

# Analysis of Impediments to Fair Housing Choice

*Lynchburg, VA*



**Final Draft**  
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# ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

## City of Lynchburg, Virginia

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# 1. Introduction

## A. Introduction to the Analysis of Impediments

The City of Lynchburg has prepared an Analysis of Impediments to Fair Housing Choice to satisfy the requirements of the Housing and Community Development Act of 1974 and HOME Program, as amended. This act requires that any community receiving Community Development Block Grant (CDBG) funds affirmatively further fair housing. As a result, the City is charged with the responsibility of conducting its CDBG programs in compliance with the federal Fair Housing Act. The responsibility of compliance with the federal Fair Housing Act extends to nonprofit organizations and other entities, including local units of government that receive federal funds through Lynchburg.

Entitlement communities receiving CDBG and/or HOME entitlement funds are required to:

- Examine and attempt to alleviate housing discrimination within their jurisdiction,
- Promote fair housing choice for all persons,
- Provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status or national origin,
- Promote housing that is accessible to and usable by persons with disabilities, and
- Comply with the non-discrimination requirements of the Fair Housing Act.
- These requirements can be achieved through the preparation of an Analysis of Impediments to Fair Housing Choice.

The Analysis of Impediments to Fair Housing Choice (AI) is a review of a jurisdiction's laws, regulations and administrative policies, procedures and practices affecting the location, availability and accessibility of housing, as well as an assessment of conditions, both public and private, affecting fair housing choice.

## B. Fair Housing Choice

Equal and free access to residential housing (housing choice) is a fundamental right that enables members of the protected classes—defined in the Fair Housing Act below—to pursue personal, educational, employment or other goals. Because housing choice is so critical to personal development, fair housing is a goal that government, public officials, and private citizens must embrace if equality of opportunity is to become a reality.

The federal Fair Housing Act prohibits discrimination in housing 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 entitlement communities 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.

This Analysis encompasses the following five areas related to fair housing choice:

- The sale or rental of dwellings (public and private),
- The provision of financing assistance for dwellings,
- Public policies and actions affecting the approval of sites and other building requirements used in the approval process for the construction of publicly assisted housing,
- The administrative policies concerning community development and housing activities, which affect opportunities of minority households to select housing inside or outside areas of minority concentration, and
- Where there is a determination of unlawful segregation or other housing discrimination by a court or a finding of noncompliance by the U.S. Department of Housing and Urban Development (HUD) regarding assisted housing in a recipient's jurisdiction, an analysis of the actions which could be taken by the recipient to remedy the discriminatory condition, including actions involving the expenditure of funds made available under 24 CFR Part 570 (i.e., the CDBG program regulations) and/or 24 CFR Part 92 (i.e., the HOME program regulations).

As a federal entitlement community, Lynchburg has specific fair housing planning responsibilities. These include:

- Conducting an Analysis of Impediments to Fair Housing Choice,
- Developing actions to overcome the effects of identified impediments to fair housing, and
- Maintaining records to support the jurisdictions' initiatives to affirmatively further fair housing.

HUD interprets these three certifying elements to include:

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

This Analysis will:

- Evaluate population, household, income, and housing characteristics by protected classes in each of the jurisdictions,
- 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, and

- Recommend specific strategies to overcome the effects of any identified impediments.

HUD defines an impediment to fair housing choice 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.

This Analysis serves as the basis for fair housing planning, provides essential information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates, and assists in building public support for fair housing efforts. The elected governmental bodies are expected to review and approve the Analysis and use it for direction, leadership, and resources for future fair housing planning. The Analysis will serve as a point-in-time baseline against which future progress in terms of implementing fair housing initiatives will be evaluated and recorded.

## C. The Federal Fair Housing Act

### 1. What housing is covered?

The Federal Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

### 2. What does the Fair Housing Act prohibit?

#### a. In the sale and rental of housing

No one may take any of the following actions based on race, color, religion, sex, disability, familial status, or national origin:

- Refuse to rent or sell housing,
- Refuse to negotiate for housing,
- Make housing unavailable,
- Deny a dwelling,
- Set different terms, conditions or privileges for the sale or rental of a dwelling,
- Provide different housing services or facilities,
- Falsely deny that housing is available for inspection, sale, or rental,
- For profit, persuade owners to sell or rent (blockbusting), or
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.

#### b. In mortgage lending

No one may take any of the following actions based on race, color, religion, sex, disability, familial status, or national origin:

- Refuse to make a mortgage loan,
- Refuse to provide information regarding loans,

- Impose different terms or conditions on a loan, such as different interest rates, points, or fees,
- Discriminate in appraising property,
- Refuse to purchase a loan, or
- Set different terms or conditions for purchasing a loan.

### c. Other prohibitions

It is illegal for anyone to:

- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right
- Advertise or make any statement that indicates a limitation or preference based on race, color, religion, sex, disability, familial status, or national origin. This prohibition against discriminatory advertising applies to single family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

## 3. Additional Protections for People with Disabilities

If someone has a physical or mental disability (including hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex and mental retardation) that substantially limits one or more major life activities, or has a record of such a disability, or is regarded as having such a disability, a landlord may not:

Refuse to let the disabled person make reasonable modifications to a dwelling or common use areas, at the disabled person's expense, if necessary for the disabled person to use the housing. Where reasonable, the landlord may permit changes only if the disabled person agrees to restore the property to its original condition when he or she moves, and

Refuse to make reasonable accommodations in rules, policies, practices, or services if necessary for the disabled person to use the housing. For example, a building with a "no pets" policy must make a reasonable accommodation and allow a visually impaired tenant to keep a guide dog.

## 4. Housing Opportunities for Families with Children

Unless a building or community qualifies as housing for older persons, it may not discriminate based on familial status. That is, it may not discriminate against families in which one or more children under the age 18 live with:

- A parent, or
- A person who has legal custody of the child or children, or
- The designee of the parent or legal custodian, with the parent, or custodian's written permission.

Familial status protection also applies to pregnant women and anyone securing legal custody of a child under age 18.

Housing for older persons is exempt from the prohibition against familial status discrimination if:

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

A transition period permits residents on or before September 13, 1988 to continue living in the housing, regardless of their age, without interfering with the exemption.

#### 5. **Recent Changes to HUD Program Regulations**

As of a Final Rule effective March 5, 2012, HUD implemented policy with the intention of ensuring that its core programs are open to all eligible individuals and families regardless of sexual orientation, gender identity or marital status. In response to evidence suggesting that lesbian, gay, bisexual and transgender individuals and families were being arbitrarily excluded from housing opportunities in the private sector, HUD's aim was to ensure that its own programs do not allow for discrimination against any eligible person or household, and that HUD's own programs serve as models for equal housing opportunity.

This change to HUD program regulations does not amend the Fair Housing Act to prohibit all discrimination in the private market on the basis of sexual orientation, gender identity, or marital status. However, it prohibits discrimination of those types by any housing provider who receives HUD funding, including public housing agencies, those who are insured by the Federal Housing Administration, including lenders, and those who participate in federal entitlement grant programs through HUD.

#### D. **Virginia Fair Housing Law**

The Virginia Fair Housing Law was adopted in 1972 and prohibits housing discrimination on the basis of race, color, religion, sex, national origin, elderliness, familial status, and handicap. As a result, persons in Virginia have greater protection under the State's fair housing law than under federal fair housing law.

Specifically, the Virginia Fair Housing Law prohibits the following practices:

- Refusing to sell or rent after the making of a bona fide offer or refusing to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, national origin, elderliness, familial status, or disability,
- Discriminating against any person in the terms, conditions, or privileges of the sale or rental of a dwelling, or in the provision of services or facilities in connection therewith to any person because of race, color, religion, sex, national origin, elderliness, familial status, or disability,
- To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that

indicates any preference, limitation, or discrimination or an intention to make any such preference, limitation or discrimination based on race, color, religion, sex, national origin, elderliness, familial status, or disability,

- Representing to any person because of race, color, religion, sex, national origin, elderliness, familial status, or disability that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact available,
- Denying any person access to membership or participation in any multiple listing service, real estate brokers' organization, or other service, organization or facility relating to the business of selling or renting dwellings, or to discriminate against such person in the terms or conditions of such access, membership, or participation because of race, color, religion, sex, national origin, elderliness, familial status, or disability,
- To include in any transfer, sale rental, or lease of housing, any restrictive covenant that discriminates because of race, color, religion, sex, national origin, elderliness, familial status, or disability or for any person to honor or exercise, or attempt to honor or exercise any such discriminatory covenant pertaining to housing, and
- To induce or attempt to induce to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, national origin, elderliness, familial status, or disability.

In addition, the State law further stipulates additional actions that are prohibited as they relate to housing discrimination. These prohibitions include the following:

- Failing or delaying maintenance or repairs of sales or rental dwellings,
- Limiting the use of privileges, services, or facilities associated with a dwelling,
- Discouraging the purchase or rental of a dwelling or exaggerating drawbacks or failing to inform any person of desirable features of a dwelling or a community, neighborhood, or development;
- Communicating to any prospective purchaser that they would not be comfortable or compatible with existing residents of a community neighborhood or development,
- Assigning any person to a particular section of a community neighborhood or development or to a particular floor or section of a building, and
- Denying or limiting services or facilities in connection with the sale or rental of a dwelling because a person failed or refused to provide sexual favors.

The law also explicitly regulates the advertising of real estate in the following manner:

- Using words, phrases, photographs, illustrations, symbols, or forms which convey that dwellings are available or are not available to a particular group because of race, color, religion, sex, handicap, familial status, elderliness, or national origin,

- Using selective geographic advertisements, such as the strategic placement of billboards; brochure advertisements distributed within a limited geographic area by hand or in the mail; advertising in particular geographic coverage editions of major metropolitan newspapers or in newspapers of limited circulation which are mainly advertising vehicles for reaching a particular segment of the community; or displays or announcements available only in selected sales offices,
- Using selective human models when using an advertising campaign using human models primarily in media that cater to one racial or national origin segment of the population without a complementary advertising campaign that is directed at other groups, and
- All newspaper publishers should publish at the beginning of the real estate advertising section a notice that includes a statement regarding the coverage of any local fair housing or human rights ordinance prohibiting discrimination in the sale, rental or financing of dwellings.

The Virginia Fair Housing Office (VFHO) is under the auspices of the Department of Professional and Occupational Regulation. The VFHO consists of an administrator who has overall responsibility for the office, an Investigative Supervisor who oversees all investigations, a Program Conciliator who attempts to resolve complaints through informal negotiation, four field investigators, and two administrative investigators. The VFHO is the investigative arm of Virginia's Fair Housing Board and Real Estate Board. The Fair Housing Board administers and enforces the Fair Housing Law for most individuals and businesses; the Real Estate Board retains jurisdiction over real estate licensees and their employees.

Once the VFHO accepts a complaint as stating a fair housing claim, the complaint is assigned to be investigated. During the investigative process an investigator generally interviews the complainant, the respondent and relevant witnesses. The investigator may also review documents and records.

After the investigation is completed, the investigator writes a final report that summarizes the evidence obtained during the investigation. The investigative supervisor then reviews this report. The evidence is presented to the Board, which will review the evidence. The Board will take one of the following actions upon a report: (1) dismiss the complaint, (2) issue a charge of discrimination, or (3) accept the conciliation agreement. If the Board issues a charge of discrimination, the charge is immediately referred to the Office of the Attorney General in Virginia for further action.

Figure 1-1 below lists the protections afforded to Virginia residents under federal and state fair housing laws.

**Figure 1-1**  
Protection for Members of the Protected Classes

Protected Class	Federal Fair Housing Act	Virginia Fair Housing Law
Race*	*	*
Color	*	*
National Origin	*	*
Religion/ Creed	*	*
Sex	*	*
Familial Status	*	*
Handicap/Disability Status	*	*
Elderliness(over 55 Years of age)		*

\*The term "color" usually refers only to skin color or pigmentation.

"Race" generally refers to both physical characteristics and ethnological classifications

**1. Possible Fair Housing Changes**

In early 2013, an amendment to the Virginia Fair Housing Law was proposed to include protections for source of income. This would mean that housing could not be denied based on the source of income used for purchase or lease of a dwelling. This includes all forms of public assistance for housing as well as spousal and child support. Currently, the amendment is in committee and has not been introduced to the legislative body for a vote.

**E. Comparison of Accessibility Standards**

There are several standards of accessibility that are referenced throughout the AI. These standards are listed below along with a summary of the features within each category or a direct link to the detailed standards.

**1. Fair Housing Act**

In buildings that are ready for first occupancy after March 13, 1991 and include four or more units:

- There must be an accessible entrance on an accessible route,
- Public and common areas must be accessible to persons with disabilities,
- Doors and hallways must be wide enough for wheelchairs, and
- All ground floor units and all units in elevator buildings must have:
  - An accessible route into and through the unit,

- Accessible light switches, electrical outlets, thermostats and other environmental controls,
- Reinforced bathroom walls to allow later installation of grab bars, and,
- Kitchens and bathrooms that can be used by people in wheelchairs.

If a building with four or more units has no elevator and will be ready for first occupancy after March 13, 1991, these standards apply to ground floor units. These requirements for new buildings do not replace any more stringent standards in state or local law.

## 2. **Americans with Disabilities Act (ADA)**

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. A complete description of the guidelines can be found at [www.ada.gov/stdspdf.htm](http://www.ada.gov/stdspdf.htm).

## 3. **Uniform Federal Accessibility Standards (UFAS)**

UFAS accessibility standards are required for facility accessibility by people with motor and sensory disabilities 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. A complete description of the guidelines can be found at [www.access-board.gov/ufas/ufas-html/ufas.htm](http://www.access-board.gov/ufas/ufas-html/ufas.htm).

## 4. **Visitability Standards**

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 three basic requirements:

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

## 5. **Universal Design**

Universal design is the design of products and environments to be usable by all people, to the greatest extent possible, without adaptation or specialized design. Seven principles guide Universal Design. These include:

- Equitable use (e.g., make the design appealing to all users),
- Flexibility in use (e.g., accommodate right- or left-handed use),
- Simple and intuitive use (e.g., eliminate unnecessary complexity),
- Perceptible information (e.g., provide compatibility with a variety of techniques or devices used by people with sensory limitations),

- Tolerance for error (e.g., provide fail-safe features),
- Low physical effort (e.g., minimize repetitive actions), and
- Size and space for approach and use (e.g., accommodate variations in hand and grip size).

## F. Methodology

The firm of Mullin & Lonergan Associates, Inc. (M&L) was retained as consultants to conduct the Analysis of Impediments to Fair Housing Choice. M&L utilized a comprehensive approach to complete the Analysis for the City of Lynchburg. The following sources were utilized:

- The most recently available demographic data regarding population, household, housing, income, and employment at the census tract and municipal level,
- Public policies affecting the siting and development of housing,
- Administrative policies concerning housing and community development,
- Financial lending institution data from the Home Mortgage Disclosure Act (HMDA) database,
- Agencies that provide housing and housing related services to members of the protected classes,
- Consolidated Plans, Annual Plans and CAPERs for the City of Lynchburg,
- The Draft Lynchburg 2013-2030 Comprehensive Plan,
- The Lynchburg Housing Assessment,
- Fair housing complaints filed with HUD and the Virginia Fair Housing Office,
- Real estate advertisements from area newspapers of the News and Advance, and
- Interviews and focus group sessions conducted with agencies and organizations that provide housing and housing related services to members of the protected classes.

## G. Use and Presentation of Data

Each dataset is subject to sampling error and non-sampling error, since statistics in census data products are based on the collection, tabulation, editing and handling of questionnaires. Non-sampling error includes confidentiality edits applied by the Census Bureau to assure that data do not disclose information about specific individuals, households, or housing units. Because of sampling and non-sampling errors, there may be discrepancies in the reporting of similar type of data. These discrepancies do not negate the usefulness of the census data.

Most of the census data used in the report is American Community Survey (ACS) sample data rather than 2010 Census Summary File 1 (SF1) data, which is 100-percent data. This was done to provide the most current data. To make the best of sample based ACS data and reduce sampling error, data compiled at five year increments between 2007 and 2011, were used. ACS data compiled between 2009 and 2011 were used for disability data. Five year data is not provided by the Census Bureau for disabilities. Census 2010 Summary File 1 data

were used as the most recent data source when 2007-2011 ACS data were unavailable. Additionally, 2000 Census data and earlier were used when comparing current trends with past trends.

## H. Development of the AI

### 1. Lead Agency

The Planning Division within the Lynchburg Community Development Department was the lead agency for the preparation and implementation of the AI. Staff members identified and invited numerous stakeholders to participate in the process for the purpose of developing a thorough analysis with a practical set of recommendations to eliminate identified impediments to fair housing choice.

### 2. Agency Consultation

The City engaged in an extensive consultation process with local public agencies, nonprofit organizations and other interested entities in an effort to develop a community planning process for the AI. A series of written questionnaires were mailed to many of the interviewees, and detailed lists of issues were developed for the focus group sessions and interviews.

In late August, the consulting team conducted a series of focus group sessions and individual interviews to identify current fair housing issues impacting the various agencies and organizations and their clients. Comments received through these meetings and interviews are appropriately incorporated throughout the AI.

A list of the stakeholders identified to participate in the AI process is included in Appendix A.

## I. The Relationship between Fair Housing and Affordable Housing

As stated in the Introduction, fair housing choice is defined as the ability of persons, regardless of race, color, religion/ creed, sex, disability, familial status, or national origin, of similar income levels to have available to them the same housing choices. In Virginia, this protection is also specifically extended to persons based on elderliness, familial status, and handicap/disability status. Persons who are protected from discrimination by fair housing laws are referred to as members of the protected classes.

This AI analyzes a range of fair housing issues regardless of a person's income. To the extent that members of the protected classes tend to have lower incomes, then access to fair housing is related to affordable housing. In many areas across the U.S., a primary impediment to fair housing is a relative absence of affordable housing. Often, however, the public policies implemented in towns and cities create, or contribute to, the lack of affordable housing in these communities, thereby disproportionately affecting housing choice for members of the protected classes.

This document goes well beyond an analysis of the adequacy of affordable housing in Lynchburg. This AI defines the relative presence of members of the protected classes within the context of factors that influence the ability of the protected classes to achieve equal access to housing and related services.

## 2. Demographic Information

### A. Demographic Profile

#### 1. Lynchburg History

The City of Lynchburg is located at the foothills of the Blue Ridge Mountains in central Virginia. The City was settled in 1757 and officially founded in 1786. With the establishment of a ferry along the James River, the City quickly grew and prospered through tobacco trading. By the 1850s, Lynchburg was one of the most prosperous cities per capita. In the late 19<sup>th</sup> century, Lynchburg's economy evolved into manufacturing and sometimes was referred to as the "Pittsburgh of the South." More recently, Lynchburg and its region have excelled in nuclear technology, pharmaceuticals, and material handling and machinery. The City's largest employer is Centra Health. Popular attractions include: the Lynchburg Museum documenting the City's past, the Old City Cemetery Museum and Arboretum, and nearby Poplar Forest, which was Thomas Jefferson's retreat home. Lynchburg is also home to five colleges and universities: Liberty University (12,600), Lynchburg College (2,715), Randolph College (576), Virginia University of Lynchburg (597), and Central Virginia Community College (5,461).<sup>1</sup>

As a frame of reference for this document, a neighborhood map is included in Appendix B.

#### 2. Population Trends

According to the Census and American Community Survey (ACS) data, Lynchburg grew 38.4% between 1970 and 2011. Virginia grew 70.4% during this period. Lynchburg witnessed its largest rate of growth between 1970 and 1980, and 2000 and 2011, increasing 23.4% and 17.7%, respectively.

Between 2000 and 2011 Lynchburg grew 17.7%. This is slightly lower than Virginia's rate of growth of 18.2% during the same period. The Lynchburg MSA increased by 9.8% (228,616 to 250,952), and includes Amherst County, Appomattox County, Bedford County, Campbell County, the Town of Bedford, and the City of Lynchburg. Refer to Figures 2-1 and 2-2 for more detailed information.

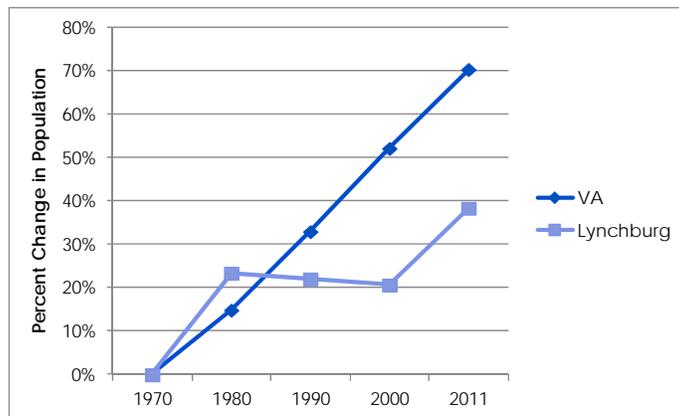
**Figure 2-1**  
Population Trends, 1970-2011

% Change in Population 1970-1980	1990	% Change in Population 1970-1990	2000	% Change in Population 1970-2000	2011	% Change in Population 1970-2011	% Change in Population 2000-2011
14.9%	6,187,358	33.0%	7,078,515	52.2%	7,926,192	70.4%	18.2%
23.4%	66,049	22.1%	65,269	20.7%	74,849	38.4%	17.7%

2007-2011 ACS (B1003)

<sup>1</sup> Numbers in parentheses are the residential enrollments of each university. In total there are 21,949 students residing in Lynchburg.

**Figure 2-2**  
Population Trends Since 1970



**Lynchburg's population has grown 38.4% since 1970 while Virginia grew 70.4%.**

Lynchburg has grown in population in every decade since 1970. The City's largest decade of growth was 23.4% between 1970 and 1980 followed by another surge in 2000.

Despite an increase of almost 5,000 White residents since 2000, this segment of the population decreased from 66.6% to 65.2%. This decrease as a percentage of the total population was the result of significant increases in the number of minority residents during the same period. For example, Black residents gained 2,348 residents and Asians gained 939. The largest increase occurred among Hispanics, a group which gained over 1,300 residents. Together, the 4,290 net gain in non-White residents represented 45% of the population increase between 2000 and 2011.

The increase in the Asian population represented the fastest growing racial segment over the past decade. This group more than doubled in number to 1,805 residents, and now represents the second-largest racial minority in Lynchburg. Persons of two or more races are another growing minority segment, although this census group represents only 1.0% of the population.

Persons of Hispanic descent represent the fastest-growing group among all minorities (racial and ethnic). This population more than doubled to 2,210 residents, and now comprises 3% of the total population.

Between 2000 and 2011, Lynchburg's population grew more diverse as non-White residents increased from 33.3% to 34.7% of the population. Although slightly less than the State's rate of increasing diversity, the City is experiencing gains in nearly all minority groups.

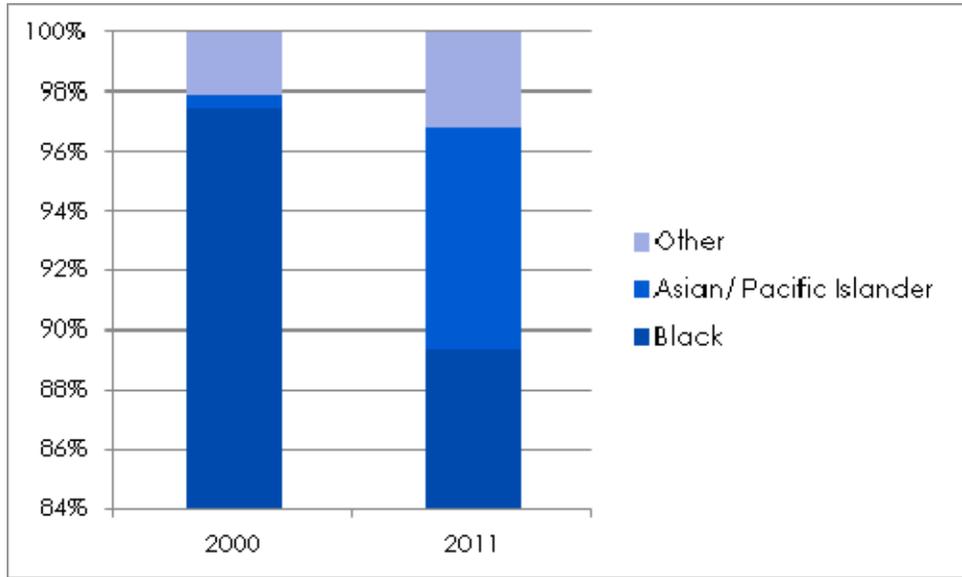
**Figure 2-3**  
Racial and Ethnic Composition, 2000-2011

	2000		2011		% Change 2000- 2011
	#	%	#	%	
<b>Lynchburg</b>					<b>100.0%</b>
White	43,487	66.6%	48,777	65.2%	12.2%
Non-White	21,782	33.3%	26,072	34.8%	19.7%
Black	19,382	29.7%	21,730	29.0%	12.1%
American Indian	169	0.3%	141	0.2%	-16.6%
Asian/ Pacific Islander	866	1.3%	1,805	2.4%	108.4%
Some Other Race	413	0.6%	782	1.0%	89.3%
Two or More Races	952	1.2%	1,614	2.2%	69.5%
Hispanic*	878	1.3%	2,210	3.0%	151.7%
<b>Total</b>	<b>65,269</b>	<b>100.0%</b>	<b>74,849</b>	<b>100.0%</b>	<b>14.7%</b>
	2000		2011		% Change 2000- 2011
	#	%	#	%	
<b>Virginia</b>					<b>100.0%</b>
White	5,120,110	72.3%	5,526,985	69.7%	7.9%
Non-White	1,958,405	27.7%	2,399,207	30.3%	22.5%
Black	1,390,293	19.6%	1,545,568	19.5%	11.2%
American Indian	21,172	0.3%	25,665	0.3%	21.2%
Asian/ Pacific Islander	261,025	3.7%	435,522	5.5%	66.9%
Some Other Race	138,900	2.0%	194,281	2.5%	39.9%
Two or More Races	143,069	2.0%	198,171	2.5%	38.5%
Hispanic*	329,540	4.7%	604,882	7.6%	83.6%
<b>Total</b>	<b>7,078,515</b>	<b>100.0%</b>	<b>7,926,192</b>	<b>100.0%</b>	<b>100.0%</b>

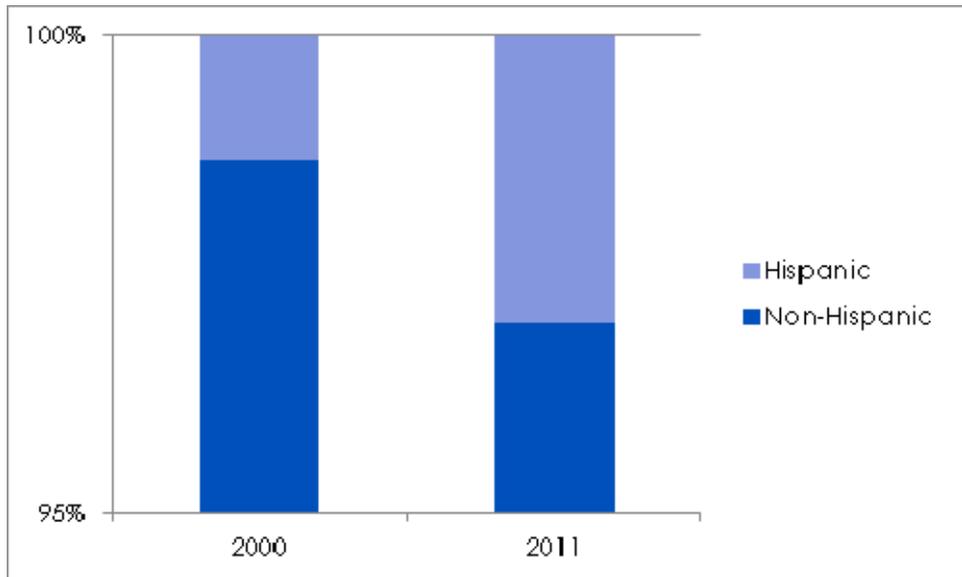
\* Hispanic ethnicity is counted independently of race  
2000 Census QT-P3, 2007-2011 ACS (B02001 & B03003)

On the following page, Figures 2-4 and 2-5 display the changing diversity of racial minorities and Hispanics and non-Hispanics between 2000 and 2011.

**Figure 2-4**  
Diversity among Racial Minorities, 2000-2011



**Figure 2-5**  
Increasing Hispanic Share, 2000-2011



**While the rate of Whites and Blacks remained relatively stable as percentages of the total population, the City's Asian and Hispanic populations more than doubled.**

Asians increased from 866 to 1,805 between 2000 and 2011, and Hispanics increased from 878 to 2,210.

### 3. Concentrations of LMI Persons

The CDBG program includes a statutory requirement that at least 70% of CDBG funds invested benefit low and moderate income (LMI) persons. As a result, HUD provides the percentage of LMI persons in each census block group for entitlement communities. HUD's 2013 LMI estimates reveal that 23 of the 50 census block groups across Lynchburg meet the definition for LMI status. The LMI threshold in Lynchburg is 51%.

Lynchburg's LMI areas are heavily concentrated in the Central Business District, and the neighborhoods of College Hill, Diamond Hill, and West End/Lynchburg College. There are also LMI areas within Liberty University and west of the Lynchburg Highway in the Wiggington Heights and Woodbine Village neighborhoods. In general, these are either older areas of the City or areas heavily populated with college students. The LMI area located in Wiggington Heights and Woodbine Village is the exception. Map 2-1 illustrates the location of the LMI areas.

College students comprise a large percentage of the City's population and reside in multi-family rental units primarily. College students represent 29.3% of the City's population and 21.2% of the population are persons between the ages of 18 and 24.<sup>2</sup> This impacts the demographic characteristics by reducing the median household income and percentage of homeowners citywide, and inflating the percentage of people in poverty and the percentage of LMI persons. Over 90% of the residents in census tracts 2.03 and 14 are between the ages of 18-24. These areas represent Lynchburg College and Liberty University. Map 2-2 displays the percentage of persons between the ages of 18-24 by census tract.



#### **College students and young adults represent a large share of Lynchburg's population.**

College students comprise 29.3% and persons between the age of 18-24 represent 21.2% of the City's total population. Persons between the ages of 18-24 comprise over 90% of the total population in areas within and around Lynchburg College and Liberty University.

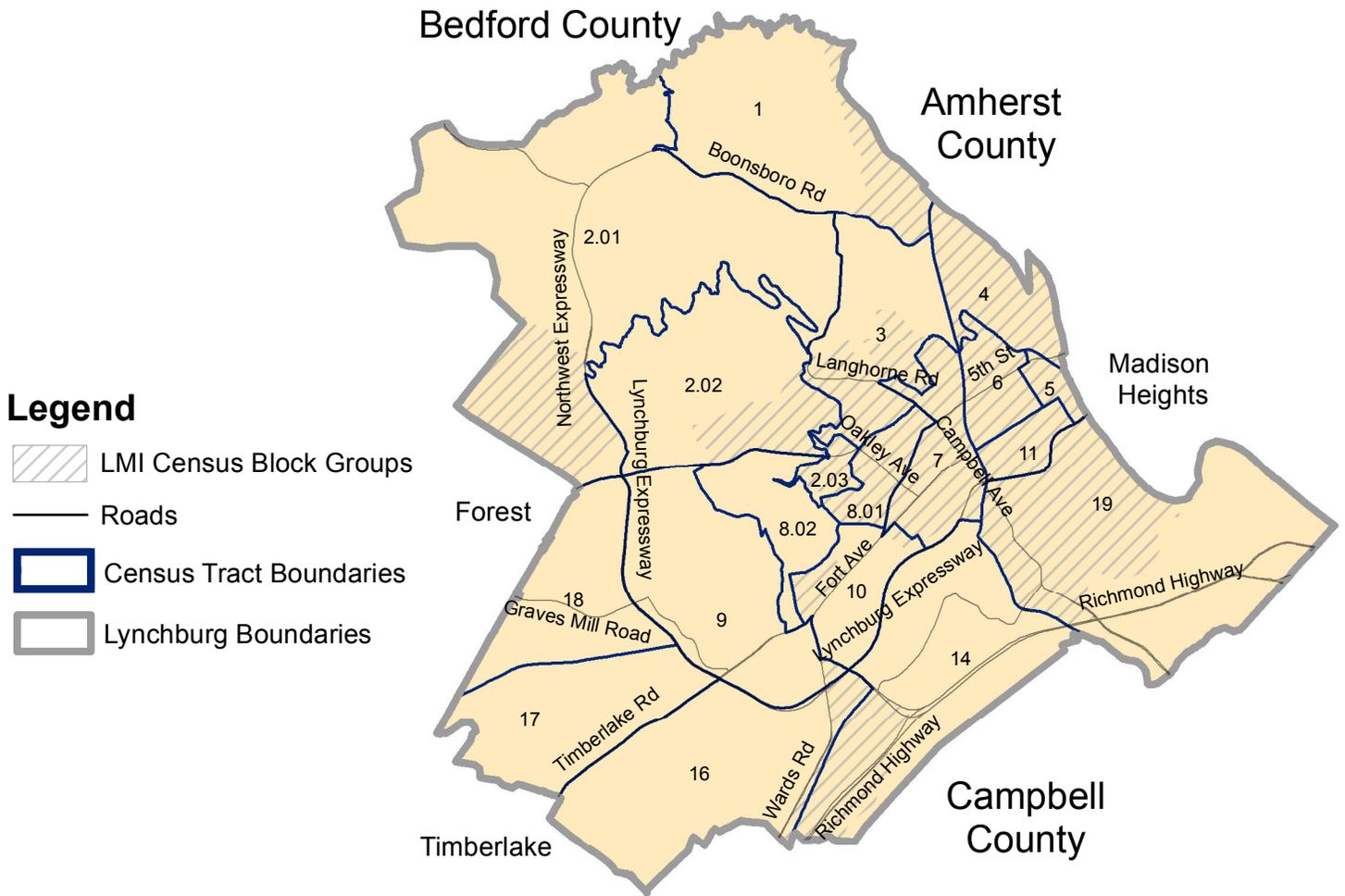
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<sup>2</sup> ACS 2007-2011 (S0101)

# Map 2-1: Low and Moderate Income Areas, 2013

Lynchburg Analysis of Impediments to Fair Housing Choice

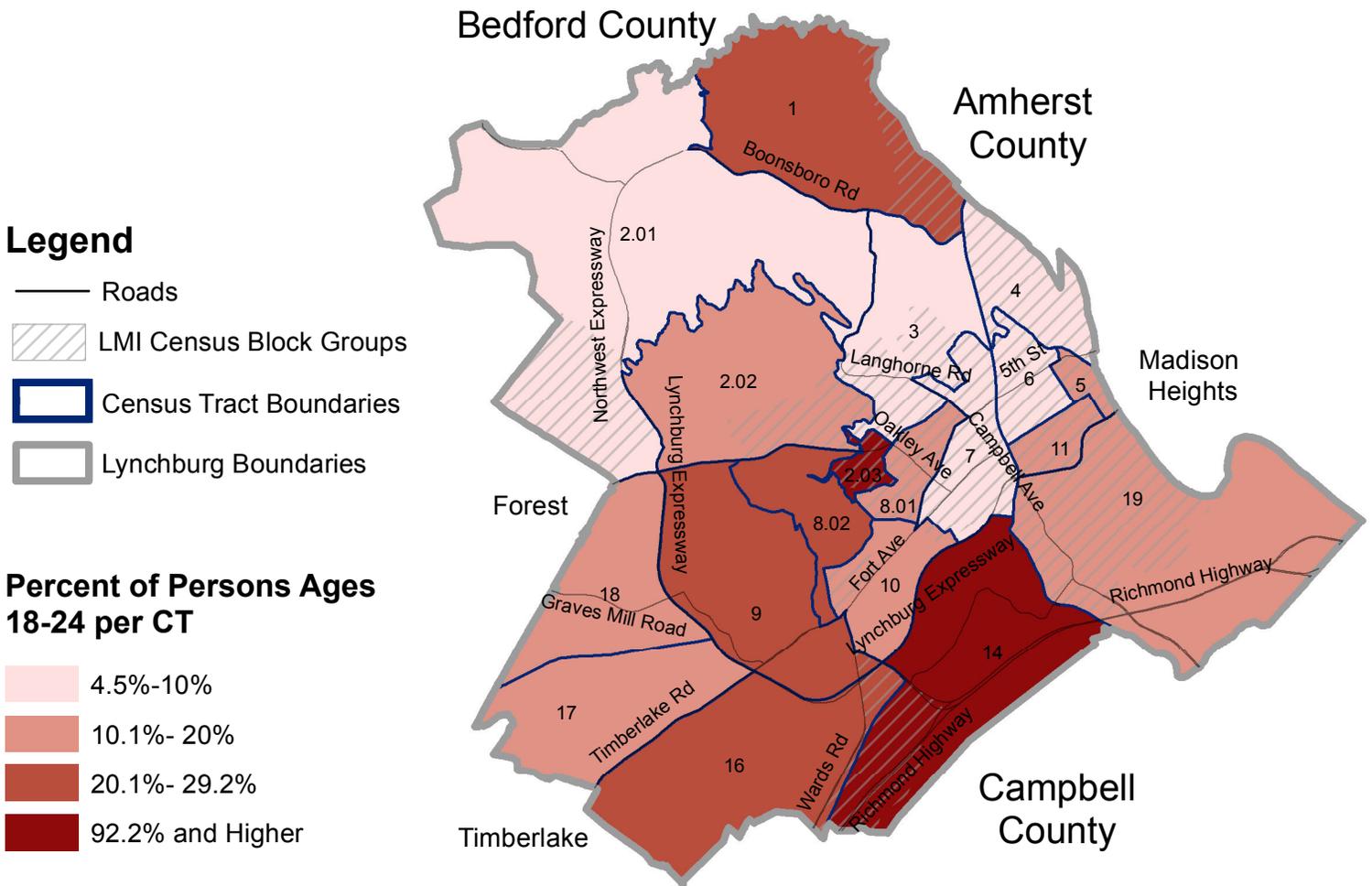
Source: 2000 HUD Low and Moderate Income Summary Data (FY 2013)



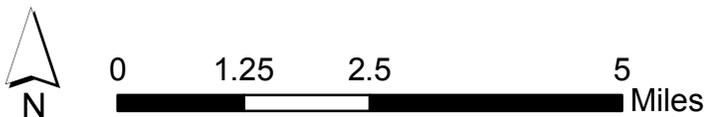
# Map 2-2: Concentration of Persons Ages 18-24, 2011

Lynchburg Analysis of Impediments to Fair Housing Choice

Source: ACS 2007-2011 (S0101)



Note: There is a gap between 29.2% and 92.2% of persons ages 18-24 because there are no census tracts contained within this range.



#### 4. Racial and Ethnic Minority Concentration Areas of Poverty

Areas of racial/ ethnic concentration are defined as census block groups where the percentage of a minority group is 10 percentage points above the citywide average. All references to census block groups hereafter will simply be referred to as “block groups” for brevity.

Across Lynchburg in 2011, Blacks comprised 29% of the population, Hispanics 3%, and Asians 2.4%. Therefore, an area of Black concentration would include any block group where the percentage of Black residents is 39% or higher, a Hispanic concentration would include a block group percentage of 13% or higher, and an Asian concentration would include a block group percentage of 12.4% or higher.

In order to locate racially/ethnically concentrated areas that are also areas of poverty, low and moderate income (LMI) data were layered on top of racially and ethnically concentrated areas. This created racially and ethnically concentrated areas of poverty (RCAPs and ECAPs). The identified RCAPs and ECAPs are displayed in block groups.

Of the 50 block groups within the City, 15 were identified as RCAPs. This included only Black concentrated areas of poverty, which were located exclusively in the Central Business District and surrounding neighborhoods including Daniel's Hill, Garland Hill, Dearington, College Hill, Diamond Hill, Miller Park, White Rock Hill, Seminary Hill, Fairview Heights, Winston Ridge, and White Rock Hill.

The composition of RCAPs is detailed on the next page in Figure 2-6 and depicted graphically in Map 2-3.



**In Lynchburg there are 15 racially concentrated areas of poverty (RCAPs). All 15 RCAPs are Black concentrated areas of poverty.**

These Black RCAPs are located exclusively within the Central Business District and its surrounding neighborhoods.

**Figure 2-6**  
Areas of Black Concentration of Poverty, 2011

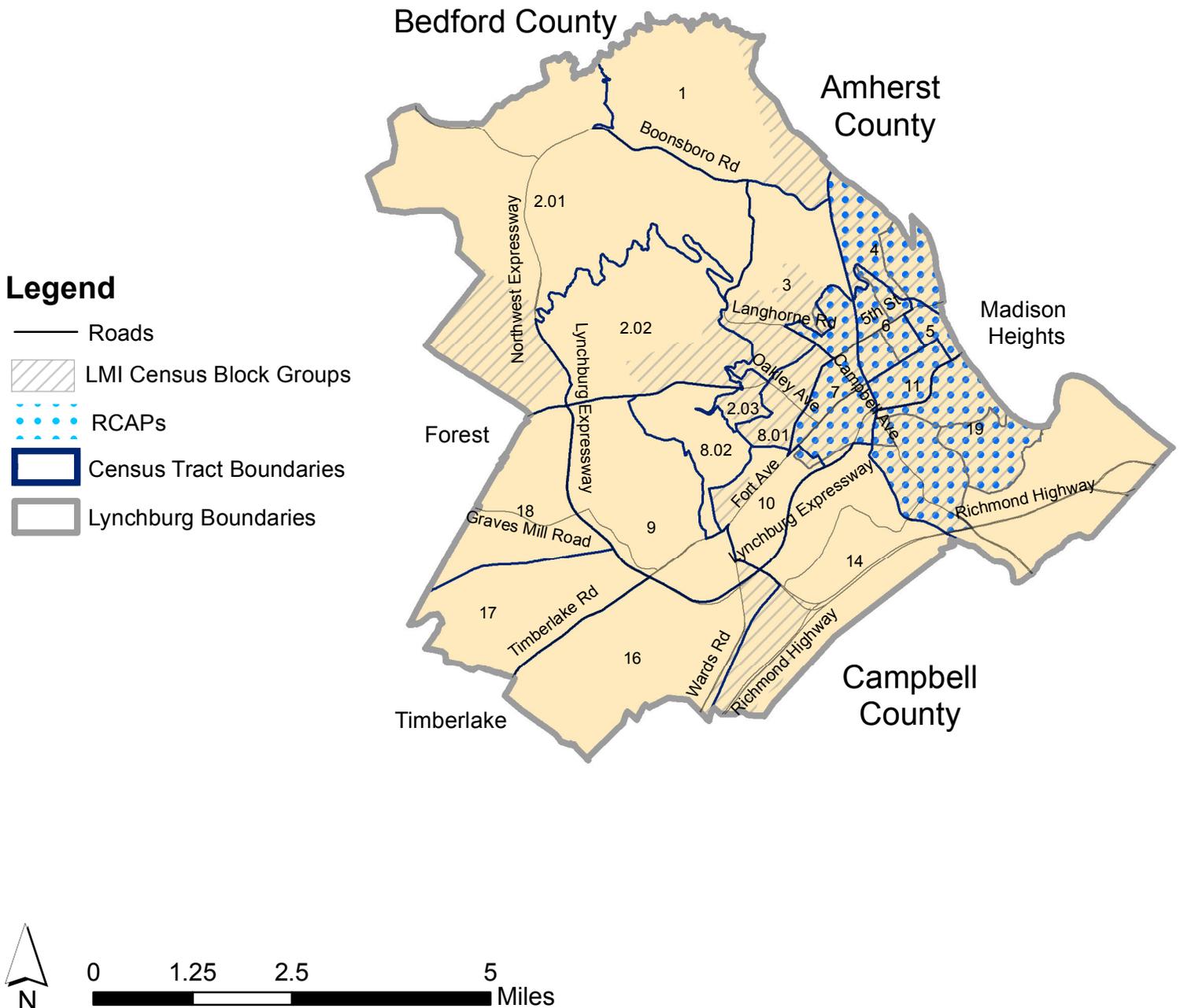
TRACT	Block Group	%LMI	% BLACK	Neighborhood
Census Tract 4	1	64.6%	69.8%	<b>Rivermont-</b> Bound by James River to the east, and Rivermont Ave. to the west.
Census Tract 4	2	68.5%	69.8%	<b>Daniel's Hill-</b> Bound by Rivermont to the west, James River to the east, and Lynchburg Expressway to the south.
Census Tract 5	1	83.8%	40.0%	<b>Central Business District</b>
Census Tract 6	1	81.8%	81.2%	<b>College Hill-</b> Bound by railroad tracks to the west, 5th St. to the north, and Federal St. to the east.
Census Tract 6	2	78.0%	81.2%	<b>College Hill-</b> Located between 5th and 12th Streets with Monroe St. as the eastern border
Census Tract 6	3	70.3%	81.2%	<b>College Hill-</b> Located between 5th and 12th Streets with Monroe St. as the western border.
Census Tract 6	4	59.4%	81.2%	<b>College Hill-</b> Bound by Federal St to the east, 5th Ave. to the North, and Blackwater Creek to the east.
Census Tract 7	1	72.0%	47.9%	<b>Dearington-</b> Bound by Memorial Ave. to the south, railroad tracks to the east, and Langhourne Rd. to the west.
Census Tract 7	2	64.1%	47.9%	<b>Miller Park-</b> Bound to the south by Fort Ave. and 12th St., railroad tracks to the east, and Memorial Ave. to the north.
Census Tract 7	3	70.4%	47.9%	<b>Miller Park-</b> Bound to the north by Fort Ave./12th St., to the east by railroad tracks, and to the south by Lynchburg Expressway.
Census Tract 11	1	67.5%	63.3%	<b>Diamond Hill-</b> Bound by the Lynchburg Expressway to the south, railroad tracks to the west, and 12th street to the north.
Census Tract 19 (Previously CT 13 BG 3 in 2000)	2	84.1%	84.1%	<b>Winston Ridge-</b> Bound by Fishing Creek to the north, railroad tracks to the south, Joan's Branch to the east and the James River to the north.
Census Tract 19 (Previously CT 13 BG 1 in 2000)	3	56.9%	84.1%	<b>Seminary Hill-</b> Located south of the Lynchburg Expressway with Campbell Ave. as the main thoroughfare.
Census Tract 19 (Previously CT 13 BG 2 in 2000)	3	61.0%	84.1%	<b>Fairview Heights-</b> Located south of Seminary Hill along Campbell Ave. Railroad tracks bound the area to the west.
Census Tract 19 (Previously CT 12 BG 4 in 2000)	4	76.4%	84.1%	<b>White Rock Hill-</b> Located south of the Lynchburg Expressway and north of Fishing Creek.

Since LMI calculations are based on 2000 block groups, they do not always align with 2010 block groups. This is the case with block groups within census tract 19, which are paired approximately with LMI data based on 2000 block groups. The table lists the location in parentheses of all census tracts and block groups from 2000, which changed in 2010.

# Map 2-3: Racially Concentrated Areas of Poverty, 2013

Lynchburg Analysis of Impediments to Fair Housing Choice

Source: 2000 HUD Low and Moderate Income Summary Data (FY 2013)  
2000 Census (QT-P5), ACS 2007-2011 (B02001)



## 5. Residential Segregation Patterns

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. Latent factors, such as attitudes, or overt factors, such as real estate practices, can limit the range of housing opportunities for minorities. A lack of racial or ethnic integration in a community creates other problems, such as reinforcing prejudicial attitudes and behaviors, narrowing opportunities for interaction, and reducing the degree to which community life is considered harmonious. Areas of extreme minority isolation often experience poverty and social problems at rates that are disproportionately high.<sup>3</sup> Racial segregation has been linked to diminished employment prospects, poor educational attainment, increased infant and adult mortality rates and increased homicide rates.

The distribution of racial or ethnic groups across a geographic area can be analyzed using an index of dissimilarity. This method allows for comparisons between subpopulations, indicating how much one group is spatially separated from another within a community. The index of dissimilarity is rated on a scale from 0 to 100, in which a score of 0 corresponds to perfect integration and a score of 100 represents total segregation.<sup>4</sup> The index is typically interpreted as the percentage of the minority population (in this instance, the Black population) that would have to move in order for a community or neighborhood to achieve full integration.

With a 2011 White-Black dissimilarity index of 42.4, Lynchburg is moderately segregated based on national standards.<sup>5</sup> The data indicates that in order to achieve full integration among White and Black residents, 42.4% of Lynchburg's Black residents would have to move to another census tract with a Black population of 29% or less (29% of Lynchburg's total population is Black).

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<sup>3</sup> This aspect of segregation is related to the degree to which members of a group reside in areas where their group predominates, thus leading them to have less residential contact with other groups. See: Fossett, Mark. "Racial Segregation in America: A Nontechnical Review of Residential Segregation in Urban Areas." Department of Sociology and Racial and Ethnic Studies Institute, Texas A&M University, 2004.

<sup>4</sup> The index of dissimilarity is a commonly used demographic tool for measuring inequality. For a given geographic area, the index is equal to  $1/2 \sum ABS [(b/B)-(a/A)]$ , where b is the subgroup population of a census tract, B is the total subgroup population in a city, a is the majority population of a census tract, and A is the total majority population in the city. ABS refers to the absolute value of the calculation that follows.

<sup>5</sup> According to Douglas S. Massey, an index under 30 is low, between 30 and 60 is moderate, and above 60 is high. See Massey, "Origins of Economic Disparities: The Historical Role of Housing Segregation," in *Segregation: The Rising Costs for America*, edited by James H. Carr and Nandinee K. Kuty (New York: Routledge 2008) p. 41-42.

**Figure 2-7**  
Dissimilarity Indices, 2000 & 2011

		DI with	Population	Share of Total Population
		White Population		
2011	White	-	48,777	65.2%
	Black	51.2	21,730	29.0%
	American Indian/ Alaskan Native**	67.6	141	0.2%
	Asian/ Pacific Islander	43.2	1,805	2.4%
	Other	53.1	782	1.0%
	Two or More Races	39.6	1,614	2.2%
	Hispanic*	40.8	2,210	3.0%
	<b>Total</b>	<b>-</b>		<b>100.0%</b>
2000	White	-	43,487	66.6%
	Black	51.2	19,382	29.7%
	American Indian/ Alaskan Native**	36.4	169	0.3%
	Asian/ Pacific Islander	26.6	104	1.3%
	Other	22.0	413	0.6%
	Two or More Races	18.0	952	1.2%
	Hispanic*	20.4	878	1.3%
	<b>Total</b>	<b>-</b>		<b>100.0%</b>

\* Hispanic ethnicity is counted independently of race

\*\*The DI score for American Indian is not statistically reliable due to its small sample size

Source: 2000 Census QT-3, 2007-2011 ACS (B02001 & B02003) , Mullin & Lonergan Associates

In addition to a White/Black index of 42.4, Lynchburg has a White/Hispanic index of 40.8, a White/Other-Race index of 53.1, a White/Multi-Race index of 39.6, and a White/Asian index of 43.2. These numbers indicate that all racial/ ethnic populations are moderately segregated. The indices for the White/American Indian and Native Alaskan populations cannot be interpreted reliably, as the minority group's population was relatively too small. In cases where subgroup population is small, the dissimilarity index may be high even if the group's members are evenly dispersed.

Since 2000, Lynchburg's Black population has become more integrated across the City, while the Asian and Hispanic populations have become more segregated.<sup>6</sup> The increase in Asian and Hispanic segregation is likely due to their increase in population since 2000 resulting in higher concentrations in certain City neighborhoods. However, these concentrations are still below RCAP and ECAP thresholds.

<sup>6</sup> The City's sharp increase in Asians and Hispanics between 2000 and 2012 led to concentrations of Hispanics and Asians as these immigrants moved into neighborhoods near family members and those of the same ethnicity/race. This form of increased segregation is much less alarming than increased segregation with a stagnant population.

**Lynchburg's Black population is becoming modestly more integrated, while the Hispanic and Asian populations are rapidly becoming more segregated.**

Between 2000 and 2011, the White-Black segregation decreased by 3.1 points, while White-Hispanic and White-Asian segregation increased by 20.4 points and 16.6 points, respectively.

**Figure 2-8**  
Changes in Racial and Ethnic Integration, 2000-2011

	Black			Asian			Hispanic		
	Population	DI		Population	DI		Population	DI	
<b>2000</b>	19,382	51.2		104	26.6		878	20.4	
<b>2011</b>	21,730	42.4		1,805	43.2		2,210	40.8	

Source: 2000 Census SF-1, 2007-2011 ACS (B02001 & B02003), Mullin & Loneragan Associates

Among Virginia cities, Lynchburg ranks the eighth most-segregated out of 18 in terms of Black-White segregation based on 2000 data.<sup>7</sup> Dissimilarity indices for 2010 by municipality are not available.

**Figure 2-9**  
2000 Segregation Rankings among Virginia Municipalities

Rank	Municipality	Black Population	White Population	Total Population	Dissimilarity Index
1	Richmond	122,455	74,506	197,790	68.3
2	Roanoke	25,220	65,256	94,911	68.3
3	Portsmouth	50,569	45,403	100,565	62.0
4	Norfolk	102,268	110,221	234,403	57.5
5	Chesapeake	56,442	131,200	199,184	52.6
6	Charlottesville	9,916	30,825	45,049	52.4
7	Suffolk	27,524	33,940	63,677	52.0
<b>8</b>	<b>Lynchburg</b>	<b>19,228</b>	<b>43,108</b>	<b>65,269</b>	<b>51.2</b>
9	Newport News	69,538	93,624	180,150	50.3
10	Hampton	64,798	70,963	146,437	47.4
11	Danville	21,267	25,813	48,411	46.2
12	Alexandria	28,463	68,889	128,283	46.0
13	Petersburg	26,511	6,131	33,740	42.6
14	Virginia Beach	79,092	295,402	425,257	41.4
15	Leesburg	2,573	22,761	28,311	38.0
16	Manassas	4,430	23,304	35,135	29.2
17	Harrisonburg	2,266	32,416	40,468	25.0
18	Blacksburg	1,700	32,869	39,573	17.5

Source: CensusScope Dissimilarity Indices

<sup>7</sup> Due to different calculation methods used by Mullin and Loneragan Associates and CensusScope, Lynchburg's dissimilarity indices are modestly different between Figures 2.8 & 2.9 for 2000.

## 6. Race/Ethnicity and Income

Household income is one of several factors used to determine a household's eligibility for a home mortgage loan or rental lease. Median household income (MHI) in Lynchburg was \$37,733 in 2011. This was significantly lower than the statewide MHI of \$63,302. This can partially be attributed to a high percentage of college students with relatively low incomes. As mentioned previously, persons between the ages of 18-24 represented 21.2% of the City's population in 2011. This segment experienced poverty at the rate of 46.8%.<sup>8</sup>



### **Lynchburg's young adult population between the ages of 18 and 24 experienced poverty at a rate of 46.8%.**

Considering a high percentage of Lynchburg's population between 18 and 24 are college students, a high poverty rate is not unexpected. However, since this demographic group represents such a large share of the City's population, overall MHI was lower and poverty rates were higher.

Across racial and ethnic groups, Whites had the highest MHI at \$43,013. This was followed closely by Asian households at \$41,550. Among Black and Hispanic households, the MHI was substantially less at \$25,240 and \$25,606, respectively.

As suggested by the lower median incomes among Blacks and Hispanics, minority residents in Lynchburg experienced poverty at greater rates than White residents. Black and Hispanic households had high levels of poverty at 35.6% and 37.6%, respectively. However, even with a high MHI, Asian households experienced the highest poverty rate amongst minorities at 44.8%. This apparent paradox is explained in Figure 2-11. The highest percentage of Asian households were in the lowest income bracket. Generally, Asian households in Lynchburg are either very wealthy or very impoverished.<sup>9</sup>

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<sup>8</sup> ACS 2007-2011 (B17024)

<sup>9</sup> The dichotomy of income amongst Asian households is not explained by a disproportionately high percentage of Asian students. Asians comprise 2.89% (ACS 2007-2011 B01001 & B01000D) of the 18-24 age group. This is only slightly higher than the Asian percentage of the City's population (2.4%). There may be significant differences in MHI amongst various Asian ethnicities. Census data, however, does not breakdown Asian ethnicities for MHI.

**Figure 2-10**

Median Household Income and Poverty Rates by Race/ Ethnicity, 2011

	Median Household Income	Poverty Rate
<b>Lynchburg</b>	<b>\$37,733</b>	<b>22.6%</b>
Whites	\$43,013	15.7%
Blacks	\$25,240	35.6%
Asians	\$41,550	44.8%
Hispanics	\$25,606	37.6%

Note: Five-year sample data was selected because one- and three-year sample data included an unacceptably high margin of error within smaller racial/ethnic groups.

Source: U.S. Census Bureau, 2007-2011 American Community Survey (B19013, B19013A, B19013B, B19013D, B19013I, B17001, B17001A, B17001B, B17001D, B17001I)



**The poverty rate was 22.6% Citywide, yet all minority groups experienced poverty at rates above 35%. Among Whites, the poverty rate was 15.7%.**

Asians had the highest poverty rate at 44.8%. There is a significant dichotomy of income amongst Asian households with many impoverished and upper-middle income households.

Based on Figure 2-11, the percentage of minority households in the lowest income bracket (\$0-24,999) occurred at much higher percentages than White households. While 26.4% of White households were in the lowest income bracket, between 40%-50% of households in each minority category were in the lowest income bracket. However, minority households, with the exception of Asian households, were in the middle income bracket (\$25,000 to \$49,999) at rates similar to White households.

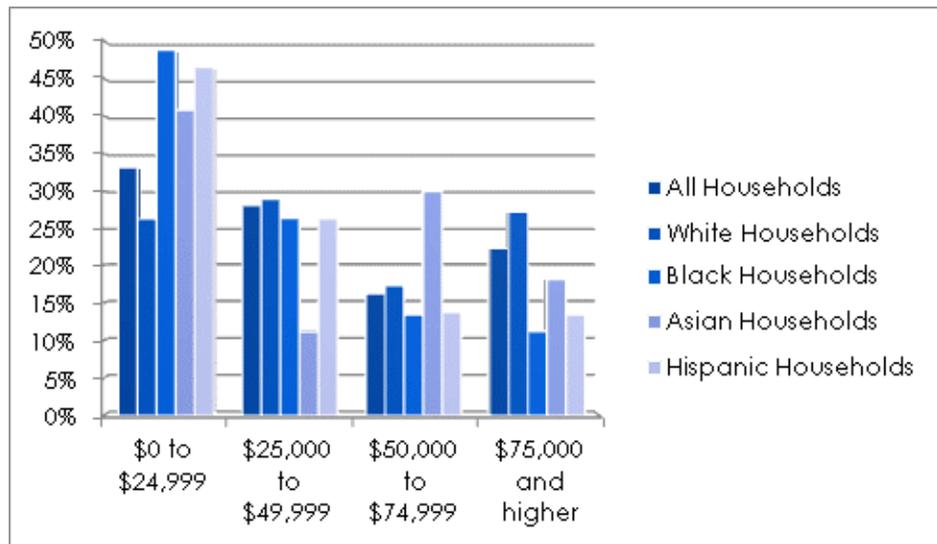
White and Asian households had incomes above \$50,000 at rates much higher than Black and Hispanic households. Of all White and Asian households, 44.6% and 48.1%, respectively, earned more than \$50,000. Of all Black and Hispanic households, 24.6% and 27.1%, respectively, earned more than \$50,000.

**Figure 2-11**  
Household Income Distribution by Race and Ethnicity, 2011

	Total	\$0 to \$24,999	\$25,000 to \$49,999	\$50,000 to \$74,999	\$75,000 and higher
<b>Lynchburg</b>	28,513	33.2%	28.2%	16.2%	22.3%
White	19,337	26.4%	29.0%	17.3%	27.3%
Black	8,173	48.8%	26.5%	13.4%	11.2%
Asian	493	40.8%	11.1%	30.0%	18.1%
Hispanic	686	46.5%	26.4%	13.7%	13.4%

Source: U.S. Census Bureau, 2007-2011 American Community Survey (B19001, B19001A, B19001B, B19001D, B19001I).

**Figure 2-12**  
Household Income Distribution by Race and Ethnicity, 2011



**Black and Hispanic households had much lower median household incomes (MHI) than White and Asian households.**

The MHI for Black and Hispanic households was \$25,240 and \$25,606, respectively. The MHI for White and Asian households was \$43,013 and \$41,550, respectively.

## 7. Educational Attainment and Income

In Lynchburg there exists a strong correlation between lower educational levels and lower income/increased poverty. This follows national trends according to the Bureau of Labor Statistics in 2012. Persons with lower education experienced, on average, higher levels of unemployment and lower wages. Nationwide, 8.3% of the population with a high school diploma were unemployed while only 4.5% and 3.5% with a Bachelor's and Master's degree, respectively, were unemployed. Persons with a high school diploma earned approximately \$34,000 annually compared to those with a Bachelor's and Master's degree who earned approximately \$55,432 and \$67,600, respectively.<sup>10</sup>

Map 2-4 on the following page illustrates this analysis. Persons with the lowest educational attainment are concentrated near downtown Lynchburg and its surrounding neighborhoods. These are neighborhoods identified as racially concentrated areas of poverty. Areas with the highest educational attainments are located in the northern and western edges of Lynchburg in neighborhoods such as Boonsboro, Royal Oaks, Boxwood, Peakland, Forestdale, and Maple Hills. These are areas with low rates of poverty, relatively higher incomes, and high rates of homeownership.

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<sup>10</sup> Bureau of Labor Statistics (2012 Population Survey)

# Map 2-4: Educational Attainment, 2011

Lynchburg Analysis of Impediments to Fair Housing Choice

Source: ACS: 2007-2011 (S1501)

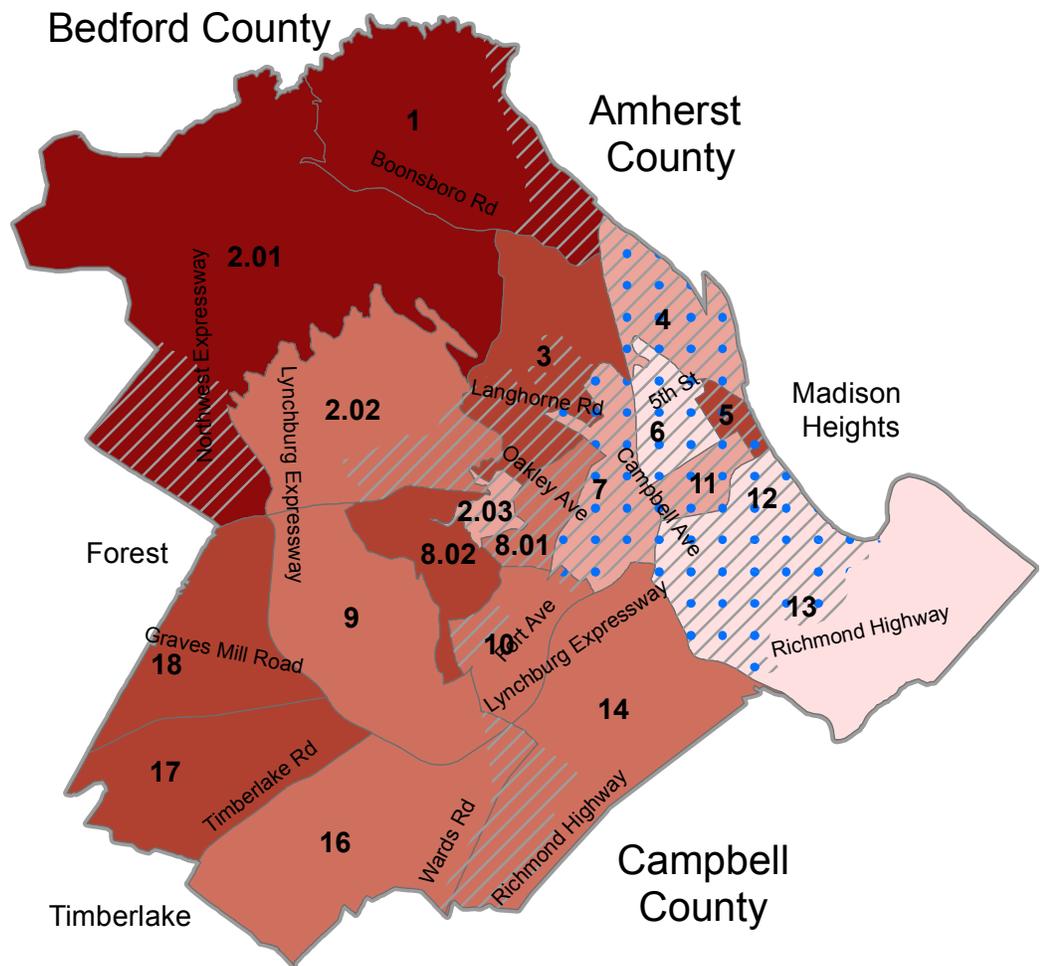
## Legend

-  Roads
-  LMI Census Block Groups
-  RCAPs
-  Census Tract Boundaries
-  Lynchburg Boundaries

## Percent with Bachelor's Degree or Higher

-  7.2%-10%
-  10.1%-20%
-  20.1%-30%
-  30.1%-38.5%
-  62.7%-63.8%

Note: There is a gap between 38.5% and 62.7% of persons with a Bachelor's degree or higher because there are no census tracts contained within this range.



## 8. Disability and Income

As defined by the Census Bureau, a disability is a long-lasting physical, mental, or emotional condition that can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.

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 changes (e.g., constructing an entrance ramp) or administrative changes (e.g., permitting the use of a service animal). In Lynchburg, 12.2% of the population reported at least one type of disability in 2011.<sup>11</sup>

According to the National Organization on Disabilities, a significant income gap exists for persons with disabilities given their lower rate of employment. In Lynchburg, persons with disabilities were 4.7% more likely to live in poverty than persons without disabilities.<sup>12</sup>

In comparison to the general population, a substantially higher percentage of persons with disabilities were not looking for work. In Lynchburg, 59.4% of persons with disabilities were not looking for work, compared to 26% of persons without disabilities.<sup>13</sup>



**In Lynchburg, persons with disabilities were 4.7% more likely to be unemployed and more likely to be living in poverty than persons without disabilities.**

Among residents with a disability in 2011, 28.3% lived in poverty compared to 23.6% of persons without disabilities. In addition, 59.4% of persons with disabilities were not looking for work compared to 26% of persons without disabilities.

## 9. Familial Status and Income

The Census Bureau divides households into family and non-family households. Family households are married couples with or without children, single-parent families, and other families comprised of related persons. Non-family households are either single persons living alone, or two or more non-related persons living together.

Title VIII of the Civil Rights Act of 1968 protects against gender discrimination in housing. 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 rent or sell to families with children.

<sup>11</sup> American Community Survey 2008-2011 (B18101)

<sup>12</sup> B18130

<sup>13</sup> American Community Survey 2008-2011 (C18120)

In Lynchburg, female-headed households decreased from 16% of all households in 2000 to 12.6% in 2011, and female-headed households with children decreased from 9.7% to 7%. The proportion of male-headed households increased from 3.6% to 4%, and male-headed households with children increased from 1.8% to 2%. Married-couple family households with children declined from 17.3% to 16.1%. Single-person and non-family households comprised a growing share of the population, increasing from 38.8% to 42.8%. Overall, these trends indicate a smaller number of families with children and an increase of non-family and single-person households across the City. This is the result of Lynchburg's growing student population.

**Non-family and one-person households are growing and traditional family households with children are decreasing in Lynchburg.**

Family-households decreased from 61.2% to 57.2%, while non-family households increased from 38.8% to 42.8% between 2000 and 2011. Additionally, most family households with children decreased as a percentage of all households.

Female-headed households with children often experience difficulty in obtaining housing, often as a result of lower-incomes and the potential unwillingness of some landlords to rent their units to families with children. Although female-headed households comprised 12.6% of family households in 2011, they accounted for 47% of all families living in poverty. Among female-headed households with children, 34% were living in poverty compared to only 3.6% of married-couple families with children.<sup>14</sup>

**Figure 2-13**  
Household Type and Presence of Children, 2000-2011

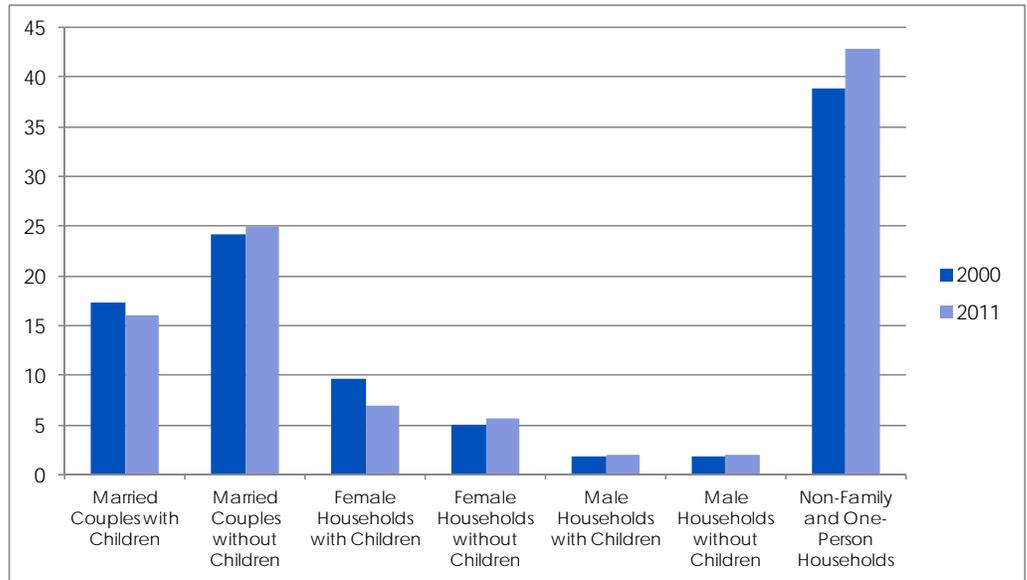
	Total Households	% of Total	Family Households									Non-family Households
			Married-couple families			Female-headed Households			Male-headed Households			
			#	With Children	Without Children	#	With Children	Without Children	#	With Children	Without Children	
<b>2000</b>												
Lynchburg	25,477	61.2%	10,597	17.3%	24.2%	4,066	9.7%	5.0%	925	1.8%	1.8%	38.8%
<b>2011</b>												
Lynchburg	28,513	57.2%	11,591	16.1%	25.0%	3,590	7.0%	5.6%	1,127	2.0%	2.0%	42.8%

Source: Census 2000 (SF-1, QTP10); 2007-2011 American Community Survey (B11003)

**Female-headed households with children accounted for nearly half of all families living below the poverty line in Lynchburg.**

Female-headed households with children comprised 47% of all families living in poverty and were over nine times more likely to live in poverty than married couple families with children.

**Figure 2-14**  
Household Type and Presence of Children, 2000-2011



**Figure 2-15**  
Non-Family Households Comparison, 2011

Municipality	Percent Non-Family Households
Alexandria	54.1%
Charlottesville	59.3%
Danville	40.7%
Harrisonburg	47.4%
Lynchburg	42.8%
Suffolk	25.6%
Virginia	32.6%

ACS 2007-2011 (S1101)

Lynchburg's high percentage of non-family households can largely be attributed to its large student population, which comprised 29.3% of the City's population in 2011. In comparison to the State of Virginia, Lynchburg has a high percentage of non-family households. However, the non-family household percentage of similar sized cities across Virginia is generally similar or higher than Lynchburg. The high percentage of non-family households can be attributed to a large student population in Harrisonburg and Charlottesville, but not in Danville and Alexandria.

## 10. Ancestry and Income

It is illegal to refuse the right to housing based on place of birth or ancestry. American Community Survey (ACS) data on native and foreign-born populations reported that in 2011, 4.5% of all Lynchburg residents were foreign-born.<sup>15</sup> By way of origin, nearly 46.6% of the City's foreign-born population came from Asian countries, 21.8% came from Latin American countries, and 13.6% were from European countries. Koreans represented the largest number of residents from one country, accounting for 22.3% of all foreign-born residents. This was followed by Indians, Canadians, and Mexicans representing 10.1%, 9.9%, and 9.6% of the City's foreign-born residents, respectively.

Lynchburg's foreign-born population is more likely to experience poverty than its native-born population. According to the ACS, 39.1% of the City's foreign-born population fell below the poverty line, compared to 23.1% of all City residents in 2011.<sup>16</sup>

Persons with limited English proficiency (LEP) are defined by the federal government as persons who have a limited ability to read, write, speak, or understand English. HUD issued its guidelines on how to address the needs of persons with LEP in January 2007. HUD uses the prevalence of persons with LEP to identify the potential for impediments to fair housing choice due to their inability to comprehend English. Persons with LEP may encounter obstacles to fair housing by virtue of language and cultural barriers within their new environment. To assist these individuals, it is important that a community recognizes their presence and the potential for discrimination, whether intentional or inadvertent, and establishes policies to eliminate barriers. It is also incumbent upon HUD entitlement communities to determine the need for language assistance and comply with Title VI of the Civil Rights Act of 1964.

In 2011, ACS reported that 1,751 individuals in Lynchburg spoke English less than "very well".<sup>17</sup> This limited English proficiency subpopulation constituted 2.5% of the City's population five years of age and older. Spanish and Korean were the two most common language groups in the City, both representing 0.9% of the population.

**Figure 2-16**  
Limited English Proficiency Languages, 2011

Language Group	Number of LEP Speakers	Percentage of Population 5 years and older
<b>Total Persons with LEP</b>	<b>1751</b>	<b>2.5%</b>
Spanish	659	0.9%
Korean	642	0.9%

Source: American Community Survey 2007-11 Estimates (B16001)

<sup>15</sup> U.S. Census Bureau, American Community Survey 2007-2011 (B05006)

<sup>16</sup> U.S. Census Bureau, American Community Survey 2007-2011 (B06012)

<sup>17</sup> U.S. Census Bureau, 2007-2011 American Community Survey (B16001)

## 11. Patterns of Poverty

Household poverty correlates strongly with limitations in housing choice and, as demonstrated in previous pages, disproportionately affects members of the protected classes in Lynchburg, particularly Black, Asian, and Hispanic households, persons with disabilities, and female-headed households with children. Map 2-5 illustrates the geographic distribution of poverty by census tract across the City. Areas with high concentrations of poverty are widely distributed across the City. However, concentrations of the highest poverty rates are located within and nearby the central business district, and within college campuses and adjacent residential areas. Census tract 14 (Liberty University) and census tract 2.03 (Lynchburg College) had the highest poverty rates above 50%.

## 12. Protected Class Status and Unemployment

According to the ACS, Lynchburg's unemployment rate was 10.9% in 2011, which was higher than the statewide rate of 9%. The unemployment rate in the Lynchburg MSA was 8.2%.

The American Community Survey (ACS) provides detailed data by gender and race, indicating differences in employment rates among racial and ethnic groups. Black and Asian residents were substantially more likely to be unemployed than White and Hispanic residents. Unemployment rates for Black and Asian individuals were 16.8% and 11.7%, respectively. White and Asian unemployment rates were 7.9% and 6.3%, respectively. Based on this data, unemployment rates do not always follow poverty and median household income (MHI) trends. For example, while Hispanic and Black median household incomes were similar at \$25,606 and \$25,240, Hispanics had a much lower unemployment rate at 6.3% compared to 16.8% for Blacks. Additionally, while Asian households had a high MHI, their unemployment rate was also high. This is more than likely due to a high poverty rate of 44.8%, representing a large segment of the Asian population.



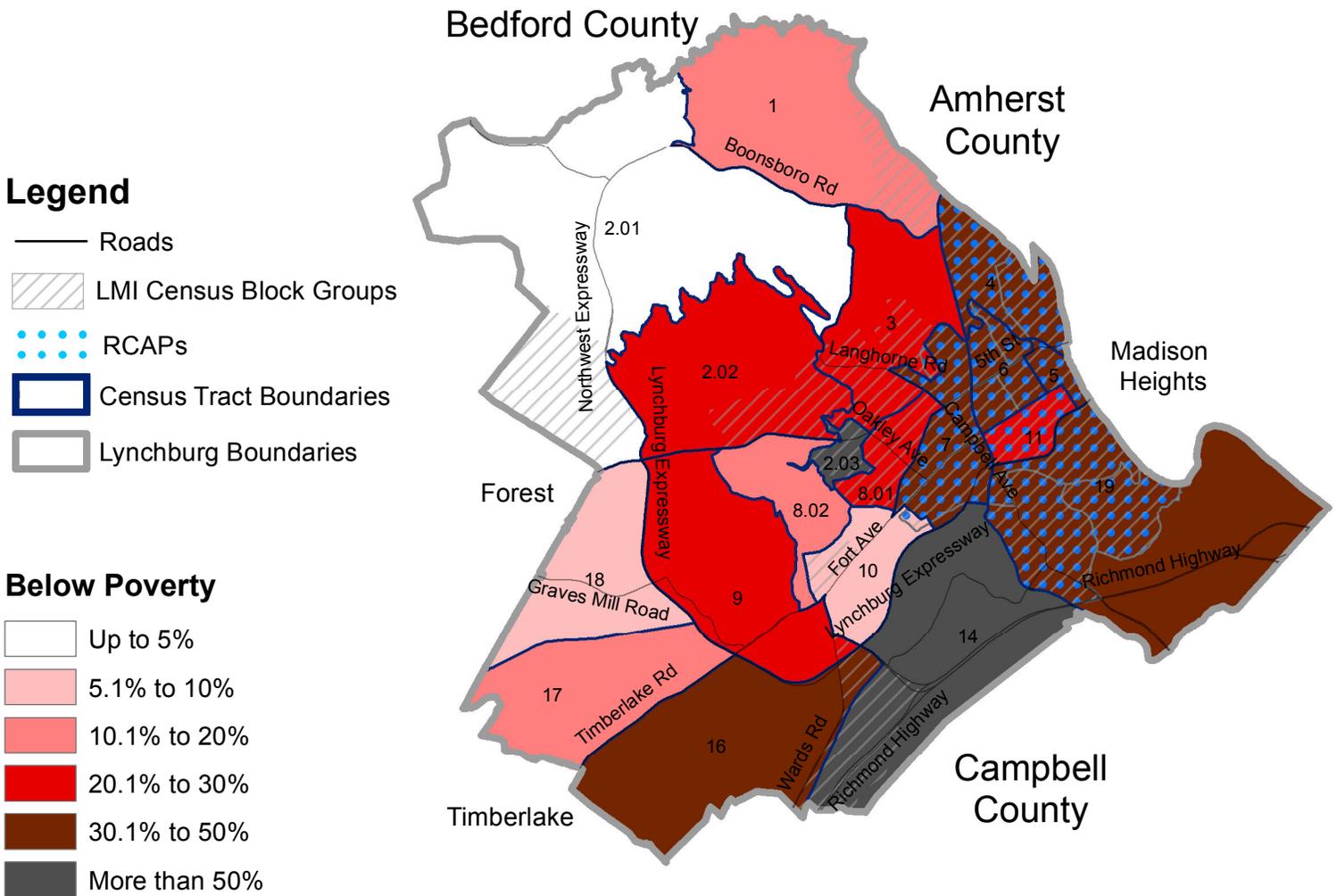
**Overall, minorities had higher unemployment rates than Whites in Lynchburg. Hispanics, however, did not fit this trend with an unemployment rate lower than Whites.**

Hispanics had the lowest unemployment rate at 6.3%. This was followed by Whites at 7.9%. Both Blacks and Asians had high unemployment rates at 16.8% and 11.7%, respectively.

# Map 2-5: Percentage Below Poverty by Census Tract, 2011

Lynchburg Analysis of Impediments to Fair Housing Choice

Source: ACS 2007-2011 (B17001)



**Figure 2-17**  
Civilian Labor Force, 2011

Civilian Labor Force	Virginia		Lynchburgh MSA*		Lynchburg	
	Total	%	Total	%	Total	%
<b>Total CLF</b>	<b>4,231,576</b>	<b>100.0%</b>	<b>126,450</b>	<b>100.0%</b>	<b>36,912</b>	<b>100.0%</b>
Employed	3,843,773	91%	116,096	91.8%	32,891	89.1%
Unemployed	387,803	9%	10,354	8.2%	4,021	10.9%
<b>Male CLF</b>	<b>2,228,037</b>	<b>100.0%</b>	<b>65,510</b>	<b>100.0%</b>	<b>18,561</b>	<b>100.0%</b>
Employed	1,985,520	89.1%	58,844	89.8%	16,493	88.9%
Unemployed	242,517	10.9%	6,666	10.2%	2,068	11.1%
<b>Female CLF</b>	<b>2,003,539</b>	<b>100.0%</b>	<b>60,940</b>	<b>100.0%</b>	<b>18,351</b>	<b>100.0%</b>
Employed	1,858,253	92.7%	57,252	93.9%	16,398	89.4%
Unemployed	145,286	7.3%	3,688	6.1%	1,953	10.6%
<b>White CLF</b>	<b>2,995,487</b>	<b>100.0%</b>	<b>100,991</b>	<b>100.0%</b>	<b>24,560</b>	<b>100.0%</b>
Employed	2,757,024	92.0%	94,183	93.3%	22,623	92.1%
Unemployed	238,463	8.0%	6,808	6.7%	1,937	7.9%
<b>Black CLF</b>	<b>791,764</b>	<b>100.0%</b>	<b>21,551</b>	<b>100.0%</b>	<b>10,429</b>	<b>100.0%</b>
Employed	683,328	86.3%	18,515	85.9%	8,672	83.2%
Unemployed	108,436	13.7%	3,036	14.1%	1,757	16.8%
<b>Asian CLF</b>	<b>240,677</b>	<b>100.0%</b>	<b>1,471</b>	<b>100.0%</b>	<b>778</b>	<b>100.0%</b>
Employed	225,384	93.6%	1,328	90.3%	687	88.3%
Unemployed	15,293	6.4%	143	9.7%	91	11.7%
<b>Hispanic CLF</b>	<b>333,259</b>	<b>100.0%</b>	<b>2,538</b>	<b>100.0%</b>	<b>1,336</b>	<b>100.0%</b>
Employed	297,242	89.2%	2,354	92.8%	1,252	93.7%
Unemployed	36,017	10.8%	184	7.2%	84	6.3%

\*The Lynchburg MSA Includes the Counties of Amherst, Appomattox, Bedford, & Campbell and the Cities of Bedford and Lynchburg.

Source: U.S. Census Bureau, 2007-11 American Community Survey (B17005, C23002A, C23002B, C23002D, C23002I).

## B. Housing Market

### 1. Housing Inventory

In 2011, the City's housing inventory consisted of 31,706 dwelling units. This represented an increase of 14.7% above the 2000 inventory of 27,640 dwelling units.

Figure 2-18 documents the number of housing units across Lynchburg by census tract in 2011. A comparison by census tracts between 2000 and 2011 cannot be made since census tract boundaries have changed significantly since 2000.

**Figure 2-18**

Total Housing Units by Census Tract and RCAPs, 2011

Census Tract	2011
Census Tract 1	2,031
Census Tract 2.01	2,702
Census Tract 2.02	3,194
Census Tract 2.03	146
Census Tract 3	2,006
<b>Census Tract 4</b>	<b>1,566</b>
<b>Census Tract 5</b>	<b>291</b>
<b>Census Tract 6</b>	<b>1,550</b>
<b>Census Tract 7</b>	<b>1,663</b>
Census Tract 8.01	964
Census Tract 8.02	1,576
Census Tract 9	2,912
Census Tract 10	1,533
<b>Census Tract 11</b>	<b>835</b>
Census Tract 14	147
Census Tract 16	2,991
Census Tract 17	2175
Census Tract 18	927
<b>Census Tract 19</b>	<b>2497</b>
	31,706

Highlighted census tracts include RCAPs

Source: 2000 Census SF-3, DP-4;  
ACS 2007-2011 (B25001)

## 2. Types of Housing Units

In 2011, single-family units comprised 68.4% and multi-family units comprised 34.4% of the housing stock in Lynchburg. Mobile homes accounted for the remaining 1.6%. The City's 28,513 occupied units were 55.4% owner-occupied and 44.6% renter-occupied. Multi-family units comprised 3.3% and 61.2% of all owner-occupied and renter-occupied units, respectively. Renter-occupied multi-family units represented 27.3% of the City's occupied units. Additionally, there were a high percentage of single-family rental units representing 17.3% of the occupied units. The statewide average was 12.2% in 2011. The City's high percentage of renter occupied single-family units is attributed to a large student population.

**Figure 2-19**  
Trends in Housing Units in Structures, 2011

	Total	Single Family	Multi-family units				Total	Mobile home
			2 to 4	5 to 9	10 to 19	20 or more		
Lynchburg	28,513	19,858	2,869	1,490	1,831	2,117	8,307	348
% of Total	100.0%	69.6%	34.5%	17.9%	22.0%	25.5%	29.1%	1.2%

Source: 2007-2011 ACS (B25032)

**Figure 2-20**  
Housing Units by Tenure and Structure Type, 2011

	Owner-Occupied				Renter-Occupied				% Renter-Occupied Multi-Family
	Total	Single-Family	Multi-Family	% Multi-Family	Total	Single-Family	Multi-Family	% Multi-Family	
Lynchburg	15,796	15,272	524	3.3%	12,717	4,934	7,783	61.2%	27.3%

Source: U.S. Census Bureau, 2007-2011 ACS (B25032)

Census tracts with high multi-family rental concentrations are located in the western side of the City. This area extends between the northern and southern limits of the City. These areas are generally not located in RCAPs, and many are not located in low-moderate income areas. The highest concentration of multi-family rental units is adjacent to Randolph College in census tract 3.

Map 2-6 illustrates the distribution of multi-family rental units across Lynchburg.

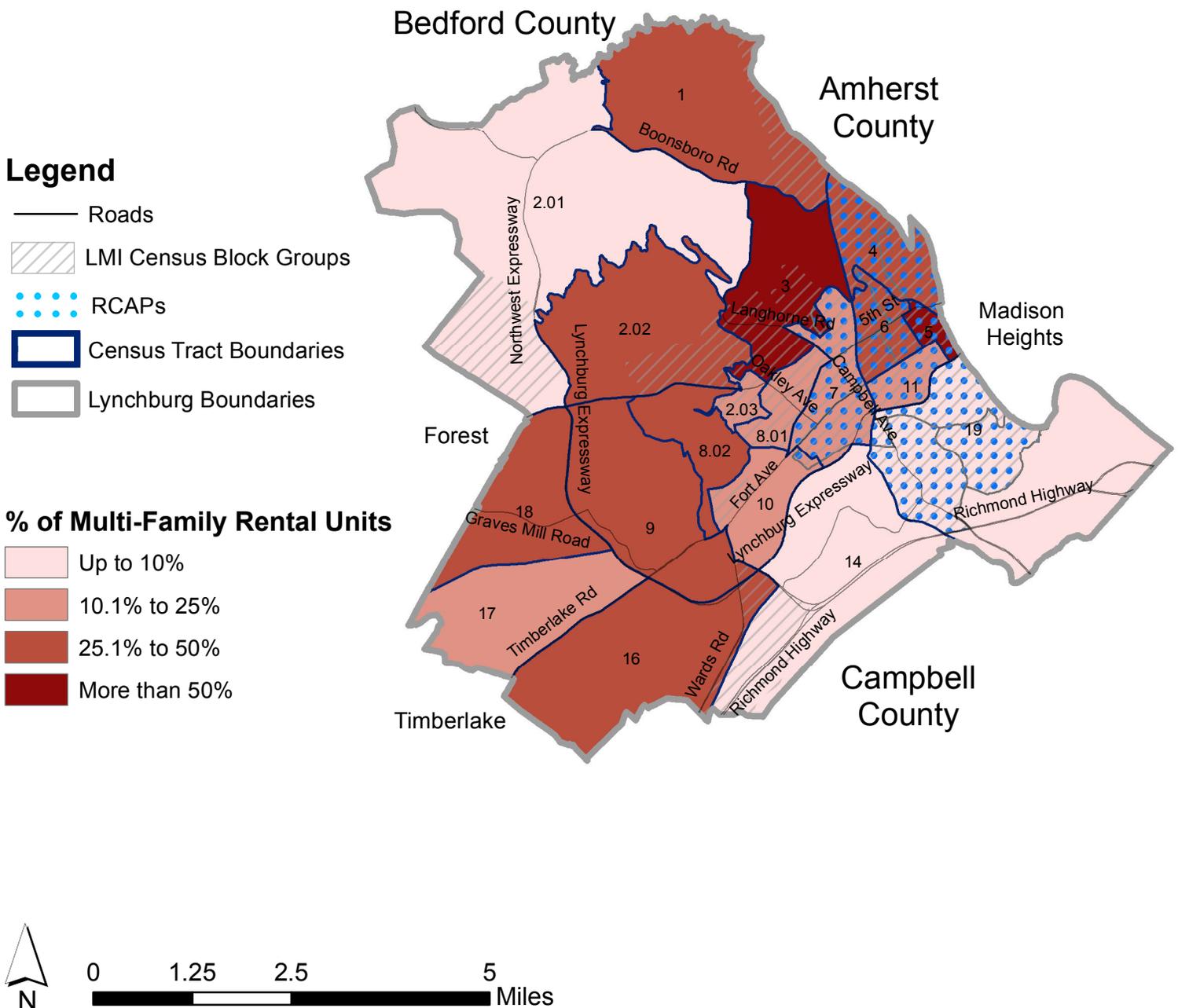
### Lynchburg's housing stock is comprised of a high percentage of rental housing.

In 2011, 55.3% of Lynchburg's housing stock was owner-occupied and 68.4% were single-family units. Multi-family and single-family rental units represented 27.3% and 17.3%, respectively, of the City's occupied housing stock.

# Map 2-6: Percent of Multi-Family Rental Units, 2011

Lynchburg Analysis of Impediments to Fair Housing Choice

Source: ACS 2007-2011 (B25032)



### 3. Protected Class Status and Homeownership

The value in homeownership lies in the accumulation of wealth as the owner's share of equity increases with the property's value. Paying a monthly mortgage instead of rent is an investment in an asset that is likely to appreciate.

Historically, minorities tend to have lower homeownership rates than Whites. As previously noted, Lynchburg's median incomes for minority households (with the exception of Asian households) are significantly lower than those of White households. This is one among several factors that contributed to the lower rates of homeownership among minority households across Lynchburg. In 2011, White households had a homeownership rate of 62.3%. This was significantly higher than minority homeownership rates. Black households had the second highest homeownership rate at 41.6%, followed by Asians at 32.9%, and Hispanics at 25.2%.

**Figure 2-21**  
Housing Tenure by Race and Ethnicity, 2011

	White			Black			Asian			Hispanic		
	HHs*	Owners		HHs	Owners		HHs	Owners		HHs	Owners	
		%	#		%	#		%	#		%	#
Lynchburg	19,337	62.3%	12,047	8,173	41.6%	3,400	493	32.9%	162	686	25.2%	173

\*Households

Source: ACS 2007-11 (B25003A, B25003B, B25003D, B25003I)

**Lower household incomes among Blacks and Hispanics were reflected in lower homeownership rates in comparison to Whites. Asian households also had a lower homeownership due to a 44.8% poverty rate.**

Among minorities in Lynchburg, 41.6% of Blacks, 25.2% of Hispanics, and 32.9% of Asians were homeowners, compared to 62.3% of Whites.

Across Lynchburg, the majority of census tracts have a homeownership rate of between 30% and 60%. With the exception of census tract 5 (downtown Lynchburg), census tract 6 (College Hill) had the lowest homeownership rate at 31.5%. Census tract 2.01 in the northwestern corner of Lynchburg had the highest homeownership rate at 85.7%.

Areas with homeownership rates of 60% and higher were located on the City's periphery, with the exception of census tract 10, located near the center of Lynchburg in the Fort Hill neighborhood. Homeownership rates in census tracts containing RCAPs varied between 8.5% (downtown) to 57.5%.

In order to determine if Black households are becoming homeowners outside of RCAPs, homeownership rates were analyzed for White and Black households by census tract. In 2011 the rate of homeownership was 65.2% for White households across Lynchburg. In most census tracts White homeownership rates were above 40%. Exceptions included census tracts 5 (downtown) and 6, which were also RCAPs.

The rate of homeownership for Black households was 41.6% across the City. Among the six RCAPs, four included homeownership rates above the citywide average for Black households. In non-RCAP census tracts, five out of 13 were above the citywide average; however, the total number of Black households residing in these areas was relatively small. Approximately 53% of all Black homeowners reside within RCAP census tracts. This closely mirrors Black settlement patterns as 51% of all Blacks reside within RCAP census tracts. Non-RCAP census tracts represent 49% of the Black population and 47.2% of all Black homeowners. However, when Black households are able to obtain housing outside of RCAP areas, homeownership rates are lower in most cases.

**Figure 2-22**  
Homeownership by Census Tract for White and Black Households, 2011

Census Tract	Total	White		Black*	
		%	#	%	#
<b>Lynchburg</b>	55.4%	65.2%	12,046	41.6%	3,398
Census Tract 1	8.5%	68.2%	1,140	0.0%	0
Census Tract 2.01	31.5%	86.3%	2,072	65.7%	65
Census Tract 2.02	39.3%	62.6%	1,313	36.3%	337
Census Tract 2.03	42.1%	48.0%	60	0.0%	0
Census Tract 3	47.4%	49.1%	624	19.5%	80
<b>Census Tract 4</b>	47.5%	50.7%	194	<b>48.5%</b>	<b>385</b>
<b>Census Tract 5</b>	48.0%	7.4%	11	<b>10.7%</b>	<b>9</b>
<b>Census Tract 6</b>	48.7%	35.2%	64	<b>31.2%</b>	<b>297</b>
<b>Census Tract 7</b>	50.5%	61.2%	485	<b>41.7%</b>	<b>234</b>
Census Tract 8.01	53.1%	70.0%	366	27.1%	75
Census Tract 8.02	54.1%	41.7%	469	37.8%	136
Census Tract 9	54.5%	51.4%	990	44.0%	249
Census Tract 10	54.8%	79.5%	814	47.7%	173
<b>Census Tract 11</b>	57.5%	65.6%	84	<b>44.4%</b>	<b>188</b>
Census Tract 14	59.2%	70.8%	63	0.0%	0
Census Tract 16	62.0%	56.9%	1,153	33.0%	183
Census Tract 17	66.7%	64.7%	1,203	91.3%	178
Census Tract 18	70.8%	55.6%	364	74.6%	129
<b>Census Tract 19</b>	85.7%	63.3%	577	<b>53.9%</b>	<b>680</b>

\* Due to its relatively smaller population, the margin of error is higher for Blacks than Whites.

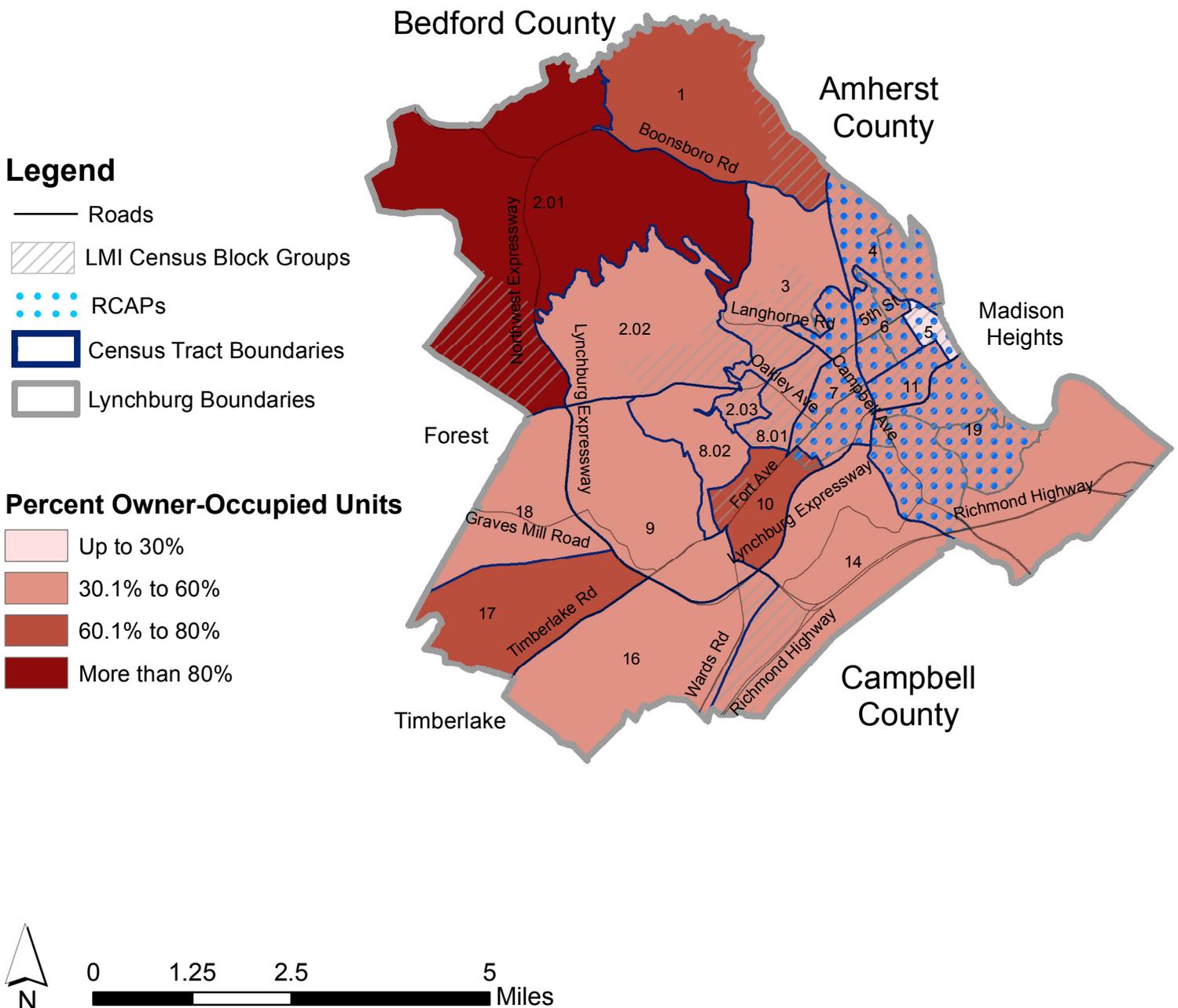
Highlighted census tracts contain RCAPs.

Source: ACS 2007-2011 (B25003 A,B,D,I)

# Map 2-7: Homeownership Rates, 2011

Lynchburg Analysis of Impediments to Fair Housing Choice

Source: ACS 2007-2011 (B25032)



#### 4. The Tendency of the Protected Classes to Live in Larger Households

Larger households may be at risk for housing discrimination on the basis of race and the presence of children (familial status). A larger household, whether or not children are present, can raise fair housing concerns. If there are policies or programs that restrict the number of persons that can live together in a single housing unit, and members of the protected classes need more bedrooms to accommodate their larger household, there is a fair housing concern because the restriction on the size of the unit will have a negative impact on members of the protected classes.

In Lynchburg, minority families were more likely than White families to live in households with four or more people. In 2011, 25.5% of White families had four or more persons. By comparison, Black, Asian, and Hispanic families had higher rates of larger family households.

**Figure 2-23**

Family households with Four or More Persons, 2011

	Percent of Families with Four or More Persons
White	25.5%
Black	34.4%
Asian	44.7%
Hispanic	44.7%
<b>City</b>	<b>29.1%</b>

Source: U.S. Census Bureau, Census 2010 (SF1: P28, P28A, P28B, P28D, P28I)

To adequately house larger families, a sufficient supply of large dwelling units consisting of three or more bedrooms is necessary. In Lynchburg nearly one-third of the rental stock consisted of three or more bedrooms. This is primarily due to a high percentage of single-family rental units citywide. Of the 12,717 rental units in the City, 31.1% had three or more bedrooms. However, this is significantly less than the percent of units with three or more bedrooms within owner-occupied housing stock, 78.1%. This situation is likely influenced by the large student population in Lynchburg.

**Figure 2-24**

Housing Units by Number of Bedrooms, 2011

	Renter-Occupied Housing Stock		Owner-Occupied Housing Stock	
	#	%	#	%
<b>Lynchburg</b>				
0-1 bedroom	3,193	25.1%	420	2.6%
2 bedrooms	5,570	43.8%	3,034	19.2%
3 or more bedrooms	3,954	31.1%	12,342	78.1%
<b>Total</b>	<b>12,717</b>	<b>100.0%</b>	<b>15,796</b>	<b>100.0%</b>

Sources: ACS 2007-11 (B25042)

## 5. Cost of Housing

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 other areas.

Between 2000 and 2011, median housing value (adjusted for inflation to 2011 dollars) increased 31.1% and median gross rent rose 13.7% across Lynchburg, while real median income increased 17.1%. Increases in MHI were higher than increases in median rent, yet much lower than increases in median housing value. As a result, buying a house became more expensive than renting in Lynchburg between 2000 and 2011.

**Figure 2-25**

Trends in Housing Value, Rent, and Income, 2000-2011

	Median Housing Value (in 2011 \$)	Median Gross Rent (in 2011 \$)	Median Household Income (in 2011 \$)
2000	\$111,424	\$613	\$32,234
2011	\$146,100	\$697	\$37,733
Change	31.1%	13.7%	17.1%

Sources: Census 2000 (SF3: H076, H063, P053), ACS 2007-11 (B25077, B25064, B19013)

**Between 2000 and 2011, the increase in median household income exceeded the increase in median rent, but was significantly less than the increase in median housing value.**

Median household income increased 17.1% since 2000, compared to increases of 13.7% and 31.1% for median gross rent and median housing value, respectively. As a result, the increase in housing value is outpacing income.

### a. Rental Housing

The number of affordable rental units in Lynchburg declined between 2000 and 2011. The number of units renting for less than \$500 fell by 58.1%. During the same time, the number of units renting for more than \$1,000 per month increased from 392 to 1,823, or 365.1%.

The data does not provide a distinction between units that were actually lost from the inventory (through demolition, etc.) and those for which rents were increased. Additionally, this figure should be analyzed with an understanding that \$500 was worth more in 2000 than in 2011, due to inflation.<sup>18</sup> The data used in Figure 2-25, due to the categorical nature of the variable, cannot be adjusted for inflation.

<sup>18</sup> \$500 in 2000 is worth \$653 in 2011 dollars, according to BLS inflation indices.

**Figure 2-26**  
Loss of Affordable Rental Housing Units, 2000-2011

Units Renting for:	2000	2011	Change	
			#	%
<b>Lynchburg</b>				
Less than \$500	5,663	2,373	-3,290	-58.1%
\$500 to \$699	3,193	3,545	352	11.0%
\$700 to \$999	745	3,979	3,234	434.1%
\$1,000 or more	392	1,823	1,431	365.1%

Sources: U.S. Census Bureau, Census 2000 (SF3, H062), ACS 2007-11 (B25063)

Lynchburg lost more than half of its units renting for less than \$500 between 2000 and 2011. By comparison, the number of units renting for more than \$1,000 more than tripled. This was the result of the rental supply not meeting the demand. Nationally, as housing costs rose and wages remained stagnant, people increasingly rented rather than purchased a home. In the case of Lynchburg, a shortage of rentals was increased by the City's large student population. For low-income residents, these trends translate into less affordable housing options.

The National Low Income Housing Coalition provides annual information on the Fair Market Rent (FMR) and affordability of rental housing in counties and cities in the U.S. In Lynchburg, the FMR for a two-bedroom apartment was \$726. In order to afford this level of rent and utilities without paying more than 30% of income on housing, a household must earn \$2,420 monthly or \$29,040 annually.<sup>19</sup> Assuming a 40-hour work week, 52 weeks per year, this level of income translates into a Housing Wage of \$13.96.

In Lynchburg, a minimum-wage worker earns an hourly wage of \$7.25. In order to afford the FMR for a two-bedroom apartment, a minimum-wage earner must work 77 hours per week, 52 weeks per year.

**Minimum-wage and single-income households cannot afford a housing unit renting for the HUD fair market rent for a two-bedroom unit in Lynchburg.**

As of 2011, Monthly Supplemental Security Income (SSI) payments for an individual were \$1,360 in Lynchburg and across Virginia. If SSI represents an individual's sole source of income, \$408 in monthly rent is affordable, while the FMR for a one-bedroom is \$595 and \$544 for an efficiency apartment.

<sup>19</sup>The 30% rule for affordability is used here due to its establishment as a HUD standard. HUD defines households of any income level paying more than 30% of household income on housing expenses as "cost-burdened."



**Persons receiving a monthly SSI check of \$1,360 as their sole source of income, including persons with disabilities, can afford a monthly rent of \$408. This is equivalent to 69% of the FMR of \$595 for a one-bedroom unit in the Lynchburg MSA.**

## b. Sales Housing

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 City. To determine affordability (i.e., how much mortgage a household could afford), the following assumptions were made:

- The mortgage was a 30-year fixed rate loan at a 4.0% interest rate,
- The buyer made a 10% down payment on the sales price,
- Principal, interest, taxes and insurance (PITI) equaled no more than 30% of gross monthly income,
- In 2011, property taxes were levied at the City's tax rate of 1.05% per \$100 against 100% of assessed value (assessments are biennially),<sup>20</sup> and
- Additional consumer debt (credit cards, car payment, etc.) averaged \$500 per month

Figure 2-26 details the estimated *maximum* affordable sales prices and monthly PITI payments for Whites, Blacks, Asians, and Hispanics in Lynchburg.

In Lynchburg, the 2011 median sales price for homes was \$134,900. The citywide median household income in 2011 was \$37,733. This translates to a maximum affordable home purchase price of \$100,650. The fact that the median household cannot afford the median sales price suggests the City is not an inherently affordable market, and homeownership opportunities are limited for those at and below the median household income level.

The maximum affordable home purchase prices for Whites and Asians was substantially higher than for Black and Hispanic homebuyers, however, none could afford the median sales price home in 2011. The maximum affordable purchase price set at the median household income for Blacks and Hispanics was \$31,100 and \$32,225, respectively, making homeownership unattainable at this income level. The affordable purchase price at the median household income for White households was \$130,425 and \$122,175 for Asian households. Both of these amounts were well below the median sales price for homes citywide.

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<sup>20</sup> Figures provided by the City Assessor's Office in Lynchburg. As of 2013 property taxes were \$1.11 per \$100 of the assessed value.

**Figure 2-27**  
Maximum Affordable Purchase Price by Race/Ethnicity, 2011

	Median Household Income	Monthly Mortgage Payment			Total Debt Service*	Maximum Affordable Purchase Price
		Mortgage Principal & Interest	Real Estate Taxes	Homeowner's Insurance & PMI		
<b>Lynchburg</b>	<b>\$37,733</b>	<b>\$432</b>	<b>\$88</b>	<b>\$80</b>	<b>\$1,101</b>	<b>\$100,650</b>
Whites	\$43,013	\$560	\$114	\$80	\$1,255	\$130,425
Blacks	\$25,240	\$134	\$27	\$80	\$741	\$31,100
Asians	\$41,550	\$525	\$107	\$80	\$1,212	\$122,175
Hispanics	\$25,606	\$138	\$28	\$80	\$747	\$32,225
<b>2011 Median Sales Price for Owner-Occupied Home: \$134,900</b>						

\* Includes PITI and assumed other consumer debt averaging \$500

Sources: ACS 2007-11 (B19013, B19013A, B19013B), Calculations by Mullin & Lonergan Associates



**The City's median household income is insufficient to purchase a home selling for the median sales price. Furthermore, the maximum affordable purchase prices for Black and Hispanic households were so low as to make attaining homeownership impossible.**

The maximum affordable home purchase price (\$100,650) for residents earning the citywide MHI was below the 2011 median sales price (\$134,900). The maximum affordable price for White and Asian households was \$130,425 and \$122,175, respectively, compared to \$31,100 and \$32,225 for Black and Hispanic households, respectively.

### 3. Housing Discrimination Complaints

This section analyzes the existence of fair housing complaints or compliance reviews where a charge of a finding 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 in addition to the identification of other fair housing concerns or problems.

Depending on the type, fair housing complaints in Virginia are either resolved by the HUD Office of Fair Housing and Equal Opportunity (FHEO) or the Virginia Fair Housing Office (VFHO). Fair housing complaints, which do not involve federal funding are Title 8 cases. As a participant in the HUD Fair Housing Assistance Program (FHAP), VFHO can review these cases. FHAP participants are state or local agencies that enforce fair housing laws substantially equivalent to the Fair Housing Act. Fair housing complaints, which involved federal funding are Title 6 cases and require review by HUD FHEO. Section 504 cases are also reviewed by HUD FHEO because they involve disability issues covered by the Rehabilitation Act of 1973.

#### A. Existence of Fair Housing Complaints

The number of complaints reported may under-represent the actual occurrence of housing discrimination in any given community, as persons may not file complaints because they are not aware 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 treatment with that of another home seeker. Other times, persons may be aware that they are being discriminated against, but they may not be aware 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. According to the Urban Institute, 83% of those who experience housing discrimination do not report it because they feel nothing will be done. Therefore, education, information, and referral regarding fair housing issues remain critical to equip persons with the ability to reduce impediments.

##### 1. U.S. Department of Housing and Urban Development

The Office of Fair Housing and Equal Opportunity (FHEO) at HUD receives complaints from persons regarding alleged violations of the federal Fair Housing Act. Fair housing complaints originating in Lynchburg were obtained and analyzed for the period of July 2007 through the end of 2012. In total, two complaints originating in Lynchburg were closed by HUD during this period, less than one case every two years.

While there were two complaints originating during this period, one case had multiple reasons for the complaint (disability and religion). The other complaint was based on race.

All of the cases closed by HUD were found to have no probable cause. Cases are found to be without probable cause when the preponderance of evidence obtained during the course of the investigation is insufficient to substantiate the charge of discrimination.

## 2. Virginia Fair Housing Office

The Virginia Fair Housing Office (VFHO) receives complaints from persons regarding alleged violations of the Virginia Fair Housing Act. VFHO does not conduct compliance reviews; rather, the complaints investigated by the Office are either consumer- or Board-initiated complaints. Between July 2007 and the end of 2012, a total of nine fair housing cases originating from Lynchburg were filed with VFHO. This averages about one complaint annually. One case had multiple reasons for the complaint. Five cases alleged discrimination on the basis of disability, three on the basis of race, one on the basis of sex, and one on the basis of familial status. Six out of the seven cases involved rental properties.

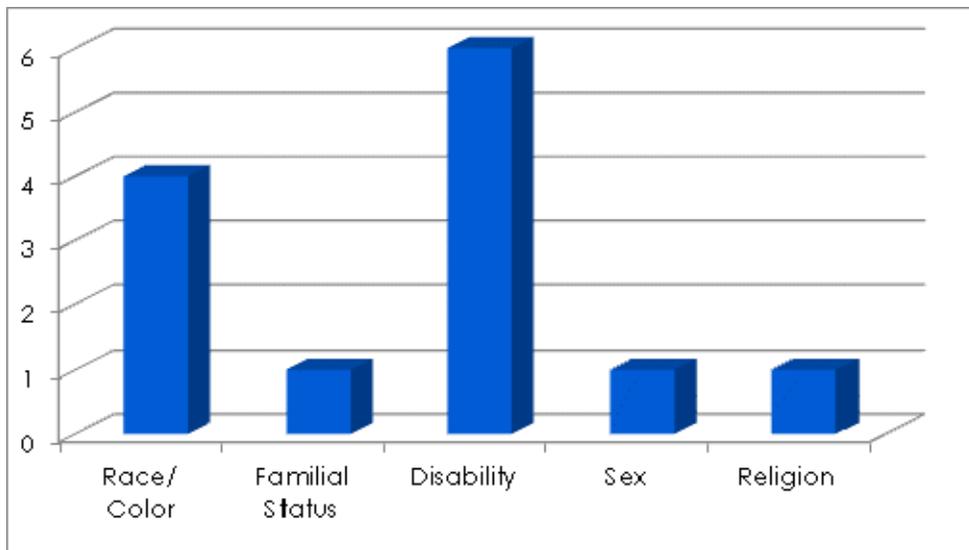
Two of the cases were conciliated. A complaint is considered conciliated when all of the parties to the complaint enter into a conciliation agreement with HUD. Such agreements include benefits for the complainant, and affirmative action on the part of the respondent, such as civil rights training. HUD has the authority to monitor and enforce these agreements. One case was closed due to lack of jurisdiction. Another was withdrawn after a resolution was created. The remaining five cases were found to have no probable case.

### B. Patterns and Trends in Fair Housing Complaints

With only 13 complaints filed from Lynchburg over 11 years, it is difficult to draw meaningful conclusions about the patterns and trends in housing discrimination in the City. However, there was some consistency in the type of complaints filed. Six of the complaints were filed on the basis of disabilities and four were on the basis of race; 11 of the total complaints involved rental properties.

The total number of complaints and closure reasons from the City of Lynchburg is listed in Figures 3-1 and 3-2.

**Figure 3-1**  
HUD and VFHO Complaints by Basis of Discrimination, July 2007-2012



Source: HUD FHEO, Richmond Regional Office and VFHO

**Figure 3-2**  
Housing Discrimination Cases Closed, July 2007-2012

	Administrative	Withdrawal w/relief	Conciliation	No Cause	Cause	Lack of Jurisdiction	Total
Lynchburg	0	1	2	7	0	1	11

Source: HUD FHEO, Richmond Regional Office and VFHO

**A total of 13 housing complaints were filed by residents in Lynchburg between July 2007 and the end of 2012.**

With 13 housing complaints filed over almost five years, it is difficult to draw meaningful conclusions about patterns and trends in housing discrimination. However, there was some consistency in the type of complaints filed. Six of the complaints were filed on the basis of disability and four were on the basis of race; 11 of the complaints involved rental properties.

**1. Testing**

Random paired testing has not occurred in Lynchburg.

**Testing for discrimination in the private housing market has not been conducted in Lynchburg.**

Testing is an important part of the fair housing profile of a city because it can reveal the extent of discrimination.

**C. Existence of Fair Housing Discrimination Suit**

There is no pending fair housing discrimination suit involving Lynchburg.

**D. Determination of Unlawful Segregation**

There is no pending unlawful segregation order involving Lynchburg.

## 4. REVIEW OF PUBLIC SECTOR POLICIES

The analysis of impediments is a review of impediments to fair housing choice in the public and private sector. 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, or 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. Policies, practices or procedures that appear neutral on their face but that operate to deny or adversely affect the provision of housing to persons of a particular race, color, religion, sex, disability, familial status, or national origin may constitute such impediments.

An important element of the AI includes an examination of public policy in terms of its impact on housing choice. This section evaluates the public policies in the City to determine opportunities for furthering the expansion of fair housing choice.

### A. Policies Governing Investment of Federal Entitlement Funds

From a budgetary standpoint, housing choice can be affected by the allocation of staff and financial resources to housing related programs and initiatives. The decline in federal funding opportunities for affordable housing for lower-income households has shifted much of the challenge of affordable housing production to state, city, and local government decision makers.

Lynchburg's federal entitlement funds received from HUD may be used for a variety of activities to serve a variety of needs.

- The primary objective of the Community Development Block Grant (CDBG) program is to develop viable urban communities by providing decent housing, a suitable living environment, and economic opportunities, principally for persons of low and moderate income levels. Funds can be used for a wide array of activities, including: housing rehabilitation, homeownership assistance, lead-based paint detection and removal, construction or rehabilitation of public facilities and infrastructure, removal of architectural barriers, public services, rehabilitation of commercial or industrial buildings, and loans or grants to businesses.
- The HOME Investment Partnership Program provides federal funds for the development and rehabilitation of affordable rental and ownership housing for low and moderate income households. HOME funds can be used for activities that promote affordable rental housing and homeownership by low and moderate income households, including reconstruction, moderate or substantial rehabilitation, homebuyer assistance, and tenant-based rental assistance.

Lynchburg began receiving CDBG funding in 1975 and HOME funding in 1994. In FY 2013, \$1,026,736 and \$330,424 were allocated for CDBG and HOME programs, respectively. CDBG funds went towards a variety of activities including redevelopment projects, infrastructure improvements, recreational facilities, demolition, and funding for the Lynchburg Redevelopment and Housing Authority to carry out acquisition, disposition, housing rehabilitation, and blight abatement. HOME funds were spent on activities supporting local

community housing and development organizations (CDHOs), housing rehabilitation, homeownership assistance, and single-family housing developments. A breakout of entitlement allocations by activity type between 2010 and 2013 is listed in Figures 4-1 and 4-2.

**Figure 4-1**  
HOME Allocations, FY 2011 – 2013

Eligible Activity	2011		2012		2013	
Housing & Supportive Services for Persons with Disabilities	\$0	0.0%	\$0	0.0%	\$175,000	53.0%
Homeownership Assistance	\$140,000	30.5%	\$193,226	45.1%	\$15,000	4.5%
Housing Rehabilitation	\$198,163	43.1%	\$173,226	40.4%	\$75,000	22.7%
Housing Development	\$105,000	22.9%	\$33,699	7.9%	\$65,424	19.8%
Administration	\$16,353	3.6%	\$28,731	6.7%	\$0	0.0%
<b>Total HOME Allocations</b>	<b>\$459,516</b>	<b>100.0%</b>	<b>\$428,882</b>	<b>100.0%</b>	<b>\$330,424</b>	<b>100.0%</b>

Source: FY 2011-2013 CAPER reports

**Figure 4-2**  
CDBG Allocations, FY 2011 – 2013

Eligible Activity	2011		2012		2013	
<b>Public Facilities</b>	<b>\$369,254</b>	<b>35.2%</b>	<b>\$294,284</b>	<b>31.7%</b>	<b>\$501,770</b>	<b>48.9%</b>
Street Improvements	\$100,000	9.5%	\$77,000	8.3%	\$115,831	11.3%
Recreational Facilities	\$0	0.0%	\$0	0.0%	\$125,000	12.2%
LRHA- Acquisition, Rehab	\$110,934	10.6%	\$86,430	9.3%	\$135,939	13.2%
Housing Rehabilitation	\$140,000	13.3%	\$130,854	14.1%	\$125,000	12.2%
Building Renovations	\$18,320	1.7%	\$0	0.0%	\$0	0.0%
<b>Public Services</b>	<b>\$105,723</b>	<b>10.1%</b>	<b>\$84,410</b>	<b>9.1%</b>	<b>\$0</b>	<b>0.0%</b>
Transitional Housing	\$20,000	1.9%	\$22,102	2.4%	\$0	0.0%
Supportive Services	\$60,723	5.8%	\$62,308	6.7%	\$0	0.0%
Interfaith Outreach	\$5,000	0.5%	\$0	0.0%	\$0	0.0%
Scholarship Program	\$20,000	1.9%	\$0	0.0%	\$0	0.0%
<b>Clearance</b>	<b>\$80,000</b>	<b>7.6%</b>	<b>\$98,500</b>	<b>10.6%</b>	<b>\$137,000</b>	<b>13.3%</b>
LRHA- Spot Blight Abatement	\$80,000	7.6%	\$98,500	10.6%	\$125,000	12.2%
Citywide Demolition Program	\$0	0.0%	\$0	0.0%	\$12,000	1.2%
<b>Disposition</b>	<b>\$14,479</b>	<b>1.4%</b>	<b>\$13,047</b>	<b>1.4%</b>	<b>\$10,366</b>	<b>1.0%</b>
LRHA	\$14,479	1.4%	\$13,047	1.4%	\$10,366	1.0%
<b>Fair Housing</b>	<b>\$0</b>	<b>0.0%</b>	<b>\$0</b>	<b>0.0%</b>	<b>\$30,000</b>	<b>2.9%</b>
Analysis of Impediments to Fair Housing	\$0	0.0%	\$0	0.0%	\$30,000	2.9%
<b>Special Economic Development Activities</b>	<b>\$310,283</b>	<b>29.6%</b>	<b>\$301,859</b>	<b>32.5%</b>	<b>\$290,084</b>	<b>28.3%</b>
Bluffwalk Section 108 Loan	\$310,283	29.6%	\$301,859	32.5%	\$290,084	28.3%
<b>Administration</b>	<b>\$169,524</b>	<b>16.2%</b>	<b>\$135,643</b>	<b>14.6%</b>	<b>\$57,546</b>	<b>5.6%</b>
Citywide Demolition Program	\$125,979	12.0%	\$96,711	10.4%	\$25,000	2.4%
LRHA	\$43,545	4.2%	\$38,932	4.2%	\$32,546	3.2%
<b>Total CDBG Allocations</b>	<b>\$1,049,263</b>	<b>100.0%</b>	<b>\$927,743</b>	<b>100.0%</b>	<b>\$1,026,766</b>	<b>100.0%</b>

Source: FY 2011-2013 CAPER reports

# Map 4-1: Location of CDBG & HOME Projects, FY 2011 & FY 2012

Lynchburg Analysis of Impediments to Fair Housing Choice

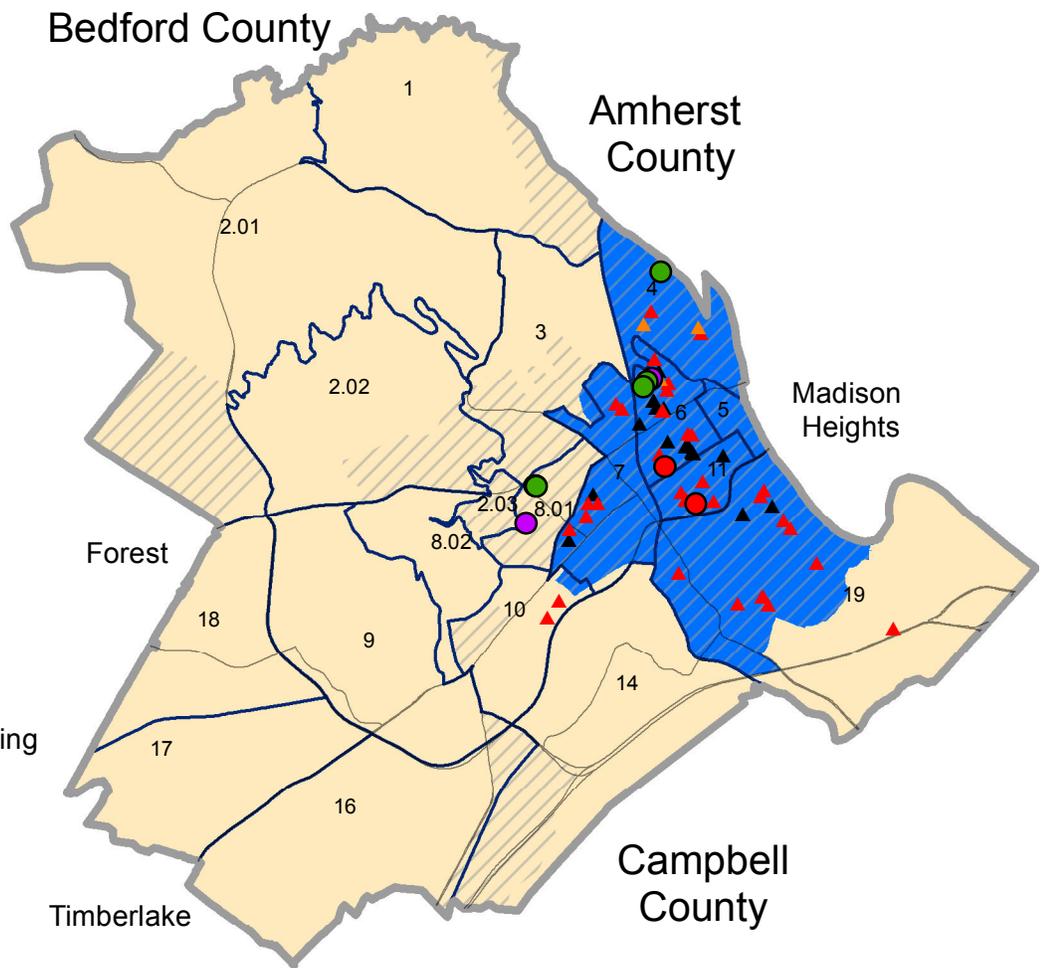
Source: City of Lynchburg

## Legend

- Roads
- ▨ LMI Census Block Groups
- RCAPs
- ▭ Census Tract Boundaries
- ▭ Lynchburg Boundaries

## Entitlement Projects

- HOME-Rehab
- HOME-Down Payment/Closing
- HOME- New Construction
- ▲ CDBG- Acquisition
- ▲ CDBG- Rehab
- ▲ CDBG- Disposition



Map 4-1 displays the location of HOME and CDBG entitlement projects in FY 2011 and FY 2012. Projects are overwhelmingly concentrated in RCAPs. The City should seek to strike a balance between revitalizing RCAPs and creating affordable housing opportunities outside of RCAPs for LMI minority residents.

**The City's HOME and CDBG affordable housing activities are concentrated in RCAPs.**

To reduce the concentration of poverty in RCAPs, and provide better opportunities to the City's lower-income residents, the City should seek to strike a balance between revitalizing RCAPs and creating affordable housing opportunities in other City neighborhoods.

With the exception of \$30,000 allocated in FY 2013 for the creation of this Analysis of Impediments, the City has not allocated CDBG funds for pure fair housing activities. The provision of fair housing services is eligible as either a program administration cost, per 24 CFR 570.206,(c) or as a public service, per 24 CFR 570.201 (e). Such services might include educating residents of the range of available housing options, fair housing enforcement, education, outreach, testing, and other appropriate activities.

**The City's CDBG budget does not include an allocation for fair housing services.**

Allocating CDBG dollars towards fair housing services greatly improves the City's ability to monitor fair housing issues and strongly demonstrates that the City is addressing fair housing issues.

**1. Project Proposal and Selection**

Lynchburg's Grant Administration Office within the Department of Community Development is responsible for the administration of the City's federal entitlement programs. The Department compiles the Five-Year Consolidated Plan, which establishes policies and priorities to govern entitlement spending. The current Consolidated Plan is effective from 2010 to 2015.

Entitlement projects funded by CDBG and HOME funds are selected by the Community Development Advisory Committee. Once a year the Committee meets to review all HOME and CDBG applications. Selections are based upon a project's location, merit, and funding availability. Project recommendations are then sent to City Council. Before a project can be selected, however, the City's CDBG Grant Manager must review all projects with the Finance Department to ensure all finances are correct, and HUD's national objectives are met.

On January 8, 2013, City Council approved the following goals for housing activities using CDBG and HOME funds. These goals constitute the priority needs stated in the FY 2014 Annual Action Plan:

- Increase the number of owner-occupied units,
- Rehabilitate substandard housing units. Emphasis is to be placed on programs that require an investment of funds and/or labor on the part of the owner commensurate with the owner's resources,
- Support initiatives to increase permanent affordable rental and housing ownership opportunities, and
- Promote programs that assist eligible individuals in retaining their homes.

The above list approved by City Council is largely based on the following goals developed in the City's 2010-2015 Consolidated Plan:

- Provide diverse housing choices,
- Increase the number of owner-occupied units,
- Rehabilitate substandard housing units. Emphasis is to be placed on programs that require an investment of funds and/or labor on the part of the owner commensurate with the owner's resources,
- Support initiatives to increase permanent affordable rental and housing ownership opportunities, and
- Support programs that assist individuals in retaining their homes in challenging economic times.

## 2. **Affirmative Marketing Policy**

The City is required to adopt affirmative marketing procedures and requirements for all HOME-assisted housing with five or more units. Such a plan should include:

- Methods of informing the public, owners, and potential tenants about fair housing laws and the City's policies,
- A description of what the owners and/or the City will do to affirmatively market housing assisted with HOME funds,
- A description of what the owners and/or the City will do to inform persons not likely to apply for housing without special outreach,
- Maintenance of records to document actions taken to affirmatively market HOME-assisted units and to assess marketing effectiveness, and
- A description of how efforts will be assessed and what corrective actions will be taken where requirements are not met.

The City's Affirmative Marketing Plan for Affordable Housing Programs applies to all rental facilities with five or more units that are assisted by City CDBG or HOME grants. The City requires the owner of such properties to provide, in writing and orally, non-discrimination and fair housing policies. All owners are also required to clearly advertise fair housing rights to prospective renters by placing HUD fair housing posters and any other printed material used in connection with renting vacant units in all rental offices. Additionally, all advertisements must include the

Equal Housing Opportunity slogan, and advertising materials need to depict persons of both the majority and minority groups and of both genders.

The Plan specifies that marketing outreach must be publicized to minority groups and non-minority groups regardless of race, color, religion, sex, national origin, age, familial status, and disability. In all cases properties must be advertised in the News and Advance newspaper. Properties in LMI areas are required to implement special outreach practices to attract those least likely to apply. In areas with low minority populations, landlords must advertise in the local minority paper.

Each applicant who participates in the City's HOME Program is required to submit records of all advertisements, notices, other marketing information (including racial, ethnic, gender data, income, and other characteristics) of tenants occupying units before/after rehabilitation.

The affirmative marketing policy specifies the City's methods for monitoring affirmative marketing efforts and states the consequences for noncompliance. All owners of rental and/or homebuyer properties containing five or more HOME-funded rental units shall provide information indicating their affirmative marketing program to comply with the requirements listed above. Once this information is approved by the City, it will be available for public inspection at the rental offices of the applicant. The City does not fund applications without approved Affirmative Marketing Plans. Applicants that fail to comply with the Plan are subject to the following sanctions:

- Sixty days to undertake corrective actions as specified by the City,
- Requested re-payment of grant funds; and/or,
- Departure from future participation in the HOME Program or other federally funded programs administered by the City.

**Additional requirements should be added to the City's Affirmative Marketing Plan to better market HOME-assisted housing with five or more units, especially to those who are less likely to apply.**

- Clearly outline how the City intends to monitor recipients of these funds,
- Require property owners to annually assess the success of affirmative marketing actions by reviewing whether the demographic data of applicants reflects the local population,
- Require property owners to receive annual off-site training on fair housing laws and the City's Affirmative Marketing Plan.

### 3. Section 3 Policy

Section 3 of the HUD Act of 1968 requires that wherever HUD financial assistance is expended for housing or community development, to the greatest extent feasible, economic opportunities must be given to local public housing residents and LMI persons who live in the metropolitan area where the assisted project is located. The policy is intended to direct the employment and other economic

opportunities created by federal financial assistance for housing and community development programs toward LMI persons, particularly those who are recipients of government assistance for housing.

Section 3 is the legal basis for providing jobs for residents and awarding contracts to Section 3 businesses, which include businesses that are at least 51% owned by Section 3 residents, whose permanent, full-time employees include at least 30% current Section 3 residents, or businesses that commit to subcontract at least 25% of the dollar award to a Section 3 business concern. The opportunities provided can include job, training, employment, or contracts.

Recipients of federal assistance are required, to the greatest extent feasible, to provide all types of employment opportunities to low and very low-income persons, including seasonal and temporary employment, as well as long-term jobs. HUD receives annual reports from recipients, monitors the performance of contractors, and investigates complaints of Section 3 violation, examining employment and contract records for evidence of actions taken to train and employ Section 3 residents and to award contracts to Section 3 businesses.

The City states in its Section 3 Policy that employment priority for publicly constructed projects using CDBG funding will be given to low-and very low-income Section 3 residents. Contract priority will be given to businesses that provide economic opportunity to low-and very low-income residents. Locationally, project and employment priority will be given to Section 3 residents and businesses located within the project service area and/or neighborhood.



**The City's Section 3 Policy should advertise the Plan to Section 3 residents and businesses.**

The Plan should identify specific ways in which the Section 3 policy will be advertised to low-and very low-income Section 3 residents and to businesses that serve this population.

**4. Spending Patterns**

In FY 2013, Lynchburg received \$639,243 in CDBG funds and \$284,263 in HOME funds. With prior year income amounts of \$385,463 for CDBG and \$46,161 for HOME, \$1,026,736 and \$330,424 were available for CDBG and HOME activities, respectively.

Figure 4-1 on a previous page displays all HOME allocations between FY 2011 and FY 2013. The City's HOME entitlement has decreased 25.4% from \$459,516 in FY 2011 to \$330,424 in FY 2013. Homeownership assistance and housing rehabilitation activities accounted for the largest share of the annual grant.

Figure 4-2 on a previous page lists CDBG allocations from FY 2011 to FY 2013. The three largest CDBG activities included the Bluffwalk Redevelopment Section 108 Loan, funding to the Lynchburg Redevelopment and Housing Authority (LRHA) for housing acquisition, disposition, clearance, spot blight, removal, and citywide housing rehabilitation.

Trends show that the City's annual CDBG grant has fluctuated. The City allocated \$1,049,262 in FY 2011, \$927,743 in FY 2012, and \$1,026,736 in FY 2013.

## B. Appointed Boards and Commissions

A community's sensitivity to fair housing issues is often determined by people in positions of public leadership. The perception of housing needs and the intensity of a community's commitment to housing related goals and objectives are often measured by board members, director, and the extent to which these individuals relate within an organized framework of agencies, groups, and individuals involved in housing matters. The expansion of fair housing choice requires a team effort, and public leadership and commitment is a prerequisite to strategic action.

Lynchburg City Council appoints residents to serve on various boards and commissions focused on a wide range of issues. The following bodies are especially relevant to issues of fair housing. The City's housing-related boards and commissions varied in terms of protected class representation. While many have representation from minorities and women, none of the reviewed boards are represented by persons with disabilities. The experiences and perspectives of more persons with disabilities and racial and ethnic minorities can enhance the decision-making process, further ensuring that the City is able to understand and serve the needs of these populations.

### 1. Lynchburg Planning Commission

The Lynchburg Planning Board, comprised of seven members, is primarily responsible for consulting City Council on the planning and development of the City with a focus on subdivision review, rezoning, and parks.

Of the seven members on the Planning Commission, one is Black and one is female. No one reported a disability.

### 2. Community Development Advisory Committee

This Committee's primary purpose is to facilitate citizen participation through all stages of the consolidated planning, implementation, and evaluation processes. The Committee makes recommendations to City Council regarding CDBG and HOME projects.

Of the five appointed members on the Advisory Committee, three are Black and three are women. No one reported a disability.

### 3. Lynchburg Redevelopment & Housing Authority Board

The Authority is entrusted with conducting programs of urban renewal and housing rehabilitation in designated neighborhoods. As of 2012, the Lynchburg Redevelopment and Housing Authority (LRHA) assisted 1,221 households with 328 public housing units and 893 housing choice vouchers.

One member of the board is appointed by LRHA while the remaining members are appointed by City Council. The Authority's board currently has seven members, of which one is Asian, one is Black, and two are women. No one reported a disability.

#### 4. Historic Preservation Commission

This Commission is charged with the protection and preservation of the City's historic districts. Requests for new construction, reconstruction, alteration, or demolition affecting any structure in the City's historic districts are reviewed by the Commission.

The Commission must be composed of at least one architect, one property owner residing in a City historic district, and two members must have professional standard qualifications as used by the National Park Service. Additionally, no more than one member can be actively engaged in real estate. All seven members of the Commission are White, including one female. No one reported a disability.

#### 5. Building Code Appeals Board

The Board is responsible for reviewing variances in the City building code and the fire prevention ordinance, and hearing appeals from property owners.

At least one member of the Board should be an experienced builder, licensed engineer, architect, or experienced property manager. All seven members of the Building Code Appeals Board are White, including one female. No one reported a disability.

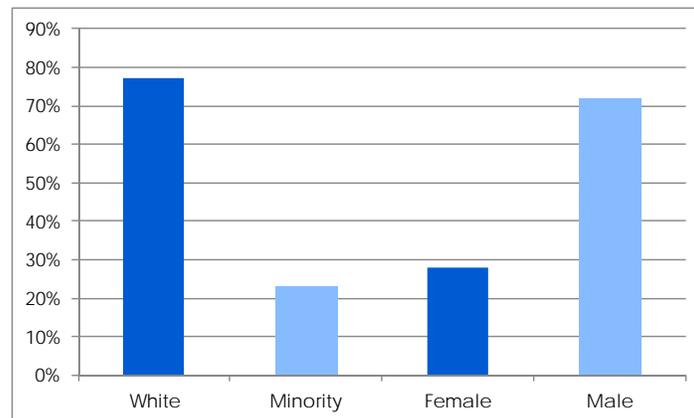
#### 6. Social Service Board

The Board is involved in matters of citizens' welfare, monitoring the formulation and implementation of social welfare, and making recommendations on policy matters concerning the Human Services Department.

Of the six members on the Board, three are Black and three are women. No one reported a disability.

Figure 4-3 illustrates a lower representation of minorities and females on selected appointed boards and commissions when compared to the rates of these groups citywide. Minorities represent 23% of the appointees, which is less than the rate of minorities citywide (33.3%). Females, who account for 53.3% of the City's population, comprise only 28% of the appointed seats. Of the boards and commissions reviewed for this report, none of the members reported disabilities.

**Figure 4-3**  
Demographic Composition of Boards and Commissions, 2013





**Select appointed boards and commissions with jurisdiction over housing and housing-related issues in Lynchburg do not reflect the City's growing diverse composition.**

Minorities represent 33.3% of the City's population, but only 23% of appointees. Females accounted for 28% of appointees, but represent 53.3% of Lynchburg's population. Also notably absent appear to be persons with disabilities.

### C. Accessibility of Residential Dwelling Units

From a regulatory standpoint, local governments develop measures to control land use (such as zoning regulations), and define the range and density of housing resources that can be introduced into a community. Housing quality standards are enforced through the local building code and inspections procedures.

Lynchburg adopted the Virginia Property Maintenance Code with enforcement conducted on a complaint basis in the City's identified rental target neighborhoods. These include 11 LMI areas in the City with older housing stock.

According to the City's attorney, there have been no design and construction lawsuits filed against the City of Lynchburg.

The Lynchburg Area Center for Independent Living (LACIL) specializes in linking persons in need of accessibility modifications with the appropriate resources. One such resource is Rebuilding Together, which uses volunteer labor to install accessibility modifications for free. LACIL also recommends clients to the Veterans Administration Wounded Warriors initiative, the Multiple Sclerosis Society, and the Central Virginia Division of Aging. The City does not allocate any CDBG or HOME resources to accessibility modifications. LACIL noted there are a number of challenges in providing accessibility modifications to City residents. These include a lack of a central network, a lack of communication between agencies, and the demand for accessibility modifications exceeding available resources. LACIL currently maintains a multi-year list of people in need of modifications.

Rush Homes constructs and renovates residential properties for persons with disabilities in the Lynchburg region. The organization is a non-profit and has been involved in accessible construction for approximately 16 years. They are the only organization in Lynchburg that constructs housing to 100% accessibility standards. From time to time the organization will provide accessibility modifications. However, over the last five years, Rush Homes has focused exclusively on new construction creating 29 accessible units.

Funding sources for these Rush Home projects originate from Low-Income Housing Tax Credits, the Virginia Department of Housing and Community Development HOME funds and low-interest loans, and City of Lynchburg HOME funds. Rush Homes notes that efforts in the City to provide accessible units range from fair to poor. The demand for these units greatly outweighs the supply, and more education is need for organizations to carry out accessibility provisions.



**Several accessibility providers in Lynchburg stated that the demand for affordable accessible units greatly outweighs the supply, and efforts to provide additional accessible units are needed.**

## 1. Public Housing Stock

Section 504 of the Rehabilitation Act of 1973 and 24 CFR Part 8 requires 5% of all public housing units to be accessible to persons with mobility impairments. Another 2% of public housing units must be accessible to persons with sensory impairments. In addition, an Authority's administrative offices, application offices and other non-residential facilities must be accessible to persons with disabilities. The Uniform Federal Accessibility Standards (UFAS) is the standard against which residential and non-residential spaces are judged to be accessible.

Lynchburg Redevelopment and Housing Authority has not prepared a Section 504 plan but instead uses its Green Physical Needs Assessment (GPNA) Plan to document whether the Section 504 requirements were fulfilled at each public housing site. None of the three public housing sites met the Section 504 requirement to make 5% of all units accessible to persons with mobility impairments and another 2% accessible to persons with sensory impairments. The GPNA plan recommended the conversion of the necessary number of units per site to comply with the Section 504 requirements. According to the GPNA, each public housing site does comply with other requirements for persons with disabilities by providing reasonable accommodation for visitability and parking guidelines.

### D. Language Access Plan for Persons with Limited English Proficiency

As noted earlier, Lynchburg does not have any language groups with more than 1,000 speakers or 5% of the population, whichever is less, with limited English proficiency (LEP). Regardless, all CDBG and HOME Program publications include a statement that non-English speaking persons can request language assistance. With exponential increases of Hispanics and Asians (108.4% and 151.7% since 2000, respectively), the City should monitor these populations annually to determine if the threshold of LEP speakers has been reached.

### E. Comprehensive Planning

A community's comprehensive plan is a statement of policies relative to new development and preservation of existing assets. In particular, the land use element of the comprehensive plan defines the location, type, and character of future development. The housing element of the comprehensive plan expresses the preferred density and intensity of residential neighborhoods within the City. Taken together, the land use and housing elements of the comprehensive plan provide a vision desired by Lynchburg residents.

Lynchburg is in the process of adopting an amendment to its 2002-2020 Comprehensive Plan. The Plan was last amended in 2007 and 2010. The current amendment will be the City's long term planning document for 2013-2030. Since the plan is nearly complete it was reviewed for this analysis.

The stated purpose of the Plan is to:

*"Establish a clear vision for the future, identify the City's goals towards achieving that vision, create policy guidance for public and private decision makers, and identify tasks that need to be pursued to make the plan's vision and goals a reality."*

Below is a list of the City's goals and policies directly related to fair housing:

- **Land Use Goal:** Make efficient use of land and resources in the City to serve the needs of the region through new development and infill that accomplish the Plan's goals.
- **Land Use Policy:** Encourage continued code enforcement efforts and the City's Rental Housing Registration and Inspection Program.
- **Land Use Policy:** Support revitalization of existing developments and new neighborhood oriented mixed-used development in locations where such uses will promote stability and improvements.
- **Neighborhood & Housing Policy:** Coordinate with the Housing Collaborative, (collaborative includes a variety of public and private stakeholder groups working to address housing issues) local lenders, builders, the Virginia Housing and Development Authority, and other agencies to improve access to programs and funding for renovation and rehabilitation maintenance of older housing.
- **Neighborhood & Housing Policy:** Continue and expand the use of code enforcement to promote the rehabilitation and renovation of blighted housing.
- **Neighborhood & Housing Policy:** Pursue the removal and redevelopment of dilapidated and condemned structures that are poor candidates for rehabilitation. Where groups of structures are condemned, facilitate demolition and land assembly to foster more and rapid redevelopment.
- **Neighborhood & Housing Policy:** Monitor affordable and attainable housing supply and coordinate with public and private agencies to:
  - Rehabilitate substandard housing units,
  - Support initiatives to increase permanent affordable rental and homeownership opportunities,
  - Ensure that the supply of housing for individuals and families with special needs are met, and
  - Promote programs that assist eligible individuals in retaining their homes.
- **Neighborhood & Housing Policy:** Nurture neighborhood partnerships that facilitate self-sufficiency and enable families and individuals to maintain their housing, remain in their neighborhoods, and age in place.
- **Neighborhood & Housing Policy:** Ensure that zoning regulations facilitate the creation of a variety of safe, affordable, and innovative housing options that serve the community's diverse needs, including established small lots, attached units, and other housing types that achieve densities in the future land use map.
- **Neighborhood & Housing Policy:** Allow for accessory dwellings in single family districts consistent with standards addressing such issues as maximum unit size, adequacy of on-site or on-street parking, entry location and other factors to ensure compatibility.
- **Neighborhood & Housing Policy:** Promote well-designed mixed-use residential neighborhoods that incorporate a variety of housing types and densities with

pedestrian-oriented streets, small-scale neighborhood oriented services and parks where residents are able to live, work, and play close to home.

In relation to land use development and the promotion of affordable housing, the Lynchburg Comprehensive Plan focuses on the need for efficient development patterns, creation of more mixed-use districts, the increase of truly multi-modal neighborhoods through improvements for pedestrians and bicyclists, and the redevelopment of older distressed neighborhoods near the Central Business District.

*Need for Efficient Development Patterns:*

Often when a community promotes higher and more efficient development patterns, more affordable housing options are available through the provision of smaller dwelling units. The City views the reinvestment of previously developed areas and increased density to be essential since Lynchburg is an older city with limited vacant land.

In efforts to increase density, the Comprehensive Plan calls for the establishment of accessory dwelling density bonuses for the provision of community benefit. This includes incentives for open space amenities, mobility enhancements, natural resource protections, and street enhancements. The Plan also recommends increased densities in the following areas: Liberty University along Leesville and Timberlake roads, Lynchburg College along Lakeside Drive, and within the Graves Mill employment area. Incentives are also recommended to encourage businesses to reuse previously developed sites and lessen the demand of “green fields”.

*Creation of Mixed-Use Districts:*

A mixed-use district is an important affordability factor for persons with lower incomes who need affordable housing. For households with less disposable income to spend on transportation, the existence of mixed-use districts reduces the need to drive to neighborhood amenities. Public transportation options are typically nearby too. The Comprehensive Plan strongly promotes more mixed-use development in already built-up areas, and new developments on the City’s edges. The promotion of mixed-use development is explicitly mentioned in Downtown and the Riverfront, Midtown, and the Tyreeanna/ Pleasant Valley Neighborhood. Mixed-use developments are also recommended in a number of the City’s growth areas to balance residential, neighborhood commercial, civic uses, and parks, and more efficiently address infrastructure and mobility challenges.

*Increase of Multi-Modal Neighborhoods:*

Neighborhoods with multi-modal options provide less costly transportation options for lower-income residents. Typically neighborhoods with multi-modal options have walkable residential and commercial districts, dedicated bike lanes, and access to public transportation. The Comprehensive Plan identified through public meetings that residents prefer pedestrian friendly streetscapes and human scale “Main Street” design conventions. Specific goals promoting multi-modal and pedestrian friendly development are included in the transportation section of the Comprehensive Plan, which is reviewed later in this document.

### *Redevelopment Priorities:*

In Lynchburg, rental opportunities and affordable housing are concentrated in neighborhoods surrounding the City's Central Business District. However, many of these areas have high rates of vacancy and dilapidated structures. Improvements in these areas would not only be beneficial to affordable housing residents for the sake of providing safer housing options, but also would take advantage of more traditional neighborhood attributes these neighborhoods could possess with some investment. Such attributes include a dense neighborhood with mixed-use and multi-modal transportation options.

Through the Comprehensive Plan, Lynchburg proposes the following revitalization efforts in its distressed older neighborhoods:

- Creation of an appropriate mix and location of uses based on market potential and compatibility with surrounding areas,
- Investments to improve connectivity, streetscapes, and sidewalks,
- Pedestrian, bicycle, and vehicular circulation improvements,
- Application of the Traditional Residential Overlay District to reduce permits needed to renovate homes,
- Target housing programs to encourage homeownership a private investment.
- Active code enforcement, and
- Reduce pressures to convert single family homes to other uses.

The Comprehensive Plan consistently recommends reducing the number of single family home conversions, especially in older, lower income neighborhoods. This largely reflects residents concerns over the proliferation of rental housing, and the belief that higher homeownership rates encourage housing investment. Concern over converting too many owner-occupied units into rental units is certainly valid. Yet, care must be taken to keep affordable rental housing options in place as neighborhoods increase homeownership. This is reflected by a statement in the Comprehensive Plan:

*"Ensure all current and future residents are served by a range of housing opportunities, and a variety of housing types in a range of prices must be available".*



## Fair Housing Achievement

**The Lynchburg 2013-2030 Comprehensive Plan Draft incorporates an array of policies that will have the effect of affirmatively furthering fair housing.**

These include a focus on creating mixed-use neighborhoods in developing areas and traditional City neighborhoods. Mixed-use neighborhoods provide a variety of housing types, walkable and transit-friendly districts helpful to low-income residents who cannot afford a vehicle. Additionally, the plan recommends permitting accessory dwelling units and improving housing in low-income neighborhoods.

## F. Housing Plans

In 2011, Housing Opportunities Made Equal (HOME) of Virginia prepared a Housing Assessment Plan for the City. Findings and recommendations from the report include the following:

- Lynchburg offers unique opportunities to empty nesters and young families due to its affordable housing options, proximity to cultural amenities, and overall density,
- Even with many affordable housing options, 34% residents are paying more than 30% of their income on housing (cost burdened). Higher unemployment rates, especially for low-income and middle income households, have increased the number of cost-burdened residents in Lynchburg,
- The location of residents receiving tenant-based vouchers are concentrated in low-opportunity areas, which is contrary to their original intention to locate low-income residents in higher-opportunity areas,
- The age group 18-24 has grown 70% between 2000 and 2010. This is mainly due to increases in university and college enrollments, and
- Median income for renters was equal to 40% of the median income of owners in 2010.

Shortly after the Housing Assessment Plan was created the City completed a Housing Goals and Strategy Report, which documented the City's efforts to engage citizens and stakeholders on housing issues. The meetings revealed a lack of a "clear leader" in citywide housing efforts. The stakeholders recommended that a housing resources inventory be created to identify service gaps. Also, stakeholders felt more efforts were needed to address special needs housing. Through the meetings, a Housing Collaborative was established. The Collaborative is charged with initiating and facilitating all housing strategies.



## Fair Housing Achievement

**The City of Lynchburg established a Housing Collaborative.**

A Housing Collaborative was established to initiate and facilitate all housing strategies.

## G. Zoning

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

The zoning ordinance for the City of Lynchburg was reviewed to identify regulations that may potentially impede fair housing choice. The analysis of zoning regulations was based on the following five topics raised in HUD's Fair Housing Planning Guide, which include:

- The opportunity to develop various housing types (including apartments and housing at various densities).
- The opportunity to develop affordable housing options.
- Minimum lot size requirements.
- Dispersal requirements and regulatory provisions for housing facilities for persons with disabilities (i.e. group homes) in single family zoning districts.
- Restrictions on the number of unrelated persons in dwelling units.

The complete fair housing ordinance review is located in Appendix C.

### 1. **Date of Ordinance**

Generally speaking, the older a zoning ordinance, the less effective it will be. Older zoning ordinances have not evolved to address changing land uses, lifestyles, and demographics. However, the age of the zoning ordinance does not necessarily mean that the regulations impede housing choice by members of the protected classes.

The Lynchburg zoning ordinance was originally passed in December 1978 and updated most recently in December 2006. The 2013-2030 Comprehensive Plan recommends a revised zoning ordinance in 2014.

### 2. **Residential Zoning Districts and Permitted Dwelling Types**

The number of residential zoning districts is not as significant as the characteristics of each district, including permitted land uses, minimum lot sizes, 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.

Similar to excessively large lots, restrictive forms of land use that exclude any particular form of housing, particularly multi-family housing, discourage the development of affordable housing. Allowing varied residential types reduces potential impediments to housing choice by members of the protected classes.

There are a variety of residential districts (six), residential types, and densities permitted in Lynchburg. In addition to the six residential districts, the City permits residential units in all six of its business districts, the Traditional Neighborhood Development Overlay District, the 5<sup>th</sup> Street Revitalization Corridor Overlay, and Residential Planned Unit Developments. The City's lowest densities can be found in the Conservation District along the edges of the City. This district has a minimum lot size of 10 acres and functions to preserve open space, agricultural and horticultural uses, and forest land. Figure 4-3 lists the City's current land use, dominated by low density residential (37.8%). Low-density residential districts permit between 2.9 and 4.35 dwelling units and 5.9 and 8.7 dwellings per acre. Dwelling units between 5.9 and 8.7 units per acre are only permitted in owner-occupied duplexes with a shared entrance.

Medium density residential districts permit single family homes and duplexes of various types. Densities of between 8.7 and 10.89 dwelling units and 4.35 and 5.45 dwellings are permitted per acre. High density districts permit single family,

duplexes, multi-family, and apartments. Densities of 7.26 dwellings and 29.04 dwelling units are permitted per acre. Higher densities and a variety of uses are also permitted in the Traditional Neighborhood Development District, all business districts and the 5th Street Revitalization Corridor Overlay.

The City is required by Virginia statutes to permit mobile homes by right in at least one zoning district. While the City permits mobile homes in its R-1 district, the language used in the zoning ordinance may lead to confusion as to whether mobile homes are permitted in the district.

While Lynchburg’s zoning ordinance provides a variety of residential districts and dwelling unit types, single-family units still dominate the majority of the City’s residential districts. Additionally, duplexes are strongly restricted in lower density areas. To promote more affordable housing options, the City could reduce areas zoned for low-density, and permit duplexes in low-density districts.

**Figure 4-4**  
Residential Land Use Percentage, 2013

Residential Land Use	% of Total City Acreage
Conservation	14.5%
Low Density	35.0%
Medium Density	8.4%
High Density	1.3%
Traditional Neighborhood Development	4.7%
Mixed Use	6.5%

*Source: City of Lynchburg 2013-2030 Comprehensive Plan*

**The language used in Lynchburg’s zoning ordinance regarding mobile homes may lead to confusion as to whether mobile homes are permitted in the R-1 district.**

Chapter 35, Section 1-29 of Lynchburg’s zoning ordinance states under conditional uses that “dwellings of any building type not prohibited by state law, [are a conditional use] except individual mobile homes. To reduce confusion mobile homes should be clearly listed under permitted uses in the R-1 district.

### 3. Definition of Family

Restrictive definitions of family may impede unrelated individuals from sharing a dwelling 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 (a protected class). However, in some cases, caps on unrelated individuals residing together may be warranted to avoid overcrowding, that creates health and safety concerns.

The City of Lynchburg restricts unrelated individuals to no more than three persons per housing unit. According to the City Planner, the primary reason to regulate the number of students living together in a housing unit. With nearly 22,000 college students in Lynchburg, this is a valid concern.

#### 4. Regulations for Group Homes

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 group homes that serve members of the protected classes such as the disabled. Because a group home for the disabled serves to provide a non-institutional experience for its occupants, imposing conditions separate from all residential uses in the zoning district is 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, which is in violation of the Fair Housing Act.

Group homes with individuals who are mentally ill are limited to eight or fewer residents. Group homes with individuals who are aged, infirm, or physically disabled are limited to four or fewer residents. Limiting the number of individuals in a group home for the disabled appears arbitrary and inconsistent with the Fair Housing Act. Persons with disabilities who reside in a group home should be considered a single family household and regulated like all other single-family dwelling units.



#### **Lynchburg's zoning code places undue restrictions on group living facilities for persons with disabilities.**

Distinctions are made in the City's zoning ordinance between group homes for the mentally ill and those who are aged, infirm, or physically. The former permits up to eight residents and the latter up to four. This difference is arbitrary and inconsistent with the Fair Housing Act as group homes for persons with disabilities should be regulated as single family dwelling units.

#### 5. Affordable Housing Options

There are additional tools communities can employ to expand affordable housing options. One such tool is permitting accessory residential units. Accessory units are typically smaller dwelling units that are subordinate to the main residential structure on a parcel. This can include a unit located above a garage, within the basement or attic, or as a separate structure. In Lynchburg, accessible units are practically excluded due to regulations, which require at least a 30 foot frontage along the street for each accessory unit. Lynchburg's Comprehensive Plan

recommends the establishment of accessory dwelling density bonuses for the provision of community benefit.

The City could also consider establishing inclusionary zoning. This zoning tool requires a certain percentage of development to be reserved for lower-income households. This tool is most effective in robust housing markets.

## H. Public Housing

Lynchburg Redevelopment and Housing Authority (LRHA) owns and manages 328 public housing units located throughout the City. Female-headed households represent 92.8% of all households compared to 7.2% of male-headed households. Also, non-White households comprised 85.3% of all tenant households, nearly all of which are Black households.

Information regarding the demographic characteristics of individuals on the public housing and housing choice voucher waiting lists can be found in Figure 4-5 below.

**Figure 4-5**  
Public Housing and Housing Choice Voucher Waiting Lists, 2013

	Public Housing Units		Housing Choice Vouchers	
<b>Total Households</b>	<b>479</b>	<b>100.0%</b>	<b>348</b>	<b>100.0%</b>
<b>Income Level</b>				
Extremely low income (30% or less of AMI)	386	80.6%	NA	
Very low income (30.1% to 50% of AMI)	84	17.5%	NA	
Low income (50.1% to 80% of AMI)	9	1.9%	NA	
<b>Household Type</b>				
Families with Children	384	80.2%	60	17.2%
Elderly Families	11	2.3%	73	20.1%
Families with Disabilities	84	17.5%	215	61.8%
<b>Race and Ethnicity</b>				
Black	368	76.8%	207	63.0%
White	101	21.1%	115	35.0%
Other Race	3	0.6%	7	2.1%
Hispanic*	7	1.5%	3	3.0%
<b>Characteristics by Bedroom Size</b>				
0 Bedrooms	0	0.0%	2	0.7%
1 Bedroom	212	44.3%	279	92.4%
2 Bedrooms	178	37.2%	46	15.2%
3 Bedrooms	68	14.2%	16	5.3%
4 Bedrooms	19	4.0%	5	1.7%
5 Bedrooms	1	0.2%	0	0.0%

\* Hispanic ethnicity is counted independently of race.  
Source: Lynchburg Redevelopment and Housing Authority

In addition to public housing, LRHA also administers the Housing Choice Voucher (HCV) Program, which in January of 2012 served 893 households. Households in the HCV program were overwhelmingly female-head households, (77.9%). Also, non-White households comprised 69% of all tenant households, nearly all of which are Black households.

The prevalence of households with a disabled member on the waiting list suggests that there is considerable demand for accessible and affordable housing in Lynchburg. According to Figure 4-5, 84 applicants (18%) on the public housing waiting list and 215 applicants (61.8%) on the HCV waiting list were families with a member with a disability. LRHA is well short of meeting this demand, which is exacerbated by its lack of Section 504 compliant units. All available resources are being employed by LRHA to retrofit at least 5% of its units to be handicapped accessible and meet Section 504 requirements. For example, LRHA is in the process of converting properties at 3001 B Birchwood Drive and 2229 York Town Ave # 1001 into designated accessible units meeting all Section 504 requirements.

**Of the total households on the public housing and HCV waiting lists, 18% and 61.8%, respectively, are households with a member with a disability.**

LRHA continues to be cited by HUD for not fulfilling its obligation to reserve 5% of all public housing units as accessible to persons with mobility impairments. This is the result of a lack of resources and a hilly topography making it difficult to make units accessible. LRHA, however, continues to use all available resources to create new handicapped accessible units.

HUD imposes a fair market rent level that can be paid for HCV units, allowing housing authorities to set their payment standards between 90% and 110% of that threshold. LRHA sets its threshold at 100%. While a higher threshold would increase the housing options for voucher holders, it would reduce the total number of vouchers LRHA could provide.

Porting is limited within LRHA. Currently, there are only one porting-in and two porting-out voucher holders. LRHA is paying the expenses for one porting-out voucher holder but the receiving housing authority is administering it. The two porting-in voucher holders are administered by LRHA with expenses paid by the originating housing authorities.

LRHA permits public housing applicants to refuse an offer for designated housing in limited circumstances. Elderly/disabled families may refuse a designated unit when it does not fulfill their needs (e.g. a disabled family is offered a unit that does not have the appropriate accessibility features). Designated housing may also be refused for “good cause” reasons such as the applicant is willing to move but is unable to do so at the time of the offer, or the offer would lead to undue hardship not related to the application’s race, color, national origin, etc. These circumstances do not lead to removal from the waiting list. Applicants who refuse an offered unit without good cause are removed from the waiting list. LRHA sends the family a notice of the removal and informs the family of their right to an informal hearing. After being removed from the list, the family is allowed to reapply when the waiting list re-opens.

**LRHA should allow public housing applicants the right to refuse a unit at least once before they are removed from the waiting list. This step would expand housing choice for applicants.**



As a condition of administering the Housing Choice Voucher program, LRHA is annually subject to HUD's Section 8 Management Assessment Program (SEMAP). SEMAP is HUD's evaluation tool for determining a housing authority's efficiency and effectiveness in administering the voucher program. For fiscal year 2012, LRHA received a SEMAP score of 96% indicating a "high performer" designation, the highest under HUD's system.

According to Map 4-2, voucher units are largely concentrated in LMI areas and RCAPs. The highest concentrations of voucher units are located in the neighborhoods of College Hill, Diamond Hill, Seminary Hill, Tyreeanna, Fairview Heights, and Miller Park. The majority of these neighborhoods are also RCAPs. The neighborhoods of Lakeside, Richeson, Peakland, College Park, Vista Acres, and Winsor Hills also contain high concentrations of voucher units. Other forms of subsidized housing tied to specific locations, are heavily concentrated in an east to west corridor running from the Central Business District to the Lakeside neighborhood. There are also some subsidized housing projects located in the neighborhoods of Winston Ridge, Vista Acres, and Sheffield.



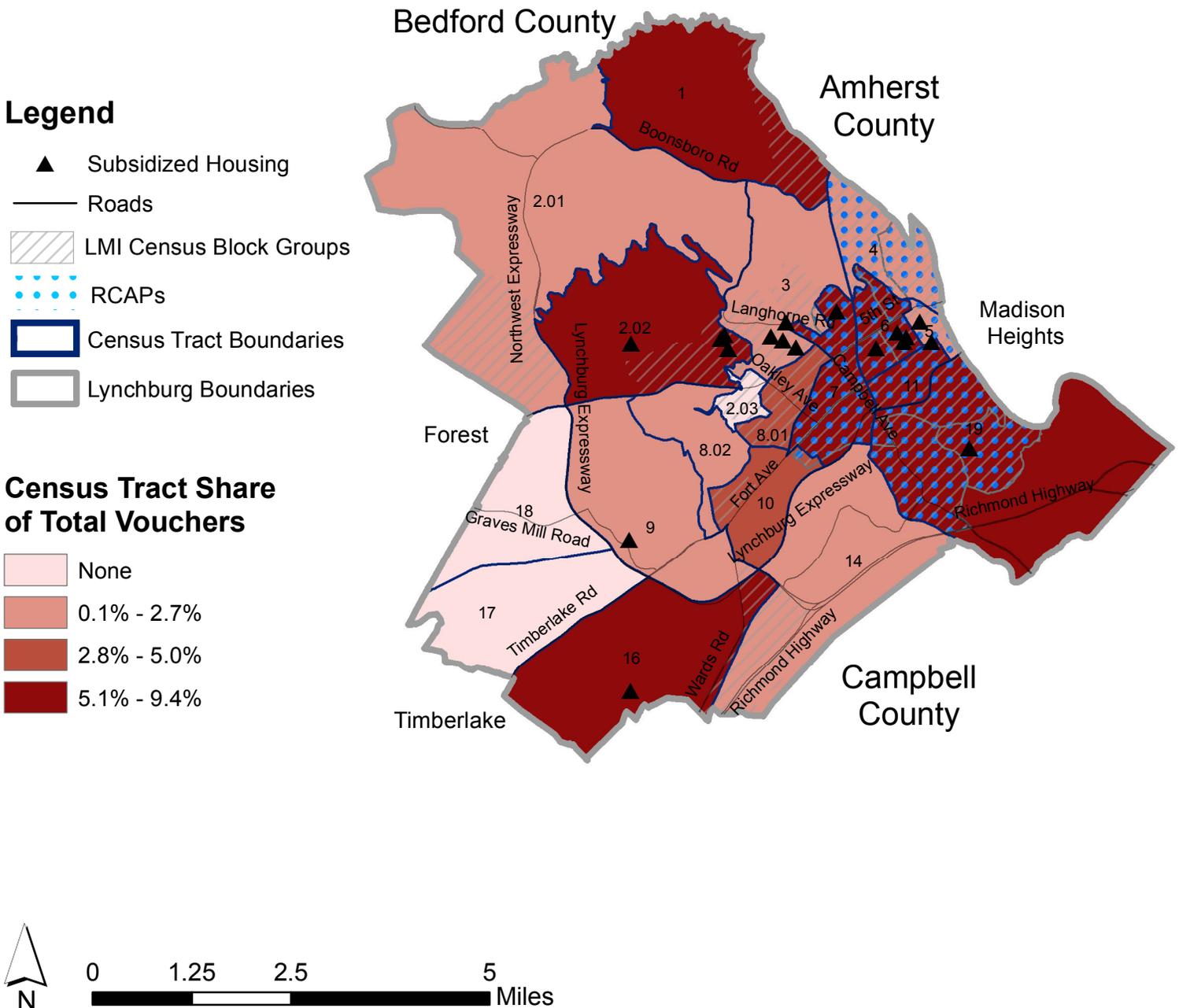
**HCV holders are concentrated in LMI areas and RCAPs.**

This pattern indicates restricted housing choice for low income minorities living in Lynchburg.

# Map 4-2: Location of Voucher Units and Subsidized Housing

Lynchburg Analysis of Impediments to Fair Housing Choice

Source: Lynchburg Redevelopment & Housing Authority



Two policy documents utilized by LRHA were reviewed for this analysis. A summary of the reviews of the administrative plans for both the public housing and the Section 8 Housing Choice Voucher Programs are included below.

**1. Section 8 Housing Choice Voucher Administrative Plan**

The Statement of Policies and Objectives in Section 2 of the Administrative Plan includes a fair housing policy in which LRHA states its anti-discrimination policy. The protected classes include race, color, sex, religion, national, origin, age, family or marital status, disability, sexual orientation, and gender identity.

Section 2 also includes LRHA's policy relative to reasonable accommodations. The Administrative Plan defines disability as:

- A physical or mental impairment that substantially limits one or more of the major life activities of an individual, or
- A record of such impairment, or
- Is regarded as having such impairment

LRHA defers to the federal definition for reasonable accommodations, which states that accommodations are "Reasonable if they do not create an undue financial and administrative burden for the PHA or result in a fundamental alteration in the nature of the program or service offered". A fundamental alteration is a modification that alters the essential nature of the provider's operations.

LRHA's policy relative to persons with limited English proficiency (LEP) is also explained in Section 2. LRHA will analyze various kinds of contacts it has with the public to access language needs, and decide what reasonable steps should be taken for persons with LEP. Reasonableness is based upon a cost-benefit analysis. Additionally, when feasible, LRHA will train and hire bilingual staff for interpretation services, and encourage the use of qualified volunteers. LEP persons are permitted, at their own expense, to pay for their own interpreter in place of supplemented or free language services. A Language Access Plan was not developed by LRHA due to the limited number of persons with LEP residing in Lynchburg.

In order to be eligible to receive a Section 8 Housing Choice Voucher, the applicant must qualify as a family. In Section 3 of the Administrative Plan, LRHA defines family as a single person or a group of persons and lists many variations of family types. Group types listed include family with child or children, two or more elderly or disabled persons living together, and two or more individuals not related by blood, marriage, or adoption who can demonstrate they have lived together for at least three years, and certify each other's resources will be available to meet the needs of the family. These definitions are so broad that any person or persons intending to live together would qualify. Live-in aides are not counted as family members but are permitted to live with a family as long as they are necessary.

In Section 4, LRHA states that its waiting list preferences include individuals who are: working, elderly, disabled, have a high rent burden, a veteran, homeless, a victim of domestic violence, involuntarily displaced, have substandard housing, enrolled in an education training program, or were terminated from LRHA's Housing Choice Voucher Program due to insufficient funding. All of these preferences are given equal weighting.

In Section 16, LHRA states that it provides an opportunity for an informal review of any decision denying assistance to an applicant. A notice of the denial and the opportunity for an informal review is provided to the applicant in writing. In other cases, depending on the cause of the potential conflict, LRHA also provides the opportunity for an informal hearing, as also described in Section 16.

## **2. Public Housing Admission and Continued Occupancy Plan (ACOP)**

Chapter 2.I. of the ACOP includes a non-discrimination policy in which LRHA states its anti-discrimination policy. The list of protected classes includes race, color, religion, sex, national origin, age, familial status, disability, and sexual orientation.

Chapter 2.II. includes a reasonable accommodation/modification policy for persons with disabilities. As stated in the ACOP, LRHA must approve a request for an accommodation if the following conditions are met:

- The request was made formally or informally by or on behalf of a person with a disability,
- There is a disability-related need for the accommodation, and the disability has been verified, or
- The requested accommodation is reasonable, meaning it would not impose an undue financial and administrative burden on LRHA, or fundamentally alter the nature of the LRHA's operations.

LHRA defines a reasonable accommodation as a change, exception, or adjustment to a policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.

In Chapter 7.II.F., LRHA states that it may not inquire about any details of the nature of the disability, but they may inquire as to whether the applicant qualifies for a disability priority or an accessible unit.

Chapter 2.III.A. provides LHRA's affirmative policy to communicate with persons with LEP. The policy is the same as the policy contained in the Section 8 Housing Choice Voucher Administration Plan.

Chapter 3 defines the Authority's admission procedures. All applicants must qualify as a family. In Chapter 3-I.B. of the Administrative Plan, LHRA defines family as a single person or a group of persons and lists many variations of family types. All of the variations of the single person types do not need to be listed because one of the single person types is "any other single person". Group types listed include family with child or children, two or more elderly or disabled persons living together, and two or more individuals not related by blood, marriage, or adoption who can demonstrate they have lived together, and certify each other's resources will be available to meet the needs of the family. These definitions are so broad that any person or persons intending to live together would qualify. Live-in aides are not counted as family members but are permitted to live with a family as long as they are necessary.

Chapter 4.III.B. of the ACOP establishes waiting list preferences. The preferences are the same of those contained in the Section 8 Housing Choice Voucher Administration Plan.

## I. Taxes

Taxes impact housing affordability. While not an impediment to fair housing choice in and of themselves, real estate taxes can impact the choice that households make with regard to where to live. Tax increases can be burdensome to low-income homeowners, and increases are usually passed on to renters through rent increases. Tax rates for specific districts and the assessed value of all properties are the two major calculations used to determine revenues collected by a jurisdiction. Determining a jurisdiction's relative housing affordability, in part, can be accomplished using tax rates.

However, a straight comparison of tax rates to determine whether a property is affordable or unaffordable gives an incomplete and unrealistic picture of property taxes. Local governments with higher property tax rates, for example, may have higher rates because the assessed values of properties in the community are low, resulting in a fairly low tax bill for any given property

Real estate taxes are levied on land and buildings and provide the primary revenue streams for counties and school districts throughout Virginia. In Virginia, cities are also autonomous counties. Additionally, real estate taxes levied for schools are collected through the same property tax levied to fund the City's general fund. The Lynchburg School District essentially functions as a City department, and receives an allocation from the general budget. Using the effective tax rate, each taxing jurisdiction levies a uniform tax rate per \$100 of assessed value. By mandate of the State of Virginia, assessments occur at 100% of property value. The effective assessment level in Lynchburg is typically near 98% of market rate, due to minor errors in assessment. Since the effective assessment is near 100% of market value, no equalization factor is used in Virginia on assessed properties.

By state mandate, assessments occur on every odd numbered year. Regularly updating City property assessments minimizes the potential for inequity in the system of taxation as changes in assessed value keep pace with changes in market value across the board. This ensures that neighborhoods that are in decline will not be overtaxed, and that those that are prospering in neighborhoods of increasing value are not undertaxed.

When compared with similarly sized cities in Virginia, (populations between 40,000 and 100,000) Lynchburg had the second highest tax rate charging \$1.11 per \$100 of assessed value, effective in 2013. While this real estate tax rate is generally much lower than municipalities in the Northeast and Midwest, it is high compared to rural counties across the state. Rural counties generally provide fewer services than Virginia's urban jurisdictions. The three counties listed in Figure 4-6 surround the City Lynchburg, and all have tax rates less than half the rate of the City.

According to information provided by the City's Budget Division and Assessor's Office, the City is moderately reliant on property taxes to fund the City's general budget. Approximately 31% of the City's general budget is funded through property taxes.

**Figure 4-6**  
 Millage Rates by Taxing Body, 2013

Comparable Virginia Municipalities/ Counties	Tax Rate
Roanoke	1.190
<b>Lynchburg</b>	<b>1.110</b>
Alexandria	1.038
Suffolk	1.030
Charlottesville	0.950
Danville	0.730
Harrisonburg	0.630
Amherst County	0.540
Campbell County	0.530
Bedford County	0.500

*Source: Various Municipal & County Assessment Departments*

The City offers tax relief to low-income seniors above 65 years of age or persons with disabilities. The homeowner and spouse (if applicable) must gross \$32,500 or less and have a net worth less than \$60,000. This tax relief provides an exemption to the first \$4,000 of assessed real estate. The City also provides a complete tax exemption for disabled veterans. To receive this benefit, the veteran must either own the home outright or jointly with his/her spouse and the disability must be a 100% service-connected disability, which is permanent and total, certified by the Department of Veterans Affairs. A surviving spouse may also be eligible for the exemption if the spouse has not remarried and the death occurred since 2011.

Exemptions are also provided for certain rehabilitated and renovated residential, commercial, and industrial structures. To be eligible for the residential exemption, the rehabilitation/renovation must be older than 50 years, and improve the assessed value of the property by at least 40%. The exemption is effective for 15 years commencing on July 1st for any work done in the preceding year. Additionally, a partial real estate tax exemption is offered to new multi-family developments constructed on vacant land.

#### J. Public Transit

Households without a vehicle, which in many cases are low-moderate income households, are at a disadvantage in accessing jobs and services, particularly when 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 linkages between residential areas (of minority concentrations and LMI persons) and employment opportunities are key to expanding fair housing choice.

**Figure 4-7**  
Means of Transportation to Work 2011, by Race and Ethnicity

	Total		White		Black		Asian		Hispanic	
Drove Alone	24,957	77.4%	17,801	80.5%	6,359	74.3%	400	59.4%	682	57.7%
Carpool	3,472	10.8%	2,093	9.5%	880	10.3%	119	17.7%	440	37.2%
Public Transit	1,131	3.5%	305	1.4%	756	8.8%	63	9.4%	3	0.3%
Walked	1,493	4.6%	1,036	4.7%	285	3.3%	75	11.1%	38	3.2%
Taxi, motorcycle, bike or other means	235	0.7%	117	0.5%	118	1.4%	0	0.0%	0	0.0%
Worked at home	959	3.0%	758	3.4%	165	1.9%	16	2.4%	19	1.6%
Total	32,247	100.0%	22,110	100.0%	8,563	100.0%	673	100.0%	1,182	100.0%

Source: ACS 2007-2011 Census (B08105A,B,D,I)

According to the 2007-2011 American Community Survey, there were 1,131 transit-dependent households in Lynchburg, comprising 3.5% of all households. Asian and Hispanic households were far less likely to drive alone to work than White and Black households. Of all White and Black households, 80.5% and 74.3%, respectively, drove to work alone. Of all Asian and Hispanic households, 59.4% and 57.7%, respectively, drove to work alone. At 11.1%, Asian households were the group most likely to walk to work, and Hispanic households at 37.2% were the most likely to carpool.

Black and Asian households used public transit at much higher rates than White and Hispanic households. Citywide, 8.8% of Black and 9.4% of Asian households used public transit compared to 1.4% of White and 0.3% of Hispanic households.

Lynchburg is served by the Greater Lynchburg Transit Company (GLTC). GLTC also serves Amherst County. The GLTC has a fleet of eight buses and four para transit vehicles. The transit system offers 14 routes during the week and 11 on Sunday. Buses run between 6 a.m. and 8:30 p.m during the week and on Saturdays. Due to budget constraints, Sunday service was discontinued as of January 15, 2012. Most buses run on an hourly schedule with the exception of a few, which run every two hours. A lack of service during the evening and night creates a challenge for low-income residents who work second or third shifts.

Areas with the highest level of service include the Central Business District, the surrounding neighborhoods of Miller Park, College Hill, Lynchburg College, the West End, and Liberty University. Neighborhoods in southwestern Lynchburg along Timberlake Road and beyond the Lynchburg Expressway receive a moderate level of service. Areas in northern and northwest Lynchburg surrounding Boonsboro Road receive very limited bus service. Map 4-3 illustrates the location of all GLTC bus lines.

Fare rates on GLTC are \$2.00 with a free transfer. Rates are discounted for seniors at \$1 and paratransit rides cost \$4.

**The Central Business District and surrounding neighborhoods, as well as Lynchburg College and Liberty University, receive a very high level of public transit service.**

Public transit service is limited in the remaining parts of the City, especially in areas north and northwest of the Central Business District.

# Map 4-3: Comparison of Public Transit with Affordable Housing

Lynchburg Analysis of Impediments to Fair Housing Choice

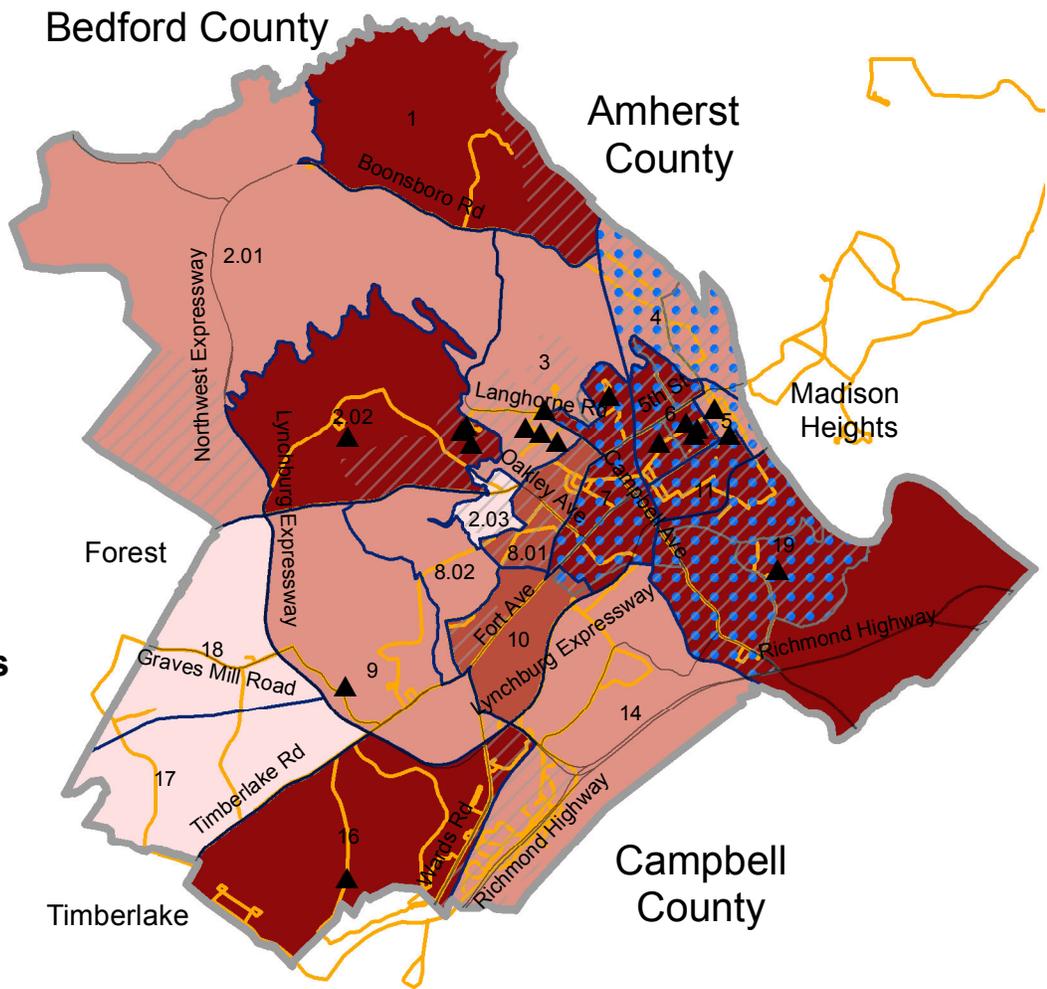
Source: Lynchburg Redevelopment & Housing Authority  
Greater Lynchburg Transit Authority

## Legend

-  Public Transit Routes
-  Subsidized Housing
-  Roads
-  LMI Census Block Groups
-  RCAPs
-  Census Tract Boundaries
-  Lynchburg Boundaries

## Census Tract Share of Housing Choice Vouchers

-  None
-  0.1% - 2.7%
-  2.8% - 5.0%
-  5.1% - 9.4%



## 1. **Location of Routes and Affordable Housing**

Fixed-route buses provide service to public housing and subsidized rental housing sites across the City, yet bus service to developing areas that likely supply entry-level employment is limited.

Map 4-3 compares existing transit routes to public and affordable housing sites. The basemap displays the percentage of voucher units by census tract. This is overlaid with all bus routes and subsidized housing projects. The map shows a concentration of public transit options in Downtown with many parallel lines extending southwest from Downtown towards Lynchburg College and Liberty University. With the exception of the bus line on Rivermont and Boonsboro, public transit is limited in areas north and northwest of Downtown.

Almost all of the subsidized rental housing sites are located near public transit. And the majority of census tracts with a large number of voucher units are located near public transit. As a result, many LMI neighborhoods in the City are serviced by GLTC, providing residents with public transit.

## 2. **Accessibility**

All GLTC buses and paratransit vehicles are equipped with wheelchair lifts or ramps, in accordance with the American with Disabilities Act (ADA). Seven out of eight buses and one out of four paratransit vehicles also have bike racks.

## 3. **Transportation Planning**

A Transportation section is included in Lynchburg's Comprehensive Plan. Below are the two goals included in the Plan:

**Supportive Transportation System:** Provide safe, efficient, effective, and well-planned transportation system and facilities that enhance the economic development and redevelopment opportunities while preserving the integrity and character of the affected neighborhoods, historic districts, downtown, and natural resources.

**Better Street and Enhanced Mobility:** Enhance mobility for all residents through safe and convenient access to transportation choices that attend to the needs of pedestrians, bicyclists, transit riders, and motorists. Streets should help move goods and people, while accommodating trees, stormwater, and other utilities that enhance Lynchburg's livability.

A "Better Streets Policy" was identified in the Transportation Section, which builds upon the second goal of Better Streets and Enhanced Mobility. The policy states: *"Better Streets serve all modes of transportation and are designed to support the delivery of all services while enhancing neighborhood character, providing sustainable infrastructure, improving energy efficiency, improving stormwater quality, and protecting natural resources"*.

The Better Street Policy and the "Better Street and Enhanced Mobility" goal translate into a number of policies that benefit low-income residents who have limited access to cars. This includes the policy to coordinate transportation and mobility enhancements with increased neighborhood density and mixed-use development. Another policy promotes transit supported design for developments within walking distance of existing and proposed transit options.



## Fair Housing Achievement

**The transportation section of the Comprehensive Plan incorporates policies that will have the effect of affirmatively furthering fair housing.**

These include a focus on creating multi-modal transportation options in developing areas and traditional City neighborhoods, and coordinating transportation and mobility enhancements with increased neighborhood density and mixed-use development. Multi-modal and mixed-use neighborhoods provide better mobility and transportation options for low-income residents who often do not own a vehicle.

## 5. PRIVATE SECTOR POLICIES

### A. Mortgage Lending Practices

#### *Home Mortgage Disclosure Act*

Under the terms of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (F.I.R.R.E.A.), any commercial lending institution that makes five or more home mortgage loans annually must report all residential loan activity to the Federal Reserve Bank under the terms of the Home Mortgage Disclosure Act (HMDA). The HMDA regulations require most institutions involved in lending to comply and report information on loans denied, withdrawn, or incomplete by race, sex, and income of the applicant. The information from the HMDA statements assists in determining whether financial institutions are serving the housing needs of their communities. The data also helps to identify possible discriminatory lending practices and patterns.

The most recent HMDA data available for Lynchburg is from 2010 to 2012. Reviewing this data helps to determine the need to encourage area lenders, other business leaders and the community at large to actively promote existing programs and develop new programs to assist residents in securing home mortgage loans for home purchases. The data focus on the number of homeowner mortgage applications received by lenders for home purchases of one- to four-family dwellings and manufactured housing units across the City. The information provided is for the primary applicant only. Co-applicants were not included in the analysis. In addition, where no information is provided or categorized as not applicable, no analysis has been conducted due to lack of information. Figure 5-1 summarizes three years of HMDA data by race, ethnicity, and action taken on the applications, followed by detailed analysis. Grouping all three years of data into the analysis increases the likelihood that differences among groups are statistically significant. This is especially important in view of the data on mortgage application denials, which also suggests differences according to race and ethnicity.

#### 1. Home Mortgage Trends

Across Lynchburg during the last three years, lenders received 2,594 home purchase mortgage applications, 4,808 applications for mortgage refinancing, and 467 applications for home improvement equity loans.

While refinancing loans were the most common application type, home purchase loans were the most likely to be approved with 51.3% of loan applicants receiving approval.<sup>21</sup>

The frequency of loan applications withdrawn or deemed incomplete was low across all loan categories. Refinancing loans were withdrawn or deemed incomplete 10.6% of the time, nearly matching the combined withdrawal/incomplete percentage of both home purchase and home improvement loans. Denial rates for home purchase and refinancing loans were low at 7.8% and 12.8%, respectively. Home improvement loans, on the other hand, were denied 43.7% of the time.

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<sup>21</sup> Originated loans means that the loan has been approved and then signed-off by the participating bank.

**Figure 5-1**  
Cumulative Mortgage Data Summary Report, 2010-2012

	Total Applicants*		Originated		Approved, Not Accepted		Denied		Withdrawn/Incomplete	
	#	%	#	%	#	%	#	%	#	%
<b>Loan Purpose</b>										
Home Purchase	2,594	33.0%	1,330	51.3%	42	1.6%	203	7.8%	156	6.0%
Refinancing	4,808	61.1%	2,373	49.4%	126	2.6%	615	12.8%	508	10.6%
Home Improvement	467	5.9%	197	42.2%	18	3.9%	204	43.7%	22	4.7%
<b>Loan Type</b>										
Conventional	5,146	65.4%	2,720	52.9%	131	2.5%	736	14.3%	376	7.3%
FHA	2,256	28.7%	951	42.2%	45	2.0%	223	9.9%	276	12.2%
VA	446	5.7%	220	49.3%	10	2.2%	61	13.7%	33	7.4%
FSA/ RHS	21	0.3%	9	42.9%	0	0.0%	2	9.5%	1	4.8%
<b>Property Type</b>										
One- to Four-Family Unit	7,809	99.2%	3,897	49.9%	175	2.2%	981	12.6%	682	8.7%
Manufactured Housing Unit	60	0.8%	3	5.0%	11	18.3%	41	68.3%	4	6.7%
<b>Applicant Race</b>										
White	5,434	69.1%	3,212	59.1%	124	2.3%	594	10.9%	1,390	25.6%
Black	941	12.0%	375	39.9%	37	3.9%	277	29.4%	232	24.7%
Asian	85	1.1%	47	55.3%	2	2.4%	16	18.8%	20	23.5%
American Indian/Alaska Native	19	0.2%	7	36.8%	0	0.0%	9	47.4%	2	10.5%
Hawaiian/Pacific Islander	8	0.1%	4	50.0%	0	0.0%	1	12.5%	2	25.0%
Hispanic**	114	1.4%	49	43.0%	4	3.5%	24	21.1%	28	24.6%
No Information	578	7.3%	250	43.3%	23	4.0%	126	21.8%	144	24.9%
Not Applicable	777	9.9%	5	0.6%	0	0.0%	1	0.1%	777	100.0%
<b>Total</b>	<b>7,869</b>	<b>100.0%</b>	<b>3,900</b>	<b>49.6%</b>	<b>186</b>	<b>2.4%</b>	<b>1,024</b>	<b>13.0%</b>	<b>2,567</b>	<b>32.6%</b>

\* Total Applications do not include loans purchase by another institution.

\*\* Hispanic ethnicity is counted independently of race.

Source: 2010-2012 Federal Financial Institutes Examination Council, Home Mortgage Disclosure Act database

## 2. Applicant Characteristics

### *Applications by Type of Loan*

Conventional loans had the highest application percentage at 65.4% all loan applications. An additional 28.7% of loans applications were for loans insured by the Federal Housing Administration (FHA), a type of federal assistance that has historically benefited lower-income residents. A much smaller percentage of applications, 5.7%, were for loans backed by the Department of Veteran Affairs (VA) and 21 (less than 1%) loan applications were backed by the Farm Services Administration or Rural Housing Service (FSA/RHS).

### *Applications by Type of Home*

The majority of applications involved one-to-four family housing structures, with only 60 applications (less than 1%) requesting financing for manufactured units. The denial rate for manufactured units, 68.3%, was substantially higher than the overall denial rate of 12.6% for all housing types. Loans for manufactured units were also more likely to be approved, but not accepted by the applicant, than loans involving one-to-four family housing structures.

### *Applications by Race and Ethnicity*

After subtracting out loans applications categorized as No Information or Not Applicable from the Applicant Race section, the percentage of loan applicant households by race are as follows: 83% White, 14.4% Black, 1.3% Asian, and 1.7% Hispanic. Large discrepancies existed between the representation by race and ethnicity of loan applicants and the City's racial/ethnic composition. While 27.6% of all Lynchburg households were Black in 2011, only 14.4% of all loan applications were from Black households. Similarly, while 2.3% of households were Hispanic, only 1.7% of all loan applications were from Hispanic households. Asian households, which comprised 1.7% of all households, represented 1.3% of all loan applications. Conversely, White households represented 83% of all loan applications but only 66% of all households. Lower participation in the market for home mortgages by Black and Hispanic households is likely a reflection of the lower median income of these groups.<sup>22</sup>

### *Applications by Race/Ethnicity and Purpose of Loan*

With the exception of the Other racial group, the percentage of loan applications was similar across racial and ethnic groups. The most frequent loan type was refinancing, comprising over 50% of all loan applications for each racial/ethnic group. The Other racial group had the highest percentage of refinance loans than any other racial/ethnic group at 81.5% and Whites had the second highest percentage at 59.7%. Blacks had the highest percentage of home improvement loans at 14.1%, followed by the Other racial group at 7.4%. Asians had the highest percentage of home purchase loans at 42.4%, followed by Whites at 35.3%.

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<sup>22</sup> Household by race data came from the ACS 2007-2011 (B11001 A,B,D,I)

**Figure 5-2**  
Loan Application Purpose by Race and Ethnicity, 2010-2012

	Total	White	Black	Asian	Other*	No data	Hispanic**
<b>Home purchase</b>	2,594 <b>33.0%</b>	1,926 <b>35.3%</b>	261 <b>27.7%</b>	36 <b>42.4%</b>	3 <b>11.1%</b>	368 <b>27.2%</b>	37 <b>32.5%</b>
<b>Refinance</b>	4,808 <b>61.1%</b>	3,261 <b>59.7%</b>	547 <b>58.1%</b>	47 <b>55.3%</b>	22 <b>81.5%</b>	931 <b>68.7%</b>	70 <b>61.4%</b>
<b>Home improvement</b>	467 <b>5.9%</b>	274 <b>5.0%</b>	133 <b>14.1%</b>	2 <b>2.4%</b>	2 <b>7.4%</b>	56 <b>4.1%</b>	7 <b>6.1%</b>
<b>Total</b>	7,869 <b>100.0%</b>	5,461 <b>69.4%</b>	941 <b>12.0%</b>	85 <b>1.1%</b>	27 <b>0.3%</b>	1,355 <b>17.2%</b>	114 <b>1.4%</b>

Note: Percentages within racial/ethnic groups are calculated within each group's total.

\*Other includes American Indian/ Alaskan Native, and Hawaiian

\*\*Hispanic ethnicity is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2010 to 2012



**Black and Hispanic households were severely underrepresented in loan applications compared to their share of the City's total households.**

While Black households represented 27.6% of total households in 2011, only 14.4% of all loan applications came from Black households. Similar trends occurred with Hispanic households. This contrasts sharply with White households, which represented 83% of all applications even though White households comprised 66% of all City households.

**3. Geographic Distribution of Approvals by Lender**

Figure 5-3 provides a summary of the top ten lenders in Lynchburg based on the total number of loan originations between 2010 and 2012. Wells Fargo Bank was the top lender in the City with 1,094 originations during the three-year period, accounting for 13.9% of all loans originated. The second highest was Branch Bank and Trust Company originating 841 (10.7%) of all loans. Those two banks represented nearly a quarter of all loan originations in the City.

**Figure 5-3**

Top 10 Lenders by Number of Originations, 2010-2012

Lending Institution	# of Loans Originated	% of Total Loans Originated
Wells Fargo Bank, NA	1,094	13.9%
Branch Bank and Trust Company	841	10.7%
Advanced Financial Services	621	7.9%
Bank of America	579	7.4%
Carolina Bank	422	5.4%
Sun Trust Bank	403	5.1%
US Bank, NA	327	4.2%
JP Morgan Chase Bank, NA	178	2.3%
Quicken Loans Inc.	170	2.2%
CITI Bank, Inc.	162	2.1%
<b>Loans Originating from Top 10 Lenders</b>	<b>4,797</b>	<b>61.0%</b>
<b>Total Loans Originated</b>	<b>7,869</b>	<b>100.0%</b>

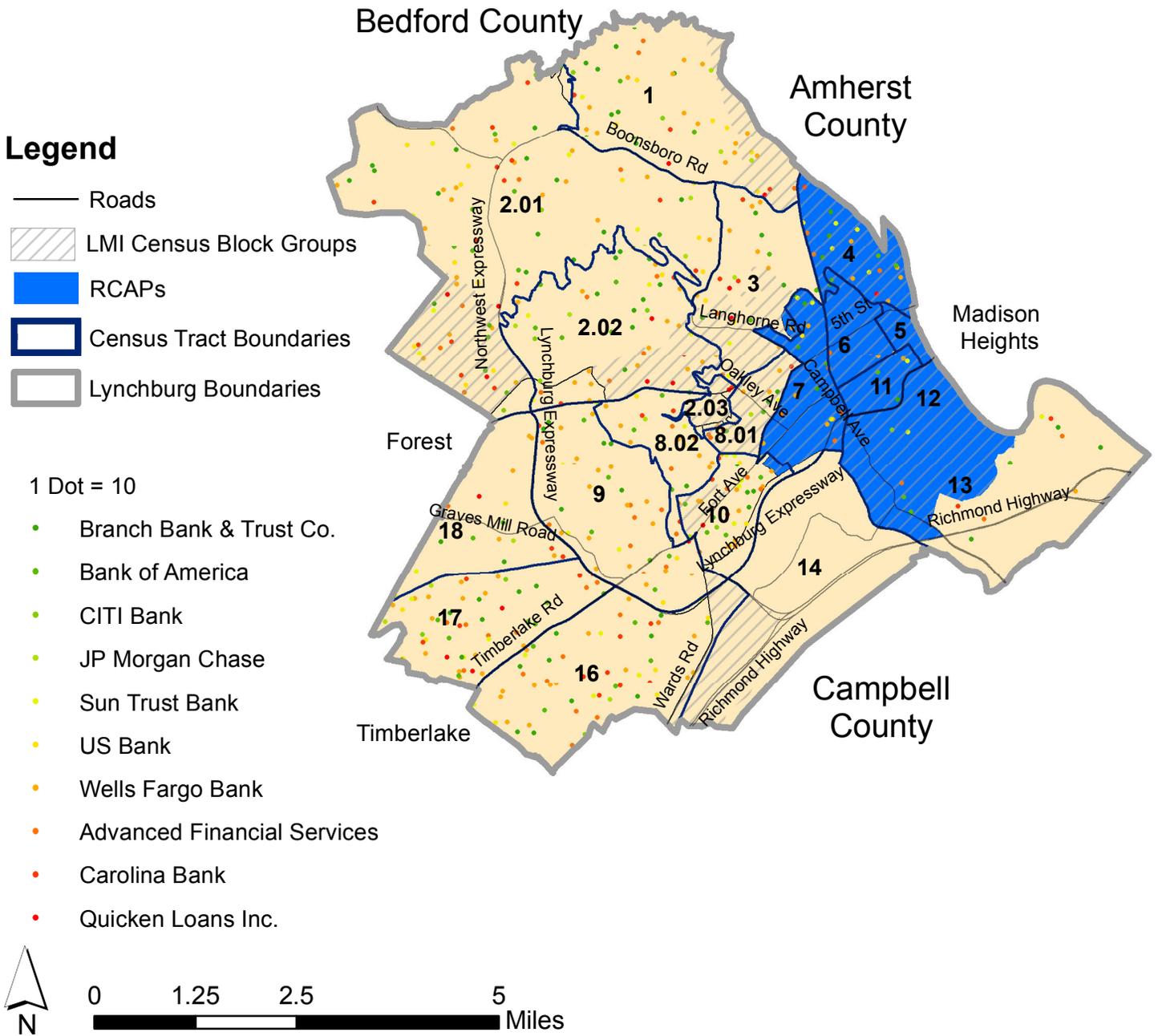
Source: Federal Financial Institutions Examination Council, 2010 to 2012

Map 5-1 illustrates the distribution of originations for the top ten lenders, with each dot representing 10 mortgage loan originations. Generally, the map displays less originations occurring in RCAPs than other heavily populated areas of the City. Many LMI areas that were not Black concentrated areas of poverty had a high number of originations, especially in the area just west of the Central Business District near Lynchburg College. A high number of originations also occurred in the northern and western areas of the City, which were neither LMI nor Black concentrated areas of poverty.

# Map 5-1: Distribution of Originations by Lender, 2010-2012

Lynchburg Analysis of Impediments to Fair Housing Choice

Source: Federal Financial Institutions Examination Council, 2010-2012



## 4. Mortgage Application Denials

### *Reasons for Denial*

Between 2010 and 2012, a total of 1,024 mortgage loan applications were denied in Lynchburg. The overall cumulative denial rate was 13% with denials by race and ethnicity ranging from 10.9% for Whites to 29.4% for Blacks.

In reporting denials, lenders are required to list at least one primary reason for the denial and may list up to two secondary reasons. As Figure 5-4 demonstrates, the primary basis for the rejection of a majority of loan applications was credit history.

### *Denials and the Protected Classes*

Among Blacks and Hispanics, credit history was the most common reason for denial. Among Asians for whom reasons were given, insufficient collateral was the most common reason for denial.

**Figure 5-4**

Primary Reason for Mortgage Application Denial by Race, 2010-2012

	Total	White	Black	Asian	Other*	Hispanic**	No Info
Collateral	13.3%	18.2%	5.1%	18.8%	0.0%	8.3%	8.8%
No Reason Given	24.4%	19.2%	32.5%	25.0%	30.0%	8.3%	30.4%
Credit History	26.3%	20.5%	41.2%	6.3%	20.0%	33.3%	24.0%
Debt-to-Income Ratio	16.1%	18.5%	10.1%	12.5%	30.0%	29.2%	17.6%
Other	8.2%	9.9%	5.1%	12.5%	10.0%	12.5%	6.4%
Incomplete Application	5.2%	6.1%	2.5%	0.0%	10.0%	4.2%	7.2%
Insufficient Cash	1.9%	1.3%	1.8%	12.5%	0.0%	0.0%	3.2%
Unverifiable Information	3.2%	4.4%	1.1%	6.3%	0.0%	4.2%	2.4%
Employment History	14.1%	9.9%	5.1%	12.5%	10.0%	12.5%	6.4%
Insurance Denied	0.1%	0.0%	0.4%	0.0%	0.0%	0.0%	0.0%

\*Other includes American Indian/ Alaskan Native, and Hawaiian

\*\* Hispanic ethnicity is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2010 to 2012

### All minority groups had mortgage denial rates higher than Whites.

Furthermore, an analysis of HMDA data for 2010 to 2012 revealed a higher rate of home mortgage loan denials within the City's RCAPs, areas of lower income Black residents, than elsewhere in Lynchburg.

## 5. Mortgage Denials and Income

### *Classifying Income*

For this analysis, lower-income households include those with incomes between 0% and 80% of median family income (MFI), while upper-income households include those with incomes above 80% MFI. Applications made by lower-income

households accounted for 56.8% of all denials between 2010 and 2012, although they accounted for only 38.8% of total applications for those three years.

*Denials by Income, Race, and Ethnicity*

Between 2010 and 2012, a total of 970 mortgage loan applications were denied in Lynchburg. The overall cumulative denial rate was 14.3% with denials by race and ethnicity ranging from 10.8% for Whites to 31.4% for Blacks.

Among lower-income households, denial rates were generally higher for Black and Hispanic households. While the overall lower-income denial rate was 21%, the denial rates for lower-income Black and Hispanic households were 37.5% and 34%, respectively. Lower-income Asian and White households had significantly lower denial rates at 16.7% and 15.7%, respectively.

While denial rates were generally lower for upper-income households, differences persisted across racial and ethnic groups. Upper-income White households experienced denials at 8.2%. This contrasted significantly with upper-income denial rates for Black, Hispanic, and Asian households, which experienced denials at 22.5%, 19.6%, and 10.2%, respectively. Upper-income minority households experienced denials at much higher rates than lower-income White households. Lower-income White households had a denial rate of 15.7% while upper-income Black, Asian, and Hispanic households had rates of 31.4%, 18.8%, and 22.2%, respectively. This trend of significantly higher denial rates amongst minority households in comparison to White households, regardless of income level, is a pattern that is consistent with discrimination.

Map 5-2 illustrates the census tracts in Lynchburg where mortgage denial rates were above 14.3%, the citywide average. Areas with denial rates in this range included all the RCAPs, areas in central Lynchburg, and areas along the Campbell County border. The majority of LMI areas also had denial rates above 14.3%.

**Figure 5-5**  
Mortgage Application Denials by Household Race/Ethnicity, 2010-2012

		Total	White	Black	Asian	Other**	No data	Hispanic*
<b>Lower-Income</b>	Total Applications	2,628	1,840	507	24	6	251	50
	Denials	551	288	190	4	4	65	17
	<b>% Denied</b>	<b>21.0%</b>	<b>15.7%</b>	<b>37.5%</b>	<b>16.7%</b>	<b>66.7%</b>	<b>25.9%</b>	<b>34.0%</b>
<b>Upper-Income</b>	Total Applications	4,148	3,346	346	56	20	380	49
	Denials	419	274	78	11	6	50	5
	<b>% Denied</b>	<b>10.1%</b>	<b>8.2%</b>	<b>22.5%</b>	<b>19.6%</b>	<b>30.0%</b>	<b>13.2%</b>	<b>10.2%</b>
<b>Total</b>	Total Applications	6,776	5,186	853	80	26	631	99
	Denials	970	562	268	15	10	115	22
	<b>% Denied</b>	<b>14.3%</b>	<b>10.8%</b>	<b>31.4%</b>	<b>18.8%</b>	<b>38.5%</b>	<b>18.2%</b>	<b>22.2%</b>

Note: Total also includes 1,093 applications for which no income data was reported.

\* Hispanic ethnicity is counted independently of race.

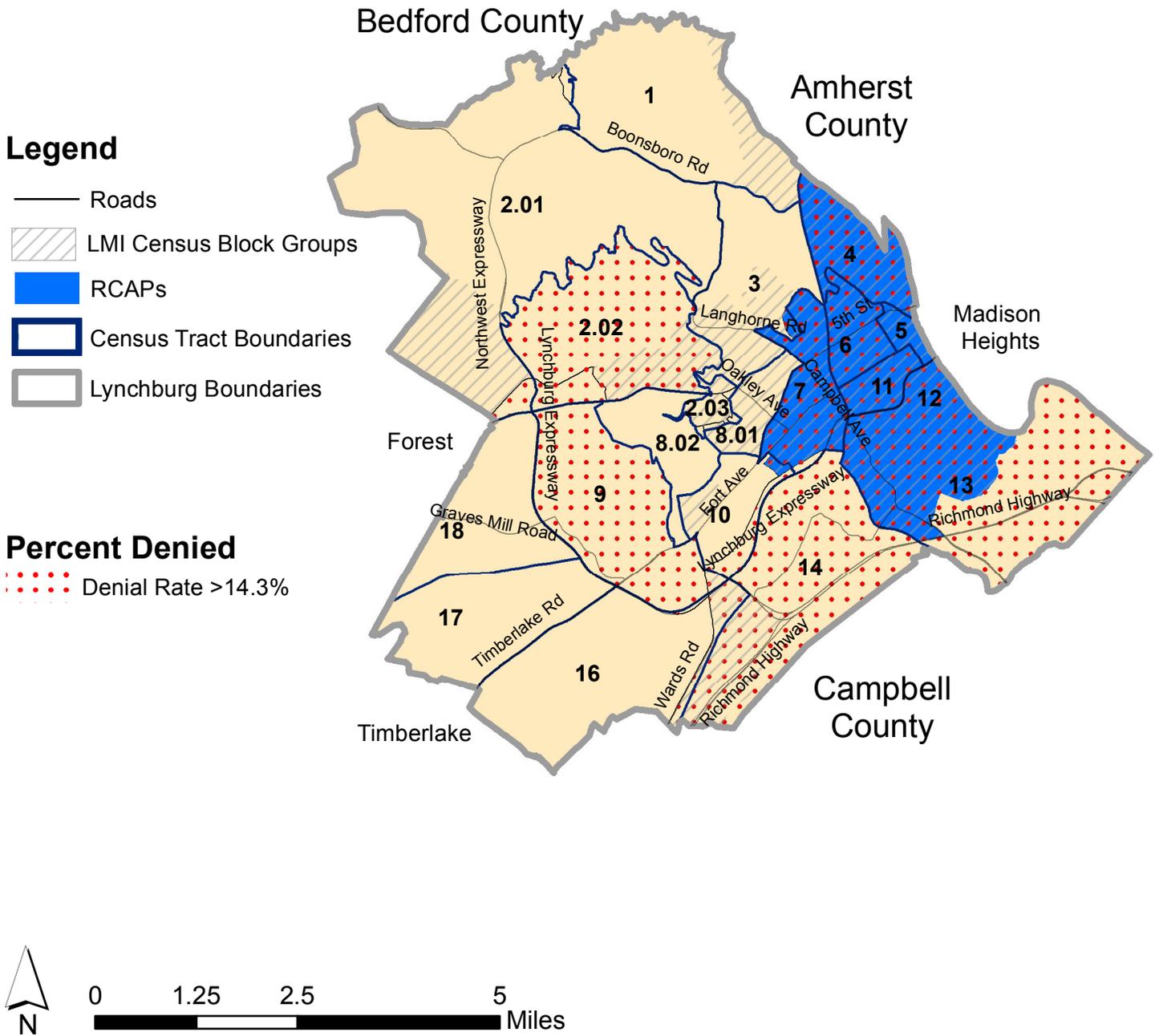
\*\*Small sample size may make analysis unreliable.

Source: Federal Financial Institutions Examination Council, 2010 to 2012

# Map 5-2: Mortgage Denial above 14.3% by Census Tract, 2010-2012

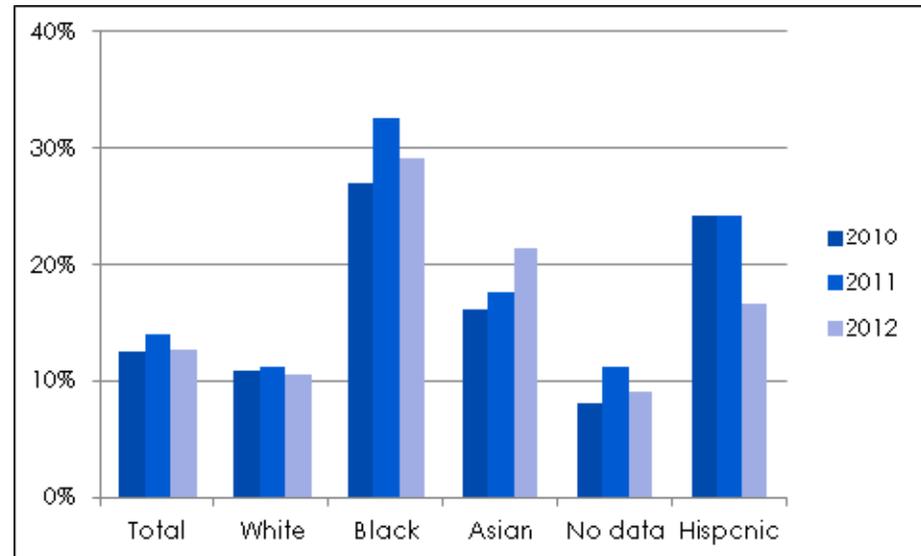
Lynchburg Analysis of Impediments to Fair Housing Choice

Source: Federal Financial Institutions Examination Council, 2010-2012



**Figure 5-6**

Trends in Mortgage Application Denials by Household Race/Ethnicity, 2010-2012



Over the course of the three years, lower-income and upper-income minority households were denied mortgage loans at significantly higher rates than corresponding lower-income and upper-income White households. Most significantly, upper-income Black and Asian households were denied at higher rates than lower-income White households.

Among lower-income White households, 15.7% of applications were denied compared to 31.4% and 19.6% of upper-income Black and Asian households, respectively.

## 6. High-Cost Lending

### *Defining High-Cost Lending*

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 has 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.”

A loan is considered high-cost if it meets one of the following criteria:

- A first-lien loan with an interest rate at least three percentage points higher than the prevailing U.S. Treasury standard at the time the loan application was filed. The standard is equal to the current price of comparable-maturity Treasury securities
- A second-lien loan with an interest rate at least five percentage points higher than the standard

Not all loans carrying high APRs 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 Loans in Lynchburg*

Between 2010 and 2012, there were 3,537 originated home purchase loans, refinance loans, or home improvement loans made for single-family or manufactured units in Lynchburg. Of this total, 79 (2.2%) reported high-cost mortgages. Overall, upper-income households were less likely to have high-cost mortgages than lower-income households.

#### *High-Cost Loans and Race/Ethnicity*

An analysis of loans in Lynchburg by race and ethnicity reveals that Black households are overrepresented in high-cost lending. Among lower-income and upper-income Black households, 3.7% of mortgages were high-cost in comparison to 2.0% among White households. Lower-income Asian households had the highest percentage of high-cost loans at 7.7%. However, considering the small sample size from Asian and Hispanic households, the analysis may be unreliable. Refer to Figure 5-7 for more details.

Figure 5-8 shows the distribution of high-cost loans by racial/ethnic groups over individual years. The trends show general decreases in high-cost lending among all racial/ethnic groups since 2010.

Map 5-3 depicts the distribution of high-cost loans by census tract across the City and highlights areas with high-cost rates of greater than 5%. High-cost loans were concentrated in the southeastern census tracts of Lynchburg. The majority of these

census tracts were located in the identified RCAPs. Other census tracts with higher rates of high-cost loans were adjacent to the RCAPs.

**Figure 5-7**  
High-Cost Loans by Race and Ethnicity, 2010-2012

		Total	White	Black	Asian**	Other**	No data	Hispanic*
<b>Lower-Income</b>	Total Originations	1,269	1,006	179	13	1	70	18
	High-Cost	38	28	8	1	0	1	0
	<b>% High-Cost</b>	<b>3.0%</b>	<b>2.8%</b>	<b>4.5%</b>	<b>7.7%</b>	<b>0.0%</b>	<b>1.4%</b>	<b>0.0%</b>
<b>Upper-Income</b>	Total Originations	2,268	2,044	147	31	10	36	25
	High-Cost	41	34	4	0	0	3	0
	<b>% High-Cost</b>	<b>1.8%</b>	<b>1.7%</b>	<b>2.7%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>8.3%</b>	<b>0.0%</b>
<b>Total</b>	Total Originations	3,537	3,050	326	44	11	106	43
	High-Cost	79	62	12	1	0	4	0
	<b>% High-Cost</b>	<b>2.2%</b>	<b>2.0%</b>	<b>3.7%</b>	<b>2.3%</b>	<b>0.0%</b>	<b>3.8%</b>	<b>0.0%</b>

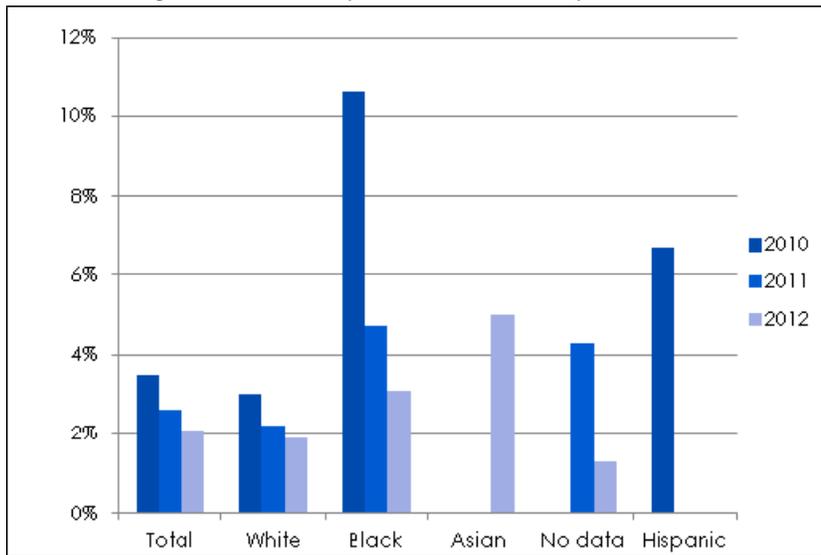
Note: Total also includes 365 loans for which no income data was reported.

\* Hispanic ethnicity is counted independently of race.

\*\*Small sample size may make analysis unreliable.

Source: Federal Financial Institutions Examination Council, 2010 to 2012

**Figure 5-8**  
Trends in High-Cost Loans by Race and Ethnicity, 2010-2012



Due to small sample size the analysis for Asians and Hispanics may be unreliable.



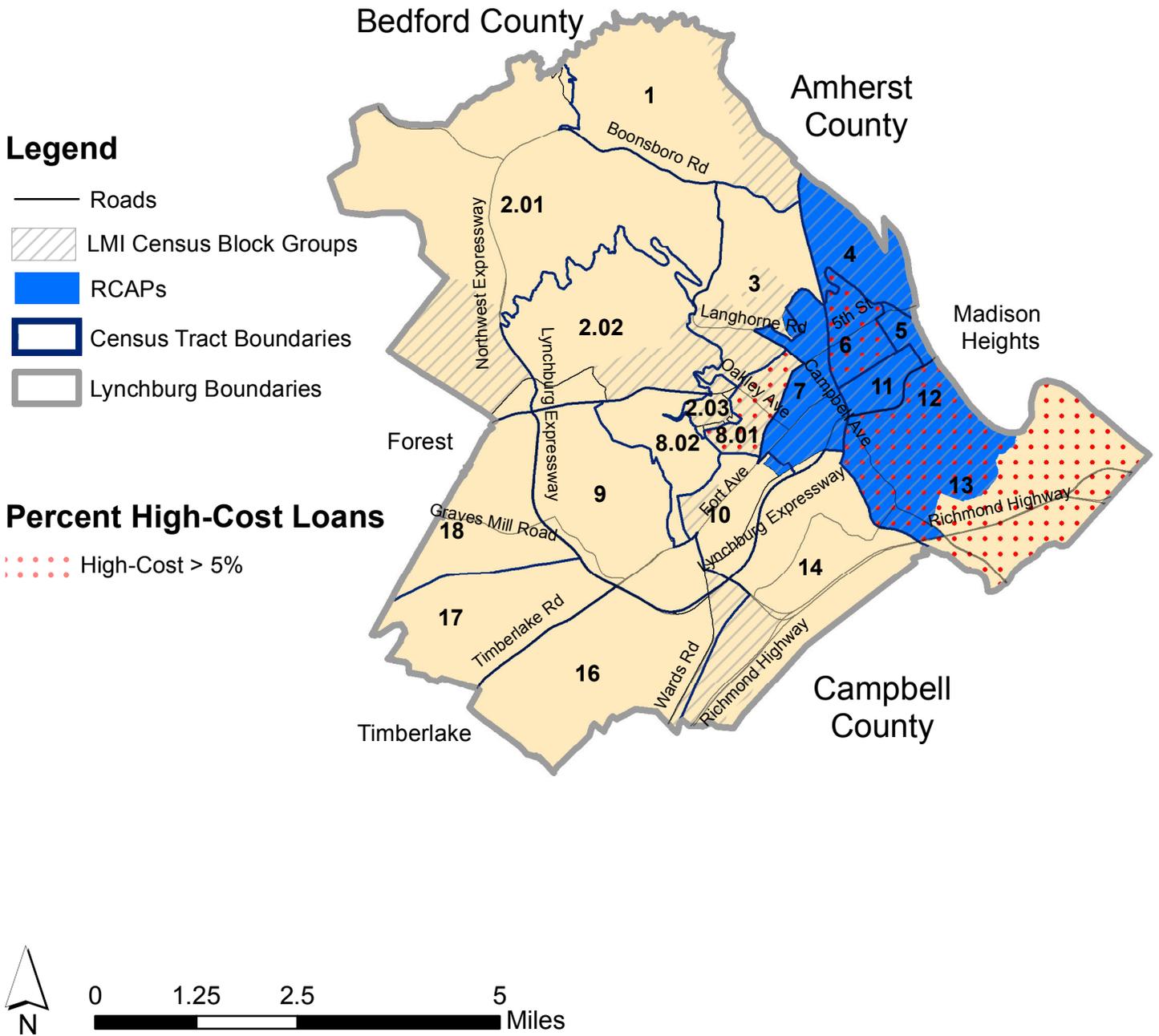
**All of the City's high-cost loan originations occurred in the southeastern area of Lynchburg.**

Black households, regardless of income level, were more likely than any other racial or ethnic group to receive high-cost mortgages. This was further substantiated as the majority of high-cost loans were made in census tracts identified as RCAPs.

# Map 5-3: High-Cost Loans by Census Tract, 2010-2012

Lynchburg Analysis of Impediments to Fair Housing Choice

Source: Federal Financial Institutions Examination Council, 2010-2012



### *Annual Trends in High-Cost Loans*

The number of high-cost originations decreased from 3.5% of all loans to 2.1% between 2010 and 2012. This information is shown in Figure 5-8 and Figure 5-9.

## **7. Annual Trends in Mortgage Lending**

### *Historic Lending Trends*

Studying mortgage application data on an annual basis allows insight into the influence of housing market trends on the behavior of applicants and banks. Figure 5-9 illustrates this annual change.

Housing markets across the country have experienced steep declines in sales volume and mortgage applications since the recession as a result of buyer reluctance in an unstable market and stricter underwriting criteria by lenders. However, there are signs in Lynchburg that the housing market is improving. While the number of applications decreased 7.3% between 2010 and 2011, an increase of 13% occurred between 2011 and 2012.

### *Change in Lending by Race and Ethnicity*

Trends in loan origination followed similar trends in applications between 2010 and 2012. Loan originations decreased 16.9% between 2010 and 2011 and increased 11.8% between 2011 and 2012.

**Figure 5-9**  
High-Cost Home Purchase Loans by Race and Ethnicity, 2010-2012

	2010		2011		2012	
	#	%	#	%	#	%
<b>Total loans</b>						
<b>Applied for</b>	<b>2850</b>	<b>100.0%</b>	<b>2356</b>	<b>100.0%</b>	<b>2663</b>	<b>100.0%</b>
Black	337	11.8%	281	11.9%	323	12.1%
White	1976	69.3%	1672	71.0%	1813	68.1%
Asian	31	1.1%	17	0.7%	37	1.4%
Hispanic*	33	1.2%	33	1.4%	48	1.8%
Other race	5	0.2%	10	0.4%	12	0.5%
No information/NA	501	17.6%	376	16.0%	478	17.9%
<b>Originated</b>	<b>1413</b>	<b>49.6%</b>	<b>1174</b>	<b>49.8%</b>	<b>1313</b>	<b>49.3%</b>
Black	141	41.8%	107	38.1%	127	39.3%
White	1147	58.0%	986	59.0%	1079	59.5%
Asian	17	54.8%	10	58.8%	20	54.1%
Hispanic*	15	45.5%	15	45.5%	19	39.6%
Other race	3	60.0%	1	10.0%	7	58.3%
No information/NA	105	21.0%	70	18.6%	80	16.7%
<b>Originated - High Cost</b>	<b>49</b>	<b>3.5%</b>	<b>30</b>	<b>2.6%</b>	<b>27</b>	<b>2.1%</b>
Black	15	10.6%	5	4.7%	4	3.1%
White	34	3.0%	22	2.2%	21	1.9%
Asian	0	0.0%	0	0.0%	1	5.0%
Hispanic*	1	6.7%	0	0.0%	0	0.0%
Other race	0	0.0%	0	0.0%	0	0.0%
No information/NA	0	0.0%	3	4.3%	1	1.3%
<b>Denied</b>	<b>354</b>	<b>12.4%</b>	<b>329</b>	<b>14.0%</b>	<b>339</b>	<b>12.7%</b>
Black	91	27.0%	92	32.7%	94	29.1%
White	215	10.9%	187	11.2%	192	10.6%
Asian	5	16.1%	3	17.6%	8	21.6%
Hispanic*	8	24.2%	8	24.2%	8	16.7%
Other race	2	40.0%	5	50.0%	3	25.0%
No information/NA	41	8.2%	42	11.2%	42	8.8%

Note: Data is for home purchase, refinance and improvement loans for owner-occupied one-to-four family and manufactured units. Other application outcomes include approved but not accepted, withdrawn, incomplete or purchase by another institution.

\* Hispanic ethnicity is counted independently of race.

\*\*Small sample size may make analysis unreliable.

Source: Federal Financial Institutions Examination Council, 2010-2012

## B. Real Estate Practices

Information for this section of the AI was derived from the Lynchburg Association of realtors. The Association serves the City of Lynchburg and the surrounding counties of Amherst, Appomattox, Bedford, and Campbell. The Association functions as the local arm of the Virginia Association of Realtors and the National Association of Realtors.

The Commonwealth of Virginia's Department of Professional and Occupational Regulations (DPOR) oversees the real estate practices in Virginia relative to real estate licensing procedures and the renewal of Realtor licenses.

State law requires that each licensed salesperson accumulate 16 classroom hours of continuing education, eight of which are in legal/ethics topics, every two years. As part of the continuing education classes, licensees are required to receive fair housing training. The Lynchburg Association of Realtors uses several real estate agents and brokers who are DPOR-certified to provide continuing fair housing education to fulfill state licensees. Information regarding fair housing is available on the Association's website. There are also optional and continuing education courses on fair housing available online through the National Association of Realtors and the Virginia Association of Realtors.

The Lynchburg Association of Realtors follows the National Association of Realtors procedures for investigating all allegations of unethical behavior, based on the Realtors Code of Ethics. No fair housing grievances have been filed with the Association in recent memory. The Association does not track the demographics of its membership.

## C. Newspaper Advertising

Under federal law, no advertising with respect to the sale or rental of a dwelling may indicate any preference, limitation, or discrimination because of race, color, religion, sex, handicap, familial status, or national origin.

Publishers and advertisers are culpable 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 News & Advance*

For this AI, the Thursday August 1, 2013 classified section of the News & Advance's print edition was reviewed. The newspaper also offers an online classified section and posts the "Real Estate This Week", which features rental and sales listings in the Lynchburg region. These online sections were reviewed mainly for lay-out and usability.

The classified section printed on August 1, 2013 included listings for both rental and sales housing. No questionable language was found in the real estate ads reviewed for this report.

There needs to be more consistency in the News & Advance related to the publisher's policy. The paper inserts the policy in the "Real Estate This Week" publication, but not in the print or online versions of the classified section. Below is the publisher's policy as stated in the "Real Estate This Week" publication.

"We are pledged to the letter and spirit of Virginia's and HUD's equal opportunity housing policies. Virginia's fair housing law makes it illegal to advertise any preference limitation or discrimination based on race, color, religion, national origin, sex, elderliness, familial status,

or handicap. This newsletter will not knowingly accept advertising for real estate that violates fair housing law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis. For more information about Virginia's Fair Housing Office call (804) 367-8530. Toll free call (888) 551-3247. For the hearing impaired call (804) 367-0975".

**The publisher's policy is located only within the Real Estate This Week section of the News and Advance. It should be located in all versions of the paper's real estate ads.**

Many advertisements listed the HUD fair housing and accessibility logo in their banner ads. This simple logo encourages more individuals to apply for housing, especially persons with disabilities and those who feel likely to be discriminated against. The online listings were relatively intuitive and easy to use. The two sections listing real estate ads are clearly labeled "Real Estate" and "Classified" across the main heading of the webpage. The "Classified" section displays rental and sales listings from the start of the week. The "Real Estate" publication includes weekly comprehensive listing of rental and sales homes in the region. Also included in the back of the publication is a glossary, which displays the address, price, and page number of each real estate listing.

## Fair Housing Achievement

**None of the sampled real estate ads reviewed in The News and Advance contained discriminatory language.**

The lack of housing discrimination in ads suggests that local newspaper staff are aware of the importance of screening for potentially discriminatory advertising language.

## 6. Evaluation of Current Fair Housing Profile

### A. Fair Housing Policies and Actions since the Previous AI

Lynchburg's last Analysis of Impediments to Fair Housing Choice was completed over 15 years ago. Since the previous AI is outdated, it is more practical to evaluate the degree to which the City has affirmatively furthered fair housing by reviewing its recent Annual Action Plan and CAPER documents.

The 2014 Annual Action Plan lists the following barriers to affordable housing and remedial actions:

- Residential development in CDBG areas remains limited to non-profits and subsidized activity. This is the result of low property values, which make the costs of repairs higher than the value of the renovated property.

*The City sometimes waives development fees for non-profits, which helps to decrease development costs.*

- Many of the City's zoning districts are "suburban" in style and are not suited to Lynchburg's "traditional neighborhoods".

*The City is in the process of creating an action plan to revise its zoning ordinance standards.*

Actions proposed in the 2014 Annual Action Plan to further fair housing include:

- Fair housing brochures will be available to the public through the CDBG subrecipients and to persons visiting City Hall, the public libraries, and the Community Development Department,
- City staff will participate in the Homeless and Housing Coalition, composed of service providers who prepare the Continuum of Care to address the needs of homeless persons and the special needs of persons that are not homeless but require supportive housing,
- The equal housing opportunity logo will be included on all newspaper ads placed by the Grant Administration Office,
- Provide fact sheets for bulletin boards within work areas and public common area,
- LRHA will continue to post in every building for which Section 8 occupants are located a fair housing poster. There is also a poster in each staff person's office located at 918 Commerce Street,
- A public notice will be published in the News and Advance regarding fair housing rights and telephone numbers for concerned individuals to call if they feel their fair housing rights have been violated, or they want additional information, and

- Information regarding fair housing and Fair Housing Month (April) will be posted on the City of Lynchburg web site.

## B. Advocacy Organizations

Lynchburg Community Action Partnership (LYN-CAG) is a non-profit organization that models the “one-stop shop” approach to meeting the needs of low- to moderate- income individuals and families in Central Virginia. LYN-CAG is the only organization in Lynchburg that provides fair housing education. In the past, the organization has sponsored fair housing training to landlords and realtors. This training session, however, was not CDBG supported. LYN-CAG strongly recommends fair housing training for smaller landlords entering the market as they often are unaware of fair housing laws and regulations.

LYN-CAG is the only HUD certified fair housing agency in the region and a Community Housing Development Organization (CHDO). Through the HOME Program, LYN-CAG provides affordable housing rehabilitation, rental housing, first time homebuyer education, weatherization services, transitional housing, and supportive services.



**There is a need for more fair housing training, especially for smaller landlords entering the rental market in Lynchburg.**

There is an overall need for more fair housing training across Lynchburg, especially for smaller landlords entering the rental housing market.

## 7. General Fair Housing Observations

This section of the AI is a summary of general observations included in earlier sections of the report. General observations include the results of primary and secondary research that define the underlying conditions, trends, and context for fair housing planning in the City. These observations in and of themselves do not necessarily constitute impediments to fair housing choice. Rather, they establish a contextual framework for the impediments to fair housing choice that are presented in the following section of the AI.

### A. Demographic and Housing Market Observations

Lynchburg's population has grown 38.4% since 1970 while Virginia grew 70.4%. Lynchburg has grown in population in every decade since 1970. The City's largest decade of growth was 23.4% between 1970 and 1980 followed by another surge in 2000.

- While the rate of Whites and Blacks remained relatively stable as percentages of the total population, the City's Asian and Hispanic populations more than doubled. Asians increased from 866 to 1,805 between 2000 and 2011, and Hispanics increased from 878 to 2,210.
- College students and young adults represent a large share of Lynchburg's population. Students comprise 29.3% and persons between the age of 18-24 comprise 21.2% of the City's overall population. Persons between the age of 18-24 comprise over 90% of the total population in areas within and around Lynchburg College and Liberty University.
- Lynchburg's Black population is becoming modestly more integrated, while the Hispanic and Asian populations are rapidly becoming more segregated. Between 2000 and 2011, the White-Black segregation decreased by 3.1 points, while White-Hispanic and White-Asian segregation increased by 20.4 points and 16.6 points, respectively.
- Lynchburg's young adult population between the ages of 18 and 24 experience poverty at a rate of 46.8%. Considering a high percentage of Lynchburg's population between 18 and 24 are college students, a high poverty rate is not unexpected. However, since this demographic group represents such a large share of the City's population, overall median household income was lower and poverty rates were higher.
- Non-family and one-person households are growing and traditional family households with children are decreasing in Lynchburg. Family-households decreased from 61.2% to 57.2% while non-family households increased from 38.8% to 42.8% between 2000 and 2011. Additionally, most family households with children decreased as a percentage of all households.
- Lynchburg's housing stock is comprised of a high percentage of rental housing. In 2011, 55.3% of Lynchburg's housing stock was owner-occupied and 68.4% were single-family units. Multi-family and single-family rental units represented 27.3% and 17.3%, respectively, of the City's occupied housing stock.

## 8. Impediments to Fair Housing Choice

### A. Public Sector

1. **The City's subsidized housing units and affordable HOME housing activities are located primarily in older neighborhoods near the Central Business District that are more likely to be impacted areas (i.e. Black concentrated areas of poverty and low-moderate-income areas).**

The majority of subsidized housing projects and affordable HOME housing activities are concentrated in LMI and RCAP neighborhoods near the Central Business District.

**Proposed Action Step 1:** The City should seek to strike a balance between revitalizing RCAPs and LMI areas, and creating new affordable housing opportunities in other City neighborhoods. Specifically, the City should update its HOME policies and procedures to incentivize the creation of affordable housing opportunities in higher opportunity neighborhoods.

2. **Members of the protected classes tend to experience higher rates of unemployment and have lower incomes, thereby encountering greater difficulty in securing affordable housing in Lynchburg.**

The median household income (MHI) among Blacks and Hispanics was equivalent to approximately 59% of the MHI of Whites. The poverty rate amongst minorities was significantly higher than Whites. Consequently, minority households, especially Blacks and Hispanics, may have greater difficulty finding affordable rental units or homes to purchase.

Data on homeownership rates indicated that Black, Hispanic, and Asian households had lower homeownership rates compared to White households. Among minorities in Lynchburg, 41.6% of Blacks, 25.2% of Hispanics, and 32.9% of Asians were homeowners, compared to 62.3% of Whites.

Persons with disabilities were more likely to live in poverty than persons without disabilities. In Lynchburg, 28.3% of persons with a disability were living in poverty compared to 23.6% of persons without a disability. Persons with disabilities were also 4.7% more likely to be unemployed than persons without disabilities.

Female-headed households with children comprised 47% of all families living in poverty and were over nine times more likely to live in poverty than married couple families with children.

Persons receiving a monthly SSI check of \$1,360 as their sole source of income, including persons with disabilities, can afford a monthly rent of \$408. This is equivalent to 69% of the fair market rent of \$595 for a one-bedroom unit in the Lynchburg MSA.

**Proposed Action Step 1:** Continue to use HOME dollars to fund homebuyer assistance programs.

**Proposed Action Step 2:** Fund homebuyer counseling for lower income households, particularly minority households.

**3. The City's supply of decent and affordable housing remains inadequate, and there is a growing mismatch between incomes and housing costs.**

Between 2000 and 2011, the increase in MHI exceeded the increase in median rent, but was significantly less than the increase in median housing value. This made rentals more affordable but homeownership more expensive. To further demonstrate that increases in median housing value exceeded increases in median household income, the City's median household income was insufficient to purchase a home selling for the median sales price. The maximum affordable home purchase price (\$100,650) for residents earning the citywide MHI was below the 2011 median sales price (\$134,900).

Lynchburg lost more than half of its units renting for less than \$500 between 2000 and 2011. By comparison, the number of units renting for more than \$1,000 more than tripled. This was the result of the rental supply not meeting the demand. Nationally, as housing costs rose and wages remained stagnant, people increasingly rented rather than purchased a home. In the case of Lynchburg, a shortage of rentals was increased by the City's large student population. For low-income residents, these trends translate into less affordable housing options.

Minimum-wage and single-income households cannot afford a housing unit renting for the HUD fair market rent for a two-bedroom unit in Lynchburg.

**Proposed Action Step 1:** Continue the City's Rental Inspection Program, which is focused in 11 older LMI neighborhoods to improve and preserve the existing affordable housing stock.

**Proposed Action Step 2:** Continue to use HOME dollars to fund homebuyer assistance programs.

**4. Although there was an insufficient number of housing discrimination complaints filed in the City to identify significant trends, it was possible to identify a pattern of discriminatory behavior on the basis of disability and race.**

Of the 13 complaints filed between July 2007 and 2012, 76.9% alleged discrimination on the basis of disability or race. These trends indicate a continuing need for fair housing education, outreach, testing, and enforcement of the Fair Housing Act.

**Proposed Action Step 1:** Contract with an experienced HUD-certified fair housing organization to perform paired testing for race and disability in rental housing. Utilize the results to file housing discrimination complaints; publicize results to deter future discriminatory behavior.

**Proposed Action Step 2:** Contract with an experienced HUD-certified fair housing organization to provide education and outreach on fair housing laws, rights and responsibilities.

**5. There is a need for improved fair housing services across Lynchburg.**

Lynchburg Community Action Partnership (LYN-CAG) provides fair housing training to landlords and realtors. LYN-CAG identified the need for additional fair housing training, in particular to smaller landlords entering the rental market.

The City's CDBG budget does not include an allocation for fair housing services. In order to provide fair housing education and outreach services, the City should allocate at least up to 1% of its yearly CDBG entitlement grant exclusively to fair housing activities, such as education, outreach, training, and enforcement.

The City requires CDBG and HOME-assisted projects of five or more units to submit the HUD- approved Affirmative Market Plan. However, additional requirements should be included to better affirm HOME-assisted housing with five or more units.

As required of all CDBG recipients the City has a Section 3 Policy. The Policy states that all CDBG-funded projects will prioritize hiring low-and very low-income Section 3 residents, and contract with businesses that hire low-and very low-income residents. The Plan should also identify ways to advertise to low-and very low-income Section 3 residents and businesses that serve this population.

**Proposed Action Step 1:** Delegate the City's Housing Collaborative as the centralized fair housing organization for Lynchburg. The Housing Collaborative already advises the City on how to increase owner-occupancy, rehabilitate substandard housing, support affordable housing projects, and basically functions as a one-stop shop for housing questions/issues. The Housing Collaborative also contains many of the representatives from the community needed to advise on fair housing issues. The Collaborative's function would be to oversee the provision of fair housing training and education, review proposed developments as to their effects on affordable housing and compliance with fair housing policies and procedures, and make local officials aware of any fair housing discrimination occurring in the City.

**Proposed Action Step 2:** The Housing Collaborative should partner with LRHA to pool fair housing resources, run fair housing training and educational meetings, and improve fair housing compliance citywide.

**Proposed Action Step 3:** The City should allocate at least 1% of its annual CDBG entitlement grant exclusively to fair housing activities, such as education, outreach, training, and enforcement.

**Proposed Action Step 4:** The City should formally designate a current employee as the Fair Housing Officer within the Community Development Department to ensure that the HUD entitlement programs are implemented in a non-discriminatory manner. This

designee should serve as staff to the Housing Collaborative to advise the Collaborative on fair housing issues.

**Proposed Action Step 5:** The City should revise its Affirmative Marketing Plan to clarify how developments will be monitored, evaluate tenant data, and require fair housing training where needed.

**Proposed Action Step 6:** The City should revise its Section 3 policy to list specific ways in which policy will be advertised to eligible residents and businesses.

**Proposed Action Step 7:** The Housing Collaborative and the City should promote fair housing education to the general public, especially to renters, in addition to developers and landlords. To reach the general public, the City should create a fair housing link on the Community Development webpage connecting residents to fair housing resources from HUD and the Virginia Fair Housing Office, instructions on how to file a housing discrimination complaint, local fair housing resources, and documents outlining tenant/landlord fair housing rights and obligations. The Housing Collaborative should also hold informational sessions for all renters regarding tenant rights and fair housing resources available in Lynchburg.

**6. Members of the protected classes are under-represented on City boards and commissions that address housing issues.**

Select appointed boards and commissions with jurisdiction over housing and housing-related issues in Lynchburg do not reflect the City's growing diverse composition. Minorities represent 33.3% of the City's population, but only 26% of appointees. Females accounted for 26% of appointees, but represent 53.3% of Lynchburg's population. Also apparently absent are any persons with disabilities. The experience and perspectives of members of the protected classes would enhance the decision-making processes in the City and offer the opportunity for advancing fair housing choices in all aspects of City government.

**Proposed Action Step 1:** Annually, the City should schedule a recruitment period for new board and commission applicants with an emphasis on recruiting members of the protected classes. The period could last from two to four weeks during which time the need for applicants is advertised in the local newspapers, on the City website, and through other local media. Recruitment information should also be provided to local advocacy organizations that represent Blacks, persons with disabilities, women, and other members of the protected classes.

**7. There is an inadequate supply of affordable and accessible housing for persons with disabilities.**

According to the Lynchburg Area Center for Independent Living (LACIL) and Rush Homes, the demand for affordable accessible units greatly outweighs the supply.

Additionally, LACIL noted that effective communication between agencies providing accessibility assistance is lacking.

**Proposed Action Step 1:** The newly created Fair Housing Board should incorporate a disability element into its fair housing training. The Board should also work with disability advocates to sponsor workshops and other educational opportunities for community planning staff, developers, architects, builders, realtors, and other housing professionals. This would increase knowledge of various accessibility and visitability design features and cost-effective ways of incorporating such features into newly constructed or substantially rehabilitated housing units.

**Proposed Action Step 2:** The City should continue using HOME funds to support housing and supportive services for persons with disabilities.

**8. The City's zoning ordinance could be improved from a fair housing perspective.**

Lynchburg's zoning code places undue restrictions on group living facilities for persons with disabilities. Distinctions are made in the City's zoning ordinance between group homes for the mentally ill and those who are aged, infirm, or physically disabled. The former permits up to eight residents and the latter up to four. This difference is arbitrary and inconsistent with the Fair Housing Act.

The City is required by Virginia statutes to permit mobile homes by right in at least one zoning district. While the City permits mobile homes in its R-1 district, the language used may lead to confusion as to whether mobile homes are not permitted in the district.

**Proposed Action Step 1:** The City should amend its zoning ordinance to remove restrictions on group living facilities for persons with disabilities.

**Proposed Action Step 2:** The City should amend chapter 35.1 section 1-29 to more clearly state that mobile homes are permitted by right in residential district (R-1).

**9. Public transit is limited to the City's most densely developed areas and is unavailable to second and third shift workers, and those working on weekends and holidays.**

Public transit is concentrated in Downtown Lynchburg and areas running southwest to Lynchburg College and Liberty University. However, public transit service is not available on Sundays or after 8:30 p.m. during the week and on Saturdays. For lower income residents who live in the City's denser neighborhoods, this makes it difficult to access entry-level jobs located on the City's periphery, where limited bus service is available. Additionally, many lower-income residents cannot use public transit to travel

to work since bus service is unavailable or severely limited during off-peak hours, weekends, and holidays.

**Proposed Action Step 1:** The City should continue collaborating with Greater Lynchburg Transit Company (GLTC) as it updates its Comprehensive Plan to promote the expansion of public transit service in non-impacted, high growth areas of the City. This could include the creation of ride-to-work public transit routes using smaller vehicles that consider the needs of second and third shift workers and those working on weekends and holidays.

**Proposed Action Step 2:** As part of its zoning ordinance update in 2014, the City should identify opportunities around existing areas of public transit for the development of medium-density and higher-density affordable multi-family residential uses.

## B. Public Sector – Lynchburg Redevelopment and Housing Authority (LRHA)

### 1. **Housing Choice Voucher Units are concentrated in RCAPs and LMI areas near the Central Business District.**

Voucher units are concentrated in LMI and RCAP neighborhoods near the Central Business District. In addition to the Central Business District this includes the neighborhoods of Diamond Hill, Tyreeanna, Fairview Heights, Seminary Hill, Miller Park, College Hill, and Dearington.

**Proposed Action Step 1:** LRHA should continue to actively recruit landlords in lower poverty/high opportunity neighborhoods to participate in the Housing Choice Voucher Program.

### 2. **Due to limited resources and hilly topography throughout Lynchburg, handicapped accessible units are limited within LRHA’s public housing inventory.**

The public housing and Housing Choice Voucher waiting lists indicate a strong demand for handicapped accessible units—18% of households on the public housing waiting list reported a disability and 61.8% of the households on the housing choice voucher waiting list reported a disability.

LRHA does not have a current Section 504 Needs Assessment and Transition Plan. Rather, the authority is utilizing its Green Physical Needs Assessment (GPNA) Plan as a guide for meeting its Section 504/UFAS requirements.

**Proposed Action Step 1:** LRHA should continue to use all available resources to retrofit public housing units to meet its minimum requirements, at the least, for handicapped accessible units and in compliance with Section 504/UFAS requirements.

**3. Lynchburg Redevelopment and Housing Authority could improve its Admissions and Continued Occupancy Policy from a fair housing perspective.**

LRHA should allow public housing applicants the right to refuse a unit at least once before they are removed from the waiting list.

**Proposed Action Step 1:** LRHA should amend its Admissions and Continued Occupancy Policy to allow applicants to refuse a unit at least once before they are removed from the waiting list. This action would expand housing choice for tenants, the majority of which are low income minorities.

**C. Private Sector**

**1. Mortgage loan denials and high-cost lending disproportionately affect minority applicants in Lynchburg, similar to national trends.**

Black and Hispanic households were severely underrepresented in loan applications compared to their share of the City's total households. While Black households represented 27.6% of all households in 2011, only 14.4% of all loan applications came from Black households. Similar trends occurred with Hispanic households. This contrasts sharply with White households, which represented 83% of all applications and comprised 66% of all households.

All minority groups had mortgage denial rates higher than Whites. An analysis of Home Mortgage Disclosure Act (HMDA) data for 2010 to 2012 revealed a higher rate of home mortgage loan denials within the City's RCAPs, areas of lower-income Black residents, than elsewhere in Lynchburg. Additionally, lower-income and upper-income minority households were denied mortgage loans at significantly higher rates than corresponding lower-income and upper-income White households. Among lower-income White households, 15.7% of applications were denied compared to 31.4% and 19.6% of upper-income Black and Asian households, respectively.

All of the City's high-cost loan originations occurred in the southeastern area of Lynchburg, which contained many Black RCAPs. Black households, regardless of income level, were more likely than any other racial or ethnic group to receive high-cost mortgages.

**Proposed Action Step 1:** Fund homebuyer counseling for lower income households, particularly minority households.

**2. The advertising policies of the News and Advance could be improved from a fair housing perspective.**

The publisher's policy is located only within the Real Estate This Week section of the News and Advance. It should be located in all versions of the paper's real estate ads.



**Proposed Action Step 1:** The City should inform the editors of the News and Advance that it is responsible for displaying the publisher's policy in all sections of the paper, which list rental and sales housing.

## 9. Fair Housing Action Plan

Actions	Responsible Entities	Benchmark	Years to be Completed	Potential Cost	Date Complete
<b>Public Sector- City of Lynchburg</b>					
<b>Impediment #1: The City's subsidized housing units and affordable HOME housing activities are located primarily in older neighborhoods near the Central Business District that are more likely to be impacted areas (i.e. Black concentrated areas of poverty and low-moderate-income areas).</b>					
The City should seek to strike a balance between revitalizing RCAPs and LMI areas, and creating new affordable housing opportunities in other City neighborhoods. Specifically, the City should update its HOME policies and procedures to incentivize the creation of affordable housing opportunities in higher opportunity neighborhoods.	City of Lynchburg-Grant Administrations Division	Updated HOME policies  New affordable housing units developed outside of RCAPS			
<b>Impediment #2: Members of the protected classes tend to experience higher rates of unemployment and have lower incomes, thereby encountering greater difficulty in securing affordable housing in Lynchburg.</b>					
Continue to use HOME dollars to fund homebuyer assistance programs.	City of Lynchburg-Grant Administrations Division	New homebuyers assisted annually			
Fund homebuyer counseling for lower income households, particularly minority households.	City of Lynchburg-Grant Administrations Division	Classes conducted  Participants			
<b>Impediment #3: The City's supply of decent and affordable housing remains inadequate, and there is a growing mismatch between incomes and housing costs.</b>					
Continue the City's Rental Inspection Program, which is focused in 11 older LMI neighborhoods to improve and preserve the existing affordable housing stock.	City of Lynchburg-Inspections Division	Units brought up to code annually			
Continue to use HOME dollars to fund homebuyer assistance programs.	City of Lynchburg-Grant Administrations Division	New homebuyers assisted annually			
<b>Impediment #4: Although there was an insufficient number of housing discrimination complaints filed in the City to identify significant trends, it was possible to identify a pattern of discriminatory behavior on the basis of disability and race.</b>					
Contract with an experienced HUD-certified fair housing organization to perform paired testing for race and disability in rental housing. Utilize the results to file housing discrimination complaints; publicize results to deter future discriminatory behavior.	City of Lynchburg-Grant Administrations Division  HUD-certified fair housing organization	Paired testing completed  Housing complaints filed			
Contract with an experienced HUD-certified fair housing organization to provide education and outreach on fair housing laws, rights and responsibilities.	City of Lynchburg-Grant Administration Division  HUD-certified fair housing organization	Fair housing workshops provided  Participants			

Actions	Responsible Entities	Benchmark	Years to be Completed	Potential Cost	Date Complete
<b>Impediment #5: There is a need for improved fair housing services across Lynchburg.</b>					
<p>Delegate the City's Housing Collaborative as the centralized fair housing organization for Lynchburg. The Collaborative's function would be to oversee the provision of fair housing training and education, review proposed developments as to their effects on affordable housing and compliance with fair housing policies and procedures, and make local officials aware of any fair housing discrimination occurring in the City.</p>	<p>Lynchburg Housing Collaborative</p>	<p>Collaborative is officially designated as Fair Housing Board by City Council</p> <p>Fair housing programs provided</p> <p>Participants</p> <p>Development plans reviewed for fair housing impact</p> <p>Complaints referred to VFHO for investigation</p>			
<p>The Housing Collaborative should partner with LRHA to pool fair housing resources, run fair housing training and educational meetings, and improve fair housing compliance citywide.</p>	<p>Lynchburg Housing Collaborative</p> <p>LRHA</p>	<p>LRHA and the Collaborative partner in running fair housing training and educational meetings.</p> <p>Fair housing resources from LRHA and the Collaborative are pooled.</p> <p>Fair housing compliance is improved citywide</p>			
<p>The City should allocate at least 1% of its annual CDBG entitlement grant exclusively to fair housing activities, such as education, outreach, training, and enforcement.</p>	<p>City of Lynchburg-Grant Administration Division</p>	<p>\$__ in CDBG funds allocated in 2014</p> <p>\$__ in CDBG funds allocated in 2015 (etc. up to 2018)</p>			

Actions	Responsible Entities	Benchmark	Years to be Completed	Potential Cost	Date Complete
<p>The City should formally designate a current employee as the Fair Housing Officer within the Community Development . This designee should serve as staff to the Housing Collaborative to advise the Collaborative on fair housing issues.</p>	<p>City of Lynchburg-Grant Administration Division and LRHA</p>	<p>Formal appointment of Fair Housing Officer as part of job description</p> <p>The Fair Housing Officer attends ___ meetings of the Housing Collaborative</p>			
<p>The City should revise its Affirmative Marketing Plan.</p>	<p>City of Lynchburg-Grant Administration Division</p>	<p>Amend Affirmative Marketing Plan</p> <p>Compliance reports in files</p>			
<p>The City should revise its Section 3 policy.</p>	<p>City of Lynchburg-Grant Administration Division</p>	<p>Amend Section 3 Policy</p> <p>HUD reports in file</p>			
<p>The Housing Collaborative and the City should promote fair housing education to the general public, especially to renters, in addition to developers and landlords.</p>	<p>Lynchburg Housing Collaborative</p> <p>City of Lynchburg- Grant Administration Division</p> <p>LRHA</p>	<p>Fair housing link is available and operational on the City's Community Development webpage.</p> <p>Fair housing workshops conducted</p> <p>Participants</p>			

Actions	Responsible Entities	Benchmark	Years to be Completed	Potential Cost	Date Complete
<b>Impediment #6: Members of the protected classes are under-represented on City boards and commissions that address housing issues.</b>					
Annually, the City should schedule a recruitment period for new board and commission applicants with an emphasis on recruiting members of the protected classes.	City of Lynchburg City Council	Applications received from members of the projected classes  Applicants appointed			
<b>Impediment #7: There is an inadequate supply of affordable and accessible housing for persons with disabilities.</b>					
The newly created Fair Housing Board should incorporate a disability element into its fair housing training. The Board should also work with disability advocates to sponsor workshops and other educational opportunities for community planning staff, developers, architects, builders, realtors, and other housing professionals.	City of Lynchburg-Grant Administration Division  Lynchburg Housing Collaborative,  LRHA	Fair housing workshops on disabilities and accessible housing conducted.  Participants			
The City should continue using HOME funds to support housing and supportive services for persons with disabilities.	City of Lynchburg-Grant Administration Division	New accessible units created			
<b>Impediment #8: The City's zoning ordinance could be improved from a fair housing perspective.</b>					
The City should amend its zoning ordinance to remove restrictions on group living facilities for persons with disabilities.	City of Lynchburg-Planning Division	Zoning ordinance amended and group homes for persons with disabilities are regulated as single family units.			
The City should rewrite chapter 35.1 section 1-29 to more clearly state that mobile homes are permitted by right in residential district (R-1).	City of Lynchburg- Planning Division	Chapter 35.1 section 1-29 is revised in the City's zoning ordinance.			
<b>Impediment #9: Public transit is limited to the City's most densely developed areas and is unavailable to second and third shift workers, and those working on weekends and holidays.</b>					
The City should continue collaborating with Greater Lynchburg Transit Company (GLTC) as it updates its Comprehensive Plan to promote the expansion of public transit service in non-impacted, high growth areas of the City.	GLTC	Expanded service on weekends & holidays  Expanded service to higher opportunity neighborhoods			

Actions	Responsible Entities	Benchmark	Years to be Completed	Potential Cost	Date Complete
<b>Public Sector- Lynchburg Redevelopment and Housing Authority</b>					
<b>Impediment #1: Housing Choice Voucher Units are concentrated in RCAPs and LMI areas near the Central Business District.</b>					
LRHA should continue to actively recruit landlords in lower poverty/high opportunity neighborhoods to participate in the Housing Choice Voucher Program.	LRHA	Market to landlords outside of LMI and RCAP areas to more actively participate in the Housing Choice Voucher Program			
<b>Impediment #2: Due to limited resources and hilly topography throughout Lynchburg, handicapped accessible units are limited within LRHA's public housing inventory.</b>					
LRHA should continue to use all available resources to retrofit public housing units to be handicapped accessible and in compliance with Section 504/UFAS requirements.	LRHA	Units made accessible for persons with mobility impairments  Units made accessible for persons with sensory impairments			
<b>Impediment #3: Lynchburg Redevelopment and Housing Authority could improve its Admissions and Continued Occupancy Policy from a fair housing perspective.</b>					
LRHA should amend its Admissions and Continued Occupancy Policy to allow applicants to refuse a unit at least once before they are removed from the waiting list.	LRHA	Revised Admissions and Continued Occupancy Policy			
<b>Private Sector</b>					
<b>Impediment #1: Mortgage loan denials and high-cost lending disproportionately affect minority applicants in Lynchburg, similar to national trends.</b>					
Fund homebuyer counseling for lower income households, particularly minority households.	City of Lynchburg-Grant Administration Division	Classes conducted  Participants			
<b>Impediment #2: The advertising policies of the News and Advance could be improved from a fair housing perspective.</b>					
The City should inform the editors of the News and Advance that it is responsible for displaying the publisher's policy in all sections of the paper, which list rental and sales housing.	City of Lynchburg-Grant Administration Division	Letter sent to the <i>News Advance</i> in file			

## 10. Signature Page

By my signature I certify that the Analysis of Impediments to Fair Housing Choice for the City of Lynchburg is in compliance with the intent and directives of the regulations of the Community Development Block Grant Program and HOME Investment Partnerships Program.

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L. Kimball Payne III, City Manager

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Date



# APPENDIX A- LIST OF STAKEHOLDERS

**Stakeholder Chart**  
**Consultation Process for the**  
**City of Lynchburg, VA Analysis of Impediments to Fair Housing Choice**

Type of Organization	Name	Title	Name of Organization
<b>Community Development</b>	Melva Walker	CDBG Manager	Community Development Dept.
	same as above	HOME Program Manager	
<b>Planning &amp; Zoning</b>	Tom Martin	City Planner	Community Development Dept.
	Rob Fowler	Zoning Enforcement	Community Development Dept.
<b>Public Housing Authority</b>	Dawn Fagan	Executive Director	Lynchburg Redevelopment & Housing Authority
	Glenna Wright	Section 8 Program Manager	Lynchburg Redevelopment & Housing Authority
<b>Public Housing Authority</b>	Kimberly Brown	Council President	Dearington Apartments Neighborhood Council
<b>Affordable Housing / Special Needs Housing</b>	Denise Crews		Lynchburg Community Action Group (Lyn-CAG)
	Donna Vincent	Director	Greater Lynchburg Habitat for Humanity
	Sandy Walton	Director	Rebuilding Together Lynchburg
	Cindy Sommers	Director	Lynchburg Neighborhood Development Foundation (LNDF)
	Sarah Quarantotto	Director	Miriam's House
	Lisa Dibble	Director	Gateway
	Joan Phelps	Vice President of Community Affairs	United Way
	Caroline Hudson		YWCA
<b>Advocacy Orgs for Persons with Disabilities</b>	Allison Wingfield	Director	Rush Lifetime Homes
	Denise Crews		Lynchburg Community Action Group (Lyn-CAG)
<b>Fair Housing Advocacy Organizations</b>	Denise Crews		Lynchburg Community Action Group (Lyn-CAG)
	Dawn Fagan		Lynchburg Redevelopment & Housing Auth.
<b>Local Board of Realtors</b>	Sandra Maschal	Executive Director	Lynchburg Board of Realtors



## APPENDIX B- NEIGHBORHOOD MAP

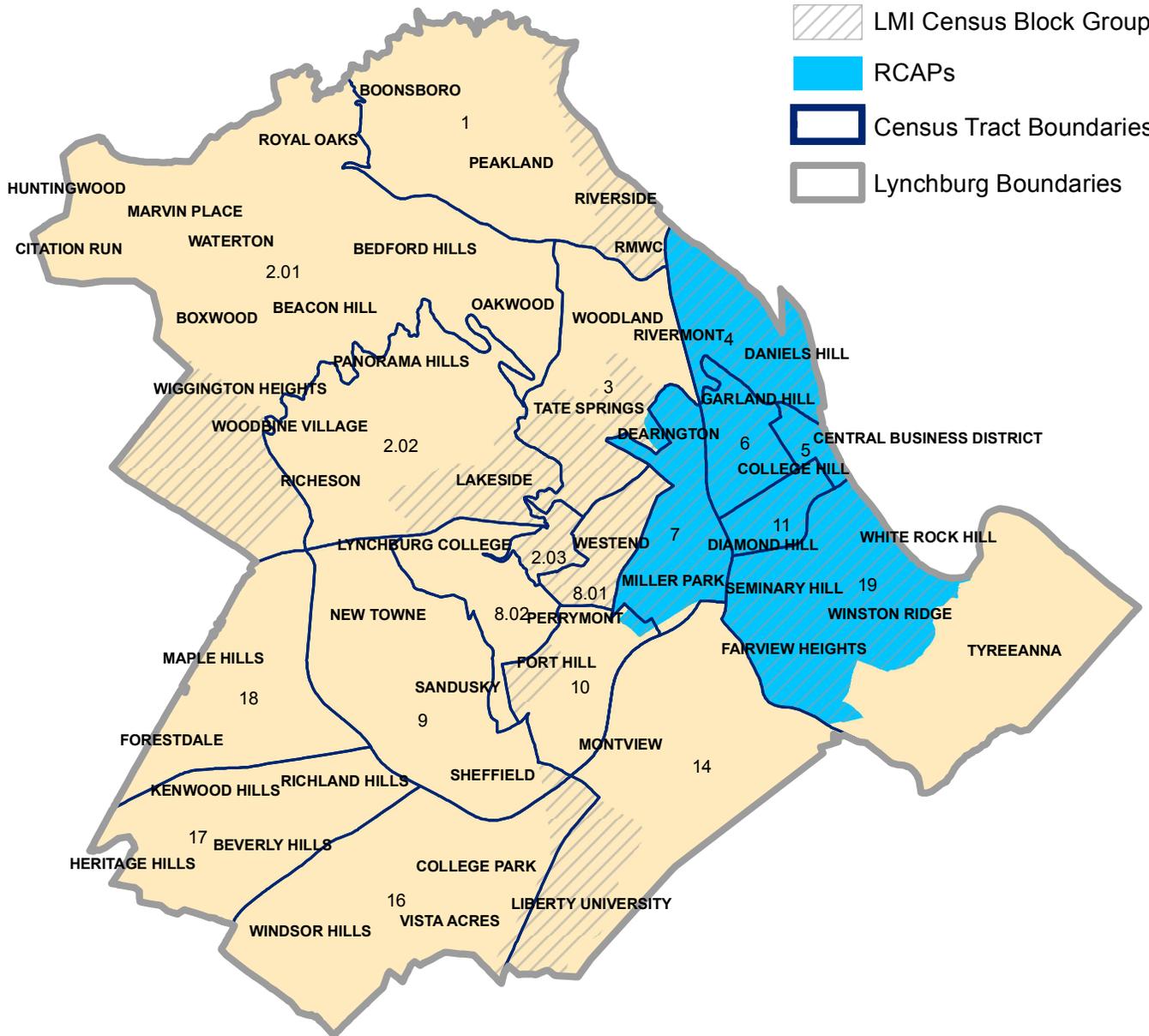
# Appendix: Lynchburg Neighborhoods

## Lynchburg Analysis of Impediments to Fair Housing Choice

Source: City of Lynchburg

### Legend

-  LMI Census Block Groups
-  RCAPs
-  Census Tract Boundaries
-  Lynchburg Boundaries



Note: Census Tract Numbers are Labeled.



## APPENDIX C- ZONING ORDINANCE REVIEW

QUESTIONS	ANSWERS	COMMENTS
Residential Zoning Districts	R-C: Conservation District	There is a large variety of residential districts within Lynchburg providing a variety of densities and housing types. This ranges from R-C, which requires a minimum lot size of 10 acres to R-5, permitting 29 dwelling units per acre. R-1 and R-2 districts are commonly found on the western half of the City, while R-4 and R-5 are common in near downtown and surrounding Lynchburg college. Mixed-use development is permitted in a number of districts including: TND, business districts 1-6, residential PUDs, and the 5th Street Revitalization Corridor Overlay. Mixed-use development districts can be found throughout the entire City.
	R-1: Low-Density Residential District	
	R-2: Low-Medium Density Residential District	
	R-3: Medium Density Residential District	
	R-4: Medium High Density Residential District	
	R-5: High Density Residential District	
	B 1-6: Business Districts	
	PUD: Residential Planned Unit Developments	
	TND: Traditional Neighborhood Development	
	IMF: Inclusionary Multi-Family District	
	5th Street Revitalization Corridor Overlay	
Definition of Family	<p>1) Two (2) or more persons related by blood or marriage, occupying a dwelling, living together and maintaining a household, including not more than one (1) unrelated person.</p> <p>2) Not more than three (3) unrelated persons occupying a dwelling, living together, and maintaining a household.</p>	Unrelated individuals who can live together are limited to three. This restricts non-traditional families and unduly restricts unrelated individuals from sharing a dwelling unit to save on costs. Group homes are included in the definition of family.
Definition and Regulation of Group Home	<p>A residential facility wherein (a) the operator is not legally related to the individuals supervised and may be licensed by the state, and wherein (b) four (4) or more individuals are provided with room, board, specialized and distinctive care, and daily supervision. For the purpose of the zoning ordinance, a facility providing care to less than four (4) persons shall not be considered a group home. The term "Group Home" would include but not be limited to such groups as: foster family homes, homes for adults, abused women, individuals with mental illness, intellectual disability, or developmental disabilities, or physically handicapped. This definition does not include pre-release or post-release individuals who have been incarcerated.</p> <p>However, a residential facility in which no more than eight (8) individuals with mental illness, intellectual disability, or developmental disabilities reside, with one or more resident counselors or other staff persons, shall be considered for all purposes residential occupancy by a single family. No conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such facility.</p> <p>A residential facility, in which no more than four (4) aged, infirm or physically disabled persons reside, with one or more resident counselors or other staff persons, shall be considered for all purposes residential occupancy by a single family. No conditions, more restrictive than those imposed on residences occupied by persons related by blood, marriage or adoption shall be imposed on such a facility.</p>	Group homes with individuals who are mentally ill are limited to eight or fewer residents. Group homes with individuals who are aged, infirm or physically disabled are limited to four or fewer residents. There does not appear to be limitations on the number of individuals per group homes for all other type of group homes (with the exception of half-way homes). Limiting the number of individuals in a group home according to the above definition appears arbitrary.

<p>Definition and Regulation of Mobile Homes</p>	<p><b>Manufactured home:</b> A structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.</p> <p><b>Mobile home:</b> A structure or vehicle with the following characteristics:</p> <p>(1) It is used, designed for use or capable of being used as living quarters and contains sleeping accommodations, a flush toilet, a tub or shower bath, kitchen facilities.</p> <p>(2) It is transportable in one (1) or more sections, eight (8) body feet or more in width and is thirty-two (32) body feet or more in length, and which is built on a permanent chassis, and designed to be used with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.</p>	<p>Manufactured homes are permitted by right only in R-1, the low-Density Residential District. In all other residential districts, they are a conditional use. This fulfills Virginia Statutes to permit mobile homes by right in at least one residential district.</p> <p>The language used permitting mobile homes by right in R-1, however, may lead to confusion as to whether mobile homes are permitted by right or excluded and thus should be modified.</p>
<p>Affordable Housing Options</p>	<p>There are two conflicting zoning codes regarding the allowance of accessory residential units. Section 35, 1-24 states that accessory residential units are only permitted for guests and domestic employees.</p> <p>Section 25, 1-29 states that all residential districts with the exception of the Conservation district, permit accessory units to be rented or used as additional residential. Units, however, must include a 30 foot frontage along the street or have an unobstructed easement of at least 30 feet.</p>	<p>Other than Section 25, 1-29, zoning tools to promote affordable housing is limited in Lynchburg. Some tools which Lynchburg can consider include: rental controls, affordable housing zones, inclusionary zoning, and the collection of development fees to be placed into an affordable housing trust fund.</p>
<p><b>Date of Ordinance:</b> December, 1978</p>		
<p><b>Amended through:</b> October, 2006</p>		