

**ANALYSIS OF IMPEDIMENTS
TO FAIR HOUSING CHOICE**

**URBAN COUNTY
OF
LEHIGH COUNTY, PA**

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URBAN COUNTY OF LEHIGH COUNTY, PA

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1. INTRODUCTION

A. Introduction

Lehigh County has prepared an Analysis of Impediments to Fair Housing Choice to satisfy requirements of the Housing and Community Development Act of 1974, as amended. This act requires that any community receiving Community Development Block Grant (CDBG) funds, HOME Investment Partnership (HOME) funds, Emergency Shelter Grant (ESG) funds, and Housing Opportunities for Persons with AIDS (HOPWA) funds affirmatively further fair housing.

Lehigh County is an urban county entitlement community that receives CDBG funds from HUD. As a result, the Urban County is charged with the responsibility of conducting its CDBG program in compliance with the federal Fair Housing Act. The responsibility of compliance with the federal Fair Housing Act extends to nonprofit organizations and other entities that receive federal funds through and from Lehigh County.

In addition to the Housing and Community Development Act of 1974, the Civil Rights Act of 1968 also directs HUD's review of fair housing practices. An amendment to Title VIII of the Civil Rights Act was passed in 1988. The amendment, known as the Fair Housing Act of 1988, expanded the scope of coverage of the law to include families with children and handicapped persons as protected classes. Enforcement powers for HUD, including a monetary penalty for discrimination, were also added.

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

B. Fair Housing Choice

Equal and free access to residential housing (i.e. housing choice) is fundamental to meeting essential needs and pursuing personal, educational, employment, or other goals. Because housing choice is so critical, fair housing is a goal that government, public officials, and private citizens must achieve if equality of opportunity is to become a reality.

Fair housing choice is defined as the "ability of persons, regardless of race, color, religion, sex, national origin, familial status, or handicap, of similar income levels to have available to them the same housing choices." This analysis encompasses the following six areas:

- The sale or rental of dwellings (public and private)
- The provision of housing brokerage services
- The provision of financing assistance for residential dwellings

- Public policies and actions affecting the approval of sites and other building requirements used in the approval process for the construction of publicly assisted housing
- The administrative policies concerning community development and housing activities, which affect opportunities of minority households to select housing inside or outside areas of minority or ethnic concentration, and
- Where there is a determination of unlawful segregation or other housing discrimination by a court or a finding of noncompliance by HUD regarding assisted housing in a recipient's jurisdiction, an analysis of the actions which could be taken by the recipient to remedy the discriminatory condition, including actions involving the expenditure of funds made available under 24 CFR Part 570.

As a federal entitlement community, the Urban County of Lehigh County has specific fair housing planning responsibilities. These include:

- *Conducting an analysis of impediments to fair housing choice.* HUD recommends that an entitlement community updates its fair housing analysis every five years (consistent with the Consolidated Plan cycle)
- *Develop actions to overcome the effects of identified impediments to fair housing*
- *Maintain records to support the Urban County's initiatives to affirmatively further fair housing.*

This analysis will:

- Evaluate population, household, income, and housing characteristics by protected classes in the Urban County
- Evaluate public and private sector policies that impact fair housing choice
- Identify blatant or de facto impediments to fair housing choice, where any may exist
- Recommend specific strategies to overcome the effects of any identified impediments.

The completion of a fair housing analysis and identification of fair housing impediments is the first phase in fair housing planning. The elected governmental body is expected to review and approve the analysis and use it for direction, leadership, and resources for future fair housing planning.

The analysis will serve as a baseline for progress against which implementation efforts will be judged.

C. The Federal Fair Housing Act

i. What housing is covered?

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

ii. What does the Fair Housing Act prohibit?

a. In the Sale and Rental of Housing

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

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

b. In Mortgage Lending

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

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

c. Other Prohibitions

It is illegal for anyone to:

- Threaten, coerce, intimidate, or interfere with anyone exercising a fair housing right or assisting others who exercise that right

- Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or handicap. This prohibition against discriminatory advertising applies to single family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

iii. Additional Protections for the Disabled

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

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

A "reasonable accommodation" is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to fully enjoy their apartment or house. Common accommodations include providing a mobility impaired person with an accessible parking space, allowing a tenant who is blind to have a service animal, and allowing tenants with mental disabilities to designate a friend to mail their rent payment.

iv. Requirements for New Buildings

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

- Public and common areas must be accessible to persons with disabilities
- Doors and hallways must be wide enough for wheelchairs
- All units must have:
 - An accessible route into and through the unit
 - Accessible light switches, electrical outlets, thermostats, and other environmental controls
 - Reinforced bathroom walls to allow later installation of grab bars and

- Kitchens and bathrooms that can be used by people in wheelchairs.

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

v. Housing Opportunities for Families

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

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

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

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

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

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

D. The Pennsylvania Human Relations Act (PHRA)

The Pennsylvania Human Relations Act, as amended, prohibits housing discrimination based on race, color, familial status, religion, ancestry, disability, age, sex, national origin, and the use of guide or support animals because of a disability.

Section 6 of the PHRA establishes the Pennsylvania Human Relations Commission (HRC). The powers and duties of the HRC include:

- The adoption of rules and regulations to carry out the PHRA
- The formulation of recommendations to units of local government
- The power to act upon complaints filed with the HRC

- The issuance of publications and reports to promote good will and eliminate discrimination
- The distribution of fair practice notices
- The provision of notification to local human relation commissions of complaints received by the HRC from within a commission's jurisdiction
- The publication of all findings, decisions, and orders.

The PHRA describes unlawful acts of discrimination and sets forth the procedure for aggrieved parties to file complaints. The act also describes the HRC's process for investigating and processing complaints.

Section 5 of the PHRA deals with fair housing. Prohibited practices include:

- Discriminatory real estate practices, including refusal to sell or lease housing accommodations to members of the protected classes
- Discrimination in the terms and conditions of real estate transactions
- Discrimination in the lending of money to acquire, construct, rehabilitate, repair or maintain housing
- Discrimination in the refusal to make reasonable accommodation
- Advertising or marketing real estate in a way that makes members of the protected classes feel unwelcome or not solicited
- Making an inquiry concerning race, color, familial status, age, religion ancestry, sex, national origin, or disability.

E. Methodology

Mullin & Lonergan Associates, Inc. (M&L) was hired to conduct the Analysis of Impediments to Fair Housing Choice for the Urban County. M&L utilized a comprehensive approach to complete the analysis. The following resources were utilized:

- Demographic data on population, households, housing, income, and employment at the municipality and county levels.
- Public policies affecting the siting and development of housing
- Administrative policies concerning housing and community development
- Housing brokerage services and their administration
- Financial lending institution data from the Home Mortgage Disclosure Act (HMDA) database
- Agencies that provide housing and housing-related services to members of the protected classes. These included the following entities:
 - Lehigh County Department of Community and Economic Development
 - Lehigh County Housing Authority

- Lehigh and Northampton Transit Authority (LANTA)
- Lehigh County Association of Realtors
- Lehigh Valley Planning Commission.

i. Urban County Status

The Urban County of Lehigh County includes all of the geographic area within Lehigh County exclusive of the cities of Allentown and Bethlehem and the Township of Lower Macungie. The two cities are HUD entitlement communities in their own right and the township chose not to participate in the Urban County. In most cases throughout this report, emphasis is placed on the Urban County of Lehigh County rather than on the entire county of Lehigh County.

ii. Census Data

The primary source of data for this report is Census 2000. In addition, American Community Survey (ACS) data estimates for 2007 from the Census Bureau were used to update 2000 data; however, ACS 2007 data is available only for municipalities with a population of at least 20,000. Therefore, much of the 2007 data used in this report is at the county level or higher. In some limited cases, data estimates for 2008 obtained from DemographicsNow were also used; these datasets were available for all municipalities and the County.

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

iii. Areas of Racial or Ethnic Concentration

HUD defines areas of racial or ethnic concentration as geographical areas where the percentage of racial or ethnic minorities is 10 percentage points higher than the Urban County's percentage. While there may exist areas of racial or ethnic minority concentrations, other characteristics must also be present before a potential impediment to fair housing can be identified. For example, if high rates of poverty and low-moderate income persons are also found within an area of minority concentration, there *may* exist a potential impediment to fair housing choice.

2. BACKGROUND DATA

A. Demographic Data

i. Total Population

Lehigh County, located in eastern Pennsylvania, continues to increase in population. Total population increased 7.2% during the 1990s. Data estimates for 2008 reveal that 339,623 persons now reside in the County, representing a gain of 8.8% in population since 2000. Since 1990, the County has experienced an annual average net increase of nearly 2,700 persons.

Many new residents are relocating from New York and New Jersey to the Lehigh Valley. Strong labor markets in these areas, and the Philadelphia market, are driving up the demand and cost of housing. As a result, the relatively convenient commuting distance to and from the Lehigh Valley¹ on major transportation routes, and available new housing at lower prices are very appealing to households from these outside regions.²

Growth in the Urban County represents 92% of total County growth from 1990 to 2008. Outside of the two large cities and the township, the population gain is even greater with an increase of 11.3% noted during the 1990s. Between 2000 and 2008, the number of residents in the Urban County grew another 9.2%. Only Hanover Township has experienced a continuous decline in population since 1990, losing a total of 458 residents, or 20% of its population in 18 years.

¹ The Lehigh Valley is comprised of Lehigh and Northampton counties.

² Mullin & Lonergan Associates, Inc., An Affordable Housing Assessment of the Lehigh Valley of Pennsylvania, page 9 (2007).

**Figure 2-1
Population Trends – 1990 to 2008**

	1990	2000	% Change 1990-2000	2008	% Change 2000-2008
Pennsylvania	11,881,643	12,281,054	3.4%	12,506,284	1.8%
Lehigh County	291,141	312,090	7.2%	339,623	8.8%
Allentown city	105,194	106,632	1.4%	107,791	1.1%
Bethlehem city	18,867	19,029	0.9%	20,320	6.8%
Lower Macungie township	16,872	19,220	13.9%	28,970	50.7%
Urban County of Lehigh County	150,208	167,209	11.3%	182,542	9.2%
Alburtis borough	1,415	2,117	49.6%	2,310	9.1%
Catasauqua borough	6,662	6,588	-1.1%	6,652	1.0%
Coopersburg borough	2,592	2,582	-0.4%	2,653	2.7%
Coplay borough	3,267	3,387	3.7%	3,413	0.8%
Emmaus borough	11,457	11,313	-1.3%	11,404	0.8%
Fountain Hill borough	4,644	4,614	-0.6%	4,896	6.1%
Hanover township	2,243	1,913	-14.7%	1,785	-6.7%
Heidelberg Township	3,250	3,279	0.9%	3,490	6.4%
Lower Milford township	3,278	3,617	10.3%	3,679	1.7%
Lowhill township	1,602	1,869	16.7%	2,079	11.2%
Lynn township	3,220	3,849	19.5%	4,049	5.2%
Macungie borough	2,597	3,039	17.0%	3,133	3.1%
North Whitehall township	10,813	14,731	36.2%	16,185	9.9%
Salisbury township	13,411	13,498	0.6%	14,324	6.1%
Slatington borough	4,678	4,434	-5.2%	4,472	0.9%
South Whitehall township	18,144	18,028	-0.6%	19,917	10.5%
Upper Macungie Township	8,756	13,895	58.7%	17,834	28.3%
Upper Milford township	5,979	6,889	15.2%	7,090	2.9%
Upper Saucon township	9,776	11,939	22.1%	14,125	18.3%
Washington township	6,369	6,588	3.4%	6,828	3.6%
Weisenberg township	3,247	4,144	27.6%	4,721	13.9%
Whitehall township	22,809	24,896	9.1%	27,503	10.5%

Note: The Urban County includes Lehigh County exclusive of the cities of Allentown and Bethlehem and the Township of Lower Macungie.

Sources: U.S. Census Bureau (1990, 2000); DemographicsNow (2008)

ii. Protected Classes

a. Persons by Race and Ethnic Origin

The racial make-up of Lehigh County has undergone a significant shift since 1990 with the number of minority residents more than tripling. Between 1990 and 2000, the number of racial minority residents in all of Lehigh County more than doubled from 19,455 to 40,500. As a result, the percentage of minority residents rose from 6.7% to 13.0% during the decade. Data estimates for 2008 reveal that these trends are continuing. In 2008, Lehigh County's racial minority population was estimated at 69,695 residents, equivalent to 20.5% of the total population and represented a 72% increase in just eight years.

Diversity among Lehigh County's minority population is also increasing. In 1990, there were a total of 19,455 minority residents in Lehigh County with Black residents accounting for 34.8% of minority residents. Data estimates for 2008 reported that Blacks now represent only 26.2% of all minorities. The largest increase occurred in the "some other race alone" category, which increased 203% from 8,699 residents in 1990 to 26,380 residents in 2008.

The demographic shift involving Hispanics has also been substantial. Between 1990 and 2000, persons of Hispanic origin³ more than doubled from 14,999 to 31,881, accounting for one in ten of all Lehigh County residents in 2000. This segment increased another 71.7% between 2000 and 2008 to 54,741 residents.

Minority and Hispanic residents are increasing at a faster rate than White residents within the Urban County of Lehigh County. A demographic shift has occurred in the suburbs but to a lesser degree than in the two major cities. The number of White residents has increased 8.9% from 146,838 in 1990 to 159,907 in 2008, but the percentage of White residents has fallen to 87.6% from 97.8%. In contrast, the number of non-White residents increased nearly sevenfold from 3,364 in 1990 to 22,635 in 2008.

Persons of two or more races represent the largest minority group at 3.4% of the total Urban County population. Blacks comprise the second-largest group at 3.2% with 5,894 residents in 2008. Asians and Pacific Islanders, numbering 5,386 in 2008, accounted for 3.0% of the total Urban County population. Hispanics represented 4.8% of the Urban County population.

Figure 2-2
Trends in Population by Race and Ethnic Origin – 1990 to 2008

	1990		2000		2008	
	#	%	#	%	#	%
Lehigh County Population	291,141	100.0%	312,090	100.0%	339,623	100.0%
White Population	271,680	93.3%	271,590	87.0%	269,928	79.5%
Non-White Population	19,455	6.7%	40,500	13.0%	69,695	20.5%
Black	6,775	2.3%	11,097	3.6%	18,303	5.4%
American Indian / Alaskan Native	320	0.1%	553	0.2%	454	0.1%
Asian / Pacific Islander	3,661	1.3%	6,668	2.1%	10,965	3.2%
Some Other Race Alone	8,699	3.0%	16,474	5.3%	26,380	7.8%
Two or More Races	--	--	5,708	1.8%	13,593	4.0%
Hispanic Population	14,999	5.2%	31,881	10.2%	54,741	16.1%
Urban County Population	150,208	100.0%	167,209	100.0%	182,542	100.0%
White Population	146,838	97.8%	158,939	95.1%	159,907	87.6%
Non-White Population	3,364	2.2%	8,270	4.9%	22,635	12.4%
Black	1,202	0.8%	2,138	1.3%	5,894	3.2%
American Indian / Alaskan Native	117	0.1%	153	0.1%	177	0.1%
Asian / Pacific Islander	1,404	0.9%	3,019	1.8%	5,386	3.0%
Some Other Race Alone	641	0.4%	1,491	0.9%	4,901	2.7%
Two or More Races	--	--	1,469	0.9%	6,277	3.4%
Hispanic Population	1,857	1.2%	3,847	2.3%	8,738	4.8%

Notes: (1) Data for Two or More Races was not available in 1990. (2) The Urban County includes Lehigh County exclusive of the cities of Allentown and Bethlehem and the Township of Lower Macungie.

Sources: U.S. Census Bureau for 1990 and 2000 (SF 1, P3, P4); DemographicsNow for 2008

An analysis of population data at the municipality level can reveal the extent to which White and non-White residents live in separate areas of

³ Hispanic origin is defined by the Census Bureau as "people whose origins are from Spain, the Spanish-speaking countries of Central or South America, the Caribbean, or those identifying themselves generally as Spanish, Spanish-American, etc. Origin can be viewed as ancestry, nationality, or country of birth of the person or person's parents or ancestors prior to their arrival in the United States. Spanish/Hispanic/Latino people may be of any race."

the Urban County. While the existence of such segregation is not definitive proof of discrimination in the housing market, it *may* indicate that such discrimination exists or that other factors are at work that limit housing choice for non-White households.

As the following table illustrates, the population of all but five of the Urban County's municipalities was comprised of more than 95% White residents in 2000. These five municipalities – Fountain Hill Borough, Hanover Township, Macungie Borough, Upper Macungie Township, and Whitehall Township – are referred to as the "Selected Municipalities" in the following sections.

In the following chart, the five Selected Municipalities are highlighted in bold italics.

**Figure 2-3
Municipality Population by Race and Ethnicity – 2000**

	Total Population	Non-Minority Residents	Minority Residents	Hispanic Residents
Lehigh County	312,090	87.0%	13.0%	10.2%
Allentown city	106,632	72.5%	27.5%	24.4%
Bethlehem city	19,029	90.7%	9.3%	8.8%
Lower Macungie township	19,220	93.8%	6.2%	1.5%
Urban County of Lehigh County	167,208	95.1%	4.9%	2.3%
Alburtis borough	2,117	97.2%	2.8%	0.9%
Catasauqua borough	6,588	95.6%	4.4%	3.5%
Coopersburg borough	2,582	96.0%	4.0%	1.8%
Coplay borough	3,387	96.8%	3.2%	2.3%
Emmaus borough	11,313	95.9%	4.1%	1.5%
Fountain Hill borough	4,614	86.8%	13.2%	10.7%
Hanover township	1,913	86.1%	13.9%	6.1%
Heidelberg township	3,279	98.7%	1.3%	0.9%
Lower Milford township	3,617	98.1%	1.9%	0.7%
Lowhill township	1,869	97.7%	2.3%	1.0%
Lynn township	3,849	98.1%	1.9%	1.1%
Macungie borough	3,039	94.9%	5.1%	1.3%
North Whitehall township	14,731	96.8%	3.2%	1.7%
Salisbury township	13,498	95.4%	4.6%	2.1%
Slatington borough	4,434	96.2%	3.8%	2.0%
South Whitehall township	18,028	95.7%	4.3%	1.5%
Upper Macungie township	13,895	93.0%	7.0%	1.7%
Upper Milford township	6,889	98.3%	1.7%	1.0%
Upper Saucon township	11,939	97.1%	2.9%	1.1%
Washington township	6,588	98.7%	1.3%	1.0%
Weisenberg township	4,144	98.1%	1.9%	1.3%
Whitehall township	24,896	90.6%	9.4%	4.4%

Note: The Urban County includes Lehigh County exclusive of the cities of Allentown and Bethlehem and the Township of Lower Macungie.

Source: U.S. Census Bureau, Census 2000, Summary File 1 (P3 and P4)

The non-White population of the Urban County is concentrated in five municipalities. These five municipalities contain 28.9% of the total Urban County population, yet 52.5% of all non-White residents living in the Urban County reside within these five areas. A majority of

Hispanic residents (51.4%) in the Urban County reside in these five communities as well.

Figure 2-4
Population by Race and Ethnicity of Selected Municipalities – 2000

	Total	White	Black	American Indian/ Alaska Native	Asian/ Pacific Islander	Some other race	Two or more races	Hispanic
Lehigh County	312,090	271,590	11,097	553	6,552	16,474	5,708	31,881
Urban County of Lehigh County	167,209	158,939	2,138	153	3,019	11,491	1,469	3,547
Fountain Hill borough	4,614	4,007	176	9	42	277	103	495
Hanover township	1,913	1,648	106	1	90	38	30	117
Macungie borough	3,039	2,884	43	3	63	23	23	43
Upper Macungie township	13,895	12,917	164	5	588	82	139	235
Whitehall township	24,896	22,545	682	32	902	426	293	1,089

Note: The Urban County includes Lehigh County exclusive of the cities of Allentown and Bethlehem and the Township of Lower Macungie.

Source: U.S. Census Bureau, Census 2000, Summary File 1 (P3 and P4)

The concentration of minorities and Hispanics in the Selected Municipalities illustrates that the Urban County is segregated.

Whites live throughout the Urban County in all boroughs and townships, but more than half of all non-White residents and Hispanic residents live in the five Selected Municipalities.

An analysis of 1990 data reveals similar segregation patterns. In 1990, the populations of the same five Selected Municipalities included 53.6% of the Urban County's racial minorities and 44.2% of Hispanics.

Consequently, the overall patterns of racial segregation in the Urban County have remained relatively constant since 1990, while ethnic segregation appears to have increased.

HUD defines an area of racial or ethnic concentration as an area with a population of racial or ethnic minority residents of 10 percentage points or higher than the Urban County's overall percentage. Areas of concentrations of racial/ethnic minority residents are of concern when these same geographic areas are also noted to contain a disproportionately higher rate of low-income persons, lower homeownership rates, and higher rates of unemployed or underemployed persons, among other issues.

While there are higher concentrations of racial and ethnic minority residents living in five municipalities in the Urban County, there are no areas of concentration that meet HUD's definition.

b. Ancestry

Foreign-born residents are more likely to live in the cities of Allentown and Bethlehem than in the Urban County. In 2000 there were 19,331 foreign-born persons (6.2% of the population) in Lehigh County compared to only 6,868 foreign-born persons (4.1%) in the Urban County.

Of the 6,868 foreign-born residents in the Urban County, naturalized citizens numbered 3,798 and accounted for 2.3% of the population. (Naturalization is the conferring, by any means, of citizenship upon a person after birth.) Another 3,070 foreign-born persons (1.8% of the population) were not citizens and resided in the Urban County.

Seven municipalities had higher rates of foreign-born residents than the Urban County rate of 4.1%. Four of these seven municipalities were previously referenced as the Selected Municipalities where a majority of non-White residents lived. The seven municipalities include:

- Coopersburg Borough – 5.6%
- Fountain Hill Borough – 5.1%
- Hanover Township – 7.1%
- Lowhill Township – 4.4%
- South Whitehall Township – 5.0%
- Upper Macungie Township – 7.1%
- Whitehall Township – 7.5%.

**Figure 2-5
Foreign-Born Population by Municipality – 2000**

	Foreign-Born Residents							
	Total Population	Native-Born Residents		Naturalized Citizens		Not Citizens		Total
		#	%	#	%	#	%	# %
Pennsylvania	12,281,054	11,772,763	95.9%	257,339	2.1%	250,952	2.0%	508,291 4.1%
Lehigh County	312,090	292,759	93.8%	9,487	3.0%	9,844	3.2%	19,331 6.2%
Allentown city	106,632	96,405	90.4%	4,460	4.2%	5,767	5.4%	10,227 9.6%
Bethlehem city	19,029	18,066	94.9%	438	2.3%	525	2.8%	963 5.1%
Lower Macungie township	19,220	17,947	93.4%	791	4.1%	482	2.5%	1,273 6.6%
Urban County of Lehigh County	167,209	160,541	95.9%	3,798	2.3%	3,070	1.8%	6,868 4.1%
Alburtis borough	2,117	2,054	97.0%	34	1.6%	29	1.4%	63 3.0%
Catasauqua borough	6,588	6,390	97.0%	134	2.0%	64	1.0%	198 3.0%
Coopersburg borough	2,582	2,438	94.4%	41	1.6%	103	4.0%	144 5.6%
Coplay borough	3,387	3,302	97.5%	59	1.7%	26	0.8%	85 2.5%
Emmaus borough	11,242	10,942	97.3%	106	0.9%	194	1.7%	300 2.7%
Fountain Hill borough	4,614	4,377	94.9%	177	3.8%	60	1.3%	237 5.1%
Hanover township	1,913	1,777	92.9%	34	1.8%	102	5.3%	136 7.1%
Heidelberg township	3,441	3,396	98.7%	45	1.3%	0	0.0%	45 1.3%
Lower Milford township	3,617	3,502	96.8%	68	1.9%	47	1.3%	115 3.2%
Lowhill township	1,869	1,786	95.6%	51	2.7%	32	1.7%	83 4.4%
Lynn township	3,687	3,627	98.4%	28	0.8%	32	0.9%	60 1.6%
Macungie borough	3,039	2,917	96.0%	62	2.0%	60	2.0%	122 4.0%
North Whitehall township	14,731	14,494	98.4%	97	0.7%	140	1.0%	237 1.6%
Salisbury township	13,498	13,004	96.3%	338	2.5%	156	1.2%	494 3.7%
Slatington borough	4,434	4,356	98.2%	29	0.7%	49	1.1%	78 1.8%
South Whitehall township	18,028	17,119	95.0%	617	3.4%	292	1.6%	909 5.0%
Upper Macungie township	13,895	12,908	92.9%	466	3.4%	521	3.7%	987 7.1%
Upper Milford township	6,960	6,852	98.4%	76	1.1%	32	0.5%	108 1.6%
Upper Saucon township	11,939	11,485	96.2%	297	2.5%	157	1.3%	454 3.8%
Washington township	6,588	6,535	99.2%	33	0.5%	20	0.3%	53 0.8%
Weisenberg township	4,144	4,056	97.9%	44	1.1%	44	1.1%	88 2.1%
Whitehall township	24,896	23,024	92.5%	962	3.9%	910	3.7%	1,872 7.5%

Note: The Urban County includes Lehigh County exclusive of the cities of Allentown and Bethlehem and the Township of Lower Macungie.
Source: U.S. Census Bureau, Census 2000, Summary File 3 (P21)

c. Family Households and Female-Headed Households

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

Married-couple family households were more likely to live in the Urban County outside of the cities of Allentown and Bethlehem. In Lehigh County, there were 82,106 family households in 2000, of which 37,254 had children under age 18 (30.6% of all households). Of the 121,906 total households, 12,780 were female-headed households (10.5% of all households). The Urban County, compared to Lehigh County as a whole, had fewer single parent, non-family and one-person households.

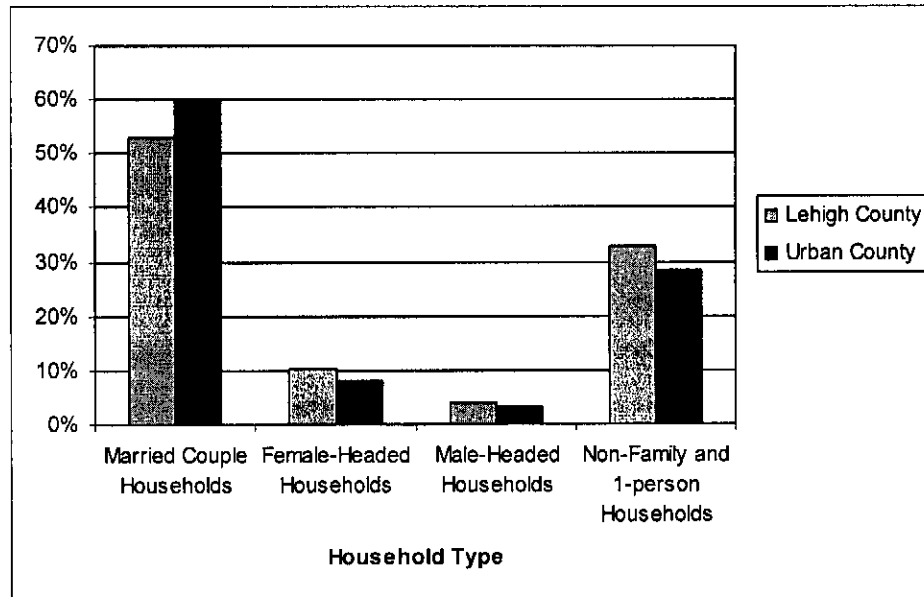
Figure 2-6
Trends in Household Types – 2000

	Lehigh County		Urban County	
	#	%	#	%
Total Households	121,906	100.0%	64,492	100.0%
Family Households	82,106	67.4%	46,285	71.8%
Married Couple Households	64,558	53.0%	38,803	60.2%
With children	27,239	22.3%	16,492	25.6%
Without children	37,319	30.6%	22,311	34.6%
Female-Headed Households	12,780	10.5%	5,277	8.2%
With children	7,459	6.1%	2,673	4.1%
Without children	5,321	4.4%	2,604	4.0%
Male-Headed Households	4,768	3.9%	2,205	3.4%
With children	2,556	2.1%	1,132	1.8%
Without children	2,212	1.8%	1,073	1.7%
Non-Family and 1-person Households	39,800	32.6%	18,207	28.2%
Average Household Size	2.48	--	2.54	--

Note: The Urban County includes Lehigh County exclusive of the cities of Allentown and Bethlehem and the Township of Lower Macungie.

Source: U.S. Census Bureau (SF3, P9, P10)

Figure 2-7
Trends in Household Types – 2000



Source: U.S. Census Bureau (SF3, P9, P10)

Across Lehigh County, family types differed greatly between non-minority and minority families. Among White families, 81% were married couples, 13% were female-headed families, and 7% were female-headed families with children. Among Black families, 46% were married couples, 42% were female-headed families, and 31% were female-headed families with children. Similarly, among families of some other race alone, half were married couples, 38% were female-headed families, and 31% were female-headed families with children. Also, among Hispanic families, 51% were married couples, 37% were female-headed families, and 30% were female-headed families with children. Among Blacks, Hispanics, and households of some other race alone, three of four single-female householders have children compared to only half among Whites. Asians and households headed by a householder of two or more races were not included in this table due to small populations, but Asian household trends closely resemble those of Whites, while trends among households of two or more races closely resemble those of the other minority groups and Hispanics.

d. Disability Status

The Census Bureau reports disability status for non-institutionalized disabled persons age 5 and over. As defined by the Census Bureau, a disability is a long-lasting physical, mental, or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.

Discrimination based on physical, mental or emotional handicap, provided "reasonable accommodation" can be made, is prohibited under the Fair Housing Act. Reasonable accommodation may include changes to address the needs of disabled persons and may include adaptive structural changes as well as administrative changes, provided these changes can reasonably be made.

In Lehigh County, there were 287,919 non-institutionalized persons age 5 years and older in 2000. Of these, 50,596 (17.6%) reported at least one disability. The presence of persons with disabilities was significantly lower in the Urban County with a total of 23,636 persons reporting at least one disability. Of the non-institutionalized population age 5 years and older, 15.2% of the population of the Urban County had at least one disability compared to 17.6% of the County overall.

Nine municipalities had higher rates of persons with disabilities than the Urban County overall. These communities are highlighted in bold italics in the following table. It is reasonable to assume that many disabled persons may reside in the more urbanized areas of the Urban County where public transportation routes are more prevalent and service is more frequent, and where social, medical and other supportive services required by the disabled population tend to be located and, therefore, more conveniently accessible.

Figure 2-8
Persons with Disabilities – 2000

	Civilian Non-institutionalized Population 5 years and older	With one or more disabilities	Percent
Lehigh County	287,919	50,696	17.6%
Allentown city	97,191	21,676	22.3%
Bethlehem city	17,423	3,471	19.9%
Lower Macungie township	17,894	1,813	10.1%
Urban County	155,411	23,636	15.2%
Alburtis borough	1,970	214	10.9%
Catasauqua borough	6,211	1,066	17.2%
Coopersburg borough	2,279	409	17.9%
Coplay borough	3,215	616	19.2%
Emmaus borough	10,666	1,883	17.7%
Fountain Hill borough	4,217	843	20.0%
Hanover township	1,792	304	17.0%
Heidelberg township	3,226	475	14.7%
Lower Milford township	3,415	452	13.2%
Lowhill township	1,763	205	11.6%
Lynn township	3,438	390	11.3%
Macungie borough	2,881	401	13.9%
North Whitehall township	13,518	1,730	12.8%
Salisbury township	12,455	1,873	15.0%
Slatington borough	4,147	824	19.9%
South Whitehall township	16,254	2,614	16.1%
Upper Macungie township	12,673	1,415	11.2%
Upper Milford township	6,663	715	10.7%
Upper Saucon township	11,272	1,373	12.2%
Washington township	6,275	941	15.0%
Weisenberg township	3,856	454	11.8%
Whitehall township	23,225	4,439	19.1%

Note: The Urban County includes Lehigh County exclusive of the cities of Allentown and Bethlehem and the Township of Lower Macungie.

Source: U.S. Census Bureau, Census 2000, Summary File 3 (PCT26)

B. Income Data

i. Median Household Income

Income trends can reveal the financial capacity of an area to support new housing construction, modernization of older housing units, and regular maintenance of existing units. Lower income households will have greater difficulty meeting their basic needs (food and clothing) and generally have less disposable income to save toward a downpayment to rent or purchase a home, or to make necessary repairs on an older housing unit.

Median household income is often the benchmark against which housing affordability is measured. In 2000, the median household income (MHI) in Lehigh County was \$43,449.⁴ Among households with householders of a single race, Asian households had the highest MHI at \$60,701 followed by White households at \$45,149. Households with householders who were

⁴ Median household income is available for the entire county and not for the Urban County.

Black, of two or more races, of some other race alone, or Hispanic had comparable MHIs at \$32,830, \$29,859, \$26,628, and \$26,164, respectively.

Black and Hispanic households had far less earning ability than White and Asian households in Lehigh County in 2000. As shown in the following table, most non-White households generally have lower incomes than White and Asian households. While one-quarter of White households had annual incomes of less than \$25,000 in 2000, nearly half of the households of some other race alone and Hispanic households had this low level of income. Approximately four in ten of all black households also had incomes below \$25,000. The percentage of Asian households in this income group was the lowest of all racial and ethnic minority groups at 18%.

Figure 2-9
Household Income by Race and Ethnicity – 2000

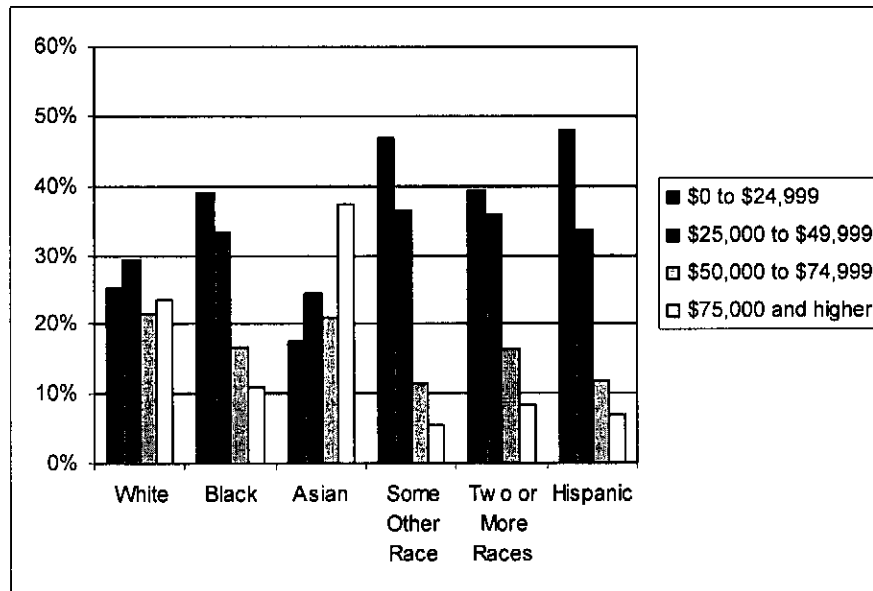
	White	Black	Asian	Some Other Race	Two or More Races	Hispanic
Number of Households	109,661	3,445	2,230	4,765	1,575	9,004
% Households by Income						
\$0 to \$24,999	25%	39%	18%	47%	39%	48%
\$25,000 to \$49,999	29%	33%	24%	36%	36%	34%
\$50,000 to \$74,999	22%	17%	21%	11%	16%	12%
\$75,000 and higher	24%	11%	37%	6%	8%	7%

Source: U.S. Census Bureau, Census 2000, Summary File 4 (PCT88)

At the opposite end of the spectrum, 37% of Asian households had incomes equal to or greater than \$75,000 compared to 24% of White households and only 11% of Black households. Fewer than 10% of other minority groups were in this upper income bracket.

The differences in incomes across racial and ethnic groups could be part of the explanation for the segregation patterns observed in the Urban County. Since such a large share of Black and Hispanic households have lower incomes, these households may not be able to afford to live in many areas of the County outside of the five selected municipalities where more affluent White households can afford to live.

Figure 2-10
Household Income by Race and Ethnicity – 2000



Source: U.S. Census Bureau, Census 2000, Summary File 4 (PCT88)

Across Lehigh County, the MHI for minority (excluding Asian) and Hispanic households was only two-thirds that of White households and half that of Asian households. This disparity will have serious implications on the ability of non-Asian minority and Hispanic households to affordably purchase or rent a housing unit as compared to White and Asian households in the County.

ii. Low and Moderate Income Persons

The following table outlines the percentage of low and moderate income (LMI) persons in the Urban County by census block group. This information is calculated by HUD to determine area eligibility for the Community Development Block Grant (CDBG) Program. LMI persons have incomes at or below 80% of the area median income level. HUD's formula for calculating the number of low and moderate income persons includes persons residing in households and excludes persons residing in group quarters.⁵

The LMI population is concentrated in eleven Urban County municipalities. In 2007, there were 15 census block groups where the percentage of LMI persons was 51% or higher. These 15 census block groups are located in 11 municipalities in the Urban County. Three of the five Selected Municipalities (Hanover Township, Upper Macungie Township and Whitehall Township) contain five of the LMI census block group areas.

⁵ The group quarter population includes persons under formally authorized supervised care or custody such as correctional institutions, nursing homes, and juvenile institutions. The group quarter population also includes non-institutionalized persons living in group quarters such as college dormitories, military quarters, and group homes.

Figure 2-11
Low-Moderate Income Block Group Areas by Municipality – 2000

Municipality	Census Tract	Block Group	Low-Moderate Income Persons	
			#	%
Catasauqua borough	5901	4	944	60.7
Catasauqua borough	5901	5	418	53.0
Coopersburg borough	6902	2	490	54.3
Coplay borough	5800	1	727	56.5
Emmaus borough	6500	2	830	60.1
Hanover township	5902	2	406	63.9
North Whitehall township	5502	2	49	70.0
Slatington borough	5100	2	946	58.6
Slatington borough	5100	4	584	64.7
Upper Macungie township	6201	2	18	100.0
Upper Milford township	6600	3	29	100.0
Washington township	5200	3	269	54.7
Whitehall township	5703	1	568	51.4
Whitehall township	5703	2	689	57.6
Whitehall township	5602	4	359	56.7

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

C. Employment Data

i. Civilian Labor Force

The history of the Lehigh Valley is synonymous with the steel industry and other manufacturing sectors. In 1970 over 93,900 persons were employed in manufacturing jobs. By 2005, this number declined by more than half to 45,725. Most recently, the loss of manufacturing employment was balanced by the net creation of jobs in nearly all other sectors as evidenced by total employment numbers increasing since 2003. While 7,500 manufacturing jobs were lost between 2002 and 2005, another 19,600 new jobs were gained in seven other sectors, more than off-setting the manufacturing losses. Even with occasional dips in specific employment sectors, the regional MSA economy remains a very strong one.⁶

Unemployment is highest among Hispanics and non-Whites with the exception of Asians. Lehigh County's unemployment rate was 4.4% in 2000, lower than the State's rate of 5.7%.⁷ Following state trends, Whites and Asians had the lowest unemployment rates in the County. The highest unemployment was experienced by Hispanics, where it was more than triple the unemployment rate among Whites. Unemployment rates of Blacks, persons of some other race, persons of two or more races, and Hispanics more closely resembled those of the State.

Higher unemployment rates will significantly impact the financial ability of these population segments to afford home ownership.

⁶ Mullin & Lonergan Associates, Inc., An Assessment of Affordable Housing in the Lehigh Valley of Pennsylvania, page 18 (2007).

⁷ Civilian labor force data by sex, race and ethnicity is available at the county level but it is not available at the municipality level or the urban county level.

**Figure 2-12
Civilian Labor Force – 2000**

	Lehigh County		Pennsylvania	
	#	%	#	%
Total Civilian Labor Force	157,424	100.0%	5,312,388	100.0%
Employed	150,424	95.6%	5,653,500	94.3%
Unemployed	6,997	4.4%	339,386	5.7%
Male CLF	83,379	100.0%	3,175,145	100.0%
Employed	79,826	95.7%	2,992,780	94.3%
Unemployed	3,553	4.3%	182,365	5.7%
Female CLF	74,042	100.0%	2,817,741	100.0%
Employed	70,598	95.3%	2,660,720	94.4%
Unemployed	3,444	4.7%	157,021	5.6%
White CLF	140,234	100.0%	5,264,180	100.0%
Employed	134,826	96.1%	5,004,994	95.3%
Unemployed	5,408	3.9%	249,186	4.7%
Black CLF	4,783	100.0%	498,365	100.0%
Employed	4,337	90.7%	429,035	86.6%
Unemployed	446	9.3%	66,330	13.4%
Asian CLF	3,513	100.0%	105,448	100.0%
Employed	3,422	97.4%	98,327	93.2%
Unemployed	91	2.6%	7,119	6.8%
Some Other Race CLF	6,321	100.0%	70,517	100.0%
Employed	5,561	88.0%	60,989	86.5%
Unemployed	760	12.0%	9,528	13.5%
Two or More Races CLF	2,273	100.0%	56,763	100.0%
Employed	2,026	89.1%	50,754	89.4%
Unemployed	247	10.9%	6,009	10.6%
Hispanic CLF	10,999	100.0%	149,741	100.0%
Employed	10,483	87.4%	130,988	87.5%
Unemployed	1,516	12.6%	18,753	12.5%

Note: CLF data for American Indians/Alaskan Natives was not included due to small populations.

Source: U.S. Census Bureau, Census 2000, Summary File 3 (P43 and P150)

Note: CLF data for American Indians/Alaskan Natives was not included due to small populations

D. Housing Data

i. Cost of Housing

Median housing value in Lehigh County increased 32% between 1990 and 2007, when adjusted for inflation.⁸ This was in stark contrast to the median gross rent, which increased only 3% since 1990, when adjusted for inflation. During the same period, real median household income remained relatively constant.⁹

Increasing housing costs are not a direct form of housing discrimination. However, a lack of affordable housing does constrain housing choice. Residents may be limited to a smaller selection of neighborhoods or municipalities because of a lack of affordable housing.

Figure 2-13
Trends in Housing Costs and Income – 1990-2007

	1990	2000	2007	Change 1990-2007
Median Housing Value				
Actual Dollars	\$97,200	\$112,100	\$203,500	109%
2007 Dollars	\$154,198	\$134,977	\$203,500	32%
Median Gross Rent				
Actual Dollars	\$461	\$586	\$754	64%
2007 Dollars	\$731	\$705	\$754	3%
Median Household Income				
Actual Dollars	\$32,455	\$43,449	\$51,817	60%
2007 Dollars	\$51,486	\$52,316	\$51,817	1%

Sources: U.S. Census Bureau and American Community Survey (2007)

a. Rental Housing

Lehigh County has lost more than 7,000 affordable rental housing units since 2000. Ideally, if household income increased faster than the median rent, it should have been easier for households to find affordable rental housing units. In reality, Lehigh County has lost a substantial number of affordable rental units. Between 2000 and 2007, the number of affordable rental units renting for less than \$500 per month *decreased* by 7,053; the number of units renting for between \$500 and \$749 per month also decreased, by 3,316. At the same time, the number of units with higher rents between \$750 and \$999 increased 71.8% and units with rents higher than \$1,000 per month nearly quadrupled.

⁸ Housing value is the Census respondent's estimate of how much the property (house and lot, mobile home and lot, or condominium unit) would sell for if it were for sale. This differs from the housing sales price which is the actual price that the house sold for.

⁹ Real median income refers to income that has been adjusted for inflation.

Figure 2-14
Trends in the Number of Rental Units – 2000-2006

Units Renting for:	2000	2006	Change 2000-2006	
			#	%
Less than \$500	12,407	5,354	-7,053	-56.8%
\$500 to \$749	15,973	12,657	-3,316	-20.8%
\$750 to \$999	6,243	10,727	4,484	71.8%
\$1,000 or more	1,896	8,259	6,363	335.6%

Sources: U.S. Census Bureau and American Community Survey (2006)

One of the most credible and widely used sources of information about rental housing cost and affordability is the National Low Income Housing Coalition's (NLIHC) annual publication *Out of Reach*. The 2006 *Out of Reach* publication reported the following data for Lehigh County relative to housing affordability:

- The median income for all households in 2006 was \$65,900.¹⁰ For renter households, the median income was only \$31,763. This equates to a gross monthly income of \$2,647. For a household with this income, monthly rent of \$794 or less is affordable.
- The 2007 HUD Fair Market Rent (FMR) for a 2-bedroom unit was \$791. Therefore, a household earning the median renter income could afford the HUD 2-bedroom FMR.
- In Lehigh County, NLIHC estimates that approximately 49% of the 38,010 renter households cannot afford the HUD 2-bedroom FMR. Compounding this situation is the fact that "street" rents are higher than the FMRs, placing even more rental units out of reach for approximately one in every two renter households in the County.

b. Sales Housing

Increases in median sales prices varied significantly in Lehigh County between 2000 and 2006. The following chart illustrates the range of median sales prices by school district across Lehigh County. Between 2000 and 2006, median sales price increases ranged from 13% in Southern Lehigh to more than 85% in Northwestern Lehigh, after adjusting for inflation.

¹⁰ NLIHC used the 2006 median income for the entire MSA.

Figure 2-15
Trends in Median Sales Prices by School Districts in Lehigh County – 2000-2006

School District	3Q 2000		October 2006	
	Median Sales Price	Adjusted for Inflation	Median Sales Price	% Change
Lehigh County				
Allentown	\$67,000	\$78,400	\$129,000	64.5%
Catasauqua	\$75,000	\$87,800	\$117,000	33.3%
East Penn	\$132,000	\$154,500	\$253,000	63.8%
Northern Lehigh	\$97,000	\$113,600	\$153,000	34.7%
Northwestern Lehigh	\$167,000	\$195,500	\$362,000	85.2%
Parkland	\$188,000	\$220,000	\$260,000	18.2%
Salisbury	\$148,000	\$173,300	\$305,000	76.0%
Southern Lehigh	\$220,000	\$257,600	\$291,000	13.0%
Whitehall-Coplay	\$103,000	\$120,600	\$192,000	59.2%

Source: Lehigh Valley Association of Realtors

To assess how increases in housing sales prices have affected available housing choice in Lehigh County, recent home sales data were used to determine the number of homes affordable at the median household income for Whites, Blacks, and Hispanics. In 2000, the median household income was \$45,149 for Whites, \$32,830 for Blacks, and \$26,164 for Hispanics.

Given the median household income, it is possible to determine the maximum price of a home that is affordable to a household, and then the percentage of home sales (single family and condominium units) that were at or below that price and available on the market. To determine affordability, the following assumptions were made:

- The mortgage was a 30-year fixed rate loan at 5.5% interest
- The buyer made a 10% down payment on the sales price
- Principal, interest, taxes and insurance (PITI) equaled no more than 30% of gross monthly income
- The debt-to-income ratio was 35%
- Consumer debt of no more than \$500 per month.

The region's housing market is beyond the financial means of its non-White and ethnic households who earn below the median income. Based on these assumptions, a White household with the median household income of \$45,149 would have been able to afford a house selling in 2000 for no more than \$105,000. There were 2,877 home sales in 2000 for less than \$100,000.¹¹ This number represented 46% of the total 6,304 sales through the Lehigh Valley Association of Realtors in 2000.

¹¹ The Lehigh Valley Association of Realtors data provided the number of housing units that were listed in 2005 by price range. The price range categories selected in the text above most closely match the maximum amount of house a household could afford to purchase.

For a Black household earning the median household income of \$32,830, the choices would have been far fewer. At this income level, a Black homebuyer would have been able to afford a house selling for no more than \$35,000. In 2000, there were 1,547 sales for sale for less than \$70,000 (the lowest price range reported by LVAR) which would have been available to this household. This represented less than 25% of the total units sold. Of all the homes sold in 2000 through the Lehigh Valley Association of Realtors, Black households had less than half of the home-buying opportunities as White households. For other non-White and Hispanic households earning less than \$32,830, affordable housing opportunities were even more severely limited.

By 2006, the situation had changed significantly for all homebuyers. A White household with the median income of \$51,130 would have been able to afford a home selling for \$140,000. There were 2,325 homes that sold for less than \$140,000 that year. This represented 28% of all 8,201 homes sold in Lehigh County sold through LVAR. For a Black homebuyer earning the median household income of \$36,135 who could afford to purchase a home selling for \$55,000, there were only 362 homes that sold for less than \$70,000. This represented less than 5% of all the homes sold in 2006. In other words, Black homebuyers had less than 15% of the total homebuying opportunities than White homebuyers.

This analysis illustrates the degree to which the region's housing market is beyond the means of its non-White and ethnic households who earn less than the median income. One long-term impact of such circumstances is the inability of many minority households to accumulate wealth that results from rising property values in areas where housing appreciates.

Figure 2-16
Number of Sales by Price Range in Lehigh County – 2005

Sales Price Range	2000	2006
Under \$70,000	1,547	362
\$70,001 to \$90,000	925	433
\$90,001 to \$100,000	405	246
\$100,001 to \$120,000	751	545
\$120,001 to \$140,000	625	739
\$140,001 to \$160,000	429	710
\$160,001 to \$200,000	646	1402
\$200,001 to \$500,000	944	3502
Above \$500,000	32	262
Total Sales	6,304	8,201

Source: Lehigh Valley Association of Realtors

ii. Home Ownership

The overall home ownership rate in Lehigh County was 68.8% in 2000. Home ownership rates varied greatly between White households and minority households. The rate among Whites was 65.3% across the County, but less

than 1% among Blacks, Asians and persons of two or more races. Persons of some other race owned their homes at only a slightly higher rate (1.2%) as did Hispanics (2.4%)

Outside of the two major cities, fewer non-White households were homeowners. Across the Urban County, the overall homeownership rate was higher (78.1%) than in all of Lehigh County. The disparity in homeownership by race was also greater. Homeownership among White households was 76.2% compared to less than 1% for all other races and Hispanic households.

Figure 2-17
Home Ownership Rates by Race/Ethnicity of Household – 2000

	Total Home Ownership Rate	Among Whites	Among Blacks	Among Asians	Among Some Other Races	Among Two or More Races	Among Hispanics
Lehigh County	68.8%	68.1%	2.0%	0.6%	2.9%	0.8%	5.1%
Allentown city	53.0%	46.8%	2.0%	0.6%	2.9%	0.8%	5.1%
Bethlehem city	60.7%	59.0%	0.5%	0.0%	0.7%	0.5%	1.7%
Lower Macungie township	87.6%	84.0%	0.1%	3.0%	0.1%	0.4%	0.6%
Urban County	78.1%	76.2%	0.4%	0.7%	0.3%	0.3%	0.3%
Alburtis borough	84.2%	82.0%	0.0%	1.7%	0.0%	0.5%	0.3%
Catasauqua borough	87.6%	87.0%	0.0%	0.0%	0.3%	0.0%	1.6%
Coopersburg borough	70.7%	69.9%	0.0%	0.8%	0.0%	0.0%	0.2%
Coplay borough	75.4%	74.8%	0.0%	0.0%	0.6%	0.0%	1.5%
Emmaus borough	63.7%	63.2%	0.0%	0.2%	0.0%	0.2%	0.2%
Fountain Hill borough	66.7%	60.9%	1.7%	0.4%	2.6%	1.1%	4.4%
Hanover township	55.0%	52.7%	0.8%	1.0%	0.6%	0.0%	1.7%
Heidelberg township	90.6%	90.1%	0.6%	0.0%	0.0%	0.0%	0.6%
Lower Milford township	91.0%	90.6%	0.0%	0.0%	0.0%	0.4%	0.0%
Lowhill township	90.7%	89.8%	0.0%	0.3%	0.0%	0.6%	0.3%
Lynn township	82.5%	80.5%	0.0%	0.0%	0.9%	0.4%	2.0%
Macungie borough	58.6%	56.7%	0.0%	1.5%	0.0%	0.4%	0.0%
North Whitehall township	87.2%	85.8%	0.3%	0.5%	0.5%	0.1%	0.5%
Salisbury township	87.3%	85.2%	0.5%	0.8%	0.4%	0.3%	1.0%
Slatington borough	60.8%	60.5%	0.0%	0.0%	0.0%	0.0%	0.0%
South Whitehall township	82.4%	79.9%	0.4%	1.3%	0.1%	0.6%	0.5%
Upper Macungie township	84.9%	81.3%	0.3%	2.2%	0.5%	0.7%	0.7%
Upper Milford township	89.6%	87.8%	0.6%	0.4%	0.3%	0.6%	0.6%
Upper Saucon township	92.0%	90.2%	0.0%	1.1%	0.0%	0.5%	0.3%
Washington township	89.5%	88.9%	0.3%	0.0%	0.0%	0.3%	0.0%
Weisenberg township	91.4%	89.6%	1.2%	0.0%	0.5%	0.0%	2.3%
Whitehall township	65.0%	63.1%	0.5%	0.9%	0.4%	0.1%	1.1%

Note: The Urban County includes Lehigh County exclusive of the cities of Allentown and Bethlehem and the Township of Lower Macungie.

Source: U.S. Census Bureau, Census 2000, Summary File 3 (H11, H12)

iii. Cost Burdened Households

Affordable housing is defined as paying no more than 30% of gross household income for monthly housing expenses including mortgage, utilities, insurance and taxes, or rent and utilities, regardless of income level. It should be noted that some households may choose to pay more than 30% of their income for housing. However, when households spend more than 30% of their income on housing, it is considered excessive and these households are classified as cost burdened.

When households pay higher proportions of their incomes for housing, they may be forced to sacrifice other basic necessities such as food, clothing, and health care. Additionally, cost burdened households may have trouble maintaining their dwelling. Cost burden is of particular concern among lower income households, who overall have fewer housing choices.

In Lehigh County in 2000:

- 70% of all extremely low income renters were cost burdened compared to 77% of owners in the same income group. Among renters, a higher percentage of families and other household types experienced cost burden than did elderly households; among owners, the percentage of households that experienced cost burden was similar across all household types.
- Very low income renters were cost burdened at a greater rate than that of owners (63% compared to 50%) in the same income group. Among renters, a higher percentage of small families and other household types experienced cost burden than did large families and elderly households; among owners, the percentage of elderly households that experienced cost burden was significantly lower than that of families and other household types.
- 27% of low income renters were cost burdened compared to 36% of owners in the same income group. Among renters, the percentage of elderly households that experienced cost burden was significantly higher than that of families and other household types; among owners, the percentage of elderly households that experienced cost burden was significantly lower than that of families and other household types.
- Among middle income households, only 3% of renters and 9% of owners experienced cost burden. Elderly had the highest percentage of cost burdened renters, while, among owners, the percentage of households that experienced cost burden was similar across all household types.

Renters carried a slightly heavier cost burden than owners in general, though this varies depending on the income level. More than one in three renters were paying more than 30% of income on housing, and this situation, if prolonged unabated, can prevent renters who desire to become home owners from succeeding.

Figure 2-18
Cost Burdened Households – 2000

Income Category	RENTERS					OWNERS				
	Elderly	Small Families	Large Families	All Others	Total	Elderly	Small Families	Large Families	All Others	Total
Extremely Low Income (0% - 30% of MFI)	3,024	2,116	750	2,200	8,090	1,392	749	204	113	2,458
% with Any Housing Problem	84%	77%	91%	74%	73%	77%	79%	86%	77%	78%
% Cost Burdened	62%	74%	81%	73%	70%	76%	78%	83%	77%	77%
% Extremely Cost Burdened	41%	57%	60%	60%	52%	45%	72%	68%	65%	55%
Very Low Income (30% - 50% of MFI)	2,644	1,990	590	1,383	6,607	1,812	1,294	366	719	3,791
% with Any Housing Problem	52%	76%	80%	75%	67%	39%	75%	80%	72%	51%
% Cost Burdened	51%	72%	54%	75%	63%	39%	73%	71%	72%	50%
% Extremely Cost Burdened	20%	17%	6%	22%	18%	12%	39%	22%	44%	21%
Low Income (50% - 80% of MFI)	1,724	1,329	660	3,085	6,798	5,655	4,386	1,344	17,40	13,134
% with Any Housing Problem	43%	28%	42%	28%	32%	17%	50%	53%	57%	37%
% Cost Burdened	42%	21%	15%	26%	27%	17%	50%	44%	57%	36%
% Extremely Cost Burdened	8%	1%	0%	1%	2%	6%	11%	8%	20%	9%
Middle Income (80% of MFI & above)	1,863	6,398	770	6,183	14,224	10,770	36,438	5,670	7,044	59,922
% with Any Housing Problem	14%	5%	25%	3%	7%	7%	9%	13%	17%	10%
% Cost Burdened	14%	2%	0%	2%	3%	7%	8%	9%	16%	9%
% Extremely Cost Burdened	5%	0%	0%	0%	1%	1%	1%	0%	3%	1%
Total	9,155	12,832	2,780	13,442	37,969	23,329	42,877	7,673	10,118	83,894
% with Any Housing Problem	47%	35%	58%	31%	38%	23%	18%	26%	31%	21%
% Cost Burdened	45%	31%	37%	30%	34%	22%	16%	21%	31%	20%
% Extremely Cost Burdened	21%	14%	18%	14%	16%	9%	4%	5%	12%	6%

Source: HUD's State of the Cities Data System, 2000

The following chart illustrates the degree of cost burden among households by income group, tenure (renters versus owners), and race/ethnicity. Using the same data source, it is possible to analyze the degree to which White, Black, and Hispanic households are cost burdened relative to each other in Lehigh County. (The data for households of "some other race alone" was not available, and the data for "all other" racial and ethnic minorities was not available or not analyzed due to small populations.)¹²

¹² HUD CHAS data tables provide information on the percent of households by race "with housing problems" but do not distinguish between the three types of housing problems surveyed: overcrowded, lacking complete plumbing/kitchen facilities and cost burden. However, in all data tables, cost burden is (by far) the housing problem that impacts more households than the other two physical deficient characteristics combined.

Figure 2-19
Comparison of Cost Burdened Households by Race/Ethnicity– 2000

		Extremely Low Income (0%–<30% of MFI)	With any housing Problem	Very Low Income (30% –<50% of MFI)	With any housing Problem	Low Income (50%–<80% of MFI)	With any housing Problem
RENTER HOUSEHOLDS	White						
	Elderly	2605	64%	2420	50%	1705	44%
	Family	1205	79%	1360	81%	1960	29%
	Other	1460	76%	1495	73%	2550	29%
	Total	5270	71%	5275	65%	6215	33%
	Black						
	Elderly	55	73%	34	88%	15	0%
	Family	260	79%	220	84%	280	45%
	Other	165	67%	140	75%	125	16%
	Total	480	74%	394	81%	420	35%
	Hispanic						
	Elderly	305	59%	65	85%	4	0%
	Family	1520	82%	895	69%	1150	31%
	Other	450	72%	275	82%	325	22%
	Total	2275	77%	1235	73%	1479	29%
OWNER HOUSEHOLDS	White						
	Elderly	2225	78%	4540	39%	5570	17%
	Family	690	80%	1305	74%	4710	51%
	Other	560	80%	665	71%	1655	57%
	Total	3475	78%	6510	49%	11935	36%
	Black						
	Elderly	20	50%	14	71%	8	50%
	Family	30	100%	49	92%	145	45%
	Other	8	50%	4	0%	10	100%
	Total	58	76%	67	82%	163	49%
	Hispanic						
	Elderly	35	57%	24	83%	25	0%
	Family	240	83%	265	81%	660	51%
	Other	19	79%	35	100%	60	50%
	Total	294	80%	324	83%	745	49%

Source: HUD's State of the Cities Data System, 2000

Non-White households experience a greater degree of cost burden than White households in the Urban County. The populations of Black and Hispanic households are much smaller than those of White households, and this can skew the data. Regardless of the income level, Black and Hispanic households generally experienced similar or higher degrees of cost burden than White households. Beyond this, however, no conclusive pattern emerges from the data evidencing a correlation between race/ethnicity, cost burden, income level, and/or household type.

iv. Assisted Rental Housing

a. Privately Assisted Housing

There is a substantial privately assisted housing inventory in the Urban County. Privately assisted housing is privately-owned but affordable due to the funding source used to develop the housing units.

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

In the Urban County, these 849 privately assisted housing units address a significant need, comprising approximately 4.4% of the approximately 19,130 rental units in 2006.

b. Publicly Assisted Housing

There are five public housing authorities in the Lehigh Valley, including Allentown, Bethlehem, Easton, Lehigh County and Northampton County. The Lehigh County Housing Authority is the owner and manager of all public housing units in the Urban County outside of Allentown and Bethlehem and the administrator of Section 8 vouchers for privately owned, government-subsidized housing outside of Allentown and Bethlehem.

More than 1,700 low income households are on the waiting lists for public housing and Section 8 vouchers. The Lehigh County Housing Authority (LCHA) owns and manages 289 units of public housing. In 2006, there were 862 applicant households on the waiting list for one of these units. LCHA also administers 1,540 Section 8 Housing Choice Vouchers in the Urban County. In 2006, there were 918 applicant households waiting for a voucher.¹³

LCHA provides a preference for elderly residents and persons with disabilities. To further assist persons with disabilities, LCHA policy permits applicants to reject several unit offers without losing their place on the waiting list. Justifiable reasons may include special needs, the applicant is currently in a lease, or transportation issues.

In the LCHA Resident Handbook and in the tenant lease, LCHA includes written procedures for how public housing residents can submit fair housing grievances or complaints against LCHA. Currently, there are no pending grievances or complaints.

According to LCHA, the greatest housing needs in Lehigh County include more affordable housing and housing for persons with special needs.

¹³ Mullin & Lonergan Associates, Inc., An Assessment of Affordable Housing in the Lehigh Valley of Pennsylvania (2007).

3. EVALUATION OF CURRENT FAIR HOUSING LEGAL STATUS

This section provides a review of the fair housing complaints or compliance reviews where a charge of a finding of discrimination has been made. Additionally, this section will review the existence of any fair housing discrimination suits filed by the Department of Justice or private plaintiffs in addition to the identification of other fair housing concerns or problems.

A lack of filed complaints does not necessarily indicate a lack of a problem. Some persons may not file complaints because they are not aware of how to go about filing a complaint or where to go to file a complaint. Discriminatory practices can be subtle and may not be detected by someone who does not have the benefit of comparing one's treatment with that of another home seeker. Other times, persons may be aware that they are being discriminated against, but they may not be aware that the discrimination is against the law and that there are legal remedies to address the discrimination. Finally, households may be more interested in achieving their first priority of finding decent housing and may prefer to avoid going through the process of filing a complaint and following through with it. Therefore, education, information, and referral regarding fair housing issues remain critical to equip persons with the ability to reduce impediments.

A. Existence of Fair Housing Complaints

i. U.S. Department of Housing and Urban Development (HUD)

Lehigh County requested from HUD a list of the number and nature of fair housing complaints filed in Lehigh County since 2000. The County received no direct response from HUD on this matter.

ii. Pennsylvania Human Relations Commission (PHRC)

Lehigh County requested from PHRC a list of the number and nature of fair housing complaints filed in Lehigh County since 2000. A summary of the responses received from PHRC is included below. PHRC also noted in their response that the complaints reflected a dual filing with PHRC and HUD.

The list of fair housing complaints provided by PHRC covered the period 2000 through June 2008. Of the 31 complaints originating from Lehigh County, the alleged basis of discrimination included:

- Race – 10 complaints (32%)
- Disability – 8 complaints (26%)
- Sex – 4 complaints (13%)
- Ancestry – 3 complaints (10%)
- Religious creed – 3 complaints (10%)
- Familial status – 2 complaints (6%)
- Retaliation – 1 complaint (3%).

Closing descriptions were noted as follows:

- 14 (45%) were found to be without probable cause
- 11 (35%) were determined to be null by PHRC
- 5 (16%) were negotiated with settlements
- 1 (3%) was withdrawn by the complainant.

Of the 31 complaints filed, only 5 were negotiated and resulted in a settlement.

HUD reports that 70% of fair housing complaints nationwide are related to rental transactions. While race is still the primary basis of discriminatory complaints, HUD finds that more complaints are being filed on the basis of disability. HUD also notes that if current trends continue, in the near future fair housing complaints based on disability will exceed those based on race.

Figure 3-1
Fair Housing Complaints Dual-Filed with HUD and PHRC in Lehigh County – 2000-2008

Subject Area/Act of Harm	Number Filed	Protected Class	Resolution
Discrimination in furnishing facilities / services / privileges for housing / commercial property	7	Disability (2) Race-black (3) Race-Chinese (1) Familial status (1)	Null (1) Negotiated settlement (2) No probable cause (4)
Discrimination in terms / conditions of leasing housing / commercial property	7	Ancestry-Hispanic (1) Race-black (3) Disability (1) Race-American Indian (1) Religious creed-Islam (1)	No probable cause (2) Null (5)
Eviction	5	Religious creed-Islam (1) Sex-female (2) Ancestry-Hispanic (1) Race-black (1)	No probable cause (2) Null (2) Negotiation settlement (1)
Other	5	Retaliation (1) Race-black (1) Ancestry-Hispanic (1) Disability (2)	No probable cause (3) Null (2)
Refusal to lease housing / commercial property	3	Religious creed-Judaism (1) Familial status (1) Disability (1)	No probable cause (3)
Harrassment by Neighbor to Neighbor	2	Sex-female (2)	Null (1) Adjusted / Withdrawn (1)
Refusal to make reasonable accommodation	2	Disability (2)	Negotiated settlement (2)
TOTAL	31		

NOTES:

Null--Identifies a case that the PHRC cannot proceed with for any number of reasons such as wrong name provided, responsible entity no longer in business, etc.

Negotiated settlement--Identifies a case where the parties negotiated a settlement prior to a PHRC decision.

Source: Pennsylvania Human Relations Commission

B. Existence of Fair Housing Discrimination Suit

There are no fair housing discrimination suits that have been filed and/or are pending in Lehigh County outside the cities of Allentown and Bethlehem and the Township of Lower Macungie.

C. Determination of Unlawful Segregation

There are no determinations of unlawful segregation that have been filed and/or are pending in Lehigh County outside the cities of Allentown and Bethlehem and the Township of Lower Macungie.

4. IDENTIFICATION OF IMPEDIMENTS TO FAIR HOUSING CHOICE

A. Public Sector

The analysis of impediments is a review of impediments to fair housing choice in the public and private sector. Impediments to fair housing choice are any actions, omissions, or decisions *taken* because of race, color, religion, sex, disability, familial status, or national origin that restrict housing choices or the availability of housing choices, or any actions, omissions, or decisions *that have the effect of* restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin. Policies, practices, or procedures that appear neutral on their face but which operate to deny or adversely affect the provision of housing to persons of a particular race, color, religion, sex, disability, familial status, or national origin may constitute such impediments.

An important element of the analysis includes an examination of public policy in terms of its impact on housing choice. From a budgetary standpoint, housing choice can be affected by the allocation of staff and financial resources to housing related programs and initiatives. The decline in federal funding opportunities for affordable housing for lower income households has shifted much of the challenge of affordable housing production to state, county, and local government decision makers.

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

This section evaluates several public policies in Lehigh County to determine opportunities for furthering the expansion of fair housing choice.

i. Zoning

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

A sampling of the zoning ordinances of the 22 Urban County municipalities was reviewed as part of this analysis. Appendix A includes summaries of the zoning ordinances reviewed to identify zoning regulations that may potentially impede housing choice in the Urban County. The analysis was based on topics raised in HUD's Fair Housing Planning Guide, which include:

- The opportunity to develop various housing types (including apartments and housing at various densities)

- The opportunity to develop alternative designs (such as cluster developments and planned residential developments)
- The treatment of mobile or modular homes, and if they are treated as stick-built single family dwellings
- Minimum lot size requirements
- Dispersal requirements for housing facilities for persons with disabilities in single family zoning districts
- Restrictions on the number of unrelated persons in dwelling units based on the size of the unit or the number of bedrooms.

It is important to consider that the presence of inclusive zoning does not necessarily guarantee a zoning ordinance's fairness. This analysis does not address the issue of availability, suitability, or developability of sites.

In each municipal zoning ordinance reviewed, the following eight zoning elements were analyzed for impediments to fair housing choice.

a. Date of Ordinance

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

- All ordinances were noted to have been amended or created between 2006 and 2009.

b. Residential Zoning Districts

Generally, more zoning districts established in a municipality means more housing choice. With a variety of residential zoning districts, a variety of housing types on varying minimum lot sizes can offer more affordable housing choice to residents.

- Generally, municipalities with greater populations had a greater number of zoning districts in which residential uses were permitted in some manner.
- Fountain Hill Borough had the fewest (5) districts in which residential uses were permitted.

c. Permitted Residential Lot Sizes

Because members of the protected classes are often also in low-income households, a lack of affordable housing may impede housing choice by members of the protected class. Excessively large lot sizes may deter development of affordable housing. A balance should be struck between areas with larger lots and those for smaller lots that will more easily support creation of affordable housing.

- Minimum lot sizes were generally highest in the townships and lower in the boroughs. In Upper Saucon Township, a

municipality with only six districts, minimum lot sizes ranged from as small as 1,800 square feet to 217,800 square feet (5 acres). Most municipalities had a variety of minimum lot sizes. However, in some municipalities, small minimum lot sizes can only be achieved by developing within some alternative design (i.e. cluster development).

d. Alternative Designs

Allowing alternative designs provides opportunities for affordable housing by reducing the cost of infrastructure spread out over a site. Alternative designs may also increase the economies of scale in site development, further supporting the development of lower cost housing. Alternative designs can also promote other community development objectives, including agricultural preservation or protection of environmentally sensitive lands, while offsetting large lot zoning and supporting the development of varied residential types.

- Alternative designs described in the reviewed zoning ordinances included Planned Residential Developments, Planned Unit Developments, Age Qualified Developments, Age Qualified Communities, Cluster Developments, Single-Family Cluster Developments, Conservation Design Developments, and Special Care Community Residences. Some form of alternative design was permitted in all of the municipalities other than Fountain Hill Borough.

e. Permitted Residential Types

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

- Single-family detached dwellings were, by far, the least likely type of residence to be a conditional use or special exception.
- Most ordinances had one or multiple higher-density zoning districts (generally near town centers), and, as would be expected, these districts tended to be the only place in which two-family and multi-family dwelling types were permitted.
- Two-family dwellings (two-family semi-detached, two-family detached, and single-family semi-detached) were permitted by right in at least one district in all of the ordinances. Multi-family dwellings (including apartments and townhouses) were also permitted by right in the higher density residential districts in all of the ordinances.
- Typically, special exceptions and conditional uses are reserved for residential uses that have the potential to have a greater impact on surrounding property. Special exceptions generally

must be approved by the zoning hearing board, while conditional uses must be recommended by the planning commission and approved by the elected body.

f. Definition of Mobile Home

Pennsylvania's Municipal Planning Code (MPC) defines a mobile home as a single-family dwelling. The inclusive definition encourages a varied housing stock advancing choice. Defining the use differently or restricting its location to areas other than those where stick-built single-family housing is permitted does not specifically impede housing choice by members of the protected classes. However, there is a correlation between low-income households and members of the protected classes. By limiting a low cost housing option, restrictions on mobile homes may disproportionately impact members of the protected classes.

- All of the ordinances defined a mobile home as a single-family dwelling or featured a single-family dwelling definition that was inclusive of mobile homes.

g. Definition of Family

Restrictive definitions of family may impede unrelated individuals from sharing a dwelling unit. Defining family broadly supports non-traditional families and the blending of families who may be living together for economic purposes that limit their housing choice. Restrictions in the definition of family typically cap the number of unrelated individuals that can live together. The restrictions from the cap can impede the development of group homes, effectively impeding housing choice for the disabled. Caps on unrelated individuals residing together may be warranted to avoid overcrowding, thus creating health and safety concerns.

Communities should make a reasonable accommodation in their zoning codes to enable a group home to locate in all residential zoning districts even if the number of occupants exceeds the cap.

- One of the ordinances limited the number of unrelated individuals living together as a family to three, two ordinances limited the number of unrelated individuals living together to 4, and two ordinances permitted 5 unrelated individuals to live together as a family.
- Four of the ordinances noted an exception to the cap on the number of unrelated persons living together in cases where the housing unit is a group home.

h. Regulations of Group Homes for Persons with Disabilities

Group homes are residential uses that do not adversely impact a community. Efforts should be made to ensure group homes can be easily accommodated throughout the community under the same standards as any other residential use. Of particular concern are those that serve members of the protected classes such as the disabled. A group home for

the disabled serves to provide a non-institutional experience for its occupants. Therefore, imposing conditions that create an institutional environment are contrary to the purpose of a group home. More importantly, the restrictions, unless executed against all residential uses in the zoning district, are an impediment to the siting of group homes and are in violation of the Fair Housing Act.

Several of the zoning ordinances reviewed for this analysis were found to be in violation of the Fair Housing Act as they relate to the provision of group homes. The following observations were noted during the reviews:

- In three ordinances, group home is neither defined nor regulated.
- In two ordinances, group homes are defined and are also specifically permitted wherever single-family detached homes are permitted. Group homes are permitted by right in multiple districts in these municipalities. However, the same two ordinances also placed restrictive conditions on group homes in their municipalities. These included:
 - Minimum lot sizes ranging from 15,000 to 30,000 square feet which determine the maximum number of residents and staff permitted to live and work in the group home.
 - Extra off-street parking requirements for residents and staff (i.e. one space per employee and every one and a half residents with a valid driver's license).
 - The need for off-street parking spaces to be buffered from adjacent existing single-family dwellings by a planting screen.
 - Granting the municipal zoning officer the authority to determine if 24-hour on-site supervision (within the group home) was necessary.

ii. Property Taxes

Taxes impact housing affordability. While not an impediment to fair housing choice, real estate taxes can impact the choice that households make with regard to where to live. In Pennsylvania, property taxes are made up of county, municipal, and school district taxes. Tax increases that may occur are burdensome to low income homeowners and increases are usually passed on to renters through rent increases. Another impact of using property tax as a main source of school district funding is the desire to limit housing for families with children to avoid the cost of paying for their schooling.

Pennsylvania tax policy needs to be reformed to reduce impediments to housing choice. The highest tax rates are in communities that are largely developed and where there is less non-residential development. These communities often are populated by long-time residents, many of whom are older and in need of services.

Real estate taxes are levied on land and buildings and provide primary revenue streams for counties, municipalities, and school districts throughout Pennsylvania. County assessment offices establish the market value of each property and then apply a pre-determined ratio to establish a property's assessed value. The ratio could range from 20% to 100%, and varies from county to county. From this assessment each taxing jurisdiction levies a uniform tax millage rate against the assessed value of each property. Levies are measured in tenths of a cent and commonly called "mills." Levies are multiplied by the assessed value of a property to calculate a property owner's real estate tax.

In Lehigh County, the total millage rates (including county, municipal, and school district rates) range from 45.11 mills in North Whitehall and Upper Macungie Townships to 102.36 mills in the City of Allentown. The assessed value of a property is equal to 50% of its appraised value. As a result, a house that appraised for \$100,000 would have an assessed value of \$50,000 for which a tax bill would be calculated.

To illustrate the substantial financial impact that property taxes have on housing affordability in Lehigh County, the annual real estate tax payment for a house selling for \$100,000 (with an assessed value of \$50,000) was calculated for each municipality. Annual tax payments ranged from \$2,256 in North Whitehall and Upper Macungie Townships to \$5,118 in Allentown.

Figure 4-1
Taxes Owed on a \$100,000 House by Municipality – 2006

	Total Mills*	Taxes Owed
Cities		
Allentown (land)	102.36	\$5,118
Allentown (buildings)	62.70	\$3,135
Bethlehem	59.93	\$2,997
Boroughs		
Alburtis	56.81	\$2,841
Catasauqua	56.42	\$2,821
Coopersburg	59.85	\$2,993
Coplay	53.87	\$2,694
Emmaus	58.24	\$2,912
Fountain Hill	57.08	\$2,854
Macungie	54.36	\$2,718
Slatington	77.70	\$3,885
Townships		
Hanover	46.17	\$2,309
Heidelberg	52.77	\$2,639
Lower Macungie	48.41	\$2,421
Lower Milford	51.85	\$2,593
Lowhill	52.97	\$2,649
Lynn	52.27	\$2,614
North Whitehall	45.11	\$2,256
Salisbury	52.73	\$2,637
South Whitehall	49.01	\$2,451
Upper Macungie	45.11	\$2,256
Upper Milford	48.66	\$2,433
Upper Saucon	54.05	\$2,703
Washington	67.77	\$3,389
Weisenberg	52.67	\$2,634
Whitehall	51.72	\$2,586

*Sum of municipal, school and county tax rates.

Source: Lehigh County Assessor Office

More specifically, these annual amounts were equivalent to monthly real estate property tax payments of \$188 in North Whitehall and Upper Macungie Townships and \$426 in Allentown. The significance of such high property taxes on residential properties is that the amount of taxes must be factored into the affordability equation. If a property owner is considering the purchase of a home, estimating the monthly mortgage payment must include the mortgage principle and interest, property taxes, and homeowner's insurance (referred to as the PITI).

In several cases, the highest tax areas are generally the poorest areas in the County, where significant population loss has occurred. When communities lose population, municipalities are forced to increase tax rates to compensate for the loss of tax revenue that accompanies population loss. In essence, the poorest communities bear the heaviest tax burden in Lehigh County and across Pennsylvania. This situation makes a good case for regional government under which tax rates could be assessed in a more equitable manner.

iii. Public Transit

Households without a vehicle, which in most cases are primarily low-moderate income households, are at a disadvantage in accessing jobs and services, particularly in rural areas. Access to public transit is critical to these households. Without convenient access, employment is potentially at risk and their ability to remain housed is greatly impacted.

In Lehigh County, the Lehigh and Northampton Transit Authority (LANTA) provides public transportation to Lehigh Valley residents. For those who choose to use public transportation to get to work, LANTA provides extensive routes and schedules to accommodate commuting residents, including:

- 17 core routes that serve the cities of Allentown, Bethlehem, Easton and surrounding suburban areas. These generally operate from 5:30 a.m. to 7:00 p.m.
- 15 shuttle routes serving Egypt, Catasauqua and Lehigh Valley Industrial Parks I-III, Iron Run Corporate Center and Williams Penn Business Center in Fogelsville, the greater Textertown area and communities, the Palmer Township and Forks Township Industrial Parks, and Lehigh Valley College at the Stabler Corporate Center. These generally operate from 6:00 a.m. to 6:30 p.m.
- The Whirlybird Mall express serving Lehigh Valley Mall, Whitehall Mall, Whitehall Shopping Center, MacArthur Towne Centre and Whitehall Square on 30-minute cycles from 8:00 a.m. to 6:30 p.m. Monday through Saturday, and from 10:00 a.m. to 5:50 p.m. on Sundays.
- The Rover serving Northampton Crossings and Palmer Park Malls along the Route 248 corridor in Palmer Township from 8:05 a.m. to 6:05 p.m.
- The Starlight service consists of four routes that operate between 6:30 a.m. and 11:00 p.m. to supplement service provided by the 17 core routes.
- The Night Owl service (initiated in 2000) provides late evening service from 10:15 p.m. to 12:05 a.m. and is geared to residents going to third shift jobs and returning from second shift jobs at major Lehigh County medical facilities. This service was developed as part of LANTA's commitment to the welfare-to-work effort and the changing needs of the regional labor force. To date, the service is considered moderately successful with 10 passengers per service hour.
- LANTA also provides transportation for students within the Allentown School District since the district does not provide busing for its students.

- LYNX is a weekday off-peak bus service that links destinations in Carbon County with the Lehigh Valley.

Public transit service is also available to all public housing sites in Lehigh County.

LANTA also meets the transportation needs of persons with disabilities and the elderly. This demand responsive service is offered for those who cannot use the fully accessible fixed route system due to physical limitations. Service is contracted to two transportation providers (VAST and Easton Coach Company).

LANTA's strategic plan for 2004-2015 includes an emphasis on connections to job centers at the fringe of the Lehigh Valley's growing urbanized areas. LANTA has identified a growing demand for new or adjusted service to accommodate special needs such as persons with disabilities and the elderly. Demand for transit service in the evenings and on the weekends has developed as a result of the change in the region's economic base from manufacturing to service industries. LANTA has focused its efforts on encouraging clients with lower-level disabilities to use the accessible Metro System.

iv. Accessibility of Residential Housing Stock

a. Private Housing Inventory

In Pennsylvania, the Universal Accessibility Act (PA Act 166) requires accessibility for persons with disabilities in certain new and rehabilitated residential and commercial property.

b. Public Housing Inventory

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

LCHA has completed a Section 504 Needs Assessment and Transition Plan. The Authority has set-aside funds to implement the plan. In a typical year, LCHA receives approximately three requests for reasonable accommodation. Furthermore, LCHA works extensively with the local nonprofit community and state and local agencies to provide housing to persons with disabilities and members of the protected classes.

B. Private Sector

i. Real Estate Practices

Lehigh County is served by the Lehigh Valley Association of Realtors. There are currently more than 2,600 members of LVAR that serve both Lehigh and Northampton counties. New Member Orientation classes are offered a minimum of six to eight times each year with classes taught by volunteer Realtors and the LVAR director. Each new member receives instruction in fair housing as part of the PA Act 10 Realtor Code of Ethics training. As part of the continuing education classes, licensees receive training in fair housing and cultural diversity. LVAR adheres to the established procedures in the Code of Ethics and Arbitration Manual of the National Association of Realtors. There have been no grievances involving fair housing filed in recent memory. All other fair housing complaints are referred directly to the Pennsylvania Human Rights Commission.

LVAR maintains a website and provides a monthly newsletter to its members. The Association solicits articles on fair housing issues from the National Association of Realtors. It also engages the PHRC fair housing staff to speak to its membership about fair housing issues at every possible opportunity.

When a fair housing issue arises, LVAR works closely with the municipalities involved to educate all parties and to assist in finding additional help when needed. LVAR stays current with all fair housing issues and will assist the general public to obtain assistance with PHRC or HUD.

The multi-list form utilized by LVAR includes a description of a dwelling's accessibility features that could be used to market the property to persons with disabilities.

There are members of the protected classes on the Association's Board of Directors. LVAR actively recruits and solicits the participation of all members on committees regardless of race, color, religion, national origin, sex, disability or familial status. Recruitment is also similarly broad-based for leadership positions with the Association.

ii. Newspaper Advertising

Under federal law, no advertising with respect to the sale or rental of a dwelling may indicate any preference, limitation, or discrimination because of race, color, religion, sex, handicap, familial status or national origin. The law, as found in the Fair Housing Amendments Act of 1988, describes the use of words, photographs, symbols or other approaches that are considered discriminatory.

The real estate section of Allentown's *Morning Call* was reviewed on January 25, 2009 for rentals (242 advertisements) and for-sale homes (127 advertisements). None of the ads contained questionable language.

Fourteen rental ads specifically permitted Section 8 voucher holders. Of the subject properties of those fourteen ads, twelve of the properties were located in Allentown, one property was located in Bethlehem, and another ad did not state the unit's location.

The newspaper's policy on equal housing opportunity was provided online and in print and stated the following:

All Real Estate advertised herein is subject to the federal Fair Housing Act, which makes it illegal to advertise any preference, limitation, or discrimination because of race, color, religion, sex, handicap, familial status, or national origin, or intention to make such preference, limitation, or discrimination. We will not knowingly accept or permit any advertisement for real estate that is in violation of the law. All persons are hereby informed that all dwellings advertised are available on an equal opportunity basis.

The Morning Call's policy on equal housing opportunity was also rephrased in a different area of the print version.

iii. Mortgage Lending Practices

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

The most recent available HMDA data for Lehigh County is from 2006. Reviewing this data helps to determine the need to encourage area lenders, other business lenders, and the community at large to actively promote existing programs and develop new programs to assist residents in securing home mortgage loans for home purchase. The data focuses on the number of homeowner mortgage applications received by lenders for home purchase of one- to four-family dwellings and manufactured housing in Lehigh County. The information provided by race and sex is for the primary applicant only. Co-applicants were not included in the analysis. In addition, where no information is provided or categorized as not applicable, no analysis has been conducted due to lack of information. The following table outlines HMDA data by loan type, loan purpose, applicant race, and sex as well as by action taken on the application, with detailed information to follow.

The data tables provided in this section reflect all of Lehigh County.

Figure 4-2
Home Mortgage Disclosure Act (HMDA) Data for Lehigh County – 2006

	Total Applications*		Approved		Approved Not Accepted		Denied		Withdrawn/Incomplete	
	Number	%	Number	%	Number	%	Number	%	Number	%
Loan Type										
Conventional	12,375	94.1%	6,918	55.9%	786	6.4%	1,125	9.1%	3,546	28.7%
FHA	658	5.0%	406	61.7%	15	2.3%	42	6.4%	195	29.6%
VA	110	0.8%	67	60.9%	3	2.7%	4	3.6%	36	32.7%
FSA/RHS	2	0.0%	2	100.0%	-	0.0%	-	0.0%	-	0.0%
Loan Purpose: Home Purchase										
One to four-family unit	12,968	98.7%	7,319	56.4%	768	5.9%	1,118	8.6%	3,763	29.0%
Manufactured housing unit	177	1.3%	74	41.8%	36	20.3%	53	29.9%	14	0.0%
Applicant Race										
American Indian/Alaska Native	43	0.3%	21	48.8%	6	14.0%	5	11.6%	11	25.6%
Asian/Pacific Islander	440	3.3%	286	65.0%	46	10.5%	38	8.6%	70	15.9%
Black	567	4.3%	355	62.6%	37	6.5%	70	12.3%	105	18.5%
Hispanic**	2,661	20.2%	1,653	62.1%	165	6.2%	391	14.7%	452	17.0%
White	8,915	67.8%	6,002	67.3%	594	6.7%	792	8.9%	1,527	17.1%
No information	1,483	11.1%	727	49.7%	121	8.3%	266	18.2%	349	23.9%
Not applicable	1,716	13.1%	1	0.1%	-	0.0%	-	0.0%	1,715	99.9%
Applicant Sex										
Male	7,451	56.7%	4,997	67.1%	508	6.8%	677	9.1%	1,269	17.0%
Female	3,461	26.3%	2,174	62.8%	234	6.8%	418	12.1%	635	18.3%
No information	526	4.0%	221	42.0%	62	11.8%	78	14.4%	167	31.7%
Not applicable	1,707	13.0%	1	0.1%	-	0.0%	-	0.0%	1,706	99.9%
Total	13,145	100.0%	7,393	56.2%	804	6.1%	1,171	8.9%	3,777	28.7%

Source: Federal Financial Institutions Examination Council, 2006

Note: Percentages in the Approved, Approved Not Accepted, Denied, and Withdrawn/Incomplete categories are calculated for each line item with the corresponding Total Applications figures. Percentages in the Total Applications categories are calculated from their respective total figures.

* Total applications do not include loans purchased by another institution.

**Hispanics are classified as an ethnic group, not a race.

Source: Federal Financial Institutions Examination Council, 2006

a. Households by Race

In 2006, 13,145 mortgage applications were made for the purchase of a one- to four-family owner-occupied unit or a manufactured housing unit in Lehigh County. Of these:

- White households accounted for 67.8% (8,915) of the applications.
- Hispanic households filed 20.2% (2,661) of the applications. However, since HMDA data classifies Hispanics as an ethnic group, some data may overlap with persons classified under a specified race.
- Black households filed 4.3% (567) of the applications.
- Asian/Pacific Islander households filed 3.3% (440) of the applications.
- American Indian/Alaskan Native households accounted for 0.3% (43) of the applications.

b. Households by Sex

The HMDA data reports include the sex of the primary applicant:

- Males filed 56.7% of the applications (7,451).

- Females filed 26.3% of the applicants (3,461).
- The rate of applications that were originated as well as applications that were approved but not accepted was highest for male applicants at 73.9% (5,505). Female applicants had an approval rate of 69.6% (2,408).

c. Conventional Loans versus Government Backed Loans

Loan types included conventional mortgage loans and a variety of government-backed loans, including FHA, VA, and FSA/RHS. Comparing these loan types helps to determine if the less stringent underwriting standards and lower down payment requirements of government-backed loans expand home ownership opportunities. In Lehigh County:

- 5.8% (770) of the households applied for a government-backed loan. Of these, 9% (69) were filed by minority households.
- The overall denial rate for government-backed loans was 5.7% (44), which was slightly less than the denial rate for conventional loans of 9.1%.

d. Denial of Applications

The mortgage applications of 1,171 households were denied (8.9%).

1) Applications Denied by Race

Hispanic households had the highest rate of denied applications at 14.7%, or 391 applications. Black households had a denial rate of 12.3% (70) while White households had a denial rate of 8.9% (792). Asian/Pacific Islander households had the lowest mortgage application denial rate at 8.6%, or 38 applications. (Applications from American Indian/Alaska Native households were too few in number to analyze.)

2) Reasons for Loan Denial

Denial reasons were provided for 807 of the denied applications. Reasons for denial included:

- Credit history: 23.4%
- Other: 23%
- Debt-to-income ratio: 18.5%
- Collateral: 11.8%
- Credit application incomplete: 10.3%
- Unverifiable information: 9.3%
- Employment history: 2.2%
- Insufficient cash: 1.5%
- Collateral, credit history, and debt-to-income ratios are the major reasons for denial of home mortgage applications in Lehigh County. Therefore, there may be opportunities for

lenders to focus on these problems and work with applicants to address these concerns.

3) Financial Institutions: Denials by Race, Ethnicity, and Sex

A review of financial institutions that denied applications was conducted in order to determine if a pattern of denial existed by race, ethnicity or sex. Upon reviewing the data, no discernable pattern of denials was found to have existed in Lehigh County.

4) Denial Data by Census Tract

Denied loan applications were analyzed by census tract to identify if there existed patterns of denials by geographic location. The following table provides a summary of the comparison.

Figure 4-3
Mortgage Application Denials by Census Tract – 2006

Census Tract	# of Denials	% of Total	Census Tract	# of Denials	% of Total
Allentown			Urban County		
1	48	4.1%	51	10	*
3	39	3.3%	52	15	*
4	44	3.8%	53	20	*
5	11	*	54	18	*
6	36	3.1%	55.01	10	*
7	38	3.2%	55.02	11	*
8	38	3.2%	56.01	13	*
9	19	*	56.02	14	*
10	19	*	57.01	23	2.0%
11	7	*	57.02	16	*
12	2	*	57.03	11	*
13	7	*	58	9	*
14.01	35	3.0%	59.01	25	2.1%
14.02	14	*	59.02	5	*
15.01	30	2.6%	60.01	13	*
15.02	23	2.0%	60.02	14	*
16	31	2.6%	61.01	2	*
17	42	3.6%	61.02	13	*
18	37	3.2%	62.01	21	*
19	24	2.0%	62.02	21	*
20	55	4.7%	63.03	9	*
21	31	2.6%	64	10	*
22.01	17	*	65	12	*
22.02	11	*	66	8	*
23.01	17	*	67.01	10	*
23.02	3	*	67.02	2	*
Bethlehem			67.03	5	*
91	4	*	68	15	*
92	8	*	69.02	1	*
93	5	*	69.03	15	*
94	10	*	69.04	13	*
95	9	*	70	1	*
Lower Macungie					
63.02	20	*			
63.04	9	*			
63.05	12	*			
63.06	31	2.6%			

Notes: (1) * indicates percentages that are less than 2% and were deemed too small a number to determine a pattern. (2) The Urban County includes Lehigh County exclusive of the cities of Allentown and Bethlehem and the Township of Lower Macungie.

Source: Federal Financial Institutions Examination Council, 2006

In reviewing the data, there were four census tracts (in the City of Allentown) identified with a percentage of denials greater than 3.5%. Combined, these census tracts constituted 16.3% of all loan denials. However, no clear pattern of denial could be determined by census tract.

5. ASSESSMENT OF CURRENT FAIR HOUSING PROGRAMS AND ACTIVITIES

A. North Penn Legal Services

North Penn Legal Services is a sub-recipient of CDBG funds from Lehigh County. North Penn is funded as a public service activity and provides legal aid related to affordable housing, serving low and moderate income residents living in Lehigh County outside of Allentown, Bethlehem and Lower Macungie Township. North Penn staff provide assistance to residents who face eviction, are denied housing, or are forced to live in uninhabitable conditions. This activity is conducted through workshops held at local social service agencies and in mobile home parks. Information on foreclosures, consumer issues, and fair housing is also provided to the residents.

North Penn is considering proposing a fair housing symposium to educate Realtors, appraisers, contractors and housing providers on fair housing issues.

B. Community Action Committee of Lehigh Valley

The Community Action Committee of Lehigh Valley (CACLV) implements the Community Action Financial Services Program, which is funded as a public service activity by Lehigh County under its CDBG Program. The program provides homebuyer education and counseling, and foreclosure prevention and recovery counseling to LMI persons living within the targeted areas of Lehigh County. These areas include Whitehall, Coopersburg, Orefield, Emmaus, Fountain Hill, Coplay and Slatington. Program outreach is conducted in all of these areas. In addition to the housing counseling services provided to income-eligible persons, one home ownership seminar will be conducted within the targeted area.

CACLV may also participate with North Penn Legal Services in the proposed fair housing symposium.

C. Lehigh Valley Center for Independent Living

Lehigh Valley Center for Independent Living (CIL) receives CDBG funds from the Urban County to carry out public service activities. In 2007, CIL received \$15,000 in CDBG funding to provide housing location assistance to persons with disabilities. Services included case management, housing search and placement, and specialized supportive services. In 2008, CIL's People Living in Accessible Community Environments Program (PLACE) received \$25,000 for the same program services.

The Lehigh County Department of Economic and Community Development also continues to monitor all of its CDBG Program sub-recipients to ensure compliance with fair housing and equal opportunity laws and regulations as well as to be available as a resource for residents and service providers.

6. SUMMARY OF CONCLUSIONS

Five major conclusions were identified as a result of this analysis. Under each conclusion listed below are the findings upon which the conclusions are based. The five conclusions will form the basis for the strategies devised to ameliorate the potential impediments to fair housing choice in the Urban County of Lehigh County.

A. Historical patterns of racial segregation persist in Lehigh County.

- *Lehigh County is highly segregated with Black residents living primarily in a few municipalities and the two major cities.* While total population has increased and the number of racial/ethnic minorities also has increased, the overall patterns of racial segregation have remained relatively constant.
- *Five municipalities were identified as communities with higher percentages of non-White residents.* These areas include Fountain Hill Borough, Hanover Township, Macungie Borough, Upper Macungie Township and Whitehall Township. Combined, the non-White residents in these five municipalities represented 52.5% of all minorities in the Urban County in 2000, yet only 28.9% of the total population.

B. Non-White households earn significantly less than White and Asian households, thus severely limiting housing choice, including location.

- *The differences in incomes across racial/ethnic groups could be part of the explanation for the segregation patterns observed in Lehigh County.* In 2000, 25% of White households had annual incomes of less than \$25,000 compared to 39% of Black households and 48% of Hispanic households. Since such a large segment of non-White households have lower incomes, they may not be able to afford to live in many areas of the Urban County, such as the rural townships, where housing is more expensive.
- *The region's sales housing market is beyond the financial means of its non-White households who earn below the median income.* In 2006, White homebuyers earning the median household income (for Whites) had approximately six times the number of sales housing units available to Black homebuyers. There were 2,325 housing units that sold for less than \$140,000 and were affordable to White homebuyers earning the median income of \$51,130. In contrast, there were only 362 units listed for sale for less than \$70,000 that were affordable to Black homebuyers earning the median income of \$36,135. One long-term impact of such circumstances is the inability of many black households to accumulate wealth that results from rising property values in areas where housing appreciates.
- *Non-White households own their homes at a much lower rate than White households.* Among all housing units occupied by White householders, nearly 95% were owner-occupied compared to 3% among non-White households.

C. The existing stock of affordable housing for low and moderate income households has substantially decreased in Lehigh County.

- *Lehigh County lost more than half of the rental housing inventory leasing for under \$500 per month, mostly through rising rents.* The number of rental units renting for less than \$500/month decreased by 7,053 while the number of units renting for \$750/month or higher increased by 10,847 units between 2000 and 2006.
- *The demand for affordable housing remains high, particularly among low income households.* The waiting lists of applicants with the Lehigh County Housing Authority include 862 households waiting for public housing and 918 households waiting for Section 8 vouchers.

D. Fair housing complaints alleging discrimination based on a disability or race comprised the majority of complaints filed with the PA Human Relations Commission.

- *Of the 31 complaints filed with the PHRC, 10 complaints alleged discrimination based on race and 8 complaints alleged discrimination based on a disability.* However, 14 of the 31 complaints were found to be without probable cause and another 11 were determined to be null by PHRC. Only 5 of the 31 total complaints (16%) resulted in negotiated settlements.

E. Outdated municipal zoning ordinances contain violations of federal fair housing law.

- *Several older municipal zoning ordinances were noted to be in violation of federal fair housing law.* Specifically, regulation of group homes in some municipalities placed additional burdensome requirements on applications for group homes that were not required of single family homes.

7. FAIR HOUSING ACTION PLAN

The strategies recommended to ameliorate the potential impediments to fair housing choice in the Urban County of Lehigh County are based on the conclusions developed from the research and interviews conducted for this analysis. Through the strategies and planned initiatives listed in Figure 7-1, Figure 7-2 and Figure 7-3, Lehigh County hopes to eliminate the impact that impediments have on fair housing choice.

Figure 7-1 lists the conclusions, potential impediments, effects and planned strategies for each conclusion identified. Figures 7-2 and 7-3 identify the planned initiatives to be undertaken for each strategy.

Figure 7-1
Conclusions, Potential Impediments, Effects and Planned Strategies

Conclusion	Potential Impediment	Effect	Strategies
1. Patterns of racial segregation persist in the Urban County with a higher percentage of non-White households clustered in 5 municipalities	A majority of non-White households have not sought housing opportunities in municipalities and neighborhoods that provide a desirable quality of life and may contain affordable housing.	Residential segregation patterns in the Urban County suggest self-segregation to a degree, which may result from a lack of information regarding housing options across a range of municipalities and neighborhoods and acts to limit housing choice.	Strategy #1: Increase & Enhance Fair Housing Education and Outreach
2. Black and Latino households earn significantly less than white households, thus severely limiting housing choice, including location.	Black and Latino households have far fewer options than white households when purchasing a home or renting a unit. Black households have a greater degree of difficulty in securing mortgage application approval.	The more affordable housing units are located in the cities and older boroughs; however, these limit the location choices of Black and Latino households. Fewer Black households have the opportunity to become homeowners.	Strategy #1: Increase & Enhance Fair Housing Education and Outreach
3. The existing stock of affordable housing for low and moderate income households has substantially decreased in Lehigh County.	Lower income non-White households have fewer affordable housing options.	Lower income non-White households have fewer affordable housing options.	Strategy #1: Increase & Enhance Fair Housing Education and Outreach. Strategy #2 Continue to Support Affordable Housing Programs in Lehigh County

Conclusion	Potential Impediment	Effect	Strategies
4. Fair housing complaints alleging discrimination based on race and disability comprised the majority of complaints filed with the PA Human Relations Commission.	<p>Persons with disabilities are denied affordable housing options when landlords do not agree to make reasonable accommodations as required by federal fair housing law.</p> <p>Persons are denied housing on the basis of race.</p>	Housing options are unduly limited due to discriminatory actions.	Strategy #1: Increase & Enhance Fair Housing Education and Outreach
5. Outdated municipal zoning ordinances contain violations of federal fair housing law.	<p>Housing options for members of the protected classes who could potentially reside in group homes are severely limited by municipalities that overly restrict the permitting process for group homes in violation of federal fair housing law.</p> <p>Affordability is limited with large lot sizes and when mobile homes are not allowed by right as single family homes.</p>	<p>Applicants must engage the legal system to acquire the necessary permits to establish group homes in municipalities that do not allow group homes as permitted uses in residential zoning districts.</p> <p>Housing choice is limited when affordable housing options are not provided.</p>	Strategy #1: Increase & Enhance Fair Housing Education and Outreach

**Figure 7-2
Fair Housing Strategy #1: Increase and Enhance Fair Housing Education and Outreach**

Strategies	Time Frame	Responsible Entity	Partners	Potential Source of Funds
(a) Facilitate fair housing training for real estate sales persons, municipal officials and planners, landlords, low-income housing developers, housing authority staff, and local mortgage lenders.	2009 and on-going, as requested	North Penn Legal Services	Lehigh Valley Center for Independent Living CACLV Office of MH/MR	CDBG
(b) Make presentations annually to local churches, soup kitchens, high school seniors, housing authority residents and/or nonprofit organizations on fair housing issues.	2009 and then annually	North Penn Legal Services	Lehigh Valley Center for Independent Living CACLV Department of Human Services	CDBG
(c) Develop a webpage on the County website dedicated exclusively to fair housing issues. Add the fair housing logo to all federal program materials.	2009 and on-going	Lehigh County Office of Community Development	Department of Human Services	CDBG
(d) Development of an up-to-date, centralized housing database for Lehigh County on a Lehigh County Community Development Office website.	2009 and on-going	Lehigh County Office of Community Development	CACLV Catholic Charities	HPRP
(e) Continue to make referrals to the Pennsylvania Human Relations Commission and U.S. Dept of HUD in instances of discrimination.	2009 and on-going	North Penn Legal Services	PA Human Relations Commission HUD	CDBG
(f) Disseminate current information on Fair Housing rights in the form of posters and pamphlets throughout Lehigh County. In addition, utilize public service announcements on cable television. Notify local municipalities of Zoning issues that may impact housing choice. Post HUD's	2009 and on-going	North Penn Legal Services Lehigh County Office of Community Development	Local Municipalities	CDBG

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Spanish-language fair housing video on the county's website.					
(g) Appoint a Fair Housing Officer for Lehigh County.	2009 and on-going	Lehigh County Office of Community Development			CDBG

**Figure 7-3
Fair Housing Strategy #2: Continue Support of Affordable Housing Programs**

Strategies	Time Frame	Responsible Entity	Partners	Potential Source of Funds
(a) Continue the commitment to affordable housing activities (rehabilitation, land banking). These activities provide a valuable opportunity to improve housing choice for members of the protected classes who are most often low-moderate income households.	2009 and on-going, as requested	Lehigh County Office of Community Development	Lehigh County Dept. of Human Services Neighborhood Housing Services CACL Northeast Regional Housing Advisory Board (Continuum of Care entity) Local Lending institutions	CDBG HOME NSP Act 137 Funds LIHTC HealthCHOICES Other funds as available
(b) Ensure that housing units rehabilitated or constructed with federal funds comply with ADA requirements and encourage visitable units beyond the minimum requirements.	2009 and on-going, as requested	Lehigh County Office of Community Development	Lehigh County Dept. of Human Services Neighborhood Housing Services CACL Northeast Regional Housing Advisory Board (Continuum of Care entity) Local Lending institutions	
(c) Expand accessibility requirements to universal design for all housing projects financed with federal funds	2009 and on-going, as requested	Lehigh County Office of Community Development	Lehigh County Dept. of Human Services Neighborhood Housing Services CACL Northeast Regional Housing Advisory Board (Continuum of Care entity) Local Lending institutions	
(d) Support the initiatives of housing providers who work to provide affordable housing for low income and disabled households.	2009 and on-going, as requested	Lehigh County Office of Community Development	Lehigh County Dept. of Human Services Neighborhood Housing Services CACL Northeast Regional Housing Advisory Board (Continuum of Care entity) Local Lending institutions LV Community Land Trust	HOME NSP Act 137 Funds LIHTC HealthCHOICES Other funds as available
(e) Encourage development of affordable rental housing realizing that not all households should be owners and that decent rental housing stabilizes neighborhoods and creates new homeownership opportunities by moving renters away from single-family homes.	2009 and on-going, as requested	Lehigh County Office of Community Development	LV Community Land Trust	

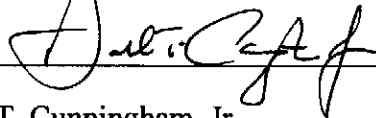
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(f) Adopt a fair housing resolution to publicly advocate for fair housing choice.	Annually in April (Fair Housing Month)	Lehigh County Commission		
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8. SIGNATURE PAGE

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

County Executive of Lehigh County



Donald T. Cunningham, Jr.

Date 8/13/09

9. APPENDIX A – SUMMARY OF ZONING ORDINANCES REVIEWED

For the purposes of this analysis, the zoning ordinances for the following five municipalities in Lehigh County were reviewed for impediments to fair housing choice:

- Emmaus Borough
- Fountain Hill Borough
- Upper Macungie Township
- Upper Saucon Township
- Whitehall Township.

These municipal zoning ordinances were reviewed to identify zoning that may potentially impede housing choice in the County. The analysis was based on topics raised in HUD's Fair Housing Guide, which include:

- The opportunity to develop various housing types (including apartments and housing at various densities)
- The opportunity to develop alternative designs (such as cluster developments and planned residential developments)
- The treatment of mobile or modular homes, and if they are treated as stick-built single family dwellings
- Minimum lot size requirements
- Dispersal requirements for housing facilities for persons with disabilities in single family zoning districts
- Restrictions of the number of unrelated persons in dwelling units based on the size of the unit or the number of bedrooms.

The reviews and analyses are included on the following pages.

Figure 9-1
Review of Zoning Ordinance – Emmaus Borough

Emmaus Borough	
Date of Ordinance:	2007
Amended through:	
Zoning districts where dwelling units are permitted:	C-R, Conservation - Residential District R-L, Low Density Residential District R-M, Medium Density Residential District R-HO, High Density Residential District Office R-P, Planned Residential District B-H, Highway Commercial District B-L, Limited Commercial District B-C, Central Commercial District I-L, Light Industrial District
Smallest permitted minimum residential lot size per unit (in square feet):	C-R: 15,000 R-L: 8,000 R-M: 3,500 R-HO: 1,500 R-P: 4,356 B-H: 3,200 B-L: 3,000 B-C: 1,200 I-L: 2,000
Permitted dwelling unit types:	C-R: single-family detached, group home, single-family cluster development (C) R-L: same as C-R R-M: single-family detached, single-family semi-detached, group home, single-family cluster development (C), low-rise apartments (SE), townhouse (SE) R-HO: single-family detached, single-family semi-detached, two-family detached, low-rise apartments, townhouse, group home, mid-rise apartments (max. 6 stories, restricted to persons 55 or older and/or the physically handicapped and spouses) (SE), conversion of existing dwelling (of 3,000 square feet or more) into additional dwellings (SE) R-P: single-family detached, single-family semi-detached, low-rise apartments, townhouses, group home B-H: group home B-L: single-family detached, single-family semi-detached, group home B-C: single-family detached, single-family semi-detached, townhouse, low-rise apartments (SE), mid-rise apartments (SE), manufactured home park (SE), conversion of non-residential building into dwelling units (SE) I-L: group home, conversion of non-residential building into dwelling units (SE)
Alternative designs:	Single-family Cluster Development
Definition of Family:	One or more related persons living in a single dwelling unit. No more than 4 unrelated persons living together in a dwelling unit, except as provided for within the regulations regarding group homes.
Definition and regulation of Group Home:	Use of a dwelling for the purpose of providing non-routine support services to individuals who need such assistance to avoid being placed in an institution because of physical disability, old age, mental retardation, or another handicap. Not a treatment center. Must be registered with the Borough and licensed. One off-street parking space required for each employee on duty at any one time and every 1.5 residents who have a current, valid driver's license. Off-street parking areas of more than four spaces must be buffered from adjacent existing single-family dwellings by a planting screen. Exterior must appear similar to surrounding residential uses. If in a single-family detached dwelling with a lot of at least 15,000 square feet, maximum of six persons (including residents and care-providers) permitted. If in a single-family detached dwelling with a lot of at least 25,000 square feet, maximum of eight persons permitted. Any other dwelling unit type - maximum of five persons. Smoke detectors, exit signs, emergency lighting, and two fire extinguishers required. Permitted wherever single-family detached dwellings are permitted.
Definition and regulation of Mobile Home:	Manufactured Home. A type of single-family detached dwelling. Manufactured homes permitted wherever single-family detached dwellings are permitted. Must be at least 300 square feet. If a manufactured home park is subdivided into individual lots, regulated as a subdivision of site-built homes. Minimum tract size for a manufactured home park is 5 acres, and maximum density is 4 dwelling units per acre.
Analysis:	Group home regulations for off-street parking and larger minimum lot sizes are discriminatory. Manufactured homes permitted wherever single-family detached dwellings permitted. Small minimum lot sizes permit affordable housing opportunities.

Source: Municipal website

SE = Permitted by Special Exception only
C = Conditional Use

Figure 9-2
Review of Zoning Ordinance – Fountain Hill Borough

Fountain Hill Borough	
Date of Ordinance:	2006
Amended through:	2008
Zoning districts where dwelling units are permitted:	LD-R, Low Density Residential District MD-R, Medium Density Residential District MHD-R, Medium High Density Residential District HD-R, High Density Residential District C, Commercial District
Smallest permitted minimum residential lot size per unit (in square feet):	LD-R: 33,508 MD-R: 3,500 MHD-R: 3,000 HD-R: no minimum C: 3,000
Permitted dwelling unit types:	LD-R: single-family detached MD-R: single-family detached, single-family semi-detached, modular/sectional dwelling (C), conversion of existing dwelling into two or more dwelling units (SE) MHD-R: single-family detached, single-family semi-detached, patio house, townhouse, garden apartment, modular/sectional dwelling (C), conversion of existing dwelling into two or more dwelling units (SE) HD-R: mid-rise apartments with commercial uses on first floor, high-rise apartments with commercial uses on first floor C: dwelling in conjunction with non-residential use
Alternative designs:	None.
Definition of Family:	One or more related persons living together. No more than five unrelated persons living together.
Definition and regulation of Group Home:	Restricted to a maximum of 5 unrelated persons. Zoning Officer may "require 24-hour on-site staffing supervision if necessary." Off-street parking requirement of 1 space per 2 "residents of a type reasonably expected to be able to drive a vehicle."
Definition and regulation of Mobile Home:	A transportable single-family dwelling intended for permanent occupancy. Different than a modular or sectional dwelling.
Analysis:	Modular homes permitted as a conditional use. Ordinance states that a single family detached dwelling may be a mobile/manufactured home. Small minimum lot sizes except in LD-R district. Group home regulations give the Zoning Officer the ability to require 24-hour on-site supervision; this requirement should be placed on the State licensing agency rather than with a code enforcement officer without experience or expertise to make the determination. Off-street parking requirements should mirror those for a single-family residential unit.

Sources: Municipal website; E-mail dated June 8, 2009 from Rick Prill, Borough Administrator

SE = Permitted by Special Exception only
C = Conditional Use

Figure 9-3
Review of Zoning Ordinance – Upper Macungie Township

Upper Macungie Township	
Date of Ordinance:	1994
Amended through:	2009
Zoning districts where dwelling units are permitted:	RU3, Rural - 3 District RU1.5, Rural - 1.5 District R1, Rural Residential District R2, Low Density Residential District R3, Medium Low Density Residential District R4, Medium Density Residential District R5, Medium High Density Residential District HC, Highway Commercial District NC, Neighborhood Commercial District LI, Light Industrial Park District LI(L), Limited Light Industrial Park District GI, General Industrial District RRD, Rural Research District
Smallest permitted minimum residential lot size per unit (In square feet):	RU3: 43,560 RU1.5: 35,000 R1: 15,000 R2: 12,000 R3: 5,000 R4: 4,500 R5: 4,000 HC: 43,560 NC: 43,560 LI: 43,560 LI(L): 43,560 GI: 87,000 RRD: 4,356,000
Permitted dwelling unit types:	RU3: single-family detached, cluster development (C), group home RU1.5: same as RU3 R1: same as RU3 R2: same as RU3 R3: single-family detached, cluster development (C), single-family semi-detached, low-rise apartment, group home, townhouse R4: single-family detached, cluster development (C), single-family semi-detached, conversion apartments (SE), low-rise apartments, group home, townhouses R5: single-family detached, cluster development (C), single-family semi-detached, conversion apartments (SE), low-rise apartments, group home, townhouses, manufactured home park HC: group home, residential conversions (SE) NC: residential conversions (SE) LI: group home LI(L): same as LI GI: same as LI RRD: single-family detached, group home
Alternative designs:	Cluster Development
Definition of Family:	One or more related persons living together. No more than four unrelated persons living together, except as provided for within the regulations regarding group homes.
Definition and regulation of Group Home:	Use of a dwelling for the purpose of providing non-routine support services to individuals who need such assistance to avoid being placed in an institution because of physical disability, old age, mental retardation, or another handicap. Not a treatment center. Must be registered with the Township and licensed. One off-street parking space required for every employee on duty at any one time and every two residents reasonably expected to be able to drive. Off-street parking areas of more than four spaces must be buffered from adjacent existing single-family dwellings by a planting screen. If in a residential district, exterior must appear similar to surrounding residential uses. Maximum number of residents: 5 if in a single-family dwelling with lot size of at least 15,000 square feet, 8 if in a single-family dwelling with a lot size of at least 30,000 square feet, 20 if in the G1 district and building has 125 square feet of habitable space per person, and 4 if in any other lawful dwelling unit. A large group home, with a maximum of 30 residents, is an Institutional Group Home. Smoke detectors, exit signs, emergency lighting, and two fire extinguishers required. Permitted wherever single-family detached dwellings are permitted.
Definition and regulation of Mobile Home:	A type of single-family detached dwelling. Must be at least 300 square feet. If a manufactured home park is subdivided into individual lots, regulated as a subdivision of site-built homes. Manufactured home park (under single ownership) must have minimum tract size of 14 acres, with a maximum density of 4 dwelling units per acre and a minimum of three off-street parking spaces per unit.
Analysis:	Large minimum lot sizes restrict affordable housing opportunities. Group home regulations for off-street parking and larger minimum lot sizes are discriminatory. Mobile home defined as a type of single-family detached dwelling.

Source: Municipal website

SE = Permitted by Special Exception only
C = Conditional Use

Figure 9-4
Review of Zoning Ordinance – Upper Saucon Township

Upper Saucon Township	
Date of Ordinance:	2008 Draft reviewed for analysis. Updated with 2009 adopted ordinance.
Amended through:	
Zoning districts where dwelling units are permitted:	SMC, South Mountain Conservation Zone A, Agricultural Preservation Zone OSR, Open Space Residential Zone R-1, Rural Residential Zone R-2, Suburban Residential Zone R-3, Multi-Family Residential Zone
Smallest permitted minimum residential lot size per unit (in square feet):	SMC: 217,800 A: 43,560 OSR: 130,680 R-1: 43,560 R-2: 21,780 R-3: 1,800
Permitted dwelling unit types:	SMC: single-family detached A: single-family detached OSR: single-family detached R-1: single-family detached, conservation design development R-2: single-family detached, conservation design development, duplex within conservation design development R-3: single-family detached, duplexes, townhouses, multi-family, conservation design development, two-family conversions, manufactured home park (C)
Alternative designs:	Conservation Design Developments, Age Qualified Community
Definition of Family:	One or more related persons living together. No more than three unrelated persons living together. No more than eight unrelated persons living together if in a group home (community-based residential home).
Definition and regulation of Group Home:	Not defined or regulated.
Definition and regulation of Mobile Home:	Manufactured home. Any structure intended for or capable of permanent human habitation and capable of being transported, excluding transport trucks/vans with sleeping space and travel trailers. A manufactured home park must be on a tract of at least five acres, with a maximum density of seven units per acre. Each manufactured home lot must be at least 4,200 square feet. At least 10% of the manufactured home park space must be dedicated to open space and recreational use.
Analysis:	No specific regulations regarding group homes. Developing within a Conservation Design Development is the only way to achieve small minimum lot sizes and create most dwelling types other than single-family detached dwellings. An update of the ordinance adopted in June 2009, after the original zoning review, defines mobile home as "a transportable, single family dwelling intended for permanent occupancy" and is not restrictive towards mobile homes.

Source: Municipal website

SE = Permitted by Special Exception only
C = Conditional Use

Figure 9-5
Review of Zoning Ordinance – Whitehall Township

Whitehall Township	
Date of Ordinance:	2006
Amended through:	
Zoning districts where dwelling units are permitted:	OS-1, Open Space-Residential/Agricultural OS-2, Open Space/Limited Industrial R-1, Very Low Density Residential R-2, Low Density Residential R-3, Low/Medium Density Residential R-3A, Special Care Community Residential R-4, Medium Density Residential R-5, High Density Residential R-5A, High Density Residential without Apartments R-6, Mobile Home Park C-1, Neighborhood Commercial C-2A, Local Commercial C-2, Regional/Community Commercial Office Park Zone
Smallest permitted minimum residential lot size per unit (in square feet):	OS-1: 87,120 OS-2: 87,120 R-1: 43,560 R-2: 22,000 R-3: 12,000 R-3A: 13,000 R-4: 9,800 R-5: 1,600 R-5A: 2,500 R-6: 5,445 C-1: 10,000 C-2A: 25,000 C-2: 25,000 Office Park Zone: 25,000
Permitted dwelling unit types:	OS-1: single-family detached OS-2: single-family detached (SE) R-1: single-family detached R-2: single-family detached R-3: single-family detached R-3A: single-family detached, special care community residences (C) R-4: single-family detached R-5: single-family detached, single-family attached, apartments, single-family semi-detached, new construction elderly housing (SE), mobile home parks (C) R-5A: single-family detached, single-family attached, single-family semi-detached, dwellings consisting of not more than two units, mobile home parks (C) R-6: single-family detached, single-family attached, apartments, single-family semi-detached, mobile home parks, individual mobile home on individual lot (C) C-1: single-family detached, apartments (C), one apartment in a commercial structure (C), single-family attached (C), single-family semi-detached (C) C-2A: single-family detached, apartments (C), one apartment in a commercial structure (C), single-family attached (C), single-family semi-detached (C) C-2: single-family detached (SE) Office Park Zone: one apartment in a commercial structure, apartments (C), single-family detached (C), single-family attached (C), single-family semi-detached (C)
Alternative designs:	Special Care Community Residence
Definition of Family:	One or more related persons living together. No more than five unrelated persons living together. Residents of a group home are not counted as a family.
Definition and regulation of Group Home:	Not defined. A Special Care Community Residence, which is similar but clearly defined as "not a group home," is a safe, humane, supportive, and convenient residential setting for aged, blind, disabled, or other dependent persons to prevent these people from needing to be institutionalized.
Definition and regulation of Mobile Home:	A transportable single unit usable as a permanent dwelling. Manufactured home parks must be located on tract of at least 4 acres and must have a density less than or equal to 8 units per acre.
Analysis:	Large minimum lot sizes restrict affordable housing opportunities. Group homes not defined or regulated. Definition for single-family detached dwelling, which is "a dwelling unit on a permanent foundation occupied as a residence for one family, which does not have a vertical wall in common with another building," is inclusive of mobile/manufactured homes.

Source: Municipal website

SE = Permitted by Special Exception only
C = Conditional Use