ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

CITY OF EL PASO - OCTOBER 2020

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CITY OF EL PASO

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INTRODUCTION

The purpose of this Analysis of Impediments (AI) to Fair Housing Choice is to assess existing local policies, demographics, market conditions and public perceptions and how they may impede housing choice for El Paso residents based on their race, color, religion, national origin, disability, familial status, sex, sexual orientation, and gender identification. That assessment then serves as the basis for identification of specific impediments to fair housing choice and a plan of action to address those impediments.

This AI was developed by the City of El Paso, Department of Community + Human Development and Fair Housing Task Force along with the City's 5-Year Consolidated Plan for U.S. Department of Housing and Urban Development (HUD) Entitlement Grant Funds. Those funds are a key resource for addressing impediments to fair housing choice. The process for developing this AI began with public outreach through a joint Consolidated Plan and Analysis of Impediments Community Survey that was distributed throughout the community through neighborhood associations, public events and gatherings, nonprofit public service agencies, and the Housing Authority for the City of El Paso (HACEP). A summary of survey findings is provided in the Community Survey section of this document. The AI is also significantly informed by conversations with the Fair Housing Task Force, affordable housing developers, and other key community stakeholders, as well as other City planning documents including the El Paso Regional Housing Plan, The City of El Paso Financial Empowerment Blueprint, and Resilient El Paso. Through this process, several existing impediments to fair housing choice surfaced:

- While reported complaints of illegal housing discrimination are very infrequent in El Paso, that may be the result of a lack of understanding on the part of El Paso residents of their fair housing rights and the resources available to report housing discrimination.
- The City of El Paso can improve on its system for tracking fair housing complaints, documenting resolution of those cases, and reporting these items to the Fair Housing Task Force.
- Many cities have local ordinances that expand the definition of "protected classes" beyond those identified by the Fair Housing Act, and HUD will investigate complaints based on those expanded definitions. The Fair Housing Act does not identify LGBTQ individuals as a protected class and The City of El Paso does not currently have legal protections for housing discrimination against the LGBTQ community.
- Perhaps the greatest impediment to housing choice in El Paso is housing affordability.

To address these impediments, this AI establishes a plan of action that includes:

- restructuring fair housing outreach/marketing under CDBG funding,
- rethinking the City's fair housing complaint tracking and reporting process,
- developing a housing equity ordinance, or updating the existing Fair Housing Ordinance to protect LGBTQ persons from housing discrimination, and
- Continuing implementation of the El Paso Regional Housing Plan, City of El Paso Financial Empowerment Blueprint, and Resilient El Paso to ensure affordable housing choice for all El Pasoans

FAIR HOUSING GOALS

Based on the impediments identified in this document, the follow overarching goals for the El Paso community will be achieved through the Plan of Action:

1) Increase the public's awareness of their rights under the Fair Housing Act and how to report housing discrimination.
2) Enhance the City's process for tracking and reporting fair housing complaints.
3) Ensure that all El Pasoans are protected against housing discrimination.
4) Increase affordable housing choice for all El Pasoans.

JURSIDICTIONAL BACKGROUND DATA

INTRODUCTION

The jurisdictional background reviews the demographic profile of El Paso and the state of Texas as a point of comparison. The analysis covers population race/ethnicity, sex, age, social characteristics, disability, and employment. The analysis reviews comparative data provided by the 2018 American Community Survey. The jurisdictional background and history portion should serve as a reference for the current state of housing, demographic and economic conditions within El Paso.

The City of El Paso, located at the confluence of two countries, is the extreme western tip of Texas, nestled along the Rio Grande, bridged to Juárez, Mexico, and just south of the New Mexico line. The City of El Paso is home to the 19th largest city in the United States, the 6th largest city in Texas, and the largest of the U.S.-Mexican border cities. The strategic site was recognized in 1598 by Juan de Oñate, colonizer of New Mexico, who called it El Paso del Norte (Spanish: "The Pass of the North") (Britannica, 2020). Spanish language and culture distinguish the city with a blend of ethnic, border-town, military, Texan, and Southwestern elements.

El Paso's early development was largely influenced by primary metals, copper smelter, petroleum and gas operations, food products, and apparel (Britannica, 2020). Additionally, Fort Bliss, home of the U.S. Army Air Defense, the arrival of the Southern Pacific Railroad, the construction Interstate 10 and the Chamizal land treaty have all played a distinctive role in residential development patterns throughout the City. With that said, the history of El Paso's residential development patterns is not well documented and historical equity challenges are largely anecdotal; however we think it is important to better understand how certain neighborhoods throughout the city were disproportionally impacted. Further research in this area is needed.

DEMOGRAPHIC AND SOCIAL CHARACTERISTICS

RACE AND ETHNICITY

The Fair Housing Act and similar state or local fair housing laws list seven prohibited bases for housing discrimination: race, color, national origin, gender, familial status, disability, and religion. This protected class analysis addresses each of these population groups and their geographic distribution in El Paso. El Paso represents one half of the largest binational metroplex in the Western Hemisphere. Based on the most recent population figures published by the U.S. Census Bureau, Table 1 illustrates the distribution of population by race and ethnicity in El Paso and Texas.

Table 1: El Paso and Texas Population by Race and Ethnicity – 2018

	El Paso		Texas	
	Number	% of Total Population	Number	% of Total Population
Total Population	680,354	100%	27,885,195	100%
Race or Ethnicity				
One Race	662,258	97.3%	27,154,696	97.4%
White	549,700	80.8%	20,720,689	74.3%
Non-Hispanic White	89,502	13.2%	11,807,263	42.3%
Black or African American	25,835	3.8%	3,365,783	12.1%
American Indian and Alaska Native	3,651	0.5%	136,061	0.5%
Asian	9,329	1.4%	1,308,257	4.7%
Native Hawaiian and other Pacific Islander	1,066	0.2%	23,672	0.1%
Some Other Race	72,677	10.7%	1,600,234	5.7%
Two or More Races	18,096	2.7%	730,499	2.6%
Hispanic or Latino*	550,710	80.9%	10,921,556	33.7%
Not Hispanic or Latino	129,644	19.1%	16,963,639	60.8%

*Persons of Hispanic origin may be of any race; Hispanic is not a race, it is an ethnicity.
Source: U.S. Census Bureau, 2018 American Community Survey

El Paso is a multicultural, majority-minority city with approximately 86.1% of its population identifying as a minority. The combined Black and Asian demographics account for 5.7% of the population. Hispanics alone make up approximately 80.9% of El Paso's population, compared to 33.7% in Texas as a whole. The percentage of El Paso's black population (3.8%) is significantly smaller than that of Texas (12.1%).

AGE

A significant proportion of El Paso's population falls within the 20 to 29 year-old age range (16.3%) As these age groups age there will be a growing demand for housing to suit their needs. The median age in El Paso is 32.6 which is slightly younger than the Texas average at 34.2. Table 2 illustrates the percentage of each age range using 5 year increments.

Table 2: El Paso Population by Age 2018

Selected Age Category	Total Number in El Paso	% of Total El Paso Population
Total Population	682,686	100%
Under 5 Years	50,059	7.3%
5 to 9 years	45,662	6.7%
10 to 14 years	54,119	7.9%
15 to 19 years	50,328	7.4%
20 to 24 years	56,250	8.2%
25 to 29 years	55,628	8.1%
30 to 34 years	47,408	6.9%
35 to 39 years	43,380	6.4%

40 to 44 years	40,092	5.9%
45 to 49 years	40,787	6.0%
50 to 59 years	36,583	5.4%
60 to 64 years	35,676	5.2%
65 to 69 years	27,986	4.1%
70 to 74 years	20,913	3.1%
75 to 79 Years	16,760	2.5%
80 to 84 Years	11,125	1.6%
85 Years and Over	11,564	1.7%

Source: U.S. Census Bureau, 2018 American Community Survey

SOCIAL CHARACTERISTICS

With a high percentage of family households, large foreign-born population, and a larger household and family size, El Paso has distinctive social characteristics. Table 3 presents various social demographics of El Paso in more detail.

Table 3: Selected Social Characteristics – El Paso 2018

Social Characteristics	Total Number in El Paso	% of Total El Paso Population	% of Total Texas Population	% of Total U.S. Population
Family Households	160,982	71.5%	69.4%	65.7%
Married-couple family	105,822	47.0%	50.4%	48.3%
Married-couple family with own children under 18	46,639	20.7%	22.6%	19.0%
Female householder, no husband present, family	41,760	18.5%	13.9%	12.6%
Female Householder, no husband present with own children under 18	21,930	9.7%	7.9%	6.7%
Nonfamily households	64,282	28.5%	30.6%	34.3%
Foreign Born	162,175	23.8%	17.0%	13.5%
Speak language other than English at Home	436,220	69.3%	35.5%	21.5%
English only spoken at home	192,969	30.7%	64.5%	78.5%
Total Civilian Noninstitutionalized Population with a Disability	91,293	13.7%	11.5%	12.6%

Source: U.S. Census Bureau, 2018 American Community Survey

Family Households make up 71.5% of the population in El Paso, compared to 69.4% in Texas and 65.7% in the U.S. as a whole. The foreign-born population in El Paso is 23.8%, significantly higher than the foreign-born population in Texas and the U.S. (17.0% and 13.5%, respectively). The population of female householders with no husband present and with a family is higher in El Paso (18.5%) than in Texas (13.9%) and the U.S. overall (12.6%). The percentage of speakers of a language other than English at home is much higher in El Paso (69.3%) than in Texas (35.5%) and in the U.S. (21.5%).

Table 4: Household Size – El Paso 2018

	El Paso	Texas
Average Household Size	2.99	2.84
Average Family Size	3.63	3.46

Source: U.S. Census Bureau, 2018 American Community Survey

An analysis of the average household and family size provides insight into local housing needs and demographic patterns. Based on the American Community Survey, El Paso has a slightly higher average household and family size than the state, as seen in table 4. The average household size in El Paso is 2.99, while the average family size is 3.63.

INCOME CHARACTERISTICS

Household income is the most important measure of a household's ability to afford housing and living expenses. The median household income in El Paso is $45,565 which is significantly lower than the state and the U.S. Overall, El Paso has lower economic indicators than does Texas a whole. Table 5 illustrates income indicators such as median household income and per capita income in El Paso compared to Texas and the U.S.

Table 5: Income Indicators for El Paso, Texas and U.S. – 2018

Average Income Indicator	El Paso	Texas	U.S.
Median Household Income	$45,656.00	$59,570.00	$60,293.00
Median Family Income	$51,699.00	$70,423.00	$73,965.00
Per Capita Income	$21,927.00	$30,143.00	$32,621.00

Source: U.S. Census Bureau, 2018 American Community Survey

HOUSEHOLD INCOME BY RACE AND INCOME CATEGORY

In this section, data is taken from the U.S. Census Bureau's 2018 American Community Survey. Table 7 demonstrates the relation between race and income in El Paso by income category.

Table 6: Median Household Income by Income Category and by Race or Ethnicity in El Paso

El Paso	Hispanic	White Alone Not Hispanic	Black	Asian	American Indian and Alaska Native	Native Hawaiian and Other Pacific Islander
Less than $10,000	9.5%	5.7%	4.9%	7.2%	11.4%	0.0%
$10,000 to $14,999	7.3%	3.2%	5.5%	2.2%	11.1%	0.0%
$15,000 to $19,999	7.7%	3.4%	4.5%	3.7%	7.8%	0.0%
$20,000 to $24,999	6.4%	3.2%	6.9%	3.1%	5.6%	0.0%
$25,000 to $29,999	6.6%	4.6%	2.3%	3.6%	11.0%	45.1%
$30,000 to $34,999	5.4%	4.9%	5.2%	4.5%	6.3%	0.0%
$35,000 to $39,999	5.3%	5.2%	7.5%	7.0%	3.4%	15.0%
$40,000 to $44,999	5.3%	4.5%	6.8%	3.8%	2.9%	0.0%
$45,000 to $49,999	4.8%	4.1%	4.2%	2.3%	4.8%	22.0%
$50,000 to $59,999	8.7%	9.1%	7.9%	11.8%	4.4%	11.0%
$60,000 to $74,999	9.0%	11.2%	11.2%	9.9%	13.7%	0.0%
$75,000 to $99,999	9.8%	13.1%	10.5%	14.4%	9.9%	7.0%
$100,000 to $124,999	6.2%	8.2%	11.3%	10.2%	3.2%	0.0%
$125,000 to $149,000	3.4%	6.3%	4.7%	4.1%	0.1%	0.0%

$150,000 to $199,999	2.9%	6.7%	3.5%	4.1%	2.7%	0.0%
$200,000 and over	1.8%	6.5%	3.0%	7.9%	1.8%	0.0%

Table 6 provides the percentage of people in each income bracket categorized by race or ethnicity. In general, Blacks and Hispanics in El Paso comprise a larger share of the lower income households and a smaller share of the higher income households than whites do. American Indian and Alaska Natives (11.4%) and Hispanics (9.5%) are amongst the lowest income earners in the "less than $10,000" income category as compared to 5.7% of Whites and 4.9% of Blacks. In the highest income category, "$200,000 and over", Asians (7.9%) and Whites (6.5) are among the highest income earners, as compared to Hispanics & American Indian, (1.8%) and Blacks (3%).

Table 7: Median Household Income by Race and Ethnicity- 2018

Median Household Income	2018 Dollars
White	$ 46,703
Black or African American	$ 52,190
American Indian and Alaska Native	$ 32,418
Asian	$ 60,885
Native Hawaiian and Other Pacific Islander	$ 38,323
Some Other Race	$ 34,274
Two or More Races	$ 53,182
Hispanic or Latino	$ 41,598
White Alone, Not Hispanic or Latino	$ 61,866

As Table 7 illustrates, the median household income for Non-Hispanic Whites in El Paso is $61,866, which is significantly higher than most of the other racial groups with the exception of the Asian race. Hispanic households, however, earned approximately $20,000 less than Non-Hispanic Whites.

POVERTY BY RACE AND ETHNICITY

Table 8 shows various ethnic and racial families living below the poverty level in El Paso. Hispanic or Latinos are the single largest demographic at 21.5% below the poverty level.

Table 8: El Paso Poverty Rate by Race and Ethnicity – 2018

Race or Ethnicity	El Paso	Percent below poverty level
White	101,043	19.4%
Black or African American	2,634	12.6%
Asian	2,279	11.9%
Some other race alone	23,880	24.8%
Two or more races	4,911	23.1%
Hispanic or Latino	118,718	21.5%
White alone	11,355	13.6%

POVERTY AND DISABILITY

In El Paso, 13.3% of the population has a disability, compared to 11.4% of Texas and 12.6% of the U.S. This is a 1.7% decrease in El Paso from 2014.

Table 9: Percent Disabled in El Paso, Texas, and U.S.

Percent Disabled in El Paso, Texas, and U.S.		
Disability Status	2014	2018
% of El Paso Population > 4 years	15.0%	13.3%
% of Texas Population > 4 years	12.6%	11.4%
% of U.S Population > 4 years	13.4%	12.6%

Source: 2009 and 2018 American Community Survey

Table 10 shows the percent of persons living with a disability in El Paso, Texas and the U.S. in 2018. The percentage of persons with disabilities in El Paso is higher than percentages for Texas and the U.S.

Table 10: Disability Status by Sex and Age for El Paso – 2018

Disability Status by Sex and Age	Number of Disabled Persons	% of El Paso Population > 5 years	% of Texas Population > 5 years	% of U.S. Population > 5 years
Total population > 5 years of age with a disability	106437	14.1%	12.2%	13.4%
Males > 5 years of age with a disability	53,461	7.1%	6.0%	6.5%
Females > 5 years of age with a disability	50,521	6.7%	6.2%	6.9%

Source: U.S. Census Bureau, 2018 American Community Survey

EMPLOYMENT

Table 11 lists the largest employers excluding retail and government entities in El Paso.

Table 11: Major Employers (excluding retail and government entities) in El Paso

Company Name	Number Employed	Products
T&T Staff Management L.P.	5348	Employment Services
University Medical Center	2858	Heath Care-Public
Dish Network	1750	Technical Support Center
Alorica	2500	Inbound Customer Service
Texas Tech University Health Sciences Center	1545	Higher Education/Health Care
GC Services	1500	Inbound Customer Service
Clint Independent School District	1450	Education
El Paso Electric Corporation	1096	Electric Utilities
Canutillo Independent School District	1024	Education
Schneider Electric	700	Energy Management and Automation Solutions

Source: Texas A&M University Real Estate Center

Table 12 provides figures for various employment industries within El Paso as of 2014, more recent data was unavailable. The top 3 largest employment sectors include Healthcare and Social Assistance (18.6%), retail

trade (17.2%), and Accommodation and Food Services (13.7%). Combined, these 3 industries make up 49.5% of El Paso's workforce.

Table 12: El Paso Industries of Employment

Industry	Number Employed	Percentage
Agriculture, Forestry and Fishing	331	1.5%
Construction	9,546	4.3%
Manufacturing	13,793	6.2%
Wholesale trade	9,878	4.5%
Retail trade	38,117	17.2%
Transportation and Warehousing	11,185	5%
Information	8,830	4%
Finance and Insurance	6,546	3%
Real Estate, Rental and Leasing	3,797	1.7%
Scientific Services	9,631	4.3%
Management of Companies	1,865	0.8%
Educational services	2,887	1.3%
Healthcare and Social Assistance	41,337	18.6%
Arts, Entertainment, and Recreation	2,195	1%
Accommodation and Food Services	30,414	13.7%
Other Services	8,139	3.7%

Source: The Borderplex Alliance

HOUSING

HOMEOWNERSHIP AND TYPES OF HOUSING

Single-family dwellings are the most common housing units in El Paso. The percentage of owner-occupied housing in El Paso is 61% compared to 61.7% in Texas. Additionally Texas has a slightly higher percentage of multifamily units than El Paso. However, El Paso has a lower percentage of mobile and manufactured homes than the state. Table 13 shows housing distribution by housing type.

Table 13: El Paso Housing Distribution by Housing Type

Housing Information Indicator	El Paso		Texas	
	Number	%	Number	%
Total Number of Units in 2018:	299,672	100.0%	11,101,498	100.0%
Occupied Housing Units	270,160	90.2%	9,776,083	88.1%
Vacant Housing Units	29,512	9.8%	1,325,415	11.9%
Single Family	198,377	66.2%	6,761,682	60.9%
1-unit detached	186,579	69.1%	6,507,271	66.6%
1-unit attached	11,798	4.4%	254,411	2.6%
Multifamily (2 or more units)	57,632	21.3%	2,377,337	24.3%
Manufactured or Mobile Homes	14,151	5.2%	637,064	6.5%
Boat, RV, van, etc.	1,643	0.5%	159,260	1.4%
Owner-Occupied	164,898	61.0%	6,034,082	61.7%
Renter-Occupied	105,262	39.0%	3,742,001	38.3%

Source: U.S. Census Bureau, 2018 American Community Survey

HOUSING QUALITY AND AFFORDABILITY

The terms "affordable housing" and "fair housing" have two different meanings, although they are often used interchangeably. Affordable housing issues can become fair housing issues if the lack of affordable housing has a disparate impact on protected classes. In addition, affordable housing is often a fair housing issue because minorities often have lower incomes compared to whites and have greater affordable housing needs. This section provides a brief overview of housing affordability in El Paso. For more information on affordable housing and other housing issues, refer to the Housing Market and Economic Conditions section of this document.

MEASURES OF HOUSING QUALITY AND AFFORDABILITY

- Persons or families living in units with physical defects (lacking a complete kitchen or bath).
- Persons or families living in overcrowded conditions (more than one person per room).
- Persons or families who are cost burdened (paying more than 30% of their income for housing, including utilities).

Table 14: Housing Quality Characteristics

Housing Quality Characteristics	Number of Housing Units El Paso	% of Total Housing Units El Paso	% of Total Housing Units TX	% of Total Housing Units U.S.
Lacking Complete Plumbing Facility	1,111	0.4%	0.4%	0.4%
Lacking Complete Kitchen Facility	2,237	0.8%	0.8%	0.8%
Paying 30% or More for Housing Cost-Owners (Unaffordable)	33,207	37.0%	27.4%	27.7%
Paying 30% or More for Rent-Renters (Unaffordable)	48,326	49.8%	48.7%	49.7%
1.01 to 1.5 Persons Per Room (Overcrowded)	7,216	2.7%	3.4%	2.3%
1.51 or More persons Per Room (Severely Overcrowded)	4,376	1.6%	1.3%	1.1%

Source: U.S. Census Bureau, 2018 American Community Survey

When reviewing housing quality characteristics, it should be noted that 37% of homeowners in El Paso paid 30% or more of their income for mortgage payments, as compared to 27.4% in Texas. Additionally 49.8% of renters paid 30% more of their incomes for rent, as compared to 48.7% in Texas.

According to the 2018 ACS, median gross rent for El Paso was $826 while median gross rent for Texas was $987. The El Paso median rent has risen since 2015 as show in table 15.

Table 15: Median Rental Price Trends – El Paso

Type of Unit	Median Rent FY 2015	Median Rent FY 2020
0 Bedroom	$638	$581
One Bedroom	$697	$729
Two Bedroom	$861	$891
Three Bedroom	$1,220	$1,264
Four Bedroom	$1,464	$1,517

Source: Department of Housing and Urban Development (HUD) 50th Percentile Rents

Each year, HUD releases Fair Market Rents (FMRs) of over 500 metropolitan areas within the nation. FMRs are rent estimates primarily used to establish payment standard amounts for various HUD programs. Table 16 contains dollar amounts for FMRs in El Paso for 2015 and 2020.

Table 16: 2015 Fair Market Rents for the El Paso MSA

Type of Unit	FMR FY 2015	FMR FY 2020
0 Bedroom	$588	$539
One Bedroom	$643	$677
Two Bedroom	$794	$827
Three Bedroom	$1,125	$1,173
Four Bedroom	$1,350	$1,408

Source: Department of Housing and Urban Development (HUD) 2020 Fair Market Rents

MINORITY CONCENTRATIONS & OTHER PROTECTED CLASS CONCENTRATIONS

BACKGROUND

HUD policy seeks to disperse concentrations of poverty and racial and ethnic groups and other protected classes. In order to identify these concentrations, a comparison of census tract data was used to monitor and evaluate protected classes.

The 2018 ACS provides the census tract data for El Paso used for this AI. Table 17 shows the race and ethnicity of El Paso residents according to the 2010 census in order to provide a baseline for comparison of the percentages in census tracts. Additionally, information from the 2018 ACS is used to compare the most recent numbers and changes that may have occurred since 2010. This data provides a baseline that can help identify areas of protected class concentrations for analysis and potential reevaluation of local housing policies.

Table 17: Race and Ethnicity of El Paso Residents

Race/Ethnicity Alone	2010 Census	2010 Census	2018 ACS	2018 ACS
White	524,764	80.8%	672,260	80.3%
White alone, not Hispanic	92,426	14.2%	102,112	12.2%
Black/African American	22,006	3.4%	28,724	3.4%
Hispanic	523,721	80.7%	690,189	82.4%
Asian	7,723	1.2%	10,013	1.2%
American Indian or Alaska Native	4,757	0.7%	5,142	0.6%

Source: U.S. Census Bureau, 2010 Census and 2018 American Community Survey

CENSUS TRACT LEVEL DATA

Data from the 2018 ACS indicates that certain races and ethnicities are far more concentrated in certain census tracts when compared to their overall percentage of the population within El Paso. For example, non-Hispanic Whites represent 12% of the population; however, in several census tracts that number is up to three times higher. African Americans represent 3.3% of the total population in El Paso and that amount may be up to five times higher in several census tracts. Hispanics represent almost 82.8% of El Paso's population. A closer look at census tract data reveals that several census tracts are over 95% Hispanic.

Table 18 provides the percentage of some protected class populations by census tract, Highlighted cells indicated concentrated populations. A concentrated population occurs when the population of any race in a census tract is greater than or equal to two times the size of the city's overall percentage of that population. Since El Paso is 82.8% Hispanic, the normal calculation to determine a Hispanic concentration cannot be used to obtain an accurate and realistic figure; therefore, other factors have been taken into consideration to identify areas of Hispanic concentrations. For this analysis, therefore, a census tract that is over 95% Hispanic is considered to have a high Hispanic concentration.

American Indians and Asians represent 0.6% and 1.3% of the population in El Paso respectively, only one census tract for each race was found to have a significant concentration of American Indians (13.8%) and Asian (8.2%) populations in the El Paso area.

Table 18: Characteristics by Census Tract

Census Tract	Non-Hispanic White (%)	African American (%)	American Indian (%)	Asian (%)	Hispanic- any race (%)
Citywide	12.2	3.4	0.6	1.2	82.4
High Concentration	>36.6	>10.2	>1.8	>3.6	>95.0
1.01	23.2	7.1	0.3	1.5	65.8
1.06	25.4	12.8	0.2	8.2	52.8
1.07	13.1	10.0	0.8	2.1	75.9
1.08	12.0	9.6	1.3	0.7	69.0
1.09	11.0	7.0	0.2	0.2	79.0
1.10	14.3	15.9	0.0	1.9	69.7

1.11	37.2	10.0	0.0	1.4	52.3
1.12	17.8	3.8	0.2	1.3	75.6
2.04	19.0	6.2	0.0	0.9	72.3
2.05	15.8	7.2	0.4	1.6	75.6
2.06	14.7	6.0	0.7	0.3	77.8
2.07	16.7	4.6	0.3	1.6	75.4
2.08	14.2	7.8	3.7	1.5	76.0
3.01	11.5	5.6	0.4	0.0	85.2
3.02	3.4	1.1	0.0	1.0	93.7
4.01	29.7	7.8	0.2	3.4	57.1
4.03	10.1	3.7	0.0	1.7	83.5
4.04	7.1	2.7	0.2	0.8	89.2
6.00	4.3	7.0	0.7	0.9	85.6
8.00	4.2	1.4	0.0	0.3	94.1
9.00	16.3	9.9	1.6	2.5	69.7
10.01	3.8	0.2	0.0	1.0	93.4
10.02	3.5	0.8	0.8	0.0	95.1
11.04	19.9	1.4	1.0	5.3	71.0
11.07	24.1	2.2	0.1	3.2	70.6
11.09	36.8	1.1	0.0	1.7	58.2
11.10	24.4	1.0	0.0	5.7	69.7
11.11	22.3	4.0	0.2	4.0	69.1
11.12	29.3	0.2	0.0	1.9	67.6
11.13	25.7	2.5	2.2	1.2	64.5
11.14	16.0	1.3	0.0	3.5	78.2
11.15	8.0	3.9	1.2	2.0	85.8
12.01	3.4	0.3	0.2	1.7	94.4
12.02	16.2	0.3	0.0	1.6	81.0
12.03	4.7	0.0	0.0	0.6	94.1
13.01	33.5	1.2	1.5	1.5	59.7
13.02	34.1	0.0	0.3	2.3	58.2
14.00	13.6	4.9	1.2	6.2	77.0
15.01	21.8	0.0	0.0	4.4	72.8
15.02	35.5	8.0	0.7	2.0	52.9
16.00	11.5	5.0	1.3	0.4	81.5
17.00	5.4	6.3	2.5	1.0	86.3

18.00	1.9	6.4	0.0	0.0	95.4
19.00	0.6	6.8	0.3	0.0	93.0
20.00	4.4	0.3	0.4	0.6	95.0
21.00	5.6	3.3	1.4	0.8	89.9
22.01	10.1	2.2	1.0	2.6	83.0
22.02	7.0	1.7	0.2	0.0	90.8
23.00	10.2	0.6	0.5	0.0	89.6
24.00	12.9	1.4	0.1	0.8	85.4
25.00	9.2	2.1	0.0	0.6	84.9
26.00	2.0	3.7	0.6	2.4	94.7
28.00	1.0	2.5	0.0	0.0	98.3
29.00	0.1	0.3	0.0	0.0	99.9
30.00	1.3	0.0	0.8	0.0	98.6
31.00	0.8	0.0	0.5	0.0	99.0
32.00	0.8	0.0	0.0	0.0	99.0
33.00	6.0	0.0	0.0	0.0	93.6
34.02	9.5	3.7	0.4	0.7	85.3
34.03	16.8	3.1	0.0	0.0	79.0
34.04	20.5	2.2	1.2	0.2	75.1
35.01	5.9	0.0	0.0	0.0	93.8
35.02	6.8	0.7	1.6	0.0	98.7
36.01	1.8	0.0	0.0	0.0	98.2
36.02	2.6	0.7	1.3	0.0	95.4
37.01	4.7	3.8	0.0	0.4	91.9
37.02	3.8	0.0	0.0	0.0	96.1
38.01	1.1	0.2	0.0	0.0	98.9
38.03	6.2	0.0	1.5	0.0	93.8
38.04	2.8	0.0	0.9	0.0	97.2
39.01	2.2	2.0	0.3	0.0	94.3
39.02	1.3	0.0	13.8	0.0	90.1
39.03	2.7	0.8	0.5	0.0	97.3
40.02	2.4	1.1	0.4	0.0	96.6
40.03	1.4	1.2	1.7	0.0	97.5
40.04	3.1	0.4	0.0	0.0	96.5
41.03	3.6	0.2	0.4	0.0	95.8
41.04	6.8	1.3	3.6	0.0	92.2

41.05	1.9	0.3	0.7	0.0	98.1
41.06	2.5	0.7	0.8	0.3	96.8
41.07	6.9	0.0	0.5	0.3	93.1
42.01	1.6	3.1	0.8	0.0	94.9
42.02	2.5	3.0	0.2	0.4	93.3
43.03	22.2	1.1	0.3	0.7	75.7
43.07	17.5	2.7	0.4	3.9	75.9
43.09	7.2	7.1	1.0	0.8	84.8
43.10	10.9	2.0	0.0	0.0	87.5
43.11	21.1	2.1	0.0	1.6	74.0
43.12	13.6	3.7	0.0	0.0	82.7
43.13	15.7	4.1	0.7	3.1	78.5
43.14	6.6	4.5	0.6	0.7	86.8
43.16	9.4	0.1	0.1	0.5	89.5
43.17	26.0	3.3	0.0	1.1	68.0
43.18	16.0	2.0	0.5	0.4	81.5
43.19	10.7	3.1	0.2	0.9	85.3
43.20	6.5	1.7	0.3	2.3	82.6
102.07	23.2	10.6	0.0	1.0	62.2
102.10	30.2	12.6	0.6	3.4	51.9
102.11	31.3	16.2	0.0	4.5	46.8
102.12	28.3	12.4	1.2	2.4	57.3
102.13	25.5	4.1	1.0	4.2	65.3
102.14	30.9	1.0	1.4	3.7	62.2
102.15	18.4	3.0	3.0	3.7	73.4
102.16	9.4	1.7	0.0	0.0	90.0
102.17	20.7	1.1	0.2	5.3	70.3
102.19	23.3	0.9	0.0	0.4	75.7
103.03	13.8	4.6	0.2	1.3	80.4
103.07	10.0	0.5	0.9	0.0	89.1
103.11	14.0	2.2	0.0	0.2	83.4
103.12	15.1	1.2	1.6	1.4	81.5
103.16	9.2	1.7	0.0	0.4	89.6
103.17	8.8	2.2	0.0	0.7	88.4
103.22	7.1	1.3	0.5	1.8	90.3
103.23	7.9	5.3	1.6	0.0	85.5

103.24	5.7	3.2	0.3	3.0	88.1
103.25	2.0	4.1	0.0	1.9	91.9
103.26	16.5	0.3	0.0	0.9	82.4
103.27	12.3	2.5	0.0	1.3	84.7
103.28	9.6	2.1	0.3	1.5	87.5
103.29	5.2	3.0	0.0	0.2	92.1
103.30	6.1	6.8	0.0	2.1	84.6
103.31	9.6	6.5	1.1	0.6	81.3
103.36	5.5	0.6	0.5	1.4	92.8
103.37	8.6	1.0	0.4	1.0	89.6
103.38	6.8	4.7	0.0	0.9	87.4
103.39	13.2	7.9	0.6	0.2	77.4
103.40	6.7	0.2	0.5	0.7	91.8

As part of this census tract analysis, Figure 1 details the higher concentrated population of a particular race. Figure 1 below shows a map of the entire city with the highlighted concentrated areas. The subsequent maps shown below show more detail by the five designated planning areas of the city: Central, Mission Valley, East Side, Northeast and Northwest.
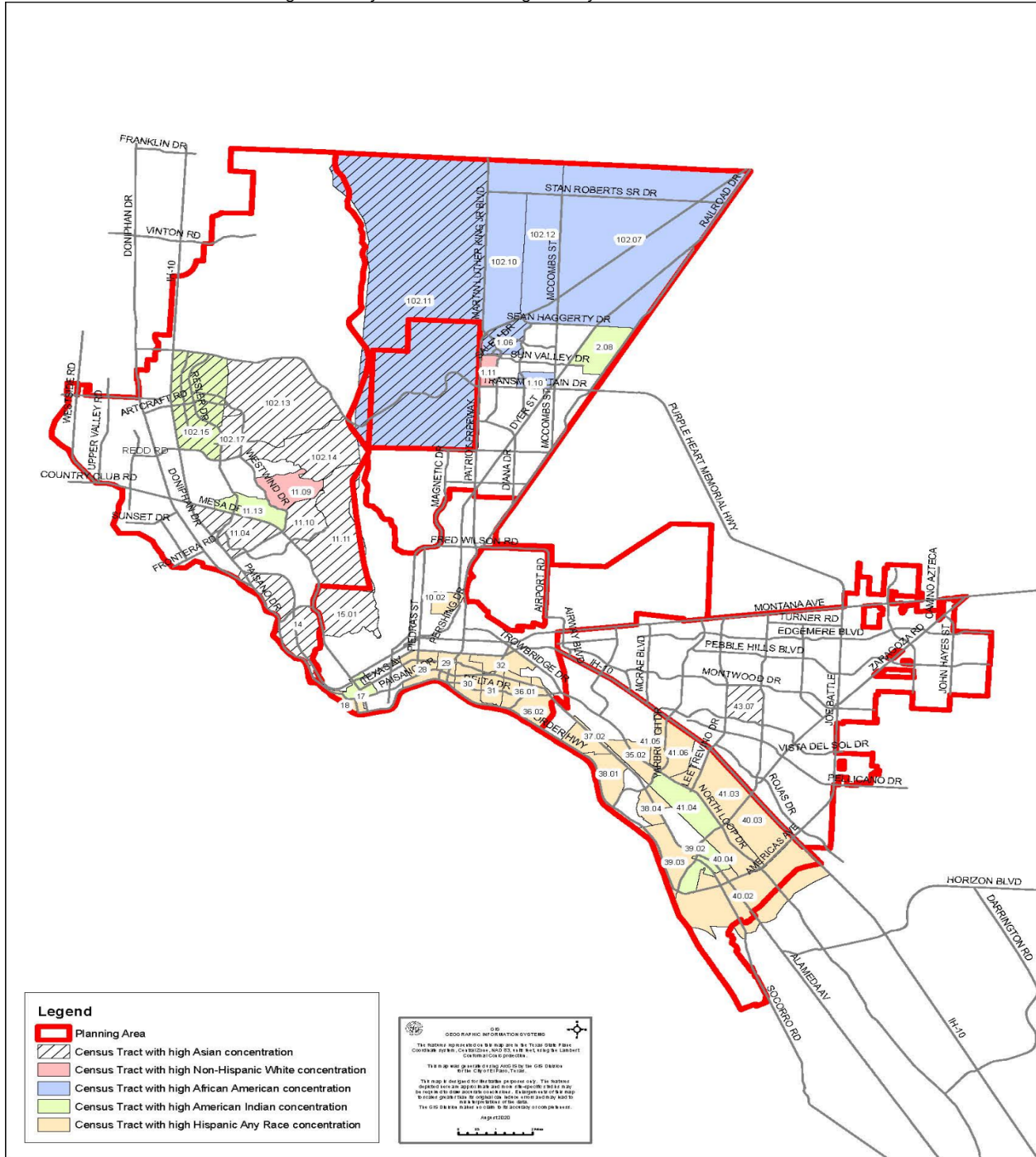
Hispanics make up the largest ethnic group with over 20 census tracts with a concentration of 95% or more of Hispanics, As shown in Figures 1, 2 and 4, Hispanics predominantly reside in the southern portions of El Paso, along the U.S. Mexico border.

As shown in Figures 1 and 5, the census tracts with the highest concentrations of African Americans are in the Northeast portion of the city.

Figure 2: City of El Paso Central Planning Area by Racial Concentrations
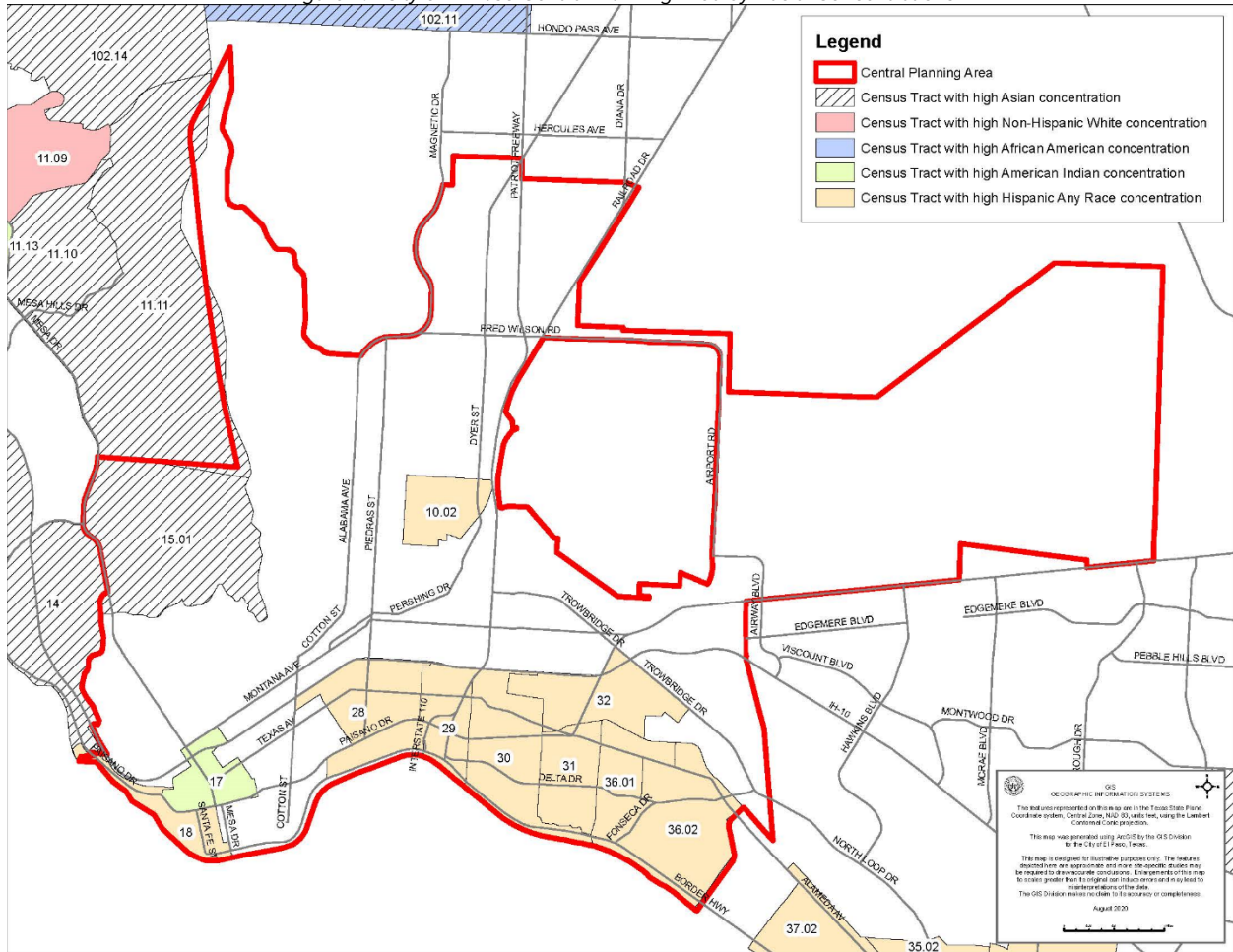
The Central planning area has a high concentration of Hispanics. Along with the Mission Valley planning area, these two areas run alongside the U.S. Mexico border.

Figure 3:   City of El Paso Eastside Planning Area by Racial Concentrations
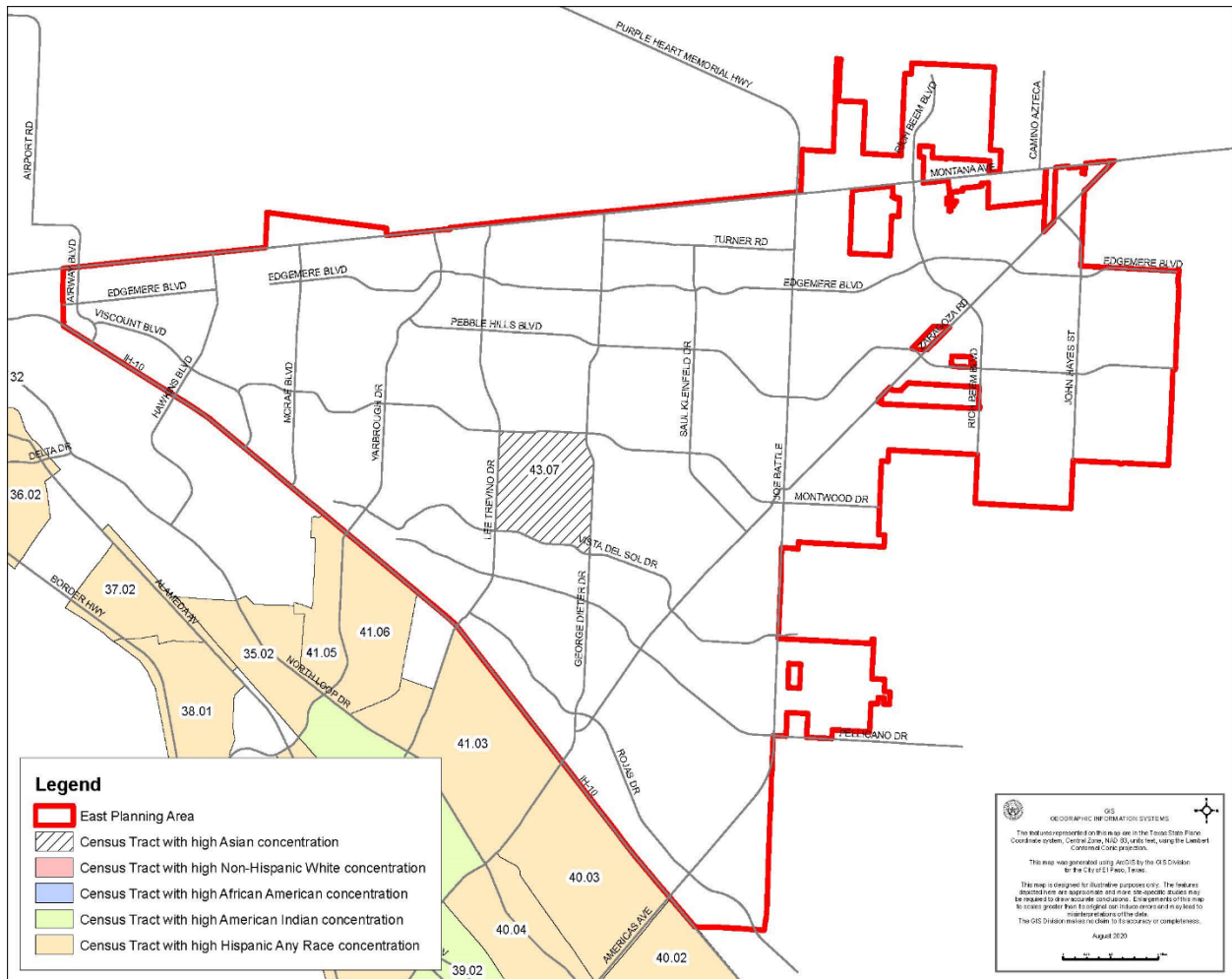
With the exception of one census tract in the East Side planning area, there are no other highly concentrated census tracts.

Figure 4: City of El Paso Mission Valley Planning Area by Racial Concentrations

The Mission Valley planning area has the largest concentration of Hispanic any race ethnicity. Additionally, this planning area has the highest American Indian concentration of the five planning areas.

Figure 5: City of El Paso Northeast Planning Area by Racial Concentrations
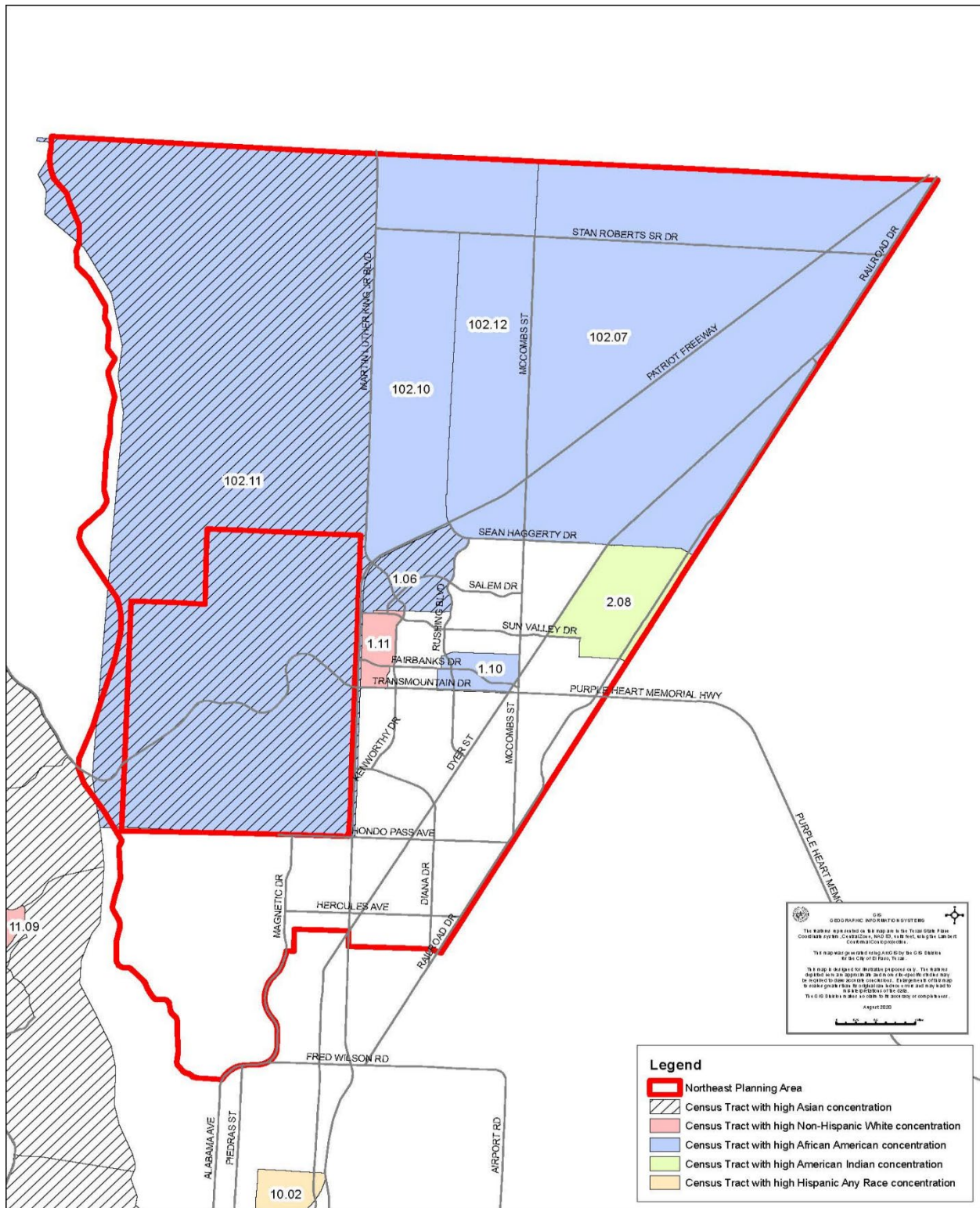
Of the five planning areas, the Northeast planning area has the highest concentration of African Americans.

Figure 6: City of El Paso Northwest Planning Area by Racial Concentrations
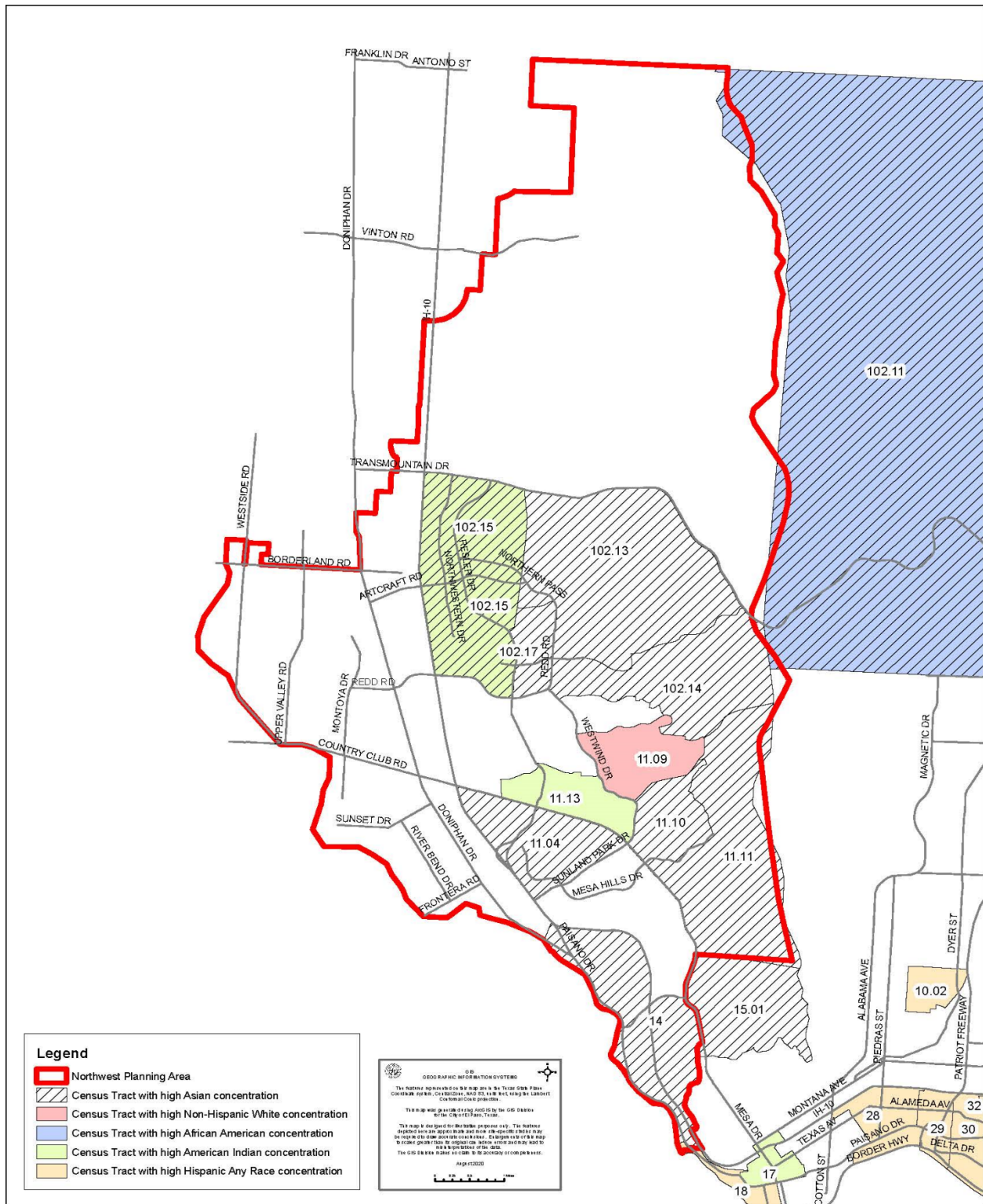
The Northwest planning area has the highest concentration of Asians. Additionally, there are 3 census tracts that have a high concentrations of American Indians.

SUMMARY OF SIGNIFICANT DEMOGRAPHIC INDICATORS

El Paso has a majority minority population with Hispanics alone making up 80.9% of El Paso's population according to the 2018 American Community Survey. Even though El Paso is over 80% minority, there are significant minority concentrations in El Paso that contradict the residential patterns that could be expected in a free housing market. 2018 ACS data is the most current data that breaks down demographics by census tract and clearly shows that areas identified anecdotally as "Hispanic" and "White" indeed mirrors those racial and ethnic concentrations.

Family households make up a higher percentage of the population in El Paso compared to Texas and the nation. El Paso also has a young population, likely due to the higher percentage of family households. El Paso should therefore be vigilant against discrimination based on "Familial Status," a protected class.

Both Census 2014 and 2018 American Community Survey data show that the percentage of people with disabilities in El Paso is similar to Texas and the nation. Furthermore, El Paso's percentage of people over sixty-five years of age (who tend to have more disabilities) is in line with the state and slightly lower than in the rest of the nation.

El Paso's foreign-born population is nearly twice the national average, and the percentage of people that speak a language other than English at home is two times higher than Texas and almost four times the national average. These high percentages indicate the potential for discrimination based on "National Origin," a protected class.

Median income and poverty statistics show ethnic disparities, with Hispanics earning 64% of what non-Hispanic Whites earn. The poverty rate for Hispanics is almost four times that of white non-Hispanic Whites.

El Paso needs more affordable housing. Almost half of renters and one-third of homeowners are cost burdened by paying more than 30% of their household income in rent or mortgage. El Paso residents are 1.5 times more likely to live in overcrowded and severely overcrowded conditions compared to the rest of the nation; however, the numbers in Texas are similar to those in El Paso. Affordable housing is a fair housing issue in El Paso. Lack of affordable housing has a disparate impact on Hispanics (members of a protected class) because the median household income in Hispanic households is 35% less than non-Hispanic White households.

PUBLIC SECTOR POLICY REVIEW

The Analysis of Impediments (AI) to Fair Housing Choice is a process that recipients of grant funds from the U.S. Department of Housing and Urban Development (HUD), such as states, local governments, and public housing agencies, undertake as part of their obligation to affirmatively further fair housing (AFFH) under the Fair Housing Act.

At the state level, the Texas General Land Office (GLO), Texas Department of State Health Services (DSHS), Texas Department of Agriculture (TDA), and Texas Department of Housing and Community Affairs (TDHCA) are responsible for carrying out the work of the AI because these agencies receive and disburse HUD funds for the Community Development Block Grant (CDBG), CDBG Disaster Recovery, Housing Opportunities for Persons With AIDS (HOPWA), HOME, National Housing Trust Fund (NHTF), and Emergency Solutions Grants (ESG) programs.

THE FAIR HOUSING ACT AND RELATED LAWS

FAIR HOUSING LAWS

Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act), as amended, (www.justice.gov) prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, and familial status.

Title VI of the Civil Rights Act of 1964 (www.justice.gov)
 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 (www.hud.gov)
 Section 504 prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

Section 109 of Title I of the Housing and Community Development Act of 1974 (govinfo.gov)
 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 (www.ada.gov)
 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 (www.access-board.gov)
 The Architectural Barriers Act requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 must be accessible to and useable by handicapped persons.

Age Discrimination Act of 1975 (www.dol.gov)
 The Age Discrimination Act prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Title IX of the Education Amendments Act of 1972 (www.justice.gov)
 Title IX prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.

The Violence Against Women Reauthorization Act of 2013 (PDF) (www.gpo.gov)
 The Violence Against Women Reauthorization Act of 2013 prohibits discrimination on the basis that a person has been a victim of domestic violence, dating violence, sexual assault, and stalking.

FAIR HOUSING GUIDANCE BY FEDERAL PROGRAM

THE EMERGENCY SOLUTIONS GRANT PROGRAM ("ESG")

Fair Housing guidance and ESG program guides, webinars, tools and templates are available on the ESG page of the OneCPD website (www.onecpd.info), the Interim ESG Rule (www.ecfr.gov), and the Interim COC Rule (www.ecfr.gov).

TDHCA receives and administers federal funds for the ESG program. Visit the TDHCA ESG Program page for more information.

THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") AND CDBG DISASTER PROGRAM

CDBG entitlement, state, and program sub recipients should review HUD's CDBG page (hud.gov) for a list of applicable regulations concerning CDBG and fair housing.

For training related to CDBG Disaster, visit HUD's CDBG Disaster Recovery Assistance page (hud.gov).

TDA and TDHCA receive and administer federal funds for the CDBG program. GLO receives and administers federal funds for the CDBG Disaster program. For TDA information, visit TDA (www.texasagriculture.gov); for more information about CDBG disaster programs, visit GLO (www.glo.texas.gov).

THE HOME INVESTMENT PARTNERSHIPS PROGRAM

Guidance on fair housing requirements and the HOME program is available in the HOME Final Rule at 24 CFR Part 92 (www.ecfr.gov). HUD has also published Fair Housing for HOME Participants (hud.gov), a series of series of five publications: Understanding the Basics, Promoting Fair and Accessible Housing Opportunities in Home Projects, Affirmatively Furthering Fair Housing, Administering Tenant-Based Rental Assistance, and Creating Economic Opportunity.

TDHCA, along with other Texas Participating Jurisdictions ("PJs"), receives and administers federal funds for the HOME Single Family and Multifamily programs. Visit TDHCA HOME Single Family and HOME Multifamily pages for more information.

THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM ("HOPWA")

Recipients and subrecipients of Federal HOPWA funds must adopt procedures to ensure that all persons who qualify for HOPWA assistance, regardless of their race, color, religion, sex, age, national origin, familial status, or disability know of the availability of the HOPWA program, including facilities and services accessible to persons with disabilities, and maintain evidence of implementation of how they ensure these procedures. These and other non-discrimination and equal opportunity laws and regulations are referred to in HOPWA regulations at 24 CFR Part 574 (www.ecfr.gov) and others are incorporated by reference, such as 24 CFR Part 5 (www.ecfr.gov), applicable provisions of the ADA (www.ada.gov), and 28 CFR Parts 35 and 36 (www.ecfr.gov).

Additional guides, tools, and webinars are available on the OneCPD website (www.onecpd.info).

DSHS receives and administers federal funds for the HOPWA programs. Visit the DSHS HOPWA page (www.dshs.state.tx.us) for more information.

FAIR HOUSING RELATED EXECUTIVE ORDERS

Executive Order 11063 (govinfo.gov)

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 11246 (dol.gov)

Executive Order 11246, as amended, bars discrimination in federal employment because of race, color, religion, sex, or national origin.

Executive Order 12892 (PDF)

Executive Order 12892, as amended, 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 (PDF)

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 (PDF)

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 (PDF)

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.

As part of the 2020 Analysis of Impediments, the City of El Paso's Fair Housing Task Force identified a need for additional protections for LGBTQ individuals. Currently, The Fair Housing Act prohibits discrimination on the basis of race, color, national origin, religion, sex, familial status, and disability. A person who identifies as LGBTQ who has experienced (or is about to experience) discrimination under theses bases may file a complaint with HUD, so long as there are local or State protections for that population. Texas does not have a ban on sexual orientation housing discrimination or a ban on gender identity/expression-based housing discrimination.

The City plans to move forward in crafting policies that are inclusive all people. This includes individuals who identify as LGBTQ. The City understands the importance of inclusivity and social equity for all El Pasoan's.

As we move forward in addressing fair housing issues much of this work is informed by the members who serve on the Fair Housing Task Force, stakeholders, community organizations and other non-profits who committed to social equality.

HOUSING MARKET AND ECONOMIC CONDITIONS

THE 2020 HOUSING MARKET

This housing market analysis is based, for the most part, on three sources:

- The most recent Comprehensive Housing Market Analysis for El Paso, Texas, published by the U.S. Department of Housing and Urban Development, Office of Policy Development and Research, on March 1, 2020;
- The Residential Activity portion of the Economic Indicators report, developed by the City of El Paso, Economic Development Department and sourced from the Texas A&M Real Estate Center; and
- The 2018 Housing Needs Assessment, developed by HR&A Consultants in partnership between the City of El Paso and the Housing Authority of the City of El Paso.

Housing costs are on the rise in El Paso, as are incomes when discounting the current impacts of the pandemic, which is discussed later in the Economic Conditions section. However housing costs have been rising faster than household income which is generating a widening housing affordability challenge for both renters and homeowners. This **rising lack of affordable housing is limiting fair housing choice**, in terms of location, as some protected class households see disproportionately lower income than others, which in turn limits where those households can choose to live.

HOME SALES

When looking at both new and existing home sales in El Paso for the 12 month period ending February 2020, there was a decline of 1 percent from the previous 12 month period, with sales declining to 11,875 homes sold. This is likely the result of **a decline in the availability of lower-priced homes**. During the same period, the average new and existing home sales price increased 4 percent to $185,600.

Figure 7 below, shows number of monthly sales and avg. sales price. Number of sales were consistent from 2019 to 2020 in February and March, but the growing sales trend as the spring season progressed in 2019 was not replicated in 2020. This is likely due to several factors that are explained in more detail later in this section. Those factors include a decrease in supply exacerbated by the COVID-19 pandemic and a resulting sharp spike in average sales price, as seen in Figure 7.

Figure 7: Monthly listings and sales for El Paso. SOURCE:

Residential Activity (new and resale homes)
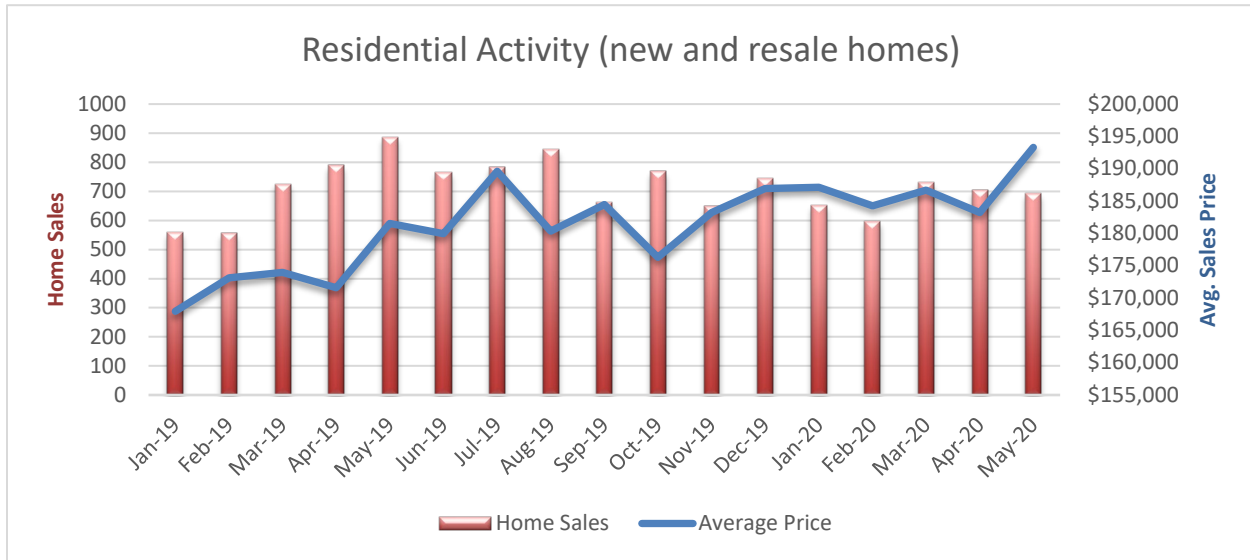
Separating new home sales from existing/resale home sales during the 12 month period ending in February 2020, regular resale home sales actually increased from 8,300 to 9,425, up 13 percent. It is in new home sales where a significant decline occurred. New home sales declined during the most recent 12 month period after increasing for the previous 2 years, as rising construction costs restricted homebuilders from producing lower-priced homes. The 1,750 new home sales during the 12 months ending February 2020 represented a decline of 39 percent from a year earlier. This also represents the lowest level of new home sales recorded since 2005. As will be discussed later, this does not indicate an entirely bad situation, as increased resale homes and decreased new home sales can be a positive sign that sprawl may be slowing, and the desirability of existing, more centrally-located homes is increasing. However, this is also resulting in a supply shortage that is rapidly driving prices upward. The City of El Paso is wise to monitor this data at least annually, in conjunction with American Community Survey data, to understand the overall market as it may have implications regarding implementation of the recently produced El Paso Regional Housing Plan.

HOMEOWNERSHIP AFFORDABILITY

During 2014, when out-migration from El Paso was strongest, resulting in an increase in housing supply, the average regular resale home price declined 2 percent, to $155,300. From 2015 through 2018, when out-migration slowed, resulting in a decline in housing supply, the average regular resale home sales price increased an average of 3 percent annually to $174,000. The average sales price for a new home during the 12 months ending February 2020 was $217,400, an increase of 9 percent from a year earlier.

Builders responded to out-migration in the first half of the decade with curtailed home construction activity beginning in 2013. From 2013 through 2017, an average of 2,450 homes were permitted annually. During 2018, 1,800 new homes were permitted, the lowest level since 1991. During the 12 months ending February 2020, the number of homes permitted rose 26 percent from the previous 12 months to 2,350 units permitted.

-Comprehensive Housing Market Analysis for El Paso, Texas; U.S. Department of Housing and Urban Development, Office of Policy Development and Research, March 1, 2020-

The increase in new homes permitted, as described above, did not sufficiently balance supply and demand for new and resale homes in El Paso. A common gauge of supply-demand balance in a housing market is "months' supply". This refers to the number of months it would take for the current inventory of homes on the market to sell given the current sales pace. Six months of supply is associated with moderate price appreciation, and a lower level of months' supply tends to push prices up more rapidly (National Association of Realtors, 2020).

Figure 8:   Months' supply of housing and average sales price for new and resale homes
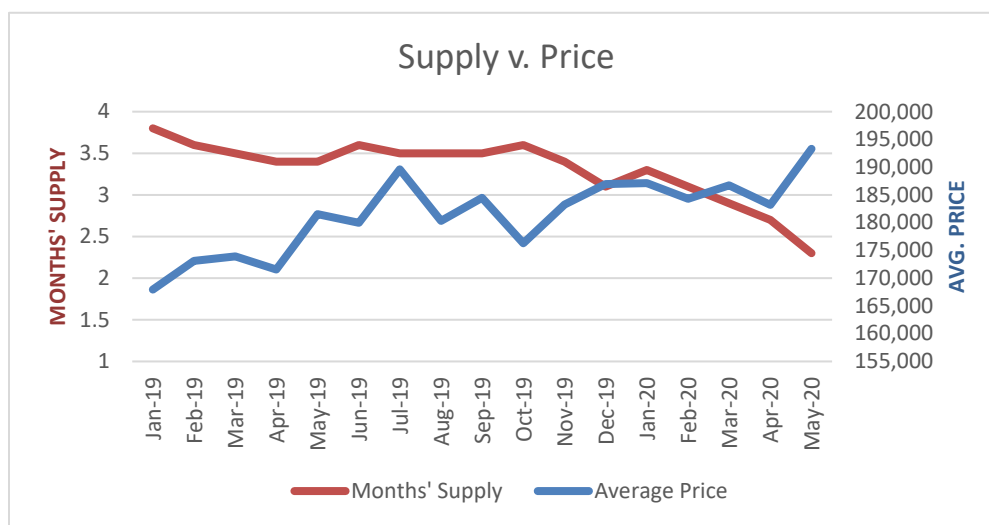

Even with the recent increase in number of homes permitted, as of May 2020 the months' supply in El Paso was 2.3 months (Figure 8). This means, again, that the inventory of homes for sale in El Paso on May 1st would be expected to sell out within 2.3 months. When compared to the 6 months' supply of a balanced housing market, this means that demand for purchasing homes in El Paso is outpacing supply and resulting in increased sale prices.

The current COVID-19 pandemic and resulting economic downturn has further increased instability in the market. While many El Paso households have suffered reductions in income as a result of business closures and staffing reductions, others are taking advantage of historically low interest rates to purchase homes. Starting in April of 2020, several weeks after the local health emergency order was issued, supply began to decrease even more rapidly than before.

While supply has been slowly decreasing since October 2019 that decrease has steepened significantly since March 2020. Figure 9 below shows that the number of listings (aka supply) in May 2020 decreased significantly compared to May 2019, from 2,504 listings in May 2019 to 1,675 listings in May 2020. This represents a 33.1% decrease in listings/supply from the previous year. Looking at the single month change between April 2020 and May 2020, listings dropped from 2,002 to 1,675, a 16.3% reduction, nearly two and a half times greater than any other month-to-month change since January 2019. However, total monthly sales have remained relatively consistent from month to month with number of sales between April 2020 and May 2020 minimally decreasing by 1.3%, from 702 sales in April to 693 sales in May. As a result, the $183,221 average sales price for the 702 homes sold in April, increased by $10,083 to $193,304 in May.
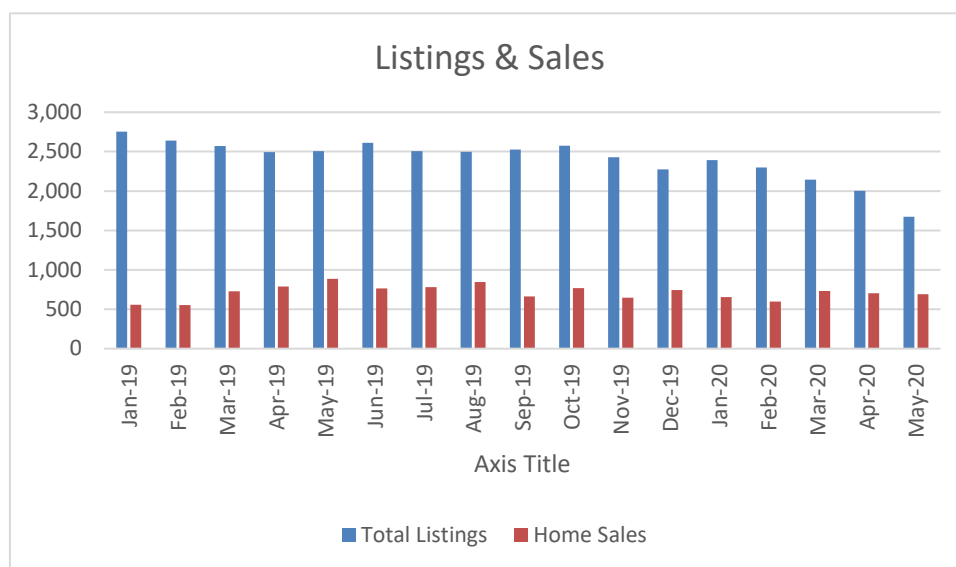
Referencing back to Figure 8, the bottom line is that **low interest rates spurring increased demand, along with a dwindling supply of available homes, are driving prices rapidly upward.**

Although new home construction is occurring throughout the HMA, which helps meet some of the current demand, most new home construction is concentrated in the eastern portion of the city of El Paso and in Horizon City, with limited new construction occurring in the central and western portions of El Paso. This pattern has a negative impact on affordable housing choice, particularly in the central area of El Paso. By not mandating full infrastructure investment during subdivision development, homes on the outskirts of El Paso are artificially subsidized. This makes the price-point for these new homes more attractive for many households than purchasing older resale homes in the city's core that often require repairs or rehabilitation. This trend is resulting in a leeching of population from the center of the city and increased population towards the fringe as housing development sprawls outward. This creates a greater burden on local taxpayers as the City is forced to cover much of the cost of that sprawl to provide infrastructure and public services (i.e. police, fire, parks, libraries, etc.). All of these factors limit affordable housing choice, particularly for low and moderate income El Pasoans. While housing affordability is not typically viewed as an impediment to *fair* housing, **affordability is the greatest impediment to fair housing *choice* for El Paso households.**

The Housing Opportunity Index (HOI), a metric utilized by the National Association of Home Builders (NAHB) and Wells Fargo, represents the share of homes sold that would have been affordable to a family earning the local median income. The HOI for the El Paso HMA was 52.4 during the fourth quarter of 2019, down from 60.5 during the fourth quarter of 2018. Based on this HOI metric, 82% of metropolitan areas in the nation had greater housing affordability than the El Paso HMA. Even then, based on the 2018 El Paso Housing Needs Assessment, affordability is not the only challenge that El Paso households face when considering homeownership, though it is becoming a significantly greater factor. According to the Assessment, "... the prices of homes are not the key driver of falling rates of homeownership in El Paso. The average total housing costs for homeowners with home values between $100,000 - $150,000 is less than $750 per month, which is affordable to households earning around $30,000. However, unfavorable loan terms, a lack of job stability, large down payments (a 20% down payment on a $150,000 home is $30,000), and an increased preference for renting are driving homeownership rates lower in El Paso."

Those factors in conjunction with rising home sale prices have acted as a barrier to entry into homeownership and have been particularly pronounced for heads of households aged 25 to 34 years, a prime age cohort for first-time homebuyers (U.S. Department of Housing and Urban Development, Office of Policy Development and Research, 2020).

In El Paso, from 2010 to 2018, the overall homeownership rate declined 2.0 percentage points despite improved economic conditions. During this period, homeownership for heads of households aged 25 to 34 years declined at a faster rate than total households as affordability concerns limited the ability of this group to purchase a home; from 2010 to 2018, homeownership in this age group fell 10.2 percentage points. By comparison, nationwide, homeownership declined 1.2 percentage points during the 2010 to 2018 period. For heads of households aged 25 to 34, the national homeownership rate declined 3.7 percentage points during the same period.

-Comprehensive Housing Market Analysis for El Paso, Texas; U.S. Department of Housing and Urban Development, Office of Policy Development and Research, March 1, 2020-

The City of El Paso offers first time homebuyer assistance, as does the local Housing Finance Corporation, which can assist these younger households. One recommendation from the El Paso Regional Housing Plan is to restructure the City program to serve more El Pasoans. The Joint Housing Task Force, established to advise implementation of the Plan, will be used as a resource to guide that restructuring.

However, even with these assistance programs a lack of financial resilience, credit-worthiness, high levels of delinquent debt, and challenges with access to affordable banking products and services hinder many El Paso families from becoming homeowners. The City of El Paso has recently developed a Financial Empowerment Blueprint that is intended to directly address these challenges, which will make homeownership a feasible housing choice for many El Paso households that do not currently have that choice.

RENTAL MARKET

According to the 2020 Comprehensive Market Analysis for El Paso, increased rental construction activity from 2010 through 2015 has contributed to stable vacancy rates and moderate rent increases during much of the period since 2009. However, even moderate rent increases have resulted in a significant and growing gap in rental units under $600/month that are affordable to households making less than $30,000/year. With 38.9% of El Paso households having incomes below $35,000, and 27.5% below $25,000, this poses a growing affordability challenge that will be discussed in greater detail in the following section (U.S. Census Bureau, 2020).

The single-family rental vacancy rate was 2.0 percent in February 2020, up slightly from 1.9 percent in February 2019, and the average rent for a single-family home increased nearly 3 percent to $0.80 per square foot (CoreLogic, Inc.). Rents for professionally managed units averaged $778, $901, $1,135, and $1,504 for one-, two-, three-, and four-bedroom homes, respectively.
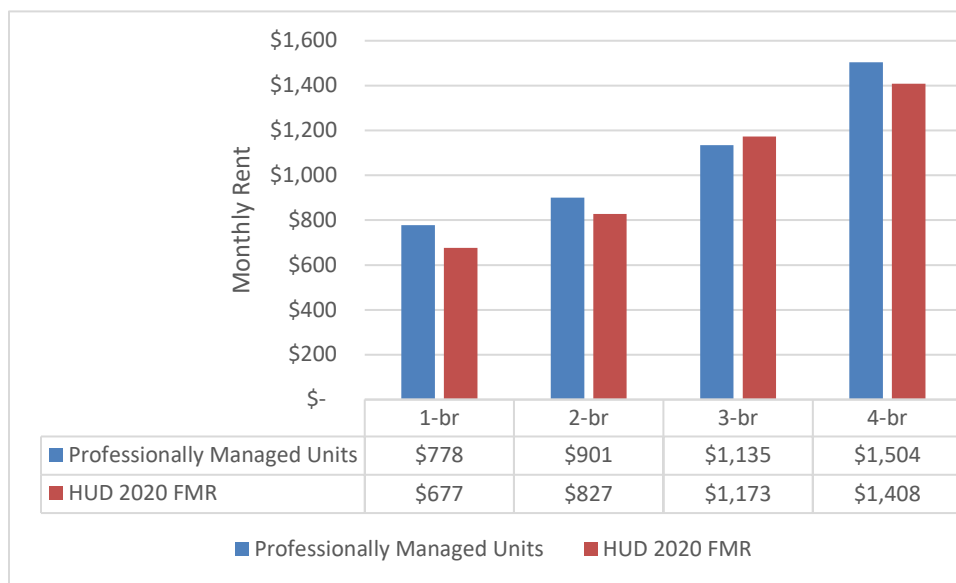
The vacancy rate for rental apartment units increased during the past year when a significant portion of the 6,100 HACEP units being substantially rehabilitated or replaced under the Rental Assistance Demonstration program were

completed. The average apartment rent increased nearly 3 percent from the fourth quarter of 2018 to the fourth quarter of 2019 to $830. By comparison, average annual rent growth was 2 percent from 2010 through 2017.During the 12 months ending February 2020, approximately 660 rental units were permitted, up 35 percent compared with the 490 units permitted during the previous 12 months. From 2004 through 2009, an average of 800 rental units were permitted annually, followed by an average of 1,375 units permitted each year from 2010 through 2015. Builders have responded to the recent trend of out-migration with relatively low levels of new rental construction since 2016. The number of rental units permitted declined to an average of 760 from 2016 through 2018.

-Comprehensive Housing Market Analysis for El Paso, Texas; U.S. Department of Housing and Urban Development, Office of Policy Development and Research, March 1, 2020-

The February 2020 rents for professionally managed units are in line with, though slightly higher than, the 2020 fair market rents (FMR) for the El Paso metro area as established by HUD. Figure 10 below shows the professionally managed units average rental price compared to the HUD established fair market rents for El Paso. The HUD fair market rents are established to determine limits on rent reasonableness for units to be subsidized through various federally funded housing programs. The relatively small difference between the two rents in Figure 10 indicates that many of the existing rental units are eligible for subsidy through housing choice vouchers and other federal programs.

Figure 10: Monthly rents for professionally managed rental units v. HUD FMR

	1-br	2-br	3-br	4-br
■ Professionally Managed Units	$778	$901	$1,135	$1,504
■ HUD 2020 FMR	$677	$827	$1,173	$1,408

■ Professionally Managed Units ■ HUD 2020 FMR

RENTAL HOUSING AFFORDABILITY

44% of households in El Paso meet the HUD definition of low to moderate income, meaning that that they are at or below 80% of the Area Median Income (AMI). It is primarily this population that the City seeks to assist in achieving housing stability, financial empowerment and overall increased quality of life. This population tends to experience more housing cost burden, less financial capacity, and are more likely to live in aging housing requiring repair and/or rehabilitation.

24.3% of all renter households are housing cost burdened, meaning they spend more than 30% of their household income on housing costs (i.e. rent, mortgage, utilities, insurance). Of particular concern is the

prevalence of severe housing cost burden for households at or below 30% AMI. 52% of these extremely low income households expend more than half of their income on housing costs. These individuals and families are likely forced to make difficult choices to meet their basic needs for food, shelter and warmth. These are the households most impacted by the growing gap in rental units priced below $600/month.

From 2010-2016, El Paso County lost nearly 9,000 units with rents below $600, which represents 23% of the total supply. This loss is attributable to both a rapid increase in rents for single-family units, as well as moderate increases in multifamily rents that have shifted units from below $600/month to greater than $600/month (Housing Authority of the City of El Paso, 2018). The rapid increase in single-family rents, is more concerning as a 43% number of El Paso renter households rent single-family units, which is considerably greater than the 34% nationwide (U.S. Department of Housing and Urban Development, Office of Policy Development and Research, 2020).

Overall, this has created a shortage of 3,300 units that are affordable for very low and extremely low income households making less than $30,000 annually. Even more concerning is that if housing costs continue to increase at a greater pace than household income, this gap is projected to grow to 15,600 units by 2025.

There are means to mitigate the extent to which this affordability gap will grow, particularly by increasing the number of Low Income Housing Tax Credit (LIHTC) units and other affordable units with mandated affordability periods. However, this comes with significant challenges as new sources of funding must be developed. In the following example (Figure 11) from the 2018 El Paso Housing Needs Assessment, there is a $5.5 Million gap in financing for a high density, 330 unit affordable multifamily development, even after leveraging LIHTC, deferred fees, etc.

Figure 11:   Example of financing for a 330 unit affordable multifamily development.
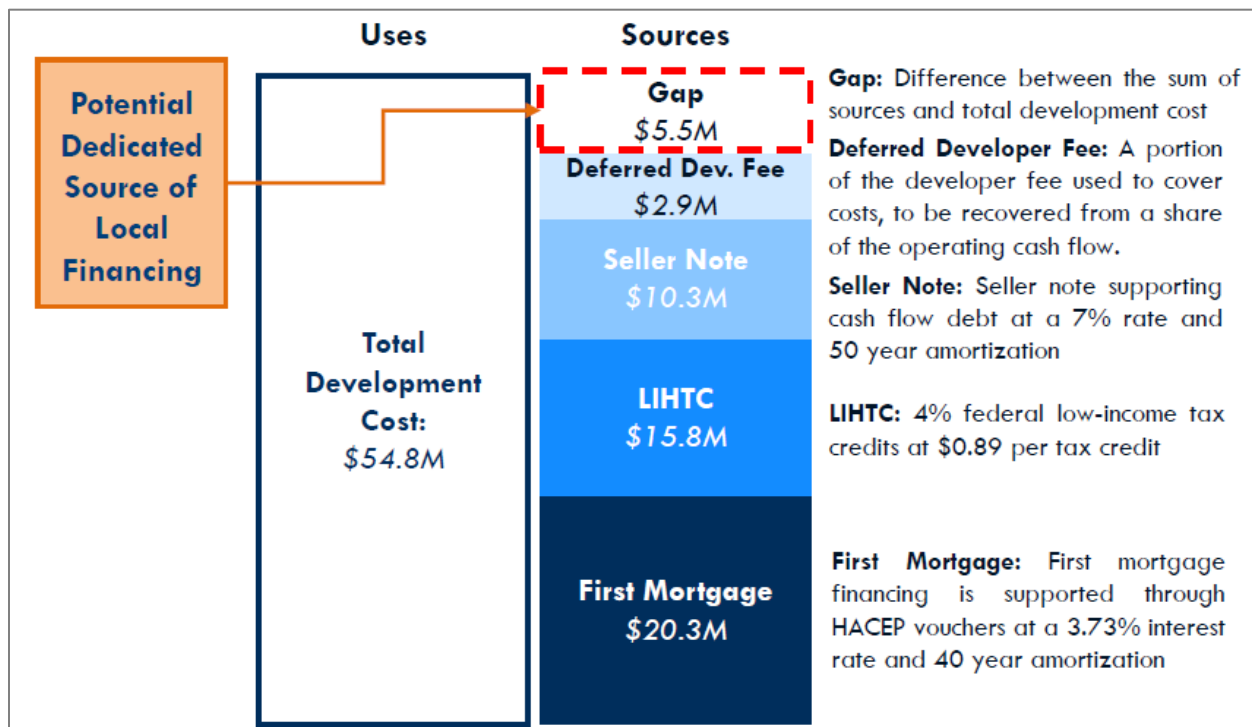
The City is currently "stockpiling" HOME funds from the annual HUD entitlement grant to create the opportunity to fill a gap of this size, however it will typically take three years of accumulating these funds to do so. Considering the current and growing need for additional affordable units, this approach, while useful, will only slow the growing gap so much. In order to be able to fund a project of this scale every year, the City should establish a housing trust fund. Housing trust funds are the primary means for local jurisdictions to support affordable housing development. Housing trust funds are commonly utilized to provide homeownership programs/down payment assistance, financial counseling, gap financing for affordable housing development, rental subsidies, and preservation of naturally occurring affordable housing. The El Paso Regional Housing Plan recommends the creation of a housing trust fund to both increase the production of affordable housing and increase access to homeownership. This market analysis confirms and supports the need for those two activities in order to create fair housing choice in all areas of El Paso.

MILITARY INFLUENCE

While many bases around the country were closing, Fort Bliss expanded through the Base Realignment and Closure (BRAC) in 2005. The Department of Defense's decision to relocate the 1St Armored Division to Fort Bliss was pivotal in the economic boom that El Paso saw right before the U.S. housing bubble crash between 2006 and 2007. That economic boom buffered El Paso, to a certain extent, from the deeper wounds of the Great Recession that other cities suffered (Roberson, 2020).

When the details of the 2005 BRAC were released, El Paso's housing developers stepped up and built both multi-family and single family housing to accommodate the influx of soldiers and their families. This response from the private sector was swift and comprehensive, and is to be congratulated. However, after those soldiers and families arrived, single-family homes continued to be built at a fast pace, particularly in the eastern area of the City. This resulted in nearly a decade of fiscally unsustainable development patterns.

> *El Paso's growth is primarily on the City's edges, where development costs are low. These developments are more expensive to service than infill housing in the core, and current impact fees do not fully capture the cost of providing utilities and public services. The City is subsidizing development on its periphery.*
>
> *This development pattern limits tax base growth for the City and County. Growth in housing units is outpacing household formation, indicating that the development on the City's edge is driven by relocation of existing households, rather than growth. This trend is fiscally unsustainable for El Paso, as it requires El Paso to build schools, parks, and other public amenities farther out, despite existing investment in these amenities within the core.*
>
> -El Paso Regional Housing Plan - Executive Summary; HR&A, 2019-

Between 2011 and 2017, the development of new housing units, mostly along the periphery of the city, exceeded net household growth by 10,000 units. During that timeframe, El Paso added 22,000 housing units while only gaining a net 12,000 new households. This indicates that the continued development on the edge of the city is driven more by relocation of El Paso's existing households, rather than population/household growth.

This population relocation resulting from subsidization of sprawl development on the fringe of the City is also resulting in a hollowing of the core of the city, where populations in some of the oldest, most centrally located neighborhoods is declining. In some areas, this loss of population is severe enough that schools in the central area of town are closing, at the same time that new schools are being built on the periphery.
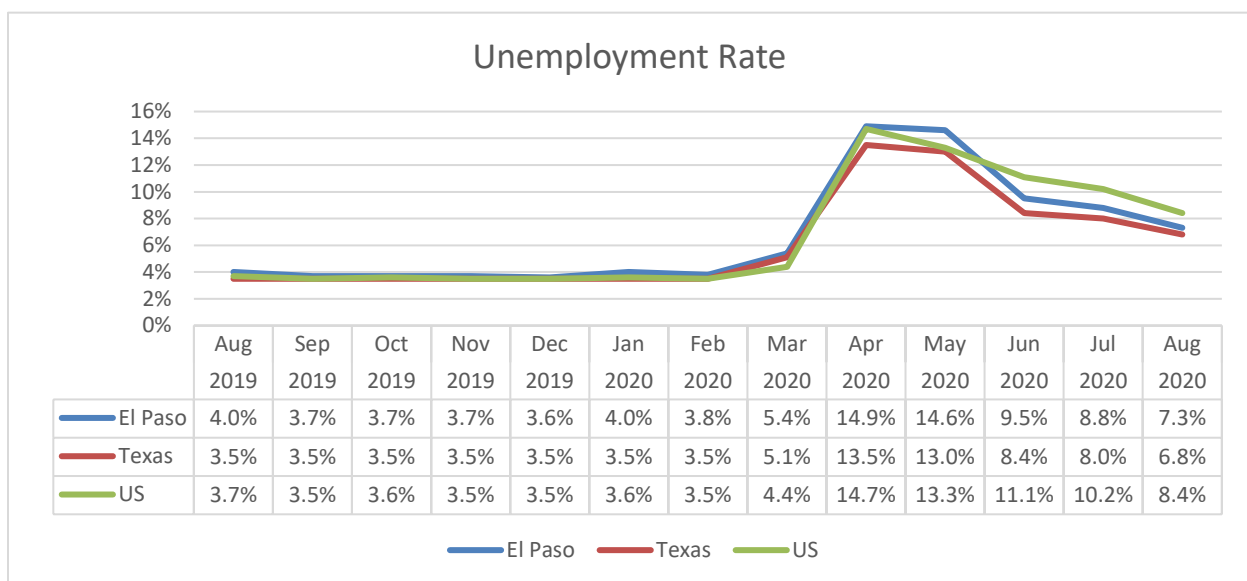
ECONOMIC CONDITIONS

This analysis of impediments is being drafted at a time of great economic uncertainty and turmoil due to the ongoing COVID-19 pandemic. Unemployment is still very high, but has decreased to nearly half of where it was at its peak in April 2020. Many businesses have not recovered and may never do so. Other businesses are limited terms of the service they can provide, and are therefore not fully capable of generating pre-COVID revenues, requiring reduced staffing levels. The leisure & hospitality and service sectors have been impacted more than any other sectors in El Paso.

The Federal Reserve Bank of Dallas (FRBD) issues monthly economic indicator reports that track unemployment and employment growth by sector. It is these metrics from the FRBD that are utilized in this summary of economic conditions in El Paso.

UNEMPLOYMENT

Due mostly to COVID-19, unemployment is very high in El Paso. Figure 12 below shows a very steady, low level of unemployment in the U.S., Texas, and El Paso from August 2019 through February 2020. In late March of 2020, the City of El Paso issued an emergency order requiring the closing of many service and retail businesses to contain the spread of COVID-19. Around that same time, similar emergency orders were issued across the country by state and local governments, resulting in drastic spikes in unemployment numbers for April 2020. The April spikes have been followed by gradually decreasing levels of unemployment, but it may take years for the nation to realize a full employment recovery to sub-5% unemployment rates. The July 2020 update to the Economic Outlook: 2020 to 2030, published by the Congressional Budget Office (CBO), projects that the nationwide unemployment rate will decrease from its peak of 14.7% in April 2020 to 5.9% by the end of 2024. While this is somewhat encouraging, the same report projects that the unemployment rate will not return to pre-pandemic levels at any time before 2030.

Figure 12:   12-month unemployment rate trends

|	Aug 2019	Sep 2019	Oct 2019	Nov 2019	Dec 2019	Jan 2020	Feb 2020	Mar 2020	Apr 2020	May 2020	Jun 2020	Jul 2020	Aug 2020
El Paso	4.0%	3.7%	3.7%	3.7%	3.6%	4.0%	3.8%	5.4%	14.9%	14.6%	9.5%	8.8%	7.3%
Texas	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	5.1%	13.5%	13.0%	8.4%	8.0%	6.8%
US	3.7%	3.5%	3.6%	3.5%	3.5%	3.6%	3.5%	4.4%	14.7%	13.3%	11.1%	10.2%	8.4%

LABOR MARKET - JOB GROWTH BY SECTOR

Unemployment in El Paso has been driven by significant job losses in the leisure & hospitality, professional & business services, and other service sectors. Figure 13 below shows the year-to-date change in number of jobs in El Paso by sector, along with the most recent, July and August figures. For example, total non-farm employment in El Paso increased by 12.8% in August/July as the job market began to rebound, but is overall still down 9.1% from January 2020.

Figure 13: Employment % growth by sector, 9/24/2020. SOURCE: Bureau of Labor Statistics & Dallas Federal Reserve Bank.

Employment Growth by Sector
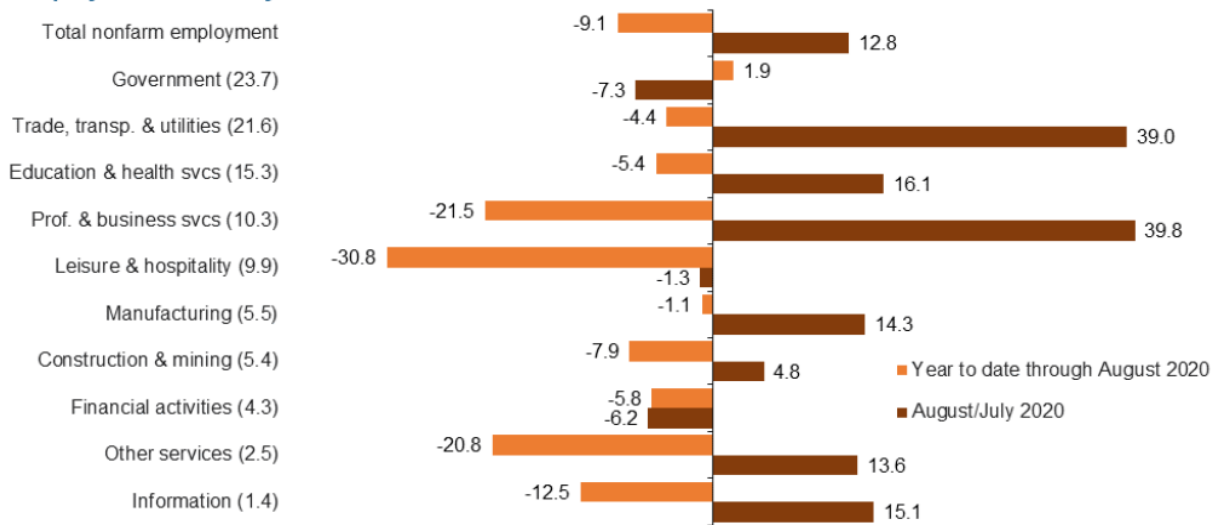
The sector hit hardest by the ongoing pandemic is leisure & hospitality which currently makes up 9.9% of nonfarm jobs and continued to see a loss of jobs in August/July and is now down 30.8% from the start of the year. The professional & business services sector continued to rebound strongly in August/July with an increase in jobs of nearly 40%, but is still the second most severely impacted sector with a year-to-date decrease in jobs of 21.5%.

A positive sign for the El Paso economy is that most sectors gained jobs in August\July. Government jobs saw the largest decrease in August/June, but this is mostly a result of temporary government jobs for COVID-19 response receding after significant gains in July 2020. July 2020 saw an increase of 2,883 net jobs across all sectors, of which 2,622 were in government. As those temporary jobs expire and other sectors rebound, those temporary employees have access to increased jobs in other sectors.

The overall picture on jobs is one of uncertainty as this Analysis of Impediments is drafted. The overall economy and unemployment were in a positive place prior to COVID-19, although most economists saw a national recession on the horizon. The pandemic then threw labor markets into chaos, and the dust has yet to settle. What is for certain is that many El Pasoans are suffering economically as a result of the pandemic, and that is exposing households to the threat of eviction and homelessness.

EVICTIONS AND FAIR HOUSING

Eviction moratoria have been issued at the local, State and Federal level to protect households who have lost income during the pandemic. The moratoria, for the most part, are preventing evictions, but this may be postponing a looming eviction crisis. The City of El Paso allocated $11,000,000 in CARES Act funding to

emergency rental assistance programs to help El Pasoans stay in their homes. This action will in fact prevent many households from eviction, but it cannot prevent all evictions.

There are federal requirements attached to the CARES funds including verification of lost income due to COVID-19 in order for a household to qualify for assistance. Many El Pasoans that have lost income are having challenges documenting that the loss of income is COVID-related. Others, working in the cash economy or with less formalized employment have no documentation of income or loss thereof. And still, others who have not lost income, or could afford to work out a payment plan with their landlord, are using the eviction moratoria to not pay their rent. With numerous months' rent accumulating for households under the eviction moratoria, once those moratoria are lifted there will be an immediate call from landlords for tenants to pay off their past due rent. Some landlords may offer payment plans to struggling households, but others will undoubtedly fill the courts with eviction cases. The City of El Paso, Texas Workforce Commission, U.S. Department of Housing and Urban Development, and Texas Rio Grande Legal Aide, will all have to coordinate to ensure that evictions in violation of fair housing standards are identified and investigated. The most effective means to identify unfair evictions, is to have a citizenry that understands their rights as renters. The City is currently moving forward with contracting a marketing campaign to do just that. It is critical that the marketing campaign be deployed before the expiration of eviction moratoria.

ENFORCEMENT ACTIVITY

FAIR HOUSING ENFORCEMENT: COMPLAINTS

FAIR HOUSING CALLS RECEIVED BY THE EL PASO FAIR HOUSING OFFICE

To evaluate potential fair housing complaints filed by El Paso residents, a record of calls received by U.S. Department of Housing and Urban Development (HUD) between 2016 and 2020 has been included in this report. While these complaints may help to determine types of housing discrimination potentially occurring in El Paso, they do not provide an accurate measure of the prevalence of housing discrimination for several reasons:

- Results of the 2020-2025 Consolidated Plan + Analysis of Impediments Survey suggest that many individuals in the El Paso area are generally not able to recognize housing discrimination.
- Caution is warranted in attempting to infer too much from the data, because of the relatively small number of complaints recorded.
- The Plan of Action for the City of El Paso should focus on improving its tracking system to determine if any type of discrimination is prevalent in El Paso.

Table 19: Fair Housing Complaint Calls Received by HUD

YEAR RECEIVED	NUMBER OF COMPLAINTS	SUCCESSFUL CONCILLIATION	NO CAUSE	COMPLAINT WITHDRAWN
2016-2017	14	8	5	1
2017-2018	3	2	1	
2018-2019	2		1	1
2019-2020	1	1		
TOTALS	20	11	7	2

Source: HUD, Fort Worth Regional Office

HOUSING DISCRIMINATION COMPLAINT REFERRAL IN EL PASO

An important component of fair housing in any community is an effective referral system. Public and private agencies play an important role by referring clients to the appropriate entity if they believe they have experienced discrimination. Staff of such agencies should receive effective training on fair housing issues. Proper training could help improve the ability of these agencies to identify housing discrimination and properly refer clients to the help they need.

The City of El Paso, currently through Project VIDA, provides information on fair housing issues and available resources to the public and different agencies. Year-round activities are carried out by staff as part of contracted services. Currently, the City of El Paso Fair Housing Office works with public, private, local, state, and nationwide agencies to ensure that the public seeking information is provided with accurate and current Fair Housing information. Additional education and training on fair housing issues would be beneficial for public and private agency staff.

COMMUNITY SURVEY

FAIR HOUSING COMMUNITY SURVEY

An affordable housing community survey was conducted to get the perspective of the community members. The survey was available in English and Spanish. A total of 664 responses were received, 508 being in English, and 156 in Spanish. Following is summary of survey results from the Community Survey regarding fair housing issues in El Paso.

The majority of survey respondents selected "No" when asked if they think El Paso had adequate affordable rental housing units available for low-to-moderate income households. In addition, when asked what area of El Paso has the biggest need for affordable rental housing units, the majority of English speakers indicated the east side, followed closely by the central area. However, Spanish speakers overwhelmingly selected Central El Paso as the area with the biggest need for affordable housing.

Similarly, most survey participants stated that they don't think rental housing is affordable in El Paso. When asked for their opinion about how income and the price of rent affects affordability of housing in the city, the most common answers for both English and Spanish speakers survey respondents were:

- Rent prices in El Paso are too high in relation to salaries. This often forces primary breadwinners to work more than one job in order to afford rent, food, and basic utilities. Some respondents also mentioned that this has forced them into homelessness.
- Seniors and other community members living on a fixed income are especially negatively impacted by rent increases and have been forced out of their homes.
- A scarcity of better paying jobs with benefits in El Paso prevent people from affording safer, better housing units for their families.

In addition, a majority of the survey respondents think that affordable rental units for low-income families is the biggest housing need in El Paso.

The majority of the survey respondents indicated that they think families in El Paso have fair access to decent and safe housing. However, the following provides a general summary of respondent comments and reflects major concerns that they have about this issue:

- Low-income families are forced to live in unsafe, high-crime zip codes and unsanitary housing, because these are the only places where they can afford to live.
- Low-income families that can afford to buy a house are often forced to buy old houses that require significant financial investment to repair and keep the properties up to code.
- Respondents noted that there is either not enough affordable housing options in El Paso or that these options are extremely limited.
- Low-income families don't qualify for better housing facilities due to their limited income.
- Low-income families are forced to live in homes with various problems, such as: not receiving proper maintenance, exposure to mold, lack of proper drainage, mosquitoes, unstable infrastructure, etc.
- Senior citizens have a difficult time finding affordable housing and are often unable to qualify due to their fixed income.
- Families often have to decide between affordable housing or desirable neighborhoods for their children. They find that due to several limitations they cannot have both.
- Long waiting lists for affordable housing force people into homelessness if they don't have enough income to pay for an apartment while they wait.
- Some apartment complexes do not accept Section 8 Housing Assistance recipients, which reduces their housing options.
- Income requirements frequently prevent low-income families from qualifying for more desirable units in safer areas.
- Many respondents indicated that their landlords often fail to repair their properties.
- Some respondents noted that there is a lack of opportunities for credits.
- Others indicated that there is a lack of housing options for people with disabilities.

When participants were asked if they El Paso has invested enough in housing rehabilitation and/or neighborhood revitalization areas, feedback showed that while there has been improvement in housing investment in other areas of the city, such as higher income neighborhoods, these improvements are not being implemented in the neighborhoods that need it the most. For example, there are still many historic, low-income neighborhoods in the city in great need of proper maintenance, street lighting, and safer sidewalks. Investment is usually more noticeable is newly developed neighborhoods on the Eastside and Westside of the city, but Central and Northeast El Paso, as well as the Lower Valley, continue to be neglected. Furthermore, some survey respondents are not aware of any housing rehabilitation or neighborhood revitalization efforts in the city.

- Investment is only visible in higher income neighborhoods
- Most investment goes to the newly developed areas (east) and not to the older neighborhoods (central)
- Historic neighborhoods have been neglected for too long, they could have been renewed and become affordable housing for families
- Better outreach is needed so ensure programs are utilized by people who really need it
- There is still a big need for investments such as green spaces, community spaces and walkability
- They have seen improvements to areas downtown but not enough in other areas such as Lower Valley and Northeast
- There's a need for more investment and make the process more efficient
- Investment hasn't been equal around the areas of the city
- More general maintenance to those city investments is equally important
- They have seen investment in housing, remodeling old apartments

Most survey respondents think that "new home buyer down payment assistance" should be a top priority for the city, followed closely by the construction of affordable rental housing units in neglected areas.

According to the survey responses, only 25% of the respondents have dealt with or known someone who has faced housing discrimination. However, everyone agrees that there is a significant need for education for both the public and for landlords. Community members should have access to information about their rights and any laws that can protect them from being victims of housing discrimination. In addition, there should be a reliable channel to report any violations. At the same time, landlords and their staff need to be knowledgeable about discrimination prevention laws and updates, as well as receive sensitivity training frequently to provide a better service for people with disabilities. Violations should be investigated in a timely matter and involve legal consequences.

The majority of the survey respondents stated that, if needed, they would report housing discrimination to the local housing authority, local government, and/or to the state/federal authorities. Yet, many also indicated that they are uncertain as to where they would report concerns about housing discrimination. These concerns and uncertainty suggest that more outreach and clarification is needed to ensure victims of housing discrimination know exactly when their rights are being violated and where they can report such incidents.

FAIR HOUSING SURVEY FOR STAKEHOLDERS – AGENCY FEEDBACK

A stakeholder feedback form was distributed across the nonprofit and affordable housing community to gain their perspective on key fair housing issues. A total of 40 responses were received. Following is a summary of the feedback received.

More than 87% of the survey respondents were non-profit agencies that provide the community with services that can be grouped in the following categories:

- **Children Services**: Clothing for children in need, advocacy for abused and neglected children, special needs children, after-school programs, and speech and physical therapy.
- **Disability Services**: Independent living, job development, relocation, transportation, referrals, personal care attendant, support services, and mental health services.
- **Low-income Family Services**: Home repairs, rentals, legal services, rent and utility assistance, employment, training, education, and medication cost assistance.
- **Homeless Services:** Emergency housing, case management, adult education, healthcare, legal advocacy, support groups, financial education, shelter, and re-housing.

- **Military Services:** Support for military families and individuals.
- **Other Community Services**: Racial justice, workforce development, health and wellness, business advising for small business, support services for individuals with Alzheimer's disease and their families, art education, support services for families with children in treatment for cancer, victims of sexual assault, veterans' services, support for sex trafficking victims, mental health, and addiction treatment and recovery.

The survey data show that the majority of the stakeholders and project partners selected "Poverty and Low-income Families," closely followed by "Affordable Housing," when asked what is the area that should be the biggest concern for the City of El Paso.

In addition, 57.5% of the organizations noted that the current access to services that address these needs are "Not Accessible." Similarly, 67.5% of the survey respondents stated that availability for these services is "Not Available" in the city.

Survey data also indicated that 87.5% of the organizations think that the City of El Paso can address this need by providing funding. Outreach and education were the second and third most popular answers, respectively. In addition, 57.5% of the organizations noted that the current access to services that address these needs are "Not Accessible." Similarly, 67.5% of the survey respondents stated that availability for these services is "Not Available" in the city. Survey data also indicated that 87.5% of the organizations think that the City of El Paso can address this need by providing funding. Outreach and education were the second and third most popular answers, respectively.

Most survey respondents described the supply and availability of affordable housing in the City of El Paso as insufficient, limited in options, and with long waiting lists. In addition, most survey respondents believe that the current number of low-to-moderate income housing units assisted with federal, state, and local programs is not sufficient compared to the need for such programs.

Data show that most survey respondents described the need for specific types of housing (low-income, senior citizen homes, accessible units, etc.) in the City of El Paso as high.

Organizations think that that education, housing affordability, funding for non-profit agencies that support the community, increase in subsidies for low-income families, and job training programs should be increased in order to improve the lack of local decent and safe housing accessibility for low-income families.

According to the survey results, 70% of respondents think that adequate fair housing education is not readily available in El Paso. Furthermore, respondents noted that education, outreach, and improvement to the process for identifying and reporting housing discrimination needs to be improved to correct the situation. Most organizations feel well-informed about housing discrimination. In addition, 72.5% said that housing discrimination does exists in El Paso. Moreover, 75% think that public and housing providers are not well-informed on the requirements in order to provide reasonable accommodations and modifications for persons with disabilities. Outreach was the most popular answer when asked what could be done to make that information available to the public and housing providers in El Paso, followed by education for renters and realtors.

What is more, 65% of the survey participants said that the supply of accessible dwellings for rent in El Paso is not adequate and that an increase in funding and subsidies for low income families is needed, as well as incentives for landlords. A large segment of the participants felt that they did not know enough or did not have sufficient information to answer this question.

Participating organizations that responded to this survey said that they do not think that low-income residents have equal access to home ownership compared to the rest of the public in El Paso. Additionally, the respondents mentioned that funding, down-payment assistance, financial education, subsidies, job

opportunities, better paying jobs, matching loan saving plans, and loan forgiveness are necessary to help low-income residents become homeowners.

Half of the survey respondents said that they believe there is predatory lending occurring, which is based on a person's race, color, religion, national origin, sex, familial status or disability. They indicated that this is a widespread problem our community and emphasized that outreach, awareness campaigns, education for lending agencies and city staff should be considered in order to prevent predatory lending from taking place.

Finally, only 25% of the participating organizations said that they know where to report housing discrimination.

IDENTIFICATION OF IMPEDIMENTS

The impediments below are based on a review of the 2016 AI, as well as identification of new impediments. They identify the actions taken or that are currently being taken by the City to address impediments to fair housing choice. They also include outcomes of previous and ongoing actions and/or additional actions to be taken by the City as we move forward in crafting policy that is inclusive of all El Pasoans. The impediments identified below are based on the analysis contained within prior sections of this AI. This analysis resulted in several key takeaways:

- Data indicates that there are few impediments to fair housing choice based on discrimination against any one protected class.
- Affordability is the primary impediment to housing choice for both homebuyers and renters.
- Although there have been few recent fair housing complaints based on LGBTQ discrimination, local policies to protect the rights of LGBTQ owners and renter are lacking.
- Individuals in the El Paso area are generally not able to recognize housing discrimination, which may be a key reason for the very low number of complaints filed over the past several years.

REVIEW OF GOALS FROM 2016 AI + FURTHER ACTIONS FOR IMPLEMENTATION

2016 AI Goal - To prevent illegal housing discrimination in the City of El Paso

- *2016 AI Actions Implemented*: The City of Paso renewed its emphasis on engaging the Fair Housing Task Force to address illegal housing discrimination by engaging the task force in the development of the El Paso Regional Housing Plan and renewing monthly task force meetings.
  - *Outcome:* Based solely on reported complaints, illegal housing discrimination is rare in El Paso.
- ***Recommended New Actions for Implementation:*** Continue focused engagement with the Fair Housing Task Force and closely track fair housing complaints.

2016 AI Goal - To decrease residential patterns of protected class concentrations based on race, national origin, and disability

- *2016 AI Actions Implemented:* Continue to focus on fair housing and affirmative marketing activities in identified minority areas. The City funds fair housing outreach on an annual basis under the Community Development Block Grant Program and the outreach projects are targeted in areas of higher than expected concentrations.

- o *Outcome:* Based on current data, fair housing complaints are unusually low. This either indicates a lack of housing discrimination or a need for increased awareness of discriminatory practices and how they can be reported.
- **Recommended New Actions for Implementation:** The City should restructure its fair housing outreach funding to reach a broader portion of the community. A transition to deployment of a marketing strategy in high concentration areas, that includes education on predatory lending practices and high cost loans, will increase awareness and decrease discriminatory practices.

2016 AI Goal - Create a plan to effectively integrate the AI with the City's consolidated plan

- *2016 AI Actions Implemented:* The 2020-2025 Consolidated Plan (Con Plan) was developed with input from the Fair Housing Task Force and joint community survey for both the AI and the Con Plan was deployed. The Con Plan was completed in July of 2020 and was used to inform this AI.
  - o *Outcome:* The Con Plan and AI are now companion documents guiding the investment of HUD Entitlement grants towards the greatest needs in El Paso.
- **Recommended New Actions for Implementation:** This impediment has been addressed and a similar coordinated effort should be deployed for the next Con Plan and AI.

2016 AI Goal - Decrease disparities in home mortgage lending and high cost loans

- *2016 AI Actions Implemented*: Continued funding of Fair Housing Outreach Program through Project Vida with emphasis on education and community outreach on predatory lending practices for both consumers and providers.
- **Recommended New Actions for Implementation**: The City should restructure its fair housing outreach funding to reach a broader portion of the community. A transition to deployment of a marketing strategy in high concentration areas, that includes education on predatory lending practices and high cost loans, will increase awareness and decrease discriminatory practices.

2016 AI Goal - Increase public awareness on fair housing issues and available resources.

- *2016 AI Actions Implemented*: The 2016 AI plan of action for this goal was to post the Analysis of Impediments on the City's website. Both the AI and Con Plan are now available on the City's website and can be accessed through the link below: https://www.elpasotexas.gov/~/media/files/coep/community%20and%20human%20development/reports/analysis%20of%20impediments.ashx?la=en

  - o *Outcome:* Increased transparency between the City and community through increased access to the Analysis of Impediments.
- **Recommended New Actions for Implementation**: Continuous updates to the website to include fair housing complaints, the nature of those complaints, and their resolution will increase the public's understanding of housing discrimination.

2016 AI Goal - Provide fair housing outreach strategies to combat NIMBYism

- *2016 AI Actions Implemented*: Educate area residents of the benefits of diverse communities
  - o *Outcome:* NIMBYism remains a problem in El Paso

- ***Recommended New Actions for Implementation***: The City's fair housing marketing strategy needs to include information about the benefits of living in mixed-income neighborhoods and the potential for well-developed affordable housing to increase overall property values in the immediate area.

2016 AI Goal - Amend the Fair Housing Ordinance for the City of El Paso

- *2016 AI Actions Implemented*: The City of El Paso's Fair Housing Ordinance update was adopted by City Council in May 2018. This is no longer identified as an impediment, however, regular review of the ordinance should take place.
    - o *Outcome:* Fair Housing Ordinance has been updated to reflect the roles and responsibilities of the Fair Housing Task Force to include increased term of appointments from 2 to 3 years and the addition of alternate appointments.
- ***Recommended New Actions for Implementation***: Continue to review the Fair Housing Ordinance as it applies to the roles and responsibilities of task force members. Continue monthly meetings to engage the task force and solicit recommendations based on new laws and or policy as they relate to fair housing.

IDENTIFICATION OF NEW IMPEDIMENTS + PLAN OF ACTION

The following impediments to fair housing choice were identified through community surveys, stakeholder conversations, ongoing fair housing complaints, the above review of 2016 impediments, and demographic and market research.

Impediment #1 - While reported complaints of illegal housing discrimination are very infrequent in El Paso, that may be the result of a lack of understanding on the part of El Paso residents of their fair housing rights and the resources available to report housing discrimination.

- **Goal #1** - Increase the public's awareness of their rights under the Fair Housing Act and how to report housing discrimination.
    - o **Plan of Action** - The City should restructure its fair housing outreach funding to reach a broader portion of the community. A transition to deployment of a marketing strategy in high concentration areas, that includes education on predatory lending practices and high cost loans, will increase awareness and decrease discriminatory practices.

Impediment #2 - The City of El Paso can improve on its system for tracking fair housing complaints, documenting resolution of those cases, and reporting those items to the Fair Housing Task Force.

- **Goal #2** - Enhance the City's process for tracking and reporting fair housing complaints.
    - o **Plan of Action** - 1) The City of El Paso, Department of Community + Human Development (DCHD) will create a cross-functional team (CFT) to establish a new process for tracking fair housing complaints and reporting those complaints to the Fair Housing Task Force and the community at-large.

      2) That process may include investments in technology and/or software that are designed to track fair housing complaints.

      3) Finally, DCHD will develop a *Fair Housing Dashboard* on the department's webpage allowing for the community at-large to access information regarding fair housing

complaints that are under investigation, and the results of complaints following investigations.

Impediment #3 - Many cities have local ordinances that expand the definition of "protected classes" beyond those identified by the Fair Housing Act, and HUD will investigate complaints based on those expanded definitions. The Fair Housing Act does not identify LGBTQ individuals as a protected class and The City of El Paso does not currently have legal protections for housing discrimination against the LGBTQ community.

- **Goal #3** - Ensure that all El Pasoans are protected against housing discrimination.
    - o **Plan of Action** - Develop a CFT of City departments (ex. Legal, DCHD, Performance Office), Fair Housing Task Force members, community advocates, and elected officials to develop an Equity Ordinance that includes LGBTQ individuals as a "protected class".

Impediment #4 - Perhaps the greatest impediment to housing choice in El Paso is housing affordability.

- **Goal #4** - Increase affordable housing choice for all El Pasoans.
    - o **Plan of Action** - The City of El Paso must remain committed to implementing the El Paso Regional Housing Plan, The City of El Paso Financial Empowerment Blueprint, and Resilient El Paso. All three of these adopted plans/strategies address different aspects of the housing affordability challenges facing all El Pasoans, particularly those of low and moderate income.

Note: The "Recommended actions for implementation" in the previous section are part of the overall Plan of Action and need to be implemented along with the items listed above.

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