

**LEE COUNTY REGIONAL  
ANALYSIS OF IMPEDIMENTS TO  
FAIR HOUSING CHOICE  
FY 2015/2016- FY 2019/2020  
April 2015**



**LEE H. COMBS CONSULTING SERVICES**

## Table of Contents

I.	Introduction and Executive Summary.....	1
A.	Purpose of the Report.....	1
B.	Fair Housing Laws.....	3
C.	Lead Agency and Funding Sources.....	5
D.	Methodology and Data Source .....	5
E.	Conclusions .....	6
1.	Impediments Found .....	6
a.	Impediments Carried over from Previous Als:.....	6
b.	New Impediments Identified: .....	8
2.	Actions to Address Impediments.....	9
F.	Report Organization.....	12
II.	Jurisdictional Background Data.....	14
A.	Demographic Profile .....	15
B.	Household Characteristics .....	27
C.	Income Profile .....	33
D.	Employment and Transportation Profile .....	37
E.	Housing Profile.....	41
F.	Key Findings: Jurisdictional Background Data.....	57
III.	Evaluation of Current Fair Housing Legal Status.....	60
A.	Existence of Fair Housing Complaints.....	60
B.	Existence of Fair Housing Discrimination Suit.....	63
C.	Existence of Reasons for trends and patterns .....	63
D.	Key Findings: Evaluation of Current Fair Housing Legal Status.....	63
IV.	Identification of Impediments to Fair Housing Choice .....	64
A.	Public Sector .....	64
1.	Zoning and Site Selection .....	64
2.	Neighborhood Revitalization, Municipal and Other Services, Employment-Housing Transportation Linkage .....	71
3.	PHA and Other Assisted/Insured Housing Provider Tenant Selection Procedures; Housing Choices for Certificate and Voucher Holders.....	77
4.	Sale of Subsidized Housing and Possible Displacement .....	80
5.	Property Tax Policies.....	80
6.	Planning /Zoning Boards.....	81

7.	Building Code (Accessibility) .....	83
B.	Private Sector Lending Policies and Practices.....	83
1.	Lending Activity.....	84
2.	Applicant Characteristics .....	86
3.	Mortgage Application Denials.....	93
4.	High-Cost Lending .....	95
C.	Public and Private Sector .....	97
1.	Fair Housing Enforcement .....	97
2.	Information Programs.....	99
3.	Visitability in Housing.....	100
D.	Actions taken by HUD against the Jurisdiction .....	100
V.	Assessment of Current Public and Private Fair Housing programs and Activities.....	101
A.	Public Programs .....	101
B.	Real Estate Practices .....	101
C.	Outreach/Advocacy Organizations .....	103
VI.	Community Participation .....	105
A.	Outreach to the Community.....	105
B.	Public Review of Draft AI .....	108
VII.	Conclusions and Recommendations.....	109
A.	Progress toward Addressing Impediments from Previous AIs.....	110
B.	Regional Impediments Carried over from Previous AIs.....	122
C.	Jurisdiction Specific Impediments Carried over from Previous AIs .....	125
D.	New Regional Impediments.....	126
E.	New Jurisdiction-Specific Impediments.....	127
VIII.	Fair Housing Action Plans for Entitlement Jurisdictions .....	130
A.	Monitoring and Evaluation .....	130
B.	Reporting and Maintenance of Records .....	130
C.	Fair Housing Action Plans.....	131
IX.	Signature Pages.....	161

Appendices

- Appendix A: Fair Housing Survey Results
- Appendix B: Citizen Participation
- Appendix C: Full Map Series

## Table of Figures

Figure 1: Dissimilarity Index Trends 1980 - 2010.....	24
Figure 2: Isolation Index Trends 1980-2010 .....	25
Figure 3: Lee County Income Distribution 2012 .....	34
Figure 4: Income Category by Race and Ethnicity, 2012.....	35
Figure 5: Unemployment Rate: January 2009 to October 2014.....	37
Figure 6: Transportation Mode.....	39
Figure 7: Housing Tenure 2000 and 2010 .....	45
Figure 8: Home Ownership by Race/Ethnicity .....	46
Figure 9: Median Sales Value 2000 to 2012.....	46
Figure 10: Number of Housing Units Sold 2000 to 2012 .....	47
Figure 11: Number of Fair Housing Complaints Filed with HUD 2009 - 2014.....	61
Figure 12: Basis of Discrimination Complaints filed with HUD 2009-2014.....	62
Figure 13: Number of Home Purchase Loans in Lee County 2005 – 2012.....	84
Figure 14: Loan Purposes, 2012 .....	85
Figure 15: Loan Approval and Denials by Types of Loans, 2012.....	85

## Index of Tables

Table 1: Population Growth.....	15
Table 2: Age Profile .....	16
Table 3: 65 and older Growth Projection.....	17
Table 4: Gender Distribution 2000-2010 .....	18
Table 5: Limited English Proficiency Language Group, 2012 .....	19
Table 6: Racial and Ethnic Population Composition 2010 .....	20
Table 7: Number of Racially/Ethnically Concentrated Areas of Poverty Census Tracts, 2012 .....	21
Table 8: Dissimilarity Index Trends 1980 - 2010 .....	23
Table 9: Isolation Index Trends 1980-2010.....	24
Table 10: Household Type 2000 - 2010 .....	27
Table 11: Average Household Size by Jurisdiction.....	28
Table 12: Families with Children Households 2010 .....	29
Table 13: Large Households by Housing Tenure.....	31
Table 14: Large Households by Race and Ethnicity .....	31
Table 15: Lee County Disability Status.....	32
Table 16: Median Household Income and .....	34
Table 17: Employment Rate by Gender and Race/Ethnicity.....	38
Table 18: Lee County Housing Stock.....	42
Table 19: Trends in Housing Units in Structures by Municipality, 2012 .....	43
Table 20: Housing Stock Profile, 2012 .....	44
Table 21: Substandard Housing Stock, 2012.....	44
Table 22: Trends in Housing Value, Rent and Income 2012 .....	48
Table 23: Change in Volume of Rental Units by Cost 2000-2012 .....	48
Table 24: Housing Affordability Range.....	49
Table 25: Maximum Affordable Purchase Price by Race/Ethnicity, 2012 .....	50
Table 26: Housing Cost Burden by Tenure.....	51
Table 27: Households by Tenure, Income and Cost Burden, 2010.....	52



Table 28: Homeless PIT January 31, 2014.....	57
Table 29: Mode of Transportation to Work by Race/Ethnicity, 2012.....	74
Table 30: Sample Millage Rates, Lee County, 2014 .....	81
Table 31: LPA Membership Gender .....	82
Table 32: Total Home Loan Applications by Race and Ethnicity, 2012.....	86
Table 33: Approval Rate of Home-Purchase Loan .....	87
Table 34: Disposition of Applications for Conventional Home-Purchase Loans by Income, Race and Ethnicity, 2012 .....	88
Table 35: Disposition of Applications for FHA, FSA/RHA and VA Home-Purchase Loans by Income, Race and Ethnicity, 2012 .....	89
Table 36: Approval Rate of Home Refinance Loan .....	90
Table 37: Disposition of Applications for Refinance Loans by Income, Race and Ethnicity, 2012 .....	91
Table 38: Approval Rate of Home Improvement Loan .....	92
Table 39: Disposition of Applications for Home Improvement Loans by Income, Race and Ethnicity, 2012 .....	93
Table 40: Denial Rate by Income, Race and Ethnicity, 2012.....	94
Table 41: Denial reasons by Race and Ethnicity, 2012 .....	95
Table 42: High-Cost, Owner-Occupied Home Purchase Loans, 2009-2012.....	96
Table 43: High-Cost Loans Obtained by Race and Ethnicity, 2012 .....	97
Table 44: AI Review/Comment Period by Entitlement Jurisdictions .....	108

### List of Maps

Map 1: Location of Lee County .....	14
Map 2: Location of Elderly Concentrations by Race and Ethnicity, 2012 .....	17
Map 3: Limited English Proficiency Concentration, 2012 .....	19
Map 4 Racially/Ethnically Concentrated Areas of Poverty, 2012 .....	21
Map 5: Racial and Ethnic Minority Concentration with Low/Mod Income Area, 2012.....	22
Map 6: Racial and Ethnic Minority Concentrated Areas, 1990.....	25
Map 7: Racial and Ethnic Minority Concentrated Areas, 2000.....	26
Map 8: Racial and Ethnic Minority Concentrated Areas, 2010.....	26
Map 9: Concentration of Children by Race and Ethnicity, 2012.....	30
Map 10: Family Type with Children Concentration, 2012 .....	30
Map 11: Disability Concentration, 2012 .....	33
Map 12: Children Living in Poverty by Race and Ethnicity, 2012.....	36
Map 13: Elderly Living in Poverty by Race and Ethnicity, 2012 .....	36
Map 14: LeeTran System Route Map.....	40
Map 15: Future Employment Density by Transportation Analysis Zones .....	41
Map 16: LeeTran ADA Service Area .....	75
Map 17: LeeTran Service Routes in Minority Areas.....	76

## **I. Introduction and Executive Summary**

Lee County is located on the Gulf Coast of Florida and encompasses approximately 811 square miles including several small islands in the Gulf of Mexico. The County is bordered by Charlotte County to the north, Hendry County to the east, and Collier County to the south. Three incorporated municipalities are located on the mainland: Fort Myers, Bonita Springs and Cape Coral; Fort Myers Beach, a fourth municipality, is located on Estero Island and a fifth municipality, Sanibel, is situated on the island of the same name. The unincorporated communities include Alva, Captiva Island, Estero<sup>1</sup>, Lehigh Acres, Matlacha, North Fort Myers, Pine Island, and Tice. The County seat is Fort Myers and the largest city is Cape Coral. The County's boundary is the same as Cape Coral – Fort Myers Metropolitan Statistical Area (MSA) boundary.

### **A. Purpose of the Report**

Equal access to residential housing (housing choice) is fundamental to each person in meeting essential needs such as pursuing personal, educational, or employment goals. Because housing choice is so critical to personal development, fair housing is a goal that government, public officials and private citizens must embrace for equality of opportunity to become a reality. In recognition of equal housing access as a fundamental right, the federal government and the State of Florida have both established fair housing choice as a right protected by law.

Fair Housing is defined as a condition in which individuals of similar income levels in the same housing market have a range of housing choices available to them independent of their race, color, religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, familial status, marital status or any other arbitrary factor.

Impediments to fair housing choice include any actions, omissions, or decisions taken because of race, color, religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, familial status, or marital status or any other arbitrary factor which restricts housing choices or the availability of housing choices.

Pursuant to the U.S. Department of Housing and Urban Development's (HUD) regulations (24CFR91.225(a)) to receive the federally funded Community Development Block Grant (CDBG) funds, each entitlement jurisdiction must certify that it will affirmatively further fair housing (AFFH) through Fair Housing Planning. Fair Housing Planning entails:

- Completion of an Analysis of Impediments to Fair Housing Choice (AI).
- Implementation of action plans to eliminate any identified impediments.
- Maintenance of AFFH records, corresponding with implementation of the Consolidated Plan every three to five years.

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<sup>1</sup> On November 4, 2014, Estero residents passed a voter referendum to incorporate. At the time of this study, the Village of Estero is in the incorporation process. Unincorporated Lee County data includes Estero data.

HUD interprets these three certifying elements to include:

- Analyzing housing discrimination in jurisdictions and working toward its elimination.
- Promoting fair housing choice for all people.
- Providing racially and ethnically inclusive patterns or housing occupancy.
- Promoting housing that is physically accessible to, and usable by, all people particularly individuals with disabilities.
- Fostering compliance with nondiscrimination provisions of the Fair Housing Act.

This Analysis will:

- Evaluate population, household, income and housing characteristics by protected classes in each jurisdiction.
- Evaluate public and private sector policies that impact fair housing choice.
- Identify blatant or de facto impediments to fair housing choice where any may exist.
- Recommend specific strategies to overcome the effects of any identified impediments.

Three entitlement jurisdictions, the City of Cape Coral, the City of Fort Myers and Lee Urban County agreed to conduct an Analysis of Impediments to Fair Housing Choice at a regional scale, comparing trends and conditions within and across jurisdictions to develop a comprehensive view of regional equity and access to opportunity.

The Regional Analysis of Impediments to Fair Housing Choice offers considerable value in assessing fair housing issues, as many of the fair housing issues that are most intractable are best addressed at a regional level.

The Analysis of Impediments to Fair Housing Choice presents a demographic profile of Lee County, assesses the extent of housing needs among specific groups, and evaluates the availability of variety of housing choices for its residents. This report also analyzes the conditions in the private market and public sector that may limit the range of housing choices or impede a person's access to housing. While this report also assesses the nature and extent of housing discriminations, the focus is on identifying impediments that may prevent equal housing access and developing solutions to mitigate or remove such impediments.

This Regional AI covers the entirety of Lee County, including five incorporated cities and all of the unincorporated areas.

Fair housing, while required by law and a moral issue in its commitment to equal access to housing for all people, is also very much an economic issue. No community can reach its full potential for economic growth and well-being if a large segment of its residents are unable to participate fully in the housing market. Segregated housing causes unequal education, unequal access to jobs, and unequal income. Studies have clearly shown the relationship between housing, education, jobs and the ability to build equity through home ownership. Home-seekers who do not have access to all of the available housing choices may not be able to take advantage of living in neighborhoods which enhance their opportunities for future success.

Impediments to fair housing have created neighborhoods that are dying for lack of equal investment. Overcoming those barriers means ensuring that adequate investment is available in the future to ensure that all neighborhoods are healthy and attractive places to live. Eliminating the barriers to fair housing choice will not only improve the quality of life for many impacted individuals and families, but will also enhance the economic health of Lee County residents. An analysis of the impediments to fair housing is more than a catalog of illegal acts; it is a comprehensive study of the barriers to housing choice. This study must identify those systemic or structural issues that limit the ability of people to take advantage of the full range of housing which should be available to them.

### **Entitlement Jurisdictions**

An entitlement jurisdiction is a jurisdiction with a population of over 50,000 residents. An “entitlement” jurisdiction is so defined because it is “entitled”, based on its population, to directly receive formula CDBG funding from HUD. Entitlement jurisdictions in Lee County include:

- City of Cape Coral
- City of Fort Myers
- Lee Urban County

### **Lee Urban County**

Cities with a population smaller than 50,000 residents do not directly receive CDBG funds from HUD. Instead, these small cities may participate in the Urban County program. The Urban County program is responsible for administering the CDBG funds received from HUD. The Lee Urban County includes:

- Unincorporated areas
- City of Bonita Springs
- City of Sanibel
- Town of Fort Myers Beach

## **B. Fair Housing Laws**

### Federal Fair Housing Laws

The Federal Fair Housing Act of 1968 and Fair Housing Amendments Act of 1988 prohibit discrimination in all aspects of housing, including the sale, rental, lease or negotiation for real property. The Fair Housing Act prohibits discrimination based on a person’s race, color, religion, sex, disability, familial status, or national origin. In addition, HUD issued a Final Rule on February 3, 2012, that prohibits communities and organizations participating in its grant programs from discriminating on the basis of actual or perceived sexual orientation, gender identity or marital status. Persons who are protected from discrimination by fair housing laws are referred to as members of the protected classes.

## State of Florida Fair Housing Laws

The Florida Civil Rights Act of 1992 (state statute 760) prohibits housing discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or marital status. In addition to the seven federally protected classes, age is also a protected class in the State of Florida, giving Florida residents greater protection under the State fair housing laws. The Civil Rights Act formally created the Florida Commission of Human Relations (FCHR).

### Federal Accessibility Standards

**Fair Housing Amendment Act:** The Act requires owners of housing facilities make “reasonable accommodation” (exceptions) in their rules, policies, and operations to give people with disabilities equal housing opportunities. The Fair Housing Act also requires landlords to allow tenants with disabilities to make reasonable access-related modifications to their private living space, as well as to common use spaces, at the tenant’s own expense. Finally, the Act requires that new multi-family housing with four or more units be designed and built to allow access for persons with disabilities. This includes accessible common use areas, doors that are wide enough for wheelchairs, kitchens and bathrooms that allow a person using a wheelchair to maneuver, and other adaptable features within the units.

**Americans with Disabilities Act (ADA):** ADA standards are required to ensure equal access to places of public accommodation and commercial facilities by individuals with disabilities. Title II of the ADA applies to state and local services, including state and local housing programs. Government entities are obliged to assure that housing financed through state and local programs complies with ADA accessibility guidelines.

**Section 504:** Section 504 of the Rehabilitation Act of 1973 states: “No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, service or activity receiving federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service. (29 U.S.C. 794)”. This means that Section 504 prohibits discrimination on the basis of disability in any program or activity that receives financial assistance from any federal agency, including HUD.

**Architectural Barriers Act:** The Architectural Barriers Act of 1968 (ABA) (42 U.S.C. 4151-4157) requires that certain buildings financed with Federal funds must be designed, constructed, or altered in accordance with standards that ensure accessibility for persons with physical disabilities. The ABA requires that covered buildings comply with the Uniform Federal Accessibility Standards (UFAS). The ABA does not cover privately-owned housing, but covers buildings or facilities financed in whole or in part with Federal funds. The ABA applies to public housing (24 CFR 40), and to buildings and facilities constructed with CDBG funds (24 CFR 570.614). In practice, buildings built to meet the requirements of Section 504 and Title II of the ADA will conform to the requirements of the ABA.

**Uniform Federal Accessibility Standards (UFAS):** UFAS sets standards for facility accessibility by physically handicapped persons for federal and federally-funded facilities. These standards are to be applied during the design, construction, and alteration of buildings and facilities to the extent required by the Architectural Barriers Act of 1968, as amended.

### The Relationship between Fair Housing and Affordable Housing

Neither federal nor state fair housing laws identify low and moderate income households as a protected class. Therefore, the lack of affordable housing though critical, is not considered a fair housing issue. While housing affordability is not a fair housing issue, the increased demand for housing combined with the dwindling supply of housing may create conditions where fair housing violations become a part of the competition in the housing market. To the extent that the lack of affordable housing disproportionately impacts groups that are protected by fair housing laws, fair housing concerns arise.

### **C. Lead Agency and Funding Sources**

This Regional AI was completed by an independent consultant, Lee H. Combs Consulting Services, in consultation with the three entitlement jurisdictions' staff.

The funding of this Regional AI came from the all three entitlement jurisdictions' CDBG administrative and planning budgets.

### **D. Methodology and Data Source**

In accordance with the objectives in the HUD *Fair Housing Planning Guide*, the Fair Housing Plans have been developed and are intended to:

- Eliminate housing discrimination in Lee County.
- Promote fair housing choices for all persons.
- Provide opportunities for inclusive patterns of housing occupancy regardless of race, color, national origin, religion, sex, familial status and disability.
- Promote housing that is structurally accessible to and usable by all persons particularly persons with disabilities.
- Foster compliance with non-discrimination provision of the Fair Housing Act.

The methodology used to complete the Lee County Regional Analysis of Impediments to Fair Housing involved a compilation of primary data and review of reports completed by various agencies on the status of existing housing programs and efforts to improve access and choice to housing in Lee County. The following data sources were used to complete this AI:

- The most recently available demographic data regarding population, household, housing, income and employment at municipal level, including Census and American Community Survey sources.
- HUD Comprehensive Housing Affordability Strategy (CHAS) data.
- Public policies affecting the siting and development of housing.

- Financial lending institution data from Home Mortgage Disclosure Act (HMDA) database.
- Consolidated Plans, Annual Action Plans and CAPERs for federal entitlement communities.
- Real estate advertisements from the “Fort Myers New-Press”.
- U.S. Department of Labor, Bureau of Labor Statistic database.
- Local Housing Authorities Annual Plans (City of Fort Myers Housing Authority and Lee County Housing Authority) and Administrative Plans for Public Housing Authorities and Section 8 Programs.
- Lee County Property Appraiser’s Office database.
- University of Florida Shimberg Center for Housing Studies database.
- Previous AIs of the Cities of Fort Myers and Cape Coral, and Lee County.
- Community Fair Housing surveys.
- Real Estate Industry Fair Housing Surveys.

**E. Conclusions**

**1. Impediments Found**

**a. Impediments Carried over from Previous AIs:**

**Regional Impediments**

These are impediments identified in the previous AIs from three entitlement jurisdictions that are common in all jurisdictions but are persisting, and therefore require further efforts to mitigate the impacts. These impediments are considered “regional” because their impact is present in all participating jurisdictions within the County and require the collaboration of all jurisdictions to address the impediments.

**Regional Impediment #1: Housing discrimination persists in the private market, according to complaints data received.**

Disability complaints led the way with most issues surrounding failure to grant requests for reasonable accommodations, national origin discrimination was second, and familial status discrimination came in third.

**Regional Impediment #2: Pattern of disparity continues to exist in private mortgage lending for racial and ethnic minorities.**

The analysis of the latest HMDA data indicated the following:

- Loan application denials for minorities, especially for Black and Hispanic applicants (27 percent and 30 percent, respectively) were higher than the average denial rates (20 percent) and well above the denial rate of White applicants (19 percent).

- When denial rates are compared with the income levels, Hispanic applicants in all income groups had the highest denial rates. All applicants below 80 percent of AMI experienced higher denial rates than applicants with incomes greater than 100 percent of AMI.
- The primary reason cited by lenders for the rejection of loan applications was debt to income ratio (22 percent) followed by credit history and collateral which both tied at 20 percent.
- Among Black applicants and Hispanic applicants, credit history (40 percent and 32 percent, respectively) was cited as the most common reason for denial.
- An analysis of high-cost loans in Lee County by race and ethnicity reveals that Black and Hispanic Borrowers are overrepresented in high-cost lending. In 2012, 9 percent of mortgages obtained by Black borrowers were high-cost, and 10 percent of loans to Hispanic borrowers were high-cost. In comparison, 2 percent of mortgages obtained by White borrowers were high-cost.

**Regional Impediment #3 Limited public transit options and rising cost of transportation in general limit location options for many lower-income households.**

Increased housing costs are forcing families to move farther away from jobs in order to find affordable living options, which increase their transportation expenses. In 2012, the housing and transportation affordability index for Lee County was 54.9 percent. Due to reductions in property values directly affecting funds available to county government, drastic cuts have been made over the last three years to all areas of local government, including public transportation personnel and the reduction in some routes that were experiencing low ridership.

**Regional Impediment #4 Fair Housing education, training and outreach programs are inadequate to meet the responsibility to affirmatively further fair housing throughout Lee County.**

Discontinuation of the local substantially equivalent Fair Housing Agency (Lee County Office of Equal Opportunity) in the community creates challenges to fair housing enforcement, as well as, outreach and education. Community Fair Housing Survey results and a high number of dismissed fair housing complaint cases indicated that residents do not fully understand what constitutes a violation of the Fair Housing Act.

**Regional Impediment #5 An insufficient number of accessible housing units are available which meets the needs of persons with disabilities in the County.**

Housing providers are not making the accommodations and/or modifications necessary to make housing available to persons with disabilities.

**Jurisdiction-Specific Impediments**

These are impediments identified in the previous AIs that are persisting, and therefore require further efforts to mitigate the impacts. These impediments are “jurisdiction-specific” and therefore specific recommendations are identified for each participating jurisdiction.



The City of Cape Coral and Lee County’s carried over impediments from the previous AI’s are categorized as “Regional” impediments, and included under “Regional Impediments Carried over from the previous AIs”.

### **City of Fort Myers**

**Local Impediment #1: City does not have Fair Housing Ordinance**

**b. New Impediments Identified:**

The following are new impediments identified during the development of this 2014 Regional AI.

**Regional Impediments:**

These new impediments are considered “regional” because they impact or are present in all participating jurisdictions within the County and require the collaboration of all jurisdictions to address the impediments.

**Regional Impediment #6: Entitlement Jurisdiction’s Language Access Plan (LAP) could be expanded to improve access to the area’s LEP residents.**

Persons with limited English Proficiency (LEP) are defined by the federal government as those with a limited ability to read, write, speak, or understand English. American Community Survey data reports on the non-English spoken at home for the population five years and older. In 2012, the Census Bureau reported that 125,464 persons across Lee County (20.1 percent of the population) spoke at least one language other than English. Of these, 59,646 (47.5 percent) spoke English less than “very well”. This limited English proficiency subpopulation constituted 9.6 percent of the County’s total population. Translation of vital documents is required for a HUD entitlement community if the number of LEP persons in a single language group constitutes 5 percent or 1,000, whichever is less. The language group to qualify according to this threshold was Spanish. Hispanic population in the County is the largest group facing language barriers.

**Regional Impediment #7: Members of the protected classes could be represented better on the local planning/zoning boards.**

There is a lack of women and minority persons, particularly Hispanics and Blacks on the local governments’ planning and zoning boards. Currently, all governments in Lee County do not keep census of the board members. The experience of the protected classes would enhance the decision-making processes and would offer the opportunity for greater advancement of fair housing choice in all aspects of government.

**Jurisdiction-Specific Impediments**

These are new impediments identified during the development of this Regional AI. These impediments are “jurisdiction-specific” and therefore specific recommendations are identified for each participating jurisdiction.

### **City of Cape Coral**

**Local Impediment #1: Dispersion requirements for community group facilities appear to be inconsistent with the Fair Housing Act.**

The City follows the state laws (F.S. Chapter 419.001) in regards to the distance requirements. However, they appear to be inconsistent with the Fair Housing Act.

**Local Impediment #2: City’s Fair Housing Ordinance does not include protected class based on Familial status and does not define handicapped persons.**

The City of Cape Coral’s Fair Housing Ordinance (Chapter Sixteen) prohibits discrimination on the basis of race, color, religion, sex, age, handicapped status, or national origin in connection with housing. The Ordinance prohibits discrimination in the sale and rental of housing, the residential real estate related transactions, the provisions of brokerage services, and the provisions for housing for older persons. The Ordinance outlines unlawful and discriminatory practices in regards to the sale and rental of housing. In addition, the Ordinance created the City’s Fair Housing Compliance Board and provided an overview of its functions. However, the ordinance does not include a protected class based on familial status, and protections appears to be limited to physically handicapped persons and does not provided protection for all disabilities including mental illness.

#### **City of Fort Myers**

**Local Impediment #2: Dispersion requirements for community group facilities appear to be inconsistent with the Fair Housing Act.**

The City’s ordinances are silent on the group home distance requirements, but the City follows the state laws (F.S. Chapter 419.001) in regards to the distance requirements. However, they appear to be inconsistent with the Fair Housing Act.

#### **Lee County**

**Local Impediment #1: Dispersion requirements for community group facilities imposed by the City of Sanibel (urban county partner) appear to be inconsistent with the Fair Housing Act.**

The distancing requirements placed on group homes (community residential homes) by the City of Sanibel (urban county partner) are more restrictive than the Florida statute and appear to be inconsistent with the Fair Housing Act.

## **2. Actions to Address Impediments**

The three entitlement jurisdictions developed the following Fair Housing Action Plan (FHAP) and strategies for reducing fair housing impediments listed above:

**Regional Impediment #1: Housing discrimination persists in the private market, according to complaints data received.**

#### **Actions to Address Impediment:**

- Entitlement jurisdictions’ websites to include accessible fair housing information.
- Prominently display fair housing information on public counters and other points of contact, such as libraries and community centers.

- Include fair housing logo on all housing related documents for public review, brochures, and legal advertisements. Ensure all non-profit agencies that receive housing funds use the logos on their advertising materials.
- Entitlement jurisdictions should include in the scopes of work for fair housing services to expand outreach to small property owners.
- Coordinate and conduct comprehensive and countywide random testing on a regular basis to identify issues, trends, and problem properties by:
  - a) Conduct feasibility study.
  - b) Develop testing methods.
  - c) Schedule and conduct testing.

**Regional Impediment #2: Pattern of disparity continues to exist in private mortgage lending for racial and ethnic minorities.**

**Actions to Address Impediment:**

- Increase outreach efforts and homeownership opportunity awareness to minority and ethnic communities.
- Maintain lender guidelines for housing assisted with state and federal funds and Fair Housing Laws.
- Fund credit and financial management courses with CDBG or other funds to improve credit issues of racial and ethnic minority applicants.
- Promote the availability of general budgeting classes conducted by the University of Florida Extension Services to the targeted communities.

**Regional Impediment #3: Limited public transit options and rising cost of transportation limit location options for many lower-income households.**

**Actions to Address Impediment:**

- Support Job Access Reverse Grant (JARC) applications and New Freedom Grant applications by local non-profit agencies.
- Support a regional transportation system that provides services to low and moderate income households throughout the County.
- Continue funding bus pass programs and alternate modes of transportation to low/mod and disabled households.

**Regional Impediment #4: Fair Housing education, training and outreach programs are inadequate to meet the responsibility to affirmatively further fair housing throughout Lee County.**

**Actions to Address Impediment:**

- Coordinate fair housing programs between three entitlement jurisdictions to collaborate and consolidate affirmatively further fair housing efforts in Lee County.
- Develop a fair housing media campaign and implement the media campaign.
- Offer fair housing workshops throughout the year.

- Develop and maintain a fair housing log to record activities undertaken throughout the year to affirmatively further fair housing.

**Regional Impediment #5: An insufficient number of accessible housing units are available which meets the needs of persons with disabilities in the County.**

**Actions to Address Impediment:**

- Implement fair housing workshop topics to include “reasonable accommodation” requirements and requirements of Section 504, the Fair Housing Act, the Americans with Disabilities Act, the Architectural Barriers Act, and the State’s Accessibility Building Codes.
- Maintain the Universal Design requirements in new constructions funded by federal and state grants.
- Continue to give priority and set aside funding to rehabilitate special need housing units.

**Regional Impediment #6: Entitlement Jurisdiction’s Language Access Plan (LAP) could be expanded.**

**Actions to Address Impediment:**

- Imbed a direct translation web widget on the entitlement jurisdictions’ websites.
- Revise LAPs by the City of Cape Coral and the City of Fort Myers to include more detailed information including points of contact in their cities.

**Regional Impediment #7: Members of the protected classes could be represented better on the local planning/zoning boards.**

**Actions to Address Impediment:**

- Survey the current appointed planning/zoning boards’ members to identify the race, gender, ethnicity, national origin, disability and familial status.
- Present the planning/zoning boards’ member survey results and Inform the elected governing body of the importance of diversity on the appointed planning/zoning boards to reflect the County’s growing diversity.

**Actions to Address the Jurisdiction – Specific Impediments:**

**City of Cape Coral**

**Local Impediment #1 Dispersion requirements for community group facilities appear to be inconsistent with the Fair Housing Act.**

**Action to Address Impediment:**

- Develop and adopt administrative procedures for processing group home requests in compliance with the Fair Housing Act.

**Local Impediment #2: City’s Fair Housing Ordinance does not include protected class based on familial status and does not define handicapped person.**

**Action to Address Impediment:**

- Revise and adopt Fair Housing Ordinance to include familial status under the protective class and define handicapped to include both physical and mental disabilities.

**City of Fort Myers**

**Local Impediments #1: City does not have Fair Housing Ordinance.**

**Action to Address Impediment:**

- Adopt Fair Housing Ordinance.

**Local Impediments #2:**

**Dispersion requirements for community group facilities appear to be inconsistent with the Fair Housing Act.**

**Action to Address Impediment:**

- Develop and adopt administrative procedures for processing group home requests in compliance with the Fair Housing Act.

**Lee County**

**Local Impediments #1: Dispersion requirements for community group facilities imposed by the City of Sanibel (an urban county partner) appear to be inconsistent with the Fair Housing Act.**

**Actions to Address Impediment:**

- Work with the City of Sanibel to consider amending the City’s zoning ordinances regarding community residential homes/home-care facilities/adult family-care homes dispersion requirements.
- Work with the City of Sanibel to consider developing and adopting the City’s administrative procedures for processing group home requests in compliance with the Fair Housing Act.

**F. Report Organization**

The AI is divided into nine sections and appendices:

- I. Introduction and Executive Summary** defines “fair housing”, explains the purpose of the report and summarizes impediments found and actions to address the impediments to fair housing choice.
- II. Jurisdictional Background Data** presents the demographic, housing, and income characteristics in Lee County. Major employers and transportation access to job centers are identified. The relationships among these variables are discussed.
- III. Evaluation of Current Fair Housing Legal Status** assesses the nature and extent of fair housing complaints and violations in Lee County. Trends and any patterns of impediments to fair housing, as identified by public and private agencies, are included.

- IV. **Identification of Impediments to Fair Housing Choice** analyzes various public policies and actions that may impede fair housing within Lee County. This section also assesses the access to financing for different groups, including subprime lending issues.
- V. **Assessment of Current Public and Private Fair Housing Programs and Activities in the Jurisdiction** evaluates existing public and private programs, services, and activities that assist in providing fair housing in Lee County.
- VI. **Community Participation** describes the community outreach programs and summarizes comments from residents and various agencies on fair housing issues such as discrimination, housing impediments, and housing trends.
- VII. **Conclusions and Recommendations** summarizes the findings regarding fair housing issues in Lee County and provides recommendations and proposed actions for furthering fair housing practices.
- VIII. **Fair Housing Plan** includes monitoring, evaluation, reporting and records maintenance requirements and entitlement jurisdictions' fair housing action plans to address the impediments to fair housing choice.
- IX. **Signature Page**

**Appendix A: Fair Housing Survey Results**

**Appendix B: Citizen Comments**

**Appendix C: Full Map Series**

## II. Jurisdictional Background Data

Lee County is located on the Gulf Coast of Florida and encompasses approximately 811 square miles including several small islands in the Gulf of Mexico. The County is bordered by Charlotte County to the north, Hendry County to the east, and Collier County to the south. Three incorporated municipalities are located on the mainland: Fort Myers, Bonita Springs and Cape Coral; Fort Myers Beach, a fourth municipality, is located on Estero Island and a fifth municipality, Sanibel, is situated on the island of the same name. The unincorporated communities include Alva, Captiva Island, Estero<sup>2</sup>, Lehigh Acres, Matlacha, North Fort Myers, Pine Island, and Tice. The County seat is Fort Myers and the largest city is Cape Coral. The County's boundary is the same as Cape Coral – Fort Myers Metropolitan Statistical Area (MSA) boundary. Similar to much of Southwest Florida, Lee County is a popular tourist and retirement destination. The warm climate draws visitors as well as part-time and full-time residents from around the country and the world.

**Map 1: Location of Lee County**



Like many areas in the United States, the minority population in Lee County has increased significantly in recent years, especially among the Hispanic groups. As this and subsequent sections will discuss, fair housing issues tend to particularly affect racial and ethnic minority groups as well as persons with disabilities.

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<sup>2</sup> On November 4, 2014, Estero residents passed a voter referendum to incorporate. At the time of this study, the Village of Estero is in the incorporation process. Unincorporated Lee County data includes Estero data.

This section of the AI analyzes the socioeconomic profile of County residents, housing stock characteristics, and employment and transportation conditions that may affect the ability of households in the County with similar income levels to have a like range of housing choices.

## A. Demographic Profile

Assessment of demographic characteristics can indicate the need for and the extent of equal access to housing in a community. Factors such as population growth, age characteristics, and racial/ethnic mix shape a region’s housing needs and play a role in identifying potential impediments to fair housing choice. While affordability is not a fair housing issue, the relationships among household income, household types, and other factors often create misconceptions and biases that raise fair housing concerns.

### Population Growth

As of the 2010 census, the population of Lee County was 618,754, an increase of 40 percent or 177,866 from the 2000 census count of 440,888. The City of Cape Coral is the fastest growing city in the County followed by unincorporated area (41 percent) and the City of Bonita Springs (34 percent). Cities of Fort Myers and Sanibel show a moderate growth rate. The Town of Fort Myers Beach is the only area that experienced a net loss of residents.

The Bureau of Economic and Business Research (BEBR), University of Florida estimates that by the year 2030, Lee County’s population is expected to reach 928,496. That is an increase of approximately 50 percent from the 2010 level. The entire Lee County Region will likely experience the high growth rate (greater than 43 percent) with exceptions of the Town of Fort Myers Beach (-7 percent) and the City of Sanibel (7 percent). Population growth creates demands for not only housing, but also jobs, facilities and infrastructure, such as open space, recreation opportunities, transportation options, water, emergency services, schools and more.

**Table 1: Population Growth**

Jurisdiction	Total Population 2000	Total Population 2010	Total Population 2020 (Projected)	Total Population 2030 (Projected)	Percent Change 2000-2010	Projected Percent Change 2010-2020	Projected Percent Change 2010-2030
<b>Urban County</b>							
Bonita Springs	32,797	43,914	52,802	62,645	34%	19%	43%
Fort Myers Beach	6,561	6,277	6,059	5,818	-4%	-4%	-7%
Sanibel	6,064	6,469	6,673	6,920	7%	4%	7%
Unincorporated	244,972	345,491	417,540	501,646	41%	20%	45%
<b>Total Urban County</b>	<b>290,394</b>	<b>402,151</b>	<b>483,074</b>	<b>577,029</b>	<b>38%</b>	<b>19%</b>	<b>43%</b>
<b>Entitlement Jurisdictions</b>							
Cape Coral	102,286	154,305	198,641	249,942	51%	29%	62%
Fort Myers	48,208	62,298	81,483	101,525	29%	31%	63%
<b>Total Lee County</b>	<b>440,888</b>	<b>618,754</b>	<b>763,198</b>	<b>928,496</b>	<b>40%</b>	<b>23%</b>	<b>50%</b>

Source: Census 2000 and 2010 (SF 1 & DP 1); Bureau of Economic and Business Research (BEBR), University of Florida, 2014



## Age and Gender Profile

The age characteristics of a community give an insight into current and future demand for housing. The age composition of a community affects housing demand since different age groups have very different housing needs. Traditionally, young adult households may occupy apartments, condominiums, and smaller single-family homes because of size and/or affordability. Middle-age adults may prefer larger homes as they begin to raise their families, while seniors may prefer apartments, condominiums, mobile homes, or smaller single-family homes that have lower costs and less extensive maintenance needs.

**Table 2: Age Profile**

Jurisdiction	Under 18		65 and Older		Median Age	
	2000	2010	2000	2010	2000	2010
<b>Urban County</b>						
Bonita Springs	13.9%	13.8%	31.7%	33.8%	54.1	55.2
Fort Myers Beach	7.6%	5.4%	37.2%	45.4%	59.1	63.2
Sanibel	10.1%	7.9%	40.0%	50.1%	60.5	65.0
Unincorporated	18.3%	19.3%	28.6%	25.8%		
<b>Total Urban County</b>	<b>17.4%</b>	<b>18.3%</b>	<b>29.3%</b>	<b>27.3%</b>		
<b>Entitlement Jurisdictions</b>						
Cape Coral	22.6%	22.4%	19.6%	17.0%	41.6	42.4
Fort Myers	26.3%	22.7%	14.3%	14.4%	32.4	35.8
<b>Total Lee County</b>	<b>19.6%</b>	<b>18.9%</b>	<b>25.4%</b>	<b>25.7%</b>	<b>45.2</b>	<b>45.6</b>

Source: Census 2000 and 2010 (SF 1)

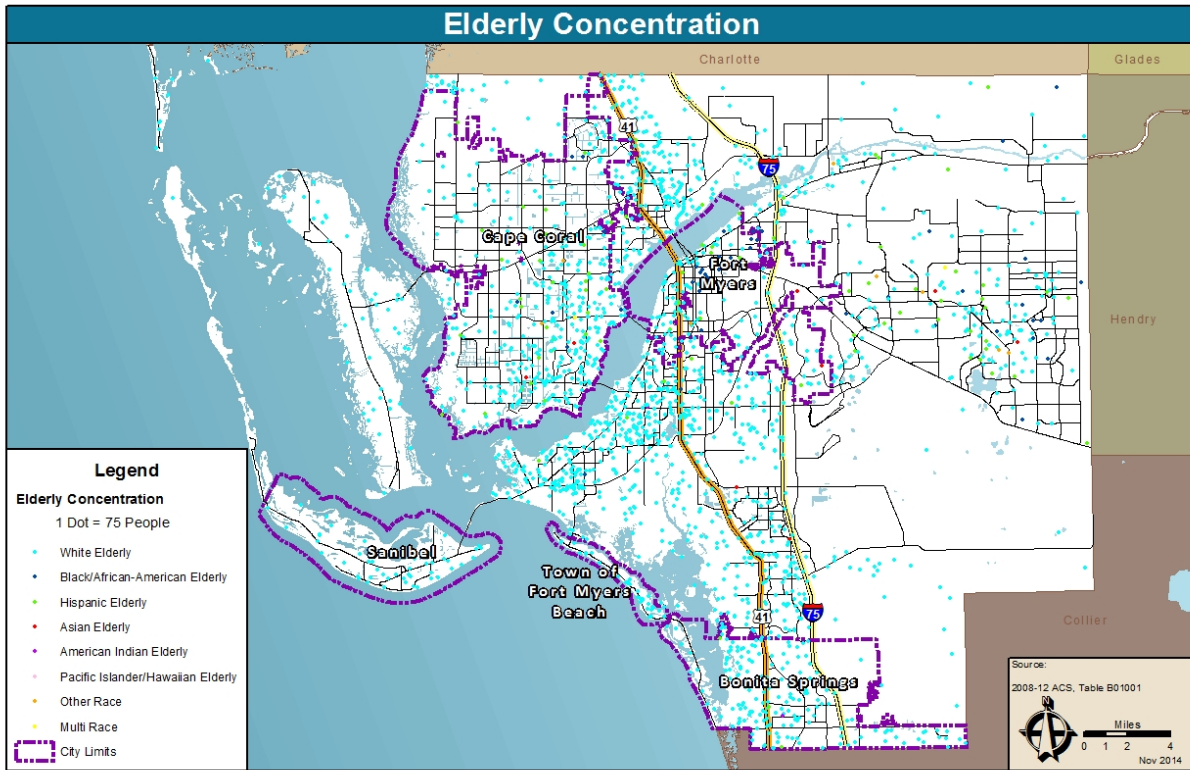
A significant presence of children younger than 18 years of age can be an indicator of the need for larger housing units since this characteristic is often tied to families and larger households. People under 18, typically do not work and are dependents of their families. Those who do work generally hold low paying jobs, and many share housing with others to make housing affordable.

Overall, within Lee County population, the percentage of children under 18 years has slightly decreased from 2000 to 2010. The cities of Fort Myers and Cape Coral have the largest share of the children under 18 with both cities' median ages being younger than the County median age.

In comparison to the state of Florida's age characteristics, Lee County's overall median age of 45.6 years old is older than the state's median age of 40.7 years old. Only two incorporated cities of Cape Coral and Fort Myers have lower median age.

The proportion of residents over 65 years of age remained steady since 2000. The Town of Fort Myers Beach and the City of Sanibel have the greatest share of residents over 65 years. At the same time these two cities have the lowest share of children under 18 years old. These two cities are coastal communities and considered retirement locations.

**Map 2: Location of Elderly Concentrations by Race and Ethnicity, 2012**



The population projection by BEBR indicates that by 2030, nearly 30 percent of Lee County's population will be 65 and older residents.

**Table 3: 65 and older Growth Projection**

Jurisdiction	65 and older			
	2000	2010	2020	2030
<b>Urban County</b>				
Bonita Springs	31.7%	33.8%	36.9%	40.0%
Fort Myers Beach	37.1%	45.4%	56.3%	67.7%
Sanibel	40.0%	50.0%	64.0%	72.4%
Unincorporated	28.6%	25.8%	27.3%	29.1%
<b>Entitlement Jurisdictions</b>				
Cape Coral	19.6%	17.0%	19.7%	23.5%
Fort Myers	14.3%	14.4%	21.4%	29.8%
<b>Total Lee County</b>	<b>25.4%</b>	<b>23.5%</b>	<b>25.9%</b>	<b>29.0%</b>

Source: Census 2000 and 2010 (SF 1 & DP 1); Bureau of Economic and Business Research (BEBR), University of Florida, 2014

Lee County's gender distribution has experienced a slight change from 2000 to 2010. The overall male population has increased by 0.3 percent while female population has decreased by 0.2 percent. In 2010, the difference between the male and female population decreased by 0.4 percent to 1.8 percent in 2010 versus 2.2 percent in 2000.

**Table 4: Gender Distribution 2000-2010**

Jurisdiction	Male		Female	
	2000	2010	2000	2010
<b>Urban County</b>				
Bonita Spring	51.1%	50.4%	48.9%	49.6%
Fort Myers Beach	49.5%	49.5%	50.5%	50.5%
Sanibel	47.5%	47.3%	52.5%	52.7%
Unincorporated	48.7%	51.3%	48.8%	51.2%
Total Urban County	48.9%	51.3%	49.0%	51.0%
<b>Entitlement Jurisdiction</b>				
Cape Coral	48.5%	48.8%	51.5%	51.2%
Fort Myers	49.4%	50.1%	50.6%	49.9%
<b>Total Lee County</b>	<b>48.9%</b>	<b>49.1%</b>	<b>51.1%</b>	<b>50.9%</b>

Source: Census 2000 and 2010 (SF 1)

### **Ancestry Composition**

It is illegal to refuse the right to housing based on place of birth or ancestry. In 2012, according to the 2008-2012 American Community Survey, 15 percent of all Lee County residents were foreign-born. By way of origin, the largest foreign-born group in the County was Latin American, a group that comprised 70.5 percent of the entire foreign-born population. The second most prevalent origin was European, at 14.6 percent, and Asian, which was the place of origin for 8.2 percent of the foreign-born population.

Persons with limited English Proficiency (LEP) are defined by the federal government as those with a limited ability to read, write, speak, or understand English. American Community Survey data reports on the non-English spoken at home for the population five years and older. In 2012, the Census Bureau reported that 125,464 persons across Lee County (20.1 percent of the population) spoke at least one language other than English. Of these, 59,646 (47.5 percent) spoke English less than "very well". This limited English proficiency subpopulation constituted 9.6 percent of the County's total population. Translation of vital documents is required for HUD entitlement communities if the number of LEP persons in a single language group constitutes 5 percent or 1,000, whichever is less. The language group to qualify according to this threshold was Spanish.

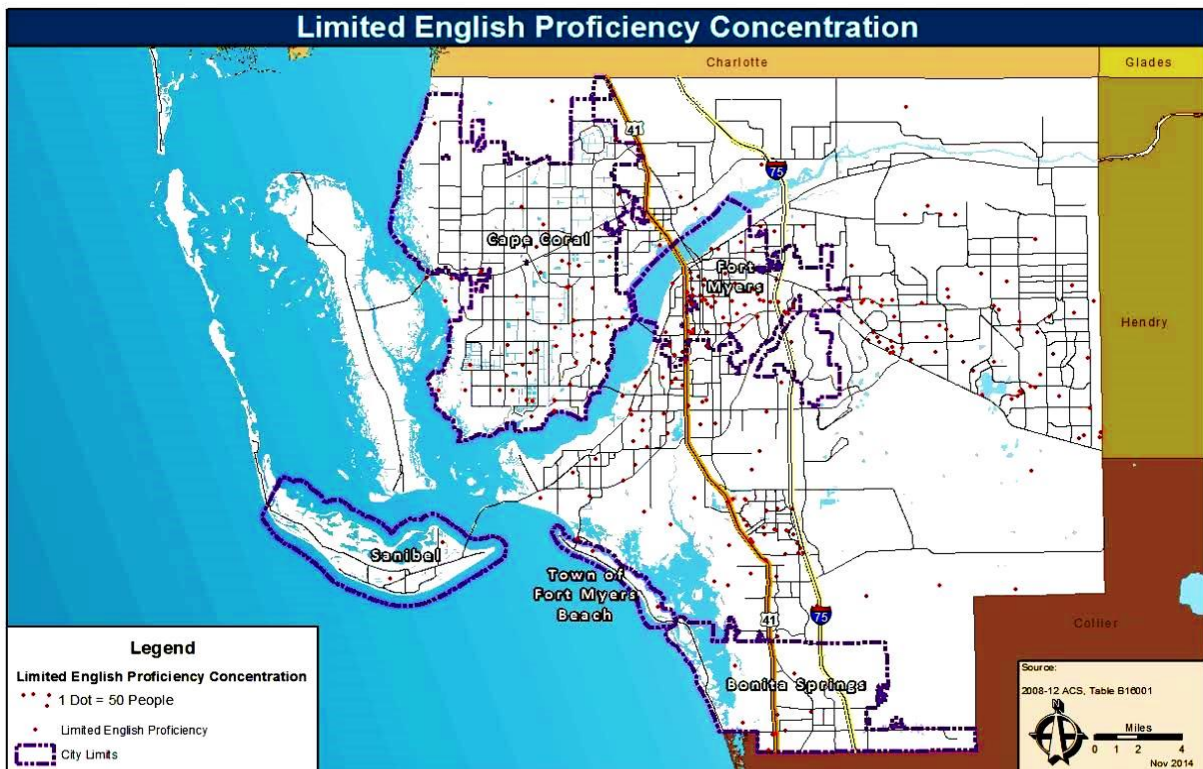
**Table 5: Limited English Proficiency Language Group, 2012**

Language Group	Number of LEP Speakers	Percent of Total Population
Spanish	46,650	7.4%
French Creole	4,691	0.8%
Portuguese	1,385	0.2%
German	1,153	0.2%

Source: U.S. Census 2008-2012 American Community Survey (DP02, B16001)

The entitlement jurisdictions have completed Limited English Proficiency analysis and have Language Assistance Plans (LAP) in place.

**Map 3: Limited English Proficiency Concentration, 2012**



### Racial/Ethnic Composition

On the whole, Lee County has become more diverse since 2000. This is due to two factors: increase in racial and ethnic minority population and decrease in the percentage of White population. After White residents, the largest racial/ethnic group in Lee County is Hispanic. Hispanic or Latino is an ethnic classification by the U.S. Census Bureau, however, Hispanic individuals can be of any race.

In 2000, Lee County’s population was 82 percent White (not Hispanic or Latino) and Hispanic or Latino (any race) population comprised 9.5 percent of the County’s total population. In comparison, 2010 Census estimates indicate a major shift in population composition, now showing 71.0 percent White (not Hispanic or Latino) and Hispanic or Latino (any race) population comprising 18.3 percent of the County’s total population.

The County’s population that is Hispanic or Latino has increased from 42,042 persons to 113,308 persons from 2000 and 2010. This is an increase of 169.5 percent.

As seen in Table 6, the Cities of Bonita Springs, Cape Coral and Fort Myers have significant Hispanic concentrations, while the City of Sanibel has the least concentration of Hispanic Population. The largest concentration of Black population occurs in the City of Fort Myers with 31.3 percent of the City’s population versus the county-wide of 7.7 percent.

In 2000, for the first time, the Census forms allowed Americans to classify themselves as belonging to more than one race. In Lee County, 1.2 percent of the people identified themselves as belonging to more than one race in the 2010 Census. Native Americans, Pacific Islanders, other race, and “Two or More Races” comprised of 1.7 percent of the County’s total population.

**Table 6: Racial and Ethnic Population Composition 2010**

Jurisdiction	Not Hispanic/Latino							Hispanic/Latino
	White	Black	American Indian	Asian	Pacific Islander	Other Race	Two or more Race	Any Race
	%	%	%	%	%	%	%	%
<b>Urban County</b>								
Bonita Spring	75.1%	0.7%	0.1%	1.0%	0.0%	0.1%	0.5%	22.5%
Fort Myers Beach	95.6%	0.3%	0.2%	0.5%	0.0%	0.1%	0.6%	2.8%
Sanibel	96.1%	0.6%	0.1%	0.4%	0.0%	0.1%	0.3%	2.3%
Unincorporated	73.1%	6.4%	0.2%	1.3%	0.0%	0.2%	1.1%	17.6%
<b>Total Urban County</b>	<b>74.0%</b>	<b>5.6%</b>	<b>0.2%</b>	<b>1.3%</b>	<b>0.0%</b>	<b>0.2%</b>	<b>1.0%</b>	<b>17.6%</b>
<b>Entitlement Jurisdiction</b>								
Cape Coral	73.5%	3.7%	0.2%	1.5%	0.0%	0.2%	1.4%	19.5%
Fort Myers	44.6%	31.3%	0.2%	1.5%	0.0%	0.7%	1.6%	20.0%
<b>Total Lee County</b>	<b>71.0%</b>	<b>7.7%</b>	<b>0.2%</b>	<b>1.3%</b>	<b>0.0%</b>	<b>0.3%</b>	<b>1.2%</b>	<b>18.3%</b>

Source: Census 2010 (DP 1)

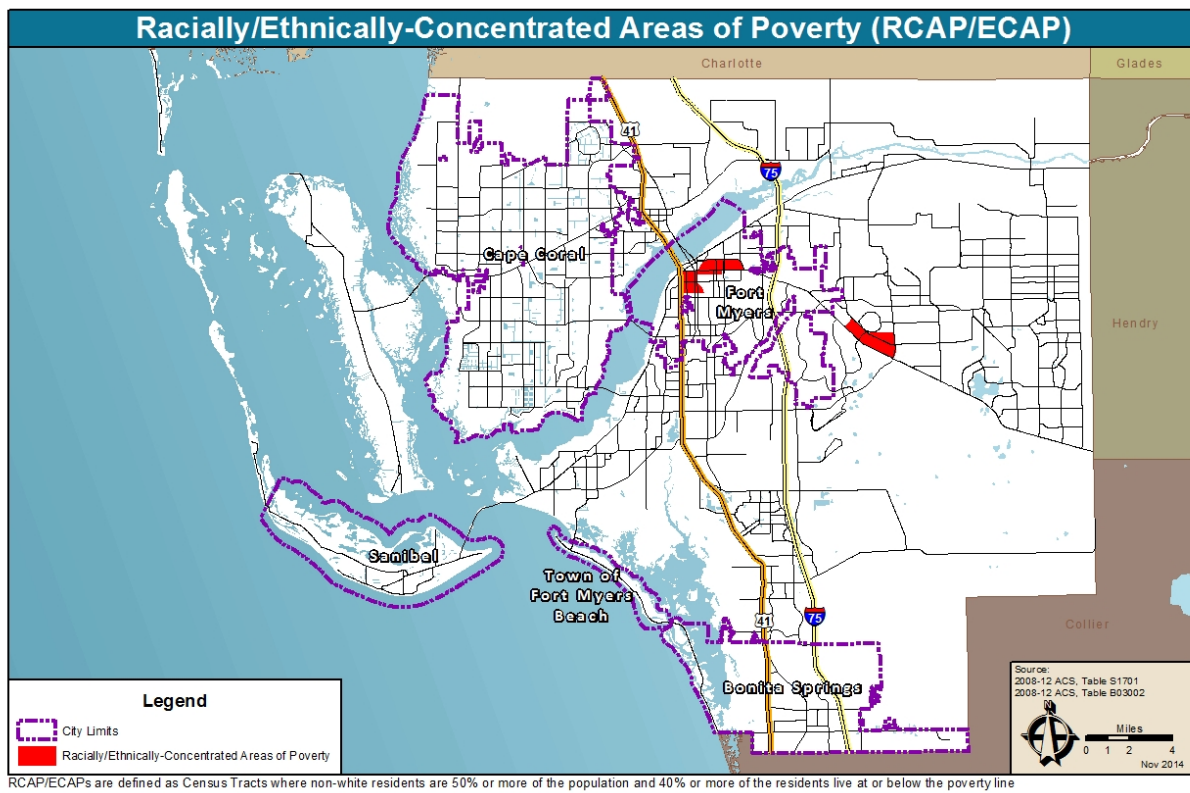
**Racially/Ethically Concentrated Areas of Poverty (RCAPs/ECAPs)**

There are well-documented connections between the socio-economic composition of a neighborhood and educational, economic, and social opportunities available to the residents within the neighborhood. Nationwide, the existence of high-poverty neighborhoods with strong racial or ethnic concentrations can limit opportunities and compound negative impacts typically associated with poverty.



A racially or ethnically concentrated area of poverty (RCAP or ECAP) means a geographic area based on the most recent decennial Census and other data sources as they are determined by HUD to be statistically valid, with significant concentrations of extreme poverty and minority populations. HUD has defined a “Racially and Ethnically Concentrated Area of Poverty (RCAP/ECAP)” as a census tract with 40 percent or more of individuals living at or below the poverty line and a non-White population of 50 percent or more. In Lee County, there are three racially and ethnically concentrated areas of poverty (RCAP/ECAP), two of which are located in the City of Fort Myers and one is located in the unincorporated Lee County (Lehigh Acres). There are three RACP/ECAP census tracts (census tract numbers 5.02, 7, and 401.22) found in Lee County as displayed in Map 4 and Table 7.

**Map 4 Racially/Ethnically Concentrated Areas of Poverty, 2012**



**Table 7: Number of Racially/Ethnically Concentrated Areas of Poverty Census Tracts, 2012**

	Count	Percent
<b>Total Census Tracts</b>	166	100%
<b>RCAP/ECAP</b>	3	1.8%
<b>Non RCAP/ECAP</b>	163	98.2%

Source: U.S. Census Bureau 2008-2012 American Community Survey, Table S1701, B03002

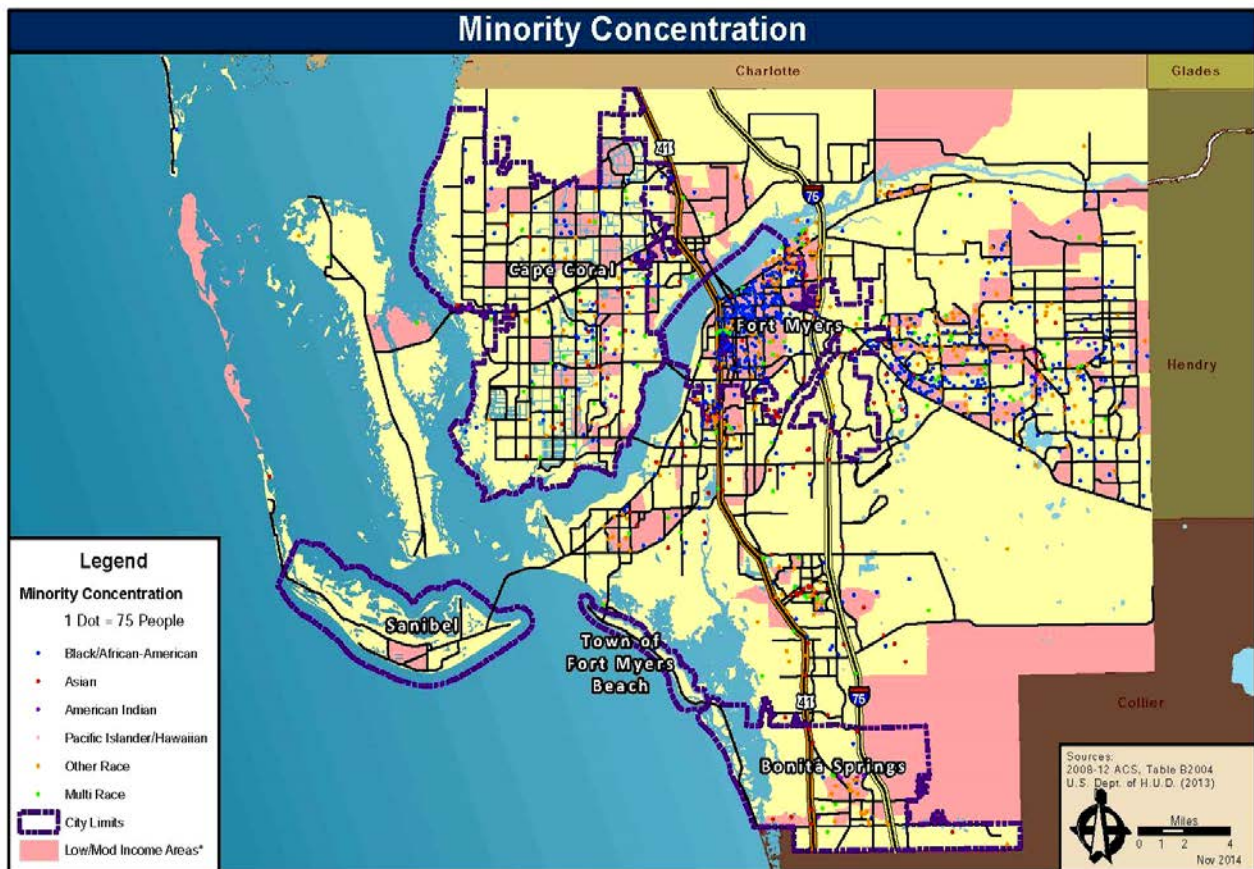
## Concentration of Racial/Ethnic Minorities

For purposes of this document, “Areas of Minority Concentration” are defined as areas, based on U.S. Census tract and block group data, wherein the total percentage of minority residents, i.e. Black (Non-Hispanic), Hispanic (all races), and Asian and Pacific Islander, exceeds 50 percent of the total population of that area.

“Areas of Low Income Concentration” are defined as areas, based on U.S. Census tract and block group data, wherein the percentage of families with incomes at or below 80 percent of the area median income for the Cape Coral – Fort Myers MSA, adjusted for family size, exceeds 50 percent of the total households residing in that area. This definition includes populations that fall into the very-low and low-income categories.

When “Areas of Racial and Ethnic Minority Concentration” and “Areas of Low Income” are mapped together, it becomes evident that the great majority of the areas identified with concentrated racial/ethnic minority populations are located within areas populated by low-income families, graphically representing the low-income experienced by many racial/ethnic minority families.

**Map 5: Racial and Ethnic Minority Concentration with Low/Mod Income Area, 2012**



## Measures of Racial and Ethnic Segregation

Throughout the country, neighborhood integration has remained a goal of public policy and popular opinion because it is seen as a proof of the American ideal of equal opportunity. Residential segregation is a measure of the degree of separation of racial or ethnic groups living in a neighborhood or community. Typically, the pattern of residential segregation involves the existence of predominantly homogenous, White suburban communities and low-income minority inner-city neighborhoods. This section explains and applies two calculators for describing racial and ethical segregation in Lee County.

### Dissimilarity Index

The dissimilarity index measures the degree to which one particular race or ethnic group is distributed across a geographic area in the same way as another race or ethnic group. This method allows for comparisons between subpopulations, indicating how much one group is spatially separated from another within a community. A high value indicates the two groups tend to live in different neighborhoods. Dissimilarity Index ranges from 0 to 100, in which a score of 0 corresponds to perfect integration and a score of 100 represents total segregation. A value of 60 (or above) is considered very high. It means that 60 percent (or more) of the members of one group would need to move to a different neighborhood in order for two groups to be equally distributed. Values of 40 or 50 are usually considered a moderate level of segregation and value of 30 or below are considered to be fairly low.

The County's dissimilarity index has continued to decline over the last thirty years, indicating a higher degree of integration with the White population at the census tract level across Lee County. The dissimilarity index trends for all racial and ethnic groups have decreased significantly with the exception of Black population group. The dissimilarity index declined from 88.5 in 1980 to 59.2 in 2010 for Non-Hispanic Black and Non-Hispanic White population groups. Table 8: Dissimilarity Index Trends 1980-2010, indicates that in 2010 for Lee County to develop a situation in which no segregation was indicated: 59.2 percent of Non-Hispanic Black population would have to move to Non-Hispanic White neighborhoods.

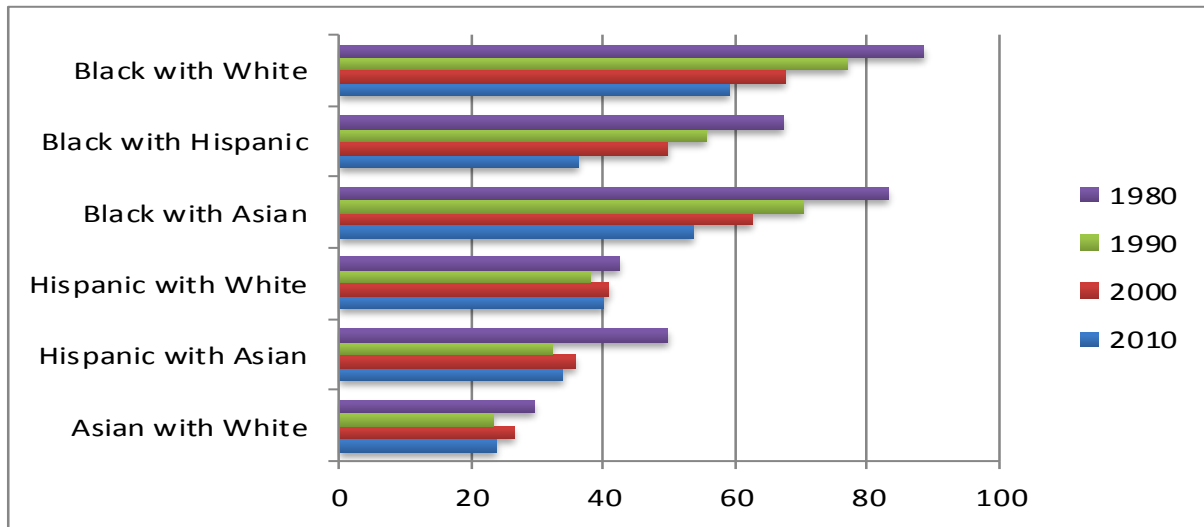
**Table 8: Dissimilarity Index Trends 1980 - 2010**

	1980	1990	2000	2010
Black with White	88.5	76.8	67.5	59.2
Black with Hispanic	67.2	55.5	49.8	36.2
Black with Asian	83.3	70.5	62.4	53.6
Hispanic with White	42.5	38.1	40.8	40.2
Hispanic with Asian	49.8	32.1	35.9	34.0
Asian with White	29.5	23.2	26.4	23.8

Source: Spatial Structures in the Social Science, Brown University  
(based on Census 1980-2010)



**Figure 1: Dissimilarity Index Trends 1980 - 2010**



Source: Spatial Structures in the Social Science, Brown University (based on Census 1980-2010)

### Isolation Index

Another measure of residential segregation is a class of exposure indices that refer to the racial or ethnic composition of the tract where the average number of a given group lives. The isolation index is the percentage of same-group population in the census tract where the average member of a racial/ethnic group lives. It has a lower bound of zero (for a very small group that is quite dispersed) to 100 (meaning that group members are entirely isolated from other groups). It should be kept in mind that this index is affected by the size of the group –it is almost inevitably smaller for smaller groups, and it is likely to rise over time if the group becomes larger.

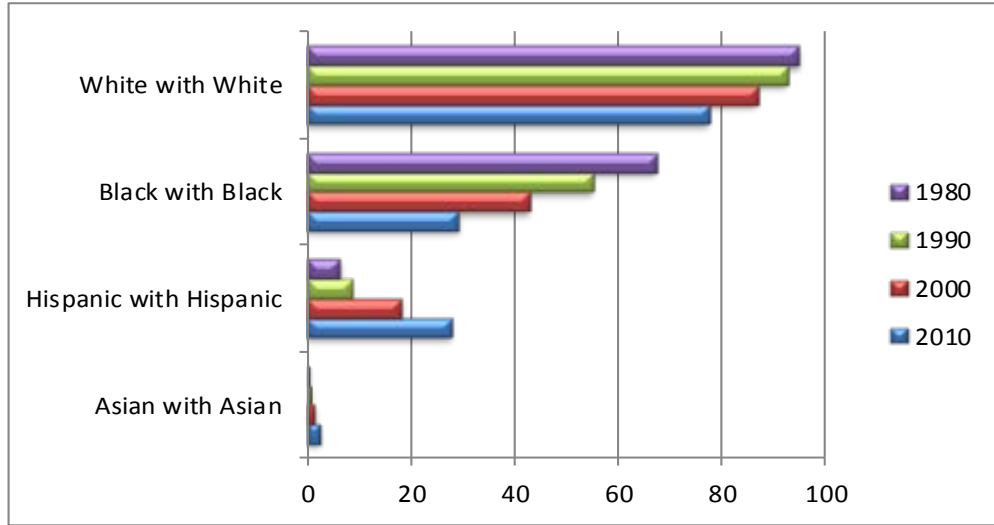
With the exceptions of Hispanics and Asian population, both Non-Hispanic White and Non-Hispanic Black population have reduced isolation indices significantly from 1980 to 2010.

**Table 9: Isolation Index Trends 1980-2010**

	1980	1990	2000	2010
White with White	94.8	92.6	86.8	77.4
Black with Black	67.2	54.9	42.8	29.0
Hispanic with Hispanic	6.2	8.5	18.0	27.7
Asian with Asian	0.4	0.7	1.4	2.3

Source: Spatial Structures in the Social Science, Brown University (based on Census 1980-2010)

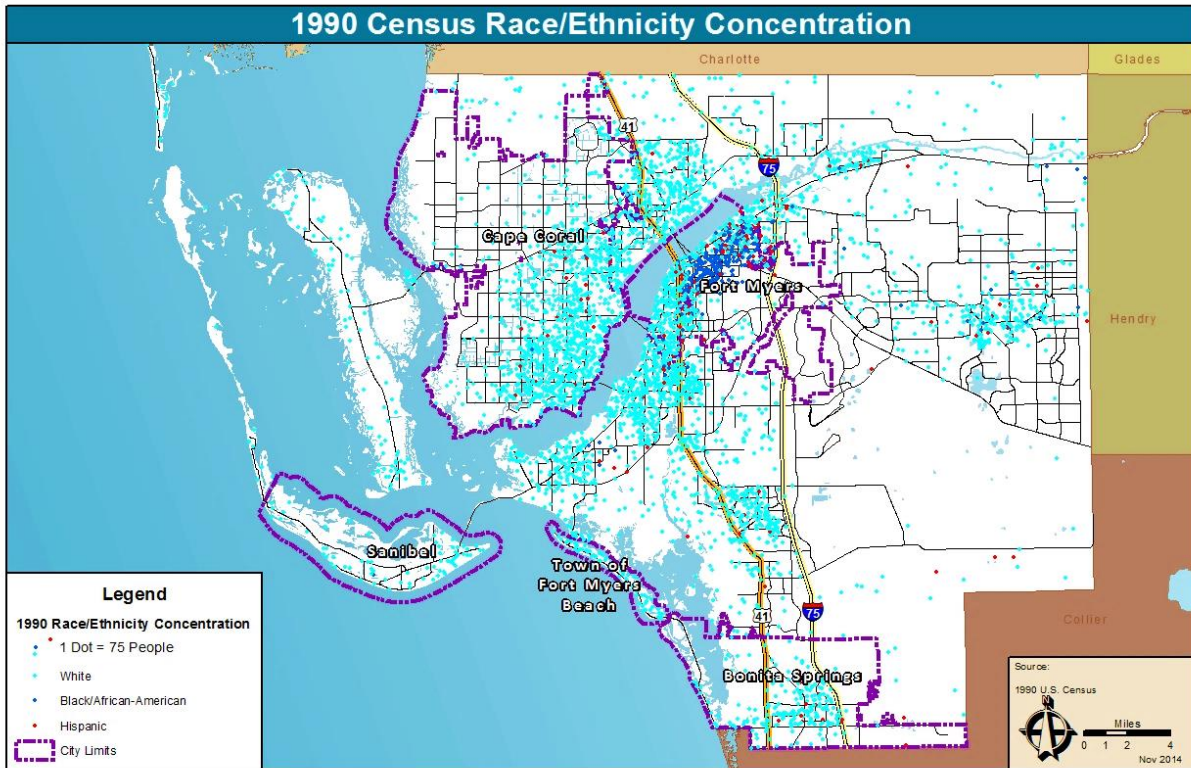
**Figure 2: Isolation Index Trends 1980-2010**



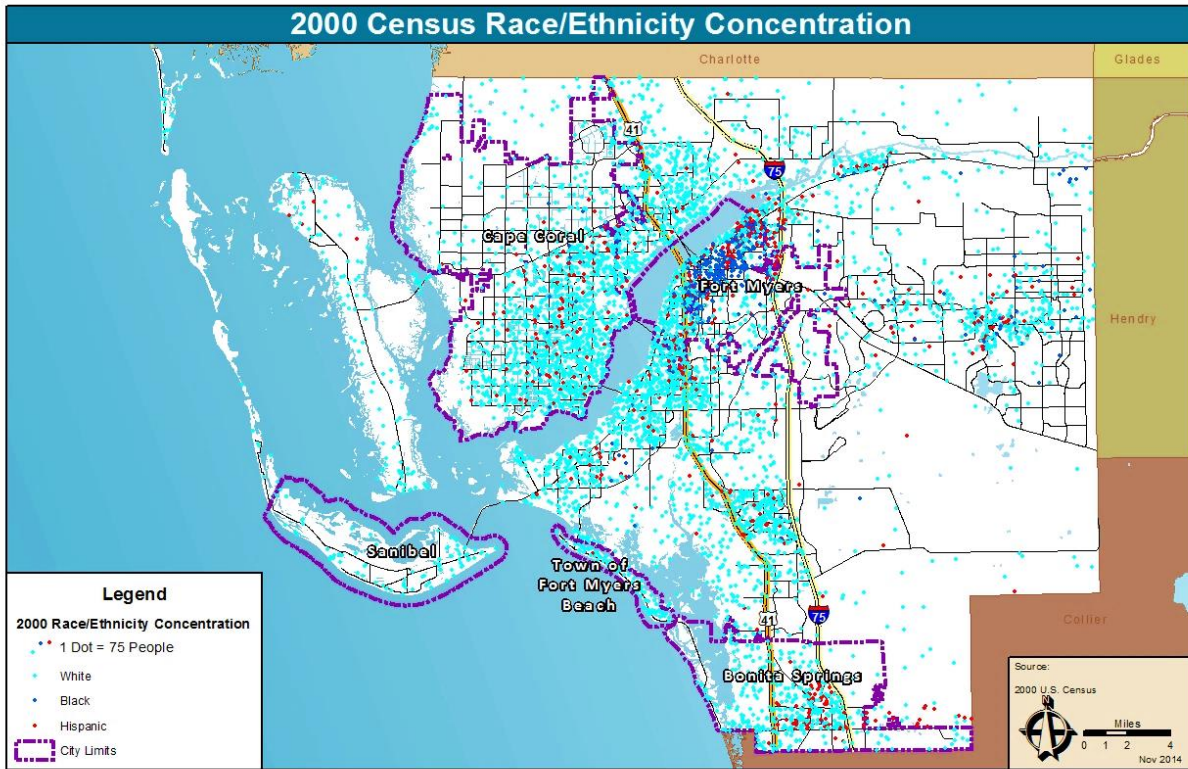
Source: Spatial Structures in the Social Science, Brown University (based on Census 1980-2010)

The following three maps illustrate the changes in Lee County’s racially and ethnically concentrated areas from 1990 to 2010. As illustrated on the maps, the 2010 map (Map 8) shows that Lee County is a much more diversified community than it was in 1990 (Map 6). However, the Black population is still largely concentrated in the City of Fort Myers.

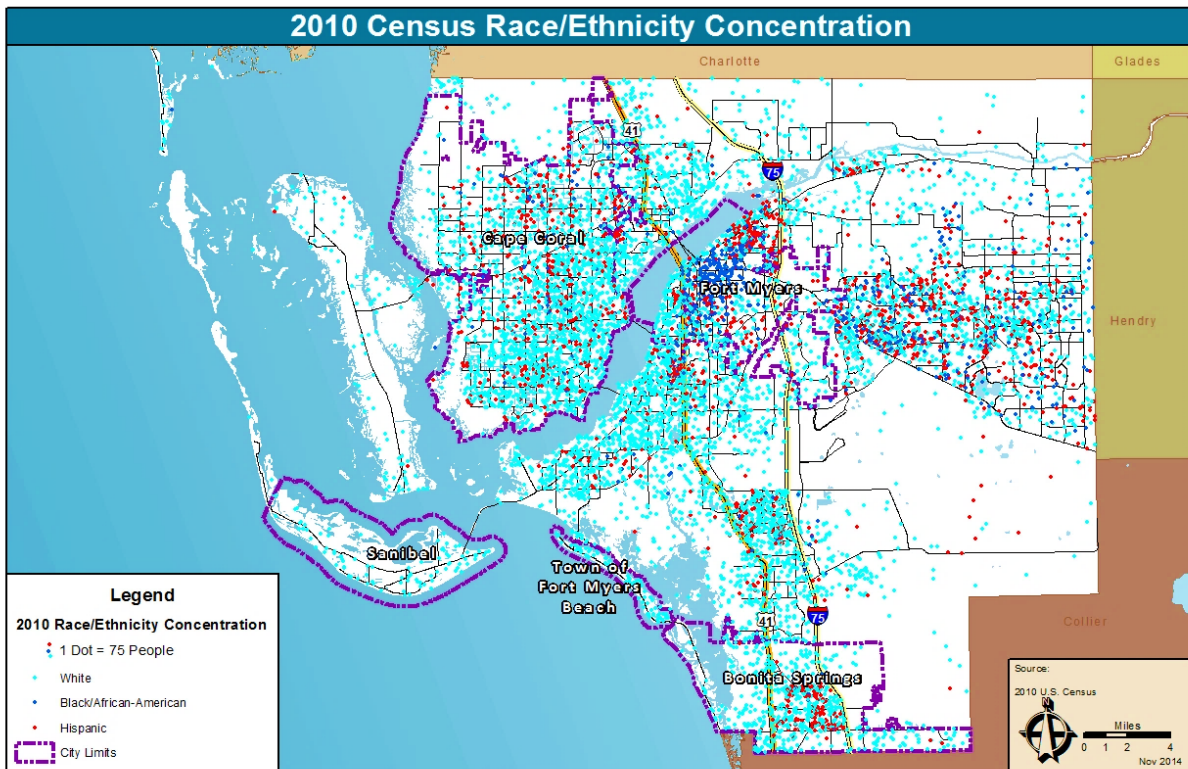
**Map 6: Racial and Ethnic Minority Concentrated Areas, 1990**



Map 7: Racial and Ethnic Minority Concentrated Areas, 2000



Map 8: Racial and Ethnic Minority Concentrated Areas, 2010



## B. Household Characteristics

Household types and size, income level, the presence of persons with special needs, and other household characteristics may affect access to housing choices. This section details the various household characteristics that may affect equal access to housing.

A household is defined by the Census as all persons occupying a housing unit. For the purpose of the Census data, families are a subset of households and include all persons living together who are related by blood, marriage or adoption. Single households include persons living alone, but do not include persons in group quarters such as convalescent homes or dormitories. "Other" households are unrelated people living together, such as roommates.

According to the 2010 Census, there were 259,818 households residing in Lee County, a gain of 71,219 households or 37.8 percent increase over the 2000 Census. The Bureau of Economic Business and Research, University of Florida estimates that by the year 2020, the number of Lee County households will grow to 333,855 households, a gain of 74,037 households or 28.5 percent increase over 2010.

### Household Compositions

Between 2000 and 2010, the proportion of family households decreased while non-family households' proportion increased. In 2010, within the family households, married without children is the largest subgroup with 40.1 percent of the total households, while female householders with children comprised 5.8 percent of total households. Households headed by seniors living alone comprised 12.7 percent. Single-parent households with children and households headed by seniors have unique fair housing issues.

**Table 10: Household Type 2000 - 2010**

Household Type	2000		2010	
	Households		Households	
	Number	Percent	Number	Percent
Family Households	127,611	67.7%	171,026	65.8%
With Own Children under 18 years	42,240	22.4%	58,059	22.3%
Married with Children under 18 years	29,094	15.4%	36,866	14.2%
Married - no Children	75,599	40.1%	95,560	36.8%
Female Householder Family with Children under 18 years	9,662	5.1%	15,105	5.8%
Other Family - no Children	9,722	5.2%	17,407	6.7%
Non-Family Households	60,988	32.3%	88,792	34.2%
Householder living alone	48,600	25.8%	69,344	26.7%
65 years and over	24,706	13.1%	32,990	12.7%
<b>Total County</b>	<b>188,599</b>	<b>100.00%</b>	<b>259,818</b>	<b>100.0%</b>

Source: U.S. Census 2000 and 2010 (DP 1)



As shown in Table 11: Average Household Size by Jurisdiction, between 2000 and 2010, Lee County’s average household size increased from 2.31 persons to 2.35 persons. Two cities in County (Fort Myers Beach and Sanibel) had an average household size of less than 2 persons per household. Three areas in the County have higher than the County’s average household size (Cape Coral, Fort Myers and unincorporated county). The average household size ranged from a low of 1.81 persons in Fort Myers Beach to a high of 2.53 persons in Cape Coral.

**Table 11: Average Household Size by Jurisdiction**

Jurisdiction	Average Household Size	
	2000	2010
<b>Urban County</b>		
Bonita Springs	2.21	2.19
Fort Myers Beach	1.91	1.81
Sanibel	1.99	1.92
Unincorporated	2.25	2.31
Total Urban County	2.23	2.28
<b>Entitlement Jurisdictions</b>		
Cape Coral	2.49	2.53
Fort Myers	2.40	2.37
<b>Total Lee County</b>	<b>2.31</b>	<b>2.35</b>

Source: U.S. Census 2000 and 2010 (DP 1)

### Families with Children

Protection for families with children was added in the 1988 amendments to Title VIII. Except in limited circumstances involving elderly housing and owner-occupied buildings of one to four units, it is unlawful to refuse to sell or rent to families with children. Housing for older persons is exempt from the prohibition against familial status discrimination if any of the following are applicable:

- The HUD Secretary has determined that it is specifically designed for and occupied by elderly persons under federal, state, or local government program.
- It is occupied solely by persons who are 62 or older.
- It houses at least one person who is 55 or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates the intent to house persons who are 55 or older, as previously describe.

In addition, in Florida, under the state Fair Housing Act, Chapter 760, Florida Statutes, requires that “55 and older” communities claiming the familial status exemption must register with the Florida Commission on Human Relations.

Families with children households account for 22.3 percent of all households in the County. The percentage of families with children households varies for the individual jurisdictions (see Table 12). The City of Cape Coral has the highest percentage of families with children households (29 percent), while the Town of Fort Myers Beach has the lowest percentage (5.5 percent). The

2010 Census identified 5.8 percent of households in the County as female-headed households with children (Table 12). The county-wide proportion of female-headed households with children is 26.3 percent of the families with children households. The proportion of female-headed households with children varies from a high of 11.1 percent in the City of Fort Myers to just 1.4 percent in the City of Sanibel and the Town of Fort Myers Beach. The City of Fort Myers has the highest proportion of female-headed households with children (43 percent) of the families with children.

**Table 12: Families with Children Households 2010**

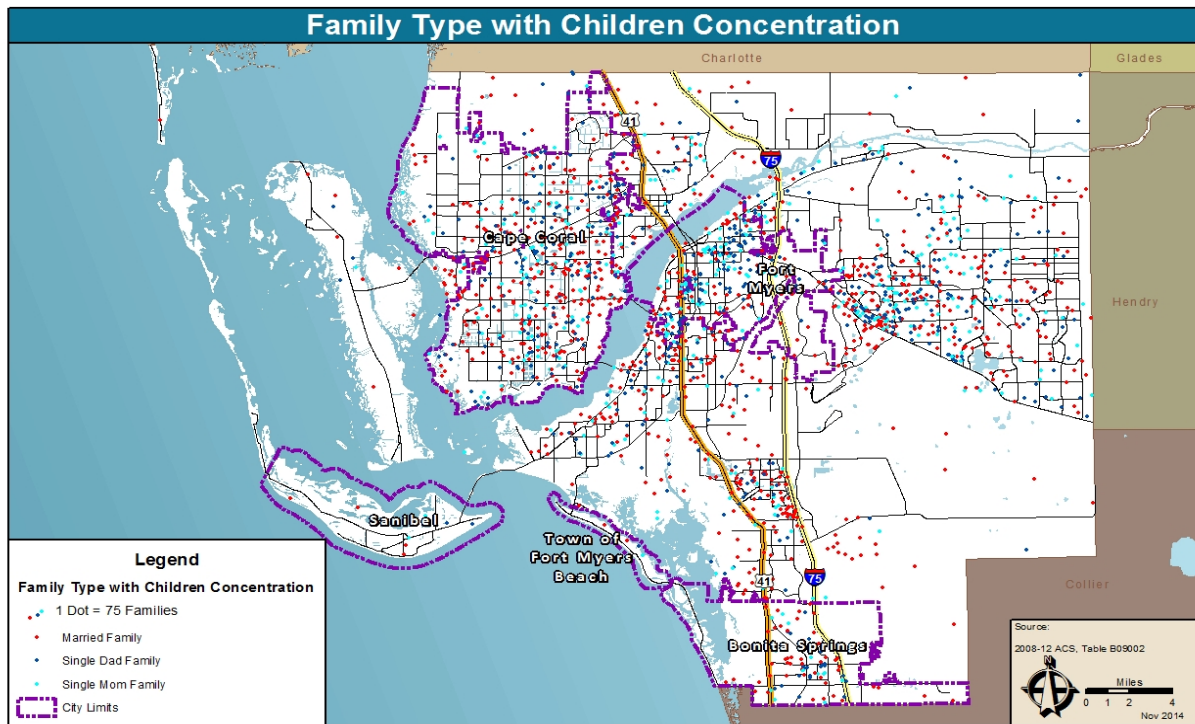
<b>Jurisdiction</b>	<b>Percent of Families with Children</b>	<b>Percent of Female - Headed HH with Children</b>	<b>Percent of Female-Headed HH to Families with Children HH</b>
<b>Urban County</b>			
Bonita Springs	13.6%	2.6%	19.1%
Fort Myers Beach	5.5%	1.4%	26.1%
Sanibel	8.5%	1.4%	16.9%
Unincorporated	11.9%	2.9%	24.3%
<b>Total Urban County</b>	<b>13.1%</b>	<b>3.1%</b>	<b>23.9%</b>
<b>Entitlement Jurisdictions</b>			
Cape Coral	29.0%	7.0%	24.1%
Fort Myers	25.3%	11.1%	43.0%
<b>Total Lee County</b>	<b>22.3%</b>	<b>5.8%</b>	<b>26.0%</b>

Source: U.S. Census 2010 (DP 1)

Map 9: Concentration of Children by Race and Ethnicity, 2012



Map 10: Family Type with Children Concentration, 2012



## Large Households

Large households are defined as households with five or more members. These households are usually families with two or more children or families with extended family members such as in-laws or grandparents. Large households are a special needs group because the availability of adequately sized, affordable housing units is often limited.

**Table 13: Large Households by Housing Tenure**

Jurisdiction	Large Households	
	Owner - Occupied	Renter Occupied
	Percent	Percent
<b>Urban County</b>		
Bonita Springs	2.9%	3.2%
Fort Myers Beach	0.0%	0.0%
Sanibel	0.01%	0.4%
Unincorporated	3.8%	2.5%
Total Urban County	3.5%	2.5%
<b>Entitlement Jurisdictions</b>		
Cape Coral	5.6%	3.6%
Fort Myers	3.3%	3.9%
<b>Total Lee County</b>	<b>4.0%</b>	<b>2.9%</b>

According to the Census Bureau 2008-2012 American Community Survey (Table 13), 4 percent of the County's housing units are occupied by large owner-households and 2.9 percent of the County's housing units are occupied by large renter-households. The City of Cape Coral had the highest proportion for large owner-households (5.6 percent) and the City of Fort Myers had the highest proportion for large renter-households (3.9

percent). In contrast, the Town of Fort Myers Beach had no households in either large owner or renter households.

## Large Households by Race and Ethnicity

In Lee County, minorities were more likely than Whites to live in households with five or more people. In 2010, 6.9 percent of White households had five or more people, compared to 29.2 percent of Hispanic households, 25.9 percent Black Households, and 17.6 percent of Asian Households.

**Table 14: Large Households by Race and Ethnicity**

	Percent of Families with Five or more Persons
<b>White</b>	6.9%
<b>Black</b>	25.9%
<b>Asian</b>	17.6%
<b>Hispanic</b>	29.2%
<b>Lee County Total</b>	<b>11.7%</b>

Source: U.S. Census 2010 (SF1, P28, P28B, P28C, P28H, P28I)



## Persons with Disabilities

The Fair Housing Act prohibits discrimination based on physical, mental or emotional handicap, provided “reasonable accommodation” can be made. Reasonable accommodation may include changes to address the needs of disabled persons, including adaptive structural (i.e. constructing an entrance ramp) or administrative changes (i.e. permitting the use of a service animal).

In 2008, the U.S. Census Bureau introduced a new set of disability questions in the American Community Survey. They are:

- Hearing Disability
- Vision Disability
- Cognitive Disability
- Ambulatory Disability
- Self-care Disability
- Independent Living Disability

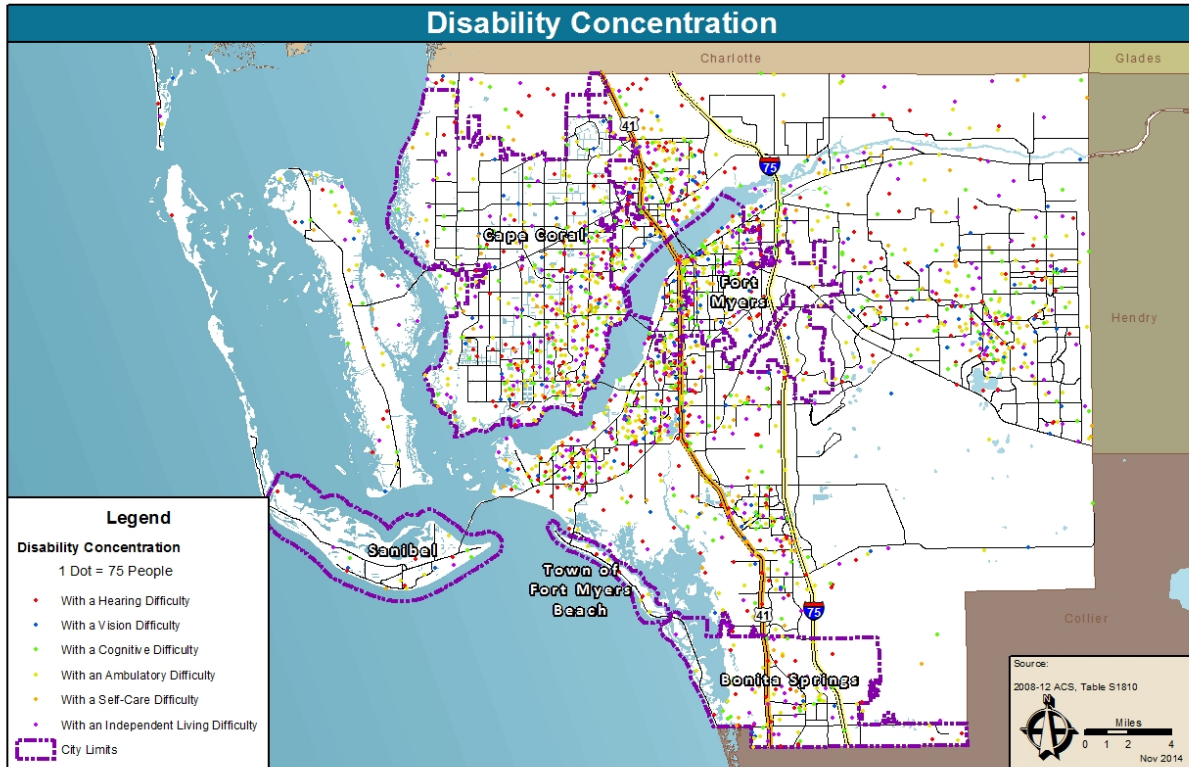
According to the Census 2008-2012 American Community Survey, 80,226 persons or 12.9 percent of the total civilian non-institutionalized Lee County population reported a range of disabilities. Of those disabilities tallied, 52 percent were for residents 65 years and over age group followed by 18 to 64 years age group with 42.6 percent. The elderly population had a significantly higher percentage of physical disabilities than other age groups. The most common type of disability among persons 18 to 64 years and 65 years and over was ambulatory, referring to difficulty moving from place to place that makes it impossible or impractical to walk as a means of transportation, which translates as a need for accessible housing.

**Table 15: Lee County Disability Status**

Disability by Age & Type	Percent Disabled				Total
	Under 5 years	5 to 17 Years	18 to 64 Years	65 years and over	
Hearing Disability	0.8%	0.7%	2.0%	13.2%	
Vision Disability	0.8%	0.7%	1.5%	4.2%	
Cognitive Disability		3.1%	3.9%	7.2%	
Ambulatory Disability		0.4%	5.1%	17.2%	
Self-care Disability		0.8%	1.9%	6.0%	
Independent Living Disability			3.7%	11.4%	
<b>Total County</b>	0.5%	4.9%	42.6%	52.0%	

Source: U.S. Census 2008-2012 American Community Survey (Table S1810)

**Map 11: Disability Concentration, 2012**

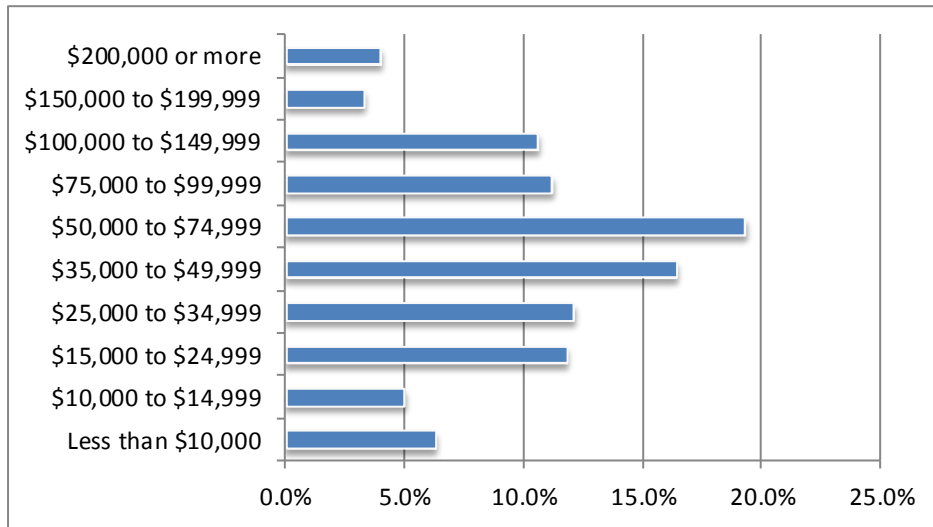


### **C. Income Profile**

Household income is the most important factor determining a household's ability to balance housing costs with other basic necessities. While economic factors that affect a household's housing choice are not fair housing issues per se, the relationship among household income, household type, race/ethnicity, and other factors often create misconceptions and biases that raise fair housing concerns.

In 2012, the median household income (MHI) in Lee County was \$48,453 (in 2012 inflation adjusted dollars), higher than the state median income of \$47,309. More than 35.2 percent of the County households earned less than \$35,000 in 2012. In contrast, 39.1 percent of households earned more than \$75,000 in 2012. Those with household income of \$50,000 to \$74,999 represented 19.3 percent of all income groups.

**Figure 3: Lee County Income Distribution 2012**



Source: U.S. Census 2008-2012 American Community Survey (DP03)

**Income by Race/Ethnicity**

Across racial and ethnic groups in Lee County, Asians had the highest MHI at \$60,532, followed by Whites at \$50,159. Both groups had a higher income than the County’s MHI. The MHI was substantially lower for Blacks and Hispanics, at \$33,153 and \$37,069, respectively.

As shown in Table 16, minority residents in Lee County experienced poverty at a greater rate than White residents. Less than 12.1 percent of White residents were living in poverty in 2012, compared with 30.1 percent of Blacks and 28.1 percent of Hispanics. While Asians had the highest median household income, Asians still had a poverty rate slightly less than the County average of 14.5 percent. This suggests there is a high degree of income extremes amongst Lee County’s Asian population.

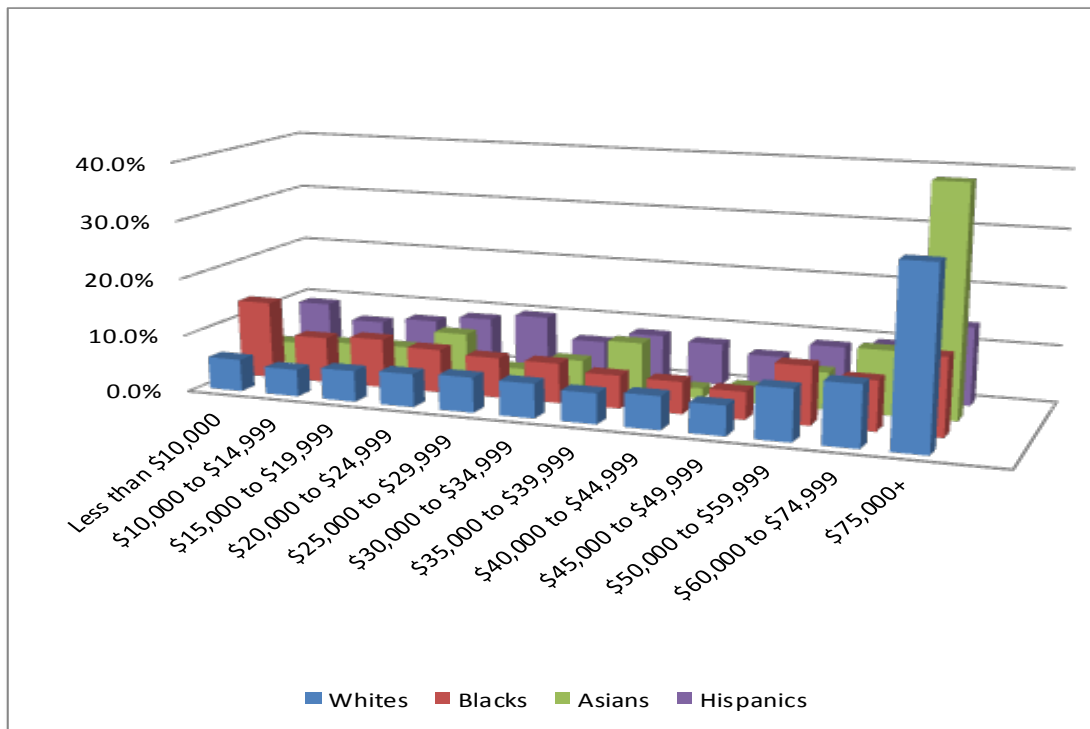
**Table 16: Median Household Income and Poverty Rates by Race/Ethnicity, 2012**

	Median Household Income	Poverty Rate
Lee County	\$48,453	14.5%
Whites	\$50,159	12.1%
Blacks	\$33,153	30.1%
Asians	\$60,532	13.7%
Hispanics	\$37,069	28.1%

Source: U.S. Census 2008-2012 American Community Survey (Table S1903 and S1703)

The distribution of household income by race and ethnicity is comparable to the trends described above, showing a disparity between Whites and non-White households. In 2012, 63 percent of Blacks and 62.4 percent of Hispanics had incomes less than \$45,000. In contrast, 30.6 percent of Whites and 39.6 percent of Asians had incomes greater than \$75,000. Only 13.4 percent of Blacks and 13.7 percent of Hispanics had incomes greater than \$75,000.

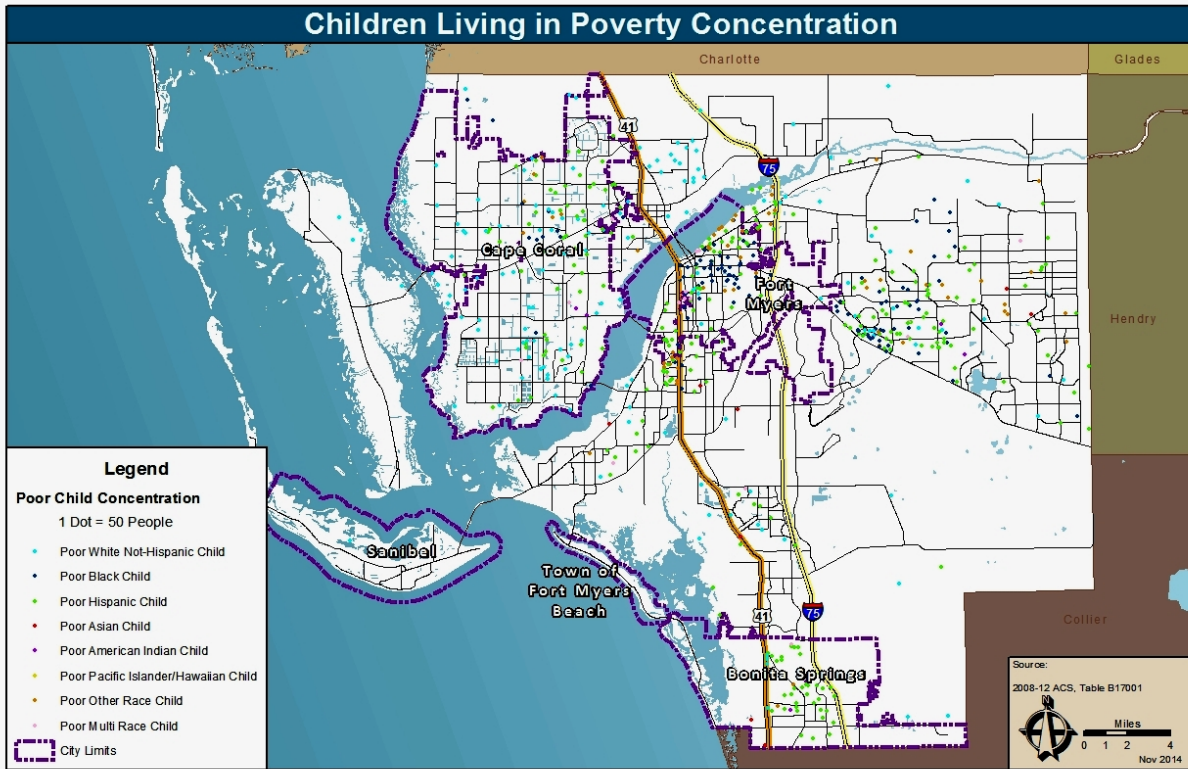
**Figure 4: Income Category by Race and Ethnicity, 2012**



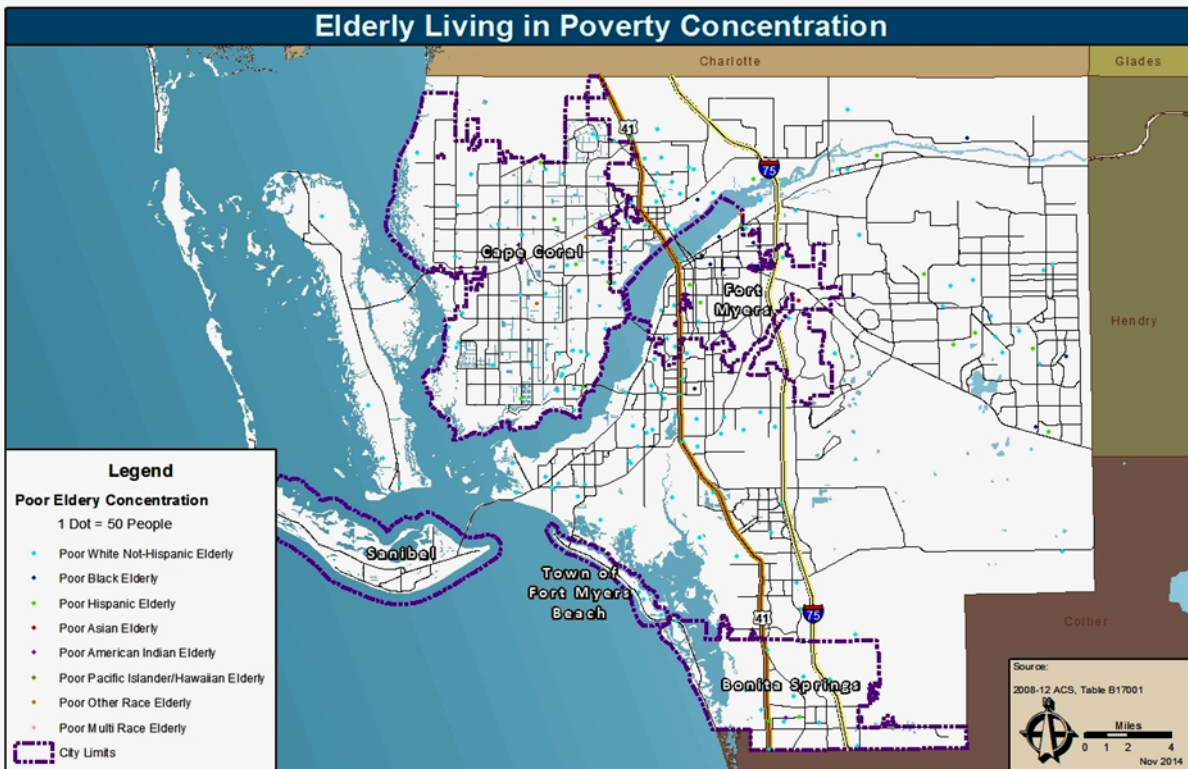
Source: U.S. Census 2008-2012 American Community Survey (Table S1903)

Two maps below, display the concentrated areas of poverty for children and elderly populations in Lee County by race and ethnicity.

**Map 12: Children Living in Poverty by Race and Ethnicity, 2012**



**Map 13: Elderly Living in Poverty by Race and Ethnicity, 2012**



## D. Employment and Transportation Profile

### Employers and Types of Jobs

According to the 2008-2012 American Community Survey, in 2012, there were 285,247 persons in the County's civilian workforce. The bulk of employment in the County comprised of Education and Health Services, Retail Trade, Leisure and Hospitality, and Construction industries.

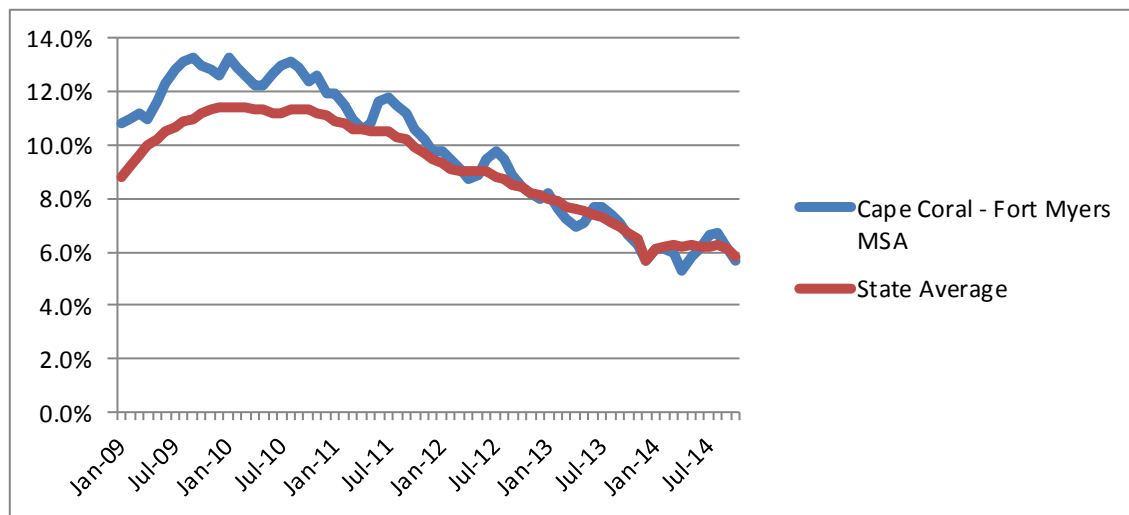
Major employers in Lee County cover virtually all sectors of employment to include health services, government, education, retail, tourism and construction. According to the Lee County Economic Development Office, some of the major employers located in Lee County include Lee Memorial Health System (10,425); Lee County School District (10,333); Publix Super Markets (4,404); Lee County Administration (2,358); Wal-Mart (1,967); Chico's (1,703); Lee County Sheriff's Office (1,535); U.S. Postal Service (1,477); Florida Gulf Coast University (1,323); and City of Cape Coral (1,197). Approximately 13 percent or 36,722 people of Lee County's civilian workforce are employed by these top ten employers.

Most of the county's businesses are spread out across the county in random fashion along with schools and daycare centers.

### Unemployment

Between 2008 and 2010, a significant increase in unemployment occurred as a result of the recession which caused a housing market bust. The area's economy has been slow in its recovery. In September 2010, the Bureau of Statistics reported that the Cape Coral – Fort Myers Metropolitan Statistical Area (MSA) unemployment rate was 13.1 percent compared to the state average of 11.0 percent. However, the unemployment rate has been gradually improving for the last twelve months. The latest unemployment figure (October 2014) is 5.7 percent.

**Figure 5: Unemployment Rate: January 2009 to October 2014**



Source: U.S. Department of Labor, Bureau of Labor Statistics (Local Area Unemployment Statistics)



### Employment Rate by Gender and Race/Ethnicity

Between 2008 and 2012, White residents' unemployment was below the County's unemployment rate of 12.2 percent, in contrast, Black residents' unemployment rate was reported at 21.5 percent. Hispanic residents also had a high unemployment rate of 16.2 percent. Higher unemployment, whether temporary or permanent, significantly limits the resources available to meet housing costs.

**Table 17: Employment Rate by Gender and Race/Ethnicity**

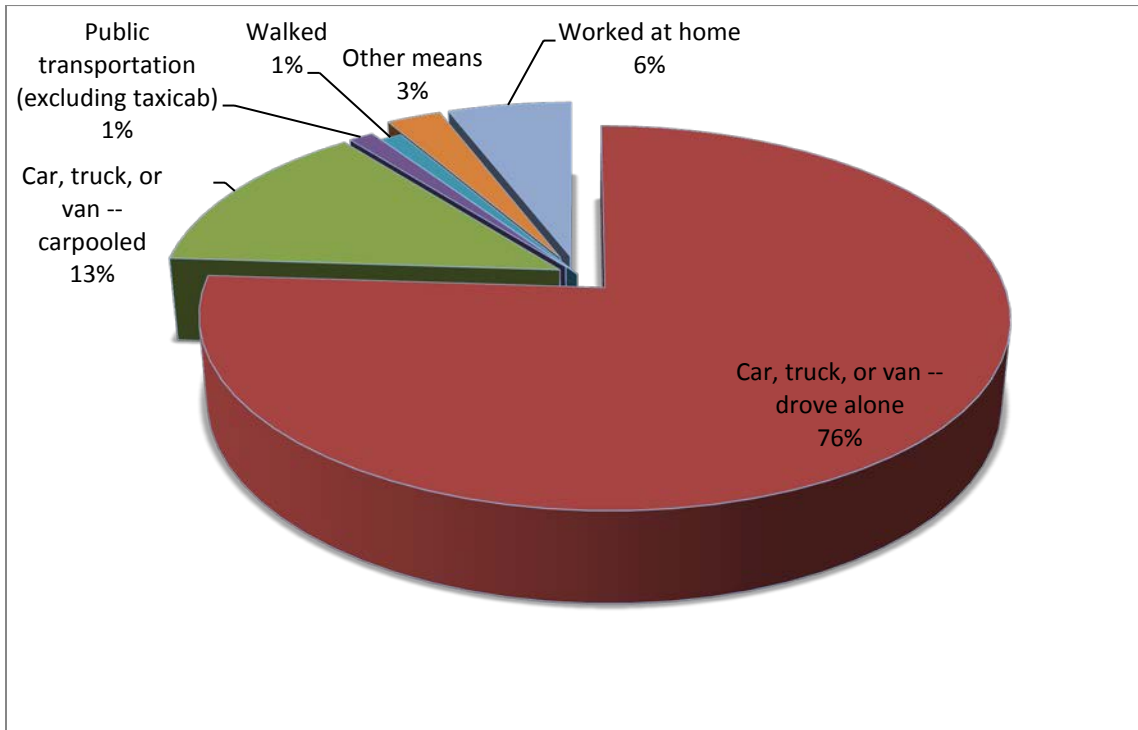
Civilian Labor Force (CLF)		Total	Percent
Total CLF		285,247	
	Employed	247,459	86.8%
	Unemployed	37,788	13.2%
Male CLF		150,171	
	Employed	128,587	85.6%
	Unemployed	21,584	14.4%
Female CLF		135,076	
	Employed	118,872	88.0%
	Unemployed	16,204	12.0%
White CLF		219,278	
	Employed	192,493	87.8%
	Unemployed	26,785	12.2%
Black CLF		22,219	
	Employed	17,436	78.5%
	Unemployed	4,783	21.5%
Asian CLF		4,468	
	Employed	4,131	92.5%
	Unemployed	357	8.0%
Hispanic CLF		54,655	
	Employed	45,804	83.8%
	Unemployed	8,851	16.2%

Source: U.S. Census 2008-2012 American Community Survey (DP03, C23002A, C23002B, C23002D, C23002I)

### Transportation/Travel Time to Work

The private automobile is the primary method (89.4 percent) of transport for the daily commuting workforce. The mean travel time to work was 26.6 minutes according to the U. S. Census Bureau's 2008-2012 American Community Survey. Of the 228,283 workers 16 years and over that commute to work, 76 percent drove alone to their place of employment, 13.4 percent carooled and 1.2 percent used public transportation.

**Figure 6: Transportation Mode**



Source: U.S. Census 2008-2012 American Community Survey (DP03)

Public transportation is provided by LeeTran (Lee County Transit System) offering routes serving downtown Fort Myers, Park N' Ride sites, and throughout Lee County. Additional transportation programs available to County residents include LeeTran Passport (Disadvantaged transportation system), Vanpool program and Commuter Services sponsored by LeeTran. LeeTran operates twenty-four routes, of which twenty-two routes are year-round routes and two are seasonal routes (January to May). One express bus route links Lee County with Collier County. Additionally, Fort Myers Beach and the City of Fort Myers River District have trolley services. The routes have a total of 1,767 bus stops. There are six transfer stations located throughout Lee County. Five transfer stations are located at the major shopping/employment centers in Lee County and the main transfer station is located in downtown Fort Myers which serves federal and state court systems, state offices, and Lee County and the City of Fort Myers government offices. All LeeTran buses are ADA compliant and LeeTran offers discounted fare to disabled persons and seniors.

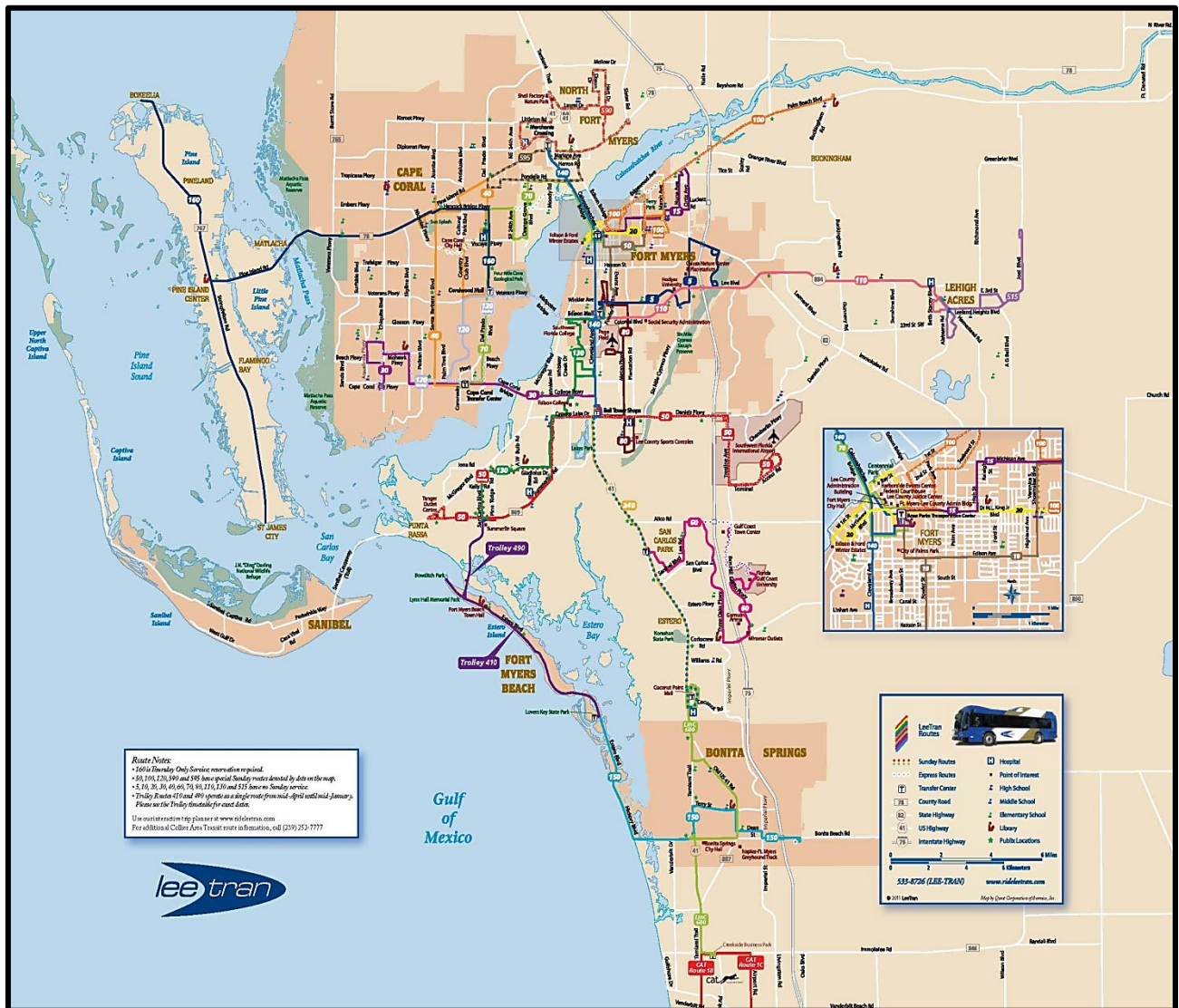
The basis of providing public transportation is to ensure access to those who need the service and attract riders. LeeTran in an effort to reach the maximum number of users, within the approved budget, provides service from approximately 5:00 AM to 10:00 PM, Monday through Saturday and 6:00 AM until 9:00 PM on Sundays. LeeTran determines service availability based on financial resources, public input, performance of existing routes, transit orientation index (population and employment density, income, age, and zero-car households), safety guidelines, and development patterns.

LeeTran routes are concentrated in the urban area to allow the highest level of access to community resources, with additional routes providing linkages to suburban and rural areas. Transit ridership has increased considerably from approximately 2.5 million passenger trips in 2004 to almost 4 million passenger trips in 2014.

Currently approximately one-fourth of the City of Cape Coral's geographical area is served by LeeTran. The City of Cape Coral provides an alternate mode of transportation to low income/disabled households by providing a minibus paratransit service within the city limits.

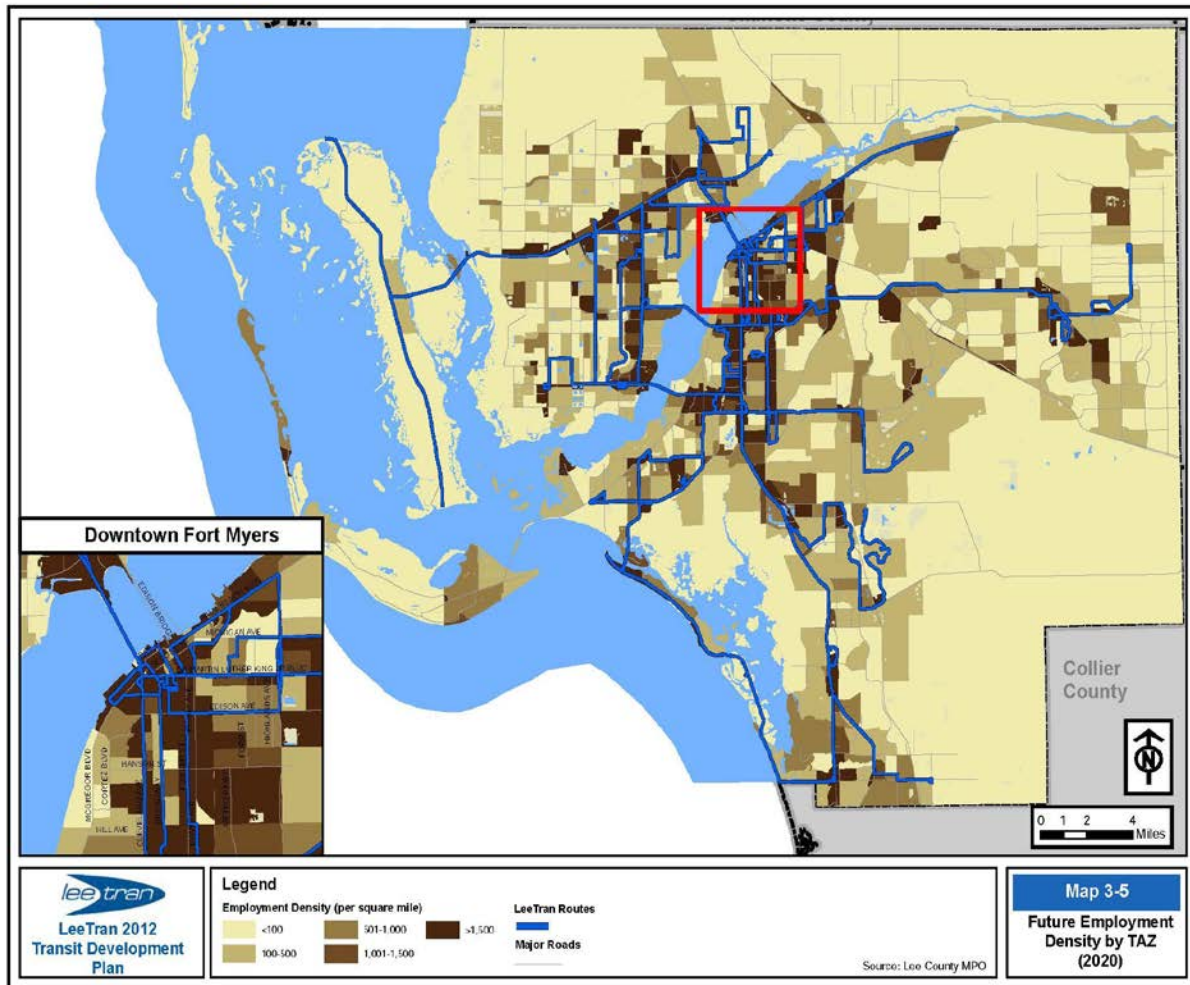
Below two maps show LeeTran system routes and future employment density by transportation zones with LeeTran route overlay. According to these two maps, LeeTran strives to provide employment, housing, and transportation linkages to Lee County's workforce.

**Map 14: LeeTran System Route Map**



Source: LeeTran System Map

**Map 15: Future Employment Density by Transportation Analysis Zones**



Source: LeeTran 2012 Transit Development Plan FY 2012-FY 2021 (page 3-7)

## E. Housing Profile

A discussion of fair housing choice must be preceded by an assessment of the housing market being analyzed. This section provides an overview of the characteristics of the local and regional housing markets. The Census Bureau defines a housing unit as a home, an apartment, a mobile home, a group of rooms, or a single room that is occupied (or, if vacant, is intended for occupancy) as separate living quarters. Separate living quarters are those in which the occupants live separately from other individuals in the building and which have direct access from outside the building or through a common hall.



## Housing Growth

Housing stock data from 2000 and 2010 Census reveals that the Lee County housing stock increased by 29.2 percent between 2000 and 2010. All jurisdictions experienced housing stock increases between 2000 and 2010. Among the various jurisdictions, the City of Cape Coral had the largest increase of 72.9 percent followed by the City of Fort Myers (60.9 percent) and the City of Bonita Springs (36 percent).

**Table 18: Lee County Housing Stock**

Jurisdiction	Number of Housing Units 2000	Number of Housing Units 2010	Percent Change 2000 to 2010
<b>Urban County</b>			
Bonita Springs	23,329	31,716	36.0%
Fort Myers Beach	8,429	9,420	11.8%
Sanibel	7,075	7,821	10.5%
Unincorporated	139,083	154,056	10.8%
Total Urban County	177,916	203,013	14.1%
<b>Entitlement Jurisdiction</b>			
Cape Coral	45,653	78,948	72.9%
Fort Myers	21,836	35,138	60.9%
<b>Total Lee County</b>	<b>245,405</b>	<b>317,099</b>	<b>29.2%</b>

Source: U.S. Census 2000 and 2010 (DP 1)

## Patterns of Housing Structure Type

Lee County's housing stock includes three categories: single-family dwelling units, multi-family dwelling units, and other types of units such as mobile homes. Single-family units are attached or detached dwelling units usually on individual lots of land. As shown in Table 19, in 2012, single-family housing units comprised 61.1 percent of the housing stock in Lee County. The City of Cape Coral had the highest proportion of single family housing units in the County followed by unincorporated County areas and the City of Bonita Springs.

Multi-family units consist of structures with two or more units. Multi-family dwelling units comprised 28 percent of the County's housing stock in 2012. The Town of Fort Myers Beach and the City of Fort Myers had higher proportions of multi-family units, while the City of Cape Coral and unincorporated County areas had higher proportion of single-family units.

Mobile-homes or manufactured homes are typically located at mobile home parks in Lee County. Mobile-home units comprised 10.7 percent of the County's housing stock in 2012. Most of the County's 39,777 mobile homes are located in the unincorporated areas of the County followed by the City of Bonita Springs.

**Table 19: Trends in Housing Units in Structures by Municipality, 2012**

Jurisdiction	Total	Single Family Units										
	Housing	SF	SF	Total MF	MF	Multi-Family (MF) Units					Mobile Homes	
	Units	Units	Percent	Units	Percent	2	3-4	5-9	10-19	20+	Units	Percent
<b>Urban County</b>												
Bonita Springs	31,796	17,699	55.6%	9,651	30.4%	957	1,378	1,192	2,174	3,950	4,407	13.9%
Fort Myers Beach	9,951	2,912	29.3%	6,853	68.8%	626	377	62	774	5,014	196	2.0%
Sanibel	8,326	4,442	53.4%	3,610	43.3%	177	176	794	543	1,920	274	3.3%
Unincorporated	208,404	124,206	59.6%	49,841	23.9%	4,138	8,059	9,388	12,096	16,160	33,920	16.2%
Total Urban County	258,477	149,259	57.7%	69,955	27.1%	5,898	9,990	11,436	15,587	27,044	38,797	15.0%
<b>Entitlement Jurisdiction</b>												
Cape Coral	76,903	62,115	80.8%	14,448	18.8%	3,410	1,759	3,112	3,337	2,830	326	0.4%
Fort Myers	35,487	15,272	43.0%	19,547	55.1%	944	1,805	3,326	5,467	8,005	654	1.8%
Total Lee County	370,867	226,646	61.1%	103,950	28.0%	10,252	13,554	17,874	24,391	37,879	39,777	10.7%

Source: U.S. Census 2008-2012 American Community Survey (DP04)

### Housing Stock Condition

Housing stock age indicates general conditions within a community. Housing stocks are subject to gradual deterioration over time. Deteriorating housing stocks can depress neighboring property values, discourage reinvestment, and eventually impact the quality of life in a neighborhood.

Housing stock age is frequently used as an indicator of housing condition. Most residential structures over 30 years of age will require minor repairs and modernization improvements, while units over 50 years in age are more likely to require major rehabilitation. As shown in Table 20, according to the U. S. Census Bureau’s 2008-2012 American Community Survey, 26 percent of Lee County’s housing stock is over 30 years old. The high percentages of pre-1980 housing units are located in the older neighborhoods of the Town of Fort Myers Beach, City of Sanibel, and the City of Fort Myers. Cities of Bonita Springs and Cape Coral have relative newer housing stocks.



**Table 20: Housing Stock Profile, 2012**

Jurisdiction	Housing Units Built prior to 1980	
	Number	Percent
<b>Urban County</b>		
Bonita Springs	4,926	15.5%
Fort Myers Beach	5,037	50.6%
Sanibel	4,387	52.7%
Unincorporated	53,364	25.6%
Total Urban County	67,714	26.2%
<b>Entitlement Jurisdiction</b>		
Cape Coral	14,775	19.2%
Fort Myers	13,796	38.9%
Total Lee County	96,285	26.0%

Source: U.S. Census 2008-2012 American Community Survey (DP04)

Housing units are considered to be substandard if they do not have heat, lack complete kitchens, and/or plumbing. According to the 2008-2012 American Community Survey, 1.1 percent of the housing stock in Lee County did not use home heating fuel; 0.6 percent lacked complete plumbing facilities; and 0.9 percent housing units lacked complete kitchen facilities. The most of substandard housing units are located in the City of Fort Myers and unincorporated Lee County.

**Table 21: Substandard Housing Stock, 2012**

Jurisdiction	Lacking Heat		Lacking Plumbing Facilities		Lacking Kitchen Facilities	
	Number	Percent	Number	Percent	Number	Percent
	<b>Urban County</b>					
Bonita Springs	119	0.6%	48	0.3%	114	0.7%
Fort Myers Beach	7	0.2%	0	0.0%	14	0.4%
Sanibel	12	0.4%	0	0.0%	0	0.0%
Unincorporated	1,476	1.1%	896	0.7%	1,332	1.0%
Total Urban County	1,614	1.0%	944	0.6%	1,460	0.9%
<b>Entitlement Jurisdiction</b>						
Cape Coral	832	1.5%	74	0.1%	144	0.3%
Fort Myers	222	1.0%	376	1.6%	476	2.0%
Total Lee County	2668	1.1%	1,394	0.6%	2,080	0.9%

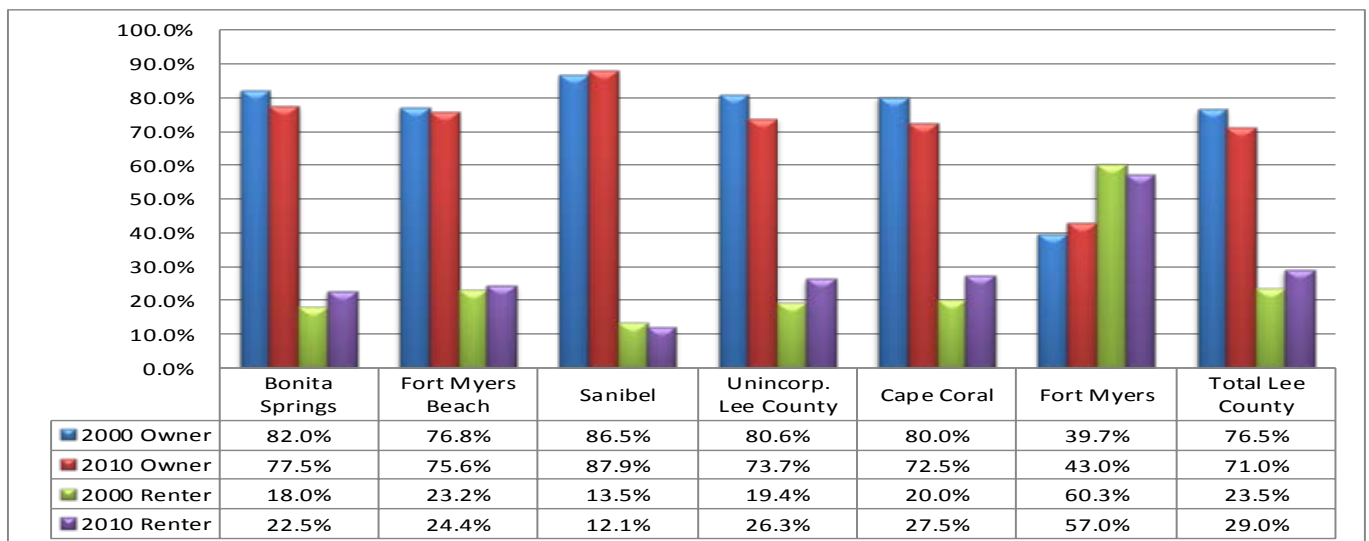
Source: U.S. Census 2008-2012 American Community Survey (DP04)

## Housing Tenure

Housing tenure (or occupancy) in the housing industry typically refers to the occupancy of a housing unit – whether the unit is owner-occupied or renter-occupied.

As seen in Figure 7, Lee County showed a greater proportion of owner-occupied housing than renter-occupied housing. The ownership level of 71 percent in 2010 for the County is a slight decrease from the 2000 rate of 76.5 percent, but it was still higher than the national average of 65.5 percent and the State level of 67.4 percent. All areas of the County experienced a slight decrease in the homeownership rate except the cities of Sanibel and Fort Myers. Most areas in the County had more owner-occupied housing units than renter-occupied units. An exception is the City of Fort Myers, where the majority of housing units are renter-occupied (57 percent). The overall increase in renter tenure over 2000 to 2010 by 6 percent could be attributable to the high foreclosures experienced by owner-households.

**Figure 7: Housing Tenure 2000 and 2010**

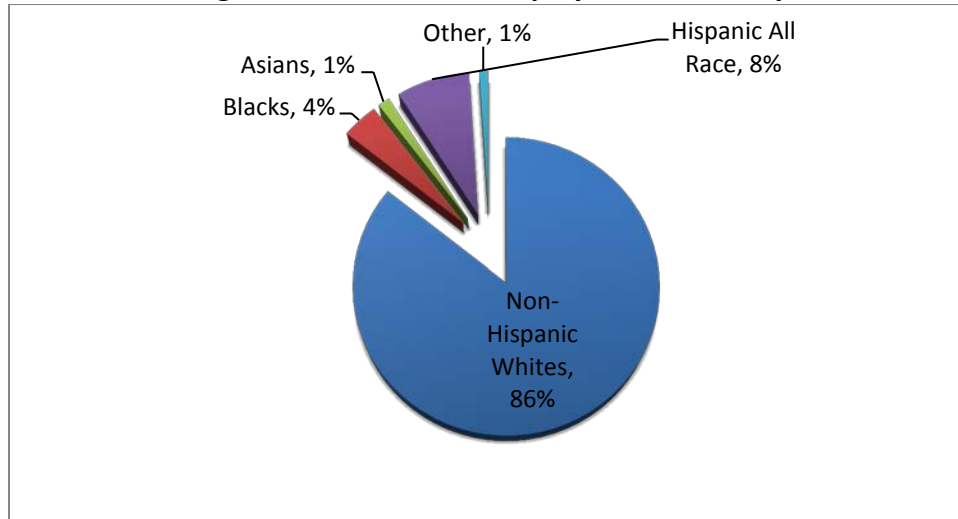


Source: U.S. Census 2000 and 2010 (DP 1)

## Home Ownership Tenure by Race and Ethnicity

Minority and Ethnic populations in Lee County have not achieved housing homeownership as readily as the White non-Hispanic population. According to the U. S. Census Bureau’s 2008-2012 American Community Survey, in 2012, the majority of owner-occupied households are Non-Hispanic White households. Of those who owned the housing units they occupied, 86 percent were White non-Hispanic; 8 percent Hispanic All races; 4 percent Black; 1 percent Asian; and 1 percent were Other (including Native Hawaiian and Pacific Islander, American Indian and Alaska Native, and Two or more races). Comparing these figures to race data from the 2010 Census (Table 6) demonstrates that minorities in the County are underrepresented in terms of home ownership. For comparison purposes, according to Census 2010 data, Non-Hispanic Whites comprised 71 percent of the County’s population, Hispanics all races comprised 18.3 percent, Blacks comprised 7.7 percent and 1.3 percent of the population was Asians.

**Figure 8: Home Ownership by Race/Ethnicity**

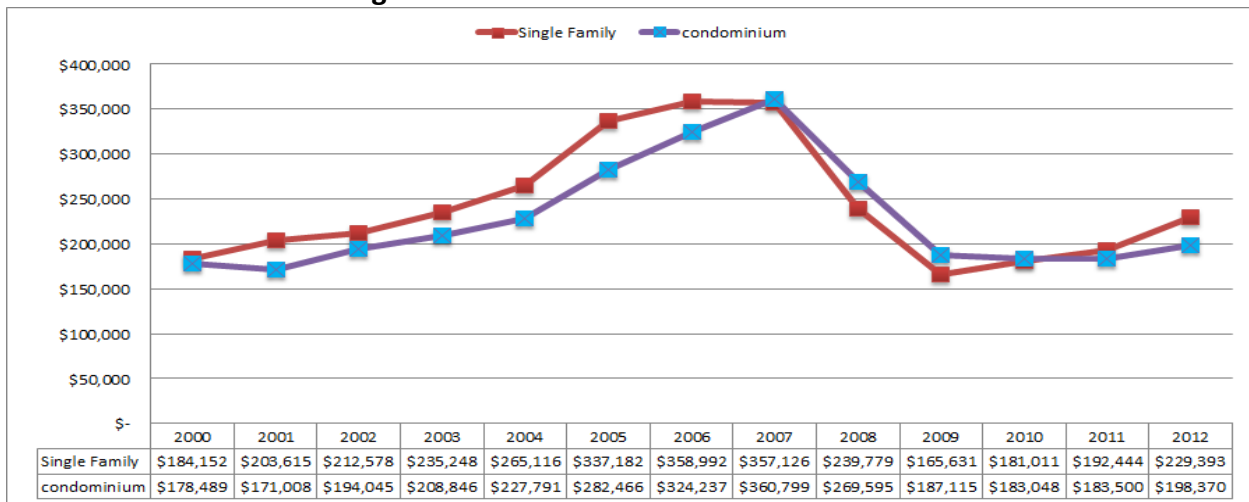


Source: U.S. Census 2008-2012 American Community Survey (B25003B, B25003C, B25003D, B25003E, B25003G, B25003H & B25003I)

**Local Housing Market Demand/Condition**

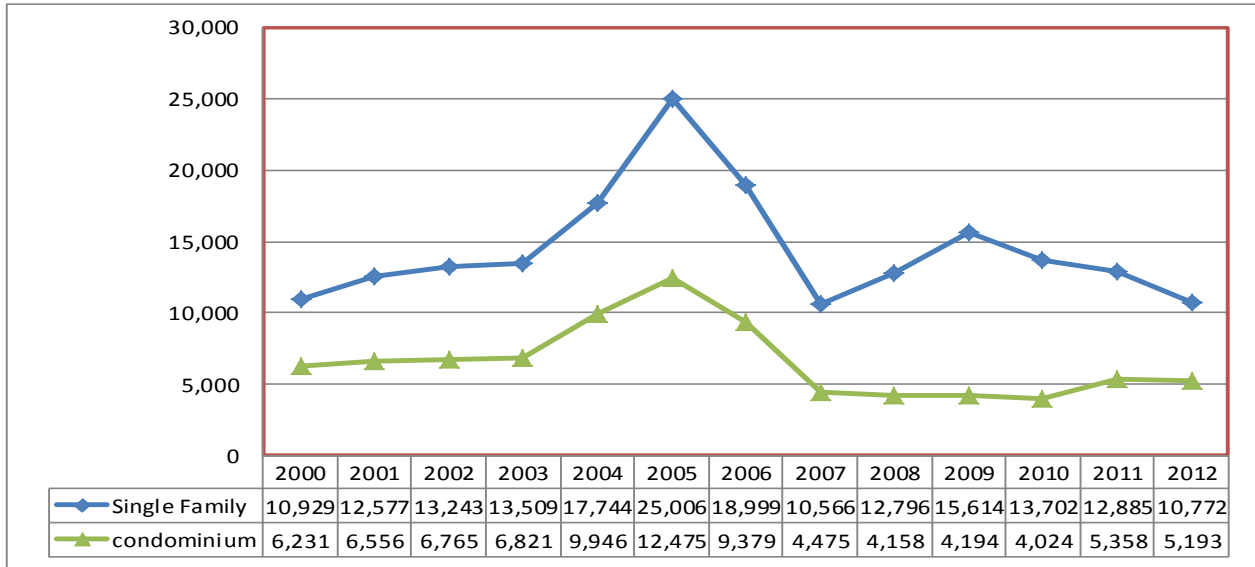
The Lee County Region experienced significant increase in the cost of housing between 2004 and 2007. Shown in Figure 9, in 2000, the median sales price of single-family units was \$184,152. By 2005, the price almost doubled to \$337,182. The height of the sales price increased between 2004 and 2007. The median sales price in 2004 was \$265,116 and by 2007, the sales price skyrocketed to \$357,126. During the boom, though the sales price drastically increased, the number of homes being sold also increased (figure 10). By 2005, the number of homes sold was approximately twice the number in 2000. As shown, in 2008, prices started to drastically decline. According to Florida Realtors “Florida Residential Market Sales Activity Report, May 2014” median sales value in the Cape Coral - Fort Myers MSA was \$195,000, which is slightly higher than the median sales price in 2000.

**Figure 9: Median Sales Value 2000 to 2012**



Source: County Property Appraiser’s Tax roll compiled by Shimberg Center for Housing Studies, University of Florida

**Figure 10: Number of Housing Units Sold 2000 to 2012**



Source: County Property Appraiser’s Tax roll compiled by Shimberg Center for Housing Studies, University of Florida

### Vacancy Rate/Foreclosure

The vacancy rate measures the overall housing availability in a community and is often a good indicator of how for sale and rental housing units are meeting the current demand for housing.

The region’s overall vacancy rate has drastically changed from the 2000 rate of 23.1 percent to 34.7 percent in 2012. The increase in the vacancy rate could be attributed to the region’s high foreclosure rate.

According to the Foreclosure-Response Organization’s “Metropolitan Delinquency and Foreclosure Data, September 2013,” the Cape Coral – Fort Myers MSA’s foreclosure rate was 8.25 percent. The foreclosure rate is considerably higher for the subprime mortgages (24.16 percent) versus prime mortgages (6.28 percent). Of all mortgages, 3.93 percent were more than 90 days delinquent. The foreclosure rate has declined from a high of 15.1 percent in March 2011 to 8.25 percent in September 2013.

One result of the downturn in the economy and the high foreclosure rates in the County is that the median home price has decreased considerably. As stated, the median price has decreased from a high of over \$300,000 in 2007 to \$195,000. A combination of the drop in the home prices and the low home mortgage interest rates provided more opportunities for low to moderate-income residents to purchase homes.

### Housing Cost

Increasing housing costs are not a direct form of housing discrimination, however, a lack of affordable housing does constrain housing choice. Residents may be limited to a smaller selection of neighborhoods because of a lack of affordable housing in those areas.

Between 2000 and 2012, the inflation adjusted median housing value across Lee County increased 7.2 percent, while real median income fell 9.9 percent in real dollars. Median gross rent increased a comparable 12.4 percent during the same years. The modest increase in median housing value paired with a decrease in real income means that housing has become relatively more expensive for the residents in Lee County.

**Table 22: Trends in Housing Value, Rent and Income 2012**

	Median Housing Value (in 2012 \$)	Median Gross Rent (in 2012 \$)	Median Household Income (in 2012 \$)
<b>2000</b>	\$150,529	\$861	\$53,757
<b>2012</b>	\$161,400	\$968	\$48,453
<b>Change</b>	7.2%	12.4%	-9.9%

Source: U.S. Census Bureau, Census 2000 (DP-3, DP-4), 2008-2012 American Community Survey ((DP03, DP04), Calculations by Lee H. Combs Consulting Services

### Rental Housing

The number of units renting for less than \$500 per month in Lee County declined by more than 60 percent between 2000 and 2012. Additionally, the units renting for between \$500 to \$750 has decreased from 19,106 to 12,592, or 34 percent. At the same time, the units renting for more than \$1,000 per month increased from 7,374 units to 26,465 units, or 258.9 percent. The data does not provide a distinction between units that were actually lost from the inventory through demolition and those for which rents were increased. This figure should be analyzed with an understanding that \$500 was worth more in 2000 than in 2012, due to inflation. This figure, due to the categorical nature of the variable, cannot be adjusted for inflation. According to the U.S. Census 2008-2012 American Community Survey, approximately 40.4 percent of the County’s renter-households were paying greater than \$1,000 per month for rent.

**Table 23: Change in Volume of Rental Units by Cost 2000-2012**

Units Renting for:	2000	2010	Change	
			Number	Percent
<b>Less Than \$500</b>	9,645	3,454	-6,191	-64.2%
<b>\$500 to \$750</b>	19,106	12,592	-6,514	-34.1%
<b>\$750 to \$1,000</b>	8,743	21,476	12,733	145.6%
<b>\$1,000 or More</b>	7,374	26,465	19,091	258.9%

Source: U.S. Census Bureau, Census 2000 (DP-4), 2008-2012 American Community Survey (B25063)

The following information is set forth to demonstrate the known market conditions regarding affordability within the County. The 2014 median family income for the Cape Coral – Fort Myers MSA is \$58,000 (for a household with 4 persons). Based on the County’s income range in 2014, an affordability chart can be utilized to estimate which households are having affordability problems. Families earning less than 30 percent of median income could only afford to pay \$596.25 toward housing costs. By contrast, families earning the median family income in the County could afford pay \$1,450 toward housing costs.

**Table 24: Housing Affordability Range**

	Income	Maximum Mortgage Payment (inc PITI)	Maximum Rent (inc Utilities)
Extremely Low Income <30 % AMI	\$23,850	\$596.25	\$596.25
Low Income 50% AMI	\$29,000	\$725.00	\$725.00
Moderate Income 80% AMI	\$46,400	\$1,160.00	\$1,160.00
Area Median Income (AMI)	\$58,000	\$1,450.00	\$1,450.00

Source: HUD 2014 Income Limits

Annually, HUD provides information on the Fair Housing Market Rent (FMR) and affordability of rental housing in counties and cities in the U.S. In 2014 for the Cape Coral-Fort Myers MSA, the FMR for a two-bedroom unit is \$893. In order to afford this level of rent and utilities without paying more than 30 percent of income on housing, a household must earn \$2,797 monthly or \$35,720 annually. Assuming a 40-hour work week, 52 weeks per year, this level of income translates into an hourly housing wage of \$17.17.

In Lee County, a minimum-wage worker earns an hourly wage of \$7.93 in 2014. In order to afford the FMR for a two-bedroom unit, a minimum wage worker must work 88 hours per week, 52 weeks per year. The National Low Income Housing Coalition’s “Out of Reach 2014”, report estimates that in Lee County, the mean hourly wage for the rent-household is \$12.43 and the affordable rent for mean renter is \$647 per month which is well below the FMR for the region.

Home Ownership Affordability

One method used to determine the inherent affordability of a housing market is to calculate the percentage of homes that could be purchased by households at the median income level. It is possible also to determine the affordability of the housing market for each racial or ethnic group in the County. To determine affordability, the following assumptions were made:

- The mortgage was a 30-year fixed rate loan at a 4.0 percent interest rate.
- The buyer made a 5 percent down payment on the sales price.
- Front end ratio principal, interest, taxes and insurance (PITI) equaled no more than 29 percent of gross monthly income (FHA front end ratio).
- Additional consumer debt (credit cards, car payment, etc.) averaged \$500 per month which added to the projected PITI, will not exceed 41 percent of the buyer’s gross income (FHA back end ratio).
- Real estate tax and insurance (property and PMI) were assumed at \$120 and \$150 per month respectively.

Table 25 below details the estimated maximum affordable sales price and monthly PITI payment for Whites, Blacks, Asians and Hispanics in Lee County.



In the Lee County real estate market, the 2012 median sales price for a single-family home was \$229,393. The Countywide median household income in 2012 was \$48,453, which translates to a maximum affordable home purchase price of \$194,737. This indicates that a household at the median income could afford roughly half of the housing market.

However, an analysis applying the different median income levels by race and ethnicity indicates that in general, purchase choices are far more limited for Blacks and Hispanics, as the maximum affordable home purchase prices for Whites and Asians were substantially higher than the affordable prices for Blacks and Hispanics.

**Table 25: Maximum Affordable Purchase Price by Race/Ethnicity, 2012**

	<b>Median Household Income</b>	<b>Mortgage Principal &amp; Interest</b>	<b>Real Estate Tax</b>	<b>Property Insurance and PMI</b>	<b>Total Monthly Debt Service*</b>	<b>Maximum Loan Amount</b>	<b>Maximum Affordable Purchase Price</b>
<b>Lee County</b>	<b>\$48,453</b>	<b>\$885</b>	<b>\$120</b>	<b>\$150</b>	<b>\$1,655</b>	<b>\$185,000</b>	<b>\$194,737</b>
<b>Whites</b>	\$52,203	\$1,033	\$120	\$150	\$1,783	\$216,000	\$227,368
<b>Blacks</b>	\$33,153	\$362	\$120	\$150	\$1,132	\$76,000	\$80,000
<b>Asians</b>	\$60,532	\$1,192	\$120	\$150	\$1,962	\$250,000	\$263,158
<b>Hispanics</b>	\$37,069	\$496	\$120	\$150	\$1,266	\$104,000	\$109,473

\* Includes PITI and \$500 assumed average monthly consumer debt service

Source: U.S. Census 2008-2012 American Community Survey (B19013, B19013B, B19013D, B19013H, B19013I), Calculations by Lee H. Combs Consulting Services

### Housing Cost Burden

HUD defines housing affordability in terms of the proportion of household income that is used to pay housing costs. Housing is “affordable” if no more than 30 percent of a household’s monthly income is needed for rent, mortgage payments and utilities. When the proportion of household income needed to pay housing costs exceeds 30 percent, a household is considered “cost burdened.” Severe cost burden is defined as when gross housing costs, including utilities, exceed 50 percent of the households’ gross income. All severely cost burdened households are also included in the figures for cost-burdened households.

In the Lee County Region, over 40 percent of the both owner-households and renter-households are experiencing housing cost burden. All jurisdictions had over 49 percent of renter-households with housing cost burden (Table 26). Rates of renter cost burden were high in the cities of Bonita Springs, Sanibel and Fort Myers. In comparison, the cities of Cape Coral, Bonita Springs, Sanibel, and the town of Fort Myers Beach each had greater than 50 percent of owner-households experiencing housing cost burden. As shown in Table 26, in Lee County, approximately 48.8 percent of owner-households and 55.7 percent of renter-households were cost burdened.

**Table 26: Housing Cost Burden by Tenure**

<b>Jurisdiction</b>	<b>Owners</b>	<b>Renters</b>
<b>Urban County</b>		
Bonita Springs	50.3%	60.8%
Fort Myers Beach	61.9%	49.2%
Sanibel	52.7%	72.3%
Unincorporated	48.1%	51.8%
<b>Total Urban Lee County</b>	48.6%	52.8%
<b>Entitlement Jurisdiction</b>		
Cape Coral	50.1%	58.3%
Fort Myers	44.7%	61.3%
<b>Total Lee County</b>	48.8%	55.7%

Sources: U.S. Census 2008-2012 American Community Survey (DP04 - "Selected monthly owner costs as a percentage of household income" and "Gross rent as a percentage of household income" tables)

Housing cost burden typically is linked to income levels. The lower the income, the larger percentage of a household's income is allotted to housing costs. Cost burden by low income households tends to occur when housing costs increase faster than income. The tables on the following pages (Table 27) are based on the data from the Shimberg Center for Housing Studies, University of Florida, that illustrates the percentage of cost burden households by income and the percentage of income paid for housing by Lee County Jurisdictions. As the table indicates, an increase in income level affects housing cost burden for owner and renter households. As shown, for lower income groups in all jurisdictions more renter-households were cost burdened. Among owner-households, cost burden was more prevalent among the upper income groups.

**Table 27: Households by Tenure, Income and Cost Burden, 2010**

Jurisdiction/Income Level	Cost Burden	Owner	Renter
<b>Bonita Springs</b>			
0-30% AMI	Cost Burden	14.9%	11.8%
	Severely Cost Burden	52.8%	57.6%
	No Cost Burden	32.3%	30.6%
30.1-50% AMI	Cost Burden	29.0%	43.1%
	Severely Cost Burden	26.0%	29.7%
	No Cost Burden	44.8%	27.2%
50.1 - 80% AMI	Cost Burden	22.5%	35.5%
	Severely Cost Burden	10.7%	6.0%
	No Cost Burden	66.8%	58.4%
80.1 - 120% AMI	Cost Burden	14.3%	10.3%
	Severely Cost Burden	4.0%	4.1%
	No Cost Burden	81.7%	85.6%
120+% AMI	Cost Burden	4.6%	3.2%
	Severely Cost Burden	0.9%	0.7%
	No Cost Burden	94.5%	96.1%
<b>Fort Myers Beach</b>			
0-30% AMI	Cost Burden	14.7%	12.2%
	Severely Cost Burden	52.9%	57.4%
	No Cost Burden	32.4%	30.4%
30.1-50% AMI	Cost Burden	29.4%	42.5%
	Severely Cost Burden	25.9%	29.1%
	No Cost Burden	45.3%	28.3%
50.1 - 80% AMI	Cost Burden	21.7%	36.1%
	Severely Cost Burden	10.6%	5.9%
	No Cost Burden	67.7%	58.0%
80.1 - 120% AMI	Cost Burden	13.9%	11.6%
	Severely Cost Burden	4.1%	4.6%
	No Cost Burden	82.0%	83.8%
120+% AMI	Cost Burden	4.8%	3.1%
	Severely Cost Burden	0.9%	1.0%
	No Cost Burden	94.4%	95.9%

Source: Estimates and Projections by Shimberg Center for Housing Studies based on 2010 Census Data

**Table 27: Households by Tenure, Income and Cost Burden, 2010**

Jurisdiction/Income Level	Cost Burden	Owner	Renter
<b>Sanibel</b>			
0-30% AMI	Cost Burden	15.2%	13.8%
	Severely Cost Burden	52.0%	53.8%
	No Cost Burden	32.7%	32.5%
30.1-50% AMI	Cost Burden	29.3%	37.3%
	Severely Cost Burden	25.6%	32.8%
	No Cost Burden	45.2%	29.9%
50.1 - 80% AMI	Cost Burden	21.3%	34.1%
	Severely Cost Burden	10.3%	8.5%
	No Cost Burden	68.4%	57.3%
80.1 - 120% AMI	Cost Burden	13.8%	14.0%
	Severely Cost Burden	4.2%	7.0%
	No Cost Burden	82.0%	79.1%
120+% AMI	Cost Burden	4.8%	5.0%
	Severely Cost Burden	0.9%	1.0%
	No Cost Burden	94.3%	94.0%
<b>Unincorporated</b>			
0-30% AMI	Cost Burden	14.3%	12.0%
	Severely Cost Burden	53.8%	57.4%
	No Cost Burden	31.9%	30.6%
30.1-50% AMI	Cost Burden	28.4%	43.4%
	Severely Cost Burden	28.0%	29.3%
	No Cost Burden	43.6%	27.3%
50.1 - 80% AMI	Cost Burden	24.5%	35.4%
	Severely Cost Burden	11.5%	5.9%
	No Cost Burden	64.1%	58.7%
80.1 - 120% AMI	Cost Burden	15.4%	10.5%
	Severely Cost Burden	4.0%	388.0%
	No Cost Burden	80.6%	85.6%
120+% AMI	Cost Burden	4.7%	3.1%
	Severely Cost Burden	0.9%	0.8%
	No Cost Burden	94.4%	96.0%

Source: Estimates and Projections by Shimberg Center for Housing Studies based on 2010 Census Data

**Table 27: Households by Tenure, Income and Cost Burden, 2010**

Jurisdiction/Income Level	Cost Burden	Owner	Renter
<b>Cape Coral</b>			
0-30% AMI	Cost Burden	10.5%	6.1%
	Severely Cost Burden	66.4%	73.0%
	No Cost Burden	23.0%	20.9%
30.1-50% AMI	Cost Burden	23.2%	46.4%
	Severely Cost Burden	44.6%	47.8%
	No Cost Burden	32.2%	5.8%
50.1 - 80% AMI	Cost Burden	36.5%	51.5%
	Severely Cost Burden	16.6%	3.4%
	No Cost Burden	46.9%	45.1%
80.1 - 120% AMI	Cost Burden	21.0%	10.9%
	Severely Cost Burden	4.4%	1.0%
	No Cost Burden	74.6%	88.1%
120+% AMI	Cost Burden	6.7%	3.0%
	Severely Cost Burden	1.0%	0.2%
	No Cost Burden	92.3%	96.8%
<b>Fort Myers</b>			
0-30% AMI	Cost Burden	13.1%	11.4%
	Severely Cost Burden	55.5%	58.3%
	No Cost Burden	31.3%	30.3%
30.1-50% AMI	Cost Burden	27.2%	45.9%
	Severely Cost Burden	31.6%	28.6%
	No Cost Burden	41.2%	25.5%
50.1 - 80% AMI	Cost Burden	28.1%	35.6%
	Severely Cost Burden	12.9%	4.6%
	No Cost Burden	59.0%	59.8%
80.1 - 120% AMI	Cost Burden	17.2%	9.5%
	Severely Cost Burden	4.1%	2.8%
	No Cost Burden	78.6%	87.7%
120+% AMI	Cost Burden	4.9%	2.5%
	Severely Cost Burden	0.9%	0.6%
	No Cost Burden	94.2%	96.8%

Source: Estimates and Projections by Shimberg Center for Housing Studies based on 2010 Census Data

## **Housing Stock Available for People with Disabilities and Persons with HIV/AIDS**

The populations identified that have special needs are persons who are not homeless but require supportive housing. These include:

- Elderly
- Frail elderly
- Persons with disabilities (mental, physical, developmental)
- Persons with alcohol and/or drug addictions
- Persons with HIV/AIDS and their families
- Persons living in public and assisted housing

In addressing the housing and supportive service requirements of special needs populations, all jurisdictions in Lee County support the principles laid out by the Florida Workgroup on Supportive Housing, as established by Chapter 2002-248, laws of Florida (Senate Bill 2254) that states persons with special needs should be able to:

- Either own or rent their own home, condominium or apartment.
- Have a choice in the selection and location of housing and services.
- Have housing that is permanent, rather than a part of a structured residential treatment program.
- Have housing that is not conditional on the acceptance of services.
- Have housing that is integrated into the community.
- Have housing that is affordable.
- Access services that promote independence and housing retention.
- Access services that are community-based.
- Access crisis services 24 hours per day/7 days per week.
- Have access to rent subsidies.

The housing market in the County has not developed sufficient housing stock specifically for persons with mental and developmental disabilities or for persons with HIV/AIDS who are able to live independently. Unless a person needs supportive housing, the housing stock available is the same as for others of the same socioeconomic status.

People with disabilities are in the midst of an increasingly acute affordable housing crisis. The National Low Income Housing Coalition's "Out of Reach 2014" reported that a housing crisis is faced by more than 8.3 million individuals with disabilities who rely on Social Security Supplemental Security Income (SSI) for all their basic needs.

In 2014, the SSI program provided an individual with a monthly income of \$721 or \$8,652 a year. This amount is equal to only 14.9 percent of the area median income and almost 28.5 percent below the 2014 federal poverty level of \$11,670. This is approximately equal to an hourly wage of \$4.16 per hour – more than three dollars below minimum wage, which is \$7.93



an hour. In 2014 disabled persons living in the Cape Coral – Fort Myers MSA were paying 98 percent of their monthly SSI payment toward a 1-bedroom apartment.

Both for-profit and not-for-profit housing developments receive assistance in the form of low-interest and deferred payment loans, permanent financing, and regulatory incentives from the cities, county, and other public and private sources. As a condition of receiving such assistance, project developers and owners are required to set-aside a pre-determined number of units to households at specified income levels and, in some cases, to households from specific special needs subpopulations. Regulatory agreements restrict sales prices, resale prices, and rents for these units to levels that are affordable to the targeted households. The time period covered by these agreements varies, but generally ranges from 5 to 30 years.

According to the Shimberg Center for Housing Studies data, currently there are 6,338 assisted housing units located in Lee County. Of these available assisted housing units, 139 housing units are available for persons with disability, 1,648 housing units are for seniors, 80 housing units are for farmworkers and the balance of 4,471 units are for families. The majority of assisted housing units are located within in the City of Fort Myers city limits.

## **Homeless**

The Lee County Homeless Coalition, a coalition along with local municipalities and other social service providers, is tasked with addressing the needs of homeless persons. The function of the Lee County Homeless Coalition which was established pursuant to Florida Statute 420.623 is to plan, network, coordinate, and monitor the delivery of services to the homeless.

The Lee County Homeless Coalition provides information on the needs, characteristics, number and location of homeless persons in Lee County. In 2014, based on a “Point in Time Count (PIT)” conducted on January 31, 2014, the Homeless Coalition reported 871 homeless residents. Of this count, 224 persons were chronically homeless representing 25.7 percent of the homeless. Table 28 shows the breakdown of the homeless population. It is known that some hidden homeless were uncounted and service professionals feel that the true figure may be far greater than 871. Challenges for the homeless continuum of care have increased during the year because of the proposed elimination of state mental health facilities and reductions in both federal and state funding. Lee County’s homeless population is visible in the City of Fort Myers but relatively invisible elsewhere as they are hidden from the general public in small camps that are dispersed throughout the county.

In addition to identifying persons with and without dependent children, chronically homeless, race and ethnicity were identified during the homeless inventory. Please see Table 28 below.

According to Lee County Human Services Department, there are currently, 824 year-round beds available for the homeless households (273 emergency shelter beds; 203 transitional housing beds; and 348 permanent supportive housing beds).

**Table 28: Homeless PIT January 31, 2014**

<b>Total Homeless</b>		<b>871</b>
Chronic Homeless	224	25.7%
Race/Ethnicity		
White	625	71.8%
Black	205	23.5%
Asian	6	0.7%
American Indian/Alaska Native	12	1.4%
Native Hawaiian/ Pacific Islander	13	1.5%
Other/Multi Racial	10	1.1%
Hispanic or Latino	95	10.9%
Veteran Status		
Veteran	120	13.8%

Source: Lee County Homeless Coalition

## **F. Key Findings: Jurisdictional Background Data**

- The population of Lee County increased by 177,866 people from 2000 to 2010 an increase of 40 percent over the 2000 level. The City of Cape Coral (51 percent) is the fastest growing city in the county followed by the unincorporated area (41 percent) and the City of Bonita Springs (34 percent). Cities of Fort Myers and Sanibel show a moderate growth rate. The Town of Fort Myers Beach is the only area that experienced a net loss of residents.
- The Bureau of Economic and Business Research (BEBR), University of Florida estimates that by the year 2030, the population of Lee County is expected to reach 928,496. That is an increase of approximately 50 percent from the 2010 level. The entire Lee County Region will likely experience a high growth rate (greater than 43 percent) with exceptions of the Town of Fort Myers Beach (-7 percent) and the City of Sanibel (7 percent).
- The County's Hispanic population has expanded substantially since 2000, from 42,042 persons to 113,308 persons from 2000 and 2010, an increase of 169.5 percent. Hispanic or Latino (any race) population comprised 18.3 percent of the County's total population. The Cities of Bonita Springs, Cape Coral and Fort Myers have significant Hispanic concentrations, while the City of Sanibel has the least concentration of Hispanic Population.
- By national standards, Lee County is moderately segregated, as 59.2 percent of Black residents would need to move within the County to achieve perfect spatial integration with White residents. Results were similar, but less dramatic for other minority groups.

Racial integration by this measure has improved significantly in the last thirty years, when the statistics were 88.5 percent. The largest concentration of black population occurs in the City of Fort Myers, 31.3 percent versus the county-wide figure of 7.7 percent.

- Minority residents in Lee County experienced a greater poverty rate than White and Asian residents. They also had the lowest median household incomes among racial and ethnic groups, while Asians had the highest median household income. A lower income for these minority groups translates to a substantially diminished range of housing options.
- In 2012, the Census Bureau reported that 125,464 persons across Lee County (20.1 percent of the population) spoke at least one language other than English. Of these, 59,646 (47.5 percent) spoke English less than “very well”. This limited English proficiency subpopulation constituted 9.6 percent of the County’s total population.
- Of the total civilian non-institutionalized Lee County population, 80,226 persons or 12.9 percent reported a range of disabilities. Of the disabilities tallied, 52 percent were for residents in the 65 years and over age group followed by 18 to 64 years age group with 42.6 percent. The elderly population had a significantly higher percentage of physical disabilities than other age groups. The most common type of disability among persons 18 to 64 years and 65 years and over was ambulatory, referring to difficulty moving from place to place that makes it impossible or impractical to walk as a means of transportation, which translates as a need for accessible housing.
- Between 2008 and 2012, White residents’ unemployment rate was below the County’s unemployment rate of 12.2 percent. In contrast, Black residents’ unemployment rate was reported at 21.5 percent. Hispanic residents also had a high unemployment rate of 16.2 percent. Higher unemployment, whether temporary or permanent, significantly limits the resources available to meet housing costs.
- The private automobile is the primary method (89.4 percent) of transport for the daily commuting workforce. The mean travel time to work was 26.6 minutes according to the U. S. Census Bureau’s 2008-2012 American Community Survey. Of the 228,283 workers 16 years and over that commute to work, 76 percent drove alone to their place of employment, 13.4 percent carpooled and 1.2 percent used public transportation.
- Lee County housing stock increased by 29.2 percent between 2000 and 2010. All jurisdictions experienced housing stock increases between 2000 and 2010. The City of Cape Coral had the largest increase of 72.9 percent followed by the City of Fort Myers (60.9 percent) and the City of Bonita Springs (36 percent).
- Minority and Ethnic populations in Lee County have not achieved housing homeownership as readily as the White non-Hispanic population. Of those who owned the housing units they occupied, 86 percent were White non-Hispanic; 8 percent were Hispanic All races; 4 percent were Black; 1 percent were Asian; and 1 percent were

Other (including Native Hawaiian and Pacific Islander, American Indian and Alaska Native, and Two or more races).

- The region's overall vacancy rate has drastically changed from the 2000 rate of 23.1 percent to 34.7 percent in 2012. The increase in the vacancy rate could be attributed to the region's high foreclosure rate.
- According to the Foreclosure-Response Organization's "Metropolitan Delinquency and Foreclosure Data, September 2013," the Cape Coral – Fort Myers MSA's foreclosure rate was 8.25 percent. The foreclosure rate is considerably higher for the subprime mortgages (24.16 percent) versus prime mortgages (6.28 percent). 3.93 percent of all mortgages are more than 90 days delinquent. The foreclosure rate declined from a high of 15.1 percent in March 2011 to 8.25 percent in September 2013.
- In Lee County, a minimum-wage worker earns an hourly wage of \$7.93. In order to afford the FMR for a two-bedroom unit, a minimum wage worker must work 88 hours per week, 52 weeks per year.
- The inflation adjusted median housing value across Lee County between 2000 and 2012, increased 7.2 percent, while real median income fell 9.9 percent in real dollars. Median gross rent increased a comparable 12.4 percent during the same years. The modest increase in median housing value paired with a decrease in real income means that housing has become relatively more expensive for the residents in Lee County.
- In the Lee County Region, over 40 percent of both owner-households and renter-households are experiencing housing cost burden. All jurisdictions had over 49 percent of renter-households with housing cost burden. Rates of renter cost burden were high in the cities of Bonita Springs, Sanibel and Fort Myers. In comparison, the cities of Cape Coral, Bonita Springs, Sanibel, and the town of Fort Myers each had greater than 50 percent of owner-households experiencing housing cost burden. In Lee County, approximately 48.8 percent of owner-households and 55.7 percent of renter-households were cost burdened.
- In the "Point in Time Count (PIT)" conducted on January 31, 2014, the Lee County Homeless Coalition reported 871 homeless residents. It is known that some hidden homeless were uncounted and service professionals feel that the true figure may be far greater than 871. Of this count, 224 persons were chronically homeless representing 25.7 percent of the homeless persons counted. There are currently, 824 year-round beds available for the homeless households (273 emergency shelter beds; 203 transitional housing beds; and 348 permanent supportive housing beds).

### **III. Evaluation of Current Fair Housing Legal Status**

This section analyzes the extent of fair housing complaints or compliance reviews where a charge of discrimination has been made. Additionally, this section will review the existence of any fair housing discrimination suits filed by the United States Department of Justice or private plaintiffs, and the identification of other fair housing concerns or problems.

#### **A. Existence of Fair Housing Complaints**

From 2001 to October 2012, Lee County Office of Equal Opportunity (LCOEO) was designated by HUD as meeting the HUD requirements for the operation of a “Substantially Equivalent Fair Housing Program”. LCOEC processed and investigated the County-wide housing discrimination complaints on behalf of HUD. However, beginning in October 2012, LCOEC discontinued its processing and investigation of County-wide fair housing complaints and undertook a countywide fair housing training and outreach on behalf of HUD.

As of October 2012, fair housing complaints must be filed with the HUD Miami Office or the State of Florida Commission on Human Relations Office (FCHR). FCHR is the state’s leading anti-discrimination agency. FCHR is overseen by twelve Commissioners appointed by the Governor and confirmed by the state Senate. FCHR conducts its business primarily under authority of three Florida laws:

- The Florida Civil Rights Act (Part 1, Chapter 760, and s. 509.092, F.S.) for allegations of discrimination in employment or public accommodations;
- The Florida Fair Housing Act (Part II, Chapter 760) for allegations of discrimination in housing; and
- The Florida Whistle-Blower Act (s. 112.31895) for allegations of improper retaliation against state agency whistle-blowers.

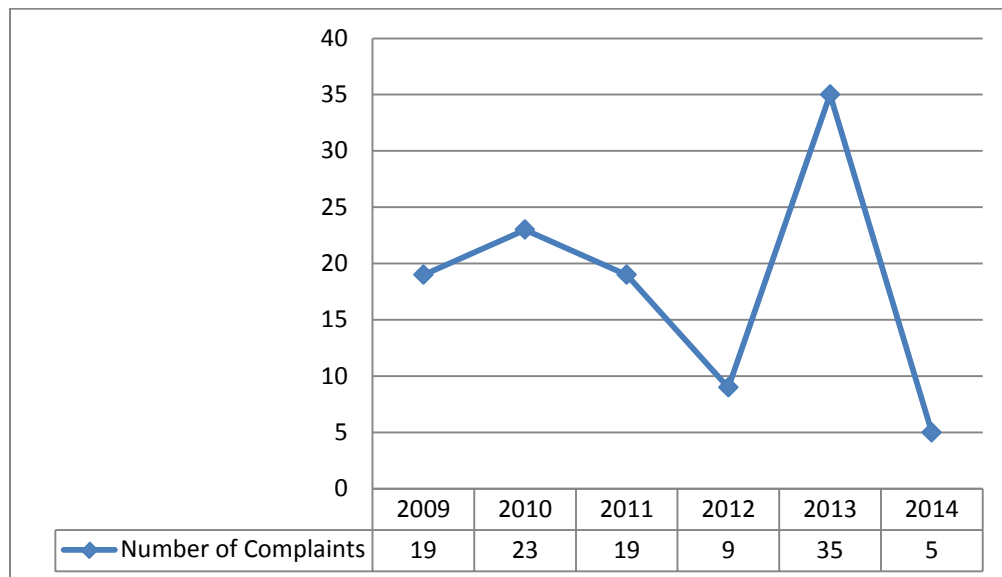
A work-sharing agreement between FCHR and two federal partners, the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development, helps ensure that complaints are properly investigated without duplication, whether they are initially filed with the Commission or one of the federal agencies.

The number of complaints reported may under-represent the actual occurrence of housing discrimination in any given community, as people may not file complaints because they are unaware of how or where to file a complaint. Discriminatory practices can be subtle and may not be detected by someone who does not have the benefit of comparing his/her treatment with that of another home seeker. Other times, people may be unaware that the discrimination is against the law and that there are legal remedies to address the discrimination. Also, households may be more interested in achieving their first priority of finding decent housing and may prefer to avoid going through the process of filing a complaint and following through with it. Therefore, education, information, and referral regarding fair housing issues remain critical to empower individuals with the ability to reduce impediments.

## Number of Complaints

HUD Office of Fair Housing and Equal Opportunity (FHEO) receives complaints from persons regarding alleged violations of the Federal Fair Housing Act. Fair Housing complaints originating in Lee County were obtained from HUD Miami FHEO and analyzed from FY 2009 to FY 2014. In total, 110 complaints originating in Lee County were filed during that time, an average of eighteen complaints per year. The high number of cases shown in 2013 could be attributed to the closing of Lee County's EEOC office in 2012 and back log of cases during the transition of fair housing investigation responsibilities from the County to HUD.

**Figure 11: Number of Fair Housing Complaints Filed with HUD 2009 - 2014**



Note: Number of cases are based on the federal fiscal year (i.e. 2009 cases include cases filed from October 1, 2008 to September 30, 2009 and 2014 case is from October 2013 to September 18, 2014)

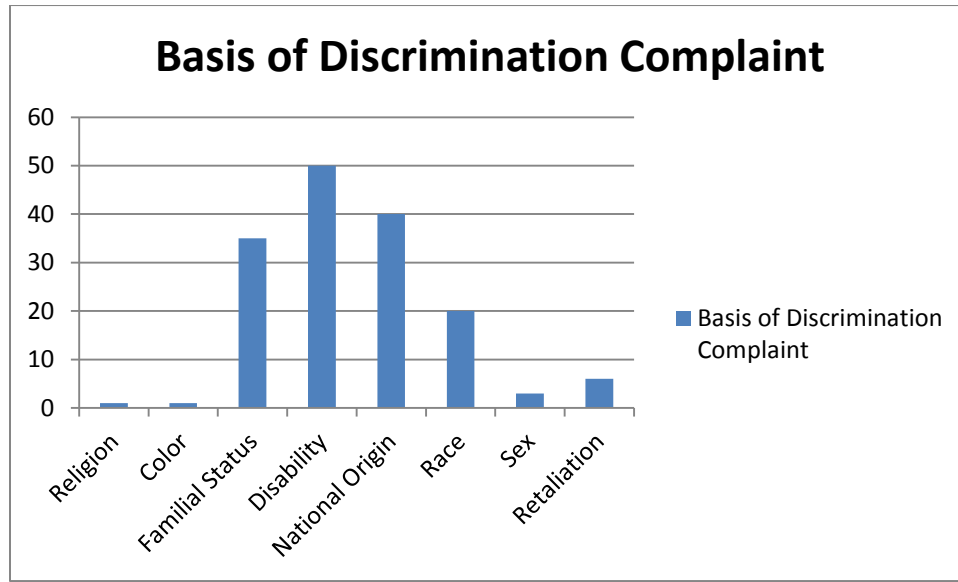
Source: HUD Miami Fair Housing and Equal Opportunity Office

## Basis of Discrimination Complaints

In addition to the number of complaints per year, filings included information on the basis of discrimination. Disability was the most common basis with 50 complaints, followed by national origin with 40 complaints, and familial status with 35 complaints. The remaining basis of complaints included race, sex, religion, color, and retaliation. Totals do not match the total number of cases because some complaints included more than one basis of discrimination.



**Figure 12: Basis of Discrimination Complaints filed with HUD 2009-2014**



Source: HUD Miami Fair Housing and Equal Opportunity Office

### **Resolution of Complaints**

The following is the makeup of the 110 fair housing discrimination complaints investigated:

- No Reasonable Cause, Withdrawals, or Failure to Cooperate - 73 complaints or 64.5 percent.
- Conciliations – 27 complaints or 24.5 percent.
- Withdrawn After Resolution – 4 complaints or 3.6 percent.
- FHAP Judicial Dismissal – 2 complaints or 1.8 percent.
- Untimely filed – 1 complaint or 0.1 percent.
- Open – 3 complaints or 2.7 percent.

The high number of dismissed complaint cases could indicate that residents do not understand what constitutes a violation of the Fair Housing Act. However, the low number of complaints should not be construed to mean that there is no housing discrimination in Lee County. Rather, it is likely that housing discrimination cases often go unreported. Furthermore, since the closure of the Office of Equal Opportunity, the County lacks the resources to test the area for housing discrimination. This possible under-reporting of housing discrimination and lack of understanding of fair housing laws is an impediment to fair housing choice.

## **B. Existence of Fair Housing Discrimination Suit**

There is no pending fair housing discrimination suit initiated by the U.S. Department of Justice or HUD against a city, county, company, or corporation within the County jurisdictions.

## **C. Existence of Reasons for trends and patterns**

Currently, there are no specific reasons for any trends or patterns for Fair Housing violations in Lee County.

## **D. Key Findings: Evaluation of Current Fair Housing Legal Status**

- Lee County no longer has its own FHAP Agency. From 2001 to October 2012, Lee County Office of Equal Opportunity (LCOEO) was designated by HUD as meeting the HUD requirements for the operation of a “Substantially Equivalent Fair Housing Program”. LCOEC processed and investigated the County-wide housing discrimination complaints on behalf of HUD. However, beginning in October 2012, LCOEC discontinued its processing and investigation of County-wide fair housing complaints and conducting the countywide fair housing training and outreach that it undertook on behalf of HUD.
- Disability was the most common basis of discrimination complaints filed with HUD in Lee County (67 of all 110 complaints over the six-year study period), followed by national origin, and familial status.
- The high number of dismissed cases (75 complaints out of 110 complaints) could be an indication that residents do not understand what constitutes a violation of the Fair Housing Act.

## **IV. Identification of Impediments to Fair Housing Choice**

The analysis of impediments is a review of impediments to fair housing choice in public and private sectors. This section analyzes various public and private policies and actions that may impede fair housing within Lee County.

### **A. Public Sector**

Public policies established at the regional and local levels can affect housing development and, therefore, may impact the range and location of housing choices available to residents. Fair housing laws are designed to encourage an inclusive living environment and an assessment of public policies and practices can help determine potential impediments to fair housing opportunity. This section presents an overview of government regulations, policies, and practices enacted by jurisdictions in Lee County that may impact fair housing choice.

#### **1. Zoning and Site Selection**

In Florida, the power behind land development decisions resides with municipal governments through the formulation of local controls. These include comprehensive plans and zoning ordinances, as well as building and development permits.

For this analysis, zoning ordinances (Land Use Regulations) for all six jurisdictions (Cities of Cape Coral, Fort Myers, Bonita Springs, Sanibel, Town of Fort Myers Beach, and Lee County) in Lee County were reviewed. All jurisdictions in Lee County enforce local zoning ordinances. In considering how zoning might create barriers to fair housing, the following three key areas were reviewed based on the topics raised in HUD's Fair Housing Planning Guide, which include:

- Definition used for "family" and restrictions on the number of unrelated persons in dwelling unit.
- Dispersal requirements and regulatory provisions for housing facilities for persons with disabilities (i.e. group homes) in single-family district.
- Minimum lot size requirements, and the opportunity to develop various housing types including apartments and housing at various densities.

All six jurisdictions' land use regulations have been updated to achieve consistency with recently adopted Comprehensive Plans, in accordance with the state laws concerning local land development code. All of the zoning/land use ordinances appear to have been updated within the last six years.

## **Definition of Family**

Restrictive definition of family may impede unrelated individuals from sharing a housing unit. Defining family broadly advances non-traditional families and supports the blending of families who may be living together for economic purposes. Restrictions in the definition of family typically cap the number of unrelated individuals that can live together. These restrictions can impede the development of group homes, effectively impeding housing choice for the disabled. However, in some cases, caps on unrelated individuals residing together may be warranted to avoid overcrowding, thus creating health and safety concerns.

The City of Fort Myers defines the term “family” in a very broad and inclusive way, with no limit placed on the number of related or unrelated individuals living together. The definition also includes a personal caretaker or nursing care provider serving one of the family members who lives on-site as a family member. This definition advances non-traditional families and supports the blending of families who may be living together for economic reasons that could otherwise limit their housing choice.

The City of Cape Coral, Lee County, the City of Bonita Springs, The City of Sanibel, and the Town of Fort Myers Beach limit the number of unrelated individuals who may live together to five. While this cap can restrict housing choice for non-traditional families, the regulations do make exceptions for group homes by classifying them as a separate type of use.

The six jurisdictions’ definitions of “family” do not adversely create impediments to fair housing choice.

## **Regulation for Group Homes for Persons with Disabilities**

Group homes are residential uses that do not adversely impact a community. Efforts should be made to ensure group homes can be easily accommodated throughout the community under the same standards as any other residential use. Of particular concern are those that serve members of the protected classes such as the disabled. Because group homes for disabled provide a non-institutional experience for its occupants, imposing conditions are contrary to the purpose of a group home. More importantly, the restrictions, unless executed against all residential uses in the zoning district, are an impediment to the siting of group homes in violation of the Fair Housing Act.

Two primary purposes of a group home residence are normalization and community integration. By allowing group residences throughout the community in agreement with the same standards as applied to all other residential uses occupied by a family, the purposes of the use are not hindered and housing choice for the disabled is not impeded. Toward this end, municipalities may not impose distance requirements on group homes for persons with disabilities.

The State of Florida Statute, Chapter 419.001, mandates minimum space between community residential homes for the purpose of avoiding concentration. The state defines a community residential home as “means a dwelling unit licensed to serve the clients of the Department of

Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Family Services or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.”. The Chapter states that local governments may reject applications for group homes on sites that would “result in such a concentration of community residential homes in the area in proximity to the site selected, or would result in a combination of such homes with other residences in community, such that the nature and character of area would be substantially altered.” Specifically, state law declares a concentration of community residential homes when two are located within 1,200 feet of one another in multi-family zones. Further, a community residential home located within a radius of 500 feet of an area zoned single-family “substantially alters the nature and character of the area.” According to the F.S. Chapter 419.001 (2), homes of six or fewer residents which otherwise meet the definition of family may locate as single-family homes in single-family neighborhoods, but not within 1,000 feet of another existing community residential facility with six or fewer residents. The F.S. Chapter 419.001 (12), allows local governments to adopt more liberal standards by stating that “Nothing in this section requires any local government to adopt new ordinance if it has in place an ordinance governing the placement of community residential homes that meet the criteria of this section. State Law on community residential homes controls over local ordinances, but nothing in this section prohibits a local government from adopting more liberal standards for siting such homes.”

Lee County places no distance restriction for a community residential home. Lee County defines a community residential home the same as the state. Community residential homes are permitted in all residential zoning districts. The only exception is that the units are not permitted in Airport Noise Zone B unless pre-empted by state law. Lee County Zoning Ordinance also defines *Adult Family-Care Home* as “... a full-time, family-type living arrangement, in a private home, under which a person who owns or rents the home provides room, board, and personal care, on a 24-hour basis, for no more than five disabled adults or frail elders who are not relatives”, and *Home Care Facility* as “... a conventional residence in which up to three unrelated individuals are cared for, but without provision for routine nursing or medical care.” Lee County Zoning allows community residential homes, adult-family-care homes and home care facilities to locate in the single-family residential districts.

Both the cities of Cape Coral and Fort Myers follow the state laws (F.S. Chapter 419.001) in regards to the distance requirements.

The City of Bonita Springs and the Town of Fort Myers Beach have no restrictions placed on the location or distance restriction for a community residential home. These jurisdictions defined a community residential home as “dwelling units licensed to serve the clients of the state Department of Health and Rehabilitative Services which provide a living environment for one to six unrelated residents who operate as the functional equivalent of a family, including such

supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents. Residents included only aged persons as defined in F.S. § 400.618(3), as amended; physically disabled or handicapped persons as defined in F.S. § 760.22(7), as amended; developmentally disabled persons as defined in F.S. §393.063(11), as amended; non-dangerous mentally ill persons as defined in F.S. 394.455(3), as amended; or children as defined in F.S. § 39.01(8) and F.S. § 39.01(10) as amended”.

The City of Sanibel also imposes a distance requirement on the siting of community residential homes. The distance requirement is no new facility may be located any closer than 1,320 feet, measured in a straight-line distance from a lot line to any existing foster family home or other residential child caring facilities or assisted living facility lot line. The City of Sanibel’s distance requirement is more restrictive than the state statute.

On August 18, 1999, the U.S. Department of Justice (DOJ) and HUD issued a joint statement regarding *Group Homes, Local Land Use, and the Fair Housing Act*. The joint statement takes the position on laws requiring that group homes be at a certain minimum distance from one another by stating that density restrictions are generally inconsistent with the Fair Housing Act.

With some notable exceptions, courts have generally struck down requirements that group homes maintain a minimum distance from other group homes. E.g., *Horizon House Development Services, Inc. v. Township of Upper Southampton* (8<sup>th</sup> Cir. 1993), striking down 1,000 foot dispersal requirement for group homes; and *The Children’s Alliance et al v. City of Bellevue* (W.D. Wsh. 1997), striking down 1,000 foot dispersal requirement for group homes. But in *Familystyle of St. Paul v. City of St. Paul, Minnesota* (3<sup>rd</sup> Cir 1991), the court permitted application of a dispersal requirement to prevent cluster of twenty-one group homes within one and one-half block area.

The distancing requirements placed on group homes (community residential homes) by both the City of Cape Coral and City of Fort Myers is consistent with the Florida statute of 1,000 feet. The City of Sanibel’s distance requirement of 1,320 feet is more restrictive than the state statute. These distance requirements appear to be inconsistent with the Fair Housing Act. These cities may wish to consider amending zoning ordinances or adopting administrative procedures regarding community residential homes/home-care facilities/adult family-care homes dispersion requirements.

### **Residential Zoning Districts, Permitted Dwelling Types and Lot Sizes**

The number of residential zoning districts is not as significant as the characteristics of each district, including permitted land uses, minimum lot size, and the range of permitted housing types. However, the number of residential zoning districts is indicative of the municipality’s desire to promote and provide a diverse housing stock for different types of households at a wide range of income levels.



The difference in the number of residential districts offered by each reviewed jurisdictions were inconsequential. Most ordinances established three to seven residential districts. There are however, significant differences in the permitted types and density of residential uses among municipalities.

The minimum single-family lot size in both Lee County and the City of Fort Myers is 5,000 square feet; the Cities of Cape Coral and Sanibel are 10,000 square feet; the City of Bonita Spring is 4,875 square feet; and the Town of Fort Myers Beach is 7,500 square feet.

The City of Fort Myers allows the highest density of all Lee County jurisdictions by allowing up to seventy units per acre in its downtown district and up to sixteen units per acre for multi-family district (RM-16); the City of Cape Coral allows up to twenty units per acre for residential receiving district (RX); Lee County allows up to twenty-two units per acre (normal allowance is fourteen units per acre) for an affordable housing development in the multi-family district. The City of Cape Coral allows for bonus density in certain zoning districts for providing affordable housing.

Lee County, the Cities of Cape Coral, Bonita Springs and Sanibel have affordable housing density bonus programs to promote affordable housing developments.

A review of jurisdictions' residential zoning districts, permitted dwelling types, and lot sizes regulations indicated they do not adversely create impediments to fair housing choice.

### **Affordable Housing incentive Plan**

The William E. Sadowski Affordable Housing Act, as approved by the Florida Legislature and codified as Chapter 420 of the Florida Statutes, requires the development of an Affordable Housing Incentive Plan by all local governments electing to participate in the housing production and preservation initiatives authorized by the Act. The Act established State Housing Initiatives Partnership (SHIP) Program and allows the provision of state funds to Florida counties and municipalities for the production and preservation of affordable housing. Per Florida Statute 420.9071 (16), to qualify for SHIP funds a local jurisdiction must have a minimum of two affordable housing incentives (there are total of eleven affordable housing incentives). The two required incentives are: 1) The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects; 2) The establishment of a process which local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

Lee County and the cities of Cape Coral and Fort Myers participate in the SHIP program and developed and adopted Affordable Housing Incentive Plans. These jurisdictions' Affordable

Housing Incentive Plans were reviewed for the AI. The cities of Bonita Springs, Sanibel and the Town of Fort Myers Beach do not receive the SHIP funding directly from the state, but participate in the program through the Lee County's SHIP program.

### Lee County

Lee County's Affordable Housing Incentive Plans includes the following ten affordable housing incentives:

- The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects.
- The establishment of a process which local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
- The allowance of flexibility in density for affordable housing.
- The reduction of parking and setback requirements for affordable housing.
- The allowance of affordable accessory residential units in residential zoning districts.
- The allowance of flexible lot configuration, including zero-lot-line configuration for affordable housing.
- The modification of street requirements for affordable housing.
- The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- The support of development near public transportation hubs and major employment centers and mixed-use developments.

### City of Cape Coral

The City of Cape Coral's Affordable Housing Incentive Plan contains the following seven affordable housing incentives:

- The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects.
- The establishment of a process which local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- The allowance of flexibility in density for affordable housing (partial).
- The allowance of flexible lot configuration, including zero-lot-line configuration for affordable housing.
- The reduction of parking and setback requirements for affordable housing (parking requirement only).
- The modification of street requirements for affordable housing.
- The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

## City of Fort Myers

The City of Fort Myers' Affordable Housing Incentive Plan contains the following eight affordable housing incentives:

- The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects.
- The establishment of a process which local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing (currently, impact fees are waived in the Enterprise Zone).
- The allowance of flexibility in density for affordable housing.
- The allowance of flexible lot configuration, including zero-lot-line configuration for affordable housing.
- The modification of street requirements for affordable housing.
- The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- The support of development near public transportation hubs and major employment centers and mixed-use developments.

The above listed Affordable Housing Incentive Plans have been adopted within the last two years. Affordable Housing Incentive Plans of the entitlement jurisdictions promote and foster the production and preservation of affordable housing in the community thereby expanding affordable housing choices.

## **Comprehensive Plan**

Under the State law (Florida Local Government Comprehensive Planning Act), local governments are required to adopt a comprehensive plan to guide the local governments' growth management. The comprehensive plan must contain eight required elements, one of which is a Housing Element.

The Comprehensive Plans for Lee County, the cities of Cape Coral, Fort Myers, Bonita Springs, Sanibel, and the Town of Fort Myers Beach were reviewed for the AI. All jurisdictions' comprehensive plans contain the Housing Element. The Housing Elements' addressed the following topics pursuant to Florida Statute Section 163.3177(6)(f):

- The provision of housing for all current and anticipated future residents of the jurisdiction.
- The elimination of substandard dwelling conditions, and the structural improvement of existing housing.
- Adequate sites for future housing, including affordable workforce housing, housing for low-income, very low-income, and moderate-income families, mobile homes, and group

home facilities and foster care facilities, with supporting infrastructure and public facilities.

- Relocation housing, historically significant housing, and other housing for purposes of conservation, rehabilitation, or replacement.
- The formulation of housing implementation programs.
- The identification of specific programs and actions to partner with private and nonprofit sectors to address housing needs in the jurisdiction, streamline the permitting process, and minimize costs and delays for affordable housing.

All jurisdictions' comprehensive plans were updated within the last five years and have been accepted by the State of Florida Department of Economic Opportunity. As a result of specific and stringent state standards for local land use, the Comprehensive Plans of each community advance a large number of strategic housing policies that will expand housing options for members of protected classes.

## **2. Neighborhood Revitalization, Municipal and Other Services, Employment-Housing Transportation Linkage**

Currently, there are more than fifty Federal, State, local, and private programs providing services in Lee County. The primary Federal programs include Community Development Block Grant (CDBG), HOME Program (HOME), Neighborhood Stabilization Programs (NSP 1 and NSP 3), Emergency Solutions Grant (ESG), Housing Opportunities for Persons With AIDS (HOPWA), HUD Continuum of Care Programs, Section 8 Voucher Programs, and Public Housing. The Federal Temporary Assistance to Needy Families (TANF) and Welfare to Work Program (WAGES) provide baseline anti-poverty supports as well as the Supplemental Nutrition Assistance Program (SNAP). The major State Programs include State Housing Initiatives Partnership Program (SHIP), Weatherization Assistance Program (WAP), Low Income Home Energy Assistance Program (LIHEAP), Low Income Emergency Home Repair Program (LEHRP), and Community Services Block Grant (CSBG). Private programs include the Care-to-Share (Electric assistance through the Florida Power and Light Corporation) and a wide range of non-profit programs.

Below are the examples of neighborhood revitalization programs and municipal and other services provided by the entitlement jurisdictions.

### **City of Cape Coral Programs**

Neighborhood Revitalization: Two rounds of Neighborhood Stabilization Program funds (NSP 1 and NSP3) helped to stabilize the neighborhoods most affected by the epidemic of foreclosures over the last few years. The City utilized the funds to 1) acquire foreclosed single family properties, rehabilitate the properties, and resell the properties to income eligible homebuyers; 2) acquire foreclosed rental properties which in turn were rehabilitated and rented to very low income households; 3) work with a non-profit housing counseling agency to provide credit

counseling and homebuyer training. The program income generated by resale of properties is utilized to acquire more foreclosed homes for the above listed activities.

CDBG: The City utilizes up to 15 percent of the CDBG funding to support various non-profit social service agencies providing senior services, home buyer counseling, credit counseling, special needs services (hearing impaired) and employment training. The balance of funding is mainly used for housing related activities, ADA accessibilities, and public facilities improvements in low-moderate income neighborhoods.

HOPWA: In partnership with a local Health Planning Council (The Health Planning Council of Southwest Florida, Inc.), provide assistance to Persons with HIV/AIDs. In 2013, 83 HIV/AIDs households were assisted.

SHIP Program: SHIP program has been instrumental in supplementing federal resources by providing funding for housing rehabilitation and downpayment assistance programs.

### **City of Fort Myers Programs**

Neighborhood Revitalization: A large portion of the City is characterized as older and suffering from disinvestment. These factors have made it difficult to construct viable affordable housing projects. To combat these factors, the City currently has ten Redevelopment Plans for the City's major corridors and targeted neighborhoods. The plans include revitalizing declining areas through rehabilitation, redevelopment, and infill strategies as appropriate. The City's Housing and Real Estate Division staff is currently working on developing a Neighborhood Revitalization Strategy Plan for the Harlem Lakes neighborhood to utilize HUD CDBG funds to revitalize the neighborhood.

NSP: Two rounds of Neighborhood Stabilization Program funds (NSP 1 and NSP3) helped to stabilize the neighborhoods most affected by the epidemic of foreclosures over the last few years. The City utilized the funds to 1) acquire foreclosed single family properties, rehabilitate the properties, and resell the properties to income eligible homebuyers; 2) acquire foreclosed rental properties which in turn were rehabilitated and rented to very low income households; 3) Redevelop the vacant infill lots; and 4) work with a non-profit housing counseling agency to provide credit counseling and homebuyer training. The program income generated by resale of properties is utilized to acquire more foreclosed homes for the above listed activities.

CDBG: The use of CDBG program grant funds has had a substantial impact on the redevelopment of the City's economically distressed neighborhoods and provided renewed opportunities for the City's residents. The City utilizes up to 15 percent of the CDBG funding to support various non-profit social service agencies providing senior employment training, home buyer counseling, credit counseling, and employment training. The balance of the funding is mainly used for housing related activities.

SHIP Program: SHIP program has been instrumental in supplementing federal resources by providing funding for housing rehabilitation and downpayment assistance programs.

Infill Housing Program: The Infill Housing Program is designed to revitalize residential communities through the construction of affordable homes for the city residents. The Infill Housing Program offers City-owned properties suitable for the development of affordable housing to qualified developers who have been selected through a Request for Qualification process. Selected developers are required to build affordable houses on the lot within eighteen months and sell them to first time home buyers with incomes up to 150 percent of the median income for the Cape Coral – Fort Myers MSA.

Attainable/Workforce Housing Program: The funding for the program is from the Attainable/Workforce Housing Trust Fund. The trust funds were created through various developer fees. The developers have an option to include/create affordable housing units or contribute fees to the Attainable/Workforce Housing Trust Fund. The trust funds are being used in the following ways to promote attainable/workforce housing in the City:

- Mortgage Down Payment Assistance;
- Foreclosure Assistance and Counseling; and
- Housing rehabilitation program.

The households with incomes up to 130 percent of the median income for the Cape Coral – Fort Myers MSA are eligible under the Attainable/Workforce Housing Program guidelines.

### **Lee Urban County Programs**

Neighborhood Revitalization: Lee County utilizes a combination of federal funds (CDBG and HOME) to revitalize five targeted neighborhoods. The County's goal is to stabilize and revitalize these neighborhoods through investments in public facilities improvements, establishment of safe neighborhood programs, provision of affordable new housing, rehabilitation of existing affordable housing, and creation and implementation of economic development opportunities.

NSP: Two rounds of Neighborhood Stabilization Program funds (NSP 1 and NSP3) helped to stabilize the neighborhoods most affected by the epidemic of foreclosures over the last few years. The County utilized the funds to 1) acquire foreclosed single family properties, rehabilitate the properties, and resell the properties to income eligible homebuyers; 2) acquire foreclosed rental properties which in turn were rehabilitated and rented to very low income households; 3) work with non-profit housing counseling agencies to provide credit counseling and homebuyer training. The program income generated by resale of properties is utilized to acquire more foreclosed homes for the above listed activities.

Homeless Services: Funding for Homeless Services is from HUD Continuum of Care Programs, Emergency Solutions Grant (ESG), and Lee County general revenues. Homeless services include homeless prevention, Rapid Re-housing and LIFT (Living Independently for Today). Lee County is the Collaborative Applicant for the HUD Continuum of Care funding process and the Lee County Continuum of Care. Lee County also facilitates the funding renewal process for eleven funded programs and submits for new projects as available.

SHIP Program: SHIP program has been instrumental in supplementing federal resources by providing funding for housing rehabilitation and downpayment assistance programs.



Lee County also maintains “Affordable Housing Resources” on the County’s Human Services Department’s website providing a list of affordable housing complexes in the County.

A review of the entitlement jurisdictions’ Neighborhood Revitalization Plans to assess potential fair housing concerns or opportunities resulting from the development process finds that they do not adversely create impediments to fair housing choices. The entitlement jurisdictions have various housing and social services program that promotes revitalization of neighborhoods and diversified communities.

### Transportation – Employment Linkage

Households without a vehicle, which in most cases are primarily low and moderate income households, are at a disadvantage in accessing jobs and services, particularly if public transit is inadequate or absent. Access to public transit is critical to these households. Without convenient access, employment is potentially at risk and the ability to remain housed is threatened. The linkage between residential areas (concentration of minority and lower-income persons) and employment opportunities is key to expanding fair housing choice.

According to the 2008-2012 American Community Survey (report # B25044), 12,684 households did not have access to a vehicle, comprising 5.2 percent of all households. Renters comprised 64 percent of this total. Among the renter households, 8,124 households had no vehicle access, compared to 4,560 owner households.

The private automobile is the primary method (89.4 percent) of transport for the daily commuting workforce in Lee County. The mean travel time to work was 26.6 minutes according to the U. S. Census Bureau’s 2008-2012 American Community Survey. Of the 228,283 workers 16 years and over that commute to work 76 percent drove alone to their place of employment, 13.4 percent carpooled and 1.2 percent used public transportation. Racial and ethnic minority workers were far more likely to use public transportation to work than White workers. Across the County, only 0.5 percent of White workers used public transit, compared to 3.0 percent of Black workers, 0.7 percent of Asian workers and 2.7 percent of Hispanic workers.

**Table 29: Mode of Transportation to Work by Race/Ethnicity, 2012**

Mode of Transportation to Work	Total		White		Black		Asian		Hispanic or Latino	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Car, truck, or van -- drove alone	184,363	76.0%	138,866	80.8%	12,585	70.4%	2,584	60.8%	28,733	62.5%
Car, truck, or van -- carpooled	32,412	13.4%	14,895	8.7%	3,546	19.8%	1,474	34.7%	11,932	26.0%
Public transportation (excluding taxicab)	2,822	1.2%	861	0.5%	613	3.4%	31	0.7%	1,238	2.7%
Walked	2,440	1.0%	1,752	1.0%	221	1.2%	0	0.0%	385	0.8%
Other means	6,245	2.6%	3,804	2.2%	536	3.0%	106	2.5%	1,742	3.8%
Worked at home	14,161	5.8%	11,718	6.8%	386	2.2%	58	1.4%	1,948	4.2%
<b>Total</b>	<b>242,444</b>	<b>100.0%</b>	<b>171,896</b>	<b>100.0%</b>	<b>17,887</b>	<b>100.0%</b>	<b>4,253</b>	<b>100.0%</b>	<b>45,978</b>	<b>100.0%</b>

Source: U.S. Census 2008-2012 American Community Survey (DP03, B08105B, B08105D, B08105H, and B08105I)

It is apparent from the above table that the County residents choose to drive their own vehicle to work. One of the factors in the mode of transportation is the location of employment

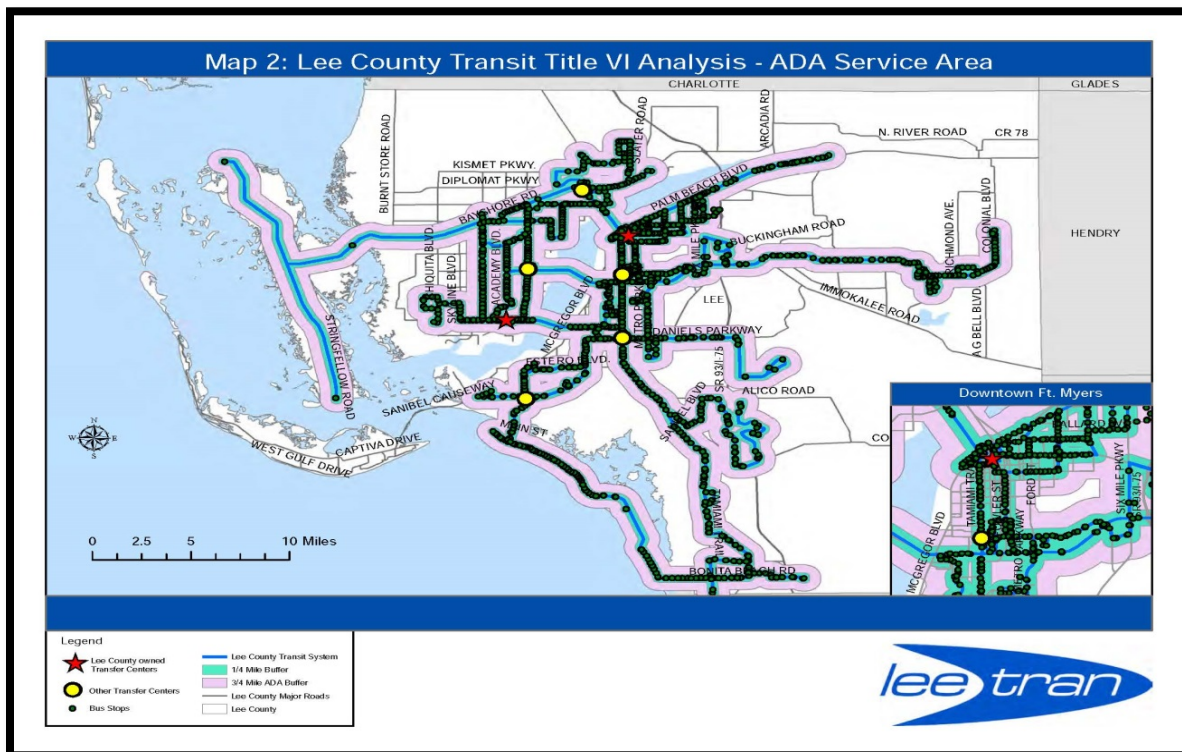
sectors. Most of the County’s businesses are spread out across the county in random fashion, along with schools and daycare centers.

### Public Transit

Public transportation is provided by LeeTran (Lee County Transit System) offering routes serving downtown Fort Myers, Park N’ Ride sites, and throughout Lee County. Additional transportation programs available to the County residents include LeeTran Passport (Disadvantaged transportation system), Vanpool program and Commuter Services sponsored by LeeTran. LeeTran operates twenty-four routes, of which, twenty-two are year-round routes and two are seasonal routes (January to May). One express bus route links Lee County with Collier County. In addition to bus routes, Fort Myers Beach and the City of Fort Myers River District have trolley services. The routes have a total of 1,767 bus stops. There are six transfer stations located throughout Lee County. Five transfer stations are located at the major shopping/employment centers in Lee County and the main transfer station is located in downtown Fort Myers which serves federal and state court systems, state offices, Lee County and the City of Fort Myers government offices. All LeeTran buses are ADA compliant and LeeTran offers discounted fare to disabled persons and seniors.

LeeTran routes are concentrated in the urban area to allow the highest level of access to community resources, with additional routes providing linkages to suburban and rural areas. Paratransit service for ADA customers is provided within ¾-mile of a fixed-route bus line. The current service including the ¾-mile ADA paratransit service buffer is displayed in Map 16.

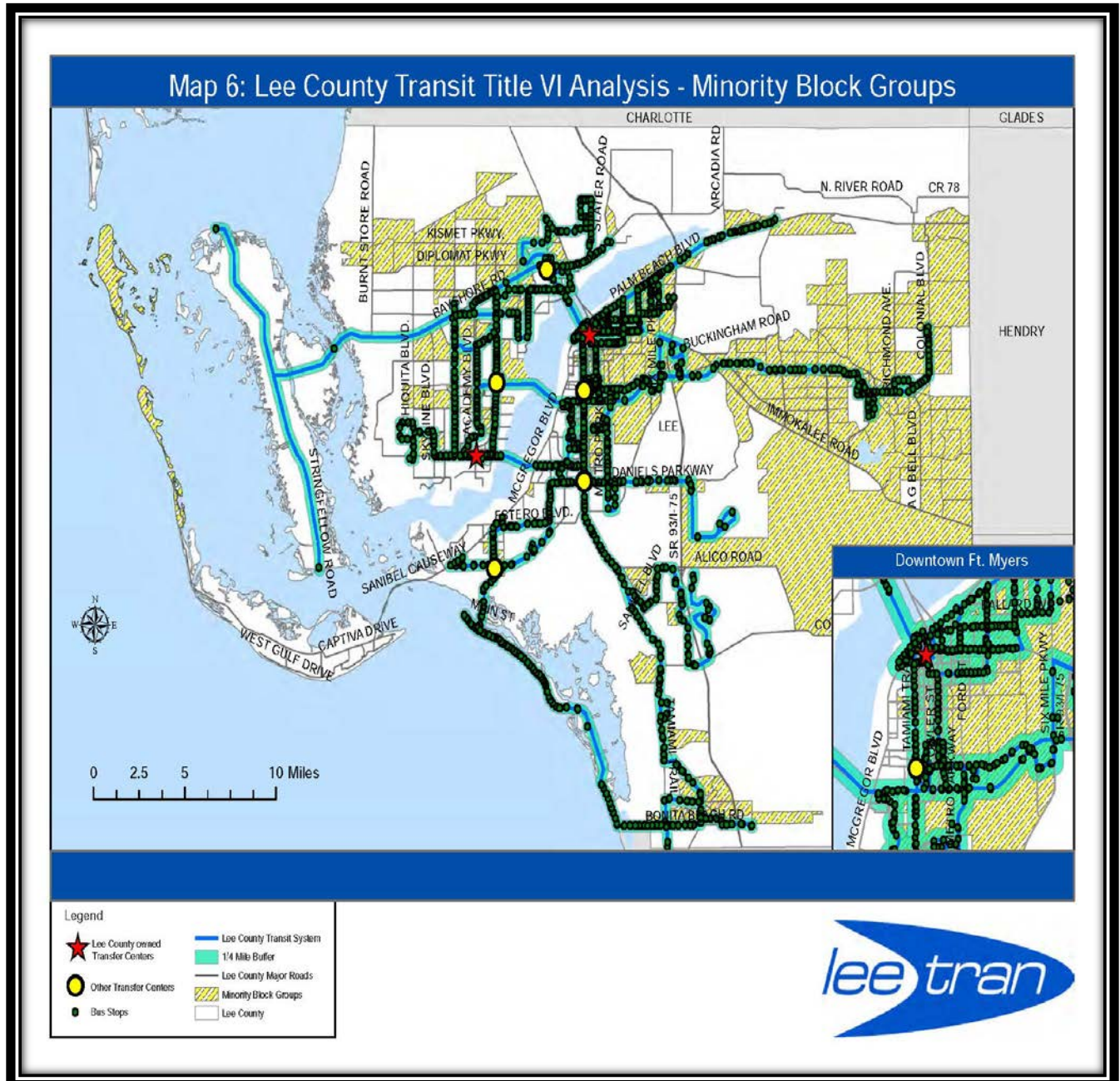
**Map 16: LeeTran ADA Service Area**



Source: LeeTran Title VI Program 2015-2017 (page 50)

Map 17 below, presents the higher-than-average minority Census block groups. As shown on the map, the above average minority Census blocks are located in Downtown Fort Myers, along Palm Beach Boulevard, north of Bayshore Road, Bonita Springs, Captiva Island, and the eastern portion of the county near Lehigh Acres and along Immokalee Road (State Road 82). Most of the areas shown on the map are within the LeeTran service area or surrounding area of the fixed-route network, with the exception of the east portion of the county and Immokalee Road (State Road 82), north of Bayshore Road, and Captiva Island.

**Map 17: LeeTran Service Routes in Minority Areas**



Source: LeeTran Title VI Program 2015-2017 (page 59)

The Housing and Transportation Affordability Index is a tool that measures the affordability of housing and transportation costs based on location. According to the Center for Neighborhood Technology, the housing and transportation affordability index for the Cape Coral – Fort Myers MSA is 54.9 percent. Simply put 54.9 percent of household income is spent on housing and transportation costs. Housing and transportation costs are intrinsically linked. Rising housing costs mean that families are forced to move farther away from jobs to find housing they can afford, raising their transportation expenses, thereby making families even more dependent on their personal automobiles. At the same time, rising transportation costs mean that families have less to spend on housing. For families who rent, a strained household budget can mean having too little left over to afford other necessities, being forced to choose substandard housing, or in the most extreme cases, being forced into homelessness.

High transportation costs can limit a family's ability to move into homeownership because it diminishes family savings, resulting in less money to invest in homeownership. High transportation cost is one impediment to fair housing choices.

### **3. PHA and Other Assisted/Insured Housing Provider Tenant Selection Procedures; Housing Choices for Certificate and Voucher Holders**

There are two Public Housing Authorities (PHAs) in Lee County – Housing Authority of the City of Fort Myers (HACFM) and Lee County Housing Authority (LHA). Both housing authorities are managed by the HACFM. There are currently a total of 766 public housing units in Lee County, of these units, 320 units are designated as elderly units.

The HACFM also administers the HUD Section 8 Assistance: Housing Choice Voucher Program (Section 8 Voucher Program) in Lee County. The Section 8 Voucher Program can be “tenant-based” or “project-based”. In project-based programs, rental assistance is paid for families who live in specific housing developments or units. With tenant-based assistance, the assisted unit is selected by the family. The family may rent a unit anywhere in the United States in the jurisdiction of a PHA that runs a voucher program. Currently there are total of 2,365 vouchers utilized in Lee County. Of these 2,365 vouchers, 18 are designated for homeownership and 285 designated are for veterans.

The availability and use of the Section 8 Voucher Program vouchers and public housing units must adhere to fair housing laws. Both housing authorities have adopted priorities or preference for the Section 8 and/or public housing. Typically, families with children, elderly families, and veterans are given preferences.

Section 16 (a)(3)(B) of the United States Housing Act mandates that public housing authorities adopt an admission policy that promotes the deconcentration of poverty in public housing. HUD emphasizes that the goal of deconcentration is to foster the development of mixed-income communities within public housing. In mixed-income settings, lower income residents are provided with working-family role models and greater access to employment and



information networks. This goal is accomplished through the policy's income-targeting and deconcentration.

The tenant selection process for the public housing units and the Section 8 Voucher Programs are governed by HUD guidelines. The selection process used by the HACFM appears to meet HUD guidelines. Both LHA and HACFM's policies and procedures regarding tenant selection for public housing units are as follows:

- 1) Applicant submits application.
- 2) HACFM staff logs in application by time and date stamp, and checks for preferences.
- 3) Application is placed on Wait List according to the date and time received/applicant is notified of their status.
- 4) Eligibility interview is scheduled when applicant reaches the top of the list.
- 5) All information is verified from interview by HACFM staff.
- 6) Applicant is determined to be eligible or ineligible for housing (based on extensive screening processes).
- 7) If ineligible, the applicant is sent an adverse action letter with the opportunity to request an informal review.
- 8) If eligible, the applicant is sent an offer letter if a unit is available, otherwise the applicant is placed in a "Ready pool" for the next available unit.
- 9) Move in.

For Section 8 Voucher Program, the Housing Act mandates that not less than 75 percent of new admissions must have incomes at or below 30 percent of the Area Median Income. The remaining balance of 25 percent may have up to 50 percent of the Area Median Income. For public housing, the Housing Act mandates that not less than 40 percent of new admissions must have incomes at or below 30 percent of Area median Income. The balance of 60 percent of new admissions must have incomes up to 80 percent of the Area Median Income.

The Section 8 Voucher Program waiting list contains 580 families. Of the 580 families, 478 families are extremely low income (82.4 percent), 72 families are very low income (12.4 percent), and 30 families are low income (5.2 percent). The HACFM allows preferences for low income working families, disabled families, the elderly and the homeless. Families are chosen from the waiting lists in accordance with federal guidelines and availability of specified units by bedroom size or special needs.

The Section 8 Voucher Program provides rental assistance to private landlords for approved units selected by the Section 8 Voucher Program voucher holder. The HACFM's policies and procedures regarding tenant selection for Housing Choice for Certificates and Vouchers for housing units are as follows:

- 1) HACFM staff reviews the eligibility of participant(s) based on household income and family composition as well as legal status.

- 2) Applicant may be denied a voucher for
  - Failure to provide the requested information.
  - Exceeding the gross income limits for the family size.
  - Terminated by the HACFM's Section 8 Program due to program violations or violation of the Federal Regulations within the past 5 years.
  - Charged with any felonious criminal activity within the past 5 years.
  - Charged with any drug-related and/or violent criminal activity within the past 5 years.
  - Owing money to another Public Housing Agency.
- 3) Once applicant is approved for a Housing Choice Voucher:
  - Applicant must attend an orientation briefing to receive all required instruction and documents including "Request for Tenancy Approval (RFTA).
  - The voucher holder is given 60 days to locate housing and submit their RFTA form signed by the new prospective landlord and applicant.
  - Applicant may request an extension due to their inability to locate housing in a timely manner. An extension of an additional 60 days will be granted. Vouchers will not be granted for more than 120 days. Once the voucher has expired, the applicant will be removed from the wait list.
- 4) The landlord is responsible for screening prospective tenants for the rental unit and must follow all applicable federal, state and local laws governing federally subsidized housing assistance.
  - The units must pass Housing Quality Standard (HQS) inspection and must meet the City of Fort Myers Building Code (Inspection will be conducted by HACFM).
  - The rental price must be within the local market prices and meet the rent reasonableness survey.
  - The family cannot pay more than 40 percent of their income towards rent.
  - The family must enter into a one year lease agreement with landlord and a copy of lease must be submitted to the HACFM.

The HACFM allows preferences for both public housing and section 8 housing units for the following:

- Emergency/federally displaced persons
- HOPE VI and demolition of public housing units displaced persons
- Veterans
- Violence Against Women Act displaced persons

Families are chosen from the waiting lists in accordance with federal guidelines and availability of specified units by bedroom size or special needs.

A review of LHA and HACFM's policies and procedures did not reveal any impediments to fair housing choice.

#### **4. Sale of Subsidized Housing and Possible Displacement**

All three entitlement jurisdictions have Anti-Displacement and Relocation Plans that comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24 and 24 CFR 570.606. Also, reviews of subrecipient agreements used by the entitlement jurisdictions indicate that subrecipient agreements contain anti-displacement and uniform relocation provisions.

In the case of LHA and HACFM, both have displacement and relocation policies. If subsidized properties are sold or demolished, specific HUD-approved displacement policies are implemented to ensure that displaced tenants retain housing choice. For example, in 2005, the HACFM received a HOPE VI Grant to help revitalize and restore existing rental housing units and create new units for homeownership. Michigan Court and Flossie Riley Gardens were demolished using HOPE VI funds. Flossie Riley Gardens has been rebuilt in the Renaissance Preserve Complex. All eligible families who previously resided in Michigan Court/Flossie Riley Garden developments were given the option to either take a housing choice voucher or relocate to another public housing development owned and managed by Housing Authority of City of Fort Myers. Relocation process followed prescribed HUD URA regulations.

A review of past subsidized housing projects and the entitlement jurisdictions anti-displacement and relocations plans indicate that, while displacement has occurred, the entitlement jurisdictions and housing authorities have adequate procedures to mitigate negative impacts. Sale of subsidized housing and possible displacement poses no significant impediments to fair housing choice in Lee County.

#### **5. Property Tax Policies**

Since 1992, home owners in Florida have enjoyed the benefits of the “Save Our Homes” provision that protect homeowners from being forced from their homes due to exorbitant property tax increase. A 3 percent cap on property taxes annually provided that protection under the legislation. There are number of exemptions available for home owners to reduce their property taxes. They are:

- Homestead exemption
- Widow’s exemption
- Disabled Veteran’s exemption

A Lee County home owner household’s total property tax liability consists of ad valorem taxes and non-ad valorem assessments. School, county and city taxes based on a property’s value, are ad valorem taxes. Non ad valorem assessments, such as fire, mosquito control, lighting, and library, are based on factors other than a property’s value. Taxing authorities are responsible for setting ad valorem millage rates. A millage rate is the rate of tax per thousand dollars of taxable value. In an effort to prevent dramatic property tax increases for residents, Florida law caps the growth in Florida per capita personal income plus new construction (F.S. 193.155 and F.A.C. 120-8.0062).



The table below lists some of the 2014 ad valorem millage for comparison. Rates among the County’s incorporated areas range from 0.7530 mils in the Town of Fort Myers Beach to 8.7760 mils in the City of Fort Myers.

**Table 30: Sample Millage Rates, Lee County, 2014**

<b>Taxing Authority</b>	<b>2014 Rates</b>
Lee County	4.1506
City of Cape Coral	7.7070
City of Fort Myers	8.7760
City of Bonita Springs	0.8173
City of Sanibel	1.9995
Town of Fort Myers Beach	0.7530
Schools (Countywide)	7.4160
Various Special Taxing Districts (Water Management District, Lighting, Fire, Mosquito Control & etc.)	0.0548 to 4.5000

Source: Lee County Tax Collector

As a result of strong state laws to limit and equitably distribute property tax burdens, property tax policies have no adverse effect on impediments to fair housing in Lee County. While the local millage rate in the City of Fort Myers is significantly higher than the Town of Fort Myers Beach, for instance, property taxes represent a minor difference in housing costs due to the countywide school millage rate, the overall comparatively low rate of taxation, generous exemptions, and control of annual increases.

Property tax policies have no adverse effect on impediments to fair housing choice.

## **6. Planning /Zoning Boards**

There is an important relationship between the membership of planning/zoning boards and the decisions they make regarding neighborhood revitalization activities and lower-income housing site selection. HUD encourages diversity in representation of citizens in the community on the jurisdictions’ planning/zoning boards, including the protected classes to affirmatively further fair housing.

In Florida, under Section 163.3174, F.S., each local government is required to establish, by ordinance, a Local Planning Agency (LPA). The LPA is responsible for the preparation of the comprehensive plan or plan amendment and makes recommendations to the governing body regarding the adoption or amendment of such plan; monitors and oversees the effectiveness and status of the comprehensive plan and recommends to the governing body such changes in the comprehensive plan as may from time to time be required; and reviews proposed land development regulations, land development codes, or amendments thereto, and makes recommendations to the governing body as to the consistency of the proposal with the adopted comprehensive plan, or element or portion thereof, when the local planning agency is

servicing as the land development regulation commission or the local government requires review by both the local planning agency and the land development regulation commission.

The LPAs also function as Zoning Boards for the City of Cape Coral, the Town of Fort Myers Beach, the City of Fort Myers, and the City of Sanibel while the City of Bonita Springs has a separate Zoning Board.

Lee County does not have a “Zoning Board”. Instead zoning cases are handled through the Office of the Hearing Examiner. Both the Chief Hearing Examiner and the Deputy Hearing Examiner are attorneys with substantial backgrounds and expertise in zoning, land use and growth management law. They have final decision making authority on land use cases related to variances, special exceptions and administrative appeals, but rezoning matters are sent to the County Commission for a second public hearing and a final decision.

Currently, all six jurisdictions in Lee County do not take a census of its Planning/Zoning Boards’ (LPAs) membership. The Planning/Zoning Boards (LPAs) are voluntary citizen boards appointed by the legislative branch of the jurisdiction (i.e. City Council or Board of County Commissioners). The board requirement is that the members must be residents of the community.

Since there is no census taken for the board’s membership such as protected class status, at the present time, it is not possible to determine the diversity of the boards other than the gender categories. An informal survey taken of the six jurisdictions’ LPA membership gender categories indicated that the males comprised 37 out of 46 total members or 82.6 percent of the total Board membership.

**Table 31: LPA Membership Gender**

Jurisdiction	Board Membership	
	Male	Female
Lee County	7	0
City of Cape Coral	6	2
City of Fort Myers	8	3
City of Bonita Springs	6	1
City of Sanibel	6	1
Town of Fort Myers Beach	4	2
<b>Total</b>	<b>37</b>	<b>9</b>

Source: Informal survey by Lee H. Combs Consulting Services  
(Telephone surveys with each municipalities’ city clerks and Lee County Public Resources Department)

Since there is no information kept for the diversity of board membership, it’s difficult to determine that the boards reflect the diversity of the community. Jurisdictions in Lee County should consider reviewing policies and procedures for selecting persons to serve as members of planning/zoning boards to reflect the diversity of the community and affirmatively further fair housing choice.

## **7. Building Code (Accessibility)**

The 2011 Florida Accessibility Codes make changes to the responsibilities for local government agencies for compliance with the new codes.

All jurisdictions have adopted the 2011 Florida Accessibility Codes. Florida is one of only five states whose accessibility codes have been certified by the U.S. Department of Justice as being in compliance with the Americans with Disabilities Act. The latest accessibility building codes provide for creating barrier-free housing; however, in many cases, the cost of making such improvements to an existing structure can be an impediment.

Along with the growth in the disabled population, the quest for independence and equal rights is growing, leading to the need for Universal Design. Universal Design provides a blueprint for maximum inclusion of all people. Universal Design is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. The intent of Universal Design is to simplify life for everyone by making products, communications, and the built environment more usable by as many people as possible at little or no extra cost and assists with aging in place. Universal Design benefits people of all ages and abilities. The jurisdictions in Lee County encourage the use of Universal Design as part of their housing programs.

A review of Lee County Jurisdictions' building codes as it relates to accessibility does not reveal any issues that pose impediments to fair housing choice.

### **B. Private Sector Lending Policies and Practices**

A key aspect of fair housing choice is equal access to credit for the purchase or improvement of a home, particularly in light of the current lending/credit crisis. This section reviews the lending practices of financial institutions and access to financing for all households, particularly minority households and those with very low or low incomes.

#### **Home Mortgage Disclosure Act**

The Home Mortgage Disclosure Act (HMDA) was enacted by Congress in 1975 and was implemented by the Federal Reserve Board's Regulation C. Under HMDA, lenders are required to disclose information on the disposition of home loan applications and on the race or national origin, gender, and annual income of loan applicants.

This section examines detailed 2012 HMDA data for Cape Coral – Fort Myers MSA. Two types of financing – conventional and government-backed – are discussed. Conventional financing refers to market-rate loans provided by private lending institutions such as banks, mortgage companies, savings and loans, and thrift institutions. Government-backed financing refers to loans, typically issued by private lenders that are guaranteed by federal agencies, often at below market interest rates. These loans are offered to lower and moderate income

households who may experience difficulty in obtaining home mortgage financing in the private market due to income and equity issues. Several federal government agencies offer loan products that have below-market interest rates and are insured (“backed” by the agencies). Sources of government-backed financing include the Federal Housing Administration (FHA), the Department of Veterans Affairs (VA), and the Rural Housing Services/Farm Service Agency (RHS/FSA). Although government-backed loans are usually offered to consumers through private lending institutions, loans backed by local jurisdictions (such as silent second loans by cities and counties) are not covered by HMDA.

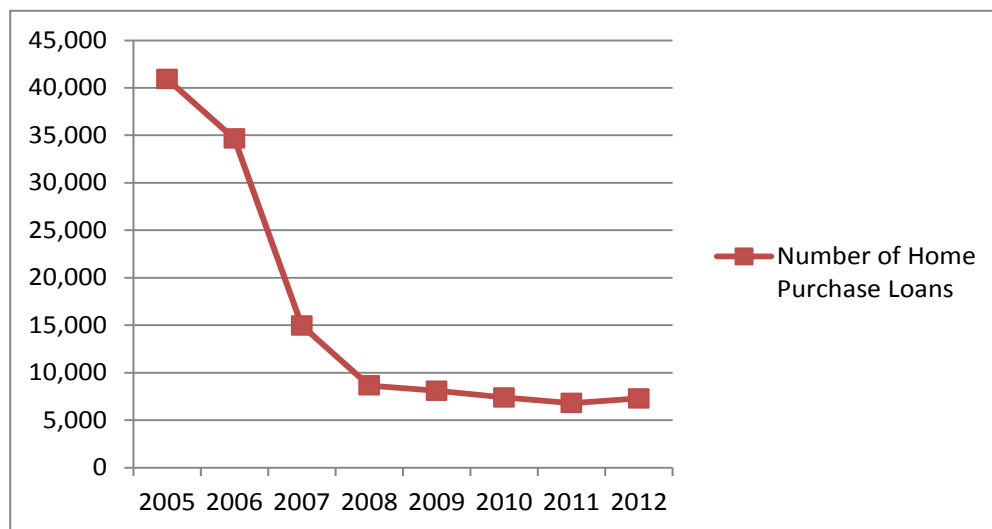
HMDA data provide some insight into the lending patterns that exist in a community. However, HMDA data are only an indicator of potential problems. The data cannot be used to conclude definite redlining or discrimination practices due to the lack of detailed information on loan terms.

For the purpose of the AI, analyses focused on the number of homeowner mortgage applications received by lenders for home purchase of one to four- family dwellings and manufactured housing units across the entire Lee County.

### 1. Lending Activity

The home purchase loans data from 2005 to 2012 reflects the downturn in the housing market during the same period. In 2005, there were 40,937 home purchase loans in Lee County compared to 7,292 home purchase loans were in 2012.

**Figure 13: Number of Home Purchase Loans in Lee County 2005 – 2012**



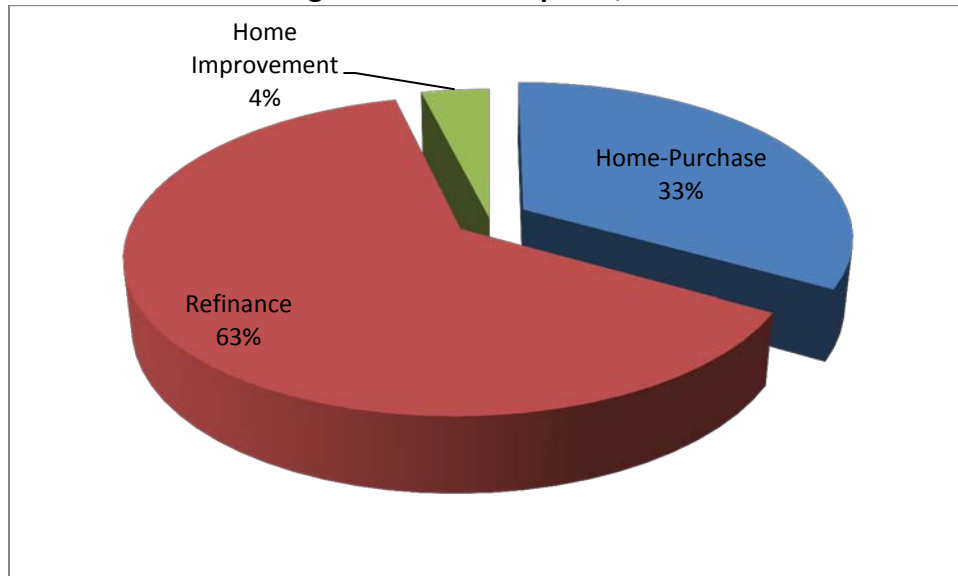
Note: Shows loan applications resulting in loan origination only.

Source: Home Mortgage Disclosure Act data 2005 - 2012 compiled by Shimberg Center for Housing Studies, University of Florida

An analysis of the 2012 loan application records included in the HMDA data for the County indicated that there were total of 32,122 loan applications. 10,665 application or 33 percent of loan applications were for home purchases; 20,203 applications or 63 percent of the loan

applications were for refinancing existing home loans; and 1,254 applications or 4 percent of the loan were for home improvement loans.

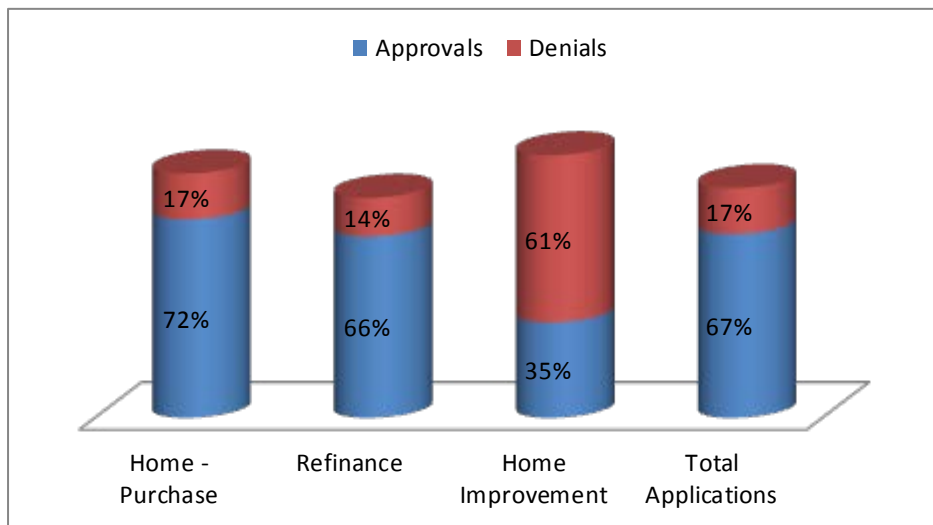
**Figure 14: Loan Purposes, 2012**



Source: Federal Financial Institutions Examination Council, 2012 (Aggregate Tables 5-1, 5-2, 5-3 & 5-4)

According to HMDA data, the approval rates for home-purchase loans were 72 percent; 66 percent for refinance loans; and 35 percent for home improvement loans, which was the lowest approval rate for home loans.

**Figure 15: Loan Approval and Denials by Types of Loans, 2012**



Source: Federal Financial Institutions Examination Council, 2012 (Aggregate Tables 5-1, 5-2, 5-3 & 5-4)

## 2. Applicant Characteristics

According to the U.S. Census Bureau 2008-2012 American Community Survey, the White population represented the largest racial/ethnic group in the County, at 71 percent, followed by Hispanics at 18.3 percent, Blacks at 7.7 percent, and Asian at 1.3 percent. Taken together, Native American, Pacific Islander, Joint Applicants, “two or more Races” accounted for 1.7 percent of the County’s population.

The racial and ethnic compositions of loan applicants differ from the County’s general demographic distribution. White applicants were overrepresented among home loan applicants, with 79 percent of the loan applications, Hispanic applicants represented 6 percent of the loan applications, followed by Black applicants with 2 percent of the loan applications, and Asian applicants with 1 percent of the all loan applications.

Applications submitted by Native American, Pacific Islander, Joint Applicants, “two or more Races” applicants represented less than 1 percent of the total applications. Due to the small number of applications from these groups, they are not analyzed. Furthermore, race and ethnicity data were not available for approximately 7 percent of applications.

**Table 32: Total Home Loan Applications by Race and Ethnicity, 2012**

Applications Submitted by Race and Ethnicity	Applications		Approvals	
	#	%	#	%
<b>Total County</b>	<b>32,122</b>		<b>21,460</b>	<b>67%</b>
White	25,415	79%	17,720	70%
Black	718	2%	433	60%
Asian	377	1%	230	61%
Hispanic*	1,892	6%	1,095	58%

Notes: Total number includes applications for which no income and race/ethnicity data were reported. Loan approval rate is calculated as loans originated plus loans approved but not accepted divided by the number of applications. \*\* Hispanic is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2012 (Aggregate Tables 5-1, 5-2, 5-3 & 5-4)

### Home-Purchase Loans

The most commonly sought type of home-purchase financing was a conventional loan, a category that represented 71 percent of all home-purchase loan applications.

In 2012, White residents submitted the most conventional home-purchase loan applications, accounting for 84 percent of all applications. Hispanic residents accounted for 5 percent of applications, while both Black and Asian applications each represents 1 percent of applications submitted. Furthermore, approximately 6 percent of applications had no race or ethnicity data.

Loan approval rates vary by race and ethnicity. White applicants had the highest loan approval rate of 72 percent followed by Black applicants with 65 percent loan approval rate, Hispanic applicants with 59 percent loan approval rate, and Asian applicants with the lowest loan approval rate of 53 percent.

Blacks, Asians and Hispanics households appear to be under-represented in the homebuyer market.

**Table 33: Approval Rate of Home-Purchase Loan Applications by Race/Ethnicity of Applicant**

Applications Submitted By Race and Ethnicity	Home- Purchase Loans							
	Conventional				FHA, FSA/RHA and VA			
	Applications		Approvals		Applications		Approvals	
	#	%	#	%	#	%	#	%
<b>Total County</b>	<b>7,640</b>		<b>5,630</b>	<b>74%</b>	<b>3,025</b>		<b>2,066</b>	<b>68%</b>
White	6,400	84%	4,596	72%	2,493	82%	1,726	69%
Black	106	1%	69	65%	167	6%	124	74%
Asian	106	1%	56	53%	30	1%	22	73%
Hispanic**	368	5%	218	59%	590	20%	389	66%

Notes: Total number includes applications for which no income and race/ethnicity data were reported. Loan approval rate is calculated as loans originated plus loans approved but not accepted divided by the number of applications. \*\* Hispanic is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2012 Aggregate Table 5-1 and 5-2

Government-backed home loans offer an alternative to conventional financing. In 2012, 28 percent of all home-purchase applications were for government-backed loans. According to HMDA data, government-backed loans were approved at a higher rate than conventional loans for minority applicants. Black applicants had the highest loan approval rate of 74 percent, followed by Asian applicants with 73 percent approval rate, and White applicants with 69 percent approval rate. Hispanic applicants had the lowest approval rate of 66 percent.

**Disposition of Home-Purchase Loan Applications by Income, Race and Ethnicity**

Income is one of the most important factors for determining access to credit. Therefore, approval rates generally have a positive correlation to income.

In 2012, applicants earning less than 50 percent of the Area Median Income (AMI) had the lowest conventional loan approval rate of 54 percent. By contrast, over 60 percent of applications from all other income groups were approved. The upper income group, those earning over 120 percent of AMI had the highest approval rate of 77 percent.

An analysis of differences in loan approval rates by race/ethnicity and income separately does not always reveal important differences among groups. For this reason, an analysis of lending patterns for both race/ethnicity and income together is important in revealing differences among applicants of different races/ethnicities of the same income levels.

Conventional loan approval rates for all income categories for Black, Asian, and Hispanic applicants were lower than those for White applicants. The discrepancy in approval rates among the different race groups is less acute among middle and upper income applicants than among low and moderate income applicants. The approval rates for the minority and ethnic applicants were lower than the average for the income group and White applicants (Table 34).

According to HMDA data, government-backed loans were approved at a higher rate than conventional loans for applicants earning less than 80 percent of AMI (Table 35). Among



applicants earning less than 50 percent of AMI, the approval rate for government-backed loans was 66 percent, in contrast to the 54 percent approval rate for conventional loans (Table 34). In all income levels except 80-99 percent and 120+ percent of AMI Income level, Black applicants' loan approval rate was higher than the loan approval rate of White applicants and the average for the income levels. In contrast, Hispanic applicants' loan approval rate was higher than the average for income level in two income levels – less than 50 percent of AMI and 80-99 percent of AMI.

**Table 34: Disposition of Applications for Conventional Home-Purchase Loans by Income, Race and Ethnicity, 2012**

Race/Ethnicity Income Level	Application Number	Originated		Approved Not Accepted		Denied		Withdrawn or Incomplete	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>TOTAL</b>	<b>7,640</b>	<b>5,256</b>	<b>69%</b>	<b>374</b>	<b>5%</b>	<b>1,203</b>	<b>16%</b>	<b>807</b>	<b>10%</b>
<b>&gt; 50% of AMI</b>	<b>300</b>	<b>149</b>	<b>50%</b>	<b>11</b>	<b>4%</b>	<b>118</b>	<b>39%</b>	<b>21</b>	<b>7%</b>
White	258	128	50%	10	4%	102	40%	18	7%
Black	19	12	63%	0	0%	5	26%	2	11%
Asian	8	4	50%	0	0%	2	25%	2	25%
Hispanic*	68	29	43%	3	4%	29	43%	7	10%
<b>50-79% of AMI</b>	<b>800</b>	<b>471</b>	<b>59%</b>	<b>40</b>	<b>5%</b>	<b>188</b>	<b>24%</b>	<b>101</b>	<b>13%</b>
White	690	424	61%	32	5%	145	21%	89	13%
Black	19	9	47%	1	5%	7	37%	2	11%
Asian	19	6	32%	0	0%	10	53%	3	15%
Hispanic*	95	44	46%	5	5%	29	31%	17	18%
<b>80-99% of AMI</b>	<b>630</b>	<b>408</b>	<b>65%</b>	<b>35</b>	<b>6%</b>	<b>123</b>	<b>20%</b>	<b>64</b>	<b>10%</b>
White	541	357	66%	28	5%	97	18%	59	11%
Black	11	6	55%	1	9%	3	27%	1	9%
Asian	9	4	44%	2	22%	3	34%	0	0%
Hispanic*	49	30	61%	2	4%	10	20%	7	15%
<b>100-119% of AMI</b>	<b>627</b>	<b>414</b>	<b>66%</b>	<b>33</b>	<b>5%</b>	<b>112</b>	<b>18%</b>	<b>68</b>	<b>11%</b>
White	537	373	70%	29	5%	87	16%	48	9%
Black	8	5	63%	0	0%	3	37%	0	0%
Asian	9	6	67%	0	0%	3	33%	0	0%
Hispanic***	30	16	53%	0	0%	8	27%	6	20%
<b>120%+ of AMI</b>	<b>5,093</b>	<b>3,678</b>	<b>72%</b>	<b>250</b>	<b>5%</b>	<b>640</b>	<b>13%</b>	<b>489</b>	<b>9%</b>
White	4,374	3,213	73%	214	5%	543	12%	404	9%
Black	49	34	69%	2	4%	9	18%	4	8%
Asian	61	34	56%	2	3%	11	18%	14	23%
Hispanic*	126	83	66%	8	6%	24	19%	11	9%

Notes: Total number includes applications for which no income and race/ethnicity data were reported. Loan approval rate is calculated as loans originated plus loans approved but not accepted divided by the number of applications. \* Hispanic is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2012 Aggregate Table 5-2

**Table 35: Disposition of Applications for FHA, FSA/RHA and VA Home-Purchase Loans by Income, Race and Ethnicity, 2012**

Race/Ethnicity Income Level	Application	Originated		Approved Not Accepted		Denied		Withdrawn or Incomplete	
	Number	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>TOTAL</b>	<b>3,025</b>	<b>1,936</b>	<b>64%</b>	<b>130</b>	<b>4%</b>	<b>576</b>	<b>19%</b>	<b>383</b>	<b>13%</b>
<b>&gt; 50% of AMI</b>	<b>549</b>	<b>334</b>	<b>61%</b>	<b>27</b>	<b>5%</b>	<b>132</b>	<b>24%</b>	<b>56</b>	<b>10%</b>
White	435	265	61%	19	4%	107	25%	44	10%
Black	64	42	66%	6	9%	11	17%	5	8%
Asian	9	5	56%	1	11%	1	11%	2	22%
Hispanic***	239	148	62%	15	6%	58	24%	18	8%
<b>50-79% of AMI</b>	<b>908</b>	<b>581</b>	<b>64%</b>	<b>42</b>	<b>4%</b>	<b>160</b>	<b>18%</b>	<b>125</b>	<b>14%</b>
White	741	483	65%	36	5%	122	16%	100	13%
Black	72	49	68%	4	6%	13	18%	6	8%
Asian	5	4	80%	0	0%	1	20%	0	0%
Hispanic***	215	125	58%	10	5%	48	22%	32	15%
<b>80-99% of AMI</b>	<b>438</b>	<b>291</b>	<b>66%</b>	<b>15</b>	<b>3%</b>	<b>74</b>	<b>17%</b>	<b>58</b>	<b>13%</b>
White	389	263	68%	13	3%	63	16%	50	13%
Black	9	6	67%	0	0%	2	22%	1	11%
Asian	0	0	0%	0	0%	0	0%	0	0%
Hispanic***	60	38	63%	3	5%	10	17%	9	15%
<b>100-119% of AMI</b>	<b>320</b>	<b>211</b>	<b>66%</b>	<b>13</b>	<b>4%</b>	<b>59</b>	<b>18%</b>	<b>37</b>	<b>12%</b>
White	280	184	66%	11	4%	55	20%	30	11%
Black	6	4	67%	2	33%	0	0%	0	0%
Asian	2	2	100%	0	0%	0	0%	0	0%
Hispanic***	27	17	63%	0		5	19%	5	19%
<b>120%+ of AMI</b>	<b>769</b>	<b>499</b>	<b>65%</b>	<b>32</b>	<b>4%</b>	<b>139</b>	<b>18%</b>	<b>99</b>	<b>13%</b>
White	648	423	65%	29	4%	117	18%	79	12%
Black	16	9	56%	2	13%	4	25%	1	6%
Asian	14	10	71%	0	0%	1	7%	3	21%
Hispanic***	49	33	67%	0	0%	9	18%	7	14%

Notes: Total number includes applications for which no income and race/ethnicity data were reported. Loan approval rate is calculated as loans originated plus loans approved but not accepted divided by the number of applications. \* Hispanic is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2012 Aggregate Table 5-1

As discussed previously, HDMA data offer a glimpse at the irregularities in the lending market but lack the detailed information, particularly on loan terms, for further analysis. Often discriminatory practices involve offering applicants in the same income bracket but of different racial backgrounds different loan terms (e.g. points and interest rates). No data are available to assess the extent of discriminatory practices in this regard.

### Refinance Loans

Aggressive lending practices have resulted in “innovative” loan terms that allowed many households to purchase a home during the peak of the housing market. Loans with zero downpayments, negative amortization, short-term low fixed rates, and variable rates, among other financing techniques have misled many regarding the affordability of home ownership.

Many home buyers were under the false assumption that their home would continue to increase in value and refinancing to more favorable loan terms later would be available as an option. However, when the inflated market imploded in 2007, many households began to face increased monthly payments on homes with decreased values. The credit market collapsed and refinancing to lower interest rates became increasingly difficult. When refinancing was not an available option, many home owners who could not afford the higher variable-loans were faced with foreclosures.

According to HMDA data, refinance applications comprised 63 percent of all home loan applications. The approval rates for refinance loans were 66 percent in contrast to 74 percent for the conventional home-purchase loans. The minority applicants' approval rates were lower than White applicants and the average approval rate. Black applicants had the lowest approval rate of 57 percent.

**Table 36: Approval Rate of Home Refinance Loan Applications by Race/Ethnicity of Applicant**

Applications Submitted By Race and Ethnicity	Refinance			
	Applications		Approvals	
	#	%	#	%
<b>Total County</b>	<b>20,203</b>		<b>13,329</b>	<b>66%</b>
White	15,779	78%	10,655	68%
Black	348	2%	200	57%
Asian	236	1%	149	63%
Hispanic*	756	4%	461	61%

Notes: Total number includes applications for which no income and race/ethnicity data were reported. Loan approval rate is calculated as loans originated plus loans approved but not accepted divided by the number of applications. \* Hispanic is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2012 Aggregate Table 5-3

### Disposition of Home Refinance Loan Applications by Income, Race and Ethnicity

Analysis of HMDA data for home refinance loan applications indicated that more than half of the applications were submitted by an applicant earning greater than 120 percent of AMI. The average loan approval rate for this income level was 68 percent.

Applicants earning less than 50 percent of the Area Median Income (AMI) had the lowest refinance loan approval rate of 61 percent. Black applicants had the lowest loan approval rates in this income level with a rate of 48 percent.

The discrepancy in approval rates among the different race groups is less acute among middle and upper income applicants than among low and moderate income applicants. Asian applicants in 80 to 99 percent of AMI income level had the highest approval rate of 72 percent. In contrast, in the same income levels, Black and Hispanic applicants' loan approval rates were 60 percent to 56 percent, respectively.

**Table 37: Disposition of Applications for Refinance Loans by Income, Race and Ethnicity, 2012**

Race/Ethnicity Income Level	Application	Originated		Approved Not Accepted		Denied		Withdrawn or Incomplete	
	Number	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>TOTAL</b>	<b>20,203</b>	<b>12,237</b>	<b>61%</b>	<b>1,092</b>	<b>5%</b>	<b>3,835</b>	<b>19%</b>	<b>3039</b>	<b>15%</b>
<b>&gt; 50% of AMI</b>	<b>1,378</b>	<b>769</b>	<b>56%</b>	<b>75</b>	<b>5%</b>	<b>384</b>	<b>28%</b>	<b>150</b>	<b>11%</b>
White	1,145	646	56%	60	5%	318	28%	121	11%
Black	48	20	42%	3	6%	20	42%	5	10%
Asian	17	7	41%	1	6%	6	35%	3	18%
Hispanic*	135	72	53%	7	5%	36	27%	20	15%
<b>50-79% of AMI</b>	<b>2,457</b>	<b>1,431</b>	<b>58%</b>	<b>108</b>	<b>4%</b>	<b>547</b>	<b>22%</b>	<b>371</b>	<b>15%</b>
White	2,040	1,221	60%	93	5%	443	22%	283	14%
Black	68	32	47%	2	3%	25	37%	9	13%
Asian	27	13	48%	1	4%	11	41%	2	7%
Hispanic*	149	75	50%	5	3%	51	34%	18	12%
<b>80-99% of AMI</b>	<b>1,862</b>	<b>1,085</b>	<b>58%</b>	<b>122</b>	<b>7%</b>	<b>366</b>	<b>20%</b>	<b>289</b>	<b>16%</b>
White	1,582	954	60%	96	6%	300	19%	232	15%
Black	38	18	47%	5	13%	10	26%	5	13%
Asian	18	11	61%	2	11%	3	17%	2	11%
Hispanic*	94	46	49%	7	7%	20	21%	21	22%
<b>100-119% of AMI</b>	<b>1,905</b>	<b>1,185</b>	<b>62%</b>	<b>107</b>	<b>6%</b>	<b>365</b>	<b>19%</b>	<b>186</b>	<b>10%</b>
White	1,617	1,038	64%	89	6%	300	19%	190	12%
Black	35	19	54%	6	17%	8	23%	2	6%
Asian	17	11	65%	0	0%	4	24%	2	12%
Hispanic*	86	56	65%	2	2%	20	23%	8	9%
<b>120%+ of AMI</b>	<b>11,165</b>	<b>6,912</b>	<b>62%</b>	<b>601</b>	<b>5%</b>	<b>1,927</b>	<b>17%</b>	<b>1,627</b>	<b>15%</b>
White	9,395	5,932	63%	526	6%	1,570	17%	1367	15%
Black	159	87	55%	8	5%	36	23%	28	18%
Asian	157	99	63%	4	3%	28	18%	26	17%
Hispanic*	292	170	58%	21	7%	62	21%	39	13%

Notes: Total number includes applications for which no income and race/ethnicity data were reported. Loan approval rate is calculated as loans originated plus loans approved but not accepted divided by the number of applications. \* Hispanic is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2012 Aggregate Table 5-3

### Home Improvement Loans

Home improvement loans are used to pay for repairs or renovation of a home. Most home improvement loans rely on the homeowner's equity, which is the portion of the home that's already paid for. Home equity rises as principal payments are made and the home's value increases. However, when the inflated housing market imploded in 2007, many homes' values decreased practically negating any equity that was accumulated.

According to HMDA data, home improvement loan applications comprised 4 percent of all home loan applications. The approval rates for home improvement loans were 35 percent, the lowest approval rate of all home loan applications. Black applicants had the lowest loan approval rates of 14 percent. Asian applicants' loan approval rate was highest with 60 percent, but due to a small sample size of 5 applications, this data may not be reliable.

**Table 38: Approval Rate of Home Improvement Loan Applications by Race/Ethnicity of Applicant**

Applications Submitted By Race and Ethnicity	Home Improvement			
	Applications		Approvals	
	#	%	#	%
<b>Total County</b>	<b>1,254</b>		<b>435</b>	<b>35%</b>
White	743	59%	251	34%
Black	97	8%	14	14%
Asian	5	0.4%	3	60%
Hispanic*	178	14%	27	15%

Notes: Total number includes applications for which no income and race/ethnicity data were reported. Loan approval rate is calculated as loans originated plus loans approved but not accepted divided by the number of applications. \* Hispanic is counted independently of race.  
Source: Federal Financial Institutions Examination Council, 2012 Aggregate Table 5-4

**Disposition of Applications for Home Improvement Loans by Income, Race and Ethnicity**

Applicants earning less than 50 percent of the Area Median Income (AMI) had the lowest home improvement loan approval rate of 13 percent. Black applicants had the lowest loan approval rates in this income level at 11 percent.

The loan approval rates for Black applicants did not increase significantly as the income levels increased. In contrast, White applicants’ loan approval rate steadily rose as the income level increased. Both Hispanic and Black applicants had low loan approval rates compared to White and Asian applicants.

**Table 39: Disposition of Applications for Home Improvement Loans by Income, Race and Ethnicity, 2012**

Race/Ethnicity Income Level	Application	Originated		Approved/Not Accepted		Denied		Withdrawn/Incomplete	
	Number	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>TOTAL</b>	<b>1,254</b>	<b>344</b>	<b>27%</b>	<b>91</b>	<b>7%</b>	<b>762</b>	<b>61%</b>	<b>57</b>	<b>5%</b>
<b>&gt; 50% of AMI</b>	<b>295</b>	<b>36</b>	<b>12%</b>	<b>4</b>	<b>1%</b>	<b>250</b>	<b>85%</b>	<b>1</b>	<b>0%</b>
White	211	29	14%	2	1%	175	83%	5	2%
Black	44	4	9%	1	2%	39	89%	0	0%
Asian	1	1	100%	0	0%	0	0%	0	0%
Other**	4	0	0%	1	25%	3	75%	0	0%
No Information	20	0	0%	1	5%	19	95%	0	0%
Hispanic***	67	8	12%	0	0%	58	87%	1	1%
<b>50-79% of AMI</b>	<b>311</b>	<b>76</b>	<b>24%</b>	<b>15</b>	<b>5%</b>	<b>214</b>	<b>69%</b>	<b>6</b>	<b>2%</b>
White	237	68	29%	12	5%	152	64%	5	2%
Black	27	2	7%	1	4%	24	89%	0	0%
Asian	2	0	0%	0	0%	2	100%	0	0%
Other**	13	4	31%	1	8%	9	69%	0	0%
No Information	32	3	9%	1	3%	27	84%	1	3%
Hispanic***	58	7	12%	1	2%	49	84%	1	2%
<b>80-99% of AMI</b>	<b>159</b>	<b>50</b>	<b>31%</b>	<b>17</b>	<b>11%</b>	<b>84</b>	<b>53%</b>	<b>8</b>	<b>5%</b>
White	117	44	38%	12	10%	56	48%	5	4%
Black	14	4	29%	0	0%	10	71%	0	0%
Asian	0	0	0%	0	0%	0	0%	0	0%
Other**	4	0	0%	0	0%	4	100%	0	0%
No Information	24	2	8%	5	21%	14	58%	3	13%
Hispanic***	25	5	20%	2	8%	18	72%	0	0%
<b>100-119% of AMI</b>	<b>112</b>	<b>35</b>	<b>31%</b>	<b>13</b>	<b>12%</b>	<b>61</b>	<b>54%</b>	<b>3</b>	<b>3%</b>
White	89	30	34%	12	13%	45	51%	2	2%
Black	6	1	17%	0	0%	4	67%	1	17%
Asian	1	1	100%	0	0%	0	0%	0	0%
Other**	4	1	25%	0	0%	3	75%	0	0%
No Information	12	2	17%	1	8%	9	75%	0	0%
Hispanic***	14	2	14%	0	0%	12	86%	0	0%
<b>120%+ of AMI</b>	<b>351</b>	<b>134</b>	<b>38%</b>	<b>42</b>	<b>12%</b>	<b>140</b>	<b>40%</b>	<b>35</b>	<b>10%</b>
White	89	30	34%	12	13%	45	51%	2	2%
Black	6	1	17%	0	0%	4	67%	1	17%
Asian	1	1	100%	0	0%	0	0%	0	0%
Other**	4	1	25%	0	0%	3	75%	0	0%
No Information	12	2	17%	1	8%	9	75%	0	0%
Hispanic***	14	2	14%	0	0%	12	86%	0	0%

Notes: Total number includes applications for which no income and race/ethnicity data were reported. Loan approval rate is calculated as loans originated plus loans approved but not accepted divided by the number of applications. \* Hispanic is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2012 Aggregate Table 5-4

### 3. Mortgage Application Denials

According to 2012 HMDA data, there were a total of 32,122 home loan applications submitted, of which 6,376 applications were denied. The overall denial rate was 20 percent. The average

denial rates by race and ethnicity included 19 percent for White applicants, 23 percent for Asian applicants, 27 percent for Black applicants, and 30 percent for Hispanic applicants.

When denial rates are compared with the income levels, Hispanic applicants in all income groups had the highest denial rates. All applicants in the below 80 percent of AMI experienced higher denial rates than applicants with incomes greater than 100 percent of AMI.

**Table 40: Denial Rate by Income, Race and Ethnicity, 2012**

Applications by Income, Race and Ethnicity		Total	White	Black	Asian	Hispanic*
<b>&gt; 50% of AMI</b>	Total Applications	2,522	2,049	175	35	509
	Denials	929	702	35	9	181
	Denial Percent	37%	34%	20%	26%	36%
<b>50-79% of AMI</b>	Total Applications	4,476	3,708	186	53	517
	Denials	1,109	862	69	24	177
	Denial Percent	25%	23%	37%	45%	34%
<b>80-99% of AMI</b>	Total Applications	3,089	2,629	72	27	228
	Denials	647	516	25	6	58
	Denial Percent	21%	20%	35%	22%	25%
<b>100-119% of AMI</b>	Total Applications	2,964	2,523	55	29	157
	Denials	597	487	15	7	45
	Denial Percent	20%	19%	27%	24%	29%
<b>120%+ of AMI</b>	Total Applications	17,378	14,506	230	233	481
	Denials	2,846	2,275	53	40	107
	Denial Percent	16%	16%	23%	17%	22%
<b>Total Applications</b>	Total Applications	32,122	25,415	718	377	1,892
	Denials	6,376	4,842	197	86	568
	Denial Percent	20%	19%	27%	23%	30%

Note: \* Hispanic is counted independently of race. Total number includes applications for which no income and race/ethnicity data were reported.

Source: Federal Financial Institutions Examination Council, 2012 Aggregate Table 5-1, 5-2, 5-3 & 5-4

In reporting denials, lenders list at least one primary reason for denial and may list up to two secondary reasons. The primary reason cited by lenders for the rejection of loan applications was debt to income ratio (22 percent) followed by credit history and collateral both of which tied at 20 percent.

Among Black applicants and Hispanic applicants, credit history (40 percent and 32 percent, respectively) was cited as the most common reason for denial. For Asian applicants, collateral was the most common reason for denial at 20 percent. 16 percent of denied applications cited the reason for denial as “other”, which was fourth highest denial reasons. By citing “other” as a primary reason for denial, the lender may avoid reporting the reasons for the denial of loan applications.



**Table 41: Denial reasons by Race and Ethnicity, 2012**

Denial Reasons	Total	White	Black	Asian	Hispanic*
Debt-to- Income Ratio	22%	22%	14%	18%	21%
Employment History	1%	1%	1%	1%	2%
Credit History	20%	18%	40%	14%	32%
Collateral	20%	21%	10%	21%	12%
Insufficient Cash	4%	4%	4%	3%	5%
Unverifiable Information	5%	5%	4%	12%	5%
Credit Application Incomplete	11%	11%	8%	15%	7%
Mortgage Insurance Denied	2%	2%	3%	1%	2%
Other	16%	16%	16%	14%	14%

Note: \* Hispanic is counted independently of race. Total number includes applications for which no income and race/ethnicity data were reported.

Source: Federal Financial Institutions Examination Council, 2012 Aggregate Table 8-1, 8-2, 8-3 and 8-4

#### **4. High-Cost Lending**

In general there are two types of loans or mortgages, prime and subprime. According to the Federal Reserve, prime mortgages are offered to persons with excellent credit, excellent employment history and income adequate to support the loan amount. Subprime loans are loans to borrowers who have less than perfect credit history, poor employment history, or other factors such as limited income. These borrowers typically do not qualify for the standard Fannie Mae or Freddie Mace underwriting guidelines. Subprime loans usually have an interest rate of at least one to six percentage points above that of a prime mortgage.

The widespread housing finance market crisis of recent years has brought a new level of public attention to lending practices that victimize vulnerable populations. Subprime lending, designed for borrowers who are considered a credit risk, has increased the availability of credit to low-income persons. At the same time, subprime lending has often exploited borrowers by piling on excessive fees, penalties, and interest rates that make financial stability difficult to achieve. Higher monthly mortgage payments make housing less affordable, increasing the risk of mortgage delinquency and foreclosure and the likelihood that properties will fall into disrepair.

Some subprime borrowers have credit scores, income levels, and down payments high enough to qualify for conventional prime loans, but are nonetheless steered toward more expensive subprime mortgages. This is especially true of minority groups, which tend to fall disproportionately into the category of subprime borrowers. The practice of targeting minorities for subprime lending qualifies as mortgage discrimination.

Since 2005, HMDA data included price information for loans priced above reporting thresholds set by the Federal Reserve Board. This data is provided by lenders via Loan Application Registers and can be aggregated to complete an analysis of loans by lender or for a specified geographic area. HMDA does not require lenders to report credit scores for applicants, so the data does not indicate which loans are subprime. It does, however, provide price information for loans considered “high-cost”.

In 2008, the Federal Reserve Board revised the rules for reporting price information on higher-priced loans. For loan applications taken prior to October 1, 2009, HMDA required lenders to

compare the annual percentage rate (APR) on the loans to the yield on a Treasury security with a comparable term to maturity to determine whether the loan was required to be reported as higher-priced. If the difference exceeds 3 percentage points for a first lien loan or 5 percentage points for a junior lien loan it was classified as higher-priced and the rate spread was reported.

Under the amended rule, lenders instead compare the APR on the loan to a survey-based estimate of APRs currently offered on prime mortgage loans of a comparable type. Lenders then report the spread if the spread is equal or greater than 1.5 points for first-lien loans or 3.5 percentage points for a subordinate-lien loan.

Not all loans carrying high Annual Percentage Rate (APR)s are subprime, and not all subprime loans carry high APRs. However, high-cost lending is a strong predictor of subprime lending, and it can also indicate a loan that applies a heavy cost burden on the borrower, increasing the risk of mortgage delinquency.

High-cost owner-occupied purchase loans during 2009 to 2012 (reflects the revised rules on high-cost loans reporting) shows a downward trend. The percentage of high-cost loans to the total loans originated has declined each year from the high of 9 percent in 2009 to 4 percent in 2012. The decline in high-cost loans could be a direct result of increasing statutory control over predatory lending practices. It is possible that education and outreach have increased borrowers' awareness to the pitfalls of high-cost loans.

**Table 42: High-Cost, Owner-Occupied Home Purchase Loans, 2009-2012**

Jurisdiction	2009			2010		
	High-Cost	Non-High Cost or Unknown	High-Cost as % of Total Loans	High-Cost	Non-High Cost or Unknown	High-Cost as % of Total Loans
Bonita Springs	15	315	5%	9	385	2%
Ft. Myers Beach	0	9	0%	1	12	8%
Sanibel	2	26	7%	4	17	19%
Lee-Unincorporated	282	2,922	9%	103	2,740	4%
Cape Coral	123	1,181	9%	30	1,151	3%
Ft. Myers	11	151	7%	8	144	5%
<b>Total Lee County</b>	<b>433</b>	<b>4,604</b>	<b>9%</b>	<b>155</b>	<b>4,449</b>	<b>3%</b>
Jurisdiction	2011			2012		
	High-Cost	Non-High Cost or Unknown	High-Cost as % of Total Loans	High-Cost	Non-High Cost or Unknown	High-Cost as % of Total Loans
Bonita Springs	8	341	2%	10	389	3%
Ft. Myers Beach	0	23	0%	3	14	18%
Sanibel	4	23	15%	10	38	21%
Lee-Unincorporated	97	2,334	4%	122	3,323	4%
Cape Coral	40	968	4%	109	2,284	5%
Ft. Myers	6	153	4%	6	520	1%
<b>Total Lee County</b>	<b>155</b>	<b>3,842</b>	<b>4%</b>	<b>260</b>	<b>6,568</b>	<b>4%</b>

Source: Home Mortgage Disclosure Act data 2012 compiled by Shimberg Center for Housing Studies, University of Florida

An analysis of high-cost loans in Lee County by race and ethnicity reveals that Blacks and Hispanic Borrowers are overrepresented in high-cost lending. In 2012, 9 percent of mortgages obtained by Black borrowers were high-cost, and 10 percent of loans to Hispanic borrowers were high-cost. In comparison, 2 percent of mortgages obtained by White borrowers were high-cost.

**Table 43: High-Cost Loans Obtained by Race and Ethnicity, 2012**

	High Cost Loan % to Total Loans Originated	Non-High High Cost Loan % to Total Loans Originated
<b>White</b>	2%	98%
<b>Black</b>	9%	91%
<b>Asian</b>	5%	95%
<b>Hispanic*</b>	10%	90%

Note: \* Hispanic is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2012 Aggregate Table 11-1 & 11-2

Review and analysis of HMDA data identified the following impediments to fair housing choice:

- Access to adequate financing.
- Underrepresentation of racial and ethnic minorities in the lending market.
- High rate of subprime loans obtained by racial and ethnic minorities.

### **C. Public and Private Sector**

Most communities benefit greatly from having local fair housing legislation, effective outreach, education and training, and local enforcement.

This section examines the current status of fair housing enforcement, fair housing information programs, and visitability in housing issues.

#### **1. Fair Housing Enforcement**

As a part of public and private sector fair housing enforcement, fair housing ordinances for entitlement jurisdictions were reviewed.

##### City of Cape Coral

The City of Cape Coral’s Fair Housing Ordinance (Chapter Sixteen) prohibits discrimination on the basis of race, color, religion, sex, age, handicapped status, or national origin in connection with housing. The Ordinance prohibits discrimination in the sale and rental of housing, the residential real estate related transactions, the provisions of brokerage services, and the provision for housing for older persons. The Ordinance outlines unlawful and discriminatory practices in regards to the sale and rental of housing. In addition, the Ordinance created the City’s Fair Housing Compliance Board and provided an overview of its functions. However, the

ordinance does not include protected class based on familial status, and protections appears to be limited to physically handicapped persons and does not provided protection for all disabilities including mental illness.

#### City of Fort Myers

Currently, the City of Fort Myers does not have a Fair Housing Ordinance. The City has enacted local Fair Housing Ordinance No. 2013, adopted on August 2, 1976, however, this ordinance was not codified when the City became a manager-council form of government in 2009.

#### Lee County

Lee County amended and restated the jurisdiction's "Equal Opportunity in Housing" Ordinance on February 26, 2013. The current Ordinance (Number 13-04) prohibits discrimination on the basis of race, color, religion, national origin, sex, familial status, or disability in connection with housing. The Ordinance prohibits discrimination in the sale and rental of housing, the provision of brokerage services, financing of housing or in residential real estate transactions, and the provision for housing for older persons. The Ordinance outlines unlawful and discriminatory practices in regards to the sales and rental of housing. Under the Enforcement section of the Ordinance, it lists private enforcement and an intervention by the County Attorney. The private enforcement will be civil action procedures. An intervention by the County Attorney provides for if the Board of County Commissioners certifies that the case is of significant public importance to the citizens of the County, at the direction of the County Board of Commissioners, the County Attorney may intervene in a civil action. The preamble to the Ordinance states *"that the Board of County Commissioners find that it is in the best interest of the citizenry to file fair housing complaints with the appropriate Federal and State agencies or pursue private enforcement actions."*

From 2001 to October 2012, Lee County Office of Equal Opportunity (LCOEO) was designated by HUD as meeting the HUD requirements for the operation of a "Substantially Equivalent Fair Housing Program". LCOEO processed and investigated the County-wide housing discrimination complaints on behalf of HUD. However, beginning in October 2012, LCOEO discontinued its processing and investigation of County-wide fair housing complaints and undertook a countywide fair housing training and outreach on behalf of HUD.

As of October 2012, fair housing complaints must be filed with the HUD Miami Office or the state of Florida Commission on Human Relations Office (FCHR). FCHR is the state's leading anti-discrimination agency. FCHR is overseen by twelve Commissioners appointed by the Governor and confirmed by the state Senate. FCHR conducts its business primarily under authority of three Florida laws:

- The Florida Civil Rights Act (Part 1, Chapter 760, and s. 509.092, F.S.) for allegations of discrimination in employment or public accommodations.

- The Florida Fair Housing Act (Part II, Chapter 760) for allegations of discrimination in housing.
- The Florida Whistle-Blower Act (s. 112.31895) for allegations of improper retaliation against state agency whistle-blowers.

A work-sharing agreement between FCHR and two federal partners – the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development – helps ensure that complaints are properly investigated without duplication, whether they are initially filed with the Commission or one of the federal agencies.

A review of HUD’s website determined that there are six non-profit fair housing agencies in Florida receiving funding through HUD’s Fair Housing Initiatives Program (FHIP) to assist people who believe they have been victims of housing discrimination and seven public agencies that are designated by HUD as an FHAP agency. The nearest FHIP and FHAP agencies are located in Tampa which is approximately 120 miles north of Lee County.

A review of entitlement jurisdictions’ Fair Housing Enforcement Procedures identified the following impediments to fair housing choice:

- City of Fort Myers does not have a Fair Housing Ordinance
- City of Cape Coral’s Fair Housing Ordinance does not include protected class based on familial status, and protections appears to be limited to physically handicapped persons and does not provide protection for all disabilities including mental illness.

## **2. Information Programs**

As stated in the previous section, the LCOEC previously conducted fair housing outreach and training for the entire county. However, with the LCOEO no longer handling the fair housing activities for the area, currently, there is an impediment to fair housing choice in terms of outreach and training.

All three entitlement jurisdictions and public housing authorizes have been working together to fill the gap in outreach and training by conducting joint fair housing workshops, and placing fair housing information on the respective governments’ websites.

The Cities of Fort Myers, Cape Coral and Lee County refer housing program applicants to HUD-approved counseling agencies which conduct home ownership workshops (workshops are conducted in English and Spanish). The application procedures and programs are discussed so applicants will be aware of program offerings and Fair Housing information.

A review of entitlement jurisdictions' Fair Housing Information Programs identified the following impediment to fair housing choice:

- Currently, there is no county-wide coordination of fair housing education, outreach and training programs.

### **3. Visitability in Housing**

The term "visitability" refers to single-family housing designed in such a way that it can be lived in or visited by people with disabilities. A house is visitable when it meets the following three basic requirements:

- At least one no-step entrance.
- Doors and hallways wide enough to navigate a wheelchair through.
- A bathroom on the first floor big enough to get into in a wheelchair, and close the door.

Visitability features make homes easier for people who develop a mobility impairment to visit friends and extended family rather than having to turn down invitations, or not be invited at all. Visitability features also provide access for formerly non-disabled people to remain in their homes if they develop a disability, rather than forcing them to do expensive renovations, relocate to a different house, live in an inaccessible home which endangers their health and safety, or move from the community into a nursing home.

All three entitlement jurisdictions administer State and federally funded grants to provide barrier removal and/or home modifications for owner-occupied housing units. Modification efforts consist of bathroom modifications, handicapped ramps, and other handicapped accessibility improvements to housing units located within the entitlement jurisdictions. Work must be performed according to the building codes and established Rehabilitation Standards.

A review of the entitlement jurisdictions' procedures and programs indicate that there are no significant impediments to fair housing choice.

### **D. Actions taken by HUD against the Jurisdiction**

There have been no actions in the County initiated by the Department of Justice or HUD against the county, city, company, or corporation for noncompliance under Title VI of the Civil Rights Act of 1964 or Section 504 of the Rehabilitation Act of 1973, or charges under the Fair Housing Act.

## **V. Assessment of Current Public and Private Fair Housing programs and Activities**

This section evaluates existing public and private programs, services, and activities that assist in providing fair housing in Lee County.

### **A. Public Programs**

The activities of the public programs were previously addressed in *Section IV. Identification of Impediments to Fair Housing Choice, A. Public Sector, 2. Neighborhood Revitalization, Municipal and Other Services.*

### **B. Real Estate Practices**

#### **Real Estate Brokers and Sales Agents**

The National Association of REALTORS® (NAR) has developed a Fair Housing Programs guide to provide resources and guidance to Realtors in ensuring equal professional services for all people. When licensed real estate professionals join a local chapter of NAR, they automatically become a member of the Florida Association of REALTORS® and the NAR.

According to NAR Code of Ethics, Article 10 provides that “REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity”(Amended 1/14), and “REALTORS®, in their real estate employment practices, shall not discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity (Amended 1/14).” These ethics provisions are applicable to the state and local chapters of NAR.

Lee County real estate market is serviced by the Realtor Association of Greater Fort Myers and the Beach, Inc., and Cape Coral Realtors Association. The local Realtor chapters offer various educational programs one of which is an ethics training course.

#### **Appraisers**

Banks order appraisal reports to determine whether or not a property is worth the amount of the loan they will be giving. Generally speaking, appraisals are based on the comparable sales of properties surrounding the neighborhood of the property being appraised. Other factors are taken into consideration, such as the age of the structure, any improvements made, location,



general economic influences, etc. Some neighborhoods with higher concentrations of minorities may appraise lower than like properties in neighborhoods with lower concentrations. Unfortunately, this practice is geared toward a neighborhood not an applicant and therefore, not a direct violation of fair housing law that can easily be addressed. One effect of this practice, however, is that it tends to keep property values lower in a given neighborhood, thereby restricting the amount of equity and capital available to those residents. Individual appraisers are the ones making the decisions on the amounts, thus there is room for flexibility in the numbers. As each appraiser is individually licensed, similar to real estate agents, they risk losing their license for unfair practices.

### **Homeowners' Insurance**

Homeowner's insurance is a requirement for almost any home purchase. And just as lenders determine borrowers' loan interest rate and terms largely on the borrowers' credit score, insurance companies also use borrowers' score to determine how much to charge for premiums.

Insurance agents are provided with underwriting guidelines for the companies they work for to determine whether or not a company will sell insurance to a particular applicant. Currently, underwriting guidelines are not public information; however, consumers have begun to seek access to these underwriting guidelines to learn if certain companies have discriminatory policies.

According to the Insurance Journal, August 14, 2014 issue, a study conducted by online insurance shopping service, inuranceQuote.com, found that homeowners with poor credit pay 91 percent more for homeowners' insurance than people with excellent credit. There are three states, California, Massachusetts, Maryland, that prohibit insurers from using credit scores to calculate homeowner's insurance premiums. The article reported data for the each of the 50 states. In Florida, while insurance companies are technically allowed to consider homeowners' credit scores, insuranceQuotes.com found that credit scores do not typically affect premiums. Florida's hurricane prone location means that homeowners pay high homeowners' insurance rates. According to the National Association of Insurance Commissioners December 2013 report, homeowners insurance in Florida is twice as expensive as the national average, (state average of \$1,993 per year versus national average of \$978) making it the most costly state for home insurance in the nation.

### **Newspaper Advertising**

Under Federal Fair Housing law, no advertising with respect to the sale or rental of housing may indicate any preference, limitation, or discrimination because of race, color, religion, sex, disabilities, familial status or national origin. In addition, Florida law extends protection to age.

Publishers and advertisers are responsible under federal law for making, printing, or publishing advertisements that violate the Fair Housing Act on its face. Thus, they should not publish or cause to be published an advertisement that expresses a preference, limitation or discrimination on the basis of race, color, religion, sex, handicap, familial status, or national origin. The law, as found in the Fair Housing Amendments Act of 1988, describes the use of words, photographs, symbols or other approaches that are considered discriminatory.

The real estate sections of the Sunday, November 16<sup>th</sup> and November 23<sup>rd</sup>, 2014 editions of the *Fort Myers News-Press*, generally considered to be the newspaper of record in the County, were reviewed to identify impediments to housing choice within the published advertisements for houses and other dwelling units held out for sale or for rent. A search of the advertisements showed that some – but not all – of the advertisers showed the Equal Housing Opportunity or Equal Housing logo. Many who see the logo would not be able to ascertain the meaning without prior knowledge of the logo and the intent behind it. Several major real estate firms placed the HUD fair housing logo in their banner ads. The publisher’s notice and the newspaper’s policies on accepting and printing real estate ads were noted to appear in compliance with the federal Fair Housing Laws.

The *News-Press* has two searchable database links for rental and for-sale units in Lee County, at [www.apartments.com](http://www.apartments.com) and [www.homefinder.com](http://www.homefinder.com). The publisher’s policy on accepting advertisements and Equal Housing Opportunity including “Equal Housing” logo were clearly embedded on the sites’ “Houses for Rent” and “Home for Sale” databases. The sites also had an Equal Housing Policy tab that explained the federal Fair Housing Laws.

### **C. Outreach/Advocacy Organizations**

There are many non-profit organizations located in the community engaged in providing housing and supportive services to the County residents. Below is the list of agencies and types of services provided (the list is not all inclusive):

#### **Outreach/Advocacy Services**

Florida Rural Legal Services: Assists residents with landlord/tenant evictions, foreclosures, civil rights, housing discrimination, and senior citizens’ rights.

NAACP (National Association for the Advancement of Colored People): Advocacy group dedicated to obtaining racial justice for all Americans.

Lee County Homeless Coalition: Advocacy group dedicated to educate, and promote awareness issues and obstacles facing homeless individuals in Lee County.

#### **Housing Services**

HUD Certified Housing Counseling Agencies: Housing Authority of the City of Fort Myers, Home Ownership Resource Center of Lee County, Cape Coral Housing Development Corporation, and Lee County Housing Development Corporation.

Lee County Housing Development Corporation: Non-profit Community Housing Development Organization (CHDO) that provides downpayment and homeownership assistance to low and moderate income residents.

Cape Coral Housing Development Corporation: Non-profit Community Housing Development Corporation that provides housing rehabilitation, downpayment and homeownership assistance to low and moderate income residents.

Builders Care: The Lee Building Industry Association (Lee BIA) founded Builders Care to provide no-cost emergency home repair and renovation services to needy elderly, disabled and economically disadvantaged homeowners.

Habitat for Humanity: A nationwide non-profit group that builds homes for families who otherwise could not afford home ownership. Families are required to put over 500 hours of sweat equity into building their own or other Habitat homes.

### **Services to Special Needs population (including homeless)**

ACT (Abuse Counseling Treatment): Provides residential shelter for victims of domestic violence.

AIDS Task Force of Lee County: Provides group homes for people with AIDS along with a variety of assistance to help residents to apply for public assistance programs.

Dr. Ella Piper Center: Provides senior support and employment training.

Goodwill Industries of Southwest Florida: Provides employment training and housing to developmentally disabled persons.

Salvation Army: Provides housing, transportation, rehabilitation, employment and social development programs to homeless, substance abusers, and low income and poverty level persons.

SalusCare: A comprehensive mental health and substance abuse treatment agency.

## **VI. Community Participation**

This Regional Analysis of Impediments (AI) study has been developed to provide an overview of laws, regulations, conditions, or other possible obstacles that may affect an individual's or household's access to housing. As part of this effort, the study incorporates the issues and concerns of residents, housing professionals, and service providers. To assure the report responds to community needs, a community outreach program consisting of fair housing surveys and solicitation of public comments was conducted in the development of this study. This section describes the community outreach program conducted to involve the community.

### **A. Outreach to the Community**

To reach the various segments of the community, several methods were used to obtain community input:

- Community Fair Housing Survey
- Real Estate Industry Fair Housing Survey
- Public Information announcements

#### **Community Fair Housing Survey**

The Community Fair Housing Survey sought to gain knowledge about the nature and extent of fair housing issues experienced by County residents. The survey consisted of fourteen questions designed to gather information on a person's experience with fair housing issues and perception of fair housing issues.

To encourage participation, the surveys were publicized and distributed via the following methods:

- July 27, 2014 at "The Big Backpack Event" – Fort Myers Harborside.
- October 25, 2014 at "Make a Difference Day" – Lehigh Acres.
- August 2014 to October 2014 at Lee County Human Services Office to clients seeking financial and utilities assistance
- City of Fort Myers Housing Authority's main office.
- Distributed to area churches by the City of Fort Myers' Affordable Housing Committee Member.
- Distributed by Home Ownership Resource Center (HUD Counseling Agency) to its clients.
- Press release detailing the purpose and availability of Fair Housing Survey and the website address of the survey - [http://www.capecoral.net/departments/community\\_development/housing\\_and\\_grants/analysis\\_of\\_impediments\\_to\\_fair\\_housing.php](http://www.capecoral.net/departments/community_development/housing_and_grants/analysis_of_impediments_to_fair_housing.php)

Because responses to the survey were not controlled<sup>3</sup>, results of the survey are used only to provide some insight regarding fair housing issues, but cannot be treated as a statistically valid survey. Furthermore, the survey asked respondents for their perception of housing discrimination. A person responding that they have experienced discrimination does not necessarily mean discrimination has actually taken place.

A brief synopsis of the community fair housing survey is as follows:

A total of 333 persons responded to the fair housing survey representing residents across the entire county. Of the 317 respondents answered the question on discrimination, approximately 15 percent (47 persons) noted that they had experienced housing discrimination and 4 percent (11 persons) indicated that someone they know has experienced housing discrimination.

Among the 58 persons indicating they or someone they know experienced housing discrimination, the majority responded that the discrimination came from a property manager/owner (61 percent) or a condominium/homeowners association (8 percent). When asked on what basis they believed they were discriminated against, the primary responses were race (13 percent), followed by disability (13 percent), family status (13 percent), color (13 percent), and level of income (13 percent).

When asked if they had seen or heard information regarding fair housing programs, laws, or enforcement within Lee County, 78 percent (238 persons) indicated that they had not seen or heard such information in the County. As a result, when asked how they would act if discriminated against, 30 percent of respondents indicated that “they wouldn’t know what to do” while another 24 percent said they would “complain to the individual/organization that discriminated against me”, and 24 percent would “contact city/county offices”.

Last, the survey asked what barriers currently exist to fair housing choice in the community. More than half the respondents, 53 percent (142 persons) indicated “insufficient income”, followed by race (29 percent), and “lack of sufficient quality affordable housing (27 percent). Respondents ranked the other barriers to fair housing choice as color (18 percent), family status (18 percent), age (17 percent), ethnicity (16 percent), disability (15 percent), sexual orientation (13 percent), national origin (12 percent), insufficient public transportation (10 percent), sex (9 percent), and municipal codes, ordinance and regulations (5 percent).

A copy of the community fair housing survey and the complete survey results are included in Appendix A.

### **Real Estate Industry Fair Housing Survey**

The real Estate Industry Fair Housing Survey sought to gain knowledge about the nature and extent of fair housing issues experienced by real estate industry service providers such as

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<sup>3</sup> A survey with a “controlled” sample would through various techniques, “control” the socioeconomic characteristics of the respondents to ensure that the representative of the general population. This type of survey would provide results that are statistically valid but is much more costly to administer.

realtors, appraisers, lenders, insurance agents, closing agents, and non-profit housing providers. The survey consisted of nine questions designed to gather information on housing professional's experience with fair housing issues and perception of fair housing issues.

The survey was distributed via the following methods:

- The website address of the survey was sent to over 381 agencies and individuals via email.
- Press release detailing the purpose and availability of Fair Housing Survey and the website address of the survey - [http://www.capecoral.net/department/community\\_development/housing\\_and\\_grants/analysis\\_of\\_impediments\\_to\\_fair\\_housing.php](http://www.capecoral.net/department/community_development/housing_and_grants/analysis_of_impediments_to_fair_housing.php).

Because responses to the survey were not controlled<sup>4</sup>, results of the survey are used only to provide some insight regarding fair housing issues, but cannot be treated as a statistically valid survey.

A brief synopsis of the real estate industry fair housing survey is as follows:

A total of 34 real estate industry/non-profit professionals completed the fair housing survey representing professionals across the entire county. The majority of the respondents were in the real estate field (24 percent), the non-profit field (27 percent) or the social service provider field (30 percent).

Respondents were asked to identify which items served as barriers to fair housing choice in Lee County. The items selected as Serious Barriers were "poor credit histories of minority borrowers" (71 percent), "income levels of minority and female-headed households" (59 percent), and "concentrations of affordable housing in certain places" (53 percent). The items marked as Modest Barriers were "lack of knowledge among small landlords regarding fair housing" (42 percent), "lack of knowledge among residents regarding fair housing" (39 percent), "lack of knowledge among large landlords/property managers regarding fair housing" (37 percent), and "restrictive covenants by builders, developers, homeowners associations and/or condominium associations (32 percent).

Respondents were then asked about possible zoning or land use laws in Lee County that either created a barrier to fair housing choice or encouraged housing segregation. Only one respondent identified a potential barrier in this category which was the density bonus for affordable housing. The density bonus allows developers to build additional units above the current land use restrictions if all or a portion of the units will be affordable or to build additional market rate units and contribute cash to the County's affordable housing fund. This process could conceivably lead to concentrations of affordable units.

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<sup>4</sup> A survey with a "controlled" sample would through various techniques, "control" the socioeconomic characteristics of the respondents to ensure that the representative of the general population. This type of survey would provide results that are statistically valid but is much more costly to administer.

Respondents were also asked if they knew of predatory lending practices in the region. There were two respondents identified practices they observed including high closing costs to certain minority groups by lenders outside the area and high interest rates and closing costs to individuals with poor credit due to a recent foreclosure or short sale.

When asked if their organization had a fair housing/anti-discrimination policy, 87 percent responded they did. When asked how they train and monitor staff to prevent discriminatory behavior, the answers varied greatly. Of the 23 respondents who answered that question, 65 percent indicated they receive training on the subject with many stating they receive annual training. Only 9 percent indicated they participate in a regular monitoring program, though others may but simply did not state it in their response.

Last, 49 percent of respondents indicated there are inadequate resources, information, and training on fair housing laws in Lee County at this time. This response echoes the findings of the community fair housing survey, indicating more information and education are needed in the area of fair housing.

A copy of the real estate industry fair housing survey and the complete survey results are included in Appendix A.

Both community and real estate industry fair housing survey results indicated that more fair housing information and training are needed in the community.

**B. Public Review of Draft AI**

The Draft AI was available for a 30-day public review. Individual entitlement jurisdictions initiated separate 30-day review and approval processes. Notice of availability of the AI document and comment period and/or public hearings were published in newspaper(s) of general circulation. The Draft AI was also posted on all three entitlement jurisdictions’ websites.

**Table 44: AI Review/Comment Period by Entitlement Jurisdictions**

<b>Jurisdiction</b>	<b>30-Day Comment Period</b>
City of Cape Coral	February 1, 2015 to March 6, 2015
City of Fort Myers	February 1, 2015 to March 2, 2015
Urban Lee County	February 1, 2015 to March 6, 2015

All public comments received copies of advertisements and public hearing notices are included in Appendix B.



## VII. Conclusions and Recommendations

The previous sections evaluate the conditions in the public sector and private market that may impede fair housing choice. This section builds upon the previous analyses, summarizes conclusions and presents a list of recommendations/proposed actions to help address the impediments. When identifying recommendations/proposed actions, this Regional AI focuses on actions that are directly related to fair housing issues and can be implemented within the resources and authority of the participating jurisdictions.

Impediments identified in this section are divided into the following five categories:

- **Progress toward Addressing Impediments from Previous AIs:** Progress toward addressing Impediments to fair housing choice from the previous AI documents.
- **Regional Impediments Carried over from Previous AIs:** These are impediments identified in the previous AIs from three entitlement jurisdictions that are common in all jurisdictions but are persisting, and therefore require further efforts to mitigate the impacts.
- **Jurisdiction Specific Impediments Carried over from Previous AIs:** These are impediments identified in the previous AIs but are persisting, and therefore require further efforts to mitigate the impacts. These impediments are “jurisdiction-specific” and therefore specific recommendations are identified for each participating jurisdiction. Carried over impediments were examined in the “Progress toward Addressing Impediments from Previous AIs” section.
- **New Regional Impediments:** These are new impediments identified during the development of this 2014 Regional AI. These impediments are considered regional because their impact is present in all participating jurisdictions within the County and require the collaboration of all jurisdictions to address the impediments.
- **New Jurisdiction-Specific Impediments:** These are new impediments identified during the development of this Regional AI. These impediments are “jurisdiction-specific” and therefore specific recommendations are identified for each participating jurisdiction.

## **A. Progress toward Addressing Impediments from Previous AIs**

A number of AI documents had been completed in the County previously. The most recent documents include:

- 2010 City of Cape Coral AI
- 2010 City of Fort Myers AI
- 2011 Lee County AI

This section will evaluate the actions and efforts of local jurisdictions in addressing the impediments listed in the previous AIs.

### **City of Cape Coral**

#### **Impediments Identified in 2010 AI:**

##### **1. Discrimination on the basis of Race, Color, National Origin, Familial Status and Disability.**

###### **Recommendations:**

- Explore the implementation of a partnership agreement with Lee County's Entitlement Jurisdictions to increase fair housing enforcement and education and training to housing providers to ensure compliance with fair housing laws and also provide fair housing education for the community to help consumers identify and challenge housing discrimination.
- Acknowledge the need for county-wide cooperation to eliminate barriers to fair housing choice, and actively support the development of specific inter-jurisdictional cooperative mechanisms to make fair and equal access to housing a reality.

###### **Efforts:**

- The entitlement jurisdictions did not explore the partnership agreement as recommended in this document. With the elimination of the housing function of the Lee County Equal Opportunity Department, the jurisdictions recognize the need to better address fair housing enforcement and are beginning the process by coming together to complete a joint AI for the upcoming 5 years.

##### **2. City officials, housing staff and subrecipient partners may not be sufficiently familiar with the fair housing laws and how those laws affect (or should affect) the performance of their duties. Provide training to appropriate personnel and partners.**

###### **Recommendation:**

- Follow the Fair Housing Performance Standards for Acceptance of Consolidated Plan Certifications and Compliance with Community Development Block Grant Performance Review Criteria and Submissions for

Community Planning and Development Programs to establish a standard for determining if the jurisdiction's certification regarding affirmatively furthering fair housing is inaccurate, outlined in 24 CFR Parts 91 and 570. [Docket No. FR-4133-P-01] RIN No. 2529-AA81.

- Identify and provide fair housing training for all City employees and subrecipient partners who are involved in housing related activities.

**Efforts:**

- The City has regularly completed the CAPER and included information relative to fair housing actions. The CAPER for these program years were reviewed and approved by the Office of Fair Housing and Equal Opportunity.
- City Staff has completed two trainings on the topic of Fair Housing offered by National Fair Housing Association.

**3. There is a great shortage of affordable housing and supportive housing units. It is estimated that approximately 6,684 severely cost-burdened households in Cape Coral are paying more than 50% of their income for housing.**

**Recommendations:**

- Support continued fair housing education to ensure that housing providers using public funds for development understand their responsibilities.
- Require all developers utilizing public funds to develop and implement affirmative marketing plans which reach and appeal to all segments of the community.
- Continue to support pre-purchase counseling and down payment assistance programs designed to improve home ownership opportunities for low and moderate income buyers.
- Encourage mixed income and tenure housing in all neighborhoods being targeted for redevelopment, to create racially, ethnic and economically diverse neighborhoods.
- Initiate comprehensive review of comparative homeownership opportunities
- Encourage housing providers to participate in Section 8 program

**Efforts:**

- Housing providers were encouraged to participate in Fair Housing Training offered through HUD and the National Fair Housing Alliance. Agencies were required to provide proof of registration when monitoring took place.
- No new development has taken place.
- The City contracts with Cape Coral Housing Development to provide housing counseling to interested buyers. This counseling includes a component on fair housing.
- The City's Housing Element adopted by the City Council includes policies that support mixed income/tenure housing.

- The City did not actively encourage housing providers to participate in the Section 8 program. The Section 8 issue currently is not a supply problem but demand as demand for vouchers is greater than what is available for the County.

**4. African-Americans are rejected almost twice as often as are Whites applying for conventional loans.**

**Recommendations:**

- Implement a publicity campaign to make residents aware of various loan opportunities. A variety of outreach efforts should be utilized to reach targeted audiences campaign that will include print ads, public service announcements, and community forums on public radio and television (including the city and municipal television channels). Brochures and other educational materials (in English and Spanish) should be produced and distributed.
- Adoption and maintenance of lender guidelines for housing assisted with state and federal housing program funds.

**Efforts:**

- The City received marketing material from US Department of HUD and the National Fair Housing Association. This material was distributed to local agencies for posting as well as located in City facilities. These materials were presented in English and Spanish.
- The City has adopted lender guidelines.

**5. An insufficient number of accessible housing units are available which meets the needs of persons with disabilities in the City.**

**Recommendations:**

- Provide support for education and enforcement of fair housing laws to ensure that people with disabilities have access to housing.
- Support an intensive effort to educate and encourage housing providers using City funds to use universal design features in new construction and rehabilitation whenever possible.
- Undertake affirmative measures to ensure increased educational programs designed to inform government/municipal officials, community advocates, residents, professional community, private housing industry developers, real estate brokers, property managers, condominium associations, financial institutions, and the media/advertising industry with the most current information necessary to fully comply with fair housing laws, Community Reinvestment Act regulations, and affirmative marketing requirements.

**Efforts:**

- Housing providers were encouraged to participate in Fair Housing Training offered through HUD and the National Fair Housing Alliance. Agencies were required to provide proof of registration when monitoring took place.
- Universal Design features are required for new construction by the City's Local Housing Assistance Plan. However, no new construction took place over the period.
- The provision of education and enforcement were traditionally handled through the Lee County Office of Equal Opportunity (LCOEO) which was deemed a HUD substantially equivalent agency. LCOEO provided this service to the county as a whole. However, in the period of this AI the County discontinued this service without notification to adjacent HUD entitlement communities. Because of this, there was a deficiency in providing fair housing training in the county.

**6. Over 1,000 residents are homeless in the County. An insufficient number of housing units for the homeless in the City severely limits the housing choices for this segment of the population.**

**Recommendations:**

- Reduce homelessness by increasing emergency assistance by providing funding to subrecipients who provide temporary housing, treatment and training of individuals and families and permanent housing.

**Efforts:**

- The City provided emergency assistance through the support of Abuse Counseling and Treatment Center. The City also became involved in the Lee County Homeless Coalition. Additionally, emergency assistance programs in the form of utility assistance and food distribution were also funded.

**7. The area transportation system is inadequate to service the needs of the working class, which means that people who want or need to use public transportation are limited to living in the City where the jobs are located.**

**Recommendations:**

- Support a regional transportation system that provides services to low and moderate income households through the area.

**Efforts:**

- The City is an active member of the Lee County Metropolitan Planning Organization and attends meetings regularly. It is important to note that the public transportation system is maintained and funded by Lee County. Additionally, it should be noted that only ¼ of the City's geographic area is currently served by transit. The City supplements this by providing a minibus

paratransit service to low income/limited clientele households serving over 150 individuals each year on multiple trips.

**8. Public and assisted housing tends to segregate residents by race/ethnicity/income, depriving lower income families the access to the opportunities available in more diverse neighborhoods.**

**Recommendations:**

- Review zoning ordinances to ensure that multi-family developments are approved for use in a variety of neighborhoods throughout the metropolitan area.
- Encourage mixed-income and mixed tenure (homeownership and rental) developments, especially when tax credits or other public subsidies are used.
- Require all developers using public funds to market their housing stock to a diverse population of potential tenants/homeowners.
- Provide information and counseling to current certificate and voucher holders about the full range of their housing options and encourage diversity.

**Efforts:**

- The City triennially reviews all zoning ordinances and potential barriers to the development of housing in the City of Cape Coral. These recommendations are provided to City Council. The initial review of these ordinances resulted in minor changes to the City's parking requirements to allow flexibility for affordable units. The City also has incorporated a bonus density program in certain zoning districts that provides affordable housing units.

**9. The local media contributes to and promotes racial/ethnic division and hinders community cooperation.**

**Recommendations:**

- Implement a fair housing media campaign utilizing public service announcements in local TV/newspapers, local municipal TV channels highlighting national, statewide, and local fair housing news/information.
- Ensure that the City's own advertising reflects and appeals to a diverse community.

**Efforts:**

- Fair Housing campaigns in the local media were not implemented. The City began including fair housing logos on all documents for public review, brochures, and legal advertisements. Additionally, all non-profits who receive housing funds must use the logos on their advertising materials. This is a monitored requirement.

**10. Fair Housing Program Initiatives staffing and support are inadequate to meet the responsibility to affirmatively further fair housing throughout Lee County.**

**Recommendation:**

- Lee County's three entitlement jurisdictions should evaluate the option of forming a fair housing partnership utilizing CDBG funding as either a public service under CFR Section 570.201 (e) (activities cited "education, fair housing counseling") or as an administrative cost under CFR Section 570.206 (c) Fair Housing Activities." To adequately fund fair housing cost eligible activities under the CDBG program, including fair housing services designed to further fair housing enforcement, education and outreach throughout the county

**Efforts:**

- The three entitlement jurisdictions did not complete this evaluation. With the elimination of the County department, these three entities are working together to find a solution to better address fair housing at a county level. The creation of a new joint AI is the start of this process.

**City of Fort Myers**

**Impediments Identified in 2010 AI:**

**1. Discrimination on the basis of Race, Familial Status, and Disability**

**Recommendations:**

- Raise visibility of fair housing and complaint process including providing fair housing information on the City's website.
- Adoption of the City's Fair Housing Ordinance.

**Efforts:**

- The City has updated the Housing portion of the website to include a page devoted to providing Fair Housing information. The web page also includes links to the HUD Miami Office of Fair Housing for lodging complaints.
- City staff is currently working on the City's Fair Housing Ordinance.

**2. Minorities' Access to Financing and Unfair Lending Practices.**

**Recommendations:**

- Ensure that the City-funded credit counseling programs target minorities. The credit counseling programs should contain information on predatory lending and accessing government-sponsored and subsidized loans (which have more flexible underwriting standards)
- Adoption and maintenance of lender guidelines for housing assisted with state and federal funds and Fair Housing Laws.
- Implement a publicity campaign to make residents aware of various loan opportunities.



**Efforts:**

- The City provides funds annually to a HUD Housing Counseling agency to provide budget and credit counseling to Fort Myers, particularly those residents in the CDBG Target Area. The CDBG Target Area has the highest concentrations of Black/ African American and Hispanic resident within the City.

**3. An insufficient number of accessible housing units are available which meets the needs of persons with disabilities in the City.**

**Recommendations:**

- Education and outreach to the construction industry regarding Universal Design implementation.
- Education and outreach to community for affirmative marketing requirements.

**Efforts:**

- The City of Fort Myers worked with the Lee County Equal Opportunity Office in the past to provide information to various organizations involved in the provision of housing. With the elimination of this office, the City is investigating ways to partner with the Housing Authority of Fort Myers and other jurisdictions to address fair housing.

**4. The area transportation system is inadequate to service the needs of the working families, which means that people who want or need to use public transportation are limited to living in the City where the jobs are located.**

**Recommendations:**

- Support improvement to the regional transportation system.
- Support Job Access Reverse Grant (JARC) Applications by local non-profit agencies.

**Efforts:**

- The City of Fort Myers continues to be an active member of the Lee County Metropolitan Planning Organization. The City has not completed this task, but will work with the other entitlement jurisdictions to formulate a plan to address these actions in the future.

**5. NIMBYism**

**Recommendations:**

- Promote good property management to reduce NIMBYism.
- Provide education and outreach efforts to the community on the need for and types of affordable housing.
- Require an affirmative marketing plan for all affordable housing developments using the City administered federal, state, and local funds.

**Efforts:**

- The City funds a non-profit Housing Counseling agency that provides home maintenance classes for residents. All homeowners participating in the housing programs attend the home maintenance class and receive the certificate of completion before receiving assistance.
- The City has not completed the second two bullet points of this action item, but plans to work with other jurisdictions to develop procedures for promoting affirmative marketing plans and coordinate education and community outreach efforts.

**6. Fair Housing Program Initiatives staffing and support are inadequate to meet the responsibility to affirmatively further fair housing throughout Lee County.**

**Recommendations:**

- Form a regional Fair Housing Partnership with Lee County's three entitlement jurisdictions.
- Implement fair housing media campaign.
- Annually plan fair housing activities.

**Efforts:**

- The City in cooperation with Lee County Office of Equal Opportunity hosted a Fair Housing Workshop in March 2010. Before the Lee County Equality Opportunity office was dissolved, the City had the representative present fair housing information at CDBG Action Plan and CAPER community meetings.
- In April 2014, the City issued a proclamation recognizing Fair Housing Month in the City of Fort Myers.

**Lee County**

**Impediments Identified in 2011 AI**

**1. Discrimination on the basis of Race, Color, National Origin, Familial Status and Disability.**

**Recommendations:**

- Increase fair housing education and training to housing providers, municipal and county housing program leaders to ensure compliance with fair housing laws. Increase the fair housing education/outreach presentations for the community to include school age residents who will be the future homeowners in the county.

**Efforts:**

- Provided Fair Housing education and outreach programs through a contractual agreement with a qualified trainer for the community. A description of the available training and training request are on the Lee County website. Training requests received were fulfilled in a timely manner.

**2. Loan Application denials percentage rates are higher for Blacks than Hispanics or Caucasians, with the exception of FHA loans where the deficit is larger for Hispanics than Blacks.**

**Recommendation:**

- Increase the training for Realtors to focus on the signs of discriminatory practices with their clients occurring during the financing process.
- Provide focused training to first time homebuyers enrolled in Human Services programs noting the signs of discriminatory lending practices
- Maintain annual Fair Housing update training to all municipalities, and internal departments handling financial assistance programs to new home buyers.
- Make residents aware of the lenders using discriminatory practices and discourage use of these institutions.

**Efforts:**

- Training for Realtors continued during this time frame.
- First time homebuyer classes continued, and were provided by local nonprofit housing development agencies. A Fair Housing Symposium is held annually in conjunction with the local housing authority.
- There were no specific programs undertaken related to lender education.

**3. NIMBYism is alive and well in Lee County. Opposition to new public housing developments serving low income residents in several areas indicates a strong level of intolerance for minority residents integrating into existing predominantly Caucasian communities.**

**Recommendations:**

- Implement mixed income affordable housing projects dispersed throughout the county, utilizing the consolidated plan process, rather than concentrating the developments within the City of Fort Myers.
- Require all developers utilizing public funds to develop and implement affirmative marketing plans designed to reach and appeal to all segments of the community.
- Continue to support and increase pre-purchase counseling and down payment assistance programs designed to improve home ownership opportunities for low and moderate-income buyers.
- Emphasize mixed income housing in all neighborhoods targeted for redevelopment to create racially, ethnic and economically diverse neighborhoods.
- Require strong affirmative marketing programs for all affordable housing developments using county administered Federal funds.

- Encourage housing providers to participate in the Section 8 program.
- Encourage mixed-income and mixed tenure (rental and homeownership) developments, especially when tax credits or other subsidies are used.

**Efforts:**

- NIMBY issues were countered through education of local community groups concerned about specific projects. Lee County utilized Neighborhood Stabilization Program funds to support the development of new affordable rental projects. Two of these projects were located in the City, but one was located in Lehigh Acres.
- HOME funds have been utilized to support the development of new rental construction in the Charleston Park area. Neighborhood Stabilization Program funds support homebuyer counseling programs through local nonprofit housing development agencies.
- HOME CHDO housing development requires homebuyer counseling for new owners. Lee County and the Housing Authority of the City of Fort Myers (who also administers the Lee County Housing Authority programs) have an excellent working relationship, and have partnered on the development of new rental projects, the 100,000 Homes initiative, and through the Lee County Continuum of Care.

**4. An insufficient number of accessible housing units are available which meets the needs of persons with disabilities in the County.**

**Recommendations:**

- Make the county a leader in the efforts to increase housing accessibility by a highly visible public commitment to enhancing accessibility in all affordable housing projects completed.
- Support an intensive effort to educate and encourage housing providers using county funds (including the Housing Authorities) to use universal design features in new construction and rehabilitation whenever possible.
- Undertake affirmative measures to ensure increased educational programs designed to inform government/municipal officials, community advocates, residents, professional community, private housing industry developers, real estate brokers, property managers, condo associations, financial institutions, and the media/advertising industry with the most current information necessary to fully comply with fair housing laws, the New 2011 FLADA accessibility code and, affirmative marketing requirements.

**Efforts:**

- Lee County encourages and supports housing accessibility projects through the CDBG and HOME funded Owner Occupied Housing Rehabilitation program. Community Development Block Grant and HUD 811 funds were used to partner

with a local nonprofit agency to construct 14 units of housing for persons with disabilities in North Fort Myers.

- The Lee County Building and Code Enforcement Division requires permits to be in compliance with the Florida Building Code, which includes compliance with 2012 Florida Accessibility Code for Building Construction adopted pursuant to Section 553.503, Florida Statutes based on the 2010 ADA Standards for Accessible Design.
- A Lee County requirement is that all SHIP funded programs must meet minimum design criteria: All home ownership and rental projects must provide at least one entrance which will be a ramp or no-step entrance unless the proposed construction of a no-step entrance will require the installation of an elevator.
- Nonprofit or government housing providers applying for Lee County SHIP funds can earn extra points in their applications by incorporating elements of Universal Design into their projects' design and/or demonstrating in their grant applications that their projects will serve persons who have special needs.

**5. The area transportation system is inadequate to service the needs of the working class, which means that people who want or need to use public transportation are limited to living in the City where the jobs are located.**

**Recommendations:**

- Support a regional transportation system that provides services to low and moderate income households throughout the county.
- Expand public transportation service to meet the needs of employers not currently served geographically for employers with second and third shifts, and employers with weekend shifts.

**Efforts:**

- While funds necessary to expand service were not available during this period, ridership increased by 30.5 percent.
- LeeTran continues to offer discounted fares and passes to seniors, the disabled and full-time students, and works with a number of human service agencies that purchase passes for their clients.

**6. Public housing entities are predominantly situated within the City of Fort Myers city limits.**

**Recommendations:**

- Review zoning ordinances to ensure that multi-family developments are approved for use in a variety of neighborhoods throughout the metropolitan area.
- Encourage mixed-income and mixed tenure (homeownership and rental) developments, especially when tax credits or other public subsidies are used.

- Support the establishment of a consolidated regional waiting list for assisted housing, in which applications could be made to one central repository and encourage applicants to consider a variety of options in diverse neighborhoods.
- Provide information and counseling to current certificate and voucher holders about the full range of their housing options and encourage diversity.

**Efforts:**

- The Lee County's Land Development Code provides several avenues for the allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing developments. First through the Planned Development re-zoning process an applicant can design their own property development regulations for lot configuration and setbacks and seek deviations in roadway designs and parking. Variances are available for conventional zoning districts. Both processes are "fast tracked" for affordable housing.

**7. Fair Housing Program Initiatives staffing and support are inadequate to meet the responsibility to affirmatively further fair housing throughout Lee County.**

**Recommendations:**

- Coordinate with liaisons from each Minority Affairs Advisory Board, each Realtor Association, municipal jurisdictions, and internal departments to develop referral network "stations" throughout the county.
- Make intake paperwork along with basic question and answers readily available online and in printed form in local public areas.
- Hire and Train a part-time staff member to handle the administrative tasks associated with conducting investigations not currently covered by general support staff.

**Efforts:**

- In 2012 HUD's Fair Housing Assistance Program notified Lee County that the County's enforcement scheme under local ordinance would no longer be considered substantially equivalent to the Fair Housing Act. Due to severe budget constraints, the County was unable to enhance its enforcement efforts beyond what was currently in place. In February of 2013, the Board of County Commissioners decided to cease local, public enforcement efforts but afforded private substantive rights equivalent to those provided under both federal and state law. The County currently conducts public outreach and housing discrimination education sessions. Lee County does not currently have an office or direct employees for this function. However, the County used a portion of CDBG funds in FY 2013-2014 to contract with a provider for Fair Housing education.

## **B. Regional Impediments Carried over from Previous AIs**

The following impediments are considered “regional” because their impact is present in all participating jurisdictions within the County and require the collaboration of all jurisdictions to address the impediments. These impediments are common in all three entitlement jurisdictions. These impediments are carried over from the previous AIs, indicating the impediments have not been fully addressed and are persisting in the region. Therefore, additional efforts are required. Revisions have been made to these impediments and recommendations and actions to address impediments to reflect current conditions.

### **Regional Impediment #1 Housing discrimination persists in the private market, according to complaints data received.**

Disability complaints led the way with most issues surrounding failure to grant requests for reasonable accommodations, national origin discrimination was second, and familial status discrimination came in third.

#### **Revised Recommendations**

- Ensure fair housing information is easily accessible by the county residents.
- Expand fair housing education and outreach efforts, with specific efforts to small rental properties where owners/managers may not be fully aware of Fair Housing Laws.
- Conduct comprehensive countywide random testing on a regular basis to identify issues, trends, and problem properties.

#### **Actions to Address Impediment:**

- Entitlement jurisdictions’ websites to include accessible fair housing information.
- Prominently display fair housing information on public counters and other points of contact, such as libraries and community centers.
- Include fair housing logo on all housing related documents for public review, brochures, and legal advertisements. Ensure all non-profit agencies that receive housing funds use the logos on their advertising materials.
- Entitlement jurisdictions should include in the scopes of work for fair housing services to expand outreach to small property owners.
- Coordinate and conduct comprehensive and countywide random testing on a regular basis to identify issues, trends, and problem properties by:
  - a) Conduct feasibility study
  - b) Develop testing methods
  - c) Schedule and conduct testing

### **Regional Impediment #2 Pattern of disparity continues to exist in private mortgage lending for racial and ethnic minorities.**

The analysis of the latest HMDA data indicated the following:



- Loan application denials for minorities, especially for Black and Hispanic applicants (27 percent and 30 percent, respectively) were higher than the average denial rates (20 percent) and well above the denial percentage rate of White applicants (19 percent).
- When denial rates are compared with the income levels, Hispanic applicants in all income groups had the highest denial rates. All applicants below 80 percent of AMI were experiencing higher denial rates than those applicants with incomes greater than 100 percent of AMI.
- The primary reason cited by lenders for the rejection of loan applications was debt to income ratio (22 percent) followed by credit history and collateral, both tied at 20 percent.
- Among Black and Hispanic applicants, credit history (40 percent and 32 percent, respectively) was cited as the most common reason for denial.
- An analysis of high-cost loans in Lee County by race and ethnicity reveals that Black borrowers and Hispanic borrowers are overrepresented in high-cost lending. In 2012, 9 percent of mortgages obtained by Black borrowers were high-cost, and 10 percent of loans to Hispanic borrowers were high-cost. In comparison, 2 percent of mortgages obtained by White borrowers were high-cost.

**Revised Recommendations:**

- Entitlement jurisdictions that offer homebuyer programs should consider stepping up outreach efforts in communities to improve loan origination/approval rates and increase awareness and education about homeownership opportunities including types of home mortgages (i.e. FHA, conventional and sub-prime).
- Continue to maintain lender guidelines for housing assisted with state and federal funds and Fair Housing Laws.
- Continue providing credit and financial management courses with CDBG or other funds to improve credit issues of racial and ethnic minority applicants.

**Actions to Address Impediment:**

- Increase outreach efforts and homeownership opportunity awareness to minority and ethnic communities.
- Maintain lender guidelines for housing assisted with state and federal funds and Fair Housing Laws.
- Fund credit and financial management courses with CDBG or other funds to improve credit issues of racial and ethnic minority applicants.
- Promote the availability of general budgeting classes conducted by the University of Florida Extension Services to the targeted communities.

**Regional Impediment #3**     **Limited public transit options and rising cost of transportation limit location options for many lower-income households.**

Increased housing costs are forcing families to move farther away from jobs in order to find affordable living options, which increase their transportation expenses. In 2012, the housing and transportation affordability index for Lee County was 54.9 percent. Due to reductions in property values directly affecting funds available to county government, drastic cuts have been made over the last three years to all areas of local government, including public transportation personnel and the reduction in some routes that were experiencing low ridership.

**Revised Recommendations:**

- Continue to support Job Access Reverse Grant (JARC) applications and New Freedom Grant applications by local non-profit agencies.
- Continue to support a regional transportation system that provides services to low and moderate income households throughout the County.
- Continue funding for bus pass programs and explore alternate modes of transportation for low/mod and disabled households.

**Actions to Address Impediment:**

- Support Job Access Reverse Grant (JARC) applications and New Freedom Grant applications by local non-profit agencies.
- Support a regional transportation system that provides services to low and moderate income households throughout the County.
- Continue funding for bus-pass programs and alternate mode of transportation for low/mod and disabled households.

**Regional Impediment #4**     **Fair Housing education, training and outreach programs are inadequate to meet the responsibility to affirmatively further fair housing throughout Lee County**

Discontinuation of the local substantially equivalent Fair Housing Agency (LCOEO) in the community creates challenges to fair housing enforcement, as well as outreach and education. Community Fair Housing Survey results and a high number of dismissed fair housing complaint cases indicated that residents do not fully understand what constitutes a violation of the Fair Housing Act.

**Revised Recommendations:**

- Lee County's three entitlement jurisdictions should evaluate options for coordinating fair housing programs utilizing CDBG funding as either a public service under 24 CFR 570.201 (e) or as an administrative cost under 24 CFR Section 570.206 (c) Fair Housing Activities. The fair housing partnership should include fair housing services designed to affirmatively further fair housing throughout the County through education and outreach.

- Implement a fair housing media campaign utilizing public service announcements in local TV/newspapers, local municipality TV channels highlighting national, statewide, and a local fair housing news/information.

**Actions to Address Impediment:**

- Coordinate fair housing programs between three entitlement jurisdictions to collaborate and consolidate fair housing efforts in Lee County.
- Develop a fair housing media campaign and implement the media campaign.
- Offer fair housing workshops throughout the year.
- Develop and maintain a fair housing log to record activities undertaken throughout the year to affirmatively further fair housing.

**Regional Impediment #5     An insufficient number of accessible housing units are available which meets the needs of persons with disabilities in the County.**

Housing providers are not making the accommodations and/or modifications necessary to make housing available to persons with disabilities.

**Revised Recommendations:**

- Ensure fair housing workshop topics include requirements of Section 504, the Fair Housing Act, the Americans with Disabilities Act, the Architectural Barriers Act, and the State’s Accessibility Building Codes.
- Continue to maintain the Universal Design requirements in new constructions funded by federal and state grants.
- Continue to give a priority to special needs housing rehabilitations.

**Actions to Address Impediment:**

- Make sure fair housing workshop topics include “reasonable accommodation” requirements and Section 504, the Fair Housing Act, the Americans with Disabilities Act, the Architectural Barriers Act, and the State’s Accessibility Building Codes requirements.
- Maintain the Universal Design requirements in new constructions funded by federal and state grants.
- Continue to give priority and set aside funding to rehabilitate special need housing units.

**C.     Jurisdiction Specific Impediments Carried over from Previous AIs**

The following is a list of jurisdiction specific impediments carried over from the previous AIs, indicating impediments that were not fully addressed and therefore additional efforts are required. Revisions have been made to these impediments and recommendations to reflect current conditions.

## City of Cape Coral

The City of Cape Coral's carried over impediments from the previous AIs are included under "Regional Impediments Carried over from Previous AIs" section.

## City of Fort Myers

### Impediments from 2010:

#### **Local Impediment #1            City does not have Fair Housing Ordinance**

##### **Revised Recommendation:**

- The City should adopt the Fair Housing Ordinance.

##### **Action to Address Impediment:**

- Adopt the Fair Housing Ordinance.

The City Fort Myers' additional carried over impediments from the previous AIs that are considered as "Regional" impediments, are included under "Regional Impediments Carried over from Previous AIs" section.

## Lee County

Lee County's carried over impediments from the previous AIs are included under "Regional Impediments Carried over from Previous AIs" section.

## **D.     New Regional Impediments**

These are new impediments identified during the development of this 2014 Regional AI. These impediments are considered "regional" because their impact is present in all participating jurisdictions within the County and require the collaboration of all jurisdictions to address the impediments.

#### **Regional Impediment #6            Entitlement Jurisdiction's Language Access Plan (LAP) could be expanded to improve access to the area's LEP residents.**

Persons with limited English Proficiency (LEP) are defined by the federal government as those with a limited ability to read, write, speak, or understand English. American Community Survey data reports on the non-English spoken at home for the population five years and older. In 2012, the Census Bureau reported that 125,464 persons across Lee County (20.1 percent of the population) spoke at least one language other than English. Of these, 59,646 (47.5 percent) spoke English less than "very well". This limited English proficiency subpopulation constituted 9.6 percent of the County's total population. The Hispanic population in the County is the largest group facing language barriers. Translation of vital documents is required for a HUD entitlement community if the number of LEP persons in a single language group constitutes 5 percent or 1,000, whichever is less. The language group to qualify according to this threshold was Spanish.

**Recommendations:**

- Jurisdictions may consider offering translations on the entitlement jurisdictions' website to assist the language challenged citizens.
- City of Cape Coral and the City of Fort Myers should revise their LAPs to include points of contact in the cities for translation needs.

**Actions to Address Impediment:**

- Imbed a direct translation web widget on the entitlement jurisdictions' websites.
- Revise LAPs by the City of Cape Coral and the City of Fort Myers to include more detailed information including points of contact in their cities.

**Regional Impediment #7     Members of the protected classes could be represented better on the local planning/zoning boards.**

There is a lack of women and minority persons, particularly Hispanics and Blacks on the local governments' planning and zoning boards. Currently, all governments in Lee County do not keep census of the board members. The experience of the protected classes would enhance the decision-making processes and would offer the opportunity for greater advancement of fair housing choice in all aspects of government.

**Recommendation:**

- Conduct a survey of each of the appointed citizens who are currently members of appointed planning/zoning boards to identify the race, gender, ethnicity, national origin, disability and familial status. Thereafter, each new appointment should be surveyed in a similar manner. Records on the membership of boards will assist local officials in making appointments that reflect the County's growing diversity.

**Actions to Address Impediment:**

- Survey the current appointed planning/zoning boards' members to identify the race, gender, ethnicity, national origin, disability and familial status.
- Present the planning/zoning boards' member survey results and Inform the elected governing body of the importance of diversity on the appointed planning/zoning boards to reflect the County's growing diversity.

**E.     New Jurisdiction-Specific Impediments**

These are new impediments identified during the development of this Regional AI. These impediments are "jurisdiction-specific" and therefore specific recommendations are identified for each participating jurisdiction.

## City of Cape Coral

**Local Impediment #1**                    **Dispersion requirements for community group facilities appear to be inconsistent with the Fair Housing Act.**

The City follows the state laws (F.S. Chapter 419.001) in regards to the distance requirements. However, they appear to be inconsistent with the Fair Housing Act.

**Recommendation:**

- The City should consider developing and adopting administrative procedures for processing group home requests in compliance with the Fair Housing Act.

**Action to Address Impediment:**

- Develop and adopt administrative procedures for processing group home requests in compliance with the Fair Housing Act.

**Local Impediment #2**                    **City's Fair Housing Ordinance does not include protected class based on familial status and does not define handicapped person.**

The City of Cape Coral's Fair Housing Ordinance (Chapter Sixteen) prohibits discrimination on the basis of race, color, religion, sex, age, handicapped status, or national origin in connection with housing. The Ordinance prohibits discrimination in the sale and rental of housing, the residential real estate related transactions, the provisions of brokerage services, and the provisions of housing for older persons. The Ordinance outlines unlawful and discriminatory practices in regards to the sales and rental of housing. In addition, the Ordinance created the City's Fair Housing Compliance Board and provided an overview of its functions. However, the ordinance does not include protected class based on familial status, and protections appears to be limited to physically handicapped persons and does not provided protection for all disabilities including mental illness.

**Recommendation:**

- The City should revise its Fair Housing Ordinance to include familial status under the protective class and define handicapped to include both physical and mental disabilities.

**Actions to Address Impediment:**

- Revise and adopt Fair Housing Ordinance to include familial status under the protective class and define handicapped to include both physical and mental disabilities.

## City of Fort Myers

**Local Impediment #2**                    **Dispersion requirements for community group facilities appear to be inconsistent with the Fair Housing Act.**

The City's ordinances are silent on the group home distance requirements, but the City follows the state laws (F.S. Chapter 419.001) in regards to the distance requirements. However, they appear to be inconsistent with the Fair Housing Act.

**Recommendation:**

- The City should consider developing and adopting administrative procedures for processing group home requests in compliance with the Fair Housing Act.

**Action to Address Impediment:**

- Develop and adopt administrative procedures for processing group home requests in compliance with the Fair Housing Act.

**Lee County**

**Local Impediment#1**                      **Dispersion requirements for community group facilities imposed by the City of Sanibel (urban county partner) appear to be inconsistent with the Fair Housing Act.**

The distancing requirements placed on group homes (community residential homes) by the City of Sanibel (urban county partner) are more restrictive than the Florida statute and appear to be inconsistent with the Fair Housing Act.

**Recommendations:**

- Lee County should work with its urban county partner, the City of Sanibel, to consider amending the City of Sanibel's zoning ordinances regarding community residential homes/home-care facilities/adult family-care homes dispersion requirements.
- Lee County should work with its urban county partner, the City of Sanibel, to consider developing and adopting administrative procedures for processing group home requests in compliance with the Fair Housing Act.

**Actions to Address Impediment:**

- Work with the City of Sanibel to consider amending the City's zoning ordinances regarding community residential homes/home-care facilities/adult family-care homes dispersion requirements.
- Work with the City of Sanibel to consider developing and adopting the City's administrative procedures for processing group home requests in compliance with the Fair Housing Act.



## **VIII. Fair Housing Action Plans for Entitlement Jurisdictions**

Fair Housing Action Plans have been developed to address the impediments. The Fair Housing Action Plans list specific actions entitlement jurisdictions in the region are planning to undertake in order to address the impediments identified in the previous section. Periodically, during the Consolidated Plan Annual Action Plan and Consolidated Annual Performance Evaluation Report processes, individual jurisdictions may need to adjust their actions depending on funding availability and progress and effectiveness in implementing the actions. This section also includes monitoring, evaluation, reporting and record keeping requirements of the Fair Housing Action Plans.

### **A. Monitoring and Evaluation**

The completion of this AI was overseen by the entitlement jurisdictions in Lee County – the City of Cape Coral Planning Division, the City of Fort Myers Housing and Real Estate Division, and Lee County Human Services Department.

All three respective entitlement jurisdictions will oversee the implementation of the respective jurisdiction’s Fair Housing Action Plan. Each jurisdiction will be responsible for putting fair housing information on the Cities’/County’s website and implementing the Fair Housing Action Plan.

To ensure that the Fair Housing Action Plan is carried out, the entitlement jurisdictions will conduct an evaluation of each activity during each program year, identify additional areas that require study or analysis, and determine how to address those additional areas. As part of its monitoring efforts, the entitlement jurisdictions will also obtain progress reports from the local housing agencies that receive funding from the Cities/County.

### **B. Reporting and Maintenance of Records**

Per Section 2.14 in HUD’s Fair Housing Planning Guide, the entitlement jurisdictions will maintain the following data and information as documentation of the jurisdiction’s Fair Housing Plan:

- A copy of the AI and any updates.
- A list of actions taken each year as part of the Fair Housing Plan to eliminate the impediments identified in the AI.

At the end of each program year, each entitlement jurisdiction will submit information to HUD about the actions taken to fulfill the Fair Housing Plan and an analysis of their impact as a part of the entitlement jurisdiction’s Consolidated Annual Performance Evaluation Report (CAPER).

## **C. Fair Housing Action Plans**

### **City of Cape Coral**

The following is the Fair Housing Action Plan for the City of Cape Coral. The Fair Housing Action Plan lists “Lee County Regional impediments” and the “jurisdiction specific impediments” as well as goals and strategies to address these impediments in FY 2015/2016 to FY 2019/2020.

CITY OF CAPE CORAL – FAIR ACTION PLAN								
LEE COUNTY REGIONAL – IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	NOTE: IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment # 1</b> Housing discrimination persists in the private market, according to complaints data received.	Reduce incidence of discrimination in the sale or rental of housing.	Ensure ease of access to fair housing information on entitlement jurisdictions' websites.	Entitlement Jurisdictions	Jurisdictions' website	No additional funding needed	FY 2015-2016 and thereafter on-going		
		Prominently display Fair Housing information on public counters and other public points of contact such as libraries and community centers.	Entitlement Jurisdictions	Number of locations	Entitlement Jurisdictions' Staff time	On-going		
		Include Fair Housing logo on all housing related documents for public review, brochures, and legal advertisements. Ensure all non-profit agencies that receive housing funds must use the logos on their advertising materials.	Entitlement Jurisdictions and non-profit agencies	All housing related documents include fair housing logo	Entitlement Jurisdictions' Staff and non-profit agencies' time	On-going		

CITY OF CAPE CORAL – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL – IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<b>NOTE:</b> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment # 1</b> Housing discrimination persists in the private market, according to complaints data received.	Reduce incidence of discrimination in the sale or rental of housing.	Target Fair Housing education and outreach materials to the small property owner population.	Entitlement Jurisdictions	Number of workshops held	Federal/ state/local resources	On-going		
		Coordinate and conduct comprehensive and countywide random testing on a regular basis to identify issues, trends, and problem properties by: a) conducting feasibility study; b) developing testing methods; and c) scheduling and testing.	Entitlement Jurisdictions	Feasibility study completed	Federal/ state/local resources	FY 2015-2016		
				Testing methods developed		FY 2016-2017		
				Testing results		FY 2018-2020		

**CITY OF CAPE CORAL – FAIR HOUSING ACTION PLAN**

LEE COUNTY REGIONAL – IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #2</b>  Pattern of disparity continues to exist in private mortgage lending for racial and ethnic minorities.	Increase racial and ethnic minority's access to home financing.	Increase outreach efforts and homeownership opportunity awareness to minority and ethnic communities.	Entitlement Jurisdictions and non-profit agencies	Number of events held	Entitlement Jurisdictions' Staff and non-profit agencies' time	On-going		
		Maintain lender guidelines for housing assisted with state and federal funds and Fair Housing Laws.	Entitlement Jurisdictions	Lender Guidelines	Entitlement Jurisdictions' staff time	On-going		
		Fund credit and financial management courses with CDBG or other funds to improve credit issues of racial and ethnic minority applicants.	Entitlement Jurisdictions and non-profit agencies	Number of workshops and credit score improvement documentation	Federal/ state/local resources	On-going		
		Promote the availability of general budgeting classes conducted by the University of Florida Extension Services to the targeted communities.	Entitlement Jurisdictions and non-profit agencies	Number of classes held	Federal/ state/local resources	On-going		

**CITY OF CAPE CORAL – FAIR HOUSING ACTION PLAN**

LEE COUNTY REGIONAL - IMPEDIMENTS								ACCOMPLISHMENTS
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #3</b>  Limited public transit options and rising cost of transportation in general limit location options for many lower-income households.	Improve regional transportation.	Support Job Access Reverse Grant (JARC) applications and New Freedom Grant applications by local non-profit agencies.	Entitlement Jurisdictions	Number of applications	Entitlement Jurisdictions' staff time	On-going		
		Support a regional transportation system that provides services to low and moderate income households throughout the County.	Entitlement Jurisdictions	Number of events attended/participated	Entitlement Jurisdictions' staff time	On-going		
		Continue funding for bus-pass programs and/or alternate modes of transportation to low/mod and disabled households.	Entitlement Jurisdictions	Number of bus passes/alternate modes of transportation provided	Federal/state/local resources	On-going		

**CITY OF CAPE CORAL – FAIR HOUSING ACTION PLAN**

LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #4</b>  Fair Housing education, training and outreach programs are inadequate to meet the responsibility to affirmatively further fair housing throughout Lee County.	Affirmatively further fair housing programs in the County.	Coordinate Fair Housing programs between three entitlement jurisdictions to collaborate and consolidate fair housing efforts in Lee County.	Entitlement Jurisdictions	Number of coordinated events	Federal/state/local resources	On-going		
		Develop a Fair Housing media campaign and implement the media campaign.	Entitlement Jurisdictions	Number of media campaigns	Federal/state/local resources	On-going		
		Offer Fair Housing workshops throughout the year.	Entitlement Jurisdictions and non-profit agencies	Number of workshops held	Federal/state/local resources	On-going		
		Develop and maintain a Fair Housing log to record activities undertaken throughout the year to affirmatively further fair housing.	Entitlement Jurisdictions	Fair Housing activity log	Entitlement Jurisdictions' staff time	On-going		



CITY OF CAPE CORAL – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #5</b>  An insufficient number of accessible housing units are available to meets the needs of persons with disabilities in the County.	Improve housing accessibility for persons with disabilities.	Make sure Fair Housing workshop topics include “reasonable accommodation” requirements and Section 504, the Fair Housing Act, the Americans with Disabilities Act, the Architectural Barriers Act, and the State’s Accessibility Building Codes requirements.	Entitlement Jurisdictions and non-profit agencies	Fair Housing Workshop topics developed and number of workshops held	Federal/state/local resources	FY 2015-2016		
		Maintain the Universal Design requirements in new constructions funded by federal and state grants.	Entitlement Jurisdictions	Entitlement Jurisdictions’ Policy	Entitlement Jurisdictions’ staff time	On-going		
		Continue to give priority and set aside funding to rehabilitate special need housing units.	Entitlement Jurisdictions	Entitlement Jurisdictions’ Policy	Entitlement Jurisdictions’ staff time	Ongoing		

CITY OF CAPE CORAL – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	NOTE: IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #6</b> Entitlement Jurisdiction's Language Access Plan (LAP) could be expanded.	Improve LEP persons' access to fair housing information.	Imbed a direct translation web widget on the entitlement jurisdictions' websites.  Revise the City's LAP to include more detailed information including points of contact in the city for translation needs.	Entitlement Jurisdictions  City of Cape Coral	Jurisdictions' Website  Revised LAP	Entitlement Jurisdictions' staff time  City of Cape Coral's staff time	On-going  FY 2015-2016		

CITY OF CAPE CORAL – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	NOTE: IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #7</b>  Members of the protected classes could be more fully represented on the local planning/zoning boards.	Ensure that the members of protective classes are represented on the local planning/zoning boards.	Conduct survey of the current appointed planning/zoning boards' members to identify the race, gender, ethnicity, national origin, disability and familial status.	Entitlement Jurisdictions	Survey conducted	Entitlement Jurisdictions' staff time	FY 2015-2016 and thereafter on-going		
		Present the survey results of planning/zoning boards' member makeup and Inform the elected governing body of the importance of diversity on the appointed planning/zoning boards to reflect the County's growing diversity.	Entitlement Jurisdictions	Survey results and documentation of presentation/information conveyed to the elected officials	Entitlement Jurisdictions' staff time	FY 2015-2016 and thereafter on-going		

**CITY OF CAPE CORAL – FAIR HOUSING ACTION PLAN**

CITY OF CAPE CORAL –LOCAL IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Local Impediment #1</b>  Dispersion requirements for community group facilities.	Ensure that local zoning ordinances are in compliance with the Fair Housing Act.	Develop and adopt administrative procedures for processing group home requests in compliance with the Fair Housing Act.	City of Cape Coral	Administrative Policy and Procedure	City of Cape Coral staff time	FY 2015-2016		
<b>Local Impediment #2</b>  City's Fair Housing Ordinance does not include protected class based on familial status and does not define handicapped person.	Affirmatively further fair housing in the City of Cape Coral.	Amend and adopt the City's Fair Housing ordinance to reflect the federal Fair Housing Act.	City of Cape Coral	Adoption of amended Fair Housing Ordinance	City of Cape Coral staff time	FY 2015-2016		

## **City of Fort Myers**

The following is the Fair Housing Action Plan for the City of Fort Myers. The Fair Housing Action Plan lists “Lee County Regional impediments” and the “jurisdiction specific impediments” as well as goals and strategies to address these impediments in 2015 to 2020.

CITY OF FORT MYERS – FAIR ACTION PLAN								
LEE COUNTY REGIONAL – IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment # 1</b>  Housing discrimination persists in the private market, according to complaints data received.	Reduce incidence of discrimination in the sale or rental of housing.	Ensure ease of access to Fair Housing information on entitlement jurisdictions' websites.	Entitlement Jurisdictions	Jurisdictions' website	No additional funding needed	FY 2015-2016 and thereafter on-going		
		Prominently display Fair Housing information on public counters and other public points of contact such as libraries and community centers.	Entitlement Jurisdictions	Number of locations	Entitlement Jurisdictions' Staff time	On-going		
		Include Fair Housing logo on all housing related documents for public review, brochures, and legal advertisements. Ensure all non-profit agencies that receive housing funds must use the logos on their advertising materials.	Entitlement Jurisdictions and non-profit agencies	All housing related documents include fair housing logo	Entitlement Jurisdictions' Staff and non-profit agencies' time	On-going		

**CITY OF FORT MYERS – FAIR HOUSING ACTION PLAN**

LEE COUNTY REGIONAL – IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment # 1</b> Housing discrimination persists in the private market, according to complaints data received.	Reduce incidence of discrimination in the sale or rental of housing.	Target Fair Housing education and outreach materials to the small property owner population.	Entitlement Jurisdictions	Number of workshops held	Federal/ state/local resources	On-going		
		Coordinate and conduct comprehensive and countywide random testing on a regular basis to identify issues, trends, and problem properties by: a) conducting feasibility study; b) developing testing methods; and c) scheduling and testing.	Entitlement Jurisdictions	Feasibility study completed	Federal/ state/local resources	FY 2015-2016		
				Testing methods developed		FY 2016-2017		
				Testing results		FY 2018-2020		



**CITY OF FORT MYERS – FAIR HOUSING ACTION PLAN**

**LEE COUNTY REGIONAL – IMPEDIMENTS**

**ACCOMPLISHMENTS**

IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<p><b>Regional Impediment #2</b></p> <p>Pattern of disparity continues to exist in private mortgage lending for racial and ethnic minorities.</p>	<p>Increase racial and ethnic minority's access to home financing.</p>	<p>Increase outreach efforts and homeownership opportunity awareness to minority and ethnic communities.</p> <p>Maintain lender guidelines for housing assisted with state and federal funds and Fair Housing Laws.</p> <p>Fund credit and financial management courses with CDBG or other funds to improve credit issues of racial and ethnic minority applicants.</p> <p>Promote the availability of general budgeting classes conducted by the University of Florida Extension Services to the targeted communities.</p>	<p>Entitlement Jurisdictions and non-profit agencies</p> <p>Entitlement Jurisdictions</p> <p>Entitlement Jurisdictions and non-profit agencies</p> <p>Entitlement Jurisdictions and non-profit agencies</p>	<p>Number of events held</p> <p>Lender Guidelines</p> <p>Number of workshops and credit score improvement documentation</p> <p>Number of classes held</p>	<p>Entitlement Jurisdictions' Staff and non-profit agencies' time</p> <p>Entitlement Jurisdictions' staff time</p> <p>Federal/ state/local resources</p> <p>Federal/ state/local resources</p>	<p>On-going</p> <p>On-going</p> <p>On-going</p> <p>On-going</p>		

**CITY OF FORT MYERS – FAIR HOUSING ACTION PLAN**

LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #3</b>  Limited public transit options and rising cost of transportation in general limit location options for many lower-income households.	Improve regional transportation.	Support Job Access Reverse Grant (JARC) applications and New Freedom Grant application by local non-profit agencies.	Entitlement Jurisdictions	Number of applications	Entitlement Jurisdictions' staff time	On-going		
		Support a regional transportation system that provides services to low and moderate income households throughout the County.	Entitlement Jurisdictions	Number of events attended/participated	Entitlement Jurisdictions' staff time	On-going		
		Continue funding for bus-pass programs and/or alternate modes of transportation to low/mod and disabled households.	Entitlement Jurisdictions	Number of bus passes/alternate modes of transportation provided	Federal/state/local resources	On-going		

**CITY OF FORT MYERS – FAIR HOUSING ACTION PLAN**

LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #4</b>  Fair Housing education, training and outreach programs are inadequate to meet the responsibility to affirmatively further fair housing throughout Lee County.	Affirmatively further fair housing programs in the County.	Coordinate fair housing programs between three entitlement jurisdictions to collaborate and consolidate fair housing efforts in Lee County.	Entitlement Jurisdictions	Number of coordinated events	Federal/state/local resources	On-going		
		Develop a fair housing media campaign and implement the media campaign.	Entitlement Jurisdictions	Number of media campaigns	Federal/state/local resources	On-going		
		Offer fair housing workshops throughout the year.	Entitlement Jurisdictions and non-profit agencies	Number of workshops held	Federal/state/local resources	On-going		
		Develop and maintain a Fair Housing log to record activities undertaken throughout the year to affirmatively further fair housing.	Entitlement Jurisdictions	Fair Housing activity log	Entitlement Jurisdictions' staff time	On-going		

CITY OF FORT MYERS – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #5</b>  An insufficient number of accessible housing units are available to meets the needs of persons with disabilities in the County.	Improve housing accessibility for persons with disabilities.	Make sure Fair Housing workshop topics include “reasonable accommodation” requirements and Section 504, the Fair Housing Act, the Americans with Disabilities Act, the Architectural Barriers Act, and the State’s Accessibility Building Codes requirements.	Entitlement Jurisdictions and non-profit agencies	Fair Housing Workshop topics developed and number of workshops held	Federal/state/local resources	FY 2015-2016		
		Maintain the Universal Design requirements in new constructions funded by federal and state grants.	Entitlement Jurisdictions	Entitlement Jurisdictions’ Policy	Entitlement Jurisdictions’ staff time	On-going		
		Continue to give priority and set aside funding to rehabilitate special need housing units.	Entitlement Jurisdictions	Entitlement Jurisdictions’ Policy	Entitlement Jurisdictions’ staff time	Ongoing		

CITY OF FORT MYERS – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	NOTE: IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #6</b> Entitlement Jurisdiction's Language Access Plan (LAP) could be expanded.	Improve LEP persons' access to fair housing information.	Imbed a direct translation web widget on the entitlement jurisdictions' websites.  Revise the City's LAP to include more detailed information including points of contact in the city for translation needs.	Entitlement Jurisdictions  City of Fort Myers	Jurisdictions' Website  Revised LAP	Entitlement Jurisdictions' staff time  City of Cape Coral's staff time	On-going  FY 2015-2016		

CITY OF FORT MYERS – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<b>NOTE:</b> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #7</b>  Members of the protected classes could be more fully represented on the local planning/zoning boards.	Ensure that the members of protective classes are represented on the local planning/zoning boards.	Conduct survey of the current appointed planning/zoning boards' members to identify the race, gender, ethnicity, national origin, disability and familial status.	Entitlement Jurisdictions	Survey conducted	Entitlement Jurisdictions' staff time	FY 2015-2016 and thereafter on-going		
		Present the survey result of planning/zoning boards' member makeup and Inform the elected governing body of the importance of diversity on the appointed planning/zoning boards to reflect the County's growing diversity.	Entitlement Jurisdictions	Survey results and documentation of presentation/information conveyed to the elected officials	Entitlement Jurisdictions' staff time	FY 2015-2016 and thereafter on-going		

**CITY OF FORT MYERS – FAIR HOUSING ACTION PLAN**

CITY OF FORT MYERS – LOCAL IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Local Impediment #1</b> City does not have Fair Housing ordinance.	Affirmatively further fair housing in the City of Fort Myers.	Adopt Fair Housing Ordinance	City of Fort Myers	Fair Housing Ordinance adoption	City of Fort Myers staff time	FY 2015-2016		
<b>Local Impediment #2</b> Dispersion requirements for community group facilities.	Ensure that local zoning ordinances are in compliance with the Fair Housing Act.	Develop and adopt administrative procedures for processing group home requests in compliance with the Fair Housing Act.	City of Fort Myers	Administrative Policy and Procedures	City of Fort Myers staff time	FY 2015-2016		



## **Lee County**

The following is the Fair Housing Action Plan for the Lee County. The Fair Housing Action Plan lists “Lee County Regional impediments” and the “jurisdiction specific impediments” as well as goals and strategies to address these impediments in 2015 to 2020.

**LEE COUNTY – FAIR HOUSING ACTION PLAN**

LEE COUNTY REGIONAL – IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment # 1</b>  Housing discrimination persists in the private market, according to complaints data received.	Reduce incidence of discrimination in the sale or rental of housing.	Ensure ease of access to Fair Housing information on entitlement jurisdictions' websites.	Entitlement Jurisdictions	Jurisdictions' website	No additional funding needed	FY 2015-2016 and thereafter on-going		
		Prominently display Fair Housing information on public counters and other public points of contact such as libraries and community centers.	Entitlement Jurisdictions	Number of locations	Entitlement Jurisdictions' Staff time	On-going		
		Include Fair Housing logo on all housing related documents for public review, brochures, and legal advertisements. Ensure all non-profit agencies that receive housing funds must use the logos on their advertising materials.	Entitlement Jurisdictions and non-profit agencies	All housing related documents include fair housing logo	Entitlement Jurisdictions' Staff and non-profit agencies' time	On-going		

LEE COUNTY – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL – IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<b>NOTE:</b> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment # 1</b> Housing discrimination persists in the private market, according to complaints data received.	Reduce incidence of discrimination in the sale or rental of housing.	Target Fair Housing education and outreach materials to the small property owner population.	Entitlement Jurisdictions	Number of workshops held	Federal/ state/local resources	On-going		
		Coordinate and conduct comprehensive and countywide random testing on a regular basis to identify issues, trends, and problem properties by: a) conducting feasibility study; b) developing testing methods; and c) scheduling and testing.	Entitlement Jurisdictions	Feasibility study completed	Federal/ state/local resources	FY 2015-2016		
				Testing methods developed		FY 2016-2017		
				Testing results		FY 2018-2020		

LEE COUNTY – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL – IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<b>NOTE:</b> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #2</b>  Pattern of disparity continues to exist in private mortgage lending for racial and ethnic minorities.	Increase racial and ethnic minority's access to home financing.	Increase outreach efforts and homeownership opportunity awareness to minority and ethnic communities.	Entitlement Jurisdictions and non-profit agencies	Number of events held	Entitlement Jurisdictions' Staff and non-profit agencies' time	On-going		
		Maintain lender guidelines for housing assisted with state and federal funds and Fair Housing Laws.	Entitlement Jurisdictions	Lender Guidelines	Entitlement Jurisdictions' staff time	On-going		
		Fund credit and financial management courses with CDBG or other funds to improve credit issues of racial and ethnic minority applicants.	Entitlement Jurisdictions and non-profit agencies	Number of workshops and credit score improvement documentation	Federal/ state/local resources	On-going		
		Promote the availability of general budgeting classes conducted by the University of Florida Extension Services to the targeted communities.	Entitlement Jurisdictions and non-profit agencies	Number of classes held	Federal/ state/local resources	On-going		

**LEE COUNTY – FAIR HOUSING ACTION PLAN**

LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #3</b>  Limited public transit options and rising cost of transportation in general limit location options for many lower-income households.	Improve regional transportation.	Support Job Access Reverse Grant (JARC) applications and New Freedom Grant application by local non-profit agencies.	Entitlement Jurisdictions	Number of applications	Entitlement Jurisdictions' staff time	On-going		
		Support a regional transportation system that provides services to low and moderate income households throughout the County.	Entitlement Jurisdictions	Number of events attended/participated	Entitlement Jurisdictions' staff time	On-going		
		Continue funding for bus-pass programs and/or alternate modes of transportation to low/mod and disabled households.	Entitlement Jurisdictions	Number of bus passes/alternate modes of transportation provided	Federal/state/local resources	On-going		

LEE COUNTY – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #4</b>  Fair Housing education, training and outreach programs are inadequate to meet the responsibility to affirmatively further fair housing throughout Lee County.	Affirmatively further fair housing programs in the County.	Coordinate Fair Housing programs between three entitlement jurisdictions to collaborate and consolidate fair housing efforts in Lee County.	Entitlement Jurisdictions	Number of coordinated events	Federal/state/local resources	On-going		
		Develop a Fair Housing media campaign and implement the media campaign.	Entitlement Jurisdictions	Number of media campaigns	Federal/state/local resources	On-going		
		Offer Fair Housing workshops throughout the year.	Entitlement Jurisdictions and non-profit agencies	Number of workshops held	Federal/state/local resources	On-going		
		Develop and maintain a Fair Housing log to record activities undertaken throughout the year to affirmatively further fair housing.	Entitlement Jurisdictions	Fair Housing activity log	Entitlement Jurisdictions' staff time	On-going		

LEE COUNTY – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #5</b>  An insufficient number of accessible housing units are available to meets the needs of persons with disabilities in the County.	Improve housing accessibility for persons with disabilities.	Make sure Fair Housing workshop topics include “reasonable accommodation” requirements and Section 504, the Fair Housing Act, the Americans with Disabilities Act, the Architectural Barriers Act, and the State’s Accessibility Building Codes requirements.	Entitlement Jurisdictions and non-profit agencies	Fair Housing Workshop topics developed and number of workshops held	Federal/state/local resources	FY 2015-2016		
		Maintain the Universal Design requirements in new constructions funded by federal and state grants.	Entitlement Jurisdictions	Entitlement Jurisdictions’ Policy	Entitlement Jurisdictions’ staff time	On-going		
		Continue to give priority and set aside funding to rehabilitate special need housing units.	Entitlement Jurisdictions	Entitlement Jurisdictions’ Policy	Entitlement Jurisdictions’ staff time	Ongoing		

LEE COUNTY – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	NOTE: IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #6</b> Entitlement Jurisdiction's Language Access Plan (LAP) could be expanded.	Improve LEP persons' access to fair housing information.	Imbed a direct translation web widget on the entitlement jurisdictions' websites.  Revise the City's LAP to include more detailed information including points of contact in the city for translation needs.	Entitlement Jurisdictions  City of Cape Coral and the City of Fort Myers	Jurisdictions' Website  Revised LAP	Entitlement Jurisdictions' staff time  City of Cape Coral and the City of Fort Myers' staff time	On-going  FY 2015-2016		



LEE COUNTY – FAIR HOUSING ACTION PLAN								
LEE COUNTY REGIONAL - IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	NOTE: IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Regional Impediment #7</b>  Members of the protected classes could be more fully represented on the local planning/zoning boards.	Ensure that the members of protective classes are represented on the local planning/zoning boards.	Conduct survey of the current appointed planning/zoning boards' members to identify the race, gender, ethnicity, national origin, disability and familial status.	Entitlement Jurisdictions	Survey conducted	Entitlement Jurisdictions' staff time	FY 2015-2016 and thereafter on-going		
		Present the survey result of planning/zoning boards' member makeup and Inform the elected governing body of the importance of diversity on the appointed planning/zoning boards to reflect the County's growing diversity.	Entitlement Jurisdictions	Survey results and documentation of presentation/information conveyed to the elected officials	Entitlement Jurisdictions' staff time	FY 2015-2016 and thereafter on-going		

LEE COUNTY – FAIR HOUSING ACTION PLAN								
LEE COUNTY - LOCAL IMPEDIMENTS							ACCOMPLISHMENTS	
IMPEDIMENT(S) TO BE ADDRESSED	GOALS	STRATEGIES TO MEET THE GOALS	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK	PROPOSED INVESTMENT	YEAR TO BE COMPLETED	DATE COMPLETED	<u>NOTE:</u> IF THE IMPEDIMENT HAS <u>NOT</u> BEEN ADDRESSED PROVIDE DETAILED EXPLANATION AS TO WHY AND WHEN IT WILL BE ADDRESSED.
<b>Local Impediment #1</b>  Dispersion requirements for community group facilities imposed by an urban county partner, the City of Sanibel.	Ensure that local zoning ordinances are in compliance with the Fair Housing Act.	Work with the City of Sanibel to consider amending the City’s zoning ordinances regarding community residential homes/home-care facilities/adult family-care homes dispersion requirements.	Lee County and the City of Sanibel	Zoning Ordinance amended	Lee County and the City of Sanibel staff time	FY 2015-2016		
		Work with the City of Sanibel to consider developing and adopting the City’s administrative procedures for processing group home requests in compliance with the Fair Housing Act.	Lee County and the City of Sanibel	Administrative policy and procedures	Lee County and the City of Sanibel staff time	FY 2015-2016		

## **IX. Signature Pages**

**Analysis of Impediments to Fair Housing Choice**

**City of Cape Coral, Florida**

This certifies that the City of Cape Coral has completed its Analysis of Impediments to Fair Housing Choice as certified in its Consolidated Plan. The AI was adopted by the City Council on March 16, 2015.

This fulfills the U.S. Department of Housing and Urban Development (HUD) requirement as set forth in 24 CFR, Part 91, et. Al. Consolidated Submission for Community Planning and Development Programs; Final Rule.

  
A. John Szerlag, City Manager

3/25/15  
Date

**Analysis of Impediments to Fair Housing Choice**  
**City of Fort Myers, Florida**

This certifies that the City of Fort Myers has completed its Analysis of Impediments to Fair Housing Choice as certified in its Consolidated Plan. The AI was adopted by the City Council on

April 6, 2015.

This fulfills the U.S. Department of Housing and Urban Development (HUD) requirement as set forth in 24 CFR, Part 91, et. Al. Consolidated Submission for Community Planning and Development Programs; Final Rule.

Randall P. Henderson, Jr.

Randall P. Henderson, Jr., Mayor

April 10, 2015

Date

Attest: Marie Adams

Marie Adams, MMC, City Clerk

William P. Mitchell

William P. Mitchell, City Manager

April 14, 2015

Date

**Analysis of Impediments to Fair Housing Choice**

**Lee County, Florida**

This certifies that Lee County has completed its Analysis of Impediments to Fair Housing Choice as certified in its Consolidated Plan. The AI was adopted by the County Board of Commissioners on March 3, 2015.

This fulfills the U.S. Department of Housing and Urban Development (HUD) requirement as set forth in 24 CFR, Part 91, et. Al. Consolidated Submission for Community Planning and Development Programs; Final Rule.

ATTEST:  
LINDA DOGGETT, CLERK

BY: *Theresa King*  
DEPUTY CLERK

BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA

*Jeff Blum* 3/3/15  
VICE CHAIR DATE



APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY

BY: *Mustafa*  
OFFICE OF COUNTY ATTORNEY

**APPENDIX A: FAIR HOUSING SURVEY RESULTS**

- **Community Fair Housing Survey**
- **Real Estate Industry Fair Housing Survey**



## Joint Fair Housing Survey



*THIS SURVEY IS FOR INFORMATIONAL PURPOSES ONLY AND ALL SURVEY RESPONDENTS IDENTITIES WILL REMAIN ANONYMOUS.*

This survey is for the Analysis of Impediments to Fair Housing Choice (A.I.), a document required of Lee County, the City of Fort Myers, and the City of Cape Coral by the U.S. Department of Housing and Urban Development (HUD). The Federal Fair Housing Act prohibits discrimination in housing on the basis of race, color, national origin, religion, sex, familial status, and disability. If you have encountered a barrier/impediment to renting or buying a home because of your race, color, national origin, religion, family status, gender, disability, or sexual orientation, you may have experienced housing discrimination.

### SURVEY QUESTIONS

Have you or anyone you know ever experienced housing discrimination in Lee County?

- Yes, I have
- Yes, a person I know has
- No

If yes, which of the following best describes the person or organization that discriminated against you or the person you know?

- Rental property manager/owner
- Seller of a housing unit
- Condominium or homeowner's association
- Real estate professional
- Loan officer or mortgage broker
- Municipal employee
- Other (please list) \_\_\_\_\_
- Not Applicable/Have Not Been Discriminated Against

What best describes the location where the discrimination occurred?

- Rental apartment complex
- Individual housing unit for rent
- Single family housing unit for sale
- Condominium for sale
- Real estate office
- Lending institution
- Public Housing Authority
- City office
- other (please list): \_\_\_\_\_



Not Applicable/Have Not Been Discriminated Against

What do you believe was the basis for the discrimination you or the person you know experienced?

- Race
- Color
- Religion
- Sex
- Disability/Handicap
- Family Status
- National Origin
- Age
- Sexual Orientation
- Poor English language skills
- Citizenship Status
- Level of Income
- Source of Income (public assistance)
- Other (please list): \_\_\_\_\_
- Not Applicable/Have Not Been Discriminated Against

What did you do, or would you do, if you were discriminated against in housing choice? (Check all that apply)

- Nothing
- I wouldn't know what to do
- Complain to the individual/organization that discriminated against me
- Contact City offices
- Contact my elected municipal representative
- Contact a local fair housing organization
- Contact HUD
- Contact a private attorney
- Contact the County/City Attorney
- Contact the State Attorney General
- Other (please identify): \_\_\_\_\_

What do you see as current barriers to fair housing choice, if any, within Lee County and/or the City's of Cape Coral and Fort Myers?

- Race
- Color
- Ethnicity
- National Origin
- Sex
- Sexual Orientation
- Family Status
- Disability
- Age
- Insufficient Income
- Lack of sufficient quality affordable housing
- Insufficient public transportation
- Municipal codes, ordinances, or regulations

Other (please list): \_\_\_\_\_

Have you seen or heard information regarding fair housing programs, laws, or enforcement within Lee County and/or the City's of Cape Coral and Fort Myers?

Yes

No

Please select where you live in Lee County?

City of Cape Coral

City of Fort Myers

Unincorporated Lee County

Other: \_\_\_\_\_

Please indicate below your zip code.

Of which race do you consider yourself? Please check one:

American Indian or Alaskan Native

Asian

Black/African American

Native Hawaiian or Other Pacific Islander

White/Caucasian

American Indian or Alaskan Native and White

Asian and White

Black or African American and White

American Indian or Alaskan Native and Black /African American

Prefer not to answer

Other (please specify): \_\_\_\_\_

What ethnic group do you consider yourself a member? Please check one:

Hispanic

Non-Hispanic

What is your current marital status? Please check one.

Married

Single/Head of Household

Domestic partners

Divorced

Widowed

Prefer not to answer

Which income category does your total household income fall into? Please check one:

- Less than \$20,000
- \$20,001 to \$30,000
- \$30,001 to \$40,000
- \$40,001 to \$50,000
- \$50,001 to \$60,000
- \$60,001 to \$70,000
- \$70,001 or more
- Prefer not to answer

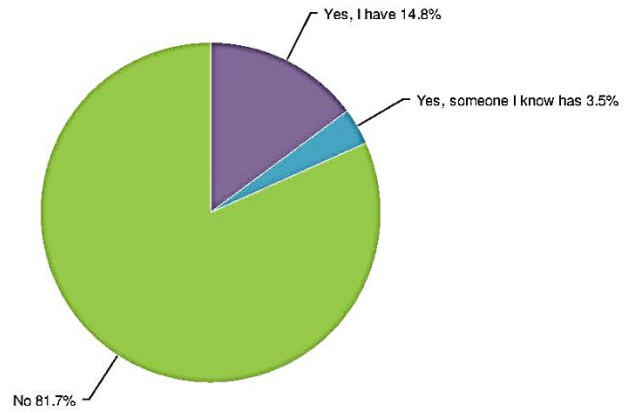
*Thank you for participating in the fair housing survey. Your responses will influence important fair housing planning decisions made by Lee County.*



## Community Fair Housing Survey Results

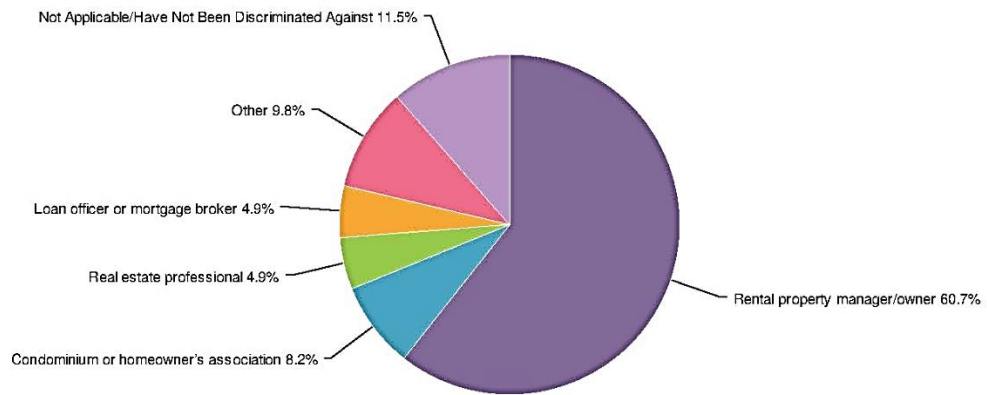
## New Summary Report - 15 January 2015

1. Have you or anyone you know ever experienced housing discrimination in Lee County?



Yes, I have	14.8%		47
Yes, someone I know has	3.5%		11
No	81.7%		259
Total			317

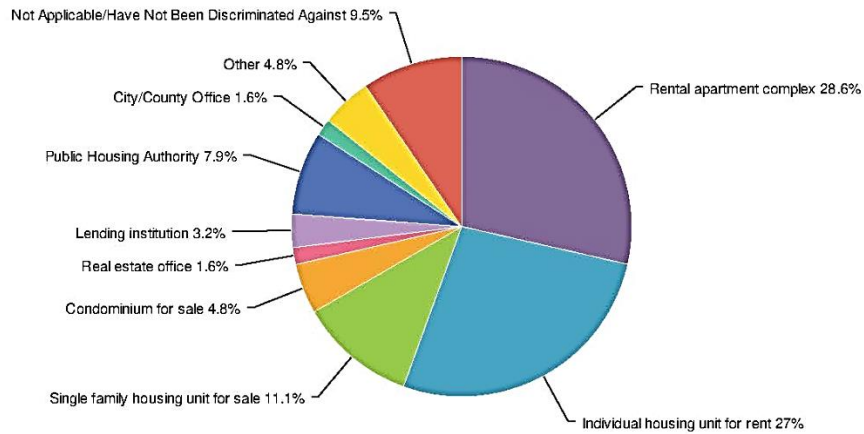
2. If yes, which of the following best describes the person or organization that discriminated against you or the person you know?



Category	Percentage	Count
Rental property manager/owner	60.7%	37
Seller of a housing unit	0.0%	0
Condominium or homeowner's association	8.2%	5
Real estate professional	4.9%	3
Loan officer or mortgage broker	4.9%	3
Municipal employee	0.0%	0
Other	9.8%	6
Not Applicable/Have Not Been Discriminated Against	11.5%	7
<b>Total</b>		<b>61</b>

Responses "Other"	Count
<i>Left Blank</i>	333
HUD and Section 8	1
Lee County	1
Section 8	1
owner of property	1

3. What best describes the location where the discrimination occurred?



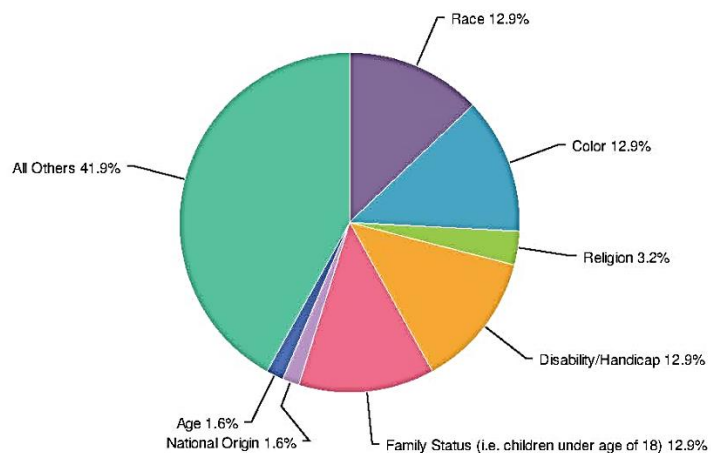
Rental apartment complex	28.6%		18
Individual housing unit for rent	27.0%		17
Single family housing unit for sale	11.1%		7
Condominium for sale	4.8%		3
Real estate office	1.6%		1
Lending institution	3.2%		2
Public Housing Authority	7.9%		5
City/County Office	1.6%		1
Other	4.8%		3
Not Applicable/Have Not Been Discriminated Against	9.5%		6
		<b>Total</b>	<b>63</b>

**Responses "Other"**

**Count**

<i>Left Blank</i>	334
Condo Rental	1
Mira Verde	1
Supervisor	1

4. What do you believe was the basis for the discrimination you or the person you know experienced?



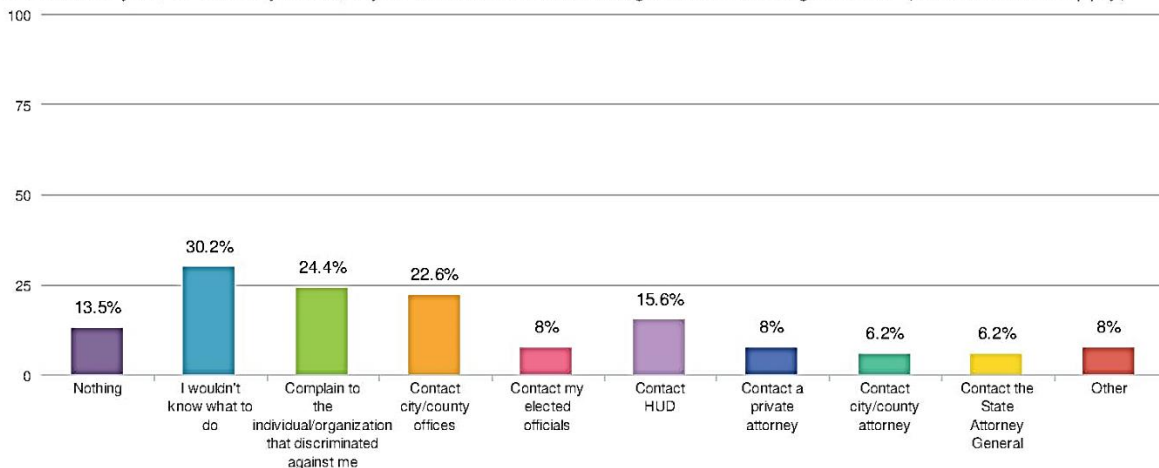
Race	12.9%		8
Color	12.9%		8
Religion	3.2%		2
Sex	0.0%		0
Disability/Handicap	12.9%		8
Family Status (i.e. children under age of 18)	12.9%		8
National Origin	1.6%		1
Age	1.6%		1
Sexual Orientation	3.2%		2
Poor English Language Skills	4.8%		3
Citizenship Status	3.2%		2
Level of Income	12.9%		8
Source of Income (Public Assistance)	1.6%		1
Other	6.5%		4
Not Applicable/ Have Not Been Discriminated Against	9.7%		6
		<b>Total</b>	<b>62</b>

Responses "Other"	Count
Left Blank	333
Age, Level of Income	1
Having children	1



<b>Responses "Other"</b>	<b>Count</b>
Past arrest	1
Petty, background	1

5. What did you, or would you do, if you were discriminated against in housing choice? (Check all that apply)

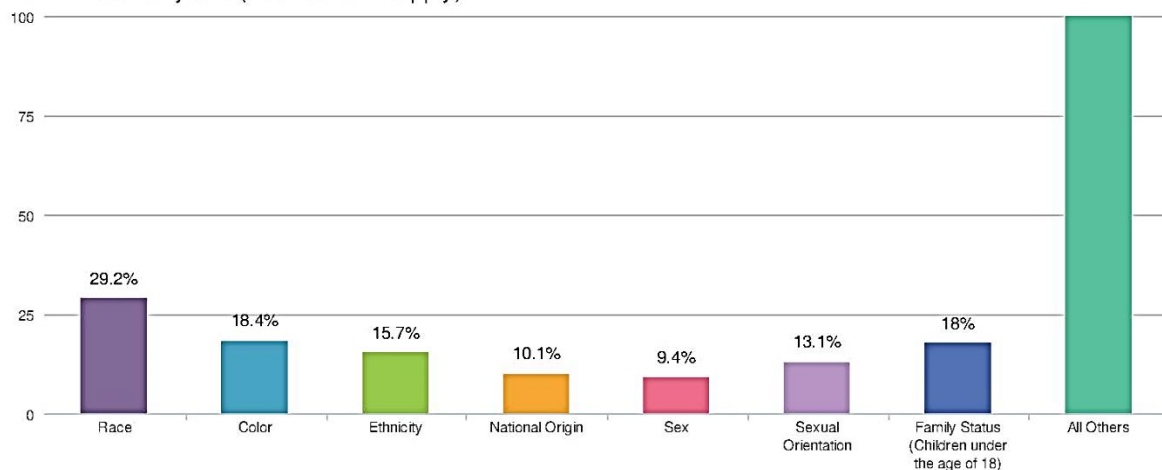


Response	Percentage	Count
Nothing	13.5%	37
I wouldn't know what to do	30.2%	83
Complain to the individual/organization that discriminated against me	24.4%	67
Contact city/county offices	22.6%	62
Contact my elected officials	8.0%	22
Contact HUD	15.6%	43
Contact a private attorney	8.0%	22
Contact city/county attorney	6.2%	17
Contact the State Attorney General	6.2%	17
Other	8.0%	22
<b>Total</b>		<b>275</b>

Responses "Other"	Count
Left Blank	320
A pray of course.	1
All of the above no one should experience that	1
I would do what ever I had to do	1
I would speak with case manager.	1
Just tell Rita or Ms. Vivian	1
NA	1

<b>Responses "Other"</b>	<b>Count</b>
Personal	1
Pray	1
Speak to whomever recieves grievances	1
Whats the use they all stick together	1
Would pray for the individual	1
anything I could	1
left blank	1
n/a	1
na	1
news stations trouble shooter	1
not specified	1

6. What do you see as current barriers to fair housing choice, if any, within Lee County and/or the City's of Cape Coral and Fort Myers? (Check all that apply)



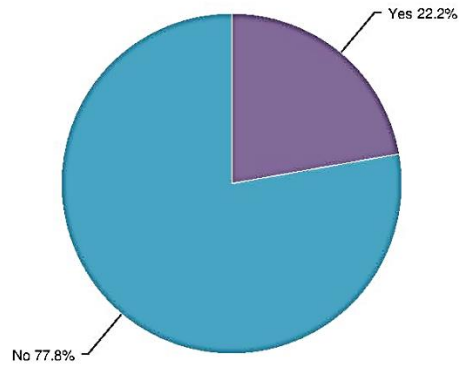
Race	29.2%		78
Color	18.4%		49
Ethnicity	15.7%		42
National Origin	10.1%		27
Sex	9.4%		25
Sexual Orientation	13.1%		35
Family Status (Children under the age of 18)	18.0%		48
Disability	15.4%		41
Age	17.2%		46
Insufficient Income	53.2%		142
Lack of sufficient quality affordable housing	26.6%		71
Insufficient public transportation	10.1%		27
Municipal codes, ordinance, regulations	4.9%		13
Other	11.6%		31
<b>Total</b>			<b>267</b>

**Responses "Other"**

	Count
Left Blank	312
Cause of kids	1
Criminal background that exceeds years	1

<b>Responses "Other"</b>	<b>Count</b>
Did not answer	1
Do not know	1
Don't know this area.	1
Language	2
NA	1
No barriers	1
None	1
None so far	1
Nothing	3
People who do not speak English	1
Won't rent to you unless you make 3 times the rent	1
and credit standing	1
credit ratings	1
criminal records	1
mentality	1
n/a	1
not specified	1
not sure	1
unsure	2

7. Have you seen or heard information regarding fair housing programs, laws, or enforcement within Lee County and/or the City's of Cape Coral or Fort Myers

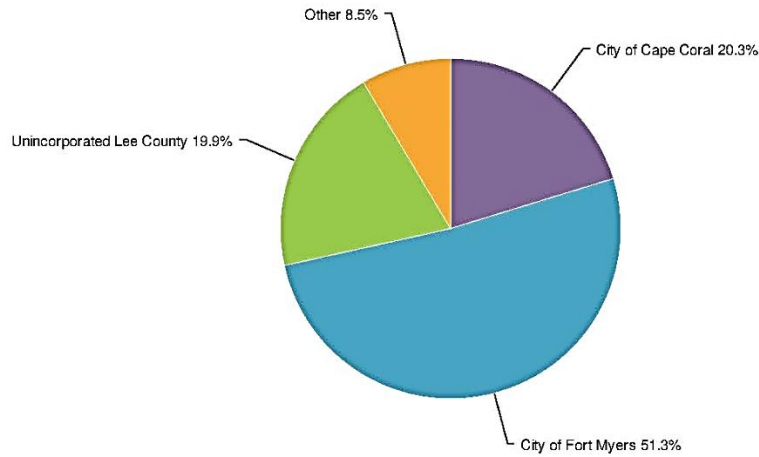


Yes	22.2%		68
No	77.8%		238
Total			306

8. Please tell us how you feel about the following statements?

	True	False	I Do Not Know	Responses
There is an adequate supply of affordable housing that is available to all Lee County residents.	67 21.4%	145 46.3%	101 32.3%	313
There is an adequate supply of affordable housing that is available to disabled Lee County residents.	52 16.8%	103 33.2%	155 50.0%	310
There is an adequate supply of affordable housing that is available to Lee County senior citizen residents.	66 21.2%	95 30.5%	150 48.2%	311
There is an adequate supply of affordable housing that is available to Lee County residents with children.	70 23.0%	108 35.5%	126 41.4%	304

9. Please select where you live in Lee County?



City of Cape Coral	20.3%		64
City of Fort Myers	51.3%		162
Unincorporated Lee County	19.9%		63
Other	8.5%		27
Total			316

Responses "Other"	Count
<i>Left Blank</i>	311
Don't live in Lee County	1
LaBelle	2
Lehigh	4
Lehigh Acres	6
N Fort Myers	1
N Ft Myers	1
N. Ft Myers	1
Naples	2
Naples Collier County	1
North Fort Myers	3
S. FM	1
South Fort Myers	2
not specified	1

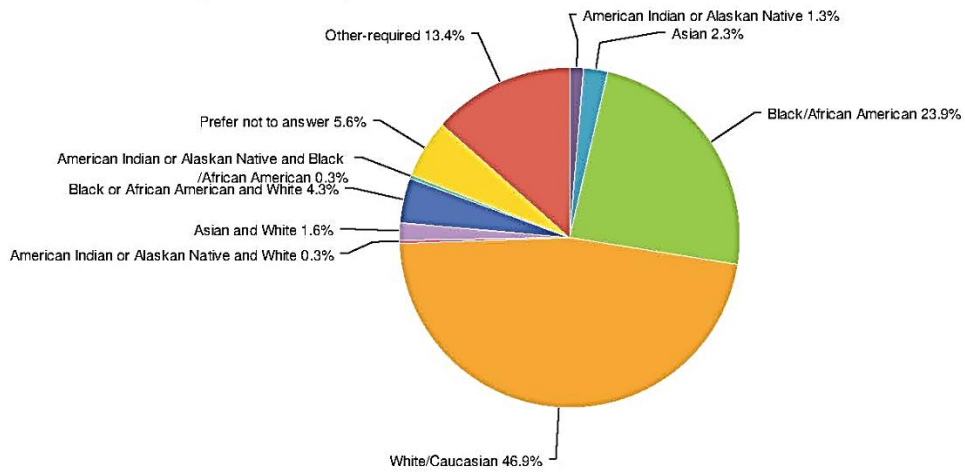


10. Please indicate below your zip code.

<b>Count</b>	<b>Response</b>
20	00000
1	33166
50	33901
1	33902
16	33903
11	33904
23	33905
1	33906
17	33907
3	33908
11	33909
3	33912
1	33913
8	33914
60	33916
8	33917
1	33919
1	33922
2	33935
11	33936
1	33965
2	33966
4	33967
11	33971
5	33972
6	33973
6	33974
6	33976
16	33990
3	33991

<b>Count</b>	<b>Response</b>
10	33993
1	34108
1	34117
1	34120
2	34135
1	34286
12	not specified

11. Of which race do you consider yourself a member? Please check one:

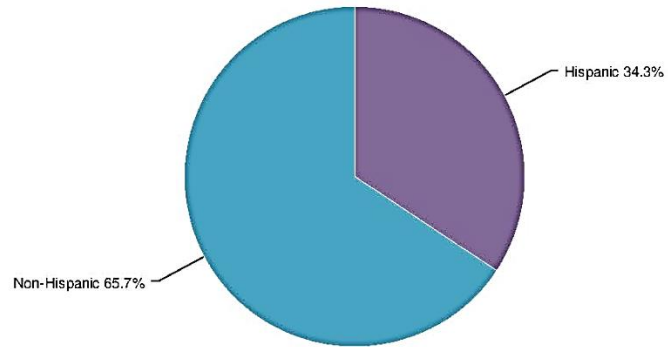




Race	Percentage	Count
American Indian or Alaskan Native	1.3%	4
Asian	2.3%	7
Black/African American	23.9%	73
Native Hawaiian or Other Pacific Islander	0.0%	0
White/Caucasian	46.9%	143
American Indian or Alaskan Native and White	0.3%	1
Asian and White	1.6%	5
Black or African American and White	4.3%	13
American Indian or Alaskan Native and Black /African American	0.3%	1
Prefer not to answer	5.6%	17
Other-required	13.4%	41
<b>Total</b>		<b>305</b>

Responses "Other-required"	Count
<i>Left Blank</i>	296
American	1
Black	1
Black/Caribbean	1
Blanco Hispano	1
Dominican	1

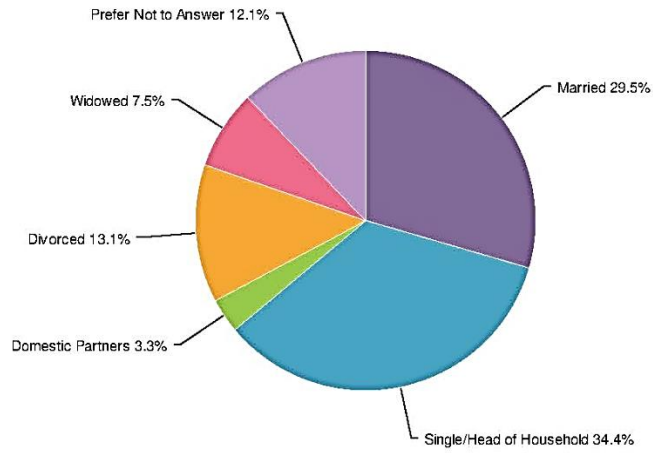
<b>Responses "Other-required"</b>	<b>Count</b>
Haitian	1
Hispanic	14
Hispanic (Mexican)	1
Hispanic Latino	1
Hispanic Mexican	1
Hispanic or Latino	1
Hispano	1
Italian	2
Latino	1
Left blank	2
Mixed Race	1
Spanic	1
Spanish	3
Spanish/White	1
White	2
White/Italian	1
left blank	1
nothing written on sheet	1

12. What ethnic group do you consider yourself a member? Please check one:



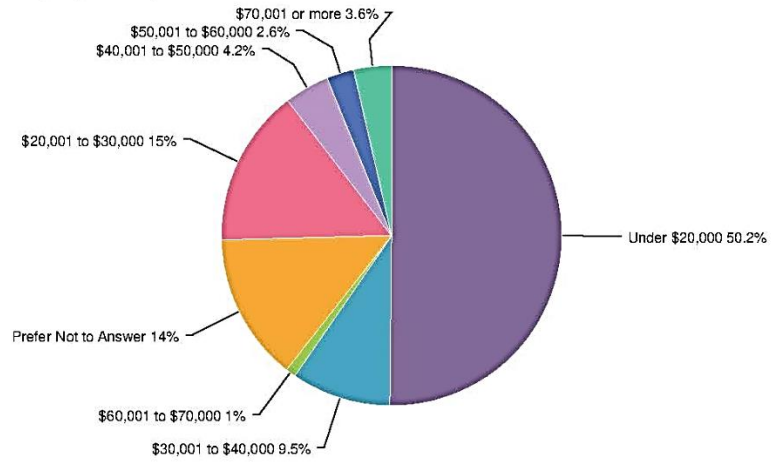
Hispanic	34.3%		103
Non-Hispanic	65.7%		197
Total			300

13. What is your current marital status? Please check one.



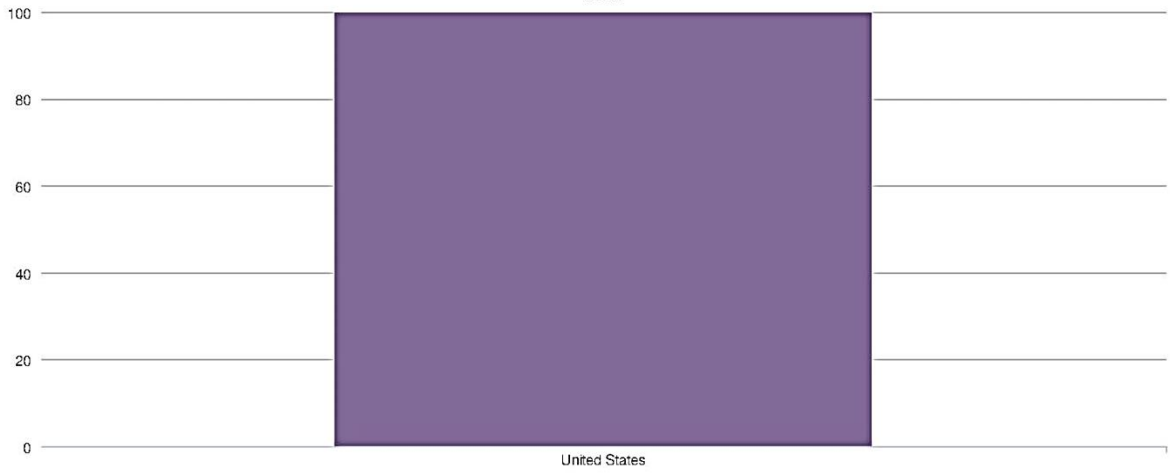
Married	29.5%		90
Single/Head of Household	34.4%		105
Domestic Partners	3.3%		10
Divorced	13.1%		40
Widowed	7.5%		23
Prefer Not to Answer	12.1%		37
Total			305

14. Which income category does your total household income fall into? Please check one:



Under \$20,000	50.2%	<div style="width: 50.2%; background-color: #664d8a;"></div>	154
\$20,001 to \$30,000	0.0%	<div style="width: 0%; background-color: #e6e6e6;"></div>	0
\$30,001 to \$40,000	9.5%	<div style="width: 9.5%; background-color: #00838f;"></div>	29
\$40,001 to \$50,000	0.0%	<div style="width: 0%; background-color: #e6e6e6;"></div>	0
\$50,001 to \$60,000	0.0%	<div style="width: 0%; background-color: #e6e6e6;"></div>	0
\$60,001 to \$70,000	1.0%	<div style="width: 1%; background-color: #90ee90;"></div>	3
\$70,001 or more	0.0%	<div style="width: 0%; background-color: #e6e6e6;"></div>	0
Prefer Not to Answer	14.0%	<div style="width: 14%; background-color: #e69a00;"></div>	43
\$20,001 to \$30,000	15.0%	<div style="width: 15%; background-color: #e64d5d;"></div>	46
\$40,001 to \$50,000	4.2%	<div style="width: 4.2%; background-color: #8e7cc3;"></div>	13
\$50,001 to \$60,000	2.6%	<div style="width: 2.6%; background-color: #000080;"></div>	8
\$70,001 or more	3.6%	<div style="width: 3.6%; background-color: #008000;"></div>	11
Total			307

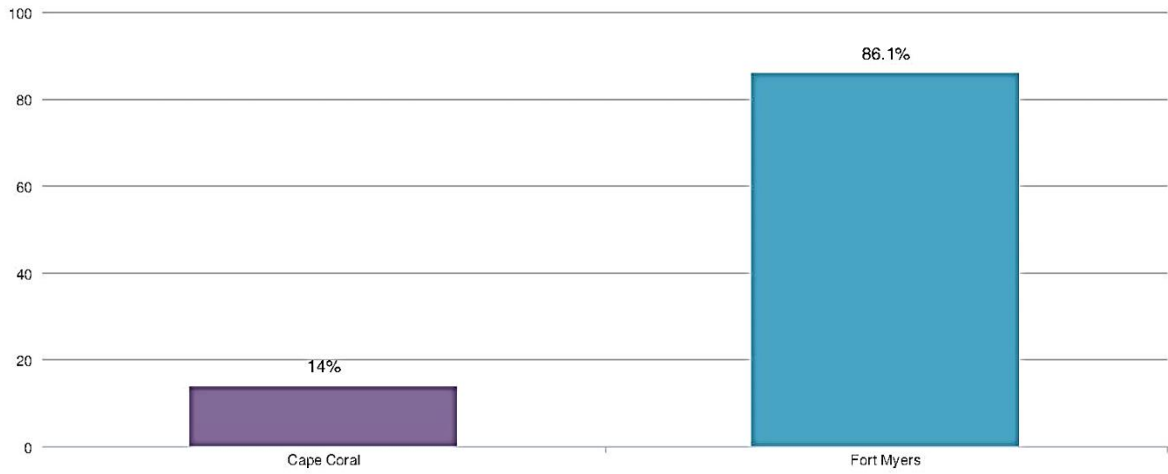
### Source Countries



United States	100.0%	337
Total		337



### Source Cities



Cape Coral	14.0%		47
Fort Myers	86.1%		290
Total			337



## Joint Fair Housing/Housing Discrimination Survey REAL ESTATE INDUSTRY and RELATED FIELDS

*Thank you for taking the time to complete this survey. Your response will help the communities in Lee County better understand and meet the housing needs of residents. Your responses will be kept strictly confidential. We will only report this information in combination with the other survey responses and in summary format to protect your organization's privacy.*

1. In what industry do you work? Check all that apply.

For Profit Residential Development  Lending  Property management  Appraisal  Insurance  Sales  Own rental property  Non-Profit Housing Development  Other (*please list*)

2. What is the geographic area(s) you primarily serve? Check all that apply.

Fort Myers  Cape Coral  Unincorporated Lee County (inc. Lehigh Acres)  Other (*please list*)

*The following section asks your opinion about potential barriers to fair housing choice in Lee County.*

This survey uses the U.S. Department of Housing and Urban Development's (HUD) definition of impediments, or barriers, to fair housing choice. According to HUD, impediments to fair housing choice are:

- Any actions, omissions, or decisions *taken because of* race, color, religion, sex, disability, familial status, or national origin that restrict housing choices or the availability of housing choices.
- Any actions, omissions, or decisions that have the effect of restricting housing choices or the availability of housing choices *on the basis of* race, color, religion, sex, disability, familial status, or national origin.

3. Please evaluate the following possible barriers to fair housing in Lee County.

	Not a Barrier	Minor barrier	Modest Barrier	Serious Barrier
Income levels of minority and female-headed households				
Concentrations of affordable housing in certain areas				
Poor credit histories of minority borrowers				
Lack of representation of real estate professionals by persons of differing races, ethnicities, disabilities, and gender				
Concentration of group homes in certain neighborhoods				
Limitations on density of housing				
Lack of adequate zoning for manufactured housing				
Restrictive covenants by builders, developers, homeowners associations and/or condominium associations				
Lack of local organization devoted to fair housing investigation/testing				
Lack of knowledge among residents regarding fair housing				
Lack of knowledge among large landlords/property managers regarding fair housing				
Lack of knowledge among small landlords regarding fair housing				
Lack of knowledge among real estate agents regarding fair housing				
Lack of knowledge among bankers/lenders regarding fair housing				
Lack of knowledge among insurance industry representatives regarding fair housing				

Lack of knowledge among appraisers regarding fair housing				
Lenders steering customers to use a specific appraisal or hazard insurance company				
Lenders not disclosing full appraisal reports to borrowers				
Lenders not disclosing the determination made by the private mortgage insurer				
Lenders offering prime customers subprime rates				
Lenders targeting subprime, high risk borrowers				
Use of "neighborhood stability" or similar factors as proxies for racial makeup in appraisals				
Housing provider falsely denying that housing is available				
Housing providers placing certain tenants in the least desirable units in a development				
Housing provider refusing to make reasonable accommodations for tenants with disabilities				
Housing providers using discriminatory advertising				
Condominium Associations discriminating against persons with children				
Real estate agents directing clients to rental or sale of housing only in certain neighborhoods				
Insurance agency discrimination in decision to insure certain parties				
Sellers of homes refusing to show their home to certain buyers				
Rent-to-own programs that sell homes in poor condition to owners who can't afford repairs				
Other barriers (please specify)				

4. Are you aware of any zoning or land use laws in Lee County that create barriers to fair housing choice or encourage housing segregation?

Yes

No

*If "Yes," please describe them?*

5. Are there particular "predatory lending" practices that are a serious problem in the region?

[Predatory lending practices might include targeting minority, woman-headed, and/or elderly households with high interest rates; charging excessive fees without regard for borrowers ability to pay; etc.]

Yes

No

*If "Yes," please describe them:*

*Please tell us about how your organization addresses fair housing issues.*

6. Do you have a fair housing/anti-discrimination policy?

Yes

No

7. How do you train and monitor your staff to prevent discriminatory behavior?

8. Do you feel there are adequate information, resources, and training on fair housing laws in Lee County?

Yes

No

*If no, please list information, resources, and training that would be helpful to you:*

9. What is the best way to communicate with professionals in your field about fair housing issues?

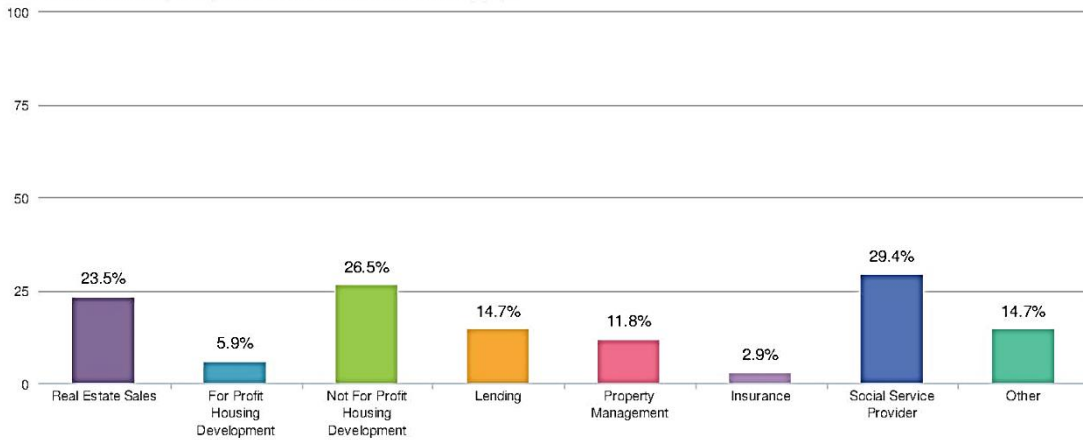
Government publications  Internal organization meetings  Industry publications  Internal memos/communication  Emails/websites  City public hearings  Conferences  Other

**Thank you for completing this survey and assisting with the fair housing study.**

**Real Estate Industry Fair Housing Survey Results**

## New Summary Report - 15 January 2015

1. In what industry do you work? Check all that apply.

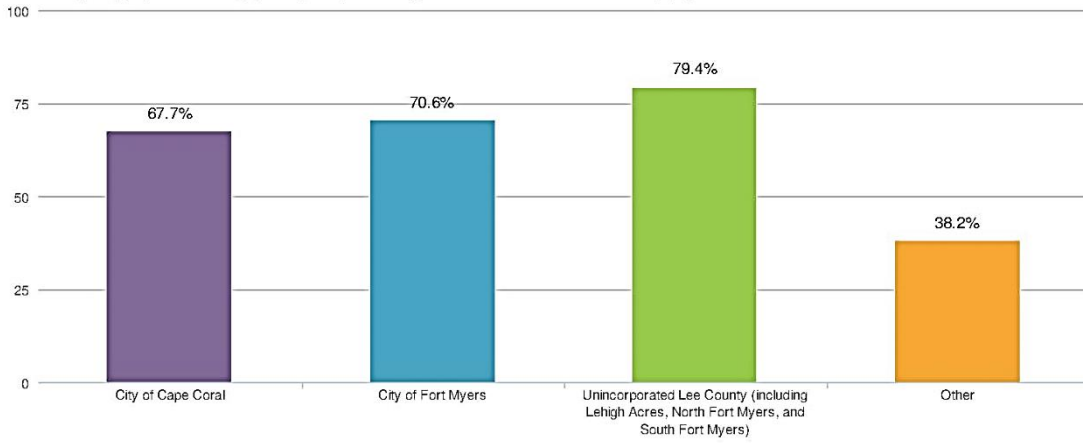


Industry	Percentage	Count
Real Estate Sales	23.5%	8
For Profit Housing Development	5.9%	2
Not For Profit Housing Development	26.5%	9
Lending	14.7%	5
Property Management	11.8%	4
Real Estate Appraisal	0.0%	0
Insurance	2.9%	1
Social Service Provider	29.4%	10
Other	14.7%	5
<b>Total</b>		<b>34</b>

### Responses "Other"

Response	Count
<i>Left Blank</i>	29
Mental Health and Substance Abuse treatment	1
Public Housing Agency	1
Technical assistance	1
Title Insurance	1
title insurance	1

2. What geographic area(s) do you primarily serve? Check all that apply.



Geographic Area	Percentage	Count
City of Cape Coral	67.7%	23
City of Fort Myers	70.6%	24
Unincorporated Lee County (including Lehigh Acres, North Fort Myers, and South Fort Myers)	79.4%	27
Other	38.2%	13
<b>Total</b>		<b>34</b>

**Statistics**

Sum	15.0
Average	0.4
StdDev	2.5
Max	10.0

Responses "Other"	Count
Left Blank	21
10 counties	1
5 county area	1
All of Florida	1
All of above	1
Collier, Charlotte, Hendry & Glades Counties	1
Glades, Hendry, Highlands County	1
Lee Hendry Glades Charlotte	1
Lee Hendry and Glades counties	1
Sanibel, Captive, Labelle	1
State of Florida	1
Statewide	1
estero, bonita, pine island	1

Responses "Other"	Count
lee, hendry, glades, collier and charlotte counties	1

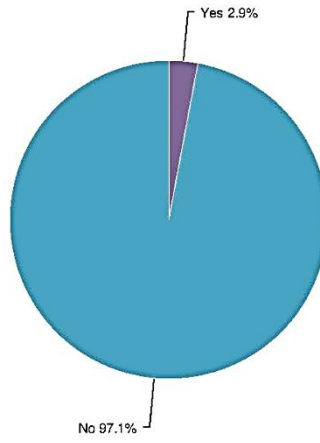
3. Please evaluate the following possible barriers to fair housing choice in Lee County.

	Not a Barrier	Minor Barrier	Modest Barrier	Serious Barrier	Responses
Income levels of minority and female-headed households	3 9.4%	2 6.3%	8 25.0%	19 59.4%	32
Concentrations of affordable housing in certain areas	3 9.4%	3 9.4%	9 28.1%	17 53.1%	32
Poor credit histories of minority borrowers	2 6.5%	2 6.5%	5 16.1%	22 71.0%	31
Lack of representation of real estate professionals by persons of differing races, ethnicities, disabilities, and gender	11 36.7%	9 30.0%	5 16.7%	5 16.7%	30
Concentration of group homes in certain neighborhoods	9 30.0%	10 33.3%	5 16.7%	6 20.0%	30
Limitations on density of housing	11 36.7%	7 23.3%	4 13.3%	8 26.7%	30
Lack of adequate zoning for manufactured housing	11 35.5%	10 32.3%	6 19.4%	4 12.9%	31
Restrictive covenants by builders, developers, homeowners associations and/or condominium associations	10 32.3%	5 16.1%	10 32.3%	6 19.4%	31
Lack of local organization devoted to fair housing investigation/testing	11 35.5%	9 29.0%	5 16.1%	6 19.4%	31
Lack of knowledge among residents regarding fair housing	6 19.4%	6 19.4%	12 38.7%	7 22.6%	31
Lack of knowledge among large landlords/property managers regarding fair housing	7 23.3%	7 23.3%	11 36.7%	5 16.7%	30
Lack of knowledge among small landlords regarding fair housing	5 16.1%	6 19.4%	13 41.9%	7 22.6%	31
Lack of knowledge among real estate agents regarding fair housing	10 32.3%	7 22.6%	8 25.8%	6 19.4%	31
Lack of knowledge among bankers/lenders regarding fair housing	14 45.2%	8 25.8%	6 19.4%	3 9.7%	31
Lack of knowledge among insurance industry representatives regarding fair housing	13 41.9%	7 22.6%	7 22.6%	4 12.9%	31
Lack of knowledge among appraisers regarding fair housing	14 46.7%	7 23.3%	6 20.0%	3 10.0%	30
Lenders steering customers to use a specific appraisal or hazard insurance company	15 48.4%	7 22.6%	5 16.1%	4 12.9%	31
Lenders not disclosing full appraisal reports to borrowers	18 58.1%	6 19.4%	2 6.5%	5 16.1%	31
Lenders not disclosing the determination made by the private mortgage insurer	14 45.2%	10 32.3%	2 6.5%	5 16.1%	31



	<b>Not a Barrier</b>	<b>Minor Barrier</b>	<b>Modest Barrier</b>	<b>Serious Barrier</b>	<b>Responses</b>
Lenders offering prime customers subprime rates	<b>15</b> 50.0%	<b>6</b> 20.0%	<b>4</b> 13.3%	<b>5</b> 16.7%	30
Lenders targeting subprime, high risk borrowers	<b>13</b> 43.3%	<b>9</b> 30.0%	<b>3</b> 10.0%	<b>5</b> 16.7%	30
Use of "neighborhood stability" or similar factors as proxies for racial makeup in appraisals	<b>16</b> 51.6%	<b>7</b> 22.6%	<b>3</b> 9.7%	<b>5</b> 16.1%	31
Housing provider falsely denying that housing is available	<b>17</b> 54.8%	<b>6</b> 19.4%	<b>6</b> 19.4%	<b>2</b> 6.5%	31
Housing providers placing certain tenants in the least desirable units in a development	<b>13</b> 41.9%	<b>9</b> 29.0%	<b>6</b> 19.4%	<b>3</b> 9.7%	31
Housing provider refusing to make reasonable accommodations for tenants with disabilities	<b>14</b> 45.2%	<b>9</b> 29.0%	<b>5</b> 16.1%	<b>3</b> 9.7%	31
Housing providers using discriminatory advertising	<b>20</b> 64.5%	<b>6</b> 19.4%	<b>3</b> 9.7%	<b>2</b> 6.5%	31
Condominium Associations discriminating against persons with children	<b>11</b> 35.5%	<b>9</b> 29.0%	<b>7</b> 22.6%	<b>4</b> 12.9%	31
Real estate agents directing clients to rental or sale of housing only in certain neighborhoods	<b>15</b> 48.4%	<b>5</b> 16.1%	<b>8</b> 25.8%	<b>3</b> 9.7%	31
Insurance agency discrimination in decision to insure certain parties	<b>15</b> 48.4%	<b>7</b> 22.6%	<b>5</b> 16.1%	<b>4</b> 12.9%	31
Sellers of homes refusing to show their home to certain buyers	<b>19</b> 61.3%	<b>4</b> 12.9%	<b>6</b> 19.4%	<b>2</b> 6.5%	31
Rent-to-own programs that sell homes in poor condition to owners who can't afford repairs	<b>13</b> 43.3%	<b>6</b> 20.0%	<b>5</b> 16.7%	<b>6</b> 20.0%	30

4. Are you aware of any zoning or land use laws in Lee County that create barriers to fair housing choice or encourage housing segregation?

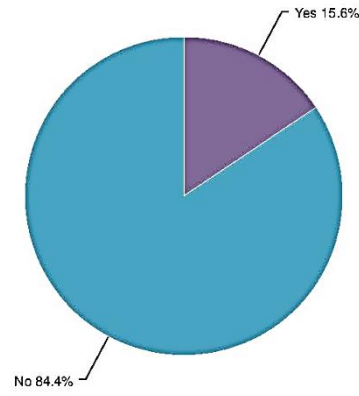


Yes	2.9%		1
No	97.1%		33
Total			34

5. If you answered "Yes" in question number 4, please describe.

Count	Response
1	Density bonuses to affordable housing providers.

6. Are there particular "predatory lending" practices that are a serious problem in the region? [Predatory lending practices might include targeting minority, woman-headed, and/or elderly households with high interest rates; charging excessive fees without regard for borrowers ability to pay; etc.]

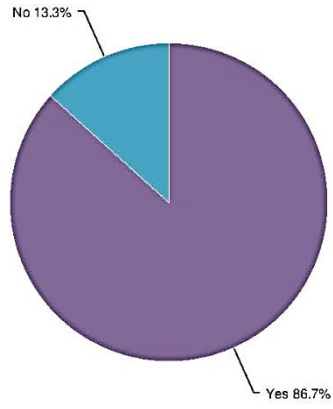



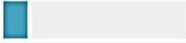
Yes	15.6%		5
No	84.4%		27
Total			32

7. If you answered "Yes" in question 6 above, please explain.

Count	Response
1	Upfront fees for credit report and appraisal without knowing if buyer has funds to close.
1	east coast lenders charging high closing costs to hispanics
1	Government USDA backed loans are not able to be renegotiated when housing values fall making payments unmanageable for women-headed households & the sale of that home is not possible because of the falling values.
1	People that have gone through Foreclosure or Short Sale are being targeted by "Investment Lenders" who claim to be helping by lending them money at a 12-14% interest rate with high closing costs between \$16-20 thousand just to get into a home that they require them to refinance in a year. Not sure what happens if they can't refinance.

8. Do you have a fair housing/anti-discrimination policy?

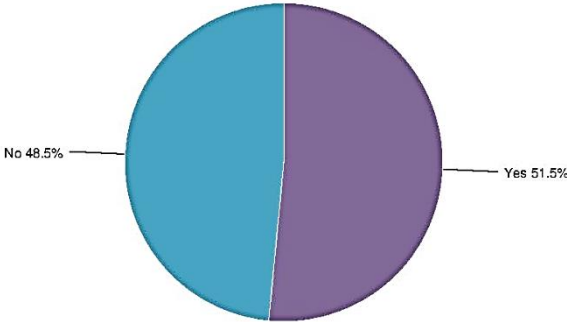


Yes	86.7%		26
No	13.3%		4
Total			30

9. How do you train and monitor your staff to prevent discriminatory behavior?

Count	Response
1	Annual online class.
1	I'm the owner with 1 employee so its easy to monitor
1	In services and fair housing training
1	Initial training and regular monitoring,
1	It has not been an issue. We haven't had agents discriminate for any reason.
1	Mandatory company training.
1	NA
1	Not applicable to our agency as we do not deal with housing.
1	Provide one on one and continue education
1	Special Training
1	Through state and national licensing and annual education
1	We give training in compliance with fair housing laws
1	We utilize property management company that extensively trained annually in this area
1	When we interview someone to hire we discuss discrimination.
1	YES!
1	annual staff development
1	n/a
1	orientation and training
1	We want to give our customers a reason to say,"WOW"....all of our customers...treat everyone the same,
1	Formal training through Neighborworks Training Institute and other HUD certified training programs
1	Annual Training for staff. All phone calls and customer complaints are thoroughly investigated and addressed.
1	This comes from our corporate office and I know they do this as we very regularly have to take training in this regard. That said, why would I discriminate when I want to make every loan I can? I have been lending for over 30 years and never (ever) met a lender who said they did not make a loan they could make (but chose not to. That's just plain dumb, as well as discriminatory)
1	We provide fair housing training at time of hire and provide annual updates or sooner if there is a modification to our fair housing policies.

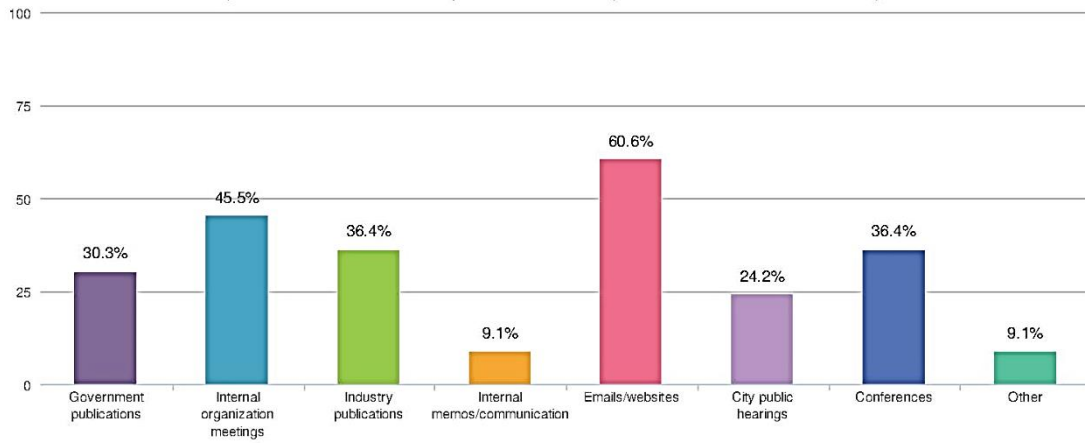
10. Do you feel there are adequate information, resources, and training on fair housing laws in Lee County?



Yes	51.5%		17
No	48.5%		16
Total			33



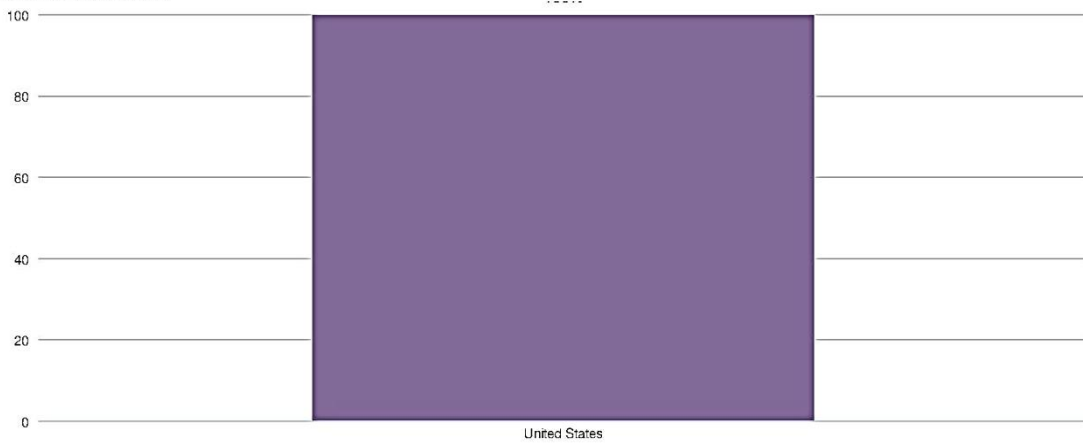
11. What is the best way to communicate with professionals in your field about fair housing issues?

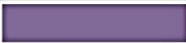


Government publications	30.3%		10
Internal organization meetings	45.5%		15
Industry publications	36.4%		12
Internal memos/communication	9.1%		3
Emails/websites	60.6%		20
City public hearings	24.2%		8
Conferences	36.4%		12
Other	9.1%		3
Total			33

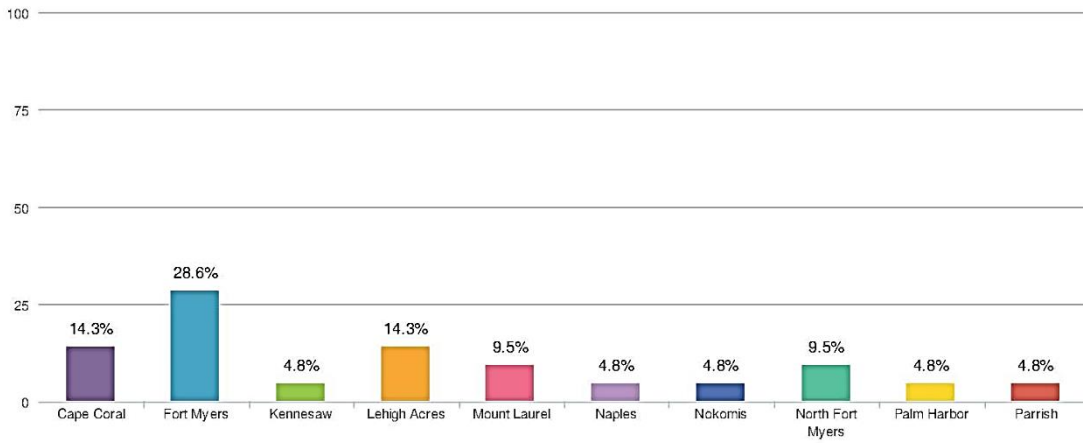
Responses "Other"	Count
Left Blank	31
Annual training	1
community meetings	1
we train on this	1

### Source Countries



United States	100.0%		30
Total			30

## Source Cities



Cape Coral	14.3%		3
Fort Myers	28.6%		6
Kennesaw	4.8%		1
Lehigh Acres	14.3%		3
Mount Laurel	9.5%		2
Naples	4.8%		1
Nokomis	4.8%		1
North Fort Myers	9.5%		2
Palm Harbor	4.8%		1
Parrish	4.8%		1
Total			21

**APPENDIX B: CITIZEN PARTICIPATION**

- **Public Notices**
- **Affidavit of Publications**
- **Public Comments on the Draft AI**

## Public Notices

**NOTICE OF AVAILABILITY  
CITY OF CAPE CORAL  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
2016-2020 REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI)**

The City of Cape Coral is an entitlement community receiving Community Development Block Grant (CDBG) from the US Department of Housing and Urban Development. The primary purpose of the Community Development Block Grant (CDBG) program is the development of viable urban communities by providing decent housing, a suitable living environment and expanded economic opportunities, principally for persons of very low- and low-income. In order to receive these funds, the City must complete an Analysis of Impediments to Fair Housing Choice (AI) every five years. The Analysis of Impediments (AI) is a report of impediments or barriers that affect the rights of fair housing choice. It covers public and private policies, practices, and procedures affecting housing choice. Impediments to fair housing choice are defined as any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices, based on race, color, religion, sex, disability, familial status, or national origin.

The Cities of Cape Coral and Fort Myers, in conjunction with Lee County, have completed a regional AI for 2016-2020. The City is seeking public comment on this document. The schedule below provides opportunities for public comment on this document. The document is available upon request at the locations listed below or electronically on the City's website at [www.capecoral.net](http://www.capecoral.net).

**TIMETABLE**

<b>Date/Location</b>	<b>Task</b>	<b>Responsible Party</b>
<b>February 1 – March 6, 2015</b> Cape Coral City Hall 1015 Cultural Park Blvd DCD/Planning Division Section, 1 <sup>st</sup> Floor  Cape Coral Public Library 921 SW 39 <sup>th</sup> Ter Cape Coral, FL  Northwest Regional Library 519 Chiquita Blvd N Cape Coral FL	Mandatory Public Comment Period Document is available for public inspection and comment	Department of Community Development Staff General Interested Public
<b>February 11, 2015</b> <b>10:00 AM</b> Cape Coral City Hall Conf 220A – 2 <sup>nd</sup> Floor 1015 Cultural Park Blvd Cape Coral, FL	CONSOLIDATED PLAN PUBLIC WORKSHOP TOPIC – HOUSING  Workshop includes presentation on the AI document and opportunity for comment	Housing Agencies General Interested Public Department of Community Development Staff
<b>March 2, 2015</b> <b>4:30 PM</b> Cape Coral City Hall Council Chambers 1015 Cultural Park Blvd Cape Coral, FL	Introduction of Resolution to adopt the AI document  No public comment	City Council Department of Community Development Staff
<b>March 4, 2015</b> <b>9:00 AM</b> Cape Coral City Hall Council Chambers 1015 Cultural Park Blvd Cape Coral, FL	Informational presentation to Planning and Zoning Commission/Local Planning Agency	Department of Community Development Staff Planning and Zoning Commission/Local Planning Agency

Date/Location	Task	Responsible Party
<b>March 16, 2015</b> <b>4:30 PM</b> Cape Coral City Hall Council Chambers 1015 Cultural Park Blvd Cape Coral, FL	Final public input to adopt resolution adopting the document.  Final opportunity for public comment.	Department of Community Development Staff City Council General Interested Public
<b>August 2, 2015</b>	Document to be included in submission of the 2016-2020 Consolidated Plan to US Department of HUD	Department of Community Development Staff

The City of Cape Coral makes every effort to accommodate persons requesting special accommodations. To request assistance with the application process or special accommodations, please contact City Staff at (239) 573-3182.

The City of Cape Coral encourages public comment. For persons of the general public unable to attend these public meetings and wishing to comment, please forward your written remarks to the address/email listed below or telephone (239)573-3182.



City of Cape Coral  
 Amy L. Yearsley, AICP, Housing Coordinator

Department of Community Development  
 Planning Division  
 1015 Cultural Park Boulevard  
 Cape Coral, Florida 33915  
 E-mail: [Ayearsle@capecoral.net](mailto:Ayearsle@capecoral.net)



# CITY OF FORT MYERS, FLORIDA

CITY CLERK'S OFFICE  
PO DRAWER 2217  
FORT MYERS, FL 33902  
239-321-7035 TEL  
239-344-5927 FAX

## **NOTICE OF 30 DAY COMMENT PERIOD AND PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT 2015-2019 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE PLAN**

The City Council of the City of Fort Myers will hold a PUBLIC HEARING in the Council Chambers at Oscar M. Corbin, Jr. City Hall, 2200 Second Street, Fort Myers, Florida, on Monday, March 2, 2015, on or about 5:15 o'clock p.m., or as soon thereafter as can be heard, to consider the submittal of the Community Development Block Grant (CDBG) 2015-2019 Analysis of Impediments to Fair Housing Choice Plan (AI).

The AI is required by the Department of Housing and Urban Development (HUD). The Analysis AI is a document used to outline strategies to affirmatively promote equal housing opportunities and remove impediments to fair housing choice throughout the City and Lee County. The City of Fort Myers, Cape Coral, in conjunction with Lee County will complete a regional AI. The AI strategies will be included in the 2015-2019 CDBG Five Year Consolidated Plan.

Comments will be accepted by the City of Fort Myers Community Development Department at 1825 Hendry Street, fax (239) 344-5923 or email [smason@cityftmyers.com](mailto:smason@cityftmyers.com) during a 30 day period from February 1, 2015, to March 2, 2015. A draft copy is available at the City of Fort Myers Community Development Department, 1825 Hendry Street, the City website [www.cityftmyers.com](http://www.cityftmyers.com), or by calling (239) 321-7968. All comments from citizens will be considered and included in the comment section of the AI. A draft of the plan may also be obtained at the following locations:

Dunbar-Juniper Hammon Public Library  
3095 Blount Street, Fort Myers  
Tuesday and Thursday: noon – 8:00 p.m.  
Wednesday and Friday: 10:00 a.m.–6:00 p.m.  
Saturday: 9:00 a.m. – 5:00 p.m.

Fort Myers-Lee County Public Library  
2450 First Street, Fort Myers  
Monday-Thursday: 9:00 a.m. - 9:00 p.m.  
Friday and Saturday: 9:00 a.m. – 6:00 p.m.

If a person decides to appeal any decision made by City Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Special Requirements: If you require special aid or services as addressed in the Americans with Disabilities Act or require someone to translate or sign, please contact the City of Fort Myers Community Development Department, Housing and Real Estate Division at (239) 321-7970, no less than 2 days prior to the meeting date. Requisito especial: Si usted requiere la ayuda o servicios especiales como drijido en el Acto de Americanos Incapaciados o requires alguien para traducir el idioma o firmar, por favor de comunicarse con el City of Fort Myers Community Development Department, Housing and Real Estate Division al (239) 321-7970 no menos de 2 dias antes de la reunion.

CITY OF FORT MYERS  
By: Marie Adams, MMC  
City Clerk



**NOTICE OF AVAILABILITY**  
**2016-2020 REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI)**

Lee County is an entitlement community receiving Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), and Emergency Solutions Grant (ESG) from the US Department of Housing and Urban Development (HUD). These programs promote the development of viable urban communities by providing decent housing, a suitable living environment and expanded economic opportunities, principally for persons of very low- and low-income. In order to receive these funds, the County must complete an Analysis of Impediments to Fair Housing Choice (AI) every five years. The Analysis of Impediments (AI) is a report of impediments or barriers that affect the rights of fair housing choice. It covers public and private policies, practices, and procedures affecting housing choice. Impediments to fair housing choice are defined as any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices, based on race, color, religion, sex, disability, familial status, or national origin.

The Cities of Cape Coral and Fort Myers, in conjunction with Lee County, have completed a regional AI for 2016-2020. The County is seeking public comment on this document. The document is available upon request at the Department of Human Services (location listed below) or electronically on the County's website at <http://dhs.leegov.com/planning/Pages/PlanningDocuments.aspx>. Comments may be submitted from February 1, 2015 through March 6, 2015.

Persons needing reasonable accommodations, including translation services, should contact Cyndy Cook at 533-7930, by email at [cookcl@leegov.com](mailto:cookcl@leegov.com), or in person at the Lee County Department of Human Services, 2440 Thompson Street, Fort Myers, Florida, 33901. All comments will be considered in preparing the plan and reported in the document.

Este aviso público es en referencia a los fondos anuales subsidiados por el Departamento de Vivienda y Desarrollo Urbano. La traducción de este aviso puede ser solicitada llamado al 239-533-7930. (This public notice is regarding annual entitlement funding from the U.S. Department of Housing and Urban Development. Translation of the notice may be requested by calling 533-7930).

## **Affidavit of Publications**

**CAPE CORAL BREEZE  
PUBLISHED CAPE CORAL, FLA**

**Affidavit of Publication**

State of Florida  
County of Lee

Before the undersigned authority personally appeared Joe Trupo, who on oath says that he/she is the ADVERTISING REPRESENTATIVE of the Cape Coral Breeze newspaper, published at Cape Coral, Lee County, Florida that the attached copy of advertisement, being a Display Ad 3x13, in the matter of Notice of Availability City of Cape Coral Community Development Block Grant (CDBG) 2016-2020 Regional Analysis of Impediments to Fair Housing Choice (AI), as published in said newspaper in the issues, January 30, 2015. Affiant further says that the Cape Coral Breeze is a newspaper published at Cape Coral, said Lee County, Florida and that the said newspaper has heretofore been continuously published in said Lee County, Florida, and has been entered as a second class periodicals matter at the post office in Fort Myers in said Lee County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said Newspaper.

*Joe Trupo*

SWORN TO AND SUBSCRIBED before me this  
January 30, 2015  
Notary Public

*Veronika Candelaria*



**THE NEWS-PRESS**  
*Published every morning*  
*Daily and Sunday*  
*Fort Myers, Florida*  
**Affidavit of Publication**

STATE OF FLORIDA  
 COUNTY OF LEE

Before the undersigned authority, personally appeared **Jeanne Isberto** who on oath says that he/she is the **Legal Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

**DISPLAY**

In the matter of:  
 Notice of Availability 2016-20

In the court was published in said newspaper in the issues of

**Feb. 1, 2015**

Alliant further says that the said News Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and alliant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Jeanne A. Isberto*

Sworn to and subscribed before me this 2nd day of February, 2015

by **Jeanne A. Isberto**  
 personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public *Jessica Hanft*

Print Name: **Jessica Hanft**  
 My commission Expires: **February 12, 2017**



**NOTICE OF AVAILABILITY**  
**CITY OF CAPE CORAL**  
**COMMUNITY DEVELOPMENT BLOCK GRANT**  
**2016-2020 REGIONAL ANALYSIS OF IMPEDIMENTS TO**

The City of Cape Coral is an entitlement community receiving Community Development Block Grant (CDBG) program is the development of viable decent housing, a suitable living environment and expanded economic opportunity for very low- and low-income. In order to receive these funds, the City must conduct a Fair Housing Choice (AI) every five years. The Analysis of Impediments to Fair Housing Choice (AI) is a study that identifies public and private barriers that affect the rights of fair housing choice. It covers public and private actions that restrict, or have the effect of restricting, the availability of housing choice for persons on the basis of race, color, national origin, disability, familial status, or marital status.

The Cities of Cape Coral and Fort Myers, in conjunction with Lee County, are seeking public comment on this document. The document is available upon request for public comment on this document. The document is available upon request electronically on the City's website at [www.capecoral.net](http://www.capecoral.net).

Date/Location	Task
February 1 – March 6, 2015 Cape Coral City Hall 1015 Cultural Park Blvd D.C.D./Planning Division Section, 1 <sup>st</sup> Floor  Cape Coral Public Library 921 SW 39 <sup>th</sup> Ter Cape Coral, FL  Northwest Regional Library 519 Chiquira Blvd N Cape Coral FL	Mandatory Public Comment Period Document is available for public inspection and comment
February 11, 2015 10:00 AM  Cape Coral City Hall Conf 220A – 2 <sup>nd</sup> Floor 1015 Cultural Park Blvd Cape Coral, FL	CONSOLIDATED PLAN PUBLIC WORKSHOP TOPIC - HOUSING  Workshop includes presentation on the AI document and opportunity for comment
March 4, 2015 9:00 AM  Cape Coral City Hall Council Chambers 1015 Cultural Park Blvd Cape Coral, FL	Informational presentation to Planning and Zoning Commission/Local Planning Agency
March 16, 2015 4:30 PM  Cape Coral City Hall Council Chambers 1015 Cultural Park Blvd Cape Coral, FL	Final public input to adopt resolution adopting the document.  Final opportunity for public comment
August 2, 2015	Document to be included in submission of the 2016-2020 Consolidated Plan to US Department of HUD

The City of Cape Coral makes every effort to accommodate persons who request assistance with the application process or special accommodations. (239) 573-3182.

The City of Cape Coral encourages public comment. For persons of the public meetings and wishing to comment, please forward your written remarks to the City of Cape Coral at the following address:

**THE NEWS-PRESS**  
Published every morning  
Daily and Sunday  
Fort Myers, Florida  
**Affidavit of Publication**

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared **Jeanne Isberto** who on oath says that he/she is the **Legal Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

**DISPLAY**

In the matter of:  
Community Dev. Block Grant-March.2 at  
5:15p

In the court was published in said newspaper in the issues of

**Jan. 30, 2015**

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Jeanne A. Isberto*

Sworn to and subscribed before me this 30th day of January, 2015

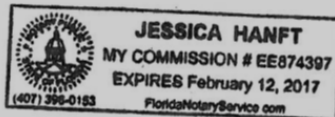
by **Jeanne A. Isberto**  
personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public

*Jessica Hanft*

Print Name: **Jessica Hanft**  
My commission Expires: **February 12, 2017**



**NOTICE OF 30 DAY COMMENT PERIOD  
AND PUBLIC HEARING  
FOR COMMUNITY DEVELOPMENT  
BLOCK GRANT  
2015-2020 ANALYSIS OF IMPEDIMENTS  
FAIR HOUSING CHOICE PLAN**

The City Council of the City of Fort Myers will hold a PUBLIC HEARING in the Council Chambers at Oscar M. Corbin, Jr. City Hall, 2200 Second Street, Fort Myers, Florida, on Monday, March 2, 2015, on or about 5:15 o'clock p.m., or thereafter as can be heard, to consider the submittal of the Community Development Block Grant (CDBG) 2015-2020 Analysis of Impediments to Fair Housing Choice Plan (AI).

The AI is required by the Department of Housing and Urban Development. The Analysis AI is a document used to outline strategies to affirmatively promote housing opportunities and remove impediments to fair housing choice throughout Lee County. The City of Fort Myers and City of Cape Coral, in cooperation with Lee County, will complete a regional AI. The AI strategies will be included in the 2015-2020 CDBG Five Year Consolidated Plan.

Comments will be accepted by the City of Fort Myers Community Development Department at 1825 Hendry Street, fax (239) 344-5923 or [smason@cityofmyers.com](mailto:smason@cityofmyers.com) during a 30 day period from February 1, 2015 to March 2, 2015. A draft copy is available at the City of Fort Myers Community Development Department, 1825 Hendry Street, the City of Fort Myers, Florida, or by calling (239) 321-7968. All comments from the public will be considered and included in the comment section of the AI. A draft of the AI also be obtained at the following locations:

Dunbar-Juniper Hammon Public Library 3095 Blount Street, Fort Myers Tuesday and Thursday: noon - 8:00 p.m. Wednesday and Friday: 10:00 a.m. - 6:00 p.m. Saturday: 9:00 a.m. - 5:00 p.m.	Fort Myers-Lee County Public Library 2450 First Street, Fort Myers Monday-Thursday: 9:00 a.m. - 5:00 p.m. Friday and Saturday: 9:00 a.m. - 5:00 p.m.
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If a person decides to appeal any decision made by City Council with respect to a matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a record of the proceedings is made, which record includes the testimony and upon which the appeal is to be based.

Special Requirements: If you require special aid or services as addressed in the Americans with Disabilities Act or require someone to translate or sign, please contact the City of Fort Myers Community Development Department, Housing and Real Estate Division at (239) 321-7970, no less than 2 days prior to the meeting. Requisito especial: Si usted requiere la ayuda o servicios especiales como dictado, interpretación o firma, por favor de comunicarse con el City of Fort Myers Community Development Department, Housing and Real Estate Division al (239) 321-7970 no menos de 2 días antes de la reunión.

CITY OF FORT MYERS  
By: Marie Adams, MMC  
City Clerk

NP-000842978

Publication date



**THE NEWS-PRESS**  
Published every morning  
Daily and Sunday  
Fort Myers, Florida  
**Affidavit of Publication**

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared **Kathy Allebach** who on oath says that he/she is the **Legal Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

**Notice of Availability**

In the matter of:

**2016-2020 Regional Analysis of  
To Fair Housing Choice (AI)**

In the court was published in said newspaper  
in the issues of

**January 30, 2015**

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

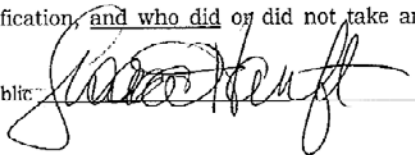


Sworn to and subscribed before me this 30<sup>th</sup> day of January, 2015.

by **Kathy Allebach**  
personally known to me or who has produced

as identification, and who did or did not take an oath.


Notary Public:



Print Name: **Jessica Hanft**

My commission Expires: **February 12, 2017**



**LEE COUNTY** NOTICE OF AVAILABILITY 

**2016-2020 REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI)**

Lee County is an entitlement community receiving Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), and Emergency Solutions Grant (ESG) from the US Department of Housing and Urban Development (HUD). These programs promote the development of viable urban communities by providing decent housing, a suitable living environment and expanded economic opportunities, principally for persons of very low- and low-income. In order to receive these funds, the County must complete an Analysis of Impediments to Fair Housing Choice (AI) every five years. The Analysis of Impediments (AI) is a report of impediments or barriers that affect the rights of fair housing choice. It covers public and private policies, practices, and procedures affecting housing choice. Impediments to fair housing choice are defined as any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices, based on race, color, religion, sex, disability, familial status, or national origin.

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Persons needing reasonable accommodations, including translation services, should contact Cyndy Cook at 533-7930, by email at [cookc@lee.gov](mailto:cookc@lee.gov), or in person at the Lee County Department of Human Services, 2440 Thompson Street, Fort Myers, Florida, 33901. All comments will be considered in preparing the plan and reported in the document.

Este aviso público es en referencia a los fondos anuales subsidiados por el Departamento de Vivienda y Desarrollo Urbano. La traducción de este aviso puede ser solicitada llamado al 239-533-7930. (This public notice is regarding annual entitlement funding from the U.S. Department of Housing and Urban Development. Translation of the notice may be requested by calling 533-7930).

Publication date: January 30, 2015

## **Public Comments**

The draft AI was available for a 30-day public review. Individual entitlement jurisdictions initiated separate 30-day review and approval processes. Notice of availability of the AI document and comment period and/or public hearings were published in newspaper(s) of general circulation. The draft AI was also posted on all three entitlement jurisdictions' websites.

No public comments were received on the AI.

**APPENDIX C: FULL MAP SERIES**

- **Location of Lee County**
- **Location of Elderly Concentrations by Race and Ethnicity, 2012**
- **Limited English Proficiency Concentration, 2012**
- **Racially/Ethnically Concentrated Areas of Poverty, 2012**
- **Racial and Ethnic Minority Concentration with Low/Mod Income Area, 2012**
- **Racial and Ethnic Minority Concentrated Areas, 1990**
- **Racial and Ethnic Minority Concentrated Areas, 2000**
- **Racial and Ethnic Minority Concentrated Areas, 2010**
- **Concentration of Children by Race and Ethnicity, 2012**
- **Family Type with Children Concentration, 2012**
- **Disability Concentration, 2012**
- **Children Living in Poverty by Race and Ethnicity, 2012**
- **Elderly Living in Poverty by Race and Ethnicity, 2012**
- **LeeTran System Route Map**
- **Future Employment Density by Transportation Analysis Zones**
- **LeeTran ADA Service Area**
- **LeeTran Service Routes in Minority Area**

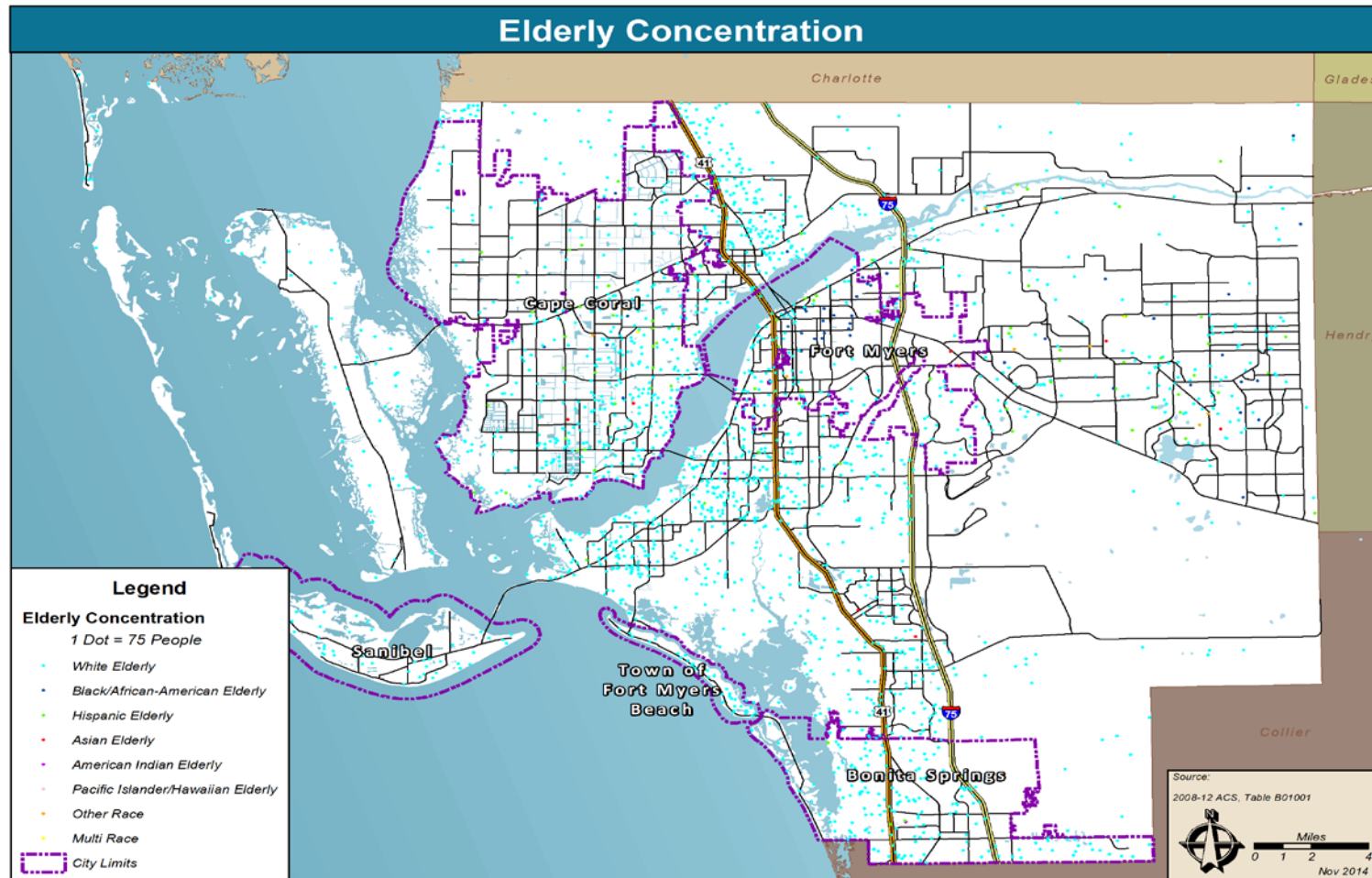


Location of Lee County

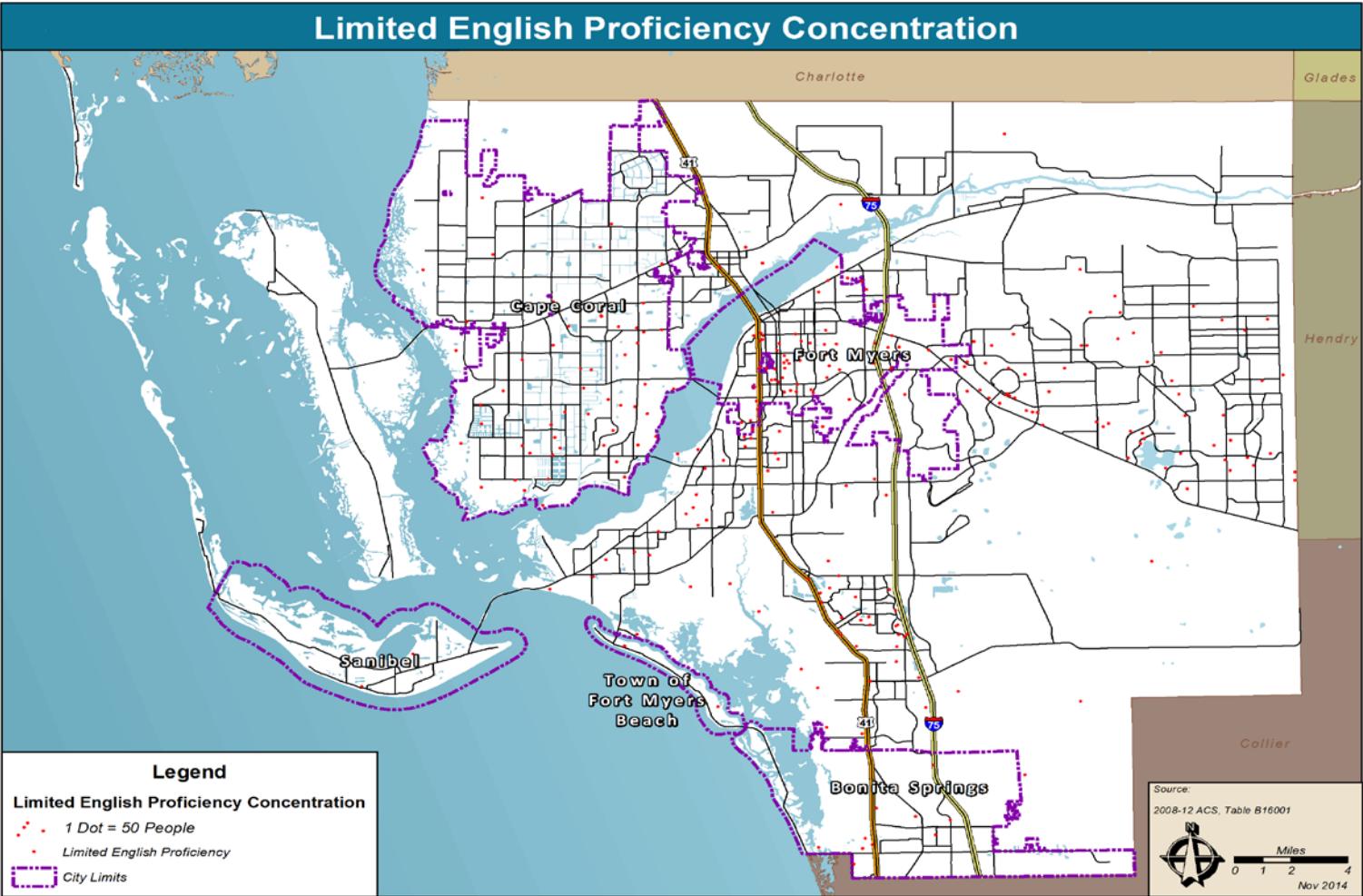


Lee County,  
Florida

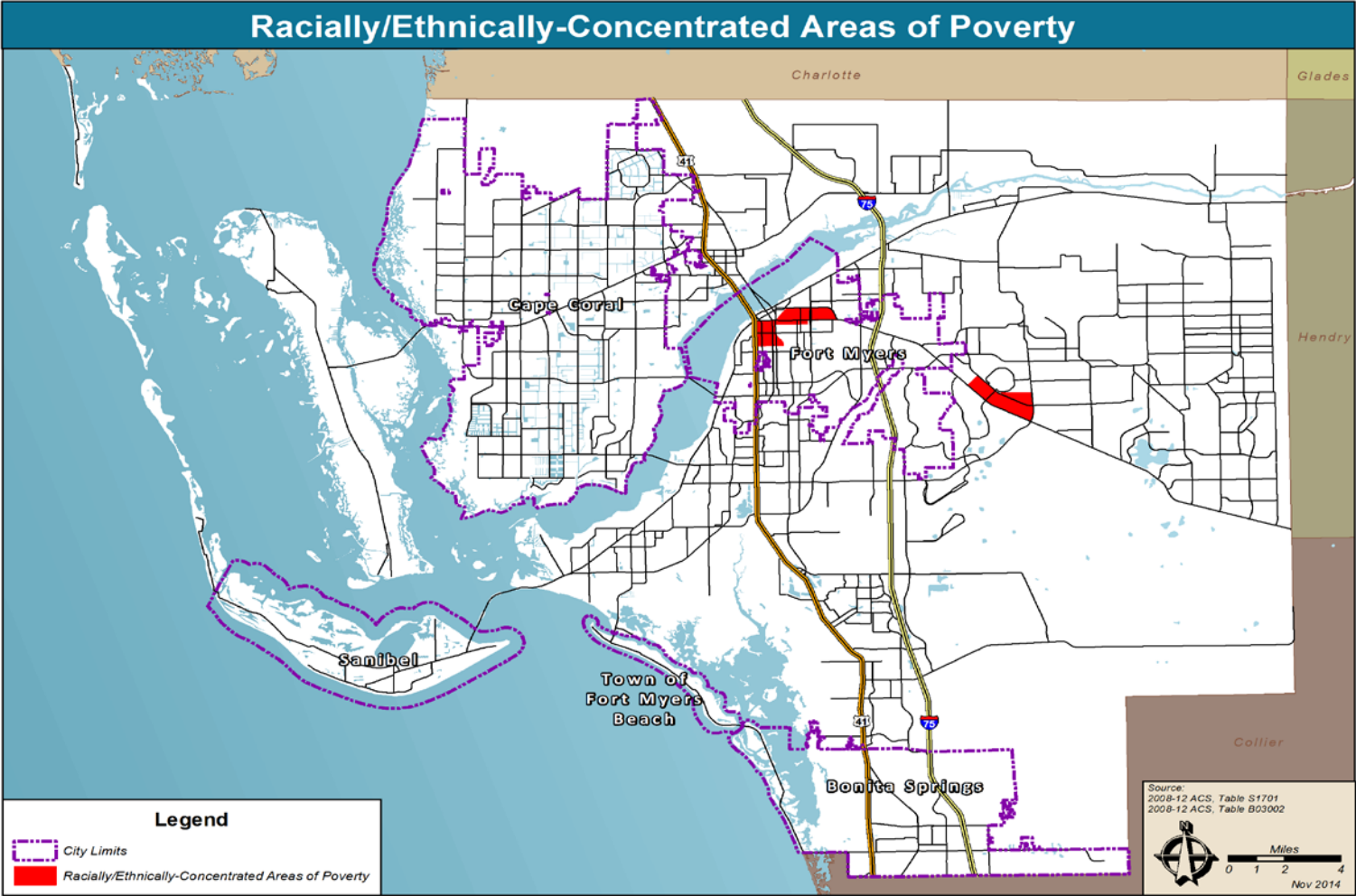
## Location of Elderly Concentrations by Race and Ethnicity, 2012



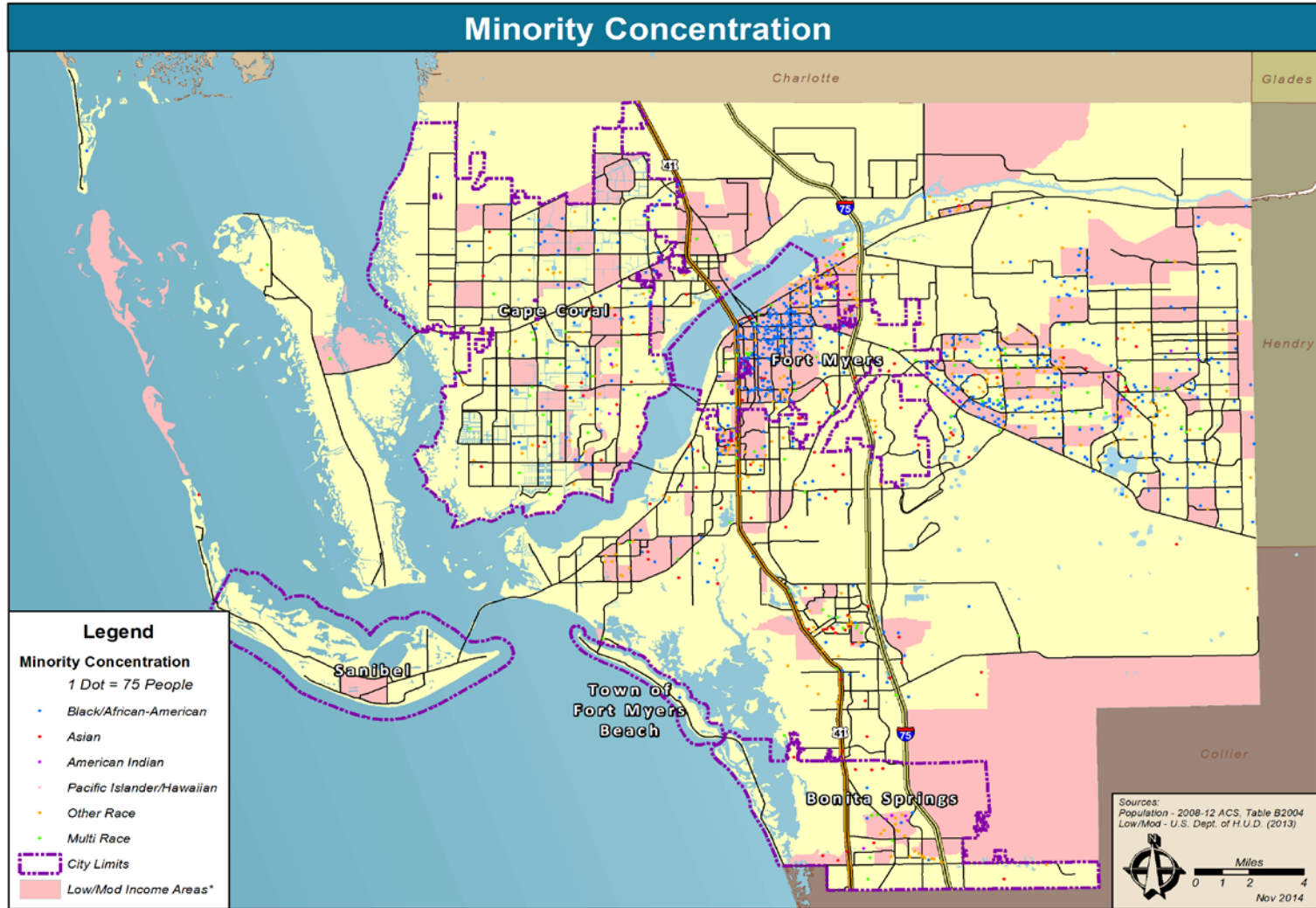
# Limited English Proficiency Concentration, 2012



# Racially/Ethnically Concentrated Areas of Poverty, 2012

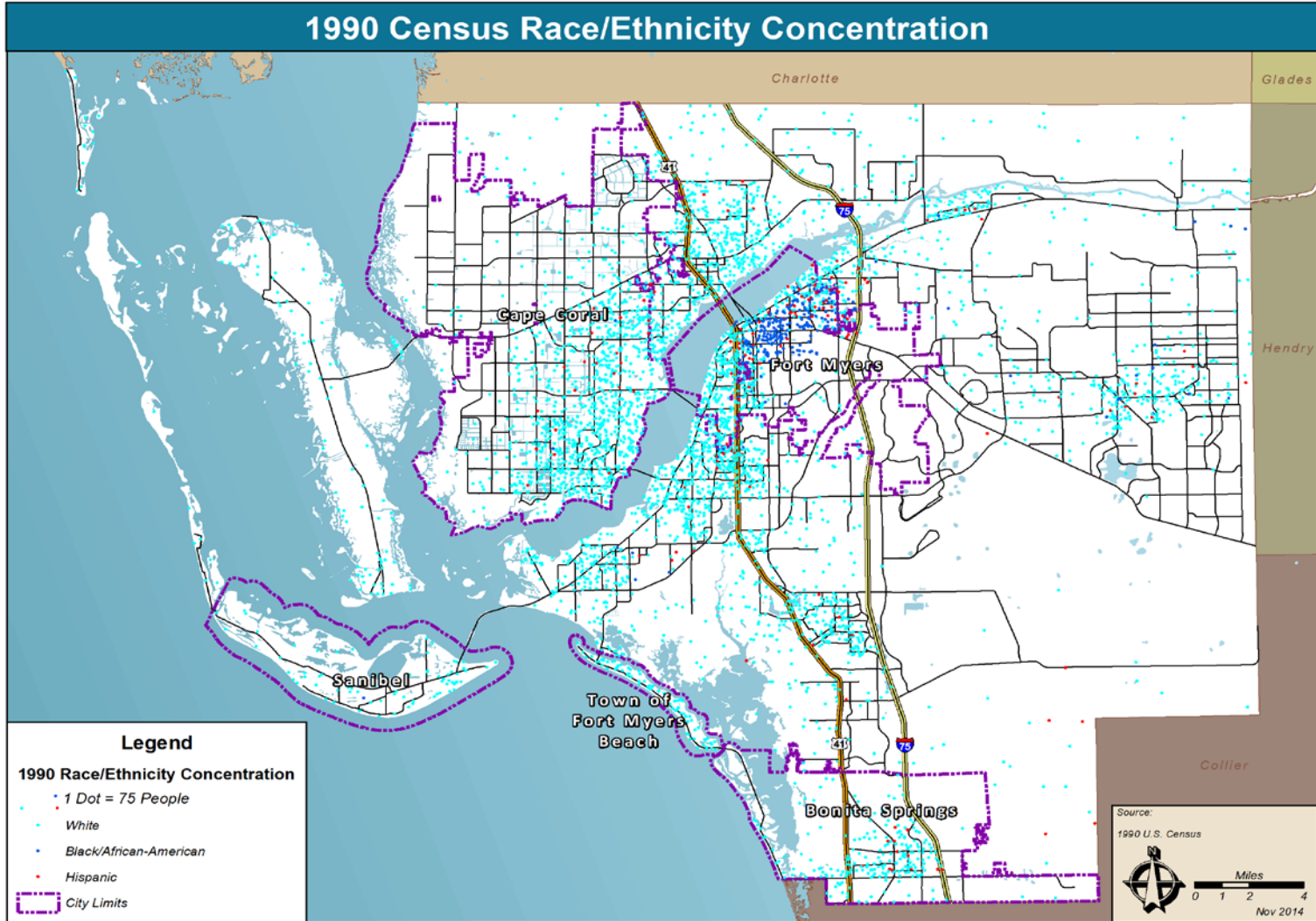


## Racial and Ethnic Minority Concentration with Low/Mod Income Area, 2012

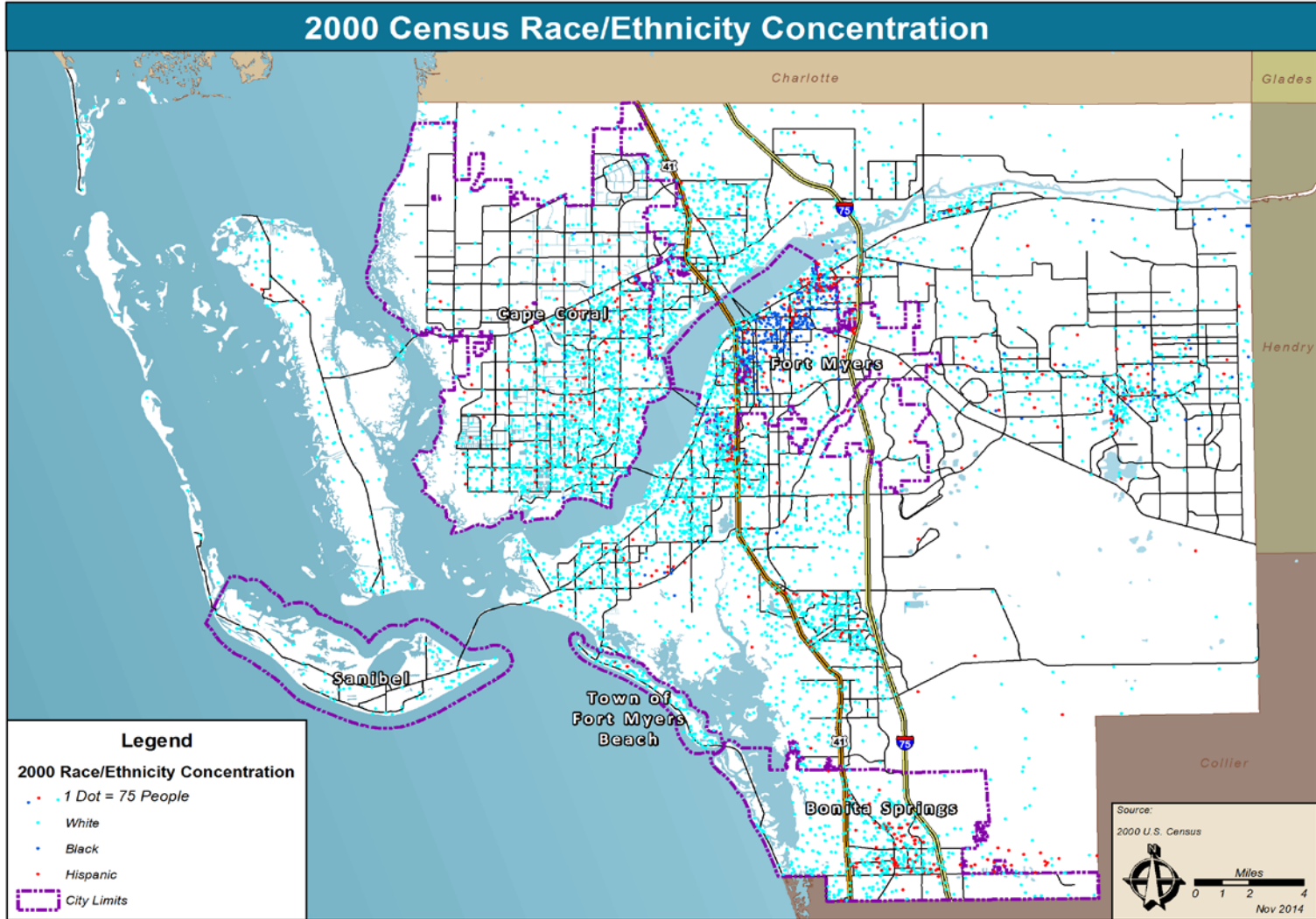




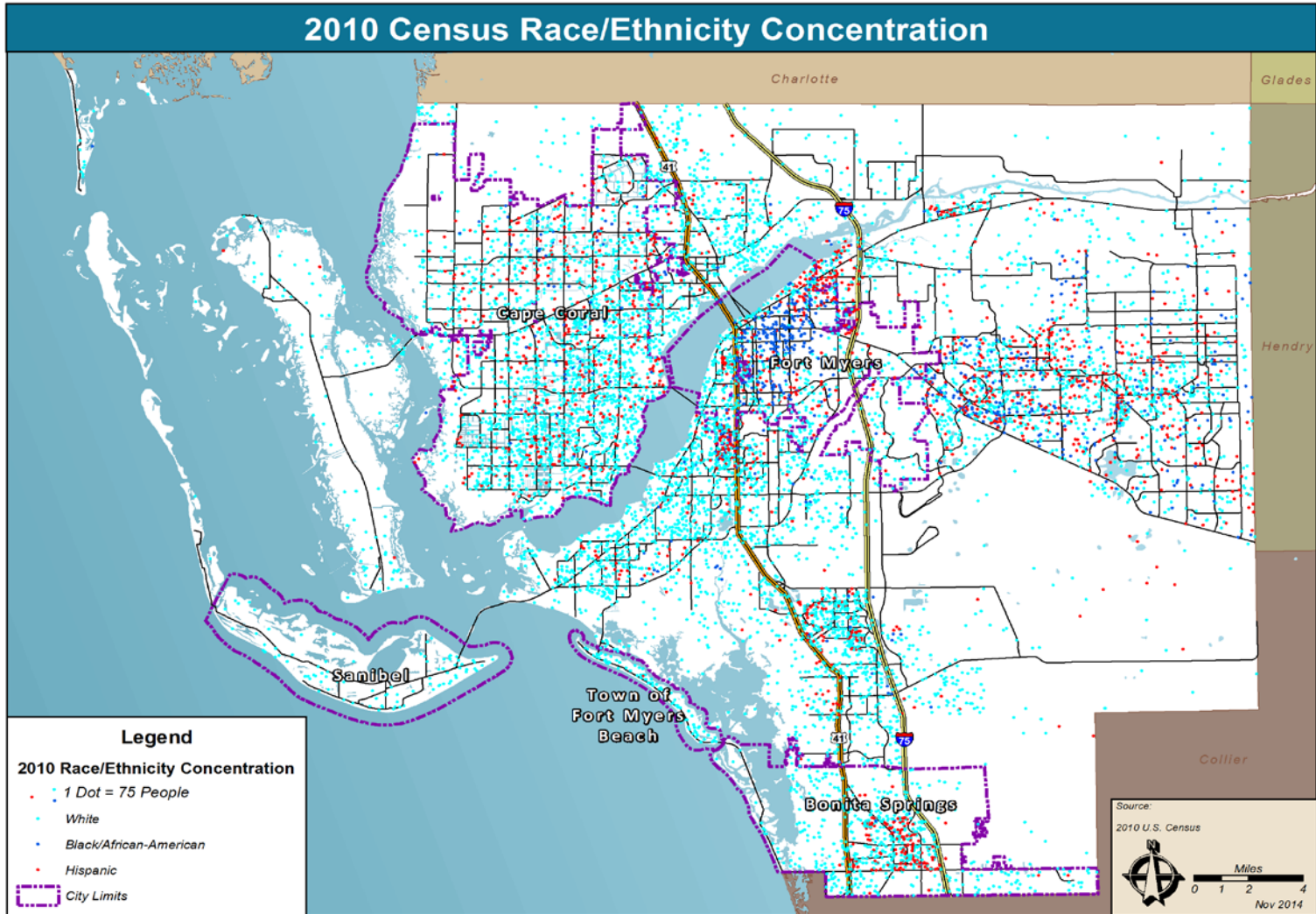
# Racial and Ethnic Minority Concentrated Areas, 1990



# Racial and Ethnic Minority Concentrated Areas, 2000

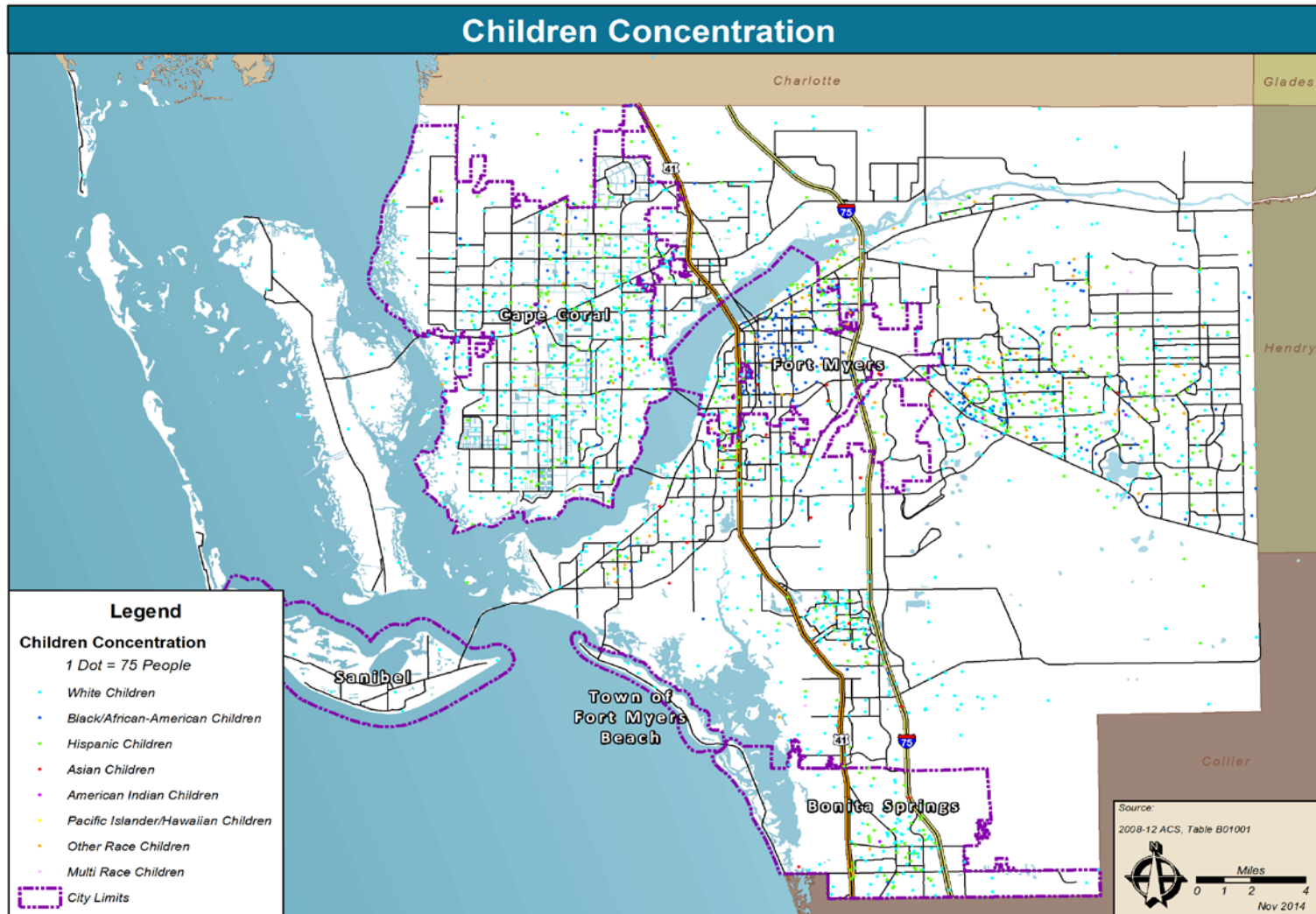


# Racial and Ethnic Minority Concentrated Areas, 2010

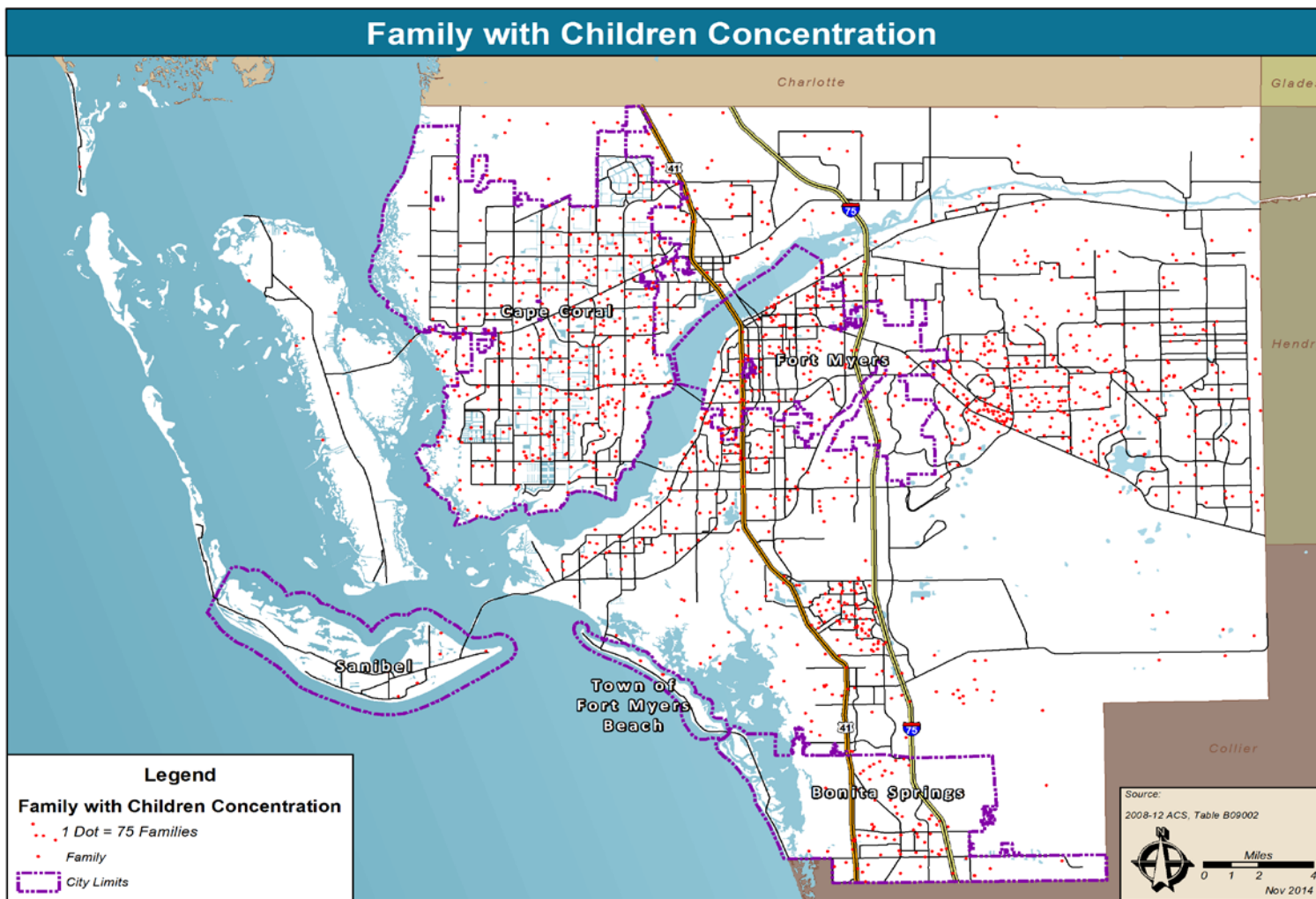




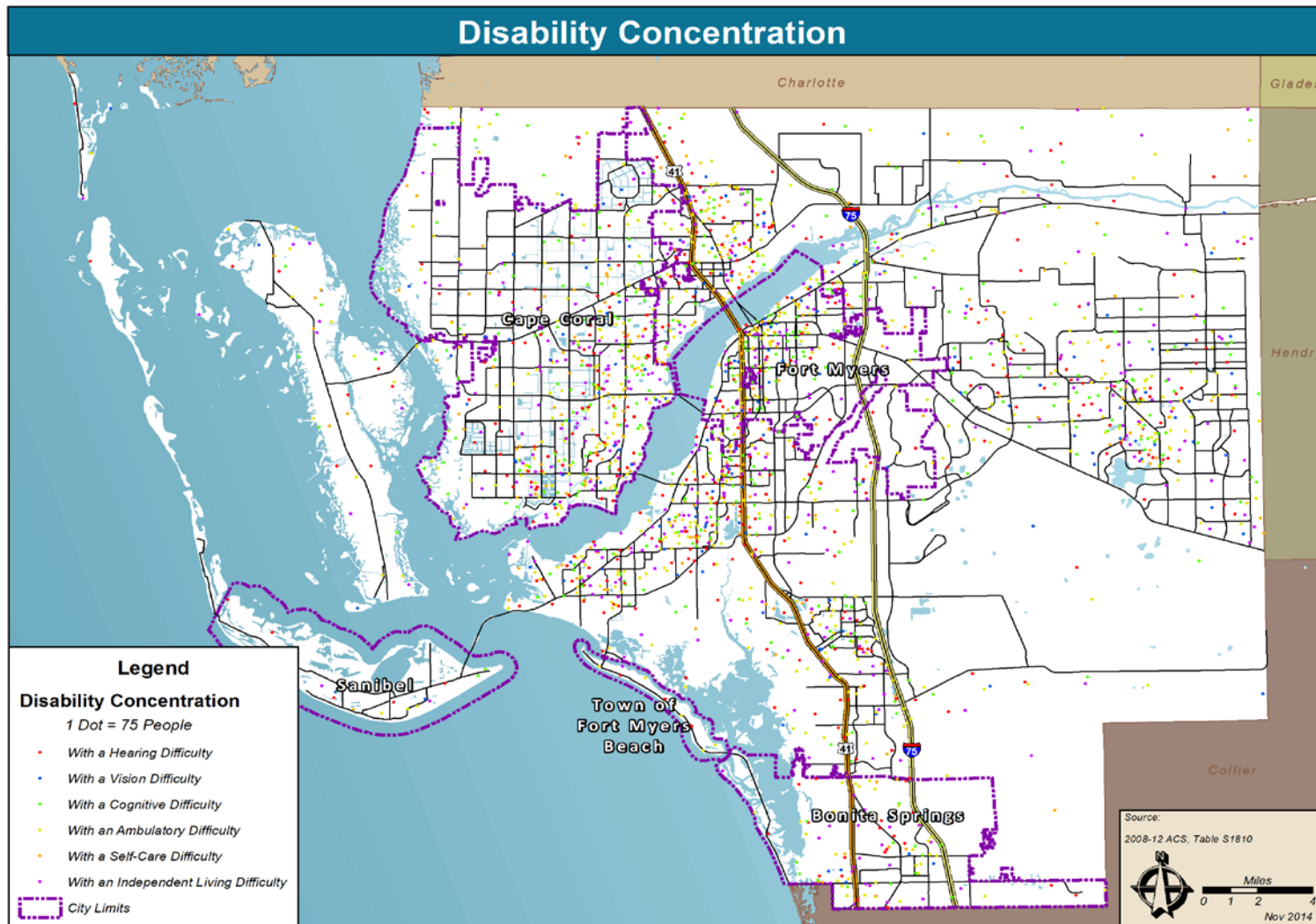
# Concentration of Children by Race and Ethnicity, 2012



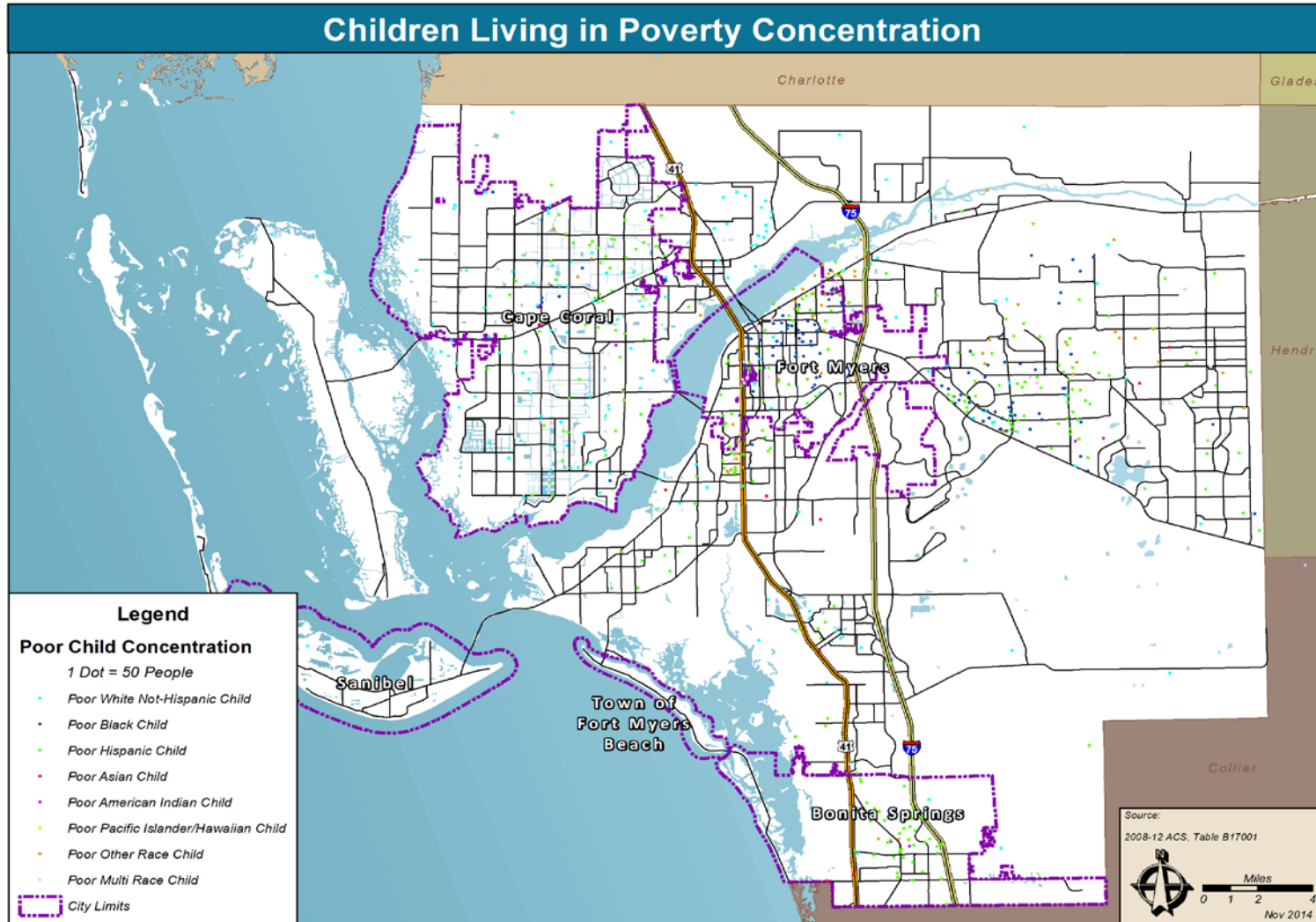
# Family Type with Children Concentration, 2012



# Disability Concentrations, 2012

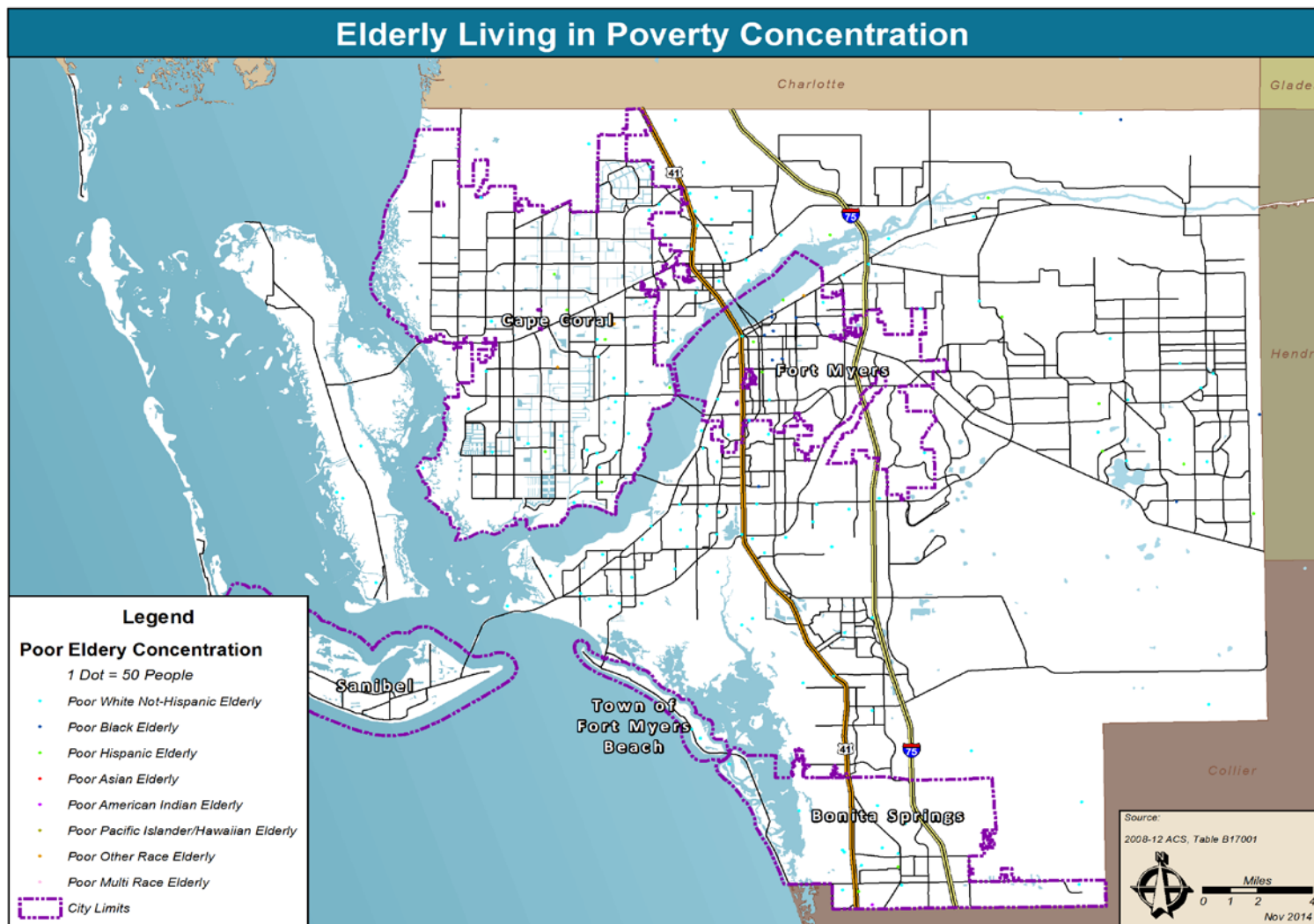


# Children Living in Poverty by Race and Ethnicity, 2012

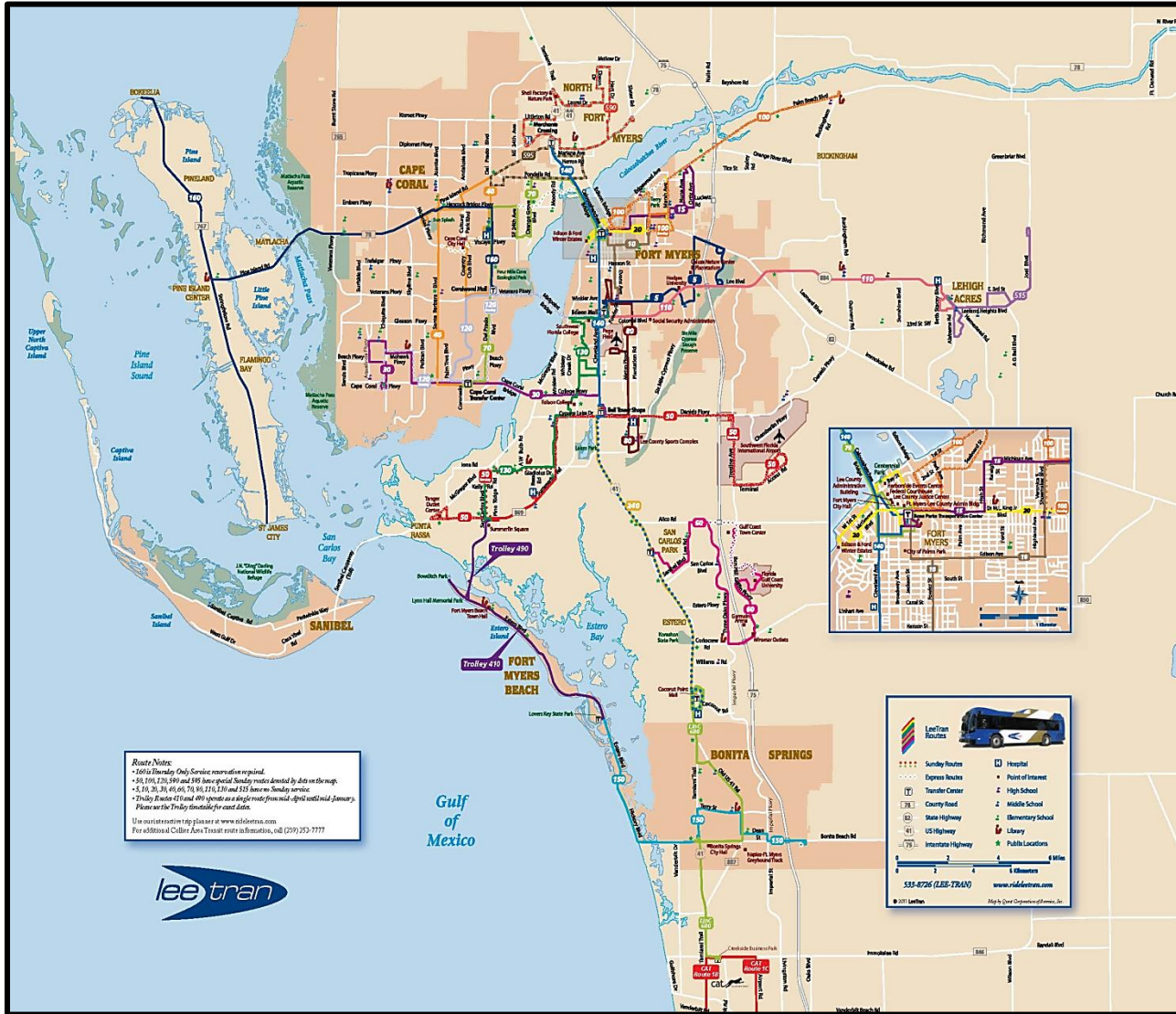




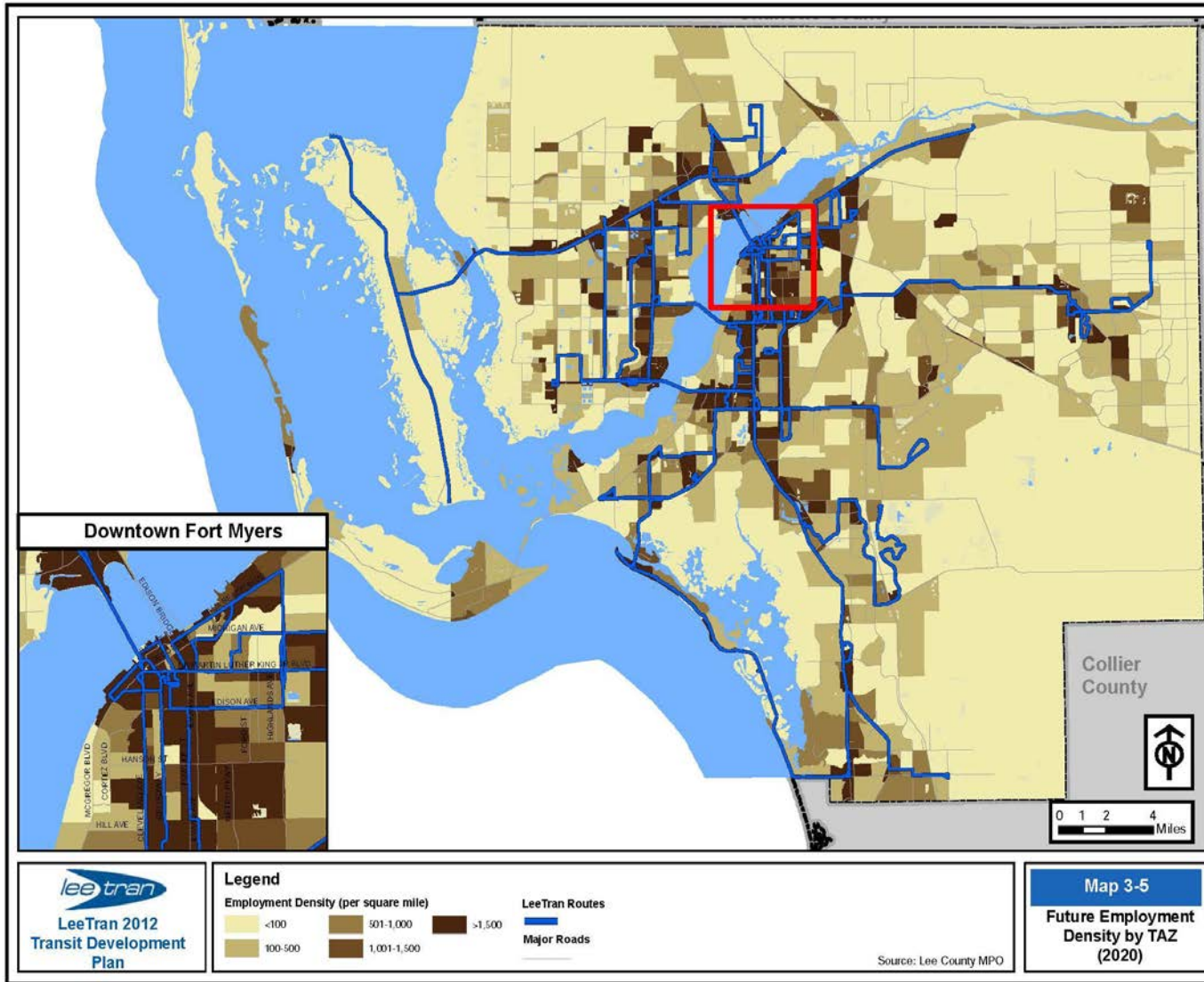
# Elderly Living in Poverty by Race and Ethnicity 2012



# LeeTran System Route Map

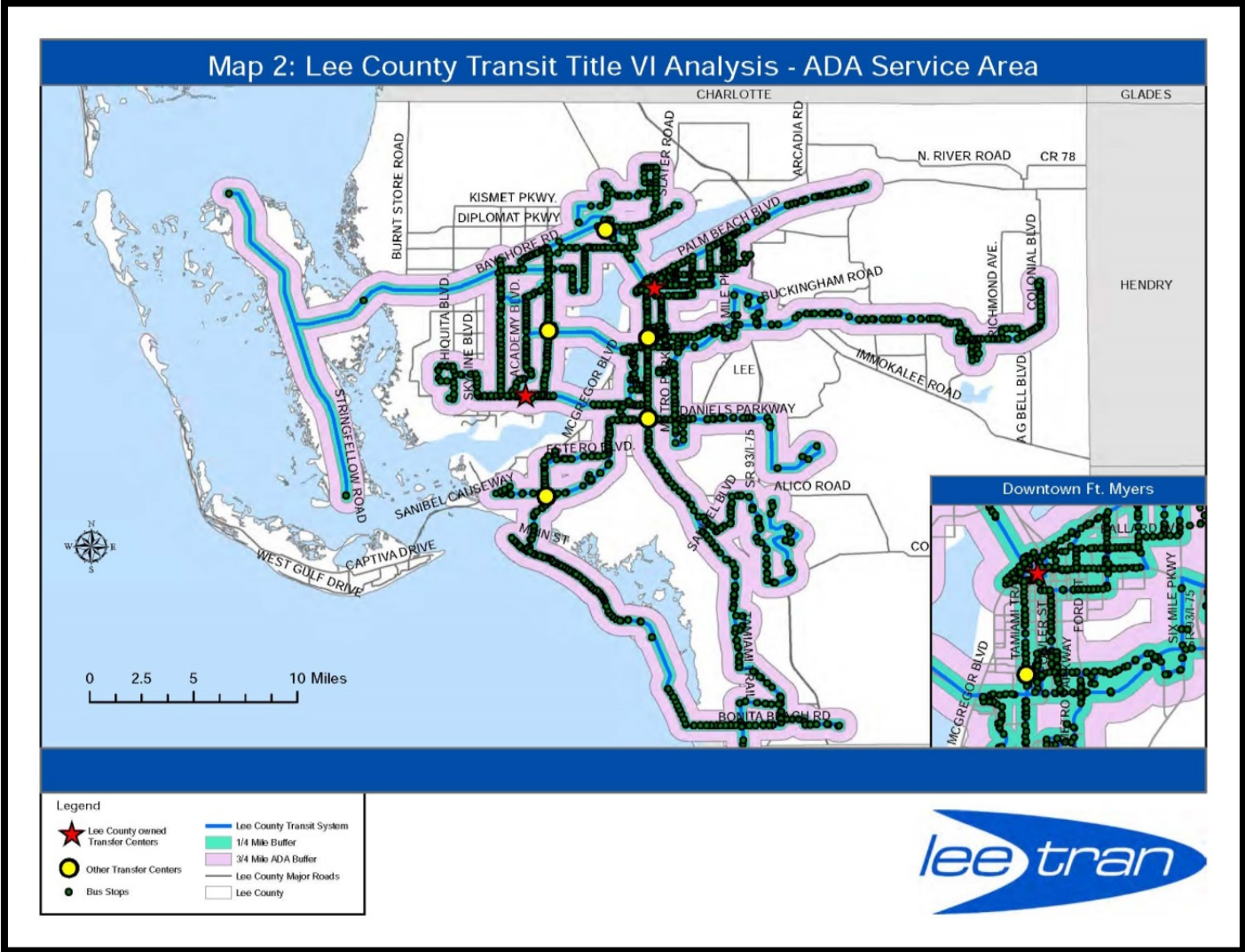


## Future Employment Density by Transportation Analysis Zone





# LeeTran ADA Service Area





## Lee Tran Service Routes in Minority Area

