

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE 2024 UPDATE



For Submission to the U.S. Department of Housing & Urban Development



Douglas
Analysis of Impediments
to Fair Housing Choice
2024 Update

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Prepared for:



City of Douglas, Arizona

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INTRODUCTION

PURPOSE OF THE REPORT

The Fair Housing Act of 1968 states that it is the policy of the United States to provide for Fair Housing throughout the country and the Act prohibits any person from discriminating in the sale or rental of housing, the financing of housing, or the provision of brokerage services, including or otherwise making unavailable or denying a dwelling to any person because of race, color, religion, sex [including gender identity and sexual orientation], national origin, handicap, or familial status. The State of Arizona echoes such a goal and has also adopted legislation protecting equal access to housing.

Nationally, Fair Housing and impediments to Fair Housing are monitored by the United States Department of Housing and Urban Development (HUD) and Community Development Block Grant (CDBG) funding for Fair Housing advocacy groups. This role of HUD to act as an administrator of Fair Housing programs originated in 1968 with the passage of the Civil Rights Act, described below.

Each grantee which receives CDBG funding under Title I of the Housing and Community Development Act is required to further Fair Housing and Fair Housing planning by conducting an analysis to identify impediments to Fair Housing choice within the cities/communities within its jurisdiction. The grantee will also take appropriate actions to overcome the effects of any impediments identified and will maintain records which reflect the analysis and actions taken in this regard.

The City of Douglas has consistently supported the concept of the provision of Fair Housing for its residents without regard to race, color, religion, sex [including gender identity and sexual orientation], national origin, handicap, or familial status. As a new entitlement community, the City will consistently use a portion of its funding to support programs of Fair Housing services for low- and moderate-income households. The fundamental Fair Housing goal is to make housing choice a reality through Fair Housing planning, which includes the following:

- Preparing an Analysis of Impediments to Fair Housing Choice (AI);
- Acting to eliminate identified impediments; and
- Providing Fair Housing records.

The purpose of this AI is to provide essential, specific, and detailed information and data to municipal officials and staff, policy makers, housing developers, lenders, and Fair Housing advocates. The AI helps build public support for Fair Housing efforts. This report represents Douglas' efforts in making an objective assessment of the nature and extent of Fair Housing concerns in the City, and the potential impediments to making Fair Housing choice available to its residents.

This is the City's second AI report. This AI considers the effects of population growth, an increasingly diverse population, economic change regarding jobs and the housing market, and the continued need for awareness, education, and outreach about Fair Housing.

DEFINING FAIR HOUSING

FEDERAL LAWS

The federal Fair Housing Act of 1968 and Fair Housing Amendments Act of 1988 (42 U.S. Code §§ 3601-3619, 3631) are federal Fair Housing laws that prohibit discrimination in all aspects of housing, such as the sale, rental, lease, or negotiation for real property. The Fair Housing Act prohibits discrimination based on race, religion, and national origin. In 1988, the Fair Housing Act was amended to extend protection to familial status and people with disabilities (mental or physical). In addition, the Amendment Act provides for “reasonable accommodations,” allowing structural modifications for persons with disabilities if requested, at their own expense, and sets housing code standards for new multi-family dwellings to accommodate the physically disabled.

Discrimination against families with children and persons with disabilities are further defined in the sections below.

DISCRIMINATION AGAINST FAMILIES WITH CHILDREN

Familial Status (often called “families with children”) refers to a parent or another person having legal custody of one or more individuals under the age of 18 years. It refers also to a person who is pregnant or in the process of getting legal custody of a minor child (including adoptive or foster parents). Families with children have under the law the same protection against housing discrimination as other groups protected by the law. In only two instances, does the law permit, as exceptions, discrimination against families with children. Both exceptions pertain to so-called housing for older persons. Housing intended for and occupied solely by people 62 years of age or older and housing in which 80 percent of the units are intended for and occupied by at least one person who is 55 years of age or older do not need to comply with the law’s familial status provisions. Discrimination against families with children manifests itself in many ways, the most common of which are in advertising (e.g., indications that rentals are for “no children” or “adults only”), restrictive occupancy standards that unreasonably limit the number of children who may occupy a given space and steering of families with children to separate buildings or parts of buildings.

PROVISIONS FOR PEOPLE WITH DISABILITIES

The Fair Housing Act defines “handicap” (or disability) as:

- 1) a physical or mental impairment which substantially limits one or more of such person's major life activities,
- 2) a record of having such an impairment, or
- 3) being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance.

SPECIAL PROTECTIONS

In addition to providing people with disabilities all of the protections against housing discrimination that are provided to members of the other six protected classes, the following provisions of the Fair Housing Act provide important additional protection.

The prohibition against discriminating in the terms and conditions of sale or rental prohibits a landlord from asking any questions of a person with a disability than would be asked of any other applicant. A landlord may not, for example, inquire about the nature or severity of a person’s disability or ask whether that person can live alone.

REASONABLE ACCOMMODATIONS

It is unlawful to refuse to make such reasonable changes in rules, policies, practices and services, which may be necessary to afford a person with a disability an equal opportunity to enjoy and use a dwelling. These “reasonable accommodations” include such things as making an exception to a “no pets” policy for a person who needs a service animal and providing a reserved, designated parking place for a person with mobility impairment.

REASONABLE MODIFICATIONS

It is unlawful to refuse to permit a person with a disability to make, at his/her own expense, such reasonable changes in the premises as may be necessary to permit use and enjoyment of the premises. “Reasonable modifications” include such things as installing grab bars to facilitate use of bathroom facilities, cabinets lowered or the widening of a doorway to accommodate a wheelchair.

FULL ACCESSIBILITY OF “NEW” MULTI-FAMILY HOUSING

Multi-family housing constructed for first occupancy after March 13, 1991 (i.e., buildings consisting of 4 or more units) must be fully accessible to people with disabilities. If a building has an elevator, all units must be accessible; if there is no elevator, only “ground floor” units must be accessible. “Accessible” means:

- 1) There must be an accessible building entrance on an accessible route;
- 2) Public and common use areas must be readily accessible to and usable by people with disabilities;
- 3) All inside doors must be wide enough to accommodate a wheelchair;
- 4) There must be an accessible route into and through the dwelling;
- 5) Light switches, electrical outlets, thermostats and other environmental controls must be accessible;
- 6) Bathroom walls must be reinforced to allow later installation of grab bars; and
- 7) Kitchens and bathrooms must have enough space to permit maneuvering in a wheelchair.

Three significant changes to the Fair Housing Act were made. These changes are described briefly as follows:

- The Housing for Older People Act of 1995 (HOPA) made several changes to the 55 and older exemption. Since the 1988 Amendments, the Fair Housing Act has exempted from its familial status provisions properties that satisfy the Act's 55 and older housing condition. First, HOPA eliminated the requirement that 55 and older housing have "significant facilities and services" designed for the elderly. Second, HOPA establishes protection from damages for persons who in good faith believe that the 55 and older exemption applies to a particular property, if they do not actually know that the property is not eligible for the exemption and if the property has formally stated in writing that it qualifies for the exemption.
- Changes were made in the Act to enhance law enforcement, including making amendments to criminal penalties in section 901 of the Civil Rights Act of 1968 for violating the Fair Housing Act.
- Changes were made to provide incentives for self-testing by lenders for discrimination under the Fair Housing Act and the Equal Credit Opportunity Act. See Title II, subtitle D of the Omnibus Consolidated Appropriations Act, 1997, P.L. 104 - 208 (9/30/96)¹. In addition, it is also illegal for anyone to threaten, coerce, intimidate, or interfere with anyone exercising a Fair Housing right or assisting others who exercise that right and advertise or make any statement that indicates a limitation or preference based on race, color, religion, national origin, familial status, or handicap.

Both intentional discrimination and unintentional actions or conditions that limit choice are also prohibited.

ARIZONA LAWS

It is the policy of the State of Arizona to provide, within constitutional limitations, for Fair Housing throughout the state. The State of Arizona has a Fair Housing Act that carries the same protections as the Federal Fair Housing Act and is designated as “substantially equivalent.” The Civil Rights Division of the Arizona Attorney General's Office investigates and resolves housing discrimination complaints as well as providing education on Fair Housing. Additionally, the Arizona Department of Housing has an active role in the education and training of housing providers to ensure awareness of Fair Housing laws.

Under the Federal Fair Housing Assistance Program (FHAP), HUD contracts with the Arizona Attorney General's Civil Rights Division to investigate and rule on Fair Housing cases. Nearly all complaints that are submitted to HUD and originate within Arizona, except for Phoenix, are processed by the Attorney General's office.

DOUGLAS ORDINANCE

The City of Douglas passed a resolution in August of 1978 affirming the City's commitment to promote Fair Housing in the sale, lease, or rental of housing.

A citizen may contact the Southwest Fair Housing Council or the U.S. Department of Housing and Urban Development (HUD) Office of Fair Housing and Equal Opportunity (FHEO) for assistance with Fair Housing questions or to file a complaint.



FAIR HOUSING DEFINED

In light of the Fair Housing legislation passed at the federal, state, and local levels, Fair Housing throughout this report is defined as follows:

Fair Housing is a condition in which individuals of similar income levels in the same housing market having a like range of housing choice available to them regardless of race, color, ancestry, national origin, religion, sex [including gender identity], disability, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor.

IMPEDIMENTS DEFINED

Within the legal framework of federal and state laws and based on the guidance provided by the HUD Fair Housing Planning Guide, impediments to Fair Housing choice are defined as:

Any actions, omissions, or decisions taken because of race, color, religion, sex [including gender identity and sexual orientation], disability, familial status, or national origin which restrict housing choices or the availability of housing choices; or

Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex [including gender identity and sexual orientation], disability, familial status, or national origin.

To affirmatively promote equal housing opportunity, a community must work to remove impediments to Fair Housing choice.

FAIR HOUSING AND AFFORDABLE HOUSING

When discussing “Fair Housing” and “affordable housing,” the two phrases are often used interchangeably. The concepts are distinct but intertwined. However, it is important to distinguish between the two to clearly identify issues and reduce Fair Housing discrimination. The phrase “Fair Housing,” in the context of preparation of an AI Report, refers to persons (families, seniors, individuals, and special needs populations) who are members of protected classes, as specified by federal statutes. It is illegal to discriminate against a person on the basis of their membership in a protected class in the sale, rental, financing, and insuring of housing.

On the other hand, “affordable housing” generally refers to the ability of households to afford, based on income, to buy or rent housing within their means. The key difference between the two concepts is **that issues of discrimination regarding Fair Housing can apply to all income levels, because protected classes are represented in all income groups.**

Because the two concepts are different, tools to address Fair Housing are distinguished from tools to increase the supply of affordable housing. Most local, state, and federal funding programs that support increasing the supply of affordable owner and renter housing are targeted to low- and moderate-income households. Low-income households are defined by most of those publicly funded programs as earning less than 50 percent of the HUD determined area median income (AMI), with moderate-income households earning 50 to 80 percent of the AMI. In certain instances, affordable housing programs address households with greater incomes.

There are many actions recommended in this AI Report that can be taken to reduce discrimination against locally and federally protected groups in the selling, renting, financing, and insuring of housing. Such actions include but are not limited to: increasing awareness, outreach, and education about Fair Housing laws and potential discrimination; increasing the supply of affordable housing, and evaluating government policies that directly or indirectly affect the housing market. While implementation of these actions will reduce discrimination in housing, it is not likely that such actions taken alone will eliminate housing discrimination.

It is difficult to talk about addressing impediments to Fair Housing, and actions to eliminate discrimination in housing, without simultaneously talking about development of policies, plans, programs, and projects to increase the supply of affordable housing. Discrimination in housing will, in part, be reduced by the provision of housing choices made affordable to all income groups in all communities, especially low- and moderate-income households.

Certain protected classes have disproportionate representation in the numbers of low- and moderate-income households in Douglas, and so it is reasonable to expect that as the supply of affordable housing is increased in all communities, greater numbers of protected class members will have access to housing without discrimination.

FILING A COMPLAINT

There are three primary agencies a Fair Housing Complaint may be filed. The first option is with the Southwest Fair Housing Council, the Arizona Attorney General’s Office, or the U.S. Department of Housing and Urban Development (HUD). A person has one year after an alleged violation to file a complaint, but it should be filed in good faith that a violation has occurred.

SOUTHWEST FAIR HOUSING COUNCIL

The Southwest Fair Housing Council is a non-profit organization that advocates for and facilitates the enforcement of the Federal and State Fair Housing Act in addition to the nondiscriminatory Ordinances of different Arizona municipalities. They act as a local Fair Housing center. If you are interested in their assistance, you may email them at intake@swfhc.org or call their office at 1-888-624-4611. They provide services in Spanish and English.



ATTORNEY GENERAL'S OFFICE

To initiate a complaint with the Civil Rights Division of the Arizona Attorney General's Office, a person must complete an intake complaint form, which is delivered to the Attorney General's office by mail, fax, or via the internet. This form may be found on the Internet or the following phone or mailing options:

<https://www.azag.gov/complaints/civil-rights>

Call the Attorney General's Office toll-free numbers: 877-491-5742 (Phoenix) or 877-491-5740 (Tucson)

Write a letter to the Attorney General that includes the following information:

- The person's name and address;
- The name and address of the person the complaint is about;
- The address of the house or apartment involved;
- The date when the incident occurred; and
- A short description of what happened.

Then mail the letter to:

Arizona Civil Rights Division
Office of the Attorney General
2005 N Central Ave
Phoenix, Arizona 85004

Complaints must be filed with the Attorney General's Office Civil Rights Division within 12 months (i.e., one year after the alleged violation). After receiving the complaint, the Attorney General will investigate and will complete a dual filing with HUD at no charge to the complaining person.

The Attorney General will notify the alleged violator of the complaint, and that person must submit a response. The Attorney General will investigate the complaint and determine whether reasonable cause exists to believe that the Fair Housing Act has been violated.

If the Fair Housing Act has been violated, the Attorney General will try to reach a conciliation agreement with the respondent. If an agreement is reached, the Attorney General will take no further action on the complaint. If the Attorney General finds reasonable cause to believe that the discrimination occurred and no conciliation is reached within 30 days, or the conciliation agreement has been breached, the Attorney General will file a civil action for enforcement.

There are two other laws that do not directly address Fair Housing, but that deal with housing issues. The first is the Arizona Landlord and Tenant Act, which details the rights of both tenants and landlords with respect to rental property, while the second, the Arizona Mobile Home Landlord and Tenant Act, deals specifically with mobile homes.

U.S. HOUSING AND URBAN DEVELOPMENT (HUD) OFFICE

Individuals who believe they have been discriminated against in a housing transaction may also file a complaint with the HUD Enforcement Division in San Francisco. The first step in filing a complaint with HUD is to submit a Housing Discrimination Complaint form explaining the nature of the alleged violation. Housing discrimination complaint forms are available on the Internet at:

<https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action>

A complaint form or additional information may also be obtained by calling the HUD Housing Discrimination Hotline at 1-800-669-9777, report online at <https://www.hud.gov/fairhousing/fileacomplaint> or by written report to the Regional FHEO Office:

***San Francisco Regional Office of FHEO
U.S. Department of Housing and Urban Development
One Sansome Street Suite 1200
San Francisco, CA 94104***

After a formal allegation is filed one or more investigators will develop a formal report based on gathering information regarding relevant documentation, locations, timelines, conduct interviews, etc. The investigators will provide the party again whom the allegation has been filed against and provide an opportunity to respond.

A complaint may be resolved in several ways. HUD is required to try to first reach an agreement between the two parties involved. The conciliation agreement is voluntary and may be entered at any time. HUD may resolve the investigation through a conciliation agreement and/or a Voluntary Compliance Agreement. If an agreement is approved, HUD will take no further action unless the agreement has been breached.

The government may bring Fair Housing Act or other civil rights cases based on the HUD investigation. Example of relief sought include compensation for victims, changes to policies and procedures, and training. When the government brings a legal action, it does not charge any fees or costs to individuals who are alleging discrimination. Cases before the HUD Administrative Law Judge are handled by the HUD Office of General Counsel for litigation of the case. If cases are pulled into federal court, the cases are handled by the U.S. Department of Justice.

SCOPE OF ANALYSIS

This AI Report provides an overview of laws, regulations, conditions, or other possible obstacles that may affect an individual's or a household's access to housing. The AI Report involves:

- A comprehensive review of the laws, regulations, and administrative policies, procedures, and practices;
- An assessment of how those laws, regulations, policies, procedures, and practices affect the location, availability, and accessibility of housing; and
- An assessment of conditions, both public and private, affecting Fair Housing choice.

GEOGRAPHIC AREA COVERED

This report constitutes the AI Report for the City of Douglas, Arizona.

DATA AND METHODOLOGY

The purpose of this analysis is to identify any local housing concerns and impediments to the exercise of Fair Housing choice in the City of Douglas. This analysis attempts to identify any attitudes, barriers, institutional practices, and public policies which create barriers to affirmatively further Fair Housing.

Research and analysis of information regarding housing choice and restrictions was based upon review of socioeconomic and housing characteristics. Data sources included, historical US Census figures (2000- 2022), reports and statistics from local, regional, State and Federal agencies, the City of Douglas data, and interest groups. Reflecting HUD guidelines concerning “recommended contents,” this analysis incorporates the background of housing choice in Douglas, federal, state and local public policies, profiles describing socioeconomic conditions of persons who make up the City of Douglas, and community services provided by the City’s CDBG program. Last, this analysis includes institutional practices that affect the level of choice available within the area’s housing market.

The census data used is the U.S. Census which is a real count of specific individuals and American Community Survey (ACS) which is a statistically valid survey including results over a five-year period. For this report, the ACS data used is from 2018 to 2022.

The following are key data sources used to complete this AI:

- 2000, 2010, and 2020 U.S. Census and the 2018-2022 ACS
- Zillow Home Value Index 2024. URL: <https://www.zillow.com/home-values/44966/douglas-az/>
- The City’s Consolidated Plan, 2019-2023
- The City’s General Plan, 2002 and 2024 draft update
- Comprehensive Housing Affordability Strategy (CHAS) Data from HUD
- Home Mortgage Disclosure Act (HMDA) Data
- U.S. Department of Housing and Urban Development (HUD), Fair Housing and Equal Opportunity Complaint Data

Sources of specific information are identified in the text, tables, and graphics.

COMMUNITY PARTICIPATION

As with the development of the Consolidated Plan, this AI Report considers consultation input and builds upon existing participation mechanisms and venues. Citizens, not-for-profit organizations, and interested parties are afforded a variety of opportunities to:

- contribute during meetings, public hearings, and planning sessions;
- review and comment upon the Citizen Participation Plan;
- comment upon the AI Report and its amendments; and
- register complaints about the AI Report and its amendments.

The City complied with the citizen participation requirements of the regulations by doing the following:

- Preparing, adopting, and following a Citizen Participation Plan;
- Publishing informational notices about the AI Report;
- Holding public hearings in accessible places at convenient times after providing reasonable notice;
- Publishing a summary of the AI Report, describing its contents and purpose and a listing of locations where the entire document could be examined;
- Making the AI Report available for public examination and comment for a period of thirty (30) days before submission to HUD;
- Providing citizens, public agencies, and other interested parties reasonable access to records regarding uses of assistance for affordable and supportive housing the City may have received during the preceding five years; and
- Considering the views and comments of citizens and preparing a summary of those views for consideration with the submission.

The Neighborhood Resources and Grants Department staff held a public hearing on May 28, 2024 and July 10, 2024 and a public comment period from June 6, 2024 through July 8, 2024. These meetings were part of a concerted effort to obtain public input on Fair Housing and the draft AI Report, along with the 2024-2028 Consolidated Plan.

Representatives from community social service organizations, housing developers and advocates, and government departments were invited to attend the public meeting.

The City Council approved the AI Report and an executed Resolution of Authorization. The document was then forwarded to the HUD Regional Office.

COMMUNITY PROFILE

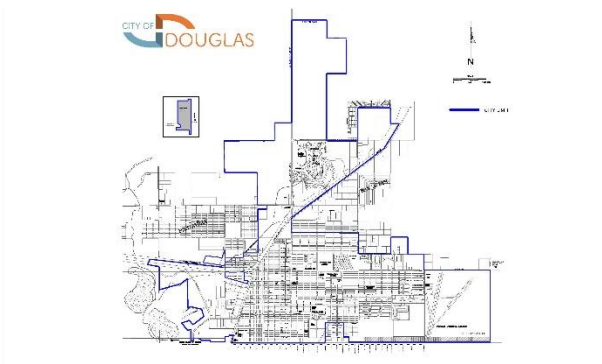
Fair Housing is concerned with ensuring that: 1) all people are treated equally in the rental, sale, or occupancy of housing; and 2) a range in types and prices of housing is available. This chapter examines the population, housing, and special needs characteristics and trends in the City that may affect equal housing opportunity.

This Community Profile provides insights for identifying potential impediments to Fair Housing choice. While not definitive indicators of impediments to Fair Housing choice in and of themselves, these data may point to conditions or situations that could be indicators of impediments to Fair Housing choice. Observations about issues that could arise are made at the end of this section.

OVERVIEW

The City of Douglas is located in Cochise County, Arizona, 125 miles southeast of Tucson on the United States-Mexico border. The city has a total area of 9.98 square miles. Douglas is flanked on the northeast side by the Perilla Mountains, with College Peaks rising to 6,388 feet, northeast of the city limits. The city is accessible via Arizona State Route 80 and US Route 191. The city is positioned directly across the border from Agua Prieta, Mexico and is a main entry point on the United States-Mexico Border. The city is served by the Bisbee-Douglas International Airport (DUG) which is operated by Cochise County.

Douglas is a retail center for the region and its retail outlets draw a significant number of shoppers from Sonora. The historic landmarks in Douglas include the Hotel Gadsden, Southern Pacific Railroad Depot, and Slaughter's Ranch. The City is close to the San Bernardino and Leslie Canyon National Wildlife Preserves, and the Chiricahua Mountains, one of Arizona's largest mountain ranges, are close by. Higher education is available in Sierra Vista via the University of Arizona South, Cochise Community College, the University of Phoenix, Wayland Baptist University, and Western International University.



Source: Top: City of Douglas, Middle: U.S. Fish and Wildlife, Bottom: City of Douglas

DEMOGRAPHICS

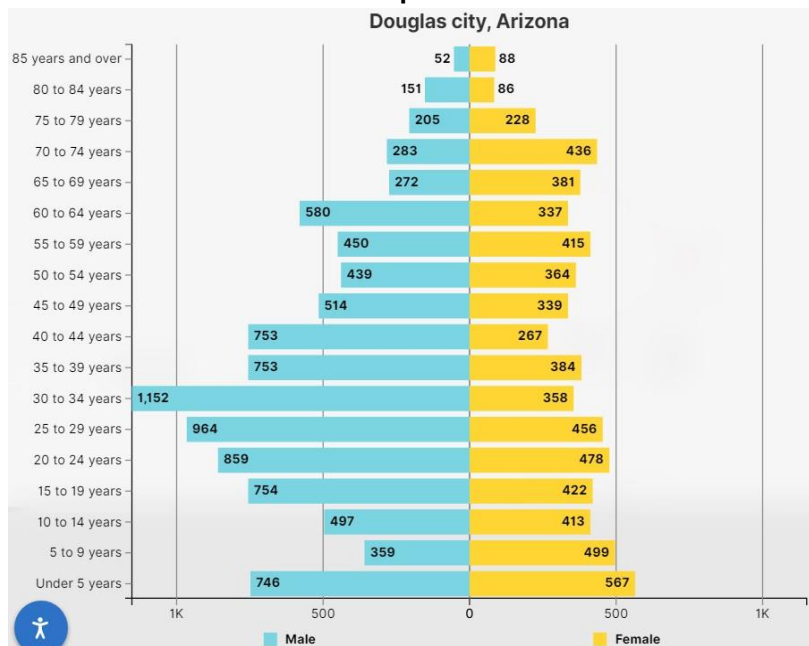
POPULATION

According to the U.S. Census, the City's total population at the turn of the century was 14,196 residents. Between 2000 and 2010, Douglas experienced a 21.8% population increase, or 3,089 people, to 17,285. Overall population growth reversed the following decade in large part due to 2013 budget sequestration, which was a series of automatic spending cuts triggered by the Budget Control Act of 2011. Sequestration led to furloughs of civilian employees, reduced training, and other budgetary cuts at the fort causing a local economic recession. The City ended the decade with a 5.7% overall decrease in population with a 2020 Census population of 16,292 residents. The population of Douglas as of 2022 is 16,301.

Table 1: Age Breakdown			
Age Cohort	Douglas %	Arizona %	US %
Under 5	8.1%	5.6%	5.7%
5 – 9	5.3%	6.1%	6.0%
10 – 14	5.6%	6.6%	6.5%
15 - 19	7.2%	6.7%	6.6%
20 – 24	8.2%	7.0%	6.7%
25 – 29	8.7%	7.0%	6.8%
30 – 34	9.3%	6.7%	6.9%
35 – 39	7.0%	6.4%	6.6%
40 – 44	6.3%	6.1%	6.3%
45 – 49	5.2%	5.9%	6.5%
50 – 54	4.9%	5.8%	6.3%
55 - 59	5.3%	6.0%	6.5%
60 – 64	5.6%	6.1%	6.4%
65 – 69	4.0%	5.5%	5.4%
70 - 74	4.4%	4.9%	4.3%
75 to 79	2.7%	3.6%	2.9%
80 to 84	1.5%	2.2%	1.9%
85 years and older	0.9%	1.9%	2.0%

Source: 2018-2022 ACS 5-Year Estimates

Graphic 1



Source: U.S. Census Community Profile

The median age in the City is 33.9. The United States median age is 38.5 and the State of Arizona is 38.4 (2018-2022 ACS 5-Year Estimates). The lower median age is affected by the presence of a higher percentage of young, working-age adult cohorts between under 5 and 20 and 29.

Table 1 and **Graphic 1** provides additional information on Douglas' population by age and sex.

RACE

Table 2 below compares the racial composition of Douglas, to Arizona, and the United States. In the City, 84.6% of the population identifies as Hispanic or Latino. The U.S. Hispanic or Latino population is 18.7%, while Arizona is 32.0%. The City is well above the national and state average with its Hispanic or Latino population. The Black, Asian, Some Other Race and Two or More Races population are below the national, and below the state's average. The City's Native Hawaiian and Pacific Islander population is above both the national and state average.

Table 2: Racial Breakdown			
	Douglas %	Arizona %	US %
Hispanic & Latino	84.6%	32.0%	18.7%
Non-Hispanic:			
White	10.7%	53.0%	58.9%
Black or African American	2.7%	4.3%	12.1%
American Indian & Alaska Natives	0.7%	3.5%	0.6%
Asian	0.1%	3.3%	5.7%
Native Hawaiian & Pacific Islander	0.4%	0.2%	0.2%
Some Other Race	0.0%	0.3%	0.4%
Two or More Races	0.7%	3.4%	3.5%

Source: 2018-2022 ACS

The following data is from the 2018-2022 ACS 5-Year Estimates. Approximately 23.2% of the City's population is foreign born which is more than the state (13.0%) and national (13.7%) percentages. The percentage of the population in Douglas that speaks a language other than English is 71.4%, which is well above the state's percentage of 26.4% and national percentage of 21.7%. The most common language spoken beside English is Spanish at 69.9%.

FAMILIES & HOUSEHOLDS

The total number of households in the City was 4,476 (2018-2022 ACS). **Table 3** shows that in the City, there is a lower percentage of male householder and married couple households when compared to the state and national average. The City has a higher percentage of female households, householders living alone, householders with a member 18 years or younger and householders with one or more people 65 years and over. Female households approximately 39% of household types and married-couple households comprise approximately 40%.

Table 3: Household Type			
	Douglas %	Arizona %	US %
Married-couple household	39.5%	47.2%	47.5%
Cohabiting couple household	6.0%	8.2%	6.9%
Male householder, no spouse/ partner present	17.7%	18.6%	18.1%
Female householder, no spouse/ partner present	39.8%	26.0%	27.4%
Householders living alone	17.9%	14.5%	15.5%
Households with one or more people under 18 years	38.7%	30.1%	30.2%
Households with one or more people 65 years and over	36.1%	33.3%	30.8%
Average Household Size	2.92	2.56	2.57

Source: 2018-2022 ACS 5-Year Estimates

DISABLED PERSONS & SPECIAL NEEDS POPULATION

The following disability data is based on the total noninstitutionalized population of Douglas. The percentage of the total population in Douglas with a disability is 12.5% which is lower than the State (13.4%) and Federal level (12.9%) based on the 2018-2022 ACS 5-Year Estimates.

Table 4: Elderly & Frail Elderly			
	Douglas	Arizona	United States
Elderly	13.5%	18.1%	16.5%
Frail Elderly	5.1%	6.7%	6.8%

Source: 2018-2022 ACS 5-Year Estimates

Elderly for the purpose of this report includes those who are 65 year and older. Frail Elderly are those who are 75 year and older. **Table 4** shows that in the City there are more elderly and frail elderly persons than in the state and national average (2018-2022 ACS 5-Year Estimates).

The total number of Disabled Persons in the City is approximately 1,645 individuals or 12.5% of the total population. Those who are 65 years and over with disabilities include 721 individuals or 34.4% of the elderly population. These figures, based upon the Census Bureau definition of disability, include a wide range of disabilities and a precise figure for persons with physical disabilities is difficult to determine.

THE DEVELOPMENTALLY DISABLED

The American Association on Intellectual and Development Disabilities (AAIDD) indicates that the base definition of intellectually or developmentally disabled is an IQ score less than 70-75. The Association for Retarded Citizens (ARC) indicates that the nationally accepted percentage of the population that can be categorized as intellectually or developmentally disabled is 2.5% to 3% of the population. By this calculation, there are an estimated 408 to 489 developmentally disabled persons in Douglas.

The preferred housing options for the developmentally disabled are those that present a choice and integrate them into the community. This includes supervised apartments, supported living, a skills development home, and family care homes.

THE PHYSICALLY DISABLED

In Douglas, the number of persons under the age of 18 with disabilities is 208, while the number of persons aged 18 to 64 with disabilities is 1,437 based on the 2018-2022 ACS 5-Year Estimates. The number of persons 65 and over with disabilities is 721. A breakdown of those with hearing, vision, cognitive, ambulatory, self-care, and independent living difficulty is provided in **Table 5** by percentage of the total population for all age groups having these various disabilities.

Table 5: Disability Characteristics			
	Douglas %	Arizona %	US %
Hearing Difficulty	2.6%	4.1%	3.6%
Vision Difficulty	2.4%	2.6%	2.4%
Cognitive Difficulty	5.0%	5.2%	5.3%
Ambulatory Difficulty	7.6%	6.7%	6.7%
Self-Care Difficulty	3.4%	2.4%	2.6%
Independent Living Difficulty	5.3%	5.6%	5.8%

Source: 2018-2022 ACS 5-Year Estimates

The implications for Fair Housing issues are that there is a need for smaller housing units for the elderly and those living alone. There is a need for housing for the frail elderly, but the City's population percentages indicate a moderate demand for the housing designed for these persons. The percentage of

persons with disabilities is only slightly lower than that of the state and national average, which indicates a need for housing to meet the needs of this segment of the population.

ECONOMIC FACTORS

For the population over the age of 25, the City has a higher percentage of those that are high school graduates and below than the state and national average for education attainment. **Table 6** shows the population breakdown by education attainment.

Table 6: Education Attainment				
	Number	Douglas %	Arizona %	US %
Less than 9th grade	1,300	12.1%	4.8%	4.7%
9th to 12th grade, no diploma	1,356	12.7%	6.5%	6.1%
High school graduate (includes equivalency)	3,462	32.3%	23.6%	26.4%
Some college, no degree	2,510	23.4%	24.2%	19.7%
Associate's degree	908	8.5%	9.1%	8.7%
Bachelor's degree	735	6.9%	19.6%	20.9%
Graduate or professional degree	436	4.1%	12.2%	13.4%

Source: 2018-2022 ACS 5-Year Estimates

LABOR FORCE & EMPLOYMENT

Douglas' labor force (persons 16 years or older) is 5,193 based on the 2018-2022 ACS 5-Year Estimates. This is 39.8% of the total population 16 years or older of Douglas. This percentage is lower than the national percentage of 63.5% and state percentage of 60.5%. The **Table 7** shows employment by industry. Douglas' top three employment industries are education services, healthcare, and social assistance (26.3%), public administration (13.9%) and retail trade (10.5%). The City has a higher proportion of the work force in public administration and education services, healthcare, and social assistance.

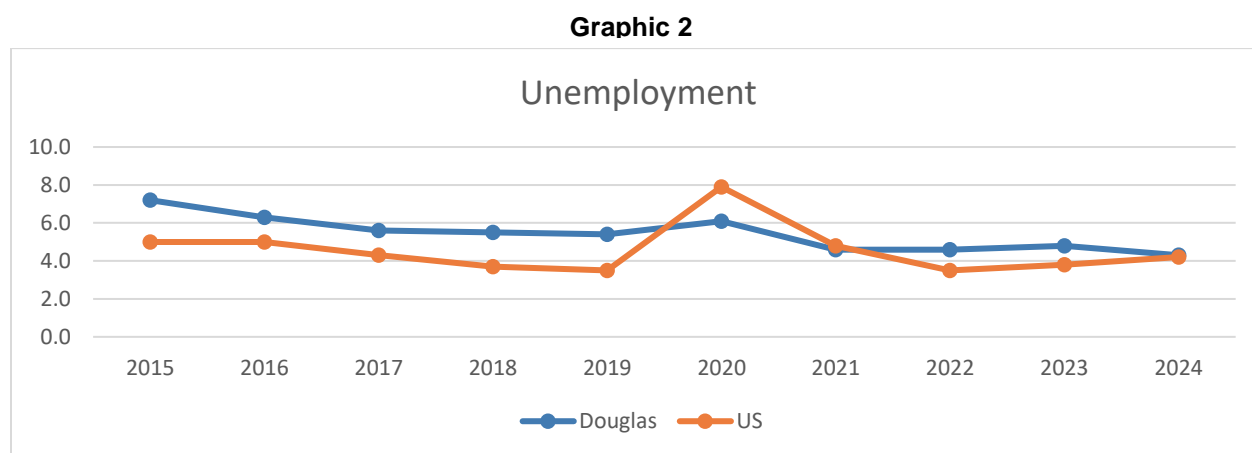
Table 7: Worker by Industry				
	Number	Douglas %	Arizona %	US %
Agriculture, forestry, fishing and hunting, and mining	70	1.5%	1.3%	1.6%
Construction	286	6.3%	7.5%	6.9%
Manufacturing	339	7.4%	7.4%	10.0%
Wholesale trade	90	2.0%	2.2%	2.4%
Retail trade	481	10.5%	11.9%	11.0%
Transportation and warehousing, and utilities	169	3.7%	5.7%	5.8%
Information	53	1.2%	1.7%	1.9%
Finance and insurance, and real estate and rental and leasing	171	3.7%	8.8%	6.7%
Professional, scientific, and management, and administrative and waste management services	382	8.4%	12.5%	12.1%
Educational services, and health care and social assistance	1,202	26.3%	21.9%	23.3%
Arts, entertainment, and recreation, and accommodation and food services	321	7.0%	9.9%	9.0%
Other services, except public administration	372	8.1%	4.5%	4.7%

Public administration	636	13.9%	4.8%	4.7%
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Source: 2018-2022 ACS 5-Year Estimates

UNEMPLOYMENT

The unemployment rate is calculated by the Bureau of Labor Statistics. The unemployment rate is based on the Metropolitan Statistical Area (MSA) of Sierra Vista and Douglas Arizona. For the Sierra Vista-Douglas MSA in February 2024, the unemployment rate was 4.3%. In comparison to the unemployment rate in September of 2019 (five years prior), the unemployment rate was greater prior (5.4%). In review of the national trends, the unemployment rate in February of 2024 was 4.3% and in September of 2019 was 3.5%. Douglas' unemployment rates were higher than the national rates. The unemployment rate of Douglas and the US is illustrated in **Graphic 2** below.



Source: Bureau of Labor Statistics

INCOME & POVERTY

Table 8 shows key income and poverty figures on the City, state, and national level. The median income in the City is well below the state and national median income (approximately \$30,000 and \$34,000 less). The median family income in the City is less than both the state (approximately \$36,000 less) and national median numbers (approximately \$42,000 less). The per capita income for the City is well below the state and national level as well. The City has the highest percentage below the poverty line at 24.6% for families and 29.1% for individuals.

Table 8: Median Income			
	Douglas	Arizona	United States
Median Household Income	\$41,594	\$72,581	\$75,149
Median Family Income	\$50,601	\$86,737	\$92,646
Per Capita Income	\$17,909	\$38,334	\$41,261
% Families Below Poverty Level	24.6%	9.2%	8.8%
% Individuals Below Poverty Level	29.1%	13.1%	12.5%

Source: 2018-2022 ACS 5-Year Estimates

For City residents 67.8% of income came from earnings. The breakdown of income sources was 39.8% using social security, 20% retirement, 10.7% supplemental security, and 4.2% cash public assistance. The percentage of residents utilizing Food Stamp/SNAP benefits in the last 12 months was 24.3%.

The national standard for poverty level is a household making less than \$15,000 annually. **Table 9** shows that Douglas has a larger percentage of households making less than \$15,000, at approximately 9.2%,

than the state and national average. The state average is 4% and the national the average is 4.4%. In the City, largest income household group is those making \$50,000 to \$74,999, which is fairly consistent with the state and national trend.

Table 9: Household Income			
	Douglas %	Arizona %	US %
Less than \$10,000	9.6%	4.9%	4.9%
\$10,000 to \$14,999	8.8%	3.1%	3.8%
\$15,000 to \$24,999	11.2%	6.7%	7.0%
\$25,000 to \$34,999	13.7%	7.7%	7.4%
\$35,000 to \$49,999	13.7%	11.5%	10.7%
\$50,000 to \$74,999	17.5%	17.6%	16.1%
\$75,000 to \$99,999	12.4%	13.7%	12.8%
\$100,000 to \$149,999	7.4%	17.3%	17.1%
\$150,000 to \$199,999	2.7%	8.3%	8.8%
\$200,000 or more	2.8%	9.2%	11.4%

Source: 2018-2022 ACS 5-Year Estimates

HUD has provided detailed data as part of its Comprehensive Housing Affordability Strategy (CHAS) materials to assist in preparing the Consolidated Plan and implementing HUD programs. This information is from the CHAS data from 2016-2020 ACS 5-Year Estimates. HUD uses five income categories for its analysis. The five income categories are:

- Extremely Low (0-30% of median income);
- Very Low-income (31-50% of median income);
- Low-income (51-80% of median income);
- Moderate-income (81-100% of median income); and
- Upper-income (100% and above median income).

Table 10: Household Income Distribution & Cost Burden	
Income Distribution	Total
0-30%	930
31-50%	565
51-80%	805
81-100%	450
100% and above	1,760
Housing Cost Burden	Total
0-30%	3,145
31-50%	710
51% or Greater	580
Not Available	79

Source: 2016-2020 CHAS

Table 10 shows the income distribution and housing cost burden by income for Douglas, Arizona, as calculated by HUD. The largest income group is 100% and above with 1,760 households, and the second largest income group is 0-30% with 930 households. The income group most affected by cost burden is 0-30% with 3,145 households, and the income group second most affected by cost burden is 31-50% with 710 households. This means that households with lower incomes are disproportionately affected by higher housing costs compared to their household income, resulting in housing unaffordability.

HOUSING DATA

HOUSING UNITS

The total number of housing units in Douglas is 5,469 based on the 2018-2022 ACS 5-Year Estimates. Of those housing units, 18.2% are estimated to be vacant. This is a higher percentage than the state (11.6%), and nation (10.8%). Please note that these are Census Bureau estimates, not current data from local sources.



Table 11 breakdowns housing units by type. There are larger percentages of 1-unit detached and 1-unit attached units in Douglas than in the state or nation. The predominate housing structure is 1-unit detached at 73.5% of the City's total housing stock, followed by 1-unit attached units at 6.5%.

Table 11: Type of Structure				
	Number	Douglas %	Arizona %	US %
1-unit, detached	4,022	73.5%	63.9%	61.4%
1-unit, attached	358	6.5%	5.0%	6.1%
2 units	15	0.3%	1.3%	3.4%
3 or 4 units	244	4.5%	3.4%	4.3%
5 to 9 units	339	6.2%	3.8%	4.6%
10 to 19 units	209	3.8%	4.0%	4.3%
20 or more units	53	1.0%	8.4%	9.9%
Mobile home	229	4.2%	9.7%	5.8%
Boat, RV, van, etc.	0	0.0%	0.4%	0.1%

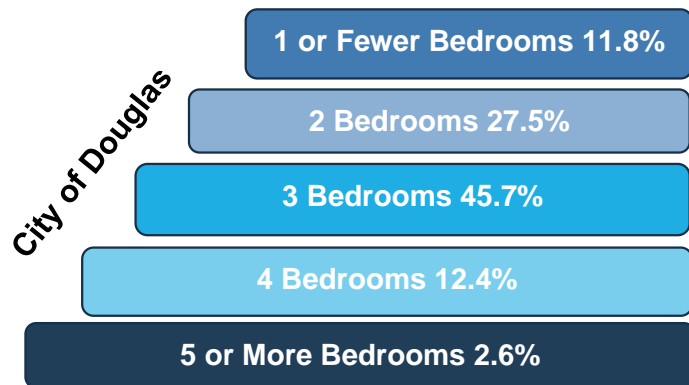
Source: 2018-2022 ACS 5-Year Estimates

The age of housing stock in the City is considerably older than the state and national trends. **Table 12** shows the top three decades for housing development in the City are 1939 or earlier (20.7%), 1970-1979 (16.9%), and 1960-1969 (12.3%). For homes that are 30 years or older, there is typically more maintenance and rehabilitation required to for proper maintenance. Of the housing stock, 82.5% meets this threshold (pre-1990). This could mean more significant costs for residents to live within the City.

Table 12: Year Structure Built			
	Douglas %	Arizona %	United States %
Built 2020 or later	0.0%	0.8%	0.6%
Built 2010 to 2019	2.9%	8.2%	8.2%
Built 2000 to 2009	7.1%	22.8%	13.5%
Built 1990 to 1999	7.5%	18.9%	13.2%
Built 1980 to 1989	9.6%	17.1%	13.2%
Built 1970 to 1979	16.9%	15.8%	14.6%
Built 1960 to 1969	12.3%	6.8%	10.2%
Built 1950 to 1959	12.0%	5.1%	9.9%
Built 1940 to 1949	11.0%	1.5%	4.6%
Built 1939 or earlier	20.7%	1.4%	12.0%

Source: 2018-2022 ACS 5-Year Estimates

The characteristics of housing include number of bedrooms and utilities. In the City, the top three most common number of bedrooms is 3 bedrooms (45.7%), 2 bedrooms (27.5%), and 4 bedrooms (12.4%), as shown in **Graphic 3**. The percentage of housing with 1 or fewer bedrooms in the City is 11.8% which is lower than the state (13.0%) and nation (13.6%). There is a concern regarding a diversity of housing size, specifically a lack of smaller units that are more affordable and desired by small families and the elderly.



Source: 2018-2022 ACS 5-Year Estimates

There are an estimated total of 86 housing units (2.0%) that do not have complete plumbing or lack complete kitchen facilities. The percentage of the total housing units that lack plumbing or kitchen facilities are greater than the state (1.5%) and national (1.2%) percentages.

OVERCROWDED

Overcrowding is a housing problem for household living conditions. There are two forms of overcrowding defined by HUD:

- 1) Severely overcrowded is defined as a household having complete kitchens and bathrooms but housing more than 1.51 persons per room excluding bathrooms, porches, foyers, halls, or half-rooms.
- 2) Overcrowded is defined as a household having complete kitchens and bathrooms but housing more than 1.01 to 1.5 persons per room excluding bathrooms, porches, foyers, halls, or half-rooms.

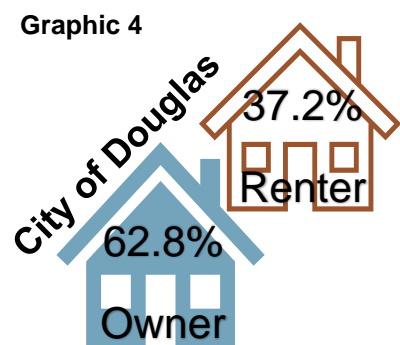
The City has a higher percentage of overcrowding than the state and nation as shown in **Table 13**. In the City, overcrowding (1.8%) is less prevalent than severe overcrowding (2.5%).

Table 13: Overcrowding			
Persons per Room	Douglas %	Arizona%	US %
1.00 or Less	95.8%	95.5%	96.6%
1.01 to 1.50	1.8%	2.9%	2.2%
1.51 or More	2.5%	1.5%	1.1%

Source: 2018-2022 ACS 5 - Year Estimates

TENURE

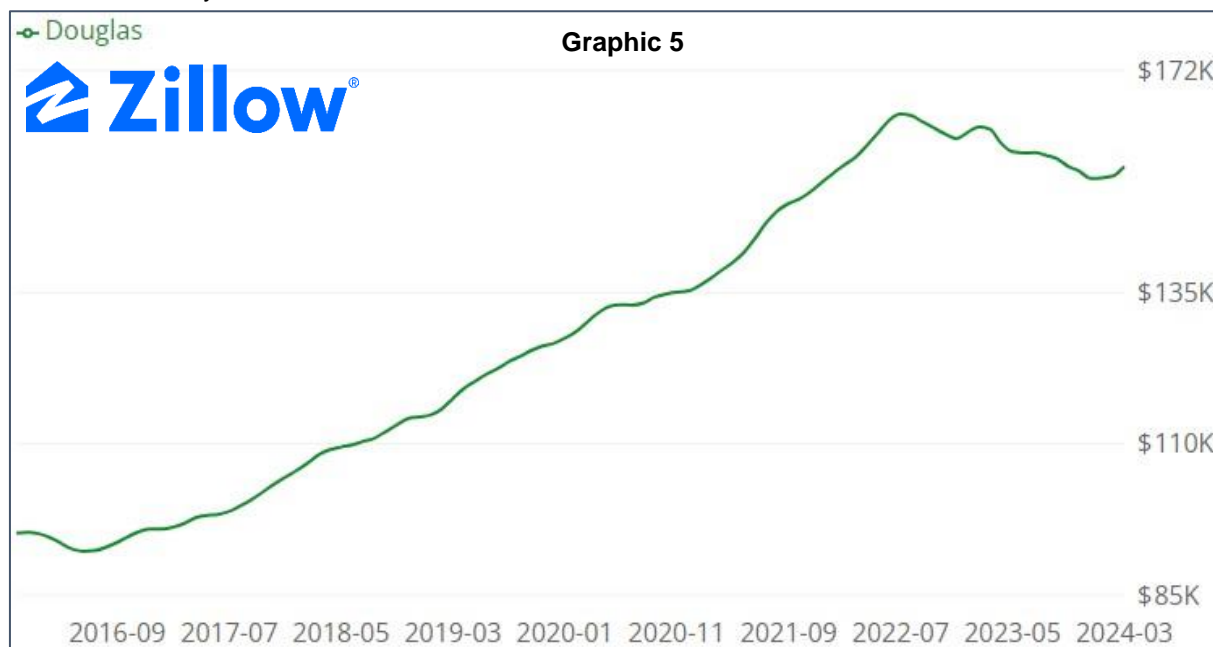
Douglas' percentage of owner-occupied housing units is lower than the state and national percentages. As illustrated in **Graphic 4**, in Douglas, the percentage of owner-occupied housing units is 62.8% and renter-occupied housing units is 37.2%. According to 2018-2022 ACS 5-Year Estimates, the national percentage of owner-occupied units is 64.8%, and renter-occupied units is 35.2%. The state's percentage of owner-occupied units is 66.3%, and renter-occupied units is 33.7%.



Source: 2018-2022 ACS 5-Year Estimates

HOUSING COST, COST BURDEN, AND AFFORDABILITY

According to Zillow, a national home sale service, the estimated median sale price on March 31, 2024, was \$189,083 in Douglas. The estimated median sale price in March of 2019 was \$118,073. Over the five-year period, this represents a 60.1% increase. **Graphic 5** shows the change in median sale price over the last five years.



Source: Zillow Home Value Index March 31, 2024. URL: <https://www.zillow.com/home-values/44966/douglas-az/>

The median monthly household mortgage payment in the City is \$1,117 based on the 2018-2022 ACS 5-Year Estimates. This is below the state (\$1,665) and national (\$1,828) median monthly household mortgage payment. The median gross rent in the City is \$714, which is less than the state (\$1,308) and nation (\$1,268).

Using the rule of thumb that housing should cost no more than one third of household income, spending more than 30% of household income on housing is considered a “cost burden.” For those with a mortgage in the City, 31% have a mortgage that is 30% or more of household income. This is slightly above the state (26.3%) and national (27.3%) percentages. For renters, there is more of an affordability concern. The percentage of households in the City with a gross rent over 30% of their household income is 36.8%. However, this is still lower than the state (49%) and national (49.9%) percentages.

According to the 2024 Fair Market Rent determined by HUD for the Sierra Vista-Douglas MSA, the Fair Market Rent for a 2-bedroom apartment is \$1,067 per month. According to the National Low Income Housing Coalition 2022 Out of Reach Report for Arizona, for the Sierra Vista-Douglas MSA, the hourly wage necessary to afford a 2-bedroom apartment is \$18.54. This would require a minimum income of \$36,560 and 1.3 full time jobs at minimum wage to afford a 2-bedroom apartment. At the state level, the necessary minimum income is \$62,252 and hourly wage is \$29.93 with a 2.2 full time job at minimum wage to afford a 2-bedroom apartment. Arizona’s minimum wage was \$13.85 in 2023. Since the Out of Reach Report was published, Arizona’s minimum wage has increased to \$14.35, effective January 1, 2024.

PUBLIC HOUSING

The City of Douglas does not have its own housing authority and there are no low rent public housing authority units located in the City. There is one place-based Section 8 complex in the City: Pioneer Village (1 and 4 bedroom units). There are 174 Section 8 subsidized units available in Douglas.

The Cochise County Housing Authority reports that there are approximately 57 persons on the Section 8 waiting list as of April 3, 2024 (Cochise County Housing Authority, Section 8 Housing Choice Voucher Wait List – Cochise & Graham Counties Report) that are from the Douglas area.

OBSERVATIONS

Several key points emerge from the preceding discussion. While not definitive indicators of impediments to Fair Housing choice, they point to contributing factors that increase the likelihood of impediments to Fair Housing choice. These points are:

- 1) The population is relatively young and less racially and ethnically diverse than the surrounding jurisdictions.
- 2) The City is majority Hispanic, with a high percentage of Spanish speakers.
- 3) Despite a solid economic base, the median income for individuals and families is significantly lower when compared to the State and National levels. Affordability is a problem for homeowners and renters.
- 4) The City has a much smaller level of educational attainment compared to the State and National levels.
- 5) There is a need for housing rehabilitation in the older neighborhoods and an increasing need for maintenance and rehabilitation of both rental and owner units as many properties are now thirty years old or much older.
- 6) The percentage of persons with a disability is fairly in-line with the state and national level.
- 7) The City is considerably younger when compared to the State of Arizona as a whole, and therefore there may be a need for smaller housing units meeting the unique needs younger adults.

FAIR HOUSING PRACTICES

This section provides an overview of the institutional structure of the housing industry in governing the Fair Housing practices of its members. The oversight, sources of information, and Fair Housing services available to residents in Douglas are described and their roles explained.

OVERSIGHT ORGANIZATIONS & ENFORCEMENT PROCESSES

As described above, City residents are protected from housing discrimination by state and federal laws. These laws are enforced by agencies at each level and persons have options for seeking assistance if they feel they have been discriminated against. At the federal level, the U.S. Department of Housing and Urban Development (HUD) and the Department of Justice have enforcement authority. Reports and complaints are filed with these agencies, and the Department of Justice may take legal action in some cases. Typically, Fair Housing service providers work in partnership with HUD and state agencies to resolve problems. However, in some cases where litigation is necessary, the case may be 1) resolved via administrative filing with HUD or the state, 2) referred for consideration to the Department of Justice, Civil Rights Division, Housing and Civil Enforcement Section; or 3) referred to a private attorney for possible litigation.

The Arizona Fair Housing Act (AFHA) of 1991 (ARS § 41.1491) provides the same protections as the Federal Fair Housing Act (FHA), but different procedures for administrative complaint processing. In addition, the AFHA brought the Arizona Landlord and Tenant Act into compliance with the State Fair Housing Statute.

The City of Douglas follows a Fair Housing Administrative Plan (adopted 2022), which outlines the procedures and process' for Section 8 housing and fair housing policy within the city.

As noted above, there are a number of avenues a Douglas resident can take to file a discrimination complaint. Under the Federal Fair Housing Assistance Program (FHAP), the U.S. Department of Housing and Urban Development (HUD) contracts with the Arizona Attorney General's Civil Rights Division to investigate and rule on Fair Housing cases. These types of complaints include alleged violations under the Fair Housing Act (Title VIII) and other HUD programs (Section 504 of the Rehabilitation Act of 1973, American with Disabilities Act of 1990, etc.). **In addition, a citizen may contact the U.S. Department of Housing and Urban Development (HUD) San Francisco Regional Office of Fair Housing and Equal Opportunity (FHEO) directly.**

Local government officials, in agreeing to accept CDBG funds, certify that they will "affirmatively further Fair Housing." While the law does not specify what type of action recipients must take, it is clear that local government recipients are obligated to take some sort of action to affirmatively further the national goal of Fair Housing.

COORDINATION & SUPERVISION IN THE HOMEOWNERSHIP MARKET

Many agencies are involved in overseeing real estate industry practices and the practices of the agents involved. A portion of this oversight involves ensuring that Fair Housing laws are understood and

complied with. The following organizations have limited oversight within the lending market, the real estate market, and some of their policies, practices, and programs are described.

Federal Financial Institutions Examination Council (FFIEC) is a formal interagency body empowered to prescribe uniform principles, standards, and report forms for the federal examination of financial institutions by the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision, and to make recommendations to promote uniformity in the supervision of financial institutions. The FFIEC provides data on loan originations, loan denials, and other aspects of the home loan process, as well as preparing Community Reinvestment Act rating reports on financial institutions.



National Association of Realtors (NAR) is a consortium of realtors, which represent the real estate industry at the local, state, and national level. As a trade association, members receive a range of membership benefits. However, to become a member, NAR members must subscribe to its Code of Ethics and a Model Affirmative Fair Housing Marketing Plan developed by HUD. The term "Realtor" thus identifies a licensed real estate professional who pledges to conduct business in keeping with the spirit and letter of the Code of Ethics. "Realtors" subscribe to the NAR's Code of Ethics, which imposes obligations upon realtors regarding their active support for equal housing opportunity.

The NAR has created a diversity certification, "At Home with Diversity: One America" to be granted to licensed real estate professionals who meet eligibility requirements and complete the NAR "At Home with Diversity" course. The certification signals to customers that the real estate professional has been trained on working with the diversity of today's real estate markets.

Arizona Association of Realtors (AAR) is a trade association of realtors statewide. As members of the Association, realtors follow a strict code of ethics. The Association provides Fair Housing information on its website, offers Fair Housing classes, education on ethics, professionalism, and professional standards, as well as the diversity course mentioned above. The Association also maintains a roster of instructors on key topics including Fair Housing and legal issues.



Arizona Department of Real Estate Commission is the licensing authority for real estate brokers and salespersons. The Department has adopted education requirements that include courses in ethics and Fair Housing. To renew a real estate license, each licensee is required to complete continuing education, including ethics and Fair Housing issues.

Southeast Arizona Association of Realtors was founded in 1971, the Southeast Arizona Association of REALTORS® Inc. represents approximately 220 REALTORS® in the Southeast Arizona area, including Sierra Vista, Bisbee, and Douglas. As members of the National Association of Realtors and licensed real estate agents, members abide by the NAR Code of Ethics, and have received training and continuing education on Fair Housing topics.



Cochise County Chapter
West & SouthEast REALTORS® of the Valley

COORDINATION & SUPERVISION IN THE RENTAL MARKET

A number of agencies are involved with the apartment rental process and related practices. This oversight includes ensuring that Fair Housing laws are understood. The following organizations have limited oversight within the rental housing market.

National Apartment Association (NAA) serves the interests of multifamily housing owners, managers, developers, and suppliers. As a federation of more than 170 state and local affiliates, NAA is comprised of over 63,000 members representing more than 7 million apartment homes throughout the United States and Canada. The organization offers a range of courses and information on Fair Housing issues, including domestic violence, housing design standards, and the elderly. In addition, the organization provides a Fair Housing Library for its members.



Arizona Multi-housing Association (AMA) is a statewide trade association for the apartment industry in legislation, legal and regulatory matters. The AMA provides services, products, educational programs, and networking opportunities to promote ethical, quality rental housing throughout Arizona.

National Association of Residential Property Managers (NARPM) is an association of real estate professionals who are experienced in managing single-family and small residential properties. NARPM promotes the standards of property management, business ethics, professionalism, and Fair Housing practices within the residential property management field. NARPM certifies members in the standards and practices of the residential property management industry and promotes continuing professional education. NARPM offers designations to qualified property managers and management firms, and these certifications require educational courses in Fair Housing practices.



OTHER ENTITIES

There are other organizations that are involved in Fair Housing activities, though not as supervisory organizations, but rather as advocacy organizations.



Arizona Center for Disability Law is a federally designated Protection and Advocacy System (P&A) for the State of Arizona. P&As throughout the United States assure that the human and civil rights of persons with disabilities are protected. In creating P&As, Congress gave them unique authorities and responsibilities, including the power to investigate reports of abuse and neglect and violations of the rights of persons with disabilities. The Center is authorized to pursue appropriate legal and administrative

remedies on behalf of person with disabilities to ensure the enforcement of their constitutional and statutory rights, including Fair Housing issues.

Arizona Fair Housing Center (AFHC) is a private not-for-profit civil rights advocacy organization whose mission is to eliminate housing discrimination. The Center engages in a range of outreach and education efforts on Fair Housing. The Center also investigates some complaints, makes referrals to attorneys and government agencies, and provides technical assistance to government agencies, housing providers, and social service agencies.



RISE Services, Inc. provides services in the Douglas, Arizona. RISE Services, Inc. provides children and adults that have developmental disabilities with developmental disability support services, safe housing, early intervention therapy, job coaching, and more. Their four main residential options include comprehensive in-home care for adults, group home care services, senior in-home care services, and independent living services.

Southwest Fair Housing Council (SWFHC), based in Tucson, Arizona, is a non-profit agency funded by memberships, donations, HUD, the Arizona Department of Housing and CDBG funding. The SWFHC also receives funding through HUD's Fair Housing Initiatives Program (FHIP) to assist people who believe they have been victims of housing discrimination. The SWFHC will use its FHIP grant to conduct an array of enforcement and education and outreach activities, and other Fair Housing assistance throughout the state.



The SWFHC works to affirmatively further Fair Housing and overcome identified impediments to Fair Housing choice for protected classes throughout the state and, collaborates with two Fair Housing Assistance Program (FHAP) agencies: the Arizona State Attorney General's Office and the City of Phoenix's Department of Equal Opportunity to address Arizona's Fair Housing needs.

The SWFHC provides a variety of services directed toward education and enforcement of Fair Housing laws, including: investigating individual complaints of housing discrimination; obtaining evidence to support enforcement action by public agencies conducting legal or administrative actions; initiating complaints and litigation to serve Fair Housing goals; making presentations at community meetings and special events; conducting conferences, training programs, and seminars to inform housing professionals about housing laws; and providing information and referrals for persons and families with housing needs.

LENDING AND COMPLAINT DATA; ADVERTISING

This section of the AI evaluates lending practices in Douglas, using information from banking oversight agencies, and complaint data from local, state, and federal organizations and agencies, as well as an assessment of advertising practices.

HOME LOAN ACTIVITY

Loan activity information is tracked by the Federal Financial Institutions Examination Council (FFIEC). Through the Home Mortgage Disclosure Act the HMDA data base is developed. In this **Table 14**, the column label 'Application Received' is the total number of applications that are submitted to obtain a mortgage. 'Loans Originated' are loans/mortgages that have been granted. The 'Percentage Originated' is the number of 'Loans Originated' divided by 'Applications Received' to evaluate if there are differences in the success rates.



The reasons why some loan applications do not make it to the 'Loan Originated' column is because an application does not accept the agreement, the application is denied by the mortgage company, the application is withdrawn by the applicant, or the file is closed due to incompleteness by the mortgage company.

MORTGAGE BASED ON INCOME

Table 14 provides information about mortgage applications and originations based on area median income for the Sierra Vista-Douglas MSA from 2022. In review the data below, the average success rate is 54% for all income levels. The lowest percentage originated rate is those who have an income <50% of the MSA median family income of 43%. All other income classifications are over 54% with successfully receiving a loan. The highest success rate (61%) for receiving a loan for those with the highest incomes of 120% or greater MSA median family income.

Table 14: Mortgage Applications and Originations Based on Income		
Income Applicants	Applications Received	Loans Originated
Median Family Income	Number	Number
<50%	670	285
50% - 79%	1,049	582
80% - 99%	332	179
100% - 119%	1,041	591
>120%	2,511	1528

Source: HMDA Disposition of applications by income, race, and ethnicity of applicant (2022)

MORTGAGE BASED ON RACE

Table 15 provides information on mortgage originations based on race and ethnicity for the Sierra Vista-Douglas MSA from 2022. In review the data below the two lowest loan originated race groups are Free Form Text (0), Native Hawaiian or Other Pacific Islander (6) and 2 or More Races (7). The two highest loan originated race groups are White (2312) and Race Not available (608).

Table 15: Mortgage Applications and Originations Based on Race & Ethnicity		
Race	Loans Originated	Applications Received
Black or African American	110	193
Native Hawaiian or Other Pacific Islander	6	13

American Indian or Alaska Native	16	45
White	2312	3965
Asian	52	79
2 or more minority races	7	12
Joint	93	156
Free Form Text	0	0
Race Not Available	569	1140
Ethnicity		
Hispanic or Latino	525	971
Not Hispanic or Latino	1988	3393
Joint	140	225
Free Form Text	0	2
Ethnicity Not Available	511	1012

Source: HMDA Disposition of applications by income, race, and ethnicity of applicant (2022)

FAIR HOUSING COMPLAINT DATA

As described earlier, there are several organizations and agencies with oversight of Fair Housing. This section of the AI Report will review and assess information about housing discrimination complaints and reports on housing opportunity in Douglas.

The Arizona Attorney General's Office is responsible for administration of Fair Housing complaints in Arizona. The HUD Office of Fair Housing and Equal Opportunity (FHEO) maintains data for the State of Arizona.

FHEO data was obtained for the City of Douglas for the period between January 1, 2013, and December 31, 2023 (previous ten years) and is presented in **Table 16** and **Table 17**. During the previous ten-year period, only one Fair Housing complaint was filed, with one case in 2014. This complaint was filed on the basis of discrimination based on disability status. That complaint was dismissed.

Table 16: Number of Case by Basis of Discrimination	
	Year of Filing Date
Cochise County, AZ	2014
Total*	1
Race	
Color	
National Origin	
Disability	1
Familial Status	
Religion	
Sex	
Retaliation	

Source: U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity (FHEO), Los Angeles FHEO Center, Fair Housing Complaints in Douglas, AZ, 2013-2023.

Table 17: Number of Case by Fair Housing Issue				
	Year of Filing Date			
Cochise County, AZ	2014	2017	2021	2023
Total*	1	0	0	
Terms/Conditions/Privileges	1			
Failure to Make Reasonable Accommodations	1			
Refusal to Rent	1			
Other Discriminatory Act	1			

Source: U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity (FHEO), Los Angeles FHEO Center, *Fair Housing Complaints in Douglas, AZ, 2013-2023*. *Some cases involve more than one Fair Housing issue.

REAL ESTATE ADVERTISING

This assessment of Fair Housing practices in Douglas included a review of several sources containing advertisements for housing, both for sale and rental. Overall, there does not appear to be any attempt to exclude or discriminate against any of the protected classes. Common methods for looking for housing are using websites such as affordablehousing.com, trulia.com, realtor.com, apartments.com, and [Zillow.com](https://zillow.com).

Cochise County's Housing Authority can also assist in helping to find affordable housing options. Information can be found on their website at <https://www.cochise.az.gov/373/Housing-Authority>, their office at 1415 Melody Lane, Building A, Bisbee, AZ 85603 or calling 520-432-8880.



Another method in looking for housing options is to contact a local real estate agent. Some of the local real estate agencies include but are not limited to DiPeso Realty, Long Realty-Douglas, Keller Williams Southern Arizona, Coldwell Banker Realty, Realty Executives Arizona Territory and Haymore Real Estate LLC.

OBSERVATIONS

Several key points emerge from the preceding discussion. While not definitive indicators of impediments to Fair Housing choice, they point to contributing factors that increase the likelihood of impediments to Fair Housing choice. These points are:

- 1) The number of FHEO complaints for the period under review was minimal (i.e., one case), which appears to show that there is not a major issue regarding fair housing in Douglas.
- 2) There was no clear sign of discrimination in the language or illustrations of housing advertising in the area's real estate online sites.

PUBLIC POLICIES AND PRACTICES

LAND USE PLAN - HOUSING

Public policies established at the local level can affect housing development and therefore, may have an impact on the range and location of housing choices available to residents. Fair Housing laws are designed to encourage an inclusive living environment and active community participation. An assessment of public policies and practices enacted by the City can help determine potential

impediments to Fair Housing opportunity. To identify potential impediments to Fair Housing choice and affordable housing development, housing-related documents (e.g., zoning code materials, previous Fair Housing assessments) were reviewed. Additionally, interviews with Fair Housing advocates and practitioners were conducted in preparing this AI Report. This section of the analysis focuses on public policies that may impede Fair Housing choice in Douglas.

Arizona law requires municipalities to prepare General Plans, including a Housing Element. This element establishes a goal of ensuring that all residents have access to adequate and affordable housing. The General Plan may also include a housing opportunities objective to provide quality housing and a range of housing size, cost, and density that should be made available in each community, to make it possible for all who work in the community to also live in the community. In these General Plans, local governments evaluate the composition and quality of the community's housing stock, the age and condition of housing, the cost of housing, the needs of households that are cost burdened, the relationship of local housing costs and availability to the socioeconomic characteristics of these households and special housing needs in the community (e.g., housing needs of residents who are elderly; homeless; persons with mental, physical, or developmental disabilities; and persons with HIV/AIDS).

Douglas is currently undergoing a 2024 update to the 2002 General Plan. The 2024 draft General Plan contains a chapter on housing. The housing goal is to provide safe, affordable housing which meets the needs of Douglas' residents, and addresses the special housing needs of the elderly, people with physical or emotional disabilities, the homeless, and those requiring group and foster care. The Plan is notable for its focus on working with state agencies and the private sector to assist in the housing needs for persons and families of low – and moderate-income. The 2024 update to the 2002 General Plan highlights the need to promote a range of available, accessible, and affordable housing, to provide quality housing, and to revitalize existing neighborhoods.

BUILDING AND ZONING CODES

The City also has a Building Code and a Zoning Code, which serve to protect the public interest and create safe and sanitary living conditions. However, both can affect Fair Housing choice. Inspection costs, permit fees, and higher quality construction requirements tend to drive up the cost of housing. Requirements for various kinds of building permits also increase the cost of a housing unit. Similarly zoning requirements that define or exclude certain types of housing can reduce the opportunity to develop a range of housing choices for individuals across the community.

The Fair Housing equation is balanced on one end with equal access and on the other end with a range of housing choice. To ensure Fair Housing choice in a community, a zoning ordinance should provide for a range of housing types, including single-family, multi family, second dwelling units, mobile homes, licensed community care facilities, employee housing for seasonal or migrant workers, assisting living facilities, emergency shelters, and transitional housing. Single and multi-family housing types include detached and attached single-family homes, duplexes, townhomes, condominiums, and rental apartments, as well as accessory units.

The Building Code for the City is based upon the 2018 edition of the International Building Code, amended to meet the specific needs of the City. As such, it incorporates policies, procedures and standards that are widely accepted and do not adversely affect housing choice.

The Development Code for Douglas permits this range of development and permits a range of housing in a range of areas within the City. Manufactured housing is permitted through the Mobile Home Residence (MHR) Zoning District and numerous sections address policies for accessory dwelling units. However the Zoning Code does not address group living arrangements. The current Zoning Code does not address a

number of terms, such as “disabled”, visitability and universal design which could possibly impact housing choice and fair housing in the City.

TRANSPORTATION

Transportation from housing to work, to services, and to shopping is an essential part of Fair Housing. Persons without automobiles, persons with disabilities, the elderly, and many others need access to reliable and convenient transportation.

Douglas has a public mass transit system called Douglas Rides, which is a division of the City's Department of Public Works. Douglas Rides complies with Title VI of the Civil Rights Act of 1964 and service will be provided without regard to race, color, national origin, age, sex [including gender identity and sexual orientation], or disability. All buses are fully accessible. The service has multiple routes that run between 8:00 AM and 5:00 PM, connecting residential areas to employment centers, amenities, and shopping.

Douglas Rides travels within the City Limits (Monday-Friday) to serve customers with special needs. All buses and vans are accessible compliant with the Americans with Disability Act (ADA) standards. Deviations are available upon request within $\frac{3}{4}$ of a mile.

OBSERVATIONS

Several key points relevant to potential impediments to Fair Housing emerge from the preceding discussion. While not definitive indicators of impediments to Fair Housing choice in and of themselves, they point to conditions or situations that may create impediments. These points are:

- 1) The City's current 2002 General Plan and 2024 Update to the General Plan draft emphasizes the development of a range of housing opportunities for all residents with an emphasis upon addressing the needs of persons with a disability and the “hard to house.”
- 2) The City's Building and Development Codes do not limit Fair Housing in any substantial way.
- 3) The City's public transit system provide adequate service and addresses public transportation needs as well as the needs of persons with disabilities.

PUBLIC OUTREACH

PUBLIC OUTREACH DISCUSSIONS

The Neighborhood Resources and Grants Department staff held a public hearing on May 28, 2024 and July 10, 2024 and a public comment period from June 6, 2024 through July 8, 2024. These meetings were part of a concerted effort to obtain public input on Fair Housing and the draft AI Report, along with the 2024-2028 Consolidated Plan.

On May 28, 2024, Neighborhood Resources & Grants Director, Xenia Gonzalez, presented the proposed use of entitlement funds for the fiscal year (FY2024) and proposed CDBG project activities for the Consolidated Plan 2024-2028 5-year cycle to those in attendance. The City of Douglas has identified the following categories as highest priority:

- Infrastructure/Public Improvements
- Public Facilities
- Provision of services and/or needs

OBSERVATIONS

The key point that emerges is given the City of Douglas' obligation to affirmatively further fair housing, fair housing becomes a high priority. However further Fair Housing information and education is needed. Based on recent complaint data, the common bases of discrimination are race and disability. Based on the limited number of Fair Housing complaints in recent years, housing discrimination is not a major issue in Douglas. However, Fair Housing information and education should continue to be provided to the community to ensure that equitable housing opportunity.

FAIR HOUSING ACCOMPLISHMENTS

The number of Fair Housing complaints reported in the City of Douglas are minimal, with only one complaint reported in the previous ten years (FHEO, 2013-2023). If the City does receive a Fair Housing complaint directly, it refers the complainant directly to Southwest Fair Housing Council and HUD FHEO for investigation.

The City of Douglas is required to affirmatively further fair housing as mandated by Section 808(e)(5) of the Fair Housing Act. HUD requires that the City conduct an analysis of impediments to fair housing choice and to take appropriate actions to overcome the effects of any impediments identified through the analysis. This is the City's first Analysis of Impediments to Fair Housing Choice, and, per regulations, includes 1) a demographic, income, housing, employment, education, and public transportation profile of the community, 2) an assessment of fair housing law, municipal policies, and complaint analysis, 3) results of focus group sessions and community engagement, and 4) a review of home mortgage disclosure and fair housing complaint data.

All City implemented housing programs are marketed to the Spanish speaking residents of Douglas to the greatest extent feasible during the report period, using Spanish language brochures, City of Douglas community outreach, and interpretation when necessary at all public hearings conducted by the City.

The City sees that appropriate posters and notices concerning fair housing are displayed at City Hall, and literature about fair housing is available at the Housing Department office. The City conducts fair housing seminars. To educate citizens on fair housing issues, educational materials are distributed at housing events sponsored by the City, including the brochure published by the Department of Housing and Urban Development, "*Fair Housing-Equal Opportunity for All*."

IDENTIFIED IMPEDIMENTS, RECOMMENDATIONS AND ACTIONS

BACKGROUND

This section summarizes the key findings of the AI Report and makes recommendations for actions to eliminate impediments to Fair Housing choice in Douglas. This information is as comprehensive as possible, and there likely remain additional remedies to these and other problems faced by home seekers.

Housing discrimination continues to occur and manifests itself in different ways among different segments of the population. Since it continues to be the goal of the City to eliminate any existing discrimination and prevent future housing discrimination and other impediments to equal housing opportunity, the recommendations provided below provide a guide to ensure fair access to housing for all City residents.

This 2024 AI Report analyzes recent data, identifies the private and public sector conditions that foster housing discrimination, and provides recommendations for dealing with the Fair Housing issues identified. Based upon research in statistical materials, a review of HMDA and complaint data, survey data, and public meeting discussion, the following is a list of key potential impediments identified in Douglas. Each impediment below is followed by recommendations to address and eliminate that impediment.

Several of these topics are closely related and linkages among them are noted.

It should be noted that in some instances, it is necessary to strike a balance among issues. Land use policies and requirements and development standards, although sometimes adding costs to construction or rehabilitation, are necessary for the safety and health of residents.

It should also be noted that Douglas appears to have a low reported incidence of housing discrimination.

IMPEDIMENTS, RECOMMENDATIONS, AND ACTIONS

1) Need For Increased Awareness, Outreach, And Education

Douglas has an active Fair Housing program. However, discussions and analysis indicate a lack of knowledge about Fair Housing law, policies, and practices. The need for on-going education, awareness, and outreach remains, especially among lower income households and minorities.

Recommendations:

- 1) Continue and expand efforts by City agencies, housing advocacy groups, and service organizations to inform renters and homebuyers of their rights and means of recourse if they feel they have been discriminated against.
- 2) Conduct City-led training sessions and information campaigns especially among rental property owners and managers, as well as apartment owner associations, and management companies.
- 3) Conduct training sessions for City staff on Fair Housing law, policies and practices within the City.
- 4) Convene focus groups of advocacy groups, community-based organizations, real estate industry professionals, lenders, property owners, and government agency officials to review and assess Fair Housing issues. These groups should identify discriminatory practices, trends, or changes in

these practices, focal points of discriminatory practice, and the means or methods to address them.

- 5) Update Fair Housing information regularly and adjust strategies and actions accordingly. In particular, the groups mentioned above should continue to meet annually (or perhaps twice a year), for example at the Housing Summit.
- 6) Expand awareness efforts through school programs (e.g., poster contests, essay contests) coordinated with Fair Housing Month programs, and devote a Housing Summit session specifically to Fair Housing law and practice.
- 7) Work with housing advocacy and not-for-profit organizations to develop homeownership and home maintenance educational programs for first-time homebuyers to better prepare them for the responsibilities of ownership and home maintenance.
- 8) Continue and, if possible, expand existing programs to educate households and housing related organizations by disseminating Fair Housing law literature, conducting Fair Housing law seminars and training, and focusing public awareness campaigns about Fair Housing law in ethnic and minority neighborhoods, and among civic, social, religious, and special interest groups.
- 9) Include easily accessible Fair Housing information on the City website.
- 10) Provide Fair Housing materials and educational programs in Spanish, especially in neighborhoods and communities with high percentages of Spanish-speaking persons.
- 11) Provide materials and information regarding the Fair Housing Act, and federal and state housing laws and regulations regarding Fair Housing choice, including options to report complaints and request legal assistance.

2) Limited Supply of Affordable Housing

As discussed earlier, affordability is an indirect aspect of housing discrimination and it is difficult to talk about addressing impediments to Fair Housing, and actions to eliminate discrimination in housing, without simultaneously talking about development of policies, plans, programs, and projects to increase the supply of affordable housing.

Earlier sections of this Analysis addressed the issue of affordability. Citizens in Douglas, overall, make considerably less than the state and national average. Suffice to say that even moderate-income households face challenges in purchasing a home in Douglas, and low-income families face a significant cost burden for rental housing. Incentives for the creation of affordable housing should be structured so that they are stringent enough to produce the desired units, but palatable to the developer as well.

Recommendations:

- 1) Continue to use all available federal and state funding resources and programs to address high priority housing needs for rehabilitation, preservation, and development of affordable units.
- 2) Continue to work with community-based organizations, affordable housing developers, and housing advocacy groups to increase the supply of disability accessible housing units, leveraging resources to the extent possible.
- 3) Continue and, if possible, expand housing rehabilitation programs to maintain the City's base of affordable units, both owner-occupied and rental.

- 4) Research other affordable housing programs for additional ideas and practices.
- 5) Continue to seek incentives to promote developers constructing a wide range of housing types at a number of price points, considering transportation, employment centers and the availability of services and shopping in their planning.
- 6) Increase housing choice alternatives for the disabled and families with children by encouraging the construction of affordable, and especially rental, housing.

3) Government Policies

This impediment deals with issues relating to the development of land including housing that is available to a wide range of persons and income levels in disparate locations. This goal is affected by a wide range of factors, some of which are beyond the ability and capacity of the City to change. However, the City can address some issues, as noted below.

Recommendations:

- 1) Ensure that reasonable accommodation and disabled access issues are properly addressed in municipal zoning and construction codes, especially noting the definitional issues raised earlier.
- 2) Do as much as possible to reduce review and approval process times for both new construction and home modification applications.
- 3) Encourage the use of universal design principles in new housing developments.
- 4) Ensure that local zoning ordinances and building codes properly address issues of concern with respect to higher density housing, persons with disabilities, and group homes/congregate living/community care, including small housing units for seniors living alone.
- 5) Seek new or additional incentives, as noted in Impediment Two, to get developers to undertake affordable projects or to include affordable units in market rate projects.

4) Assessment Of Potential Discrimination

The review of demographic information and housing complaint data does not provide a clear indicator of housing discrimination among persons in the protected classes. However, statistical data can assist in identifying potential problems and topics of concern,

In the current economy and given the structure of the City's housing stock, the incidences of discrimination may focus on rental housing, and the focus of efforts in the immediate future should be upon aspects of discrimination in the rental market, and upon some groups within the protected classes.

In particular, potential discrimination affecting one protected class should be noted. **Disabled persons may face discrimination or difficulties in finding appropriate units because of the small number of small units and the costs of building or adapting units.**

Recommendations:

- 1) Convene focus groups of advocacy groups, community-based organizations, real estate industry professionals, lenders, property owners, and government agency officials to review and assess Fair Housing issues. These groups should identify discriminatory practices, trends, or changes in

these practices, focal points of discriminatory practice, and the means or methods to address them.

- 2) The City could create, or participate in, a Fair Housing testing and auditing program, focusing upon rental properties at this time.
- 3) The County should ensure employees have ADA education; provide contractors and builders with information packets regarding ADA requirements; post requirements on the City website, respectively; and incorporate ADA requirements in the development review and permitting process of housing construction and rehabilitation, especially for affordable housing developments.