

2009

Montgomery County and Cities of Dayton and Kettering Analysis of Impediments to Fair Housing



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The Center for Urban and Public Affairs (CUPA) at Wright State University (WSU) is one of eight centers of excellence comprising the Ohio Urban University Program (UUP). The UUP links the resources of member universities to improve the state's urban regions. This 25-year partnership is unique in the nation. The State of Ohio through the Ohio Board of Regents' (OBOR) programs funds UUP institutions. State funds received by WSU are matched 3-to-1 by WSU resources and through contract research.

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I. Introduction and Executive Summary

The *Montgomery County and Cities of Dayton and Kettering Analysis of Impediments to Fair Housing (AI)* is a review of barriers to fair housing in the public and private sector that restricts housing choices or the availability of housing choices based on a person's membership in a protected class. Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) prohibits discrimination in the sale, rental, and financing of dwellings to the protected classes, which include:

- race,
- familial status,
- disability,
- sex,
- religion, or
- national origin.

The 1988 amendments to the Fair Housing Act also created an exemption to the provisions which allowed discrimination on the basis of familial status for those housing developments that qualify as housing for seniors - persons age 55 or older. Senior properties do not violate the Fair Housing Act if they exclude families with children. In addition, the Housing for Older Persons Act of 1995 (HOPA) requires that senior housing have at least one person who is 55 years of age or older living in at least 80% of its occupied units and publish and follow policies and procedures that demonstrate an intent to be housing for seniors.

As stated in the previous Analysis of Impediments (AI):

Communities need to consider fair housing issues at least as importantly as economic and other issues. It is important to encourage residents to actively support and work toward an equal housing market. Housing discrimination tears at the very fabric of the community. It encourages an environment where disputes escalate, sends out message of apathy, leads to segregated neighborhoods, perpetuates other housing problems, and causes financial loss to the community through lost business opportunities. In assuring equal housing, a community makes development and growth more successful. The purpose of this analysis is to make the Montgomery County, City of Dayton, and Kettering communities, as well as the public, aware of the fair housing issues facing their communities and to develop strategies to address those issues.

This AI consists of six sections, which are:

- I. Introduction and Executive Summary of the Analysis
- II. An overview of demographic and housing market conditions in the City
- III. A review of local programs, policies and practices affecting fair housing in the City
- IV. An analysis and discussion of Lending Compliance
- V. An analysis and discussion of Fair Housing Legislation and Complaint Processes
- VI. Identification of Impediments to Fair Housing and Recommendations

About the Authors

In 2008, the Montgomery County, and the cities of Dayton and Kettering, contracted with the Wright State University Center for Urban & Public Affairs (CUPA) to conduct an AI. CUPA, located at Wright State University, is one of eight centers of excellence comprising the Ohio Urban University Program (UUP). CUPA's research staff participate in projects and outreach both locally and statewide addressing a wide range of social, economic, environmental, governance, and spatial issues. Through applied research, technical assistance, training, database development, and GIS services, CUPA is able to meet the needs of public and non-profit sector organizations.

Researchers from CUPA prepared this analysis of impediments using the methodologies and structure outlined in the United States Department of Housing and Urban Development's (HUD) *Fair Housing Planning Guide*. CUPA reviewed a variety of secondary demographic, economic, employment and housing market data available from national and local sources for the analysis. These include but are not limited to:

- The Census Bureau
- The State of the Cities Data System
- The State of Ohio
- The City of Dayton
- The City of Kettering
- Montgomery County
- The Home Mortgage Disclosure Act
- ESRI Business map

CUPA also reviewed and compiled data about local housing procedures, materials, policies, and programs that influence fair housing choice and address impediments in the City that promote and educate residents about their fair housing rights, the complaint process. This process included the analysis of available data regarding compliance with the Home Mortgage Disclosure Act (HMDA), the Community Reinvestment Act (CRA), and Fair Housing Act.

Because of the limited funding available to conduct the research necessary to complete this analysis, very little primary data collection was conducted. Instead, the analysis focused on secondary data and primary data elements, which could be easily extracted for analysis.

Impediments Found in the 2008 AI

Our findings and recommendations for addressing these identified impediments can be found in the *Identification of Impediments to Fair Housing and Recommendations* section of the report.

II. Demographic Data

Introduction

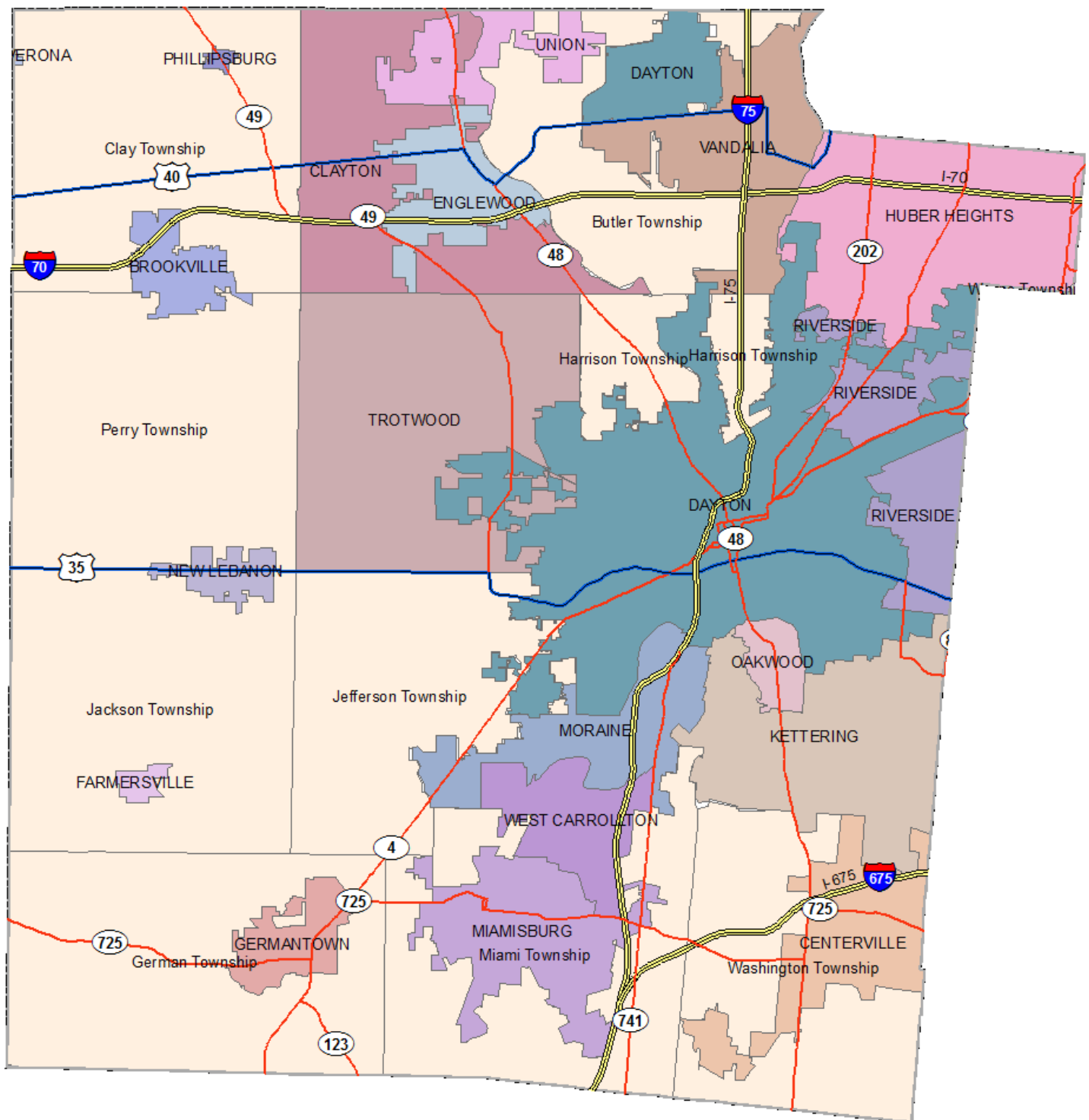
Montgomery County is the fifth¹ most populous county in the State of Ohio. The County is located in the southwestern part of Ohio, bordered on the east by Greene and Clark Counties, the north by Miami and Darke Counties, the west by Preble County, and south by Butler and Warren Counties. Established in 1803, these 461.7 square miles were named for General Richard Montgomery, a veteran of the Revolutionary War.

As shown in the following figure, the county is bisected north to south by Interstate 75 and east to west by Interstate 70. Interstate 75 runs from Miami, Florida in the southern United States to Sault St. Marie in Michigan at the Canadian border and provides the primary north/south transportation through Montgomery County. Interstate 70 runs from the East Coast to the West Coast of the United States and provides the primary east/west transportation through Montgomery County. North and south transportation through Montgomery County is also provided by State Routes 4, 48, 49, 201, and 202; east/west passage through the county is also provided by U.S. Route 40 through the northern edge of the county, U.S. Routes 35 through the middle of the county, and State Route 725 through the southern portion of the county.

Along with the major highways that run through the county, major railroad lines provide freight transportation, and Dayton International Airport provides the bulk of the freight and passenger air transportation for the county.

The County is home to 20 cities or villages, 9 townships, and sixteen public school districts encompassing 135 public schools and 36 charter schools, four public libraries with twenty-three branches and three bookmobiles, two private four-year universities, and one two-year public college.

¹ 2008 Census Estimates. US Census Bureau, Population Estimates Program.



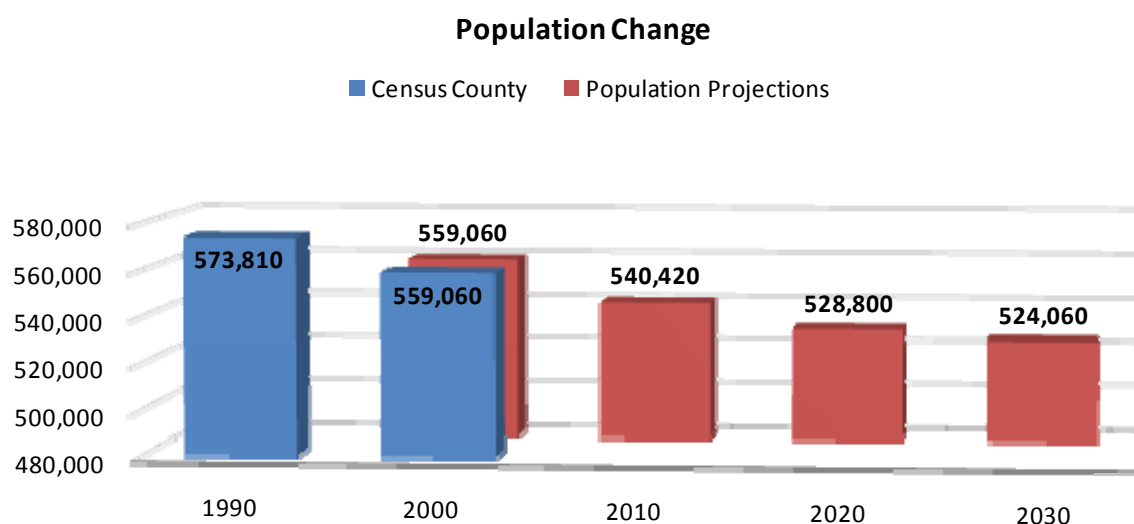
(Ohio Department of Transportation 2007)

Figure 1: Montgomery County

According to the 2006-2008 American Community Survey 3-year estimates, 537,700 people lived in 222,928 households across Montgomery County. Another 16,515 resided in group quarters. Of all Montgomery County residents, 406,297 (75.6%) were white, 109,184 (20.3%) were African American, and 1.9% of the population was Hispanic.

The county has six cities with a population greater than 20,000 — Dayton, Centerville, Trotwood, Riverside, Huber Heights, and Kettering. Dayton is the county's largest city with a population of 144,008. Over one-quarter of Montgomery County's population resides in the City of Dayton. Kettering is the second largest city with a population of 54,455.

As shown in the figure below, the population decreased 2.6% from the 1990 to 2000 Census and looking to the future, the county population is expected to continue this trend. The Ohio Department of Development projects an additional 3.3% decrease in the population by 2010 and then expects the rate of decrease to taper off by 2030. The county is expected to witness a total decline in the population of 6.3 percent or 35,000 residents through the year 2030.



(Ohio Department of Development March, 2003)

Figure 2: Population Change, 1990 - 2015

According to the 2006-2008 3-year population estimates², the largest population age group was under the age of 18 (23.7%). The second largest age group was between 45 and 54 years old (14.8%) closely followed by the senior (65 years of age and older) cohort at 14.7%. Eighty-eight percent of the county's residents over 25 years of age and older have graduated from high school (equivalent to the overall state average – 87.0%) and 24.4%

² Source: U.S. Census Bureau, 2006-2008 American Community Survey - The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data).

are estimated as having bachelor's degrees and/or graduate/professional degrees, which is higher than the 23.3% state average.

Of the estimated 145,558 individuals over the age of 3, 8,942 (5.7%) were enrolled in preschool, 7,538 (5.2%) in kindergarten, 54,825 (38.4%) elementary and/or middle school, and 31,122 (22.0%) in high school.

According to the 2006-2008 American Community Survey of the U.S. Census of Housing and Population, Montgomery County had 254,707 housing units. Almost two-thirds of these units were owner occupied (65.3%) units and the median value was \$120,600. Conversely, nearly 77,407 units in Montgomery County were rental units and the median contract rent was \$679.

In 2007, Montgomery County's civilian labor force was made up of approximately 269,182 residents and much of the county's labor force was employed in the health care/education/and social assistance industries (23.6%). Manufacturing, Retail, and Professional/Management/Administrative/Waste management Services were other major areas of employment, employing approximately 14.9%, 10.9%, and 10.6% of the county's work force, respectively. The county's unemployment rate was 7.9% (21,265 Unemployed), which was higher than both the national (6.4%) averages and the state average (7.0%).

Population

This section examines general demographic trends such as population, housing, and socioeconomic characteristics for the entitlement areas of Montgomery County. For the purpose of this report, the areas of interest for analysis are defined as the three separate entitlement areas of the county—population living in the City of Dayton, the City of Kettering, and the balance of the area served by Montgomery County. All figures presented in this section use the most current available data at the time the report was prepared.

According to the United States Census, Montgomery County reached its peak population in 1970 when 606,148 people resided in the county. Since 1970, the population in Montgomery County has declined 11.2%. The Census also reports that as of July 1, 2008, Montgomery County had an estimated population of 537,700, a 3.8% decrease from the 2000 Census. The annual average rate of population loss since 2000 was 3 out of every 1,000 residents, showing a higher rate of decrease when compared with the annual average population change of 2 of every 1,000 residents reported between the 1990 and 2000 Decennial Census counts. Between the 1990 and 2000 Census, both the Cities of Dayton and Kettering also decreased in population, while the Montgomery County Entitlement service area witnessed a slight increase growth (1.3%) from 1990 to 2000. Population estimates for 2008 indicate that the population decreased since 2000 in Montgomery County. The City of Kettering witnessed 5.2% decrease and the City of Dayton experienced a decline twice that of Kettering, 13.3%, while the population in the remainder of the county or the Montgomery County Entitlement Area increased slightly (1.2%).

Total Population	Montgomery County, Ohio		City of Dayton		City of Kettering		Entitlement Area	
	Persons	% change	Persons	% change	Persons	% change	Persons	% change
Census 1990	573,809		182,044		60,569		331,196	
Census 2000	559,062	-2.6%	166,179	-8.7%	57,502	-5.1%	335,381	1.3%
Census Estimate 2008	537,700	-3.8%	144,008	-13.3%	54,455	-5.2%	339,237	1.2%

(US Census Bureau 1990, 2000, 2006-2008 American Community Survey)

Figure 3: Montgomery County, Population Change 1990-2008

As illustrated in the figures below, 130 of the 145 Census Tracts witnessed population losses from 2002 to 2007³. However, all of the Census Tracts experiencing a decline in population greater than 10% were in the City of Dayton. The shift in population in these Census Tracts accounts for 13.4% of the total witnessed by the City.

Not all areas saw a decrease in population — 15 of Montgomery County’s Census Tracts witnessed population growth (Refer to Figure 4). Nearly two-thirds (62.6%) of the growth in the county was witnessed in the southern portion of the county west of I-75 and south of I-675 in Miamisburg, Centerville, and Miami and Washington Townships. Census Tracts in northern Montgomery County also experienced growth in the Brookville/Clay Township, Englewood/Clayton/Union, Vandalia/Butler Township, and Huber Heights/Riverside areas. Despite population loss in all of the other Census Tracts throughout the City of Dayton, downtown (Census Tract 13) experienced growth near 14% while Census Tracts 702.02 and 45 increased in population 0.2% and 5.1% respectively. For a more detailed look at Census Tract population losses above 10% and the 15 Census Tracts experiencing population growth over the seven-year period following the 2000 Census, see the Figure 4.

Despite a steady decline in population since 1990, the City of Dayton is still the population center of the county, accounting for 28.9% of the County’s population. The County’s population is most heavily concentrated in Census Tracts in the City of Dayton and east of I-75 in the Cities of Huber Heights, Riverside, and Kettering where density exceeds 4,000 persons per square mile. See Figure 6.

³ Because 2008 data was not available at the Census Tract Level, 2007 data available through ESRI Data & Maps was used to illustrate the population decline by Census Tract.

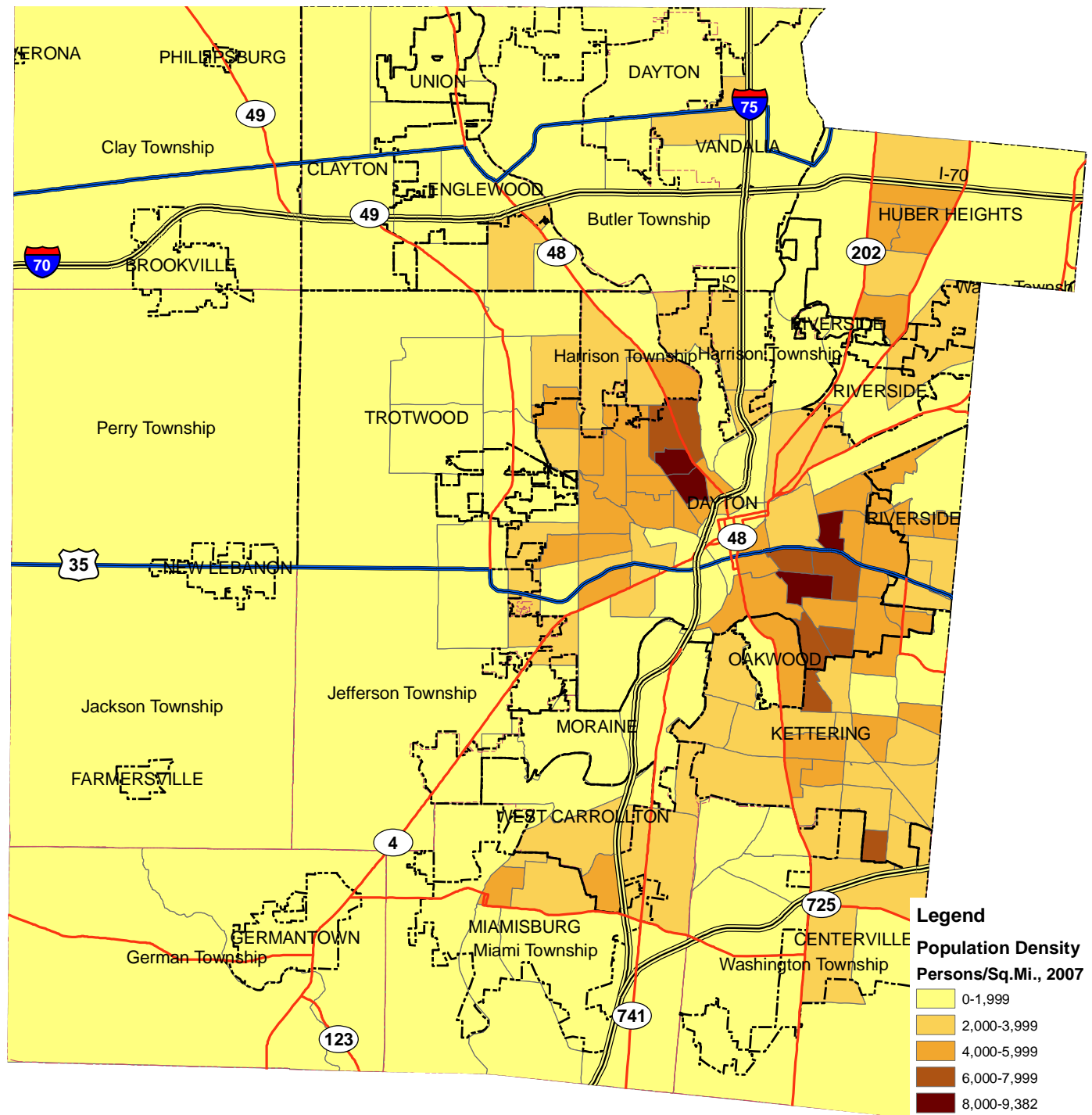
Jurisdiction	TRACT	Population		
		2000	2007	Percent Change
Dayton ⁴	3	3,417	2,891	-15.4%
Dayton ⁴	40	1,404	1,201	-14.5%
Dayton ⁴	13	1,310	1,162	-11.3%
Dayton ⁴	2	3,094	2,755	-11.0%
Dayton ⁴	17	2,107	1,892	-10.2%
Dayton/Jefferson Twp	702.02	2,184	2,188	0.2%
Brookville/Clay Township	1301.02	5,929	5,961	0.5%
Butler Township	1102	7,898	7,950	0.7%
Englewood/Clayton	1251.01	5,886	5,995	1.9%
Germantown/German Twp	1650	5,911	6,036	2.1%
Jefferson Township	702.01	1,794	1,837	2.4%
Huber Heights	1004	4,314	4,456	3.3%
Butler Twp/Vandalia	1150.12	4,545	4,745	4.4%
Clayton/Union	1250	5,740	6,000	4.5%
Dayton	45	1,188	1,248	5.1%
Miamisburg/Miami Twp	505.01	10,192	11,367	11.5%
Downtown Dayton	15	2,129	2,416	13.5%
Riverside	903.01	8,189	9,307	13.7%
Miami Twp/Washington Twp	404.02	11,690	13,399	14.6%
Miami Township	501.03	6,271	7,288	16.2%

(United States Department of Commerce, Census Bureau 2000, ESRI 2001-2008)

Figure 4: Census Tract Population Change, 2000-2007

⁴ Large population decreases in the Dayton Census Tracts partially due to the demolition of three public housing projects and one tax credit project. Source: City of Dayton, e-mail communication – Aaron Sorrell





(U.S. Census Bureau 2000, 1990, ESRI 2001-2008)

Figure 6: County Population Density, 2007

Since the 2000 Census, the population has continued the trend of aging in place as witnessed in the table below. Younger age cohorts have experienced declines ranging from 4.5% to 14.5%, while the population cohorts 45 years of age and older experienced significant increases. According to the American Community Survey, the largest population age cohort was under 18 years of age (23.7% - see Figure 7). The second largest age groups were between 45 and 54 years old and 65 years of age or older (14.8% and 14.7%, respectively). In the 2006-2008 3-year estimates for the Montgomery County, one in seven residents was age 65 years or older and this population is expected to grow 37.2% by the year 2030, when one in five residents will be 65 years of age or older.

	Montgomery County, Ohio				
	2000		2008		2000-2008 % change
	Persons	% of Total Population	Persons	% of Total Population	
Total	559,062		537,700		-3.8%
Under 5 years of age	37,054	6.6%	34,948	6.5%	-5.7%
5 to 17 years of age	100,925	18.1%	92,337	17.2%	-8.5%
18 to 24 years of age	54,064	9.7%	51,605	9.6%	-4.5%
25 to 34 years of age	76,052	13.6%	63,575	11.8%	-16.4%
35 to 44 years of age	86,275	15.4%	73,732	13.7%	-14.5%
45 to 54 years of age	76,651	13.7%	79,737	14.8%	4.0%
55 to 64 years of age	51,344	9.2%	62,750	11.7%	22.2%
65 years of age or older	76,697	13.7%	79,016	14.7%	3.0%

	Montgomery County, Ohio		City of Dayton		City of Kettering		Entitlement Area	
	2008	%	2008	%	2008	%	2008	%
Total	537,700		144,008		54,455		339,237	
Under 5 years of age	34,948	6.5%	10,967	7.6%	3,130	5.7%	20,851	6.1%
5 to 17 years of age	92,337	17.2%	23,336	16.2%	8,332	15.3%	60,669	17.9%
18 to 24 years of age	51,605	9.6%	20,270	14.1%	4,483	8.2%	26,852	7.9%
25 to 34 years of age	63,575	11.8%	18,915	13.1%	7,151	13.1%	37,509	11.1%
35 to 44 years of age	73,732	13.7%	18,366	12.8%	7,071	13.0%	48,295	14.2%
45 to 54 years of age	79,737	14.8%	19,891	13.8%	8,351	15.3%	51,495	15.2%
55 to 64 years of age	62,750	11.7%	14,586	10.1%	5,961	10.9%	42,203	12.4%
65 years of age or older	79,016	14.7%	17,677	12.3%	9,976	18.3%	51,363	15.1%

(US Census Bureau 1990, 2000, 2006-2008 American Community Survey)

Figure 7: Percent of Population by Age, 2000

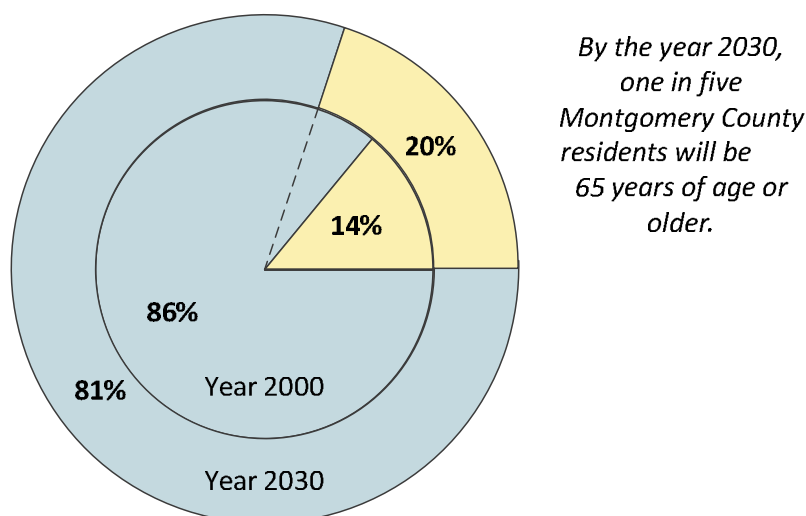


Figure 8: Senior Population Change, 2000 - 2030

A little over eighty-seven percent (87.5 percent) of the county's residents over 25 years of age have graduated from high school (higher than the overall state average) and a little over twenty-four percent (24.4%) have bachelor's degrees and/or graduate/professional degrees, which is higher than the 23.8% state average. Eighty-one percent of residents in the City of Dayton have completed their schooling at least through their high school diploma or equivalency – lagging 6% behind the state average. Just over fifteen percent (15.2% Dayton's residents hold a degree at or above their Bachelor. Kettering residents as a whole hold higher levels of education than Montgomery County, the City of Dayton, or State of Ohio residents. According to the American Community Survey, 92.7% of Kettering residents have achieved at least a high school diploma or equivalency, while 31.7% completed at least a Bachelor degree in college.

Of the 150,213 individuals over the age of 3, 10,021 (6.7%) were enrolled in preschool, 8,248 (5.5%) in kindergarten, 64,169 (42.7%) in elementary school, and 29,192 (19.4%) in high school.

The Protected Classes

Race and Ethnicity

Since 1990, the minority population in Montgomery County has increased 20.6% (from 113,241 individuals in 1990 to 136,611 in 2008) also becoming more diverse as the years have passed. The percentage of the population who are minorities in Montgomery County (25.4%) is proportionally high when compared to the Metropolitan Statistical Area (MSA)⁵ (19.5%) as a whole in 2008. Since the 2000 Census, the population of Montgomery County continued to become more diverse. In 2008, 74.6% of the population was white, down 1.3% since the decennial census. The most notable change in the County was witnessed in the Hispanic population, which experienced a 40.2% increase since the 2000 Census.

⁵ The Dayton, OH Metropolitan Statistical Area is defined as Green, Miami, Montgomery, and Preble Counties (Dec. 18, 2006).

Since 1990, the minority population has remained consistently more concentrated in the City of Dayton than the remainder of County. In 2008, the population was 2.2% Hispanic, 42.5% black, and other minority races accounted for 2.2% of the population compared to the County, 1.9%, 20.2%, and 4.8% respectively. Minority populations in the City of Kettering have remained relatively level and homogenous since 1990. One in seventeen residents living in the City of Kettering are a minority compared to one out of every two residents in Dayton and one in five in balance of Montgomery County.

Figure 9 illustrates the historical change in the minority and Hispanic population since 1990, while Figures 10 and 11 show that these populations are distributed (although unevenly) throughout the County and where these populations are most heavily concentrated.

		Dayton - Springfield, OH MSA		Montgomery County		City of Dayton		City of Kettering		Montgomery County Entitlement Area	
		Count	%	Count	%	Count	%	Count	%	Count	%
White Non-Hispanic	1990	807,252	84.9%	460,568	80.3%	105,526	58.0%	58,856	97.2%	296,186	89.4%
	2000	776,050	81.6%	424,183	75.9%	87,487	52.6%	54,338	94.5%	282,358	84.2%
	2008*	674,943	80.5%	401,089	74.6%	76,130	52.9%	51,220	94.1%	273,739	80.7%
Black Non-Hispanic	1990	117,626	12.5%	101,421	17.7%	73,360	40.3%	432	0.7%	27,629	8.3%
	2000	125,816	13.2%	110,454	19.8%	71,291	42.9%	942	1.6%	38,221	11.4%
	2008*	120,787	14.4%	108,566	20.2%	61,167	42.5%	1,248	2.3%	46,151	13.6%
Other Races Non-Hispanic	1990	7,998	0.8%	7,281	1.3%	1,802	1.0%	804	1.3%	4,675	1.4%
	2000	11,590	1.2%	17,329	3.1%	4,775	2.9%	1,582	2.8%	10,972	3.3%
	2008*	28,960	3.5%	25,963	4.8%	3,172	2.2%	1,262	2.3%	13,295	3.9%
Total Hispanic (All Races)	1990	6,434	0.7%	4,539	0.8%	1,356	0.7%	477	0.8%	2,706	0.8%
	2000	6,612	0.7%	7,096	1.3%	2,626	1.6%	640	1.1%	3,830	1.1%
	2008	14,095	1.7%	9,949	1.9%	3,172	2.2%	725	1.3%	6,052	1.8%

*2008 Estimates based on 2006-2008 American Community Survey 3-Year Estimates, US Census Bureau – Total population figures may not equal estimated racial/ethnicity figures due to estimation error.

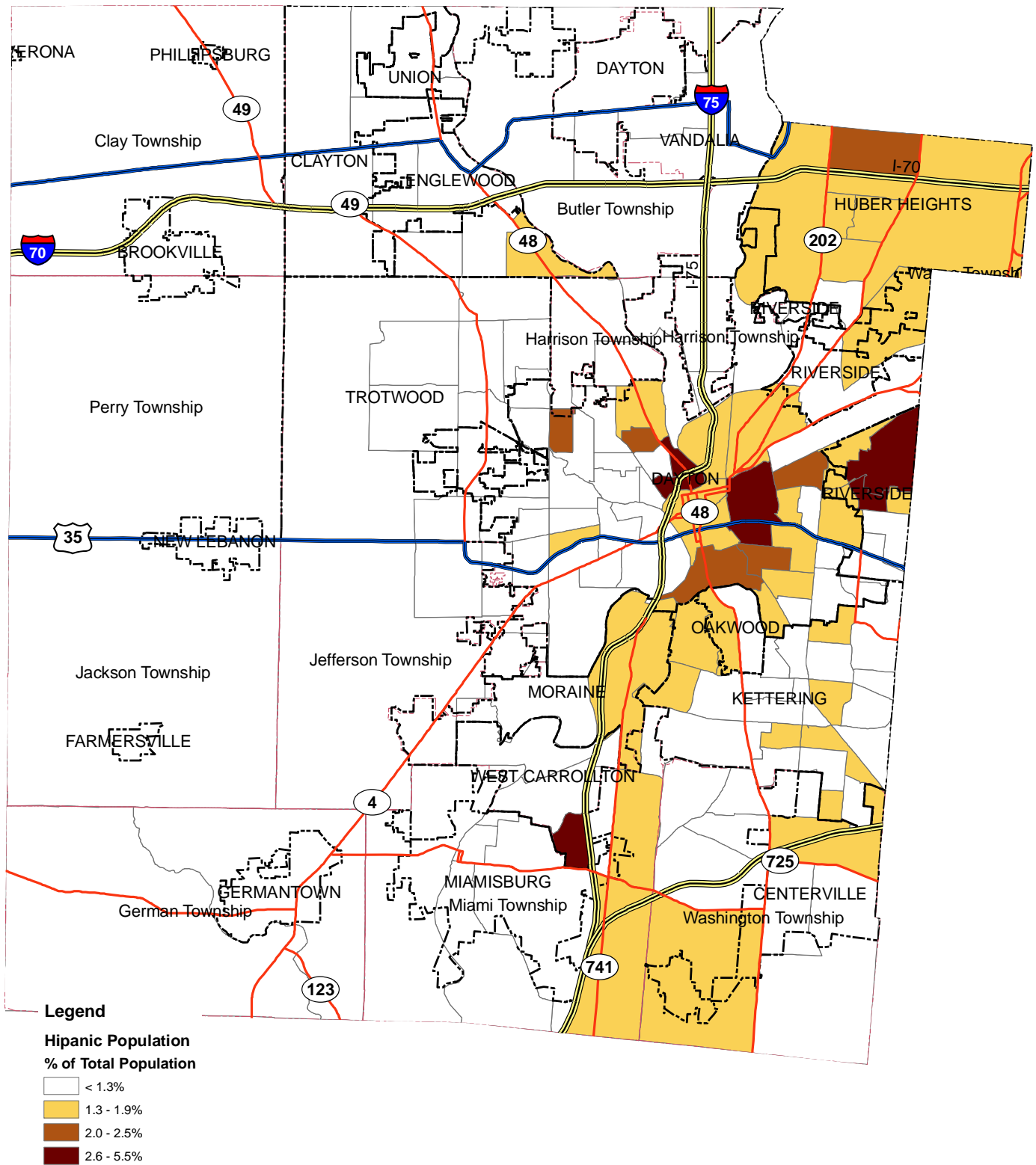
(US Census Bureau 1990, 2000, 2006-2008 American Community Survey)

Figure 9: Minority Population, 1990-2008

As illustrated in Figure 10, the black or African American Population is most heavily concentrated in forty-four of the county's 145 Census Tracts, but in particular west of I-75 and in the City of Dayton, City of Trotwood, and Harrison and Jefferson Townships. If the population were evenly distributed throughout the county, 20% of the population would be black or African American in each of the Census Tracts. As witnessed in Figure 9, thirty-seven Census Tracts located in neighborhoods west of I-75 in the City of Dayton and Trotwood have at least twice the expected African American population.

Conversely, the Hispanic population is disproportionately concentrated on the eastern edge of the county and most heavily in Census Tracts east of I-75 in the City of Dayton. If the population were evenly distributed throughout the county, the population would be 1.3% Hispanic in each of the Census Tracts. As seen in Figure 11, the population in one Census Tract in West Carrollton and seven Census tracts in the City of Dayton are over twice the expected concentration of population if Hispanic residents.





(U.S. Census Bureau 2000, 1990)

Figure 11: Hispanic Population as a Percentage of the Total Population, 2000

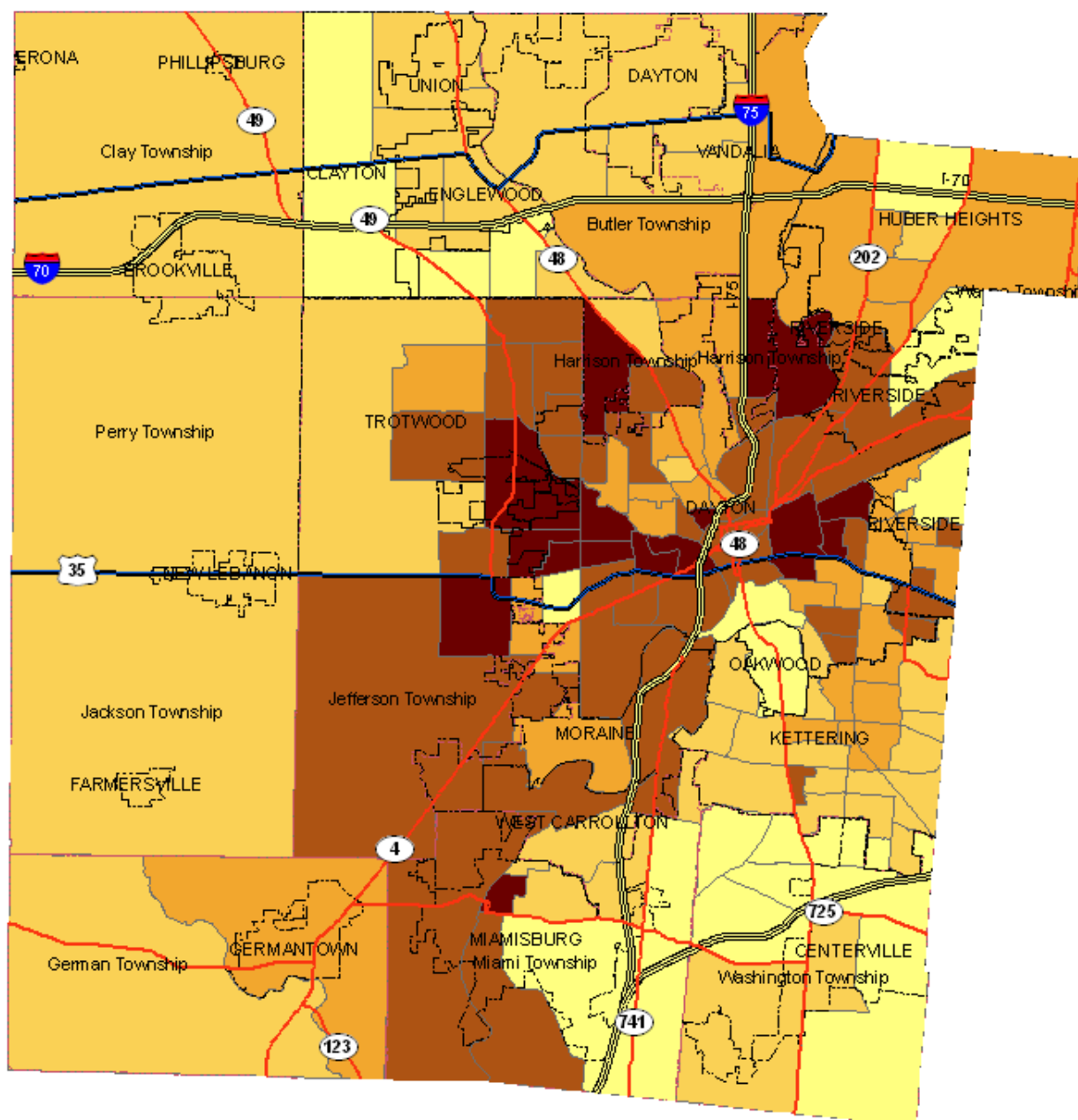
*Persons with Disabilities*⁶

According to the United States Census, approximately 182,287 individuals in Montgomery County reported at least one long-lasting physical, mental, or emotional condition making it difficult or impeding the individual's ability to go outside the home or to work at the time of the 2000 Census. Approximately 22% of the population ages 16 years and older were reported with one or more disabilities. Nearly one of every five individuals (18.2%) between the ages of 21 and 64 years of age report that they live with one or more disabilities while 38,703 individuals ages 16-64 reported employment disabilities. Seniors (adults 65 years and older) reported the highest rate of disability – 42.0% reported one or more total disabilities.

Montgomery County's proportion of the population with disabilities will remain relatively flat due to downward total population and senior population trends. By the year 2030, one in five (20.2%) Montgomery County residents will have one or more disabilities.

As seen in Figure 12, the County's population of persons with disabilities was most heavily concentrated in Census Tracts in and around the City of Dayton, which includes Census Tracts in Trotwood, Jefferson Township, and Riverside, where over 20% or more of the population is reported as disabled in 2000. These areas of heaviest concentration are not expected to change by the year 2030 (Refer to Figure 13). However, the population in these areas is expected to continue to grow largely in part because of the senior population aging in place.

⁶ Population estimates regarding disability status of the population in the City of Kettering is not available from the 2006-2008 3-year Estimates and therefore to include Kettering in the discussion 2000 Census of Population and Housing figures are substituted for discussion purposes.



(U.S. Census Bureau 2000, 1990)

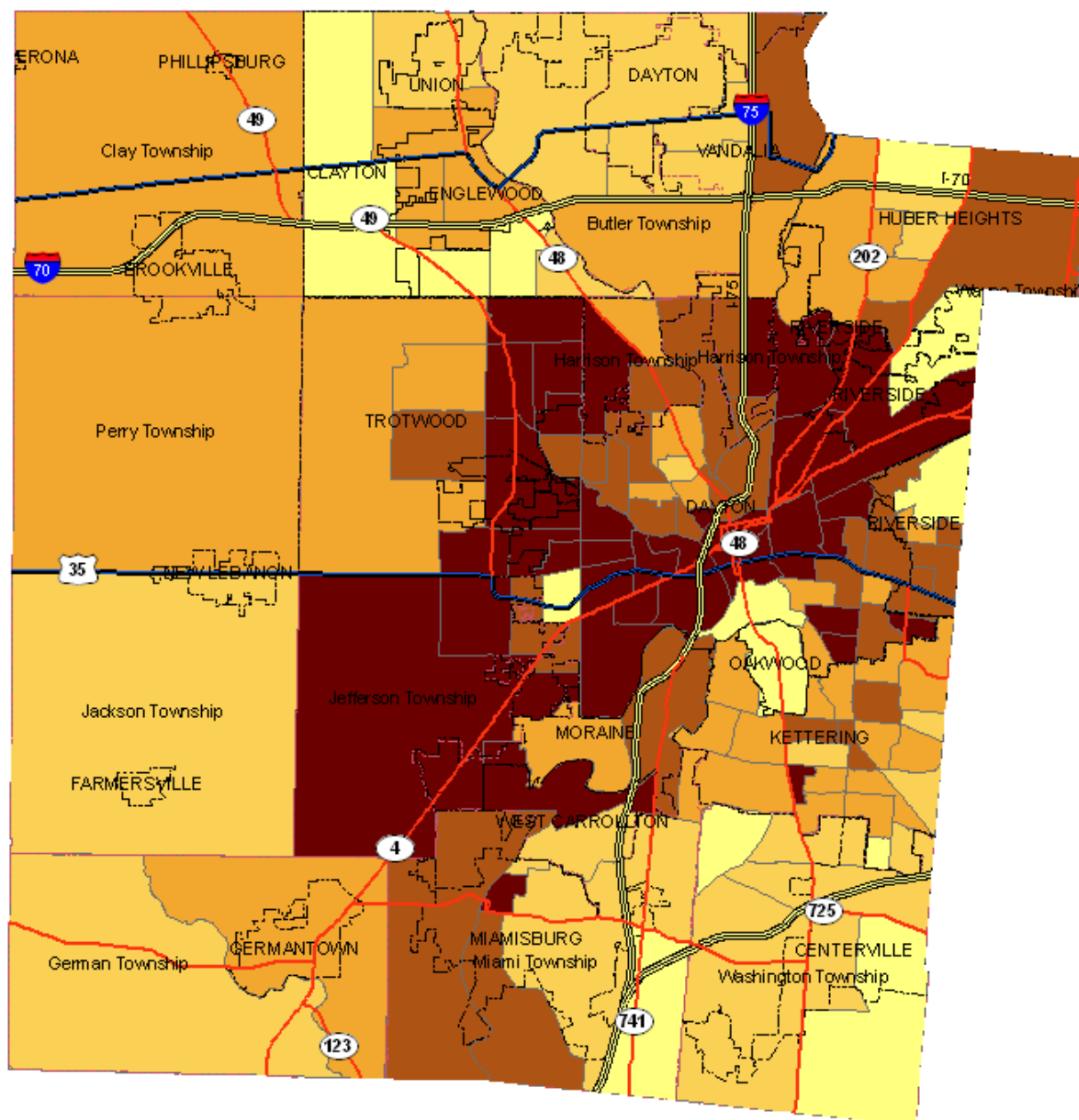
Figure 12: Persons with Disabilities, 2000

Legend

Persons with Disabilities, 2000

(expressed as a percentage of the total population)

- 5.1 - 11.7%
- 11.8 - 16.2%
- 16.3 - 21.5%
- 21.6 - 27.7%
- 27.8 - 37.6%



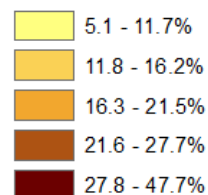
(U.S. Census Bureau 2000, 1990)

Figure 13: Persons with Disabilities, 2030

Legend

Persons with Disabilities, 2030

(expressed as a percentage of the total population)



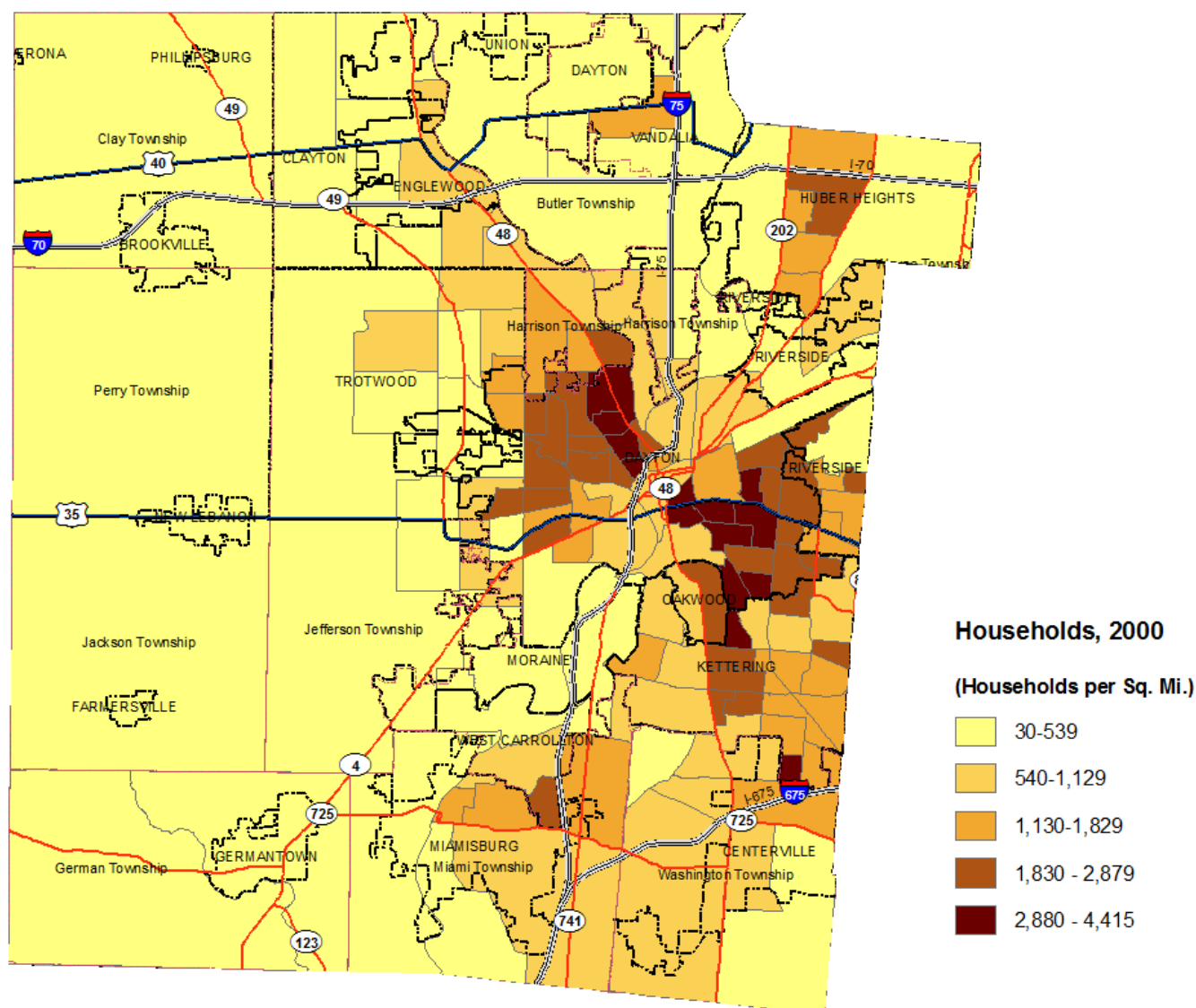
In 2000, 39.6% of Montgomery County senior residents reported one or more disabilities. The prevalence of disability also increases with age. In 2000, 33.7% of 65-74 year olds reported at least one disability, compared to 52.6% of those 75 years of age or older.⁷ The population of seniors with disabilities is expected to grow from 2000 to 2030 by 46.1%, outpacing senior population growth, which is expected to grow 37.2% — a difference of nine percent. By the year 2030, seniors with disabilities are projected to increase to 42.2% of the senior population.

Households

From 1990 to 2000, the number of households increased by 1.3%, from 226,192 in 1990 to 229,229 in 2000 in Montgomery County. Conversely, from 2000 to 2008, the total number of households in Montgomery County decreased by nearly 8,000 households or 3.4%. Nearly sixty thousand households (59,641) lived in the City of Dayton, 24,783 lived in the City of Kettering, and the remaining 138,504 households lived in the Montgomery County Entitlement Area. Sixty-two percent or 137,247 of the households in Montgomery County were family households. Under sixty percent (58.2% or 14,422) of the households in the City of Kettering were family households. The City of Dayton reported fewer family households (52.5% or 31,285 of the households in the City of Dayton were family households), while the remaining 91,540 family households resided in the Montgomery County Entitlement Area and made up 66.1% of the total Entitlement Area household population.

Households are densest in Census Tracts located in the inner-ring suburbs of Kettering, Oakwood, and Riverside, and in Huber Heights to the north, but particularly dense in the Census Tracts in the urban core - the City of Dayton.

⁷ Census 2000 Summary File 3 (SF 3) - Sample Data



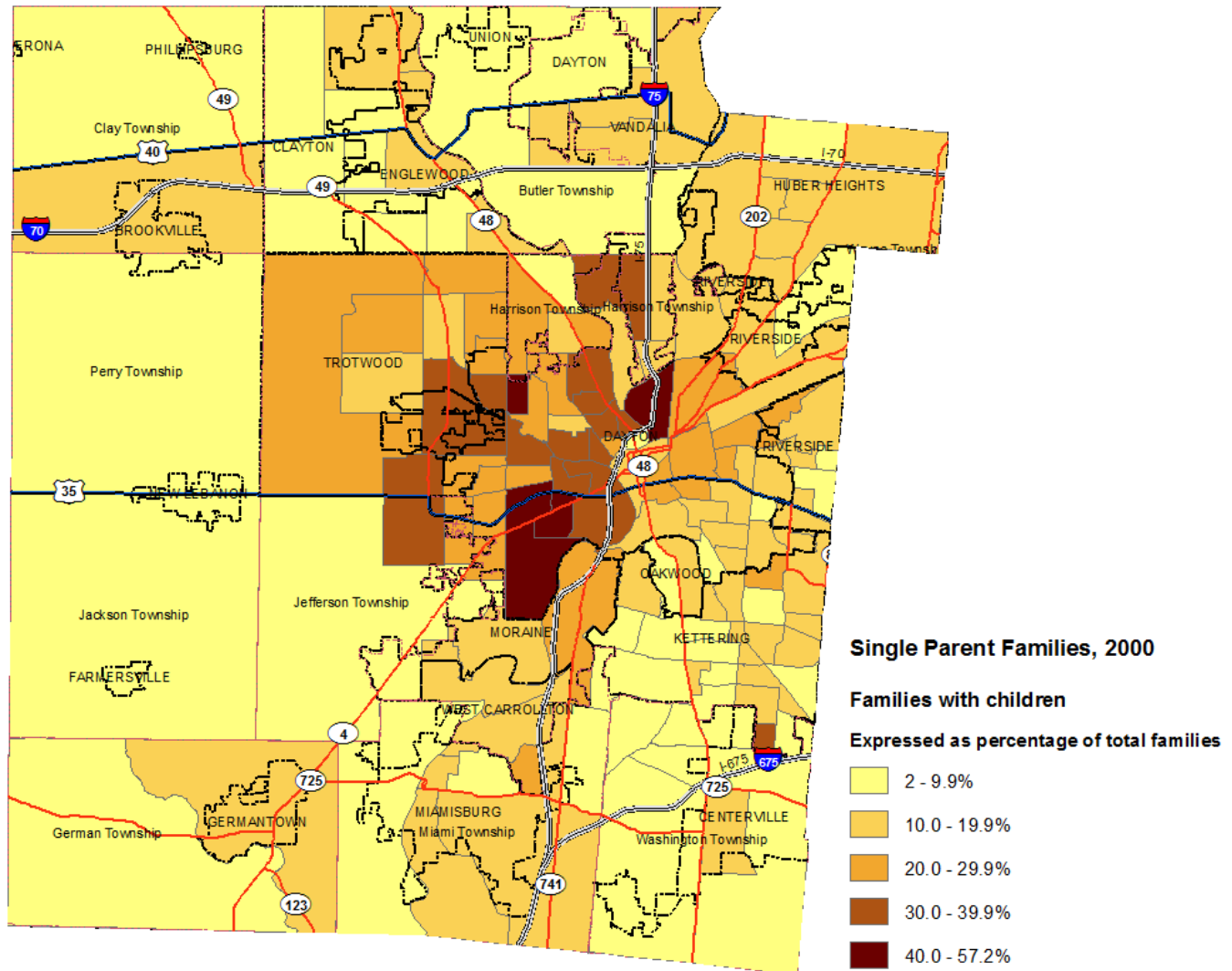
(U.S. Census Bureau 2000, 1990)

Figure 14: Household Density, Households per Square Mile by Census Tract, 2000

Of the households in Montgomery County highlighted above, 137,247, or 61.6%, are family households. Most of the family households (55.7% or 76,466 households) in Montgomery County estimated by the 2006-2008 Community Survey were families with no children. Continuing a 30-year trend of decline, married-couple families with children made up approximately 59.6% of families with children in Montgomery County (down 4.2% from 2000). Conversely, single-parent families continued to increase and accounted for 40.4% of families with children in Montgomery County.

According to the 2000 Census, the percentage of single-parent households ranges from 20.0% to 57.2% of the total Census Tract count of households and single-parent households are more heavily concentrated in the central city of Dayton. In particular, single-parent families are most heavily concentrated in neighborhoods in

the City of Dayton west of I-75 and in the Montgomery County Entitle Area in neighborhoods of Harrison Township, Trotwood, and Jefferson Township. In addition, Kettering has one area on its southern edge where the concentration of single-parent families is much higher than the remainder of the jurisdiction. Refer to Figure 15 for a more detailed look at the concentration of single-parent households.



(United States Department of Commerce, Census Bureau 2000)

Figure 15: Single Parent Families, 2000

		Dayton, OH		Kettering, OH		Montgomery County Entitlement Area, OH	
		Count	%	Count	%	Count	%
Married Couple	1970	24,121	78.1%	9,886	91.1%	44,810	93.0%
	1980	16,841	60.1%	6,702	83.8%	38,651	87.0%
	1990	10,858	50.9%	5,827	81.8%	76,743	76.6%
	2000	8,285	45.1%	4,997	72.0%	30,505	64.4%
	2008	6,043	9.9%	4,119	16.4%	68,099	49.3%
Percent Change 1970 to 2008		-74.95%		-58.34%		51.97%	
Percent Change 2000 to 2008		-27.06%		-17.57%		123.24%	
Single Parent	1970	6,746	21.9%	963	8.9%	3,369	7.0%
	1980	11,158	39.9%	1,292	16.2%	5,764	13.0%
	1990	10,480	49.1%	1,298	18.2%	23,401	23.4%
	2000	10,095	54.1%	1,934	28.0%	12,125	35.6%
	2008	9,364	15.3%	2,058	8.2%	13,278	9.6%
Percent Change 1970 to 2008		38.8%		113.7%		294.1%	
Percent Change 2000 to 2008		-7.2%		6.4%		9.5%	

(Housing and Urban Development February 2008)

Figure 16: Families with Children

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III. Income Data

Household income is the most important factor determining a household's ability to afford shelter and life's necessities. However, household income is not a fair housing issue. Income may be linked to preconceived notions about low- to moderate-income individuals and familial status, race, ethnicity, or disability, but low-income individuals or households do not belong to one of the protected classes based on income alone. Rather, income does affect the household's ability to secure reasonable and adequate accommodations and for this reason, provides a barrier to securing fair housing and will be discussed here.

The 2007 median household income for Montgomery County was \$44,749. Over one-quarter (26.6%) of the County households earned less than \$25,000 in 2007. In the City of Dayton, the median income was estimated to be \$29,630, 66% of the County's median income. Nearly forty-three percent (42.9%) of the households in the City of Dayton reported incomes below \$25,000 in 2007 – 16.3% more households than the County. The median income of households living in the City of Kettering was \$47,827, \$3000 greater than the County's median income, according to the 2006-2008 Community Survey.

Local area income estimates are not available for 2007 and therefore the discussion is based on figures from the 2000 Census of income reported by households earned in 1999. The 1999 median household income for Montgomery County was \$40,156, which is 17.6% lower than the Dayton-Springfield MSA (\$48,708). In contrast, the median household income in the Cities of Dayton and Kettering was \$27,423 and \$45,051, respectively. Within the Montgomery County Entitlement Area, household median incomes vary by \$40,669 across the jurisdictions — from a low of \$31,723 in Jefferson Township to a high of \$72,392 in the City of Oakwood. For a more detailed look at median income, see the table below.

Median household income in 1999			
Urban County Entitlement Area		Entitlement Cities	
Montgomery County, Ohio		City of Dayton	City of Kettering
\$40,156		\$27,423	\$45,051
Butler Township	\$62,055	N/A	N/A
Clay Township	\$43,451	N/A	N/A
Brookville	\$39,853	N/A	N/A
Phillipsburg	\$41,458	N/A	N/A
Clayton	\$60,625	N/A	N/A
Englewood	\$46,920	N/A	N/A
German Township	\$51,809	N/A	N/A
Germantown	\$47,179	N/A	N/A
Harrison Township	\$31,997	N/A	N/A
Huber Heights	\$49,158	N/A	N/A
Jackson Township	\$46,164	N/A	N/A
Farmersville	\$43,125	N/A	N/A

Median household income in 1999			
Urban County Entitlement Area		Entitlement Cities	
Montgomery County, Ohio		City of Dayton	City of Kettering
<i>New Lebanon</i>	\$40,801	N/A	N/A
Jefferson Township	\$31,723	N/A	N/A
Miami Township	\$46,087	N/A	N/A
<i>Miamisburg</i>	\$48,316	N/A	N/A
Moraine	\$34,341	N/A	N/A
Oakwood	\$72,392	N/A	N/A
Perry Township	\$43,427	N/A	N/A
Riverside	\$37,034	N/A	N/A
Trotwood	\$34,931	N/A	N/A
Union	\$50,456	N/A	N/A
Vandalia	\$44,463	N/A	N/A
Washington Township	\$63,821	N/A	N/A
<i>Centerville</i>	\$54,892	N/A	N/A
West Carrollton	\$40,964	N/A	N/A

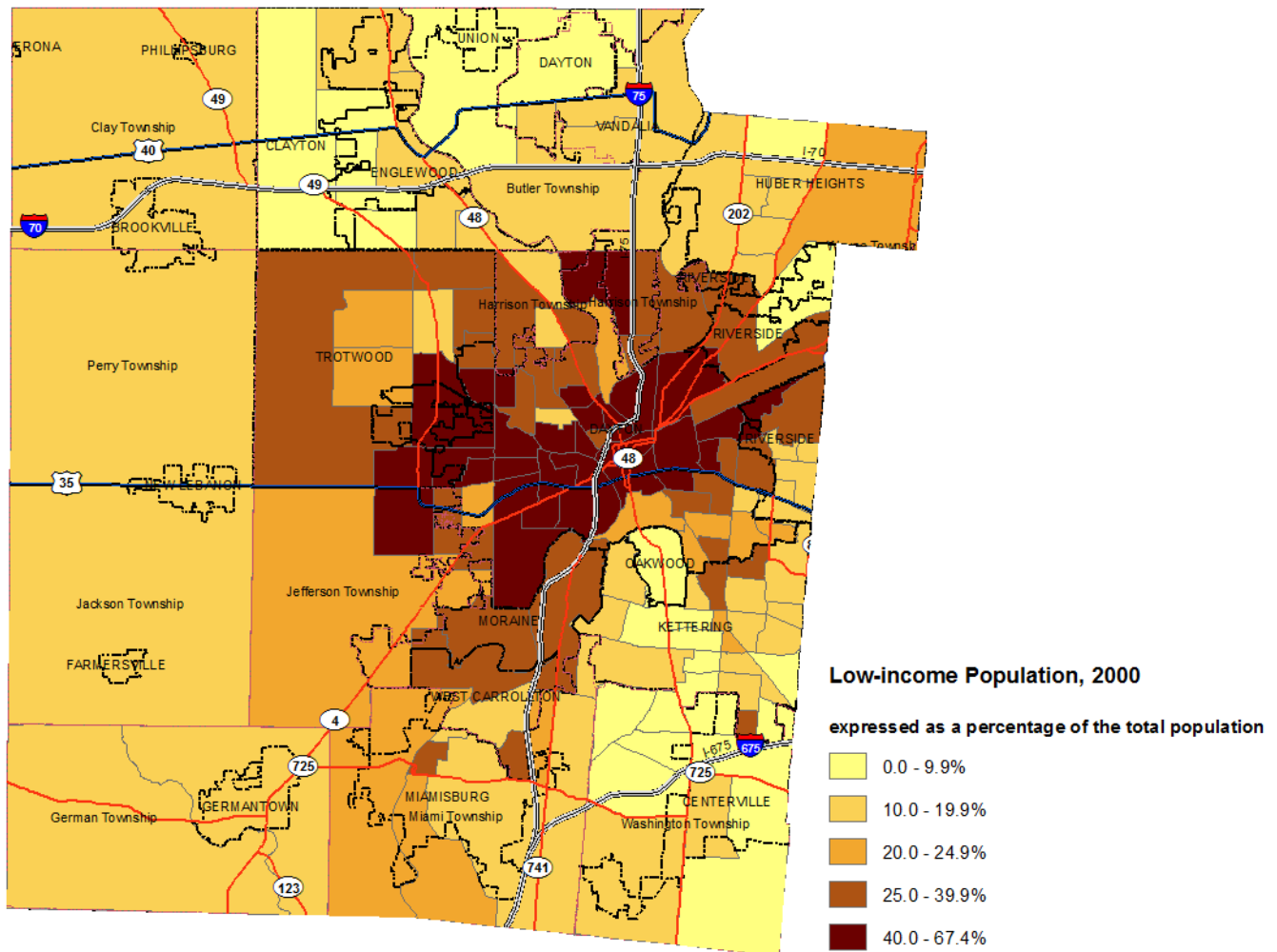
Note: Jurisdictions indented and italicized were pulled from the United States 2000 Census SF-3 Place level data. All other jurisdiction income data was extracted from the United States 2000 Census SF-3 County Subdivision level data. It is important to note that median income for the italicized jurisdictions have been included in the median income expressed for one or more of the County Subdivision listed in the table.

(United States Department of Commerce, Census Bureau 2000)

Figure 17: Area Median Income by Jurisdictions, 2000

Approximately 35% of Dayton's households were considered to be in the low-income bracket in 1999, 15.6% higher than the percentage of households in the Dayton-Springfield MSA. The percentage of households falling in the lowest income bracket in the City of Dayton has steadily increased since 1969. Nearly 60% of the households fell within the Middle Income bracket, 5.7% lower than the MSA, while households in the High Income bracket (National Top 20%) lagged 10% behind the MSA. Refer to Figure 19 for a detailed look at the trend over time.

Low-income areas are concentrated in Census Tracts in the center city of Dayton, where most of the Census Tracts represent between 40.0% and 67.4% of the households as low-income. Census Tracts in the Cities of Trotwood, Riverside, and Moraine also exhibit higher percentages of the population who are low-income—ranging from 25 to 39.9% of the population.



Middle Income (National Middle 60%)	1969	58.8	60.4	51.6
	1979	61.6	60.2	61.3
	1989	63.0	58.6	65.5
	1999	63.0	57.3	67.7
High Income (National Top 20%)	1969	25.9	16.9	42.1
	1979	20.7	10.2	27.4
	1989	18.1	7.7	22.4
	1999	18.0	8.1	19.4

(Housing and Urban Development February 2008)

Figure 19: Percentage of Households in National Income Brackets

Similarly, Kettering households have also been losing ground. The percentage households considered to be within the nation's lowest 20% (Low-income) bracket has doubled since 1969, now representing thirteen percent of the households in the City of Kettering. This is 6.1% lower than the MSA and 21.7% lower than the City of Dayton. Two-thirds of the City of Kettering households also fell within the middle-income bracket 4.7% and nearly 20% fell within the high-income bracket — both higher than MSA.

Examination of 2000 Census data also reveals that 133,964 Montgomery County residents met guidelines to qualify for many Federal Low-Income Assistance Programs (i.e., food and nutrition assistance programs, home energy assistance programs, and low-income Medicaid coverage, etc.). Income eligibility to qualify for these program benefits or entitlements is based upon the applicant's income qualifying at or below 185% of the poverty level. Using this metric, nearly 42.5% (66,031) of Dayton Residents, 14.5% of 8,303 Kettering residents, and 18.1% or 59,630 Montgomery County Entitlement Area residents are considered to be low-income (below 185% of the poverty rate) and this rate will remain relatively constant through 2030, decreasing 4%.

In addition, 15.0% of the population (80,655 residents) in Montgomery County was estimated to be living below the poverty level in 2008, according to the American Community Survey. Seven percent (21,985 residents) of the population in the Montgomery County Entitlement Area also lived below the poverty level. Nearly one-third of the population (29.8% or 42,914 residents) in Dayton and 9.5% of the population (5,173 residents) in Kettering lived below the poverty level in 2007 – up 6.8% in Dayton and 2.9% in Kettering from 1999. However, in 2007, the percentage of the population living in poverty in the City of Dayton was 16.9% greater than the MSA as a whole.

The 2006-2008 American Community Survey reports that in Montgomery County, persons living below the poverty level are not evenly distributed across the age cohorts. For example, in 2007, poverty affected children the hardest — 21.7% of the population under the age of 18 is reported as living below the poverty level (up 6.1% from the 2000 Census), while nearly thirteen percent (12.9%) of the total adult population lives below poverty. Fourteen percent of the population between the ages of 18 and 64 years live below the poverty level — up 3.8% from 2000 and 8.1% of the senior adult population also lived below the poverty level.

Examining poverty and race or ethnicity in 2007 also reveals that disparities exist between the racial and ethnic minorities. Eleven percent of the white population (42,514 residents) lived below the poverty level while nearly one-third of the County's black or African-American population also lived below the poverty level in 2007. A

larger percentage of African Americans residing in the urban core, the City of Dayton, live below the poverty level than in the county as a whole – 38.5% vs. 22.4%. Finally, 21.0% of the Hispanic population lived below the poverty level. Similar to the African American population, Hispanics residing in the urban core are also more likely to live below the poverty level – 36.5%, 15.5% higher than the county as a whole.

The American Community Survey reports educational attainment for the population 25 years of age and older as it relates to individuals below the poverty level and 11.0% of this population lived below the poverty level in 2007. There exists an inverse relationship between educational attainment and persons below the poverty level. As the percentage of the population within the various levels of educational attainment increases, the percentage of the population below the poverty level decreases (See the table below for a complete breakdown by educational attainment.).

Montgomery County Population for whom the poverty status is determined	Total population	Below the poverty level	Percent below the poverty level
Population 25 years and over	350,723	39,317	11.2%
Less than high school graduate	42,566	10,973	25.8%
High school graduate (includes equivalency)	108,134	13,727	12.7%
Some college, associate's degree	113,530	11,363	10.0%
Bachelor's degree or higher	86,493	3,254	7.6%

City of Dayton Population for whom the poverty status is determined	Total population	Below the poverty level	Percent below the poverty level
Population 25 years and over	86,968	19,341	22.2%
Less than high school graduate	15,980	15,980	37.3%
High school graduate (includes equivalency)	30,533	30,533	24.5%
Some college, associate's degree	26,985	26,985	18.5%
Bachelor's degree or higher	15,980	13,470	12.7%

City of Kettering Population for whom the poverty status is determined	Total population	Below the poverty level	Percent below the poverty level
Population 25 years and over	38,013	2,851	7.5%
Less than high school graduate	2,733	411	15.0%
High school graduate (includes equivalency)	10,308	1,029	10.0%
Some college, associate's degree	12,911	977	7.6%
Bachelor's degree or higher	12,061	434	6.9%

(US Census Bureau 1990, 2000, 2006-2008 American Community Survey)

Figure 20: Poverty Status by Educational Attainment, 2007

For the purposes of this section of the study, low-income population will be identified as families living below the level of poverty at the 2000 Census. According to the 2000 census, approximately 12,208 family households lived below the poverty level in Montgomery County. Nearly 91% (91.1%) of the families below the poverty threshold were under the age of 65 and 58.7% of these families are single-female headed households. In

addition, 22% of individuals living with one or more reported disabilities also live in poverty in the City of Dayton.

	Dayton - Springfield, OH MSA	City of Dayton	City of Kettering
1969	8.1%	13.7%	3.2%
1979	10.4%	20.8%	4.2%
1989	11.9%	26.5%	4.2%
1999	10.3%	23.0%	6.6%
2008 Estimated*	12.1%	26.7%	7.0%

(Housing and Urban Development February 2008)

Figure 21: Poverty Rate

IV. Employment Data

In 2008, the Ohio Workforce Informer reports that Montgomery County's civilian labor force (individuals ages 16 to 64) was made up of approximately 269,600 residents after witnessing eight years of decline since 2000 when the workforce was reported at 279,600. The county's unemployment rate was 7.4 percent (20,100 Unemployed). Overall in 2008, the employment/unemployment rate(s) are relatively reflective of the civilian labor meaning that there is a proportional distribution of the rates compared to the civilian labor force of the jurisdictions.

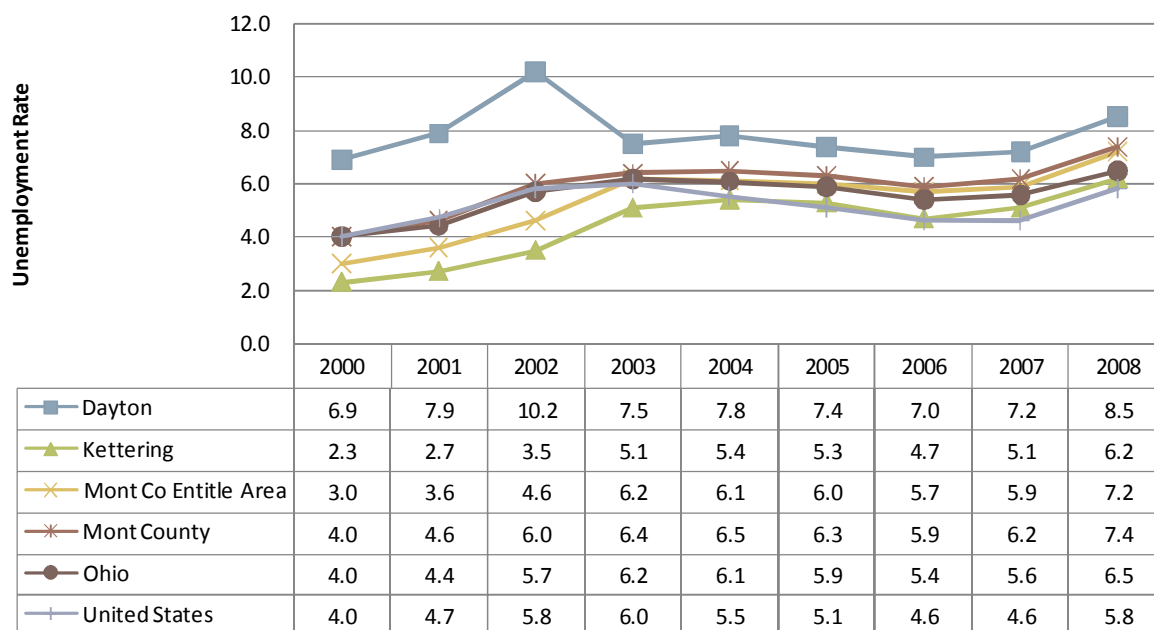
The City of Dayton's resident population accounted for 25.6% of the county's civilian labor force in 2008, but nearly 29.0% of the unemployed population of the county resided in the City of Dayton (5,800 of the 20,100 unemployed). However, this is a substantial improvement for the City of Dayton since 2000 when the unemployed population was nearly half of the County's unemployed population (5,300 of the total 11,100 unemployed residents), but illustrates a very negative picture for the remainder of the County as a whole, which witnessed an incline in the unemployed population.

Over sixty-three percent of the eligible civilian labor force resided within the Montgomery County Entitlement Area and 62.7% the unemployed residents of the County resided in the Entitlement Area, illustrating that the unemployment rate of the Entitlement area is reflective of the labor force. However, the number of unemployed population has more than doubled since 2000.

The City of Kettering experienced the lowest unemployment rate of the entitlement areas, 6.0%, or 1,700 residents, in 2008. However, the City of Kettering saw a 212% increase in the number of unemployed persons since 2000 when the residents composing the unemployed population was 800 residents.

Figure 22 shows a comparison of unemployment rates between 2000 and 2008 for Dayton, Kettering, the Montgomery County Entitlement Area, the State of Ohio, and the United States. As can be seen in Figure 22 between 2000 and 2008, Kettering and the Montgomery County Entitlement Area witnessed an average annual increase of 0.5% in unemployment rates and unemployment in the county remained below both the national averages and the state average through 2004 (Ohio Bureau of Employment Services (OBES)).

Annual Average Unemployment Rate, 2000-2008



(State of Ohio, Department of Job and Family Services 2009)

Figure 22: Average Annual Unemployment, 2000-2008⁸

From 2000 to 2007, Montgomery County has seen the number of private establishments decrease by 562 businesses, from 12,953 employers to 12,391—a 4.3% decrease. The employed workforce of these businesses decreased by a total 12.5% over this same period from 268,259 to 234,735 employees. Total wages paid by these establishments increased 2.7% or \$248.7 million while the average annual wage increased 17.4 percent from \$34,330 to \$40,292.

In 2007, the service industries employed the most private sector workers in the county, totaling 162,847 (77.9% of the workforce), up from 94,675 workers or 31.7 % of the workforce in 2000. Health care services are the largest employing industry with 43,415 workers. The manufacturing sector was the third largest employer, employing 36,013 individuals. The retail/wholesale industry is also a large employer in Montgomery County, employing 26,407 workers or 12.6% of the workforce. The accommodations and food service sector employed 22,405 persons or 10.7 % of the county's workforce. The wholesale, information, and construction sector only employed about 4 percent of the county's workforce, each. In 2007, the average weekly earnings for individuals employed by all industries in the county were \$732.16 (see Figure 24). The Information industry paid the highest weekly wage at \$1,155. The manufacturing industry yielded the second highest average weekly wage at

⁸ Unemployment Rate - This is unemployment as a percentage of the civilian labor force. These estimates, prepared by the Ohio Dept. of Job & Family Services in cooperation with the Bureau of Labor Statistics, U.S. Department of Labor, are by place of residence, NOT seasonally adjusted. The employment and unemployment totals shown may not add to the labor force figure shown due to rounding. Concepts and Methodology offers a brief, non-technical explanation of terms and procedures used to develop local area employment and unemployment statistics.
<http://lmi.state.oh.us/laus/concepts.htm>

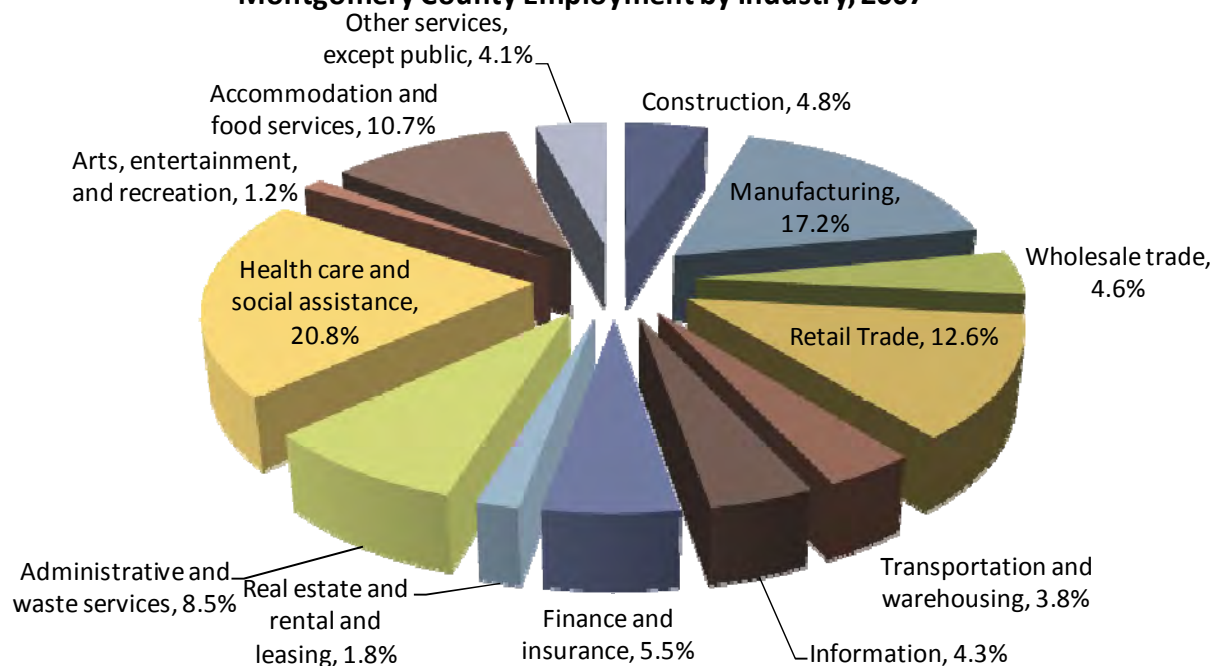
\$1,076, and the finance and insurance industry paid the third highest weekly wage at \$1,027. Individuals employed in the service industries: wholesale and retail trades; accommodations and food services; and arts, entertainment, and recreation had the lowest average weekly earnings, however, these industries typically employ a substantial number of workers and in this case, employ 113.7%.

Industry in Southwest Ohio, as whole, is not expected to experience significant growth through 2014. In fact, the Ohio Department of Job and Family Services projects job growth for all industries not to exceed 0.4% and service providing industries are only expected to increase 0.8%. The most notable changes expected through 2014 include a 1.3% decrease in the manufacturing industries, and the following industries are expected to see an increase in total annual average employment of 1% or more:

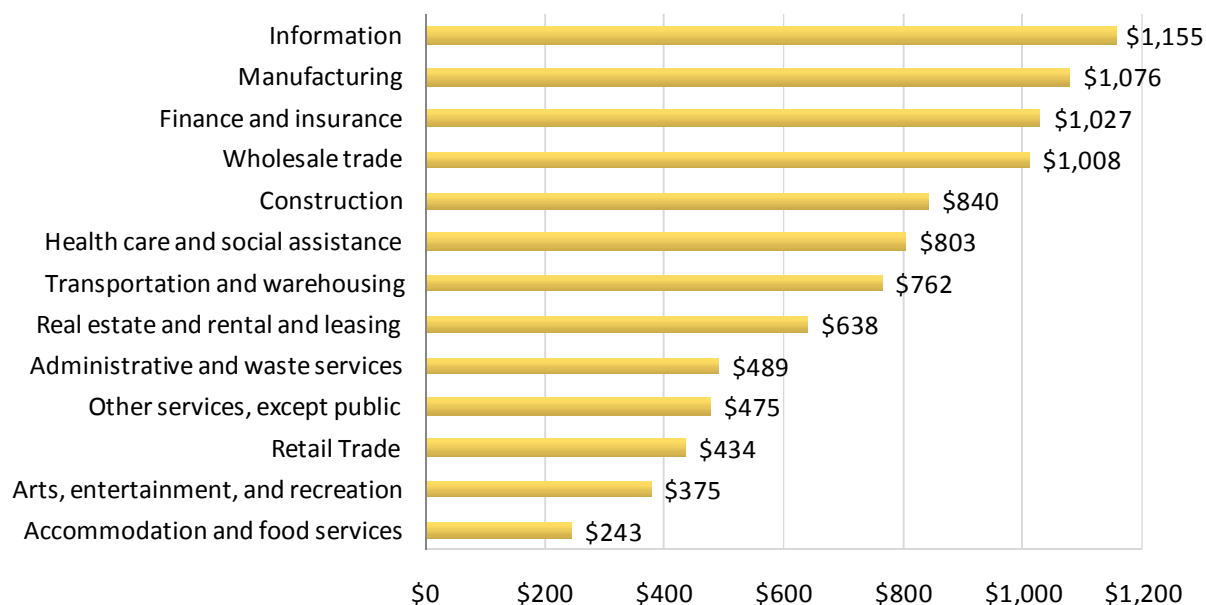
- Information, 1.0%
- Financial Services, 1.1%
- Finance and Insurance, 1.2%
- Arts, Entertainment, and Recreation, 1.6%
- Education and Health Services, 1.7%

The fastest growing occupations are dominated by the Health Care industry, of which two-thirds of the fastest growing occupations belong to this group. The remaining four occupations are all computer information occupations. See the following list for the fastest growing occupations:

- Home Health Aides, 4.1
- Medical Assistants, 3.7
- Physician Assistants, 3.6
- Network Systems and Data Communications Analysts, 3.3
- Dental Assistants; Hygienists, 2.8
- Diagnostic Medical Sonographers, 2.7
- Personal and Home Care Aides; Computer Software Engineers, Applications 2.6
- Network and Computer Systems Administrators; Mental Health and Substance Abuse Social Workers; and Computer Software Engineers, Systems Software, 2.5

Montgomery County Employment by Industry, 2007

Source: Ohio Bureau of Employment Services, 2007

Figure 23: Employment by Industry, 2000**Average Weekly Wage by Industry, 2007**

Source: Ohio Bureau of Employment Services, 2007

Figure 24: Average Weekly Earnings by Industrial Sector, 2000

According to the 2006-2008 American Community Survey, approximately 82% of the county's workforce was employed in Montgomery County and spent less than 20 minutes traveling to work. Of those residents, 235,254 traveled the area's highways and roadways to work and 198,618 traveled the area's roadways and highways alone and spent 15 to 20 minutes traveling to work, while the Montgomery County's 6,885 public transportation users spent 30 to 35 minutes traveling to work. Over half of Montgomery County's residents (51%) traveled between the peak hours of 5:30-8:00 a.m.

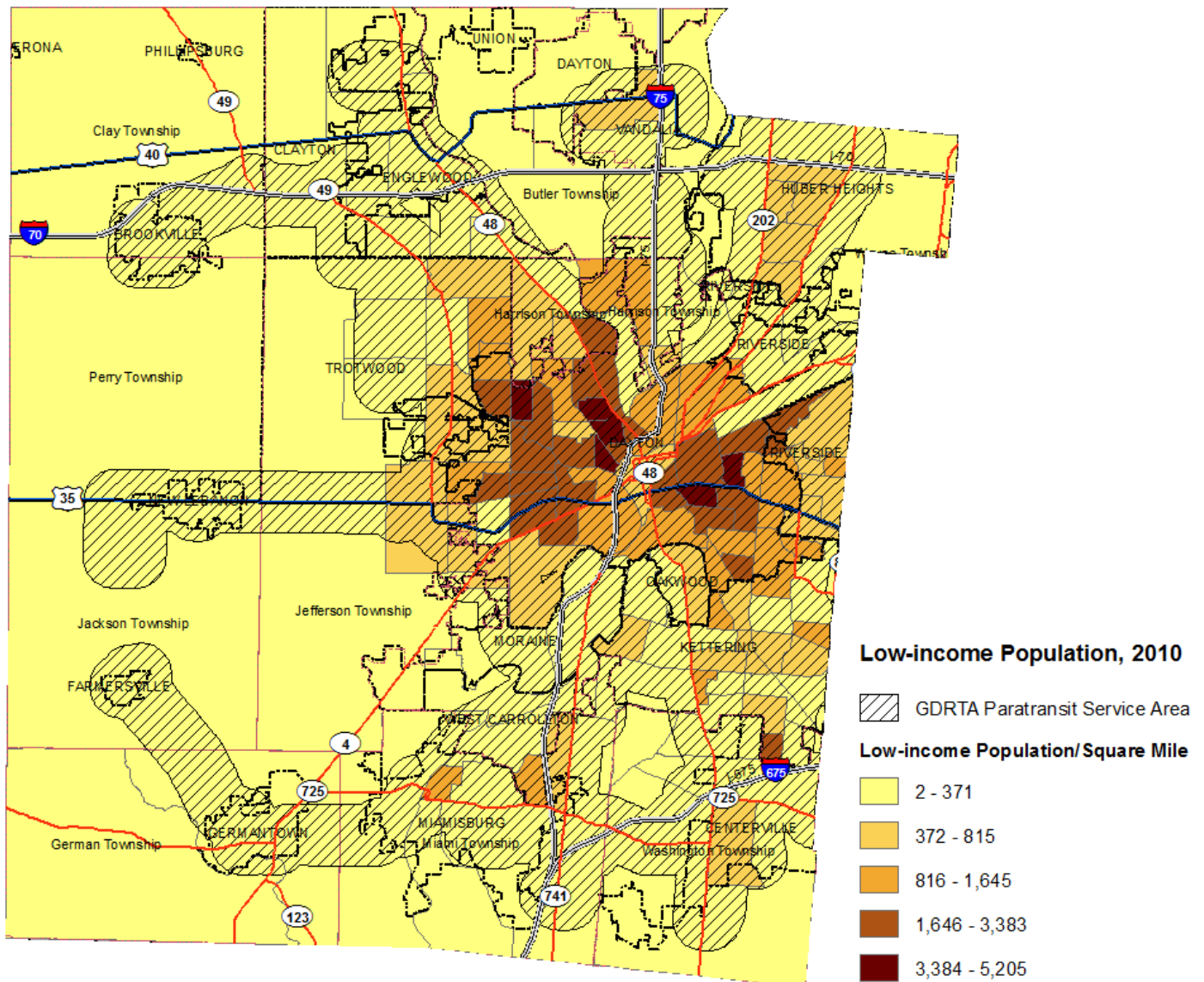
Nearly two-hundred fifty thousand residents (242,046) reported that they were employed. Of those employed, 80.0% of residents were employed inside Montgomery County and 18.9% work in other Ohio counties. The remainder, 2,484 residents, reported that they worked outside of the State of Ohio. One-quarter of Montgomery County's residents report that they both work and reside in the same jurisdiction. This is true for the City of Kettering residents as well, but nearly half of City of Dayton residents (48.7%) also work in that jurisdiction.

Public Transportation⁹

Regular fixed route public transit services are available in Montgomery County through the Greater Dayton Regional Transit Authority (GDRTA), with some routes offering over 100 trips per day into selected areas. Most of the population within the county has reasonable access to public transportation, and some routes give access to the low-income residents to transportation as late as 1:30 am making it possible for the individuals who work in the lowest paying occupations in the accommodations food service industry access to the employment. The public transportation service in Montgomery County aligns well with the existing health and human services infrastructure. In terms of aligning with employment opportunities, especially for the displaced manufacturing worker, the transportation system will be challenged to connect workers with opportunities in the far north and north east of the Miami Valley region as well as in the southwest of the Montgomery County Entitlement Area.

As the population ages through the year 2030, transportation services for seniors will need to expand to meet the needs of the growing senior population in all MVRPC counties. Regarding the population of persons with disabilities, projected growth patterns indicate that the population will continue to be densest within the paratransit service area of GDRTA's Project Mobility in Montgomery County, and will increase by 5.5% by 2030, requiring additional service. Since Project Mobility provides complementary paratransit services under the Americans with Disabilities Act, the program's service delivery area would not expand unless public transit services provided by GDRTA also expand. For the low-income population, Montgomery County's public transportation routes align with the densest populations.

⁹ Excerpt from the *Public Transit – Human Services Transportation Coordination Plan for Greene, Miami, Montgomery, and Portions of Northern Warren County, Ohio - Coordinated Transportation Action Plan*, February 29, 2008 prepared for the Miami Valley Regional Planning Commission by WESTAT in conjunction with Nelson\Nygaard Consulting Associates, Inc. Nelson Development, Ltd. Center for Urban and Public Affairs, Wright State University



(United States Department of Commerce, Census Bureau 2000, Greater Dayton Regional Transit Authority 2008)

Figure 25: Greater Dayton Regional Transit Authority Service Routes/Locations Compared to the Anticipated 2010 Total Population

V. Housing Profile

According to the American Community Survey (ACS) conducted by the United States Census, there were 254,707 housing units in the county in 2008. Eighty-eight (87.5%), or 222,928, of the units were occupied. Of these units, 34.7% were renter-occupied, 65.3% were owner-occupied units, and 31,779 were estimated to be vacant. Two-thirds of the County's residential units are at least 50 years of age. The ACS reports that 31.1% (up 10% from the 2000 Census) of the owner-occupied units with a mortgage and 16.1% without a mortgage were out of reach of the inhabitants who pay 30.0% or more of their income on housing costs and the situation is similar in both the City of Kettering and the Montgomery County Entitlement Area. However in the City of Dayton, 34.0% of homeowners with a mortgage pay 30% or more of their monthly income on housing payments. The rental situation in Montgomery County is much worse – one of every two renter-occupied households reported that they also paid 30.0% or more of their monthly income on rent. This is down 7.4% from the 2000 Census. Three of every five renters in the City of Dayton pay more than 30 percent of their income to secure housing. A smaller proportion of renters in the City of Kettering and the Montgomery County Entitlement Area paid more than 30 percent of their income to secure housing, but nearly half reported that rent was unaffordable, 45.9% and 45.2%, respectively.

Home owners and selected monthly owner costs as a percentage of household income in 2008	Montgomery County, OH		Dayton, OH		Kettering, OH		Montgomery County Entitlement Area	
	Count	%	Count	%	Count	%	Count	%
With a mortgage	102,095		21,280		10,920		69,895	
Less than 20.0 percent	39,245	38.4%	8,029	37.7%	3,875	35.5%	27,341	39.1%
20.0 to 24.9 percent	17,712	17.3%	3,279	15.4%	2,123	19.4%	12,310	17.6%
25.0 to 29.9 percent	13,340	13.1%	2,737	12.9%	1,705	15.6%	8,898	12.7%
30.0 to 34.9 percent	8,112	7.9%	1,522	7.2%	853	7.8%	5,737	8.2%
35.0 percent or more	23,686	23.2%	5,713	26.8%	2,364	21.6%	15,609	22.3%
Gross rent as a percentage of household income in 2008	Montgomery County, OH		Dayton, OH		Kettering, OH		Montgomery County Entitlement Area	
	Count	%	Count	%	Count	%	Count	%
Total renters	73,183		27,458		7,750		37,975	
Less than 15.0 percent	9,718	13.3%	2,424	8.8%	1,145	14.8%	6,149	16.2%
15.0 to 19.9 percent	9,522	13.0%	3,202	11.7%	941	12.1%	5,379	14.2%
20.0 to 24.9 percent	9,198	12.6%	2,657	9.7%	1,181	15.2%	5,360	14.1%
25.0 to 29.9 percent	7,995	10.9%	3,127	11.4%	927	12.0%	3,941	10.4%
30.0 to 34.9 percent	6,683	9.1%	2,094	7.6%	761	9.8%	3,828	10.1%
35.0 percent or more	30,067	41.1%	13,954	50.8%	2,795	36.1%	13,318	35.1%

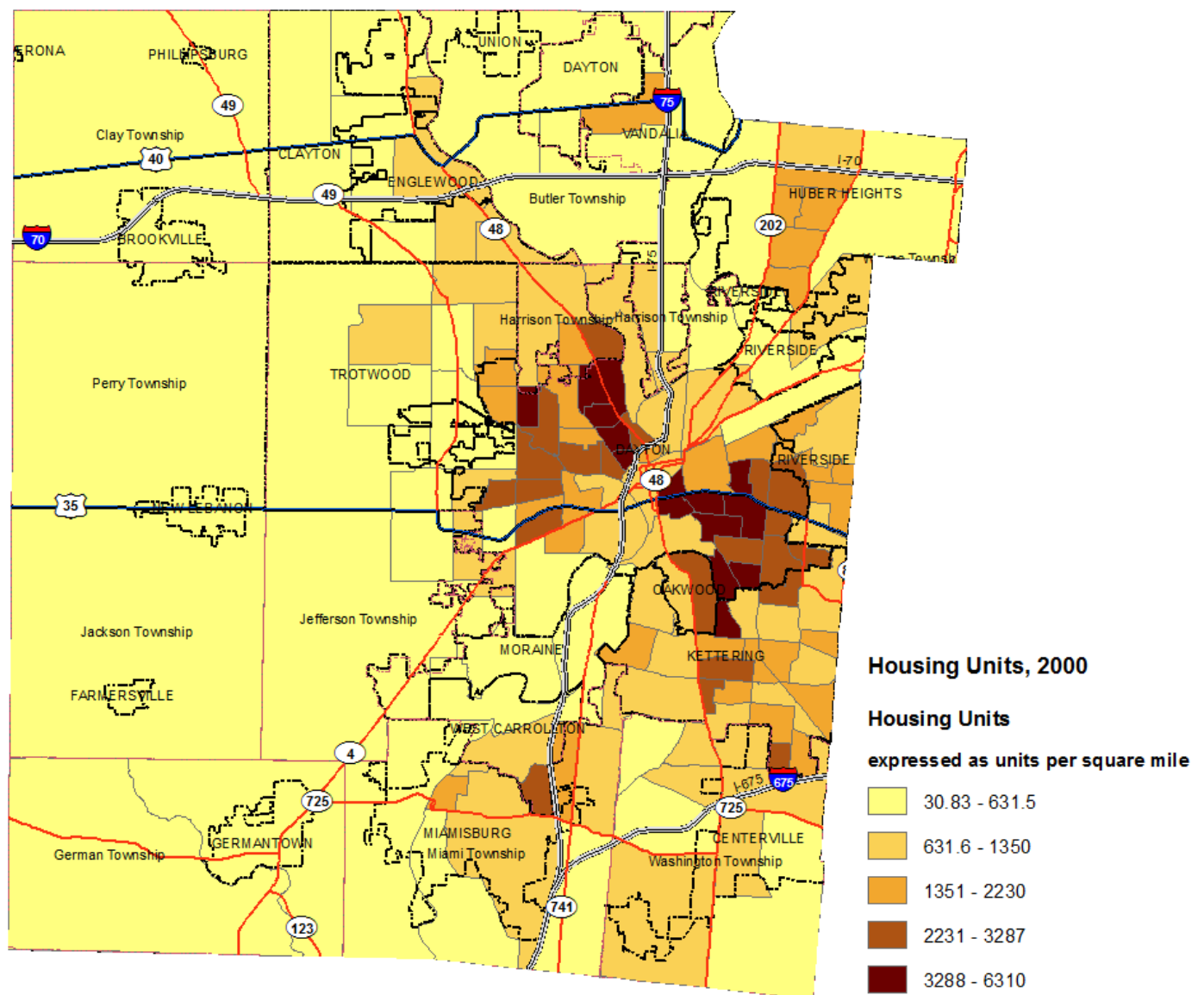
(United States Census Bureau 2006-2008 American Community Survey)

Figure 26: Selected Housing Costs as a Percentage of Household Income, 2008

According to the U.S. Census, there were 248,443 housing units in Montgomery in 2000. Montgomery County occupied housing stock was split nearly in half with 148,251 (59.7%) of the units reported as owner-occupied and 80,978 or (32.6%) of the units renter-occupied. The remaining units (19,214) in the City were vacant at the time of the 2000 Census. Housing units are densest in the oldest portions of the county in the City of Dayton neighborhoods, City of Kettering neighborhoods, and in Harrison Township, Riverside, Oakwood, west Carrollton, and Miamisburg in the Montgomery County Entitlement Area. For the purposes of geographic analysis, the remainder of the discussion will revolve around the data provided by the 2000 decennial Census survey.

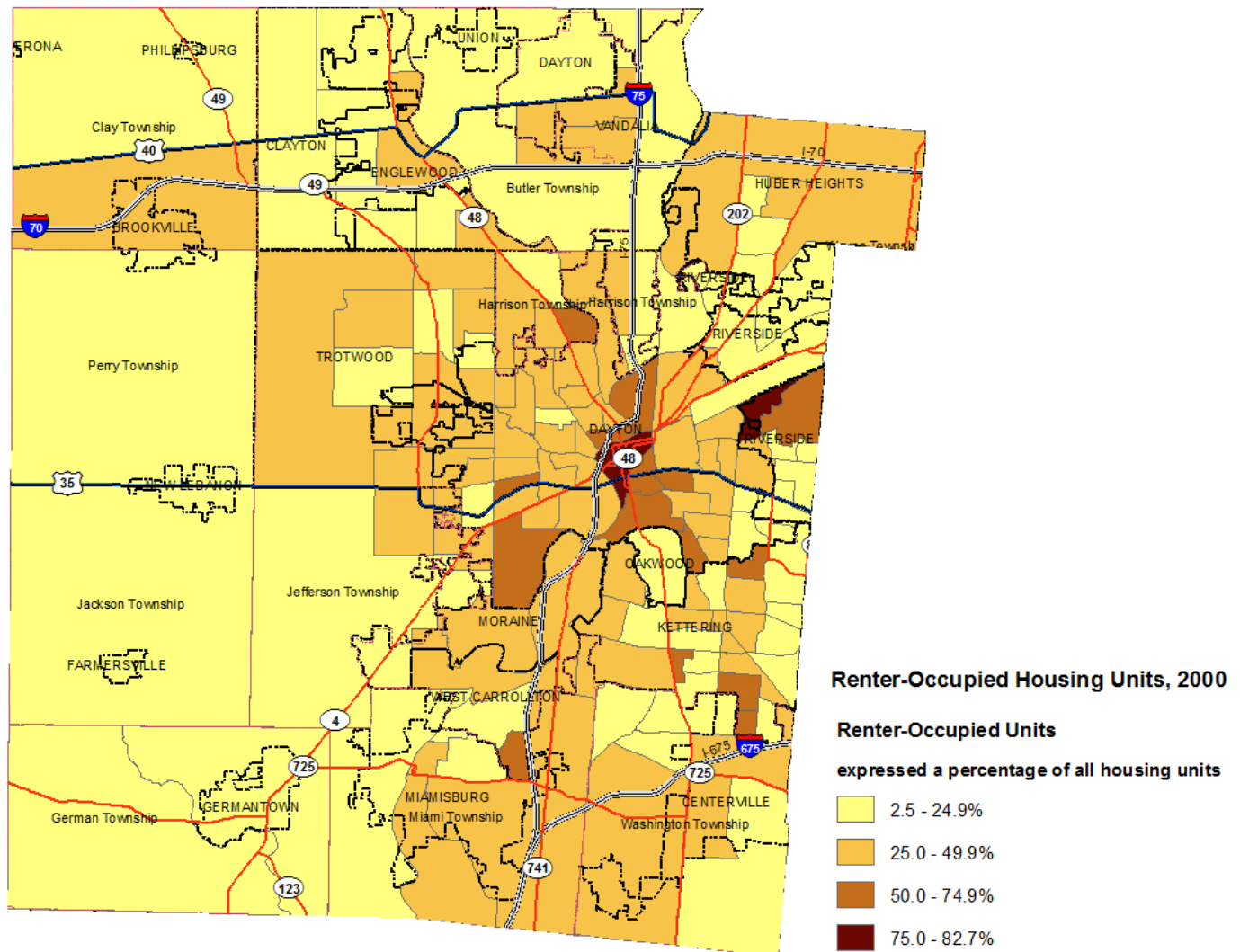
Renter Occupied Units

Areas in the county where renter-occupied housing was at least fifty percent of the area housing are concentrated in the central city of Dayton east of I-75, particularly along the Central Business District. The Montgomery County Entitlement Area, where renters make up more than 50% of the housing stock, includes areas of West Carrollton, Harrison Township, and Central Riverside. In the City of Kettering, areas include Census tracts on the western edge of the City along SR725 and in the south bordering Washington Township.



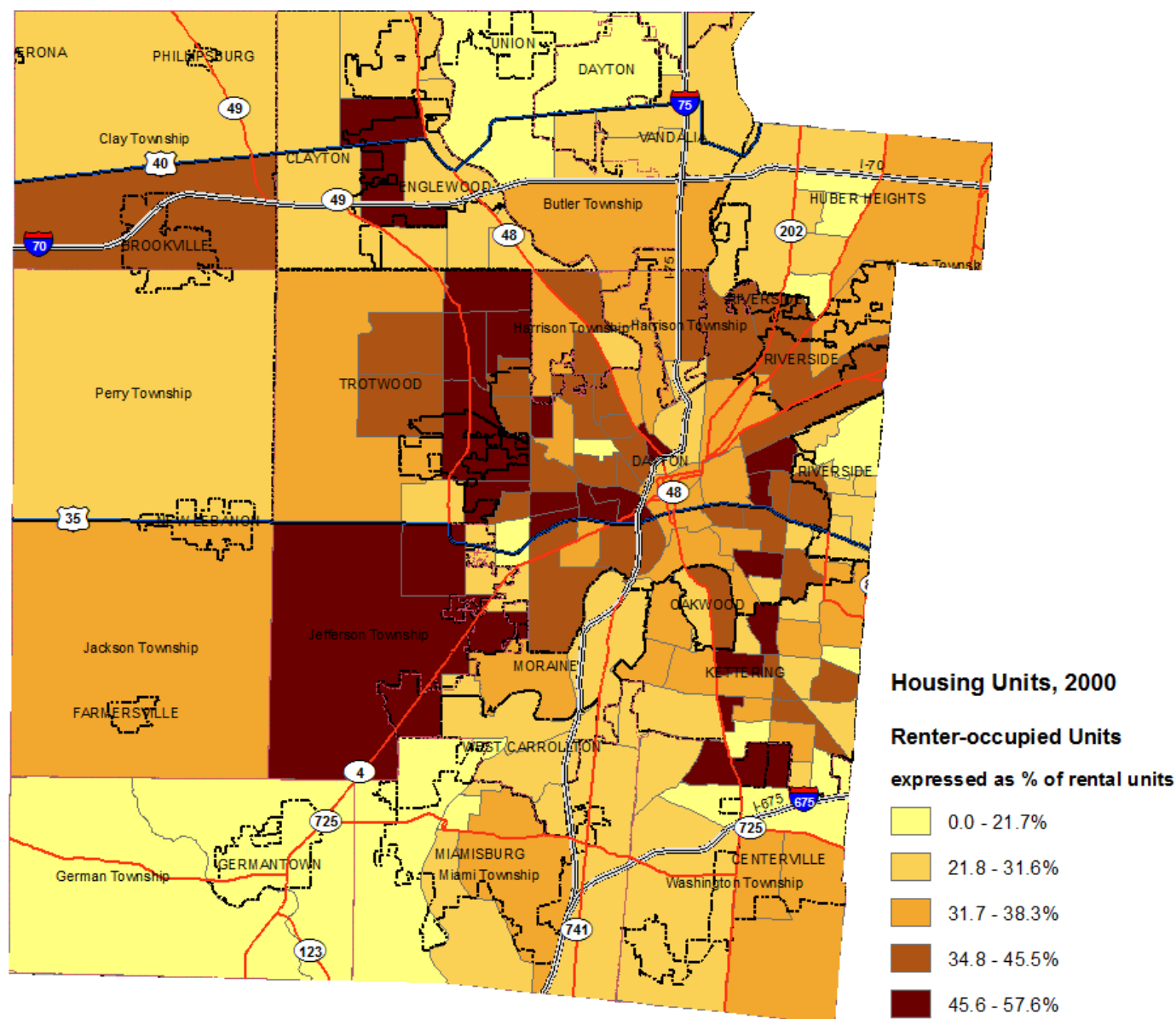
(United States Department of Commerce, Census Bureau 2000)

Figure 27: Renter Occupied Units - Density Expressed as Units per Square Mile, 2000



(United States Department of Commerce, Census Bureau 2000)

Figure 28: Percentage of Renter Occupied Units – Density Expressed as a Percentage of All Housing Units, 2000



(United States Department of Commerce, Census Bureau 2000)

Figure 29: Percentage of Renter Occupied Households Paying 30 Percent or More on Housing Costs, 1999

For renters, the percentage of income dedicated to rent is much greater than it is for homeowners. In 2000, over one-third of all renters in Montgomery County paid more than 30 percent of their income for rent, 10.8% greater than homeowners. The situation is similar for the City of Kettering or the Montgomery County Entitlement Area where one of every three households pays more than 30 percent for rent, 34.0% (2,917 households) and 31.3% (12,554 households). Two of every five households (12,889 households) in the City of Dayton pay more than 30 percent of their income for rent and over 50% of these households (6,728 households) pay 50 percent or more. Renters who pay 30 percent or more for monthly housing costs are more highly concentrated in the neighborhoods located in the City of Dayton, the City of Kettering, and in the Montgomery

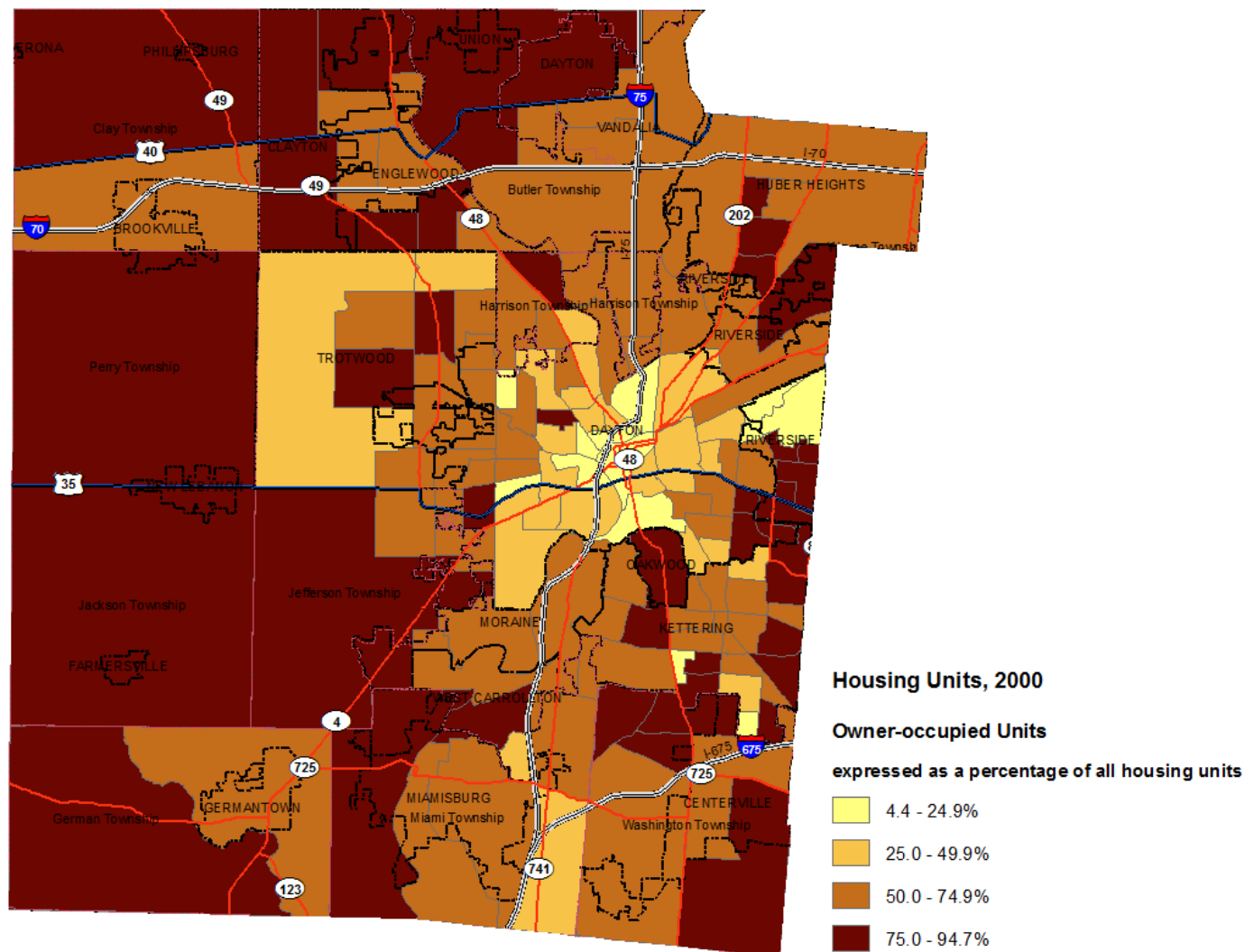
County Entitlement Area in the jurisdictions of Jefferson Township, Riverside, and Harrison Township, where the median income was below the County median income of \$40,156; and Englewood and Oakwood where the median incomes were higher. For a complete breakdown of renters and the percentage of their household income dedicated to rent, see the table below.

Gross rent as a percentage of household income in 1999	Montgomery County, OH		Dayton, OH		Kettering, OH		Montgomery County Entitlement Area	
	Count	%	Count	%	Count	%	Count	%
Total renters	80,634		31,913		8,584		40,137	
Less than 20 percent	28,622	35.5%	9,820	30.8%	3,348	39.0%	15,454	38.5%
20 to 24 percent	10,115	12.5%	3,639	11.4%	1,122	13.1%	5,354	13.3%
25 to 29 percent	8,143	10.1%	3,220	10.1%	897	10.4%	4,026	10.0%
30 to 49 percent	15,119	18.8%	6,161	19.3%	1,694	19.7%	7,264	18.1%
50 percent or more	13,241	16.4%	6,728	21.1%	1,223	14.2%	5,290	13.2%
Not Computed	5,394	6.7%	2,345	7.3%	300	3.5%	2,749	6.8%

(U.S. Census Bureau 2000, 1990)

Figure 30: Renters and selected monthly owner costs as a percentage of household income in 1999

As mentioned previously, approximately 64.7% of the units in Montgomery County were owner-occupied in 2000 and 84.1% of the owner-occupied units were twenty years old or older.



(United States Department of Commerce, Census Bureau 2000)

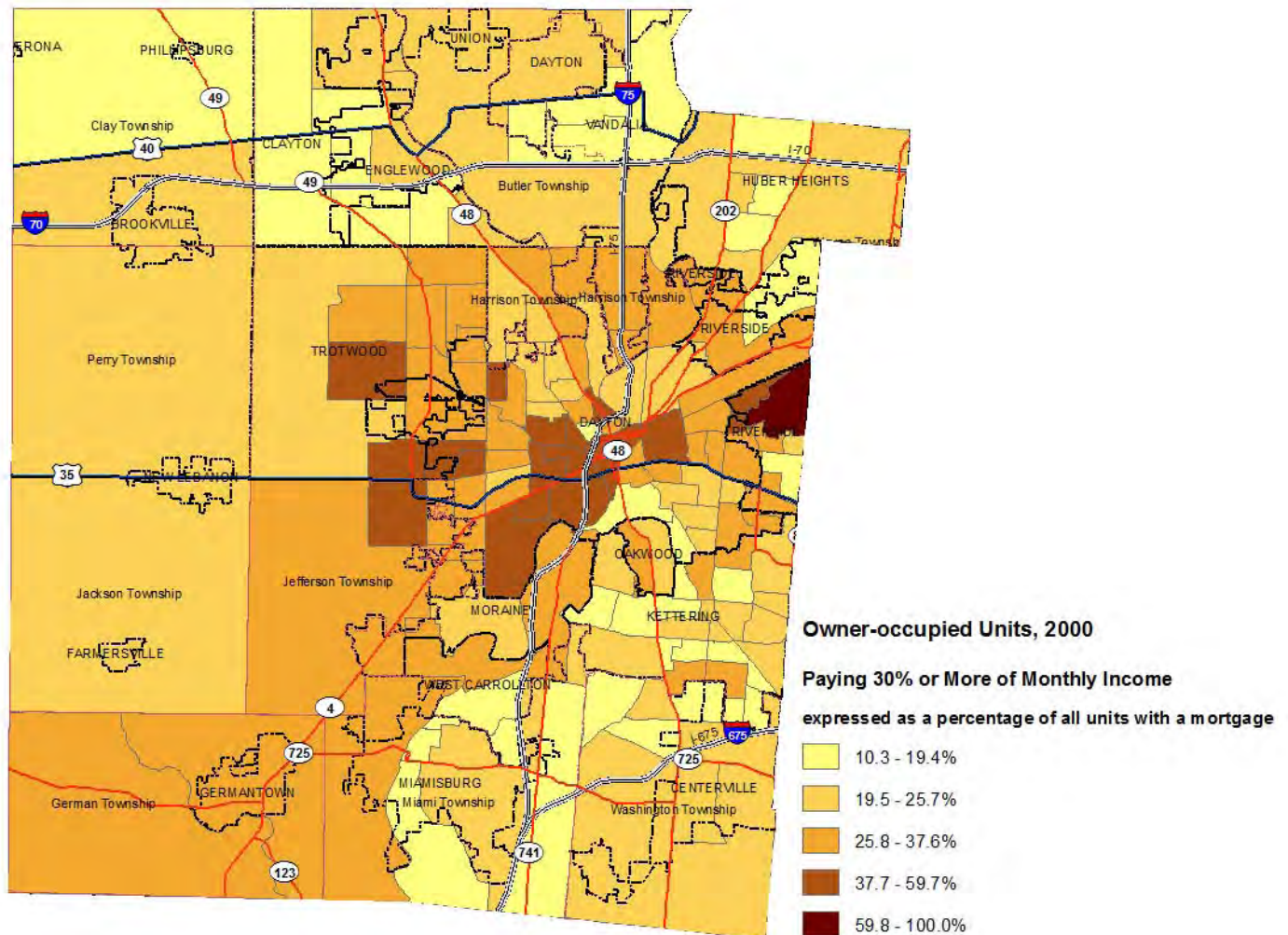
Figure 31: Owner Occupied Housing Units Density, 2000

In Montgomery County, 72.1% of owner-occupied units also have a mortgage. A commonly accepted standard for affordability is that a household's monthly housing costs should not exceed 30 percent of its monthly net household income and 24.4% of home owners pay more than thirty percent of their income in payments on their residence. Owner-occupied units with a mortgage paying 30 percent or more of their monthly income on housing expenses are more highly concentrated in the City of Dayton and Census Tracts located in Jefferson Township, Riverside, and Trotwood in the Montgomery County Entitlement Area, where the median income is lower than the County's median income of \$40,156.

Home owners and selected monthly owner costs as a percentage of household income in 1999	Montgomery County, OH		Dayton, OH		Kettering, OH		Montgomery County Entitlement Area	
	Count	%	Count	%	Count	%	Count	%
With a mortgage	98,124		23,374		10,959		63,791	
Less than 20 percent	45,767	46.6%	10,292	44.0%	5,390	49.2%	30,085	49.2%
20 to 24 percent	17,497	17.8%	3,528	15.1%	2,057	18.8%	11,912	18.8%
25 to 29 percent	10,525	10.7%	2,500	10.7%	1,243	11.3%	6,782	11.3%
30 to 49 percent	6,826	7.0%	1,573	6.7%	716	6.5%	4,537	6.5%
50 percent or more	17,028	17.4%	5,221	22.3%	1,548	14.1%	10,259	14.1%

(United States Department of Commerce, Census Bureau 2000)

Figure 32: Home Owners and Selected Monthly Owner Costs as a Percentage of Household Income, 1999



(United States Department of Commerce, Census Bureau 2000)

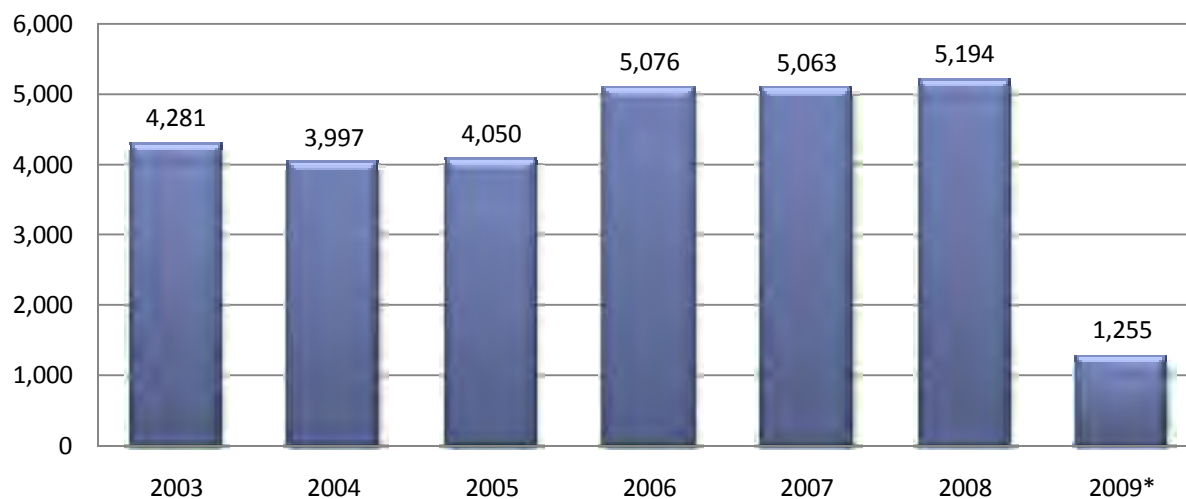
Figure 33: Homeowners and Selected Monthly Owner Costs as a Percentage of Household Income in 1999

Foreclosures

According to RealtyTrac, one of the nation's leading foreclosure marketplace analysts and service providers, 3,157,806 foreclosure documents were filed in 2008 — an 81% increase in foreclosure filings from 2007.¹⁰ In 2008, the overall national foreclosure rate was 18.4 per 1,000 households and eight states reported more than 20 foreclosure filings per 1,000 households.¹¹ Nevada, Arizona, California, and Florida had the nation's top foreclosure rates (72.9, 44.9, 39.7, and 45.2, respectively) and rounding out the top 10 were Idaho, Michigan, Illinois, Georgia, Oregon, and Ohio.¹² Ohio had the sixth highest foreclosure filing rate in the nation, 2.3% of homes or 22.5 houses per 1,000 households.¹³ At the local level, Montgomery County and the City of Dayton are among Ohio's top county and city foreclosures.

Since Jan 1, 2004, Montgomery County has witnessed 24,695 households file for mortgage foreclosure with the Civil Court, averaging 386 per month. Since 2004, Montgomery County has witnessed a steady incline in the number of mortgage foreclosure cases closed yearly — an average increase of 299 per year. Closer examination of monthly activity indicates that mortgage foreclosure case filings reached their peak activity in August of 2007, when 542 cases were filed, while yearly activity is still in the rise.

Common Pleas Court - Mortgage Foreclosure Case Filings, 2003-2009



* 2009 Year-to-date filings with the Montgomery County Civil Court (March 2009)

Figure 34: Montgomery Civil Court Mortgage Foreclosure Filings, 2003 – Feb 2009

¹⁰ www.realtytrac.com

¹¹ [www.cbsnews.com](http://www.cbsnews.com/stories/2009/03/12/national/main4861033.shtml), <http://www.cbsnews.com/stories/2009/03/12/national/main4861033.shtml>

¹² [www.cbsnews.com](http://www.cbsnews.com/stories/2009/03/12/national/main4861033.shtml), <http://www.cbsnews.com/stories/2009/03/12/national/main4861033.shtml>

¹³ www.huliq.com & [realtytrac.com](http://www.realtytrac.com)

In Ohio, mortgages must be foreclosed by court action and this process involves the following steps:

1. The lender must sue the borrower in the county where the property is located
2. The lender must ask the court to foreclose the mortgage, and
3. The court must order the sale of the property.

In Ohio, the sheriff handles foreclosure sales and assigns an officer to secure an independent appraisal for the fair value of the property and the property must be offered at a sale price of at least two-thirds of the appraised value. At anytime during this process, the debtor may make up the deficiencies by paying the amount of the judgment plus costs and interest up until the confirmation of the sale, but not afterward (Montgomery County Clerk of Courts 2009).

Foreclosure Starts over 18 Months

In June 2008, HUD calculated the approximate number of foreclosure starts and rates for all of 2007 and the first six months of 2008 for the Neighborhood Stabilization Program. The data for Montgomery County is presented here. Out of Ohio's 88 counties, Montgomery County ranked 5th highest in the number of foreclosures starts (8,382) during the 18-month period. However, when examining the rate of foreclosure starts, Montgomery County ranked 42nd out the 88 counties at 7.4%.

When examining the number of foreclosure starts in Montgomery County Census Tracts¹⁴ during this same period, HUD estimates more than 100 starts in 19 of the 145 Census Tracts accounting for 25% or 2,318 of the foreclosure starts in the County. However, when the data is expressed as a ratio of the number of mortgages in Montgomery Census tracts, the picture is very different. Foreclosure starts in Montgomery County are more highly concentrated in a small number of low-income neighborhoods primarily within the Dayton City limits, but particularly west of I-75. The highest rates of foreclosure are found in three contiguous suburban jurisdictions on the northwest edge of the City of Dayton, Jefferson Township, Trotwood, and Harrison Township. In addition to high foreclosure rates, these jurisdictions also share the highest volume of foreclosure filings.

Refer the figures below.

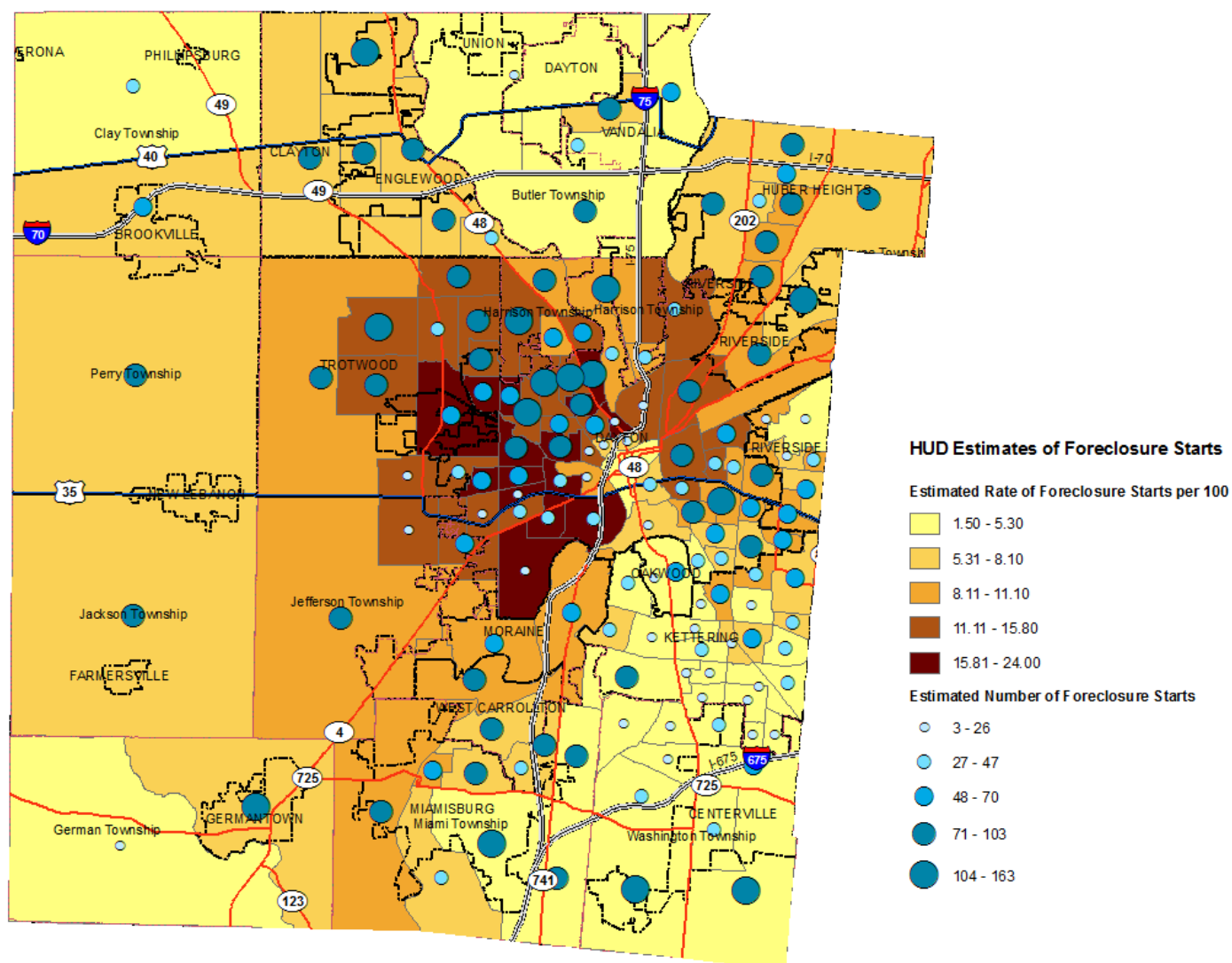
¹⁴ Total number of foreclosure starts for Montgomery County differs in the Census Tract level data provided by the U.S. Census. The Census reports 8,294 starts that could be classified to the Census Tract level, compared to the 8,382 expressed at the County level—a difference of 88.

HUD Estimates	
Census Tract	Number of Foreclosures
404.02	163
903.01	146
1250	142
1650	141
801	135
11	134
505.01	132
705	131
26	122
5	118
403.01	117
4	113
805	110
8.01	109
501.03	103
1251.01	101
903.02	101
1501	100
33	100

HUD Estimates	
Census Tract	Foreclosure Rate
40	24.0
37	22.3
38	20.4
7	19.8
39	18.7
703	18.0
3	17.9
43	17.9
41	17.6
12	17.4
11	17.3
35	17.0
2	16.9
44	16.8
8.02	16.7

(United States Department of Housing and Urban Development 2008)

Figure 35: Foreclosure Rate by Census Tract, 2007



(United States Department of Housing and Urban Development 2008)

Figure 36: Estimates Foreclosure Starts per 100 Mortgages, 2008

Sheriff's sale data was provided for the period from January 1, 2007 through October 30, 2008. In all, 9,299 cases passed through the Sheriff's office for sale during this period and 4,078 homes were sold at the Sheriff's Sale resulting from foreclosure. The median sale amount was \$42,500 and Sheriff's sales ranged from a low of \$3,000 to a high of \$7 million, which totaled \$236.5 million. Over three thousand of the cases were cancelled, while 1,840 remained open.

Of the residential units sold at Sheriff's sales, 69.1% sold at or below 50% of the U.S. Census 2007 estimated Montgomery County median owner-occupied housing value of \$118,800. An additional 24.7% of the homes sold between 50% and 100% of the median value. These statistics suggest that there exists a strong trend in price which may also correlate with income, but further analysis needs to be conducted to establish these relationships.

Housing Needs

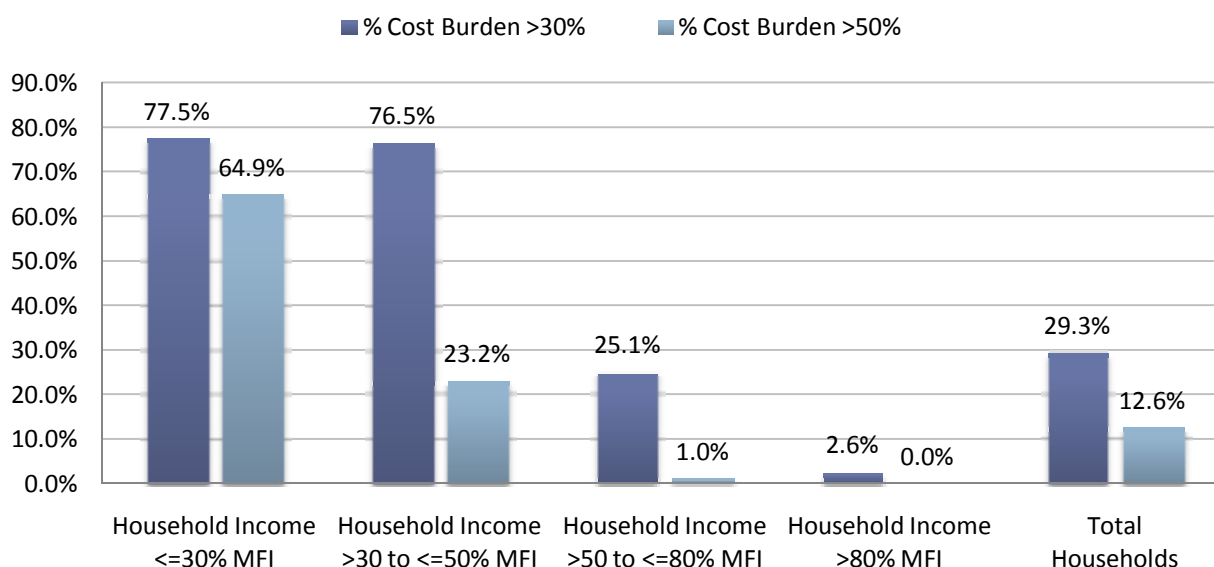
The State of the Cities Data Systems (SOCDS) data on housing problems provided by HUD Policy Development and Research Information Service reports that there were 136,188 occupied housing units — 94,941 homeowners and 40,247 renters in the Montgomery County Entitlement Area (MCEA).¹⁵ Of all occupied housing units, 22.9% of households reported a problem with their place of residence, where housing units may cost more than 30% of their income, overcrowding is an issue, or facilities are inadequate and do not have a complete kitchen or plumbing facilities. Of all renter-occupied units at the time of the 2000 Census, 31.9% of households reported housing problems. Similarly, 19.1% of homeowners also face these same problems.

In the City of Dayton, there were 67,385 occupied housing units and nearly one of every two households rented. The SOCDS reports that there were 35,513 homeowners and 31,872 renters in the City of Dayton. Of all occupied housing units, 33.0% of households reported a problem with their place of residence—7.1% more than the Montgomery County Entitlement Area. Of all renter-occupied units, 42.0% of households reported housing problems and 24.8% of homeowners also face one or more housing problems.

Examining housing problems in the City of Kettering reveals that there were 25,679 occupied housing units and, like the City of Dayton, nearly one of every three households rented. The SOCDS reports that there were 17,079 homeowners and 8,600 renters in the City of Kettering. Of all occupied housing units, 21.7% of households reported a problem with their place of residence—slightly lower than the Montgomery County Entitlement Area. Of all renter-occupied units, one in three households reported housing problems and 15.6% of homeowners also face one or more housing problems.

Nearly 13,000 (12,838) renters in the Montgomery County Entitlement Area reported housing problems in 2000. Approximately 30% (29.3%) reported that monthly rent was a cost burden, amounting to more than 30% of their income and one-in-eight renters reported that the cost burden was greater than 50% of their income. As illustrated in the graph below, as median family (MFI) income levels decrease, the percentage of households reporting that rent is a cost burden increases.

¹⁵ SOCDS CHAS estimates may differ from Census estimates of housing due to rounding when calculating the weighted estimates of housing characteristics.

Housing Cost Burden of Renter-Occupied Units, 2000

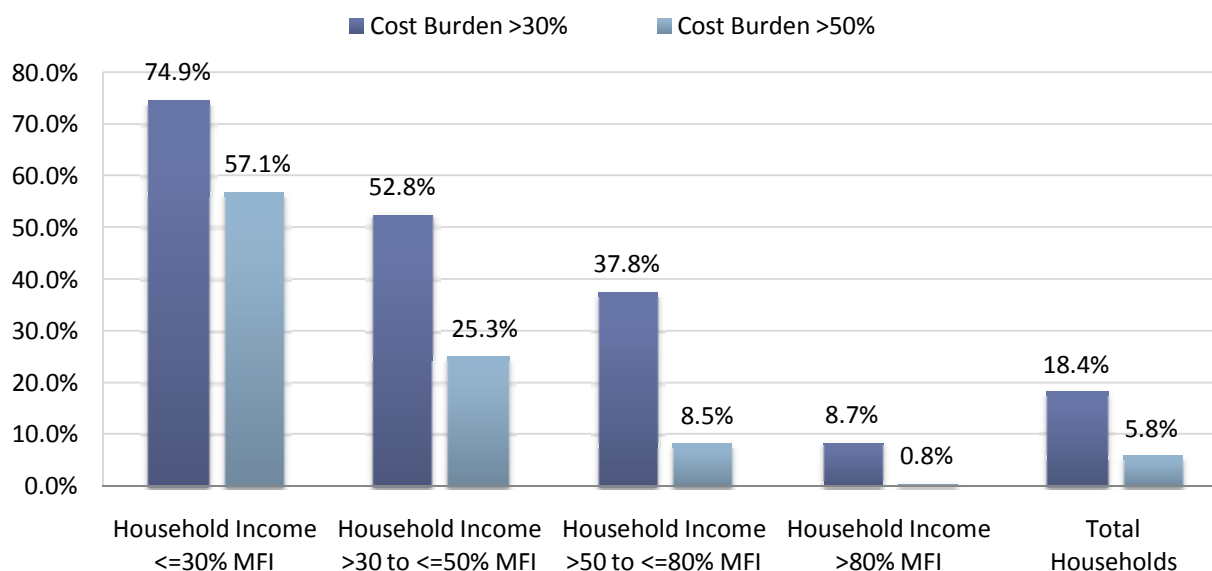
(U.S. Department of Housing and Urban Development n.d.)

Figure 37: Housing Cost Burden of Renter-Occupied Units, 2000

In the City of Dayton 42.0% or 13,386 renters reported housing problems. Approximately 40% (38.5%) reported that monthly rent was a cost burden, amounting to more than 30% of their income and one-in-five renters reported that the cost burden was greater than 50% of their income. As illustrated in the graph below, as median family (MFI) income levels decrease, the percentage of households reporting that rent is a cost burden increases.

In the City of Kettering, there were 8,600 renters in 2000. One of every three renters (32.1%) reported that monthly rent was a cost burden, amounting to more than 30% of their income and, like the Montgomery County Entitlement Area, one-in-eight renters reported that the cost burden was greater than 50% of their income. As illustrated in the graph below, as median family (MFI) income levels decrease, the percentage of households reporting that rent is a cost burden increases.

Housing Cost Burden of Owner Occupied Units, 2000



(U.S. Department of Housing and Urban Development n.d.)

Figure 38: Housing Cost Burden of Owner-Occupied Units, 2000

Housing Problems Experienced by the Protected Classes

At the 2000 Census, 2,456 MCEA renter households were large households (5+ persons) and 41.0% of large households reported housing problems. Nearly one-quarter (22.5%) of large households paid monthly rental payments in excess of 30% of their income and one-in-ten large households paid more than 50% of their income for rental housing.

Large homeowner households fared much better. Eight thousand of the owner-occupied units in the Montgomery County Entitlement Area were home to large households. One-in-four (23.6% or 1,888 households) large households reported that they have some sort of housing problem. Over eighteen percent (18.3%) reported that monthly owner expenses amounted to more than 30% of their income, while only one in twenty five households (4.2%) reported that they pay more than 50%.

In the City of Dayton, 2,654 renter households were large households (5+ persons) and 55.9% of large households reported housing problems. Over one-third (35.8%) of large households paid monthly rental payments in excess of 30% of their income and 17.1% of large households paid more than 50% of their income for rental housing.

Large homeowner households fared much better. Over 2,700 (2,746) owner-occupied units in the City of Dayton were home to large households. Thirty-one percent (30.8% or 846 households) of large households reported that they have some sort of housing problem. Twenty-three percent (22.9%) reported that monthly owner expenses amounted to more than 30% of their income, while 8.5% reported that they pay more than 50%.

In the City of Kettering, 306 renter households were large households (5+ persons) and 28.1% of large households reported housing problems. One of every six (17.6%) large households paid monthly rental payments in excess of 30% of their income and 17.6% of large households paid more than 50% of their income for rental housing.

Large homeowner households fared much better. Over twelve hundred (1,217) owner-occupied units in the City of Kettering were home to large households. Thirty-one percent (24.0% or 292 households) of large households reported that they have some sort of housing problem. Twenty-three percent (19.9%) reported that monthly owner expenses amounted to more than 30% of their income, while 2.4% reported that they pay more than 50% – 3% and 5.1% lower than the City of Dayton.

One-in-five Montgomery County Entitlement Area (MCEA) households reporting housing problems in 2000 were elderly (18.7%).¹⁶ One of every five (20.2%) owner-occupied units and one of every two (48.3%) renter-occupied households reported that monthly housing costs were more than 30% of their income. Approximately eight percent (7.9%) of elderly owner-occupied households paid more than fifty percent of their monthly income for housing expenses, while 21.0% of elderly renter-occupied units paid more than 50% of the income for rent.

Nearly 7,600 households reporting housing problems in 2000 were elderly (29.6% of all households in Kettering). Fourteen percent (14.3%) of owner-occupied units and 44.2% of renter-occupied households reported that monthly housing costs were more than 30% of their income. Six percent of elderly owner-occupied households paid more than fifty percent of their monthly income for housing expenses, while 20.7% of elderly renter-occupied units paid more than 50% of the income for rent.

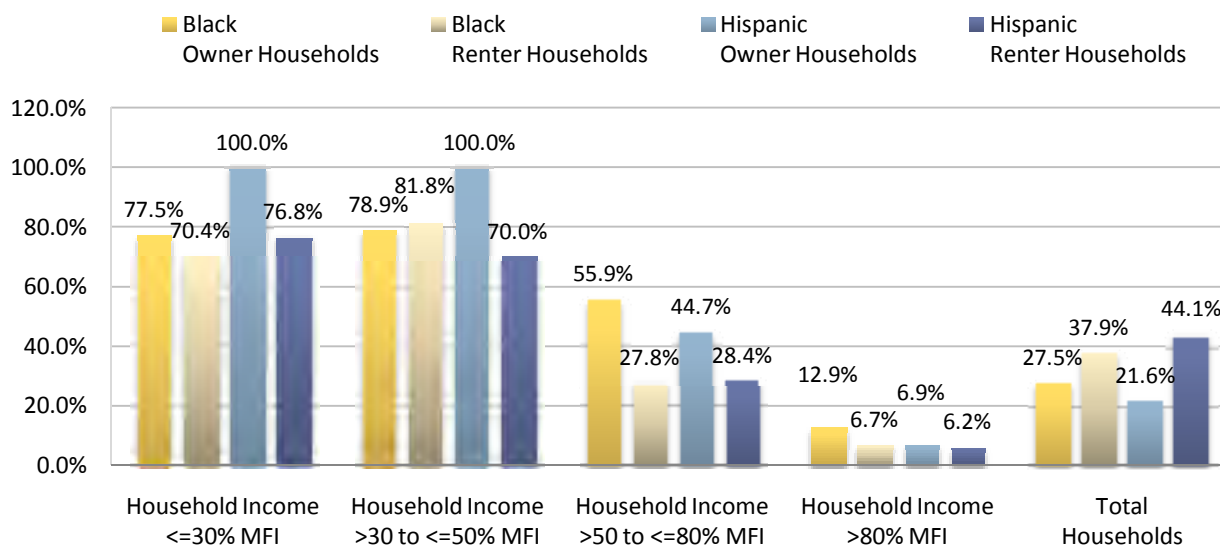
Over fifteen thousand (15,242) Dayton households reporting housing problems in 2000 were elderly (22.6%). Twenty-nine percent (29.4%) of owner-occupied units and 41.1% of renter-occupied households reported that monthly housing costs were more than 30% of their income. Approximately eight percent (13.5%) of elderly owner-occupied households paid more than fifty percent of their monthly income for housing expenses, while 20.1% of elderly renter-occupied units paid more than 50% of the income for rent.

Nearly one-third of black households (4,817) reported that they experienced at least one problem with their place of residence. The percentage of households experiencing some sort of problem either renting or owning a home increases as household median income decreases. However, there is a slight decrease in the percentage of households at the lowest income bracket ($\leq 30\%$ MFI). Nearly 80% of black owner-households (921) earning less than or equal to 50% of the median household income in 2000 reported one or more housing problems. This picture is similar for households who rent. Although the percentages are similar, the number of households affected is three times as great for renters equaling 2,807 households experiencing problems renting. For a complete illustration of black households, by income bracket, experiencing housing problems, refer to the chart below.

¹⁶ According to the SOCDS, elderly households are defined as 1- or 2-person households, where either person is 62 years old or older.

Of nearly 1,200 Hispanic households, 32.5% also reported that they experienced at least one problem with their place of residence. As with the black household population, the percentage of households experiencing some sort of problem either renting or owning a home increases as household median income decreases. For example, 6.9% of Hispanic owner-occupied households which earn 80% or more of the area median income reported housing problems while 44.7% of the households earning less than or equal to 80% of the Montgomery County Entitlement Area median income but greater than 50% experience housing problems. All Hispanic owner-households (522) earning less than or equal to 50% of the median household income in 2000 experienced housing problems. These trends are also similar for households who rent. Forty-four percent of all Hispanic households who rent experience housing problems and as the median household income decreases, the percentage of households having problems renting units also increases. For a complete breakdown by median income range, see the chart below.

Housing Cost Burden of Hispanic and Black Households by Household Type, 2000



(Housing and Urban Development February 2008)

Figure 39: Housing Cost Burden of Black and Hispanic Households, 2000

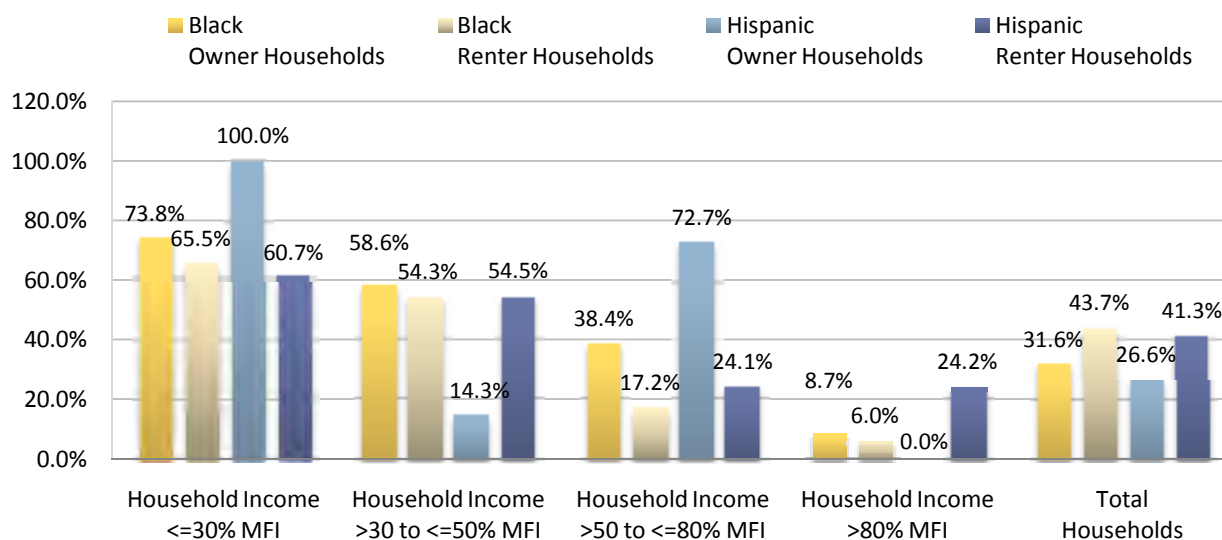
These trends are not unique to the protected races. One in five MCEA white households reported housing problems in 2000 and, as with the protected classes, as the median household income decreases, the inverse relationship is true and the percentage of households experiencing, housing problems also increases. Nine percent of home owners who earned greater the 80% of the median area income reported housing problems, which steadily increases as the income decreases and three of every four owner households earning less than or equal to 30% of the median household income have one or more housing problems.

In the City of Dayton, 38.2% of black households (10,800) reported that they experienced at least one problem with their place of residence. The same trend occurs in the City of Dayton as occurred in the MCEA — as the percentage of households experiencing some sort of problem either renting or owning a home increases as

household median income decreases. In regards to black owner-households, 28.4% or 2,435 households earned less than or equal to 50% of the median household income in 2000 and reported one or more housing problems. The trend is similar for households who rent. Although the number of renters is similar to the number of homeowners and the percentage of households increases as median income decreases, the number of households whose median income is equal to or less than 30% of the median area income is 3.5 times as great for renters, equaling 6,680 households.

Over one-third (36.5%) of Hispanic households in the City of Dayton reported that they experienced at least one problem with their place of residence. However, fewer households are affected. After all, there are 731 total Hispanic households compared to 28,270 black households in the City of Dayton. All Hispanic owner-households (19) earning less than or equal to 30% of the median household income in 2000 experienced housing problems. Forty-four percent (43.7%) of all Hispanic households who rent experience housing problems. As witnessed in the chart below, as the median household income decreases, the percentage of households having problems renting units also increases. For a complete breakdown by median income range, see the chart below.

Housing Cost Burden of Hispanic and Black Households by Household Type, 2000



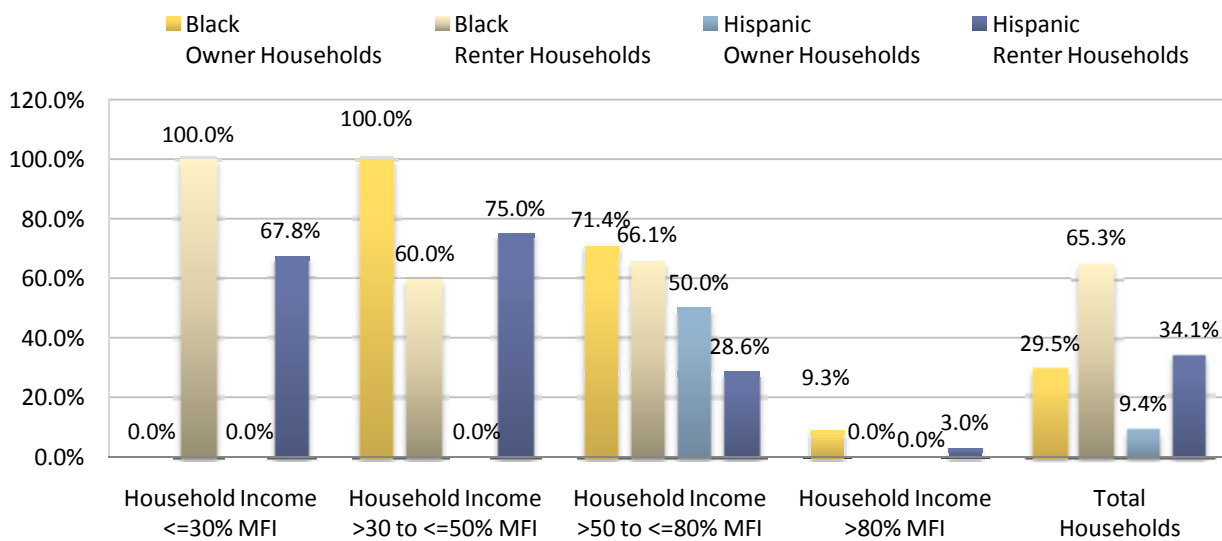
(Housing and Urban Development February 2008)

Figure 40: Housing Cost Burden of Black and Hispanic Households in the City of Dayton, 2000

In the City of Kettering, 387 households were black or African American. Over one-hundred (111) black of these households (28.7) reported that they experienced at least one problem with their place of residence. Eighty-five black households were homeowners and 9.4% reported housing problems, while the remaining 302 households were renters and 34.1% or 103 households, reported that they too experience at least one problem with their place of residence.

Less than 200 households (182) in the City of Kettering were reported to be Hispanic at the time of the Census according to the SOCDS and 53.3%, or 97 households reported that they experienced at least one problem with their place of residence. All Hispanic owner-households (4), earning less than or equal to 50% of the median household income in 2000, experienced housing problems. According to the SOCDS, these households were also elderly households. All renter households earning less than or equal to 30% of the median household income also reported a problem with their place of residence, where housing units may cost more than 30% of their income, overcrowding is an issue, or facilities are inadequate and do not have a complete kitchen or plumbing facilities. For a complete breakdown by median income range, see the chart below.

Housing Cost Burden of Hispanic and Black Households by Household Type, 2000



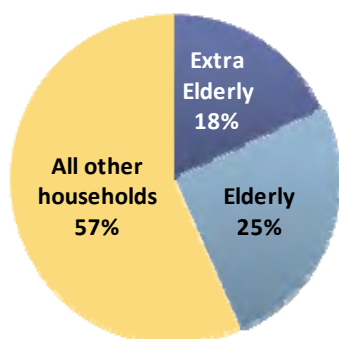
(Housing and Urban Development February 2008)

Figure 41: Housing Cost Burden of City of Kettering Black and Hispanic Households, 2000

Special Needs Households

In 2000, 22,516 households reported that at least one household member had either a self-care or mobility limitation. Nearly seventy-two percent (71.6%) of households were owner-occupied and 28.3% were renters. Fifty-four percent of the population reporting mobility or self-care limitations was under the age of 62, while 46% of the population was elderly. One-third (30.1%) of households reporting disabilities also reported that they suffered from at least one of the specified housing problems. Refer to the graph below for a breakdown of households by selected characteristics.

**Percentage of Households with Self-care
or Mobility Limitations
by Selected Characteristics, 2000**



(U.S. Department of Housing and Urban Development n.d.)

Figure 42: Percentage of Montgomery County Entitlement Area Households with Self-Care or Mobility Limitations by Selected Characteristics, 2000

As witnessed in the charts below, households with self-care or mobility limitations and that earn less than 50% of the median family income (MFI) also have the greatest problem meeting their housing needs. For example, 86.1% of disabled owner householders under 62 years of age earning less than 30% of the MFI have problems meeting their housing needs, compared to 42.8% of those households earning between 50% and 80% of the MFI that have problems meeting their housing needs. Notably, the rate of households experiencing housing problems also dramatically increases with the households 75 years of age and older. For a complete breakdown of householders with self-care or mobility limitations by income level and jurisdiction, refer to the tables below.

Age of Householder	Household Type	<=30% MFI	>30 to <=50% MFI	>50 to <=80% MFI	>80% MFI
Under 62 Year of Age	Renter-occupied	74.6%	63.6%	24.4%	9.2%
	Owner-occupied	86.1%	71.2%	42.8%	10.4%
62 -74 Years of Age	Renter-occupied	62.6%	61.3%	28.0%	1.4%
	Owner-occupied	84.8%	37.8%	29.9%	10.3%
75+ Years of Age	Renter-occupied	73.5%	76.3%	67.1%	31.0%
	Owner-occupied	56.7%	29.6%	15.5%	3.0%

(U.S. Department of Housing and Urban Development n.d.)

Figure 43: Percentage of Disabled Households by Income Level with Housing Problems, Montgomery County Entitlement Area – 2000

City of Dayton		Household Income in 2000			
Age of Householder	Household Type	<=30% MFI	>30 to <=50% MFI	>50 to <=80% MFI	>80% MFI
Under 62 Year of Age	Renter-occupied	71.9%	62.9%	18.6%	8.6%
	Owner-occupied	79.4%	61.4%	38.4%	8.1%
62 -74 Years of Age	Renter-occupied	53.1%	38.7%	20.7%	0.0%
	Owner-occupied	73.3%	60.3%	31.3%	8.8%
75+ Years of Age	Renter-occupied	52.4%	56.5%	33.3%	35.0%
	Owner-occupied	62.5%	41.1%	20.9%	0%

(U.S. Department of Housing and Urban Development n.d.)

Figure 44: Percentage of Disabled Households by Income Level with Housing Problems, Dayton – 2000

City of Kettering		Household Income in 2000			
Age of Householder	Household Type	<=30% MFI	>30 to <=50% MFI	>50 to <=80% MFI	>80% MFI
Under 62 Year of Age	Renter-occupied	83.3%	73.1%	57.9%	13.9%
	Owner-occupied	65.5%	66.7%	45.7%	7.0%
62 -74 Years of Age	Renter-occupied	90.9%	78.9%	0.0%	0.0%
	Owner-occupied	87.9%	28.6%	26.3%	4.5%
75+ Years of Age	Renter-occupied	45.0%	63.6%	52.4%	36.0%
	Owner-occupied	66.7%	42.0%	6.8%	6.6%

(U.S. Department of Housing and Urban Development n.d.)

Figure 45: Percentage of Disabled Households by Income Level with Housing Problems, Kettering - 2000

Homelessness

The 2008 Ohio Homelessness Report defines homeless as:

A person sleeping in a place not meant for human habitation or living in a shelter for homeless persons including an emergency shelter, transitional housing, domestic violence shelter, residential program runaway/homeless youth, or any hotel/motel voucher arrangement paid for by a public/private agency because the person is homeless.¹⁷

- An individual who is homeless is considered “unsheltered” if they live in one of the places not meant for human habitation described above.
- An individual who is homeless is considered “sheltered” if they reside in one of the shelters, programs, or voucher arrangements mentioned above.

In 2008, there were 12,821 individuals identified as homeless in Ohio. Of those identified as homeless in Ohio, 884 were homeless in Montgomery County and of those individuals, 854 were sheltered. From 2006 to 2008, the Homeless Management Information System identified 38,955 homeless individuals in Montgomery County.

¹⁷ 2008 Ohio Homelessness Report, A Snapshot of Ohio's Homeless Numbers During a 24-hour period in 2008(page 10)

Between 2006 and 2007, 5,466 individuals were either on a waiting list or had received services, but not in housing or shelter programs.

Chronic Homelessness

The United States Department of Housing and Urban Development (HUD) defines chronically homeless single adults as individuals with a disability (typically a serious mental illness and/or alcohol or drug addiction) who have been living on the street or in an emergency shelter for a year or longer or who have had at least 4 episodes of homelessness in the past three years.

Chronic homelessness has declined the second straight year due to the opening of several new housing programs but, at the same time, overall homelessness among families and adults increased in 2008. According to Homeless Solutions, the major concern is that homelessness is increasing because of the deteriorating economy.

In 2008, chronically homeless individuals made up 19% (2,431 homeless persons) of Ohio's total homeless population. Research shows that chronically homeless individuals use 50 percent of available homeless services and each use about \$40,000 in services¹⁸. By some estimates, only 6 percent of homeless single adults meet this definition locally.

The establishment of Dayton and Montgomery County's *Community 10-Year Plan for Ending Chronic Homelessness and Reducing Overall Homelessness* in 2004 changed the focus of HUD's definition of chronically homeless to address the needs of homeless youth, families with children, and singles without disabilities.¹⁹

There were 120 chronically homeless individuals identified in Montgomery County in 2007. The number decreased to 72 chronically homeless individuals in 2008. This more than 50 percent decrease of chronically homeless individuals in Montgomery County is in part due to an increase in permanent supportive housing units and increased assessment and targeting by shelter case managers.

Family Homelessness

In 2008, 364 of 884 homeless individuals in Montgomery County were considered part of a family. This compares to the state of Ohio, which identifies 4,252 people who are both part of a family and homeless. From 2006 to 2008, 90% of homeless families in Montgomery County had female-headed of households. Over 60 percent of homeless family member head of households were African American, and about 70 percent were between the ages of 25 to 50 years old. The number of disabled individuals who were homeless and also the head of a household, increased by 6 percent from 2007 to 2008. Over 60 percent of homeless families in Montgomery County consisted of two to three people from 2006 to 2008. Over 41 percent of homeless families had children from 1 to 5 years of age and over 36 percent had children 6 to 12 years of age.

¹⁸ 2008 Ohio Homelessness Report, A Snapshot of Ohio's Homeless Numbers During a 24-hour period in 2008 (page 6)

¹⁹ Executive Summary, A Blueprint for Ending Chronic Homelessness and Reducing Overall Homelessness in Dayton and Montgomery County Ohio (page 2)

There has been a 6 percent decrease in the number of families occupying permanent supportive housing units from 2006 to 2008, which supports the 8 percent decrease in the number of people in homeless families receiving permanent supportive housing. From 2006 to 2008, there was a 30 percent increase in the number of families in Montgomery County using outreach, shelter, and transitional housing services, explaining the over 30 percent increase in the number of people in families that are homeless and using outreach, shelter, and transitional housing services.

Single Adults

From 2006 to 2008, the Montgomery County demographic characteristics for single adults using outreach, shelter, and transitional housing services consisted of over 70 percent men, over 60 percent between the ages of 25-50, more than 40 percent have a high school diploma or GED, an equal distribution between African Americans and Caucasians, and a 30 percent increase in disabled homeless individuals. There has been a 36 percent increase regarding single homeless adults in permanent supportive housing and a 45 percent increase in outreach, shelter, and transitional housing services.

Nights Sheltered at St. Vincent Hotel (May or may not be consecutive nights) ²⁰	2006 St. Vincent Clients (single adults)	2008 St. Vincent Clients (single adults)	Change From 06-08
7 nights or less	46%	37%	-9%
Between 7 & 30 nights	31%	28%	-3%
30-60 nights	17%	23%	6%

Montgomery County 2005	Emergency Shelter	Transitional Housing
Persons in Individual Households	242	138
Persons in Family Households with Children	89	54
Total Homeless Persons in Households	331	192

(Housing and Urban Development 2005)

Montgomery County 2005	Total Beds
Emergency Shelter	430
Transitional Housing	256
Permanent Supportive Housing	533
Total Beds	1,219

(Housing and Urban Development 2005)

Figure 46: Outreach, Shelter, and Traditional Housing Services

²⁰ Homeless Solutions, 2008

Unaccompanied Youth

There was an 18 percent decrease of unaccompanied youth in outreach, shelter, and transitional housing from 2006 to 2008. During the year 2008 in Ohio, 2 percent of the state's total homeless population was unaccompanied youth²¹.

Veterans

Veterans or persons who have served in the Armed Forces make up one third of the United States homeless population. In Ohio in 2008, 7% of the total homeless population consisted of veterans²². From 2006 to 2008, roughly 15% of Veterans in Montgomery County were homeless.

New Programs

The Kettering Commons is a permanent supportive housing program for homeless families, with a disabled head of household, which opened in the fall of 2008. St. Vincent de Paul owns and operates the 14-unit building, and The Other Place provides case management. The Kettering School system has been a partner to the Kettering Commons families in order to aid the purchase of school supplies, reduction of prices on band instruments, and purchase of food for the weekend.

Daybreak, for runaway and homeless youth, opened Opportunity House in August 2008. The three story rehabilitated building on South Patterson Boulevard houses a 16-bed emergency shelter for youth, aged 10-18, as well as showers and laundry facilities for homeless youth not staying at the shelter. The building also has 24 furnished efficiency apartments for youth, aged 18-21, to use as transitional housing while they prepare for independently living. (Montgomery County Office of Family & Children First 2008)

River Commons provides supportive housing for homeless single adults and is in its second year of operation. The partnership between the Dayton Metropolitan Housing Authority and The Other Place has provided secure and stable environments for more than 60 homeless people.²³

The Other Place was awarded a Rapid Re-housing grant through the Continuum of Care process. Thirty-six homeless families per year will receive financial assistance and case management support to exit homelessness and enter permanent housing.²⁴

In September of 2008, Miami Valley Opportunities opened. The permanent supportive housing is for homeless, disabled, single adults, including the chronically homeless, with preference for women and veterans.

²¹ 2008 Ohio Homelessness Report, A Snapshot of Ohio's Homeless Numbers During a 24-hour period in 2008 (page 7)

²² 2008 Ohio Homelessness Report, A Snapshot of Ohio's Homeless Numbers During a 24-hour period in 2008 (page 8)

²³ Homeless Solutions, 2008

²⁴ Homeless Solutions, 2008

2006-2008 Supportive Housing Progress			
Target Population	10-year Goal	Units Added or in Development ²⁵	Remaining Goal
Young Adults (18-24)	115	20	95
Single Adults (25+)	460	264	196
Families	175	18	157
Total	750	302	448

(Montgomery County Office of Family & Children First 2008)

Figure 47: Supportive Housing Development Goals, 2006-2008

A men's gateway shelter is expected to open on Gettysburg Avenue in September of 2009. County Corp is the developer of the 24 hour facility that will have room for 178 men year-round and 60 additional men during extreme weather. The 24-hour facility at the St. Vincent Hotel has been expanded to better serve single women and families (Montgomery County Office of Family & Children First 2008).

Red Cross partnered with St Mary's Development Corporation to purchase, rehabilitate, and manage the new Family Living Center. The center has 37 one-to four-bedroom units and a large office and meeting room space.²⁶

In early 2007, YWCA Dayton was selected to participate in a Family Homelessness Prevention Pilot Program. The program targets families at imminent risk of literal homelessness through eviction from subsidized housing (Montgomery County Office of Family & Children First 2008). To date, 63 of the 67 families in the program have been able to successfully maintain their housing and avoid becoming homeless. A total of 120 families will be aided throughout the pilot initiative.²⁷

Strategy for Efficiency

The City of Dayton and Montgomery County are jointly planning a strategy for efficiently implementing the \$3.3 million in federal Homelessness Prevention Fund money.²⁸

St. Vincent de Paul established a new Community Furniture Bank. The goal was to provide a more effective and efficient way for organizations to meet the increasing demands for furniture for persons moving from emergency shelters into housing. The American Red Cross, Miami Valley Housing Opportunities, PLACES, and the Salvation Army are all program participants. Each organization pays an annual fee based on an estimated number of housing units to be furnished. St. Vincent de Paul handles pick-up, storage, and display for selection (Montgomery County Office of Family & Children First 2008).

²⁵ Totals revised from 2007 report to reflect new units added since the Homeless Solutions Plan was adopted.

²⁶ Homeless Solutions, 2008

²⁷ Homeless Solutions, 2008

²⁸ Homeless Solutions, 2008

Conclusion

The number of people who were on the street and served by an outreach program, or spent at least one night in shelter or other housing provided by homeless system agencies that enter information in the Homeless Management Information System, has increased by more than 1,600, or 29%, from 2006 to 2008. People living in permanent supportive housing increased 17% from 907 people in 2006 to 1,059 in 2008. People in shelters, transitional housing, and outreach programs increased 32% from 4,664 in 2006 to 6,149 in 2008. Increases are due to increased homelessness in the community, increased transitional and permanent supportive housing capacity, and expanded HMIS coverage (Montgomery County Office of Family & Children First 2008).

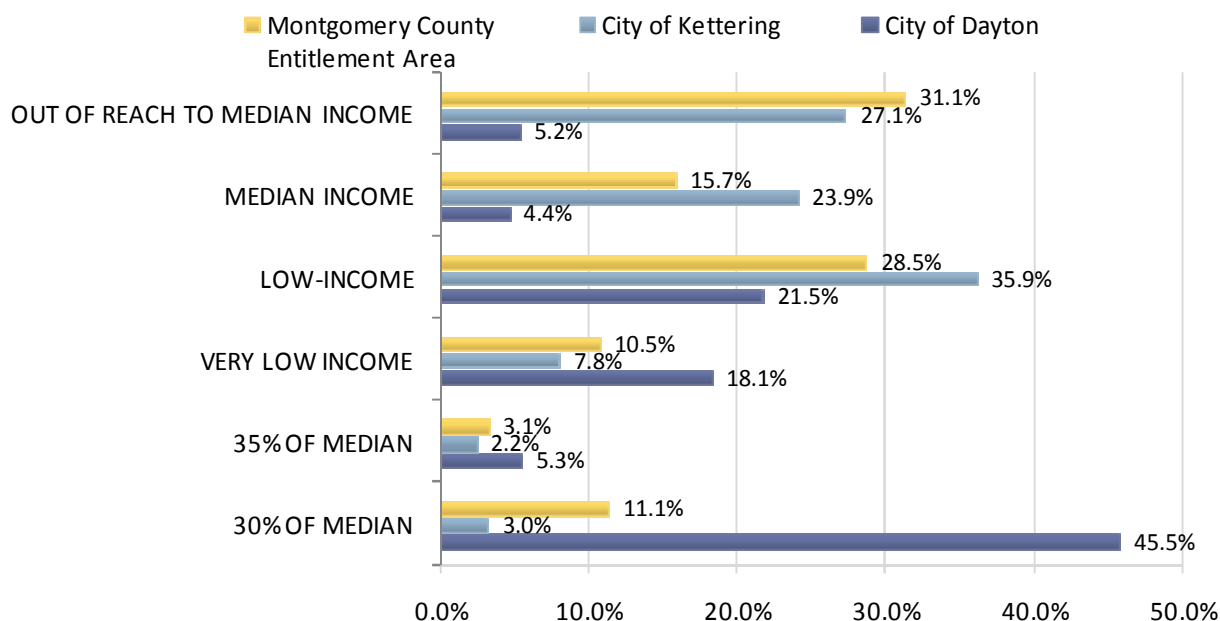
Housing Sales, Housing Construction, and Future Housing Affordability

Since the Analysis of Impediments to Fair Housing Choice conducted in 2004, over 45,000 residential units²⁹ have sold in Montgomery County. Data was collected for residential sales in Montgomery County to be analyzed and provide a look into the overall atmosphere of the market. Nearly thirty percent of these units sold in 2004 and the number of units sold in the county market have declined every year since. Just over 4500 were in the City of Kettering, 12,586 were in the City of Dayton, and 27,595 were in the Montgomery County Entitlement Area. One-third of the units were at least fifty years of old. Over three-quarters of the housing units were large enough to accommodate large families (3 or more bedrooms) and fifty percent had two or more bathrooms in the structure.

The majority of 31.1% of the foreclosed properties in the Montgomery County Entitlement Area were considered out of reach to the families earning the County's median family income. Similarly, 27.1% were out of reach in the City of Kettering to families earning the median family income in 2008. This picture is much different in the City of Dayton, where 45.5% of the units sold were affordable to families earning 30% or less of the family median income. For a complete breakdown of the percentage of properties within the income affordability limits, refer to Figure 48.

²⁹ A residential unit is defined as any unit which has sold for a dollar amount above \$0 in the sales records provided by the county and has at least one room.

Foreclosed Properties by Affordability of Income Limits, 2008



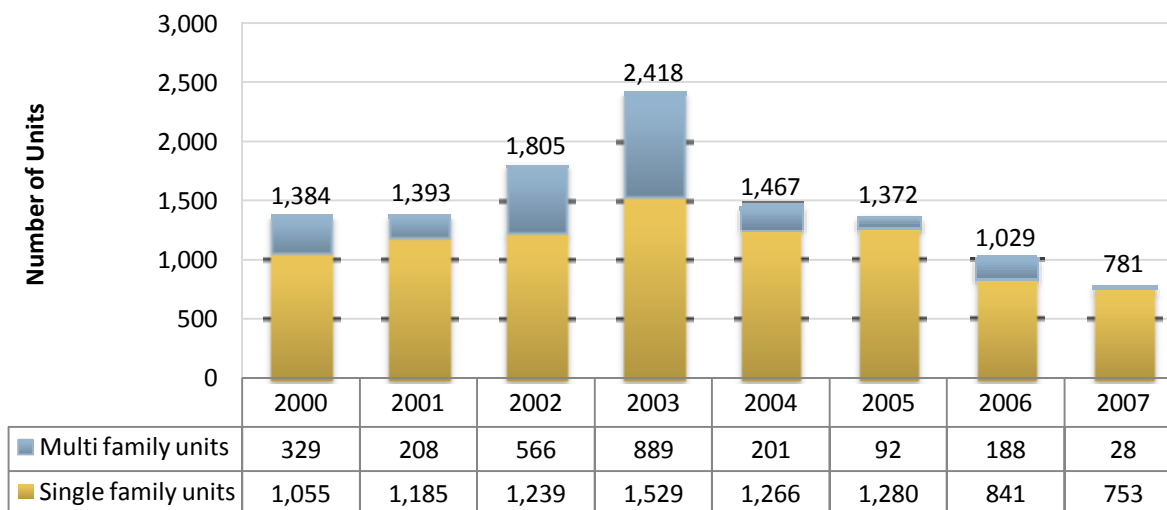
(Montgomery County Auditor's Office 2008)

Figure 48: Montgomery County Foreclosed Properties by Level of Affordability based on HUD Family Median Income Limits, 2008

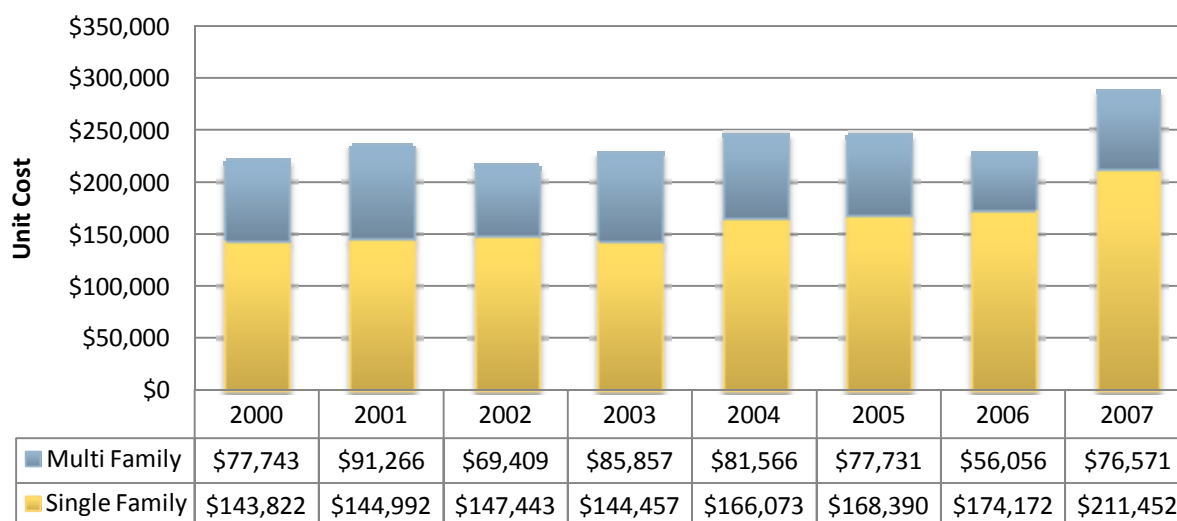
This residential housing assessment is based on permits issued for houses, apartment buildings, and condominiums for new construction and residential remodeling/additions since 2003. There were 7,067 total permits issued in Montgomery County to construct family residences.³⁰ Of these 7,067 permits, 5,669 permits were issued for single-family residences and 1,398 were issued for a new multi-family residential development.

In 2007, 753 permits were issued for new single-family residential construction—the fewest permits requested since 2000. This is a major change in the number of permits issued when viewing the trend in units for single-family structures from 2000-2007. New construction of residential units peaked in 2003 when the number of total permits reached 1,529 permits. Over this same period, unit cost steadily increased through 2007, when the newly constructed single-family unit was estimated (on average) to cost \$211,452, \$67,630 greater than the single-family unit cost in 2000.

³⁰ Ohio Labor Force Informer, 2009

New Construction Permits, 2000 to 2007

(Ohio Department of Job and Family Services - Ohio Workforce Informer 2008)

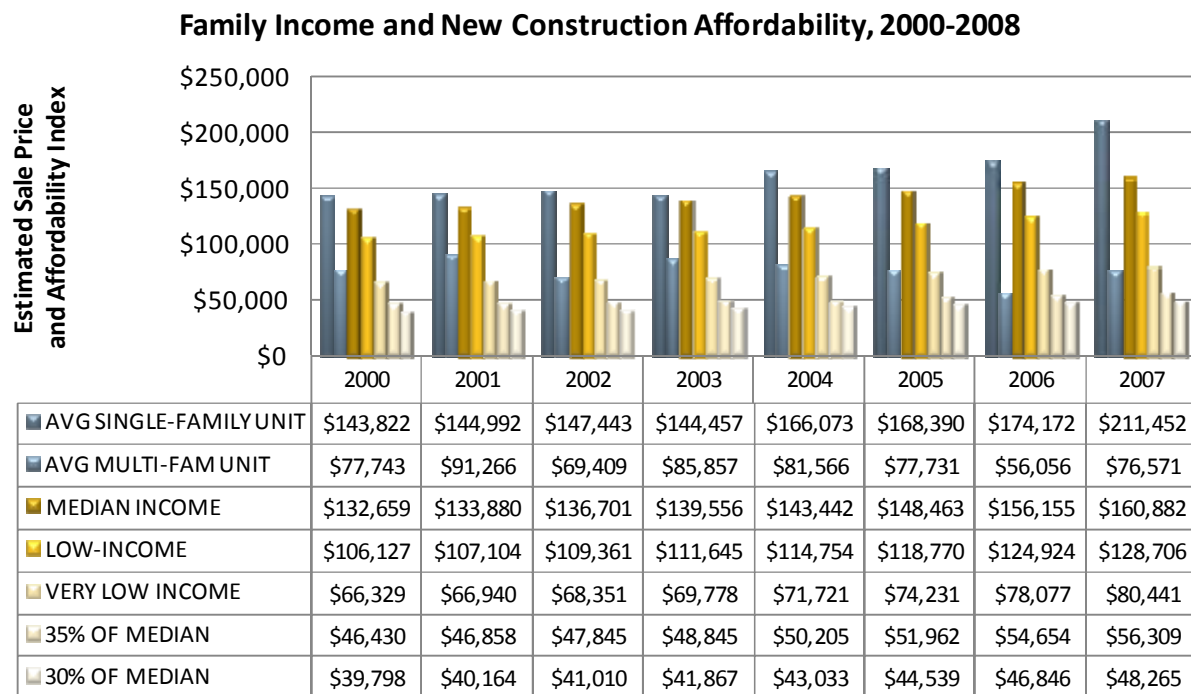
Figure 49: New Construction Permits for Residential Units, 200-2007**New Residential Building Permits, 2000 to 2007**

(State of Ohio, Department of Job and Family Services 2009)

Figure 50: Issued Residential Construction Permits, 2000-2007

Multi-family construction has been inconsistent through the years. In 2000, 329 permits for new multi-unit construction were issued, decreasing slightly in 2001 and then steadily increasing to a peak number in 2003 at 2,418 permits. Since that time, multi-family unit permits have tapered off to a low of 28. Over this same period, unit cost for newly constructed multi-family residential units has also exhibited inconsistent trends, peaking in 2001 at \$91,266 and then again in 2003 at \$85,857.

The Center for Urban and Public Affairs developed a series of affordability indices for all years since the 2000 Census based on the United States Department of Housing and Urban Development's (HUD) Median Family Income and Federal Housing Administration (FHA) accepted guidelines for payment affordability. As seen in the following figure, the average estimated sale price of new single-family units from 2000 to 2008 exceeds the affordability of even those households earning the area median family income by at least 22.7% (2003 minimum) and is out of reach of any of the low-income stratum. The estimated average sale price of a new multi-family unit developed over this same period was affordable to HUD's established low- and median income limit. New multi-family construction was out of reach for families and households at the very-low income limit and lower through 2005. In 2006, the average estimated multi-unit cost fell and is affordable to the very low-income buyer meaning that many more units fell within the affordability range of the extremely low-income stratum. See the figure below.



(Ohio Department of Job and Family Services - Ohio Workforce Informer 2008)

(Department of Housing and Urban Development 2007)

Figure 51: Median Family Incomes and Housing Affordability, 2000 – 2008

VI. Summary and Conclusions

The population decreased 2.6% from the 1990 to 2000 Census and looking to the future, the county population is expected to continue this trend. The Ohio Department of Development projects an additional 3.3% decrease in the population by 2010 and then expects the rate of decrease to taper off by 2030. The county is expected to witness a total decline in the population of 6.3 percent or 35,000 residents through the year 2030. What is witnessed in the maps is that the population is shifting outward into other areas of the county and beyond the county borders. Although population loss is not directly an impediment to fair housing, the thinning or spreading of the population and the services supporting that population can make serving the population and matching the services to the needs of the populations in need a more expensive and cumbersome task, effectively reducing their efficacy.

One in seven Montgomery County residents was age 65 years or older and this population is expected to age in place and grow 37.2% by the year 2030 when one in five residents will be 65 years of age or older. In 2000, 39.6% of Montgomery County senior residents reported one or more disabilities. The prevalence of disability also increases with age. In 2000, 33.7% of 65-74 year olds reported at least one disability, compared to 52.6% of those 75 years of age or older.³¹ The population of seniors with disabilities is expected to grow from 2000 to 2030 by 46.1%, outpacing the senior population growth, which is expected to grow 37.2% — a difference of nine percent. By the year 2030, seniors with disabilities are projected to increase to 42.2% of the senior population.

Since 1990, the minority population in Montgomery County has increased 20.6% (from 113,241 individuals in 1990 to 136,611 in 2008) also becoming more diverse as the years have passed. The percentage of the population who are minorities in Montgomery County (25.4%) is proportionally high when compared to the Metropolitan Statistical Area (MSA) (19.5%) as a whole in 2000. Since the 2000 Census, the population of Montgomery County continued to become more diverse. In 2008, 74.6% of the population was white, down 1.3% since the decennial census. The most notable change in the County was witnessed in the Hispanic population, which experienced a 40.2% increase since the 2000 Census.

Examining poverty and race or ethnicity in 2007 also reveals that disparities exist between the racial and ethnic minorities. Eleven percent of the white population (39,850 residents) lived below the poverty level. Nearly one-third of the black or African-American population also lived below the poverty level in 2007. Finally, 21.0% of the Hispanic population lived below the poverty level.

According to the United States Census, approximately 182,287 individuals in Montgomery County reported at least one long-lasting physical, mental, or emotional condition making it difficult or impeding the individual's ability to go outside the home or to work at the time of the 2000 Census. Approximately 22% of the population ages 16 years and older were reported with one or more disabilities. Nearly one of every five individuals (18.2%) between the ages of 21 and 64 years of age report that they live with one or more disabilities while 38,703 individuals ages 16-64 reported employment disabilities. Seniors (adults 65 years and older) reported the

³¹ Census 2000 Summary File 3 (SF 3) - Sample Data

highest rate of disability – 42.0% reported one or more total disabilities. There exists an inverse relationship between the income of the disabled individual and a positive relationship with the age of the disabled individual.

Montgomery County Entitlement Area

Between the 1990 and 2000 Census, the Montgomery County Entitlement Area witnessed a slight increase growth (1.3%) from 1990 to 2000, but ACS population estimates indicate that population increase since 2000 is 1.7%. The Entitlement Area's population is most heavily concentrated in Census Tracts east of I-75 in the Cities of Huber Heights and Riverside where density exceeds 4,000 persons per square mile.

Between 2000 and 2008, the Montgomery County Entitlement Area witnessed an average annual increase of 0.5% in unemployment rates and unemployment in the county remained below both the national averages and the state average through 2004 (Ohio Bureau of Employment Services (OBES)).

The 2007 median household income for Montgomery County was \$43,939. Over one quarter (27.5%) of the County households earned less than \$25,000 in 2007. Census Tracts in the Cities of Trotwood, Riverside, and Moraine also exhibit higher percentages of the population who are low-income—ranging from 25 to 39.9% of the population.

The black or African American Population is most heavily concentrated in Census Tracts west of I-75 and in the City of Trotwood, and Harrison and Jefferson Townships.

As seen in Figure 11, in the County the population of persons with disabilities was most heavily concentrated in Census Tracts in Trotwood, Jefferson Township, and Riverside, where over 20% or more of the population is reported as disabled in 2000. These areas of heaviest concentration are not expected to change by the year 2030 (Refer to Figure 12); however the population in these areas is expected to continue to grow largely in part because of the senior population aging in place.

Of the 136,188 occupied housing units, 22.9% of households reported a problem with their place of residence, where housing units may cost more than 30% of their income, overcrowding is an issue, or facilities are inadequate and do not have a complete kitchen or plumbing facilities. Of all renter-occupied units at the time of the 2000 Census, 31.9% households reported housing problems. Similarly, 19.1% of homeowners also face these same problems. Nearly 13,000 (12,838) renters in the Montgomery County Entitlement Area reported housing problems in 2000 and approximately 30% (29.3%) reported that monthly rent was a cost burden, amounting to more than 30% of their income. In addition, 23.6% or 1,888 large households (5+ persons) reported that they have some sort of housing problem and 18.3% reported that monthly owner expenses amounted to more than 30% of their income. One-in-five MCEA households reporting housing problems in 2000 were elderly (18.7%). Nearly one-third of black households (4,817) reported that they experienced at least one problem with their place of residence.

The highest rates of foreclosure are found in three suburban jurisdictions of the Montgomery County Entitlement Area: Jefferson Township, Trotwood, and Harrison Township. In addition to high foreclosure rates,

these jurisdictions also share the highest volume of foreclosure filings. Of nearly 1,200 Hispanic households, 32.5% also reported that they experienced at least one problem with their place of residence.

Dayton

Between the 1990 and 2000 Census, the City of Dayton decreased in population and population estimates for 2008 indicate that the City's population base has decreased an additional 13.3%. All of the County's Census Tracts experiencing a decline in population greater than 10% were in the City of Dayton.

The County's population is most heavily concentrated in Census Tracts in the City of Dayton and east of I-75 in the Cities of Huber Heights, Riverside, and Kettering where density exceeds 4,000 persons per square mile.

The black or African American Population is most heavily concentrated in forty-four of the county's 145 Census Tracts, but in particular west of I-75 and in the City of Dayton, City of Trotwood, and Harrison and Jefferson Townships.

The County's population of persons with disabilities was most heavily concentrated in Census Tracts in and around the City of Dayton, where over 20% or more of the population is reported as disabled in 2000. These areas of heaviest concentration are not expected to change by the year 2030 (Refer to Figure 12). However, the population of persons with disabilities in these areas is expected to continue to grow largely in part because of the senior population aging in place.

Low-income areas are concentrated in Census Tracts in the center city of Dayton, where most of the Census Tracts represent between 40.0% and 67.4% of the households as low-income. The percentage of households falling in the lowest income bracket in the City of Dayton has steadily increased since 1969. In the City of Dayton, the median income was estimated to be \$28,381, 65% of the County's median income. Nearly forty-five percent (44.5%) of the households in the City of Dayton reported incomes below \$25,000 in 2007. Approximately 35% of Dayton's households were considered in the low-income bracket in 1999, 15.6% higher than the percentage of households in the Dayton-Springfield MSA.

Of all occupied housing units, 33.0% of households reported a problem with their place of residence. In the City of Dayton 42.0% or 13,386 renters reported housing problems and 38.5% reported that monthly rent was a cost burden, amounting to more than 30% of their income. Over 2,700 (2,746) owner-occupied units in the City of Dayton were home to large households. Thirty-one percent (30.8% or 846 households) of large households (5+ persons) reported that they have some sort of housing problem. Over fifteen thousand (15,242) Dayton households reporting housing problems in 2000 were elderly (22.6%). In the City of Dayton, 38.2% of black households (10,800) reported that they experienced at least one problem with their place of residence. Over one-third (36.5%) of Hispanic households in the City of Dayton reported that they experienced at least one problem with their place of residence.

The highest rates of foreclosure are found in three contiguous suburban jurisdictions on the northwest edge of the City of Dayton, Jefferson Township, Trotwood, and Harrison Township. In addition to high foreclosure rates, these jurisdictions also share the highest volume of foreclosure filings.

Kettering

Between the 2000 and 2008 Census, the City of Kettering decreased in population 10.1% and this trend is expected to continue.

Similarly, Kettering households have also been losing ground. The percentage of households considered to be within the nation's lowest 20% (Low-income) bracket has doubled since 1969, now representing thirteen percent of the households in the City of Kettering.

Examining housing problems in the City of Kettering reveals that there were 25,679 households and nearly one of every three households rented. The SOCDs reports that there were 17,079 homeowners and 8,600 renters in the City of Kettering. Of all occupied housing units, 21.7% of households reported a problem with their place of residence. In the City of Kettering, there were 8,600 renters in 2000. One of every three renters (32.1%) reported that monthly rent was a cost burden, amounting to more than 30% of their income. One of every six (17.6%) large households paid monthly rental payments in excess of 30% of their income. Nearly 7,600 households reporting housing problems in 2000 were elderly (29.6% of all households in Kettering). Nearly one-third of black households (4,817) reported that they experienced at least one problem with their place of residence. Of nearly 1,200 Hispanic households, 32.5% also reported that they experienced at least one problem with their place of residence.

Fair Housing in Montgomery County

Montgomery County Fair Housing

This is a summary of the Montgomery County Community Development Office Consolidated Annual Performance and Evaluation Reports (CAPER) for the fiscal years of 2004- 2007. It reflects progress made in meeting the goals and objectives outlined in the 2003-2007 Consolidated Plan and in carrying out the FY2004-FY2007 Action Plans. Resources available to complete these activities include Community Development Block Grant (CDBG), HOME Investment Partnership Funds (HOME), and Emergency Shelter Grant (ESG). During the fiscal year October 1, 2004-September 30, 2008, the County effectively utilized its CDBG, HOME, and ESG funds to undertake a variety of programs, projects, and activities designed to address housing and community development needs throughout Montgomery County, exclusive of the City of Dayton and of the City of Kettering's CDBG programs.

High priority housing needs from fiscal years 2004-2007 included activities for low- and moderate-income, small renter families, and low- and moderate-income existing homeowners. To address the needs of low-income small renter families, rehabilitation of existing vacant rental units outside areas of concentration of low-income households occurred through County Corp's HOMESTART program. Primary activities for low and moderate-income existing homeowners included the rehabilitation of substandard units using a combination of loan and grant programs to assist low-income owners. High priority non-housing community development needs included street improvements; sidewalks, curbs and gutters; storm drainage improvements; sewer improvements; commercial revitalization; commercial/industrial infrastructure; and Brownfield development. The accomplishments of the County were consistent with the Consolidated Plan's high priority community development and housing objectives. Some of the projects outlined in the FY04-07 Action Plans were completed or had partial activities completed, as well as activities completed on projects that were funded in previous fiscal years.

SUMMARY OF RESOURCES AND ACCOMPLISHMENTS

U.S. Department of Housing and Urban Development:	FY2004 Beginning October 1, 2004	FY2005 Beginning October 1, 2005	FY2006 Beginning October 1, 2006	For FY2007 Beginning October 1, 2007
Community Development Block Grant	\$2,278,000.00	\$2,146,788.00	\$1,922,771.00	\$1,909,153.00
HOME Investment Partnership	\$1,341,733.00	\$1,175,631.00	\$1,081,959.00	\$1,073,326.00
Emergency Shelter Grant	\$86,291.00	\$83,320.00	\$82,567.00	\$82,922.00
Total	\$3,706,024.00	\$3,405,739.00	\$3,087,297.00	\$3,065,401.00

Figure 52: Summary Montgomery County Community Development Office of Resources and Accomplishments

From 2004 to 2007, 15% of the HOME fund was allocated to HomeStart, a Community Housing Development Organization (CHDO), operated by County Corp.

Year	15% of The HOME Fund
2004	\$175,837.80
2005	\$168,494.40
2006	\$158,376.00
2007	\$160,998.90
Total	\$663,707.10

The County also had the following funds available to complete CDBG programs and projects:

Prior Years CDBG and Program Income:

Fiscal Year	Unliquidated Obligations and Uncommitted Funds
2004	\$5,086,285.85
2005	\$4,776,312.94
2006	\$4,873,510.58
2007	\$5,184,639.38
Total	\$19,920,748.75

Fiscal Year	Program income estimate	Actual amount received
2004	\$900,000	\$1,006,000
2005	\$900,000	\$ 1,006,000
2006	\$900,000	over \$925,000.00
2007	\$900,000	over \$1,000,000.00
Total	\$3,600,000	over \$3,937,000.00

Montgomery County Program income is generated through housing and economic loans that are made by County Corp, the County's nonprofit housing and economic development arm.

Program income also includes repayment of principal plus interest on several multi-unit housing projects administered by the Community Development Office and salary reimbursement from the General Fund for the CD Manager, who receives salary for being the Executive Director of the County's Arts and Cultural District. A nominal amount is also generated through the sale of specification books for infrastructure projects.

Montgomery County continues to leverage resources available with other federal, state, local, and private dollars. HOME and CDBG dollars are always linked to other funds, especially Housing Trust funds (a special fund generated by a portion of extra .5% sales tax in Montgomery County for housing, arts, and economic development), dollars from private lenders, low income housing tax credits, state grants or loans, and private organizations. Matching requirements for HOME funds are satisfied through the Housing Trust and from excess match carried over from previous fiscal years, as well as state and non-profit agency funds.

The overall goals of the County's Consolidated Plan are to principally serve lower income residents and areas of the County by providing decent housing, expanded economic opportunities, and improving the quality of life. Montgomery County has always informally posed the question "are we meeting those goals and, if not, what could we do to better serve our residents?" It is our belief that the activities and strategies that we are implementing are making an impact on the identified needs in the Consolidated Plan, especially the high priority needs, including the provision of affordable and decent housing for existing homeowners.

Many of Montgomery County's efforts to reduce poverty are originated in our 32 target areas, through a combination of infrastructure, housing, and economic development activities. However, the County relies heavily on its One-Stop Job Center, a nationally recognized center, to meet the social and supportive needs of those in poverty. This trend will continue over the next 3-5 years and into the future.

Montgomery County continues to provide economic development loans to expanding businesses for the creation/retention of jobs for low and moderate-income persons.

Fiscal Year	Business loans made using CDBG funds	Infrastructure funds
2004	9	N/A
2005	3 (an additional two closed)	\$325,000.00
2006	2 (an additional two closed)	\$89,155.00
2007	4 (an additional four closed)	\$101,970.99
Total	18 (an additional 8 closed)	\$516,125.99

In addition to maximizing resources in Community Investment Areas (CIA) through the combination of non-housing and housing projects, the Community Development Office saw jurisdictions work together collaboratively to impact streets.

2006

- The City of Trotwood used CDBG funds to demolish five properties.
- By working with the County's Solid Waste District and their free tire disposal program.
- Trotwood was able to dispose of 60 tons of tires at a value of approximately \$7800.

- Community Development worked with the County Engineer's Office.
- The annual asphalt resurfacing program at Ridgewood Heights Street cost \$75,000.

2007

- The communities of Trotwood and Jefferson Township partnered in implementing a CDBG project that demolished 13 properties along W. Third Street, a corridor running through both jurisdictions.
- The City of Trotwood acted as the lead agency in getting the dilapidated and vacant structures removed from the landscape.
- Community Development worked with the County Engineer's Office
- The annual asphalt resurfacing program at Taft Davenport/Union 35 Street cost of \$58,743.25.

The grant programs are operating in a timely manner, our CDBG expenditure rate is acceptable and is below the 1.5 ratio, and our programs are reaching our target population. All funds expended benefit low and moderate-income persons.

Fiscal Year	% spent on public services	% spent on planning and administration
2004	3.2%	18%
2005	3.1%	19%
2006	6.5%	16%
2007	7.4%	18%

Major activities planned from fiscal year 2004 to 2007 have been on target or were completed. With the exception of one project, dating back to FY04 is a partially funded ODOT project which is now under construction after an almost 2-year delay; and two projects, dating back to FY06. Both these projects were substantially completed in FY07 and will show final closeout in early FY08.

One major barrier identified, specifically with regard to infrastructure projects, is the acquisition of permanent easements. This process is extremely cumbersome and often requires up to a year for larger projects. As this is a federal regulation, there are few adjustments that we can make to expedite this process. The environmental review process used to pose a similar problem; however, this process now starts as soon as a project has been approved and the 3-4 month requirement to complete an environmental review now coincides with the beginning of our fiscal year.

Another major barrier identified in regard to infrastructure projects, is the increased cost of construction, specifically the cost of asphalt. One way to balance the increased construction costs was to vary the types of projects being undertaken with CDBG funds. For example, the costs related to deconstruction/demolition have declined sharply, with several of these projects coming in significantly under budget. Working with jurisdiction/nonprofit, helps share the associated increased costs.

The following programs and activities describe the cost related to how the goals were met for fiscal years 2004 to 2007.

HOUSING ACTIVITIES

Housing activities include all programs, projects, and activities funded through the CDBG, HOME, and ESG programs. Housing related expenditures were the following:

Housing Rehabilitation (CDBG)

- Housing Rehabilitation (HOME)
- Housing Rehabilitation Administration (CDBG)
- Emergency Grants and Loans (CDBG)
- Rental Rehabilitation Administration (CDBG)
- CHDO-HomeStart (HOME)
- Targeted Neighborhood Housing (HOME)
- Emergency Shelter Grants (ESG)
- Housing for the Homeless (CDBG)

Housing for Special Populations (HOME)

- Acquisition of Lots for New Construction for Low-Income Families (HOME)

Down Payment Assistance (HOME) (Added in 2006)

COMMUNITY DEVELOPMENT BLOCK GRANT

	2004	2005	2006	2007
Total CDBG budget	\$8,426,614	\$7,983,040	\$7,742,605	\$8,065,106
Allocation	\$2,278,000	\$2,146,788	\$1,922,771	\$1,909,153
Program income	\$1,062,328	\$1,059,939	\$946,323	\$1,029,660
Unexpended funds from the previous year	5,086,286	\$4,776,313	\$4,873,511	\$5,184,639
Expended	\$3,650,301	\$3,109,529	\$2,557,966	\$3,035,359

An adjustment was made to line 7 of the Financial Summary to reflect expenditures from program income not recorded in IDIS. Three fiscal years, '98, '99, and '00, for CountyCorp are depicted in this adjustment, which totals \$2,305,417.61.

The following are specific accomplishments under the CDBG program From FY04 to FY07. The format follows the list of priorities identified in the Non-Housing Community Development Needs in the County's 2003-2007 Consolidated Plan.

High Priority Projects (Street improvements, sidewalks, curbs and gutters, commercial revitalization, parks, water/sewer improvements, code enforcement, sanitary sewer and flood drainage improvements)

2004	Ome Gardens Storm Drainage	\$ 73,504.65
	Sawmill Lane Storm Drainage	\$ 319,984.62
	W. Third Street Corridor Improvements	\$ 68,685.00
	Floral Park Storm Drainage	\$ 139,292.85
	Ft. McKinley Street Resurfacing	\$ 161,495.35
	Brookville Streetscape Improvements	\$ 150,000.00
	Moraine Storm Sewer Pump Station	\$ 25,000.00
	Phillipsburg Water Meter Installation	\$ 1,953.45
	Kontiki Theater Demolition	\$ 103,200.00
	Miamisburg Downtown Business Improvements	\$ 8,815.41
	Carlisle Floodway Plan	\$ 7,167.77
	Total	\$1,059,099.10
2005	Floral Park Storm Drainage	\$ 27,000.00
	Sawmill Lane Storm Drainage	\$ 50,000.00
	W. Third Street Corridor Improvements	\$ 138,836.42
	West Carrollton Water Line/ Street Resurfacing	\$ 202,738.00
	Moraine Storm Sewer Pump Station	\$ 25,000.00
	Phillipsburg Water Meter Installation	\$ 60,231.00
	Kontiki Theater Demolition	\$ 26,224.19
	Miamisburg Downtown Business Improvements	\$ 43,046.25
	Germantown Demolition	\$ 54,101.12
	Englewood Demolition	\$ 58,858.00
	Total	\$ 686,034.98
2006	Ridgewood Heights Street Resurfacing	\$ 75,000.00
	West Carrollton Storm Infrastructure & Concrete	\$ 89,155.00
	West Carrollton Water Line Improvements	\$ 122,262.00
	Crown Point Housing Demolition	\$ 9,500.00
	Kontiki Theater Demolition	\$ 3,115.67
	Miamisburg Downtown Business Improvements	\$ 69,056.21
	Miamisburg Streetscape	\$ 125,000.00
	Brookville Demolition	\$ 75,000.00
	Union Acquisition	\$ 50,000.00
	Germantown Demolition	\$ 11,736.00
	Trotwood/Jefferson Township Street Improvements	\$ 50,360.71
	Huber Heights Water Main Extension	\$ 36,526.00
	Total	\$ 716,711.59

2007	Taft-Davenport-Union/35 Street Resurfacing	\$ 58,743.25
	West Carrollton Storm Sewer Improvements	\$ 101,970.99
	Moraine Flood Wall	\$ 100,000.00
	Ridgewood Heights-Union/35 Demolition	\$ 16,644.00
	Salem Avenue Landscaping & Beautification	\$ 174,319.85
	Miamisburg Downtown Business Improvements	\$ 51,260.00
	Valley Street Reconstruction	\$ 123,952.00
	Brookville Acquisition/Revitalization	\$ 50,000.00
	Englewood Commercial Rehab	\$ 50,000.00
	Ft. McKinley Demolition	\$ 50,000.00
	Third Street Corridor Improvements	\$ 90,000.00
	Total	\$ 866,890.09

Medium Priority Projects (Brownfield Redevelopment, Historic Preservation, Handicapped Accessibility, Recreation programs, Educational Programs, Services to the Handicapped, and Childcare/Youth Services)

Fiscal Year	Projects	Funds
2004	Townview NEP	\$212,963.80
2005	Townview NEP	\$162,235.85
2005	Centerville Stubbs Park ADA	\$ 50,000.00
2006	Harrison Township ADA Door Upgrade	\$ 7,487.00
2007	No projects undertaken in FY07 that meet this priority.	
Total		\$432,686.65

Low Priority (Street Lighting, Public Safety Services, Business Start-ups, Health programs, Senior Centers, Elderly Services)

2004	Razor's Edge	\$ 30,000.00
	Thomas Dworetzky	\$ 85,500.00
	TMC Enterprises	\$ 93,200.00
	American Testing Services	\$ 36,380.00
	Crim Precision	\$ 72,000.00
	Dysinger	\$100,000.00
	Mound Laser and Photonics	\$ 71,128.00
	Mound Manufacturing	\$ 35,000.00
	Staub Laser Cutting	\$100,000.00
	Total	\$623,208.00

2005	Jackson Township Senior Center	\$ 11,920.00
	Norfleet Brown & Petkewitz	\$ 34,650.00
	Scott Tissue	\$100,000.00
	MedCost	\$ 37,800.00
	Total	\$184,370.00

2006	Vandalia Senior Center	\$ 74,500.00
	American Testing Services LTD	\$ 60,000.00
	Mound Laser & Photonics Center	\$ 50,000.00
	Total	\$184,500.00

2007	Vandalia Senior Center	\$ 10,416.75
	Englewood Senior Center	\$ 40,000.00
	Girlfriends Salon	\$ 30,000.00
	Total	\$ 80,416.75

Housing Needs

High Priority (Low- and moderate- income small renter families, assistance to low and moderate income existing homeowners)

Owner-Occupied Rehabilitation

	2004	2005	2006	2007
Loans were closed using CDBG funds	11	12	11	6
Expended amounts	\$184,393.36	\$286,427.91	\$198,756.02	\$98,141.49
Emergency grants and loans	\$39,361.96	\$24,547.94	\$34,409.77	\$34,577.97

In 2007, eight other units previously completed under the Homestart Partnership V had minor rehabilitation making them ready to re-lease to eligible families totaling \$29,189.77.

The average cost per emergency repair increased significantly during FY07 partially due to rising construction materials costs.

HOPE VI (2004)

Dayton Metropolitan Housing Authority

\$268,512.50 for acquisition

Housing for the Homeless

	2004	2005	2006	2007
YWCA Housekeys Program	\$ 42,470.55	\$ 35,000.00	\$ 37,916.65	\$ 29,169.07
The Other Place	\$ 48,743.48	\$ 44,999.98	\$ 48,885.44	\$ 44,996.43
American Red Cross	\$ 15,000.00	\$15,000.00	\$ 15,000.00	\$ 15,000.00
Daybreak	\$ 15,000.00	\$15,000.00	\$ 16,250.00	\$ 13,750.00
Fair Housing	\$ 118,384	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00

HOME PROGRAM

The following are specific accomplishments under the HOME program in FY04-07

Owner-Occupied Rehabilitation	2004	2005	2006	2007
County Corp (all target areas)	\$325,135.48	\$ 54,666.78	\$ 62,567.97	N/A
County Corp-Riverside Targeted Housing	\$ 40,902.50	\$296,420.59	\$324,992.29	N/A
County Corp-Harrison Township Targeted Housing	\$123,549.00	N/A	N/A	N/A
Total	\$489,586.98	\$351,087.37	\$387,560.26	N/A

Lease/Purchase Activities	2004	2005	2006	2007
HOMESTART (CHDO), including program income	\$534,666.81	\$138,124.64	\$435,404.44	\$169,337.07
HOME-funded Lease/Purchase	\$200,661.93	\$478,921.13	\$493,662.09	\$150,803.31
Total	\$735,328.74	\$617,045.77	\$929,066.53	\$320,140.38

Tenant-Based Rental Assistance	2004	2005	2006	2007
Daybreak Shelter for Youth	\$20,000.00	\$ 19,586.99	\$ 22,442.66	\$ 20,000.00
MVHO TBRA for Special Populations	\$ 84,043.00	\$ 15,425.00	N/A	\$120,750.00
Places, Inc	\$ 48,200.45	\$ 42,223.85	\$ 30,525.28	\$ 46,718.62
YWCA	N/A	\$ 15,351.00	\$ 30,649.00	\$ 24,164.75
Total	\$152,243.45	\$92,586.84	\$83,616.94	\$211,633.37

Acquisition of Lots for New Construction for Low-income families	2004	2005	2006	2007
Habitat for Humanity	\$ 93,219.40	\$ 80,324.46	\$ 23,763.70	\$ 75,778.00
04Avondale CDC	\$ 32,913.53	N/A	N/A	N/A
Total	\$126,132.93	\$ 80,324.46	\$ 23,763.70	\$ 75,778.00

American Dream Down Payment Assistance	2004	2005	2006	2007
County Corp Administered	\$ 41,180.00 (6 grants)	\$ 38,076.00 (15grants)	\$ 31,575.00 (3 grants)	N/A
HOME funded lease/purchase	N/A	N/A	\$ 55,354.00	N/A
Total	\$ 41,180.00	\$ 38,076.00	\$86,929.00	N/A

Transitional Youth Housing

06 Daybreak \$ 20,000.00
 07Daybreak \$ 200,000.00

HOPE VI (2004)

Dayton Metropolitan Housing Authority \$106,732.00, for relocation assistance

Senior Housing (2005)

05 Franklin Foundation (2 sites, Germantown & Riverside) \$ 48,000.00

Homebuyer Assistance (2007)

American Dream Down Payment Assistance (ADDI) \$ 16,050.00

American Dream Down Payment Assistance	2004	2005	2006	2007
County Corp Administered	\$ 41,180.00 (6 grants)	\$ 38,076.00 (15grants)	\$ 31,575.00 (3 grants)	N/A
HOME funded lease/purchase	N/A	N/A	\$ 55,354.00	N/A
Total	\$ 41,180.00	\$ 38,076.00	\$86,929.00	N/A

EMERGENCY SHELTER GRANT PROGRAM

	2004	2005	2006	2007
YWCA Win for Teens (emergency housing)	\$ 20,430.00	\$ 19,800.00	\$ 19,820.00	\$ 19,912.00
The Other Place (day shelter)	\$ 18,430.00	\$ 17,710.00	\$ 18,554.62	\$ 19,143.48
Daybreak (youth shelter)	\$ 30,431.00	\$ 29,410.00	\$ 31,393.37	\$ 29,020.00
Salvation Army (emergency family housing)	\$ 17,000.00	\$ 16,400.00	\$ 16,510.00	\$ 16,580.00
Total (available for emergency shelter grant programs in the County)	\$88,295.00	\$85,325.00	\$84,573.00 <i>(Plus \$3,710.99 that was drawn from FY05 funds)</i>	\$84,940 <i>(Plus \$1,722.44 that was drawn from FY06 funds)</i>

In the Consolidated Plan, and through the efforts coordinated with the Homeless Solutions Policy Board, these shelters have received funds for the past seven years, and will inevitably receive future funds. These shelters house the most persons, serve different populations, and have the greatest need for additional funding. Matching funds are provided through the Human Services Levy, as well as additional funds from the City of Dayton and funds that the shelters secure independently from other resources. Montgomery County, the City of Dayton, homeless providers and, others have developed a homeless solutions plan to end chronic homelessness in Montgomery County.

FAIR HOUSING

From the fiscal years of 2004 to 2007, a contract was made with the Miami Valley Fair Housing Center (MVFHC) for \$100,000 to provide fair housing activities, including consumer education, education of members of the housing industry and local jurisdictions, and enforcement of fair housing laws.

During the program years of 2004-2006, over 40 fair housing complaints were addressed each year well as nearly 250 tenant/landlord complaints and over 200 predatory lending complaints. In 2007, 87 fair housing complaints were handled, 23 administrative complaints were filed with Ohio Civil Rights Commission, and the U. S. Department of Housing and Urban Development, six lawsuits were initiated, with a potential three additional lawsuits.

MVFHC staff screened published advertisements for any discriminatory language and continues its testing program for complaints and for random testing. Each year from 2004-06, 4500 consumers and industry professionals were reached with general fair housing educational programs and training. The number increased to 12,000 during 2007. Brochures, newspaper articles, radio, and television outreach also complemented the education program.

The Miami Valley Fair Housing Center is critical to the County as they provide comprehensive fair housing services, testing, and predatory lending solutions. As a result of their dedication to fair housing initiatives and the residents of Montgomery County, the Fair Housing Center has received a 3-year Fair Housing Initiatives Program, Private Enforcement Initiatives, Performance-Based Grant from HUD, with the first check being presented to the Fair Housing Center in the amount of \$275K at their annual board meeting on 12.12.07 by HUD staff Jim Cunningham, Elva Lewis, and Frances Smith.

A continued major emphasis in FY03 and continued in FY04 was predatory lending, the identification of those lenders, and the education of homeowners and potential homeowners of the pitfalls of these types of loans. A collaborative of the MVFHC, the Legal Aid Society of Dayton, and Consumer Credit Counseling Service of the Miami Valley implemented the four-pronged program. The Community Outreach and Education component included the establishment of a Predatory Lending Hotline, brochures, educational materials, and widespread consumer education and outreach workshops. Intervention and Rescue Services to Victims were also started by establishing procedures and processes for intake, referral and case review, recruitment of additional legal assistance, and filing of class action lawsuits.

In order to provide empirical data on predatory lending practices in Montgomery County, the Local Community Impact Research was completed. The study identified and geo-coded foreclosures in the County, which could be linked to predatory lending practices. The final segment was Legislative Support which included study of legislative efforts at the state and national level and support of local anti-predatory lending legislation. This program won two national competitive awards, through NACO and NACCED, and receives numerous requests from other communities on how to implement a similar program. During October 2004, a presentation was made to Congressman Mike Turner, representing the 3rd District (which includes Montgomery County) and Congressman Michael Oxley, representing the 4th District of Ohio and Chairman of the House Committee on Financial Services, about predatory lending, its impacts on individuals and on neighborhoods, and efforts being made locally to address and prevent predatory lending. Montgomery County was second in the state, behind Cuyahoga County, in mortgage foreclosures in 2006, 2007, and again in 2008. In large part, this is due to predatory lending and the continued economic downturn in the County, including the closing of the third shift at Truck & Bus, a GM manufacturing facility, the closure of UPS at the Dayton International Airport, and the continued instability of Delphi, and the potential closing of four local plants. Tightened credit requirements also played a substantial role in residents' lives.

The County requires affirmative marketing plans from all housing agencies that it funds through CDBG and HOME funds. We have found these plans to be effective in providing housing without discrimination.

Affordable Housing

The Action Plan proposed that 20-30 low and moderate-income homeowners would benefit from CDBG and HOME funds for owner-occupied rehabilitation in specific target areas.

Affordable Housing Accomplishments	2004	2005	2006	2007
Closing and Disbursement of Funds for Owner-Occupied Housing Units	27	16	15	6
Emergency Grants and Loans for Owners	17	13	19	10

In 2007, improvements to 8 housing units under the Homestart Partnership V program were made to get these affordable housing units back in the system.

Montgomery County continues to support a lease/purchase program, operated by County Corp's affiliate, HOMESTART, INC. These units provide opportunity for lower-income renters to lease a unit for up to two years while repairing damaged credit. They then become the owner of the unit once they are credit-worthy. Homestart now only has approximately 60 units for lower-income renters who will may become homeowners, down from approximately 100 units two years ago.

Funding in the amount of \$20,000 was provided to Daybreak each year from FY04 to FY07 for tenant-based rental assistance for homeless youth who have been able to move from transitional housing to independent living. Funds have been committed to Daybreak since FY98, with over \$140,000 being expended for at-risk youth. This program has served over 60 youth, with the average TBRA being approximately \$2000. Two hundred thousand dollars (\$200,000) was also provided to Daybreak to assist in the construction of the Opportunity House, a facility that will provide 20 units of emergency housing for youth.

Funding for Tenant-Based Housing for Homeless	2004	2005	2006	2007
Places Inc.	\$48,200.45	\$15,425.00	\$30,525.28	\$46,718.62
YWCA	N/A	N/A	\$30,649.00	\$24,164.75
Total	\$48,200.45	\$15,425.00	\$61,174.28	\$70,883.37

Montgomery County continues, through its affiliation with nonprofit housing agencies, to work on addressing underserved needs and affordability issues. The County has developed a strong relationship with the Dayton Metropolitan Housing Authority and has provided funding for persons moving from rental to owner-occupied housing (30 units total). This partnership was developed, in part, as a result of the County's participation in DMHA's HOPE VI project. The County will continue to work with DMHA in

their efforts to assist in the improving of public housing and resident initiatives. In FY04, over \$106,000 of HOME funds was distributed to DMHA for relocation assistance, and over \$268,000 was provided through CDBG for acquisition. In FY06 the County assisted Windcliff Village Apartments in the construction of units through a partnership with CountyCorp, and until FY06, had received program income for the construction of the units. The County also performed the Environmental Review necessary for DMHA to begin the acquisition process. Additional funds totaling \$245,000 were set aside in FY07 but work should begin in FY08, with the funds being drawn during FY08.

DMHA intends to acquire and rehabilitate 35 existing Low Income Housing Tax Credit units which have come out of their affordability period. The units, located in Germantown, were constructed in 1991 by Oberer Construction. The units are currently owned by Germantown Village Limited Partnership. The Partnership members are Oberer, COUNTY CORP, and Ohio Capital Corporation for Housing. DMHA currently holds an option to purchase the property from the partnership.

The project will be funded with a combination of currently secured Replacement Housing Factor funds (HUD), property sale proceeds, and local dollars. Project based Housing Choice Vouchers will be utilized for 10 of the units, while the additional 25 units will be converted to public housing. DMHA will be the sole owner and manager of the project. HOME dollars will be used to provide capital assistance to the project. DMHA operating subsidy and rental income will be used to pay for all operating expenses of the project.

The breakdown for the unit mix is as follows: 3 one bedroom Housing Choice voucher units, 2 two bedroom Housing Choice Voucher units; 5 three bedroom Housing Choice voucher units; 2 one bedroom ACC public housing units; 10 two bedroom ACC public housing units, and 13 three bedroom ACC public housing units. The units will range in size from 654 to 1035 square feet. The newly rehabbed units will incorporate universal design features. Three (3) of the existing units will be handicap accessible in accordance with UFAS.

In addition, as was mentioned in the Fair Housing Section, a major issue with affordability is predatory lending. Numerous meetings have been held and will continue to be held to educate homeowners and potential homeowners, banks and other lenders, and members of the community about the considerable detriment that predatory lending is to affordable housing for already financially strapped homeowners.

Montgomery County has identified a few gaps in local institutional structure. One gap that was identified and that continues to be a problem is the lack of a nonprofit rental-housing agency, outside of HOMESTART. HOMESTART added 100+ rental units in 2004 and 60+ in 2005, but in 2006 DMHA did not have capacity to add more units. The identification of another agency is critical to providing adequate housing for low and moderate-income renters, and the County is exploring other alternatives. Some of this exploration has come about as a result of the Homeless Solutions Plan, the RFP that was issued for projects that met criteria for affordable permanent housing and transitional housing, and the lack of

new applicants and types of projects that were submitted for consideration. This will be discussed in more detail in the FY07 CAPER, as it corresponds to the County's FY07 Action Plan.

A second gap is the lack of a comprehensive code enforcement program in Montgomery County. Many of the less affluent jurisdictions worked with the Combined Health District on code enforcement issues. The Health District has abolished this program and many of the townships have inadequate staff to continue these efforts. The potential consequence of this could be the continued decline of housing stock in low and moderate-income neighborhoods. During the County's FY03-05 Planning Process, a joint application was submitted by a number of jurisdictions for planning funds to determine the need for a countywide nuisance abatement program, and, if feasible, a plan for implementation of such a program. Fifty thousand dollars (\$50,000) was funded for FY03, with an additional \$100,000 planned for FY04 and FY05 respectively. CDBG funds are being utilized to demolish, where appropriate, vacant and condemned properties. However, without the Health District's assistance, the process is slowed down significantly as the process now includes townships' fire departments to make the determination about the continued viability of the housing unit.

After the Cities of Huber Heights, Trotwood, and Riverside's law directors and the Townships' Prosecutor reviewed the Ohio Revised Code, and had discussions about how the program could be structured (interior vs. exterior violations, how to access the property, who could condemn, how it would be paid for, etc.), it was determined that at this time the countywide nuisance abatement program, as described in the application, could not move forward.

Third, a gap which has been identified is the small number of neighborhood development corporations (NDCs) in the County's target areas. Montgomery County will continue to encourage these efforts. Though there were three neighborhood development groups that were formed as a result of the County's Neighborhood Empowerment Program, only one group is currently proactive, and that is the Avondale CDC. During FY04, the Avondale CDC, using HOME funds and working with the Dayton Habitat for Humanity, purchased a lot at 515 Dawes and built a new home for a family with two small children. During FY05, the Trotwood CDC became defunct and in FY06, the Avondale CDC encountered financial hardship, inquiries about financial accountabilities, and may now only be a viable organization on paper. There are currently no active NDCs in the County.

There have been substantial efforts by Montgomery County and COUNTY CORP, as the County's housing non-profit to address lead-based paint hazards in housing stock built before 1978. The integration of lead-based paint hazards and rehabilitation, as required by the final rule put into place by HUD on September 15, 2000, has been successful. It has increased significantly more than the administrative requirements in making a loan/grant to a low to moderate-income family a reality. Added costs include the testing of a housing unit for lead hazards, as well as the clearance requirements, and relocation for affected families. Housing staff must also explain how the lead hazards, if found, will be taken care of; the potential dangers to a child, if not controlled; the possibility that the housing unit might not be addressed if the hazards are too rampant; and the loan to value ratio of the housing unit makes the loan unfeasible.

The County applied for additional lead hazard control funds through the Office of Healthy Homes and Lead Hazard Control in June 2002 and was successful in securing an additional \$1,296,000 to address housing units with children under the age of 72 months, vacant units, units with pregnant women, and some Section 8 housing units. A total of 146 units were completed over a 30-month period, and 338 housing units were checked for lead hazards.

Montgomery County's Analysis of Impediments Study was conducted in 2004 by Donald Eager and Associates (in concert with the City of Kettering. The County has completed its Consolidated Plan for the period FY07-FY12 and an Analysis of Impediments Study was contracted with Wright State University in FY08 for identification of housing needs within the community).

Continuum of Care Narrative/Homelessness

Montgomery County provides funds for homeless special populations, including those with substance abuse, mental illness, and at-risk youth. All these efforts are in conjunction with the County's overall Continuum of Care Plan.

Each year from FY04-FY07, \$110,000 in CDBG funds was appropriated for housing or services by four providers: \$35,000 for the YWCA Housekeys Program for a Domestic Violence Outreach Worker (which is a continuation of previous year's funding), \$45,000 for the Other Place to continue a homeless prevention program for persons at risk of becoming homeless, \$15,000 for the American Red Cross for staff support for emergency housing, and \$15,000 for Daybreak for staff development. However, the \$110,000 that has been set aside in Montgomery County for approximately the last 10 years has not been changed. Emergency Shelter Grant funds were provided for operating costs and essential services at the YWCA Shelter for pregnant and parenting teens, the Other Place day shelter, Daybreak Shelter for youth, and the Salvation Army.

Montgomery County works closely with the Homeless Solutions Policy Board to provide funds where the need is greatest. These shelters also receive funding from the City of Dayton, where they are located, and directly from the federal government. The summary of the County's 10-year plan to end chronic homelessness and reduce overall homelessness in Dayton and Montgomery County was included in the FY06 CAPER. A major project that was completed in FY06 was the opening of River Commons, a 100 unit permanent affordable housing complex, which was the result of a \$1.78 million dollar agreement between Dayton Metropolitan Housing Authority, the County and the City of Dayton. In FY08, River Commons II project began.

ACQUISITION AND RELOCATION

Montgomery County did not displace any households, businesses, farms, or nonprofit organizations from FY04-FY07. Montgomery County's Displacement Plans and Mitigation Statement (Attachment 3) include efforts to minimize displacement and to mitigate the adverse effects of any such displacement on the affected persons, especially those who are low and moderate income. Projects that would demonstrate unnecessary displacement will not be funded. If displacement does occur as a direct result

of CPD programs, those persons will receive assistance, just compensation, and replacement housing as required by the Uniform Relocation Act. Those persons not subject to the Uniform Relocation Act, but displaced by CPD programs, will receive benefits as established in the County's Community Planning and Development Displacement Plan.

There were a number of permanent easements purchased as a result of a storm drainage project. All notices were mailed regarding the project and its possible impact on their properties. Appraisals were completed on several of these properties, with the assessed value being determined for the balance of the properties. Just compensation notices were then mailed and checks were issued after all documentation was received. No eminent domain proceedings were required, and work proceeded on schedule for storm drainage projects in the spring of 2005 and in the spring of 2006.

PERFORMANCE MEASUREMENT

Montgomery County has developed a local performance measurement system. After reviewing the guidance provided from HUD and some measurement systems that other entitlement grantees have initiated, Montgomery County has attempted to incorporate a similar system. It was our understanding that the performance measurement system should have two critical components, productivity (program outcomes) and program impact. It has always been very easy to quantify our community development and housing projects, either through the number of housing units rehabilitated the amount of storm sewer pipe installed or number of manholes in a related storm drainage project. It has always been easy, as well, to track our productivity through the pace of our projects, that is, we can identify projects from previous Action Plans that are either still underway or have not yet begun, and of course, timeliness is another indicator of our productivity, as Montgomery County's ratio is historically under the 1.5 required.

Program impact is a bit harder to measure as it reflects more holistically on the community through desired outcomes or in the lives of persons assisted. Montgomery County has been successful in establishing goals and knowing the inputs that are available to us in meeting those goals. Montgomery County has also been successful in carrying out activities and knowing the direct products (outputs) of our program's activities.

The outcomes portion of the performance measurement system has been more difficult to define and track. Montgomery County understands that HUD is defining outcomes as "benefits that result from a program and those outcomes typically relate to a change in conditions, status, attitudes, skills, knowledge, or behavior. Common outcomes could include improved quality of life for program participants, improved quality of housing stock, or revitalization of a neighborhood." Montgomery County has identified outcomes that are specific to this area and their program, and is including our performance measures in this CAPER. CDBG performance measures are included in C04PR83, which is included in Attachment 6. This summary shows that almost 6000 persons were provided either new access or improved access to public facilities and infrastructure and 31 households benefitted from owner-occupied housing rehabilitation

City of Dayton Fair Housing

The City of Dayton's Consolidation Plan for fiscal years 2003-2005 assisted housing programs, projects, services, administration, and homelessness. During 2004, the City of Dayton expended \$10,930,500 in funds from the Community Development Block Grant (CDBG), the HOME Investment Partnership Program, and the Emergency Shelter Grant (ESG). The 2005 fiscal year program expended \$10,437,100 from CDBG, HOME, and ESG funds.

The Homeless Solutions 10-Year Plan was endorsed in 2006 by the Dayton City Commission, the Montgomery County Commission and the United Way of Greater Dayton to end chronic homelessness and reduce overall homelessness. During the 2006 fiscal year, \$8,283,453 was expended from the CDBG, ESG, and HOME program funds. The expended amount increased to an estimated \$9.6 million during the 2007 program year.

Community Development Block Grant

In 2004, the City of Dayton expended \$747,500 from the CDBG to help finance activities that assisted in expanding economic opportunities for low and moderate-income residents and created redevelopment opportunities for new businesses in the City.

During the 2005 fiscal year, CDBG funds aided the resurfacing of thirty-three (33) streets and alleys in low and moderate-income neighborhoods. CDBG funds were expended through the City's Neighborhood Business Assistance Program (NBAP) which provided six (6) low-interest loans to businesses that are rehabilitating and/or expanding their company. These loans resulted in the creation of 29 new jobs, which are primarily for low-income residents. An estimated \$190,000 of the CDBG funds spent provided nearly 2,775 youths from low-and moderate-income households with recreation, employment, education, training, and entrepreneurial activities. Primary workforce development and job training activities supported with CDBG funds in 2005 assisted 128 low-to moderate- income residents with employment training and job placement services.

In 2006 the City of Dayton expended \$229,413 from the CDBG to assist 1,495 units registered at the Teen Center, 154 families provided with aftercare follow-up services have remained in stable housing, 287 families attended life-skills education sessions, 210 children received after-hour tutoring, and 344 families received Emergency Housing Program services. In 2007, the City expended \$147,501 of CDBG funds on the Dayton Bomberger Teen Center, which is open to all teens ages 12-18.

Emergency Shelter Grant

The City of Dayton was able to assist over 6,900 homeless individuals and families at six local shelters using its ESG funds, expending \$6,720,100 in 2004. The homeless population includes families, single adults, victims of domestic violence, pregnant and parenting teens, and runaway youth. In addition to supporting emergency shelter facilities and outreach with ESG funds, the City also funded the American

Red Cross with CDBG dollars, which provided an additional 84 families with emergency housing and services during the year.

Through ESG funds in 2005, the city was able to assist over 6,800 homeless individuals and families at six local shelters. Funding for the American Red Cross with CDBG dollars provided an additional 336 individuals with emergency housing and services during the year.

The City expended \$278,543 ESG funds in 2006. The shelters received direct assistance from the City to provide shelter and an array of social services to 5,900 homeless families, women with children, homeless youth, and single men.

In 2007, the City of Dayton and Montgomery County began implementing the Ten Year Plan to End Chronic Homelessness and Reduce Overall Homelessness. The City expended \$299,810 from ESG funding to provide shelter and supportive services for 6,300 homeless teens, women with children, families, and single men.

HOME funds

In 2004, the City of Dayton expended over \$2.2 million from HOME funding to assist low- and moderate-income homeowners in maintaining their properties, improving the quality of owner-occupied and rental housing for low-and moderate-income families and elderly residents, providing development sites for new housing construction, encouraging and maintaining racially and economically diverse neighborhoods, increase and protect home ownership among the City's working families, and to implement Housing programs/projects.

The 2004, Neighborhood Lending Program received HOME assistance to purchase 27 households. The Community Housing Development Organizations (CHDOs) partnered with the city to complete the construction of 64 new homes throughout the city and the rehabilitation of 67 single family units throughout the consortium area. Using the Division of Housing Inspection, staff issued 2,274 legal orders to homeowners for violating the City's housing code, and the City demolished 176 nuisance structures.

The majority of the large rental projects, to date, have included a partnership with the Dayton Metropolitan Housing Agency (DMHA) and/or funding through the tax credit program administered by the Ohio Housing Finance Agency (OHFA). Through these agencies and the city's efforts, information on availability of units assisted through the HOME program is disseminated along many different avenues.

In 2005, the City of Dayton was able to assist 72 low and moderate-income homeowners in rehabilitating their homes with CDBG and/or HOME funds. As a means of offering affordable rental housing choices, the City also worked with area non-profit developers and community development corporations to fund the construction of 43 new rental units. The City also continued to make progress in increasing home ownership opportunities, primarily for low and moderate-income residents.

In 2005, the Neighborhood Lending Program in 2005 received HOME assistance to purchase 14 homes. Community Housing Development Organizations (CHDOs) partnered with the City of Dayton to complete

the construction of 6 new homes throughout the city and the rehabilitation of 6 vacant single-family units for sale. The city also aggressively worked on eradicating blighted housing stock from neighborhoods. By partnering with the Division of Housing Inspection, staff issued over 2,756 legal orders to homeowners for violating the City's housing code, and the City demolished 196 units, 3 of which included apartments containing 78 of those derelict residential units.

In 2006, several HOME projects leveraged substantial private investment in the area. Stratford Place leveraged 4.5 million dollars. The final 12 units in the Dayton Homes II project leveraged an estimated 1.6 million. Sunlight Homes leveraged 4.7 million dollars. Dayton leveraged a combined 1.2 million dollars for housing projects intended for sale (ISUS, Habitat, and HOPE VI). Within the Phoenix Project, we estimate an investment of approximately \$5 million of non- City of Dayton funds in the project area during the 2007 program year. Lyon's Place will leverage approximately \$7.7 million of non-City of Dayton funds through the construction of 67 apartment units. In addition, approximately \$1.5 million was leveraged through the homebuyer program, including American Dream Down Payment Initiative (ADDI).

In 2007, several HOME projects leveraged substantial private investment in the area. The New Dayton Homes project leveraged an estimated \$8.1 million, Washington Square leveraged approximately \$7.5 million, and Lofts at Hoover leveraged an estimated 6 million dollars. Dayton leveraged \$700,000 for housing projects (Habitat, and HOPE VI). The Phoenix project had an estimated investment of approximately \$5 million in non- City of Dayton funds in the project area during the 2007 program year. In addition, approximately \$1.5 million was leveraged through the homebuyer program, including ADDI.

Affirmatively Furthering Fair Housing

The City of Dayton remains committed to affirmatively furthering fair housing practices by its active leadership and participation in numerous activities, programs, and initiatives. The City of Dayton's Human Relations Council (DHRC) was established by Ordinance Ord. 23466, passed 8-20-69; Am. Ord. 24916, passed 5-28-75 and is the city's primary leader in this effort. The DHRC addresses and processes fair housing cases, landlord/tenant issues, and public education programs to promote awareness of fair housing issues. DHRC also evaluates financial institutions, real estate professionals, and various organizations that affect housing development and opportunities. DHRC maintained its substantial equivalency status with the U.S. Department of Housing and Urban Development (HUD) and obtains training and expertise in promoting and managing fair housing through this relationship with HUD.

City Kettering Fair Housing

The City of Kettering works with community groups to identify eligible projects for the city's low- and moderate-income residents. The city uses Community Development Block Grant funds, HOME funding through the State of Ohio Community Housing Improvement Program (CHIP), the Montgomery County Lead Hazard Control Grant, and FEMA programs. From fiscal year 2004 to 2007, Kettering fair housing activities expended a total amount of \$102,696.78.

Programs:

Housing

2004 to 2005

The Direct Homeownership program provides loans to first time home buyers with modest incomes. The loan requires a down payment and a schedule of fixed payments at reasonable interest rates. Eligible projects met the national objectives of the CDBG program, as well as the city's Five Year Consolidated Plan. The program expended \$7,841.42 over two years. In 2005, the City of Kettering set a goal of providing three loans to first time home buyers in the upcoming year. In 2006, no loans were given.

2004 to 2006

The Purchase Rehabilitation program expended \$68,130.34, and the Single Unit Rehabilitation expended \$516,824.35 over a three year period. In 2005, the City of Kettering set a goal of rehabilitating 15 locations in 2006. No rehabilitation was accomplished and, in 2007, the program was deemed infeasible.

2004 to 2006

The City provided the Acquisition of Real Property program, which funded the purchase of vacant, dilapidated houses. The acquisitions were voluntary and no relocations costs were incurred. This program acquired 21 properties and expended \$723,509.80 between these two years. In 2005, the City of Kettering set a goal to acquire 14 homes in the next year. Twelve homes were purchased in 2006.

2004 to 2006

The Code Enforcement is a pro-active inspection with referrals to eliminate housing code violations. This program expended \$34,225.01 over a three-year period. In 2005, the City of Kettering set a goal of 200 inspections for the following year. Nearly 200 inspections were completed and 65 cases were resolved in 2006.

2004-2007

The Clearance and Demolition program provides funding for contracting demolition.

The total amount expended over the four years was \$79,646.43. In 2005, the City of Kettering set a goal to provide enough funds for the demolition of five properties in 2006. FEMA funds were used for a majority of the demolition resulting in 12 properties demoed in 2006.

2004-2007

The Disposition program was added during 2004 to address the costs associated with selling the CDBG properties. The total amount expended throughout the three fiscal years is \$18,420.33.

In 2005, the City of Kettering set a goal for the upcoming year was addressing the selling costs of five properties. In 2006, no properties were addressed.

Public Facilities:

2004 to 2006

The Cheerhart Clean-up continued the treatment plan of a city owned contaminated site that expended \$30,622.17 over three years. In 2005, the City of Kettering set a goal of cleaning up one contaminated site in the city. In 2006, one contaminated site was treated.

Public services:

2004-2007

The Senior Program expended \$310,479.73 over a four-year period. In 2005, the City of Kettering set a goal to provide 200 seniors with services. In 2006, the city received 1,195 requests for services.

Economic Development:

2004 to 2005

The Direct Economic Development Financial Assistance program expended \$280,336.61. Funding was awarded based on a score based on a company's ability to meet and further the national objectives of the CDBG program. In 2005, the City of Kettering set a goal of assisting two local businesses. In 2006, the City had assisted one local business.

Interagency Fair Housing:

The City of Kettering has a contract with the Miami Valley Fair Housing Center to receive and investigate complaints related to discrimination and predatory lending. The Center sponsors several educational activities including speaking to high school seniors regarding housing discrimination, talking to senior citizens regarding predatory lending, and sponsoring informational booths.

Land Use and Zoning

Land use and zoning regulations are sometimes used to discriminate against people limiting housing choice. Policies relating to family definition, group homes for persons with disabilities, occupancy restrictions, manufactured housing were reviewed for their effect on fair housing choice. Zoning regulations were examined to determine if the entitlement jurisdiction encourages development and maintenance of affordable housing or imposes barriers to affordable housing. Inclusionary zoning promotes fair housing choice by directly allocating a percentage of new housing to low and very low-income residents with the intent to distribute low-income residents throughout a city or county instead of creating pockets of low-income residents. Although no zoning, building, or land use regulations could be found limiting access of low-income households to housing units, results of the review are presented below.

Clayton

- Building code has been reviewed and no controversial phrases have been identified.

Dayton

Easy access limitations for wheelchair-bound and/or mobility impaired individuals to the housing unit

- **Elevation:** New housing shall be built with a raised foundation, a basement, or designed to suggest that there is a raised foundation equal to the foundation height of adjacent buildings. The height of the raised foundation or the basement shall also be equal to the foundation heights of adjacent buildings.
- **Stoops and Porches:** Where new construction or an addition to the front of an existing principal building is proposed, such new principal building or building addition, shall have a front stoop or porch, if stoops or porches are present on the majority of the four homes, two on either side, of the building under review. If any of the four lots used to determine if a front stoop or porch is required are vacant, then the presence or absence of a front stoop or porch on a majority of the remaining lots shall determine if a front stoop is required. If all of these lots are vacant, then the context for determining the required front stoop or porch shall be those four homes most directly across the public street from the lot under review. If a majority of those homes across the public street have a front stoop or porch, then a front stoop or porch is required. The minimum area of a stoop shall be twenty-five (25) square feet. The minimum depth of the required porch shall be six (6) feet. Porch enclosures in front yards or along street frontages are permitted provided that each wall and door has a minimum of 70% transparent material and the space is not used or ordinarily considered as a habitable room.

Englewood

- Garage floors shall not be less than 4 inches below adjacent dwelling or basement floors.

Oakwood

- Building code has been reviewed and no controversial phrases have been identified.

Trotwood

- Building code has been reviewed and no controversial phrases have been identified.

Vandalia

- Building code has been reviewed and no controversial phrases have been identified.

West Carrollton

- Building code has been reviewed and no controversial phrases have been identified.

Definition of Family as a Barrier to Affordable Housing

Regulations were examined to determine if any entitlement jurisdiction discourages development and occupation of affordable housing or imposes barriers to affordable housing based on familial status or a codified definition of family for residential occupancy purposes.

State of Ohio

According the Ohio Building Code 310.2, a dwelling unit provides complete, independent living facilities for one or more persons that include permanent provisions for living, sleeping, eating, cooking, and sanitation and limits occupancy of one-, two- or three-dwelling residential by a family and no more than five lodgers or boarders.

A definition of family could be obtained from the following jurisdictions and the results are presented below:

City of Brookville

One or more persons occupying a single dwelling unit, provided that unless all members are related by blood, adoption or marriage, no such family shall contain over three (3) persons (Two fewer than the State of Ohio allows).

City of Centerville

The City of Centerville defines a family as one or more individuals related by blood, marriage, or adoption, or not more than five individuals who are not so related, living together as a single housekeeping unit in a dwelling, and maintaining and using the same and certain other housekeeping facilities in common.

City of Clayton

One or more individuals related by blood, marriage, or adoption, or not more than five individuals who are not so related, living together as a single housekeeping unit in a dwelling, and maintaining and using the same and certain other housekeeping facilities in common.

City of Dayton

The City of Dayton defines a "Family" (Dayton, Ohio Zoning Code, Section 150.200.2 (73)) to mean an individual or two or more persons, each related to the other by blood, marriage, or adoption, or foster children³² and not more than two additional persons not related as set forth above, all living together as a single housekeeping unit and using common kitchen facilities.

The City of Dayton also defines "Familial Status" (the Revised Code of General Ordinances of the City of Dayton, Ohio (RCGO) Section 32.02) to mean one or more individuals (who have not obtained the age of 18 years) being domiciled with:

- (1) A parent or another person having legal custody of such individual or individuals; or
- (2) The designee of such parent or other person having such custody with the written permission of such parent or other person. "Familial status" shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.
- (3) Family includes a single individual.

City of Englewood

"Family" includes a single person and a group of people related by affinity, consanguinity or adoption.

City of Moraine

An individual or married couple and the children thereof with not more than two other persons related directly to the individual or married couple by blood or marriage; or a group of not more than five unrelated persons, living together as a single housekeeping unit in a dwelling unit.

City of Kettering

The City of Kettering defines a family as one or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants, or a number of servants not exceeding four (The State of Ohio allows five), living and cooking together as a single housekeeping unit though not related by blood, adoption or marriage. (*Village of Belle Terre v. Borras*, 416 U.S. 1, 39 L. Ed. 2d 797 (1974))

City of Oakwood

The City of Oakwood defines a "Family" as:

³² A person under eighteen (18) years of age who is placed in a dwelling unit by an institution or agency, licensed or approved by an appropriate State-regulating agency to place foster children. (Dayton, Ohio Zoning Code, Section 150.200.2 (87))

- A. A "family" consists of one or more persons, each related to the other by blood, marriage or adoption, who are living together in single family dwelling unit and are maintaining a common household, but excluding the following groupings:
 - 1. Two or more married couples;
 - 2. Two or more parents (not married to each other and not themselves parents and child) who have their children or stepchildren living with them; and
 - 3. Any such group of persons related to each other if the sole relationships are as first cousins or any more distant degrees of consanguinity.
- B. A "family" also includes any domestic servants and any workers on the property to the extent such servants and workers live on the property and meet the definition of "persons employed on the premises".
- C. Persons who are living together in a single family dwelling unit and maintaining a common household shall be deemed to constitute a "family," even though not related by blood, marriage or adoption in the manner described above. Provided, such arrangement shall be limited to two unrelated persons (Three fewer than allowed by the State of Ohio). However, the limitation to two such persons shall not apply to those deemed to have disabilities under the Americans with Disabilities Act.

Jurisdictions – Easy Access Construction

In early 2009, the Center for Urban and Public Affairs conducted a survey of Montgomery County Planning and Development Professionals. Thirteen professionals from eleven of the County's jurisdictions representing City Planning Departments; Building and Zoning Departments; and Community, Housing, and/or Neighborhood Development Departments responded to the survey.

Eight jurisdictions have zoning, subdivision, or occupancy regulations, which include provisions that permit housing facilities for persons with disabilities in a wide array of locations to prevent concentration. However, five of the respondents reported that they believe the jurisdictions did not have regulations in place permitting a wide array of housing locations and accommodations for persons with disabilities.

Professionals were asked to provide information regarding both zoning ordinances and building codes, which require easy access and other accommodations for persons with disabilities in new single-family residential construction. Only one out of thirteen jurisdictions had local ordinances or codes in place which require zero-step entrances on the property and doorways wide enough to accommodate wheelchair access. Of the ten jurisdictions that had no local easy access ordinances or codes, only two have considered adopting easy access zoning codes or ordinances.

When asked if laws should require easy access features for persons with disabilities in new construction, four respondents believe that laws should require easy access features in new construction. Reasons cited for requiring easy access features in new construction include:

- It benefits the entire aging community
- Including access features is cheaper to include during construction, especially in comparison to retrofitting housing units.

Interestingly, five out of thirteen jurisdictions have also noticed developments built specifically targeting older buyers with no access features included.

Six respondents think access features should be voluntary in new construction. Two of the respondents think including these features should result from the market determination or that the decision or installation of these features should be left to owner. Respondents also feel that requiring easy access features could limit a design variety, reducing uniqueness of neighborhoods (1) and make the sale of new housing units more difficult (2).

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VII. Lending Compliance Analysis

This section of the report contains an analysis of home loan, community reinvestment, and fair housing complaint data. Home Mortgage Disclosure Act (HMDA) data are used to examine fair lending practices; Community Reinvestment Act (CRA) ratings are used to assess how well depository institutions meet the credit needs of the communities, and Fair housing complaint data are used to assess discrimination and fair housing conditions.

Home Mortgage Disclosure Act (HMDA)

The Home Mortgage Disclosure Act was enacted by Congress in 1975 and requires depository and non-depository lenders to collect and publicly disclose information about applicant characteristics provided on housing-related loans and applications for originations and purchases for home purchase, home improvement, and refinancing. The housing-loan data that lenders must disclose under HMDA include:

- The loan, such as its type and amount
- The property (reported by Census Tract), such as its location and type
- The disposition of the application, such as whether it was denied or resulted in an origination
- The applicant ethnicity, race, sex, and income

Once the HMDA data are final, the Federal Financial Institutions Examination Council (FFIEC) publishes data products for public use. These data products are available for years 1990 - 2007. However, Loan Application Register (LAR) and Disclosure reports are only available as Aggregate Reports for most years and are provided by the Metropolitan Statistical Area (MSA) when reporting the variables necessary to examine discriminatory practices. Report periods from 2006 through 2008 HMDA data files are available and the files contain the raw data for the previous calendar year, which can be downloaded from the FFIEC website. In addition, the University of Dayton provided the raw data files for 2004 and 2005. The raw flat files for the five-year period covering the years 2004-2008 are used here to examine the activities governed by HMDA regulations in the Census Tracts of Montgomery County.

Overall, 215,916 loan application disclosures were collected in Montgomery County during the 5-year period from 2003-2007 (reported periods 2004-2008). Nearly 60% of the loan applications were filed for properties in the Montgomery County Entitlement Area. Home mortgage application activity over the five-year period concentrated more heavily in Census tracts in the east Dayton/Riverside area and the southeastern

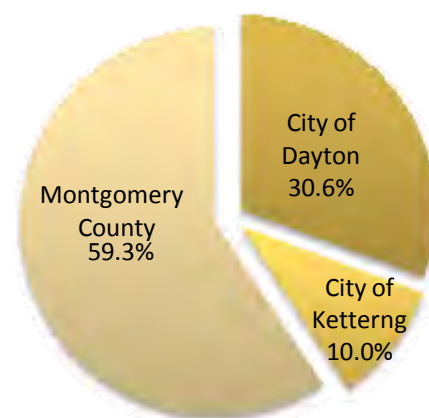


Figure 53: Home Mortgage Disclosures by Jurisdiction, 2003-2007

jurisdictions of the Montgomery County Entitlement Area. Three of every ten applications were filed in the City of Dayton and the remaining applications were filed in the City of Kettering.

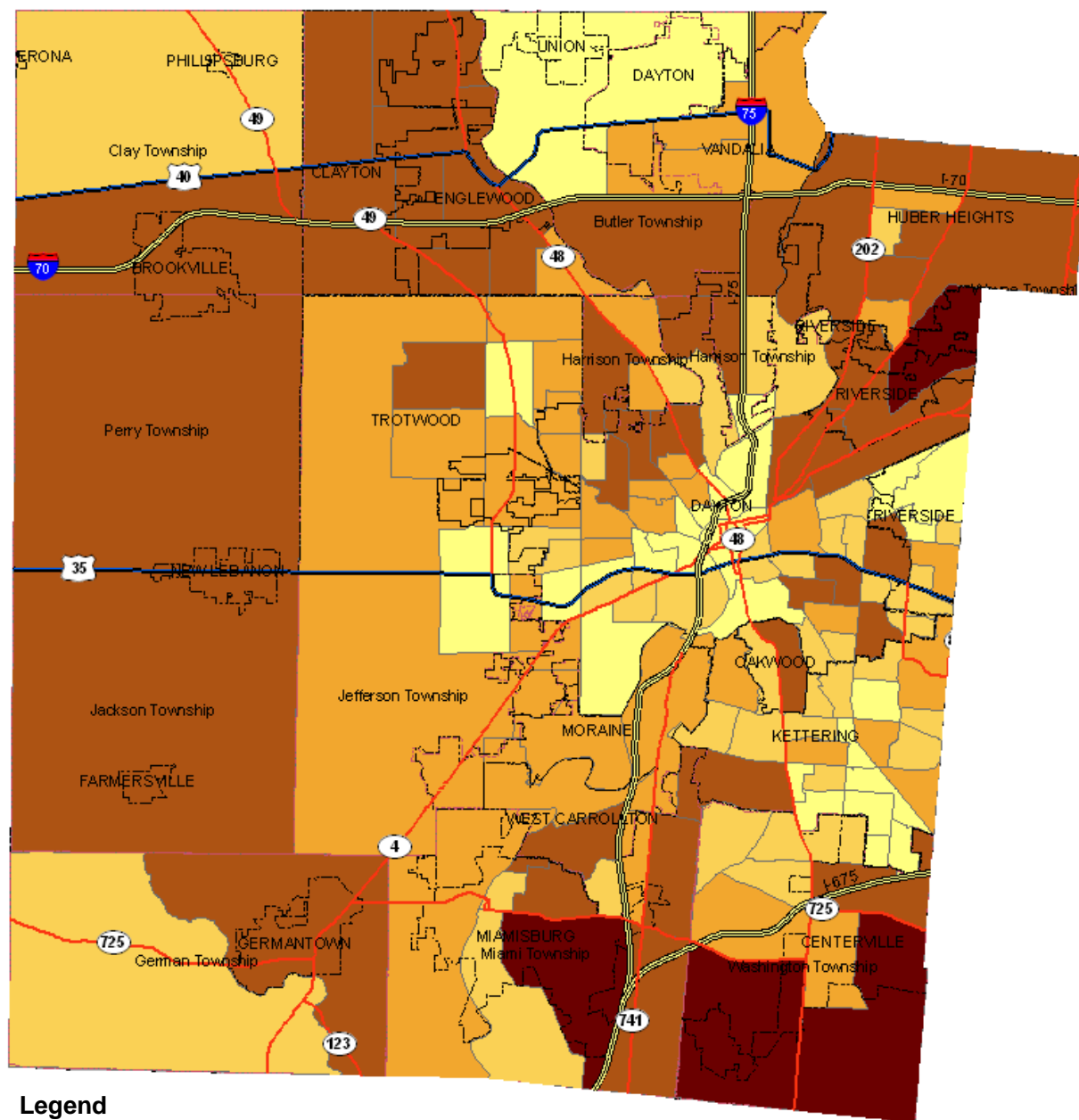
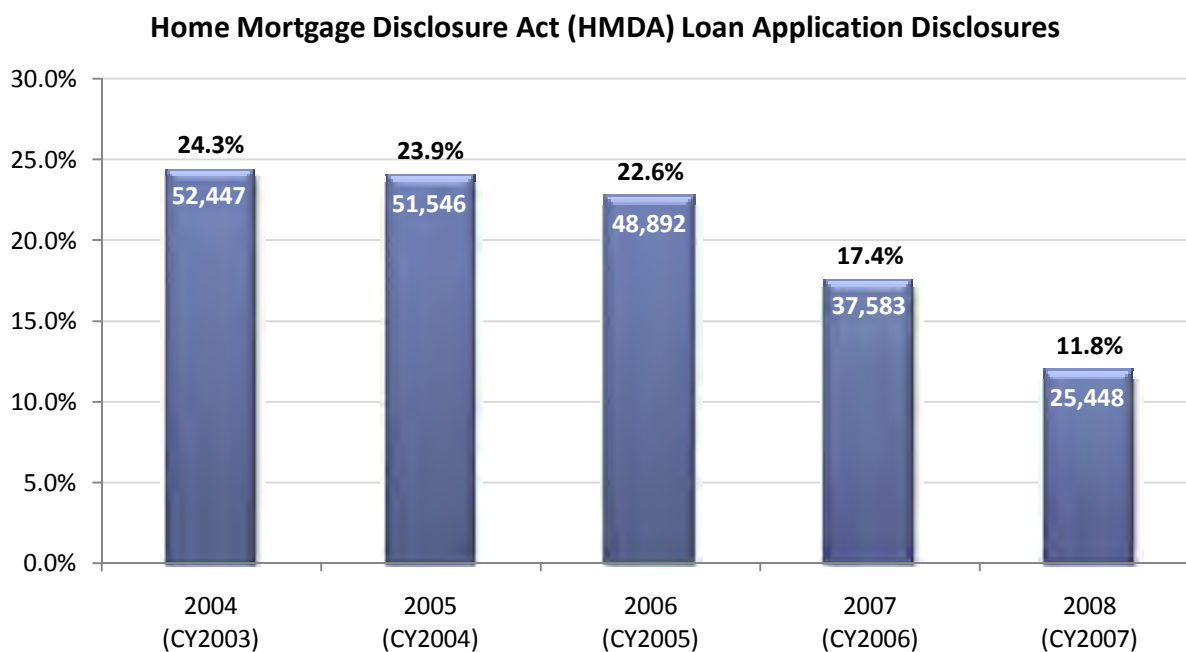


Figure 54: Home Mortgage Disclosures by Census Tract, 2004-2008



(FFIEC 2004-2008)

Figure 55: Home Mortgage Disclosure Act (HMDA) Loan Application Disclosures, 2003-2007

As witnessed in the previous chart, the peak in loan activity from 2003-2007 occurred in 2003 when 52,447 applications were processed for approval by area public financial institutions. According to the Federal Financial Institutions Examination Council (FFIEC), the 2008 HMDA data reflect the ongoing difficulties in the housing and mortgage markets, with decreases in the number of reporting institutions and loans. Nationally, the number of reporting institutions fell nearly 3 percent from 2007, primarily because of a relatively large decline in the number of independent mortgage companies. The total number of originated loans of all types reported fell about 3.3 million, or 31%, from 2007. Similarly, the number of originated loans of all types fell 32.3% in Montgomery County. In 2007, 25,448 loans were processed in Montgomery County down from the 37,583 processed in 2006—continuing a five-year trend of decline.

Over 700 different financial institutions accepted 189,144 applications over this five-year period. No information was disclosed for the remaining 26,772 applications. Over 90 percent (90.2%) of the applications were requested for owner-occupied as the principal dwelling and almost all (99.5%) of these applications were dedicated for home purchase, home improvement, or refinancing of a one to four family residential unit. Eighty-six percent of the applications processed were Conventional loans, 11.5% were Federal Housing Administration loans, 2.5% were Veteran's Administration Guaranteed Loans, and the remaining 0.1% (117) were Farm Service Agency or Rural Housing Service Loans.

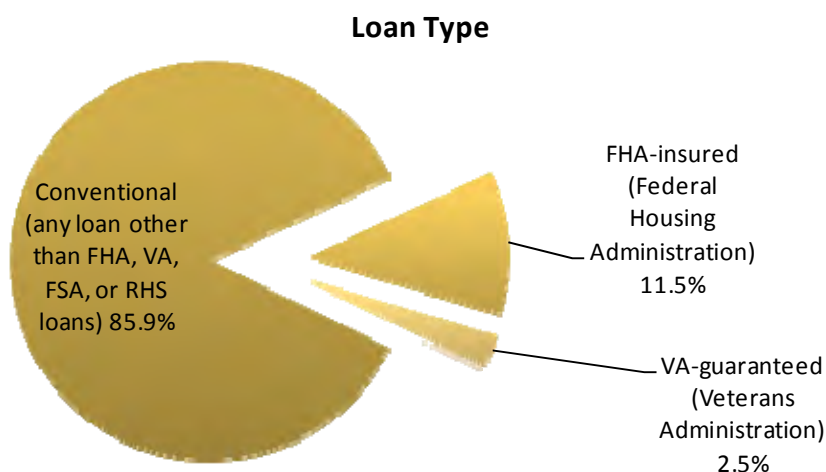


Figure 56: Loan Type

Of all the loans processed from 2003-2007, 47.5% of the applications were approved. The financial institutions denied over 50,000, but reasons for refusal were only provided for 35,358 or 16.4% of the applications. Economic shortcomings were the most common citation for denial of a home loan application, accounting for approximately two-thirds of the reasons for denial of a loan. The most frequently cited reason for denial was credit history (29.8%). Second and third were collateral (16.3%) and Debt-to-income ratio (14.5%). For a complete look at the reason cited for loan application denial, refer to the table below.

Reason Cited for Denial	Applications Denied	Percent
Credit history	12,638	29.8%
Collateral	6,918	16.3%
Debt-to-income ratio	6,153	14.5%
Credit application incomplete	3,671	8.7%
Unverifiable information	1,214	2.9%
Insufficient cash (down payment, closing costs)	811	1.9%
Employment history	468	1.1%
Mortgage insurance denied	51	0.1%
Other	10,496	24.7%
Total	42,420	100.0%

Total number of reasons cited greater than the number of applications denied because multiple reasons could be cited in a single application.

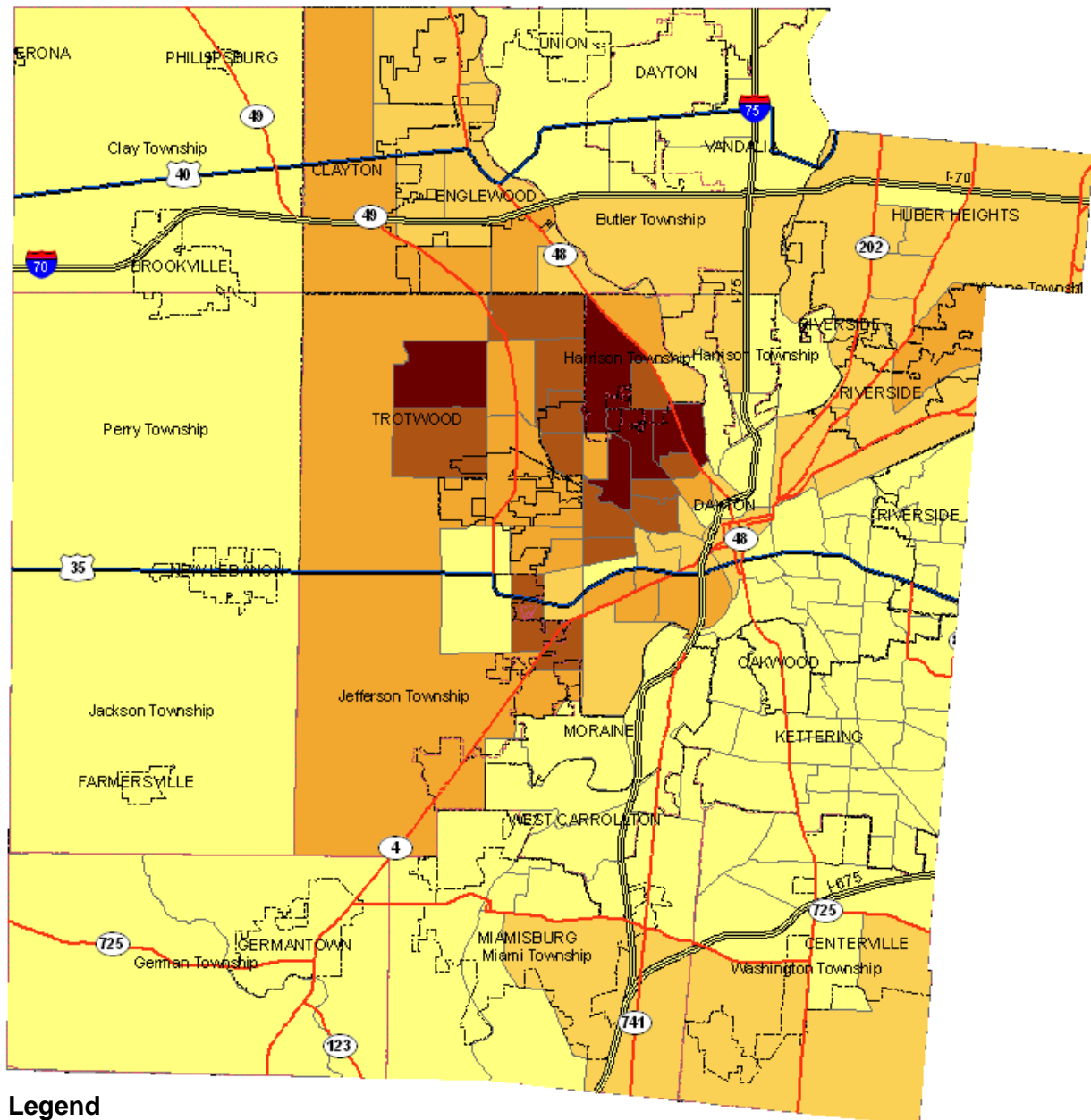
Figure 57: Reasons Cited for Loan Application Denial

Sixty-two percent of the primary applicants were white, 13.0% were black or African American, 0.9% were Asian, and less than 1% percent represented other races, while race could not be ascertained from one in five of the applications because the information was not provided. Just over 1% percent of the applications indicated that the primary applicant was of Hispanic origin and similarly, one in seven applications (14.3%) had no indication of ethnicity. Nearly one-third of the primary applicants were female and 54.8% were male, while no indication of gender was reported on 6.8% of the applications.

When examining the geographic distribution or number of black or African American applicants, the majority are still applying for homes within the City of Dayton but outside the historically black or African American segregated neighborhoods of the City. In addition, it appears that African American households are also applying for mortgages in Jefferson Township, Trotwood, and Harrison Township in greater numbers than other communities within the County. Refer to Figure 58.

Applications are more frequently denied for financial reasons in the historically black or African American Census tracts located in the western area of the City of Dayton than any other area of the County. High patterns of denial for financial shortcomings also appear at higher frequencies in the historically Appalachian neighborhoods of the City of Dayton where the Hispanic population is currently showing patterns of growth.

High cost mortgages occur at a much higher frequency in the City of Dayton than the other Entitlement jurisdictions, but in particular the historically black and Appalachian neighborhoods of the City of Dayton. In addition, areas witnessing rates of high cost mortgages in excess of 15% can also be found in Jefferson Township, Harrison Township, the City of Riverside in the Montgomery County Entitlement Area.



Legend

Black or African American Applicants

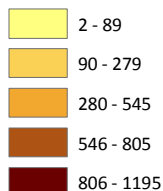


Figure 58: Black or African American Applicants by Census Tract (2004-2008)

All other minority groups are seeking the properties more frequently within the City limits of Dayton in the northwest areas of the city, but are also applying for loans in the Cities of Centerville, Huber Heights, Riverside, and Trotwood as well as in Washington Township, Miami Township, and Harrison Township. Hispanic households are most often applying for mortgages in the Montgomery County Entitlement Area, particularly in Washington and Miami townships, and the of Riverside. Higher rates of applications filed by Hispanic households can also be witnessed in Huber Heights and the Union/Englewood areas of the Montgomery County Entitlement Area.

One interesting pattern that did appear is the clustering of applications with no indication of race or ethnicity. These applications occur more frequently outside the City of Dayton and indicate that either lenders are not collecting the information or applicants are not providing the information, possibility for fear of denial based on race, but this is inclusive without further research into why the information was not provided.

According to American Community Survey estimates of the population for the area covered in this analysis, 25.4% of the population belongs to a minority protected class while 74.6% are white. Closer examination of the loan applications where minority status was indicated on the applications reveals that 76.8% of the primary applicants were white and not of Hispanic origin, while 23.2% of the primary applicants were of a minority class—2.2% fewer minorities than would be expected if the applicant ratio were the same as the ratio of minorities to the total population.

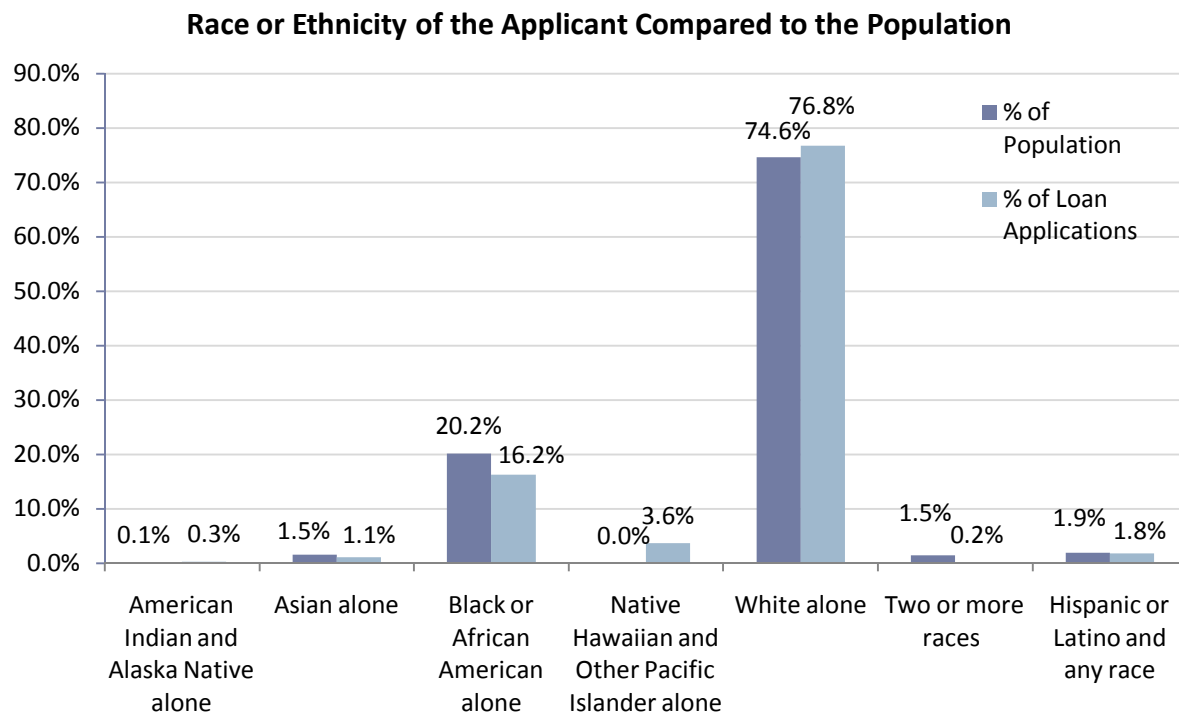


Figure 59: Race and Ethnicity of Loan Applicants

Forty-two percent of applicants (41.6%) reported incomes at or below 80% of the Dayton MSA Median Income. Refer to the following table for a complete breakdown of applicants by income level.

Applicant by Income Level	Number	Percent
Extremely low-income applicants (at or below 30% of the median area income)	3,722	2.3%
Very low-income applicants (above 30% to 50% of the median area income)	19,325	11.7%
Low-income applicants (above 50% to 80% of the median area income)	45,781	27.7%
All other applicants (above 80% of the median area income)	45,304	58.4%
Total	77,874	100

No data was reported for 383 of the applications

Figure 60: Loan Applicant by Income Level

As mentioned earlier, over 700 different financial institutions accepted 189,144 applications over the five-year period from 2004 to 2008. Fifteen institutions processed over 50% of the loan applications between 2004 and 2008.

These lenders accepted 96,375 of the 189,144 applications reported by institutions of all mortgage types. Fifteen of the lenders represent over fifty percent of the transactions and are presented below in descending rank order by number of applications. Over seven hundred institutions processed the remaining applications and 371 processed fewer than 10 applications each.

Financial Institution	Frequency	Percent	Cumulative Percent
Countrywide Home Loans	11,827	6.3	6.3
National City Bank	9,556	5.1	11.4
JP Morgan Chase Bank	9,312	4.9	16.3
Wells Fargo Bank, NA	8,876	4.7	21.0
Fifth Third Mortgage Company	8,734	4.6	25.6
Ameritrust Mortgage Company	7,690	4.1	29.7
Union Savings Bank	7,651	4.0	33.7
National City Bank Of Indiana	6,465	3.4	37.1
GMAC Mortgage LLC	4,609	2.4	39.5
Beneficial Company LLC	3,687	1.9	41.4
Us Bank, N.A.	3,650	1.9	43.3
Countrywide Bank, FSB (VA)	3,644	1.9	45.2
Argent Mortgage Company	3,187	1.7	46.9

Financial Institution	Frequency	Percent	Cumulative Percent
Washington Mutual Bank	2,894	1.5	48.4
HFC Company LLC (II)	2,603	1.4	49.8
HFC Company LLC	2,350	1.2	51.0
CitiFinancial, Inc.	2,308	1.2	52.2
The Huntington National Bank	2,281	1.2	53.4
Wells Fargo Fin'l Ohio 1, Inc	2,269	1.2	54.6
Keybank National Association	2,196	1.2	55.8
New Century Mortgage Corporation	2,192	1.2	57.0
Lehman Brothers Bank	2,166	1.1	58.1
Residential Funding Corp.	2,106	1.1	59.2
Liberty Savings Bank, FSB	2,096	1.1	60.3
Us Bank North Dakota	2,025	1.1	61.4
<i>Fifth Third Bank</i>	<i>2,019</i>	<i>1.1</i>	<i>62.5</i>
Flagstar Bank	1,963	1.0	63.5
Wright-Patt Credit Union	1,869	1.0	64.5
Mila Inc (WA)	1,867	1.0	65.5

Institutions highlighted in italics are discussed in the Community Reinvestment Act Section

Figure 61: Top Fifteen Lenders Ranked by Number of Applications

Conventional Loans

Because the majority (90.1%) of loans processed in Montgomery County were Conventional loans during the five-year period and were requested for owner-occupied units as the principal dwelling and almost all of these applications were dedicated for home purchase, home improvement, or refinancing of a one- to four-family residential unit(s), the discussion will be limited to loans which meet these criteria.

Over the five-year reporting period, 140,481 households applied for Conventional loans in Montgomery County. Two-thirds of the applications were processed in the Montgomery County Entitlement Area, while 27.0% were processed in the City of Dayton and 10.4% of the loan applications were processed in the City of Kettering. Loan applications activity decreased by over one-third, from 43,261 in 2003 to 15,355 applications in 2007. Preapproval was requested by less than 4% of the applicants. Applicants seeking preapproval before applying for a mortgage concentrate more heavily in the suburbs than the City of Dayton. Over half (54.7%) of the loans sought were to refinance the applicant's residence. One in four (39.0%) of the loans were to purchase the primary residence and the remaining 6.3% were for home improvements to the primary residence.

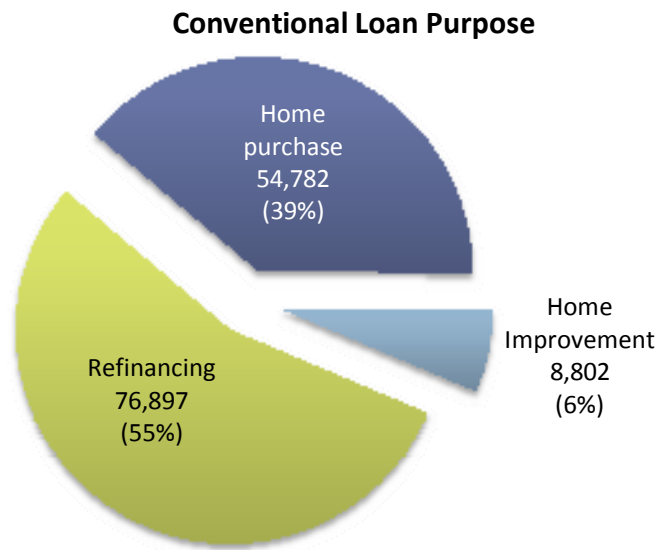


Figure 62: Conventional Loans by Purpose

Of all the loans processed, 47.9% of the applications were approved. Over forty percent (42.2%) resulted in a loan origination. Approximately six percent (5.7%) of the applications were approved, but not accepted by the applicant. Eleven percent of the applicants withdrew their application and 4.6% of the applications were closed for incompleteness. Thirty-four thousand of the applications (24.2%) were denied. Data regarding the reason for denial was supplied for 22,328 of the denied applications and economic shortcomings were the most commonly referred to reason for denial of a home loan, cited on approximately two-thirds of loan denials. Multiple reasons were cited on applications and the most frequently cited reason for denial was credit history (34.1%). Second and third were collateral (17.2%) and debt-to-income ratio (14.5%). Other was cited the second most frequently (21%), but more detailed data on the specified reasons listed under the other category could not be obtained for analysis. For a complete look at the reason cited for loan application denial, refer to the table below.

Reason for Denial	Frequency	Valid Percent
Total	22,328	
Credit history	7,619	34.1%
Other	4,697	21.0%
Collateral	3,850	17.2%
Debt-to-income ratio	3,243	14.5%
Credit application incomplete	1,993	8.9%
Unverifiable information	499	2.2%
Insufficient cash (down payment, closing costs)	240	1.1%
Employment history	175	0.8%
Mortgage insurance denied	12	0.1%

Figure 63: Reason Cited for Denial of Conventional Home Loan

One in seven applications provided no indication of race or ethnicity on the loan application—either because the information was not included by the applicant on a mail, Internet, or telephone application or not applicable was indicated on the form. Of the applications which had a race or ethnicity indicated on the application, 78.1% of the primary applicants were white and 21.9% were of a minority classification (14.0% were black or African American and 7.9% of the applicants were of another minority racial or ethnic classification).

According to American Community Survey estimates of the population for the area covered in this analysis, 25.4% of the population belongs to a minority protected class while 74.6% are white. Examination of the loan applications where minority status was indicated on the applications reveals that 78.1% of the primary applicants were white and not of Hispanic origin, while 21.9% of the primary applicants were of a minority class—3.5% fewer minorities than would be expected if the applicant ratio were the same as the ratio of minorities to the total population.

As with minority status, some of the applications were missing any indication of gender for the primary applicant on the loan—13.6%. Examining the applications where an indication of gender was provided yields a total of 121,472 applications. Nearly two-thirds (63.4%) of the primary applicants on the loan were male, while 36.6% were female.

Over eight percent (8.6%) of the applications submitted to the FFIEC were filed without any indication of the income of the applicant. Of the 128,371 applications where the household income was provided, 57.7% of the applicants' incomes were at or above 80% of the median area income, while the remaining 42.3% were filed by low-income applicants. For a complete breakdown of income level by applicant, refer to the table below.

Income Limit	Number of Applications	Percent	Valid Percent	Cumulative Percent
Extremely low-income applicants (at or below 30% of the median area income)	3,166	2.3%	2.5%	2.5%
Very low-income applicants (30% to 50% of the median area income)	15,505	11.0%	12.1%	14.5%
Low-income applicants (50% to 80% of the median area income)	35,624	25.4%	27.8%	42.3%
All other applicants (at or above 80% of the median area income)	74,076	52.7%	57.7%	100.0%
Subtotal	128,371	91.4%	100.0%	
Income not disclosed	12,110	8.6%		
	140,481	100.0%		

Figure 64: Conventional Loan Applicants by Income Level

No information was disclosed identifying 13.3% of the lending institutions accepting Conventional Loan applications for homes in Montgomery County in the LAR database in the five-year reporting period. Of the 593 institutions included in the dataset, 26 of the lenders accounted for 51.1% of the applications and five of these lenders accounted for over one-quarter (25.9%) of the applications. For a complete breakdown of the lenders by number of applications, refer to the table below.

FINANCIAL INSTITUTION	FREQUENCY	PERCENT	VALID PERCENT	CUMULATIVE PERCENT
Countrywide Home Loans	7,530	5.4%	6.2%	6.2%
National City Bank	6,738	4.8%	5.5%	11.7%
Fifth Third Mortgage Company	6,255	4.5%	5.1%	16.8%
JP Morgan Chase Bank	5,720	4.1%	4.7%	21.5%
Wells Fargo Bank, NA	5,357	3.8%	4.4%	25.9%
Union Savings Bank	5,145	3.7%	4.2%	30.1%
Amerquest Mortgage Company	4,044	2.9%	3.3%	33.4%
National City Bank of Indiana	3,948	2.8%	3.2%	36.6%
Beneficial Company LLC	2,971	2.1%	2.4%	39.0%
GMAC Mortgage LLC	2,893	2.1%	2.4%	41.4%
HFC Company LLC (II)	2,561	1.8%	2.1%	43.5%
Countrywide Bank, FSB (VA)	2,016	1.4%	1.7%	45.2%
CitiFinancial, Inc.	1,875	1.3%	1.5%	46.7%
Wells Fargo Fin'l Ohio 1, Inc	1,870	1.3%	1.5%	48.2%
US Bank, N.A.	1,868	1.3%	1.5%	49.7%
Keybank National Association	1,720	1.2%	1.4%	51.1%
Fifth Third Bank	1,665	1.2%	1.4%	52.5%
Mila Inc (WA)	1,649	1.2%	1.4%	53.9%

FINANCIAL INSTITUTION	FREQUENCY	PERCENT	VALID PERCENT	CUMULATIVE PERCENT
US Bank North Dakota	1,643	1.2%	1.3%	55.2%
Argent Mortgage Company	1,612	1.1%	1.3%	56.5%
Wright-Patt Credit Union	1,610	1.1%	1.3%	57.8%
New Century Mortgage Corporation	1,594	1.1%	1.3%	59.1%
The Huntington National Bank	1,592	1.1%	1.3%	60.4%
HFC Company LLC	1,511	1.1%	1.2%	61.6%
Liberty Savings Bank, FSB	1,466	1.0%	1.2%	62.8%
Washington Mutual Bank	1,385	1.0%	1.1%	63.9%
Other - Institutions With Less Than 1% Of The Total Applications	43,516	31.0%	35.7%	
Total	121,754	86.7%	100.0%	
Missing Information	18,727	13.3%		
Total	140,481	100.0%		

Institutions highlighted in italics are discussed in the Community Reinvestment Act Section

Figure 65: Conventional Loan Applications by Lending Institution

According to the FFIEC, the incidence of higher-priced lending declined from 2006 through 2008. Among all HMDA-reported loans, about 12% were higher-priced in 2008, down significantly from the peak of about 29% in 2006 and 18% in 2007. Reported rate spreads among high-priced loans were also lower than in previous years.

The FFIEC reports that data also reveal that certain minorities are more likely to receive high-cost mortgages than other racial or ethnic groups. A 2006 Federal Reserve study relying on HMDA data from 2005 found that 55% of African-Americans and 46% of Hispanics, compared to only 17% of non-Hispanic whites, received "higher-priced" conventional home purchase loans (FDIC). Overall, higher-priced lending was much lower in 2008 than reported in 2007 but similar to the data from earlier years, black and Hispanic white borrowers were more likely, and Asian borrowers less likely, to obtain higher-priced loans than were non-Hispanic white borrowers. For conventional home-purchase lending in 2008, the incidence of higher-priced lending was 17.1% for blacks, 15.4% for Hispanic whites, 6.5% for non-Hispanic whites, and 3.3% for Asians. In addition, the FFIEC reports "borrower-related factors such as income, loan amount, and gender accounted for only one-fifth of this disparity." Data analysis continues to support the historical trends identified in previous studies indicating that African-American and Hispanic borrowers were more likely than non-Hispanic white borrowers to obtain higher-priced loans (FDIC).³³

The HMDA data also reveal that certain minorities in Montgomery County are also more likely to receive high-cost mortgages than other racial or ethnic groups. Higher-priced lending was much lower in 2008 than reported in either 2006 or 2007 but similar to the national data from earlier years, black and

³³ (Federal Financial Institutions Examination Council (FFIEC) 2009)

Hispanic white borrowers were more likely, and Asian borrowers less likely, to obtain higher-priced loans than were non-Hispanic white borrowers. Data covering the five-year period indicates that 14.7% of African-Americans, 9.5% of native Hawaiian/Pacific Islanders, and 8.1% of Hispanics receive high-cost home purchase loans, compared to only 7.2% of non-Hispanic whites. Conversely, 4.0% of loans received by Asians and 6.0% of loans received by American Indian or Alaska Natives were high-priced loans. For conventional home-purchase lending in 2008, the incidence of high-cost loans decreased from 2007, leveling out, and distributing more evenly across the races and/or ethnicities. Higher-priced lending was 4.8% for blacks, 3.8% for Hispanic whites, 3.4% for non-Hispanic whites, and 3.5% for Asians. Refer to the chart below for a complete breakdown of the incidence of high-cost home purchase loans by race/ethnicity.

Montgomery County	2004	2005	2006	2007	2008	Total
American Indian or Alaska Native	2.4%	8.3%	11.3%	8.1%	0.0%	6.0%
Asian	3.2%	4.3%	4.4%	4.2%	3.5%	4.0%
Black or African American	18.3%	24.0%	16.5%	10.4%	4.8%	14.7%
Native Hawaiian or Other Pacific Islander	9.6%	9.1%	8.2%	3.6%	0.0%	9.5%
White	6.3%	10.6%	9.6%	6.1%	3.4%	7.2%
Two or more races	N/A	N/A	8.4%	8.0%	4.8%	7.6%
Hispanic or Latino (any race)	7.6%	12.4%	10.0%	6.5%	3.8%	8.1%
Total	6.7%	12.8%	9.2%	6.1%	3.5%	7.6%
City of Dayton	2004	2005	2006	2007	2008	Total
American Indian or Alaska Native	2.4%	0.0%	10.5%	6.3%	0.0%	4.7%
Asian	7.1%	3.3%	4.3%	2.9%	8.0%	4.9%
Black or African American	21.3%	26.5%	18.7%	11.6%	5.0%	16.3%
Native Hawaiian or Other Pacific Islander	11.7%	33.3%	15.8%	0.0%	0.0%	11.7%
White	9.6%	15.7%	12.2%	7.7%	3.9%	10.0%
Two or more races	N/A	N/A	5.9%	4.9%	11.1%	6.5%
Hispanic or Latino (any race)	10.3%	15.5%	12.8%	9.7%	2.1%	10.8%
Total	10.0%	18.8%	12.3%	8.2%	4.2%	10.6%
City of Kettering	2004	2005	2006	2007	2008	Total
American Indian or Alaska Native	9.1%	N/A	0.0%	16.7%	0.0%	6.5%
Asian	9.5%	12.5%	3.2%	3.2%	0.0%	5.9%
Black or African American	12.5%	5.9%	12.0%	7.5%	0.0%	9.4%
Native Hawaiian or Other Pacific Islander	4.5%	50.0%	0.0%	0.0%	0.0%	4.8%
White	5.0%	10.9%	9.4%	6.2%	3.9%	6.9%
Two or more races	N/A	N/A	8.3%	0.0%	0.0%	6.3%
Hispanic or Latino (any race)	10.0%	4.2%	6.6%	6.4%	3.2%	6.4%
Total	5.0%	11.2%	7.9%	5.5%	3.7%	6.4%
Montgomery County Entitlement Area	2004	2005	2006	2007	2008	Total
American Indian or Alaska Native	1.4%	9.1%	15.4%	7.5%	0.0%	6.5%
Asian	1.8%	3.3%	4.6%	4.5%	3.0%	3.6%
Black or African American	15.2%	21.6%	13.8%	8.8%	4.5%	12.7%
Native Hawaiian or Other Pacific Islander	7.0%	0.0%	4.8%	4.5%	0.0%	6.8%
White	5.5%	9.2%	8.9%	5.7%	3.1%	6.5%
Two or more races	N/A	N/A	10.2%	11.1%	0.0%	8.6%
Hispanic or Latino (any race)	5.8%	12.2%	9.3%	4.8%	4.4%	7.0%
Total	5.5%	10.7%	8.0%	5.3%	3.2%	6.4%

Figure 66: High-Cost Home Purchase Loans by Race/Ethnicity, 2004-2008

The FFIEC also reports that for both home-purchase and refinance lending in 2008, blacks and Hispanic whites had notably higher gross denial rates than non-Hispanic whites. This trend is similar in Montgomery County where the denial rate for blacks is significantly higher than the rate of application—7.0% higher over the five-year period. Conversely, the rate of denial is 6.2% over the rate of application for non-Hispanic whites from 2004-2008.

Montgomery County						
Applications	2004	2005	2006	2007	2008	5-Year Total
American Indian or Alaska Native	0.3%	0.2%	0.2%	0.2%	0.1%	0.2%
Asian	0.5%	1.6%	0.8%	1.0%	1.3%	0.9%
Black or African American	3.9%	13.9%	15.3%	14.6%	12.1%	11.1%
Native Hawaiian or Other Pacific Islander	11.3%	0.1%	0.1%	0.1%	0.1%	3.6%
White	61.8%	62.6%	58.7%	63.0%	70.9%	62.3%
Two or more races	0.0%	0.0%	0.2%	0.3%	0.3%	0.2%
Hispanic or Latino (any race)	1.3%	1.6%	1.4%	1.7%	1.5%	1.5%
Denials	2004	2005	2006	2007	2008	5-Year Total
American Indian or Alaska Native	0.1%	0.2%	0.3%	0.3%	0.1%	0.2%
Asian	0.2%	1.9%	0.7%	0.9%	1.1%	0.7%
Black or African American	4.0%	28.6%	23.8%	24.1%	21.1%	18.1%
Native Hawaiian or Other Pacific Islander	19.1%	0.1%	0.1%	0.1%	0.2%	5.5%
White	54.5%	51.5%	54.4%	56.8%	63.8%	56.1%
Two or more races	0.0%	0.0%	0.3%	0.5%	0.5%	0.3%
Hispanic or Latino (any race)	1.3%	1.6%	1.7%	2.2%	1.5%	1.7%

Figure 67: Montgomery County Home Mortgage Denial Rates by Race, 2004-2008

Within the City limits of Dayton, this is also true. Applications submitted by blacks or African Americans were denied 29.9% of the time—a 7.1% difference over applications filed. While applications submitted by non-Hispanic white applicants were denied 40.1% but accounted for 45.6% of the total applications filed.

City of Dayton						
Applications	2004	2005	2006	2007	2008	5-Year Total
American Indian or Alaska Native	0.3%	0.1%	0.2%	0.2%	0.2%	0.2%
Asian	0.2%	0.8%	0.4%	0.5%	0.7%	0.4%
Black or African American	6.9%	29.0%	30.2%	31.2%	31.3%	22.8%
Native Hawaiian or Other Pacific Islander	22.1%	0.1%	0.2%	0.1%	0.2%	7.3%
White	45.3%	47.5%	42.7%	46.3%	51.9%	45.6%
Two or more races	0.0%	0.0%	0.3%	0.5%	0.5%	0.2%

City of Dayton						
Applications	2004	2005	2006	2007	2008	5-Year Total
Hispanic or Latino (any race)	1.5%	1.9%	1.4%	2.0%	1.4%	1.6%
Denials	2004	2005	2006	2007	2008	5-Year Total
American Indian or Alaska Native	0.1%	0.3%	0.2%	0.4%	0.2%	0.2%
Asian	0.1%	1.5%	0.5%	0.4%	0.4%	0.4%
Black or African American	6.2%	44.5%	38.8%	40.7%	40.3%	29.9%
Native Hawaiian or Other Pacific Islander	30.1%	0.1%	0.1%	0.1%	0.3%	9.1%
White	40.8%	35.5%	38.7%	40.1%	44.4%	40.1%
Two or more races	0.0%	0.0%	0.3%	0.8%	0.8%	0.4%
Hispanic or Latino (any race)	1.6%	1.3%	1.7%	2.4%	1.8%	1.8%

Figure 68: City of Dayton Home Mortgage Denial Rates by Race, 2004-2008

In the City of Kettering, African Americans filed only 1.2% of the applications processed for approval, while this minority cohort accounts for 2.1% of the applications denied—almost twice what would be expected. While non-Hispanic white households makeup 76.1% of the applications filed in the City of Kettering from 2004-2008, they account for 78.1% denials (2.0% more than expected).

City of Kettering						
Applications	2004	2005	2006	2007	2008	5-Year Total
American Indian or Alaska Native	0.3%	0.0%	0.3%	0.2%	0.1%	0.2%
Asian	0.5%	1.5%	0.8%	1.0%	0.6%	0.8%
Black or African American	0.6%	1.1%	1.9%	1.3%	0.8%	1.2%
Native Hawaiian or Other Pacific Islander	2.6%	0.1%	0.2%	0.1%	0.1%	0.8%
White	76.0%	78.8%	71.1%	77.0%	83.6%	76.1%
Two or more races	0.0%	0.0%	0.3%	0.1%	0.1%	0.1%
Hispanic or Latino (any race)	0.9%	1.5%	1.5%	1.5%	1.7%	1.4%
Denials	2004	2005	2006	2007	2008	5-Year Total
American Indian or Alaska Native	0.1%	0.0%	0.9%	0.3%	0.0%	0.4%
Asian	0.6%	5.0%	0.9%	0.5%	0.3%	0.8%
Black or African American	1.3%	0.8%	2.9%	2.9%	1.0%	2.1%
Native Hawaiian or Other Pacific Islander	4.9%	0.0%	0.5%	0.2%	0.0%	1.5%
White	71.6%	83.3%	75.3%	82.6%	86.2%	78.1%
Two or more races	0.0%	0.0%	0.8%	0.0%	0.3%	0.3%
Hispanic or Latino (any race)	1.1%	1.7%	1.8%	2.3%	1.3%	1.7%

Figure 69: City of Kettering Home Mortgage Denial Rates by Race, 2004-2008

Of the applications filed within the Montgomery County Entitlement Area, black or African American households filed 7.8% while non-Hispanic white households filed 67.2% of the applications. Similar to both the Nation and the County as a whole, black household applicants were more likely to be denied (a difference of 4.7%) while white, non-Hispanic applicants were less likely to be denied (3.6%).

Montgomery County Entitlement Area						
Applications	2004	2005	2006	2007	2008	5-Year Total
American Indian or Alaska Native	0.3%	0.2%	0.2%	0.2%	0.1%	0.2%
Asian	0.6%	1.9%	1.0%	1.2%	1.6%	1.1%
Black or African American	3.0%	10.2%	10.7%	9.8%	7.7%	7.8%
Native Hawaiian or Other Pacific Islander	7.7%	0.2%	0.1%	0.1%	0.1%	2.4%
White	67.3%	65.8%	63.9%	67.8%	74.9%	67.2%
Two or more races	0.0%	0.0%	0.2%	0.3%	0.2%	0.1%
Hispanic or Latino (any race)	1.2%	1.5%	1.4%	1.6%	1.6%	1.4%
Denials	2004	2005	2006	2007	2008	5-Year Total
American Indian or Alaska Native	0.1%	0.2%	0.2%	0.3%	0.0%	0.2%
Asian	0.2%	1.8%	0.8%	1.3%	1.7%	0.9%
Black or African American	2.8%	20.4%	17.0%	16.1%	13.7%	12.5%
Native Hawaiian or Other Pacific Islander	13.1%	0.0%	0.1%	0.2%	0.1%	3.7%
White	62.1%	59.5%	61.8%	64.3%	71.0%	63.6%
Two or more races	0.0%	0.0%	0.3%	0.5%	0.3%	0.2%
Hispanic or Latino (any race)	1.0%	1.8%	1.7%	2.0%	1.4%	1.5%

Figure 70: Montgomery County Entitlement Area Home Mortgage Denial Rates by Race, 2004-2008

Community Reinvestment Act (CRA) Compliance

The Community Reinvestment Act was enacted in 1977 and according to the Federal Financial Institutions Examination Council (FFIEC), “is intended to encourage depository institutions to help meet the credit needs of the communities in which they operate, including low- and moderate-income neighborhoods, consistent with safe and sound banking operations.” The CRA requires that each insured depository institution submit information about mortgage loan applications as well as materials documenting their community development activity meeting the credit needs of the community, including low- and moderate-income neighborhoods, be evaluated periodically.

The Board of Governors of the Federal Reserve System (FRB), the Comptroller of the Currency (OCC), the Federal Deposit Insurance Corporation (FDIC), and the Office of Thrift Supervision (OTS) establish the reporting and examination procedures to evaluate the distribution of loans and community development loans, qualified investments, and community development services. Examiners review any information banks provide, including loan files, bank reports, or any other information or analyses banks may provide and the results of any assessment of community development needs and opportunities provided by community and government agencies.

The FFIEC Interagency CRA Rating Search web site was developed to provide electronic access to the results of the CRA examinations and the CRA ratings of financial institutions supervised by the Federal Reserve, Office of the Comptroller of the Currency, Federal Deposit Insurance Corporation, and/or Office of Thrift Supervision. Data are collected from institutions based on the location of the institutions whose physical headquarters are in the selected City or State. Data specifically for institutions in the City of Kettering or other communities in Montgomery County could not be obtained from the FFIEC, but most local institutions, which serve residents of the Dayton region, also serve these communities and the rating for each institution is presented here. Ratings for eight institutions serving the Dayton area range from *satisfactory* to *outstanding* in meeting community credit needs. Refer to the following table for the results by institution.

Bank Name	Agency	Exam Date	CRA Rating	Asset Size (in \$1000s)	Exam Method
Bank One, Dayton, NA	OCC	06/29/93	Satisfactory	2,754,071	Not Reported
	OCC	04/30/95	Outstanding	3,348,561	Not Reported
Citizens Federal Bank, FSB	OTS	11/25/91	Outstanding	1,642,685	Assessment Factor
	OTS	04/13/95	Outstanding	2,012,741	Assessment Factor
Fifth Third Bank Western OH	FRB	09/08/97	Outstanding	1,075,563	Large bank
	FRB	03/08/99	Satisfactory	4,509,949	Large bank
First National Bank, Dayton	OCC	04/30/91	Outstanding	1,049,770	Not Reported
Gem Savings Association, F.A.	OTS	08/06/90	Satisfactory	1,456,175	Assessment Factor
National City Bank of Dayton	OCC	12/31/96	Outstanding	2,468,168	Not Reported
	OCC	06/30/93	Outstanding	1,968,478	Not Reported

Bank Name	Agency	Exam Date	CRA Rating	Asset Size (in \$1000s)	Exam Method
	OCC	04/30/95	Outstanding	2,184,076	Not Reported
Society Bank, N.A.	OCC	08/31/91	Outstanding	2,920,093	Not Reported
The Citizens N. B. of Southwestern Ohio	OCC	01/07/02	Satisfactory	45,464	Small bank
	OCC	11/27/06	Satisfactory	79,671	Small bank

Figure 71: Dayton Region Financial Institutions - Community Reinvestment Act Rating

Private Mortgage Insurance

Private mortgage insurance (PMI) is an option offered to borrowers by mortgage lenders as a part of the principal home mortgage loan allowing buyers who cannot put down at least 20% of the value of the home as a down payment, to qualify with as little as 5% down. According to Experian, the average private mortgage insurance (PMI) rates are 0.5% of the loan amount for loans secured with less than 20% down. PMI rates vary according to loan size and are not an indication of consumer risk (i.e., two borrowers applying for a mortgage with the same down payment and one with a higher credit risk than the other will pay the same PMI rates). PMI protects lenders in the likelihood that a borrower defaults.

The Homeowner's Protection Act of 1999 protects buyers who purchased a home utilizing private mortgage insurance by allowing borrowers to request termination of the insurance once 20% of mortgage balance has been repaid to the lender. Furthermore, when the balance reaches 78% PMI is automatically terminated by the lender without requiring a request from the borrower.

One of twelve mortgage applicants also sought private mortgage insurance to qualify to purchase a home during the 3-year period from 2006-2008. The FFIEC reports that 9,533 potential homebuyers sought private mortgage insurance in conjunction with their loan application. Nearly all of the applications were to purchase (69.2%) or refinance (30.8%) a one to four family unit structure and 88.0% of these applications were to finance an owner-occupied unit. Only two applications filed were to purchase a manufactured housing unit.

One-quarter of the applications were sought in the City of Dayton, 11.9% in the City of Kettering, and 59.3% in the Montgomery County Entitlement Area. Closer examination of the insurance applications compared the loan applications over this same period for each of the jurisdictions reveals that 30.6% of the mortgage applicants were from the City versus 25.7% of the primary insurance applicants.

Approximately four percent more households applied for mortgage insurance than would be expected if the insurance applicant ratio were the same as the ratio to the total number of mortgage applications. Indications here are two-fold: 1) households seeking mortgages in the City of Dayton are finding it more difficult to meet the financial obligations to purchase a housing unit, and 2) households in the City of Dayton either are not being offered the option to apply for mortgage insurance by lenders or are not choosing to apply for the coverage.

Eight insurance providers accepted applications to insure conventional home mortgages over the three-year period and two companies received 40.3% of the total applications filed in Montgomery County—Radian Guaranty and Mortgage Guaranty Insurance, 20.8% and 19.6% respectively.

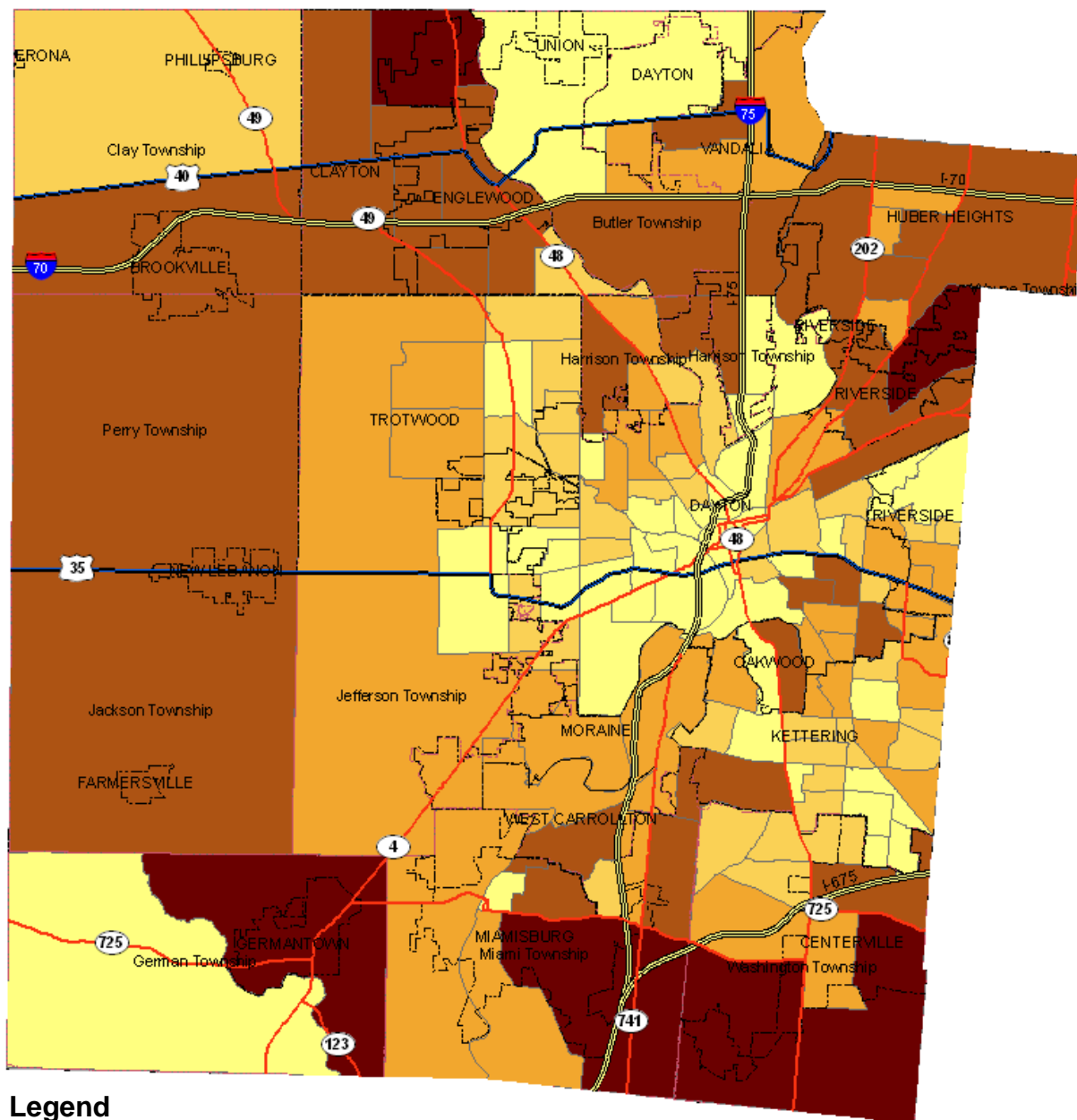
Over ninety percent (92.9%) of the mortgage insurance applications processed to purchase an owner-occupied unit from 2006-2008 were approved. Fewer than three percent (2.3%) of the applications were denied by the mortgage insurer. The most frequently cited reason for denial was insufficient collateral to secure the loan (23.6%). Second and third were credit history (17.0%) and Debt-to-income ratio (11.3%). For a complete look at the reason cited for loan application denial, refer to the table below.

Primary Reason Cited for Denial	Applications Denied	Percent
Collateral	25	23.6%
Credit history	18	17.0%
Debt-to-income ratio	12	11.3%
Insufficient cash (down payment, closing costs)	2	1.9%
Other	49	46.2%
Total	106	100.0%

Figure 72: Primary Reason Cited for Mortgage Insurance Application Denial, 2006-2008

Two-thirds (65.5%) of the primary applicants were white, 10.2% were black or African American, and 1.2% percent represented other races. Just over 1% percent of the applications indicated that the primary applicant was of Hispanic origin and similarly, while neither race or ethnicity could not be ascertained from one in five of the applications because the information was not provided. Nearly one-third of the primary applicants were female and 59.7% were male, while no indication of gender was reported on 7.5% of the applications.

Private mortgage insurance is sought to qualify for a mortgage more often in the Montgomery County Entitlement Area than the other entitlement areas. Private Mortgage Insurance is sought less frequently in lower-income Census tracts (refer to Figure 73) but denied at higher rates in the lower-income Census tracts of the City of Dayton, City of Kettering, and areas of the Montgomery County Entitlement Area. Refer to Figure 74 for a complete breakdown by Census Tract.



Legend

Private Mortgage Insurance Applications

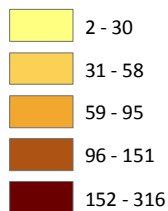
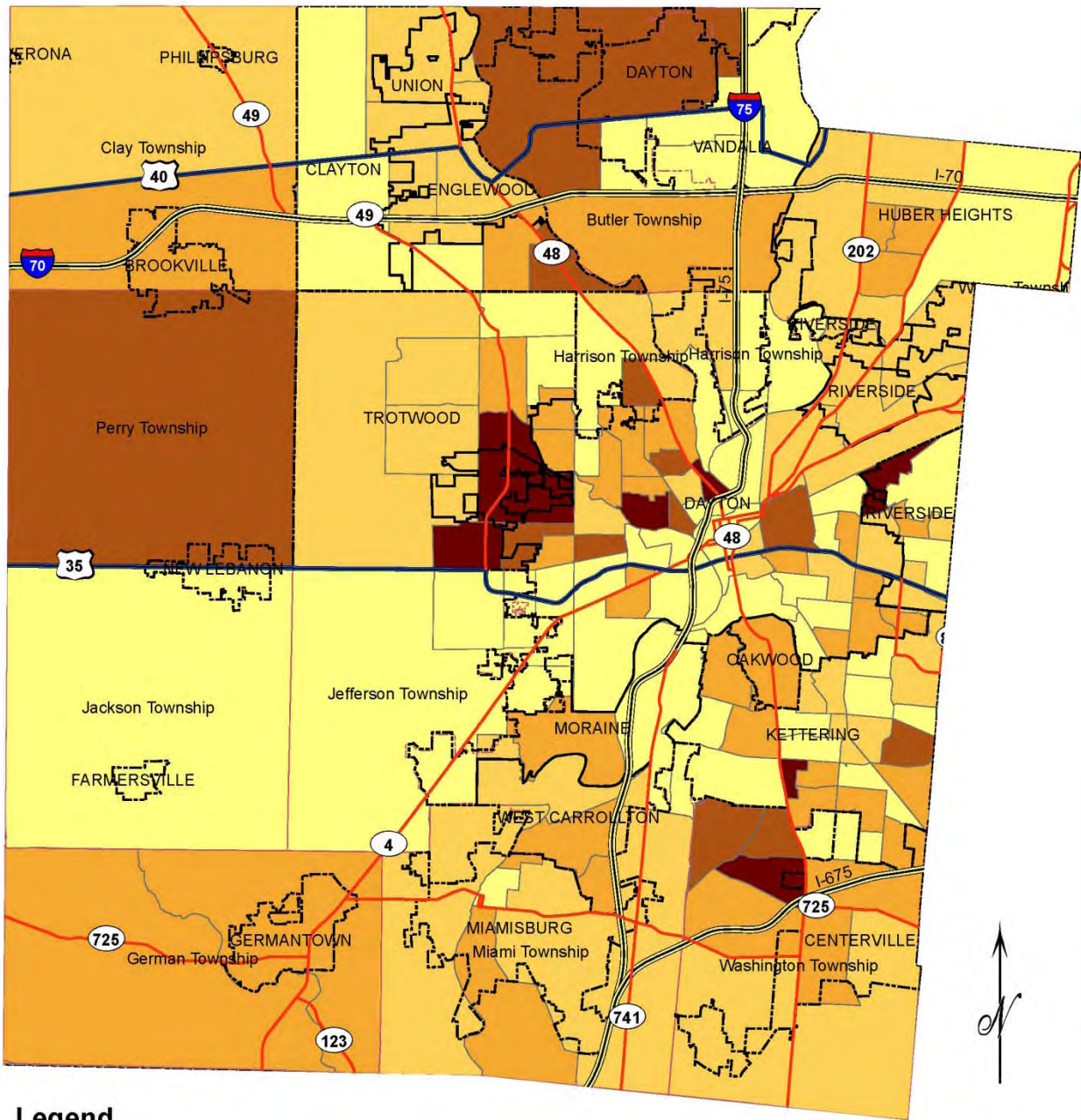


Figure 73: Total Number of Private Mortgage Insurance Applications by Census Tract, 2006-2008



Legend

Percentage of Private Mortgage Insurance Denials

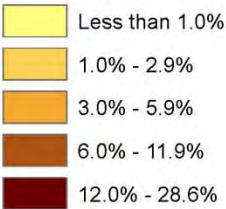


Figure 74: Private Mortgage Insurance Application Denials

Closer examination of the insurance applications compared the loan applications over this same period where minority status was indicated on the applications reveals that 61.1% of the primary mortgage applicants were white, while 65.5% of the primary insurance applicants were white. Approximately four percent more white households applied for mortgage insurance than would be expected if the insurance applicant ratio were the same as the ratio of to the total number of mortgage applications. Indicating that minorities either are not being offered the option to apply for mortgage insurance by lenders or are not choosing to apply for the coverage.

Overall, 54.6% (n=119) of households denied mortgage insurance for purchase of a primary residence were denied for financial reasons. However, too few cases prevent any detailed analysis by race or gender or any firm conclusions to be drawn.

VIII. Fair Housing Legislation Compliance

Citizens of Montgomery County who believe they have experienced discrimination may report their complaints to six entities: Montgomery County or the City of Kettering who contract with the Miami Valley Fair Housing Center (MVFHC); the City of Dayton Human Relation Council (DHRC); the Ohio Civil Rights Commission (OCRC), Dayton Regional Office; or the Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development (HUD), or the City of Centerville Municipal Attorney. Any complaint filed with the Department of Housing and Urban Development must be filed within one year of the incident. In addition to filing with these authorities, the complainant(s) also has the right to file a lawsuit in federal or state court within two years of the alleged incident.

A complaint may be resolved in a number of ways. First, if all parties agree, both parties are offered mediation and any agreement reached during mediation is binding. If mediation is not agreed upon or a resolution cannot be found, the complaint is returned to the regional office for full investigation. If investigation substantiates the discrimination charge(s) and informal methods of conciliation cannot resolve the complaint, a formal complaint is issued and the case is scheduled for public hearing.

Fair Housing Legislation

In 1965, Ohio became one of the first states to enact Fair Housing Legislation with the Ohio Fair Housing Law. In 1992, Ohio House Bill 321 passed, which enacted changes in the classes of persons protected by the Ohio Fair Housing Law. According to the law, anyone who lives or works in Ohio has the right to live wherever they can afford to buy a home or rent an apartment and it is unlawful (based on race, color, religion, sex, national origin or ancestry, disability, or familial status.)^{34,35} to:

- a. refuse to rent, sell, finance, or insure housing accommodations or residential property
- b. represent to any person that housing accommodations are not available for inspection, sale, rental or lease
- c. refuse to lend money for the purchase, construction, repair, rehabilitation, or maintenance of housing accommodations or residential property
- d. discriminate against any person in the purchase, renewal, or terms and conditions of fire, extended coverage, or home owner's or renter's insurance
- e. refuse to consider, without prejudice, the combined income of both spouses.
- f. print, publish, or circulate any statement or advertisement which would indicate a preference or limitation.

³⁴ *The Fair Housing Act of 1968, as amended, also prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, or disability. Familial status means either one or more minors (under the age of 18) who live with a parent or guardian or any person who is pregnant, or in the process of securing legal custody of any minor. The familial status provision, with limited exceptions, prohibits a housing provider from denying housing to families with children; however, protection is not applicable if housing is intended for, and to be occupied only by persons 62 years or older; or at least one person 55 years or older resides in each unit.*

³⁵ Ohio Civil Right Commission.

- g. deny any person membership in any multiple listing services, or real estate broker's organization

The Federal Fair Housing Amendments Act of 1988 states that it is illegal to discriminate against any person because of race, color, religion, sex, national origin, handicap, or familial status in the sale or rental of housing or residential lots, in advertising the sale or rental of housing, in the financing of housing, in the terms of renting property, or in the provision of real estate brokerage services.

The City of Dayton was the first jurisdiction in Montgomery County to pass its own Fair Housing Ordinance (Sec. 32.05) and Fair Credit Ordinance (Sec. 32.06) prohibiting the discrimination, coercion, intimidation, or interference with a person based on race, color, religion, sex, national origin, ancestry, age, marital status, familial status, or disability making it illegal to:

1. Fail or refuse to sell, negotiate, transfer, assign, rent, lease, sublease, finance, or otherwise deny or withhold housing accommodation from any person
2. Represent to any person that housing is not available for inspection, sale, transfer, assignment, rental, lease, or sublease
3. Discriminate against any person in making available any residential real estate related transaction, or in the terms or conditions of such a transaction
4. Refuse to lend money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing to any person
5. Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing, or subleasing any housing or in furnishing facilities, services, or privileges in connection with the ownership, occupancy, or use of any housing
6. Discriminate against any person in the terms or conditions of any loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing,
7. Discriminate against any applicant for credit in the granting, withholding, extending, or renewing of credit, or in the fixing of the rates, terms, or conditions of any form of credit
8. Refuse to consider the sources of income of an applicant for credit, or disregard or ignore the income of an applicant
9. Refuse to grant credit to an individual
10. Impose any special requirements or conditions including, but not limited to, a requirement for co-obligors or reapplication, on any applicant or class of applicants
11. Print, publish, or circulate, advertise, or publicize any statement, notice, or advertisement relating to the sale, transfer, assignment, rental, lease, sublease, or acquisition of any housing or the loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing which indicates any preference, limitations, specification, or discrimination based upon race, color, religion, sex, national origin, ancestry, age, marital status, familial status, or disability.

Fair Housing Ordinances in the City of Dayton also make it illegal to engage in any act of redlining or steering based on race, color, religion, sex, national origin, ancestry, familial status, marital status, age, or disability.

Discrimination also includes a refusal to permit, at the expense of persons with disabilities, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises; except that, in the case of rental, the landlord, may where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.

Discrimination also includes a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoyment of a dwelling.

Furthermore, the City requires that buildings which consist of four or more dwellings and/or have one or more elevators must be designed and constructed to provide at least one building entrance on an accessible route unless it is impractical to do so because of the terrain or unusual characteristics of the site. The law makes provisions for easy access to public and common areas requiring all doors be wide enough to allow access by disabled persons who are confined to wheelchairs into and within all premises. Dwelling units must also be designed so that an accessible route is available into and through the unit. Units must also have light switches, electrical outlets, thermostats, and other environmental controls be installed in accessible locations. Reinforcements must be made in bathroom walls to allow later installation of grab bars around the toilet, tub, shower stall, and shower seat, where such facilities are provided, and usable kitchens and bathrooms must be designed and constructed in a manner which allows an individual in a wheelchair to maneuver about in those areas.

In the City of Centerville, (Ord. 59-74. Passed 7-15-74.) based on race, color, religion, sex, national origin or ancestry it is illegal to:

1. Refuse to negotiate for the sale, transfer, assignment, rental or lease of, or otherwise make unavailable or deny, a dwelling to any person
2. Discriminate against any person in the terms, conditions, or privileges of sale, rental, or lease of a dwelling, or in the provision of services or facilities in connection therewith
3. Make, print, or publish, or cause to be made, printed, or published, any notice, statement or, advertisement with respect to the sale, rental, or lease of a dwelling that indicates any preference, limitation, or discrimination.
4. Represent to any person, because of race, color, religion, sex, national origin, or ancestry, that any dwelling is not available for inspection, sale, rental, or lease, when such dwelling is in fact so available.

5. For profit, induce or attempt to induce any person to sell, rent, or lease any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons.
6. Deny a loan or other financial assistance to a person applying therefore for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or discriminate against him or her in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance.

However, no provision is made in the Centerville Ordinance protecting individuals or households based on familial or disability status.

The City of Carlisle also has its own Fair Housing Provisions and defines “Restrictive covenant” as any specification limiting the transfer, rental, lease, or other use of any housing because of race, color, religion, national origin or ancestry, or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race, color, religion, national origin, or ancestry as a condition of affiliation or approval. “Unfair real property practice” means any act prohibited by Section 628.03 (Ord. 17-70. Passed 11-12-70.)

Fair Housing Enforcement

The Miami Valley Fair Housing Center (MVFHC) is a private non-profit corporation which contracts with Montgomery County and the City of Kettering to provide services that help to eliminate discriminatory housing practices. *The mission of the Miami Valley Fair Housing Center (MVFHC) is to eliminate housing discrimination and ensure equal housing opportunity for all people in our region. MVFHC engages in activities designed to encourage fair housing practices through educational efforts; assists person who believe they have been victims of housing discrimination; identifies barriers to fair housing in order to help counteract and eliminate discriminatory housing practices; works with elected and government representatives to protect and improve fair housing laws; and takes all appropriate and necessary action to ensure that fair housing laws are properly and fairly enforced throughout the Miami Valley.*³⁶

From the fiscal years of 2004 to 2007, a contract was made with the Miami Valley Fair Housing Center (MVFHC) for \$100,000 to provide fair housing activities, including consumer education, education of members of the housing industry and local jurisdictions, and enforcement of fair housing laws. MVFHC investigated 250 tenant/landlord complaints and over 200 predatory lending complaints. In 2006 of the program year of 63 fair housing complaints were filed, and in 2007, 23 administrative complaints were filed with Ohio Civil Rights Commission and the U. S. Department of Housing and Urban Development, six lawsuits were initiated, with a potential three additional lawsuits.

The City of Kettering also contracted with the Miami Valley Fair Housing Center to investigate complaints related to discrimination and predatory lending and provide educational activities including

³⁶ Miami Valley Fair Housing Center. Accessed February 2009. <http://www.mvfairhousing.com>.

speaking to high school seniors regarding housing discrimination, talking to senior citizens regarding predatory lending, and sponsoring informational booths. Since 2005, MVFHC has investigated 119 predatory lending and 39 discrimination complaints.

Since 2003, 422 total cases have been filed with MVFHC—39 complaints were filed by residents of the City of Kettering and 175 were filed by residents of the Montgomery County Entitlement Jurisdiction. In addition, 60 complaints were reported to MVFHC by residents from the City of Dayton, which were referred to the City of Dayton Human Relations Council (DHRC).

Residents in Montgomery County filed 175 total complaints since 2003. One of every two cases filed (56%) were initiated based on a disability status. Twenty-five cases were filed based on racial discrimination, while 18 were filed based on familial status.

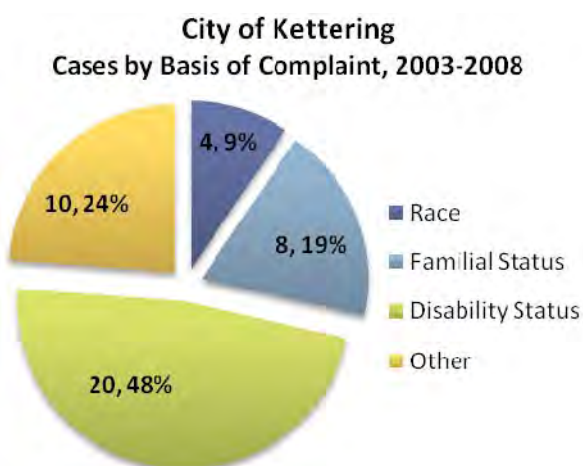


Figure 76: City of Kettering Fair Housing Complaints by Basis, 2003-2008

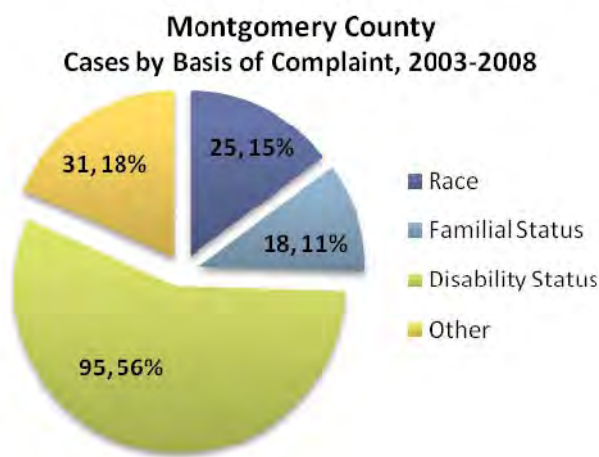


Figure 75: Montgomery County Entitlement Area Fair Housing Complaints by Basis, 2003-2008

In Kettering, 42 cases were filed in 2003 and 2008. Of these cases, one of every two was also filed based on disability discrimination. The second highest basis for discrimination complaint filings was familial status.

The mission of the Dayton Human Relations Council (DHRC) is to keep peace, order, and harmony among the citizens of Dayton, to promote tolerance and goodwill, and ensure equality of treatment and opportunity for all. The Human Relations Council is an agency with full-time staff and a 10-member Board appointed to three-year terms by the Dayton City Commission. DHRC enforces ordinances and laws prohibiting discriminatory practices under the Revised Code of General Ordinances of the City of Dayton, Ohio (RCGO) Section 32 which deny anyone employment (Section 32.03), public accommodation (Section 32.04), housing (Section 32.05), or credit transactions (Section 32.06) on the basis of an individual's race, color, religion, sex, national origin, ancestry, place of birth, age, marital status, familial status, disability, and sexual orientation/gender identity.

The Council investigates and adjudicates discrimination complaints, implements procurement programs that provide opportunities to minority, female, small/disadvantaged and disadvantaged business

enterprises, and addresses issues that affect the disabled. The Council operates special programs associated with the agency's mission and conducts active public education programs. From 2003-2008, DHRC reported 54 discriminatory housing cases. Eighty-six percent of the cases reported instances of discrimination based on race and/or disability status. No cases were reported based on familial status until 2008, when two were reported. Refer to the figure below for a complete breakdown of case statistics by basis.

DHRC provided final disposition for 50 of the cases filed from 2003-2008. In thirty percent (16 cases) no cause was found, the cases were dismissed, and one case was withdrawn. Three cases were dismissed because the complainant refused to cooperate. Four cases were heard at public hearing and nearly half of the cases (48% or 26 cases) were reconciled or settlement was successful before judicial consent.

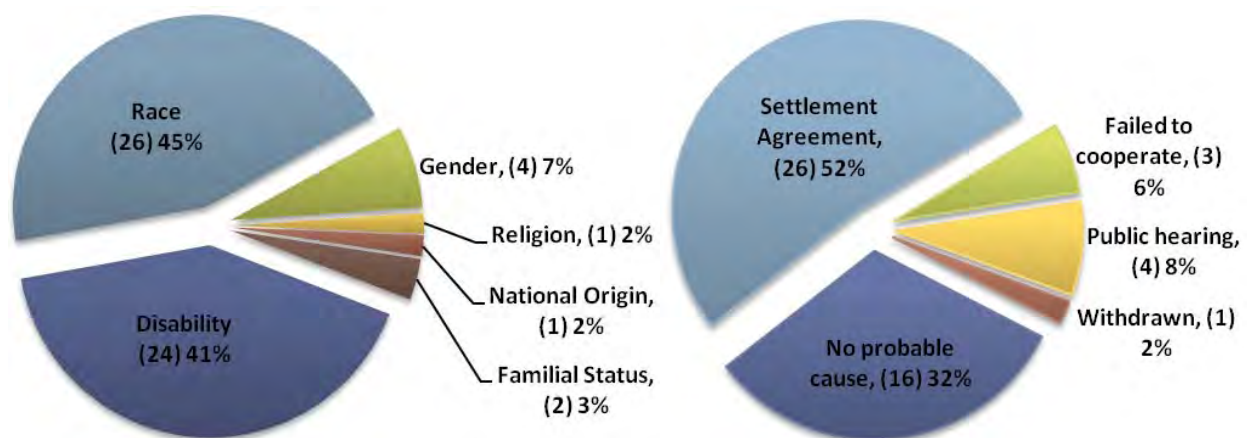
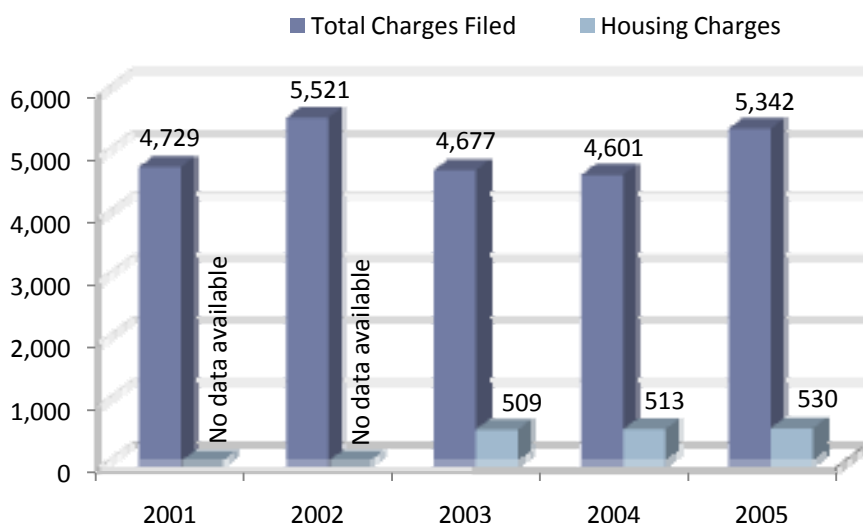


Figure 77: Dayton Human Relation Council Housing Discrimination Cases, 2003-2008

In Ohio, the Ohio Civil Rights Commission (OCRC) governs the enforcement of the Ohio Fair Housing Law and the Federal Fair Housing Act. The Ohio Civil Rights Commission investigates complaints of discrimination and enforces State and Federal discrimination laws in employment, public accommodations, housing, credit, and higher education on the basis of race, color, religion, sex, national origin, disability, age, ancestry, or familial status and addresses the problem and elimination of discrimination through special projects and the education of Ohioans. In 2005, 11.5% of the 5,342 complaints filed in Ohio were filed by the Dayton regional office.

However, the OCRC reports 24,870 discrimination charges filed with the State since July 1, 2000. Approximately 11% of the charges (FY 2003 through 2005) are housing discrimination complaints. The most common reason provided for discrimination was race. Over sixty percent of the cases were filed on the basis of racial discrimination in 2003 and 2004, 68.4% and 63.0% respectively. No data is available for FY 2005. The second most common reason for discrimination was gender (almost 40% of cases each year). The third most common reason for discrimination was disability and accounted for one-in-four complaints per year. Refer to the following figures for a complete breakdown of cases filed statewide for FY 2003 and 2004.



Charges filed by Fiscal Year – Fiscal Year Begins July 1 and ends June 30 the following calendar year.

Figure 78: Total Discrimination Charges Filed with the Ohio Civil Rights Commission, 2001-2005

Case Dispositions	2003		2004	
Race	3,201	68.4%	2,899	63.0%
Gender	1,849	39.5%	1,747	38.0%
Other	1,417	30.3%	1,299	28.2%
Disability	1,296	27.7%	1,234	26.8%
Age	1,185	25.3%	841	18.3%
National Origin	351	7.5%	325	7.1%
Religion	161	3.4%	117	2.5%
Familial Status	114	2.4%	96	2.1%

Figure 79: Ohio Civil Rights Commission Discrimination Case Dispositions, 2003-2004

The United States Department of Housing and Urban Development (HUD) also governs the enforcement of the Federal Fair Housing Act. HUD investigates complaints of discrimination and enforces Federal discrimination laws in housing and credit on the basis of race, color, religion, sex, national origin, disability, age, ancestry, or familial status and addresses the problem and elimination of discrimination through special projects and the education.

Since 2003, 195 total discrimination cases have been filed by Montgomery County residents with HUD. The most cases filed in any given year were 48 and the most frequently cited reason for filing with HUD was discrimination based on the disability status. Second highest reason for filing was based on race (10 complaints), closely followed by familial status (9 complaints). Since 2003, complaints based on race have averaged 12 per year. However, complaints based on race have also declined significantly, from 20 in 2003 to 10 in 2008. Conversely, complaints filed on basis of discrimination of persons with disabilities

averaged 10 per year since 2003 and have steadily increased from 5 in 2003 to 14 in 2008. Similarly, complaints based on discrimination due to familial status have doubled in number since 2003.

The most frequently cited issue was discrimination in terms, conditions, and privileges related to rental of housing units—60 total cases. The second highest issue cited (28 cases) was discriminatory refusal to rent and failure to make reasonable accommodation for persons with disabilities (27 cases). For a detailed breakdown of issues, please see the following chart.

Issue Cited on Discrimination Complaint Filed with HUD, 2003-2008

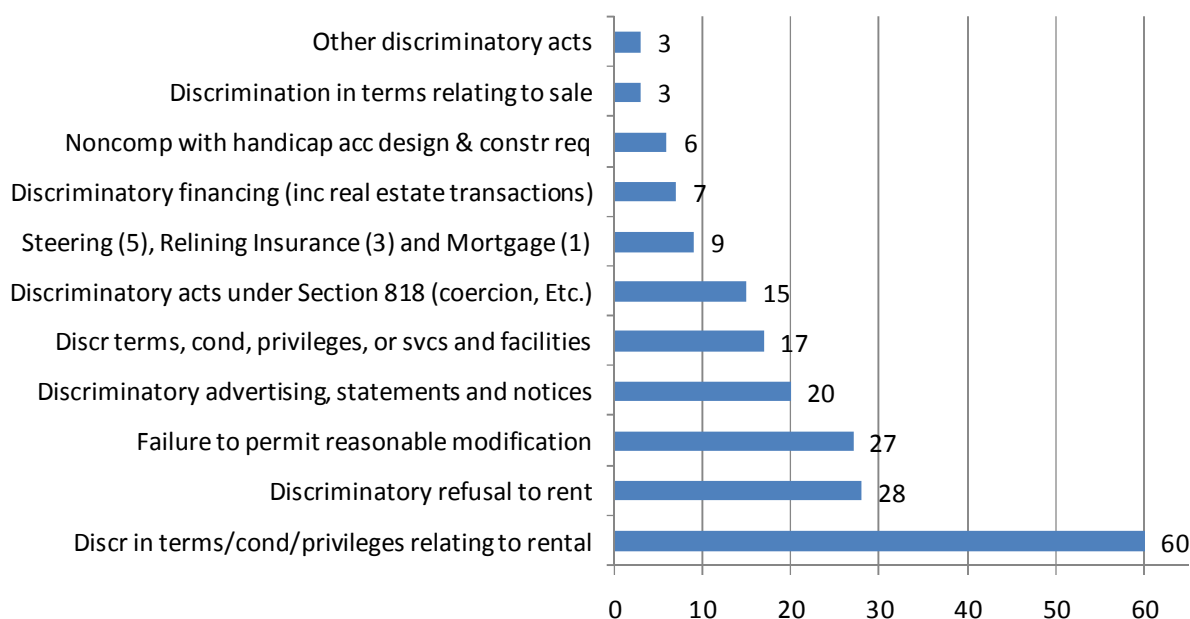


Figure 80: Issue Cited on Discrimination Complaint Filed with HUD, 2003-2008

HUD provided final disposition for 162 of the cases filed from 2003-2008. In thirty-one percent (51 cases) no cause was found and the cases were dismissed and four percent of the cases were withdrawn when the complainant refused to cooperate. One in seven cases was withdrawn by the complainant after resolution. Nearly 31% of the cases were reconciled or settlement was successful before judicial consent.

Advertising

Section 804(c) of the under Fair Housing Amendments Act of 1988 (FHAA) makes it illegal "to make, print, or publish, or cause to be made, printed, or published, any notice or statement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, national origin, sex, disability, or familial status." This prohibition applies to all advertising media, including newspapers, magazines, television, radio, and the Internet.³⁷

Montgomery County communities are served primarily by two news publication groups: The Times Community Newspapers of Greater Dayton, Ohio and the Dayton Daily News, a publication of Cox Ohio Publishing. Both of these organizations run regular editions featuring classified advertisements for rental units and homes for purchase. In addition to news print publications, housing rentals are listed in monthly magazines (i.e., the *Apartment Guide* and *Rental Guide*) distributed to the public free of charge at stands outside most grocery, convenience, and video stores.

The largest publication, the *Dayton Daily News*, regularly features the Fair Housing and Equal Opportunity (FHEO) logo, as well as the following statement in both their print and online publications:

Fair Housing Statement:

We are pledged to the letter and spirit of U.S. policy for the achievement of equal housing opportunity throughout the Nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status, or national origin. No Pets indicates that although the advertiser does not accept pets, in accordance with Fair Housing laws, service and/or companion animals are permitted, when properly requested by those disabled individuals who need them.*

All real estate advertised herein is subject to the federal Fair Housing Act, which makes it illegal to advertise any "preference, limitation or discrimination because of race, color, religion, sex, disability (handicap), familial status or national origin, or intention to make any such preferences, limitations or discrimination." We will not knowingly accept any advertising for real estate which is in violation of the law. All persons are hereby informed that all dwellings advertised are available on an equal-opportunity basis. If you believe your fair housing rights have even violated or you would like more information in fair housing and your rights, contact the Miami Valley Fair Housing Center at (937) 223-6035 or visit one of the following web sites.

In October 1999, Miami Valley Fair Housing Center (MVFHC) settled a federal lawsuit alleging that The Dayton Daily News and Irongate Realtors were engaging in acts of illegal housing discrimination based

³⁷ U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity.

on familial status, when the Dayton Daily News published rental advertising for the realtor which stated "no smoking, pets, or kids." MVFHC further substantiated the allegations by employing testers who also inquired about the unit and were consistently told that "no smoking, pets, or kids" were allowed.

MVFHC also researched back issues of the real estate section of the Dayton Daily Newspaper and further alleged that issues reviewed since October 1998 violated Section 804c by publishing advertisements limiting rental housing based on gender and familial status.

Provisions of the Consent Decree filed in the case with Dayton Newspapers, Inc. include that The Dayton Daily News shall: (1) use its best efforts to immediately cease publication of advertisements that violate the federal and state Fair Housing Acts; (2) work cooperatively with the Miami Valley Fair Housing Center to develop advertising screening policies that DDN will implement to avoid future violations; (3) provide \$12,000 per year, for the next five years to the Fair Housing Center to assist in funding a part-time Fair Housing Center employee who will screen published advertisements and report suspected violations to the Dayton Daily News; (4) assure that each of its classified advertising employees attend a 3-hour fair housing training session once per year for the next five years, conducted by the Miami Valley Fair Housing Center; (5) amend its publisher's statement to comply with the HUD guidelines for publisher's statements; (6) provide the Miami Valley Fair Housing Center with complimentary 1/4 page advertisements (or the equivalent thereof, as display advertisements, in more frequent intervals), free of charge, twice per month for twenty-four months; (7) provide the Miami Valley Fair Housing Center with complimentary full page public-service advertisements recognizing "Fair Housing Month" during April in the years 2000, 2001, and 2002; and (8) publish a monthly column written by the Executive Director of the Fair Housing Center, each month through December, 2000; and (9) pay \$8,307.48 to Miami Valley Fair Housing Center for its reasonable costs and attorney fees.

Provisions of the Consent Decree with Irongate, Inc. include that Irongate Realty shall: (1) immediately cease all conduct, including publication of advertisements, that violates the federal or state Fair Housing Acts; (2) work cooperatively with the Miami Valley Fair Housing Center to review any existing screening policies and implement new, more comprehensive screening policies to avoid future violations; (3) assure that each of its employees attend a 3-hour fair housing training session conducted by the Miami Valley Fair Housing Center once per year for the next three years; (4) fund the professional development of a full-color brochure detailing home-seekers' rights under the state and federal Fair Housing Acts; (5) fund an insert of at least two full-pages in the Dayton Daily News directed to Miami Valley homeseekers. The Decree calls for the insert to be included as an insert at least four times a year for the next three years and for it to inform home-seekers of their

rights and responsibilities under the state and federal Fair Housing Acts; (6) pay \$40,000 to co-plaintiff and the Miami Valley Fair Housing Center for undifferentiated compensatory damages and attorney fees.³⁸

Jim McCarthy reports that both the Dayton Daily Newspapers and Irongate Realtors successfully met the terms of the Conciliation Agreement and remain proactive by participating in education and training, with the Center, twice per year and reporting for themselves. No further actions have been cited since the terms of the conciliation were met.

Five years ago, the Miami Valley Fair Housing Center began regularly reviewing local newspapers and housing magazines to ensure compliance with fair housing laws and taking corrective action when necessary. Resources reviewed included, but are not necessarily limited, to the following publications:

- Dayton Business Journal
- Coldwell Banker Heritage Realtors Home Buyers Guide
- Real Estate Plus - Dayton Daily News
- Your Color Catalog of Homes - Gig Hill GMAC Real Estate
- Spring Parade of Homes- Dayton Daily News
- Insight 2007 Community Profiles - Dayton Daily News
- Build Your Dream - An Introduction to New Home Builders and Developments
- Real Living Realty Services - Business Card from Carolyn Jackson
- Apartment for Rent - Nation's Leading Apartment Magazine
- The Real Estate Book - Dayton & the Miami Valley
- Rental Guide Apartments – Homes & Land Magazine
- Apartment Guide
- Real Estate for Sale – Miami County
- Prudential On, Realtors Collection of Homes
- Harmon Homes - Dayton and Surrounding Areas
- Homes.com - Lee & associates - Auteur Estates
- Sibcy Cline Realtors Listing
- Homes for sale in the Miami Valley - Iron Gate Realtors
- Christian Blue
- Seniors Guide - Greater Dayton & Miami Valley
- Real Estate Plus

Training sessions are offered by the Miami Valley Fair Housing Center (MVFHC) once a year to educate housing industry professionals about fair housing law compliance. Through effective use of its

³⁸ National Fair Housing Advocate. Accessed February 2009. <http://www.fairhousing.com/index.cfm>, 10-11-99.

cooperative relationships with the Dayton Area Board of Realtors, the Greater Dayton Apartment Association, and the Kettering Board of Community Relations, it is able to help expand equal housing opportunities in the Miami Valley. Each course focuses on the main principles of fair housing which includes: Disability Rights Laws, the Fair Housing Act Accessibility Requirements, and the Patriot Act, in light of the Federal Fair Housing Act for real estate and leasing professionals.

In 2005, the Fair Housing Group in Chicago filed one of several lawsuits pending against the San Francisco based Craigslist Incorporated. The online advertising company allegedly published discriminatory housing ads such as “no minorities” and “ladies only.” The site does not pre-screen or approve the approximately 8 million new ads published each month. Craigslist does have a system in which its own users can flag inappropriate or illegal ads for removal.

In April 2008, the Supreme Court issued a decision affecting laws regarding internet service provider or host liability. The decision found that online host Roommate.com is not only responsible for the choices provided for third party selection but also the content provided in “open-ended” and “fill-in-the-blank” responses. The decision represents a departure from immunity previously given by the Ninth Circuit Court and other circuits, and sets new limits on the availability of immunity provided by the Communications Decency Act Section 230(c).

The Miami Valley Fair Housing Center is beginning to investigate online advertising agency advertisements posted for the Dayton region including Craigslist and Roommate.com, due to the consistent increase of online audiences that continue to publish discriminatory ads.

Montgomery County collects no data regarding Section 804(c) compliance. So, as part of the analysis, the Center for Urban and Public Affairs reviewed the real estate and apartment advertising placed in the Real Estate Section of the following publications:

- Beaver Creek News-Current Extra
- Wright Patterson Skywriter
- Apartment Living
- Rental Guide

The intent of the discovery process was to examine advertisements placed in the Times Community Newspapers of Greater Dayton publication, the *Kettering Oakwood Times*, and the *Skywriter*. Archived copies of the *Kettering Oakwood Times* were not available for examination. Instead the researchers compiled data from the *Skywriter* and the *Beaver Creek News-Current Extra* in place of the *Kettering Oakwood Times*.³⁹ The Beaver Creek paper was chosen because archived copies were available

³⁹ The assumption drawn here is that fair housing policies and omissions observed in one publication of Times Community Newspapers of Greater Dayton will also be observed for all of the publications from the Times Community Newspapers, but in particular, all of the publications included in advertisement cohort as mentioned above.

to researchers and advertisements placed with the *Times Community South Publications* run for one week in the following papers:

- Centerville Bellbrook Times
- Kettering Oakwood Times
- Springboro Sun
- Times Weekend, and
- Beavercreek News Current Extra

Both local newspapers complied with the Fair Housing Advertising Guidelines by consistently publishing Fair Housing notices and/or information about equal housing opportunity within its Real Estate Sections.

However, we noted that several of the realtor ads, apartment complexes, and developers who were also selling homes failed to place equal housing opportunity logos and/or statements in some of the two column inch advertisements contained in the “For Rent/Sale” section of the paper.

The *Skywrighter* has archives online, while the Beavercreek Public Library maintains archives of the Beavercreek News-Current Extra. CUPA examined one edition per month of both of the newspapers for words contained in the *Fair Housing Advertising Word and Phrase List* provided by the Miami Valley Fair Housing Center. We did not discover any overtly racial or other discriminatory language. There were however, advertisements that used words or phrases that were highlighted as cautionary by the Miami Valley Fair Housing Center. The most frequently used cautionary term was “near”, and the second most frequently used phrase was “no pets”. Analysis yielded the following list of cautionary phrases:

- Near (close to) (170)
- No Pets (667)
- Senior discount (13)
- Private (4)
- Perfect / Great Location (3)
- Perfect for college student or couple (1)
- Great deal for right person (1)

The “No Pets” policy for residents may not be intentionally discriminatory, but it discourages handicapped individuals with service animals from applying. Ads allowing only small pets or stating “no dogs” are classified in this group because “most service dogs are generally Labrador Retrievers and Golden Retrievers.”⁴⁰

The reason that senior discounts are flagged above is because it encourages a disproportionate number of seniors to apply for rental units in complexes. Therefore, we also flagged the following list of discounts because they encourage disproportionate numbers of military/government personnel or

⁴⁰ Animal Welfare Information Center, U.S. Department of Agriculture.
<http://www.nal.usda.gov/awic/companimals/assist.htm>.

students to apply for housing, possibly discouraging others from seeking housing in these developments. We found the following phrases in both publications:

- Military Discount (23)
- Government Employee Discount (5)
- No Deposit Military (70)
- \$99 Deposit with Military ID (1)
- Student discount (1)

Fair Housing Survey

In early 2009, the Center for Urban and Public Affairs conducted a survey of housing providers in Montgomery County, the City of Dayton, and the City of Kettering. A total of 34 respondents participated in the survey including government officials; non-profit organizations, such as the Area Agency on Aging and the YWCA of Dayton; and members of the Greater Dayton Real Estate Investment Association.

Professionals were asked to compare the current fair housing situation in Montgomery County to five years ago. Seventeen of the thirty-four participants interviewed said fair housing has improved, twelve said it has remained the same, and four said it is worse.⁴¹ Twenty respondents were not aware of anyone experiencing discrimination in obtaining housing within the past five years. The thirteen respondents aware of housing discrimination identified disability as the most current and dominate case.

Popular examples of housing discrimination given by the respondents included knowledge of others who have refused to rent or deal with a person, refusing to make reasonable accommodations for a tenant with one or more disabilities, and housing providers that use discriminatory advertising.

Other potential fair housing violations noted in Montgomery County include families or individuals being denied rental housing based on the number of children, jurisdictional zoning codes that deny more than 3 unrelated people living together, and one or more disability related variables (i.e. the presence of a service animal and identifying individuals with mental retardation living together as required to go through public hearings for conditional use permits).

Disability Access-Types of Housing and Features

In early 2009, the Center for Urban and Public Affairs conducted a survey of Montgomery County organizations. Eleven professionals from two of the County's jurisdictions represented local housing organizations in the Miami Valley.

⁴¹ Totals do not equal the 34 responses due to non-response to a question or an option on the survey.

Housing professionals were asked to identify the type and size of the units that are provided to clients as disability housing. Housing classifications included studio, one-bedroom, two-bedroom, three-bedroom, four-bedroom, and five-bedroom units. Three organizations offered studio housing units. One organization had 10 accessible housing units, another had 26 accessible housing units, and another organization had 31 accessible housing units. When asked about one-bedroom disability housing units, the number of units administered by organization varied from the following: 2, 6, 8, 20, 36, and 192. For two-bedroom disability housing units, the number of units administered by organization varied from the following: 8, 12, 32, and 41. For three-bedroom disability housing units, the number of units administered by organization varied from the following: 4, 5, and 20. For four-bedroom disability housing units, the number of units administered by organization varied from the following: 1, 2, and 24. No organizations included in the survey administered five-bedroom disability housing units. As noted, the number of disability housing units varies per organization in Montgomery County.

Other styles of housing provided by organizations included a different type of disability housing unit. One organization offers dormitory-style occupancy with various room sizes and a double house with four bedrooms: two with two beds and two with three beds. Another organization did not administer housing units.

Professionals were asked to whether their organization provided funds for adaptive modifications for persons with disabilities. Out of ten organizations, two provided these types of funds.

When asked about preferences of housing units and whether organizations give preferences to certain types of households when assigning units from waiting lists, seven organizations provide this type of preference. Specifically, six out of eleven organizations give particular preferences to certain types of households when assigning units from their waiting lists. Preferences include: homeless, people being discharged from a state hospital, veterans, victims of domestic violence, working families, disabled head of household, elderly head of household, mental retardation, and other developmental disabilities, mental disabilities and chemical dependency, single women only, and homeless with disabilities.

Additionally, six out of ten organizations dedicate housing units to particular populations. Specifically, dedicated housing units provided to particular populations include: homeless people with disabilities, MRDD, people with severe mental illness, and seniors. The number of units dedicated to these types of particular populations ranged from the following: 40, 597, 74, 82, and all available units at the organization.

Organizations were also asked how they work with their populations and preference of housing units. Six out of ten organizations permit applicants to reject housing units and remain on the organization's waiting list.

Professionals working in these housing organizations were asked how to deal with accommodations for people with disabilities. Four organizations found it was easy to find a housing unit with necessary accommodations, while five organizations found it difficult to locate these accommodations. Specifically, organizations were asked: what is the main barrier of disability housing. Greatest barriers

preventing persons with disabilities from finding appropriate housing include: zoning codes (if living in groups of four or more), accessibility (2), adequate income (3), lack of wheelchair accessibility, people having: no or bad credit, criminal records, history of eviction, inability to secure funds for deposits, outstanding utility bills, behavioral health involvement, availability of enough housing, AOD issues, and past/present financial issues.

Respondents were also asked about providing information for disability modifications. Four organizations provide information, three utilize external services, and three organizations do not utilize either approach. Housing professionals were also asked questions regarding retrofitting housing for disability use. Three organizations help persons with disabilities retrofit their homes with a full bath on the main level, help persons with disabilities retrofit their homes with a bedroom on the main level, and help persons with disabilities retrofit their homes with non-slip floor surfaces. Four organizations help persons with disabilities retrofit their homes with doorways/hallways that are wider than standard for accessibility, help persons with disabilities retrofit their homes with bathroom aids, such as grab bars, help persons with disabilities retrofit their homes with lever-handled doorknobs, help persons with disabilities retrofit their homes with an entrance without steps, and help persons with disabilities retrofit their homes with kitchen accessibility/usability for persons in wheelchairs.

One organization helps persons with disabilities retrofit their homes with a personal alert system that allows people to call for help in emergencies. However, two organizations help persons with disabilities retrofit their homes with electrical outlets positioned slightly higher than usual, helps persons with disabilities retrofit their homes with electrical switches positioned slightly lower than usual, and help persons with disabilities retrofit their homes with easily reachable/usable climate controls (thermostat).

Summary of the Findings

Poor credit history is the major reason for application denials across race, gender, loan type, and for most income categories. High debt-to-income ratios and lack of collateral are also a concern. Disparities in approval rates between minority groups or household types was witnessed in the data during the five-year study period. The HMDA data alone cannot be used to determine whether a lender is complying with fair lending laws and suggests that future studies of real estate practices—the real estate agents, their clients, and the loan process — is necessary.

The data reviewed here is useful in determining programs, which might be needed to address the gaps between what the potential homeowner needs and what is provided. The data indicates that future programs might include the following:

- Education about credit, credit scores, debt-to-income ratios, and collateral to new or prospective loan applicants to avoid credit problems
- Credit counseling and programs to assist potential home buyers who already have debt problems that would guide prospective home owners in repairing their credit history
- Education about loan requirements and budgeting and how this improves the applicant's probability of securing a home mortgage
- Applicants seeking preapproval before applying for a mortgage concentrate more heavily in the suburbs than the City of Dayton, indicating that education activities in the City of Dayton should also stress the preapproval process.
- Outreach programs designed to match low-income borrowers with special needs to federal and other assistance
- Although the rating for each institution of the eight institutions serving the Dayton area range from *satisfactory* to *outstanding* in meeting community credit needs, only one local financial institution has been rated since 2000. Local government and community leaders should seek to encourage the local financial community in meeting the credit and community development needs of the residents.
- Timely data collection and analysis of data regarding compliance with Section 804(c) of the Fair Housing Act. Where violations occur, these should be rectified in a timely fashion.

Target Neighborhood Survey Summary, March-June 2008

In 2008, a survey was conducted to identify the housing issues facing Montgomery County's target neighborhoods. Fourteen jurisdictions responded to the survey. Over half of the participants surveyed (53.8%) identified deterioration of owner-occupied housing units as a minor problem and 61.5 percent said deterioration of owner-occupied housing units has remained unchanged since 2003.

Respondents identified the deterioration of renter-occupied housing units (46.2%) and deterioration of vacant units (50.0%) as moderate problems facing housing issues. Further, 53.8 percent of participants identified the deterioration of renter-occupied housing units as unchanged since 2003. While 50.0 percent said the deterioration of vacant units has worsened since 2003.

Regarding the neighborhood infrastructure, a majority of participants identified poor road conditions as not a problem (30.8%) or a minor problem (30.8%). Less than half of the respondents (41.7%) identified the deteriorating sidewalks and curbs as a minor problem, although more than half (58.3%) said the problem had not changed since 2003. Also receiving a rating of a minor problem by more than half of respondents (53.8%) was the poor drainage and flooding issues. A majority of respondents (61.5%) identified the drainage and flooding problems as unchanged since 2003.

Neighborhood issues surrounding Commercial Development include the deterioration of commercial buildings, which 50 percent of respondents identified as a minor problem, and 60 percent said it has remained unchanged since 2003. Less than half (40.0%) of participants said the poor conditions of streets, sidewalks, and lighting is not a problem. Although, 50.0 percent said it has worsened since 2003.

The responses concerning the availability of land for new development were evenly distributed as minor, moderate, and severe (each 30.0%). Additionally, 57.1 percent said the availability of land for new development has remained unchanged since 2003.

The County inquired whether the goods or services provided were adequate or inadequate by assessing the current availability of Montgomery County's neighborhood goods and services. A majority of respondents identified adequate affordable family services (92.3%), affordable housing for non-elderly adults (92.3%), affordable housing for senior citizens (69.2%), housing for the physically disabled (53.8%), housing for the mentally disabled (53.8%), and enforcement of housing codes (84.6%).

Nearly two-thirds (61.5%) of respondents said the child care and youth activities in Montgomery County were adequate. Although, 61.5 percent of respondents said home maintenance and rehabilitation programs were inadequate, and 53.8 percent of respondents said recreation facilities for senior citizens were inadequate as well. Participants identified adequate services provided by Montgomery County which include community parks and recreation (53.8%), police and fire protection (100%), commercial facilities (66.7%), and public transportation (84.6%).

All respondents indicated adequate infrastructure of Montgomery County roads (69.2%), sidewalks (69.2%), and streetlights (69.2%). Over half of the participants (53.8%) said sewer services have

remained unchanged since 2003. A majority of respondents (84.6%) identified adequate water service and solid waste disposal (92.3%).

The business development in Montgomery County has been identified as adequate regarding the general appearance of local businesses (54.5%), sufficient parking (72.2%), and street/sidewalks/lighting (63.6%). Conversely, the availability of jobs was identified as inadequate by over half of respondents (54.5%).

Jurisdictions reported the 2000 Census count of housing units ranging from 108 to 1,574, totaling 10,571 units. Jurisdictions reported 5,165 units in good condition, 421 units in need of major repair, and 1,355 units in need minor repair, and 38 units need demolition.

In an attempt to identify Montgomery County's priorities, each jurisdiction was asked to list their top five priorities in order from most important to least important. The top priorities identified within the jurisdictions were infrastructure improvements and commercial business redevelopment. Other non-housing priorities include:

- Development of parks and recreational facilities
- Business attractions and retention
- Availability of jobs
- Parking development

Among housing priorities, code enforcement and vacant structure repair topped the list of importance. Other housing priorities include:

- Rehabilitation for housing units
- Property maintenance
- Financial assistance for home repairs
- Services for homebound residents
- Conversion of rental to ownership units
- Incentives for housing rehabilitation

Montgomery County Housing Needs Assessment Survey

In 2009, an online Housing Needs Assessment survey was conducted by the Center for Urban and Public Affairs in order to gather input from nonprofit organizations, government agencies, and other interested parties about Montgomery County's housing. Overall, respondents continue to describe Montgomery County as an area which provides an opportunity to freely choose a place to live without being discriminated against. However, the following needs were identified:

The majority of participants (81.8 percent) identified Montgomery County's housing conditions as good, along with 60.9 percent who classified fair housing opportunities the same way. Also receiving a rating of good was the availability of affordable housing units (39.1 percent of respondents) and the availability

of housing for persons with substance abuse (42.1 percent). Further, 36.4 percent of individuals surveyed felt code enforcement policies were fair. Additionally, the availability of housing persons with disabilities and the availability for housing the homeless were identified as fair (33.3 percent and 45.0 percent). Conversely, the availability of housing for persons with a mental illness was described as poor by 36.8 percent of respondents.

More than half of survey participants recognized the surplus of vacant houses and abandoned buildings (69.6 percent) and identified the significant impact of predatory lending and mortgage foreclosures. Only two respondents identified a current plan in place to address vacant housing and abandoned buildings, although 52.2 percent of respondents recommended demolition.

IX. Identification of Impediments to Fair housing and Recommendations

This section reviews the *impediments addressed in the 2004 AI* (which are identified in italics) and summarizes the impediments to fair housing choice identified in the research conducted for this AI. In addition to the impediments found, this sections also addresses the issues encountered that made data analysis difficult when conducting this study.

Dayton is a city with considerable racial and ethnic diversity. It is a city with a large number of minority and low-income residents who face particular problems securing decent housing, as do families with children, and persons with disabilities. Patterns of racial clustering are identifiable, suggesting that discrimination is still a common practice preventing minorities and low-income households and individuals from moving into other areas of choice. Information provided by the housing organizations provides evidence that discrimination does still exist. However, discrimination does not appear to be the only factor contributing to these patterns, but rather in these particular areas, rental units are more plentiful and provide affordable alternatives.

White flight, according to Jecho et al., is a three step process (p.10).⁴² Step one, African Americans moved to northern industrial cities after World War II while whites moved to the suburbs, thus replacing high to medium waged workers with low waged workers (Jecho, p.10). Step two, a fall in city revenue led to a decrease of services. Step three, cities' populations declined. This pattern resulted in the racial clustering common in Midwestern and Northeastern cities today. Racial clustering originates and perpetuates for a number of reasons.

Three distinct, not mutually exclusive causes of residential segregation have been proposed: class, self-segregation, and discrimination (Charles, 2003; Dawkins, 2004; Freeman, 2000; Galster, 1987b). The class theory attempts to explain residential segregation in terms of average interracial differences in ability to pay for housing. The self-segregation theory holds that Whites (and perhaps other groups) prefer to live in areas predominantly occupied by members of their own group because they perceive either something undesirable about other groups and/or something positive about their own. The discrimination theory posits that minorities are prevented from moving into areas that their incomes and preferences might otherwise allow because of discriminatory barriers in the housing market.⁴³

While some researchers argue that discrimination plays a minor role in segregation, current research paints a compelling counterargument. Cited in *Unequal Treatment*, Massey found that African

⁴² Jecho, Charles; Roehner, Bertrand M. *White Flight or Flight from Poverty?*, 2006

⁴³ Galster, George. George Galster and Erin Godfrey. "By Words and Deeds: Racial Steering and Real Estate Agents in the US in 2000," *Journal of the American Planning Association*, 2005

Americans live in communities that are overwhelmingly African American.⁴⁴ In six metropolitan areas (Chicago, Cleveland, Detroit, Gary, New York, and Newark), isolation indices for African Americans are 80 or more, indicating that in these cities, the average African American lives in a neighborhood that is more than 80% black.⁴⁵ The isolation index for the City of Dayton was 71.5% in 2004.⁴⁶

Segregation cannot only be explained by socioeconomic differences that are argued in class theory. African American families earning at least \$50,000 annually (in 2001) were as likely to live in neighborhoods as segregated as those in which African American families earn less than \$2,500 per year.⁴⁷

Self segregation theory points out that people simply choose to live where they meet their needs for self consistency, self esteem and social approval.⁴⁸ Homes, according to Sirgy, are an aspect of how people want to be seen (p. 501). He suggests that white-flight is due to the motivation that people want to conform to their social norms (p.501). Therefore, people will tend to live in neighborhoods with people similar to them. Self-Congruity Theory also applies to businesses. For instance, businesses started moving closer to the suburbs for the same reason whites did, the status associated with a location. Businesses would move closer to the affluent population in hopes of it raising their status.

However, polling data indicate that patterns of segregation do not appear to result merely from choice. African Americans strongly endorse the idea of residential integration and would prefer to live in racially mixed neighborhoods. On the other hand, polling data by Farley et al. (1994) show that where 7% of the residents were black, 13% of white respondents reported they would be unwilling to live in the neighborhood; if the percentage black residents were 20%, then 33% of whites would be unwilling to live there; if the percentage were 30%, then 59% of whites would be unwilling to move in; and the pattern continues.

At the same time, systemic differences in the mortgage lending and real estate industries persist, and these subtle, covert barriers contribute to segregation, according to Massey and many other researchers. In a study released by the Housing Research Advocacy Center in 2009, data for Ohio and its seven largest metropolitan areas reveal continuing disparities in mortgage lending based on race and ethnicity.⁴⁹ Using HMDA data for 2007, “an examination of the income levels of applicants reveals that these disparities exist regardless of income.”⁵⁰ According to the Housing Research & Advocacy Center, African Americans and Hispanics/Latinos continue to have limited access to fair and equal credit, each

⁴⁴ Unequal treatment: confronting racial and ethnic disparities in health care By Alan Ray Nelson, Institute of Medicine (U.S.), 2003

⁴⁵ Ibid

⁴⁶ Fair Housing Impediments Analysis, p. 12, 2004.

⁴⁷ Ibid

⁴⁸ Sirgy, M. Joseph; Su, Chenting. “Housing Preference and Choice: A Research Agenda based on Self-congruity Theory.”

⁴⁹ “Persisting Racial and Ethnic Disparities in Ohio Mortgage Lending,” Housing Research & Advocacy Center, 2009.

⁵⁰ Ibid

experiencing higher denial rates and high cost lending rates than whites.⁵¹ And denial rate differences worsened from 2005 to 2007.⁵² Statewide, upper income African Americans were denied home purchase loans 33% of the time compared to a 28% denial rate for low-income whites.⁵³ In the Dayton metropolitan area, the denial rate for home purchase loan applications shows that the denial rate for upper income African Americans was 28% versus 24% for low-income whites.⁵⁴

In 2008 HMDA data reveals that the denial rate for blacks is significantly higher than the rate of application—7.0% higher over the five-year period, while the rate of denial is 6.2% higher than rate of application for non-Hispanic whites from 2004-2008. Within the City limits of Dayton, this is also true. Applications submitted by blacks or African Americans were denied 29.9% of the time—a 7.1% difference over applications filed, while applications submitted by non-Hispanic white applicants were denied 40.1% but accounted for 45.6% of the total applications filed. Similarly, in the City of Kettering African Americans filed only 1.2% of the applications processed for approval but account for 2.1% of the applications denied—almost twice what would be expected. While non-Hispanic white households makeup 76.1% of the applications filed in the City of Kettering from 2004-2008, they also make up 78.1% denials (2.0% more than expected). Finally, 7.8% of the applications filed within the Montgomery County Entitlement Area were filed by black or African American households, while non-Hispanic white households filed 67.2% of the applications. Black household applicants were more likely to be denied (a difference of 4.7%) while white non-Hispanic applicants were less likely to be denied (3.6%).

“Many of the tactics associated with predatory lending at the national level are occurring in the sub-prime market in Montgomery County. These tactics include new fees and different loan terms revealed at loan closing, encouragement to borrow more money, steering people with good credit into sub-prime loans, and inflated appraisals.”⁵⁵

“The [predatory lending] study indicated that most of the sub-prime lenders are doing three to four as many loans with African American borrowers, and two to five as many loans with borrowers whose household income is 50% or less of the median household income, when compared with the overall market. Mapping of the mortgage foreclosures between 1994 and 2000 illustrates the rapid spread across jurisdictions of Montgomery County. While the City of Dayton has the largest percentage, suburban communities have experienced an increase in their share of foreclosures as well as those associated with sub-prime loans.”⁵⁶

The FFIEC reports that data also reveal that certain minorities more likely to receive high-cost mortgages than other racial or ethnic groups. The HMDA data also reveal that certain minorities in Montgomery

⁵¹ Ibid

⁵² Ibid

⁵³ Ibid

⁵⁴ Ibid

⁵⁵ University of Dayton Business Research Group cited by the Miami Valley Fair Housing Authority website <http://www.mvfairhousing.com/oldnews.php>

⁵⁶ Ibid

County are also more likely to receive high-cost mortgages than other racial or ethnic groups. Data covering the five-year period indicate that 14.7% of African-Americans, 9.5% of native Hawaiian/Pacific Islanders, and 8.1% of Hispanics receive high-cost home purchase loans, compared to only 7.2% of non-Hispanic whites. Conversely, 4.0% of loans received by Asians and 6.0% of loans received by American Indian or Alaska Natives were high-priced loans. High-priced mortgage originations occur more frequently for black households in the City of Dayton (16.3%) than in the County (14.7%). African Americans still secure high-cost loans 6.3% more frequently than non-Hispanic white households do. In the City of Kettering, 9.4% of black households secured high-cost loans, while 6.9% of white non-Hispanic households did. Finally, the cohort securing the highest percentage of high-cost loans in the Montgomery County Entitlement Area was also African American households.

Although progress has been made since 2006 and the incidence of high-cost loans decreased, leveling out, and distributing more evenly across the races and/or ethnicities, high-cost lending still occurred more frequently for black households in Montgomery County - 4.8% for blacks, 3.8% for Hispanic whites, 3.4% for non-Hispanic whites, and 3.5% for Asians.

Audit studies also consistently indicate that housing discrimination persists.⁵⁷ HUD's Housing Discrimination Study revealed that white auditors were, on average, provided with 45% more housing options in the rental market and 34% more options in the sales market than black auditors.⁵⁸ "In total, between 60% and 90% of the housing shown to white auditors were not shown to comparable black auditors."⁵⁹

To test whether discrimination is declining or continuing, HUD invested in the Housing Discrimination Study (HDS) of 2000, which can be compared with some findings from the HDS of 1989. Researchers could identify no statistically significant changes in these six measures to support the hypothesis that steering involving Black/White or Hispanic/White homebuyers had decreased from 1989 to 2000.⁶⁰ On the contrary, researchers found a statistically significant increase in the net measure of segregation steering in Black/White tests.⁶¹ "This stands in marked contrast to the diminution in many other forms of discrimination in sales and rental markets observed during this period (Turner et al., 2002)."⁶²

Fair Housing Enforcement

One of the most remarkable characteristics of the County and the City is its dual housing market. For whatever reason, indifference, policies, or outright discrimination, the housing markets have evolved into

⁵⁷ Unequal treatment: confronting racial and ethnic disparities in health care By Alan Ray Nelson, Institute of Medicine (U.S.), 2003

⁵⁸ Ibid

⁵⁹ Ibid

⁶⁰ Galster, George. George Galster and Erin Godfrey. "By Words and Deeds: Racial Steering and Real Estate Agents in the US in 2000," Journal of the American Planning Association, 2005

⁶¹ Ibid

⁶² Ibid

its present level of segregation. This is especially true in the City of Dayton and shows the power that a large urban center can have on surrounding communities.

Whether it is “white-flight”, economic or fear, the fact is that the County and City of Kettering continues to be predominately White. We discussed earlier the fact that minority population changed little in where minorities lived between 1990 and 2000 census reports as well as a review of the maps included in this Analysis of Impediments shows that the areas that are predominately minority are also predominantly low- to moderate-income.

This is not a new pattern. These are the same neighborhoods that existed 20 years ago. REALTORS®, insurers, lenders, landlords and others in the housing market who discriminate perpetuate these racial and ethnic divisions. Segregation is detrimental to the community by any objective measure. It is costly in both human and economic terms.

To remain “substantially equivalent” to the HUD administrative enforcement process, the City of Dayton must fully investigate all housing discrimination cases that are not resolved through conciliation and bring enforcement actions when evidence warrants. However, all three jurisdictions must fully investigate cases and when necessary, the MVFHC takes cases to the Ohio Civil Rights Commission on behalf of the City of Kettering and Montgomery County.

As outlined in the fair housing program section of this analysis the City and County continue to receive calls regarding fair housing discrimination, in 2004 there were over four hundred calls regarding housing discrimination issues. To the County and City’s credit they use MVFHC as their designated fair housing resource. This organization brings many years of experience and success in fair housing education, outreach and enforcement.

According to the National Fair Housing Alliance, there were 27,023 complaints of housing discrimination nationwide and the number of complaints filed represents less than one percent of the annual incidence of discrimination. Because the issues found vary by jurisdiction, the fair housing compliance issues are outlined and addressed by jurisdiction.

Recommendations (2004 and 2009)

1. *Continue to provide education and resources on fair housing issues and public forums for citizens to report housing discrimination, maintain and enhance the MVFHC, the Dayton Human Relations Council, and the Kettering Board of Community Relations capacity to respond to and follow up on matters relating to illegal discrimination, including housing discrimination.*
2. *All three entitlement areas should continue to support fair housing testing to ensure that fair housing laws are enforced and meritorious cases brought forward.*
3. *All three jurisdictions should increase efforts to collaborate and cooperate between the local government, Ohio Civil Rights Commission, non-profit fair housing enforcement agencies, and*

U.S. Department of Housing and Urban Development in order to; Gather and share information, in a consistent and comparable manner, related to fair housing issues; Assist in further analysis of impediments to fair housing choice; Increase efficiency and effectiveness of fair housing enforcement and education.

Montgomery County

HUD received 79 new cases since 2003. Twenty-seven cases were either withdrawn before resolution/conciliation or dismissed. Over half of the cases alleged disability (51.0%) and race (56.9%) and in 15.7% of the cases, familial status was cited as the basis for the complaint. The majority (80.4%) of the issues referenced in the case statistics directly related to rental properties, 23.5% alleged noncompliance with accessibility laws, and two cases alleged steering or redlining.

According to MVFHC, 175 complaints have been filed since 2003. One of every two cases filed (56%) were initiated based on a disability status. In addition, 25 cases were filed based on racial discrimination, while 18 were filed based on familial status.

Montgomery County contracts with the Miami Valley Fair Housing Center to provide ongoing services related to fair housing complaints. Miami Valley Fair Housing Center is staffed to handle such cases and it is anticipated that the contract will be extended for future years.

Recommendations for Montgomery County

As part of this contractual arrangement, educational opportunities are being provided by the Miami Fair Housing Center to address fair housing issues and should be continued. Topics for these programs should continue to address specific concerns of landlords and property managers, low- and moderate-income residents, minorities, senior citizens, and persons with mental illness. In addition, Miami Valley Fair Housing Center should continue to periodically test the fair housing environment by conducting surveys to assess realtors and leasing agents and implement training programs to increase awareness of fair housing issues among real estate professionals.

City of Kettering

It is possible, but highly unlikely, that no housing discrimination based on minority or familial status has occurred in the City of Kettering in any given year. However, HUD reports no cases in either 2004 or 2005 for either race or familial status and Miami Valley Fair Housing Center reports no complaints in 2005 or and a single complaint in 2006 based on familial status.

Outreach should occur within the community, through churches and community organizations and centers, to reach the public about fair housing regulations and how citizens of the City should file complaints if they feel they have been discriminated against.

Recommendations for the City of Kettering

The City of Kettering has contracted the Miami Valley Fair Housing Center to assist the City in responding to calls regarding possible housing discrimination issues and it is anticipated that the contract will be extended for future years. The Miami Valley Fair Housing Center is a non-profit organization that serves the Miami Valley by encouraging fair housing through educational and enforcement programs and as part of this contractual arrangement, educational opportunities are being provided to address fair housing issues and the Center periodically tests realtors and rental/leasing agencies for discriminatory practices. These activities should continue.

City of Dayton

From 2003 through 2008, the Dayton Human Relations Council (DHRC) reported 54 discriminatory housing cases. The most frequently stated basis for discrimination was race (26) and disability (24). In 2007 a single case was reported based on both race and disability and from 2003 to 2008 no cases were reported based on familial status. As stated for previously, it is possible, but highly unlikely, that no housing discrimination based on familial status has occurred in the City of Dayton in any given year.

HUD received 85 new cases since 2003 and reports that no cause could be determined in 28 of these cases. Race was cited most often (38 times) as the reason for filing the complaint and disability was cited 31 times as a basis for the complaint. The majority (45) of the issues referenced in the case statistics directly related to rental properties, eighteen complaints alleged noncompliance with accessibility laws, and four cases alleged steering or redlining.

Examination of the City of Dayton's website revealed that the information necessary for an individual or family to file a complaint is not easily accessible on the site. The information was sought from the City main index page, the Community Development page where CDBG and HOME funds were both detailed, and the Dayton Human Relations Council webpage.

Recommendations for the City of Dayton

It is recommended the city of Dayton respond to this impediment in five ways:

- a. Continue to fund and implement comprehensive fair housing programming consistent with its HUD designation as a "substantially equivalent" jurisdiction;*
- b. Continue to vigorously enforce ordinances, laws, and other prohibitions against bias and discrimination in housing;*
- c. Continue to support and expand the Dayton Dialogue on Race and Reconciliation and other initiatives promoting attitudinal and behavioral change that leads to greater understanding and tolerance;*
- d. Hire a Disability Specialist to work with persons with disabilities and related complaints and initiatives; and*

- e. *Support public and private sector efforts aimed at reducing or elimination discrimination, racism, sexism, etc.*

In addition, the Dayton Human Relations Council is required to investigate and adjudicate all discrimination complaints for all of the protected classes. As such, citizens should be able to easily find the information to file a complaint with DHRC. Because the information necessary to file a complaint was not easily accessible on the website, the Council should consider redeveloping the website to make navigation easier for the user to access the information necessary to file a complaint.

Non-compliance with Section 804(c) of the Fair Housing Amendments.

Several of the realtor ads, apartment complexes, and developers who were also selling homes failed to place equal housing opportunity logos and/or statements in some of the two column inch advertisements contained in the “For Rent/Sale” section of the paper.

Although there was not any overtly racial or other discriminatory language, there were advertisements that used words or phrases that were highlighted as cautionary by the Miami Valley Fair Housing Center. The “No Pets” policy for residents may not be intentionally discriminatory, but it discourages handicapped individuals with service animals from applying.

Recommendation

The City of Kettering and Montgomery County should collect periodic violation data and investigate suspected discriminatory advertising practices in the Times Community Newspapers of Greater Dayton publications that are delivered to the City of Kettering (the *Kettering Oakwood Times*) and other Montgomery County jurisdictions or amend their contract with Miami Valley Fair Housing Center to conduct periodic reviews of these publications.

Accessibility

There is a historic lack of compliance with the Federal Fair Housing Act’s Design and Construction standards related to accessible housing. This continues to a high concern, especially the reviewing of multifamily housing plans to ensure compliance with those requirements.

The other critical issue today is the need to increase the amount of affordable and accessible housing stock in the community and to ensure that persons with physical or mental disabilities can fully enjoy their housing. The lack of handicap-accessible housing and the presence of mental or physical disabilities were both cited by the community agencies as significant barriers to their clients’ ability to find housing.

The MVFHC has received complaints regarding accessibility issues and feels that there are problems, especially in new construction of multi-family housing. Recently in a partnership with Montgomery County, the MVFHC received a funding to conduct an inventory of multi-family housing regarding

accessibility in an effort to ensure the zoning and building codes of the local jurisdictions are current with Fair Housing accessibility requirements.

Recommendation

Fair housing laws require that local governments avoid discrimination in zoning and land use policies and decisions. Fair housing laws also require that reasonable accommodations or changes in zoning laws be made to for persons with disabilities and practices to further equal housing opportunity. Local elected and building officials and committees should review the local and state building code to ensure that it is completely consistent with the Fair Housing Act accessibility requirements as provided for in the U.S. Department of Housing and Urban Development Design and Construction Manual. Any building code does not meet Fair Housing Act standards should be revised in order to ensure that new complexes are compliant with the Fair Housing Act and these standards enforced. Local building code offices distribute information about mandatory compliance with the Fair Housing Act's accessibility requirements every time a building permit.

Montgomery County and the MVFHC should continue to inventory multi-family housing for Fair Housing accessibility standards. In addition, the Entitlement Jurisdictions should train or contract with MVFHC to train people with disabilities and advocates about how to identify violations of Fair Housing Act's design and construction standards in order to ensure ongoing monitoring and enforcement.

The Fair Housing Act requires that all local governments provide accommodations, but does not mandate the process to consider variances and special use requests. One of the most popular tactics for discouraging accessible housing is requiring public input before local government approves zoning or funding for affordable housing. Doing so effectively shifts responsibility for making the decision from government officials to members of the community who feel strongly enough about the proposed housing to become active participants in the zoning and land use process.

Considering the shortage of available housing in the Entitlement jurisdictions, the Entitlement Jurisdictions should seek funding for modifications to units built before March 1991 to make them accessible to people with disabilities.

The population of seniors and persons with disabilities are expected to continue growing through 2030 and the lack of available, accessible homes will grow with these populations.

Disabilities should not limit an individual's ability to live independently. Providing housing for persons with disabilities will be an increasing and ongoing need. The entitlement jurisdictions operate Residential Rehabilitation Programs to address code violations and emergency repairs necessary for owner-occupied housing. These programs, funded through the Community Development Block Grant

program, provide low and no interest loans for repairs to qualified residents, including senior citizens, persons with disabilities, and low- and moderate-income homeowners. Potential recipients for this program are identified through various sources including lending institutions, realtors, and Property Maintenance Inspectors.

Recommendation

Montgomery County, in conjunction with the Miami Valley Fair Housing Center (on behalf of the Board of MRDD) is engaged in reviewing building codes for all jurisdictions in the County and should continue to provide education, training, and literature regarding housing rights for the elderly and persons with disabilities with a concentration on reasonable modifications and accommodations for these groups. In addition, the jurisdictions should continue to support the educational efforts of the Miami Valley Fair Housing Center to educate and work with the jurisdictions within the County to address the result's of the MVFHC study.

When there are insufficient numbers of accessible units to meet demand, zoning and building codes that limit the construction or rehabilitation of housing units exacerbate the problem. The City of Dayton and jurisdiction(s) within the Montgomery County Entitlement Area require that new housing be built with a raised foundation or garage floor heights that make accessibility to the structure difficult if not impossible for disabled individuals without modification.

Recommendation

The jurisdictions within the county should review, make recommendations to revise building and zoning codes to accommodate easy access construction and/or meet the requirements with respect to the safe harbors policy currently recognized by HUD and 2006 International Building Code, and enforce these building and zoning codes.

Lending Issues

Lenders are clearly not reaching the minority communities and, when they do receive applications from non-white individuals and families, those applications are more likely to be denied. Even considering that the County's minority population was 10% and that the City of Kettering had an even smaller population the lack of service to minorities is still an issue. Thus the dream of home ownership is still eluding many qualified members of the minority communities, this is a critical issue, since the purchase of a home is the primary way individuals and families build wealth. Without that asset base in the geographic areas with high percentages of minorities, there will be limited community reinvestment, including businesses like grocery stores and other retail services.

The entitlement jurisdictions should work closely with local lenders to promote and encourage potential minority homeowners to seek ownership opportunities **they can afford**. Community Development Department staff members should meet regularly with representatives from local lending institutions to discuss strategies to promote homeownership and healthy credit habits. As illustrated in the CAPER

summaries, staff are committed to enhancing opportunities for recreation, housing, and employment in the entitlement jurisdictions to attract residents from all walks of life and should continue these efforts.

Recommendations:

Montgomery County, City of Kettering, and City of Dayton

1. (Continue to) *Promote quality home ownership education in both English and Spanish, especially aimed at the low and moderate income markets. Provide on-going training for and encourage the lending industry to conduct an ongoing campaign to increase minority loan applications for the purchase of homes including the provision of education to real estate professionals on the use of community lending products for LMI clientele.*

Increase outreach and education about predatory lending specifically geared to members of the protected groups, including how to avoid becoming a victim and what to do if it happens.

2. (Continue to) *support analyses of HMDA data and fair lending practices of local financial institutions and share these findings with lenders, public officials, and the general public.*
3. (Continue to) *Conduct annual reviews of lending institutions using HMDA data to determine if applications from non-White individuals and families are rising and if denial rates are comparable to White borrowers in the same income levels. Identify and develop a means of collecting equivalent data on non-regulated lenders that do not report HMDA data and include them in the annual review. Present a seminar to area lenders, advocates, and others on results of HMDA analysis.*
4. Provide regular testing and periodic studies to determine the extent and severity of discriminatory lending practices to all protected groups of the Entitlement Areas.
5. Continue to enforce existing laws to protect against unfair lending practices.

City of Dayton

6. (Continue to) *Support the Community Reinvestment Institute. The Institute was organized and is operated by Dayton's Humans Relations Council and should continue to conduct training sessions educating citizens about the how to work with local lenders to support projects that will assist in the redevelopment and improvement of local neighborhoods. The course trains 18 to 25 people a year in understanding the CRA and the Home Mortgage Disclosure Act and how predatory lending practices are impacting communities.*

Real Estate Issues

Geographic steering of Whites and minority groups continues the historic patterns of segregation. The maps showing the minority concentrations in specific census tracts support this conclusion.

The researcher found little evidence that supports or refutes steering or redlining as a continuing influence on racial segregation in the entitlement jurisdictions. However, as noted in the maps, segregation does continue and the patterns of segregation witnessed in the past are still visible.

Recommendation:

(Continue to) Work with MVFHC and the Kettering Board of Community Relations develop education programs in English and Spanish on real estate steering and disparate treatment issues as they relate to the real estate industry. Since white buyers are as likely to be steered away from some areas and towards others, it is important that the educational efforts are community-wide and not just to the non-White members of the community. It is also important that this education program consider all the protected classes under fair housing laws as part of the audience.

Throughout the 2004 through 2008 Consolidated Annual Performance Evaluation Reports, it is apparent that data, writing, and formatting styles are inconsistent. It is vital that data be recorded consistently for thorough analysis of any of the entitlement areas' performance in creating sustainable fair housing. Records of programs offered, numbers of citizens being served, project completions, and program effectiveness in addressing fair housing issues are imperative when tracking progress for the application of grants and State and Federal funding opportunities. Although this is not an impediment to fair housing choice, it should be addressed and data collection should be standardized and remain consistent to be able to adequately record the progress made when implementing programs and initiatives. A list of Ohio Department of Development representative benchmarks for fair housing outcomes and their measurements are provided in the appendix for reference.

Additional Observations**Lack of currently available affordable housing.**

Another aspect of the entitlement jurisdictions' commitment to fair housing activities is seen throughout the CAPERs detailing the programs available to address housing affordability problems. Programs provide for a system of affordable housing throughout the Montgomery County entitlement jurisdictions. However, as illustrated in the demographic and housing sections of this report, many households report that housing is out of their reach and these efforts simply are not enough.

Recommendation

The entitlement jurisdictions should continue to seek additional funding to provide affordable options to low- to moderate-income individuals/families and assisted housing. The entitlement jurisdictions should also explore the use of regulatory incentives for affordable housing, including density bonuses and inclusionary zoning as a tool to develop affordable housing.

Foreclosure rates are on the rise.

All across the United States, communities are experiencing a continuing trend of increasing foreclosure rates. Montgomery County, the City of Dayton, and the City of Kettering are no strangers to these trends and currently run programs on their own or in conjunction with the Miami Valley Fair Housing Center program to educate the residents, who may be facing foreclosure, about the programs or steps available to them to help prevent the loss of their homes.

Recommendation

All three jurisdictions should look into providing additional educational opportunities for residents, having difficulty making their mortgage payment, which include tips on avoiding foreclosure and where they can seek assistance as these numbers continue to rise

Transportation Policy.

As gas prices continue to rise, adequate and accessible public transportation will become more and more of a necessity and burden to lower income residents. If public transportation from affordable housing is ineffective in providing access to employment and services, that neighborhood or unit becomes inaccessible to households without dependable transportation. It also is necessary for the elderly and persons with disabilities requiring public transportation to get to medical appointments and services.

Recommendation

Although the entitlement jurisdictions do not supply public transportation to their residents, the jurisdictions should collaborate with public transportation to ensure that those populations requiring public transportation and having trouble accessing those services are connected. Future affordable units should also be coordinated within a reasonable distance of public transportation to provide the necessary access to use public transportation.

X. Appendices

Appendix A: Miami Valley Fair Housing Center – Fair Housing Advertising Word List

FAIR HOUSING ADVERTISING WORD AND PHRASE LIST (Revised 05/15/06)

This word and phrase list is intended as a guideline to assist in complying with state and federal fair housing laws. It is not intended as a complete list of every word or phrase that could violate any local, state, or federal statutes.

This list is intended to educate and provide general guidance to the many businesses in the Miami Valley that create and publish real estate advertising. This list is not intended to provide legal advice. By its nature, a general list cannot cover particular persons' situations or questions. The list is intended to make you aware of and sensitive to the important legal obligations concerning discriminatory real estate advertising.

For additional information, contact the Miami Valley Fair Housing Center at (937) 223-6035.

BOLD — not acceptable

ITALIC — caution

STANDARD — acceptable

able-bodied

Active

adult community

adult living

adult park

adults only

African, no

Agile

AIDS, no

Alcoholics, no

Appalachian, no

American Indians, no

Asian

Assistance animal(s)

Assistance animal(s) only

Bachelor

Bachelor pad

Blacks, no

blind, no

board approval required

Catholic

Caucasian

Chicano, no

children, no

Chinese

families, no

families welcome

family room

family, great for

*female roommate***

Christian

Churches, near

college students, no

Colored

Congregation

Convalescent home

Convenient to

Couple

couples only

Credit check required

crippled, no

Curfew

Deaf, no

Den

disabled, no

domestics, quarters

Drug users, no

Drugs, no

employed, must be

empty nesters

English only

Equal Housing Opportunity

ethnic references

Exclusive

Executive

mature couple

Mentally handicapped, no

Mentally ill, no

Mexican, no

Mexican-American, no

BOLD — not acceptable

ITALIC — caution

STANDARD — acceptable

*female(s) only***
*55 and older community**
 fixer-upper
 gated community
Gays, no
Gender
golden-agers only
 golf course, near
group home(s) no
 guest house
 handicap accessible
handicap parking, no
Handicapped, not for
healthy only
Hindu
Hispanic, no
HIV, no
*housing for older persons/seniors**
Hungarian, no
Ideal for . . . (should not describe people)
impaired, no
Indian, no
Integrated
Irish, no
Italian, no
Jewish
 kids welcome
Landmark reference
Latino, no
Lesbians, no
*male roommate***
males(s) only**
*man (men) only***
Mature
mature complex
mature couple
mature individuals
mature person(s)
 membership available
Membership approval required
 Quality construction
quality neighborhood
 Quiet
 Quiet neighborhood
 references required
religious references
 Responsible

Migrant workers, no
Mormon Temple
Mosque
 Mother in law apartment
Muslim
Nanny's room
Nationality
Near
Negro, no
 Neighborhood name
Newlyweds
 Nice
 non- smokers
 # of bedrooms
of children
of persons
 # of sleeping areas
 Nursery
 nursing home
Older person(s)
one child
one person
Oriental, no
Parish
perfect for . . . (should not describe people)
 pets limited to assistance animals
pets, no
Philippine or Philipinos, no
physically fit
play area, no
preferred community
Prestigious
 Privacy
Private
 Private driveway
 Private entrance
 Private property
 Private setting
 Public transportation(near)
Puerto Rican, no
singles only
*sixty-two and older community**
 Smoker(s), no
 Smoking, no
*Snowbirds**
 sober
Sophisticated

BOLD — not acceptable*ITALIC — caution***STANDARD — acceptable**

Restricted
retarded, no
Retirees
Retirement home
safe neighborhood
school name or school district
se habla espanol
seasonal rates
seasonal worker(s), no
Secluded
section 8 accepted/ welcome
section 8, no
Secure
security provided
*senior adult community**
*senior citizen(s)**
senior discount
*senior housing**
*senior(s)**
*sex or gender***
Shrine
single family home
single person
*single woman, man***

Spanish speaking
Spanish speaking, no
Square feet
Straight only
student(s)
Students, no
Supplemental Security Income (SSI), no
Synagogue, near
temple, near
tenant (description of)
Townhouse
traditional neighborhood
traditional style
tranquil setting
two people
Unemployed, no
Verifiable Income
walking distance of, within
Wheelchairs, no
White
White(s) only
winter rental rates
*winter/summer visitors**
*woman (women) only***

* *Permitted to be used only when complex or development qualifies as housing for older persons*

** *Permitted to be used only when describing shared living areas or dwelling units used exclusively as dormitory facilities by educational institutions.*

All cautionary words are unacceptable if utilized in a context that states an unlawful preference or limitation. Furthermore, all cautionary words are "red flags" to fair housing enforcement agencies. Use of these words will only serve to invite further investigation and/or testing.

This word and phrase list is intended as a guideline to assist in complying with state and federal fair housing laws. It is not intended as a complete list of every word or phrase that could violate any local, state, or federal statutes.

This list is intended to educate and provide general guidance to the many businesses in the Miami Valley that create and publish real estate advertising. This list is not intended to provide legal advice. If you are in need of legal advice, please see an attorney. By its nature, a general list cannot cover particular persons' situations or questions. The list is intended to make you aware of and sensitive to the important legal obligations concerning discriminatory real estate advertising.

Appendix B: Ohio Department of Development Housing and Community Partnerships Activity Names with Suggested Outcome Measurement Names

Suggested outcome measurement for Reporting Data to the U.S. Department of Housing and Urban Development Community Development Block Grant Program, HOME Investment Partnerships Program, Emergency Shelter Grant Program, and Housing Opportunities for Persons with AIDS Program

Italicized measurements are suggested by the researcher and were not provided in the original document.

DATE: 10/01/2007

COMPLETE LIST OF ALL ACTIVITY NAMES WITH OUTCOME MEASUREMENT NAMES

ACTIVITY NAME	OUTCOME MEASUREMENT
Acquisition	Acres of Land Square Feet of Structure Structures Parcels Households Assisted Business Buyouts Permanent Easements/Right-of-Way
Acquisition/Rehab	Units Acquired, Rehabbed and Sold Units Acquired, Rehabbed
Centers for Handicapped	Buildings Rehabbed/Constructed
Clearance Activities	Structures Demolished
Code Enforcement	Units Assisted or Inspected <i>Race, ethnicity, age and disability status of the owner</i>
Conversion/Rehab/Renovate	Square Feet of Structure Buildings Rehabbed/Constructed <i>Race, ethnicity, age, and disability status of the owner</i>
Disposition	Acres of Land Square Feet of Structure Structures
Downpayment Assistance	Households Assisted-Downpayment Assistance Mobile Homes Assisted-Downpayment Assistance Households Assisted with Counseling/Education Number of Target Areas Assisted

	<i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Downpayment Assistance/Rehabilitation	Units Acquired, Rehabbed Households Assisted with Counseling/Education <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i> Number of Target Areas Assisted
Exist Essential/Supportive Services	Households Assisted <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Fair Housing Program	FH Training Program FH Counseling FH Complaint System FH Education Outreach FH Legislation Adopted FH Affirmative Action Plan FH Analysis FH Coordinator FH CHIP Outcomes Standard Fair Housing Program

DATE: 10/01/2007

**COMPLETE LIST OF ALL ACTIVITY NAMES WITH
OUTCOME MEASUREMENT NAMES**

ACTIVITY NAME	OUTCOME MEASUREMENT
Fire Protection Facilities & Equipment	Square Feet of Structure Buildings Rehabbed/Constructed Vehicles Purchased Items of Equipment Purchased Fire Hydrants Installed
Flood & Drainage Facilities	Linear Feet Culverts/Catch Basins Installed Manholes Installed Permanent Easements/Right-of-Way
General Administration	NO MEASUREMENT NEEDED
Grant/Loan/Int. Supplement	Square Feet of Structure Businesses/Organizations Assisted Units Rehabbed – Owner <i>Race, ethnicity, age, marital status, and disability status of the owner households assisted</i> Units Repaired – Owner <i>Race, ethnicity, age, marital status, and disability status of the owner households assisted</i> Facades Improved Units Repaired - Rental
Historic Preservation	Buildings Rehabbed/Constructed Units Rehabbed – Owner <i>Race, ethnicity, age, marital status, and disability status of the owner households assisted</i>
Homelessness Prevention Implementation	Households Assisted Households Assisted with Counseling/Education <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Home/Building Repair	Units Repaired - Owner <i>Race, ethnicity, age, marital status, and disability status of the owner-occupied households assisted</i> Units Repaired - Rental

	<i>Race, ethnicity, age, marital status, and disability status of the renter-occupied households assisted</i> Buildings Repaired Number of Target Areas Assisted
Homeless Facilities	Buildings Rehabbed/Constructed Households Assisted <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Homelessness Prevention	Households Assisted Households Assisted with Counseling/Education <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Housing Development – Owner Units	Units Rehabbed - Owner Units Constructed – Owner <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Housing Development – Rental Units	Units Rehabbed – Rental Units Constructed – Rental <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Housing Development/Information/Counseling	Households Assisted Households Assisted with Counseling/Education <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>

DATE: 10/01/2007

**COMPLETE LIST OF ALL ACTIVITY NAMES WITH
OUTCOME MEASUREMENT NAMES**

ACTIVITY NAME	OUTCOME MEASUREMENT
Interim/Emergency Rental Assistance	Households Assisted <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Lead Reduction/Evaluation	Units Rehabbed – Owner <i>Race, ethnicity, age, marital status, and disability status of the owner households assisted</i> Units Rehabbed – Rental <i>Race, ethnicity, age, marital status, and disability status of the renter households assisted</i> Lead Safe Units
Leasehold Improvements	Square Feet of Structure Units Rehabbed – Owner <i>Race, ethnicity, age, marital status, and disability status of the owner households assisted</i>
Machine/Capital Equipment	Items of Equipment Purchased
Microenterprise Program	Households Assisted Units Assisted or Inspected <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Mortgage Payments	Households Assisted Units Assisted or Inspected <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Moving Costs	NO MEASUREMENT NEEDED
Neighborhood Facilities /Community Center	Buildings Rehabbed/Constructed
New Construction	Square Feet of Structure Units Constructed – Owner <i>Race, ethnicity, age, marital status, and disability status of the owner households assisted</i> Units Constructed – Rental

	<i>Race, ethnicity, age, marital status, and disability status of the renter households assisted</i> Units Acquired, Constructed and Sold
Non-Capital Equipment	Items of Equipment Purchased
Off-Site Improvements	USE EITHER STREET IMPROVEMENTS, SIDEWALKS IMPROVEMENTS OR WATER AND SEWER ACTIVITY NUMBERS
Operating Expenses/CHDO	Households Assisted Units Assisted or Inspected
Other Costs	NO MEASUREMENT NEEDED
Parking Facilities	Square Feet of Pavement/Landscaping Parking Spaces

DATE: 10/01/2007

**COMPLETE LIST OF ALL ACTIVITY NAMES WITH
OUTCOME MEASUREMENT NAMES**

ACTIVITY NAME	OUTCOME MEASUREMENT
Parks & Recreation Facilities	Acres of Land Square Feet of Structure Athletic Fields/Curbcuts Installed/Repaired General Park Improvements Items of Equipment Installed/Repaired Restroom Facilities Installed Linear Feet of Fencing Linear Feet of Walkway
Permanent Housing Placement	Households Assisted <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Planning	NARRATIVE OUTCOMES
Private Rehabilitation	Square Feet of Structure Units Rehabbed – Owner <i>Race, ethnicity, age, marital status, and disability status of the owner households assisted</i> Units Repaired – Owner <i>Race, ethnicity, age, marital status, and disability status of the owner households assisted</i> Facades Improved Households Assisted with Counseling/Education <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i> Number of Target Areas Assisted
Private Rental Rehabilitation	Units Rehabbed - Rental Units Repaired – Rental <i>Race, ethnicity, age, marital status, and disability status of the renter households assisted</i>
Professional Fees	NO MEASUREMENT NEEDED
Project Reserves	NO MEASUREMENT NEEDED
Public Rehabilitation	Buildings Rehabbed/Constructed Handicapped Ramps Installed

	Restroom Facilities Installed Elevators/Doors Installed
Public Services	NARRATIVE OUTCOMES
Public Utilities	Utility Poles/Lines Relocated
Relocation Payment and Assistance	Households Assisted Businesses/Organizations Assisted Households Assisted - Optional Relocation <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Rental/Housing Assistance	Households Assisted Units Assisted or Inspected Households Assisted with Counseling/Education <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Resource Identification	NARRATIVE OUTCOMES

DATE: 10/01/2007

**COMPLETE LIST OF ALL ACTIVITY NAMES WITH
OUTCOME MEASUREMENT NAMES**

ACTIVITY NAME	OUTCOME MEASUREMENT
Revolving Loan Fund	Businesses/Organizations Assisted
Senior Centers	Buildings Rehabbed/Constructed
Sewer Facility Improvements	Items of Equipment Installed/Repaired Linear Feet Tap-Ins Installed Water/Septic Tanks/Sludge Pits Installed Manholes Installed Permanent Easements/Right-of-Way
Sidewalk Improvements	Linear Feet Curbcuts Installed Linear Feet of Curbs
Site Preparation	Acres of Land
Solid Waste Disposal Facility	Items of Equipment Installed/Repaired Facility Constructed/Rehabbed
Street Improvements	Linear Feet Culverts/Catch Basins Installed Bridges Replaced/Repaired Traffic Control/Street Signs Installed Trees, Benches, Street Lights and Planters Slips/Slides/Retaining Walls Repaired Permanent Easements/Right-of-Way Linear Feet of Curbs
Supportive Services without Housing	Households Assisted Households Assisted with Counseling/Education <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>
Supportive Services with Housing	Households Assisted Households Assisted with Counseling/Education <i>Race, ethnicity, age, marital status, and disability status of the households assisted</i>

Tenant/Landlord Mediation

Households Assisted

*Race, ethnicity, age, marital status, and disability status
of the households assisted*

Training/Technical Assistance

Households Assisted

*Race, ethnicity, age, marital status, and disability status
of the households assisted*

Utility Payments

Households Assisted

Units Assisted or Inspected

*Race, ethnicity, age, marital status, and disability status
of the households assisted*

DATE: 10/01/2007

**COMPLETE LIST OF ALL ACTIVITY NAMES WITH
OUTCOME MEASUREMENT NAMES**

ACTIVITY NAME	OUTCOME MEASUREMENT
Water and Sewer Facilities	Items of Equipment Installed/Repaired Fire Hydrants Installed Linear Feet Tap-Ins Installed Water/Septic Tanks/Sludge Pits Installed Manholes Installed Water Valves Installed Permanent Easements/Right-of-Way
Water Facility Improvements	Items of Equipment Installed/Repaired Fire Hydrants Installed Linear Feet Tap-Ins Installed Water/Septic Tanks/Sludge Pits Installed Wells Drilled Water Valves Installed Permanent Easements/Right-of-Way
Weatherization	Units Repaired – Owner <i>Race, ethnicity, age, marital status, and disability status of the owner households assisted</i> Facades Improved Units Repaired – Rental <i>Race, ethnicity, age, marital status, and disability status of the renter households assisted</i>
Working Capital	Businesses/Organizations Assisted

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Appendix C: Home Mortgage Disclosure Act — Maps

Home Mortgage Disclosure Act — Mortgage Application Reports

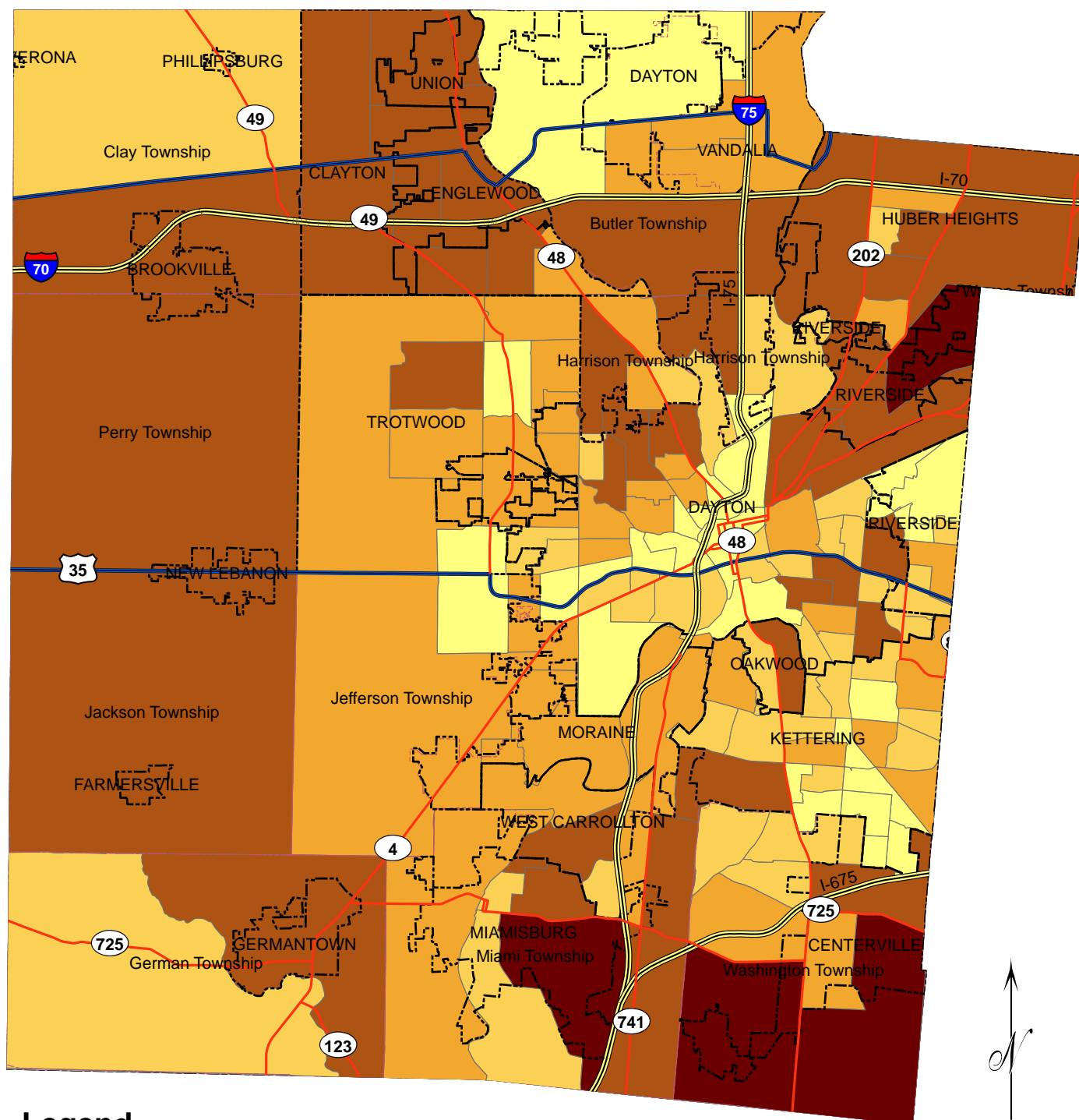
Total Number of Reported Disclosures by Census Tract, 2004-2008	174
Mortgage Pre-Approval Requests (Percentage of Applicants Requesting Pre-Approval), 2004-2008	175
Total Number of Black or African American Mortgage Applicants by Census Tract (2004-2008)	176
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Minority (Excluding Black or African American) Applicants by Census Tract Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)	179
Total Number of Hispanic Mortgage Applicants by Census Tract (2004-2008)	180
Total Number of Hispanic Applicants by Census Tract Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)	181
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Applications with No Race or Ethnicity Indicated by Census Tract Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)	183
Total Number of Female Mortgage Applicants by Census Tract (2004-2008)	184
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High Cost Subordinate Lien Applications by Census Tract Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)	190

Home Mortgage Disclosure Act — Private Mortgage Insurance Reports

Total Number of Applications by Census Tract, 2006-2008	191
Total Number of Private Mortgage Insurance Denials by Census Tract Represented as a Percentage of Total Private Mortgage Insurance Applications (2006-2008)	192

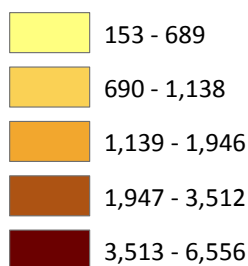
Home Mortgage Disclosure Act

Total Number of Disclosures by Census Tract, 2004-2008



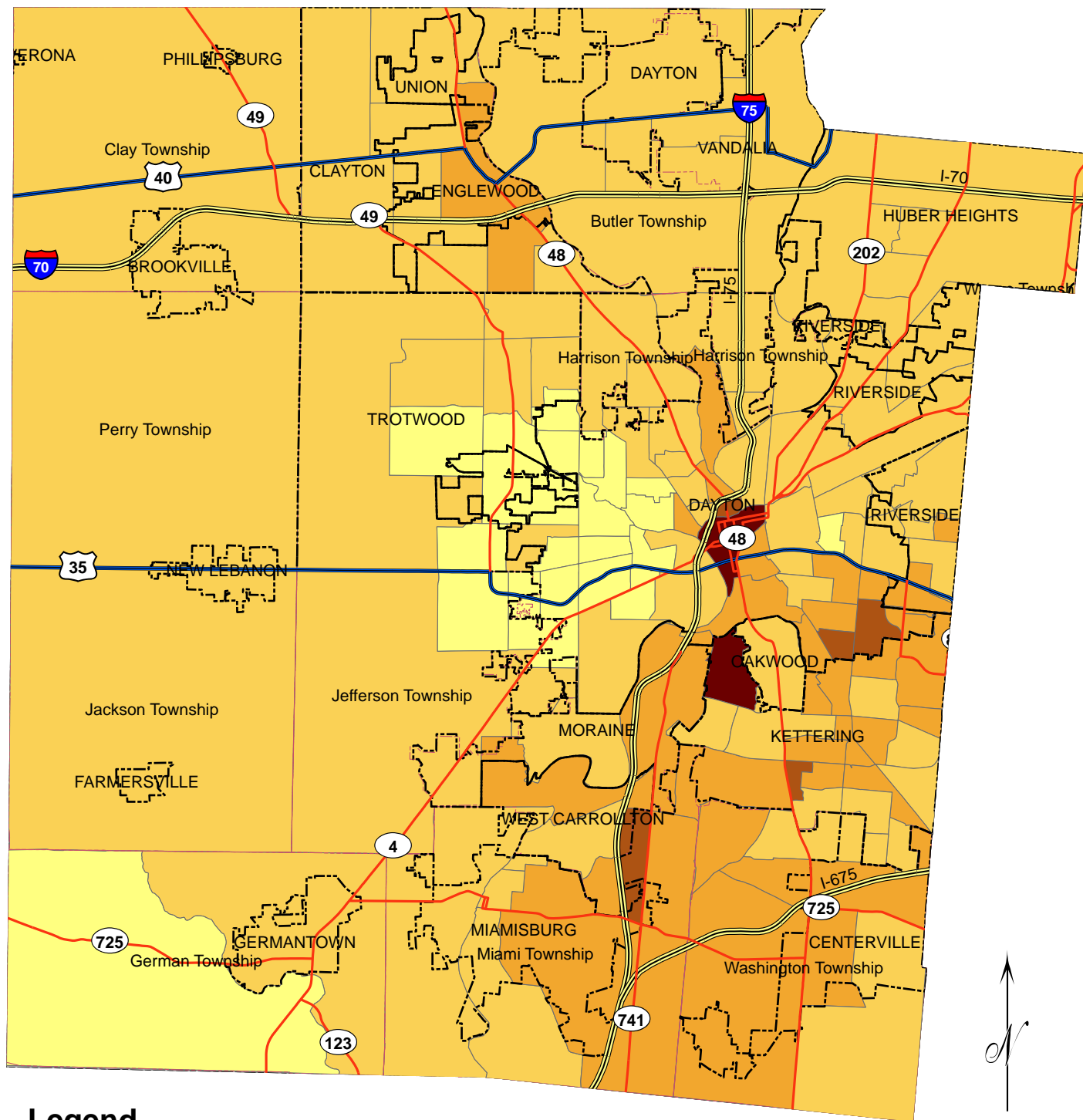
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Reported Disclosures, 2004-2008



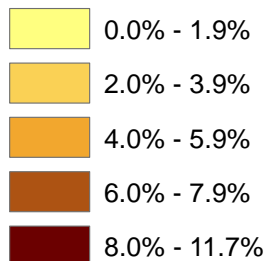
Home Mortgage Disclosure Act

Mortgage Pre-Approval Requests, 2004-2008



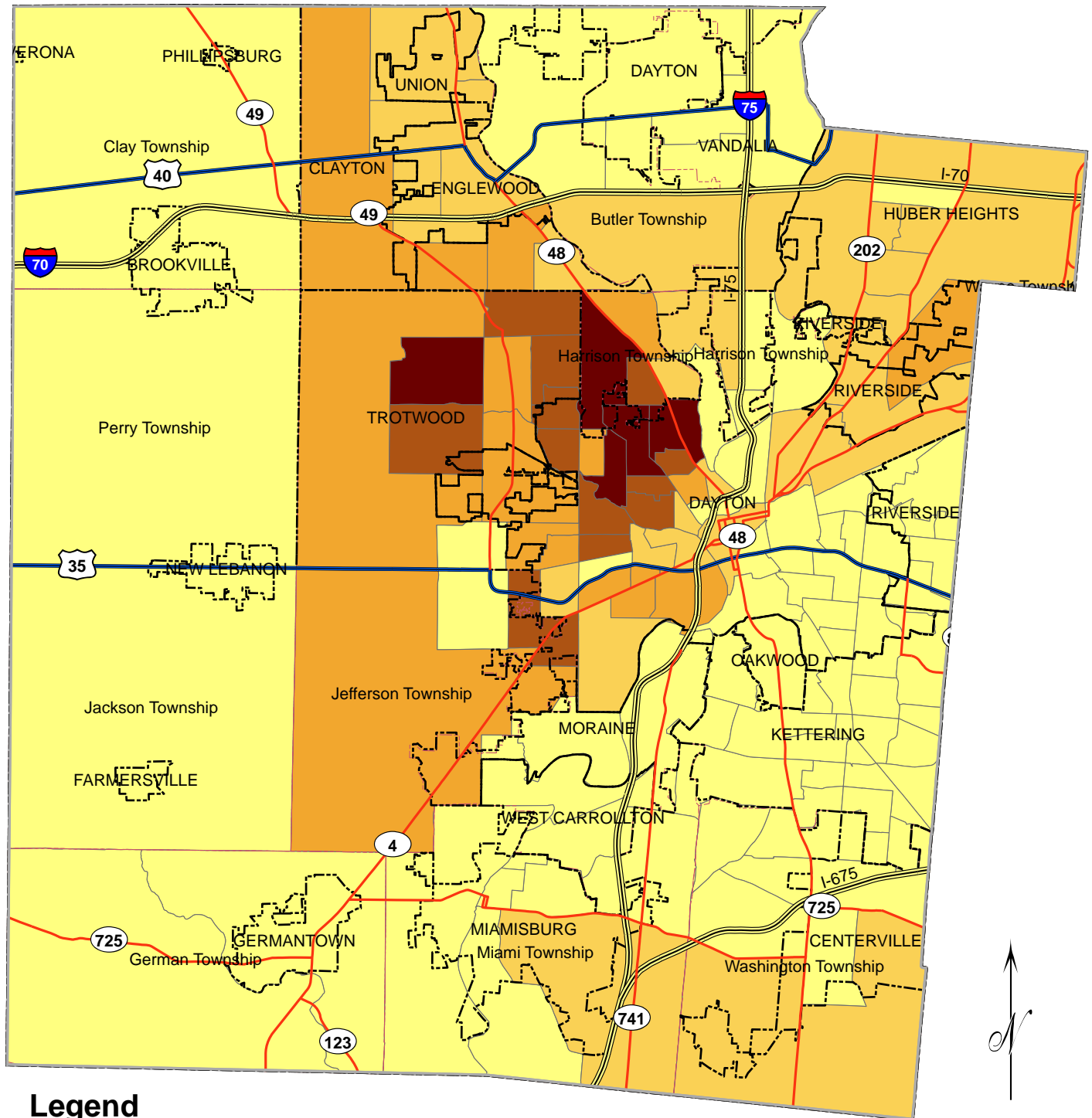
Legend

Percentage of Applicants Requesting Pre-Approval



Home Mortgage Disclosure Act

Total Number of Black or African American Mortgage Applicants by Census Tract (2004-2008)



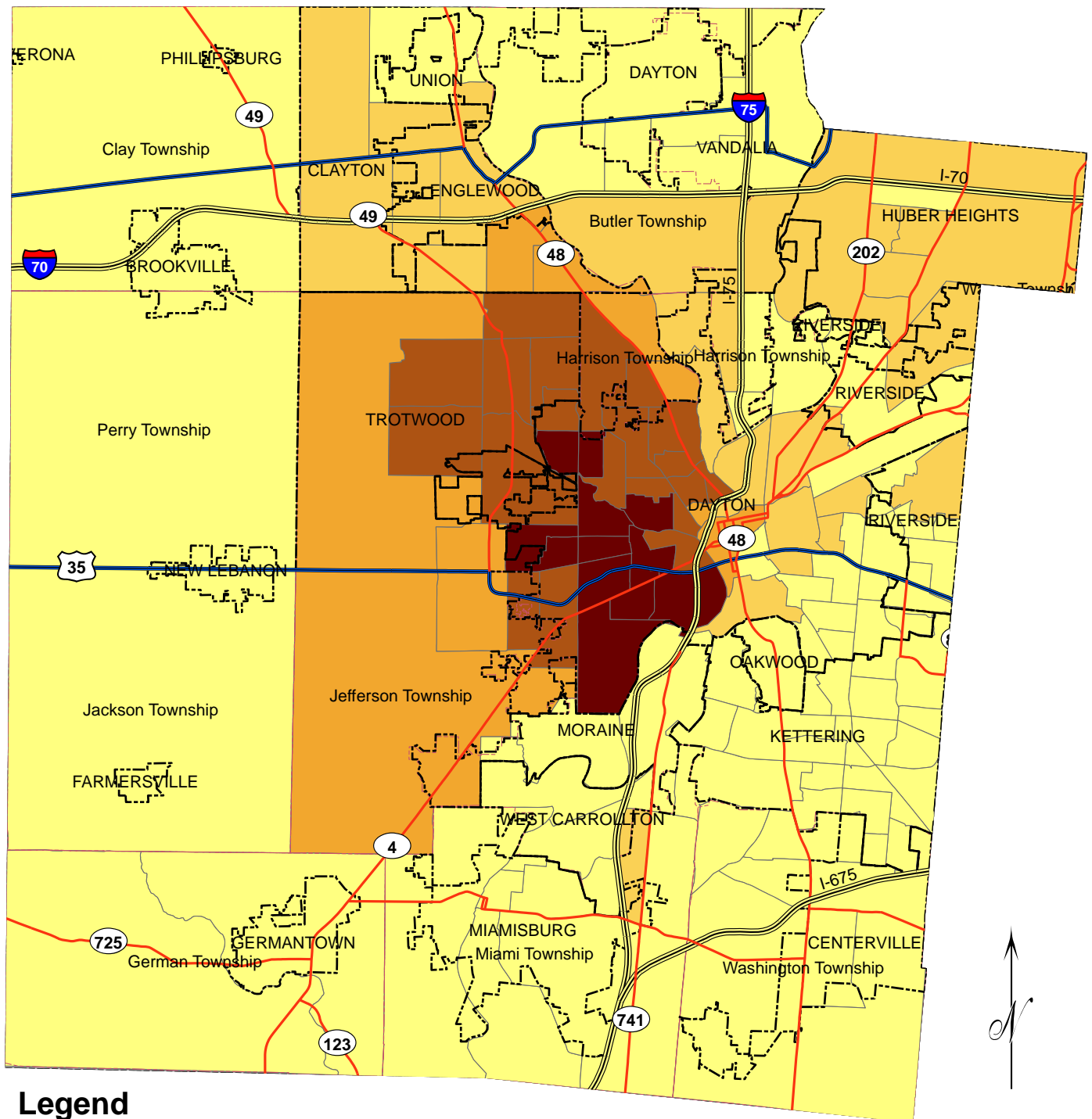
Legend

Black or African American Mortgage Applicants

2 - 89
90 - 279
280 - 545
546 - 805
806 - 1195

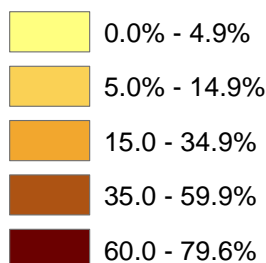
Home Mortgage Disclosure Act

*Total Number of Black or African American Applicants by Census Tract (2004-2008)
Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)*



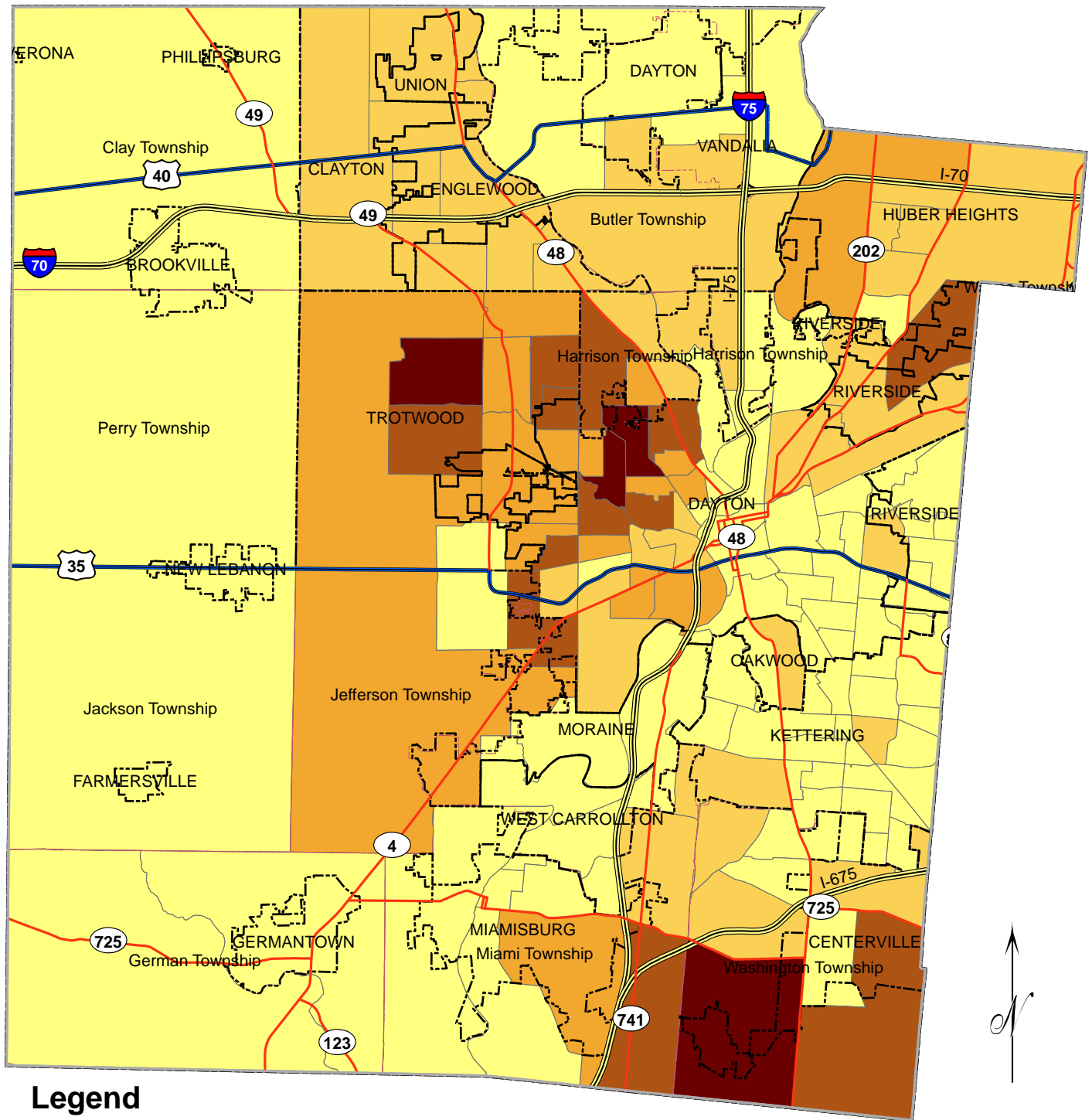
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Percentage of Applicants Who Are Black or African American



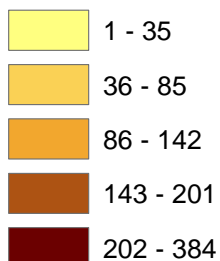
Home Mortgage Disclosure Act

*Total Number of Minority (Excluding Black or African American) Applicants
by Census Tract (2004-2008)*



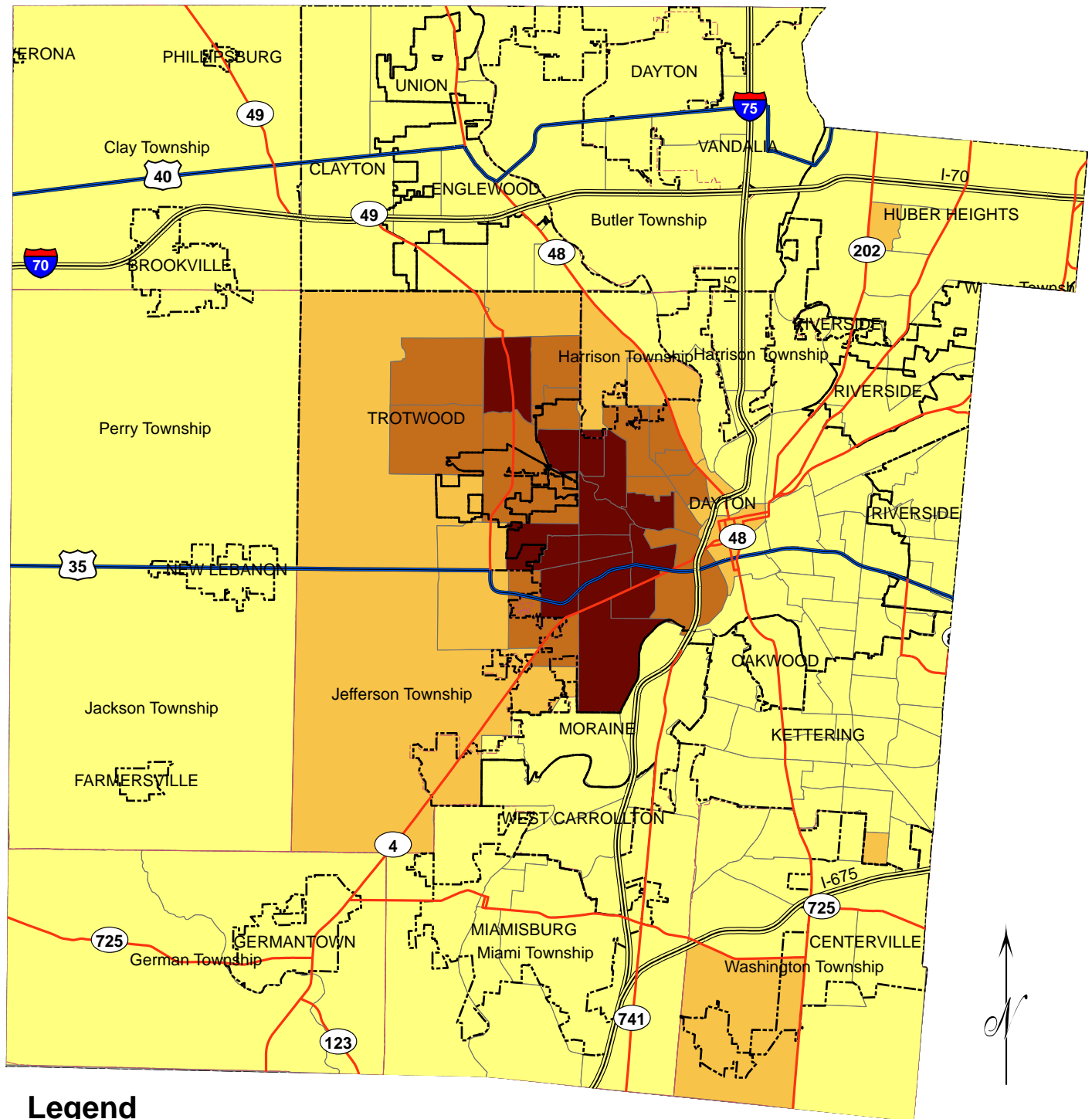
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Minority Applicants (Excluding Black or African American)



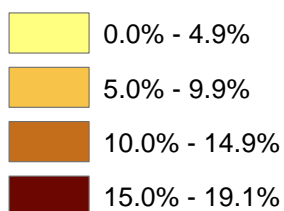
Home Mortgage Disclosure Act

*Minority (Excluding Black or African American) Applicants by Census Tract (2004-2008)
Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)*



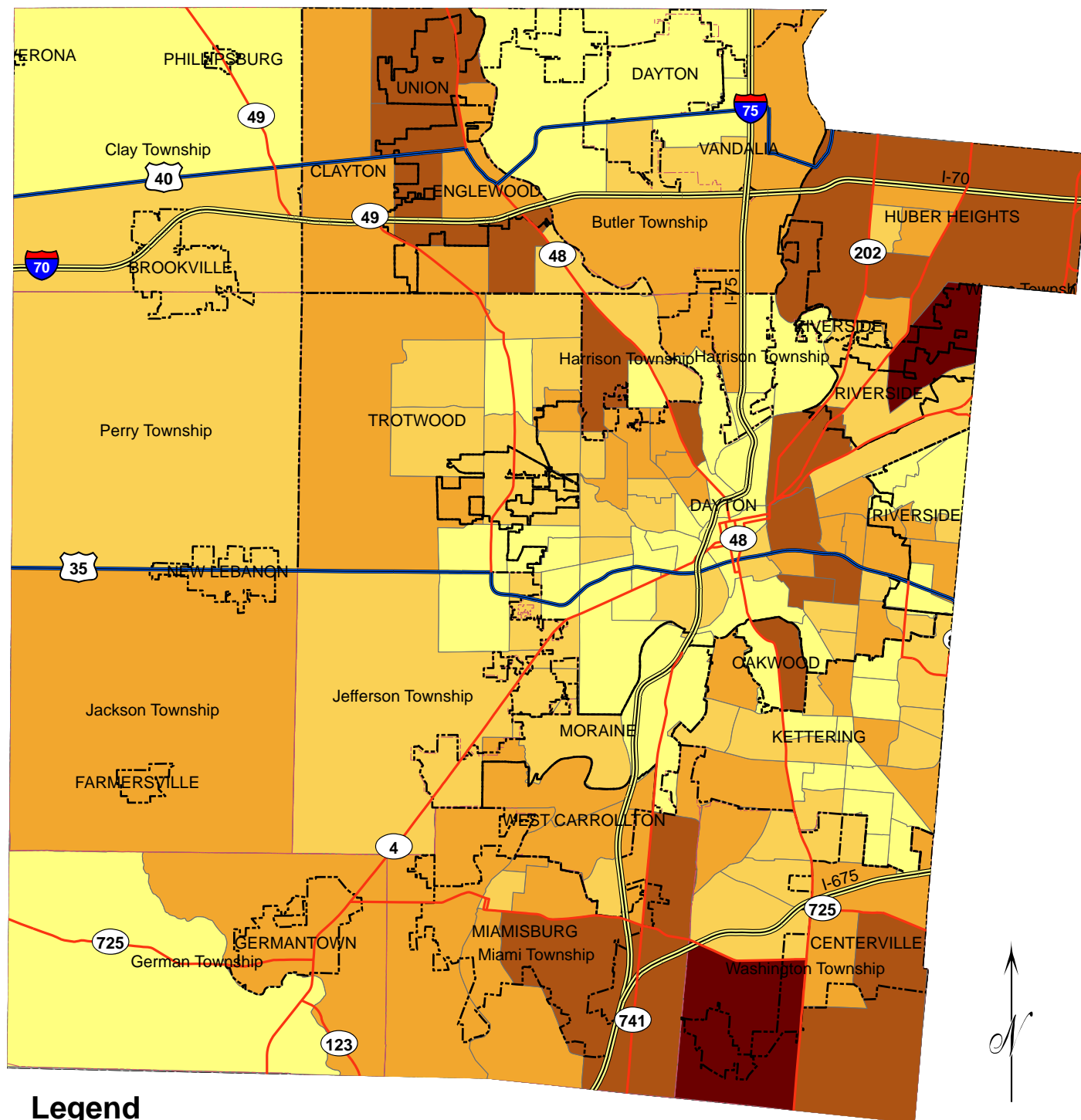
Legend

Percentage of Applicants of All Other Minority Races Except Black or African American



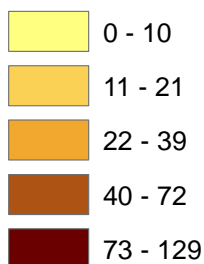
Home Mortgage Disclosure Act

Total Number of Hispanic Mortgage Applicants by Census Tract (2004-2008)



Legend

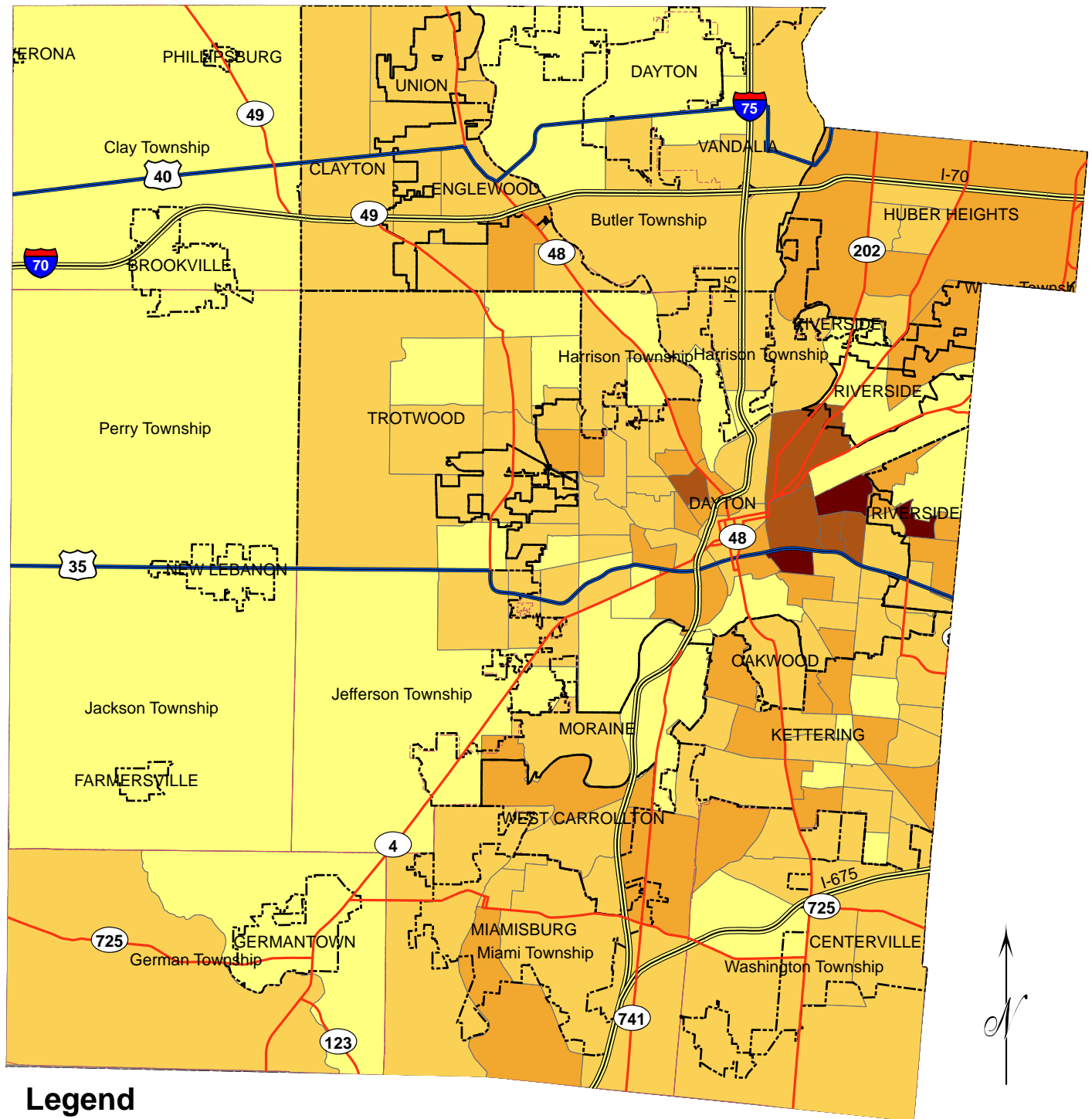
Hispanic Mortgage Applicants



Home Mortgage Disclosure Act

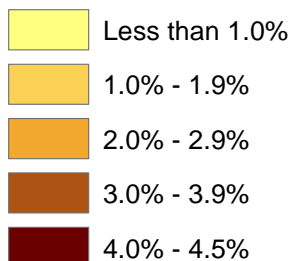
Total Number of Hispanic Applicants by Census Tract (2004-2008)

Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)



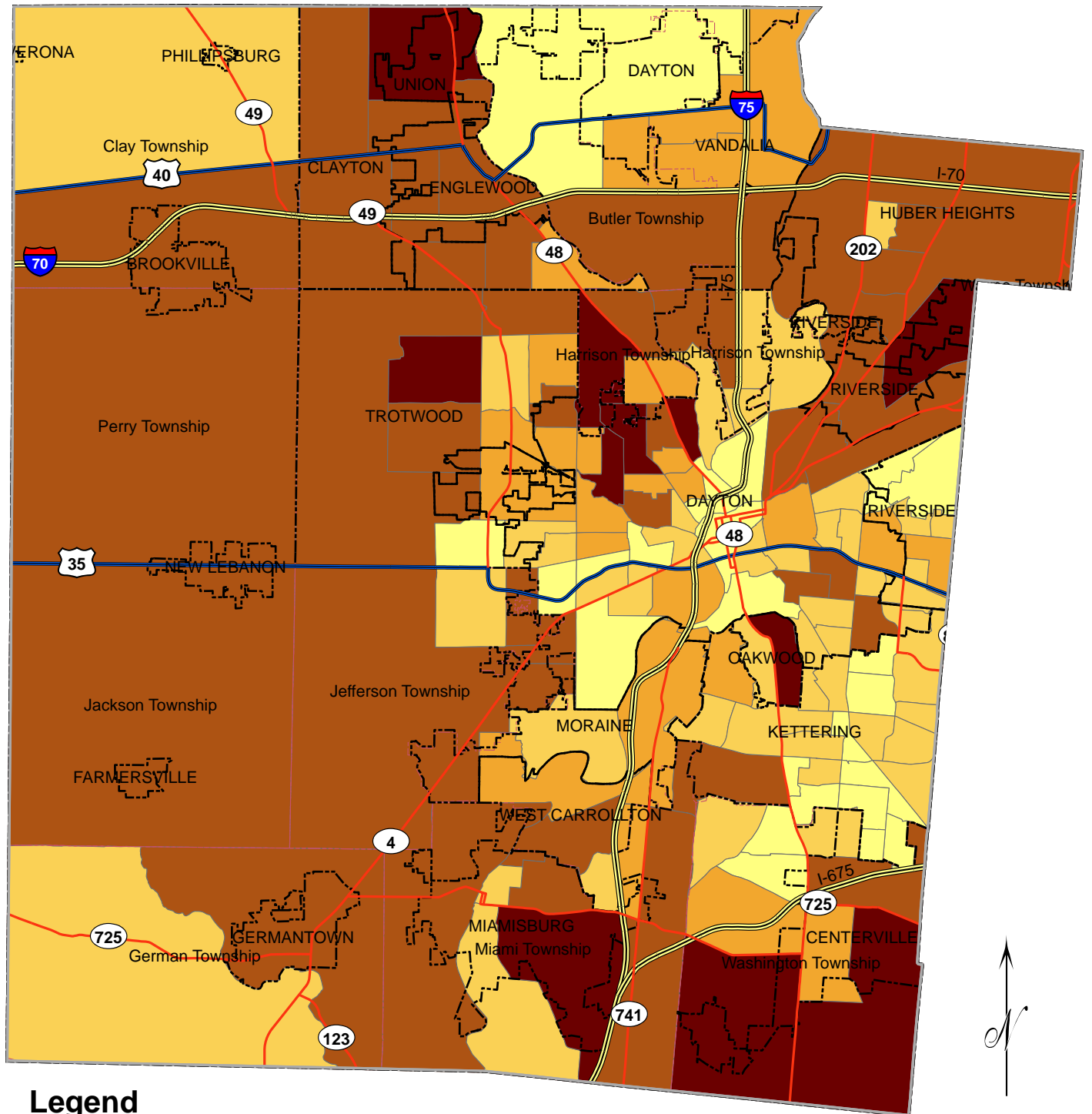
Legend

Percentage of Applicants Who Are Hispanic Applicants



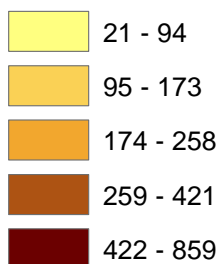
Home Mortgage Disclosure Act

Total Number of Applications with No Race Indicated by Census Tract (2004-2008)



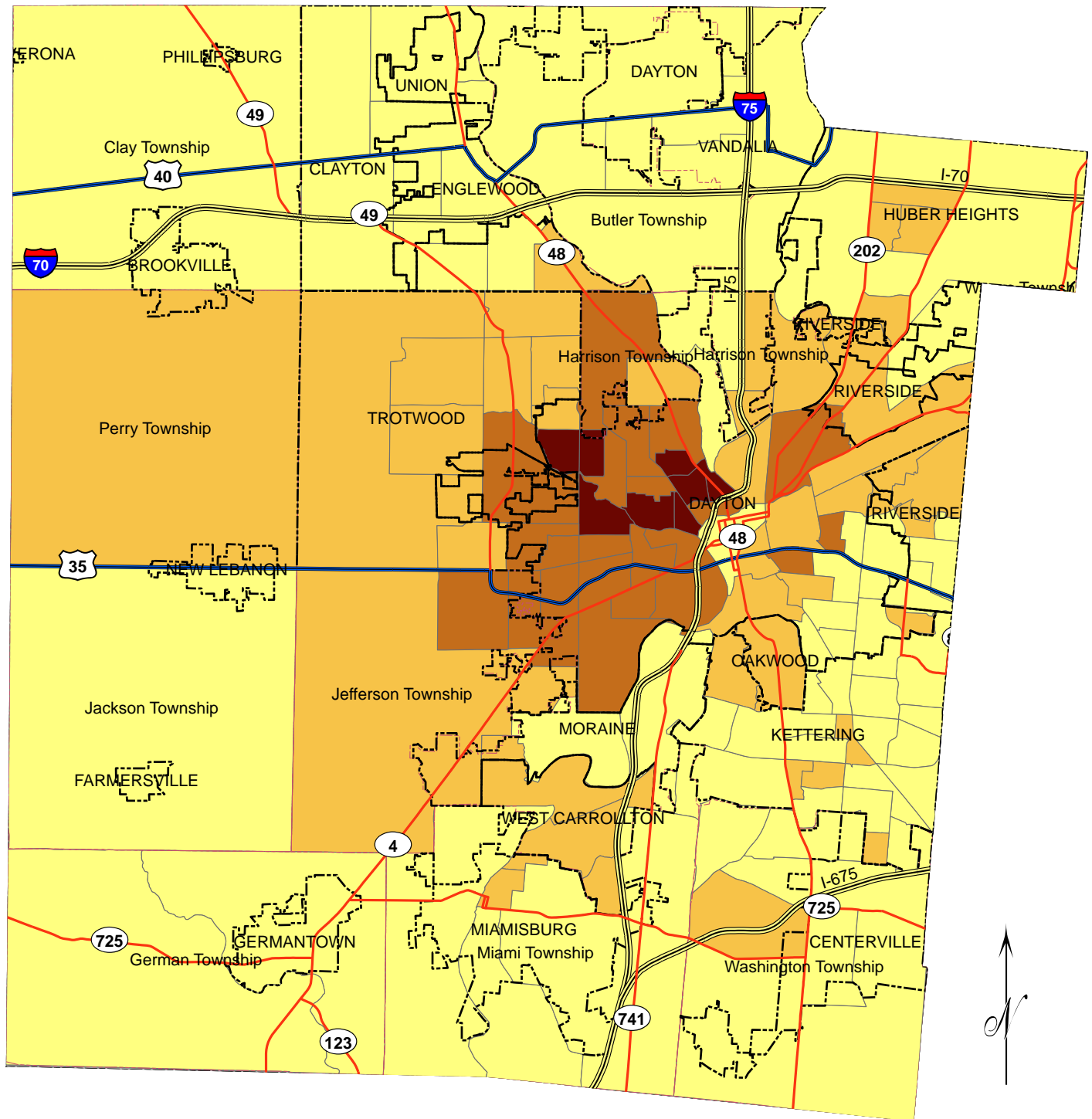
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Mortgage Applicants No Race Indicated



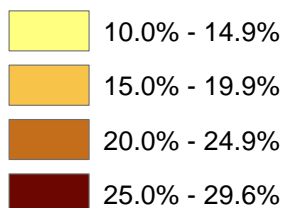
Home Mortgage Disclosure Act

Applications with No Race or Ethnicity Indicated by Census Tract (2004-2008)
Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)



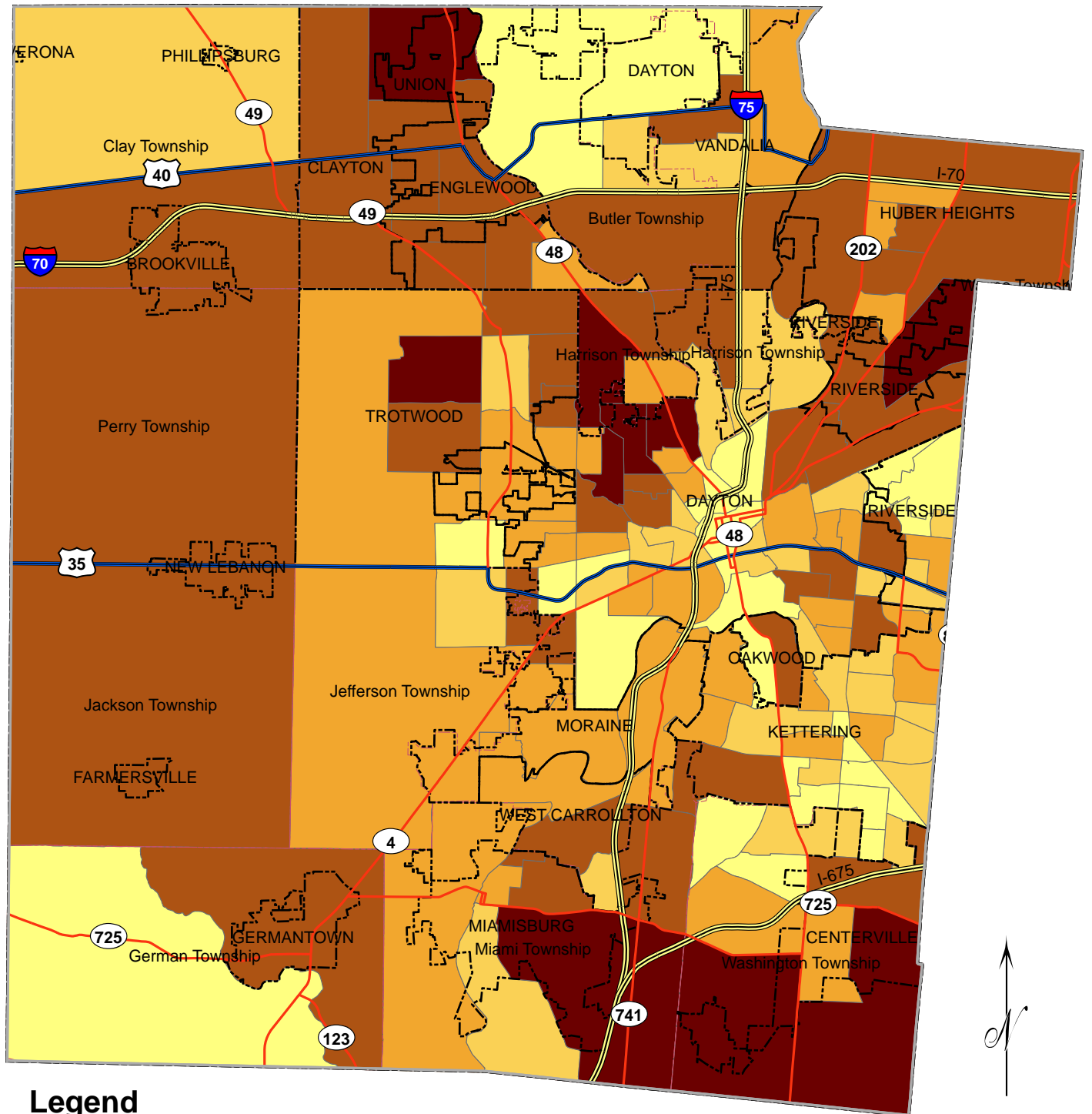
Legend

Percentage of Applications with No Race or Ethnicity Indicated



Home Mortgage Disclosure Act

Total Number of Female Mortgage Applicants by Census Tract (2004-2008)



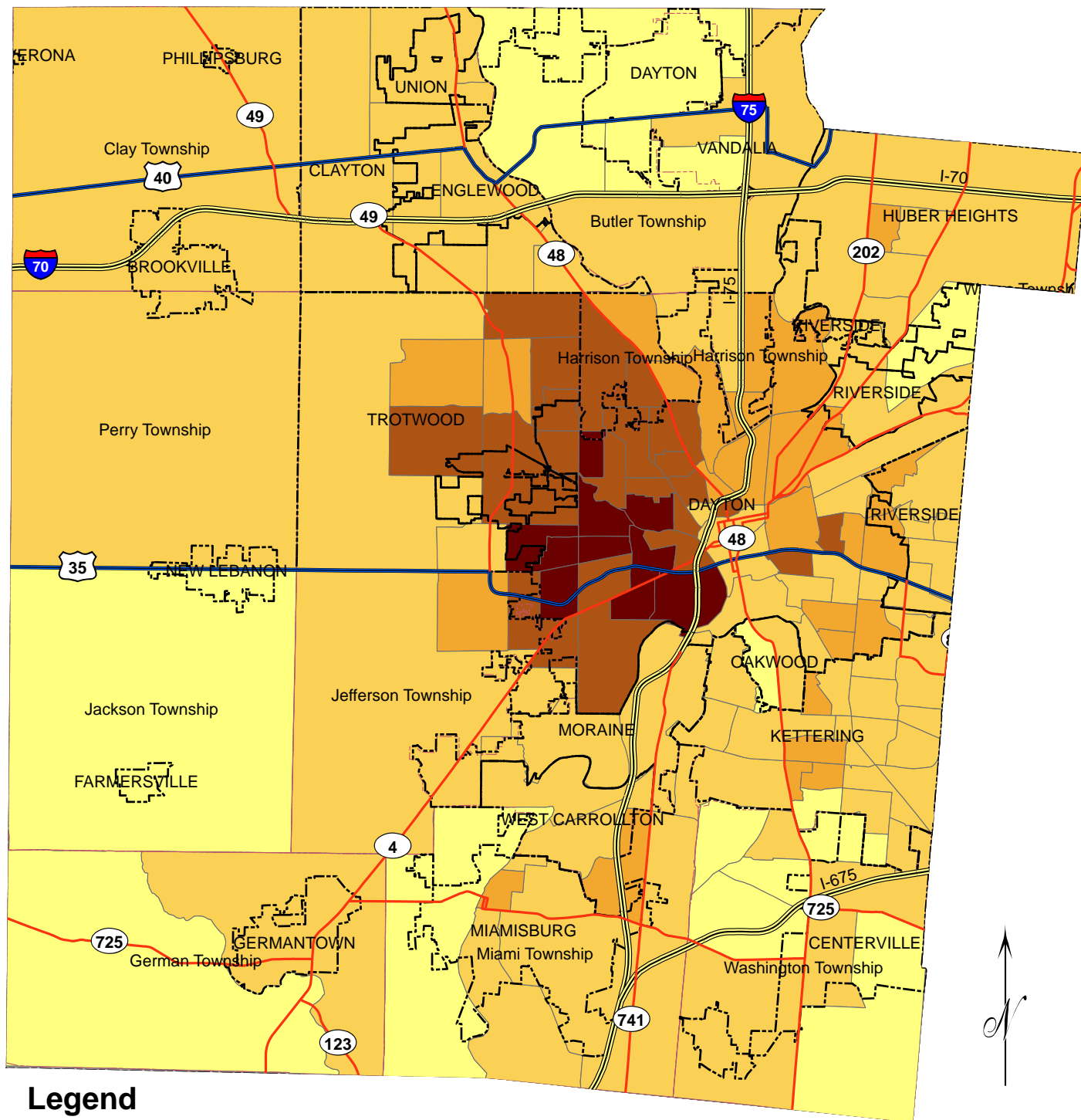
Legend

Female Mortgage Applicants

36 - 179
180 - 338
339 - 545
546 - 845
846 - 1672

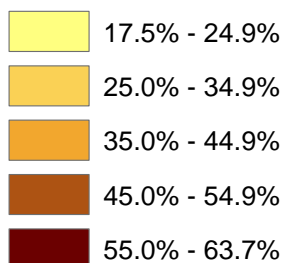
Home Mortgage Disclosure Act

Females as the Primary Applicants by Census Tract (2004-2008)
Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)



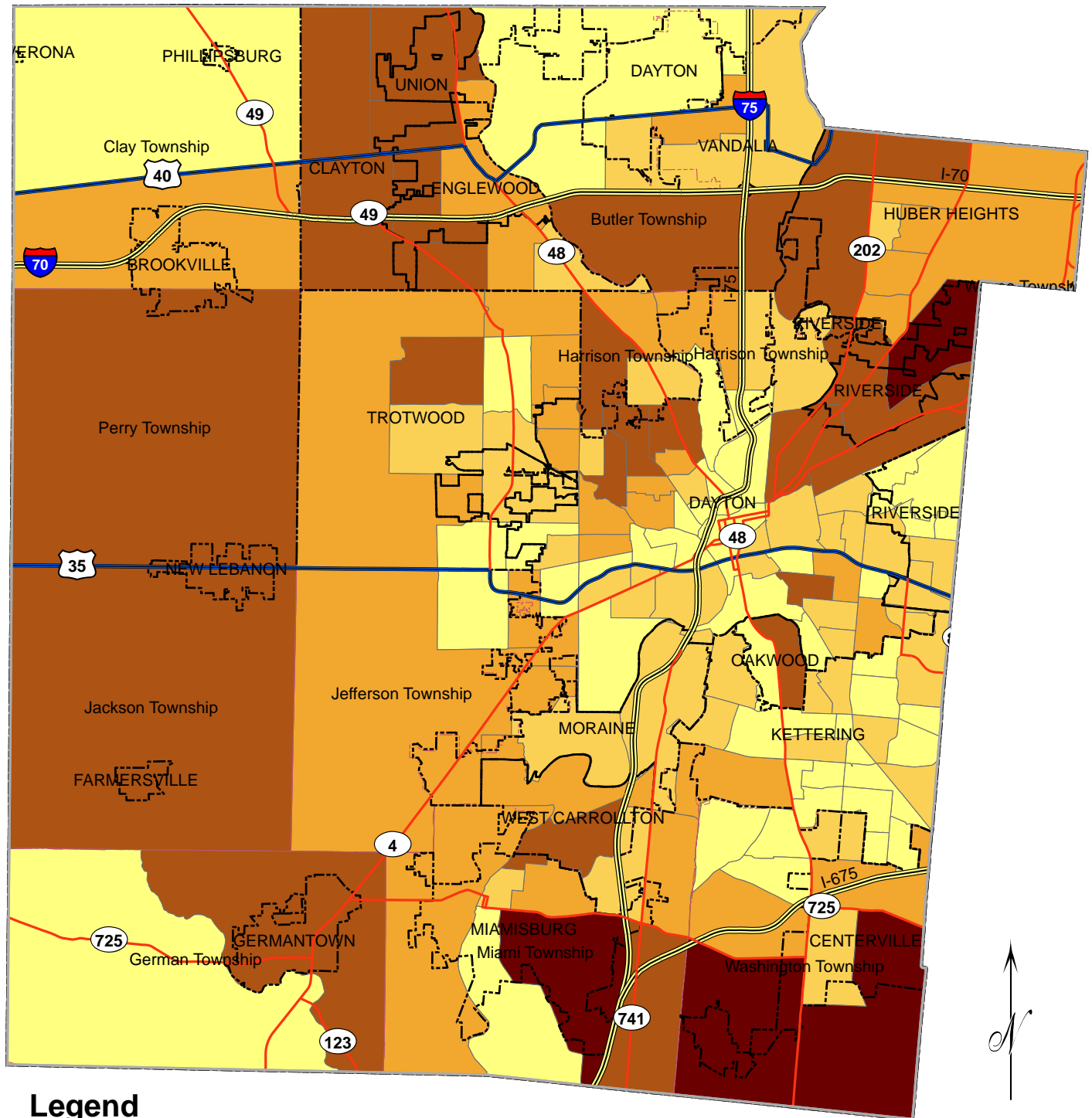
Legend

Percentage of Female Applicants



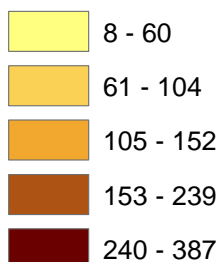
Home Mortgage Disclosure Act

Total Number of Mortgage Applications with No Gender Indicated by Census Tract (2004-2008)



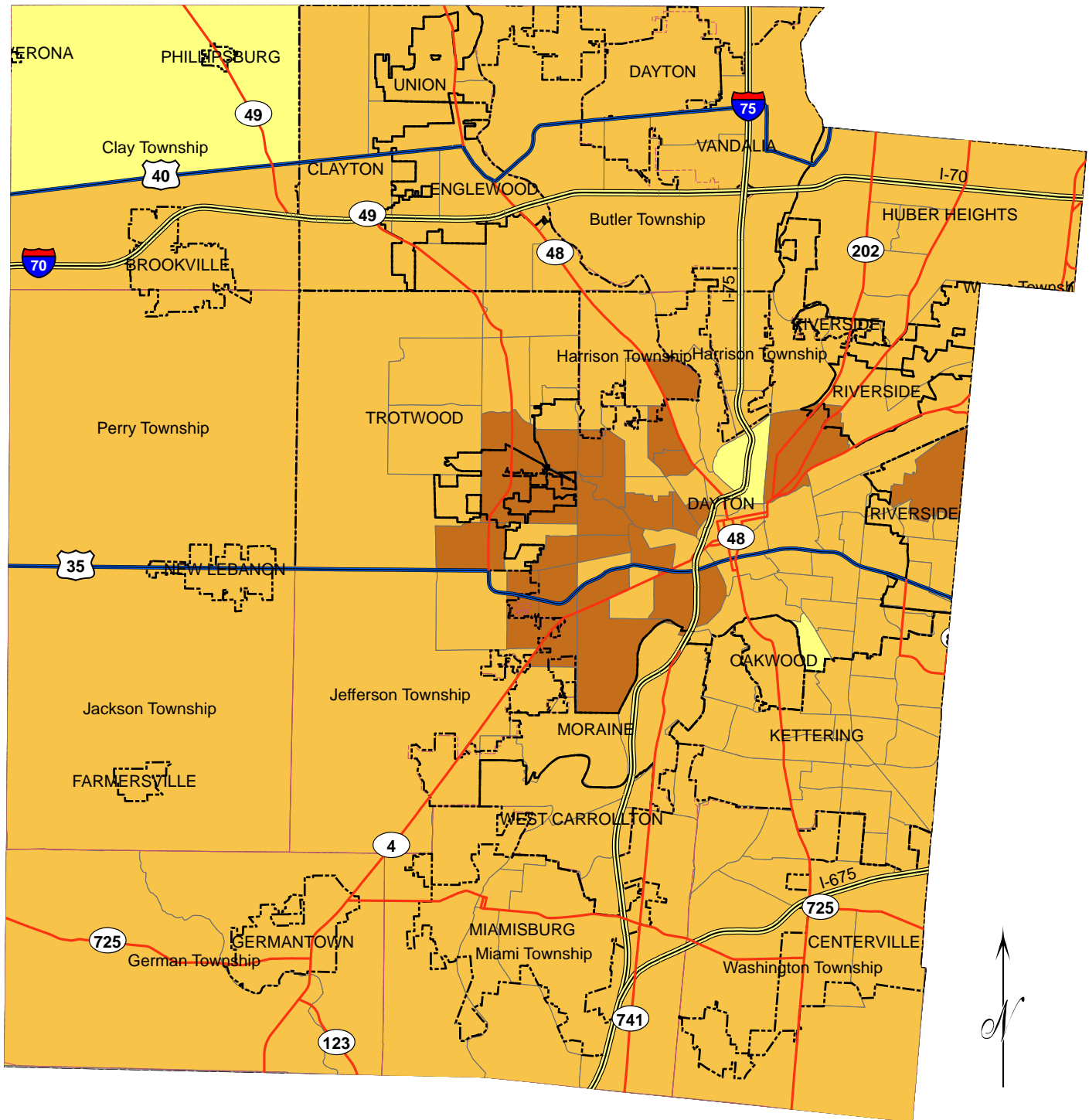
Legend

Mortgage Applicants with No Gender Indicated



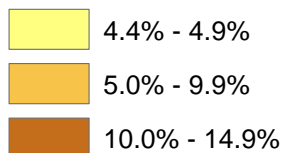
Home Mortgage Disclosure Act

Applications with No Gender Indicated by Census Tract (2004-2008)
Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)



Legend

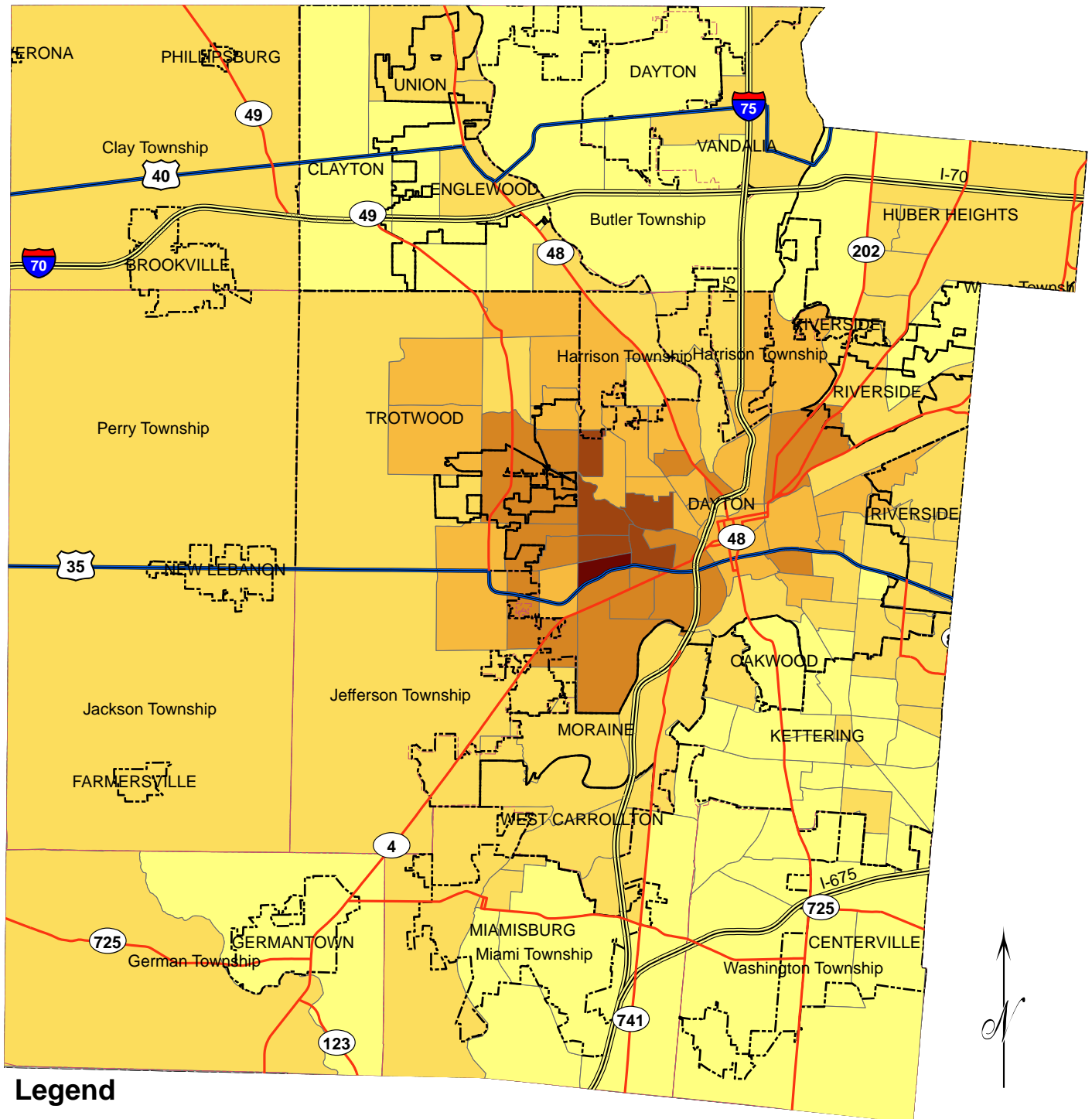
Percentage of Applications with No Gender Indicated



Home Mortgage Disclosure Act

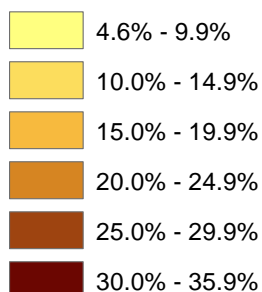
Applications Denied for Financial Reasons by Census Tract (2004-2008)

Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)



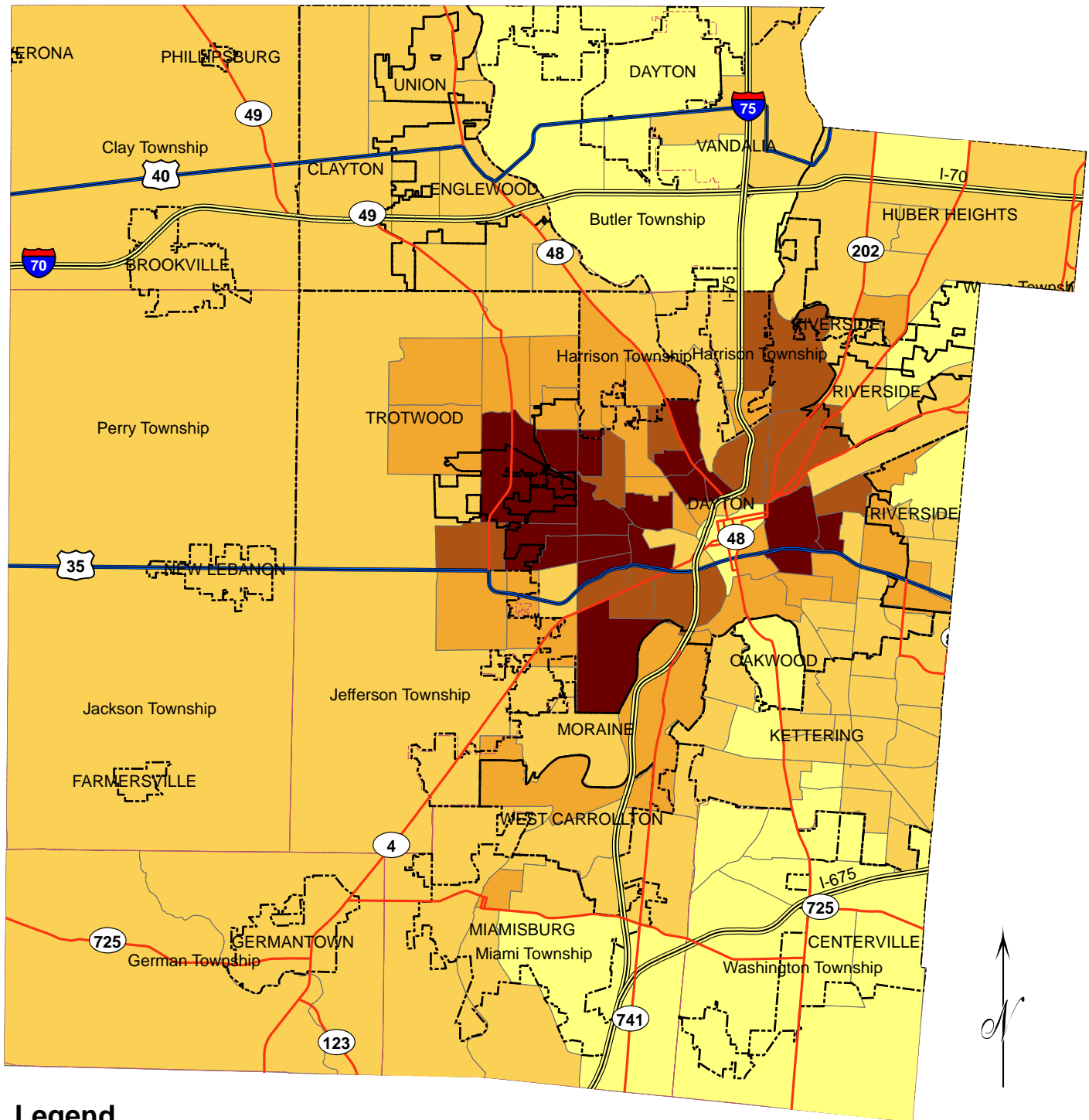
Legend

Percentage of Application Denied for Financial Reasons



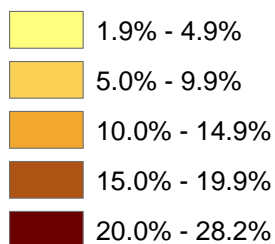
Home Mortgage Disclosure Act

*High Cost Mortgage Applications (Secured by 1st Lien) by Census Tract (2004-2008)
Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)*



Legend

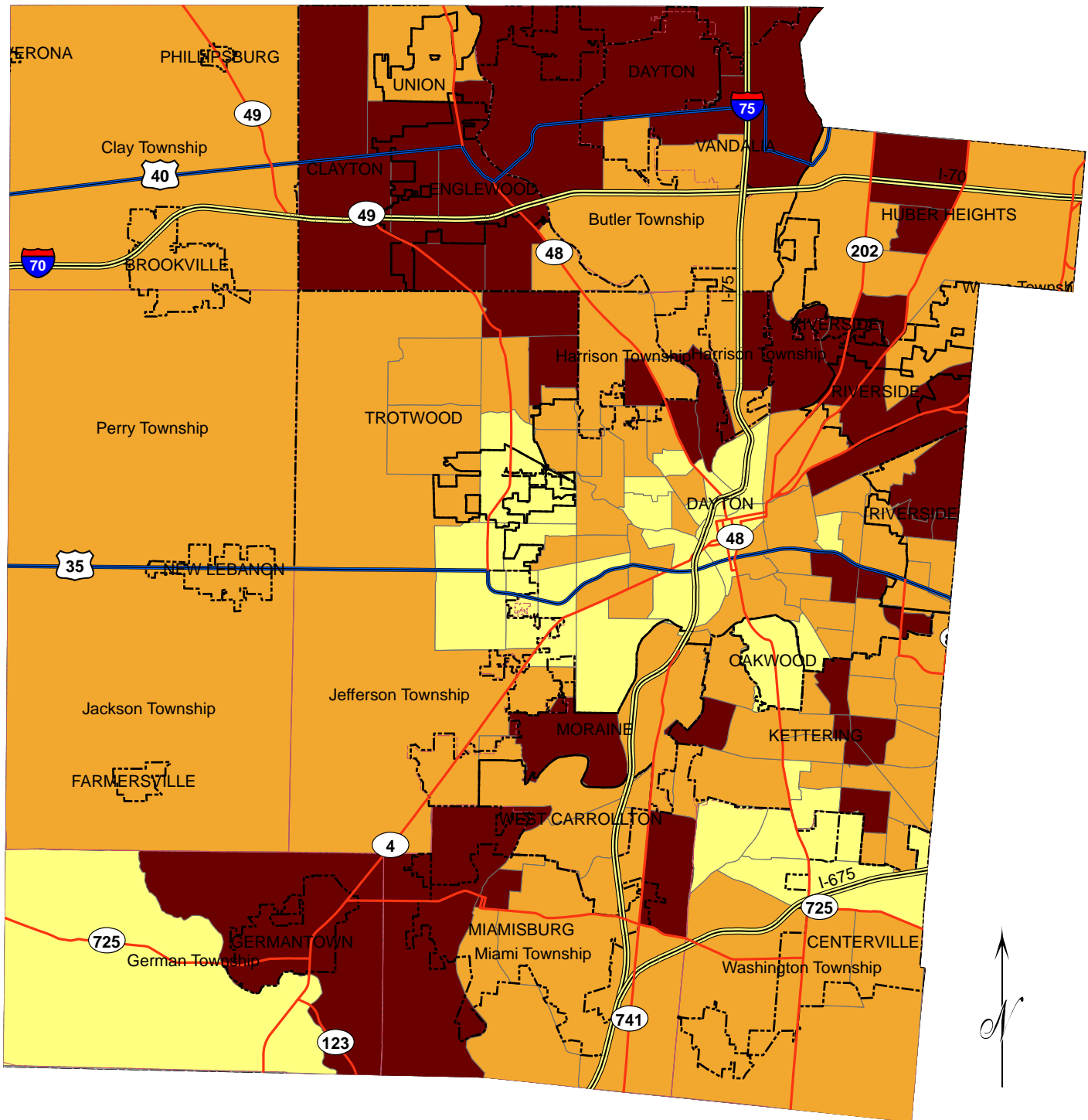
High Cost 1st Lien Mortgage Applications



Home Mortgage Disclosure Act

High Cost Subordinate Lien Applications by Census Tract (2004-2008)

Represented as a Percentage of Total Owner Occupied Mortgage Applications (2004-2008)



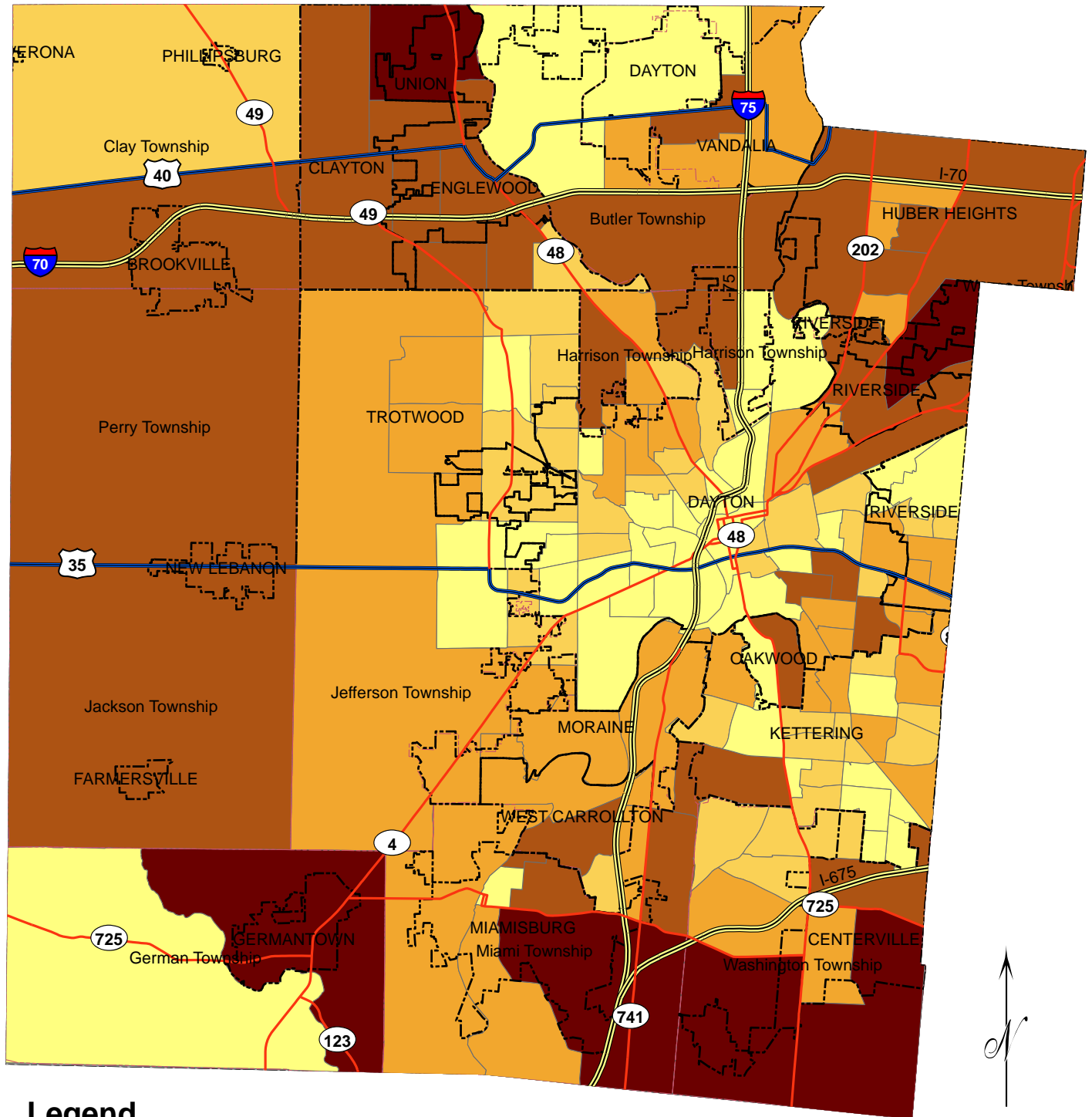
Legend

High Cost Subordinate Lien Applications

- Less than 1.0%
- 1.0 - 1.9%
- 2.0% - 2.8%

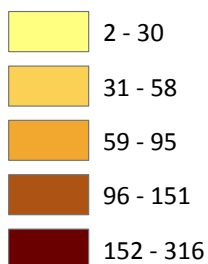
Private Mortgage Insurance

Total Number of Applications by Census Tract, 2006-2008



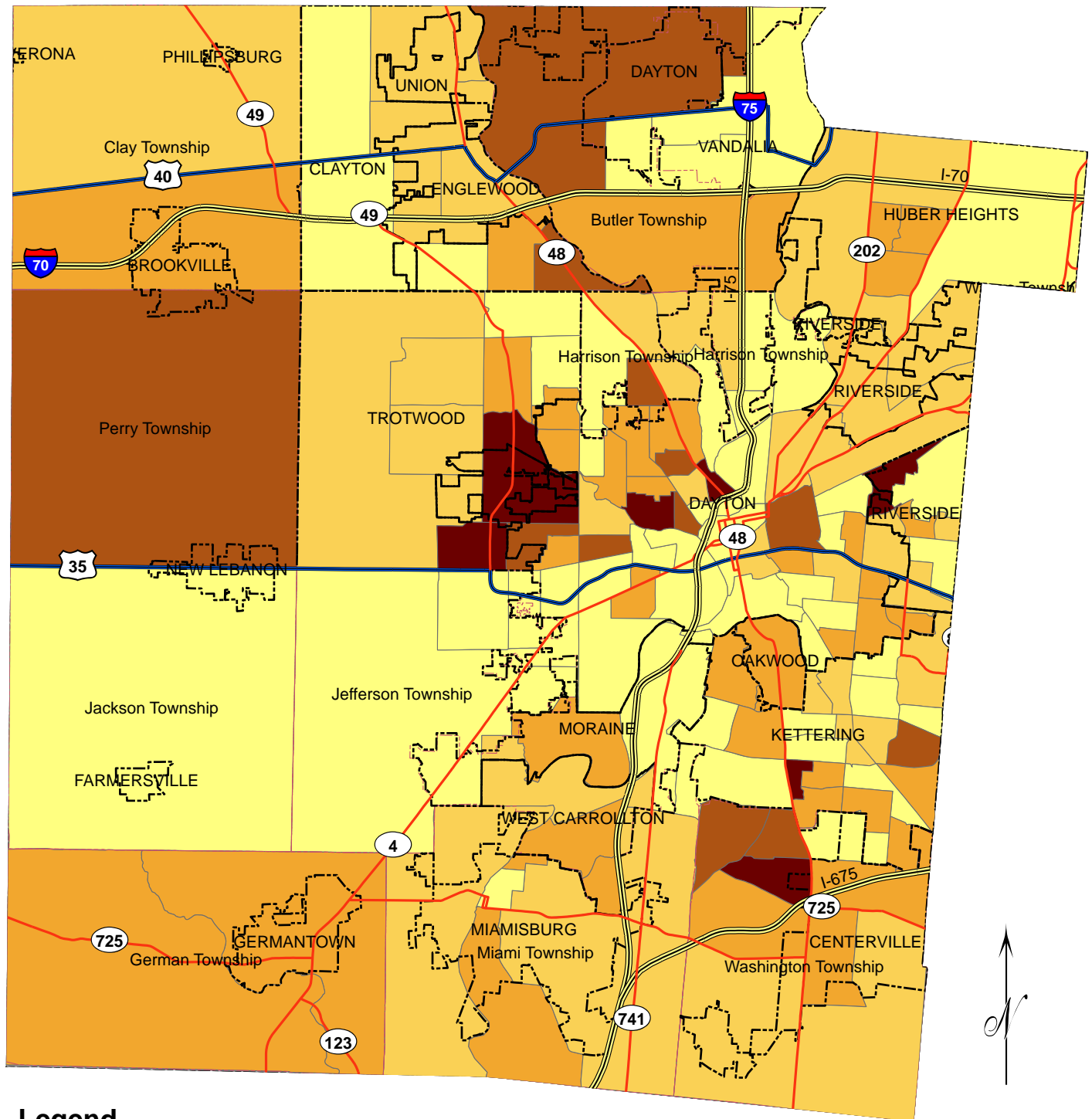
Legend

Private Mortgage Insurance Applications



Private Mortgage Insurance

*Total Number of Private Mortgage Insurance Denials by Census Tract
Represented as a Percentage of Total Private Mortgage Insurance Applications (2006-2008)*



Legend

Percentage of Private Mortgage Insurance Denials

