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DRAFT
Analysis of Impediments to Fair Housing Choice
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Table of Contents

Executive Summary ........................................................................................................................................... 3
Introduction ....................................................................................................................................................... 6
Washington’s Demography ............................................................................................................................... 10
Washington’s Housing Market ......................................................................................................................... 17
Fair Housing Federalism .................................................................................................................................. 28
Fair Housing Complaint Data .......................................................................................................................... 34
Impediments to Fair Housing Choice in Housing Finance .............................................................................. 49
Impediments to Fair Housing Governance ..................................................................................................... 54
Other Concerns .................................................................................................................................................. 57
Impacts of Public Policies on Housing Choice ................................................................................................. 59
Recommendations .............................................................................................................................................. 65
Appendix A: Assessment of Recommendations from the 2015 Analysis of Impediments ....................... 67
Appendix B: Survey of Entitlement Jurisdictions ............................................................................................. 70
Appendix C: Fair Housing Resources ............................................................................................................... 74
Appendix E: Housing Authorities in Washington ............................................................................................ 96
Executive Summary

Washington is required to submit to the U.S. Department of Housing and Urban Development (HUD) a certification that it is affirmatively furthering fair housing.

A summary of impediments, areas of concern and recommendations follow.

Summary of Impediments

**Washington’s Fair Housing Agencies are Underfunded and Understaffed**

Neither the Washington State Human Rights Commission nor the Office of Attorney General’s Wing Luke Civil Rights Unit has the funding to pursue proactively and sustainably the elimination and prevention of housing discrimination. Both face a backlog of complaints and cases. A lack of funding and staff has subsequently curtailed fair housing education, outreach, and technical assistance (see additional discussion on page 54).

**HUD-certified Fair Housing Assistance Programs in Washington Have Been Reduced from Four to Two**

The Seattle Office for Civil Rights and the King County Office of Civil Rights no longer have fair housing contracts with HUD. HUD has subsequently referred fair housing complaints that would have gone to the City of Seattle and King County for investigation to the Washington State Human Rights Commission, thereby increasing the state’s backlog of fair housing investigations (see discussion on page 30).

**Washington’s Competitive Housing Market Suppresses Complaints**

The 2015-2019 reporting period saw a 53% decrease in the number of fair housing complaints filed with HUD. Washington’s fair housing authorities believe this decrease reflects changes in the housing market, rather than discriminatory behavior. Tenants often do not complain about discrimination for fear landlords will raise rent or not renew leases. During a housing crisis, fewer housing options exist at any given price point. This heightens fears about potential landlord retaliation, and, consequently, suppresses complaints. A preliminary analysis of 1998-2018 vacancy data and HUD complaints supports this notion (see additional discussion on page 34).

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1 Washington State Office of Attorney General, Washington State Human Rights Commission, Seattle Office for Civil Rights, Tacoma Human Rights Commission, King County Office of Civil Rights, Fair Housing Center of Washington, Northwest Fair Housing Alliance

2 Ibid.
Areas of Concern

HUD Policies Placed Greater Responsibility on Plaintiffs to Prove Discrimination

Beginning Oct. 19, 2019, plaintiffs are required to prove that a housing policy is arbitrary, artificial, and unnecessary and that there is a robust and causal link with the disparate impact on a certain class that directly relates to the alleged injury of the plaintiff and all others of the affiliated class (see additional discussion on page 32).

Lack of Source-of-Income Protections Under Fair Housing Law

To assert claims of source of tenant discrimination, tenants must have the time and wherewithal to get an attorney to file in court under the landlord-tenant act (RCW 59.18.255). Other fair housing protections are detailed under RCW 49.60, known as Washington’s Law Against Discrimination. This may be a significant deterrent to filing source-of-income discrimination complaints (see additional discussion on page 57).

Persons with Criminal Records Face Significant Barriers to Housing

According to HUD, people with arrest records, conviction records, or criminal history frequently face automatic or categorical exclusion from housing. Such discrimination disproportionately affects African Americans and Hispanics, who are arrested, convicted, and incarcerated at disproportionate rates, and impedes the ability of all persons with criminal histories from finding stable, affordable, and safe housing (See additional discussion on page 57).

Recommendations

Provide additional funding for the Washington State Human Rights Commission and Attorney General’s Wing Luke Civil Rights Unit

Funding should go toward:

- Hiring fair housing investigators and civil rights lawyers
- Conducting fair housing education and outreach for landlords, tenants, and governments
- Providing technical assistance about fair housing law to local governments
- Developing a new fair housing complaint database for Washington
- Regular testing for housing discrimination statewide

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See additional discussion on page 54. Authorize an Economic Study of the Impacts of Housing Discrimination

Commerce recommends the state fund an economic study of housing discrimination for the state and its localities. This study would investigate discriminatory housing policies at the state and local level, and their economic implications on households, communities, and the state. It would provide a robust understanding of the economic implications of local and state policies toward fair housing and policy tools for the state and local governments to combat the segregation and re-segregation of communities (see additional discussion on page 66).

Enact Fair Chance Housing Legislation

Commerce recommends that the Legislature enact fair chance housing legislation to provide those with prior criminal histories with equitable access to housing opportunities (see additional discussion on page 57).

Put Source-of-income Protections under Fair Housing Law

Commerce recommends that the Legislature put source-of-income protections under fair housing law, which would extend fair housing protections to renters facing discrimination based on their source of income (see additional discussion on page 57).
Introduction

Fair Housing in Washington

Washington state is required to submit to the U.S. Department of Housing and Urban Development (HUD) a certification that it is affirmatively furthering fair housing.

Fair housing is the right to be free from housing discrimination. It is a right central to the legitimacy and effectiveness of a free democratic state (Federal Fair Housing and RCW 49.60).

The Washington State Human Rights Commission (WSHRC) and the Office of the Attorney General (AGO) safeguard these rights for all Washingtonians. Both took proactive measures to safeguard these rights throughout 2015-2019.

The AGO’s Wing Luke Civil Rights Division:

- Undertook fair housing testing operations and filed 16 enforcement actions to combat discrimination against veterans, persons with disabilities, and persons with criminal backgrounds.
- Filed a federal civil rights lawsuit against the city of Sunnyside for unlawfully and repeatedly using its Crime-Free Rental Housing Program to evict residents.
- Filed two amicus briefs supporting the fair housing rights of Washingtonians.
- Investigated individual complaints, time and resources permitting.

The WSHRC:

- Investigated 456 fair housing complaints.
- Provided technical assistance to local governments.
- Worked with the Northwest Fair Housing Alliance and Fair Housing Center of Washington to conduct housing discrimination tests statewide.

However, the fair housing units of WSHRC and AGO are under-resourced. WHSRC has only 2.5 full-time investigators, yet it received over 450 complaints over the last four years. Investigators handle roughly 25 to 40 investigations at a time, although according to best practices and agency policy, each investigator should be managing between 10 and 15 cases. As of July 30, 2019, WSHRC had over 40 cases that had been open for over 100 days. Legislatively mandated education, outreach, and technical assistance efforts no longer occur with regularity due to lack of funding and staff.

The Wing Luke Civil Rights Division at the AGO face similar constraints. The division’s high caseload has required each of its attorneys to work overtime at least 11 out of 12 months a year for the last two years. The division has limited capacity to take new cases, and it routinely receives referrals that it must turn down for lack of funding and staff.
This lack of institutional capacity is particularly problematic, as changes in national policies have increased the importance of fair housing institutions at the state level. Changes include:

- HUD placing greater responsibilities on fair housing plaintiffs to prove that a housing policy is discriminatory
- Changes in HUD’s funding formula for training fair housing investigators to one based on the number of full-time employees at a Fair Housing Authority program, not the geographic size covered by the authority
- HUD tightening its assessment of Fair Housing Authority Program (FHAP) contracts, contributing to the Seattle Office of Civil Rights’ and King County Office of Civil Rights’ decisions to terminate their FHAP contracts with HUD, thereby shifting complaints that would have been investigated by these institutions to the already backlogged WSHRC.

Washington’s tight housing market also increases the importance of fair housing institutions.

Tenants often do not complain about discrimination for fear that their landlord will either raise the rent or not renew the lease. This fear is heightened during a housing crisis when rents are skyrocketing, and vacancies are hard to find. In this scenario, it is even more important to have fair housing investigatory and enforcement agencies conducting outreach and education about fair housing rights to landlords and tenants, testing for discrimination in the housing market, investigating cases of discrimination, and prosecuting offenders. Otherwise, discrimination goes underreported and unaddressed.

**Housing Discrimination in Washington**

During the reporting period of 2015-2019, 611 fair housing complaints were filed with HUD from Washington. The majority of these complaints relate to disability, race, or national origin bases. Nearly three-fourths of HUD-filed complaints follow rental transactions.

During this period, WSHRC investigated 456 complaints. The majority of these complaints related to disability, race, national origin, or retaliation. The three most common types of complaints related to allegations of discrimination regarding terms and conditions, refusal to rent, and reasonable accommodation. Together, these three categories made up 78% of the complaints.

**Protected Classes at the Local Level**

The cities of Seattle and Tacoma have instituted several protected classes not covered by the state or national government. Discrimination against locally protected classes is reported to the Seattle Office of Civil Rights and the Tacoma Human Rights Commission, respectively. Both jurisdictions offer protections for source-of-income discrimination. The Seattle Office of Civil Rights also looks into discrimination against persons with criminal histories.

Source-of-income complaints accounted for nearly a quarter of the city of Seattle’s complaints during 2015-2018. Criminal history complaints represented 7% of complaints in Seattle during the same period. Tacoma passed its source-of-income protections too recently to show up in complaint data for this reporting period. Nonetheless, the passage of these additional protections and the high prevalence of reported complaints that have followed suggest that these are areas for improvement at the state level.
Discrimination in Housing Finance
Home Mortgage Disclosure Act data shows that black and Hispanic households face greater barriers to securing housing finance than other households. For instance, in King County, black residents are half as likely to apply for a home loan and twice as likely to be denied compared to white residents.

Methodology
The Department of Housing and Urban Development requires that Washington:

- Complete an Analysis of Impediments to Fair Housing Choice (AI)
- Take actions to overcome the effects of any impediments identified through the analysis
- Maintain records reflecting the actions taken in response to the analysis

HUD defines impediments to fair housing choice in terms of their applicability to local, state, and federal law. In Washington, impediments include:

- Any actions, omissions or decisions taken because of race, color, religion, national origin, sex, familial status, mental or physical disability, source of income, marital status, sexual orientation, and gender identity (protected classes) that restrict housing choices or the availability of housing choice.

- Any actions, omissions, or decisions that have the effect of restricting housing choices or the availability of housing choice on the protected classes previously listed.

The AI process requires a thorough examination of a variety of sources related to furthering fair housing, the fair housing delivery system, and housing transactions that affect people protected under fair housing law.

An AI also includes an active and involved public input and review process via direct contact with stakeholders, public forums to collect input from citizens, distribution of draft reports for citizen review, and formal presentations of findings.

HUD’s Methodology
HUD’s "Fair Housing Planning Guide, Volume 1" suggests methodologies for jurisdictions to follow when producing an AI. This AI adheres to these recommendations.

Data Sources
Sources of data for this AI include U.S. Census data, labor market data, home mortgage industry data, and federal and state fair housing complaint data. Some of the data and maps presented in this report come from PolicyMap.

5 PolicyMap, https://www.policymap.com/
Stakeholders Consulted
Housing industry experts, affordable housing advocates, reentry experts, Commerce program managers, and other key stakeholders provided information, feedback, and guidance throughout the development of this AI.

Public Input Process
As part of the public input process, Commerce released and distributed announcements to stakeholders using email, web postings, and distribution lists. Commerce planned to hold a public input meeting on Dec. 10, 2019. Commerce designed the meeting to offer the public the opportunity to provide feedback on the initial findings of the AI. Stakeholders were invited to submit written comments at any point during the process.

Commerce planned to release the draft report for public review on Nov. 26, 2019, initiating a 30-day public review period. Copies of this report may be downloaded free of charge from the Commerce website at www.commerce.wa.gov.

Conclusion
If trends continue, upholding fair housing rights in Washington will likely become harder over the coming decades. Washington’s population continues to grow and become more diverse. Its housing market is tight. Shifts in national policy place a greater burden on fair housing plaintiffs to prove the existence of discriminatory housing practices and provide fewer resources to fair housing authorities to safeguard landlord and tenant rights. Additionally, Washingtonians with past criminal records continue to face bias in housing, while impediments to the enforcement of source-of-income discrimination remain.

The remainder of this report details these issues and provides recommendations to address them.
Washington’s Demography

Overview
This section assesses Washington’s demographic composition.

Washington’s Population
Washington is home to over 7 million residents as of 2017. Eighty-two percent of the population resides within the 10 most populous counties, and 65% of the population resides within the top five. Roughly, 78% of the population resides on the west side of the state. Approximately 22% of the population resides east of the Cascades.

In the map displayed in Figure 1, counties are shaded according to the size of their populations, with lighter-colored counties having the fewest residents. Figure 2 shows population density by census tract.

Figure 1: Washington’s Population by County

Figure 2: Washington's Population by Census Tract


Population Change

As of 2017, Washington’s population had grown 21.65% since 2000 and 6.4% since 2008. Both rates exceed national averages of 14.21% and 3.65%, respectively.

For these periods, population growth concentrated in a few counties. Sixteen counties experienced population growth rates over 15% between 2000 and 2017, and 3.5% between 2008 and 2017. The populations of Ferry, Lincoln, Columbia, and Garfield counties decreased both periods. Grays Harbor County’s population increased by 6.34% from 2000 to 2017 overall, but it has decreased by 1.13% in the five years. Okanogan’s population decreased by 4.58 since 2000 but increased by 1.02% in the last five years. Washington’s remaining counties grew by less than 15% since 2000 and 3.50% since 2013.
Figure 3: Population Change from 2000 to 2013-2017

Washington’s Demographic Composition

Washington is getting more diverse. Figure 5 captures Washington's current racial composition. Figure 6 shows the growth of racial groups from 2000 to 2017.

Washington’s Hispanic population grew approximately 100% since 2000. The non-Hispanic population grew by approximately 15%.

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White is defined “White alone, not Hispanic or Latino” and means individuals who responded to the Census as “No, not Spanish/Hispanic/Latino” and who reported “White” as their only entry in the race question. Hispanic/Latino indicates individuals who responded “Yes, Spanish/Hispanic/Latino” and may be of any race. Individuals who responded affirmatively to other racial categories such as “Black or African American”, “American Indian or Alaska Native”, “Asian”, “Native Hawaiian or Other Pacific Islander” or “Two or more races” and “No, not Spanish/Hispanic/Latino” are classified under their response to the question on race.
Figure 5: Washington's Racial Demographics by Percent, 2013-17


Figure 6: Percent Growth in Population by Racial Groups from 2000 to 2017

Geographic Distribution by Race and Ethnicity

Figure 7 displays the geographic distribution of the predominant race or ethnicity across Washington.

**Figure 7: Predominant Race or Ethnicity**

![Predominant Racial or Ethnic Group](image)

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)

**Washington’s Disabled Population**

- Approximately 13% of Washingtonians have one or more disabilities.
- Nearly 20% of disabled Washingtonians are employed, and roughly, 33% are unemployed. The remaining 47% are not seeking employment.
- Roughly 36% of disabled Washingtonians are 65 years or older.
- Nearly 20% of disabled Washingtonians live in poverty.
Washington’s Veteran Population

Approximately 10% of civilians age 18 and older in Washington are veterans. Roughly, 6% of veterans in Washington are unemployed, and approximately 0.25% are homeless. Approximately 6.5% of Washington veterans live in poverty, and nearly 0.25% live in poverty with a disability.⁷

Table 1: Racial and Ethnic Demographics of Washington’s Population⁸

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>463,094</td>
</tr>
<tr>
<td>Black or African American</td>
<td>33,035</td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td>26,709</td>
</tr>
<tr>
<td>Two or more races</td>
<td>18,421</td>
</tr>
<tr>
<td>Asian</td>
<td>15,773</td>
</tr>
<tr>
<td>American Indian and Alaskan Native</td>
<td>5,717</td>
</tr>
<tr>
<td>Native Hawaiian and Other Pacific Islander, alone</td>
<td>3,577</td>
</tr>
<tr>
<td>Some other race</td>
<td>4,672</td>
</tr>
</tbody>
</table>

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)

Figure 8: Percentage of Veteran Population by Race and Ethnicity

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)


⁸ Hispanic or Latino indicates individuals who responded “Yes, Hispanic or Latino.” Once “Hispanic or Latino” is selected, no other categories may be chosen.
Washington’s Housing Market

Household Economic Data
Washington’s median household income was $66,174 in 2017. About 38% of households in the study area had an annual income of less than $50,000.

Figure 9: Percentage of Households by Income Group, 2013-2017

Table 2: Households by Annual Income Category, 2013-2017

<table>
<thead>
<tr>
<th>Annual Income Category</th>
<th>Number of Households</th>
<th>Percent of Households</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $25,000</td>
<td>475,003</td>
<td>17.24%</td>
</tr>
<tr>
<td>$25,000 - $34,999</td>
<td>228,787</td>
<td>8.30%</td>
</tr>
<tr>
<td>$35,000 - $49,999</td>
<td>335,962</td>
<td>12.19%</td>
</tr>
<tr>
<td>$50,000 - $74,999</td>
<td>497,935</td>
<td>18.07%</td>
</tr>
<tr>
<td>$75,000 - $99,999</td>
<td>372,647</td>
<td>13.52%</td>
</tr>
<tr>
<td>$100,000 - $124,999</td>
<td>272,408</td>
<td>9.89%</td>
</tr>
<tr>
<td>$125,000 – $149,999</td>
<td>178,388</td>
<td>6.47%</td>
</tr>
<tr>
<td>$150,000 or more</td>
<td>394,567</td>
<td>14.32%</td>
</tr>
</tbody>
</table>

Median Household Income by Race and Ethnicity

Figure 10 and Table 3 detail median household income by race and ethnicity in Washington during the period of 2013-2017. White and Asian households make approximately $10,000 more than other households do. Hispanic, black, those included in the category "Some Other Race," and "American Indian or Alaskan Native" households make significantly less than the median area income (see Table 3).

Differences among households can be significant over extended periods. For example, over 10 years, a Hispanic household with a median income of $49,521 would earn $341,220 less than an Asian household with a median income of $83,643. Over 10 years, a black household with a median income of $47,057 would earn $204,760 less than a white household with a median income of $67,533.

Disposable income may be invested in financial instruments and other assets, generating new streams of income, exacerbating income and wealth differences among races and ethnicities.

Figure 10: Median Household Income by Race and Ethnicity, 2013-2017

Table 3: Household-Median-Income Differentials by Race

<table>
<thead>
<tr>
<th>Race</th>
<th>Median Income</th>
<th>Differential with Median Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian</td>
<td>$83,643</td>
<td>+$17,469</td>
</tr>
<tr>
<td>White</td>
<td>$67,533</td>
<td>+1,359</td>
</tr>
<tr>
<td>Native Hawaiian or Pacific Islander</td>
<td>$60,714</td>
<td>-$5,460</td>
</tr>
<tr>
<td>Two or more races</td>
<td>$59,086</td>
<td>-$7,088</td>
</tr>
<tr>
<td>Hispanic</td>
<td>$49,521</td>
<td>-$17,193</td>
</tr>
<tr>
<td>Black</td>
<td>$47,057</td>
<td>-$19,117</td>
</tr>
<tr>
<td>Some other race</td>
<td>$46,243</td>
<td>-$19,931</td>
</tr>
<tr>
<td>American Indian or Alaskan Native</td>
<td>$42,804</td>
<td>-$23,370</td>
</tr>
</tbody>
</table>


Washington’s Housing Stock

Figure 11 and Table 4 describe the types of housing available in Washington.

Single-family homes include all one-unit structures, both attached and detached. Townhouses or duplexes include one-unit attached homes, as well as housing units with two units. Units in small apartment buildings are buildings with three to 49 units; large apartment buildings include buildings with 50 units or more. Other types of housing include vans, boats, recreational vehicles, or other units.

Figure 11: Washington’s Housing Stock by Housing Type, 2013-2017

Table 4: Washington’s Housing Stock, 2013-2017

<table>
<thead>
<tr>
<th>2013-2017 Housing Stock</th>
<th>Number of Units</th>
<th>Percent of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family detached homes</td>
<td>1,918,843</td>
<td>63.42</td>
</tr>
<tr>
<td>Single-family attached homes</td>
<td>115,100</td>
<td>3.8</td>
</tr>
<tr>
<td>2-unit homes and duplexes</td>
<td>74,505</td>
<td>2.46</td>
</tr>
<tr>
<td>Units in small apartment buildings</td>
<td>536,173</td>
<td>17.72</td>
</tr>
<tr>
<td>Units in large apartment buildings</td>
<td>175,202</td>
<td>5.79</td>
</tr>
<tr>
<td>Mobile homes or manufactured housing</td>
<td>199,457</td>
<td>6.59</td>
</tr>
<tr>
<td>Other types</td>
<td>6,236</td>
<td>0.21</td>
</tr>
</tbody>
</table>

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)

The Geographic Distribution of Washington’s Renters

Figure 12 shows the distribution of renters. The areas with the most renters generally correspond to the areas with the most population growth, density (Figures 3 and 4) and diversity (Figure 7).

Figure 12: Washington Renters by Zip Code

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)

DRAFT ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE
Percent of Renters by Race and Ethnicity

Figure 13 and Table 5 display data on Washington renters by race. Figure 14 and Table 6 display data on Washington renters by ethnicity.

**Figure 13: Percent of Renters by Race 2013-2017**

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)

**Figure 14: Percent of Renters by Ethnicity, 2013-2017**

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)
### Table 6: Number and Percent of Renters by Ethnicity, 2013-2017

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Hispanic</td>
<td>899,387</td>
<td>87.42</td>
</tr>
<tr>
<td>Hispanic</td>
<td>129,411</td>
<td>12.58</td>
</tr>
</tbody>
</table>

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)

### Percent of Renter Households by Race and Ethnicity

Figure 15 shows the percent of renter households by race and ethnicity. Table 7 shows the percent change in renter households in recent years.

**Figure 15: Percent of Renting Households by Race and Ethnicity, 2013-2017**

![Bar chart showing the percentage of renter households by race and ethnicity from 2013 to 2017.](source)

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)
### Table 7: Percent of Households by Race that Rent, 2013-2017

<table>
<thead>
<tr>
<th>Race</th>
<th>Percent of Households by Race 2017</th>
<th>Percent Change from 2000 to 2017</th>
<th>Percent Change from 2008 to 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black</td>
<td>68.50%</td>
<td>+54.68</td>
<td>+10.75</td>
</tr>
<tr>
<td>Native Hawaiian and Other Pacific Islander</td>
<td>66.21%</td>
<td>+131.82</td>
<td>+28.10</td>
</tr>
<tr>
<td>Some other race</td>
<td>59.76%</td>
<td>+36.68</td>
<td>+13.02</td>
</tr>
<tr>
<td>Hispanic</td>
<td>57.11%</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Two or more races</td>
<td>54.87%</td>
<td>+67.14</td>
<td>+37.07</td>
</tr>
<tr>
<td>American Indian and Alaskan Native</td>
<td>48.62%</td>
<td>+5.64</td>
<td>-9.03</td>
</tr>
<tr>
<td>Asian</td>
<td>39.06%</td>
<td>+75.96</td>
<td>+21.65</td>
</tr>
<tr>
<td>White</td>
<td>34.50%</td>
<td>+20.41</td>
<td>+5.65</td>
</tr>
</tbody>
</table>

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)

### Percent of Affordable Rental Units by Area Median Income

Figure 16 displays the percent of rental units affordable to renters earning 30%, 50%, and 80% or more of area median income.

**Figure 16: Percent of Affordable Rental Units by Area Median Income**

![Percentage of Affordable Rental Units by Area Median Income](https://www.policymap.com/)

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)
### Table 8: Percent of Affordable Housing Units by Type

<table>
<thead>
<tr>
<th>Rental units by type</th>
<th>Percent of affordable units for a family earning 30% AMI</th>
<th>Percent of affordable units for a family earning 50% AMI</th>
<th>Percent of Affordable units for a family earning 80-100% AMI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zero-to-one bedrooms</td>
<td>15.13</td>
<td>34.71</td>
<td>57.64</td>
</tr>
<tr>
<td>Two bedrooms</td>
<td>5.04</td>
<td>42.93</td>
<td>42.93</td>
</tr>
<tr>
<td>Three or more bedrooms</td>
<td>9.13</td>
<td>20.37</td>
<td>20.37</td>
</tr>
</tbody>
</table>

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)

Rental affordability calculations assume that 1/36th of a family’s annual income translates to a monthly cost burden of 30% or less. For example, a four-person family with income of $30,000 a year could afford to rent a two-bedroom apartment for $750 per month or less.

### Percent of Income Spent on Housing by a Median-income Family Renter Household as of 2019

The median renter cost burden in Washington is 29.6%. Some localities have much greater median renter cost-burdens than others. These areas overlay with the more urban areas of the state.

### Percent of Cost-burdened or Severely Cost-burdened Renters

Nearly half of all renters in Washington were cost-burdened during 2013-2017, meaning that they spent more than 30% of their income on housing. Approximately a quarter were severely cost-burdened during this time, meaning that they spent more than 50% of their income on rent.
Figure 17: Percent of Median-Income Cost-burdened Households

Percent of Cost Burdened Renters by Income

Nearly three-quarters of all Washington renters making less than $50,000 spend over 30% of their monthly income on rent and are cost-burdened by definition. Over half of all Washington renters making less than $75,000 are cost-burdened, and just over three-quarters of all renters making less than $20,000 are cost-burdened.

Figure 19: Percent of Cost-burdened Renters by Income Category
Households Receiving Housing Vouchers

In Washington, 124,730 people, or 1.76%, receive housing vouchers. The average household income per year for households receiving housing choice vouchers in 2018 was $14,863. The Housing Choice Voucher Program is the federal government’s major program for assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. In 2017, 55,672 Washington households received housing choice vouchers.

Figure 20: Percent of Households Receiving Household Vouchers

Fair Housing Federalism

This section discusses fair housing governance and the mixture of powers, resources, and programs between and among national, state, and local governments that constitute it.

National Governance

The Fair Housing Act (FHA) establishes the national framework for fair housing governance. The United States Department of Housing and Urban Development (HUD) enforces the Fair Housing Act. FHA makes it illegal to discriminate based on race, color, religion, sex, disability, familial status or national origin in housing. The ban on discrimination includes intentional discrimination and practices that unintentionally have the effect of discriminating against these groups.

FHA prohibitions include:

- 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 choice, or
- Any actions, omissions, or decisions that have the effect of restricting housing choices or the availability of housing choice based on race, color, religion, sex, disability, familial status, or national origin.

Examples of prohibitions include:

- Refusing to rent or sell a dwelling after a bona fide offer has been made
- Refusing to negotiate for the sale or rental of a dwelling
- Setting different terms, conditions, or privileges related to the sale or rental of a dwelling or the use of facilities and services provided in conjunction with a dwelling
- Saying a dwelling is unavailable for rent or sale when it is available
- Making a profit by convincing owners to sell or rent properties based on fear of declining property values because members of a protected class are moving into a neighborhood (an action known as blockbusting)
- Advertising the availability of a dwelling in a way that implies a preference for a certain type of buyer or renter, or limits the use of a dwelling for certain groups
- Denying access to or membership in any multiple listing service, real estate brokers association, or other organization in the business of selling or renting housing, or setting different terms or conditions for membership in such organizations
- Refusing to make a mortgage loan, or refusing to give information about loans
- Setting different terms or conditions for loans
- Discriminating in the appraisal of property
- Refusing to purchase a loan or setting different terms for the purchase of a loan
- Interfering in any way with a person’s exercise of their fair housing rights

Establishments covered by the FHA include:

- Any building, structure, or portion thereof that is occupied as, or designed or intended for occupancy as, residence by one or more families
- Any vacant land offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof

The FHA exempts three types of housing:

- Religious organizations or private clubs, which own or operate housing (for other than commercial purposes), may give preference to members of the organization in the sale, rental, or occupancy of that housing.
- Dwellings, whose owner does not own more than three single-family homes and does not use the services of a realtor or broker in renting or selling the home (does not exclude the owner from compliance with the laws on discriminatory advertising or retaliation).
- Housing for people aged 62 and older and housing for people aged 55 and older are exempt from the prohibition against discrimination based on familial status. This housing is still subject to the prohibitions against discrimination based on membership in other protected classes and regarding advertising and must meet specific criteria to be so designated.

**United States Department of Housing and Urban Development**

HUD enforces the FHA through three primary means by:

1. Requiring recipients of federal grant funds to certify to affirmatively further fair housing (see introduction)
2. Investigating and attempting to resolve complaints
3. Delegating investigatory and enforcement powers to state and local government and nonprofit agencies

The introduction section of this report discusses the first method. A discussion of the second and third powers follows.

**Investigatory and Enforcement Powers**

Under the FHA, HUD may conciliate complaints before a determination of whether reasonable cause exists to believe that a respondent has violated the Act. The conciliation process consists of HUD reaching out to the two parties and letting them resolve the dispute before going to court. Through conciliation, each party may achieve its objectives in a relatively simple and expeditious manner, and HUD advances the public interest in preventing current and future discriminatory housing practices.
The period during which conciliation must be attempted begins with the filing of the complaint and concludes with the issuance of a charge on behalf of the complainant, or upon dismissal of the complaint. The FHA establishes a process for a HUD administrative law judge to review complaints in cases that cannot be resolved by an agreement between the parties and sets financial penalties where a charge of discrimination is substantiated.

Complainants can choose to litigate their allegations of housing discrimination in federal or state court. Cases may be administratively closed when the complainant cannot be located, refuses to cooperate, or withdraws their complaint with or without resolution.

HUD is required to refer certain complaints to the Department of Justice (DOJ) for enforcement and investigation. These complaints involve:

- A pattern of discrimination that is widespread or a practice of discrimination that affects a large number of people
- The legality of local zoning or land use laws
- Issues of general public importance
- Actions of government licensing or supervisory authorities

**Delegation of Investigatory and Enforcement Powers to State and Local Governments and Non-Profit Agencies**

When state or local governments enact laws substantially equivalent to the federal FHA and establish an administrative enforcement process, HUD can certify the state or local government as a substantially equivalent Fair Housing Assistance Program (FHAP).

Certification as an FHAP allows HUD to refer fair housing complaints directly to the jurisdiction and provide federal funding to help defray the costs of investigating complaints.

Washington has two FHAP certified programs: the Washington State Human Rights Commission and Tacoma Human Rights and Human Services Department.

To further supplement the administrative enforcement process and assist residents with the complaint process, HUD established the Fair Housing Initiative Program (FHIP).

FHIP agencies designated as Qualified Fair Housing Organizations (QFHO) coordinate with HUD and the certified administrative agencies to provide education and outreach activities, facilitate enforcement and conduct testing.

Unlike government agencies that must remain impartial, QFHOs can help complainants prepare and file complaints or lawsuits regarding fair housing discrimination.

The Fair Housing Center of Washington (located in Tacoma) and the Northwest Fair Housing Alliance (based in Spokane) are the two HUD-designated QFHOs serving residents of Washington.
State Governance
Washington has fair housing laws and institutions that reinforce and augment national ones. Most notable are the Washington Law Against Discrimination (Chapter 49.60 RCW), the Washington State Human Rights Commission and the Washington State Office of Attorney General.

Washington Law Against Discrimination (WLAD)
Washington’s Law Against Discrimination governs fair housing in Washington. It is substantially equivalent to the FHA. However, WLAD includes three additional protected classes: marital status, sexual orientation, and veteran status, and has broader provisions in other respects, such as a broader definition of disability.

The Washington State Human Rights Commission (WSHRC)
WSHRC has three primary mandates as an FHAP and designated enforcer of the WLAD: (1) to prevent discrimination in housing, (2) investigate fair housing complaints, and (3) enforce the WLAD.

Prevention activities include consultation, education, and outreach activities, all of which are WSHRC responsibilities under the WLAD. Through education and outreach programs, WSHRC can educate both landlords of their responsibilities under fair housing law and renters of their rights. Consultation services provide one-on-one assistance to landlords and tenants to help them understand and navigate fair housing law.

Through its outreach programs, WSHRC also works with the state’s other FHAP organizations and any jurisdictions that enforce local ordinances. They meet quarterly to discuss fair housing issues in the state. WSHRC also works with the Fair Housing Center and the Northwest Fair Housing Alliance on education, outreach and fair housing investigations.

WSHRC investigates complaints from Washington citizens. By mandate, WSHRC must be neutral and unbiased; it advocates on behalf of neither landlords nor tenants. In doing so, it serves as a fair, unbiased arbiter between the two parties, upholding the rights of both.

After WSHRC investigates, some complaints are closed with a no-cause determination due to insufficient evidence to support a reasonable cause finding. If a reasonable cause exists to support an allegation of housing discrimination, and the parties will not come to a conciliated agreement, WSHRC refers the case to the Washington State Office of the Attorney General.

Once a complaint is closed, WSHRC may reconsider if the party can show that there was a misapplication of the law, or that relevant information provided during the investigation was not considered in the finding.

Washington State Office of Attorney General
WSHRC shares WLAD’s enforcement powers with the Washington State Office of the Attorney General (AGO). However, only the latter is granted the power to litigate fair housing discrimination cases.

Like WSHRC, the AGO becomes aware of cases through complaints, regular meetings with Washington’s FHAPs and FHIPs, referrals from Washington legislators, and from landlords who know other landlords who are not playing by the rules. The AGO often refers complaints to either WSHRC or
one of Washington’s FHIPs for further investigation. When FHAP and FHIP conciliation efforts fail, they refer cases to the AGO for continued conciliation. If such conciliation fails, the AGO litigates the case.

The AGO also undertakes fair housing testing to ensure housing providers comply with the WLAD. For instance, an investigation spanning 2016-2018 uncovered eight housing companies improperly denying housing to veterans with disabilities based on their use of Veterans Affairs Supportive Housing (VASH) vouchers. All eight agreed to enter into agreements with the AGO to end their discrimination and consider VASH vouchers as payment.9 A 2017 series of tests found five housing providers flatly denying applicants based on the mention of criminal history, without asking further questions. The resolutions all involve fines of $5,000 or more, penalties, and non-discrimination training.10

More recently, on July 30, 2019, the AGO filed a federal civil rights lawsuit against the city of Sunnyside asserting that the city has "unlawfully and repeatedly used its Crime-Free Rental Housing Program to force tenants out of their homes without evidence that they engage in criminal activity, and without proper notice or court orders in violation of state and federal law."11

Local Governance
Local jurisdictions that pass substantially equivalent fair housing laws may provide for additional protections, like marital status or sexual orientation, beyond those enumerated in federal law.

King County Office of Civil Rights and the Seattle Office of Civil Rights used to be FHAPs, but are no longer. The only local government operating as an FHAP is the Tacoma Human Rights Commission.

Recent Changes in Fair Housing Governance
Several changes in fair housing governance have occurred since the issuance of the 2015 AI.

Changes to the Disparate Impact Rule
On August 19, 2019, HUD proposed an amendment to its Disparate Impact Rule. The existing rule states that housing policy may be found discriminatory regardless of its original intent.

The existing rule requires a three-step process:

1. Plaintiff accusation
2. Defendant rebuttal
3. Plaintiff suggestion and proof of possible aversion for a non-discriminatory policy alternative

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HUD’s proposed amendment would require an additional two steps on the part of the plaintiff:

4. The plaintiff proves that the policy is arbitrary, artificial, and unnecessary.

5. The plaintiff proves a robust and causal link with the disparate impact on a certain class that directly relates to the alleged injury of the plaintiff and all others of the affiliated protected class.

According to HUD, the proposed rule would provide more appropriate guidance on what constitutes unlawful disparate impact to better reflect the Supreme Court’s 2014 ruling in *Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc.*

The *Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc.* case affirmed disparate-impact liability. However, it decreed that a robust causality must be proven for *prima facie* cases, as evidence of racial disparities alone is not sufficient.

The full impacts of HUD’s proposed amendment are unknown at this time, but plaintiffs will likely have more responsibility in proving the existence of discriminatory policies under it.

**Alternative Source-of-income Changes under Landlord-Tenant Law**

On Sept. 30, 2018, it became illegal in the state of Washington for landlords to discriminate against tenants and applicants for housing based on their source of income. However, these changes occurred under Washington’s Landlord-Tenant Act (Chapter 59.18 RCW), not fair housing (RCW 49.60). In other words, there remain no protections against source-of-income discrimination under either national or Washington fair housing laws. In practice, this means that tenants must hire an attorney to file complaints under the Landlord-Tenant Act. They cannot simply file a complaint directly with HUD or the WHRC or indirectly through an advocacy agency.

**Washington’s FHAPs Have Decreased from Four to Two**

The King County of Office of Civil Rights and the Seattle Office of Civil Rights no longer have FHAP contracts with HUD. WSHC and the Tacoma Human Rights Commission remain FHAPs.

**Changes to Service Animal Requirements**

As of Jan. 1, 2019, Washington households are no longer required to demonstrate that their service animals are trained. Consequently, tenants may file complaints about training requirements with WHRC.

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Fair Housing Complaint Data

Overview
This analysis considers fair housing complaints filed with HUD in Washington between Jan. 1, 2015, and June 31, 2019.

Summary Findings of Federal Fair Housing Complaint Data
During this reporting period, 611 fair housing complaints were filed with HUD — a 53% decrease from the prior period.

While the decrease in complaints could reflect a decrease in discriminatory behavior, data suggests that hate crimes and other forms of discrimination increased, not decreased, during this time. Washington’s fair housing authorities believe that the decrease in fair housing complaints reflects changes in Washington’s housing market, rather than discriminatory behavior.

According to this theory, people do not want to complain to their landlord because they fear their landlords will raise their rents or not renew their leases. Further, the theory holds that fear of retaliation is heightened during housing crises when rents are skyrocketing, and vacancies are hard to find.

The time and resources for this report to prove this theory did not exist. However, a preliminary analysis of 1998-2018 Federal Reserve Economic Data’s vacancy data for Washington and HUD complaint data reveals a relationship between vacancy rates and the number of complaints across Washington (Figure 21).

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14 Washington State Office of Attorney General, Washington State Human Rights Commission, Seattle Office for Civil Rights, Tacoma Human Rights Commission, King County Office of Civil Rights, Fair Housing Center of Washington, Northwest Fair Housing Alliance
The coefficient of determination ($R^2$) value of 0.51 suggests that the annual change in vacancy rates can predict 51% of the variation in complaints.

**Fair Housing Complaints by Protected Class**

The majority of complaints filed with HUD for this period relate to disability, race, or national origin. This trend resembles the prior period, during which over 67% of the complaints concerned disability or race.

As illustrated in Table 9, over 47% of complaints included disability as a basis, followed by race at 20% and national origin at just under 10%. Over 34% of them consisted of two or more bases. For complaints with multiple bases, each basis was counted as one instance, resulting in 744 bases for 611 complaints.

The prevalence of complaints related to disability and race could be related to many factors, including both more discrimination in these areas as well as more access to or awareness of the services and processes available to file complaints. Conversely, fewer complaints regarding religion, gender, and familial status do not mean necessarily there is an absence of fair housing discrimination toward these and other protected classes.
Table 9: Instances of Basis in Complaints, 2015-2018

<table>
<thead>
<tr>
<th>Protected Basis</th>
<th>Number of Complaints Including the Basis</th>
<th>Percent of Complaints Including The Basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability</td>
<td>355</td>
<td>47.5%</td>
</tr>
<tr>
<td>Race</td>
<td>148</td>
<td>19.8%</td>
</tr>
<tr>
<td>National origin</td>
<td>72</td>
<td>9.6%</td>
</tr>
<tr>
<td>Retaliation</td>
<td>54</td>
<td>7.2%</td>
</tr>
<tr>
<td>Familial status</td>
<td>48</td>
<td>6.4%</td>
</tr>
<tr>
<td>Sex</td>
<td>44</td>
<td>5.9%</td>
</tr>
<tr>
<td>Religion</td>
<td>17</td>
<td>2.3%</td>
</tr>
<tr>
<td>Color</td>
<td>6</td>
<td>0.8%</td>
</tr>
<tr>
<td>Total instances of basis in complaints</td>
<td>744</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Department of Housing and Urban Development

Complaints Concerning Disability
Disability complaints make up the greatest percentage of all complaints, with over half (59%) of complaints including disability as a basis.

Fair housing authorities have found that many apartment owners make direct comments refusing to make reasonable accommodations or modifications for those with disabilities, so this type of discrimination is easier to detect. There is a difference between an accommodation and a modification. The housing provider pays for a reasonable accommodation. An example of reasonable accommodation may be providing an accessible parking spot with a curb cut for a resident in a wheelchair. Reasonable modifications are structural changes inside an apartment paid for by the resident that can be reversed when the resident leaves.

The adverse effects of disabilities on income potential result in a greater number of persons with disabilities being low-income, relative to the population at large. Since they are more likely to be lower-income, they are, in turn, more vulnerable to housing discrimination.

Complaints Related to Race
Just under 30% of the complaints included race as one of the bases. A 2012 study conducted by HUD found that:

“When well-qualified minority home seekers contact housing providers to inquire about recently advertised housing units, they generally are just as likely as equally qualified white home seekers to get an appointment and learn about at least one available housing unit. However, when differences in treatment occur, white home seekers are more likely to be favored than minorities. Most important, minority home seekers are more likely to be favored than minorities. Most important, minority home seekers are more likely to be favored than minorities. Most important, minority home seekers are more likely to be favored than minorities. Most important, minority home seekers are more likely to be favored than minorities. Most important, minority home seekers are more likely to be favored than minorities. Most important, minority home seekers are more likely to be favored than minorities. Most important, minority home seekers are more likely to be favored than minorities. Most important, minority home seekers are more likely to be favored than minorities.
whites. Blacks are shown about one fewer unit for every 25 visits; Hispanics are shown one fewer unit for every 14 visits; and Asians are shown one fewer unit for every 13 visits.  

**Fair Housing Complaints by Transaction**

Seventy-five percent of the alleged discrimination took place when tenants were attempting to rent housing (Table 10). That figure represents a 15% decrease from the prior reporting period, in which 88% of the complaints related to a rental transaction.

Three percent of complaints involved tenants trying to purchase a home, a 25% decrease from prior years. This decrease may be partly due to lower overall rates of home purchases or the increase of transactions categorized as "undefined." The addition of this category accounts for 18% of all complaints. The "undefined" category includes both renting and purchasing complaints and refers to complaints without a housing type listed. HUD added an "undefined" category because of a dramatic increase in the number of unspecified complaints in the previous reporting period. The "other" category allows for a notation indicating the type of real estate transaction. However, it is not clear if the complaint relates to a purchase or rental attempt. One example might include a complaint categorized as "other" that includes the notation “townhome” but does not clarify whether the matter was regarding renting or purchasing one.

**Table 10: Complaints by Type of Real Estate Transaction**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rental</td>
<td>456</td>
<td>88%</td>
<td>75%</td>
</tr>
<tr>
<td>Purchase</td>
<td>18</td>
<td>4%</td>
<td>3%</td>
</tr>
<tr>
<td>Other</td>
<td>25</td>
<td>8%</td>
<td>4%</td>
</tr>
<tr>
<td>Undefined</td>
<td>112</td>
<td>--</td>
<td>18%</td>
</tr>
</tbody>
</table>

Source: Department of Housing and Urban Development

**Geography of Fair Housing Complaints**

Nearly 87% of the complaints occurred in western Washington counties, including Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, and Whatcom. Table 11 reflects the number of complaints in western Washington counties was greater than their portion of the state population.

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Table 11: Complaints in Eastern and Western Washington

<table>
<thead>
<tr>
<th>Geography</th>
<th>Population</th>
<th>Percent of State Total Population</th>
<th>Number of Complaints</th>
<th>Percent of State Total Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western Washington counties</td>
<td>5,810,850</td>
<td>78%</td>
<td>532</td>
<td>87%</td>
</tr>
<tr>
<td>Eastern Washington counties</td>
<td>1,616,720</td>
<td>22%</td>
<td>79</td>
<td>13%</td>
</tr>
<tr>
<td>Washington State</td>
<td>7,427,570</td>
<td>100%</td>
<td>611</td>
<td>100%</td>
</tr>
</tbody>
</table>

Western Washington contains six of the eight counties designated as urban, defined as a population density greater than 100 persons per square mile (RCW 43.160.020). These eight urban counties are Snohomish, King, Kitsap, Pierce, Thurston, Clark, Benton, and Spokane. Urban counties also have a greater share of the total complaints in proportion to their population.

Table 12: Complaints in Urban and Rural Counties

<table>
<thead>
<tr>
<th>Geography</th>
<th>Population</th>
<th>Percent of State Total Population</th>
<th>Number of Complaints</th>
<th>Percent of State Total Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban counties</td>
<td>5,345,624</td>
<td>74.6%</td>
<td>529</td>
<td>86.6%</td>
</tr>
<tr>
<td>Rural counties</td>
<td>1,824,343</td>
<td>25.4%</td>
<td>82</td>
<td>13.4%</td>
</tr>
<tr>
<td>State of Washington</td>
<td>7,169,967</td>
<td>100%</td>
<td>611</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Department of Housing and Urban Development and Office of Financial Management

Table 13 shows the number of complaints per 100,000 residents for each county in Washington in three reporting periods. However, because the reporting periods are for different lengths of time, it is not possible to make direct comparisons among timeframes. The previous AI covered six years, from 2007 to 2013, whereas the 2001 to 2006 AIs addressed five years, and the current reporting period, 2015 to 2019, addresses four.

Even accounting for the different timeframes for the AIs, it is clear that there has been an upward trend in the number of complaints of fair housing violations until the current reporting period. In contrast to the overall trend, during this reporting period, there were eight complaints per 100,000 residents in Washington, compared to 27 during the prior period.
### Table 13: Number of Complaints by County per 100,000 Residents

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams</td>
<td>1</td>
<td>20,020</td>
<td>0</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Asotin</td>
<td>2</td>
<td>22,420</td>
<td>0</td>
<td>18</td>
<td>9</td>
</tr>
<tr>
<td>Benton</td>
<td>14</td>
<td>197,420</td>
<td>22</td>
<td>12</td>
<td>7</td>
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<tr>
<td>Chelan</td>
<td>1</td>
<td>77,800</td>
<td>9</td>
<td>4</td>
<td>1</td>
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<tr>
<td>Clallam</td>
<td>1</td>
<td>75,130</td>
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<td>15</td>
<td>1</td>
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<tr>
<td>Clark</td>
<td>28</td>
<td>479,500</td>
<td>11</td>
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<td>6</td>
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<tr>
<td>Columbia</td>
<td>0</td>
<td>4,150</td>
<td>24</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Cowlitz</td>
<td>11</td>
<td>107,310</td>
<td>13</td>
<td>24</td>
<td>10</td>
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<tr>
<td>Douglas</td>
<td>0</td>
<td>42,120</td>
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<td>8</td>
<td>0</td>
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<tr>
<td>Ferry</td>
<td>1</td>
<td>7,780</td>
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<tr>
<td>Franklin</td>
<td>1</td>
<td>92,540</td>
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<td>1</td>
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<tr>
<td>Garfield</td>
<td>0</td>
<td>2,210</td>
<td>42</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Grant</td>
<td>2</td>
<td>97,350</td>
<td>5</td>
<td>10</td>
<td>2</td>
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<tr>
<td>Grays Harbor</td>
<td>5</td>
<td>73,610</td>
<td>10</td>
<td>4</td>
<td>7</td>
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<tr>
<td>Island</td>
<td>3</td>
<td>83,860</td>
<td>3</td>
<td>5</td>
<td>4</td>
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<tr>
<td>Jefferson</td>
<td>1</td>
<td>31,590</td>
<td>25</td>
<td>23</td>
<td>3</td>
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<td>King</td>
<td>300</td>
<td>2,190,200</td>
<td>26</td>
<td>42</td>
<td>14</td>
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<td>Kitsap</td>
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<td>267,120</td>
<td>12</td>
<td>16</td>
<td>3</td>
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<td>Kittitas</td>
<td>4</td>
<td>45,600</td>
<td>0</td>
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<td>9</td>
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<tr>
<td>Klickitat</td>
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<td>21,980</td>
<td>0</td>
<td>14</td>
<td>0</td>
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<td>Lewis</td>
<td>6</td>
<td>78,380</td>
<td>3</td>
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<td>8</td>
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<td>Lincoln</td>
<td>0</td>
<td>10,810</td>
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<td>Mason</td>
<td>1</td>
<td>64,020</td>
<td>4</td>
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<td>Okanogan</td>
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<td>42,490</td>
<td>5</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Pacific</td>
<td>1</td>
<td>21,420</td>
<td>0</td>
<td>14</td>
<td>5</td>
</tr>
<tr>
<td>Pend Oreille</td>
<td>0</td>
<td>13,540</td>
<td>0</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>Pierce</td>
<td>82</td>
<td>872,220</td>
<td>25</td>
<td>37</td>
<td>9</td>
</tr>
<tr>
<td>San Juan</td>
<td>0</td>
<td>16,810</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Skagit</td>
<td>8</td>
<td>126,520</td>
<td>14</td>
<td>14</td>
<td>6</td>
</tr>
<tr>
<td>Skamania</td>
<td>0</td>
<td>11,890</td>
<td>29</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>Snohomish</td>
<td>51</td>
<td>805,120</td>
<td>11</td>
<td>16</td>
<td>6</td>
</tr>
<tr>
<td>Spokane</td>
<td>39</td>
<td>507,950</td>
<td>20</td>
<td>34</td>
<td>8</td>
</tr>
<tr>
<td>Stevens</td>
<td>0</td>
<td>45,030</td>
<td>2</td>
<td>14</td>
<td>0</td>
</tr>
<tr>
<td>Thurston</td>
<td>19</td>
<td>281,700</td>
<td>21</td>
<td>27</td>
<td>7</td>
</tr>
<tr>
<td>Wahkiakum</td>
<td>0</td>
<td>4,100</td>
<td>0</td>
<td>25</td>
<td>0</td>
</tr>
<tr>
<td>Walla Walla</td>
<td>2</td>
<td>61,800</td>
<td>9</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>Whatcom</td>
<td>7</td>
<td>220,350</td>
<td>12</td>
<td>20</td>
<td>3</td>
</tr>
<tr>
<td>Whitman</td>
<td>6</td>
<td>49,210</td>
<td>9</td>
<td>17</td>
<td>12</td>
</tr>
<tr>
<td>Yakima</td>
<td>6</td>
<td>254,500</td>
<td>10</td>
<td>11</td>
<td>2</td>
</tr>
<tr>
<td>State</td>
<td>611</td>
<td>7,427,570</td>
<td>18</td>
<td>27</td>
<td>8</td>
</tr>
</tbody>
</table>

Source: Department of Housing and Urban Development and Office of Financial Management
Table 14 shows the four counties with the highest number of complaints and the ratio of the complaints relative to the counties’ population. King County is responsible for over half of all state complaints, which is over one-and-a-half times more than the county’s portion of the state population.

Table 14: Counties with the Most Complaints Relative to Population

<table>
<thead>
<tr>
<th>County</th>
<th>Number of Complaints 2015-2019</th>
<th>2019 Population</th>
<th>Percent of State Population</th>
<th>Percent of State Complaints</th>
<th>Ratio of Complaints to Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>King</td>
<td>300</td>
<td>2,226,300</td>
<td>29.0%</td>
<td>49.1%</td>
<td>1.69</td>
</tr>
<tr>
<td>Pierce</td>
<td>82</td>
<td>888,300</td>
<td>11.6%</td>
<td>13.4%</td>
<td>1.16</td>
</tr>
<tr>
<td>Snohomish</td>
<td>51</td>
<td>818,700</td>
<td>10.7%</td>
<td>8.3%</td>
<td>0.78</td>
</tr>
<tr>
<td>Spokane</td>
<td>39</td>
<td>515,250</td>
<td>6.7%</td>
<td>6.4%</td>
<td>0.96</td>
</tr>
</tbody>
</table>

Source: Department of Housing and Urban Development and Office of Financial Management

Fair Housing Enforcement Outcomes

The enforcement process begins when an individual files a discrimination complaint with either HUD’s Office of Fair Housing and Equal Opportunity (FHEO) or a state or local governmental fair housing enforcement agency. Many of these complaints are referrals by private nonprofit fair housing organizations that conduct testing and investigation of housing discrimination allegations.

The process is intended to provide an impartial investigation of claims filed with HUD and FHAP agencies. The Fair Housing Act requires that complaints be investigated within 100 days, if feasible, and that the parties be provided a written statement of reasons when an investigation is not concluded within 100 days.

There is also a statutory obligation to engage in conciliation efforts to attempt to resolve complaints. At the close of the investigation, the investigating agency determines whether or not there is reasonable cause to believe that discrimination has occurred. If a determination of reasonable cause is made, the government charges the respondent with violating the law and brings a complaint on behalf of the complainant in an administrative hearing before a HUD administrative law judge or a judicial proceeding.

The primary types of investigation outcomes include:

- **Administrative Closure**: The FHEO may close a case if it is unable to locate a complainant, if the respondent (e.g., entity against which the charge has been filed) is unable to be located, if the complainant fails to cooperate, if a complainant decides not to proceed or participate in the investigation, or when a civil trial has begun.

- **Withdrawn with Resolution**: When a complainant and respondent agree, in the absence of an investigator or conciliator, to settle upon terms and conditions mutually agreeable to the parties.

- **Conciliated**: Complaint resolved through conciliation, without the need to proceed through the court system.
No Cause Determination: Following a thorough investigation, HUD determines that there is no reasonable cause to believe that housing discrimination has occurred. This may be because there was a lack of valid evidence or if testing revealed that non-protected classes experienced the same treatment as the complainant.

Charged: HUD determines there is “reasonable cause” that a fair housing violation has occurred and advances the case to an Administrative Law Judge (ALJ). After 30 days, if either party elects to go to federal court, the Department of Justice will proceed with a civil action on behalf of the aggrieved party in a U.S. District Court. If neither party elects to go to federal court, the ALJ will hear the case and issue a decision.

Table 15 provides the investigative outcomes for all complaints filed with HUD from Jan. 1, 2015, through Dec. 31, 2018. Over half of all complaints reported resulted in a No Cause investigative outcome, followed closely by Conciliation. These two categories make up 84% of all complaints.

### Table 15: Investigative Outcomes for Complaints

<table>
<thead>
<tr>
<th>Reason</th>
<th>Number of Complaints</th>
<th>Percentage of Total Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Cause</td>
<td>331</td>
<td>54%</td>
</tr>
<tr>
<td>Conciliated</td>
<td>186</td>
<td>30%</td>
</tr>
<tr>
<td>Withdrawn</td>
<td>42</td>
<td>7%</td>
</tr>
<tr>
<td>Undefined</td>
<td>22</td>
<td>4%</td>
</tr>
<tr>
<td>Complainant Failed to Cooperate</td>
<td>19</td>
<td>3%</td>
</tr>
<tr>
<td>Dismissed For Lack of Jurisdiction</td>
<td>5</td>
<td>1%</td>
</tr>
<tr>
<td>Administrative Hearing Ended - Discrimination Found</td>
<td>3</td>
<td>0%</td>
</tr>
<tr>
<td>Closed For Trial</td>
<td>1</td>
<td>0%</td>
</tr>
<tr>
<td>Unable to Locate Complainant</td>
<td>1</td>
<td>0%</td>
</tr>
<tr>
<td>FHAP Judicial Dismissal</td>
<td>1</td>
<td>0%</td>
</tr>
</tbody>
</table>

Source: Department of Housing and Urban Development

Monetary Settlements

The Fair Housing Act allows the award of compensatory damages, both for out-of-pocket expenses and for the emotional distress caused by discrimination. In addition, if a fair housing case resolves in the complainant’s favor, a HUD administrative law judge can order the wrongdoers to pay a civil penalty for each separate and distinct violation of the law. Administrative law judges may award civil penalties for each non-compliant unit, for each non-compliant building, or each separate violation of a standard.

In a federal court lawsuit, a court may also award punitive damages based on a Fair Housing Act violation against one or more wrongdoers. Such damages could be based on evidence that one or more defendants acted maliciously or with reckless indifference that their actions might violate a federal
statute of which they were aware. The purpose of punitive damages is to deter future wrongdoing and to punish past wrongdoing. Other remedies or sanctions may also be imposed, including termination or suspension of federal funding. If the violation is not corrected, tax credits may be recaptured under tax credit law.

Table 16 illustrates the number and average amount of penalties for complaints filed during the reporting period. Just under half of all this reporting period’s monetary penalties were for complaints based on disability, accounting for 60% of total penalties at $289,662.

**Table 16: Monetary Penalties for Complaints During the Reporting Period**

<table>
<thead>
<tr>
<th>Basis for Complaint</th>
<th>Average Amount of Penalty for Closed Complaint</th>
<th>Number of Monetary Penalties</th>
<th>Total Monetary Penalties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability</td>
<td>$4,198</td>
<td>69</td>
<td>$289,662</td>
</tr>
<tr>
<td>Familial status</td>
<td>$3,763</td>
<td>15</td>
<td>$56,445</td>
</tr>
<tr>
<td>Race</td>
<td>$2,442</td>
<td>23</td>
<td>$56,166</td>
</tr>
<tr>
<td>National origin</td>
<td>$1,749</td>
<td>12</td>
<td>$20,988</td>
</tr>
<tr>
<td>Sex</td>
<td>$1,273</td>
<td>14</td>
<td>$17,822</td>
</tr>
<tr>
<td>Retaliation</td>
<td>$4,886</td>
<td>9</td>
<td>$43,974</td>
</tr>
<tr>
<td>Religion</td>
<td>$0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Color</td>
<td>$0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$13,425</td>
<td>142</td>
<td>$485,057</td>
</tr>
</tbody>
</table>

Source: Department of Housing and Urban Development

**Non-Monetary Settlements**

Non-monetary settlements can be an important source of fair housing redress and comprised 34 out of 142 cases, or 24%, for which HUD indicated a settlement was reached. Non-monetary relief can include policy changes, training, or various forms of relief like the provision of subsidized housing or accessible parking. Some non-monetary settlements, like the provision of a federal housing subsidy, have important financial benefits that are not readily quantifiable.

**Summary of Findings About State Fair Housing Complaint Data**

Over the four years from Jan. 1, 2015, to June 31, 2019, Washington State Human Rights Commission (WSHRC) investigated 456 complaints of alleged fair housing discrimination, a 46% decrease from the last reporting period. Of the total complaints, 57% alleged discrimination based on disability (39%) or
race (18%). Complaints based on retaliation, national origin, and familial status made up 33% of the total. The remaining 10% of complaints investigated related to sex, creed/religion, veteran status, sexual orientation/gender identity, and marital status. When including the number of bases for each complaint, there were 678 complaints.

For both the current and the prior reporting period, disability and race made up the majority of the types of protected classes of people represented by the complaints.

**Table 17: Instances of Basis in Complaints Filed with WSHRC, 2015-2019**

<table>
<thead>
<tr>
<th>Basis</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability</td>
<td>263</td>
<td>38.8%</td>
</tr>
<tr>
<td>Race</td>
<td>122</td>
<td>18.0%</td>
</tr>
<tr>
<td>National origin</td>
<td>103</td>
<td>15.2%</td>
</tr>
<tr>
<td>Retaliation</td>
<td>75</td>
<td>11.1%</td>
</tr>
<tr>
<td>Familial Status</td>
<td>44</td>
<td>6.5%</td>
</tr>
<tr>
<td>Sex</td>
<td>39</td>
<td>5.8%</td>
</tr>
<tr>
<td>Creed/Religion</td>
<td>16</td>
<td>2.4%</td>
</tr>
<tr>
<td>Sexual Orientation/Gender Identity</td>
<td>12</td>
<td>1.8%</td>
</tr>
<tr>
<td>Veteran Status</td>
<td>2</td>
<td>0.3%</td>
</tr>
<tr>
<td>Marital Status</td>
<td>2</td>
<td>0.3%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>678</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

Source: Washington State Human Rights Commission
Types of Allegations Asserted

The three most common types of complaints related to allegations of discrimination regarding terms and conditions, refusal to rent, and reasonable accommodation. Together, these three categories made up 78% of the complaints. (See Table 18).

Table 18: Allegations Asserted in Complaints Filed with WSHRC, 2015-2019

<table>
<thead>
<tr>
<th>By Complaint Type</th>
<th>Total</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terms and Conditions</td>
<td>418</td>
<td>44.6%</td>
</tr>
<tr>
<td>Reasonable Accommodation</td>
<td>176</td>
<td>18.8%</td>
</tr>
<tr>
<td>Refusal to Rent</td>
<td>138</td>
<td>14.7%</td>
</tr>
<tr>
<td>Harassment</td>
<td>70</td>
<td>7.5%</td>
</tr>
<tr>
<td>Discriminatory Advertising/Statements/Notices</td>
<td>37</td>
<td>3.9%</td>
</tr>
<tr>
<td>Different Treatment</td>
<td>33</td>
<td>3.5%</td>
</tr>
<tr>
<td>Reasonable Modification</td>
<td>13</td>
<td>1.4%</td>
</tr>
<tr>
<td>Deny or Make Housing Available</td>
<td>7</td>
<td>0.7%</td>
</tr>
<tr>
<td>Other</td>
<td>7</td>
<td>0.7%</td>
</tr>
<tr>
<td>Advertising</td>
<td>6</td>
<td>0.6%</td>
</tr>
<tr>
<td>Eviction</td>
<td>6</td>
<td>0.6%</td>
</tr>
<tr>
<td>Intimidation</td>
<td>6</td>
<td>0.6%</td>
</tr>
<tr>
<td>Discrimination Financing</td>
<td>5</td>
<td>0.5%</td>
</tr>
<tr>
<td>False Denial or Representation</td>
<td>5</td>
<td>0.5%</td>
</tr>
<tr>
<td>Refusal to Sell</td>
<td>4</td>
<td>0.4%</td>
</tr>
<tr>
<td>Discharge</td>
<td>1</td>
<td>0.1%</td>
</tr>
<tr>
<td>Exclusion</td>
<td>1</td>
<td>0.1%</td>
</tr>
<tr>
<td>Hiring</td>
<td>1</td>
<td>0.1%</td>
</tr>
<tr>
<td>Steering</td>
<td>1</td>
<td>0.1%</td>
</tr>
<tr>
<td>Sexual Harassment</td>
<td>1</td>
<td>0.1%</td>
</tr>
<tr>
<td>Tenure</td>
<td>1</td>
<td>0.1%</td>
</tr>
</tbody>
</table>

Source: Washington State Human Rights Commission
Types of Case Closures

The majority of the WSHRC complaints are resolved and closed by the involved parties before investigations are completed. For the 2015-2019 reporting period, of the 456 complaint investigations that the WSHRC initiated, 293 (64%) were found to have no reasonable cause, and 110 complaints (24%) were settled before a case began. Additional resolutions included 12 complaints (3%) that were withdrawn and settled privately and five complaints (1%) resolved after a completed investigation and an associated reasonable cause finding. Table 19 details the closure categories for the reporting period.

**Table 19: Types of Case Closures, 2015-2019**

<table>
<thead>
<tr>
<th>Case Closure Type</th>
<th>Total</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Reasonable Cause</td>
<td>293</td>
<td>64.3%</td>
</tr>
<tr>
<td>Pre-Finding Settlement</td>
<td>110</td>
<td>24.1%</td>
</tr>
<tr>
<td>Administrative Closure: Fail to Cooperate</td>
<td>21</td>
<td>4.6%</td>
</tr>
<tr>
<td>Withdrawal with Settlement</td>
<td>12</td>
<td>2.6%</td>
</tr>
<tr>
<td>Withdrawal</td>
<td>9</td>
<td>2.0%</td>
</tr>
<tr>
<td>Administrative Closure: General</td>
<td>5</td>
<td>1.1%</td>
</tr>
<tr>
<td>Conciliation</td>
<td>3</td>
<td>0.7%</td>
</tr>
<tr>
<td>Administrative Closure/Private Litigation</td>
<td>2</td>
<td>0.4%</td>
</tr>
<tr>
<td>No Jurisdiction</td>
<td>1</td>
<td>0.2%</td>
</tr>
</tbody>
</table>

Source: Washington State Human Rights Commission

Summary Findings of Local Fair Housing Complaint Data

Local fair housing and non-profit data are provided below.

**Seattle Office for Civil Rights**

Seattle’s fair housing ordinance, known as the Open Housing ordinance, provides the broadest fair housing protections in the state and includes several protected classes not covered under federal law, such as Section 8 housing recipients, marital status, and sexual orientation/gender identity. Additionally, the ordinance covers more types of housing transactions than federal regulations. As a result, not all complaints filed under Seattle’s Open Housing ordinance are subject to federal jurisdiction.

The Seattle Office of Civil Rights investigated and closed an average of 50 cases a year between 2015 and 2018, and 350 total cases during this period. The Office of Civil Rights complaint tracking includes over 40 different combinations of protected classes that filed complaints. For example, people may file one complaint that includes discrimination based on disability, national origin, and race.
### Table 20: Instances of Bases in Complaints Filed with Seattle, 2015-2018

<table>
<thead>
<tr>
<th>By Complaint Basis</th>
<th>Total</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability</td>
<td>98</td>
<td>31%</td>
</tr>
<tr>
<td>Source of Income</td>
<td>76</td>
<td>24%</td>
</tr>
<tr>
<td>Race</td>
<td>41</td>
<td>13%</td>
</tr>
<tr>
<td>Retaliation</td>
<td>25</td>
<td>8%</td>
</tr>
<tr>
<td>Criminal History</td>
<td>21</td>
<td>7%</td>
</tr>
<tr>
<td>National Origin</td>
<td>19</td>
<td>6%</td>
</tr>
<tr>
<td>Familial status</td>
<td>17</td>
<td>5%</td>
</tr>
<tr>
<td>Sex</td>
<td>16</td>
<td>5%</td>
</tr>
<tr>
<td>Use of a Service Animal</td>
<td>13</td>
<td>4%</td>
</tr>
<tr>
<td>Sexual Orientation</td>
<td>6</td>
<td>2%</td>
</tr>
<tr>
<td>Marital Status</td>
<td>5</td>
<td>2%</td>
</tr>
<tr>
<td>Religion</td>
<td>5</td>
<td>2%</td>
</tr>
<tr>
<td>Age</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>Gender Identity</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>Color</td>
<td>2</td>
<td>1%</td>
</tr>
</tbody>
</table>

Source: Seattle Office of Civil Rights

Complaints that focused on or included discrimination based on disability constituted the largest category, at 31% of the total complaints, followed by source-of-income, race, retaliation and criminal history.

**City of Tacoma Human Rights Commission**

From 2015 through June 2019, the City of Tacoma Human Rights Commission investigated 186 complaints regarding fair housing discrimination. Similar to Seattle and King County, Tacoma’s fair housing ordinance includes several protected classes that are not covered by federal regulations. As a result, not all complaints filed in Tacoma are subject to federal jurisdiction.

Following disability and race, which account for 72% of the complaints, the next largest category of complaints related to discrimination based on a person’s sex. These complaints totaled 23, or 15% of the complaints filed.
Table 21: Instances of Bases in Complaints Filed with Tacoma, 2015-2019

<table>
<thead>
<tr>
<th>By Complaint Basis</th>
<th>Total</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disability</td>
<td>59</td>
<td>38%</td>
</tr>
<tr>
<td>Race</td>
<td>54</td>
<td>34%</td>
</tr>
<tr>
<td>Sex</td>
<td>23</td>
<td>15%</td>
</tr>
<tr>
<td>Retaliation</td>
<td>22</td>
<td>14%</td>
</tr>
<tr>
<td>National origin</td>
<td>13</td>
<td>8%</td>
</tr>
<tr>
<td>Family / marital status</td>
<td>4</td>
<td>3%</td>
</tr>
<tr>
<td>Gender</td>
<td>4</td>
<td>3%</td>
</tr>
<tr>
<td>Sexual Orientation</td>
<td>4</td>
<td>3%</td>
</tr>
<tr>
<td>Military</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>Gender Identity</td>
<td>1</td>
<td>1%</td>
</tr>
</tbody>
</table>

Source: Tacoma Human Rights Commission

Tacoma’s source-of-income protections are not captured in the above data, as the implementation of the authorizing ordinance is just taking effect.

Non-Profits

**Fair Housing Center of Washington**
The Fair Housing Center of Washington is a Tacoma-based and western and central Washington-serving nonprofit agency that offers education, advocacy, outreach, and investigative and community development planning services to enforce fair housing practices.

The Fair Housing Center of Washington responded to 3,337 office, phone, and email inquiries from residents of western and central Washington seeking information about housing issues, including complaints alleging discrimination in housing transactions. Of these, 2,013 were related to fair housing.

- Assisted 273 persons with disabilities to submit reasonable accommodation requests to allow them to obtain reasonable accommodations or modifications
- Filed 117 complaints on behalf of households filing formal discrimination complaints with administrative enforcement agencies
- Helped complainants receive nearly $227,604 in monetary relief through the administrative enforcement process

**Northwest Fair Housing Alliance**
The Northwest Fair Housing Alliance (NWFHA) is a non-profit housing advocacy organization based in Spokane that serves Eastern and Central Washington through advocacy, training, counseling, education, and discriminatory policy investigation and testing.
From 2008 to 2013, the Northwest Fair Housing Alliance:

- Responded to 8,307 inquiries
- Investigated 1,187 allegations of housing discrimination
- Helped file 119 complaints with HUD, the Washington State Human Rights Commission or both
- Assisted with 705 requests for reasonable housing accommodations for people with disabilities

On average, each year, NWFHA helps over 1,000 people access information regarding fair housing, completes and investigates an average of 200 complaints, files 20 complaints, and negotiates reasonable accommodations for 120 people with disabilities. Annual numbers vary with NWFHA’s funding and staffing capacity, which has varied between 6 and 11 staff over the past decade. These complaint-related activities are in addition to their testing, education and outreach work.
Impediments to Fair Housing Choice in Housing Finance

Mortgage Loan Denial Rates

The Home Mortgage Disclosure Act of 1975 (HMDA) requires most mortgage lending institutions with offices in metropolitan areas to disclose detailed information about their home-lending activity each year. The HMDA data includes information about each application for mortgage credit; the type, purpose, and characteristics of each home mortgage that lenders originate or purchase during the calendar year; the census-tract designations of the properties related to those loans; loan pricing information; and personal, demographic, and other information about loan applicants, including their race or ethnicity and income.

HMDA allows the public and government jurisdictions to assess whether financial institutions are serving the housing needs of their local communities and treating borrowers and loan applicants fairly. It further provides information to facilitate the efforts of public entities to distribute funds to local communities to attract private investment and help households decide where they may want to deposit their savings.

Banking and Lending Regulatory Structure

Banks are regulated by one of four federal agencies responsible for ensuring compliance with the fair lending provisions of the Fair Housing Act, the Equal Credit Opportunity Act, and the Community Reinvestment Act:

- Federal Deposit Insurance Corporation (FDIC)
- Office of Thrift Supervision (OTS)
- Office of Comptroller of the Currency (OCC)
- Federal Reserve System (FRB)

These regulators monitor lenders to determine disparity in loans to members of protected classes and refer suspected violations to HUD for investigation.

Home Mortgage Lending Trends

Conventional loans are mortgage loans that are not backed by the federal government but still follow the guidelines of enterprises that are supported by government enterprises. These loans usually require good credit, low debt-to-income ratio, and larger down payments, but are more flexible for payment options. Non-conventional loans include those issued through the Federal Housing Administration (FHA), Veterans Affairs (VA), United States Department of Agriculture (USDA), and HUD Section 184 programs. Non-conventional loans do not conform to traditional lending guidelines, which may mean lower requirements for credit history and down payments, but not all are federally backed. These loans are directed towards those who are often low income and behind in payments on their mortgage.
Because of this, they often include additional financial challenges, such as variable interest rates. With any case, the lender has the power to make these changes in payments at its discretion.

In 2016, 52% of borrowers in low-income census tracts used non-conventional loans, compared with over one-fourth of high-income borrowers and 28% of borrowers in high-income neighborhoods, according to data from the Federal Reserve.

Greater reliance on non-conventional loans may reflect the relatively low down-payment requirements of the FHA and VA lending programs, which serve the needs of borrowers who have few assets to meet down payment and closing-cost requirements. However, it may also be true that lenders encourage certain borrowers, and not others, toward government-backed loans.

Nationally, black borrowers’ share of home-purchase loans (conventional and non-conventional loans combined) was 2.5% in 2017, down from 4.8% in 2013, 5.1% in 2012, and 8.7% in 2006. For comparison, black Americans make up 3.7% of the population. The share of home-purchase loans obtained by white borrowers was 65% in 2017, a slight decrease from 70.2% in 2013.

In Washington state, black and Hispanic borrowers are more likely to use non-conventional loans than conventional loans compared with other racial and ethnic groups. Hispanic borrowers are increasingly using non-conventional loans. In 2017, over 50% of black home-purchase borrowers and 80% of Hispanic borrowers took out a non-conventional loan, compared with about 31% of white home-purchase borrowers and just 11% of Asian borrowers.

Figure 22 illustrates the relationship between denial rates and income categories, which are defined by the income of the borrower compared to the median income of the metropolitan statistical area (MSA) of the borrower. The trends seen in this graph show that those most often denied for conventional loans have 50 to 79% of the MSA median income. Those least often denied make 200% or more of the MSA median income. Disparities in this trend include the 120 to 200% income category, which experiences high loan denial, and the amount of income data that is unavailable.

Figure 22: Conventional Loan Denial Rates Across Income Categories, 2017
As in past years, black, Hispanic, and "other minority" borrowers had higher denial rates in 2017 than whites and Asian borrowers in Washington. The denial rates for conventional home-purchase loans were 22% for American Indian or Alaska Natives, 20% for those identifying as black or African American, 20% for Hispanic whites, 18% Native Hawaiians or Other Pacific Islanders, 14% for Asians, and 6% for non-Hispanic whites.

**Figure 23: Denial Rates for Conventional Loans, 2017**

![Bar chart showing denial rates for conventional loans by racial and ethnic groups in 2017.](https://www.policymap.com/)

**Figure 24: Denial Rates for Government and Private Loans by Racial and Ethnic Groups, 2017**

![Bar chart showing denial rates for government and private loans by racial and ethnic groups in 2017.](https://www.policymap.com/)

Source: PolicyMap, [https://www.policymap.com/](https://www.policymap.com/)
National data indicates that denial reasons vary across racial and ethnic groups to some degree. For example, among denied home-purchase loan applications in 2017, credit history was cited as a denial reason for 22% of Native American or Alaska Natives, 21% of Hispanic applicants, 15% of non-Hispanic applicants, 14% of black applicants and just 9% of Asian applicants. The debt-to-income ratio was cited most often as a denial reason for Asian home-purchase applicants at 36%, compared with 29% of non-Hispanic whites and 27% for Native American and Alaskan Native applicants at the lower end. Finally, collateral was cited most often as a denial reason on home-purchase applications for both Non-Hispanic white and American Indian or Alaska Native at 22%, compared with 15% for Hispanic applicants.

Lenders can, but are not required to, report up to three reasons for denying a mortgage application, selecting from nine potential denial reasons. First-lien applications are the first to be paid among all liens, that is, property security interests that guarantee obligatory loan repayment. Among denied first-lien applications for one- to four-family, owner-occupied, site-built properties in 2017, 64% of home-purchase applications, and about 66% of refinancing applications had at least one reported denial reason. The most frequently cited denial reason for both home-purchase and refinance loans was the applicant’s debt-to-income, followed closely by credit history, which was the most cited reason in the previous Analysis of Impediments. For home-purchase applications, the third-most-cited denial reason was collateral, while, for refinance applications, the third-most-cited denial reason was incomplete credit application. For both home-purchase and refinance applications, collateral is more likely to be cited as a denial reason on conventional than non-conventional applications.

Figure 25: Denial Rates by Reason

Predatory Lending

Some lenders often referred to as predatory lenders, saddle borrowers with loans that come with outrageous terms and conditions, often through deception. Elderly women (of all races) and people of color frequently report that they have been targeted, or preyed upon, by these lenders. The typical predatory loan is in excess of those available to similarly situated borrowers from other lenders elsewhere in the lending market. These loans are not justified by the creditworthiness of the borrower and are typically secured by the borrower's home. According to national data from HUD, in 2013, black and Hispanic borrowers had the highest incidences of higher-priced loans within both conventional and non-conventional loans.

The Washington State Department of Financial Institutions lists some of the common types of predatory lending practices used in the state:

- Equity stripping: The lender makes a loan based on the equity in the borrower’s home, whether or not he or she can make the payments. If the borrower cannot make payments, they could lose their home through foreclosure.

- Bait-and-switch schemes: The lender may promise one type of loan or interest rate but without good reason, gives the borrower a different one. Sometimes a higher (and unaffordable) interest rate does not kick in until months after the borrower has begun to pay on the loan.

- Loan flipping: A lender refinances the loan with a new long-term, high-cost loan. Each time the lender "flips" the existing loan, the borrower must pay points and assorted fees.

- Packing: The borrower receives a loan that contains charges for services he or she did not request or need. "Packing" most often involves making the borrower believe that credit insurance must be purchased and financed into the loan to qualify.

- Hidden Balloon Payments: The borrower believes that he or she has applied for a low rate loan requiring low monthly payments, only to learn at closing that it is a short-term loan that will have to be refinanced within a few years.

Subprime Home Mortgages

According to national research conducted by HUD, subprime loans continue to play a significant role in today’s mortgage lending market, making homeownership possible for many families who have blemished credit histories or who otherwise fail to qualify for prime, conventional loans.

While the subprime mortgage market facilitates home purchases, they tend to have riskier terms than conventional loans. Additionally, subprime lenders are largely unregulated by the federal government. Data shows African American borrowers are much more likely than whites to get a subprime loan, and many of the borrowers who take out these loans could qualify for loans with better rates and terms.
Impediments to Fair Housing Governance

Lack of Funding and Staffing for Fair Housing Investigations
In the wake of the 2008 financial crisis, the Legislature cut the Washington State Human Rights Commission’s budget by 41%. The Legislature has not returned the WSHRC’s budget to pre-2008 levels. According to WSHRC, changes in HUD’s fair housing investigatory training funding formula have further reduced funding for these investigators by approximately $30,000. Meanwhile, new protections for persons with service animals and a shift in investigations from the Seattle Office of Civil Rights and King County to WSHRC has increased the agency’s caseload of WSHRC’s investigators.

WSHRC has only 2.5 full-time investigators, yet it received over 450 complaints over the last four years. Investigators handle about 25 to 40 investigations at a time when, according to best practices and agency policies, they should only be managing between 10 and 15. As of July 30, 2019, WSHRC had over 40 cases that had been open for over 100 days, and a four-month backlog of cases not yet assigned to an investigator.

This backlog of cases jeopardizes fair housing investigations. The longer it takes to conduct an investigation, the more difficult it is to gather reliable testimony. Memories fade. Witnesses move. Evidence is lost or destroyed.

It also takes staff time away from other legislatively mandated activities crucial to eliminating and preventing discrimination in housing, such as fair housing education and outreach (See: Lack of Funding and Staff for Fair Housing Education and Outreach and Lack of Funding and Staffing for Fair Housing Technical Assistance).

Lack of Funding and Staffing for Fair Housing Education and Outreach
Budget cuts have left WSHRC without enough staff to perform one of its core functions: education and outreach.

Before having its budget reduced by 41%, WSHRC regularly conducted education and outreach efforts to inform landlords, property management companies, other housing providers, and tenants about fair housing law and their rights and responsibilities under it. Today, these efforts have more or less ceased, as there is not enough staff time to manage both investigations and education and outreach activities.

The AGO’s Wing Luke Civil Rights Division has also scaled back its fair housing education and outreach efforts due to lack of staff and funding.

The lack of funding described above is problematic for both short- and long-term efforts to eliminate and prevent housing discrimination. Housing providers and tenants must know about their rights and responsibilities under fair housing law if the law is to be effective. In the words of one of this report’s interviewees, “education and outreach is the best antidote for preventing housing discrimination.”
Lack of Funding and Staffing for Fair Housing Technical Assistance

WSHRC provides technical assistance to local governments and housing providers about fair housing. Technical assistance can come in many forms — from answering local questions about fair housing policy to providing complaint data for a jurisdiction’s analysis of impediments.

There is no dedicated state or federal funding to provide technical assistance. Rather, funding and staff time are taken from investigations and education and outreach activities, further impinging on the Commission’s ability to deliver these services.

Lack of Funding and Staffing for Fair Housing Enforcement

The AGO’s Wing Luke Unit faces similar constraints as the WSHRC. The Unit’s high caseload has required each of its attorneys to work overtime at least 11 out of 12 months a year for the last two years. There is very limited capacity to take new cases, and the Division routinely receives referrals that it must turn down for lack of funding and staff.

The lack of funding and staffing for fair housing enforcement is especially problematic as the AGO’s Wing Luke Civil Rights Division is one of a few statewide entities prosecuting fair housing cases. Most private legal firms are unable to pursue court cases because of relatively low monetary awards available through legal actions.

When the government does not have funding to take these cases, prosecutions do not occur, and tenants’ rights are not upheld.

Lack of Funding for Fair Housing Testing

Testing provides the most accurate snapshot of fair housing in our state and is often the best way to identify offenders. However, limited funding restricts the number of tests conducted, where they are conducted, and on what bases. This hinders local and state efforts to identify and combat discrimination across the state.

An Inoperable Fair Housing Complaint Database

WSHRC’s fair housing complaint database was built in 2002 and is no longer operable. Moreover, it cannot run reports. Rather, staff must manually go through and pull information from the database to assist the state and local governments to complete their AIs. It also impairs the agency’s ability to provide legislators with information on housing discrimination in their districts.

Incomplete Information on the Impact of Housing Discrimination and the Segregation and Re-segregation of Washington

Washington lacks a complete analysis of the economic consequences of housing discrimination and the segregation and re-segregation of communities for local governments. This impedes efforts of non-profits, locals, and states to identify policies that contribute to the segregation and re-segregation of
local communities, and the impacts they have on families, neighborhoods, local governments, and the state.
Other Concerns

Source-of-Income Discrimination

On Sept. 30, 2018, it became illegal for landlords in Washington to discriminate against tenants and housing applicants based on their source-of-income under RCW 59.18.255. Those sources of income include:

- Federal, state, and local public benefits, such as Social Security, Veterans' benefits, retirement, Temporary Assistance to Needy Families (TANF) or Aged, Blind and Disabled (ABD)
- Rent subsidies from federal, state or local housing programs, such as the Section 8 voucher program, Share Aspire or Housing and Essential Needs
- Short-term rental assistance, for example, from organizations like Catholic Community Services or Lutheran Community Services

The Legislature enacted these protections under Washington’s Residential Landlord-Tenant Act (Chapter 59.18 RCW). As such, if a prospective tenant alleges discrimination, he or she may pursue a civil complaint against the landlord. Often the filing of a complaint requires legal knowledge or the services of an attorney, potentially a significant deterrent to filing source-of-income discrimination complaints.

If source-of-income protections were instead provided under the WLAD (RCW 49.60), tenants would not be required to institute a legal process through the courts to remedy discrimination. They would only need to file a complaint with a FAHP or FHIP in Washington.

If a judge finds that the landlord illegally discriminated against a tenant because of their source of income, the tenant is entitled to attorney fees and four-and-a-half times the monthly rent under the landlord-tenant act. They would likely not be entitled to as much compensation under fair housing law, but they would not be required to hire an attorney to file a complaint in court.

Fair Chance Housing

On April 4, 2016, HUD issued the “Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions.” This document reaffirmed that having a criminal record is not a protected characteristic under the Fair Housing Act, but that criminal history-based restrictions on housing opportunities violate the Fair Housing Act if, without justification, their burden falls more often on renters or other housing market participants of one race or national origin over another.16

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During 2015 and 2016, the AGO’s Wing Luke Civil Rights Division surveyed 50 property firms and found that 10% of them were applying inappropriately broad bans on tenants with prior felonies. The resolutions all involved fines of $5,000 or more, penalties and non-discrimination training.\(^{17}\)

As the AGO’s Office explains:

“While criminal history may be grounds to refuse to rent to an individual, landlords cannot have a blanket ban on renting to anyone who has a previous felony conviction or arrest record. Instead, they must consider individual facts, such as the type and severity of the offense, and how long ago the offense occurred. Because certain groups of people, such as African-Americans, have higher statistical rates of arrests and convictions, blanket bans have the effect of making it harder for African-Americans than for other groups to find housing. This disparate impact renders blanket policies illegal.”\(^{18}\)

The AGO’s Office further notes that "under these types of blanket bans, a 30-year-old simple marijuana possession conviction may preclude a person from finding housing.”\(^{19}\)

Fair housing authorities across Washington also testify to the prevalence of housing discrimination against persons with criminal backgrounds and how that falls disproportionately on protected classes defined under fair housing law. Washington’s fair housing authorities support the adoption of fair chance housing legislation at the state level.\(^{20}\)

Seattle has banned blanket discrimination against persons with criminal backgrounds. Seattle’s ban against discrimination includes all convictions and arrests records, as well as sealed and expunged criminal history. Adult sex offenders are not covered, and exemptions exist for some landlords renting shared living or small rental spaces.


\(^{18}\) Ibid.

\(^{19}\) Ibid.

\(^{20}\) Washington State Office of Attorney General, Washington State Human Rights Commission, Seattle Office for Civil Rights, Tacoma Human Rights Commission, King County Office of Civil Rights, Northwest Fair Housing Alliance
Impacts of Public Policies on Housing Choice

Promoting Housing Choice

Public policies and practices can impede or further equal housing opportunity in a community. Along with market forces, federal, state, and local policies influence the provision of affordable housing. Federal economic policies affect migration and employment in Washington, leading to cycles of local market demand. Federal finance policies such as FHA mortgage insurance requirements, the federally chartered secondary mortgage market, and lending regulations also have significant effects on housing. Federal housing policies regarding reductions in direct housing subsidies and income transfer payments impact the ability of lower-income people to afford housing.

Federal policies are by their nature outside the reach of state of Washington actions. Therefore, this section focuses on state and local policies that may affect housing affordability and summarizes key issues on a statewide basis.

Group Homes

Despite judicial precedents protecting group home arrangements under the Fair Housing Act, local governments throughout the United States continue to struggle to balance group home needs with neighborhood opposition. The state of Washington defines group homes as:

Adult family homes (AFH) are defined under RCW 70.128.010 as regular family abodes in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.

Group homes providing services for persons with disabilities or children are offered protection under federal and state fair housing laws. Municipal restrictions on group home placement in residential neighborhoods in response to “Not in My Back Yard,” or NIMBY attitudes, can be construed as potential violations of fair housing laws when municipalities fail to balance neighborhood concerns with fair housing obligations.

There are nearly 3,100 adult family homes across the state. Each home is independently licensed and operated. An adult family home can serve between two and six residents. All adult family homes provide some essential services, including assistance with activities of daily living, meals, laundry, and more. The level of care each home provides will vary. Nurses operate some adult family homes or hire nurses or other appropriate licensed staff to support a resident’s need. Others may specialize in the care of residents with dementia or Alzheimer’s disease. All adult family homes are required to have a current assessment of the client and a plan of care reflecting not only the needs of the resident but their preferences in how they would like to receive those services.

The diversity of adult family homes across our state reflects the wide range of services and the diversity of the residents served. Adult family homes are regulated by the state and visited at least every 15 months to ensure compliance with appropriate care standards. All AFH owners and their staff undergo significant training before being able to work directly with clients. Further, they must keep up with training and best practices in care by completing a minimum of 12 hours of continuing education per year.
The Department of Social and Health Services (DSHS) licenses adult family homes. The licensing process requires that applicants comply with the same local building codes, fire regulations, and zoning requirements that would apply to any single-family residence. DSHS will not grant a license to an applicant until the local municipality has inspected the facility for compliance with relevant building and fire codes. State licensing requirements look at the capacity of the applicant to provide services to their residents.

The number of adult family homes has increased statewide by more than 1000 since 2002. There is a concern that some municipalities have received an over-concentration of adult family homes.

**Zoning and Land Use Policies**

Zoning is a device of land-use regulation used by local governments that regulates the uses to which land may be put, or it may regulate building height, lot coverage, and similar characteristics, or some combination of these.

The Washington State Building Code consists of a series of national model codes and standards that have been adopted by Washington to regulate the construction of residential, commercial, and industrial buildings and structures. Counties and cities enforce the state code. Local jurisdictions have considerable discretion to adopt amendments to the state code and thus may, in effect, create their own, local building codes. Such local building codes must be consistent with the state code and impose standards that are at least as stringent as those required under the state code. Furthermore, locally adopted amendments to the state code must be reviewed and approved by the Washington State Building Code Council.

While little research has been conducted in Washington on the effect of building codes on affordable housing, one national study concluded that the cost impacts of building codes applied to only a fraction (less than 5%) of increased costs of producing housing, and that further research would be needed to determine the precise degree of the impact.

**Affordable Housing Creation**

Public investments to increase the supply of affordable housing increase access to housing for those populations that experience barriers in the private market. The federal Low Income Housing Tax Credit programs and the state’s Housing Trust Fund make up the bulk of the resources available for affordable housing.

**Low Income Housing Tax Credit Program**

The Low Income Housing Tax Credit program (LIHTC), administered by the Washington State Housing Finance Commission (WSHFC), is a dollar-for-dollar tax credit for affordable housing investments. It was created under the Tax Reform Act of 1986 to give incentives for the utilization of private equity in the development of affordable housing aimed at low-income households. The LIHTC accounts for the majority (approximately 90%) of all affordable rental housing created in the United States today.

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The LIHTC provides funding for the development costs of low-income housing by allowing an investor to take a federal tax credit equal to a percentage of the cost incurred for the development of the low-income units in a rental housing project. Development capital is raised by "syndicating" the credit to an investor or group of investors.

The program's structure as part of the tax code ensures that private investors bear the financial burden if properties are not successful. This pay-for-performance accountability has driven private sector discipline to the LIHTC program, resulting in a foreclosure rate of less than 0.1%, far less than that of comparable market-rate properties. As a permanent part of the tax code, the LIHTC program necessitates public-private partnerships. Developers of all kinds use the LIHTC, including nonprofit and for-profit developers, housing authorities, tribes, and others.

The WSHFC allocates LIHTC through two separate programs: a higher-subsidy program (called the 9% credit), and a lower-subsidy program (called the 4% credit) that combines the credit with tax-exempt private-activity bonds. Each state, based on its population, receives an allocation of Unified Volume Cap for these bonds—the limit to which eligible entities can issue bonds. In Washington, 42% of this bond cap goes to affordable housing. The Housing Finance Commission issues bonds under this limit, as do public housing authorities, for eligible multifamily rental projects, which then also receive an allocation of the housing credit.

In Washington state, $6 billion in private-equity investment through the Low Income Housing Tax Credit program and $8.7 billion in private-activity bonds has created 105,635 affordable housing units statewide through June 30, 2019. All but about 3,000 are rent- and income-limited for those earning no more than 60% of area median income. Four thousand five hundred ninety-four are reserved specifically for those experiencing homelessness. Once financed, LIHTC apartments must remain in compliance with the program for 30 to 40 years.

**Washington State Housing Trust Fund**

The Legislature established Washington's Housing Trust Fund (HTF) in 1986 through the passage of Chapter 43.185 RCW. Funded primarily from capital bonds, the HTF provides grants and loans to eligible organizations for the development and preservation of affordable housing units for low-income households. Funds can be used for new construction, acquisition, and rehabilitation of multi-family and single-family housing, as well as down payment and closing cost assistance for first-time homebuyers.

Commerce develops priorities for funding with the assistance of the subcommittee of the Affordable Housing Advisory Board, consisting of 22 members primarily appointed by the Governor.

HTF dollars support a wide range of projects serving a diverse array of low-income populations. Projects can serve people with incomes below 80% of area median income, but the majority of projects funded to date serve households with special needs or incomes below 30% of area median income, including homeless families, seniors, farmworkers, and people with developmental disabilities or chronic mental illness. Special needs projects coordinate with state and local service providers to ensure clients receive appropriate housing and services. Projects are contractually required to remain affordable to the target population for at least 40 years (25 years in the case of homeownership projects).
Since 1986, the Housing Trust Fund has awarded more than $1 billion in funding and helped develop nearly 50,000 units of affordable housing statewide, which house about 80,000 people at any point in time.\textsuperscript{22}

Additionally, Commerce has 2,423 units in development as of October 2019, with 2,378 reserved for low-income households. This count by Commerce includes both homeownership and rental units. Commerce has 464 of these units in development listed in large projects (three projects in development are over 100 units).

The number of units set aside by income level also reflects program regulation and funder priorities. The data presented here include many developments involving set-asides at approximately 30% of the area median income. Although data are not available to describe the volume or type of some HUD-funded construction projects, sharp reductions in funds available through these programs suggest that they will not create units at a pace consistent with prior years.

It is worth noting that there is an overlap in the number of units funded by both the LIHTC and the Housing Trust Fund, as multiple programs may partially fund a given unit. According to WSHFC, approximately 25 to 30% of the 103,728 affordable units funded by the LIHTC also included the Housing Trust Fund financing.

HTF also has a Portfolio Preservation program. In 2018, the HTF awarded 23 projects with a total of $9,890,679 to preserve the housing in those projects.

**Affordable Rental Housing Preservation**

As federal subsidy contracts on affordable housing projects expire, the community risks losing affordable housing stock, resulting in vulnerable, low-income residents having to relocate. For instance, Commerce’s portfolio includes 630 rental units with contracts expiring by 2024. Similar homeownership projects include an additional 556 units. Efforts to preserve affordable housing stock result in increased housing choice and affirmatively further fair housing, and many initiatives have emerged in the past few years to achieve this end.

More than 30,000 units funded by the LIHTC through the Housing Finance Commission were not “new construction” but already existed; the LIHTC financing was used for rehabilitation and to extend the rent and income limits. In addition, under its plan for allocating tax-credits to develop affordable housing, the WSHFC awards additional points to proposals that seek to preserve federally assisted low-income housing that is at risk of being converted to market-rate housing.

**Homeownership**

The WSHFC also finances home loans for low- and moderate-income homebuyers throughout the state—more than 81,000 households since 1983. The Commission offers two mortgage programs: one that can serve borrowers earning up to $145,000 a year, and one that provides deeper interest-rate savings and more down payment assistance to households at lower incomes. A major benefit of the

program is assistance with the down payment and closing costs—often the key barrier to homeownership.

The Washington State Housing Finance Commission’s multiple initiatives have preserved over 30,000 units of affordable housing in Washington. Because 38,398 of the 103,728 units funded by the LIHTC were not “new construction” but already existed and used the LIHTC financing for rehabilitation and to extend the rent and income limits. In addition, under its plan for allocating tax-credits to develop affordable housing, the WSHFC awards additional points to proposals that seek to preserve federally assisted low-income housing that is at risk of being converted to market-rate housing.

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In addition to expanding the supply of affordable housing, the Housing Trust Fund (HTF) also plays a critical role in Washington’s efforts to preserve existing units. The HTF authorizing statute (43.185 RCW) requires that Commerce prioritize projects that preserve existing housing stock, whether privately or publicly owned. Furthermore, the Housing Preservation Program makes funds available for major building improvements, preservation, and system replacements necessary for existing Housing Trust Fund multi-family rental projects. The purpose of the program is to maintain the long-term viability of the existing HTF portfolio.

**State Bond Cap**

To control the impact of tax-exempt issuances on federal revenue, the federal government establishes an annual “bond cap” — a ceiling for each state for tax-exempt private activity bonds. Commerce is responsible for allocating Washington’s annual bond cap authority.

Under state law, Washington initially allocates 32% of the total state bond cap for housing-related endeavors. The housing category includes mortgage revenue bonds, mortgage credit certificates, and exempt facility bonds for qualified residential rental projects. Under the Internal Revenue Code, 95% of mortgage revenue bond allocations must be used to finance residences for first-time homebuyers.

The 32% allocated in Washington for housing is further broken out, with 80% of this portion allocated to the WSHFC (25.6% of the total cap), and the remaining 20% to local housing authorities (6.4% of the total cap). WSHFC divides its allocation between its Single Family Homeownership program and its Multifamily Rental Housing program. Local housing authority cap is used solely for multifamily rental projects. There are currently 37 local housing authorities in Washington.

While an initial 32% of the state’s total bond cap is set aside for affordable housing during the early part of each calendar year, after July 1, the state’s statute allows the unused cap to become available for any eligible category of project. Because other bond cap categories have used very little authority since

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23 Association of Washington Housing Authorities, Find a Housing Authority, [https://www.awha.org/find-a-housing-authority.html](https://www.awha.org/find-a-housing-authority.html)
the Great Recession, the majority of the state’s bond cap has ultimately been used to support housing projects. Over the past five years, more than 85% of the total bond cap used has been for housing projects.\(^{24}\)

In 2016 and 2017, bonds issued under the bond cap allocation helped create over 13,651 units of low-income, senior, and special needs housing statewide.

The Washington State Housing Finance Commission (WSHFC) also assists qualified first-time homebuyers through the Mortgage Credit Certificates (MCCs) and House Key loan programs. A significant amount of carryforward funding was dedicated to MCCs and assisted 2,806 households during 2016 and 2017. These funds are now exhausted, and assistance for households is transitioning to the House Key loan program, which assists a broader spectrum of households. The use of Home Key loans increased by 215% between 2016 and 2017 and assisted almost 700 households during this period. Further growth in the Home Key loan program is likely and would result in requests for continuing allocations from the annual volume cap.

The decision of the State of Washington to encourage the development of low-income housing through its bond allocation policies (and establishment of a Housing Trust Fund) merits recognition. While affordable housing and fair housing are distinct concepts, protected classes, like persons with disabilities, are disproportionately and simultaneously impacted by discrimination and the lack of affordable housing. Public policies that increase the supply of affordable housing also indirectly serve to facilitate fair housing choice for protected classes.

**Why Cap Is Critical for Housing Projects**

Affordable housing projects, by definition, are not market-rate housing, and therefore typically do not qualify for conventional financing. Housing projects that serve the neediest citizens have the most difficulty putting together viable financing packages. To be financially feasible, an affordable housing project must include financing from several low-cost sources, typically including local support, contractor concessions, developer funds, and other public funding, including Housing Trust Fund, Low Income Housing Tax Credits (LIHTC), and a bond cap allocation.

LIHTCs are particularly critical, since they leverage private investment in the project, making the most of scarce public funds. To qualify for four percent tax credits, at least 50% of the financing for the project must come from a tax-exempt—bond cap—bond issuance, under federal HUD rules. Project viability depends on the allocation of bond cap authority. Affordable housing projects cannot go forward without bond cap authority.

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\(^{24}\) Bond Cap Allocation Program, [https://www.commerce.wa.gov/about-us/research-services/bond-cap-allocation-program/](https://www.commerce.wa.gov/about-us/research-services/bond-cap-allocation-program/)
Recommendations

Fully Fund Fair Housing Investigators
To ensure adequate investigative staff exists to investigate fair housing complaints, Commerce recommends that the Washington Legislature invest in investigative staff members for the WSHRC (see Lack of Funding and Staffing for Fair Housing Investigations). Investigative staff members will allow cases to be conducted promptly, increasing the likelihood of reliable testimony.

Fund Additional Fair Housing and Education and Outreach
Commerce recommends that the Washington Legislature provide funds to WSHRC and AGO for fair housing education and outreach (see Lack of Funding and Staffing for Fair Housing Education and Outreach). Funding should go toward:

- Conferences with homeowner and tenant associations
- Meetings with local civil rights and housing associations
- Billboards and other physical advertisements
- Radio and web advertisements

Fund Additional Fair Housing Technical Assistance
Commerce recommends that the Legislature provide funds to WSHRC to provide fair housing technical assistance to local governments (see Lack of Funding and Staffing for Fair Housing Technical Assistance). Assistance includes:

- Providing local fair housing complaint data
- Advising local governments on fair housing policies
- Counseling local governments on the potential human rights implications of local ordinances

These strategies would improve the technical understanding of fair housing and help prevent segregation and re-segregation of communities.

Fully Fund the Wing Luke Civil Rights Division of the AGO
The Wing Luke Civil Rights Division of the AGO should be empowered by the Washington Legislature through additional staff and funding to investigate and enforce fair housing through in-house testing and sting operations.

Authorizing the Wing Luke Civil Rights Division to perform in-house testing and sting operations will allow the Division to take the cases it receives and proactively eliminate and prevent documented discrimination that it sees at the state and municipal levels (see Lack of Funding for Fair Housing Enforcement).
Fully Fund Fair Housing Testing
To assist state efforts to track and monitor housing discrimination, the Washington Legislature should dedicate funds to fair housing testing across the state (see Lack of Funding for Fair Housing Testing). More testing would improve the state’s understanding of housing discrimination in Washington, and raise awareness of fair housing policies while holding violators to account.

Fund a New Fair Housing Complaint Database
Commerce recommends that the Washington Legislature fund a new fair housing complaint database for the state (see An Inoperable Fair Housing Complaint Database). This database would expedite fair housing investigations and the transfer of fair housing complaint data between state and local jurisdictions.

Authorize a Statewide Economic Study of the Impacts of Housing Discrimination
Commerce recommends that the Washington Legislature authorize a statewide economic study of discriminatory housing policies and practices. The study should identify policies and practices that contribute to the segregation and re-segregation of local communities, and the social and economic impacts such segregation has on families, neighborhoods, local governments, and the state (see Incomplete Information on the Impact of Housing Discrimination and the Segregation and Re-Segregation of Washington). The report should conclude with recommendations for addressing the segregation and re-segregation of these communities.

Enact Fair Chance Housing
Commerce recommends that the Washington Legislature enact fair chance housing to eliminate and prevent discrimination against persons with criminal histories (see Fair Chance Housing).

Put Source-of-income Protections under Fair Housing Law
Commerce recommends that the Legislature place source-of-income protections under Chapter 49.60 RCW (see Source of Income). Source-of-income protections will make it easier for tenants to file complaints and more likely that offenders receive the opportunity to rectify the discrimination and, if not, be held accountable for violations.
Appendix A: Assessment of Recommendations from the 2015 Analysis of Impediments

Table 22: Progress Report on 2015 AI Recommendations

<table>
<thead>
<tr>
<th>Recommendation I: Expand Current Education and Outreach Efforts</th>
<th>Complete</th>
<th>In Progress</th>
<th>Not Complete</th>
<th>Not Enough Information to Assess</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide continued funding support for the investigation of housing discrimination, including audit- and complaint-based testing of the rental market.</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Continue to coordinate with fair housing enforcement and advocacy agencies to determine statewide coordination of priorities and activities.</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recommendation II: Target homeownership and lending marketing to African American, Native American, Hispanic, and disabled households</th>
<th>Complete</th>
<th>In Progress</th>
<th>Not Complete</th>
<th>Not Enough Information to Assess</th>
</tr>
</thead>
<tbody>
<tr>
<td>Work with real estate organizations, banks, and lending institutions to increase homeownership educational opportunities for prospective African American, Native American, disabled and Hispanic homebuyers.</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Work with developers and grantees to affirmatively market first-time homebuyer opportunities to communities of color and persons with disabilities.</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
Consult with representatives of the disability community to understand the type of housing discrimination the disabled population experiences and to consider whether there are new strategies to ensure owners and developers comply with accessibility standards.

Reach out to lenders, realtors, and emerging market communities through industry and emerging market community events to make them aware of Washington state’s laws.

<table>
<thead>
<tr>
<th>Recommendation III: Adopt statute to consolidate tenant screening reports</th>
<th>Complete</th>
<th>In Progress</th>
<th>Not Complete</th>
<th>Not Enough Information to Assess</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establish a process for tenants to buy one report for prospective landlords requesting data to make the screening process affordable and fair</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recommendation IV: Support the adoption of state of income as a statewide protected basis</th>
<th>Complete</th>
<th>In Progress</th>
<th>Not Complete</th>
<th>Not Enough Information to Assess</th>
</tr>
</thead>
<tbody>
<tr>
<td>In most of Washington – other than Seattle, Bellevue, Redmond, and unincorporated King County – it is legal to deny rental housing to prospective tenants if their income includes a housing subsidy, such as Section 8, or other sources of public assistance. Support legislation to prevent landlords from categorically denying housing to tenants whose sources of income include a housing subsidy or other sources of legitimate income, as 12 other states have done.</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recommendation V: Increase consultation, education, and outreach activities</td>
<td>Complete</td>
<td>In Progress</td>
<td>Not Complete</td>
<td>Not Enough Information to Assess</td>
</tr>
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</tr>
<tr>
<td>Partner with tenants advocacy groups and community organizations to provide fair housing training to renters. Ensure the program is language- and culturally-appropriate for limited English underserved populations.</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Work with advertising departments of publishers of local housing information to eliminate explicit and implicit forms of preferential advertising.</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Continue to reach out to apartment owners and the real estate industry to encourage education about fair housing. Distribute printed materials and online resources explaining current Washington state law, including who is protected and what constitutes illegal discriminatory treatment.</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research the ability to use other means of outreach, including radio advertisements, social media tools, and other communication tools not currently used.</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Consider preparing a fair housing referral guide for distribution in the non-entitlement portions of the state advising persons of the complaint process.</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Enhance homebuyer education programs to better inform consumers of the attributes of predatory lending, including car title and payday loans.</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
Appendix B: Survey of Entitlement Jurisdictions

Overview

Washington’s Community Block Grant (CDBG) Program uses federal funds to support community improvements across Washington. Local jurisdictions that automatically receive CDBG funding are called “entitlement jurisdictions.” As a stipulation for receiving funding, they are required to write and update local Analysis of Impediments (AI) periodically.


This study found that only two entitlement jurisdictions - Bellingham and Lakewood - updated their AIs between 2015 and 2019. Nonetheless, a sampling of Washington’s local AIs, over the past two decades, provides local insights into fair housing impediments in Washington.

Findings

A lack of awareness of the rights, responsibilities and resources were commonly cited impediments among this report’s sample of entitlement jurisdictions, and seven of the 15 AIs assessed noted that people of color are more likely to be denied housing. Wenatchee noted that discriminatory practices prevent people of color from remaining in safe, affordable, and permanent housing once secured. Pierce County found that residents with limited English language proficiency face a lack of support and, ultimately, the ability to be educated of their rights and resources, making this community more vulnerable to being taken advantage of. As a whole, these findings align with those found in Washington’s 2015-2019 AI.
### Table 23: Primary Impediments in Jurisdiction’s Analysis of Impediments, 2005-2017

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Year of AI</th>
<th>Primary Impediments as Stated in Jurisdiction’s Analysis of Impediments</th>
</tr>
</thead>
</table>
| Anacortes    | 2009       | • Housing inequity appears to primarily affect persons with disabilities  
             |             | • Indigenous, African American, and Hispanic home buyers are more likely to be denied financing  
             |             | • Limited knowledge of fair housing laws and resources  
             |             | • Zoning and land-use decisions.                                      |
| Auburn       | 2005*      | • Housing discrimination allegations are primarily made by persons with disabilities, and on the grounds of sex, race, and national origin  
             |             | • Lending institutions deny more loans to African Americans and Hispanic persons  
             |             | • The public has limited knowledge of protected classes, fair housing laws or resources |
| Bellevue     | 2011*      | • Housing inequity appears to primarily affect persons with disabilities  
             |             | • Complaint investigation, processing, enforcement methods  
             |             | • Lending institutions deny more loans to African American, Indigenous, and Hispanic persons  
             |             | • Housing professionals and the public’s limited knowledge of fair housing laws and resources  
             |             | • Zoning, land-use decisions, and city policies                        |
| Bellingham   | 2017       | • Landlords unwilling to make reasonable accommodations based on disabilities  
             |             | • Inequitable housing burdens disproportionately affect people of color and those with disabilities  
             |             | • Need for additional protected classes in a housing market with limited affordable housing  
             |             | • The public’s limited knowledge of fair housing laws and resources    |
| Everett      | 2011       | • Housing inequity primarily affects POC, those with disabilities, and of different national origins  
             |             | • Lending institutions deny more loans to Hispanics and African Americans  
             |             | • Lack of fair housing knowledge among local officials, residents, and housing providers |
| Federal Way  | 2012       | • Limited staff knowledge of fair housing resources  
             |             | • Diminishing resources  
<pre><code>         |             | • Discrimination regarding rentals and loan procedures                |
</code></pre>
<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Year of AI</th>
<th>Primary Impediments as Stated in Jurisdiction's Analysis of Impediments</th>
</tr>
</thead>
</table>
| Kennewick, Pasco, Richland| 2011       | • Many protected classes lack the skills and knowledge to obtain and remain in affordable housing  
• Government, realtors, lenders, and others lack awareness of the issues  
• Extremely low rental vacancy rates (1%) |
| Lakewood                  | 2015       | • Lack of awareness of rights and responsibilities may contribute to unfair treatment  
• There is an insufficient choice of suitably located, safe, affordable, and quality housing |
| Longview                  | 2011       | • Housing inequity primarily affects people with disabilities, POC, and families with children  
• Hispanic, Indigenous, and African American persons are more likely to be denied loans and financing  
• Lack of fair housing knowledge/resources among local officials, residents, and housing providers  
• Zoning and land-use decisions |
| Mount Vernon              | 2008       | • Housing inequity primarily affects Hispanic, Indigenous, and disabled persons  
• Hispanic, Indigenous, and African American persons are more likely to be denied loans and financing  
• Lack of fair housing knowledge/resources among local officials, residents, and housing providers |
| Olympia                   | 2006       | • Housing inequity primarily affects those with disabilities, POC, families with children, and immigrants  
• African Americans and Hispanics are more frequently denied loans  
• The public at large has a limited understanding of fair housing laws and resources available |
| Wenatchee                 | 2013       | • Increased housing costs and low vacancy rates  
• Lack of access to permanent housing for those with disabilities, mental illness, chronic substance abuse  
• Disadvantaged persons often lack skills and knowledge to obtain and remain in affordable housing  
• Lack of understanding of fair housing rights and responsibilities |
| Vancouver*                | 2011       | • Housing has become less affordable and deeply subsidized rentals are scarce  
• Hispanic persons are more likely to be denied financing  
• Access to fair housing information could be improved |
<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Year of AI</th>
<th>Primary Impediments as Stated in Jurisdiction's Analysis of Impediments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pierce County</td>
<td>2010</td>
<td>• The city's fair housing law does not cover all protected classes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Limited supply of affordable housing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Minority groups have less access to mortgage credits</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• County does not have a formal policy or procedure for granting reasonable accommodation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• County lacks a formal policy on assistance to persons with limited English language proficiency</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Limited resources for adequate fair housing education and enforcement</td>
</tr>
<tr>
<td>Snohomish County</td>
<td>2012</td>
<td>• Discrimination occurs yet few complaints are filed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Hispanic and African American persons denied loans at a higher rate</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Residents experience housing discrimination but do not know what to do; information is hard to find</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Some land use/zoning codes restrict group homes, the definition of family, and include other barriers</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Limited transit options</td>
</tr>
</tbody>
</table>
Appendix C: Fair Housing Resources

Washington State Fair Housing Resources

**Washington State Human Rights Commission**
The WSHRC, founded in 1949, enforces Washington’s Law Against Discrimination (WLAD). The WSHRC is a federally certified Fair Housing Assistance Program (FHAP) agency that investigates HUD Fair Housing Act complaint referrals. The WSHRC enforces fair housing complaints based on federally protected classes, including race, color, creed (religion), sex (gender), disability, use of a guide dog or service animal, familial status, and national origin. Non-federal fair housing protected classes under the WLAD include marital status, sexual orientation, gender identity, and veteran or military status.

**Department of Commerce**
The Department of Commerce provides a variety of financial and technical resources to local communities.

The Community Services and Housing Division manages many of the state’s housing development programs, including the Housing Trust Fund and the Operating and Maintenance Fund, as well as HUD-funded programs such as the HOME program, the Homeless Families Plan, and Tenant-Based Rental Assistance. Commerce is also the Collaborative Applicant for the HUD homeless assistance Continuum of Care Program for the Balance of State Continuum of Care.

The Local Government Division manages the state Community Development Block Grant program.

**Department of Financial Institutions**
The Washington State Department of Financial Institutions (DFI) provides regulatory oversight of financial service providers operating in Washington. DFI is self-supporting and obtains its operating revenues through fees paid by individuals and organizations it regulates. DFI’s regulatory responsibilities include fair housing through its monitoring of certain housing professionals and lenders, including consumer loan companies, state-chartered banks and credit unions, mortgage brokers, loan originators, and escrow-industry related professionals.

**Washington State Housing Finance Commission**
The Washington State Housing Finance Commission (WSHFC) administers several programs to finance community facilities, affordable housing, and homeownership. WSHFC administers the development of affordable housing under the federal low-income housing tax-credit program and through bond financing arrangements. The various affordable housing projects supported by the WSHFC are monitored annually to ensure their compliance with applicable federal and state rules, including fair housing. The WSHFC manages detailed property and tenant information on over 1,500 affordable housing properties. It provides real-time compliance information to owners, managers, and public funders. In addition to monitoring compliance of the property with regulatory requirements, WBARS tracks vital economic performance indicators to provide early warning of operating problems.
Department of Licensing
The Department of Licensing provides continuing education on fair housing for real estate professionals. The courses present the federal and state protected classes and fair housing laws and regulations to ensure that realtors in compliance when conducting real estate brokerage services.

The trainings cover fair housing laws, marketing lending services, originating mortgage loans, qualifying home loan applicants, working with third-party providers, and the HUD discrimination complaint process.

Department of Social and Health Services
The Washington State Department of Social and Health Services (DSHS) provides services to over 39,000 persons with developmental disabilities, including assisting them with housing options. In January 2009, DSHS published the Strategic Plan for Housing Needs Assessment & Trust Fund Utilization for People with Developmental Disabilities. As of October 2019, DSHS has not updated this report due to a lack of funding.

The plan evaluated community-based affordable housing needs for people with developmental disabilities and outlined goals of collaborating with special needs housing developers and ensuring adequate resources are being leveraged to maximize Housing Trust Fund funding efficiencies.

The plan found that only 5.5% of persons enrolled for developmental disability services lived in units funded through the Housing Trust Fund, and identified current requests for 590 additional units of housing from Supported Living providers. The plan identified an additional 3,405 individuals who do not receive Supported Living services but would likely qualify for, and benefit from, subsidized affordable housing.

Because the vast majority of the individuals with developmental disabilities depend on Supplemental Security Income (SSI) as their primary source of income, nearly all live below 30% of the median income. Even persons receiving employment services through DSHS have very limited incomes, on average, working less than 20 hours per month and earning an average monthly income of just $622.
Federal Fair Housing Resources

U.S. Department of Housing and Urban Development

The U.S. Department of Housing and Urban Development (HUD) administers the Fair Housing Act. In certain cases, HUD refers complaints to the Department of Justice (DOJ). HUD is also required to work on programs of voluntary compliance with the Fair Housing Act. To do so, HUD enters into voluntary compliance agreements with housing industry organizations. These organizations pledge to inform the public of equal housing opportunities and the law to ensure that services are rendered equally to all clients, to publish their commitment to fair housing, and to monitor and report on the effectiveness of the agreement.

The agreements for the real estate industry are called Voluntary Affirmative Marketing Agreements (VAMA) and for others, Best Practice Agreements. Agreements exist with such organizations as the National Association of Realtors, National Association of Home Builders, Apartment Managers Association, and the Mortgage Bankers Association of America. Once an agreement is in effect with the national organization, state, and local chapters may sign on as parties to the agreement.

The Region X Office of Fair Housing and Equal Opportunities in Seattle is responsible for investigating fair housing complaints and working on programs to further fair housing compliance. HUD collaborates with other organizations to provide quarterly fair housing training (located in Seattle), provides Fair Housing and Equal Opportunity Compliance Review Training, and Consolidated Annual Performance Evaluation Reports (CAPER) training.

U.S. Department of Agriculture

The U.S. Department of Agriculture (USDA) provides housing assistance in rural communities throughout Washington via the Rural Development program. The USDA Office of Civil Rights is responsible for enforcing certain fair housing obligations of housing provided under Rural Development.

Municipal Fair Housing Enforcement

In addition to the State of Washington, three municipal and county governments in Washington operate equivalent fair housing enforcement programs under HUD’s Fair Housing Assistance Program (FHAP), as described in Section II of this report. The agencies are the Seattle Office for Civil Rights, the King County Office of Civil Rights, and the City of Tacoma Human Rights and Human Services Department.

Washington’s four FHAP agencies, known as the Fair Housing Partners of Washington, regularly collaborate to maximize their available resources and to conduct fair housing education and community outreach. Since the mid-1990s, the FHAP agencies have cooperated in the development of multi-lingual fair housing brochures, coordinated immigrant outreach effort and pro-actively endeavored to educate homeowners and first-time homebuyers about avoiding predatory lending.

The Fair Housing Partners, including Washington FHAP and FHIP agencies, have published a quarterly newsletter, the Washington State Fair Housing Update, since 1996. In collaboration with HUD, the four FHAP agencies jointly conduct bi-monthly fair housing training for housing providers.
Community Fair Housing Resources

These are just some examples of the fair housing resources available to those living in Washington.

Fair Housing Center of Washington

The mission of the Fair Housing Center of Washington is to assure equal access to housing, and other related services, to the residents of Washington. The organization will achieve this purpose through education, investigation, and enforcement of applicable laws.

The Fair Housing Center is a 501(c)3 nonprofit organization that has been in existence since 1981 as Tacoma/Pierce Counties Community Housing Resource Board (CHRB) and in 1995 became an operational Qualified Fair Housing Organization. The Fair Housing Center serves western and central Washington by accepting and investigating complaints of housing discrimination, conducting training and education for housing providers and housing consumers to prevent and address housing discrimination. Additionally, the Fair Housing Center conducted rental, sales, and mortgage lending testing and prepared an Analysis of Impediments to Fair Housing Choice (AI) for multiple entitlement jurisdictions along with other specialized contracts. The agency has also been involved in programs that cover the state of Washington and HUD’s Region X.

Northwest Fair Housing Alliance

The Northwest Fair Housing Alliance (NWFHA) is a HUD-designated Qualified Fair Housing Organization that has provided nonprofit fair housing services since 1994. NWFHA’s mission is to eliminate housing discrimination and ensure equal housing opportunities for the people of Washington through education, counseling and advocacy. Based in Spokane, NWFHA is the only nonprofit fair housing agency that serves eastern Washington. Since its founding, NWFHA has provided intake and investigation for housing discrimination claims, conducted testing, and offered education and outreach programs in 20 counties in eastern and central Washington.

Northwest Justice Project

The Northwest Justice Project (NJP) is a publicly funded statewide legal services agency in Washington that assists income-eligible clients with non-criminal legal issues. NJP’s legal services include representing eligible clients to resolve fair housing issues. NJP staff works with community partners to plan for individual representation and system improvements throughout the state.

To file a complaint with the NJP, residents may call a legal hotline to speak with a representative and receive legal advice. NJP operates a toll-free intake and referral hotline called CLEAR (Coordinated Legal Education Advice and Referral). CLEAR serves as the statewide, centralized point of access for clients seeking free legal help, including advice, education, limited legal services, self-help materials, and, where available, referrals for further representation. The organization also maintains the Washington Law Help website (www.washingtonlawhelp.org), which provides legal resources on a variety of topics, including fair housing.

Columbia Legal Services

Columbia Legal Services (CLS) is a statewide legal services agency that represents indigent clients in civil cases. CLS represented many clients in fair housing cases in Washington. The mission of CLS is to advocate for people who face injustice and poverty. CLS seeks to achieve social and economic justice.
for all, using policy reform, litigation, and innovative partnerships to reveal and end actions that harm the communities CLS serves.

CLS provides legal assistance to low-income and special needs people in areas including access to court interpreters, mental health services for children, equal educational opportunity for children, rights of persons in institutions, rights of foster children, payday loan transactions, farmworker workplace hazards, rights of residential and mobile home tenants, and H-2A farmworkers. As with the nonprofit agencies previously described, it also refers housing discrimination issues to fair housing agencies.

**Tenants Union**

The mission of the Tenants Union (TU) is to create housing justice through empowerment-based education, outreach, leadership development, organizing, and advocacy. Founded in 1977, the TU carries on a proud legacy of work to create concrete improvements in tenants’ living conditions and challenge and transform unjust housing policies and practices. As a membership organization, the TU grounds its work in the strong conviction that tenants must be the leaders of efforts to transform housing conditions and communities. The TU embraces the values of equality, hope, tenant leadership, respect, direct action, civic courage, racial and economic justice, and self-determination.

**Rental Housing Association of Puget Sound**

The Rental Housing Association of Puget Sound was founded in 1927 as a nonprofit and is the largest association of rental housing owners in the Pacific Northwest, with to date more than 4,400 members.

The Association’s Code of Conduct, which all members are required to sign, includes language addressing fair housing as follows: "We comply with federal, state, and city fair housing laws. We do not engage in discrimination against persons based on their protected class status."

Its bylaws provide that the Association can “...deny, suspend or terminate membership for any member who knowingly or repeatedly violates the Code of Conduct.”

It also disseminates fair housing information through the Association’s website, which has information on housing discrimination with links to fair housing agencies, and through sponsorship of workshops on fair housing, such as the one offered for property owners at its March 2008 Spring Trade Show.
Appendix E: Housing Authorities in Washington

**Anacortes Housing Authority**, 719 Q Avenue, Anacortes, WA 98221  
Serving Counties: San Juan, Skagit  
Phone: (360) 293-7831 Email: aha@fidalgo.net  
Fax: (360) 293-8998, Web Site: www.anacorteshousing.com

**Housing Authority of Asotin County**, 1212 Fair Street, Clarkston, WA 99403  
Serving Counties: Asotin  
Phone: (509) 758-5751, Email: mema@clearwire.net  
Fax: (509) 758-8156, Web Site: N/A

**Bellingham/Whatcom County Housing Authority**, P.O. Box 9701, Bellingham, WA 98227-9701  
Serving Counties: Whatcom  
Phone: (360) 676-6887, Email: jharmon@bwcha.org  
Fax: (360) 676-7696, Web Site: www.bellinghamhousing.org

**Bremerton Housing Authority**, 600 Park Avenue, Bremerton, WA 98337  
Serving Counties: Kitsap, Mason  
Phone: (360) 479-3694, Email: kwiest@bremertonhousing.org  
Fax: (360) 616-8558, Web Site: www.bremertonhousing.org  
TDD/TTY: (360) 377-8606

**Housing Authority of Chelan County & the City of Wenatchee**, 1555 South Methow, Wenatchee, WA 98801  
Serving Counties: Chelan, Douglas  
Phone: (509) 663-7421, Email: alicia@ccwha.com  
Fax: (509) 663-4761, Web Site: www.ccwha.com

**Columbia Gorge Housing Authority**, P.O. Box 1703, White Salmon, Washington 98672  
Main Office: 312 Court Street - Suite 419, The Dalles, Oregon 97058  
Serving Counties: Klickitat and Skamania  
Phone: (888) 356-8919,  
Main Switchboard: (541) 296-5462,  
Deaf Community Relay WA: (800) 833-6384,  
Email: info@mid-columbiahousingauthority.org  
Fax: (541) 296-8570, Web Site: www.mid-columbiahousingauthority.org

**Everett Housing Authority**, 3107 Colby Avenue, P.O. Box 1547, Everett, WA 98206-1547  
Serving Counties: Snohomish  
Phone: (425) 258-9222, Email: info@evha.org  
Fax: (425) 303-1122, Web Site: www.evha.org
Housing Authority of Grant County, 1139 Larson Boulevard, Moses Lake, WA 98837
Serving Counties: Grant
Phone: (509) 762-5541, Email: canderson@hagc.net
Fax: (509) 762-2202, Web Site: www.hagc.net

Housing Authority of Grays Harbor County, 602 East First Street, Aberdeen, WA 98520
Serving Counties: Grays Harbor
Phone: (360) 532-0570, Email: jerry@hagh.com
Fax: (360) 532-0775, Web Site: N/A

Housing Authorities Risk Retention Pool, 2500 Main Street, Suite 120, Vancouver, Washington 98660
Serving Counties: Statewide
Phone: (360) 694-3500, Email: staff@harrp.com
Fax: (360) 694-3600, Web Site: www.HARRP.com

Housing Authority of Island County, 7 NW 6th Street, Coupeville, WA 98239-3400
Serving Counties: Island
Phone: (360) 678-4181, Email: info@islandcountyha.org
Fax: (360) 678-6969, Web Site: N/A

Peninsula Housing Authority, 2603 South Francis Street, Port Angeles, WA 98362
Serving Counties: Clallam, Jefferson
Phone: (360) 452-7631, Email: info@peninsulapha.org
Fax: (360) 457-7001, Web Site: www.peninsulapha.org

Housing Authority of the City of Kalama, 226 Cloverdale Rd., Kalama, WA 98625
Serving Counties: Cowlitz
Phone: (360) 673-3444, Email: Kalamadirector@comcast.net
Fax: (360) 673-2873, Web Site: N/A

Kelso Housing Authority, 1415 South 10th, Kelso, WA 98626
Serving Counties: Cowlitz
Phone: (360) 423-3490, Email: jreece@kelsohousing.org
Fax: (360) 577-6694, Web Site: www.kelsohousing.org

Housing Authority City of Kennewick, 1915 W. 4th Place, Kennewick, WA 99336
Serving Counties: Benton
Phone: (509) 586-8576, Email: lhammer@kennewickha.org
Fax: (509) 582-7544, Web Site: www.kennewickha.org

King County Housing Authority, 600 Andover Park West, Seattle, WA 98188
Serving Counties: King
Phone: (206) 574-1100, Email: N/A,
Fax: (206) 574-1104, Web Site: www.kcha.org
**Housing Kitsap**, 345 6th Street, Suite 100, Bremerton, WA 98337
Serving Counties: Kitsap
Phone: (360) 535-6100, Email: kccha@housingkitsap.org
Fax: (360) 535-6107, Web Site: www.housingkitsap.org

**Housing Authority of Kittitas County**, 107 West 11th Ave., Ellensburg, WA 98926
Serving Counties: Kittitas
Phone: (509) 962-9006, Email: housing@hakittitas.org
Fax: (509) 962-3575, Web Site: N/A

**Housing Opportunities of Southwest Washington**, 820 11th Avenue, Longview, WA 98632
Serving Counties: Cowlitz, Lewis, Pacific, Wahkiakum
Phone: (360) 423-0140 x 15, Email: chris.pegg@hoswwa.org
Fax: (360) 425-9930 or toll free fax (888) 424-7145, Web Site: www.hoswwa.org

**Okanogan County Housing Authority**, 431 5th Ave West, Omak, WA 98841
Serving Counties: Okanogan
Phone: (509) 422-3721, Email: nancy@okanoganhousing.org
Fax: (509) 422-1713, Web Site: www.okanoganhousing.org

**Housing Authority of Oroville**, P.O. Box 1242, Oroville, WA 98844
Serving Counties: Okanogan
Phone: (509) 476-3059, Email: suee@orovillehousingauthority.com
Fax: (509) 476-2010, Web Site: N/A

**Othello Housing Authority**, 335 N. Third Street, Othello, WA 99344
Serving Counties: Adams
Phone: (509) 488-3527, Email: danderson@othellohousing.com
Fax: (509) 488-9769, Web Site: www.othellohousing.com

**Joint Pacific County Housing Authority**, 820 11th Avenue, Longview, WA 98632
Serving Counties: Cowlitz, Pacific, Wahkiakum
Phone: (866) 570-8840, Email: chris.pegg@hoswwa.org
Fax: (360) 425-9930 or toll free fax (888) 424-7145, Web Site: www.hoswwa.org

**Housing Authority of the City of Pasco and Franklin County**, 2505 W. Lewis Street, Pasco, WA 99301
Serving Counties: Franklin
Phone: (509) 547-3581, Email: info@hacpfc.org
Fax: (509) 547-4997, Web Site: N/A

**Pierce County Housing Authority**, 1525 108th St. So. Tacoma, WA 98444
Serving Counties: Pierce
Phone: (253) 620-5400, Email: khull@pchawa.org
Fax: (253) 620-5455, Web Site: www.pchawa.org
Renton Housing Authority, 2900 NE 10th Street, P.O. Box 2316, Renton, WA 98056
Serving Counties: King
Phone: (425) 226-1850, Email: mrg@rentonhousing.org
Fax: (425) 271-8319, Web Site: www.rentonhousing.org

Republic/Ferry County Joint Housing Authority, 83-1 N. Kauffman Street, Republic, WA 99166
Serving Counties: Ferry
Phone: (509) 775-3924, Email: fcha@rcabletv.com
Fax: (509) 775-1082, Web Site: N/A

Seattle Housing Authority, 190 Queen Anne Ave North, P.O. Box 19028, Seattle, WA 98109-1028
Serving Counties: King
Phone: (206) 615-3300, Email: execdirector@seattlehousing.org
Fax: (206) 615-3504, Web Site: www.seattlehousing.org

Housing Authority of Skagit County, 1650 Port Drive, Burlington, WA 98233
Serving Counties: Skagit
Phone: (360) 428-1959, Email: hasc@skagitcountyha.org
Fax: (360) 424-6005, Web Site: N/A

Snohomish County Housing Authority, 12711 4th Avenue, West, Everett, WA 98204
Serving Counties: Snohomish
Phone: (425) 290-8499, Email: dleonard@hasco.org
Fax: (425) 290-5618, Web Site: www.hasco.org

Spokane Housing Authority, 55 W. Mission Ave., Spokane, WA 99201
Serving Counties: Lincoln, Pend Oreille, Spokane, Stevens, Whitman
Phone: (509) 328-2953, Email: acarpentier@spokanehousing.org
Fax: (509) 323-2364, Web Site: www.spokanehousing.org

Housing Authority of Sunnyside, Washington, 204 South 13th Street, Sunnyside, WA 98944
Serving Counties: Yakima
Phone: (509) 837-5454, Email: info@sunnysideha.org
Fax: (509) 837-4150, Web Site: www.sunnysideha.org

Tacoma Housing Authority, 902 South L Street, Suite 2A, Tacoma, WA 98405
Serving Counties: Pierce
Phone: (253) 207-4400, Email: mmirra@tacomahousing.org
Fax: (253) 207-4440, Web Site: www.tacomahousing.org

Housing Authority of Thurston County, 1206 12th Avenue SE, Olympia, WA 98501
Serving Counties: Thurston
Phone: (360) 753-8292, Email: admin@hatc.org
Fax: (360) 586-0038, Web Site: www.hatc.org
Vancouver Housing Authority, 2500 Main Street, Suites 100-200, Vancouver, WA 98660-2697
Serving Counties: Clark
Phone: (360) 694-2501, Email: webmaster@vhausa.com
Fax: (360) 993-9594, Web Site: www.vhausa.com

Walla Walla Housing Authority, 501 Cayuse Street, Walla Walla, WA 99362
Serving Counties: Walla Walla
Phone: (509) 527-4542, Email: reene@wallawallaha.org
Fax: (509) 527-4574, Web Site: www.wallawallaha.org

Housing Authority of the City of Yakima, 810 N. 6th Avenue, Yakima, WA 98902
Serving Counties: Yakima
Phone: (509) 453-3106, Email: Lowel.Krueger@yakimahousing.org
Fax: (509) 453-3111, Web Site: www.yakimahousing.org