



# Analysis of Impediments to Fair Housing Choice

Fremont, Nebraska

***“Executive  
Summary”***

**HANNA:KEELAN ASSOCIATES, P.C.  
COMMUNITY PLANNING & RESEARCH**

*COMPREHENSIVE PLANS & ZONING \* HOUSING STUDIES \*  
DOWNTOWN & REDEVELOPMENT PLANNING \*  
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**JULY, 2011**

# **FREMONT, NEBRASKA ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

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The **Analysis of Impediments to Fair Housing Choice** was completed with guidance and direction of the **AIFHC Steering/Citizen Advisory Committee**.

The **Analysis of Impediments to Fair Housing Choice** was completed by **Hanna:Keelan Associates, P.C.**, a professional Community Planning and Research Consulting Firm, based in Lincoln, Nebraska.

## **HANNA:KEELAN ASSOCIATES, P.C. COMMUNITY PLANNING & RESEARCH**

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## ● INTRODUCTION & AIFHC BACKGROUND ●

This **Analysis of Impediments to Fair Housing Choice (AIFHC)** was conducted for the City of Fremont, Nebraska. The City is a recipient of the State of Nebraska Community Development Block Grant (CDBG), Comprehensive Revitalization Program, a Program that grants Nebraska non-entitlement Communities multi-year funding for needed community development and redevelopment activities. As a recipient of this Program, City of Fremont leadership felt it important to analyze, determine and, if necessary, provide solutions to any impediments to fair housing choice that may exist in the Community. The **Analysis** was conducted during the period of January to July, 2011.

The **AIFHC** was conducted for the **City of Fremont**, by **Hanna:Keelan Associates, P.C.**, a Nebraska-based community planning and research consulting firm, with the assistance of an **AIFHC Steering Committee**, comprised of the members of the City of Fremont Citizen Advisory Committee. City staff, local housing leadership and local human services stakeholders and the general public provided invaluable input into the Analysis process by participating in a Fair Housing Choice Survey, “Key Player” Interviews, Community Listening Sessions and Fair Housing Educational Programs.

The **AIFHC Steering Committee** provided important guidance to **Hanna:Keelan** throughout the Analysis, by reviewing important demographic and housing data and Survey results. The Steering Committee met on two separate occasions.



## ● ABOUT FAIR HOUSING ●

**Fair Housing** is the right for all people to have safe, decent housing and be able to get this housing without discrimination. City, State, and Federal Fair Housing Laws require that all people have an equal opportunity to buy, rent, or live in housing. **Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended**, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability).

The **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. As it relates to the sale or rental of housing in a Community, no one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap:

- Refuse to rent or sell housing.
- Refuse to negotiate for housing.
- Make housing unavailable.
- Deny a dwelling.
- Set different terms, conditions or privileges for 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).
- 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.

**Fair Housing Choice is defined as a commitment to practicing Fair Housing Activities in a Community, including:**

1. Analyze and eliminate housing discrimination in the jurisdiction;
2. Promote fair housing choice for all persons;
3. Provide opportunities for inclusive patterns of housing occupancy regardless of race, color, religion, sex, familial status, disability and national origin;
4. Promote housing that is structurally accessible to, and usable by, all persons, particularly persons with disabilities;
5. Foster compliance with the nondiscrimination provisions of the Fair Housing Act.

## ● PURPOSE OF THE AIFHC ●

The primary **Purpose** of the **Analysis of Impediments to Fair Housing Choice** is to *“identify the impediments or barriers, if any, that the citizens of Fremont have in securing safe, decent and affordable housing”* within the jurisdiction of the City. Information contained in the **Analysis** was then utilized to establish recommendations for the elimination of any and all impediments found to exist.

In general, the **AIFHC** examined a variety of local housing issues and secured the opinions and experiences of the citizens of the Community. Special attention was given to the review of statistical data associated with population, household income, race, citizens with disabilities and family status in an effort to understand the current demographic conditions in the City. A number of housing issues associated with housing discrimination, segregation by class, housing accessibility and visitability were also examined to understand what social and economic issues might be influencing a person’s ability to secure safe and affordable housing.

The **Expected Outcomes** of this **Analysis of Impediments to Fair Housing Choice** were: 1) to allow local leadership and the housing and human services providers of Fremont to participate in an important locally-based planning process; and 2) to identify those impediments, if any, that prevent the citizens of the Community from securing safe, decent and affordable housing.

No housing impediments were overlooked during the analysis process. Impediments reviewed ranged from social to economic in nature and touched upon all important aspects of housing mobility, accessibility and visitability.

Important to this **Analysis** was the creation of a **“Matrix,”** of **Impediments to Fair Housing Choice**. The Matrix provides a consensus of information regarding local housing impediments and allows for the rating, or prioritizing of any housing impediments that exist in the City, based on local research activities and input from the Community of Fremont.

## ● FAIR HOUSING CHOICE SURVEYS ●

The following discusses the results of the **Fremont Fair Housing Choice Surveys**, distributed by the City of Fremont, the Fremont Housing Agency, local Housing Stakeholders and also available on the City's Web Site (courtesy of SurveyMonkey.com). A total of **264 surveys** were completed and returned by **Consumers** and the **General Public**.

A total of **32 Surveys** were returned by **Housing Stakeholders** representing individuals with both non- and for-profit organizations and groups.

### **Priority Impediments to Fair Housing Choice – Consumers & General Public**

**The top three barriers to fair housing choice for renters in Fremont are as follows:**

#1 – Lack of available decent Rental Units, in affordable price ranges.

#2 – Cost of Utilities.

#3 – Lack of Adequate Public Transportation.

**The top three barriers to fair housing choice for owners in Fremont are as follows:**

#1 – Cost of Housing.

#2 – Excessive Down Payment and/or Closing Costs.

#3 – Job Status.

**A Fair Housing Choice Survey was returned by 32 local Stakeholders involved with the local housing industry and/or human services delivery.**

**Provision of Housing – Areas of Concern.**

- #1 – Availability of Affordable Housing.
- #2 – Affordability of Housing.
- #3 – Limited Financial Resources.
- #4 – Substandard Living Conditions.
- #5 – Education & Outreach on Affordable Housing Resources.

**Population Groups Most Underserved for Safe, Affordable Housing.**

- #1 – Housing for Low-Income Persons & Families.
- #2 – Housing for Middle-Income Persons & Families.
- #3 – Housing for Single Parent Households.

**Housing Types Most Needed in the Fremont Area.**

- #1 – Single Family Owner Housing (3+ Bedroom Units).
- #2 – Entry-Level Ownership Housing.
- #3 – Emergency Shelters (Short or Long Term).

**Priority Impediments to Fair Housing Choice-Stakeholders (Renters).**

- #1 – Lack of Available Decent Rental Units in Affordable Price Ranges.
- #2 – Lack of Educational Resources about Tenant Responsibilities.
- #3 – Job Status.

**Priority Impediments to Fair Housing Choice-Stakeholders (Owners).**

- #1 – Cost of Housing
- #2 – Excessive Down Payment and/or Closing Costs.
- #3 – Attitudes of Immediate Neighbors & Job Status.

● POPULATION PROFILE ●

- ◆ **Table A** identifies the current **population and projections** for the City of Fremont, Nebraska. The current (2011) estimated population of Fremont is 26,430, an increase of 33 persons, or 0.1 percent since 2010.
- ◆ Based on the “**medium**” population projection, the population for Fremont is expected to increase an estimated 0.7 percent, or by 175 persons, from 2011 to 2016, to an estimated population of 26,605 persons. A “high” projection would result in a five-year population increase of 210 persons, or 0.8 percent by 2016.

**TABLE A  
POPULATION TRENDS AND PROJECTIONS  
FREMONT, NEBRASKA  
1990-2016**

	<u>Year</u>	<u>Population</u>	<u>Total</u>		<u>Annual</u>	
			<u>Change</u>	<u>Percent</u>	<u>Change</u>	<u>Percent</u>
	2010	26,397	--	--	--	--
	<b>2011</b>	<b>26,430</b>	<b>+33</b>	<b>+0.1%</b>	<b>+33</b>	<b>+0.12%</b>
<b>Midpoint</b>	<b>2015*</b>	<b>26,544</b>	<b>+114</b>	<b>+0.4%</b>	<b>+22.8</b>	<b>+0.11%</b>
<b>Low</b>	<b>2016</b>	<b>26,579</b>	<b>+149</b>	<b>+0.6%</b>	<b>+29.8</b>	<b>+0.12%</b>
<b>Midpoint</b>	<b>2016</b>	<b>26,605</b>	<b>+175</b>	<b>+0.7%</b>	<b>+35</b>	<b>+0.14%</b>
<b>High</b>	<b>2016</b>	<b>26,640</b>	<b>+210</b>	<b>+0.8%</b>	<b>+42</b>	<b>+0.16%</b>

\*2015 Population projection provided by Kendig Keast Collaborative.

- ◆ **Table B** identifies **tenure by household** for Fremont, for 2011 and 2016. By 2016, owner households will account for an estimated 59.5 percent of the total households in Fremont, resulting in 6,031 owner and 4,106 renter households.

**TABLE B  
TENURE BY HOUSEHOLD  
FREMONT, NEBRASKA**

	<u>Total</u>	<u>Owner</u>		<u>Renter</u>	
<u>Year</u>	<u>Households</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
<b>2011</b>	<b>9,978</b>	<b>5,948</b>	<b>59.6%</b>	<b>4,030</b>	<b>40.4%</b>
<b>2016</b>	<b>10,137</b>	<b>6,031</b>	<b>59.5%</b>	<b>4,106</b>	<b>40.5%</b>

● **HOUSING DEMAND** ●

- ◆ **Table C** identifies the **estimated housing target demand** in Fremont, by 2016. This target demand provides the Community with the number of housing units to undertake, during the next five years. Local housing stakeholders and providers need to be focused on this housing demand and achieving reasonable goals and outcomes that will effectively increase the quality of the housing stock in Fremont. The total estimated **housing target demand** for Fremont, by 2016, is **645 housing units, including 385 owner and 260 rental units**. The total housing target demand would have an estimated cost of \$86 Million.

<b>TABLE C ESTIMATED HOUSING TARGET DEMAND FREMONT, NEBRASKA 2016</b>			
<b>Target Demand*</b>		<b>Total</b>	<b>Est. Required</b>
<b><u>Owner</u></b>	<b><u>Renter</u></b>	<b><u>Demand</u></b>	<b><u>Budget</u></b>
<b>385</b>	<b>260</b>	<b>645</b>	<b>\$86 M</b>
*Based upon new households, providing affordable housing for 10% of cost burdened households, with housing problems, replacement of 20% substandard (HUD) housing stock, absorb housing vacancy deficiency by creating 6.5% vacancy rate consisting of structurally sound housing units, build for Pent-Up demand.			

- ◆ **Table D** identifies the **estimated year-round housing demand by income sector** for Fremont, by 2016. Approximately 645 new units should be targeted, consisting of 385 owner units and 260 rental units. New owner units should focus on addressing the needs and demands of individuals and families who have an Area Median Income (AMI) of 51 percent or higher. New renter units should focus on meeting the needs of individuals and families within all income ranges.

<b>TABLE D ESTIMATED YEAR-ROUND HOUSING DEMAND BY INCOME SECTOR FREMONT, NEBRASKA 2016</b>						
<b><u>Tenure</u></b>	<b><u>Income Range</u></b>					<b><u>Totals</u></b>
	<b><u>0-30%</u></b>	<b><u>31-50%</u></b>	<b><u>51-80%</u></b>	<b><u>81%-125%</u></b>	<b><u>126%+</u></b>	
<b>Owner</b>	<b>0</b>	<b>0</b>	<b>40</b>	<b>130</b>	<b>215</b>	<b>385</b>
<b>Renter</b>	<b>35</b>	<b>45</b>	<b>55</b>	<b>75</b>	<b>50</b>	<b>260</b>

*Analysis of Impediments to Fair Housing Choice – Fremont, Nebraska*

- ◆ **Table E** identifies estimated housing **land use projections/per housing type by age sector** in the City of Fremont, by 2016. Overall, the City will require an estimated 218 acres of land for residential development.
- ◆ Approximately 59.8 percent of needed, future residential land, or 130.5 acres should be used to develop single family units for households in the 18 to 54 years age group. This will include both owner and rental units consisting of single family, patio home, town home, duplex and apartment units. Single family units could also be part of a Credit- or Lease-To-Own housing program.
- ◆ Approximately 40.2 percent of the residential land needed in Fremont, by 2016, should be used to develop owner and renter units for households at 55+ years of age. A mixture of housing types is identified for older adult populations, including a variety of single and multifamily housing units.

<b>TABLE E HOUSING LAND USE PROJECTIONS/ PER HOUSING TYPE/ AGE SECTOR FREMONT, NEBRASKA 2016</b>			
<u>Household</u>	<u>Type of Unit</u>	<u>#Owner / #Renter</u>	<u>Land Requirements (Acres)</u>
<b>18 to 54 Years</b>	Single Family Unit	150 / 28*	83
	Patio Home Unit	32 / 8	12
	Town Home Unit	14 / 16	12
	Duplex Unit	14 / 52	15.5
	Apartment - 3+ Units	0 / 56	8
<b>Totals</b>		<b>220 / 160</b>	<b>130.5 Acres</b>
<b>55+ Years</b>	Single Family Unit	85 / 16*	47
	Patio Home Unit	36 / 8	13
	Town Home Unit	30 / 12	12.5
	Duplex Unit	14 / 40	11.5
	Apartment - 3+ Units	0 / 24	3.5
<b>Totals</b>		<b>165 / 100</b>	<b>87.5 Acres</b>
<b>Total Units / Acres</b>		<b>385 / 260</b>	<b>218 Acres</b>
<b>*Includes Credit- or Lease-To-Own Units.</b>			

**● MATRIX OF IMPEDIMENTS TO FAIR HOUSING CHOICE ●**

The following **Matrix** identifies **Impediments to Fair Housing Choice** in Fremont, Nebraska, as determined by Analysis of the Surveys, Interviews and Listening Sessions. Impediments are listed by both Renter and Owner and rated as “S” – Significant, “SWS” – Somewhat Significant, or “NS” – Not Significant. This rating system was based on “frequency of response” to the various impediments to affordable housing. Opportunities and Recommended Actions address Impediments rated “S” – Significant.

<b>TABLE F MATRIX OF IMPEDIMENTS TO FAIR HOUSING CHOICE FREMONT, NEBRASKA 2011</b>						
<b>TYPE OF BARRIER</b>	<b>RENTER</b>			<b>OWNER</b>		
	<b>S</b>	<b>SWS</b>	<b>NS</b>	<b>S</b>	<b>SWS</b>	<b>NS</b>
Lack of available decent rental units in affordable price ranges.	X					
Cost of utilities.	X				X	
Excessive application fees and/or rental deposits.		X				
Attitudes of landlords.		X				
Job status.			X	X		
Lack of knowledge of fair housing rights.		X				X
Use of background checks.			X			
Lack of knowledge of how to file a fair housing complaint.		X			X	
Lack of adequate public transportation.	X					X
Lack of educational resources about tenant responsibilities.			X			
Lack of handicap accessible units.		X			X	
Restrictive zoning/building codes.			X			X
Excessive down payment/closing costs.		X		X		
Cost of housing.				X		
Mortgage lending application requirements.					X	
Costs of homeowners insurance.					X	
Lack of educational resources about homeowner responsibilities.						X
Attitudes of immediate neighbors.					X	

Source: Hanna:Keelan Associates, P.C., 2011

The following identifies “**recommendations**” for the priority, or “**Significant Impediments to Affordable Housing Choice**,” in Fremont, Nebraska, as determined by the research activities conducted for this AIFHC.

1. **AVAILABILITY OF AFFORDABLE HOUSING & COST OF HOUSING.**
2. **COST OF UTILITIES.**

Since the early 1990s, the City of Fremont has utilized various State and Federal Affordable Housing Programs to lower the cost of housing for families of low- to moderate-income, while diversifying housing choices in the Community. State Funded CDBG housing rehabilitation and first-time homebuyer programs, in addition to Low-Income Housing Tax Credit and HUD Section 811 projects have improved and added affordable units to both the owner and rental housing inventory.

The Fremont Housing Agency plays a major role in the provision of affordable rental housing, providing both project- and tenant based rental housing opportunities. Northeast Nebraska Economic Development District, Goldenrod Hills Community Action, Salvation Army, Mosaic and Care Corps all provide valuable owner- and renter occupied housing services in the City of Fremont. These services range from grant writing and administration, to housing rehabilitation, homeless services, transitional housing, weatherization and homebuyer educational workshops. The Fremont Area Habitat for Humanity will continue to be an important partner in the provision of owner occupied housing in the City. Metropolitan Community College and Midland University also provide valuable educational programs, including language classes.

The **Community of Fremont** should plan and develop up to **645 new housing units**, by year end, **2016**, including up to **135 subsidized rental units** and **40 owner units for households of very-low- to moderate-income**. This should include rental units for all income sector and household type and owner units for persons and families of moderate+ income level. To successfully accomplish this, the Community will need to continue to work with and foster a relationship with organizations providing housing services to insure the *availability of affordable housing and address the increasing costs housing and utilities in Fremont*. This can include, but is not limited to the following recommendations:

- ◆ Target affordable housing development in areas of Fremont having the highest level of public and private sector services. This would include the Downtown and established residential neighborhoods.

- ◆ **Visitability** in all multifamily housing should be a goal of the City of Fremont. The City should require that all multifamily housing be ADA accessible, or have ADA compliant units. The visitability movement in new construction is intended to allow all housing to meet the current or future needs of persons with a disability or be easily modified to meet such provisions. Three key features are promoted:
  1. At least one zero-step entrance on an accessible route leading from a driveway or public sidewalk.
  2. All interior doors providing at least 31 ¾ inches of unobstructed passage space.
  3. At least a half bath on the main floor.
  4. Future building codes in the City of Fremont should potentially require visitability compliance for all housing construction.
  
- ◆ Housing code enforcement activities should be supported by an inspection and licensing program for rental housing. All housing, both existing and new, both owner and rental, should require an occupancy permitting process.
  
- ◆ Continue and expand housing rehabilitation activities in the Community of Fremont, including purchase-rehab-resale program, to improve the condition of owner (purchased) housing units.
  
- ◆ Provide a local program of acquiring dilapidated houses for demolition and reuse of the lot(s). Emphasis should be placed on acquiring properties in established neighborhoods, where streets and infrastructure exist.
  
- ◆ Working with local and regional housing partners, the City should maximize efforts to secure all types of State and Federal funding sources for affordable housing improvements and developments in Fremont. The City should create an initiative to utilize **tax increment financing** as local funding for community and economic development/redevelopment activities in established neighborhoods.
  
- ◆ Maintain a local Weatherization Program to assist low- to moderate-income persons/families with the cost of making their housing units more energy efficient.
  
- ◆ Enhance public awareness programs to reduce utility costs with more effective alternative energy and energy conservation practices.
  
- ◆ Encourage citizens to utilize a “budget billing” program with local energy providers.

**3. EXCESSIVE APPLICATION FEES/RENTAL DEPOSITS & DOWN PAYMENT/CLOSING COSTS TO PURCHASE A HOME.**

Fremont AIFHC participants identified excessive application fees, rental deposits and down payment and closing costs as a major impediment to fair housing choice, both for renters and those desiring to purchase a home. For those wanting to buy a home, some felt a lack of necessary education and financial knowledge to understand the costs of buying a home. Several AIFHC participants felt that having unpaid personal loans, high credit card debt and/or a history of late payments made qualifying for a home mortgage impossible.

Today's economic environment has forced a higher level of personal financial credit standards, for both purchasing a house and renting an apartment. This, in turn, has prevented many persons and families from securing the housing of their need and choice.

**Recommendations regarding this impediment include, but are not limited to:**

- a) Create an Individual Development Accounts (IDA) Program with area lenders and financial institutions to educate citizens about the importance of establishing savings accounts and saving patterns to help address and create financial stability.
- b) Support efforts by the City of Fremont to expand various rental and ownership affordable housing programs with local financial institutions and major employers to expand funding assistance, so more families can utilize these programs.
- c) Expand renter and homeowner education classes to be required components of local high schools, college and continuing education classes. This will expand an individual's or family's budgeting skills and, eventually, financial knowledge of being either a homeowner or renter.
- d) Work with major employers to establish programs to decrease down payments and closing costs by providing forgivable grants and/or low interest loan programs that employees can access.
- e) Several participants of the AIFHC process felt that some landlords of apartment complexes or rental houses required excessive fees for the submittal of an application to rent. These participants felt this was a way of discriminating against applicants of low- to moderate-income and/or some ethnic minority groups. To address this issue, the City could consider amending City ordinances to establish a uniform cost for application fees.

**4. LACK OF KNOWLEDGE OF HOW TO FILE A FAIR HOUSING COMPLAINT.**

In Fremont, it is standard procedure for the Housing Agency to educate each of the Agency’s new consumers on how to file a fair housing complaint. The City of Fremont, however, currently, does not have a process or procedure for filing a fair housing complaint. It is **recommended** that the City provide information addressing such a process on their Web Site. In addition, all landlords, property managers and other non-profit housing and human services groups should be required to provide their tenants, customers or clients with a copy of a Fair Housing Complaint Form. The City should require that pertinent tenant and landlord rights information be included in all rental agreement packets.

It is also **recommended** that the City of Fremont officially designate a person as the City’s Fair Housing Officer. This person stays fully informed of any and all pertinent information regarding the laws that govern Fair Housing and serve as a “first point” of contact for anyone filing or considering filing a Fair Housing Complaint.