer persons is not addressed in the Zoning Ordinance.*
- 3. The City of Simi Valley has no agricultural land use designation but its open space district permits agricultural uses by right.*
- 4. The City of Camarillo permits farmworker housing in residential zones. The recently certified Housing Element states the City will amend the Municipal Code to conform to the Employee Housing Act.*
- 5. The County of Ventura requires a Planned Development Permit and zoning clearance.*

## **B. Building, Occupancy, Health and Safety Codes**

### **1. Building Codes**

Building codes, such as the California Building Standards Code<sup>21</sup> and the Uniform Housing Code are necessary to protect public health, safety, and welfare. However, local codes that require substantial improvements to a building might not be warranted and deter housing construction and/or neighborhood improvement.

The California Building Standards Code is published every three years by order of the California legislature. The Code applies to all jurisdictions in the State of California unless otherwise annotated. Adoption of the triennial compilation of Codes is not only a legal

<sup>21</sup> California Building Standards Code, adopted by the a Building Standards Commission, is actually a set of uniform building, electrical, mechanical, and other codes adopted by professional associations such as the International Conference of Building Officials, and amended to include California-specific requirements.

mandate, it also ensures the highest available level of safety for citizens and that all construction and maintenance of structures meets the highest standards of quality. Most jurisdictions in Ventura County have adopted the 2007 California Building Standards Code, with the exception of Fillmore, which has adopted the 2001 California Building Code. Other codes commonly adopted by reference within the region include the California Mechanical Code, California Plumbing Code, California or National Electric Code, Uniform Housing Code, and California Fire Code. Less common are the California Uniform Code for the Abatement of Dangerous Buildings, the Urban-Wildland Interface Code, and the Uniform Code for Building Conservation. Most jurisdictions have amended portions of these codes to reflect non-arbitrary local conditions including geographical and topographic conditions unique to each locality.

## **2. Occupancy Standards**

Disputes over occupancy standards are typical tenant/landlord and fair housing issues. Families with children and large households are often discriminated in the housing market, particularly in the rental housing market, because landlords are reluctant or flatly refuse to rent to such households. Establishing a strict occupancy standard either by the local jurisdictions or by landlords on the rental agreements may be a violation of fair housing practices.

In general, no State or federal regulations govern occupancy standards. The State Department of Fair Employment and Housing (DFEH) uses the “two-plus-one” rule in considering the number of persons per housing unit – two persons per bedroom plus an additional person. Using this rule, a landlord cannot restrict occupancy to fewer than three persons for a one-bedroom unit or five persons for a two-bedroom unit, etc. Other issues, such as lack of parking, gender of the children occupying one bedroom, should not be factors considered by the landlord when renting to a household. While DFEH also uses other factors, such as the age of the occupants and size of rooms, to consider the appropriate standard, the two-plus-one rule is generally followed. Other guidelines are also used as occupancy standards – the California Fire Code and the Uniform Housing Code. The Fire Code allows one person per 150 square feet of “habitable” space. The Uniform Housing Code (1997 edition) outlines a standard of one person for every 50 square feet of bedroom space. These standards are typically more liberal than the “two-plus-one” rule.

A review of occupancy standards for jurisdictions within Ventura County revealed that, while most jurisdictions do not overtly limit the number of people who can occupy a housing unit, the definition used by some jurisdictions to define “family” as a household of not more than a certain number of individuals or a “reasonable” number of individuals could constitute an impediment to fair housing choice. Such a definition of family may be interpreted as an occupancy standard that in some cases could be more restrictive than that established in the Uniform Housing Code, California Fire Code, or DFEH guidelines. Jurisdictions that define “family” as a household of not more than a certain number of unrelated individuals include Camarillo and Thousand Oaks. However, the City of Camarillo, in its recently certified Housing Element, included a program to amend its definition of family so that it is not an impediment to fair housing choice. As previously discussed, court rulings stated a Zoning

Ordinance cannot regulate residency by discrimination between biologically related and unrelated persons. Port Hueneme's definition limits families to a "reasonable" number of people, which can be open to interpretation and therefore potentially impede fair housing choice.

## **C. Affordable Housing Development**

In general, many minority and special needs households are disproportionately affected by a lack of adequate and affordable housing in a region. While affordability issues are not directly fair housing issues, expanding access to housing choices for these groups cannot ignore the affordability factor. Insofar as rent-restricted or non-restricted low-cost housing is concentrated in certain geographic locations, access to housing by lower income and minority groups in other areas is limited and can therefore be an indirect impediment to fair housing choice. Furthermore, various permit processing and development impact fees charged by local government results in increased housing costs and can be a barrier to the development of affordable housing. Other policies and programs, such as inclusionary housing and growth management programs, can either facilitate or inhibit the production of affordable housing. These issues are examined in the subsections below.

### **Siting of Affordable Housing**

Ventura County has a large inventory of affordable housing units. The distribution of these units, however, is uneven throughout the region, with dense clusters of affordable housing located in western Ventura County, near the cities of Oxnard, Port Hueneme and Ventura, and smaller clusters in the cities of Camarillo and Simi Valley (Figure 3). There is a distinct lack of affordable housing located in central and northern Ventura County. About one-half (50 percent) of the region's affordable housing stock is concentrated in just two cities—Oxnard and Simi Valley. Jurisdictions with the highest concentration of affordable housing (as measured by the ratio of affordable units per 500 housing units) include Ojai, Santa Paula, and Oxnard (Table 77). Jurisdictions with the lowest concentration of affordable housing are unincorporated Ventura County, Port Hueneme, and Fillmore.

**Table 77: Affordable Housing Units by Jurisdiction**

Jurisdiction	Affordable Units	Total Housing Units (2009)	% of Housing Stock Affordable	% of All Affordable Units in County	Affordable Units per 500 Housing Units
Camarillo	842	25,109	3.4%	10.4%	16.8
Fillmore	73	4,411	1.7%	0.9%	8.3
Moorpark	283	10,701	2.6%	3.5%	13.2
Ojai	137	3,343	4.1%	1.7%	20.5
Oxnard	2,362	52,185	4.5%	29.2%	22.6
Port Hueneme	117	8,122	1.4%	1.4%	7.2
Santa Paula	407	8,644	4.7%	5.1%	23.5
Simi Valley	1,655	42,010	3.9%	20.5%	19.7
Thousand Oaks	990	47,119	2.1%	12.2%	10.5
Ventura	1,153	42,688	2.7%	14.2%	13.5
Unincorporated Areas	74	33,563	0.2%	0.9%	1.1
<b>Ventura County</b>	<b>8,093</b>	<b>277,895</b>	<b>2.9%</b>	<b>100.0%</b>	<b>14.6</b>

Sources: California Department of Finance, 2009; HUD, and participating jurisdictions.

Note: Affordable units do not include affordable military housing units or units made affordable through down payment assistance.

### Development Fees

Housing construction imposes certain short- and long-term costs upon local government, such as the cost of providing planning services and inspections. As a result, Ventura County jurisdictions rely upon various planning and development fees to recoup costs and ensure that essential services and infrastructure are available when needed. Planning fees for the County of Ventura and its jurisdictions are summarized in Table 78. As shown, fees vary widely based on the needs of each jurisdiction.

**Table 78: Development Fees**

Jurisdiction	General Plan Amendment	CUP	Variance
Camarillo	\$4,000 to \$4,600	\$2,000 to \$4,400	\$1,500
Fillmore	FAHR and \$2,750 deposit	\$480 to \$3,200	\$1,000 to \$2,860
Moorpark	\$18,000	\$4,500	\$4,500
Ojai	\$6,750	\$972 to \$3,587	\$406 to \$1,784
Oxnard	\$10,167	\$4,082	\$1,875
Port Hueneme	\$.525 + \$3,500 deposit	\$.525 + \$3,500 deposit	\$.525 + \$3,500 deposit
Ventura (City)	\$12,364	\$4,870	\$4,863
Ventura (County)	FAHR and \$3,000 deposit	FAHR and \$1,500 deposit	FAHR and \$2,000 deposit
Santa Paula	FAHR and \$2,500 deposit	FAHR and \$3,200 deposit	FAHR and \$2,800 deposit
Simi Valley	\$3,694 to \$10,355	\$1,667 to \$7,322	\$2,599 to \$3,509
Thousand Oaks	\$7,740	\$1,000 to \$11,380	\$1,305 to \$5,045

Source: *Participating jurisdictions, 2009.*

FAHR = Fully allocated Hourly Rate

Until 1978, property taxes were the primary revenue source for financing the construction of infrastructure and improvements required to support new residential development. The passage of Proposition 13 in 1978 has limited a local jurisdiction's ability to raise property taxes and significantly lowered the ad valorem tax rate, increasing reliance on other funding sources to provide infrastructure, public improvements, and public services. An alternative funding source widely used among local governments in California is the development impact fee, which is collected for a variety of improvements including water and sewer facilities, parks, and transportation improvements. To enact an impact fee, State law requires that the local jurisdiction demonstrate the "nexus" between the type of development in question and the impact being mitigated by the proposed fee. Also, the amount of the fee must be roughly proportional to the impact caused by the development. Nevertheless, development impact fees today have become a significant cost factor in housing development.

California's high residential development fees contribute to its high housing costs and prices. Among California jurisdictions, fees account for an average of ten percent of the median price of new single-family homes. The effects of reduced fees on housing affordability, however, would vary widely depending on the amount of the fee reduction and on current home prices. As things now stand, those jurisdictions that do the most to accommodate California's housing production needs are also the most dependent on development fees to finance growth-supporting infrastructure, and thus, can least afford to reduce their fees. Conversely, those jurisdictions in which fees are low relative to housing prices tend to be less dependent on fees and can most afford to reduce them, should they desire to.

According to a 2001 report by the Department of Housing and Community Development, homebuilders in the Central Coast region paid, on average, the highest in development fees (\$29,799 per unit), followed closely by Bay Area and Sacramento builders (\$28,526 and

\$27,480, respectively). Homebuilders in San Joaquin Valley communities, as well as more rural northern and Sierra communities, paid the lowest average fees (\$18,728 and \$20,005 per unit, respectively), followed by those in Southern California (\$21,410).

The contribution of fees to home prices varies temporally as well as spatially. When times are good, housing production tends to lag behind demand, especially in coastal markets. Housing prices during such periods are chiefly affected by the balance between supply and demand and are much less affected by construction and development costs. When economic times are bad, as they are today in most parts of California, and demand is weak, housing prices are more sharply affected by the prices of construction inputs, including fees. The strength of the economy and housing market also determines the degree of fee shifting and who ultimately pays fees. During strong economic times, it is the final homebuyer or renter who ends up paying housing development fees; the builder or developer is mostly an intermediary. During recessionary periods, the burden of paying of fees may be shifted backwards to the landowner.

## D. Other Land Use Policies, Programs, and Controls

Land use policies, programs, and controls can impede or facilitate housing development and can have implications for fair housing choice in a community. Inclusionary housing policies and redevelopment project areas can facilitate new affordable housing projects, while growth management programs and Article 34 of the California Constitution can impede new affordable housing development. Table 79 identifies jurisdictions that are affected by or have adopted land use policies, programs, and controls that may affect housing development and fair housing choice in its community.

**Table 79: Land Use Policies and Controls**

Jurisdictions	Article 34	Growth Management	Inclusionary Housing	Redevelopment Project Area
Camarillo	X	X	X	X
Fillmore	--	X	--	X
Moorpark	--	X	X	X
Ojai	X	X	--	X
Oxnard	X	X	X	X
Port Hueneme	X	--	X	X
Ventura	X	X	X	X
Santa Paula	X	X	X	X
Simi Valley	X	X	--	X
Thousand Oaks	X	X	X	X
County	X	X	X*	X

Source: Participating jurisdictions, September 2009.

\* The County applies inclusionary housing requirements to certain projects, on a case-by-case basis.

## 1. Article 34

Article 34 of the State Constitution requires a majority vote of the electorate to approve the development, construction, or acquisition by a public body of any "low rent housing project" within that jurisdiction. In other words, for any projects where at least 50 percent of the occupants are low income and rents are restricted to affordable levels, the jurisdiction must seek voter approval known as "Article 34 Authority" to authorize that number of units. Nine jurisdictions (Camarillo, Ojai, Oxnard, Port Hueneme, Ventura City, Ventura County, Santa Paula, Simi Valley,<sup>22</sup> and Thousand Oaks) have obtained Article 34 authority to be directly involved in the development, construction, and acquisition of low-rent housing.

In the past, Article 34 may have prevented certain projects from being built. In practice, most public agencies have learned how to structure projects to avoid triggering Article 34, such as limiting public assistance to 49 percent of the units in the project. Furthermore, the State legislature has enacted Sections 37001, 37001.3, and 37001.5 of the Health and Safety Code to clarify ambiguities relating to the scope of the applicability of Article 34 which now exist.

## 2. Growth Management Programs

Growth management programs facilitate well-planned development and ensure that the necessary services and facilities for residents are provided. However, a growth management program may act as a constraint if it prevents a jurisdiction from addressing its housing needs, which could indirectly impede fair housing choice. These programs range from general policies that require the expansion of public and facilities and services concurrent with new development, to policies that establish urban growth boundaries (the outermost extent of anticipated urban development), to numerical limitations on the number of dwelling units that may be permitted annually.

The Board of Supervisors, all City Councils within Ventura County, and the Ventura County Local Agency Formation Commission (LAFCO) have jointly adopted the Guidelines for Orderly Development, which state that, whenever and wherever practical, "urban development" should occur within incorporated cities which exist to provide a full range and cost-effective means of providing municipal services. As a result, urban development is permitted only within existing cities (or by annexing to the city), or within Existing Communities or Unincorporated Urban Centers as designated in the Ventura County General Plan.

In 1995, the voters in the City of Ventura passed an initiative that requires an affirmative vote of the electorate for any General Plan amendment affecting Agricultural designated land. In late-1998 and early 1999, voters of the cities of Camarillo, Moorpark, Oxnard, Simi Valley and Thousand Oaks, as well as the unincorporated area of the County, approved similar initiatives and ordinances. More recently, the City of Santa Paula and Fillmore enacted their ordinances/initiatives in November 2000 and January 2002, respectively. These

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<sup>22</sup> Article 34 in Simi Valley applies only to senior developments.

initiatives and ordinances became collectively known as the *Save Our Agricultural Resources*, SOAR ordinances.

The cities' SOAR ordinances and initiatives establish urban boundaries around each city, outside of which urban development can occur only with voter approval. SOAR ordinances for the County and most cities remain in effect until 2020. The City of Ventura's ordinance is in effect until 2025 and the Thousand Oaks ordinance is in effect until 2030. The County's SOAR ordinance requires, with limited exceptions, that any change to the County General Plan involving the "Agricultural", "Open Space", or "Rural" land use designations, or an amendment to a General Plan goal or policy related to those land use designations, be subject to countywide voter approval. While the SOAR ordinances aim at preserving agricultural and open space resources in the County, they also preclude the re-designation of properties in the unincorporated area to accommodate additional housing.

Growth management ordinances in Camarillo, Ojai, Santa Paula, Simi Valley, and Thousand Oaks include an annual limit on the number of dwelling units that may be constructed. An initiative passed by residents of Santa Paula in 2006 requires voter approval for large-scale developments proposed on 81 or more acres of property.

State housing law mandates a jurisdiction facilitate the development of a variety of housing to meet the jurisdiction's fair share of regional housing needs. Any growth management measure that would compromise a jurisdiction's ability to meet its regional housing needs may have an exclusionary effect of limiting housing choices and opportunities of regional residents, or concentrating such opportunities in other areas of the region.

### **3. Inclusionary Housing Programs**

Inclusionary housing describes a local government requirement that a specified percentage of new housing units be reserved for, and affordable to, lower and moderate income households. The goal of inclusionary housing programs is to increase the supply of affordable housing commensurate with new market-rate development in a jurisdiction. This can result in improved regional jobs-housing balances and foster greater economic and racial integration within a community. The policy is most effective in areas experiencing rapid growth and a strong demand for housing.

Inclusionary programs can be voluntary or mandatory. Voluntary programs typically require developers to negotiate with public officials but do not specifically mandate the provision of affordable units. Mandatory programs are usually codified in the Zoning Ordinance, and developers are required to enter into a development agreement specifying the required number of affordable housing units or payment of applicable in-lieu fees<sup>23</sup> prior to obtaining a building permit.

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<sup>23</sup> An in-lieu fee is the payment of a specified sum of money instead of constructing the required number of affordable housing units. The fee is used to finance affordable housing elsewhere in a community.

The cities of Camarillo, Moorpark, Oxnard, Port Hueneme, Santa Paula, Thousand Oaks, and Ventura have inclusionary housing policies. All programs in the County can be described as mandatory because they require dedication of a fixed percentage of proposed units affordable to lower- or moderate-income households or payment of a fee in-lieu of dedication that is used to build new affordable housing units in the jurisdiction. The County of Ventura does not have a formal policy; however, the Board of Supervisors has required inclusionary units in approved projects on a case-by-case basis. The City of Simi Valley also does not have a formal policy; however, the City does encourage affordable units within all housing projects over 10 units.

In 2009, the California Supreme Court chose to uphold the appellate court's decision in the case of *Palmer/Sixth Street Properties v. City of Los Angeles*. The *Palmer* decision calls into question whether inclusionary housing ordinances, which require developers to offer a portion of rental units as low-income units or pay an in-lieu fee, may be in violation of California's Costa-Hawkins Act. The decision affects inclusionary housing practices related to rental properties specifically. The *Palmer* case was the first instance in which the Costa-Hawkins Act was applied to an inclusionary housing ordinance. This decision will not affect inclusionary housing requirements for ownership (for-sale) affordable units or rental projects that receive other types of financial assistance from jurisdictions (such as density bonuses or redevelopment funds). However, the cities of Camarillo, Moorpark, Oxnard, Port Hueneme, Santa Paula, Thousand Oaks, and Ventura may need to take a closer look at their inclusionary housing policies to ensure that they do not violate the Costa-Hawkins Act.

#### **4. Redevelopment Project Areas**

Redevelopment project areas constitute a significant source of affordable housing resources for local governments and all Ventura County jurisdictions have established redevelopment project areas. In comparison to federal affordable housing monies, California Redevelopment Law provides redevelopment agencies greater latitude in meeting affordable housing goals. Agencies may exercise all powers of redevelopment, which include land acquisition, leasing, construction, rehabilitation, subsidies, and many other financing tools.

State law requires redevelopment agencies to set-aside 20 percent of tax increment revenue generated from redevelopment projects for activities that increase, improve or preserve the supply of housing affordable to low- and moderate-income households. Affordable housing developed with 20 percent set-aside funds must remain affordable to the targeted income group for at least 55 years for rental housing and 45 years for ownership housing. In addition, not less than 15 percent of all newly constructed or substantially rehabilitated dwelling units within an area under the jurisdiction of a redevelopment agency must be made affordable to households earning low- and moderate-incomes; 40 percent of these units must be affordable to very low-income households.

## **E. Policies Causing Displacement or Affect Housing Choice of Minorities and Persons with Disabilities**

Local government policies could result in displacement or affect representation of minorities or the disabled. Policy areas that could have these effects are summarized accordingly: redevelopment activities, reasonable accommodations, ADA compliant public facilities, and occupancy standards.

### **1. Redevelopment Activities**

Redevelopment activities are governed by the California Relocation Assistance and Real Property Acquisition Guidelines (Government Code Sections 7260 through 7277) and the California Eminent Domain Law (California Code of Civil Procedure Section 1230.010 *et. seq.*). Although construction activities within redevelopment project areas can result in new resources for lower and moderate income housing, existing lower and moderate income residents and businesses serving traditionally underserved populations can be displaced in the redevelopment process. To carry out redevelopment projects with a minimum of hardship to displaced persons and businesses, State law requires developers to make a reasonable attempt to acquire the necessary properties through voluntary means rather than the redevelopment agency's use of eminent domain. Special attention should be paid to ensure that lower and moderate income households are fairly compensated in this process.

Despite laws designed to minimize the hardship to those displaced directly in the redevelopment process, those indirectly gentrified through the redevelopment process have little or no recourse. A lower income household occupying a low cost rental unit in a complex planned for demolition in a redevelopment project area may be forced to move if a landlord decides not to renew the tenant's lease, or permit the tenant to continue residing in the unit on a month-to-month basis until shortly before the structure is razed. Because of rising land values in areas targeted for redevelopment, existing lower income renters can be forced out of their communities if they are not able to find adequate and affordable housing nearby. Due to the socioeconomic and demographic factors, gentrification of this type can disproportionately affect minorities and persons with disabilities.

### **2. Reasonable Accommodation**

Under State and federal law, local governments are required to "reasonably accommodate" housing for persons with disabilities when exercising planning and zoning powers. Jurisdictions must grant variances and zoning changes if necessary to make new construction or rehabilitation of housing for persons with disabilities feasible, but are not required to fundamentally alter their Zoning Ordinance.

Although most local governments are aware of State and federal requirements to allow reasonable accommodations, if specific policies or procedures are not adopted by a jurisdiction or a jurisdiction requires a public hearing or discretionary decision, residents with disabilities residents may be unintentionally displaced or discriminated against. Some

jurisdictions provide flexibility in development standards on a case-by-case basis and only three (Port Hueneme, Simi Valley and the County of Ventura) jurisdictions have adopted formal policies and procedures to reasonably accommodate the housing needs of residents in the Municipal Code. However, Port Hueneme's code requires a hearing before the City Council for major accommodation requests.

Currently, only the City of Simi Valley has a definition of disabled person in its Zoning Ordinance. A jurisdiction's definition of a disabled person can be considered an impediment to fair housing if it is not consistent with the definition of disability provided under the Fair Housing Act. The Act defines disabled person as "those individuals with mental or physical impairments that substantially limit one or more major life activities." The City of Simi Valley defines a disabled person as "a person with a physical or mental impairment which substantially limits one or more of such person's major life activities." This definition is consistent with the Fair Housing Act and is not considered an impediment.

As the jurisdictions of Ventura County begin the process of adopting formal reasonable accommodations procedures, they will need to also amend their Zoning Codes to include a definition of disabled person. Jurisdictions will ensure that these definitions are consistent with the Fair Housing Act in order to avoid creating an impediment to fair housing.

## **F. Equal Provision of and Access to Government Services**

It is important that all socioeconomic segments of society are served equally with government services. The provision of adequate parks and recreation opportunities has become a rising concern as it relates to environmental justice.

### **1. Active Parkland**

Active parkland is deficient in lower and moderate income areas throughout much of the County (see Table 80 and Figure 5 on page 78). While 35 percent of County residents lived in low and moderate income areas in 2000 (date of most recent available data), as of September 2009, only nine percent of the region's active parkland was located in these areas. Similarly, while 65 percent of County residents lived in upper income areas, 91 percent of the region's parkland was located in these areas.

**Table 80: Park Acreage in Low and Moderate Income Areas**

	Park Acreage		Total Population	
	#	%	#	%
Low and Moderate Income Areas	1,968	8.9%	265,077	35.2%
Rest of Ventura County	20,024	91.1%	488,120	64.8%
<b>Total</b>	<b>21,992</b>	<b>100.0%</b>	<b>753,197</b>	<b>100.0%</b>

Source: Bureau of the Census, 2000; Participating jurisdictions, 2009.

As of 2000, only 10 percent of active parkland was located within census block groups where there is a concentration of minority residents (block groups whose proportion of minority households is greater than the overall Ventura County average of 43.4 percent, although 39 percent of the County population lived in these areas (Table 81). By contrast, 90 percent of the County's active parkland was located in block groups where there was a low concentration of minorities (less than 43.4 percent), even though just 61 percent of County residents lived in these areas.

**Table 81: Park Acreage in Minority Areas**

	Park Acreage		Total Population	
	#	%	#	%
Areas with Minority Concentration	2,034.0	9.2%	208,429	27.7%
Areas with a High Minority Concentration	120.4	0.5%	86,968	11.5%
Rest of Ventura County	19,837.7	90.3%	457,800	60.8%
<b>Total</b>	<b>21,992.1</b>	<b>100.0%</b>	<b>753,197</b>	<b>100.0%</b>

Source: Bureau of the Census, 2000; Participating jurisdictions, 2009.

## 2. Access to Transit

As outlined in Chapter 3 of this AI, equal provision of transit services is indirectly a fair housing issue if transit-dependent populations are not adequately served by public transit, thereby limiting their housing choice. One way to measure this is to compare the relationship between existing transit routes, employment centers, and areas where residents are using transit regularly.

As depicted in Figure 6 (page 71), most transit dependent areas are adequately linked to major employment centers by existing transit service. However, this observation may be explained by the fact that many transit-dependent households tend to concentrate near existing transit lines. Public policies can ensure the transit services to closely align with transit needs of the region. By extending transit service into areas currently un-served, housing choice for transit-dependent households would expand.

### **3. ADA Compliant Public Facilities (Section 504 Assessment)**

The Americans with Disabilities Act (ADA) of 1990 is federal civil rights legislation which makes it illegal to discriminate against persons with disabilities. Title II of the ADA requires elimination of discrimination in all public services and the elimination of architectural barriers in all publicly owned buildings and facilities. It is important that public facilities are ADA compliant to facilitate participation among disabled residents in the community planning and decision-making processes. One of the key places that facilitate community participation is City Hall. All ten jurisdictions' City Hall and the County equivalent is ADA compliant.

### **G. Local Housing Authorities**

In Ventura County, the HUD Section 8 Housing Choice Voucher program is administered by five different local housing authorities, four of which also oversee a public housing program. The Santa Paula Housing Authority provides Section 8 only. The housing authorities for the cities of Ventura, Oxnard, Port Hueneme and the Area Housing Authority of the County of Ventura own and manage public housing in addition to offering the Section 8 program. The availability and use of Section 8 vouchers and public housing units must also adhere to fair housing laws.

All local housing authorities in the County, with the exception of the Housing Authority of Port Hueneme, have adopted priorities or preferences for Section 8 and/or public housing. Typically, local residents (or those who work locally), seniors, persons with disabilities and veterans are given preferences.

Section 16(a)(3)(B) of the United States Housing Act mandates that public housing authorities adopt an admissions policy that promotes the de-concentration of poverty in public housing. HUD emphasizes that the goal of de-concentration is to foster the development of mixed-income communities within public housing. In mixed-income settings, lower-income residents are provided with working-family role models and greater access to employment and information networks. This goal is accomplished through the policy's income-targeting and de-concentration.

For Section 8 vouchers, the Housing Act mandates that not less than 75 percent of new admissions must have incomes at or below 30 percent of the Area Median Income (AMI). The remaining balance of 25 percent may have incomes up to 80 percent of the AMI. For public housing, the Housing Act mandates that not less than 40 percent of new admissions must have incomes at or below 30 percent of the AMI. The balance of 60 percent of new admissions may have incomes up to 80 percent of the AMI.

### **H. Community Participation**

Adequate community involvement and representation are important to overcoming and identifying impediments to fair housing or other factors that may restrict access to housing. Decisions regarding housing development in a community are typically made by the City Council or Board of Supervisors, and Planning Commission. The Council members are elected officials and answer to the constituents. Planning Commissioners are residents often appointed by the Council or the Board of Supervisors and serve an advisory role to the elected officials. In addition to the City Council, Board of Supervisors, and Planning Commission, most jurisdictions have appointed commissions, committees, and task forces to address specific issues. Seniors commissions are most typical; however, few jurisdictions have commissions that address the needs of the disabled or families with children, or have a housing task force that oversees housing-related matters.

Community participation can be limited or enhanced by actions or inaction by a public agency. Results of the resident fair housing survey (summarized in Chapter 2 of this AI) indicate that 99 respondents or 19 percent of the 516 respondents felt they had been discriminated against in a housing-related situation. Among those who felt they had been discriminated against, 23 percent indicated that they were discriminated against by a city or county staff person.

A broader range of residents may feel more comfortable approaching an agency with concerns or suggestions if that agency offers sensitivity or diversity training to its staff members that typically interface with the public. In addition, if there is a mismatch between the linguistic capabilities of staff members and the native languages of local residents, non-English speaking residents may be unintentionally excluded from the decision making process. Another factor that may affect community participation is the inadequacy of an agency or public facility to accommodate residents with various disabilities.

While providing fair housing education for the public and housing professionals is critical, ensuring city and County staff understand fair housing laws and sensitivity to the discrimination issues is equally important. The jurisdictions of Camarillo, Oxnard, Port Hueneme, Santa Paula, Simi Valley, Thousand Oaks, Ventura, and unincorporated Ventura County sponsor sensitivity training for staff members who interface with the public every one to two years. Sensitivity training is a form of education that attempts to make a person more aware of oneself and others. Such training often incorporates principles of non-discrimination and cultural diversity. However, three jurisdictions (Fillmore, Moorpark, and Ojai) indicated that they have not conducted such training for staff. Similarly, all jurisdictions have bi-lingual capabilities to serve Spanish speaking residents. Several jurisdictions, including Ojai, Thousand Oaks, Ventura, and the County are able to accommodate Chinese, Farsi, French, Korean, Mixteco, Tagalog, and Vietnamese. In addition, all jurisdictions' City Hall or County Administration Buildings are accessible to persons with disabilities.

# **Chapter 6 - Fair Housing Profile**

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This chapter provides an overview of the institutional structure of the housing industry with regard to fair housing practices. In addition, this chapter discusses the fair housing services available to residents in Ventura County, as well as the nature and extent of fair housing complaints received by the fair housing provider. Typically, fair housing services encompass the investigation and resolution of housing discrimination complaints, discrimination auditing/testing, and education and outreach, including the dissemination of fair housing information. Tenant/landlord counseling services are usually offered by fair housing service providers but are not considered fair housing services.

## **A. Fair Housing Practices in the Homeownership Market**

Part of the American dream involves owning a home in the neighborhood of one's choice. Homeownership is believed to enhance one's sense of well-being, is a primary way to accumulate wealth, and is believed to strengthen neighborhoods, because residents with a greater stake in their community will be more active in decisions affecting the future of their community. Not all Americans, however, have always enjoyed equal access to homeownership due to credit market distortions, "redlining," steering, and predatory lending practices. This section analyzes potential impediments to fair housing in the home loan lending industry.

On December 5, 1996, HUD and the National Association of REALTORS® (NAR) entered into a Fair Housing Partnership. Article VII of the HUD/NAR Fair Housing Partnership Resolution provides that HUD and NAR develop a Model Affirmative Fair Housing Marketing Plan for use by members of the NAR to satisfy HUD's Affirmative Fair Housing Marketing regulations. Yet there is still much room for discrimination in the housing market.

### **1. The Homeownership Process**

The following discussions describe the process of homebuying and likely situations when a person/household may encounter housing discrimination. However, much of this process occurs in the private housing market over which local jurisdictions have little control or authority to regulate. The recourse lies in the ability of the contracted fair housing service providers in monitoring these activities, identifying the perpetrators, and taking appropriate reconciliation or legal actions.

#### **Advertising**

The first thing a potential buyer is likely to do when they consider buying a home is search advertisements either in magazines, newspapers, or the Internet to get a feel for what the

market offers. Advertisements cannot include discriminatory references such as the use of words describing:

- Current or potential residents;
- Neighbors or the neighborhood in racial or ethnic terms;
- Adults preferred;
- Perfect for empty nesters;
- Conveniently located by a Catholic Church; or
- Ideal for married couples without kids.

Advertising has become a sensitive area in real estate. In some instances advertisements published in non-English languages may make those who speak English uncomfortable, yet when ads are only placed in English they place non-English speaking residents at a disadvantage. While real estate advertising can be published in other languages, by law an English version of the ad must also be published, and monitoring this requirement is difficult, if not impossible.

Even if an agent does not intend to discriminate in an ad, it would still be considered a violation to suggest to a reader whether or not a particular group is preferred. Recent litigation has also set precedence for violations in advertisements that hold publishers, newspapers, Multiple Listing Services, real estate agents, and brokers accountable for discriminatory ads.

### **Lending**

Initially, buyers must find a lender that will qualify them for a loan. This part of the process entails an application, credit check, ability to repay, amount eligible for, choosing the type and terms of the loan, etc. Applicants are requested to provide a lot of sensitive information including their gender, ethnicity, income level, age, and familial status. Most of this information is used for reporting purposes required of lenders by the Community Reinvestment Act (CRA) and the Home Mortgage Disclosure Act (HMDA). However, the current mortgage lending crisis has demonstrated widespread misuse of the information, where lower income households and minorities have been targeted for predatory lending.

Lending discrimination can occur during advertising/outreach, pre-application inquiries, loan approval/denial and terms/conditions, and loan administration. Further areas of potential discrimination include: differences in the level of encouragement, financial assistance, types of loans recommended, amount of down payment required, and level of customer service provided.

### **Appraisals**

Banks order appraisal reports to determine whether or not a property is worth the amount of the loan they will be giving. Generally speaking, appraisals are based on the comparable sales of properties surrounding the neighborhood of the property being appraised. Other factors are taken into consideration, such as the age of the structure, any improvements made,

location, general economic influences, etc. However, in recent years during the mortgage lending and refinancing frenzy, there have been reports of inflated home values in order to entice refinancing.

### **Real Estate Agents**

Real estate agents may act as agents of discrimination. Some unintentionally, or possibly intentionally, may steer a potential buyer to particular neighborhoods by encouraging the buyer to look into certain areas; others may choose not to show the buyer all choices available. Agents may also discriminate by who they agree to represent, who they turn away, and the comments they make about their clients.

The California Association of REALTORS® (CAR) has included language on many standard forms disclosing fair housing laws to those involved. Many REALTOR® Associations also host fair housing trainings/seminars to educate members on the provisions and liabilities of fair housing laws, and the Equal Opportunity Housing Symbol is also printed on all CAR forms as a reminder.

### **Covenants, Conditions, and Restrictions (CC&Rs)**

Covenants, Conditions, and Restrictions (CC&Rs), are restrictive promises that involve voluntary agreements, which run with the land they are associated with and are listed in a recorded Declaration of Restrictions. The Statute of Frauds (Civil Code Section 1624) requires them to be in writing, because they involve real property. They must also be recorded in the County where the property is located in order to bind future owners. Owners of parcels may agree amongst themselves as to the restrictions on use, but in order to be enforceable they must be reasonable.

The California Department of Real Estate reviews CC&Rs for all subdivisions of five or more lots, or condominiums of five or more units. This review is authorized by the Subdivided Lands Act and mandated by the Business Professions Code, Section 11000. The review includes a wide range of issues, including compliance with fair housing law. The review must be completed and approved before the Department of Real Estate will issue a final subdivision public report. This report is required before a real estate broker or anyone can sell the units, and each prospective buyer must be issued a copy of the report. If the CC&Rs are not approved, the Department of Real Estate will issue a "deficiency notice", requiring the CC&Rs be revised. CC&Rs are void if they are unlawful, impossible to perform or are in restraint on alienation (a clause that prohibits someone from selling or transferring his/her property). However, older subdivisions and condominium/townhome developments may contain illegal clauses which are enforced by the homeowners associations.

### **Insurance**

Many insurance companies have applied strict guidelines, such as not insuring older homes, that disproportionately affect lower income and minority households that can only afford to buy in older neighborhoods. Underwriting guidelines are not public information; however,

consumers have begun to seek access to these underwriting guidelines to learn if certain companies have discriminatory policies.

The California Fair Access to Insurance Requirements (FAIR) Plan was created by the Legislature in 1968 after the brush fires and riots of the 1960s made it difficult for some people to purchase fire insurance due to hazards beyond their control. The FAIR Plan is designed to make property insurance more readily available to people who have difficulty obtaining it from private insurers because their property is considered "high risk."

The California Organized Investment Network (COIN) is a collaboration of the California Department of Insurance, the insurance industry, community economic development organizations, and community advocates. This collaboration was formed in 1996 at the request of the insurance industry as an alternative to state legislation that would have required insurance companies to invest in underserved communities, similar to the federal Community Reinvestment Act (CRA) that applies to the banking industry. COIN is a voluntary program that facilitates insurance industry investments, which provide profitable returns to investors, and economic and social benefits to underserved communities.

### **Credit and FICO Scores**

Credit history is one of the most important factors in obtaining a home purchase loan. Credit scores determine loan approval, interest rates associated with the loan, as well as the type of loan an applicant will be given. Applicants with high credit scores are generally given conventional loans, while lower and moderate range scores revert to FHA or other government-backed loans. Applicants with lower scores also receive higher interest rates on the loans as a result of being perceived as a higher risk to the lender, and may even be required to pay points depending on the type of lending institution used.

Fair Isaac and Company (FICO), which is the company used by the Experian (formerly TRW) credit bureau to calculate credit scores, has set the standard for the scoring of credit history. Trans-Union and Equifax are two other credit bureaus that also provide credit scores, though they are typically used to a lesser degree. In short, points are awarded or deducted based on certain items such as how long one has had credit cards, whether one makes payments on time, if credit balances are near maximum, etc. Typically, the scores range from the 300s to around 850, with higher scores demonstrating lower risk. Lower credit scores require a more thorough review than higher scores and mortgage lenders will often not even consider a score below 600.

FICO scores became more heavily relied on by lenders when studies conducted show that borrowers with scores above 680 almost always make payments on time, while borrowers with scores below 600 seemed fairly certain to develop problems. Some of the factors that affect a FICO score are:

- Delinquencies
- New accounts (opened within the last twelve months)

- Length of credit history (a longer history of established credit is better than a short history)
- Balances on revolving credit accounts
- Public records, such as tax liens, judgments, or bankruptcies
- Credit card balances
- Number of inquiries
- Number and types of revolving accounts

However, the current mortgage lending crisis was in part a result of lenders providing mortgage financing to borrowers who are not credit worthy, or steering borrowers who can qualify for lower cost loans to the subprime market.

## **2. National Association of REALTORS® (NAR)**

The National Association of REALTORS® (NAR) has developed a Fair Housing Program to provide resources and guidance to REALTORS® in ensuring equal professional services for all people. The term REALTOR® identifies a licensed professional in real estate who is a member of the NAR; however, not all licensed real estate brokers and salespersons are members of the NAR.

### **Code of Ethics**

Article 10 of the NAR Code of Ethics provides that “REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, or national origin. REALTORS® shall not be a party to any plan or agreement to discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status, or national origin.”

A REALTOR® pledges to conduct business in keeping with the spirit and letter of the Code of Ethics. Article 10 imposes obligations upon REALTORS® and is also a firm statement of support for equal opportunity in housing. A REALTOR® who suspects discrimination is instructed to call the local Board of REALTORS®. Local Boards of REALTORS® will accept complaints alleging violations of the Code of Ethics filed by a home seeker who alleges discriminatory treatment in the availability, purchase or rental of housing. Local Boards of REALTORS® have a responsibility to enforce the Code of Ethics through professional standards procedures and corrective action in cases where a violation of the Code of Ethics is proven to have occurred.

Additionally, Standard of Practice Article 10-1 states that “REALTORS® shall not volunteer information regarding the racial, religious or ethnic composition of any neighborhood and shall not engage in any activity which may result in panic selling. REALTORS® shall not print, display or circulate any statement or advertisement with respect to the selling or renting of a property that indicates any preference, limitations or discrimination based on race, color, religion, sex, handicap, familial status, or national origin.”

## **Diversity Certification**

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 will signal to customers that the real estate professional has been trained on working with diversity in today's real estate markets. The coursework provides valuable business planning tools to assist real estate professionals in reaching out and marketing to a diverse housing market. The NAR course focuses on diversity awareness, building cross-cultural skills, and developing a business diversity plan.

### **3. California Department of Real Estate (DRE)**

The California Department of Real Estate (DRE) is the licensing authority for real estate brokers and salespersons. As noted earlier, not all licensed brokers and salespersons are members of the National or California Association of REALTORS®.

The DRE has adopted education requirements that include courses in ethics and in fair housing. To renew a real estate license, each licensee is required to complete 45 hours of continuing education, including three hours in each of the four mandated areas: Agency, Ethics, Trust Fund, and Fair Housing. The fair housing course contains information that will enable an agent to identify and avoid discriminatory practices when providing real estate services to clients.

Prior to July 1, 2007, a real estate salesperson renewing the license for the first time must complete separate three-hour courses in Agency, Ethics, Trust Fund Handling, and Fair Housing to qualify for renewal. All licensees, with the exception of those renewing for the first time, are required to complete a full 45 hours of continuing education for each license renewal. At least 18 hours of course work specifically designated as consumer protection must be completed. An additional 15 hours of approved courses are required, which may be designated as either consumer protection or consumer service courses.

For the initial renewal on or after July 1, 2007, the law requires, as part of the 45 hours of continuing education, completion of five mandatory three-hour courses in Agency, Ethics, Trust Fund Handling and Fair Housing and Risk Management. These licensees will also be required to complete a minimum of 18 additional hours of courses related to consumer protection. The remaining hours required to fulfill the 45 hours of continuing education may be related to either consumer service or consumer protection, at the option of the licensee.

### **4. California Association of REALTORS® (CAR)**

The California Association of Realtors (CAR) is a trade association of 92,000 realtors statewide. As members of organized real estate, realtors also subscribe to a strict code of ethics as noted above. CAR has recently created the position of Equal Opportunity/Cultural Diversity Coordinator. CAR holds three meetings per year for its general membership, and the meetings typically include sessions on fair housing issues. Current outreach efforts in the

Southern California area are directed to underserved communities and state-licensed brokers and sales persons who are not members of the CAR.

### **REALTOR® Associations Serving Ventura County**

REALTOR® Associations are generally the first line of contact for real estate agents who need continuing education courses, legal forms, career development, and other daily work necessities. The frequency and availability of courses varies amongst these associations, and local association membership is generally determined by the location of the broker that an agent works for. Complaints involving agents or brokers may be filed with these associations.

Monitoring of services by these associations is difficult as detailed statistics of the education/services the agencies provide or statistical information pertaining to of the members is rarely available. The following associations serve Ventura County:

- Conejo Valley Association of REALTORS (CVAR) (which includes the former Simi Valley/ Moorpark Association of REALTORS)
- Ojai Valley Board of Realtors
- Ventura County Coastal Association of REALTORS

The Realtor Associations that serve Ventura County use the following listing services:

- Ventura County Regional Data Share (VCRDS)
- Ojai Valley Multiple Listing Service (OVMLS)

Complaints against members are handled by the associations as follows. First, all complaints must be in writing. Once a complaint is received, a grievance committee reviews the complaint to decide if it warrants further investigation. If further investigation is necessary, a professional standards hearing with all parties involved takes place. If the member is found guilty of a violation, the member may be expelled from the association, and the California Department of Real Estate is notified.

## **B. Fair Housing Practices in the Rental Housing Market**

### **1. Rental Process**

#### **Advertising**

Ventura County, like most parts of California, is facing a shortage of rental housing. Most rental properties have low vacancy rates and do not require published advertising. Often, vacancy is announced either via word of mouth of existing tenants or a for-rent sign outside the property. Unless one happens to drive by the neighborhood or have friends or families currently residing at the property, one may not have access to information regarding vacancy. Furthermore, this practice tends to intensify segregation of neighborhoods and properties that

already have a high concentration of a racial/ethnic group. When advertising is done, no checks-and-balances mechanism exists to ensure English advertising is provided.

### **Viewing the Unit**

Viewing the unit is the most obvious place where the potential renters may encounter discrimination because landlords or managers may discriminate based on race or disability, or judge on appearance whether a potential renter is reliable or may violate any of the rules.

### **Credit/Income Check**

Landlords may ask potential renters to provide credit references, lists of previous addresses and landlords, and employment history/salary. The criteria for tenant selection, if any, are typically not known to those seeking to rent. Many landlords often use credit history as an excuse when trying to exclude certain groups. Legislation provides for applicants to receive a copy of the report used to evaluate applications.

### **The Lease**

Most apartments are rented under either a lease agreement or a month-to-month rental agreement. A lease is favorable from a tenant's point of view for two reasons: the tenant is assured the right to live there for a specific period of time and the tenant has an established rent during that period. Most other provisions of a lease protect the landlord. Information written in a lease or rental agreement includes the rental rate, required deposit, length of occupancy, apartment rules, and termination requirements.

Typically, the lease or rental agreement is a standard form completed for all units within the same building. However, the enforcement of the rules contained in the lease or agreement may not be standard for all tenants. A landlord may choose to strictly enforce the rules for certain tenants based on arbitrary factors, such as race, presence of children, or disability. In recent years, complaints regarding tenant harassment through strict enforcement of lease agreements as a means of evicting tenants have increased significantly.

### **Security Deposit**

A security deposit is typically required. To deter "less-than-desirable" tenants, a landlord may ask for a security deposit higher than for others. Tenants may also face differential treatment when vacating the units. The landlord may choose to return a smaller portion of the security deposit to some tenants, claiming excessive wear and tear. A landlord may also require that persons with disabilities pay an additional pet rent for their service animals, a monthly surcharge for pets, or a deposit, which is also a discriminatory act.

### **During the Tenancy**

During tenancy, the most common forms of discrimination a tenant may face are based on familial status, race, national origin, sex, or disability. Usually these types of discrimination

appear in differential enforcement of rules, overly strict rules for children, excessive occupancy standards, refusal to make a reasonable accommodation for handicapped access, refusal to make necessary repairs, eviction notices, illegal entry, rent increases, or harassment. These actions may be used as a way to force undesirable tenants to move on their own without the landlord having to make an eviction.

## **2. Apartment Association of California**

The California Apartment Association (CAA) is the country's largest statewide trade association for rental property owners and managers. The CAA was incorporated in 1941 to serve rental property owners and managers throughout California. CAA represents rental housing owners and professionals who manage more than 1.5 million rental units. Under the umbrella agency, various apartment associations cover specific geographic areas.

The California Apartment Association has developed the California Certified Residential Manager (CCRM) program to provide a comprehensive series of courses geared towards improving the approach, attitude and professional skills of on-site property managers and other interested individuals. The CCRM program consists of 31.5 hours of training that includes fair housing and ethics along with the following nine course topics:

- Preparing the Property for Market
- Professional Leasing Skills and the Application Process
- The Move-in Process, Rent Collection and Notices
- Resident Issues and Ending the Tenancy
- Professional Skills for Supervisors
- Maintenance Management: Maintaining a Property
- Liability and Risk Management: Protecting the Investment
- Fair Housing: It's the Law
- Ethics in Property Management

In order to be certified one must successfully score 75 percent or higher on the comprehensive CCRM final exam.

The CAA supports the intent of all local, State, and federal fair housing laws for all residents without regard to color, race, religion, sex, marital status, mental or physical disability, age, familial status, sexual orientation, or national origin. Members of the CAA agree to abide by the provisions of their Code for Equal Housing Opportunity.

## **3. Apartment Association of San Fernando Valley/Ventura County**

The Apartment Association of San Fernando Valley/Ventura County is a membership organization covering all of Ventura County, and Los Angeles County north of Mulholland Drive to Kern County. The association publishes a monthly magazine, *The Apartment Owner*, which is mailed to association members, prospective members, and elected officials. *The Apartment Owner* keeps owners apprised of their professional responsibilities and opportunities, including articles on fair housing. Sometimes, articles derived from related

sources - such as the Los Angeles Council on Human Rights - are reprinted. Also, local agencies - such as the Ventura County Fair Housing Council - are profiled and their services are explained. *The Apartment Owner* offers relevant books (e.g., *The Apartment Manager's Desk Reference*, guides to landlording, rental management), which can be purchased through the association. The magazine lists forms related to rental agreements, including fair housing requirements, which are almost always free to members. The forms are submitted to the State Attorney General for review to ensure legal adequacy.

Each new and renewing member of the Apartment Association receives an information packet regarding fair housing and landlord responsibilities. Each year the Apartment Association holds an annual fair housing meeting in the month of April, which has been designated as Fair Housing month.

The Apartment Association explained that, by law, on-site apartment managers, of their own properties, are not required to have a real estate broker's license, nor are they required to have any credential or training. If the property is managed by a property management company, then at least one member of that company must have a real estate broker's license. The State real estate broker's license test includes fair housing questions, and the license renewal process every four years mandates a three-hour course on fair housing.

The Apartment Association offers a voluntary basic educational course for resident apartment managers, which is comprised of four hours and includes a discussion of fair housing law. This course is available to members and property management companies.

#### **4. The National Association of Residential Property Managers (NARPM)**

The National Association of Residential Property Managers promotes a high standard of property management business ethics, professionalism and fair housing practices within the residential property management field. NARPM is an association real estate professionals who are experienced in dealing managing single-family and small residential properties. Members of the association adhere to a strict Code of Ethics to meet the needs of the community, which include the following duties:

- Protect the public from fraud, misrepresentation, and unethical practices of property managers.
- Adhere to the Federal Fair Housing Statute.
- Protect the fiduciary relationship of the Client.
- Treat all Tenants professionally and ethically
- Manage the property in accordance with the safety and habitability standards of the community.
- Hold all funds received in compliance with state law with full disclosure to the Client.

In addition to promoting high standards of business ethics, professionalism and fair housing practices, the Association also certifies its members in the standards and practices of the residential property management industry and promotes continuing professional education.

NARPM offers 3 designations to qualified property managers and property management firms:

1. Residential Management Professional, RMP ®
2. Master Property Manager, MPM ®
3. Certified Residential Management Company, CRMC ®

Various educational courses are offered as part of attaining these designations including the following fair housing and landlord/tenant law courses:

- Advertising For Fair Housing/ADA (2 to 4 hrs)
- Fair Housing Issues of Property Managers (4 hrs)
- Fair Housing (3-6 hrs)
- Accommodations and Modifications (3 hrs)
- Property Management The Property Code (6 hrs)
- Landlord/Tenant Laws

## **5. Western Manufactured Housing Communities Association (WMA)**

Western Manufactured Housing Communities Association (WMA) is a nonprofit organization created in 1945 for the exclusive purpose of promoting and protecting the interests of owners, operators and developers of manufactured home communities in California. WMA assists its members in the operations of successful manufactured home communities in today's complex business and regulatory environment. WMA has over 1,700 member parks located in all 58 counties of California.

WMA offers an award winning manager accreditation program as well as numerous continuing education opportunities. The Manufactured Home Community Manager (MCM) program is a manager accreditation program that provides information on effective community operations. WMA's industry experts give managers intensive training on law affecting the industry, maintenance standards, HCD inspections, discrimination, mediation, disaster planning, and a full range of other vital subjects. In addition, WMA offers the following services:

- Toll-free hotline for day-to-day management advice
- Resident Screening Program
- Group Workers' Compensation Program
- Legal Advice
- Industry Referrals
- Manager Referral Service
- Educational seminars on a variety of key topics

Many mobile home park owners from the City of Oxnard have sent their managers to WMA certification and continuing education programs.

## **C. Fair Housing Services**

In general, fair housing services include the investigation and resolution of housing discrimination complaints, discrimination auditing and testing, and education and outreach, including the dissemination of fair housing information such as written material, workshops, and seminars. Landlord/tenant counseling is another fair housing service that involves informing landlords and tenants of their rights and responsibilities under fair housing law and other consumer protection legislations as well as mediating disputes between tenants and landlords. This section reviews the fair housing services available in the County of Ventura, the nature and extent of fair housing complaints, and results of fair housing testing/audits.

### **1. Housing Rights Center**

The Housing Rights Center (HRC) is a non-profit agency whose mission is to actively support and promote fair housing through education and advocacy. The HRC provides the following fair housing related services to all Ventura County residents:

- Counseling on fair housing rights and responsibilities through their toll-free fair housing hotline: 1-800-477-5977.
- Investigations of housing discrimination complaints filed by renters, homebuyers, and home seekers, including lending and advertising complaints.
- Enforcement of fair housing laws through conciliation, litigation, or administrative referrals.
- Landlord/tenant counseling.
- Hosts an Annual Housing Rights Summit, which brings interested parties together to discuss fair housing and raises public awareness of fair housing issues and services.
- Fair Housing Certification Training Seminars for landlords and property managers in English, Spanish, and Korean.
- Multilingual outreach and education to tenants, home seekers, social service and community groups, city departments, and the public at large, which may be conducted in English, Spanish, Armenian, Korean, Mandarin, or Russian (depending on the audience) and all offices are accessible to disabled persons.
- Fair housing literature (available in English, Spanish, Korean, Russian, Mandarin, and Armenian).
- Legal services and advocacy.
- Education and training for housing professionals.

### **2. The Housing Authority of the City of San Buenaventura**

The Housing Authority of the City of San Buenaventura has a contract with the City of Ventura to provide tenant/landlord services to all residents in the City. The Housing Authority's Fair Housing/Tenant-Landlord Services program seeks to provide centralized information to educate and raise awareness of the rights and responsibilities of both tenants and landlords in a rental relationship. The program provides information, resources, and

referral services for Ventura residents on discrimination issues, fair housing complaints, and tenant/landlord disputes.

Primarily, services entail providing information regarding tenant/landlord and fair housing and referring residents to local legal clinics or HRC. The Housing Authority typically receives calls regarding issues such as whether or not there is rent control in Ventura County, security deposit returns, and tenant rights. It also receives inquiries relating to the legal process of eviction notices. However, no specific trend has been noted. The Housing Authority receives an average of 250 contacts (walk-ins, phone calls, and letters) each quarter or about 1,000 contacts a year.

### **3. Many Mansions**

Many Mansions is a non-profit organization in Thousand Oaks that operates affordable housing units, special needs housing, and homeless facilities and provides supportive services. Its mission is to promote and provide safe, well-managed housing with on-site, life-enriching services for limited income residents of the Conejo Valley, Ventura County, and their surrounding communities.

More Than Housing is a Many Mansions community resource program designed to meet not only the needs of our current resident population, but also for non-resident families and individuals who may have questions about housing and other services, support and referrals. It is a community resource center with information about:

- Housing, shelters, low-income apartments, transitional housing
- Rental assistance referrals
- Jobs and career changes and needs, computer and newspaper access
- Medical and other support centers
- School and parenting support and information

### **4. Department of Fair Employment and Housing**

The California Department of Fair Employment and Housing (DFEH) investigates complaints of employment and housing discrimination based on race, sex, religious creed, color, national origin, medical condition (cured cancer only), ancestry, physical or mental disability, marital status, or age (over 40 only). DFEH also investigates complaints of housing discrimination based on the above classes, as well as children/age, and sexual orientation.

DFEH established a program in May 2003 for mediating housing discrimination complaints, which is a first for the State of California and is the largest fair housing mediation program in the nation to be developed under HUD's Partnership Initiative with state fair housing enforcement agencies. The program provides California's tenants, landlords, and property owners and managers with a means of resolving housing discrimination cases in a fair,

confidential, and cost-effective manner.<sup>24</sup> Key features of the program are: 1) program is free of charge to the parties; and 2) mediation takes place within the first 30 days of the filing of the complaint, often avoiding the financial and emotional costs associated with a full DFEH investigation and potential litigation.

The fair housing service providers work in partnership with HUD and DFEH. After a person calls in for a complaint, an interview takes place, documentation is obtained and issues are discussed to decide on the course to proceed. Mediation/conciliation is offered as a viable alternative to litigation. If the mediation/conciliation is successful, the case is closed after a brief case follow-up. If the mediation/conciliation is unsuccessful, the case is then referred to DFEH or HUD. If during case development further investigation is deemed necessary, testing may be performed. Once the investigation is completed, the complainant is advised of the alternatives available in proceeding with the complaint, which include: mediation/conciliation, administrative filing with HUD or DFEH, referral for consideration to the Department of Justice, Civil Rights Division, Housing and Civil Enforcement Section, or referral to a private attorney for possible litigation.

## **D. Fair Housing Statistics**

As part of the enforcement and tracking services provided by the above mentioned fair housing service providers, intake and documentation of all complaints and inquiries result in the compilation of statistics provided to each jurisdiction in the form of quarterly and annual reports.

### **1. Housing Rights Center (HRC)**

Statistics reported throughout Ventura County, as with most others, indicate that low income people, regardless of race are the most heavily impacted by fair housing issues. The majority of complaints reported by HRC were based on disability, race/national origin and familial status. Consistent with the demographic makeup of the region, Non-Hispanic Whites and Hispanics reported the majority of complaints. However, American Indian/Alaskan Natives made up less than one-half of a percent of the total population, yet they represented two percent of fair housing complainants.

Between Fiscal Years 2005/06 to 2009/10, HRC provided fair housing services to a total of 3,793 clients. Table 82 below shows the number/proportion of clients by jurisdiction. The cities of Oxnard (33 percent), Ventura (16 percent), and Thousand Oaks (12 percent) had the greatest number of clients, while the cities of Fillmore (2 percent), Moorpark (3 percent), and Santa Paula (3 percent) had the fewest clients. Approximately 38 percent of these inquiries/complaints came from persons with disabilities, 29 percent from female-headed households, 20 percent from seniors and 13 percent from households in government subsidized housing. Furthermore, over two-thirds (69 percent) of clients were either extremely low or very low income.

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<sup>24</sup> DFEH News Brief, May 29, 2003

**Table 82: Ventura County Clients by Jurisdiction**

Jurisdiction	2005-06	2006-07	2007-08	2008-09	2009-10*	Total	% of County Total
Camarillo	85	80	79	125	35	404	10.4%
Fillmore	20	18	23	10	7	78	2.0%
Moorpark	22	22	21	36	12	113	2.9%
Ojai	35	29	42	37	3	146	3.8%
Oxnard	268	273	336	317	76	1,270	32.7%
Port Hueneme	38	38	49	43	8	176	4.5%
Santa Paula	14	20	32	33	14	113	2.9%
Simi Valley <sup>1</sup>	70	14	12	161	38	295	7.6%
Thousand Oaks	90	118	106	108	36	458	11.8%
Ventura	99	157	188	148	38	630	16.2%
Unincorporated County	41	51	55	53	6	206	5.2%
<b>County Total</b>	<b>782</b>	<b>820</b>	<b>943</b>	<b>1,071</b>	<b>273</b>	<b>3,889</b>	<b>100.0%</b>

Note:

1. The City of Simi Valley contracted with the Fair Housing Council of San Fernando Valley during FY 2005 through FY 2007. Statistics from those years came from the Fair Housing Council of San Fernando Valley.

Source: HRC Annual Report, 2009.

\*2009/10 Statistics are for the 3 month period July 1, 2009 - September 30, 2009

Non-Hispanic Whites represented 52 percent of the callers, followed by Hispanic or Latino (34 percent), and Blacks and American Indians (less than one percent each). This racial/ethnic distribution is relatively reflective of the County's demographics, as Hispanics made up 33 percent of the population, while Non-Hispanic Whites made up 57 percent, African Americans made up two percent, and American Indian/Alaskan and the population indicating "Other" combined made up less than 0.5 percent based on the Census. Approximately 72 percent of the complaints were resolved by HRC and 20 percent were referred to other appropriate agencies.

### Housing Discrimination Complaints

Between Fiscal Years 2005/06 to 2009/10, 413 complaints of housing discrimination were reported. The most frequent allegations of housing discrimination came from the cities of Oxnard (115 complaints), Ventura (66 complaints) and Camarillo (56 complaints). The basis of discrimination for these complaints pertained mainly to physical disability (57 percent), mental disability (10 percent), and race (7 percent).

**Table 83: Discrimination Complaints by Jurisdiction**

Jurisdiction	2005-06	2006-07	2007-08	2008-09	2009-10*	Total	% of County Total
Camarillo	7	18	11	14	6	56	13.6%
Fillmore	0	3	1	0	0	4	1.0%
Moorpark	1	3	2	5	2	13	3.1%
Ojai	5	1	8	1	0	15	3.6%
Oxnard	24	30	17	41	3	115	27.8%
Port Hueneme	5	5	5	8	0	23	5.6%
Santa Paula	0	2	6	2	2	12	2.9%
Simi Valley <sup>1</sup>	15	2	3	18	4	42	10.2%
Thousand Oaks	9	20	9	12	1	51	12.3%
Ventura	9	14	16	19	8	66	16.0%
Unincorporated County	0	7	7	2	0	16	3.9%
<b>County Total</b>	<b>75</b>	<b>105</b>	<b>85</b>	<b>122</b>	<b>26</b>	<b>413</b>	<b>100.0%</b>

*Note:*

1. The City of Simi Valley contracted with the Fair Housing Council of San Fernando Valley during FY 2005 through FY 2007. Statistics from those years came from the Fair Housing Council of San Fernando Valley.

Source: HRC Annual Report, 2009.

\*2009/10 Statistics are for the 3 month period July 1, 2009 - September 30, 2009

According to the fair housing survey conducted as part of this AI, familial status, race, source of income and age were identified by respondents as the leading bases for discrimination.

#### *Tenant/Landlord Counseling*

A total of 3,423 Ventura County residents contacted fair housing service providers for assistance with landlord/tenant issues and complaints. Again, most clients came from the cities of Oxnard (34 percent), Ventura (17 percent), and Thousand Oaks (12 percent). The following table provides a breakdown of the number of tenant/landlord clients by jurisdiction:

**Table 84: Tenant/Landlord Complaints by Jurisdiction**

Jurisdiction	2005-06	2006-07	2007-08	2008-09	2009-10*	Total	% of County Total
Camarillo	78	62	68	111	29	348	10.2%
Fillmore	20	15	22	10	7	74	2.2%
Moorpark	21	19	19	31	10	100	2.9%
Ojai	30	28	34	36	3	131	3.8%
Oxnard	244	243	319	276	73	1,155	33.7%
Port Hueneme	33	33	44	35	8	153	4.5%
Santa Paula	14	18	26	31	12	101	3.0%
Simi Valley <sup>1</sup>	2	13	8	143	34	200	5.8%
Thousand Oaks	81	98	97	96	35	407	11.9%
Ventura	90	143	172	129	30	564	16.5%
Unincorporated County	41	44	48	51	6	190	5.6%
<b>County Total</b>	<b>654</b>	<b>716</b>	<b>857</b>	<b>949</b>	<b>247</b>	<b>3,423</b>	<b>100.1%</b>

Note:

1. The City of Simi Valley contracted with the Fair Housing Council of San Fernando Valley during FY 2005 through FY 2007. Statistics from those years came from the Fair Housing Council of San Fernando Valley.

Source: HRC Annual Report, 2009.

\*2009/10 Statistics are for the 3 month period July 1, 2009 - September 30, 2009

Concerns regarding tenant/landlord issues ranged from eviction to substandard conditions and questions on how to get repairs made. The most prevalent tenant/landlord topics were eviction notices (28 percent) and substandard conditions (16 percent). Landlord tenant complaints reported by HRC were as follows (only the top five complaints are listed below):

- Evictions/Notices – 12 percent
- Substandard Conditions – 8 percent
- Security Deposit – 5 percent
- Lease Terms – 5 percent
- Rent Increase – 3 percent

Given the low number of calls received by HRC, it appears that people may not be aware of who to call when they have questions. The low number of calls may also reflect the outreach conducted by certain cities to residents on ways of resolving housing concerns and issues without involving the HRC. According to results of the fair housing survey conducted as part of this AI, only 23 percent of the 56 respondents who experienced housing discrimination reported the incident. Among those who had not reported the issue, 59 percent indicated that they did not know where to report the incident and 45 percent indicated that they did not believe any difference or action would result from the reporting.<sup>25</sup>

<sup>25</sup> Respondents were given the option to choose multiple reasons for not reporting the incidence of discrimination. Percentages will, therefore, not equal 100 percent.

## Fair Housing Cases

An overwhelming majority of complaints to the HRC did not involve allegations of discrimination (90 percent). Of the 3,793 residents assisted by HRC, 393 reported incidents of housing discrimination. Approximately 30 percent of these discrimination complaints (116 complaints) turned into actual cases. Table 85 displays a breakdown of housing discrimination cases by jurisdiction: the most cases originated in the cities of Oxnard (43 cases), Camarillo (20 cases), Thousand Oaks, and Ventura (15 cases each).

**Table 85: Discrimination Cases by Jurisdiction**

Jurisdiction	2005-06	2006-07	2007-08	2008-09	2009-10*	Total	% of County Total
Camarillo	2	3	4	8	3	20	16.1%
Fillmore	0	0	0	0	0	0	0.0%
Moorpark	1	1	0	3	1	6	4.8%
Ojai	0	1	2	1	0	4	3.2%
Oxnard	9	13	3	18	0	43	34.7%
Port Hueneme	0	2	2	2	0	6	4.8%
Santa Paula	0	0	1	0	0	1	0.8%
Simi Valley <sup>1</sup>	5	2	1	3	0	11	8.9%
Thousand Oaks	5	6	0	3	1	15	12.1%
Ventura	2	4	1	7	1	15	12.1%
Unincorporated County	0	0	2	1	0	3	2.4%
<b>County Total</b>	<b>24</b>	<b>32</b>	<b>16</b>	<b>46</b>	<b>6</b>	<b>124</b>	<b>99.9%</b>

*Note:*

1. The City of Simi Valley contracted with the Fair Housing Council of San Fernando Valley during FY 2005 through FY 2007. Statistics from those years came from the Fair Housing Council of San Fernando Valley.

Source: HRC Annual Report, 2009.

\*2009/10 Statistics are for the 3 month period July 1, 2009 - September 30, 2009

Table 86 summarizes the findings of housing discrimination cases in Ventura County. Evidence to sustain the allegation of housing discrimination was found in 79 of the cases (70 percent), while inconclusive evidence was found in 32 of the cases (28 percent). There are currently two cases pending.

The disposition of discrimination cases are summarized in Table 87. A majority of the cases (57 percent) were resolved through successful conciliation while another 28 percent of cases had no possible enforcement action. Approximately 10 percent of cases were withdrawn by the client.

**Table 86: Findings in Housing Discrimination Cases**

<b>Jurisdiction</b>	<b>2005-06</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>	<b>2009-10*</b>	<b>Total</b>
<i>Sustains Allegation</i>						
Oxnard	2	8	1	13	0	24
Simi Valley	0	0	0	3	0	3
Ventura	1	4	1	6	0	12
Ventura County	2	12	7	15	4	40
<b>Total</b>	<b>5</b>	<b>24</b>	<b>9</b>	<b>37</b>	<b>4</b>	<b>79</b>
<i>Inconclusive Evidence</i>						
Oxnard	6	5	2	5	0	18
Simi Valley	0	0	0	0	0	0
Ventura	1	0	0	1	0	2
Ventura County	4	1	4	3	0	12
<b>Total</b>	<b>11</b>	<b>6</b>	<b>6</b>	<b>9</b>	<b>0</b>	<b>32</b>
<i>No Evidence of Discrimination</i>						
Oxnard	0	0	0	0	0	0
Simi Valley	0	0	0	0	0	0
Ventura	0	0	0	0	0	0
Ventura County	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<i>Pending</i>						
Oxnard	0	0	0	0	0	0
Simi Valley	0	0	0	0	0	0
Ventura	0	0	0	0	1	1
Ventura County	0	0	0	0	1	1
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>
<b>County Total</b>	<b>16</b>	<b>30</b>	<b>15</b>	<b>46</b>	<b>6</b>	<b>113</b>

**Table 87: Disposition of Housing Discrimination Cases**

<b>Jurisdiction</b>	<b>2005-06</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>	<b>2009-10*</b>	<b>Total</b>
<i>Successful Conciliation</i>						
Oxnard	3	6	1	11	0	21
Simi Valley	0	0	0	3	0	3
Ventura	2	3	0	4	0	9
Ventura County	2	11	6	12	2	33
<b>Total</b>	<b>7</b>	<b>20</b>	<b>7</b>	<b>30</b>	<b>2</b>	<b>66</b>
<i>Client Withdrew</i>						
Oxnard	2	0	0	2	0	4
Simi Valley	0	0	0	0	0	0
Ventura	0	1	1	1	0	3
Ventura County	1	1	1	2	0	5
<b>Total</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>5</b>	<b>0</b>	<b>12</b>
<i>No Enforcement Action Possible</i>						
Oxnard	4	7	2	4	0	17
Simi Valley	0	0	0	0	0	0
Ventura	0	0	0	2	0	2
Ventura County	5	1	4	4	0	14
<b>Total</b>	<b>9</b>	<b>8</b>	<b>6</b>	<b>10</b>	<b>0</b>	<b>33</b>
<i>Referred to Litigation Dept</i>						
Oxnard	0	0	0	0	0	0
Simi Valley	0	0	0	0	0	0
Ventura	1	0	0	0	0	0
Ventura County	0	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<i>Referred to DFEH</i>						
Oxnard	0	0	0	1	0	1
Simi Valley	0	0	0	0	0	0
Ventura	0	0	0	0	0	0
Ventura County	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>
<i>Pending</i>						
Oxnard	0	0	0	0	0	0
Simi Valley	0	0	0	0	0	0
Ventura	0	0	0	0	1	1
Ventura County	0	0	0	0	3	3
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>4</b>
<b>County Total</b>	<b>19</b>	<b>30</b>	<b>15</b>	<b>46</b>	<b>6</b>	<b>116</b>

*Education and Outreach Efforts*

Education is one of the most important components of providing fair housing services. It is also believed to be one of the most important tools in ensuring that fair housing opportunities are provided. By giving citizens the knowledge to understand their rights and responsibilities, to recognize discrimination, locate resources if they need to file a complaint or need general assistance, and much more. The following briefly looks at some of the educational outreach efforts provided by HRC.

HRC provides the County of Ventura with a comprehensive fair housing outreach and education program. Outreach activities ranged from media ads and literature distribution to fair housing presentation. In FY 2009/10, the Housing Rights Center submitted press releases and public service announcements (PSAs) to media outlets that serve Ventura County. HRC submitted press releases to the: Ventura County Star, The Acorn, La Opinion, the Santa Paula Times, and California Lutheran University Career Services website. The press releases and PSAs, available in English and Spanish, announced Housing Rights Workshops for the cities of Ojai, Santa Paula, Simi Valley, Camarillo, Port Hueneme and Thousand Oaks, as well as volunteer opportunities with the HRC. They also announced the 10<sup>th</sup> Annual Housing Rights Summit and the Ventura County Fair Housing Accessibility Training.

HRC also collaborated with the Los Angeles Times, which ran a daily Fair Housing Notice entitled 'Live Free from Discrimination' in the Real Estate Advertisement Section. The ad provided HRC's contact number, website address, and office locations, as well as general fair housing and housing discrimination information. The Los Angeles Times also ran HRC ads promoting the 10<sup>th</sup> Annual Housing Rights Summit and general fair housing education information.

HRC published two newsletters during FY 2008/09. The HRC Bulletin, Fall 2008, Volume 6 included: articles on fair housing litigation, HRC 2007-2008 client statistics, the 9th Annual Housing Rights Summit, an article about Affirmatively Furthering Fair Housing, and a Q&A section on landlord/tenant issues. The HRC Bulletin, Winter 2009, Volume 7 included: a 'Save the Date' reminder for the 10th Annual Housing Rights Summit, and articles concerning: fair housing litigation, the 50th Anniversary of the California Fair Employment and Housing Act, housing for people with disabilities, the future of fair housing, and HUD and DOJ's joint efforts to protect the housing rights of people with disabilities.

Moreover, HRC submitted a 'Letter to the Editor' on the Ventura County Star's website concerning Home Owner Association rules and regulations and their impact on families with children and the fair housing laws.

Between FY 2005/06 and FY 2009/10, HRC conducted 53 Housing Rights Workshops for residents and community members. Workshops were held in:

- Camarillo
- Fillmore
- Moorpark
- Newbury Park
- Ojai
- Oxnard
- Port Hueneme
- Santa Paula
- Simi Valley
- Thousand Oaks

Each workshop provided an overview of the fair housing laws and a Q&A concerning fair housing and landlord/tenant rights and responsibilities. Fair housing training workshops for the Conejo Valley Association of Realtors were held on November 18, 2008 and June 10, 2009. HRC also conducted a Fair Housing 101 presentation for staff members of Many Mansions, an affordable housing provider, on September 19, 2008. 20 staff attended the presentation. On July 9, 2008, in partnership with the County of Ventura and the Area Housing Authority, HRC presented a Fair Housing Accessibility Training for housing industry professionals, county and city staff, and disability and housing advocates. There were 40 attendees at this event.

*General Outreach:* HRC distributed 5,859 pieces of literature to social service agencies, city government offices and housing industry professionals within the County, including:

- American Legion
- American Red Cross
- ARC of Ventura County
- Area Housing Authority of Ventura County
- Berylwood Family Resource Center
- Big Brothers Big Sisters
- Cabrillo Economic Development Corporation
- California Rural Legal Assistance
- Calvary Community Church
- Camarillo City Hall
- Camarillo Library
- Camarillo Newcomers Club
- Camarillo Senior Center
- Candelaria American Indian Council
- Caregivers
- Casa Pacifica
- Catholic Charities
- Channel Counties Legal Association
- Channel Islands Social Services
- Child Development Resources of Ventura County
- City of Thousand Oaks
- Community Action of Ventura County
- Community Assistance Program
- Community Works Resource Center
- Community Connections East
- Conejo Free Clinic
- Conejo Valley Association of Realtors
- Conejo Valley Senior Concerns
- County of Ventura
- Easter Seals
- Emmanuel Presbyterian
- Family Resource Center
- Fillmore City Hall
- Fillmore Library
- Goebel Senior Center
- Goldberg House
- Grey Law
- H.P. Wright Library
- HAS Santa Paula Office
- Help of Ojai-Little House
- Holy Trinity Church
- Interface Children Family Services
- Interface Santa Paula Family Resource Center
- Lutheran Social Services
- Many Mansions
- Meiners Oaks Library
- Moorpark City Hall
- Moorpark Family Resource Center
- Moorpark Library
- Moorpark Senior Center
- Newbury Park Branch Library
- Oak Park Library
- Oak View Library
- OASIS
- Ojai City Clerk
- Ojai City Hall
- Ojai Library
- Ojai Methodist Church

- Ojai Presbyterian Church
- Ojai Valley Community Church
- Ojai Valley Station
- Piru Library
- Port Hueneme Chamber of Commerce
- Port Hueneme City Hall
- Port Hueneme Community Center
- Port Hueneme Housing Authority
- Public Social Service Agency of Ventura County
- Resource Management Agency
- Salvation Army – Transitional Living Center
- Samaritan Center
- Santa Paula City Hall
- Santa Paula Housing Authority
- Sarah's House
- Saticoy Library
- Senior Home Sharing
- Simi Valley Adult School
- Simi Valley Chamber of Commerce
- Simi Valley Council for Senior Housing
- Simi Valley Library
- Simi Valley Senior Center
- Simi Valley Unified School District
- Simi Valley YMCA
- Thousand Oaks City Hall
- Thousand Oaks Library
- Thousand Oaks Social Security Office
- Thousand Oaks United Methodist Church
- Thousand Oaks-Westlake Village Chamber of Commerce
- Tri-County Family Service
- Ventura Center for Dispute Settlement
- Ventura County Area Agency on Aging
- Ventura County Board of Supervisors
- Ventura County Community Foundation
- Ventura County District Attorney
- Ventura County Human Services Agency
- Ventura County Rainbow Alliance
- Ventura County Rescue Mission
- Ventura County Superintendent of Education
- Ventura County Superior Court
- Veterans Service Office
- Victory Outreach

HRC also conducted a mailing to 72 lenders and lending institutions that service Ventura County residents. The mailing included a letter introducing HRC and its services and offered a free fair lending training. The mailing also included HRC's agency brochure, homebuyers and fair housing literature and an excerpt from the HRC Fair Lending training manual. In addition, Camarillo has HRC information in its Housing Resources Guide, which is available at City Hall and on the City's website.

## **2. California Department of Fair Employment and Housing (DFEH)**

The mission of the Department of Fair Employment and Housing (DFEH) is to protect Californians from employment, housing and public accommodation discrimination, and hate violence. To achieve this mission, DFEH keeps track of and investigates complaints of housing discrimination, as well as complaints in the areas of employment, housing, public accommodations and hate violence. Since 2004, a total of 88 fair housing complaints in the County of Ventura have been filed with DFEH. Most of these complaints involved (42 instances) disability, followed by familial/marital status (22 instances) and race or national

origin (12 instances each) (Table 88). The highest numbers of fair housing complaints were filed in the cities of Ventura, Camarillo and Oxnard.

Overall, a total of 134 acts of discrimination were recorded in Ventura County. Ventura City recorded the most acts (44 acts), followed by Camarillo (26 acts) and Oxnard (18 acts). Unequal access to facilities and denial of reasonable accommodation were the most common acts of discrimination (36 instances) in Ventura County. Eviction (29 instances) and unequal terms or occupancy standards (24 instances) were also common Countywide (Table 89).

A majority of Ventura County's 88 fair housing cases (60 cases) were found to have no probable cause and subsequently closed. An additional 11 cases were closed after successful conciliation and eight cases were withdrawn after a resolution was reached (Table 90).

**Table 88: Basis for Discrimination of Complaints filed with DFEH (2004-2009)**

Basis of Complaints	Race	Source of Income	National Origin	Sex	Sex Orientation	Disability	Religion	Familial/ Marital Status		Retaliation	Total
								Marital	Status		
Camarillo	2	0	1	0	0	12	0	5	3	23	
Fillmore	0	0	0	0	0	1	0	0	0	1	
Moorpark	1	0	0	0	0	1	0	3	0	5	
Ojai	0	0	0	0	0	0	0	1	0	1	
Oxnard	4	1	3	3	1	3	0	2	0	17	
Port Hueneme	0	0	0	0	0	1	0	0	0	1	
Santa Paula	0	0	0	1	0	0	0	0	0	1	
Simi Valley	0	0	2	4	0	3	0	3	0	12	
Thousand Oaks	2	0	1	1	0	2	0	2	0	8	
Ventura	2	0	3	1	0	14	0	5	7	32	
Unincorporated	1	1	2	1	0	5	0	1	0	11	
<b>Total</b>	<b>12</b>	<b>2</b>	<b>12</b>	<b>11</b>	<b>1</b>	<b>42</b>	<b>0</b>	<b>22</b>	<b>10</b>	<b>112</b>	

Source: CA Department of Fair Employment & Housing, 2009.

**Table 89: Acts of Discrimination for Fair Housing Complaints Filed with DFEH (2004-2009)**

Act of Discrimination	Refusal to rent/show/sell	Eviction	Rent Increase/Surcharge	Loan Withheld	Unequal Terms/Occupancy Standards	Harassment	Unequal Access		# of Cases
							to Facilities/Denied Reasonable Accommodation	Total	
Camarillo	3	4	0	0	7	5	7	26	17
Fillmore	0	1	0	0	0	1	1	3	1
Moorpark	0	1	1	0	3	0	3	8	5
Ojai	1	0	0	0	0	0	0	1	1
Oxnard	2	5	0	1	6	3	1	18	13
Port Hueneme	0	0	0	0	0	0	1	1	1
Santa Paula	0	1	0	0	0	0	0	1	1
Simi Valley	3	2	0	0	1	3	3	12	8
Thousand Oaks	2	1	0	0	2	1	3	9	6
Ventura	7	11	0	0	4	7	15	44	27
Unincorporated	3	3	0	1	1	1	2	11	8
<b>Total</b>	<b>21</b>	<b>29</b>	<b>1</b>	<b>2</b>	<b>24</b>	<b>21</b>	<b>36</b>	<b>134</b>	<b>88</b>

Source: CA Department of Fair Employment & Housing, 2009.

**Table 90: Closing Categories for Fair Housing Complaints Filed with DFEH (2004-2009)**

Closing Category	Successful Conciliation	No Probable Cause	Successful Mediation	Withdrawal		Complainant not Available	Total
				with Resolution*	without Resolution*		
Camarillo	2	12	0	2	0	1	17
Fillmore	0	1	0	0	0	0	1
Moorpark	0	2	0	2	1	0	5
Ojai	1	0	0	0	0	0	1
Oxnard	0	10	1	1	1	0	13
Port Hueneme	0	1	0	0	0	0	1
Santa Paula	0	1	0	0	0	0	1
Simi Valley	3	4	1	0	0	0	8
Thousand Oaks	0	5	1	0	0	0	6
Ventura	4	20	0	2	1	0	27
Unincorporated	1	4	1	1	1	0	8
<b>Total</b>	<b>11</b>	<b>60</b>	<b>4</b>	<b>8</b>	<b>4</b>	<b>1</b>	<b>88</b>

Source: CA Department of Fair Employment and Housing, 2009.

### **3. U.S. Department of Housing and Urban Development**

The U.S. Department of Housing and Urban Development (HUD) maintains a record of all housing discrimination complaints for jurisdictions, including Ventura County. These grievances can be filed on the basis of race, color, national origin, sex, disability, religion, familial status and retaliation. From 2004 to September of 2009, 107 fair housing cases were recorded by HUD in Ventura County.

In the County as a whole, disability-related cases were the most common, comprising 48 of the 107 cases (Table 91). Cases concerning familial/marital status (18 complaints), race and national origin (13 complaints each) were also regularly reported. The highest numbers of cases were recorded in Ventura (29 complaints), followed by Oxnard (18 complaints) and Simi Valley (14 complaints).

Over three-quarters (83 cases) of the fair housing cases filed with HUD between 2004 and 2009 were closed. A majority of these 83 cases (51 cases) were found to have no probable cause and subsequently closed. An additional 24 cases were closed after successful conciliation or resolution and seven cases were administratively closed (Table 92).

**Table 91: Basis for Discrimination of Cases filed with HUD (2004-2009)**

Basis of Complaints	Race	Source of Income	National Origin	Sex	Sex Orientation	Disability	Religion	Familial/ Marital Status		Total
								Marital Status	Retaliation	
Camarillo	0	0	1	0	0	11	0	1	0	13
Fillmore	1	0	0	0	0	0	0	0	0	1
Moorpark	1	0	0	0	0	3	0	2	0	6
Ojai	0	0	0	0	0	1	0	2	0	3
Oxnard	3	0	3	2	0	3	0	7	0	18
Port Hueneme	2	0	0	0	0	0	0	0	0	2
Santa Paula	0	0	0	1	0	0	0	0	0	1
Simi Valley	0	0	3	3	0	3	0	3	2	14
Thousand Oaks	2	0	3	0	0	4	0	2	1	12
Ventura	4	0	3	0	0	18	0	0	4	29
Unincorporated	0	0	0	1	0	5	0	1	1	8
<b>Total</b>	<b>13</b>	<b>0</b>	<b>13</b>	<b>7</b>	<b>0</b>	<b>48</b>	<b>0</b>	<b>18</b>	<b>8</b>	<b>107</b>

Source: Department of Housing and Urban Development (HUD), 2009.

**Table 92: Closing Categories for Fair Housing Cases Filed with HUD (2004-2009)**

Closing Category	Admin Closure	Conciliated or Resolved	No Cause	Cause	Referred and Closed by DOJ	Compensation or Conciliation or Resolution	Total
Camarillo	1	1	8	0	0	0	10
Fillmore	0	0	1	0	0	0	1
Moorpark	0	4	2	0	0	0	6
Ojai	0	1	2	0	0	0	3
Oxnard	2	2	7	0	0	0	11
Port Hueneme	0	0	2	0	0	0	2
Santa Paula	0	0	1	0	0	0	1
Simi Valley	0	2	3	0	0	0	5
Thousand Oaks	1	4	6	1	0	0	12
Ventura	1	9	17	0	0	0	27
Unincorporated	2	1	2	0	0	0	5
<b>Total</b>	<b>7</b>	<b>24</b>	<b>51</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>83</b>

Source: Department of Housing and Urban Development (HUD), 2009.

#### **4. Complaint-Based Testing**

As part of HRC's service contract with the County of Ventura, testing and surveying methods are conducted as part of their investigation process. After the intake process of a discrimination complaint is taken, testing is done within two or three days, whenever it is appropriate. Efforts are made to test immediately in complaints by a prospective renter of a refusal to rent. Results of the testing are presented earlier under the discussion of HRC services.

Surveying is conducted when testing is not possible or appropriate, for example, when there are no vacancies or because the allegation is by an in-place tenant complaining of harassment. Surveys of other tenants at the complaint address are conducted instead of testing. When other tenants of the same protected class as the client report similar treatment, surveys provide strong evidence of a pattern or practice of discrimination and become invaluable in conciliation efforts and/or settlement negotiations.

#### **E. Hate Crimes**

Hate crimes are crimes that are committed because of a bias against race, religion, disability, ethnicity, or sexual orientation. In an attempt to determine the scope and nature of hate crimes, the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting Program collects statistics on these incidents.

To a certain degree, hate crimes are an indicator of the environmental context of discrimination. These crimes should be reported to the police or sheriff's department. On the other hand, a hate incident is an action or behavior that is motivated by hate but is protected by the First Amendment right to freedom of expression. Examples of hate incidents can include name calling, epithets, distribution of hate material in public places, and the display of offensive hate-motivated material on one's property. The freedom guaranteed by the U.S. Constitution, such as the freedom of speech, allows hateful rhetoric as long as it does not interfere with the civil rights of others. Only when these incidents escalate can they be considered an actual crime.

Hate crime statistics compiled for the County of Ventura show that a total of 16 hate crimes were committed in 2007. Race and ethnicity based hate crimes were the most common (5 instances), followed by religion (4 instances) and sexual orientation (2 instances). There were no hate crimes recorded on the basis of disability (Table 93). Overall the incidence of reported hate crimes in the County in 2007 was less than one per 10,000 people (0.023 per 1,000 population), and has declined by about 50% since 1997-2002 (0.31 per 1,000 population over a six-year period, or about 0.05 per 1,000 per year.) In 2007, the cities of Oxnard and Ventura had a slightly lower incidence of hate crimes per 1,000 people (0.016 and 0.029 respectively) than the cities of Camarillo and Thousand Oaks, whose ratio was 0.047, and the City of Moorpark, whose ratio was 0.055. It should be noted that these statistics may also reflect a higher incidence of reporting crime in these communities, which consistently have very low overall crime rates.

**Table 93: Hate Crimes (2007)**

<b>Basis of Complaints</b>	<b>Race</b>	<b>Religion</b>	<b>Sexual Orientation</b>	<b>Ethnicity</b>	<b>Disability</b>	<b>Total</b>
Camarillo	2	0	0	1	0	3
Fillmore	1	1	0	0	0	2
Moorpark	0	0	1	1	0	2
Ojai	0	0	0	0	0	0
Oxnard	1	0	1	1	0	3
Port Hueneme	0	0	0	0	0	0
Santa Paula	0	0	0	0	0	0
Simi Valley	0	0	0	0	0	0
Thousand Oaks	1	3	0	2	0	6
Ventura	0	0	0	0	0	0
<b>Total</b>	<b>5</b>	<b>4</b>	<b>2</b>	<b>5</b>	<b>0</b>	<b>16</b>

*Source: U.S. Department of Justice Federal Bureau of Investigation, 2007.*

## **F. NIMBYism**

Many people agree that a variety of housing should be available for people with special needs, such as homeless shelters, affordable housing, and group homes for people with disabilities. However, whether or not these types of housing should be located within their own community is another matter. The following discussion on NIMBYism is not specific to Ventura County and is included below simply to provide context for the analysis of SB 1721 and SB 2 that concludes this chapter.

The Not-in-My-Back-Yard sentiment (NIMBYism) can serve as the most significant constraint to the development of affordable or even market-rate multi-family housing. NIMBYism describes opposition by residents and public officials alike to additional or different kinds of housing units in their neighborhoods and communities. The NIMBY syndrome often is widespread, deeply ingrained, easily translatable into political actions, and intentionally exclusionary and growth inhibiting. NIMBY sentiment can reflect concerns about property values, service levels, community ambience, the environment, or public health and safety. It can also reflect racial or ethnic prejudice masquerading under the guise of a legitimate concern. NIMBYism can manifest itself as opposition to specific types of housing, as general opposition to changes in the community, or as opposition to any and all development.

Community opposition to high-density housing, affordable housing, and housing for persons with special needs (disabilities and homeless) is directly linked to the lack of such housing options for residents in need. In particular, community opposition is typically strongest against high-density affordable housing and group homes for persons with mental disabilities.

Community residents who are especially concerned about the influx of members of racial and ethnic minority groups sometimes justify their objections on the basis of supposedly objective impacts like lowered property values and increased service costs. Racial and ethnic prejudice often is one root of NIMBYism, although NIMBY concerns still exist where racial or ethnic differences are not involved. The California legislature has passed various Anti-NIMBYism housing bills to prevent communities from rejecting affordable housing projects, including:

- SB 1721 - The bill stipulates that a local agency shall not disapprove an affordable housing development project, including agricultural worker housing, or condition approval, including through the use of design review standards, in a manner that renders the project infeasible for development for the use of very low, low- or moderate-income households.
- SB 2- Expands the Housing Accountability Act, to prohibit localities from denying a proposal to build an emergency shelter, transitional housing or supportive housing if it is needed and otherwise consistent with the locality's zoning and development standards.

# Chapter 7 - Progress Since 2005

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This chapter summarizes and compares key findings of the previous AI documents completed in 2000 and 2005 in order to evaluate the progress toward addressing impediments to fair housing choice. These include:

- 2000-2005 Ventura County Regional AI
- 2005-2010 Ventura County Regional AI<sup>26</sup>
- 2000-2005 City of Oxnard AI
- 2005-2010 City of Oxnard AI

## A. Ventura County and Participating Jurisdictions

The following recommendations were directed at all participating jurisdictions in the previous AIs:

### 1. Fair Housing Services

**Previous Impediment:** Only Santa Paula has a link to HRC's website; however, information about fair housing issues is not available.

**Recommendation:** All jurisdictions should provide links to fair housing and other housing resources with current information on their websites. Public counters should also prominently display fair housing information.

**Efforts:** Currently, the cities of Camarillo, Port Hueneme, Santa Paula, Simi Valley, Thousand Oaks, and the County of Ventura all have links to the Housing Rights Center and fair housing resources prominently displayed on their websites.

- *Camarillo:* The City prominently displays fair housing information at its City Hall on the Community Development Department counter. The City's Housing Resources Guide, which is available at City Hall and on-line, also provides HRC contact information. The information is provided in both English and Spanish.
- *Fillmore:* The City prominently displays fair housing information on its public counters.
- *Ojai:* Fair housing information is displayed in the front lobby whenever a group or organization delivers the materials to the City.

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<sup>26</sup> The 2005-2010 Ventura County Regional AI was only a technical update to the 2000-2005 Ventura County Regional AI.

- *Oxnard*: The City of Oxnard website does not yet have a link to the HRC. However, the City does display HRC and fair housing information at various City offices, the City Library, and the Oxnard Housing Authority offices.
- *Port Hueneme*: Fair Housing posters, in English and Spanish, are prominently displayed in the lobby at City Hall and in the public waiting area of the Port Hueneme Housing Authority.
- *Simi Valley*: The City prominently displays fair housing information on its public counters.
- *Thousand Oaks*: Fair Housing and Equal Opportunity posters, notices and informational materials are prominently displayed at the City's Planning Department counter.
- *Ventura*: The City prominently displays fair housing information on its public counters.
- *Unincorporated County*: Fair Housing information brochures are available at all City Halls and the County Government Center. The recommendation to increase the effort was considered and the determination was made that current efforts are adequate.

**Previous Impediment:** Testing in relation to a complaint is conducted when appropriate. Regular testing and audits are not conducted.

**Recommendation:** The County should consider increasing the budget for and scope of work of their fair housing service provider to include testing and audits for rental properties and lending/sale audits for home purchases.

**Efforts:** Testing and audits are included in the County's and Oxnard's contract with the Housing Rights Center and are provided as necessary.

**Previous Impediment:** Certain communities have high rates of hate crimes compared to the County as a whole. Specifically, rates of hate crimes in the cities of Ojai and Ventura are more than double the countywide average.

**Recommendation:** All jurisdictions should consider developing and distributing public education and information materials on tolerance, focusing on sexual orientation, race/ethnic relations, and religion.

**Efforts:**

- *Camarillo*: Camarillo displays information from the Housing Rights Center that focuses on a variety of topics including sexual orientation, race/ethnic relations

and religion. In addition the Housing Rights Center offers workshops in Camarillo on housing rights including sexual orientation, race/ethnic relations and religion.

- *Fillmore*: The City has not yet developed this type of information; however, the City does provide specific training to all staff.
- *Ojai*: The City has not developed this type of information; however, the information is distributed whenever an organization delivers the materials to the City.
- *Oxnard*: Oxnard displays information from the Housing Rights Center that focuses on a variety of topics including sexual orientation, race/ethnic relations and religion. In addition the Housing Rights Center offers workshops in Oxnard on housing rights including sexual orientation, race/ethnic relations and religion. The Oxnard Housing Authority also provides centralized information and workshops (three times a year) to educate and raise awareness of the rights and responsibilities of both tenants and landlords in a rental relationship.
- *Port Hueneme*: Due to budget constraints, the City has not established new programs for the public. The City does provide sensitivity training for City employees.
- *Simi Valley*: The City accomplishes this through fair housing seminars available to the community at-large.
- *Thousand Oaks*: A Fair Housing informational workshop is offered annually and noticed on the City's website, via event flyers and in local media.
- *Ventura*: The Housing Authority of the City of San Buenaventura provides centralized information to educate and raise awareness of the rights and responsibilities of both tenants and landlords in a rental relationship. Fair Housing information is provided on the Housing Authority website and written materials are provided in the Housing Authority office, including posting of Fair Housing law and Fair Housing pamphlet HUD-1260-FHEO. The Housing Authority conducts Fair Housing workshops in conjunction with other agencies.
- *Unincorporated County*: Fair Housing information brochures are available at all City Halls and the County Government Center. The recommendation to increase the effort was considered and the determination was made that current efforts are adequate.

## **2. Public Policies and Programs Affecting Housing Development**

The following recommendations were made in the 2000 AI because of the importance they have for provision of housing choice in Ventura County. Given current market conditions, it

is even more important now than five years ago that jurisdictions review their policies and encourage the development of affordable housing.

**Previous Impediment:** Three jurisdictions indicated that no sensitivity training is provided to their staff. Only one jurisdiction indicated that training is provided annually.

**Recommendation:** The County and participating jurisdictions should provide sensitivity training to staff that interfaces with the public to ensure that staff understand fair housing laws and are sensitive to proper language and behavior when dealing with groups with special needs.

**Efforts:** As of November 2009, most jurisdictions in Ventura County offered periodic sensitivity training. Only the cities of Fillmore, Moorpark, and Ojai did not offer any sensitivity training to its staff.

**Previous Impediment:** Voter-initiated land use measures such as the approved SOAR measures, while not necessarily impediments to affordable housing, do limit all urban development, including residential development.

**Recommendation:** When updating the Housing Element as required by State law, all jurisdictions should realistically assess their residential sites inventory in accommodating the Regional Housing Needs Allocation (RHNA). As necessary and appropriate, the jurisdictions should consider land use policies and housing programs that would help achieve the RHNA.

**Efforts:**

- *Camarillo:* In its state certified 2009 Housing Element, the City promised that as General Plan amendments are evaluated, lands shall be considered for reuse, mixed-use and infill potential, with affordable housing opportunities through the designation of appropriate densities and land use types, in order to provide opportunities for affordable housing commensurate with the City's regional housing need.
- *Fillmore:* The City is currently updating the Housing Element. There are various new programs proposed to help fulfill the RHNA. Among them, is a program proposing to re-zone properties, which could potentially accommodate up to 266 units. The Element is still in draft form and has yet to be adopted by the Council, therefore, the new programs in the draft could change.
- *Ojai:* The City is currently undertaking the Housing Element Update and is considering land use policies that would achieve RHNA, including designating sites for affordable demonstration projects spearheaded by the City.
- *Oxnard:* In recent years, the market has continued to support higher density residential uses in less viable commercial areas, providing significant opportunity

for affordable housing. Given that much of the City's available vacant land for higher density residential development is located in the C-2 zone and the CBD district, in its 2008 Housing Element, the City promised to evaluate its land resources in the C-2 zone and determine the most appropriate sites for higher density residential development.

- *Port Hueneme*: A variety of residential types are provided for in Port Hueneme, ranging from single-family residential (seven units per acre) to multi-family residential and mixed use (25 units per acre), with higher densities achievable through the City's density bonus provisions. Future population and residential growth in the City will likely occur in the redevelopment area which encompasses approximately one quarter of the City's total civilian land area. The 2008-2014 Housing Element Technical Background Report identifies key development sites within the redevelopment area for single-family, multi-family and mixed use residential. The City's Redevelopment Agency will offer a variety of both financial and regulatory incentives to facilitate development on these sites. The City's 2008-2014 Housing Element was approved and certified by HCD on October 21, 2009.
- *Santa Paula*: In its 2008 Housing Element, the City's sites analysis indicates that Santa Paula has adequate capacity to accommodate its share of regional housing needs for Lower-income units, but not for Moderate or Above-Moderate units. To address its share of regional housing needs, the City promised to identify additional sites and provide appropriate land use designations by 2010 to meet the City's RHNA objectives for new housing, including evaluating the feasibility of re-designating R-4 properties to R-3 in order to reflect development trends and market conditions.
- *Simi Valley*: The City will ensure that an adequate supply of vacant and underutilized sites at appropriate densities and development standards to accommodate the remaining RHNA is available by maintaining an inventory of vacant and underutilized sites and providing this inventory to interested developers.
- *Thousand Oaks*: The City's 2006-2014 Housing Element Update includes a detailed inventory of residential sites with the capacity to meet the City's RHNA requirements, as well as a program (Program 1 (a)) to re-zone sites to meet those requirements.
- *Ventura*: The City has implemented an Inclusionary Housing policy requiring all developments of more than seven units to include affordable units.
- *Unincorporated County*: The County does not have sufficient inventory of vacant, unincorporated land to meet its lower-income housing needs for the remainder of the planning period (to June 30, 2014). This lack of inventory was created, in part, when the State of California purchased Ahmanson Ranch in 2002, effectively

eliminating a significant portion of the County's urban residential land inventory. To address the deficiency of land inventory for lower income housing, the following actions will be taken by the County:

- Inventory and assess potential sites for suitability.
- Prepare an EIR covering the development impacts of selected sites.
- Amend the General Plan and Area Plans to increase density on selected sites and incorporate inclusionary housing policies.
- Amend Zoning Ordinance Code text to allow ministerial residential permits on selected sites (e.g., overlay zone, commercial/residential mixed-use).
- Amend the zoning of selected sites.

**Recommendation:** All housing elements should include policies and programs specific to fair housing goals and objectives.

**Efforts:** All jurisdictions have included specific fair housing programs, goals, and objectives as a part of their 2008 housing elements.

**Recommendation:** As a prerequisite for any recipient receiving locally administered housing assistance funds (e.g., first-time homebuyer, new construction, rental rehabilitation assistance), the recipients should be required to acknowledge their understanding of fair housing laws and affirm their commitment to the laws.

**Efforts:**

- *Fillmore:* The City does require recipients of housing assistance funds to acknowledge their understanding of fair housing laws and affirm their commitment to the laws.
- *Ojai:* The City works with HELP of Ojai to administer certain housing assistance funds. Recipients are asked to acknowledge their understanding of fair housing laws and affirm their commitment to the laws, sometimes via a deed restriction when appropriate.
- *Port Hueneme:* All applicants for the City's Residential Rehabilitation Loan Program and Home Maintenance Incentive Rebate Program are required to certify that they have received and carefully examined the Fair Lending Notice pursuant to the Housing Financial Discrimination Act of 1977 that is included in every application packet. Applicants for the Home Buyer Assistance Program are required to sign the Fair Lending Notice to acknowledge receipt.
- *Simi Valley:* Recipients receiving loans from the City must sign a Fair Lending Notice that describes discriminatory lending practices and where complaints or questions may be directed.

- *Thousand Oaks*: In March 2006, the City created guidelines for Affirmative Marketing Procedures and Requirements for affordable units according to Federal and State regulations. A Fair Lending Notice is signed by each applicant as part of the City's Housing Rehabilitation Loan Program.
- *Ventura*: The Housing Authority of the City of San Buenaventura includes a Housing Discrimination Complaint form (HUD 903) in the intake packet for recipients of Section 8 and Public Housing assistance. Fair Housing informational booklets (HUD 1260-FHEO) are also available at the Housing Authority offices.
- *Unincorporated County*: All recipients of HOME funding report annually on their affirmative marketing activities. A variety of methods were used to reach out to potential beneficiaries of the HOME program including using the Equal Housing Opportunity Logo on program applications, displaying the Logo in offices, community rooms, and other common areas; advertising in local newspapers, work sites, and churches.

**Recommendation:** While recognizing that funds for subsidizing housing are limited, jurisdictions should continue to encourage the development of affordable housing through: (1) development fee waivers/reductions, (2) streamlined permit processing, (3) flexibility in applying design and development standards, (4) achievable density bonuses, (5) other general plan, administrative, and zoning efforts, and (6) public-private partnerships with developers of affordable housing.

**Efforts:**

- *Camarillo*: In its 2009 Housing Element, the City promised to continue to expedite entitlements and assist with the financing of non-profit affordable housing projects. In addition, the City promises to (1) remove constraints on the development of housing for farmworkers including minimum parcel size, and requiring the farmworkers to work on the property the housing is located, (2) establish procedures and development standards to promote the certainty in approval, and (3) ensure density requirements will permit a variety of housing types (i.e. multifamily, dormitory, etc.).
- *Fillmore*: The current draft of the Housing Element contains a program proposing to streamline the permit process for projects that are environmentally conscious; contains a program to amend the development standards for second units; and a program to update the Density Bonus Ordinance to comply with existing state law.
- *Moorpark*: The City of Moorpark adopted density bonus provisions that are consistent with state requirements in 2009. The City also went one step further in creating density bonus provisions for affordable housing that allow for a density

bonus of 100 percent for projects that are 100 percent affordable and 75 percent density bonus for projects that are 60 percent affordable.

- *Ojai*: The City of Ojai encourages the development of affordable housing by exempting affordable housing from the City's strict traffic policies that pertain to market rate housing. The City has dedicated funding for demonstration projects that incorporate affordability and green building techniques. The City plans on partnering with an affordable housing developer to ensure the projects get built.
- *Oxnard*: The City has established an Additive "PD" Zone, which may be attached to various residential zone designations. In PD-zoned areas, density increases of up to 25 percent and/or other development standards modifications of up to 25 percent may be allowed.
- *Port Hueneme*: The City has formed a Development Review Committee to assist project applicants in the pre-application phase to avoid potential problems and time delays during processing of formal applications. In addition, the City has acted to disband its Planning Commission, thereby significantly shortening review times on projects requiring discretionary approvals. The City employs a Planned Development Overlay Zone to provide for flexibility in development, creativity and imaginative design, and the development of parcels as coordinated projects involving a mixture of residential densities and housing types. In addition, the City's density bonus provisions promote the expansion of affordable housing using a variety of regulatory incentives and concessions including fee waivers/reductions, flexible density bonuses, shared participation, and relaxation of zoning, architectural, and development standards.
- *Simi Valley*: The City is currently drafting updates to its Housing Element and the density bonus ordinance. The City routinely works with affordable housing developers for the construction of residential projects that include affordable units.
- *Thousand Oaks*: In 2008, the City adopted a density bonus ordinance which includes several waivers and concessions to encourage the development of new affordable housing units. The 2006-2014 Housing Element update includes programs to encourage the future development of affordable units and also requires the City to review existing development regulations concerning parking structures and building height limitations and to recommend revisions, if necessary, to ensure that these regulations do not unreasonably constrain the development of affordable housing. Currently, the City's Redevelopment Agency is partnering with the Area Housing Authority, and the non-profit housing development corporation Many Mansions, to finance the development of two (2) 60-unit affordable rental projects.
- *Ventura*: Ventura encourages the development of affordable housing through the implementation of flexibility in applying design and development standards,

achievable density bonuses, other general plan, administrative, and zoning efforts, and public-private partnerships with developers of affordable housing. The City is currently considering the development of fee waivers/reductions and streamlined permit processing.

- *Unincorporated County:* On March 2, 2009, the County of Ventura implemented new procedures for applications for discretionary permits. The new procedures apply to applicants submitting any of the following discretionary permits: Tract Map, Parcel Map, Discretionary Parcel Map Waiver, Conditional Certificate of Compliance, Conditional Use Permit, Planned Development Permit, Variance, Administrative Variance, Zone Change, Minor or Major Modifications to any of the permits listed above (See the RMA Planning website for more info at [http://www.ventura.org/rma/planning/Permit\\_Submit/index.html](http://www.ventura.org/rma/planning/Permit_Submit/index.html))

**Recommendation:** Jurisdictions should continue to be proactive in forming partnerships with non-profit housing developers to develop affordable housing. Nonprofit housing developers have access to a wider range of federal and state funds. Development of affordable housing by nonprofit organizations also ensures the long-term affordability of such housing. In addition to assisting in site identification, land acquisition and write-down of land costs (as needed), the County and city agencies (i.e. redevelopment agencies) could play a role in the development of affordable housing by actively assisting and supporting the developers throughout the planning and approval process.

#### **Efforts:**

- *Camarillo:* In its Housing Element that was certified by the State in 2009, the City promised to continue to meet with non-profits (such as the Many Mansions and Habitat for Humanity of Ventura County) to discuss potential affordable housing project opportunities within the City, especially for very-low- and extremely-low-income households whenever feasible.
- *Fillmore:* The draft Housing Element contains a program promoting a partnership between the City and housing advocates/developers to examine cooperative efforts and expand the City's supply of affordable housing; Also contains a program to support non-profit housing sponsors in their efforts to make more housing available to households of lower income; inform them of funding opportunities, support grant applications, and identify available sites for potential development.
- *Ojai:* The City has dedicated funding for demonstration projects that incorporate affordability and green building techniques. The City plans on partnering with an affordable housing developer to ensure the projects get built. The City's Redevelopment Agency has designated \$500,000 for a Workforce Demonstration Project and \$500,000 for a Senior Affordable Housing Project. The City has been in preliminary discussions with local affordable housing developers regarding

these projects. Staff intends to begin preparation of Request For Proposals for both projects in the spring.

- *Oxnard*: Oxnard continues to work closely with several affordable housing non-profits and recently completed several projects with over 300 affordable units total. The City's 2008 Housing Element is nearly complete, and includes proposals to increase the density bonus beyond 35 percent for all-affordable projects, add areas for shelters and related uses, and identifies specific sites for all-affordable housing projects in consultation with an affordable housing non-profits working group.
- *Port Hueneme*: In areas targeted by the Housing Element, the City and/or its redevelopment agency seek partnerships with non-profit housing developers to provide affordable housing. For example, the City is currently in discussion with a non-profit housing developer to acquire, rehabilitate, and operate of a 90-unit motel complex as an affordable housing project offering shared financial participation plus relaxation of zoning, architectural, and development standards and potential housing assistance payments.
- *Santa Paula*: Non-profit housing developers have played a key role in providing affordable housing for working families and seniors in Santa Paula. The City can grant land write-downs, regulatory incentives, and direct financial assistance to private developers to provide both ownership and rental housing to lower- and moderate-income households, including working families and seniors. In recent years, the City worked with non-profit housing providers to develop the 40 unit Harvard Place apartments for very-low- and extremely-low-income persons, a 41-unit apartment complex for farm worker families and a 24-unit apartment complex for very low income families. The City will continue to work with non-profit developers of self-help housing, such as Habitat for Humanity and the Peoples' Self-Help Housing Corporation to provide additional ownership housing opportunities for very-low-income households, such as non-migrant agricultural workers. The City may assist these developers in acquiring and assembling properties and in subsidizing on-site and off-site requirements.
- *Simi Valley*: The City partnered with Rancho Simi Recreation and Park District (RSRPD) and Habitat for Humanity of Ventura County to build a 3-unit Habitat project on surplus park district land near the intersection of Royal and Sequoia Avenues. The RSRPD offered the land to the City for a Habitat project, and the City purchased and deeded the property to Habitat, where the City also participated in the financing of the units to make them affordable to very low-income families. The City also partnered with Cabrillo Economic Development Corporation to provide 11 units affordable to low-income families out of a 26-unit single-family detached project known as Kuehner Homes on the east side of Kuehner Drive, south of the State Highway 118. Many Mansions received both CDBG grants and redevelopment loans to assist with the acquisition and rehabilitation of an eight unit apartment complex to house their clients.

- *Thousand Oaks*: The City of Thousand Oaks and the Thousand Oaks Redevelopment Agency (RDA) have ongoing partnerships with the Area Housing Authority of the County of Ventura (AHA) and private, non-profit housing developer Many Mansions, for the development of new affordable rental units and the acquisition and/or rehabilitation of existing units. In its FY 2006 -2014 Housing Element Update, the City also stated its desire to work with other local non-profits, such as Habitat for Humanity, by identifying potential development sites and providing financial assistance, if appropriate, to provide additional affordable homeownership opportunities. The City will continue to assist housing groups to secure local and other funds for the acquisition and rehabilitation of multi-family affordable structures, as well as coordinate with non-profit housing developers to identify opportunities and provide support with applications, as necessary.
- *Ventura*: Ventura is currently partnered with Cabrillo Economic Development Corporation in the development of a 60-unit affordable housing project, with the Housing Authority of the City of San Buenaventura for the development of 12-unit affordable project, and with Peoples' Self Help Housing Corporation in the development of a 42-unit affordable housing rehabilitation project. Additionally, Ventura partnered with PLACE (Projects Linking Arts Community & Environment) in the development of a 54-unit affordable housing project for artists, and 15-unit Supportive Housing project, which have just been completed and are currently being occupied.
- *Unincorporated County*: Non-profit recipients of County HOME funding for affordable housing projects include Habitat for Humanity, Cabrillo Economic Development Corporation, Area Housing Authority of Ventura County, and People's Self Help.

**Previous Impediment:** In a tight housing market, seniors, particularly those with disabilities, often face increased difficulty in finding housing accommodations or face targeted evictions. Seniors represent 10 percent of the County's total population. The jurisdictions with the largest proportion of seniors are Ojai (17.9 percent) and Camarillo (17.0 percent). Overall, elderly households may be less able to make improvements to their housing, deal with a challenging situation (such as confronting the landlords or managers), or to find affordable housing due to limited income and disabilities. Seniors are very vulnerable to housing discrimination.

Large households often face discrimination in the housing market, particularly in the rental housing market on the basis of excess wear and tear to the units and potential safety and liability issues due to presence of children. This special needs group experienced a higher level of housing problems than other households did.

**Recommendation:** Jurisdictions should expand the variety of housing types and sizes. In addition, to persons with disabilities, senior households can also benefit

from a wider range of housing options. To allow seniors to age in place, small one-story homes, townhomes or condominiums, or senior rentals may be needed.

**Efforts:**

- *Camarillo:* The City of Camarillo included a program in its state certified 2009 Housing Element that requires a range of unit sizes in the affordable units of density bonus projects in order to address the needs of seniors, larger households and reduce overcrowding. In order to encourage the provision of elderly, affordable and rental housing under the Residential Development Control System, the City altered its allocation criteria to award bonus points for projects that offer a portion of its total units as elderly, affordable or rental housing. Finally, the City's Municipal Code was amended in 2003 to make the approval of a second residential unit an administrative process, which has allowed for additional housing opportunities in the City.
- *Fillmore:* The draft Housing Element contains a program targeting special needs groups including large families, the elderly and the disabled. The program calls for prioritizing funds benefiting projects for these groups. Additionally, the draft H.E. contains a program supporting 3 and 4 bedroom units to accommodate large families and prevent overcrowding. A new apartment building exclusively for seniors was completed in 2007, which received a density bonus and funding from the City's Redevelopment Agency.
- *Ojai:* The Ojai Planning Commission has been guiding developers to provide smaller one-story homes near City services. A new concept has been developed by a local developer for nine 1,000 square foot homes near the City's downtown. Preliminary analysis by staff indicates that the project would be the type of housing that would be beneficial to seniors and to those with disabilities. The units appear to be affordable by design. Also, the City has a Home Modification Grant Program that is administered by HELP of Ojai that assists low income applicant to make safety modifications such as wheel chair ramps, grab bars, etc., to allow the applicant to remain in their home.
- *Oxnard:* Oxnard requires that a variety of unit sizes be interspersed with market rate housing in projects with inclusionary housing, and the same diversity requirement is imposed within redevelopment projects with housing.
- *Port Hueneme:* The City continues to implement and promote the Second Unit Ordinance to encourage second unit construction. Second units are of particular benefit in a community like Port Hueneme where less than 1 acre of vacant residentially zoned land remains for new construction and second units can be integrated within existing single-family neighborhoods. In addition, many of the City's lower income elderly reside in older neighborhoods, indicating that second units can help address the needs of elderly homeowners, as well as renters. According to the County's 2009 workshop on the "state" of senior housing, Port

Hueneme provides 923 units of for-sale and rental dwellings dedicated to seniors with more than 2/3rds of those existing as one-story condominium and townhomes.

- *Simi Valley*: Mixed-Use developments incorporate a variety of commercial uses in close proximity to residential units. Currently, mixed-use developments are not very common in Simi Valley. However, the City recognizes that because vacant land within the City is limited, future housing growth will need to include a significant amount of multi-family, attached and mixed-use development. The City's Metrolink station offers opportunities for transit-oriented uses, including mixed-use development, new commercial/entertainment uses, and new housing. During the next few years, the City will work to focus higher density developments and mixed-use projects in areas adjacent to transit stations, along transit corridors and commercial corridors, near job centers, and other appropriate areas throughout the City.
- *Thousand Oaks*: In July 2008, the City adopted Ordinance 1503-NS to increase protections for mobile home park tenants by discouraging closures and ensuring adequate relocation assistance is provided if closure occurs. The City collaborates with the Area Housing Authority which operates several senior affordable rental complexes in Thousand Oaks; and with Many Mansions which provides supportive housing units for persons with special needs at its Esseff Village and Richmond Terrace complexes. Pursuant to 2006-2014 Housing Element update, and in response to Housing Need No. 1 to provide a sufficient variety of new housing opportunities, the City will evaluate its existing Secondary Unit Ordinance (Ordinance 1412-NS, adopted July 15, 2003) and make appropriate revisions to generate more secondary unit (i.e. granny flat) development. Finally, Housing Element Program 23 states the City will continue to support local groups that provide assistance to special needs households and will promote better accessibility through the use of elevators in multi-story developments.
- *Ventura*: Ventura partnered in the development of the Chapel Lane Senior Housing project and the Bella Vista Seniors Condominium project.
- *Unincorporated County*: The Planning Division encourages the creation of affordable housing in the unincorporated portion of the County through the use of permit processing assistance and Zoning Ordinance amendments. Activities include the following: Affordable/Elderly Housing, Condominium Conversions, Second Dwelling Units, and Farmworker Housing. For more info visit: <http://www.ventura.org/rma/planning/Programs/housing.html>

**Previous Impediment:** Concentrations of licensed residential care facilities exist in Camarillo, Ojai, and Ventura. However, several communities have limited community care options for persons with special needs.

**Recommendation:** The shortage of supported housing for persons with disabilities, such as community residential care facilities, is a community concern. Jurisdictions should explore ways to develop supported housing through non-profit housing developers and service providers. Several successful models exist in the County such as projects developed by Many Mansions, Turning Point, and Partners in Housing. Local jurisdictions should review their zoning ordinances and permit processing to ensure that they are not inhibiting the development of housing for persons with disabilities.

**Efforts:**

- *Camarillo:* The recently certified Housing Element states that the City's building codes require that new residential construction comply with the federal American with Disabilities Act that includes provisions for a minimum percentage of units in new developments to be fully accessible to the physically disabled. In addition building or zoning modifications to accommodate persons with disabilities are typically approved over the counter. To strengthen the City's present programs the recently updated Housing Element includes a program to adopt a Reasonable Accommodation Ordinance to facilitate the processing of requests and provide exceptions in zoning and land use regulations for persons with disabilities.
- *Fillmore:* The City is proposing to do a comprehensive zoning ordinance update in 2010 to review development standards and the permit process removing constraints that could cause delays and unnecessary expenses benefiting special needs groups, which includes the disabled. The draft H.E. contains a program to this effect.
- *Ojai:* The Community Development Department is currently reviewing the Zoning Ordinance to ensure that, among other issues, the ordinances are not inhibiting the development of housing for persons with disabilities.
- *Port Hueneme:* As part of its 2008-2014 Housing Element, analysis was provided of the City's zoning, permits, fees, and other existing and potential limitations on housing special needs groups including persons with disabilities. In addition, on June 15, 2009, the City adopted an ordinance that provides a procedural process for disabled or handicapped individuals to seek reasonable accommodation with respect to the City's land use, zoning, engineering, and other regulations including requirements for fair housing.
- *Simi Valley:* The City has done a review of its Zoning Ordinance and not found any inhibiting factors. The City has also adopted a reasonable accommodation process and standards for adaptability of all rental and senior housing.

- *Thousand Oaks*: The City's 2006-2014 Housing Element includes the following programs and City actions to be completed by 2010:
  - Program 15: The City Council will be requested to adopt an ordinance to define transitional housing and supportive housing such that they are permitted subject to same standards as conventional residential uses of the same type in the same zone.
  - Program 16: The City Council will be requested to adopt an ordinance to define residential care facilities for 7 or more persons and adopt regulations for their establishment.
  - Program 17: The City Council will be requested to adopt an ordinance to remove constraints on housing for persons with disabilities, including the establishment of procedures for making reasonable accommodations.
- *Ventura*: Ventura is currently undergoing a review of its Zoning Ordinance and permit processing procedures.
- *Unincorporated County*: There are no unreasonable hardship exceptions to disability access requirements for residential construction. New multifamily residential dwellings and facilities must also include disabled access standards without exception.

**Previous Impediment:** Only one jurisdiction has a Reasonable Accommodations policy or ordinance.

**Recommendation:** All jurisdictions should consider adopting formal Reasonable Accommodations policies and procedures.

**Efforts:** Currently, the cities of Port Hueneme and Simi Valley have formal Reasonable Accommodations procedures outlined in their Municipal Codes, and, in 2009, the County of Ventura processed an ordinance amendment for Reasonable Accommodation, pursuant to Government Code Section 65583(c)(3). This ordinance sets out a process for ensuring Reasonable Accommodation, and includes provisions for making, reviewing and processing a formal request for Reasonable Accommodation. It also includes factors that should be considered when reviewing a request, conditions of approval, and an appeals process. In addition, the cities of Camarillo, Fillmore, Ojai, Port Hueneme and Thousand Oaks have all promised to adopt formal Reasonable Accommodations procedures in their 2008-2014 Housing Elements.

**Previous Impediment:** Physical disability is the greatest cited basis for discrimination according to the Housing Rights Center and the Department of Fair Housing and

Employment. Mentally ill tenants also face the barrier of stigmatization and biases from landlords and managers.

**Recommendation:** In response to discrimination against people with disabilities becoming an increasing fair housing concern, jurisdictions should consider promoting universal design principles in new housing developments.

**Efforts:**

- *Camarillo:* The recently certified Housing Element states that the City's building codes require that new residential construction comply with the federal American with Disabilities Act that includes provisions for a minimum percentage of units in new developments to be fully accessible to the physically disabled.
- *Ojai:* The City encourages universal design principles in new housing developments; however no materials and no ordinances have been developed for distribution for this purpose.
- *Oxnard:* Oxnard routinely enforces ADA and the FHAA on new housing, and when older housing is seeking major remodeling permits.
- *Port Hueneme:* The City enforces Title 24 of the California Code of Regulations that governs the access and adaptability of buildings to accommodate persons with disabilities. Furthermore, Government Code Section 12955.1 requires 10 percent of the total dwelling units in multi-family buildings without elevators consisting of three or more rental units or four or more condominium units to provide accessible routes, bathrooms, parking, and common areas. The City has not adopted unique restrictions that would constrain the development of housing for persons with disabilities. Compliance with provisions of the Code of Regulations, California Building Standards Code, and the federal Americans with Disabilities Act is assessed and enforced by the City's Building and Safety Division as part of the permit review process.
- *Simi Valley:* The City adopted a universal design ordinance, which is codified in its Municipal Code, Section 9-24.070(E)(3) and applies to condominium conversions for sale to seniors. In addition, the City has standard conditions regulating the implementation of universal design guidelines for any new proposed rental project and all senior housing projects.
- *Thousand Oaks:* The City has not adopted universal design principles; however, the City complies with California Building Code, Title 24, Part 2, Chapter 11A, "Housing Accessibility".
- *Ventura:* Ventura does promote universal design, and through the Housing Preservation Program, the City provides funds for seniors and people with disabilities to make universal design remodels.

### 3. Lending and Insurance Practices

**Previous Impediment:** n/a<sup>27</sup>

**Recommendation:** The County should send copies of the Analysis of Impediments to Fair Housing Choice (AI) to the ten most active conventional mortgage lenders, as identified in the report.

**Efforts:** Copies of the AI were sent to the top ten most active lenders as identified in the AI.

**Previous Impediment:** Approval rates differ significantly among lenders in Ventura County, with the largest discrepancy at 24 percentage points. (HMDA data can only be used to identify potential issues. Data available to the public does not contain detailed information to conclude discriminatory practices.)

**Recommendation:** Participating jurisdictions should review the lending patterns of all financial institutions that provide financial services to the jurisdictions and participate in jurisdiction-sponsored loan programs. Special attention should be directed to home purchase lending in lower income and minority concentration areas.

In selecting financial institutions to participate in Housing Programs, the participating jurisdictions should consider the lender's performance history with regard to home loans in Low/Moderate income areas and minority concentration areas, as well as the lender's activity in other Community Reinvestment Act (CRA) activities such as participation in affordable rental housing projects under programs such as bond financing, tax credit, or the Federal Home Loan Bank Affordable Housing Program.

**Efforts:**

- *Camarillo:* Camarillo presently does not use lenders in implementing housing programs. If the City did partner with a lender the City would review their lending pattern to insure they were not redlining sections of the community as well as examine their Community Reinvestment Act activities.
- *Ojai:* The City's Housing Rehabilitation Loan Program has not been well utilized, in part due to low home mortgage interest rates and new loan products available on the market that access home equity. However, due to recent economic events that have restricted lines of credit, the program may become more heavily used. When there is a request for a loan, the City will reviewing the lending patterns of financial institutions that provide financial services.

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<sup>27</sup> This recommendation relates to general lending practices did not have a specific accompanying impediment.

- *Oxnard*: In the last three years, Oxnard's First-Time Homebuyer program has succeeded in assisting 21 families in the transition from public housing residents to homeowners. In addition, the El Paseo project, a 196-unit development consisting of single-family homes, allowed 196 low-income families to become first-time homebuyers. That project was built and fully occupied between the years 2000 and 2002.
- *Port Hueneme*: As part of the 2008-2014 Housing Element, the City reviewed not only the number, amount, and location (by census tract) of mortgage and rehabilitation loans originated, but also the income, gender, and race of the applicants and foreclosure rates. The City/RDA has entered into a lending agreement for its homebuyer program with Citibank and Wells Fargo. Both lenders actively promote special lending programs targeted to low and moderate income areas.
- *Simi Valley*: The City sponsors a first-time homebuyer program and an owner-occupied home rehabilitation program. The homebuyer program is geared to qualified low-income purchasers, and the rehabilitation program is geared toward the very low-, low- or median-income owner-occupants for the rehabilitation program. The City works closely with Cabrillo Economic Development Corporation's lending arm if additional write down support is necessary to make homes affordable to qualified households.
- *Thousand Oaks*: The City of Thousand Oaks's First-time Homebuyer Down Payment Assistance Program has been on hold since 2003. Staff is currently working on updating this program in order to improve its effectiveness with today's market and lending conditions. A City application is required in order to purchase an affordable unit restricted by the City. Application procedures require income documentation and lending product information. Some of the items the City reviews are buyer's income, household size, and affordability of the loan product.
- *Ventura*: Ventura reviews lending patterns on a continuous basis. Through the City's affordable housing development and loan programs, outreach is directed to areas with concentrations of lower income and minority residents.
- *Unincorporated County*: The County and participating jurisdictions monitor the lending practices of all entities involved in the homebuyer program to insure fair housing requirements are met.

**Previous Impediment:** Loan approval rates generally have a positive correlation to household income. Approval rates were highest among the upper-income applicants and lowest among lower-income applicants. Overall, government-backed loans represented only 2 percent of all loan applications, though the majority of government-backed loan applications were approved. The limited use of government-backed financing is related primarily to the high cost of housing in Ventura County.

**Recommendation:** Because of the shortage of rental housing, homeownership is particularly important as a vehicle for providing decent housing for working families. In cooperation with lending institutions, local associations of realtors and fair housing providers, jurisdictions should provide outreach to inform lower income households of special local, state, and federal homebuyer assistance programs.

**Efforts:**

- *Camarillo:* The Area Housing Authority of the County of Ventura, of which Camarillo is a member, offers monthly home ownership classes that inform lower income households of special local, state and federal homebuyer assistance programs.
- *Ojai:* The City of Ojai works with HELP of Ojai to provide outreach to lower income households on a variety of City sponsored programs.
- *Port Hueneme:* Community Development staff has made presentations to the Ventura County Coastal Association of Realtors to inform brokers about programs that can assist first time home buyers. In addition, articles about the City's various affordable housing programs appear at least annually in the Hueneme Magazine distributed to all local residents.
- *Simi Valley:* The City provided information through its website, the local government cable TV channel, over the phone, and at its public counter. In addition, staff spoke to the Council on Aging, various realtors, and other community groups about the availability of our first-time homebuyer program.
- *Thousand Oaks:* Housing Opportunity brochures are located at the City's Planning Department counter. Brochures include information on Affordable Housing units within the City limits, First-Time Homebuyer information, Emergency Housing Assistance, Fair Housing and Landlord/Tenant Counseling, and Homeownership Loss Prevention. Brochures are updated annually. Information can also be found on the City's website at [www.toaks.org](http://www.toaks.org)
- *Ventura:* The Housing Authority of the City of San Buenaventura conducts several outreach programs a year to the various city councils including Westside, Mid-Town and Eastside. They also conduct outreach to mobile home parks homeowners and condominium homeowner associations.
- *Unincorporated County:* The County provides outreach for its in-house homebuyer programs in various communities.

**Previous Impediment:** Black and Hispanic applicants frequently received the highest denial rates regardless of income. It was also found that African-Americans are approximately twice as likely as Non-Hispanic White applicants to refinance on the subprime market.

**Recommendation:** Step up outreach efforts in Black and Hispanic communities in order to improve loan origination/approval rates and increase awareness of and education about homeownership opportunities.

**Efforts:**

- *Camarillo:* Camarillo does not have concentrations of minority populations. That said all housing information is offered in both English and Spanish. This includes the Area Housing Authority of the County of Ventura Home Ownership Classes that informs lower income households of special local, state and federal homebuyer assistance programs.
- *Ojai:* The City of Ojai provides outreach and informational handouts at the City Hall lobby when available, to increase awareness of and education about homeownership opportunities for all persons of the community, including black and Hispanic.
- *Oxnard:* In Oxnard, the various workshops conducted by the HRC and Cabrillo Economic Development Corporation (CEDC), along with the HOME Corporation and the City's First-Time Homebuyers Program, has consistently provided education on the home-buying process to these targeted groups.
- *Port Hueneme:* Community Development staff has made presentations to the Ventura County Coastal Association of Realtors to inform brokers about programs that can assist first time home buyers. In addition, articles about the City's various affordable housing programs appear at least annually in the Hueneme Magazine distributed to all local residents including translation into Spanish.
- *Simi Valley:* Cabrillo Economic Development Corporation advertised and conducted foreclosure prevention workshops in both English and Spanish. In addition, CEDC also made required first time homebuyer education seminars available in Spanish.
- *Thousand Oaks:* The City collaborates with the Conejo Valley Association of Realtors (CVAR) Equal Opportunity, Diversity and Fair Housing Committee and has co-sponsored a series of televised educational forums on homeownership opportunities, including those for lower-income households, particularly Hispanic residents.
- *Ventura:* The City of Ventura Affordable Housing program and the Home buyers Assistance program are discussed in detail at Homeowners Seminars conducted by various organizations providing homeownership education.
- *Unincorporated County:* Current homebuyer programs include outreach efforts.

## B. Fair Housing Service Providers

The following recommendations were directed at Ventura County's fair housing service providers in the 2000 AI:

### 1. Fair Housing Services

Fair housing related services are provided to all Ventura County residents by the Housing Rights Center (HRC).

**Previous Impediment:** HRC provided a total of 175 clients from the County with general housing and discrimination services in 2003. This represented a 17-percent increase from 2002. HRC continues to do outreach which is reflected in the increase in clients served; however, the number is still relatively low for a County.

**Recommendation:** Continue to increase outreach and education methods in order to increase awareness of fair housing laws, issues, and resources.

**Efforts:** [Awaiting response from HRC.]

**Previous Impediment:** Given its relatively small size in terms of population, Camarillo constituted a high proportion of the discrimination cases and landlord/tenant issues in the County. This is reflective of Camarillo's proactive code enforcement and ongoing outreach efforts to let residents know their rights and offer referrals to the HRC. Rates of hate crimes in the cities of Ojai and Ventura are also more than double the countywide average.

**Recommendation:** Increase landlord/tenant education, outreach, and services in the cities of Camarillo, Ventura, and Ojai.

**Efforts:** [Awaiting response from HRC.]

**Previous Impediment:** Approximately 27 percent of 254 survey respondents felt they were discriminated against. Of these 68 respondents, 79 percent said that the landlord or property manager had discriminated against them and 12 percent indicated a real estate agent discriminated against them.

**Recommendation:** Provide outreach and education to landlords, property managers, and other housing professionals in order to increase awareness of fair housing laws, issues, and resources.

**Efforts:** [Awaiting response from HRC.]

**Previous Impediment:** Certain communities have high rates of hate crimes compared to the County as a whole. Specifically, rates of hate crimes in the cities of Ojai and Ventura are more than double the countywide average.

**Recommendation:** Work with jurisdictions to develop and distribute public education and information materials on tolerance, focusing on sexual orientation, race/ethnic relations, and religion.

**Efforts:** [Awaiting response from HRC.]

## **2. Lending and Insurance Practices**

**Previous Impediment:** Black and Hispanic applicants frequently received the highest denial rates regardless of income. It was also found that African-Americans are approximately twice as likely as Non-Hispanic White applicants to refinance on the subprime market.

**Recommendation:** Work with lenders to outreach to minority and low and moderate income communities. The fact that loan application rates for minorities, particularly Black applicants, are disproportionately low indicates that they may be unaware of home loan and mortgage insurance opportunities.

**Efforts:** [Awaiting response from HRC.]

**Recommendation:** Communicate to lending institutions regarding the need to improve counseling on loan application procedures and requirements. A large proportion of home purchase loan applications are withdrawn or closed due to incomplete information.

**Efforts:** [Awaiting response from HRC.]

# Chapter 8 - Impediments and Recommendations

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The previous chapters evaluate the conditions in the public and private market that may impede fair housing choice. This chapter builds upon the previous analysis, summarizes conclusions and presents a list of recommendations to help address the impediments. When identifying recommendations, this AI focuses on actions that are directly related to fair housing issues and can be implemented within the resources and authority of the participating jurisdictions. Existing State, local, and federal requirements, such as Affirmative Marketing Plans, Relocation Plans, deconcentration of Section 8 and public housing, are not re-stated in this AI. General recommendations, such as supporting the efforts of other agencies or enhancing affordability, are also not included.

## A. Continued Impediments and Recommendations from Previous AIs

The following is a list of impediments and key recommendations carried over from previous AI documents.

### 1. Fair Housing Services

**Impediment A-1:** Only the jurisdictions of Camarillo, Port Hueneme, Santa Paula, Simi Valley, Thousand Oaks, and the County of Ventura have a link to the Housing Rights Center (HRC) prominently displayed on their websites. Also, only the cities of Camarillo, Oxnard, Port Hueneme, Simi Valley, Thousand Oaks, Ventura, and the County of Ventura display fair housing information on their public counters.

**Recommendation A-1:** The cities of Fillmore, Moorpark, Ojai, Oxnard, and Ventura should provide links to fair housing and other housing resources with current information on their websites. The cities of Fillmore, Moorpark, Ojai, and Santa Paula should also prominently display fair housing information on their public counters.

Jurisdictions should consider collaborating with other nonprofit organizations to produce/distribute videos and other materials to enhance awareness of fair housing issues and services available.

**Impediment A-2:** Testing and audits are included in the contracts with the Housing Rights Center and are provided as necessary. Regular testing and audits are not conducted.

**Recommendation A-2:** Entitlement jurisdictions should consider increasing the budget for and scope of work of their fair housing service provider to include regular testing and audits. When testing are done only on a complaint-basis, issues may not be identifiable as only a small portion of those experiencing fair housing actually report their issues, and therefore complaint-based testing would likely under-represent the extent of housing discrimination. Testing can also be performed to identify emerging trends and target geographic areas.

**Impediment A-3:** Overall the incidence of hate crimes in Ventura County has declined by about 40 percent since 2005. The cities of Oxnard and Ventura reported slightly fewer hate crimes per 1,000 people than the cities of Camarillo, Thousand Oaks and Moorpark.

**Recommendation A-3:** All jurisdictions should continue their efforts at developing and distributing public education and information materials on tolerance, focusing on sexual orientation, race/ethnic relations, and religion.

## **2. Public Policies and Programs Affecting Housing Development**

**Impediment A-4:** Ventura County has a sizable stock of affordable housing. This housing stock includes all public housing and multi-family rental units assisted under federal, state, and local programs, including HUD, state/local bond programs, density bonus and Ventura County redevelopment programs. Affordable projects include both new construction, as well as rehabilitation projects with affordability covenants. A total of 7,731 affordable housing units are located within the County. While housing affordability is not a fair housing concern per se, providing opportunities for a variety of housing choice can help lessen the likelihood of housing discrimination by increasing the supply.

**Recommendation A-4:** All jurisdictions should continue to encourage the development of affordable housing through: (1) development fee waivers/reductions, (2) streamlined permit processing, (3) flexibility in applying design and development standards, (4) achievable density bonuses, (5) other general plan, administrative, and zoning efforts, and/or (6) public-private partnerships with developers of affordable housing.

**Impediment A-5:** Three jurisdictions—Fillmore, Moorpark, and Ojai—indicated that no sensitivity training is provided to their staff.

**Recommendation A-5:** The cities of Fillmore, Moorpark, and Ojai should begin providing sensitivity training to staff that interfaces with the public to ensure that staff understand fair housing laws and are sensitive to proper language and behavior when dealing with groups with special needs. The remaining jurisdictions should maintain their sensitivity training efforts.

**Impediment A-6:** Tenure in the housing industry typically refers to the occupancy of a housing unit – whether the unit is owner occupied or occupied rental unit. Ventura County showed a higher proportion of owner-occupied housing (67.6 percent) than renter-occupied

housing (32.4 percent). Most cities in the County had more owner-occupied housing units than renter-occupied units. Outliers include Thousand Oaks, where home ownership overwhelmingly predominated (97.3 percent) and Port Hueneme, where just under one-half of the housing stock was owner-occupied. In addition to Thousand Oaks, the cities of Camarillo, Moorpark, and Simi Valley had particularly high proportions of owner-households compared to other communities in the County.

A substantial income disparity also exists between owner- and renter-households. Lower-income households in the County are more likely to be renter-households than owner-households. In general, housing discrimination issues are more prevalent in the rental housing market since renters are more likely to be subject to conditions in the housing market that are beyond their control.

**Recommendation A-6:** Homeownership is particularly important as a vehicle for providing decent housing for working families. In cooperation with lending institutions, local associations of realtors and fair housing providers, jurisdictions should provide outreach to inform lower income households of special local, state, and federal homebuyer assistance programs.

**Impediment A-7:** In a tight housing market, seniors, particularly those with disabilities, often face increased difficulty in finding housing accommodations or face targeted evictions. Seniors represent 10 percent of the County's total population. The jurisdictions with the largest proportion of seniors are Ojai (17.9 percent) and Camarillo (17.0 percent). Overall, elderly households may be less able to make improvements to their housing, deal with a challenging situation (such as confronting the landlords or managers), or to find affordable housing due to limited income and disabilities. Seniors are very vulnerable to housing discrimination.

Large households are defined as those with five or more members. Large households are a special needs group because the availability of adequately sized, affordable housing units is often limited. Due to the limited availability of affordable housing, many small households double-up to save on housing costs and tend to opt for renting. The 2000 Census documented 27,975 persons in 11,162 "subfamilies" in Ventura County, indicating a large number of the County's households contained more than one family.<sup>28</sup>

Of the County's large households, 38 percent were renters in 2000. Slightly less than one-half of these large renter-households (43 percent) were lower income. The CHAS Databook reports that 78 percent of the County's large renter-households were suffering from one or more housing problems, including housing overpayment, overcrowding and/or substandard housing conditions. Finding affordable housing of adequate size may be a challenging task

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<sup>28</sup> A subfamily is a married couple with or without children, or a single-parent with one or more never-married children under the age of 18, living with and related to the householder but not including the householder or the householder's spouse. When grown children move back to the parental home with their children or spouse, they are considered a subfamily. The number of subfamilies is not included in the count of families, since subfamily members are counted as part of the householder's family.

for many households, particularly lower and moderate renter-households, however, large households also often face added discrimination in the housing market. Landlords may discriminate against large families for fear of excessive wear and tear or liability issues related to children.

**Recommendation A-7:** Jurisdictions should continue their efforts to expand the variety of available housing types and sizes. In addition, to persons with disabilities, senior households can also benefit from a wider range of housing options. To allow seniors to age in place, small one-story homes, townhomes or condominiums, or senior rentals may be needed.

Jurisdictions should also consider modifying their housing rehabilitation programs to make financial assistance for accessibility improvements available for renters, as well as homeowners.

**Impediment A-8:** Concentrations of licensed residential care facilities exist in Camarillo, Ojai, and Ventura. However, several communities, including Santa Paula and unincorporated Ventura County, have limited community care options for persons with special needs.

**Recommendation A-8:** The shortage of supported housing for persons with disabilities, such as community residential care facilities, is a community concern. Jurisdictions should explore ways to develop supported housing through non-profit housing developers and service providers. Local jurisdictions should also review their zoning ordinances and permit processing to ensure that they are not inhibiting the development of housing for persons with disabilities.

Jurisdictions should also consider modifying their housing rehabilitation programs to make financial assistance for accessibility improvements available for renters, as well as homeowners.

**Impediment A-9:** Currently, the cities of Port Hueneme and Simi Valley and the County of Ventura are the only jurisdictions with a formal Reasonable Accommodations procedure. A reasonable accommodation ordinance of a local jurisdiction should cover the relaxation of rules and regulations in land use, zoning, and other administrative policies (for example, removing the variance requirement if handicap ramp would violate the local zoning standards on encroachment or setbacks.) Such flexibility in the application of rules and policies is separate and distinct from the ADA accessibility requirements.

However, Port Hueneme's code requires a hearing before the City Council for major accommodation requests. The cities of Camarillo, Fillmore, Ojai, Port Hueneme and Thousand Oaks have all promised to adopt formal Reasonable Accommodations procedures in their 2008-2014 Housing Elements.

**Recommendation A-9:** The cities of Moorpark, Oxnard, Santa Paula and Ventura should adopt formal Reasonable Accommodations policies and procedures.

**Impediment A-10:** Physical disability is the greatest cited basis for discrimination, according to the U.S. Department of Housing and Urban Development (HUD) and the Department of Fair Housing and Employment (DFEH). Mentally ill tenants also face the barrier of stigmatization and biases from landlords and managers. Currently, only the jurisdictions of Simi Valley and Ventura actively promote universal design principles in new housing developments.

**Recommendation A-10:** The jurisdictions of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, Santa Paula, Thousand Oaks and the County of Ventura should consider promoting universal design principles in new housing developments.

Jurisdictions should also consider modifying their housing rehabilitation programs to make financial assistance for accessibility improvements available for renters, as well as homeowners.

### 3. Lending and Insurance Practices

**Impediment A-11:** Conventional home purchase loans were a major loan source for Ventura County households. Substantially fewer households in the County applied for a government-backed loan—2,777 applications for government-backed loans compared to the 12,690 applications for conventional home purchase loans. Applicants also had higher approval rates for conventional home purchase loans than for government-backed purchase loans, regardless of income level.

The HMDA data available does not provide information on which loans were actually prime or sub-prime mortgage loan applications among conventional home purchase loans. It is likely that a number of households that in the past would have opted for government-backed loans were able to receive conventional loans through the sub-prime market. Sub-prime lenders generally have interest rates that are higher than those in the prime market. While sub-prime lending cannot in and of itself be equated with predatory lending, studies have shown a high incidence of predatory lending in the sub-prime market. Unlike the prime lending market, overly high approval rates in the sub-prime market is a potential cause for concern when the target clients are considered high-risk.

Approval rates differed significantly among the top lenders in Ventura County, from two percent (Beneficial Company, LLC) to 75 percent (Flagstar Bank). However, two of the three top lenders in Ventura County for 2008 (Countrywide and Wells Fargo) had approval rates that were higher than the average approval rate for the County as a whole (51 percent and 64 percent, respectively). Wells Fargo also had a high proportion of loans that were withdrawn by the applicant or closed for incompleteness (21 percent).

**Recommendation A-11:** Participating jurisdictions should review the lending patterns of all financial institutions that provide financial services to the jurisdictions and participate in jurisdiction-sponsored loan programs. Special attention should be directed to home purchase lending in lower income and minority concentration areas.

In selecting financial institutions to participate in housing programs, the participating jurisdictions should consider the lender's performance history with regard to home loans in Low/Moderate income areas and minority concentration areas, as well as the lender's activity in other Community Reinvestment Act (CRA) activities such as participation in affordable rental housing projects under programs such as bond financing, tax credit, or the Federal Home Loan Bank Affordable Housing Program.

**Impediment A-12:** HMDA data reveals that the racial/ethnic makeup of applicants for conventional home loans was not necessarily reflective of the racial/ethnic demographics of Ventura County. In 2000, 57 percent of Ventura residents were Non-Hispanic White. However, in 2003, Non-Hispanic Whites made up just 47 percent of all applicants, and in 2008, Non-Hispanic Whites were overrepresented in the applicant pool at 64 percent. By comparison, Hispanics made up 33 percent of Ventura County residents in 2000; yet, they have been consistently underrepresented in the applicant pool for conventional home loans (just 21 percent in 2003, and 25 percent in 2008). Similarly, Blacks comprised approximately two percent of Ventura County residents in 2000, but have made up less than one percent of the applicant pool for conventional home loans in both 2003 and 2008.

Also, a difference in the approval rates for home purchase loans for Non-Hispanic White and non-White households existed in 2008 (Table 51). Among low income households (those earning 80 percent of AMI or less), Non-Hispanic Whites had the highest approval rates (67 percent) while Blacks had the lowest (36 percent). Blacks in the high income category (those earning 120 percent of AMI or more) also had noticeably lower approval rates (54 percent) than Non-Hispanic Whites (67 percent) and Asians (64 percent). Since it is assumed that most households in this income category are financially capable of purchasing homes, the discrepancy in home loan approval rates indicates a reason for concern.

**Recommendation A-12:** The fair housing service contractor(s) should monitor lending activities in the County and identify potential issues regarding redlining, credit steering, predatory lending, and fraudulent activities.

## **B. New Impediments and Recommendations**

The following is a list of new impediments and key recommendations.

### **1. Demographics**

**Impediment B-1:** According to the 2000 Census, the racial/ethnic composition of Ventura County's population was: 57 percent White (non-Hispanic); 33 percent Hispanic; 5 percent Asian & Pacific Islander; 2 percent Black; 2 percent indicating two or more races; and less than 1 percent other ethnic groups (see Table 10). There is also a concentration of Mixteco population in the County based on comments from residents, staff, and fair housing service provider. However, no census data is available on this group.

Linguistic isolation can be an issue in the County's Hispanic and Asian populations. In 2000, approximately 28 percent of all Ventura County residents speak languages other than English at home, and only 15 percent speak English "less than very well." Linguistic isolation is slightly more prevalent among the Hispanic population. Approximately 27 percent of Ventura County residents speak Spanish at home and approximately 14 percent of these persons speak English "less than very well." In comparison, 4 percent of Ventura County residents speak Asian languages at home and less than 2 percent of these persons speak English "less than very well." Language barrier can be an impediment to accessing housing of choice. Participants of the fair housing workshops indicated that the Mixteco population has problems accessing services and information due to language barriers.

**Recommendation B-1:** Currently, all jurisdictions have bi-lingual capabilities to serve Spanish speaking residents. All jurisdictions should continue bi-lingual efforts and consider expanding the number of languages offered.

**Impediment B-2:** Residential segregation refers to the degree to which groups live separately from one another. The term segregation historically has been linked to the forceful separation of racial groups. However, as more minorities move into suburban areas and outside of traditional urban enclaves, segregation is becoming increasingly self imposed. The dissimilarity index, presented in Table 12 represents the percentage of one group that would have to move into a new neighborhood to achieve perfect integration with another group. An index score can range in value from 0, indicating complete integration, to 100, indicating complete segregation. In Ventura County, the dissimilarity indices reveal that the region is a moderately segregated community in which people of different races and ethnic backgrounds tended to live in relative isolation to one another. The highest level of segregation exists between Hispanics and Non-Hispanic Whites (58.1 percent) and the lowest between Asians and Non-Hispanic Whites (34 percent).

**Recommendation B-2:** Jurisdictions should continue to offer a range of housing options to allow the greatest residential mobility among its residents.

**Impediment B-3:** Ventura County has one of the highest Median Incomes in the State and the nation. The majority of households in Ventura County earned middle and upper incomes in 1999. However, 21 percent of the households are considered lower and moderate income, earning less than 80 percent of the County Area Median Income (AMI). Among the household types, elderly and other households had the highest proportion of extremely low income households, at 18 percent and 12 percent, respectively.

At least 35 percent of renter-households in every jurisdiction in Ventura County had a housing cost burden (Table 34). Rates of renter cost burden were highest in the cities of Fillmore, Moorpark, and Santa Paula. While housing affordability per se is not a fair housing issue, when minority, senior, and disabled households are disproportionately impacted by housing cost burden issues, housing affordability has a fair housing implication.

Also, housing affordability tends to disproportionately affect minority populations. In Ventura County, Hispanic (56 percent) and Black (42 percent) households had a considerably

higher percentage of lower- and moderate-income households than the County as a whole (36 percent). Non-Hispanic Whites (30 percent) had the lowest proportion of households in the lower- and moderate-income categories. In this regard, housing affordability is a fair housing concern.

**Recommendation B-3:** Jurisdictions should continue to expand its housing stock to accommodate a range of housing options and income levels.

## 2. Housing Market Conditions

**Impediment B-4:** As shown in Table 25, nearly 68 percent of Ventura County housing stock was over 30 years of age in 2000. The cities of Ojai, Santa Paula, and the City of Ventura have the largest proportions of housing units potentially in need of rehabilitation. Home rehabilitation can be an obstacle for senior homeowners with fixed incomes and mobility issues.

**Recommendation B-4:** All jurisdictions should continue operating their housing rehabilitation programs. The cities of Ojai, Santa Paula and Ventura should increase their efforts to promote their housing rehabilitation programs.

Jurisdictions should also consider modifying their housing rehabilitation programs to make financial assistance for accessibility improvements available for renters, as well as homeowners.

## 3. Public Policies

**Impediment B-5:** A Housing Element found by HCD to be in compliance with state law is presumed to have adequately addressed its policy constraints. According to HCD, of the 11 participating jurisdictions (including the County), only two jurisdictions (Camarillo and Port Hueneme) have current Housing Elements that comply with State law at the writing of this AI.

**Recommendation B-5:** The remaining jurisdictions should pursue State certification of the Housing Element.

**Impediment B-6:** California court cases have ruled that a definition of “family” that: 1) limits the number of persons in a family; 2) specifies how members of the family are related (i.e. by blood, marriage or adoption, etc.), or 3) a group of not more than a certain number of unrelated persons as a single housekeeping unit, is invalid. A Zoning Ordinance also cannot regulate residency by discrimination between biologically related and unrelated persons. Furthermore, a zoning provision cannot regulate or enforce the number of persons constituting a family. Currently, Zoning Ordinances for Camarillo, Port Hueneme, and Thousand Oaks include definitions of “family” that constitutes a potential impediment to fair housing choice.

**Recommendation B-6:** The cities of Camarillo, Port Hueneme and Thousand Oaks should consider amending the definition of “family” in their Zoning Ordinances.

**Impediment B-7:** California Government Code Section 65915 provides that a local government shall grant a density bonus of at least 20 percent (five percent for condominiums) and an additional incentive, or financially equivalent incentive(s), to a developer of affordable housing. The statute includes a sliding scale of bonuses depending on the amount of affordable units developed. As of August 2009, only Zoning Ordinances for Moorpark, Oxnard, Santa Paula and Thousand Oaks specified density bonus provisions in accordance with State law.

**Recommendation B-7:** The jurisdictions of Camarillo, Fillmore, Ojai, Port Hueneme, Simi Valley, Ventura and the County of Ventura should consider amending their density bonus provisions to comply with State law.

**Impediment B-8:** Communities that require an especially high number of parking spaces per dwelling unit can negatively impact the feasibility of producing affordable housing by reducing the achievable number of dwelling units per acre, increasing development costs, and thus restrict the range of housing types constructed in a community. Moorpark has parking standards for multiple-family uses that make little or no distinction between parking required for smaller units (one or two bedrooms) and larger units (three or more bedrooms). Because smaller multiple-family units are often the most suitable type of housing for seniors and persons with disabilities, requiring the same number parking spaces as larger multiple-family units can be a constraint on the construction of units intended to serve these populations.

**Recommendation B-8:** The City of Moorpark should consider amending their multiple-family parking requirements to differentiate between smaller units, of one or two bedrooms, and larger units, of three or more bedrooms.

**Impediment B-9:** Zoning Ordinances should also avoid “pyramid or cumulative zoning” (e.g. permitting lower-density single-family uses in zones intended for higher density multiple-family uses). Pyramid or cumulative zoning schemes could limit the amount of lower-cost multiple-family residential uses in a community and be a potential impediment to fair housing choice. Most jurisdictions in Ventura County have some form of pyramid zoning and permitting single family residential uses in multiple-family zones is the most prevalent example. Fillmore and Simi Valley are the only jurisdictions that do not have a form of pyramid zoning.

**Recommendation B-9:** The jurisdictions of Camarillo, Moorpark, Ojai, Oxnard, Port Hueneme, Santa Paula, Thousand Oaks, Ventura and the County of Ventura should consider amending their Zoning Ordinances to avoid “pyramid or cumulative zoning.”

**Impediment B-10:** California law requires local jurisdictions to adopt ordinances that establish the conditions under which second units are permitted. Second units cannot be prohibited in residential zones unless a local jurisdiction establishes that such action may

limit housing opportunities in the region and finds that second units would adversely affect the public health, safety, and welfare in residential zones. The State's second unit law was amended in September 2002 to require use of a ministerial, rather than discretionary, process for reviewing and approving second units.

Most jurisdictions in the County have amended their Zoning Ordinances and currently permit second unit development via a variety of review processes such as a zoning clearance or an administrative permit. However, Fillmore and Moorpark require approval of a discretionary permit and Oxnard does not provide for second dwelling units within the coastal zone. Because second dwelling units can be an important source of suitable and affordable type of housing for seniors and persons with disabilities, overly restrictive or conflicting provisions for these units can be considered an impediment to fair housing choice.

**Recommendation B-10:** Fillmore and Moorpark should remove the discretionary permit approvals required for second units.

**Impediment B-11:** State law requires local governments to permit manufactured or mobile homes meeting federal safety and construction standards on a permanent foundation in all single-family residential zoning districts (Section 65852.3 of the California Government Code). Currently, the Thousand Oaks Zoning Ordinance does not explicitly accommodate manufactured or mobile homes in single-family residential zoning districts consistent with State law. Because these units can be a source of affordable housing for lower-income individuals, including seniors and the disabled, overly restrictive regulation of these uses can indirectly impede fair housing choice.

**Recommendation B-11:** The City of Thousand Oaks should consider making explicit provisions in its Zoning Ordinance for manufactured homes within single-family residential zoning districts.

**Impediment B-12:** A number of jurisdictions are not compliant with the Lanterman Act or do not include provisions for residential care facilities serving more than seven persons. Camarillo and Thousand Oaks do not have provisions for residential care facilities in their Zoning Ordinances. Ojai and Santa Paula do not explicitly permit licensed residential care facilities serving six or fewer persons by right in family residential zones. While Oxnard does comply with the Lanterman Act, the City limits the number of individuals that can occupy larger residential care facilities. Furthermore, most Zoning Ordinances do not address the non-licensed residential care facilities.

**Recommendation B-12:** The jurisdictions of Camarillo, Ojai, Oxnard, Santa Paula and Thousand Oaks should consider amending their Zoning Ordinances to comply with the Lanterman Act. All jurisdictions should make provisions for non-licensed residential care facilities (see discussions under transitional and supportive housing).

**Impediment B-13:** Recent changes in State law (SB 2) require that local jurisdictions make provisions in the zoning code to permit emergency shelters by right in at least one zoning district where adequate capacity is available to accommodate at least one year-round shelter.

Local jurisdictions may, however, establish standards to regulate the development of emergency shelters. Failure to explicitly permit or conditionally permit emergency shelters is prevalent among jurisdictions in Ventura County. Few jurisdictions in the County have addressed the SB 2 requirement yet.

**Recommendation B-13:** All jurisdictions should amend their Zoning Ordinances to permit emergency shelters by right in at least one zone to comply with State law.

**Impediment B-14:** State law (AB 2634 and SB 2) requires local jurisdictions to address the provisions for transitional and supportive housing. Pursuant to SB 2, transitional and supportive housing constitutes a residential use and therefore local governments cannot treat it differently from other types of residential uses (e.g., requiring a use permit when other residential uses of similar function do not require a use permit). As of August 2009, no jurisdiction in Ventura County included provisions for supportive housing in their Zoning Ordinance. Transitional housing is conditionally permitted in some districts in Camarillo, Ojai, Santa Paula, and Simi Valley.

**Recommendation B-14:** All jurisdictions should amend their Zoning Ordinances to include explicit provisions for supportive housing. The cities of Fillmore, Moorpark, Oxnard, Thousand Oaks, Ventura and the County of Ventura should consider amending their Zoning Ordinances to include provisions for transitional housing.

**Impediment B-15:** AB 2634 also mandates that local jurisdiction address the provision of housing options for extremely low income households, including Single Room Occupancy units (SRO). Currently, only the cities of Camarillo, Oxnard, and Santa Paula provide for SRO units. SRO units are one of the most traditional forms of affordable private housing for lower income individuals, including seniors and persons with disabilities. These protected classes are required to have suitable housing options, which SRO's provide.

**Recommendation B-15:** All jurisdictions, with the exception of Camarillo, Oxnard, and Santa Paula, should consider amending their Zoning Ordinances to include provisions for SROs.

**Appendix A:  
Public Outreach**

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## Appendix A: Public Outreach

The County of Ventura 2010-2015 Analysis of Impediments to Fair Housing Choice has been developed through a collaborative process involving participation by residents, service providers, and the staff of participating jurisdictions. In addition to analysis of available data sources and review of existing reports and fair housing practices, the City sought public input on fair housing issues through two main avenues:

A series of **community meetings** were held for the eastern and western areas of the County and the City of Oxnard. One meeting was held for the western County jurisdictions at the County of Ventura Government Center (November 5, 2009), one in the City of Oxnard (November 9, 2009), and one for the eastern County jurisdictions in the City of Simi Valley (November 12, 2009). All three meetings were open to everyone in the County. Residents, service providers, housing professionals, and community stakeholders were encouraged to attend any one of the three meetings that was convenient to them.

Participants were introduced to the Analysis of Impediments to Fair Housing Choice process and intent and asked to discuss fair housing concerns. To encourage attendance and participation, the meetings were publicized through the following methods:

- Sent invitations to over 600 Section 8 landlords.
- Distributed flyers to 780 public housing tenants of the Oxnard Housing Authority.
- Distributed flyers to over 300 service agencies, housing professionals, and community groups.
- Purchased ads in the Ventura County Star 15 days prior to the date of the first meeting.
- Purchased ads (in both English and Spanish) in VIDA Newspaper, a free weekly bilingual newspaper that is distributed in Oxnard/Port Hueneme/El Rio.
- The City of Oxnard purchased 60 one-minute radio spots that aired on Radio Lazer, KOXR and Gold Coast Broadcasting.
- Flyers were posted on the websites of participating jurisdictions.

A **community survey**, which assessed fair housing discrimination experiences, was distributed to residents and service providers. Surveys were made available at community centers and public counters, located online, and distributed at all three community meetings. Overall, 516 residents responded to the Fair Housing Survey.

### Community Meetings

The County of Ventura conducted a series of community meetings to gather information on fair housing concerns. The exact locations and dates of the meetings were as follows:

Focus Area	Location	Date
West County	Hall of Administration Lower Plaza Assembly Room 800 South Victoria Avenue Ventura, CA 93009	Thursday, November 5, 2009
Oxnard	Oxnard Public Library 251 South "A" Street Oxnard, CA 93030	Monday, November 9, 2009
East County	Council Chamber 2929 Tapo Canyon Road Simi Valley, CA 93063	Thursday, November 12, 2009

A total of 29 residents and representatives of service provider agencies attended these meetings. In general, community workshops on fair housing issues receive little attention from the public. Often, people participate in such workshops only if they are directly impacted by fair housing issues. Agencies attending the community meeting include:

- Housing Rights Center
- Cabrillo Economic Development Corporation
- California Rural Legal Assistance
- Conejo Valley Association of Realtors
- Forsyth & Rizzie Realtors
- Prudential California Realty

In addition to those agencies that attended the community meetings, the following service providers were interviewed:

**Many Mansions**

1459 East Thousand Oaks Boulevard  
Thousand Oaks, CA 91362-6222

**Contact:** Rick A. Schroeder, President

**Phone:** (805) 496-4948 ext. 227

**Background:** Since 1979, Many Mansions provides well-managed, service-enriched, affordable housing to low-income residents of Ventura County and its surrounding communities. By providing decent housing and life-enriching services to those most in need, we aim to break the cycle of poverty and remove the barriers that prevent members of our community from having a basic need met—a roof over their head.

**Service Provided:** Many Mansions is an affordable housing developer; the organization owns and manages over 400 units of affordable housing, primarily in Simi Valley and Thousand Oaks. The organization has no established preferences, however, Many Mansions works primarily with the homeless and developmentally disabled. The organization also provides on-site services and programs that include job training, a food pantry, summer camps, counseling, case management, homework literacy, a teen club, and much more. Services are available to all tenants.

**Clients Served:** Serves approximately 1,000 adults and 200 children.

**Comments:**

Regional Analysis of Impediments to Fair Housing Choice  
Appendix A: Public Outreach

April 2010

- Tenants, especially those who are developmentally disabled, have complained about experiencing discrimination in former housing situations. Many believe that their disability led landlords and property owners to turn down their rental applications, and in some cases, evict them. For example, one tenant, who exhibited some autism-related behaviors, was evicted for being “weird.”
- Residents with Section 8 have difficulty finding landlords who will accept their vouchers.

**Suggestions for the County:**

- Most instances of discrimination are not intentional. The County should sponsor efforts (e.g. seminars and other outreach) to educate for-profit landlords and property owners about what they are legally obligated to do, in terms of fair housing.

**California Rural Legal Assistance**

P.O. Box 1561  
Oxnard, CA 93032

**Contact:** Ron Perry ,Directing Attorney

**Phone:** (805) 486-1068

**Background:** California Rural Legal Assistance (CRLA) was founded in 1966 as a nonprofit legal services program. Today, CRLA is a state-wide, public interest law firm that represents low wage workers and other low-income people with civil kinds of legal problems.

**Service Provided:** Through federal funding directed at law firms that address fair housing issues, CRLA represents clients who have cases where it appears that discrimination has occurred through a variety of methods including refusal to rent, termination of existing tenants, and/or denied admission to public housing or Section 8 programs and services. The also address unfair or outdated policies for public housing and Section 8 procedures and rules.

**Clients Served:** Serves approximately 40,000 persons state-wide.

**Comments:**

- It is becoming more difficult for the disabled, especially those with cognitive and intellectual disabilities, to obtain appropriate housing. Therefore, many do not receive proper housing to match their needs and are consequently terminated from their program or the housing since the housing is inadequate and not meant for them.
- There has been an increase in discrimination of tenants based on family size. In the past, two adults and two kids would be offered a two- or three-bedroom unit in public housing. However, if a person leaves the household due to growing up or any other reason, then the residents are considered “over housed” and must acquire another roommate or face termination from the public housing program.
- Another segment of the population that is being greatly discriminated against are those who were at one time incarcerated. There are lots of onerous rules like no public housing or voucher assistance until an individual is off parole or probation. Rules like this encourage individuals to reoffend since there is a correlation between committing crime and not having stable housing. In addition, this has a disparate impact on persons of color because they are more likely to be arrested.

- A number of clients have complained about Area Housing Authority staff making inappropriate statements either to or around clients. In addition, staff and directors do not make themselves available to the public and other organizations to form partnerships and better the situation in Ventura County. Oxnard Housing Authority is the worst. All the housing authorities in Ventura County have a lot to learn in order to improve.

**Suggestions for the County:**

- The Area Housing Authority needs to look at and critically examine their termination and admission policies and procedures from a fair housing perspective. The policies have structural established discrimination practices against people of color and/or with mental disabilities.
- The County needs to establish a better transition program for those developmental disabilities or are mentally ill because they are currently released into the community from mental facilities and do not receive adequate follow through.
- Provide more facilities for homeless. For instance, one client in a wheelchair is unable to the Winter Shelter because the location does not meet ADA standards of compliance. The County claims that the shelter, which is located at an old armory, would have to shut down if it spent money on making the necessary changes to the shelter.
- The Area Housing Authority needs to be located in a more centralized area with greater access because right now it is virtually inaccessible to the people who need its services the most. It either needs satellite facilities or needs to relocate out of Saticoy.

**Barbara Macri-Ortiz**

Oxnard, CA 93031

**Contact:** Barbara Macri-Ortiz

**Phone:** (805) 486-9665

**Background:** Barbara Macri-Ortiz has been practicing law for over 20 years and currently owns and manages her own law firm, which assists clients who are facing discriminatory and fair housing issues.

**Service Provided:** Macri-Ortiz represents clients who have been discriminated against. She also addresses unfair or outdated policies and assists with assuring future developments are serve the properly serve the community.

**Comments:**

- Most discrimination occurs with resident managers who are uncomfortable with certain races or ethnicities, or at least more comfortable with a certain race or ethnicity. Most discrimination seen by her law practice occurs because of race and ethnicity.
- Blacks are discriminated against more than Mexicans because there is a larger Mexican population and Resident Managers are more likely to speak Spanish can cater to other Spanish speaking individuals over Blacks.
- There is some discrimination based on disabilities and age but there are services and places for those who have been discriminated against. Folks that have mental barriers get into situations where their conduct is an issue with resident managers who are not willing to deal with it. The best way to help those with mental illness is have good case workers because these individuals are dependent on the management of their situation.
- The firm has seen the most discrimination based on children or having children. For instance, there are a couple affordable housing projects that are built or being built for the disabled but they

do not allow children there. So you cannot have a family live with an individual or the individual with kids cannot live there. Macri-Ortiz sees discrimination against individuals with children is the biggest issues in the county.

- Discrimination of large families and those with children is masked as overcrowding the appropriate unit. Typically, the appropriate ratio is two per bedroom plus one. Lots of times the people fit this ration but the management is not excited or supportive, mostly because of the children.
- Owners do not care who is living in the residences, they just want the money. Resident managers have all the power.

#### **Suggestions for the County:**

- Education and public service announcements. We have a very intolerant tone in society so anything the county can do to offset that. County has to set the tone and provide leadership by being sensitive to all needs and all of the population.
- Encourage looking for good tenants, that's it. Individuals that pay rent and play by the rules, not confined by race and such. Discrimination comes with power and the underlying values of the community being off. Leadership, public service announcements, and education help offset this in addition to intertwining these issues with the business of the county.
- Fair housing needs a message, legal responsibility, and moral responsibility. The County needs to promote these ideas and implement these ideas in day-to-day operations. Need to get the message to people who are not looking for it because they usually already have those ideas.
- Provide training for landlords and resident managers. Focus on fair housing, then focus on those who have the power to enforce the law or violate the law. Go to the problem, get landlords and educate them about the law.
- Public services announcements to the public and landlords to set the tone and bring issues to the forefront. Then, integrate these ideals into county practice. This provides the leadership.

#### **Fair Housing Survey**

As part of the Analysis of Impediments to Fair Housing Choice, the County conducted a fair housing survey. The survey consisted of questions designed to gather information on a person's experience with fair housing issues and perception of fair housing issues in his/her neighborhood. The survey was made available in English and Spanish and distributed via the following methods:

- Distributed at community locations and public counters of the participating jurisdictions.
- Posted on the web sites of the participating jurisdictions.
- Solicited the participation of service providers to also post the link to the survey on their sites and to help distribute surveys to their clients.

A total of 527 persons responded to the Fair Housing Survey. A summary of the findings of the survey is included in the text of the Analysis of Impediments to Fair Housing Choice.

# Fair Housing Survey

Fair housing is a right protected by Federal and State laws. Each resident is entitled to equal access to housing opportunities regardless of race, color, religion, sex, national origin, disability, familial status, marital status, age, ancestry, sexual orientation, source of income, or any other arbitrary reason.

The cities and County of Ventura are conducting an Analysis of Impediments to Fair Housing Choice. We want to hear from you about your experience with fair housing issues and concerns. Please fill in the following survey. Thank you.

1. Please indicate the ZIP Code of your residence \_\_\_\_\_

2. Have you ever experienced discrimination in housing?

YES     NO

3. Who do you believe discriminated against you?

a landlord/property manager     a real estate agent  
 a mortgage lender     a city/county staff person

4. Where did the act of discrimination occur?

an apartment complex     a condo development  
 a single-family neighborhood     a public or subsidized housing project  
 a trailer or mobilehome park     when applying for city/county programs

5. On what basis do you believe you were discriminated against (check all that apply)?

<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> Religion
<input type="checkbox"/> National Origin	<input type="checkbox"/> Ancestry	<input type="checkbox"/> Gender
<input type="checkbox"/> Marital Status	<input type="checkbox"/> Sexual Orientation	<input type="checkbox"/> Age
<input type="checkbox"/> Family Status	<input type="checkbox"/> Source of Income	<input type="checkbox"/> Disability
(e.g. single-parent with children, family with children or expecting a child)	(e.g. welfare, unemployment insurance)	(either you or someone close to you)
<input type="checkbox"/> Other (please elaborate: _____)		

6. Have you ever been denied "reasonable accommodation" (flexibility) in rules, policies, or practices to accommodate your disability?

YES  NO

If YES, what was your request?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. If you believe you have been discriminated against, have you reported the incident?

YES  NO

If NO – Why?  don't know where to report  afraid of retaliation  
 don't believe it makes any difference  too much trouble

8. If you own your home, are you already in the foreclosure process or at risk of foreclosure?

YES  NO

9. If YES, are you in foreclosure or at risk of foreclosure due to (check all that apply):

- Loss of income/unemployment
- Monthly Payment is/will increase, we are unable to refinance home to a lower interest rate
- Monthly Payment is/will increase, we are unable to refinance home to a fixed rate loan
- A large one-time payment, built into the structure of the mortgage and due on a specific date, is required
- Significant increases in other housing costs (e.g. insurance, taxes, utilities, etc.)
- I owe more on the home than it is worth so why should I keep paying the mortgage

10. Has any hate crime been committed in your neighborhood?

YES  NO  Don't Know

If YES, what was the basis (check all that apply)

- Race  Color  Religion
- National Origin  Ancestry  Gender
- Marital Status  Sexual Orientation  Age
- Family Status  Source of Income  Disability
- Other (please elaborate: \_\_\_\_\_)

**THANK YOU!**

# Certificate of Publication

Ad #219814

In Matter of Publication of:

Public Notice

State of California)

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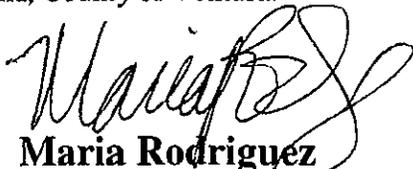
County of Ventura)

I, **Maria Rodriguez**, hereby certify that the **Ventura Star, Thousand Oaks Star, Oxnard Star, Simi Valley Star, Moorpark Star, Camarillo Star** has been adjudged a newspaper of general circulation by the Superior Court of California, County of Ventura within the provisions of the Government Code of the State of California, printed and published in the City of Camarillo, County of Ventura, State of California; that I am a clerk of the printer of said paper; that the annexed clipping is a true printed copy and publishing in said newspaper on the following dates to wit:

Oct. 26, 2009

I, Maria Rodriguez certify under penalty of perjury, that the foregoing is true and correct.

Dated this Oct. 26, 2009, in Camarillo, California, County of Ventura.

  
**Maria Rodriguez**  
(Signature)

**COUNTY OF VENTURA  
PUBLIC NOTICE OF FAIR HOUSING  
WORKSHOPS**

Ventura County and its cities invite your participation in a workshop to discuss fair housing issues. A series of three community workshops located around the county will be held to gather comments and suggestions regarding fair housing issues in the county and availability of services.

Please come and join us for any of the three meetings listed below and share your concerns and suggestions. You may also participate in an online survey at: <http://portal.countyofventura.org> and click on the icon for "Fair Housing - It is a right" in the bottom right of your screen. This web page will also include contact information for each meeting site. In the event that you require language translation, physical assistance or other assistance to attend or participate in the hearing.

Fair Housing is a condition in which individuals have a like range of housing choice regardless of race, color, national origin, ancestry, religion, sex, disability, familial status, marital status, age, source of income, sexual orientation, or any arbitrary factor.

**EAST COUNTY AREA**  
Thursday, November 12, 2009  
8:00 to 8:00 PM  
City of Simi Valley  
Council Chamber  
2929 Tapo Canyon Road  
Simi Valley, CA 93063

**WEST COUNTY AREA**  
Thursday, November 5, 2009  
8:00 to 8:00 PM  
County of Ventura  
Government Center  
Hall of Administration  
Lower Plaza Assembly Room  
800 South Victoria Avenue  
Ventura, CA 93009

**OXNARD AREA**  
Monday, November 9, 2009  
8:00 to 8:00 PM  
Oxnard Public Library  
261 South "A" Street  
Oxnard, CA 93030

10/26/09  
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VENTURA COUNTY STAR  
Ad No 219814



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		199.50	

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*Beverly Monnier*

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**Appendix B:  
Affordable Housing**

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## Appendix B: Affordable Housing in Ventura County

		# of Affordable			
Name	Address	Units	Expiration	Jurisdiction	
<b>RENT-RESTRICTED HOUSING</b>					
Avalon Bay	1573 Flynn Road	37	2036	Camarillo	
Camarillo Oaks	921 Pase Camarillo	73	2026	Camarillo	
Casa de Sueno	257 Fulton Street	10	2053	Camarillo	
Casa Velazquez	257 Fulton Street	12	2049	Camarillo	
Corte Madera	5240 Corte Bocina	32	2020	Camarillo	
Courtyard Apartments	350 Westpark Court	34	2038	Camarillo	
Park Glenn Apartments	200 South Glenn Drive	160	2028	Camarillo	
	200 South Glenn Drive	18	2030	Camarillo	
	2105 E. Ponderosa Drive	90	On-Going	Camarillo	
<b>Ponderosa Village</b>		<b>466</b>			
<b>Total</b>					
Sarahang Apartments	341 Central Avenue	1	2062	Fillmore	
Park View Senior Apartments	512 Main Street	50	2060	Fillmore	
Glenn Stern Apts	400 Santa Clara Street	1	2060	Fillmore	
Central Station Rental Units	238-294 Main Street	21	2055	Fillmore	
<b>Total</b>		<b>73</b>			
Waterstone at Moorpark	4767 Moorpark Avenue	62	Perpetuity	Moorpark	
Vintage Crest Senior Apartments	4722 Parkcrest Lane	190	Perpetuity	Moorpark	
<b>Total</b>		<b>252</b>			
Montgomery Oaks	508-514 Montgomery Street	21	2063	Ojai	
<b>Total</b>		<b>21</b>			
Camino del Sol Senior Apartments	1910 Camino Del Sol	120	2059	Oxnard	
Casa Merced	840 W. Fifth Street	40	2054	Oxnard	
Casa San Juan	500 Hobson Way	64	2051	Oxnard	
Channel Islands Park Apartments	931 Bismark Way	152	2058	Oxnard	
Cypress Court	490 E. Pleasant Valley	6	2037	Oxnard	
Gateway Plaza Apartments	1719 S. Oxnard Boulevard	105	2056	Oxnard	
Heritage Park Apartments	820 South "E" Street	195	2018	Oxnard	
Holiday Manor Apartments	1924 Camino del Sol	195	2056	Oxnard	
Meta Street	501 Meta Street	24	2059	Oxnard	
Palm Terrace	711 South "C" Street	21	2056	Oxnard	
Paseo Del Rio	287 Myrtle Avenue	86	2062	Oxnard	
Paseo El Prado Apartments	101 W. Collins Street	24	2026	Oxnard	
Paseo Santa Clara	295 Myrtle Avenue	54	2062	Oxnard	
Seawind Senior Apartments	4450 South Saviers Road	20	2020	Oxnard	

Regional Analysis of Impediments to Fair Housing Choice  
Appendix B: Affordable Housing in Ventura County

Name	Address	# of Affordable Units	Expiration	Jurisdiction
Sycamore Senior Village	333 North "F" Street	195	2059	Oxnard
Tierra Vista Apartments	1750 Monte Vista Circle	10	2019	Oxnard
Villa Cesar Chavez	5559 Salvador Drive	52	2061	Oxnard
Villa Madera	1171 North "A" Street	72	2060	Oxnard
Villa Victoria	2100 N. Victoria Avenue	54	2062	Oxnard
Vineyard Gardens	161 Stroube Street	62	2055	Oxnard
Villa Solimar	910 Donlon Avenue	31	2051	Oxnard
<b>Total</b>		<b>1582</b>		
	730-736 Jane Drive	2		Port Hueneme
	760-766 Jane Drive	2		Port Hueneme
	771-775 Jane Drive	2		Port Hueneme
	781-785 Jane Drive	2		Port Hueneme
	780-786 Jane Drive	2		Port Hueneme
	800-806 Jane Drive	2		Port Hueneme
	249 East "A" Street	8		Port Hueneme
	309-323 East "C" Street	2		Port Hueneme
	841 Jane Drive	5	Perpetuity	Port Hueneme
<b>Total</b>		<b>27</b>		
Casa Esperanza	220 S. Garcia Street	14	2043	Santa Paula
Vista Hermosa	200 W. Santa Ana Street	24	2052	Santa Paula
Harvard Place	320 W. Harvard Boulevard	40	2051	Santa Paula
Santa Paula Senior Apartments	115 N. 4 <sup>th</sup> Street	150	2037	Santa Paula
Casa Bella	622 E. Main Street	40	2037	Santa Paula
Reider Project	Santa Ana Street	2	2053	Santa Paula
Citrus Court	517, 519, 611, East Harvard Boulevard	4	2049	Santa Paula
Casa Garcia	200 South Garcia Street	14	2029	Santa Paula
Judson	234 W. Harvard Boulevard	35	2052	Santa Paula
Santa Paula Village	218 N. 8 <sup>th</sup> Street	56	2037	Santa Paula
Yale Street Apartment	739 Yale Street	28	2023	Santa Paula
<b>Total</b>		<b>407</b>		
Patricia Apartments	1817 Patricia Avenue	7		Simi Valley
Apricot Ranch		16		Simi Valley
ARC Ventura County Vista del Monte	5957 E. Nelda Street	4	2058	Simi Valley
Archstone Simi Valley	1579 East Jefferson Way	50	2062	Simi Valley
Ashlee Manor	4583 Cochran Street	68	2033	Simi Valley
Baywood Apartments	5377 Cochran Street	25	2016	Simi Valley

Regional Analysis of Impediments to Fair Housing Choice  
Appendix B: Affordable Housing in Ventura County

# of Affordable

Name	Address	Units	Expiration	Jurisdiction
Casa de Paz Apartments	1010 Ashland Avenue	14	2056	Simi Valley
The Classics		34		Simi Valley
Courtyard Apartments	1745 Patricia Avenue	5	2015	Simi Valley
Creekside Apartments	1504 Patricia Avenue	80	2015	Simi Valley
Harmony Terrace	905 Sunset Garden Lane	134	2055	Simi Valley
Haven at Tapo Street	2245 Tapo Street	35	2063	Simi Valley
Heywood Gardens	1770 Heywood Street	74	2034	Simi Valley
Heywood Place Apartments	1765 Heywood Street	4	2018	Simi Valley
Hidden Valley Apartments	5065 Hidden Park Courth	81	2054	Simi Valley
Hillview Apartments	1791 Patricia Avenue	4	2060	Simi Valley
Indian Oaks Apartments	5555 Cochran Street	51	2015	Simi Valley
Kuehner Homes		11		Simi Valley
La Rahada Apartments	1036 Ashland Avenue	8		Simi Valley
Las Serenas	2090 Yosemite Avenue	107	2049	Simi Valley
Paseo de Las Flores	West side of Stearns, 200 ft. South of Los Angeles Avenue	27	2059	Simi Valley
Patricia Village	1561 Patricia Avenue	35	2019	Simi Valley
Pattywood Place	1788 Patricia Avenue	4	2060	Simi Valley
Pepper Tree Court	1415 Patricia Avenue	22	2018	Simi Valley
Plaza del Sol Apartments	4231 Alamo Street	34	2059	Simi Valley
Regency	1580 Yosemite Avenue	22	2016	Simi Valley
Runkle Canyon	End of Sequoia Avenue at the canyon	62		Simi Valley
Seasons	1662 Rory Lane	68	2055	Simi Valley
Shadow Ridge Apartments	1987 Ridgegate Lane	69	2014	Simi Valley
Sorrento Villas	415 Country Club Drive	146	2054	Simi Valley
The Verandas		30		Simi Valley
The Villas at Wood Ranch	241 Country Club Drive	101	2011	Simi Valley
Vintage Paseo	2970 Tapo Canyon Road	176	2059	Simi Valley
Westgate	1850 Williams Avenue	18	2018	Simi Valley
Wood Ranch Seniors	190 Tierra Rejada Road	14		Simi Valley
<b>Total</b>		<b>1,707</b>		
Airroyo Villa Apartments	1600 Rancho Canejo Boulevard	40	2025	Thousand Oaks
Bella Vista Apartments	2011-2025 Los Feliz Drive	72	2060	Thousand Oaks
Conejo Future Apartments	130 Brazil Street	90	Perpetuity	Thousand Oaks
Esseff Village	1425 Thousand Oaks Boulevard	51	2031	Thousand Oaks
Hacienda de Feliz	2096 Los Feliz Drive	25	2058	Thousand Oaks
Mount Clef Apartments	12 McAfee	3	2047	Thousand Oaks

Regional Analysis of Impediments to Fair Housing Choice  
 Appendix B: Affordable Housing in Ventura County

# of Affordable				
Name	Address	Units	Expiration	Jurisdiction
Richmond Terrace	760 Warwick Drive	27	2059	Thousand Oaks
Schillo Gardens	2849 Los Robles Road	29	2017	Thousand Oaks
Shadow Apartments	1949 Los Feliz Drive	101	2060	Thousand Oaks
Shadow Hills	227 Wilbur Road	148	2062	Thousand Oaks
Villa Garcia	1419 Thousand Oaks Boulevard	80	2030	Thousand Oaks
<b>Total</b>		<b>666</b>		
Colina Vista	424 Main Street	11	2052	Unincorporated County
Palm Gardens Apartments	3607-10 Telegraph Road	3	2023	Unincorporated County
Valle Naranjal	4268 Center Street	11	2062	Unincorporated County
<b>Total</b>		<b>25</b>		
Garden Estates	80 S. Garden Street	26	2013	Buenaventura
Ventura Terrace	6600 Telephone Road	97	2011	Buenaventura
Silvercrest	750 S. Petit Avenue	74	2011	Buenaventura
Kalorama Apartments	167 S. Kalorama Apartments	24	2014	Buenaventura
Rose Garden	123 S. Ventura Avenue	14	2019	Buenaventura
Casa de Anza	612 N. Ventura Avenue	14	2013	Buenaventura
Cypress Meadows	1405 Cypress Point Lane	104	2023	Buenaventura
Chapel Lane	11122 Snadragon Street	38	2060	Buenaventura
Weston Colony	1024 Britten Lane	33	2016	Buenaventura
230-242 Ramona	242 W. Ramona Street	4	2019	Buenaventura
72-82 Ramona	82 W. Ramona Street	3	2020	Buenaventura
152-162 Bell Way	152 Bell Way	2	2019	Buenaventura
664 Riverside	664 Riverside Street	2	2015	Buenaventura
<b>Total</b>		<b>435</b>		
<b>PUBLIC HOUSING</b>				
Bradford Apartments	131 W. Ponderosa Road	27	Perpetuity	Camarillo
Ellis Terrace	1021-1051 Temple Avenue	27	Perpetuity	Camarillo
Meadowbrook	610 Calle la Roda	15	Perpetuity	Camarillo
Mira Vista Village	2700 Ponderosa	305	Perpetuity	Camarillo
Raemere Street Duplexes	92 & 94 Raemere Street	2	Perpetuity	Camarillo
<b>Total</b>		<b>376</b>		
Tafoya Terrace	344 Charles Street	31	Perpetuity	Moorpark
<b>Total</b>		<b>31</b>		
Grand Avenue Apartments	210 N. Grand Avenue	5	Perpetuity	Ojai

Regional Analysis of Impediments to Fair Housing Choice  
Appendix B: Affordable Housing in Ventura County

# of Affordable

Name	Address	Units	Expiration	Jurisdiction
Summer Street Apartments	211 E. Summer Street	10	Perpetuity	Ojai
Whispering Oaks	999 E. Ojai Avenue	101	Perpetuity	Ojai
<b>Total</b>		<b>116</b>		
Althea Court	1341-1387 Althea Court	20	Perpetuity	Oxnard
Colonia Village	300 N. Marquita	430	Perpetuity	Oxnard
Concord Drive	2940-3026 Concord Drive	20	Perpetuity	Oxnard
Cuesta del Mar	640-666 Cuesta Del Mar	12	Perpetuity	Oxnard
Fashion Park	230-257 Fashion Park Place	24	Perpetuity	Oxnard
Fremont Way	1330-1356 Fremont Way	12	Perpetuity	Oxnard
Hill Street	215-237 Hill Street	12	Perpetuity	Oxnard
Palm Vista	801 South "C" Street	100	Perpetuity	Oxnard
Plaza Vista	401 South "C" Street	50	Perpetuity	Oxnard
Pleasant Valley Village	510 Squires Road	100	Perpetuity	Oxnard
<b>Total</b>		<b>780</b>		
Housing Authority	157 E. Scott Street	60	Perpetuity	Port Hueneme
Housing Authority	118 Willowbrook Drive	30	Perpetuity	Port Hueneme
<b>Total</b>		<b>90</b>		
Peppertree Apartments	4214 Los Angeles Avenue	12	Perpetuity	Simi Valley
<b>Total</b>		<b>12</b>		
Fiore Gardens	220-480 Hillcrest Drive	50	Perpetuity	Thousand Oaks
Florence Janss	190-210 Brazil Street	64	Perpetuity	Thousand Oaks
Glenn Oaks	145 E. Wilbur Road	45	Perpetuity	Thousand Oaks
Leggett Court	1824-1884 Los Feliz Drive	49	Perpetuity	Thousand Oaks
Los Arboles	801-886 Calle Haya	43	Perpetuity	Thousand Oaks
Oak Creek Senior Villas	367 E. Thousand Oaks Boulevard	57	Perpetuity	Thousand Oaks
Royal Oaks	3210-3214 Royal Oaks	5	Perpetuity	Thousand Oaks
Sunset Villas	90, 100, & 110 Sunset Drive	11	Perpetuity	Thousand Oaks
<b>Total</b>		<b>324</b>		
Roth Apartments	290 E. Roblar Drive	34	Perpetuity	Thousand Oaks
Summerwind Apartments	3807 E. Telegraph Road	15	Perpetuity	Thousand Oaks
<b>Total</b>		<b>49</b>		
	206 E. Kellogg Street	1	Perpetuity	Buenaventura
	218 Kellogg Street	1	Perpetuity	Buenaventura
	3157 Channel Drive	1	Perpetuity	Buenaventura
	3158 Channel Drive	1	Perpetuity	Buenaventura
	8806 N. Bank Drive	2	Perpetuity	Buenaventura
	3772 Birch Street	2	Perpetuity	Buenaventura

# of Affordable

Name	Address	Units	Expiration	Jurisdiction
Buena Vida Apartments	9050 Telephone Road	95	Perpetuity	Buenaventura
	1325 Cachuma Avenue	1	Perpetuity	Buenaventura
Cambria Apartments	60 Cambria Avenue	20	Perpetuity	Buenaventura
Daisy Apartments	10540 Daisy Drive	20	Perpetuity	Buenaventura
	10373 Darling Road	1	Perpetuity	Buenaventura
	239 S. Dos Caminos Street	1	Perpetuity	Buenaventura
	1330 Elsinore Avenue	1	Perpetuity	Buenaventura
Gregory Garden Apartments	9620 Telephone Road	51	Perpetuity	Buenaventura
	135 Harding Avenue	1	Perpetuity	Buenaventura
	217-233 W. Harrison Avenue	4	Perpetuity	Buenaventura
Hemlock Apartments	103 S. Hemlock Street	4	Perpetuity	Buenaventura
	372 Hurt Avenue	1	Perpetuity	Buenaventura
Jamestown Apartments	9808 Jamestown Street	20	Perpetuity	Buenaventura
	10408 Jamestown Street	1	Perpetuity	Buenaventura
	32 N. Joanne Avenue	4	Perpetuity	Buenaventura
	52 S. Laurel Street	8	Perpetuity	Buenaventura
	291-293 Lynn Drive	2	Perpetuity	Buenaventura
Mission Park Apartments	114-116 W. Mission Avenue	2	Perpetuity	Buenaventura
	66 S. Ventura Avenue	53	Perpetuity	Buenaventura
	325-329 W. Park Row Avenue	4	Perpetuity	Buenaventura
Partridge Apartments	7995 Telephone Road	20	Perpetuity	Buenaventura
	1216 E. Santa Clara Street	28	Perpetuity	Buenaventura
	150-166 Santa Cruz Street	4	Perpetuity	Buenaventura
Sterling Apartments	1050 Partridge Drive	20	Perpetuity	Buenaventura
The Palm Apartments	137 S. Palm Street	75	Perpetuity	Buenaventura
Training for Independent Living Apts	148 S. Palm Street	16	Perpetuity	Buenaventura
Villa Pacifica Apartments	332 Valmore Avenue	1	Perpetuity	Buenaventura
Vista del Monte Apartments	1079 Johnson Drive	25	Perpetuity	Buenaventura
Westview Village Apartments	1055 Johnson Drive	25	Perpetuity	Buenaventura
	2400 N. Ventura Avenue	20	Perpetuity	Buenaventura
	6064-6074 Woodland Avenue	2	Perpetuity	Buenaventura
<b>Total</b>		<b>718</b>		

**Appendix C:  
Park Facilities in Ventura County**

## Appendix C: Park Facilities in Ventura County

Name	Jurisdiction	Acreage	Low/Mod
Adolfo park	Camarillo	2.8	
Arneill Ranch Park	Camarillo	4.9	
Camarillo Grove County Park	Camarillo	40.9	
Camino Real Park	Camarillo	50.0	
Dizdar Park	Camarillo	2.4	
Dos Caminos Park	Camarillo	4.9	
Freedom Park	Camarillo	32.5	
Lokker Park	Camarillo	5.0	
Mission Oaks Community Park	Camarillo	35.8	
Mission Verde Park	Camarillo	44.3	
Pleasant Valley Park	Camarillo	10.7	
Quito Park	Camarillo	5.6	
Spanish Hills Park	Camarillo	55.2	
Springville Park	Camarillo	5.8	
Trailside Park	Camarillo	0.6	
Wood Creek Park	Camarillo	4.9	
Woodside Linear Park	Camarillo	14.9	
Central Park	Fillmore	5.5	
Delores Day Park	Fillmore	5.0	
Grupe Park or Meadowlark Park	Fillmore	0.5	
Kennedy Grove Park	Fillmore	16.8	
Linear Park	Fillmore	5.5	
Main Street Park	Fillmore	5.7	
Shiells Park	Fillmore	10.1	
Skate Park	Fillmore	21.4	
Arroyo Vista Community Park	Moorpark	104.4	
Campus Canyon Park	Moorpark	6.3	
Country Trail Park	Moorpark	6.8	
Happy Camp Canyon Reg Park	Moorpark	1,065.5	
Monte Vista Nature Park	Moorpark	7.1	
Mountain Meadows Park	Moorpark	8.7	
Paul Griffin Park	Moorpark	7.2	
Peach Hill Park	Moorpark	10.5	
Poindexter Park	Moorpark	8.4	
South Meadows Park	Moorpark	5.9	
Tierra Rejada Park	Moorpark	105.6	
Camp Comfort Park	Ojai	30.3	
Daly Ranch Park	Ojai	47.5	
Dennison Park	Ojai	34.6	
Libbey Park	Ojai	14.2	
Sarzotti Park	Ojai	10.1	
Soule Park	Ojai	19.0	
Back Park	Oxnard	8.5	
Borchard Oak Park	Oxnard	1.0	
Cabrillo Park	Oxnard	6.0	
Campus Park	Oxnard	30.0	
Carty Park	Oxnard	4.9	

Name	Jurisdiction	Acreege	Low/Mod
Central Park	Oxnard	4.9	
Channel View	Oxnard	0.8	
College Estates Park	Oxnard	6.5	
College Park	Oxnard	75.0	
Colonia Park	Oxnard	9.7	
Community Center Park East	Oxnard	11.0	
Community Center Park West	Oxnard	4.0	
Connelly Park	Oxnard	3.1	
(old) Del Sol	Oxnard	4.0	
Del Sol Park	Oxnard	13.5	
Durley Park	Oxnard	11.0	
East Park	Oxnard	4.5	
Eastwood Memorial Park	Oxnard	4.2	
Fremont Tot Park	Oxnard	1.5	
Garden City Acres Park	Oxnard	5.5	
Gateway Park	Oxnard	2.6	
Johnson Creek Park	Oxnard	8.5	
Kohala	Oxnard	1.1	
Lathrop Park	Oxnard	3.0	
Mandalay County Park	Oxnard	104.4	
Marina West Park	Oxnard	6.3	
McGrath State Beach	Oxnard	220.6	
Neptune Square Park	Oxnard	0.4	
Orchard Park	Oxnard	12.6	
Oxnard Beach Park	Oxnard	62.0	
Peninsula	Oxnard	3.5	
Pfeiler	Oxnard	3.2	
Plaza Park	Oxnard	2.0	
Pleasant Valley Park	Oxnard	9.7	
Public Beaches	Oxnard	15.6	
Rio del Mar Elementary	Oxnard	9.1	
Rio Lindo Park	Oxnard	8.5	
Rio Vista Middle School	Oxnard	16.5	
Sea Air Park	Oxnard	8.6	
Seabridge	Oxnard	13.6	
Sea View Park	Oxnard	6.4	
Sierra Linda Park	Oxnard	6.2	
South Winds Park	Oxnard	7.5	
South Bank Park	Oxnard	6.0	
Southwest Community Park	Oxnard	26.0	
Southwest Community Park Extension	Oxnard	5.5	
Sports Park	Oxnard	4.0	
Sports Park	Oxnard	20.0	
Swim Beach	Oxnard	3.8	
Thompson Park	Oxnard	3.0	
Via Marina Park	Oxnard	12.0	
Village Green Park	Oxnard	1.3	
Vineyard Park	Oxnard	7.0	
West Channel	Oxnard	11.7	

Name	Jurisdiction	Acreage	Low/Mod
West Village Park	Oxnard	6.0	
Westport	Oxnard	5.0	
Wilson Park	Oxnard	5.0	
Windrow Park	Oxnard	5.0	
Bard Park	Port Hueneme	21.0	
Bolker Park	Port Hueneme	4.0	
Bubbling Springs Recreational Corridor	Port Hueneme	7.0	
Dewar Park	Port Hueneme	1.1	
Janelle Park	Port Hueneme	8.9	
Port Hueneme Beach Park	Port Hueneme	87.3	
Walter B Moranda Park	Port Hueneme	16.1	
Harding Park	Santa Paula	14.5	
Las Piedras Park	Santa Paula	6.4	
Memorial Park	Santa Paula	8.7	
Mill Park	Santa Paula	5.8	
Steckel Park	Santa Paula	202.5	
Toland Park	Santa Paula	221.3	
Arroyo Park	Simi Valley	8.7	
Arroyo Simi Community Park	Simi Valley	20.1	
Arroyo Simi Equestrian Park	Simi Valley		
Atherwood Park	Simi Valley	7.5	
Berylwood Park	Simi Valley	5.5	
Big Sky Park	Simi Valley	7.5	
Challenger Park	Simi Valley	224.1	
Chumash Park and Chumash Trail	Simi Valley		
Citrus Grove Park	Simi Valley	5.4	
Corriganville Regional Park	Simi Valley	231.4	
Coyote Hills Park	Simi Valley	1.5	
Houghton Schreiber Park	Simi Valley	9.3	
Knolls Park	Simi Valley	2.8	
Lincoln Park	Simi Valley	9.9	
Mayfair Park	Simi Valley	6.4	
Oak Park	Simi Valley		
Old Windmill Park	Simi Valley	5.0	
Rancho Madera Community Park	Simi Valley	28.2	
Rancho Santa Susana Community Park	Simi Valley	43.3	
Rancho Simi Community Park	Simi Valley	36.5	
Rancho Tapo Community Park	Simi Valley	24.9	
Rocky Pointe Natural Park	Simi Valley	12.3	
Sage Ranch Park	Simi Valley		
Santa Susana Park & Historic Rail Depot	Simi Valley	17.0	
Sequoia Park	Simi Valley	14.3	
Simi Hills Neighborhood Park	Simi Valley	6.5	
Stargaze Park	Simi Valley	4.1	
Strathern Historic Park	Simi Valley	5.5	
Sycamore Canyon Park	Simi Valley	12.2	
Sycamore Park	Simi Valley	21.2	
Tapo Canyon Park	Simi Valley	205.4	
Tierra Rejada Park	Simi Valley	9.6	

Name	Jurisdiction	Acreage	Low/Mod
Verde Park	Simi Valley	9.4	
Vista del Arroyo Park	Simi Valley		
Willowbrook Park	Simi Valley		
Wood Ranch Open Space Park	Simi Valley		
Banyan Park	Thousand Oaks	7.1	
Canada Park	Thousand Oaks	11.1	
Conejo Community Park	Thousand Oaks	91.5	
Conejo Creek Park	Thousand Oaks	167.7	
Dos Vientos Neighborhood Park	Thousand Oaks	7.5	
El Parque de la Paz	Thousand Oaks	5.8	
Estrella Park	Thousand Oaks	1.7	
Evenstar Park	Thousand Oaks	3.9	
Fiore Playfield	Thousand Oaks	10.7	
Fort Wildwood Park	Thousand Oaks	6.6	
Lang Ranch Park	Thousand Oaks	5.7	
Lynn Oaks Park	Thousand Oaks	22.9	
Newbury Park	Thousand Oaks	10.4	
North Ranch Park	Thousand Oaks	12.2	
North Ranch Playfield	Thousand Oaks	15.9	
Oakbrook Neighborhood Park	Thousand Oaks	5.4	
Oakbrook Park	Thousand Oaks	60.8	
Oakbrook Regional Park	Thousand Oaks	482.3	
Old Meadows Park	Thousand Oaks	16.3	
Peppertree Playfield	Thousand Oaks	24.9	
Rancho Conejo Community Park	Thousand Oaks	14.2	
Russell Park	Thousand Oaks	10.0	
South Shore Hills Park	Thousand Oaks	4.6	
Spring Meadow Park	Thousand Oaks	7.5	
Stagecoach Inn Park	Thousand Oaks	17.8	
Suburbia Park	Thousand Oaks	2.6	
Sunset Park	Thousand Oaks	7.1	
Thousand Oaks Community Park	Thousand Oaks	31.1	
Triunfo Community Park	Thousand Oaks	20.8	
Waverly Park	Thousand Oaks	8.9	
Wendy Park	Thousand Oaks	5.1	
Wildflower Playfield	Thousand Oaks	26.2	
Wildwood Regional Park	Thousand Oaks	1,197.0	
Conejo Mountain Memorial Park	Unincorporated County	115.7	
Eagle View Park	Unincorporated County	8.0	
Emma Wood State Beach	Unincorporated County	28.0	
Feraud Park	Unincorporated County	85.4	
Grant Park	Unincorporated County	149.8	
Indian Springs Park	Unincorporated County	25.7	
Lake Casitas Recreation Area	Unincorporated County	314.2	
Mae Boyar Park	Unincorporated County	7.0	
Medea Creek Park	Unincorporated County	53.9	
Oak Canyon Community Park	Unincorporated County	131.0	
Plaza Park	Unincorporated County	4.8	
Point Mugu State Park	Unincorporated County	13,647.7	

<b>Name</b>	<b>Jurisdiction</b>	<b>Acreage</b>	<b>Low/Mod</b>
Valley View Park	Unincorporated County	9.6	
Ven-Tu Park	Unincorporated County	19.7	
Warring Park	Unincorporated County	4.5	
Arroyo Verde Park	Buenaventura	159.5	
Barranca Vista Park	Buenaventura	4.9	
Blanche Reynolds Park	Buenaventura	5.7	
Bristol Bay Linear Park	Buenaventura	18.3	
Brock Linear Park	Buenaventura	3.2	
County Square Linear Park	Buenaventura	23.6	
Foster Park	Buenaventura	264.5	
Harry Lyon Park	Buenaventura	6.3	
Hobert Park	Buenaventura	7.6	
Huntzinger Sports Complex	Buenaventura	19.5	
Juanamaria Park	Buenaventura	6.2	
Junipero Park	Buenaventura	8.8	
Mario Cannon Park	Buenaventura	5.4	
Northbank Linear Park	Buenaventura	14.6	
Olivas Park	Buenaventura	56.6	
Rancho Ventura Linear Park	Buenaventura	22.7	
Riverview Linear Park	Buenaventura	5.4	
San Buenaventura State Beach	Buenaventura	111.9	
Saticoy Park	Buenaventura	3.5	
Seaside Wilderness Park	Buenaventura	81.2	
West Park	Buenaventura	10.4	