
CITY OF MOUNTAIN VIEW

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE



2015-2020

Prepared for:
The City of Mountain View
Neighborhoods and Housing Division
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I. Introduction

“ . . . affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.”¹

– U.S. Department of Housing and Urban Development, Affirmatively Furthering Fair Housing; Final Rule

The City of Mountain View (City) is committed to affirmatively furthering fair housing and overcoming identified impediments to fair housing choice throughout the City. This Analysis of Impediments to Fair Housing Choice (AI) draws on the City’s previous AI, regional and local data sources, and planning documents to provide an overview of the laws, policies, procedures, and circumstances that shape housing choice for individuals and households in the City.

The purpose of the AI is to provide information on fair housing, identify limitations to housing choice, and offer recommendations to minimize or eliminate any fair housing choice barriers that individuals and households face in their search for housing. It is intended to serve as a blueprint to guide future fair housing planning and resource allocation and is meant to provide meaningful information to policymakers, housing advocates, providers, and lenders in their efforts to build and support fair housing policies and practices.

As a recipient of Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funding from the U.S. Department of Housing and Urban Development (HUD), the City has completed this AI to offer an overview of the current housing profile and set guidelines to help address identified fair housing choice issues.

Organization of the AI

This AI is divided into the following eight chapters:

- I. **Introduction** defines “fair housing” and discusses the purpose of the document.
- II. **Background Data** provides an overview of the socio-demographic and access characteristics of the City, along with a discussion of their relationship to fair housing choice.
- III. **Housing Profile** provides an overview of the housing characteristics of the City, along with a discussion of their relationship to fair housing choice.
- IV. **Mortgage Lending Practices** discusses public and private lending practices that shape the ability of individuals and households to obtain housing.

¹ 24 CFR Parts 5, 91, 92, 570, 574, 576, and 903: Affirmatively Furthering Fair Housing, Executive Summary Page 42272

- V. **Public Policies and Practices** discusses public policies that shape the ability of individuals and households to obtain housing.
- VI. **Fair Housing Profile** analyzes current public and private sector fair housing programs and activities and identifies any findings regarding trends and patterns associated with discriminatory housing practices.
- VII. **Fair Housing Progress Since 2010** summarizes the actions and recommendations outlined in the 2010 AI and the City's progress to date.
- VIII. **Key Findings and Recommendations** presents a set of recommended strategies and action steps to overcome the barriers to fair housing choice identified within the document.

What is Fair Housing?

Federal and state fair housing laws are designed to prohibit housing discrimination and guarantee equal access to purchasing, renting, leasing, or lending a home and obtaining housing insurance and mortgages. Federal fair housing laws prohibit housing discrimination on the basis of race, color, religion, sex, national origin, familial status, and disability. California fair housing laws advance those implemented at the federal level and forbid discrimination by reason of age, marital status, ancestry, source of income, sexual orientation, and other forms of arbitrary discrimination.

Legal Framework

To ensure that all individuals and families are given equal access to housing, the federal government and the State of California (State) have enacted the following laws to prohibit subtle and overt forms of housing discrimination.

Federal Fair Housing Laws

- *Title VI of the Civil Rights Act of 1964 (Title VI)*: Title VI is intended to protect the rights of individuals regardless of race, color, or national origin in programs and activities that receive federal funding or financial assistance.²
- *Title VIII of the Civil Rights Act of 1968 (Fair Housing Act)*: The Fair Housing Act (adopted in 1968 and amended in 1988) prohibits housing discrimination against any of the following seven protected classes:
 1. Race
 2. Color
 3. Religion
 4. Sex
 5. National origin
 6. Familial status
 7. Disability³

² U.S. Department of Housing and Urban Development. "Fair Housing Laws and Presidential Executive Orders."
http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws

³ Ibid

- As amended in 1988, the Fair Housing Act added “familial status” and “disability” as protected classes and increased HUD’s authority to establish mandatory enforcement measures to ensure compliance with federal law.⁴
- *Section 504 of the Rehabilitation Act of 1973 (Section 504)*: Section 504 established guidelines that prohibit individuals with disabilities from being denied access to housing under programs and activities that receive federal funding or financial assistance.⁵
- *Section 109 of Title I of the Housing and Community Development Act of 1974 (Section 109)*: Section 109 prohibits housing discrimination based on race, color, national origin, sex, or religion under programs and activities that receive federal funding or financial assistance.⁶
- *Title II of the Americans with Disabilities Act of 1990 (Title II)*: Title II prohibits discrimination based on disability under programs, services, and activities provided by public entities. HUD is responsible for enforcement of Title II when it is associated with public housing, housing assistance, and housing referrals administered by state and local jurisdictions.⁷
- *Architectural Barriers Act of 1968 (Architectural Barriers Act)*: The Architectural Barriers Act mandates that buildings and facilities that received federal funding assistance after September 1969 be accessible to and functional for handicapped individuals.⁸
- *Age Discrimination Act of 1975 (Age Discrimination Act)*: The Age Discrimination Act prohibits programs or activities that receive federal funding from discriminating against individuals on the basis of age.⁹
- *Title IX of the Education Amendments Act of 1972 (Title IX)*: Title IX prohibits educational programs or activities that receive federal funding or financial assistance from discriminating against individuals on the basis of sex.¹⁰

In addition to federal fair housing laws that guarantee equal access to housing, a number of presidential executive orders were also issued to minimize discrimination and barriers to obtaining housing.

California Fair Housing Laws

The California Department of Fair Employment and Housing (DFEH) was established as an independent department of the State in 1980 that holds responsibility for protecting California

⁴ U.S. Department of Housing and Urban Development. “Title VIII: Fair Housing and Equal Opportunity.” http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/progdesc/title8

⁵ U.S. Department of Housing and Urban Development. “Section 504.” http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504

⁶ U.S. Department of Housing and Urban Development. “Section 109 of Title I of the Housing and Community Development Act of 1974.” http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws/109

⁷ U.S. Department of Housing and Urban Development. “Fair Housing Laws and Presidential Executive Orders.” http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws

⁸ United States Access Board. “About the ABA Standards.” <http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards>

⁹ United States Department of Labor. “Equal Employment Opportunity: Age Discrimination.” <http://www.dol.gov/dol/topic/discrimination/agedisc.htm>

¹⁰ U.S. Department of Housing and Urban Development. “Fair Housing Laws and Presidential Executive Orders.” http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws

residents from discrimination and hate violence in employment and housing and public accommodation. DFEH's statutory mandate calls for implementation and enforcement of the following fair housing laws:¹¹

- *California Fair Employment and Housing Act (FEHA)*: In addition to the protected classes identified under the federal government's Fair Housing Act, FEHA requires that the following classes also be protected from employment discrimination in the State of California "because of:
 1. Age (40 and over)
 2. Ancestry
 3. Color
 4. Religious Creed (including religious dress and grooming practices)
 5. Denial of Family and Medical Care Leave
 6. Disability (mental and physical) including HIV and AIDS
 7. Marital Status
 8. Medical Condition (cancer and genetic characteristics)
 9. Genetic Information
 10. Military and Veteran Status
 11. National Origin (including language use restrictions)
 12. Race
 13. Sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding)
 14. Gender, Gender Identity, and Gender Expression
 15. Sexual Orientation"¹²
- *Unruh Civil Rights Act (Unruh Act)*: The Unruh Act protects individuals from discrimination in business establishments in California, to include housing and public accommodations on the basis of "sex, race, color, religion, ancestry, national origin, disability, or medical condition." Specifically, the Unruh Act prohibits arbitrary discrimination associated with personal characteristics or traits in an individual or family's efforts to obtain housing.¹³
- *Disabled Persons Act*: Under California Civil Code §54(a) (1), individuals with disabilities shall be entitled to full and equal access, as other members of the general public, to all housing accommodations offered for rent, lease, or compensation in this state, subject to the conditions and limitations established by law, or state or federal regulation, and applicable alike to all persons.¹⁴
- *Ralph Civil Rights Act (Ralph Act)*: The Ralph Civil Rights Act prohibits hate violence against individuals on the basis of race, ethnicity, religious affiliation, gender, age, disability, sexual orientation, or political affiliation and provides civil and administrative remedies for victims

¹¹ California Department of Fair Employment and Housing. "About Us." <http://www.dfeh.ca.gov/About.htm>

¹² California Department of Fair Employment and Housing. "Fair Employment and Housing Act." http://www.dfeh.ca.gov/Publications_FEHADescr.htm

¹³ California Department of Fair Employment and Housing. *Unruh Civil Rights Act Fact Sheet*. May 2002. <http://www.dfeh.ca.gov/res/docs/Publications/DFEH-250.pdf>

¹⁴ California Government Legislative Information. "Civil Code Section 54-55.32." <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=civ&group=00001-01000&file=54-55.32>

protected under these classes. The Ralph Act is intended to protect individuals from hate and impose criminal penalties on violators.¹⁵

As discussed below, DFEH is also responsible for administering the Bane Civil Rights Act and three California government code sections aimed at protecting individuals from housing discrimination.

- *Bane Civil Rights Act (Bane Act)*: The Bane Act prohibits violence or threat of violence against individuals on the basis of “race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability, or position in a labor dispute.” It is intended to ensure that Californians do not experience force or threat of force; protects equal access to housing for residents; and imposes criminal penalties on violators.¹⁶
- California Government Code Sections 111135, 65008, and 65589.5 are also intended to protect individuals from discriminatory practices under state-funded programs and activities and land-use negotiations.¹⁷

Methodology

The City has prepared this document with the assistance of LeSar Development Consultants through funding provided from CDBG entitlement dollars. Data sources for this document include the 2000 and 2010 U.S. Census, along with American Community Survey (ACS) 2009-2013 five-year estimates. Additionally, this AI was drafted concurrently with the City of Mountain View’s 2015-2020 Consolidated Plan, which utilizes 2007-2011 Comprehensive Housing Affordability Strategy (CHAS) data, also based on ACS five-year estimates. CHAS data from the 2015-2020 Consolidated Plan is referenced throughout the AI. While ACS one-year estimates provide the most current data, this document utilizes five-year estimates, as they reflect a larger sample size and are considered more reliable and precise.¹⁸ As a result of the production of the City’s AI immediately following the preparation of its Consolidated Plan, some of the same language is used verbatim when discussing certain data. In some instances, this data is analyzed in both documents but in different contexts.

Data Sources

Various data sources and planning documents were consulted in the drafting of this AI to provide a quantitative and qualitative overview of past and current housing choice conditions within the City and to ensure future compliance with fair housing regulations. Data sources include:

- U.S. Census Bureau (Census)
- American Community Survey (ACS)
- Federal Financial Institutions Examination Council (FFIEC)
- California Department of Finance
- Comprehensive Housing Affordability Strategy (CHAS)

¹⁵ State of California Department of Justice Office of the Attorney General. “Chapter 1 – Racial, Ethnic, Religious, and Minority Violence.” <http://oag.ca.gov/publications/CRhandbook/ch1>

¹⁶ State of California Department of Justice Office of the Attorney General. “Chapter 1 – Racial, Ethnic, Religious, and Minority Violence.” <http://oag.ca.gov/publications/CRhandbook/ch1>

¹⁷ Legal Services of Northern California. *Fair Housing in California: Families with Children*. March 2004. http://www.lsnclaw.com/housing/fh_manual/fh_manual_all_2004.pdf

¹⁸ United States Census Bureau. “American Community Survey: When to Use 1-year, 3-year, or 5-year Estimates.” http://www.census.gov/acs/www/guidance_for_data_users/estimates/

Additionally, the following documents were consulted:

- *Regional Housing Need Plan (RHNA) for the San Francisco Bay Area, 2014-2022*: The RHNA calculates the housing needs of each jurisdiction located in the San Francisco Bay Region, including the City of Mountain View, which allows jurisdictions to plan for, prioritize, and determine how it will address current and future housing needs.¹⁹
- *Community Plan to End Homelessness in Santa Clara County*: The Community Plan to End Homelessness in the County is a five-year plan to guide governmental actors, nonprofits, and other community members as they make decisions about funding, programs, priorities and needs.²⁰
- *City of Mountain View Housing Element 2015-2023 (Housing Element)*: The Housing Element identifies the housing needs of the community, goals and objectives to address those needs, and outlines the community's efforts to pursue specific policies and programs to achieve its goals and objectives.

Public Engagement

To add a qualitative component to the quantitative data gathered for this document, the City proactively established relationships with community residents and representatives of organizations, agencies, and businesses to share ideas and concerns regarding fair housing issues and ensure future implementation and evaluation of the fair housing recommendations included within this document. Through community forums and small group interviews with community stakeholders, the City collected information on concerns of residents, service providers, and representatives of organizations, agencies, and businesses regarding existing limitations to fair housing choice in the City.

Community Forums

The City and LDC hosted four regional and community forums to gather community input and feedback for the creation of the City's Consolidated Plan and AI. Three regional forums were held in Mountain View, San José, and Gilroy from September 2014 to November 2014; the City held a local community forum in October 2014. These meetings were open to the public and were scheduled on different days of the week and at various times of day to allow maximum flexibility for participants to attend.

The meetings provided City residents, service agencies, and organizations with the opportunity to share their fair housing experiences and concerns as well as to gain awareness of fair housing laws. Seventy-six people in total attended the regional forums, including community members, service providers, fair housing advocates, school district board members, housing and human services commission members, non-profit representatives, and interested stakeholders. Of the 76 attendees,

¹⁹ Association of bay Area Governments. *Regional Housing Need Plan [for the] San Francisco Bay Area 2014-2022*. August 2013.
http://www.abag.ca.gov/files/ABAG_Final_RHNA_Publication.pdf

²⁰ Santa Clara County Continuum of Care. *Community Plan to End Homelessness in Santa Clara County, 2015-2020*.
http://destinationhomesc.org/wp-content/uploads/2015/02/Community_Plan_to_End_Homelessness_in_Santa_Clara_County_web.pdf

57 percent (43 attendees) attended the Mountain View forum. The City's local community forum had 14 people attend.

Outreach

Approximately 4,847 entities, organizations, agencies, and persons were directly engaged via outreach efforts and asked to share materials with their beneficiaries, partners, and contacts. These stakeholders were also encouraged to promote attendance at the public forums and to solicit responses to the Regional Needs Survey. Stakeholder engagement included phone calls, targeted emails, newsletter announcements, social media posts, and personalized requests from jurisdiction staff.

Through these communications, stakeholders were invited to participate in one of the forums planned throughout the County and to submit survey responses. Each participating jurisdiction also promoted the regional forums and regional survey links on their respective websites and announced the Consolidated Plan process through their electronic mailing lists.

Approximately 1,225 printed flyers noticing the regional forums were distributed throughout the County, including at libraries, recreation centers, community meetings, and organizations benefiting LMI residents and areas. These flyers were available online and in print in English and Spanish.

Multi-lingual, print advertisements in local newspapers were posted in the Gilroy Dispatch (English), Mountain View Voice (English), El Observador (Spanish), La Oferta (Spanish), Thoi Bao (Vietnamese), Philippine News (Tagalog), World Journal (Chinese) and San José Mercury News (English). In addition, an online display ad was placed in the San José Mercury News to reach readers electronically.

Each segment of the community outreach and planning process was transparent to ensure the public was aware its input was being collected, reviewed, and considered.

Primary Needs Associated with the Housing Issue Area

The following themes emerged for the housing issue area:

- Ensure availability of affordable housing, including transitional housing
- Provide legal services to protect fair housing rights and to mediate tenant/landlord legal issues
- Address affordable housing eligibility restrictions to expand the number of residents who can qualify
- Provide affordable rental housing for low income families, at-risk families and individuals with disabilities
- Fund additional homeless prevention programs
- Provide rental subsidies and assistance for low income families to support rapid re-housing

Regional Needs Survey

A Regional Needs Survey was conducted to solicit input from residents and workers in the County of Santa Clara. Respondents were informed that the Santa County Entitlement Jurisdictions were updating their Consolidated Plans for federal funds that primarily serve low income residents and areas. The survey polled respondents about the level of need in their neighborhoods for various types of improvements that can potentially be addressed by entitlement funds.

To give as many people as possible the chance to voice their opinion, emphasis was placed on making the survey widely available and gathering a large number of responses rather than administering the survey to a controlled, statistically representative pool. Therefore, the survey results should be viewed as an indicator of the opinions of the respondents, but not as representing the opinions of the County population as a group.

The survey was distributed through a number of channels to gather responses from a broad sample. It was made available in printed format, as well as electronic format via Survey Monkey. Electronic responses could be submitted via smartphone, tablet, and web browsers. The survey was available online and in print in English and Spanish, and in print in simplified Chinese, Tagalog, and Vietnamese.

Responses were solicited in the following ways:

- Links to the online survey in both English and Spanish were placed on the websites of each Entitlement Jurisdiction.

English: https://www.surveymonkey.com/s/SCC_Regional_Survey

Spanish: https://es.surveymonkey.com/s/SCC_Regional_Survey_Spanish

- The survey was widely shared on social media by elected officials, organizations, entities, and other individuals. An estimated 25,000 persons on Facebook and 11,000 persons on Twitter were engaged. (This represents the number of “Likes” or “Followers” of each person/entity that posted a message about the survey or forum.)
- At least 3,160 printed surveys were printed and distributed throughout the County at libraries, community meetings, and organizations benefiting LMI residents and areas.

Survey Results

A total of 1,472 survey responses were collected from September 19, 2014 to November 15, 2014, including 1,078 surveys collected electronically and 394 collected on paper. The surveys were available in five languages. Of these surveys, 1,271 individuals responded in English, 124 individuals responded in Spanish, 25 individuals responded in simplified Chinese, 49 individuals responded in Vietnamese, and three individuals responded in Tagalog. Of the individuals who responded to the

survey, six percent indicated they live in Mountain View and eight percent indicated they work in Mountain View.

Respondents rated the level of need in their neighborhood in five overall areas:

1. Create additional affordable housing available to low income residents
2. Improve non-profit community services (such as senior, youth, health, homeless, and fair housing services)
3. Create more jobs available to low income residents
4. Improve city facilities that provide public services (such as parks, recreation or senior centers, parking facilities, and street improvements)
5. Other

Nearly two-thirds (62 percent) of respondents rated the need to create additional affordable housing as high.

In addition to the four overall need areas, 373 respondents provided open-ended feedback through the “Other” survey response option. Below are the key themes and needs identified by survey respondents for the housing issue area:

- Increase availability of senior housing
- Provide housing for LGBT/HIV population
- Create housing for median income population
- Provide more subsidized housing for disabled population

Respondents also rated the need for 13 different housing-related improvements in their neighborhoods. The five highest priorities in this area were:

1. Increase of affordable rental housing inventory
2. Rental assistance for the homeless
3. Affordable housing located near transit
4. Housing for other special needs
5. Permanent supportive rental housing for the homeless

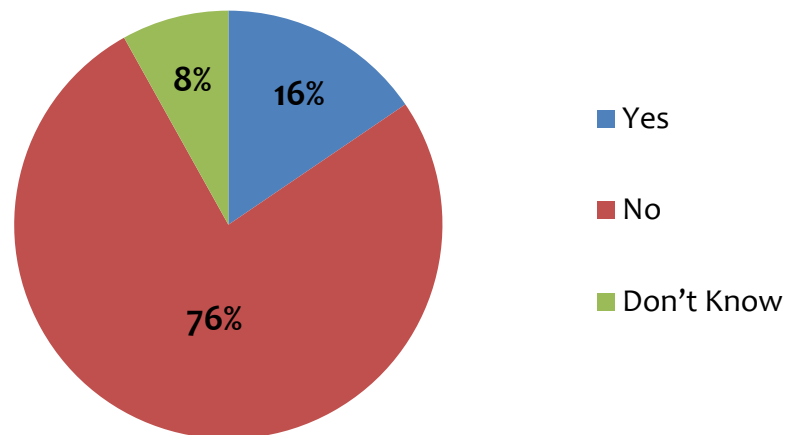
The table below shows the highest level of need for each of the housing-related improvements and the share of respondents who rated each category as “high level” of need.

High Level of Need for Specific Housing Improvements

Priority Rank	Housing: High Level of Need	Share of Respondents
1	Increase affordable rental housing inventory	63.1%
2	Rental assistance for the homeless	51.0%
3	Affordable housing located near transit	48.6%
4	Housing for other special needs (such as seniors and persons with disabilities)	48.0%
5	Permanent supportive rental housing for the homeless	46.8%
6	Energy efficiency and sustainability improvements	41.6%
7	Healthy homes	37.5%
8	Down-payment assistance to purchase a home	33.8%
9	Code enforcement, in coordination with a neighborhood plan	33.4%
10	Housing accessibility improvements	29.7%
11	Rental housing rehabilitation	27.7%
12	Emergency home improvement/repair	24.9%
13	Owner-occupied housing rehabilitation	18.5%

Respondents were also asked to answer a series of questions related to Fair Housing. Four questions were used to gauge each individual's experience with housing discrimination.

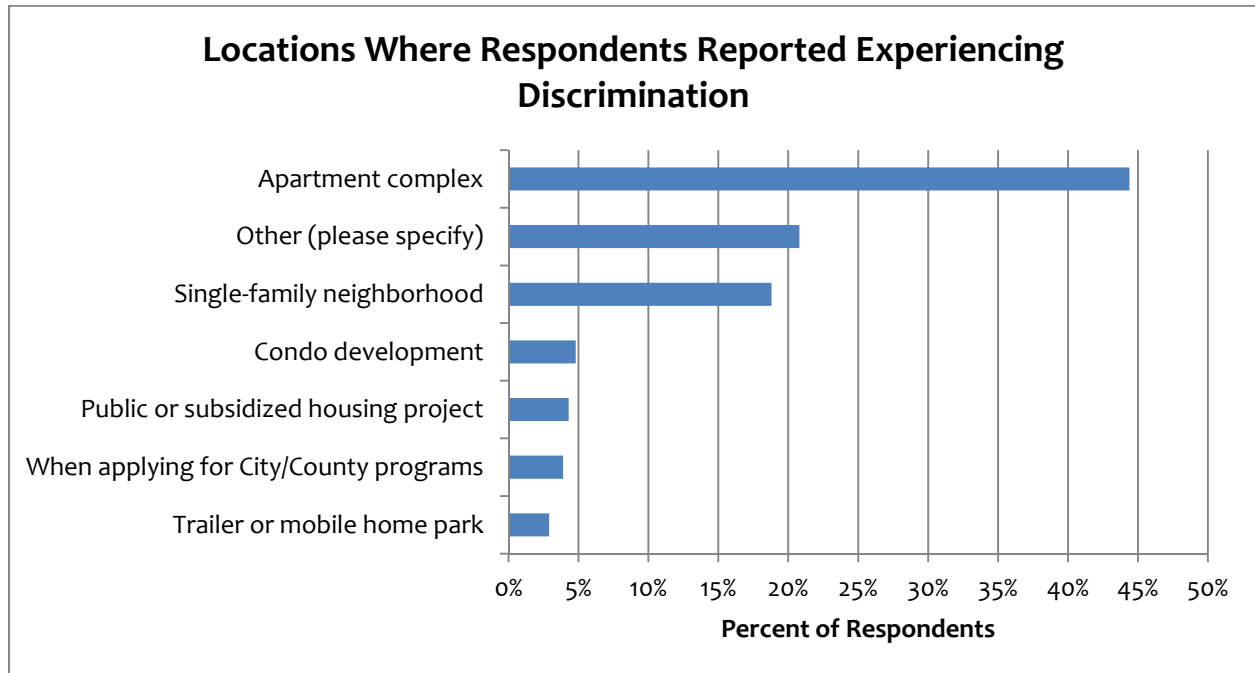
Percent of Individuals Who Have Experienced Housing Discrimination in Santa Clara County



Of the 1,472 total respondents, 192 (16 percent) said they have experienced some form of housing discrimination. The majority of discrimination occurred within an apartment complex (19 percent). The next highest location for discrimination was indicated by the “Other” category. Many respondents who selected “Other” expressed experiencing discrimination in multiple locations. Within this category, duplexes and condos were most commonly mentioned. The three highest locations of discrimination were:

- Apartment Complex
- Other
- Single-family neighborhood

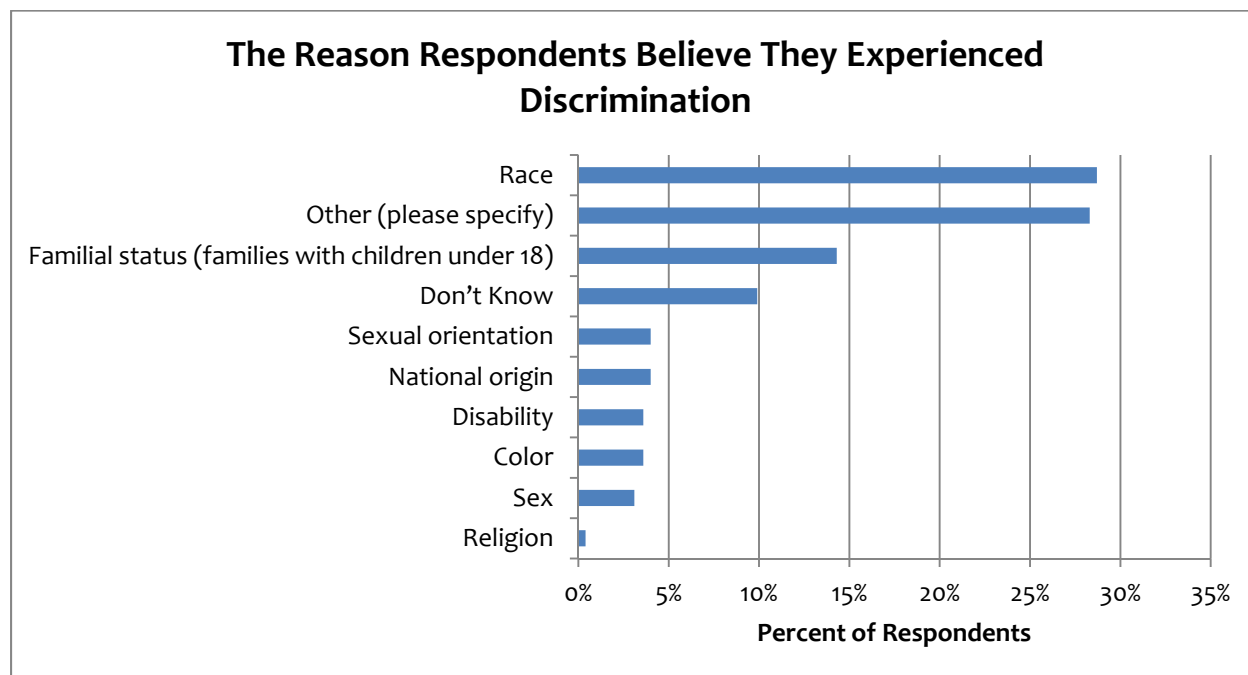
The figure below shows where respondents experienced discrimination.



The majority of respondents (29 percent) who experienced discrimination indicated that race was the primary factor for that discrimination. Respondents selected “Other” as the next highest basis of discrimination. Within the “Other” category respondents indicated race, inability to speak English, religion, credit, and marital status as the cause for discrimination. The three highest basis of discrimination were:

1. Race
2. Other
3. Familial Status

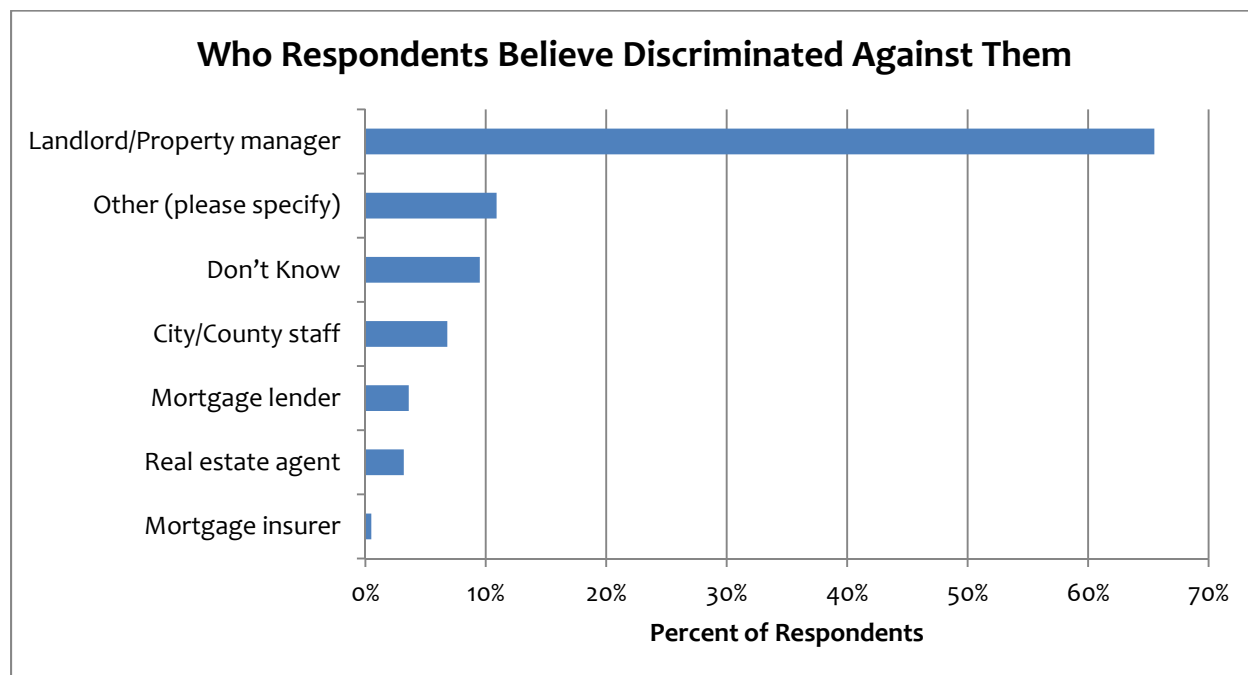
The figure below depicts what respondents believe is the basis for discrimination they have experienced.



Respondents were then asked to identify who they felt had discriminated against them. The majority of respondents (66 percent) indicated they were discriminated against by a landlord or property manager. Respondents selected “Other” as the next highest category of who discriminated against them. Within the “Other” selection respondents indicated they experienced discrimination from landlords, property managers, existing residents, and home owner associations. The three highest categories that respondents believed discriminated against them were:

1. Landlord/Property Manager
2. Other
3. Don't Know

The figure below illustrates who respondents believe is responsible for the discrimination they have experienced.



While less than a quarter (16 percent) of respondents believe they have experienced some form of housing discrimination, this figure may actually be higher as housing discrimination often occurs in subtle forms. This is in line with recent studies which show that racial and ethnic minorities face subtler housing discrimination:

“ ‘Fewer minorities today may be getting the door slammed in their faces, but we continue to see evidence of housing discrimination that can limit a family’s housing, economic and educational opportunities,’ said former HUD Secretary Shaun Donovan. ‘It’s clear we still have work to do to end housing discrimination once and for all.’ ”²¹

Public Review

The AI was circulated for a 35-day public review and comment period beginning on March 18, 2015, and comments were accepted until April 29, 2015, 4:00 p.m. The Plan was available electronically at <http://www.mountainview.gov/depts/comdev/preservation/announcements.asp>. Hardcopies were also available at the Library (565 Franklin Street), Community Center (201. S. Rengstorff Avenue) and Senior Center (266 Escuela Avenue) between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Notice of Availability of the AI was distributed to over 130 entities, organizations, agencies and citizens or groups. Interested persons were encouraged to submit their public comments in writing to neighborhoods@mountainview.gov, via fax to 650-962-8502, or the City of Mountain View Community Development Department, PO. Box 7540, Mountain View, CA 94039-7540. A summary of all public comments are included, along with the City’s response to the comments, in Appendix B.

²¹ U.S. Department of Housing and Urban Development. “Racial And Ethnic Minorities Face More Subtle Housing Discrimination.” http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2013/HUDNo.13-091

Since receipt of the comments the City Council enacted a Right to Lease Ordinance and a Rental Housing Dispute Resolution Program (RHDRP) and two rent stabilization initiatives, Measures V and W, were launched. Voters passed one of the initiatives, Measure V, on November 8, 2016. Responses to comments pertaining to the need for rent stabilization include reference to RHDRP and Measure V.

Summary of Key Findings and Recommendations

Historically, the City has dedicated an average of 21 percent of its Entitlement Administration dollars to Fair Housing counseling, education, investigation, and enforcement. The City elects “to affirmatively further the purposes and policies of the Fair Housing Act, . . . [and] to take steps proactively to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities for all”²² by undertaking the actions outlined in **Table 1.1** below.

Table 1.1: Key Recommendations to Reduce Impediments to Fair Housing Choice

Action	Description
Category 1: Fair Housing Services	
1.1	Continue to contract with local service providers to perform ongoing outreach and education regarding fair housing for home seekers, landlords, property managers, agents, and lenders.
1.2	Continue to contract with a local service provider, to conduct fair housing audits in the local rental market and conduct educational outreach to landlords that show differential treatment during the tests.
1.3	Continue to contract a local service provider, to provide fair housing investigation, counseling, and enforcement services as necessary in compliance with applicable federal and state fair housing laws.
1.4	Continue to participate in the countywide fair housing task force in order to improve the provision of fair housing services regionally, including the investigation of predatory lending practices, homebuyer education, and administration of a countywide retrofit fund to assist disabled households in funding accessibility modifications.
1.5	Continue to contract annually with a service provider, to provide free tenant/landlord services to the community, including education, counseling, mediation, and any other issues that affect rental relationships.
1.6	In order to capture all potential service requests to fair housing providers, reevaluate and amend, if necessary, the current media mix and affirmative marketing strategy to ensure targeted outreach attains maximum reach, scope, and diversity of tenants, landlords, and other housing suppliers and providers.
1.7	Reevaluate current contracts and amend future contracts, if necessary, to ensure the most needed fair housing services are provided.

²² U.S. Department of Housing and Urban Development. Proposed Rule 24 CFR Parts 5, 91, 92, 570, 574, 576, and 903.

Action	Description
1.8	Evaluate, and modify if necessary, the newly implemented rental assistance program designed to prevent economic displacement of low-income residents due to security deposit issues, imperfect credit histories, falling behind on rent, inability to utilize Section 8 vouchers, etc.
1.9	Evaluate, and modify if necessary, the newly adopted right to lease and mandatory mediation (RHDRP) ordinances designed to mitigate economic displacement and to assist cost burdened households. Target outreach to communities of color, particularly the Pacific Islander and Hispanic communities, that are disproportionately cost burdened.
1.10	Implement Measure V, the Rent Stabilization measure passed by voters, as amended or permitted by court action, to limit the frequency and amount of rent increases and mandate just cause evictions.
Category 2: Access to Affordable Housing	
2.1	Continue to assist affordable housing developers in advertising the availability of subsidized and below-market-rate units via the City's database of BMR units on its housing website, the County's 2-1-1 information and referral phone and online service, and other media outlets.
2.2	Continue to require developers of subsidized units to perform outreach to the homeless, the disabled, LEP groups, and agencies that serve those populations to help expand the access of subsidized rental units to those groups.
2.3	Continue to contract with Palo Alto Housing Corporation, or an applicable service provider, to administer the City's BMR program, maintain the interest list, and promote BMR information throughout the community.
2.4	Consider hosting an annual public informational workshop announcing the availability of BMR units and delineating the application process, as well as announcing other housing programs and services including those for seniors and other special needs populations.
Category 3: Local Zoning	
3.1	The City will update the Zoning Code by 2017 to ensure consistency with the 2030 General Plan and review on an annual basis for consistency with State and federal fair housing laws.
3.2	As part of the Precise Plan updates underway and the upcoming comprehensive Zoning Code update, the City will evaluate and consider reduced development standards, specifically parking requirements, to incentivize the development of specific housing types, including: units with affordability covenants, units for special needs individuals, higher density residential development, and developments near public transit.
3.3	During the 2015-2023 Housing Element period, the City will evaluate the provisions of the Municipal Code to identify and remove any constraints regarding reasonable accommodation. Specifically, the City will review the required finding that a requested reasonable accommodation would not adversely impact a surrounding property.

Action	Description
3.4	The City will demonstrate it has sufficiently zoned residential land and provided adequate capacity through the Zoning Ordinance to accommodate the Regional Housing Needs Allocation (RHNA) of 2,926 units as identified in the 2015-23 Housing Element while maintaining a balanced land use plan that offers opportunities for employment growth and provides the necessary commercial/retail activities, services, and amenities.
3.5	The City will continue to allow for second units to be constructed and consider ways to encourage their production to increase affordable housing, increase the variety of housing opportunities toward achieving a quantified objective of 60 second units over the 2015-2023 planning period, as identified in the 2015-23 Housing Element.
3.6	Conduct a study that evaluates the options, benefits, and impacts of modifying the Municipal Code (Chapter 36, Article XII, Section A36.12.040) to remove constraints that may limit the construction of second units, including evaluation of the Park Land Dedication In-lieu Fee; and consideration of policies by the City Council to address identified constraints.
Category 4: Public Housing	
4.1	Continue to help distribute information to minority, LEP, and special needs populations regarding the availability the Housing Authority of the County of Santa Clara's programs, including the Section 8 Tenant Choice Voucher, Section 8 Project Based Voucher and public housing programs within the County. Outreach may occur via the City's website, informational flyers in multiple languages available at public locations, and to developers during the application period for Section 8 Project Based funding.
4.2	Continue to annually obtain and update the number of Section 8 Voucher households residing in Mountain View. Continue to use this information, as needed, in reports to Council where affordable housing needs are analyzed and housing-related policy decisions are made.
4.3	Continue participation in the countywide CDBG Coordinator's meetings, where the City meets quarterly with other staff from various jurisdictions in the County of Santa Clara to learn of new updates and the availability of new housing projects, programs, and potential funding.
Category 5: Access to Credit	
5.1	Continue to partner with the Housing Trust of Silicon Valley and the County of Santa Clara to refer interested persons to local BMR lenders and down payment assistance providers.
5.2	Continue to fund a local service provider (currently the Housing Trust of Silicon Valley) to provide down payment and closing cost assistance to low and moderate income homebuyers.
Category 6: Links Between Housing and Employment	
6.1	The City will plan for and encourage transit-oriented development through the goals and policies adopted in the 2030 General Plan related to maximizing linkages between employers and affordable housing. These include but are not limited to: adopting and maintaining master plans and street design standards to optimize mobility for all transportation modes; increasing

Action	Description
	connectivity through direct and safe pedestrian connections to public amenities, neighborhoods, village centers, and other destinations throughout the City; and, reducing vehicle miles traveled.
6.2	Any new development in the City will be subject to the goals and policies adopted in the 2030 General Plan related to facilitating safe and efficient transit routes for the various forms of public transit throughout the City. These include but are not limited to: safely accommodating the needs of pedestrians, bicyclists, transit riders, motorists, and persons of all abilities; ensuring street design standards allow a variety of public and private roadway widths; ensuring all new streets are publicly accessible; providing traffic calming measures in neighborhoods, schools, parks, and gathering places; improving universal access within private developments and public and transit facilities, programs, and services; providing a safe and comfortable pedestrian network; increasing connectivity through direct and safe pedestrian connections to public amenities, neighborhoods, village centers, and other destinations throughout the City; enhancing pedestrian and bicycle crossings at key locations across physical barriers; and, preserving and enhancing citywide pedestrian connectivity by limiting street widening as a means of improving traffic.

II. Background Data

This chapter provides an overview of the demographic profile of the City and contains information on income, employment, and housing patterns to help identify emerging trends that may provide insight on methods to address fair housing choice issues relevant to specific populations.

General Population Characteristics

Growth Trends

Population and household growth rates serve as an indicator of the City's long-term housing demand and provides information that helps the City determine the capacity of current resources. As shown in **Table 2.1**, projected population and household growth for the City will lag slightly behind the County, but is estimated to outpace the Region.

Table 2.1: Projected Population and Household Growth, 2010-2040

Jurisdiction	Population			Households		
	2010	2040	Growth	2010	2040	Growth
Mountain View	74,066	100,000	35%	31,960	41,800	31%
Santa Clara County	1,781,640	2,423,470	36%	631,920	842,350	33%
Bay Area Region	7,150,740	9,299,150	30%	2,608,020	3,308,100	27%

Source: Bay Area Plan, Strategy for a Sustainable Region, ABAG, July 2013; 2010 Census

Race and Ethnicity

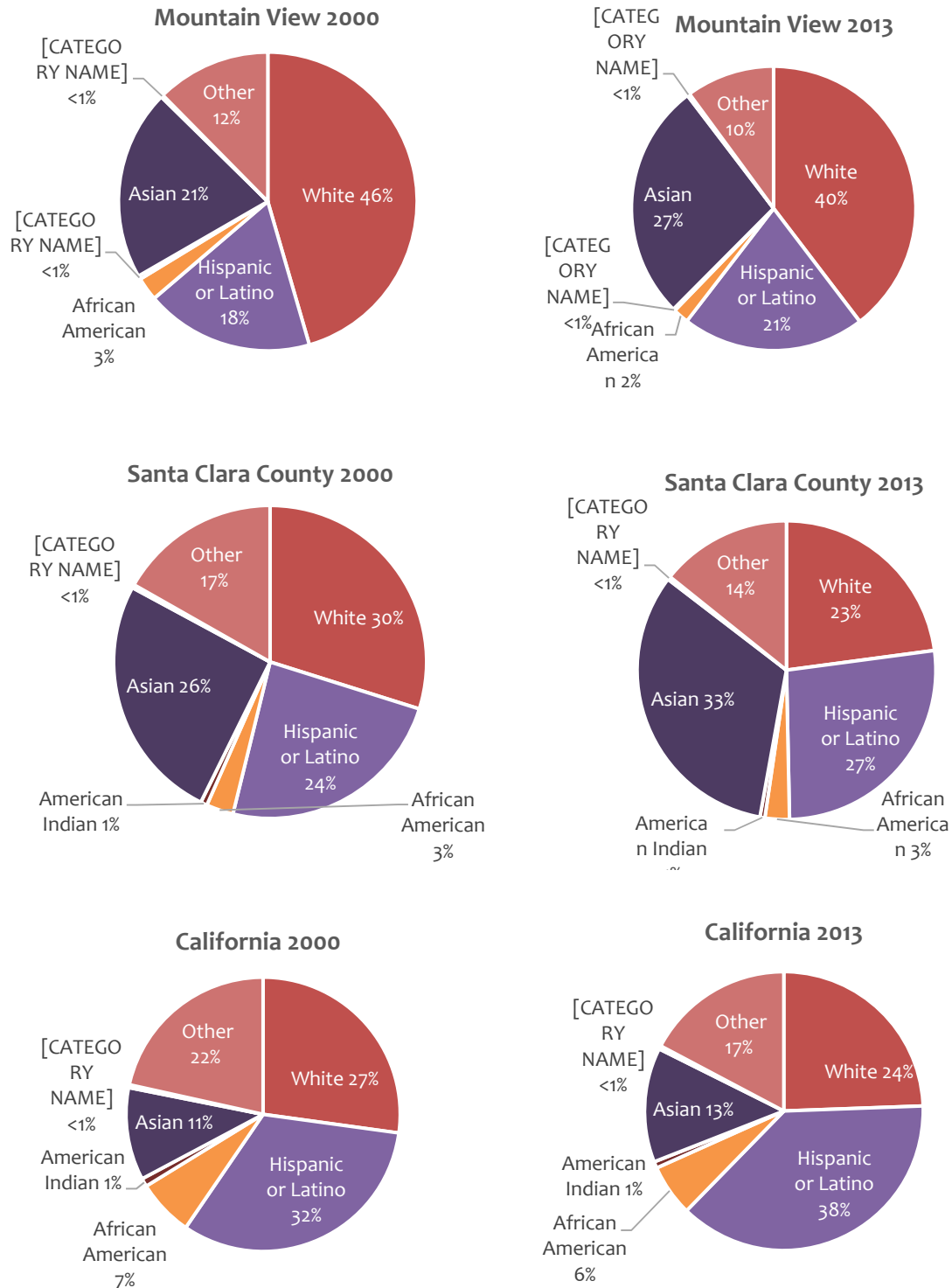
As shown in **Table 2.2** and **Figure 2.1**, the City's population continues to diversify as the distribution gaps between Whites and Hispanic/Latinos and between Whites and Asians continue to shrink, with no race or ethnicity constituting a majority.

Table 2.2: Population Distribution by Race and Ethnicity, 2000 – 2013

	Mountain View			Santa Clara County			California		
	2000	2013	Δ	2000	2013	Δ	2000	2013	Δ
White	46%	40%	-7%	30%	23%	-17%	27%	24%	0%
Hispanic or Latino	18%	21%	22%	24%	27%	20%	32%	38%	30%
African American	3%	2%	-24%	3%	3%	1%	7%	6%	0%
American Indian	0%	0%	-42%	1%	1%	-15%	1%	1%	-14%
Asian	21%	27%	40%	26%	33%	37%	11%	13%	35%
Pacific Islander	0%	0%	20%	0%	0%	9%	0%	0%	25%
Other / 2 or More	12%	10%	-13%	17%	14%	-9%	22%	17%	-11%
Population	100%	100%	7%	100%	100%	8%	100%	100%	11%

Source: 2000 Census; 2014 ACS

Figure 2.1: Population Distribution by Race and Ethnicity, 2000 – 2013



Source: 2000 Census; 2014 ACS

However, the percentage of Whites in the City remains significantly higher than either the County or the State. Although there has been an increase in the Hispanic/Latino population, both the City and County have smaller percentages of Hispanics/Latinos relative to California as a whole, a trend which may continue as the population growth rate for Hispanics/Latinos has been greater at the State-level. The opposite is true regarding Asians who, coupled with the City's increase in population, comprise a much larger share of the population in both the City and County relative to the State. However, the growth rates of all three levels fall within a range of five percent.

While the Hispanic and Asian populations increased from 2000 to 2013, the White, African American and American Indian populations decreased during this time period. Although the White population declined, the combined percentages of Whites and Asians has remained unchanged at two-thirds (67 percent) of the population in the City since 2000, due to the increase in the Asian population, which directly offset the percentage decrease in the number of Whites. This trend was also similar at the County level, where the number of Whites decreased by 7% and the number of Asians increased by this same percentage. The three percent increase in Hispanics was the same at the City and County levels. The number of African Americans decreased from 3% to 2% in the City from 2000 to 2013 but remained at 3% at the County level over this same time period, suggesting that African Americans who left Mountain View may have migrated to other cities in the County.

Even with Whites and Asians making up a higher than average majority of the population, and lower than average numbers of Hispanics and decreasing numbers of African Americans and American Indians, there are no racially/ethnically-concentrated areas of poverty in Mountain View.²³ The dissimilarity index uses census data to determine the extent to which any two groups are evenly distributed across a geographic area. The values of the dissimilarity index range from 0 to 100, with values below 40 representing “low segregation”, values between 40-54 indicating “moderate segregation”, and anything above 55 considered “high segregation”. Mountain View has fairly low racial/ethnic dissimilarity, and indices that are much lower than for the San José-Sunnyvale-Santa Clara MSA, which has moderate levels of segregation between Whites and all other races/ethnicities. This can be seen in **Table 2.3** below.

Table 2.3: Racial/Ethnic Dissimilarity Trends, 1990 – 2010

Racial/Ethnic Dissimilarity Index	Mountain View			San José-Sunnyvale-Santa Clara		
	1990	2000	2010	1990	2000	2010
Non-White/White	25.53	22.96	24.10	39.94	40.52	42.45
Black/White	35.16	30.14	30.89	42.95	39.80	45.27
Hispanic/White	34.68	38.05	35.66	47.78	50.72	50.03
Asian or Pacific Islander/White	17.31	15.49	19.07	38.74	41.97	46.34

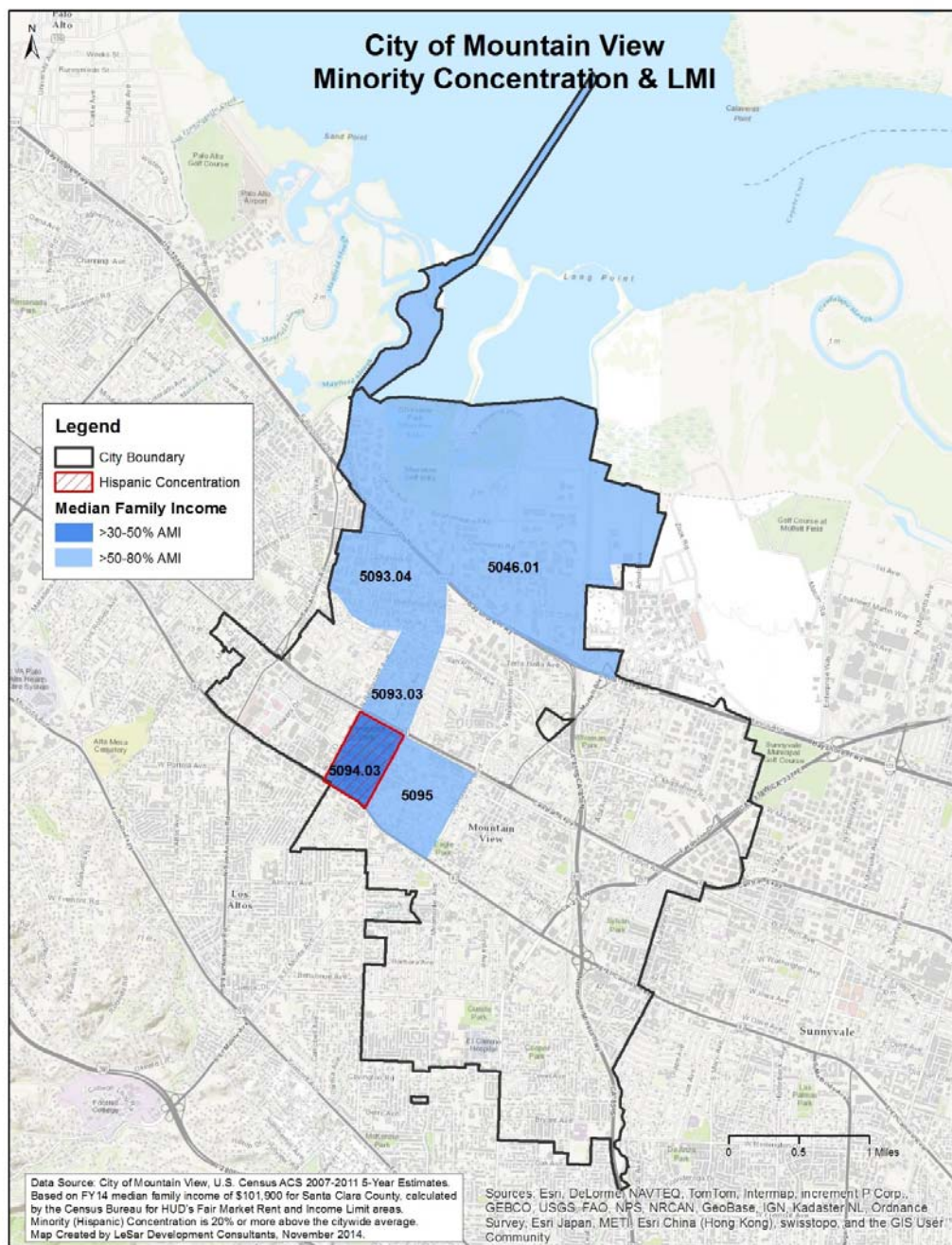
Source: Decennial Census

While the City has fairly low racial/ethnic dissimilarity overall, Blacks and Hispanics do see higher numbers of dissimilarity than Non-Whites and Asians or Pacific Islanders. However, both the latter groups have seen their dissimilarity indices increase from 2000 to 2010, while the Black index has remained relatively flat and the Hispanic index decreased during that time.

²³ U.S. Department of Housing and Urban Development. R/ECAP Demographics. 2010.

The concentration of Hispanics, as well as LMI concentration in the City, can be seen in **Figure 2.2** below.

Figure 2.2 - Areas of Minority and LMI Concentration



Data Source: ACS 2007-2011

Data Source Comment: Minority concentration is defined as census tracts where the percentage of individuals of a particular racial or ethnic minority group is at least 20 percentage points higher than the citywide average. LMI concentration is defined as census tracts where the median household income is below 80% AMI. Based on FY 14 median family income for Santa Clara County, calculated by the Census Bureau for HUD's Fair Market Rent and Income Limit areas.

Additionally, there are measurable differences in opportunity indicators by race/ethnicity, as can be seen in **Table 2.4**.

Table 2.4: Opportunity Indicators by Race/Ethnicity

	Low Poverty Index	School Proficiency Index	Labor Market Index	Transit Index	Low Transportation Cost Index	Jobs Proximity Index	Environmental Health Index
Mountain View							
White	74.07	67.16	90.97	74.97	94.31	56.61	23.81
Black	69.15	60.71	88.98	76.92	95.57	56.86	22.43
Hispanic	63.28	57.74	87.63	78.08	95.90	51.76	23.87
Asian or Pacific Islander	71.75	67.21	90.51	76.43	95.15	60.14	22.94
Native American	69.14	64.91	89.48	75.84	94.79	53.34	23.98
San José-Sunnyvale-Santa Clara MSA							
White	73.86	68.18	75.47	66.20	85.85	50.92	30.47
Black	61.31	56.13	63.22	70.52	89.81	49.77	22.75
Hispanic	52.03	48.14	51.27	68.37	86.70	46.34	25.72
Asian or Pacific Islander	69.48	66.13	69.73	69.35	88.24	48.34	24.60
Native American	62.24	56.16	60.88	67.06	86.20	49.25	28.12

Source: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA

The City outperforms the San José-Sunnyvale-Santa Clara metropolitan statistical area (MSA) on almost all indicators except for environmental health. The indexes show Black, Hispanic, and Native American populations have higher exposure to poverty, lower school proficiency outcomes, and lower labor force participation than White or Asian populations. The rankings, however, are fairly close, and no one group fares worse than another group by a score of more than ten, within each index. In some cases, the minority populations fare better, specifically in the transit, low transportation cost, and jobs proximity indices. This likely indicates these populations live near affordable transit options with access to job centers.

The jobs proximity index is especially important, as it quantifies the accessibility of the City as a function of its distance to all job locations within its core-based statistical area (CBSA), which is the San Jose-San Francisco-Oakland area. The higher the index value, the better the access to employment opportunities for residents in a neighborhood. While Asians or Pacific Islanders have the highest access to employment opportunities, the index is fairly even among all groups at the City and County levels.

Age Characteristics

The age characteristics of the City provide insight regarding current and projected housing demands, as different age groups have diverse housing needs and preferences. **Table 2.5** demonstrates several important factors, both in the distribution of age groups and growth among age groups within the

City. The cohorts of 20-34 and 35-64 years old continue to comprise a greater percentage of the City's population relative to the County and State distribution; however, the Under 20 cohort is growing in the City, whereas that cohort is shrinking for the County and State, which suggests a growing number of families and/or larger families. Unlike the County and State, the City witnessed a decline (albeit a small decline) in the percentage of people 65 and older.

Table 2.5: Age Distribution and Median Age

	Mountain View			Santa Clara County			California		
	2000	2010	Δ	2000	2010	Δ	2000	2010	Δ
Under 20 years old	19.5%	21.4%	10%	27.3%	26.6%	-3%	30.1%	28.1%	-7%
20-34 years old	31.3%	26.7%	-15%	24.5%	21.4%	-13%	22.4%	21.7%	-3%
35-64 years old	38.7%	41.3%	7%	38.7%	40.8%	5%	36.7%	38.8%	6%
65 years old and Over	10.6%	10.5%	-1%	9.6%	11.0%	15%	10.7%	11.4%	7%
Median Age (in years)	34.6	35.9	1.3	34.0	36.2	2.2	33.3	35.2	1.9

Source: 2000 Census; 2010 Census

While the median age has increased across all three levels, the robust growth in the youngest cohort and shrinking of the oldest cohort in the City has resulted in a smaller increase to median age for the City when compared to the County or State.

Household Composition

As shown in **Table 2.6**, Mountain View has had a materially lower percentage of family households relative to both the County and the Bay Area Region during 2000 and 2010. However, while the percentage of family households has remained constant between 2000 and 2010 for the County and region, the percentage has increased by three percent in the City.

Table 2.6: Household Composition

Jurisdiction	2000		2010	
	Family	Non-family	Family	Non-family
Mountain View	51%	49%	54%	46%
Santa Clara County	70%	30%	70%	30%
Bay Area*	65%	35%	65%	35%

Source: City of Mountain View General Plan, 2015-2023 Housing Element

*Includes Alameda, Contra Costa, Marin, Napa, Solano, Santa Clara, San Mateo, and Sonoma Counties

Income Characteristics

Household income is a strong indicator of socio-economic status and a household's ability to meet the costs of living, such as housing, transportation, and the basic necessities of life. As a determinant of the financial resources available, the median household income of a city plays a significant role in predicting the type of housing households can afford. It is also one of the factors taken into account when households apply for mortgage loans or rental housing.

Median Income

Table 2.7 shows that median income for Mountain View has increased in both unadjusted and real dollars between 2000 and 2013, a trend not occurring at the County and State levels where median

income in real dollars has decreased. Over this same timeframe, the median income in the City is higher than the County median income, and widened the already significant gap with the State median income level.

Table 2.7: Median Household Income 2000 – 2013

	Mountain View			Santa Clara County			California		
	2000	2013	Δ	2000	2013	Δ	2000	2013	Δ
Unadjusted	69,362	97,388	40%	74,335	91,702	23%	53,025	61,094	15%
In Real 2000 dollars	69,362	71,951	4%	74,335	67,785	-9%	53,025	45,160	-15%

Source: 2000 Census; 2013 ACS Estimates

Income Distribution

In 2000, both the City and County had an income distribution that skewed towards the higher income brackets relative to the State. As seen in **Table 2.8**, households earning \$100,000+ accounted for nearly one-third (32 percent) of total households in Mountain View, over one-third (35 percent) of total households in Santa Clara County, and 17 percent of households across the State. This disparity has increased between 2000 and 2013; households earning \$100,000+ was half of total households in the City, nearly half (46 percent) of total households in the County, and nearly one-third (29 percent) of total households in the State. Once again, the number of Mountain View households annually earning six-or-more figures is higher than the number of similar-income households for the County or the State.

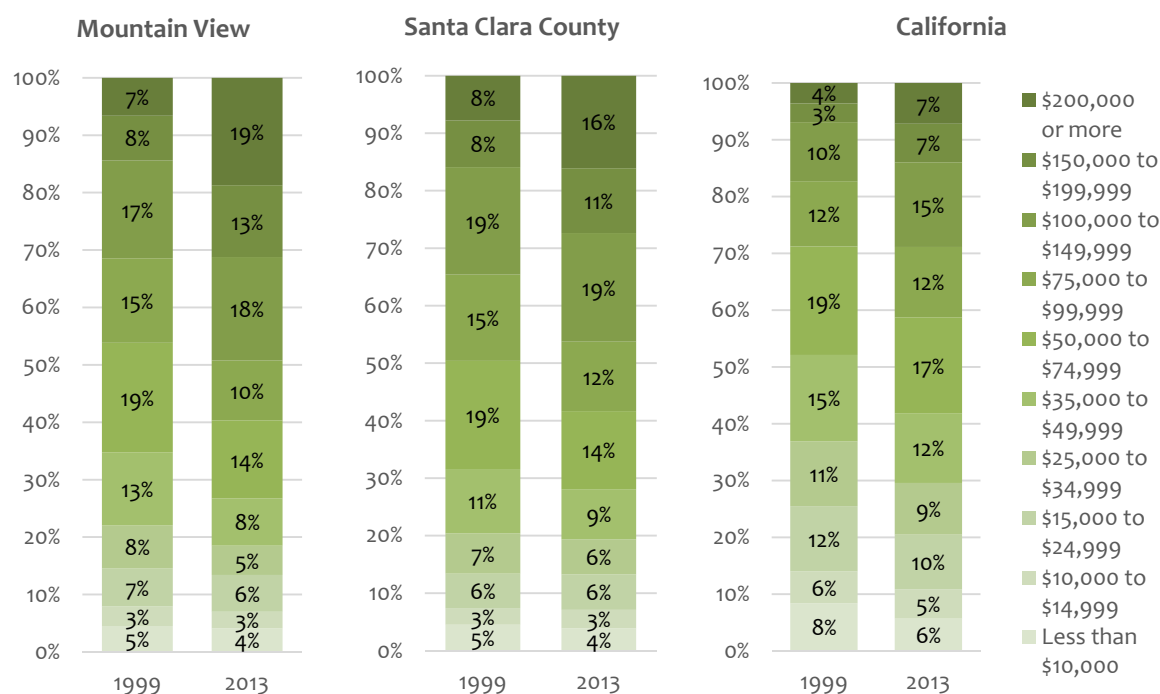
Table 2.8: Household Income Distribution, 2000 – 2013

	Mountain View			Santa Clara County			California		
	2000	2013	Δ	2000	2013	Δ	2000	2013	Δ
Less than \$10,000	5%	4%	-9%	5%	4%	-13%	8%	6%	-32%
\$10,000 to \$14,999	3%	3%	-15%	3%	3%	10%	6%	5%	-7%
\$15,000 to \$24,999	7%	6%	-3%	6%	6%	3%	12%	10%	-17%
\$25,000 to \$34,999	8%	5%	-32%	7%	6%	-13%	11%	9%	-20%
\$35,000 to \$49,999	13%	8%	-35%	11%	9%	-22%	15%	12%	-19%
\$50,000 to \$74,999	19%	14%	-29%	19%	14%	-28%	19%	17%	-12%
\$75,000 to \$99,999	15%	10%	-29%	15%	12%	-19%	12%	12%	8%
\$100,000 to \$149,999	17%	18%	6%	19%	19%	1%	10%	15%	43%
\$150,000 to \$199,999	8%	13%	60%	8%	11%	40%	3%	7%	106%
\$200,000 or more	7%	19%	183%	8%	16%	106%	4%	7%	100%

Source: 2000 Census; 2013 ACS Estimates

*Totals may not add to 100% due to rounding errors

Figure 2.3: Household Income Distribution, 1999 – 2013



Low Income Households

The Community Development Block Grant (CDBG) program is primarily concerned with activities that benefit Low and Moderate Income (LMI) households whose incomes do not exceed 80 percent of the area median family income (AMI), as established by HUD, with adjustments for smaller or larger families.²⁴ HUD utilizes three income levels to define LMI households:

- Extremely Low Income: Households earning 0-30 percent of the median family income for the area, subject to specified adjustments for areas with unusually high or low incomes
- Very Low Income: Households earning 30-50 percent of the median family income for the area, subject to specified adjustments for areas with unusually high or low incomes
- Low-Moderate Income: Households earning 50-80 percent of the median family income for the area, subject to adjustments for areas with unusually high or low incomes or housing costs

Table 2.9 on the following page shows that nearly one-third (32 percent) of households in City are LMI (0-80% AMI), similar to the 34% LMI countywide but lower than the 44% LMI for the State.

²⁴ U.S. Department of Housing and Urban Development. "Glossary of CPD Terms"
http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/glossary

Table 2.9: Low and Moderate Income Households

Household Income	Mountain View		Santa Clara County		California	
	Count	%	Count	%	Count	%
0-30% AMI	3,950	13%	78,230	13%	1,778,310	14%
30% - 50% AMI	3,610	11%	63,545	11%	1,569,280	13%
50% - 80% AMI	2,595	8%	59,205	10%	2,081,345	17%
80% - 100% AMI	2,320	7%	51,460	9%	1,220,095	10%
>100% AMI	18,995	60%	347,215	58%	5,784,145	47%
Total	31,470	100%	599,655	100%	12,433,175	100%

Source: 2007-2011 CHAS

Special Needs Populations

Certain sub-populations often require certain accommodations due to their unique characteristics and/or needs. These characteristics may include age, family characteristics, or disability, and can affect their accessibility to decent and affordable housing. For example, elderly individuals are often reliant on a fixed income and experience higher health care costs. Large households require a greater number of bedrooms. Persons with disabilities could have physical or mental impairments that substantially limit major life activities and may require accessible housing accommodations. **Table 2.10** provides an overview of several special-needs populations within the City. The City contains a lower percentage of elderly households, large households, and disabled persons than both the County and State.

Table 2.10: Special Needs Populations

Population	Mountain View		Santa Clara County		California	
	Count	%	Count	%	Count	%
Elderly households (62+)	7,000	22%	160,640	27%	3,570,615	29%
Large households	1,670	5%	66,895	11%	1,579,510	13%
Disabled persons	4,721	6%	137,909	8%	3,762,239	10%

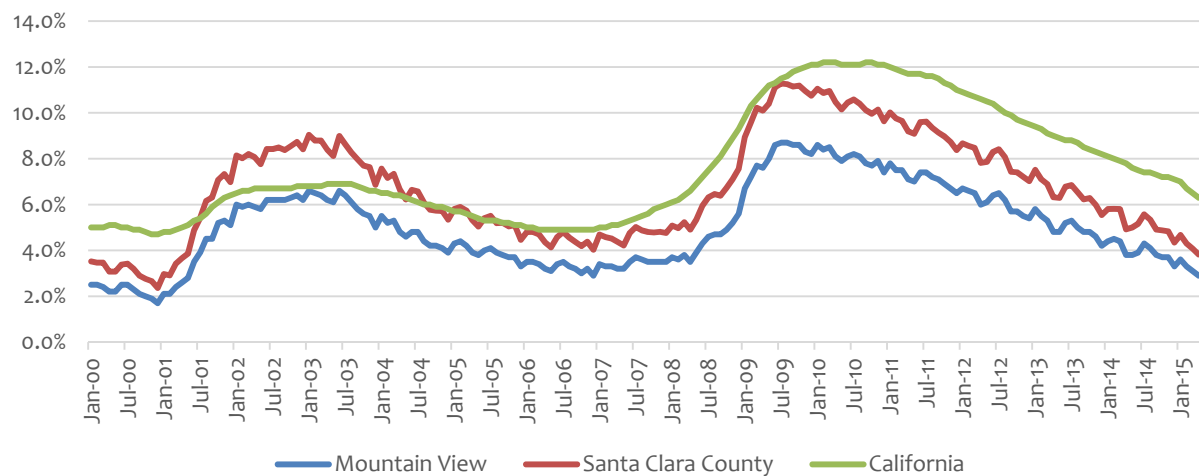
Source: 2007-2011 CHAS; 2008-2012 ACS Estimates

Employment Profile

Unemployment Rates

The unemployment rate for the City is consistently below both the rate at both the County- and State-levels. As shown in **Figure 2.4**, this gap widened during the recent Recession up to 4.7 percent in late-2010 and again in mid-2011, before slowly shrinking to the mid-3 percent range by early-2015.

Figure 2.4: Unemployment Rates



Source: California Employment Development Department (EDD)

Employment Trends

The rate of job creation between 2009 and 2013 in the City was more than twice the rate for the County (**Table 2.11**). Among the two dominant industry groups, the professional, scientific, and technical services group recorded robust growth in both the total number of jobs (21 percent) and as a share of overall employment in the City (21 percent of jobs); the manufacturing group, on the other hand, saw its share of overall employment slightly decrease (16.8 percent to 16.3 percent) despite adding jobs (4 percent). These same trends were more-or-less mirrored at the County level, with professional, scientific, and technical services gaining share and manufacturing losing share. Together in 2013, these two industry sectors comprised 37 percent and 33 percent of the total number of jobs in the City and County, respectively. Other sectors with 10 percent or greater share in 2013 were education for the City and health care and social assistance for the County.

Table 2.11: Employment by Industry, 2009 – 2013

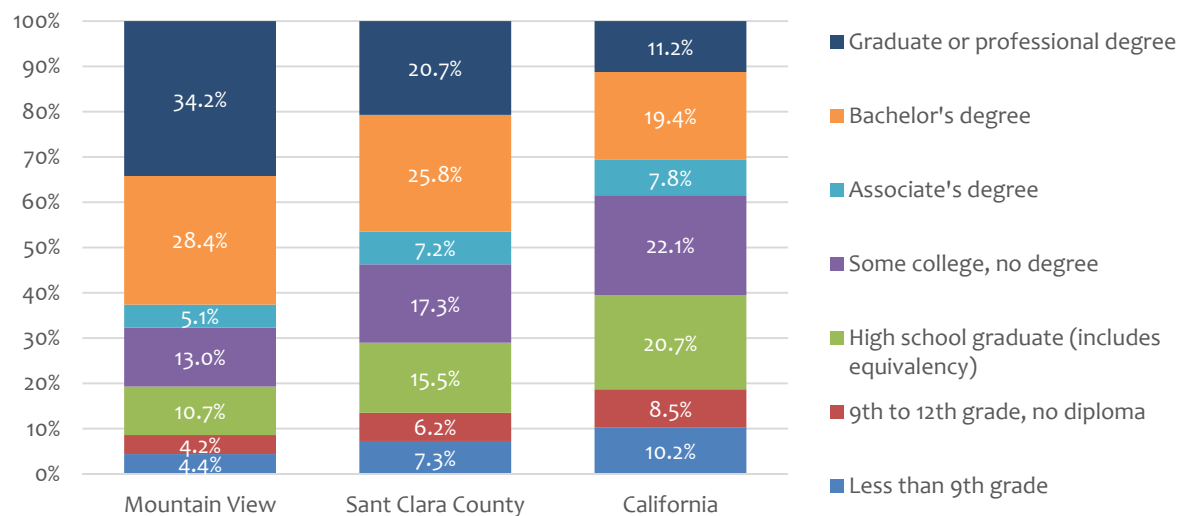
	Mountain View			Santa Clara County		
	2009 % of Jobs	2013 % of Jobs	Job Count Δ	2009 % of Jobs	2013 % of Jobs	Job Count Δ
Civilians employed population 16 years and over	39,589	42,375	7%	838,792	856,327	3%
Agriculture, forestry, fishing and hunting	0.0%	0.3%	1,613%	0.5%	0.6%	24%
Mining, quarrying, and oil and gas extraction	0.0%	0.0%	-60%	0.0%	0.0%	74%
Construction	3.0%	3.2%	14%	6.1%	5.1%	-14%
Manufacturing	16.8%	16.3%	4%	20.2%	19.1%	-3%
Wholesale trade	2.3%	1.6%	-22%	2.7%	2.2%	-18%
Retail trade	6.5%	7.1%	16%	9.7%	9.9%	5%
Transportation and warehousing	2.1%	1.4%	-26%	2.4%	2.2%	-6%
Utilities	0.3%	0.2%	-34%	0.5%	0.5%	14%
Information	6.2%	8.5%	48%	3.9%	3.9%	1%
Finance and insurance	2.8%	1.7%	-38%	3.1%	2.8%	-7%
Real estate and rental and leasing	2.2%	2.1%	2%	2.4%	2.1%	-9%
Professional, scientific, and technical services	18.3%	20.7%	21%	12.7%	14.1%	14%
Management of companies and enterprises	0.3%	0.1%	-77%	0.1%	0.0%	-41%
Administrative, support, waste mgmt. services	5.0%	3.3%	-28%	4.4%	4.6%	7%
Educational services	9.9%	10.3%	12%	7.7%	8.1%	9%
Health care and social assistance	9.3%	9.1%	4%	9.6%	10.7%	15%
Arts, entertainment, and recreation	1.8%	1.7%	-4%	1.6%	1.7%	10%
Accommodation and food services	6.8%	5.9%	-7%	5.5%	5.6%	6%
Other services, except public administration	4.0%	4.6%	22%	4.2%	4.4%	6%
Public administration	0.0%	1.8%	N/A	2.6%	2.5%	0%

Source: 2009-2013 ACS Estimates

Education

The City of Mountain View boasts a population with higher education levels than both the County and the State (**Figure 2.5**). Nearly two-thirds of Mountain View residents are college graduates; in fact, the share of residents with a graduate or professional degree is greater than the share of residents with a bachelor's degree only. Neither the County nor the State comes close to matching these statistics.

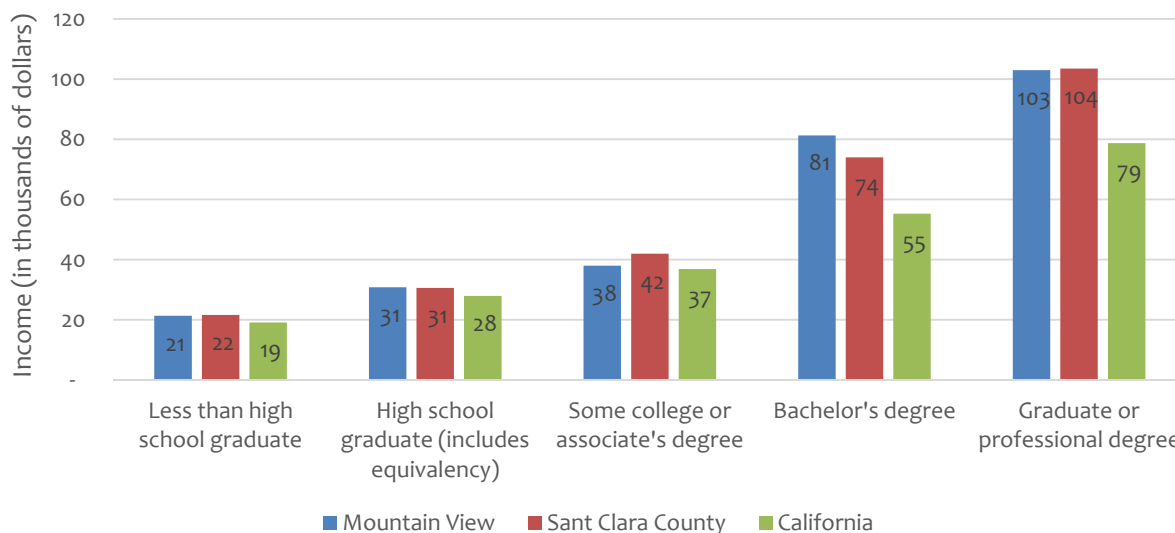
Figure 2.5: Educational Attainment



Source: 2013 ACS Estimates

This educational disparity between City and County is significantly reduced when it comes to median income by educational attainment (**Figure 2.6**), with 3 of the 5 education levels showing marginal differences in income. The State, however, lags both the City and County, with the income disparity growing as the education level increases.

Figure 2.6: Median Income by Educational Attainment



Source: 2013 ACS Estimates

Public Transportation

Public transit is critical for linking those without access to private transportation to job centers and services. The City manages several transit services that link neighborhoods within the City to commercial centers, job sites, and public institutions. In fact, a University of Minnesota study has ranked the San José-Sunnyvale-Santa Clara metropolitan area 10th in the nation for the total number

of jobs workers are able to access by public transportation within 60 minutes.²⁵ However, the City and surrounding areas remain highly car-centric, with low-density residential areas that are difficult to serve with mass transit. In addition, the County has built several new freeways that have undermined transit ridership. As a result, there have been options implemented to improve first-last mile service, including bike share and community shuttles to connect residents, workers, and visitors with public transit options, such as bus and rail.

The following transit options are available to City residents, workers, and visitors:

- Santa Clara Valley Transportation Authority (VTA), bus and light-rail
- Caltrain commuter rail service
- Mountain View Community Shuttle
- Bay Area Bike Share

Santa Clara Valley Transportation Authority

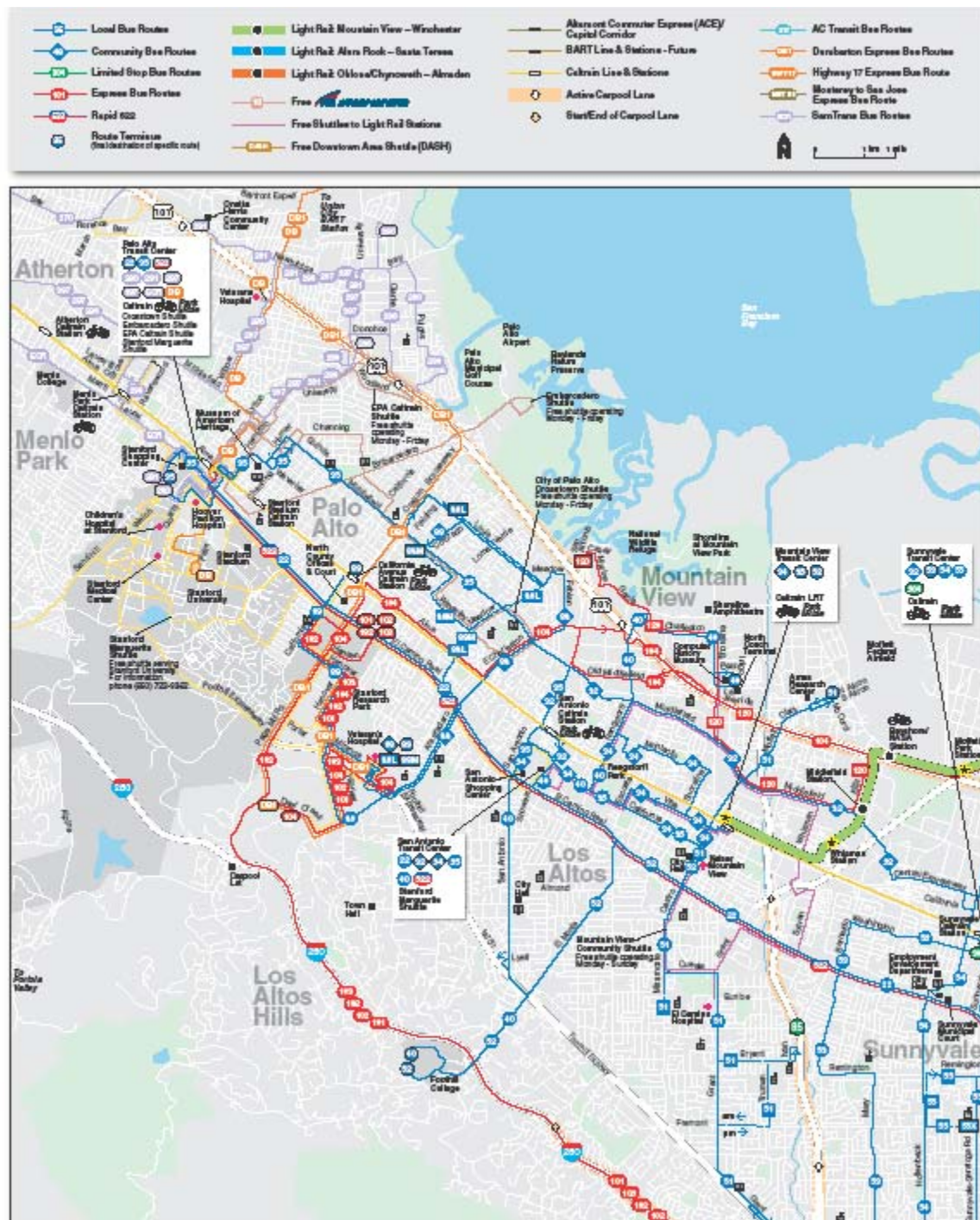
The Santa Clara Valley Transportation Authority (VTA) operates over 50 fixed-routes that offer access to affordable public transit to residents of the City. There is a Regional Transit Connection Discount Card ID (RTC Discount Card) program that is available to qualified persons with disabilities and to senior citizens, 65 years of age or older for reduced fares on fixed-route transit bus, rail, and ferry systems throughout the San Francisco Bay Area. The RTC Discount Card costs \$3.00 and is good for up to three years.

Figures 2.7 through 2.8 show the public transit routes within the City and to neighboring areas within the County.

As seen in **Figure 2.7**, the City of Mountain View is served by several local, community, and express bus routes, as well as a light rail route, community shuttle, Caltrain, and several Park & Ride stations.

²⁵University of Minnesota. "Access Across America." Webpage tab. <http://www.access.umn.edu/research/america/>

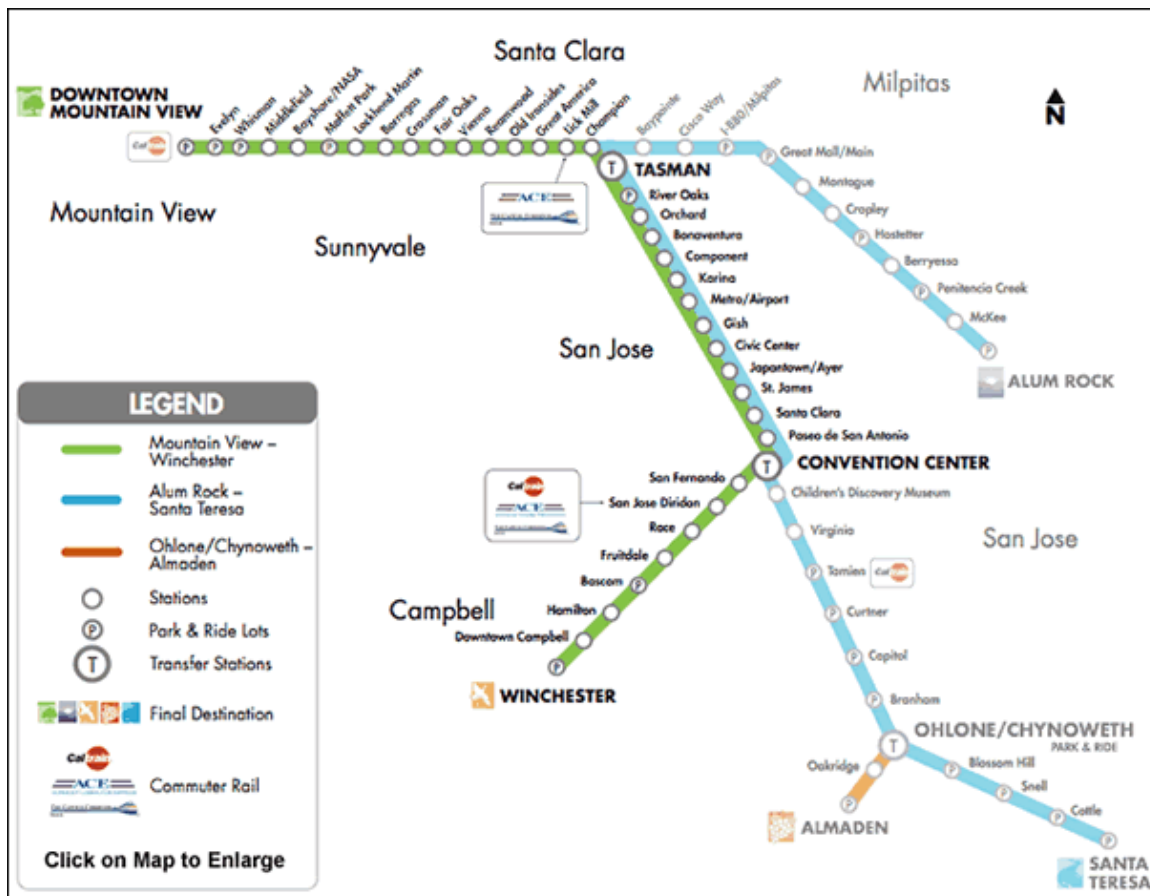
Figure 2.7: VTA System Map – Mountain View



Source: Santa Clara Valley Transportation Authority

The VTA Mountain View to Winchester light rail route runs about every 15 to 30 minutes, 7 days a week. As seen in **Figure 2.8**, the light rail makes several stops in the City before connecting to stations in Sunnyvale, San José, and Campbell. This route also connects to several other forms of public transportation for access to the greater Bay Area.

Figure 2.8: VTA Mountain View to Winchester Light Rail Route



Source: Santa Clara Valley Transportation Authority

VTA recently completed its project to construct a second light rail track between the Mountain View and Whisman stations in Mountain View. Adding a second light rail track between the Mountain View and Whisman stations enabled VTA to provide the following:

- Better on-time service for commuters transferring between Caltrain and VTA Light Rail at the Mountain View Station
- Direct connection to a new National Football League and events stadium in Santa Clara; and
- Additional service to Mountain View in response to ridership increases.

Table 2.12 on the following page shows the fare rates offered to VTA fixed-route riders.

Table 2.12: VTA Fixed-Route Transit Fares

Fare	Cost
Adult Ages 18-64	
Single Ride	\$2.00
Express Single Ride	\$4.00
Community Bus	\$1.25
8-Hour Light Rail Pass	\$4.00
Day Pass	\$6.00
Express Day Pass	\$12.00
Monthly Pass	\$70.00
Express Monthly Pass	\$140.00
Annual Pass Subscription	\$770.00
Annual Express Pass Subscription	\$1,540
31-Day Pass Senior/Disabled	\$30
Rider Reward Monthly Pass	\$40
Youth Ages 5-17 (children under 5 ride free when traveling with a paying adult)	
Single Ride	\$1.75
Community Bus	\$0.75
8-Hour Light Rail Pass	\$3.50
Day Pass	\$5.00
Monthly Pass	\$45.00
Annual Pass Subscription	\$495.00
Senior/Disabled Ages 65+	
Single Ride	\$1.00
Community Bus	\$0.50
8-Hour Light Rail Pass	\$2.00
Day Pass	\$2.50
Monthly Pass	\$25.00
Annual Pass Subscription	\$275.00

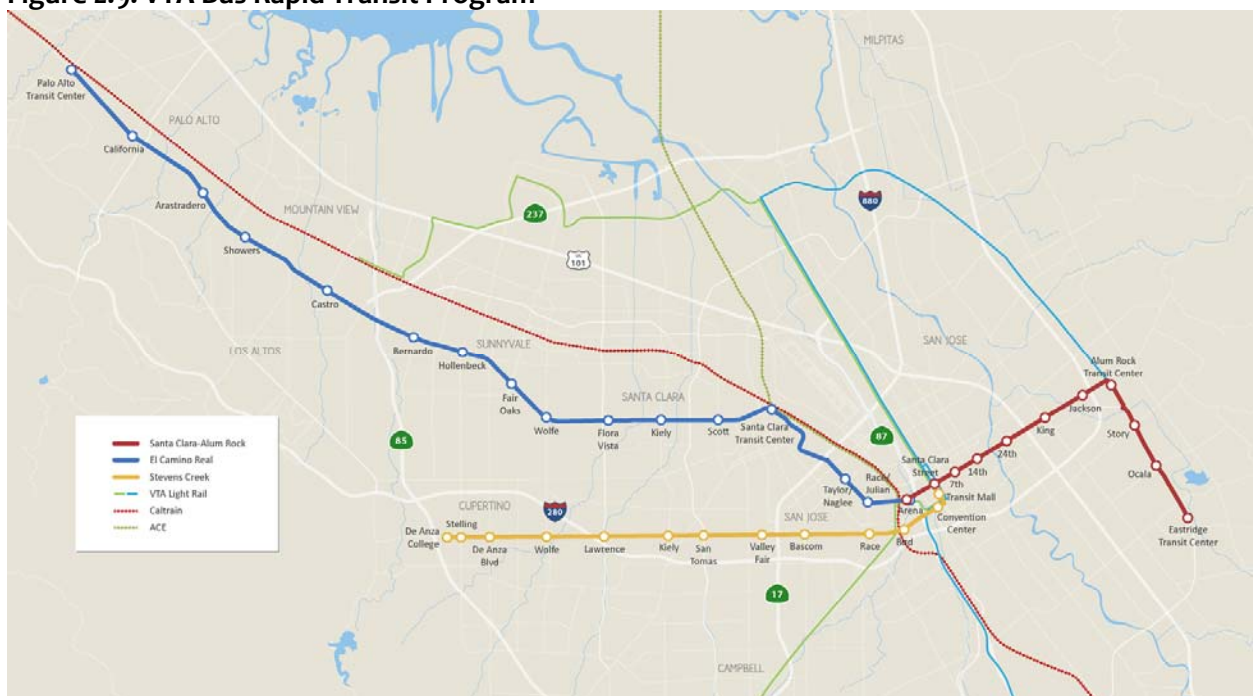
Source: Santa Clara Valley Transportation Authority as of November 2014

VTA Bus Rapid Transit Program

The VTA is upgrading transit service along the County's three busiest transit corridors to Bus Rapid Transit (BRT) status. These projects consist of improvements in technology and infrastructure as well as new vehicles that will allow riders on the Rapid 522 and Limited 323 routes to travel faster and more comfortably with more frequent service and better on-time reliability.

The BRT program consists of the following three projects: Santa Clara-Alum Rock BRT Project, Stevens Creek BRT Project, and El Camino Real BRT Project. The first two projects will upgrade a bus line that serves San José and another that serves Cupertino to San José, respectively. However, the El Camino Real BRT Project will upgrade the western portion of the 522 Rapid Bus Route to Bus Rapid Transit status between the Palo Alto Transit Center and Downtown San José, traveling through Mountain View. The VTA has proposed converting one vehicle lane in each direction into a bus-only lane as well as installing bicycle lanes in some cities along the corridor. If approved, this project would be constructed from 2018-2020.

Figure 2.9: VTA Bus Rapid Transit Program



Source: Santa Clara Valley Transportation Authority

Caltrain

Caltrain provides commuter rail service along the San Francisco Peninsula, through the South Bay (including Mountain View) and ending at Gilroy. Most stations offer both parking and bicycle access. There are also shuttle services that operate between Caltrain stations and employers' work sites, or are operated by cities. Employer Shuttles are funded by the Bay Area Air Quality Management District Transportation Fund for Clean Air, the Peninsula Corridor Joint Powers Board, The Transportation Authority and participating employers. Most shuttles are free and open to the public.

Figure 2.10: Caltrain System Map



Source: Caltrain

Table 2.13: Caltrain Fares

Adult Full Fare*	Travel Within					
Ticket Type	1 Zone	2 Zones	3 Zones	4 Zones	5 Zones	6 Zones
One Way	\$3.75	\$5.75	\$7.75	\$9.75	\$11.75	\$13.75
Day Pass	\$3.20	\$5.20	\$7.20	\$9.20	\$11.20	\$13.20
Zone Upgrade	\$2.00					
8-Ride	\$23.70	\$38.50	\$53.30	\$68.10	\$82.90	\$97.70
Monthly Pass	\$84.80	\$137.80	\$190.00	\$243.60	\$296.80	\$349.80
Eligible Discount Fare**	Travel Within					
Ticket Type	1 Zone	2 Zones	3 Zones	4 Zones	5 Zones	6 Zones
One Way	\$1.75	\$2.75	\$3.75	\$4.75	\$5.75	\$6.75
Day Pass	\$1.60	\$2.60	\$3.60	\$4.60	\$5.60	\$6.60
Zone Upgrade	\$1.00					
8-Ride	\$11.85	\$19.25	\$26.65	\$34.05	\$41.45	\$48.85
Monthly Pass	\$42.40	\$68.90	\$95.40	\$121.90	\$148.40	\$174.90

Source: Caltrain November 2014

*Adult ages 18-64

**Senior/Disabled/Youth/Medicare Cardholder

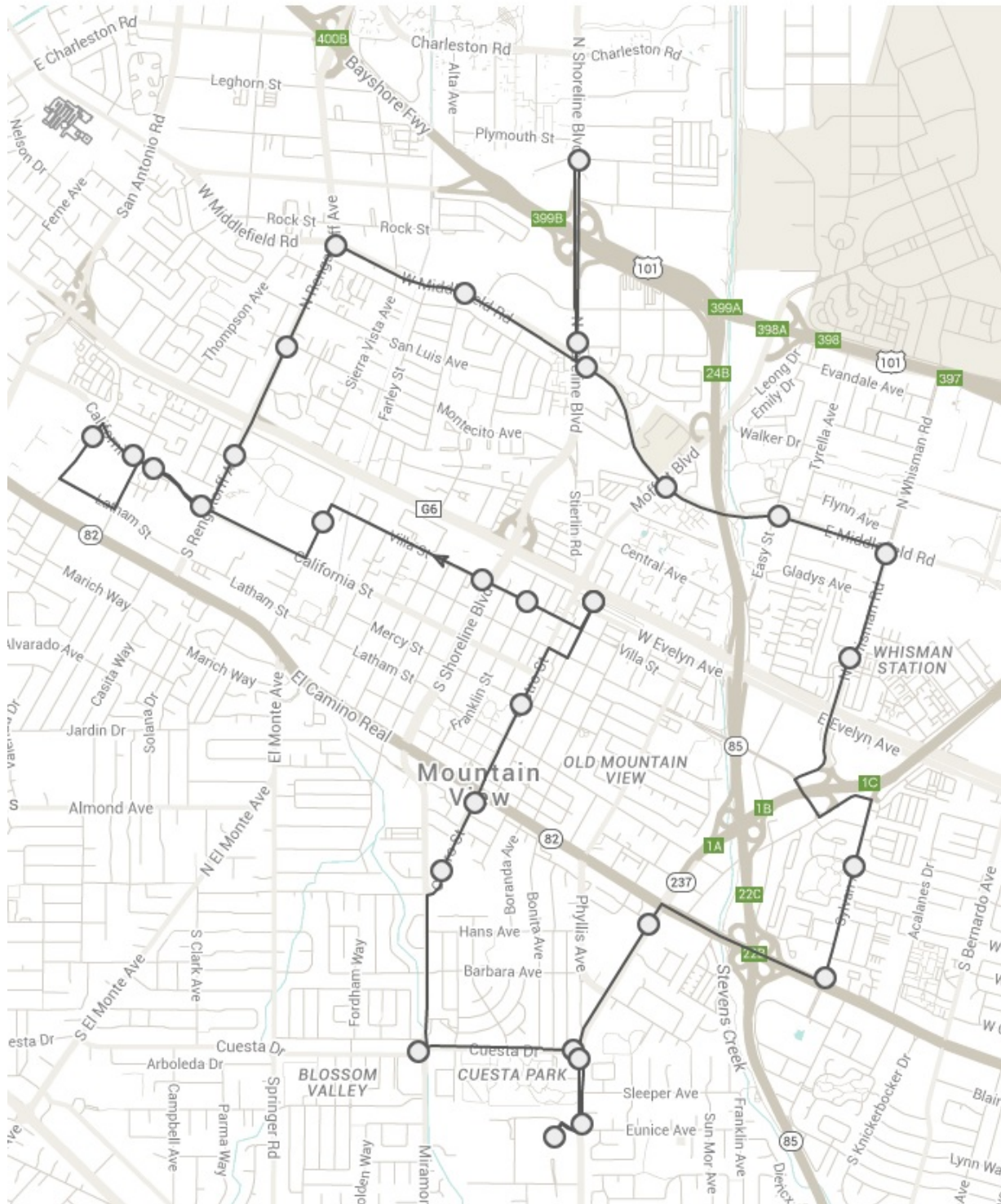
The Downtown Mountain View Caltrain station has 340 parking spaces, 23 bike racks, a Bay Area Bike Share bike storage shed, and 116 lockers. The station also has direct connections to five VTA light rail routes, the Mountain View Community Shuttle, MVgo, and the Duane Avenue and Mary Moffett Shuttles (service to Sunnyvale).

Mountain View Community Shuttle

The Mountain View Community Shuttle provides free enhanced transportation connections between many residential neighborhoods, senior residences and services, city offices, library, park and recreational facilities, medical offices, shopping centers, and entertainment venues throughout Mountain View. The shuttle route has a total of 50 stops, including the downtown transit center, to form a loop around the city. The service employs four all-electric, 16-seat vehicles, equipped with a wheelchair lift, space for two wheelchairs, two exterior bicycle racks, and free Wi-Fi onboard. The shuttles run 7 days a week; approximately every 30 minutes from 10:00 am to 6:00 pm Monday through Friday and approximately every 60 minutes from 12:00 pm to 8:00 pm on weekends and holidays. The shuttle reduces the number of vehicles on the road while providing an environmentally-friendly transit option for the City's residents, workers, and visitors.

Figure 2.11: Mountain View Community Shuttle System Map

Mountain View Community Shuttle

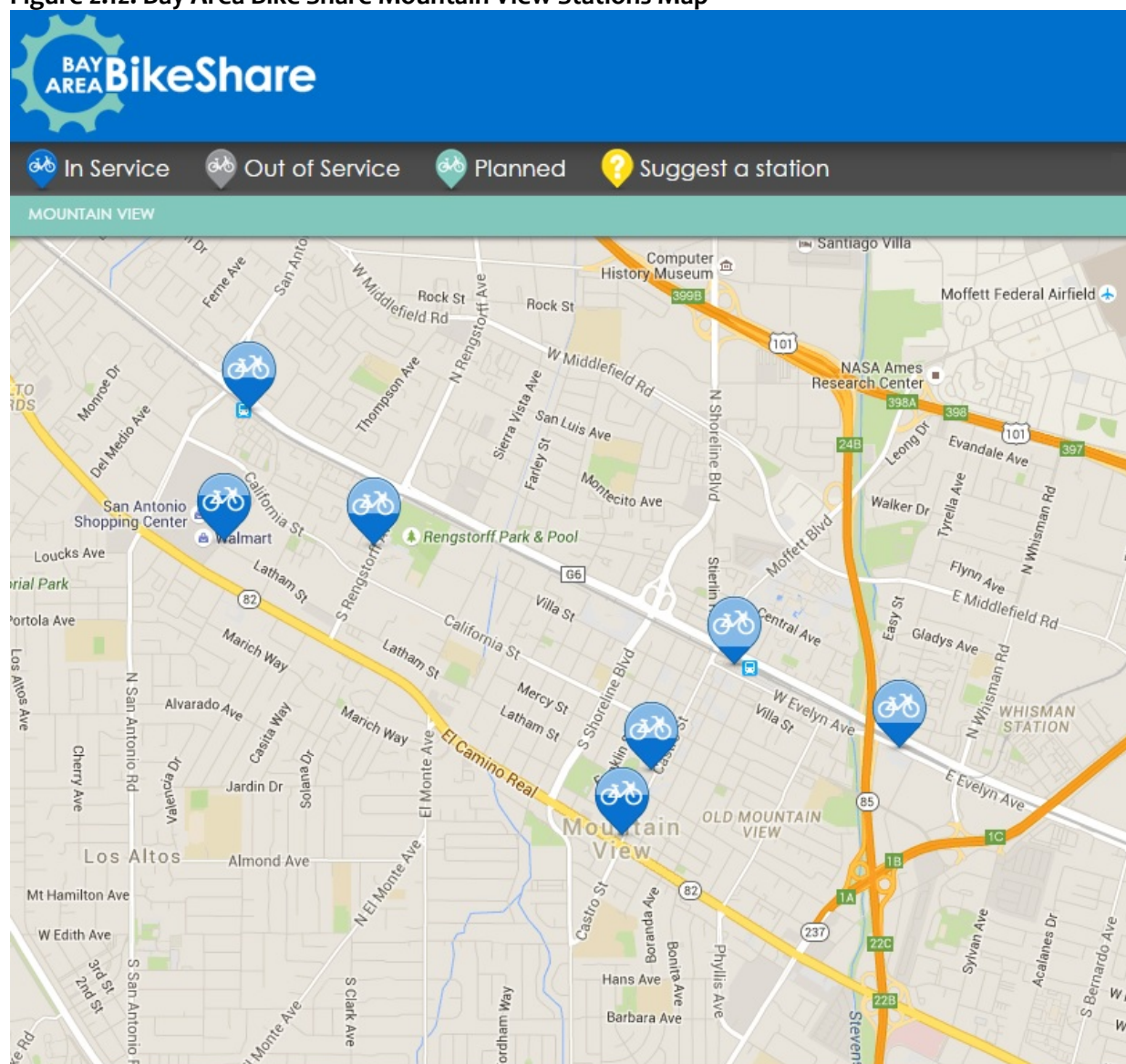


Source: Mountain View Community Shuttle

Bay Area Bike Share

The Bay Area Bike Share is the region's bike sharing system with 700 bikes and 70 stations across the region, with locations in San Francisco, Redwood City, Mountain View, Palo Alto, and San José. The service provides Bay Area residents and visitors with an additional transportation option for getting around the region. The bike sharing system consists of a fleet of specially designed, heavy-duty, durable bikes that are locked into a network of docking stations. The bikes can be rented from and returned to any station in the system, creating an efficient network with many possible combinations of start and end points. The system is available for use 24 hours a day, 365 days a year. The station network provides twice as many docking points as bicycles, assuring that an available dock to return a bike is always nearby and available. **Figure 2.12** below maps the docking stations available in the City of Mountain View.

Figure 2.12: Bay Area Bike Share Mountain View Stations Map



Source: Bay Area Bike Share

Three types of memberships are provided: 24-hour, 3-day, and annual. **Table 2.14** below lists the membership and overtime fees.

Table 2.14: Bay Area Bike Share Fees

Membership Type	Membership Fee
24-hour	\$9
3-day	\$22
Annual	\$88
Member Trip Duration	Overtime Fee
Up to 30 Minutes	--
30-60 Minutes	\$4
Each Additional 30 Minutes	\$7

Source: Bay Area Bike Share

III. Housing Profile

Housing Stock

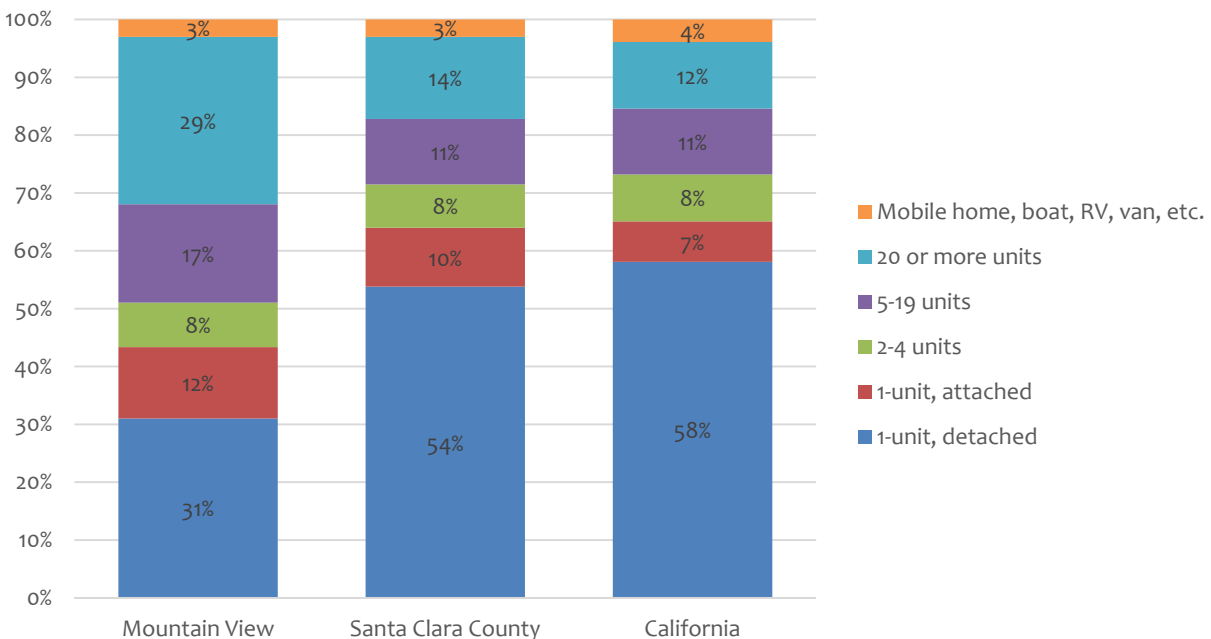
A diverse and balanced housing stock will provide a greater range and flexibility of housing options for households in the City. **Table 3.1** below reflects the distribution of housing found throughout the City. As shown in **Figure 3.1**, the City has a significantly greater percentage of multifamily housing (5 or more units in a structure) at 46 percent relative to the County (25 percent) or State (23 percent). Since multifamily units tend to be less expensive than single-family units to rent or purchase, the relative abundance of multifamily units means that from a distribution standpoint, the City's current housing stock may stand as less of an impediment to fair housing choice for households seeking rental units, which tend to be a more affordable source of housing, relative to the County or State.

Table 3.1: Residential Housing Distribution

Property Type	Count	Share
1-unit detached structure	10,363	31%
1-unit attached structure	4,111	12%
2-4 units	2,585	8%
5-19 units	5,704	17%
20 or more units	9,683	29%
Mobile Home, boat, RV, van, etc.	1,022	3%
Total	33,468	100%

Source: 2013 ACS

Figure 3.1: Residential Housing Distribution



Housing Affordability

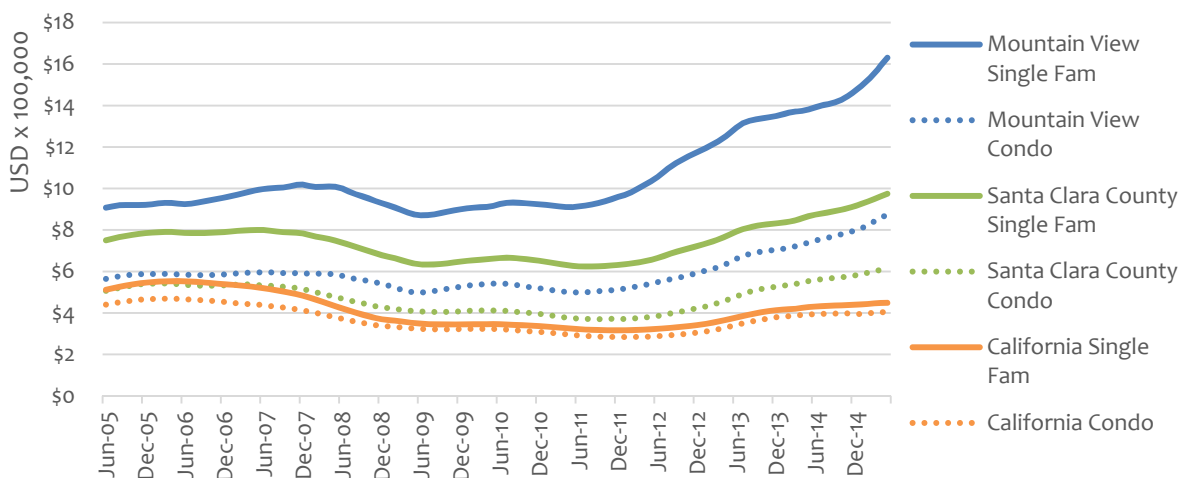
Housing is often one of the most significant expenses for households and can be one of the most significant factors in evaluating a housing market. This section provides an overview of housing affordability in the City.

Cost of Housing

Housing is significantly more expensive in Mountain View compared to the County or State. As shown in **Figure 3.2**, the disparity has increased since 2005. The median sales price for a single family home in May 2015 was \$1,630,100 or 67 percent greater than the County (\$974,500) and a whopping 263 percent greater than the State (\$448,800). For condominiums in the City, where the median sales price was \$873,000 in May 2015, the gaps were smaller but still significant at 42 percent for the County (\$614,900) and 116 percent for the State (\$404,200).

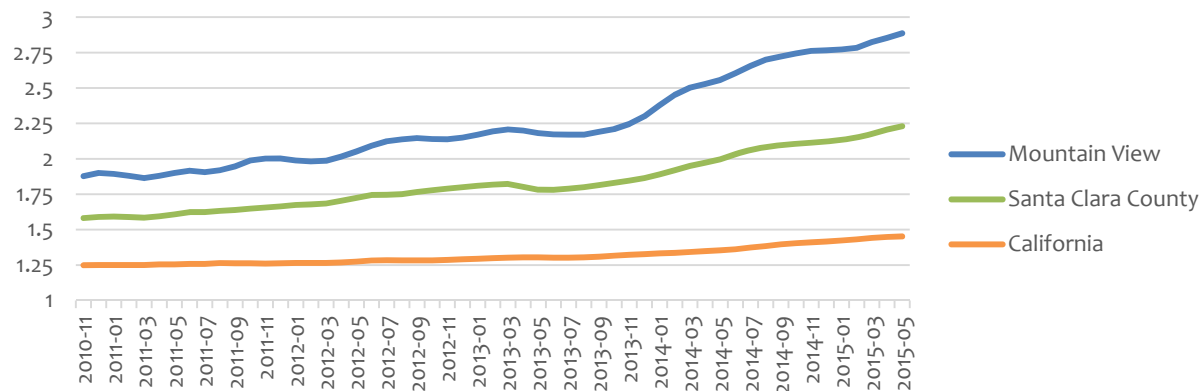
Similarly, the gap in rental rates has increased over the past few years. The median rent price per square foot for all homes in Mountain View rose from \$1.88 in late-2010 to \$2.89 in mid-2015, an increase of 54 percent; for the same period, median rent price per square foot rose 41 percent in the County (\$1.58 To \$2.23) and 16 percent in the State (\$1.25 To \$1.45). In mid-2015, rental rates in the City are 29 percent higher per square foot than the County, and 99 percent higher than the State.

Figure 3.2: Median Sales Price



Source: Zillow

Figure 3.3: Median Rents per Square Foot



Source: Zillow

Housing Affordability

There is a disparity between need and availability of affordable housing in the City. As seen in **Table 3.2**, approximately 3,010 renter households are at 0-30% AMI, yet there are only 740 rental units available that are affordable to these households (no data is available on homeowner units). In total, there are 2,540 rental units affordable to LMI households earning 50% or less AMI, yet there are 5,425 households within this income bracket in need of housing. While there are 5,000 rental units affordable to LMI households earning 51% to 80% AMI, there are only 1,820 households in this income bracket. The shortage of affordable units is not as pronounced for owner households, but each income bracket does face a shortage of affordable units. Housing affordability is most acute for those in the lowest income brackets; however, households earning 50-80% AMI may have difficulty finding affordable units if there is high demand and competition for units from the higher income brackets.

Table 3.2: Low and Moderate Income Households by Tenure

Household Income	Owner			Renter		
	Household Count	Affordable Unit Count	Over/Under Supply	Household Count	Affordable Unit Count	Over/Under Supply
0 - 30% AMI	940	No Data	No Data	3,010	740	-2,270
31% - 50% AMI	1,195	450	-745	2,415	1,800	-615
51% - 80% AMI	775	610	-165	1,820	5,000	+3,180
81% - 100% AMI	830	795	-35	1,490	No Data	No Data
>100% AMI	9,535	No Data	No Data	9,455	No Data	No Data
Totals	13,275	No Data	No Data	18,190	No Data	No Data

Source: 2007-2011 CHAS

Overcrowding

Per HUD definitions, the standard definition of overcrowding is a housing unit containing more than one person per room when occupancy of the rooms is pressed into service as sleeping quarters. In addition, HUD defines severe overcrowding as a housing unit with more than 1.5 persons per room. While these non-traditional sleeping quarters may provide some privacy, they are likely still considered less than ideal by the occupant. **Table 3.3** shows overcrowding conditions by AMI for renter and owner households within the City.

Table 3.3: Mountain View Overcrowding Conditions (more than one person per room)

	Single Family	Multiple, Unrelated Family	Other, Non-Family	Total Overcrowded Households	Overcrowded % of Total	Total Households
Renter Households						
0-30% AMI	380	-	25	405	13%	3,010
30-50% AMI	400	95	15	510	21%	2,415
50-80% AMI	165	50	25	240	13%	1,820
80-100% AMI	90	-	-	90	6%	1,490
Total Renter Households	1,305	165	250	1,720	9%	18,190
Owner Households						
0-30% AMI	-	-	-	-	0%	940
30-50% AMI	35	-	-	35	3%	1,195
50-80% AMI	-	-	-	-	0%	775
80-100% AMI	4	-	-	4	0.5%	830
Total Owner Households	89	45	25	159	1%	13,275
Total Renter and Owner Households	1,394	210	275	1,879	6%	31,465

Source: 2007-2011 CHAS

The data indicates that as a whole, six percent of the City's households experience overcrowding. However, this problem is more prevalent for rental households, especially those earning less than 80 percent AMI. While 9 percent of rental households live in overcrowding conditions, 47 percent of those earning less than 80 percent AMI live in overcrowding conditions. Further, these numbers may be even higher as overcrowding is often underreported. However, some households choose to live in conditions deemed by HUD as overcrowded, especially large families with children under the age of five.

Cost Burden

HUD defines **cost burden** as households paying more than 30 percent of their incomes toward housing costs, including utilities, and **severe cost burden** as those paying more than 50 percent of their income toward housing costs.

Table 3.4 demonstrates the degree of cost burden for renter and owner households within the City. For extremely low, very low, and low-moderate income households (together, households earning less than 80 percent AMI), three out of four renters and over half of owners are cost burdened, while nearly half of renters and over one third of owners are severely cost burdened. The percentage of cost burdened households decreases as the household AMI increases, as would be expected, with the exception of very low income renters, of which a higher percentage (82 percent) of households are cost burdened than are extremely low income renters (75 percent). In all income brackets, renters are more likely than owners to be cost burdened.

Table 3.4: Cost Burden

	Owner Households			Renter Households		
	Count	Cost Burden >30%	Cost Burden >50%	Count	Cost Burden >30%	Cost Burden >50%
0-30% AMI	940	61%	51%	3,010	75%	66%
31-50% AMI	1,195	60%	32%	2,415	82%	43%
51-80% AMI	775	45%	28%	1,820	64%	9%
< 80% AMI	2,910	56%	37%	7,245	75%	44%
> 80% AMI	10,365	No data	No data	10,945	No data	No data

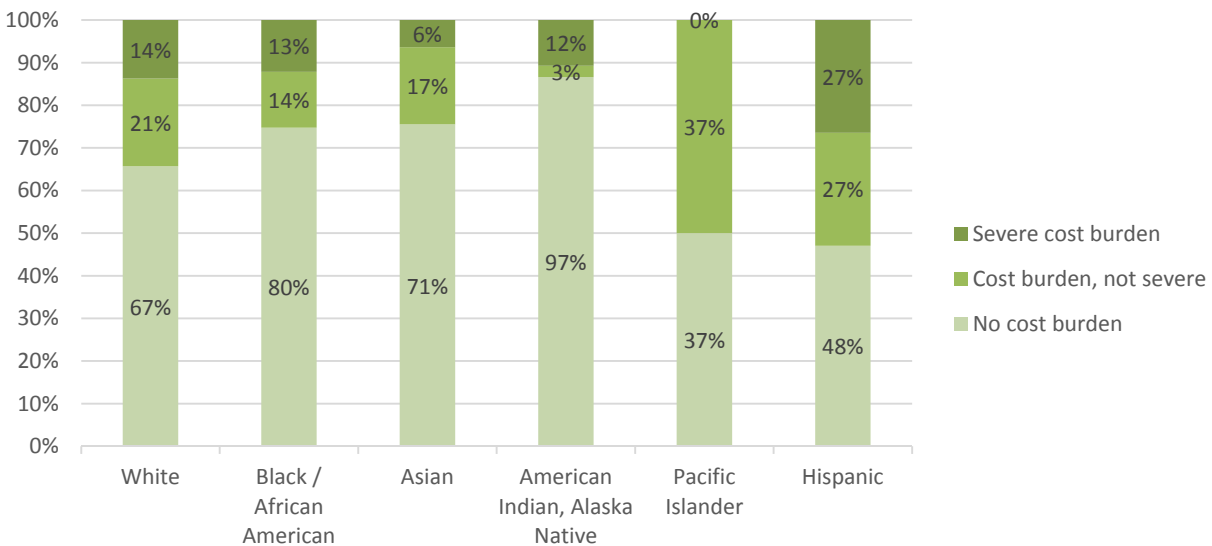
Source: 2007-2011 CHAS

Tables 3.5 and 3.6 and Figure 3.4 show the housing cost burden distribution by race/ethnicity. Per HUD definitions, a disproportionate need exists when any group has a housing need that is at least ten percent higher than the jurisdiction as a whole.

Table 3.5: Number of Households with Cost Burden by Race/Ethnicity

	No cost burden (≤30% Income)	Cost burden, not severe (31-50% Income)	Severe cost burden (>50% Income)	No / Negative Income (Not Computed)
Jurisdiction as a Whole	19,635	6,070	4,150	335
White	11,550	3,590	2,170	95
Black / African American	605	105	45	50
Asian	5,225	1,250	895	170
American Indian, Alaska Native	125	4	0	0
Pacific Islander	55	55	40	0
Hispanic	1,810	1,000	955	20

Data Source: 2007-2011 CHAS

Figure 3.4: Cost Burden Distribution by Race/Ethnicity

Source: 2007-2011 CHAS

Table 3.6: Percentage of Households with Cost Burden by Race/Ethnicity

	No cost burden (≤30% Income)		Cost burden, not severe (31-50% Income)		Severe cost burden (>50% Income)	
	Count	Percent	Count	Percent	Count	Percent
Jurisdiction as a Whole	19,635	66%	6,070	20%	4,150	14%
White	11,550	67%	3,590	21%	2,170	13%
Black / African American	605	80%	105	14%	45	6%
Asian	5,225	71%	1,250	17%	895	12%
American Indian, Alaska Native	125	97%	4	3%	0	-
Pacific Islander	55	37%	55	37%	40	27%
Hispanic	1,810	48%	1,000	27%	955	25%

Source: 2007-2011 CHAS

The data indicates that as a whole, 20 percent of the population is cost-burdened and paying 31-50 percent of their income toward housing costs and 14 percent is severely cost-burdened and paying more than 50 percent of their income toward housing costs. Pacific Islander households experience a disproportionate housing cost burden, with 37 percent of households experiencing cost burden (compared to 20 percent of the City as a whole). Both Pacific Islander and Hispanic households experience a disproportionate severe housing cost burden, with 27 percent of Pacific Islander households and 25 percent of Hispanic households experiencing severe cost burden (compared to 14 percent of the City as a whole).

Currently, there are several ordinances and programs designed to assist cost burdened households and mitigate economic displacement throughout the City: a right to lease ordinance, a mandatory mediation ordinance, and a rent assistance program. On December 8, 2015, the City Council for the City of Mountain View adopted a Right to Lease ordinance, with an effective date of January 7, 2016. The ordinance applies to any apartment building with three or more dwelling units in a single structure. It requires landlords to offer tenants a written lease with a minimum of two option terms: six months and one year. The landlord and the tenant can also agree to a written lease with mutually acceptable terms that are different from the six months and one-year term options. In addition to providing tenants with a minimum six month or one-year written lease, landlords are required to notify their tenants of this ordinance. The ordinance will provide stability for both renters and rental owners.

On April 26, 2016, the City Council for the City of Mountain View adopted a Mandatory Mediation ordinance, with an effective date of May 26, 2016. The ordinance mandates a mediation process, if requested, for renters and landlords for any rent increases beyond a 7.2 percent threshold, as well as security deposit and maintenance issues. The City has spent \$70,000 on a campaign to educate affected tenants and landlords about the new program, and is preparing a data-collection effort to track participation in the new program and gauge its success.

Another program designed to help low-income renters is the Rent Assistance program. Community Services Agency, a local non-profit, will provide rent assistance to residents of Mountain View who receive a rent increase after January 1, 2016 and are at or below 80% of AMI in accord with the 2015 HUD Income Limits. The financial assistance provided will be the difference of the base rent and the increased rent amount. City Rent Increase Gap funding may be used for four months, and up to nine months for households with extenuating circumstances. In some cases, funds may also be used to assist a limited number of households with moving expenses. Community Services Agency can

also use non-City funds to augment City funding to provide rent assistance to ensure housing stability. The agency will conduct outreach to low-income communities through print media and flyers distributed to area faith communities, apartment complexes, and Community Services Agency Food & Nutrition Center clients in order to meet the goal of assisting 100 clients annually.

Additionally, Measure V, a rent stabilization initiative passed by residents, places into effect an amendment to the City Charter that ties rent increases to the Consumer Price Index and limit rent increases to 5 percent annually, also for rental units developed prior to February 1995.²⁶ The Apartment Association has filed an injunction, which may invalidate certain provisions. The City is proceeding with outreach and workshops to inform the community and establishing a Committee to oversee implementation.

Substandard Housing

Substandard Housing is property in violation of the California state or local health and safety codes as determined by city or county regulatory agencies.²⁷ These laws and code requirements necessitate that all houses be safe for both occupants and visitors alike, meaning houses must meet local building codes, must not be dilapidated or infested with rodents, and must not pose other safety hazards. Houses that do not meet these requirements are considered substandard. According to a report published by the University of California Berkeley Health Impact Group, substandard housing is associated with increased risk of disease, injury, crime, toxic exposures, social isolation, and decreased mental health.²⁸ The following information regarding substandard housing in Mountain View can also be found in the 2015-2023 Housing Element chapter 4.3.1 Housing Stock Conditions:²⁹

Characteristics commonly used to evaluate the housing supply, and the potential need for rehabilitation are the age of housing stock, the number of vacant/abandoned units, and the risk of lead-based paint. While 48 percent of the City's housing stock is over 40 years old and may require maintenance and repair, the tight rental market has resulted in numerous apartment upgrades by investors, leading to a supply of housing units that are generally in good condition. However, City Code Enforcement Staff has indicated that a majority of dilapidated housing units in Mountain View are found in older, multi-family structures. In particular, there are several multi-family structures in R-1 zoning districts that have fallen into disrepair. These multi-family structures, which are not permitted in the R-1 district, have a nonconforming status that allows them to continue their existing use.

There are also a moderate number of soft-story buildings in the City, which can be extremely vulnerable to collapse and failure during earthquakes. Soft-story buildings are low-rise, multi-story (two to three stories), wood frame structures, typically with an open wall condition on

²⁶ Citizens of Mountain View. "The Community Stabilization and Fair Rent Act." April 1, 2016.

<http://media.bizj.us/view/img/9809072/communitystabilizationandfairrentact-reduced-pg-5-27.pdf>

²⁷ State of California Franchise Tax Board. "Substandard Housing Frequently Asked Questions For Individuals."

²⁸ University of California Berkeley Health Impact Group. "HOPE VI to HOPE SF San Francisco Public Housing Redevelopment: A Health Impact Assessment." November 2009.

²⁹ City of Mountain View. "City of Mountain View 2015-2023 Housing Element." October 2014.

the first floor to accommodate tuck-under parking, leading to seismic weakness. According to a survey completed by San Jose State University Collaborative for Disaster Mitigation, of the 584 multi-family buildings in Mountain View, 111 are soft-story buildings. This represents 19 percent of the multi-family buildings in the City. By comparison, 36 percent of multi-family buildings in Santa Clara County were identified as soft-story in the survey. The 111 soft-story buildings in Mountain View contained 1,129 units, representing 7 percent of all units in multi-family buildings in the City.

In addition to dilapidated multi-family housing, Code Enforcement Staff reported that several neighborhoods have scattered cases of housing units and complexes in disrepair. Neighborhood residents reported similar concerns at the community workshops organized for the General Plan update. These homes are typically found in neighborhoods undergoing a transition to newer housing stock. As this transition occurs and new owners purchase the properties, the older units are often demolished and replaced.

In order to ensure proper maintenance of its multi-family housing stock, the City periodically inspects each multi-family structure under the Hotel, Motel, and Multiple-Family Housing Inspection Program. Individual units are inspected for building, housing, and fire code violations. If units are found to be in violation of the Municipal Code, owners are notified and have 30 days to make repairs to the units.

Assisted Housing

The Housing Authority of the County of Santa Clara (HACSC) assists approximately 17,000 households through Section 8. The Section 8 waiting list contains 21,256 households, including 415 Mountain View applicants, and the wait for assistance is estimated to be ten years. The HACSC also develops, controls, and manages more than 2,600 affordable rental housing properties throughout the County. The HACSC's programs are targeted toward LMI households, and more than 80 percent of their client households are extremely low income families, seniors, veterans, persons with disabilities, and formerly homeless individuals.³⁰

In 2008, the HACSC entered into a ten-year agreement with HUD to become a Moving to Work (MTW) agency. The MTW program is a federal demonstration program that allows greater flexibility to design and implement more innovative approaches for providing housing assistance.³¹ Additionally, the HACSC has used Low Income Housing Tax Credit financing to transform and rehabilitate 535 units of public housing into HACSC-controlled properties. The agency is an active developer of affordable housing and has either constructed, rehabilitated, or assisted with the development of more than 30 housing developments that service a variety of households, including special needs households.³²

³⁰ Housing Authority of the County of Santa Clara. "Welcome to HACSC." <http://www.hacsc.org/>

³¹ Housing Authority of the County of Santa Clara. "Moving to Work (MTW) 2014 Annual Report." September 2014.

³² Housing Authority of the County of Santa Clara. "Welcome to HACSC." <http://www.hacsc.org/>

Table 3.7 below displays the public housing inventory and housing vouchers maintained by the HACSC in the County. Approximately 16,387 housing vouchers are in use countywide.

Table 3.7: Assisted Housing by Program Type (County)

Program Type			Unit/Voucher Count	Accessible Unit Count
Certificate			0	The HACSC does not collect data on whether or not households use a voucher for an accessible unit
Mod-Rehab			42	
Public Housing			0	
Vouchers (Total of 10,931)	Project-based		666	
	Tenant-based		9,362	
	Special Purpose	VA Supportive Housing	740	
		Family Unification Program	100	
		Disabled (includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition)	63	

Source: HACSC

Table 3.8 on the following page displays the number of Project-Based (subsidy tied to the unit) and Housing Choice (subsidy tied to the household) Section 8 Voucher residents by race/ethnicity. There are no public housing units located in Mountain View.

Table 3.8: Mountain View Publicly Supported Housing Residents by Race/Ethnicity

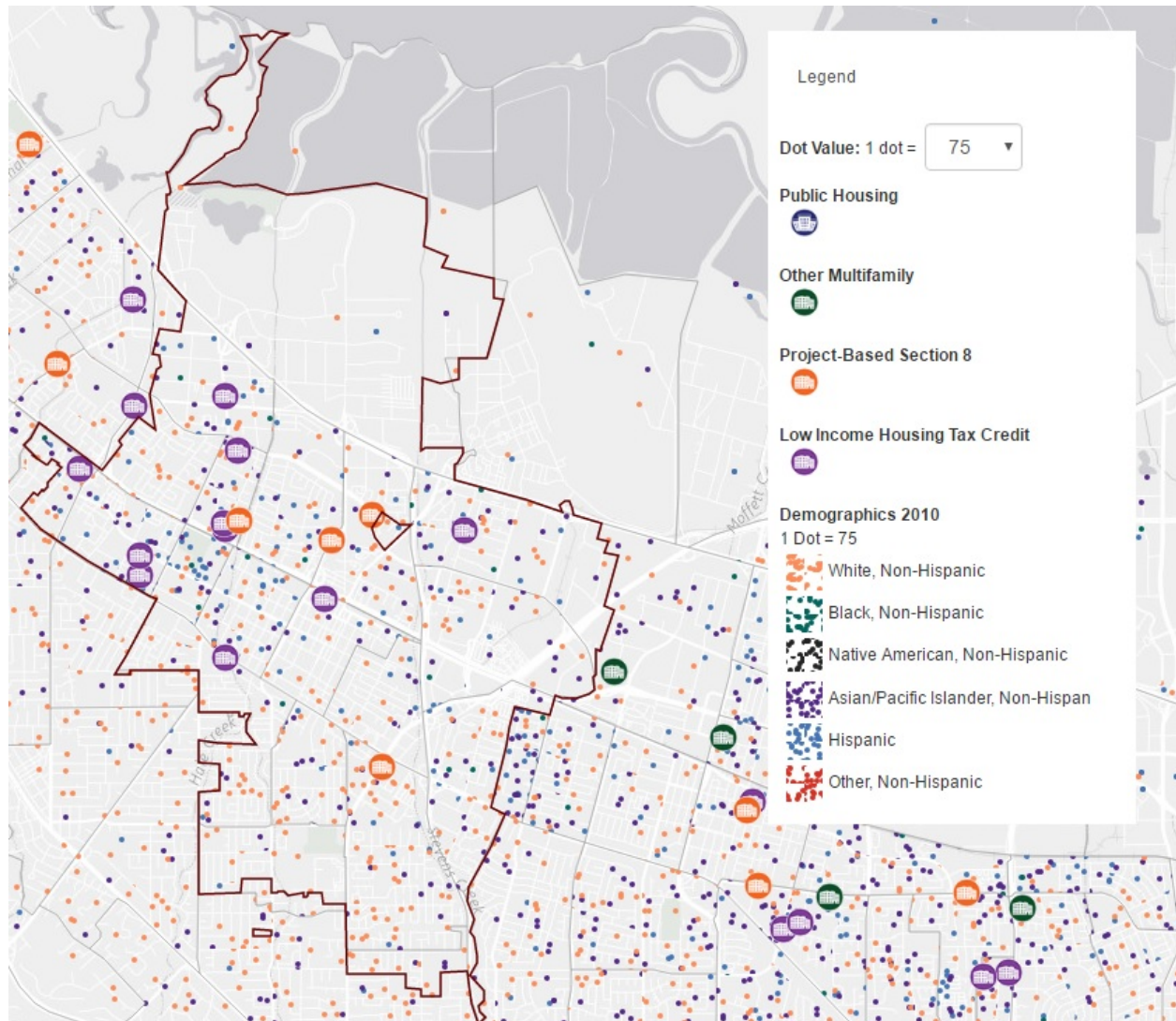
Mountain View CDBG, HOME Jurisdiction	Race/Ethnicity							
	White		Black		Hispanic		Asian or Pacific Islander	
Housing Type	#	%	#	%	#	%	#	%
Public Housing								
Project-Based Section 8	144	48%	10	3%	18	6%	123	41%
Other Multifamily								
HCV Program	257	60%	43	10%	46	11%	80	19%
0-30% of AMI	1,980	49%	150	4%	815	20%	1,000	25%
0-50% of AMI	2,970	42%	175	2%	1,870	26%	1,535	22%
0-80% of AMI	4,550	44%	260	2%	2,945	28%	2,045	20%
Mountain View CDBG, HOME Jurisdiction	33,635	46%	1,498	2%	15,913	22%	19,386	26%

Source: HUD Affirmatively Furthering Fair Housing Data Tool

The table shows that both Project-based Section 8 and HCV serve a disproportionately high rate of Whites and Asians, who receive 89 percent of Section 8 vouchers and 79 percent of HCVs despite only making up 67 percent of the City's population. This is even more pronounced for the White population, who receive 48 percent of Section 8 vouchers and 60 percent of HCVs, despite only making up 40 percent of the City's population. Whites also make up the majority across all AMI categories at percentages higher than their proportion of the population. Hispanic residents are underrepresented in both programs with only 6 percent of Section 8 vouchers and 11 percent of HCVs assisting their households despite making up 21 percent of the City's population.

Figure 3.5 on the following page shows the publicly supported housing locations within the City mapped with race/ethnicity.

Figure 3.5: Mountain View Public Housing and Race/Ethnicity



Source: HUD Affirmatively Furthering Fair Housing Mapping Tool

The map shows the locations of Project-based Section 8 and Low Income Housing Tax Credit properties. Although spread throughout Mountain View, the majority of these properties are located in the central and western parts of the City, near and around the Hispanic and Lower Income areas, previously shown on the Lower Income and Minority Concentration map.

Table 3.9 displays the City’s public housing residents by special population.

Table 3.9: Mountain View Publicly Supported Housing Residents by Special Population

Mountain View CDBG, HOME Jurisdiction	Elderly	With a Disability	Families with Children
Public Housing			
Project-Based Section 8	76%	11%	12%
Other Multifamily			
HCV Program	69%	59%	9%

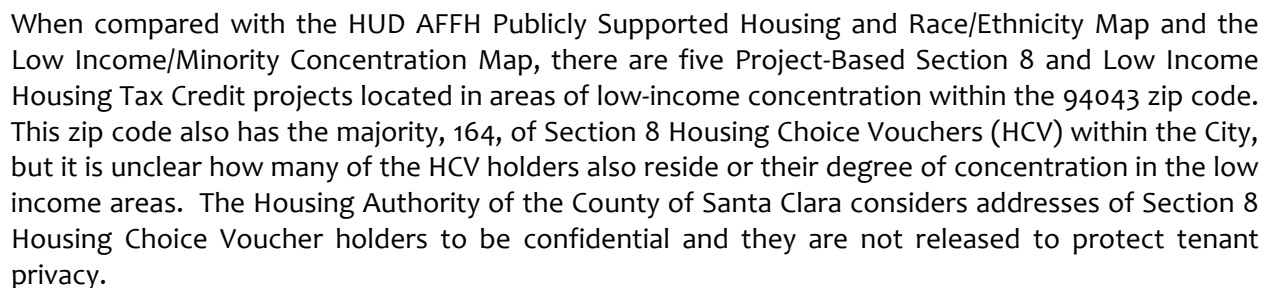
Source: HUD Affirmatively Furthering Fair Housing Data Tool

The table shows that both Project-based Section 8 and HCV serve a disproportionately high rate of elderly and disabled households, who make up 11 and 6 percent of the City’s population, respectively. The number of Families with Children served by these programs are more similar to their proportion of the population (5 percent).

Section 8 Housing Choice Voucher Program (HCV)

The HCV program is designed to help families secure rental housing in the private market and provide them with greater control and choice over where they live. The HACSC administers the City’s HCV program and provides rental assistance to families spending more than 30 percent of their monthly income on housing. Under the HCV program, a subsidy is granted to landlords to cover the gap between 30 percent of the voucher recipient’s monthly income and the payment standard approved by the federal government. **Figure 3.6** displays where 313 Section 8 holders live within the City, by zip code.

City of Mountain View Section 8 Vouchers



Under California state law, Section 8 vouchers are not considered tenant income, and therefore a housing provider is not required to accept a voucher. Housing providers are also not required to treat other rental assistance programs as income. Senate Bill 1053 would have forbid landlords in the State of California to discriminate against renters, specifically because of their source of income but did not successfully pass through the state legislative process. There are a handful of cities in the state that have enacted local ordinances that require a housing provider to accept Section 8 and other rental assistance, including nearby East Palo Alto. However, the effectiveness of these measures is unclear, since landlord participation in the Section 8 program, at the federal and state levels, is voluntary and landlords are not required to keep or report on information about their tenant selection practices or records.

Until state or federal legislation is enacted to require landlord participation, Section 8 voucher holders living in the City may face not only income barriers but also other impediments. In neighborhoods that are experiencing rapid demographic changes or rise in affluence, voucher holders may find that property owners who may have taken their vouchers in the past are no longer willing to do so. There are regulatory requirements for owners who participate in the Section 8 program, such as rent limits and housing inspections, and many owners do not want the additional restrictions or administrative layers.

Affordable Housing Projects

Although the HACSC does not operate any public housing properties within the City, there are HACSC properties located within ten miles of Mountain View and their income limits are shown in **Table 3.10** below.

Table 3.10: HACSC Housing Properties (County)

Project Name	City	Income Limit	Number of Units	Housing Type
Opportunity Center†	Palo Alto	50% AMI	89	Senior Tax Credit Housing
Bracher Senior Apartments	Santa Clara	50% AMI	72	Senior Tax Credit Housing
Eklund I Apartments†	Santa Clara	50% AMI	10	Family Tax Credit Housing
Eklund II Apartments†	Santa Clara	50% AMI	6	Public and Other HUD Assisted Housing
Klamath Gardens	Santa Clara	50% AMI	17	Family Tax Credit Housing
Miramar†	Santa Clara	50% AMI	16	Senior Tax Credit Housing

Source: HACSC

The Neighborhoods and Housing Division administers the City's housing programs for extremely low to moderate income renters and homebuyers. The City helped develop and monitors an inventory of affordable rental projects for families, seniors, low wage workers, and developmentally disabled adults. The City's goal is to create, preserve and improve a range of housing opportunities serving an economically diverse community.

There are two main types of affordable housing in Mountain View:

1. Subsidized apartments affordable primarily to very-low and extremely-low income households
2. Below Market Rate (BMR) ownership and rental units affordable to low and moderate income households

The City, along with other investors, provides funding to subsidize the rents in the affordable apartment developments. In 2015, there were 1,197 subsidized apartments in Mountain View and 243 affordable units in the approval pipeline that could be completed during the 2015-20 AI period. BMR rental and ownership units are incorporated into some new market rate developments, where up to 10 percent of the units may be affordable. For BMR ownership units, most developers may be allowed to pay an in-lieu fee that is used to subsidize affordable projects and programs. BMR ownership housing is targeted to median income households earning 80-100 percent of AMI while BMR rental housing is targeted to low-income households earning 50-80 percent of AMI. The City Council adopted a priority system for BMR units giving first preference to the following people (in the following order):

1. Mountain View public safety employees
2. Public school teachers who work in Mountain View
3. Households who live or work in Mountain View

Tables 3.11 through 3.13 below list the existing subsidized rental properties and BMR units located within the City.

Table 3.11: Existing Subsidized Rental Properties in Mountain View

Property Name	Address	Clientele	Total Units*	Assisted Units	Funding Source			
					CDBG	HOME	LIHTC	Other
San Veron Park	870 San Vernon Ave	Families	32	32		X		
Sierra Vista I	1909 Hackett Ave	Families	34	34	X			
Paulson Park Apts I	111 Montebello Ave	Disabled; Seniors	149	148	X	X	X	
Paulson Park Apts II	90 Sierra Vista Ave	Disabled; Seniors	104	104	X	X	X	
The Fountains	2005 San Ramon Ave	Seniors	124	123		X	X	
Monte Vista Terrace	1101 Grant Rd	Disabled; Seniors	150	149			X	
Maryce Freelen Place	2230 Latham St	Families	74	74	X	X	X	

Property Name	Address	Clientele	Total Units*	Assisted Units	Funding Source			
					CDBG	HOME	LIHTC	Other
San Antonio Place	210 San Antonio Cir	Small Households	120	118	X	X	X	
Shorebreeze Apts	460 N. Shoreline Blvd	Disabled; Families; Seniors	120	120	X	X	X	
Tyrella Gardens	449 Tyrella Ave	Families	56	56	X		X	
Ginzton Terrace	375 Oaktree Dr	Disabled; Seniors	107	107	X		X	CCRC
Franklin Street Apts	135 Franklin St	Families	51	51	X		X	RDA BMR
Studio 819	819 N. Rengstorff Avenue	1-2 person households	49	48			X	BMR
1585 El Camino Real West Studio Project	1581-1585 El Camino Real West	Developmentally Disabled Adults	27	26		X	X	BMR
Total			1,197	1,190				

Source: City of Mountain View

*Note: These figures include manager units, which are typically not accompanied by income restrictions.

Table 3.12: Existing BMR Units in Mountain View

Property Name	Address	Income Limit	BMR Units	BMR Unit Composition
Madera Apartments	455 W. Evelyn Ave	50-80% AMI	7	4 One Bedroom 3 Two Bedroom
Domus on the Boulevard	2650 W. El Camino Real	50-80% AMI	8	5 One Bedroom 3 Two Bedroom
Tera	865 and 881 E. El Camino Real	50-80% AMI	4	2 One Bedroom 2 Two Bedroom
Montrose West	1720 and 1730 El Camino Real	50-80% AMI	5	3 One Bedroom 2 Two Bedroom
Total			24	

Source: City of Mountain View

While the HUD AFFH data does not contain data corresponding to all Mountain View subsidized rental properties, it does contain the race/ethnicity breakdown for four developments located within the City, as shown in **Table 3.13** below.

Table 3.13: Demographics of Publicly Supported Housing Developments in Mountain View

Property Name	White	Black	Hispanic	Asian
Sierra Vista I	33%	11%	26%	30%
Monte Vista Terrace	36%	1%	1%	63%
Shorebreeze Apartments	69%	5%	6%	17%
San Veron Park	20%	20%	30%	20%

Source: HUD Affirmatively Furthering Fair Housing Data Tool

When compared to the HUD AFFH Publicly Supported Housing and Race/Ethnicity Map, there does not appear to be any concentration of any race/ethnicity group surrounding these four developments. However, Monte Vista Terrace has a majority of Asian residents, with White residents making up over a third of all residents. Shorebreeze Apartments also has a majority of White and Asian residents, with White residents making up over two-thirds of all residents. San Veron Park is fairly evenly split among the four race/ethnicity groups and Sierra Vista I is fairly proportional to the race/ethnicity population breakdown of Mountain View as a whole. The Shorebreeze, San Veron Park and Monte Vista Terrace properties were developed in the 1970's and 1980's and many of the residents were the first occupants who have remained in place since these complexes were built. All of these properties have extensive waitlists and low turnover. Shorebreeze, for instance, has not had a net move-out in over three years and has a waitlist of over 300 households. Occupants primarily transfer to units within the complex, based on their household size and needs.

Community Care Facilities

Community care facilities are designed to provide shelter and assistance to individuals and groups who are unable to live on their own but do not require extensive medical services. Services offered at these facilities are catered to meet the needs of the specific groups which they serve and can include assistance with medications and personal hygiene. Community care facilities ensure that children, disabled adults, and the elderly receive the support that they need with day-to-day living.

Table 3.15 provides a list of licensed senior residential care facilities, while **Table 3.16** includes a list of licensed community care facilities for the disabled.

Table 3.14: Residential Care Facilities for the Elderly

Facility Name	Address	Capacity
Aaedita Residential Care Home	1874 Villa St	6
Alvin Place Care Home	2522 Alvin St	6
Casa Pastel Lane	13348 Pastel Lane	6
Cypress Manor	467 Sierra Vista Ave #1	6
Diamond Care Home	1617 Began Ave	6
Diamond Residential Care	1309 Brook Pl	6
Monte Farley II	586 Burgoyne St	4

Facility Name	Address	Capacity
Monte Farley Manor Guest Home	579 Farley St	6
Paradise Care Home	1615 Miramonte Ave	6
Pettis Manor Family #B	739-B Pettis Ave	6
Pettis Manor Family #C	757 Pettis Ave	15
Pinehill	801 Rose Ave	6
Shalom Mountain View	1007 Miramonte Ave	6
Springer House	1651 Springer Rd	6
Urso's Monte Farley Manor III	381 Farley St	6
Villa Sienna	1855 Miramonte Ave	55
Total		152

Source: California Healthcare Foundation, 2013. State of California Community Care Licensing Division, 2013.

Table 3.15: Community Care Facilities for the Disabled

Facility Name	Facility Type	Address	Capacity
Green Pastures	Group Home	730 Cornelia Ct	6
Bill Wilson Center	Group Home	209 View St	8
San Antonio Manor	Adult Residential	2402 Gabriel St	15
Sierra Manor	Adult Residential	467 Sierra Vista Ave	6
Total			35

Source: City of Mountain View, 2013.

IV. Mortgage Lending Practices

“Without investment in mortgage and home improvement loans, residential areas decline rapidly.”

– U.S. Department of Housing and Urban Development, *Fair Housing Planning Guide*
Volume 1 pg. 5-10

Equal access to fair and safe credit is essential to fair housing choice. Mortgage lending policies and practices impact the economic stability and viability of individual borrowers, as well as the entire nation. This chapter provides legislative background and review of the practices of lending institutions as they apply to fair housing choice.

Legislation

Fair Housing Act 1968

“Discrimination in mortgage lending is prohibited by the federal Fair Housing Act and HUD's Office of Fair Housing and Equal Opportunity actively enforces those provisions of the law. The Fair Housing Act makes it unlawful to engage in the following practices based on race, color, national origin, religion, sex, familial status or handicap (disability):

- Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Discriminate in appraising property
- Refuse to purchase a loan or set different terms or conditions for purchasing a loan”³³

Home Mortgage Disclosure Act

The Home Mortgage Disclosure Act (HMDA), enacted by Congress in 1975, requires that mortgage lenders make loan data public. HMDA tracks information to ensure that fair and safe home financing is available in all geographic areas including urban neighborhoods. This information is made available to highlight whether or not lending institutions are servicing the neighborhoods and communities in which they are located.

The Consumer Financial Protection Bureau oversees HMDA compliance. Data collected and reported on includes applications, approvals and denials, loan amount, type of loan, applicant demographic information, property type, and census tract. This information is released annually each September.

Community Reinvestment Act

In response to reports of discriminatory and/or denial of lending, Congress passed the Community Reinvestment Act (CRA) in 1977. The CRA encourages “depository institutions to help meet the credit needs of the communities in which they operate, including LMI neighborhoods, consistent

³³ U.S. Department of Housing and Urban Development. “Fair Lending.” Webpage tab.
http://portal.hud.gov/hudportal/HUD?src=/topics/fair_lending

with safe and sound operations.”³⁴ The CRA requires periodic evaluation of the depository institutions. These evaluations are conducted by the Federal Reserve System (FRB), the Federal Deposit Insurance Corporation (FDIC), and the Office of the Comptroller of the Currency (OCC).

The CRA Lending Test considers the institution’s record of helping to meet the credit needs of its assessment area through home mortgage, small business, small farm, and community development lending.³⁵ Institutions receive a rating of "outstanding," "satisfactory," "needs to improve," or "substantial noncompliance." **Table 4.1** lists the latest available CRA ratings of financial institutions serving the City. Based on this information, these financial institutions have been given at least a satisfactory rating.

Table 4.1 Mountain View Financial Institution Community Reinvestment Act Ratings

Exam Date	Bank Name	CRA Rating
6/30/1990	American General Financial Center Thrift Company	Satisfactory
4/28/1990	Foothill Bank	Satisfactory
10/1/1991	Foothill Bank	Satisfactory
7/1/1993	Foothill Bank	Satisfactory
7/1/1995	Foothill Bank	Satisfactory
11/1/2010	Global Trust Bank	Satisfactory

Source: FFIEC Interagency CRA Rating Search

Note: Any banks not listed are not publicly available or are not reported by the FFIEC

Conventional vs. Government-Backed Financing

Conventional loans are made by the private sector (banks, mortgage companies, etc.) and are not guaranteed or insured by the U.S. government. Conventional loans are more risk averse and typically have more stringent credit score and down payment requirements along with lower debt acceptance and loan maximums.

Conversely, government-backed loans, such as those issued by the Federal Housing Administration (FHA), Department of Veterans Affairs (VA), and the Rural Housing Services/Farm Service Agency (RHA/FSA), are completely or partially insured by the U.S. government. Due to the less strict lending guidelines, government-backed loans were historically more popular with LMI borrowers.

The tables below attempt to demonstrate if a relationship exists between a borrower’s race, ethnicity and/or income and his/her ability to secure a loan. Many factors contribute to a potential homebuyer’s ability to secure safe financing. Credit history, savings, and education regarding the home-buying process all affect financing opportunities. It is critical to understand that FFIEC HMDA

³⁴ Board of Governors of the Federal Reserve System. “Community Reinvestment Act (CRA).”

http://www.federalreserve.gov/communitydev/cra_about.htm

³⁵ Board of Governors of the Federal Reserve System “Regulation BB Community Reinvestment.” Webpage tab. June 2007.

http://www.federalreserve.gov/boarddocs/supmanual/cch/cra_disc.pdf

data does not provide insight into these other factors. The Tables below do not definitively indicate that race or ethnicity were factors in home purchase loan approval rates in Conventional and Government Backed Loans. They do, however, indicate that the some groups have lower approval rates than Whites or Asians. The City should continue to partner with agencies qualified to test for potential cases of discrimination in mortgage lending to ensure all residents have optimal mortgage lending opportunities.

Table 4.2 San José-Sunnyvale-Santa Clara MSA Approval Rate of Conventional Home Purchase Loan by Race/Ethnicity

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White
Approval Rate	73%	80%	73%	69%	71%	80%

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Note: Approval rate includes loans originated and applications approved but not accepted

Table 4.3 San José-Sunnyvale-Santa Clara MSA Approval Rate of Government Backed Home Purchase Loan by Race/Ethnicity

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White
Approval Rate	53%	63%	60%	64%	61%	71%

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Note: Approval rate includes loans originated and applications approved but not accepted

Table 4.4 San José-Sunnyvale-Santa Clara MSA Conventional Home Purchase Loan Approval Rate by Race and Income

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White
Less than 50% Median Income	40%	63%	60%	49%	50%	59%
50-79%	75%	73%	64%	66%	59%	74%
80-99%	75%	79%	42%	73%	70%	79%
100-119%	75%	82%	92%	75%	75%	81%
120%+	82%	81%	80%	77%	83%	83%

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Note: Approval rate includes loans originated and applications approved but not accepted

Table 4.5 San José-Sunnyvale-Santa Clara MSA Government-Backed Home Purchase Loan Approval Rate by Race/Ethnicity and Income

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White
Less than 50% Median Income	n/a	25%	n/a	49%	100%	54%
50-79%	29%	54%	57%	66%	67%	68%
80-99%	100%	49%	100%	69%	33%	74%
100-119%	100%	76%	50%	62%	67%	71%
120%+	25%	69%	60%	61%	57%	74%

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Note: Approval rate includes loans originated and applications approved but not accepted

As the HMDA data, for both conventional and government-backed loan approval rates by Race/Ethnicity and Income, does not provide clear trends, one can look to the total number of loan originations as shown below in **Tables 4.6** and **4.7**. This data, in conjunction with **Tables 4.2-4.5**, may paint a clearer picture of race and income opportunities.

Table 4.6 San José-Sunnyvale-Santa Clara MSA Conventional Home Purchase Loan Originations by Race/Ethnicity and Income

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White	Total by Income
Less than 50% Median Income	2	152	3	48	2	111	318
50-79%	3	589	10	182	9	638	1,431
80-99%	4	683	5	113	6	574	1,385
100-119%	3	957	11	77	8	622	1,678
120%+	15	4,773	41	210	24	3,602	8,665
Total by Race	27	7,154	70	630	49	5,547	13,477

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Table 4.7 San José-Sunnyvale-Santa Clara MSA Government-Backed Home Purchase Loan Originations by Race/Ethnicity and Income

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White	Total by Income
Less than 50% Median Income	n/a	1	n/a	17	1	26	45
50-79%	2	21	4	117	4	178	326
80-99%	4	27	2	75	1	155	264
100-119%	2	41	2	51	4	133	233
120%+	1	111	9	95	3	404	623
	9	201	17	355	13	896	1,491

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

The HMDA data indicates that Asians accounted for the majority (53.1 percent) of all conventional loan originations and Asians and Whites together accounted for 94 percent of all conventional loan originations. Whites accounted for the majority (60.1 percent) of government-backed loan originations and together with Asians totaled over 73 percent of all originations despite Asians comprising only 32.4 percent and Whites only 34.4 percent of the MSA's total population. Hispanics make up 27.8 percent of the MSA's total population yet only accounted for 4.7 percent of all conventional loan originations. However, Hispanics were more proportionally represented in government-backed loans with 23.8 percent of total originations.³⁶

Refinance approval rates by race, ethnicity and income, shown below in **Tables 4.8** and **4.9**, are similar to home purchase rates in that they do not indicate evident discrimination.

³⁶ The Heller School for Social Policy and Management. "San José-Sunnyvale-Santa Clara." Webpage tab. <http://diversitydata.org/Data/Profiles/Show.aspx?loc=1240>

Table 4.8 San José-Sunnyvale-Santa Clara MSA Refinance Approval Rate by Race/Ethnicity

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White
Approval Rate	68%	77%	66%	66%	64%	74%

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Note: Approval rate includes loans originated and applications approved but not accepted

Table 4.9 San José-Sunnyvale-Santa Clara MSA Refinance Approval Rates by Race/Ethnicity and Income

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White
Less than 50% Median Income	61%	59%	60%	59%	55%	61%
50-79%	69%	71%	62%	68%	64%	70%
80-99%	71%	74%	60%	68%	67%	73%
100-119%	57%	77%	73%	69%	69%	74%
120%+	75%	80%	69%	69%	64%	78%

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Note: Approval rate includes loans originated and applications approved but not accepted

However, just as with Home Purchase Originations, **Table 4.10** Refinance Loan Originations by Race/Ethnicity and Income shows that Whites accounted 50.5 percent of all refinance originations while Hispanics accounted for only 7.0 percent.

Table 4.10 San José-Sunnyvale-Santa Clara MSA Refinance Loan Originations by Race/Ethnicity and Income

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White	Total by Income
Less than 50% Median Income	28	821	40	563	24	1,664	3,140
50-79%	28	2,036	80	987	56	3,599	6,786
80-99%	22	1,777	47	553	46	2,914	5,359
100-119%	20	2,211	48	401	35	2,685	5,400
120%+	66	13,135	171	906	110	13,874	28,262
Total by Race	164	19,980	386	3,410	271	24,736	48,947

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

This information does not in and of itself point to wrongdoing and further doesn't point to wrongdoing within the boundaries of the City itself. However, monitoring application and approval rates across race/ethnicity, along with testing of lending institutions, can help address impediments to fair housing choice. The City does fund a local nonprofit agency, Project Sentinel, to provide fair housing services, including home buyer education and mortgage counseling. Project Sentinel also investigates predatory lending cases and practices. The City also funds and/or participates in county-wide programs such as the Housing Trust of Silicon Valley Homebuyer Loan Programs, which offer down payment or closing cost loan programs to Santa Clara County residents, and the Mortgage Credit Certificate Program, which provides financial assistance to first-time homebuyers in the County.

Subprime Lending

Subprime lending is usually targeted to borrowers with “blemished or limited credit histories.”³⁷ Subprime loans are characterized by high interest rates and fees. Unlike the prime market (e.g. conventional and government-backed loans), subprime lending institutions are not regulated. While subprime loans are not predatory by definition, they were often provided to borrowers who could not afford their repayment in the housing boom of the 2000’s. Today, new subprime regulations are enforcing stricter requirements such as tightened credit standards and income verification. The regulations are intended to create a safer subprime market while providing household ownership options for those with less than perfect credit.

Predatory Lending

While no governing or statutory institutions have one definition of predatory lending, HUD describes the loans as having “outrageous terms and conditions, often through deception.”³⁸ The US Department of Treasury provides, “Predatory lending – whether undertaken by creditors, brokers, or even home improvement contractors – involves engaging in deception or fraud, manipulating the borrower through aggressive sales tactics, or taking unfair advantage of a borrower’s lack of understanding about loan terms. These practices are often combined with loan terms that, alone or in combination, are abusive or make the borrower more vulnerable to abusive practices.”³⁹ Available through the subprime market and characterized by excessive fees, disregard for credit worthiness or ability to repay, a subprime loan “drains wealth from families, destroys the benefits of homeownership, and often leads to foreclosure.”⁴⁰

Effective January 2014, Regulation Z, “which implements the Truth in Lending Act (TILA), requires creditors to make a reasonable, good faith determination of a consumer’s ability to repay any consumer credit transaction secured by a dwelling.”⁴¹ The final rule also limits prepayment penalties - a red flag of predatory loans.

There is collective agreement that education and reform are the best protectors against predatory lending. The Silicon Valley Community Foundation (SVCF), based in Mountain View, is one of the nation’s largest advocates against predatory lending. As part of its broader strategy of promoting economic security, the SVCF aims its efforts at curbing predatory lending. The organization incorporates a multipronged grant-making strategy to target the problem that includes both hands-on work to increase financial literacy and advocacy work to regulate payday lending. The SVCF awards these grants to local organizations that work to pass ordinances curtailing predatory payday lending. Some of these local organizations include the Center for Responsible Lending, which works to enact state policy reforms to inhibit predatory payday lending, and the Law Foundation of Silicon Valley, which works to limit the reckless financial practices of payday lenders in Santa Clara County through ordinance advocacy, public education, and development of alternatives.

³⁷ U.S. Department of Housing and Urban Development. “Subprime Lending.” Webpage tab.

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/lending/subprime

³⁸ U.S. Department of Housing and Urban Development. “Fair Lending.” Webpage tab.

http://portal.hud.gov/hudportal/HUD?src=/topics/fair_lending

³⁹ U.S. Department of the Treasury. <http://www.treasury.gov/press-center/press-releases/Documents/treasrpt.pdf>

⁴⁰ National Association of Consumer Advocates. “Predatory Lending.” Webpage tab. <http://www.naca.net/issues/predatory-lending>

⁴¹ Consumer Financial Protection Bureau. “Ability to Repay and Qualified Mortgage Standards Under the Truth in Lending Act (Regulation Z).” <http://www.consumerfinance.gov/regulations/ability-to-repay-and-qualified-mortgage-standards-under-the-truth-in-lending-act-regulation-z/-date>

Funding for providers and programs that increase access to financing, credit counseling and education, down payment assistance, closing costs assistance, and first-time home buyer education helps homebuyers avoid predatory lenders. Those most likely to be targeted are lower income households and special needs populations, such as senior citizens and people with disabilities.

V. Public Policies and Practices

This chapter identifies various public policies and practices at the local and regional level that may affect housing development and fair housing choice within the City. While the City has reviewed all of its zoning laws, policies, and practices for compliance with fair housing law, this section contains additional analysis of potential and actual public sector constraints on the development of housing. The following City documents were reviewed in the preparation of this chapter:

- City of Mountain View 2030 General Plan Land Use Element
- City of Mountain View 2015-2023 Housing Element
- City of Mountain View California Municipal Code

Zoning Ordinance and Land-Use Regulation

Zoning Ordinance

Zoning ordinances and other land-use controls have a direct effect on the availability and range of housing choices within a community. The zoning ordinance establishes the densities and intensities for all new development within the City and determines requirements such as lot size, number of dwelling units per acre, setback needs, and building height.

Exclusionary zoning practices, such as those that limit where, how, or if affordable housing can be developed or that restrict development such as small-lot homes, mobile homes, or group homes, can decrease the number of affordable housing opportunities. The City's zoning ordinance includes residential and mixed-use districts that allow for a variety of housing types for residential development.

Table 5.1: Land Use Designations

Zoning District	Allowed Residential Uses	Density and Intensity
Low Density Residential	Single-family (detached)	1-6 DU/acre*
Medium-Low Density Residential	Single-family (detached and attached); duplexes	7-12 DU/acre
Medium Density Residential	Single-family (detached and attached); duplexes; multi-family	13-25 DU/acre
Medium-High Density Residential	Multi-family	26-35 DU/acre
High Density Residential	Multi-family	36-80 DU/acre
Mobile Home Park Residential	Mobile homes	7-14 DU/acre
Neighborhood Mixed-Use	Multi-family	25 DU/acre
General Mixed-Use	Multi-family	43 DU/acre
Mixed-Use Corridor	Multi-family	60 DU/acre
Mixed-Use Center	Multi-family (in San Antonio Change Area)	70 DU/acre
Downtown Mixed-Use	Multi-family	0.75-4.0 FAR**

Source: City of Mountain View, 2030 General Plan

*DU = Dwelling Unit(s)/acre

**FAR = Floor Area Ratio

General Plan Land-Use Element

The creation of a General Plan is mandated for every city and county within the State by the California Housing and Community Development Department and provides the long-term vision, goals, and policies for a jurisdiction. On July 10, 2012, the City Council adopted the 2030 General Plan, a comprehensive update to the City's 1992 General Plan. The 2030 General Plan is the guiding document for the City's physical development and preservation. It includes goals, policies, and graphics that convey a long-term vision and guide local decision-making to achieve that vision. The General Plan is the foundation for zoning regulations, subdivisions, and public works plans. It also addresses other issues related to the City's physical environment, such as noise and safety. As such, the City's Land-Use Element contains several items that can affect the development and distribution of housing, such as land use classifications, land use mix, distribution, density and intensity standards, and a focus on encouraging residential and transit-oriented development in "change areas," areas where the most significant change is planned, and along transit corridors.

General Plan Housing Element

The Housing Element identifies the City's current housing conditions and future housing needs while outlining initiatives to improve available housing for populations with various income levels within the City. The current plan covers the 2015 to 2023 period and is updated every 8 years as mandated by the State Department of Housing and Community Development.

Definition of Family/Occupancy Standards

The Fair Housing Act forbids discrimination on the basis of familial status, which protects families with children and large households. A city must avoid occupancy standards that may be limiting and violate fair housing regulations that contain a restrictive definition of family. When the definition of family in a zoning ordinance is too rigid, it may be exclusive of certain segments of the population that do not completely match its classification. For instance, zoning ordinances that distinguish between related or unrelated individuals lead to the exclusion of nontraditional families and households comprised of individuals who are not biologically related to one another.

The City's current zoning ordinance defines "family" as one or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity, or sorority house.

Density Bonuses

Local jurisdictions have the authority to implement policies and programs that promote the development and integration of affordable housing units, such as density bonuses. A density bonus is a zoning tool that is designed to encourage and grant developers exceptions to zoning and development standards in exchange for providing a public benefit to the community, such as funding for affordable housing or construction of affordable housing units.⁴² According to Section 36.14 of the City's Municipal Code, density incentives include the ability to construct more residential dwelling units than the maximum residential density permitted by the applicable zoning and general plan designations, and other incentives provided by Section 36.14. These density bonuses are density increases over the otherwise maximum allowable residential density permitted under the applicable zoning ordinance as of the date of application by the applicant to the city.

⁴² Puget Sound Regional Council. "Featured Tool: Density Bonuses*." <http://www.psrc.org/growth/hip/alltools/density-bonus/>

The city shall grant one density bonus and provide concessions or incentives when an applicant proposes to construct a housing development, excluding any units permitted by the density bonus awarded, containing:

1. Five or more dwelling units; and
2. At least one of the following:
 - a. **Very low-income units.** Five percent of the total units of a housing development for very low-income households.
 - b. **Lower-income units.** Ten percent of the total units of a housing development for lower-income households.
 - c. **Moderate-income.** Ten percent of the total dwelling units in a common-interest development for persons and families of moderate income, provided that all units in the development are offered to the public for purchase.
 - d. **Senior housing units.** A housing development for seniors or a mobile home park that limits residency based on age requirements.

Upon written request to the City, an applicant for a housing development that is eligible for a density bonus based upon the contribution of affordable units may receive a higher density bonus if the percentage of very low, low, and moderate income housing units exceeds the base percentage established above, as follows:

1. **Very low-income units.** For housing developments meeting the criteria above, the density bonus shall be calculated such that for each 1 percent increase above 5 percent in affordable units for very low-income households, the density bonus shall be increased by 2.5 percent up to the maximum of 35 percent.
2. **Lower-income units.** For housing developments meeting the criteria above, the density bonus shall be calculated such that for each 1 percent increase above 10 percent in the affordable units for lower-income households, the density bonus shall be increased by 1.5 percent up to a maximum of 35 percent.
3. **Moderate-income units.** For housing developments meeting the criteria above, the density bonus shall be calculated such that for each 1 percent increase above 10 percent in affordable units offered for sale to moderate-income households, the density bonus shall be increased by 1 percent up to a maximum of 35 percent.
4. **Senior housing units.** For senior housing developments meeting the criteria above, the density bonus shall be 20 percent of the number of senior housing units.

Parking Requirements

Off-street parking standards for housing units may stand as a limitation to the development of affordable housing, as these requirements increase development costs and diminish the availability of land for additional units. **Table 5.2** below illustrates the City's off-street parking requirements for residential uses.

Table 5.2: Residential Parking Standards in the City

Residential Use	Unit Size	Vehicle Spaces Required	Bicycle Spaces Required
Single-family	Single-family housing and each duplex dwelling unit	2 spaces (1 covered)	None
	Small-lot, single-family developments	2 spaces (1 covered) and 0.5 guest space per unit	None
	Townhouse development	2 spaces (1 covered) and 0.6 guest space per unit	1 space per unit
Rowhouse developments	Studio	1.5 spaces/unit (1 space covered)	1 space per unit
	1 bedroom or more	2 covered spaces	
	Guest	0.3 space per unit	
Multi-family	Studio	1.5 spaces/unit (1 space covered)	1 space per unit
	1 bedroom (less than or equal to 650 sf)	1.5 spaces/unit (1 space covered)	
	1 bedroom (greater than 650 sf)	2 spaces/unit (1 space covered)	
	2 bedroom	2 spaces/unit (1 space covered)	
	Guest	15 percent of the parking spaces required. The zoning administrator may increase the parking requirement to 2.3 spaces per unit if needed.	1 space per 10 units
Senior Congregate Care Housing	All units	1.15 spaces/unit (half covered)	2 percent of vehicle spaces

Source: Mountain View Municipal Code, Section 36.32.50

These parking requirements are typically reduced for new subsidized rental developments, based on findings from a site parking study. For example, the parking requirement for 1585 Studios Apartments, based on City standards, was 27 spaces. However, the project's approved parking space requirement was 10 spaces, lower than the standard by 17 spaces.

Building Codes

Building codes set guidelines that identify minimum standards to ensure that building and non-building structures protect the health and safety of the community. Local building codes, however, often mandate that costly improvements be made to meet regulation requirements. The City adopted the 2013 California Building Code (CBC), which is grounded on the 2012 International Building Code. In October 2013, the City made amendments to the 2013 CBC in order to

accommodate local requirements for local conditions, including mitigation measures necessary due to weather conditions conducive to the ignition and spread of fires as well as the geographic proximity to severe seismic zones. However, the adoption of the City's building codes proves to be in line with those of other California jurisdictions and do not have negative consequences on the development of affordable housing in the City.

Growth Management

Cities often use growth-management techniques, including controlling the rate of growth and may use building moratoriums to regulate growth by pausing or reducing the construction of housing. Currently, the City does not have any building moratorium plans to limit the development of housing. However, the City has designated key policy direction for certain planning areas predominately composed of single-family residences to preserve lower-intensity residential character, with special focus on improving pedestrian and bicycle connectivity to services and community amenities. This action has been in tandem with the Council designating certain areas, e.g. along transit corridors, for higher density development to address housing demand.

Permit and Development Impact Fees

As with many other jurisdictions across California, the City collects permit and development impact fees to offset the administrative and service costs generated from these projects, such as processing permits and building inspections. California law requires that City-enforced fees be reasonable and relative to the cost of providing specific services. These fees, however, may limit the supply of affordable housing produced due to the additional costs associated with housing construction. **Table 5.3** demonstrates the type of residential development impact fees and how they are applied to new development in the City.

Table 5.3: Residential Development Impact Fees

Fee	Fee Amount	Single-Family ^a	Townhouse ^b	Multi-Family ^c
Sanitary Sewer Off-site Facilities Fee	\$0.0069/sq ft	\$13	\$11	\$8
Sanitary Sewer Existing Facilities Fee	\$77.25/front foot	\$3,476	\$1,545	\$510
Water Main Existing Facilities Fee	\$89/front foot	\$4,005	\$1,780	\$588
Off-site Storm Drainage Fee				
First Class Rate (direct connection)	\$0.258/net sq ft	--	--	\$310
Second Class Rate (subdivisions)	\$0.124/gross sq ft	\$605	\$231	--
Map Checking Fee	\$4,717 (first 2 lots) + \$12 each add'l lot	\$481	\$481	--
Park Land Dedication In-lieu Fee	\$15,000-\$25,000 per unit depending on land value	\$20,000	\$20,000	\$15,000

Fee	Fee Amount	Single-Family ^a	Townhouse ^b	Multi-Family ^c
Below Market Rate In-lieu Fee	3% of sale price or appraised value	\$25,410	\$20,100	\$9,000
Whisman School District Fee	\$2.13/sq ft	\$4,047	\$3,408	\$2,556
Los Altos Union HS District Fee	\$1.07/sq ft	\$2,033	\$1,712	\$1,284
Development Review Permit	\$1,158 for buildings <2,000 sq ft	\$1,158	\$1,158	--
	\$2,315 for buildings >2,000 sq ft	--	--	\$2,315
Building Permit Fee	Calculated by Building Dept	\$10,388	\$6,261	\$5,020
Total		\$71,616	\$56,687	\$36,591

Source: City of Mountain View Master Schedule of Fees, 2012-2013; City of Mountain View Whisman School District, 2013; City of Mountain View Los Altos Union HS District, 2013.

Notes:

(a) Fees estimated for a 1,900 square foot, 3 bedroom, 2.5 bathroom unit in a 10-unit subdivision; average valuation of \$847,000 according to Zillow.com on August 2013.

(b) Fees estimated for a 1,600 square foot, 2 bedroom, 2 bathroom townhouse unit in a 10-unit subdivision; average valuation of \$670,000 according to Zillow.com on August 2013.

(c) Fees estimated for a 1,200 square foot, 2 bedroom, 2 bathroom apartment in a 50 unit development; assuming a valuation of \$300,000 per unit in August 2013.

Variety of Housing Opportunity

To maximize the availability of housing opportunities for City residents, the City's public policies and practices must allow for a diverse set of housing options. The City is currently involved in various efforts to provide diverse housing opportunities for all residents, including zoning that allows for the development of efficiency studios, secondary dwelling units, manufactured housing, and emergency shelters, transitional housing, and supportive housing.

Single-room Occupancy (SRO), Efficiency Studio

State law requires that local jurisdictions provide housing options for extremely low-income households. Efficiency studios, also known as single-room occupancy (SRO) units, are a housing option that is often viable to extremely low income households, such as the homeless, those with mental illnesses, substance abuse issues, and AIDS. Efficiency studios ensure that even the most disadvantaged populations have the opportunity to access extremely low-cost affordable housing.

Efficiency studios are allowed with a Conditional Use Permit in the CRA zoning district and with a planned community permit in areas of the Downtown Precise Plan area that specifically list efficiency studios as a permitted or provisional use, as well as comply with the municipal code standards. The code requires efficiency studios to have a minimum floor area of 150 square feet and include a private bathroom and partial kitchen. The average size of efficiency studios cannot exceed 325 square feet.

To help encourage development of this product type, the municipal code allows a reduction of parking standards by the Zoning Administrator. The City's code previously established a cap of 180 new efficiency studios be developed within the City after December 24, 1992. However, 118 efficiency studios were approved as part of San Antonio Place Apartments development, and the City repealed the limit in 2013 as it was deemed to be a constraint to the development of new efficiency studio units. Projects containing efficiency units are now reviewed and approved as they are submitted to the City.

Secondary Dwelling Units

Secondary dwelling units, or companion units, are attached or detached units that are located on the same site as a single-family dwelling and are designed in conformance to the general design of the primary dwelling. Companion units are designed to offer occupants housing at a more affordable cost and give multi-generational households the opportunity to live in close proximity to one another but in more private spaces. The City finds that companion units are consistent with the allowable density and with the general plan and zoning designation provided the units are located on properties in the R1 zoning district when the site exceeds the required minimum lot size by 35 percent.

Manufactured Housing or Mobile Homes

Manufactured housing, also known as mobile home housing, is a portable type of low-cost, prefabricated housing. As mobile homes provide affordable housing with low yard and housing maintenance, they attract a high number of seniors. The City's Municipal Code defines mobile homes as "a vehicle designed and equipped for human habitation, including but not limited to travel trailers, camp cars, recreational vehicles, tent trailers, motor homes, and so forth."⁴³ Manufactured housing and mobile homes are a permitted use in all of the City's residential zoning districts; however, mobile home parks are only permitted in the RMH zoning district. The City currently has approximately 1,200 mobile homes in mobile home parks.⁴⁴ These units make up less than four percent of the City's housing stock.

Emergency Shelters, Transitional Housing, Supportive Housing

Local jurisdictions are expected to identify sites in which emergency and transitional housing shelters can be developed. Emergency shelters are a temporary housing option for individuals and households to meet the immediate housing needs of those who can no longer live in their previous home. State law (SB 2) mandates that local jurisdictions permit emergency shelters without a Conditional Use Permit or any other discretionary permit requirements in at least one zoning district to adequately accommodate for at least one year-long emergency shelter.⁴⁵

The City identified several possible zones to permit emergency shelters by-right based on their compatibility, access to transit and services, and suitability to accommodate permanent shelters for the homeless, and determined that the most appropriate zone is the City's General Industrial (MM)

⁴³ Municode. "Mountain View, California – Code of Ordinances."

https://www.municode.com/library/ca/mountain_view/codes/code_of_ordinances

⁴⁴ City of Mountain View. "2015-2023 Housing Element." <http://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=15284>

⁴⁵ California Department of Housing and Community Development. "Senate Bill No. 2 Chapter 633." http://www.hcd.ca.gov/hpd/sb_2_bill_20071013_chaptered.pdf

district. The City amended the zoning ordinance in December 2011 to permit emergency shelters by-right in the MM district which included objective development and management standards for emergency shelters. The permit processing and development standards encourage and facilitate the development of emergency shelters and no discretionary permits are required for approval of a permanent emergency shelter. The City will continue to monitor the inventory of sites appropriate to accommodate emergency shelters and provide information to appropriate organizations that serve the needs of homeless and extremely low-income persons.

Additionally, AB 2634 mandates that local jurisdictions address the need for transitional and supportive housing.⁴⁶ Transitional housing, configured as rental housing, operates under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible tenant after a predetermined period. In contrast, supportive housing has no limit on the length of stay, is linked to on-site or off-site services, and is occupied by a target special needs population such as low-income persons with mental disabilities, AIDS, substance abuse, or chronic health conditions. Services typically include assistance designed to meet the needs of the target population in retaining housing, living and working in the community, and/or improving health, and may include case management, mental health treatment, and life skills.

The City amended the Zoning Code in December 2011 to treat transitional and supportive housing as a residential use, subject only to those restrictions that apply to other residential uses of the same type in the same zone. Currently, the code allows for the development of transitional or supportive housing units in zones designated as R1, R2, R3, RMH, or R4 (residential and mobile home park zoning districts). The City also amended the Zoning Code in 2014 to add a definition of target population. Per Government Code Section 65582, target population is defined as persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse or other chronic health conditions, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.⁴⁷

Table 5.4 provides a comprehensive list of the transitional and permanent supportive housing opportunities serving individuals in need of this type of housing in the County.

Table 5.4: Homeless Housing Inventory in the County

Organization Name	Project Name	Target Population	Total Beds
Abode Services	Abode Place-Based Rapid Re-Housing Program	SMF+HC	100
Abode Services	Encampments	SMF+HC	20
Abode Services	SCC Rental Assistance Program	SMF+HC	90
Abode Services	SCC Rental Assistance Program	SMF+HC	70
Abode Services	SJ Mental Health TH	SMF+HC	24
Abode Services	SJ Mental Health TH	SMF+HC	13
Abode Services	St. James Park (Dept. of Drug &	SMF+HC	21

⁴⁶ California Government Legislative Information. "Bill Number: AB2634." http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_2601-2650/ab_2634_bill_20060930_chaptered.html

⁴⁷ City of Mountain View. "2015-2023 Housing Element." <http://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=15284>

Organization Name	Project Name	Target Population	Total Beds
	Alcohol Services)		
Abode Services	Sunnyvale TH	SMF+HC	9
Abode Services	Sunnyvale TH	SMF+HC	30
Abode Services	Sunset Leasing	SMF+HC	21
Asian Americans for Community Involvement	Asian Women's Home	SFHC	14
Bill Wilson Center	8th Street/Keyes (formerly Leigh)	SMF	4
Bill Wilson Center	Bill Wilson RRH	SMF+HC	44
Bill Wilson Center	High Glen (formerly Villa Street)	HC	9
Bill Wilson Center	Jackson St.	HC	17
Bill Wilson Center	Lafayette Street	SMF	6
Bill Wilson Center	Norman Drive (North County)	HC	11
Bill Wilson Center	Peacock Commons	SMF+HC	34
Bill Wilson Center	Peacock Commons LI	SMF+HC	11
Bill Wilson Center	Peacock Commons MHSA	SMF+HC	11
Bill Wilson Center	Rockefeller Drive (North County)	SMF	8
Bill Wilson Center	Runaway and Homeless Youth Shelter	YMF	20
Bill Wilson Center	Via Anacapa	HC	8
Catholic Charities of Santa Clara County	Family Housing	HC	56
Catholic Charities of Santa Clara County	Navigator Project	SMF	29
Catholic Charities of Santa Clara County	New Directions	SMF	25
Catholic Charities of Santa Clara County	New Directions Expansion - Medical Respite	SMF	22
Charities Housing	San Antonio Place and Scattered Sites	SMF	10
City Team Ministries	City Team Rescue Mission	SM	48
City Team Ministries	Heritage Home	SF	23
City Team Ministries	House of Grace	SF	30
City Team Ministries	Men's Recovery/Discipleship	SM	56
City Team Ministries	Rescue Mission TH	SM	11
Community Solutions	El Invierno TH Gilroy	SM	12
Community Solutions	Glenview Dr.	SM	6
Community Solutions	La Isla Pacifica	HC DV	14
Community Solutions	Maria Way	SM	6
Community Solutions	Walnut Lane	SM	6
Community Working Group/Housing Authority	Opportunity Center - HUD	SMF	6
Community Working Group/Housing Authority	Opportunity Center - NON-HUD	SMF+HC	82
Downtown Streets Team	Workforce Supportive Housing Program	SMF	9
Family Supportive Housing	Glen Art - Transitional Housing Program #1	HC	21
Family Supportive Housing	San José Family Shelter	HC	123

Organization Name	Project Name	Target Population	Total Beds
Family Supportive Housing	Transitional Housing Program #2	HC	23
Family Supportive Housing	Transitional Housing Program #3	HC	13
Family Supportive Housing	Transitional Housing Program #4	HC	8
Goodwill Institute for Career Development	Goodwill SSVF	SMF+HC	30
HomeFirst (formerly EHC Lifebuilders)	Boccardo FLC San Martin 2 year Transitional Program	HC	63
HomeFirst (formerly EHC Lifebuilders)	Boccardo FLC San Martin Family Wellness Court Units	HC	15
HomeFirst (formerly EHC Lifebuilders)	Boccardo FLC San Martin Farmworkers Housing	HC	0
HomeFirst (formerly EHC Lifebuilders)	Boccardo FLC San Martin Short Term Transitional	HC	48
HomeFirst (formerly EHC Lifebuilders)	BRC Nightly Shelter	SMF	167
HomeFirst (formerly EHC Lifebuilders)	BRC Supportive Transitional Housing (Mental Health)	SMF	18
HomeFirst (formerly EHC Lifebuilders)	EHC Lifebuilders - SSVF	SMF+HC	20
HomeFirst (formerly EHC Lifebuilders)	GPD BRC Veterans Per Diem	SMF	20
HomeFirst (formerly EHC Lifebuilders)	Housing 1000 Care Coordination Project	SMF	14
HomeFirst (formerly EHC Lifebuilders)	Housing for Homeless Addicted to Alcohol	SMF	42
HomeFirst (formerly EHC Lifebuilders)	Nightly CWSP Gilroy	SMF+HC	101
HomeFirst (formerly EHC Lifebuilders)	Nightly CWSP Sunnyvale	SMF	125
HomeFirst (formerly EHC Lifebuilders)	Scattered Site TH Program #1	HC	45
HomeFirst (formerly EHC Lifebuilders)	Scattered Site TH Program #2	HC	15
HomeFirst (formerly EHC Lifebuilders)	Sobrato Family Living Center ELI	HC	40
HomeFirst (formerly EHC Lifebuilders)	Sobrato Family Living Center PSH	HC	32
HomeFirst (formerly EHC Lifebuilders)	Sobrato Family Living Center VLI	HC	99
HomeFirst (formerly EHC Lifebuilders)	Sobrato House Youth Shelter	SMF	10
Homeless Veterans Emergency Housing Facility	HVEHF - Aging	SMF	71
Homeless Veterans Emergency Housing Facility	HVEHF - Men's	SM	38
Homeless Veterans Emergency Housing Facility	HVEHF - Women's	SF	11
Housing Authority of the County of Santa Clara	CHDR 2010 (formerly known as Section 8 Vouchers - Housing First)	SMF+HC	267
Housing Authority of the County of Santa Clara	CHDR 2013	SMF	75
Housing Authority of the County of Santa Clara	CHDR 2013	SMF	25
Housing Authority of the County of Santa Clara	King's Crossing	SMF+HC	59
Housing Authority of the County of Santa Clara	Section 8 Voucher - MTW	SMF+HC	750

Organization Name	Project Name	Target Population	Total Beds
Housing Authority of the County of Santa Clara	Shelter Plus Care 5022	SMF+HC	409
Housing Authority of the County of Santa Clara	Shelter Plus Care 5320	SMF	24
Housing Authority of the County of Santa Clara	Tully Gardens	SMF	10
Housing Authority of the County of Santa Clara	VASH - HUD-VASH	SMF+HC	809
InnVision (with Community Services Agency)	Graduate House	SMF	5
InnVision Shelter Network	Alexander House	SF	6
InnVision Shelter Network	Commercial Street Inn	SFHC	51
InnVision Shelter Network	CSI Cold Weather Inn	HC	3
InnVision Shelter Network	Highlander Terrace (formerly known as North Santa Clara County Permanent Housing for Families)	HC	23
InnVision Shelter Network	Hotel de Zink	SMF	15
InnVision Shelter Network	InnVision Villa	SFHC	54
InnVision Shelter Network	JSI 24-Hour Care	SMF	12
InnVision Shelter Network	JSI Cold Weather Inn	SMF	5
InnVision Shelter Network	JSI DADS	SMF	8
InnVision Shelter Network	JSI DADS/AB 109 THU	SMF	2
InnVision Shelter Network	JSI Full Service Provider (FSP)	SMF	8
InnVision Shelter Network	JSI Mental Health	SMF	21
InnVision Shelter Network	Julian Street Inn	SMF	10
InnVision Shelter Network	MSI AB 109/DADS THU	SM	4
InnVision Shelter Network	MSI Cold Weather Inn	SF	5
InnVision Shelter Network	MSI Emergency Shelter	SM	46
InnVision Shelter Network	MSI HUD THU	SM	10
InnVision Shelter Network	MSI THU AB 109	SM	5
InnVision Shelter Network	MSI Transitional Housing Unit	SM	8
InnVision Shelter Network	MSI VA PD THU Beds	SM	12
InnVision Shelter Network	North County Inns	SMF	18
InnVision Shelter Network	Rolison Inns (formerly known as North Santa Clara County Supportive Housing Coalition)	SMF	8
InnVision Shelter Network	Safe Haven Permanent Housing for Women (Hester Project)	SF	10
InnVision Shelter Network	Samaritan Inns	SMF+HC	25
InnVision Shelter Network	Stevens House	SMF	7
InnVision Shelter Network	Sunset Square	HC	39
InnVision Shelter Network/Next Door Solutions to Domestic Violence	Home Safe San José	SFHC DV	70
InnVision Shelter Network/Next Door Solutions to Domestic Violence	Home Safe Santa Clara	SFHC DV	72

Organization Name	Project Name	Target Population	Total Beds
Next Door Solutions to Domestic Violence	Residential Emergency Shelter	SFHC DV	20
Salvation Army	Emmanuel House (Overnighter)	SM	22
Salvation Army	Hospitality House-Working Man's Program	SM	50
Salvation Army	Volunteer Recovery	SM	6
Santa Clara County Mental Health Department	AB 109	SMF	30
Santa Clara County Mental Health Department	Abode - Rental Assistance Project (RAP) #1	SMF	55
Santa Clara County Mental Health Department	Abode - Rental Assistance Project (RAP) #2	SMF	8
Santa Clara County Mental Health Department	Community Reintegration - Central County	SMF	10
Santa Clara County Mental Health Department	Community Reintegration - North County	SMF	10
Santa Clara County Mental Health Department	Community Reintegration - South County	SMF	10
Santa Clara County Mental Health Department	CSJ and MHD/CC - TBRA	SMF+HC	13
Santa Clara County Mental Health Department	CSJ and MHD/MMH - TBRA	SMF+HC	2
Santa Clara County Mental Health Department	Custody Health High Users	SMF	15
Santa Clara County Mental Health Department	Mental Health Permanent Supportive Housing Project	SMF	20
Santa Clara County Mental Health Department	MHSA 4th Street Apartments	SMF	6
Santa Clara County Mental Health Department	MHSA Archer Street Apartments	SMF	6
Santa Clara County Mental Health Department	MHSA Armory Family Housing	SMF	10
Santa Clara County Mental Health Department	MHSA Bella Terra Senior Apartments	SMF	5
Santa Clara County Mental Health Department	MHSA Belovida Santa Clara	SMF	3
Santa Clara County Mental Health Department	MHSA Curtner Studio	SMF	27
Santa Clara County Mental Health Department	MHSA Donner Lofts	SMF	15
Santa Clara County Mental Health Department	MHSA Fair Oak Plaza	SMF	18
Santa Clara County Mental Health Department	MHSA Ford and Monterey Family Apartments	SMF	5
Santa Clara County Mental Health Department	MHSA Gilroy Sobrato Apartments	SMF	17
Santa Clara County Mental Health Department	MHSA King's Crossing	SMF+HC	10
Santa Clara County Mental Health Department	MHSA Parkside Studio	SMF	11

Organization Name	Project Name	Target Population	Total Beds
Santa Clara County Mental Health Department	MHSA Paseo Senter I (1896 Senter)	SMF+HC	17
Santa Clara County Mental Health Department	MHSA Paseo Senter II (1900 Senter Rd.)	SMF	5
Santa Clara County Mental Health Department	Pay For Success	SMF	120
Santa Clara County Mental Health Department	Scattered Site Rental Assistance	SMF	14
South County Housing	Royal Court Apartments	SMF+HC	34
South County Housing	Sobrato Gilroy Permanent Housing	HC	52
South County Housing	Sobrato Transitional (HUD)	HC	61
South County Housing	Sobrato Transitional (non-HUD)	HC	83
St. Joseph's Family Center	Gilroy Place	SMF	12
St. Joseph's Family Center	Gilroy Sobrato Apartments - HUD	SMF	8
St. Joseph's Family Center	Our New Place	HC DV	36
The Health Trust	Housing for Health Program	HC HIV	167
Valley Homeless Health Care Program	Valley Health Medical Respite Center	SMF	18
West Valley Community Services	Transitional Housing Program	SMF+HC	18
YWCA of Silicon Valley	Support Network for Battered Women	SFHC DV	23
Total			6,320

Source: 2014 HIC

Community Representation and Participation

The City has several committees and commissions that facilitate public participation. While the committees and commissions do not establish official policy, they serve to advise City Council in the determination of City policies and procedures. The City offers the following committees and commissions:

Human Relations Commission: The City's Human Relations Commission (HRC) holds monthly evening meetings at City Hall and other locations in the community. Translation services are provided at a number of the meetings where non-English speaking persons are expected to attend, including the meetings on the annual capital project CDBG and HOME funding proposals, biennial public service applications, and Action Plans. The HRC continues to be available to hear any public concerns/comments, especially issues regarding language or access barriers, and is always very interested in how the City can encourage participation by underrepresented groups.

Neighborhoods Committee: The City Council Neighborhoods Committee, a subcommittee of the City Council, holds four neighborhood meetings during the year. An accessible site in each of the neighborhoods is used to hold the meetings in order to make it easier for all members of the public to attend. Notices are mailed to all property owners and yard signs are posted in the neighborhood advertising the meetings in order to reach all neighborhood residents. The City's Outreach Workers attend the meetings and provide translation services as needed, as well as information about the City's programs and services in a variety of different languages.

Senior Advisory Committee: The City's Senior Advisory Committee (SAC) was formally established on June 23, 2009 to serve in an advisory role to the City Council regarding matters pertaining to broader senior issues and operation of the Mountain View Senior Center. The general functions include offering clinics, educational workshops, programs, and training targeted to the senior community and encouraging ADA compliance and access to public transportation throughout the City. The Committee consists of seven members and meets the third Wednesday of every month on a ten month calendar year (no meetings are held in August or December).

Youth Advisory Committee: The City's Youth Advisory Committee (YAC) was formed to increase the level of civic engagement of youth and to provide the YAC with an opportunity to work directly with the Council Youth Services Committee. The YAC is comprised of middle school and high school students that represent Mountain View teens in local government and have the opportunity to advise adults concerning teen issues. The Committee consists of fifteen members and nine members-at-large. The YAC meets the first and third Monday of every month during the school year (September through June).

VI. Fair Housing Profile

This chapter provides an evaluation and analysis of overt and inherent fair housing practices in the City as they relate to services, complaints, violations, and testing to determine the extent to which fair housing choice is limited for residents of the City. This chapter reviews fair housing practices in the ownership and rental housing markets and identifies barriers and opportunities that may exist within these industries. Further, it provides a discussion of fair housing education and outreach efforts within the City and data associated with fair housing complaints, cases of discrimination, and race and familial status testing.

Fair Housing Practices: Ownership Market

For many generations, home ownership has been considered the American Dream in the United States. However, in recent years and largely due to the demise of the housing bubble, many Americans have perceived the American Dream to be more and more out of reach as a result of the high cost of housing, the complexity of the process, the time and effort required to purchase a home, and the responsibilities associated with being a homeowner.⁴⁸

Homeownership Process

While no HUD-approved Housing Counseling Agencies are located within the City, there are five located within the County (Gilroy, Palo Alto, San José, Santa Clara) that provide pre-purchase counseling and education, financial management/budget counseling, non-delinquency workshops, predatory lending education, and mortgage default and delinquency resolution counseling services: Eden Council for Hope and Opportunity, Surepath Financial Solutions, and Project Sentinel (three locations).

National Association of Realtors

In 2013, The National Association of Realtors (NAR) celebrated the 100th anniversary of the Realtors Code of Ethics (Code). The Code's adoption in 1974 highlighted the NAR's commitment to equal housing opportunities. Since its adoption, the Code has been amended 37 times to protect buyers, sellers, landlords and tenants.⁴⁹ Article 10 of the Code begins:

“REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. (Amended 1/14)

⁴⁸ Gopal, Prashant and Benson, Clea. “American Dream Slipping as Homeownership at 18- Year Low.” www.bloomberg.com: 30 July, 2013.

⁴⁹ National Association of Realtors®. “Realtors® Celebrate 100 Years of Professionalism in Real Estate. <http://www.realtor.org/news-releases/2013/11/realtors-celebrate-100-years-of-professionalism-in-real-estate>

REALTORS®, in their real estate employment practices, shall not discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. (Amended 1/14)”⁵⁰

All NAR members are required to complete Code training as per its Fair Housing Partnership with HUD. The Fair Housing Partnership replaces the Voluntary Affirmative Marketing Agreement. Further, “Agents in a real estate transaction are prohibited by law from discriminating on the basis of race, color, religion, sex, handicap, familial status, or national origin. A request from the home seller or landlord to act in a discriminatory manner in the sale, lease or rental cannot legally be fulfilled by the real estate professional.”⁵¹ NAR links consumers to ethics complaints and arbitration requests at www.realtor.org/code-of-ethics/ethics-complaints-arbitration-requests-and-related-information, as well as directs them to HUD.

The California Association of Realtors adheres to the same Code, as does the Santa Clara County Association of Realtors.

California Department of Consumer Affairs Bureau of Real Estate

The regulation of licenses is within the purview of the California Bureau of Real Estate (Bureau). The Bureau requires real estate salespersons to undergo Ethics and Fair Housing training at three hours per course as well as a minimum 18 hours of consumer protection courses.

The Bureau links consumers to all enforcement agencies for compliance, questions or complaints to include HUD and the Federal Reserve board at www.dre.ca.gov/consumers/WhoDoYouCall.html.

Fair Housing Practices: Rental Housing Market

Ensuring that landlords adhere to Fair Housing laws is more difficult in the rental housing market than the ownership market as renting is a far less complicated process and licensing and certification are not required. Many landlords do not have property managers or associations to ensure they are educated about the law. Do-It-Yourself Landlords can conveniently outreach to potential rentals via social media and may purchase lease agreements online or from office supply stores without knowledge of the law.

To be clear, no landlord may discriminate against anyone based on any protected class at any time during the rental process.

California Apartment Association

The California Apartment Association (CAA) is the nation’s largest statewide organization representing the rental housing industry. Since 1941, CAA has served apartment owners and managers. CAA provides education for all landlords and property manager members but also created a California Certified Residential Manager (CCRM) credential. This credential enables landlords to

⁵⁰ National Association of Realtors®. *Code of Ethics and Standards of Practice of the National Association of REALTORS®*. January 2014. <http://www.realtor.org/governance/governing-documents/the-code-of-ethics>

⁵¹ National Association of Realtors®. “What Everyone Should Know About Equal Opportunity Housing.” <http://www.realtor.org/programs/fair-housing-program/what-everyone-should-know-about-equal-opportunity-housing>

comply with the law and includes mandatory ethics and fair housing courses at 3.5 hours each. CAA, Tri-County Division serves Santa Clara County, including Mountain View.

Fair Housing Services

Education and Outreach Efforts

The City is involved in a number of efforts to inform the public and housing providers on housing counseling and services.

- *Community Outreach Program:* The City has an established Community Outreach Program (Outreach), which uses staff and volunteers to go out into the community to inform non-English speaking residents on available services. Outreach workers are fluent in Spanish, Mandarin, and Russian, the three primarily non-English languages spoken in Mountain View. The Outreach workers: (1) provide non-English speaking residents with information about programs, meetings, and other community events/activities; (2) provide assistance in completing applications for subsidized housing and community programs; (3) provide translation services in the community as needed; and (4) make presentations and distribute brochures at churches, apartment complexes, and other locations where non-English speaking persons can be found.
- *Project Sentinel:* Project Sentinel, a local non-profit fair housing organization, has been providing fair housing education, investigation, enforcement, and counseling services for the City during the previous 2010-2015 AI period and is the current service provider. Through Project Sentinel, the City hosts and/or performs a variety of fair housing educational and outreach activities, including: fair housing workshops for property owners, renters, managers, attorneys, program administrators, and other interested persons; tenants' rights workshops for tenants, property owners, and other interested persons; and mediation workshops for property owners, managers, and other interested persons. Additionally, Project Sentinel investigates fair housing cases and performs audits (tests for discrimination) at properties located in the City, along with providing the requisite counseling and referrals to the Department of Fair Employment and Housing or an attorney, if necessary. The City also allocates additional General Fund support to Project Sentinel to administer a tenant/landlord information/referral and mediation program, as well as refers cases that may potentially involve violations of fair housing law to the fair housing provider.
- *Santa Clara County Fair Housing Task Force:* The City is engaged in regional fair housing efforts with other County jurisdictions through the Santa Clara County Fair Housing Task Force. Activities include investigation of predatory lending practices, homebuyer education, and administration of a countywide retrofit fund to assist disabled households in funding accessibility modifications.

Fair Housing Statistics

Federal Complaint Process

If individuals feel that their fair housing rights have been violated, they have the right to file a fair housing complaint to HUD. The complaint process involves the following eight steps:

1. *Intake:* An individual or community group (referred to as the complainant) files a fair housing complaint to HUD for free by phone, mail, or online. Once a complaint has been filed, a HUD specialist contacts the complainant for an interview to gather information about the alleged discrimination. If the HUD specialist finds that the allegations made are not under HUD's jurisdiction, HUD closes the case.
2. *Filing:* If the housing complaint is accepted, the investigator sends the complainant a formal HUD complaint that must be signed and mailed back to HUD. Once HUD receives the signed complaint back from the complainant, the department sends the respondent a notice about the complaint that has been filed. The respondent must respond to HUD's notice within 10 days of receipt of the notice.
3. *Investigation:* During the investigation period, HUD collects pertinent documents or conducts onsite visits, and/or interviews the complainant, respondent, and witnesses, as applicable.
4. *Conciliation:* As a requirement of the Fair Housing Act, HUD must bring the complainant and respondent together in efforts to conciliate every fair housing complaint. However, both parties have the option to opt out of the conciliation process. If both parties come to an agreement, HUD terminates the investigation and closes the case. If either party breaks the agreement, the U.S. Department of Justice (DOJ) files a suit to apply the agreement under a recommendation from HUD.
5. *No Cause Determination:* If the results of the investigation indicate that there is no reasonable cause to think that housing discrimination occurred, it will issue a determination of no reasonable cause and close the case.
6. *Cause Determination and Charge:* If the results of the investigation indicate that there is reasonable cause to think that discrimination has occurred, it will issue a determination of "reasonable cause" and file charges against the respondent for violating the law. Once a charge has been issued, a HUD Administrative Law Judge (ALJ) will hear the case, unless the complainant or the respondent opts to send the case to federal civil court for hearing.
7. *Hearing in a U.S. District Court:* If the complainant or the respondent chooses to send the case to federal civil court for hearing, DOJ will begin a civil action on behalf of the aggrieved party. If the court determines that discrimination has occurred, it can provide financial assistance for punitive damages and attorney fees.
8. *Hearing before a HUD ALJ:* If neither the respondent nor the complainant chooses to send the case to federal civil court, HUD ALJ will hear the case and issue a decision on the case. If HUD

ALJ determines that housing discrimination has occurred, it can grant up to \$16,000 per violation for the first offense and additional assistance for the complainant. If either party is negatively affected by ALJ's decision, the party can petition to have the case sent to the HUD Secretary for review. The HUD Secretary has the authority to "affirm, modify, or set aside the ALJ's initial decision, or remand the initial decision for further proceedings" within 30 days. If the HUD Secretary does not take action within 30 days, the Department must issue a final decision. If any party is negatively affected by the Department's final decision, it has the opportunity to appeal the case in the applicable court of appeals.⁵²

Fair Housing Complaints and Discrimination Cases

Table 6.1 Housing Cases Filed for City of Mountain View 2010 – 2015 provides an overview of the fair housing cases filed through the Department of Fair Employment and Housing (DFEH) for the City of Mountain View from January 1, 2010 through June 30, 2015. According to this data, a total of 28 cases were filed during this time period.

Table 6.1: DFEH Housing Cases Filed for City of Mountain View January 1, 2010 – June 30, 2015

Base(s)	File Date	Close Date	Closing Category
Familial Status	2/10/2010	5/24/2010	Successful Mediation
Religion	8/9/2010	4/29/2011	No Probable Cause to Prove a Violation of the Statute
Religion	8/9/2010	4/29/2011	No Probable Cause to Prove a Violation of the Statute
Religion	8/13/2010	4/29/2011	No Probable Cause to Prove a Violation of the Statute
Marital Status Familial Status	10/19/2010	12/27/2010	Successful Mediation
Disability Retaliation	11/8/2010	2/28/2011	Withdrawal with Resolution
Familial Status	7/22/2011	9/21/2011	Successful Conciliation
Familial Status	7/22/2011	9/30/2011	Successful Mediation
Disability	7/25/2011	11/23/2011	Successful Conciliation
Disability	4/5/2012	5/17/2012	Withdrawal with Resolution
Disability	4/12/2012	3/19/2013	Investigated and Dismissed - Insufficient Evidence and NJI
Disability	6/6/2012	5/31/2013	Insufficient Evidence to Prove a Violation of the Statute
Pregnancy	8/22/2012	10/5/2012	Investigated and Dismissed - No Basis to Proceed
National Origin	10/24/2012	2/6/2013	Investigated and Dismissed - Withdrawn
Sexual Orientation	11/25/2012	1/31/2013	Investigated and Dismissed - Withdrawn
Disability	1/3/2013	10/18/2013	Investigated and Dismissed - Withdrawn
Sexual Orientation	2/15/2013	5/15/2013	Investigated and Dismissed - Withdrawn

⁵² U.S. Department of Housing and Urban Development. "HUD's Title VIII Fair Housing Complaint Process." http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/complaint-process

Disability	8/1/2013	11/18/2013	Investigated and Dismissed - Insufficient Evidence
National Origin	9/5/2013	7/31/2014	Investigated and Dismissed - Insufficient Evidence
Disability	9/12/2013	7/31/2014	Investigated and Dismissed - Insufficient Evidence
National Origin	9/18/2013	1/21/2014	Administrative Dismissal - Waived to Another Agency
Gender Identity	11/26/2013	1/27/2014	Settlement - Settled by Enforcement
Disability	4/9/2014	Open	n/a
Disability	4/9/2014	Open	n/a
Disability	9/4/2014	10/30/2014	Settlement - Settled by Mediation - Voluntary
Engagement in Protected Activity	5/22/2015	Open	n/a
Family Care	6/4/2015	Open	n/a
Sexual Orientation	6/29/2015	Open	n/a

Source: Department of Fair Employment and Housing

Table 6.2: Housing Complaints by Base Filed through DFEH January 1, 2010 – June 30, 2015

Base Complaint	# of Complaints
Disability	11
Engagement in Protected Activity	1
Familial Status (Children)	4
Family Care	1
Gender Identity	1
Marital Status	1
National Origin	3
Pregnancy	1
Religion	3
Retaliation	1
Sexual Orientation	3

Source: Department of Fair Employment and Housing

Of the 28 cases, 23 were resolved in some manner, with nearly one-third mediated or settled successfully:

Table 6.3: Closing Results of Housing Complaints Filed through DFEH January 1, 2010 – June 30, 2015

Closing Result	# of Closings
Administrative Dismissal – Waived to Another Agency	1
Insufficient Evidence to Prove a Violation of the Statute	1
Investigated and Dismissed – Insufficient Evidence	4
Investigated and Dismissed – No Basis to Proceed	1
Investigated and Dismissed – Withdrawn	4
No Probable Cause to Prove a Violation of the Statute	3
Settlement – Settled by Enforcement	1
Settlement – Settled by Mediation	1
Successful Conciliation	2
Successful Mediation	3
Withdrawal with Resolution	2
Total	23

Source: Department of Fair Employment and Housing

The City established a contract with Project Sentinel to investigate fair housing complaints and discrimination cases for Fiscal Years 2011 through 2015. Project Sentinel investigated five complaints in FY2010-2011, 11 complaints in FY 2011-2012, 18 complaints in FY 2012-2013, nine complaints in FY 2013-2014, and 12 complaints in FY 2014-2015. The outcomes of the investigations revealed findings in regard to fair housing discrimination:

- FY2010-2011: The five complaints investigated alleged discrimination based on handicap/disability where either a service animal was not allowed due to a no-pet policy or an accessibility modification was initially denied. Three of the cases were resolved, one was referred to HUD, and the other was conciliated.
- FY2011-2012: The 11 complaints investigated alleged discrimination based on familial status (2), handicap/disability where either a service animal was not allowed due to a no-pet policy or an accessibility modification was initially denied (5), and race/ethnicity (4). Two cases resulted in conciliations (agreements between tenant and landlord), two were closed with the landlords/owners receiving counseling, one was referred to an attorney for litigation consideration, and the remaining case was referred to HUD.
- FY2012-2013: The 18 complaints investigated alleged discrimination based on age (1), familial status (2), handicap/disability where either a service animal was not allowed due to a no-pet policy or an accessibility modification was initially denied (14), and national origin (1). Five cases resulted in conciliations (agreements between tenant and landlord), six were closed with the landlords/owners receiving counseling, two were referred to the Department of Fair Employment and Housing, three were closed with the landlords/owners receiving counseling and the remaining case was referred to HUD.
- FY2013-2014: The nine complaints investigated alleged discrimination based on handicap/disability where reasonable accommodations were not provided (seven) and national origin (two). Three cases resulted in conciliations (agreements between tenant and landlord), four were closed with the landlords/owners receiving counseling, one was referred to an attorney for litigation consideration and the remaining case was referred to HUD.
- FY2014-2015: The 12 complaints investigated alleged discrimination based on familial status (4), handicap/disability where either an accessibility modification was initially denied or reasonable accommodations were not provided (6), and national origin (2). Four cases resulted in conciliations (agreements between tenant and landlord), five were closed with the landlords/owners receiving counseling, was referred to HUD, and two were referred to DFEH.

Fair Housing Testing

The Fair Housing Act authorizes the Department of Justice to pursue suit in instances in which illegal housing discrimination patterns or practices are identified. The Civil Rights Division of the Department of Justice created the Fair Housing Testing Program to conduct fair housing testing investigations to help local jurisdictions determine if landlords, property managers, real estate agents, mortgage lenders, and property insurers are granting equal treatment and services to the protected classes under fair housing law. Fair Housing Testing is a method to evaluate the extent to

which a protected class is provided different treatment and/or information in the process of renting or purchasing a home.⁵³

The City established a contract with Project Sentinel to conduct rental housing tests for discrimination on the basis of handicap/disability, race, and familial status for the Fiscal Years 2011 through 2015. Project Sentinel conducted nine tests in FY11, four tests in FY 12, four tests in FY 13, four tests in FY 14, and two tests in FY 15. The outcomes of the tests revealed findings in regard to housing discrimination. As per the organization's reports:

- FY 10-11: Of the nine tests conducted, three tested for discrimination against handicap/disability as all five housing discrimination complaints investigated that year alleged discrimination based on handicap/disability where either a service animal was not allowed due to a no-pet policy or an accessibility modification was initially denied. The remaining six tested for discrimination against families with children, which comprised a significant number of the cases during the previous 2005-2010 Consolidated Plan period.
- FY 11-12: The four tests conducted tested for discrimination against families with children, which comprised a significant number of the cases during the previous 2005-2010 Consolidated Plan period. Three of the four landlords of the audited properties were counseled and provided educational information. The remaining audit is pending additional investigation and will either be referred to the Department of Fair Employment and Housing, conciliated, or litigated.
- FY 12-13: The four tests conducted tested for discrimination against handicap/disability and familial status. The majority of audits tested for discrimination against disabled persons, which comprised a significant number of the cases processed in FY13 and in previous years. Two of the four landlords of the audited properties were counseled and provided educational information. The remaining audits are pending additional investigation and will either be referred to the Department of Fair Employment and Housing, conciliated, or referred to an attorney for litigation.
- FY 13-14: The four tests conducted tested for discrimination against familial status, which comprised about half of the cases processed in previous years. Three of the four landlords of the audited properties were counseled and provided educational information. One is pending additional investigation and may be referred to the Department of Fair Employment and Housing.
- FY 14-15: The two tests were conducted for discrimination against familial status. One was conducted because of a tip received from a home seeker and the other as a result of monitoring a housing provider's Craigslist ad which contained the phrase "for one person only." The first test was closed as counseled and the second was closed as educated.

⁵³ U.S. Department of Justice. "Fair Housing Testing Program." http://www.justice.gov/crt/about/hce/housing_testing.php

VII. Fair Housing Progress Since 2010

This section summarizes the actions and recommendations outlined in the 2010 AI and the City's progress to date.

Table 7.1: Progress to Reduce Impediments to Fair Housing Choice Since 2010

Action	Description	Timeframe / Frequency	Efforts
1	Continue to contract with local service providers to conduct ongoing outreach and education regarding fair housing for home seekers, landlords, property managers, real estate agents, and lenders. Outreach will occur via training sessions, public events, jurisdictions' websites and other media outlets, staffing at service providers' offices, and multi-lingual flyers available in a variety public locations.	FY 2010/11-2014/15	<p>FY2010/11: A tenant-landlord workshop and a fair housing symposium were held benefitting Mountain View residents. Twelve fair housing articles were published in the local newspaper. Over 200 fair housing brochures were distributed to Mountain View residents.</p> <p>FY2011/12: A tenant-landlord workshop was held benefitting Mountain View residents and property owners. Twelve fair housing articles were published in the local newspaper. Over 220 fair housing brochures were distributed to Mountain View residents.</p> <p>FY 2012/13: A Tenants Rights workshop was held in Mountain View benefitting Mountain View residents. A regional Fair Housing Symposium was held in Mountain View, where over 200 persons attended. Twelve fair housing articles were published in the local newspaper. Over 200 fair housing brochures were distributed to Mountain View residents.</p> <p>FY 2013/14: A Tenants Rights workshop was held in Mountain View benefitting 58 residents. Twelve fair housing articles were published in the local newspaper. Over 200 fair housing brochures were distributed to Mountain View residents.</p> <p>FY 2014/15: Seven fair housing presentations, seven fair housing trainings, one property owner training, and one landlord training were conducted in the region, benefitting Mountain View residents. A regional Fair Housing Symposium was held in Mountain View where 42 service providers that serve Mountain View attended. Over 1,350 fair housing brochures were distributed regionally, including to Mountain View residents.</p>

Action	Description	Timeframe / Frequency	Efforts
2	<p>Contract with local service providers to conduct fair housing audits in the local rental market.</p> <p>The testing program looks for any evidence of differential treatment among a sample of rental properties. Following the tests, the service provider submits findings to the City and conducts educational outreach to landlords that showed differential treatment during the tests.</p>	FY 2010/11-2014/15	<p>FY2010/11: 9 audits (tests) were conducted on Mountain View properties.</p> <p>FY2011/12: 4 audits (tests) were conducted on Mountain View properties.</p> <p>FY 2012/13: 4 audits (tests) were conducted on Mountain View properties.</p> <p>FY 2013/14: 4 audits (tests) were conducted on Mountain View properties.</p> <p>FY 2014/15: 2 audits (tests) were conducted on Mountain View properties.</p>
3	<p>Support fair housing investigation, counseling, and enforcement. The City will continue to contract with service providers to process fair housing complaints and concerns as necessary in compliance with applicable federal and state fair housing laws.</p>	FY 2010/11-2014/15	<p>FY2010/11: 5 fair housing discrimination complaints were investigated, with 3 resolved, 1 referred to HUD, and 1 pending investigation.</p> <p>FY2011/12: 11 fair housing discrimination complaints were investigated, with 2 conciliated, 2 closed with counseling, 1 referred for litigation, and 6 pending investigation with 2 likely to end in conciliation.</p> <p>FY 2012/13: 18 fair housing discrimination complaints were investigated, with 2 conciliated, 3 closed with counseling, 1 referred to DFEH, and 12 pending investigation with 4 likely to end in conciliation.</p> <p>FY 2013/14: 9 fair housing discrimination complaints were investigated, with 3 conciliated, 4 closed with counseling, and 2 pending referral to outside agencies.</p> <p>FY 2014/15: 12 fair housing discrimination complaints were investigated, with 3 conciliated, 2 closed with counseling, and 7 pending investigation.</p>

Action	Description	Timeframe / Frequency	Efforts
4	<p>Continue to participate in the countywide fair housing task force in order to improve the provision of fair housing services regionally. The City will continue to network with other jurisdictions in the County on the findings and services of fair housing organizations serving different jurisdictions. This communication allows jurisdictions to learn from any fair housing trends and key policy issues arising throughout the County.</p>	FY 2010/11-2014/15	The City is jointly pursuing with other jurisdictions through the Santa Clara County Fair Housing Task Force investigation of predatory lending practices, homebuyer education, and administration of a countywide retrofit fund to assist disabled households in funding accessibility modifications.
5	<p>Facilitate access to subsidized and below-market-rate units. The City of Mountain View shall continue to assist affordable housing developers in advertising the availability of subsidized and below-market-rate units via its website, the County's 2-1-1 information and referral phone service, and other media outlets.</p>	Ongoing	<p>The City of Mountain View references two types of affordable units: "Subsidized" and "Below Market Rate" (BMR) units. Subsidized units primarily target households earning less than 50% AMI, while the BMR units serve households earning between 50% up to 80% AMI. To promote equal access to affordable housing opportunities, the City coordinates with affordable developers prior to their projects' completion to enact an Affirmative Marketing Plan in compliance with the City's Affirmative Marketing Plan. The Plan requires that the units be advertised in the local newspaper, that assistance be given to help applicants who may not speak English or who may require a reasonable accommodation to apply. The application period for units is a minimum of three weeks. Applicants are selected by lottery not on a first-come, first served basis, so persons who need additional time to complete or submit the application have the same opportunity to obtain a unit as persons who are able to complete and submit the application quickly. The opportunities are posted on the City's website and at the Library, Community Center, Senior Center, and Teen Center. Also, multi-lingual flyers and announcements are distributed through churches, city events, and local community organizations that serve Mountain View residents.</p> <p>To provide access to housing opportunities to lower income and special needs households, the City coordinates housing outreach activities with local non-profit organizations that serve these groups.</p>
6	<p>Continue to require outreach to the homeless and special needs households. The City will continue to require developers of subsidized units to perform outreach to the homeless, the disabled, limited English proficiency (LEP) groups, and agencies that serve those populations to help expand the access of subsidized rental units to those groups.</p>		

Action	Description	Timeframe / Frequency	Efforts
7	<p>Modify local zoning ordinances for consistency with State and federal fair housing laws and to mitigate potential fair housing impediments. Modifications to be evaluated include the following:</p> <ul style="list-style-type: none"> • Per State law, the City shall consider amendments to the zoning ordinance to categorize transitional and permanent supportive housing as a residential use, subject only to the same restrictions that apply to other residential uses of the same type in the same zone. • Pursuant to State law, Mountain View shall amend its local zoning ordinance to identify a zone in which permanent emergency shelters are allowed by right. • Examine the viability of lifting the City's cap on efficiency units and constraints on companion units • Evaluate Conditional Use Permit requirements for potential impacts to fair housing choice. 	2015-2020	<p>Goal 6 of the Housing Element addresses all of these issues and page 232 (last page of the Housing Element contains a summary of whether the goals and objectives apply to land use, infrastructure or other categories. The City has completed all of the statutory-required updates. Transitional and Permanent Supportive Housing Pursuant to SB 2, the City amended the Zoning Ordinance in December 2011 to treat transitional and supportive housing as a residential use, subject only to those restrictions that apply to other residential uses of the same type in the same zone. For example, if the transitional housing is a multi-family use proposed in a multi-family zone, then zoning treats the transitional housing the same as other multi-family uses proposed in the zone. To ensure consistency with SB 745, the City will also amend the Zoning Code in 2014 to add a definition of target population. Per Government Code Section 65582, target population is defined as persons with low incomes who have one or more disabilities, including mental illness. HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.</p> <p>By-Right Districts for Shelters The City of Mountain View adopted Ordinance 12.12 on December 11, 2012 to comply with the requirements of SB2.</p> <p>Efficiency Unit Cap The City repealed the cap in 2013 as it was deemed to be a constraint to the development of new units. Projects containing efficiency units are now reviewed and approved as they are submitted to the City without reference to a limit or cap.</p>

Action	Description	Timeframe / Frequency	Efforts
			<p>Condition Use Permit</p> <p>In addition, the Zoning Ordinance includes several specific exceptions to parking standards. Efficiency studios require one space per unit. However, the Zoning Administrator may grant a reduction of up to 0.50 spaces per dwelling unit through a Conditional Use Permit for efficiency studios that are located in close proximity to a public transit stop and serve a substantial number of low- and very low-income tenants or seniors. Applicants for a conditional use permit requesting a parking reduction must submit a parking management plan that ensures parking space availability.</p> <p>In April 2012, the Environmental Planning Commission discussed the creation of “Model Parking Standards” for high density residential projects, which would put in place lower parking requirements based on the number of bedrooms per unit. The model parking standard requires one parking space for studio and one-bedroom units, two parking spaces for two-bedroom units or more units, and 15-percent of the required vehicle spaces available for guests.</p> <p>The “Model Parking Standard” has been used for several recently approved high-density residential projects: 865 and 881 El Camino Real, 2650 West El Camino Real, 1720 West El Camino Real, 100 Moffett, and 1984 W El Camino Real. As part of the Precise Plan updates underway and the upcoming comprehensive Zoning Code update, the City plans to evaluate and consider reduced development standards, specifically parking requirements, to incentivize the development of specific housing types, including: units with affordability covenants, units for special needs individuals, higher density residential development, and developments near public transit. In the interim, the City will continue to utilize the Model Parking Standards to approve, on a case-by-case basis, parking reductions for high density residential projects.</p>
8	Allow for reasonable accommodation. The City shall pursue the creation of formal procedures to address reasonable accommodation requests in zoning		In December 2013, the City amended the zoning ordinance to incorporate procedures for reasonable accommodation that complies with state requirements. The process for reasonable accommodation includes submittal of an

Action	Description	Timeframe / Frequency	Efforts
	regulations to accommodate the needs of persons with disabilities.		<p>application form, an administrative review by City Staff, and a decision within 30 days after the application is submitted. An application for a reasonable accommodation is granted contingent on the following findings:</p> <ul style="list-style-type: none"> - The housing, which is the subject of the request, will be used by an individual with a disability as defined under the Fair Housing Acts. - The requested reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Fair Housing Acts. - The requested reasonable accommodation would not impose an undue financial or administrative burden on the City. - The requested reasonable accommodation would not require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning. - The requested reasonable accommodation would not adversely impact surrounding properties or uses. - There are no reasonable alternatives that would provide an equivalent level of benefit without requiring a modification or exception to the City's applicable rules, standards and practices. <p>During the 2015-2023 Housing Element period, the City will evaluate the provisions of the Municipal Code to identify and remove any constraints regarding reasonable accommodation. Specifically, the City will review the required finding that a requested reasonable accommodation would not adversely impact a surrounding property.</p>

Action	Description	Timeframe / Frequency	Efforts
9	Assist local Housing Authorities with outreach. The City of Mountain View shall continue to support the Housing Authority of the County of Santa Clara to ensure adequate outreach to minority, Limited-English proficiency, and special needs populations regarding the availability of Section 8 vouchers and public housing within the County. Outreach may occur via the City's website and informational flyers in multiple languages available at public locations. (Note: Action is listed in Chapter 1, not listed in Chapter 7)		The Housing Authority Section 8 Tenant Voucher Waitlist has been closed since 2006; however, the City does refer Section 8 Voucher inquiries to the Housing Authority. The contact information for the Housing Authority is posted on the City's website. The Housing Authority also administers a Notice of Funding Availability process to award Section 8 Project Based assistance to affordable housing developers and owners when or as available from HUD. During the application period for Section 8 Project Based funding, the City informs developers of these funding opportunities.
10	Obtain and annually update the number of Section 8 Voucher households residing in Mountain View. The City shall pursue the creation of formal procedures to address reasonable accommodation requests in zoning regulations to accommodate the needs of persons with disabilities. (Note: Action is listed in Chapter 7, not listed in Chapter 1)		<p>The City, at a minimum, annually obtains the number of Section 8 Tenant Voucher holders from the Housing Authority. This information is sometimes used in reports to Council where affordable housing needs are analyzed and for reference by the Council when housing related policy decisions are made. This information was referenced during the process to adopt updated reasonable accommodation procedures. (Refer to Item No. 8 above.)</p> <p>In December 2013, the City amended the zoning ordinance to incorporate procedures for reasonable accommodation that comply with state requirements. The process for reasonable accommodation includes submittal of an application form, an administrative review by City Staff, and a decision within 30 days after the application is submitted.</p>
11	Assist local Housing Authorities with outreach. The City of Mountain View shall continue to assist the Housing Authority of the County of Santa Clara in outreaching to minority, Limited-English proficiency, and special needs populations regarding the availability of public housing and Section 8 vouchers. Outreach may occur via the City's website and		Refer to Action No. 9 above.

Action	Description	Timeframe / Frequency	Efforts
	informational flyers in multiple languages available at public locations.		
12	Maintain a list of Below Market Rate loan and down-payment assistance providers. The City shall maintain a list of agencies that provide below-market-rate loans and government-sponsored down payment and mortgage assistance programs.		Through partnerships with the Housing Trust of Silicon Valley and the County of Santa Clara, the City can refer persons interested to local BMR lenders and down payment assistance providers. The City annually funds the Housing Trust of Silicon Valley, typically \$150,000, to provide down payment and closing cost assistance to low and moderate income homebuyers. The County of Santa Clara administers the Mortgage Credit certificate program for Mountain View. Although no Mountain View homebuyers accessed the Trust's first-time homebuyer programs, two moderate income homebuyers participated in the mortgage credit assistance program since 2010.
13	Plan for and encourage transit-oriented development. Through its General Plan and Precise Plans, the City of Mountain View shall continue to plan for higher residential and employment densities where appropriate to maximize linkages between employers and affordable housing.		<p>The 2030 General Plan, adopted by the Council on July 10, 2012 contains a number of goals and policies to encourage transit-oriented development.</p> <p>(1) Daily Vehicle Miles Traveled. The proposed project creates a land use context and transportation policies supportive of travel by all modes of transportation in the city. A complete list of draft goals, policies and actions is included in Appendix A, and the GGRP in its entirety is included in Appendix A3. Each of the change areas (e.g., North Bayshore, East Whisman, El Camino Real, San Antonio and Moffett Boulevard) in the Land Use Element of the General Plan includes policies that would reduce vehicle trips; however, for brevity these change area policies are not listed here. Adoption of the proposed project would include key policies and their associated actions that seek to reduce vehicle miles traveled including:</p> <p>POLICY MOB-1.1: Multi-modal planning. Adopt and maintain master plans and street design standards to optimize mobility for all transportation modes.</p> <p>POLICY MOB 3.2: Pedestrian connections.</p>

Action	Description	Timeframe / Frequency	Efforts
			<p>Increase connectivity through direct and safe pedestrian connections to public amenities, neighborhoods, village centers, and other destinations throughout the City.</p> <p>During the 2010-15 period, three subsidized (affordable) apartment complexes were developed within a quarter mile of mass transit stops or hubs:</p> <p>Franklin Street Family Apartments (135 Franklin Street) – 51 family units located within walking distance to the Mountain View Caltrain Station (regional mass transit line) and bus hub.</p> <p>Studio 819 Apartments (819 N. Rengstorff avenue) – 49 studio units located across from a shopping complex and two bus lines.</p> <p>1585 Studio Apartments (1585 El Camino Real West) – 27 units for developmentally disabled adults located within walking distance to two retail centers, adjacent to a stop with three bus lines and along a major east-west arterial in the City.</p>
14	<p>Facilitate safe and efficient transit routes. The City shall continue to work with local transit agencies to facilitate safe and efficient routes for the various forms of public transit.</p>		<p>The 2030 General Plan, adopted a number of goals and policies specifically related to facilitating safe and efficient transit routes. New development would be subject to these policies.</p> <p>POLICY MOB 1.2: Accommodating all modes. Plan, design and construct new transportation improvement projects to safely accommodate the needs of pedestrians, bicyclists, transit riders, motorists and persons of all abilities.</p> <p>POLICY MOB 1.4: Street design. Ensure street design standards allow a variety of public and private roadway widths.</p> <p>POLICY MOB-1.5: Public accessibility. Ensure all new streets are publicly accessible.</p> <p>POLICY MOB 1.6: Traffic calming. Provide traffic calming, especially in neighborhoods and around schools, parks and gathering places.</p>

Action	Description	Timeframe / Frequency	Efforts
			<p>POLICY MOB 2.1: Broad accessibility. Improve universal access within private developments and public and transit facilities, programs and services.</p> <p>POLICY MOB 3.1: Pedestrian network. Provide a safe and comfortable pedestrian network.</p> <p>POLICY MOB 3.2: Pedestrian connections. Increase connectivity through direct and safe pedestrian connections to public amenities, neighborhoods, village centers, and other destinations throughout the City.</p> <p>POLICY MOB 3.3: Pedestrian and bicycle crossings. Enhance pedestrian and bicycle crossings at key locations across physical barriers.</p> <p>POLICY MOB 3.4: Avoiding street widening. Preserve and enhance citywide pedestrian connectivity by limiting street widening as a means of improving traffic.</p> <p>In 2015, the City of Mountain View, in partnership with local technology companies, implemented a free community shuttle service using electric buses. The shuttle service provides enhanced transportation connections between many residential neighborhoods, senior residences and services, city offices, library, park and recreational facilities, medical offices, shopping centers, and entertainment venues throughout Mountain View. The community provided input on the routes and schedules during several forums held 2012-2014.</p>

VIII. Key Findings and Recommendations

Key Findings

Historically, the City has used an average of 9 percent of its CDBG and General Fund public service monies for Fair Housing counseling, education, investigation, and enforcement.

A summary of the funding the City has awarded to Fair Housing services is provided below in **Table 8.1**.

Table 8.1: Historical Fair Housing Funding

Program Year	\$ Total Amount of CDBG and General Fund Public Services from the CDBG/HOME funding cycle	\$ CDBG Amount to Fair Housing	\$ General Fund Amount to Fair Housing	Total \$ Amount to Fair Housing	% of Fair Housing Funding Respective to Total Public Service Funding	Description
2010-11	\$292,907	\$5,140	\$15,000	\$20,140	7%	Fair Housing counseling, education, investigation, and enforcement
2011-2012	\$290,130	\$6,099	\$15,000	\$21,099	7%	
2012-2013	\$101,761	\$4,422	\$15,000	\$19,422	8%	
2013-2014	\$202,927	\$8,148	\$16,500	\$24,648	12%	
2014-2015	\$301,945	\$10,000	\$16,500	\$26,500	9%	

Source: City of Mountain View

Recommendations: New and Ongoing

Table 8.2 below represents the new and ongoing recommendations to affirmatively further fair housing and reduce and/or eliminate impediments to Fair Housing Choice. The ongoing recommendations repeat recommendations from the City of Mountain View's 2010 Analysis of Impediments to Fair Housing Choice that necessitate continued implementation. The new recommendations are actions "that are designed and can be reasonably expected to achieve a material positive change that affirmatively furthers fair housing by, for example, increasing fair housing choice or decreasing disparities in access to opportunity."⁵⁴ The implementation of the recommendations in **Table 8.2** will concurrently satisfy many of the previous recommendations from **Table 7.1** in the previous section. As described in **Table 7.1**, the City did meet its previous recommendations – however ongoing implementation is optimal to continuously affirmatively further fair housing.

⁵⁴ 24 CFR Parts 5, 91, 92, 570, 574, 576, and 903: Affirmatively Furthering Fair Housing, Page 42354

Table 8.2: New and Ongoing Recommendations to Reduce Impediments to Fair Housing Choice

Action	Description	Timeframe	Milestone/Metric	Responsible Party(ies)
Category 1: Fair Housing Services				
1.1	Continue to contract with local service providers to perform ongoing outreach and education regarding fair housing for home seekers, landlords, property managers, agents, and lenders.	Ongoing	Renewed/new contracts; annual workshops/symposium; distribution of brochures; publishing of articles	City of Mountain View; Local Service Providers
1.2	Continue to contract with a local service provider to conduct fair housing audits in the local rental market and conduct educational outreach to landlords that show differential treatment during the tests.	Ongoing	Renewed/new contracts; annual audits; landlord presentations/trainings	City of Mountain View; Local Service Provider
1.3	Continue to contract with a local service provider to provide fair housing investigation, counseling, and enforcement services as necessary in compliance with applicable federal and state fair housing laws.	Ongoing	Renewed/new contracts; ongoing investigations; ongoing counseling	City of Mountain View; Local Service Provider
1.4	Continue to participate in the countywide fair housing task force in order to improve the provision of fair housing services regionally, including the investigation of predatory lending practices, homebuyer education, and administration of a countywide retrofit fund to assist disabled households in funding accessibility modifications.	Ongoing	Ongoing investigation; continual administration/funding of retrofit fund	City of Mountain View; participating jurisdictions
1.5	Continue to contract annually with a service provider to provide free tenant/landlord services to the community, including education, counseling, mediation, and any other issues that affect rental relationships.	Ongoing	Renewed/new contracts; annual landlord/tenant presentations, counseling, mediation, and education	City of Mountain View; Local Service Provider
1.6	In order to capture all potential service requests to fair housing providers, reevaluate and amend, if necessary, the current media mix and affirmative marketing strategy to ensure targeted outreach attains maximum reach, scope, and diversity of tenants, landlords, and other	1-2 years	Updated Affirmative Marketing Plan	City of Mountain View

Action	Description	Timeframe	Milestone/Metric	Responsible Party(ies)
	housing suppliers and providers.			
1.7	Reevaluate current contracts and amend future contracts, if necessary, to ensure the most needed fair housing services are provided.	1-2 years	Amended contracts	City of Mountain View; Local Service Providers; HACSC
1.8	Evaluate, and modify if necessary, the newly implemented rental assistance program designed to prevent economic displacement of low-income residents due to security deposit issues, imperfect credit histories, falling behind on rent, inability to utilize Section 8 vouchers, etc.	Ongoing	Evaluation of rental assistance program; ongoing outreach to low-income communities in order to meet the goal of assisting 100 clients annually	City of Mountain View; Community Services Agency
1.9	Evaluate, and modify if necessary, the newly adopted right to lease and mandatory mediation ordinances designed to mitigate economic displacement and to assist cost burdened households. Target outreach to communities of color, particularly the Pacific Islander and Hispanic communities, that are disproportionately cost burdened.	Ongoing	Implementation of a \$70,000 campaign to educate affected tenants and landlords about the mandatory mediation program; completion of a data-collection effort to track participation in the mandatory mediation program and gauge its success; ongoing outreach to low-income and communities of color	City of Mountain View; Local Service Providers
1.10	Implement Measure V, the Rent Stabilization measure passed by voters, as amended or permitted by court action, to limit the frequency and amount of rent increases and mandate just cause evictions.	Ongoing	Development of a Rent Stabilization Committee to oversee implementation: creation of a landlord registry, unit inventory tracking and billing system, and enforcement and arbitration procedures.	City of Mountain View; Local Service Providers
Category 2: Access to Affordable Housing				
2.1	Continue to assist affordable housing developers in advertising the availability of subsidized and below-market-rate units via the City's	Ongoing	Ongoing advertisements; ongoing maintenance of City's BMR database	City of Mountain View; Affordable Housing Developers

Action	Description	Timeframe	Milestone/Metric	Responsible Party(ies)
	database of BMR units on its housing website, the County's 2-1-1 information and referral phone and online service, and other media outlets.			
2.2	Continue to require developers of subsidized units to perform outreach to the homeless, the disabled, LEP groups, and agencies that serve those populations to help expand the access of subsidized rental units to those groups.	Ongoing	Ongoing outreach	City of Mountain View; Affordable Housing Developers; Local Service Providers
2.3	Continue to contract with Palo Alto Housing Corporation, or an applicable service provider, to administer the City's BMR program, maintain the interest list, and promote BMR information throughout the community.	Ongoing	Ongoing administration of City's BMR program; continual maintenance of BMR interest list; ongoing promotion of BMR program	City of Mountain View; Palo Alto Housing Corporation (or applicable)
2.4	Consider hosting an annual public informational workshop announcing the availability of BMR units and delineating the application process, as well as announcing other housing programs and services including those for seniors and other special needs populations.	1-2 years	Potential annual public BMR/housing workshop	City of Mountain View; Local Service Providers
Category 3: Local Zoning				
3.1	The City will update the Zoning Code by 2017 to ensure consistency with the 2030 General Plan and review on an annual basis for consistency with State and federal fair housing laws.	By 2017	Updated Zoning Code; annual review of Zoning Code	City of Mountain View
3.2	As part of the Precise Plan updates underway and the upcoming comprehensive Zoning Code update, the City will evaluate and consider reduced development standards, specifically parking requirements, to incentivize the development of specific housing types, including: units with affordability covenants, units for special needs individuals, higher density residential development, and developments near public transit.	By 2017	Potential reduction of development standards	City of Mountain View

Action	Description	Timeframe	Milestone/Metric	Responsible Party(ies)
3.3	During the 2015-2023 Housing Element period, the City will evaluate the provisions of the Municipal Code to identify and remove any constraints regarding reasonable accommodation. Specifically, the City will review the required finding that a requested reasonable accommodation would not adversely impact a surrounding property.	By 2017	Modified Municipal Code	City of Mountain View
3.4	The City will demonstrate it has sufficiently zoned residential land and provided adequate capacity through the Zoning Ordinance to accommodate the Regional Housing Needs Allocation (RHNA) of 2,926 units as identified in the 2015-23 Housing Element while maintaining a balanced land use plan that offers opportunities for employment growth and provides the necessary commercial/retail activities, services, and amenities.	By 2017	Accommodation of RHNA of 2,926 units	City of Mountain View
3.5	The City will continue to allow for second units to be constructed and consider ways to encourage their production to increase affordable housing, increase the variety of housing opportunities toward achieving a quantified objective of 60 second units over the 2015-2023 planning period, as identified in the 2015-23 Housing Element.	By 2023	Provision of 60 second units	City of Mountain View
3.6	Conduct a study that evaluates the options, benefits, and impacts of modifying the Municipal Code (Chapter 36, Article XII, Section A36.12.040) to remove constraints that may limit the construction of second units, including evaluation of the Park Land Dedication In-lieu Fee; and consideration of policies by the City Council to address identified constraints.	1-2 years	Completed Municipal Code evaluation; modified Municipal Code	City of Mountain View
Category 4: Public Housing				

Action	Description	Timeframe	Milestone/Metric	Responsible Party(ies)
4.1	Continue to help distribute information to minority, LEP, and special needs populations regarding the availability of the Housing Authority of the County of Santa Clara's programs, including the Section 8 Tenant Choice Voucher, Section 8 Project Based Voucher and public housing programs within the County. Outreach may occur via the City's website, informational flyers in multiple languages available at public locations, and to developers during the application period for Section 8 Project Based funding.	Ongoing	Ongoing outreach; ongoing referrals to HACSC	City of Mountain View; HACSC
4.2	Continue to annually obtain and update the number of Section 8 Voucher households residing in Mountain View. Continue to use this information, as needed, in reports to City Council where affordable housing needs are analyzed and housing-related policy decisions are made.	Ongoing	Annual update of Section 8 voucher data; annual reports to City Council	City of Mountain View; HACSC
4.3	Continue participation in the countywide CDBG Coordinator's meetings, where the City meets quarterly with other staff from various jurisdictions in the County of Santa Clara to learn of new updates and the availability of new housing projects, programs, and potential funding.	Ongoing	Ongoing participation	City of Mountain View; Participating Jurisdictions; HUD CDBG Coordinator
Category 5: Access to Credit				
5.1	Continue to partner with the Housing Trust of Silicon Valley and the County of Santa Clara to refer interested persons to local BMR lenders and down payment assistance providers.	Ongoing	Ongoing referrals	City of Mountain View; Housing Trust of Silicon Valley; County of Santa Clara

Action	Description	Timeframe	Milestone/Metric	Responsible Party(ies)
5.2	Continue to fund a local service provider (currently the Housing Trust of Silicon Valley) to provide down payment and closing cost assistance to low and moderate income homebuyers.	Ongoing	Renewed/new contracts; annual funding of down payment and closing cost assistance program (typically \$150,000)	City of Mountain View; Housing Trust of Silicon Valley (or applicable)
Category 6: Links Between Housing and Employment				
6.1	The City will plan for and encourage transit-oriented development through the goals and policies adopted in the 2030 General Plan related to maximizing linkages between employers and affordable housing. These include but are not limited to: adopting and maintaining master plans and street design standards to optimize mobility for all transportation modes; increasing connectivity through direct and safe pedestrian connections to public amenities, neighborhoods, village centers, and other destinations throughout the City; and, reducing vehicle miles traveled.	15 years	Enact key policies and associated actions to reduce vehicle miles travelled, optimize mobility, and increase connectivity	City of Mountain View
6.2	Any new development in the City will be subject to the goals and policies adopted in the 2030 General Plan related to facilitating safe and efficient transit routes for the various forms of public transit throughout the City. These include but are not limited to: safely accommodating the needs of pedestrians, bicyclists, transit riders, motorists, and persons of all abilities; ensuring street design standards allow a variety of public and private roadway widths; ensuring all new streets are publicly accessible; providing traffic calming measures in neighborhoods, schools, parks, and gathering places; improving universal access within private developments and public and transit facilities, programs, and services; providing a safe and comfortable pedestrian network; increasing connectivity through direct and safe pedestrian	Ongoing	Provision of new development standards to any new development	City of Mountain View; Local Transit Agencies

Action	Description	Timeframe	Milestone/Metric	Responsible Party(ies)
	connections to public amenities, neighborhoods, village centers, and other destinations throughout the City; enhancing pedestrian and bicycle crossings at key locations across physical barriers; and, preserving and enhancing citywide pedestrian connectivity by limiting street widening as a means of improving traffic.			

Appendix A: Table of Acronyms

AAA	American Automobile Association
ABAG	Association of Bay Area Governments
ACS	American Community Survey
ADA	Americans with Disabilities Act
AI	Analysis of Impediments to Fair Housing Choice
AIDS	Acquired Immune Deficiency Syndrome
ALA	Asian Law Alliance
ALJ	Administrative Law Judge
AMI	Area Median Income
BMR	Below Market Rate
BRT	Bus Rapid Transit
CAA	California Apartment Association
CAMB	California Association of Mortgage Brokers
CBC	California Building Code
CCRM	California Certified Residential Manager
CDBG	Community Development Block Grant
CDFI	Community Development Financial Institution
Census	U.S. Census Bureau
CHAS	Comprehensive Housing Affordability Strategy
CHDR	Chronically Homeless Direct Referral
CoC	Continuum of Care
CPP	Citizen Participation Plan
CRA	Community Reinvestment Act
CTA	Committee for Transit Accessibility
DFCS	Department of Family and Children Services
Dfeh	Department of Fair Employment and Housing
DOJ	Department of Justice
EDD	California Employment Development Department
FDIC	Federal Deposit Insurance Corporation
FEHA	Fair Employment and Housing Act
FFIEC	Federal Financial Institutions Examination Council
FHA	Fair Housing Act
FHLP	Fair Housing Law Project
FRB	Federal Reserve System
FSS	Family Self-Sufficiency
FUP	Family Unification Program
GED	General Educational Development
GIS	Geographic Information System
HACSC	Housing Authority of the County of Santa Clara
HCD	Department of Housing and Community Development
HCV	Housing Choice Voucher Program
HIV	Human Immunodeficiency Virus
HMDA	Home Mortgage Disclosure Act
HOME	HOME Investment Partnerships Program
HOPWA	Housing Opportunities for People with AIDS
HUD	U.S. Department of Housing and Urban Development
LAFCO	Local Agency Formation Commission
LEP	Limited English Proficiency

LIHTC	Low Income Housing Tax Credits
LMI	Low- and Moderate-Income
MHAP	Mental Health Advocacy Project
MSA	Metropolitan Statistical Area
MTW	Moving to Work
NAR	National Association of Realtors
NED	Non-Elderly Disabled
NHSSV	Neighborhood Housing Services Silicon Valley
OCC	Comptroller of the Currency
PAC	Policy Advisory Committee
PBV	Project Based Voucher
RHA/FSA	Rural Housing Services/Farm Service Agency
RHNA	Regional Housing Needs Allocation
SCCAOR	Santa Clara County Association of Realtors
Section 8	Section 8 Housing Choice Voucher Program
SVCF	Silicon Valley Community Foundation
SVILC	Silicon Valley Independent Living Center
TILA	Truth in Lending Act
VASH	Veterans Affairs Supportive Housing
VTAA	Santa Clara Valley Transportation Authority

Appendix B: Comments and Responses to Comments

Comments

Letter from Law Foundation of Silicon Valley



LAW FOUNDATION of Silicon Valley

Law Foundation of Silicon Valley

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**PUBLIC
ADVOCATES**
MAKING RIGHTS REAL

April 29, 2016

Via E-mail

Ms. Regina Adams

Senior Planner

City of Mountain View

500 Castro Street

Mountain View, CA 94041

regina.adams@mountainview.gov

Re: Analysis of Impediments to Fair Housing Choice

Dear Ms. Adams:

The following comments on the City of Mountain View's ("City") Draft 2015-2020 Analysis of Impediments to Fair Housing Choice ("AI") are offered by the Law Foundation of Silicon Valley¹ and Public Advocates Inc.² on behalf of low-income residents of Mountain View. We appreciate your and the City's willingness to consider these comments.

While the Draft AI does provide information about where various protected category groups live in Mountain View, and housing options in Mountain View, the Draft AI falls short in its analysis of what impediments to fair housing choice exist in Mountain View. We suggest that the City review HUD's recently published "AFFH Rule Guidebook" for guidance about what type of analysis an AI should have.³

1) The Draft AI Fails to Analyze Patterns of Segregation in the City and Access to Opportunity

While the Draft AI includes information about demographic changes in Mountain View, there is no discussion of whether these changes have led to patterns of segregation or integration, nor of the possible causes for these demographic changes.⁴ For example, the Draft AI mentions that there has

¹ The Law Foundation of Silicon Valley advances the rights of under-represented individuals and families in Santa Clara County through legal services, strategic advocacy, and educational outreach.

² Public Advocates is a nonprofit law firm and advocacy organization that challenges the systemic causes of poverty and racial discrimination by strengthening community voices in public policy and achieving tangible legal victories advancing education, housing and transit equity.

³ While we understand that the AFFH Rule Guidebook describes entitlement jurisdictions' newly created obligation to create an "Assessment of Fair Housing" in lieu of an AI, much of the analysis is the same. (See, AFFH Rule Guidebook, p. 5). The AFFH Rule Guidebook available at <https://www.hudexchange.info/resource/4866/affh-rule-guidebook/>.

⁴ AFFH Guidebook, p. 63-64.

been an increase in the Asian population, but a decrease in the Latino population without any attempt to explain the reason for these changes.⁵ Is this shift caused by an increase in tech jobs and rising rents in Mountain View, which have, in turn, led to lower-income families being priced out of the city? Without this analysis, the City cannot adequately address what impediments to fair housing choice exist in Mountain View.

Moreover, the Draft AI fails to address disparities in access to education, job/labor markets, and transportation; nor does it address environmental disparities.⁶ While the Draft AI contains information about where job and centers are located, there is no analysis of how the location of jobs affects fair housing choice. For example, are different racial groups able to access education, transportation, and job opportunities at the same level as other groups within Mountain View? Without this analysis, the Draft AI fails to fully contemplate barriers to fair housing choice.

2) The Draft AI Fails to Analyze Economic Displacement and Its Effect on Fair Housing Choice

We are greatly concerned with the economic displacement of low-income residents and residents of color from the City. Exponential job growth in the high-tech sector has driven housing costs ever higher, causing particular hardship to renters and leading to the displacement of many lower-income renter households from Mountain View. A recent study by researchers at the University of California Berkeley revealed that 11 census tracts in Mountain View are at some stage of gentrifying and losing low-income households.⁷ The Draft AI reports that median rent per square foot increased by **54 percent** between 2010 and 2015, and that rental rates in Mountain View as of mid-2015 are a startling “29 percent higher per square foot than the County, and 99 percent higher than the state.”⁸ Yet the Draft AI neither discusses the displacement that has resulted from these housing pressures, nor does it identify the impact on protected classes.

The escalation in rents disproportionately exposes Latino households to displacement pressures. Not only are Latino households more likely to be renters—74 percent of Latino-headed households in Mountain View rent, compared to 59 percent of Mountain View households overall—but Latino household income in Mountain View is less than 55 percent of the median household income for the City overall.⁹ With no policies protecting lower-income residents from rent increases or displacement, many Latino and other lower-income residents are being forced out of the City.

HUD has asked entitlement jurisdictions to look at economic displacement and gentrification as an impediment for fair housing choice.¹⁰ Indeed, displacement impacts a number of core fair housing concerns. At its most basic level, involuntary displacement represents a loss of the most natural and important housing choice for many—the choice to stay in one’s home and community. Moreover,

⁵ Draft AI, p. 24.

⁶ AFFH Guidebook, p. 68.

⁷ UC Berkeley Urban Displacement Project, *available at* <http://www.urbandisplacement.org/>

⁸ Draft AI, p. 46.

⁹ These statistics are drawn from the 2014 ACS 5 year estimates, accessed on factfinder.census.gov.

¹⁰ AFFH Guidebook, p. 49, p. 117.

families who are displaced by Mountain View are excluded from a community of opportunity in the heart of the region's powerhouse economy, exacerbating patterns of exclusion and jeopardizing ethnic and racial diversity within Mountain View.¹¹ And all too often, those who are displaced are pushed to lower-income communities at the fringes of the region with low access to quality education, jobs, and transportation. This pattern is intensifying racial segregation. Without a thorough analysis of one of the major housing issues in Mountain View, and indeed the entire Bay Area, the Draft AI is lacking in its analysis of impediments that various protected groups have to fair housing choice. The Draft AI should look to reasons for economic displacement, such as the lack of affordable housing, rising rents, and an imbalanced jobs-housing ratio in the City. It should also analyze whether the lack of a rent control ordinance and eviction protections are an impediment to fair housing choice.

In addition to analyzing displacement as an impediment to fair housing, the AI must incorporate meaningful action to overcome this impediment. Local organizing in the low-income Latino community in Mountain View points toward the most effective and urgently needed actions. Many residents of Mountain View have been advocating for a rent stabilization ordinance that would limit rent increases and just cause eviction protections that would protect tenant stability by requiring landlords to evict only for good cause. In fact, tenant advocates have recently submitted a ballot measure for the November ballot to impose a cap on rent increases.¹² The Draft AI should be revised to discuss these efforts and what the city can do to support or implement the policies being put forward by the community.

3) The Draft AI Fails to Address The Effects of Cost Burden, Overcrowding, and Substandard Housing on Fair Housing Choice

One of the areas that HUD suggests looking at in analyzing impediments to fair housing choice are whether various protected groups have higher rates of housing cost burden, overcrowding, and substandard housing.¹³ The Draft AI fails to address substandard housing, and overcrowded housing in Mountain View. The City could have analyzed code enforcement complaints to determine whether particular groups have habitability issues at a higher rate than other non protected groups, and whether substandard housing is an impediment to fair housing choice.

Moreover, while the Draft AI addresses cost-burden, and charts which groups face a higher rent burden,¹⁴ the Draft AI fails to address what steps it will take to address the fact that certain racial groups are disproportionately rent-burdened. As stated above, the Draft AI should analyze rent control protections, as well as affordable housing opportunities as an impediment to fair housing choice.

¹¹ The Draft AI acknowledges that whites are overrepresented in Mountain View, and Latinos underrepresented, as compared with the County and the State. Draft AI, p. 24.

¹² Noack, Mike, "Tenant Advocates Submit Rent-control Measure," Mountain View Voice, April 7, 2016, available at <http://mv-voice.com/news/2016/04/07/tenant-advocates-submit-rent-control-measure>.

¹³ AFFH Guidebook, p. 82.

¹⁴ Draft AI, p. 48-49.

4) The Draft AI Fails to Fully Analyze Publicly Supported Housing and its Effect on Fair Housing Choice.

While the Draft AI lists the affordable housing sites in Mountain View, there is no analysis of what neighborhoods the affordable housing sites are located, of whether these sites are in or near high-opportunity areas, or of the demographic characteristics of the residents of these properties.¹⁵ There is no analysis of access to this type of housing for individuals with disabilities. Moreover, there is little analysis of what affordable housing policies are implemented in Mountain View, and how these policies affect fair housing choice.

The Draft AI also fails to address impediments to fair housing choice as it related to the Section 8 Housing Choice Voucher program. The Draft AI mentions that 268 voucher holders live in Mountain View, which is only 1.6% of all voucher holders in the County.¹⁶ There is no analysis as to where these voucher holders live (i.e., whether they live in areas of high or low opportunity) and no analysis of the barriers that Section 8 voucher holders might face in obtaining housing in Mountain View.

Moreover, the Draft AI should analyze Mountain View's lack of an ordinance protection Section 8 voucher holders from discrimination as an impediment to fair housing choice. Other cities, including East Palo Alto, have enacted ordinances that include participation in Section 8 and other voucher programs as a prohibited form of source of income discrimination. There is currently a bill in the State legislature looking to include housing subsidies, like Section 8, as a protected category to California's Fair Employment and Housing Act. As identified in the AI, many extremely low-income and low-income residents in the City rely on the Section 8 Housing Choice Voucher program to remain in Mountain View. Unfortunately, many voucher holders have difficulty realizing the mobility and flexibility that the voucher program is supposed to offer as many landlords refuse to rent to Section 8 voucher holders. As there are no protections against this discrimination, many Section 8 voucher holders are forced to move out of Mountain View. The Draft AI needs to analyze this in order to determine impediments to fair housing choice.

5) The Draft AI Lacks Sufficient Concrete Strategies for Removing Barriers to Fair Housing Choice.

The City must not only analyze conditions that restrict fair housing choice but must also set priorities and goals to address those factors.¹⁷ The City should identify metrics, milestones and time frame for achieving those goals, as well as what partner agencies with whom the City intends to collaborate.¹⁸

The Draft AI falls short of establishing recommendations to support housing choice. Many of the recommendations refer to affordable housing programs and policies that already exist within the City. The Draft AI recommends that the City continue its fair housing efforts, but offers little advice

¹⁵ Draft AI, p. 51-53.

¹⁶ Draft AI, p. 51.

¹⁷ AFFH Guidebook, p. 108 (See also, 24 CFR 515.2).

¹⁸ Id.

for improving or expanding these efforts.¹⁹ These “recommendations” describe only the acts that the law already requires the City to perform without proposing new fair housing support initiatives. Many of the suggestions the City proposes in the AI do not describe specifically who will implement these recommendations, nor offer timeframes for completion.

We encourage the City to revise its Draft AI to do a deeper analysis of impediments to fair housing choice in Mountain View, and to incorporate the suggested analysis and recommendations above. We believe a deeper analysis of impediments to fair housing choice will allow Mountain View to think of recommendations beyond current programs to remove barriers to housing choice, promote integration, and to allow all residents of Mountain View access to opportunity.

Thank you for the opportunity to provide comments to Mountain View’s AI. We would happy to speak with you, as well as with City staff, to discuss these comments further. If you have any questions, please feel free to contact Nadia Aziz at (408) 280-2453 or by e-mail at nadia.aziz@lawfoundation.org. If I am not available, please contact Melissa Morris, Senior Attorney, at melissam@lawfoundation.org or (408) 280-2429. At Public Advocates, you may contact Anne Bellows at (415) 625-8467 or by email at abellows@publicadvocates.org.

Sincerely,



Nadia Aziz
Senior Attorney
Law Foundation of Silicon Valley

/s/

Anne Bellows
Attorney & Equal Justice Works Fellow
Public Advocates Inc.

¹⁹ See Draft AI, pp. 93, 94 [Action #1 (continue to contract with local service providers); Action #2 (continue to contract with local service providers); Action #3 (continue to contract with local service providers); Action #4 (continue to participate in countywide fair housing task force); Action #7 (modify local zoning ordinances to comply with state and federal law); Action #9 (continue to assist the Housing Authority of the County of Santa Clara)].

Response to Comments

Letter Responding to Comments from the Law Foundation of Silicon Valley



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650-903-6379 • FAX 650-962-8502

December 23, 2016

Nadia Aziz
Senior Attorney
Law Foundation of Silicon Valley
152 North Third Street, 3rd Floor
San Jose, CA 95112

Re: Comment Letter in Response to City of Mountain View Analysis of Impediments to Fair Housing Choice

Dear Ms. Aziz:

The following responds to Law Foundation of Silicon Valley (LFSV) comments regarding the City of Mountain View's (City) Draft 2015-2020 Analysis of Impediments to Fair Housing Choice (Draft AI). The City appreciates the LFSV's feedback and will include your letter in the final draft of the 2015-2020 Analysis of Impediments to Fair Housing Choice. Please see below for our responses to your comments:

- **Suggestion to Review HUD's Recently Published "AFFH Rule Guidebook" For Analysis Guidance**

While the Draft AI does provide information about where various protected category groups live in Mountain View, and housing options in Mountain View, the Draft AI falls short in its analysis of what impediments to fair housing choice exist in Mountain View. We suggest that the City review HUD's recently published "AFFH Rule Guidebook" for guidance about what type of analysis an AI should have.

Staff Response: The City is submitting an Analysis of Impediments to Fair Housing Choice (AI) in accordance with current HUD regulations¹ and guidance that also satisfies some of the criteria of the recently published AFFH Rule. Much of the AFFH criteria you've suggested we add either has already been addressed in the Draft 2015-2020 AI, or was added to the latest version, and can be found in the following sections:

¹ <https://www.hudexchange.info/programs/affh/>

- **Background Data:** *Economic Displacement and Its Effect on Fair Housing Choice (pages 52-53); Opportunity Indicators by Race/Ethnicity (pages 29-30); Racial/Ethnic Dissimilarity Trends (pages 27-28)*
- **Housing Profile:** *Effects of Cost Burden, Overcrowding, and Substandard Housing on Fair Housing Choice (pages 49-54); Patterns of Segregation in the City (pages 27-29, 58-60); Disparities in Access to Opportunity (pages 61-63); Publicly Supported Housing and its Effect on Fair Housing Choice (pages 54-62)*
- **Key Findings and Recommendations:** *Strategies for Removing Barriers to Fair Housing Choice; Metrics, Milestones, and Time Frames for Strategies; Collaboration Opportunities (pages 108-114)*

Additionally, City staff is undergoing training and preparations to submit an Assessment of Fair Housing in 2019 that fully complies with the AFFH Rule, per HUD regulations.

- **The Draft AI Fails to Analyze Patterns of Segregation in the City and Access to Opportunity**

While the Draft AI includes information about demographic changes in Mountain View, there is no discussion of whether these changes have led to patterns of segregation or integration, nor of the possible causes for these demographic changes. For example, the Draft AI mentions that there has been an increase in the Asian population, but a decrease in the Latino population without any attempt to explain the reason for these changes. Is this shift caused by an increase in tech jobs and rising rents in Mountain View, which have, in turn, led to lower-income families being priced out of the city? Without this analysis, the City cannot adequately address what impediments to fair housing choice exist in Mountain View.

Moreover, the Draft AI fails to address disparities in access to education, job/labor markets, and transportation; nor does it address environmental disparities. While the Draft AI contains information about where job and centers are located, there is no analysis of how the location of jobs affects fair housing choice. For example, are different racial groups able to access education, transportation, and job opportunities at the same level as other groups within Mountain View?

Without this analysis, the Draft AI fails to fully contemplate barriers to fair housing choice.

Staff Response: The City supplemented the existing analysis provided in the Draft 2015-2020 AI with data from HUD's new online data mapping tool. This includes an analysis of potential patterns of segregation in the City (pages 28 and 58-62) and disparities in access

to education, jobs, and transportation (page 29).

- **The Draft AI Fails to Analyze Economic Displacement and Its Effect on Fair Housing Choice**

We are greatly concerned with the economic displacement of low-income residents and residents of color from the City. Exponential job growth in the high-tech sector has driven housing costs ever higher, causing particular hardship to renters and leading to the displacement of many lower-income renter households from Mountain View. A recent study by researchers at the University of California Berkeley revealed that 11 census tracts in Mountain View are at some stage of gentrifying and losing low-income households. The Draft AI reports that median rent per square foot increased by 54 percent between 2010 and 2015, and that rental rates in Mountain View as of mid-2015 are a startling “29 percent higher per square foot than the County, and 99 percent higher than the state.” Yet the Draft AI neither discusses the displacement that has resulted from these housing pressures, nor does it identify the impact on protected classes.

The escalation in rents disproportionately exposes Latino households to displacement pressures. Not only are Latino households more likely to be renters—74 percent of Latino-headed households in Mountain View rent, compared to 59 percent of Mountain View households overall—but Latino household income in Mountain View is less than 55 percent of the median household income for the City overall. With no policies protecting lower-income residents from rent increases or displacement, many Latino and other lower-income residents are being forced out of the City.

HUD has asked entitlement jurisdictions to look at economic displacement and gentrification as an impediment for fair housing choice. Indeed, displacement impacts a number of core fair housing concerns. At its most basic level, involuntary displacement represents a loss of the most natural and important housing choice for many—the choice to stay in one’s home and community. Moreover, families who are displaced by Mountain View are excluded from a community of opportunity in the heart of the region’s powerhouse economy, exacerbating patterns of exclusion and jeopardizing ethnic and racial diversity within Mountain View. And all too often, those who are displaced are pushed to lower-income communities at the fringes of the region with low access to quality education, jobs, and transportation. This pattern is intensifying racial segregation. Without a thorough analysis of one of the major housing issues in Mountain View, and indeed the entire Bay Area, the Draft AI is lacking in its analysis of impediments that various protected groups have to fair housing choice. The Draft AI should look to reasons for economic displacement, such as the lack of affordable housing, rising rents, and an imbalanced jobs-housing ratio in the City.

It should also analyze whether the lack of a rent control ordinance and eviction protections are an impediment to fair housing choice.

In addition to analyzing displacement as an impediment to fair housing, the AI must incorporate meaningful action to overcome this impediment. Local organizing in the low-income Latino community in Mountain View points toward the most effective and urgently needed actions. Many residents of Mountain View have been advocating for a rent stabilization ordinance that would limit rent increases and just cause eviction protections that would protect tenant stability by requiring landlords to evict only for good cause. In fact, tenant advocates have recently submitted a ballot measure for the November ballot to impose a cap on rent increases. The Draft AI should be revised to discuss these efforts and what the city can do to support or implement the policies being put forward by the community.

Staff Response: After production of the Draft 2015-2020 AI, several City ordinances and programs aimed at overcoming economic displacement began their implementation period. The City updated the Draft 2015-2020 AI with descriptions of these new ordinances and programs and their potential impact on economic displacement (pages 52-53).

- **The Draft AI Fails to Address the Effects of Cost Burden, Overcrowding, and Substandard Housing on Fair Housing Choice**

One of the areas that HUD suggests looking at in analyzing impediments to fair housing choice are whether various protected groups have higher rates of housing cost burden, overcrowding, and substandard housing. The Draft AI fails to address substandard housing, and overcrowded housing in Mountain View. The City could have analyzed code enforcement complaints to determine whether particular groups have habitability issues at a higher rate than other non-protected groups, and whether substandard housing is an impediment to fair housing choice.

Moreover, while the Draft AI addresses cost-burden, and charts which groups face a higher rent burden, the Draft AI fails to address what steps it will take to address the fact that certain racial groups are disproportionately rent-burdened. As stated above, the Draft AI should analyze rent control protections, as well as affordable housing opportunities as an impediment to fair housing choice.

Staff Response: The City incorporated an analysis of overcrowding into the Draft 2015-2020 AI. There are several City actions currently being taken to address impediments caused by rent-burden and overcrowding for lower income households, who tend to be Hispanic, African American, and Pacific Islander in Mountain View.² In addition to proactively

² City of Mountain View 2015-2020 Consolidated Plan

assisting developers in constructing housing affordable to lower income households, the City Council recently adopted two tenant protection Ordinances. In January 2016, the Council adopted a Right to Lease Ordinance which requires landlords to offer six month and one year leases to tenants. Leases, for tenants who opt to have them, protect tenants from receiving a notice to vacate during the lease term unless it is for a just cause, such as non-payment of rent. In March 2016, the Council also adopted a Rental Housing Dispute Resolution Program requiring mandatory mediation of landlords when a rent increase is above 7.2%, for service reductions, and for unresolved maintenance issues. Both of these ordinances were adopted in consideration of cost-burdened lower income households. Additionally, the rent control initiative placed on the November ballot by tenant groups within Mountain View (Measure V) passed. The initiative will amend the city charter so that a landlord cannot raise the rent in any year more than the percentage increase in the Consumer Price Index or five percent, whichever is lower. The initiative was scheduled to take effect December 23, 2016, but the Tri-County Apartment Association has filed an injunction, so implementation will take place pending the outcome of court action.

- **The Draft AI Fails to Fully Analyze Publicly Supported Housing and its Effect on Fair Housing Choice.**

While the Draft AI lists the affordable housing sites in Mountain View, there is no analysis of what neighborhoods the affordable housing sites are located, of whether these sites are in or near high- opportunity areas, or of the demographic characteristics of the residents of these properties. There is no analysis of access to this type of housing for individuals with disabilities. Moreover, there is little analysis of what affordable housing policies are implemented in Mountain View, and how these policies affect fair housing choice.

Staff Response: The Draft 2015-2020 AI has been amended to provide descriptions of amenities and opportunities surrounding the existing affordable housing complexes. All are located within walking distance to transit services, parks and recreation amenities, retail services and job opportunities. Over half are on the route of a free community shuttle sponsored by a partnership between the City and private sector.

The Draft AI also fails to address impediments to fair housing choice as it related to the Section 8 Housing Choice Voucher program. The Draft AI mentions that 268 voucher holders live in Mountain View, which is only 1.6% of all voucher holders in the County. There is no analysis as to where these voucher holders live (i.e., whether they live in areas of high or low opportunity) and no analysis of the barriers that Section 8 voucher holders might face in obtaining housing in Mountain View.

Moreover, the Draft AI should analyze Mountain View's lack of an ordinance protection Section 8 voucher holders from discrimination as an impediment to fair

housing choice. Other cities, including East Palo Alto, have enacted ordinances that include participation in Section 8 and other voucher programs as a prohibited form of source of income discrimination. There is currently a bill in the State legislature looking to include housing subsidies, like Section 8, as a protected category to California's Fair Employment and Housing Act. As identified in the AI, many extremely low-income and low-income residents in the City rely on the Section 8 Housing Choice Voucher program to remain in Mountain View. Unfortunately, many voucher holders have difficulty realizing the mobility and flexibility that the voucher program is supposed to offer as many landlords refuse to rent to Section 8 voucher holders. As there are no protections against this discrimination, many Section 8 voucher holders are forced to move out of Mountain View. The Draft AI needs to analyze this in order to determine impediments to fair housing choice.

Staff Response: The addresses of Section 8 residents are confidential and cannot be shared publicly; however, the Draft 2015-2020 AI has been amended to include Section 8 participation by zip code (page 60). In regards to protections for Section 8 participants, while source of income is a protected class under California state law, Section 8 Housing Choice Vouchers are not considered tenant income, and landlord participation in the Section 8 program is voluntary. These factors were considered when the City of Mountain View enacted inclusionary policies in 1999, requiring 10% for Below Market Rate Housing (BMR) be affordable and, in some cases allowing developers to pay In-Lieu fees. The City pools these In-Lieu fees with impact fees assessed on new rental housing and commercial development to help finance subsidized housing, which does not require landlord participation. The Draft 2015-2020 AI includes various fair housing goals and recommendations that pertain to Section 8 households (page 112).

- **The Draft AI Lacks Sufficient Concrete Strategies for Removing Barriers to Fair Housing Choice**

The City must not only analyze conditions that restrict fair housing choice but must also set priorities and goals to address those factors. The City should identify metrics, milestones and time frame for achieving those goals, as well as what partner agencies with whom the City intends to collaborate.

The Draft AI falls short of establishing recommendations to support housing choice. Many of the recommendations refer to affordable housing programs and policies that already exist within the City. The Draft AI recommends that the City continue its fair housing efforts, but offers little advice for improving or expanding these efforts. These "recommendations" describe only the acts that the law already requires the City to perform without proposing new fair housing support initiatives. Many of the suggestions the City proposes in the AI do not describe specifically who will implement these recommendations, nor offer timeframes for completion.

Staff Response: The updated Draft 2015-2020 AI recommendations include goals, milestones, time frames, and partner agencies with whom the City intends to collaborate (pages 104-109).

Thank you for the comments regarding the City's Draft 2015-2020 AI. The City welcomes any requests to discuss the response to these comments further. If you have any questions, please contact Regina Adams at (650) 903-6049 or by e-mail at Regina.Adams@mountainview.gov.

Sincerely,

A handwritten signature in blue ink that reads "Regina Adams". The signature is fluid and cursive, with the first name "Regina" being more prominent than the last name "Adams".

Regina Adams
Senior Planner