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Analysis of Impediments to Fair Housing Choice

CITY OF BATTLE CREEK, MICHIGAN

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

City of Battle Creek, Michigan



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Prepared for:
City of Battle Creek, Michigan

Prepared by:

McKenna
ASSOCIATES

235 E. Main Street, Suite 105
Northville, MI 48167
TEL 248.596.0920
FAX 248.596.0930

ACKNOWLEDGEMENTS

City Council

Mayor Susan Baldwin
Vice Mayor Elizabeth Fulton
Mark Behnke
Jeff Domenico
Andy Hemboldt
Lynn Ward Gray
Mary Lou Ramon
Sherry Sofia
David Walters

City Staff

Susan Bedsole, Community Services Director
Chris Hilton, Planning Supervisor
Chris Lussier, Community Development Supervisor
Scott Parker, Grants Management Specialist

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I. Introduction and Executive Summary of the Analysis

Exercising fair and unfettered access to residential housing is considered one of the most important choices that American families make, affected by personal, educational and employment goals. Because the decision of where to “settle down” is so critical to advancing equal access to positive opportunity, access to fair housing is a goal that the Local, State, and the Federal Government must achieve in order to fulfill true equality for all persons.

The Department of Housing and Urban Development’s definition of “fair housing choice” means the ability of persons, regardless of race, color, religion, sex, handicap, familial status, or national origin, of similar income levels to have available to them the same housing choices.

Community Development Block Grant (CDBG) Entitlement Jurisdictions, such as Battle Creek, have an obligation to become fully aware of the existence, nature and causes of all barriers to fair housing and the resources available to minimize and overcome them. Without such information, Battle Creek’s fair housing planning objectives will fall short. The City may waste limited resources on initiatives that were believed to help overcome access to fair housing that, in fact, had minimal measurable outcomes. Updating the Analysis of Impediments to Fair Housing Choice allows the City to review and investigate contemporary barriers to fair housing.

This Analysis of Impediments was structured using recommended formatting in accordance with the Fair Housing Guide, published by the U.S. Department of Housing and Urban Development (HUD). At the end of most sections, *strategies* exist to help City staff and leaders identify ways to remove barriers and increase fair housing options for all, especially protected classes, including racial and ethnic minorities and low- to moderate-income persons.

A. Who Conducted

The 2012 Analysis of Impediments to Fair Housing Choice (AI) was prepared by the City of Battle Creek with assistance from McKenna Associates in accordance with the Fair Housing Guide, published by the U.S. Department of Housing and Urban Development (HUD).

B. Participants

The City of Battle Creek Planning, Zoning and Community Development Department, with assistance from McKenna Associates, a Community Planning and Design firm located in Northville, MI held a public Community Forum on December 5, 2012 and two focus groups with representation from private industry, realtors, developers, housing non-profits and social service agencies on December 6, 2012.

Some of the participants in developing the AI included:

- Residents of Battle Creek
- Mayor Susan Baldwin, City of Battle Creek
- Michigan Department of Corrections

- Neighborhoods Inc. of Battle Creek
- Battle Creek Community Action Agency
- SHARE Center Battle Creek
- Summit Pointe Mental Health Services
- The Haven of Battle Creek
- S.A.F.E. Place Shelter of Battle Creek
- Battle Creek Area Habitat for Humanity
- Legal Services of South Central Michigan
- Disability Network of Southwest Michigan
- Fair Housing Center of Southwest Michigan
- Battle Creek Unlimited
- Battle Creek Area Association of Relators

C. Methodology Used

The Analysis of Impediments involved the following process:

- A comprehensive review of the City's laws, regulations and administrative procedures, policies, and practices.
- An assessment of how those laws, etc. affect the location, availability, and accessibility of housing.
- An assessment of conditions, both public and private, affecting fair housing choice for all protected classes.
- An assessment of the availability of affordable, accessible housing in a range of unit sizes.

The information needed for conducting the AI included the following:

- Community Forum and Focus Group data, December 5 and 6, 2012.
- The Battle Creek Zoning Ordinance and Master Plan.
- City of Battle Creek tax assessment/abatement practices.
- Data provided by the United States Department of Housing and Urban Development and the Fair Housing Center of West Michigan.
- US Census 2010 Demographics and American Community Survey Data (also a US Census Product)
- Home Mortgage Disclosure Act (HMDA) Data for Calhoun County, 2005-2011
- Battle Creek Housing Commission Public Housing Authority Plan, 2010.
- A Place to Call Home: Calhoun County Plan to End Homelessness, November 2006.
- Sheltered Homeless Persons in Battle Creek/Calhoun County, 2008-2009.
- The 2006 Battle Creek Analysis of Impediments to Fair Housing Choice.

D. How Funded

The Analysis of Impediments was funded with \$18,000 from the City of Battle Creek General Fund.

E. Conclusions & Action Plan

Equal and fair access to residential housing (housing choice) is fundamental to meeting essential needs and pursuing personal, educational, employment, and other goals. Because housing choice is so critical,

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fair housing is a goal the City and the private market must achieve if equality of opportunity is to become a reality. In general, barriers and issues preventing fair housing from being accessed by vulnerable populations such as racial minorities, low- to moderate-income individuals and the disabled in Battle Creek include:

- Unequal socioeconomics by neighborhood limits access to housing, jobs, services, and transportation options.
- Residents are unable to find suitable housing for every life stage or income level within the same neighborhood, forcing residents to move from their neighborhood to a new neighborhood.
- Anecdotal information suggests that some employers recommend employees to live outside the City of Battle Creek and Calhoun County.
- Fair Housing policies, procedures and fair housing testing may be lacking within the City of Battle Creek.
- Rental landlords may be using inappropriate language in available housing postings.
- Individuals looking for housing may be entering into land contracts for housing without understanding all the risks.
- Available public housing may be under-advertised or promoted, resulting in vacant units.
- Public housing is only available in the northern section of the City, which may cause individuals unfamiliar with the neighborhood to not seek all housing options.
- City-appointed boards lack gender and geographic diversity, which may prevent a wide range of voices within the community from being heard.
- The city established a public board for furthering quality amongst all member of the community, yet does not actively utilize it.
- Large swaths of the city feature homogeneous housing options, creating neighborhoods that are not responsive to changes in the housing market.
- Increases in lending standards and lower real estate prices have turned many homeowners into renters and vice-versa, many of which might not be aware of the costs, benefits or rights under the law associated with their new occupancy status.
- Supply of public transportation and non-motorized transportations may not be meeting the needs or desires of residents.
- Decreased funds from the US Department of Housing and Urban Development present challenges in providing assistance at the same level on an annual basis

This Analysis of Impediments to Fair Housing Choice will explore the barriers above and will address ways to increase fair access to the housing residents require.

II. Jurisdictional Background Data

A. Brief History of Battle Creek

The City of Battle Creek was named for a skirmish between a government land surveyor and two Native Americans which took place seven miles away from the City roughly 182 years ago. Throughout the years, Battle Creek has been known as the Queen City, Health City and the International City and today Cereal City.

When Sands McCamly, an original settler of Battle Creek, stood at the confluence of the Battle Creek and Kalamazoo rivers in 1831, he knew he had found an ideal location for a settlement. Other pioneering families, including Quakers from upstate New York, agreed. By the 1840s the village, known as Milton, thrived as a grain, flour and saw mill center for area farmers. In 1859 the Village incorporated as a town and changed its name to Battle Creek.

With the coming of the railroad fast-growing local industries found national markets. In the last decades of the nineteenth century, Battle Creek grew into a city of more than 22,000 inhabitants. It was the home of Nichols & Shepard and Advance threshing machine companies, supplying Advance Thresher Co. agricultural implements to farmers of the great plains of America and Russia. The Duplex Printing Press Company, inventors and manufacturers of newspaper printing presses, shipped their mammoth machines throughout the world as well. The Union Steam Pump and American Marsh Pump Company supplied hydraulic pumps to the industrialized world. Another famous supplier of goods, V. C. Squier produced violins for musicians around the world.

From its earliest days, Battle Creek has welcomed social and religious non-conformists. Quaker pioneer Erastus Hussey ran a station on the Underground Railroad, helping escaping slaves reach freedom in Canada. In the final years of the nineteenth century, Battle Creek became a Spiritualist center, where séances and "table knocking" were common.

Sojourner Truth, nationally known as a charismatic speaker for abolition and women's rights, visited Battle Creek in 1856. She was impressed with the people she met and moved here a year later. For 27 years, the ex-slave made Battle Creek her home, as she continued to travel the country, agitating for human rights for blacks and whites alike. For the first ten years she lived in the area, Truth had a home in the village of Harmonia, a community of Quakers and Spiritualists a few miles west of Battle Creek (now the location of Fort Custer Industrial Park). In 1867 she and her family moved into town, where she lived until her death in 1883. Sojourner Truth, along with several members of her family, is buried in Oak Hill Cemetery, on the east side of the city.

Another non-conformist was attracted by the tolerance and openness of the Battle Creek community in this period. In 1855, a small group of Seventh-day Adventists invited visionary Ellen White, and her husband, Elder James White, to settle in Battle Creek and make the town the headquarters for their new denomination. In the next fifty years, the small band of believers grew to over 200,000 members worldwide. The SDA church initiated an extensive missionary and health education evangelical ministry, established one of the largest printing and publishing houses in the United States, the Seventh Day Adventist Central Publishing House, sponsored colleges and medical training institutions and founded a health care facility which became "the largest institution of its kind in the world." Until the early years

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of the twentieth century when it decentralized, the SDA church was a major influence in Battle Creek. Centered in the west end of town, known as "Advent Town," the more than 2,000 local church members observed the Sabbath on Saturday. From the 1860s onward they adhered to revolutionary dietary and health principles, based on the teachings of Ellen White.

These principles were put into practice by Dr. John Harvey Kellogg, the director of the world-renowned Battle Creek Sanitarium. The "San," as it was known locally, was famous around the world for its water and fresh air treatments, exercise regimens and diet reform. The San doctors were universally recognized for their diagnostic, surgical and medical expertise. In its 65 years of operation under Dr. Kellogg's leadership, the San served thousands of patients, including presidents, kings, movie stars, educators and industrial giants, as well as impoverished charity patients. One of the first to realize that "you are what you eat," Dr. Kellogg incorporated radical dietary reforms into the San's treatment program. He advocated a lighter, vegetarian diet with no artificial stimulants as a cure for the prevalent 'dyspepsia,' or chronic indigestion. Among several new products developed for this regime was Granose, a ready-to-eat breakfast food made of flaked, baked wheat kernels.

In 1891, a chronically ill middle-aged business failure named C. W. Post came to the San as a patient. While he was there he became fascinated by the marketing potential of the new health foods, including a grain-based coffee substitute. When he left the hospital, Post opened his own spa, LaVita Inn, serving his version of the beverage which he called Postum. A few years later he developed Grape-Nuts cereal, which is still produced and consumed today. Through canny salesmanship and bold advertising campaigns, Post became a millionaire and inspired a host of imitators. In the first decade of the twentieth century, Battle Creek was home to a "cereal boom." There were more than 80 cereal companies in some stage of existence, manufacturing products made from corn, wheat, rice or oats and flavored with everything from apples to celery.

During this whole time, W. K. Kellogg was working diligently for his older brother at the Sanitarium. But by 1906 he decided he was ready to form his own cereal business -- the Battle Creek Toasted Corn Flake Company. Kellogg used extensive and innovative advertising to make his distinctive signature and the Sweetheart of the Corn universally recognizable. To families everywhere, "Kellogg's of Battle Creek" meant cereal. Most of the small cereal companies disappeared by 1910, but Battle Creek remained the cereal capital of the world as Kellogg, Ralston and Post products became staples on the breakfast tables around the world.

During World War I, Battle Creek was the second home to the "doughboys" that passed through the Army training center at Camp Custer. Thousands of young American men received their first taste of military life here and sampled the generous hospitality of the townspeople. Renamed Fort Custer, the base was reactivated during World War II. In addition to serving as a basic training location, the Fort was an internment center for German Prisoners of War. Hundreds of wounded World War II GI's were sent to Percy Jones Army Hospital for rehabilitation. By the end of the war, it was the largest medical installation operated by the Army and specialized in amputations, neurosurgery, deep X-ray therapy and plastic artificial eyes. In the decade it was open, the hospital made a lasting impact on the city. Battle Creek was the first city in America to install wheelchair ramps in its sidewalks, to accommodate the Percy Jones patients when they went downtown.

On May 26, 1982, The Kellogg's Corporation gathered together the Battle Creek area's leading elected officials and prominent businessmen and issued an ultimatum: merge Battle Creek City and Battle Creek Township, or else. Chairman William E. LaMothe threatened to pull Kellogg's corporate headquarters

out of Battle Creek unless the municipalities bowed to the company's wishes. At the time, Battle Creek City had 35,000 people and the Township had 21,000. LaMothe claimed that a merger was necessary to secure a stable economic environment. If Kellogg's would have left Battle Creek, the region would have lost 700 corporate jobs, \$23 million in salaries and the prestige of playing host to the giant corporation. In addition, Kellogg's might have shut down the Battle Creek cereal plant, the company's first and largest factory, which at the time employed over 3,000 workers.

Kellogg's claimed that the municipal merger proposal was necessary for future growth and success of both the company and region. Kellogg's asserted that fragmentation caused by competing local governments in the region was a cause of the economic decline that hit the area - which faced a 15.6% unemployment rate at the time. The company alleged that it took the City and Township five years to decide to build a suburban mall and 26 years to consolidate railroad routes that lead into downtown Battle Creek. This level of regional inefficiency would no longer be tolerated by Kellogg's.

Kellogg's was planning to construct a \$30 million headquarters building to replace its old one, which became too small for the company's needs, with the final decision being where to locate the new headquarters; in the Township, in the City or as threatened, move out of Battle Creek completely.

Citizen groups sprang up on both sides of the issue, waging campaigns to get their respective views heard. "We must join together if we are to compete in the real world for jobs, growth, and cultural progress!" proclaimed the Citizens to Save Our Community. The group, whose slogan was "Unify and Grow," circulated a pro-merger petition, presented a slideshow, and distributed yard signs, buttons, bumper stickers, pins and pamphlets. "Bigger does not mean better! Bigger does not mean cheaper;" counters the Citizens to Continue Battle Creek Township. This organization claimed the merger would boost taxes, increase the cost of the township's public goods, such as water, sewers, police and fire protection, and drive out some residents and small businesses. The "anti" group used pamphlets, radio advertising, and daily telephone calls to the township's registered voters in its campaign arsenal.

Kellogg's asserted that the issue was short-term tax increases (for township residents) considered against long term economic growth for all residents of the Greater Battle Creek Area. A study commissioned by Kellogg's claimed the merger and other regional collaborative measures would create 35 new businesses and 1,835 jobs, while opponents said the cost of annexation and other regional collaborative measures would be borne by Township residents and that the region's hard economic times were not a result of inter-municipal fighting but a reflection of the early-1980s recession that plagued all of Michigan.

City and township residents voted on November 2, 1982 to decide whether they would accept Kellogg's proposal. If passed annexation would become official January 1, 1983. Kellogg's triumphed on November 2. City voters approved the annexation by a margin of 11 to 1. In the Township, the annexation was approved by 65 percent of voters. The annexation created a City with many different land uses, natural features, building typologies, housing types, races and ethnicities, placing the city on a better track for continued success.

B. Neighborhood Planning Council (NPC) Districts and Census Tracts, Block Groups, and Blocks

Throughout this section, the demographics of Battle Creek are compared to those of Calhoun County and the state of Michigan. In addition, Battle Creek’s demographics are also compared to those of Battle Creek’s ten (10) Neighborhood Planning Council (NPC) Districts (See Map 1). Because demographic data is not available from the U.S. Census at the NPC District level, Census data from the census tract and block level are apportioned accordingly. For example, if an NPC District contains or intersects a census block, all of the data from those blocks will be used. Because the NPC District boundaries do not match the boundaries of census tracts and blocks, each NPC District will include some data from outside of the respective District. Census tracts are significantly larger than blocks (e.g., Battle Creek contains or intersects 25 census tracts and 1,955 census blocks), so the margin of error will be larger at the census tract level and smaller at the census block level. While this AI will contain as much data as possible using census block data, some data is only available as low as the census tract level.

C. Demographic Data

Population

According to the 2010 Census, Battle Creek had 52,347 residents, as seen in the table below. Although this represented a decline of 1.91% since 2000, the state of Michigan (-0.6%) and Calhoun County (-1.3%) also had small population declines over the same period. The population declines in Battle Creek, Calhoun County, and the State of Michigan from 2000-2010 are results of the economic recession that plagued the state and the region for much of that period. Although Battle Creek saw large population increases from 1890-1930, the population has steadily declined since then. The abrupt increase in population from 1980-1990 is almost entirely attributed to the City’s annexation of Battle Creek Township in the early 1980s.

Table 1: Population Change in Battle Creek, 1890-2010

Year	Population	Percent Change From Previous Census
1890	13,197	-
1900	18,563	40.66%
1910	25,267	36.11%
1920	36,164	43.13%
1930	45,573	26.02%
1940	43,453	-4.65%
1950	48,666	12.00%
1960	44,169	-9.24%
1970	38,931	-11.86%
1980	35,724	-8.24%
1990	53,540	49.87%
2000	53,364	-0.33%
2010	52,347	-1.91%

Source: U.S. Census

Race and Ethnicity

In the 2010 Census, 28.32% of Battle Creek's population was identified as a race other than white, and 6.72% of the City's population identified as being of Hispanic or Latino ethnicity. However, when this data is viewed at the NPC District level, one can get a better understanding of the diversity in various areas within the city. For example, while 28.32% of Battle Creek's population was identified as a race other than white, the non-white population of NPC Districts varied from 11.09% (Minges Brook/Riverside) to 62.74% (North Central).

The Post/Franklin, Coburn/Wilson, Fremont/McKinley/Verona, and Urbandale NPC Districts have proportions of races that generally mirror the City as a whole. African-Americans are over-represented in NorthCentral, which contains the traditionally African-American neighborhood of Washington Heights. African-Americans are severely underrepresented in Minges Brook/Riverside, Westlake/Prairieview, and the Rural Southwest.

Asians are over-represented in the Rural Southwest, and under-represented in Post/Franklin and Fremont/McKinley/Verona. Those who self-identify as Hispanic, regardless of race, are over-represented in Post/Franklin and Coburn/Wilson. They are not severely under-represented in any neighborhood, but they are slightly under-represented in NorthCentral, Urbandale, and Minges Brook/Riverside.

Table 2: Population by Race/Ethnicity in the state of Michigan, Calhoun County, Battle Creek, and Battle Creek Neighborhood Planning Council (NPC) Districts, 2010 U.S. Census*

	Total Population	White	Black	American Indian & Alaskan Native	Asian or Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino	Not Hispanic or Latino
NPC 1: Post/Franklin	6,016 (100%)	3,971 (66.0%)	1,324 (22.0%)	84 (1.4%)	30 (0.5%)	349 (5.8%)	259 (4.3%)	680 (11.3%)	5,336 (88.5%)
NPC 2: North Central	5,077 (100%)	1,325 (26.1%)	3,361 (66.2%)	152 (3.0%)	203 (4.0%)	56 (1.1%)	294 (5.8%)	162 (3.2%)	4,915 (96.8%)
NPC 3: Central (Coburn/Wilson)	8,508 (100%)	6,134 (72.1%)	1,327 (15.6%)	85 (1.0%)	111 (1.3%)	434 (5.1%)	408 (4.8%)	885 (10.4%)	7,623 (89.6%)
NPC 4: Fremont/Verona/McKinley	9,567 (100%)	7,347 (76.8%)	1,416 (14.8%)	105 (1.1%)	86 (0.9%)	268 (2.8%)	344 (3.6%)	631 (6.6%)	8,936 (93.4%)
NPC 5: Urbandale	4,912 (100%)	3,390 (80.0%)	663 (13.5%)	39 (0.8%)	34 (0.7%)	74 (1.5%)	177 (3.6%)	138 (2.8%)	4,774 (97.2%)
NPC 9: Rural Southwest	4,837 (100%)	3,821 (79.0%)	223 (4.6%)	34 (0.7%)	629 (13.0%)	53 (1.1%)	77 (1.6%)	208 (4.3%)	4,629 (95.7%)
NPC 10: Westlake/Prairieview	6,408 (100%)	5,729 (89.4%)	128 (2.0%)	38 (0.6%)	231 (3.6%)	128 (2.0%)	147 (2.3%)	295 (4.6%)	6,113 (95.4%)
NPC 11: Minges Brook/Riverside	7,421 (100%)	6,694 (90.2%)	156 (2.1%)	22 (0.3%)	408 (5.5%)	59 (0.8%)	82 (1.1%)	200 (2.7%)	7,221 (97.3%)
Central Business District**	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
WK Kellogg Airport/FCIP**	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
State of Michigan	9,883,640 (100%)	7,803,120 (78.95%)	1,400,362 (14.17%)	62,007 (0.63%)	238,199 (2.41%)	147,029 (1.49%)	230,319 (2.33%)	436,358 (4.41%)	9,447,282 (95.59%)
Calhoun County	136,146 (100%)	111,915 (82.20%)	14,872 (10.92%)	8,31 (0.61%)	2,179 (1.60%)	2,104 (1.55%)	4,189 (3.08%)	6,177 (4.54%)	129,969 (95.46%)
Battle Creek	52,347 (100%)	37,522 (71.68%)	9,502 (18.15%)	3,77 (0.72%)	1,271 (2.43%)	1,424 (2.72%)	2,235 (4.27%)	3,517 (6.72%)	48,830 (93.28%)

Note: Race categories include persons of Hispanic or Latino ethnicity. Source: 2010 U.S. Census, ESRI

* NPC totals sum to more than the total for the city because census blocks do not coincide with the city limits.

**Population figures from these neighborhoods have been omitted because the populations are too small to produce meaningful data.

Age and Sex

The table below illustrates the breakdown of age groups by sex. Although most of the cohorts in Battle Creek are similar to those of the state of Michigan and Calhoun County, the proportion of males-to-females is lower in Battle Creek. One particular difference in populations is within the 65 years and older cohort. While the males aged 65 years and older are 5.29% of Battle Creek’s population, females aged 65 years and older are 8.11% of Battle Creek’s population. Similar differences within the 65 years and older cohort exist for the state of Michigan and Calhoun County.

Table 3: Population by Sex and Age in the state of Michigan, Calhoun County, and Battle Creek, 2010 U.S. Census

		State of Michigan	Calhoun County	Battle Creek
	Total Population	9,883,640 (100%)	136,146 (100%)	52,347 (100%)
Males	Total Males	4,848,114 (49.05%)	66,519 (48.86%)	25,072 (47.90%)
	0-4 years old	304,587 (3.08%)	4,482 (3.29%)	2,045 (3.91%)
	5-17 years old	895,724 (9.06%)	12,470 (9.16%)	4,895 (9.35%)
	18-34 years old	1,074,858 (10.88%)	14,036 (10.31%)	5,634 (10.76%)
	35-64 years old	1,985,761 (20.09%)	26,928 (19.78%)	9,731 (18.59%)
	65+ years old	587,184 (5.94%)	8,603 (6.32%)	2,767 (5.29%)
Females	Total Females	5,035,526 (50.95%)	69,627 (51.14%)	27,275 (52.10%)
	0-4 years old	291,699 (2.95%)	4,270 (3.14%)	1,976 (3.77%)
	5-17 years old	852,058 (8.62%)	11,787 (8.66%)	4,728 (9.03%)
	18-34 years old	1,063,180 (10.76%)	14,294 (10.50%)	6,046 (11.55%)
	35-64 years old	2,054,243 (20.78%)	27,770 (20.40%)	10,280 (19.64%)
	65+ years old	774,346 (7.83%)	11,506 (8.45%)	4,245 (8.11%)

Source: 2010 U.S. Census

Household and Group Quarters Population

The table below illustrates the breakdown of household population (Family and Non-Family) and Group Quarters population (Institutionalized and Non-Institutionalized). While most residents in the state of Michigan and Calhoun County live in a Husband-Wife Household, less than half of Battle Creek residents do. In fact, many NPC Districts in Battle Creek have percentages of “Single Head of Household” families that far outpace those of the state of Michigan (22.08%), Calhoun County (25.01%), and Battle Creek (31.17%). Because “Single Head of Household” families often have only one earner and at least one dependent, finding housing that is affordable can often be difficult for these families. Of Battle Creek’s Institutionalized population, 228 (26.45%) were in nursing facilities, 624 (72.39%) were in correctional facilities, and 10 (1.16%) were in other institutionalized facilities.

Table 4: Household and Group Quarters Population in the state of Michigan, Calhoun County, Battle Creek, and Battle Creek Neighborhood Planning Council (NPC) Districts, 2010 U.S. Census*

	Total Population	Family Household Population		Non-Family Household Population		Group Quarters Population	
		Population: Husband-Wife Household	Population: Single Head of Household	Population: 1-Person Household	Population: 2- or more-person Household	Population: Institutionalized	Population: Non-Institutionalized
NPC 1: Post/Franklin	5,690 (100%)	1,913 (33.62%)	2,167 (38.08%)	509 (8.95%)	395 (6.94%)	573 (10.07%)	133 (2.34%)
NPC 2: North Central	6,227 (100%)	1,881 (30.21%)	2,862 (45.96%)	940 (15.10%)	273 (4.38%)	255 (4.10%)	16 (0.26%)
NPC 3: Central (Coburn/Wilson)	9,401 (100%)	4,057 (43.15%)	3,469 (36.90%)	1,159 (12.33%)	591 (6.29%)	6 (0.06%)	119 (1.27%)
NPC 4: Fremont/Verona/McKinley	11,397 (100%)	4,903 (43.02%)	3,608 (31.66%)	1,807 (15.86%)	760 (6.67%)	109 (0.96%)	210 (1.84%)
NPC 5: Urbandale	5,728 (100%)	2,312 (40.36%)	2,075 (36.23%)	858 (14.98%)	373 (6.51%)	104 (1.82%)	6 (0.10%)
NPC 9: Rural Southwest	7,329 (100%)	4,002 (54.60%)	1,624 (22.16%)	1,193 (16.28%)	463 (6.32%)	10 (0.14%)	37 (0.50%)
NPC 10: Westlake/Prairieview	9,134 (100%)	5,509 (60.29%)	2,034 (22.26%)	1,156 (12.65%)	428 (4.68%)	0 (0%)	7 (0.08%)
NPC 11: Minges Brook/Riverside	8,231 (100%)	5,926 (72.00%)	1,115 (13.55%)	896 (10.89%)	268 (3.26%)	0 (0%)	26 (0.32%)
Central Business District	66 (100%)	21 (31.82%)	26 (39.39%)	19 (28.79%)	0 (0%)	0 (0%)	0 (0%)
WK Kellogg Airport/FCIP **	N/A	N/A	N/A	N/A	N/A	N/A	N/A
State of Michigan	9,883,640 (100%)	5,835,825 (59.05%)	2,182,754 (22.08%)	1,079,678 (10.92%)	556,315 (5.63%)	109,867 (1.11%)	119,201 (1.21%)
Calhoun County	136,146 (100%)	74,867 (54.99%)	34,049 (25.01%)	15,552 (11.42%)	7,403 (5.44%)	1,589 (1.17%)	2,686 (1.97%)
Battle Creek	52,347 (100%)	24,706 (47.20%)	16,314 (31.17%)	6,879 (13.14%)	3,049 (5.82%)	862 (1.65%)	537 (1.03%)

Source: 2010 U.S. Census * NPC totals sum to more than the total for the city because census blocks do not coincide with the city limits. **Population figures from this neighborhood have been omitted because the census tracts within this portion of the city extend beyond city limits into other communities and there are no residentially zoned land uses or permanent population (much of the land is devoted to the Fort Custer Military Base.)

Note: The U.S. Census defines a Household as an occupied housing unit. A Family Household has at least one member of the household related to the householder by birth, marriage, or adoption. Non-Family Households consist of people living alone and households which do not have any members related to the householder. A Group Quarters consists of Institutional (e.g., correctional facilities, nursing homes, and mental hospitals) and Non-Institutional (e.g., college dormitories, military barracks, group homes, missions, and shelters) facilities.

Foreign Born Population

According to the U.S. Census American Community Survey (ACS), taken between 2006-2010, it was estimated that Battle Creek's Foreign Born population was 6.03% during this time period. This percentage was higher than those of the state of Michigan (5.94%) and Calhoun County (3.64%). In fact, while Battle Creek was estimated to have 38.48% of Calhoun County's population, Battle Creek was estimated to have 63.80% of Calhoun County's Foreign Born population during this time period. Given that most immigrants moving to Calhoun County move to the city of Battle Creek, Battle Creek must be mindful of any potential fair housing choice impediments that may face its immigrant population.

Table 5: Estimated Foreign Born Population in the state of Michigan, Calhoun County, and Battle Creek, 2006-2010 American Community Survey*

	Estimated Total Population	Estimated Native Born Population	Estimated Foreign Born Population
State of Michigan	9,952,687 (100%)	9,361,153 (94.06%)	591,534 (5.94%)
Calhoun County	137,112 (100%)	132,126 (96.36%)	4,986 (3.64%)
Battle Creek	52,762 (100%)	49,581 (93.97%)	3,181 (6.03%)

Source: 2006-2010 American Community Survey (ACS), which is an ongoing statistical survey that samples a small percentage of the population each year.

Disabled Population

According to the American Community Survey (ACS) from 2008-2010, an estimated 17.22% of Battle Creek's population had some type of disability. However, there are some disparities between the age cohorts. For example, only 0.5% of Battle Creek children under 5 years old had a disability. One possible reason for this low number is that many children under 5 years old have an existing disability that is not diagnosed until they are older. On the other hand, 42.58% of Battle Creek residents ages 65 and older have a disability. This is not surprising, as disabilities naturally occur as one ages. As the overall population of Battle Creek continues to age, the number of disabled residents can also be expected to increase. Much of the disabled population will require specific service needs, such as housing and transportation.

The City of Battle Creek is home to a higher percentage of disabled residents (17.22%) than Calhoun County (15.50%) and the State of Michigan (13.40%.)

Table 6: Estimated Population with a Disability by Age in Battle Creek, 2008-2010 American Community Survey

	Estimated Total Population	Estimated Population with a Disability (hearing, vision, cognitive, ambulatory, self-care, or independent living difficulty)
Under 5 Years Old	4,209 (100%)	21 (0.50%)
5-17 Years Old	9,005 (100%)	765 (8.50%)
18-64 Years Old	30,968 (100%)	4,927 (15.91%)
65+ Years Old	7,471 (100%)	3,181 (42.58%)
Battle Creek	51,653 (100%)	8,894 (17.22%)
Calhoun County	134,891 (100%)	20,936 (15.50%)
State of Michigan	9,790,070 (100%)	1,308,397 (13.40%)

Source: 2008-2010 American Community Survey (ACS), which is an ongoing statistical survey that samples a small percentage of the population each year.

How does disability status, fair housing choice and accessible housing interact?

Depending on the nature of an individual’s disability, the design of their dwelling unit can either empower or limit a disabled person’s ability to maneuver within their home or enter/exit their home and interact with their neighborhood and community.

The idea behind accessible housing refers to the construction or modification (such as through renovation) of housing to enable independent living for persons with disabilities. Accessibility is achieved through architectural design, integration of accessibility features such as modified furniture, shelves and cupboards, or even electronic devices in the home. Further, the design of individual housing units, multi-family housing complexes and the community at large (sidewalks, shopping centers, bus stops and busses and workplaces.)

In 1988, Amendments to the Fair Housing Act added people with disabilities (as well as familial status) to the classes already protected by law from discrimination (race, color, gender, religion, creed, and country of origin). Among the protection for people with disabilities in the 1988 Amendments are seven construction requirements for all multifamily buildings of more than four units first occupied after March 13, 1991. These seven requirements are as follows:

1. An accessible building entrance on an accessible route,
2. Accessible common and public use areas,
3. Doors usable by a person in a wheelchair,
4. Accessible route into and through the dwelling unit,
5. Light switches, electrical outlets, thermostats and other environmental controls in accessible locations,
6. Reinforced walls in bathrooms for later installation of grab bars, and
7. Usable kitchens and bathrooms.

Access is typically defined within the limits of what a person sitting in a wheelchair is able to reach with arm movement only, with minimal shifting of the legs and torso. Lighting and thermostat controls should not be above and power outlets should not be below the reach of a person in a wheelchair.

Sinks and cooking areas typically need to be designed without cupboards below them, to permit the legs of the wheelchair user to roll underneath, and countertops may be of reduced height to accommodate a sitting rather than standing user. In some cases two food preparation areas may be combined into a single kitchen to permit both standing and wheelchair users.

In spite of these advancements, the housing types where most people in the United States reside – single-family homes – are not covered by the Americans with Disabilities Act, the Fair Housing Act, or any other federal law with the exception of the small percentage of publicly funded homes impacted by Section 504 of the Rehabilitation Act. As a result, the great majority of new single-family homes replicate the barriers in existing homes.

Additionally, locating data on the number of accessible single family units is almost non-existent, and as many municipalities, states and federal government agencies do not have data on the numbers of privately provided accessible housing units. In Battle Creek, the preparers of this analysis are not aware of any databases (compiled by a local, state or federal government agency) that list single family accessible housing units, which may be an impediment to cataloging an accurate number of both single family and multi-family accessible housing units.

D. Income Data

One of the largest barriers to housing choice is that an individual or family may not have the income necessary to afford adequate housing. While some people have incomes below the threshold to qualify for public housing assistance, other people may have incomes too high to qualify for housing assistance but are nonetheless not able to afford adequate housing. The Comprehensive Housing Study, in conjunction with this Analysis of Impediments explores, amongst other topics, the role that housing cost and supply impacts the ability for families and individuals to find housing that suits their needs within the price range. A very detailed explanation of housing cost vs. income can be found in the Comprehensive Housing Study.

What does “Fair Housing” have to do with “Affordable Housing?”

No federal law directs local governments to create specific numbers of affordable homes. Under both federal and state fair housing laws, landlords can (and do) reject tenants with low incomes or bad credit histories, the argument being that landlords need a reasonable guarantee that renters will be able to comply with the lease agreement (i.e. pay their bills) so that the landlord can comply with their terms of the lease agreement (i.e. maintain the property in a livable condition for the terms of the lease agreement.) When local governments accept Community Development Block Grants and other HUD funds, the local government takes on an obligation to serve lower income and minority residents. One of the expectations is that the local government accepting HUD funds will work to increase the supply of affordable housing when demanded by residents. In some cases, affordable housing should not be seen as a “housing costs are too high; therefore there should be a program or regulations to lower the cost” but should be seen as “housing costs are too high; lets devise programs to increase the ability for residents to pay rents.” A detailed explanation of housing cost vs. income can be found in the Comprehensive Housing Study.

Median Household Income

The table below shows the differences in estimated median household income by NPC District. While the estimated median household income in some NPC Districts far exceeds the citywide median, other NPC Districts are far below it. On average, the estimated median household income of family households exceeds that of non-family households in the state of Michigan, Calhoun County, Battle Creek, and every NPC District. By definition, this disparity is likely due to family households having a higher occurrence of two (2) income earners than non-family households.

Table 7: Estimated Median Income (Family and Non-Family) in the state of Michigan, Calhoun County, Battle Creek, and Battle Creek Neighborhood Planning Council (NPC) Districts, 2006-2010 American Community Survey

	Estimated Median Household Income (All Households)	Estimated Median Household Income (Family Households)	Estimated Median Household Income (Non-Family Households)
NPC 1: Post/Franklin	\$31,456	\$35,655	\$18,330
NPC 2: NorthCentral	\$31,269	\$37,162	\$20,512
NPC 3: Central (Coburn/Wilson)	\$44,703	\$50,800	\$24,828
NPC 4: Fremont/Verona/McKinley	\$35,061	\$43,142	\$20,424
NPC 5: Urbandale	\$32,916	\$40,171	\$24,462
NPC 9: Rural Southwest	\$53,665	\$61,176	\$31,109
NPC 10: Westlake Prairieview	\$52,676	\$60,961	\$29,149
NPC 11: Minges Brook/Riverside	\$55,881	\$64,238	\$30,479
<i>Central Business District</i>	<i>\$25,420</i>	<i>\$29,291</i>	<i>\$13,963</i>
<i>WK Kellogg Airport/FCIP**</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
State of Michigan	\$48,432	\$60,341	\$28,344
Calhoun County	\$42,568	\$52,533	\$25,012
Battle Creek	\$38,926	\$47,486	\$22,273

Source: 2006-2010 American Community Survey (ACS), which is an ongoing statistical survey that samples a small percentage of the population each year. Note: The Estimated Median Household Income is calculated by adding the median household incomes of each census tract that intersects an NPC District and averaging those incomes. Some portions of census tracts are located outside of city limits. Note: The U.S. Census defines a Household as an occupied housing unit. A Family Household has at least one member of the household related to the householder by birth, marriage, or adoption. Non-Family Households consist of people living alone and households which do not have any members related to the householder. **Population figures from this neighborhood have been omitted because the census tracts within this portion of the city extend beyond city limits into other communities and there are no residentially zoned land uses or permanent population (much of the land is devoted to the Fort Custer Military Base.)

Poverty Rates

The table below shows the differences in estimated poverty rates by NPC District. Like with the estimated median household incomes in the table above, the estimated poverty rates in some NPC Districts far exceeds the citywide rate while other NPC Districts are far below it. Poverty rates in Michigan (14.85%), Calhoun County (16.66%), and Battle Creek (20.89%) exceeded the national average (13.82%) from 2006-2010. While increases in poverty can be linked to the deep economic recession that

occurred in the state and the region for much of the 2006-2010 period, trends below indicate that inequalities between Neighborhood Planning Councils do exist, from 8.45 percent of the population in Minges Brook/Riverside to 39.13 percent of the population in the Central Business District living below the poverty level.

Table 8: Estimated Poverty in the state of Michigan, Calhoun County, Battle Creek, and Battle Creek Neighborhood Planning Council (NPC) Districts, 2006-2010 American Community Survey

	Estimated Percentage of Population Living Below the Poverty Level
NPC 1: Post/Franklin	29.25%
NPC 2: NorthCentral	27.69%
NPC 3: Central (Coburn/Wilson)	18.11%
NPC 4: Fremont/Verona/McKinley	22.07%
NPC 5: Urbandale	23.10%
NPC 9: Rural Southwest	8.68%
NPC 10: Westlake Prairieview	10.97%
NPC 11: Minges Brook/Riverside	8.45%
Central Business District	39.13%
WK Kellogg Airport/FCIP*	N/A
State of Michigan	14.85%
Calhoun County	16.66%
Battle Creek	20.89%

Source: 2006-2010 American Community Survey (ACS), which is an ongoing statistical survey that samples a small percentage of the population each year. Note: Estimated population only includes the population for whom poverty status is determined. Note: The Estimated Percentage of Population Living Below the Poverty Line is calculated by adding the populations of each census tract that intersects an NPC District and averaging those populations. Some portions of census tracts are located outside of city limits and some census tract populations are very small (i.e. the percentage is based off a small sample size, which can produce inaccurate percentages.)

*Population figures from this neighborhood have been omitted because the census tracts within this portion of the city extend beyond city limits into other communities and there are no residentially zoned land uses or permanent population (much of the land is devoted to the Fort Custer Military Base.)

E. Employment and Transportation Data

Occupation of Workforce

The largest employment industries for employees residing in Battle Creek are manufacturing (21.4%) and educational services, and health care and social assistance (20.3%). These percentages can be explained by the fact that the city is home to two large cereal producers (Kellogg and Post), a large healthcare institution (Bronson Battle Creek) and various social service and education centers within blocks of Downtown Battle Creek. These are also the two largest employment industries in Calhoun County and the state of Michigan. Percentages of residents employed in manufacturing are higher in Calhoun County and Battle Creek than the state of Michigan. Therefore, residents of Calhoun County and Battle Creek are more likely to be affected by economic changes in the manufacturing sector. In most sectors, however, Battle Creek's percentages are very similar to those of Calhoun County and the state of Michigan.

Table 9: Estimated Industry of Civilian Employees 16 Years and Over in the state of Michigan, Calhoun County, and Battle Creek, 2006-2010 American Community Survey

	State of Michigan	Calhoun County	Battle Creek
Agriculture, Forestry, Fishing, and Hunting, and Mining	54,946 (1.3%)	777 (1.3%)	111 (0.5%)
Construction	230,305 (5.3%)	2,929 (5.0%)	1,123 (5.2%)
Manufacturing	770,715 (17.6%)	13,500 (22.9%)	4,644 (21.4%)
Wholesale Trade	122,378 (2.8%)	1,031 (1.8%)	282 (1.3%)
Retail Trade	507,530 (11.6%)	6,816 (11.6%)	2,445 (11.3%)
Transportation and Warehousing, and Utilities	181,648 (4.2%)	2,749 (4.7%)	850 (3.9%)
Information	82,395 (1.9%)	747 (1.3%)	350 (1.6%)
Finance and Insurance, and Real Estate and Rental and Leasing	250,855 (5.7%)	2,765 (4.7%)	1,269 (5.8%)
Professional, Scientific, and Management, and Administrative and Waste Management Services	388,626 (8.9%)	4,170 (7.1%)	1,939 (8.9%)
Educational Services, and Health Care and Social Assistance	1,012,153 (23.2%)	12,688 (21.6%)	4,398 (20.3%)
Arts, Entertainment, and Recreation, and Accommodation and Food Services	397,267 (9.1%)	4,605 (7.8%)	1,951 (9.0%)
Other Services	206,152 (4.7%)	3,519 (6.0%)	1,382 (6.4%)
Public Administration	164,815 (3.8%)	2,569 (4.4%)	969 (4.5%)
Total Civilian Employed Population 16 Years and Over	4,369,785 (100%)	58,865 (100%)	21,713 (100%)

Source: 2006-2010 American Community Survey (ACS), which is an ongoing statistical survey that samples a small percentage of the population each year.

Major Employers in Battle Creek

Battle Creek Unlimited is a non-profit community development organization creating an economic development climate that encourages business formation, investments in technology, real estate, and infrastructure for continuous growth. Battle Creek Unlimited also keeps employment statistics such as the major employers in Battle Creek, the top 25 of which are shown in the table below. According to Battle Creek Unlimited, the top 25 employers in Battle Creek employ over 18,000 people. Battle Creek is home to a good mix of private, public, educational, transportation, research, retail, food production and manufacturing employers.

Table 10: Major Employers in Battle Creek, 2012

Employer	Number of Employees	Employer	Number of Employees
Kellogg Company	2,000	City of Battle Creek	516
Denso Manufacturing Michigan	1,759	Canadian National	500
Hart-Dole-Inouye Federal Center	1,556	Kellogg Community College	500
Bronson Battle Creek	1,400	Lakeview Public Schools	485
VA Medical Center	1,300	TRMI	450
Michigan Air National Guard	1,127	EPI Printers/ARM	330
Battle Creek Public Schools	970	Hi-Lex Corporation	310
Post Cereals	800	McDonald's Restaurants	280
I I Stanley Company	750	Flex-N-Gate	275
Meijer	700	Johnson Controls	262
Duncan Aviation	575	Asmo Manufacturing	258
Calhoun County Government	520	Denso Air Systems	235
Musashi Auto Parts	520		

Source: Battle Creek Unlimited

Means of Transportation for Workforce

Most employees who live in Battle Creek drive alone to work, although residents of Battle Creek do so in lower percentages than those in Calhoun County and the state of Michigan. Residents of Battle Creek are more likely to carpool or walk to work than those in Calhoun County and the State of Michigan. Means of transportation to work is affected by household income, availability of transportation options, transportation congestion and residential proximity to workplaces.

Table 11: Estimated Means of Transportation to Work for Workers 16 Years and Over in the state of Michigan, Calhoun County, and Battle Creek, 2006-2010 American Community Survey

	State of Michigan	Calhoun County	Battle Creek
Car, Truck, or Van (Driving Alone)	3,527,070 (82.9%)	47,053 (81.6%)	16,820 (78.8%)
Car, Truck, or Van (Carpooled)	380,844 (8.9%)	5,947 (10.3%)	2,535 (11.9%)
Public Transportation	53,244 (1.3%)	188 (0.3%)	172 (0.8%)
Walked	96,839 (2.3%)	1,985 (3.4%)	844 (4.0%)
Other Means	48,875 (1.1%)	826 (1.4%)	454 (2.1%)
Worked From Home	148,685 (3.5%)	1,634 (2.8%)	520 (2.4%)
Total Estimated Workers 16 Years and Over	4,255,557 (100%)	57,633 (100%)	21,345 (100%)

Source: 2006-2010 American Community Survey (ACS), which is an ongoing statistical survey that samples a small percentage of the population each year.

F. Housing Profile

Table 12: Number of Housing Units and Occupancy Status in the state of Michigan, Calhoun County, Battle Creek, and Battle Creek Neighborhood Planning Council (NPC) Districts, 2010 U.S. Census*

	Total Number of Housing Units	Total Number of Occupied Housing Units	Total Number of Vacant Housing Units
NPC 1: Post/Franklin	2,294 (100%)	1,818 (79.25%)	476 (20.75%)
NPC 2: NorthCentral	3,057 (100%)	2,503 (81.88%)	554 (18.12%)
NPC 3: Central (Coburn/Wilson)	4,256 (100%)	3,633 (85.36%)	623 (14.64%)
NPC 4: Fremont/Verona/McKinley	5,721 (100%)	4,815 (84.16%)	906 (15.84%)
NPC 5: Urbandale	2,787 (100%)	2,467 (88.52%)	320 (11.48%)
NPC 9: Rural Southwest	3,652 (100%)	3,317 (90.83%)	335 (9.17%)
NPC 10: Westlake/Prairieview	4,214 (100%)	3,835 (91.01%)	379 (8.99%)
NPC 11: Minges Brook/Riverside	3,657 (100%)	3,417 (93.44%)	240 (6.56%)
<i>Central Business District</i>	46 (100%)	35 (76.09%)	11 (23.91%)
<i>WK Kellogg Airport/FCIP</i>	1,028 (100%)	899 (87.45%)	129 (12.55%)
State of Michigan	4,532,233 (100%)	3,872,508 (85.44%)	659,725 (14.56%)
Calhoun County	61,042 (100%)	54,016 (88.49%)	7,026 (11.51%)
Battle Creek	24,277 (100%)	21,118 (86.99%)	3,159 (13.01%)

Source: 2010 U.S. Census

* NPC totals sum to more than the total for the city because census blocks do not coincide with the city limits.

The Fremont/Verona/McKinley neighborhood is home to the largest proportion of housing in Battle Creek, with 5,721 housing units, followed by Central (Coburn/Wilson) with 4,256 housing units and Westlake/Prairieview with 4,214 units. Vacancy rates are the highest in Post/Franklin (20.75%) and North Central (18.12%) and the lowest in Westlake/Prairieview (8.99%) and Minges Brook/Riverside (6.56%).

Table 13: Number of Occupied Housing Units and Ownership Status in the state of Michigan, Calhoun County, Battle Creek, and Battle Creek Neighborhood Planning Council (NPC) Districts, 2010 U.S. Census*

	Total Number of Occupied Housing Units	Total Number of Owner-Occupied Housing Units	Total Number of Renter-Occupied Housing Units
NPC 1: Post/Franklin	1,818 (100%)	885 (48.68%)	933 (51.32%)
NPC 2: NorthCentral	2,503 (100%)	1,273 (50.86%)	1,230 (49.14%)
NPC 3: Central (Coburn/Wilson)	3,633 (100%)	2,182 (60.06%)	1,451 (39.94%)
NPC 4: Fremont/Verona/McKinley	4,815 (100%)	2,610 (54.21%)	2,205 (45.79%)
NPC 5: Urbandale	2,467 (100%)	1,596 (64.69%)	871 (35.31%)
NPC 9: Rural Southwest	3,317 (100%)	1,430 (43.11%)	1,887 (56.89%)
NPC 10: Westlake/ Prairieview	3,835 (100%)	2,863 (74.65%)	972 (25.35%)
NPC 11: Minges Brook/Riverside	3,417 (100%)	2,939 (86.01%)	478 (13.99%)
<i>Central Business District</i>	<i>35 (100%)</i>	<i>7 (20.00%)</i>	<i>28 (80.00%)</i>
<i>WK Kellogg Airport/FCIP</i>	<i>899 (100%)</i>	<i>391 (43.49%)</i>	<i>508 (56.51%)</i>
State of Michigan	3,872,508 (100%)	2,793,342 (72.13%)	1,079,166 (27.87%)
Calhoun County	54,016 (100%)	37,707 (69.81%)	16,309 (30.19%)
Battle Creek	21,118 (100%)	12,799 (60.61%)	8,319 (39.39%)

Source: 2010 U.S. Census

* NPC totals sum to more than the total for the city because census blocks do not coincide with the city limits.

The Minges Brook/Riverside neighborhood is home to the highest percentage of owner-occupied housing units, with 86.01 percent, followed by Westlake/Prairieview with 74.65 percent and Urbandale with 64.69 percent. The Central Business District is home to the highest percentage of renter-occupied housing units, with 80 percent, followed by the Rural Southwest with 56.89 percent and WK Kellogg Airport /FCIP with 56.51 percent.

Table 14: Number of Vacant Housing Units and Vacancy Status in the state of Michigan, Calhoun County, Battle Creek, and Battle Creek Neighborhood Planning Council (NPC) Districts, 2010 U.S. Census*

	Total Number of Vacant Units	For Rent	Rented, Not Occupied	For Sale Only	Sold, Not Occupied	For Seasonal, Recreational, or Occasional Use	For Migratory Workers	Other Vacant **
NPC 1: Post/Franklin	476 (100%)	218 (45.80%)	2 (0.42%)	66 (13.87%)	16 (3.36%)	5 (1.05%)	0 (0%)	169 (35.50%)
NPC 2: NorthCentral	554 (100%)	136 (24.55%)	8 (1.44%)	61 (11.01%)	18 (3.25%)	0 (0%)	0 (0%)	331 (59.75%)
NPC 3: Central (Coburn/Wilson)	623 (100%)	261 (41.89%)	5 (0.80%)	105 (16.85%)	15 (2.41%)	15 (2.41%)	0 (0%)	222 (35.63%)
NPC 4: Fremont/Verona/McKinley	906 (100%)	377 (41.61%)	10 (1.10%)	147 (16.23%)	35 (3.86%)	21 (2.32%)	0 (0%)	316 (34.88%)
NPC 5: Urbandale	320 (100%)	101 (31.56%)	3 (0.94%)	85 (26.56%)	17 (5.31%)	8 (2.50%)	0 (0%)	106 (33.13%)
NPC 9: Rural Southwest	335 (100%)	209 (62.39%)	5 (1.49%)	31 (9.25%)	8 (2.39%)	44 (13.13%)	0 (0%)	38 (11.34%)
NPC 10: Westlake/Prairieview	379 (100%)	135 (35.62%)	6 (1.58%)	78 (20.58%)	15 (3.96%)	44 (11.61%)	0 (0%)	101 (26.65%)
NPC 11: Minges Brook/Riverside	240 (100%)	58 (24.17%)	4 (1.67%)	67 (27.92%)	15 (6.25%)	47 (19.58%)	0 (0%)	49 (20.42%)
Central Business District	11 (100%)	2 (18.18%)	1 (9.09%)	0 (0%)	0 (0%)	2 (18.18%)	0 (0%)	6 (54.55%)
WK Kellogg Airport/FCIP	129 (100%)	93 (72.09%)	1 (0.78%)	9 (6.98%)	0 (0%)	7 (5.43%)	0 (0%)	19 (14.73%)
State of Michigan	659,725 (100%)	141,687 (21.48%)	6,684 (1.01%)	77,080 (11.68%)	17,978 (2.73%)	263,071 (39.88%)	1,773 (0.27%)	151,452 (22.96%)
Calhoun County	7,026 (100%)	2,402 (34.19%)	83 (1.18%)	1,128 (16.05%)	298 (4.24%)	721 (10.26%)	10 (0.14%)	2,384 (33.93%)
Battle Creek	3,159 (100%)	1,224 (38.75%)	29 (0.92%)	544 (17.22%)	118 (3.74%)	142 (4.50%)	0 (0%)	1,102 (34.88%)

Source: 2010 U.S. Census

* NPC totals sum to more than the total for the city because census blocks do not coincide with the city limits.

** The "Other Vacant" category are those that are vacant for reasons such as units held for occupancy by a caretaker or janitor, and units held for personal reasons of the owner.

As shown in the table above, vacancy rates are the highest in Post/Franklin (20.75%) and North Central (18.12%) neighborhoods. In the Post/Franklin Neighborhood, 45.80 percent of the vacant housing units are for rent, while in the North Central neighborhood the figure is 24.55 percent. Housing units can also be considered vacant because they are for seasonal, recreational or occasional use, such as in the Minges Brook/Riverside neighborhood (19.58%) and the Rural Southwest (13.13%). However, many of the housing units in the city classified as "Other Vacant;" Examples of housing units within this category are units held for occupancy by a caretaker or janitor, and units held for personal reasons of the owner. For example, 59.75 percent housing units in the North Central neighborhood are classified as other vacant, and 35.63 percent of the units in the Central (Coburn/Wilson) are also classified as other vacant. Both Battle Creek's and Calhoun County's rate are roughly 11 percent above Michigan's other vacant rate of 22.96 percent.

Homeless Population

The 2010-2014 Battle Creek Consolidated Plan and the Calhoun County Plan to End Homelessness (2006) address homeless needs for the Metropolitan Area. The 2010-2014 Consolidated Plan indicates that a total capacity of 127 persons can be served by emergency shelters (SAFE Place; The Haven and Inasmuch House), 83 persons can be served by transitional housing (Jesse House; The Haven) and 129 persons can be served in permanent supportive housing (Summit Pointe; VA Medical Center.) Homeless services serve single females and males, families with children and veterans.

Because of the nature of homelessness (no fixed address, not wanting to be seen, inability to establish constant communication via phone, mail, or e-mail) efforts to count and assess the true needs of the homeless can be difficult. A count of the Battle Creek/Calhoun County population from 10/1/2008 to 9/30/2009 estimated that there were 1,182 homeless persons. Many families entering emergency housing were either staying with friends or relatives or were renting their own dwelling unit the night before. For families entering transitional housing, many came directly from emergency shelters (58%) or from a rented dwelling unit (25%) the night before. For individuals seeking emergency housing, less than half were staying with family or friends the night before (46%) while 28 percent came from an “other living situation” or a rented dwelling, with the remaining coming from other emergency housing, a place not meant for human habitation, transitional housing, a hotel, owned dwelling unit or unknown living situation. For individuals entering transitional housing, 85 percent reported coming directly from an emergency shelter the night before.

The Greater Battle Creek and Calhoun County Homeless Coalition serves as the local Continuum of Care (CoC) and is structured to have several different committees: ten year planning board (administration and support of group efforts), homeless coalition (collaboration and communication), prevention (strategies to prevent homelessness), Interagency Service Team (strategies to provide supportive services), and data (ensure timeliness and quality of data reporting). The committees meet monthly or more. Each team is focused on specific tasks as established in the Ten Year Plan; these tasks and respective outcomes are reviewed on a yearly basis and the plan is updated, as needed, to reflect the current issues and objectives, as determined by the Leadership Team.

The Homeless Coalition is a part of The Coordinating Council, a community collaborative of about 40 member organizations designed to bring together human service providers in the Battle Creek community to ensure greater service to the residents. Representatives on both the Homeless Coalition and the Coordinating Council include public agencies, non-profit human service providers, housing providers, private for-profit service providers and developers, charitable organizations, foundations, health care organizations, economic development agencies, and individual residents of the community.

To ensure coordination and reduce duplication of efforts, the Homeless Coalition ensures that representatives from a variety of initiatives are included and engaged in the decision making process. Members from each group are actively engaged in the activities of other initiatives, and ensure that coordination and collaboration are the utmost priority. This active engagement helps mitigate overlapping and duplicative efforts by better defining the scope and purpose of each body, ensuring that information flows between initiatives, and keeping the community planning process well-coordinated and focused.

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This coordination also includes communication with the residents at the shelters and participants in the programs. By reaching out to the homeless persons and involving them in the process, the Homeless Coalition has a better understanding of their needs and can more efficiently address its services to fit the demands of the local community.

Coordinating Council members provide services such as food assistance, cash assistance, health insurance (to name a few) that are funded by federal, state, local and private sources intended to increase the living standards of the homeless. When there are annual decreases in program funding and federal allocations it increasingly becomes difficult to assist vulnerable populations who wish to find permanent housing and basic supportive services.

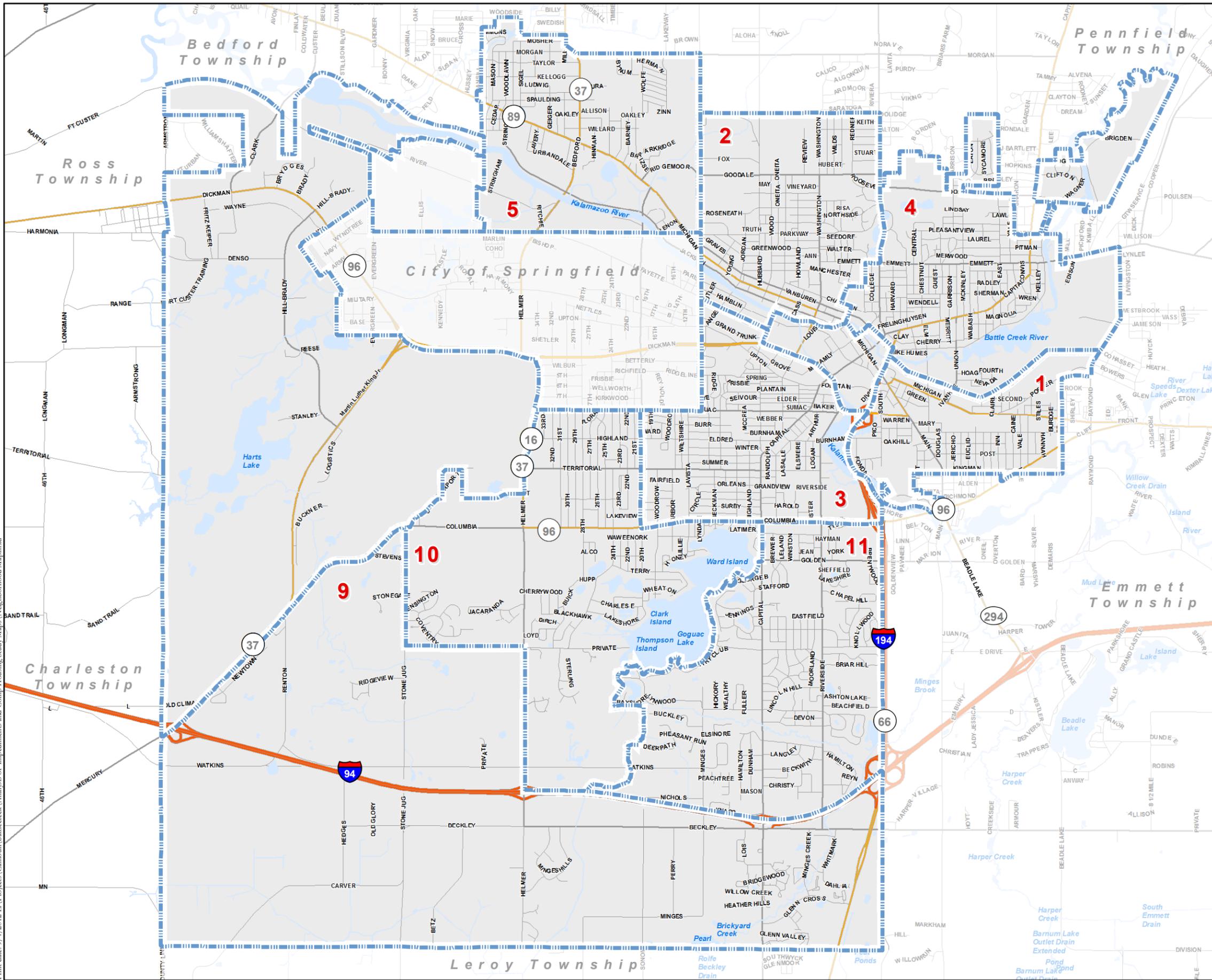
G. Maps

Map 1: Neighborhoods

Map 2: Public Transportation

Map 3: Minority Concentrations

Map 4: Housing for the Disabled



Neighborhood Map

City of Battle Creek, Michigan

LEGEND

- Interstate Highway
- State Highway
- Arterial
- Local
- Neighborhood Boundaries
- Water Bodies

NPC District

1. Post/Franklin
2. Northcentral
3. Wilson/Coburn/ Roosevelt/Territorial
4. Fremont/McKinley/Verona
5. Urbandale
9. Rural Southwest
10. Westlake/Prairieview
11. Minges Brook/ Riverside

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March 7, 2013

MCKenna
ASSOCIATES

Base Map Source: City of Battle Creek, 2012

Public Transportation

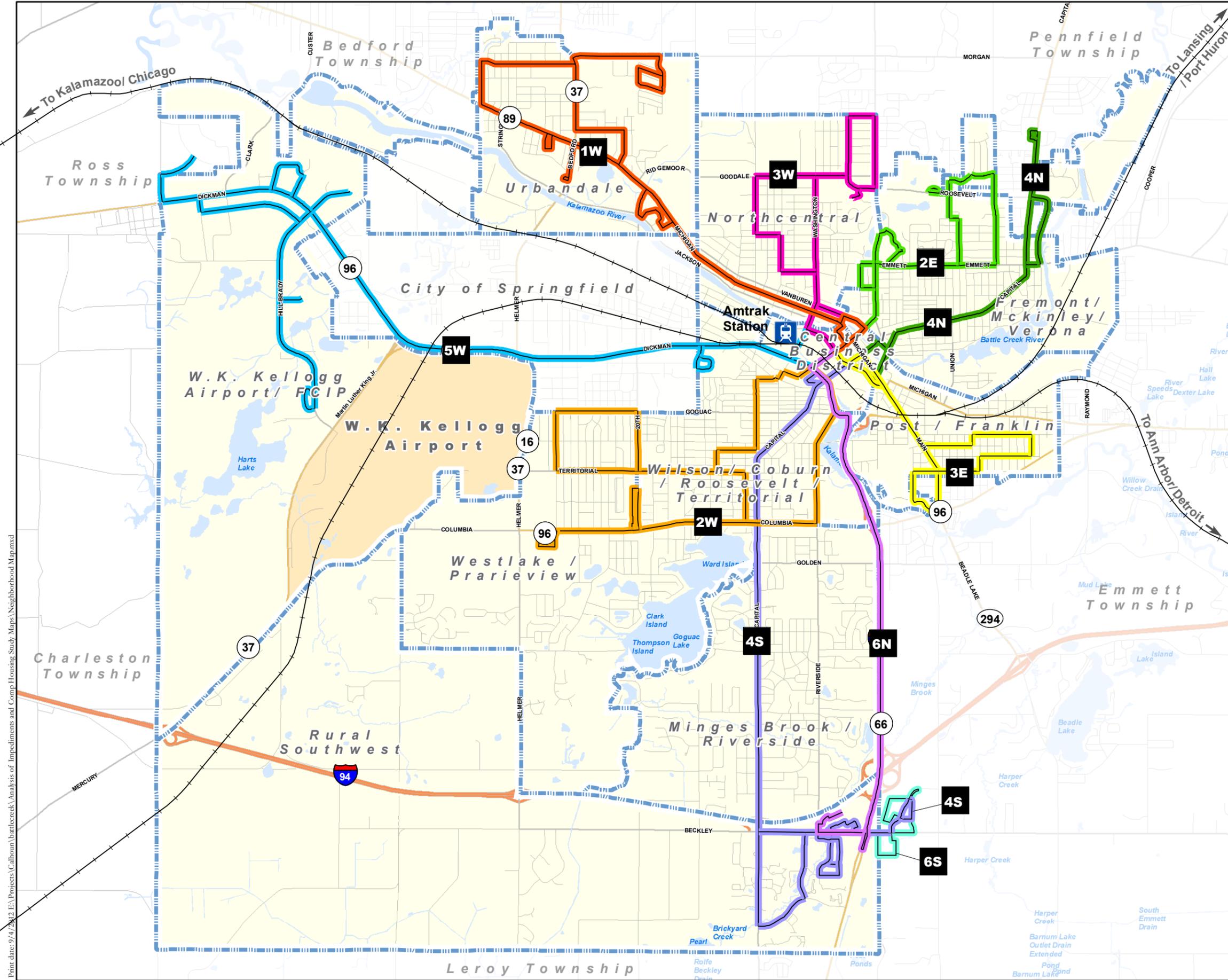
City of Battle Creek, Michigan

PUBLIC TRANSPORTATION

-  BusRoute 1W
-  BusRoute 2E
-  BusRoute 2W
-  BusRoute 3W
-  BusRoute 4N
-  BusRoute 4S
-  BusRoute 5W
-  BusRoute 6N
-  BusRoute 6S

LEGEND

-  Interstate Highway
-  State Highway
-  Arterial
-  Local
-  Neighborhood Boundaries
-  W.K. Kellogg Airport
-  Water Bodies
-  Amtrak Station
-  Amtrak



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March 7, 2013

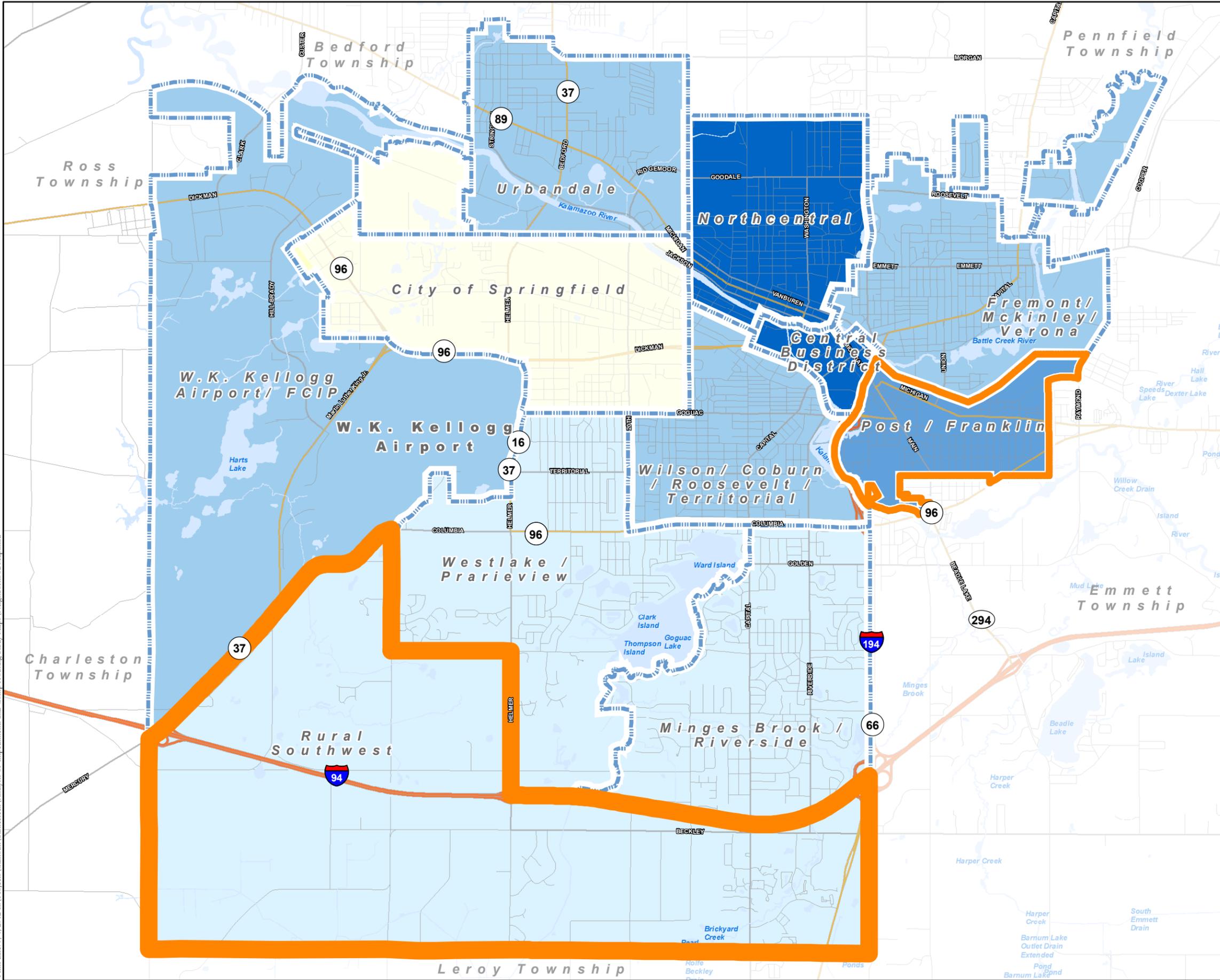
MCKENNA ASSOCIATES

Base Map Source: City of Battle Creek, 2012

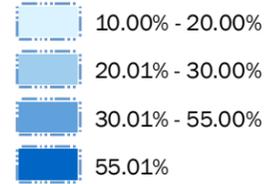
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Minority Concentrations

City of Battle Creek, Michigan



NON-WHITE RESIDENTS



HISPANIC POPULATION



LEGEND

- Interstate Highway
- State Highway
- Arterial
- Local
- Neighborhood Boundaries
- Water Bodies

NPC totals sum to more than the total for the city because census blocks do not coincide with the city limits



March 7, 2013

MCKENNA
ASSOCIATES

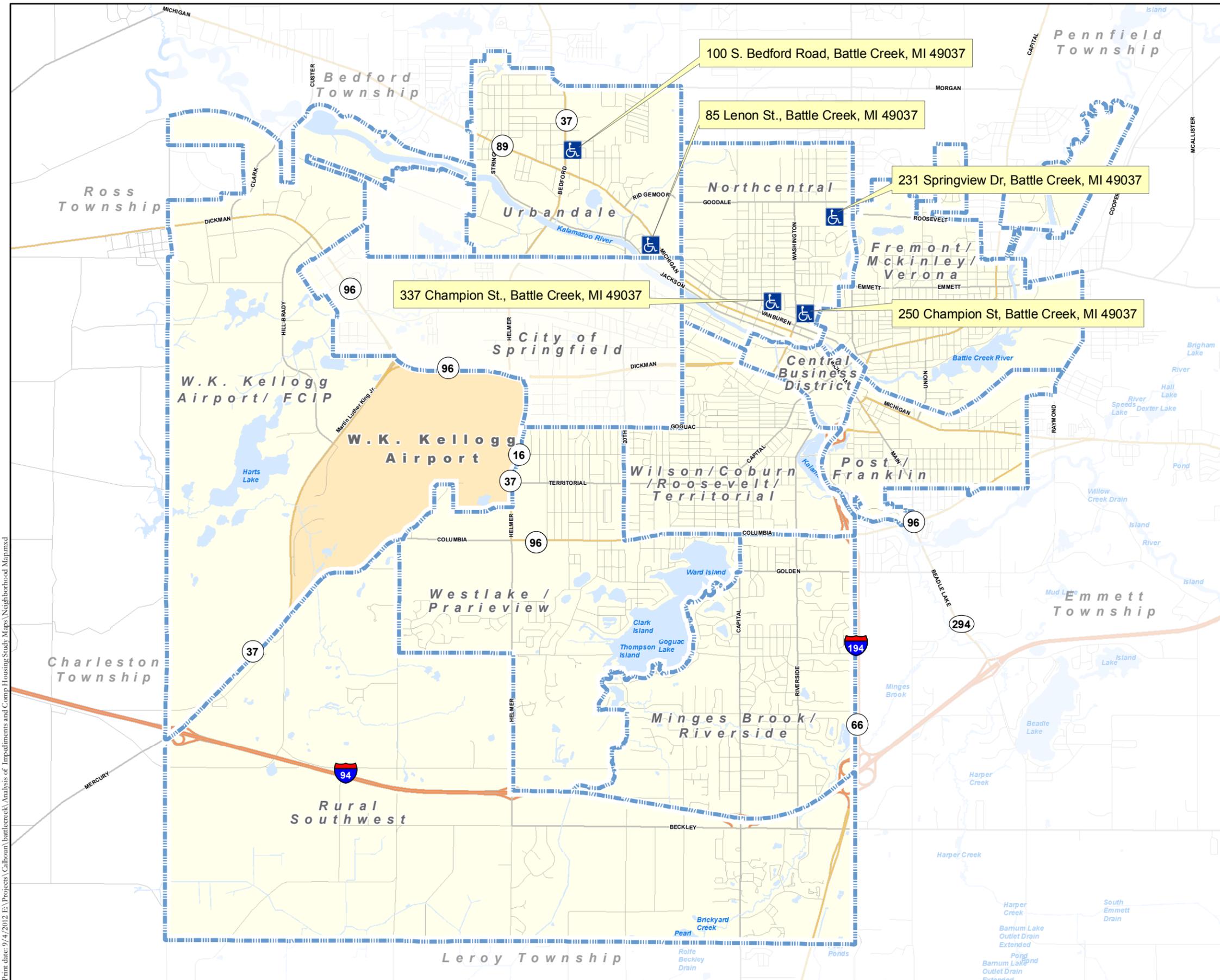
Base Map Source: City of Battle Creek, 2012
Data Source: 2010 U.S. Census

Housing for the Disabled

City of Battle Creek, Michigan

LEGEND

-  Interstate Highway
-  State Highway
-  Arterial
-  Local
-  Neighborhood Boundaries
-  W.K. Kellogg Airport
-  Water Bodies



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March 7, 2013

McKENNA ASSOCIATES

Base Map Source: City of Battle Creek, 2012
Data Source: MSHDA Directory of Subsidized Housing,
Accessed November 2012

III. Evaluation of Battle Creek’s Current Fair Housing Legal Status

A. Fair housing complaints or compliance reviews where the Secretary has issued a charge of or made a finding of discrimination

Requests were made in late August 2012 with the U.S. Department of Housing and Urban Development (HUD). McKenna Associates was able to receive housing discrimination complaint data from the U. S. Department of HUD – Detroit Regional Office for housing complaints made within zip codes contained entirely or partially within the City of Battle Creek from January 1, 2006 until August 20, 2012.

During this period, a total of twenty-four complaints were recorded by HUD. As of August 20, 2012, two cases were open, two were withdrawn without resolution, four were withdrawn after resolution, eight had no cause and eight were conciliated or settled.

Of the eight cases that were conciliated or settled, six involved alleged familial status discrimination, one involved alleged racial discrimination and one involved alleged retaliation. All eight of the cases that were conciliated or settled involved discriminatory advertising or discriminatory terms/conditions/privileges relating to rentals.

Table 15: Housing Discrimination Complaints Received by HUD, 1-1-2006 to 8-20-2012

Case Number	Filing Date	Bases	Issues	Case Completion Type, Detailed	Zip Code
05-07-0905-8	5/14/2007	Race,	310 - Discriminatory refusal to rent,	18 Withdrawn After Resolution	49014
05-08-0063-8	10/3/2007	Race,	382 - Discrimination in terms/conditions/privileges relating to rental,	16 Conciliated/Settled	49015
05-08-0428-8	1/16/2008	Race,	332 - False denial or representation of availability - rental,	06 Withdrawal Without Resolution	49017
05-08-0667-8	3/4/2008	Disability,	510 - Failure to make reasonable accommodation,	18 Withdrawn After Resolution	49015
05-08-1793-8	9/4/2008	Disability,	440 - Other discriminatory acts,	18 Withdrawn After Resolution	49017
05-09-1364-8	6/16/2009	Race,	310 - Discriminatory refusal to rent,	25 No Cause	49017
05-09-1909-8	9/24/2009	Disability, Familial Status,	380 - Discriminatory terms, conditions, privileges, or services and facilities, 510 - Failure to make reasonable accommodation,	16 Conciliated/Settled	49037
05-10-0167-8	10/29/2009	Race,	312 - Discriminatory refusal to rent and negotiate for rental, 380 - Discriminatory terms, conditions, privileges, or services and facilities,	25 No Cause	49037
05-10-0251-8	10/15/2009	Retaliation	382 - Discrimination in terms/conditions/privileges relating to rental,	16 Conciliated/Settled	49027
05-09-1971-8	9/22/2009	Race,	380 - Discriminatory terms, conditions, privileges, or services and facilities,	06 Withdrawal Without Resolution	49017
05-10-0535-8	1/29/2010	Disability,	510 - Failure to make reasonable accommodation,	25 No Cause	49037
05-10-1426-8	7/20/2010	Disability,	430 - Otherwise deny or make housing available,	18 Withdrawn After Resolution	49037
05-10-1625-8	8/13/2010	Disability,	320 - Discriminatory advertising, statements and notices, 380 - Discriminatory terms, conditions, privileges, or services and facilities,	25 No Cause	49037
05-11-0071-8	10/8/2010	Disability,	380 - Discriminatory terms, conditions, privileges, or services and facilities, 382 - Discrimination in terms/conditions/privileges relating to rental,	25 No Cause	49014
05-11-0370-8	12/16/2010	Race,	380 - Discriminatory terms, conditions, privileges, or services and facilities, 430 - Otherwise deny or make housing available, 450 - Discriminatory acts under Section 818 (coercion, Etc.),	25 No Cause	49037
05-11-1005-8	4/19/2011	Familial Status,	320 - Discriminatory advertising, statements and notices, 430 - Otherwise deny or make housing available,	16 Conciliated/Settled	49015
05-11-1082-8	5/25/2011	Race, Retaliation	382 - Discrimination in terms/conditions/privileges relating to rental,	25 No Cause	49037
05-11-1309-8	5/26/2011	Race,	380 - Discriminatory terms, conditions, privileges, or services and facilities,	25 No Cause	49017
05-11-1451-8	9/2/2011	Familial Status, Sex,	312 - Discriminatory refusal to rent and negotiate for rental,	16 Conciliated/Settled	49014
05-12-0037-8	10/13/2011	Familial Status,	322 - Discriminatory advertisement - rental,	16 Conciliated/Settled	49014
05-12-0092-8	10/27/2011	Familial Status,	320 - Discriminatory advertising, statements and notices,	16 Conciliated/Settled	49007
05-12-0817-8	5/8/2012	Familial Status,	322 - Discriminatory advertisement - rental,	Open	49014
05-12-0820-8	5/8/2012	Familial Status,	320 - Discriminatory advertising, statements and notices,	16 Conciliated/Settled	49014
05-12-0819-8	5/8/2012	Familial Status,	320 - Discriminatory advertising, statements and notices,	Open	49014

Source: United States Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Chicago, IL

B. Fair housing discrimination suit filed by the Department of Justice or private plaintiffs

From 2007 to 2011, the City of Battle Creek contracted with the Fair Housing Center of Southwest Michigan. This relationship was a response to the previous Analysis of Impediments that recommended the City collaborate with a local fair housing center to identify potential barriers to fair housing.

The Fair Housing Center of Southwest Michigan, from March through October 2011, conducted twenty-two audit tests of fourteen apartment complexes in Battle Creek based on either race or familial status (presence of children under the age of 18.)

Each test consisted of two paired tests with two testers. In one testing pair, there was a member of a protected class (he/she was African American or he/she reported that children under the age of 18 would be living in the apartment.) In the second testing pair, both testers were white and reported to have no children.

At eight of the apartment complexes, tests based on race and familial status were conducted. At six of the complexes tests on only familial status were conducted.

Each tester visited a complex and told a property manager/leasing agent that he/she was interested in renting an apartment at that complex. Following the site visits, testers submitted a report to the Fair Housing Center of Southwest Michigan detailing the experience. Reports analyzed by Fair Housing Center staff were classified three different ways; the testers were treated significantly different (evidence of discrimination), the testers were not significantly treated different (no significant differences of treatment) or that there were minor or insignificant differences in the way the testers were treated (inconclusive). The following results were provided by reports compiled by the Fair Housing Center of Southwest Michigan:

- In none of the twenty-two tests was it determined that both paired tests at the same site showed evidence of discrimination.
- In two of the twenty-two tests, it was determined that both pairs of testers were treated the same (no significant differences of treatment). Both of these tests were familial-based.
- In twenty of the twenty-two tests, the results of each pair conducted at each site were mixed. Below are the results from the twenty of the twenty-two tests that had mixed results:
 - In three of the twenty tests, it was determined that one set of testers experienced no difference in treatment (no significant differences of treatment), but the other set were treated significantly different (evidence). Two of these were familial-based and one race-based.
 - In six of the twenty tests, it was determined that one set of testers experienced no difference in treatment (no significant differences of treatment), but the other set of testers received minor or insignificant differences in treatment (inconclusive). Three of these were familial-based and three race-based.

- In six of the twenty tests, it was determined that one set of testers were treated significantly different (evidence), but the other set of testers received minor or insignificant differences in treatment (inconclusive). Two of these were familial-based and four race-based.
- In five of the twenty tests, it was determined that both sets of testers received minor or insignificant differences in treatment (inconclusive). All of these were familial-based tests.
- In nine of the twenty tests, there was evidence of discrimination to one of the two sets of testers; four were familial-based and five were race-based.
- In eleven of the twenty tests, there were no significant differences in treatment to one or both sets of testers; seven were familial-based and four were race-based.

Because none of the audit tests showed evidence of discrimination to both sets of testers, no complaints were filed by the Fair Housing Center of Southwest Michigan with the U.S. Department of Housing and Urban Development (HUD) or the Michigan Department of Civil Rights.

C. Reasons for any trends of patterns

After reviewing the data provided by the U.S. Department of Housing and Urban Development Chicago Field Office and the Fair Housing Center of Southwest Michigan, there may be potential rental housing discrimination relating to familial status (i.e. presence of children under the age of 18) and potential discrimination relating to discriminatory advertising or discriminatory terms/conditions/ privileges relating to rentals.

Further discussion with the Fair Housing Center of Southwest Michigan indicated that discrimination based on familial-status (presence of children under the age of 18) is also common in the City.

Data provided by the U.S. Department of Housing and Urban Development – Chicago Field Office was provided at a zip code level with the address and name/organization of the alleged discriminator removed. Zip Codes that serve Battle Creek also serve areas outside of Battle Creek City. The level of information provided by HUD makes it impossible to determine 1) the specific location of where the alleged discrimination occurred and 2) the name or organization of the alleged discriminator.

The data provided by HUD indicates that some level of housing discrimination does occur within the City of Battle Creek and/or directly surrounding the city on the basis of familial status and discriminatory advertising and terms/conditions/ privileges relating to rentals.

Race-based discrimination also occurs, although it does not appear to be widespread. However, racial groups are not evenly distributed across the City. Although some neighborhoods, such as Wilson/Coburn, Post/Franklin, Fremont/McKinley/Verona, and Urandale, show racial proportions that are similar to the City as a whole, African-Americans are over-represented in NorthCentral, and under-represented in the southern and western portions of the city, especially within the Lakeview School District. The cause of this uneven distribution does not appear to be active discrimination, but is probably related to a legacy of economic inequality, a lack of affordable options in certain neighborhoods, a lack of information about housing opportunities, and/or a feeling of discomfort in a neighborhood where the household's race is not well represented.

Increased education for individuals who rent housing to persons within the City is the best way to increase an understanding of what discrimination is, why it is illegal and what actions can be taken to ensure that people of all races, ethnicities and family types have fair access to housing that is lawfully available to them.

D. Discussion of other fair housing concerns or problems

The federal Fair Housing Act prohibits housing discrimination based on race, color, national origin, religion, sex, disability, and familial status (i.e., presence of children in the household) within housing. Michigan's Elliot Larsen Civil Rights Act prohibits discriminatory practices and policies based upon religion, race, color, national origin, age, sex, height, weight, familial status, or marital status within housing.

While U.S. and Michigan Civil Rights legislation does not include sexual orientation and gender identity as a protected class, housing providers that receive HUD funding, have loans insured by the Federal Housing Administration (FHA), as well as lenders insured by FHA, may be subject to HUD program regulations intended to ensure equal access of lesbian, gay, bisexual, and transgender (LGBT) persons. As more research is conducted and collected on the effects of discrimination on this population subgroup, it is expected that laws could be amended at a local, state or federal level to add this population subgroup to civil rights and housing rights laws as a protected class.

While many believe that federal, state and some local fair housing laws also prohibit housing discrimination based on sexual orientation and gender identity, data collected in the Michigan show the opposite. In 2007, four Michigan Fair Housing Centers conducted an investigation into housing discrimination against LGBT people and sent 120 paired individuals posing as same-sex couples to attempt to rent housing throughout the state. The results of the investigation indicated that discrimination against same-sex couples was widespread, even after controlling for factors like race, education, and economic status.¹

¹ Sexual Orientation And Housing Discrimination In Michigan: A Report of Michigan's Fair Housing Centers, 2007. Available online at: http://www.fhcmichigan.org/images/Arcus_web1.pdf.

IV. Identification of Impediments to Fair Housing Choice

A. Public Sector

Zoning and Site Selection

A review of the Battle Creek Zoning Ordinance did not reveal any ordinance provisions that impede the construction of or access to fair housing. The City's four single-family zoning districts, one two-family zoning district, two multiple family zoning districts, one medium density zoning district, one high density zoning district, three residential-associated overlay districts and the Commercial Business District all permit various types of housing. The City of Battle Creek, with 43.7 square miles within city limits, contains a multitude of lot sizes, land uses, densities and building types to accommodate the housing choices of residents.

A review of the schedule of regulations (setbacks, heights, minimum lot areas) did not indicate that a specific housing type was prohibited due to regulations.

Manufactured housing is regulated by the state and the zoning code regulates and permits such uses.

The definition of a "State Licensed Residential Facility" in the Battle Creek Zoning Ordinance delineates between those for six or fewer residents and for those with more than seven residents. State Licensed Residential Facilities for six or fewer residents are permitted by right in the City's single-family residential neighborhoods, while those with seven or more residents are permitted in any zoning district after receiving a special use permit (Section 1290.01 (7).) Further, the special land use requires minimum setbacks of 50 feet. While State Licensed Residential Facilities could be located anywhere in the City, the setback requirements and public noticing requirements may limit the ability to place such uses on lots in established neighborhoods where smaller lots could very well be appropriate and have no significant offsite impacts.

After discussions with city staff, it was discovered that the City currently has a number of unapproved multi-family and group living facilities in traditional single family neighborhoods, most notably in the Post Franklin, Fremont McKinley and NorthCentral Neighborhoods. While the mixture of single and multi-family and group home facilities can be designed and regulated to ensure that negative off-site impacts do not occur, the fact the City is unable to keep up with enforcement of uses is what presents a problem. More importantly, such uses often occur illegally (no zoning permits, no building permits, substandard retrofit by unlicensed contractors) and therefore present use conflicts, safety issues and result in poor maintenance. At this time, the City should increase their efforts to catalog such uses and once accurate and comprehensive data is available, the City then can evaluate whether or not additional code enforcement, zoning amendments or more severe action (moratoria) is necessary.

Accessory dwelling units are not permitted in residential districts and are not permitted to contain kitchen facilities or be used for dwelling purposes. While housing demand in Battle Creek may not require that living spaces be created from accessory structures in most neighborhoods, such housing can be beneficial for intergenerational households (families living with post-teen children, families living

with their parent(s), families living with extended family) by providing a separate living/cooking space that is separate enough for privacy but close enough for safety. Accessory dwelling units can be regulated in ways to prevent crowded housing and promote high quality maintenance in residential neighborhoods. The City would be wise to consider permitting accessory dwelling units in non-traditional locations, such as single family neighborhoods within the Westlake / Prairieview and Minges Brook / Riverside neighborhoods, as a means to increase the supply of affordable housing in desirable neighborhoods. However, for many seeking affordable housing, the cost of transportation is a decisive issue. If affordable accessory dwelling units are permitted in the neighborhoods located in the southern and western portion of the City, a lack of comprehensive public transportation may prevent many from being able to select such housing as an option. Nevertheless, permitting such units can increase available housing stock in the neighborhoods perceived as desirable.

The zoning ordinance does not prevent the development of affordable housing, and the expansion of more dense single family uses may be a way to increase the supply of affordable housing while preserving neighborhood character.

Comprehensive (Master) Plan

Battle Creek's last Comprehensive (Master) Plan was prepared in 1997 and updated in 2010. Although the City has been continuously involved in planning the City, a collective vision for the future has not been evaluated for a long time.

With regards to residential uses, the plan indicates the desire of the City to encourage residential growth at higher densities than previous development 1) adjacent to downtown Battle Creek, 2) near major intersections that are planned to contain service (shopping) and civic (daycare, schools and religious institutions) to form an activity focus at the heart of neighborhoods where major streets intersect and 3) commercial clusters and along major road corridors with a desired average of four dwelling units per acre.

The plan discusses the desire for older neighborhoods to be maintained and improved with help from the City and housing non-profits in the form of technical assistance and code enforcement and housing improvement incentives in a joint effort with the Neighborhood Councils.

Employment-Housing-Transportation Linkage

One aspect of fair housing choice is neighborhood revitalization and the provision of quality services to areas in which low and moderate income families reside. Low to moderate income families are defined as being at or below 80% of the Battle Creek area median income, which for 2012 was \$41,700 for a family of four. Families of all types who are concentrated in lower income neighborhoods will benefit from better neighborhood environments. In Battle Creek, a majority of the urbanized area's housing is within three miles of the established city center. The region's large public institutions, businesses and retailers are located within downtown Battle Creek, located in southern Battle Creek adjacent to the I-94 / I-194 Interchange, and along Columbia Avenue. Public transportation is provided by Battle Creek Transit, which in 2011 served 561,165 passengers on 10 unique routes serving downtown Battle Creek, the surrounding neighborhoods in northeast Battle Creek, Columbia Avenue and the commercial center surrounding the I-94 / I-194 interchange. The City's Master Plan indicates Battle Creek Transit serves 80 to 85% of the City's major traffic generators and a desire to increase public transit access from lower

income neighborhoods to job centers. This may require a reconsideration of the balance between fixed route and demand response service. Future road improvements on main corridors should anticipate transit needs and, where feasible, make special provisions for them.

Public Education and Job Training Opportunities

As a large city, Battle Creek is served by multiple K-12 school districts, job training programs and colleges/universities.

Residents of Battle Creek are served by four K-12 public school districts:

- Battle Creek Public Schools
- Harper Creek Community Schools
- Lakeview School District
- Pennfield School District
- Climax-Scotts Community Schools

Residents of Battle Creek are served by five institutions of higher learning:

- **Kellogg Community College.** KCC was founded in 1956 by the Battle Creek Board of Education until 1970 when voters created an area-wide college district. The College offers nearly 100 pre-professional college/university transfer programs, approximately 40 occupational associate degree programs in health, business, secretarial, technical and public science fields and over 30 certificate programs aimed toward job preparation; and related training for apprenticeships.
- **Robert B. Miller College.** Founded by the Miller Foundation, Miller College was created after a community survey revealed that the Battle Creek area lacked convenient access to bachelor's degree programs. The college was launched in summer of 2005 as a local college specifically created to meet a community need for accessible higher education. Miller College, privately operated, shares space with Kellogg Community College on their Battle Creek campus and offers bachelor's degree programs in business, arts and humanities, education and nursing. Battle Creek residents are able to complete a bachelor's degree between attending Kellogg Community College and Miller College.
- **Western Michigan University.** WMU, a public university located in Kalamazoo, MI, operates a satellite location at the Kendall Center in downtown Battle Creek. WMU-BC provides bachelor's degrees in manufacturing engineering and nursing, master's degrees in business administration, counseling, teaching and public administration and graduate certificate programs. In addition, the College of Aviation is located at W.K. Kellogg Airport and offers bachelor's degrees in aviation science.
- **Spring Arbor University.** Spring Arbor University, a private Christian liberal arts college located in Spring Arbor, MI operates a satellite location in downtown Battle Creek. SAU-BC offers associate degrees of arts and of science in business, bachelor's degrees in business, family life education, management, nursing and social work and master's degrees in counseling and management.
- **Davenport University.** Davenport University, a private, non-profit university located in Caledonia, MI, has a branch in downtown Battle Creek. Davenport offers associate degrees in business administration, medical billing and medical assisting, bachelor's degrees in accounting information, nursing, business and management and master's in business (MBA) and strategic management.

- **Sienna Heights University.** Sienna Heights University, a private Catholic university with its main campus in Adrian, MI, offers degree programs for students on the campus of Kellogg Community College in Battle Creek. Sienna Heights offers bachelor’s degrees in accounting, applied science, business administration, liberal arts studies, multidisciplinary studies, pre-law and a graduate degree in organizational leadership.

The Michigan Talent Bank is a web portal by which employers seeking workers can post their job listings and job seekers can post their resumes for review by employers who are recruiting workers. Many of Michigan Talent Bank’s services are provided through a statewide network of more than 100 Michigan Works! Service Centers. The Michigan Works! System provides leadership and services in order to promote quality and excellence for the advancement of Michigan’s employees. It is a customer-driven workforce development system that serves employers and job seekers to ensure that employers have the skilled workers they need and workers have good jobs that provide economic self-sufficiency.

At Michigan Works! Service Centers, dislocated workers can get help finding new jobs through self-serve labor market information, help with job seeking skills such as resume writing assistance and, as appropriate, skills training. Individuals receiving public assistance receive help in finding and keeping employment. Young people can find information and assistance in making the transition from school to a good career. A local brick and mortar service center, the Battle Creek Michigan Works! Service Center is located at:

135 Hamblin Avenue
Battle Creek, MI 49017
269.660.1412
www.michworks.org
Monday thru Thursday 8:00 a.m. - 5:00 p.m.
Friday 9:00 a.m. – 5:00 p.m.
Computer hours may vary based on location

The City of Battle Creek is served by many public and publically funded educational institutions. The K-12 educational institutions are spread throughout the City while higher education opportunities are concentrated in Downtown Battle Creek and directly north of downtown. The locations for higher education are accessible by public education and individuals who have graduated high school and show interest in furthering their education are able to attend.

However, one impediment to furthering education is the cost of attendance. Some level of post-high school education, at a minimum a certificate/apprenticeship program or associate’s degree, is required to enter the workforce. Even Local community colleges, where education costs are often lower than traditional four year universities, the cost for many is out of reach and not fully funded by financial aid. Students in their late teens and early twenties who are interested in attending university are unable to receive 100 percent tuition assistance through grants or loans because the cost of attendance is not fully covered by loans. In many cases young adults, regardless of their financial independence, are considered dependents which results in their parent’s income being counted against their aid package, thereby decreasing funding available for education. Given the role that Counties, States and the Federal Government play in higher education funding, the ability for Battle Creek to increase higher education opportunities via tuition assistance is limited. Battle Creek could consider job training programs and advocate for additional cost of attendance assistance by informing state and federal legislators on the link between education, stable employment and access to fair housing.

Public Transportation

Battle Creek Transit has provided continuous public transportation service since 1932 and operates as a department of Battle Creek City Government. The service is operated from the transit terminal located on W. Michigan Avenue. The terminal houses all vehicles, maintenance, and administrative activities. The service consists of both line-haul (fixed-route) and demand-response service. Line-haul service operates on a central hub pulse mode with service available six days a week. The demand-response service, called Tele-Transit, primarily operates to accommodate special needs customers but is open to the general public. Battle Creek Transit also oversees the intermodal terminal which accommodates both intercity rail (Amtrak) and bus (Greyhound) travelers. Located next to the transfer center, a passenger may easily transfer from intercity to local public transit.

Line-haul transit service operates Monday through Friday from 5:15 a.m. - 6:45 p.m., and Tele-Transit service operates Monday through Friday from 5:15 a.m. - 12:00 a.m. On Saturdays, both line-haul and tele-transit service operates from 9:15 a.m. - 5:15 p.m.

In 2011, Battle Creek Transit served an area containing 53,369 residents and 561,165 passenger trips.

The table below describes the fare schedule as of September 2012:

Table 16: Battle Creek Transit Bus Fares

Battle Creek Transit Fixed Route	Fares
Adults & Children (taller than fare box)	\$1.25
Senior Citizens and Persons with Disabilities	\$0.60
Children (shorter than fare box)	Free
One Transfer	Free
Beckley Road Circulator	Free
Transfers (One)	Free
Battle Creek Transit Passes	
12 Ride Punch	\$11.00
48 Ride Punch	\$40.00

Source: Battle Creek Transit, September 2012

As part of the Analysis of Impediments, existing local bus routes were plotted and analyzed to determine access from residential neighborhoods to commercial and industrial zones. Many of the large employers and activity centers in Battle Creek are served by Battle Creek Transit routes.

PHA and Other Assisted/Insured Housing Provider Tenant Selection Procedures; Housing Choices for Certificate and Voucher Holders

Within Battle Creek, the Battle Creek Housing Commission and other providers provide an extensive network of public and public-assisted housing. The table below illustrates the assisted housing availability within the city or directly adjacent. It should be noted that the following list of subsidized housing in Battle Creek is not an exhaustive list and only lists housing options that have received direct assistance from the Battle Creek Housing Commission, the U.S. Department of Housing and Urban Development, the Michigan State Housing Development Authority, or "other" (usually meaning private development with government program assistance.) The list does not include single family properties managed by a private landlord.

Table 17: Subsidized Housing in Battle Creek

Facility	Address	Who Administers	Programs	For Whom	Housing Type	# of Units
Battle Creek Housing Commission	250 Champion	Battle Creek Housing Commission	Public Housing	Family	Detached	53
Cherry Hill Manor	10 Clay Street	Battle Creek Housing Commission	Public Housing	Elderly	Mid Hi-Rise	150
Kellogg Manor	250 Champion	Battle Creek Housing Commission	Public Housing / Barrier Free	Elderly	Mid Hi-Rise	70
Parkway Manor	380 Truth Drive	Battle Creek Housing Commission	Public Housing	Family	Townhouse	84
Bedford Manor	100 S Bedford Road	HUD	Section 8 / Barrier Free	Elderly	Mid Hi-Rise	125
Hill House	337 Champion	HUD	Market Rate / Section 8	Elderly	Low Rise Apartment	9
Hope Network	85 Lennon	HUD	LIHTC / Section 8 / Disabled	Family	Low Rise Apartment	14
River Apartments	45 Stringham Road	HUD	Market Rate / Section 8	Family	Low Rise Apartment	120
Stratford Park Townhomes	420 Stratford	HUD	Section 221(d)3	Family	Low Rise Apartment / Townhouse	165
Bent Tree	59 Laura Lane	MSHDA	Section 8 / Barrier Free	Elderly / Family	Low Rise Apartment / Townhouse	134
Knollwood Apartments (Carl Terrace)	180 Carl Avenue	MSHDA	Section 236 / R/S / LIHTC	Family	Low Rise Apartment / Townhouse	150
Lakeview Meadows	890 West Territorial	MSHDA	MSHDA-LIHTC / MSHDA	Elderly	Low Rise Apartment	53
Lakeview Meadows II	890 West Territorial	MSHDA	MSHDA-LIHTC / MSHDA	Elderly	Low Rise Apartment	60
Glenwood Trace	225 Winding Way	MSHDA	Market Rate / Section 236	Family	Low Rise Apartment / Townhouse	124
Minges Creek	151 Minges Creek Place	MSHDA	MSHDA / Market Rate	Family	Low Rise Apartment	192
Springview Tower	231 Springview Drive	MSHDA	Section 236 / R/S / Barrier Free	Elderly	Mid Hi-Rise	175
Villas of Charlemagne	709 Toulouse	MSHDA	MSHDA-LIHTC / MSHDA / Market Rate	Family	Townhouse	30
Brookstone	Whitmark Road, south of Beckley Rd.	Other	Section 515 / Section 202 / RAP / LIHTC	Elderly / Family	Low Rise Apartment	156
Residences at Westbrook	183 West Street	Other	LIHTC / Section 8	Family	Low Rise Apartment	48
Riverview Pointe	120 Riverside Drive	Other	LIHTC / Section 8	Family	Low Rise Apartment	100
Silver Star	44 Clark Road North	Other	LIHTC / Section 8	Veterans	Low Rise Apartment	76
Teal Run	Capitol Avenue & Glenn Cross	Other	Market Rate / LIHTC	Family	Low Rise Apartment	150
Village At Irving Park	115 West Street	Other	N/A	Family	Low Rise Apartment	39
Willow Creek Apartments	3400 Capital Avenue SW	Other	LIHTC / Section 8	Family	Low Rise Apartment / Townhouse	72
Willow Creek Apartments II	3400 Capital Avenue SW	Other	LIHTC / Section 8	Elderly	Low Rise Apartment	18
Total Units						2,367

Source: MSHDA Directory of Subsidized Housing, Accessed November 2012

As can be seen in the table above, the Battle Creek area is home to over 2,300 assisted housing units available to persons requiring housing assistance, ranging from mid-high rises, low-rise apartments, townhomes and detached houses for the elderly, veterans, families and the disabled. The previous table and Map 4, Housing for the Disabled, shows locations of housing that is accessible to persons with disabilities. It should be noted that many of the Battle Creek's disabled housing options are concentrated near downtown versus in other sections of the city. This is largely due to the fact that these housing options were developed before the City of Battle Creek and Battle Creek Township merged in 1982. While the list and map does not display every single available disabled housing unit within Battle Creek, it is evident that housing developments for the disabled are located in the northern portion of the City in the NorthCentral and Urbandale Neighborhood Planning Councils.

Table 18: List of Housing Developments Operated by the Battle Creek Housing Commission

Name	Number of Units	Type	Location	Resident Type
Cherry Hill Manor	150	1-Bedroom	10 Clay St.	Age 50 and older
Kellogg Manor	70	1 Bedroom, Efficiency	250 Champion	Seniors, Handicapped, Disabled
Parkway Manor	100	1-2-3-4 Bedroom	380 Truth Drive	Families
Detached Homes	53	2-3 Bedroom Single Family Homes	Various Locations	Families

The Battle Creek Housing Commission offers a total of 373 housing units for families, residents 50 years of age and older, senior citizens and handicapped/disabled individuals.

Table 19: Battle Creek Housing Commission Tenant Report: Race & Ethnicity by Household

Race / Ethnicity	Parkway Manor & Northside Homes (Families)		Cherry Hill & Kellogg Manor (50 and older, Seniors, Handicapped, Disabled)		Detached Single Family Homes (Families)	
	Count	Percentage	Count	Percentage	Count	Percentage
White Household (Non-Hispanic)	24	24.5%	157	72.0%	18	34.0%
Black Household (Non-Hispanic)	70	71.4%	59	27.1%	33	62.3%
Native American Household (Non-Hispanic)	1	1.0%	0	0.0%	0	0.0%
Hispanic Household (of Any Race)	3	3.1%	2	0.9%	2	3.8%
Total	98	100.0%	218	100.0%	53	100.0%

Source: Battle Creek Housing Commission

In the table above, the race/ethnicity of the household is indicated. From the data provided it is assumed that for a household to be considered “White,” all residents or the head of household is White. The same rule applies for Black, Native American and Hispanic groups as well. Of the 369 families living in subsidized housing, 53.9 percent were classified as White households, 43.9 percent were classified as Black households, 1.9 percent were classified as Hispanic households and .3 percent were classified as Native American households. With regards to White and Black households, Battle Creek Housing Commission properties are racially mixed. However, when each property is reviewed individually, the racial and ethnic makeup of residents appears to be less balanced.

For example, 71.4 percent of households at Parkway Manor and Northside Homes contained Black households, while only 27.1 percent of households at Cherry Hill and Kellogg Manor contained Black households. The Battle Creek Housing Commission’s scattered housing (detached single family housing) contained 62.3 percent Black households. With regards to Hispanic households, Parkway Manor and Northside Homes contained 3.1 percent Hispanic households while scattered housing contained 3.8 percent Hispanic Households. While these differences may be striking, three housing options indicate that Parkway Manor and Northside Homes and scattered housing (detached single family housing) are geared to families, while Cherry Hill and Kellogg manor are geared towards persons 50 and older, seniors, handicapped and the disabled.

When Parkway Manor, Northside Homes and scattered housing (detached single family housing) are looked at together, the racial/ethnic demographics of both housing options are similar. However, there appear to be differences in the racial/ethnic makeup of family housing (Parkway Manor & Northside Homes and Detached Single Family Homes) and non-family housing (Cherry Hill & Kellogg Manor), with those two housing options being predominantly Non-Hispanic White (72.0%.)

Table 20: Battle Creek Housing Commission Tenant Report: Age of Male and Female Residents

Age	Parkway Manor & Northside Homes (Families)				Cherry Hill and Kellogg Manor (50 and older, Seniors, Handicapped, Disabled)				Detached Homes (Families)			
	Male		Female		Male		Female		Male		Female	
0 to 4	30	32.6%	51	28.8%	0	0.0%	0	0.0%	12	16.9%	10	10.2%
5 to 13	40	43.5%	23	13.0%	0	0.0%	0	0.0%	24	33.8%	20	20.4%
14 to 17	5	5.4%	4	2.3%	0	0.0%	0	0.0%	7	9.9%	7	7.1%
18 to 24	7	7.6%	47	26.6%	0	0.0%	0	0.0%	4	5.6%	7	7.1%
25 to 44	7	7.6%	37	20.9%	6	5.4%	6	5.0%	15	21.1%	37	37.8%
45 to 59	2	2.2%	10	5.6%	48	43.2%	52	43.3%	7	9.9%	15	15.3%
60 to 64	1	1.1%	3	1.7%	23	20.7%	22	18.3%	1	1.4%	0	0.0%
65 to 69	0	0.0%	1	0.6%	14	12.6%	16	13.3%	0	0.0%	2	2.0%
70 to 74	0	0.0%	1	0.6%	10	9.0%	7	5.8%	1	1.4%	0	0.0%
75 to 79	0	0.0%	0	0.0%	5	4.5%	8	6.7%	0	0.0%	0	0.0%
80 and Over	0	0.0%	0	0.0%	5	4.5%	9	7.5%	0	0.0%	0	0.0%
Total	92	100.0%	177	100.0%	111	100.0%	120	100.0%	71	100.0%	98	100.0%

Total Residents	669	100%
Total Male	274	41.0%
Total Female	395	59.0%
13 and Younger	48	48.0%
65 and Older	79	12.0%

The table above shows the breakdown of all 669 residents by sex and age. Of those in family housing (Parkway Manor & Northside Homes and Detached Single Family Homes) 48 percent of the residents are under the age of 13, indicating that these housing options are weighted towards families with children. Housing also appears to be skewed towards females (59% of total residents).

Based off the resident data provided, there appears to be a difference in the racial makeup of households in family vs. non-family housing. Individuals, when selecting housing, make their decision based off a number of factors such as location, schools, proximity to work, shopping, friends, etc. It is possible that Non-white residents seeking non-family housing are finding other housing arrangements. Discussions with Director Lee Tallmadge indicate that the Battle Creek Housing Commission has difficulty in attracting program participants.

Battle Creek Housing Commission Tenant Selection and Housing Choice

Responses to the following questions regarding tenant selection and housing choice in public housing were provided by Battle Creek Housing Commission Director Lee Talmage.

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- a. What are the application and tenant selection and assignment policies of the Housing Commission?

Those answers can be found in the Battle Creek Housing Commission Public Housing Authority Documents located in the appendix of this document.

- b. Is there a pattern in one housing development of concentration of tenants by race or ethnicity?

There are no patterns of concentration of tenants by race or ethnicity from one housing development to the next to the next. In the past there have been alleged fair housing complaints on the basis of race, but the findings did not have cause.

- c. Do the tenant selection policies and procedures of the PHA exclude or limit the participation of persons with disabilities in housing developments they manage?

The Battle Creek Housing Commission does have housing units that are accessible to persons with disabilities, and the BCHC has made improvements to the public areas of housing developments to make them accessible to persons with mobility disabilities. When an individual requires reasonable modifications to a housing unit (either at a BCHC housing development or scattered site housing unit) the BCHC either performs the modifications or partners with a community organization to make units accessible to the resident.

- d. If the answer to either of the two preceding questions is yes, how do these policies and procedures specifically affect the manner in which applications for housing are treated and applicants rejected or selected as tenants?

N/A.

- e. Are the policies and procedures consistent with the requirements of Federal, State, and local law and HUD regulations and guidelines?

Yes, to the best of the BCHC's knowledge the policies and procedures of the PHA are consistent with the requirements of Federal, State, and local law and HUD regulations and guidelines.

- f. If a HUD-assisted (including PHAs) or HUD-insured housing provider has been found in non-compliance with one or more civil rights laws or regulations, has the provider initiated appropriate corrective actions?

To the best of the BCHC's knowledge, there have been no issues of non-compliance. In the event non-compliance occurs, the BCHC will take appropriate corrective action.

- g. Are there any court suits involving the tenant application, selection, and assignment policies and procedures of any of these providers?

No, there are not active court suits.

- h. If court orders relate to any of these policies or practices, what is the status of actions to comply with the orders, and what are the results?

N/A.

- i. If there are concentrations of racial or ethnic groups in one or more public housing developments, has the Housing Commission undertaken any efforts designed specifically to desegregate these developments, such as make changes to its Tenant Selection and Assignment Plan (TSAP)?

N/A.

- j. If there are racial or ethnic concentrations, does the Housing Commission policy permit applicants or transfers to state a preference for one or more projects or developments?

N/A.

- k. Does Housing Authority policy permit applicants to reject several unit offers without losing their place on the waiting list? What are the bases for rejecting an offer of a public housing unit? Are they narrowly construed, or broad so that an applicant could reject a unit in a project in which his or her race does not predominate?

The PHA does permit applicants to reject several unit offers. The PHA is fortunate enough to have short waiting lists, which allows individuals to wait for a housing unit that best suits their needs. Usually the PHA struggles with finding enough families that meet basic public housing criteria (sufficient credit history, criminal background check.) The PHA does work with applicants to verify the reasons for any credit issues (medical bills versus bills for other purchases) to see if poor credit is because of situations beyond the applicant's control. If an applicant is denied the ability to utilize housing, applicants are able to apply again. The PHA does have a grievance procedure.

In the event of the waiting list is too long to provide housing to an applicant, PHA staff does direct applicants to other potential housing options, such as at a state level.

- l. Are certificate and voucher holders using the certificates and vouchers they receive from the Battle Creek Housing Commission (the local PHA) outside its geographic jurisdiction?

Certificate and Voucher holders are only permitted to use their vouchers within the City of Battle Creek. The PHA also operates the housing voucher program for the City of Albion (also in Calhoun County.) After one year, voucher holders can transport vouchers to another PHA.

- m. Can Section 8 certificates and vouchers be transported across PHA (and other administering agency) boundaries? Does the PHA (or other agency) that administers these programs in the jurisdiction actively promote mobility through cooperative efforts with other agencies in the metropolitan area? What are the results of these efforts?

Yes, Section 8 vouchers can be transported across PHA boundaries. Individuals transferring from one PHA to another PHA does occur. Given the relative small number of PHAs in Michigan, communication between PHAs occurs frequently.

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- n. Do the policies and procedures of the Housing Commission discourage or reject applications from lower income households that do not reside in their jurisdiction by imposing residency or other local preferences?

No, the PHA does not discourage or reject applications from resident outside of the City of Battle Creek. However, BCHC residents are initially required to live within city limits. There are no local resident requirements.

- o. Does the Housing Commission assist certificate or voucher holders who have received their certificates or vouchers from PHAs in other jurisdictions? In what ways?

Yes, the BCHC does absorb voucher holders from other PHAs. Because housing voucher credits are based on the originating PHAs housing costs, some PHAs (Including BCHC) sometimes require the sending PHA to make up the difference in rent in the event that the standard monthly housing costs in the sending PHA are higher than the receiving PHA. At this time, 10 of BCHC's 720 Section 8 Housing Vouchers receive funding from a sending PHA due to differences in Voucher amounts versus Battle Creek housing costs.

- p. Does the Housing Commission assist certificate or voucher holders who are persons with disabilities?

Yes, the BCHC assists certificate and voucher holders to find housing that best suits their needs.

- q. Does the Housing Commission help all certificate and voucher holders find suitable housing?

Yes, the BCHC does help all voucher holders find housing, and assists voucher holders using www.apartmentfinder.com. The BCHC also partners with Neighborhoods, Inc. of Battle Creek, a Community Housing Development Corporation with HUD and Michigan State Housing Development Authority certified housing counselors and Habitat for Humanity.

- r. Does this help include providing minorities who are seeking homes with up-to-date information about the facilities and services that are available in neighborhoods in which housing suitable to the needs of certificate or voucher holders is available?

Yes, the BCHC does provide housing information to all voucher holders.

- s. Does the Housing Commission encourage certificate and voucher holders, particularly minorities, to look for housing in neighborhoods that are not traditional residential areas for the holder in question?

The BCHC provided housing seekers with information on housing options throughout the community, with the decision of where to live being at the sole discretion of the voucher holder.

Does the Housing Commission assist the search process in other ways, such as:

- t. Calling to confirm the availability of units located in nontraditional neighborhoods?

The BCHC will assist housing seekers with confirming the availability of housing.

- u. Providing a master list of the names and addresses, number of units, and other data on multifamily developments in a metropolitan or other regional area that makes units available to Section 8 participants?

The BCHC does assist housing seekers in finding available housing.

- v. Has the City evaluated the performance of the agency that administers the Section 8 certificate and voucher programs in its area to determine what results have been achieved under the equal housing opportunity component of the Administrative Plan?

The BCHC is meeting the needs of providing housing for those who are eligible for housing programs offered by the BCHC. At this time, the BCHC has difficulty filling all available units as it appears that housing demand is being met. The BCHC is not aware of any pending issues regarding housing discrimination.

- w. What steps does the Housing Commission take to promote the availability of accessible housing resources for Section 8 participant families in which one or more persons are mobility impaired or have other types of disabilities?

The BCHC will, upon request, retrofit bathrooms for individuals requesting modifications. In the event where a particular unit is not able to be retrofitted and there are no such units available, residents are able to live in a housing unit that is not accessible until a housing unit that better suits their need become available.

- x. What are the Housing Commission and other assisted/insured housing provider policies for admitting persons with mental or other nonphysical disabilities? Are these persons restricted to certain projects? Are the policies consistent with HUD guidelines and requirements? Does the City actively support these steps? In what ways?

For residents with mental disabilities HUD allows housing authorities to designate housing units for seniors and others. The BCHC has 100 vouchers for people with disabilities. The two "tower" housing developments (Cherry Hill, Kellogg Manor) are able to restrict housing for older residents consistent with HUD guidelines.

- y. Has the Housing Commission conducted a needs assessment to identify need for accessible units and does it have a transition plan to assure access?

No, the BCHC has not conducted a needs assessment because the housing commission is currently meeting the demand for housing. As needs change, the BCHC would conduct a needs assessment.

- z. What steps has the Housing Commission taken to assure that persons with disabilities have access to the same range of housing choices and types as are offered to persons without disabilities?

All the modernization work that the BCHC has completed in the past 10 years has made common areas of housing developments more accessible.

- aa. What steps has the Housing Commission taken to identify funding resources and develop programs, in partnership with other public or private agencies and with private landlords participating in Section 8 certificate and voucher program, to provide funds and incentives for making privately-owned housing units accessible to persons with disabilities?

Currently, the BCHC is not partnering with other public or private agencies to create additional privately-owned housing units more accessible. In the future, the BCHC would like to partner with a non-profit or private housing provider to redevelop vacant school buildings not currently is use, with onsite enrichment, medical and other services for residents.

- bb. Has the Housing Commission implemented policies and procedures for assuring that Fair Market Rents are adjusted, as permitted by HUD regulations, to allow persons with disabilities to use certificates and vouchers in order to rent accessible, private sector housing units?

Yes, persons with disabilities are able to use vouchers to rent accessible private sector housing units. Additionally, the BCHC has used housing modernization funds to make entire buildings accessible to do an entire building, make more accessible for everyone.

- cc. Has the Housing Commission developed a written visitability policy and/or a visitability transition plan in place to make all or a significant percentage of its units visitable?

All units in the high rises are visitable, have not come up at the scattered site housing.

- dd. Does the PHA have any plans to expand the number of public housing units?

The BCHC does not have plans to expand. No desire to on behalf of HUD. Properties are in good shape.

- ee. As of March 5, 2013, what is the current waiting list for public housing units?

<i>Public Housing Unit waiting list:</i>	<i>13 families</i>
<i>Section 8 unit waiting list:</i>	<i>966 families</i>
<i>Scattered Site Homeownership program waiting list:</i>	<i>3 families</i>

The interview with Mr. Tallmadge provided insight on the operation of Battle Creek’s Public Housing Authority. It should be noted that based on the responses provided, the Battle Creek Housing Commission is competent in their federally-mandated responsibility to provide publically assisted housing. The Battle Creek Housing Commission’s website contains information on the rental properties managed by the Housing Commission, The availability of Section 8 housing programs managed by the Housing Commission and housing that accepts Section 8 Voucher holders, information on the Housing Commission’s Homeowner Opportunities Program and the corresponding application, Senior Housing Opportunities and contact information for who to contact at the Housing Commission.

However, the Housing Commission’s website does not contain any of the Housing Commission’s Plans, making it difficult for anyone wishing to review the documents and plans.

Sale of Subsidized Housing and Possible Displacement

If displacement occurs due to a Housing and Urban Development (HUD) or Michigan State Housing Development Authority assisted project, then Battle Creek shall provide relocation assistance to displaced persons in accordance with the Federal Uniform Relocation Assistance and Real Property Policies Act of 1970, as amended.

Property Tax Policies

According to forms found on the City of Battle Creek's website under 'permits and forms' the Assessor's Office offers a hardship exemption for property taxes for individuals who are considered to be under the poverty level based on income and family size, or for individuals over 65, paraplegic, quadriplegic, hemiplegics, or totally and permanently disabled as defined under Social Security Guidelines. Details on the program are located in the appendix of this document.

Planning, Zoning, and Diversity Boards

Diversity in representation of citizens in the community, including lower income individuals, racial and ethnic minorities, women, persons with disabilities, and families with children should be a basic element of the City's efforts to affirmatively further fair housing.

Planning Commission

The Planning Commission consists of nine members; The Mayor, one City Commissioner and seven community members. The Mayor and one City Commissioner are ex-officio members with full voting rights. The Mayor appoints eight persons, seven of whom are members of the community and one City Commissioner. Appointments are approved of a majority vote of the City Commission.

Planning Commission meetings are held at 4:00 PM on the fourth Wednesday of each month in the City Hall Commission Chambers.

At this time, seven Planning Commissioners are male and two are female. A review of the residential locations of members as indicated on the City's website indicated that a majority of members live south of Columbia Avenue.

Zoning Board of Appeals

The Zoning Board of Appeals consists of seven members, with one member being a member of the Planning Commission. The Mayor appoints members as approved of a majority vote of the City Commission.

Planning Commission meetings are held at 4:00 PM on the second Tuesday of each month in the City Hall Commission Chambers.

At this time, six Zoning Board Members are male and one is female.

Battle Creek Human Relations Board

Battle Creek City Resolution 533, passed January 29, 1991, approved the current Human Relations Board Bylaws.

The Human Relations Board consists of twelve members to be appointed by the Mayor with the approval of the City Commission. The members of the Board are to be representative of the community and from various occupations, racial, ethnic and religious groups, and have an interest in improving human relations.

The Human Relations Board was created with the understanding that prejudice and discrimination against any individual or group because of religion, race, color, national origin, age, sex, height, weight, familial status or marital status is harmful to the public welfare.

Additionally, the resolution also prohibits housing discrimination within the city, as “No owner of real property, lessee, sub lessee, real estate salesperson, lender, financial institution, advertiser or agent of any of the foregoing shall discriminate against any other person because of the religion, race, color, national origin, age, sex or handicap of the friends or associates of such other person, in regard to the sale or rental of property located in the City, or any other dealing concerning real property in the City. Any such discrimination shall be considered an unlawful housing practice.”

To our knowledge, this board does not meet regularly and there are no active members.

Why Does Commission and Board Diversity Matter?

Data available to assess the makeup of the City’s Planning Commission and Zoning Board of Appeals indicates that board members are typically white males, and have a high probability of living in the southern section of the City. With this in mind, it is possible that balanced perspectives for people of different genders, races, ethnicities and residence within the city may be lacking. Having commissions and boards with diverse perspectives is critically important. Each person will bring his or her own personal and professional contacts and life experiences to their service on a commission or board. With a diversity of backgrounds, experience, expertise, and perspectives a community is in a stronger position to face opportunities and challenges when diversity on commissions and boards exists.

- When a city’s commissions and boards reflect the diversity of the community served, the city will be better able to build bridges and create policy for the community.
- Diverse commissions and boards will improve the community’s ability to access resources in the community and to respond to external influences that are changing the environment in which it is working, or those served.
- When a commission or board faces a major decision, having diverse perspectives can help identify the opportunities and the risks.
- Commissions and boards that are not diverse will be chasing their tails: if all the commission/board members travel in the same social circle, live in the same neighborhood or have similar racial/ethnic backgrounds, identifying and cultivating new board members will be a challenge.

Building Codes (Accessibility)

The City of Battle Creek Inspection Division is an enforcing agency for the State of Michigan Construction Code. The division’s responsibilities apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures within the City.

ADA Accessibility

The City adheres to Michigan Barrier Free Design.

Smoke Detectors

Michigan building code requires that "hard wired" smoke detectors are to be installed in newly constructed homes, homes undergoing major renovation and existing apartments. This includes having detectors in each bedroom. Apartments are required by law to have at least one "hard wired" detector on each level and near sleeping areas no matter the age of the building.

Access for Inspection Purposes

A majority of inspections that do occur in the city are related to general building, electrical, mechanical and plumbing inspections, which do require exterior and interior inspection in order to receive a certificate of occupancy. City code enforcement and compliance often does require an inspection to verify complaints, though these inspections are generally exterior inspections and rarely interior inspections, which require the owner consent. The city does require residential rental inspections.

Rental Registration

The City of Battle Creek does require rental inspections, per City Ordinance 3 of 2011. The purpose of rental property inspections are to protect the health, safety, and welfare of renters, ensure that rental unit owners, legal agents, and tenants are informed of and adhere to all applicable code provisions governing the use and maintenance of rental units, and establish standards for obtaining rental permits, inspection of rental units, and the issuance of certificates of compliance for rental units.

Nature of Inspections

Inspections within the City are done as a part of the permitting and code enforcement process. The City does require inspections when a property is rented.

HUD Funding Levels

The City of Battle Creek receives funding from the United States Department of Housing and Urban Development directly through the CDBG and HOME program, or generally referred to as an Entitlement Community. Battle Creek, like other cities and counties across the country, are seeing annual decreases in HUD funding. This is in part due to concerns over the total Federal Government's budget and different political philosophies over the correct role of the Federal Government in local community, economic and housing development.

A review of Battle Creek's annual CDBG and HOME budgets during the 2011-2012, 2012-2013 and 2013-2014 (currently being drafted) reveal that CDBG/HOME budgeted funding has decreased by 28.6%. Such decreases in annual CDBG/HOME budgets are not sustainable and impact the ability of communities to continue to provide funding for community, economic and housing development.

At the same time, Cities are expected to maintain or increase the level of analysis and reporting related to both CDBG and HOME programs. While such reporting and analysis is an eligible expense under CDBG and HOME funding, caps on the amount of funding that can be spent on administrative work can easily be exceeded, resulting in communities being required to fund analysis and reporting from other sources (such as the general fund). This can result in impediments such as a disproportionate amount of funding going towards analysis with minimal funding going towards implementation.

B. Private Sector

Government policies and procedures that regulate, monitor, or otherwise impact rental, sales, and property insurance practices can play a significant role in promoting fair housing choice.

Until the 1960s, many mortgage lending and real estate appraisal policies and practices were openly discriminatory. Decisions as to property values, lending criteria, and related factors frequently rested on the race, ethnicity, or religion of the applicant and the racial, ethnic, and religious makeup of the neighborhood in which the applicant sought to move to. Lending policies and practices also treated applicants differently based on gender. Because of the close relationship between mortgage lending and appraisal activities, the policies and practices in one are significantly impacted those in other areas.

Studies show the need for affirmative action by lenders themselves to look at their policies and practices and change the manner in which judgments are made by every person who plays a role in the lending process.

Public Participation

A Community Open House open to the public and focus groups that were attended by individuals also involved in the creation of the City's HUD Consolidated Plan were held on December 5 and 6, 2012. Below are the results of the input sessions.

Community Open House

The Community Open House took place on December 5, 2012. Attendees participated in the following activities:

“Fill in the Blanks”

Participants were asked to fill in the blanks in a narrative describing their experience finding housing in Battle Creek. A sampling of the responses is below.

*My neighborhood is a place with both positive and negative characteristics. When I was looking for a place to live, I chose my neighborhood because **(housing was cheap, close to work, close to church, it was close to the lake, the neighbors were friendly, the school district)**.*

*If I could alter my neighborhood, I would change it to include more **(public safety patrol, complete streets, trees, owner occupied homes, public transportation, shopping)** and less **(blight, rentals, vacant properties, crime, taxes, train noise, sex offenders)**.*

*If I could live anywhere in Greater Battle Creek, I would live in **(Lakeview, outside City limits, my neighborhood, Minges Brook, Bedford, Historic North Side)** because **(historic homes, close to parks, close to Downtown, more rural, close to retail, good school district, lower crime rate, quieter)**.*

*I wish my neighborhood had more housing choices for residents. I wish it had more housing for **(low-income families, seniors, people with disabilities, growing families, no change)**.*

*To make housing more accessible and affordable for residents, the City could **(encourage agencies to help improve resident's credit, adopt a fair housing ordinance, work in partnership with non-profits, enforce rental property ordinance, do nothing - it is already very affordable)**.*

If I could renovate my home, I would change it to include (green features, a privacy fence, another bathroom, a larger closet, an attached garage, handicap accessibility, a front porch, more yard space.)

In the future, the following circumstances may cause me to move to a new home or neighborhood: (retirement, job, neighborhood decline, being able to afford a larger home, marriage).

“Fix, Keep, Aspire”

The participants were also divided into groups based on the NPC district that they live in and asked to identify elements of their neighborhood that they would like to “Keep,” “Fix,” and “Aspire” to improve. The results are below, by NPC District:

Public Feedback: Urandale

Fix	Aspire	Keep	Misc.
Traffic that congregates weekends	Dog/Pet area	Flower Garden	No suburban – style roundabouts
Aspire pedestrian bridges	New Equipment	Plaza	4 way stop roundabouts ok
	Band Shell to encourage use of park		too fast traffic
	Bike lanes		pedestrian death
	Sidewalks		Michigan Ave.
	Restaurant(s)		Sidewalks
	Accessible bus stops		Bus stops
	Need arrow for left turn from 37 onto Michigan Ave.		

Public Feedback: Fremont/McKinley/Verona

Fix	Aspire	Keep	Misc.
Commercial businesses	Lights on linear path	Piper Park	R = Rentals
Park (little)	Demo all blighted comm.	Historical Homes	little park = Horse bend
Prostitution	Rebuild vacant lots	Safe place	More 3 bedroom (or more) rental units/homes
Capital Ave. Comm. Corridor	Landlord Participation		More neighborhood watches programs
Calhoun St. Commercial	Increased household income to be close to city media		Longer hours and distance for buses
			Employer participation
			Day Care

Public Feedback: Rural Southwest

Fix	Aspire	Keep	Misc.
		Urban growth boundaries	

Public Feedback: Kellogg Airport/Fort Custer

Fix	Aspire	Keep	Misc.
Columbia Business District needs coherent something	More public access Harts Lake	Bike lanes	
	Willard open year round more walking paths	Downtown Lakeview cant full into vacant Lakeview, and if it goes - the whole retail will die	
	More sidewalks in neighborhoods	Woodland park and preserve	

Public Feedback: Post/Franklin

Fix	Aspire	Keep	Misc.
Storm damage	More activities for children – park, programming	Dairy Queen	
All of it on Main		C.A.	
Fix housing stock demo those that need it	Amenities for public trans user	Reinforce the positive business in this stretch	
Tear down	Ordinances that limit conversion of single family to multi-unit	Franklin school clean up	
Convenience stores are concerning			

Public Feedback: NorthCentral

Fix	Aspire	Keep	Misc.
No more streetwalkers	Provide financial incentives to stay	Encourage the families to stay in their neighborhood	
Too many rentals which are in really bad shape	More established families that can afford to fix up the houses	Community feeling – sidewalk repairs	
Make Irving Park family-friendly	Retail and business growth	Mt. Zion	
Get rid of duck and geese too much crap!	Control hours of accessibility - close after dark Claude Evans Park	Church	
Crime	Community Center emphasis on children	Park – must be safe	
Too many dilapidated houses	Traffic speed bumps all east/west streets	Quiet neighborhood	
Traffic crime	Neighborhood watch	Shiloh Church Influence	
Enhance the Linear Park	Assistance with rehab	Affordable Housing	
	Macedonia Church	Holy Light Church	
	Develop riverfront for public use		
	Get rid of caddys		

Public Feedback: Wilson/Coburn/Roosevelt/Territorial

Fix	Aspire	Keep	Misc.
Old Hamlin Community Center	Community Center		Why is the homeless left out?
Roads and houses	Housing and Storage		Youth Center
Better facade standards			Pregnancy Centers
Run down housing units			Post Area – all fix it
Housing units delaminated corner homes			More housing for DV victims
Abandoned Bldg., Schools			Job Corps
Better housing standards			Safe sidewalks
Abandoned homes in post			Improve bike trails
			Improved/more shelters homeless
			Youth Centers for adolescent & young adults
			Literacy for all ages – educate to employ
			More subsidized housing

Public Feedback: Westlake/Prairieview

Fix	Aspire	Keep	Misc.
Vacant (commercial) properties	Dog “poop” bags at parks	Elementary School	
Safety at Riverdale School along paths in the evening	Use Linear Park (trail) to connect more neighborhoods	Elementary School	
Hold projects in high standards		Bike lanes	
Vacant commercial properties		Public beach	
		Open space wooded	
		Elementary School	
		Middle School	
		Shopping	
		Food	
		High School	
		Adult Facility	
		Woodland Park	
		Movies	
		Shopping	
		Boat launch	

Public Feedback: Minges Brook/Riverside

Fix	Aspire	Keep	Misc.
Nimbyism	Maintain visibility at intersections	Park	
Need sidewalks on Columbia	Fix up houses – assist folks who need help	Yard sizes	
Sidewalk ends		Open spaces	
Sidewalks entire length of Columbia			
Traffic flow at Capital and I-94			

Focus Groups

Two focus groups met on December 6, 2012 to discuss priorities for improving the quality, affordability, and availability of housing in Battle Creek. The first group consisted of business leaders and real estate professionals. The second consisted of stakeholders for affordable and fair housing in the community.

Business Leaders and Real Estate Professionals

The first focus group conducted a “SWOT” (Strengths, Weaknesses, Opportunities, and Threats) analysis of the housing market in Battle Creek. The results are below.

STRENGTHS
Available Investment Property Cost to landlords is not prohibitive Single Family Rental Properties Popular Niche
Large supply of S.F. Units (plenty of inventory)
High ratio of owner occuppies
High quality neighborhoods and housing units in BC
150K home: can buy a very nice home in BC
Potential for Ind. rehab (new uses)
WEAKNESSES
Lending, especially for multiple family
Availability of housing in desirable neighborhoods
Losing affluent residents to other communities
Limited selection of high value housing
Lack of new construction due to high inventory Foreclosures reducing prices including newer homes (< 20 years old)
Foreclosed properties are too expensive to renovate for potential homeowners, so they are purchased as income properties
20,000 is limit, but should be increased to allow more people to take advantage of home improvement loan/assistance programs (203K)
Buyers for “fixer uppers” are rare
Copper theft
Need funds to help low income buyers make home improvements private lending has dried up
Appraisal values are lower than rehab costs – depressed values across the board due to exceed inventory
Energy costs can be higher than housing payments
Lack of job creation (esp. living wage jobs) means no new entrances into housing markets goes the other way too
Need investment in historic homes to make then more desirable
OPPORTUNITIES
Conversion of former Ind./Comm. Buildings
Rehab can be less expensive than new build

Reuse of old school buildings
Rebranding opportunities
Address
Lakeview schools
Administration in BC schools remaining longer
Schools of choice allow people to live in central BC while sending kids elsewhere
Low barriers to homeownership Value for money “a lot of house”
Small business downtown
BC Central has shown quantifiable improvement was on list of underperforming schools, but was taken off it in 1 year. (actually not taken off, but now meet standards to come off)
Relocation to BC for Kellogg’s, etc.
Empty Nesters
Horrock’s
Prep historic bldgs. for renovation (elevators, fire suppression)
BCU Incentives Free buildings
Major foundation(s) especially Kellogg Foundations have resources to make large scale difference
Improve physical appearance to reduce perception of crime
THREATS
High cost of renovation, due to condition of buildings especially historic commercial/industrial
Taxes, esp. in City limits
Need to attract wealth
Steering away from historic homes,
Stigmas – crime and other negatives People overstate crime, esp. downtown
Concentrations of poverty and unemployment
North-South Divide (Territorial Road)
Blight implies crime to people
Vacancy in downtown retail Not enough “Stuff” in Downtown to attract residents lack of amenities
Hard to walk in outskirts of Downtown, especially to Horrock’s
Lack of infrastructure in older downtown bldgs. (elevators, fire suppression)
Social services problem Need to address critical problems – need to agree on solutions as a community
Family Breakdown
Kalamazoo
Organizations need to work together
Programs for very low income actually put people in bad situations
Overcrowding in well-regarded school districts due to schools of choice

Affordable and Fair Housing Stakeholders

The second focus group conducted a “Fix, Keep, Aspire” analysis similar to the exercise at the previous night’s Community Open House. The results are below.

ASPIRE
Neighbors working together
Street lighting Washington Heights City Wide Post/Franklin
City doesn't not have local fair housing ordinance
Affordable housing in safe neighborhoods
Positive cycle of property maintenance positive influences in neighborhoods
Help for low-income families with utilities
Assistance for winterization
Assistance with landlord – tenant relationships
Require City inspections before final sale
Include utilities in rent – but need incentives to keep usage low include utilities in loan underwriting and affordability analysis for homeownership programs
Education about utility best practices (how to keep bills low)
Churches/Community Centers as centers for education
Map racial concentration, family size
FIX
Desirability of Neighborhoods Crime Burglary
Information about crime rates to show that perception is worse than reality – “crime” and “poor schools” are code words for racial perceptions lack of fear
Blight/Cleanliness problems imply danger to people
Expensive utility bills/energy efficiency Not included in affordability analysis or loan underwriting
Use of land contracts instead of rental agreements land lords not required to do maintenance Don't help credit if not serviced by lending agency Need education, because land contracts are like leases, but people may not know that
Purchasing homes that are not ready to be occupied because they are very cheap Need education, but when can we talk to people? Need to find them before they buy the house
Market rate rents are less than “market rate” according to HUD
Credit as a barrier, even when people could afford housing
Landlords have fixed costs and can't realistically charge less without sacrificing quality
Vicious cycle of displacement when people can't pay more than 2-3 months' rent
Landlords charging more for more people
Low income for an entire multi-generational family

Behavioral issues – poor maintenance “gaming the system”, short term thinking
School district divide Perception of schools race related?
KEEP
Licensed Rentals
Education programs required for some homeownership programs
Churches as education centers, keep as pursued within neighborhoods
Rentals to formerly homeless individuals who graduate from live skills programs
HUD Emergency shelter grants but need education as part of it could help more people if previous recipients no longer needed assistance
Very low cost home improvements Not free “Hand up, not a handout”
Fair Housing Education and Enforcement
Actively seek out decimation rather than waiting for it to be reported
Programs that keep domestic abuse victims from having to move back in with abusers for financial reasons
Abating rent for tenants that were victims of unlicensed rental
Homeowner rehabilitation program
Calhoun County Minor Home Repair Program \$2,500 Paid for by dedicated millage for seniors
HOME grants and CDBG Home Repair Program

Local Organizations

The largest association of realtors serving Battle Creek and Calhoun County is the Battle Creek Area Association of Realtors (BCAAR, www.bcaar.com), which provides service and support to the real estate and housing industry. BCAAR works with local, state and national elected officials to provide information regarding housing issues that impact the general public and the housing/real estate industry.

BCAAR has a six member board. A review of the board members’ photographs included indicates that three board members are female and three are male, all six board members are White. Ethnicity (Hispanic/Latino) could not be determined. The organization employs one director, who is a White female. In addition to the six member board, BCAAR also has a four member executive committee. All four executive committee members are male and White.

BCAAR also offers a search tool (which offers individuals the ability to search for realtors who speak more than 25 languages) for realtors who work in the City of Battle Creek. The database lists 158 agents who serve Battle Creek. 74 of 158 real estate agents were female, and 84 were male. 114 of the 158 had photographs available. Based on a review of the 114 photographs of agents available, 112 agents were White, one agent was Black and one agent’s race could not be determined. Ethnicity (Hispanic/Latino) could not be determined.

While 28.3 percent of Battle Creek’s residents are non-white, only 0.009 percent of realtors serving Battle Creek are non-white. A study published in 1996 looking at the way whites and blacks approach home searching found that “blacks were significantly less likely than whites to consult brokers. Blacks tended to rely more on methods such as talking with friends, checking newspaper ads, or driving through neighborhoods. Blacks were also more likely to believe that they missed housing opportunities because brokers discriminate. Differences in the socioeconomic characteristics of subjects account for some of the differences in the use of brokers. Eradicating discrimination by brokers will broaden housing opportunities only for blacks who use brokers. Policy actions that address the perception of discrimination by brokers may be a more powerful tool.”²

Advocating for an increase in the racial diversity of real estate agents within the Battle Creek real estate community and on the governing boards of local real estate associations can decrease the perception that real estate agents have bias and increase the level of comfort that non-whites may have with the real estate industry, thereby increasing access to professionals skilled in finding housing opportunities.

C. Public and Private Sector

Fair Housing Enforcement

Effective fair housing enforcement lies at the heart of a comprehensive program to affirmatively further fair housing.

To assure good standing for HUD Community Planning and Development (CPD) Programs, the City should address any and all concerns expressed by HUD in contract conditions the relate to fair housing and equal opportunity performance as required by the laws and regulations governing these programs. These concerns include any and all court decisions relating to fair housing and other civil rights laws to which the City or the Battle Creek Housing Commission is subject.

The Fair Housing Center of Southwest Michigan has an office within the City of Battle Creek, located within the offices of the Battle Creek Urban League:

Fair Housing Center of Southwest Michigan - Battle Creek
Battle Creek Urban League
172 West Van Buren Street
Battle Creek, MI 49017

From 2007 to 2011, the city contracted with the Fair Housing Center to provide fair housing testing. While the city has not been directly funding the Fair Housing Center, they have been able to maintain their presence in the city.

To the knowledge of the preparers of this Analysis of Impediments, the City does not have an active policy for handling housing discrimination complaints.

² Article: Racial Differences in the Search for Housing: Do Whites and Blacks Use the Same Techniques to Find Housing?
Journal: Housing Policy Debate. Volume 7, Issue 2

Fair Housing Ordinance

On January 29, 1991, The City Commission approved the current Human Relations Board Bylaws.

As a part of this resolution, language was included that prohibited housing discrimination within the city, as “No owner of real property, lessee, sub lessee, real estate salesperson, lender, financial institution, advertiser or agent of any of the foregoing shall discriminate against any other person because of the religion, race, color, national origin, age, sex or handicap of the friends or associates of such other person, in regard to the sale or rental of property located in the City, or any other dealing concerning real property in the City. Any such discrimination shall be considered an unlawful housing practice.”

To the knowledge of the preparers of this Analysis of Impediments, the Human Relations Board is not active and does not meet on a regular basis.

Michigan Department of Civil Rights

To carry out the guarantees against discrimination, the Michigan Constitution of 1963 created the Michigan Department of Civil Rights (MDCR). The MDCR investigates alleged discrimination against any person because of religion, race, color or national origin and to "secure the equal protection of such civil rights without such discrimination." Public Acts 453 and 220 of 1976 and subsequent amendments have added sex, age, marital status, height, weight, arrest record, and physical and mental disabilities to the original four protected categories. The MDCR has an agreement with the US Department of Housing and Urban Development (HUD) to accept HUD housing complaints under the Fair Housing Act, Title VIII, U.S. Civil Rights Act of 1968, as amended.

The MDCR works to prevent discrimination through educational programs that promote voluntary compliance with civil rights laws and investigates and resolves discrimination complaints. It also provides information and services to businesses on diversity initiatives, equal employment law, procurement opportunities and feasibility studies, and joint venture/strategic alliance matchmaking.

A complaint may be filed at any of the Department's regional centers or satellite offices, if the alleged discrimination has occurred within the past 180 days. When MDCR determines a complaint may be appropriate for mediation, claimant and respondent are offered the option to mediate, by mail. The decision to mediate is voluntary and must be agreed to by both parties. When the parties agree to mediate, the investigation is postponed to allow reasonable time for mediation to take place. When mediation results in a settlement or withdrawal of the complaint, no further action is taken by MDCR. If the complaint is not resolved at mediation, the complaint is investigated like any other complaint. Mediation is generally available any time after a formal complaint has been taken and is available statewide.

If mediation is not agreed upon or a resolution cannot be found, the complaint proceeds through the investigative process and is then reviewed by the regional director of MDCR. The Commission makes the final determination of probable cause that an illegal act of discrimination occurred. If no probable cause is found, the complainant may ask for reconsideration of the complaint within ten (10) days of the determination.

If probable cause is found, the complaint proceeds through the resolution process. A complaint may be resolved through a settlement between the parties. If a settlement cannot be reached, MDCR issues a formal complaint and a public hearing takes place before the state Attorney General. After the hearing, MDCR issues an order to either cease and desist the discriminatory practice or dismiss the case. Appeal

for judicial review in the Court of Common Pleas is available to a complainant or respondent who is not satisfied with the MDCR's final order.

The Michigan Civil Rights Commission, Lansing Office, can be reached at:

Michigan Department of Civil Rights, Lansing Executive Office
Capitol Tower Building
110 W. Michigan Ave., Suite 800
Lansing, MI 48933
Phone: (517) 335-3165
Fax: (517) 241-0546

HUD Office of Fair Housing and Equal Opportunity

The mission of the HUD Office of Fair Housing and Equal Opportunity is to enforce the Fair Housing Act and other civil rights laws. HUD and MDCR jointly work in carrying out investigative and enforcement functions. If a right to fair housing is being violated, a complaint can be submitted to the nearest HUD office in Chicago, IL. HUD's Chicago office is responsible for fair housing oversight in the Midwest region, including Illinois, Indiana, Michigan, Minnesota and Wisconsin.

Complaints based upon alleged violations of fair housing law are filed directly with HUD or brought to HUD's attention by MDCR. HUD's Chicago office then investigates the allegations.

HUD's Chicago office can be reached at:
U.S. Department of Housing and Urban Development
Ralph H. Metcalfe Federal Building
77 West Jackson Boulevard, Room 2101
Chicago, Illinois 60604-3507
Phone: (312) 353-7776 or 1-800-765-9372
Fax: (312) 886-2837
TTY: (312) 353-7143

The Fair Housing Center of Southwestern Michigan is another source of assistance in reporting housing discrimination, and they have done work in the past within Battle Creek.

Fair Housing Center of Southwestern Michigan
172 West Van Buren Street
Battle Creek, MI 49017
Phone: (269) 962-5553 Ext. 15
<http://www.fhcswm.org/>

Informational Programs

Effective fair housing enforcement and the creation of future fair housing options begins with education. To assure compliance with HUD Community Planning and Development programs, the City should ensure that education and information is accessible to residents, landlords and city employees.

The Fair Housing Center of Southwest Michigan is a resource available to educate individuals on issues related to fair housing. Equal and fair housing opportunities are ensured through their services, which include:

- Investigating complaints based on discrimination
- Obtaining evidence through enforcement activities
- Training housing providers, real estate professionals on the fair housing laws
- Training bankers, mortgage brokers on the fair housing laws
- Providing trainings and conferences to build knowledge of fair housing laws

Visitability in Housing

“Visitability” means: (1) at least one entrance is at grade (no step), is approached by an accessible route such as a sidewalk and (2) the entrance door and all interior doors on the first floor are at least 34 inches wide, offering 32 inches of clear passage space.

Visitability allows mobility impaired residents to visit families and friends where this would not otherwise be possible. A visitable home also serves persons without disabilities (e.g. a mother pushing a stroller, a person delivering large appliances, a person using a walker, etc.). One difference between “visitability” and “accessibility” is that accessibility requires that all features of a dwelling unit must be made accessible for mobility impaired persons. A visitable home provides less accessibility than an accessible home, and is meant to be designed for only those units not required to be accessible.

The Battle Creek Housing Commission over the past 10 years has upgraded their housing developments so that they are “visitable” by individuals with mobility disabilities. Individuals that require modifications to their housing unit are able to have modifications.

Determination of Unlawful Segregation

Where there is a determination of unlawful segregation or other housing discrimination by a court, or a finding of noncompliance by HUD under Title VI of the Civil Rights Act of 1964 or Section 504 of the Rehabilitation Act of 1973, or where the Secretary has issued a charge under the Fair Housing Act regarding assisted housing within a recipient’s jurisdiction, an analysis should be performed of the actions which could be taken by the recipient to help remedy the discriminatory condition, including actions involving the expenditure of funds by the jurisdiction.

To the knowledge of the analysis preparers, there has been no determination of unlawful segregation in Battle Creek, even if the data suggests that the housing options available for a particular subset of the population may not be equal when compared to other subsets of the population. The recommended actions listed at the conclusion of this study outline actions the City can take to increase fair housing access.

V. Assessment of Current Public & Private Fair Housing Programs and Activities in Battle Creek

Effective fair housing enforcement lies at the heart of any comprehensive program to affirmatively further fair housing for all individuals.

Community Reinvestment Act Compliance

Passed by Congress in 1977, the Community Reinvestment Act (CRA) states that “regulated financial institutions have continuing and affirmative obligations to help meet the credit needs of the local communities in which they are chartered.” The act then establishes a regulatory regime for monitoring the level of lending, investments, and services in low- and moderate-income neighborhoods. According to the National Community Reinvestment Coalition:

Approximately once every two years examiners from four federal agencies assess and ‘grade’ lending institutions activities in low- and moderate-income neighborhoods. If a regulatory agency finds that a lending institution is not serving these neighborhoods, it can delay or deny that institution’s request to merge with another lender or to open a branch or expand any of its other services. The financial institution regulatory agency can also approve the merger application subject to specific movements in a bank’s lending or investment record in low and moderate-income neighborhoods.

While denials of bank applications are rare, federal agencies can make approvals conditional upon specific improvements in a bank’s CRA performance. In addition, dialogue between banks and community organizations often result in bank commitments to increase lending and/or start affordable housing and small business lending programs.

The CRA requires that financial institutions progressively seek to enhance community development within the area they serve. On a regular basis, financial institutions submit information about mortgage loan applications as well as materials documenting their community development activity. The records are reviewed to determine if the institution satisfied CRA requirements. The assessment includes a review of records as related to the following:

- Commitment to evaluating and servicing community credit needs;
- Offering and marketing various credit programs;
- Record of opening and closing offices;
- Discrimination and other illegal credit practices; and
- Community development initiatives.

The data is evaluated and a rating for each institution is determined. Ratings for institutions range from substantial noncompliance in meeting credit needs to an outstanding record of meeting community needs. The table below summarizes the most recent CRA performance ratings published since 2003 for 10 banks subject to CRA in areas surrounding Battle Creek. There were no CRA Performance ratings published for any banks in Battle Creek.

Table 21: Most Recent CRA Rating of Examined Banks in Jurisdictions Surrounding Battle Creek

Rating	Examined Banks	
	Number	Percent
Outstanding	0	0%
Satisfactory	10	100%
Needs to Improve	0	0%
Substantial Noncompliance	0	0%

Source: FFIEC Interagency CRA Ratings, 2003-2012

HMDA Data Analysis

Home Mortgage Disclosure Act (HMDA) data consists of information about mortgage loan applications for financial institutions, savings and loans, savings banks, credit unions and some mortgage companies. These data contain information about the location, dollar amount, and types of loans made, as well as racial and ethnic information, income, and credit characteristics of all loan applicants. The data is available for government loans, home purchases, loan refinances, and home improvement loans.

HMDA data can provide a picture of how different applicant types fare in the mortgage lending process. The data can be used to identify areas of potential concern that may warrant further investigations. For example, by comparing loan approval rates of minority applicants with non-minorities that have similar income and credit characteristics, areas of potential discrimination may be detected. HMDA was also enacted by Congress to provide investors and public agencies with information to guide investments in housing. Likewise, HMDA analysis can be used to forge partnerships among banks and community organizations in underserved minority or low-income neighborhoods.

The Federal Reserve is the primary regulator of compliance with fair lending regulations. When federal regulators examine financial institutions, they use HMDA data to determine if applicants of a certain gender, race or ethnicity are rejected at statistically significant higher rates than applicants with other characteristics. The Federal Reserve uses a combination of sophisticated modeling and loan file sampling and review to detect lending discrimination.

The HMDA data tables in this section present summary HMDA data by Metropolitan Statistical Areas/Metropolitan Divisions (MSA/MD). For the city of Battle Creek, the Battle Creek MSA/MD is used. This MSA/MD includes data from all of Calhoun County. While the data cannot be used to specifically determine denial rates and general applicant characteristics for the city of Battle Creek, it can suggest areas for further examination.

The data in the following tables is aggregate for the years 2005-2011. Although the data for individual years is not displayed, the table displays the general trend. For Table 21, the trend that is reported is whether each category is increasing or decreasing. For other tables, the trend that is reported is whether the denial rate is improving (i.e. less applicants are being denied) or worsening (more applicants are being denied) for each group and type of loan analyzed.

Table 22: Disposition of Loan Applications by Loan Type, Battle Creek MSA/MD, 2005-2011 Aggregate

	Applications Received	Loans Originated	Applications Approved But Not Accepted	Applications Denied	Applications Withdrawn	Files Closed For Incompleteness
Conventional Home-Purchase Loans	11,600 (100%)	7,303 (63.0%)	270 (7.4%)	638 (17.7%)	1,145 (9.9%)	243 (2.1%)
Government Guaranteed Home-Purchase Loans (FHA, VA, and FSA/RHS)	3,419 (100%)	2,355 (68.9%)	117 (3.4%)	516 (15.1%)	380 (11.1%)	51 (1.5%)
Refinance Loans	35,261 (100%)	15,050 (42.7%)	2,407 (6.8%)	10,875 (30.8%)	5,015 (14.2%)	1,914 (5.4%)
Home Improvement Loans	5,849 (100%)	2,562 (43.8%)	295 (5.0%)	2,448 (41.9%)	473 (8.1%)	71 (1.2%)
Total Applications	4,208 (100%)	2,640 (62.8%)	194 (4.6%)	879 (20.9%)	363 (8.6%)	132 (3.1%)
Trend Since 2005	Decreasing	Increasing	Decreasing	Decreasing	Decreasing	Decreasing

Source: Loans on 1-4 Family and Manufactured Homes, FFIEC HMDA Aggregate Reports, 2005-2011

Table 23: Denial Rate of Applications for Conventional Home-Purchase Loans and Government Guaranteed Home Purchase Loans (FHA, VA, and FSA/RHS) by Race and Ethnicity, Battle Creek MSA/MD, 2005-2011 Aggregate

Race	Conventional Home-Purchase Loans			Government Guaranteed Home-Purchase Loans (FHA, VA, and FSA/RHS)		
	Applications Received	Applications Denied (% denied)	Denial Rate Trend	Applications Received	Applications Denied (% denied)	Denial Rate Trend
American Indian/Alaskan Native	35	11 (31.4%)	Improving	11	1 (9.1%)	Improving
Asian	117	19 (16.2%)	Improving	33	3 (9.1%)	Worsening
Black or African American	755	241 (31.9%)	Improving	191	31 (16.2%)	Worsening
Native Hawaiian/Other Pacific Island	27	9 (33.3%)	Improving	18	0 (0%)	Worsening
White	9,362	1,229 (13.1%)	Worsening	2,925	429 (14.7%)	Improving
2 or More Minority Races	2	2 (100.0%)	Worsening	1	1 (100.0%)	Worsening
Joint (White/Minority Race)	92	18 (19.6%)	Worsening	42	4 (9.5%)	Worsening
Race Not Available	1,210	279 (23.1%)	Improving	197	46 (23.4%)	Worsening
Ethnicity	Applications Received	Applications Denied (% Denied)		Applications Received	Applications Denied (% Denied)	
Hispanic or Latino	232	65 (28.0%)	Improving	77	11 (14.3%)	Worsening
Not Hispanic or Latino	9,974	1,677 (16.8%)	Improving	3,136	457 (14.6%)	Improving
Joint (Hispanic or Latino/Not Hispanic or Latino)	96	12 (12.5%)	Worsening	17	2 (11.8%)	Worsening
Ethnicity Not Available	1,298	298 (23.0%)	Improving	188	46 (24.5%)	Worsening

Source: Loans on 1-4 Family and Manufactured Homes, FFIEC HMDA Aggregate Reports, 2005-2011

Table 24: Denial Rate of Applications for Refinance Loans and Home Improvement Loans by Race and Ethnicity, Battle Creek MSA/MD, 2005-2011 Aggregate

Race	Refinance Loans			Home Improvement Loans		
	Applications Received	Applications Denied (% denied)	Denial Rate Trend	Applications Received	Applications Denied (% denied)	Denial Rate Trend
American Indian/ Alaskan Native	102	42 (41.2%)	Worsening	53	31 (58.5%)	Worsening
Asian	188	57 (30.3%)	Improving	52	17 (32.7%)	Worsening
Black or African American	2,425	1,058 (43.6%)	Improving	693	387 (55.8%)	Worsening
Native Hawaiian/ Other Pacific Island	43	19 (44.2%)	Worsening	8	3 (37.5%)	Worsening
White	27,074	7,568 (28.0%)	Improving	7,254	2,169 (29.9%)	Worsening
2 or More Minority Races	19	11 (57.9%)	Worsening	9	6 (66.6%)	Worsening
Joint (White/Minority Race)	288	106 (36.8%)	Improving	87	39 (44.8%)	Worsening
Race Not Available	5,142	2,030 (39.5%)	Improving	917	430 (46.9%)	Worsening
Ethnicity	Applications Received	Applications Denied (% Denied)		Applications Received	Applications Denied (% Denied)	
Hispanic or Latino	524	187 (35.7%)	Worsening	133	73 (54.9%)	Worsening
Not Hispanic or Latino	29,301	8,632 (29.5%)	Improving	4,741	1,965 (41.4%)	Worsening
Joint (Hispanic or Latino/ Not Hispanic or Latino)	253	76 (30.0%)	Improving	94	28 (29.8%)	Improving
Ethnicity Not Available	5,143	1,980 (38.5%)	Improving	1,189	477 (40.1%)	Worsening

Source: Loans on 1-4 Family and Manufactured Homes, FFIEC HMDA Aggregate Reports, 2005-2011

For conventional loans, Whites (13.1%) and Asians (16.2%) had lower rates of denial than African Americans (31.9%) or other minority groups. Hispanics were also denied at a higher rate than Non-Hispanics. However, among the groups with a large sample size, denial rates have improved since 2005 for every group except Whites.

For government guaranteed home purchase loans, denial rates were more equitably distributed. African Americans were still the highest among groups with a large sample size, but they were not denied at a significantly higher rate than Whites (16.2% compared to 14.7%). Additionally, the denial rates for Hispanics and non-Hispanics were almost identical. However, denial rates for African Americans have been increasing since 2005, while they have dropped slightly for Whites and for those identifying as Hispanic, regardless of race.

For refinancing loans, Whites and Asians were denied at substantially lower rates than all other groups, although denial rates have been dropping across all race groups where there is a large sample size. Hispanics and non-Hispanics were denied at similar rates, but the denial rate for Non-Hispanics has been improving while the denial rate for Hispanics has been getting worse.

For home improvement loans, again Whites and Asians were denied at significantly lower rates than other groups. Hispanics were also denied at a higher rate than Non-Hispanics. Denial rates have been increasing across all groups for this type of loan.

Denial rates by race and income. The tables below present the percentage of mortgage loan applicants denied by race and ethnicity, categorized by income level and loan type.

Table 25: Denial Rate of Applications for Conventional Home-Purchase Loans by Race/Ethnicity and Income, Battle Creek MSA/MD, 2005-2011 Aggregate

Race	Income of Applicants 99% or Less of MSA/MD Median		Denial Rate Trend	Income of Applicants 100% or More of MSA/MD Median		Denial Rate Trend
	Applications Received	Applications Denied (% denied)		Applications Received	Applications Denied (% denied)	
American Indian/ Alaskan Native	23	9 (39.1%)	Improving	12	1 (8.3%)	Improving
Asian	56	11 (19.6%)	Improving	55	9 (16.4%)	Worsening
Black or African American	500	177 (35.4%)	Worsening	242	58 (24.0%)	Improving
Native Hawaiian/ Other Pacific Island	17	7 (41.2%)	Improving	10	2 (20.0%)	Improving
White	4,828	995 (20.6%)	Worsening	4,254	439 (10.3%)	Improving
2 or More Minority Races	1	1 (100.0%)	No Change	1	1 (100.0%)	No Change
Joint (White/Minority Race)	35	11 (31.4%)	Worsening	77	7 (9.1%)	Improving
Race Not Available	17	4 (23.53%)	Worsening	463	76 (8.70%)	Improving
Ethnicity	Applications Received	Applications Denied (% Denied)		Applications Received	Applications Denied (% Denied)	
Hispanic or Latino	161	44 (27.3%)	Improving	65	19 (29.2%)	Improving
Not Hispanic or Latino	5,269	1,569 (29.8%)	Improving	4,152	488 (29.8%)	Improving
Joint (Hispanic or Latino/ Not Hispanic or Latino)	42	6 (14.3%)	Worsening	64	5 (7.8%)	Improving
Ethnicity Not Available	900	199 (22.1%)	Improving	493	84 (17.0%)	Improving

Source: Loans on 1-4 Family and Manufactured Homes, FFIEC HMDA Aggregate Reports, 2005-2011

For conventional loans, African Americans had higher denial rates than Whites and other racial groups, regardless of income. The denial rate is improving (i.e. less denials) for higher-income African Americans, as well as for most other groups, but it is worsening for low-income African Americans, as well as low-income Whites.

Hispanics and non-Hispanics had similar denial rates, regardless of income.

Table 26: Denial Rate of Applications for Government Guaranteed Home-Purchase Loans (FHA, VA, and FSA/RHS) by Race/Ethnicity and Income, Battle Creek MSA/MD, 2005-2011 Aggregate

Race	Income of Applicants 99% or Less of MSA/MD Median			Income of Applicants 100% or More of MSA/MD Median		
	Applications Received	Applications Denied (% denied)	Denial Rate Trend	Applications Received	Applications Denied (% denied)	Denial Rate Trend
American Indian/ Alaskan Native	7	0 (0.0%)	No Change	4	1 (25.0%)	Improving
Asian	26	3 (11.5%)	Worsening	7	0 (0%)	No Change
Black or African American	133	24 (18.0%)	Worsening	55	7 (12.7%)	Worsening
Native Hawaiian/ Other Pacific Island	5	0 (0%)	No Change	3	1 (33.3%)	Worsening
White	2,034	318 (15.6%)	Worsening	885	103 (11.6%)	Worsening
2 or More Minority Races	0	0 (0%)	No Change	1	1 (100.0%)	No Change
Joint (White/Minority Race)	17	4 (23.5%)	Improving	25	2 (8.0%)	Worsening
Race Not Available	150	39 (26.0%)	Worsening	42	6 (14.3%)	Worsening
Ethnicity	Applications Received	Applications Denied (% Denied)		Applications Received	Applications Denied (% Denied)	
Hispanic or Latino	58	9 (15.5%)	Worsening	17	5 (29.4%)	Worsening
Not Hispanic or Latino	2,160	315 (14.6%)	Worsening	937	110(11.7%)	Worsening
Joint (Hispanic or Latino/ Not Hispanic or Latino)	10	1 (10.0%)	Worsening	7	0 (0%)	No Change
Ethnicity Not Available	141	34 (24.1%)	Worsening	42	5 (11.9%)	Worsening

Source: Loans on 1-4 Family and Manufactured Homes, FFIEC HMDA Aggregate Reports, 2010

For government-guaranteed loans, there was no substantial difference in the denial rates for various racial groups. Additionally, lower-income Hispanics were denied at approximately the same rate as lower-income Non-Hispanics. However, higher-income Hispanics were denied at a higher rate than higher-income Non-Hispanics, although the sample size was small. Denial rates have been worsening across the board for loans of this type since 2005, but they still remain below the denial rates for other types of loans.

Table 27: Denial Rate of Applications for Refinance Loans by Race/Ethnicity and Income, Battle Creek MSA/MD, 2005-2011 Aggregate

Race	Income of Applicants 99% or Less of MSA/MD Median		Denial Rate Trend	Income of Applicants 100% or More of MSA/MD Median		Denial Rate Trend
	Applications Received	Applications Denied (% denied)		Applications Received	Applications Denied (% denied)	
American Indian/ Alaskan Native	72	33 (45.8%)	Worsening	26	10 (38.5%)	Worsening
Asian	74	29 (39.2%)	Improving	98	18 (18.4%)	Improving
Black or African American	1,597	733 (45.9%)	Worsening	704	252 (35.8%)	Improving
Native Hawaiian/ Other Pacific Island	20	10 (50.0%)	Worsening	20	7 (35.0%)	Improving
White	12,938	4,255 (32.9%)	Improving	12,693	2,931 (23.1%)	Improving
2 or More Minority Races	13	11 (84.6%)	Worsening	5	0 (0%)	No Change
Joint (White/Minority Race)	89	37 (41.6%)	Worsening	186	67 (36.0%)	Improving
Race Not Available	2,650	1,216 (23.53%)	Improving	1,950	661 (33.9%)	Improving
Ethnicity	Applications Received	Applications Denied (% Denied)		Applications Received	Applications Denied (% Denied)	
Hispanic or Latino	331	135 (40.8%)	Worsening	171	50 (29.2%)	Improving
Not Hispanic or Latino	14,344	4,980 (34.7%)	Improving	13,398	3,383 (25.3%)	Improving
Joint (Hispanic or Latino/ Not Hispanic or Latino)	79	22 (27.8%)	Improving	161	48 (29.8%)	Improving
Ethnicity Not Available	2,668	1,165 (29.41%)	Improving	1,991	636 (31.9%)	Improving

Source: Loans on 1-4 Family and Manufactured Homes, FFIEC HMDA Aggregate Reports, 2010

For refinancings, African Americans had a higher rate of denial than Whites regardless of income. Other groups fell in between, although generally closer to the African American level (sample sizes were small, however). Hispanics were denied at a slightly higher rate than Non-Hispanics. In general, the denial rate for refinance loans is worsening for low income households and improving for high income households, except among Whites, where it improving across the board.

Table 28: Denial Rate of Applications for Home Improvement Loans by Race/Ethnicity and Income, Battle Creek MSA/MD, 2005-2011 Aggregate

Race	Income of Applicants 99% or Less of MSA/MD Median		Denial Rate Trend	Income of Applicants 100% or More of MSA/MD Median		Denial Rate Trend
	Applications Received	Applications Denied (% denied)		Applications Received	Applications Denied (% denied)	
American Indian/ Alaskan Native	34	23 (67.6%)	Worsening	15	7 (46.7%)	Worsening
Asian	30	14 (46.7%)	Improving	21	8 (38.1%)	Improving
Black or African American	480	287 (59.8%)	Worsening	173	85 (49.1%)	Worsening
Native Hawaiian/ Other Pacific Island	6	4 (66.7%)	Worsening	3	1 (33.3%)	Worsening
White	2,639	1,159 (43.9%)	Worsening	1,946	519 (26.7%)	Improving
2 or More Minority Races	7	6 (85.7%)	Worsening	12	3 (25.0%)	Improving
Joint (White/Minority Race)	27	21 (77.8%)	Worsening	62	15 (24.2%)	Improving
Race Not Available	374	228 (61.0%)	Worsening	277	85 (31.0%)	Worsening
Ethnicity	Applications Received	Applications Denied (% Denied)		Applications Received	Applications Denied (% Denied)	
Hispanic or Latino	82	42 (51.2%)	Worsening	27	13 (48.1%)	Worsening
Not Hispanic or Latino	3,002	1,431 (47.7%)	Worsening	2,002	560 (28.0%)	Improving
Joint (Hispanic or Latino/ Not Hispanic or Latino)	16	7 (43.8%)	Improving	43	15 (34.9%)	Worsening
Ethnicity Not Available	543	294 (54.1%)	Worsening	421	130 (30.9%)	Worsening

Source: Loans on 1-4 Family and Manufactured Homes, FFIEC HMDA Aggregate Reports, 2005-2011

For home improvement loans, African Americans had higher denial rates than Whites and other racial groups. Lower-income American Indians and mixed-race groups had even higher denial rates, but those were small sample sizes. For lower-income households, Hispanics and Non-Hispanics had similar rates of denial, but for higher-income households, the Hispanic rate was much higher. Denial rates are worsening across the board for this type of loan.

A higher denial rate for minorities does not necessarily indicate fair housing problems. It is possible that minorities may have lower incomes than non-minorities within their respective income brackets. It is also possible that credit histories vary among applicants with different racial/ethnic characteristics. Without a detailed analysis of each applicant (such data are unavailable in the HMDA records due to confidentiality), it is unclear if a reason for the lending difference is due to variables other than income (e.g., credit history, debt-to-income ratios, equity) or if discrimination in lending could be occurring.

For those that are credit worthy, affordability assistance may be available. Affordability assistance helps low-income families overcome wealth barriers and achieve favorable debt-to-income ratios that keep monthly payments low. Examples of this type of backing include down payment assistance, grants, subsidies, homeownership vouchers, forgivable loans, and soft second mortgages.

One source of help for these households is the Federal Housing Administration (FHA), which facilitates first-time homeownership for low-wealth buyers. FHA's minimum down payment requirement is set at 3.5 percent of the contract sales price and is designed to serve creditworthy first-time homebuyers, which can be particularly important to families with young children, who may benefit most from early access to homeownership. First-time buyers often lack cash to pay the down payment and closing costs charged by conventional lenders.

The HUD HOME program, in which the City of Battle Creek participates, allows communities to increase homeownership opportunities for low-income people. Although funding to individual families is capped and based off the purchase price, the HOME Program helps families overcome the largest burden that low-income home buyers face, down payment, closing costs and rehabilitation expenses.

Renters of HUD-assisted units may also become homeowners via the Housing Choice Voucher Homeownership program, which has been responsible for nearly 15,000 homeownership closings nationwide in the past decade. This program allows participating public housing agencies to offer residents the option to apply their rental voucher subsidy toward monthly ownership expenses. After satisfactorily completing a pre-assistance counseling program that covers home maintenance, budgeting and money management, credit counseling and credit repair, and mortgage financing, the purchaser finds an eligible home.

An alternative form of assistance to low-income homebuyers, lease-purchase, is available through HOME, CDBG, and Housing Choice Voucher Homeownership funds. This option allows homebuyers who need a little more time to accrue the savings needed for a down payment or to clear up credit problems while living in the home they plan to purchase.

The City of Battle Creek, while working with local housing providers, would be wise to continue offering homebuyer assistance to pre-qualified families.

VI. Action Plan

In order to create the action plan, the following steps were taken: review of laws, regulations, and administrative procedures; analysis of how those laws, etc. affect the location, availability, and accessibility of housing; assessment of conditions, both public and private, affecting fair housing choice for all protected classes; review of demographic patterns; review of Home Mortgage Disclosure Act (HMDA) data; review of fair housing testing and HUD discrimination complaints; review of patterns of occupancy in Section 8, public and assisted housing, and private rental housing; review of the prior Battle Creek Analyses of Impediments to Fair Housing Choice; assessment of the availability of affordable, accessible housing in a range of unit sizes.

As part of our analysis and action plan formulation, the recommended fair housing impediments and remedial activities from the previous 2006 Analysis of Impediments to Fair Housing Choice were reviewed.

Real Estate Impediments

- **Limited variety in housing available suitable for different types of households.** The previous AI identified the need to increase the variety of owner and rental housing in the City (more than just single family homes) for empty nesters, students, young professionals and the elderly, with such housing should be located in Downtown where pedestrian amenities, educational opportunities, public transportation and fewer maintenance burdens exist. The provision of housing downtown appears to have occurred throughout the first decade of the 2000s, and a revival of downtown Battle Creek appears to be occurring.
- **Possible fair housing violations in real estate advertising.** A review of rental advertisements in one publication indicated that few promotional photographs featuring residents depicted a minority. The AI recommended further evaluation of advertising and the need to increase education by encouraging the local Board of Realtors to increase training on fair housing laws as they related to advertising. Discussion during the focus groups with realtors focused on the state of the Battle Creek housing market while focusing less on the day to day practices of their profession. The Battle Creek Area Association of Realtors does display the equal opportunity logo at events, on their website and do adhere to a code of ethics.

Public Policy Impediments

- **Lack of local fair housing enforcement agency in Battle Creek.** The City did not have a full time fair housing presence, with the closest office in Kalamazoo, 25 miles to the west. Since 2006, the Fair Housing Center of Southwest Michigan has established a permanent presence in the City.
- **A special permitting process is required to establish a State licensed residential facility.** The requirement for minimum lot size and a special permitting process was considered a burden inhibiting the establishment of State licensed residential facilities in the City. This requirement remains.

Neighborhood Conditions as Impediments

- **Substandard rental housing units in minority census tracts.** The previous AI found a strong correlation between older housing stock and the presence of racial minorities and suggested increased code enforcement, continue the rental registration program and increase public-private rehabilitation programs for rental housing using HUD, MSHDA, and historic tax credits. The City's code enforcement program does inspect all portions of the city, but given budget cuts, inability of staff to keep up with every zoning or code enforcement violation and the foreclosure crisis, some properties and substandard units go undetected.

Banking, Finance and Insurance Related Impediments

- **Credit issues that limit financing options and the ability to qualify for a loan.** Many applicants are denied mortgages due to poor credit or lack of credit. A program to teach financial literacy and using CDBG funds in eligible neighborhoods could be created. The City could also encourage lending institutions to consider alternative measures in determine credit worthiness such as utility bills and occupational longevity. Social service providers in the City do offer financial literacy courses.
- **Characteristics of redlining.** The previous AI found that regardless of income of the applicant, loans were denied at higher rates in lower income neighborhoods than higher income neighborhoods. The AI suggested the City host a roundtable with lending institutions to discuss the outcomes of the HMDA data and trends and the need for investment in lower income census tracts. Such trends remain, and the preparers of this analysis are unaware of ongoing roundtables between the city and private sector businesses involved with the housing market.

Socioeconomic Impediments

- **Concentration of various socio-economic problems and poverty.** Increasing socioeconomic integration has the positive benefit of decreasing poverty concentration, decreasing blight, increasing social capital and increasing variety in neighborhoods, promoting in-fill development versus green field construction, ensuring that existing neighborhoods are better able to survive changes in market demand.

Seven years later, many of the above recommendations in the 2006 Analysis of Impediments to Fair Housing Choice have been re-examined and categorized to meet the present day needs of the city.

The City of Battle Creek, its government, housing providers, non-profits and private businesses are working hard to provide fair and affordable housing options to those who seek out housing. In order to build upon the progress the community is already making, an action plan is provided in this plan. While the problems are not unique to Battle Creek, Calhoun County or the State of Michigan, the suggested actions have been tailored specifically to Battle Creek.

Please find on the following pages the proposed action plan, broken into categories:

- **Neighborhood Planning Councils.** This category addresses actions the city can take with regards to city neighborhoods as defined by Battle Creek’s Neighborhood Planning Councils.
- **Land Use and Zoning.** This category addresses actions the community can take to increase housing variation within neighborhoods through zoning and land use.
- **Private Sector Employers.** This category addresses the role Battle Creek’s employers play in influencing where their employees live and suggested actions to begin understanding why some employees choose to live outside Battle Creek city limits and why others do not.
- **Housing Discrimination and Laws.** This category addresses the status of fair housing enforcement within Battle Creek, related laws, and suggested actions.
- **Public and Subsidized Housing.** This category addresses housing and vouchers provided by the Battle Creek Housing Commission and suggested action.
- **Public Bodies and Boards.** This category addresses the role that city boards play in municipal decision making and suggested actions to increase the pool of decision makers.
- **Private Housing.** This category addresses the role that the real estate and housing development market plays in meeting housing demand and suggested actions to increase the variety of private housing within Battle Creek. This topic is explored heavily in the *Comprehensive Housing Study* developed concurrently with this plan.
- **Banking, Finance and Insurance.** This category addresses the role that facets of the housing industry play in permitting/restricting access to housing and suggested actions so that families seeking housing are able to maximize their housing options.
- **Transportation-Housing-Employer Linkage.** This category addresses the role geospatial location of mass transit and non-motorized transportation options, housing and employment centers may play in preventing fair and affordable access to housing, jobs, and necessary mobility and suggested actions.
- **Education.** This category address the role that access to higher education plays in increasing access to stable employment, higher incomes and the ability to pay for housing.
- **United States Department of Housing and Urban Development Funding for Battle Creek.** This category addresses the role that federal funding plays in the removal of impediments to fair housing, especially when such funding is decreasing annually.

Topic	Impediment(s)	Suggested Actions	Priority
<p>Neighborhood Planning Councils</p>	<p>A review of US Census Data indicates the established Neighborhood Planning Councils within Battle Creek are unequal economically and socially.</p>	<p>Continue use of the Neighborhood Planning Councils for representation and data collection.</p>	<p>High</p>
		<p>Use demographic, rental registration and other geographically based data to track progress on objectives as recommended in this plan (i.e. where do section 8 voucher holders live, where are minorities living, where does redevelopment and development of new housing occur?, etc.)</p>	<p>High</p>
		<p>Use the NPCs as a basis to create sub-area zoning and master plans. Each sub-area plan would address neighborhood demographics, vacancy trends, and land use patterns. The desired result would be to identify corridors and parcels that would benefit from mixed use development and flexible zoning to promote mixed use and type housing.</p>	<p>Medium</p>

Topic	Impediment(s)	Suggested Actions	Priority
Land Use and Zoning	Data found in the Comprehensive Study indicates that residents may wish to live in a different neighborhood where their housing needs are not met. Their needs are not met either because available housing is too expensive or large or is not upscale enough or not large enough.	Consider amending the zoning ordinance to permit denser housing along commercial or well-traveled corridors in the southern and western portions of the city. These locations are close to jobs and commercial services.	Medium
		Require new housing developments to set aside a certain percentage of housing units for low to moderate income households.	Medium
	City Staff indicated that there are a number of “illegal” (no zoning permits, building permits) multi-family and group homes located in the City, specifically in the Post/Franklin, NorthCentral and Fremont/ McKinley/ Verona neighborhoods. Many of these sites may feature unsafe conditions for residents and their neighbors.	Begin a data collection process to catalogue the location of such housing options. Once data has been collected, the City will be in a better situation to determine what action, if any, should be taken.	Medium
	There is a desire for residents to live in the southern and western portions of the City within single family neighborhoods, given the perception that the neighborhoods are safer and offer more convenient access to jobs and shopping.	Consider amending the Zoning Ordinance to create an accessory dwelling unit overlay district, focusing on the Minges Brook/ Riverside and Westlake/ Prairievew neighborhoods. Such housing options may increase the affordability of housing units, in many cases for both the renter and the property owner.	Medium

Topic	Impediment(s)	Strategies	Priority
Private Sector Employers	Data from the focus groups indicates that many would-be residents choose to live in other communities within Calhoun County, Kalamazoo County and other communities within the Battle Creek commuter shed.	Work with the city's large employers and identify impediments that prevent employees from living in Battle Creek, such as a Battle Creek Employer Housing Roundtable.	High

Topic	Impediment(s)	Strategies	Priority
Housing Discrimination & Laws	The city does not regularly contract with a local fair housing center to provide fair housing testing.	Contract with the Fair Housing Center of Southwest Michigan for fair housing testing services.	Medium
	A review of discrimination complaints and fair housing testing indicates the city may have instances of housing discrimination based on familial-status (presence of children under the age of 18.)	Consider amending the resolution related to Battle Creek's Human Relations Board and expand the resolution to prohibit against housing discrimination against persons based on familial status and other protected classes as outlined in the Michigan Elliot-Larsen Civil Rights Act, as amended.	Medium
	Information from the focus groups indicates that renters with low credit and little savings looking to purchase homes have viewed entering into land contract as an option to enter the homeowner market.	Consider requiring landlords of residential rental properties to receive fair housing training or require them to self-train on fair housing laws and regulations and submit proof to the city	Medium
		Increase the wealth of information on the benefits and risks of land contracts through partnerships with housing providers and insurance providers. Use public forums, the web and newspaper to get information to the public.	High
	A review of available policies and discussion with Community Development staff reveals the City does not have an active policy for reporting or receiving housing discrimination complaints.	Develop a written housing discrimination complaint intake policy for city staff and agents. Policy should include 1) how individuals are to file complaints 2) a point person/agency to receive all complaints, and 3) investigation /follow-up procedures	High

Topic	Impediment(s)	Suggested Actions	Priority
Public and Subsidized Housing	Battle Creek Housing Commission housing is at times underutilized, especially by Non-White and Hispanic residents.	Increase the outreach to inform the public of available housing units through TV, radio, internet and social media and ensure promotional materials show people of all races/ethnicities.	Medium
	The City's public housing is concentrated in the northern portion of the city.	If the Housing Commission creates a new housing development, it should be located south of Columbia Ave. This will increase housing options in neighborhoods where housing is demanded.	Medium

Topic	Impediment(s)	Suggested Actions	Priority
Public Bodies and Boards	A review of the Planning Commission and Zoning Board of Appeals members indicates that a majority of members are male and live south of Columbia Avenue.	As terms expire, City Council may want to ensure that the selection of Planning Commissioners is more balanced by gender, race ethnicity and geography so that different aspects of the community are represented.	High
	City staff indicated that the City's Human Relations Board is not active and does not play a role in promoting fair housing and anti-discrimination initiatives.	The City should revisit the Human Relations Board and City ordinance 533 of 1991 and re-energize the board and charge its 12 members with fair housing taskforce. The city may also amend the resolution to adopt a traditional fair housing ordinance.	High

Topic	Impediment(s)	Suggested Actions	Priority
Private Housing	The Comprehensive Housing Study indicates that Many NPC districts feature homogeneous housing options, which are not suitable for all housing seekers.	Provide increased, multi-family redeveloped site renter/owner housing options within walking distance (1/4 mi.) of existing commercial and employment centers. Focus centers could be the Central Business District, Kellogg Community College, Bronson Medical Center, Columbia Avenue and Beckley Road.	Medium

Topic	Impediment(s)	Strategies	Priority
Banking, Finance and Insurance	Housing price data provided by the Comprehensive Study indicates that lower real estate prices have allowed for some families to leave rental housing and enter the owner housing market without a full understanding of the costs and benefits of homeownership.	Work with social service agencies and lending institutions to create a "home network" to act as a local clearing house for all housing programs (rental housing, owner housing, senior housing) so that housing seekers are matched with the best option for their needs and desires.	Medium
	Increased lending standards since the 2008 recession prevent many would be-buyers from entering the owner housing market.	The city should work with social service agencies, MSU Extension, local school districts, secondary education providers and lending institutions to work with families who seek to better their housing situation by offering free or reduced-cost financial literacy tools and estate planning.	High
	When compared to population data, realtors listed with Battle Creek Area Association of Realtors as serving Battle Creek reveals that a highly disproportionate number of realtors are white.	Work with the Battle Creek Area Association of Realtors to encourage higher minority participation in the Battle Creek real estate market.	Medium

Topic	Impediment(s)	Suggested Actions	Priority
Transportation-Housing-Employer Linkage	As new land in the southern and western portion of the city is developed, individuals desiring to live there may not have adequate transportation options.	Review transit routes on an annual basis to ensure that new developments are adequately served by regular transit service.	Medium
	As built-up parts of the city are redeveloped (higher density housing units, housing units developed for seniors, low income residents) new residents' transportation needs may not be met.	Require that pedestrian and bicycle transportation routes are installed within new commercial, residential and mixed use developments.	Medium
		Require non-motorized transportation routes in new developments to connect to existing and/or planned commercial and public amenities.	Medium
		Identify key intersections and locations within the Central Business district that would be conducive to mixed use development and encourage developers to provide mixed income housing units within the development.	Medium

Topic	Impediment(s)	Strategies	Priority
Education	While higher education is readily offered by Colleges and Universities in Battle Creek, the cost of attendance can make it difficult to access. This is crucial given that higher education leads to stable employment, higher incomes and the ability to pay for housing.	Work with the City's school districts to increase linkages between High School and College so that interested high school students can begin attending college while still in high school, allowing high school students to graduate with an associate degree.	Medium
		Work with Battle Creek elected and appointed officials, local community development organizations and community members and organize a campaign to request state and congressional representatives asking them to increase funding for higher education.	Medium

Topic	Impediment(s)	Strategies	Priority
<p>United States Department of Housing and Urban Development Funding for Battle Creek</p>	<p>Decreased CDBG and HOME funding prevents the City from addressing the many community development, economic development and housing development needs within the community.</p>	<p>Work with Battle Creek elected and appointed officials, local community development organizations and community members and organize a campaign requesting that congressional representatives restore funding to CDBG and HOME programs. (This strategy is supported by HUD Secretary Shawn Donovan.)</p>	<p>High</p>
	<p>Regardless of community size or HUD funding allocation, all CDBG grantees are expected to complete the same level of analysis and reporting as found in Consolidated Plans, Annual Action Plans, Consolidated Annual Performance and Evaluation Reports and Analysis of Impediments to Fair Housing Choice. Analysis and reporting can take up a sizeable portion of the annual HUD funding allocation. Given that Battle Creek is the only jurisdiction within Calhoun County that directly receives HUD funding, collaboration across jurisdictional boundaries is not possible.</p>	<p>Work with Battle Creek elected and appointed officials, local community development organizations and community members and organize a campaign to request congressional representatives asking them to increase funding for analysis and reporting that is separate from funding specifically eligible projects.</p>	<p>High</p>

VII. Appendix

- Property Tax Hardship Exemption Guidelines
- 1999 Housing Commission Admission and Continued Occupancy Policy
- Battle Creek Housing Commission Resident Data



CITY OF BATTLE CREEK, MICHIGAN

OFFICE OF THE CITY ASSESSOR
STEVEN HUDSON, CITY ASSESSOR

DECLARATION OF POVERTY & REQUEST FOR TAX RELIEF APPLICATION

As of December 31, _____

Property ID Number: _____

Current State Equalized Value: _____ Current Taxable Value: _____

Property Address: _____

APPLICANT INFORMATION

IMPORTANT: It is necessary that you fill out this petition as carefully as you can. All questions must be answered. Please have supporting information such as contracts, mortgage receipts, tax receipts, bankbooks, etc. available. An investigator may call at your home to examine your records. **NOTE:** Any person making a false petition for the purpose of exemption from taxation shall be guilty of the crime of perjury, and shall be punished accordingly.

I (We) hereby appeal to the Board of Review for a reduction of taxable valuation because of inability to contribute fully toward the public charges by reason of **POVERTY**.

Name of Owner & Co-Owners: _____

Street Address: _____

City, State, Zip: _____ Phone Number: _____

Did you or a co-owner apply for a Michigan Homestead Property Tax Credit? ___yes ___no

If YES, did you receive a refund or tax credit? ___refund ___credit How Much: \$ _____

If NO, why not: _____

Owners:

Social Security # _____

Age as of Dec 31st: _____

Are you blind? ___YES ___NO

Are you paraplegic, hemiplegic or quadriplegic? ___YES ___NO

Are you totally and permanently disabled as defined under Social Security Guidelines 42 USC 416?
___YES ___NO

Are you a Veteran with service-connected disability? ___YES ___NO

If YES, what % of disability? _____%

Are you a surviving spouse of a Veteran with a service-connected disability? ___YES ___NO

If YES, what % of disability? _____%

GENERAL INFORMATION

Check one: ___Married ___Single ___Divorced ___Widow ___Widower ___Separated

How long have you been a resident of the City/Township? ____years

What year did you purchase this property? _____

Purchase Price? \$_____ Down Payment \$_____ Interest Rate _____%

Total unpaid balance of mortgage as of 12/31/_____ \$_____

Mortgage or Contract Holder: _____

Taxes: Delinquent years _____ Delinquent Amount \$_____

List all persons living in the household (including yourself):

<u>Last Name</u>	<u>First Name</u>	<u>Age</u>	<u>Relationship</u>	<u>Employment</u>

INCOME & ASSETS

SECTION A: Schedule of Family Income

DO NOT INCLUDE THE FOLLOWING:

1. Money received from the sale of property such as stocks, bonds, a house, or a car unless a person is in the business of selling such property.
2. Withdrawals of bank deposits and borrowed money.
3. Tax refunds, gifts, loans, and lump-sum inheritances, one-time insurance payments.
4. Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
5. Federal non-cash benefit programs such as Medicare, Medicaid, food stamps, school lunches.

INCLUDE INCOME OF ALL PERSONS RESIDING IN THE HOME:

1. Salaries, wages, tips & other employee compensation (include strike, sick & sub pay)	\$
2. All dividends & interest (including US., state & municipal bond interest)	
3. Net rent, royalty, business, gambling or lottery income	
4. Annuity & pension benefits; Name of Payer_____	
5. Net farm income	
6. All Capital gains less capital losses	
7. Alimony & other taxable income; Describe_____	
8. Other adjusted income	
9. Social Security, supplemental income (SSI) or railroad retirement benefits	
10. Unemployment compensation & trade readjustment allowance (TRA) benefits	
11. Child Support, Military Family Allotments	
12. College or university scholarships, grants, fellowships and assistant fellowships	
13. Other non-taxable income; Describe_____	
14. Worker's compensation, veteran's disability compensation & pension benefits	
15. ADC, GA or Emergency Assistance benefits	
16. All other public assistance payments (food stamps, fuel assistance, etc.) Describe_____	
17. SUBTOTAL (add lines 1 through 16)	\$
18. Insurance premiums you paid for medical care for yourself and family	
19. TOTAL HOUSEHOLD INCOME (subtract line 18 from line 17)	\$

SECTION B: Investments

On spaces below, list all stocks, bonds, mortgages, land contracts, annuities, US. Savings Bonds or any other investments you, the co-owner or any member of your household has.

Description of Investment	Present Value	Income Earned Last Year
	\$	\$

SECTION C: Real Estate

In the spaces below, list all property owned in full or in part by you, the co-owner or any member of your household (houses, land, cottages, garages, stores, etc.) Do not list the property this application is being applied for.

Address of Property	Owner	Market Value	Taxes	Income
		\$	\$	\$

SECTION D: Life Insurance Policies

In the spaces below, list all the insurance policies held by you the co-owner, or any member of the household.

Insured	Amount of Policy	Amount Paid Monthly	Cash Value of Policy	Name of Beneficiary	Relationship to Insured
	\$	\$	\$		

SECTION E: Motor Vehicles

In the spaces below, list all automobiles, motorcycles, trucks, off-the-road vehicles, etc. owned by you, the co-owner or any member of the household.

Make & Model	Year	License Number	Monthly Payment	Balanced Owed
			\$	\$

SECTION F: All Other Assets

In the spaces below, list all other assets and their values that are owned or controlled by you, the co-owner or any member of the household. (For example, boats, coin collections, antiques, jewelry, silver, etc.)

Type of Asset	Value	Owner
	\$	

EXPENSES

SECTION A: Debts

In the spaces below, list all outstanding debts that you, the co-owner, or any member of the household may have. Include mortgages, home improvement loans, chattel mortgages, finance company loans, personal loans, credit cards, automobile loans, etc. Do not include the mortgage payments for the property being applied for.

Creditor	Purpose of Debt	Date of Debt	Original Balance	Monthly Payment	Balanced Owed
			\$	\$	\$

SECTION B: Subsistence Costs

In the spaces below, list the actual monthly household costs where available and estimate the others as closely as possible. You may be asked to verify your estimates with copies of bills and receipts.

1. Land Contract or Mortgage payment for homestead only Does this include an escrow amount for tax purposes ___YES ___NO		\$
2. Gas or Fuel Oil Did you receive a State of Michigan Home Heating Credit ___YES ___NO. If YES, how much \$ _____	\$	
3. Electricity		\$
4. Water, Sewer, Garbage		\$
5. Food (exclude liquor, cigarettes, pet food, pop, etc.)		\$
6. Doctors & Medicine Do you have medical insurance? ___YES ___NO. If YES, who_____. Please be ready to provide a copy of your policy if so requested. Did you receive a State of Michigan Senior Citizen Prescription Drug Claim Credit? ___YES ___NO. If YES, how much?	\$	
7. Homeowner's Insurance		\$
8. TOTAL SUBSISTENCE HOUSEHOLD EXPENSES		\$
9. TOTAL HOUSEHOLD CREDITS	\$	
10. NET TOTAL SUBSISTENCE HOUSEHOLD EXPENSES (line 8 minus line 9)		\$

ADDITIONAL INFORMATION

With this petition you will need to submit last year's copies of the following applicable documents for yourself, the co-owner, and every member of the household.

1. Federal, State and City Income Tax Returns - 1040 or 1040A and any schedules
2. All W-2 and 1099 forms
3. Michigan Homestead Property Tax Credit Claim MI-1040CR
4. Michigan Home Heating Credit
5. Social Security Benefit Statement Form SSA-1099
6. DSS Year End Total Payments Report
7. Statement from Friend of the Court

NOTE: DO NOT SIGN THIS PETITION UNTIL WITNESSED BY THE ASSESSOR, BOARD OF REVIEW MEMBER, OR NOTARY.

I (We), _____, being duly sworn, depose and state under the penalties for perjury, that the information contained in this petition and my (our) financial condition as above stated is true and correct and to the best of my (our) knowledge and belief.

I (We), the Co-Owner, or any member of the household has no money, income or property other than herein mentioned. I (We) hereby grant permission to review income tax files in order to process this petition.

I (We) authorize the _____ of _____ to obtain and utilize whatever documentation and/or information necessary.

Applicant

Applicant

Subscribed and sworn this _____ day of _____, _____.

Assessor, Board of Review Member, or Notary

ADMISSION AND CONTINUED OCCUPANCY POLICIES

**The Battle Creek Housing Commission
Battle Creek, Michigan**

August 1999

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INTRODUCTION

The Battle Creek Housing Commission (BCHC) was established pursuant to the United States Housing Act of 1937, as amended, to provide decent, safe, sanitary and affordable housing to low income families. In accordance with this objective, the development of standard policies and procedures are necessary in order to ensure equitable treatment for all applicants and residents, as well as, to ensure the efficient operation of public housing units managed by Battle Creek. In recognition thereof the Battle Creek Housing Commission has developed Policies of Admission and Continued Occupancy which implement federal and state regulations. Said policies are also based on a recognition that the provision of decent, safe, sanitary and affordable housing is dependent upon social and economic factors as well as physical factors.

This Admission and Continued Occupancy Policy is intended to be consistent with the latest addition of the Code of Federal Regulations governing the Department of Housing and Urban Development, and all related HUD Transmittals and Notices, in the event of any inconsistencies, the provisions of that code shall prevail.

The word BCHC when used herein is intended to refer to Battle Creek Housing Commission.

The programs administered by the Authority are:

Federal:

- Family Low Income Public Housing
- Elderly Low Income Public Housing
- Homeownership Program

AUTHORITY

A1.0 Authority

Eligibility for admission to and occupancy of Low-Income Public Housing is governed by requirements of the Department of Housing and Urban Development, with some latitude for local policies and procedures. This Admissions and Continued Occupancy Policy (the Plan) incorporates these requirements and is binding upon applicants, residents, and BCHC alike, the latter two through inclusion of the Plan into the Dwelling Lease by reference. Notwithstanding the above, changes in applicable Federal Law or regulations shall supersede this policy at any point in which they are in conflict.

A1.1 Objectives

The Objectives of this policy are to:

- A. Promote the overall goal of safe, decent and sanitary housing in good neighborhoods by:
 - 1. Insuring a social and economic mix of low-income residents within each public housing neighborhood in order to foster social stability and upward mobility.
 - 2. Insuring the fiscal stability of the BCHC.
 - 3. Lawfully denying admissions or continued occupancy to families whose presence in a public housing neighborhood is likely to adversely affect the health, safety or welfare of other residents of the physical environment of the neighborhood.
- B. Facilitate the efficient management of the BCHC and compliance with Federal and State regulations by establishing the policy basis for management procedures, record keeping and auditing.
- C. Comply in letter and spirit with Title VI of the Civil Rights Act of 1964 and all other applicable Federal and State laws and regulations to insure that admission to and occupancy of public housing neighborhoods is conducted without regard to race, color, creed, age, sex, handicap, familial status or national origin.
- D. Prescribe standards and criteria for resident selection and annual reexamination of income and family composition.

Terminology - The term "He" or "She" used throughout this document is used in the

generic sense to include male/female, singular/plural as appropriate. In addition, the term "the Plan" used throughout this document is used in the generic sense for Admission and Continued Occupancy Policies.

A1.2 Applicability

The provisions of the Plan are applicable to all BCHC administered developments and/or programs receiving financial assistance from either the Federal and or State Governments. Applicants and residents will be treated with courtesy and consideration in all verbal and written communications.

A1.3 Sources of Standards

The pertinent laws of the Federal, State, and Municipal Governments.

The Contractual agreements pertaining to the various developments and/or programs between the BCHC, State and/or Federal agencies. The provision of Title 24, Sub-part B (Section 960.201 thru 960.207), Sub-part D (Section 960-401 thru 960.409) and Sub-part A (Section 966.1 thru 966.6) as set forth in the Code of Federal Regulations, Volume 40, Numbers 153, 154 and 188.

Policies established by the BCHC's Board of Commissioners by formal resolution.

Directives issued by the BCHC's administrative officers.

A1.4 Review of Plan

Annually the Executive Director or his/her designee shall review the operations of this plan and make changes as appropriate.

A1.5 Methods of Administrative

The administration of the Plan is to provide each applicant the greatest opportunity for the exercise of his/her rights under this plan; to avoid any discrimination in any manner or provisions of any service against any applicant because of race, creed, religion, color, national origin, age, sex, handicap, familial status or source of income; and to promote integrated development and/or programs.

BCHC will post, in a conspicuous place in the Administration office where applications are received, a notice that the facilities and services of BCHC are provided on a non-discriminatory basis.

A copy of this manual will be available to agencies, institutions, organizations and political subdivisions, which may refer applicants.

BCHC will instruct its staff concerning its and their obligations under the Civil Rights and Non-Discrimination laws and regulations of the Federal and State governments by conducting training, distributing copies of pertinent documents, and ongoing supervisory review.

All applicants and residents will be treated with courtesy and consideration at all times in all verbal and written communications.

No applicant, residents or staff will be intimidated nor will any retaliatory action be taken, nor threats thereof made, by the BCHC or its staff because of the applicant, resident or staff participation in Civil Rights activities or for having asserted any of his/her rights under the Civil Rights Acts, DOH, HUD's regulations and requirements pursuant thereto.

A1.6 Title VI Compliance

With BCHC's continuing efforts to provide voluntary compliance with Title VI, BCHC is adhering to the following general provisions regarding its Public Housing Programs:

With respect to any housing accommodations, facilities, services, financial aid or other benefits involved in its federally funded public housing programs, the BCHC, its officers, administrators, agents, servants, employees, successors, all persons exercising governance over the BCHC, and all persons in active concert or participation with any of them, agree to refrain from any acts which, on the grounds of race, color, creed, age, sex, handicap, familial status or national origin such as to:

1. Deny a person such benefits.
2. Provide such benefits to a person which are different from those provided to others.
3. Subject a person to segregation or separate treatment in any matter related to such benefits.
4. Provide a preference for such benefits to any person, except as provided by this Agreement.
5. Restrict a person in any way in access to such benefits or enjoyment of any advantage or privilege enjoyed by others in connection with such benefits.

6. Treat a person differently from others in determining whether he/she satisfies any occupancy, admission, enrollment, eligibility, membership or other requirement or condition which the person must meet.
7. Deny a person an opportunity to participate in the program or activity through the use of biased preference criteria, or otherwise afford the person a different opportunity to participate from that afforded others.

A1.7 Non-Discrimination in Admission and Occupancy

The Battle Creek Housing Commission hereby assures and certifies that it will comply with:

1. Title VI of the Civil Rights Act of 1964 (P.C. 88-352) and regulations pursuant thereto (Title 24CFR Part 1);
2. Title VIII of the Civil Rights Act of 1968 (P.L. 90-284) as amended, and administer its programs and activities relating to housing in a manner to affirmatively further fair housing;
3. Executive Order 11063 on Equal Opportunity in Housing and non-discrimination in the sale and rental of housing provided with Federal Financial Assistance;
4. Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based upon handicap in programs receiving Federal Financial Assistance;
5. The Age Discrimination Act of 1975, which prohibits discrimination based upon age in programs receiving Federal Assistance.
6. Title II of the Americans with Disabilities Act, to the extent that it applies.

DEFINITIONS

B1.0 Definitions

Adjusted Income - Adjusted Income means annual income less the following:

- A. \$480 for each Dependent:
- B. \$400 for any Elderly Family:
- C. For any Family that is not an Elderly Family but has a Handicapped or Disabled member other than the head of household or spouse, Handicapped Assistance Expenses in excess of three percent of Annual Income, but this allowance may not exceed the employment income received by Family members who are 18 years of age or older as a result of the assistance to the Handicapped or Disabled Person;
- D. Child Care Expenses

Amounts anticipated to be paid by the Family for the care of children under 13 years of age for the period for which Annual Income is computed, but only where such care is necessary to enable a Family member to be gainfully employed or to further his or her education. The amount deducted shall reflect reasonable charges for child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment.

- E. For any Elderly Family:
 - (1) That has no Handicapped Assistance Expense, an allowance for Medical Expenses equal to the amount by which the Medical Expenses exceed three percent of Annual Income:
 - (2) That has Handicapped Assistance Expenses greater than or equal to three percent of Annual Income, an allowance for Handicapped Assistance Expenses computed in accordance with paragraph (3) of this section, plus an allowance for Medical Expenses that is equal to the Family's Medical Expenses:
 - (3) That has Handicapped Assistance Expenses that are less than three percent of Annual Income, an allowance for combined Handicapped Assistance Expenses and Medical Expenses that is equal to the

amount by which the sum of these expenses exceeds three percent of Annual Income.

Annual Income

Annual Income is the anticipated total income from all sources received by the family head and spouse (even if temporarily absent) and by each additional member of the family, including all net income derived from assets, for the 12 month period following the effective date of initial determination or re-examination of income, exclusive of income that is temporary, non recurring, sporadic, and exclusive of certain other types of income specified in this policy.

Annual Income includes, but is not limited to:

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services:
2. The net income from the operation of a business of profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the Family;
3. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in 2 above of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is a reimbursement of cash assets invested by the Family. Where the family has Net Family Assets in excess of \$5,000, Annual Income shall include the greater of actual income derived from all Net Family Assets or a percentage of the value of such Assets based on the current passbook savings rate, as determined by HUD;
4. The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including the lump-sum payment for the delayed start of a periodic payment

except from SSI and Social Security pay, per Notice PIH 93-11;

5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (but see "lump sum additions" in this policy);
6. Welfare assistance;
7. Scholarship payments specifically designated for room and board or a computed amount remaining after the expenses of books, tuition or travel.
8. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling;
9. All regular pay, special pay and allowances of a member of the Armed Forces (whether or not living in the dwelling, but see paragraph 5 in the next sub-section regarding special pay); and

Annual Income **does not include** such temporary, non-recurring or sporadic income as the following:

1. Temporary, non recurring or sporadic income (including gifts);
2. Amounts that are specifically for or in reimbursement of the cost of medical expenses;
3. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, lump-sum payments of deferred periodic payments from SSI and Social Security and settlement for personal or property losses (but see "payments in lieu of earnings" in this policy);
4. Amounts of educational scholarships paid directly to the student or the educational institution, and amounts paid by the Government to a veteran for use in meeting the costs of tuition, fees, books, equipment, materials, supplies, transportation, and miscellaneous personal expenses of the student. Any amount of such scholarship or payment to a veteran not used for the above purposes that is available for subsistence is to be included in income;
5. The special pay to a family member in the Armed Forces away from home and exposed to hostile fire;

- A. Amounts received under training programs funded by HUD:
 - B. Amounts received by a disabled person that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS); or
 - C. Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
6. Monies received for performing census data collection.
 7. Income from employment of children (including foster children) under the age of 18 years;
 8. Payments received for the care of foster children.
 9. Income of a Live-Aide, as defined in 24 CFR 913.102;
 10. Any earned income tax credit refunds, per Notice PIH 91-10:
 11. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937. A notice will be published in the **Federal Register** and distributed to PHA's and BCHC's identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. The following is a list of types of benefits that qualify for the exclusion, effective July 23, 1990;
 - A. Payments received from programs funded under Title V of the Older Americans Act 1985 (42 USC 3050(f));
 - B. The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b));
 - C. Payment for volunteers under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5044 (g), 5058):
 - D. Payments received under the Alaska Native Claims

Settlement Act of 1973 (43 U.S.C. 1626 (a));

- E. Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);
 - F. Payments or allowances made under the Department of Health and Human Services Low-income Home Energy Assistance Program (42 U.S.C. 8624 (f));
 - G. Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552 (b));
 - H. Income derived from the disposition of funds of the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503-2594);
 - I. The first \$2,000 of per capita shares received from the judgement funds awarded by the Indian Claims Commission or the Court of Claims (25 U.S.C. 1407-1408) or from funds held in trust for an Indian tribe by the Secretary of Interior. (25 U.S.C. 117);
 - J. Amounts of scholarships funded under Title Iv of the Higher Education Act of 1965 that are used to cover the cost of attendance at an educational institution (See 24 CFR 215.1 (c)(6), 813.106 (c)(6), and 913.106 (c)(6));
 - K. Payment received after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In Re Agent Orange product Liability Litigation M.D.L. No 381 (EDNY); and
 - L. Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96-240, 94 Stat. 1785).
12. Per the interim rule published in the Federal Register, dated November 18, 1996, the following nine exclusions to annual income are:
- A. Resident Service Stipends – but only if it does not exceed \$200 per month.
 - B. Adoption Assistance Payments – payments received for the

are of adopted children in excess of four hundred eighty (\$480).

- C. Full Amount of Student Financial Assistance – all amounts received from student financial assistance.
- D. Earned Income of Full-Time Students – exempts earnings in excess of \$480 for each full-time student 18 years or older.
- E. Adult Foster Care Payments – usually individuals with disabilities unrelated to the resident family who are unable to live alone.
- F. State or local training programs and training of resident management staff.
- G. State tax credits and rebates for property taxes paid on a dwelling unit.
- H. Homecare Payments – exempts amounts paid by a State agency to families that have developmentally disabled children or adult family members living at home.
- I. Deferred periodic payments of SSI and Social Security.

If it is not feasible to anticipate a level of income over a 12 month period, the income anticipated for a shorter period may be annualized, subject to a redetermination at the end of the shorter period.

Appliances

Appliances are stoves and refrigerators.

Assets

The value of equity in real property, savings, stocks, bonds, checking and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is not to be considered as an asset.

Child Care Expenses

Amounts anticipated to be paid by the family for the care of children under **13 years of age** during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to be gainfully employed or to further his or her education and only to the extent such amounts are not

reimbursed. The

amount deducted shall reflect reasonable charges for child care, and, in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment. The BCHC will not normally determine child care expenses necessary when the household contains an additional unemployed adult who is physically capable for caring for children.

Dependent:

A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled Person or Handicapped Person, or is a Full-Time Student. An unborn child shall not be considered a dependent.

Disabled Family:

A family whose head or spouse or sole member is a person with disabilities. It may include two or more persons with disabilities living together, and one or more persons with disabilities living with one or more persons who are determined to be essential to the care of well-being of the person or persons with disabilities.

Disabled Person:

A person under a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423), or who has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 USC. 6001(7)).

Displaced Person:

A person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under Federal Disaster Relief laws.

Elderly Family:

A family whose head or spouse (or sole member) is an elderly, person. It may include two or more elderly persons living together, with one or more persons living who are determined to be essential to the care and well-being or the elderly person or persons.

Elderly Person:

A person who is at least 62 years of age.

Eviction:

The dispossession of the resident from the leased unit as a result of the termination of the lease prior to the end of the term, for serious or repeated violations or material terms of the lease or to fulfill the resident's obligations set forth in HUD regulations, Federal, State, or Local Law or for other good cause.

Familial Status:

A single, pregnant person which is considered as a family of two people. The pregnancy requires verification from a doctor that specifies the name of the applicant and must be furnished to the HA. In addition, single persons in the process of securing custody through adoption and other means should be treated identically as a single pregnant woman but must provide evidence of a reasonable likelihood of success to be admitted for occupancy prior to obtaining custody by the following:

- Adoption Agency
- Court order
- Certified legal document

Family:

1. The term "family" as used in this policy means:
 - A. A group of two or more people related by blood, marriage, or legal option, who will live regularly together in the same dwelling unit in the neighborhood (including foster children and members of the family who are temporarily absent.) There must be some concept of family living beyond the mere sharing or intention to share housing accommodations by two or more persons to constitute them as a family within the meaning of this policy. Some recognized and acceptable basis of family relationship must exist as a condition of eligibility. By definition, a family must contain a competent adult who is capable of functioning as the head of household.
 - B. A single person who has attained at least age 62; or
 - C. A person who is under a disability as defined in Section 223 or the Social Security Act or who has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)). Section 223 of Social Security Act defines disability as:

- (1) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
 - (2) In the case of an individual who has attained the age of 55 and is blind (within the meaning of “blindness” as defined in Section 416 (i) (1) of the title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity of a substantial period of time; or
- D. A handicapped person who has a physical or mental impairment which (1) is expected to be long continued or indefinite duration, (2) substantially impeded their ability to live independently, and (3) is of such nature that such ability could be improved by more suitable housing conditions (Note: all three conditions must be met to qualify as handicapped); or
 - E. Two or more Elderly, Disabled or Handicapped persons living together, or one or more of these persons living with one or more Live-In Aides; or
 - F. For continued occupancy purposes only, the remaining member of a resident family who meets all the requirements for continued occupancy; or
 - G. A single person who has been displaced by governmental action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under Federal Disaster relief laws; or
 - H. Other single persons who are not 62 years or older, disabled, handicapped, displaced or the remaining member of a resident family; or
 - I. Single pregnant women with no other children, provided verification of pregnancy is furnished from a physician; or
 - J. A single person with other children, who is in the process of securing legal custody of an individual under the age of 18 years.

2. Elderly Family - A family whose head or spouse (or sole member) is an Elderly, Disabled or Handicapped person. It may include two or more Elderly, Disabled, or Handicapped persons living together, or one or more persons living with one or more Live-in Aides.
3. The above definitions of "family" do not exclude a person living alone during the temporary absence of a family member who will later live regularly as a part of the family.
4. A person necessarily residing with a family by reason of employment by or for such family (a) to permit the employment of a sole wage earner, or (b) for the health and welfare of a sick or incapacitated member of the family, need not be considered as a member of the family for the purposes of determining family income for eligibility or establishing the Total Tenant Payment. However, the necessity for such an arrangement must be evidenced by a doctor's certificate when health-related reasons are given for the arrangement. In all cases, the presence of such a person must be determined essential and so certified by the BCHC. Under no circumstances may such an arrangement be either continued longer than necessary or permitted only for the convenience of the resident or such employee. This provision is applicable both for admission and continued occupancy and is not restricted to elderly families.

Full-Time Student:

A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution offering a college degree, vocational education degree or certificate program.

Handicapped Assistance Expense:

Reasonable expenses that are anticipated, during the period for which Annual Income is computed, for attendant care and auxiliary apparatus for a Handicapped or Disabled family member and that are necessary to enable a family member (including the Handicapped or Disabled member) to be employed, provided that the expenses are neither paid to a member of the family or reimbursed by an outside source.

Handicapped Person:

A person with disabilities who:

1. Has a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423) or

2. Is determined to have a physical, mental or emotional impairment that:
 - a. Is expected to be of long-continued and indefinite duration,
 - b. Substantially impedes the person's ability to live independently , and
 - c. Is of such a nature that such ability could be improved by more suitable housing conditions.
3. Has a developmental disability as defined in Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001 [5])

A person with disabilities does not exclude persons who have the disease of acquired immuno-deficiency syndrome or any conditions arising from the etiologic agent for acquired immuno-deficiency syndrome.

Head of Household:

Head of Household means the adult member of the family who is held primarily responsible and accountable for the family, particularly in regard to lease obligations.

Homeless Family:

Any individual or family who:

1. Lacks a fixed, regular, and adequate nighttime residence; and
2. Has primary nighttime residence that is:
 - A. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - B. An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - C. A public or private place not designed for or ordinarily used as, a regular sleeping accommodation for human beings.

Income for Rent:

For the purpose of determining rents and for statistical reporting means adjusted income: except that Annual Income is to be used in determining the 10 percent

minimum rent.

Involuntary Displacement:

For purposes of determining whether an applicant is entitled to a priority for public housing admission under Federal law, an applicant is or will be involuntarily displaced if he or she was vacated or will have to vacate his or her housing unit as a result of one or more of the following actions:

1. A natural disaster, such as a fire or flood, that results in the applicant's unit being uninhabitable;
2. Activity carried on by an agency of the United States or by any State or local governmental body or agency in connection with code enforcement or a public improvement or development program; or
3. Action by a housing owner that results in an applicant's having to vacate his or her unit, where:
 - A. The reason for the owner's action is beyond an applicant's ability to control or prevent;
 - B. The action occurs despite an applicant's having met all previously imposed conditions of occupancy; and
 - C. The action taken is other than a rent increase.
4. An applicant has vacated a housing unit because of domestic violence or the applicant is currently living in a housing unit with a person who engages in domestic violence.
5. To avoid reprisals because a family member provides information on criminal activities to a law enforcement agency.
6. If one or more members of the applicant's family have been the victim of one or more hate crimes and the applicant has vacated a housing unit because of such a crime, or the fear associated with such crime has destroyed the applicant's peaceful enjoyment of the unit.
7. If a member of the family has a mobility or other impairment that makes the person unable to use critical elements of the housing unit.
8. If the family is displaced because of HUD disposition of a multi-family development.

For purposes of this definition, reasons for an applicant having to vacate a housing unit include, but are not limited to, conversion of an applicant's housing unit to non-rental or non-residential use; closure of an applicant's housing unit for rehabilitation or for any other reasons; notice to an applicant that he or she must vacate a unit because the owner wants

the unit for the owner's personal or family use or occupancy; sale of a housing unit in which the applicant resides under an agreement that the unit must be vacant when possession is transferred; or some other legally authorized act that results or will result in the withdrawal by the owner of the unit or structure from the rental market. Such reasons do not include the vacating of a unit by a resident as a result of actions taken because of the resident's refusal to comply with applicable program policies and procedures with respect to occupancy of under occupied and overcrowded units or to accept a transfer to another housing unit in accordance with a court decree or in accordance with such policies and procedures under a HUD approved desegregation plan. Eviction for non-payment of rent or for other lease violations will not be considered involuntary displacement.

An applicant also is involuntarily displaced if the applicant has vacated his or her housing unit as a result of actual or threatened physical violence directed against the applicant or one or more members of the applicant's family by a spouse or other member of the applicant's household; or the applicant lives in a housing unit with such an individual who engages in such violence. For the purposes of this paragraph, the actual or threatened violence, must as determined by the PHA in accordance with HUD's administrative instructions, have occurred recently or be of a continuing nature.

In order to qualify for the priority based on involuntary displacement, a family must either have been involuntarily displaced as defined above and not living in "Standard Permanent Replacement Housing", or it must be verified that the family will be involuntarily displaced within the next six months.

Live-In Aide

A person who resides with an Elderly, Disabled, or Handicapped person or persons and who:

1. Is determined by the PHA to be essential to the care and well-being of the persons(s);
2. Is not obligated for support of the persons(s); and
3. Would not be living in the unit except to provide supportive services.

Lower Income Family:

A family whose Annual Income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs of unusually high or low family incomes.

Medical Expenses:

Medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. Medical expenses, in excess of 3% of Annual Income, are deductible from annual income for elderly families and handicapped assistance expense as outlined on page 18.

Military Service:

Military Service means the active military service of the United States, which includes the Army, Navy, Air Force, Marine Corps, Coast Guard, and since July 29, 1945, the commissioned corps of the United States Public Health Service.

Minor:

A "minor" is a person less than eighteen year of age. (An unborn child may not be counted a minor but is counted for eligibility of a single, pregnant female.)

Monthly Adjusted Income:

One-twelfth of Adjusted Income.

Monthly Income:

One-twelfth of Annual Income. For purposes of determining priorities based on an applicant's rent as a percentage of monthly income.

Near Elderly Income:

A family whose head or spouse (or sole member) is at least 50 years of age but below the age of 62.

Neighborhood Community:

Any lower income Public Housing site as established in a development program, except that when sites are adjacent or within a block of each other, such sites

collectively shall be considered one location.

Net Family Assets:

Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investments, excluding, interests in Indian trust land and excluding equity accounts in HUD ownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered as an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income.) In determining Net Family Assets, the PHA shall include the value of any assets disposed of by an applicant or resident for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or re-examination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or resident received important consideration not measurable in dollar terms.

Public Housing Agency (PHA):

Any State, County, municipality or other government entity or public body (or agency or instrumentality thereof) that is authorized to engage in or assist in the development or operation of housing for lower income families.

Ranking Applicant Family:

Is that eligible family within any particular rent range with the highest priority as defined in this policy or priority being equal, the earliest date and time of application.

Ranking Rental Unit:

The “ranking rentable unit” is that rentable dwelling unit which is located in the neighborhood having the greatest number of the same bedroom size and type of rentable vacant units.

A “rentable unit” is a vacant unit which has been prepared for occupancy and is not encumbered by an offer which has been made but not yet been accepted or rejected.

Resident Rent:

The amount payable monthly by the Family as rent to the BCHC. Where all utilities (except telephone) and other essential housing services are supplied by the BCHC, Resident Rent equals Total Resident Payment. Where some or all utilities (except telephone) and other essential housing services are not supplied by the BCHC and the cost thereof is not included in the amount paid as rent, Resident Rent equals Total Payment less the Utility Allowance. (Resident Rent is a term established and defined by 24 CFR (Part 913) and as such, is occasionally awkward in ordinary usage. For this reason, the term "Resident Rent" is used to refer to the net monthly payment by the family to the BCHC.

Single Person:

A person who lives alone or intends to live alone, and who does not qualify as an elderly family or displaced person or as the remaining member of a resident family.

Spouse:

Spouse means the husband or wife of the head of the household.

Standard Permanent Replacement Housing:

For purposes of determining if a family is entitled to a priority for admission based on involuntary displacement, Standard Permanent Replacement Housing, is housing that is decent, safe and sanitary, is adequate for the family size, and the family is occupying pursuant to a lease or occupancy agreement, but does not include transient facilities such as motels, hotels or temporary shelters for victims of domestic violence referred to in the Section above, does not include the housing unit in which the applicant and the applicant's spouse or other members of the household who engages in such violence live.

Substandard Housing:

For purposes of determining whether an applicant is entitled to a priority for public housing admission based on residency in substandard housing, a dwelling unit shall be considered substandard if it:

1. Is dilapidated;
2. Does not have operable indoor plumbing;
3. Does not have a usable flush toilet inside the unit for the exclusive use of a family;
4. Does not have a usable bathtub/shower inside the unit for the exclusive use

of a family;

5. Does not have electricity, or has inadequate or unsafe electrical service;
6. Does not have a safe or adequate source of heat;
7. Should, but does not have a kitchen; or
8. Has been declared unfit for habitation by an agency or unit of government.

For purposes of this definition, a housing unit is dilapidated if it does not provide safe and adequate shelter, and in its present condition endangers the health, safety, or well being of a family, or it has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding.

The defects may involve original construction or they may result from continued neglect or lack of repair or from serious damage to the structure.

For the purposes of this paragraph, an applicant who is a homeless family as defined below is living in substandard housing.

For the purposes of this paragraph, Single Room Occupancy (SRO) Housing (as defined in 24 CFR 882.102) is not substandard solely because it does not contain sanitary or food preparation facilities (or both).

Total Resident Payment

Total Resident Payment for families whose initial lease is effective on or after August 1, 1982, shall be the higher of the following, rounded to the nearest dollar:

1. 30 percent of Monthly Adjusted Income; or
2. 10 percent of Monthly Income;
3. If the family receives Welfare Assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the monthly portion of such payments which is so designated. If the family's Welfare Assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this subsection shall be the amount resulting from one application of the percentage.

Total Resident Payment does not include charges for excess utility consumption or

other miscellaneous charges, such as maintenance charges, late charges, etc.

Utility:

The provision of general electricity, gas, heating fuel, cooking fuel, water, sewage services and trash collection.

Utility Allowance:

The cost of utilities (except telephone) for an assisted unit which are not provided by the landlord but are the responsibility of the family occupying the unit is called a utility allowance. This utility allowance is based upon building type and is determined by number of bedrooms and is equal to the estimate made by the BCHC and HUD, of the monthly cost of a reasonable consumption of such utilities for the unit by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

Utility Reimbursement:

The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Resident Payment for the family occupying the unit.

Very Low-income Family:

A family whose annual income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for small and larger families. HUD may establish income limits higher or lower than 50 percent of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low income family income.

Welfare Assistance:

Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.

ADMISSION PROCESS

C1.0 Application Taking

The BCHC maintains a waiting list for applicants interested in the various public housing programs. All admissions to public housing shall be made on the basis of a pre-application in such form as the BCHC shall prescribe. The Application for Admission shall constitute the basic record of each family applying for admission.

All supplemental materials pertaining to eligibility shall also be considered a part of the application record and carefully recorded. This includes verification of income and family composition and such other data as may be required. The BCHC does not provide emergency housing and cannot modify the order of assignments otherwise prescribed because of emergency conditions.

The following conditions shall govern the taking and processing of applications:

1. The BCHC will not, on account of race, color, creed, religion, familial status, age, handicap, sex or national origin, deny or hinder any applicant family the opportunity to make an application or lease a dwelling unit suitable to its needs in any of its developments.
2. The BCHC reserves the right to suspend taking applications for its waiting lists when the current supply of applicants exceeds the number of families which could be reasonably expected to be housed within the next eighteen months.
3. All pre-applications must be made by a responsible adult member of the applicant family, who will reside in the household. He/She shall sign the pre-application and certify, subject to civil and criminal penalties, to the accuracy of all statements made therein. The BCHC reserves the right to require the signature of any or all adult members of the applicant's household.
4. The BCHC will normally take applications from a central location, but reserves the right to establish satellite locations for application taking, so long as all processing is done in a central location.
5. The BCHC reserves the right to establish times for taking applications, including by appointment. The BCHC staff may at its discretion provide for application interviews outside of normal hours when necessary for hardship reasons.
6. Insofar as possible, application interviews shall be conducted in private.
7. In addition to income, family composition and information unique to each applicant, each application shall be hand dated and numbered upon time of receipt and the BCHC's determination of an applicant's position will be based upon the date/number of receipt. All information regarding application and eligibility will be filed and as such, considered part of their permanent record. When the family is eligible, the application shall also record the correct unit size and type; the priority rating; the date, unit location and reason for rejection for any offers refused by the applicant.

8. Applications shall be updated as applicants report changes in income and family circumstances. All such communications from the applicant must be in writing and signed by the applicant. All modifications to applications shall be properly documented on hard copy and the transaction initialed by the staff member making the change.
9. Every six (6) months, the BCHC may purge the application pool of applications no longer actively seeking housing. Normally, this shall be performed by removing applicants from the waiting list who fail to respond to a "still interested" notice mailed to the last known address on the application. It shall be the sole responsibility of the applicant to inform the BCHC in writing of changes in address or other family circumstances which might affect the status of the application.
10. The BCHC shall maintain such records as are necessary to document the disposition of all applications to meet Department of Housing and Urban Development audit requirements.
11. Applicants will have thirty (30) days to provide all necessary information as requested to document their application for eligibility. Failure to provide this information at the end of this period will result in the withdrawal of their application by the BCHC.

C2.0 Admissions – Eligibility Criteria

1. All families who are admitted to Public Housing must be individually determined eligible under the terms of the policy. In order to be determined eligible, an applicant must meet **ALL** of the following requirements:
 - A. The applicant family must qualify as a family as defined in B1.0.
 - B. The applicant family's Annual Income as defined in (HUD Secretary's definition) must not exceed income limits established by the Department of Housing and Urban Development for Public Housing in the County of PHA jurisdiction.
 - C. The applicant family must conform to the Occupancy Standards contained in policy C5.0 regarding unit size and type.
 - D. The applicant family must have a satisfactory record in meeting past financial obligations, especially in payment of rent.
 - E. The applicant family must have no record of disturbance of neighbors, destruction of property, unsafe living habits, unsanitary

housekeeping practices, substance abuse, sexual deviation or any other history which may be reasonably expected to adversely affect:

- (1) The health, safety, or welfare of other residents;
- (2) The peaceful enjoyment of the neighborhood by other residents;
- (3) The physical environment and fiscal stability of the neighborhood.

- F. The applicant family must not have a record of grossly unsanitary or hazardous housekeeping. This includes the creation of a fire hazard through acts such as the hoarding of rags and papers; severe damage to premises and equipment, if it is established that the family is responsible for the condition; seriously affecting neighbors by causing infestation, foul odors, depositing garbage improperly; or serious neglect of the premises. In a case where a qualified agency is working with the applicant family to improve its housekeeping and the agency reports the applicant family shows potential for improvement, decision as to eligibility shall be reached after referral to and recommendation by the Executive Director or his/her designee. This category does not include applicant families whose housekeeping is found to be superficially unclean or lacks orderliness, where such condition does not create a problem for the neighbors.
- G. The applicant family must have no history of criminal activity which, if continued, could adversely affect the health, safety or welfare of other residents. Applicants with a history of alcohol or substance abuse will be required to provide a minimum twelve month verification of their sobriety.
- H. The applicant family must be able to demonstrate capacity to discharge all lease obligations. This determination shall be made on a case by case basis and shall not be used to exclude a particular group by age, handicap, etc. in determining the applicant family's capacity to discharge all lease obligations. The BCHC must consider the family's ability to secure outside assistance in meeting those obligations.
- I. If a prior resident of public housing or other housing programs administered by the BCHC, the applicant family must have a satisfactory record in meeting financial and other lease obligations. A former resident who owes a move out balance to the BCHC will

not be considered for re-admission until the account is paid in full and reasonable assurance is obtained of the applicant's ability to meet his or her rent obligations. In addition, persons evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity, are ineligible for admission to public housing for a three (3) year period beginning on the date of such eviction.

- J. The applicant family must have properly completed all application requirements, including verifications. Misrepresentation of income, family composition or any other information affecting eligibility, rent, unit size, neighborhood assignment, etc., will result in the family being declared ineligible. In the event the misrepresentation is discovered after admission, the family may be subsequently evicted, even if the family meets current eligibility criteria at that time.
- (1) Substance abuse as used in E above and criminal activity as used in G above shall include, but not be limited to, the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use, of a controlled substance (as defined in section 102 of the Controlled Substance Act (21 U.S.C. 802)).
 - (2) Sources of information for eligibility determination may include, but are not limited to, the applicant (by means of interviews or home visits), landlords, employers, family social workers, parole officers, court records, drug treatment centers, clinics, physicians or police departments where warranted by the particular circumstances. Applicant with histories of alcohol or substance abuse should be able to provide third party verification that they have been drug free or sober for a minimum of one year. Information relative to the acceptance or rejection of an applicant shall be documented in accordance with C3.0 (Section below) and placed in the applicant's file. Such documentation may include reports of interviews, letters or written summaries of telephone conversations with reliable sources. At a minimum, such reports shall indicate the date, the source of information, including the name and title of the individual contacted, and a summary of the information received.
 - (3) In the event of the receipt of unfavorable information with respect to an applicant, consideration may be given to the time, nature, and extent of the applicant's conduct or to factors which might indicate a reasonable probability of

favorable future conduct or financial prospects. For example:

- a. Evidence of rehabilitation;
- b. Evidence of the applicant family's participation or willingness to participate in social services or other appropriate counseling service programs and the availability of such programs;
- c. Evidence of the applicant family's willingness to attempt to increase family income and the availability of training or employment programs in the locality;
- d. In the case of applicants whose capacity for independent living and discharge of lease obligations is in question, the resources actually available in support of the family, such as visiting nurses, homemakers or live-in caretakers.

C3.0 Verification of Income and Circumstances

No applicant family shall be admitted to public housing without thorough verification of income, family composition and all other factors pertaining to the applicant's eligibility, rent, unit size and type, priority rating, etc. The same type of verifications are required to process any interim or regular re-examination for public housing residents. Complete and accurate verification documentation shall be maintained for each applicant and resident. Such documentation may include, but is not limited to, the following:

1. Letters or other statements from employers and other pertinent sources giving authoritative information concerning all items and amounts of income and deduction, together with other eligibility and preference determinations.
2. Verification forms supplied by the BCHC and returned properly completed by employers, public welfare agencies, etc.
3. Originals, photocopies, or carbon copies of documents in the applicant's possession which substantiates his statements, or a brief summary of pertinent contents of such documents signed and dated by the staff member who views them.
4. Statements from self-employed persons, and from persons whose earnings are irregular, such as a salesmen, etc., sworn to before a Notary, setting forth gross receipts, itemized expenses and net income (expenses incurred for business expansion or amortization of capital indebtedness are to be

included in net income).

5. Memoranda of verification data obtained by personal interview, home visit, telephone, or other means, with source, date received, name and title of person receiving the information clearly indicated, and a summary of information received.
6. Certified birth certificates, or other substantial proof of age, to support claims to the various entitlements in these policies for each member of the household.
7. Verification of evidence of citizenship and/or eligible immigration status.
8. Social Security Card or legal documents verifying the Social Security number for the applicant and each member of the applicant's household who is at least six (6) years old. (If the applicant cannot provide the proper documentation requirements he/she must submit to the Authority the individuals SSN(s) and a certification executed by the individual that the SSN(s) submitted has been assigned to the individual's, but that acceptable documentation to verify the SSN(s) cannot be provided).
9. Proof of disability, or of physical impairment, if necessary to determine the applicant's eligibility as a family or entitlement consideration under the criteria established in these policies, provided in written form by the appropriate government agency.
10. Statements from landlords, family social workers, parole officers, court records, drug treatment centers, clinics, physicians, or police departments, where warranted in individual cases.
11. Receipts for utility services.
12. In addition to such other verification as the BCHC shall require, verification of an applicant's involuntary displacement status is established by the following documentation in a form prescribed by the Secretary of the Department of Housing and Urban Development or developed by the BCHC:
 - A. Written notice from a unit or agency of government that an applicant has been or will be displaced as a result of a disaster as defined in B1.0.
 - B. Written notice from a unit or agency of government that an applicant has been or will be displaced by government action as defined in B1.0.

- C. Written notice from an owner or owner's agent that an applicant had to or will have to vacate a unit by a certain date because of an owner action referred to in the definition of involuntary displacement contained in B1.0.
 - D. Written notice from the local police department, social service agency, or court of competent jurisdiction, or a clergyman, physician, or public or private facility that provides shelter or counseling to the victims of domestic violence when a claim is made for a priority due to domestic violence.
13. The BCHC shall require the family head, head of household, members 18 years or older, or legally appointed designee to execute a HUD-approved release and consent authorizing any depository or private source of income, or any Federal, State, or local agency to furnish or release to the BCHC and to HUD such information as the BCHC or HUD determines to be necessary.

Because eligibility for Federal Housing assistance is not based on a "declaration system" but upon verification of actual income and family circumstances, the BCHC is not limited to verification of data supplied by applicants or residents. Failure of an applicant to cooperate with the BCHC in obtaining verification will result in the application being declared incomplete and inactive. A resident who fails to cooperate or to release information may be evicted. In addition, interim rent reductions will not be made for residents until after the receipt of all required verifications. In consideration of the privacy rights of residents and applicants, the BCHC shall restrict its requests to those matters of income, family composition and other family circumstances which are related to eligibility, rent, unit size and type, admission priority rating, or other lawful determinations made by the BCHC. If the verified data as listed in this policy are not more than one hundred twenty days old at the time an applicant is selected for admission, the data will be considered as reflecting the applicant's family's status at the time of admission.

C4.0 Determination and Notification of Eligibility

As soon as possible after receipt of an application, the BCHC will determine the applicant family's eligibility for public housing in accordance with the provisions of C2.0 and send a letter signifying the status of the applicant. In the event an applicant family is determined to be ineligible, it shall also be informed in writing of the basis for this determination. An applicant family does not have the right to use the Resident Grievance Procedure, but will be given, upon request, the opportunity for an Informal Hearing to present such facts as it wishes. In circumstances when waiting lists are very long, thorough investigation of each application may not be

practical until each application approaches selection. In such cases, apparently eligible applicant families will be notified of its eligibility determination is tentative in nature, being largely based on declarations made by the applicant family, and is subject to further reviews prior to admission. In all cases, the BCHC reserves the right to withdraw any determination of eligibility, tentative or otherwise, when additional information indicates that the prior determination was inappropriate.

C4.1 Notification Procedure

Upon completion of the application, a prompt decision of initial eligibility or ineligibility will be made, and the appropriate notification mailed to the applicant.

Eligible Applicants

All applicants will be notified in writing of initial eligibility and the basis of that determination.

A redetermination of eligibility and suitability will be undertaken prior to the offer of a dwelling unit.

Ineligible Applicants

All applicants will be notified in writing of initial eligibility and the basis of that determination.

Any applicants notified of his/her initial ineligibility will be afforded the right to resubmit information that may result in the applicant being redetermined initially eligible.

C5.0 Occupancy Standards

To avoid overcrowding and prevent wasted space, units are to be leased in accordance with the occupancy standards set forth below. If there should be a dwelling unit which cannot be filled with a family of appropriate size, after all possible efforts have been made to stimulate applications, a family eligible for the next smaller size unit may be offered this unit. This shall be with the understanding that the family is subject to later transfer to a unit of the proper size at the discretion of the BCHC.

1. The head-of household and co-resident are usually assigned a separate bedroom.
2. Family members are generally assigned to bedrooms on the basis of same sex per bedroom or of opposite sex up to the age of six (6).

3. BCHC may allow a child under two (2) years of age to share a bedroom with a parent(s).
4. BCHC shall not require children of opposite sex, over the age of six (6) to share a bedroom. The family shall have the opportunity to use the living room as a sleeping area should they so desire.
5. BCHC will treat a single pregnant woman as a two-person family.
6. The BCHC at its sole discretion may assign a separate bedroom to any family member with a documented medical need.

The BCHC will also assign units based on the type of unit needed by the individual applicant or applicant family. This refers to the family's ability to use stairs or their status as an elderly family.

7. In no case, should residents be assigned to bedroom sizes outside of the minimum and maximum constraints listed below and in addition, any "single person" shall not be assigned a unit with two or more bedrooms:

Number of Bedrooms	Number of Persons	
	<u>Min</u>	<u>Max</u>
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10

These standards regarding the minimum and maximum number of persons who will occupy a unit will be applied within the restraints of financial solvency and program stability.

The BCHC reserves the right to over house in its conventional public housing programs in an effort to correct unacceptably high vacancy rates. An unacceptably high vacancy rate is when a development or the BCHC wide vacancy rate is 2% or more. Families placed into larger than needed units will sign a waiver or other form agreeing to be transferred to a smaller, but appropriate sized unit, should the larger unit be needed in the future by an applicant family or a tenant family.

When it is found that the size of the dwelling is no longer suitable for the family in accordance with these standards, the family will be required to move as soon as a dwelling of appropriate size becomes available. These families will be transferred in accordance with the Transfer Policy (E1.0).

C6.0 Income Targeting and Deconcentration

A. Objective:

The BCHC shall make every effort possible to provide for deconcentration of poverty and income mixing in its communities by bringing higher income residents into lower income developments and lower income residents into high income developments.

To this extent the BCHC shall insure that not less than forty percent (40%) of all new admissions shall be families whose income at the time of their admission does not exceed thirty percent (30%) the area's median income.

The BCHC does not intend to utilize and/or impose any specific income or racial quotas nor will the BCHC offer incentives for eligible families to occupy units in developments predominantly occupied by families having either lower or higher incomes.

B. BCHC Deconcentration Policy: see Appendix

C7.0 Applicant Selection and Assignment Plan

C7.1 Application Ranking

An application will be selected in the following order:

1. Date and number of application.
2. Units designated for the elderly will be reserved for those families meeting the appropriate requirement. Cherry Hill Manor is reserved for those families qualifying as elderly who are at least 50 years old with preference given to the elderly at least 62 years old.
3. Families will be selected for placement by date and application number after they have been determined eligible for admission.
4. Single persons who are not elderly / disabled must not be admitted before elderly / disabled families of up to two persons regardless of local preferences.
5. Local preferences will be give to families of two persons or more whose head is employed full time or attending school on a full time basis.

6. Public housing. With respect to income targeting, the general rule is that in each fiscal year, at least 40 percent of families admitted to public housing by a PHA must have incomes that do not exceed 30 percent of area median. The “fungibility” provisions allow a PHA to admit less than 40 percent of families with incomes below 30 percent of median (“very poor families”) in a fiscal year, to the extent the PHA has provided more than seventy-five (75) percent of newly available vouchers and certificates (including those resulting from turnover) to very poor families. Thus, the provision is called “fungibility” because to a limited extent, it makes the targeting requirements in public housing and tenant-based assistance interchangeable or fungible. There are three further limitations on a PHA’s use of fungibility. Fungibility “credits” only can be used to drop the annual requirement for housing very poor families below 40 percent of newly available units in public housing, by the lowest of the following amounts:
 - (a) The number of units equivalent to ten (10) percent of the number of newly available vouchers and certificates in that fiscal year; or
 - (b) The number of units that (i) are in projects located in census tracts have a poverty rate of 30% or more, and (ii) are made available for occupancy by and actually occupied in that year by very poor families; or
 - (c) The number of units that cause the PHA’s overall requirement for housing very poor families to drop to 30% of its newly available units.

C7.2 Applicant Assignment

Selection of applicant families for making offers of dwelling units shall be performed by matching the ranking unit to the applicant as follows:

1. The “ranking rentable unit” is that rentable dwelling unit which is located in the neighborhood having the greatest number of the same bedroom size and type of rentable vacant units.

A “rentable unit” is a vacant unit which has been prepared for reoccupancy, and which is not encumbered by an offer which has been made but not yet accepted or rejected.

2. The “ranking applicant family” is that eligible family with the earliest date and number of application and who meets the income targeting goals.

C7.3 Dwelling Unit Offers

When the ranking applicant is matched to the specific ranking units, that dwelling unit becomes “unrentable” until the offer made is accepted or rejected. In order to reduce vacancy loss, it is necessary that processing from this point move as quickly as possible. To that end, the following conditions shall apply to dwelling unit offers:

1. As an application nears the top of the wait list, the BCHC will contact the applicant family to determine continued interest, to update the application for final processing, to alert the applicant that an offer is likely in the near future, and to inform the applicant about requirements for move-in, such as utility company verifications, security deposits, etc. For an applicant on a short wait list, the steps enumerated above may be included in the process of taking the complete application.
2. Upon receipt of the initial offering, the applicant shall have three business days to accept or reject the apartment. Failure to give an answer within the prescribed time period shall be counted as rejection of the offer. Failure to respond to an offering will result in a withdrawal of the offer and the applicant may be removed from the wait list.
3. Upon acceptance of the offer, the applicant will then be assigned a deadline for move-in. Before the end of this period, the applicant must complete all outstanding pre-occupancy requirements, such as joint unit inspection, establishment of utility services, leasing interview, and lease execution. Normally, this deadline will be within three working days of acceptance of the offer, but may be extended a maximum of five additional days at the discretion of the Authority when necessary to alleviate hardship. Failure to complete move-in requirements within the assigned period will result in withdrawal of the offer and inactivation of the application.
4. The BCHC only has a certain number of apartments modified for Handicapped Accessibility. When an accessible apartment becomes available, before the unit is offered to a non-handicapped applicant, BCHC must first offer it to an existing resident having a handicap and occupying a non-accessible apartment. If no such resident exists, the apartment must be offered to an applicant who does not nor does any family member have an impairment, BCHC may require the applicant to agree to move to a non-accessible unit when such unit is available.

C7.4 Unit Refusals

When an applicant refuses an offer of an apartment, the application shall be

returned to the waiting list, being assigned (for processing purposes only) the lowest priority and an application date and time which corresponds to the date of the refusal. Upon return to the top of the waiting list, such an applicant would be made an offer in accordance with the provisions of this policy. Upon refusal of the second such offer, including any in neighborhoods previously refused, the application shall be removed from the waiting list and classified as inactive.

If the applicant is willing to accept the unit offered but is unable to move at the time of the offer and presents clear evidence of his inability to move to the BCHC's satisfaction, refusal of the offer shall not count as one of the number of allowable refusals permitted the applicant before placing his name at the bottom of the eligible applicant list, placing the application in the inactive status.

If an applicant presents, to the satisfaction of the BCHC, clear evidence that acceptance of a given offer of a suitable vacancy will result in undue hardship or handicap not related to considerations of race, color, creed, age, handicap, familial status or national origin, such as inaccessibility to source of employment, children's day care and the like, refusal of such an offer shall not be counted as one of the number of allowable refusals permitted the applicant before placing his/her name at the bottom of the eligible list or placing the application in the inactive status.

C8.0 Leasing of Dwelling Units

The head of household of each family accepted as a resident is required to execute a lease agreement in such form as the BCHC shall require prior to actual admission. All remaining adult members who are 18 years of age or older of the household are also required to sign the lease. One copy of the lease will be given to the lessee, the original will be filed as part of the permanent records established for the family in the BCHC Central Office.

Each lease shall specify the unit to be occupied, the date of admission, the size of the unit to be occupied, all family members who will live in the unit, the rent to be charged, the date rent is due and payable, other charges under the lease, and the terms of occupancy. The lease shall specify a term of 12 months which will automatically renewed unless terminated for cause. It shall be explained to the head of household or other responsible adult before execution of the lease.

The lease shall be kept current at all times. If a resident family transfers to a different unit in the same or another BCHC community, the existing lease will be canceled. A new lease will be executed for the unit to which the family is to move by the head of household. If any other change in the resident's status results in the need to change or amend any provisions of the lease, or if the BCHC desires to waive a provision with respect to the resident, (1) the existing lease is to be canceled and a new lease executed, or (2) an appropriate rider is to be prepared and executed and made a part of the existing lease.

In the case of an inter programmatic or inter development transfer, the tenant file shall follow the tenant to their new place of residency.

Certain documents are made a part of the dwelling lease by reference. These include, but are not limited to, the Admission and Continued Occupancy Policy (the Plan), and the posted Resident Rules and Regulations.

Cancellation of a resident's lease is to be in accordance with the provisions of the lease. Generally, the lease shall not be canceled or not renewed except for serious or repeated violations of its terms by the resident. Written records shall be maintained containing the pertinent details of each eviction.

C9.0 Admission of Additional Members to a Current Household

1. Purpose – Population in excess of the number of persons for which a neighborhood or unit was designed is often the cause of many serious management problems including crime, vandalism, excessive maintenance costs, and low resident satisfaction. It is with this in mind that this section of the Plan is established. The purpose is not to establish an alternate means of Admissions.
2. Application Procedure – The resident of a household that wishes to add additional members with the exception of a new born child to their household must first submit a written application, in the form prescribed by management, for approval by the Executive Director or his/her designee.
3. Eligibility Criteria
 - A. All new member(s) must be determined eligible in accordance with Section C2.0 eligibility criteria.
 - B. The unit in which new members are requesting admission shall not be overcrowded and shall be maintained in accordance with the Section C5.0, Occupancy Standards.
4. Application Denial – The BCHC may deny the application for inclusion of additional family member for any of the following reasons:
 - A. The dwelling unit is overcrowded or would exceed the Occupancy Standards as outlined in Section C5.0.
 - B. Additional members are not related to resident by blood, marriage or legal adoption.

- C. Additional members are prior tenants with balances owed.
 - D. Additional members are prior tenants whom have been evicted for criminal or illegal activities or have a history of criminal activities.
 - E. Other reasons as determined from time to time by the Executive Director.
4. Additional members which do not require approval of the BCHC. The BCHC shall not deny approval for any of the following:
- A. Newborn infants of members currently on the lease.
 - B. Minor children of members currently on the lease who were removed from their care by court action and are being returned.

C10.0 Rent Rules

BCHC general rent calculation is 30% of a resident's gross income, with minor income adjustment or 10% of the family's monthly income. However, the BCHC in an effort to encourage self-sufficiency and quality of life improvement has expanded its rent rules to include the following:

A. Minimum Rent

BCHC's minimum rent is \$50.00 excluding utilities.

There are exemptions from the payment of the minimum rent and those financial hardship circumstances are:

- The family has lost eligibility for, or is awaiting an eligibility determination for, a federal, state or local assistance program.
- The family would be evicted as a result of the imposition of the minimum rent requirements.
- The income of the family has decreased because of changed circumstances, including the loss of employment.
- A death in the immediate family.
- Other situations as may be determined by the BCHC.

In addition, if a resident requests a hardship exemption and the Authority determines the hardship to be of a "temporary nature", the exemption shall not be granted for 90 days. The resident cannot be evicted during this 90 day period for non-payment of rent. If the resident can demonstrate that the hardship is long term, then the Authority must retroactively exempt the resident from the minimum rent for the initial 90 day period.

B. Ceiling/Flat Rents

The BCHC has determined that it shall have a flat rent that is reflected from the annually published Fair Market Rents (FMR) for its jurisdiction. It is the BCHC's position that flat rents are synonymous per Federal Register Vol. 64, No 83/Friday, April 30, 1999. (Utility reimbursement is not paid for a public housing family that is paying a flat rent).

C. Choice of Rental Payment

A family shall have the opportunity annually at their re-exam to elect a flat rent or an income-based rent. The family can switch to an income-based rent during the year only with the permission of the BCHC.

The BCHC will provide the family with the opportunity to immediately switch to the income-based rent because of the following financial hardships:

- Income of the family has decreased because of a change in circumstances, loss or reduction of employment, death in the family which resulted in the reduction of or loss of income or other assistance.
- An increase in the family's expenses for medical costs, child care, transportation, education or similar items.
- Such other circumstances as may be determined by the Authority.

D. Earned Income Disregard

Any family whose income increases from new or greater employment will be disregarded for 12 months from the date of the income increase. The rent increase will then be phased in over a two-year period after the initial 12 months disregard and no more than a 50% increase can be applied to the rent calculation in either year. The disallowance of increased income for any individual family member is limited to a life-time 48 months period.

The earned income disregard applies to the following family members:

- A family member whose earned income increases during a family self-sufficiency or other job training program.
- A family member who, during the previous 6 months, was assisted under any State Temporary Assistance to Needy Families Program (TANF).
- A family member becomes employed after being unemployed for at least one year.

E. Loss of Income from Welfare Work-Related Sanctions

If state or local public assistance benefits are decreased because of any

failure of any member of the family to comply with the conditions under the assistance program requiring participation in an economic self-sufficiency program or imposing a work activities requirement shall not be entitled to a rent reduction.

C11.0 Approval Process for Residents Requesting Permission to Operate a Business in the Unit

Prior to making a determination the resident shall request the BCHC's permission in writing and include in the request a complete outline of business activities and other data as may be requested by the BCHC. When a resident desires to operate a legal profit making business from the leased unit, the BCHC shall use the following factors in determining whether or not such activities are incidental to the primary use of the leased unit.

- A. Local building health codes, requirements for license or governmental approval.
- B. Local zoning ordinances.
- C. The effect on BCHC insurance coverage.
- D. Utility consumption.
- E. Possible damage to the leased unit.
- F. Estimated traffic and parking.
- G. Disturbance of other residents.
- H. Attraction of non-residents to the neighborhoods.
- I. Possible use of resident business as a cover for drug-related activities.

In addition, the BCHC shall take into consideration the many benefits to be found in small-scale in-home businesses such as; supplying necessary services to the developments; opportunities for individual economic and personal development; increased feeling of self-worth and a positive sense of community; and potential increased resident income.

CONTINUED OCCUPANCY

D1.0 Eligibility for Continued Occupancy

To be eligible for continued occupancy in the BCHC communities only those

residents:

1. Who qualify as a family as defined by Federal requirements and this policy (see definition in B1.0).
2. Who conform to the Occupancy Standard established for lower income housing (see C5.0).
3. Whose past performance in meeting financial obligations, especially rent, and other charges, is satisfactory; and
4. Whose family does not have a record of disturbance of neighbors, destruction of property, unsafe living habits, unsanitary housekeeping practices, substance abuse, sexual deviation, or any other history which may be reasonably expected to adversely affect:
 - A. The health, safety, or welfare of other residents.
 - B. The peaceful enjoyment of the neighborhood by other residents.
 - C. The physical environment and fiscal stability of the neighborhood.
5. Whose family does not have a record of grossly unsanitary or hazardous housekeeping. This includes the creation of fire hazard through acts such as the hoarding of rags and papers; severe damage to premises and equipment, if it is established that the family is responsible for the condition; seriously affecting neighbors by causing infestation, foul odors, depositing garbage improperly; or serious neglect of the premises. In cases where a qualified agency is working with the family to improve its housekeeping and the agency reports that the family shows potential for improvement, a decision as to the eligibility shall be reached after a referral with the Executive Director or his designee. This category does not include families whose housekeeping is found to be superficially unclean or lacks orderliness, where such conditions do not create a problem for the neighbors.
6. Who do not have a history of criminal activity which, if continued, could adversely affect the health, safety, or welfare of other residents.
7. Who continues to occupy the apartment on a full time basis. Ownership or occupancy of another dwelling unit or failure to occupy the unit for a period greater than thirty (30) days shall be grounds for termination of the lease.
8. Who are, with the aid of such assistance actually available to the family, physically and mentally able to care for themselves and their apartment and to discharge all lease obligations. A person or persons remaining as a

resident of a family may be permitted to remain in occupancy provided that the BCHC, in its sole judgement, determines that the remaining person(s) is (are):

- A. Otherwise eligible for continued occupancy; and
- B. Capable of carrying out all lease obligations including but not limited to rent payment, care of the apartment, and proper conduct; and
- C. Willing to assume all lease obligations of the prior household, including all payments under the lease, and
- D. Legally incompetent to execute a lease in his (their) own name. The BCHC will not execute a lease with a minor.

D2.0 Re-examination

Re-examinations of income and family circumstances are conducted for the following purposes:

1. To comply with the Federal and State requirements relating to annual re-examinations.
2. To determine if each family remains eligible for continued occupancy under the terms of the lease and this policy.
3. To determine if the unit size and type is still appropriate to the family's needs and in compliance with the Occupancy Standards (C5.0).
4. To establish the Total Resident Payment and the Resident Rent to be charged to the family.
5. Interim re-examination shall be conducted before the end of the current month or within 10 days of a change in income or family composition. It is the family's responsibility to initiate the process.
6. Interim re-examination is required for the following: transfers; interim rent adjustments; changes in names of head of household or other adult members in the household; and in other special circumstances that affect family composition or income.

D2.1 Annual Re-examinations

Annual re-examinations are necessary to comply with the Federal requirement that each family have its eligibility re-examined at least every twelve months.

Residents will be notified in writing of the requirements for re-examination in sufficient time to allow for the complete processing and verification of data. Failure to complete reexamination is a serious lease violation which will result in the termination of tenancy. Failure to complete re-examination includes:

1. Failure to appear for a scheduled re-certification interview without making prior alternative arrangements with the BCHC.
2. Failure to supply or cooperate in the verification process pertaining to income, family composition and eligibility.
3. Refusal to properly execute required documents.

D2.2 Special Re-examinations

If at the time of admission, annual re-examination or interim reexamination, it is not possible to make an estimate of the Family Income with any reasonable degree of accuracy because:

1. Family member(s) are unemployed and there are not anticipated prospects of employment; or,
2. The conditions of employment and/or income are so unstable as to invalidate usual and normal standards of determination.

Then a special re-examination will be scheduled on a date determined by the BCHC's estimate of the time required for the family's circumstances to stabilize. If at the time of the scheduled special re-examination, it is still not possible to make a reasonable estimate of Family Income, special re-examinations will continue to be scheduled until such time as a reasonable estimate of Family Income can be made and the re-examination completed. The special re-examinations are not to replace the annual re-examination.

D2.3 Interim Re-examinations

Interim re-examinations are performed to allow residents to comply with the dwelling lease requirements to report changes in income and family circumstances. The following are specific changes which must be reported in writing before the end of the current month or ten (10) days of their occurrence. No adjustment of rent either upward or downward is to be made except at the time of a regular or special re-examination unless:

1. There is a change in family composition. (Additions to the family, other than through the birth of a child to a family member on the lease, must be approved by Management in advance as established in this policy.)

2. There is a new source of family income. Changes in family income resulting from increases or periodic increases in government benefits do not have to be reported to on-site Management until annual re-examination, unless the amount of increase is equal to or greater than \$40 per month. However, a family who has had an income reduction between annual re-examination must report all changes in income regardless of the amount or source within ten (10) days of their occurrence.
3. A hardship occurs. (A hardship is interpreted to mean the occurrence of a situation which would warrant a reduction in rent based on the current definition in income and maximum rent-to-income ratio.)
4. There is a need to correct an error. (The rent increase or decrease will be made as appropriate based on the circumstances.)

Rent increases shall be made effective the first day of the second month following the month in which the changes actually **occurred**. After having given the resident a written (30) day notice.

Rent decreases resulting from changes specified in items 1, 2, and 3 above shall be made effective the first day of the month following the month in which the change was **REPORTED** in writing, provided however that no decrease shall be made until proof of changes, as outlined above, has been furnished and deemed sufficient by Management . When rent is reduced between re-examinations, the resident must report all changes in income regardless of amount or source and rent shall be adjusted accordingly. It is the responsibility of the resident to report in writing all changes as outlined in items 1 and 2 within the specified time frame of their occurrence.

D2.4 Processing Re-examinations

All re-examinations – annuals, specials and interims – shall be processed under the following conditions:

1. All data must be verified and documented as required in C3.0. The BCHC will NOT adjust rents downward until satisfactory verification is received.
2. Lease terminations resulting from re-examinations shall be conducted in accordance with the terms of the lease.
3. Families who are determined to be in an incorrect size or type of unit will be placed on the Transfer List in accordance with the Transfer Policy (Pages 56-62) or be allowed to remain if over housed in accordance with BCHC's vacancy reduction policy.

4. All interim changes in resident's rent are to be made by a copy of "Notice of Rent Adjustment" which shall become a part of the lease. Changes in rent resulting from annual re-certifications shall be incorporated into the lease by a "Notice of Rent Adjustment".
5. Interim decreases in rent shall be effective on the first day of the month following the month in which the change was reported in writing and verification is completed to the satisfaction of the BCHC.
6. Interim increases in rent are to be effective on the first day of the month following the month in which the change actually occurred. For employment, this is the date employment began, not the date income was first received. For government benefits, this date is the beginning of the period covered by the payment. The BCHC shall give a thirty (30) day written notice of the increase, provided the change of income was verified timely so as to afford notification 30 days before the effective date.
7. If it is found that a resident has misrepresented or failed to report facts upon which his rent is based so that he is paying less than he should be paying, the increase in rent shall be made retroactively to the date that the increase would have taken effect. The resident may be required to pay within seven (7) days of official notification by the BCHC or be required to sign and abide by a repayment agreement, the difference between the rent he has paid and the amount he should have paid. In addition, the resident may be subject to civil and criminal penalties. Any misrepresentation is a serious lease violation which may result in termination of the lease.

D3.0 Re-examination Dates

The re-examination date(s) is the effective date of rent changes resulting from the annual re-examination. The re-examination will commence sufficiently in advance to obtain signed Application for Continued Occupancy as may be appropriate and to process to completion.

D4.0 Temporary Rents

If, at the time of admission or re-examination, the BCHC can satisfy itself that a family is of low income and within the approved income limits, but cannot make a determination of income for purposes of determining rent with a necessary degree of accuracy because of the inability to secure adequate verification or instability of income, a temporary rent may be established based on the data supplied by the applicant in the application. If a temporary rent is established, the resident will be notified of this action by a temporary rent notice or such other method determined to be legally and administratively sufficient and that his appropriate rent, when

determined, will be effective retroactively to the date of re-examination. The resident will be required to pay any balance due or the BCHC will credit his account with any overpayment which results from a temporary rent. The BCHC will schedule special re-examination (see D2.2) of all factors relating to both rent and eligibility of each resident established on a temporary rent at intervals established by the BCHC until a permanent determination can be made as to rent and eligibility status of the family.

All families whose Total Resident Payment is \$0 based on their report of no family income may be placed on temporary rent based on income reported and may receive special re-certifications at one month intervals.

D4.1 Minimum Rents

A minimum rent of \$25.00 per month shall apply to families in the low-rent programs. Minimum rent refers to a minimum total tenant payment (TTP) and not a minimum tenant rent (TR). For families subject to a utility allowance, the families will be subject to a minimum total tenant payment but could still be entitled to a utility reimbursement if the utility allowance is greater than the TTP. PHA will make arrangements to reimburse the tenant the overpayment by providing a cash refund or otherwise offsetting future rent payments in an equitable manner.

Exceptions to Minimum Rents (Hardship Circumstances)

Certain exceptions to the minimum rent requirements for hardship circumstances apply. Financial hardship includes the following situations.

- (1) the family has lost eligibility or is awaiting an eligibility determination for a Federal, State, or local assistance program; **but not for failure to complete paperwork or other reporting requirements. (New)**
- (2) the family would be evicted as a result of the imposition of the minimum rent requirement;
- (3) the income of the family has decreased because of changed circumstances, including loss of employment
- (4) a death in the family has occurred
- (5) other circumstances determined by the PHA or HUD.

An exemption may not be provided if the hardship is determined temporary, however, the PHA or owner may not evict the family for nonpayment or rent on the basis of hardship if the hardship is determined by the PHA or HUD to be temporary during the 90-day period beginning upon the date of the family's request for the exemption. During this 90-day period, the family must demonstrate that the financial hardship is of long-term basis. If the family demonstrates that the

financial hardship is of a long-term basis, the PHA or HUD shall retroactively exempt the family from the applicability of the minimum rent requirement for the 90-day period.

The PHA can request reasonable documentation of hardship under the circumstances.

Effective October 1, 1998 or as soon as practicable,

- (1) the PHA must notify all families who qualify of right to request a minimum rent hardship exemption under the law, and that determinations are subject to the grievance procedure,
- (2) if the family requests a hardship exemption, the minimum rent requirement is immediately suspended,
- (3) suspension may be handled as follows: the minimum rent is suspended until a determination is made whether:
 - (a) there is a hardship covered by the statute; and
 - (b) the hardship is temporary or long-term.

If the PHA determines that there is no hardship covered by the statute, minimum rent is imposed (including back payment for minimum rent from time of suspension).

If the PHA determines that the hardship is temporary, the minimum rent also is imposed (including back payment for minimum rent from the time of suspension) but the family cannot be evicted for nonpayment during the 90-day period commencing on the date of the family's request for exemption of minimum rent in excess of the tenant rent otherwise payable. A reasonable repayment agreement must be offered for any such rent not paid during that period. If the family thereafter demonstrates that the financial hardship is of long-term duration, the PHA shall retroactively exempt the family from the minimum rent requirement.

If a tenant in occupancy has qualified for one of the mandatory hardship between October 21, 1998 and the date of adoption into this policy and was charged minimum rent, the PHA will make arrangement to reimburse the tenant the overpayment in a manner as set forth above.

D4.2 Flat Rents

The Battle Creek Housing Commission will post the flat rents at each of the developments and at the central office and are incorporated in this policy upon approval of the Housing Commission.

D5.0 Eviction of Families Based on Income

BCHC shall not commence eviction proceedings, or refuse to renew a Lease,

based on income of the Resident family unless:

1. It has been identified, for possible rental by the family, a unit of decent, safe and sanitary housing of suitable size available at a rent not exceeding the Resident Rent as Defined in B1.0, or
2. It is required to do so by Local Law.

D5.1 Eviction of Families for Drug-Related and/or Criminal Activities

BCHC shall commence eviction proceedings of the resident family for:

1. Any drug-related activities of the resident, household member or guest;
2. Any criminal activities occurring on or off the premises.
3. Alcohol abuse is grounds for termination if it is determined that such abuse interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.

The BCHC has a “one strike” or “zero tolerance” policy with respect to violations of lease terms regarding drug-related and other criminal activities.

COMMUNITY SERVICE

D6.0 Community Service Requirement

D6.1 General

In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight hours per month of community service (not including political activities) within the community in which the public housing development is located, or (2) participate in an economic self-sufficiency program unless they are exempt from this requirement.

D6.2 Exemptions

The following adult family members of tenant families are exempt from this requirement.

- A. Family members who are 62 or older
- B. Family members who are blind or disabled
- C. Family members who are the primary care giver for someone who is blind or disabled

- D. Family members engaged in work activity
- E. Family members who are exempt from work activity under part A title IV of the Social Security Act or under any other State welfare program, including the welfare-to-work program
- F. Family members receiving assistance under a State program funded under part A title IV of the Social Security Act or under any other State welfare program, including welfare-to-work and who are in compliance with that program.

D6.3 Notification of the Requirement

The Battle Creek Housing Commission shall identify all adult family members who are apparently not exempt from the Community service requirement.

The Housing Commission shall notify all such family members of the community service requirement and of the categories of individuals who are exempt from the requirement. The notification will provide the opportunity for family members to claim and explain an exempt status. The Housing Commission shall verify such claims.

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after 10/01/99. For family's paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination.

D6.4 Volunteer Opportunities

Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficient, and/or increase the self-responsibility of the resident within the community.

An economic self sufficiency program is one that is designed to encourage, assist, train or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include programs for job training, work placement, basic skills training, education, English proficiency, work fare, financial or household management, apprenticeship, and any program necessary to ready a participant to work (such as substance abuse or mental health treatment).

The Battle Creek Housing Commission may coordinate with social service agencies, local schools, and any other agencies in identifying a list of volunteer community service positions if available. Residents required to comply with the community service requirement are responsible for fulfilling this obligation whether or not the BCHC has a list of volunteer positions.

D6.5 The Process

At the first annual reexamination on or after October 1, 1999 and each annual reexamination thereafter, the Battle Creek Housing Commission will do the following:

- A. Provide a list of volunteer opportunities to the family members if available.
- B. Provide information about obtaining suitable volunteer positions if available.
- C. Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor date and sign for each period of work.

D6.6 Notification of Non-Compliance with Community Service Requirement

The Battle Creek Housing Commission will offer the family member(s) the opportunity to enter into an agreement prior to the anniversary of the lease. The agreement shall state that the family member(s) agrees to enter into an economic self-sufficiency program or agrees to contribute to community service for as many hours as needed to comply with the requirement over the past 12-month period. The cure shall occur over the 12-month period beginning with the date of the agreement and the resident shall at the same time stay current with that year's community service requirement. The first hours a resident earns goes toward the current commitment until the current year's commitment is made.

If any applicable family member does not accept the terms of the agreement, does not fulfill their obligation to participate in an economic self-sufficiency program, or falls behind in their obligation under the agreement to perform community service by more than three (3) hours after three (3) months, the Battle Creek Housing Commission shall take action to terminate the lease.

TRANSFERS

E1.0 Transfer Policy

Objective of the Transfer Policy:

- To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate sized unit,
- To facilitate humane relocation when required for modernization or other management purposes.
- To facilitate relocation of families with complete and permanent inability to continue living in a multiple-story apartment.

- To eliminate vacancy loss and other expenses due to unnecessary transfers.

E1.1 Types of Transfers

1. BCHC Initiated – The BCHC may at its discretion transfer residents because of an uninhabitable unit, major repairs, or other actions initiated by management as follows:
 - A. In the event of a fire, accident or natural disaster that results in the dwelling unit becoming uninhabitable, the resident will be offered alternative accommodations within the neighborhood if a rentable unit in the appropriate size is available. The option to transfer fire or disaster victims is open to the BCHC; on-site management may review rent paying history, housekeeping, illegal or criminal activities and/or social dysfunction and use these criteria for making the determination to re-house. In BCHC, the Executive Director has the ultimate responsibility for providing shelter for victims of fire. If the appropriate sized unit is not available within the same neighborhood, the family may be transferred to an appropriate size unit available at another BCHC-owned neighborhood. If the move is to a site where residents purchase all or some utilities, the resident will pay the cost of any deposit required by the utility company. If an appropriate size unit is not available BCHC-wide then the family may be over-housed but placed on the transfer list with the transfer being accomplished at the appropriate time. The resident will be required to pay all relocation expenses. However, if a fire or disaster was caused by negligence of the resident the BCHC reserves the right to refuse substitute housing or other permanent housing.
 - B. If a neighborhood is undergoing modernization type work which necessitates vacating apartments, the affected residents will be relocated at the BCHC's expense in available vacant units within the BCHC.
 - C. To protect a family from reprisals because family members provided information on criminal activities to a law enforcement agency.
 - D. To protect a family member(s) who has been the victim of a hate crime.
 - E. To accommodate a member of a family who has a mobility or other impairment that makes the person unable to use critical elements of the unit.

- F. If there is involuntary disposition of the multi-family rental housing development by HUD under Section 203 of the Housing and Community Development Amendments of 1978.
 - G. If determined feasible by management, the BCHC will attempt to relocate affected residents into vacant units within the site. Other decisions related to modernization transfer will be made by the Executive Director or his/her designee. The BCHC may suspend normal transfer procedures to facilitate modernization type activities.
2. **Transfer for Approved Medical Reasons** – Residents may be transferred from their current apartment in order to obtain reasonable accommodations of the needs of any resident with disabilities. The Authority may require medical documentation of a resident’s condition from a physician or service provider and reserves the right to make its own evaluation of such documentation. Normally such transfers will be within the resident’s original neighborhood unless the appropriate size, reasonable accommodations and type of unit does not exist on the site. All other medical related transfer requests shall be determined solely by the Executive Director or his/her designee.
3. **Transfers to Appropriately Sized Unit** – Section 5, Paragraph (a) (2) of the dwelling lease states that:

Resident’s family composition **NO LONGER** conforms to Management’s Occupancy Standards for the unit occupied, Management may require the Resident to move into a unit of appropriate size.

This section establishes both that the BCHC has an obligation to transfer residents to the appropriately sized unit and that residents are obligated to accept such transfers. These will be made in accordance with the following principles:

- A. Determination of the correctly size apartment shall be in accordance with the BCHC’s Occupancy Standards.
- B. Single persons, elderly and handicapped residents who occupy a one bedroom apartment will not be required to relocate into an efficiency (0-BR).
- C. Transfers into the appropriate sized unit will be made within the same neighborhood unless that size unit does not exist on the site.
- D. Management may, at its discretion, separate a single household into multiple households if sufficiently large units are not available or if

management and the family determine this to be in the best interest of both the family and the neighborhood. Based on the selection criteria for new admissions, management shall determine that each smaller family unit is eligible by HUD definition and contains a leaseholder capable of discharging lease obligations. The new household must apply to the BCHC for occupancy and be processed through the regular wait list procedures.

4. **Transfers for Non-handicapped families living in handicapped designated units.**

Section 1(a) of the dwelling lease states what type of unit, as designated by Management, that the resident family is residing in. Section 5(e) of the dwelling lease states: If the unit leased is a handicapped designated unit as checked in Section 1(a) and the resident family occupying the unit is not a family with handicapped individuals, the resident agrees to transfer to a non-handicapped unit if and when the unit is needed for a handicapped family.

The BCHC may from time to time have an excess of handicapped accessible units. In an effort to get the best use of all units the BCHC may from time to time rent a handicapped designated unit to a family that has no handicapped members. The BCHC will advise the family of the requirements to transfer if and when a handicapped designated family is determined eligible. If the family selected for the unit decides not to accept the unit because of the requirement to move at some date in the future, the refusal shall not count against the family.

This section establishes both that the BCHC has an obligation to transfer non-handicapped residents residing in handicapped designated units to non-handicapped designated units and that non-handicapped families are obligated to accept such transfers. These will be made in accordance with the following principles:

- A. Transfers to a non-handicapped designated unit will be made within the same neighborhood unless that size unit does not exist on the site.
- B. Transfers to a non-handicapped designated unit will be made outside of the same neighborhood if that size unit does not exist on

the site.

- C. Management, may at its discretion, separate a single household into multiple households if sufficiently larger units are not available or if management and the family determine this to be in the best interest of both the family and the neighborhood. Based on the selection criteria for new admissions, management shall determine that each smaller family unit is eligible by HUD definition and contain a legal leaseholder capable of discharging lease obligations. For the purposes of determining the priorities for transfers, this type of transfer shall be considered a BCHC initiated transfer.

E1.2 Priorities for Transfers

All transfers must be either for approved medical reasons, for relocation to an appropriately sized unit or be initiated by the BCHC. No other reasons for transfers will be considered. Within the eligible types, transfers shall be performed according to the following priorities:

1. BCHC initiated transfers;
2. Transfers to a single-level apartment for approved medical reasons; (Parkway Manor only)
3. Residents who are under-housed by one or more bedrooms as is consistent with HQS and Housing Code enforcement for the City of Battle Creek;
4. Residents who are over-housed by one or more bedrooms and not over-housed by the BCHC to remedy vacancy rate;

BCHC initiated transfers always have priority over new move-ins. The remainder shall be mixed with new move-ins in a ratio of one transfer to five new move-ins. Within each priority type, transfers will be ranked by date. In transfers requested by residents for approved health reasons or to move to a larger apartment, the date shall be that on which the changed family circumstances are verified by on-site management. In the case of an involuntary transfer, the date will be that on which the changed family circumstances are verified by on-site management. In the case of an involuntary transfer, the date will be that on which management verifies that the change occurred. Management reserves the right to immediately transfer any family who has misrepresented family circumstances or composition.

E1.3 Transfer Procedures

- The BCHC staff shall:

- Determine whether a vacancy is used for transfer or move-ins based on priorities and established ratios.
- Coordinate actual transfers with other BCHC staff.
- Maintain transfer logs and records for audit.
- Notify residents with pending transfers as their name approaches the top of the list.
- Counsel with residents experiencing problems with transfers, assisting hardship cases to find assistance.
- Issue final offer of vacant apartment as soon as vacant apartment is identified.
- Issue notice to transfer as soon as a vacant apartment is available for occupancy. This notice will give the resident four (4) working days to complete transfer.
- Process transfer documents.
- Participate in planning and implementation of special transfer systems for modernization and other similar programs.
- Inspect both apartments involved in the transfer, charging for any resident abuse.

Only one offer of an apartment will be made to each resident being transferred within their own neighborhood. A resident being transferred outside his/her own neighborhood will be allowed to refuse one offer only. In the case of a family being transferred from a unit which is uninhabitable, incorrectly sized, or scheduled for major repairs, failure to accept the unit offered, or the second unit offered in the case of a transfer outside the neighborhood, will be

grounds for termination of the lease. When a person who has requested a single-level apartment for approved medical reasons declines the offer of such an apartment, the BCHC is not obligated to make any subsequent offers. The BCHC will notify the residents in such cases that the BCHC has discharged its obligations to the resident, that he remains in the apartment at his own risk, and that the BCHC assumes no liability for his condition.

E1.4 Right of Management to Make Exceptions

The plan is to be used as a guide to insure fair and impartial means of assigning units for transfer. It is not intended that this policy shall create a property right or any other type of right for a resident to transfer or refuse transfer. Management reserves the right to make exceptions to this policy as circumstances require, consistent with applicable regulations of the Department of Housing and Urban Development.

FRAUD

F1.0 Fraud

The BCHC takes the position that:

“Any person who obtains or attempts to obtain or who establishes or attempts to establish eligibility for, and any person who knowingly or intentionally aids or abets such person in obtaining or attempting to obtain or in establishing or attempting to establish eligibility for any public housing or a reduction in public housing rental charges or rent subsidy or payment from a resident in connection with public housing to which such person would not otherwise be entitled, by means of a false statement, failure to disclose information, impersonation, or other fraudulent scheme or device shall be guilty of a fraud.”

The BCHC considers the misrepresentation of income and family circumstances to be a serious lease and policy violation as well as a crime and will take appropriate action if apparent fraud is discovered.

Specifically:

1. An applicant family who has misrepresented income or family circumstances may be declared ineligible for housing assistance.
2. If any examination of the resident’s file discloses that the resident made any misrepresentation (at the time of admission or any previous re-certification date) which resulted in his/her being classified as eligible when in fact he/she was ineligible, the resident may be required to vacate the apartment even though he/she may be currently eligible.
3. A resident family who has made misrepresentation of income or family circumstances is subject to both eviction and being declared ineligible for future housing assistance.
4. If it is found that the resident’s misrepresentation resulted in his/her paying a lower Resident Rent than he/she should have paid, he/she will be required to pay the difference between rent owed and the amount that should have been paid. This amount shall be paid whether or not the resident remains in occupancy, but failure to pay under terms established

by the BCHC shall always result in immediate termination of the lease. The BCHC reserves the right to demand full payment within seven days.

5. The BCHC shall report apparent cases of resident or applicant fraud to the appropriate government agency. It shall be the policy of the BCHC to press

State and Federal authorities for prosecution of cases which, in the BCHC's judgement, appear to constitute willful and deliberate misrepresentation.

RENT COLLECTION

G1.0 General Selection

Rent is due on or before the 1st day of each month and is delinquent after the tenth (10th) day of the month. All payments received after 4:00 p.m. shall be dated the next workday, but for delinquency purposes they will have the actual payment date noted on the receipt.

Maintenance charges and all other charges are due by the tenth day of the following month after notification of the change (i.e. Work Order copy, letter, etc.). Maintenance charges and other charges, not otherwise mentioned in this policy, appearing on rental accounts are due the tenth day following written notification of the charge.

All payments received shall be applied to the oldest debt first, unless some charges are currently contested under a written grievance.

No amount shall be considered too small to issue a dispossessionary warrant.

Management reserves the right to waive late charges or to accept payments after the delinquency date as determined on a case by case basis.

G1.1 Rental Payments After the Delinquency Date

- A. The BCHC may assess a late charge to all residents, except those residents who have received a waiver, on the delinquency date.
- B. Payments tendered by residents after the delinquency will not be accepted by management. No partial payments will be accepted after the delinquency date.

- C. A resident will be allowed to tender rent and other charges then due in full after termination of the dwelling lease only once, and then only after completion of rent counseling by the Public Housing Manager.
- D. Failure to make payments when due and before expiration of the dwelling lease termination, shall result in an issuance of a summons and complaint upon expiration of all legal notices.

G1.2 Procedures After the Expiration of the Termination of the Dwelling Lease

- A. Immediately after the expiration of the lease termination notice, management will issue a demand notice.
- B. No payments will be accepted after the demand notice is issued except from residents who have an approved request for late payment or complete a rent counseling as outlined in G1.1(D), provided the rent counseling is completed prior to the issuance of a Summons and Complaint.

G1.3 Retroactive Rent Charges

Retroactive Rent Charges will be due and payable within 7 days of written notice unless arrangements are made prior to this day to make installment payments. Normally retroactive rent installment payments must be computed not to exceed a three (3) month pay off. If the amounts are large and the resident will not be able to pay off the retro rent charge within three (3) months a repayment schedule may be established allowing a longer period, provided the resident agrees to pay.

G1.4 Vacated Residents With Balances

Vacated residents will have seven (7) days from the date of the statement of Refund of Security Deposit and Unearned Rent to pay the account or make arrangements for payment. Accounts will be reported to the Credit Bureau and collection action will be taken after the expiration of this time period.

G1.5 Issued For The Second Time

If a resident has a summons and complaint for non-payment of rent issued against them a second time within a twelve month period, tender of rent will not be accepted and resident will be required to vacate the premises. This action does not relieve the amount owed. The resident will be required to pay any balance owing plus cost.

APPENDIX

I Deconcentration Policy

Battle Creek Housing Commission Deconcentration Policy

It shall be the policy of the Battle Creek Housing Commission to attract residents with a wide range of incomes so as to avoid housing all families in the lowest income categories.

Through BCHC's well established contacts in the Battle Creek real estate community, the Section 8 staff continually performs outreach to those with units outside areas of low-income and minority concentration.

According to the Census data Projects 35-1,2,3 and 5 are located in census tracts which are economically impacted. Therefore the effort will be to attract families of higher income earning capacities into our developments rather than transfer families out of our developments into other census tracts.

Significant effort has been made to reach families through the Community Shopper that is a free publication published weekly in the Battle Creek/Marshall area. Advertisements are periodically changed to attract families vs. elderly/disabled, as the waiting list needs change. These efforts will continue.

Significant effort has been made to reach out to families via the air waves to attract working families and elderly to the low rent family units, elderly/disabled as well as potential Homeownership families. Radio advertisements are heard as far away as 90 miles. These efforts will continue.

Due to the success of our Homeownership Program, often the highest paying and most desirable families are transferred from Parkway/Northside Homes into the Homeownership Program that is somewhat self defeating to the deconcentration policy. Those families that show the most potential are rewarded for their financial stability, social responsibility and initiative by offering them a HOP unit. Deconcentration is working in the homeownership program because we are able to admit working families whose incomes span a wide range. Because of averaging, the Battle Creek Housing Commission is able to manage the homeownership program without the use of operating subsidy or comprehensive grant funds.

Preference will be given on the waiting list to families who will help the BCHC establish a mixed income development. Given all circumstances being equal, every effort will be

made to admit families with a variety of income ranges so as to avoid a concentration at one end of the income range. In the event more units are available than qualified families on the waiting list, no unit will be kept vacant waiting for a family with the proper income range.

Ceiling rents have been established in Parkway Manor/Northside Drive at a level below the FMR to attract and retain families who are working and have earnings in the higher ranges.

A Senior Allocation Plan was presented and approved by the Department of Housing & Urban Development dedicating Cherry Hill Manor for Seniors only and Kellogg Manor for Seniors and Disabled. This was done in an effort to preserve the rights of seniors to reside with families of like interests and preferences. This was also done to preserve the need for elderly housing for those families who qualified because of age but were refusing to apply due to the transition of the population from elderly to other classifications of persons also determined eligible to reside in an elderly building.

Separate waiting lists are maintained for Cherry Hill Manor and Kellogg Manor which will aid in establishing the income mix which is desired for the respective buildings.

Section 8 Programs

Section 8 families currently enjoy a variety of single family homes and apartments across the city. Several town homes are available spread in all directions away from the central city and the census tracts with the lowest economic populations. The Battle Creek Housing Commission extended its area of service to most of Calhoun County to provide families an opportunity to experience rural living.

The Battle Creek Housing Commission also manages the Section 8 units in Albion Michigan. Families wishing to remain in Albion may do so and families wishing to move into the Albion area may do so providing Certs/Vouchers are available.

The BCHC shall provide a family with information regarding the practices of the landlord/owner should they request it. The BCHC shall provide a list of landlords known to the BCHC who are interested and willing to lease a unit to a family, subject to availability.

II. GRIEVANCE PROCEDURES AND CONDITIONS

A. Applicability

The Battle Creek Housing Commission of Battle Creek Michigan, hereafter referred to as BCHC, grievance procedure shall be applicable to all individual grievances as defined below, between the resident and the BCHC. The BCHC may, at its option, exclude from the BCHC's grievance procedure, or include under the expedited grievance procedure, any grievance concerning a termination of tenancy or eviction that involves:

- (i) Any criminal activity that threatens the health, safety, or right of peaceful enjoyment of the other residents or employees of the BCHC, or
- (ii) Any drug-related criminal activity on or near the BCHC premises.

This exclusion is only allowed if the BCHC uses the local District Court, State Court, or other court, as determined by HUD, that meets the due process determination. Magistrate Courts have not been determined to meet the due process determination.

B. Definitions

1. "Grievance" shall mean any dispute which a resident may have with respect to BCHC action or failure to act in accordance with the individual resident's lease or BCHC regulations which adversely affect the individual resident's rights, duties, welfare or status.
2. "Complainant" shall mean any resident whose grievance is presented to the BCHC or at the development management office in accordance with this procedure.
3. "Elements of Due Process" shall mean an eviction action or a termination tenancy in a State or local court in which the following safeguards are required:
 - (a) Adequate notice to the resident of the grounds for terminating the tenancy and for eviction;
 - (b) Right of the resident to be represented by counsel;

- (c) Opportunity for the resident to examine all relevant documents, records, and regulations of the BCHC prior to the trial for the purpose of preparing a defense;
 - (d) Opportunity for the resident to refute the evidence presented by the BCHC including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the resident may have;
 - (e) A decision on the merits.
4. "Hearing Officer" shall mean a person selected in accordance with his policy to hear grievances and render a decision with respect thereto.
 5. "Hearing Panel" shall mean a panel selected in accordance with this policy to hear grievances and render a decision with respect thereto.
 6. "Resident" shall mean the adult person (or persons) [other than a live-in aide] who resides in the unit, and who executed the lease with the BCHC as lessee of the dwelling unit, or, if no such person now resides in the unit, who resides in the unit, and who is the remaining head of household of the resident family residing in the dwelling unit.
 7. "Resident Organization" means an organized body of residents with an adopted set of by-laws, a democratic body, and elected officers. It shall include a resident management corporation.

C. Procedure Prior to a Hearing

Any grievance shall be personally presented, either orally or in writing to the BCHC office so that the grievance may be discussed informally and settled without a hearing. In cases of the BCHC's failure to act, the grievance or complaint must be submitted within a reasonable time, not in excess of 5 working days of the BCHC action, or not in excess of the number of days stated in a letter of adverse action which is the basis of the grievance. A summary of such discussion shall be prepared within a reasonable time, not in excess of 5 working days. One copy shall be given to the complainant and one copy retained in the BCHC resident's file. The summary shall specify the names of the participants, dates of meetings, the nature of the proposed disposition of the complaint and the specific reasons therefore, and shall specify the procedures by which a hearing under this policy may be obtained if the complainant is not satisfied. The summary shall be delivered to the complainant in accordance with Section 17 of the lease.

D. Procedure to Obtain a Hearing

1. The complainant shall submit a written request for a hearing to the BCHC or the development office within a reasonable time after receipt of the summary, not in excess of 5 calendar days. The written request shall specify:
 - (a) The reasons for the grievance, and;
 - (b) The action or relief sought.
2. A grievance hearing shall be conducted by an impartial person or persons appointed in accordance with this policy. The Hearing Officer or Hearing Panel shall consist of a person or persons other than a person who made or approved the BCHC action under review or a subordinate of such person. The Hearing Officer or Hearing Panel may consist of a person or persons who may be an officer or employee of the BCHC.

The Executive Director of the BCHC shall select a Hearing Officer or Hearing Panel. It shall be the Executive Director's decision, based on facts and circumstances of the grievance, whether to select a single Hearing Officer or a Hearing Panel. The Executive Director is not prohibited from selecting himself/herself provided that he/she is impartial and was not the person who made or approved the BCHC action.

3. If the complainant does not request a hearing in accordance with D (1) above, then the BCHC's disposition of the grievance under this policy shall become final.
4. All grievances shall be personally presented orally or in writing pursuant to the informal procedure prescribed in Section C above as a condition precedent to a hearing under this section. However, if the complainant shall show good cause why he failed to proceed in accordance with Section C to the Hearing Officer or Hearing Panel, the provisions of this subsection may be waived by the Hearing Officer or Hearing Panel.
5. Before a hearing is scheduled in any grievance involving the amount of rent which the BCHC claims is due, the complainant shall pay to the BCHC, to be held in escrow, an amount equal to the amount of the rent due and payable as on the first of the month preceding the month in which the act or failure to act took place. The complainant shall

thereafter deposit the same amount of the monthly rent in an escrow account, held by the BCHC, monthly until the complaint is resolved by decision of the Hearing Officer or Hearing Panel. The BCHC shall hold in escrow all deposits, on behalf of the resident, pending resolution of the complaint. These requirements may be waived, by the BCHC in extenuating circumstances. Unless so waived, the failure to make such payment shall result in a termination of the grievance procedure.

6. Upon complainants compliance with subsections 1, 3, 4 and 5 of this section, a hearing shall be scheduled by the Hearing Officer or Hearing Panel promptly for a time and place reasonably convenient to both the complainant and the BCHC. A written notification specifying the time, place and procedures governing the hearing shall be delivered to the complainant and the appropriate BCHC official in accordance.

E. Procedure Governing the Hearing

1. The hearing shall be held before a Hearing Officer or Hearing Panel, as determined by the Executive Director.
2. The complainant shall be afforded a fair hearing, which shall include:
 - (a) The opportunity to examine before the grievance hearing any BCHC documents, including records and regulations that are directly relevant to the hearing. The complainant shall be allowed to copy any such document at the complainant's expense. If the BCHC does not make the document available for examination upon such request by the complainant, the BCHC may not rely on such document at the grievance hearing;
 - (b) The right to be represented by counsel or other person chosen as the complainant's representative, and to have such person make statements on the complainants behalf;
 - (c) The right to a private hearing unless the complainant request a public hearing;
 - (d) The right to represent evidence and arguments in support of the complainant's complaint, to controvert evidence relied on by the BCHC or development management, and to confront and cross-examine all witnesses upon whose testimony or information the BCHC or development management relies; and

- (e) A decision based solely and exclusively upon the facts presented at the hearing.
3. The Hearing Officer or Hearing Panel may render a decision without proceeding with the hearing if the Hearing Officer or Hearing Panel determines that the issue has been previously decided in another proceeding.
 4. If the complainant or the BCHC fails to appear at a scheduled hearing, the Hearing Officer or Hearing Panel may make a determination to postpone the hearing for not more than 5 business days or make a determination that the party has waived his right to a hearing. Both the complainant and the BCHC shall be notified of the determination by the Hearing Officer or Hearing Panel.
 5. At the hearing, the complainant must first make a showing of an entitlement to the relief sought and thereafter the BCHC must sustain the burden of justifying the BCHC action or failure to act against which the complaint is directed.
 6. The hearing shall be conducted informally by the Hearing Officer or Hearing Panel and oral or documentary evidence pertinent to the facts and issues raised by the complainant may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings. The Hearing Officer or Hearing Panel shall require the BCHC, the complainant, counsel and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the Hearing Officer or Hearing Panel to obtain an order may result in exclusion from the proceedings or in a decision adverse to the interests of the disorderly part and granting or denial of the relief sought, as appropriate.
 7. The complainant or the BCHC may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of the transcript.
 8. The BCHC must provide reasonable accommodation for persons with disabilities to participate in the hearing. Reasonable accommodation may include qualified sign language interpreters, readers, accessible locations, or attendants. If the complainant is visually impaired, a notice to the complainant which is required under this section must be in an accessible format.

F. Expedited Grievance Procedure

1. The expedited grievance procedure shall apply only to those grievances concerning a termination of tenancy or eviction that involves:
 - (a) any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or employees of the HA, or
 - (b) any drug-related criminal activity on or near the HA's premises.
2. When the HA notifies the resident of a termination of tenancy or eviction that involves the above referenced violations, the HA shall also include in that notice that any grievance hearing requests shall be in accordance with the expedited grievance procedure.
3. The complainant shall have five (5) calendar days from the date of the notice in which to file a written request for a hearing to the HA or development office. The written request shall specify:
 - (a) the reasons for the grievance, and
 - (b) the action or relief sought.
4. The complainant shall NOT have the grievance informally discussed as outlined in Section 3 of this policy.
5. Upon complainants' compliance with sub-section C of this section a hearing shall be scheduled by the Hearing Officer or Hearing Panel promptly for a time and place reasonably convenient to both the complainant and the HA, not in excess of five (5) working days of the selection of the Hearing Officer or Hearing Panel. A written notification specifying the time, place and the procedures governing the hearing shall be delivered to the complainant and the appropriate HA.

G. Decision of the Hearing Officer or Hearing Panel

1. The Hearing Officer or Hearing Panel shall prepare a written decision, together with the reasons therefore, within a reasonable time after the hearing, but not in excess of 7 business days for a standard hearing and not in excess of 3 business days in the case of an expedited grievance hearing. A copy of the decision shall be sent to the complainant and the BCHC. The BCHC shall retain a copy of the decision in the complainant's folder. A copy of such decision, with all names and identifying references deleted, shall also be maintained on file by the BCHC and made available for inspection by a prospective

complainant, his representative, or the Hearing Officer or Hearing Panel.

2. The decision of the Hearing Officer or Hearing Panel shall be binding on the BCHC which shall take all actions, or refrain from any actions, necessary to carry out the decision unless the BCHC Board of Commissioners determines within a reasonable time, not to exceed 30 days, and promptly notifies the complainant of its determination, that:
 - (a) The grievance does not concern BCHC action or failure to act in accordance with or involving the complainant's lease or BCHC regulations, which adversely affect the complainant's rights, duties, welfare or status;
 - (b) The decision of the Hearing Officer or Hearing Panel is contrary to applicable Federal, State or local law, HUD regulations or requirements of the annual contributions contract between HUD and the BCHC.
3. A decision by the Hearing Officer or Hearing Panel, or Board of Commissioners in favor of the BCHC or which denies the relief requested by the complainant in whole or in part shall not constitute a waiver of, nor affect in any manner whatever, any rights the complainant may have to a trial de novo or judicial review in any judicial proceedings, which may thereafter be brought in the matter.

H. Actions Not A Waiver of Right to Appropriate Judicial Proceedings

Any action or failure to act by the complainant in any part of this policy shall not constitute a waiver by the complainant of his right thereafter to contest the BCHC's actions in disposing of the complaint in an appropriate judicial proceeding.

I. Amendments

Any amendments that need to be made to these procedures shall only be made after a 30 day comment period is allowed for residents and then only after the BCHC has considered the comments received.

Battle Creek Housing Commission
Violence Against Women Act (VAWA) Policy
May 23, 2007

Title VI of the VAWA adds a new housing provision that establishes several categories of protected individuals. Under the law victims of domestic violence, dating violence, sexual assault, and stalking are granted protections and cannot be denied or terminated from housing or housing assistance because of activity that is directly related to domestic violence. 2005 VAWA Pub. L. 109-162; Stat. 2960 signed into law on January 5, 2006 and codified at 42 U.S.C. §1437d(1) and 1435f(d), (0) & 1 and (u)

1.0 **Purpose**

The purpose of this Policy is to reduce domestic violence, dating violence, and stalking and to prevent homelessness by:

- (a) protecting the safety of victims;
- (b) creating long-term housing solutions for victims;
- (c) building collaborations among victim service providers; and
- (d) assisting BCHC to respond appropriately to the violence while maintaining a safe environment for BCHC, employees, tenants, applicants, Section 8 participants, program participants and others.

The policy will assist the Battle Creek Housing Commission (BCHC) in providing rights under the Violence Against Women Act to its applicants, public housing residents, Section 8 participants and other program participants.

This Policy is incorporated into BCHC's "Admission and Continued Occupancy Policy" and "Section 8 Administration Plan" and applies to all BCHC housing programs.

2.0 **Definitions**

The definitions in this Section apply only to this Policy.

2.1 **Confidentiality:** Means that BCHC will not enter information provided to BCHC by a victim alleging domestic violence into a shared database or provide this information to any related entity except as stated in 3.4

2.2 **Dating Violence:** Violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; (iii) the frequency of interaction between the persons involved in the relationship. 42 U.S.C. §1437d (u)(3)(A), § 13925.

- 2.3 **Domestic Violence:** Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, committed by a person with whom the victim shares a child in common, committed by a person who is cohabitating with or has cohabitated with the victim as a spouse, committed by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Michigan, or committed by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Michigan. 42 U.S.C. §1437d(u)(3)(B), § 13925.
- 2.4 **Immediate Family Member:** A spouse, parent, brother or sister, or child of a victim or an individual to whom the victim stands *in loco parentis*; or any other person living in the household of the victim and related to the victim by blood or marriage. 42 U.S.C. § 1437d(u)(3)(D), § 13925.
- 2.5 **Perpetrator:** A person who commits an act of domestic violence, dating domestic violence or stalking against a victim.
- 2.6 **Stalking:** (a) to follow, pursue or repeatedly commit acts with the intent to kill, injure, harass or intimidate the victim; (b) to place under surveillance with the intent to kill, injure, harass or intimidate the victim; (c) in the course of, or as a result of such following, pursuit, surveillance, or repeatedly committed acts, to place the victim in reasonable fear of the death of, or serious bodily injury to the victim; or (d) to cause substantial emotional harm to the victim, a member of the immediate family of the victim or the spouse or intimate partner of the victim. 42 U.S.C. §1437d(u)(3)(C), § 13925.
- 2.7 **Bona Fide Claim:** A *bona fide* claim of domestic violence, dating violence or stalking must include incidents that meet the terms and conditions in the above definitions.
- 2.8 **Victim:** Is a person who is the victim of domestic violence, dating violence, or stalking under this Policy and who has timely and completely completed the certification under 3.2 and 3.3 or as requested by BCHC.
- 3.0 **Certification and Confidentiality**
- 3.1 **Failure to Provide Certification Under 3.2 and 3.3**

The person claiming protection under VAWA shall provide complete and accurate certifications to BCHC, owner or manager within 14 business days after the party requests in writing that the person completes the certifications. If the person does not provide a complete and accurate certification within the 14 business days, BCHC, owner or manager may take action to deny or terminate participation or tenancy. 42 U.S.C. §14371 (5) & (6); 42 U.S.C. § 1437F(c)(9); 42 U.S.C. §1437f(d)(1)(B)(ii)&(iii); 42 U.S.C. §1437f(o)(7)(C)&(D); or 42 U.S.C. §1437f(o)(20) or for other good cause.

3.2 HUD Approved Certification

For each incident that a person is claiming as abuse, the person shall certify to BCHC, owner or manager their victim status by completing a HUD approved certification form. The person shall certify the date, time and description of the incidents, that the incidents are *bona fide* incidents of actual or threatened abuses and meet the requirements of VAWA and this Policy. The person shall provide information to identify the perpetrator including but not limited to the name and, if known, all alias names, date of birth, address, contact information such as postal, e-mail or internet address, telephone or facsimile number or other identification.

3.3 Confirmation of Certification

A person who is claiming victim status shall provide to BCHC, an owner or manager: (a) documentation signed by the victim and an employee, agent or volunteer of a victim service provider, an attorney, or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking or the effects of the abuse, in which the professional attests under penalty of perjury (28 U.S.C. §1746) the professional's belief that the incident(s) in question are *bona fide* incidents of abuse; or (b) a federal, state, tribal, territorial, local police or court record.

3.4 Confidentiality

BCHC, the owner and managers shall keep all information provided to BCHC under this Section confidential. BCHC, owner and manager shall not enter the information into a shared database or provide to any related entity except to the extent that:

- (a) the victim request or consents to the disclosure in writing;
- (b) the disclosure is required for:
 - (i) eviction from public housing under 42 U.S.C. §1437 l(5)&(6)(See Section 4 in this Policy)
 - (ii) termination of Section 8 assistance under 42 U.S.C. §1437f(c)(9); 42 U.S.C. §1437f(d)(1)(B)(ii)&(iii); 42 U.S.C. §1437f (o)(7)(C)&(D); or 42 U.S.C. §1437f(o)(20)(See Section 4 in this Policy); or
- (c) the disclosure is required by applicable law.

4.0 Appropriate Basis for Denial of Admission, Assistance or Tenancy

4.1 BCHC shall not deny participation or admission to a program on the basis of a person's abuse status, if the person otherwise qualifies for admission of assistance.

4.2 An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be a serious or repeated violation of the lease by the victim and shall not be good cause for denying to a victim admission to a program, terminating Section 8 assistance or occupancy rights, or evicting a tenant.

4.3 Criminal activity directly related to domestic violence, dating violence, or stalking engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim of that domestic violence, dating violence or stalking.

4.4 Notwithstanding Sections 4.1, 4.2, and 4.3, BCHC, an owner or manager may bifurcate a lease to evict, remove or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others without evicting, removing, terminating assistance to or otherwise penalizing the victim of the violence who is also a tenant or lawful occupant. 42 U.S.C. §1437d(l)(6)(B)

4.5 Nothing in Sections 4.1, 4.2, and 4.3 shall limit the authority of BCHC, an owner or manager, when notified, to honor court orders addressing rights of access to or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution or possession of property among the household members when the family breaks up.

4.6 Nothing in Sections 4.1, 4.2, and 4.3 limits BCHC, an owner or manager's authority to evict or terminate assistance to any tenant for any violation of lease not premised on the act or acts of violence against the tenant or a member of the tenant's household. However BCHC, owner or manager may not hold a victim to a more demanding standard.

4.7 Nothing in Sections 4.1, 4.2, and 4.3 limits BCHC, an owner or manager's authority to evict or terminate assistance, or deny admission to a program if the BCHC, owner or manager can show an actual and imminent threat to other tenants, neighbors, guests, their employees, persons providing service to the property or others if the tenant family is not evicted or terminated from assistance or denied admission.

4.8 Nothing in Sections 4.1, 4.2, or 4.3 limits BCHC, an owner or manager's authority to deny admission, terminate assistance or evict a person who engages in criminal acts including but not limited to acts of physical violence or stalking against family members or others.

4.9 A Section 8 recipient who moves out of an assisted dwelling unit to protect their health or safety and who: (a) is a victim under this Policy; (b) reasonably believes he or she was imminently threatened by harm from further violence if he or she remains in

the unit; and (c) has complied with all other obligations of the Section 8 program may receive a voucher and move to another Section 8 jurisdiction.

5.0 Actions Against a Perpetrator

The BCHC may evict, terminate assistance, deny admission to a program or trespass a perpetrator from its property under this Policy. The victim shall take action to control or prevent the domestic violence, dating violence, or stalking. The action may include but is not limited to: (a) obtaining and enforcing a restraining or no contact order or order for protection against the perpetrator; (b) obtaining and enforcing a trespass against the perpetrator; (c) enforcing BCHC or law enforcement's trespass of the perpetrator; (d) preventing the delivery of the perpetrator's mail to the victim's unit; (e) providing identifying information listed in 3.2; and (f) other reasonable measures.

6.0 BCHC Right to Terminate Housing and Housing Assistance Under this Policy

6.1 Nothing in this Policy will restrict the BCHC, owner or manager's right to terminate tenancy for lease violations by a resident who claims VAWA as a defense if it is determined by the BCHC, owner or manager that such a claim is false.

6.2 Nothing in this Policy will restrict the BCHC right to terminate tenancy if the victim tenant (a) allows a perpetrator to violate a court order relating to the act or acts of violence; or (b) if the victim tenant allows a perpetrator who has been barred from BCHC property to come onto BCHC property including but not limited to the victim's unit or any other area under their control; or (c) if the victim tenant fails to cooperate with an established safety strategy as designed by a local victim support service provider (see 7.2).

6.3 Nothing in this Policy will restrict the BCHC right to terminate housing and housing assistance if the victim tenant who claims as a defense to an eviction or termination action relating to domestic violence has engaged in fraud and abuse against a federal housing program; especially where such fraud and abuse can be shown to have existed before the claim of domestic violence was made. Such fraud and abuse includes but is not limited to unreported income and ongoing boarders and lodgers violations, or damage to property.

7.0 Statements of Responsibility of Tenant Victim, the BCHC to the Victim, and to the Larger Community.

7.1 A tenant victim has no less duty and responsibility under the lease to meet and comply with the terms of the lease than any other tenant not making such a claim. Ultimately all tenants must be able to take personal responsibility for themselves and

exercise control over their households in order to continue their housing and housing assistance. The BCHC will continue to issue lease violation notices to all residents who violate the lease including those who claim a defense of domestic violence.

7.2 BCHC recognizes the pathologic dynamic and cycle of domestic violence and a victim of domestic violence will be referred to local victim support service providers to help victims break the cycle of domestic violence through counseling, referral and development of a safety strategy.

7.3 A tenant victim must take personal responsibility for exercising control over their household by accepting assistance and complying with the safety strategy or plan to best of victim's ability and reason under the circumstances. Failure to do this may be seen as other good cause.

7.4 All damages including lock changes will be the responsibility of the tenant victim. This is in keeping with other agency policies governing tenant caused damages.

8.0 Notice to Applicants, Participants, Tenants and Section 8 Managers and Owners.

BCHC shall provide notice to applicants, participants, tenants, managers and owners of their rights and obligations under Section 3.4 Confidentiality and Section 4.0 Appropriate Basis for Denial of Admission, Assistance or Tenancy.

8.1 If the BCHC, owner or manager knows that an applicant to or participant in a BCHC housing program is the victim of dating violence, domestic violence or stalking, the BCHC, owner or manager shall inform that person of this Policy and the person's rights under it.

9.0 Reporting Requirements

BCHC shall include in its 5-year plan a statement of goals, objectives, policies or programs that will serve the needs of victims. BCHC shall also include a description of activities, services or programs provided or offered either directly or in partnership with other service providers to victims, to help victims obtain or maintain housing or to prevent the abuse or to enhance the safety of victims.

10.0 Conflict and Scope

This Policy does not enlarge BCHC's duty under any law, regulation or ordinance. If this Policy conflicts with the applicable law, regulation or ordinance, the law, regulation or ordinance shall control. If this Policy conflicts with another BCHC policy such as its Statement of Policies or Section 8 Administration Plan, this Policy will

control.

11.0 **Amendment:** The Executive Director may amend this policy when it is reasonably necessary to effectuate the Policy's intent, purpose or interpretation. The proposed amendment along with the rationale for the amendment shall be submitted to the Executive Director for consideration. Where reasonably necessary, the Executive Director may approve the amendment. The amendment shall be effective and incorporated on the date that the Executive Director signs the amendment.

Resolution 2007-5

Amp 1 Parkway Manor - Northside Homes 100 units

Number of Persons in Household		
Household Size	Total Families	%
1	14	14.29 %
2	36	36.73 %
3	23	23.47 %
4	16	16.33 %
5	5	5.10 %
6	3	3.06 %
7	1	1.02 %
Total Families:	98	

Citizenship Composition of Household		
Citizenship	Total Members	%
Eligible Citizen	269	100.00 %
Total Citizenships:	269	

Racial Composition of Household		
Primary Race (Non Hispanic)	Total Families	%
White	24	25.26 %
Black	70	73.68 %
Indian	1	1.05 %
Total (Non Hisp) Families:	95	

Ethnicity Composition of Household		
Ethnicity	Total Families	%
Non Hispanic	95	96.94 %
Hispanic	3	3.06 %
Total Families:	98	

Number of Adults in Household		
Number Adults	Total Families	%
1	83	84.69 %
2	13	13.27 %
3	1	1.02 %
4	1	1.02 %
Total Families:	98	

Number of Children in Household		
Number Children	Total Families	%
0	19	19.39 %
1	38	38.78 %
2	21	21.43 %
3	11	11.22 %
4	6	6.12 %
5	2	2.04 %
6	1	1.02 %
Total Families:	98	

Employed Adults in Household		
Number Employed Adults	Total Families	%
0	45	45.92 %
1	49	50.00 %
2	3	3.06 %
3	1	1.02 %
Total Families:	98	

Number of Relationships in Household		
Relationship	Total Members	%
Other Adult	9	3.35 %
Full-Time Student 18+	4	1.49 %
Head	98	36.43 %
Co-Head	3	1.12 %
Spouse	2	0.74 %
Other Youth Under 18	153	56.88 %
Total Relationships:	269	

Age of Male Family Members		
Age	Total Members	%
0 - 4	30	32.61 %
5 - 13	40	43.48 %
14 - 17	5	5.43 %
18 - 24	7	7.61 %
25 - 44	7	7.61 %
45 - 59	2	2.17 %
60 - 64	1	1.09 %
65 - 69	0	0.00 %
70 - 74	0	0.00 %
75 - 79	0	0.00 %
80 & Over	0	0.00 %
Total Male Members:	92	

Age of Female Family Members		
Age	Total Members	%
0 - 4	51	28.81 %
5 - 13	23	12.99 %
14 - 17	4	2.26 %
18 - 24	47	26.55 %
25 - 44	37	20.90 %
45 - 59	10	5.65 %
60 - 64	3	1.69 %
65 - 69	1	0.56 %
70 - 74	1	0.56 %
75 - 79	0	0.00 %
80 & Over	0	0.00 %
Total Female Members:	177	

Age of Male Head of Households		
Age	Total Families	%
< 18	0	0.00 %
18 - 24	1	33.33 %
25 - 44	2	66.67 %
45 - 59	0	0.00 %
60 - 64	0	0.00 %
65 - 70	0	0.00 %
71 & Over	0	0.00 %
Total Families:	3	

Age of Female Head of Households		
Age	Total Families	%
< 18	0	0.00 %
18 - 24	44	46.32 %
25 - 44	36	37.89 %
45 - 59	10	10.53 %
60 - 64	3	3.16 %
65 - 70	2	2.11 %
71 & Over	0	0.00 %
Total Families:	95	

Household Gross Income		
Gross Income	Total Families	%
0 - 4,999	37	37.76 %
5,000 - 9,999	32	32.65 %
10,000 - 14,999	15	15.31 %
15,000 - 19,999	7	7.14 %
20,000 - 24,999	5	5.10 %
25,000 - 34,999	1	1.02 %
35,000 - 44,999	1	1.02 %
45,000 - 999,999	0	0.00 %
Total Families:	98	

Source of Household Income		
Source of Income	Total Members	%
Annual Imputed Welfare Income	11	4.38 %
Child Support	18	7.17 %
General Assistance	86	34.26 %
Other Nonwage Sources	18	7.17 %
Other Wage	67	26.69 %
Social Security	10	3.98 %
SSI	28	11.16 %
TANF Assistance	11	4.38 %
Unemployment Benefits	2	0.80 %
Total Income Sources:	251	

Positive Tenant Rent Ranges		
Rent Range	Total Families	%
0 - 99	31	31.63 %
100 - 199	24	24.49 %
200 - 299	8	8.16 %
300 - 399	3	3.06 %
400 - 499	6	6.12 %
500 +	0	0.00 %
Total Families:	72	

Negative Tenant Rent Ranges		
Rent Range	Total Families	%
(1) - (49)	23	23.47 %
(50) - (79)	1	1.02 %
(80) - (99)	2	2.04 %
(100) - (149)	0	0.00 %
(150) - (199)	0	0.00 %
(200) - (99,999)	0	0.00 %
Total Families:	26	

Member Status		
Status	Total Members	%
Non Elderly / Non Disabled	252	93.68 %
Elderly/ Non Disabled	1	0.37 %
Non Elderly / Disabled	12	4.46 %
Elderly / Disabled	4	1.49 %
Total Members:	269	

Family Requested Accessibility Features (Public Housing Only)		
Requested	Total Families	%
No, Not at All	97	98.98 %
Yes, fully	1	1.02 %
Total Families:	98	

Unit Structure Type (Section 8 Only)		
Structure Type	Total Families	%
Total Structure Types:		

Year Unit Built (Section 8 Only)		
Year Built	Total Units	%
Before 1960	0	0.00 %
1960 - 1978	0	0.00 %
1979 - 1996	0	0.00 %
After 1996	0	0.00 %
Total Units:	0	

Voucher/Bedroom Size		
Size	Total Families	%
1	7	7.14 %
2	19	19.39 %
3	45	45.92 %
4	27	27.55 %
Total Families:	98	

Census Codes		
Census Code	Total Families	%
None	98	100.00 %
Total Families:	98	

Average Gross Income by Project			
Project	Families	Avg Gross	Avg Net
Site #001	98	\$8,117	\$7,227
Total:	98	\$8,117	\$7,227

Single Household		
	Total Families	%
Single Household	14	14.29 %

Amp 2 Cherry Hill & Kellogg Manor

220 Units

Number of Persons in Household		
Household Size	Total Families	%
1	205	94.04 %
2	13	5.96 %
Total Families:	218	

Citizenship Composition of Household		
Citizenship	Total Members	%
Eligible Citizen	231	100.00 %
Total Citizeships:	231	

Racial Composition of Household		
Primary Race (Non-Hispanic)	Total Families	%
White	157	72.69 %
Black	59	27.31 %
Total (Non Hisp) Families:	216	

Ethnicity Composition of Household		
Ethnicity	Total Families	%
Non Hispanic	216	99.08 %
Hispanic	2	0.92 %
Total Families:	218	

Number of Adults in Household		
Number Adults	Total Families	%
1	205	94.04 %
2	13	5.96 %
Total Families:	218	

Number of Children in Household		
Number Children	Total Families	%
0	218	100.00 %
Total Families:	218	

Employed Adults in Household		
Number Employed Adults	Total Families	%
0	187	85.78 %
1	30	13.76 %
2	1	0.46 %
Total Families:	218	

Number of Relationships in Household		
Relationship	Total Members	%
Other Adult	3	1.30 %
Head	218	94.37 %
Co-Head	4	1.73 %
Spouse	6	2.60 %
Total Relationships:	231	

Age of Male Family Members		
Age	Total Members	%
0 - 4	0	0.00 %
5 - 13	0	0.00 %
14 - 17	0	0.00 %
18 - 24	0	0.00 %
25 - 44	6	5.41 %
45 - 59	48	43.24 %
60 - 64	23	20.72 %
65 - 69	14	12.61 %
70 - 74	10	9.01 %
75 - 79	5	4.50 %
80 & Over	5	4.50 %
Total Male Members:	111	

Age of Female Family Members		
Age	Total Members	%
0 - 4	0	0.00 %
5 - 13	0	0.00 %
14 - 17	0	0.00 %
18 - 24	0	0.00 %
25 - 44	6	5.00 %
45 - 59	52	43.33 %
60 - 64	22	18.33 %
65 - 69	16	13.33 %
70 - 74	7	5.83 %
75 - 79	8	6.67 %
80 & Over	9	7.50 %
Total Female Members:	120	

Age of Male Head of Households		
Age	Total Families	%
< 18	0	0.00 %
18 - 24	0	0.00 %
25 - 44	4	3.74 %
45 - 59	47	43.93 %
60 - 64	23	21.50 %
65 - 70	16	14.95 %
71 & Over	17	15.89 %
Total Families:	107	

Age of Female Head of Households		
Age	Total Families	%
< 18	0	0.00 %
18 - 24	0	0.00 %
25 - 44	5	4.50 %
45 - 59	45	40.54 %
60 - 64	21	18.92 %
65 - 70	21	18.92 %
71 & Over	19	17.12 %
Total Families:	111	

Household Gross Income		
Gross Income	Total Families	%
0 - 4,999	21	9.63 %
5,000 - 9,999	107	49.08 %
10,000 - 14,999	63	28.90 %
15,000 - 19,999	12	5.50 %
20,000 - 24,999	7	3.21 %
25,000 - 34,999	6	2.75 %
35,000 - 44,999	1	0.46 %
45,000 - 999,999	1	0.46 %
Total Families:	218	

Source of Household Income		
Source of Income	Total Members	%
Child Support	1	0.18 %
General Assistance	38	6.87 %
Medical Reimbursement	1	0.18 %
Other Nonwage Sources	8	1.45 %
Other Wage	32	5.79 %
Own Business	1	0.18 %
Pension	27	4.88 %
Social Security	150	27.12 %
SSI	175	31.65 %
TANF Assistance	120	21.70 %
Total Income Sources:	553	

Positive Tenant Rent Ranges		
Rent Range	Total Families	%
0 - 99	21	9.63 %
100 - 199	18	8.26 %
200 - 299	128	58.72 %
300 - 399	33	15.14 %
400 - 499	18	8.26 %
500 +	0	0.00 %
Total Families:	218	

Negative Tenant Rent Ranges		
Rent Range	Total Families	%
(1) - (49)	0	0.00 %
(50) - (79)	0	0.00 %
(80) - (99)	0	0.00 %
(100) - (149)	0	0.00 %
(150) - (199)	0	0.00 %
(200) - (99,999)	0	0.00 %
Total Families:	0	

Member Status		
Status	Total Members	%
Non Elderly / Non Disabled	31	13.42 %
Elderly/ Non Disabled	21	9.09 %
Non Elderly / Disabled	103	44.59 %
Elderly / Disabled	76	32.90 %
Total Members:	231	

Family Requested Accessibility Features (Public Housing Only)		
Requested	Total Families	%
No, Not at All	212	97.25 %
Yes, fully	6	2.75 %
Total Families:	218	

Unit Structure Type (Section 8 Only)		
Structure Type	Total Families	%
Total Structure Types:		

Year Unit Built (Section 8 Only)		
Year Built	Total Units	%
Before 1960	0	0.00 %
1960 - 1978	0	0.00 %
1979 - 1996	0	0.00 %
After 1996	0	0.00 %
Total Units:	0	

Voucher/Bedroom Size		
Size	Total Families	%
0	39	17.89 %
1	177	81.19 %
2	2	0.92 %
Total Families:	218	

Census Codes		
Census Code	Total Families	%
None	218	100.00 %
Total Families:	218	

Average Gross Income by Project			
Project	Families	Avg. Gross	Avg. Net
Site #002	218	\$10,866	\$10,255
Total:	218	\$10,866	\$10,255

Single Household		
	Total Families	%
Single Household	205	94.04 %

Amp 3 Turnkey III Scattered Site Home Ownership 56 units

Number of Persons in Household		
Household Size	Total Families	%
1	5	9.43 %
2	13	24.53 %
3	15	28.30 %
4	10	18.87 %
5	7	13.21 %
6	3	5.66 %
Total Families:	53	

Citizenship Composition of Household		
Citizenship	Total Members	%
Eligible Citizen	169	100.00 %
Total Citizenships:	169	

Racial Composition of Household		
Primary Race (Non Hispanic)	Total Families	%
White	18	35.29 %
Black	33	64.71 %
Total (Non Hisp) Families:	51	

Ethnicity Composition of Household		
Ethnicity	Total Families	%
Non Hispanic	51	96.23 %
Hispanic	2	3.77 %
Total Families:	53	

Number of Adults in Household		
Number Adults	Total Families	%
1	24	45.28 %
2	23	43.40 %
3	5	9.43 %
4	1	1.89 %
Total Families:	53	

Number of Children in Household		
Number Children	Total Families	%
0	13	24.53 %
1	15	28.30 %
2	14	26.42 %
3	7	13.21 %
4	4	7.55 %
Total Families:	53	

Employed Adults in Household		
Number Employed Adults	Total Families	%
0	7	13.21 %
1	41	77.36 %
2	5	9.43 %
Total Families:	53	

Number of Relationships in Household		
Relationship	Total Members	%
Other Adult	15	8.88 %
Full-Time Student 18+	1	0.59 %
Head	53	31.36 %
Co-Head	6	3.55 %
Spouse	13	7.69 %
Other Youth Under 18	81	47.93 %
Total Relationships:	169	

Age of Male Family Members		
Age	Total Members	%
0 - 4	12	16.90 %
5 - 13	24	33.80 %
14 - 17	7	9.86 %
18 - 24	4	5.63 %
25 - 44	15	21.13 %
45 - 59	7	9.86 %
60 - 64	1	1.41 %
65 - 69	0	0.00 %
70 - 74	1	1.41 %
75 - 79	0	0.00 %
80 & Over	0	0.00 %
Total Male Members:	71	

Age of Female Family Members		
Age	Total Members	%
0 - 4	10	10.20 %
5 - 13	20	20.41 %
14 - 17	7	7.14 %
18 - 24	7	7.14 %
25 - 44	37	37.76 %
45 - 59	15	15.31 %
60 - 64	0	0.00 %
65 - 69	2	2.04 %
70 - 74	0	0.00 %
75 - 79	0	0.00 %
80 & Over	0	0.00 %
Total Female Members:	98	

Age of Male Head of Households		
Age	Total Families	%
< 18	0	0.00 %

Age of Female Head of Households		
Age	Total Families	%
< 18	0	0.00 %

18 - 24	0	0.00 %
25 - 44	6	50.00 %
45 - 59	4	33.33 %
60 - 64	1	8.33 %
65 - 70	0	0.00 %
71 & Over	1	8.33 %
Total Families:	12	

18 - 24	0	0.00 %
25 - 44	28	68.29 %
45 - 59	12	29.27 %
60 - 64	0	0.00 %
65 - 70	1	2.44 %
71 & Over	0	0.00 %
Total Families:	41	

Household Gross Income		
Gross Income	Total Families	%
0 - 4,999	1	1.89 %
5,000 - 9,999	0	0.00 %
10,000 - 14,999	8	15.09 %
15,000 - 19,999	10	18.87 %
20,000 - 24,999	11	20.75 %
25,000 - 34,999	9	16.98 %
35,000 - 44,999	8	15.09 %
45,000 - 999,999	6	11.32 %
Total Families:	53	

Source of Household Income		
Source of Income	Total Members	%
Child Support	24	15.48 %
General Assistance	33	21.29 %
Medical Reimbursement	1	0.65 %
Other Nonwage Sources	1	0.65 %
Other Wage	62	40.00 %
Pension	2	1.29 %
Social Security	15	9.68 %
SSI	13	8.39 %
TANF Assistance	1	0.65 %
Unemployment Benefits	3	1.94 %
Total Income Sources:	155	

Positive Tenant Rent Ranges		
Rent Range	Total Families	%
0 - 99	2	3.77 %
100 - 199	8	15.09 %
200 - 299	3	5.66 %
300 - 399	13	24.53 %
400 - 499	6	11.32 %
500 +	21	39.62 %
Total Families:	53	

Negative Tenant Rent Ranges		
Rent Range	Total Families	%
(1) - (49)	0	0.00 %
(50) - (79)	0	0.00 %
(80) - (99)	0	0.00 %
(100) - (149)	0	0.00 %
(150) - (199)	0	0.00 %
(200) - (99,999)	0	0.00 %
Total Families:	0	

Member Status		
Status	Total Members	%
Non Elderly / Non Disabled	155	91.72 %
Elderly / Non Disabled	1	0.59 %
Non Elderly / Disabled	11	6.51 %
Elderly / Disabled	2	1.18 %
Total Members:	169	

Family Requested Accessibility Features (Public Housing Only)		
Requested	Total Families	%
No, Not at All	53	100.00 %
Total Families:	53	

Unit Structure Type (Section 8 Only)		
Structure Type	Total Families	%
Total Structure Types:		

Year Unit Built (Section 8 Only)		
Year Built	Total Units	%
Before 1960	0	0.00 %
1960 - 1978	0	0.00 %
1979 - 1996	0	0.00 %
After 1996	0	0.00 %
Total Units:	0	

Voucher/Bedroom Size		
Size	Total Families	%
2	3	5.66 %

Voucher/Bedroom Size			
Size		Total Families	%
3		45	84.91 %
4		5	9.43 %
Total Families:		53	

Census Codes		
Census Code	Total Families	%
None	53	100.00 %
Total Families:	53	

Average Gross Income by Project			
Project	Families	Avg Gross	Avg Net
Site #003	53	\$27,682	\$26,353
Total:	53	\$27,682	\$26,353

Single Household		
	Total Families	%
Single Household	5	9.43 %



COMMUNITY PLANNING CONSULTANTS

Planning • Landscape Architecture • Community Development

235 E. Main Street, Suite 105

Northville, MI 48167

(248) 596-0920

www.mcka.com

Phillip McKenna, AICP, PCP President
Sarah TraxlerProject Manager
Michael GradisProject Planner
Christopher Khorey Market Analyst
Sabah Aboody-KeerGIS Mapping

