



**2015 Analysis of Impediments
to Fair Housing Choice**
Sponsored by the
North Dakota Department of Commerce
PHA and Non-Entitlement Grantee Outreach
Committee
Fair Housing Overview



2015 North Dakota Analysis of Impediments (AI)

States must:

**Certify that they are Affirmatively
Furthering Fair Housing (AFFH)
as a condition of receiving
federal funds from HUD**



2015 North Dakota Analysis of Impediments (AI)

Certification means three things:

- 1. Conduct an AI**
- 2. Take action on impediments, if impediments were found**
- 3. Maintain records of actions**



2015 North Dakota Analysis of Impediments (AI)

Entire purpose of the Study:

Conduct study to identify any impediments to fair housing choice, then recommend actions that address impediments



Analysis of Impediments PHA and Grantee Outreach Committee



- **Present to you fair housing information and preliminary results**
- **Offer you opportunity to participate**
- **Help us guide the process and**
- **Help us to get better public participation**



Definition of Impediments to Fair Housing Choice:



**Actions, omissions, or decisions
which restrict housing choice
because of protected class
status**



Who is protected in North Dakota?



**Protected classes
under state and federal law:**

**Race, color, religion,
familial status, marital status, sex,
disability, age (40+), receipt of public
assistance, and national origin**



Review AFFH Court Cases



National Significance:

- **Westchester County, NY, vs. Antidiscrimination Center of New York City**
 - ✓ **Falsely claiming certification**
 - ✓ **Forced to pay funding back to HUD**
 - ✓ **Forced to pay legal fees**
 - ✓ **That County now has very close oversight**
 - ✓ **AI scrutiny very high throughout the U.S.**



Content of North Dakota AI



- **Private sector transactions: rental market (applications, interviews, etc.) and sales markets (lending, steering, blockbusting, foreclosure burden, etc.)**
- **Public sector influences: land use codes, zoning, public policy practices, neighborhood resistance, etc.**
- **Assessing barriers to fair housing choice**



Other Pertinent Information

North Dakota Needs:



- **Housing Complaint data**
- **Mortgage lending and denial rates**
- **Community Reinvestment Act activity**
- **Distribution of affordable housing**
- **Public input meeting attendance**
- **Results of the Fair Housing Survey**
- **Presentation of findings before public**



Other Pertinent Information



What Do PHAs and Grantees Need to Do?

- **Help enhance citizen participation**
- **Offer specific information for geographic maps**
- **Help meetings, public relations information**
- **Is there specific area information they can offer?**
- **Documentation of participation in process**
- **What else might be needed by PHAs or prospective grantees?**



2015 North Dakota Analysis of Impediments (AI)

**Public Housing Authorities:
Should have a Fair Housing Plan
or accept the AI prepared by an
entitlement or the State.**

Let's work together!



2015 North Dakota Analysis of Impediments (AI)

Grantee Responsibilities:

**Also have the responsibility to
affirmatively further fair housing,
reflecting the State's findings**

Let's work together!



2015 North Dakota Analysis of Impediments (AI)

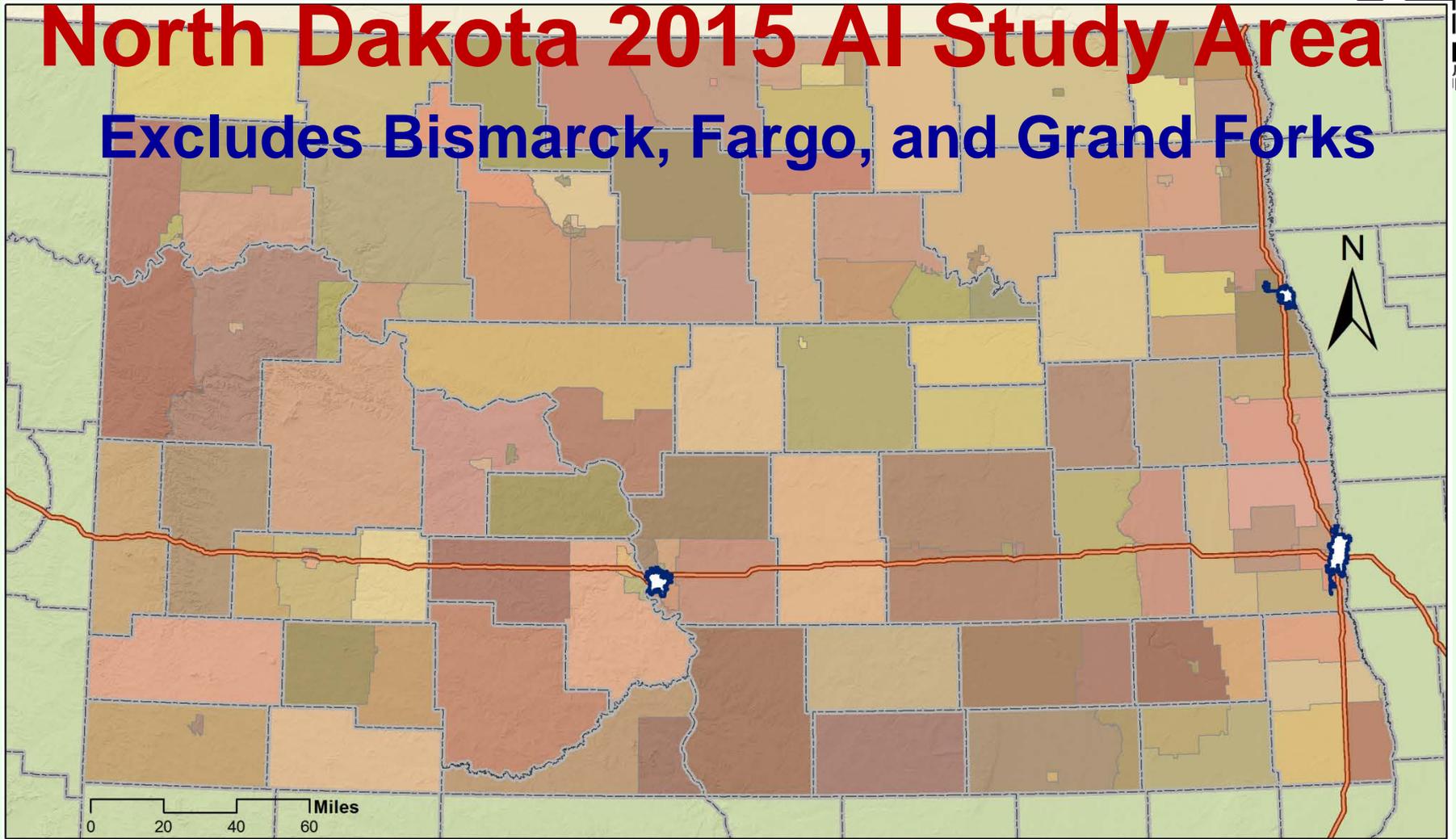
Working Together Means:

- **We both get what we need**
- **We operate more efficiently**
- **We can work together on outcomes, impediments, actions**



North Dakota 2015 AI Study Area

Excludes Bismarck, Fargo, and Grand Forks





Demographics:

Total Population by Race/Ethnicity

Population by Race and Ethnicity

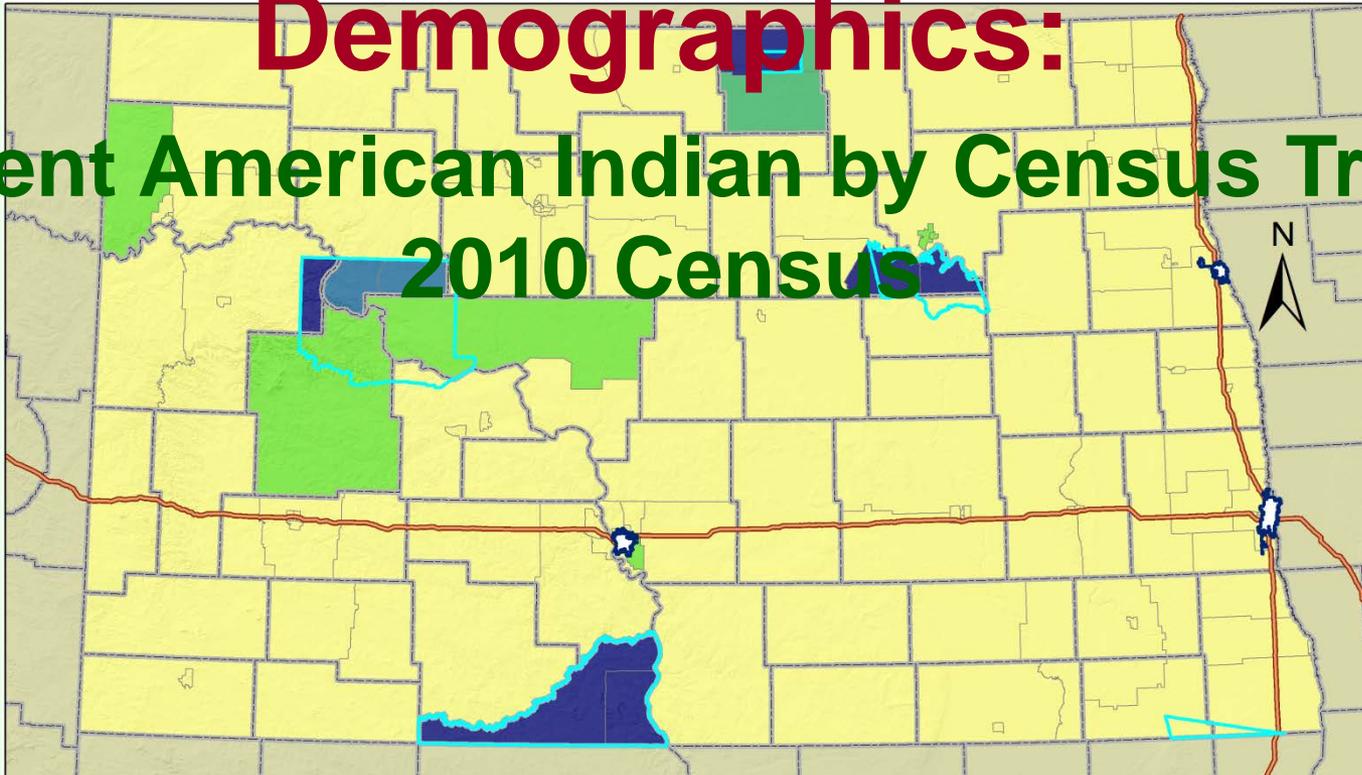
Non-Entitlement Areas of North Dakota
2000 & 2010 Census SF1 Data

Race	2000 Census		2010 Census		% Change 00-10
	Population	% of Total	Population	% of Total	
White	409,186	91.6%	406,246	89.7%	-0.7%
Black	2,412	0.5%	3,647	0.8%	51.2%
American Indian	26,969	6.0%	30,851	6.8%	14.4%
Asian	1,401	0.3%	2,251	0.5%	60.7%
Native Hawaiian/ Islander Pacific	147	0.0%	239	0.1%	62.6%
Other	1,757	0.4%	2,290	0.5%	30.3%
Two or More Races	4,876	1.1%	7,408	1.6%	51.9%
Total	446,748	100.0%	452,932	100.0%	1.4%
Non-Hispanic	441,465	98.8%	444,058	98.0%	.6%
Hispanic	5,283	1.2%	8,874	2.0%	68.0%



Demographics:

Percent American Indian by Census Tract: 2010 Census



Legend

2010 American Indian Population
 2010 Average percent American Indian population in non-entitlement areas of North Dakota = 0.8% Disproportionate share threshold = 10.8% (A disproportionate share exists where the share of a population in a given Census tract exceeds the overall average by ten percentage points.)

0 20 40 60 Miles

Data Sources: US Census Bureau, Esri, USGS

American Indian Population

	0.1% - 6.8%
	6.9% - 16.8%
	16.9% - 43.2%
	43.3% - 69.6%
	69.7% - 96%

Disproportionate Share Threshold

- Tribal Reservation Areas
- Entitlement Cities
- Major Highways
- County Boundaries



Economics:

Poverty in North Dakota

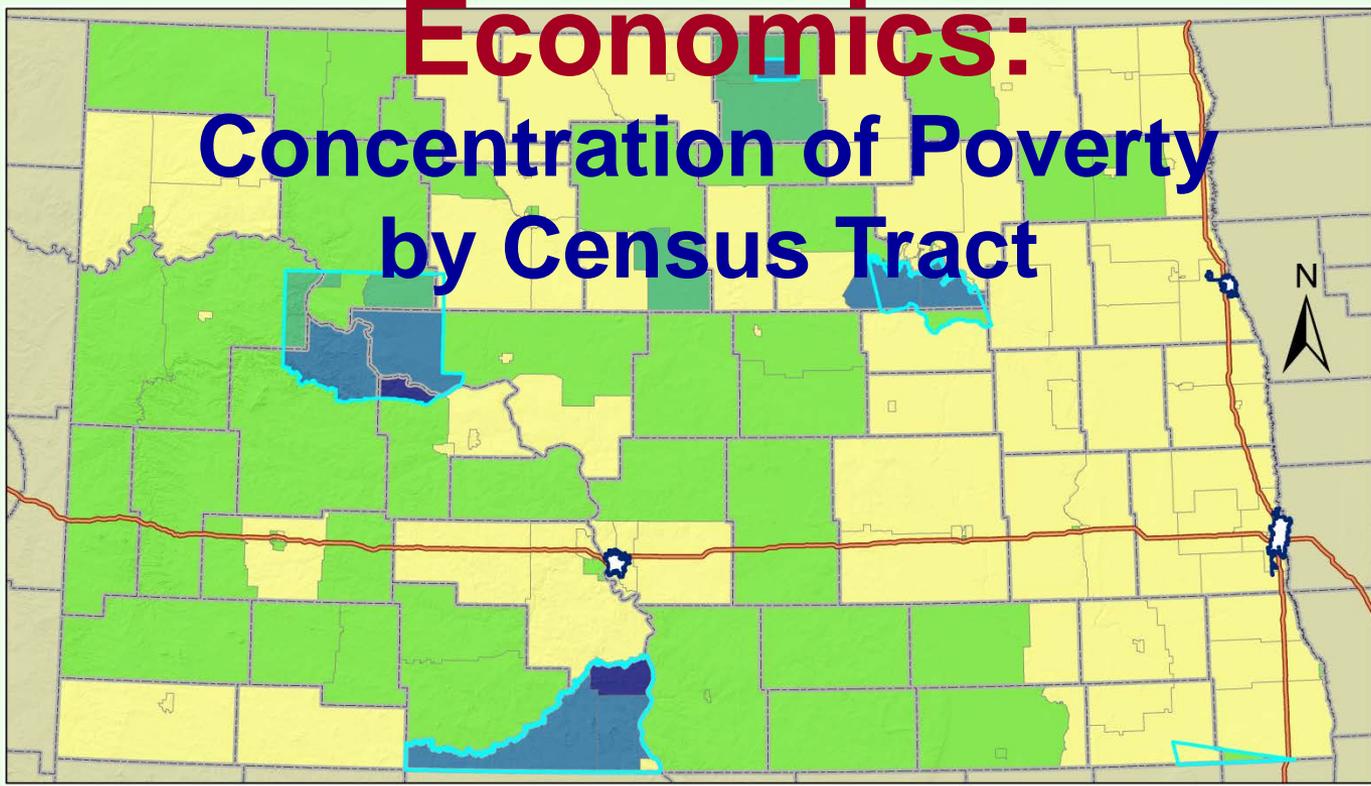
Poverty by Age

Non-Entitlement Areas of North Dakota
 2000 Census SF3 & 2012 Five-Year ACS Data

Age	2000 Census		2012 Five-Year ACS	
	Persons in Poverty	% of Total	Persons in Poverty	% of Total
Under 6	5,772	11.1%	6,290	13.3%
6 to 17	11,462	22.0%	9,052	19.1%
18 to 64	26,567	51.1%	23,479	49.5%
65 or Older	8,227	15.8%	8,588	18.1%
Total	52,028	100.0%	47,409	100.0%
Poverty Rate	12.0%	.	10.7%	.



Economics: Concentration of Poverty by Census Tract



Legend

2000 Poverty Rates
2000 Average poverty rate in non-entitlement areas of North Dakota = 12%. Disproportionate share threshold = 22% (A disproportionate share exists where the share of a population in a given Census tract exceeds the overall average by ten percentage points.)

Poverty Rates

- 0% - 12%
- 12.1% - 22%
- 22.1% - 31.3%
- 31.4% - 40.6%
- 40.7% - 49.9%

Tribal Reservation Areas
 Entitlement Cities
 Major Highways
 County Boundaries

Disproportionate Share Threshold

0 10 20 30 Miles



Housing:

Total Housing Units

Housing Units by Tenure
 Non-Entitlement Areas of North Dakota
 2000 & 2010 Census SF1 Data

Tenure	2000 Census		2010 Census		% Change 00-10
	Units	% of Total	Units	% of Total	
Occupied Housing Units	175,022	86.0%	184,878	85.8%	5.6%
Owner-Occupied	128,130	73.2%	134,869	73.0%	5.3%
Renter-Occupied	46,892	26.8%	50,009	27.0%	6.6%
Vacant Housing Units	28,400	14.0%	30,567	14.2%	7.6%
Total Housing Units	203,422	100.0%	215,445	100.0%	5.91%



North Dakota Fair Housing Survey



Preliminary Findings

Role of Respondent
State of North Dakota
2015 Fair Housing Survey Data

Primary Role	Total
Local Government	9
Banking/Finance	8
Service Provider	6
Advocate/Service Provider	5
Homeowner	5
Property Management	5
Renter/Tenant	3
Other Role	3
Construction/Development	1
Missing	0
Total	45

<https://www.research.net/s/2014NorthDakotaFairHousingSurvey>



North Dakota Fair Housing Survey



Preliminary Findings

Barriers to Fair Housing in the Private Sector

State of North Dakota

2015 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any questionable practices or barriers to fair housing choice in:					
The rental housing market?	9	18	8	10	45
The real estate industry?	4	23	8	10	45
The mortgage and home lending industry?	2	19	14	10	45
The housing construction or accessible housing design fields?	6	17	11	11	45
The home insurance industry?	1	19	15	10	45
The home appraisal industry?	3	18	14	10	45
Any other housing services?	4	16	13	12	45



North Dakota Fair Housing Survey



Preliminary Findings

Barriers to Fair Housing in the Public Sector

State of North Dakota
2015 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any questionable practices or barriers to fair housing choice in:					
Land use policies?	4	20	10	10	45
Zoning laws?	4	21	11	10	45
Occupancy standards or health and safety codes?	5	18	12	10	45
Property tax policies?	6	17	11	11	45
Permitting process?	3	17	14	11	45
Housing construction standards?	8	15	12	10	45
Neighborhood or community development policies?	2	18	14	11	45
Limited access to government services, such as employment services?	9	17	9	10	45
Public administrative actions or regulations?	1	15	19	10	45



North Dakota Fair Housing Survey

Preliminary Findings



Fair Housing Activities

State of North Dakota
2015 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total	
Is there a training process available to learn about fair housing laws?	16	14	6	9	45	
Have you participated in fair housing training?	15	8		22	45	
Are you aware of any fair housing testing?	9	23	4	9	45	
Testing and education	Too Little	Right Amount	Too Much	Don't Know	Missing	Total
Is there sufficient outreach and education activity?	22	3	1	10	9	45
Is there sufficient testing?	12	2	1	21	9	45



North Dakota PHA and Grantee Outreach Committee

What should we all do next?

1. **Contact agencies and residents and others to participate in survey?**
2. **Make folks aware of upcoming fair housing forum? Generate attendance?**
3. **Other help with getting public involvement or survey completions?**



Conclusion

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