

ANALYSIS OF IMPEDIMENTS TO  
FAIR HOUSING CHOICE  
& Language Assistance Plan

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CITY OF UNION CITY, NEW JERSEY  
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## **PURPOSE**

The Fair Housing Act of 1990 states that it is the policy of the United States to provide for fair housing throughout the country and the Act prohibits any person from discriminating in the sale or rental of housing, the financing of housing or the provision of brokerage services, including or otherwise making unavailable or denying a dwelling to any person because of race, color, religion, sex, national origin, handicap or familial status. The State of New Jersey supports these goals and has also adopted legislation that protects equal access to housing.

Nationally, fair housing and impediments to fair housing are monitored by the United States Department of Housing & Urban Development (HUD) through the use of funds from the Community Development Block Grant (CDBG) program for fair housing advocacy groups. The role of HUD as the administrator of fair housing programs originated in 1968 with the passage of the Civil Rights Act, described further below.

Each grantee that receives CDBG funding under Title 1 of the Housing & Community Development Act is required to further fair housing and fair housing planning by conducting an analysis to identify impediments to fair housing choice within its jurisdiction. The grantee will also take appropriate actions to overcome the effects of any identified impediments and will maintain records which reflect the analysis and actions taken in this regard.

The City of Union City has consistently supported the concept of fair housing for its residents without regard to race, color, religion, sex, national origin, handicap or familial status. To that end, the City has, at least since the beginning of the CDBG program, used a portion of its CDBG funding to support activities which benefit low and moderate income households in the provision of fair housing. The fundamental fair housing goal is to make housing choice a reality through fair housing planning, which includes the following:

- Preparing an Analysis of Impediments to Fair Housing Choice (AI)
- Acting to eliminate identified impediments
- Providing fair housing records.

This report presents the City of Union City's efforts to make an objective assessment of the nature and extent of fair housing concerns in the City and the potential impediments to making fair housing choice available to its residents.

The City's last AI was completed in 2012 in conjunction with the preparation of the Hudson County Consortium's Five-Year Consolidated Plan. This AI is related solely to activities within the City of Union City as it related to fair housing choice for the residents of the City.

## **DEFINITION OF FAIR HOUSING**

### **Federal Laws**

The Fair Housing Act of 1968 and Fair Housing Amendments Act of 1988 (42 U.S. Code Sec. 3601-3619, 3631) are federal fair housing laws that prohibit discrimination in all aspects of housing such as the sale, rental, lease or negotiation for real property. The Fair Housing Act prohibits discrimination based on race, religion and national origin. In 1988, the Fair Housing Act was amended to extend protection to familial status and people with disabilities (mental or physical). In addition, the Amendment Act provided for “reasonable accommodations”, allowing structural modifications for persons with disabilities, if requested, at their own expense, and sets housing code standards for new multi family dwellings to accommodate the physically disabled.

### **New Jersey Laws**

The Fair Housing Act (FHA) of 1985 and the New Jersey Law Against Discrimination, as amended, are the key New Jersey fair housing laws. The FHA prohibits discrimination in all aspects of housing including sales and rentals, sets requirements for accessible design, covers multi family dwellings for first occupancy after March 1991 and establishes elevator requirements for multi story buildings. The FHA prohibits discrimination based on all of the classifications covered under the federal Fair Housing Act plus the following classes: marital status; ancestry; sexual orientation and; income source (added in 2002). These laws require housing providers to make reasonable accommodations to permit persons with disabilities to live and enjoy a dwelling and allow persons with disabilities to make reasonable modifications of the premises.

### **Fair Housing Defined**

In light of the various pieces of fair housing legislation passed at the federal and state levels, fair housing throughout this analysis is defined as follows:

Fair housing is a condition in which individuals of similar income levels in the same housing market having a like range of housing choice available to them regardless of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, sexual orientation or any other arbitrary factor.

## **Impediments Defined**

Within the legal framework of federal and state laws and based on the guidance provided by the U.S. Department of Housing & Urban Development (HUD) Fair Housing Planning Guide, impediments to fair housing choice are defined as:

Any actions, omissions or decisions taken because of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, sexual orientation or any other arbitrary factor which restrict housing choices or the availability of housing choices; or

Any actions, omissions or decisions which have the effect of restricting housing choices or the availability of housing choice on the basis of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, source of income, sexual orientation or any other arbitrary factor.

To affirmatively promote equal housing opportunity, a community must work to remove impediments to fair housing choice.

## **Fair Housing & Affordable Housing**

The terms fair housing and affordable housing are often used interchangeably. However, it is important to distinguish between the two in order to clearly identify issues and reduce discrimination in the provision of fair housing. In the context of the preparation of an Analysis of Impediments to Fair Housing Choice (AI), the term “fair housing” refers to persons (families, seniors, individuals and special needs populations) who are members of protected classes, as specified by Federal statutes. It is illegal to discriminate against persons on the basis of their membership in a protected class in the sale, rental, financing and insuring of housing. On the other hand, “affordable housing” generally refers to the ability of households to afford, based on income, to buy or rent housing. Specifically, more Federal, State and local funding programs to support the increase in the supply of affordable ownership and rental housing are targeted to low or moderate income households. Low income households are typically defined as those earning less than 50% of the HUD determined area median income, with moderate income households defined as those who earn 50% to 80% of the area median income.

Because the two concepts are different, methods to address fair housing are different from those to increase the supply of affordable housing. One difference

is that issues of discrimination regarding fair housing can apply to all income levels, because protected classes are represented in all income groups.

Clearly, there are many actions that can, and should, be taken that are directly aimed at the elimination of discrimination against federally and locally protected groups in the selling, renting, financing and insuring of housing, as recommended in this AI report. Those actions include education of prospective homebuyers and tenants as to their rights to access to housing and; the enhancement of the system to study, receive, investigate and resolve complaints and/or bring charges and prosecute violations of Federal and local fair housing laws. While robust implementation of these actions will decrease discrimination in housing, it is not likely that these actions taken alone will eliminate housing discrimination.

It is difficult to talk about addressing impediments to fair housing, and actions to eliminate discrimination in housing, without simultaneously talking about the development of policies, plans, programs and projects to increase the supply of affordable housing opportunities and choices made affordable to all income groups in all segments of the population, especially low or moderate income households.

Certain protected classes have a disproportionate representation in the low or moderate income households in Union City and so it is reasonable to expect that as the supply of affordable housing is increased throughout the City, greater numbers of protected class members will have access to housing without discrimination.

## **SCOPE OF THE ANALYSIS**

This Analysis of Impediments to Fair Housing Choice provides an overview of laws, regulations, conditions of other possible obstacles that may affect an individual's or a household's access to housing. The AI involves:

- A comprehensive review of the laws, regulations and administrative policies, procedures and practices;
- An assessment of how those laws, regulations, policies, procedures and practices affect the location, availability and accessibility of housing; and
- An assessment of conditions, both public and private, affecting fair housing choice.

## **Data and Methodology**

The following are key data sources that were used to complete the AI:

- 2000 and 2010 U.S. Census
- Hudson County Consortium Consolidated Plan
- Union City Consolidated & Annual Plan
- Union City Housing Authority plans
- U.S. Department of Housing & Urban Development data
- Union City Housing Element & Fair Share Plan

## **COMMUNITY OUTREACH AND PARTICIPATION**

As with the development of the City's Consolidated Annual Plan, this Analysis of Impediments to Fair Housing Choice results from a process of consultation and citizen participation, which builds upon existing participation mechanisms and venues. Citizens, not-for-profit organizations, and other interested parties were afforded a variety of opportunities to participate.

The continued participation by citizens in the formulation and implementation of Union City's Community Development Block Grant program and the AI has been one of direct involvement. It is the City's belief that the results show a two way communication process between the City and the public.

### **Basic Requirements**

The HUD citizen participation requirements (which were used to develop the AI) are summarized as follows:

A grant may be made only if the grantee certifies that it is following a detailed citizen participation plan which provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which funds are proposed to be used, and provides for participation of residents in low and moderate income neighborhoods.

This Citizen Participation Plan states the formal process which the City employs to involve the residents of Union City in the community development process.

- Citizens are given information on the goals and objectives of the AI.
- Public hearings are held to obtain the views of citizens and organizations.
- Citizens and organizations have an opportunity to participate in the development of the process to provide fair housing choice.

### **Scope of Public Participation**

The City of Union City provided for and encouraged the expression of citizen's views and proposals regarding the creation of the AI on a neighborhood level. Representatives of the various neighborhoods that comprise the City, particularly lower income residents and those of blighted neighborhoods, help to identify needs and to set priorities as they generally relate to the Analysis of Impediments. Citizen participation extends to the implementation of the AI after it has been approved by HUD during public hearings on modifications to the plan.

In addition, the plan provides the opportunity for citizens to monitor and submit comments on all aspects of the program, including the performance of project execution.

### **Submission of Views and Proposals**

The submission of citizens' views and proposals were transmitted to the Community Development Agency as follows:

- Directly to the City Community Development Agency staff during the planning process prior to the required public hearings on the AI.
- To recognized, locally based organizations, either a City wide citizens organization or a neighborhood or project area organization; this will be either in writing or informally to the Community Development Agency staff followed by a proper recording.
- At any neighborhood or other citizens' meetings before the required public hearings.
- At the formal public hearings.

## DEMOGRAPHIC CHARACTERISTICS

### Population

Fair housing is concerned with ensuring that a range in types and prices of housing is available and that all people are treated equally in the rental, sales or occupancy of housing. This section of the AI examines the population, housing and special needs characteristics and trends in Union City that may affect equal housing opportunity.

This community profile provides insights for identifying potential impediments to fair housing choice. While not definitive indicators of impediments to fair housing choice, the data points to conditions or situations that could be indicators of impediments to fair housing choice.

The population trends for Union City, Hudson County, and New Jersey are shown below. The population of Union City experienced a steady decline between 1930 and 1980, rebounding only in the 1960's due to Cuban immigration. Since 1980, Union City has shown two decades of population increases, reaching 67,088 in 2000, a 15.6% increase over the 1990 population. The statistics for Hudson County are similar, showing percentage declines between 1930 and 1990 but rebounding with 10% growth between 1990 and 2000. Unlike both the County and the State, Union City experienced a population loss between 2000 and 2010. However, both Union City and Hudson County are different from New Jersey, which has experienced steady population growth over the past 70 years that largely reflects the overall population trends in the US, such as the 'baby boom' and the 'birth dearth.' Since 1930 the population of the State of New Jersey has more than doubled.

Populations Trends 1930 to 2010									
Year	Union City			Hudson County			New Jersey		
	Population	Change		Population	Change		Population	Change	
		Number	Percent		Number	Percent		Number	Percent
1930	58,659	-	-	690,730	-	-	4,041,334	-	-
1940	56,173	-2,486	-4.2%	652,040	-38,690	-5.6%	4,160,165	118,831	2.9%
1950	55,537	-636	-1.1%	647,437	-4,603	-0.7%	4,835,329	675,164	16.2%
1960	52,180	-3,357	-6.0%	610,734	-36,703	-5.7%	6,066,782	1,231,453	25.5%
1970	57,305	5,125	9.8%	607,839	-2,895	-0.5%	7,171,112	1,104,330	18.2%
1980	55,593	-1,712	-3.0%	556,972	-50,867	-8.4%	7,365,011	463,899	2.7%
1990	58,012	2,419	4.4%	553,099	-3,873	-0.7%	7,730,188	365,177	5.0%
2000	67,088	9,076	15.6%	608,975	55,876	10.1%	8,414,350	684,162	8.9%
2010	66,455	-633	-0.94%	634,266	25,291	4.2%	8,791,894	377,544	4.5%

## Population Composition by Age

The changes between 2000 and 2010 indicate that Union City has an aging population. Each age cohort below 45 years of age saw a reduction and each cohort from 45 to 65 and older experienced an increase. The largest rate of decrease occurred in the 5-14 cohort, which decreased by 10.9% and the largest increase was in the 45 to 54 cohort, which rose by 18.7%. Despite the overall decrease in the population, the overall age distribution of the Union City population remains approximately the same.

Population by Age, 2000 and 2010, Union City						
	2000		2010		Change 2000 to 2010	
Population	Number	Percent	Number	Percent	Number	Percent
Under 5	4,945	7.4	4,845	7.3	-100	-2.0
5 to 14	9,268	13.8	8,255	12.4	-1,013	-10.9
15 to 24	10,122	15.1	9,736	14.7	-386	-3.8
25 to 34	12,074	18.0	11,559	17.4	-515	-4.3
35 to 44	10,949	16.3	9,958	15.0	-991	-9.1
45 to 54	7,641	11.4	9,066	13.6	1,425	18.7
55 to 64	5,395	8.0	6,078	9.2	683	12.7
65 and over	6,694	10.0	6,958	10.5	264	3.9
<b>Total</b>	<b>67,088</b>	<b>100</b>	<b>66,455</b>	<b>100</b>	<b>-633</b>	<b>-0.9</b>

Like Union City, Hudson County experienced shifts in the age composition of its population to support an aging population. The 45 to 54 and 55 to 64 cohorts experienced the largest increases in population, growing 14.7% and 25.2% respectively between 2000 and 2010. The 25 to 34 age group also experienced large growth, growing at 10.4%. While both for Union City and Hudson County, the 5 to 14 age group declined in population, Hudson County also saw increases in the other cohorts below 34.

<b>Population by Age, 2000 and 2010, Hudson County</b>						
	<b>2000</b>		<b>2010</b>		<b>Change, 2000 to 2010</b>	
<b>Population</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Under 5	38,756	6.4	42,586	6.7	3,830	9.9
5 to 14	76,700	12.6	66,584	10.5	-10,166	-13.2
15 to 24	85,412	14.0	85,641	13.5	229	0.3
25 to 34	119,073	19.6	131,508	20.7	12,435	10.4
35 to 44	97,727	16.0	96,716	15.2	-1,011	-1.0
45 to 54	72,379	11.9	82,985	13.1	10,606	14.7
55 to 64	49,657	9.1	62,180	9.8	12,523	25.2
65 and over	69,271	11.4	66,066	10.4	-3,205	4.6
<b>Total</b>	<b>608,975</b>	<b>100.0</b>	<b>634,266</b>	<b>100</b>	<b>25,291</b>	<b>4.2</b>

According to the 2010 Census, the median age of residents in Union City was 33.9 years. Analysis of age group characteristics provides insight into the actual changes in population. This comparison is helpful in determining impacts these changes have on housing needs, community facilities and services for the municipality and the County overall.

### **Households**

A household is defined as one or more persons, either related or not, living together in a housing unit, which includes rental apartments, condominiums, houses, etc. Households in Union City tend to be larger than the County as a whole, with an average household size of 2.88. Union City and Hudson County have similar breakdowns of household size, although Union City has a higher percentage of households with 5 or more persons, at 16.2%

<b>Household Size – Occupied Housing Units Union City and Hudson County</b>				
	<b>Union City</b>		<b>Hudson County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total</b>	<b>22,814</b>	<b>100.0</b>	<b>246,437</b>	<b>100.0</b>
1-person household	5,441	23.8	73,741	29.9
2-person household	5,852	25.7	71,762	29.1
3-person household	4,350	19.1	42,935	17.4
4-person household	3,465	15.2	31,581	12.8
5-person household	1,969	8.6	15,098	6.1
6-person household	931	4.1	6,401	2.6
7-or-more-person household	806	3.5	4,919	2.0
<b>Average Household Size</b>	<b>2.88</b>		<b>2.54</b>	

Family households are defined as two or more persons living in the same household, related by blood, marriage or adoption. Most households in Union City are family households, comprising 76.2% of all households. The majority of family households are married couples, with a little more than half having children under the age of 18. A total of 21.8% of the households are headed by a female.

In providing more detail of American households, the 2010 Census included the sub-groups of non-traditional households or “Non-family” households. Non-family households comprise 32% percent of all households in Union City, with 23.8% being persons living alone and 7.5% being householders 65 years or older.

<b>Household Size and Type Union City</b>		
	<b>Total</b>	<b>Percent</b>
<b>Total Households</b>	<b>22,814</b>	<b>100.0%</b>
<b>1-person household</b>	<b>5,441</b>	<b>23.9%</b>
<i>Male householder</i>	2,690	49.4%
<i>Female householder</i>	2,751	50.6%
<b>2 or more person household</b>	<b>17,373</b>	<b>76.1%</b>
<b>Family households</b>	<b>15,512</b>	<b>89.3%</b>
<i>Husband-wife family</i>	8,368	54.0%
With own children under 18 years	4,156	50.0%
No own children under 18 years	4,212	50.0%
<i>Other family, no spouse present</i>	7,144	46.0%
Male householder	2,170	30.4%
With own children under 18 years	936	43.1%
No own children under 18 years	1,234	56.9%
Female householder	4,974	69.6%
With own children under 18 years	2,720	54.7%
No own children under 18 years	2,254	45.3%
<b>Nonfamily households</b>	<b>1,861</b>	<b>8.2%</b>
<i>Male householder</i>	1,167	62.7%
<i>Female householder</i>	694	37.3%

## Population by Race

The 2010 Census reveals that a majority (58.0%) of Union City residents classify themselves as white, with the second largest group being some other races (27.4%). Because the US Census did not define Hispanic as a separate race for the 2010 Census, the percentage breakdown of the US Census racial classifications sheds little light Union City. When asked, 84.7% of Union City residents classified themselves as Hispanic.

The following table breaks down the specific country or regional origins of those who reported being Hispanic/ Latino on the 2010 Census. As the chart shows, Cubans and South Americans represent the largest subgroups in Union City. Yet, while these subgroups are the largest, the overall distribution of ethnic origins is relatively even, with only Mexicans as a smaller percentage of the total Hispanics population.

<b>Detailed Summary, Hispanic or Latino Population, Union City</b>			
	<b>Total Amount</b>	<b>Percentage of City Population</b>	<b>Percentage of Latino/Hispanic Population</b>
Total Reporting Hispanic or Latino	56,291	84.7	100
Puerto Rican	6,643	10.0	11.7
Mexican	5,189	7.8	9.2
Cuban	7,511	11.3	13.3
Dominican	10,020	15.1	17.8
Central American	9,160	14.0	16.3
South American	13,925	20.9	24.7
Other Hispanic or Latino	3,849	5.8	6.8

Union City has developed into a Hispanic enclave dating back to the early waves of Cuban immigration into the City during the 1960's. Therefore, Union City maintains higher percentages of Hispanics in the local population than do Hudson County or the State of New Jersey, even as the origins of the Hispanic population living in Union City have changed.

### **Disability**

The Census Bureau definition of disability will be used in this analysis, as that is the basis for the available data. The Bureau defines disability as a long-lasting physical, mental or emotional condition, which can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning or remembering. Such conditions also impede a person from being able to go outside the home alone or to work at a job or business.

The American Community Survey (ACS) provides population estimates of persons with disabilities. The data from 2014 indicates that 747 person or 4.7 percent of persons under 18 years of age had some type of disability. Of the

population age 65 or older, 2,893 persons or 43.7 percent reported some form of disability.

## Income

According to the 2014 American Community Survey, households in Union City earned a lower income when compared to both Hudson County and the State of New Jersey. As measured in 2014, the median household income in Union City was \$40,949, which was \$18,024 less than Hudson County and \$31,113 less than the State's median income.

<b>Per Capita and Household Income 2014, Union City, Hudson County, New Jersey</b>		
	2014 Per Capita (\$)	2014 Median Household (\$)
Union City	19,834	40,949
Hudson County	32,678	58,973
New Jersey	36,359	72,062

The distribution of household income for Union City and Hudson County in 2014 is shown below. The most common income bracket Union City was \$35,000 to \$49,999, which was earned by 17.3% of households. 74.1% of Union City households versus only 43.5% of Hudson County households earned less than \$50,000. Union City also had a much higher percentage of households earning less than \$10,000.

<b>Households Income In 2014 Union City and Hudson County</b>				
	<b>Union City</b>		<b>Hudson County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total households</b>	<b>22,786</b>	<b>100.0</b>	<b>246,135</b>	<b>100.0</b>
Less than \$10,000	2,312	15.2	19,369	7.9
\$10,000 to \$14,999	1,649	9.3	13,485	5.5
\$15,000 to \$24,999	3,181	16.4	25,349	10.3
\$25,000 to \$34,999	2,933	15.9	21,415	8.7
\$35,000 to \$49,999	3,062	17.3	27,280	11.1
\$50,000 to \$74,999	3,988	14.2	40,123	16.3
\$75,000 to \$99,999	2,386	6.2	29,170	11.9
\$100,000 to \$149,999	2,149	3.9	34,713	14.1
\$150,000 to \$199,999	667	0.9	16,346	6.6
\$200,000 or more	459	0.8	18,885	7.7

## Poverty status

Of the 66,560 people in Union City, 22.4% were in poverty in 2010. 63.2% of those in poverty were between 18 and 65, while 29% of those less than 18 were in poverty. While Hudson County has a much lower percentage of the total population in poverty, the rough age distribution of those in poverty remains the same.

<b>Poverty Status 2010, Union City and Hudson County</b>				
	<b>Union City</b>		<b>Hudson County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total persons</b>	<b>66,560</b>	<b>100</b>	<b>629,505</b>	<b>100</b>
Total persons below poverty level	14,930	22.4	103,825	16.5
Under 18	4,325	29.0	30,207	29.1
18 to 65	9,440	63.2	64,471	64.0
Over 65	1,165	7.8	9,147	8.8

## Household costs

The tables below show the costs as a percent of income for homeowners and renters in Union City. When looking at these numbers, it is important to remember that the vast majority of households rent in Union City. With respect to owner occupied units, more than 54% spent 35% or more of their income on housing. Among renter-occupied households, nearly 48% of households spend more than 30% of their income on housing costs. General affordability standards are set at spending approximately 30 percent of gross income for housing costs.

<b>Monthly Owner Costs as a Percentage of Household Income Union City, 2014</b>		
	<b>Number</b>	<b>Percent</b>
Less than 20 percent	419	14.4
20 to 24 percent	357	12.3
25 to 29 percent	205	7.1
30 to 34 percent	348	12.0
35 percent or more	1,574	54.2

<b>Gross Rent as a Percentage of Household Income Union City, 2014</b>		
	<b>Number</b>	<b>Percent</b>
Less than 15 percent	2,092	16.2
15 to 19 percent	1,717	9.6
20 to 24 percent	2,005	11.2
25 to 29 percent	1,915	10.7
30 to 34 percent	1,633	9.1
35 percent or more	8,578	47.8
Not computed	594	3.3

## EXISTING HOUSING CHARACTERISTICS

### Housing unit data

The majority of Union City's housing stock is comprised of older rental housing structures. Almost 80% of occupied Union City housing units are renter occupied. Nearly 42% of all occupied housing units were built before 1950. Since 1939, the 1960-1969 decade represents the next greatest growth in the local housing stock.

<b>Housing Data, 2010 &amp; 2014 Union City</b>		
	<b>Total</b>	<b>Percent</b>
<b>Housing Units</b>	<b>24,931</b>	
<b>Total- Occupied Units</b>	22,814	<b>91.5</b>
<b>Tenure</b>		
Owner occupied	4,583	20.1
Renter occupied	18,231	79.9
<b>Year Structure Built</b>		
<b>Total Units (2014)</b>	<b>25,604</b>	
Built 2010 or later	222	0.9
Built 2000 to 2009	2,840	11.1
Built 1990 to 1999	1,117	4.4
Built 1980 to 1989	1,263	4.9
Built 1970 to 1979	2,397	9.4
Built 1960 to 1969	3,854	15.1
Built 1950 to 1959	3,232	12.6
Built 1940 to 1949	2,368	9.2
Built 1939 or earlier	8,311	32.5

### Housing type and size

Only 8.8% of the housing stock in Union City was single-family housing. The majority of housing structures (22.9%) had more than 20 units and 21.4% had three or four units. The largest single unit categories were 2 family, 3-4 family, and 20 units or more.

The median number of rooms within housing units in Union City was 3.9, with the largest percentage of structures having 4 rooms (31.7%). More than half of all housing units had 3 to 4 rooms (56.6%). 7.8% of units had only 1 room and 1.2% of units had more than 9 rooms.

<b>Housing Type and Size, 2014</b>		
<b>Union City</b>		
<b>Units in Structure</b>	<b>Total</b>	<b>Percent</b>
<b>Total</b>	<b>25,604</b>	<b>100</b>
1-unit, detached	1,300	5.1
1-unit, attached	955	3.7
2 units	4,693	18.3
3 or 4 units	5,478	21.4
5 to 9 units	4,566	17.8
10 to 19 units	2,755	10.8
20 or more units	5,850	22.9
Mobile home	7	.03
Boat, RV, van, etc.	0	0
<b>Rooms</b>		
1 room	2,009	7.8
2 rooms	1,259	4.9
3 rooms	6,365	24.9
4 rooms	8,118	31.7
5 rooms	5,302	20.7
6 rooms	1,632	6.4
7 rooms	383	1.5
8 rooms	233	0.9
9 or more rooms	303	1.2
<b>Median number of rooms</b>	<b>3.9</b>	

## **Occupancy**

With 96.3% of housing units in Union City occupied in 1999, most vacant units were for rent, seasonal, recreational, or occupational use or 'other vacant' uses. 54.5% of Union City's vacant units are for rent and 19.2% are for 'other vacant' uses.

<b>Occupancy Status, 2014 Union City</b>		
	<b>Total</b>	<b>Percent</b>
<b>Total</b>	<b>24,931</b>	<b>100</b>
Occupied	22,814	91.5
Vacant	2,117	8.5
<b>Vacancy Status</b>		
<b>Total</b>	<b>2,117</b>	<b>100</b>
For rent	474	54.5
For sale only	125	14.4
Rented or sold, not occupied	31	3.6
For seasonal, recreational, or occasional use	72	8.3
For migrant workers	0	0.0
Other vacant	167	19.2

### **Housing values and contract rents**

The data below details the housing values and the financing methods used for owner occupied housing units. In 2014 the median home value was \$292,200, with 37.4% of units valued between \$200,000 and \$299,999. The second most common house value was between \$300,000 and 499,999 (36.7%). 63.8% of homes were financed with a mortgage, contract to purchase or similar debt, while only 31.7% had no mortgage at all.

<b>Value For All Owner Occupied Housing Units Union City</b>		
	<b>Total</b>	<b>Percent</b>
<b>Total</b>	<b>4,252</b>	<b>100</b>
Less than \$50,000	62	1.5
\$50,000- \$99,999	77	1.8
\$100,000- \$149,999	107	2.5
\$150,000- \$199,999	417	9.8
\$200,000 to \$299,999	1,589	37.4
\$300,000 to \$499,999	1,561	36.7
\$500,000 +	439	10.3
<b>Median Value</b>	<b>\$292,200</b>	
<b>Mortgage Status</b>	<b>4,252</b>	<b>100.0</b>
Housing units with a mortgage	2,903	68.3
Housing units without a mortgage	1,349	31.7

As stated earlier, 79.9% of all occupied Union City housing units were rental units. In 2014, the median monthly rent in Union City was \$1,095, with 43.3% of renter paying between \$1,000 and \$1,499 per month and 23.2% of renter paying between \$750 and \$999.

<b>Contract Rent 2014, Union City</b>		
	<b>Total</b>	<b>Percent</b>
<b>Total renter occupied units</b>	<b>18,305</b>	<b>100</b>
Less than \$200	168	0.9
\$200 to \$299	332	1.8
\$300 to \$499	787	4.3
\$500 to \$749	1,862	10.2
\$750 to \$999	4,255	23.2
\$1,000 to \$1,499	7,932	43.3
\$1,500 or more	2,969	16.2
No cash rent	229	1.3
<b>Median Rent (dollars)</b>	<b>1,095</b>	

### **Housing conditions**

The table below details the condition of housing within Union City based on heating fuel, overcrowding, plumbing facilities, kitchen facilities, and telephone service. These factors are utilized in determining housing deficiency. Nearly 15% of occupied housing units in Union City are over crowded (more than one person per room) and 5.9% have more than 1.51 persons per room. Only 1.2% of residents lacked complete plumbing facilities and only 1.5% lacked complete kitchen facilities. The majority (77%) of occupied housing units use gas as their primary heating fuel, while sizable numbers of residents use electricity and fuel oil or kerosene.

<b>Housing Conditions 2014 Union City</b>		
	<b>Total</b>	<b>Percent</b>
<b>House Heating Fuel- Occupied housing units</b>		
<b>Total</b>	<b>22,786</b>	<b>100</b>
Utility gas	17,536	77.0
Bottled, tank, or LP gas	455	2.0
Electricity	3,184	14.0
Fuel oil, kerosene, etc.	1,340	5.9
Coal or coke	0	0
Wood	0	0
Solar energy	0	0
Other fuel	115	0.5
No fuel used	156	0.7
<b>Occupants per Room-Occupied housing units</b>		
<b>Total</b>	<b>22,786</b>	<b>100</b>
Occupants per Room (1 or less)	19,408	85.2
Occupants per Room (Over 1.01)	2,028	8.9
Occupants per Room (Over 1.51)	1,350	5.9
<b>Facilities</b>		
<b>Total</b>	<b>22,786</b>	<b>100</b>
Lacking complete plumbing facilities	275	1.2
Lacking complete kitchen facilities	342	1.5
<b>Telephone Service- Occupied housing units</b>		
<b>Total</b>	<b>22,786</b>	<b>100</b>
No service	516	2.3

## **FAIR HOUSING PRACTICES**

The section provides an overview of the institutional structure of the housing industry in governing the fair housing practices of its members. The oversight, sources of information, and fair housing services available to residents in Union City are described and their roles explained.

### **Oversight Organizations**

As described above, City residents are protected from housing discrimination by Federal and state laws. These laws are enforced by the Department of Housing & Urban Development and the Department of Justice, as well as by the New Jersey Department of Law and Public Safety, Division of Civil Rights. Reports and complaints are filed with these agencies and the Department of Justice may take legal action in some cases. Typically, fair housing service providers work in partnership with HUD and state agencies to resolve problems. However, in some cases where litigation is necessary, the case may be resolved through administrative filing with HUD or the state; referred for consideration to the Department of Justice, Civil Rights Division, Housing and Civil Enforcement Section; or referred to a private attorney for possible litigation.

New Jersey has its own law, which provides protections to individuals with disabilities in the sale or rental of housing. This state law, known as the Fair Housing Act, covers most housing. The act is bolstered by the provisions of the New Jersey Law Against Discrimination, which was amended in 2002 to make it illegal to discriminate against persons based on source of income.

The state law does not specifically exclude any individuals from its coverage. The Federal Fair Housing Amendments Act does, however, exclude individuals from protection who are currently using illegal drugs, individuals connected with the illegal manufacture of a controlled substance and individuals who are a direct threat to themselves or others. The Law Against Discrimination does address the topic of reasonable accommodation in some detail. The processes for enforcing one's rights are explained in several publications from the Department of Law's Division of Civil Rights. Persons who feel that they have been discriminated against may file a complaint with the Division of Civil Rights.

Persons who feel that they have been discriminated against may seek assistance or file complaints through one of several avenues. HUD maintains a Fair Housing Enforcement Center in New York City. The State Division of Civil Rights is located in Trenton and there is a Newark Regional office as well.

Residents of Union City, and Hudson County in general, have several sources of assistance for fair housing concerns. The Hudson County Housing Resource

Center is a HUD Certified Housing Counseling Agency that can provide residents, municipalities and housing organizations with information, assistance and counseling on a wide range of issues including security deposit refunds, substandard conditions, rent increases, foreclosure and imminent homelessness. The Center can offer advice, represent clients in court and refer clients to other agencies as necessary. The Center has operated continuously since 1990 and while serving clients of all income levels, has focused on low or moderate income families.

The Fair Housing Council of Northern New Jersey, based in Hackensack, provides a number of services in the fair housing area. The organization is also a HUD certified counseling agency and offers clients housing and financial counseling for both sales and rentals. The group also:

- Protects people who experience discrimination based on race, religion, national origin, disability, family or marital status or sexual orientation.
- Provides information, educational programs and assistance to housing and lending consumers, real estate professionals, schools and government.
- Works with county, state and federal governments to assist first time homebuyers.
- Assists businesses and corporations in locating housing for transferees.
- Assists low income families in finding affordable housing, works to expand the supply of affordable housing and offers counseling to prevent foreclosures.
- Provides homelessness prevention assistance.
- Monitors realtors and lending institutions for compliance with the Fair Housing laws.

While this group is not actively involved in Hudson County, it is able to conduct testing in the County and Union City. Efforts to identify other housing assistance or service entities in the City or County have not proven successful.

The Federal Financial Institutions Examination Council (FFIEC) is a formal interagency body empowered to prescribe uniform principles, standards and report forms for the federal examination of financial institutions by the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Office of the Comptroller of the Currency and the Office of Thrift Supervision and to make recommendations to promote uniformity in the supervision of financial institutions. The FFIEC provides data on loan originations, loan denials and other aspects of the home loan process, as well as preparing Community Reinvestment Act rating reports on financial institutions.

## **COORDINATION AND SUPERVISION IN THE HOMEOWNERSHIP MARKET**

Many agencies are involved in overseeing real estate industry practices and the practices of the agents involved. A portion of this oversight involves ensuring that fair housing laws are understood and complied with. The following organizations have limited oversight within the real estate market and some of their policies, practices and programs are described.

### **National Association of Realtors**

The National Association of Realtors (NAR) is a consortium of realtors, which represent the real estate industry at the local, state and national level. As a trade association, members receive a range of membership benefits. However, to become a member, NAR members must subscribe to its Code of Ethics and a Model Affirmative Fair Housing Marketing Plan developed by HUD. The term “Realtor” thus identifies a licensed real estate professional who pledges to conduct business in keeping with the spirit and letter of the Code of Ethics. Realtors subscribe to the NAR’s Code of Ethics which imposes obligations upon realtors regarding their active support for equal housing opportunity.

### **Diversity Certification**

The NAR has created a diversity certification, “At Home with Diversity: One America”, to be granted to licensed real estate professionals who meet eligibility requirements and complete the NAR “At Home with Diversity” course. The certification signals to customers that the real estate professional has been trained to work with the diversity present in today’s real estate market.

### **New Jersey Association of Realtors**

The New Jersey Association of Realtors is a trade association of realtors statewide. As members of the Association, realtors follow a strict code of ethics. The Association also offers the “At Home with Diversity: One America” certification course as part of its graduate education program.

### **New Jersey Real Estate Commission**

The New Jersey Real Estate Commission is a licensing authority for real estate brokers and salespersons. Established in 1921, the New Jersey Real Estate Commission (REC), a Division of the New Jersey Department of Banking and Insurance, was created to administer and enforce New Jersey’s real estate licensing law. The REC issues licenses to real estate brokers and salespersons, real estate schools and course instructors, as well as the establishment of standards of practice for the real estate brokerage profession.

## **COORDINATION AND SUPERVISION IN THE RENTAL MARKET**

Many agencies oversee the apartment rental process and related practices. This oversight includes that fair housing laws are understood and followed. The following organizations have limited oversight within the rental housing market.

### **New Jersey Apartment Association**

The New Jersey Apartment Association is a state chapter of the National Apartment Association dedicated to serving the interests of New Jersey apartment owners and managers.

### **National Association of Residential Property Managers**

The National Association of Residential Property Managers (NARPM) is an association of real estate professionals who are experienced in managing single family and small residential properties. NARPM promotes the standards of property management, business ethics, professionalism and fair housing practices within the residential property management field. NARPM certifies members in the standards and practices of the residential property management industry and promotes continuing professional education. NARPM offers designations to qualified property managers and management firms and these certifications required educational courses in fair housing practices.

## **FAIR HOUSING ORGANIZATIONS**

In addition to the above, there are a number of not-for-profit organizations concerned with fair housing issues. These organizations provide assistance to individuals who feel that they may have been the subject of a discriminatory act.

The Fair Share Housing Center (FSHC), founded in 1975, is a public interest organization devoted the defense of the housing rights of New Jersey's poor through enforcement of the "Mount Laurel Doctrine", which prohibits economic discrimination through exclusionary zoning and requires all towns to provide their fair share of the affordable housing needs of their region.

The FSHC mission is to end discriminatory or exclusionary housing patterns and to provide the opportunity for low income persons to reside in an environment which offers safe, decent and sanitary housing near employment and educational opportunities.

Other resources include:

- The Office of Landlord/Tenant Information within the New Jersey Department of Community Affairs' Division of Codes and Standards.
- Legal Services of New Jersey, which publishes a handbook for tenants
- HUD Certified Fair Housing Counseling Agencies in New Jersey

## **LENDING DATA AND PUBLIC POLICIES**

This section of the AI evaluates lending practices in Union City, using Home Mortgage Disclosure Act (HMDA) data, information from banking oversight agencies and complaint data from local, state and federal organizations and agencies.

At the same time, public policies established at the local level can affect housing development and therefore may have an impact on the range and location of housing choices available to residents. Fair housing laws are designed to encourage an inclusive living environment and active community participation. An assessment of public policies and practices enacted by the City can help determine potential impediments to fair housing opportunity. To identify potential impediments to fair housing choice and affordable housing development, some housing related documents (eg, zoning ordinance, previous fair housing assessment prepared for the State) were reviewed.

### **Complaint Data**

An analysis of complaint data indicates that discriminatory behavior exists on a limited basis, even though specific forms of discrimination are sometimes difficult to fully document. Housing discrimination primarily affects persons of color, the disabled and families with children.

Data provided by the U.S. Department of Justice for Title VIII complaints indicates that between 2004 and 2010, there were 8 such cases in Union City, with two filed on the basis of race or color, two based on national origin, one on the basis of disability and 3 based on the sex of the tenant. There were no specific statistics on fair housing complaints available from a fair housing advocacy group or monitoring organization.

Although there were very few cases over that six year period of time, there is still a need for activities by an organization to serve as a means for addressing fair housing issues. Data on fair housing complaints is difficult to obtain and sketchy when found. Though there is little data to go by, there may be a need for agencies to continue to monitor housing providers in the City.

### **Home Loan Activity**

A key aspect of fair housing choice is equal access to financing for the purchase or improvement of a home. In 1977, the Community Reinvestment Act (CRA) was enacted to encourage regulated financial institutions to help meet the credit need of entire communities, including low or moderate income persons and

neighborhoods. The Home Mortgage Disclosure Act (HMDA) requires financial institutions with assets exceeding 10 million dollars to submit detailed information on the disposition of home loans. HMDA data was evaluated in the AI with respect to lending patterns, however, the data is only an indicator of potential problems; the data cannot be used to conclude definite redlining or discrimination practices. HMDA data lacks the detailed information on loan terms or specific reasons for denial to make conclusive statements.

As noted above, Union City is dominated by rental units with nearly 80% of the total number of occupied units in rental tenancy. However, the HMDA reported limited activity for 2011. The data indicates that of the 138 total conventional loan applications, 75 or 54% were approved, 28 or 20% were denied and 35 or 26% were withdrawn. This would appear to indicate positive activity for the conventional homeowner's loan market in Union City.

### **Affordability**

Although low income persons are not a protected class under the Fair Housing Act, as noted earlier, housing costs can serve to restrict fair housing choice. To combat this situation, it is important that both the public and private sector strive to build more affordable housing and this is one of the key objectives of both the City's Consolidated Plan and its adopted Housing Element and Fair Share Plan.

There are a number of factors which affect the provision of affordable housing including environmental regulations; labor requirements; the unwillingness of rental agents to rent to families with children, persons with housing subsidies, female headed households; neighborhood resistance; and income guidelines that limit opportunities to moderate income households over those with low incomes.

### **Public Policies**

A wide range of governmental policies affect affordable housing and fair housing choice. Many of these policies are beyond the control of municipal government, although municipalities have control over land use and zoning. The most important impediment is the lack of Federal and State resources for affordable housing initiatives. The lack of programs and resources to reduce excessive rent or mortgage burdens to qualified persons is a key factor.

The City of Union City's Land Use Plan, includes a Housing Element and Fair Share Plan, and the recently adopted Land Development Ordinance does not contain any restrictions on the development of affordable housing. Likewise, housing codes and standards and rent control ordinances ensure the health, safety and quality of life for City residents while minimizing barriers that might impede the development of affordable housing.

The following are some public policy, zoning and land use issues that were identified through discussions with planners, developers and other organizations that might create impediments to fair housing choice.

### **1. Market Conditions**

The major barrier to affordable housing in Union City is the high cost of housing created by a demand for housing, both existing and new, which exceeds the current supply. Union City is starting to be seen as a desirable place to live and is beginning to see growth in the number of people who wish to reside in the City. In addition, the cost of site acquisition is very high and construction costs in northern New Jersey are among the highest in the nation. These factors make housing construction in Union City expensive and make affordable housing out of reach of low income households.

### **2. Building Codes**

Building regulations are essential to protecting the health and safety of citizens and the general welfare of the municipality. While these codes have many positive contributions, they also contribute to increased construction costs. The New Jersey uniform building code was adopted by the State in 1977, comes under the authority of the New Jersey Department of Community Affairs and is administered by local officials who are licensed and regulated by NJDCA.

### **3. Property Taxes**

Property taxes generate revenue to support a broad array of public facilities and services at the local level of government. However, it is also recognized that property taxes add significantly to the cost of housing and can therefore impact affordability. The State of New Jersey is known as a high property tax state with a combined state and local tax burden of 10.2% of income. As property taxes are factored into a household's month housing cost, a potential homeowner who can afford a mortgage may not qualify when property taxes are included.

### **4. Permit Delays**

Development in New Jersey includes several levels of government and various agencies in the approval process, either directly or indirectly. While approvals for new development must always be obtained from the City Planning Board or Zoning Board of Adjustment, many times approval

is also required by the Hudson County Planning Board, utility authorities and/or soil conservation districts. According to the State's CHAS, the New Jersey Builders Association estimates that half of the projects going through the permit process take more than three years to complete. One estimate concludes that the cost of delay caused by the lengthy approval process is one percent per month, which suggests that the residential construction process can add more than 30% to housing costs.

## **5. Land Use Regulations**

While zoning regulations typically affect the provision of affordable housing, the City's recently enacted Land Development Ordinance does not contain any such restrictions and provides numerous sites that would be appropriate for the development of affordable housing. The City has recently adopted a Redevelopment Plan to provide 101 units of affordable housing for seniors on the site of the municipally owned 8<sup>th</sup> Street Parking Lot.

## **IDENTIFIED IMPEDIMENTS AND RECOMMENDATIONS**

This section summarizes the key findings of the Analysis of Impediments and makes recommendations about actions to eliminate impediments to fair housing choice in Union City. Housing discrimination continues to occur and it manifests itself in different ways among different segments of the population. Since it continues to be a goal of the City to eliminate any existing discrimination and prevent future impediments to equal housing opportunity, the recommendations should be considered as a guide to ensure access to fair housing for all current and future residents.

This 2020 Analysis of Impediments builds upon the previous 2012 Union City Analysis of Impediments and the AIs included in the Hudson County Consortium Consolidated Plans and analyzes data and identifies the private and public sector conditions that foster housing discrimination. Based upon research and limited interviews with housing advocates, the following is a description of the main potential impediments that were found to exist in Union City. As noted, more detailed research and investigation through both the analysis of data and information gathered from focus groups and fair housing organizations are necessary to develop a comprehensive picture. Each impediment noted below is followed by recommendations to address and eliminate that impediment.

### **1. Discrimination in the Housing Market**

The review of demographic information, discrimination complaint data and lending data does not clearly indicate the extent of housing discrimination among persons in the various protected classes. Statistical data can assist in identifying problems and areas of concern, however, reporting requirements differ, as does the quality of data that is provided. Further, much of the available data is at least a year old by the time it is made available. More focused, accurate and current data is necessary to understand the needs and more sources of first hand information from focus groups and housing advocacy organizations are needed to obtain a better understanding of the situation in the marketplace.

In the current economy and given the structure of the housing stock in Union City, the incidences of discrimination likely focus on rental housing and the focus of efforts in the immediate future should be on that rental market. In particular, discrimination among protected classes should be addressed:

- Female-headed households- there are no specific statistics related to this issue, but female headed households often face discrimination in the housing market, often due to low incomes and the need to care for children.

- Non-family households- these are numerous throughout Union City and they may also face discrimination.
- Racial/Ethnic Groups- the City continues to have a large percentage of foreign born residents, mainly from Spanish speaking countries. While the City makes a great effort in bilingual outreach, many residents are unlikely to contact governmental entities when there are issues.

## **Recommendations**

1. Educate households and housing related organizations by disseminating Fair Housing Law literature, conducting Fair Housing law seminars and training and focusing public awareness campaigns about Fair Housing law in specific neighborhoods and among civic, social, religious and special interest groups that serve this population.
2. Provide Fair Housing materials and educational programs in Spanish, particularly to those neighborhood and organizations impacted.
3. Conduct training sessions and information campaigns especially among rental property owners and managers, as well as apartment owner associations and management companies.
4. Increase housing choice alternatives for the disabled and families with children, by continuing the construction of affordable, rental housing.
5. Convene focus meetings of advocacy groups, community based organizations, real estate industry professionals, lenders, property owners and government agency officials to review and assess fair housing issues. These groups should help to identify discriminatory practices, trends or changes in these practices as a means to address those issues.

## **2. Fair Housing Advocacy and Outreach**

At the present time, there is no specific housing advocacy group that focuses on Union City, nor is there a strong visible fair housing advocacy group in Hudson County that can assist persons who feel that they have suffered discrimination and at the same time, provide outreach and education on fair housing issues as discussed above.

## **Recommendations**

1. Assist in the development of a fair housing organization that will actively assist City residents with fair housing education and issues.
2. Expand efforts to inform renters and homebuyers of their rights and what recourse they have, if they feel that they have been discriminated against.
3. Conduct training sessions and information campaigns especially among rental property owners and managers, as well as apartment owner associations and management companies.
4. As described above, convene focus sessions of advocacy groups, community based organizations, real estate professionals, lenders, property owners and government agency officials to review and assess fair housing issues.
5. Update Fair Housing information on a regular basis and adjust strategies and actions accordingly.

### **3. Bias in Lending**

This AI did not find significant evidence of discrimination practices. The issue does not appear to have generated specific complaints, although this data is not conclusive. Additional, detailed research is necessary to make any definitive conclusions. However, the City should to the extent possible, ensure that persons who seek loans for home purchase or improvement are aware of lending practices and procedures.

## **Recommendations**

1. Develop programs to foster conventional lending and banking services in underserved neighborhoods and to specific groups of persons.
2. Expand financial literacy and credit counseling programs, especially in minority and lower income neighborhoods.

### **4. Limited Supply of Affordable Housing**

As discussed above, affordability is one aspect of housing discrimination and it is difficult to talk about addressing impediments to fair housing, and actions to

eliminate discrimination in housing, without also talking about the development of policies, plans, programs and projects to increase the supply of affordable housing.

Previous sections of this Analysis, and the Housing Market Analysis contained in the City's Consolidated Plan, address the issue of affordability in detail. It is clear that even moderate income households face challenges to purchase a home in Union City and low income families face a considerable cost burden for rental housing. This effort is significantly affected by the reduction in Federal funds provided to the City for community development projects.

### **Recommendations**

1. Continue to use all available federal and state funding resources and programs to address high priority housing needs for the rehabilitation, preservation and development of affordable units.
2. Continue to work with community based organizations, affordable housing developers and housing advocacy groups to increase the supply of larger and disability accessible housing units.
3. Continue, and if possible, expand housing rehabilitation programs to maintain the City's base of affordable units, both owner occupied and rental.

### **5. Government Policies**

This impediment deals with issues relating to the development of land including housing that is available to a wide range of persons and income levels in disparate locations. This goal is affected by many factors, some of which, as noted above, are beyond the abilities of municipalities to change.

### **Recommendations**

1. Ensure that reasonable accommodation and disabled access issues are properly addressed in municipal zoning and construction codes. The City's Building Department requires all development to provide improvements that conform to the Americans with Disability Act standards.
2. Do as much as possible to reduce review and approval process times for both new construction and home modification applications. The City has a long-standing process to move projects from building department review to the appropriate approval agency in a timely manner.

3. Encourage the provision of affordable housing in multi unit projects wherever feasible. At the present time, the status of the State's Council on Affordable Housing and its fair share requirements are unclear. However, the City has an approved Affordable Housing Trust Fund and affordable housing guidelines to assist in this effort.

City of Union City  
Community Development Block Grant (CDBG)  
Language Assessment  
The City of Union City  
Community Development Agency's  
Four Factor Analysis

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In order to determine the estimated needs of Limited English Proficient (LEP) persons in the City of Union City, New Jersey the Union City Community Development Agency conducted the following analysis:

**Factor 1 – Number or proportion of LEP persons served or encountered in the eligible service area**

The Union City Community Development Agency obtained information from the U.S. Census Bureau's American Factfinder website as recommended by HUD in order to gather data about the jurisdiction's overall population, as well as the population of LEP persons within the jurisdiction and the primary languages spoken. This data indicated the following:

Total population 5 years and over	61,610
Total LEP population 5 years and over	53,723
Spanish speaking LEP population 5 years and over	52,199
Other language speaking LEP population 5 years and over	1,524

The above data indicates that more than 97% of the jurisdiction's LEP population is Spanish speaking and that the Spanish-Speaking LEP population constitutes 84.7% of Union City's total population. The only other data available indicates that only 1,524 persons in the LEP population spoke a language other than Spanish.

The staff of the Community Development Agency and the Office of the Mayor is entirely bi-lingual and is able to provide assistance to the significant amount of residents that are Spanish speaking. In addition, there are no records of public comment indicating a lack of availability of LEP assistance over the past five years.

## **Factor 2 – Frequency of contract with the program**

Through past experiences, the Union City Community Development Agency and Rent Control Office determined that on average, there are 25-30 Spanish speaking LEP persons contacting these offices on a daily basis for information or assistance with housing related matters. Because of this, the City of Union City is committed to maintaining bilingual staff serving in both reception and administration of these particular offices.

The Union City Housing Authority receives roughly 40-50 calls per day from Spanish speaking LEP persons requesting information or assistance. As with the related City offices, the Union City Housing Authority also maintains a significant number of bilingual staff in both reception and administrative positions, and at least one per department.

In reports from all offices, contacts with LEP persons who speak languages other than Spanish are infrequent.

## **Factor 3 – Importance of service, information, program or activity**

The services provided by the Union City Community Development Agency, the Union City Offices of Rent Control, and the Union City Housing Authority are important as they relate to a client's need for or continued provision of, affordable housing.

## **Factor 4 - Costs versus resources and benefits**

Because the Union City Community Development Agency, the Union City Office of Rent Control, and the Union City Housing Authority maintain considerable numbers of Spanish speaking staff, it is cost effective for them to provide Spanish language translation of all vital documents and many others that while not vital, may be beneficial to a client.

The Union City Community Development Agency, the Union City Office of Rent Control and the Union City Housing Authority will utilize any documents provided by HUD in languages other than English.

The Union City Community Development, the Union City Office of Rent Control and the Union City Housing Authority will seek to retain the services of a professional interpretation service to provide oral interpretation in languages other than Spanish as needed.

# City of Union City Community Development Agency & Union City Public Housing Authority Language Assistance Plan (LAP)

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City of Union City

Community Development Block Grant (CDBG)

## **Introduction**

The Union City Community Development Agency and the Union City Housing Authority are committed to providing equal opportunity housing in a non-discriminatory manner, and in complying fully with all Federal, State and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment. This includes complying with Title IV of the Civil Rights Act of 1964 to ensure meaningful access to programs and activities by Limited English Proficient (LEP) persons.

The purpose of this Language Assistance Plan (LAP) is to identify how the Union City Community Development Agency and the Union City Housing Authority will ensure their methods of administration will not have the effect of subjecting LEP persons to discrimination because of their national origin, and to ensure LEP persons have full access the programs and services offered by both entities.

## **Who is LEP?**

For the purposes of this LAP, anyone whose primary language is not English, and has a limited ability to read, write, speak or understand English may be LEP.

Neither the Union City Community Development Agency nor the Union City Housing Authority will identify anyone as LEP; the beneficiaries of the services and activities must identify themselves as LEP (Federal Register Vol. 72, No. 13, January 22, 2007).

## **Identification of Languages Needs Within the Jurisdiction**

It was determined through review of the U.S. Census Bureau's American Fact Finder for the City of Union City, as recommended by the U.S. Department of Housing and Urban Development (HUD), that Spanish was the only language to meet the 4 factor analysis criteria (1 – Number or proportion of LEP persons served or encountered in the eligible service area; 2 – Frequency of contact with the program; 3 – Importance of service, information, program or activity; 4 - Costs versus resources and benefits) requiring translation of vital documents. This was supported by the volume of encounters with LEP persons, virtually all of whom were Spanish speaking. According to the 2010 US Census, there are 52,199 Spanish-speaking persons over the age of five years in Union City. Guidance provided by HUD states that written translations of vital documents should be provided for each eligible LEP language group constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be serviced or likely to be affected or encountered. The Union City Community Development Agency and Union City Housing Authority have determined that because more than 97% of the total population are Spanish-speakers, the Union City Community Development Agency and Union City Housing Authority will translate vital documents into Spanish.

The LEP population other than Spanish speaking, is extremely small and therefore did not meet the threshold to require written translation of vital documents into those languages. However, The Union City Community Development Agency and the Union City Housing Authority will provide oral interpretation as needed to LEP persons requesting such services.

### **Written Translation**

As stated above, the Union City Community Development Agency and the Union City Housing Authority have determined that because there are more than 1,000 Spanish-speakers in Union City, the Union City Community Development Agency and the Union City Housing Authority will translate vital documents into Spanish. As of the date of the creation of this LAP, Spanish is the only language into which vital documents will be translated. This is subject to change upon review of the LAP as discussed below.

#### **1. Vital Documents**

HUD has defined "vital documents" to be those documents that are critical for ensuring meaningful access or awareness of rights or services, by beneficiaries or potential beneficiaries generally and LEP persons specifically. In general, the Union City Community Development will attempt to translate all letters sent to program applicants and participants to Spanish. Additionally, this office will

publish notices pertinent to the review of critical CPD documents in both Spanish and English.

The Union City Housing Authority also makes it general practice to translate letters sent to program applicants and participants to Spanish. Additionally, the Union City Housing Authority relies upon publications by Nan McKay for Public Housing and Section 8 (*The Family Handbook / El Manual de La Familia*) which are provided to all new tenants and Housing Choice Voucher tenants in either Spanish or English, whichever is necessary.

## **Oral interpretation**

The Union City Community Development Agency and the Union City Housing Authority will continue to make every effort to provide oral interpretation for all its clients who have identified themselves as LEP and request services.

### **1. Bilingual Staff**

The Union City Community Development Agency and the Union City Housing Authority employ bilingual, Spanish-speaking staff in most positions, including program management, to ensure there are sufficient personnel available to assist Spanish-speaking LEP persons when needed. Currently the Union City Community Development Agency has six full-time Spanish-speaking staff. The Union City Housing Authority employs twenty six full-time staff, of which all are Spanish speaking. The Union City Housing Authority employs at least one native Spanish-speaking bilingual staff members in each organizational department.

As native speakers of the non-English languages detailed above, the Union City Community Development Agency and Union City Housing Authority bilingual staff, as well as other City of Union City bilingual employees have not, to date, been required pass a competency test in the other language in order to be designated as a bilingual person.

## **2. Interpretation Services**

Although there have been no recorded cases by either the Union City Community Development Agency or Union City Housing Authority in which there has not been a staff person available who speaks the LEP person's primary language, both entities agree that they will seek interpretation through a professional interpreter service should this situation arise.

In the event that the LEP person's primary language is not widely spoken and the Union City Community Development Agency and Union City Housing Authority are unable to locate a suitable interpreter through a professional interpreter service, these entities may resort to other methods such as seeking community volunteers. As a last resort in case where either the Union City Community Development Agency or Union City Housing Authority is unable to find an acceptable interpreter within a time frame to effectively assist the client, either entity may use an online translation website, such as such as Bing Translator or Babylon.com, in order to communicate via an in-office computer.

## **3. Informal Interpreters**

The Union City Community Development Agency and Union City Housing Authority will generally discourage the use of family members or other informal interpreters, but will allow the use of an interpreter of the LEP person's choosing (including family members or a professional interpreter at the LEP person's own expense) when the LEP person rejects free language assistance services offered by the Union City Community Development Agency and Union City Housing Authority. These entities will document the offer and the LEP person's subsequent rejection.

## **Outreach**

The Union City Community Development Agency and Union City Housing Authority will conduct outreach in a method that is inclusive of LEP persons identified through its bi-annual analysis. All Public Notices and marketing advertisements, such as notification of the availability of waiting list applications and CDBG planning activities, shall be published in Spanish as well as English in both the local Spanish- and English-language media. The Union City Community Development Agency and Union City Housing Authority may also participate in community-sponsored events and make presentations through community organizations to target LEP persons and ensure they are aware of the availability of LEP assistance.

For clients of the Union City Housing Authority, reception service is provided in Spanish, flyers and other communications posted in the lobby are translated into Spanish, and interviews and programs briefings are available in Spanish. Brochures advertising other available programs within the organization are also available in Spanish. For clients of the Union City Community Development Agency, reception service is also available in Spanish.

For clients who are LEP but are not Spanish-speaking, receptionists of both the Union City Community Development Agency and the Union City Housing Authority will have a document created by the US Census Bureau translated into 38 different languages to use as a tool to identify the client's primary language. The Union City Community Development Agency and Union City Housing Authority will also seek translation of a notice announcing the availability of primary language assistance into as many languages as possible to be posted in the lobby. Until this is achieved, the Union City Community Development Agency and the Union City Housing Authority will post the notice in English.

## **Staff Training**

The Union City Community Development Agency and the Union City Housing Authority will provide a copy of this LAP to all existing staff, and will also provide training as to its contents and what is required of them under its policies. This training shall include the types of services available to clients and how to access them. New employee will receive this LAP and the same training as part of their orientation.

## **Monitoring and Updating of This LAP**

The Union City Community Development Agency and Union City Housing Authority will review/revise this LAP on an as needed basis, but no less than every two years to ensure the populations of the various language groups within the jurisdiction and their needs are reflected in the provision of primary-language services. At that point the Plan will be reviewed to determine if the existing LEP services are sufficient to meet the needs of LEP clients.

Events that will be considered indicators of the need for a review of the LAP and will also be utilized to identify the need for LEP assistance in other languages include but not limited to LEP populations within the jurisdiction encountered or affected; frequency of encounters with LEP population; and continued availability of existing resources and the addition of new resources.