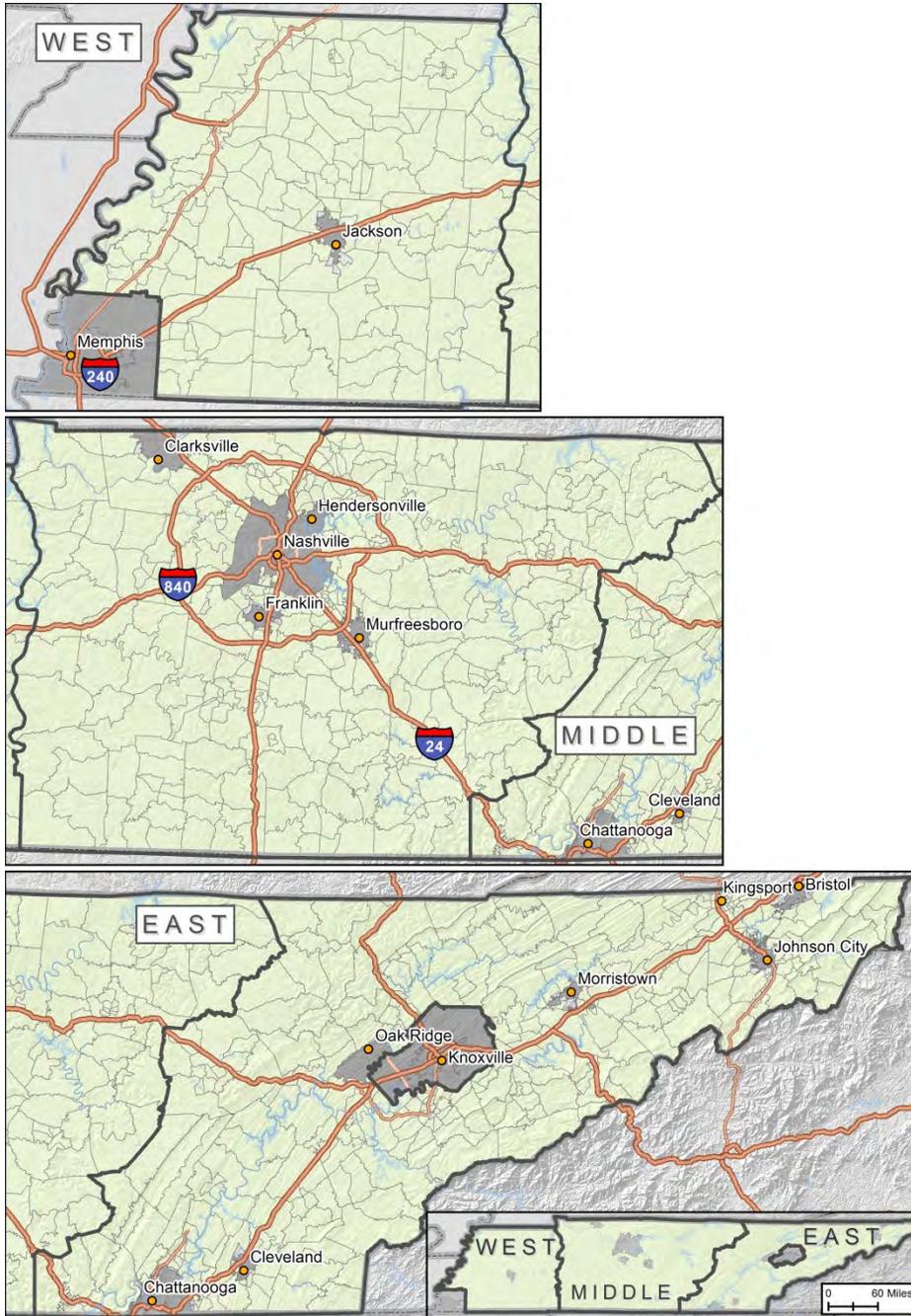


2013 TENNESSEE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE



FINAL REPORT
JULY 12, 2013

2013 TENNESSEE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

Final Report

July 12, 2013

Prepared for:

Tennessee Department of Economic and Community Development
312 Rosa L. Parks Ave., 10th Floor
Nashville, TN 37243
Phone: (615) 741-1888
Website: <http://www.tn.gov/ECD>

Prepared by:

Western Economic Services, LLC
212 SE 18th Avenue
Portland, OR 97214
Phone: (503) 239-9091
Toll Free: (866) 937-9437
Fax: (503) 239-0236
Website: <http://www.westernes.com>



If you feel you have experienced discrimination in the housing industry, please contact:

Atlanta Regional Office of FHEO
U.S. Department of Housing and Urban Development
Five Points Plaza
40 Marietta Street, 16th Floor
Atlanta, Georgia 30303-2806
(404) 331-5140
(800) 440-8091
TTY (404) 730-2654

Tennessee Human Rights Commission
Central Office
Andrew Johnson Tower
710 James Robertson Parkway, Suite 100
Nashville, Tennessee 37243-1219
(615) 741-5825
Fax (615) 253-1886
(800) 251-3589
Spanish Toll Free Line: 1-866-856-1252

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EXECUTIVE SUMMARY

A. AI PURPOSE AND PROCESS

As a requirement of receiving funds under the Community Development Block Grant (CDBG), the HOME Investment Partnerships (HOME), the Emergency Solutions Grants (ESG) program, and the Housing Opportunities for Persons With HIV/AIDS (HOPWA) program, entitlement jurisdictions must submit certification of affirmatively furthering fair housing to the U.S. Department of Housing and Urban Development (HUD) Office of Community Planning and Development (CPD). This certification must be addressed in the entitlement jurisdiction's five-year Consolidated Plan.

States and communities that receive CPD funds through a formula allocation directly from HUD, and not through a competitive process, are termed "entitlement jurisdictions." As part of the Consolidated Planning process, states and entitlement jurisdictions are required to submit to HUD certification that they are affirmatively furthering fair housing (AFFH). The AFFH certification has three parts:

1. Complete an Analysis of Impediments to Fair Housing Choice (AI),
2. Take actions to overcome the effects of any impediments identified through the analysis, and
3. Maintain records reflecting the analysis and actions taken.

In the *Fair Housing Planning Guide*, page 2-8, HUD notes that impediments to fair housing choice are:

- "Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices [and]
- Any actions, omissions, or decisions which have [this] effect."

The list of protected classes included in the above definition is drawn from the Federal Fair Housing Act, which was first enacted in 1968. However, state and local governments may enact fair housing laws that extend protection to other groups, and the AI is expected to address housing choice for these additional protected classes as well. The Tennessee Human Rights Act added creed to the State's list of protected classes.

B. PURPOSE AND METHODOLOGY

PURPOSE

The AI, as part of the AFFH certification, involves a thorough examination of a variety of sources related to housing, the fair housing delivery system, and housing transactions, particularly for persons who are protected under fair housing law. The development of an AI also includes public input and review via direct contact with stakeholders, public meetings to

collect input from citizens and interested parties, distribution of draft reports for citizen review, and formal presentations of findings and identified impediments, along with suggested actions to overcome the identified impediments.

The State of Tennessee Department of Economic and Community Development (ECD) carried out this AI to evaluate impediments to fair housing choice within the nonentitlement areas of the State.

Therefore, the purpose of this report is to determine current impediments to fair housing choice at work in the more rural areas of the State of Tennessee and to suggest actions that the State can consider in order to overcome the identified impediments. Thus, this report also represents the first step in the three-part certification process required.

METHODOLOGY

This AI was conducted through the assessment of a number of quantitative and qualitative sources. Quantitative sources used in analyzing fair housing choice in the State included:

- Socio-economic and housing data from the U.S. Census Bureau,
- Employment data from the U.S. Bureau of Labor Statistics,
- Economic data from the U.S. Bureau of Economic Analysis,
- Investment data from the Community Reinvestment Act,
- Home loan application data from the Home Mortgage Disclosure Act, and
- Housing complaint data from HUD and the Tennessee Human Rights Commission.

Qualitative research included evaluation of relevant existing fair housing research and fair housing law cases from within the State of Tennessee. Additionally, this research involved the evaluation of information gathered from several public input opportunities conducted in relation to this AI. This included the 2013 Fair Housing Survey of 858 stakeholders throughout the State, conducted from February through April of 2013 to investigate fair housing issues in the private and public sectors. Responses to the survey are separated for the nonentitlement areas of the State and included in the main body of this document, and responses from the entitlement areas are tabulated and presented in **Appendix F**.

Also included were three forums held in the State of Tennessee the week of March 18, 2013 to allow public input and reaction to preliminary findings of the AI.

Ultimately, a list of potential impediments was drawn from these sources and further evaluated based on HUD's definition of impediments to fair housing choice, as presented on the previous page. Potential impediments to fair housing choice present within the State of Tennessee were identified, along with actions for the State's jurisdictions to consider for overcoming or ameliorating the possible impediments.

HOLISTIC APPROACH

This AI reviews both the public and private sector contexts for the State's housing markets, in order to determine the effects these forces have on housing choice. As part of that review,

analysis of demographic, economic, and housing data provide background context for the environments in which housing choices are made. Demographic data indicate the sizes of racial and ethnic populations and other protected classes; economic and employment data show additional factors in influencing housing choice; and counts of housing by type, tenure, quality, and cost indicate the ability of the housing stock to meet the needs of the State's residents.

This contextual review of the factors that influence housing choice is essential to a holistic analysis that covers the variety of challenges that State of Tennessee residents may face while exercising a housing choice. Once this contextual background analysis has been performed, detailed review of fair housing laws, cases, studies, complaints, and public involvement data can be more thoroughly analyzed and interpreted. The structure provided by local, state, and federal fair housing laws shapes the complaint and advocacy processes available in the State, as do the services provided by local, state, and federal agencies. Private sector factors in the homeownership and rental markets, such as home mortgage lending practices, have substantive influence on fair housing choice. While the State's jurisdictions may not have the influence or resources to fully address such issues, the analysis provided in this AI assists with the recognition and consideration of potential private sector barriers. In the public sector, policies and codes of local governments and a limited location of affordable rental units can significantly affect the housing available in each area, as well as neighborhood and community development trends.

Complaint data and public involvement feedback further help define problems and possible impediments to housing choice for persons of protected classes, and confirm suspected findings from the contextual and supporting data. Combined, these diverse sets of data provide a robust analysis identifying impediments to fair housing choice for State of Tennessee residents.

Alone, findings from any one of the following sources do not undeniably indicate the existence of an impediment to fair housing choice. However, when combined with results of other AI research, prospective impediments can be found, and in some cases, additional results directly indicate the cause of an impediment to fair housing choice.

C. OVERVIEW OF FINDINGS

SOCIO-ECONOMIC CONTEXT

Analysis of demographic, economic, and housing data provides information about the level and results of past housing locational choices. Demographic data indicate the sizes of populations and several protected classes; economic and employment data show economic factors; and counts of housing by type, tenure, quality, and cost indicate the ability of the housing stock to meet the needs of the State's nonentitlement area residents.

According to the Census Bureau, between 2000 and 2011, the population in the nonentitlement areas of the State of Tennessee grew from 3,179,586 to 3,558,774 persons, or by 11.9 percent. Data for population by age showed that the State's population slowly shifted

to represent more persons over the age of 55, although the age groups with the largest populations comprised persons aged 5 to 19 and 35 to 54.

Census Bureau data showed that since 2000, the racial and ethnic composition of the nonentitlement areas of the State also changed slightly. While the white and black populations increased the least, by 9.7 and 12.7 percent, respectively, between 2000 and 2010, all other racial and ethnic minorities showed much larger increases in population share. Asian, Hispanic, two or more races, and “other” groups all showed percentage increases of more than 87 percent. Further evaluation of Hispanic population data, in geographic terms, showed increases in the concentration of this group in Census tracts in several rural areas in the State from 2000 to 2010.

Economic data for the State of Tennessee demonstrate the impact of the recent recession. Data from the BLS showed that while the labor force—defined as persons either working or looking for work—did not increase significantly from 2000 to 2011, employment figures declined more dramatically after 1999 and again after 2007. As a result, the overall unemployment rate had increased to 9.7 percent by 2012. Data from the BEA showed that average earnings per job in the State of Tennessee decreased from 2004 to 2009 but increased after that point.

The poverty rate in the nonentitlement areas of the State was 15.9 percent, as reported in the 2011 ACS, compared to 12.7 percent in 2000. Elevated concentrations of poverty may be a concern.

The number of housing units in nonentitlement areas of the State increased by 15.9 percent between 2000 and 2010, or from 1,362,390 to 1,579,005 units. Of the housing units reported in nonentitlement areas of the State in the 2011 ACS, 74.7 percent were single-family units and 16.2 were mobile homes. The 2010 Census showed that 87.7 percent of units were occupied; of these, 75.3 percent were owner-occupied and 24.7 percent were renter-occupied. Of the 128,978 unoccupied housing units counted in nonentitlement areas of the State of Tennessee in 2000, 39,449 were “other vacant” units, which are not available to the marketplace. However, data from the 2010 Census showed that the percentage of this type of unit increased by 64.01 percent, to 64,701 units. However, these “other vacant” units, if located in close proximity to one another, may have a blighting influence.

At the time of the 2000 Census, 1.6 percent of households were overcrowded; this housing problem was more common in renter households than in owner households. In 2000, .8 and .6 percent of all households were lacking complete plumbing or kitchen facilities, respectively, and the number of households with incomplete kitchen facilities had increased in more recent data. Additionally, in 2000, 13.0 percent of households had a cost burden and 8.6 percent of households had a severe cost burden, and 2011 data showed that both of these percentages had increased considerably since that point.

Average rental costs were highest in surrounding the Davidson County metropolitan area and other large cities, as shown in geographic maps. The highest median home values for owner-occupied homes were more concentrated in the Davidson County/Williamson County area.

REVIEW OF FAIR HOUSING LAWS, STUDIES, AND CASES

A review of laws, studies, cases, and related materials relevant to fair housing in the State of Tennessee demonstrated the complexity of the fair housing landscape. The fair housing laws in the State of Tennessee offer protections beyond the scope of the Federal Fair Housing Act to protect persons based on creed. Review of fair housing cases in nonentitlement areas of the State of Tennessee revealed discriminatory practices in the rental markets related to disability and familial status. Occasionally, there may have been community resistance to the production of affordable housing.

FAIR HOUSING STRUCTURE

A review of the fair housing profile in nonentitlement areas of the State of Tennessee revealed that several organizations provide fair housing services on the federal, state, and local levels. They all provide outreach and education, complaint intake, and testing and enforcement activities for both providers and consumers of housing. These organizations include HUD, the Tennessee Human Rights Commission, West Tennessee Legal Services, and the Tennessee Fair Housing Council.

FAIR HOUSING IN THE PRIVATE SECTOR

Evaluation of the private housing sector included review of home mortgage loan application information, small business lending practices, fair housing complaint data, and results from the private sector section of the 2013 Fair Housing Survey.

HMDA data were used to analyze differences in home mortgage application denial rates in nonentitlement areas of the State of Tennessee by race, ethnicity, sex, income, and Census tract. Evaluation of home purchase loan applications from 2004 through 2011 showed that there were 318,160 loan originations and 95,366 denials, for an eight-year average loan denial rate of 23.1 percent. Denial rates were highest in 2011, at 29.7. These HMDA data also showed that American Indian, black, and Hispanic applicants experienced higher rates of loan denials than white or Asian applicants, even after correcting for income. Further, these more frequently denied racial and ethnic groups tended to be more disproportionately impacted in some specific areas of the State.

Analysis of originated loans with high annual percentage rates showed that black and Hispanic populations were also disproportionately issued these types of lower-quality loan products. Black borrowers experienced a rate nearly twice that of white applicants, for example. With high proportions of low quality, high-annual percentage rate loans being issued to these particular groups, the burden of foreclosure tended to fall more heavily upon them.

Analysis of data from the CRA, which is intended to encourage investment in low- and moderate-income areas, showed that business loans did not tend to be directed toward the areas with higher-poverty concentrations in the nonentitlement areas of the State of Tennessee as commonly as they were toward more moderate-income areas.

Fair housing complaint data was requested from HUD and the THRC. HUD data showed that 572 fair housing–related complaints were filed in the State from 2004 through February of 2013. The number of complaints filed with this agency varied by year, ranging from 36 to 96. The protected classes most impacted by discrimination, based on the 111 successfully conciliated complaints, were disability and race, and the most common complaint issues related to:

- Discriminatory terms, conditions, or privileges relating to rental;
- Discriminatory acts under Section 818;
- Failure to make reasonable accommodation; and
- Discriminatory terms, conditions, privileges, or services and facilities.

Complaints filed with the THRC showed that of the 30 complaints where cause for discrimination was found, the most common bases were for disability and family status. The most common issues for these complaints closely matched the issues found commonly in complaints filed with HUD.

Results from the private sector portion of the 2013 Fair Housing Survey, conducted from February to April of 2013 as part of the AI process, showed that some respondents saw possible issues of housing discrimination in the nonentitlement areas of the State of Tennessee’s private housing sector. Issues described by respondents regarding the rental markets suggested that some landlords discriminate based on race, color, and sex. In the home sales and lending markets, respondents noted lack of accessible design for persons with disabilities and discrimination based on race or ethnicity.

FAIR HOUSING IN THE PUBLIC SECTOR

The status of AFFH within the nonentitlement areas of the State of Tennessee’s public sector was evaluated through review of the location of publicly assisted housing, interviews with several cities and their policies and practices; and the results of the public sector section of the 2013 Fair Housing Survey.

Evaluation of the distribution of housing vouchers, HUD-assisted rental properties, and other affordable housing in the State demonstrated that these assisted housing options were relatively widely distributed, and tended to be concentrated in areas other than those with the highest poverty rates.

An analysis of the policies and codes of many of the State’s largest nonentitlement cities showed that all of these jurisdictions have in place some basic housing definitions such as “dwelling unit” and “family,” but most tend to be restrictive and may not be in the spirit of AFFH. Few communities define “disability” in their codes and or have policies in place to offer options for persons in need of modifications to policies for reasonable accommodation. However, housing for seniors and group housing are not consistently addressed in local codes, despite being accommodated in State codes. Some communities lack fair housing ordinances. Across the array of communities contacted, a wide variety of policies and practices exist, several of which are not in the spirit of AFFH and may unwittingly discriminate against several

groups. A more complete, consistent, and uniform approach could greatly benefit these communities in the nonentitlement areas of the State.

Results from the public sector section of the 2013 Fair Housing Survey revealed that few respondents in nonentitlement areas of the State of Tennessee believe there are problematic practices or policies within the public sector. However, of those that did, some noted land use policies and zoning laws that particularly impact protected class populations, and others suggested that public transit services are lacking.

PUBLIC INVOLVEMENT

Public involvement opportunities were an intrinsic part of the development of this AI. Activities included the 2013 Fair Housing Survey to evaluate current fair housing efforts and the three fair housing forums wherein citizens were offered the chance to comment on initial findings of the AI and offer feedback on prospective impediments.

Results of the 2013 Fair Housing Survey showed that the majority of respondents felt that fair housing laws are useful, whereas some respondents were not familiar with fair housing law and few respondents showed familiarity with the classes of persons protected by fair housing law in the State. Many respondents were not aware of appropriate venues to which to refer a victim of housing discrimination. Of the respondents who answered the question, many noted the need for increased fair housing education and outreach activities, and a moderate need was indicated for increased fair housing testing activities.

The public forums held in Jackson, Knoxville, and Nashville in March of 2013 allowed citizens and agencies to voice concerns about barriers to fair housing choice. Comments received at these forums focused on housing availability, particularly for seniors and disabled persons, as well as some neighborhood- and city government-level resistance to such housing.

D. IMPEDIMENTS TO FAIR HOUSING CHOICE AND SUGGESTED ACTIONS

The *2013 Tennessee Analysis of Impediments to Fair Housing Choice* uncovered several potential issues regarding fair housing in the State. Identification of these items as probable impediments to fair housing choice was based on HUD's definition of impediments as actions, omissions, or decisions that restrict housing choice due to protected class status or actions, omissions, or decisions that have this effect. The identified impediments are supported by evidence uncovered during the AI process, with impediments of higher need being those identified in multiple sources.

These probable impediments are presented on the following pages for the nonentitlement areas of the State of Tennessee. They are accompanied by suggested actions that the jurisdictions in the State may implement in order to alleviate or eliminate these impediments, and are accompanied by measurable objectives. The goal of these actions and measurable objectives is to assist these agencies in offering greater housing choice for all citizens of the State of Tennessee.

The actions and measurable objectives identified for each impediment are aimed to address and ameliorate the effects of the possible barrier to fair housing choice, to the fullest of the jurisdictions' abilities. On page 12, following the list of private and public sector impediments, is a matrix documenting the impediment, data source that indicated its existence, protected classes most affected, and ranking of need for action. Level of need for action was determined based on the number of data sources that identified each impediment, as follows:

- 1 source: Low need
- 2 sources: Medium need
- 3 sources: High need

IMPEDIMENTS, SUGGESTED ACTIONS, AND MEASURABLE OBJECTIVES

Private Sector

Impediment 1: Discriminatory terms, conditions, privileges, or services and facilities in the rental markets. The existence of this impediment was suggested in the fair housing law, study, and case review; HUD and THRC complaint data; answers to the 2013 Fair Housing Survey, and comments received at the Fair Housing Forums.

Action 1.1: Continue to educate landlords and property management companies about fair housing law

Measurable Objective 1.1: Increase number of outreach and education activities conducted

Action 1.2: Continue to educate housing consumers in fair housing rights

Measurable Objective 1.2: Increase number of outreach and education activities conducted

Action 1.3: Enhance audit and testing activities and document the outcomes of tests

Measurable Objective 1.3: Increase number of testing activities conducted

Impediment 2: Discriminatory acts under Section 818 (coercion, etc.). The existence of this impediment was suggested in the review of complaints filed with HUD and the THRC; it was the second most common complaint filed with these agencies.

Action 2.1: Continue to educate landlords and property management companies about fair housing law

Measurable Objective 2.1: Increase number of outreach and education activities conducted

Action 2.2: Continue to educate housing consumers in fair housing rights

Measurable Objective 2.2: Increase number of outreach and education activities conducted

Action 2.3: Enhance audit and testing activities and document the outcomes of tests

Measurable Objective 2.3: Increase number of testing activities conducted

Impediment 3: Failure to make reasonable accommodation or modification. The existence of this impediment was suggested in the fair housing law, study, and case review; HUD and THRC complaint data; answers to the 2013 Fair Housing Survey, and comments received at the Fair Housing Forums, particularly in regard to persons with disabilities.

Action 3.1: Enhance audit and testing activities and document the outcomes of tests

Measurable Objective 3.1: Increase number of testing activities conducted

Action 3.2: Educate housing providers about requirements for reasonable accommodation or modification

Measurable Objective 3.2: Increase number of training sessions conducted

Impediment 4: Discriminatory patterns in home purchase loan denials. Evidence of this impediment was seen in the HMDA data, which indicated higher denial rates among racial and ethnic minorities, even when correcting for income, as well as higher denial rates for women applicants. It was also suggested in answers to the 2013 Fair Housing Survey and comments received at the Fair Housing Forums.

Action 4.1: Educate buyers through credit counseling and home purchase training

Measurable Objective 4.1: Increase number of outreach and education activities conducted

Action 4.2: Educate lenders and developerst counseling and training

Measurable Objective 4.2: Increase number of outreach and education activities conducted

Impediment 5: Discriminatory patterns in predatory lending. Evidence of this impediment was seen in the HMDA data, which showed higher rates of subprime loans among black, American Indian, and Hispanic applicants. It was also suggested in answers to the 2013 Fair Housing Survey and comments received at the Fair Housing Forums.

Action 5.1: Educate buyers through credit counseling and home purchase training

Measurable Objective 5.1: Increase number of outreach and education activities conducted

Action 5.2: Educate lenders and developerst counseling and training

Measurable Objective 5.2: Increase number of outreach and education activities conducted

Impediment 6: Lack of sufficient education about fair housing law. Evidence of this impediment was seen in the 2013 Fair Housing Survey, the Fair Housing Forums, and other stakeholder feedback.

Action 6.1: Have the Tennessee Human Rights Commission develop a core outreach and education curriculum, with the assistance of other organizations that provide fair housing services, in Tennessee.

Measurable Objective 6.1: Track the consistency in fair housing messaging throughout the State of Tennessee

Action 6.2: Educate the public and housing stakeholders about fair housing law and rights of housing consumers

Measurable Objective 6.2: Increase number of outreach and education activities conducted

Action 6.3: Enhance documentation of fair housing activities conducted throughout the State

Measurable Objective 6.3: Request that the THRC provide such documentation for all activities conducted under the auspices of the core curriculum.

Public Sector

Impediment 1: Lack of local fair housing ordinances or policies. The existence of this impediment was suggested in responses to the 2013 Fair Housing Survey, the Fair Housing Forums, and in review of the largest nonentitlement cities' planning policies.

Action 1.1: Create template fair housing ordinance, resolution, policy, or other commitment to AFFH

Measurable Objective 1.1: Present policy to all prospective grantees

Action 1.2: Educate local government staff about fair housing regulations and the statewide commitment to AFFH

Measurable Objective 1.2: Increase number of education activities conducted

Action 1.3: Increase monitoring and enforcement of policies that affirmatively further fair housing choice

Measurable Objective 1.3: Increase number of monitoring and enforcement activities conducted: for example, by requesting documentation from each subgrantee incorporated with normal project monitoring and site visit activities

Impediment 2: Insufficient establishment and enforcement of building codes regarding special needs housing. The existence of this impediment was suggested in the review of codes and zoning at the largest nonentitlement cities, as well as in responses to the 2013 Fair Housing Survey.

Action 2.1: Create examples of building code policies that sufficiently provide for special needs housing such as group homes and accessible housing

Measurable Objective 2.1: Present examples to all prospective grantees

Action 2.2: Educate local government staff about fair housing regulations and the statewide commitment to AFFH

Measurable Objective 2.2: Increase number of education activities conducted

Action 2.3: Increase monitoring and enforcement of building codes of jurisdictions across the State

Measurable Objective 2.3: Increase number of monitoring and enforcement activities conducted

Impediment 3: Lack of local government understanding of duties of AFFH. The existence of this impediment was suggested in responses to the 2013 Fair Housing Survey, the Fair Housing Forums, and in review of the largest nonentitlement cities' planning policies.

Action 3.1: Educate local government staff about fair housing law and federal formula grant funding requirement to affirmatively further fair housing

Measurable Objective 3.1: Increase number of education activities conducted

Impediment 4: Lack of uniformity of codes and land use policies. The existence of this impediment was suggested in the Fair Housing Forums and in review of the largest nonentitlement cities' planning policies.

Action 4.1: Create examples of codes and land use policies that are in the spirit of AFFH

Measureable Objective 4.1: Present examples to all prospective grantees

Action 4.2: Educate local government staff about fair housing regulations and the statewide commitment to AFFH

Measurable Objective 4.2: Increase number of education activities conducted

Action 4.3: Increase monitoring and enforcement of policies that affirmatively further fair housing choice

Measurable Objective 4.3: Increase number of monitoring and enforcement activities conducted

IMPEDIMENTS MATRIX

Table ES.1
Impediments Matrix

Nonentitlement Areas of the State of Tennessee
2013 AI

Impediment		Source								Protected Classes Most Affected	Need for Action	
		Socio-Economic Data	Fair Housing Law/Study/Case Review	Review of Fair Housing Structure	HMDA Data	CRA Data	Housing Complaint Data	Fair Housing Survey	Fair Housing Forums			Other ¹
Private Sector												
1	Discriminatory terms, conditions, privileges, or services and facilities in the rental markets		X				X	X	X		All	High
2	Discriminatory acts under Section 818 (coercion, etc.)						X				All	Low
3	Failure to make reasonable accommodation		X				X				Disability	Medium
4	Discriminatory patterns in home purchase loan denials				X						Race, color, national origin, sex	Low
5	Discriminatory patterns in predatory lending				X						Race, color, national origin	Low
6	Lack of sufficient education about fair housing law							X	X	X		High
Public Sector												
1	Lack of local fair housing ordinances or policies							X	X	X	All	High
2	Insufficient establishment and enforcement of building codes regarding special needs housing							X		X	Disability	Medium
3	Lack of local government understanding of duties of AFFH							X	X	X	All	High
4	Lack of uniformity of codes and zoning policies								X	X	All	Medium

¹ Other sources of data regarding possible issues or impediments include interviews or surveys with planning staff and other government officials, geographic data from local sources, additional stakeholder feedback, and any other data sources that informed specific, focused parts of the AI.

I. INTRODUCTION

A. WHY ASSESS FAIR HOUSING?

Provisions to affirmatively further fair housing are long-standing components of the U.S. Department of Housing and Urban Development's (HUD's) housing and community development programs. These provisions come from Section 808(e) (5) of the Federal Fair Housing Act, which requires that the Secretary of HUD administer federal housing and urban development programs in a manner that affirmatively furthers fair housing.

In 1994, HUD published a rule consolidating housing and community development programs into a single planning process operated by its Office of Community Planning and Development (CPD). This action grouped the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grants (ESG) program, and Housing Opportunities for Persons with HIV/AIDS (HOPWA) programs into the Consolidated Plan for Housing and Community Development, which then created a single application cycle.²

States and communities that receive CPD funds through a formula allocation directly from HUD, and not through a competitive process, are termed "entitlement jurisdictions."³ As part of the Consolidated Planning process, states and entitlement jurisdictions are required to submit to HUD certification that they are affirmatively furthering fair housing (AFFH). The AFFH certification has three parts:

1. Complete an Analysis of Impediments to Fair Housing Choice (AI),
2. Take actions to overcome the effects of any impediments identified through the analysis, and
3. Maintain records reflecting the analysis and actions taken.

In the *Fair Housing Planning Guide*, page 2-8, HUD notes that impediments to fair housing choice are:

- "Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices [and]
- Any actions, omissions, or decisions which have [this] effect."⁴

The list of protected classes included in the above definition is drawn from the Federal Fair Housing Act, which was first enacted in 1968. However, state and local governments may enact fair housing laws that extend protection to other groups, and the AI is expected to address housing choice for these additional protected classes as well. The Tennessee Human Rights Act added creed to the State's list of protected classes.

² The Emergency Shelter Grants program was renamed the Emergency Solutions Grants program in 2011.

³ In the State of Tennessee, there are 17 entitlement jurisdictions, with the State Department of Economic and Community Development receiving formula grant funds for the remainder of the State, or the "nonentitlement areas of the State of Tennessee." The purpose of this AI is to address these areas of the State not covered by any existing entitlement AIs. The 17 entitlement areas are listed in Table I.1.

⁴ (HUD FHEO 1996) *Fair Housing Planning Guide*, Vol. 1

B. PURPOSE OF THIS RESEARCH

The AI, as part of the AFFH certification, involves a thorough examination of a variety of sources related to housing, the fair housing delivery system, and housing transactions, particularly for persons who are protected under fair housing law. The development of an AI also includes public input and review via direct contact with stakeholders, public meetings to collect input from citizens and interested parties, distribution of draft reports for citizen review, and formal presentations of findings and identified impediments, along with suggested actions to overcome the identified impediments.

The State of Tennessee Department of Economic and Community Development (ECD) carried out this AI to evaluate impediments to fair housing choice within the nonentitlement areas of the State.

Therefore, the purpose of this report is to determine current impediments to fair housing choice at work in the more rural areas of the State of Tennessee and to suggest actions that the State can consider in order to overcome the identified impediments. Thus, this report also represents the first step in the three-part certification process required.

HUD interprets the broad objectives of AFFH to also include:

- “Analyzing and working to eliminate housing discrimination in the jurisdiction;
- Promoting fair housing choice for all persons;
- Providing opportunities for racially and ethnically inclusive patterns of housing occupancy;
- Promoting housing that is physically accessible to, and usable by, all persons, particularly individuals with disabilities; and
- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act.”⁵

C. LEAD AGENCY

The State of Tennessee ECD was the lead agency for the preparation of the *2013 Tennessee Analysis of Impediments to Fair Housing Choice*. Western Economic Services, LLC, a Portland, Oregon-based consulting firm specializing in analysis and research in support of housing and community development planning, prepared this AI.

COMMITMENT TO FAIR HOUSING

In accordance with the applicable statutes and regulations governing the Consolidated Plan, the State certifies that it will affirmatively further fair housing. This statement means that it has conducted an AI, will take appropriate actions to overcome the effects of any impediments identified through that analysis, and will maintain records that reflect the analysis and actions taken in this regard.

⁵ (HUD FHEO 1996) *Fair Housing Planning Guide*, Vol. 1

D. GEOGRAPHIC SCOPE OF THE ANALYSIS

This AI addresses the status of fair housing within the nonentitlement areas of the State of Tennessee. Data for the 15 entitlement cities and two entitlement counties are excluded from the analysis contained in this report.

Table I.1 shows the populations of these communities in comparison to the population of the nonentitlement areas of the State in 2010. As shown, the population of the entire State of Tennessee was 6,346,105 in 2010 and the population of the nonentitlement areas was 3,558,774.

Map I.1 shows the nonentitlement areas of the State of Tennessee and the boundaries of Census tracts within those areas.

E. RESEARCH METHODOLOGY

The AI process evaluating information from many sources related to housing, particularly for persons who are protected under fair housing laws. These sources include Census data, employment and income information, home mortgage application data, business lending data, fair housing complaint information, surveys of housing industry experts and stakeholders, and related information found in the public domain. Relevant information was collected and evaluated via four general approaches:

- *Primary research*, or the collection and analysis of raw data that did not previously exist;
- *Secondary research*, or the review of existing data and studies;
- *Quantitative analysis*, or the evaluation of objective, measurable, and numerical data; and
- *Qualitative analysis*, or the evaluation and assessment of subjective data such as individuals' beliefs, feelings, attitudes, opinions, and experiences.

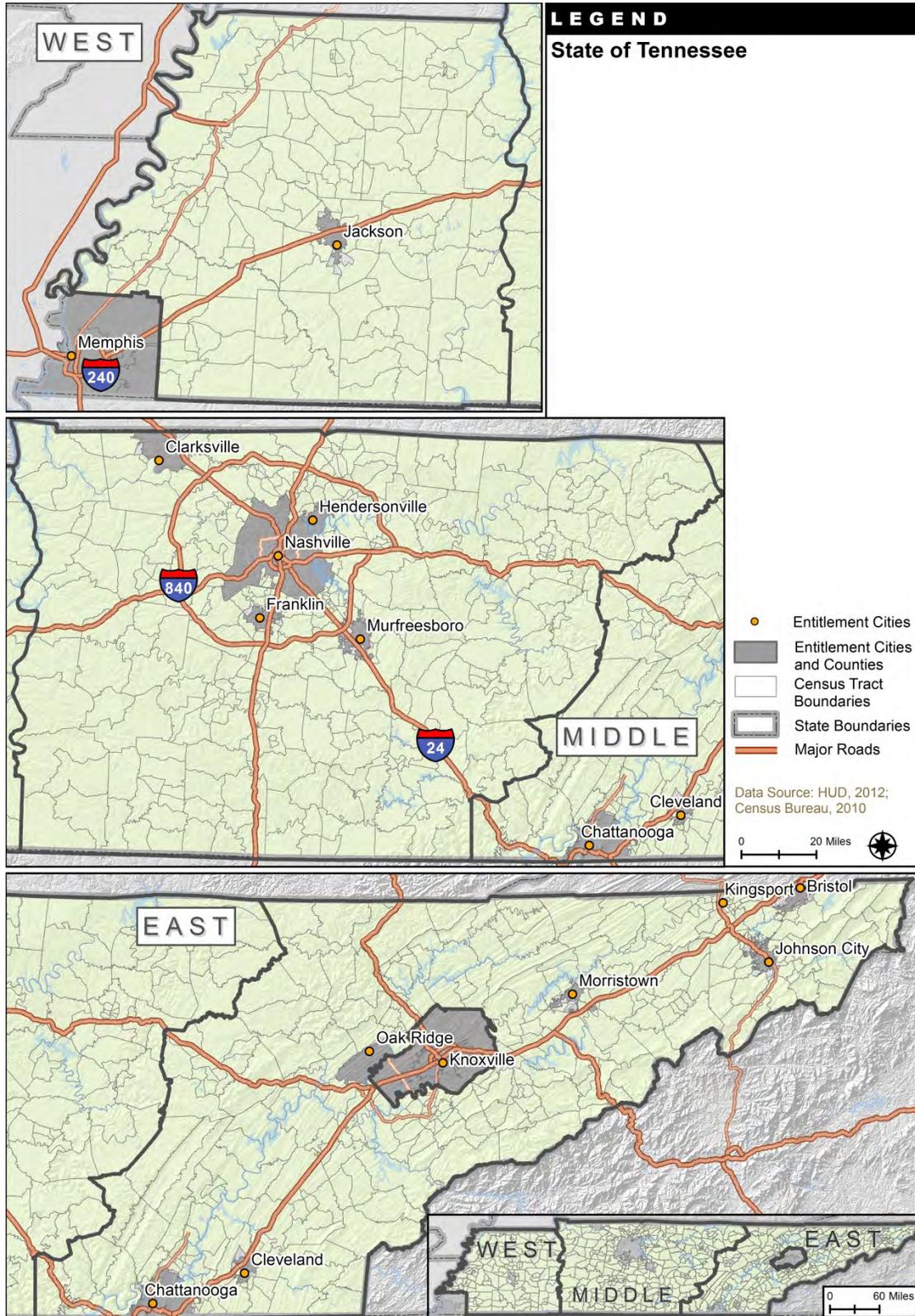
SOCIOECONOMIC DATA

Some baseline secondary and quantitative data were drawn from the Census Bureau, including 2000 and 2010 Census counts, as well as American Community Survey data averages from 2007 through 2011. Data from these sources included population, personal income, poverty, housing units by tenure, cost burdens, and housing conditions. Other data were drawn from records provided by the Bureau of Labor Statistics, the Bureau of Economic Analysis, and a variety of other sources.

Table I.1
Entitlement Areas by Population
State of Tennessee
2010 Census SF1 Data

Community	Population
Entitlement Cities	
Bristol city	26,702
Chattanooga city	167,674
Clarksville city	132,929
Cleveland city	41,285
Franklin city	62,487
Hendersonville city	51,372
Jackson city	65,211
Johnson City	63,152
Kingsport city	48,205
Knoxville city	178,874
Memphis city	646,889
Morristown city	29,137
Murfreesboro city	108,755
Nashville-Davidson metropolitan government (balance)	601,222
Oak Ridge city	29,330
Entitlement Counties	
Knox County	432,226
Shelby County	927,644
Nonentitlement Areas of Tennessee	
Tennessee	6,346,105

Map I.1
State of Tennessee
 Nonentitlement Areas of the State of Tennessee
 2010 Census Bureau Data



FAIR HOUSING CHOICE IN THE PRIVATE SECTOR

Home Mortgage Disclosure Act Data

To examine possible fair housing issues in the home mortgage market, Home Mortgage Disclosure Act (HMDA) data were analyzed. The HMDA was enacted by Congress in 1975 and has since been amended several times. It is intended to provide the public with loan data that can be used to determine whether financial institutions are serving the housing credit needs of their communities and to assist in identifying possible discriminatory lending patterns. HMDA requires lenders to publicly disclose the race, ethnicity, and sex of mortgage applicants, along with loan application amounts, household income, the Census tract in which the home is located, and information concerning prospective lender actions related to the loan application. For this analysis, HMDA data from 2004 through 2011 were analyzed, with the measurement of denial rates by Census tract and by race and ethnicity of applicants the key research objectives. These data were also examined to identify the groups and geographic areas most likely to encounter higher denial rates and receive loans with unusually high interest rates.

Fair Housing Complaint Data

Housing complaint data were used to analyze discrimination in the renting and selling of housing. HUD provided fair housing complaint data for the State from January of 2004 through February of 2013. This information included the basis, or protected class pursuant to the complaint; the issue, or prospective discriminatory action, pursuant to the grievance; and the closure status of the alleged fair housing infraction, which relates to the result of the investigation. The review of 572 fair housing complaints from within the State allowed for inspection of the tone, the relative degree and frequency of certain types of unfair housing practices, and the degree to which complaints were found to be with cause. The Tennessee Human Rights Commission also provided housing complaint and intake information for 180 complaints from the same period. Analysis of complaint data focused on determining which protected classes may have been disproportionately impacted by housing discrimination based on the number of complaints, while acknowledging that many individuals may be reluctant to step forward with a fair housing complaint for fear of retaliation or similar repercussion.

FAIR HOUSING IN THE PUBLIC SECTOR

Public Services

Community features, including public services and facilities, are essential parts of good neighborhoods, leading to a more desirable community and more demand for housing in these areas. Conversely, lack of public services and facilities may be detrimental to neighborhoods. The AI evaluated the location of assisted and public housing compared to racial and ethnic concentrations, to evaluate whether such concentrations correlated with overconcentrations in poverty.

Local Land Use Planning

This State of Tennessee AI also reviews public sector land use policies and codes to evaluate any potential effects of public sector practices and policies that may not be in the spirit of AFFH.

Nonentitlement Community Land Use Planning Interviews

Policies relating to housing development, special needs housing, and fair housing choice were addressed for nonentitlement jurisdictions in the State of Tennessee in order to evaluate the public sector environment for a variety of housing types, including affordable housing, mixed-use housing, senior housing, and group homes. Because the policy environment of a jurisdiction can have an effect on the type and quantity of housing built, in order to affirmatively further fair housing choice for all residents, local governments should consider the effects and implications of their regulations.

In the State's many nonentitlement cities and counties, public sector policies were evaluated through the 2013 Tennessee Land Use Planning Interviews, which were implemented over the phone with planning, community development, building, and other staff from the State's 40 largest nonentitlement cities. The initial list of communities is presented at right. While some of the smaller communities were not in a position to effectively participate, the overriding purpose of the interviews was to gain insight into common zoning and planning ordinances, practices, and policies occurring in the non-entitled areas of Tennessee and if they might be construed as not in the spirit of AFFH. The telephone interview instrument was not designed to single out any one community, but to sow together difficulties that span a number of jurisdictions and learn what might be accomplished through a more uniform and consistent approach. Survey questions related to several commonly defined practices and terms, such as:

- Definitions of "dwelling unit" and "family";
- Occupancy standards;
- Definitions of "disability";
- Development standards for housing for persons with disabilities;
- Programs or practices relating to the development of affordable, mixed-use, accessible, or senior housing; and
- Policies relating to group homes or other special needs housing.

Non-Entitlement Cities with Populations of 10,000+
2010 Census Data

#	City	Pop
1	Bartlett city	54,613
2	Collierville town	43,965
3	Smyrna town	39,974
4	Germantown city	38,844
5	Brentwood city	37,060
6	Columbia city	34,681
7	La Vergne city	32,588
8	Cookeville city	30,435
9	Gallatin city	30,278
10	Spring Hill city	29,036
11	Maryville city	27,465
12	Lebanon city	26,190
13	Mount Juliet city	23,671
14	East Ridge city	20,979
15	Farragut town	20,676
16	Tullahoma city	18,655
17	Dyersburg city	17,145
18	Springfield city	16,440
19	Goodlettsville city	15,921
20	Greeneville town	15,062
21	Sevierville city	14,807
22	Dickson city	14,538
23	Elizabethton city	14,176
24	McMinnville city	13,605
25	Athens city	13,458
26	Soddy-Daisy city	12,714
27	Lakeland city	12,430
28	Red Bank city	11,651
29	Arlington town	11,517
30	Portland city	11,480
31	Martin city	11,473
32	Lewisburg city	11,100
33	Union City city	10,895
34	Crossville city	10,795
35	Lawrenceburg city	10,428
36	Brownsville city	10,292
37	White House city	10,255
38	Millington city	10,176
39	Paris city	10,156
40	Manchester city	10,102

PUBLIC INVOLVEMENT

Fair Housing Survey

One of the methods HUD recommends for gathering public input about perceived impediments to fair housing choice is to conduct a survey. As such, the ECD elected to utilize a survey instrument as a means to encourage public input in the AI process. This step was a cost-effective and efficient method to utilize research resources.

The 2013 Fair Housing Survey targeted individuals involved in the housing arena, although anyone was allowed to complete the survey. An initial contact list was assembled by the ECD and the Tennessee Housing Development Authority (THDA) and respondents were asked to forward the survey to their members, with the goal of targeting experts in at least the following areas:

- Residential and commercial building codes and regulations;
- Residential health and safety codes and regulations (structural, water, and sewer);
- Local land use planning;
- Banking and real estate;
- Renter rights and obligations, including civil rights; and
- Fair housing, disability, social service, and other advocacy organizations.

Furthermore, these entities were utilized to help promote public involvement throughout the AI process. The State of Tennessee 2013 Fair Housing Survey, an internet-based instrument, received 858 replies, of which 291 responses were from the nonentitlement areas of the State. This effort was conducted from February through April of 2013.

The survey was designed to address a wide variety of issues related to fair housing and affirmatively furthering fair housing. If limited input on a particular topic was received, it was assumed that the entirety of stakeholders did not view the issue as one of high pervasiveness or impact. This does not mean that the issue was nonexistent in the State, but rather that there was not a large perception of its prevalence, as gauged by survey participants.

The following narrative summarizes key survey themes addressed in the survey instrument.

Federal, State, and Local Fair Housing Laws

The first section of the survey asked respondents to address a number of questions related to fair housing laws, including assessment of their familiarity with and understanding of these laws, knowledge of classes of persons protected by these laws, the process for filing fair housing complaints, and an inquiry into whether or not fair housing laws should be changed.

Fair Housing Activities

The second section of the survey evaluated stakeholders' awareness of and participation in fair housing activities in the State, including outreach activities such as trainings and seminars, as well as monitoring and enforcement activities such as fair housing testing exercises.

Fair Housing Choice in the Private Sector

This section addressed fair housing in the State's private housing sector and offered a series of two-part questions. The first part asked respondents to indicate awareness of questionable practices or barriers to fair housing choice in a variety of private sector industries, and the second part requested a narrative description of these questionable practices or concerns if an affirmative response was received. The specific areas of the private sector that respondents were asked to examine included the:

- Rental housing market,
- Real estate industry,
- Mortgage and home lending industries,
- Housing construction or accessible housing design fields,
- Home insurance industry,
- Home appraisal industry, and
- Any other housing services.

The use of open-ended questions allowed respondents to address any number of concerns in an open, transparent, and anonymous manner.

Fair Housing in the Public Sector

In a manner similar to the previous section, respondents were asked to offer insight into their awareness of questionable practices or barriers to fair housing in the public sector. A list of areas within the public sector was provided, and respondents were asked first to specify their awareness of fair housing issues within each area. If they were aware of any fair housing issues, they were asked to further describe these issues in a narrative fashion. Respondents were asked to identify fair housing issues within the following public sector areas:

- Land use policies,
- Zoning laws,
- Occupancy standards or health and safety codes,
- Property tax policies,
- Permitting processes,
- Construction standards,
- Neighborhood or community development policies, and
- Any other public administrative actions or regulations.

The questions in this section were used to identify fair housing issues in the nonentitlement areas of the State regarding zoning, building codes, accessibility compliance, subdivision regulations, displacement issues, development practices, residency requirements, property tax policies, land use policies, and NIMBYism.⁶

⁶ "Not In My Backyard" mentality.

Additional Questions

Finally, respondents were asked about their awareness of any local fair housing plans or specific geographic areas of the State with fair housing problems, and were as given an opportunity to provide other information they wished to share.

Fair Housing Forums

As part of the process of involving the public in the development of the AI, the ECD conducted three fair housing forums from March 18 through 20 of 2013. The forums were designed to offer the public and stakeholders the opportunity to supply commentary on the status of fair housing in nonentitlement areas of the State as well as provide feedback on the initial findings of the AI. A detailed discussion of these sessions is presented in **Section VII** and the minutes of comments received at the forums are included in **Appendix G**.

RESEARCH CONCLUSIONS

The final list of impediments to fair housing choice for the State of Tennessee was culled from all quantitative, qualitative, and public input sources, and was based on HUD's definition of an impediment to fair housing choice as an action, omission, or decision that affects housing choice because of protected class status.

PUBLIC REVIEW

The ECD conducted the public input process associated with this AI. The key actions that were used to notify the public of the AI process included email announcements, public postings, newspaper advertisements and notices, phone calls, and other communication activities directed to citizens and stakeholders in the fair housing arena.

Public Review Period

The public review period for the AI Draft Report for Public Review occurred in May of 2013. This AI is available online at www.TN.gov/ECD.

II. SOCIO-ECONOMIC CONTEXT

This section presents demographic, economic, and housing factors that influence housing choice. This information was collected from the Census Bureau, the Bureau of Economic Analysis, the Bureau of Labor Statistics, and other sources. Data were used to analyze a broad range of socio-economic characteristics, including population growth, race, ethnicity, disability, employment, poverty, and housing trends; these data are also available by Census tract, and are shown in geographic maps. Ultimately, the information presented in this section helps illustrate the underlying conditions that shape housing market behavior and housing choice in the nonentitlement areas of the State of Tennessee.

To supplement 2000 and 2010 Census data, information for this analysis was also gathered from the Census Bureau’s American Community Survey (ACS). The ACS data cover similar topics to the decennial counts but include data not appearing in the 2010 Census, such as household income and poverty. The key difference of these datasets is that ACS data represent a five-year average of annual data estimates as opposed to a point-in-time 100 percent count; the ACS data reported herein span the years from 2007 through 2011. The ACS figures are not directly comparable to decennial Census counts because they do not account for certain population groups such as the homeless. However, percentage distributions from the ACS data can be compared to distributions from the 2000 and 2010 Censuses.

A. DEMOGRAPHICS

A review of the population and demographic data help determine past housing location choices. This discussion begins with the change in the population in the nonentitlement areas of the State of Tennessee.

POPULATION DYNAMICS

Table II.1 presents population counts in the nonentitlement areas of the State of Tennessee, as drawn from the 2000 and 2010 Censuses and intercensal estimates for 2001 through 2009 and 2011. In total, population in the nonentitlement areas of the State increased from 3,179,586 persons in 2000 to 3,578,281 in 2011, or by 12.5 percent.

POPULATION BY AGE

Data on population by age in 2000 and 2010 in nonentitlement areas of the State of Tennessee, presented in Table II.2 showed that the largest population groups in both Census counts represented persons aged 35 to 54 and 5 to 19. For the largest group, adults between 35 and 54, the share increased by 6.6 percent over the decade. However, the share of slightly younger persons,

Table II.1
Population Estimates
Nonentitlement Areas of the State of
Tennessee
2000 & 2010 Census Data & Intercensal
Estimates

Year	Population	% Yearly Change
2000	3,179,586	.
2001	3,209,117	0.9%
2002	3,238,238	0.9%
2003	3,270,060	1.0%
2004	3,307,150	1.1%
2005	3,354,313	1.4%
2006	3,413,668	1.8%
2007	3,465,981	1.5%
2008	3,512,080	1.3%
2009	3,541,661	0.8%
2010	3,558,774	0.5%
2011	3,578,281	0.5%
% Change 00-11	12.5%	.

those aged 25 to 34, declined by nearly 5 percent. Population growth was highest for persons aged 55 to 64, with this group increasing by 43.5 percent over the decade.

Table II.2
Population by Age

Nonentitlement Areas of the State of Tennessee
2000 & 2010 Census SF1 Data

Age	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
Under 5	200,552	6.3%	213,709	6.0%	6.6%
5 to 19	658,176	20.7%	708,829	19.9%	7.7%
20 to 24	187,578	5.9%	196,593	5.5%	4.8%
25 to 34	425,213	13.4%	404,417	11.4%	-4.9%
35 to 54	960,664	30.2%	1,024,464	28.8%	6.6%
55 to 64	331,652	10.4%	475,783	13.4%	43.5%
65 or Older	415,751	13.1%	534,979	15.0%	28.7%
Total	3,179,586	100.0%	3,558,774	100.0%	11.9%

More information regarding the elderly population was also collected from the 2000 and 2010 Census counts. As shown in Table II.3, in both 2000 and 2010, the largest age cohort among the elderly population represented persons in the age range of 70 to 74. This population increased considerably over the period, although not by as much as did the 65 to 66 age group, which grew by 46.4 percent.

Table II.3
Elderly Population by Age

Nonentitlement Areas of the State of Tennessee
2000 & 2010 Census SF1 Data

Age	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
65 to 66	53,259	12.8%	77,955	14.6%	46.4%
67 to 69	73,120	17.6%	105,013	19.6%	43.6%
70 to 74	105,238	25.3%	133,788	25.0%	27.1%
75 to 79	83,757	20.1%	96,513	18.0%	15.2%
80 to 84	54,483	13.1%	65,567	12.3%	20.3%
85 or Older	45,894	11.0%	56,143	10.5%	22.3%
Total	415,751	100.0%	534,979	100.0%	28.7%

POPULATION BY RACE AND ETHNICITY

In both 2000 and 2010, the white population represented the largest racial group, although it increased by the smallest percentage in comparison to other races over the decade. The black population, representing only 5.8 percent of the total population but the second largest group after white persons, increased by 12.7 percent.

The groups that saw the largest percentage share increase were far smaller populations groups: the Asian population increased by 87.3 percent, for example, and the “other” race group increased by 163.1 percent. In terms of ethnicity, which is defined separately from race, the Hispanic population increased by 131.0 percent between 2000 and 2010 and in the latter year represented 3.1 percent of the population, as shown in Table II.4.

Table II.4
Population by Race and Ethnicity
 Nonentitlement Areas of the State of Tennessee
 2000 & 2010 Census SF1 Data

Race	2000 Census		2010 Census		% Change 00-10
	Population	% of Total	Population	% of Total	
White	2,924,933	92.0%	3,209,493	90.2%	9.7%
Black	184,094	5.8%	207,515	5.8%	12.7%
American Indian	8,650	.3%	11,323	.3%	30.9%
Asian	13,668	.4%	25,600	.7%	87.3%
Native Hawaiian/ Pacific Islander	811	.0%	1,408	.0%	73.6%
Other	19,529	.6%	51,373	1.4%	163.1%
Two or More Races	27,901	.9%	52,062	1.5%	86.6%
Total	3,179,586	100.0%	3,558,774	100.0%	11.9%
Non-Hispanic	3,131,538	98.5	3,447,791	96.9%	10.1%
Hispanic	48,048	1.5%	110,983	3.1%	131.0%

The geographic distribution of racial and ethnic minorities can vary significantly throughout a community. HUD has determined that an area demonstrates a disproportionate share of a population when the percentage of that population is 10 percentage points or more above the study area average.⁷ For example, the State of Tennessee's nonentitlement areas black population represented 5.8 percent in 2010. Therefore, any area that showed a black population in excess of 15.8 percent held a disproportionate share of that population.

This spatial analysis of racial and ethnic distribution was conducted by calculating race or ethnicity as the percentage of total population and then presenting the data on a geographic map of Census tracts in the nonentitlement areas of the State of Tennessee. For this AI, maps were produced for several racial and ethnic groups based on both 2000 and 2010 Census data in order to examine how the concentrations of these populations changed over time. These maps are discussed and presented on the following pages.

Map II.1, on page 27, shows that in 2000, the black population in nonentitlement areas of the State of Tennessee was disproportionately concentrated in several Census tracts on the western side of the State, particularly in areas between Shelby and Madison counties and along the Mississippi River.

The average percent black population in nonentitlement areas of the State of Tennessee did not change between 2000 and 2010, at 5.8 percent in both. The geographic concentration of this population did not change significantly, either. Map II.2, on page 28, reveals that in 2010, the black population remained most highly concentrated in tracts around Shelby County, Madison County, and the Mississippi River, as well as in some small tracts in more rural parts of the State.

The concentration of the Hispanic population, at the time of the 2000 Census, is presented on page 29 in Map II.3. This group averaged 1.5 percent per tract, and a few tracts were above the disproportionate share threshold. The highest shares were seen northwest of Madison County

⁷ "...[D]isproportionately greater need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group in a category of need is at least 10 percentage points higher than the percentage of persons in the category as a whole." (HUD 1995) *Consolidated Plan Final Rule*

and west of Montgomery County, as well as south of Rutherford County. The highest concentration was still relatively low, at 20.1 percent.

Census Bureau data showed that the Hispanic population increased from an average of 1.5 percent in 2000 to 3.1 percent in 2010. Map II.4, on page 30, reveals that the concentration of this population geographically shifted somewhat. It appears that in 2010 there were more areas with disproportionate rates of Hispanic persons; this may be a concern if such concentrations are the result of barriers to housing choice.

In summary, very little change was seen in the location and concentration of the black population, although increases were seen in the Hispanic population, particularly in some of the less rural areas.

DISABILITY STATUS

The Census Bureau defines disability as a lasting physical, mental, or emotional condition that makes it difficult for a person to conduct daily activities of living or impedes him or her from being able to go outside the home alone or to work. Disability is calculated for the civilian noninstitutionalized population of an area rather than the total population.

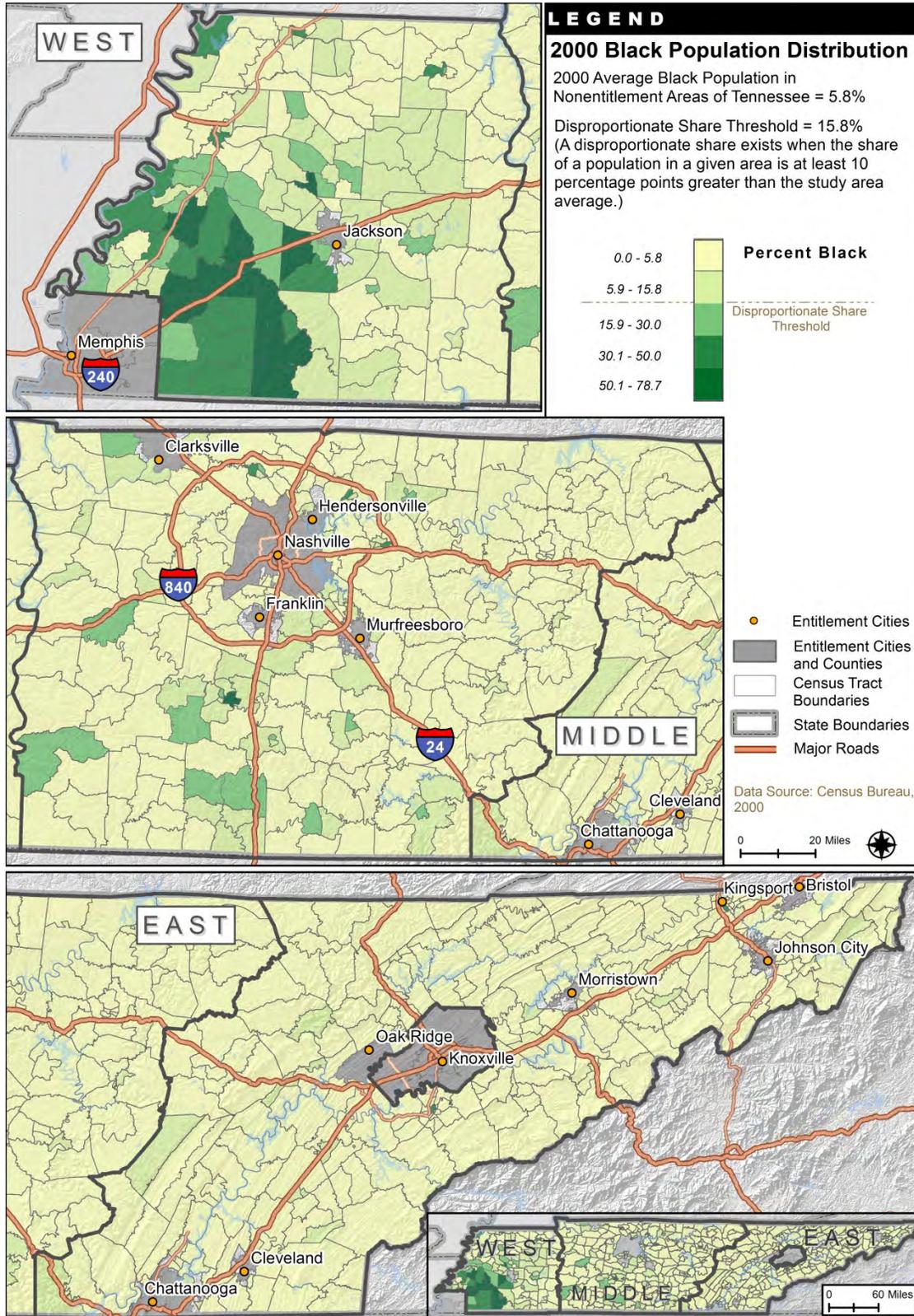
Among all persons aged 5 years or older, 23.1 percent were disabled in the nonentitlement areas of the State of Tennessee in 2000, a slightly higher figure than the 19.4 percent national disability rate at that time. This share represented 676,437 persons living with a disability, including 31,452 persons between the ages of 5 and 15 and 193,426 persons aged 65 or older. In the 2000 Census, disability was calculated for noninstitutionalized civilians aged 5 and older.

Table II.5
Disability by Age
Nonentitlement Areas of the State of Tennessee
2000 Census SF3 Data

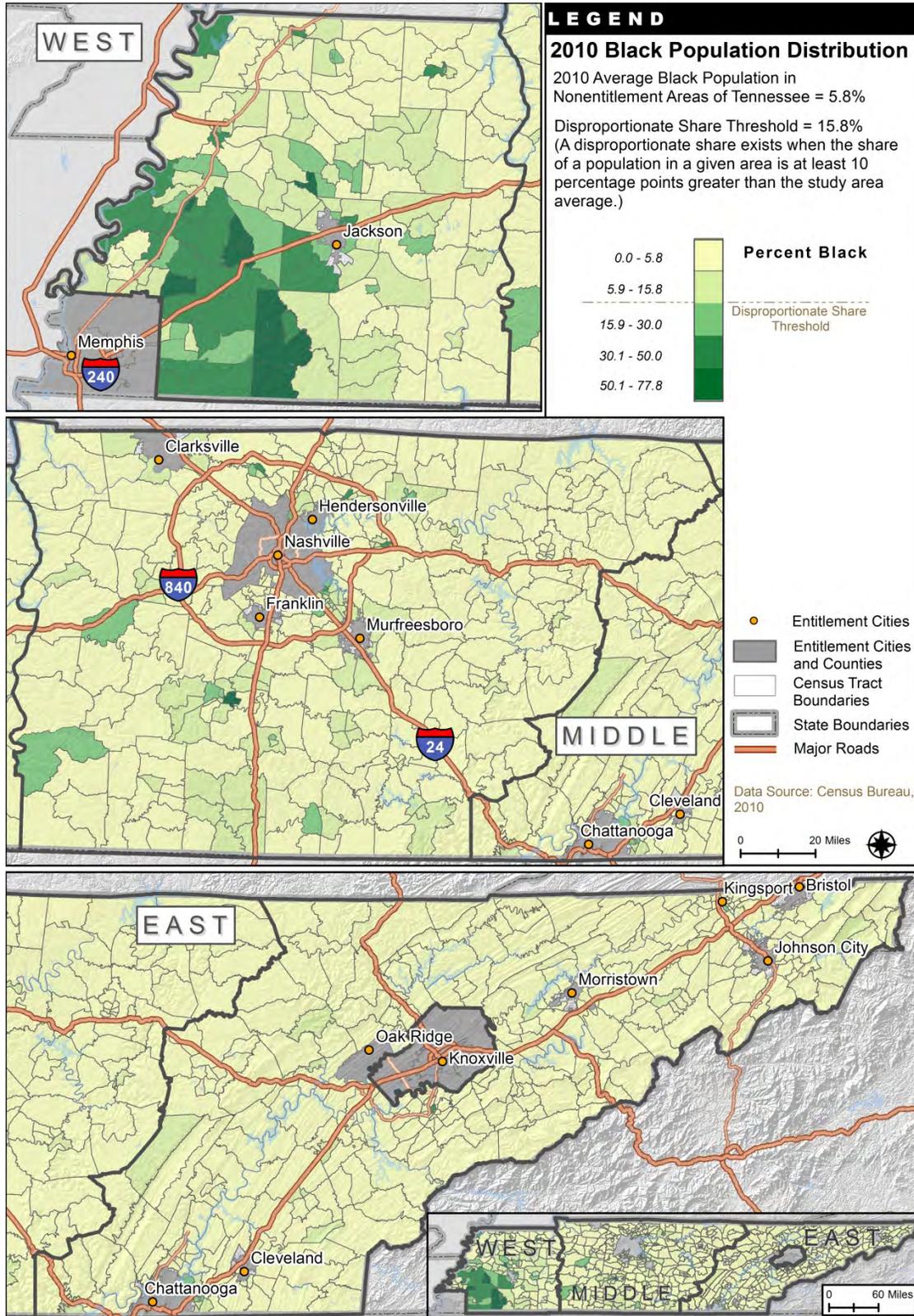
Age	Total	
	Disabled Population	Disability Rate
5 to 15	31,452	6.5%
16 to 64	451,559	22.1%
65 and older	193,426	48.9%
Total	676,437	23.1%

The 2011 three-year ACS estimates showed that 654,676 persons of all ages were disabled, or only 16.2 percent of the total noninstitutionalized civilian population, as displayed in Table II.6, on page 31.

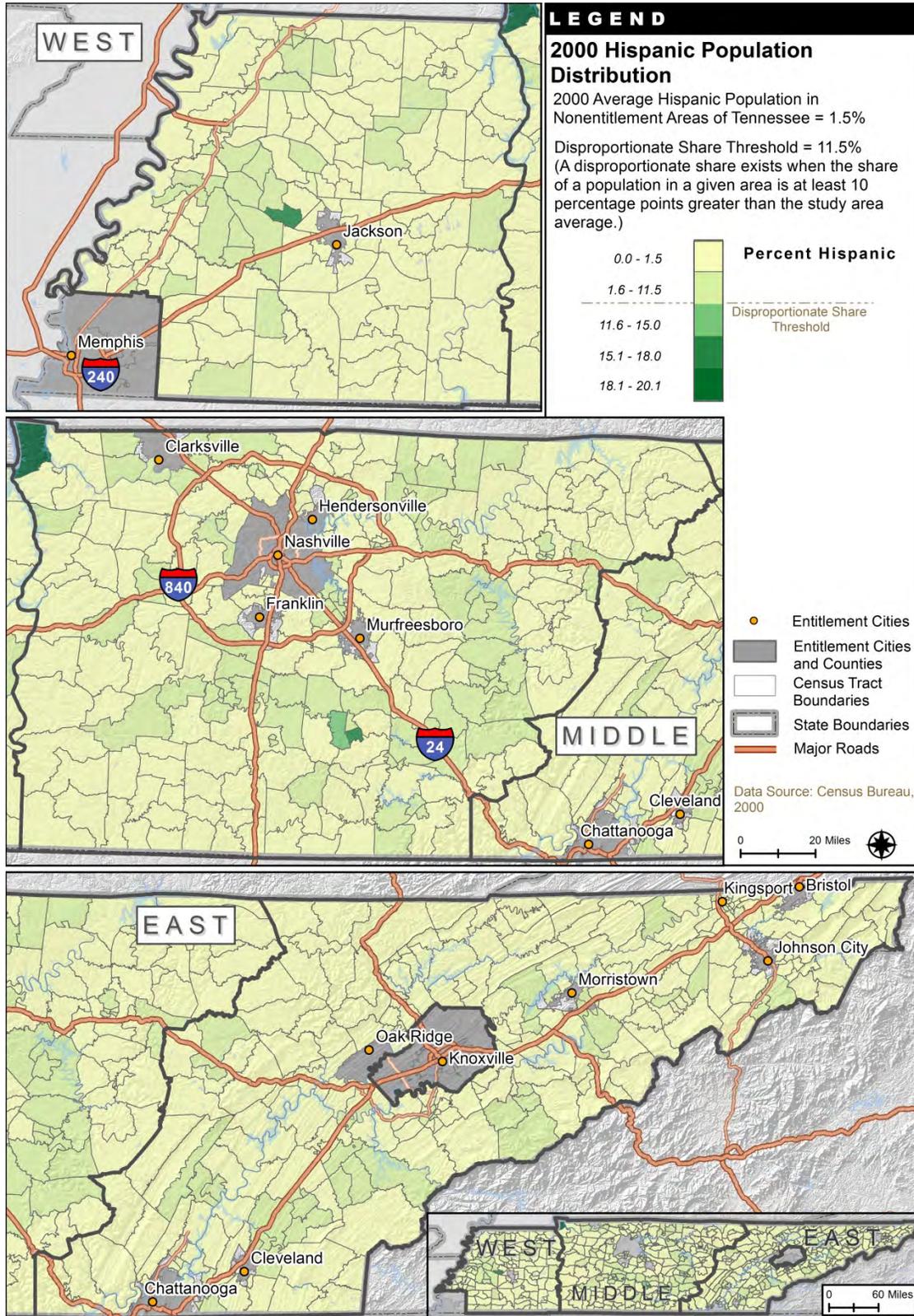
Map II.1
Black Population by Census Tract
 Nonentitlement Areas of the State of Tennessee
 2000 Census Data



Map II.2
Black Population by Census Tract
 Nonentitlement Areas of the State of Tennessee
 2010 Census Data



Map II.3
Hispanic Population by Census Tract
 Nonentitlement Areas of the State of Tennessee
 2000 Census Data



Map II.4
Hispanic Population by Census Tract
 Nonentitlement Areas of the State of Tennessee
 2010 Census Data

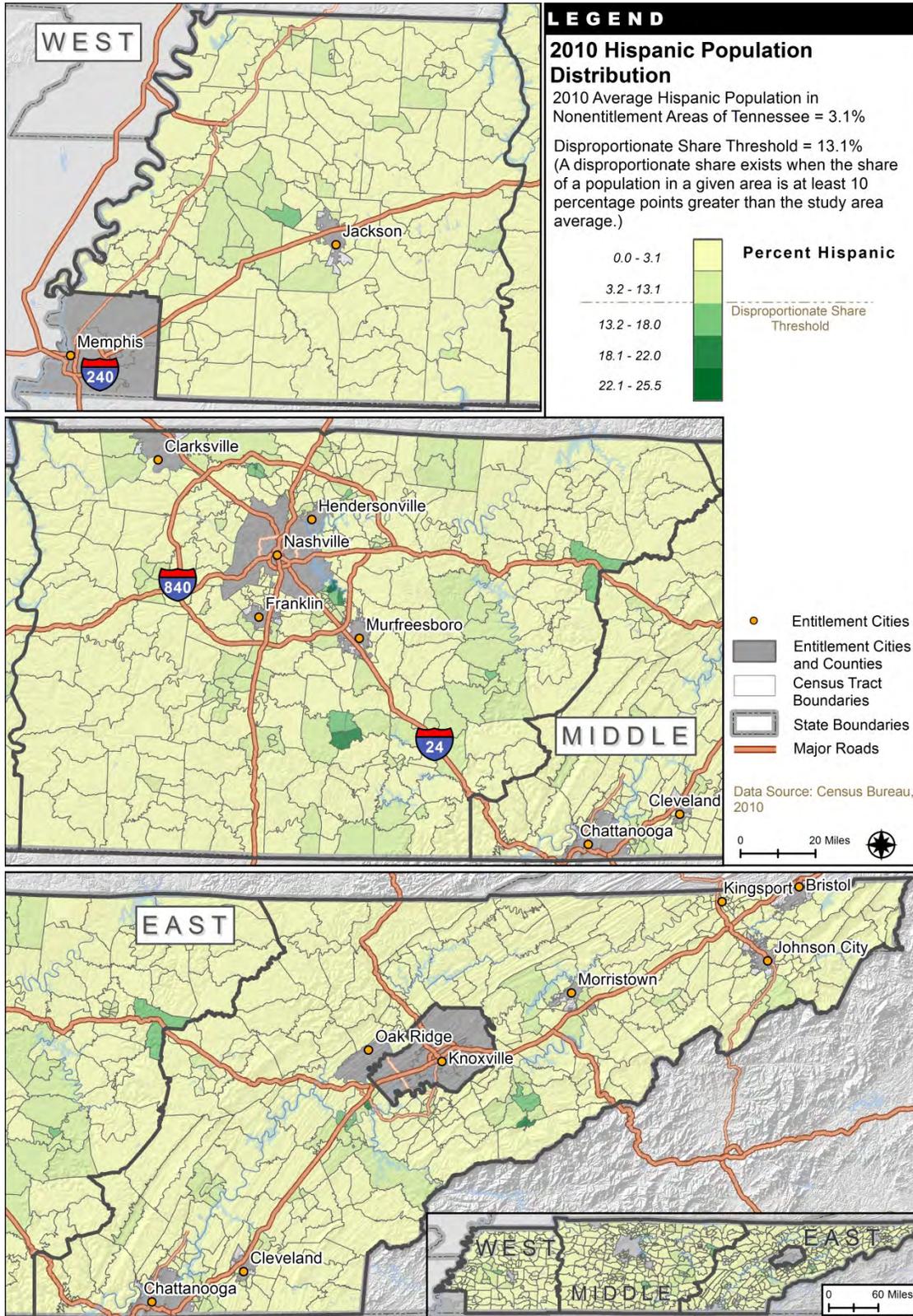


Table II.6
Disability by Age

Nonentitlement Areas of the State of Tennessee
2011 Three-Year ACS Data

Age	Male		Female		Total	
	Disabled Population	Disability Rate	Disabled Population	Disability Rate	Disabled Population	Disability Rate
Under 5	1,232	1.0%	1,131	.9%	2,363	1.0%
5 to 17	25,831	7.0%	16,704	4.8%	42,535	5.9%
18 to 34	32,442	8.4%	28,487	7.2%	60,929	7.8%
35 to 64	151,701	18.3%	153,826	17.5%	305,527	17.9%
65 to 74	55,658	33.0%	56,510	31.2%	112,168	32.1%
75 or Older	50,274	53.7%	80,880	58.5%	131,154	56.6%
Total	317,138	16.1%	337,538	16.3%	654,676	16.2%

Data from the 2009 to 2011 ACS are not available by Census tract, so geographic distribution of the disabled population in nonentitlement areas of the State of Tennessee as of the 2000 Census is presented in Map II.5. As shown, several Census tracts held disproportionate shares of the disabled population; these tended to be located near and along the Mississippi River and north of the Knox County area.

B. ECONOMICS

Data describing the economy are presented in the following section. This information highlights additional aspects to the factors influencing housing choice.

LABOR FORCE AND EMPLOYMENT

Data regarding the labor force, defined as the total number of persons working or looking for work and gathered from the Bureau of Labor Statistics (BLS), and can be segmented by city for cities of 25,000 or more. Consequently, entitlement cities and counties were separated out and the labor force in the nonentitlement areas of the State was identified.

Labor force and employment figures in the nonentitlement areas of the State of Tennessee, presented in Diagram II.1, showed a general increase until 2007, and, in the case of employment, a decrease after that time until 2009. This trend seen in the years following 2005 matches national figures of economic downturn.

Map II.5
Disabled Population by Census Tract
 Nonentitlement Areas of the State of Tennessee
 2000 Census Data

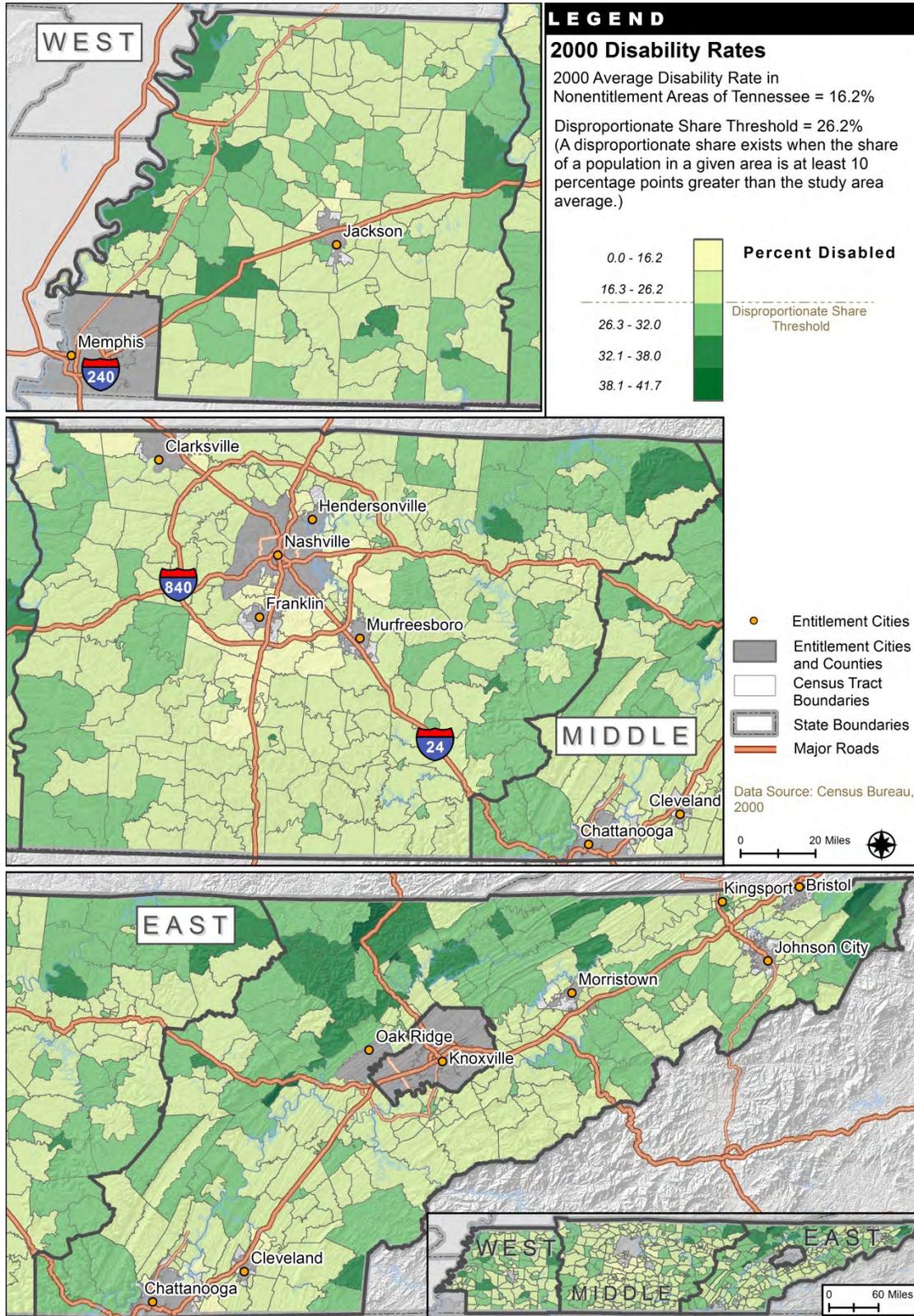
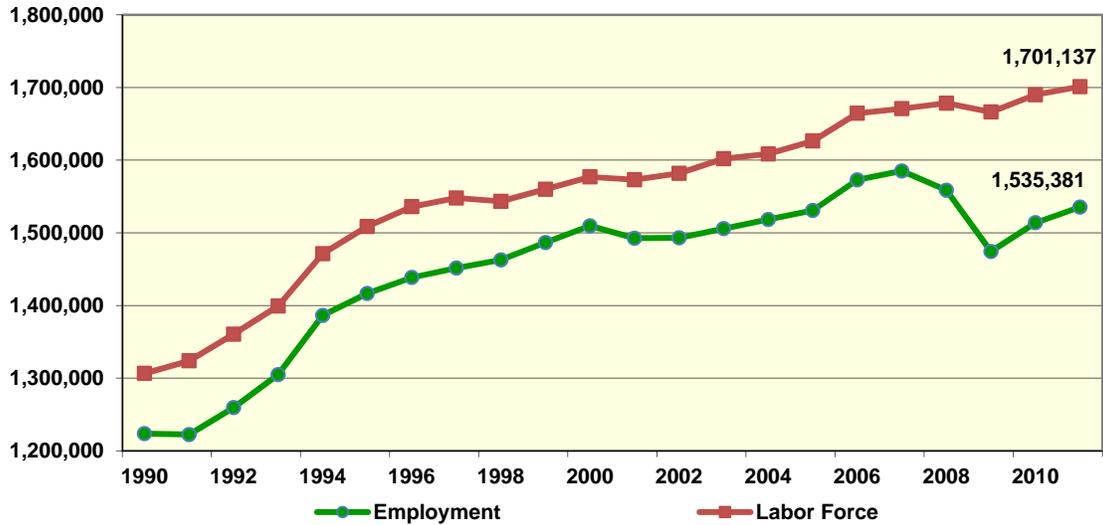
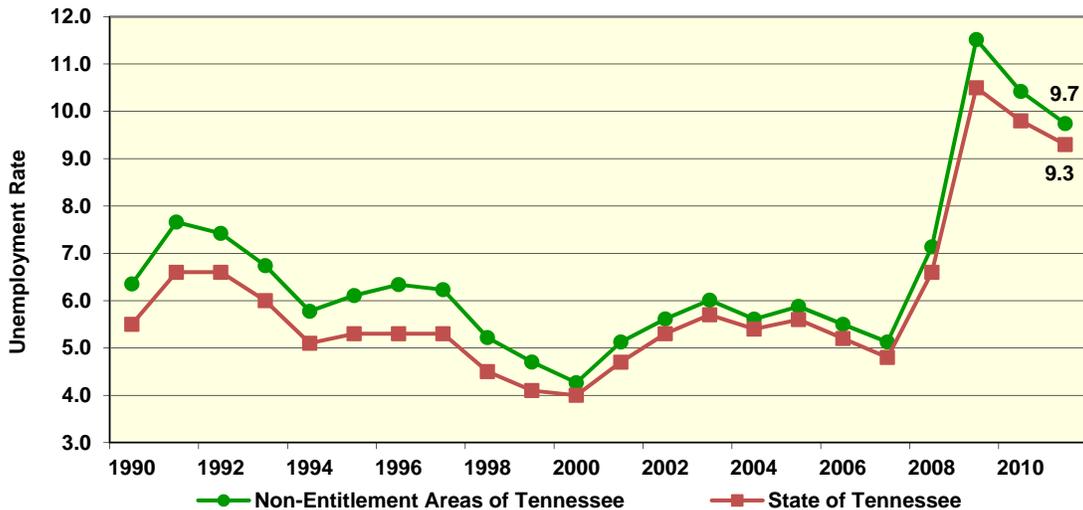


Diagram II.1
Labor Force and Total Employment
 Nonentitlement Areas of the State of Tennessee
 1990–2011 BLS Annual Data



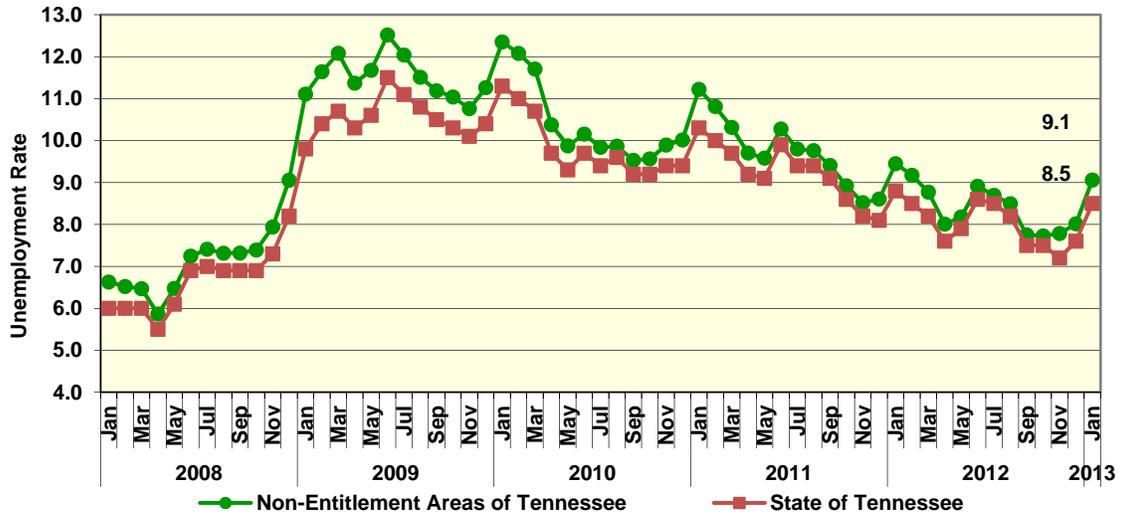
The gap between the labor force and the number of employed persons represents the unemployment rate. Diagram II.2 presents the yearly unemployment rates in the nonentitlement areas of the State of Tennessee as compared to those seen statewide from 1990 through 2011. Because of the relatively stable labor force and recent decline in employment, the unemployment rate in nonentitlement areas of the State rose from 5.1 percent in 2007 to 11.5 percent in 2009. This figure declined after that point and reached 9.7 percent in 2011. However, the nonentitlement area rates were higher than statewide figures over the period.

Diagram II.2
Unemployment Rates
 Nonentitlement Areas of the State of Tennessee
 1990–2011 BLS Annual Data



When examined by month, some seasonal fluctuation in unemployment rates can be seen, as shown in Diagram II.3. The nonentitlement areas saw large fluctuations in 2009 and 2010, but in all years saw lower unemployment rates in the summer and fall months. These trends were very consistent with statewide patterns, and consistently slightly higher. However, unemployment in the nonentitlement areas dropped closer to statewide rates after early 2011.

Diagram II.3
Monthly Unemployment Rates
 Nonentitlement Areas of the State of Tennessee
 1990–2013 BLS Monthly Data

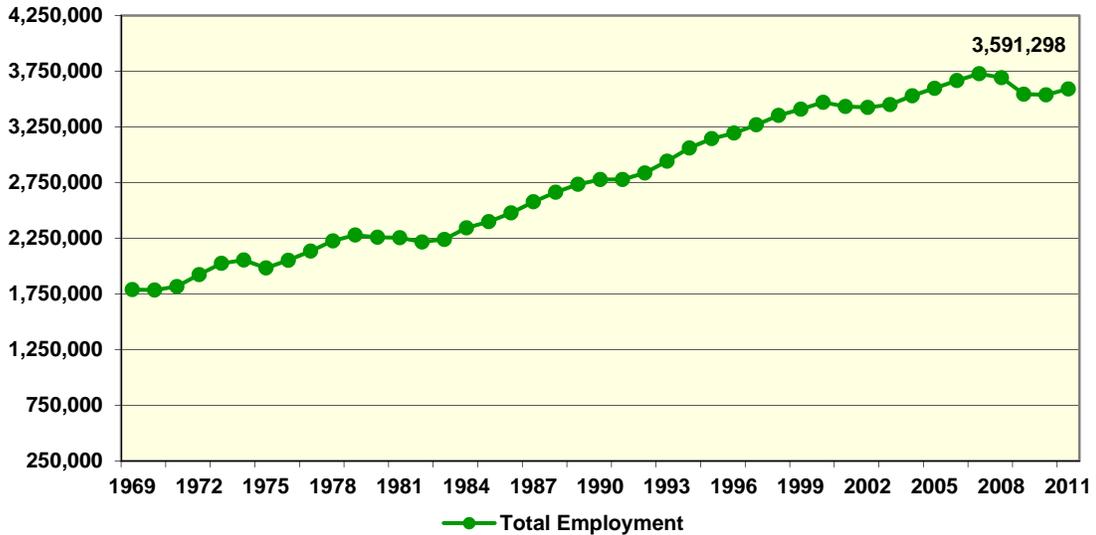


FULL- AND PART-TIME EMPLOYMENT AND EARNINGS

The Bureau of Economic Analysis (BEA) provides an alternate view of employment: a count of both full- and part-time jobs.⁸ Thus, a person working more than one job can be counted more than once. BEA data are only available by county; thus, these data cannot be presented for the nonentitlement areas alone. As shown in Diagram II.4, the total number of full- and part-time jobs in the entire State of Tennessee more than doubled from 1969 through 2009, increasing by more than 1.8 million jobs. The number of jobs was highest in 2007, however, and a noticeable dip in employment began after that year.

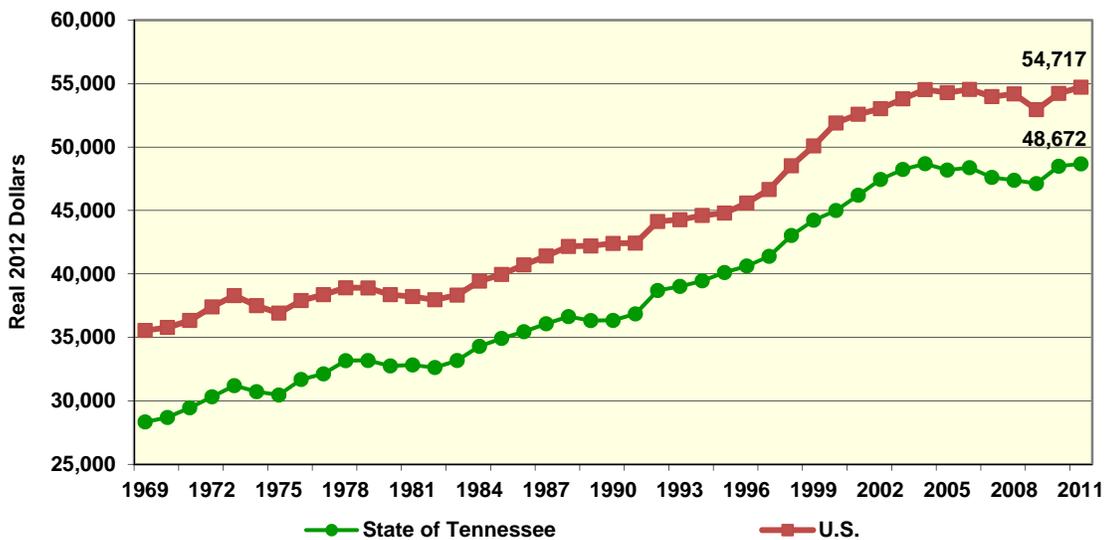
⁸ Data are, in part, from administrative records, and the most current BEA data available were through 2011.

Diagram II.4
Total Full- and Part-Time Employment
 State of Tennessee
 1969–2011 BEA Data



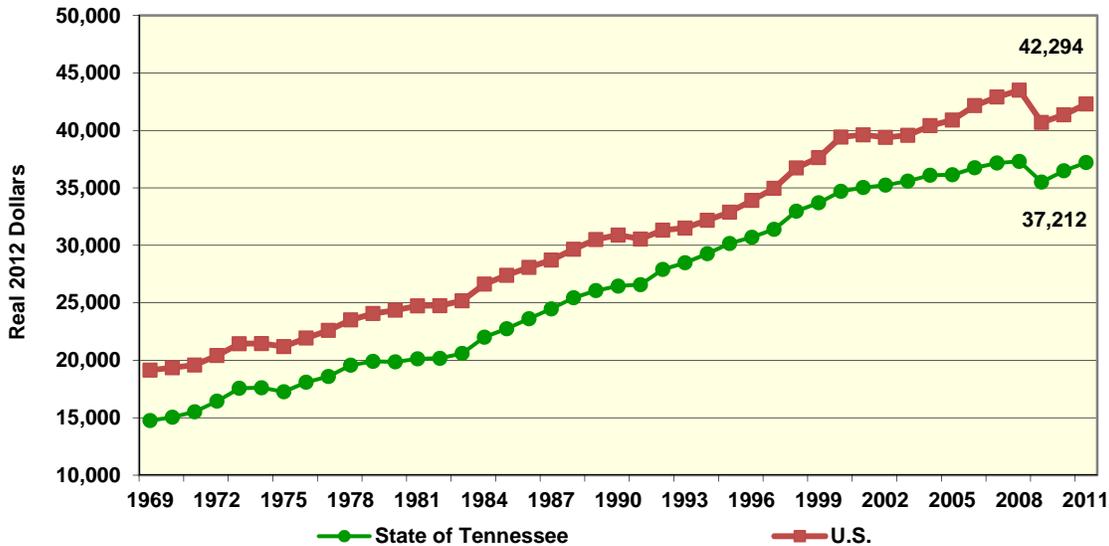
When the total earnings from employment is divided by the number of jobs and then deflated to remove the effects of inflation, average real earnings per job is determined. Diagram II.5 shows that real average earnings per job in the State of Tennessee in 2011 dollars rose from about \$28,000 in 1969 to \$48,672 by 2011. Figures in the State were consistently lower than national earnings.

Diagram II.5
Real Average Earnings per Job
 State of Tennessee
 1969–2011 BEA Data, 2012 Dollars



Another gauge of economic health involves income from all sources: wages earned; transfer payments; and property income such as dividends, interest, and rents. When these figures are added together and divided by population, per capita income is determined. Diagram II.6 shows real per capita income in the State of Tennessee from 1969 through 2011. Income measured this way fell sharply between 2008 and 2009, following the national trend.

Diagram II.6
Real Per Capita Income
 State of Tennessee
 1969–2011 BEA Data, 2012 Dollars



HOUSEHOLD INCOME

Table II.7 presents the number of households in the nonentitlement areas of the State of Tennessee by income range, as derived from the 2000 Census count and the 2011 five-year ACS estimates. In 2000, 19.9 percent of households had incomes under \$15,000, and an additional 15.1 percent had incomes between \$15,000 and \$24,999. The largest shares were of households earning between \$25,000 and \$74,999. More recent ACS data showed that the percentage of households with incomes of less than \$15,000 decreased to 15.8, and the other lower-income categories decreased as well. The shares of households earning \$50,000 and more all increased. These findings suggest that incomes in the State improved significantly over the decade.

Table II.7

Households by Income

Nonentitlement Areas of the State of Tennessee
2000 Census SF3 & 2011 Five-Year ACS Data

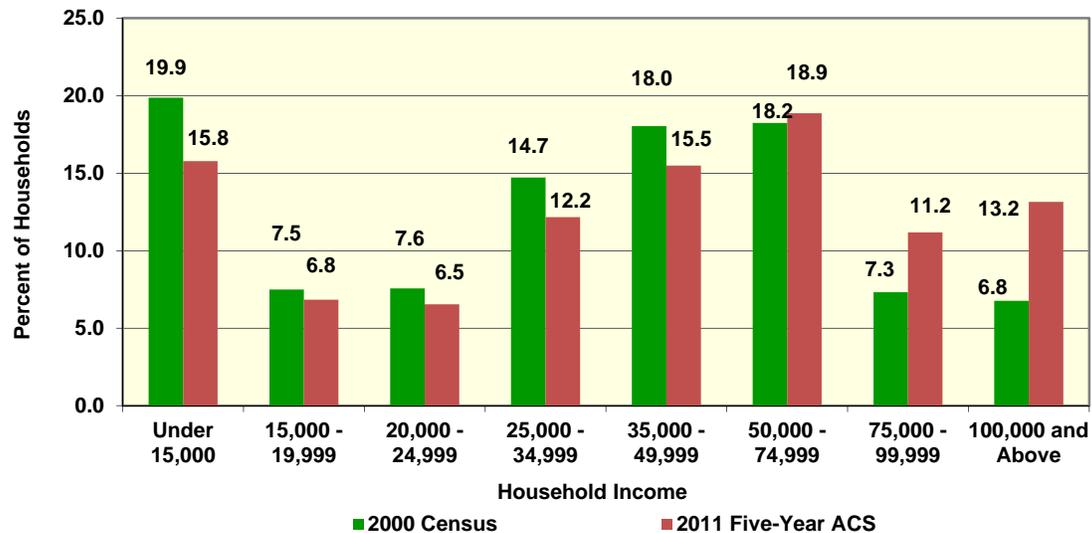
Income	2000 Census		2011 Five-Year ACS	
	Households	% of Total	Households	% of Total
Less than \$15,000	245,227	19.9%	215,932	15.8%
\$15,000 to \$19,999	92,452	7.5%	93,630	6.8%
\$20,000 to \$24,999	93,409	7.6%	89,586	6.5%
\$25,000 to \$34,999	181,656	14.7%	166,575	12.2%
\$35,000 to \$49,999	222,574	18.0%	211,989	15.5%
\$50,000 to \$74,999	225,084	18.2%	258,289	18.9%
\$75,000 to \$99,999	90,355	7.3%	152,990	11.2%
\$100,000 or More	83,529	6.8%	180,058	13.2%
Total	1,234,286	100.0%	1,369,049	100.0%

Diagram II.7 presents these income distributions graphically and further demonstrates the shift from lower- to medium- and higher-income households over time.

Diagram II.7

Households by Income

Nonentitlement Areas of the State of Tennessee
2000 Census SF3 & 2011 Five-Year ACS Data



POVERTY

The Census Bureau uses a set of income thresholds that vary by family size and composition to determine poverty status. If a family’s total income is less than the threshold for its size, then that family, and every individual in it, is considered poor. The poverty thresholds do not vary geographically, but they are updated annually for inflation using the Consumer Price Index. The official poverty definition counts income before taxes and does not include capital gains and non-cash benefits such as public housing, Medicaid, and food stamps. Poverty is not defined for persons in military barracks, institutional group quarters, or for unrelated individuals under age 15 such as foster children.

In nonentitlement areas of the State of Tennessee, the poverty rate in 2000 was 12.7 percent, with 396,667 persons considered to be living in poverty, as shown in Table II.8. There were 42,361 children aged 5 and below living in poverty at that time, in addition to 57,816 persons aged 65 and older. The 2011 ACS data showed that poverty in nonentitlement areas of the State increased to 15.9 percent. Poverty also increased for those in their primary earning years of 18 to 64, from 54.4 percent to 57.5 percent.

Table II.8
Poverty by Age

Nonentitlement Areas of the State of Tennessee
2000 Census SF3 & 2011 Five-Year ACS Data

Age	2000 Census		2011 Five-Year ACS	
	Persons in Poverty	% of Total	Persons in Poverty	% of Total
Under 6	42,361	10.7%	64,794	11.8%
6 to 17	80,728	20.4%	111,934	20.4%
18 to 64	215,762	54.4%	315,286	57.5%
65 or Older	57,816	14.6%	56,697	10.3%
Total	396,667	100.0%	548,711	100.0%
Poverty Rate	12.7%	.	15.9%	.

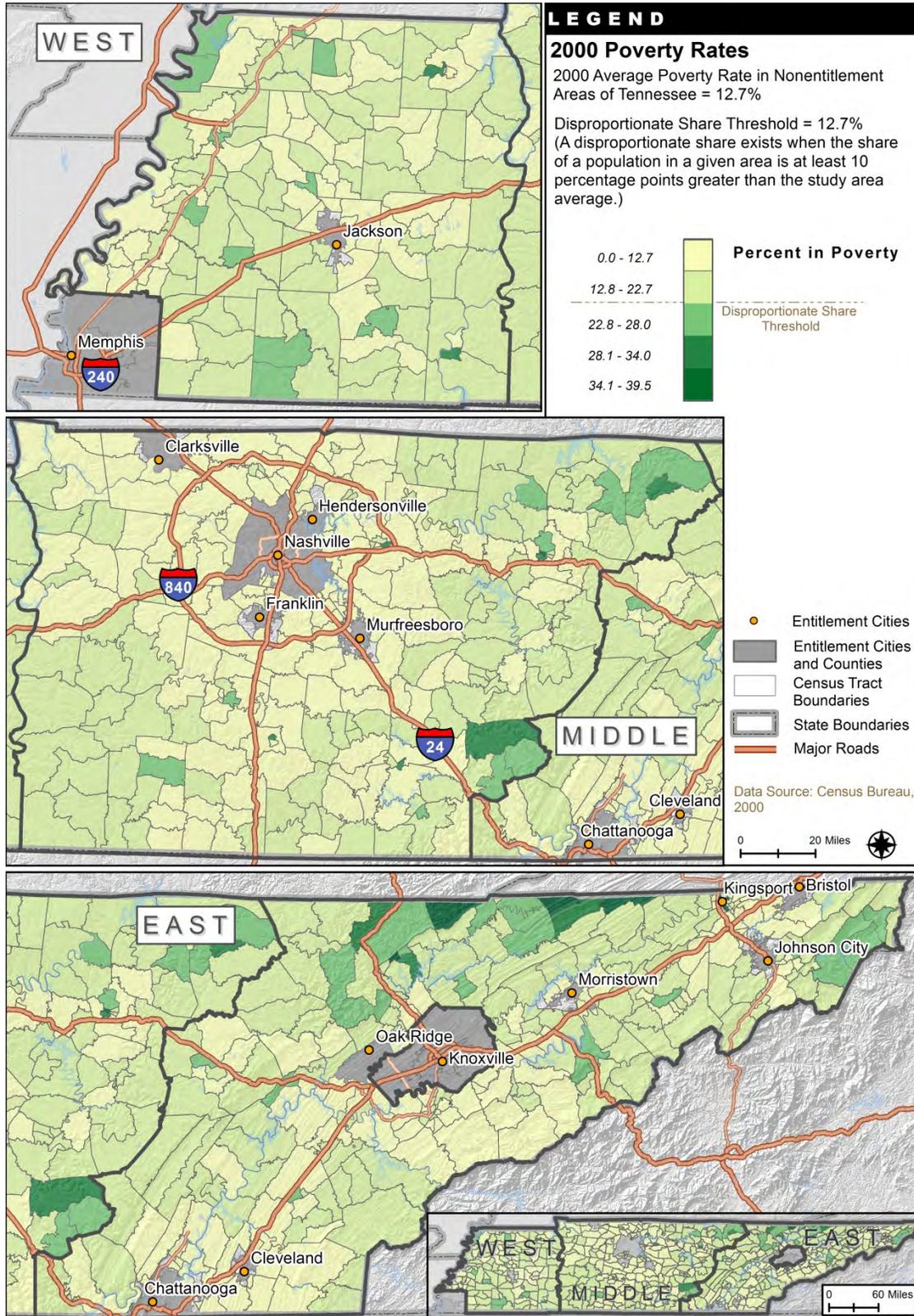
Poverty was not spread evenly throughout the State, as some Census tracts had much higher rates of poverty than did others. Map II.6 presents the poverty rates in 2000 geographically. Census tracts that had a disproportionate share of persons living in poverty were those areas where the poverty rate was greater than 22.7 percent. The highest levels of poverty were seen in many rural areas, particularly in the eastern side of the State north of the Knox County area and northwest of Hamilton County.

By 2011, while parts of the State, such as north of Hamblen and Knox counties, had become less poor, the statewide average poverty rate and the maximum percentage of persons per tract in poverty had increased. Map II.7, on page 40, presents poverty data for the nonentitlement areas of the State of Tennessee as derived from 2011 ACS and shows that in many tracts, poverty rates increased to above the disproportionate share threshold. Examples include some rural tracts west and south of the Oak Ridge/Knox County area, as well as some tracts along the eastern border of the State.

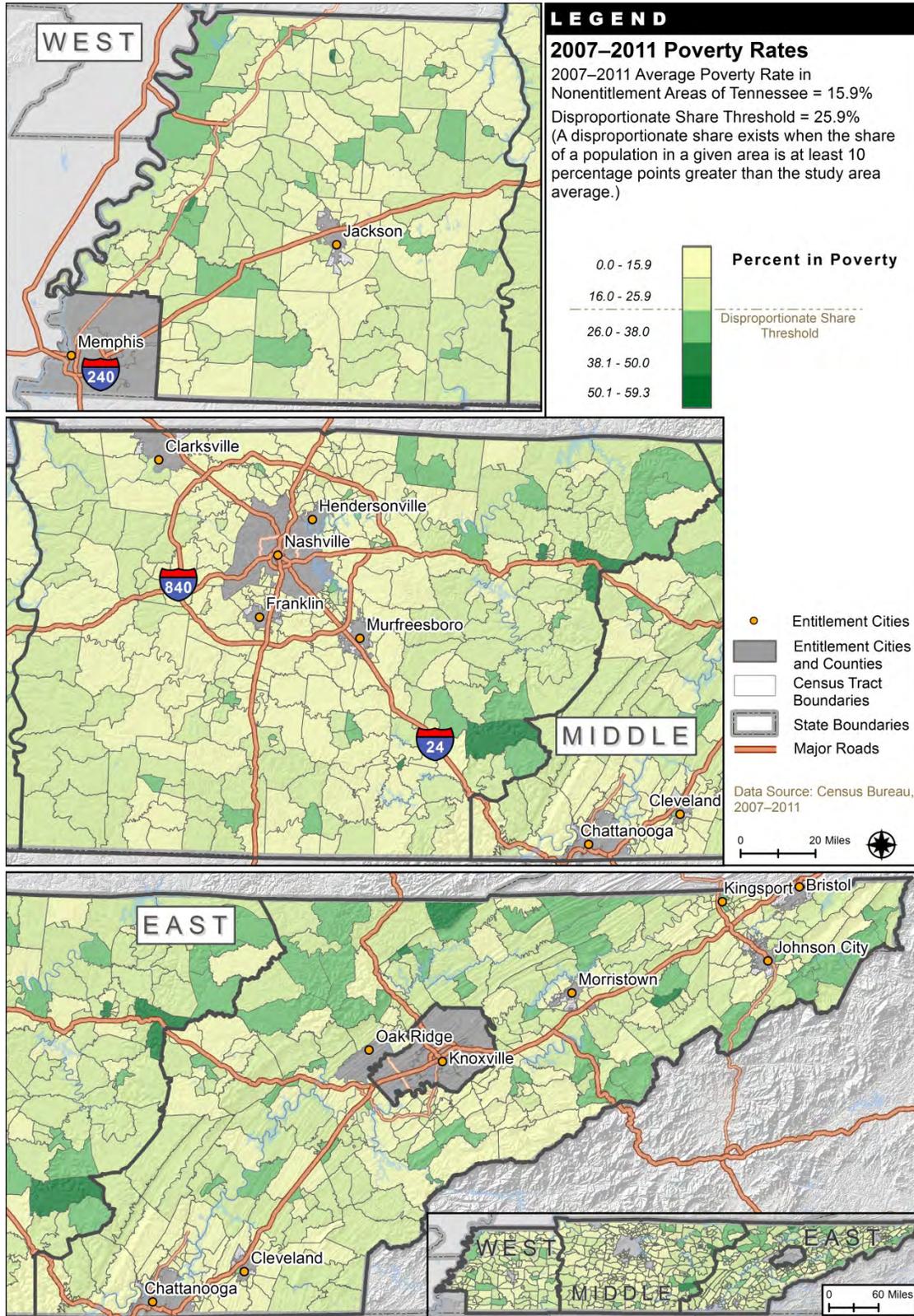
C. HOUSING

Within the demographic and economic trends and influences, residents of the nonentitlement areas of the State of Tennessee have exercised housing choice. Data presented in the following section document the outcomes of these choices according to several measures.

Map II.6
Poverty Rate by Census Tract
 Nonentitlement Areas of the State of Tennessee
 2000 Census Data



Map II.7
Poverty Rate by Census Tract
 Nonentitlement Areas of the State of Tennessee
 2011 Five-Year ACS Data



CHARACTERISTICS OF THE HOUSING STOCK

Data regarding the number of housing units counted in the nonentitlement areas of the State of Tennessee are presented in Table II.9. In total, the number of housing units increased by 15.9 percent between 2000 and 2010, from 1,362,390 to 1,579,005 units. During this time, the population of the nonentitlement areas of the State increased by about 12 percent, which suggests that housing unit production outpaced population growth.

Table II.9
Housing Units
Nonentitlement Areas of the
State of Tennessee
2000 & 2010 Census Data

Year	Housing Units
2000 Census	1,362,390
2010 Census	1,579,005
% Change	15.9%

Table II.10 shows that as of 2000, the largest group of housing units was those built between 1990 and 1999. This era produced 333,374 units, or 27.0 percent of all units counted in nonentitlement areas of the State. The 2011 ACS data show that the shares of housing units constructed during all periods before 2000 fell slightly due to the construction of units built from 2000 on. Between 2000 and 2004, 141,151 units were constructed, and 96,696 units were built in 2005 or later. Due to the different collection methods of decennial Census and five-year ACS estimates, only the percent shares of total units in each decade of construction are comparable.

Table II.10
Households by Year Home Built
Nonentitlement Areas of the State of Tennessee
2000 Census SF3 & 2011 Five-Year ACS Data

Year Built	2000 Census		2011 Five-Year ACS	
	Households	% of Total	Households	% of Total
1939 or Earlier	94,324	7.6%	84,647	6.2%
1940 to 1949	67,721	5.5%	58,373	4.3%
1950 to 1959	110,927	9.0%	101,265	7.4%
1960 to 1969	155,506	12.6%	143,126	10.5%
1970 to 1979	247,981	20.1%	233,197	17.0%
1980 to 1989	223,450	18.1%	211,063	15.4%
1990 to 1999	333,374	27.0%	299,531	21.9%
2000 to 2004	.	.	141,151	10.3%
2005 or Later	.	.	96,696	7.1%
Total	1,233,283	100.0%	1,369,049	100.0%

Of the 1,362,390 housing units reported in nonentitlement areas of the State of Tennessee in the 2000 Census, 73.2 percent were single-family homes. An additional 17.8 percent were mobile homes, 4.2 percent of units were counted as apartments, 2.6 percent were duplex units, and 2.1 percent were tri- or four-plex units. ACS data for 2011 showed that the share of single-family units and apartments increased very slightly, while the shares of duplexes, tri- and four-plexes, and mobile homes decreased slightly. These data are presented in Table II.11.

Table II.11
Housing Units by Type

Nonentitlement Areas of the State of Tennessee
2000 Census SF3 & 2011 Five-Year ACS Data

Unit Type	2000 Census ⁹		2011 Five-Year ACS	
	Units	% of Total	Units	% of Total
Single-Family	996,718	73.2%	1,171,681	74.7%
Duplex	34,984	2.6%	35,795	2.3%
Tri- or Four-Plex	27,974	2.1%	30,392	1.9%
Apartment	57,137	4.2%	74,571	4.8%
Mobile Home	242,035	17.8%	254,192	16.2%
Boat, RV, Van, Etc.	3,542	.3%	1,360	.1%
Total	1,362,390	100.0%	1,567,991	100.0%

Housing units can also be examined by tenure. Between 2000 and 2011, the number of occupied housing units increased from 956,875 to 1,041,615 units. The shares of units by tenure showed a slight shift to a greater share of renter-occupied units, with the rate of homeownership slipping from 77.6 percent to 76.1 percent. Despite the increase in population, the number of vacant units showed a large increase between 2000 and 2010. These data are presented in Table II.12.

Table II.12
Housing Units by Tenure

Nonentitlement Areas of the State of Tennessee
2000 Census SF3 & 2011 Five-Year ACS Data

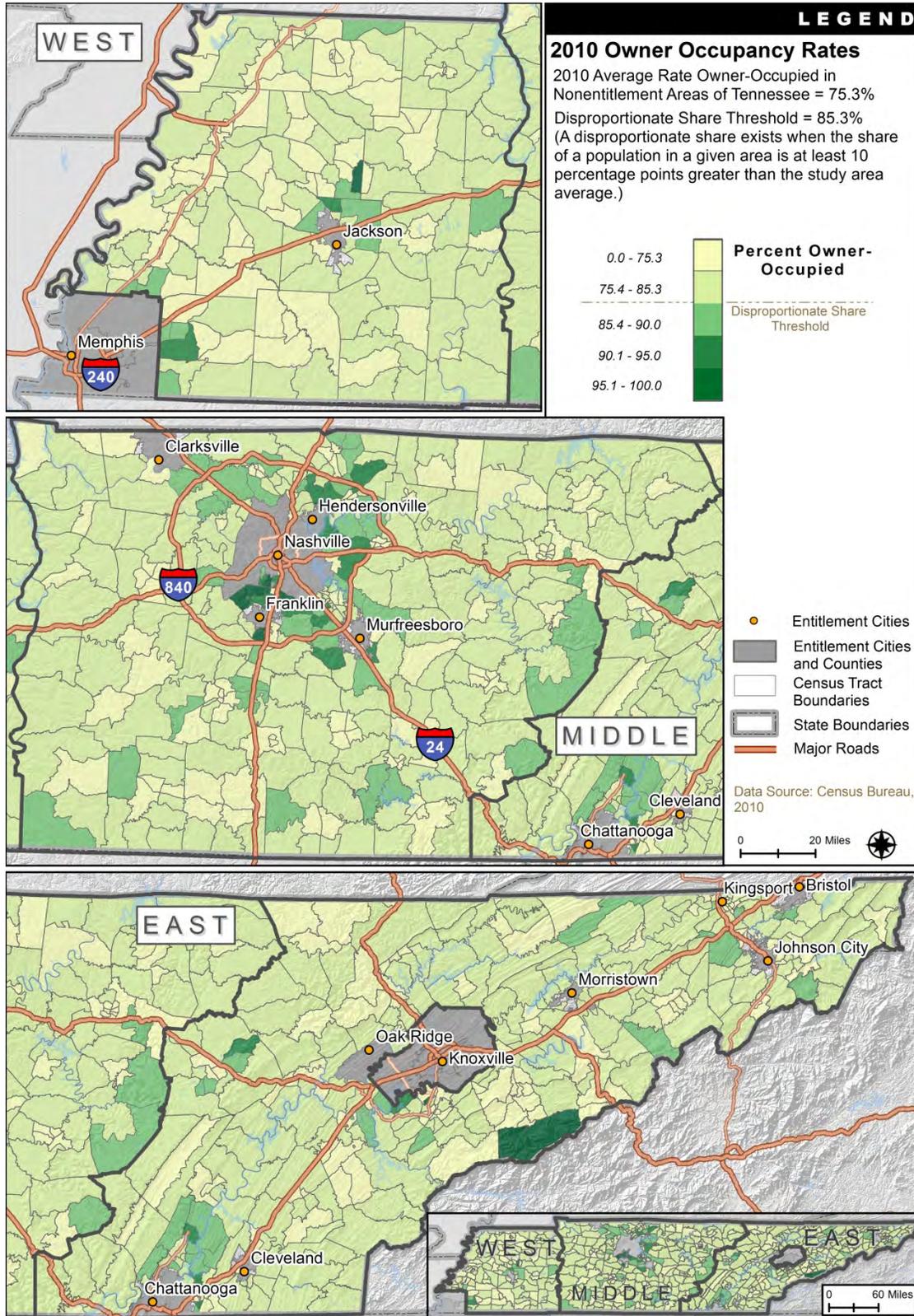
Tenure	2000 Census		2011 Five-Year ACS	
	Units	% of Total	Units	% of Total
Occupied Housing Units	1,233,432	90.5%	1,369,049	87.3%
Owner-Occupied	956,875	77.6%	1,041,615	76.1%
Renter-Occupied	276,557	22.4%	327,434	23.9%
Vacant Housing Units	128,978	9.5%	198,942	12.7%
Total Housing Units	1,362,410	100.0%	1,567,991	100.0%

The geographic dispersal of owner-occupied units in nonentitlement areas of the State of Tennessee in 2010 is presented in Map II.8. The average percentage of owner-occupied housing was 75.3 percent in 2010, making the disproportionate share threshold 85.3 percent. Concentrations of owner-occupied housing above the disproportionate share threshold were seen throughout the State, particularly surrounding the Davidson County metropolitan region and around Shelby, Madison, and Hamilton counties, as well as in several larger rural tracts in the eastern side.

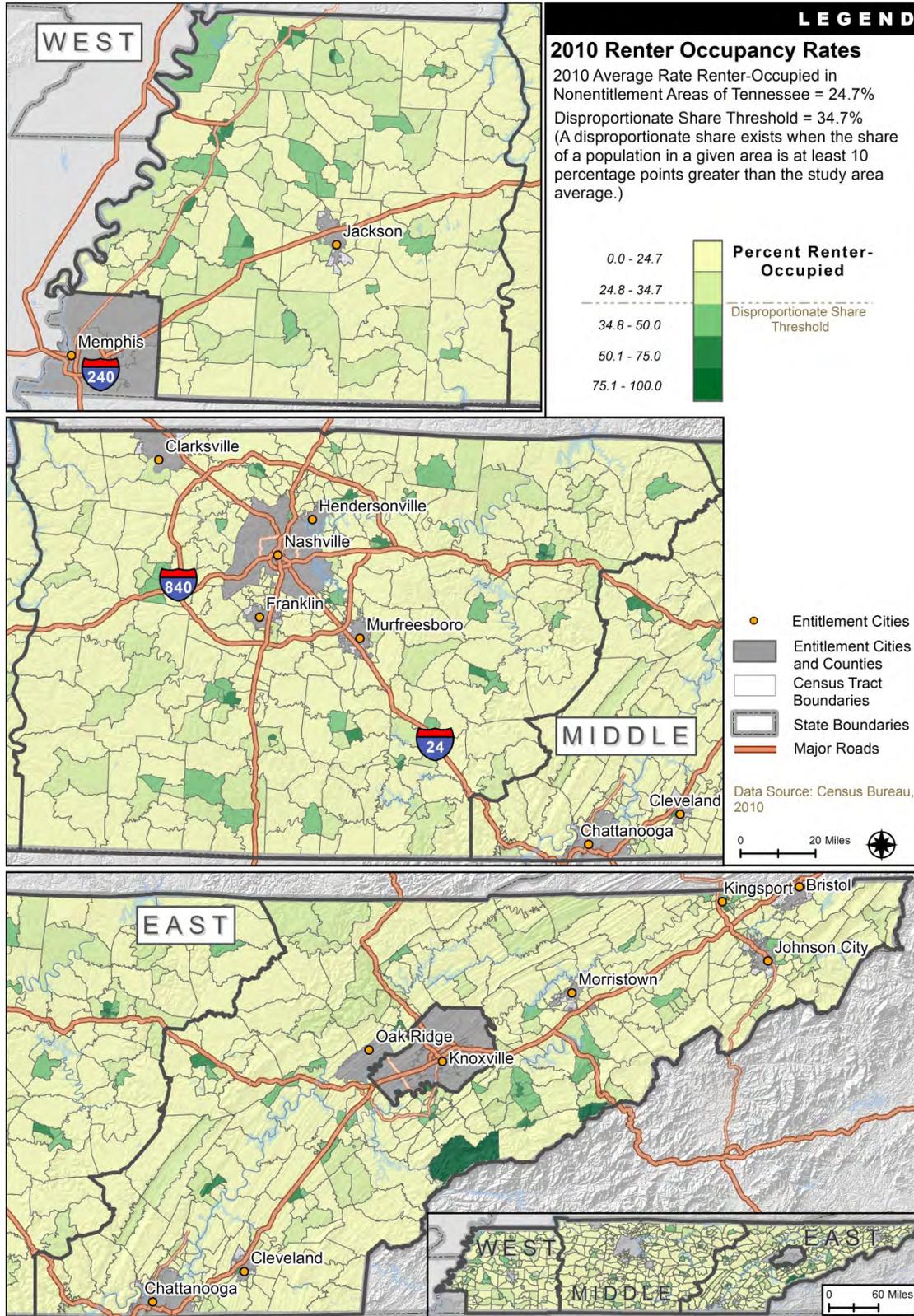
Conversely, the average rate of renter-occupied housing per tract was 24.7 percent in 2010. Map II.9, on page 44, shows the distribution of renter-occupied housing in the nonentitlement areas.

⁹ For Census 2000, the Census Bureau created weighting areas in which two hundred or more long forms were completed, large enough to produce good quality estimates. If smaller weighting areas had been used, estimates would have been less reliable. However, for smaller geographic areas within the weighting areas, the estimates of characteristics that are also reported on the short form will not match the counts reported in SF 1 or SF 2, the official values. This is why, for these SF3 data, the number of housing units does not match the number reported in the SF1 data. (Census Bureau) <http://www.census.gov/census2000/sf3compnote.html>

Map II.8
Owner-Occupied Housing Units
 Nonentitlement Areas of the State of Tennessee
 2010 Census Data



Map II.9
Renter-Occupied Housing Units
 Nonentitlement Areas of the State of Tennessee
 2010 Census Data



VACANT HOUSING

It is striking that the share of vacant housing increased despite the increase in population, as noted previously. As shown in Table II.13, at the time of the 2000 Census, the vacant housing stock represented 128,978 units, and by 2010, this figure reached 194,198. A good portion of the vacant units in 2000 and 2010 were for rent or for seasonal or recreational use, but in total, the number of vacant housing units increased by more than half (50.6 percent), and most of these increases came from the number of for-rent, for-seasonal use, or “other vacant” units. Notably, “other vacant” units showed an increase of 64.01 percent, from 39,449 units to 64,701 units. For-rent and for-sale units increased by 36.76 and 41.07 percent by 2010, respectively, suggesting that the housing market was still recovering from the national housing market boom of 2007 and 2008.

Table II.13
Disposition of Vacant Housing Units
 Nonentitlement Areas of the State of Tennessee
 2000 & 2010 Census SF1 Data

Disposition	2000 Census		2010 Census		% Change 00–10
	Units	% of Total	Units	% of Total	
For Rent	28,599	22.2%	39,111	20.1%	36.76%
For Sale	18,163	14.1%	25,622	13.2%	41.07%
Rented or Sold, Not Occupied	9,419	7.3%	9,008	4.6%	-4.36%
For Seasonal, Recreational, or Occasional Use	32,968	25.6%	55,413	28.5%	68.08%
For Migrant Workers	380	0.3%	343	.2%	-9.74%
Other Vacant	39,449	30.6%	64,701	33.3%	64.01%
Total	128,978	100.0%	194,198	100.0%	50.6%

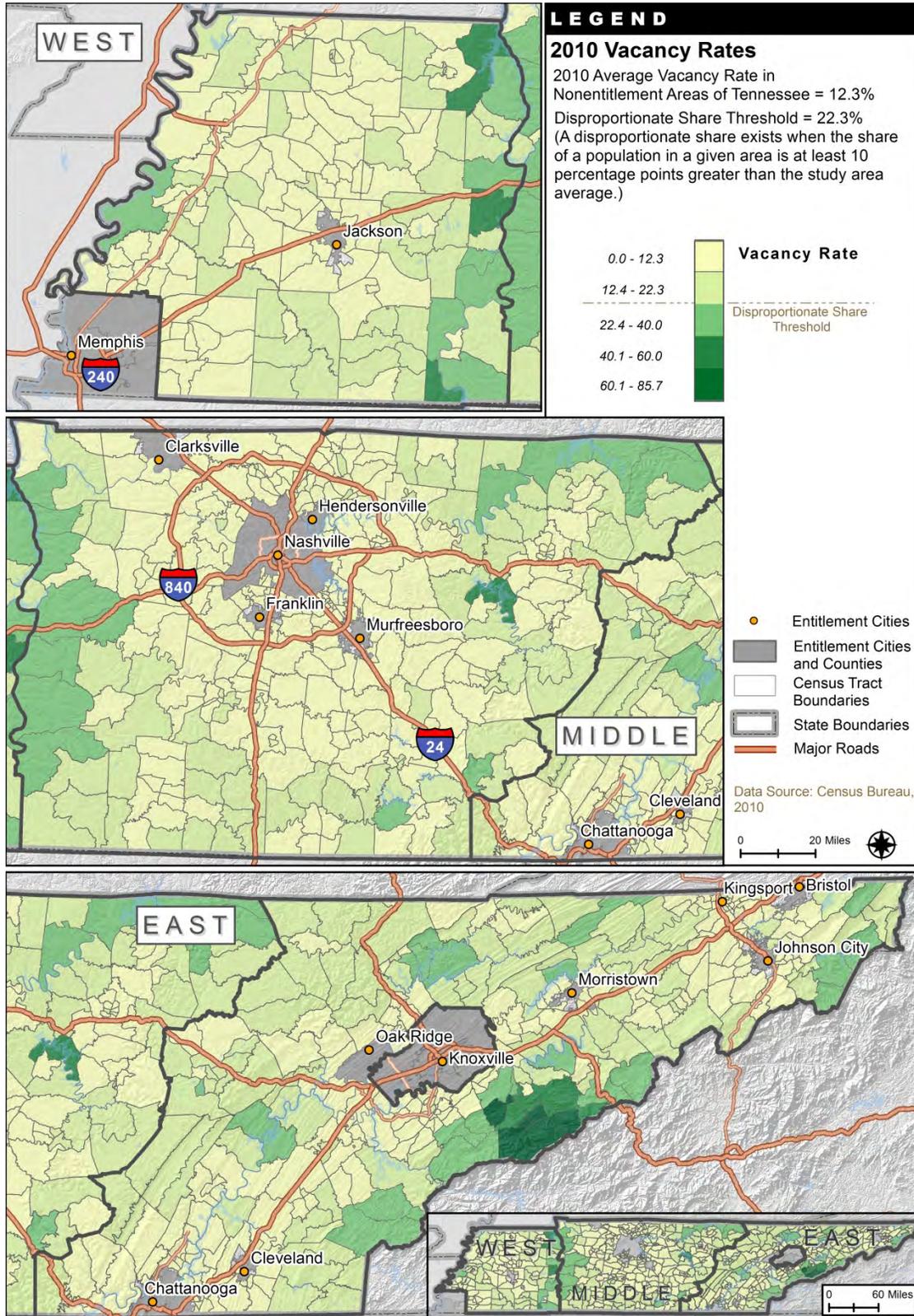
Map II.10, on page 46, shows the concentration of vacant units per tract in 2010. On average in the nonentitlement areas of the State of Tennessee, the vacancy rate was 12.3 percent. Several tracts demonstrated disproportionate shares of at least 22.3 percent; these were concentrated along the eastern border of the State and in large, rural tracts along the north-south length of the State between Madison and Davidson counties.

Of greater concern are the “other vacant” units. These empty, but neither for rent nor for sale. There may be difficulties determining ownership or if someone wish to take care of such a unite. Furthermore, if these other vacant units are located in close proximity to one another, they can have a blighting influence on the particular locale in which they are located.

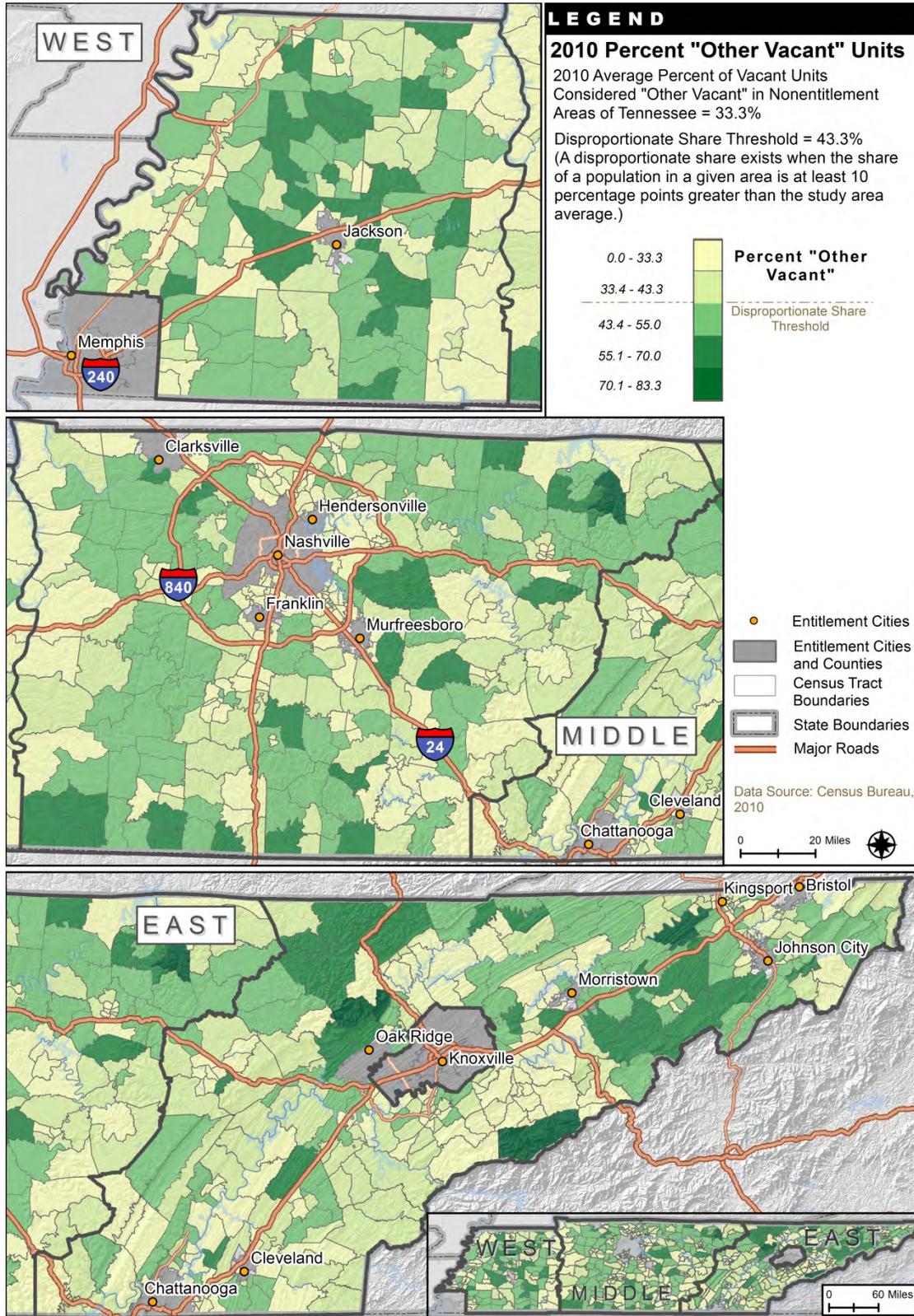
Map II.11, on page 47, shows the concentration of units per tract described as “other vacant” in the 2010 Census. The average percentage of “other vacant” units was 33.3 percent, so the disproportionate share threshold was 43.3 percent. Tracts with the highest shares of “other vacant” units were generally located in rural areas surrounding the Madison County area, north and east of Rutherford County, and southeast of Knox County.

Map II.10 Vacant Housing Units

Nonentitlement Areas of the State of Tennessee
2010 Census Data



Map II.11
“Other Vacant” Housing Units
 Nonentitlement Areas of the State of Tennessee
 2010 Census Data



HOUSEHOLD SIZE

Housing choices can also be examined by household size. The number of persons per household, as counted in the nonentitlement areas of the State at the time of the 2000 and 2010 Censuses is presented in Table II.14. As shown, in 2000, more than 58 percent of households represented one- or two-person households, more than 33 percent represented three- or four-person households, and the remainder represented households with five persons or more. Similar patterns were seen in 2010, although small and large family households increased more than did mid-size families. The largest increases were in six- and seven-or-more-person households, which grew by 43.4 and 72.7 percent, respectively.

Table II.14
Households by Household Size
 Nonentitlement Areas of the State of Tennessee
 2000 & 2010 Census SF1 Data

Size	2000 Census		2010 Census		% Change 00–10
	Households	% of Total	Households	% of Total	
One Person	280,098	22.7%	332,359	24.0%	18.7%
Two Persons	441,988	35.8%	504,001	36.4%	14.0%
Three Persons	235,407	19.1%	239,541	17.3%	1.8%
Four Persons	180,893	14.7%	185,220	13.4%	2.4%
Five Persons	65,907	5.3%	79,131	5.7%	20.1%
Six Persons	19,677	1.6%	28,215	2.0%	43.4%
Seven Persons or More	9,462	.8%	16,340	1.2%	72.7%
Total	1,233,432	100.0%	1,384,807	100.0%	12.3%

HOUSING PROBLEMS

The 2000 Census reported some information regarding the physical condition of housing units.¹⁰ These data relate to overcrowding, incomplete plumbing or kitchen facilities, and cost burdens. While these data were not collected during the course of the 2010 Census, data were available for comparison from the 2011 ACS.

Overcrowding

Overcrowding occurs when a housing unit has more than one person per room but less than 1.5, with severe overcrowding occurring with 1.5 persons per room or more. At the time of the 2000 Census, 19,502 households, or 1.6 percent, were overcrowded, and another 6,234 were severely overcrowded, as shown in Table II.15. This housing problem was considerably more prevalent in renter-occupied households compared to owner-occupied households. On the other hand, overcrowding generally declined over the decade, as presented in the 2011 ACS data, with the share of severely overcrowded households decreasing significantly for both owner- and renter-occupied households.

¹⁰ Summary File 3 (SF3), as defined by the Census Bureau, “consists of 813 detailed tables of [the 2000 Census] social, economic, and housing characteristics compiled from a sample of approximately 19 million housing units (about one in six households) that received the 2000 Census long-form questionnaire.” (U.S. Census Bureau 2011) These sample data include sampling error and may not sum precisely to the 100 percent sample typically presented in the 2000 Census.

Table II.15
Overcrowding and Severe Overcrowding
 Nonentitlement Areas of the State of Tennessee
 2000 Census SF3 & 2011 Five-Year ACS Data

Data Source	No Overcrowding		Overcrowding		Severe Overcrowding		Total
	Households	% of Total	Households	% of Total	Households	% of Total	
Owner							
2000 Census	943,308	98.6%	10,761	1.1%	2,619	.3%	956,688
2011 Five-Year ACS	1,030,835	99.0%	8,476	.8%	2,304	.2%	1,041,615
Renter							
2000 Census	264,239	95.5%	8,741	3.2%	3,615	1.3%	276,595
2011 Five-Year ACS	316,231	96.6%	9,123	2.8%	2,080	.6%	327,434
Total							
2000 Census	1,207,547	97.9%	19,502	1.6%	6,234	.5%	1,233,283
2011 Five-Year ACS	1,347,066	98.4%	17,599	1.3%	4,384	.3%	1,369,049

Incomplete Facilities

Incomplete plumbing or kitchen facilities are other indicators of potential housing problems. According to the Census Bureau, a housing unit is classified as lacking complete plumbing facilities when any of the following are not present: piped hot and cold water, a flush toilet, and a bathtub or shower. Likewise, a unit is categorized as deficient when any of the following are missing from the kitchen: a sink with piped hot and cold water, a range or cook top and oven, and a refrigerator.

At the time of the 2000 Census, 9,514 units, or .8 percent of all housing units in nonentitlement areas of the State, were lacking complete plumbing facilities, as shown in Table II.16. The 2011 ACS data showed that the percentage of units with this housing problem decreased to an estimated 7,723 units, or .6 percent.

Table II.16
Households with Incomplete Plumbing Facilities
 Nonentitlement Areas of the State of Tennessee
 2000 Census SF3 & 2011 Five-Year ACS Data

Households	2000 Census	2011 Five-Year ACS
With Complete Plumbing Facilities	1,223,769	1,361,326
Lacking Complete Plumbing Facilities	9,514	7,723
Total Households	1,233,283	1,369,049
Percent Lacking	.8%	.6%

Table II.17 shows the number of housing units with incomplete kitchen facilities in nonentitlement areas of the State. The most recent data reported slightly higher percentages of units with incomplete kitchen facilities than with incomplete plumbing facilities, with .6 percent of total units counted as incomplete in 2000 and .7 percent in 2011.

Table II.17
Households with Incomplete Kitchen Facilities
 Nonentitlement Areas of the State of Tennessee
 2000 Census SF3 & 2011 Five-Year ACS Data

Households	2000 Census	2011 Five-Year ACS
With Complete Kitchen Facilities	1,226,016	1,359,525
Lacking Complete Kitchen Facilities	7,267	9,524
Total Households	1,233,283	1,369,049
Percent Lacking	.6%	.7%

Cost Burden

The third type of housing problem reported in the 2000 Census was cost burden, which occurs when a household has gross housing costs that range from 30 to 49.9 percent of gross household income; severe cost burden occurs when gross housing costs represent 50 percent or more of gross household income. For homeowners, gross housing costs include property taxes, insurance, energy payments, water and sewer service, and refuse collection. If the homeowner has a mortgage, the determination also includes principal and interest payments on the mortgage loan. For renters, this figure represents monthly rent plus energy utility charges.

Table II.18 shows that 13.0 percent of households were cost burdened and 8.6 percent were severely cost burdened in 2000. Nationally at that time, the average Census figures were 16.2 and 11.5 percent, respectively. The 2011 ACS data averages showed that cost burden and severe cost burden increased to 23.5 and 19.7 percent, respectively. The rates also increased for the subcategories. For example, the rate of cost burden for owners with a mortgage increased to 19.8 percent and the rate of severe cost burden for this group increased to 11.8 percent. For renters, the cost burden rate rose to 19.7 percent, and the severe cost burden rate rose to 11.3 percent.

Table II.18
Cost Burden and Severe Cost Burden by Tenure
 Nonentitlement Areas of the State of Tennessee
 2000 Census & 2011 Five-Year ACS Data

Data Source	Less Than 30%		31%-50%		Above 50%		Not Computed		Total
	Households	% of Total	Households	% of Total	Households	% of Total	Households	% of Total	
Owner With a Mortgage									
2000 Census	304,503	75.2%	63,242	15.6%	34,694	8.6%	2,319	.6%	404,758
2011 Five-Year ACS	413,644	68.0%	120,273	19.8%	71,584	11.8%	2,753	.5%	608,254
Owner Without a Mortgage									
2000 Census	227,691	89.6%	13,510	5.3%	8,354	3.3%	4,663	1.8%	254,218
2011 Five-Year ACS	380,833	87.9%	29,409	6.8%	18,203	4.2%	4,916	1.1%	433,361
Renter									
2000 Census	145,890	55.3%	43,050	16.3%	36,177	13.7%	38,666	14.7%	263,783
2011 Five-Year ACS	143,589	43.9%	65,795	20.1%	64,485	19.7%	53,565	16.4%	327,434
Total									
2000 Census	678,084	73.5%	119,802	13.0%	79,225	8.6%	45,648	4.9%	922,759
2011 Five-Year ACS	938,066	68.5%	215,477	15.7%	154,272	11.3%	61,234	4.5%	1,369,049

Renters with a severe cost burden are at risk of homelessness. Cost-burdened renters who experience one financial setback often must choose between rent and food or rent and health care for their families. Similarly, homeowners with a mortgage who have just one unforeseen

financial constraint—such as temporary illness, divorce, or the loss of employment—may face foreclosure or bankruptcy. Furthermore, households that no longer have a mortgage yet still experience a severe cost burden may be unable to conduct periodic maintenance and repair of their homes, and in turn, may contribute to a dilapidation and blight problem. All three of these situations should be of concern to policymakers and program managers.

HOUSING COSTS

The five-year ACS estimates also report data on housing costs, such as median contract rent and median home value. These figures are reported as median values per Census tract; thus, an average cannot be taken for all tracts in the nonentitlement areas of the State.

Rental Housing Costs

Map II.12 presents data on median contract rent prices by Census tract. In general, the highest contract rents were seen surrounding the Davidson County metropolitan area, although tracts outside Madison, Shelby, Knox, and Washington counties also contained high rent values.

Owner-Occupied Housing Costs

The distribution of owner-occupied home values in nonentitlement areas of the State, as reported in the 2011 ACS, is presented on page 53 in Map II.13. A few similarities can be seen when comparing this map to the previous map; the areas with the highest home values were also in tracts surrounding Davidson, Knox, and Hamilton counties, and other more urbanized areas. However, the highest home values were far more concentrated in areas south of Davidson County near Williamson County.

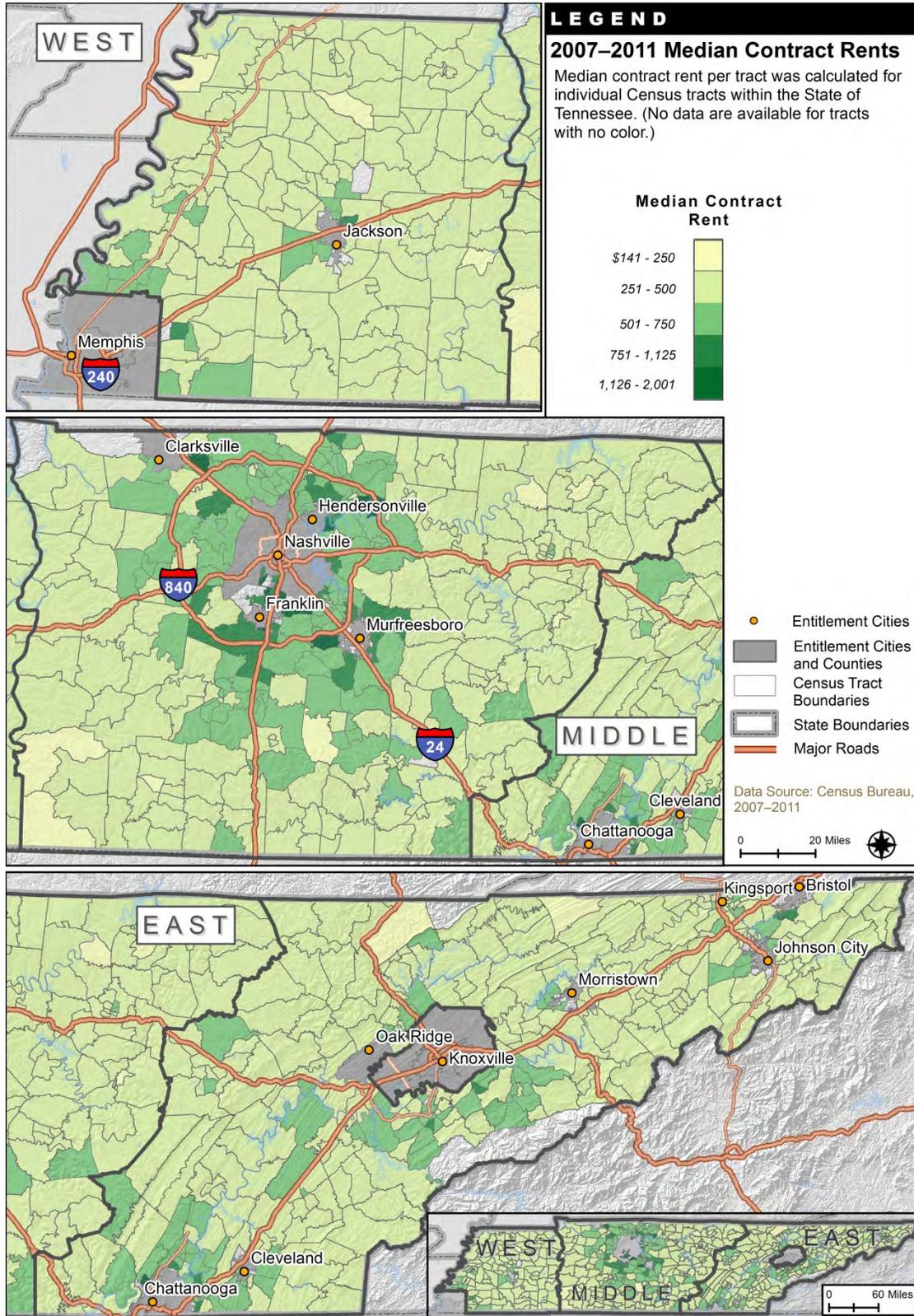
D. SUMMARY

Analysis of demographic, economic, and housing data provides information about the level and results of past housing locational choices. Demographic data indicate the sizes of populations and several protected classes; economic and employment data show economic factors; and counts of housing by type, tenure, quality, and cost indicate the ability of the housing stock to meet the needs of the State's nonentitlement area residents.

According to the Census Bureau, between 2000 and 2011, the population in the nonentitlement areas of the State of Tennessee grew from 3,179,586 to 3,558,774 persons, or by 11.9 percent. Data for population by age showed that the State's population slowly shifted to represent more persons over the age of 55, although the age groups with the largest populations comprised persons aged 5 to 19 and 35 to 54.

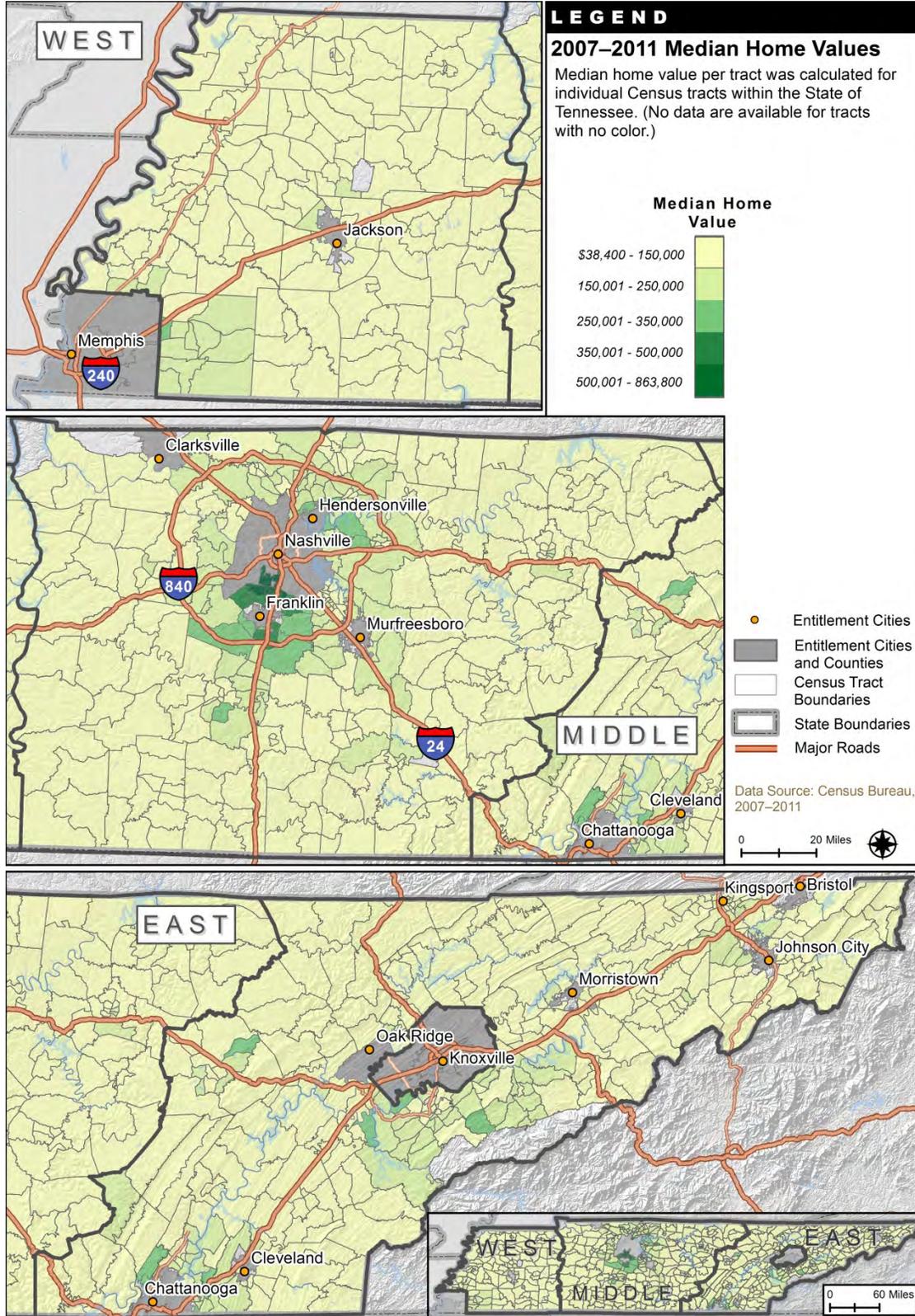
Map II.12 Median Contract Rent

Nonentitlement Areas of the State of Tennessee
2011 Five-Year ACS Data



Map II.13 Median Home Value

Nonentitlement Areas of the State of Tennessee
2011 Five-Year ACS Data



Census Bureau data showed that since 2000, the racial and ethnic composition of the nonentitlement areas of the State also changed slightly. While the white and black populations increased the least, by 9.7 and 12.7 percent, respectively, between 2000 and 2010, all other racial and ethnic minorities showed much larger increases in population share. Asian, Hispanic, two or more races, and “other” groups all showed percentage increases of more than 87 percent. Further evaluation of Hispanic population data, in geographic terms, showed increases in the concentration of this group in Census tracts in several rural areas in the State from 2000 to 2010.

Economic data for the State of Tennessee demonstrate the impact of the recent recession. Data from the BLS showed that while the labor force—defined as persons either working or looking for work—did not increase significantly from 2000 to 2011, employment figures declined more dramatically after 1999 and again after 2007. As a result, the overall unemployment rate had increased to 9.7 percent by 2012. Data from the BEA showed that average earnings per job in the State of Tennessee decreased from 2004 to 2009 but increased after that point.

The poverty rate in the nonentitlement areas of the State was 15.9 percent, as reported in the 2011 ACS, compared to 12.7 percent in 2000. Elevated concentrations of poverty may be a concern.

The number of housing units in nonentitlement areas of the State increased by 15.9 percent between 2000 and 2010, or from 1,362,390 to 1,579,005 units. Of the housing units reported in nonentitlement areas of the State in the 2011 ACS, 74.7 percent were single-family units and 16.2 were mobile homes. The 2010 Census showed that 87.7 percent of units were occupied; of these, 75.3 percent were owner-occupied and 24.7 percent were renter-occupied. Of the 128,978 unoccupied housing units counted in nonentitlement areas of the State of Tennessee in 2000, 39,449 were “other vacant” units, which are not available to the marketplace. However, data from the 2010 Census showed that the percentage of this type of unit increased by 64.01 percent, to 64,701 units. However, these “other vacant” units, if located in close proximity to one another, may have a blighting influence.

At the time of the 2000 Census, 1.6 percent of households were overcrowded; this housing problem was more common in renter households than in owner households. In 2000, .8 and .6 percent of all households were lacking complete plumbing or kitchen facilities, respectively, and the number of households with incomplete kitchen facilities had increased in more recent data. Additionally, in 2000, 13.0 percent of households had a cost burden and 8.6 percent of households had a severe cost burden, and 2011 data showed that both of these percentages had increased considerably since that point.

Average rental costs were highest in surrounding the Davidson County metropolitan area and other large cities, as shown in geographic maps. The highest median home values for owner-occupied homes were more concentrated in the Davidson County/Williamson County area.

III. FAIR HOUSING LAW, STUDY, AND CASE REVIEW

As part of the AI process, existing fair housing laws, studies, cases, and other relevant materials were reviewed on a national and state-level scale. Results of this review are presented below.

A. FAIR HOUSING LAWS

FEDERAL FAIR HOUSING LAWS

Several federal laws provide the backbone for U.S. fair housing legal structure. While some laws have been previously discussed in this report, a brief list of laws related to fair housing, as defined on the U.S. Department of Housing and Urban Development's (HUD's) website, is presented below:

- *Fair Housing Act*. Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and persons securing custody of children under the age of 18), and handicap (disability).¹¹
- Title VIII was amended in 1988 (effective March 12, 1989) by the *Fair Housing Amendments Act* . . . In connection with prohibitions on discrimination against individuals with disabilities, the Act contains design and construction accessibility provisions for certain new multi-family dwellings developed for first occupancy on or after March 13, 1991.¹²
- *Title VI of the Civil Rights Act of 1964*. Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.
- *Section 504 of the Rehabilitation Act of 1973*. Section 504 prohibits discrimination based on disability in any program or activity receiving federal financial assistance.
- *Section 109 of the Housing and Community Development Act of 1974*. Section 109 prohibits discrimination on the basis of race, color, national origin, sex, or religion in programs and activities receiving financial assistance from HUD's Community Development and Block Grant Program.
- *Title II of the Americans with Disabilities Act of 1990*. Title II prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance, and housing referrals.
- *Architectural Barriers Act of 1968*. The Architectural Barriers Act requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 be accessible to and useable by handicapped persons.
- *Age Discrimination Act of 1975*. The Age Discrimination Act prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

¹¹ (HUD FHEO n.d.) *Fair Housing Laws and Presidential Executive Orders*

¹² (HUD FHEO n.d.) *Title VIII: Fair Housing and Equal Opportunity*

- *Title IX of the Education Amendments Act of 1972.* Title IX prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.¹³

FAIR HOUSING-RELATED PRESIDENTIAL EXECUTIVE ORDERS

- **Executive Order 11063:** Prohibits discrimination in the sale, leasing, rental, or other disposition of properties and facilities owned or operated by the federal government or provided with federal funds.
- **Executive Order 12892:** Requires federal agencies to affirmatively further fair housing in their programs and activities, and provides that the Secretary of HUD will be responsible for coordinating the effort. The Order also establishes the President’s Fair Housing Council, which will be chaired by the Secretary of HUD.
- **Executive Order 12898:** Requires that each federal agency conduct its program, policies, and activities that substantially affect human health or the environment in a manner that does not exclude persons based on race, color, or national origin.
- **Executive Order 13166:** Eliminates, to the extent possible, limited English proficiency as a barrier to full and meaningful participation by beneficiaries in all federally assisted and federally conducted programs and activities.
- **Executive Order 13217:** Requires federal agencies to evaluate their policies and programs to determine if any can be revised or modified to improve the availability of community-based living arrangements for persons with disabilities.¹⁴

STATE FAIR HOUSING LAWS

In addition to federal law, citizens of the nonentitlement areas of the State of Tennessee are also protected by a statewide fair housing law. The Tennessee Human Rights Act, Title 4 Chapter 21, was created to guarantee the State have appropriate legislation prohibiting discrimination in employment, public accommodations, and housing. As part of this act, all persons are protected from housing discrimination based on race, creed, color, religion, sex, age, or national origin. Thus, the State added “creed” as a basis for protection within Tennessee.¹⁵

B. FAIR HOUSING STUDIES

NATIONAL FAIR HOUSING STUDIES

HUD Studies

In 2000, HUD released a publication entitled *Discrimination in Metropolitan Housing Markets*, which measured the prevalence of housing discrimination based on race and ethnicity in the U.S. This was the third nationwide effort to measure discrimination against minority home seekers since 1977, conducted in three phases.

¹³ (HUD FHEO n.d.) *Fair Housing Laws and Presidential Executive Orders*

¹⁴ (HUD FHEO n.d.) *Fair Housing Laws and Presidential Executive Orders*

¹⁵ (Tennessee Statutes 2006)

- Phase 1 – Black and Hispanic Populations:** The study, based on 4,600 paired tests in 23 metropolitan cities in the U.S., found large decreases in the levels of discrimination against black and Hispanic home seekers between 1989 and 2000. In the rental markets, a moderate decrease was seen in discrimination toward black individuals, who experienced adverse treatment more often than did white individuals, whereas the Hispanic population was more likely to face discrimination in the rental markets than were its black and white counterparts. Many black and Hispanic home seekers were told that units were unavailable, although the same units were available to white home seekers, and the black and Hispanic populations were also shown and told about fewer units. In addition, Hispanic individuals were more likely in 2000 than in 1989 to be quoted a higher rent than white individuals who sought to rent the same unit.
- Phase 2 – Asian and Pacific Islander Populations:** This study, conducted in 2000 and 2001 and based on 889 paired tests in 11 metropolitan areas in the U.S., showed that Asian and Pacific Islander individuals who sought to rent a unit experienced adverse treatment compared to white individuals in 21.5 percent of tests, which was similar to the rate black and Hispanic individuals saw. The study also showed that Asian and Pacific Islander prospective homebuyers experienced adverse treatment compared to white prospective homebuyers 20.4 percent of the time, with discrimination occurring in the availability of housing, inspections, assistance with financing, and encouragement by agents.
- Phase 3 – American Indian Population:** The last phase of HUD’s nationwide effort to measure housing discrimination involved estimating the level of discrimination experienced by American Indian individuals in their search for housing in metropolitan areas across Minnesota, Montana, and New Mexico. The findings showed that the American Indian population experienced adverse treatments compared to white individuals in 28.5 percent of rental tests. White individuals were consistently told about advertised units, similar units, and more units than were American Indian individuals with similar qualifications. The high level of discrimination experienced by the American Indian population in these areas surpassed rates seen by Hispanic, black, and Asian individuals in the metropolitan rental markets nationwide.¹⁶

In April 2002, HUD released a national study that assessed public awareness of and support for fair housing law titled *How Much Do We Know?: Public Awareness of the Nation’s Fair Housing Laws*. The study found that only 50 percent of the population was able to identify most scenarios describing illegal conduct. In addition, 14 percent of the nationwide survey’s adult participants believed that they had experienced some form of housing discrimination in their lifetime. However, only 17 percent of those who had experienced housing discrimination had taken action to resolve the issue, such as filing a fair housing complaint. Finally, two-thirds of all respondents said that they would vote for a fair housing law.¹⁷

As a follow-up, HUD later released a study in February 2006 called *Do We Know More Now?: Trends in Public Knowledge, Support and Use of Fair Housing Law*. One aim of the study was to determine whether a nationwide media campaign had proven effective in increasing the

¹⁶ (HUD PD&R 2005) *Discrimination in Metropolitan Housing Markets: National Results from Phase 1, Phase 2, and Phase 3 of the Housing Discrimination Study (HDS)*

¹⁷ (HUD PD&R 2002) *How Much Do We Know? Public Awareness of the Nation’s Fair Housing Laws*

public's awareness of housing discrimination, and another goal was to determine the public's desire to report such discrimination. Unfortunately, the study found that overall public knowledge of fair housing law did not improve between 2000 and 2005. As before, just half of the public knew the law regarding six or more illegal housing activities. The report showed that 17 percent of the study's adult participants experienced discrimination when seeking housing; however, after reviewing descriptions of the perceived discrimination, it was determined that only about 8 percent of the situations might be covered by the Fair Housing Act. Four out of five individuals who felt they had been discriminated against did not file a fair housing complaint, indicating that they felt it "wasn't worth it" or that it "wouldn't have helped." Others did not know where to complain, assumed it would cost too much, were too busy, or feared retaliation. One positive finding of the survey was that public support for fair housing law increased from 66 percent in 2000 to 73 percent in 2005.¹⁸

U.S. GAO Studies

In 2004, the U.S. General Accounting Office's (GAO) released a report titled *Fair Housing: Opportunities to Improve HUD's Oversight and Management of the Enforcement Process*. The GAO report found that between 1996 and 2003, the median number of days required to complete fair housing complaint investigations was 259 for HUD's Fair Housing and Equal Opportunity (FHEO) offices and 195 for Fair Housing Assistance Program (FHAP) agencies—far above the 100-day mandate. However, the report did find a higher percentage of investigations completed within that time limit. The GAO report also identified the following trends:

- The number of fair housing complaints filed each year steadily increased since 1998. An increasing proportion of grievances alleged discrimination based on disability and a declining proportion alleged discrimination based on race, although race was still the most cited basis of housing discrimination;
- FHAP agencies conducted more fair housing investigations than FHEO offices over the eight-year period. The total number of investigations completed each year increased slightly after declining in 1997 and 1998; and
- An increasing percentage of investigations closed without finding reasonable cause to believe discrimination occurred. However, a declining percentage of investigations were resolved by the parties themselves or with help from FHEO offices or FHAP agencies.¹⁹

University Studies

In 2006, the University of Southern California and Oregon State University collaborated to study rental discrimination and race. The universities responded to 1,115 advertisements regarding apartment vacancies in Los Angeles County and signed the bottom of each email with Tyrell Jackson, a traditionally black name; Patrick McDougall, a traditionally white name; or Said Al-Rahman, a traditionally Arab name. Analysis indicated that individuals who were perceived as black were four times more likely to be discouraged from viewing an apartment than persons perceived as white, and individuals considered to be Arab were three times more

¹⁸ (HUD PD&R 2006) *Do We Know More Now? Trends In Public Knowledge, Support And Use Of Fair Housing Law*

¹⁹ (U.S. GAO 2004) *Opportunities to Improve HUD's Oversight and Management of the Enforcement Process*

likely to be discouraged from viewing an apartment than individuals who appeared white. The analysis also noted that applicants perceived as black were more likely to receive negative responses, such as the apartment was no longer available for market rate or above market rate apartments. For example, only an email signed Tyrell Jackson received a reply that reiterated the apartment cost to ensure the apartment was within the applicant's price range. The study also analyzed the responses from private property owners versus corporate property owners, but found no statistical difference in the way the two groups responded to applicants of different races.²⁰

Nonprofit Studies

Released by the Poverty & Race Research Action Council in January 2008, *Residential Segregation and Housing Discrimination in the United States* asserts that many current governmental efforts to further fair housing actually result in furthering unfair housing practices across the U.S. This article suggests that fair housing efforts can cause residential segregation. For example, if the majority of public housing residents are non-white and most public housing accommodations are grouped in the same Census tracts, residential segregation results. Similarly, many Section 8 voucher holders are racial or ethnic minorities, and most housing that accepts Section 8 vouchers is grouped in selected areas, which again results in residential segregation. The report offers recommendations to curb such residential segregation, including dispersing public housing developments throughout cities and communities and providing greater incentives for landlords with several properties to accept the vouchers.²¹

Published in 2009 by the National Fair Housing Alliance (NFHA), *For Rent: No Kids!: How Internet Housing Advertisements Perpetuate Discrimination* presented research on the prevalence of discriminatory housing advertisements on popular websites such as Craigslist. According to the article, while newspapers are prohibited from publishing discriminatory housing advertisements, no such law exists for websites like Craigslist, as they are considered interactive internet providers rather than publishers of content. As such, they are not held to the same legal standards as newspapers. While individual landlords who post discriminatory advertisements may be held responsible, there are no such standards for companies like Craigslist that post the discriminatory advertisements. Newspapers and other publishers of content are required to screen the advertisements they accept for publishing for content that could be seen as discriminatory. This may include phrases like "no children" or "Christian only," which violate provisions of the Fair Housing Act that state families with children and religious individuals are federally protected groups.²²

In May 2010, the NFHA published a fair housing trends report, *A Step in the Right Direction*, which indicated that recent years have demonstrated forward movement in furthering fair housing. The report began with a commendation of HUD's federal enforcement of fair housing law and noted the agency's willingness to challenge local jurisdictions that failed to affirmatively further fair housing. In response to the recent foreclosure crisis, many credit institutions have implemented tactics to reduce risk. However, this report suggests that policies that tighten credit markets—such as requiring larger cash reserves, higher down payments, and

²⁰ (Carpusor and Loges 2006)

²¹ (U.S. Housing Scholars and Research and Advocacy Organizations 2008)

²² (National Fair Housing Alliance 2009)

better credit scores—may disproportionately affect lending options for communities of color and women. *A Step in the Right Direction* concludes with examples of ways in which the fair housing situation could be further improved, including addressing discriminatory internet advertisements and adding gender identity, sexual orientation, and source of income as federally protected classes.²³

The 2011, the NFHA report *The Big Picture: How Fair Housing Organizations Challenge Systemic and Institutionalized Discrimination* focuses on promoting integrated communities and steps taken to eliminate discrimination within those communities. The first section highlights cities such as New Orleans, Louisiana and Milwaukee, Wisconsin and the steps they have taken to eliminate discrimination within their housing markets. Also, the additional focus on discriminatory lending practices since the passing of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 lead to the creation of the Consumer Financial Protection Bureau (CFPB). The CFPB was established to protect consumers from predatory loans and discriminatory practices. The report concludes with need for promotion of diverse communities where all residents have access to vital services such as decent schools, health services, and grocery stores.²⁴

Released in April 2012 by the NFHA, *Fair Housing in a Changing Nation* reported that fair housing complaints dropped slightly in 2011, but disability complaints overall remained high. Discrimination complaints reported by classes not protected by the Federal Fair Housing Act but under state or local fair housing laws, such as gender identity, marital status, and sexual orientation, were also filed at a greater rate. NFHA states that it is crucial to amend the Federal Fair Housing Act to include these additional protected classes and thus serve more victims of housing discrimination. Since the establishment of the CFPB, in 2011 there was more focus on discriminatory lenders and making the mortgage market safer for consumers. *Fair Housing in a Changing Nation* concludes with the continuing need to focus on the foreclosure crisis and for HUD to release its final regulations on disparate impact, affirmatively furthering fair housing, and sexual harassment.²⁵

C. FAIR HOUSING CASES

NATIONAL FAIR HOUSING CASES

As noted in the introduction to this report, provisions to affirmatively further fair housing are long-standing components of HUD's Housing and Community Development programs. In fact, in 1970, *Shannon v. HUD* challenged the development of a subsidized low-income housing project in an urban renewal area of Philadelphia that was racially and economically integrated. Under the Fair Housing Act, federal funding for housing must further integrate community development as part of furthering fair housing, but the plaintiffs in the Shannon case claimed that the development would create segregation and destroy the existing balance of the neighborhood. Following the case, HUD was required to develop a system to consider the racial and socio-economic impacts of their projects.²⁶ The specifics of the system were not

²³ (National Fair Housing Alliance 2010)

²⁴ (National Fair Housing Alliance 2011)

²⁵ (HUD FHEO 2012) 2012 FHIP Grants

²⁶ (HUD FHEO 2007) *39 Steps Toward Fair Housing*

decided upon by the court, but HUD was encouraged to consider the racial composition and income distribution of neighborhoods, racial effects of local regulations, and practices of local authorities.²⁷ The Shannon case suggested to entitlement jurisdictions the responsibility of considering the segregation effects of publicly funded housing projects on their communities as they affirmatively further fair housing.

More recently, and in a landmark fraud case, Westchester County, New York, was ordered to pay more than \$50 million to resolve allegations of misusing federal funds for public housing projects and falsely claiming their certification of furthering fair housing. The lawsuit, which was filed in 2007 by an anti-discrimination center, alleged that the County failed to reduce racial segregation of public housing projects in larger cities within the County and to provide affordable housing options in its suburbs. The County had accepted more than \$50 million from HUD between 2000 and 2006 with promises of addressing these problems. In a summary judgment in February 2009, a judge ruled that the County did not properly factor in race as an impediment to fair housing and that the County did not accurately represent its efforts of integration in its AI. In the settlement, Westchester County was forced to pay more than \$30 million to the federal government, with roughly \$20 million eligible to return to the County to aid in public housing projects. The County was also ordered set aside \$20 million to build public housing units in suburbs and areas with mostly white populations.²⁸ As of August 2012, the County was still working to comply with the requirements of the settlement. The ramifications of this case are expected to affect housing policies of both states and entitlement communities across the nation; activities taken to affirmatively further fair housing will likely be held to higher levels of scrutiny to ensure that federal funds are being spent to promote fair housing and affirmatively further fair housing.

In 2008, \$3 billion of federal disaster aid was allotted to the Texas state government to provide relief from damage caused by hurricanes Ike and Dolly. These storms ravaged homes in coastal communities, many of which were owned by low-income families that could not afford to rebuild. However, instead of directing the federal funds to the areas most affected by the storms, the State spread funds across Texas and let local planning agencies spend at will. In reaction to this, two fair housing agencies in the state filed a complaint with HUD stating that the plan violated fair housing laws as well as federal aid requirements that specify half of the funds be directed to lower-income persons. In light of the complaint, HUD withheld \$1.7 billion in CDBG funds until the case was resolved. A settlement was reached in June 2010; the State was required to redirect 55 percent of the amount of the original funds to aid poorer families that lost their homes. The State was also asked to rebuild public housing units that were destroyed by the storms and to offer programs that aid minority and low-income residents in relocating to less storm-prone areas or areas with greater economic opportunities.²⁹ As of July 2012, the Texas General Land Office has executed an agreement with the Deep East Texas Council of Governments (DETCOG) to fulfill the housing objectives set through Conciliation Agreement that modified DETCOG's original housing program.³⁰

²⁷ (Orfield 2005)

²⁸ (United States ex rel Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York 2009)

²⁹ (HUD 2010) (Title VIII); 06-10-0410-9 (Section 109)

³⁰ (Deep East Texas Council of Governments 2012)

LOCAL FAIR HOUSING CASES

U.S. Department of Justice Cases

The U.S. Department of Justice (DOJ) enacts lawsuits on behalf of individuals based on referrals from HUD. Under the Fair Housing Act, the DOJ may file lawsuits in the following instances:

- Where there is reason to believe that a person or entity is engaged in what is termed a “pattern or practice” of discrimination or where a denial of rights to a group of people raises an issue of general public importance;
- Where force or threat of force is used to deny or interfere with fair housing rights; and
- Where persons who believe that they have been victims of an illegal housing practice file a complaint with HUD or file their own lawsuit in federal or state court.³¹

A number of discrimination-based housing cases occurred in the nonentitlement areas of Tennessee from May 2008 through May 2013. The following summary describes those cases that were filed with the DOJ over the period.

Two Men Plead Guilty to Conspiring to Violate Housing Rights of Black Residents

In May of 2013, two men from Spring Hill pled guilty to participating in a racially motivated conspiracy to interfere with the housing rights of black persons in the Spring Lake subdivision. Each man pled guilt to one count of conspiracy to deprive a person of his civil rights, for their actions on or about December 30, 2011 when they vandalized homes of several black residents. The defendants admitted that their acts of vandalism were motivated, in part, by the race, color, or ethnicity of the victims.

The case was investigated by the Memphis Division of the Federal Bureau of Investigations and the Maury County Sheriff’s Department. It was prosecuted the DOJ Civil Rights Division and U.S. Attorney’s Office for the Middle District of Tennessee.³²

United States v. Bryan Company (S.D. Miss.)

The U.S. filed a complaint in May 2011 against the developers, owners, and design professionals of nine apartment complexes in Mississippi, Louisiana, and Tennessee, comprising more than 2,000 apartments. Of these, more than 800 were ground floor units that are required by the Fair Housing Act to be accessible to persons with disabilities. In addition, eight of the complexes’ leasing offices are required by the Americans with Disabilities Act (ADA) to be accessible.

However, the required accessible elements were not present in the complexes in all three states, and the complaint alleges that Defendants violated the Fair Housing Act and the ADA.³³

³¹ (U.S. DOJ Civil Rights Division 1968)

³² (U.S. DOJ Office of Public Affairs 2013)

³³ (U.S. DOJ 2013) Housing and Civil Enforcement Cases: Case Summaries

United States v. Fountainbleau Apartments (E.D. Tenn.)

A complaint filed in April of 2006 was amended in August of 2009 regarding the Fountainbleau Apartments in East Ridge, Tennessee. The complaint alleged that the owner and resident manager discriminated against persons with children by steering them to another apartment complex.

In June of 2008, the court required that the defendants Fountainbleau Apartments and CWT Management Inc. pay \$116,500 in monetary relief to 15 identified victims. The settlement also called for many corrective measures including training, a nondiscrimination policy, record keeping, and monitoring.

United States v. Murphy Development, LLC, et al. (M.D. Tenn.)

The U.S. filed a complaint in 2008 alleging that Murphy Development LLC and 22 defendants discriminated by failing to design and construct 375 covered units at seven multi-family apartment complexes in and around Nashville, Tennessee to be accessible to persons with disabilities. The complaint was amended in March 2009 to add additional properties, additional defendants, and additional violations of the Fair Housing Act and the ADA.

Under the original consent order, the defendants were required to pay all costs related to making the complexes accessible to persons with disabilities, pay up to \$350,000 to compensate individuals harmed by the inaccessible housing, and pay \$75,000 to the U.S. They also were required to become trained about the requirements of the Fair Housing Act and provide periodic compliance reports to the government. However, following this consent order, the defendants failed to meet numerous retrofit construction deadlines.

A supplemental consent order with additional requirements was issued, and then the U.S. withdrew its motion for contempt and further relief. The DOJ then conducted an independent investigation.

Local Government and NIMBYism

If neighborhood resistance (not-in-my-backyard mentality, or NIMBYism) against protected classes causes the local government decision-making body to reject a proposed affordable housing project, then the community is not acting in the spirit of affirmatively furthering fair housing (AFFH) and may not be fulfilling its AFFH certification. There are examples in the State, such as in City of Spring Hill. In 2013, residents voiced concerns to the Spring Hill Planning Commission about a proposed 576-unit apartment complex, which they feared would bring in more affordable housing, make the city less of a single-family home community, and attract crime.

The chair of the Spring Hill Planning Commission resigned to show his opposition for the community resistance to the project.³⁴

³⁴ (Columbia Daily Herald 2013)

D. SUMMARY

A review of laws, studies, cases, and related materials relevant to fair housing in the State of Tennessee demonstrated the complexity of the fair housing landscape. The fair housing laws in the State of Tennessee offer protections beyond the scope of the Federal Fair Housing Act to protect persons based on creed. Review of fair housing cases in nonentitlement areas of the State of Tennessee revealed discriminatory practices in the rental markets related to disability and familial status. Occasionally, there may have been community resistance to the production of affordable housing.

IV. REVIEW OF THE EXISTING FAIR HOUSING STRUCTURE

The purpose of this section is to provide a profile the fair housing infrastructure in the nonentitlement areas of the State of Tennessee. This includes an enumeration of key agencies and organizations that contribute to affirmatively furthering fair housing, an evaluation of the presence and scope of services of existing fair housing organizations, and a review of the complaint process.

A. FAIR HOUSING AGENCIES

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The U.S. Department of Housing and Urban Development (HUD) oversees, administers, and enforces the Federal Fair Housing Act. HUD's regional office in Atlanta oversees housing, community development, and fair housing enforcement in Alabama, the Caribbean, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. The Office of Fair Housing and Equal Opportunity (FHEO) within HUD's Atlanta office enforces the Fair Housing Act and other civil rights laws that prohibit discrimination in housing, mortgage lending, and other related transactions in Tennessee. HUD also provides education and outreach, monitors agencies that receive HUD funding for compliance with civil rights laws, and works with state and local agencies under the Fair Housing Assistance Program (FHAP) and Fair Housing Initiative Program (FHIP), as described below.

Fair Housing Assistance Program

In the U.S., many state and local agencies have an ordinance or law that empowers a state or local governmental agency to enforce the state or local fair housing law. If HUD determines that the local entity can operate on a "substantially equivalent" level to federal agency enforcement activities, HUD contracts with that agency to process fair housing complaints and reimburses the jurisdiction on a per-case basis.³⁵ FHAP grants are awarded to public, not private, entities and are given on a noncompetitive, annual basis to substantially equivalent state and local fair housing enforcement agencies.

When substantially equivalent status has been granted, complaints of housing discrimination are dually filed with the state or local agency and HUD, with the state or local agency investigating most complaints. When federally subsidized housing is involved, however, HUD will typically investigate the complaint. Regardless, the state or local agency is reimbursed for complaint intake and investigation and is awarded funds for fair housing training and education.

FHAP Recipients in the State of Tennessee

In the State of Tennessee, the Tennessee Human Rights Commission (THRC) is the only FHAP agency.

³⁵ (HUD FHEO n.d.) Title VIII: Fair Housing and Equal Opportunity

Fair Housing Initiative Program

A FHIP participant may be a government agency, a private nonprofit, or a for-profit organization. FHIPs are funded through a competitive grant program that provides funds to organizations to carry out projects and activities designed to enforce and enhance compliance with fair housing law. Eligible activities include education and outreach to the public and the housing industry on fair housing rights and responsibilities as well as enforcement activities in response to fair housing complaints, such as testing and litigation.³⁶

The following FHIP initiatives, as defined on HUD's website, provide funds and competitive grants to eligible organizations:

The Fair Housing Organizations Initiative (FHOI) provides funding that builds the capacity and effectiveness of non-profit fair housing organizations by providing funds to handle fair housing enforcement and education initiatives more effectively. FHOI also strengthens the fair housing movement nationally by encouraging the creation and growth of organizations that focus on the rights and needs of underserved groups, particularly persons with disabilities.

[Eligible Grantees:] Applicants must be qualified fair housing enforcement organizations with at least two years of experience in complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims in the three years prior to the filing of their application.

[Eligible Activities:] Grants may be used flexibly to support the basic operation and activities of new and existing non-profit fair housing organizations.³⁷

The Private Enforcement Initiative (PEI) offers a range of assistance to the nationwide network of fair housing groups. This initiative funds non-profit fair housing organizations to carry out testing and enforcement activities to prevent or eliminate discriminatory housing practices.

[Eligible Grantees:] Fair housing enforcement organizations that meet certain requirements related to the length and quality of previous fair housing enforcement experience may apply for FHIP-PEI funding.

[Eligible Activities:] Funds such activities as conducting complaint-based and targeted testing and other investigations of housing discrimination, linking fair-housing organizations in regional enforcement activities, and establishing effective means of meeting legal expenses in support of fair housing litigation.³⁸

The Education and Outreach Initiative (EOI) offers a comprehensive range of support for fair housing activities, providing funding to State and local government agencies and non-profit organizations for initiatives that explain to the general public and housing providers what equal opportunity in housing means and what housing providers need to do to comply with the Fair Housing Act.

³⁶ (HUD FHEO n.d.) What is the Fair Housing Initiatives Program (FHIP)?

³⁷ *Ibid.*

³⁸ *Ibid.*

[Eligible Grantees:] State or local governments, qualified fair housing enforcement organizations (those with at least 2 years of experience), other fair housing organizations, and other public or private nonprofit organizations representing groups of persons protected by the Fair Housing Act may apply for FHIP-EOI funding.

[Eligible Activities:] Funds a broad range of educational activities that can be national, regional, local, or community-based in scope. Activities may include developing education materials, analyzing local impediments to housing choice, providing housing counseling and classes, convening meetings that bring together the housing industry with fair housing groups, developing technical materials on accessibility, and mounting public information campaigns. National projects that demonstrate cooperation with the real estate industry or focus on resolving the community tensions that arise as people expand their housing choices may be eligible to receive preference points.³⁹

The Administrative Enforcement Initiative (AEI) helps State and local governments who administer laws that include rights and remedies similar to those in the Fair Housing Act implement specialized projects that broaden an agency's range of enforcement and compliance activities. No funds are available currently for this program.⁴⁰

FHIP Grants in the State of Tennessee

From 2008 to 2013, two agencies in the State of Tennessee received FHIP grants. Both West Tennessee Legal Services and the Tennessee Fair Housing Council received funding for specific goals and program activities in those years, as described below.

2008

- West Tennessee Legal Services, Inc.
PEI Performance-Based - \$275,000
Fair housing enforcement services including complaint intake/investigations; testing and test evaluations; mediation services; referrals of enforcement proposals to HUD/THRC and DOJ; representation of complainants in the admin/judicial process; and providing education and outreach to the general public and underserved populations.
- Tennessee Fair Housing Council
PEI Performance-Based - \$275,000
Serve Davidson, Cheatham, Dickson, Rutherford, Sumner, Williamson, and Wilson counties with activities including intake/processing of complaints; complaint-based and systemic testing [sales/rental]; recruitment/training of new testers; a major Fair Housing Month activity with FHAP agency; six fair housing trainings to individuals with disabilities; and annual training of college students in partnership with a local minority-serving institution.⁴¹

³⁹ (HUD FHEO n.d.) What is the Fair Housing Initiatives Program (FHIP)?

⁴⁰ *Ibid.*

⁴¹ (HUD FHEO 2008) 2008 FHIP Grants

2009

- West Tennessee Legal Services, Inc.
Fair housing enforcement services including complaint intake/investigations; testing and test evaluations; mediation services; referrals of enforcement proposals to HUD/THRC and DOJ; representation of complainants in the admin/judicial process; and using 10 percent of the funding for education and outreach to the general public and underserved populations.
- Tennessee Fair Housing Council, Inc.
Serve Davidson, Cheatham, Dickson, Rutherford, Sumner, Williamson, and Wilson counties with activities including intake/processing of complaints; complaint-based and systemic testing [sales/rental]; recruitment/training of new testers; a major Fair Housing Month activity with FHAP agency; six fair housing trainings to individuals with disabilities; and annual training of college students in partnership with a local minority-serving institution.⁴²

2010

- West Tennessee Legal Services, Inc.
FHOI-ENC \$957,165
Create a new entity, the North Carolina Fair Housing Project, which will provide fair housing enforcement services, such as complaint intake, investigation, mediation, and referral.
- West Tennessee Legal Services, Inc.
PEI-PBC \$275,000
Fair housing enforcement activities including the intake, investigation, mediation, and referral of housing discrimination complaints; and tests of the housing market. Additionally, fair housing education and outreach to underserved populations.
- Tennessee Fair Housing Council
PEI-PBC \$275,000
Serve Davidson, Cheatham, Dickson, Rutherford, Sumner, Williamson, and Wilson counties with activities including intake, investigation, mediation, and referral of housing discrimination complaints; recruitment and training of testers; and complaint-based and systemic testing of housing providers. Also conduct six fair housing training sessions for persons with disabilities and a training session for college students.⁴³

2011

- West Tennessee Legal Services, Inc.
PEI, MRSC
- West Tennessee Legal Services, Inc.,
PEI, MY⁴⁴

⁴² (HUD FHEO 2009) 2009 FHIP Grants

⁴³ (HUD FHEO 2010) 2010 FHIP Grants

⁴⁴ (HUD FHEO 2011) 2011 FHIP Grants

2012

- Tennessee Fair Housing Council Inc.
- West Tennessee Legal Services, Inc.⁴⁵

TENNESSEE HUMAN RIGHTS COMMISSION

The Tennessee Human Right Commission (THRC) is an independent state agency responsible for enforcing the Tennessee Human Rights Act and the Tennessee Disability Act which prohibit discrimination in housing, employment, and public accommodation on the basis of race, color, creed, national origin, religion, sex, disability, familial status (housing only) and age (40 and over in employment). THRC is also responsible for coordinating the State of Tennessee's compliance with Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color and national origin by State agencies receiving federal financial assistance. The mission of THRC is to safeguard individuals from discrimination through enforcement and education. The Tennessee Human Rights Act which outlines THRC enforcement provisions is substantially equivalent to HUD which affords the agency the ability to operate as a Fair Housing Assistance Program (FHAP). This program eliminates duplication of effort in the investigation of fair housing complaints/allegations of discrimination. THRC's central office is located in Nashville with regional offices in Chattanooga, Knoxville and Memphis.

CITY OF KNOXVILLE DEPARTMENT OF COMMUNITY DEVELOPMENT

Within the State of Tennessee there is one local-level FHAP: the City of Knoxville Department of Community Development, located in the entitlement city of Knoxville ceased to conduct FHAP responsibilities on July 1, 2013.

B. COMPLAINT PROCESS REVIEW**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

According to HUD's website, any person who feels that his or her housing rights have been violated may submit a complaint to HUD via phone, mail, or the internet. A complaint can be submitted to the national HUD office at:

Office of Fair Housing and Equal Opportunity
 Department of Housing and Urban Development
 451 Seventh Street SW, Room 5204
 Washington, DC 20410-2000
 Telephone: (202) 708-1112
 Toll Free: (800) 669-9777
<http://www.HUD.gov/offices/fheo/online-complaint.cfm>

⁴⁵ (HUD FHEO 2012) 2012 FHIP Grants

For Tennessee, the contact information for the regional HUD fair housing office in Atlanta is:

Atlanta Regional Office of FHEO
 U.S. Department of Housing and Urban Development
 Five Points Plaza
 40 Marietta Street, 16th Floor
 Atlanta, Georgia 30303-2806
 (404) 331-5140
 (800) 440-8091
 TTY (404) 730-2654

When a complaint is submitted, intake specialists review the information and contact the complainant in order to gather additional details and determine if the case qualifies as possible housing discrimination. Complaints specific to a state or locality that is part of HUD's FHAP organizations are referred to the appropriate parties, who have 30 days to address the complaint. If HUD is handling the case, the formal complaint is sent to the complainant for review and then sent to the alleged violator for review and response.

Next, the circumstances of the complaint are investigated through conducting interviews and examining relevant documents. During this time, the investigator attempts to rectify the situation through conciliation, if possible. The case is closed if conciliation of the two parties is achieved or if the investigator determines that there was no reasonable cause of discrimination. If reasonable cause is found, then either a federal judge or a HUD Administrative Law Judge hears the case and determines damages, if any.⁴⁶ A respondent may be ordered to:

- Compensate for actual damages, including humiliation, pain, and suffering;
- Provide injunctive or other equitable relief to make the housing available;
- Pay the federal government a civil penalty to vindicate the public interest, with a maximum penalty of \$10,000 for a first violation and \$50,000 for an additional violation within seven years; and/or
- Pay reasonable attorneys' fees and costs.⁴⁷

TENNESSEE HUMAN RIGHTS COMMISSION

Complaints must be filed with THRC within 180 days of the discriminatory act. Complaint forms are available on the THRC's website or by mail. Forms can be emailed or faxed but THRC needs the original signature to follow with 10 days in order to process the complaint. Assistant is available via the toll free number and in all our regional offices.

Complaints should be mailed to:

⁴⁶ (HUD FHEO n.d.) HUD's Title VIII Fair Housing Complaint Process

⁴⁷ (HUD FHEO n.d.) Fair Housing—It's Your Right

Tennessee Human Rights Commission
312 Rosa L Parks Ave, 23rd floor
Nashville, TN 37243
(615) 741 – 5825
Toll Free 1 800 251 -3589 FAX (615) 253-3589
Spanish Toll Free Line: 1-866-856-1252
<http://www.tn.gov/humanrights>

Complaints for alleged discrimination that occurred more than 180 days before filing must be submitted to the HUD FHEO, which will accept complaints for up to one year after the act occurs.

C. SUMMARY

A review of the fair housing profile in nonentitlement areas of the State of Tennessee revealed that several organizations provide fair housing services on the federal, state, and local levels. They all provide outreach and education, complaint intake, and testing and enforcement activities for both providers and consumers of housing. These organizations include HUD, the Tennessee Human Rights Commission, West Tennessee Legal Services, and the Tennessee Fair Housing Council.

V. FAIR HOUSING CHOICE IN THE PRIVATE SECTOR

As part of the AI process, the HUD suggests that the analysis focus on possible housing discrimination issues in both the private and public sectors. Examination of housing factors in the State of Tennessee's public sector is presented in **Section VI**, while this section focuses on research regarding the State's private sector, including the mortgage lending market, the real estate market, the rental market, and other private sector housing industries.

Since the 1970s, the federal government has enacted several laws aimed at promoting fair lending practices in the banking and financial services industries. A brief description of selected federal laws aimed at promoting fair lending follows:

- The 1968 Fair Housing Act prohibits discrimination in housing based on race, color, religion, and national origin. Later amendments added sex, familial status, and disability. Under the Fair Housing Act, it is illegal to discriminate against any of the protected classes in the following types of residential real estate transactions: making loans to buy, build, or repair a dwelling; selling, brokering, or appraising residential real estate; and selling or renting a dwelling.
- The Equal Credit Opportunity Act of 1974 and prohibits discrimination in lending based on race, color, religion, national origin, sex, marital status, age, receipt of public assistance, and the exercise of any right under the Consumer Credit Protection Act.
- The Community Reinvestment Act was enacted in 1977 and requires each federal financial supervisory agency to encourage financial institutions in order to help meet the credit needs of the entire community, including low- and moderate-income neighborhoods.
- Under the Home Mortgage Disclosure Act (HMDA), enacted in 1975 and later amended, financial institutions are required to publicly disclose the race, sex, ethnicity, and household income of mortgage applicants by the Census tract in which the loan is proposed as well as outcome of the loan application.⁴⁸ The analysis presented herein is from the HMDA data system.

A. LENDING ANALYSIS

HOME MORTGAGE DISCLOSURE ACT

The HMDA requires both depository and non-depository lenders to collect and publicly disclose information about housing-related applications and loans.⁴⁹ Both types of lending institutions must meet the following set of reporting criteria:

- The institution must be a bank, credit union, or savings association;
- The total assets must exceed the coverage threshold;⁵⁰

⁴⁸ (Federal Reserve Bank of Boston 1993)

⁴⁹ Data are considered "raw" because they contain entry errors and incomplete loan applications. Starting in 2004, the HMDA data made significant changes in reporting, particularly regarding ethnicity data, loan interest rates, and the multi-family loan applications.

⁵⁰ Each December, the Federal Reserve announces the threshold for the following year. The asset threshold may change from year to year based on changes in the Consumer Price Index for Urban Wage Earners and Clerical Workers.

- The institution must have had an office in a Metropolitan Statistical Area (MSA);
- The institution must have originated at least one home purchase loan or refinancing of a home purchase loan secured by a first lien on a one- to four-family dwelling;
- The institution must be federally insured or regulated; and
- The mortgage loan must have been insured, guaranteed, or supplemented by a federal agency or intended for sale to the Federal National Mortgage Association (FNMA or Fannie Mae) or the Federal Home Loan Mortgage Corporation (FHLMC or Freddie Mac). These agencies purchase mortgages from lenders and repackage them as securities for investors, making more funds available for lenders to make new loans.

For other institutions, including non-depository institutions, additional reporting criteria are as follows:

- The institution must be a for-profit organization;
- The institution’s home purchase loan originations must equal or exceed 10 percent of the institution’s total loan originations, or more than \$25 million;
- The institution must have had a home or branch office in an MSA or have received applications for, originated, or purchased five or more home purchase loans, home improvement loans, or refinancing mortgages on property located in an MSA in the preceding calendar year; and
- The institution must have assets exceeding \$10 million or have originated 100 or more home purchases in the preceding calendar year.

HMDA data represent most mortgage lending activity and are thus the most comprehensive collection of information available regarding home purchase originations, home remodel loan originations, and refinancing. The Federal Financial Institutions Examination Council (FFIEC) makes HMDA data available on its website. While HMDA data are available for more years than are presented in the following pages, modifications were made in 2004 for documenting loan applicants’ race and ethnicity, so data are most easily compared after that point.

Home Purchase Loans

As presented in Table V.1, HMDA information was collected for Census tracts in the nonentitlement areas of the State of Tennessee from 2004 through 2011. During this time, 1,991,778 loan applications were reported by participating institutions for home purchases, home improvements, and refinancing mortgages. Of these loan applications, 746,030 were specifically for home purchases.

Table V.1
Purpose of Loan by Year
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Purpose	2004	2005	2006	2007	2008	2009	2010	2011	Total
Home Purchase	113,751	137,096	136,579	109,580	67,438	60,901	59,701	60,984	746,030
Home Improvement	19,430	22,125	22,894	22,882	17,688	11,799	9,668	9,353	135,839
Refinancing	170,674	167,681	151,202	138,266	117,500	149,044	115,876	99,666	1,109,909
Total	303,855	326,902	310,675	270,728	202,626	221,744	185,245	170,003	1,991,778

Within the context of this study—housing choice—it is important to evaluate only the owner-occupied home purchase transactions. The other two loan application categories typically apply to housing choices that have already been made. As shown in Table V.2 of the 746,030 home purchase loan applications submitted during the period, 655,569 were specifically for owner-occupied homes. The number of owner-occupied home purchase loan applications was highest in 2005 with 137,096 applications.

Table V.2
Occupancy Status for Home Purchase Loan Applications
Nonentitlement Areas of the State of Tennessee
2004–2011 HMDA Data

Status	2004	2005	2006	2007	2008	2009	2010	2011	Total
Owner-Occupied	103,044	121,706	112,778	95,290	58,557	54,747	53,985	55,462	655,569
Not Owner-Occupied	9,994	14,790	23,163	13,802	8,482	5,907	5,632	5,472	87,242
Not Applicable	713	600	638	488	399	247	84	50	3,219
Total	113,751	137,096	136,579	109,580	67,438	60,901	59,701	60,984	746,030

Denial Rates

After the owner-occupied home purchase loan application is submitted, the applicant receives one of the following status designations:

- “Originated,” which indicates that the loan was made by the lending institution;
- “Approved but not accepted,” which notes loans approved but not accepted by the lender for other reasons;⁵¹
- “Application denied by financial institution,” which defines a situation wherein the loan application failed;
- “Application withdrawn by applicant,” which means that the applicant closed the application process;
- “File closed for incompleteness” which indicates the loan application process was closed by the institution due to incomplete information; or
- “Loan purchased by the institution,” which means that the previously originated loan was purchased on the secondary market.

Only loan originations and loan denials were inspected as an indicator of the underlying success or failure of home purchase loan applications. Of these, there were 318,160 loan originations and 95,366 applications denied for an average eight-year denial rate of 23.1 percent, as shown in Table V.3. Owner-occupied home purchase denial rates were highest in 2011, at 29.7 percent.

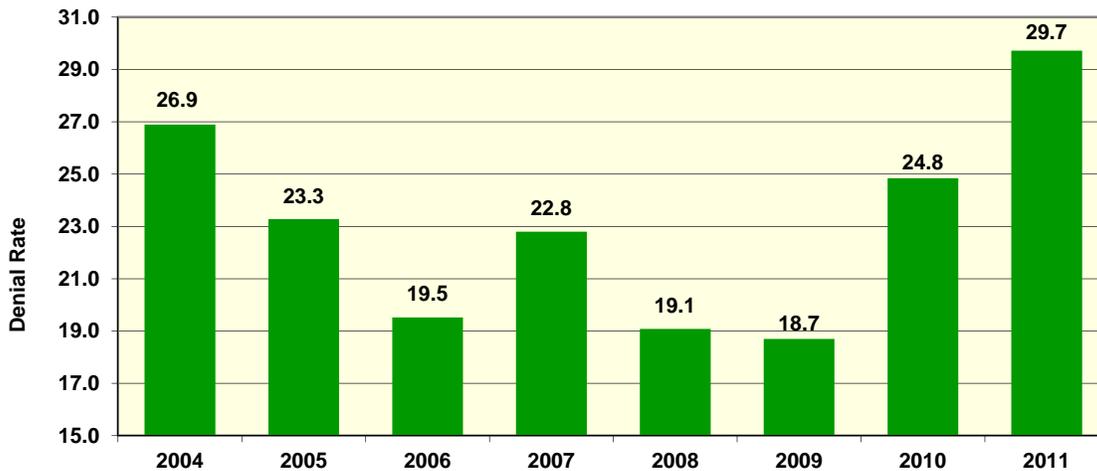
⁵¹ An applicant’s failure to meet any of the customary loan commitment or closing conditions, such as clear-title requirements, acceptable property survey, acceptable title insurance binder, or clear termite inspection, causes the application to be coded “approved but not accepted.” (FFIEC 2013) Frequently Asked Questions, <http://www.ffiec.gov/hmda/faqreg.htm>

Table V.3
Loan Applications by Action Taken
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Action	2004	2005	2006	2007	2008	2009	2010	2011	Average
Loan Originated	49,684	59,707	57,017	47,960	30,163	25,995	24,310	23,324	318,160
Application Approved but not Accepted	7,636	8,481	7,056	6,327	2,424	1,872	2,867	4,422	41,085
Application Denied	18,275	18,113	13,829	14,160	7,113	5,979	8,035	9,862	95,366
Application Withdrawn by Applicant	6,420	8,405	7,095	5,448	4,291	4,121	3,325	2,979	42,084
File Closed for Incompleteness	1,714	2,420	1,915	1,502	925	765	598	523	10,362
Loan Purchased by the Institution	19,315	24,407	25,845	19,877	13,638	15,980	14,847	14,352	148,261
Preapproval Request Denied	0	160	14	8	3	35	3	0	223
Preapproval Approved but not Accepted	0	13	7	8	0	0	0	0	28
Total	103,044	121,706	112,778	95,290	58,557	54,747	53,985	55,462	655,569
Denial Rate	26.9%	23.3%	19.5%	22.8%	19.1%	18.7%	24.8%	29.7%	23.1%

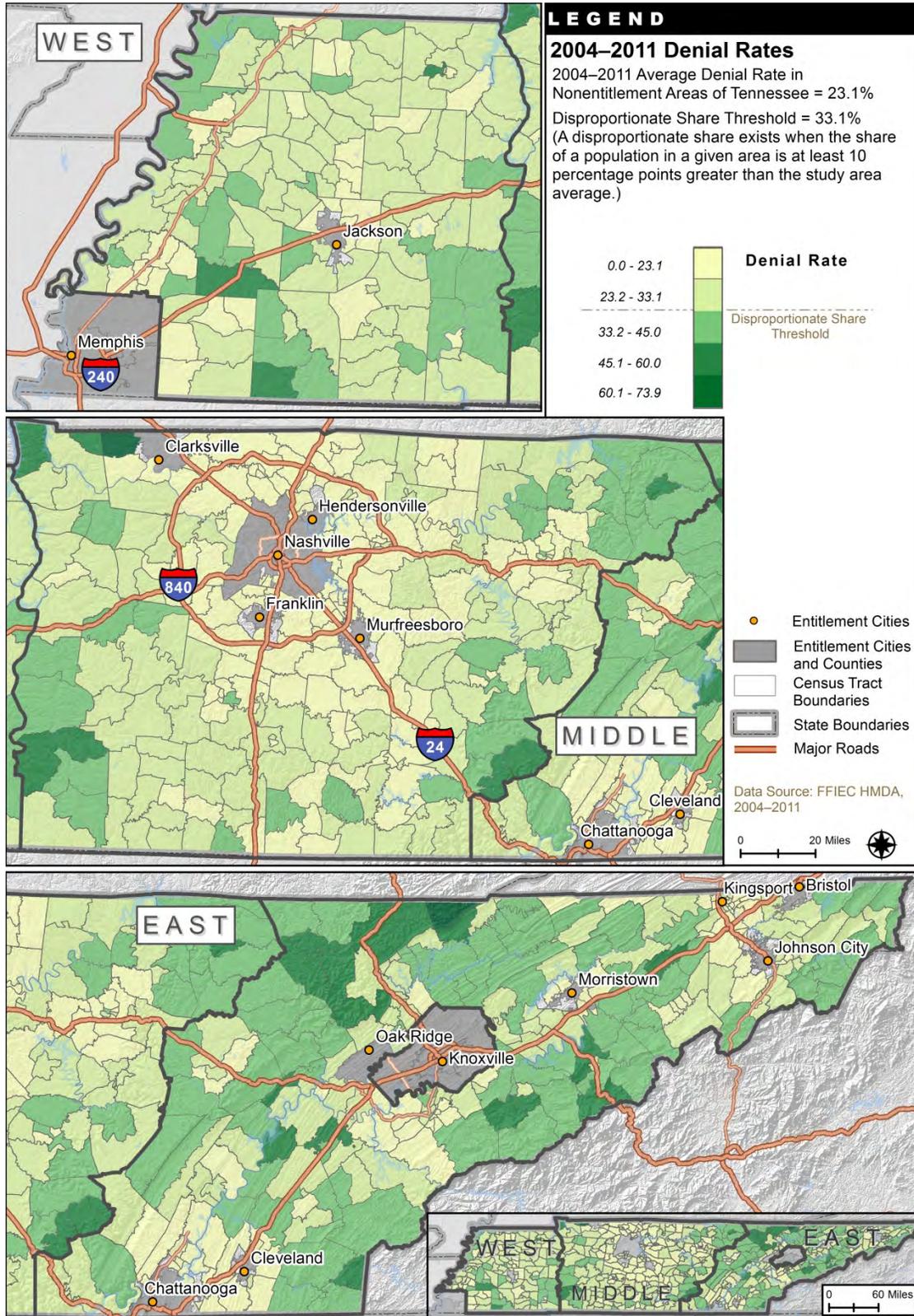
Denial rates varied widely by year, as shown in Diagram V.1. Most recently, the share of loans denied in nonentitlement areas of the State rose from a low of 18.7 percent in 2009 to 29.7 percent in 2011.

Diagram V.1
Denial Rates by Year
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data



The average denial rate throughout the nonentitlement areas of the State of Tennessee was not evenly distributed, as shown in Map V.1. Several Census tracts had average denial rates above the disproportionate share threshold of 33.1 percent. Even rates as high as 73.9 percent were seen, largely in rural areas and on the eastern and western perimeters of the State.

Map V.1
Denial Rates by Census Tract
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data



HMDA data were also used to determine denial rates by gender. Table V.4 shows that denial rates were not balanced, with females experiencing much higher denial rates than males for the most part. Between 2004 and 2011, on average, male applicants experienced a denial rate of 21.0 percent, while female applicants experienced a denial rate of 26.7 percent. The difference between denial rates for males and females hovered around 5 to 6 percentage points in most years, and was higher than usual in 2011 when females experienced an average denial rate of 33.6.

Table V.4
Denial Rates by Gender of Applicant
Nonentitlement Areas of the State of Tennessee
2004–2011 HMDA Data

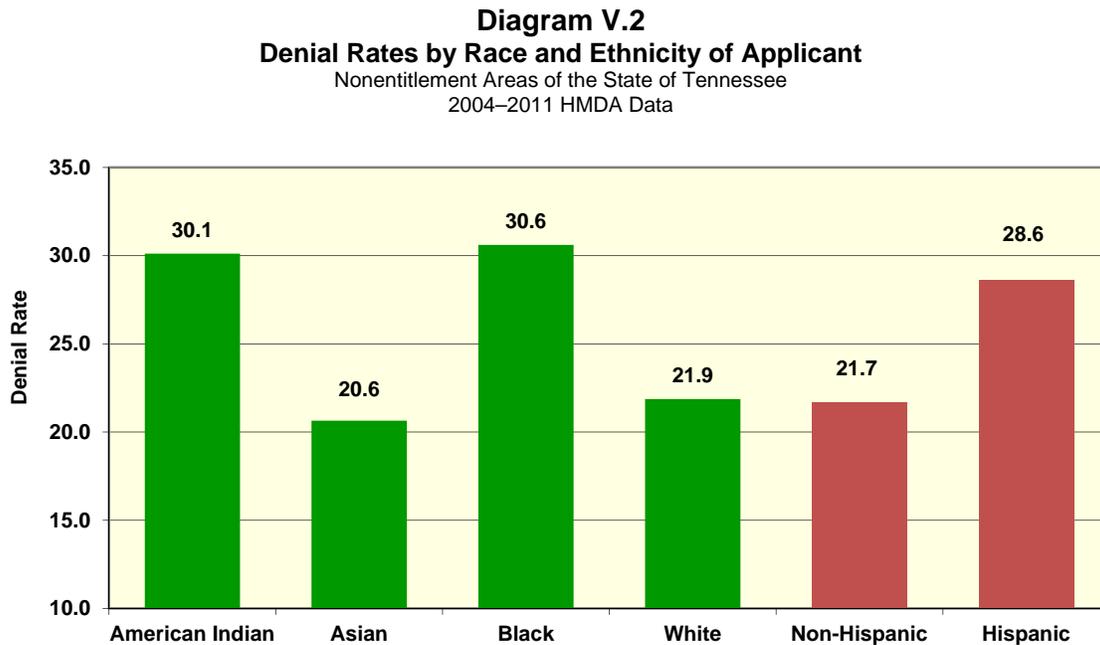
Year	Male	Female	Not Available	Not Applicable	Average
2004	24.8%	31.0%	35.8%	31.3%	26.9%
2005	21.4%	27.1%	28.6%	28.6%	23.3%
2006	17.5%	23.0%	28.9%	42.9%	19.5%
2007	20.8%	26.7%	29.2%	50.0%	22.8%
2008	17.6%	21.8%	26.2%	51.5%	19.1%
2009	17.5%	21.2%	22.2%	20.0%	18.7%
2010	22.7%	28.7%	33.3%	25.0%	24.8%
2011	25.7%	33.6%	56.2%	50.0%	29.7%
Average	21.0%	26.7%	32.5%	40.9%	23.1%

Denial rates were also calculated by race and ethnicity of loan applicants, presented in Table V.5. As shown, applicants of minority race and ethnicity status experienced higher denial rates than white applicants. Black applicants had the highest denial rate over this period, at 30.6 percent, followed by American Indian applicants at 30.1 percent and Hispanic applicants at 28.6 percent. These denial rates were higher than the average white applicant rate of 21.9 percent.

Table V.5
Denial Rates by Race/Ethnicity of Applicant
Nonentitlement Areas of the State of Tennessee
2004–2011 HMDA Data

Race/Ethnicity	2004	2005	2006	2007	2008	2009	2010	2011	Average
American Indian	37.7%	34.2%	27.8%	34.6%	30.3%	19.5%	25.8%	28.4%	30.1%
Asian	20.7%	21.8%	16.4%	22.1%	22.8%	16.9%	22.9%	23.9%	20.6%
Black	29.9%	29.1%	29.9%	33.9%	28.5%	27.3%	32.0%	37.0%	30.6%
White	25.9%	22.6%	17.7%	21.5%	18.1%	18.1%	23.9%	27.5%	21.9%
Not Available	35.5%	26.3%	30.3%	29.9%	25.5%	23.1%	35.6%	51.6%	31.4%
Not Applicable	34.1%	33.3%	50.0%	44.4%	53.3%	11.1%	25.0%	50.0%	38.0%
Average	26.9%	23.3%	19.5%	22.8%	19.1%	18.7%	24.8%	29.7%	23.1%
Non-Hispanic Ethnicity	26.4%	22.6%	18.3%	21.9%	18.3%	18.2%	23.0%	23.3%	21.7%
Hispanic	33.3%	29.8%	20.4%	32.2%	26.6%	23.0%	29.7%	33.4%	28.6%

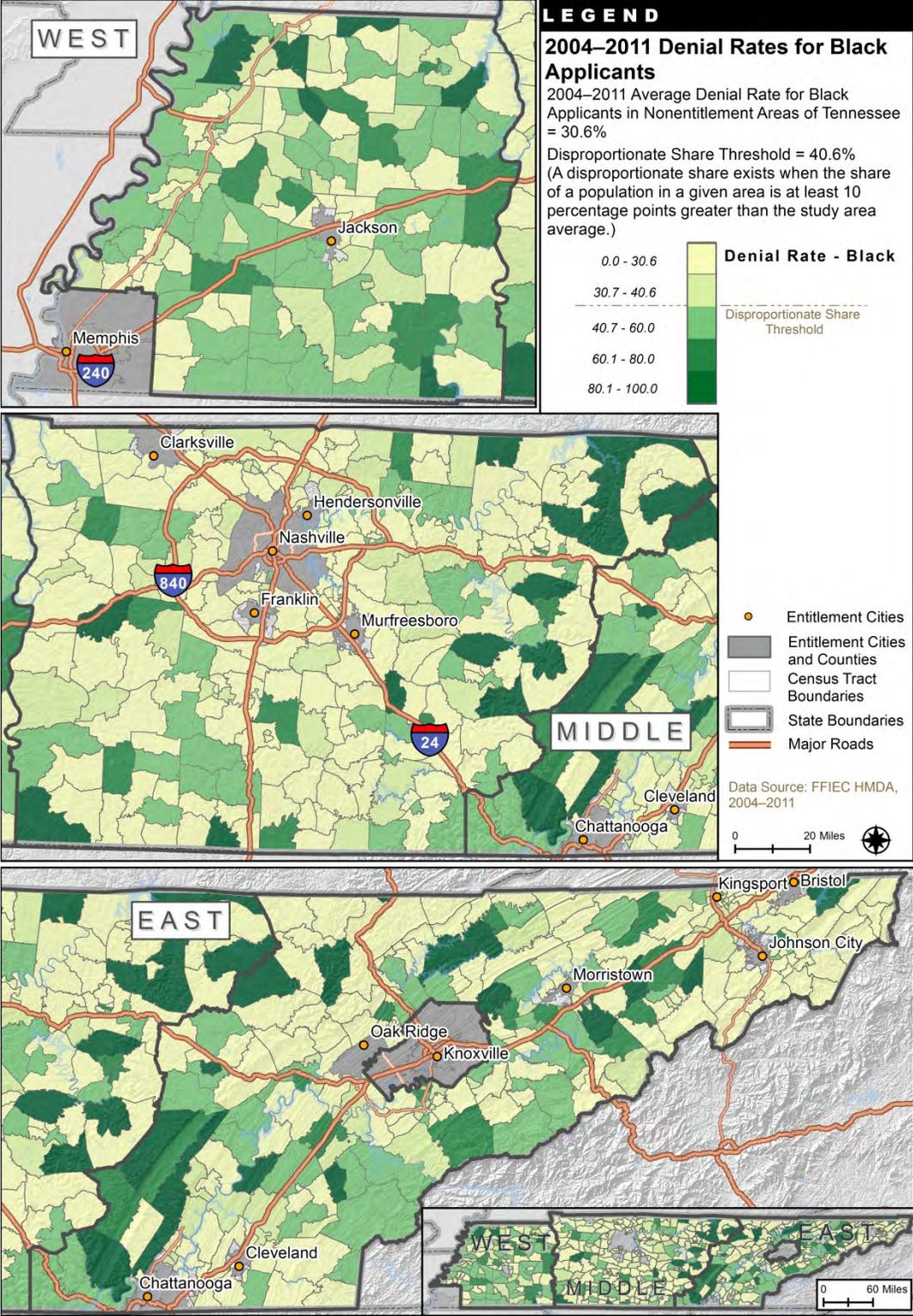
Diagram V.2 shows overall denial rates by race and ethnicity from 2004 through 2011.



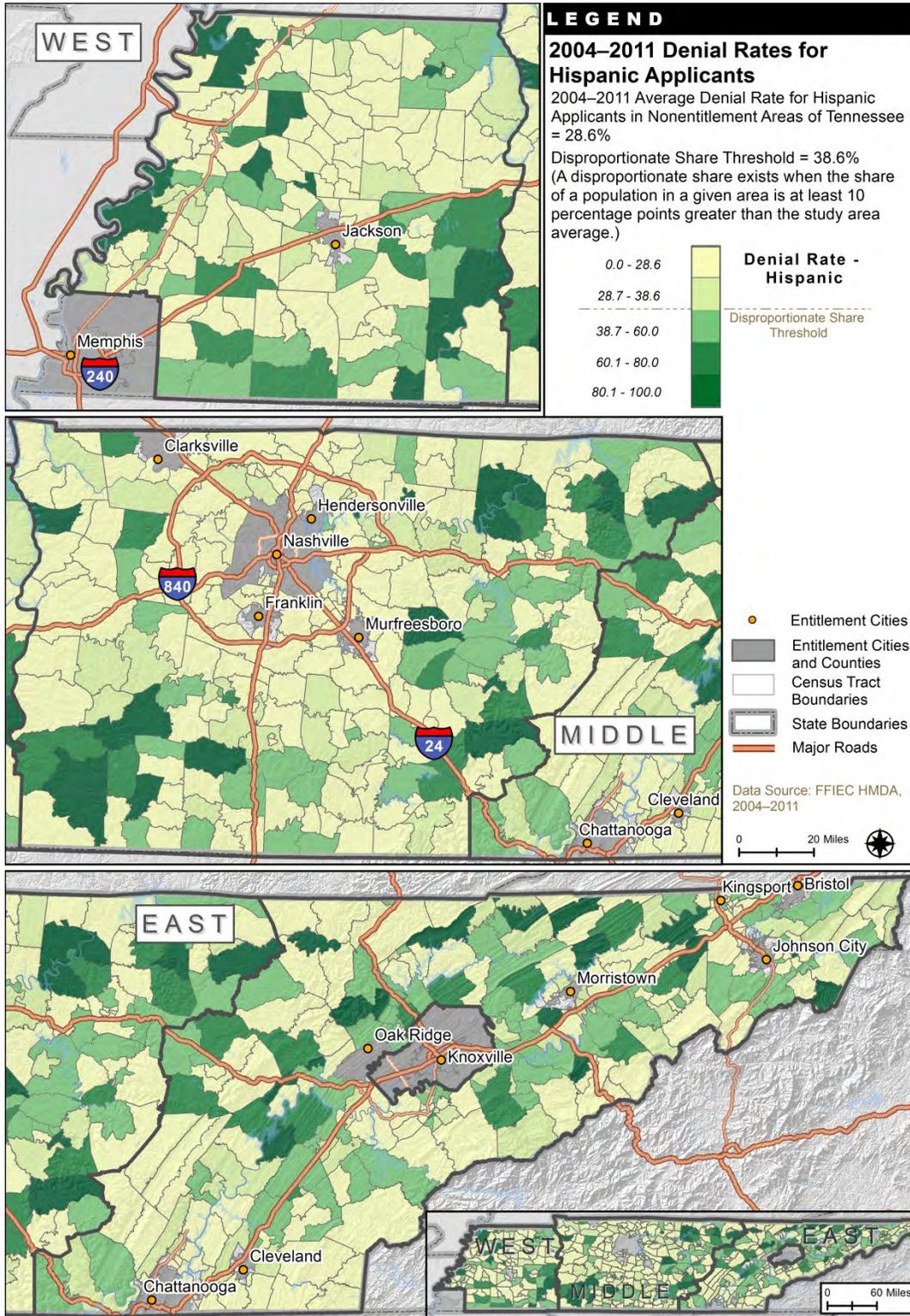
Data regarding the concentration of denial rates for black applicants in nonentitlement areas of the State are presented on page 80 in Map V.2. In many tracts, denial rates for black applicants were above the disproportionate share threshold of 40.6 percent. Tracts with the highest concentrations were scattered widely across the State, though were primarily seen in larger, rural tracts far from the larger metropolitan areas, although some were also seen north of Hamilton County and north and east of Knox County.

Map V.3, on page 81, shows home loan application denial rates for Hispanic applicants, who experienced an average denial rate of 28.6 percent. Though some areas with high denial rates were the same as those seen in the previous map, for Hispanic applicants denial was very heavily concentrated in southern parts of the State such as southeast of Madison County, as well as along the Mississippi River and widely north of Knox County.

Map V.2
Denial Rates for Black Applicants by Census Tract
Nonentitlement Areas of the State of Tennessee
2004–2011 HMDA Data



Map V.3
Denial Rates for Hispanic Applicants by Census Tract
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data



The HMDA database includes information regarding the reason for a loan denial, although financial institutions are not uniformly required to fill out this field. Nevertheless, the most frequently cited categories of denials were credit history and debt-to-income ratio, as shown in Table V.6. Often, occurrences of these credit problems can be reduced through enhancing programs for consumers to better understand the importance of establishing and keeping good credit.

Table V.6
Loan Applications by Reason for Denial
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Denial Reason	2004	2005	2006	2007	2008	2009	2010	2011	Total
Debt-to-Income Ratio	1,368	1,319	1,327	1,447	941	924	967	971	9,264
Employment History	224	228	229	202	129	131	167	195	1,505
Credit History	6,714	5,866	3,165	4,697	1,571	1,491	1,730	1,710	26,944
Collateral	795	1,029	1,146	893	555	540	495	487	5,940
Insufficient Cash	352	341	283	409	162	151	137	141	1,976
Unverifiable Information	255	443	440	389	180	95	126	126	2,054
Credit Application Incomplete	616	961	761	696	475	229	194	152	4,084
Mortgage Insurance Denied	4	8	10	11	24	23	11	11	102
Other	2,944	3,325	1,681	800	344	291	306	258	9,949
Missing	5,003	4,593	4,787	4,616	2,732	2,104	3,902	5,811	33,548
Total	18,275	18,113	13,829	14,160	7,113	5,979	8,035	9,862	95,366

Table V.7 shows denial rates by income in nonentitlement areas of the State of Tennessee. As expected, households with lower incomes were more commonly denied. Households with incomes from \$15,001 to \$30,000 were denied an average of 37.6 percent of the time, while those with incomes above \$75,000 were denied 12.0 percent of the time on average.

Table V.7
Denial Rates by Income of Applicant
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Income	2004	2005	2006	2007	2008	2009	2010	2011	Total
\$15,000 or Below	61.7%	64.4%	45.4%	58.9%	55.9%	60.8%	69.6%	79.9%	62.1%
\$15,001–\$30,000	40.8%	37.8%	32.9%	39.2%	31.8%	28.3%	39.2%	46.4%	37.6%
\$30,001–\$45,000	27.4%	24.0%	21.4%	24.2%	20.0%	18.6%	24.9%	30.1%	24.0%
\$45,001–\$60,000	20.9%	18.6%	17.0%	19.3%	17.7%	16.5%	21.2%	25.4%	19.2%
\$60,001–\$75,000	15.7%	14.7%	14.1%	14.0%	14.8%	13.6%	15.8%	19.8%	15.0%
Above \$75,000	12.9%	12.2%	11.4%	12.1%	11.2%	10.8%	12.1%	13.5%	12.0%
Data Missing	37.1%	21.1%	23.7%	32.3%	32.1%	36.5%	52.3%	48.8%	29.5%
Total	26.9%	23.3%	19.5%	22.8%	19.1%	18.7%	24.8%	29.7%	23.1%

Table V.8 presents denial rates segmented by race or ethnicity and income. Minority racial and ethnic applicants often faced much higher loan denial rates than white applicants with the same incomes. For example, black applicants experienced higher loan denial rates than white applicants across all income levels; at incomes of \$15,000 to \$30,000, black applicants experienced a denial rate of 28.9 percent compared to the white denial rate of 22.8 percent for that income group. At incomes over \$75,000, black applicants had a denial rate of 18.2 percent compared to 11.2 percent for white applicants.

Table V.8
Denial Rates of Loans by Race/Ethnicity and Income of Applicant
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Race	<= \$15K	\$15K–\$30K	\$30K–\$45K	\$45K–\$60K	\$60K–\$75K	Above \$75K	Data Missing	Average
American Indian	73.2%	51.2%	34.5%	29.4%	19.0%	14.1%	58.1%	30.1%
Asian	75.4%	38.3%	23.7%	19.3%	15.4%	11.4%	27.0%	20.6%
Black	67.7%	42.3%	28.9%	25.5%	22.8%	18.2%	43.8%	30.6%
White	61.0%	36.1%	22.8%	18.1%	14.1%	11.2%	25.2%	21.9%
Not Available	68.0%	50.9%	33.9%	27.9%	21.4%	17.0%	50.2%	31.4%
Not Applicable	33.3%	25.0%	32.1%	37.5%	46.2%	38.7%	41.8%	38.0%
Average	62.1%	37.6%	24.0%	19.2%	15.0%	12.0%	29.5%	23.1%
Non-Hispanic	59.9%	35.7%	22.6%	18.0%	14.1%	11.3%	25.9%	21.7%
Hispanic	68.2%	39.1%	27.7%	24.3%	18.4%	16.9%	23.9%	28.6%

Predatory Lending

In addition to modifications implemented in 2004 for documenting loan applicants' race and ethnicity, the HMDA reporting requirements were changed in response to the Predatory Lending Consumer Protection Act of 2002 as well as the Home Owner Equity Protection Act (HOEPA). Consequently, loan originations are now flagged in the data system for three additional attributes:

- If they are HOEPA loans,⁵²
- Lien status, such as whether secured by a first lien, a subordinate lien, not secured by a lien, or not applicable (purchased loans); and
- Presence of high annual percentage rate loans (HALs), defined as more than three percentage points higher than comparable treasury rates for home purchase loans, or five percentage points higher for refinance loans.⁵³

For the 2013 AI analysis, originated owner-occupied home purchase loans qualifying as HALs were examined for 2004 through 2011. These HALs may be construed to be predatory in nature. Table V.9 shows that between 2004 and 2011, there were 55,821 HALs for owner-occupied homes originated in nonentitlement areas of the State of Tennessee, representing 17.5 percent of the total. The number of HALs was highest by far in 2005 and 2006 and decreased significantly afterward, and by 2011, the rate of HALs was 6.1 percent.

Table V.9
Originated Owner-Occupied Loans by HAL Status
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	Total
Other	40,424	43,690	43,926	40,050	25,961	23,395	22,987	21,906	262,339
HAL	9,260	16,017	13,091	7,910	4,202	2,600	1,323	1,418	55,821
Total	49,684	59,707	57,017	47,960	30,163	25,995	24,310	23,324	318,160
Percent HAL	18.6%	26.8%	23.0%	16.5%	13.9%	10.0%	5.4%	6.1%	17.5%

⁵² Loans are subject to the HOEPA if they impose rates or fees above a certain threshold set by the Federal Reserve Board. (FFIEC n.d.)

⁵³ (Board of Governors of the Federal Reserve System 2002)

The geographic distribution of HALs in nonentitlement areas of the State of Tennessee is presented in Map V.4. Several tracts in the State showed that the proportions of borrowers who received HALs were in excess of the disproportionate share threshold of 30.2 percent; these were located mostly in the western and central-eastern parts of the State, with the highest values seen northwest of Hamilton and Knox counties.

Though the average rate of HALs was 17.5 percent, it varied widely over the period and was most recently very low. But while HAL figures improved significantly after 2006, they are a measure of the State's underlying foreclosure risk for recent homeowners, and it is important to examine characteristics of applicants who received these HALs in the eight-year time period and may still be paying the high rates. As shown in Table V.10, the group with the greatest number of HALs between 2004 and 2011 was white applicants, with 47,164 such loans. Black applicants took out 3,516 home purchase HALs, and Hispanic applicants received 1,579 HALs over the period. Fortunately, the number of HALs decreased significantly from 2007 to 2011 for all racial and ethnic groups.

Table V.10
HALs Originated by Race of Borrower
Nonentitlement Areas of the State of Tennessee
2004–2011 HMDA Data

Race	2004	2005	2006	2007	2008	2009	2010	2011	Total
American Indian	43	47	25	26	15	7	3	7	173
Asian	84	124	99	53	21	19	7	8	415
Black	635	1,250	868	459	152	68	43	41	3,516
White	7,789	12,912	10,938	6,784	3,844	2,435	1,223	1,239	47,164
Not Available	701	1,682	1,161	588	170	71	46	123	4,542
Not Applicable	8	2	0	0	0	0	1	0	11
Total	9,260	16,017	13,091	7,910	4,202	2,600	1,323	1,418	55,821
Non-Hispanic	7,823	13,721	11,563	7,094	3,939	2,440	1,185	1,003	48,768
Hispanic	264	446	422	247	88	45	21	46	1,579

While the highest numbers of HALs were often seen for white applicants, further evaluation of the HMDA data revealed that HALs were issued to black and Hispanic applicants in unusually high proportions, as shown in Table V.11. On average, 27.8 percent of loans taken by black applicants were HALs, while Hispanic borrowers received HAL loans at a rate of 24.5 percent. White applicants, however, received such loans at an average rate of only 17.0 percent during the period.

Table V.11
Rate of HALs Originated by Race/Ethnicity of Borrower
Nonentitlement Areas of the State of Tennessee
2004–2011 HMDA Data

Race	2004	2005	2006	2007	2008	2009	2010	2011	Average
American Indian	26.9%	30.1%	14.8%	17.2%	17.6%	4.6%	1.7%	4.0%	14.1%
Asian	16.1%	19.8%	16.8%	10.3%	8.4%	6.3%	3.0%	3.2%	12.6%
Black	25.1%	44.7%	37.0%	26.6%	15.6%	9.0%	5.5%	5.7%	27.8%
White	18.2%	25.5%	22.2%	16.1%	14.3%	10.5%	5.6%	5.9%	17.0%
Not Available	19.9%	30.5%	24.8%	16.6%	8.5%	4.8%	3.9%	9.6%	19.6%
Not Applicable	13.8%	50.0%	.0%	.0%	.0%	.0%	33.3%	.0%	11%
Average	18.6%	26.8%	23.0%	16.5%	13.9%	10.0%	05.4%	06.1%	17.5%
Non-Hispanic	19.0%	26.1%	22.6%	16.3%	14.2%	10.2%	5.3%	4.7%	17.2%
Hispanic	25.1%	34.5%	30.6%	24.6%	17.2%	11.1%	5.3%	11.6%	24.5%

Map V.4
Rate of HALs by Census Tract
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

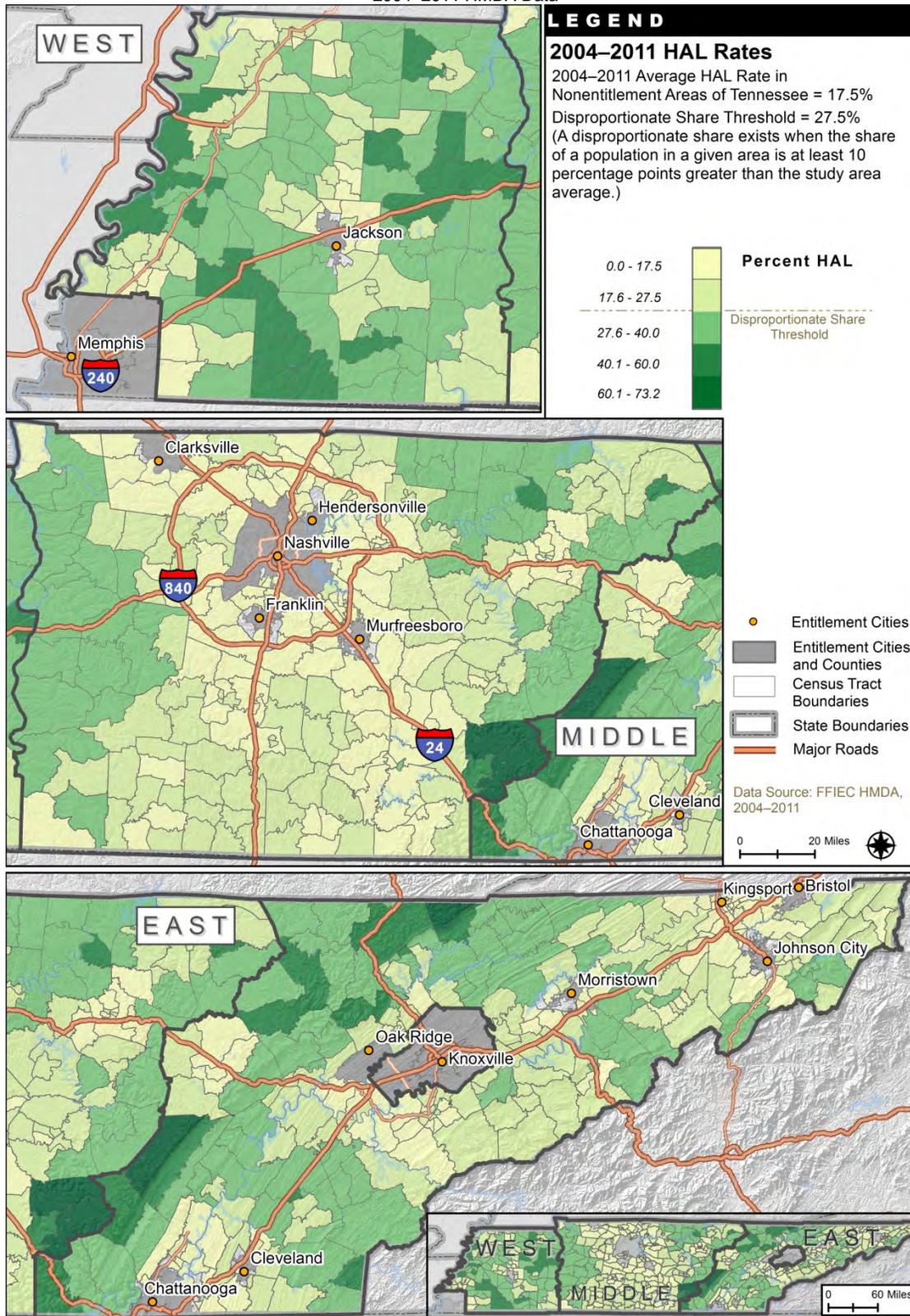
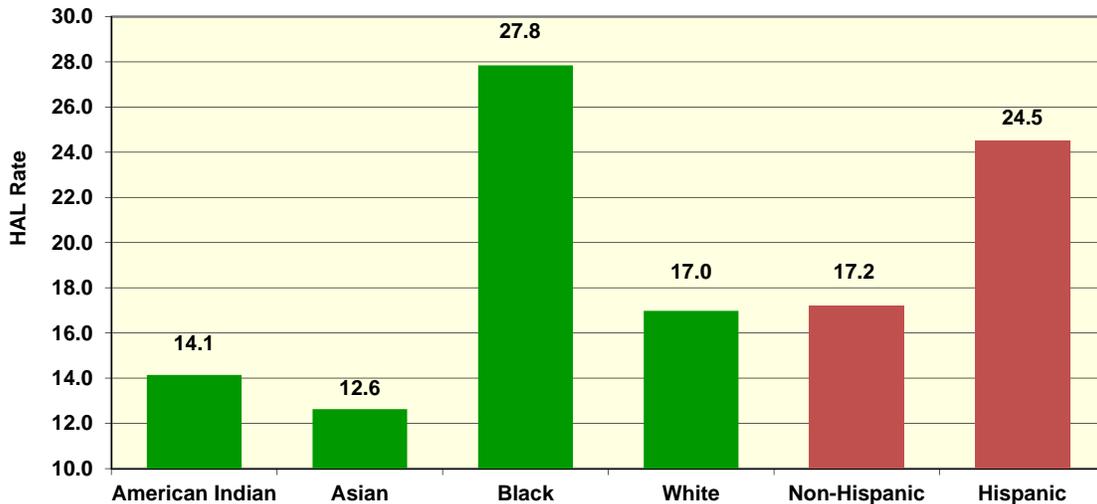


Diagram V.3 shows the rates of HALs issued to applicants by race and ethnicity and visually demonstrates that black and Hispanic applicants were issued HALs more frequently over other loans than were other applicants. These groups may face high foreclosure risk.

Diagram V.3
HALs by Race and Ethnicity of Applicant
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data



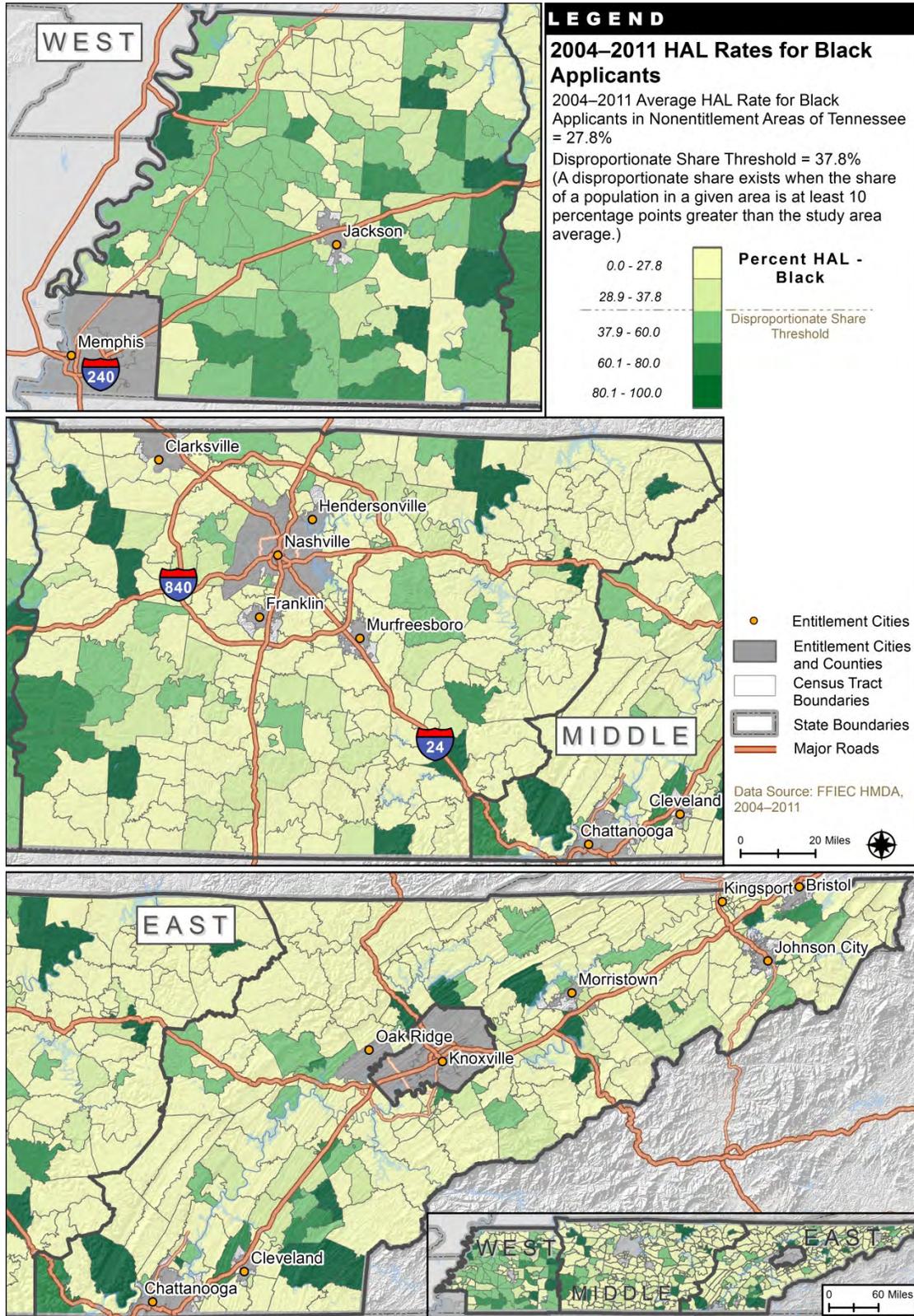
The concentration of HALs for black applicants is shown on the following page in Map V.5. Tracts with the highest rates of HALs to black applicants were primarily located on the western side of the State and generally not near the largest metropolitan areas.

Map V.6, on page 88, presents the distribution of HALs for Hispanic applicants in the State. The disproportionate rate for Hispanic applicants was 34.5 percent, and a high rate of HALs was seen in some rural tracts. Other tracts with disproportionate shares of HALs to Hispanic applicants were less concentrated on the west and more so in eastern areas such as near Hamilton and Hamblen counties.

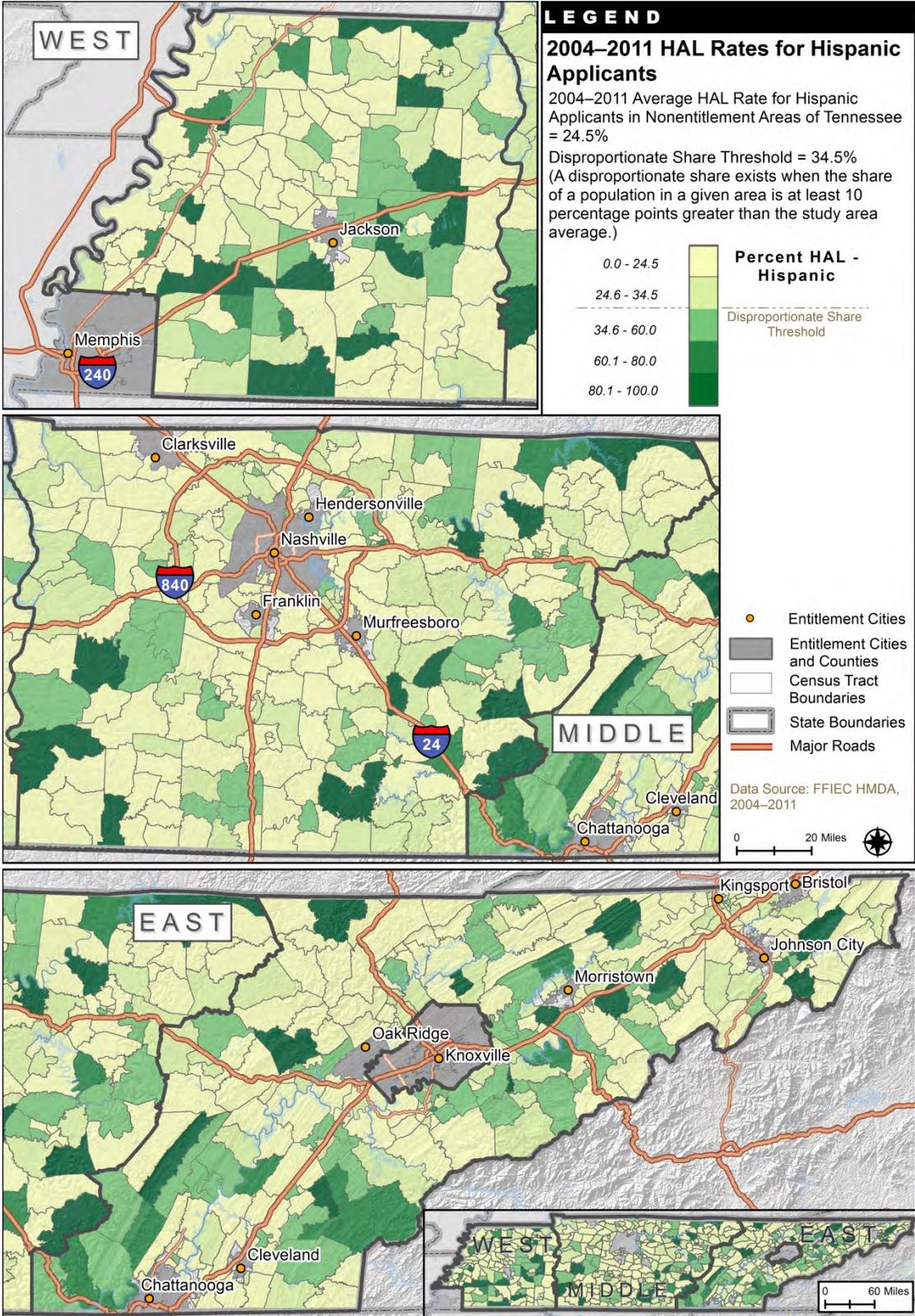
COMMUNITY REINVESTMENT ACT DATA

Access to home mortgage and improvement loans is important for housing consumers. Still, investment patterns within an area also play a role for influencing housing choices, as viable economic activities contribute to an area’s desirability, and conversely, the lack of investment may be detrimental. Areas lacking investment may be more highly populated by lower-income racial and ethnic minorities, indicating that some households are disparately impacted by lending patterns. Measure of such investment can be evaluated through use of Community Reinvestment Act (CRA) data. As noted in the introduction to this section, the CRA was enacted in 1977 and is intended to encourage lending institutions to meet the credit needs of the communities in which they operate, including low- and moderate-income areas. Along with the HMDA data presented previously, the FFIEC also releases data mandated by the CRA.

Map V.5
HALs to Black Applicants by Census Tract
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data



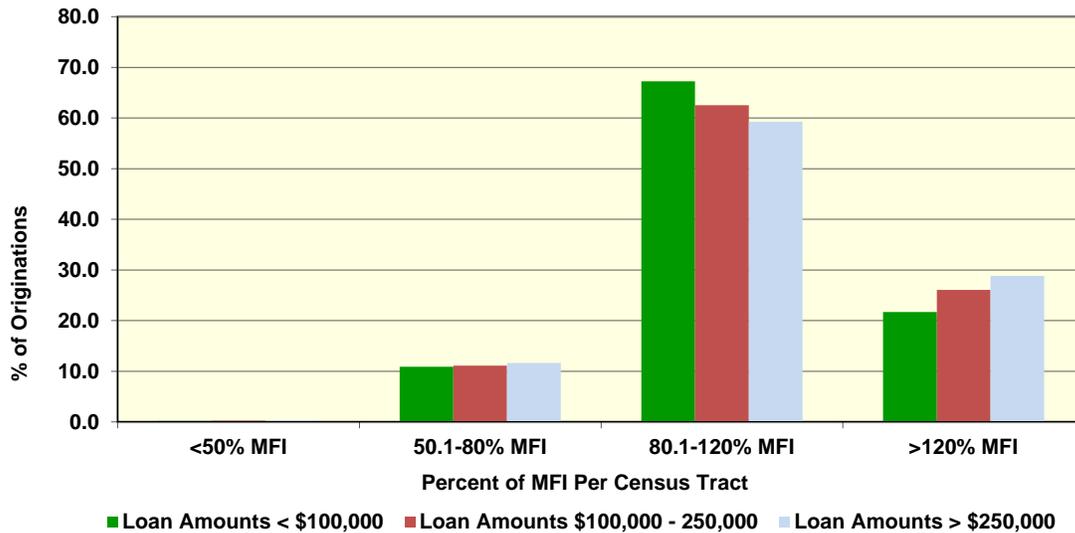
Map V.6
HALs to Hispanic Applicants by Census Tract
Nonentitlement Areas of the State of Tennessee
2004–2011 HMDA Data



Examination of CRA data revealed that between 2000 and 2011, 730,539 small business loans were extended to businesses in tracts that make up the nonentitlement areas of the State of Tennessee. Of these, 327,395 loans went to businesses with annual revenues of less than \$1 million. The large majority of all loans, 677,983, were valued under \$100,000. Tables with complete CRA data are presented in **Appendix C**.

Small business loans were also analyzed to determine the location of funding in relation to median family income (MFI) levels. Diagram V.4 presents the distribution of small business loans by value and by percent of MFI by Census tract. As shown, few loans went to areas with 80 percent or less of the MFI, despite the fact that these loans were designed to aid low- and moderate-income areas. The highest value loans, those for more than \$250,000, were also mostly distributed in tracts with 80.1 percent of MFI and above.

Diagram V.4
Small Business Loans Originated by Percent of MFI
 Nonentitlement Areas of the State of Tennessee
 2004–2011 CRA Data



Map V.7, on page 91, illustrates the geographic distribution of the concentration of loans issued to businesses in nonentitlement areas of the State from 2000 through 2011. The tracts that received the highest numbers of loans were generally located around large metropolitan areas, such as near Davidson and Knox counties, though several rural tracts such as in the center of the western part of the State also received many loans.

Map V.8, on page 92, illustrates the dispersal of loan funding for businesses by total amount of loan dollars per tract. It shows that the highest community funding amounts were in some cases in tracts that received the highest number of loans; however, this was not true in all places. Some of the tracts surrounding the Davidson County area, for example, received a relatively small monetary amount in loans compared to a higher number of loans, suggesting that many of these loans were low in value. On this map as well, none of the tracts with high or disproportionate shares of poverty received more loans than the nonentitlement areas of the State average.

B. FAIR HOUSING COMPLAINTS

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

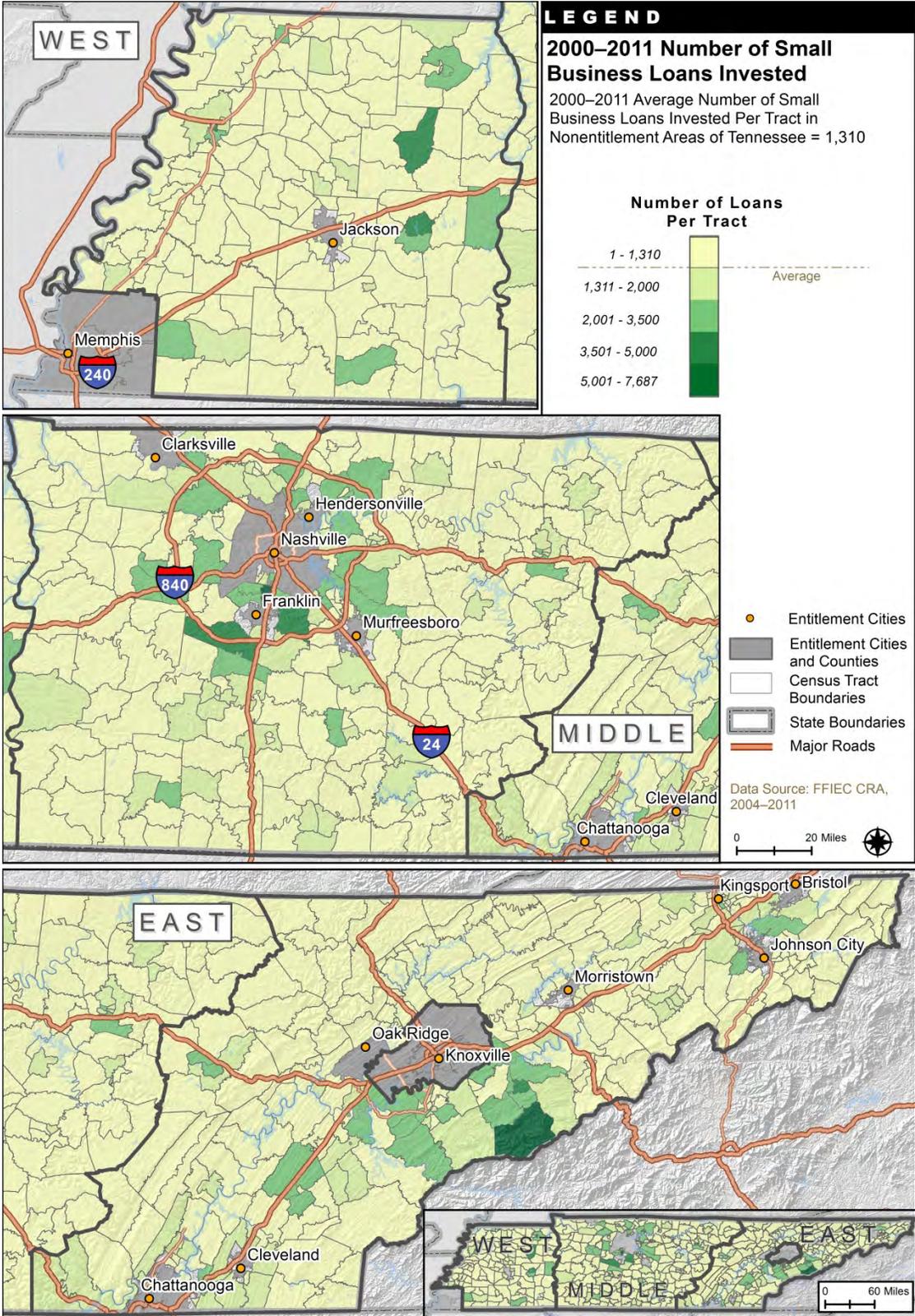
HUD maintains records of housing complaints that represent alleged violations of federal housing law, as described previously in **Section IV.B. Complaint Process Review**. Over the January 2004 through February 2013 period, HUD reported 572 complaints filed in the nonentitlement areas of the State, as shown in Table V.12. The total number of complaints ranged from a low of 36 in 2012 to a high of 96 in 2008, excluding 2013 as a partial year. Table V.12 also presents complaint data by basis, or the protected class status of the person allegedly aggrieved in the complaint. Complainants may cite more than one basis, so the number of bases cited can exceed the total number of complaints. As shown, 791 bases were cited in relation to the 572 complaints filed. Disability was the most commonly cited basis, with 259 complaints with this basis, followed by race, with 252.

Table V.12
Fair Housing Complaints by Basis
Nonentitlement Areas of the State of Tennessee
2004–2013 HUD Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Disability	12	35	22	26	44	29	32	37	21	1	259
Race	25	25	30	49	47	19	27	14	13	3	252
Family Status	23	9	8	7	14	5	12	4	4		86
Sex	9	6	8	13	12	10	11	13	3	1	86
National Origin	2	2	13	19	19	1	5	2	2		65
Color				17	2	1	4	3			27
Religion	2		3	2	1	3	4	1			16
Total Bases	73	77	84	133	139	68	95	74	43	5	791
Total Complaints	51	63	62	83	96	53	67	56	36	5	572

In addition to the basis for discrimination, HUD records the issue, or alleged discriminatory action related to each complaint. These are presented in Table V.13 on page 93. In the same way that bases are reported, more than one issue may be associated with each complaint. Across the nonentitlement areas of the State of Tennessee, 944 issues were cited. Discrimination in terms, conditions, or privileges relating to rental was cited 262 times; discriminatory acts under Section 818, which refers to issues of intimidation or coercion, was cited 155 times; discriminatory terms, conditions, privileges, or services and facilities was cited 100 times; and failure to make reasonable accommodation was cited 99 times. The most commonly cited issue in this complaint dataset related predominantly to rental transactions, which suggests that discriminatory acts leading to the filing of fair housing complaints more commonly occurred within the rental market.

Map V.7
Number of Small Business Loans
 Nonentitlement Areas of the State of Tennessee
 2000–2011 CRA Data



Map V.8
Amount of Small Business Loan Dollars
 Nonentitlement Areas of the State of Tennessee
 2000–2011 CRA Data

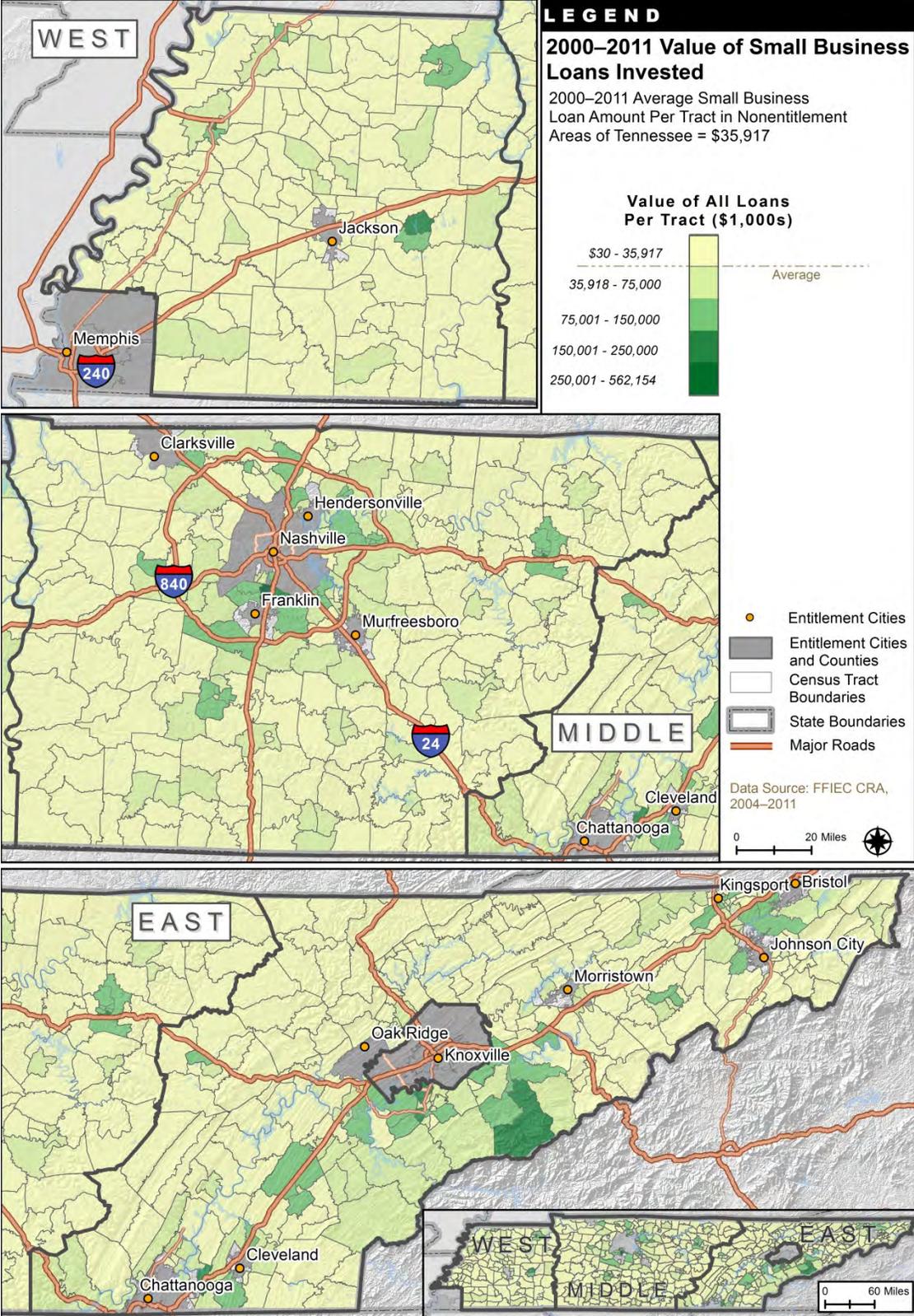


Table V.13
Fair Housing Complaints by Issue
 Nonentitlement Areas of the State of Tennessee
 2004–2013 HUD Data

Issue	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Discrimination in terms, conditions or privileges relating to rental	18	24	27	45	52	24	30	27	12	3	262
Discriminatory acts under Section 818 (coercion, etc.)	12	11	12	28	27	11	16	24	12	2	155
Discriminatory terms, conditions, privileges, or services and facilities	11	9	8	14	13	4	6	19	15	1	100
Failure to make reasonable accommodation	4	10	4	11	13	20	17	12	8		99
Discriminatory refusal to rent	10	14	8	11	8	2	9	5	5	1	73
Discriminatory advertising, statements and notices	1	5	7	4	6	5	8	7	4		47
Failure to permit reasonable modification	2	2	1		7	4	4	7	4		31
Discriminatory financing (includes real estate transactions)	2		4	3	3	1	7	2	3		25
False denial or representation of availability - rental	1	3	2	3	3	2	6	1			21
Discrimination in terms, conditions, privileges relating to sale			8	3	1	1	3		1		17
Using ordinances to discriminate in zoning and land use		12	1	1	1				1		16
Discriminatory refusal to rent and negotiate for rental	1		2	1	2	1	3	3	1		14
Otherwise deny or make housing available			1	1	1		4		4	1	12
Discrimination in services and facilities relating to rental		2	2	1	1	1	4				11
Discriminatory advertisement - rental	5	1			2	1					9
Discriminatory refusal to sell		2	2	1			1	1	1		8
Discrimination in the terms or conditions for making loans	2			1	1	1	3				8
Discriminatory refusal to negotiate for rental		2	1		1	1					5
Discriminatory refusal to negotiate for sale	1		2				1				4
Discriminatory refusal to sell and negotiate for sale	1				2		1				4
Other discriminatory acts	1	1		1	1						4
Non-compliance with design and construction requirements (handicap)	1			3							4
False denial or representation of availability - sale			1				1				2
Discrimination in making of loans							2				2
Discrimination in the selling of residential real property				1						1	2
Steering				2							2
Discriminatory advertising - sale			1								1
False denial or representation of availability		1									1
Discrimination in the brokering of residential real property	1										1
Discrimination in the appraising of residential real property						1					1
Adverse action against an employee	1										1
Failure to provide usable doors							1				1
Failure to provide usable kitchens and bathrooms							1				1
Total Issues	75	99	94	135	145	80	128	108	71	9	944
Total Complaints	51	63	62	83	96	53	67	56	36	5	572

Housing complaints filed with HUD can also be examined by closure status, as shown in Table V.14. Of the 572 complaints, 316 were found to have a no cause determination, which means that discrimination was not found. In an additional 111 complaints, cause was found, and the problems were successfully conciliated or settled. The rate of successful conciliation varied considerably throughout the period, ranging from a low of around 11 percent in 2008 to a high of nearly 40 percent of all complaints in 2012.

Table V.14
Fair Housing Complaints by Closure Status

Nonentitlement Areas of the State of Tennessee
2004–2013 HUD Data

Status	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
No Cause	27	32	41	60	60	27	34	28	7		316
Conciliated / Settled	17	10	10	9	11	8	15	17	14		111
Complainant Failed to Cooperate	1	5	3	1	6	4	8	3			31
Withdrawn After Resolution	2	1	2	8	7		6	3	2		31
Case Still Open								3	12	5	20
Withdrawal Without Resolution	1	1	1	1	6	4		1	1		16
Trial Has Begun	2		1	1	2	6	1	1			14
Lack of Jurisdiction		2	2	2	2	3	2				13
FHAP Judicial Consent Order		8	1								9
Unable to Locate Complainant	1	4	1		1	1	1				9
Untimely Filed				1	1						2
Total	51	63	61	83	96	53	67	56	36	5	572

Table V.15 presents the bases cited for the complaints found to be with cause; of these 111 successfully conciliated complaints, there were 144 bases cited, with 55 related to disability, 31 related to race, and 29 related to family status.

Table V.15
Fair Housing Complaints with Cause by Basis

Nonentitlement Areas of the State of Tennessee
2004–2013 HUD Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Disability	2	4	4	3	6	6	11	9	10		55
Race	10	3	3	4	2	1	2	3	3		31
Family Status	10	4	1		5	1	3	3	2		29
Sex	1	1	1	2	1	1	2	8	2		19
National Origin			2						2		4
Religion						2	1	1			4
Color						1	1				2
Total Bases	23	12	11	9	14	12	20	24	19		144
Total Complaints	17	10	10	9	11	8	15	17	14		111

The 111 complaints found to be with cause are separated by issue, or discriminatory action, in Table V.16. The most commonly cited issues in these 111 complaints were discrimination in terms, conditions, or privileges relating to rental; discriminatory acts under Section 818; failure to make reasonable accommodation; and discriminatory terms, conditions, privileges, or services and facilities. These are similarly ordered to the issues cited for all complaints.

Table V.16
Fair Housing Complaints Found With Cause by Issue
 Nonentitlement Areas of the State of Tennessee
 2004–2013 HUD Data

Issue	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Discrimination in terms, conditions or privileges relating to rental	5	3	7	6	2		7	9	4		43
Discriminatory acts under Section 818 (coercion, etc.)	5		1	2	1	1	5	7	6		28
Failure to make reasonable accommodation				1	3	6	9	2	3		24
Discriminatory terms, conditions, privileges, or services and facilities	2	3	1		2	1	2	5	4		20
Discriminatory refusal to rent	4	5	2	3	1				1		16
Discriminatory advertising, statements and notices	1	1		2	2	2	3	2	2		15
Discriminatory advertisement - rental	5	1			2						8
Failure to permit reasonable modification					2	1	2		1		6
Discriminatory refusal to rent and negotiate for rental	1				1		1		1		4
False denial or representation of availability - rental	1			1	1			1			4
Discriminatory financing (includes real estate transactions)								2	2		4
Discriminatory refusal to negotiate for rental		1				1					2
Discrimination in terms, conditions, privileges relating to sale			1						1		2
Discrimination in services and facilities relating to rental		1					1				2
Discriminatory refusal to sell								1			1
False denial or representation of availability - sale							1				1
Discrimination in making of loans							1				1
Discrimination in the terms or conditions for making loans							1				1
Otherwise deny or make housing available									1		1
Other discriminatory acts	1										1
Using ordinances to discriminate in zoning and land use			1								1
Non-compliance with design and construction requirements (handicap)	1										1
Total Issues	26	15	13	15	17	12	33	29	26	0	186
Total Complaints	17	10	10	9	11	8	15	17	14		111

TENNESSEE HUMAN RIGHTS COMMISSION

The Tennessee Human Rights Commission (THRC) processes housing discrimination complaints as well, following the process described previously in **Section IV.B. Complaint Process Review**. Over the January 2004 through February 2013 period, the THRC reported 180 complaints filed in nonentitlement areas of the State, as shown in Table V.17. The total number of complaints ranged from lows of 13 in 2006 and 2011 to a high of 39 in 2007, excluding 2013 as a partial year.⁵⁴

This table also presents complaint data by basis, or the protected class status of the person allegedly aggrieved in the complaint. Complainants may cite more than one basis, so the number of bases cited can exceed the total number of complaints. As shown, 272 bases were cited in relation to the 180 complaints filed. Unlike in the HUD complaints, race was the most commonly cited basis with the THRC, with 90 bases, followed by disability, with 77.

Table V.17
Fair Housing Complaints by Basis
Nonentitlement Areas of the State of Tennessee
2004–2013 THRC Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Race	8	5	4	31	23	7	7	4	1	.	90
Disability	4	17	7	9	9	7	9	8	7	.	77
National Origin	1	1	3	16	15		2	1		.	39
Family Status	9	1		1	3	3	4	1		.	22
Color				17			2	1		.	20
Sex	2	1		3	2	5	3	2	1	.	19
Religion			1				3	1		.	5
Total Bases	24	25	15	77	52	22	30	18	9	.	272
Total Complaints	15	24	13	39	32	16	20	13	8	.	180

The THRC also records the issue, or alleged discriminatory action related to each complaint. These are presented in Table V.18. In the same way that bases are reported, more than one issue may be associated with each complaint. Across the nonentitlement areas of the State of Tennessee, 299 issues were cited, with discrimination in terms, conditions, or privileges relating to rental cited 100 times, far more than other issues. Next most common were discriminatory acts under Section 818, with 64 instances, then discriminatory terms, conditions, privileges, or services and facilities; followed by failure to make reasonable accommodation. As with the HUD complaint data presented previously, complaints of issues in the rental market were far more common than home sales market-related complaints.

⁵⁴ The THRC is considered a substantially equivalent agency and is charged with handling alleged violations of fair housing law. All complaints are to be dually filed with HUD and the THRC. Unfortunately, the THRC does not maintain complete records, so these complaint data may be incomplete.

Table V.18
Fair Housing Complaints by Issue
 Nonentitlement Areas of the State of Tennessee
 2004–2013 THRC Data

Issue	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Discrimination in terms, conditions or privileges relating to rental	8	9	7	23	23	10	9	9	2	.	100
Discriminatory acts under Section 818 (coercion, etc.)	5	2	2	17	14	5	8	7	4	.	64
Discriminatory terms, conditions, privileges, or services and facilities	3	3	2	6	3	2	3	1	3	.	26
Failure to make reasonable accommodation	1	3	1	3	2	4	5	3	2	.	24
Discriminatory refusal to rent	5	1	1	7	2		3		1	.	20
Using ordinances to discriminate in zoning and land use		12	1							.	13
Discriminatory advertising, statements and notices		1	2	2	2	2	1			.	10
Discriminatory refusal to rent and negotiate for rental			1		1		2	1		.	5
Otherwise deny or make housing available			1				3		1	.	5
Failure to permit reasonable modification	1	1			3					.	5
False denial or representation of availability - rental				1	1	1	1			.	4
Discrimination in services and facilities relating to rental		1	1	1		1				.	4
Discriminatory refusal to sell		1	1					1		.	3
Discriminatory financing (includes real estate transactions)							1	1	1	.	3
Discriminatory refusal to sell and negotiate for sale					2					.	2
Discriminatory refusal to negotiate for rental		1				1				.	2
Discriminatory advertisement - rental	1					1				.	2
Discrimination in terms, conditions, privileges relating to sale			1				1			.	2
Discriminatory refusal to negotiate for sale			1							.	1
Discrimination in the terms or conditions for making loans	1									.	1
Steering				1						.	1
Other discriminatory acts				1						.	1
Adverse action against an employee	1									.	1
Total Issues	26	35	22	62	53	27	37	23	14	0	299
Total Complaints	15	24	13	39	32	16	20	13	8	.	180

Housing complaints filed with THRC can also be examined by closure status, as shown in Table V.19. Of the 180 total complaints, 108 were found to have a no cause determination, which means that discrimination was not found. In only 30 complaints, the problems were successfully conciliated or settled.

Table V.19
Fair Housing Complaints by Closure Status
 Nonentitlement Areas of the State of Tennessee
 2004–2013 THRC Data

Status	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
No Cause	7	10	9	31	25	12	8	5	1	.	108
Conciliated / Settled	5	2	1	3	2	1	5	6	5	.	30
Withdrawn After Resolution	2		1	4	1		3		2	.	13
Complainant Failed to Cooperate		4	2		1		2	1		.	10
FHAP Judicial Consent Order		8								.	8
Withdrawal Without Resolution	1				2	1		1		.	5
Lack of Jurisdiction					1	2	1			.	4
Unable to Locate Complainant				1			1			.	2
Total	15	24	13	39	32	16	20	13	8	.	180

Table V.20 presents the bases cited for the complaints that were conciliated or settled; about which 38 bases were cited, with 17 related to disability and 9 related to family status. Interestingly, these bases do not correspond closely to the most common bases among all complaints; while race was the most common basis for all complaints.

Table V.20
Fair Housing Complaints Conciliated or Settled
 Nonentitlement Areas of the State of Tennessee
 2004–2013 THRC Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Disability	1		1	2	1		3	4	5	.	17
Family Status	4	1			1	1	1	1		.	9
Race	4	1		1				1	1	.	8
Sex								2	1	.	3
Religion								1		.	1
Total Bases	9	2	1	3	2	1	4	9	7	.	38
Total Complaints	5	2	1	3	2	1	5	6	5	.	30

The 30 complaints that were conciliated or settled are separated by issue, or discriminatory action, in Table V.21. The most commonly cited issues in these 30 complaints were discrimination in terms, conditions, or privileges relating to rental and discriminatory acts under Section 818. This pattern matches closely the issues of all fair housing complaints filed with the THRC, including those not found to be with cause.

Table V.21
Fair Housing Complaints Conciliated or Settled by Issue
 Nonentitlement Areas of the State of Tennessee
 2004–2013 THRC Data

Issue	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Discrimination in terms, conditions or privileges relating to rental	3		1	2			2	3	2		13
Discriminatory acts under Section 818 (coercion, etc.)	3						3	5	2		13
Failure to make reasonable accommodation				1	1		3	2	2		9
Discriminatory refusal to rent	3	1		1					1		6
Discriminatory terms, conditions, privileges, or services and facilities	1	1						1	1		4
Discriminatory advertising, statements and notices		1			1	1					3
Discriminatory refusal to negotiate for rental		1				1					2
Discriminatory refusal to rent and negotiate for rental					1		1				2
Discriminatory financing (includes real estate transactions)								1	1		2
Discriminatory refusal to sell								1			1
Discriminatory advertisement - rental	1										1
False denial or representation of availability - rental				1							1
Using ordinances to discriminate in zoning and land use			1								1
Total Issues	11	4	2	5	3	2	9	13	9	0	58
Total Complaints	5	2	1	3	2	1	5	6	5		30

C. FAIR HOUSING SURVEY – PRIVATE SECTOR RESULTS

Additional evaluation of fair housing within nonentitlement areas of the State of Tennessee was conducted via an online survey of stakeholders conducted from February to April of 2013. The purpose of the survey, a relatively qualitative component of the AI, was to gather insight into the knowledge, experiences, opinions, and feelings of stakeholders and interested citizens regarding fair housing. Results and comments related to the questions in the private sector are presented in the following narrative, and additional survey results are discussed in **Sections VI and VII**.

The State of Tennessee 2013 Fair Housing Survey was completed by more than 850 respondents, of whom 291 represented the nonentitlement areas of the State. Individuals solicited for participation included representatives of housing groups, minority organizations, disability resource groups, real estate and property management associations, banking entities, and other groups involved in the fair housing arena. Most questions in the survey required simple “yes,” “no,” or “don’t know” responses, although many questions allowed the respondent to offer written comments. When many respondents reported that they were aware of questionable practices or barriers, or when multiple narrative responses indicated similar issues, findings suggested likely impediments to fair housing choice.

Numerical tallies of results and summaries of some comment-driven questions are presented in this section. A complete list of written responses is available in **Appendix E**.

FAIR HOUSING IN THE PRIVATE SECTOR

In order to address perceptions of fair housing in the State of Tennessee’s private housing sector, survey respondents were asked to identify their awareness of possible housing discrimination issues in a number of areas within the private housing sector, including the:

- Rental housing market,
- Real estate industry,
- Mortgage and home lending industry,
- Housing construction or accessible housing design fields,
- Home insurance industry,
- Home appraisal industry, and
- Any other housing services.

If respondents indicated that they were aware of possible discriminatory issues in any of these areas, they were asked to further describe issues in a narrative fashion. Tallies for each question are presented in Table V.22.

Table V.22
Barriers to Fair Housing in the Private Sector
 Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any questionable practices or barriers to fair housing choice in:					
The rental housing market?	11	136	48	96	291
The real estate industry?	4	130	63	94	291
The mortgage and home lending industry?	7	121	68	95	291
The housing construction or accessible housing design fields?	4	122	70	95	291
The home insurance industry?	3	115	77	96	291
The home appraisal industry?	7	115	74	95	291
Any other housing services?	6	112	72	101	291

Rental Housing

Regarding barriers to fair housing choice in the rental housing market, 11 respondents noted awareness of fair housing issues in this area; however, 96 respondents did not answer this question. Some respondents—48—did not know about rental housing barriers, and 136 respondents reported that they were not aware of such barriers. Respondents were asked to discuss their concerns in narrative format if they replied “yes.” Comments on this question related to discrimination based on:

- Race or color and
- Sex, such as apartment managers refusing to rent to more than two women, citing a law about “brothels.”⁵⁵

Real Estate Industry

Only 4 respondents reported awareness of barriers to fair housing choice in the real estate industry, although the majority did not know or did not respond. No comments received for this question indicated recent discrimination for protected classes.

Mortgage and Home Lending Industry

Regarding barriers to fair housing choice in the lending or mortgage industries, 7 respondents noted awareness of fair housing issues. Again, many respondents did not answer the question or did not know, so this group represented a notable share with awareness of possible discrimination in the mortgage and home lending markets. Comments included witnessing racial discrimination from a particular lender.

Housing Construction or Accessible Housing Design Fields

Barriers to fair housing choice in the housing construction or accessible housing design fields were also addressed in the survey. When asked if they were aware of fair housing issues in these areas, 4 respondents said yes. Persons who were aware of issues in the housing construction or accessible housing design fields were also asked to provide specific examples

⁵⁵ No record of such a law could be found.

of these issues. Comments indicated that some multi-family units do not meet accessibility codes and that there is a shortage of multi-family housing.

Home Insurance Industry

Only 3 respondents noted barriers to fair housing choice in the home insurance industry, although many of those who took the survey did not respond or said that they did not know. The comments that alluded to fair housing issues noted discrimination based on race or ethnicity.

Home Appraisal Industry

The home appraisal industry was also investigated as part of the survey. When asked, 7 respondents noted that they were aware of barriers to fair housing choice in the home appraisal industry. Many of these comments suggested that neighborhoods comprising mostly racial and ethnic minorities are appraised at lower levels than other neighborhoods in some communities.

Any Other Housing Services

Respondents were also asked to discuss their awareness of barriers to fair housing in any other area of the private housing sector. Only 6 respondents noted awareness of other issues, but many did not know or did not respond. These few indicated issues of discrimination against single parents (family status).

D. SUMMARY

Evaluation of the private housing sector included review of home mortgage loan application information, small business lending practices, fair housing complaint data, and results from the private sector section of the 2013 Fair Housing Survey.

HMDA data were used to analyze differences in home mortgage application denial rates in nonentitlement areas of the State of Tennessee by race, ethnicity, sex, income, and Census tract. Evaluation of home purchase loan applications from 2004 through 2011 showed that there were 318,160 loan originations and 95,366 denials, for an eight-year average loan denial rate of 23.1 percent. Denial rates were highest in 2011, at 29.7. These HMDA data also showed that American Indian, black, and Hispanic applicants experienced higher rates of loan denials than white or Asian applicants, even after correcting for income. Further, these more frequently denied racial and ethnic groups tended to be more disproportionately impacted in some specific areas of the State.

Analysis of originated loans with high annual percentage rates showed that black and Hispanic populations were also disproportionately issued these types of lower-quality loan products. Black borrowers experienced a rate nearly twice that of white applicants, for example. With high proportions of low quality, high-annual percentage rate loans being issued to these particular groups, the burden of foreclosure tended to fall more heavily upon them.

Analysis of data from the CRA, which is intended to encourage investment in low- and moderate-income areas, showed that business loans did not tend to be directed toward the areas with higher-poverty concentrations in the nonentitlement areas of the State of Tennessee as commonly as they were toward more moderate-income areas.

Fair housing complaint data was requested from HUD and the THRC. HUD data showed that 572 fair housing–related complaints were filed in the State from 2004 through February of 2013. The number of complaints filed with this agency varied by year, ranging from 36 to 96. The protected classes most impacted by discrimination, based on the 111 successfully conciliated complaints, were disability and race, and the most common complaint issues related to:

- Discriminatory terms, conditions, or privileges relating to rental;
- Discriminatory acts under Section 818;
- Failure to make reasonable accommodation; and
- Discriminatory terms, conditions, privileges, or services and facilities.

Complaints filed with the THRC showed that of the 30 complaints where cause for discrimination was found, the most common bases were for disability and family status. The most common issues for these complaints closely matched the issues found commonly in complaints filed with HUD.

Results from the private sector portion of the 2013 Fair Housing Survey, conducted from February to April of 2013 as part of the AI process, showed that some respondents saw possible issues of housing discrimination in the nonentitlement areas of the State of Tennessee’s private housing sector. Issues described by respondents regarding the rental markets suggested that some landlords discriminate based on race, color, and sex. In the home sales and lending markets, respondents noted lack of accessible design for persons with disabilities and discrimination based on race or ethnicity.

VI. FAIR HOUSING CHOICE IN THE PUBLIC SECTOR

While the previous section presented a review of the status of fair housing in the private sector, this section will focus specifically on fair housing in the public sector. HUD recommends that the AI investigate a number of housing factors within the public sector, including health and safety codes, construction standards, zoning and land use policies, tax policies, and development standards. The AI should also examine the placement of publicly assisted housing.

A. PUBLICLY ASSISTED HOUSING

Community features, including public services and facilities, are essential parts of good neighborhoods, leading to a more desirable community and more demand for housing in these areas. The following narrative evaluates the location of assisted and public housing and public policies and practices in relation to the resulting location of the housing choice.

ASSISTED HOUSING AND TRANSIT LOCATIONS

Public or assisted housing can exist in several forms, including low-income housing projects, housing voucher programs, and supportive housing. The objective of public and other forms of assisted housing is to provide housing that is suitable for persons with special needs or families of low- to moderate-income levels and to promote access to jobs, transportation, and services.

The Tennessee Housing Development Agency (THDA) has data regarding the location of housing vouchers in the State, as shown in Map VI.1, on the following page. As of April 2013, there were 10,470 housing vouchers in use across the nonentitlement areas of the State, and these were distributed relatively evenly, with the exception of some areas along the eastern edge of the State and north of Hamilton County. This map also shows the relationship between housing vouchers and poverty rates. As shown, some of the State's highest poverty rate Census tracts contained few or no housing choice vouchers administered by the THDA.

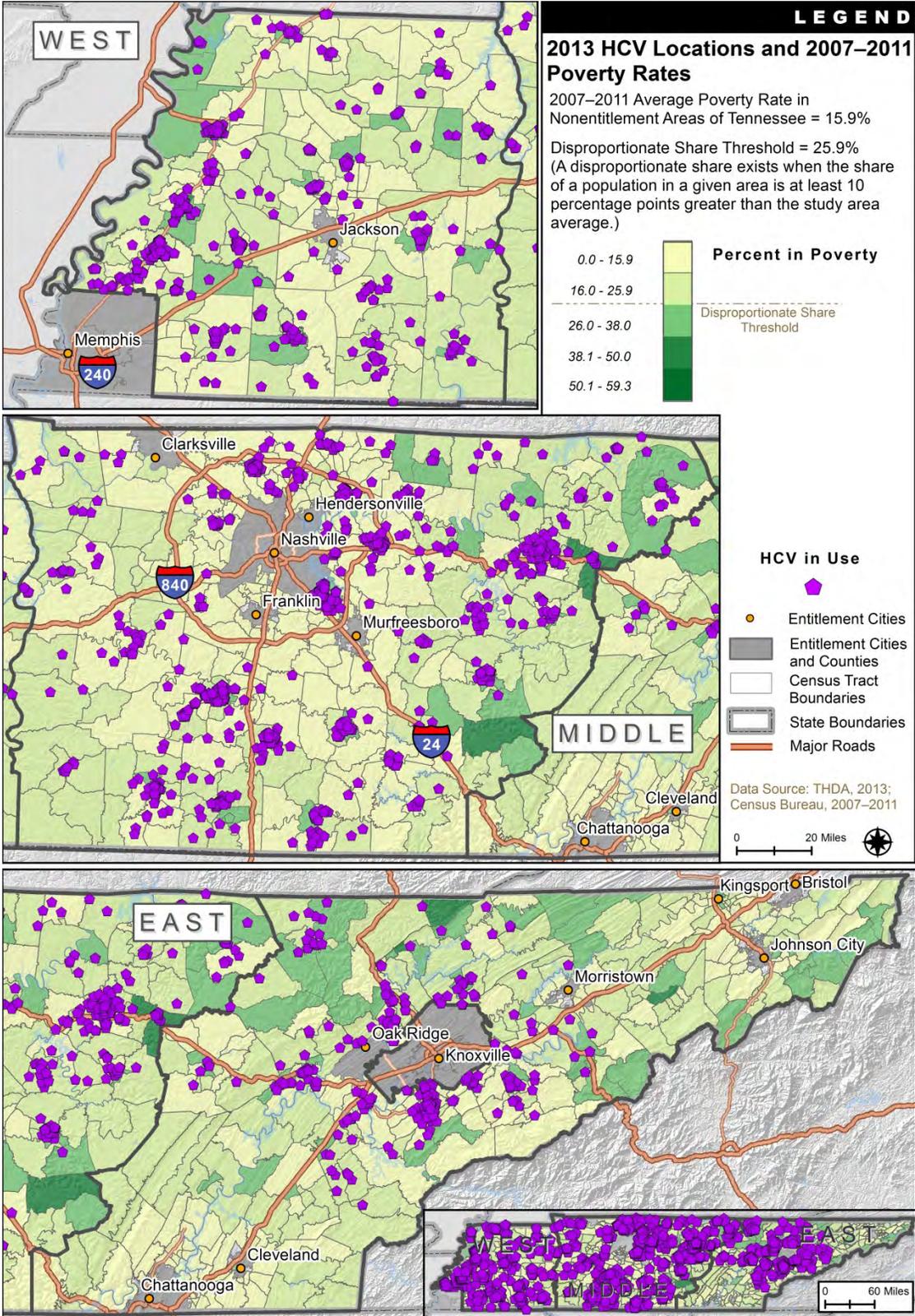
The THDA also maintains an inventory in the State. Map VI.2, on page 107, presents the location of Low Income Housing Tax Credit (LIHTC) properties in relation to poverty rates by Census tract. As with vouchers, the LIHTC projects do not appear to be heavily concentrated in lower-income, high poverty rate areas.

Map VI.3, on page 108, shows multi-family housing properties funded by HUD rental assistance and their relation to areas of poverty.⁵⁶ As shown, these units were scattered widely across the State, with few located in the highest-poverty tracts.

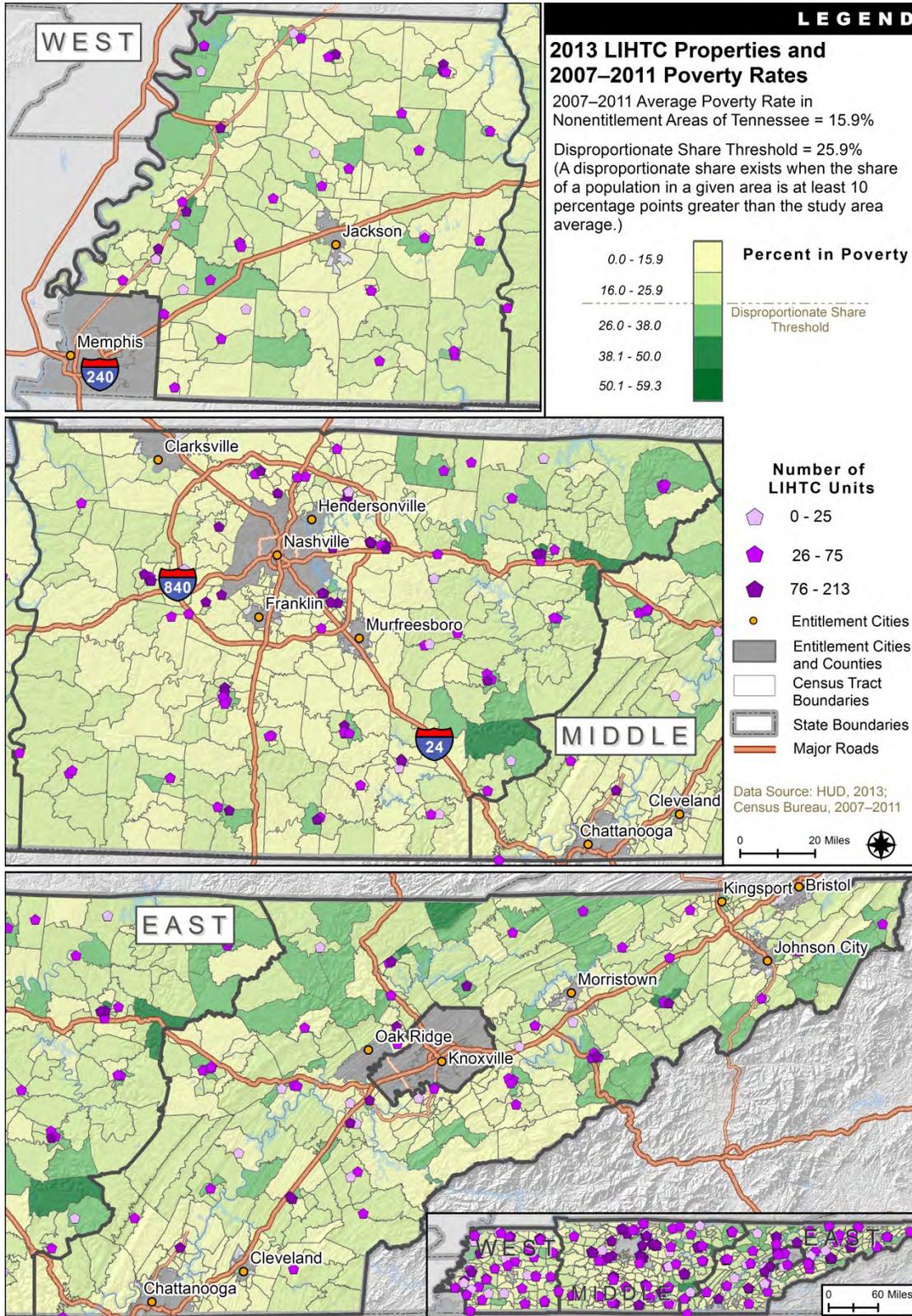
Consequently, there does not appear to be a concentration of these types of publicly assisted housing projects in close proximity to one another in the nonentitlement areas of Tennessee.

⁵⁶ (HUD MFH 2013)

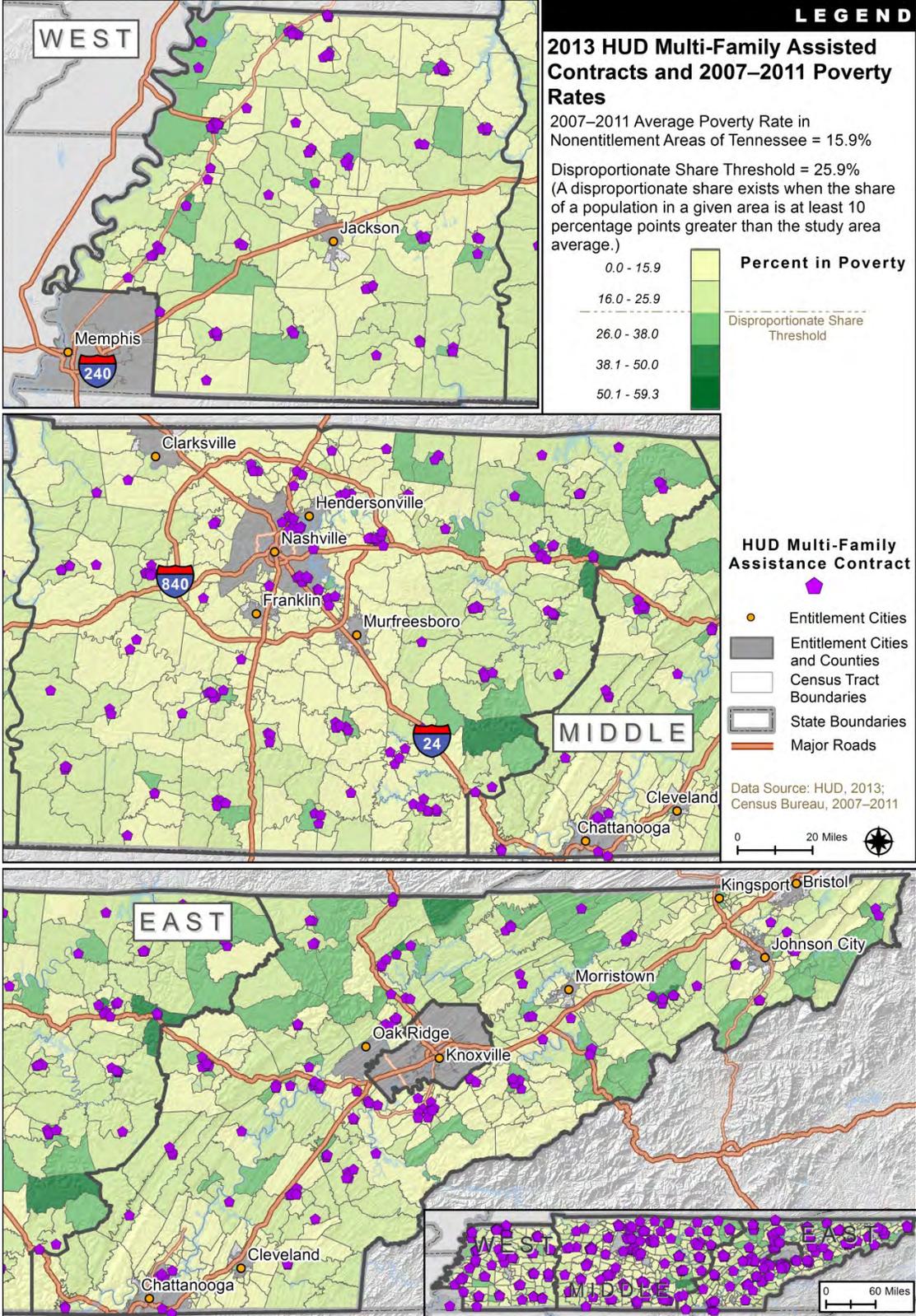
Map VI.1
Housing Choice Vouchers
Nonentitlement Areas of the State of Tennessee
2013 THDA Data



Map VI.2
LIHTC Affordable Housing Units
 Nonentitlement Areas of the State of Tennessee
 2013 THDA Data



Map VI.3
Multi-Family HUD-Assisted Rental Units
 Nonentitlement Areas of the State of Tennessee
 2012 HUD Data



B. POLICIES AND CODES

This section contains data gathered from the nonentitlement community interviews conducted with planners across the State. In the State's many nonentitlement cities and counties, public sector policies were evaluated through the 2013 Tennessee Land Use Planning Interviews, which were conducted over the phone in March 2013 with planning, community development, building, and other staff. Staff from the State's 40 largest nonentitlement cities were contacted. This method allowed the collection of thorough answers to key questions about public sector policies.

Because the policy environment of a jurisdiction can have a large effect on the type and quantity of housing built, municipal codes, ordinances, and other policies of the 22 communities who completed the survey across the nonentitlement areas of the State were analyzed. Policies relating to housing development, special needs housing, and fair housing were addressed for each area in order to evaluate the public sector environment for a variety of housing types, including affordable housing, mixed-use housing, senior housing, and group homes.

Local planning and community development staff provided details on many elements of their jurisdictions' policies. Survey questions related to zoning ordinances, planning policies, and land use practices such as:

- Definitions of "dwelling unit" and "family";
- Occupancy standards;
- Definitions of "disability";
- Development standards for housing for persons with disabilities;
- Programs or practices relating to the development of affordable, mixed-use, accessible, or senior housing; and
- Policies relating to group homes or other special needs housing.

DEFINITIONS

Fair housing laws seek to protect classes of persons with certain attributes from discrimination, including individuals with disabilities, seniors, and families with children. In order to support these protected classes, it is helpful to have accurate definitions of these classes and to consider the potential effects of zoning and land use policies when it concerns them. Some definitions of "dwelling" or "residential unit" can hinder the provision of housing for disabled or other special needs persons, and can inadvertently discriminate against boarding or care facilities.

Dwelling Unit Definitions

About two thirds of jurisdictions surveyed have definitions for "dwelling unit." A few examples of common definitions for "dwelling unit" are presented below. The following definitions may present barriers or impediments to housing choice for nontraditional households, by defining dwelling units for "families" only:

A room or rooms connected together constituting a separate, independent housekeeping establishment for one (1) family only, for owner occupancy rental and/or lease, and containing cooking, living, sleeping, and sanitation facilities.

One or more rooms and a single kitchen designed as a unit for occupancy by only one family for cooking, living and sleeping purposes.

One or more rooms designed, occupied or intended for occupancy as separate living quarters for one (1) family providing complete, independent living facilities including permanent provisions for living, sleeping, eating, cooking, and sanitation.

These definitions are flexible for housing units of many types, including mobile homes and accessory dwellings, but on their own may exclude some types of housing that may be required for persons of special needs, such as group homes, because only one family is permitted in a dwelling unit.

Family Definitions

All but one city define “family” in their ordinances, though some of these definitions exclude households of non-related persons. In addition, some jurisdictions have limiting policies that restrict the number of residents allowed per dwelling unit, in addition to safety and building codes required by federal law.

The following definitions are examples of those found in several nonentitlement cities in the State that may not be in the spirit of affirmatively furthering fair housing (AFFH) by restricting household size based on related/unrelated persons and numerical restriction on number of persons:

One person, or two or more persons related by blood or marriage, or adoption together with incidental domestic servants and temporary nonpaying guests. The term "family" shall not be construed to include a fraternity, sorority, club, foster home with more than 4 children, or institutional group.

One or more persons related by blood, marriage or adoption, or a group of not to exceed 5 persons not all related by blood or marriage, occupying the premises and living as a single nonprofit housekeeping unit as distinguished from a group occupying a boarding or lodging house, hotel, club, or similar dwelling for group use. A family shall be deemed to include domestic servants employed by said family.

One or more persons occupying a single housekeeping unit and using common cooking facilities, provided that unless all members are related by blood, marriage or adoption, no such family shall contain over five persons.

These definitions do not allow for families of any size made up of related or unrelated persons, and so prevent a large nontraditional family or group of unrelated persons from living together. In addition, some definitions exempted group homes or boarding houses; if these homes are not defined and allowed elsewhere in the code.

Additionally, a few cities impose limits on the number of persons allowed in each dwelling unit (outside international building codes for health and safety), such as per bedroom or according to square footage. In fact, one city has a rental housing registry, wherein all rental properties must be registered and measured, and a limit is created to the number of potential tenants allowed to live there at once. This policy was created in the past decade, to address complaints about “immigrant” families that lived with many generations and family members in their homes. Another city surveyed had a policy imposing limits on number of persons if those persons were unrelated. Communities with definitions that may exclude selected persons may not be in the spirit of AFFH.

AFFORDABLE HOUSING DEVELOPMENT

Less than 10 percent of cities reported guidelines that encourage the development of affordable housing units, such as zoning districts that allow for smaller lots or a variety of nontraditional housing styles. A few cities reported connecting developers with federal or State funding for affordable housing projects.

About 30 percent of cities noted potential barriers to affordable housing, with the most common barrier reported being that of neighborhood resistance, or NIMBYism. Cities that allow this resistance to sway their decisions about development applications may not be operating in the spirit of AFFH.⁵⁷ High land values was also cited as a barrier to affordable housing development in some cities; however, this was not a common response.

MIXED-USE HOUSING DEVELOPMENT

Any building, set of buildings, or neighborhood used for more than one purpose is considered mixed-use, as are housing units included in such a property or development. All of the jurisdictions contacted in the phone survey allow mixed-use development housing. Respondents indicated that barriers to mixed-use housing development exist in about half of the jurisdictions, ranging from environmental to policy-related, such as height restrictions or density bonuses. However, they can have negative implications for affordable housing production.

ACCESSIBLE HOUSING POLICIES

Very few communities define “disability” in their policies, and none include this definition in their zoning or municipal codes, although State and federal codes require that multi-family housing or housing receiving federal funding assistance meet accessibility codes.

For building codes, several cities have adopted the North Carolina Accessibility Code, a substantially equivalent code to Title III of the Americans with Disabilities Act.⁵⁸ However, for planning and development purposes, formal standards for accessible housing—including definitions, requirements for a portion of large developments, or bonuses or incentives—often improve the supply of such housing and better serve the needs of disabled persons.

⁵⁷ (DOJ and HUD 1999) Group Homes, Local Land Use, and the Fair Housing Act

⁵⁸ (DOJ 2005) Letter Announcing Determination of ADA Equivalency for the North Carolina Accessibility Code, <http://www.ada.gov/nccdltr2.htm>

Very few cities have specific standards for the construction of accessible multi-family housing other than building codes, and almost none have clear policies for persons with disabilities to request reasonable accommodations or modifications to city policies if necessary for accessible housing. Some cities reported using an informal administrative approval process for variance requests that might make requesting modifications easier.

SENIOR HOUSING POLICIES

The senior population often requires specialized housing and a variety of housing opportunities. Seniors can be disabled or on limited incomes, and policies based on minimum age limits often help provide housing to those over certain age limits. Multi-family senior housing projects have different requirements and needs than do standard multi-family developments such as market-rate apartments, and as such, cities may need to address these types in their codes.

In only a few cities, housing for senior citizens is distinguished from other multi-family residential uses; in a few, incentives for the development of senior housing are offered, such as lower parking requirements and density bonuses that allow more units to be constructed on a site.

GROUP HOUSING POLICIES

Housing for other special needs populations can include group homes or care facilities for homeless persons, those afflicted by substance abuse, HIV/AIDS survivors, youth in crisis, and victims of domestic violence. These groups often require group or temporary housing in dedicated homes, often in residential areas. Federal fair housing law ensures that disabled persons and many other potential group home residents be allowed housing by right; this means group homes must be allowed in most residential areas.

The State of Tennessee accounts for this in Title 13, Chapter 24, Part 1 of the Tennessee Code, as follows:

13-24-102. Homes in which mentally retarded, mentally handicapped or physically handicapped persons reside classified as single family residence.

...“single family residence” includes any home in which eight (8) or fewer unrelated mentally retarded, mentally handicapped or physically handicapped persons reside, and may include three (3) additional persons acting as houseparents or guardians, who need not be related to each other or to any of the mentally retarded, mentally handicapped or physically handicapped persons residing in the home.⁵⁹

Thus, Tennessee law allows for group homes of eight persons or fewer in residential zones across the State, regardless of local zoning. According to HUD and the U.S. Department of Justice (DOJ), the Fair Housing Act states that local jurisdictions cannot impose density

⁵⁹ (Tennessee Code) <http://law.justia.com/codes/tennessee/2010/title-13/chapter-24/part-1/13-24-102/>

restrictions on group homes: it is unlawful for a city to disallow group homes to be located within a particular distance of each other.⁶⁰

Despite these regulations, several cities interviewed in the nonentitlement areas of the State did not allow group homes in residential areas, or had other limitations in place.

FAIR HOUSING POLICIES AND PRACTICES

At the local level, establishing a clear fair housing policy or ordinance can further ensure their commitment to AFFH; without a stated policy or code, fair housing issues may not be considered in other agency decisions, possibly impeding fair housing choice. A fair housing ordinance can simply define protected classes and discrimination, reinforce fair housing laws, and address rights and responsibilities in order to accomplish these goals.

Just over a third of the cities interviewed had a fair housing ordinance, policy, or regulation, and just under a third had policies or practices for “affirmatively furthering fair housing.” Examples of the policies and practices seen in a few cities include:

- A local fair housing board or commission that meets when issues arise;
- Annual recognition of National Fair Housing Month; and
- Trainings and seminars for planning commission or local housing industry professionals.

However, many of the staff who provided information on city and County policies lacked knowledge of the jurisdiction’s fair housing plan, ordinance, resolution, or policy.

C. FAIR HOUSING SURVEY – PUBLIC SECTOR RESULTS

As mentioned previously, further evaluation of the status of fair housing within nonentitlement areas of the State of Tennessee was conducted online via the 2013 Fair Housing Survey, which was completed by 291 stakeholders and citizens in the nonentitlement areas of the State. Those solicited for participation included a wide variety of individuals from the fair housing arena. Most questions in the survey required “yes,” “no,” or “don’t know” responses, and many allowed the respondent to offer written comments. While the numerical tallies of results are presented in this section, along with summaries of some comment-heavy questions, a complete list of written responses is available in **Appendix E**. Other survey results are also discussed in **Sections V and VII**.

FAIR HOUSING IN THE PUBLIC SECTOR

Public sector effects on housing can be complex and varied. The questions in this section of the survey asked respondents to think about possible barriers to fair housing choice within very specific areas of the public sector, as follows:

- Land use policies,

⁶⁰ (DOJ and HUD 1999) Group Homes, Local Land Use, and the Fair Housing Act

- Zoning laws,
- Occupancy standards or health and safety codes,
- Property tax policies,
- Permitting processes,
- Housing construction standards,
- Neighborhood or community development policies,
- Access to government services, and
- Any other public administrative actions or regulations.

If respondents indicated affirmatively that they were aware of possible discriminatory issues in any of these areas, they were asked to further describe issues in a narrative fashion. Tallies for each question are presented in Table VI.1. Narrative responses and practices noted by high numbers of respondents suggest that the issues raised are potential concerns pertaining to fair housing choice in nonentitlement areas of the State. Overall, very few viewed public sector problems.

Table VI.1
Barriers to Fair Housing in the Public Sector
 Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any questionable practices or barriers to fair housing choice in:					
Land use policies?	8	134	52	97	291
Zoning laws?	9	124	60	98	291
Occupancy standards or health and safety codes?	4	126	62	99	291
Property tax policies?	3	114	76	98	291
Permitting process?	2	116	73	100	291
Housing construction standards?	6	122	62	101	291
Neighborhood or community development policies?	5	131	57	98	291
Limited access to government services, such as employment services?	26	127	40	98	291
Public administrative actions or regulations?	6	118	70	97	291

Land Use Policies

When asked, 8 respondents noted that they were aware of barriers to fair housing choice related to land use policies. As indicated previously, respondents were also asked to discuss questionable practices or barriers specifically in narrative format. None of the narrative comments received in relation to this question explicitly pointed to barriers to fair housing choice based on protected class protections; however, existence of policies that exclude multi-family housing was cited.

Zoning Laws

Zoning laws were also investigated as part of the survey. Just 9 respondents noted awareness of barriers to fair housing choice due to zoning laws. However, none of the narrative comments received in relation to this question suggested pointed to barriers to fair housing choice.

Occupancy Standards or Health and Safety Codes

Only 4 persons noted awareness of fair housing issues caused by occupancy standards or health and safety codes, and no comments received were related to fair housing law violations.

Property Assessment and Tax Policies

When asked about barriers to fair housing choice in property tax policies, only 3 respondents were aware of such issues. No comments were strictly related to fair housing issues.

Permitting Processes

The survey also addressed perceptions of the local permitting process. Only 2 respondents noted limited access to these services as a problem in the nonentitlement areas of the State of Tennessee; the comments received noted that forms and information about permitting are only offered in English.

Housing Construction Standards

Barriers to fair housing choice in housing construction standards were also addressed in the survey. Fair housing concerns in this area were reported by 6 respondents. No comments received cited impediments, although respondents did report that inspectors did not seem to have adequate training or do not have the capacity to enforce codes.

Neighborhood or Community Development Policies

Only 5 respondents noted awareness of barriers to fair housing choice in neighborhood or community development policies. Of these few, the comments received addressed housing affordability or policies limiting low-income housing.

Limited Access to Government Services

The survey was also used to examine awareness of situations wherein groups faced limited access to government services, including public transportation and employment services. More respondents, 26, noted limited access to these services as a problem in nonentitlement areas of the State of Tennessee. Several of these comments noted lack of public transit, particularly in rural areas, though only one comment pointed to lack of transportation options for disabled persons. One comment cited discriminatory practices on the part of law enforcement, such as failing to enforce laws in areas based on race.

Any Other Public Administrative Actions or Regulations

Respondents were also asked to discuss their awareness of barriers to fair housing in any other public administrative actions or regulations. When asked, 6 respondents noted awareness of other issues, although none of the issues cited in the comments related to fair housing.

D. SUMMARY

The status of AFFH within the nonentitlement areas of the State of Tennessee's public sector was evaluated through review of the location of publicly assisted housing, interviews with several cities and their policies and practices; and the results of the public sector section of the 2013 Fair Housing Survey.

Evaluation of the distribution of housing vouchers, HUD-assisted rental properties, and other affordable housing in the State demonstrated that these assisted housing options were relatively widely distributed, and tended to be concentrated in areas other than those with the highest poverty rates.

An analysis of the policies and codes of many of the State's largest nonentitlement cities showed that all of these jurisdictions have in place some basic housing definitions such as "dwelling unit" and "family," but most tend to be restrictive and may not be in the spirit of AFFH. Few communities define "disability" in their codes and or have policies in place to offer options for persons in need of modifications to policies for reasonable accommodation. However, housing for seniors and group housing are not consistently addressed in local codes, despite being accommodated in State codes. Some communities lack fair housing ordinances. Across the array of communities contacted, a wide variety of policies and practices exist, several of which are not in the spirit of AFFH and may unwittingly discriminate against several groups. A more complete, consistent, and uniform approach could greatly benefit these communities in the nonentitlement areas of the State.

Results from the public sector section of the 2013 Fair Housing Survey revealed that few respondents in nonentitlement areas of the State of Tennessee believe there are problematic practices or policies within the public sector. However, of those that did, some noted land use policies and zoning laws that particularly impact protected class populations, and others suggested that public transit services are lacking.

VII. PUBLIC INVOLVEMENT

This section discusses analysis of fair housing in nonentitlement areas of the State of Tennessee as gathered from various public involvement efforts conducted as part of the AI process. Public involvement feedback is a valuable source of qualitative data about impediments. These are reviewed in this section.

A. FAIR HOUSING SURVEY

As discussed in previous sections, a 2013 Fair Housing Survey comprised a large portion of the public involvement efforts associated with the development of the 2013 AI. While data from the survey regarding policies and practices within the private and public sectors have already been discussed, the remaining survey findings are presented in the following narrative.

The purpose of the 2013 Fair Housing Survey, a relatively qualitative component of the AI, was to gather insight into knowledge, experiences, opinions, and feelings of stakeholders and interested citizens regarding fair housing as well as to gauge the ability of informed and interested parties to understand and affirmatively further fair housing. The general public as well as homeowners, renters, and many organizations throughout the State were solicited to participate.

Across the State of Tennessee, 858 respondents completed the survey, which was conducted entirely online. However, 291 of these were from nonentitlement areas of the State. Individuals solicited for participation included representatives of housing groups, minority organizations, disability resource groups, real estate and property management associations, banking entities, fair housing advocates, and other groups involved in the fair housing arena. Other survey results are also discussed in **Section V.C. Fair Housing Survey – Private Sector Results** and **Section VI.C. Fair Housing Survey – Public Sector Results**. Narrative responses and practices noted by respondents suggest that several issues raised can be construed to be impediments to fair housing choice.

Respondents of the 2013 Fair Housing Survey were asked to identify their primary role within the housing industry. As shown in Table VII.1, of the 291 responses from the nonentitlement areas of the State, 95 respondents identified themselves as representatives of local government, 47 were in real estate, 41 were property managers, 30 were advocates or service providers, and 28 respondents were homeowners.

The next question asked respondents about their familiarity with fair housing laws. Results of this question are presented in Table VII.2. As shown, slightly more than half of all respondents, indicated that they were somewhat familiar (102 respondents) or very familiar (70 respondents) with fair housing law, and 47 respondents said that they were unfamiliar.

Table VII.1
Primary Role of Respondent
Nonentitlement Areas of the State of
Tennessee
2013 Fair Housing Survey Data

Primary Role	Total
Local Government	95
Real Estate	47
Property Management	41
Advocate/Service Provider	30
Homeowner	28
Construction/Development	11
Banking/Finance	6
Renter/Tenant	3
Other Role	28
Missing	2
Total	291

Table VII.2
Familiarity with Fair Housing Laws

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Familiarity	Total
Not Familiar	47
Somewhat Familiar	102
Very Familiar	70
Missing	72
Total	291

Table VII.3 shows the responses to a number of questions regarding federal, state, and local fair housing laws. First, respondents were asked to indicate their perceptions of the usefulness of fair housing laws in their communities. As shown, 175 respondents indicated that fair housing laws are useful, and only 8 respondents believed that fair housing laws are not useful.

Respondents were also asked if fair housing laws are difficult to understand or follow. As shown, 43 respondents said that fair housing laws are difficult to understand or follow, which represents about 20 percent of respondents who answered this question and indicates that additional education and outreach about fair housing law may be useful.

The third question of this section inquired if fair housing laws should be changed; 23 respondents indicated affirmatively, and written responses suggested the following:

- Adding sexual orientation as a protected class;
- Adding protections for other groups, such as felons and recipients of public assistance; and
- Offering more rights and protections for property owners and landlords, such as to evict tenants lawfully or without fear of violating fair housing law.

When asked if fair housing laws are adequately enforced, 104 respondents replied that they are and 87 said that they are not.

Table VII.3
Perceptions About Fair Housing Laws

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Do you think fair housing laws are useful?	175	8	34	74	291
Are fair housing laws difficult to understand or follow?	43	122	51	75	291
Do you think fair housing laws should be changed?	23	98	93	77	291
Do you think fair housing laws are adequately enforced?	104	87	17	83	291

The next section in the survey related to fair housing activities, including outreach and education and testing and enforcement. As shown in Table VII.4, when asked if there was a training process available to learn about fair housing laws, 104 respondents indicated affirmatively, and 92 respondents noted that they had participated in fair housing training; the latter group represents about a third of all respondents to the survey. Respondents were also

asked about their awareness of fair housing testing; only 17 respondents were aware of such activity.

Questions in this section also invited respondents to gauge the current levels of fair housing testing and education in their communities. More than half of all respondents who answered the question, 65 persons, suggested that there is too little fair housing outreach and education activity in the State, and 63 respondents said that outreach and education activities are sufficient, with only 2 indicating that there is too much. In terms of fair housing testing, 29 of the respondents who answered indicated that there is too little testing; however, many respondents, 160, did not appear to understand fair housing testing activities, or they did not know of any testing activities.

Table VII.4
Fair Housing Activities
Nonentitlement Areas of the State of Tennessee
2013 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total	
Is there a training process available to learn about fair housing laws?	104	87	17	83	291	
Have you participated in fair housing training?	92	39	8	152	291	
Are you aware of any fair housing testing?	17	141	50	83	291	
Testing and education	Too Little	Right Amount	Too Much	Don't Know	Missing	Total
Is there sufficient outreach and education activity?	65	63	2	79	82	291
Is there sufficient testing?	29	17	1	160	84	291

As part of the process of measuring understanding of fair housing law through the survey instrument, respondents were asked to list their awareness of classes of persons protected by fair housing laws on federal, state, and local levels. Race and disability were offered as examples of protected classes in the question narrative, encouraging respondents to list other protected classes. Results of this question are presented in Table VII.5. Some respondents were able to correctly identify several of the protected classes, including sex, religion, familial status, and national origin. Of the respondents, between 101 and 67, in descending order, identified these groups. However, many respondents indicated some confusion as to protected classes when several listed age, sexual orientation, income, military veteran, and other grounds for fair housing protection; these class distinctions have no such protection in federal or State law. In addition, research presented in the literature review section of this document suggests that, nationally, many persons are not able to correctly list classes of persons protected by fair housing law in their community.

Table VII.5
Protected Classes
Nonentitlement Areas of the
State of Tennessee
2013 Fair Housing Survey Data

Protected Class	Total
Sex	101
Religion	98
Family Status	79
National Origin	67
Age	55
Color	47
Sexual Orientation	36
Income	15
Disability	15
Ethnicity	9
Race	7
Military	3
Other	31
Total	564

Respondents were also asked to indicate their awareness of where to refer persons who wish to file a fair housing complaint. While a good number of respondents, 76, suggested HUD, 30 said that they did not know. Only nine respondents replied that they would refer a complaint to the THRC, which also accepts complaints. In addition, many respondents suggested less appropriate avenues such as a State agency, the THDA, a local or other housing authority, or their county or county mayor. These results suggest that, though many respondents indicated they were familiar with fair housing law, far fewer are aware of where to refer a person with a housing complaint. Responses are presented in Table VII.6.

Table VII.7 presents tallied responses to survey questions related to the status of fair housing in nonentitlement areas of the State of Tennessee. First, respondents were asked if they were aware of a fair housing plan in their communities. Several respondents, 38, indicated affirmatively, but another 113 said that they were not aware of such a plan or did not know. Narrative comments received noted a few local policies and practices, as well as state and federal laws.

Respondents were also asked to offer information regarding any specific geographic areas within the State that might have increased fair housing issues. While a number of respondents elected not to answer the question or indicated that they did not know, 7 respondents reported that certain geographic areas of the State had fair housing issues. Fair housing-specific comments indicated that some geographical areas may have racial segregation or discrimination against disabled residents.

Table VII.6
Fair Housing Violation Referrals
Nonentitlement Areas of the State of
Tennessee
2013 Fair Housing Survey Data

Referral	Total
HUD	76
Don't Know	30
State	10
City	9
THRC	9
THDA	8
Housing Authority	5
TFHC	5
Federal	4
Mayor	4
USDA Office of Civil Rights	3
Civil Rights Office	2
County	2
ECD	2
Department of Commerce	1
DHS	1
EEOC	1
FBI	1
First Tennessee Development District	1
Habitat for Humanity Tennessee	1
HRC	1
Police	1
Property Management Company	1
Tennessee Real Estate Commission	1
West Tennessee Legal Services	1
Other	3
Total	183

Table VII.7
Local Fair Housing

Nonentitlement Areas of the State of Tennessee
2013 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of a fair housing plan in your community?	38	113	40	100	291
Are there geographic areas that have fair housing problems?	7	68	113	103	291

Respondents were also asked to offer any additional comments that they might have regarding fair housing in their communities. Many respondents commented that some people are not very familiar with fair housing laws and would benefit from training.

B. FAIR HOUSING FORUMS

Public input opportunities, or fair housing forums, were held in Jackson, Knoxville, and Nashville on March 18 through 20 of 2013. The purpose of the forums was to allow the general public, stakeholders, and interested parties the chance to learn more about the AI process, including why the AI was conducted, as well as view the preliminary findings. Public involvement was also solicited at the forums, and comments were collected from the attendees. The complete minutes of the forums are presented in **Appendix G**.

Guests at the forums included housing advocates, representatives of local service agencies, real estate agents, property owners, and others. In general, several commentators from units of local government seemed to lack sufficient knowledge of the duty to affirmatively further fair housing. Furthermore, discussions and comments at the forums focused on several issues, largely relating to the rental markets. In particular, needs of the following were mentioned:

- Lack of accessible housing for disabled persons;
- Lack of housing for elderly persons, particularly in rural areas;
- NIMBYism toward housing for disabled persons, as well as public sector barriers for such housing at the city level.

C. SUMMARY

Public involvement opportunities were an intrinsic part of the development of this AI. Activities included the 2013 Fair Housing Survey to evaluate current fair housing efforts and the three fair housing forums wherein citizens were offered the chance to comment on initial findings of the AI and offer feedback on prospective impediments.

Results of the 2013 Fair Housing Survey showed that the majority of respondents felt that fair housing laws are useful, whereas some respondents were not familiar with fair housing law and few respondents showed familiarity with the classes of persons protected by fair housing law in the State. Many respondents were not aware of appropriate venues to which to refer a victim of housing discrimination. Of the respondents who answered the question, many noted the need for increased fair housing education and outreach activities, and a moderate need was indicated for increased fair housing testing activities.

The public forums held in Jackson, Knoxville, and Nashville in March of 2013 allowed citizens and agencies to voice concerns about barriers to fair housing choice. Comments received at these forums focused on housing availability, particularly for seniors and disabled persons, as well as some neighborhood- and city government-level resistance to such housing.

VIII. SUMMARY OF FINDINGS

A. SOCIO-ECONOMIC CONTEXT

Analysis of demographic, economic, and housing data provides information about the level and results of past housing locational choices. Demographic data indicate the sizes of populations and several protected classes; economic and employment data show economic factors; and counts of housing by type, tenure, quality, and cost indicate the ability of the housing stock to meet the needs of the State's nonentitlement area residents.

According to the Census Bureau, between 2000 and 2011, the population in the nonentitlement areas of the State of Tennessee grew from 3,179,586 to 3,558,774 persons, or by 11.9 percent. Data for population by age showed that the State's population slowly shifted to represent more persons over the age of 55, although the age groups with the largest populations comprised persons aged 5 to 19 and 35 to 54.

Census Bureau data showed that since 2000, the racial and ethnic composition of the nonentitlement areas of the State also changed slightly. While the white and black populations increased the least, by 9.7 and 12.7 percent, respectively, between 2000 and 2010, all other racial and ethnic minorities showed much larger increases in population share. Asian, Hispanic, two or more races, and "other" groups all showed percentage increases of more than 87 percent. Further evaluation of Hispanic population data, in geographic terms, showed increases in the concentration of this group in Census tracts in several rural areas in the State from 2000 to 2010.

Economic data for the State of Tennessee demonstrate the impact of the recent recession. Data from the BLS showed that while the labor force—defined as persons either working or looking for work—did not increase significantly from 2000 to 2011, employment figures declined more dramatically after 1999 and again after 2007. As a result, the overall unemployment rate had increased to 9.7 percent by 2012. Data from the BEA showed that average earnings per job in the State of Tennessee decreased from 2004 to 2009 but increased after that point.

The poverty rate in the nonentitlement areas of the State was 15.9 percent, as reported in the 2011 ACS, compared to 12.7 percent in 2000. Elevated concentrations of poverty may be a concern.

The number of housing units in nonentitlement areas of the State increased by 15.9 percent between 2000 and 2010, or from 1,362,390 to 1,579,005 units. Of the housing units reported in nonentitlement areas of the State in the 2011 ACS, 74.7 percent were single-family units and 16.2 were mobile homes. The 2010 Census showed that 87.7 percent of units were occupied; of these, 75.3 percent were owner-occupied and 24.7 percent were renter-occupied. Of the 128,978 unoccupied housing units counted in nonentitlement areas of the State of Tennessee in 2000, 39,449 were "other vacant" units, which are not available to the marketplace. However, data from the 2010 Census showed that the percentage of this type of unit increased by 64.01 percent, to 64,701 units. However, these "other vacant" units, if located in close proximity to one another, may have a blighting influence.

At the time of the 2000 Census, 1.6 percent of households were overcrowded; this housing problem was more common in renter households than in owner households. In 2000, .8 and .6 percent of all households were lacking complete plumbing or kitchen facilities, respectively, and the number of households with incomplete kitchen facilities had increased in more recent data. Additionally, in 2000, 13.0 percent of households had a cost burden and 8.6 percent of households had a severe cost burden, and 2011 data showed that both of these percentages had increased considerably since that point.

Average rental costs were highest in surrounding the Davidson County metropolitan area and other large cities, as shown in geographic maps. The highest median home values for owner-occupied homes were more concentrated in the Davidson County/Williamson County area.

B. FAIR HOUSING LAW, STUDY, AND CASE REVIEW

A review of laws, studies, cases, and related materials relevant to fair housing in the State of Tennessee demonstrated the complexity of the fair housing landscape. The fair housing laws in the State of Tennessee offer protections beyond the scope of the Federal Fair Housing Act to protect persons based on creed. Review of fair housing cases in nonentitlement areas of the State of Tennessee revealed discriminatory practices in the rental markets related to disability and familial status. Occasionally, there may have been community resistance to the production of affordable housing.

C. REVIEW OF THE EXISTING FAIR HOUSING STRUCTURE

A review of the fair housing profile in nonentitlement areas of the State of Tennessee revealed that several organizations provide fair housing services on the federal, state, and local levels. They all provide outreach and education, complaint intake, and testing and enforcement activities for both providers and consumers of housing. These organizations include HUD, the Tennessee Human Rights Commission, West Tennessee Legal Services, and the Tennessee Fair Housing Council.

D. FAIR HOUSING CHOICE IN THE PRIVATE SECTOR

Evaluation of the private housing sector included review of home mortgage loan application information, small business lending practices, fair housing complaint data, and results from the private sector section of the 2013 Fair Housing Survey.

HMDA data were used to analyze differences in home mortgage application denial rates in nonentitlement areas of the State of Tennessee by race, ethnicity, sex, income, and Census tract. Evaluation of home purchase loan applications from 2004 through 2011 showed that there were 318,160 loan originations and 95,366 denials, for an eight-year average loan denial rate of 23.1 percent. Denial rates were highest in 2011, at 29.7. These HMDA data also showed that American Indian, black, and Hispanic applicants experienced higher rates of loan denials than white or Asian applicants, even after correcting for income. Further, these more frequently denied racial and ethnic groups tended to be more disproportionately impacted in some specific areas of the State.

Analysis of originated loans with high annual percentage rates showed that black and Hispanic populations were also disproportionately issued these types of lower-quality loan products. Black borrowers experienced a rate nearly twice that of white applicants, for example. With high proportions of low quality, high-annual percentage rate loans being issued to these particular groups, the burden of foreclosure tended to fall more heavily upon them.

Analysis of data from the CRA, which is intended to encourage investment in low- and moderate-income areas, showed that business loans did not tend to be directed toward the areas with higher-poverty concentrations in the nonentitlement areas of the State of Tennessee as commonly as they were toward more moderate-income areas.

Fair housing complaint data was requested from HUD and the THRC. HUD data showed that 572 fair housing-related complaints were filed in the State from 2004 through February of 2013. The number of complaints filed with this agency varied by year, ranging from 36 to 96. The protected classes most impacted by discrimination, based on the 111 successfully conciliated complaints, were disability and race, and the most common complaint issues related to:

- Discriminatory terms, conditions, or privileges relating to rental;
- Discriminatory acts under Section 818;
- Failure to make reasonable accommodation; and
- Discriminatory terms, conditions, privileges, or services and facilities.

Complaints filed with the THRC showed that of the 30 complaints where cause for discrimination was found, the most common bases were for disability and family status. The most common issues for these complaints closely matched the issues found commonly in complaints filed with HUD.

Results from the private sector portion of the 2013 Fair Housing Survey, conducted from February to April of 2013 as part of the AI process, showed that some respondents saw possible issues of housing discrimination in the nonentitlement areas of the State of Tennessee's private housing sector. Issues described by respondents regarding the rental markets suggested that some landlords discriminate based on race, color, and sex. In the home sales and lending markets, respondents noted lack of accessible design for persons with disabilities and discrimination based on race or ethnicity.

E. FAIR HOUSING CHOICE IN THE PUBLIC SECTOR

The status of AFFH within the nonentitlement areas of the State of Tennessee's public sector was evaluated through review of the location of publicly assisted housing, interviews with several cities and their policies and practices; and the results of the public sector section of the 2013 Fair Housing Survey.

Evaluation of the distribution of housing vouchers, HUD-assisted rental properties, and other affordable housing in the State demonstrated that these assisted housing options were relatively widely distributed, and tended to be concentrated in areas other than those with the highest poverty rates.

An analysis of the policies and codes of many of the State's largest nonentitlement cities showed that all of these jurisdictions have in place some basic housing definitions such as "dwelling unit" and "family," but most tend to be restrictive and may not be in the spirit of AFFH. Few communities define "disability" in their codes and or have policies in place to offer options for persons in need of modifications to policies for reasonable accommodation. However, housing for seniors and group housing are not consistently addressed in local codes, despite being accommodated in State codes. Some communities lack fair housing ordinances. Across the array of communities contacted, a wide variety of policies and practices exist, several of which are not in the spirit of AFFH and may unwittingly discriminate against several groups. A more complete, consistent, and uniform approach could greatly benefit these communities in the nonentitlement areas of the State.

Results from the public sector section of the 2013 Fair Housing Survey revealed that few respondents in nonentitlement areas of the State of Tennessee believe there are problematic practices or policies within the public sector. However, of those that did, some noted land use policies and zoning laws that particularly impact protected class populations, and others suggested that public transit services are lacking.

F. PUBLIC INVOLVEMENT

Public involvement opportunities were an intrinsic part of the development of this AI. Activities included the 2013 Fair Housing Survey to evaluate current fair housing efforts and the three fair housing forums wherein citizens were offered the chance to comment on initial findings of the AI and offer feedback on prospective impediments.

Results of the 2013 Fair Housing Survey showed that the majority of respondents felt that fair housing laws are useful, whereas some respondents were not familiar with fair housing law and few respondents showed familiarity with the classes of persons protected by fair housing law in the State. Many respondents were not aware of appropriate venues to which to refer a victim of housing discrimination. Of the respondents who answered the question, many noted the need for increased fair housing education and outreach activities, and a moderate need was indicated for increased fair housing testing activities.

The public forums held in Jackson, Knoxville, and Nashville in March of 2013 allowed citizens and agencies to voice concerns about barriers to fair housing choice. Comments received at these forums focused on housing availability, particularly for seniors and disabled persons, as well as some neighborhood- and city government-level resistance to such housing.

IX. IMPEDIMENTS AND SUGGESTED ACTIONS

Provisions to affirmatively further fair housing are long-standing components of the U.S. Department of Housing and Urban Development's (HUD's) housing and community development programs. In exchange for receiving federal funds from HUD, the State of Tennessee certifies that they are affirmatively furthering fair housing (AFFH). The AFFH certification has three parts:

1. Complete an Analysis of Impediments to Fair Housing Choice (AI),
2. Take actions to overcome the effects of any impediments identified through the analysis, and
3. Maintain records reflecting the analysis and actions taken.

This report, which represents the first element in the certification process noted above, has resulted in the finding of several impediments to fair housing choice. HUD defines impediments to fair housing choice, reprinted here from the Fair Housing Planning Guide, page 2-8, as:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices [and]
- Any actions, omissions, or decisions which have [this] effect.⁶¹

While several issues within the housing market were uncovered in the process of conducting this AI, only issues that qualify as impediments to fair housing choice were included based on the definition printed above.

The identified impediments in both the private and public sectors are listed, accompanied by specific actions that the State of Tennessee may consider in an attempt to remedy these issues.

Following the list of private and public sector impediments is a matrix documenting the impediment, data source that indicated its existence, protected classes most affected, and level of need for action. Impediments that were identified in only one data source, such as the review of HUD complaint data, were indicated as having a relatively low need for action. Impediments found in two to three data sources were deemed to be of medium need, and impediments documented in four or more areas of research were noted to be of high need for action.

⁶¹ (HUD FHEO 1996, 2-8)

A. IMPEDIMENTS TO FAIR HOUSING CHOICE AND SUGGESTED ACTIONS

IMPEDIMENTS, SUGGESTED ACTIONS, AND MEASURABLE OBJECTIVES

Private Sector

Impediment 1: Discriminatory terms, conditions, privileges, or services and facilities in the rental markets. The existence of this impediment was suggested in the fair housing law, study, and case review; HUD and THRC complaint data; answers to the 2013 Fair Housing Survey, and comments received at the Fair Housing Forums.

Action 1.1: Continue to educate landlords and property management companies about fair housing law

Measurable Objective 1.1: Increase number of outreach and education activities conducted

Action 1.2: Continue to educate housing consumers in fair housing rights

Measurable Objective 1.2: Increase number of outreach and education activities conducted

Action 1.3: Enhance audit and testing activities and document the outcomes of tests

Measurable Objective 1.3: Increase number of testing activities conducted

Impediment 2: Discriminatory acts under Section 818 (coercion, etc.). The existence of this impediment was suggested in the review of complaints filed with HUD and the THRC; it was the second most common complaint filed with these agencies.

Action 2.1: Continue to educate landlords and property management companies about fair housing law

Measurable Objective 2.1: Increase number of outreach and education activities conducted

Action 2.2: Continue to educate housing consumers in fair housing rights

Measurable Objective 2.2: Increase number of outreach and education activities conducted

Action 2.3: Enhance audit and testing activities and document the outcomes of tests

Measurable Objective 2.3: Increase number of testing activities conducted

Impediment 3: Failure to make reasonable accommodation or modification. The existence of this impediment was suggested in the fair housing law, study, and case review; HUD and THRC complaint data; answers to the 2013 Fair Housing Survey, and comments received at the Fair Housing Forums, particularly in regard to persons with disabilities.

Action 3.1: Enhance audit and testing activities and document the outcomes of tests

Measurable Objective 3.1: Increase number of testing activities conducted

Action 3.2: Educate housing providers about requirements for reasonable accommodation or modification

Measurable Objective 3.2: Increase number of training sessions conducted

Impediment 4: Discriminatory patterns in home purchase loan denials. Evidence of this impediment was seen in the HMDA data, which indicated higher denial rates among racial and ethnic minorities, even when correcting for income, as well as higher denial rates for women applicants. It was also suggested in answers to the 2013 Fair Housing Survey and comments received at the Fair Housing Forums.

Action 4.1: Educate buyers through credit counseling and home purchase training

Measurable Objective 4.1: Increase number of outreach and education activities conducted

Action 4.2: Educate lenders and developerst counseling and training

Measurable Objective 4.2: Increase number of outreach and education activities conducted

Impediment 5: Discriminatory patterns in predatory lending. Evidence of this impediment was seen in the HMDA data, which showed higher rates of subprime loans among black, American Indian, and Hispanic applicants. It was also suggested in answers to the 2013 Fair Housing Survey and comments received at the Fair Housing Forums.

Action 5.1: Educate buyers through credit counseling and home purchase training

Measurable Objective 5.1: Increase number of outreach and education activities conducted

Action 5.2: Educate lenders and developerst counseling and training

Measurable Objective 5.2: Increase number of outreach and education activities conducted

Impediment 6: Lack of sufficient education about fair housing law. Evidence of this impediment was seen in the 2013 Fair Housing Survey, the Fair Housing Forums, and other stakeholder feedback.

Action 6.1: Have the Tennessee Human Rights Commission develop a core outreach and education curriculum, with the assistance of other organizations that provide fair housing services, in Tennessee.

Measurable Objective 6.1: Track the consistency in fair housing messaging throughout the State of Tennessee

Action 6.2: Educate the public and housing stakeholders about fair housing law and rights of housing consumers

Measurable Objective 6.2: Increase number of outreach and education activities conducted

Action 6.3: Enhance documentation of fair housing activities conducted throughout the State

Measurable Objective 6.3: Request that the THRC provide such documentation for all activities conducted under the auspices of the core curriculum.

Public Sector

Impediment 1: Lack of local fair housing ordinances or policies. The existence of this impediment was suggested in responses to the 2013 Fair Housing Survey, the Fair Housing Forums, and in review of the largest nonentitlement cities' planning policies.

Action 1.1: Create template fair housing ordinance, resolution, policy, or other commitment to AFFH

Measurable Objective 1.1: Present policy to all prospective grantees

Action 1.2: Educate local government staff about fair housing regulations and the statewide commitment to AFFH

Measurable Objective 1.2: Increase number of education activities conducted

Action 1.3: Increase monitoring and enforcement of policies that affirmatively further fair housing choice

Measurable Objective 1.3: Increase number of monitoring and enforcement activities conducted: for example, by requesting documentation from each subgrantee incorporated with normal project monitoring and site visit activities

Impediment 2: Insufficient establishment and enforcement of building codes regarding special needs housing. The existence of this impediment was suggested in the review of codes and zoning at the largest nonentitlement cities, as well as in responses to the 2013 Fair Housing Survey.

Action 2.1: Create examples of building code policies that sufficiently provide for special needs housing such as group homes and accessible housing

Measurable Objective 2.1: Present examples to all prospective grantees

Action 2.2: Educate local government staff about fair housing regulations and the statewide commitment to AFFH

Measurable Objective 2.2: Increase number of education activities conducted

Action 2.3: Increase monitoring and enforcement of building codes of jurisdictions across the State

Measurable Objective 2.3: Increase number of monitoring and enforcement activities conducted

Impediment 3: Lack of local government understanding of duties of AFFH. The existence of this impediment was suggested in responses to the 2013 Fair Housing Survey, the Fair Housing Forums, and in review of the largest nonentitlement cities' planning policies.

Action 3.1: Educate local government staff about fair housing law and federal formula grant funding requirement to affirmatively further fair housing

Measurable Objective 3.1: Increase number of education activities conducted

Impediment 4: Lack of uniformity of codes and land use policies. The existence of this impediment was suggested in the Fair Housing Forums and in review of the largest nonentitlement cities' planning policies.

Action 4.1: Create examples of codes and land use policies that are in the spirit of AFFH

Measureable Objective 4.1: Present examples to all prospective grantees

Action 4.2: Educate local government staff about fair housing regulations and the statewide commitment to AFFH

Measurable Objective 4.2: Increase number of education activities conducted

Action 4.3: Increase monitoring and enforcement of policies that affirmatively further fair housing choice

Measurable Objective 4.3: Increase number of monitoring and enforcement activities conducted

IMPEDIMENTS MATRIX

Table IX.1
Impediments Matrix
 Nonentitlement Areas of the State of Tennessee
 2013 AI

Impediment		Source								Protected Classes Most Affected	Need for Action	
		Socio-Economic Data	Fair Housing Law/Study/Case Review	Review of Fair Housing Structure	HMDA Data	CRA Data	Housing Complaint Data	Fair Housing Survey	Fair Housing Forums			Other ⁶²
Private Sector												
1	Discriminatory terms, conditions, privileges, or services and facilities in the rental markets		X				X	X	X		All	High
2	Discriminatory acts under Section 818 (coercion, etc.)						X				All	Low
3	Failure to make reasonable accommodation		X				X				Disability	Medium
4	Discriminatory patterns in home purchase loan denials				X						Race, color, national origin, sex	Low
5	Discriminatory patterns in predatory lending				X						Race, color, national origin	Low
6	Lack of sufficient education about fair housing law							X	X	X		High
Public Sector												
1	Lack of local fair housing ordinances or policies							X	X	X	All	High
2	Insufficient establishment and enforcement of building codes regarding special needs housing							X		X	Disability	Medium
3	Lack of local government understanding of duties of AFFH							X	X	X	All	High
4	Lack of uniformity of codes and zoning policies								X	X	All	Medium

⁶² Other sources of data regarding possible issues or impediments include interviews or surveys with planning staff and other government officials, geographic data from local sources, additional stakeholder feedback, and any other data sources that informed specific, focused parts of the AI.

X. GLOSSARY

Accessible housing: Housing designed to allow easier access for physically disabled or vision impaired persons.

ACS: American Community Survey

AFFH: Affirmatively furthering fair housing [choice]

AI: Analysis of Impediments to Fair Housing Choice

AMI: Area median income

BEA: Bureau of Economic Analysis

BLS: Bureau of Labor Statistics

CDBG: Community Development Block Grant

Census tract: Census tract boundaries are updated with each decennial census. They are drawn based on population size and ideally represent approximately the same number of persons for each tract.

Consolidated Plan: Consolidated Plan for Housing and Community Development

Cost burden: Occurs when a household has gross housing costs that range from 30.1 to 50 percent of gross household income.

CPD: HUD Office of Community Planning and Development

CRA: Community Reinvestment Act

Disability: A lasting physical, mental, or emotional condition that makes it difficult for a person to conduct daily activities of living or impedes him or her from being able to go outside the home alone or to work.

Disproportionate share: Exists when the percentage of a population is 10 percentage points or more above the study area average.

DOJ: U.S. Department of Justice

Entitlement Jurisdiction: Cities, counties, or states that receive formula grant funding directly from HUD.

ESG: Emergency Shelter Grants program

FHEA: Fair Housing Equity Assessment, required of SCRPG recipients

Fannie Mae: Federal National Mortgage Association (FNMA), a government-sponsored enterprise that purchases mortgages from lenders and repackages them as mortgage-backed securities for investors.

Family: A family is a group of two people or more related by birth, marriage, or adoption and residing together.

FFIEC: Federal Financial Institutions Examination Council

FHAP: Fair Housing Assistance Program

FHEO: Fair Housing and Equal Opportunity

FHIP: Fair Housing Initiative Program

Floor area ratio: The ratio of the total floor area of a building to the land on which it is situated, or the limit imposed on such a ratio.

Freddie Mac: Federal Home Loan Mortgage Corporation (FHLMC), a government-sponsored enterprise that purchases mortgages from lenders and repackages them as mortgage-backed securities for investors.

GAO: U.S. General Accounting Office

Gross housing costs: For homeowners, gross housing costs include property taxes, insurance, energy payments, water and sewer service, and refuse collection. If the homeowner has a

mortgage, the determination also includes principal and interest payments on the mortgage loan. For renters, this figure represents monthly rent and electricity or natural gas energy charges.

HAL: High annual percentage rate (APR) loan, defined as more than three percentage points higher than comparable treasury rates for home purchase loans, or five percentage points higher for refinance loans.⁶³

HMDA: Home Mortgage Disclosure Act

HOME: HOME Investment Partnerships

HOPWA: Housing Opportunities for Persons with AIDS

Household: A household consists of all the people who occupy a housing unit. A house, an apartment or other group of rooms, or a single room, is regarded as a housing unit when it is occupied or intended for occupancy as separate living quarters; that is, when the occupants do not live with any other persons in the structure and there is direct access from the outside or through a common hall.

Housing problems: Overcrowding, incomplete plumbing or kitchen facilities, or cost burdens

HUD: U.S. Department of Housing and Urban Development

Incomplete kitchen facilities: A housing unit is classified as lacking complete kitchen facilities when any of the following are not present: a sink with piped hot and cold water, a range or cook top and oven, and a refrigerator.

Incomplete plumbing facilities: A housing unit is classified as lacking complete plumbing facilities when any of the following are not present: piped hot and cold water, a flush toilet, and a bathtub or shower.

Labor force: The total number of persons working or looking for work

MFI: Median family income

Mixed-use development: The use of a building, set of buildings, or neighborhood for more than one purpose.

MSA: Metropolitan Statistical Area

NIMBYism: “Not in my backyard” mentality among community members, often in protest of affordable or multi-family housing.

Non-Entitlement Jurisdiction: A city or county that does not receive formula grant funding directly from HUD

OSHC: HUD’s Office of Sustainable Housing and Communities

Other vacant units: Housing units that are not for sale or rent

Overcrowding: Overcrowding occurs when a housing unit has more than one to 1.5 persons per room.

Poverty: The Census Bureau uses a set of money income thresholds that vary by family size and composition to determine who is in poverty. If a family’s total income is less than the family’s threshold, then that family and every individual in it is considered in poverty. The official poverty thresholds do not vary geographically, but they are updated for inflation using Consumer Price Index (CPI-U). The official poverty definition uses money income before taxes and does not include capital gains or noncash benefits (such as public housing, Medicaid, and food stamps).

Predatory loans: As defined by the Predatory Lending Consumer Protection Act of 2002 as well as the Home Owner Equity Protection Act (HOEPA), loans are considered predatory based on:

⁶³ (Board of Governors of the Federal Reserve System 2002)

1. If they are HOEPA loans;⁶⁴
2. Lien status, such as whether secured by a first lien, a subordinate lien, not secured by a lien, or not applicable (purchased loans); and
3. Presence of HALs. For full definition, see **HAL**.

Protected Class: Group of people protected from discrimination and harassment. California residents are protected from housing discrimination based on race, sex, religion, familial status, disability, national origin, color, sexual orientation, ancestry, age, source of income, and marital status.

Public housing: Public housing was established to provide decent and safe rental housing for eligible low-income families, the elderly, and persons with disabilities.

Regional AI: Regional Analysis of Impediments to Fair Housing Choice

RDA: Redevelopment agency

SCI: Sustainable Communities Initiative (see **OSHC**). The SCI consists of two grant programs: Sustainable Communities Regional Planning Grants and Community Challenge Planning Grants.

SCRPG: Sustainable Communities Regional Planning Grant Program (see **SCI**)

Severe cost burden: Occurs when gross housing costs represent 50.1 percent or more of gross household income.

Severe overcrowding: Occurs when a housing unit has more than 1.5 persons per room.

Steering: Actions of real estate agents or landlords to discourage a prospective buyer or tenant from seeing or selecting properties in certain areas due to their racial or ethnic composition.

THRC: Tennessee Human Rights Commission

Tenure: The status by which a housing unit is held. A housing unit is “owned” if the owner or co-owner lives in the unit, even if it is mortgaged or not fully paid for. A cooperative or condominium unit is “owned” only if the owner or co-owner lives in it. All other occupied units are classified as “rented,” including units rented for cash rent and those occupied without payment of cash rent.

⁶⁴ Loans are subject to the HOEPA if they impose rates or fees above a certain threshold set by the Federal Reserve Board. (FFEIC n.d.)

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XII. APPENDICES

A. ADDITIONAL CENSUS BUREAU DATA

Table A.1
Total Disabilities Tallied: Aged 5 and Older

Non-Entitlement Areas of Tennessee
2000 Census SF3 Data

Disability Type	Population
Sensory disability	147,913
Physical disability	344,873
Mental disability	194,411
Self-care disability	103,176
Employment disability	281,106
Go-outside-home disability	232,994
Total	1,304,473

Table A.2
Employment Status by Disability and Type: Age 18 to 64

Nonentitlement Areas of the State of Tennessee
2011 Three-Year ACS Data

Disability Status	Population
Employed:	1,652,059
With a disability:	103,317
With a hearing difficulty	34,399
With a vision difficulty	20,783
With a cognitive difficulty	25,967
With an ambulatory difficulty	40,180
With a self-care difficulty	7,908
With an independent living difficulty	13,416
No disability	1,548,742
Unemployed:	187,498
With a disability:	28,999
With a hearing difficulty	6,312
With a vision difficulty	6,327
With a cognitive difficulty	13,523
With an ambulatory difficulty	11,579
With a self-care difficulty	2,729
With an independent living difficulty	6,459
No disability	158,499
Not in labor force:	649,103
With a disability:	234,140
With a hearing difficulty	40,833
With a vision difficulty	42,506
With a cognitive difficulty	113,526
With an ambulatory difficulty	156,623
With a self-care difficulty	57,381
With an independent living difficulty	116,077
No disability	414,963
Total	2,488,660

Table A.3
Household Type by Tenure
 Nonentitlement Areas of the State of Tennessee
 2000 & 2010 Census SF1 Data

Household Type	2000 Census		2010 Census		% Change 00–10
	Households	% of Total	Households	% of Total	
Family Households	909,829	73.8%	991,630	71.6%	9.0%
Married-Couple Family	732,400	80.5%	762,552	76.9%	4.1%
Owner-Occupied	635,933	86.8%	658,249	86.3%	3.5%
Renter-Occupied	96,467	13.2%	104,303	13.7%	8.1%
Other Family	177,429	19.5%	229,078	23.1%	29.1%
Male Householder, No Spouse Present	46,331	26.1%	66,309	28.9%	43.1%
Owner-Occupied	30,922	66.7%	41,756	63.0%	35.0%
Renter-Occupied	15,409	33.3%	24,553	37.0%	59.3%
Female Householder, No Spouse Present	131,098	73.9%	162,769	71.1%	24.2%
Owner-Occupied	80,262	61.2%	92,924	57.1%	15.8%
Renter-Occupied	50,836	38.8%	69,845	42.9%	37.4%
Non-Family Households	323,603	26.2%	393,177	28.4%	21.5%
Owner-Occupied	209,758	64.8%	250,505	63.7%	19.4%
Renter-Occupied	113,845	35.2%	142,672	36.3%	25.3%
Total	1,233,432	100.0%	1,384,807	100.0%	012.3%

Table A.4
Group Quarters Population
 Nonentitlement Areas of the State of Tennessee
 2000 & 2010 Census SF1 Data

Group Quarters Type	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
Institutionalized					
Correctional Institutions	22,203	47.5%	27,716	56.4%	24.8%
Juvenile Facilities	.	.	1,261	2.6%	.
Nursing Homes	21,595	46.2%	19,824	40.3%	-8.2%
Other Institutions	2,930	6.3%	383	.8%	-86.9%
Total	46,728	100.0%	49,184	100.0%	5.3%
Noninstitutionalized					
College Dormitories	11,248	62.8%	13,455	75.1%	19.6%
Military Quarters	238	1.3%	438	2.4%	84.0%
Other Noninstitutional	6,437	35.9%	4,032	22.5%	-37.4%
Total	17,923	27.7%	17,925	26.7%	.0%
Group Quarters Population	64,651	100.0%	67,109	100.0%	3.8%

B. ADDITIONAL BLS AND BEA DATA

BLS DATA

Table B.1
Labor Force Statistics
 State of Tennessee
 1990–2012 BLS Data

Year	Labor Force	Employment	Unemployment	Unemployment Rate
1990	1,306,462	1,223,446	83,016	6.4%
1991	1,323,723	1,222,317	101,406	7.7%
1992	1,360,402	1,259,434	100,968	7.4%
1993	1,399,210	1,304,874	94,336	6.7%
1994	1,471,251	1,386,253	84,998	5.8%
1995	1,508,699	1,416,529	92,170	6.1%
1996	1,535,933	1,438,565	97,368	6.3%
1997	1,547,874	1,451,420	96,454	6.2%
1998	1,543,245	1,462,696	80,549	5.2%
1999	1,559,921	1,486,529	73,392	4.7%
2000	1,576,863	1,509,565	67,298	4.3%
2001	1,573,075	1,492,450	80,625	5.1%
2002	1,581,792	1,493,012	88,780	5.6%
2003	1,601,960	1,505,680	96,280	6.0%
2004	1,608,554	1,518,312	90,242	5.6%
2005	1,626,396	1,530,784	95,612	5.9%
2006	1,664,433	1,572,898	91,535	5.5%
2007	1,670,782	1,585,129	85,653	5.1%
2008	1,678,424	1,558,616	119,808	7.1%
2009	1,666,263	1,474,344	191,919	11.5%
2010	1,689,938	1,513,801	176,137	10.4%
2011	1,701,137	1,535,381	165,756	9.7%

BEA DATA

Table B.2
Total Employment and Real Personal Income

State of Tennessee
 1969–2011 BEA Data, 2012 Dollars

Year	1,000s of 2012 Dollars						Per Capita Income	Total Employment	Real Average Earnings Per Job
	Earnings	Social Security Contributions	Residents Adjustments	Dividends, Interest, Rents	Transfer Payments	Personal Income			
1969	50,696,616	3,289,878	-774,752	5,992,233	4,879,236	57,503,455	14,755	1,788,719	28,342
1970	51,220,698	3,296,098	-734,431	6,408,604	5,674,026	59,272,800	15,054	1,784,919	28,695
1971	53,508,062	3,562,310	-745,709	6,752,099	6,304,505	62,256,646	15,525	1,816,596	29,456
1972	58,328,690	4,056,680	-829,565	7,139,722	6,659,475	67,241,642	16,445	1,923,756	30,319
1973	63,170,539	4,963,530	-743,473	7,785,291	7,449,002	72,697,829	17,565	2,024,714	31,202
1974	63,136,791	5,198,902	-719,164	8,426,219	8,347,256	73,992,201	17,610	2,054,692	30,729
1975	60,413,494	4,911,954	-652,227	8,617,304	10,075,508	73,542,125	17,261	1,983,267	30,462
1976	65,031,935	5,324,693	-598,343	8,837,387	10,375,557	78,321,843	18,090	2,052,396	31,686
1977	68,605,685	5,636,491	-735,232	9,364,006	10,243,555	81,841,522	18,591	2,135,018	32,132
1978	73,873,440	6,136,904	-877,561	10,027,750	10,456,580	87,343,306	19,577	2,227,104	33,172
1979	75,623,182	6,532,682	-941,907	10,815,868	11,240,783	90,205,243	19,899	2,278,894	33,185
1980	73,984,688	6,457,459	-1,023,185	12,449,896	12,402,411	91,356,351	19,859	2,259,204	32,749
1981	74,026,671	6,962,913	-1,008,035	14,230,158	12,859,654	93,145,535	20,128	2,255,061	32,827
1982	72,334,425	6,971,487	-862,108	15,901,791	13,302,375	93,704,996	20,169	2,217,235	32,624
1983	74,293,513	7,307,912	-856,254	16,096,366	13,749,214	95,974,928	20,596	2,239,467	33,174
1984	80,396,819	8,081,269	-823,965	17,787,599	13,878,959	103,158,143	22,011	2,343,854	34,301
1985	83,765,680	8,591,284	-831,081	18,598,953	14,320,693	107,262,961	22,747	2,398,866	34,918
1986	87,828,565	9,278,342	-881,583	19,199,778	15,037,922	111,906,341	23,616	2,477,304	35,454
1987	93,007,260	9,742,954	-910,354	19,328,293	15,398,294	117,080,539	24,478	2,577,879	36,079
1988	97,590,634	10,490,368	-903,449	20,471,140	15,993,123	122,661,079	25,436	2,663,338	36,642
1989	99,333,287	10,847,869	-910,218	21,980,755	16,950,784	126,506,739	26,061	2,734,816	36,322
1990	100,938,121	11,108,089	-934,329	22,540,319	18,066,618	129,502,639	26,459	2,777,416	36,342
1991	102,379,214	11,400,443	-897,796	22,126,581	19,816,384	132,023,940	26,583	2,777,569	36,859
1992	109,799,602	12,044,135	-636,715	21,996,294	21,787,909	140,902,955	27,902	2,837,263	38,699
1993	114,818,838	12,677,447	-809,486	22,138,409	22,869,571	146,339,886	28,484	2,942,948	39,015
1994	120,778,591	13,536,783	-929,250	23,324,744	23,490,396	153,127,698	29,270	3,061,304	39,454
1995	126,149,335	14,144,037	-1,036,309	24,540,611	25,178,736	160,688,336	30,165	3,144,656	40,116
1996	129,771,179	14,383,855	-982,063	25,946,209	25,977,395	166,328,865	30,708	3,194,784	40,619
1997	135,308,009	15,016,090	-1,243,161	27,063,000	26,535,808	172,647,566	31,395	3,269,258	41,388
1998	144,275,989	15,784,026	-1,437,743	29,191,896	27,412,061	183,658,177	32,973	3,353,087	43,028
1999	150,784,290	16,416,615	-1,656,830	29,070,573	28,248,380	190,029,799	33,701	3,408,985	44,231
2000	156,187,636	16,796,402	-1,840,928	30,349,661	30,025,993	197,925,959	34,702	3,471,266	44,994
2001	158,640,103	16,939,988	-1,844,360	29,599,499	32,005,827	201,461,080	35,031	3,433,689	46,201
2002	162,507,553	17,357,406	-1,778,418	26,999,878	33,865,815	204,237,423	35,238	3,425,146	47,446
2003	166,410,280	17,686,686	-1,674,521	25,935,932	35,136,227	208,121,232	35,589	3,450,390	48,230
2004	171,840,689	18,114,457	-1,719,710	25,041,882	36,316,824	213,365,228	36,097	3,529,765	48,683
2005	173,342,310	18,275,000	-1,378,187	25,239,158	37,578,691	216,506,971	36,139	3,597,296	48,187
2006	177,343,457	18,643,943	-1,206,433	28,215,714	38,043,298	223,752,093	36,749	3,666,245	48,372
2007	177,432,833	18,932,624	-1,185,479	31,479,088	40,718,836	229,512,654	37,163	3,727,351	47,603
2008	174,977,888	19,031,109	-932,741	34,424,180	43,613,422	233,051,640	37,304	3,692,894	47,382
2009	166,995,041	18,498,240	-565,757	27,631,604	48,334,776	223,897,424	35,506	3,543,856	47,123
2010	171,544,773	18,582,198	-562,741	27,973,538	51,572,780	231,946,151	36,484	3,537,811	48,489
2011	174,797,137	16,962,483	-437,542	29,157,782	51,732,168	238,287,061	37,212	3,591,298	48,672

Table B.3
Employment by Industry
 State of Tennessee
 Select Years 2001–2011 BEA Data

NAICS Categories	2001	2005	2006	2007	2008	2009	2010	2011	% Change 01–11
Farm employment	103,362	86,562	83,560	81,745	80,602	79,005	78,732	78,777	-23.8%
Forestry, fishing, related activities, and other	10,610	10,547	10,515	10,630	10,891	10,439	10,334	10,483	-1.2%
Mining	6,429	5,524	5,818	7,106	7,777	7,015	8,322	9,036	40.6%
Utilities	3,849	3,938	3,964	4,210	4,133	3,984	3,794	3,686	-4.2%
Construction	209,065	229,753	242,981	248,819	236,763	207,266	195,316	195,571	-6.5%
Manufacturing	463,801	421,927	413,168	395,827	373,255	323,694	311,978	316,922	-31.7%
Wholesale trade	137,726	141,782	144,178	144,169	143,088	132,225	128,303	128,864	-6.4%
Retail trade	392,886	407,123	410,700	413,200	404,579	386,066	383,522	385,265	-1.9%
Transportation and warehousing	167,559	172,841	176,212	178,932	171,700	161,870	160,164	164,483	-1.8%
Information	62,075	59,962	59,945	59,913	60,221	56,811	55,431	54,084	-12.9%
Finance and insurance	138,040	143,811	145,900	157,562	160,171	166,111	163,077	164,692	19.3%
Real estate and rental and leasing	103,401	126,850	132,340	135,157	134,687	128,800	129,959	130,746	26.4%
Professional and technical services	153,831	168,975	174,128	182,375	185,299	180,522	180,835	183,549	19.3%
Management of companies and enterprises	25,742	21,189	22,263	24,854	27,224	27,545	28,283	31,157	21.0%
Administrative and waste services	222,172	241,541	249,810	256,155	252,121	233,948	246,183	264,154	18.9%
Educational services	49,634	59,653	55,509	58,111	61,794	64,769	66,838	69,078	39.2%
Health care and social assistance	280,720	326,281	344,415	356,941	365,721	371,531	379,690	388,219	38.3%
Arts, entertainment, and recreation	54,939	63,570	65,799	68,513	71,018	70,646	71,294	72,573	32.1%
Accommodation and food services	225,459	251,036	259,544	265,850	263,319	254,467	254,722	259,776	15.2%
Other services, except public administration	198,608	217,531	223,251	230,829	224,757	223,908	223,012	225,607	13.6%
Government and government enterprises	423,781	436,900	442,245	446,453	453,774	453,234	458,022	454,576	7.3%
Total	3,433,689	3,597,296	3,666,245	3,727,351	3,692,894	3,543,856	3,537,811	3,591,298	4.6%

Table B.4
Real Earnings Per Job by Industry

State of Tennessee
Select Years 2001–2011 BEA Data, 1,000's of Real 2012 Dollars

NAICS Categories	2001	2005	2006	2007	2008	2009	2010	2011	% Change 01–11
Farm earnings	569,711	629,939	307,202	-159,650	267,037	339,593	170,888	392,753	-31.1%
Forestry, fishing, related activities, and other	397,057	402,355	399,136	389,852	342,750	319,203	352,583	363,555	-8.4%
Mining	336,364	313,116	367,758	365,035	400,237	280,439	341,121	338,709	.7%
Utilities	291,348	304,718	344,419	326,979	385,869	356,706	352,552	350,533	20.3%
Construction	10,763,017	11,345,166	12,292,628	11,988,572	11,214,571	9,604,267	10,012,146	10,255,862	-4.7%
Manufacturing	27,011,098	26,752,780	26,397,879	25,136,654	24,225,835	20,984,208	21,325,966	21,754,653	-19.5%
Wholesale trade	8,770,794	9,661,924	10,029,316	10,217,443	10,042,522	9,049,741	8,943,506	9,161,620	4.5%
Retail trade	12,905,554	13,468,022	13,553,226	13,661,033	12,554,174	12,170,951	12,453,805	12,711,477	-1.5%
Transportation and warehousing	9,393,096	10,359,252	10,350,242	10,335,655	9,711,795	9,061,163	9,324,262	9,576,336	2.0%
Information	3,436,579	3,451,585	3,709,192	3,718,164	3,510,563	3,339,160	3,196,134	3,219,136	-6.3%
Finance and insurance	9,235,540	9,892,353	10,298,271	10,667,210	9,667,729	9,684,261	10,191,892	10,067,406	9.0%
Real estate and rental and leasing	3,313,476	3,911,867	3,548,881	2,808,915	3,126,401	2,866,302	2,836,780	2,802,892	-15.4%
Professional and technical services	9,591,284	10,806,909	11,472,764	11,820,839	12,529,458	11,430,994	11,873,887	12,148,505	26.7%
Management of companies and enterprises	1,813,237	1,758,893	2,109,790	2,329,168	2,306,548	2,407,035	2,533,552	2,800,257	54.4%
Administrative and waste services	7,620,587	9,082,304	9,354,150	9,430,138	9,183,741	8,659,232	8,872,956	9,361,975	22.9%
Educational services	1,802,639	2,488,596	2,013,351	2,107,790	2,199,155	2,323,924	2,321,234	2,369,340	31.4%
Health care and social assistance	16,744,515	19,726,897	21,016,874	21,797,424	23,155,979	24,047,298	25,336,373	25,848,561	54.4%
Arts, entertainment, and recreation	1,634,293	1,999,492	2,142,257	2,077,860	2,057,280	1,949,786	2,019,478	2,070,831	26.7%
Accommodation and food services	5,282,797	5,710,573	5,784,834	6,063,698	5,636,459	5,418,574	5,592,962	5,715,979	8.2%
Other services, except public administration	6,448,045	7,299,503	7,545,679	7,517,042	7,010,488	7,069,385	7,348,608	7,473,447	15.9%
Government and government enterprises	21,279,070	23,976,068	24,305,607	24,833,011	25,449,297	25,632,817	26,144,087	26,013,308	22.2%
Total	158,640,103	173,342,310	177,343,457	177,432,833	174,977,888	166,995,041	171,544,773	174,797,137	10.2%

Table B.5
Real Earnings by Industry

State of Tennessee
Select Years 2001–2011 BEA Data, Real 2012 Dollars

NAICS Categories	2001	2005	2006	2007	2008	2009	2010	2011	% Change 01–11
Farm earnings	5,512	7,277	3,676	-1,953	3,313	4,298	2,171	4,986	-9.5%
Forestry, fishing, related activities, and other	37,423	38,149	37,959	36,675	31,471	30,578	34,119	34,680	-7.3%
Mining	52,320	56,683	63,210	51,370	51,464	39,977	40,990	37,484	-28.4%
Utilities	75,694	77,379	86,887	77,667	93,363	89,535	92,924	95,099	25.6%
Construction	51,482	49,380	50,591	48,182	47,366	46,338	51,261	52,441	1.9%
Manufacturing	58,239	63,406	63,891	63,504	64,904	64,827	68,357	68,644	17.9%
Wholesale trade	63,683	68,146	69,562	70,871	70,184	68,442	69,706	71,095	11.6%
%Retail trade	32,848	33,081	33,000	33,062	31,030	31,526	32,472	32,994	.4%
Transportation and warehousing	56,058	59,935	58,737	57,763	56,563	55,978	58,217	58,221	3.9%
Information	55,362	57,563	61,877	62,059	58,295	58,777	57,660	59,521	7.5%
Finance and insurance	66,905	68,787	70,584	67,702	60,359	58,300	62,497	61,129	-8.6%
Real estate and rental and leasing	32,045	30,839	26,816	20,783	23,212	22,254	21,828	21,438	-33.1%
Professional and technical services	62,349	63,956	65,887	64,816	67,618	63,322	65,661	66,187	6.2%
Management of companies and enterprises	70,439	83,010	94,767	93,714	84,725	87,386	89,579	89,876	27.6%
Administrative and waste services	34,300	37,602	37,445	36,814	36,426	37,013	36,042	35,441	3.3%
Educational services	36,319	41,718	36,271	36,272	35,588	35,880	34,729	34,299	-5.6%
Health care and social assistance	59,648	60,460	61,022	61,067	63,316	64,725	66,729	66,582	11.6%
Arts, entertainment, and recreation	29,747	31,453	32,558	30,328	28,968	27,599	28,326	28,534	-4.1%
Accommodation and food services	23,431	22,748	22,288	22,809	21,405	21,294	21,957	22,003	-6.1%
Other services, except public administration	32,466	33,556	33,799	32,565	31,191	31,573	32,952	33,126	2.0%
Government and government enterprises	50,212	54,878	54,960	55,623	56,084	56,555	57,080	57,225	14.0%
Total	46,201	48,187	48,372	47,603	47,382	47,123	48,489	48,672	5.3%

C. ADDITIONAL CRA DATA

Table C.1
Small Business Loans Originated: \$100,000 or Less by Tract MFI
 Nonentitlement Areas of the State of Tennessee
 2000–2011 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	310	5,656	31,463	12,155	0	49,584
2001	440	6,746	36,276	14,158	0	57,620
2002	450	7,903	41,300	16,107	0	65,760
2003	10	6,741	41,605	10,784	0	59,140
2004	12	7,374	44,786	11,628	0	63,800
2005	9	6,701	42,376	11,915	0	61,001
2006	10	8,451	55,364	17,120	0	80,945
2007	18	9,047	60,160	18,588	0	87,813
2008	13	6,891	45,636	14,892	0	67,432
2009	4	3,033	19,984	6,980	0	30,001
2010	1	2,543	17,382	5,972	0	25,898
2011	2	2,776	19,416	6,795	0	28,989
Total	1,279	73,862	455,748	147,094	0	677,983
Loan Amount (\$1,000s)						
2000	5,691	79,042	441,182	185,797	0	711,712
2001	9,288	95,658	554,841	249,289	0	909,076
2002	8,823	97,746	554,117	249,191	0	909,877
2003	75	95,352	574,087	162,056	0	831,570
2004	94	110,245	614,058	183,872	0	908,269
2005	133	85,343	529,060	168,668	0	783,204
2006	69	92,323	592,621	207,266	0	892,279
2007	97	102,856	681,489	239,324	0	1,023,766
2008	94	89,304	545,010	203,517	0	837,925
2009	63	52,953	310,970	120,488	0	484,474
2010	45	44,958	276,794	105,145	0	426,942
2011	4	42,854	276,449	106,925	0	426,232
Total	24,476	988,634	5,950,678	2,181,538	0	9,145,326

Table C.2
Small Business Loans Originated: \$100,001 to \$250,000 by Tract MFI
 Nonentitlement Areas of the State of Tennessee
 2000–2011 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	18	286	1,298	661	0	2,263
2001	24	356	2,104	1,047	0	3,531
2002	38	355	1,945	985	0	3,323
2003	0	386	2,205	725	0	3,316
2004	0	401	2,048	665	0	3,114
2005	0	221	1,467	508	0	2,196
2006	0	224	1,307	548	0	2,079
2007	0	282	1,570	636	0	2,488
2008	0	287	1,636	627	0	2,550
2009	0	193	1,073	473	0	1,739
2010	0	171	953	474	0	1,598
2011	0	130	889	362	0	1,381
Total	80	3,292	18,495	7,711	0	29,578
Loan Amount (\$1,000s)						
2000	2,864	48,518	215,686	112,397	0	379,465
2001	3,697	60,943	353,277	177,170	0	595,087
2002	6,080	61,177	329,731	168,845	0	565,833
2003	0	65,607	370,197	123,203	0	559,007
2004	0	67,017	346,748	114,017	0	527,782
2005	0	38,092	249,150	88,720	0	375,962
2006	0	38,972	222,995	96,238	0	358,205
2007	0	48,653	269,733	111,848	0	430,234
2008	0	49,339	282,287	110,036	0	441,662
2009	0	33,714	185,040	83,856	0	302,610
2010	0	30,038	165,533	83,613	0	279,184
2011	0	22,817	152,929	64,269	0	240,015
Total	12,641	564,887	3,143,306	1,334,212	0	5,055,046

Table C.3
Small Business Loans Originated: More than \$250,000 by Tract MFI
 Nonentitlement Areas of the State of Tennessee
 2000–2011 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	17	186	734	405	0	1,342
2001	18	335	1,355	776	0	2,484
2002	23	315	1,342	786	0	2,466
2003	0	307	1,520	604	0	2,431
2004	0	279	1,452	619	0	2,350
2005	0	184	1,071	493	0	1,748
2006	0	176	1,043	489	0	1,708
2007	0	206	1,263	589	0	2,058
2008	0	240	1,369	575	0	2,184
2009	0	163	878	464	0	1,505
2010	0	157	806	419	0	1,382
2011	0	129	781	404	0	1,314
Total	58	2,677	13,614	6,623	0	22,972
Loan Amount (\$1,000s)						
2000	7,752	90,753	362,795	211,866	0	673,166
2001	9,571	171,900	667,324	403,354	0	1,252,149
2002	9,917	160,425	665,514	409,272	0	1,245,128
2003	0	147,509	762,370	308,407	0	1,218,286
2004	0	132,778	710,848	320,542	0	1,164,168
2005	0	90,127	549,830	262,919	0	902,876
2006	0	84,862	522,619	253,559	0	861,040
2007	0	102,776	616,265	293,243	0	1,012,284
2008	0	115,972	676,284	290,262	0	1,082,518
2009	0	80,928	439,186	233,126	0	753,240
2010	0	83,335	416,218	212,508	0	712,061
2011	0	67,804	396,188	215,701	0	679,693
Total	27,240	1,329,169	6,785,441	3,414,759	0	11,556,609

Table C.4
Small Business Loans to Businesses with Gross Annual Revenues of Less Than \$1 Million by Tract MFI

Nonentitlement Areas of the State of Tennessee
 2000–2011 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	165	2,663	15,460	5,757	0	24,045
2001	265	3,774	20,845	8,904	0	33,788
2002	251	3,165	18,901	8,291	0	30,608
2003	5	3,539	22,860	6,138	0	32,542
2004	6	4,080	23,901	6,617	0	34,604
2005	8	3,371	22,689	6,319	0	32,387
2006	3	3,190	23,047	6,882	0	33,122
2007	7	3,730	25,967	7,735	0	37,439
2008	2	2,672	18,366	5,420	0	26,460
2009	1	1,376	9,643	3,132	0	14,152
2010	1	1,283	8,774	2,860	0	12,918
2011	2	1,441	10,335	3,552	0	15,330
Total	716	34,284	220,788	71,607	0	327,395
Loan Amount (\$1,000s)						
2000	10,050	121,160	615,317	295,207	0	1,041,734
2001	14,753	181,987	971,178	503,149	0	1,671,067
2002	15,986	174,785	975,240	532,112	0	1,698,123
2003	48	182,872	1,125,990	392,646	0	1,701,556
2004	31	186,329	1,068,148	388,712	0	1,643,220
2005	133	111,359	802,488	293,335	0	1,207,315
2006	56	101,979	690,140	275,567	0	1,067,742
2007	69	119,830	767,259	305,352	0	1,192,510
2008	16	118,050	740,971	271,017	0	1,130,054
2009	50	78,343	480,718	205,932	0	765,043
2010	45	74,786	433,685	194,272	0	702,788
2011	4	56,012	405,334	170,635	0	631,985
Total	41,241	1,507,492	9,076,468	3,827,936	0	14,453,137

D. ADDITIONAL HMDA DATA

Table D.1
Owner-Occupied Home Purchase Loan Applications by Loan Type

Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	Total
Conventional	86,221	105,791	98,512	81,251	33,810	23,682	23,772	27,064	480,103
FHA - Insured	12,103	11,014	9,644	9,143	17,317	18,941	19,144	15,192	112,498
VA - Guaranteed	2,963	3,127	3,239	3,099	3,330	4,242	4,448	4,889	29,337
Rural Housing Service or Farm Service Agency	1,757	1,774	1,383	1,797	4,100	7,882	6,621	8,317	33,631
Total	103,044	121,706	112,778	95,290	58,557	54,747	53,985	55,462	655,569

Table D.2
Loan Applications by Selected Action Taken by Race/Ethnicity of Applicant

Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Race		2004	2005	2006	2007	2008	2009	2010	2011	Total
American Indian	Originated	160	156	169	151	85	153	175	174	1,223
	Denied	97	81	65	80	37	37	61	69	527
	Denial Rate	37.7%	34.2%	27.8%	34.6%	30.3%	25.8%	25.8%	28.4%	30.1%
Asian	Originated	521	626	588	517	251	300	232	251	3,286
	Denied	136	174	115	147	74	61	69	79	855
	Denial Rate	20.7%	21.8%	16.4%	22.1%	22.8%	16.9%	22.9%	23.9%	20.6%
Black	Originated	2,525	2,799	2,347	1,723	973	759	785	716	12,627
	Denied	1,076	1,148	1,002	882	388	285	370	420	5,571
	Denial Rate	29.9%	29.1%	29.9%	33.9%	28.5%	27.3%	32.0%	37.0%	30.6%
White	Originated	42,905	50,603	49,224	42,025	26,840	23,282	21,942	20,904	277,725
	Denied	15,000	14,734	10,606	11,539	5,915	5,146	6,886	7,929	77,755
	Denial Rate	25.9%	22.6%	17.7%	21.5%	18.1%	18.1%	23.9%	27.5%	21.9%
Not Available	Originated	3,515	5,519	4,686	3,539	2,000	1,493	1,173	1,276	23,201
	Denied	1,936	1,974	2,038	1,508	683	449	648	1,362	10,598
	Denial Rate	35.5%	26.3%	30.3%	29.9%	25.5%	23.1%	35.6%	51.6%	31.4%
Not Applicable	Originated	58	4	3	5	14	8	3	3	98
	Denied	30	2	3	4	16	1	1	3	60
	Denial Rate	35.5%	26.3%	30.3%	29.9%	25.5%	23.1%	35.6%	51.6%	38.0%
Total	Originated	49,684	59,707	57,017	47,960	30,163	25,995	24,310	23,324	318,160
	Denied	18,275	18,113	13,829	14,160	7,113	5,979	8,035	9,862	95,366
	Denial Rate	26.9%	23.3%	19.5%	22.8%	19.1%	18.7%	24.8%	29.7%	23.1%
Hispanic (Ethnicity)	Originated	1,051	1,292	1,381	1,004	512	404	393	397	6,434
	Denied	525	549	354	476	186	121	166	199	2,576
	Denial Rate	33.3%	29.8%	20.4%	32.2%	26.6%	23.0%	29.7%	33.4%	28.6%

Table D.3
Loan Applications by Reason for Denial by Race/Ethnicity of Applicant
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Denial Reason	American Indian	Asian	Black	White	Not Available	Not Applicable	Total	Hispanic (Ethnicity)
Debt-to-Income Ratio	34	120	580	7,626	901	3	9,264	276
Employment History	4	27	61	1,268	143	2	1,505	51
Credit History	156	209	1,721	22,815	2,036	7	26,944	678
Collateral	31	57	228	4,991	632	1	5,940	129
Insufficient Cash	9	24	98	1,698	146	1	1,976	52
Unverifiable Information	6	36	154	1,619	228	11	2,054	93
Credit Application Incomplete	19	48	224	3,328	462	3	4,084	76
Mortgage Insurance Denied	0	0	9	86	7	0	102	0
Other	41	117	601	8,161	1,023	6	9,949	291
Missing	227	217	1,895	26,163	5,020	26	33,548	930
Total	527	855	5,571	77,755	10,598	60	95,366	2,576
% Missing	43.1%	25.4%	34.0%	33.6%	47.4%	43.3%	35.2%	36.1%

Table D.4
Loan Applications by Selected Action Taken by Gender of Applicant
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Gender		2004	2005	2006	2007	2008	2009	2010	2011	Total
Male	Originated	34,845	41,422	39,453	33,316	21,164	17,936	16,815	16,187	221,138
	Denied	11,464	11,265	8,343	8,728	4,507	3,797	4,938	5,597	58,639
	Denial Rate	24.8%	21.4%	17.5%	20.8%	17.6%	17.5%	22.7%	25.7%	21.0%
Female	Originated	13,379	16,291	15,228	12,662	7,797	7,104	6,666	6,300	85,427
	Denied	5,997	6,049	4,536	4,610	2,169	1,909	2,683	3,190	31,143
	Denial Rate	31.0%	27.1%	23.0%	26.7%	21.8%	21.2%	28.7%	33.6%	26.7%
Not Available	Originated	1,449	1,989	2,332	1,977	1,186	947	826	834	11,540
	Denied	809	797	947	817	420	271	413	1,072	5,546
	Denial Rate	35.8%	28.6%	28.9%	29.2%	26.2%	22.2%	33.3%	56.2%	32.5%
Not Applicable	Originated	11	5	4	5	16	8	3	3	55
	Denied	5	2	3	5	17	2	1	3	38
	Denial Rate	31.3%	28.6%	42.9%	50.0%	51.5%	20.0%	25.0%	50.0%	40.9%
Total	Originated	49,684	59,707	57,017	47,960	30,163	25,995	24,310	23,324	318,160
	Denied	18,275	18,113	13,829	14,160	7,113	5,979	8,035	9,862	95,366
	Denial Rate	26.9%	23.3%	19.5%	22.8%	19.1%	18.7%	24.8%	29.7%	23.1%

Table D.5
Loan Applications by Income of Applicant: Originated and Denied
 Nonentitlement Areas of the State of Tennessee

2004–2011 HMDA Data

Income		2004	2005	2006	2007	2008	2009	2010	2011	Total
\$15,000 or Below	Loan Originated	767	654	699	638	260	259	280	232	3,789
	Application Denied	1,235	1,184	582	915	330	402	642	920	6,210
	Denial Rate	61.7%	64.4%	45.4%	58.9%	55.9%	60.8%	69.6%	79.9%	62.1%
\$15,001–\$30,000	Loan Originated	9,194	9,723	7,559	6,809	3,920	4,216	4,126	3,742	49,289
	Application Denied	6,338	5,910	3,709	4,391	1,826	1,664	2,661	3,245	29,744
	Denial Rate	40.8%	37.8%	32.9%	39.2%	31.8%	28.3%	39.2%	46.4%	37.6%
\$30,001–\$45,000	Loan Originated	12,991	14,873	12,644	10,790	7,053	6,779	6,060	5,606	76,796
	Application Denied	4,892	4,696	3,444	3,452	1,763	1,550	2,005	2,416	24,218
	Denial Rate	27.4%	24.0%	21.4%	24.2%	20.0%	18.6%	24.9%	30.1%	24.0%
\$45,001–\$60,000	Loan Originated	10,031	12,114	11,429	8,866	5,692	4,841	4,392	4,186	61,551
	Application Denied	2,646	2,771	2,341	2,125	1,227	956	1,184	1,422	14,672
	Denial Rate	20.9%	18.6%	17.0%	19.3%	17.7%	16.5%	21.2%	25.4%	19.2%
\$60,001–\$75,000	Loan Originated	5,866	7,359	7,643	6,260	4,095	3,175	2,909	2,803	40,110
	Application Denied	1,092	1,266	1,259	1,018	713	500	545	693	7,086
	Denial Rate	15.7%	14.7%	14.1%	14.0%	14.8%	13.6%	15.8%	19.8%	15.0%
Above \$75,000	Loan Originated	9,776	13,388	15,378	13,839	8,860	6,527	6,438	6,610	80,816
	Application Denied	1,447	1,860	1,976	1,898	1,120	793	883	1,028	11,005
	Denial Rate	12.9%	12.2%	11.4%	12.1%	11.2%	10.8%	12.1%	13.5%	12.0%
Data Missing	Loan Originated	1,059	1,596	1,665	758	283	198	105	145	5,809
	Application Denied	625	426	518	361	134	114	115	138	2,431
	Denial Rate	37.1%	21.1%	23.7%	32.3%	32.1%	36.5%	52.3%	48.8%	29.5%
Total	Loan Originated	49,684	59,707	57,017	47,960	30,163	25,995	24,310	23,324	318,160
	Application Denied	18,275	18,113	13,829	14,160	7,113	5,979	8,035	9,862	95,366
	Denial Rate	26.9%	23.3%	19.5%	22.8%	19.1%	18.7%	24.8%	29.7%	23.1%

Table D.6
Loan Applications by Income and Race/Ethnicity of Applicant: Originated and Denied
 Nonentitlement Areas of the State of Tennessee

2004–2011 HMDA Data

Race		<= \$15K	\$15K–\$30K	\$30K–\$45K	\$45K–\$60K	\$60K–\$75K	> \$75K	Data Missing	Total
American Indian	Loan Originated	15	146	239	180	153	477	13	1,223
	Application Denied	41	153	126	75	36	78	18	527
	Denial Rate	73.2%	51.2%	34.5%	29.4%	19.0%	14.1%	58.1%	30.1%
Asian	Loan Originated	16	334	629	568	438	1,217	84	3,286
	Application Denied	49	207	195	136	80	157	31	855
	Denial Rate	75.4%	38.3%	23.7%	19.3%	15.4%	11.4%	27.0%	20.6%
Black	Loan Originated	160	2,575	3,707	2,393	1,319	2,319	154	12,627
	Application Denied	336	1,886	1,507	818	389	515	120	5,571
	Denial Rate	67.7%	42.3%	28.9%	25.5%	22.8%	18.2%	43.8%	30.6%
White	Loan Originated	3,295	43,402	67,396	54,100	35,204	69,361	4,967	277,725
	Application Denied	5,144	24,567	19,911	11,969	5,761	8,728	1,675	77,755
	Denial Rate	61.0%	36.1%	22.8%	18.1%	14.1%	11.2%	25.2%	21.9%
Not Available	Loan Originated	301	2,823	4,806	4,300	2,989	7,423	559	23,201
	Application Denied	639	2,928	2,470	1,668	814	1,515	564	10,598
	Denial Rate	68.0%	50.9%	33.9%	27.9%	21.4%	17.0%	50.2%	31.4%
Not Applicable	Loan Originated	2	9	19	10	7	19	32	98
	Application Denied	1	3	9	6	6	12	23	60
	Denial Rate	33.3%	25.0%	32.1%	37.5%	46.2%	38.7%	41.8%	38.0%
Total	Loan Originated	3,789	49,289	76,796	61,551	40,110	80,816	5,809	318,160
	Application Denied	6,210	29,744	24,218	14,672	7,086	11,005	2,431	95,366
	Denial Rate	62.1%	37.6%	24.0%	19.2%	15.0%	12.0%	29.5%	23.1%
Hispanic (Ethnicity)	Loan Originated	62	1,483	1,799	1,194	630	1,088	178	6,434
	Application Denied	133	951	690	383	142	221	56	2,576
	Denial Rate	68.2%	39.1%	27.7%	24.3%	18.4%	16.9%	23.9%	28.6%

Table D.7
Loans by Loan Purpose by HAL Status
 Nonentitlement Areas of the State of Tennessee

2004–2011 HMDA Data

Loan Purpose		2004	2005	2006	2007	2008	2009	2010	2011	Total
Home Purchase	Other	40,424	43,690	43,926	40,050	25,961	23,395	22,987	21,906	262,339
	HAL	9,260	16,017	13,091	7,910	4,202	2,600	1,323	1,418	55,821
	Percent HAL	18.6%	26.8%	23.0%	16.5%	13.9%	10.0%	5.4%	6.1%	17.5%
Home Improvement	Other	6,226	5,894	6,052	6,731	5,454	4,510	4,576	4,382	43,825
	HAL	2,052	2,529	3,235	2,956	1,828	1,164	433	386	14,583
	Percent HAL	24.8%	30.0%	34.8%	30.5%	25.1%	20.5%	8.6%	8.1%	25.0%
Refinancing	Other	42,619	35,045	29,237	31,287	32,969	55,936	45,452	38,845	311,390
	HAL	14,753	17,684	17,743	14,084	10,796	7,164	1,603	1,719	85,546
	Percent HAL	25.7%	33.5%	37.8%	31.0%	24.7%	11.4%	3.4%	4.2%	21.6%
Total	Other	89,269	84,629	79,215	78,068	64,384	83,841	73,015	65,133	617,554
	HAL	26,065	36,230	34,069	24,950	4,202	2,600	1,323	1,418	155,950
	Percent HAL	22.6%	30.0%	30.1%	24.2%	20.7%	11.5%	4.4%	5.1%	20.2%

Table D.8
Loans by HAL Status by Race/Ethnicity of Borrower
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Race	Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	Total
American Indian	Other	117	109	144	125	70	146	172	167	1,050
	HAL	43	47	25	26	15	7	3	7	173
	Percent HAL	26.9%	30.1%	14.8%	17.2%	17.6%	4.6%	1.7%	04.0%	14.1%
Asian	Other	437	502	489	464	230	281	225	243	2,871
	HAL	84	124	99	53	21	19	7	8	415
	Percent HAL	16.1%	19.8%	16.8%	10.3%	8.4%	6.3%	3.0%	3.2%	12.6%
Black	Other	1,890	1,549	1,479	1,264	821	691	742	675	9,111
	HAL	635	1,250	868	459	152	68	43	41	3,516
	Percent HAL	25.1%	44.7%	37.0%	26.6%	15.6%	9.0%	5.5%	5.7%	27.8%
White	Other	35,116	37,691	38,286	35,241	22,996	20,847	20,719	19,665	230,561
	HAL	7,789	12,912	10,938	6,784	3,844	2,435	1,223	1,239	47,164
	Percent HAL	18.2%	25.5%	22.2%	16.1%	14.3%	10.5%	5.6%	5.9%	17.0%
Not Available	Other	2,814	3,837	3,525	2,951	1,830	1,422	1,127	1,153	18,659
	HAL	701	1,682	1,161	588	170	71	46	123	4,542
	Percent HAL	19.9%	30.5%	24.8%	16.6%	8.5%	4.8%	3.9%	9.6%	19.6%
Not Applicable	Other	50	2	3	5	14	8	2	2	87
	HAL	8	2	0	0	0	0	1	0	11
	Percent HAL	13.8%	50.0%	.0%	.0%	.0%	.0%	33.3%	.0%	11%
Total	Other	40,424	43,690	43,926	40,050	25,961	23,395	22,987	21,906	262,339
	HAL	9,260	16,017	13,091	7,910	4,202	2,600	1,323	1,418	55,821
	Percent HAL	18.6%	26.8%	23.0%	16.5%	13.9%	10.0%	5.4%	06.1%	17.5%
Hispanic (Ethnicity)	Other	787	846	959	757	424	359	372	351	4,855
	HAL	264	446	422	247	88	45	21	46	1,579
	Percent HAL	25.1%	34.5%	30.6%	24.6%	17.2%	11.1%	5.3%	11.6%	24.5%

Table D.9
Rates of HALs by Income of Borrower
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Income	2004	2005	2006	2007	2008	2009	2010	2011	Average
\$15,000 or Below	40.5%	50.3%	32.5%	42.0%	40.4%	32.4%	30.7%	028.9%	39.0%
\$15,001–\$30,000	28.2%	41.1%	35.3%	26.9%	21.7%	13.9%	9.4%	12.3%	27.1%
\$30,001–\$45,000	22.2%	32.4%	28.0%	19.3%	15.1%	9.3%	5.9%	6.8%	20.5%
\$45,001–\$60,000	17.1%	26.7%	23.1%	15.5%	13.1%	9.2%	4.9%	5.8%	17.2%
\$60,001–\$75,000	12.2%	19.4%	18.3%	13.2%	11.0%	8.8%	4.0%	4.2%	13.3%
Above \$75,000	9.1%	13.8%	13.4%	9.3%	10.5%	8.3%	2.5%	2.2%	9.7%
Data Missing	15.0%	23.1%	32.8%	32.2%	20.1%	16.2%	05.7%	0.7%	24.3%
Average	18.6%	26.8%	23.0%	16.5%	13.9%	10.0%	05.4%	06.1%	17.5%

Table D.10
Loans by HAL Status by Income of Borrower
 Nonentitlement Areas of the State of Tennessee
 2004–2011 HMDA Data

Income		2004	2005	2006	2007	2008	2009	2010	2011	Total
\$15,000 or Below	Other	456	325	472	370	155	175	194	165	2,312
	HAL	311	329	227	268	105	84	86	67	1,477
	Percent HAL	40.5%	50.3%	32.5%	42.0%	40.4%	32.4%	30.7%	028.9%	39.0%
\$15,001–\$30,000	Other	6,605	5,722	4,887	4,980	3,071	3,629	3,739	3,283	35,916
	HAL	2,589	4,001	2,672	1,829	849	587	387	459	13,373
	Percent HAL	28.2%	41.1%	35.3%	26.9%	21.7%	13.9%	9.4%	12.3%	27.1%
\$30,001–\$45,000	Other	10,104	10,055	9,101	8,712	5,985	6,147	5,704	5,223	61,031
	HAL	2,887	4,818	3,543	2,078	1,068	632	356	383	15,765
	Percent HAL	22.2%	32.4%	28.0%	19.3%	15.1%	9.3%	5.9%	6.8%	20.5%
\$45,001–\$60,000	Other	8,317	8,883	8,793	7,495	4,948	4,398	4,178	3,942	50,954
	HAL	1,714	3,231	2,636	1,371	744	443	214	244	10,597
	Percent HAL	17.1%	26.7%	23.1%	15.5%	13.1%	9.2%	4.9%	5.8%	17.2%
\$60,001–\$75,000	Other	5,151	5,933	6,242	5,433	3,644	2,897	2,794	2,684	34,778
	HAL	715	1,426	1,401	827	451	278	115	119	5,332
	Percent HAL	12.2%	19.4%	18.3%	13.2%	11.0%	8.8%	04.0%	4.2%	13.3%
Above \$75,000	Other	8,891	11,545	13,312	12,546	7,932	5,983	6,279	6,465	72,953
	HAL	885	1,843	2,066	1,293	928	544	159	145	7,863
	Percent HAL	9.1%	13.8%	13.4%	9.3%	10.5%	8.3%	2.5%	2.2%	9.7%
Data Missing	Other	900	1,227	1,119	514	226	166	99	144	4,395
	HAL	159	369	546	244	57	32	6	1	1,414
	Percent HAL	15.0%	23.1%	32.8%	32.2%	20.1%	16.2%	05.7%	.7%	24.3%
Total	Other	40,424	43,690	43,926	40,050	25,961	23,395	22,987	21,906	262,339
	HAL	9,260	16,017	13,091	7,910	4,202	2,600	1,323	1,418	55,821
	Percent HAL	18.6%	26.8%	23.0%	16.5%	13.9%	10.0%	5.4%	6.1%	17.5%

E. ADDITIONAL SURVEY DATA: NONENTITLEMENT AREAS

INTRODUCTORY QUESTIONS

Table E.1
Please describe how you became aware of fair housing laws.

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
20 years experience with the State's Small Cities Block Grant program and HUD training on Fair Housing 35 years as mayor As a landlord As a manager and as a renter personally As a real estate agent in 1979, and a mortgage lender in 1988. Attend Fair Housing Lectures and Schooling once a year. Attended a couple seminars/conferences on Fair Housing Attended a session in Xxxxxx on the topic and also have a real estate background Attending government meetings for the last 30 + years Attened some training sessions Board of realtors and through news and periodicals as well as industry trade mags. By reading the legislation which applies to rental property and other reading materials. by way of being a homeowner/landlord By working in the Local Government CDBG City has policy adopted. Classes classes around the state, or on-line class. college Community publications and postings at County Courthouse Consultant for city and county governments Continuing education classes and information from various sources including TAR Different HUD publications. Discussions of affordable and available housing options for local citizens Downloaded information from website Education Classes Education provided by TREES and my local Association of Realtors Employee training for themanagement company that I work for. Fair housing is discussed in pre-licensing, Realtor membership orientation, annually through our local, state and national associations and I have been an instructor these associations. Familiarization with fair housing laws are all part of the Habitat family selection process. Adherence to these laws is required as part of the annual Quality Assurance Checklist and to ge in good standing with Habitat Interational. Former Banker. Formerly a mortgage loan officer From past construction projects Grant Regulations Grant workshops, we help administer a local housing authority. Have attended several workshops on fair housing issues. Housing and Urban Development HUD training, internet, articles I am a grant writer/ project administrator for cities and counties in the Upper Xxxxxx area. I am familiar with fair housing laws because our funding comes from HUD. I am a licensed agent and teach CE classes. I am a Realtor I am an engineer working on GDBG projects which require fair housing activities I have a bachelor's degree in Business Admin, minor in Econ and Finance, and earned my real estate license last May. I have attended THDA HBEI training. I have had federal and state grants with fair housing training I have served as Mayor of Xxxxxx for thirteen years. and was a Banker/Lender for many years. I have taken two "Fair Housing" classes to better understand the issue. I review fair housing law to share communications with real estate professionals regarding compliance in advertising and teh day-to-day business of a real estate licensee. The REALTOR Code of Ethics Article 10. I serve an a Habitat board and have for about 20 year.. I stay update thru continuing education I work with habitat for humanity and we deal with building homes and selecting applicants for the homes In my classes to become a realtor. In my line of work, I sell utilities to the public and I have to ask where they live and who lives there. Also, I have to ask their

race/orientation.
 In the course of my role as Mayor, I have become aware of various fair housing laws. My previous career in Banking also exposed me to these regulations.
 In the real estate business
 Inservice and Training
 Job requirement
 LEDIC ONLINE TRAINING
 Licensed real estate broker
 Minimally in dealing with applicants for Home Partnership
 My previous career in banking, plus on-the-job training since joining local government
 My property follows Fair Housing Laws because of the housing program we are in.
 Newspapers, mailings
 Obtaining grants from THDA
 online
 Online training and dealing with Fair Housing issues with HUD
 Over six and a half years of trying to find housing
 Own and operate a Section 8 housing facility
 PHM certified for 15 years as Executive Director of public housing in Xxxxxxx
 Profession
 Property management requires intensive training that must be completed yearly on fair housing laws.
 Read the Fair Housing Act
 reading
 Reading about them
 Reading T.C.A. and through participation in THDA Home Grant program
 Real estate agent
 Real Estate Agents knowledge
 Real estate commiccion
 Real Estate Education courses
 Real estate lender for 15 years
 Real Estate School and Broker testing
 Real estates class
 Rent property
 Required to attend fair housing seminars since we are subsidized by HUD.
 Research and attending a workshop
 Schooling Southern Middle Tennessee Association Of Realtors
 Seminars
 seminars & experience
 Seminars, classes & practice
 Sold Real Estate for several years
 Staff attend TN Fair Housing Conference each year
 State Agency and HUD training
 THDa and other training
 THDA Trainings
 Through classes and literature
 Through fair housing activities that are required as part of the CDBG program.
 Through HUD publications
 Through involvement with housing programs
 Through meetings dealing with grants
 Through my job
 Through pre and post licensing education.
 Through property development, training and seminars
 Through real estate education, and our Code of Ethics and Standards of Practice
 through rehabbing low income or distressed area(s) of the city.
 through THDA and HUD
 through THDA training and personal study
 Through the job I have now
 Through the REALTORS Associations
 through the REINS organization
 Through training of local rural legal services a few years ago.
 Through work and through reading items in newspapers, literature, internet, etc.
 Through working at Senior Center
 Throught continuing education courses
 THRU MY INVOLVEMENT WORKING ON FEDERAL GRANTS
 thru publications and other information provided by THDA
 TN Fair Housing Council
 took fair housing classes
 TRAINING
 Training
 Training and working with housing grants and assisting citizens with placement in affordable housing.
 Training provided through State agencies and through our CoC

training sessions & meetings
 Training through THDA as a HBEI Instructor
 Training through THDA Workshops
 training through the company i work for
 Training through USDA/Rural Development
 various training workshops
 We know that a local government can't discriminate.
 What you do for one do for all. Have a set way of doing things and do it the same way over and over.
 when I bought my first home through HUD
 While dealing with grants.
 Work related
 Worked with CDBG program
 Working with ETDD completing projects as they relate to the CDBG
 Working with federal housing programs for 25 years
 Working with TN communities.
 Workshop

Table E.2
Based on your knowledge of fair housing law, do you think that fair housing laws should be changed?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>Actually Enforced add sexual orientation as a protected class As protected classes emerge or evolve, they law should be reviewed. As society changes so must we as a people. Educate public on how to handle international customers. What is the law? How does one conduct an international credit check? For me, this is a grey area and one that I need to come up to speed on. Enforce the laws that are in place, not only for renters but the Landlords,-Landlords have a difficult time with drug related problems and non-workers HUD I just know the basics. Just see it as a reason to try and sue someone, but there should be some rulings on being "fair" I think they should be allowed to be more selective in who is eligible (criminal history, legally married, etc). I think there should be a limit on how much public housing is allowed in a particular area so resources are not stretched too thin to adequately care for properties and educational needs. I would make it manditory before they were allowed to move into a home at for lower income folks, that they were required to pass a DRUG TEST. Instead of being treated the same, it seems that the laws foster special priviledges to different races and classes. That is discrimination, which is what the laws are supposed to curb. Also, the laws set low income families up for failure by putting them in homes they cannot afford because lenders are pushed to have broader acceptance, even though the income is questionable. It seems the tenant is protected more than the property owner. more More rights and protection for the property owner. Not treat disabled as elderly One part would be that it not be so hard on a tenant to get their belongings back after an eviction. Too many times a landlord will place items on the street and then it becomes a civil matter. If the client doesn't have the money to pay the rent then they don't have the money to file a civil suit. Also, if landlords include utilities in the rent it should be illegal to turn off the utilities without an eviction judgement through the court. We have several landlords that will cut off the utilities if the tenant is 2 days late on the rent. Our census tract has the 8th highest denial rate for purchase loans to middle income same gender co-applicants and 84% with high interest rate mortgages. 47% of households with 0-80% median have high housing cost burden; 25% w severe burden;area has 84% home ownership. We are poor but not stupid, and we are here to stay. Very little movement from the area. Parts of the law is confusing. It is a grey area. PSA on Radio to help individuals understand their rights Sexual Orientation should become a Federal Protected Class so that less informed or educated can understand them Strengthened to include sexual orientation/gender identity Take some required mandates from landlords. Tennessee Fair housing There should be some type of housing for those who are on a low low fixed income... they shouldnt disqualify felons. they also need a second chance. They should also be required to uphold original contract pricing and not do reductions on payouts based on what they say are shortages. this leaves landlords and tennants in a very bad position as the tennant has already established their financial limits and inability to pay any additional rent per agreement</p>

Table E.3
Are you aware of any State Fair Housing Plan?
 Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
based on state guidance for CDBG program City has adopted a Fair Housing Policy which will guide and protect citizens of Xxxxxxx. city of henry has adopted a fair housing ord. several yrs. ago Fair Housing Ordinance adopted in 1978, several analysis of impediments since. HUD and county ordiances some city ordiances Xxxxxxx COUNTY FAIR HOUSING PLAN I'm sure there is one but I have never seen it. But then again, I have never asked to see it :) Many cities/counties in my district have passed fair housing ordinances Our town has passed an ordinance on fair housing Several communities within west Tennessee have Fair Housing Resolutions. Several have adopted and posted the Fair Housing Law within the respective community as a goal to notify the citizens of the Law. Some cities have ordinances, others do not. The city has fair housing regulations in place along with nondiscrimination policies TN Consolidated Plan We have a fair housing ordinance in the City's charter We have Fair Housing Policies that we follow When someone comes to get their water, gas and sewer turned on we make aware to the public their rights and who to call if they feel their rights have been violated.

Table E.4
Are you aware of any policies or practices for "affirmatively furthering fair housing" in your designated area?
 Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
As part of the CDBG process the City performs certain practices for getting Fair Housing information out to the residents of the City. complete fair housing activity Fair housing activities associated with CDBG awards Xxxxxxx has passed a Fair Housing Choice Ordinance Habitat practices fair housing, not assessing limitations in regards to those cited in this survey Many rentals entities, developers and contractors attend fair housing training along with county zoning and building inspectors Public Display at City Hall real estate law and grant availability Several communities within west Tennessee have Fair Housing Resolutions. Several have adopted and posted the Fair Housing Law within the respective community as a goal to notify the citizens of the Law. Public Service Announcements during April / Fair Housing Month have been conducted. The fair housing activities done for CDBG projects further fair housing.

Table E.5
Are there specific geographic areas in your designated area of the State that have fair housing problems?
 Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
Census Tract 9703 and Census Tract 9950 It is constantly being reported to me that Xxxxxxx Housing Authority leasing office Executive Director (Xxxxxxx Xxxxxxx), whose office is located at Xxxxxxx Xxxxxxx St. Xxxxxxx, TN 37748 does not treat the residents with respect. We have local doctors that are treating people for mental depression because they say she curses them and treats them unfairly. They are afraid to report her because her husband is a police officer and she uses that over their heads as well as threatening to evict them. I have also had reports that she rents to her family members who have police records that do not comply with the tenant selection plan, but refuses to rent to others with police records. There has also been complaint that she refuses to let them use their outside water faucets and has removed their clothes lines outside so that they have difficulty drying their clothing. A couple of winters ago, a residents daughter had to call the police to get the maintenance to fix her mother's heater. She was elderly and had gone without heat for a couple of days in frigid temperatures. Her residents are afraid of her and therefore in fear of losing their place of residency if they call the local HUD office to complain. I am not one to get my name involved, but since this will stay confidential I feel it is important to know that Mrs. Xxxxxxx and her staff are abusing the residents. I have a big heart for the elderly and disabled and feel this is horrible that it is permitted to keep happening. Lack of desire by government agencies to assist landlords that are willing to tear down abandoned and old properties on small tracts of land and rebuild duplexes on those sites. Many Xxxxxxx county is just one. There seems to still be some segregation in Xxxxxxx County. Not sure if that is a forced issue or a personal choice of the tenant to live in certain areas of town.

Table E.6
Please share any additional comments regarding fair housing.

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>Fair housing is generally working fine but there will always be someone who does not sufficiently understand the scope of the laws and may/could inadvertently discriminate. As well, the general public is not fully versed on fair housing laws.</p> <p>Fair Housing is just common sense to me. Love your neighbor like yourself and treat everyone as close family! Do everything in your power to help them get what they want.</p> <p>I am so angry and sick to my stomach right now over this subject I can't continue any further. My children think I'm a liar that we will never have a home and we are falling apart.</p> <p>I ATTENDED A FAIR HOUSING TRAINING LAST FALL THE NAN MCAY DID AND IT WAS AWESOME. I REALLY LEARNED A LOT FROM THAT.</p> <p>I feel our area is reaching out with equal opportunities to all classes and races.</p> <p>I feel that race should be looked at for ALL races, not just black or spanish.I feel that whites are being over looked more than blacks.</p> <p>I see no reasons to add another protected class. The only times I may have offended someone is by asking if they are married, or a full-time student. I try to explain first that married couples only have to do 1 application, and the LIHTC program does not allow an entire HH to be FT students. Since these questions are pertinent to the specific program and the application process, I do not see it as discrimination, regardless of a few grumbles. The property I work at is 55 & older...so I receive a few complaints on that as well. Many ppl think that having a disability should get them in regardless. So many people scream "discrimination" before even hanging around for a full explanation. You can't please everybody, but I do believe I treat everyone fairly, and I appreciate anybody hanging around to become educated on the different types of Government Affordable Housing programs.</p> <p>It would be good to have fair housing training in our area....</p> <p>N/A</p> <p>None</p> <p>Smaller communities have concerns about what the role of the local government is if there is a Fair Housing violation. Therefore, a lot of City Boards / Commissions are reluctant to ask and/or participate due to a fear of penalty. They tend to do a Fair Housing activity because it is a requirement of the CDBG grant they have received.</p> <p>The biggest problem in Xxxxxxx County is not enforcing rental property to be kept up to a standard humane level. For example, weatherization/plumbing/electrical/structural.</p>

FAIR HOUSING IN THE PRIVATE SECTOR

Table E.7
Are you aware of any questionable practices or barriers to fair housing choice in the rental housing market?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>Deposits are set very high to discourage certain people from being able to rent housing.</p> <p>I "feel" that many of the local property managers use "voice" as a key to if they have available units or not. It's sad to say but if you sound "unique" or different I think barriers are made by those renting property.</p> <p>Not willing to rent to section 8 recipient</p> <p>Of the small number of rental properties, they are mostly in disrepair and are rented at too high of a cost for our specific area.</p> <p>Off the top of my head I can think of one landlord that will not rent to black people.</p> <p>People with rental property often do not want to rent to people based on color because they are afraid they will not take care of the home or pay their rent.</p> <p>Peoples ignorance</p> <p>Properties that are age restricted and only rent to individuals who are 55 and older.</p> <p>Property owners are oblivious to Fair Housing law and those who are aware simply feel they are bullet proof due to lack of enforcement.</p> <p>Sex - Some large apartment management companies will not allow more than two females to sign/reside in a single apartment, even if it is a three bedroom unit. The reason is to prevent college students from sharing apartments. They cite an old TN state law that prevents "brothels", and therefore, can only enforce it on women and not men.</p> <p>There is very little multi-family housing in our area, and what is available is generally an option only for low-income families</p>

Table E.8
Are you aware of any questionable practices or barriers to fair housing choice in the real estate industry?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
I have never seen this in my 18 years here in Xxxxxx.... I think that potential buyers should be aware that their new neighbors are going to dislike/alienate them. Buyers should have the right and information to discriminate against neighborhoods or communities. Single, disabled female w no debt and \$10K down payment not shown houses and cannot buy one? That is steering. When I moved to TN in 1994 the real estate broker showed us homes where people were low income or of less color. We asked to see a home in a particular area and they suggested not.

Table E.9
Are you aware of any questionable practices or barriers to fair housing choice in the mortgage and home lending industry?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
especially un-married women Great Save Program-great joke. Family paid 20K in three years. Husband lost work and could not get payment lowered. Didn't know they were five months behind? What is the definition of foreclosure? Bank didn't know they were on the list to prevent foreclosure. Had to prove it to them. Didn't matter that they had paid triple payments for three years. Income sometimes denotes race and mortgage are harder to get approve in certain banks. permits single female family heads from receiving due consideration for adequate housing. They lend to people who cannot afford the payments. They also let people purchase poor housing with mortgages. We have long suspected Tristar Bank in Xxxxxx. They seem to have their own set of rules and excuses to cover all bases. I have had clients of all races go there but the ones that are not white seem to have more hoops to go through. They are also notorious for RESPA violations. If a specific entity is not on their preferred list then they can not be used regardless of what is written in the contract. They heavily convince them to change who they have already chosen.

Table E.10
Are you aware of any questionable practices or barriers to fair housing choice in the housing construction or accessible housing design fields?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
Many apartments built that do not allow for wheelchair accessibility New code for ramps one inch drop per foot? Can't do it in manual chair, can't do it w 1/8 in snow in motorized. New Justice center has suicidal ramp w no railing in turn two coming down. Can't do it independently, hard w help. SS examiner doesn't have handicap bathroom (after riding 45 min and two hr exam). not enough handicap housing for Senior Citizens Not enough units are built for disabilities

Table E.11
Are you aware of any questionable practices or barriers to fair housing choice in the home insurance industry?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
Charging minority real estate investors higher insurance premiums. Using different criteria when evaluating insurance claims submitted by minorities. Discrimination takes place when insurers use coincidental markers to assess insurance risk, markers such as zip code and education level, things which though statistically related to insurance risk are unfair to use as predictors Many of the people in town simply cannot afford the insurance. Very high poverty rate here

Table E.12
Are you aware of any questionable practices or barriers to fair housing choice in the home appraisal industry?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>Estimates are negatively skewed. However, to state in very exact terms that the ethnic composition of a neighborhood does not affect the "saleability" of a home is ridiculous. Appraisals are meant to be indicators of a home's "saleability". It seems my house is based on the side of town I live on and not the quality of the house. Look at the Minority ratio in Xxxxxxx County and compare to Xxxxxxx County or any County for the most part. Of course excluding Xxxxxxx County. Low income Census Tract 9703 (with the exception of Xxxxxxx under valued. Somewhat - areas that are largely minority owned are routinely assessed lower, though it isn't always the only factor. It is hard to prove since appraisals are largely subjective. The number of rental units in the area also routinely affects values, even with increasing numbers of rental units area-wide.</p>

Table E.13
Are you aware of any questionable practices or barriers to fair housing choice in any other housing services?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>Discrimination against White Males, add that are single parents it is BLATANT. I feel it is easier for minorities/ other ethnic groups to get financing or ohter federal help easier. Company's are afraid to turn them in fear of getting trouble. It is very difficult for persons with felony records to find rental and/or subsidised housing even if the offense was over a decade old and non-violent. Safety should be a priority concern, but at some point even ex-felons deserve a place to live. Rental agencies that do not rent if you are not married or same sex couples. Section 8 and public housing are geared toward the deserving poor. The most vulnerable population cannot get housing. Cannot pass credit or police check. There is not enough funding to help the people that need it.</p>

FAIR HOUSING IN THE PUBLIC SECTOR

Table E.14
Are you aware of any questionable practices or barriers to fair housing choice in land use policies?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>City and County Zoning In order to preserve the historical declaration of Xxxxxxx, it is necessary to have zoning restricting certain areas for certain activities Lack of desire by government agencies to assist landlords that are willing to tear down abandoned and old properties on small tracts of land and rebuild duplexes on those sites. Single family zoning Some zoning standards identify specific areas for multi-family housing but it is due to the access to public utilities versus private well or septic tank. This type of land use requires minimum standards for water, sewer, and/or gas. Therefore only specific areas have access to public infrastructure. Also, infill areas have to be examined to ascertain minimum lot size, access to public transportation, and access to public infrastructure. The present zoning only permits multiple family dwellings in certain zones such as an R2 zone. Multiple family dwellings are not permitted in the R1 zone only single family. There is very little multi-family housing available in Xxxxxxx County--it is apparently a problem that our local and county governments don't want to approve multi-family housing; the only multi-family housing that I'm aware of is for low-income families</p>

Table E.15
Are you aware of any questionable practices or barriers to fair housing choice in zoning laws?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
Can only be placed in designated areas for residential. Keeping the zoning to areas where other multi-housing is already in existence NIMBY same as above Single family zoning Some city limits have restrictions on what type of home can be build or operated inside the city limits. Some zoning standards identify specific areas for multi-family housing but it is due to the access to public utilities versus private well or septic tank. This type of land use requires minimum standards for water, sewer, and/or gas. Therefore only specific areas have access to public infrastructure. Also, infill areas have to be examined to ascertain minimum lot size, access to public transportation, and access to public infrastructure. If the group home is for someone within a half-way house (person with a specified conviction) then this type of group housing has to be a certain distance from a school or daycare.

Table E.16
Are you aware of any questionable practices or barriers to fair housing choice in occupancy standards or health and safety codes?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
Congregate living for immigrants; some living on land with no sanitation, just a campsite to pick for the season. /also have a homeless camp off Lantana Rd. It has been my experience that safety codes are inadequately enforced in the rural areas of northern middle Tennessee. That applies to ALL communities, so there is no discrimination, but rather a lack of funding for proper inspection; or a general idea that safety codes only add unnecessary expense to a project, and are therefore ignored during construction. The area codes are either not in place or not enforced by the local government against slum lords. Also there should be more protection for a tenant that reports the awful property, many won't report because they are afraid of retaliation of the landlord.

Table E.17
Are you aware of any questionable practices or barriers to fair housing choice in property assessment and tax policies?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
There is minimal housing available period although Xxxxxxx County is regularly one of the highest poverty levels in state. This type of information is rarely shared with minority investors.

Table E.18
Are you aware of any questionable practices or barriers to fair housing choice in the permitting process?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
I think this should be an English first country. It is only offered in English Many forms are not available in alternative languages. Most hispanics do not read their own language, so counterproductive to give in Spanish Sorry, if they can't speak English - should they be building here?

Table E.19
Are you aware of any questionable practices or barriers to fair housing choice in housing construction standards?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
A person that uses a wheelchair needs lower counters, counters that can be rolled under, accessible plug-ins, lowered closet rods, 6 x 8 space bathroom to transfer..... Certain subdivisions have rules and regulations Exterior facade has to be approved by the Historical Committee Inspectors not trained Poor policing of construction standards. Not enough oversight to enforce codes.

Table E.20
Are you aware of any questionable practices or barriers to fair housing choice in neighborhood or community development policies?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
Census Tract 9703 has high disability rate. In February 2013, Xxxxxxx City Council refused to provide a neighborhood revitalization certification to a developer proposing to apply for Low Income Housing Tax Credits. The site for the project was approved for multi-family housing, and the developers' market study demonstrated need. Since LIHTC applications are very competitive, the develop did not apply, knowing his/her application would not earn sufficient points absent the certification. Xxxxxxx has been a Targeted area for all the nearly seven years I have been here. What I've heard is that city and county governments do not want to approve multi-family dwellings, like apartment complexes, because they do not want them available for "section 8" families or do not want to have areas of concentrated crime potential Yard size requirements in our area restrict certain areas.

Table E.21
Are you aware of any barriers that limit access to government services, such as a lack of transportation or employment services?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>Xxxxxxx is rural - ETHRA provides the only public transportation. In this area the ability to get to appointments is very limited. No bus, limited taxi service. It is typically more difficult for people to access government services in rural areas due to lack of adequate public transportation, distance to agencies not readily available in the rural market and cost associated with appearing personally at such an agency. It is equally frustrating for many to use the services via telephone with the amount of automation associated with calling these agencies. Ive experienced first hand law enforcement not being concerned with certain areas because of income and race. Lack of a public transportation system. Lack of public transportation Limited everything transportation is borderline inhuman. Limited transportation options in Xxxxxxx County unless you own a vehicle or can find someone who does and is willing to give you a ride. Very little internet access. Lack of access to daily newspaper, although there is a good weekly paper. Very limited employment opportunities. Mainstream services are extremely limited in our rural counties. Public/mass transportation is almost non-existent. Citizens have challenges reaching employment, let alone traveling to government offices. no public transit No public transportation system in my small city; lack of knowledge on how to access the system at times, whether employment services/unemployment/welfare/health dept/etc public transportation funding Public transportation in the rural aras is very limited Public transportation is a problem in rural areas. Most towns and counties do not have public transportation. Rural communities have limited access to public transportation. It is a function of costs. Larger areas (i.e. Xxxxxxx, Xxxxxxx, Xxxxxxx, Xxxxxxx, Xxxxxxx, Xxxxxxx, Xxxxxxx, Xxxxxxx) have access to a form of public transportation. You will not have this option if located in Xxxxxxx, Xxxxxxx, Xxxxxxx, or Xxxxxxx). The NWTDD or SWTDD Human Resource Agency can provide assistance with this type of access and maybe arrangement can be made. sometimes, out transportation services it not serving all people. There are not enough transportation options available for elderly and disabled in our area. They live on fixed incomes and can not afford \$20 a trip to take a taxi. There is a lack of transportation in the Xxxxxxx City area. There is no public transportation in the rural communities except ETHRA. However you must have insurance to use this or have the ability to pay. This service is only for medical appointments and limited employment services. Is not used to access government services. Transportation available on Wednesday, and not during normal working hours. People w/out license, car, insurance, give up and turn to drugs, stealing, or trying to get disability. Transportation is a factor Transportation is a major issue in our rural area. We have no public transportation in Xxxxxxx County we have no public transportation services in Xxxxxxx County</p>

Table E.22
Are there any other public administrative actions or regulations in your community that act as barriers to fair housing choice?

Nonentitlement Areas of the State of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>Controversy over whether or not single-wide manufactured homes are allowed and where. Lack of desire by government agencies to assist landlords that are willing to tear down abandoned and old properties on small tracts of land and rebuild duplexes on those sites. The entire system. Being a homeless male 100% disabled trying to get assistance nearly 7 years. With two special needs children. Finally getting a housing voucher after being denied then given one but told if I am so disabled then I won't be able to maintain as my qualifying requires very high maintenance. Then getting it only to be told all those who used there's are still valid all who have yet to use theirs are no longer valid as there is no money left. Get real. Tourism. Tourism has made it such that there is little monthly rental property. Most rental property costs thousands of dollars per week making very difficult for seasonal workers to find residence. Controversy over whether or not single-wide manufactured homes are allowed and where.</p>

F. ADDITIONAL SURVEY DATA: ENTITLEMENT AREAS

Table F.1

Role of Respondent

Entitlement Areas of Tennessee
2013 Fair Housing Survey Data

Primary Role	Total
Real Estate	164
Property Management	114
Advocate/Service Provider	50
Other Role	50
Homeowner	46
Banking/Finance	45
Local Government	38
Construction/Development	31
Renter/Tenant	21
Law/Legal Services	6
Appraisal	1
Missing	1
Total	567

Table F.2

Protected Classes

Entitlement Areas of Tennessee
2013 Fair Housing Survey Data

Protected Class	Total
Religion	233
Family Status	228
Gender	228
National Origin	185
Color	128
Age	127
Sexual Orientation	77
Disability	48
Ethnicity	25
Race	21
Military	10
Ancestry	1
Other	79
Total	1,422

FEDERAL, STATE, AND LOCAL LAWS

Table F.3

**How Familiar are you with
Fair Housing Laws?**

Entitlement Areas of Tennessee
2013 Fair Housing Survey Data

Familiarity	Total
Not Familiar	25
Somewhat Familiar	153
Very Familiar	216
Missing	173
Total	567

Table F.4
Federal, State, and Local Fair Housing Laws

Entitlement Areas of Tennessee
2013 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Do you think fair housing laws are useful?	345	19	27	176	567
Are fair housing laws difficult to understand or follow?	74	281	36	176	567
Do you think fair housing laws should be changed?	61	199	127	180	567
Do you thing fair housing laws are adequately enforced?	273	83	23	188	567

FAIR HOUSING IN YOUR COMMUNITY

Table F.5
Fair Housing Activities

Entitlement Areas of Tennessee
2013 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total	
Is there a training process available to learn about fair housing laws?	273	83	23	188	567	
Have you participated in fair housing training?	253	52	8	254	567	
Are you aware of any fair housing testing?	81	209	88	189	567	
Testing and education	Too Little	Right Amount	Too Much	Don't Know	Missing	Total
Is there sufficient outreach and education activity?	118	146	9	105	189	567
Is there sufficient testing?	53	50	7	267	190	567

FAIR HOUSING IN THE PRIVATE SECTOR

Table F.6
Barriers to Fair Housing in the Private Sector

Entitlement Areas of Tennessee
2013 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any questionable practices or barriers to fair housing choice in:					
The rental housing market?	40	246	75	206	567
The real estate industry?	22	236	100	209	567
The mortgage and home lending industry?	40	209	110	208	567
The housing construction or accessible housing design fields?	25	214	119	209	567
The home insurance industry?	21	192	147	207	567
The home appraisal industry?	27	198	135	207	567
Any other housing services?	17	204	136	210	567

FAIR HOUSING IN THE PUBLIC SECTOR

Table F.7
Barriers to Fair Housing in the Public Sector

Entitlement Areas of Tennessee
2013 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any questionable practices or barriers to fair housing choice in:					
Land use policies?	38	197	102	230	567
Zoning laws?	29	191	118	229	567
Occupancy standards or health and safety codes?	28	179	129	231	567
Property tax policies?	25	168	142	232	567
Permitting process?	17	174	145	231	567
Housing construction standards?	18	187	127	235	567
Neighborhood or community development policies?	21	189	126	231	567
Limited access to government services, such as employment services?	51	193	87	236	567
Public administrative actions or regulations?	13	171	149	234	567

CONCLUDING QUESTIONS

Table F.8
Local Fair Housing

Entitlement Areas of Tennessee
2013 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any city or county fair housing ordinance, regulation, or plan?	61	182	74	250	567
Are there any specific geographic areas that have fair housing problems?	22	111	187	247	567

COMMENTS: INTRODUCTORY QUESTIONS

Table F.9
Please describe how you became aware of fair housing laws.

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>(Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and disability.</p> <p>13 years as an employee of THDA, 20 years as a realtor & 13 years as a small business owner.</p> <p>20 years experience in commercial banking</p> <p>30 years in property management</p> <p>Administering grants on housing and attending fair housing activities</p> <p>Agency is charged with enforcing THRA</p> <p>As a Habitat for Humanity affiliate, we have access to support through Habitat International. We also engage legal counsel for support such as understanding fair housing requirements.</p> <p>As a Realtor, I am required to have continuing education, and this is a significant component of the core classes that is required for all agents.</p> <p>As an attorney.</p> <p>AS Executive Director</p> <p>As part of my licensing requirements to become a real estate agent/broker, I had some training on the fair housing laws.</p> <p>attend a lot of events</p> <p>Attended training.</p> <p>attending seminars</p> <p>Attending work shops</p> <p>background in homebuyer education and responsible for answering realtor questions on fair housing at MAAR</p> <p>Basic real estate training</p> <p>Broker in real estate you must have knowledge in the business.</p> <p>By attending Fair Housing Seminars</p> <p>By owning rental property</p> <p>by reading it online</p> <p>By taking classes at SAR</p> <p>By working for local government</p> <p>CE Classes</p> <p>classes</p> <p>Classes</p> <p>Classes for Real Estate License and Continueing ED</p> <p>classes taken in obtaining a real estate license</p> <p>classroom</p> <p>Company Training, MBA website</p> <p>Completed several classes on Fair Housing.</p> <p>compliance testing and review of policies.</p> <p>Continuing Education Classes</p> <p>Continuing education; press relases; news stories</p> <p>CPO</p> <p>Doing the course of many, many years in the finance industry.</p> <p>During my training for the Registered Apartment Manager Certification back in 1995, Up and through my Certified Apartment Manager Training in 2000 and the New York HUD office and the Miami HUD Field Office Fair Housing Cordinator and Fair Housing Trainings held in 2001, 2002, 2003, 2005, 2006 and again in 2008 that I attended.</p> <p>During my work as a site manager.</p> <p>education</p> <p>education and state seminars</p> <p>Education classes, seminars, also instructed new agents in fair housing laws</p> <p>education for real estate</p> <p>education through the board of realtors</p> <p>Education through the Real Estate Commission.</p> <p>employer</p> <p>experience</p> <p>Experience (30 years). Education thru Apt. Assoc. of Greater Xxxxxxx and SAHMA.</p> <p>Experience in Mortgage Lending.</p> <p>Experience in working on public sector projects in housing.</p> <p>Extensive training in ADA, Fair Housing and 504.</p> <p>Fair Housing 101 Training</p> <p>Fair Housing Classes</p> <p>Fair housing classes yearly for the last 20 years</p> <p>fair housing information that was made available thru HUD</p> <p>Fair Housing seminars</p>

Fair Housing Seminars and Fair Housing classes through ECHO, AAGK etc.
 Fair Housing Seminars
 Fair Housing Training
 First as a renter then as a Realtor
 Former attorney with Dept. of Housing and Urban Development
 Frequent Training
 From classes at the Realtor® Association. Ethics Training
 From experience in my position with a CHDO and working with HOME, Housing Trust Fund and other public and private grant programs.
 From property management activities
 From training for my position with the organization.
 General course of affordable housing advocacy and the directive of consumer choice as a provision of fair housing laws, although those laws are not fully enforced.
 General information
 Grace Hill classes provided by our company
 Grace Hill Courses
 Grace Hill training and law school
 Had a complaint filed against me
 Have attended classes and use them in my marketing
 Have attended Fair Housing seminars.
 Have gone to Fair Housing training in Xxxxxxx
 Have Read the Fair housing handbook
 Have taken classes on it and our broker makes sure we understand the laws.
 HUD
 HUD - Workplace - West Tennessee Legal Services
 HUD Training
 I am a certified housing counselor and a social worker
 I am a landlord and have rented my house to 3 women who were in the program. Please note that in dealing with ALL 3 women, I have concluded that Section 8 is abused claiming they have no men in their lives and sneak them in after lease signing. This presents serious risks to me as a landlord and these women are literally stealing from the pockets of hard working Americans. How "fair" is this? The MDHA program, like all similar programs, needs to have time limits/caps and greater oversight to prevent said abuse. Details can be provided upon request.
 I am a Landlord. I used to be a mortgage banker.
 I am a Licensed Real Estate Agent
 I am a licensed real estate agent that is in the commercial real estate industry; I do not sell residential real estate.
 I am a licensed real estate agent/ affiliate broker.
 I am a Owner/Manager of my investment properties as well as a licensed real estate professional in Tennessee.
 I am a real estate developer and managed development of 4 subdivisions with 495 single-family homedditional new homes when the market and financing allows my re-start of development.
 I am a Realtor and have attended various educational classes and forums.
 I am also a licensed real estate agent.
 I am aware of affirmatively furthering fair housing from my work as Director of a PJ.
 I am Community Development Program Manager for the City of Xxxxxxx and I receive and investigate fair housing complaints and provide community education and outreach.
 I am familiar through my job and involvement with a non-profit housing organization
 I am Realtor.
 I am the Fair Housing Specialist for the City of Xxxxxxx. I investigate complaints and do education and outreach in the city on fair housing.
 I am the owner of several rental units
 I attend Fair Housing Seminars at least 3 to 4 times per year and I am currently on the Fair Housing Board here in Xxxxxxx, TN.
 I have a real estate license,
 I have attended several fair housing training seminars.
 I have become aware of fair housing as a result of the occupation.
 I have been in affordable housing management for 35 years and try to attend training every year.
 I have been in property management for a lot of years
 I have been in the lending business for almost 40 years.
 I have been involved in Mortgage Banking, Investor, Home Owner and Housing Counselor- Attended Seminars several times.
 I have been to fair housing seminars in the State in conjunction with my job.
 I have studied in my work
 I have taken classes at the Association Of Realtors
 I learned about the fair housing laws from the seminar I took to list my house with Section 8 in Xxxxxxx, TN.
 I read the acts and laws
 I still need a lot of training in this area.
 I take yearly courses on Fair Housing to refresh and update myself on the laws.
 I teach homebuyer education and it is part of the curriculum
 I was a realtor for about ten years.
 I was licensed as a real estate broker in 1988 and also owned the 3rd largest private mortgage company in Xxxxxxx.
 I was made aware in a college class and then I looked it up.
 I work for a Housing grant administration company submitting both CDBG & HOME housing grant applications.
 I work in the affordable housing industry, and obtain information from transactions, attorneys, as well as trade journals.

I work with the Public in providing rehabilitation to homes and Fair Housing laws have to be followed.
 I worked as a Property Manager for a Real Estate Company for 14 years
 I'm a property manager of low income elderly housing
 I've been a Realtor for 25 years
 In my role/job I am required to review and report on fair housing compliance for affordable housing properties throughout the state. I also attend Fair Housing training at least annually.
 In real estate classes while preparing for my license.
 In the Real Estate business
 In the real-estate field
 Industry Training
 Information provided with Legal Aid attorney.
 Involvement in local government
 Involvement with income housing issues
 job related training
 Just through classes at the MAAR board
 landlord tenant act
 Laws are "supposed" to prevent discrimination of who can or cannot rent.
 Licensing preparation, Realtor training, HUD seminars, etc.
 Mandatory Continuing Education requirements
 Mass media
 Masters degree in Social Work; Fair Housing & Tenant/Landlord Act seminar on 6/29/12 by Legal Aid of East TN; NeighborWorks Trainings; Fair Housing Laws presentation on 9/12/12 by T. McCartney of Fair Housing Council; reading of written material on the subject
 Materials from the U. S. Department of Housing and Urban Development
 Mortgage banking career demands to be familiar.
 Mortgage licensing requirements and working in the mortgage industry
 multiple annual seminars on fair housing laws
 Multiple training classes and through studying the laws.
 my job
 My organization does community education about fair housing and is active in local fair housing activities.
 News.
 Obtaining Real Estate license and Continuing Education
 On the job
 Ongoing education
 Our agency is a HUD certified housing counseling agency. We provide information on fair housing laws to clients, teach rental workshops and homebuyer education classes that include fair housing subjects
 Our broker always required us to take a fair housing course/test
 Our Broker goes over this with us in sales meeting on a regular basis
 Our local Community Development Office has Fair Housing as part of our HUD CDBG program responsibilities so we deal with Fair Housing Laws, education and complaints as well as working to respond to impediments to Fair Housing that we have identified.
 Paralegal studies, working with the Ryan White Program, workshops facilitated by West Tennessee Legal Services
 pre licensing in REal Estate and your presentations
 Property management
 Ran a nonprofit community development corporation for 8 years.
 Reading government documents.
 Reading literature and talking with HUD representatives
 Reading the statutes, the regulations and the local codes. I further became aware of fair housing laws by consulting with other lawyers.
 Reading, educational seminars by HUD, THDA.
 Real estate
 Real Estate agent training
 Real estate agent. It is part of our training
 Real estate and housing research
 Real Estate Broker
 Real Estate classes & CE
 Real estate classes
 Real Estate Classes
 Real estate classes.
 Real Estate education
 Real Estate Education.
 Real Estate guidelines for steering and how houses can and cannot be sold.
 real estate licencing classes
 real estate school and ce
 Real estate school, classes and emails such as this one.
 real estate school, seminars and in my job
 Real Estate school, training.
 Real estate seminars, ethics classes, etc.
 Real Estate training classes that are required in Tennessee.
 Realtor
 Realtor classes

Realtor classes.
 Regular training sessions through SAMAH, TAAH, etc.
 Required courses
 Required Fair Housing courses within the industry - annual up-dates and regulatory reviews.
 Required for all Real Estate licensees.
 Required for Real Estate licensees.
 required in order to be a Licensed Loan Originator
 Required to update education hours.
 Requisite classes, additional continuing education, AHWD training
 Routine training during 26 years in property management
 SAHMA courses and classes given on a yearly basis, GraceHill training required yearly and attorney.
 SAHMA, Corporate Training, Previously CA for HUD.
 Section 8
 Section 8 paperwork
 self study
 seminars and reading materials
 Seminars/ongoing education
 Served as Xxxxxxx Area Association of Realtors' Fair and Affordable Housing Chairperson for 3 years.
 Several classes offered through the Xxxxxxx Area Association of Realtors
 several HUD, SAHMA, and Rural Development trainings
 SRVS seeks out and provides rental housing to people with disabilities and I have become somewhat familiar with the laws as I
 have worked with our folks to find housing
 State programs
 Studying for an exam; through my employer (development district)
 taking seminars, webinars, training, etc..
 TAR Class ,KAAR Class
 taught to us in real estate classes.
 Tennessee Core Class
 THDA Classes, classes at Xxxxxxx Board
 THDA Peer Sessions, Governor's Summit
 Though Real Estate education
 Though working with CDBG grants
 Through applying for grants and requirements from agencies who finance housing. An employee has attended training.
 Through Bank Training and Lender laws
 THROUGH CDBG
 Through education as a REALTOR®
 Through education at our local REALTOR association.
 Through Fair Housing meetings conducted by THDA
 Through grant requirements
 Through HUD and TN Real Estate Commission
 through Xxxxxxx Area Homebuilders Association
 through mortgage regulation training
 Through my compliance work at the bank and also through my work with the affordable housing providers in our assessment area.
 Through my job.
 Through my position at the Realtor's Association
 Through my Real Estate Education
 Through my work
 through property management classes
 Through real estate licensing and continuing education
 Through seminars
 Through THDA Housing Grants
 through the administration and management of CDBG and HOME Programs
 Through training, and presentations from TN Human Rights Commission
 Through various Fair Housing Seminars over the past 20 years.
 Through working with grants, local zoning issues with housing, and research.
 through working with homeless mentally ill clients
 through years of learning
 through work
 Thru real estate classes
 thru real estate courses when I studies for my license plus refresher courses, and TAR digest, NAR magazine
 Thru working in the industry
 Tim Matheson has held multiple in-services on the topic.
 TN Fair Housing organization
 Training
 Training & OJT
 Training through Karen Graham Consulting, A.J Johnson, Apartment Association, Windsor Consulting
 training, reading
 Training, workshops, webinars.
 Use to work in Property Management
 We have attended several trainings hosted by THDA, HUD, and our attorney.

websites, advertisements
 work
 Work and school
 work-related materials
 Worked in the field of disability and was required to know aspects of Fair Housing. Also am a landlord and try to keep up on stipulations so as not to discriminate against renters.
 Working at a Public Housing Authority that handles Public Housing and Housing Vouchers.
 Working at Habitat for Humanity, because we follow the Fair Housing Laws.
 Working for a property management company
 Working for various governmental agencies.
 Workshops and meetings attended years ago when I was doing neighborhood organizing and advocacy work.
 years of being in real estate
 Years of industry involvement.

Table F.10
How Should Fair Housing Laws be Changed?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:

Add LGBT
 add Sexual Orientation
 additional protected class - sexual orientation. Already adopted by Code of Ethics by NAR but not by Federal Law
 Age should be reduced for the "Housing for Older persons act".
 Because I think the pendulum has swung far enough back to the center and is fair at this time. I believe the "disparate impact" language that is "buzzing around" is going to the extreme.
 Both sides of the situation should be looked into before there is a decision made.
 Can't think of a reason why they should be changed.
 Change as needed to match current housing industry and changing population trends
 Due to unintended consequences implementation for Lenders have far reaching impact that are not beneficial to consumer
 Eliminated
 I believe that they are now obsolete
 I believe the changes required to meet all accessibility needs is an overburden for a small percentage of residents. It is very difficult to make older properties accessible. By doing so, I feel it sometimes creates issues for the non-disabled residents.
 I do believe in TN that sexual orientation should be a protected class. I do believe that in a complex where there is at least 50% of the apartments available to all, there should be some that can be considered without children.
 I feel that we should have housing available with a certain age criteria.
 I think fair housing should add sexual orientation as a protected class. As a Realtor, I occasionally represent gay clients and couples, and have felt they were not always treated the same as heterosexual couples by potential sellers or their agents.
 I think fair housing should begin with construction of homes and neighborhoods and include laws protecting communities as well as individuals.
 I, as a responder, felt that I was guilty until I proved myself innocent. Interviews seemed slanted against responder.
 If a complaint is filed then the person accused is considered guilty. The cost of defending even when I am compliant is \$15k. It should be the burden of the complainant to show the infraction not the burden of the accused to show they didn't do it.
 In my experience and opinion, laws need to not disadvantage landlords. If people lie about status on section 8 programs etc and wrongfully take the money of the citizenry, then they should be on file and never have the ability to participate in any "hand-out" programs.
 include gay, lesbian, transgender, other life style choices
 Include Sexual Orientation as a protected class.
 included in protected class should be sexual orientation.
 Increase penalties for violations
 Increase the level of awards/penalty for violations
 Landlords should have some protection from unfair claims, violators of lease agreements that follow fair housing laws. Although I have not experienced any problems, it appears that there is some over reach by some tenants to milk the system.
 Landlords/owners have no rights to reasonably demand payment and property maint without taking legal action.
 managers are able to use social security requirement not to rent a unit to a national without a social security even if there is a co-signer for that individual.
 Maybe not changed, but our communities might benefit from encouraging greater diversity among housing.
 Maybe not necessarily changed, but applied in a more consistent manner and to make sure jurisdictions and other entities make the public more aware that fair housing laws do exist on both the Federal and State levels.
 More strictly enforced.....
 Need to encompass individuals with difficult housing needs
 Obviously sexual orientation is a huge hole that HUD's new regulations do not address completely. The TURLTA is woefully deficient. Feel free to call me if you want to discuss law reform re the TURLTA.
 Often economically challenged individuals are often discriminated against for their choice of housing, as well. We discriminate against classes of individuals, due to their perceived education levels, race or poverty levels and then penalize them again, by limiting or restricting their choice of housing.
 Other protected classes should be included, such as source of income, gender identity, sexual orientation and marital status.
 People should have to work if they are able to work. Free housing is abused and has been for 30 years. In these 30 years, I have yet to have one HUD tenant that was unable to work...just satisfied with living off the government.

Probably should also include age, as the Equal Credit Opportunity Act does protect by age
sexual orientation
Should be expanded to include sexual orientation.
Should include sexual orientation as a protected class.
Should include Sexual Orientation.
Simplify the rules and regulation. They are entirely too difficult to understand all the different rules and regulations.
Since I'm unfamiliar with all of the laws; I will only suggest that Housing opportunities should be fair across the board regardless of the persons nationality, sex, misdemeanor criminal history, credit history, and or family sizes. I feel their work ethics, and lifestyles habits should be observed for a period of time to determine if the person(s) truly want a fair and equitable chance at living a good life in a safe and productive community.
So easy to skirt around them...
Some of the expectations for "reasonable accommodations" actually infringe on other tenant's rights to "peaceful and quiet" enjoyment of the premises.
The Fair Housing Act should include sexual orientation. The law should also include specification under familial status to include same-sex couples and families. It should also specify that there should be no discrimination of those who receive housing choice vouchers.
The law does not address protection to the home, house or rental unit
The law may not need to be changed. It should, however, be policed more.
There should be a longer window to file a complaint
There should be less of them
there should be more places for 55 and over people to live without having to live in the projects or more voucher programs for just 55 and over.
They should be abolished.
They should be inclusive of more social justice.
TN Fair Housing Law ought to include Age and Sexual Orientation/Gender Identity
to add more classes
To be simple enough for everyone to understand.
To include sexual orientation as I believe that gays and transgenders need protection from discrimination as well. If families with children are not included, they should be protected as well.
Way too liberal... unfair to Housing Authorities & landlords

Table F.11
Please describe the fair housing plan in your area.

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>Xxxxxxx Fair Housing Ordinance City and County Fair Housing in the Consolidated Plan. city follows suit with state City of Xxxxxxx 's Commmmunity Development develops annual action plans. City of Xxxxxxx fair housing adds public assistance income as a protected class City's ordinance prohibits discrimination in the sale, renting, financing, brokerage services etc. Complaints can be filed with the Tennessee Human Rights Commission. Can also be enforced by local courts. Fed fair housing act HUD Consolidated Plan HUD requirements I am not sure what the City of Xxxxxxx has, but at the housing authority we comply with all Federal State, and Local nondiscrimination laws, the Americans with Disabilities Act and US Dept. of Housing and Urban Development Regulations concerning Fair Housing and Equal Opportunity. I believe gender is now a protected class in Xxxxxxx County, but only in government I believe our city passed an ordinance or resolution regarding fair housing due to eligibility requirements for CDBG grants. I impliment fair housing ordinances in every town in West TN where I work. Most towns have them. Many local governments have passed Fair Housing Resolutions. Xxxxxxx adds age and source of income to the protected classes Xxxxxxx Fair Housing includes source of income and elderliness. Xxxxxxx has a Fair Housing Ordinance that was passed in 2003 Xxxxxxx has a fair housing ordinance. Xxxxxxx has an AI and an Action Plan prohibition of source of income restrictions same in city as Federal law Sect 8 voucher holders Seminars upcoming Several communities in the midstate with fair housing plans. Several communities in the region have passed fair housing ordinances. Xxxxxxx County has an active fair housing plan that includes ordinances, and regulations. The city agrees to follow all fair housing laws sent out by the designated grant. The City of Xxxxxxx is a member of the HOME Consortium which completed an Analysis of Impediments to Fair Housing in 2009. The City of Xxxxxxx has a Fair Housing Program and has adopted a Fair Housing Opportunities Ordinance. The City within my area has adopted a fair housing plan and Its Fair Housing Assistance Program is to assure decent and suitable living conditions for every citizen and to prevent discrimination in sale and rental of property Their is a Fair Housing Ordinance to meet HUD regulations only There are many There is a fair housing ordinance and analysis of impediments, and an action plan is being developed. Yes - Tenn. Code Ann. §§ 4-21-601 ? 4-21-607</p>

Table F.12
Are you aware of any policies or practices for “affirmatively furthering fair housing” in your designated area?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
advocacy and education Applications and help lines in multiple languages, programs requiring accessibility in new construction, posting fair housing signs and logos, websites available in Spanish, training of housing providers in fair housing laws. As part of the Analysis of Impediments to Fair Housing completed by the HOME Consortium in 2009, there are recommendations to address the impediments identified. City adopts a proclamation designating fair housing month each year. city affirmative action plan and city office of fair housing and accessibility. City and County Fair Housing in the Consolidated Plan. Eastern Eight community development Fair HOusing Assistance Program. Annually holds fair housing workshops within in the community. Send out notices to all involved in Fair Housing Assistance information discussed on web site along with the City's goals for Fair Housing. HUD Consolidated Plan HUD's I understand there is a plan for a housing trust fund. I hope it develops. LIHTC program. LMI housing in the Xxxxxxx, 5th & Main, and on 11th Ave N Local CDBG program. Also have housing programs available through partnership of city and Habitat program. Many local governments have passed Fair Housing Resolutions. Xxxxxxx and Xxxxxxx County have both completed studies Most towns do a FH activity in conjunction with adopting ordinances. Organizations such as the municipalities and Eastern 8 Comm. Dev. Corp. are very conscious of assisting all populations. Our organization has an Affirmatively Furthering Fair Housing Marketing Plan in place. Our policies policies set forth by grant guidelines Public Housing Authority building/modifying additional dwelling units to be usable by people with mobility and audio/visual difficulties. Same as above sect 8 voucher holders Seminars upcoming several apt complexes in the area have policies for furthering fair housing Xxxxxxx County has an active fair housing plan that includes ordinances, and regulations. THDA and HUD the City is attempting to implement an Action Plan The City of Xxxxxxx 's Fair Housing Program. The only plan I am aware of is the affirmative action plan our agency follows per the guidance of THDA The use of Affirmative Fair Housing Marketing plans for rental communities Training opportunities exist through THDA. We foollow the recommendations in our Impediments to fair Housing document which covers a multi-jurisdictional area under HUD program mandate and policy. We are required in our office to "affirmatively further fair housing" in our jurisdictions covered by this document.

Table F.13
What are the geographic areas with fair housing problems and what types of issues do these areas have?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>all over the state Areas rented to minorities. Consumers both in and outside of the fair housing protected class groups have a general issue with discriminatory practices against them because of their choice of affordable housing, and the perception of those in charge of providing or denying other services to them, because of that choice of housing. East TN - specifically Xxxxxxx County and surrounding counties. I have looked at Xxxxxxx's. Limited ADA eqqupped rental housing with existing stock. Xxxxxxx, Xxxxxxx area, south Xxxxxxx and North Xxxxxxx and etc. Most of Xxxxxxx - all neighborhoods Xxxxxxx New apartments are being built in downtown Xxxxxxx that exceed \$900 a month. Apartments with reasonable rates of \$650-\$750 are in demand. It seems the housing and apartment market downtown is not economically accessible to lower to moderate income families North and South Xxxxxxx Numerous Rural and Urban areas lack adequate affordable and safe housing Rural areas Xxxxxxx county Small rural counties. Various counties in the Xxxxxxx MSA Xxxxxxx and Xxxxxxx Co.</p>

Table F.14
Please share any additional comments regarding fair housing.

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:

All landlords I know, rent based on ability to pay without regard to race, sex, religion, or any other reason.

All Training for a property manager is very helpfull when it comes to fair housing.

Xxxxxxx, TN housing and building codes certainly make it difficult if not impossible for lower income to live in the community. Since I work in the community I will pass on providing name and phone. thank you.

Xxxxxxx Housing and Redevelopment Corporation would be willing to host Fair Housing training in Xxxxxxx, TN.

Feel that interview questions are slanted towards person making complaint. Responder is made to feel he is guilty until proven innocent. Responder has burden of proof of innocence rather that person complaining having burden of proof of guilt.

HUD currently has a home construction program under its umbrella and as such, homes produced under that program should be considered a viable home choice/option for all individuals, but especially our protected class individuals and the low to moderate income individuals. HUDs fair housing law specifically addresses impediments to housing choice or restricting housing choice, but entities outside of HUD which benefit from federal funds disseminated through HUD programs, discriminate against HUDs own housing construction program. The choice of housing, and removing barriers to the choice of ALL housing is furthering Fair Housing.

I am not familiar enough with the previous issues to answer

I believe more education should be presented to neighborhood groups related to the fair housing act.

I do think the Fair Housing laws have gone a little overboard in some areas i.e. advertising - when creating a picture of a property we are supposed to all genres - blacks, seniors, children, etc. At Open Houses we have to remember to offer everybody that comes through the door a cookie. These rules have just gotten way out of hand.

I have been in Apartment Rental / Property Management for 5 years now. I have always had some kind of classes offered to me by the company that I worked for to insure that I was fully aware of Fair housing guidelines. In Apartment homes it is to the owners benefit to supply this education to their employees.

I have not worked in Real Estate since 1996. I just have three rental properties that I rent.

I know from recent discussions with our HUD- Xxxxxxx CPD staff that Fair Housing Impediments and responding to the impediments that are identified through education, complint referrals and proactive involvement in removing local impedimants is going to be more of a focus at the federal, state and local levels for those involved in coordinating and implementing HUD funded programs.

I think, in the private sector in our area, a lot of landlords still operate under the "good ole boy" system and are not adequately educated with regard to Fair Housing laws and Landlord-Tenant law in general. Or, if they are educated, they are ignoring them.

I would like to see some consideration given to senior citizens and think potential participants should have to pass a drug screen.

Living in a rural area there are some issues of low income housing. Unfortunately , I am not well enough as to what is available

My knowledge and experence in the arena of Fair Housing is very limited. The County Mayor wears many hats. Fair Housing is not included.

N/A

No comment

Our state leads the nation in attracting new retirees. Where are they going to live in ten years? In twenty years, will they be trapped in their bedrooms.

Overall, I don't think there is enough education to the public about "what is fair housing" and how does it protect them. I also think the "Fair Isaac" credit reporting could be look at as being discriminating to a degree.

please share more advertisement so people knows when seminars are held.Maybe put ads on TV mags. local papers and throw ads in homes.

Rent prices are increasing and availability is decreasing, and this impacts fair housing or affordable housing.

THDA requires "compliance with" its Fair Housing Policy in several of its programs, but I am unable to locate any such published policy on the website. THDA should go ahead and complete this policy and make it available to those of us who use the programs.

this area is a very rural area so probably some of the issues encountered in heavily populated areas do not apply here.

We manage two properties in Xxxxxxx (affordable) and have Section 8 residents. I am not familiar with the overall state or Xxxxxxx area other than these properties.

While I can not answer for other industries, I can state that in multi-family housing, we are overly trained about fair housing.....so much that some people are scared to death of it.

COMMENTS: FAIR HOUSING IN THE PRIVATE SECTOR

Table F.15 Are you aware of any questionable practices or barriers to fair housing choice in the rental housing market?

Entitlement Areas of Tennessee
2013 Fair Housing Survey Data

Comments:

accessibility to mobility impaired; apparent discrimination based upon national origin; city not interested in addressing lack of accessible units

Affordability
Apartment complexes are using a new system that supposedly calculates rental rates based on supply and demand. However, there is no way to know if they make up rates based on who's inquiring about an apartment. The process lacks transparency. based on arrest record. or bad credit. (have you seen the banking/mortgage news lately?)
depending on the number of units owned
Have heard examples of persons saying that they were refused a rental unit based on race and having a housing choice voucher. I also owned a property management company years ago and the same problems still exist. The use of the internet is a wolf in sheeps clothing.
I believe some individuals in Xxxxxxx are declined for rental property based on race/culture but it is "unspoken" and other reasons are given.
I have seen families turned away, with very plausible excuses, but I was aware of the real reasons. Mostly due to the number of children in the family, and the perceived national origin. Assumptions are made of national origin and those perceived to be "illegals" are only shown the worst properties since it's assumed they will take anything.
Insufficient ADA equipped units. Need is greater than supply.
It has been years back but knew of a complex that did not allow children
No overt barriers/impediments just renters being "overly" selective. These renters also have no idea about the actual law/requirements.
Not enough affordable housing, income limits too restrictive, criminal record too often used against a renter when record is not related to renter's ability to be a good tenant, not enough public transportation frequency and stops in areas of affordable housing, attitudes of some landlords and other tenants including racist and sexist attitudes
NOT ENOUGH AVAILABLE FOR ALL
On more than one occasion, I have spoke with a person on the phone who asked me "do you rent to Hispanics?" After i asked them why they would ask such a question, I was informed that some landlords in Xxxxxxx apparently "don't rent to Hispanics."
Owners who manage their own rental properties often think they have the right to choose WHO can live in their properties.
past criminal records, 20 plus years
people with last names that may indicate race or different national origin being told there were no vacancies and another person with different name being told there were vacancies
people with limited English are charged more and sometimes not rented to at all
protected by attorney-client privilege and confidentiality rules
race creed disability
Race, Disability - mental and physical Gender - domestic violence victims National Origin
refusing to house someone based on too many issues -- disability causes (mental health, HIV/AIDS status, etc)
Refusing to rent to persons with criminal records that are greater than 15 to 20 years.
refusing to rent without a social security to certain nationals although there is a co-signer with a social security
Rental places not available
Segregation is still occurring in rental communities.
Statement: one can not detect the about question, because they usually says if they do not want you to rent " It has been rented".
You have no way of knowing if it rented at that particular time or they rented it later. Unless tested
Tenants do not know what the laws allow and do not allow the landlords to do to them.
the only awareness is based on customer calling stating this is happening and asking who should they contact
There have been complaints related to sex, familial status, race and disability.
There is a huge gap in housing for people with disabilities, especially physical disabilities and accessible neighborhoods
To few affordable housing for low and moderate income
Too many leeches enrolled.
transportation options
Who the heck do you think is going to say out loud, "I'm not going to rent to you, you're ____." Fill in with race, sexual persuasion, whatever you want. This is an exercise in futility. They have all kinds of ways to get around renting if they don't like the way you look, sound, etc.

Table F.16
Are you aware of any questionable practices or barriers to fair housing choice in the real estate market?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
accessibility to mobility impaired; no interest in building of accessible units; no one is qualified to make appropriate retrofits age restricted communities Buyers of certain races are often assumed to want to live in areas with a high concentration of buyers of the same race. CATEGORIZING PEOPLE Have heard anecdotal information about people moving to Xxxxxxx only being shown housing in certain areas. I have not heard of a direct case that has come to our attention, however I have heard that this has happened in our jurisdiction before. It is apparent when we realize how diverse some areas in TN have become however that diversity is not reflected in homeownership. In other words, most neighborhoods are still very much segregated. Local realtors "seem" to steer certain individuals to specific areas based on socioeconomic circumstances. Problems still exist. same as above schools Some realtors do not want to represent buyers/sellers that are moderate to low income because of low commissions. Statement: another thing that can not be detected, due to unable to determine at the time of showings, unless tested Steering is still prevalent Steering minorities to certain areas steering, RealEstate broker selecting agents based on race. The realtors do not know what the laws are pertaining to them and need to know how they are breaking the law. In addition, they allow local customs to dictate practices. There is statements issued regarding realtors "guiding" clients When showing a potential home to an African American client, the next door neighbor turned on music very high that included profanity and racial slurs, and brought out a big dog that he chained on the property line and allowed to bark at my client during the entire showing. I did make the seller's agent aware of it, but it was neighbor discrimination and an attempt to intimidate (which was successful.) My buyer elected not to buy a home (that he liked and could afford) because of the neighbor's blatant behavior.

Table F.17
Are you aware of any questionable practices or barriers to fair housing choice in the mortgage and home lending industry?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:

As a foreclosure and housing counselor, I constantly come across evidence of predatory lending to people of color.
 As mentioned above
 barriers to persons based upon language and apparent national origin
 Based on a study performed over the last few years, it has been determined that women and racial minorities are unable to acquire home mortgages in this area.
 Certain companies took advantage of open opportunities. I was responsible and had a reputation for helping those people that had been taken advantage of.
 Credit ratings
 Data shows that this is occurring, but I am not personally aware of this.
 During the height of the subprime lending market, African American neighborhoods were targeted by brokers and lenders.
 Either approving minorities' loan with higher fees and rates over their counter parts with same credentials or denying minorities at a higher rate
 Fraudulent and predatory loans, especially to minorities. Note various lawsuits.
 Have seen evidence in Fair Lending reports that are compiled annually.
 Higher interest rates are still offered to women and racial minorities living in certain areas.
 Higher interest rates are assigned to those with poor credit. Often that applies to women and racial minorities but it is based on credit.
 Higher rates to minorities or higher denial rates for minorities.
 higher rates to minorities or low-income
 I know by heresay only.
 I've heard instances of minorities being steered into higher interest rate mortgages, even when they qualify for better rates. It happened to my mom, but she refused.
 Interest rates are arbitrarily adjusted by mortgage companies in a manner that would make it impossible to prove violations of the fair housing code.
 It has been proved that historically that people of color have been discriminated against by being given higher interest rates and closing costs.
 Lack of education in minority and low income areas particular in the rural areas of the state.
MAKING IT IMPOSSIBLE FOR AN INDIVIDUAL ON A FIXED INCOME TO QUALIFY.
 Xxxxxxx has been targeted by Bank of America and Wells Fargo in unfair lending based on race and sex causing massive foreclosures and deterioration of property values.
 Mortgage companies are being very strict due to the previous problems however, they are pull at every hair and chickens tooth to screen you out of the fair housing market when it comes to buying a home. They say it is a requirement of the government and it may be but, it is also a means of either discriminating or discouraging home ownership by minorities. Although the President has in place options to help push the market forwards the lending institutions are using it to hamper/stop the ownership of homes by women and minorities races.
 notice that based on location of property, rates and modifications varies
 offering only sub-prime loans to people who would qualify for prime loan products
PREDATORY LENDING AND REDLINING, I.E., TARGETING THE AFRICAN AMERICAN COMMUNITIES
 Price discrimination - higher fees/percentage for homes of lower values that some protected classes are more likely to purchase.
 The credit scoring system and credit score based lending as protected class members tend to have lower scores.
 Statement: another one that can not be detected, unless a tester go through the motion of getting a loan.
 still happens
 The recent local issue of predatory lending
 They don't know they are breaking the law and also allow local customs to dictate practices.
 this is historical. been happening for decades and still is
 This was done in one of my subdivisions on a large scale by lenders represented by mortgage broker paid bonuses for putting people into higher interest rate loans.

Table F.18
Are you aware of any questionable practices or barriers to fair housing choice in the housing construction or accessible housing design fields?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>A lack of accessible designs in new subdivisions and accessible parks, neighborhoods, etc. accessibility an apt complex in town is redoing doorways and sidewalks Construction companies don't build homes for people with disabilities normally. it's not a common practice Construction in violation of the Design and Construction requirements of the Fair Housing Act. Have heard from advocacy groups that ADA/504 requirements aren't being followed. I am unawarde of newly built properties being built to accomadate handicap accessibility... I have noticed LOTS of 2- and 3- story residences, but have not personally explored whether they have wheelchair access. If it were a handicaped building it would have to be constructed according to codes specification. If there has been any new construction in the past five years in my town that is accessible, or visitable, I am unaware of it. Lack of zoning in the city, all construction is lets make a deal Most contractors know better and their work should not be cleared by code Most disability cases invlove denial or delay of reasonable accommodation/modification need testing by a tester Not enough accessible housing units Our local government ensures that new construction is built to required specifications. refusal or delay in providing reasonable accommodation/modification same as above Steps built in new construction Very little attention is given to efficient layout and truly, not cheap, economical construction with proper usage of space. We need more handicap accessible homes for the disabled and for senior citizens</p>

Table F.19
Are you aware of any questionable practices or barriers to fair housing choice in the home insurance industry?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>And charge more. certain zip codes or street names charge higher insurance rates Cost Credit Score / Insurance Score based insurance as protected class members tend to have lower scores Higher premiums for certain neighborhoods where minorities live Higher rates based on zip codes I don't know specific allegations but with the trends being as they are I'm sure you may find some barrier in this area.. In certain areas the premiums are higher or the company state they don't insure for cars or home in the particular area or community. Insurance companies are quick to cancel policies and coverage in certain areas of the city that are predominantly black. Insurance companies prey on the low to moderate low incomes and increase their premiums even without a claim due to percentage of claims filed by others in the area. Insurance rates are skyrocketing on rental properties and have been for the last 3 years Insurers charge higher rates in some areas. need testing by a tester Rates are arbitrarily adjusted by insurance companies in a manner that would make it impossible to prove violations of the fair housing code.</p>

Table F.20
Are you aware of any questionable practices or barriers to fair housing choice in the home appraisal industry?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>I cannot understand how certain areas (really nice subdivisions) northwest of downtown did not appreciate in value while the rest of Xxxxxxx was booming.</p> <p>I don't know specific allegations but with the trends being as they are I'm sure you may find some barrier in this area.</p> <p>I knwo it has happened in the past and most lilley continues to happen presently due to the nature of the business</p> <p>In Xxxxxxx I believe this plays a big role but it would be difficult to provide direct proof. Neighborhoods, even quite affluent areas, often border very poor, racially diverse neighborhoods which affects appraisals. I have personal experience with this as an appraiser told me he had to account for "the neighbors."</p> <p>Initial values within my development were held down because it was ablack neighborhood</p> <p>It appears that this is happening.</p> <p>Market value appears to be less in areas with people need testing by a tester</p> <p>Our home was incorrectly appraised and compared to homes with far less amenities, land, and square footage when we attempted to refinance it. The house was comped with houses in "lower income" areas outside of the five mile radias because our house happens to be much larger than surrounding properties and the appraiser assessed the home at less than half of the worth of the home. The bank refused to do another appraisal even though we could prove otherwise.</p> <p>Over appraising homes so that the loans can be a higher amount - more than the houses are worth, resulting in upside down mortgages.</p> <p>Sometimes appraisal come in lower than what my own market analysis says, but I can't say that it's related to the ethnic makeup of the neighborhood, though I have suspected it.</p> <p>The homes are evaluated at a lower appraisal in black community. An example is a home that would be evaluated in a different community at 160,000 thu 200,000. in the black would be evaulated at 130,000. This keeps the value of the black community property low for sales/resale purposes and refinance valuse. Then the domino effect begins with Insurance coverage, low income housing, lace of care provided form garbages pickup, street up keep, and an increase in the cost of utilities.</p> <p>There is an effort to destroy the values of certain areas based upon racial makeup.</p> <p>This is a huge problem across the country. Middle class African-American neighborhoods are routinely valued as lesser than similarly situated white neighborhoods. I know it happens a great deal in Xxxxxxx.</p> <p>We have had this happen for a fact in some of our transitional neighborhoods that we are helping with redevelopment efforts and that have significant minority resident percentages.</p>

Table F.21
Are you aware of any barriers in other housing services?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>a lot of apartments will not rent to anyone if they have an arrest record. this does not apply to me. but, this is discrimatory because it limits where people who have made a minor mistake in the past can live..</p> <p>By eliminating a choice of housing (specific type of housing option) which is available to all qualified individuals, you may not be directly discriminating against a protected class of individuals, but you are effectively restricting housing choices or the availability of housing choices for all of those protected classes of individuals.</p> <p>I think the ongoing challenge that we face at the local level in making sure that we provide adequate housing choice for folks, particularly that fall into the low/mod and special needs catagories of our population.</p> <p>in renting to Section 8 candidates. time frames of each step in the process is too long.</p> <p>Many Apartment complexes are still not educated on the familial status law I deal with mostly families with chidren and at least monthly, I meet someone who tells me about a landlord that would not allow two childen to share a room or a child to share a room with a parent, 2 bedroom unit a parent and 3 children, will be turned down 8 out of ten times in the convention housing market.</p> <p>Quality of construction materials and workmanship was lower than normal by builders becuase it was a balck community realtors selling homes for sellers and banks, under estimating their value, in order to purchase for themself or family members. need testing by a tester</p> <p>same as above</p> <p>There are issues regarding zoning within the City of Xxxxxxx</p> <p>When we purchased a home last year we were denied a 30-year mortgage even though we have good credit and excellent payment history, because we are senior citizens. They made us pay a high interest on a fifteen year mortgage. (Apparently since my husband is 67 and I am 58 they figured we would die before we could pay our full 30 years!) We could not prove this but we were asked by the bank how old we were when we were putting the deal together.</p>

COMMENTS: FAIR HOUSING IN THE PUBLIC SECTOR

Table F.22
Are you aware of any questionable practices or barriers to fair housing choice in land use policies?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>A city here locally has just lost a lawsuit involving this issue and the court awarded a judgment against the city for 5.3 million dollars. Any zoning system or design that is not inclusive as it limits the development of property suitable for protected class members and isolates non-protected class members from the protected class members.</p> <p>Area plans are often prohibitive for multifamily.</p> <p>Xxxxxxx, TN limits areas where multi family housing can be built and certainly limits building rental property to keep lower income individuals from living in the city of xxxxxxx.</p> <p>Education in communities, apathy, and lack of advocacy particularly in rural areas.</p> <p>Generally put in the poorer sections and built less well</p> <p>I feel that too many multi-family housing units are built in concentrated areas and it actually overloads the area. Everyone deserves a nice place to live without being overcrowded.</p> <p>Just opposition when it is suspected that tenants would be low-income individuals or families</p> <p>Land Use limits usage to preclude many social areas</p> <p>Limiting a certain kind of housing in certain area, such as accessible housing and affordable housing</p> <p>Low income and subsidized housing in specified areas and there is a failure to accept Section 8 vouchers in certain neighborhoods.</p> <p>Many cities and even counties have purposely zoned land so that no multifamily land is available.</p> <p>Multi-family housing was torn down and the occupants sent to targeted areas causing the neighborhoods to decline.</p> <p>need testing by a tester</p> <p>New low-income housing often gets concentrated in areas that lack access to grocery stores, public transit, and social services.</p> <p>NIMBYism from neighbors and HOA's that do not want group homes, senior centers or other people with mental disabilities living in their neighborhoods</p> <p>NIMBYism, when it comes to constructing affordable housing.</p> <p>policies and zoning laws that limit single family home building only on larger lots, that concentrate multi-family housing in limited areas,</p> <p>reasonable accommodation to existing zoning is difficult</p> <p>Some cities or counties specifically prohibit affordable homes built under the HUD program, as a viable housing options within their communities. Some areas require large acreage (15+) or other prohibitive cost requirements.</p> <p>some suburbs do not allow multifamily housing or officially allow them, but they are never approved</p> <p>The city of xxxxxxx has placed great in helping development downtown, but help to develop black communities has been sorely lacking. Street improvements are delayed, sidewalk construction is put off and the list goes on and on.</p> <p>There are many issue here that need to be covered and discussed. There is a real need for how and where housing is done to be discussed at length.</p> <p>This area is looked after by zoning. Tax payers and residents usually must vote to change the land use.</p> <p>Universities and surrounding land are being used to develop student housing. Off campus housing that provide dorm like facilities are targeting students only. This affords little opportunity for aging, family housing. This applies pressure to the smaller property owners who take up the overflow of tenants that do not or cannot live in those facilities.</p> <p>Zoning laws</p> <p>Zoning policies historically have segregates land uses.</p> <p>Zoning prevents multi-family development in a great deal of xxxxxxx</p>

Table F.23
Are you aware of any questionable practices or barriers to fair housing choice in zoning laws?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>Any zoning system or design that is not inclusive as it limits the development of property suitable for protected class members and isolates non-protected class members from the protected class members.</p> <p>Both State & Federal limits per site; zoning residential but local codes required higher code enforcements not applicable to residential; local utilities charging commercial rates not residential rates</p> <p>Xxxxxx, TN new building codes</p> <p>Cities are quick to not allow group homes or multi family homes group homes</p> <p>I don't know specific allegations but with the trends being as they are I'm sure you may find some barrier in this area.</p> <p>In Xxxxxx, in Xxxxxx County the rules restrict placement of "group homes" if there are a number in a predominantly ethnic neighborhood, but all the neighborhoods are predominantly "ethnic" if based on race. In addition, the definitions of group home, supported living home, medical residential homes, etc. are changing and the rules should change too.</p> <p>Local government appears to have responded appropriately to NIMBYism in my town.</p> <p>Many cities and even counties have purposely zoned land so that no multifamily land is available.</p> <p>Most zoning ordinances allow for group homes, however, depending on the neighborhood the public outcry against such housing normally trumps zoning.</p> <p>Nashville does not have inclusionary zoning</p> <p>need testing by a tester</p> <p>NIMBYism</p> <p>No zoning for a number of social issues</p> <p>reasonable accommodation to zoning is still difficult</p> <p>Right now we have several residential zones that can accommodate small group homes, however these are constantly being looked at and there is an element in our community that would like the City to look at restricting these type of uses to fewer residential zones.</p> <p>Strong study and change needed here.</p> <p>There is a case in our county where residents are protesting the proximity of a group home to schools.</p> <p>There is nimby issue with permanent supportive housing in Xxxxxx and Xxxxxx County and the homeless issue is a mess and unresolved due to some governments not being on board with finding a suitable plan.</p> <p>This has got better but still exist unfortunately.</p> <p>Zoning and NIMBY are serious fair housing issues.</p> <p>Zoning appears to be restrictive in some areas.</p> <p>Zoning in Xxxxxx is a huge barrier for housing development. Current multi-plex properties are empty and for sale but can only be used for single-family housing since the Zoning downgrades to R-1 once the property is vacant for over 30 days.</p> <p>zoning that requires more land than is necessary to build small multi-family projects limiting innovative affordable housing solutions in urban areas</p>

Table F.24
Are you aware of any questionable practices or barriers to fair housing choice in occupancy standards or health and safety codes?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:

As I answered on the previous page, if national origin is perceived to be one that may suggest someone may not be legal, they are only shown the worst house which does have health and safety violations.

bedroom standards again, it there are a number of children in the household.

Codes being inadequately enforced in immigrant and low-income communities

Codes being inadequately enforced in immigrant communities

Codes enforcement is lacking in communities of color and immigrants.

I have seen a sort of reverse discrimination against white landlords in predominantly minority neighborhoods, they are being held to a higher standard of renovation/rental housing repairs than similar landlords and properties owned by minorities. I think this is just as wrong as the opposite: all landlords should be held to the same standards.

I would not say in our jurisdiction that it has been done in immigrant communities, but rather in some of our more low income and minority neighborhoods there have been some tendencies to not be consistent with some health/safety codes particularly in rental housing, for fear of forcing a household to become homeless.

In an effort to not be targeting minorities, overcrowding housing is ignored until absolutely necessary, or formal complaint or criminal activity is found.

In areas where the population is lower income there is a problem with sub standard living conditions going unchecked by authorities. Many immigrant families are living in substandard conditions (i.e. too many people in one household). This is a cultural issue. minority and low income areas, due to apathy, lack of education and advocacy.

need testing by a tester

No enforcement of building codes.

Not just for immigrant communities but across the board in this community. (Xxxxxxx especially)

Often see homes rented or purchased by one family, but subsequently have other family members move in to a house not designed for that many occupants

regulating renter, buyers on how many adults can live in the home in non-white areas

Same in black, poor, and hispanic

some areas are over crowded. No way or inability to check and verify, or just plain overlooked or ignored until problems arise.

Some areas have below-standard housing owned by "slumlords" and rented to minorities.

Tenants using section 8 vouchers in rental units are intimidated by landlords and reluctant to report code violations for fear of losing their voucher

There are no occupancy standards and there are units with too many people living in them.

Table F.25
Are you aware of any questionable practices or barriers to fair housing choice in property tax policies?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>Affordable housing developments (LIHTC) are taxed typically the same as "market rate" developments. This makes it hard for developers to continue to provide an affordable product. It is an expense that the developers can only estimate, but have no control over. It oftens makes a development hard to finance.</p> <p>Aggressive tax assessment and collection of public housing facilities</p> <p>Are there any? I am not aware of any.</p> <p>As far as I know there are no tax incentives for modifications</p> <p>Favored valuations for "higher priced" property including land are subsidies and create barriers to affordable housing by proportionately allocating a higher burden to protected class members than would otherwise be allocated if everyone paid a fair assessment tax. I.E., \$50K home valued at \$50K whereas a \$750K home might be valued at \$400K for tax valuation; Commercial land may be valued as agricultural allowing a lower tax burden; other.</p> <p>I don't know of any incentives for modifications or accommodation given to rental prop owners by local gov or state</p> <p>I don't know specific allegations but with the trends being as they are I'm sure you may find some barrier in this area.</p> <p>In Xxxxxxx, city residents pay more in property taxes than Xxxxxxx County residents. This encourages more well-off families to abandon the city for cheaper county living.</p> <p>Insufficient funds for community programs</p> <p>lack of incentives for housing developers that would create more opportunities for people to purchase or rent affordable housing in better neighborhoods closer to community resources and better schoole</p> <p>LIHTC projects that are in a Nonprofit Set-Aside are taxed as "for profit" enterprises due to LIHTC requirements. This is our biggest issue.</p> <p>need testing by a tester</p> <p>No such grants available in my area</p> <p>No tax incentives or relief for elderly on fixed incomes</p> <p>Property Assessments overvalued so I can't offer affordable housing. I am recently trying to offer a home for rent to a Disabled Senior Citizen and the taxes on the property are way out of line.</p> <p>State property assessors should use rental income (NOI) to calculate the assessed value of LIHTC properties when determining property taxes. High Property taxes are making it hard for communities to function.</p> <p>Taxes may not be the best mode of proper housing encouragement and other methods may need to be considered.</p> <p>Tennessee does not give homestead exemptions</p> <p>The City of Xxxxxxx is overly focusing on downtown and public housing and refuse to help for profit developers rebuild the city for the inside.</p> <p>There should not be a lack of tax incentives for corporate properties being able to make accomodations. They get a tax credit for doing that ...</p>

Table F.26
Are you aware of any questionable practices or barriers to fair housing choice in the permitting process?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>A simple google translate button on a website would be better than nothing.</p> <p>access to permit process</p> <p>At this point many places are offering documents at least in Spanish, but in my area there are many languages spoken. It's difficult to have documents in every single language but there are definitely a few others that are a majority and they are not represented. Documents are not offered in alternate languages but we have recently enacted the AVAZA Interpretation Service.</p> <p>I don't think it's reasonable to expect documents in another language UNLESS all languages are available and represented. I think it's wrong to offer Spanish literature, but not Kurdish for example, when we have one of the highest populations of Kurdish immigrants in the nation. Each aspect should offer EVERY potential language, otherwise, it should just be English, which is our national language.</p> <p>If they are getting government assistance they need to learn the US language of English</p> <p>In most cases I have seen, an interpreter was used to discuss product. Should it be mandatory to offer Spanish documents in the USA. If so do you offer documents in Chinese, Korean, French?</p> <p>Lack of consistency on a variety of fronts</p> <p>Most contracts and addendums written in English. No translators available in offices to assist people who do not speak English</p> <p>NIMBYism with group homes</p> <p>Not reviewing submitted plans for possible fair housing violations specifically</p> <p>one barrier is cost. Agencies and smaller governments that try to help persons of limited means most often do not have the money to have many of their documents translated.</p> <p>Talk of English only in this state.</p> <p>That should not be a violation if it is, we should not pander to those who won't learn English. If it benefits the agency doing the permitting to put it in Spanish they should be allowed to do so, but not be required to do so.</p>

Table F.27
Are you aware of any questionable practices or barriers to fair housing choice in housing construction standards?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
Accessible housing, grandfather in building – what is considered remodeling As far as I know there are no guidelines for accessible housing. Xxxxxxx, TN new codes for building just adopted at the start of 2013 Education for Tax Credit properties Guidelines and inconsistencies between Fair Housing and Section 504 rules. Also, no contact, that I know of, in our area to provide guidance on exactly what is required, at a minimum. Housing Construction Standards can Always use continuous improvement. Lack of enforcement of guidelines in construction of accessible housing lack of knowledge as to what the accessibility standards actually are; and potential conflict those standards may have with local building codes Local builders don't seem to be trained in this area. There are certifications available from national home builders, but none certified in my part of the state. need testing by a tester see answer #2 Standards are in place but are not applied adequately This needs thorough examination and modification.

Table F.28
Are you aware of any questionable practices or barriers to fair housing choice in neighborhood or community development policies?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
Any zoning system or design that is not inclusive as it limits the development of property suitable for protected class members and isolates non-protected class members from the protected class members. Street Lighting in "higher valued" areas where no street lighting in "lower valued" areas. Shopping Districts, hospitals, desirable developments in "higher priced" areas where more likely than not non-protected class members reside and less desirable jails, junkyards, dumps, sewage treatments, etc., in "lower valued" areas where more likely than not protected class members reside - etc., Community development policies are inadequate to provide for access to better housing and neighborhoods for people at the low to moderate income levels Do neighborhood and community development policies exist anywhere in TN? I know some places claim to have them, but they're a joke at best. In Xxxxxxx, one man seems to be responsible for every policy the city has. All projects must be cleared through him, and he doesn't even work in the urban planning department. That's hindering the city's growth. Education and Advocacy federal funding available for rehab projects only in low-income or distressed property areas HOAs are very open about their restrictions Many cities and even counties have purposely zoned land so that no multifamily land is available. Need a lot of work here. Very difficult to get all that are needed up and running and keep the momentum up. need testing by a tester neighborhood developments offer no incentives for individuals only corporations Often affordable housing policies target areas that are already affordable. Need to consider affordable housing in areas that are too expensive to live. Need affordable housing close to services and jobs. Our new major is providing incentive to property owners both business and residential to revitalize in low moderate low income areas - hope we see some positive change. The city of Xxxxxxx at times has actually added restrictions to slow down development in black neighborhoods. They just do not care about helping the balck community of inner city development prosper. This relates back to zoning impediments.

Table F.29
Are you aware of any barriers that limit access to government services, such as a lack of transportation or employment services?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>age</p> <p>Although the city has focused on job creation their has been little focus on hiring locally. New employers are given tax breaks and nobody mo itors if they create the jobs promised or where the worker live (outside the city).</p> <p>Xxxxxxx has a very poor public transportation system. There are building appartments in areas that doesn't not have access to public transportation.</p> <p>Employment not available on transit routes</p> <p>few public transit options - what is available is not convenient</p> <p>In the more rural areas.</p> <p>Inadequate parking</p> <p>Inadequate public transit</p> <p>incomplete public transportation services</p> <p>Lack of adequate and user friendly public transportation to South Xxxxxxx areas where concentrations of immigrant and lower income people live</p> <p>Lack of or inadequate public transportation</p> <p>lack of staff to address concerns or even answer phones...could use more workers in government offices</p> <p>Lack of transportation</p> <p>lack of transportation and literacy</p> <p>Lack of transportation due to inadequate public transportation at a reasonable price and lack of bi-lingual employees to work with immigrants</p> <p>Lack of transportation to employment centers is a big problem in inner city communities and rural communities.</p> <p>Lack of transportation to the indigent; unemployment office difficult to get to (Xxxxxxx, TN); many people don't have internet access; limited access to courts due to lack of transportation and forget employment services around here, practically non-existent!</p> <p>Lack of Transportation!!</p> <p>Little to no public transportation available in the Northeast Tennessee region</p> <p>Low-income transportation to the seat of government is very poor in town.</p> <p>need testing by a tester</p> <p>No county transit ... long time ongoing problem</p> <p>One of the properties we manage in Xxxxxxx has very poor public transportation available.</p> <p>Poor transportation system here.</p> <p>public transportation</p> <p>Public transportation in our area is very poor, regionally speaking. People who need mass transportation, even to the local Social Security office, cannot easily do so.</p> <p>Public transportation is woefully inadequate for jobs that may be available in more developed areas of the city.</p> <p>Rural areas have limited transportation services for elderly or disabled, which severely limits or eliminates access to any other services that might be offered outside of larger cities.</p> <p>rural areas without public transportation</p> <p>Several public schools in the area that don't have elevators for upper floors, narrow doorways</p> <p>The public transportation only goes to certain areas of the city. The people who live outside of these area but, have and opportunity to get work in the area where the transportation is not stops, henders or prevent employment, higher employment opportunities for all persons who need it.</p> <p>The public transportation system in Xxxxxxx is inadequate.</p> <p>There are many apartments and homes in the county that do not have access to transportation.</p> <p>There is no public transportation in the unincorporated areas of Xxxxxxx County.</p> <p>There should be some sort of subsidized or free (buses of duty etc) transportation system for people in low income areas that have little access to government, food, shopping and other services.</p> <p>This area has very limited public transportation. Have a car or move to Xxxxxxx.</p> <p>transportation</p> <p>Transportation is a primary obstacle for any and all services. Also childcare.</p> <p>transportation is only allowed in the lower income parts of the city</p> <p>Transportation of city transportation to cooperated areas where it is defined rural but has been built up and heavily populated so that people in the areas do not have access to the public transportation</p> <p>Unemployment Rate in Xxxxxxx County in double digits. No public transportation exist</p> <p>Unless you have a car there is no way to get to government service or to the employment office.</p> <p>We do not have an unemployment office in Xxxxxxx there fore making it more difficult. People have to commute to Xxxxxxx or Xxxxxxx to go to the unemployment office.</p> <p>We have an inadequate transit system generally.</p> <p>You can always have better transporation and access to services</p>

Table F.30
Are you aware of any barriers that limit access to government services, such as a lack of transportation or employment services?

Entitlement Areas of Tennessee
 2013 Fair Housing Survey Data

Comments:
<p>Again, not so much specific actions, but ever increasing development guidelines and costs for new housing is making it more challenging to provide the type of affordable housing choices we would like to see at the local level.</p> <p>Xxxxxxx, TN codes limit ability for building lower income housing.</p> <p>Dodd-Frank</p> <p>Financial products and services under the current market structures.</p> <p>hope not</p> <p>inadequate bus system--needs more routes, more times, more of a focus on areas where people live who do not have cars</p> <p>Lack of creativity and flexibility to help inner city developers</p> <p>need testing by a tester</p> <p>Not enough affordable housing and not enough HUD program money to help moderate income households with buying a home - the city did away with the down payment program. Plus downtown housing way too expensive for the people that LIVE and WORK here.</p> <p>Poor planning practices that are not looking to the future. Every developer and city official acts like only young professionals will be living in our town. They must not know that census data exists.</p> <p>see answer #2</p> <p>The city of Xxxxxxx does not have a fair housing staff person, which I believe is needed,</p> <p>There is Council and Commission opposition to permanent supportive housing in our community as a result of NIMBY public outcry.</p>

G. ADDITIONAL PUBLIC INVOLVEMENT DATA

The following represent transcriptions of comments received at the Fair Housing Forums on March 18, 19, and 20, 2013.

JACKSON

Speaker 1: Could we just temporarily go back to slide number 39. The Top Ten Issues of Housing Complaints, have these been validated? We all know that complaints can be made for whatever reason. I'm interested in whether these have been validated.

Presenter: These are, or at least I hope I used the word glitch, so in the final report we will see those that are with cause. A certain portion of them are with cause and a certain portion is without cause and a certain portion is closed due to administrative reasons. An example is if HUD loses the paperwork, or whatever else that is. Also, the complainant drops the case, because they need a place to live now. Some investigation is completed and some is determined without cause. So that those that are with cause is at a lower level. I don't remember that precisely lower level. It is usually between 40 or 60 percent.

Speaker 1: So is it safe to assume that may reflect in some degree the understanding of the complaint process and the categories of the complaints that are viable?

Presenter: It will represent those people, those groups that are discriminated against most often. As well as the issues that occur most often, because when you report with cause, you get the same ranking. Disability, race, familial status. You get the same issues, you get the same ones

Speaker 2: There is another category of those that settle out.

Presenter: Yes, that is correct. There are those that are conciliated, but those are found to not to be with cause, because those are not litigated which actually is why I present this data.

Speaker 3: On page 17, slide 32-Mortgage Lending Reasons for Denials. The top one is credit history. Do you know if that means a lack of credit history or a derogatory credit history?

Presenter: I do not know and the credit history is the denial rate. These are the language and the terms used by the Homeowners Disclosure Act recording system, except this one: missing reason code. That just means there is a blank.

Speaker 4: In conducting this federal mandate, what efforts are being made that the participants actually take part in the survey? The data that we feel is on there, told a reflection that we get the data from the recipients instead. People who were turned down for houses and tenants and etc. Is there any effort made for tenants and recipients are actually doing this survey also?

Presenter: At this point I don't think that they have been distributed. The PHA, Housing Authorities. This theoretically is a stakeholder and we are hoping that representatives of those clients are participating in the role. We do have a role as respondents in the survey and in that

regard. Advocates and service providers, we are hoping that would report those. This group is more likely to give a yes answer, if they saw a problem and explain it. But at this point we have not distributed to residents of the Housing Authority or the other. We are hoping that their advocates and service provides would be their advocates in the survey.

ECD Representative: One thing I'd like to ad that is that we did advertise the survey in this forum, through public notices, and it is also posted on our website. Then we used the nontraditional method of Facebook and twitter. So it has reached the public somewhat

Speaker 5: Most of the people we know just don't respond to public notices. For everyone that is needed, we have two or three individuals? I'm just saying that this information it is not going to be valid or reliable unless we do that.

Presenter: It's not going to valid or reliable either way, because it is not a statistically drawn sample. This is a judgmental sample. Statically drawn samples, we have done those for this in the past. We began by sending out mail surveys. Which have another set of problems in today's environment. So we started doing telephone surveys; the general public is kind of like, when you catch them at home and they are eating dinner. Also, do they have a phone and how many are cell phones? We are not allowed to call or survey cell phones. That is against the law. So we have moved to an on-line survey instrument and for those who are renters and tenants, if you have gotten this it has probably been via email. We have an email announcement and you are an individual who knows of those, please distribute it. It is going to be open for a while more. I'm all open to this. I do not want anyone to be not sitting at the table. So if you know anyone, please forward it to them or the facility and post it.

Speaker 6: We want our communities to participate in this. Would there be any reason that anyone who received this email couldn't generate it out to others?

ECD Representative: It says in the email, that you can send it to whomever who want to. We sent it to every mayor in Tennessee and then THDA sends it out to thousands of more people.

Speaker 6: Please help us. It is really important for our state to get really accurate information.

Presenter: Again the last slide is [the ECD] contact information. If you have questions send it to [the ECD] and we will get it answered.

KNOXVILLE

Speaker 1: Is this all of this data related to the acquisition of housing like purchasing. Like getting into the mortgage, getting onto the rental, as opposed to foreclosure rates, evictions?

Presenter: No, is the short answer. The HMDA was about purchase decision, at least the data that I focused on. The data, which indicated which of those who got loans, which ones had low quality or predatory style loans. That is more like the foreclosure, but I do not have statics on foreclosures. That would suggest that foreclosures are landing more heavily on those populations that tended to get a greater share. The remainder of the day it talks about other types of housing transactions, such as rental markets and pass for legacy locational decisions. Why did people from a certain group congregate so closely or why are they also correlating with higher rates of poverty?

Speaker 2: Was there anything that struck you as surprising or that you weren't expecting so far in the results of your data?

Presenter: Yes, the differences in denial rates are modest. That was a really interesting turn. They can be really substantially different and also with response to the survey, really good.

Speaker 3: The zoning and NIMBYism was fairly significant. From what I understand is more non-impediment communities have zoning policies in place. Does everybody have one? How does that play into it?

Presenter: We had in this presentation bundled all the entitlement and nonentitlement answers together. We called the largest 40 of the non-entitlement communities, but your notion about more rural smaller towns often don't have an elaborate structured for zoning plans. That isn't totally flushed out for those specifically smaller communities. It is more, I'm trying to illustrate through talking with the larger non-entitlement arrears as well as what is being feed through the survey-examples on how we can make ours more uniform, more of best practices approach.

NASHVILLE

Speaker 1: I have a question regarding the survey. Do you think the survey should field problems that we have in our class, any more in depth than reveal any more information than we already knew regarding discrimination regarding in [inaudible]?

Presenter: I am not familiar with what you already knew. I can only tell you what these instruments, this data has demonstrated and I do believe that the survey as the stakeholders does tell us something. There is a certain amount of anonymity in these instruments. It is not like you are talking to someone. You can fill out a survey and say anything. Nobody is going to get back to them. So I do like that. In the beginning, we used to do a mail survey and then it would come back and we know said it. Then we did telephone surveys. It was difficult to get a hold of people. They may be out on vacation or other things. So the online instruments really have fostered, I believe more honesty. People can do it at home or on the weekend. It promotes more of an open dialog. So, I'm not sure what you knew from before or what you believed before, but I do believe that this is opening the door to what people have to contribute to the conversation. So do believe that the instruments are answering those questions that are intended.

Speaker 2: I see the disabled issues, it's not necessarily a discrimination issue, but we don't have enough units for disabled people. I do see that the group home has a little bit of the NIMBY type. If there is a way and there are some good programs to help, but make handicapped accessible units. I see that as an issue in our area in Northeast Tennessee.

Speaker 3: I have a comment—so, we are providing affordable housing to low-market-rate housing, but not subsidized necessarily to families that are living low-income and we also work with homeowners to purchase homes through low FHA loans. The challenge that we run into, both as a landlord and helping them get a loan thru a vendor, is that a lot of the protected class individuals have that threatening and that is caused by a lot of things. Not access to medical insurance, they have medical bills on their credit, they have a huge number of check cashing companies and same day lenders, pawn shops congregating in their communities and focusing on them and thinking that is an easy place to make a buck. So, while I am not taking away their responsibility from these protected classes, their responsibility from keeping their credit, they have to be responsible for their debts. We have a situation where people, low-income people especially and protected classes, are in this trap where it is very hard for them to keep their credit clean. Then when we go to rent to them or to help them buy a home, they have bad credit. We can't help them. So, we can we make acceptations here and there, but as landlord we can't rent to somebody with really bad credit, because we have to pay our bills and we need to cover the rent. As a homeowner, we are working with a lender and they can't lend to somebody with really bad credit, because of the interest rate. What we have is a private sector that is preying or creating a situation. Where people are trying to help families, but where they are almost being forced to discriminate, because of that credit issue.

Presenter: What do you think we ought to do about that?

Speaker 3: There is no solution to that. Unless you can outlaw some of these payday lenders and check cashing companies as a whole. Another issue is to figure out a way to reduce

medical bills that people are coming up with because they do not have any insurance to get medical care. That is creating a situation where we feel like we discriminate, because of their bad credit and their bad credit is being caused by environmental factors that they have limited control over.

Presenter: That is a valid concern. For others that is a kind of supply; the instruments to get loans, the bait if you will. The targeting. There is also, as you suggest, some responsibility on the demand for the loan. Maybe if we can do some outreach and education about financial literacy.

ECD Representative: We have a lot of people here who work in various different counties that work all over. We would love to hear about what you hear in your communities, what you see in your communities. CBDG doesn't do a ton of housing projects, but a lot of you have worked on those and a lot of you have worked on HOME programs. If you could give us some feedback on what you see and what you would like to see addressed, that would be really helpful to us.

Speaker 4: I see housing needs that are out there. I am not sure if I should be addressing housing needs. I'm not sure of a lot of our discrimination really.

Speaker 5: Ours is a lack of unions for the places. We have a lot of rural communities that are expressing the need and concern for elderly housing. That is our biggest thing that we see around here. Some type of assisted living in our rural communities as the population grew, the need for flat stuff like that.

Speaker 6: My situation is the issues [inaudible]...I work with non-profits to develop housing for people with mental illness. The particular agency that I have been working for, in the Hamilton County area, has been ready to develop a four unit project for about a year and a half work and an agreement with the Housing Authority there that has zoning [inaudible], but due to some issues we have run into road block after road block. Where there is a vacant four unit apartment unit buildings that are depilated, in neighborhoods that have been downgraded to R-1 and the zoning board refuses to change those back; to allow us to clean those up and make nice decent units out of those because of the population we are working with. That's a big factor. There is definitely NIMBYism and they are using their zoning to prevent redevelopment and I have seen it going on. It is in different neighborhoods. It is just not in one area. It is all throughout the city. It is going on everywhere. We are being forced to most likely go into more commercial area to develop some family housing.

