

July 2011

# Analysis of Impediments to Fair Housing Choice Jersey City, NJ



prepared by

**MULLIN &  
LONERGAN  
ASSOCIATES**  
INCORPORATED

# CITY OF JERSEY CITY, NEW JERSEY

## ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

<b>1.</b>	<b>INTRODUCTION .....</b>	<b>1</b>
A.	Introduction .....	1
B.	Fair Housing Choice .....	1
C.	The Federal Fair Housing Act .....	3
i.	What housing is covered?.....	3
ii.	What does the Fair Housing Act prohibit?.....	3
iii.	Additional Protections for People with Disabilities .....	4
iv.	Housing Opportunities for Families with Children .....	4
D.	Comparison of Accessibility Standards .....	5
i.	Fair Housing Act .....	5
ii.	Americans with Disabilities Act (ADA).....	5
iii.	Uniform Federal Accessibility Standards (UFAS) .....	5
iv.	Visitability Standards.....	6
v.	Universal Design.....	6
E.	New Jersey Law Against Discrimination .....	6
F.	Jersey City Fair Housing and Public Accommodation Ordinance .....	8
G.	Methodology.....	10
i.	Use of Census Data.....	10
H.	Development of the Analysis of Impediments to Fair Housing .....	11
i.	Lead Agency.....	11
ii.	Agency Consultation .....	11
I.	The Relationship between Fair Housing and Affordable Housing .....	11
<b>2.</b>	<b>DEMOGRAPHIC INFORMATION .....</b>	<b>12</b>
A.	Historical Residential Settlement Patterns.....	12
B.	Demographic Profile .....	13
i.	Population Trends.....	13
ii.	Areas of Racial and Ethnic Minority Concentration .....	16
iii.	Residential Segregation Patterns .....	19
iv.	Race/Ethnicity and Income .....	21
v.	Concentrations of LMI Persons.....	23
vi.	Disability and Income.....	25
vii.	Familial Status and Income.....	26
viii.	Ancestry and Income .....	28
ix.	Protected Class Status and Unemployment .....	30
C.	Housing Market.....	31
i.	Housing Inventory .....	31
ii.	Types of Housing Units.....	33
iii.	Foreclosure Trends.....	35
iv.	Protected Class Status and Home Ownership.....	37
v.	The Tendency of the Protected Classes to Live in Larger Households .....	40
vi.	Cost of Housing .....	42
vii.	Protected Class Status and Housing Problems .....	48
<b>3.</b>	<b>EVALUATION OF CURRENT FAIR HOUSING PROFILE .....</b>	<b>50</b>
A.	Existence of Fair Housing Complaints.....	50
i.	HUD's Office of Fair Housing and Equal Opportunity .....	50
ii.	New Jersey Division on Civil Rights.....	52
B.	Patterns and Trends in Fair Housing Complaints.....	52
i.	Housing Advocacy Groups .....	53

ii.	International Institute of NJ .....	53
C.	Existence of Fair Housing Discrimination .....	54
D.	Determination of Unlawful Segregation .....	54
<b>4.</b>	<b>EVALUATION OF PUBLIC AND PRIVATE SECTOR POLICIES .....</b>	<b>55</b>
A.	Public Sector Policies .....	55
i.	Jersey City Housing Authority .....	55
ii.	Privately Assisted Housing .....	69
iii.	Development of Affordable Housing .....	73
iv.	City Policies Governing Investment of Entitlement Funds.....	74
v.	Affirmative Marketing Policy.....	77
vi.	Site and Neighborhood Selection Policy .....	79
vii.	Appointed Boards and Commissions .....	80
viii.	Accessibility of Residential Dwelling Units .....	82
ix.	Permitting and Inspections.....	83
x.	Persons with Limited English Proficiency (LEP) .....	84
xi.	Master Plan.....	85
xii.	Zoning Ordinance .....	87
xiii.	Long Term Tax Exemptions Affordable Housing Trust Fund .....	89
xiv.	Taxes .....	89
xv.	Public Transit.....	92
B.	Private Sector Policies .....	94
i.	Mortgage Lending Practices .....	95
ii.	High-Cost Lending Practices .....	101
iii.	Real Estate Practices.....	103
iv.	Newspaper Advertising .....	104
<b>5.</b>	<b>ASSESSMENT OF CURRENT FAIR HOUSING PROGRAMS AND</b>	
<b>ACTIVITIES .....</b>	<b>105</b>	
A.	Current Fair Housing Programs and Activities.....	105
B.	Fair Housing Organizations .....	105
i.	Fair Housing Initiatives Programs (FHIP).....	105
ii.	Hudson County Urban League .....	106
iii.	Jersey City Human Rights Commission.....	107
<b>6.</b>	<b>GENERAL FAIR HOUSING OBSERVATIONS .....</b>	<b>108</b>
<b>7.</b>	<b>POTENTIAL IMPEDIMENTS TO FAIR HOUSING CHOICE .....</b>	<b>110</b>
i.	Public Sector / City .....	110
ii.	Public Sector / Jersey City Housing Authority.....	115
iii.	Private Sector .....	116
<b>8.</b>	<b>FAIR HOUSING ACTION PLAN .....</b>	<b>118</b>
<b>9.</b>	<b>SIGNATURE PAGE .....</b>	<b>122</b>
<b>10.</b>	<b>APPENDIX A: STAKEHOLDERS INVITED TO PARTICIPATE AND PUBLIC</b>	
<b>HEARING NOTICE .....</b>	<b>123</b>	

## Index of Tables and Figures

Figure 1-1 Protection for Members of the Protected Classes .....	9
Figure 2-1 Population Trends, 1960-2009 .....	13
Figure 2-2 Population Trends, 1960-2009 .....	14
Figure 2-3 Population by Race and Ethnicity, 1990-2009.....	15
Figure 2-4 Racial/Ethnic Minority Characteristics in Jersey City, 1990-2009 .....	16
Figure 2-5 Areas of Racial and Ethnic Concentration in Jersey City, 2009 .....	18
Figure 2-6 New Jersey Municipal Dissimilarity Index Rankings, 2000.....	20
Figure 2-7 Jersey City Dissimilarity Indices, 2000 .....	21
Figure 2-8 Median Household Income and Poverty Rates by Race/Ethnicity, 2009 .....	22
Figure 2-9 Household Income Distribution by Race, 2009.....	23
Figure 2-10 Household Income Distribution by Race, 2009.....	23
Figure 2-11 Areas of Concentration of LMI Persons, 2010.....	24
Figure 2-12 Households by Type and Presence of Children, 1990-2009 .....	27
Figure 2-13 Households by Type and Presence of Children, 1990-2009 .....	28
Figure 2-14 Civilian Labor Force, 2009 .....	30
Figure 2-15 Trends in Housing Inventory, 1990-2009.....	32
Figure 2-16 Housing Units in Structures, 2000 .....	34
Figure 2-17 Estimated Residential Foreclosure Rankings, January 2007-June 2008.....	37
Figure 2-18 Housing Tenure by Race/Ethnicity, 2009 .....	39
Figure 2-19 Families with Three or More Persons, 2000 .....	41
Figure 2-20 Housing Units by Number of Bedrooms, 2009 .....	41
Figure 2-21 Trends in Median Housing Value, Rent and Income, 1990-2009.....	42
Figure 2-22 Loss of Affordable Rental Housing Units, 2000-2009.....	43
Figure 2-23 Cost Burdened Households by Income Level, 2009 .....	45
Figure 2-24 Housing Market Trends, 2000-2009 .....	46
Figure 2-25 Sales of Single-Family and Condominium Units, 2000-2009 .....	46
Figure 2-26 Median Sales Prices of Single-Family and Condominium Units, 2000-2009 .....	47
Figure 2-27 Average Days on Market for Single-Family and Condominium Units, 2000-2009 .....	48
Figure 2-28 Lower Income Households with Housing Problems, 2000 .....	49
Figure 3-1 Bases of Fair Housing Complaints filed with HUD, 2004-2010 .....	51
Figure 3-2 Resolution of Fair Housing Complaints Filed with HUD, 2004-2009.....	52
Figure 4-1 JCHA Housing Inventory, 2010 .....	56
Figure 4-2 Characteristics of JCHA Public Housing Residents, 2010 .....	57
Figure 4-3 Characteristics of JCHA Public Housing Waiting List Applicants, 2010 .....	58
Figure 4-4 Concentration of Racial Groups by JCHA Development, 1999.....	64
Figure 4-5 Characteristics of Current JCHA Section 8 Voucher Holders, 2010.....	65
Figure 4-6 Characteristics of Applicants on JCHA Section 8 Waiting List, 2010 .....	66
Figure 4-7 Section 8 HCV Porting Details, 2010.....	67
Figure 4-8 Privately Assisted and HUD-Subsidized Housing in Jersey City, 2011.....	71
Figure 4-9 Composition of Appointed Citizen Boards and Commissions, 2010 .....	81
Figure 4-10 Estimated Annual Real Estate Taxes, 2009 .....	91
Figure 4-11 Property Tax Rates within Hudson County Municipalities, 2009.....	91

Figure 4-12 Means of Transportation to Work for Workers 16 Years and Older, 2009 ..... 93  
Figure 4-13 Percent of Transit-Dependent Households by Race, 2000 ..... 93  
Figure 4-14 Summary Report Based on Action Taken Mortgage Data, 2006-2008 ..... 96  
Figure 4-15 Summary Report Based on Action Taken Mortgage Data, 2008 ..... 97  
Figure 4-16 Denial Rates by Race and Ethnicity, 2006-2008 ..... 99  
Figure 4-17 Denials by Income, 2006-2008 ..... 99  
Figure 4-18 Denials by Race for Lower Income Applicants, 2006-2008 ..... 100  
Figure 4-19 Denials by Race for Upper Income Applicants, 2006-2008 ..... 100  
Figure 4-20 High-Cost Lending by Race/Ethnicity and Income, 2006-2008 ..... 103  
Figure 8-1 Fair Housing Action Plan ..... 119

# 1. INTRODUCTION

## A. Introduction

The City of Jersey City has prepared an Analysis of Impediments to Fair Housing Choice to satisfy requirements of the Housing and Community Development Act of 1974, as amended. This Act requires that each community receiving Community Development Block Grant (CDBG) and HOME funds certifies to HUD that it will affirmatively further fair housing.

Communities receiving CDBG 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 fundamental to meeting essential needs and pursuing personal, educational, employment or other goals. Because housing choice is so critical, fair housing is a goal that government, public officials and private citizens must achieve if equality of opportunity is to become a reality.

Under federal law, fair housing choice is defined as the ability of persons, regardless of race, color, religion, sex, disability, familial status, or national origin, of similar income levels to have available to them the same housing choices. Persons who are protected from discrimination by fair housing laws are referred to as members of the protected classes.

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

- The sale or rental of dwellings (public and private)
- The provision of housing brokerage services
- 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 or ethnic 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).

As a federal entitlement community, the City of Jersey City 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 cities' 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 people 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
- Evaluate public and private sector policies that impact fair housing choice
- Identify 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 baseline for progress against which implementation efforts will be judged and recorded.

### **C. The Federal Fair Housing Act**

#### **i. 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.

#### **ii. 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.

**iii. 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.
- 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.

**iv. 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.

## **D. 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.

### **i. 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
- 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.

### **ii. 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 <http://www.ada.gov/stdspdf.htm>.

### **iii. 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 <http://www.access-board.gov/ufas/ufas-html/ufas.htm>.

#### iv. **Visitability Standards**

The term “visitability” refers to 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 big enough to get into in a wheelchair, and close the door.

#### v. **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)
- Size and space for approach and use (e.g., accommodate variations in hand and grip size).

### **E. New Jersey Law Against Discrimination**

The New Jersey Law Against Discrimination (LAD) was first adopted in 1945 and was the nation’s first civil rights statute. The LAD has been amended numerous times. In its current form, the law protects against discrimination based on race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy), familial status, marital status, domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability, perceived disability, and AIDS and HIV status.

The New Jersey LAD has been determined by HUD to be substantially equivalent to the federal Fair Housing Act. This means that the New Jersey LAD provides substantive rights, procedures, remedies and judicial review provisions that are substantially equivalent to the federal Fair Housing Act. As a result, HUD will refer complaints of housing discrimination that it receives from New Jersey to the New Jersey Division of Civil Rights for investigation.

The LAD prohibits unlawful discrimination in the areas of employment, housing, places of public accommodation, credit, and business contracts. Specific to fair housing, the LAD prohibits discrimination based on:

- race
- creed
- color
- national origin
- sex, gender identity or expression
- marital status or civil union status
- affectional or sexual orientation
- familial status
- actual or perceived physical or mental disability
- ancestry / nationality
- domestic partner status, and
- source of lawful income or source of lawful rent or mortgage payment.

Notably, New Jersey is only the second state (in addition to Massachusetts) where a State Supreme Court has ruled that landlords cannot refuse to participate in the Section 8 Housing Choice Voucher Program if their tenants, or potential tenants, are eligible for it. Specifically, the New Jersey Supreme Court in March 1999 ruled that Franklin Tower One, L.L.C., the owner of an 18-unit apartment building in Jersey City, must accept Section 8 vouchers and cannot evict a Section 8 tenant for nonpayment of rent. Furthermore, the Court noted that the NJ LAD prohibiting discrimination based on a tenant's source of income or the source of a tenant's lawful rental payments "makes no distinction between existing tenants and prospective tenants." This legal victory is significant and has far-reaching implications in states where source of income is protected under fair housing law. Landlords who refuse to participate in the federal program and accept Section 8 vouchers can no longer claim the program is voluntary and forces participating landlords to endure a burdensome, bureaucratic process.

The Division on Civil Rights (DCR) is part of the New Jersey Office of the Attorney General's Department of Law and Public Safety and is the agency responsible for investigating discrimination complaints and eradicating illegal discrimination in New Jersey. Complaints must be filed with the Division on Civil Rights within 180 days after the alleged act of discrimination. A complaint can be filed at any of five regional offices.

Once a complaint is accepted, the Division will conduct an investigation. Following the completion of the investigation, the Director will determine whether or not probable cause exists to believe that unlawful discrimination has occurred. If a finding of probable cause is issued, the case will be transferred to the Office of the Administrative Law where a full hearing will take place before an Administrative Law Judge. The case may be litigated by a state Deputy Attorney General on behalf of the Division, or the complainant may choose to litigate the case personally or through private counsel. If a finding of no probable cause is issued, the case is closed without further proceedings by the Division. If the Director has not made a probable cause determination within 180 days of the filing of

the complaint, the complainant may request to litigate the case at the Office of Administrative Law either personally or through private.

If, after investigation and an administrative hearing of a complaint, the Director determines that unlawful discrimination occurred, the Director can order the respondent to take affirmative action to remedy the discrimination. Further, after the hearing, the Director may also award attorneys fees to prevailing complainants and may assess a statutory penalty against the responding party. Alternatively, an aggrieved party may file a complaint in New Jersey Superior Court within two years of the alleged violation.

#### **F. Jersey City Fair Housing and Public Accommodation Ordinance**

Chapter 148 of the Jersey City Municipal Code includes the City's fair housing ordinance. The ordinance prohibits discrimination in housing based on race, creed, color, national origin, ancestry, age, liability to the Armed Forces of the United States, sex and marital status. Therefore, City residents have slightly broader protection under the Municipal Ordinance (than under the State or federal statutes) with age and military status included as protected classes. However, Municipal Ordinance does not allow for compensatory damages. If a client is seeking damages, their complaint is referred to the NJ Division on Civil Rights or HUD.

The following chart highlights the protected classes under City, State and federal fair housing laws for Jersey City residents.

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

Protected Class	Federal Fair Housing Act	New Jersey Law Against Discrimination	Jersey City Fair Housing & Public Accommodation Ordinance
Race	•	•	•
Color	•	•	•
National Origin	•	•	•
Religion / Creed	•	•	•
Sex	•	•	•
Gender Identity or Expression		•	
Familial Status	•	•	
Handicap/Disability Status	•	•	
Ancestry		•	•
Marital Status		•	•
Civil Union Status		•	
Domestic Partner Status		•	
Affectional or Sexual Orientation		•	
Source of Lawful Income		•	
Age			•
Liability to the US Armed Forces			•

Under the provisions of the City’s fair housing ordinance, it is illegal to refuse to sell, rent, lease or otherwise deny housing to persons because of their race, creed, color, national origin, ancestry, age, military status, sex or marital status. It is also illegal to print, publish, circulate, issue, display, post or mail any statement, advertisement, publication or sign for the purchase, rental, lease, assignment or sublease of any real property which expresses any limitation or discrimination as to race, creed, color, national origin, ancestry, age, military status, sex or marital status.

The fair housing ordinance also addresses the conduct of real estate brokers, real estate salespersons, employees or agents by prohibiting their refusal to sell, assign, lease, or sublease any real property because of race, creed, color, national origin, ancestry, age, military status, sex or marital status.

Finally, the fair housing ordinance prohibits any bank, mortgage company, insurance company or financial institution to whom application is made for financial assistance for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any real property because of race, creed, color, national origin, ancestry, age, military status, sex or marital status.

The Jersey City Human Rights Commission is vested with the authority to administer and enforce the provisions of the fair housing ordinance. The Commission, staffed by the Office of Human Rights, is limited in its ability to process, investigate and mediate housing complaints filed by City residents. According to staff, about 2-3% of all complaints filed with the Office of Human Rights involve housing; the remaining primarily involved employment issues.

## **G. Methodology**

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

- The most recently available demographic data regarding population, household, housing, income, and employment
- The City's most recent five-year Consolidated Plan
- Public policies affecting the siting and development of housing, including the City's comprehensive plan and municipal zoning ordinance
- Administrative policies concerning housing and community development
- The Admission and Continuing Occupancy Policy and Section 8 Housing Choice Voucher Administrative Plan from the Housing Authority of Jersey City
- Financial lending institution data from the Home Mortgage Disclosure Act (HMDA) database
- Previous Annual Plans (AP) and Consolidated Annual Performance and Evaluation Reports (CAPER) for the City
- Interviews and focus group sessions conducted with agencies and organizations that provide housing and housing related services to members of the protected classes.
- HUD CHAS tables
- Residential segregation data from CensusScope

### **i. Use of Census Data**

The primary source of data for this report is the U.S. Census Bureau. Census data from 1990, Census 2000, 2005-2009 American Community Survey (ACS) Five-Year Estimates, and 2009 ACS One-Year Estimates were collected and analyzed. In some instances, Census data were supplemented with 2010 estimates obtained from DemographicsNow, where appropriate. The ACS data were used to update the Census 2000 data, particularly at the census tract level, where appropriate. In all cases, the most recent data available was used.

Because statistics in census data products are based on the collection, tabulation, editing, and handling of questionnaires, errors in the data are possible. In addition to errors occurring during data collection, much of the census data is based on Summary File 3 (SF3) sample data rather than Summary File 1 (SF1) data, which is 100-percent data. Each data set is subject to sampling error and non-sampling error, respectively. Non-sampling error includes confidentiality edits applied by the Census Bureau to assure that data does 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 types of data. These discrepancies do not negate the usefulness of the census data.

## **H. Development of the Analysis of Impediments to Fair Housing**

### **i. Lead Agency**

The Division of Community Development 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.

### **ii. Agency Consultation**

The Division of Community Services 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.

On November 30 and December 1, 2010 Division staff and the consulting team began a series of focus group sessions and individual interviews to identify current fair housing issues impacting the various agencies and organizations. Comments received through these meetings are incorporated throughout the AI, where appropriate.

A list of the stakeholders identified and invited to the focus group sessions and interviews 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, sex, disability, familial status, or national origin, of similar income levels to have available to them the same housing choices. In New Jersey, this protection is also extended to gender identity or expression, ancestry, marital status or civil union status, domestic partner status, affectional or sexual orientation, and source of lawful income. 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 that may affect housing choice. 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.

This document goes well beyond an analysis of the adequacy of affordable housing in Jersey City. 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. Historical Residential Settlement Patterns

Descendants from Holland were the primary pioneer settlers of Bergen and Hudson counties. Other groups included the English, French, Germans, and Scandinavians. The desire to migrate was influenced by a widespread impression that New Netherland (modern New York) was a veritable paradise – a land “flowing with milk and honey, traversed by numerous great and beautiful rivers, plentifully stocked with fish; great valleys and plains, covered with luxuriant verdure; extensive forests, teeming with fruits, game, and wild animals; and exceedingly fertile and prolific soil.”

Starting in the 1630s, fur trappers, farmers, and agents of Dutch investors left their home base in New Amsterdam for the new frontiers on the west bank of the deep, wide river now known as the Hudson. After an auspicious beginning marked by conflict with the native Lenapes doomed early settlements, a fresh start was made in 1660 when Peter Stuyvesant founded a new town know as Bergen atop Palisade Hill. In 1804, a group of investors, led by three New Yorkers, purchased land along the waterfront for a new development which they called the Town of Jersey and in 1812 growth continued when Robert Fulton bought land in Jersey for a dry dock and began to run his steamboats to and from Manhattan. Linking with the stagecoaches to Newark and Philadelphia, the Fulton ferries were the harbinger of Jersey City’s future as a major transportation terminus. By 1870 Jersey City was big enough that it acquired its own mother town, Bergen, along with Hudson City. Three years later, Greenville joined the merger, giving Jersey City its current boundaries.

For the next century, Jersey City was known for its rail terminals and for the endless barges, lighters and ferries which crossed the river and New York Bay carrying coal, food, manufactured goods and passengers throughout the greater New York area. From the 1940s to 1970s, high wage industrial jobs attracted immigrants from across the U.S. and from Central and South America. Black immigrants from the American South dominated the migration to Jersey City during the 1940s and 1950s. Hispanic immigrants, who arrived later, settled in the neighborhoods east and north of Downtown Jersey City and established a commercial district along Collins Street.

The economic downturn of the 1970s and 1980s devastated the industrial core of the City. Unemployment spiked and households that were financially able decided to migrate to the western parts of the City, as did storeowners and employers. In their wake were left the lower income households, who were predominantly Black and Hispanic.

By the mid-1980s, the waterfront became the proverbial Gold Coast as new developments arose, bringing with them new residents, new stores and restaurants and new jobs. The move of shipping away from the old finger piers along the Hudson and East Rivers to the container ports at Port Jersey, Port Newark and Port Elizabeth was followed by the arrival in Jersey City of the offices of major shipping lines, which joined modern freight trains that still travel through the City. Companies that are presently located in Jersey City include: Computershare, ICAP, ADP, Fidelity Investments, and Goldman Sachs.

## B. Demographic Profile

### i. Population Trends

The population of Jersey City has declined by more than 13% since 1960. Beginning in 1970, the City experienced a decline in population that continued through 1980, when the loss equaled 19% over 20 years. By 1990, however, the City's population rebounded to 228,537 residents after dipping to a low of 223,532 in 1980. Additional gains were made in 2000 when residents numbered 240,055.

By comparison, the population of Hudson County decreased more than 9% between 1960 and 1990 before recovering to above the 600,000-mark in 2000. Census data from 2009 reveal a decline once again, from 608,975 to 593,615, representing a 2.5% loss in residents.

Comparatively, the New York-Northern New Jersey-Long Island, NY-NJ-PA MSA and the State of New Jersey grew at significantly faster rates than both Jersey City and Hudson County. Both areas have exhibited increases in population since 1960. After brief population stagnation between 1970 and 1990, the MSA grew 8.7% from 1990 to 2000 and 4.1% from 2000 to 2009. The State's growth was steadier, with New Jersey's population increasing every year, including 8.9% and 2.8% during the 1990s and 2000s, respectively.

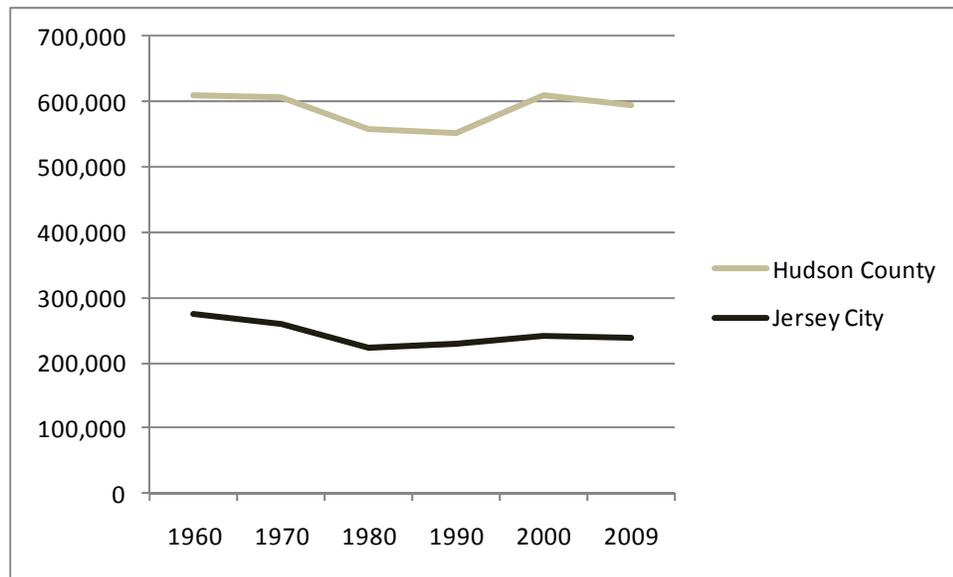
**Figure 2-1  
Population Trends, 1960-2009**

	1960	1970	1980	1990	2000	2009	% Change 1960-2009
New York-Northern New Jersey-Long Island, NY-NJ-PA MSA*	10,694,633	17,068,869	16,363,728	16,863,671	18,323,002	19,069,796	78.3%
New Jersey	6,066,782	7,171,112	7,364,823	7,730,188	8,414,350	8,650,548	42.6%
Hudson County	610,734	607,839	556,972	553,099	608,975	593,615	-2.8%
<b>Jersey City</b>	<b>276,101</b>	<b>260,350</b>	<b>223,532</b>	<b>228,537</b>	<b>240,055</b>	<b>239,127</b>	<b>-13.4%</b>

*\*In 2000, equivalent geographical area was New York-Northern New Jersey-Long Island, NY-NJ-CT-PA MSA; in 1990, it was New York-Northern New Jersey-Long Island, NY-NJ-CT-PA MSA; in 1980 and 1970, exact nomenclature is unknown; in 1960, it was the New York, N.Y. SMSA*

*Source: CensusScope; U.S. Census Bureau; 1990 Census SF3 (P001); Census 2000 SF3 (P1); 2005-2009 American Community Survey (B01003)*

**Figure 2-2**  
**Population Trends, 1960-2009**



With a population of 247,597,<sup>1</sup> Jersey City is the second-largest city in New Jersey and the 78th most populous city in the U.S. The city is also one of the most racially diverse in the world. Jersey City has a large Kenyan community and the country's largest Egyptian Coptic population. Indians make up a large part of India Square district in the Journal Square. Pakistanis, Guyanese, Nigerians, Vietnamese, Chinese, Haitians, Polish, Italians and the Irish also make up a large percent of the population. Jersey City also hosts a Little Manila for the large Filipino population. The City is home to 4.4% of the state's Hispanic population, and the highest number of mixed-race residents in the county at 13%. However, comparable to cities of size and density, Jersey City has been forced to recognize the special needs these individuals need to probably assimilate and the city has worked to provide certain services to ensure a smooth transition for recently arrived immigrants and individuals who speak a language other than English as first language.

The population of Jersey City continues to diversify. Minority residents increased 26.9% between 1990 and 2009. All racial and ethnic minority groups increased in Jersey City, with the exception of the Black population, which decreased 4.8%. Hispanic residents increased 23.1%. Concurrently, White residents decreased in population between 1990 and 2000, before increasing 9.5% by 2009. Although the overall percentage of minority residents has increased, recent trends show White residents increasing both in numbers and as a percentage of the total population, as depicted in Figure 2-3.

<sup>1</sup> Jersey City is contesting the 2010 census count as it is believed that the City was undercounted.

**Figure 2-3  
 Population by Race and Ethnicity, 1990-2009**

	Total Population	White	Minority Population			Total Minority	Hispanic
			Black	Asian/Pac Islander	All Other*		
<b>1990</b>							
Jersey City, NJ	228,537	48.4%	29.8%	11.3%	10.5%	51.6%	23.7%
Hudson County	553,099	69.0%	14.4%	6.6%	10.0%	31.0%	32.8%
New York-Northern New Jersey-Long Island, NY-NJ-PA MSA	18,087,251	70.3%	18.2%	4.8%	6.7%	29.7%	15.0%
New Jersey	7,730,188	79.4%	13.4%	3.5%	3.7%	20.6%	9.3%
<b>2000</b>							
Jersey City, NJ	240,055	34.0%	28.0%	16.3%	21.6%	66.0%	28.3%
Hudson County	608,975	55.5%	13.3%	9.5%	21.7%	44.5%	39.8%
New York-Northern New Jersey-Long Island, NY-NJ-PA MSA	21,199,865	64.1%	17.0%	6.8%	12.1%	35.9%	18.2%
New Jersey	8,414,350	72.5%	13.4%	5.8%	8.4%	27.5%	13.3%
<b>2009</b>							
Jersey City, NJ	239,127	37.4%	27.1%	19.1%	16.4%	62.6%	27.9%
Hudson County	593,615	58.5%	13.6%	11.2%	16.7%	41.5%	40.6%
New York-Northern New Jersey-Long Island, NY-NJ-PA MSA	18,912,644	60.7%	17.6%	9.2%	12.6%	39.3%	21.2%
New Jersey	8,650,548	70.2%	13.6%	7.5%	8.7%	29.8%	15.9%

\*Includes: American Indian/Alaska Native, Some other race, Two or more races

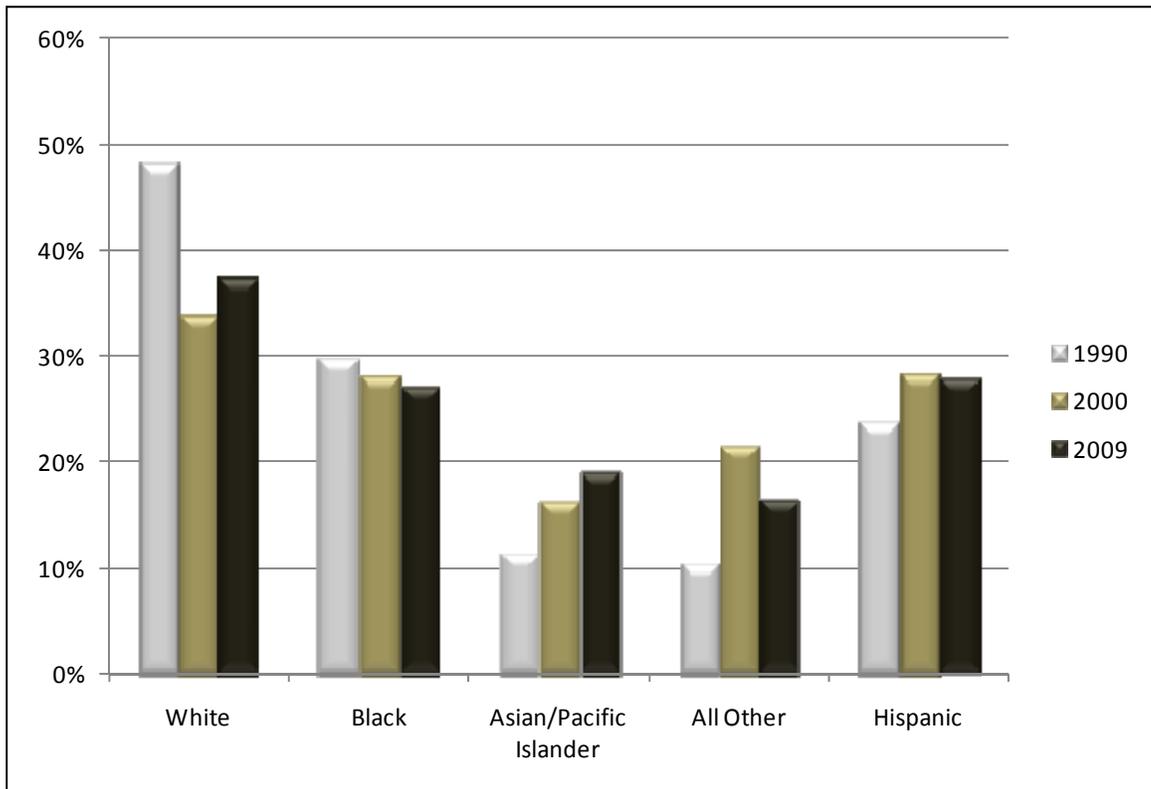
Source: 1990 Census SF3 (P001, P008, P010); Census 2000 SF3 (P1, P6, P7); 2005-2009 American Community Survey (B01003, B02001, B03001)

Although most racial and ethnic groups are growing, some are adding population faster than others, changing the racial and ethnic distribution of minority residents in Jersey City. For example, while the number of Blacks decreased 4.8% from 1990 to 2009, Black residents as a percentage of all minorities exhibited an even greater decline. In 1990, Blacks accounted for 57.7% of all minorities in Jersey City; by 2009 they accounted for only 43.3% of all minorities. In contrast, the number of Asian/Pacific Islander residents increased 75.9%, and the group increased its share of the minority population from 22.0% to 30.5%. The number of persons of all other races increased 64.3% from 23,889 to 39,259. This group now comprises 26.2% of the minority population.

The Hispanic population has also increased substantially. Between 1990 and 2009, Hispanic residents increased 23.1%. In 1990, Hispanics accounted for 23.7% of Jersey City's population; by 2009 this segment had grown to 27.9%.

**OBSERVATION:** The population of Jersey City continues to diversify. Minorities represented 51.6% of the City's population in 1990; by 2009, this segment had increased to 62.6%. The largest single minority groups are Blacks (27.1%) and Hispanics (27.9%). However, the fastest-growing segment of the population is Asian/Pacific Islanders, which increased from 11.3% to 19.1% of the total population.

**Figure 2-4**  
**Racial/Ethnic Minority Characteristics in Jersey City, 1990-2009**



**ii. Areas of Racial and Ethnic Minority Concentration**

The City’s Consolidated Plan for 2010-2014 defines areas of racial or ethnic minority concentration as geographical areas where the percentage of a specific minority or ethnic group is 10 percentage points higher than in the City overall. In Jersey City, Blacks accounted for 27.1% of the overall population in 2009. Therefore, an area of racial concentration of Blacks would include any census tract where the percentage of Black residents is 37.1% or higher. Nineteen census tracts meet this criterion, as illustrated in Figure 2-5.

Asian/Pacific Islander residents represent 19.1% of Jersey City’s population. An area of racial concentration of Asian/Pacific Islanders would include any census tract where the percentage of Asian/Pacific Islanders is 29.1% or higher. Twelve census tracts meet this criterion.

Hispanic residents represent 27.9% of Jersey City’s population. Therefore, an area of ethnic concentration would include any census tract where the percentage of Hispanics is 37.9% or higher. Sixteen census tracts meet this criterion.

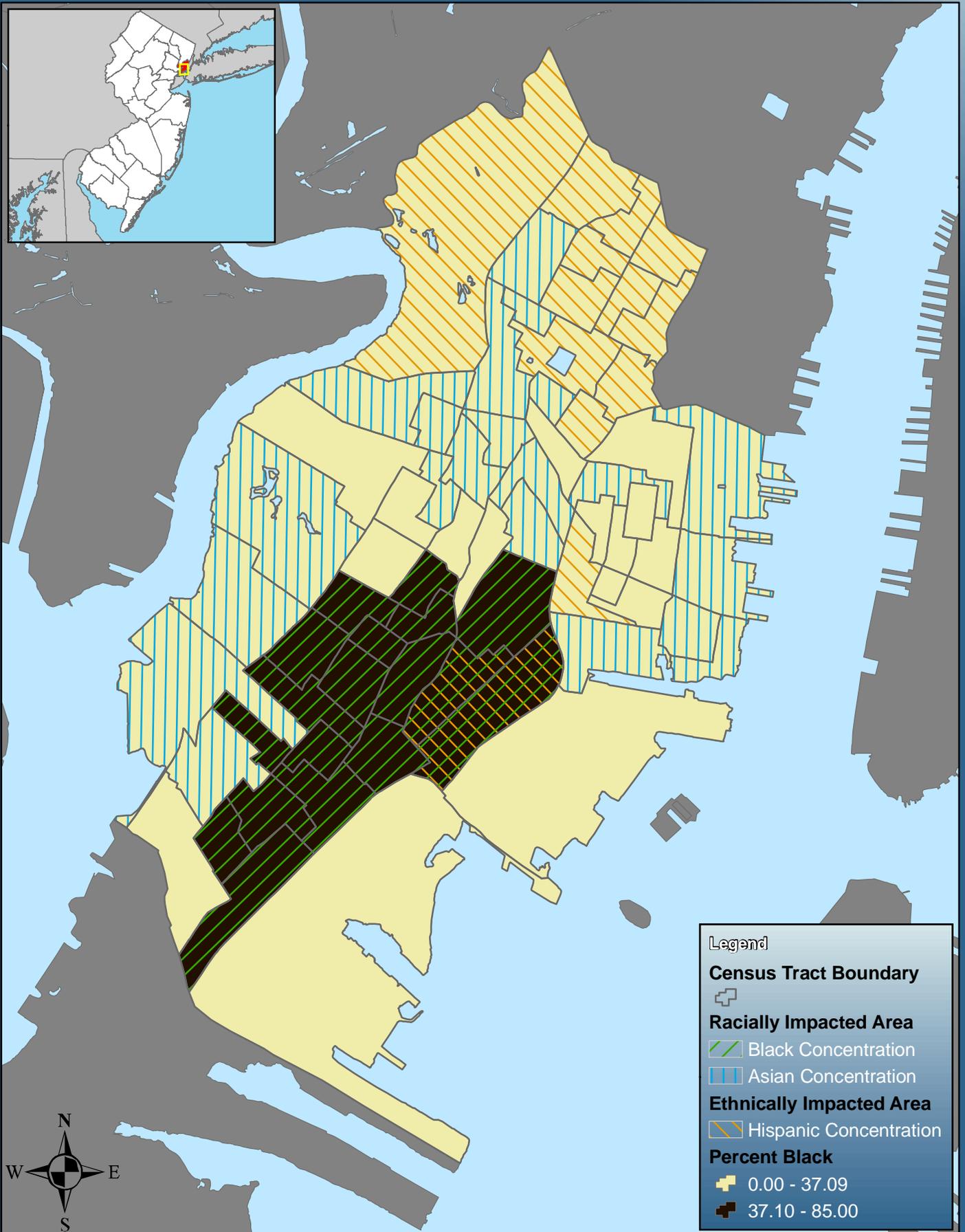
Notably, only two census tracts contain concentrations of two minority groups. Census tracts 46 and 63 are areas of concentration of both Blacks and Hispanics.

Maps 1, 2 and 3 on the following pages illustrate the geographic locations of the areas of Black, Hispanic and Asian concentration.

**OBSERVATION:** There are 19 census tracts in Jersey City that meet the criterion for areas of racial concentration of Black residents. There are an additional 12 census tracts that meet the criterion for areas of racial concentration of Asian/Pacific Islander residents. There are also 16 census tracts that meet the criterion for areas of ethnic concentration of Hispanic residents. Two census tracts (46 and 63) are areas of concentration of both Blacks and Hispanics. As a result, there are 45 census tracts in Jersey City that contain areas of concentration of minority residents.

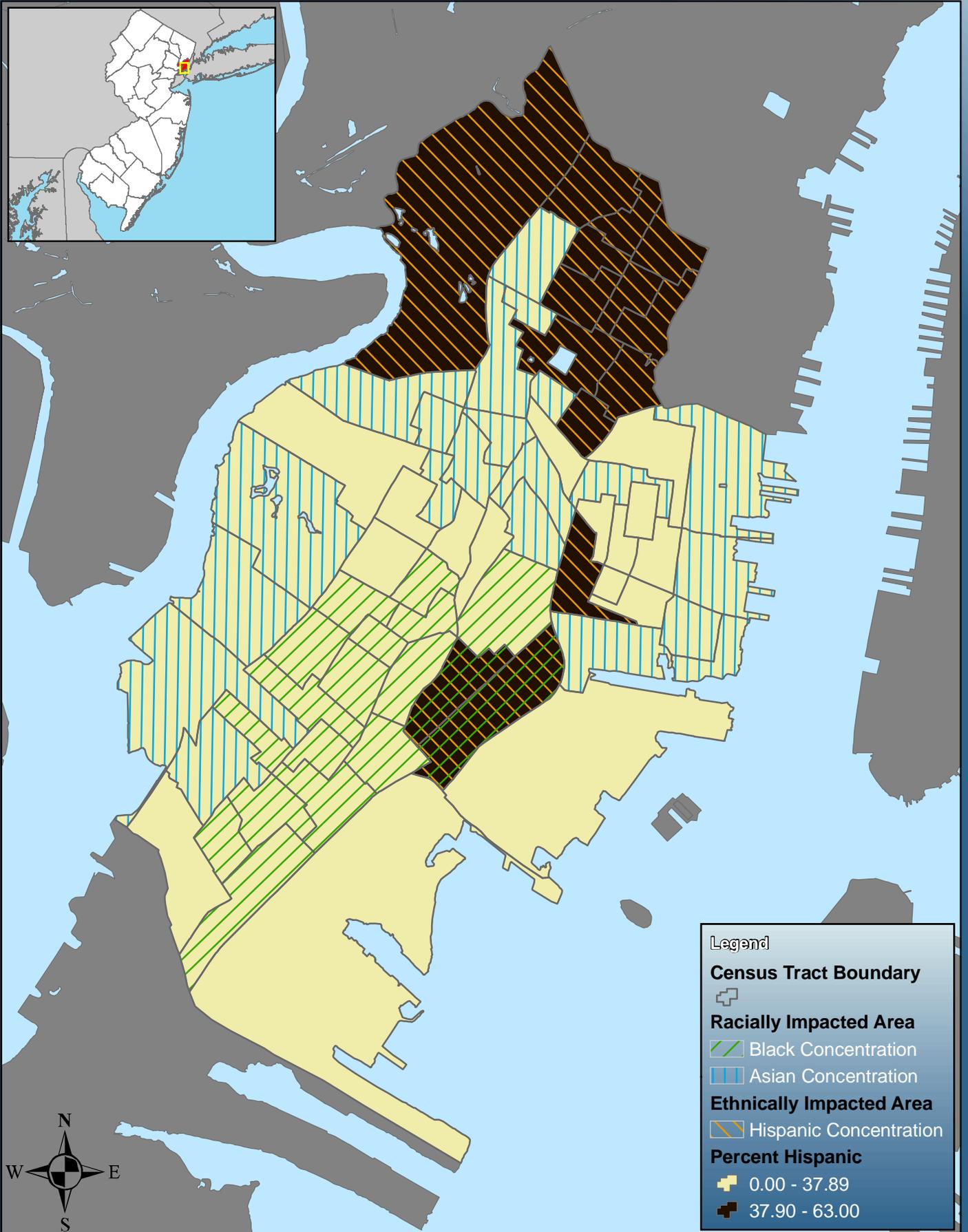
# Map 1: Black Population Concentrations, 2009

Jersey City, NJ  
Analysis of Impediments to Fair Housing Choice



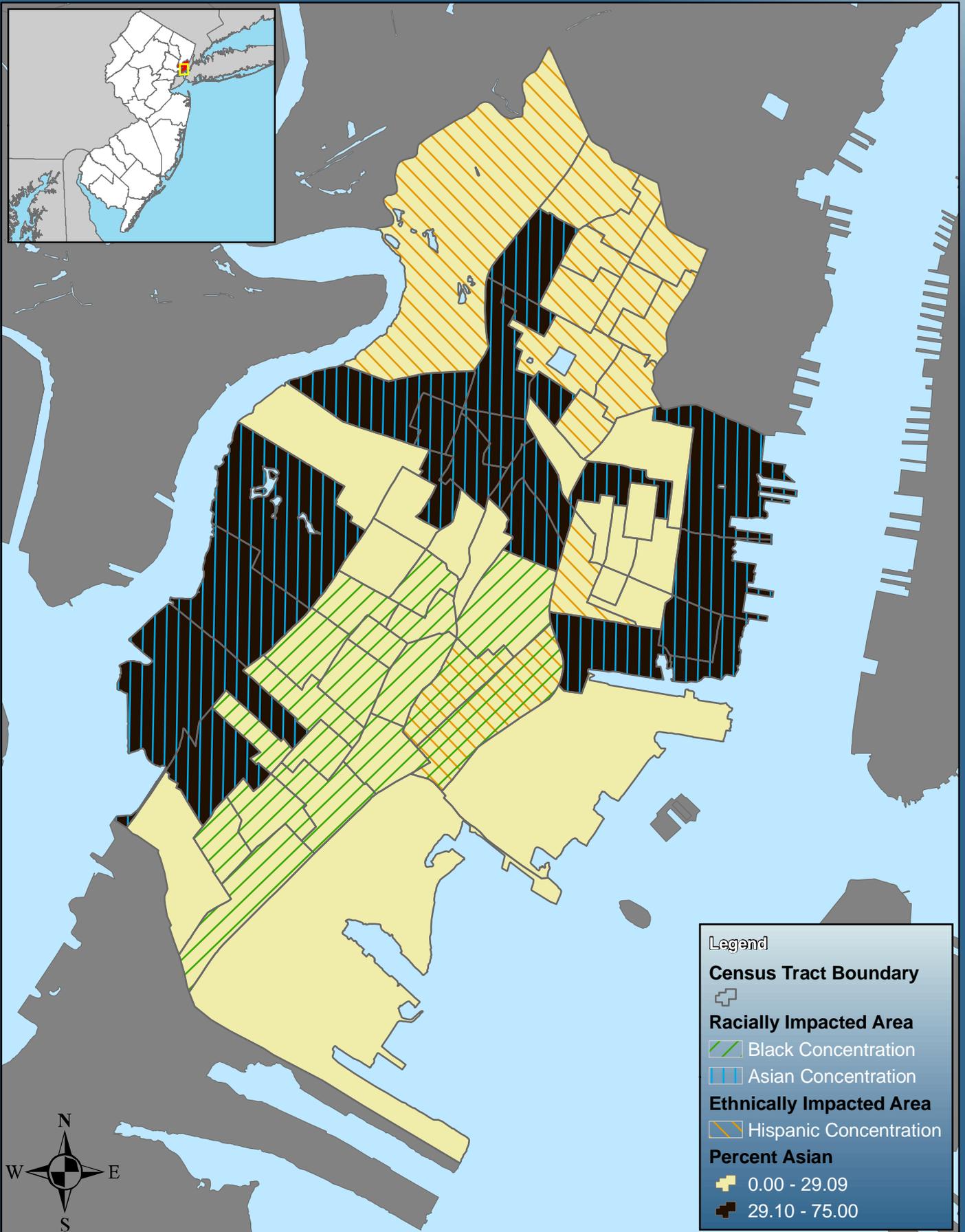
## Map 2: Hispanic Population Concentrations, 2009

Jersey City, NJ  
Analysis of Impediments to Fair Housing Choice



### Map 3: Asian Population Concentrations, 2009

Jersey City, NJ  
Analysis of Impediments to Fair Housing Choice



**Figure 2-5**  
**Areas of Racial and Ethnic Concentration in Jersey City, 2009**

	Total Population	White	Minority Residents		
			Black	Asian/Pac Islander	Hispanic
<b>Jersey City</b>	<b>239,127</b>	<b>37.4%</b>	<b>27.1%</b>	<b>19.1%</b>	<b>27.9%</b>
1	6,031	48.3%	3.4%	28.8%	<b>39.4%</b>
2	5,764	43.6%	14.7%	9.3%	<b>61.1%</b>
3	4,824	56.4%	7.6%	5.3%	<b>51.4%</b>
4	4,241	49.5%	7.5%	21.9%	<b>41.8%</b>
7	3,571	57.5%	7.0%	12.0%	<b>46.3%</b>
8	4,261	52.2%	10.8%	8.2%	<b>48.6%</b>
9.02	5,933	52.8%	6.9%	<b>30.9%</b>	19.6%
11	5,686	58.1%	4.0%	9.2%	<b>60.3%</b>
12.01	1,848	35.3%	3.0%	<b>52.2%</b>	25.1%
13	2,783	43.0%	13.4%	16.9%	<b>41.3%</b>
14	4,233	56.8%	6.5%	18.1%	<b>47.0%</b>
16.01	2,688	44.5%	8.8%	<b>45.5%</b>	8.9%
16.02	8,359	30.8%	4.1%	<b>61.5%</b>	5.6%
18	4,495	40.0%	14.7%	25.9%	<b>38.0%</b>
19	1,532	23.1%	0.8%	<b>56.4%</b>	27.7%
20	4,119	47.2%	12.9%	<b>29.1%</b>	23.3%
31	3,467	37.3%	15.2%	21.1%	<b>38.0%</b>
32	1,444	12.3%	10.1%	<b>73.3%</b>	20.1%
33	3,229	9.6%	<b>67.5%</b>	3.2%	21.5%
34	1,533	49.6%	8.7%	3.6%	<b>57.1%</b>
37	2,232	60.4%	3.3%	14.9%	<b>38.8%</b>
38	3,894	53.7%	10.4%	<b>31.2%</b>	7.9%
40	4,898	29.0%	18.5%	<b>36.6%</b>	21.7%
41.02	3,321	17.3%	<b>56.9%</b>	5.0%	31.3%
42	4,093	6.3%	<b>59.2%</b>	6.7%	30.9%
43	2,348	14.4%	<b>68.9%</b>	1.4%	18.8%
44	2,257	3.4%	<b>91.6%</b>	0.4%	7.8%
45	3,340	2.1%	<b>77.8%</b>	0.9%	19.6%
46	2,661	26.9%	<b>44.4%</b>	0.0%	<b>54.7%</b>
47	2,593	25.6%	30.1%	0.0%	<b>58.9%</b>
48	3,213	24.9%	23.8%	<b>43.1%</b>	17.4%
49	3,909	8.5%	<b>58.2%</b>	16.3%	20.8%
50	1,341	5.3%	<b>88.4%</b>	0.0%	6.5%
51	2,116	1.4%	<b>85.7%</b>	4.2%	8.8%
52	4,051	10.7%	<b>74.6%</b>	10.2%	12.5%
53	2,506	6.9%	<b>86.8%</b>	0.0%	17.2%
54	5,232	28.9%	31.2%	<b>29.8%</b>	16.7%
55	2,193	4.1%	<b>87.2%</b>	0.0%	12.8%
56	3,637	25.4%	<b>47.3%</b>	20.0%	17.8%
58.01	5,385	11.0%	<b>75.0%</b>	0.8%	18.0%
59	7,097	39.5%	19.5%	<b>29.3%</b>	15.3%
60	4,071	16.3%	<b>53.3%</b>	5.7%	30.2%
61	7,395	21.2%	<b>47.4%</b>	16.4%	23.4%
62	3,827	31.7%	<b>49.5%</b>	9.8%	25.2%
63	4,532	34.9%	<b>40.8%</b>	5.0%	<b>41.8%</b>

Source: 2005-2009 American Community Survey (B01003, B02001, B03001)

### iii. 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 lower income, minority inner-city neighborhoods. A potential impediment to fair housing is created where either latent factors such as attitudes, or overt factors such as real estate practices, 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. Racial segregation has been linked to diminished employment prospects, poor educational attainment, increased infant and adult mortality rates, and increased homicide rates.

Similar to other urban areas, people of like ethnic groups have chosen to reside in specific neighborhoods throughout Jersey City. For example, India Square is made up of predominantly Indians. Little Manila is made up of a large Filipino population and the northern most section of the City is made up of predominantly Hispanic residents.

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>2</sup> The index is typically interpreted as the percentage of the minority population that would have to move in order for a community or neighborhood to achieve full integration. A dissimilarity index of less than 30 indicates a low degree of segregation, while values between 30 and 60 indicate moderate segregation, and values above 60 indicate high segregation.

Of the 32 cities, towns, and boroughs in New Jersey with populations exceeding 25,000 residents, Jersey City is the one of several moderately segregated cities according to the dissimilarity index results, which is based on 2000 census data. During the past eleven (11) years, the demographics in Jersey City have changed. In some instances, there has been greater integration within the various communities of the City. These changes are not reflected in the dissimilarity index. We expect that this will continue to improve in the 2010 census. Jersey City's dissimilarity index is similar to

---

<sup>2</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.

those of other older, built-out, and densely populated cities such as Newark, Paterson, Atlantic City, and Trenton. Details are included in Figure 2-6.

**Figure 2-6**  
**New Jersey Municipal Dissimilarity Index Rankings, 2000**

Rank	Municipality	Black Population	White Population	Total Population	Dissimilarity Index
1	West New York (town)	658	7,088	45,768	24.0
2	Union City*	875	8,890	67,088	28.7
3	Bergenfield (borough)	1,665	14,165	26,247	33.4
4	Garfield*	778	21,560	29,786	34.1
5	Perth Amboy	3,790	8,919	47,303	34.7
6	Fort Lee (borough)*	555	20,350	35,461	37.8
7	Plainfield	28,698	5,508	47,829	39.0
8	East Orange	61,604	1,874	69,824	40.7
9	Fair Lawn (borough)*	208	27,737	31,637	42.2
10	Hackensack	10,092	17,013	42,677	43.7
11	Clifton	2,002	53,206	78,672	44.5
12	Paramus (borough)*	278	19,433	25,737	46.6
13	Millville	3,851	19,215	26,847	47.3
14	Vineland	6,885	30,842	56,271	48.1
15	Bayonne	3,098	43,217	61,842	48.6
16	Camden	39,753	5,671	79,904	53.3
17	Hoboken	1,299	27,196	38,577	55.1
18	Sayreville (borough)	3,334	29,068	40,377	55.5
19	Passaic	8,042	12,405	67,861	57.8
20	Rahway	7,058	14,099	26,500	58.5
21	Long Branch	5,471	17,831	31,340	59.0
22	Elizabeth	22,329	32,338	120,568	59.6
23	New Brunswick	10,043	15,964	48,573	61.7
24	Westfield (town)	1,137	26,047	29,644	63.1
<b>25</b>	<b>Jersey City</b>	<b>64,389</b>	<b>56,736</b>	<b>240,055</b>	<b>65.5</b>
26	Paterson	46,882	19,765	149,222	66.0
27	Linden	8,782	22,827	39,394	66.4
28	Atlantic City	17,168	7,878	40,517	67.4
29	Englewood	9,887	8,389	26,203	68.9
30	Trenton	43,497	21,022	85,403	69.3
31	Kearny (town)	1,442	24,425	40,513	79.4
32	Newark	142,083	38,950	273,546	80.9

\* For small group populations, dissimilarity indices may be high even if the group is evenly distributed throughout the area. Thus, exercise caution in interpreting dissimilarity indices for populationS of less than 1,000.

Source: CensusScope

The City's 2000 dissimilarity index of 65.5% is an indication of separate concentrations of Black and White population throughout the City. The data reinforces that a disproportionate percentage of Black residents reside in wards A and F. These wards contain the highest concentrations of low/moderate income census tracks. The data also shows a more proportionate integration with other racial/ethnic groups (White/Asian index

of 31.8, a White/other-race index of 42.2, a White/multi-race index of 32.9 and a White/Hispanic index of 31.6). Perfect integration would receive an index score of 0. Indices for the other groups cannot be as reliably interpreted, since their populations are less than 1,000. In cases where subgroup population is small, the dissimilarity index may be high even if the group's members are evenly dispersed.

**Figure 2-7  
Jersey City Dissimilarity Indices, 2000**

	DI with White Population*	Population	% of Total Population
White	-	56,736	23.6%
Black	65.5	64,389	26.8%
American Indian/Alaska Native**	54.7	544	0.2%
Asian	31.8	38,623	16.1%
Hawaiian**	78.4	117	0.0%
Other	42.2	2,218	0.9%
Two or more races	32.9	9,476	3.9%
Hispanic***	31.6	67,952	28.3%
<b>Total</b>	-	240,055	100%

\* Each dissimilarity index indicates the percentage of that cohort group which would have to move to different geographic locations (i.e., block groups) to create an even distribution in the City.

\*\* In these cases, the sample size is too small to reliably interpret the DI. Caution should be exercised in interpreting results for subpopulations of fewer than 1,000.

\*\*\* For the purposes of the dissimilarity calculations, Hispanic ethnicity is counted as a racial group.

Source: CensusScope

**OBSERVATION:** Based on 2000 census data, Jersey City is a moderately segregated city in New Jersey when measured by the dissimilarity index. However, during the past eleven (11) years the demographics have changed. In some instances, there has been greater integration within the various communities of the City.

#### iv. Race/Ethnicity and Income

Household income is one of several factors used to determine a household's eligibility for a home mortgage loan. In Jersey City, there are significant differences in earnings among White households and minority households. The median household income for Black households was \$38,457, equivalent to 68.4% of the median income for White households. Hispanic households fared better than Black households, with a median household income of \$40,920, but still trailed behind the median household income for Whites. Asian households had significantly higher median incomes (\$80,653) than all households.

Higher poverty rates were commensurate with lower household income levels. As shown in Figure 2-8, the poverty rates for Blacks and Hispanics

were significantly higher than the rate for Whites. And, Asians, with the highest median household income, had the lowest poverty rate both in the City and Hudson County.

**Figure 2-8  
Median Household Income and Poverty Rates by Race/Ethnicity, 2009**

	Median Household Income	Poverty Rate
<b>Hudson County</b>	<b>\$53,475</b>	<b>14.8%</b>
Whites	\$56,521	13.2%
Blacks	\$40,055	20.7%
Asians	\$84,425	9.9%
Hispanics	\$40,597	18.3%
<b>Jersey City</b>	<b>\$51,826</b>	<b>17.0%</b>
Whites	\$56,180	14.8%
Blacks	\$38,457	22.2%
Asians	\$80,653	10.5%
Hispanics	\$40,920	21.0%

*Source: 2005-2009 American Community Survey (B19013, B19013A, B19013B, B19013D, B19013I & B17001, B17001A, B17001B, B17001D, B17001I)*

**OBSERVATION:** Median household income among Black and Hispanics was equivalent to 68.4% and 72.8% of Whites, respectively, and the poverty rates among Blacks and Hispanics was significantly higher than among Whites. Consequently, Black and Hispanics may have greater difficulty finding affordable rental units or homes to purchase in Jersey City.

A review of household income distribution also shows a disparity between White and minority households. Black and Hispanic households are significantly more likely to fall into lower income brackets than White and Asian households as illustrated in Figure 2-9. In Jersey City, 34% of Black households and 32.9% of Hispanic households earned less than \$25,000 compared to 25.1% of White households and 16.3% of Asian households. At the opposite end of the spectrum, 39.9% of White households earned more than \$75,000 compared to only 23% of Black households and 22.9% of Hispanic households.

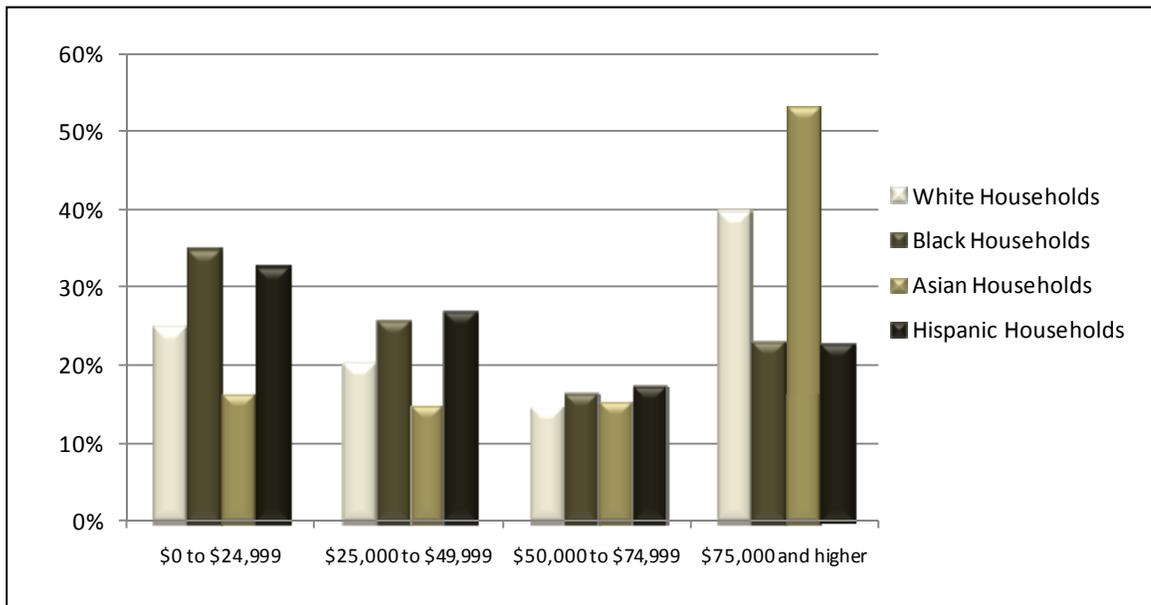
**Figure 2-9**  
**Household Income Distribution by Race, 2009**

	Total	\$0 to \$24,999	\$25,000 to \$49,999	\$50,000 to \$74,999	\$75,000 and higher
<b>All Households</b>	<b>92,929</b>	<b>26.9%</b>	<b>21.7%</b>	<b>16.1%</b>	<b>35.2%</b>
White Households	39,962	25.1%	20.2%	14.8%	39.9%
Black Households	25,071	34.8%	25.7%	16.4%	23.0%
Asian Households	15,569	16.3%	15.1%	15.4%	53.2%
Hispanic Households	22,266	32.9%	26.9%	17.3%	22.9%

Source: 2005-2009 American Community Survey (C19001, C19001A, C19001B, C19001D, C19001I)

**OBSERVATION:** One-third of all Black and Hispanic households had incomes of less than \$25,000 compared to about 25% of White households and 16% of Asian households. By comparison, nearly 40% of all White households and more than half of all Asian households had incomes of \$75,000 or more compared to about 23% of Black households and Hispanic households.

**Figure 2-10**  
**Household Income Distribution by Race, 2009**



**v. Concentrations of LMI Persons**

The CDBG Program includes a statutory requirement that 70% of the 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 entitlements such as Jersey City.

HUD data reveals that there are 53 census block groups in Jersey City where at least 51.0% of residents (for whom this rate is determined) meet the

criterion for LMI status. Of these 53 block groups, 41 are located in 28 of the census tracts identified as areas of minority concentration, as depicted in the highlighted rows in Figure 2-11.

Map 4 illustrates the location of areas of LMI concentration in Jersey City. When viewed against the backdrop of areas of minority concentration, it becomes evident that areas of LMI concentration are more likely to also be areas of minority concentration. The 28 census tracts (containing the 41 LMI block groups) are located primarily in central Jersey City, with a few areas in the northern section and near the waterfront areas. These areas of *both* minority and LMI concentrations are referred to as impacted areas and are depicted in Map 5.

**Figure 2-11  
Areas of Concentration of LMI Persons, 2010**

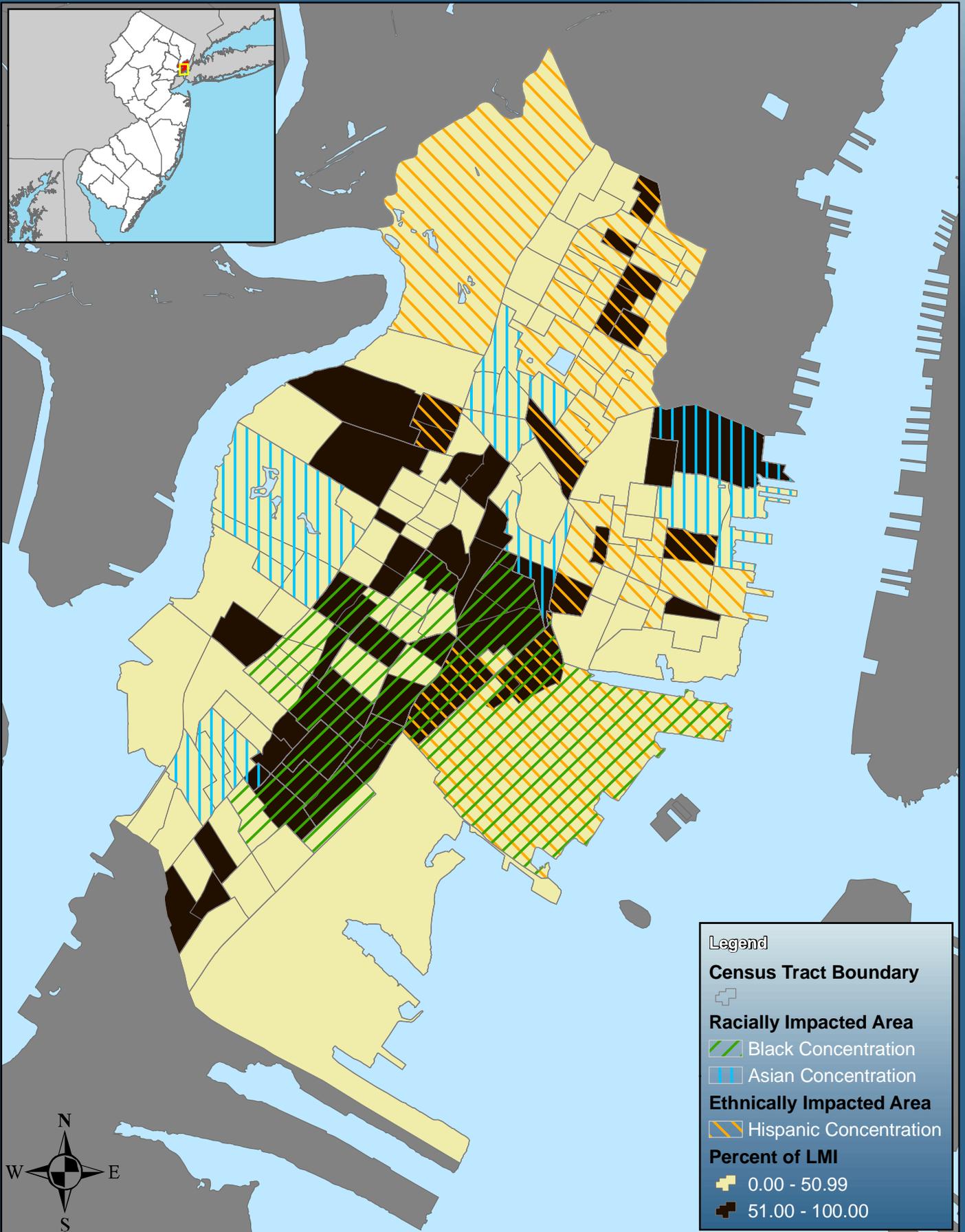
Census Tract	Block Group	Low/Moderate Income Persons			Census Tract	Block Group	Low/Moderate Income Persons		
		#	Universe	%			#	Universe	%
<b>Jersey City</b>		<b>108,506</b>	<b>236,707</b>	<b>45.84%</b>	38	1	528	833	63.39%
2	1	1,383	2,516	54.97%	41.01	3	1,655	2,919	56.70%
	3	685	1,158	59.15%		4	844	1,231	68.56%
7	1	615	1,155	53.25%	41.02	1	1,096	1,655	66.22%
	2	996	1,782	55.89%	42	1	1,628	2,738	59.46%
8	2	1,157	2,121	54.55%		2	777	1,399	55.54%
12.02	1	763	1,436	53.13%	44	1	1,527	2,266	67.39%
15	1	498	729	68.31%	45	1	577	858	67.25%
16.01	1	32	51	62.75%		3	721	1,385	52.06%
17	2	1,549	2,777	55.78%	46	2	1,039	1,495	69.50%
18	1	1,016	1,922	52.86%	47	1	682	1,103	61.83%
	2	1,261	2,261	55.77%		2	417	596	69.97%
20	2	782	1,391	56.22%	48	3	272	350	77.71%
	3	764	1,470	51.97%	49	3	773	1,438	53.76%
22	3	380	716	53.07%	51	1	1,287	2,006	64.16%
26	1	887	1,567	56.60%	52	1	1,655	3,202	51.69%
27	1	2,581	4,638	55.65%	53	2	856	1,486	57.60%
28	5	453	733	61.80%	54	3	650	1,100	59.09%
30	2	1,469	2,107	69.72%	55	1	1,742	2,671	65.22%
31	1	1,223	2,060	59.37%	56	1	718	1,224	58.66%
	2	1,068	1,545	69.13%	58.01	1	1,220	1,756	69.48%
32	2	344	344	100.00%		2	1,318	2,180	60.46%
33	1	1,102	1,324	83.23%	59	5	307	370	82.97%
	2	687	792	86.74%	60	1	1,198	2,131	56.22%
	3	248	295	84.07%	61	1	683	1,092	62.55%
	4	1,449	1,853	78.20%		2	827	1,081	76.50%
34	2	374	515	72.62%	62	2	1,050	1,731	60.66%

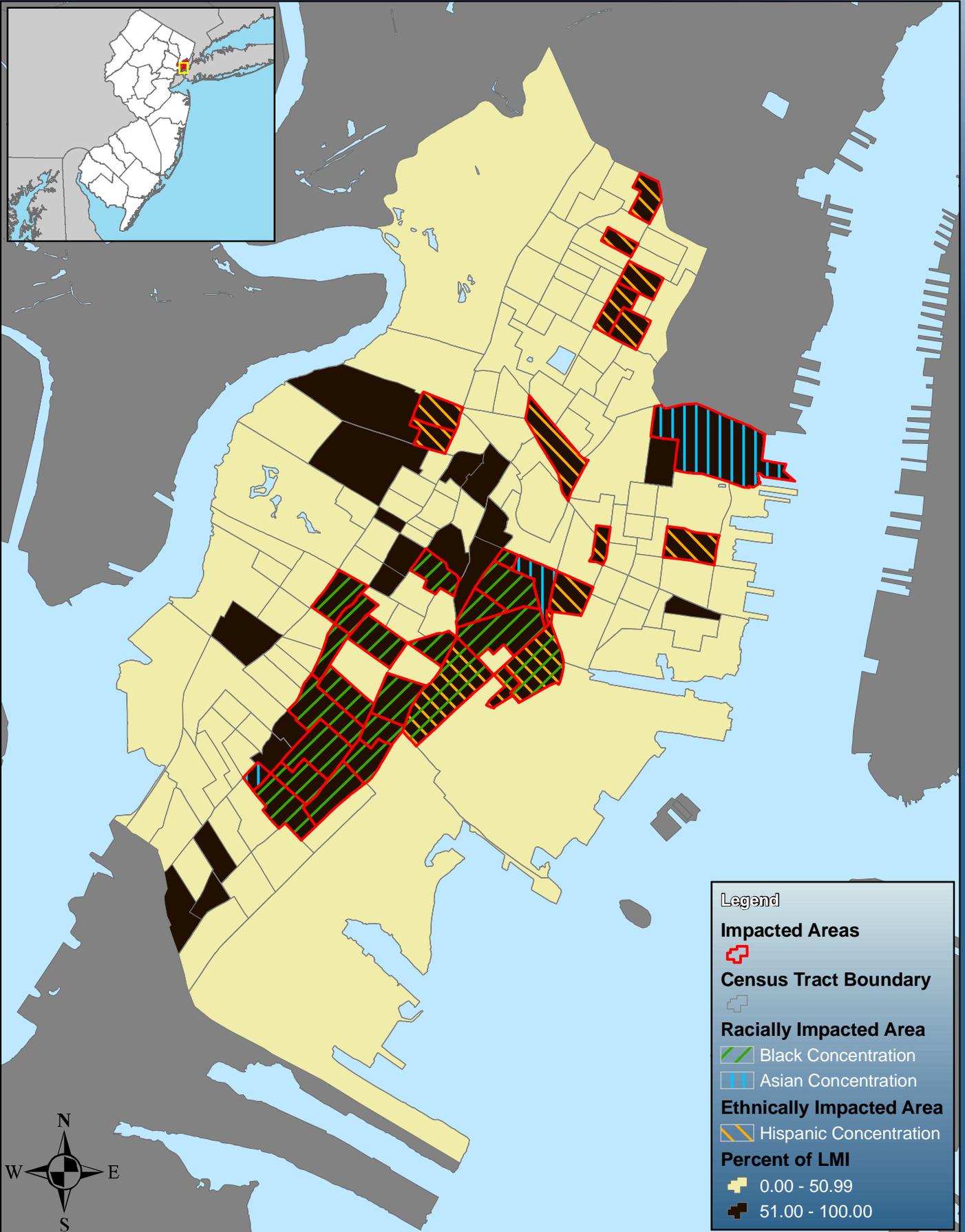
Shaded rows indicate areas of minority concentration.

Source: U.S. Department of Housing & Urban Development

# Map 4: Areas of LMI Concentration, 2009

Jersey City, NJ  
Analysis of Impediments to Fair Housing Choice





**OBSERVATION:** Of the 53 LMI census block groups in Jersey City, 41 are located within areas of concentration of Black, Asian, and/or Hispanic residents. As a result, areas of minority concentration are more likely to be also areas of concentration of LMI persons. Furthermore, these areas of concentration of *both* minorities and LMI persons are referred to as impacted areas.

**vi. Disability and Income**

The Census Bureau reports disability status for the non-institutionalized population. 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, getting dressed, 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 (e.g., constructing an entrance ramp) or administrative changes (e.g., permitting the use of a service animal). In Jersey City, 8.9% of the population reported at least one disability in 2009.<sup>3</sup>

According to the National Organization on Disabilities, a significant income gap exists for persons with disabilities, given their lower rate of employment. Among all persons with a disability in Jersey City in 2009, 26.9% were living in poverty compared to 15.6% of persons without a disability who were living in poverty.<sup>4</sup>

**OBSERVATION:** Persons with disabilities were more likely to live in poverty than persons without disabilities. In Jersey City, 26.9% of persons with a disability were living in poverty compared to 15.6% of persons without a disability.

According to the advocacy organizations for persons with disabilities that were interviewed for the AI, there is a paucity of service organizations in Jersey City to provide supportive services to their clientele. In addition, severe State budget cuts have slashed funding for organizations that provide these services where they do exist. Compounding the situation is an education system that does not adequately prepare persons with disabilities for employment. As a result, their access to employment opportunities is

<sup>3</sup> U.S. Census Bureau, 2009 American Community Survey (B18101)

<sup>4</sup> U.S. Census Bureau, 2009 American Community Survey (B18130)

severely limited, with most ending up in minimum wage positions or receiving SSI assistance.

Hudson Community Enterprises, a regional nonprofit organization that provides supportive services to approximately 500 persons with disabilities in Jersey City and Hudson County, reported a lack of coordination of services for their clientele. In particular, there is no organization or agency that advocates specifically for *housing* for persons with disabilities. Consequently, it is not unusual for many of these individuals to cycle in and out of local homeless shelters due to their inability to maintain permanent housing. Notably, Hudson Community Enterprises reported having never been approached by an affordable housing developer to partner on a specific project.

**OBSERVATION:** Hudson Community Enterprises, a local advocacy organization with approximately 500 clients with disabilities in Jersey City and Hudson County, recognizes the severe demand for affordable housing that is accessible to persons with disabilities. Unfortunately, this organization has never been approached by an affordable housing developer to either develop housing or affirmatively market available units.

#### vii. Familial Status and Income

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

Women have protection under Title VIII of the Civil Rights Act of 1968 against 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.

In Jersey City, female-headed households decreased from 19.7% of all household types in 1990 to 18.2% in 2009. However, the number of female-headed households actually increased from 16,222 to 17,643. A similar trend was noted among female-headed households with children, a segment which decreased from 10.8% to 9.8% of all households, but whose numbers actually increased from 8,924 to 9,456. By comparison, married-couple families with children decreased as a segment of all households, from 19.9% to 14.8%, as well as in number, from 16,377 to 14,372. The largest increase was noted among non-family and one-person households.

**Figure 2-12**  
**Households by Type and Presence of Children, 1990-2009**

	1990		2000		2009	
	#	%	#	%	#	%
<b>Total Households</b>	<b>82,306</b>	<b>100.0%</b>	<b>88,617</b>	<b>100.0%</b>	<b>96,863</b>	<b>100.0%</b>
Family Households	54,127	65.8%	56,114	63.3%	55,915	57.7%
Married-couple family	33,559	40.8%	32,994	37.2%	33,379	34.5%
With Children	16,377	19.9%	16,016	18.1%	14,372	14.8%
Without Children	17,182	20.9%	16,978	19.2%	19,007	19.6%
<b>Female-Headed Households</b>	<b>16,222</b>	<b>19.7%</b>	<b>17,611</b>	<b>19.9%</b>	<b>17,643</b>	<b>18.2%</b>
<b>With Children</b>	<b>8,924</b>	<b>10.8%</b>	<b>10,033</b>	<b>11.3%</b>	<b>9,456</b>	<b>9.8%</b>
Without Children	7,298	8.9%	7,578	8.6%	8,187	8.5%
Male-Headed Household	4,346	5.3%	5,509	6.2%	4,893	5.1%
With Children	1,384	1.7%	2,081	2.3%	1,882	1.9%
Without Children	2,962	3.6%	3,428	3.9%	3,011	3.1%
Non-family and 1-person Households	28,179	34.2%	32,503	36.7%	40,948	42.3%

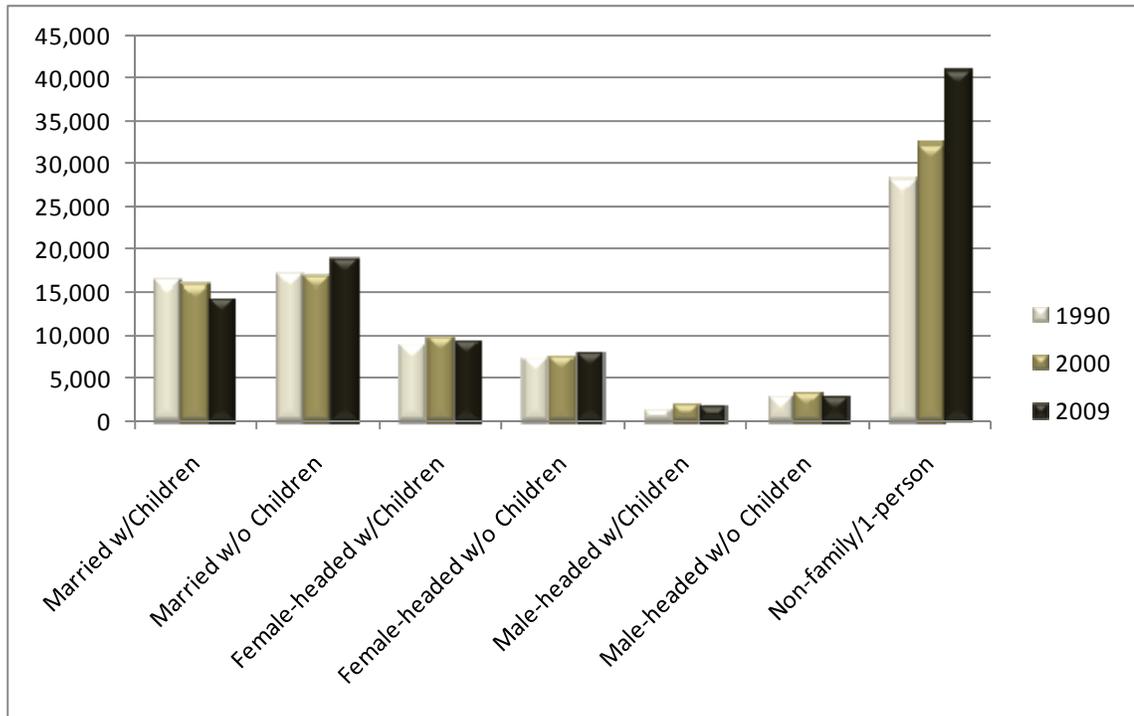
Sources: U.S. Census Bureau, 1990 Census SF3 (P019); Census 2000 SF3 (P10); 2009 American Community Survey (B11001, B11003)

Female-headed households with children often experience difficulty in obtaining housing, primarily as a result of lower incomes and the unwillingness of landlords to rent their units to families with children. In Jersey City in 2009, 38.9% of female-headed households with children were living in poverty, compared to 19.1% of male-headed households with children and 4.6% of married couple households with children. Although females raising children comprised only 9.8% of all families, they accounted for 55.5% of all families living in poverty.<sup>5</sup>

**OBSERVATION:** Female-headed households with children accounted for more than half of all families living in poverty in 2009 and were eight times as likely to live in poverty as married-couple families with children. Consequently, securing affordable housing will be especially difficult for this segment of the population.

<sup>5</sup> U.S. Census Bureau, 2005-2009 American Community Survey (C17010)

**Figure 2-13**  
**Households by Type and Presence of Children, 1990-2009**



**viii. Ancestry and Income**

It is illegal to refuse the right to housing based on place of birth or ancestry. Census data on native and foreign-born populations revealed that 40.7% of Jersey City residents were foreign-born or born outside of the U.S. in Puerto Rico or on U.S. island areas.<sup>6</sup> Among families with children with foreign-born parents residing in Jersey City, 47.2% were living under 200% of the poverty level compared to 48.2% of families with children with only native-born parents.<sup>7</sup>

Jersey City has been attracting an increasing number of foreign-born persons over the past 30 years. In 1990, foreign born persons represented 24.6% of the City’s population, compared to 40.7% in 2009. Among foreign-born residents, over one-third has arrived since 2000, as illustrated in Figure 2-14. Immigrants from Mexico and Asia have arrived in the City at increasingly greater rates; over half of Mexican immigrants and 42.1% of Asian immigrants arrived over the past decade. European immigrants, on the other hand, are immigrating to Jersey City at slightly slower rates. Among European immigrants, 31.3% arrived before 1980 and 25.7% arrived since 2000.

<sup>6</sup> U.S. Census Bureau, 2005-2009 American Community Survey (C05002)

<sup>7</sup> U.S. Census Bureau, 2009 American Community Survey (C05010)

**Figure 2-14**  
**Year of Entry by Region of Birth, 2009**

Region of Origin	Total	Arrival in United States			
		Before 1980	1980 to 1989	1990 to 1990	Since 2000
<b>Total Foreign Born</b>	<b>86,949</b>	<b>16.2%</b>	<b>20.7%</b>	<b>29.8%</b>	<b>33.4%</b>
Europe	7,599	31.3%	14.3%	28.6%	25.7%
Asia	36,219	10.4%	19.8%	27.7%	42.1%
Latin America	34,644	20.3%	24.6%	30.6%	24.6%
Caribbean	12,813	21.3%	27.5%	30.2%	21.0%
Mexico	2,651	3.2%	10.9%	29.4%	56.5%
Other Central America	5,395	21.9%	26.7%	31.5%	19.9%
South America	13,785	21.9%	23.7%	30.9%	23.5%
Other	8,487	10.7%	14.1%	36.4%	38.8%

Source: U.S. Census Bureau, 2005-2009 American Community Survey (B05007)

Persons with limited English proficiency (LEP) are defined as persons who have a limited ability to read, write, speak or understand English. 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.

American Community Survey (ACS) data reports on the non-English language spoken at home for the population five years and older. In Jersey City, 41,430 persons spoke English less than “very well” in 2009. Of these, 17,910 (43.2%) were Spanish speakers. Others included 12,192 (29.4%) speakers of other Indo-European languages, 6,964 (16.8%) speakers of Asian and Pacific Island languages, and 4,364 (10.5%) speakers of all other language groups.<sup>8</sup>

**OBSERVATION:** The population of persons with limited English proficiency (LEP) in Jersey City is substantial, as demonstrated by the 2009 American Community Survey estimate of more than 41,000 persons who spoke English less than “very well.”

The International Institute of New Jersey, which is based in Jersey City, is the primary service provider to immigrants and persons with LEP and to other services that work with the City’s LEP population. The Center provides direct services to clients, including English classes, employment services,

<sup>8</sup> U.S. Census Bureau, 2009 American Community Survey (C16004)

legal services, and translation. Additionally, the Center provides technical assistance through its Cultural and Linguistic Training Center. Technical assistance services include half-day and day-long cultural and linguistic competency trainings, trainings on the legal obligations to provide meaningful access to LEP populations, and interpreter trainings.

**ix. Protected Class Status and Unemployment**

Unemployment in Jersey City in 2009 was 9.0%, which was higher than surrounding Hudson County's rate of 8.0% and New Jersey's rate of 7.0%. Hispanic and Black residents were more likely than Whites to be unemployed, while Asians had the lowest unemployment rate. In Jersey City, 13.1% of Blacks and 9.5% of Hispanics were unemployed compared to 7.9% of Whites.

**OBSERVATION:** Black and Hispanic residents were more likely to be unemployed than Whites. In Jersey City, Blacks and Hispanics had unemployment rates of 13.1% and 9.5%, respectively, compared to a rate of 7.9% among Whites. Higher unemployment, whether temporary or long-term, will mean less disposable income for housing expenses.

**Figure 2-15  
 Civilian Labor Force, 2009**

	New Jersey		New York-Northern New Jersey-Long Island, NY-NJ-PA MSA		Hudson County		Jersey City	
	Total	%	Total	%	Total	%	Total	%
<b>Total CLF</b>	<b>4,528,110</b>	<b>100.0%</b>	<b>9,651,001</b>	<b>100.0%</b>	<b>333,226</b>	<b>100.0%</b>	<b>131,955</b>	<b>100.0%</b>
Employed	4,217,343	93.1%	8,972,785	93.0%	306,636	92.0%	120,032	91.0%
Unemployed	310,767	6.9%	678,216	7.0%	26,590	8.0%	11,923	9.0%
<b>Male CLF</b>	<b>2,410,761</b>	<b>100.0%</b>	<b>5,095,640</b>	<b>100.0%</b>	<b>180,111</b>	<b>100.0%</b>	<b>70,502</b>	<b>100.0%</b>
Employed	2,245,051	93.1%	4,734,865	92.9%	166,452	92.4%	64,237	91.1%
Unemployed	165,710	6.9%	360,775	7.1%	13,659	7.6%	6,265	8.9%
<b>Female CLF</b>	<b>2,117,349</b>	<b>100.0%</b>	<b>4,555,361</b>	<b>100.0%</b>	<b>153,115</b>	<b>100.0%</b>	<b>61,453</b>	<b>100.0%</b>
Employed	1,972,292	93.1%	4,237,920	93.0%	140,184	91.6%	55,795	90.8%
Unemployed	145,057	6.9%	317,441	7.0%	12,931	8.4%	5,658	9.2%
<b>White CLF</b>	<b>3,225,252</b>	<b>100.0%</b>	<b>5,995,412</b>	<b>100.0%</b>	<b>199,696</b>	<b>100.0%</b>	<b>52,162</b>	<b>100.0%</b>
Employed	3,032,158	94.0%	5,653,824	94.3%	185,265	92.8%	48,048	92.1%
Unemployed	193,094	6.0%	341,588	5.7%	14,431	7.2%	4,114	7.9%
<b>Black CLF</b>	<b>582,634</b>	<b>100.0%</b>	<b>1,622,814</b>	<b>100.0%</b>	<b>43,277</b>	<b>100.0%</b>	<b>33,736</b>	<b>100.0%</b>
Employed	513,573	88.1%	1,444,974	89.0%	38,157	88.2%	29,320	86.9%
Unemployed	69,061	11.9%	177,840	11.0%	5,120	11.8%	4,416	13.1%
<b>Asian CLF</b>	<b>342,703</b>	<b>100.0%</b>	<b>901,702</b>	<b>100.0%</b>	<b>38,126</b>	<b>100.0%</b>	<b>26,081</b>	<b>100.0%</b>
Employed	326,005	95.1%	849,274	94.2%	35,955	94.3%	24,576	94.2%
Unemployed	16,698	4.9%	52,428	5.8%	2,171	5.7%	1,505	5.8%
<b>Hispanic CLF</b>	<b>704,456</b>	<b>100.0%</b>	<b>1,947,740</b>	<b>100.0%</b>	<b>129,300</b>	<b>100.0%</b>	<b>34,398</b>	<b>100.0%</b>
Employed	648,354	92.0%	1,774,250	91.1%	117,579	90.9%	31,124	90.5%
Unemployed	56,102	8.0%	173,490	8.9%	11,721	9.1%	3,274	9.5%

Source: U.S. Census Bureau, 2005-2009 American Community Survey (B23001, C23002A, C23002B, C23002D, C23002I)

## C. Housing Market

### i. Housing Inventory

Jersey City's housing stock increased 15.1% from 90,723 units in 1990 to 104,464 units in 2009. Four census tracts experienced more than a 100% increase in housing units during the period, all of which are located on the waterfront.

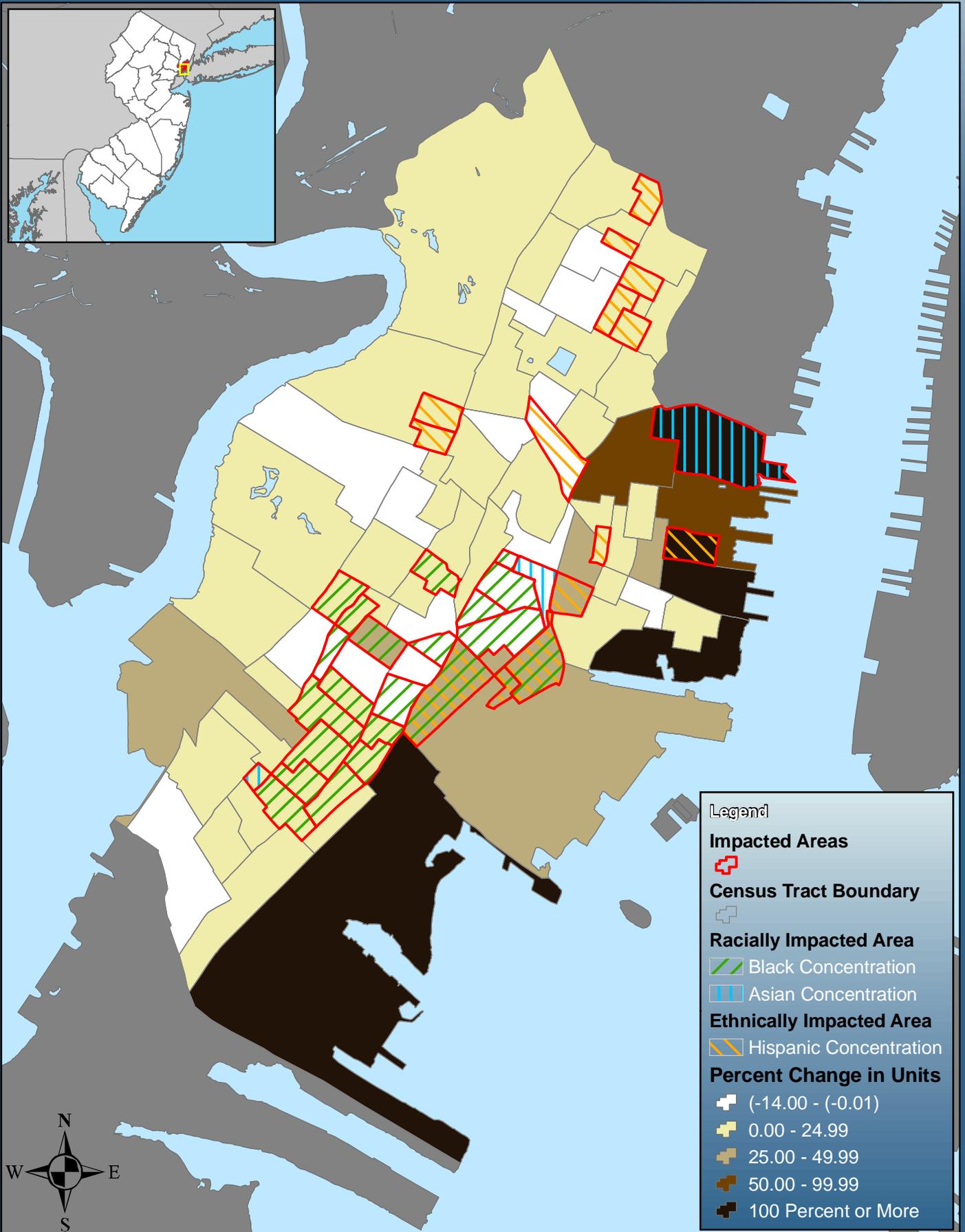
Within the 44 census tracts with concentrations of minority residents, a net increase of 6,848 housing units was noted over the course of almost two decades. A net gain of 2,891 units was experienced in the 19 census tracts identified as impacted areas of concentration of *both* minorities and LMI persons. This represented 21% of the total net gain Citywide.

Map 6 on the following page illustrates the location and rates of increase in the City's housing inventory between 1990 and 2009.

**OBSERVATION:** The City's housing inventory has increased 15.1% since 1990. Within impacted areas of concentration of *both* minorities and LMI persons, there was a net increase of 2,891 units, representing 21% of the Citywide net gain in units. This trend reflects a relatively stable housing market in which consumers are willing to purchase homes in all areas of the City, including lower income neighborhoods.

# Map 6: Change in Housing Units, 1990 - 2009

Jersey City, NJ  
Analysis of Impediments to Fair Housing Choice



**Figure 2-16**  
**Trends in Housing Inventory, 1990-2009**

	1990		2000		2009		Change 1990-2009	
	#	% of Total Housing Units	#	% of Total Housing Units	#	% of Total Housing Units	#	%
<b>Jersey City</b>	<b>90,723</b>	<b>100.0%</b>	<b>93,648</b>	<b>100.0%</b>	<b>104,464</b>	<b>100.0%</b>	<b>13,741</b>	<b>15.1%</b>
1	2,071	2.3%	2,078	2.2%	2,124	2.0%	53	2.6%
2	1,959	2.2%	2,095	2.2%	2,113	2.0%	154	7.9%
3	1,629	1.8%	1,607	1.7%	1,739	1.7%	110	6.8%
4	1,375	1.5%	1,371	1.5%	1,449	1.4%	74	5.4%
5	1,610	1.8%	1,536	1.6%	1,583	1.5%	-27	-1.7%
6	2,256	2.5%	2,211	2.4%	2,242	2.1%	-14	-0.6%
7	1,448	1.6%	1,474	1.6%	1,566	1.5%	118	8.1%
8	1,635	1.8%	1,612	1.7%	1,750	1.7%	115	7.0%
9.01	0	0.0%	15	0.0%	12	0.0%	12	0.0%
9.02	2,858	3.2%	2,840	3.0%	2,900	2.8%	42	1.5%
10	807	0.9%	768	0.8%	776	0.7%	-31	-3.8%
11	1,936	2.1%	2,050	2.2%	2,274	2.2%	338	17.5%
12.01	848	0.9%	814	0.9%	806	0.8%	-42	-5.0%
12.02	645	0.7%	635	0.7%	601	0.6%	-44	-6.8%
13	1,115	1.2%	1,274	1.4%	1,280	1.2%	165	14.8%
14	1,514	1.7%	1,455	1.6%	1,555	1.5%	41	2.7%
15	583	0.6%	640	0.7%	1,064	1.0%	481	82.5%
16.01	22	0.0%	43	0.0%	1,362	1.3%	1,340	6090.9%
16.02	2,744	3.0%	3,751	4.0%	4,633	4.4%	1,889	68.8%
17	1,278	1.4%	1,312	1.4%	1,348	1.3%	70	5.5%
18	1,573	1.7%	1,547	1.7%	1,654	1.6%	81	5.1%
19	724	0.8%	754	0.8%	695	0.7%	-29	-4.0%
20	1,960	2.2%	1,983	2.1%	2,232	2.1%	272	13.9%
21	1,708	1.9%	1,694	1.8%	1,835	1.8%	127	7.4%
22	851	0.9%	815	0.9%	859	0.8%	8	0.9%
23	1,079	1.2%	1,071	1.1%	1,239	1.2%	160	14.8%
24	1,367	1.5%	1,344	1.4%	1,464	1.4%	97	7.1%
25	1,066	1.2%	1,271	1.4%	1,440	1.4%	374	35.1%
26	473	0.5%	1,100	1.2%	1,716	1.6%	1,243	262.8%
27	2,307	2.5%	2,176	2.3%	1,980	1.9%	-327	-14.2%
28	2,515	2.8%	2,410	2.6%	2,407	2.3%	-108	-4.3%
29	1,483	1.6%	1,589	1.7%	1,533	1.5%	50	3.4%
30	1,274	1.4%	1,223	1.3%	1,492	1.4%	218	17.1%

Shaded rows indicate impacted areas (concentrations of minorities and LMI persons).

Continued...

**Trends in Housing Inventory, 1990-2009 (continued)**

	1990		2000		2009		Change 1990-2009	
	#	% of Total Housing Units	#	% of Total Housing Units	#	% of Total Housing Units	#	%
31	1,408	1.6%	1,406	1.5%	1,590	1.5%	182	12.9%
32	398	0.4%	408	0.4%	388	0.4%	-10	-2.5%
33	1,495	1.6%	1,543	1.6%	1,355	1.3%	-140	-9.4%
34	701	0.8%	852	0.9%	897	0.9%	196	28.0%
35	1,171	1.3%	1,205	1.3%	1,430	1.4%	259	22.1%
36	759	0.8%	793	0.8%	797	0.8%	38	5.0%
37	1,077	1.2%	859	0.9%	994	1.0%	-83	-7.7%
38	2,084	2.3%	2,358	2.5%	2,408	2.3%	324	15.5%
39	459	0.5%	1,000	1.1%	2,866	2.7%	2,407	524.4%
40	1,788	2.0%	1,765	1.9%	1,870	1.8%	82	4.6%
41.01	2,608	2.9%	2,740	2.9%	2,956	2.8%	348	13.3%
41.02	1,308	1.4%	1,050	1.1%	1,308	1.3%	0	0.0%
42	1,685	1.9%	1,566	1.7%	1,723	1.6%	38	2.3%
43	1,064	1.2%	949	1.0%	1,014	1.0%	-50	-4.7%
44	819	0.9%	949	1.0%	1,052	1.0%	233	28.4%
45	1,506	1.7%	1,296	1.4%	1,414	1.4%	-92	-6.1%
46	708	0.8%	809	0.9%	937	0.9%	229	32.3%
47	650	0.7%	824	0.9%	893	0.9%	243	37.4%
48	1,320	1.5%	1,276	1.4%	1,359	1.3%	39	3.0%
49	1,455	1.6%	1,333	1.4%	1,366	1.3%	-89	-6.1%
50	602	0.7%	425	0.5%	516	0.5%	-86	-14.3%
51	764	0.8%	783	0.8%	807	0.8%	43	5.6%
52	1,783	2.0%	1,671	1.8%	1,793	1.7%	10	0.6%
53	846	0.9%	959	1.0%	1,047	1.0%	201	23.8%
54	1,599	1.8%	2,059	2.2%	2,275	2.2%	676	42.3%
55	755	0.8%	876	0.9%	782	0.7%	27	3.6%
56	1,338	1.5%	1,303	1.4%	1,439	1.4%	101	7.5%
58.01	1,841	2.0%	1,699	1.8%	2,107	2.0%	266	14.4%
58.02	280	0.3%	506	0.5%	1,156	1.1%	876	312.9%
59	2,341	2.6%	2,667	2.8%	2,668	2.6%	327	14.0%
60	1,589	1.8%	1,513	1.6%	1,656	1.6%	67	4.2%
61	2,596	2.9%	2,470	2.6%	2,517	2.4%	-79	-3.0%
62	1,446	1.6%	1,428	1.5%	1,552	1.5%	106	7.3%
63	1,767	1.9%	1,750	1.9%	1,809	1.7%	42	2.4%

Shaded rows indicate impacted areas (concentrations of minorities and LMI persons).

Source: 1990 Census SF3 (H001); Census 2000 SF3 (H1); 2005-2009 American Community Survey (B25001)

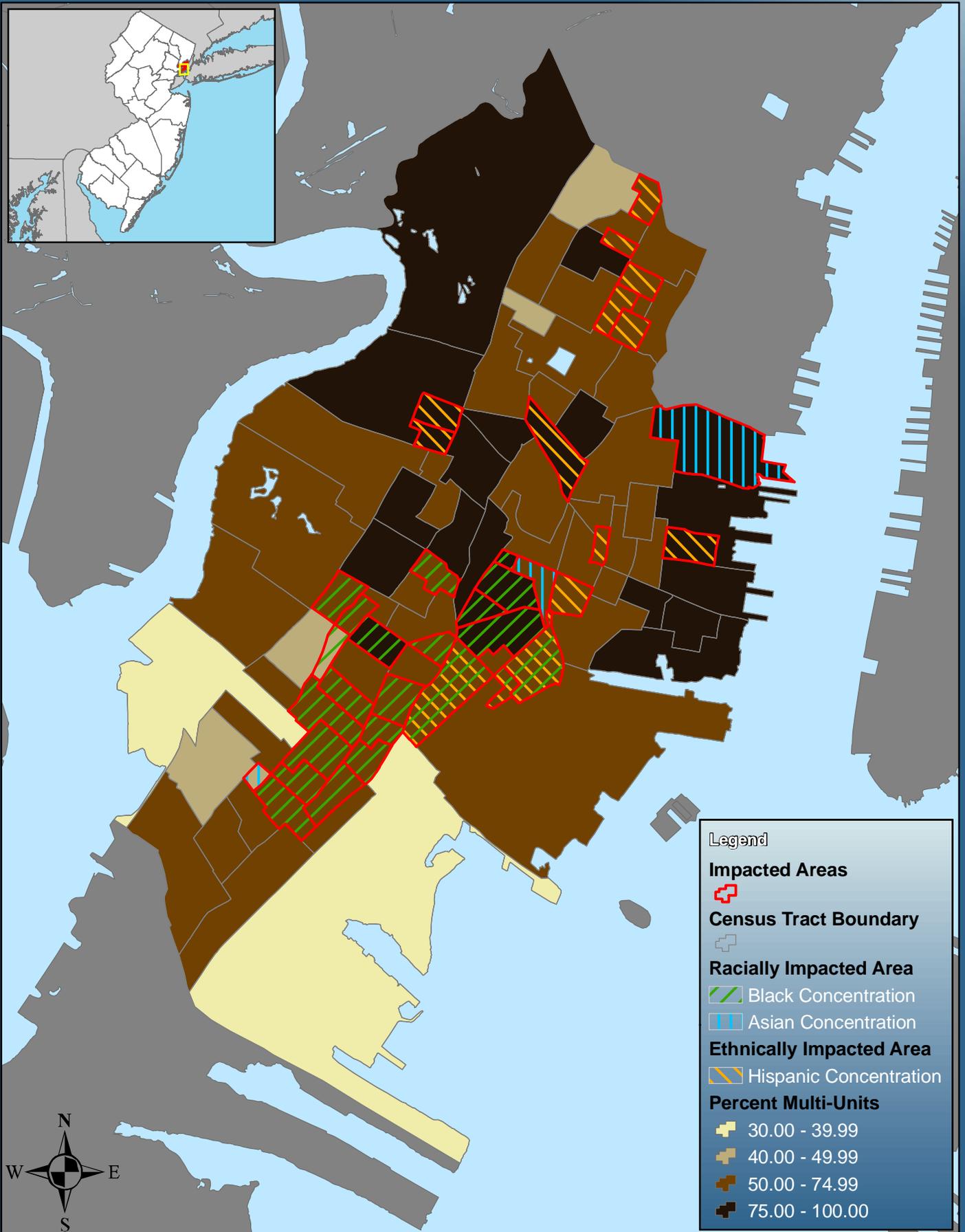
**ii. Types of Housing Units**

As a highly urbanized and densely developed city, Jersey City’s housing stock consists primarily of multi-unit structures. Many of these units are owner-occupied condominium units. For example, of the 104,464 housing units in 2000, only 15.6% were single family structures compared to 84.3% which were multi-family units. Of the total multi-family housing inventory, 40.8% was located in impacted areas, as depicted in Figure 2-17.

Map 7 illustrates the location of the housing inventory by unit type.

# Map 7: Percent of Multi-Unit Housing Structures, 2009

Jersey City, NJ  
Analysis of Impediments to Fair Housing Choice



**Figure 2-17  
 Housing Units in Structures, 2000**

	Total Units	Single-family units	Multi-family units				Total	Mobile home, Boat, RV, etc.
			2 to 4	5 to 9	10 to 19	20 or more		
<b>Jersey City</b>	<b>104,464</b>	<b>16,295</b>	<b>39,210</b>	<b>11,608</b>	<b>7,958</b>	<b>29,264</b>	<b>88,040</b>	<b>129</b>
1	2,124	497	1,339	103	95	90	1,627	0
2	2,113	248	1,101	296	209	259	1,865	0
3	1,739	416	739	276	203	105	1,323	0
4	1,449	332	907	70	56	84	1,117	0
5	1,583	157	877	282	190	77	1,426	0
6	2,242	340	1,068	212	187	435	1,902	0
7	1,566	162	945	367	46	46	1,404	0
8	1,750	208	983	303	114	142	1,542	0
9.01	12	0	0	0	0	0	0	12
9.02	2,900	172	443	143	179	1,963	2,728	0
10	776	178	397	44	57	100	598	0
11	2,274	269	1,287	325	215	178	2,005	0
12.01	806	123	401	224	58	0	683	0
12.02	601	94	114	102	280	11	507	0
13	1,280	101	721	155	119	184	1,179	0
14	1,555	217	512	470	247	89	1,318	20
15	1,064	284	154	107	228	291	780	0
16.01	1,362	17	6	13	0	1,326	1,345	0
16.02	4,633	90	117	122	6	4,290	4,535	8
17	1,348	258	636	281	94	79	1,090	0
18	1,654	93	276	281	308	696	1,561	0
19	695	80	304	98	13	200	615	0
20	2,232	251	256	128	264	1,333	1,981	0
21	1,835	267	701	341	214	312	1,568	0
22	859	145	416	276	4	18	714	0
23	1,239	107	734	155	147	96	1,132	0
24	1,464	255	671	133	127	269	1,200	9
25	1,440	23	707	464	81	165	1,417	0
26	1,716	88	45	226	35	1,305	1,611	17
27	1,980	258	851	275	111	456	1,693	29
28	2,407	210	372	223	195	1,407	2,197	0
29	1,533	177	347	99	198	712	1,356	0
30	1,492	241	381	262	188	420	1,251	0

Shaded rows indicate impacted areas (concentrations of minorities and LMI persons).

Continued...

**Housing Units in Structures, 2000 (continued)**

	Total Units	Single-family units	Multi-family units				Total	Mobile home, Boat, RV, etc.
			2 to 4	5 to 9	10 to 19	20 or more		
<b>Jersey City</b>	<b>104,464</b>	<b>16,295</b>	<b>39,210</b>	<b>11,608</b>	<b>7,958</b>	<b>29,264</b>	<b>88,040</b>	<b>129</b>
31	1,590	141	402	241	265	541	1,449	0
32	388	142	211	14	21	0	246	0
33	1,355	285	117	73	358	522	1,070	0
34	897	150	279	144	0	324	747	0
35	1,430	174	417	221	85	533	1,256	0
36	797	40	355	182	122	98	757	0
37	994	63	389	245	95	202	931	0
38	2,408	34	299	158	190	1,727	2,374	0
39	2,866	35	227	53	8	2,543	2,831	0
40	1,870	452	1,065	329	24	0	1,418	0
41.01	2,956	467	413	36	293	1,728	2,470	19
41.02	1,308	173	659	23	124	329	1,135	0
42	1,723	354	631	87	258	393	1,369	0
43	1,014	348	384	113	119	50	666	0
44	1,052	239	402	238	0	173	813	0
45	1,414	329	749	161	64	111	1,085	0
46	937	226	492	187	32	0	711	0
47	893	175	526	147	0	45	718	0
48	1,359	351	776	181	48	0	1,005	3
49	1,366	294	818	95	52	107	1,072	0
50	516	262	109	92	38	15	254	0
51	807	169	336	113	167	22	638	0
52	1,793	281	738	125	102	547	1,512	0
53	1,047	176	698	107	0	66	871	0
54	2,275	993	733	90	270	189	1,282	0
55	782	122	549	42	27	42	660	0
56	1,439	248	715	90	82	304	1,191	0
58.01	2,107	524	1,008	196	46	333	1,583	0
58.02	1,156	185	272	24	145	530	971	0
59	2,668	750	1,540	78	160	140	1,918	0
60	1,656	258	1,162	217	19	0	1,398	0
61	2,517	872	1,317	153	64	99	1,633	12
62	1,552	262	700	246	93	251	1,290	0
63	1,809	363	914	251	119	162	1,446	0

Shaded rows indicate impacted areas (concentrations of minorities and LMI persons).

Source: 2005-2009 American Community Survey (B25024)

**iii. Foreclosure Trends**

In late 2007, subprime adjustable rate mortgages started to reset to higher rates. This coupled with declining home values, resulted in more families defaulting on their mortgages and one of the deepest recessions since the great depression. The primary factor driving defaults is the value of the home relative to the value of the outstanding mortgage. While a lack of equity in a home is strongly associated with foreclosures, most borrowers

have become delinquent due to a change in their financial circumstances that makes them unable to meet their monthly mortgage obligations. These so called “trigger events” commonly include job/income loss, health problems, or divorce. The last five years has seen an increase in these “trigger events” and the economy has continued to weaken.

However, Jersey City and the greater New York City region have not been as affected by the mortgage crisis as other areas in the country. According to 2010 data from RealtyTrac, an aggregator of nationwide residential foreclosure, loan, and property sales data, the State of New Jersey had the 39th highest foreclosure rate in the country with 1,861 foreclosure filings, or one for every 1,895 housing units. Filings include default notices, auction sale notices, and bank repossessions. RealtyTrac also publishes year-end reports. In 2009, the number of foreclosures in the New York-Northern New Jersey-Long Island, NY-NJ-PA MSA increased 7.2% between 2008 and 2009, and 68.1% since 2007. This is similar to national trends and reflects both the financial crisis and the recession in the latter part of the decade.

RealtyTrac detected two trends in the national data during the first half of 2010: fewer properties entered foreclosure proceedings as lenders exercised more aggressive short sale and loan modification actions, and more properties completed the foreclosure process as lenders worked to clear a backlog of delinquent properties.

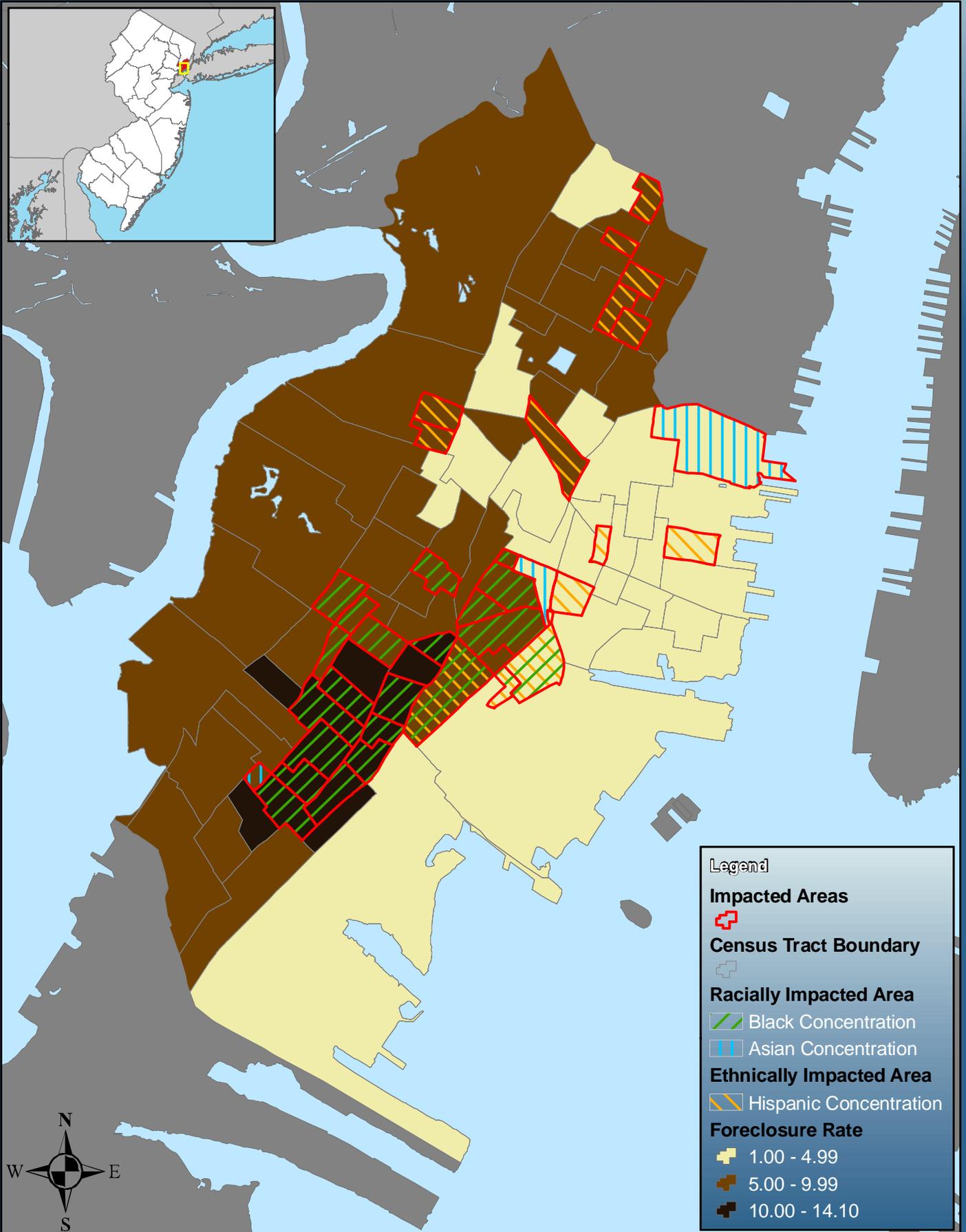
The New York-Northern New Jersey-Long Island MSA has been one of the least affected regions in the country. In 2009, the region was 131 out of 203 metro areas in a ranking of foreclosure filing rates.

Local data at the census tract level is also available. According to HUD NSP3 estimates, Jersey City had a foreclosure rate of 6.3% in July 2010, the most recent data available at the census tract level. This rate was slightly higher than Hudson County’s rate of 5.6% and the statewide rate of 5.1%. Within impacted areas of concentration of *both* minorities and LMI persons, foreclosure rates varied. Of the 28 census tracts identified as impacted areas, 17 had foreclosure rates higher than the City overall. Eight tracts throughout the City had estimated foreclosure rates greater than 10%, and of these, six were in impacted areas. Figure 2-18 details foreclosure rates by census tract, with the impacted areas highlighted. These areas are also illustrated in Map 8 on the following page.

Foreclosure activity is related to fair housing to the extent that it is disproportionately dispersed, both geographically and among members of the protected classes. Concentrated foreclosures and residential vacancy threaten the viability of neighborhoods as well as the ability of families to maintain housing and build wealth. Households carrying heavy cost burdens are prime candidates for mortgage delinquency and foreclosure.

# Map 8: Estimated Foreclosure Rates, July 2010

Jersey City, NJ  
Analysis of Impediments to Fair Housing Choice



**OBSERVATION:** Between January 2007 and June 2008, Jersey City had a foreclosure rate of 11.5%, higher than the rates in Hudson County and New Jersey. Impacted areas of concentration of *both* minorities and LMI persons had the highest rates of foreclosure.

**Figure 2-18**  
**Estimated Residential Foreclosure by Census Tract, July 2010**

	Foreclosure Filings*	Total Mortgages	Foreclosure Rate		Foreclosure Filings*	Total Mortgages	Foreclosure Rate
<b>Jersey City</b>	<b>1,653</b>	<b>26,220</b>	<b>6.3%</b>	31	14	186	7.5%
1	22	589	3.7%	32	2	54	3.7%
2	36	455	7.9%	33	3	45	6.7%
3	26	432	6.0%	34	4	133	3.0%
4	24	361	6.6%	35	2	120	1.7%
5	36	444	8.1%	36	6	243	2.5%
6	32	511	6.3%	37	4	210	1.9%
7	24	418	5.7%	38	9	373	2.4%
8	28	500	5.6%	39	16	654	2.4%
9.01	1	20	---	40	62	738	8.4%
9.02	25	648	3.9%	41.01	37	531	7.0%
10	14	205	6.8%	41.02	25	288	8.7%
11	29	525	5.5%	42	45	514	8.8%
12.01	10	156	6.4%	43	27	308	8.8%
12.02	4	53	7.5%	44	19	211	9.0%
13	21	368	5.7%	45	59	538	11.0%
14	20	417	4.8%	46	21	274	7.7%
15	4	181	2.2%	47	13	278	4.7%
16.01	10	457	2.2%	48	40	576	6.9%
16.02	8	395	2.0%	49	42	451	9.3%
17	18	304	5.9%	50	23	225	10.2%
18	11	175	6.3%	51	39	294	13.3%
19	4	58	6.9%	52	45	442	10.2%
20	7	157	4.5%	53	40	352	11.4%
21	12	294	4.1%	54	61	1,133	5.4%
22	6	243	2.5%	55	46	327	14.1%
23	10	349	2.9%	56	37	491	7.5%
24	11	463	2.4%	58.01	74	708	10.5%
25	8	285	2.8%	58.02	24	559	4.3%
26	12	560	2.1%	59	63	1,162	5.4%
27	38	549	6.9%	60	55	546	10.1%
28	21	385	5.5%	61	55	808	6.8%
29	18	384	4.7%	62	36	384	9.4%
30	10	197	5.1%	63	45	526	8.6%

\* Estimated number of mortgages to start foreclosure process or be seriously delinquent in the past two years.

Shaded rows indicate impacted areas (concentrations of minorities and LMI persons).

Source: HUD NSP Foreclosure Estimates, released October 2010

#### iv. Protected Class Status and Home Ownership

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. According to one study, "a family that puts 5 percent down to

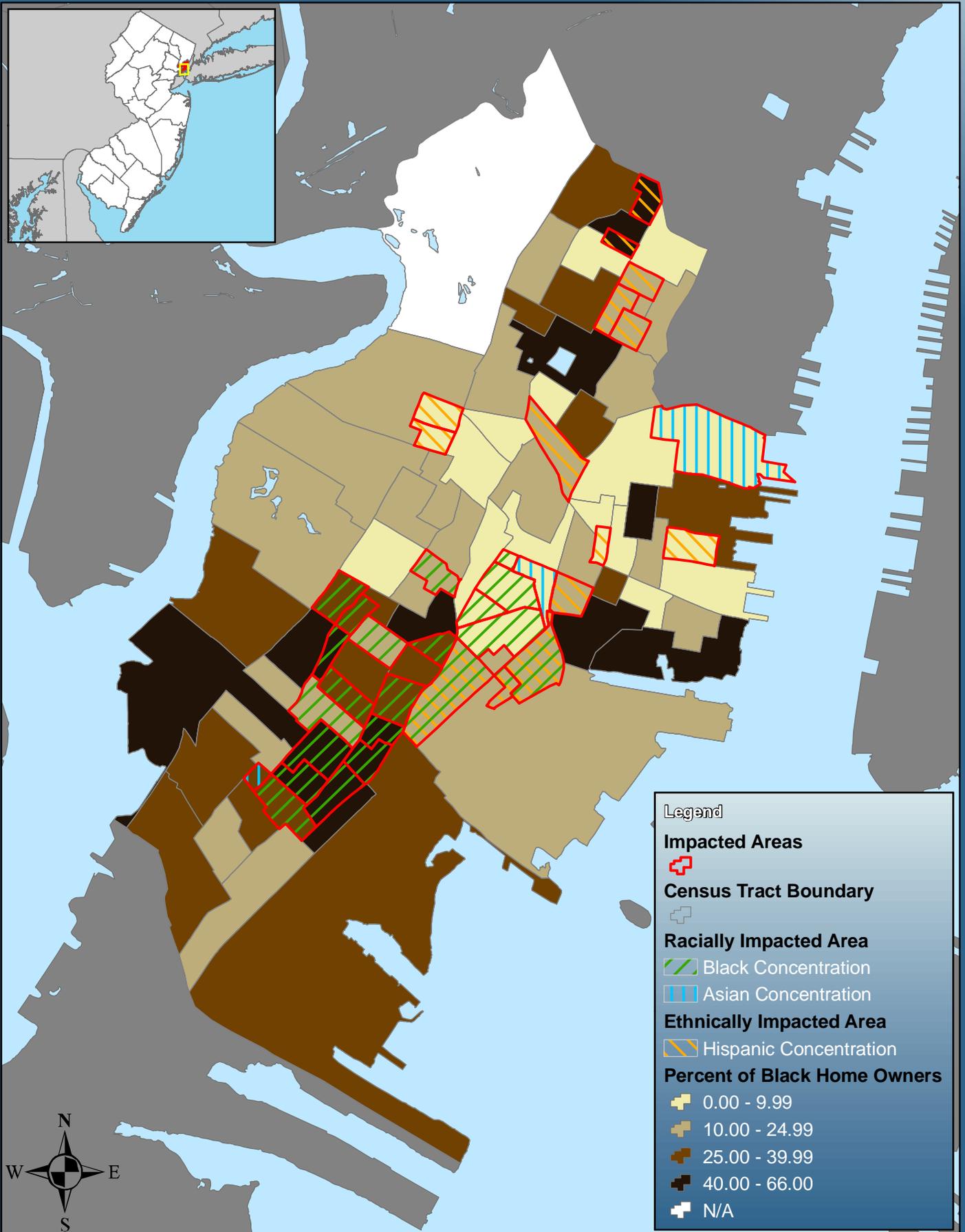
buy a house will earn a 100 percent return on the investment every time the house appreciates 5 percent.”<sup>9</sup>

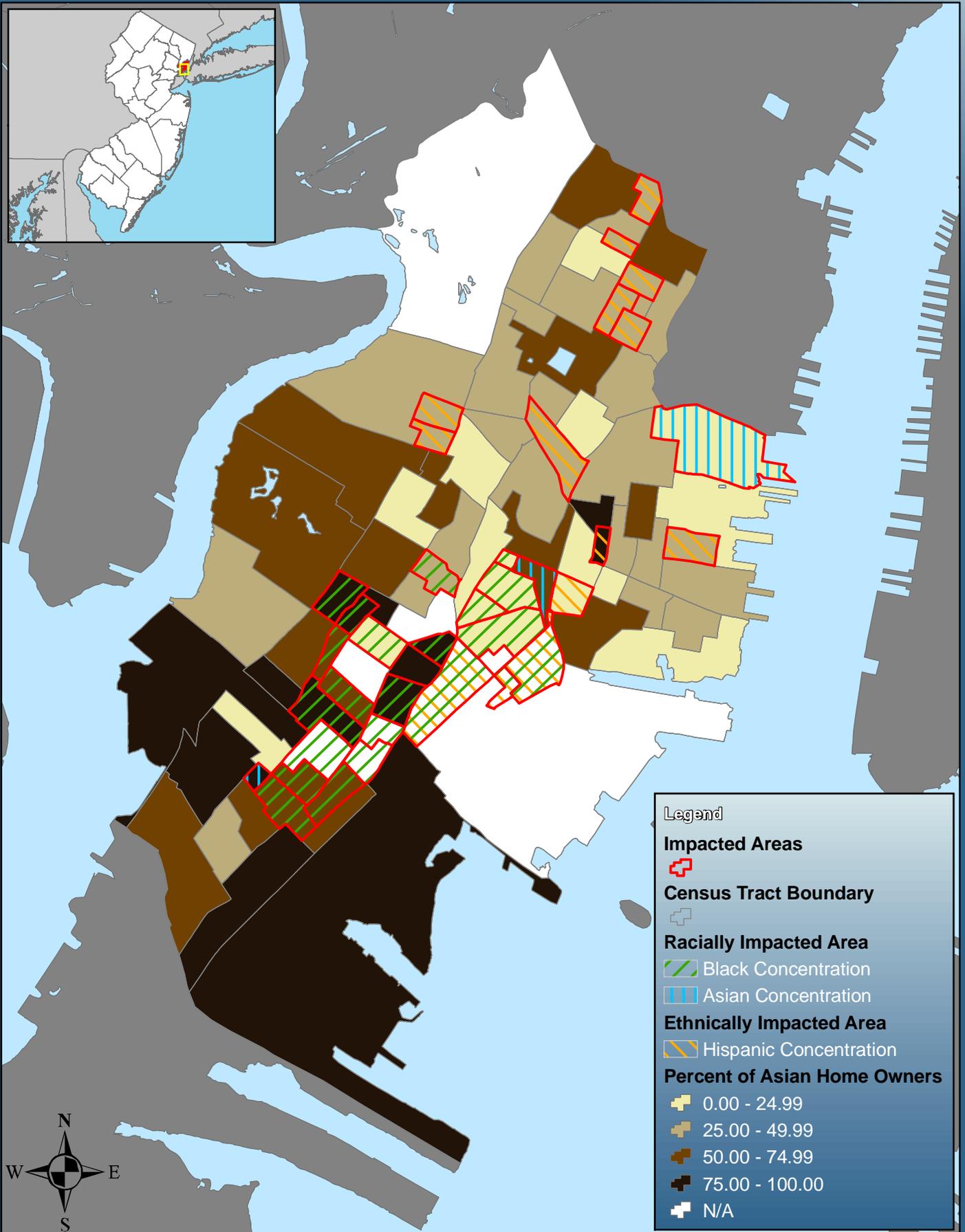
Historically, minorities tend to have lower homeownership rates than Whites. However, in Jersey City, the rate of homeownership is relatively low for all racial and ethnic groups. In 2009, homeownership Citywide stood at only 32%. This is not remarkable given the higher proportion of rental housing units (84.3%) in the City’s total housing inventory. Whites and Asians had comparable rates of homeownership at about 36.0%, while Black and Hispanic minorities had lower rates at 26.5% and 25.8%, respectively.

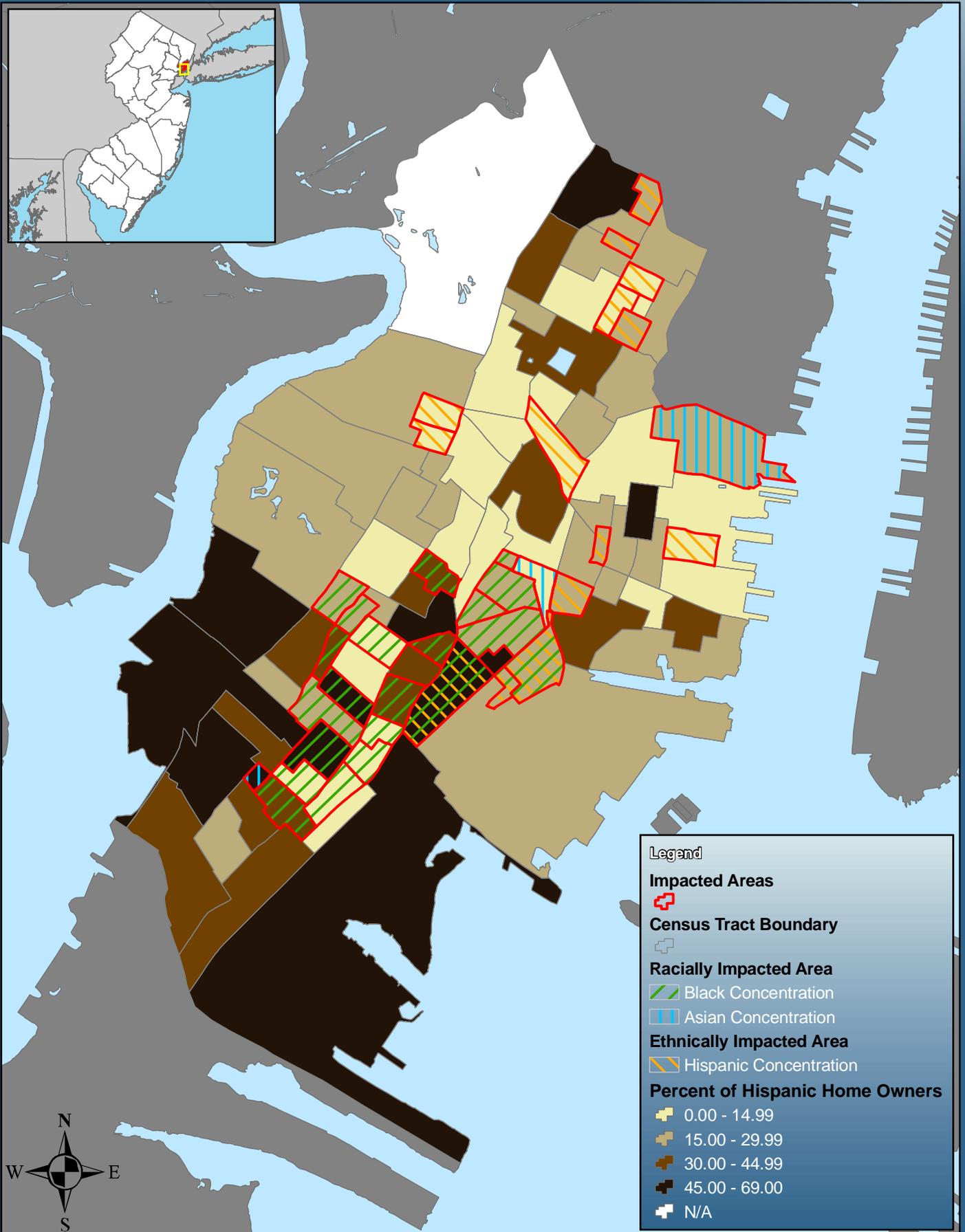
At the census tract level, minority homeownership varied widely, as illustrated in Figure 2-18 and on Maps 9, 10 and 11.

**OBSERVATION:** Lower household incomes among Blacks and Hispanics are reflected in relatively lower homeownership rates Citywide when compared to Whites and Asians. Across Jersey City, 26.5% of Blacks and 25.8% of Hispanics own their homes compared to about 36.0% of Whites and Asians. Notably, homeownership rates among minorities are higher in several impacted areas than elsewhere in Jersey City, particularly among Black households. While this may be the result of a more affordable housing stock in these areas, it also indicates a general lack of homeownership opportunities for lower income minority households outside of impacted areas.

<sup>9</sup> Kathleen C. Engel and Patricia A. McCoy, “From Credit Denial to Predatory Lending: The Challenge of Sustaining Minority Homeownership,” in *Segregation: The Rising Costs for America*, edited by James H. Carr and Nandinee K. Kutty (New York: Routledge 2008) p. 82.







**Figure 2-19**  
**Housing Tenure by Race/Ethnicity, 2009**

	White Owners		Black Owners		Asian/Pacific Islander Owners		Hispanic Owners	
	#	%	#	%	#	%	#	%
<b>Jersey City</b>	<b>14,375</b>	<b>36.0%</b>	<b>6,647</b>	<b>26.5%</b>	<b>5,616</b>	<b>36.1%</b>	<b>5,739</b>	<b>25.8%</b>
1	581	53.0%	24	38.7%	265	62.6%	433	53.0%
2	330	29.5%	118	49.8%	60	37.7%	251	25.2%
3	373	39.7%	13	5.7%	75	63.0%	152	20.2%
4	295	42.8%	23	14.0%	93	33.2%	167	39.5%
5	248	26.1%	10	9.2%	26	9.7%	112	21.5%
6	318	31.9%	68	34.5%	85	25.1%	91	11.1%
7	276	33.2%	25	16.6%	29	25.7%	80	13.8%
8	391	43.9%	60	22.1%	46	33.1%	117	20.5%
9.01	--	--	--	--	--	--	--	--
9.02	583	34.5%	39	20.5%	206	34.5%	71	13.9%
10	272	53.1%	10	26.3%	35	38.9%	42	23.7%
11	606	45.6%	66	53.7%	99	73.3%	471	44.5%
12.01	64	19.3%	0	0.0%	108	38.4%	8	7.5%
12.02	106	34.2%	23	16.8%	18	27.3%	10	6.5%
13	127	21.9%	28	15.0%	53	32.5%	99	22.8%
14	244	26.1%	25	27.8%	54	19.4%	122	21.1%
15	231	41.5%	17	8.9%	50	44.6%	0	0.0%
16.01	109	21.3%	0	0.0%	50	8.3%	15	20.0%
16.02	252	17.5%	63	30.7%	210	9.1%	33	13.0%
17	197	32.0%	40	11.1%	29	25.2%	63	19.7%
18	44	6.7%	8	2.8%	87	25.0%	11	1.9%
19	29	14.3%	0	0.0%	74	28.4%	13	7.8%
20	202	23.1%	23	5.8%	88	16.3%	37	9.8%
21	267	31.5%	28	10.9%	105	30.8%	88	34.4%
22	339	50.2%	0	0.0%	33	84.6%	26	24.5%
23	319	38.5%	0	0.0%	25	31.3%	30	15.1%
24	402	46.7%	71	56.3%	59	70.2%	65	46.1%
25	330	35.3%	19	11.2%	104	48.6%	45	16.9%
26	114	14.3%	0	0.0%	98	33.8%	8	2.4%
27	282	42.7%	110	18.5%	201	74.7%	69	22.6%
28	234	22.4%	55	10.1%	84	23.2%	105	22.4%
29	219	37.0%	36	21.1%	187	52.4%	80	29.6%
30	108	20.5%	48	13.6%	74	26.5%	19	4.0%

Continued...

**Housing Tenure by Race/Ethnicity, 2009 (continued)**

	White Owners		Black Owners		Asian/Pacific Islander Owners		Hispanic Owners	
	#	%	#	%	#	%	#	%
31	111	25.4%	14	4.8%	34	13.8%	28	6.7%
32	7	25.0%	0	0.0%	150	57.7%	8	11.3%
33	42	33.6%	87	9.5%	0	0.0%	54	21.3%
34	136	38.1%	9	13.8%	0	0.0%	76	25.8%
35	279	39.7%	42	26.4%	31	22.6%	54	17.4%
36	162	34.0%	47	64.4%	13	68.4%	35	44.9%
37	122	20.6%	0	0.0%	57	43.5%	0	0.0%
38	250	19.9%	55	21.2%	204	32.3%	85	45.0%
39	462	24.6%	34	44.7%	96	19.9%	48	25.1%
40	225	40.0%	71	17.4%	232	50.0%	67	26.2%
41.01	260	33.5%	84	8.0%	194	67.8%	103	13.6%
41.02	104	58.4%	134	19.7%	18	34.0%	130	35.0%
42	53	43.4%	302	30.0%	82	84.5%	69	23.5%
43	96	43.2%	285	46.5%	--	--	83	51.6%
44	0	0.0%	189	21.6%	0	0.0%	0	0.0%
45	0	0.0%	368	38.5%	10	100.0%	72	38.1%
46	80	47.9%	84	19.8%	--	--	203	57.0%
47	136	45.2%	57	24.9%	--	--	67	17.7%
48	182	67.2%	82	33.6%	226	45.7%	104	63.8%
49	57	35.8%	342	49.2%	112	67.5%	103	44.0%
50	8	25.0%	137	36.2%	--	--	0	0.0%
51	0	0.0%	155	28.6%	12	66.7%	35	55.6%
52	48	20.3%	244	23.4%	97	85.1%	43	25.0%
53	0	0.0%	389	52.6%	--	--	20	14.8%
54	558	72.2%	383	65.6%	361	77.8%	175	48.2%
55	37	100.0%	272	45.7%	--	--	58	68.2%
56	180	44.6%	100	16.8%	22	12.9%	141	42.2%
58.01	136	41.0%	589	42.3%	11	73.3%	32	12.6%
58.02	517	79.5%	70	30.6%	48	77.4%	63	47.4%
59	584	56.3%	141	26.8%	415	78.0%	207	52.8%
60	149	69.0%	230	31.2%	26	60.5%	146	36.9%
61	416	61.3%	311	31.3%	237	71.0%	208	38.3%
62	163	35.9%	126	18.9%	60	36.8%	56	17.7%
63	323	60.1%	164	21.3%	58	100.0%	233	41.0%

Shaded rows indicate impacted areas (concentrations of minorities and LMI persons).

Note: Tracts in which no member of a racial or ethnic group live (denoted by "--") are differentiated from tracts in which only renters live (denoted by 0.0%).

Source: 2005-2009 American Community Survey (B25003A, B25003B, B25003D, B25003I)

**v. The Tendency of the Protected Classes to Live in Larger Households**

Larger families 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 disproportionately negative impact on members of the protected classes.

Across Jersey City, minorities were more likely than Whites to live in families with three or more persons. Among individual minority groups, those of Some Other Race (80.4%) and Hispanics (77.7%) had the highest rates of larger family households.

**Figure 2-20  
Families with Three or More Persons, 2000**

Race/Ethnicity	% of Families with Three or More Persons
White	55.9%
Black	69.8%
Asian	76.0%
Some Other Race*	80.4%
Two or More Races	73.0%
Hispanic	77.7%

*\*Includes American Indians/Alaska Natives as well as those identifying as "Some Other Race"*

*Source: Census 2000 SF4 (PCT17)*

To adequately house larger families, a sufficient supply of larger dwelling units consisting of three or more bedrooms is necessary. In 2009, 20.2% of Jersey City's rental housing stock contained three or more bedrooms, compared to 55.8% of the owner housing stock.

According to City staff, developers are strongly encouraged to build rental units with three or more bedrooms. However, some developers have stated their preference not to have too many children in their buildings.

**Figure 2-21  
Housing Units by Number of Bedrooms, 2009**

	Renter-Occupied Housing Stock		Owner-Occupied Housing Stock	
	# of Units	% of Total Units	# of Units	% of Total Units
0-1 bedroom	26,496	41.9%	4,306	14.5%
2 bedrooms	23,926	37.9%	8,838	29.7%
<b>3 or more</b>	<b>12,746</b>	<b>20.2%</b>	<b>16,617</b>	<b>55.8%</b>
Total	63,168	100.0%	29,761	100.0%

*Source: U.S. Census Bureau, 2005-2009 American Community Survey (B25042)*

**OBSERVATION:** Minority households were much more likely to live in larger families than White households. More than 77% of Hispanic families and 69.8% of Black families included three or more persons compared to 55.9% of White families. However, in 2009, only 20.2% of the rental housing stock contained three or more bedrooms compared to 55.8% of the owner housing stock.

**vi. 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 or communities because of a lack of affordable housing in those areas.

Median housing values (adjusted for inflation) in Jersey City increased 63.3% between 1990 and 2009. Real median gross rent increased 13.4% during this period. By comparison, real median household income grew only 3.1%.

**Figure 2-22  
Trends in Median Housing Value, Rent and Income, 1990-2009**

	1990	2000	2009	% Change 1990-2009
<b>Median Owner-Occupied Housing Value</b>				
Actual Dollars	\$126,900	\$125,000	\$358,600	182.6%
2009 Dollars	\$219,554	\$160,967		63.3%
<b>Median Gross Rent</b>				
Actual Dollars	\$527	\$675	\$1,034	96.2%
2009 Dollars	\$912	\$869		13.4%
<b>Median Household Income</b>				
Actual Dollars	\$29,054	\$37,862	\$51,826	78.4%
2009 Dollars	\$50,267	\$48,756		3.1%

*Sources: U.S. Census Bureau, 1990 Census STF3 (H061A, H043A, P080A); Census 2000 SF3 (H76, H63, P53); 2005-2009 American Community Survey (B25077, B25064, B19013); Bureau of Labor Statistics Inflation Calculator*

**a. Rental Housing**

Jersey City has lost substantial numbers of affordable rental units since 2000. Between 2000 and 2009, the number of units renting for less than \$500 a month decreased by more than half. By comparison, the number of higher-rent units (\$1,000 a month or more) more than tripled from 10,783 to 33,745 units.

**Figure 2-23  
Loss of Affordable Rental Housing Units, 2000-2009**

Units Renting For:	2000	2009	Change 2000-2009	
			#	%
Less Than \$500	14,345	6,575	-7,770	-54.2%
\$500 - \$699	19,531	6,648	-12,883	-66.0%
\$700 to \$999	18,946	16,200	-2,746	-14.5%
\$1,000 or more	10,783	33,745	22,962	212.9%

*Sources: Census 2000 SF3 (H62); 2005-2009 American Community Survey (B25063)*

**OBSERVATION:** Jersey City lost more than half (54.2%) of its housing stock renting for less than \$500 between 2000 and 2009. Units renting for more than \$1,000, on the other hand, more than tripled, increasing by nearly 23,000 units.

The National Low Income Housing Coalition provides annual information on the fair market rent (FMR) and affordability of rental housing in counties and metropolitan areas in the U.S. for 2010. In Hudson County, the FMR for a two-bedroom apartment is \$1,227. In order to afford this level of rent and utilities, without paying more than 30% of income on housing, a household must earn \$4,090 monthly or \$49,080 annually. Assuming a 40-hour work week, 52 weeks per year, this level of income translates into a Housing Wage of \$23.60.

In Hudson County and across New Jersey, 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 130 hours per week, 52 weeks per year. Or, a household must include 3.3 minimum wage earners working 40 hours per week year-round in order to make the two-bedroom FMR affordable.

In Hudson County, the estimated average hourly wage for a renter is \$27.04. In order to afford the FMR for a two-bedroom apartment at this wage, a renter must work 35 hours per week, 52 weeks per year. Or, working 40 hours per week year-round, a household must include 0.9 workers earning the average renter wage in order to make the two-bedroom FMR affordable.

**OBSERVATION:** Minimum wage workers must earn \$23.60 per hour in order to afford the two-bedroom FMR in Jersey City. For those who do not earn this high level of pay, they may be forced to double-up with others, or lease inexpensive, substandard units. Minorities and female-headed households will be disproportionately impacted because of their lower incomes.

Monthly Supplemental Security Income (SSI) payments for an individual with disabilities are \$705 in Hudson County and throughout New Jersey. If SSI represents an individual's sole source of income, \$212 in monthly rent is affordable, while the FMR for a zero-bedroom unit is \$995.

**OBSERVATION:** Individuals with disabilities receiving monthly SSI checks of \$705 as their sole source of income cannot afford a zero-bedroom unit in Jersey City, or elsewhere, renting at the fair market rent of \$995.

In Jersey City, a municipal rent control ordinance limits the amount that landlords can increase monthly rental rates on tenants. The ordinance, regulated by the City's Bureau of Rent Leveling, established the base rent as of January 1, 1983. Thereafter, annual rent increases are limited to 4% or the Consumer Price Index (CPI), whichever is less. If the landlord makes capital improvements to a vacant unit, he is entitled to increase the monthly rent in accordance with a graduated scale provided in the ordinance. For example, for capital improvements up to \$5,000 in value, the vacant unit's monthly base rent can be increased by \$1.35 per \$100 of capital improvement value. In order to qualify for the base rent increase, a landlord is responsible for registering new rental rates of improved units with the City's Division of Tenant/Landlord Relations.

Conversely, tenants in rent-controlled units can receive rent reductions if a landlord reduces services or repairs.

Complaints of alleged housing discrimination involving rent-controlled units that are received by the Bureau are referred to the Jersey City Affirmative Action Office.

In addition, a landlord must provide to a new tenant the name and amount of rent paid by all previous tenants for the prior 12 months within the first 10 days of the new tenancy. This mechanism provides the opportunity for oversight by new tenants and helps to maintain regulated rents on many residential structures within Jersey City.

Exempted properties to this ordinance include dwellings with fewer than 5 units, public housing authority units, income-eligible units (such as Section 8 Housing Choice Voucher or LIHTC units), and structures with 25 or more units located within a redevelopment area.

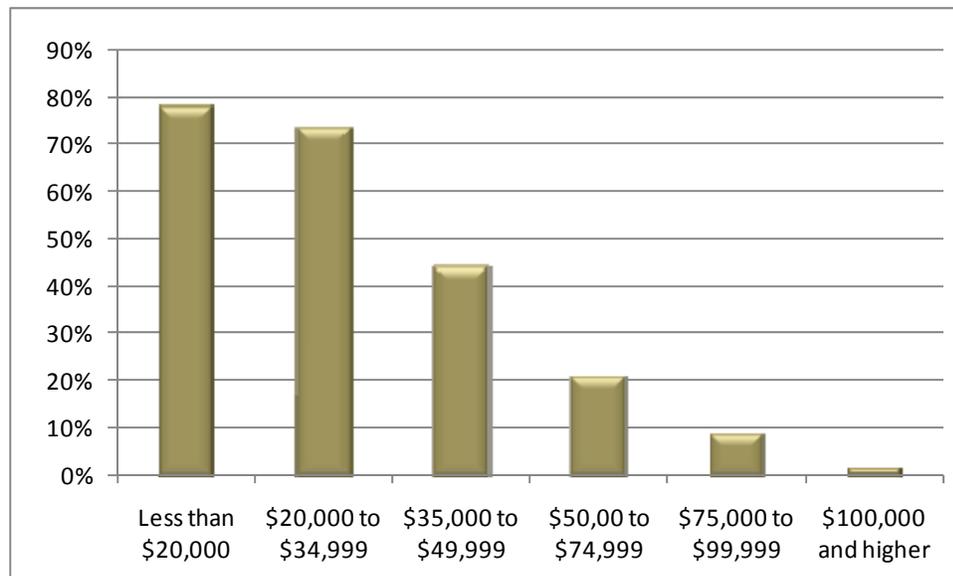
Still, even with the rent control ordinance in place, there are high numbers of lower income households who are paying more than 30% of their income toward housing costs. As depicted in Figure 2-23, more than 70% of all households with incomes below \$35,000 are cost burdened. This is equivalent to more than 21,000 households in Jersey City. Even among households in the \$35,000 to \$49,999 range, nearly 45% are cost burdened. Together, more than 25,700 City households

with incomes below \$50,000 are paying more than 30% of their income on housing costs.

In Jersey City, there were 33,876 households with incomes below \$35,000 in 2009. Of these, 19,008 were non-White minority households, equivalent to 56.1% of the lower income households. Consequently, lower income minority households are somewhat more likely to be cost burdened than lower income White households.

**OBSERVATION:** Cost burden is highest among households with incomes below \$35,000 in Jersey City. In 2009, more than 70% of these households were paying more than 30% of their income on housing costs. This was equivalent to more than 21,000 households in the City. Furthermore, with 56.1% of all households below \$35,000 identified as minority households, cost burden affects lower income minority households slightly more than lower income White households.

**Figure 2-24**  
**Cost Burdened Households by Income Level, 2009**



**b. Sales Housing**

The sales market in Jersey City was analyzed for both single-family units and condominium units. These were separated because of the distinctively different characteristics between the two markets. For example, the single-family market was relatively stable through most of the 2000s, with the number of sales peaking at 419 in 2004. By comparison, the number of condominium sales peaked at 1,011 in 2007.

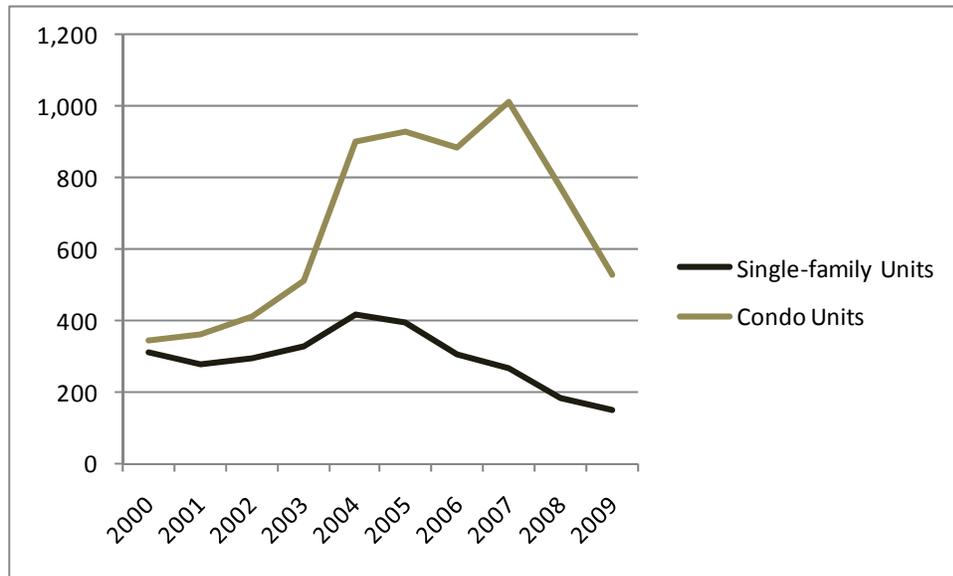
**Figure 2-25  
 Housing Market Trends, 2000-2009**

Year	Single-family Units			Condominium Units		
	Number of Sales	Median Sales Price	Average Days on Market	Number of Sales	Median Sales Price	Average Days on Market
2000	313	\$ 120,000	63	342	\$ 149,250	---
2001	276	\$ 135,000	54	360	\$ 190,000	43
2002	293	\$ 165,000	48	413	\$ 215,000	45
2003	325	\$ 190,000	44	514	\$ 243,500	60
2004	419	\$ 235,000	52	902	\$ 240,000	51
2005	392	\$ 290,000	45	931	\$ 315,000	46
2006	305	\$ 315,000	48	886	\$ 335,000	68
2007	269	\$ 310,000	61	1,011	\$ 355,000	62
2008	182	\$ 260,000	62	771	\$ 354,000	67
2009	148	\$ 208,500	76	530	\$ 345,000	70

Source: Jersey City Realtor Association

The condominium market appeared to be a much more volatile market in Jersey City with a severe upswing in sales transactions between 2003-2004, followed by an equally severe downturn between 2007-2008, as depicted in Figure 2-25. The single-family market, on the other hand, rose steadily from 313 transactions in 2000 to 419 in 2004, then began a gradual decline, reaching 149 transactions in 2009.

**Figure 2-26  
 Sales of Single-Family and Condominium Units, 2000-2009**

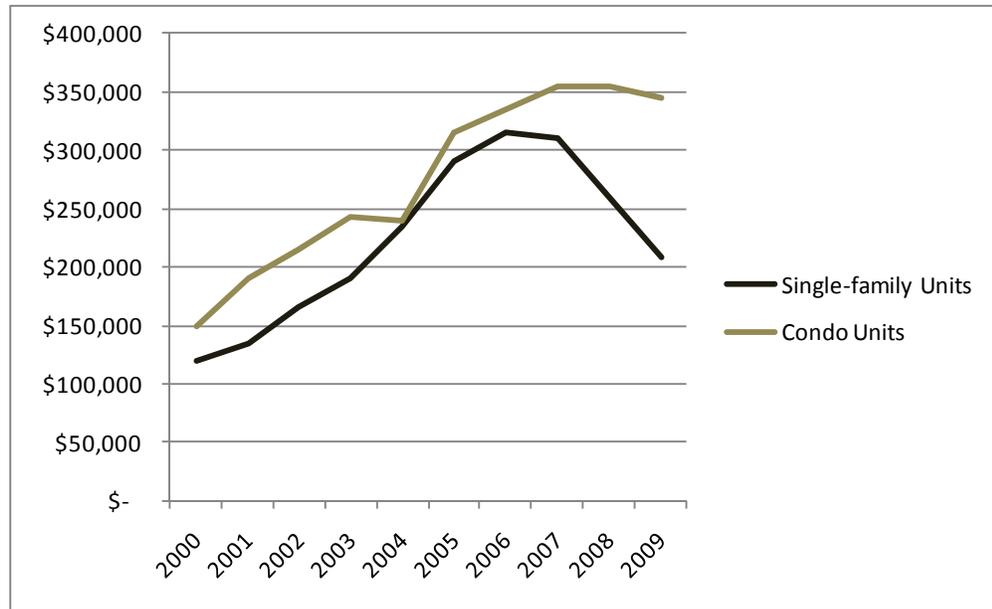


Source: Jersey City Realtor Association

The median sales prices were much higher for condominium units, peaking at \$355,000 in 2007. Notably, even though this year signaled the beginning of the national housing crisis and economic recession, the median sales price stabilized through 2008 and, furthermore, fell only

slightly to \$345,000 in 2009. These trends indicate a strong market for condominium units in Jersey City.

**Figure 2-27**  
**Median Sales Prices of Single-Family and Condominium Units, 2000-2009**



Source: Jersey City Realtor Association

The median sales price of single-family housing units in Jersey City was more reflective of national trends. Beginning in 2000 at \$120,000, the median sales price peaked at \$315,000 in 2006, representing a 163% increase in only six years. By 2009, however, the median sales price had fallen 33.8% to \$208,500. Still, this represented a 74% increase over the 2000 median sales price. Despite the fall in median sales price during the latter part of the decade, median home value continued to rise in Jersey City, albeit at a slower pace than in the early 2000s.<sup>10</sup> By comparison, home values in the New York Metro Region decreased every year from 2007 to 2009. According to Jersey City's assessment to values ratio, home values increased 267% between 1999 and 2009. Therefore, the market value of a home with an assessment of \$100,000 in 1999 had a value of nearly \$400,000 in 2009. In the metropolitan region on the whole, a home with a value of \$100,000 in 1999 had increased to about \$175,000.<sup>11</sup>

Figure 2-28 details the number of units sold by price for 2000 and 2009. Overall, the number of units selling for less than \$140,000 plummeted 84% during this period. In 2000, houses selling for less than \$140,000 accounted for 56% of all units sold. By 2009, the number of houses sold in this same price range represented only 9% of all units sold.

<sup>10</sup> Jersey City Division of Taxation, Case-Schiller Home Price Index

<sup>11</sup> Ibid.

**Figure 2-28**  
**Average Days on Market for Single-Family and Condominium Units, 2000-2009**

	2000	2009	Change 2000 to 2009	
			#	%
<b>Total</b>	<b>658</b>	<b>678</b>	<b>20</b>	<b>3.0%</b>
Less than \$40,000	35	1	-34	-97.1%
\$40,000 - \$59,999	23	7	-16	-69.6%
\$60,000 - \$79,999	59	8	-51	-86.4%
\$80,000 - \$99,999	73	8	-65	-89.0%
\$100,000 - \$139,999	177	35	-142	-80.2%
\$140,000 - \$159,999	86	24	-62	-72.1%
\$160,000 - \$179,999	58	43	-15	-25.9%
\$180,000 - \$199,999	33	45	12	36.4%
\$200,000 - \$249,999	39	64	25	64.1%
\$250,000 +	75	443	368	490.7%

Source: Jersey City Realtor Association

**OBSERVATION:** A significant aspect of the Jersey City housing market is the sharp decrease in the number of single-family units selling for less than \$140,000. In 2000, houses selling for less than \$140,000 accounted for 56% of all units sold. By 2009, the number of houses sold in this same price range represented only 9% of all units sold. The median sales price of single-family homes peaked at \$315,000 in 2006 before falling to \$208,500 in 2009. However, this still represents a 74% increase of the 2000 median sales price. The implications of these trends include a greater difficulty for lower income home buyers, who are being squeezed out of the housing market by higher-priced units.

### vii. Protected Class Status and Housing Problems

Throughout the country, lower income minority households tend to experience housing problems at a higher rate than lower income White households.<sup>12</sup> In Jersey City, however, White households generally experienced housing problems at similar rates to minorities. Among all lower income renters, 72.7% of Hispanic households reported housing problems compared to 69.5% of Whites and 67.4% of Blacks. The highest degree of renter housing problems was reported among family households and “all other” households. Hispanic renters had the highest percentage of problems (75.8%) in the family household category, while White households had the highest percentage of problems (75.8%) among All Other households. Black elderly renter households (60.7%) had the lowest percentage of problems compared to White (62.9%) and Hispanic households (66.3%).

<sup>12</sup> HUD defines housing problems as (1) cost burden of 30% or more (i.e. paying more than 30% of gross income on monthly housing expenses), and/or (2) lacking complete kitchen or plumbing facilities, and/or (3) overcrowding of more than 1.01 persons per room.

Among owner households, Hispanics again had the highest overall rates of housing problems. Black elderly owner households had the lowest reported degree of problems (69.3%). Among family owner households, Whites actually had the highest rate of problems at 90.5%. In the “all other” households category, Black households had the highest rate of reported problems at 68.0%.

**Figure 2-29  
 Lower Income Households with Housing Problems, 2000**

	All Households 0-80% of MFI		Elderly Households 0-80% of MFI			Small & Large Households 0- 80% of MFI			All Other Households 0-80% of MFI		
	Total	% with a Housing Problem	Total	With a Problem	%	Total	With a Problem	%	Total	With a Problem	%
<b>Renters:</b>											
White Non-Hispanic	7,036	69.5%	3,213	2,021	62.9%	1,730	1,284	74.2%	2,093	1,586	75.8%
Black Non-Hispanic	10,411	67.4%	1,949	1,183	60.7%	5,982	4,026	67.3%	2,480	1,815	73.2%
Hispanic	9,533	72.7%	1,141	756	66.3%	6,348	4,812	75.8%	2,044	1,361	66.6%
<b>Total</b>	<b>26,980</b>	<b>69.8%</b>	<b>6,303</b>	<b>3,961</b>	<b>62.8%</b>	<b>14,060</b>	<b>10,121</b>	<b>72.0%</b>	<b>6,617</b>	<b>4,763</b>	<b>72.0%</b>
<b>Owners:</b>											
White Non-Hispanic	2,393	79.8%	1,611	1,298	80.6%	378	342	90.5%	404	266	65.8%
Black Non-Hispanic	1,552	78.5%	587	407	69.3%	784	688	87.8%	181	123	68.0%
Hispanic	829	82.3%	102	90	88.2%	618	540	87.4%	109	52	47.7%
<b>Total</b>	<b>4,774</b>	<b>79.8%</b>	<b>2,300</b>	<b>1,795</b>	<b>78.1%</b>	<b>1,780</b>	<b>1,571</b>	<b>88.2%</b>	<b>694</b>	<b>441</b>	<b>63.5%</b>

Source: 2000 HUD Comprehensive Housing Affordability Strategy data

**OBSERVATION:** Among both owner and renter households, Hispanic households were most likely to experience housing problems such as cost burden, overcrowding, and substandard units. Among renter households with incomes less than 80% median family income, 72.7% of Hispanic households had a housing problem compared to 69.5% of White households and 67.4% of Black households. Among owner households, 82.3% of Hispanic households had a housing problem compared to 79.8% of White households and 78.5% of White households.

### 3. EVALUATION OF CURRENT FAIR HOUSING PROFILE

This section provides a review of the past and current fair housing planning initiatives and 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.

#### A. Existence of Fair Housing Complaints

A lack of filed complaints does not necessarily indicate a lack of housing discrimination. Some persons may not file complaints because they are not aware of how to go about filing a complaint or where to go to file a complaint. In a tight rental market, tenants avoid confrontations with prospective landlords. 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. Finally, households may be more interested in achieving their first priority of finding decent housing and may prefer to avoid going through the process of filing a complaint and following through with it. Therefore, education, information, and referral regarding fair housing issues remain critical to equip persons with the ability to reduce impediments.

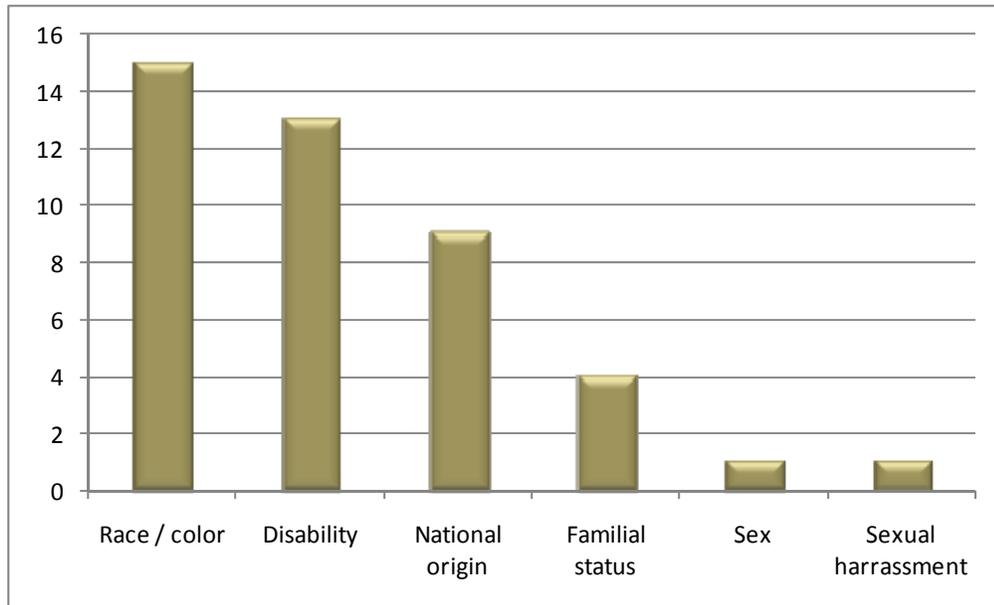
##### i. HUD's Office of Fair Housing and Equal Opportunity

The Office of Fair Housing and Equal Opportunity (FHEO) at HUD receives complaints from persons regarding alleged violations of the Fair Housing Act. Between 2004 and February 2010, 43 fair housing cases originating from Jersey City were filed with HUD.<sup>13</sup> This represented the second highest number of fair housing cases of any municipality in New Jersey (Newark had the most with 67 cases, while Lakewood had 41 cases). Fifteen cases alleged housing discrimination on the basis of race or color, while thirteen cases alleged discrimination based on disability. Together, these 28 cases represented 65% of the total complaints filed, as depicted in Figure 3-1.

---

<sup>13</sup> Information on the type of discrimination, such as reasonable accommodation, refusal to rent, discriminatory advertising, etc., was not made available by HUD for the cases reported to Jersey City in the AI. As a result, the City could not further analyze the data.

**Figure 3-1**  
**Bases of Fair Housing Complaints filed with HUD, 2004-2010**



Of these 43 housing complaints filed in Jersey City, 41 reached resolution and were closed between 2004 and 2009. Sixteen complaints were found to be without cause, a determination made when there is insufficient evidence found during the investigation to substantiate the complainant's allegations of housing discrimination. Another 13 complaints were closed administratively. Typically, this occurs when there is a lack of jurisdiction, the complainant withdraws the complaint, there is a failure to cooperate by the complainant, or the FHEO investigator is unable to locate the complainant or respondent.

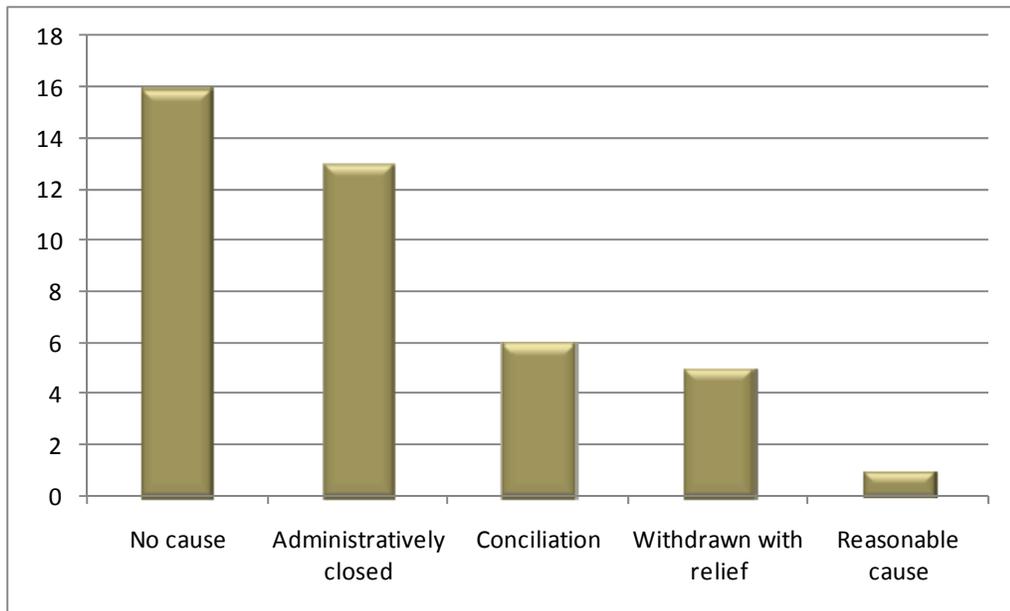
Caution should be used when interpreting complaints that are administratively closed. This resolution does not always mean that housing discrimination has not occurred. In the case of a complainant withdrawing a complaint, an uncooperative complainant, or a complainant who cannot be located, it is possible that the complainant changed her mind, decided against the trouble of following through with the complainant, chose to seek other housing without delay, or some other reasons.

Of the remaining 12 cases, 6 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.

Five cases were withdrawn by the complainant with relief. This action usually occurs with some type of benefit to the complainant, such as obtaining the rental unit of their choice or having a ramp installed without HUD's intervention.

The final case was found to have reasonable cause. Based on a preponderance of the evidence, HUD found that the respondent discriminated against the complainant.

**Figure 3-2**  
**Resolution of Fair Housing Complaints Filed with HUD, 2004-2009**



**ii. New Jersey Division on Civil Rights**

The New Jersey Division on Civil Rights is responsible for the enforcement of the New Jersey Law Against Discrimination (LAD). Complaints must be filed with the Division within 180 days after the alleged act of discrimination. Once a complaint is accepted, the Division will conduct an investigation. Following the completion of the investigation, the Director of the Division will determine whether or not probable cause exists to indicate an occurrence of discrimination has occurred. If a finding of probable cause is issued, the case is transmitted to the Office of Administrative Law where a full hearing will take place before an Administrative Law Judge.

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

Race continues to be the primary basis of discriminatory complaints in Jersey City followed by disability. Such a high number of housing complaints based on racial discrimination indicate a need for continuing real estate testing, particularly among rental units, for race/color and disability.

Although race is still the primary basis of discriminatory complaints nationally, HUD finds that more complaints are being filed on the basis of disability. HUD also notes that if current trends continue, in the near future fair housing complaints based on disability will exceed those based on race. Similar trends were noted in Jersey City.

**OBSERVATION:** Race/color and disability were the primary bases of alleged discrimination complaints in Jersey City that were filed with HUD between 2004 and 2010. These trends indicate a continuing need for testing, fair housing education and outreach, and enforcement of the Fair Housing Act.

**i. Housing Advocacy Groups**

During the course of several interviews with advocacy groups identified as stakeholders in the AI process, several comments were made relative to potential discriminatory behavior experienced by clients. In addition, organizational leaders expressed their own opinions about the state of fair housing in Jersey City. These comments are summarized below.

Homeless assistance providers reported their client families with children frequently experienced discrimination by landlords. Few, if any, complaints were ever filed simply because securing affordable housing was the primary goal of these homeless families.

Representatives from one social service agency admitted they were not aware of the New Jersey Law Against Discrimination's protection against source of lawful income, including Section 8 housing choice vouchers. This was particularly disturbing to them given that so many of their clients received Section 8 vouchers.

One housing advocate reported her experience with apartment buildings that advertise for seniors only even though they are not designated exclusively for elderly residents. Similarly, she found neighborhoods where residents who were not of a particular nationality were not welcomed in some apartment buildings. For example, in an area near Journal Square locally known as "Little India," it can be difficult to rent an apartment if the potential tenant is not of Indian ancestry. On Bergen Avenue in the Monticello CDC neighborhood, it can be difficult to rent if one is not Hispanic.

**ii. International Institute of NJ**

The International Institute of New Jersey (IINJ) is the oldest immigrant service agency in the State. Since 1918, it has been a gateway of resettlement for hundreds of thousands of immigrants arriving in the U.S., first as a YWCA program and then as an independent nonprofit organization after 1938. While their complexions, accents, and native languages may differ from those of their predecessors, today's newcomers face challenges that are as compelling as ever.

IINJ opens a world of possibilities through its wide array of services geared towards empowering recently-arrived immigrants, such as employment counseling, financial literacy training, legal services, interpreting and translation, English and citizenship classes, mental health counseling, and case management related to housing, medical care, and other basic needs.

In addition to helping immigrants navigate the conventions of American life, IINJ conducts conferences and training on cross-cultural competency as well as new information about immigrants to leaders in various sectors, such as corporations, health care, government, law enforcement, education and social services. IINJ's staff, board and constituents believe that immigration is a key engine of American economy and an inspiration for the American way of life.

In terms of potential housing discrimination experienced by their clients, IINJ reported that when they inform landlords of the ethnicity or country of origin of their clients, they feel it becomes a factor in deciding whether to accommodate their clients. To address this issue, IINJ negotiates with landlords in an attempt to accommodate newly arrived immigrants as potential tenants.

**OBSERVATION:** Based on interviews with housing advocates, there appears to be a lack of knowledge and understanding among landlords about fair housing laws. Landlords who selectively choose their tenants cannot discriminate based on race, color, nationality, familial status or any other category protected by State and federal housing laws. Such discriminatory behavior severely restricts fair housing choice for members of the protected classes. In addition, there is also a lack of knowledge and understanding among social service agencies that work to provide housing assistance and other supportive services to LMI persons and minorities. In many cases, these agencies are the first encounter for members of the protected classes who may have been discriminated against. If the agencies are educated on how to recognize potential housing discrimination and take corrective action (i.e., contact the appropriate referral agency), they can help to expand fair housing choice for members of the protected classes.

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

There are no unlawful discrimination suits or court orders that have been filed and/or are pending in the City of Jersey City.

### **D. Determination of Unlawful Segregation**

There are no unlawful segregation suits or court orders that have been filed and/or are pending in the City of Jersey City.

## **4. EVALUATION OF PUBLIC AND PRIVATE SECTOR POLICIES**

### **A. 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 which 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 Jersey City to determine opportunities for furthering the expansion of fair housing choice.

#### **i. Jersey City Housing Authority**

Jersey City Housing Authority (JCHA) completed a written questionnaire upon request. The following information was developed from responses provided by JCHA to the detailed questionnaire, several policy documents provided by JCHA, and an interview conducted with the Executive Director.

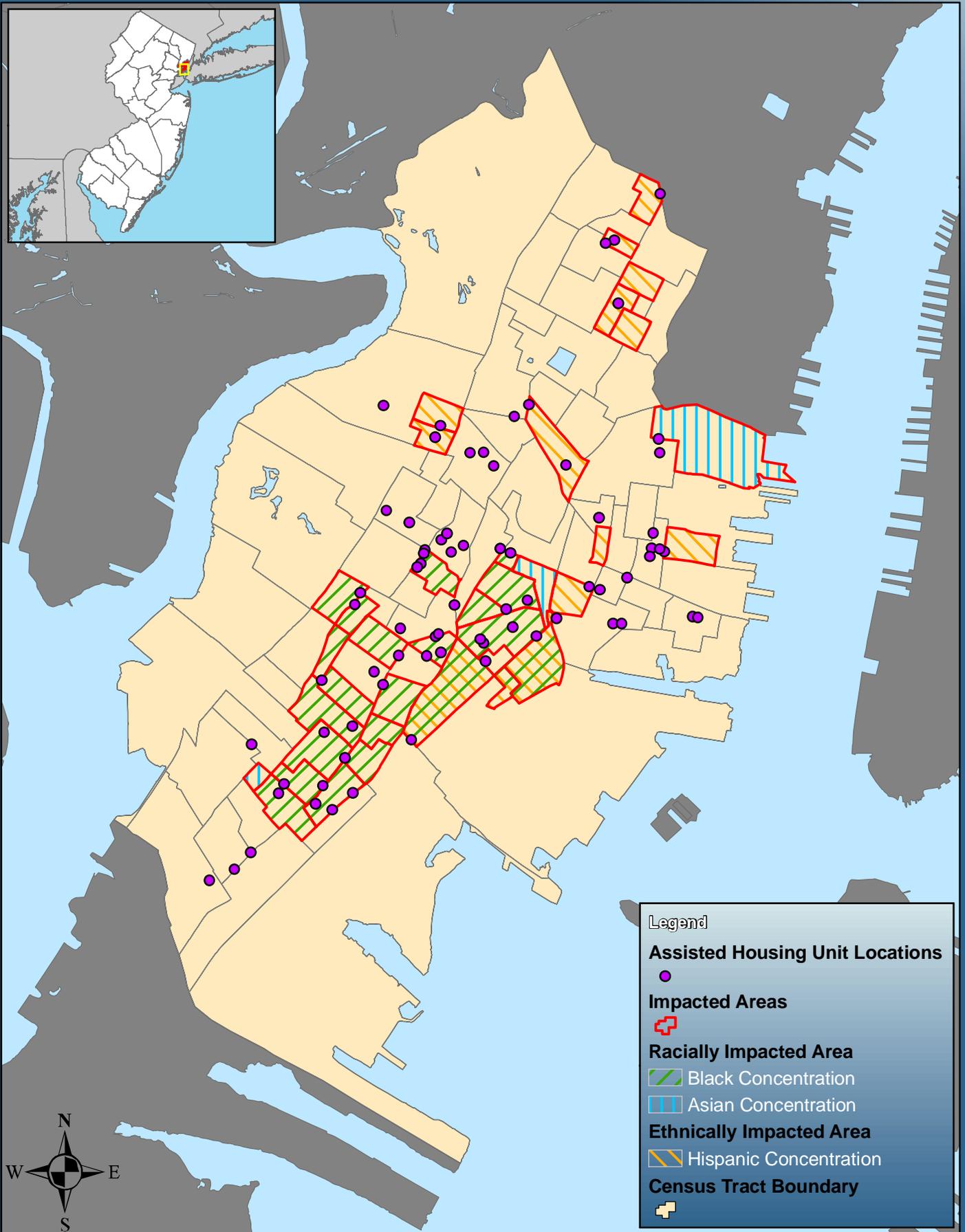
It is notable that the relationship between the City and JCHA is a positive and productive one. The director of the Division of Community Services serves on the JCHA Board of Directors. As a result, both entities are tuned in to the needs, goals and strategic actions of the other, with collaboration often the result.

#### **a. Public Housing**

##### **1) Inventory**

JCHA is the second largest public housing authority in New Jersey. It owns and manages a total of 2,106 units of traditional public housing and 580 units of mixed-finance public housing in Jersey City. Within both the traditional and mixed-finance public housing inventory, general occupancy units comprise more than three-quarters of all units, while elderly units account for the remaining one-quarter.

The JCHA public housing stock is detailed in Figure 4-1, and the locations of each development are depicted on Map 12. Although there is a substantial inventory of affordable housing located in impacted areas in Jersey City, it is also worth noting the extent to which many developments are located in non-impacted areas.



**Figure 4-1  
 JCHA Housing Inventory, 2010**

Development Name	Units by Size					General Units	Elderly Units	Total Units
	0br	1br	2br	3br	4+br			
<b>Traditional Public Housing</b>								
Berry Gardens	48	295	15	0	0	0	358	358
Booker T. Washington Apts.	0	74	125	79	29	307	0	307
Curries Woods	0	35	106	96	58	211	84	295
Dwight Street Homes	0	0	0	10	12	22	0	22
Holland Gardens	0	69	74	40	6	189	0	189
Hudson Gardens	0	82	81	50	6	219	0	219
Marion Gardens	0	37	44	76	76	233	0	233
Montgomery Gardens	0	26	291	103	15	435	0	435
Thomas J. Stewart Apts.	8	40	0	0	0	0	48	48
<b>Total</b>	<b>56</b>	<b>658</b>	<b>736</b>	<b>454</b>	<b>202</b>	<b>1,616</b>	<b>490</b>	<b>2,106</b>
<b>Percent of Total</b>	<b>3%</b>	<b>31%</b>	<b>35%</b>	<b>22%</b>	<b>10%</b>	<b>77%</b>	<b>23%</b>	<b>100%</b>
<b>Mixed-Finance Public Housing</b>								
254 Bergen Avenue		5	19	10	2	36		36
Arlington Gardens			90			90		90
Barbara Place		11	18	9	2	40		40
Gloria Robinson Townhomes		30	41	52	6	129		129
Lafayette Village			52	17	8	77		77
Lefayette Senior Living Center		78	4				82	82
Ocean Pointe		37	3				40	40
Pacific Court		6	11	22	2	41		41
Woodward Terrace		2	17	24	2	45		45
<b>Total</b>	<b>0</b>	<b>169</b>	<b>255</b>	<b>134</b>	<b>22</b>	<b>458</b>	<b>122</b>	<b>580</b>
<b>Percent of Total</b>	<b>0%</b>	<b>29%</b>	<b>44%</b>	<b>23%</b>	<b>4%</b>	<b>79%</b>	<b>21%</b>	<b>100%</b>
<b>Total JCHA Inventory</b>	<b>56</b>	<b>827</b>	<b>991</b>	<b>588</b>	<b>224</b>	<b>2,074</b>	<b>612</b>	<b>2,686</b>
<b>Percent of Total JCHA Inventory</b>	<b>2%</b>	<b>31%</b>	<b>37%</b>	<b>22%</b>	<b>8%</b>	<b>77%</b>	<b>23%</b>	<b>100%</b>

Source: Jersey City Housing Authority

Of the 2,502 households residing in JCHA communities, two-thirds are extremely low-income (<30% MFI), and only 5% are low income (51%-80% MFI). More than one-third of the households are families with children, and almost one-fourth of the households have at least one member with a disability. The majority of the households (65%) are Black, while only 6% are White. Nearly 19% are of some other race. Public housing in Jersey City is a place of concentration of Black residents. Only 27.1% of the City's population is Black, yet 65% of all public housing residents are Black.

**Figure 4-2  
 Characteristics of JCHA Public Housing Residents, 2010**

<b>Total Households</b>	<b>2,502</b>	<b>100.0%</b>
Extremely Low Income (<30% MFI)	1,678	67.1%
Very Low Income (>30% but <50% MFI)	433	17.3%
Low Income (>50% but <80% MFI)	124	5.0%
Families with Children	930	37.2%
Elderly Household (1 or 2 persons)	873	34.9%
Individuals/Families with Disabilities	607	24.3%
Black Households	1,626	65.0%
White Households	151	6.0%
Asian Households	19	0.8%
Other Race Households	467	18.7%

Note: Percentage may not equal 100% due to rounding and overlap among household types.

Source: Jersey City Housing Authority

## 2) Waiting List

JCHA maintains a waiting list of 8,309 applicants for public housing, more than three times the number of public housing units available in the City. The waiting list has been closed since May 1, 2007 (except to under-represented populations), with an estimated wait time of two to twelve years. The long wait time is a factor of the high demand and low turnover rate, which JCHA estimates is approximately 78 units each year. JCHA continues to permit households to apply for elderly designated buildings or the Dwight Street Homeownership Plan, and low income (51%-80% AMI) households to be added to the waiting list.

Of the 8,309 applicants, 78% are extremely low income, while only 4% are low income as depicted in Figure 4-3. Families with children comprise 59% of the households on the waiting list, while elderly households comprise 13%. Over 31% of the households have at least one member with a disability.

Nearly half (47%) of the waiting list households are Black; another 38% are Hispanic and 12% White. There is a notable difference in the racial composition of the waiting list compared to the current JCHA resident population. Blacks comprise 47% of the waiting list and 65% of current public housing households. Whites represent 12% of the waiting list applicants, but only 6% of the public housing households.

The ratio of demand for units based on unit size is relatively well-matched to the ratio of supply of units per unit size.

**Figure 4-3  
Characteristics of JCHA Public Housing Waiting List Applicants, 2010**

<b>Total Households</b>	<b>8,309</b>	<b>100.0%</b>
Extremely Low Income (<30% MFI)	6,518	78.4%
Very Low Income (>30% but <50% MFI)	1,467	17.7%
Low Income (>50% but <80% MFI)	324	3.9%
Families with Children	4,867	58.6%
Elderly Household (1 or 2 persons)	1,043	12.6%
Individuals/Families with Disabilities	2,633	31.7%
Black Households	3,887	46.8%
White Households	1,016	12.2%
Asian Households	157	1.9%
Hispanic Households	3,177	38.2%
Other Race Households	72	0.9%
<b>Characteristics by Bedroom Size</b>		
0 Bedroom	0	0.0%
1 Bedroom	2,970	35.7%
2 Bedroom	2,890	34.8%
3 Bedroom	2,100	25.3%
4 Bedroom	331	4.0%
5+ Bedroom	18	0.2%

Note: Percentage may not equal 100% due to rounding and overlap among household types.

Source: Jersey City Housing Authority

JCHA uses a site-based waiting list for its public housing developments. Applicants are able to reject an offer for a rental unit for “good cause”, defined as reasons related to health, proximity to work, school, or childcare or if the applicant or a family member has been a victim of a crime at that site.

**OBSERVATION:** Black households are disproportionately represented among public housing tenants and waiting list applicants. Blacks represent 27% of all households in Jersey City but account for 65% of current JCHA tenant households and 46.8% of JCHA waiting list applicants. Hispanics comprise 24% of all City households but represent 38.2% of JCHA waiting list households. These trends indicate a disproportionately higher demand for subsidized affordable housing among minorities.

### 3) Redevelopment Plans

In 2007, JCHA completed a Physical Needs Assessment of its housing stock. JCHA has focused its attention on two key areas: physical

improvements and reducing criminal activity within public housing projects and low income neighborhoods overall.

In 2009, JCHA received \$7.8 million in public housing category capital funds and \$1.4 million in competitive capital funds (for Holland Gardens) under the federal stimulus program. JCHA has been expending the funds on: 1) demolition of three severely distressed high-rises at A. Harry Moore, 2) “green” rehabilitation of vacant public housing units, and 3) energy efficiency improvements at Holland Gardens. In light of over seven years of federal capital needs under-funding, JCHA estimates it has a backlog of capital improvement needs over the next five years of approximately \$50 million. To partially address these needs, JCHA is currently negotiating an Energy Performance Contract to make energy efficiency improvements at all of its sites.

Recent redevelopment efforts by JCHA have concentrated on three developments: Curries Woods, Lafayette Gardens, and A. Harry Moore. JCHA also began revitalization planning in 2008 for its Montgomery Gardens development, a 447-unit high-rise site.

At Curries Woods, a HOPE VI grant was used to demolish six of the seven high-rises, substantially rehabilitate the remaining high-rise, and construct 204 rental townhomes and three for-sale homes under a public housing homeownership plan. The revitalization plan extended beyond the site to include new construction of Dwight Street Homes (50 two-family rent-to-own homes) with the second unit of each rented to a Section 8 eligible family, new construction of a mixed-finance and mixed-income development called Lafayette Village, the demolition of four distressed high-rises at the A. Harry Moore public housing site, and the new construction of Gloria Robinson Court Homes, a 144-unit mixed-financed, mixed-income rental development.

The Lafayette Gardens project involved the demolition of 492 public housing units and replacement with new construction of 523 units of public housing, public housing for-sale, LIHTC, and market rate units.

A. Harry Moore was a high-rise development which was recently demolished. JCHA applied for a HOPE VI grant and is replacing the units with 116 mixed-income rental units, four two-family for-sale affordable homes, and 70 affordable off-site condominiums.

JCHA has no plans to sell any of its public housing developments.

#### **4) Section 504 Needs Assessment**

Section 504 of the Rehabilitation Act of 1973 and 24 CFR Part 8 requires that 5% of all public housing units be accessible to persons with mobility impairments. Another 2% of public housing units must be accessible to persons with sensory impairments. In addition, a PHA’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.

The regulations at 24 CFR 8.26 and HUD PIH Notice 2002-1 describe the obligation of PHAs to provide UFAS-accessible units at each project site and in a sufficient range of bedroom sizes. The intent of requiring the distribution of UFAS-accessible units in a variety of bedroom sizes is to expand housing choice for people with disabilities in the same way that persons without disabilities have housing choice.

JCHA is addressing handicapped accessibility requirements as noted in their Section 504 Needs Assessment and Transition Plan, which was last updated in the mid-1990s. Currently, there are 263 physically impaired accessible units in conventional public housing. Of these, 200 units (7.1% of the total) are for mobility impaired persons and 63 (2.2%) are for the sensory impaired.

**OBSERVATION:** Although JCHA meets the minimum Section 504 requirements Authority-wide, it should devise a plan to meet the 5% and 2% minimum requirements at each public housing community. This action would further expand fair housing choice for persons with disabilities to the degree that they would not be restricted to only those communities with UFAS-accessible units.

In all of JCHA's new mixed-finance developments, the 5% and 2% minimums are met. In addition, to the maximum extent possible, all new ground floor units are made visitable and adaptable. All new elevator units are either accessible or adaptable for accessibility.

##### **5) Admissions and Continuing Occupancy Plan (ACOP)**

JCHA's non-discrimination policy can be found in Section 6.2 of the ACOP. Compliance is pledged with all federal, state, and local civil rights laws which protect the rights of public housing applicants and residents to equal treatment in all JCHA programs and services. The ACOP states that JCHA does not discriminate on the basis of race, color, sex, sexual orientation, age, religion, familial status, disability, or national origin. This section provides specific examples of groups against which JCHA will not discriminate and lists practices to ensure there is no disparate treatment or disparate impact among the protected groups.

Section 2 and Section 6.4 set forth JCHA's reasonable accommodation policy. Participants with a disability must request a special accommodation in order to be treated differently than other non-disabled persons. JCHA will verify that the applicant or resident meets the Fair Housing Act definition of disability and that the requested accommodation is related to the disability of the applicant or resident. JCHA will evaluate if the requested accommodation is reasonable and

will pay for the cost of the accommodation if no other entity is willing or able to pay. JCHA has limitations on the reasonable accommodations it can provide which are designed to protect the Authority from undue financial or administrative burden.

Section 3 of the ACOP is a statement on JCHA's policy on services for non-English speaking applicants and residents: "JCHA will, upon request, endeavor to have bilingual staff or access to people who speak languages other than English in order to assist non-English speaking families."

**OBSERVATION:** Hispanics comprise 27.9% of the City population. Census data reveal a total of 17,910 Spanish-speaking residents in Jersey City who speak English less than very well. It is recommended that JCHA determine the need for a Language Access Plan (LAP) in order to comply with Title VI of the Civil Rights Act of 1964.

According to Section 6.5 of the ACOP, an applicant must qualify as an individual or a family to be eligible for public housing. The ACOP notes its definition of "family" is the same definition found in HUD regulations and includes two or more persons living together, whether related or not related, as well as single persons, elderly families, disabled families, foster care arrangements, kinship care arrangements, and families with temporarily absent members.

A family is eligible for assistance if all members are either citizens or eligible immigrants. Families that include eligible and ineligible individuals are referred to as mixed families. Such families may be qualified for prorated assistance or, if prorated assistance is not accepted, such families may be eligible for temporary deferral of termination of assistance.

Section 6.8c establishes the waiting list preference for applicants. JCHA uses the following admission preferences:

- Jersey City residents - Live, work, or have been hired to work in Jersey City
- Veterans
- Victims/Witnesses - Currently reside in JCHA housing and recommended for re-housing by a law enforcement agency due to status as a witness of a crime at current housing site
- Victims of domestic violence
- Working Family – At least one of the following criteria is met:
  - Employment is principal source of income and has been stable for the last six months with a minimum of 20 hours per week

- Head of household or spouse is 62 years or older
- Head of household or spouse receives Social Security Disability benefits, Supplemental Security Income, Disability benefits, Temporary Unemployment benefits, or other benefits based on inability to work
- Head of household or spouse is currently in a self-sufficiency or job training program or meets equivalent standards of economic self-sufficiency
- Income Mixing – For the purposes of de-concentration and targeting higher income households, JCHA provides a preference for applicants which help to meet the following goals:
  - 40% of applicants with household incomes between 0% and 30% of the area median income (AMI)
  - 30% of applicants with household incomes between 31% and 50% of the AMI
  - 30% of applicants with household incomes between 51% and 80% of the AMI

Households which require a wheelchair-accessible unit are offered such vacant units before other households.

Section 6.8 describes JCHA's de-concentration policy. This policy, described as being consistent with the Quality Housing and Work Responsibility Act of 1998, is designed to reduce the high concentrations of very poor families at JCHA developments and ensure JCHA is renting to a certain percentage of working families earning higher incomes, paying higher rents, serving as role models to other residents, and improving JCHA's operating budget.

Section 15 defines JCHA's pet policies. Any household residing at a JCHA property is permitted to have one household pet, as long as they pay the non-refundable \$200 ownership fee and meet JCHA's criteria for resident safety and unit condition/care. Animals trained to assist persons with disabilities are not specifically mentioned in the pet policy.

**OBSERVATION:** Persons with disabilities who require service animals under the American with Disabilities Act or support or therapeutic animals under the Fair Housing Act should be exempted from JCHA's pet policy requirements.

Section 19 establishes a procedure for residents to present grievances to JCHA. Any filed grievance shall be presented orally or in writing to JCHA's office or to the site management office so that the grievance can be discussed informally and settled without a hearing. JCHA shall prepare a written summary of the discussion within 14 calendar days

which specifies the procedures by which a formal grievance hearing may be obtained if the resident is not satisfied with the outcome of the discussion. The resident has 14 days to submit a written request for a formal hearing conducted by a third-party hearing officer. The policy stipulates that JCHA shall provide reasonable accommodations for persons with disabilities throughout the process. Within 14 days following the hearing, the hearing officer shall prepare a written decision. The decision is binding on both parties though it does not limit a complainant from pursuing other legal action.

Notably, JCHA has taken steps to affirmatively further fair housing in accordance with 24 CFR 903.2(d) by changing to a site-based waiting list system. This action enables applicants to select the developments at which they would prefer to live and leaves the choice to the applicant as to whether they would like to live in a development with a concentration of the same protected class. However, Black applicants have fewer choices in selecting a development in which their race does not predominate. Figure 4-4 depicts the concentration of different racial groups at JCHA properties as of May 1999. In nine of the thirteen developments for which information was available, Whites comprised less than 3% of the total resident population and, in eight developments, Blacks comprised more than 75% of the residents. Hispanics were the majority at Thomas J. Stewart Apartments.

**Figure 4-4  
 Concentration of Racial Groups by JCHA Development, 1999**

Development Name	% Units Occupied by:		
	White HHs	Black HHs	Hispanic HHs
<b>Traditional Public Housing</b>			
Berry Gardens	22%	58%	13%
Booker T. Washington Apts.	0%	96%	2%
Curries Woods	2%	91%	5%
Dwight Street Homes	0%	76%	19%
Holland Gardens	16%	48%	32%
Hudson Gardens	31%	22%	35%
Marion Gardens	3%	84%	9%
Montgomery Gardens	2%	81%	13%
Thomas J. Stewart Apts.	13%	6%	58%
<b>Mixed-Finance Public Housing</b>			
254 Bergen Avenue	0%	91%	9%
Arlington Gardens	0%	72%	28%
Lafayette Gardens	0%	97%	2%
A. Harry Moore Apts.	0%	89%	10%

Note: Percentage may not equal 100% due to rounding.

Source: Jersey City Housing Authority

**OBSERVATION:** The high concentration of minority tenant households at several JCHA developments severely restricts housing choice for minorities who would desire to live in non-concentrated areas.

**b. Section 8 Housing Choice Voucher Program**

**1) Inventory**

In addition to public housing, JCHA is the administrator of the Section 8 Housing Choice Voucher program for Jersey City. Of the 3,636 voucher holders, 55% are families with children and 41% are households with at least one member with a disability.

Approximately half (48%) of the voucher holders are Black, 31% are Hispanic, and 11% are White.

The characteristics of the current Section 8 voucher holder households are detailed in Figure 4-5.

**Figure 4-5  
Characteristics of Current JCHA Section 8 Voucher Holders, 2010**

<b>Total Households</b>	<b>3,636</b>	<b>100.0%</b>
Extremely Low Income (<30% MFI)	2,402	66.1%
Very Low Income (>30% but <50% MFI)	746	20.5%
Low Income (>50% but <80% MFI)	164	4.5%
Families with Children	2,015	55.4%
Elderly Household (1 or 2 persons)	1,345	37.0%
Individuals/Families with Disabilities	1,484	40.8%
Black Households	1,755	48.3%
White Households	393	10.8%
Asian Households	35	1.0%
Hispanic Households	1,121	30.8%
Other Race Households	8	0.2%
<b>Characteristics by Bedroom Size</b>		
0 Bedroom	225	6.2%
1 Bedroom	712	19.6%
2 Bedroom	1,369	37.7%
3 Bedroom	1,103	30.3%
4 Bedroom	115	3.2%
5+ Bedroom	6	0.2%

Note: Percentage may not equal 100% due to rounding and overlap among household types.

Source: Jersey City Housing Authority

JCHA offers a Section 8 Homeownership Program, but, because of the high cost of housing in the City, the program to date has only had two successful participants.

## 2) Waiting List

JCHA maintains a waiting list of over 8,272 applicants for Section 8 Housing Choice Vouchers, more than two times the number of vouchers available. The general waiting list has been closed since October 2002, while the Mainstream waiting list has been closed since February 2007. Although the waiting list is closed to general applicants, JCHA will accept applicants in connection with targeted programs (e.g., HOPE VI Displacement, Transitional Housing Program graduates, Family Unification Program, homeless programs, etc.). The estimated wait time for a voucher depends on which preferences the applicant meets, but can range from seven to eighteen years. JCHA estimates 100 vouchers turn over each year.

Of the 8,272 applicants on the waiting list, four-fifths are extremely low-income and only 5% are low income (51%-80% MFI). Slightly more than half (56%) are families with children. Families with a member with a disability comprise one-third (33%).

Nearly half (47%) of the applicants on the waiting list are Black, while 13% are White and 38% are Hispanic.

The waiting list indicates that most applicants are seeking vouchers to subsidize rents for one- and two-bedroom units.

Figure 4-6 details the characteristics of the applicants on the Section 8 Housing Choice Voucher waitlist.

**Figure 4-6  
Characteristics of Applicants on JCHA Section 8 Waiting List, 2010**

<b>Total Households</b>	<b>8,272</b>	<b>100.0%</b>
Extremely Low Income (<30% MFI)	6,661	80.5%
Very Low Income (>30% but <50% MFI)	1,230	14.9%
Low Income (>50% but <80% MFI)	381	4.6%
Families with Children	4,611	55.7%
Elderly Household (1 or 2 persons)	1,072	13.0%
Individuals/Families with Disabilities	2,764	33.4%
Black Households	3,888	47.0%
White Households	1,047	12.7%
Hispanic Households	3,103	37.5%
Other Race* Households	234	2.8%
<b>Characteristics by Bedroom Size</b>		
0 Bedroom	395	4.8%
1 Bedroom	2,751	33.3%
2 Bedroom	2,782	33.6%
3 Bedroom	1,986	24.0%
4 Bedroom	334	4.0%
5+ Bedroom	24	0.3%

Note: Percentage may not equal 100% due to rounding and overlap among household types.

\*In this table, "Other Race" includes Asian.

Source: Jersey City Housing Authority

### 3) Voucher Portability

JCHA assists voucher holders from other jurisdictions in porting in to Jersey City by providing a list of available apartments and/or participating landlord names. Additionally, JCHA assists voucher holders in their requests to port out of the City. The extent to which this occurs is detailed in Figure 4-7.

**Figure 4-7  
Section 8 HCV Porting Details, 2010**

	Total	White	Black	Other Race	Hispanic	Mobility Impaired	Large Family
Port-In Vouchers	65	5	34	0	26	21	33
		8%	52%	0%	40%	32%	51%
Port-Out Vouchers	315	45	109	3	158	94	150
		14%	35%	1%	50%	30%	48%

Source: Jersey City Housing Authority

Notably, although White and Hispanic households comprise 11% and 31% of all JCHA voucher holders, respectively, they represent 14% and 50% of all port-outs. By comparison, Black households comprise 48% of all voucher holders, but account for 35% of all port-outs. This suggests that Whites and Hispanics are more likely to try to live outside of Jersey City than are Blacks.

#### 4) Section 8 Mobility

JCHA reported that the Authority assists voucher holders by providing information on facilities and services in the neighborhood of a potential housing unit, encouraging minorities to seek housing in areas where there is not a concentration of the same protected class, recruiting landlords with dwelling units in non-impacted areas, calling to confirm the availability of units in non-impacted areas, offering a list of housing developments to consider, and informing voucher holders of their rights if they believe they have encountered discrimination. JCHA reviews its payment standard regularly and currently pays 110% of the HUD fair market rent (FMR).

Map 12B on the following page illustrates the geographic distribution of Section 8 housing choice vouchers administered by JCHA in Jersey City. Although there appear to be a substantial number of vouchers within impacted areas, there also appears to be a significant number located in non-impacted areas.

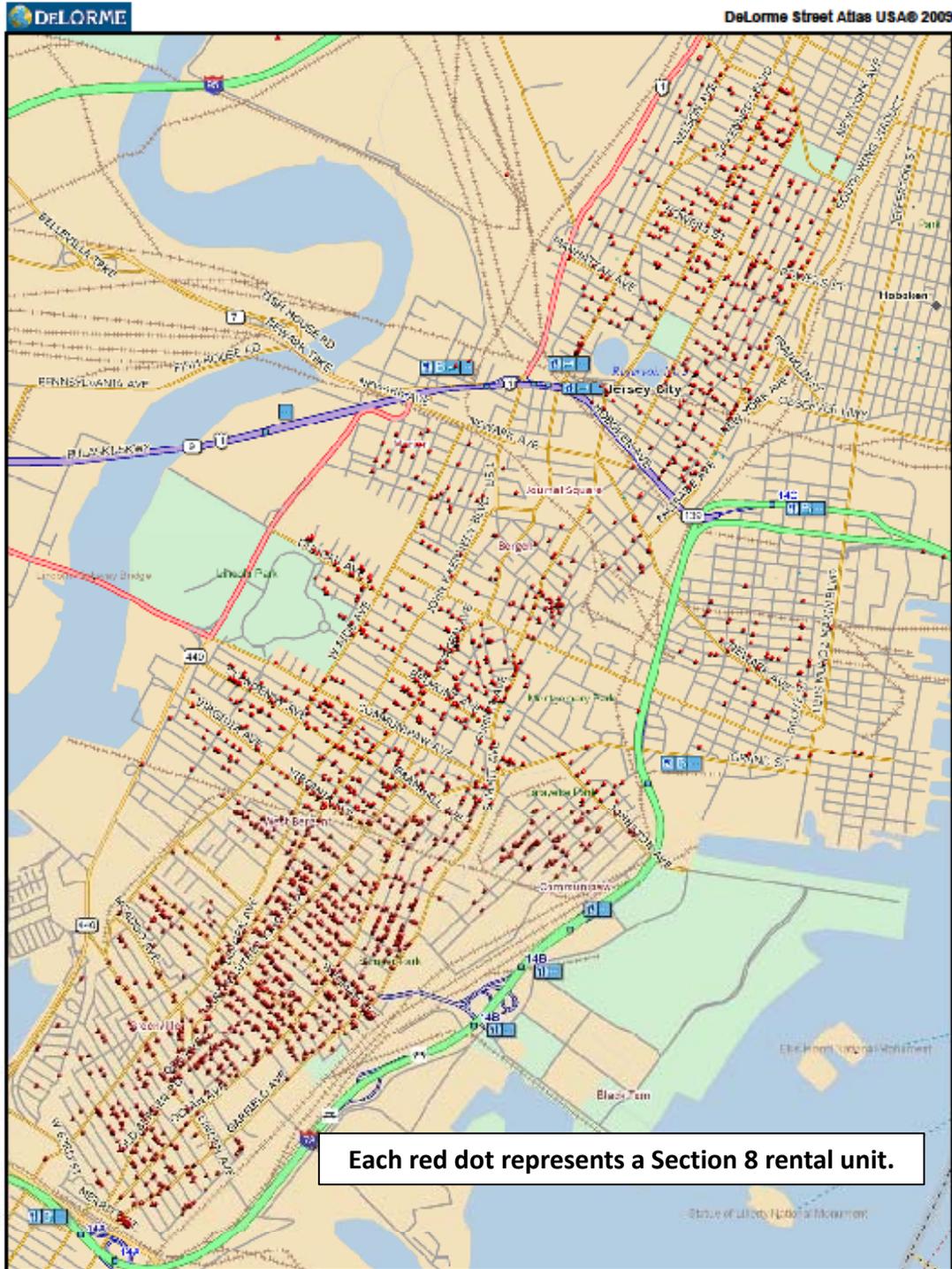
According to JCHA, the Authority does not have the financial resources to provide transportation to explore housing locations with voucher holders. However, the Authority would be interested in partnering with social service agencies (such as Catholic Charities or United Way) in an effort to provide this service and expand fair housing choice for voucher holders in non-impacted areas.

#### 5) Persons with Disabilities

JCHA recently sought and received 500 vouchers primarily for persons with disabilities. Currently, JCHA is utilizing approximately 95 of these vouchers to specifically assist non-elderly disabled persons in affording accessible units.

JCHA provides mobility counseling through its Mobility & Relocation Coordinator (MRC). The MRC advocates on behalf of the participants

# Map 12B: Location of Section 8 Rental Units, 2010 Jersey City, NJ Analysis of Impediments to Fair Housing Choice



Each red dot represents a Section 8 rental unit.



within the JCHA, consults with third parties, and conducts interviews and surveys to develop needs assessments and identify goals. JCHA offers a TDD number to assist persons with sensory disabilities. JCHA does not have any specific policy for admitting persons with mental or other non-physical disabilities and follows its next-available unit policy and reasonable accommodation policy for all applicants.

On a limited number of occasions, JCHA has initiated eviction proceedings against persons with disabilities. In these cases, JCHA reports it has engaged the services of an advocacy group and has reached out to family members and social services.

To ensure persons with disabilities have access to the same range of housing choices as are offered to persons without disabilities, JCHA states it has included a range of units accessible to persons with various disabilities at all of its new, revitalized housing developments. Furthermore, JCHA continues to apply for additional vouchers and has implemented policies designed to adjust fair market rents in order for persons with disabilities to rent accessible, private sector housing units.

#### **6) Section 8 Housing Choice Voucher Administrative Plan**

Chapter 1(C) of the Jersey City Housing Authority Section 8 Rental Assistance Program Administrative Plan (“Section 8 Plan”) states JCHA’s anti-discrimination policy. According to the Section 8 Plan, JCHA shall not deny any family or individual the equal opportunity to apply for or receive assistance on the basis of race, color, sex, religion, creed, national or ethnic origin, age, familial or marital status, disability, or sexual orientation. As a matter of policy, civil rights and fair housing information is provided to clients during the family briefing session.

JCHA’s reasonable accommodation policy is outlined in Chapter 1(D). JCHA will provide all persons with disabilities with reasonable accommodations such that they may have full access to the program. Upon verification from a reliable professional that a reasonable accommodation is required, JCHA will grant a reasonable accommodation so long as it does not impose an undue hardship (generally, an excessive cost) on the Authority.

Chapter 1(E) of the Admin Plan outlines JCHA’s policy on the translation of documents and the accommodation of non-English speaking applicants. JCHA currently has bilingual staff to assist Spanish speaking families. The Section 8 Plan states that JCHA will determine the feasibility of translating documents into other languages based on the cost of translating the documents, the number of applicants who do not speak English, and the availability of bilingual staff to provide translation.

To be eligible to receive a Section 8 Housing Choice Voucher, an applicant must qualify as a family. JCHA employs the same definition of family as in its ACOP.

The Section 8 Plan outlines JCHA's preferences for the program, which are listed in order:

- JCHA residents relocated as a result of modernization or revitalization activities or other Jersey City families displaced by redevelopment activities
- JCHA or Jersey City residents who are either a victim/witness of a crime or domestic violence or a graduate of a HUD-Approved Transitional Housing Program
- Jersey City residents who are veterans and meet the definition of working family and who household income is within the income target mix
- Jersey City residents who are working families
- Any Jersey City resident

Another preference includes income targeting where 75% of families must be in the 0%-30% median income range and the remaining 25% of families must be in the 31%-50% median income range.

Chapter 9(D) of the Section 8 Plan states that voucher holders have 60 days to locate a unit, though extensions are permissible.

Chapter 9(E) describes JCHA's policy about encouraging participation outside areas of LMI or minority concentration. JCHA assists voucher holders by offering an updated listing of available units, negotiating with owners, and encouraging voucher holders to locate outside areas of low-income concentration.

Chapter 19 of the Section 8 Plan establishes a process for applicants to present complaints and appeal decisions of the Authority. JCHA must provide applicants with the opportunity for an informal review of decisions denying:

- Qualification for preference
- Issuance of a voucher
- Participation in the program

A request for an informal review must be received in writing no later than 14 days from the date of JCHA's notification of denial of assistance.

## ii. Privately Assisted Housing

### a. Location of Privately Assisted Housing

In addition to the private housing market, there are more than 8,200 units of privately owned assisted housing inventory in Jersey City, as depicted in Figure 4-8. Added to the 3,636 units of Section 8 and 2,502 units of public housing, there are 14,360 units of subsidized rental housing in Jersey City. This represents 22.7% of the total renter-occupied housing stock in the City, according to 2009 ACS data.

Privately assisted housing is privately owned but affordable due to the funding source used to develop the housing units. This type of

subsidized housing differs from public housing that is owned by a government entity. Eligible resident households typically include those who are elderly (either 55 or 62 years of age or older), low and moderate income (80% of median income or less), or persons with disabilities. Financing for these affordable units typically comes from state and federal sources such as the Low Income Housing Tax Credit Program (LIHTC); the U.S. Department of Agriculture's Section 515 Program; HUD's Section 202 (elderly), Section 811 (disabled), Section 236 and Section 221(d) (family) Programs.

**Figure 4-8  
 Privately Assisted and HUD-Subsidized Housing in Jersey City, 2011**

Development	Address	Units		
		General	Elderly	Total
31 Virginia Avenue	31 Virginia Avenue	3		3
99 Rutgers	99 Rutgers Avenue Apts	13		13
Bramhall Avenue Apts	462 Bramhall Avenue	87		87
Carmel House	162 Bidwell Avenue	21		21
Fairmount Hotel Apts	2595 Kennedy Boulevard		59	59
Jewish Home & Rehab Ctr Sr Homes	259 Van Nostrand Avenue		67	67
Journal Square Tower	2854 Kennedy Boulevard	130		130
Padua Court	350 6th Street		39	39
Project Home	657 Bergen Avenue	18		18
Stevens Avenue Project	78-80 Stevens Avenue	17		17
Toy Factory Apts	340-6 Bergen Avenue	45		45
Whitlock Mills Apts	160 Lafayette Avenue	310		310
Bergenview / JC YMCA	654 Bergen Avenue	131		131
Bostwick Court	30 Bostwick Avenue	69		69
Garfield Heights Apts	503 Garfield Avenue	37		37
Heights Senior Housing	2 Hague Street		36	36
Mattison Arms	6-8-10 Bergen Avenue	24		24
Ocean Bayview Phase 2	509-39 Ocean Avenue	18		18
Villa Borinquen 2	159-82 3rd Street	48		48
Mid City Apartments	752 Grand Street	58		58
Mid City Apts Phase 2	752 Grand Street	30		30
Resurrection House At School #18	69-79 Storms Avenue	28		28
Taylor House (RCA)	138 Duncan Avenue	9		9
Glenview Townhouses	Barbara Place & Halladay Street	63		63
Ocean Bayview	48-52 Van Nostrand Avenue	15		15
Salem Lafayette Apts 1	94 Union Street	412		412
207 15th St Condos	207 15th Street	10		10
268 Fairmount Avenue	268 Fairmount Avenue	7		7
442-44 Bergen Avenue	442-44 Bergen Avenue	14		14
Astor Pl Homeownership	Astor Place	16		16
Bergen Corridor	-	38		38
SERV Group Home	-	4		4
Bayview Ct (Home)	-	8		8
Halladay St Affordable Housing	Halladay Street	30		30
JP Affordable Housing	-	32		32
Wilkinson Bayview Two-Family Homes	-	22		22
714-16 Ocean Avenue Apts	714-6 Ocean Avenue	51		51
New Hope Baptist 1	445 Bergen Avenue	36		36
New Hope Baptist 2	92-4, 123-5 Summit Avenue	60		60
Van Horne Apts	219-34 Van Horne Street	44		44

Continued...

**Privately Assisted and HUD-Subsidized Housing in Jersey City, 2011**

Development	Address	Units		
		General	Elderly	Total
Van Wagenen Avenue Apts 1	85-112 Van Wagenen Avenue	233		233
Van Wagenen Avenue Apts 2	117-33 Van Wagenen Avenue	113		113
Montgomery Gateway East 1	336 Montgomery Street	201		201
Montgomery Gateway East 2	361 Montgomery Street	190		190
Jones Hall	591 Montgomery Street		110	110
Salem Lafayette Apts 2	21 Monticello Avenue	74		74
YWCA Senior Housing	111 Storms Avenue		79	79
Arlington Arms	750-66 Grand Street	51		51
Audobon Park Apts	112-18 Bergen Avenue	169		169
Bergen Manor Apts	277-83 Bergen Avenue	40		40
Brunswick Estates	591 Montgomery Street	131		131
Cambridge Apts	80 Cambridge Avenue	80		80
Kennedy Blvd / Boyd Mcguiness	2555 Kennedy Boulevard	211		211
Kennedy Blvd Rehab Apts	2540-2550 Kennedy Boulevard	146		146
Kennedy Manor Apts	2348-54 Kennedy Boulevard	25		25
Lexington Manor Apts	11-15 Lexington Avenue	149		149
Clinton Avenue	193-5 Clinton Avenue	24		24
Gupta Assoc	-	26		26
Journal Square	Journal Square	30		30
Seaview Guest House	125 Seaview Avenue	17		17
Whitton St Apts	Whitton Street	34		34
Lafayette Park, Phase 5 (RCA)	Lafayette Park	42		42
Lincoln Housing (Home)	-	6		6
Grandview Terrace	3060 Kennedy Boulevard		284	284
Harborview Apts	145 Ocean Avenue		100	100
Muhlenberg Gardens	1065 Summit Avenue		151	151
New Community Hudson Sr Housing	21-7 Orchard Street		80	80
Plaza Apts	91 Sip Avenue		93	93
Wittenberg Manor	66 Bleeker Street		45	45
Grace Church Van Vorst	270-82 2nd Street	44		44
Summit Plaza Apts 1	625-27 Summit Avenue	191		191
Summit Plaza Apts 2	700-30 Newark Avenue	291		291
Welcome Baptist Homes	513 Jersey Avenue	8		8
Ocean Towers	425 Ocean Avenue		100	100
Paulus Hook	100 Montgomery Street	308		308
Unico Towers / Grove St Apts	500 Manila Street		203	203
Villa Borinquen/Puerto Rican Lutheran Hsg	192 3rd Street	242		242
Battery View Senior Apts / Tikvah Towers	72 Montgomery Street		238	238
Newport 1 / Presidential Plaza	35 River Court	608		608
Newport 2 / Presidential Plaza	55 River Court	896		896
<b>Totals</b>		<b>6,538</b>	<b>1,684</b>	<b>8,222</b>

### iii. Development of Affordable Housing

As part of the AI process, affordable housing developers, community development corporations and advocates for affordable housing were interviewed. The following information summarizes the information provided by these entities.

#### a. Affordable Housing Developer

According to one developer, the price of vacant lots made available through the City for the development of new affordable housing units has decreased as a result of the recession. Previously, a typical lot of 25 feet x 100 feet might have cost \$125,000 to \$175,000. Now, that same lot can be acquired for as little as \$5,000 to \$30,000. Housing is most affordable in the City's Ward F, but most developers find it difficult to sell units in this neighborhood due to the high crime rate.

#### b. Morris Canal CDC

Morris Canal CDC, located in Ward F, is centralized around Communipaw and First Streets, the oldest African-American neighborhood in Jersey City where former Pullman railroad employees settled. A higher rate of older residents is reflected in a higher rate of home ownership. The CDC was initially established to advocate for brownfield redevelopment. Subsequently, Morris Canal observed a need to guide development in the neighborhood and became an affordable housing developer. The CDC is preparing to break ground on a mixed-income, mixed-use project.

More residents are moving into the Morris Canal CDC market area as a result of the neighborhood's affordable housing stock, which consists mostly of one- and two-family dwellings, some JCHA housing and a few apartment buildings. While there are only a few high-rise multi-unit structures, this may change with the potential of new mass transit facilities. Currently, light rail service runs through the neighborhood but does not stop. Consequently, residents must take a bus to another neighborhood to access the light rail service that passes through their own neighborhood.

#### c. Monticello CDC

Also located in Ward F, Monticello CDC organized to address what it considered was inappropriate development occurring in its neighborhood. Its advocacy was strong, resulting in a redevelopment plan in 1987. Now, the CDC is part of the review process for any new development plans proposed within its service area.

Similar to the efforts of Morris Canal CDC, Monticello is a strong and vocal proponent for a more equitable geographic distribution of affordable housing across Jersey City. Monticello believes mixed-income developments, and more sales units than rental units, perpetuates the vitality of a neighborhood.

**OBSERVATION:** Affordable housing developers and CDCs recognize the need for and benefits of a more equitable geographic distribution of affordable housing opportunities in Jersey City. Affirmatively furthering fair housing means expanding choice to members of the protected classes to areas outside of impacted areas of concentration of both minorities and LMI persons.

#### iv. City Policies Governing Investment of 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, county, and local government decision makers.

The City of Jersey City's HUD entitlement funds may be used for a number of activities to serve a variety of goals, as follows:

- **Community Development Block Grant (CDBG):** The primary objective of this program is to develop viable urban communities by providing decent housing, a suitable living environment, and economic opportunities, principally for persons of LMI 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.
- **HOME Investment Partnership Program (HOME):** The HOME 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.
- **Emergency Shelter Grants (ESG):** The ESG program provides federal funds to provide homeless persons with basic shelter and essential supportive services, as well as assist in operational costs of shelter facilities. The funds can also be used for short-term homeless prevention assistance to LMI households.
- **Housing Opportunities for Persons with AIDS:** The HOPWA program provides funding for a wide range of housing, social services, program planning, and development costs, including rehabilitation or new construction of housing, rental assistance, short-

term payments to prevent homelessness, health care and mental health services, and case management.

In its FY2010-2014 Consolidated Plan, the City identified five objectives for its housing programs. These included:

- Develop new multi-bedroom, affordable rental housing
- Promote affordable homeownership
- Preserve existing stock of affordable housing
- Preserve and increase LMI homeownership levels, and
- Develop projects that have the greatest neighborhood impact

In FY2010, the City of Jersey City received \$7,105,628 in CDBG funds, \$3,258,765 in HOME funds, \$286,419 in Emergency Shelter Grant (ESG) funds, and \$2,926,790 in Housing Opportunities for Persons with AIDS (HOPWA) funds. An estimated 71.5% of funds in FY2010 benefitted LMI persons. Funds have been invested to support the affordability, sustainability, and availability/accessibility of housing in the City.

Within its FY2010 CDBG entitlement grant, the City did not allocate a budget line item for fair housing services.

**OBSERVATION:** In FY2010, the City's CDBG entitlement grant was \$7,105,628; however, none of this funding was dedicated to fair housing services.

**a. Affordability of Housing**

According to the FY2010 Annual Action Plan, CDBG and HOME funds were to fund three activities to increase the affordability of housing options for LMI persons:

- Jersey City Redevelopment Agency – includes \$869,414 for the acquisition and demolition of the Emmanuel Pentecostal Church, as well as relocation, appraisal, and legal costs. The JCRA will contract with the developer Brandywine Universal on the creation of mixed income and mixed use transit village at 45-47 & 51-53 Kearney Avenue.
- Community Outreach Team, Inc. – includes \$700,000 for the new construction of 68 affordable senior rental units at 9-11 Martin Luther King Drive.
- Jersey City Episcopal Community Development Corporation – includes \$1,300,000 for the rehabilitation of 13 affordable rental units comprised of nine two-bedroom units and four one-bedroom units. Approximately half of the units are for households earning <50% of the AMI, and half are for those earning 50-80% AMI. The project will be located at 242 Bergen Avenue.

**b. Sustainability of Housing**

In FY2010, CDBG funds were used to support five programs to increase the sustainability of housing:

- York Street, St. Mary's Residence – includes \$252,056 for rehabilitation work on St. Mary's Residence at 240 Washington Street, a 40-unit residence for single women ages 18-60. Repairs and upgrades include domestic water heater, window replacements to prevent seepage, floor tiles, and paint.
- Belmont Guest House Urban Renewal Associates – includes \$350,000 for rehabilitation of a 50-unit Single Room Occupancy facility that houses single homeless individuals. Life safety improvements include roofing work, a sprinkler system, ADA compliance, security cameras, and bathroom renovations. The facility is located at 188-190 Belmont Avenue.
- Jersey City Division of Community Development – includes \$394,828 for rehabilitation grants to 15 LMI owner-occupied units. Also directs rehabilitation efforts towards units occupied by LMI senior owners.
- Jersey City Episcopal Community Development Corporation – includes \$128,566 for rehabilitation of 28-unit affordable housing building at 69 Storms Avenue. Improvements include security cameras and painting in common areas, as well as energy conservation work on interior plumbing.
- Rebuilding Together Jersey City – includes \$35,000 to purchase materials for rehabilitation of housing to assist 12 LMI homeowners. Work is performed by volunteers.

**c. Availability/Accessibility of Units**

CDBG and HOME funds were also used to support six activities to increase the availability and/or accessibility of housing:

- Jersey City Redevelopment Agency – includes \$280,000 for the acquisition and demolition of buildings at 284-292 Martin Luther King Drive, as well as environmental, appraisal, and legal costs. Four affordable rental units will be constructed.
- Jersey City Redevelopment Agency – includes \$952,000 for the acquisition and demolition of properties at 447-449 Ocean Avenue, as well as environmental and legal costs. New construction of approximately 70 affordable rental units will be undertaken.
- Jersey City Housing Authority – includes \$350,000 for new construction of 60 mixed-income rental housing in the Glenview Townhouses II project at Barbara Place and Grand Street. Project also involves site costs such as piling construction and stormwater retention systems.
- Jersey City Housing Authority – includes \$400,000 for new construction of a 60-unit mixed-income HOPE VI project (A. Harry

Moore Phase III) at 320-328 Duncan Avenue. The development will consist of six one-bedroom units, 22 two-bedroom units, 26 three-bedroom units, and six four-bedroom units.

- Non-CHDO New Construction Projects – includes \$432,889 for the new construction of five (5) affordable housing units throughout the City.

Additionally, the FY2010 HOME budget includes \$100,000 in CHDO operating costs.

Jersey City focuses its housing and community development programs in the LMI areas of the City, in particular, the western and southern sections of the City. These areas have the greatest need for affordable and decent housing. However, many of the targeted undeveloped areas are located on parcels that require brownfield remediation work, increasing the rehabilitation and construction costs of the HOME and CDBG activities.

Notably, the City deepens the HOME subsidy provided to new affordable housing developed outside of impacted areas where the cost of land and construction are generally higher than in impacted areas.

**OBSERVATION:** Although the City targets redevelopment and revitalization activities to areas of LMI and minority concentrations (i.e., impacted areas), it must continue to seek to strike a balance with investing in non-impacted areas. Affirmatively furthering fair housing involves expanding housing choice for members of the protected classes to non-impacted areas of Jersey City.

#### v. Affirmative Marketing Policy

As a recipient of CDBG and HOME funds, the City is required to adopt affirmative procedures and requirements for all CDBG- and 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 CDBG or 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 CDBG- and 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 HOME Program Subrecipient Agreement was reviewed for this AI. Within the Agreement, there are several references to fair housing compliance issues. These include:

1. Section 11 on page 18 requires a covenant running with the land to be inserted in the deed or lease prohibiting discrimination on the basis of race, color, religion, sex, national origin, disability, marital status or family status in the sale, lease, rental or use of the HOME-assisted property
2. Section 20 on page 21 requires compliance with the accessibility requirements of Section 504 of the Rehabilitation Act of 1973. Reference is made to Exhibit A which is a one-page fact sheet on Section 504 requirements, as published in HUD's Welcome HOME manual.
3. In Attachment C (recordkeeping) on page 30, Section 3 requires compliance with a series of fair housing and equal opportunity recordkeeping requirements, including:
  - documentation of efforts aimed at affirmatively furthering fair housing (Subsection A)
  - data on the extent to which each racial and ethnic group and single-headed households (by gender of household head) participated in or benefited in HOME-assisted activities (Subsection B)
  - data including the race and ethnicity of households (and gender of single heads of households) displaced as a result of HOME-assisted activities, together with the address and census tract of the housing units to which each displaced household relocated (Subsection D)
  - documentation of the affirmative action measures taken by the recipient to overcome prior acts of discrimination committed by the subrecipient in HOME-assisted activities (Subsection G).

The following recommendations are made to further strengthen the City's Agreement in a manner that affirmatively furthers fair housing:

1. Section 20 on page 21 taken together with Exhibit A recites the general requirements of Section 504 of the Rehabilitation Act of 1973. However, the language in the Agreement is not project-specific and therefore, compliance with Section 504 is left to chance.
  - The Agreement should specify the total number of units to be created in the HOME-assisted development
  - The Agreement should specify the minimum number of UFAS-accessible units to be created for persons with mobility impairments

- The Agreement should specify the minimum number of UFAS-accessible units to be created for persons with sensory impairments
  - The Agreement should require the project architect to sign a written certification stating that the accessible units were designed and constructed to UFAS standards. This certification will serve to protect the City's interests should there ever be a dispute relative to accessibility compliance.
2. In Attachment C, Recordkeeping, Subsection 3(A) includes a regulatory citation to 24 CFR 92.350 which refers to the development of a fair housing analysis. There is no such language at 24 CFR 92.350. The last phrase of Subsection A should be deleted.
  3. The Agreement is silent on HUD's affirmative marketing requirements on the subrecipient (24 CFR 92.351).
  4. The Agreement is silent on HUD's Site and Neighborhood Standards (24 CFR 92.202 and 24 CFR 983.6).
  5. As a related recommendation, the City's HOME monitoring checklist should include the compliance measures relative to the characteristics of displaced households in Attachment C Recordkeeping, Subsection 3 (D).

**OBSERVATION:** Although the City's HOME Program Subrecipient Agreement meets some of the regulatory requirements, it could be strengthened relative to (1) Section 504 requirements, (2) affirmative marketing requirements, and (3) site and neighborhood standards.

#### vi. Site and Neighborhood Selection Policy

Recipients of HOME funds are required to administer their program in compliance with the regulations found at 24 CFR 983.6(b), known as the Site and Neighborhood Standards. These standards address the site location requirements for both rehabilitated and newly constructed rental units financed with HOME funds.

Site selection for HOME-assisted rehabilitated units must comply with several standards, including among other things, promoting greater choice of housing opportunities and avoiding undue concentration of assisted persons in areas containing a high concentration of LMI persons. For new construction, an additional standard is added. With few exceptions, site selection must include a location that is not in an area of minority concentration.

The City of Jersey City does not currently have a written Site and Neighborhood Selection Policy. As a densely developed urban center, Jersey City cannot meet several requirements of HUD's Site and Neighborhood

Selection Policy, in particular with regards to development in non-impacted areas. The City already provides deeper incentives for developments in non-impacted areas and encourages developers to create housing outside of impacted areas. However, property values in non-impacted areas are substantially higher than in impacted areas, thereby making it financially unfeasible to develop affordable housing due to high property acquisition costs. Additionally, several criteria in the Site Selection regulations, including access to public transportation and essential services, are already present in nearly all neighborhoods in Jersey City. Therefore, while the City does work to promote development in non-impacted areas, the Site and Neighborhood Selection Policy is not applicable to the geographic and financial conditions in Jersey City.

**vii. 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, directorships, 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.

**a. Jersey City Housing Authority Board of Commissioners**

JCHA's Board of Commissioners is a seven-member body appointed by the Mayor and City Council. Commissioners determine policies and approve operating budgets, programs, and services consistent with its mission and subject to the mandates and limits imposed by state and federal laws.

Of the seven current Commissioners, four are male and three are female. Five members are Black, one is Asian, and one is Hispanic. One of the members is disabled.

**b. Planning Commission**

The Planning Commission is an advisory body composed of 11 citizens appointed by the Mayor and City Council. The Commission is responsible for the preparation and maintenance of the Master Plan for Jersey City.

Of the 11 current commissioners, seven are male and four are female. Nine members are White and three are Hispanic. None of the members reported a disability.

**c. Zoning Board of Adjustment**

The Zoning Board of Adjustment consists of nine citizens appointed by the Mayor and City Council. The Board is responsible for hearing and deciding appeals to the interpretation of the zoning ordinances and requests for special exceptions to, or variations from, the regulations of the Zoning Ordinance.

Of the nine current members, four are male and five are female. Six members are White, two members are Black, and one is Hispanic. None of the members reported a disability.

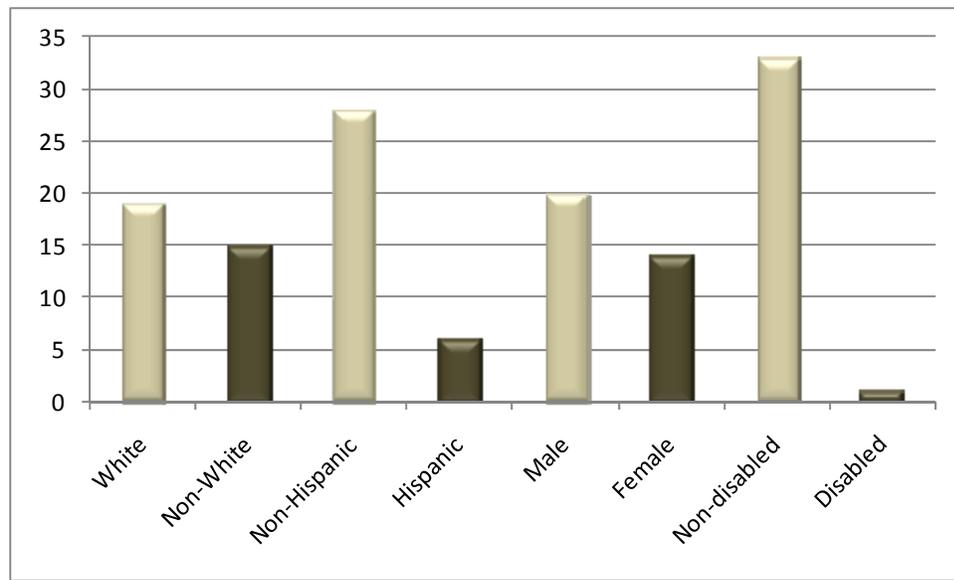
**d. Jersey City Redevelopment Agency Board of Commissioners**

The Jersey City Redevelopment Agency Board of Commissioners is made up of seven members, two whom also serve as City Councilpersons. The five remaining members are named to the Board by the Mayor and approved by City Council Resolution.

Of the seven current members, five are male and two are female. Four members are White, two members are Black, one is Asian, and one is Hispanic. None of the members reported a disability.

The following chart illustrates a relative lack of racial minorities, Hispanics, females and people with disabilities on selected appointed boards and commissions when compared to the rates of these groups Citywide. Racial minorities represent 44.1% of the appointees, which is less than the rate of minorities City-wide (62.6%). Hispanic residents, who account for 27.9% of the City's population, represent 18.5% of the appointees. Females, who account for 50.8% of the population, comprise 41.2% of the appointed seats. Only one person with a disability was counted among the 34 appointed members surveyed for the AI.

**Figure 4-9  
Composition of Appointed Citizen Boards and Commissions, 2010**



**OBSERVATION:** Select appointed boards and commissions with jurisdiction over housing and housing-related issues in Jersey City do not reflect the diverse population. Racial minorities represent 62.6% of the City's population but only 44.1% of appointees. Hispanics account for 27.9% of the population but only 17.6% of appointees. Also notably absent were persons with disabilities. The experiences 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 choice in all aspects of City government.

In October 2009, the State of New Jersey enacted the Citizen Service Act. The law requires that municipal governments maintain a directory of local authorities, boards and commissions that includes the number and name of all members along with terms of offices, any vacancies on the City's boards and commissions, frequency of meetings, and description of the entity's responsibilities. Additionally, board and commission applicants are required to fill out a one-page "Citizen Leadership Form" indicating which entity the applicant has an interest in and his or her prior work and volunteer experience. Between October 2009, when the law was enacted, and December 2009, the Mayor's office in Jersey City received nine applications for various boards and commissions. The City will continue to utilize this mechanism as a vehicle to increase participation on appointed boards and commissions by members of the protected classes. It is important that the City attract qualified candidates to serve on various boards.

#### **viii. Accessibility of Residential Dwelling Units**

From a regulatory standpoint, local government measures define the range and density of housing resources that can be introduced in a community. Housing quality standards are enforced through the local building code and inspections procedures.

The Department of Housing, Economic Development and Commerce (HEDC) enforces the City's property maintenance, construction, demolition and permitting standards. The Division of Code Enforcement is responsible for administering the City's property maintenance codes. This division responds to complaints and performs inspections. The Building Division is responsible for administering the building codes adopted by the City and overseeing the construction of buildings within the City. This division administers and enforces the State Uniform Construction Code, property condemnation and permitting street openings for the purpose of connecting residential units to utilities.

The City of Jersey City regulates housing construction through a range of national and international codes. The City's Building Codes and Standards include the Uniformed Construction Code, the Jersey City Property Maintenance Code, the Fire Prevention Code, and the Jersey City Health Code. In particular, the City's standards are based on the following:

- *International Building Code – NJ Edition, 2009*
- *National Electrical Code, 2008*
- *National Standard Plumbing Code, 2009*
- *International Energy Conservation Code, 2009 (Residential)*
- *International Mechanical Code, 2009*
- *International Fuel Gas Code, 2009*
- *International Residential Code – NJ Edition, 2009*
- *Rehabilitation Subcode – NJAC 5:23-6*
- *Barrier-Free Subcode – NJAC 5:23-7*

The Barrier-Free Subcode – NJAC 5:23:7 adopted by the City outlines the State regulations applicable to accessibility. Through the adoption of this local ordinance, the City enforces the accessibility standards included in the International Code Council/American National Standards Institute. These standards apply to all buildings, including their associated sites and facilities, and portions thereof, unless otherwise exempted by the Code. The Code is interpreted as requiring access for people with disabilities including, but not limited to, occupants, employees, consumers, students, spectators, participants, or visitors.

According to City code officials, Jersey City requires ADA compliance with all new HOME units, a requirement that is included in all HOME Subrecipient Agreements. Furthermore, code officials expressed interest in partnering with persons with disabilities who utilize wheelchairs to “test run” newly constructed dwelling units prior to the issuance of occupancy permits.

Code officials also cited the need for increased education on accessibility statutes and design requirements for design professionals (i.e., architects, engineers) who submit plans to their office for review and approval.

**OBSERVATION:** According to City code officials, education on accessibility statutes and design requirements is needed for architects and engineers who submit plans to the City for review and approval.

#### ix. Permitting and Inspections

Jersey City conducts a systematic residential code inspection program in its efforts to maintain and preserve its multi-unit housing stock. According to City code officials, each year approximately one-sixth of the residential structures containing three or more units are inspected. In addition, the State conducts inspections every five to seven years. The City will accept the State’s inspection of a property if it occurred within 12 months of the City’s inspection.

In 2010, code officials estimated they will have inspected about 500 residential structures. By ensuring that violations are corrected, the City estimates that the systematic inspection program adds about \$25 million in residential reinvestment of the housing stock. As part of the inspection process, inspectors also provide information on the City's community development resources to property owners.

All vacant properties are monitored to ensure they remain free of weeds, debris, etc. Approximately 800-900 properties have been identified as vacant across the City. The City will place tax liens on the title if the removal of debris, trash and weeds is required by municipal workers. While this proposition is costly, it allows the City to recover its expenses whenever possible. The goals of the program are to deter crime in and on vacant properties and to improve the quality of life in neighborhoods where these properties are located.

Generally, code officials believe that the housing stock is improving in Jersey City. Pre-1976 multi-unit structures are finding buyers, a testament to the quality of the housing stock. The owner market also appears on the upswing with many two-family dwelling units having been built recently, particularly over the past two years.

Notably, the City waives building and permit fees for all affordable housing units, and waives a portion of the water and sewer fees as well.

**x. Persons with Limited English Proficiency (LEP)**

According to 2009 ACS data, there are 41,430 persons who spoke English less than very well in Jersey City. Of these, 17,910 (43.2%) were Spanish speakers. Others included 12,192 (29.4%) speakers of other Indo-European languages and 6,964 (16.8%) speakers of Asian and Pacific Island languages. Jersey City continues to diversify as immigrants, predominantly from Latin America and Asia, continue to arrive in the City at increasing rates.

Persons with limited English proficiency (LEP) are defined as persons who have a limited ability to read, write, speak or understand English. 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 order to accommodate persons with limited English proficiency (LEP) in the provision of information and services, the City has initiated the four-factor analysis as proscribed by HUD to determine the extent to which the

translation of vital documents is necessary.<sup>14</sup> Although there is no requirement to develop an LAP, HUD entitlement communities are responsible for serving LEP persons in accordance with Title VI of the Civil Rights Act of 1964. An LAP is the most effective manner of achieving compliance. Additionally, the City enlists the support of the International Institute of New Jersey, which provides interpretation services and technical assistance on cultural and linguistic diversity.

**OBSERVATION:** The City has initiated the four-factor analysis to identify the extent to which persons with LEP access programs and services. If it is determined that the need for a Language Access Plan (LAP) exists, the City will prepare the Plan in order to comply with Title VI of the Civil Rights Act of 1964.

#### xi. Master Plan

Municipalities in New Jersey obtain their authority to develop and adopt comprehensive plans and zoning ordinances from the Municipal Land Use Law (MLUL), the enabling legislation for municipal land use and development planning and zoning.

In 2000 Jersey City adopted a comprehensive Master Plan which included plan elements on Land Use, Urban Design, Housing/Fair Share Plan, Circulation, Utility Service, Community Facilities, Recreation and Open Space, Historic Preservation, and Economic Development. In the ten years since then, the City has adopted a number of amendments that have built upon the plan. The document is meant to guide City officials' decisions on growth and development in Jersey City, as well as provide long-term goals for residents, businesses, and officials.

As noted in the document, the Land Use Plan of the Jersey City Master Plan is consistent with goals of the State's Development and Redevelopment Plan that seek to revitalize deteriorating areas, remediate contaminated land, promote beneficial economic growth for all residents, and provide adequate housing, public facilities, and services at a reasonable cost, among other goals.

The Housing Plan covers a number of topics relating to fair housing, including a Fair Share section that discusses public housing, Hudson County's Affordable Housing Trust Fund projects, the Section 8 program, and Consolidated Plan elements.

The plan discusses New Jersey's historic Mount Laurel II decision handed down by the Supreme Court on January 20, 1983. The ruling requires all municipalities to provide a realistic opportunity for the construction of

<sup>14</sup> The term "vital document" refers generally to any publication that is needed to gain access to the benefits of a program or service.

housing affordable to those households of lower income. The decision led to the Fair Housing Act that established the Council on Affordable Housing (COAH) to ensure the mandate would be implemented by all New Jersey municipalities.

The Master Plan notes the significant need for affordable housing in Jersey City as evidenced by the lengthy waiting lists for public housing and rental assistance, as well as the large number of cost-burdened renters. The document describes a housing market that is fairly robust as evidenced by a strong demand for both rental and for-sale housing, driven by employment opportunities across the Hudson River in New York City. The Fair Share segment of the plan highlighted the following statistics:

- Jersey City is the largest recipient of assistance from the Hudson County Affordable Housing Trust Fund, receiving over \$14 million in 1999
- Money from the Trust Fund financed the construction of 472 housing units within the City, 93% of which are affordable units reserved for LMI families.

The Master Plan, in conjunction with the Consolidated Plan at the time, details the goals of the City's affordable housing strategy:

- The provision of housing for extremely low income households should be targeted
- Preservation of the existing housing stock should be encouraged
- Homeownership opportunities should be encouraged for City residents through resale of existing units and infill housing
- Development of affordable housing should be a cooperative effort
- All rehabilitation programs should address the abatement of lead
- Increase the supply of transitional and support housing for the homeless and special needs populations
- Provide a broad range of social services which addresses the needs of low and moderate income residents.

The City has been diligent in achieving many of these objectives in the ten years since the Master Plan was originally developed. According to service providers and organizations supporting LMI persons and households, the City has done a good job of striving to achieve these goals.

**OBSERVATION:** The City's Master Plan should include a stronger statement of the City's overarching policies aimed at affirmatively furthering fair housing choice. The stated policies should extend to all aspects of City government, not just its HUD programs.

## xii. Zoning Ordinance

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 alternative designs (such as cluster developments, planned residential developments, inclusionary zoning, and transit-oriented developments)
- 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, and
- Restrictions on the number of unrelated persons in dwelling units.

### a. 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 City of Jersey City Zoning Ordinance was adopted in 2001 and has been amended through 2011.

### b. Residential Zoning Districts, Permitted Dwelling Types & Minimum Lot Sizes

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.

Because members of the protected classes are often also in low income households, a lack of affordable housing may impede housing choice by members of the protected classes. Excessively large lot sizes may deter development of affordable housing. A balance should be struck between areas with larger lots and those for smaller lots that will more easily support creation of affordable housing. Finally, the cost of land is an important factor in assessing affordable housing opportunities. Although small lot sizes of 10,000 square feet or less may be permitted, if the cost to acquire such a lot is prohibitively expensive, then new affordable housing opportunities may be severely limited, if not non-existent.

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.

In Jersey City, there are three residential districts where one- and two-family dwellings are permitted by-right. Minimum lot sizes range from 2,500 square feet in the R-1 districts to 4,000 square feet in the R-1A and R-1F districts.

There are also three multi-family districts in the City. The lowest density R-2 district permits lots as small as 2,500 square feet for multi-family dwellings as high as four stories. The medium-density R-3 district permits lots as small as 2,000 square feet, provided they are isolated lots, for multi-family dwellings as high as eight stories. In the highest density R-4 district, the smallest lot size is 60,000 square feet, for a building with a maximum height of eight stories.

A review of the City's land use map reveals that the majority of one- and two-family residentially-zoned land is located in the central portion of the city, along a corridor running from the south to the north. There are several scattered clusters of the larger multi-family housing, which are located primarily on the eastern edge of this residential spine along the border with the City's waterfront areas featuring parks and waterfront planned development.

**c. 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.

Jersey City defines "family" as "*a group of individuals not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability.*"

This definition is broad and inclusive, with a focus on a group of persons living together as a single housekeeping unit.

**d. Regulations for Group Homes for People with Disabilities**

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

Two primary purposes of a group home residence are normalization and community integration. By allowing group residences throughout the community in agreement with the same standards as applied to all other residential uses occupied by a family, the purposes of the use are not hindered and housing choice for the disabled is not impeded.

In New Jersey, group homes are referred to as “community residences for the developmentally disabled” in the State’s Municipal Land Use Law (MLUL). The term is defined to mean a licensed residential facility that provides “food, shelter and personal guidance, under such supervision as required, to not more than 15 developmentally disabled or mentally ill persons who require assistance, temporarily or permanently, in order to live in the community.” The land use includes group homes, halfway houses, intermediate care facilities, supervised apartment living arrangements, and hostels. The MLUL authorizes community residences in all residential districts of a municipality, which must regulate them in the same manner as single family dwelling units.

For community residences for the developmentally disabled that propose to house more than six persons, a municipality may require a conditional use permit. If required, the conditional use permit must be reasonably related to the health, safety and welfare of the residents of the zoning district. Furthermore, the MLUL provides a municipality with the authority to deny a conditional use permit for any such residence which would be located within 1,500 feet of an existing community residence.

In Section 345-60, Supplementary Zoning Regulations, the City’s regulations for community residences clearly state that the use is permitted in all residential districts, and the requirements are the same as for single family dwelling units.

### **xiii. Long Term Tax Exemptions Affordable Housing Trust Fund**

Article VI in Chapter 304 of the Municipal Code of Jersey City includes the taxing mechanism that funds the City’s Affordable Housing Trust Fund. Entitled the “Long Term Tax Exemptions Affordable Housing Trust Fund”, the article details the monetary contribution required of for-profit developers to the Affordable Housing Trust Fund. For each unit of market rate housing, a developer is required to contribute \$1,500 to the Fund.

A minimum of 30% of the Funds proceeds are dedicated for housing for households or persons below 50% of the area median income, or for special needs housing for senior citizens, persons with disabilities, or the homeless. At least 10% of the funds are reserved for housing consisting of three or more bedrooms to accommodate larger families.

Eligible activities include pre-development costs, capacity-building for CDCs, land acquisition, and hard construction costs.

### **xiv. Taxes**

Taxes impact housing affordability. While not an impediment to fair housing choice, real estate taxes can impact housing options. 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 by analyzing the local real estate tax burden.

However, 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 burden for any given property. In all of the communities surrounding a jurisdiction, comparable rates for various classes of property (residential, commercial, industrial, etc.) are assigned to balance each community's unique set of resources and needs. These factors and others that are out of the municipality's control must be considered when performing tax rate comparisons.

On April 30, 2010, Jersey City adopted a resolution to implement a municipal-wide property tax re-evaluation as a result of the Hudson County Board of Taxation's determination that the previous assessment in Jersey City resulted in an unequal distribution of the tax burden. Because the previous assessment was completed in 1988, the County determined that the ratio of assessed value to true value in Jersey City was 26.75. The resolution stipulated that the municipal-wide reassessment should be completed by September 30, 2012 and become effective for the 2013 tax year.

Approximately one-third of the City's annual budget is funded through property taxes, which are calculated based on the assessed value of the property multiplied by the tax rate. The assessed value is determined by the City's Tax Assessor. The tax rate is set and certified by the Hudson County Board of Taxation. Increases had resulted from rapid increases in assessed housing value, a direct result of a booming housing market.

In order to achieve uniform property assessment across the community, Jersey City calculates a yearly equalization factor, or multiplier, that is part of the property tax equation. The equalized tax rate is the rate that would apply if the property taxed were assessed at true value. Because New Jersey defines true value as the market value, and conducts a statistically designed sales ratio program in order to calculate state promulgated equalization ratios, the equalized property tax rate for New Jersey municipalities is the general tax rate multiplied by the equalization ratio.

Tax rates are levied on every \$1,000 dollars of assessed value. Figure 4-10 details the composite tax rates and estimated tax liability for a home with a market value of \$100,000 in 2009 in each of five years from 2005 to 2009.

**Figure 4-10**  
**Estimated Annual Real Estate Taxes, 2009**

Year	Tax Rate	Equalization Rate	Equalized Property Tax Rate	Estimated Taxes Per \$100,000 Market Value
2005	46.05	44.01	0.203	\$202.67
2006	51.75	34.59	0.179	\$179.00
2007	55.49	28.71	0.159	\$159.31
2008	55.52	26.12	0.145	\$145.02
2009	60.01	25.64	0.154	\$153.87

Notes: (1) Tax rate is expressed in dollars per one thousand dollars of assessed value. (2) Equalized property tax rate is the general tax rate multiplied by the equalization ratio.

Source: Jersey City Tax Assessor's Office

Among municipalities in Hudson County, Jersey City's property tax rates are about mid-range. Figure 4-10 details the general and effective tax rates of various municipalities through Hudson County.

**Figure 4-11**  
**Property Tax Rates within Hudson County Municipalities, 2009**

District	General Tax Rate	Effective Tax Rate
Hoboken (city)	4.745	1.272
Secaucus (town)	3.452	1.703
East Newark (borough)	7.948	1.788
<b>Jersey City</b>	<b>6.903</b>	<b>1.813</b>
Weehawken (township)	3.866	1.991
North Bergen (township)	4.686	2.019
Harrison (town)	5.831	2.148
West New York (town)	6.413	2.175
Guttenberg (town)	6.152	2.194
Union City (city)	5.93	2.33
Bayonne (city)	6.288	2.335
Kearny (town)	9.171	2.472

Source: New Jersey Division of Taxation

The significance of higher property taxes on residential properties is that the amount of taxes must be factored into the question of affordability. If a property owner is considering the purchase of a home, estimating the monthly mortgage payment must include the mortgage principal and interest, property taxes, and homeowner's insurance.

New Jersey law provides property tax relief for targeted policy outcomes and special-needs populations through a number of exemptions and credits. One

of these is the Property Tax Reimbursement Program (known as the “Senior Freeze”) which reimburses eligible senior citizens and disabled persons for property tax increases. The amount of the reimbursement is the difference between the amount of property taxes that were due and paid for the "base year" (the first year that an individual met all the eligibility requirements) and the amount due and paid for the current year for which the individual is applying for the reimbursement, provided the amount paid for the current year was greater. Other programs include an annual deduction for veterans of up to \$250, which extends to spouses and civil union partners, and a property tax exemption for disabled veterans for certain totally and permanently disabled veterans. It is the property owner's responsibility to apply for these as provided by law.

**xv. Public Transit**

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

In 2009, there were 53,172 transit-dependent households in Jersey City, comprising 45.3% of all workers. Renters were far more likely to be transit-dependent than homeowners, as 50.2% of renters did not have access to a vehicle compared to 15.5% of owner households.<sup>15</sup>

---

<sup>15</sup> U.S. Census Bureau, 2005-2009 American Community Survey (B25044)

**Figure 4-12**  
**Means of Transportation to Work for Workers 16 Years and Older, 2009**

	# of Workers	% of Workers
<b>Total</b>	<b>117,265</b>	<b>100.0%</b>
Car, Truck, or Van	49,769	42.4%
Drove Alone	40,740	34.7%
Carpooled	9,029	7.7%
<b>Public Transportation</b>	<b>53,172</b>	<b>45.3%</b>
Bus or Trolley Bus	20,573	17.5%
Streetcar or Trolley car	1,462	1.2%
Subway or Elevated Rail	26,472	22.6%
Railroad	3,389	2.9%
Ferryboat	1,276	1.1%
Taxicab	212	0.2%
Motorcycle	108	0.1%
Bicycle	316	0.3%
Walked	9,643	8.2%
Some Other Means	875	0.7%
Worked at Home	3,170	2.7%

Source: 2005-2009 American Community Survey (B08301)

Subways and elevated rail comprised the largest share of public transit riders at 22.6%, followed by bus and trolley at 17.5%. Throughout Jersey City, 42.4% of residents drove to work, with most of those driving alone.

Black households in Jersey City were more likely to be transit-dependent than other households. Nearly half (48.2%) of Black households used public transit compared to 39.4% of White households and 43.1% of Hispanic households. Asian households were least likely to be use public transit. City households were more likely to utilize public transit than County households, although the difference was minimal among most household types.

**Figure 4-13**  
**Percent of Transit-Dependent Households by Race, 2000**

	Jersey City	Hudson County
<b>Total</b>	<b>40.7%</b>	<b>35.1%</b>
White	39.4%	32.5%
Black	48.2%	46.6%
Asian	29.5%	27.2%
Hispanic	43.1%	40.7%

Source: Census 2000 SF3 (H44, HCT33A, HCT33B, HCT33D, HCT33H)

Public transportation in Jersey City falls under a number of different agencies, including:

- New Jersey Transit, which provides rail transportation throughout the New Jersey, particularly within the northern half of the state.

- Port Authority Trans-Hudson (PATH), which provides public transportation in northern New Jersey counties. According to its website, PATH provides 246,000 rides a day.
- Hudson-Bergen Light Rail.

**a. Destinations and Routes**

Jersey City has four stops along the PATH route – Pavonia/Newport, Journal Square Transportation Center, Grove Street, and Exchange Place – which offer short and inexpensive subway routes to various locations in New Jersey and Manhattan. Jersey City sits along the middle of PATH’s red line, which terminates at Newark’s Penn Station, with connecting service to the State-wide NJ Transit service, in the west and the World Trade Center, with connecting service to New York City’s Metro system. The Journal Square and Exchange Place stops both have handicapped elevator stations for access to the system, and Exchange Place also offers access to the New York Waterway water taxi and the Hudson-Bergen Light Rail.

Other public transportation routes converge in downtown Jersey City. As previously noted, there are water taxis departing from Exchange Place which cross the Hudson River into Manhattan. The Hudson-Bergen Light Rail provides service along much of the city’s waterfront, with stops along Washington Boulevard and Hudson Street, and destinations farther south.

**b. Accessibility**

All NJ Transit buses are lift-equipped, making them fully accessible for passengers with mobility impairments, and all of the cities sidewalks have sloped ramps for ease of access and mobility. However, not all NJ Transit or PATH stations are fully or partially accessible. At Jersey City’s Exchange Place and Journal Square, there are handicapped elevators for accessing the PATH system. For those unable to access public transit, there are several para-transit services, including Access Link – ADA Paratransit, Amcare and Amb-u-car. Online reviews of the services indicated that service was generally good, although patrons felt they would have preferred more individualized attention.

**B. Private Sector Policies**

In addition to the public sector policies that influence fair housing choice, there are private sector policies that can influence the development, financing and advertising of real estate. While the City of Jersey City cannot be held responsible for impediments to fair housing choice identified in private sector policies, the City does have an obligation to identify such impediments and bring them to the attention of the appropriate entity. In some cases, it is appropriate and even expected that the City will attempt to communicate the existence of such impediments to the appropriate entity. For example, if real estate advertisements in a local newspaper are noted to contain questionable language that may be discriminatory, the City should advise the newspaper of its legal obligations under the Fair Housing Act.

In this section of the AI, mortgage lending practices, high-cost lending and real estate advertising are analyzed.

**i. Mortgage Lending Practices**

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 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 the City of Jersey City is from 2006 to 2008. Reviewing this data helps to determine the need to encourage area lenders, other business lenders, 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 purchase of one- to four-family dwellings and manufactured housing units in 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.

Overall, the trends in Jersey City are reflective of nationwide trends. The joint report “Paying More for the American Dream IV,” released in May 2010, covering the period of 2006 to 2008, examines the lending disparities between minorities and Whites in seven cities across the country. The report finds that prime mortgage loans have declined among minority communities more than twice as quickly than in White communities. Additionally, prime refinance loans dropped almost five times as much in minority communities than in White communities.<sup>16</sup>

Figure 4-14 summarizes three years of HMDA data by race, ethnicity and action taken on the applications.

<sup>16</sup> Accessed online at [http://www.nedap.org/resources/documents/PayingMoreIV\\_Final.pdf](http://www.nedap.org/resources/documents/PayingMoreIV_Final.pdf)

**Figure 4-14**  
**Summary Report Based on Action Taken Mortgage Data, 2006-2008**

	2006		2007		2008	
	#	%	#	%	#	%
<b>Loans Applied For:</b>	<b>10,641</b>	<b>100.0%</b>	<b>8,986</b>	<b>100.0%</b>	<b>5,380</b>	<b>100.0%</b>
White	4,123	38.7%	3,686	41.0%	2,161	40.2%
Black	1,690	15.9%	1,096	12.2%	596	11.1%
Asian	1,600	15.0%	1,707	19.0%	1,402	26.1%
Other Race*	152	1.4%	123	1.4%	66	1.2%
Not Applicable/Not Provided	3,076	28.9%	2,374	26.4%	1,155	21.5%
Hispanic**	1,888	17.7%	1,205	13.4%	475	8.8%
<b>Loans Originated:</b>	<b>4,345</b>	<b>40.8%</b>	<b>3,465</b>	<b>38.6%</b>	<b>2,382</b>	<b>44.3%</b>
White	2,086	50.6%	1,605	43.5%	1,067	49.4%
Black	789	46.7%	402	36.7%	209	35.1%
Asian	830	51.9%	831	48.7%	680	48.5%
Other Race*	64	42.1%	50	40.7%	22	33.3%
Not Applicable/Not Provided	576	18.7%	577	24.3%	404	35.0%
Hispanic**	931	49.3%	463	38.4%	180	37.9%
<b>Loans Denied:</b>	<b>1,681</b>	<b>15.8%</b>	<b>1,444</b>	<b>16.1%</b>	<b>899</b>	<b>16.7%</b>
White	713	17.3%	632	17.1%	339	15.7%
Black	384	22.7%	299	27.3%	155	26.0%
Asian	276	17.3%	244	14.3%	254	18.1%
Other Race*	35	23.0%	19	15.4%	8	12.1%
Not Applicable/Not Provided	273	8.9%	250	10.5%	143	12.4%
Hispanic**	405	21.5%	295	24.5%	100	21.1%

\* Other Race includes American Indian/Alaska Native and Hawaiian groups

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

Source: 2006-2008 Federal Financial Institutes Examination Council, Home Mortgage Disclosure Act database

The most obvious trend in 2006-2008 HMDA data for the City of Jersey City is the steep drop in the number of loan applications. This can be attributed primarily to stagnating home sales rates in the City that coincide with the national housing market crisis. The number of loan applications dropped by approximately half between 2006 and 2008, from 10,641 to 5,380.

Over the course of the three years, the percentage of applications that resulted in loan originations increased slightly, a trend likely related to the decreasing number of total applications. The percentage of successful applications for most racial and ethnic groups declined: White applicants dropped from 50.6% to 49.4%; Black applicants dropped from 46.7% to 35.1%; Asian applicants fell from 51.9% to 48.5%; and Hispanic applicants dropped from 49.3% to 37.9%. All of the increase in percentage of successful applications was among applicants for whom no racial or ethnic information was provided.

Between 2006 and 2007, the proportion of applications resulting in denials increased slightly from 15.8% to 16.1%, before increasing more significantly to 16.7% by 2008. Black applicants experienced the most dramatic increase in denials during this period. Whereas 22.7% of Black applicants were denied loans in 2006, by 2008 Blacks had a denial rate of 26.0%, or one in four applicants.

The following section contains detailed analysis for applications filed in 2008, the latest for which information is available.

**Figure 4-15**  
**Summary Report Based on Action Taken Mortgage Data, 2008**

	Total Applicants*		Originated		Approved, Not Accepted		Denied		Withdrawn/Incomplete	
	#	%	#	%	#	%	#	%	#	%
<b>Loan Type</b>										
Conventional	4,575	85.0%	2,113	46.2%	516	11.3%	763	16.7%	1,054	23.0%
FHA	787	14.6%	265	33.7%	30	3.8%	129	16.4%	331	42.1%
VA	18	0.3%	4	22.2%	1	5.6%	7	38.9%	5	27.8%
<b>Loan Purchase: Home Purchase</b>										
One- to Four-Family Unit	5,373	99.9%	2,382	44.3%	545	10.1%	895	16.7%	1,389	25.9%
Manufactured Housing Unit	7	0.1%	0	0.0%	2	28.6%	4	57.1%	1	14.3%
<b>Applicant Race</b>										
White	2,161	40.2%	1,067	49.4%	227	10.5%	339	15.7%	470	21.7%
Black	596	11.1%	209	35.1%	52	8.7%	155	26.0%	159	26.7%
Asian	1,402	26.1%	680	48.5%	174	12.4%	254	18.1%	244	17.4%
American Indian/Alaska Native	28	0.5%	6	21.4%	4	14.3%	5	17.9%	10	35.7%
Hawaiian/Pacific Islander	38	0.7%	16	42.1%	2	5.3%	3	7.9%	14	36.8%
Hispanic**	475	8.8%	180	37.9%	39	8.2%	100	21.1%	143	30.1%
No Information	1,155	21.5%	404	35.0%	88	7.6%	143	12.4%	493	42.7%
<b>Applicant Sex</b>										
Male	3,052	56.7%	1,450	47.5%	337	11.0%	572	18.7%	593	19.4%
Female	1,588	29.5%	738	46.5%	161	10.1%	254	16.0%	388	24.4%
No Information	740	13.8%	194	26.2%	49	6.6%	73	9.9%	409	55.3%
<b>Total</b>	<b>5,380</b>	<b>100.0%</b>	<b>2,382</b>	<b>44.3%</b>	<b>547</b>	<b>10.2%</b>	<b>899</b>	<b>16.7%</b>	<b>1,390</b>	<b>25.8%</b>

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

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

Source: 2006-2008 Federal Financial Institutes Examination Council, Home Mortgage Disclosure Act database

**a. Households by Race**

In 2008, 5,380 mortgage applications were made for the purchase of either a one- to four-family owner-occupied unit or a manufactured housing unit in the City of Jersey City.<sup>17</sup> Of these applications:

- 40.2% (2,161) were submitted by White households.
- 8.8% (475) were submitted by Hispanics. HMDA data classifies Hispanics as an ethnic group and not a race. Therefore, this data overlaps with persons classified under a specified race.
- 11.1% (596) were submitted by Black households.
- 26.1% (1,402) were submitted by Asian households.
- 0.5% (28) were submitted by American Indian/Alaskan Native households.
- 0.7% (38) were submitted by Hawaiian/Pacific Islander households.

Race/ethnicity data was not included for 1,155 applications (21.5%).

**b. Conventional Loans vs. Government-Backed Loans**

Loan types in 2008 included conventional mortgage loans and government-backed loans, including FHA and VA. Comparing these loan types helps to

<sup>17</sup> This does not include loans purchased by another institution.

determine if the less stringent underwriting standards and lower down payment requirements of government-backed loans expand homeownership opportunities. In the City of Jersey City, 15.0% (805) of the households that applied for a mortgage loan applied for a government-backed loan. Of these, 325 (40.4%) were minority households.

The denial rates for government-backed loans were slightly higher overall than the denial rate for conventional loans, although denial rates for FHA loans were similar to those for conventional loans:

- The denial rate for VA-guaranteed loans was 38.9%.
- The denial rate for FHA loans was 16.4%.
- The denial rate for conventional loans was 16.7%.

### **c. Denial of Applications**

In 2008, the mortgage applications of 899 households in the City of Jersey City were denied (16.7%). Denial reasons were given for 441 households and include the following:

- Collateral: 24.5%
- Credit application incomplete: 22.2%
- Debt-to-income ratio: 18.3%
- Other: 12.2%
- Credit history: 9.0%
- Unverifiable information: 6.4%
- Insufficient Cash: 4.7%
- Employment history: 1.7%
- Mortgage insurance denied: 1.0%.

Collateral, incomplete credit applications, and unsatisfactory debt-to-income ratios are the major reasons for denial of home mortgage applications.

Between 2006 and 2008, the denial rates for Whites decreased significantly from 17.3% to 15.7%. However, the denial rates for Blacks increased significantly during this period. In 2006, the denial rate for Blacks was 22.7%; by 2008, the mortgage denial rate for Black households had increased to 26.0%. For Hispanic households, the denial rate in 2006 was 21.5%. After increasing to 24.5% in 2007, the denial rate for Hispanics dropped to 21.1%.

**Figure 4-16  
 Denial Rates by Race and Ethnicity, 2006-2008**

	2006			2007			2008		
	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate
White	4,123	713	17.3%	3,686	632	17.1%	2,161	339	15.7%
Black	1,690	384	22.7%	1,096	299	27.3%	596	155	26.0%
Asian	1,600	276	17.3%	1,707	244	14.3%	1,402	254	18.1%
American Indian/Alaska Native	50	14	28.0%	45	9	20.0%	28	5	17.9%
Hawaiian	102	21	20.6%	78	10	12.8%	38	3	7.9%
No information provided	3,076	273	8.9%	2,374	250	10.5%	1,155	143	12.4%
Hispanic*	1,888	405	21.5%	1,205	295	24.5%	475	100	21.1%
<b>Total</b>	<b>10,641</b>	<b>1,681</b>	<b>15.8%</b>	<b>8,986</b>	<b>1,444</b>	<b>16.1%</b>	<b>5,380</b>	<b>899</b>	<b>16.7%</b>

\* Hispanic ethnicity is counted independent of race.

Source: 2006-2008 Federal Financial Institutes Examination Council, Home Mortgage Disclosure Act database

**OBSERVATION:** The mortgage denial rate for Blacks and Hispanics maintained the highest levels 2006 and 2008. In 2007, denial rates for Blacks and Hispanics both increased, in contrast to rates for Whites and Asians, which both decreased. In 2008, the loan denial rate for Black households was 26.0% and for Hispanic households was 21.1%. For White and Asian households, the denial rates were significantly lower at 15.7% and 18.1%, respectively.

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

Applications made by lower income households accounted for 3.0% of all denials in 2006 and 5.2% of all denials in 2007, though they accounted for only 3.2% of total applications for those two years. In 2008, lower income households comprised 8.4% of all denials and only 5.5% of all applications.

**Figure 4-17  
 Denials by Income, 2006-2008**

	2006			2007			2008		
	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate
Below 80% MFI	261	47	18.0%	276	67	24.3%	268	67	25.0%
Above 80% MFI	8,751	1,554	17.8%	7,433	1,289	17.3%	4,627	794	17.2%
<b>Total</b>	<b>9,012</b>	<b>1,601</b>	<b>17.8%</b>	<b>7,709</b>	<b>1,356</b>	<b>17.6%</b>	<b>4,895</b>	<b>861</b>	<b>17.6%</b>

Source: 2006-2008 Federal Financial Institutes Examination Council, Home Mortgage Disclosure Act database

Among lower income households, denial rates were generally higher among minorities. In 2008, the denial rate for Black households (31.4%) was significantly higher than for White households (19.8%). While denial rate for Whites remained relatively stable between 2006 and 2008, the rates for Black households increased from 23.0% to 31.4%, while Hispanic household denial rates increased from 11.1% to 28.6%.

**Figure 4-18**  
**Denials by Race for Lower Income Applicants, 2006-2008**

	2006			2007			2008		
	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate
White	83	17	20.5%	127	28	22.0%	96	19	19.8%
Black	74	17	23.0%	72	20	27.8%	51	16	31.4%
Asian	19	3	15.8%	24	4	16.7%	43	9	20.9%
Amer. Indian/Alaska Native	1	0	0.0%	0	0	---	1	1	100.0%
Hawaiian	2	1	50.0%	1	0	0.0%	2	0	0.0%
No Information Provided	82	9	11.0%	52	15	28.8%	75	22	29.3%
Hispanic*	36	4	11.1%	65	24	36.9%	42	12	28.6%
<b>Total</b>	<b>261</b>	<b>47</b>	<b>18.0%</b>	<b>276</b>	<b>67</b>	<b>24.3%</b>	<b>268</b>	<b>67</b>	<b>25.0%</b>

\* Hispanic ethnicity is counted independently of race.

Source: 2006-2008 Federal Financial Institutes Examination Council, Home Mortgage Disclosure Act database

Overall, denial rates were lower for upper income households than lower income households. Among upper income households, however, minorities continued to experience significantly higher denial rates compared to White and Asian households. Among upper income Black households in 2008, the denial rate was 26.3%, which was two-thirds higher than the rate of Whites at 15.8%. Similarly, upper income Hispanic households had a denial rate of 21.7%.

**Figure 4-19**  
**Denials by Race for Upper Income Applicants, 2006-2008**

	2006			2007			2008		
	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate
White	3,831	669	17.5%	3,279	552	16.8%	1,941	307	15.8%
Black	1,531	353	23.1%	962	265	27.5%	505	133	26.3%
Asian	1,498	255	17.0%	1,613	234	14.5%	1,272	231	18.2%
Amer. Indian/Alaska Native	43	12	27.9%	44	9	20.5%	24	4	16.7%
Hawaiian	85	19	22.4%	63	8	12.7%	34	3	8.8%
No Information Provided	1,763	246	14.0%	1,472	221	15.0%	851	116	13.6%
Hispanic*	1,742	385	22.1%	980	238	24.3%	392	85	21.7%
<b>Total</b>	<b>8,751</b>	<b>1,554</b>	<b>17.8%</b>	<b>7,433</b>	<b>1,289</b>	<b>17.3%</b>	<b>4,627</b>	<b>794</b>	<b>17.2%</b>

\* Hispanic ethnicity is counted independently of race.

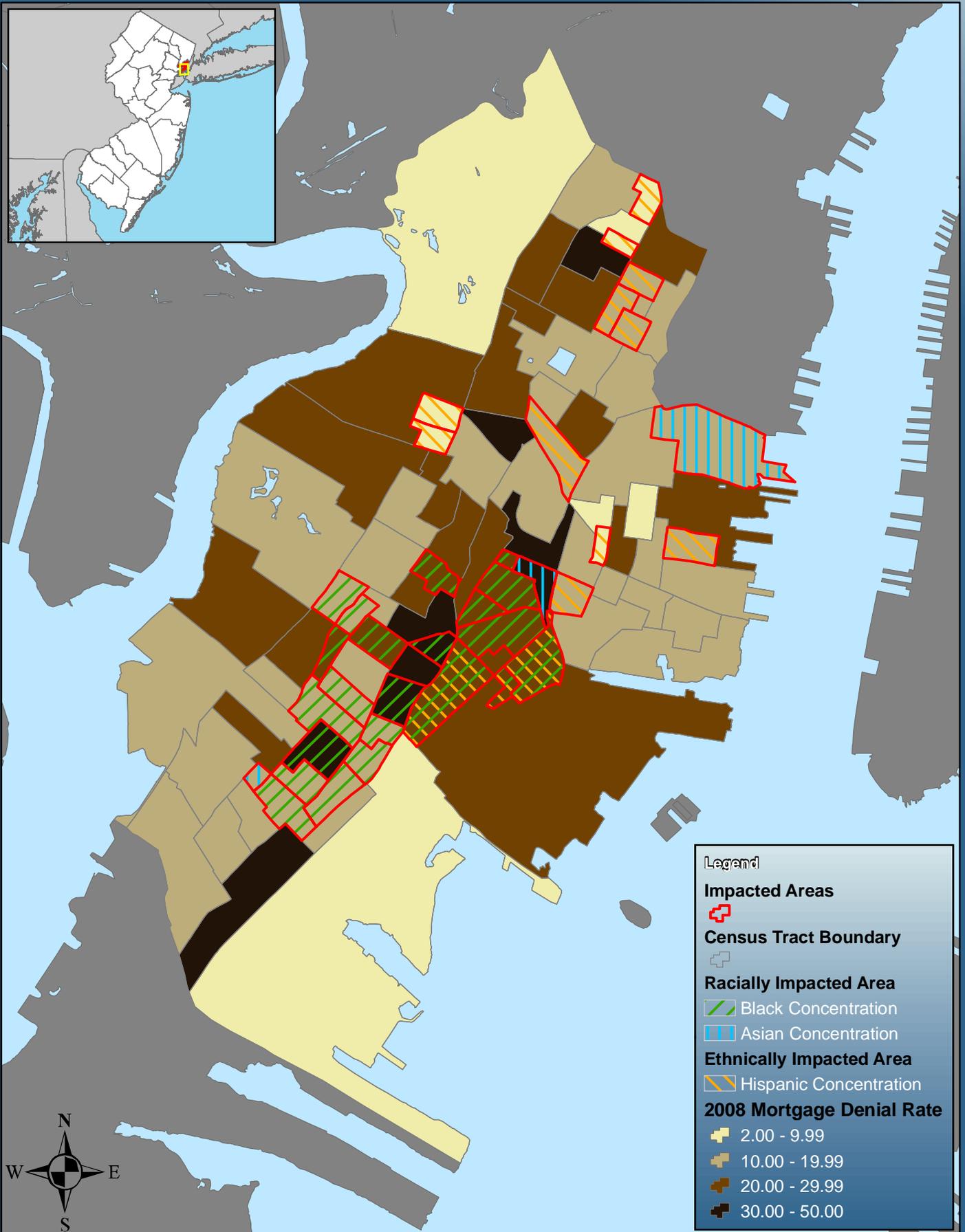
Source: 2006-2008 Federal Financial Institutes Examination Council, Home Mortgage Disclosure Act database

**OBSERVATION:** Upper income minority households experienced denial rates significantly higher than those of White upper income households. Among upper income Black and Hispanic households in 2008, mortgage denial rates were 26.3% and 21.7%, respectively, compared to a denial rate of 15.8% among Whites. While this fact alone does not imply an impediment to fair housing choice, the pattern is consistent with discrimination.

The 2008 HMDA data for the City of Jersey City was analyzed to determine if a pattern of loan denials exists by census tract. Of the 17 tracts with denial rates greater than or equal to 25%, 11 are areas of minority concentration. Map 13 on the following page illustrates the rate of mortgage loan denials.

# Map 13: Location of Mortgage Denials, 2008

Jersey City, NJ  
Analysis of Impediments to Fair Housing Choice



**OBSERVATION:** Of the 17 tracts with denial rates greater than or equal to 25% in 2008, 11 were in areas of minority concentration.

## ii. High-Cost Lending Practices

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, 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, Housing Mortgage Disclosure Act 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.

In 2008, there were 2,382 home purchase loans made for single-family or manufactured units in the City of Jersey City. Of this total, 2,347 disclosed the borrower’s household income and 137 reported high-cost mortgages.

Overall, upper income households were three times as likely to have high-cost mortgages as lower income households, although the small sample size for lower income households likely affects these apparent statistics.

An analysis of loans in Jersey City by race and ethnicity reveals that minorities are overrepresented in high-cost lending. Among lower income minority households, Blacks (11.8%) and Hispanics (12.5%) had high-cost mortgages in 2008, compared to 8.9% of lower income White households.

Among upper income households, minorities were significantly overrepresented in high-cost lending; Blacks almost four times more likely than Whites to have high-cost mortgages, with rates of 18.7% and 4.8%, respectively. Hispanics (11.0%) were more than twice as likely as Whites to have high-cost mortgages.

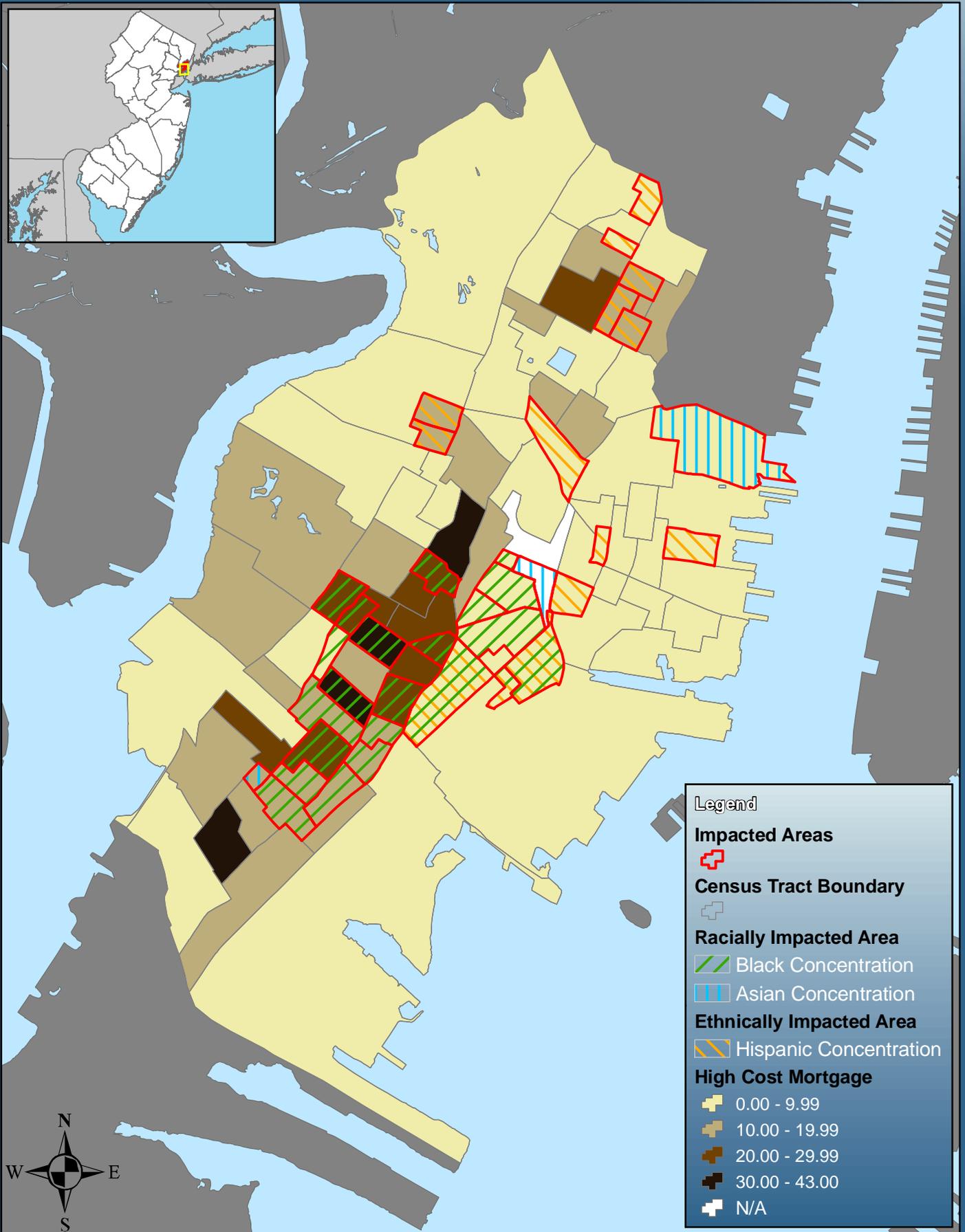
Notably, the percentage of high-cost mortgages declined significantly between 2006 and 2008, along with the total number of applications and originations. This could be due to policy changes that have limited subprime lending and/or to the necessity for lenders to make rates more competitive as the total number of applications dropped.

**OBSERVATION:** Minority households are disproportionately represented among recipients of high-cost mortgage loans, particularly among upper income households. This trend places the homes of minority households at greater risk for eviction, foreclosure, and bankruptcy.

Analyzing high-cost lending by census tract in 2008 can identify areas where there are disproportionately larger numbers of high-interest loans. Of the 30 tracts with a high-cost loan percentage of 10% or more, 25 are areas of minority concentration. Map 14 on the following page illustrates the percentages of high-cost mortgages extended to Jersey City residents.

# Map 14: Location of High-Cost Mortgage Loans, 2008

Jersey City, NJ  
Analysis of Impediments to Fair Housing Choice



**Figure 4-20**  
**High-Cost Lending by Race/Ethnicity and Income, 2006-2008**

		Lower Income*			Upper Income*		
		Total Origination	Hi-Cost Loans	% Hi-Cost	Total Origination	Hi-Cost Loans	% Hi-Cost
2006	White	38	5	13.2%	1,958	646	33.0%
	Black	27	2	7.4%	727	424	58.3%
	Asian	13	0	0.0%	781	211	27.0%
	Am. Indian/Alaska Native	1	0	0.0%	17	6	35.3%
	Hawaiian	1	0	0.0%	39	18	46.2%
	No information/NA	13	2	15.4%	518	162	31.3%
	Hispanic**	20	4	20.0%	863	493	57.1%
	<b>Total</b>	<b>93</b>	<b>9</b>	<b>9.7%</b>	<b>4,040</b>	<b>1,467</b>	<b>36.3%</b>
2007	White	61	4	6.6%	1,432	160	11.2%
	Black	34	1	2.9%	352	129	36.6%
	Asian	12	1	8.3%	783	76	9.7%
	Am. Indian/Alaska Native	---	---	---	18	8	44.4%
	Hawaiian	---	---	---	31	8	25.8%
	No information/NA	11	1	9.1%	521	54	10.4%
	Hispanic**	26	2	7.7%	368	98	26.6%
	<b>Total</b>	<b>118</b>	<b>7</b>	<b>5.9%</b>	<b>3,137</b>	<b>435</b>	<b>13.9%</b>
2008	White	45	4	8.9%	984	47	4.8%
	Black	17	2	11.8%	182	34	18.7%
	Asian	20	1	5.0%	642	31	4.8%
	Am. Indian/Alaska Native	---	---	---	6	1	16.7%
	Hawaiian	---	---	---	16	1	6.3%
	No information/NA	26	1	3.8%	361	15	4.2%
	Hispanic**	16	2	12.5%	154	17	11.0%
	<b>Total</b>	<b>108</b>	<b>8</b>	<b>7.4%</b>	<b>2,191</b>	<b>129</b>	<b>5.9%</b>
<b>Three-Year Totals</b>		<b>319</b>	<b>24</b>	<b>7.5%</b>	<b>9,368</b>	<b>2,031</b>	<b>21.7%</b>

\* Does not include loans for which no income data was reported.

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

Source: 2006-2008 Federal Financial Institutions Examination Council, Home Mortgage Disclosure Act database

### iii. Real Estate Practices

Information for this section of the AI was derived from the New Jersey Association of Realtors (NJAR), a nonprofit organization comprised of commercial and residential brokers and other real estate professionals. NJAR notes that it is a leading advocate for private property rights and the real estate industry in New Jersey. The organization is “also a strong supporter for the extension and preservation of affordable, safe, and adequate housing. NJAR supports the National Association of Realtors on federal issues that could have an effect on the housing market in New Jersey.” Article 10-3 under the Standard of Practice section of the organization’s Code of Ethics states that “Realtors shall not print, display, or circulate any statement or advertisement with respect to selling or renting of a property that indicates any preference, limitations, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin.” Language such as this

throughout their Code of Ethics indicates that fair housing and anti-discriminatory practices are core components of NJAR's members.

Additionally, Hudson County has its own realtors association, the Liberty Board of Realtors (LBR). Members follow the same standards of practice and Code of Ethics as the State association, NJAR, described above.

**iv. Newspaper Advertising**

Because the Jersey City Housing Authority actively promotes it, the internet database accessible at [www.NJHousing.org](http://www.NJHousing.org) was reviewed for the AI, specifically for questionable language in rental housing advertisements. The website is run by the New Jersey Housing Resource Center, which notes its partnership with the Department of Community Affairs, the State Department of Human Services – Division of Disability Services, and Housing and Mortgage Finance Agency. The website contains a disclaimer noting that “Under the Federal Fair Housing Act of 1968...it is illegal to engage in discriminatory advertising based on race, color, religion, sex, familial status, disability, and national origin.” It does not include language that describes some of the expanded protected classes that New Jersey covers such as civil union status and affectional orientation.

The database has an intuitive search process that makes it easy to find a rental or for-sale property which can accommodate an individual with specific needs, such as wheelchair accessibility. In fact, the homepage has a link that allows someone looking for housing to search a database of Special Needs Agencies and Resources. In addition, the homepage has a link to housing with accessibility features that allows someone to specify exactly what kinds of housing features they need for accommodation. This particular database allows an individual to specify individual bathroom, kitchen, and entry accommodations they require to live independently. There are also drop-down menus that allow an individual to specify just how closely they'd like to live near public transportation, which is an important feature in an urban environment where owning a car can be prohibitively expensive.

## **5. ASSESSMENT OF CURRENT FAIR HOUSING PROGRAMS AND ACTIVITIES**

### **A. Current Fair Housing Programs and Activities**

Annually in January, the City sponsors a fair housing symposium geared toward senior citizens.

### **B. Fair Housing Organizations**

In Jersey City there are fair housing organizations that provide extensive fair housing programming, and there are other organizations that provide fair housing training or counseling as one of many services in a more comprehensive community-based mission.

#### **i. Fair Housing Initiatives Programs (FHIP)**

In New Jersey, there are two Fair Housing Initiatives Program (FHIP) grant recipients. Fair housing organizations and other nonprofits that receive funding through the FHIP assist people who believe they have been victims of housing discrimination. FHIP organizations partner with HUD to help people identify government agencies that handle complaints of housing discrimination. They also conduct preliminary investigation of claims, including sending "testers" to properties suspected of practicing housing discrimination. Testers are minorities and Whites with the same financial qualifications who evaluate whether housing providers treat equally-qualified people differently. In addition to funding organizations that provide direct assistance to individuals who feel they have been discriminated against while attempting to purchase or rent housing, the FHIP program also has initiatives that promote fair housing laws and equal housing opportunity awareness.

Citizens Action of New Jersey is located in Newark with an office in Jersey City. Fair Housing Council of Northern New Jersey is located in Hackensack, just north of Jersey City.

#### **a. Citizens Action of New Jersey**

Citizens Action is the State's largest citizen watchdog coalition. The organization is involved in advocating for a myriad of social, economic and housing issues.

Citizens Action of New Jersey will use its FHIP grant to address predatory lending practices, including abusive trends within the subprime market, and to generate housing complaints to HUD. The program provides education and outreach to increase knowledge and understanding among community leaders about predatory lending in NJ so they may recognize and inform clients how to identify, screen, and report fair lending complaints. The program will also coordinate and conduct four train-the-trainer workshops for 60 community leaders; conduct 100 consumer workshops for LMI, minorities, persons with LEP, seniors, and disabled adults; develop and distribute materials and 4

mini-modules targeted to specific audiences; and coordinate a print and broadcast public education media campaign to reach 200,000 people.

**b. Fair Housing Council of Northern New Jersey**

The Council is a nonprofit organization serving New Jersey since 1959. The Council is operated by a multi-lingual staff and a Board of Trustees consisting of a broad range of business and community leaders. The Council has successfully handled thousands of complaints and works closely with all levels of government and private attorneys to ensure that fair housing laws are vigorously enforced.

The Council, a HUD-certified counseling agency, provides a variety of housing services including:

- housing and financial counseling for both sales and rentals
- protection for persons who experience discrimination based on race, religion, national origin, disability, family or marital status, or sexual orientation
- providing information, educational programs and assistance to housing and lending consumers, real estate professionals, schools, government
- working with county, state and federal governments to assist first-time home buyers
- assisting businesses and corporations in locating housing for transferees
- assisting low income families in finding affordable housing, working to expand the supply of affordable housing and offering counseling to prevent foreclosures
- providing homelessness prevention programs, and
- monitoring Realtors and lending institutions for compliance with Fair Housing laws.

The Council uses its FHIP grant to investigate and refer complaints to HUD; recruit and train 20 testers annually; and conduct 180 rental and sales tests annually. The Council will focus its enforcement efforts on the northeastern and southern parts of New Jersey where previous testing revealed a high level of discrimination against families with children, racial and ethnic minorities, and person with disabilities. In addition, the Council will distribute at least 2,000 flyers annually to community groups and faith-based organizations.

**ii. Hudson County Urban League**

The Urban League of Hudson County was established in 1972 and serves residents of Hudson County. The Urban League's mission is to empower, promote self-sufficiency, and advance the cause of opportunity for a diverse constituency. Through collaboration, outreach, information and technology, the Urban League has developed services that help level the economic playing field.

The Urban League administers programs and services that assist African-Americans, Hispanics, and other ethnic minorities as well as low-income families in such areas as childcare, education, employment and training, family and individual counseling, senior services, and youth development. The Urban League has a multi-cultural and multi-lingual staff. The Urban League provides information and referrals to Legal Services related to housing discrimination complaint.

The Urban League is part of Hudson County's One Stop Network and works with the Hudson County Workforce Investment Board, Jersey City Employment and Training, and the New Jersey Department of Labor.

**iii. Jersey City Human Rights Commission**

The Human Rights Commission was established under the Jersey City Fair Housing and Public Accommodation Ordinance to administer and enforce the ordinance. A Community Relations Specialist in the Office of Human Rights is responsible for processing, investigating and mediating all complaints received by the Commission. Residents can also file housing complaints with Citizens Action of New Jersey and Hudson County Housing Resource Center.

Only about 2-3% of the complaints received annually involve housing issues; the remaining complaints involve employment primarily. Of the housing complaints received, race is the most common basis for discrimination followed by familial status and source of income.

The Commission holds 10 meetings annually, which are open to the public. Anyone with a housing complaint is invited to attend.

The Commission works with JCHA tenants to file grievances with the Authority, although the number of these has declined in recent years. Most of the JCHA-related complaints involve landlords refusing to accept Section 8 vouchers.

The Commission also provides fair housing services. Annually, a fair housing symposium is held for the purpose of public education and outreach on fair housing topics. Panelists have included representatives from Citizens Action of New Jersey, Hudson County Housing Resource Center and local attorneys. Notices of the symposium are also distributed across Jersey City to more than 80 churches, which are encouraged to print the announcement in their bulletins. The Commission also works to disseminate information to Block Association meetings, including a fair housing pamphlet provided by the State of New Jersey.

## 6. GENERAL FAIR HOUSING OBSERVATIONS

The following observations were noted throughout the previous sections of the AI. These issues were based on the primary research collected and analyzed, and the numerous interviews and focus group sessions conducted for this report. They help to establish context for the impediments included the following section. While none of these observations individually rose to the level of an impediment to fair housing choice in Jersey City, the issues remain noteworthy in that they constitute the underlying circumstances which define the local fair housing climate.

**a. Minorities have continued to increase as a percentage of total population.**

The population of Jersey City has increased since 1990, with minority residents now comprising more than 62% of the population. And, diversity continues to increase among minority residents. Blacks, who comprised 29.8% of the population in 1990, now represent 27.1%. Asian/Pacific Islanders have increased from 11.3% to 19.1%. All other racial minorities now represent 16.4% of the population compared to 10.5% in 1990. Hispanics have also grown, from 23.7% to 27.9%.

**b. There are 44 areas of racial or ethnic concentration in Jersey City.**

Eighteen census tracts contain areas of concentration of Black residents; another 12 census tracts contain areas of concentration of Asian residents. There are also 16 census tracts where areas of concentration of Hispanics reside. Two census tracts (46 and 63) are areas of concentration of both Blacks and Hispanics.

**c. Jersey City is a moderately segregated city when measured by the dissimilarity index.**

Dissimilarity index data indicate that in order to achieve full integration among Whites and Blacks in the City, 65.5% of Black residents would have to move to another location within Jersey City. Asians and Hispanics are more integrated with dissimilarity indices of 31.8 and 31.6, respectively.

**d. Members of the protected classes have significantly lower incomes.**

Median household incomes among Blacks and Hispanics were equivalent to 68.4% and 72.8%, respectively, of Whites. Coupled with higher poverty rates, these trends indicate a greater restriction on housing choice for Blacks and Hispanics living in Jersey City.

Persons with disabilities were more likely to live in poverty than persons without disabilities. In 2000, 26.9% of persons with disabilities were living in poverty, compared to 15.6% of persons without a disability.

Female-headed households with children face some of the greatest financial challenges to finding affordable housing. Females raising children accounted for 55.5% of all families living in poverty, and were

eight times more likely to live in poverty than married-couple families with children.

**e. Several areas identified as areas of concentration of Blacks, Asians and Hispanics are also areas of concentration of low- and moderate-income persons, referred to as impacted areas.**

Of the 53 LMI census block groups in Jersey City, 41 are located within areas of concentration of Black, Asian, and/or Hispanic residents. As a result, areas of minority concentration are more likely to be also areas of concentration of LMI persons. These areas of concentration of *both* minorities and LMI persons are referred to as impacted areas.

**f. Blacks and Hispanics were more likely to be unemployed than Whites and Asians.**

Blacks and Hispanics had unemployment rates of 13.1% and 9.5%, respectively, compared to 7.9% among Whites and 5.8% among Asians. Higher unemployment, whether temporary or permanent, will mean less disposable income for housing expenses.

**g. New residential development has occurred in impacted areas of concentration of both minority and LMI persons in Jersey City.**

Overall, the City's housing stock increased by a net of 13,741 units since 1990. Within the impacted areas of concentration of both minorities and LMI persons, there was a net gain of 2,891 units, which represented 21% of the Citywide net increase. This trend reflects a dynamic housing market in which consumers are willing to purchase homes in all areas of the City, including lower income neighborhoods.

## 7. POTENTIAL IMPEDIMENTS TO FAIR HOUSING CHOICE

The remaining observations collected during the development of the AI constitute the potential impediments or barriers to fair housing choice listed in this section. These impediments are linked to remedial strategies in the Fair Housing Action Plan, which is included in Section 8.

### i. Public Sector / City

#### a. The City's increasingly diverse minority population may require language accommodations to ensure that all residents can access City programs and services.

The population of persons with limited English proficiency (LEP) is substantial, as demonstrated by the more than 41,000 persons reported in the 2009 ACS data who spoke English less than "very well." Of these, nearly 18,000 were native Spanish-speakers.

The growing population of non-English speaking persons could potentially result in an increasing number of persons who will require language assistance in order to access City programs and services.

**Proposed Action:** Conduct the four-factor analysis outlined in the Federal Register of January 22, 2007, and at [www.lep.gov](http://www.lep.gov), to determine the extent to which the translation of vital documents is necessary to assist persons with limited English proficiency (LEP) in accessing City services and programs. If it is determined that the need for a Language Access Plan (LAP) exists, the City should prepare the LAP in order to comply with Title VI of the Civil Rights Act of 1964.

#### b. 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 Jersey City do not reflect the diverse population. Racial minorities represent 62.6% of the City's population but only 44.1% of appointees. Hispanics account for 27.9% of the population but only 17.6% of appointees. Also notably absent were persons with disabilities. The experiences 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 choice in all aspects of City government.

**Proposed Action:** 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 Hispanics, persons with disabilities, and other members of the protected classes. Appoint members of the protected classes to fill vacancies.

**c. There is an inadequate supply of affordable rental housing that is accessible to City residents.**

Hudson Community Enterprises, a local advocacy organization with approximately 500 clients with disabilities in Jersey City and Hudson County, recognizes the severe demand for affordable housing that is accessible to persons with disabilities. Unfortunately, this organization has never been approached by an affordable housing developer to either develop housing or affirmatively market available units.

According to City code officials, education on accessibility statutes and design requirements is needed for architects and engineers who submit plans to the City for review and approval.

**Proposed Action 1:** Work with disability advocates to sponsor workshop and other educational opportunities for housing developers to 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 2:** As part of the Affirmative Marketing Plan required of developers receiving HOME and CDBG funds to develop new housing units, require that Hudson Community Enterprises be listed as an organization to be notified of the availability of new rental units. Add other advocacy organizations by name, as appropriate.

**Proposed Action 3:** Continue to finance the development of new affordable rental housing units, which is accessible to persons with disabilities, with HOME funds in non-impacted areas of Jersey City.

**d. Black and Hispanic households have greater difficulty becoming and remaining home owners because of lower incomes.**

The home ownership rate among Black households in Jersey City was 26.5%; among Hispanics, it was 25.8%. By comparison, the rate among Whites and Asians was about 36%.

Between January 2007 and June 2008, Jersey City had a foreclosure rate of 11.5%, higher than the rates in Hudson County and the State overall. Impacted areas of concentration of both minorities and LMI persons had the highest rates of foreclosure.

**Proposed Action 1:** Continue to offer financial incentives toward the creation of new home ownership opportunities with CDBG and HOME funds, targeting minority households.

**Proposed Action 2:** Fund homeownership counseling and financial management education for lower income households, particularly minority households.

**Proposed Action 3:** Adopt a Section 3 policy to ensure that employment and other economic and business opportunities generated by HUD assistance, to the greatest extent feasible, are directed to public housing residents and other LMI residents, particularly persons receiving

government housing assistance, and business concerns that provide economic opportunities to low and very low income residents.

**e. The City's supply of decent, affordable housing remains inadequate.**

The magnitude of the loss of affordable rental units severely restricts housing choice for minority households, which have significantly lower incomes than White households.

Most minority households are more likely to live in larger families than White households. For example, 77% of Hispanic households, 76% of Asian households, and 69.8% of Black households included three or more persons compared to 55.9% of White households. However, only 20.2% of the rental housing stock contained three or more bedrooms compared to 55.8% of the owner housing stock.

Jersey City lost more than 54% of its housing stock renting for less than \$500 between 2000 and 2009. Units renting for \$1,000 or higher, on the other hand, more than tripled, increasing by nearly 23,000 units.

Among both owner and renter households, Hispanic households were most likely to experience housing problems such as cost burden, overcrowding and/or substandard units. Among renter households with incomes less than 80% of median family income, 54.9% of Hispanic households had housing problems compared to 51.1% of White households. Among owner households, 69.2% of Hispanic households had housing problems compared to 36.1% of White households.

Minimum-wage earners and single-wage-earning households must earn \$23.60 per hour to afford a two-bedroom unit renting for the HUD fair market rent. For those who do not earn this high level of pay, they may be forced to double-up with others or lease inexpensive substandard units. Minorities and female-headed households are disproportionately impacted due to their lower incomes.

Individuals with disabilities receiving monthly SSI checks of \$705 as their sole source of income cannot afford a zero-bedroom unit in Jersey City renting at the fair market rate of \$995.

Cost burden is highest among households with incomes below \$35,000 in Jersey City. In 2009, more than 70% of these households were paying more than 30% of their income on housing costs. This was equivalent to more than 21,000 City households. Furthermore, with 56.1% of all households below \$35,000 identified as minority households, cost burden affects lower income minority households slightly more than lower income White households.

A significant aspect of the Jersey City housing market is the sharp decrease in the number of single-family units selling for less than \$140,000. In 2000, houses selling for less than \$140,000 accounted for 56% of all units sold. By 2009, the number of houses sold in this same price range represented only 9% of all units sold. The median sales price

of single-family homes peaked at \$315,000 in 2006 before falling to \$208,500 in 2009. However, this still represents a 74% increase of the 2000 median sales price. The implications of these trends include a greater difficulty for lower income home buyers, who are being squeezed out of the housing market by higher-priced units.

Among both owner and renter households, Hispanic households were most likely to experience housing problems such as cost burden, overcrowding, and substandard units. Among renter households with incomes less than 80% median family income, 72.7% of Hispanic households had a housing problem compared to 69.5% of White households and 67.4% of Black households. Among owner households, 82.3% of Hispanic households had a housing problem compared to 79.8% of White households and 78.5% of White households.

Black households are disproportionately represented among public housing tenants and waiting list applicants. Blacks represent 27% of all households in Jersey City but account for 65% of current JCHA tenant households and 46.8% of JCHA waiting list applicants. Hispanics comprise 24% of all City households but represent 38.2% of JCHA waiting list households. These trends indicate limited housing choice for LMI households.

**Proposed Action 1:** Continue CDBG-funded rehabilitation activities to improve the quality of the existing affordable housing stock, where feasible.

**Proposed Action 2:** Continue the City's systematic code enforcement policy to improve and preserve the existing multi-unit affordable housing stock.

**Proposed Action 3:** Give a higher preference for new affordable housing projects that include three or more bedrooms. Increase the HOME per-unit subsidy if necessary.

**f. Although the City targets redevelopment and revitalization activities to impacted areas, it must continue to seek a balance with investing in non-impacted areas.**

Affordable housing developers and CDCs recognize the need for, and benefits of, a more equitable geographic distribution of affordable housing opportunities in Jersey City. Affirmatively furthering fair housing means expanding choice to members of the protected classes to areas outside of impacted areas of concentration of both minorities and LMI persons.

The City's Master Plan should include a stronger statement of the City's over-arching policies aimed at affirmatively furthering fair housing choice. The stated policies should extend to all aspects of City government, not just its HUD programs.

The City and JCHA should continue to carry out revitalization and redevelopment activities with the goal of providing mixed-income,

mixed-use housing opportunities throughout the City including non-impacted areas.

**Proposed Action 1:** In developing policy priorities for the use of CDBG and HOME funds, the City should give first priority to the use of HOME and CDBG funds for new family rental and sales developments on sites in non-impacted areas.

**Proposed Action 2:** As part of the Consolidated Planning process, map the location of all new CDBG/HOME-assisted housing projects. Analyze this information to determine the relative breakdown of projects in impacted areas versus projects in non-impacted areas. Establish internal goals for achieving balance relative to projects in impacted areas versus projects in non-impacted areas. Consider the results of the analysis before finalizing funding decisions. Include this analysis in the CAPER.

**g. The majority of fair housing complaints filed through HUD in Jersey City involved race and disability as the bases for discrimination.**

Of the 43 fair housing cases originating from Jersey City, 28 cited race or disability as the alleged basis. This represented the second-highest number of housing complaints filed by a NJ municipality. These trends indicate a need for increased fair housing education, outreach, and enforcement.

In FY2010, the City's CDBG entitlement grant was \$7,105,628; however, none of this funding was dedicated to fair housing activities.

**Proposed Action 1:** Provide fair housing training for affordable housing landlords.

**Proposed Action 2:** Contract with an experienced FHIP agency to perform paired testing of rental housing.

**Proposed Action 3:** Require landlords who are impacted by the City's rent control ordinance to attend mandatory fair housing training as part of the program requirements.

**h. There is a relative absence of fair housing organizations that provide training, education, outreach and enforcement in Jersey City on a regular basis.**

Based on interviews with housing advocates, there appears to be a lack of knowledge and understanding among landlords about fair housing laws. Landlords who selectively choose their tenants cannot discriminate based on race, color, nationality, familial status or any other category protected by State and federal housing laws. Such discriminatory behavior severely restricts fair housing choice for members of the protected classes. In addition, there is also a lack of knowledge and understanding among social service agencies that work to provide housing assistance and other supportive services to LMI persons and minorities. In many cases, these agencies are the first

encounter for members of the protected classes who may have been discriminated against. If the agencies are educated on how to recognize potential housing discrimination and take correct action (i.e., contact the appropriate referral agency), they can help to expand fair housing choice for members of the protected classes.

According to City code officials, education on accessibility statutes and design requirements is needed for architects and engineers who submit plans to the City for review and approval.

**Proposed Action 1:** Contract with an experienced FHIP agency to provide fair housing training program.

**Proposed Action 2:** Produce and distribute fair housing awareness literature (i.e., flyers, bookmarks, pamphlets, etc.) through a variety of media (i.e., website, newsletters, CDC publications, neighborhood newspapers, local radio stations, etc.). The literature should include how to recognize housing discrimination, who to contact, how to file a complaint, etc.

**Proposed Action 3:** Develop a Jersey City Fair Housing Guide that explains what housing discrimination is, who are members of the protected classes, how to file a complaint, etc. Make the guide available online and in print.

**i. The City's HOME Program Subrecipient Agreement does not meet all of the regulatory requirements.**

Although the City's HOME Program Subrecipient Agreement meets some of the regulatory requirements, it could be strengthened relative to (1) Section 504 requirements, (2) affirmative marketing requirements, and (3) site and neighborhood standards.

**Proposed Action:** Revise the HOME Subrecipient Agreement to comply fully with all regulatory requirements.

**ii. Public Sector / Jersey City Housing Authority**

**a. Although JCHA meets the minimum Section 504 requirements Authority-wide, it should devise a plan to meet the 5% and 2% minimum requirements at each public housing community and by bedroom size.**

Public housing is an important resource for persons with mobility and sensory impairments. Section 504 of the Rehabilitation Act of 1973 establishes accessibility standards for public agencies, including housing authorities. HUD's regulations at 24 CFR Part 8 implement Section 504 of the Rehabilitation Act of 1973. HUD's PIH Notice 2010-26 encourages PHAs to conduct Section 504 needs assessments and self-evaluations on a regular basis.

Section 504 requires at least 5% of the PHA's public housing stock to be accessible to persons with mobility impairments and another 2% of the public housing stock to be accessible to persons with sensory impairments. In addition, Section 504 requires MHA administrative

offices and other non-housing facilities to be accessible. Section 504 establishes the Uniform Federal Accessibility Standards (UFAS) as the controlling standard for accessibility.

**Proposed Action:** JCHA should develop a Transition Plan where feasible to meet the minimum 5% and 2% requirements at each development and by bedroom size. This action would further expand fair housing choice for persons with disabilities to the degree that they would not be restricted to only those communities with UFAS-accessible units. The plan should be carried out in accordance with Section I(A) of HUD PIH Notice 2010-26. JCHA should also take steps to include persons/residents with disabilities and local disability advocates in the Section 504 planning process.

**b. The City's increasingly diverse minority population may require language accommodations to ensure that all residents can access JCHA programs and services.**

As stated previously, Hispanics comprise 27.9% of the City population. Census data reveal a total of 17,910 Spanish-speaking residents in Jersey City who speak English less than very well. The growing population of non-English speaking persons could potentially result in an increasing number of persons who will require language assistance in order to access JCHA programs and services. Similar to the requirement for the City, JCHA must also comply with Title VI of the Civil Rights Act of 1964.

**Proposed Action:** JCHA should conduct the four-factor analysis outlined in the Federal Register of January 22, 2007, and at [www.lep.gov](http://www.lep.gov) to determine the extent to which the translation of vital documents is necessary to assist persons with limited English proficiency (LEP) in accessing JCHA's services and programs. If it is determined that the need for a Language Access Plan (LAP) exists, JCHA should prepare the LAP in order to comply with Title VI of the Civil Rights Act of 1964.

**c. Minority concentrations persist at most JCHA developments.**

The high concentration of minority tenant households at several JCHA developments severely restricts housing choice for minorities who would desire to live in non-concentrated areas.

**Proposed Action:** JCHA should continue to enforce its de-concentration policy in an attempt to decrease the high concentrations of minority residents in most of its developments.

**iii. Private Sector**

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

The mortgage denial rate for Blacks and Hispanics maintained the highest levels 2006 and 2008. In 2007, denial rates for Blacks and Hispanics both increased, in contrast to rates for Whites and Asians, which both decreased. In 2008, the loan denial rate for Black households

was 26.0% and for Hispanic households was 21.1%. For White and Asian households, the denial rates were significantly lower at 15.7% and 18.1%, respectively.

Upper income minority households experienced denial rates significantly higher than those of White upper income households. Among upper income Black and Hispanic households in 2008, mortgage denial rates were 26.3% and 21.7%, respectively, compared to a denial rate of 15.8% among Whites. While this fact alone does not imply an impediment to fair housing choice, the pattern is consistent with discrimination.

Of the 17 tracts with denial rates greater than or equal to 25% in 2008, 11 were in areas of minority concentration.

Minority households are disproportionately represented among recipients of high-cost mortgage loans, particularly among upper income households. This trend places the homes of minority households at greater risk for eviction, foreclosure, and bankruptcy.

**Proposed Action 1:** The City should engage HUD-certified housing counselors to target credit repair education through existing advocacy organizations that work extensively with minorities.

**Proposed Action 2:** Conduct an annual review of HMDA data to determine if discrimination is occurring against minority applicant households. Consider contracting with an experienced fair housing advocacy organization to conduct mortgage loan testing.

**Proposed Action 3:** Engage in a communication campaign that markets home ownership opportunities to minorities, including middle and higher income minorities. The campaign could promote the value of living in a diverse community such as Jersey City. The campaign could also provide information to lenders in an effort to demonstrate the high denial rates of mortgage applications for all minorities regardless of income. Emphasis for middle and higher income minorities will be on the Live Where You Work program. Reinforce maintenance and repair of credit.

## 8. FAIR HOUSING ACTION PLAN

Based on the identified potential impediments to fair housing choice and the proposed actions included in Section 7, the following Fair Housing Action Plan has been developed. The format of this chart should more easily facilitate the completion of the City's Annual Plan and CAPER documents. Each year during the Annual Plan process, the City will identify the strategies it will undertake to affirmatively further fair housing. At the end of each program year, progress made toward achievement of the strategies will be reported in the City's CAPER.

**Figure 8-1  
 Fair Housing Action Plan**

Goal	Strategies to Meet Goals	Responsible Entities	Benchmarks	Proposed Year of Completion	Proposed Investment	Date Completed
<b>Impediment #1: The City's increasingly diverse population may require language accommodations to ensure that all residents can access City programs and services.</b>						
Increased meaningful access to persons with limited English proficiency (LEP).	Conduct the four-factor analysis to determine the extent to which the translation of vital documents is necessary; prepare a Language Access Plan (LAP) if necessary.	HEDC / DCD	Conduct four-factor analysis  Adoption of LAP	2012	\$20,000 - \$25,000	
<b>Impediment #2: Members of the protected classes are under-represented on City boards and commissions that address housing issues.</b>						
Members of the protected classes are represented equitably on select appointed boards and commissions	Schedule recruitment period to accept applications from members of the protected classes to fill vacancies  Appoint members of the protected classes to fill vacancies	Mayor	Annual incremental increases so the rate of appointees is commensurate with the general population rate	2011 and annually thereafter	\$0	
<b>Impediment #3: There is an inadequate supply of affordable rental housing units that are accessible to City residents with disabilities.</b>						
Increased supply of accessible housing units that are affordable to people with disabilities, especially residents of public and assisted housing communities	1. Work with advocacy organization to sponsor a housing workshop for developers	HEDC / DCD	Sponsor an annual workshop	2012 and annually thereafter	\$1500 per workshop	
	2. Require that Hudson Community Enterprises be listed as the contact organization on all affirmative marketing plans for CDBG and HOME projects	HEDC / DCD HOME / CDBG subrecipients	Hudson Community Enterprises listed as contact organization	2011 and annually thereafter	\$0	
	3. Continue to finance the development of new affordable accessible rental units in non-impacted areas	HEDC / DCD	Finance the development of 5 new units annually in neighborhoods across the City.	2011 and annually thereafter	Up to 221d3 limits.	

Continued...

**Fair Housing Action Plan (continued)**

Goal	Strategies to Meet Goals	Responsible Entities	Benchmarks	Proposed Year of Completion	Proposed Investment	Date Completed
<b>Impediment #4: Black and Hispanic households have greater difficulty becoming and remaining home owners because of lower incomes.</b>						
Increased home ownership rates among minority households	1. Continue to offer financial incentives toward new ownership opportunities with CDBG and HOME funds, targeting minority households.	HEDC / DCD	Assist 10 new minority homebuyers annually	2011 and annually thereafter	Up to \$40,000 per homebuyer	
	2. Fund homeownership counseling and financial management education for lower income/minority households	HEDC / DCD	Provide funding for four (4) classes annually	2012 and annually thereafter	\$50,000	
	3. Adopt a Section 3 Policy	JCHA	Assist 58 minorities with employment opportunities annually	2011 and annually thereafter	\$0	
<b>Impediment #5: The City's supply of decent, affordable housing remains inadequate.</b>						
Increase supply of housing units that are affordable to LMI households.	1. Continue CDBG-funded rehab activities to improve the quality of the existing housing stock where feasible.	HEDC / DCD	Rehab 50 units annually	2011 and annually thereafter	\$24,900 per unit	
	2. Continue the City's systematic code enforcement policy to improve and preserve the City's housing stock.	Division of Code Enforcement	Inspect at least 500 units annually	2011 and annually thereafter	\$50 per unit	
	3. Give a higher preference for new affordable housing projects that include 3+ bedrooms; increase the HOME per-unit subsidy if necessary	HEDC / DCD Tax Abatement Committee JCHA	Finance the development of 25 units of 3+ bedrooms annually	2012 and annually thereafter	Up to 221d3 limits.	
<b>Impediment #6: Although the City targets redevelopment and revitalization activities to impacted areas, it must continue to seek a balance with investing in non-impacted areas.</b>						
Increased supply of affordable housing units in non-impacted areas	1. Give first priority for CDBG and HOME funds to new family rental and sales developments of sites in non-impacted areas	HEDC / DCD	Revise entitlement funding priorities	2012-2013	\$0	
	2. Analyze location of previous projects to establish goals for future years; consider the results when finalizing funding decisions; include analysis in CAPER	HEDC / DCD	Revise project selection process based on past achievements and future priorities	2011-2012	\$0	

Continued...

**Fair Housing Action Plan (continued)**

Goal	Strategies to Meet Goals	Responsible Entities	Benchmark	Proposed Year of Completion	Proposed Investment	Date Completed
<b>Impediment #7: The majority of fair housing complaints filed through HUD in Jersey City involved race and disability as the bases for discrimination.</b>						
Decreased number of housing complaints	1. Provide fair housing training for affordable housing landlords.	Tenant/Landlord Relations	Provide at least one (1) workshop annually	2012 and annually thereafter	\$25,000	
	2. Contract with an experienced FHIP agency to perform paired testing of rental housing in Jersey City	HEDC / DCD FHIP agency	Conduct __ tests annually or bi-annually	2012 and annually or bi-annually thereafter	(included in budget above)	
	3. Require landlords who are impacted by the City's rent control ordinance to attend mandatory fair housing training as part of program requirements	HEDC / DCD Tenant/Landlord Relations	Provide at least one (1) fair housing workshop annually	2012 and annually thereafter	(included in budget above)	
<b>Impediment #8: There is a relative absence of fair housing organizations that provide training, education, outreach and enforcement on a regular basis.</b>						
Increased fair housing education, outreach, training and enforcement	1. Contract with a FHIP to provide training program	Hudson County Housing Resource Center	Provide 1-2 fair housing workshops annually	2012 and annually thereafter	\$25,000	
	2. Produce and distribute fair housing awareness literature	HEDC FHIP agency	Distribute 2,500 flyers annually	2011		
	3. Develop and distribute Fair Housing Guide for Jersey City	HEDC FHIP agency	Develop Fair Housing Guide for Jersey City; make available at all trainings and online	2012		
<b>Impediment #9: The HOME Program Subrecipient Agreement does not meet all of the regulatory requirements.</b>						
HOME Subrecipient Agreement in compliance with all regulatory requirements	Revise agreement to include all Section 504 and affirmative marketing requirements	HEDC	Agreement in compliance with all applicable HOME regulations	2011	\$0	
<b>Impediment #10: Although JCHA meets the minimum Section 504 requirements Authority-wide, it should devise a plan to meet the minimum 5% and 2% requirements at each public housing development and by bedroom size.</b>						
Increased fair housing choice for persons with disabilities who are JCHA tenants	Conduct a Needs Assessment and prepare a Transition Plan where feasible to meet the 5% and 2% minimum requirements at each JCHA development and by bedroom size	JCHA	Transition Plan where feasible to meet Section 504 requirements at each JCHA development and by bedroom size	2013	TBD	

Continued...

**Fair Housing Action Plan (continued)**

Goal	Strategies to Meet Goals	Responsible Entities	Benchmark	Proposed Year of Completion	Proposed Investment	Date Completed
<b>Impediment #11: The City's increasingly diverse population may require language accommodations to ensure that all residents can access JCHA programs and services.</b>						
Increased meaningful access to persons with limited English proficiency (LEP)	Conduct the four-factor analysis to determine the extent to which the translation of vital documents is necessary; prepare a Language Access Plan (LAP) if necessary.	JCHA DCA	Conduct four-factor analysis  Adoption of LAP	2012	\$0  Could partner with City and International Institute	
<b>Impediment #12: Minority concentrations persist at most JCHA developments.</b>						
Decreasing concentration of minority residents at JCHA developments	Continue to enforce deconcentration policy	JCHA	Decreasing concentration of minority residents at JCHA developments	2011 and annually thereafter	\$0	
<b>Impediment #13: Mortgage loan denials and high-cost lending disproportionately affect minority applicants in Jersey City, similar to national trends.</b>						
Reduced mortgage loan denials and high cost lending to minority applicants	1. The City should engage HUD-certified housing counselors to target credit repair education through existing advocacy organizations that work	HEDC / DCA	Decreased mortgage loan denial rates among minority applicants	2011 and annually thereafter	(included in budget for Impediment #4)	
	2. The City should annually review HMDA data	HEDC / DCD	Review of HMDA data conducted	2012 and annually thereafter		
	3. The City should engage in a communication campaign that markets home ownership opportunities to all minorities, regardless of income, including middle and higher income minorities. Emphasis for middle and higher income minorities will be on the Live Where You Work program. Reinforce maintenance and repair of credit	HEDC / DCD	Decreased mortgage loan denial rates among minority applicants	2012-2013		

## 9. SIGNATURE PAGE

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

---

Jerramiah T. Healy, Mayor – City of Jersey City

---

Date

## **10. APPENDIX A: STAKEHOLDERS INVITED TO PARTICIPATE AND PUBLIC HEARING NOTICE**

<b>DARICE TOON</b>	DCD
<b>RODNEY HAIRSTON</b>	DCD
<b>ERIN ROSS</b>	DCD
<b>JONIQUE MOSLEY</b>	Relocation – HOPWA - DCD
<b>MIKE BIONDO</b>	
<b>JOYCE W.</b>	JCHA
<b>MARK REDFIELD / ED</b>	
<b>COLEMAN</b>	Housing Code Enforcement
<b>RAY MEYER</b>	Construction Official
<b>DOUG GREENFIELD</b>	HEDC
<b>NICK TAYLOR</b>	Zoning
<b>CLAIRE DAVIS</b>	Planner
	Hudson Community
<b>MAUREEN WALLISER</b>	Enterprises
	AH Provider – Belmont Guest
<b>RON BROWN</b>	House
<b>EDWARD FOWLKES</b>	AH Provider –
	Alliance Construction
	AH Provider – Community
<b>REV. KEVIN E. KNIGHT</b>	Outreach Team
	AH Provider – JP Affordable
<b>EUGENE P. OCONNELL</b>	Housing
	AH Provider – Urban League Affordable
<b>ELNORA WATSON</b>	Housing
<b>CHARLES ODEI</b>	JC Tenant-Landlord
<b>STUART PORTNEY</b>	
<b>CHRIS GARLIN</b>	
<b>MELVIN PRINCE</b>	
<b>MICHELLE MASSEY</b>	Monticello Avenue CDC
<b>JUNE JONES</b>	Morris Canal CDC
<b>TELISSA DOWLING</b>	

# **PUBLIC HEARING**

## **THE CITY OF JERSEY CITY**

### **DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT AND COMMERCE DIVISION OF COMMUNITY DEVELOPMENT**

will sponsor a Public Hearing to obtain comments on the City's **Draft**

### **ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI)**

The City of Jersey City has prepared an Analysis of Impediments to Fair Housing Choice to satisfy requirements of the Housing and Community Development Act of 1974, as amended. This Act requires that each community receiving Community Development Block Grant (CDBG) and HOME funds certify to HUD that it will affirmatively further fair housing.

Communities receiving CDBG 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, 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.

### **THE PUBLIC HEARING WILL TAKE PLACE AS FOLLOWS:**

**MARY McLEOD BETHUNE LIFE CENTER  
134-150 Martin Luther King Drive  
Jersey City, NJ 07305**

**Tuesday, July 12, 2011**

**Time: 6:00 P.M.**

This location is accessible to persons with disabilities. Persons requiring special accommodations can make arrangements by contacting the Division of Community Development at 201-547-6910. All interested individuals and organizations are invited to attend the hearing and offer their views and comments on the City's draft Analysis of Impediments to Fair Housing Choice (AI). If you have any questions, please contact the Jersey City Division of Community Development at 201-547-6910.

**JERRAMIAH T. HEALY  
MAYOR**