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U.S. Department of Housing and Urban Development

Northwest/Alaska Area
Office of Fair Housing and Equal Opportunity
Seattle HUB
Program Center
Program Operations Branch
909 First Avenue, Suite 205
Seattle, WA 98104-1000

November 30, 2006

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Chris Todis, Executive Director
Housing Authority and Community
Services Agency of Lane County
177 Day Island Road
Eugene, Oregon 97401

SUBJECT: Letter of Determination of Compliance
Title VI Compliance Review
Compliance Review Number: 1006R0026

Dear Mr. Todis:

In June of 2006, the Department's Office of Fair Housing and Equal Opportunity (hereinafter "FHEO") issued a determination outlining the results of a compliance review conducted to determine whether or not The Housing Authority and Community Services Agency of Lane County (hereinafter the "Housing Authority") was operating in compliance with Title VI of the Civil Rights Act of 1964. While no Findings were made, one (1) Concern was raised as a result of the review. Specifically, a concern was raised that there was an apparent significant difference between the number of days from application to first offer of housing for minorities as opposed to non-minorities. The Department's conclusions were based on an analysis of a computer-generated report provided by the Housing Authority during the review.

Subsequent to the Department's review and determination, the Housing Authority hired an outside party to review files and application processes. The Housing Authority's outside reviewer examined approximately one half of the files identified in the computer-generated list provided to HUD and concluded that data entry errors and reasonably explained delays for placements of individual tenants had occurred. The reviewer further concluded that, given her findings, there was in fact no significant difference between the number of days from application to first offer for minorities as opposed to non-minorities.

The Department acknowledges the Housing Authority's re-evaluation of data and files and accepts the explanations provided for the apparent disparity at issue. The Department

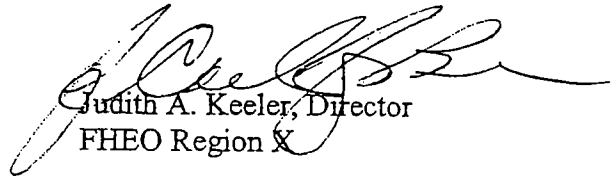
concur with the conclusion that there has been no significant disparity in wait time between minorities and non-minorities.

As the previously identified Concern has been resolved, we conclude that the Housing Authority is in compliance with HUD's regulations implementing Title VI as they relate to the Housing Authority's practices covered under the compliance review. Accordingly, we are issuing this Letter of Determination of Compliance formally closing the subject compliance review. This determination does not reflect an assessment by HUD of the Housing Authority's compliance with regard to any complaints that may be filed with the Department under Title VI.

The Office of Public Housing/Portland was notified of FHEO's conclusions from its on-site compliance review. The Office of Public Housing/Portland will be provided with a copy of the Housing Authority's response to the Determination pursuant to the review and a copy of this Letter of Determination of Compliance for future consideration as it determines necessary.

If you have any questions concerning the compliance review or of this letter, please feel free to call Nancy Roach at (503) 326-5779 or Carl J. Brown at (206) 220-5297.

Sincerely,



Judith A. Keeler, Director
FHEO Region X

cc: Elizabeth Santone, Director
Office of Public Housing/Portland

John Meyers
Regional Director



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U.S. Department of Housing and Urban Development

Northwest/Alaska Area
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909 First Avenue, Suite 205
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June 30, 2006

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Chris Todis, Executive Director
Housing Authority and Community
Services Agency of Lane County
177 Day Island Road
Eugene, Oregon 97401

SUBJECT: Title VI Compliance Review
Housing Authority and Community Services Agency of Lane County
Compliance Review Number: 1006R0026

Dear Mr. Todis:

The Department's Office of Fair Housing and Equal Opportunity in the Seattle Hub has completed a review of housing programs administered by the Housing Authority and Community Services Agency of Lane County (hereinafter the "Housing Authority" or "the Agency"). The review was conducted under the authority of Title VI of the Civil Rights Act of 1964 ("Title VI"), 42 U.S.C. 2000d1-2000d4 and the regulations issued there under at 24 CFR Part 1. The purpose of the review was to determine whether housing programs operated by the Housing Authority are being administered in compliance with the nondiscrimination requirements of Title VI.

The Department conducted an on-site review of the Housing Authority between April 18, 2006 and April 21, 2006. The areas reviewed included applications and waiting list administration, occupancy, record keeping and services provided to persons with limited English proficiency.

This letter sets forth the Department's observations as a result of the compliance review.

I. Background

The Department's Title VI regulations provide that "No person shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity to which this part 1 applies."

The Housing Authority and Community Services Agency of Lane County administers various federally funded programs, including: a Section 8 Voucher Program (approximately 5800 participants) and Low Rent Public Housing (708 units). The Housing Authority's operation of these two programs was examined for the purpose of this Compliance Review.

Based on available demographic data, the following race/ethnicity breakdowns exist for the areas served by the Housing Authority:

AREA	White	Black	American Indian	Asian	NH or PI	Hispanic	Speak language other than English	Speak English less than very well	Speak Spanish	Spanish Speaking who speak English less than very well
City of Eugene	88.1%	1.3%	.9%	3.6%	.2%	5.0%	10.0%	3.7%	1.8%	1.8%
City of Springfield	89.6%	.7%	1.4%	1.1%	.3%	6.9%	7.9%	3.2%	5.3%	2.3%
Lane County	90.6%	.8%	1.1%	3.6%	.2%	4.6%	7.9%	2.9%	4.1%	1.7%

II. Applications and Waiting List Administration

In compliance with 24 CFR 1.6(d), which requires that "each recipient shall make available to participants, beneficiaries, and other interested persons such information regarding the provisions of this part 1..." various forms and documents utilized by the Housing Authority contain notices of non-discrimination. Specifically, both the Housing Authority's Administrative Plan and ACOP contain non-discrimination statements and policies. Fair Housing Posters are located in the agency's main office. Lease provisions and other materials provided to residents include non-discrimination statements.

With respect to minority application rates for the programs that were reviewed, the Housing Authority's waiting lists and records of applications for LRPH reviewed. The below chart shows the numbers of applicants on the LRPH waiting list as of 3/20/06:

Waiting List	TOTAL	White	Black	N/A	Asian	Hispanic
LRPH Metro	1713	1605	49	38	21	124
		93.7%	2.9%	2.2%	1.2%	7.2%
LRPH Outlying Areas	221	210	4	6	1	13
		95.0%	1.8%	2.7%	.5%	5.9%
Florence	184	178	2	3	1	10
		96.7%	1.1%	1.6%	.5%	5.4%
Accessible Units	65	61	1	1	2	3
		93.9%	1.5%	1.5%	3.1%	4.6%
Grand Totals	2183	2054	56	48	25	198
		94.1%	2.6%	2.2%	1.2%	9.1%

Of the various racial/ethnic groups only the application rate for Asians is lower than that group's representation in the general population. The compliance review showed that the Housing Authority provides necessary interpreter services (given the demographic breakdown for its service area) and markets its programs to local agencies. It therefore could not be concluded that a failure to provide language services to limited English proficiency applicants was the cause of the lower rate of application Asians. The Housing Authority is encouraged to continue to locate and market its programs to local minority organizations in an effort to increase the application rate of Asians.

During the review, data concerning applicants identified as ineligible was also obtained; the chart below reflects the numbers of persons found to be ineligible between April 1, 2005 and March 20, 2006 and the reasons cited for determinations of ineligibility.

Reason	TOTAL	White	N/A	Black	Hispanic
Negative Reference	75	64	1	2	8
Drug Activity	2	2	0	0	0
Criminal History	11	11	0	0	0
Money Owing	11	9	0	1	1
Refused Offer w/o good cause	2	2	0	0	0
Registered Sex Offender	1	1	0	0	0
TOTALS	102	89	1	3	9
		87.3%	.1%	2.9%	8.8%

The information obtained therefore shows that minority and non-minority persons were found to be ineligible for similar reasons. The information did not reveal that minorities are found to be ineligible in numbers disproportionate to their representation among applicants.

Applicants determined to be ineligible are notified in writing; the reason(s) for the determination of ineligibility are noted. The applicant is also notified of his or her right to appeal the determination.

Review of files for applicants and applicants found to be ineligible did not reveal any differences in treatment between persons identified as minorities and non-minorities.

No findings or concerns are noted with respect to this section of the review.

III. Occupancy

With respect to the rates of participation in the Agency's Section 8 Voucher Program and LRPH, the below chart shows that the participation rate for all groups is comparable to their representation in the application pool:

Program	Totals	White	Black	N/A	Asian	Hawaiian/ Pacific Islander	Hispanic
Section 8 Program	5800	5288	302	99	126	12	463
		91.2%	5.2%	1.7%	2.2%	.2%	7.98%
LRPH	1359	1266	47	28	23	2	111
		93.2%	3.5%	2.1%	1.7%	.2%	8.2%

Review of current tenant files and files for current Section 8 Voucher holders did not reveal any differences in treatment between persons identified as minorities and non-minorities.

Regulatory Citation

24 CFR 1.4(b)(1) and 1.4(b)(1)(ii) provide in part that "A recipient under any program or activity to which this part 1 applies may not, directly or through contractual or other arrangements, on the ground of race, color, or national origin: Provide any housing, accommodations, facilities, services, financial aid, or other benefits to a person which are different, or are provided in a different manner, from those provided to others under the program or activity;"

Discussion

During the review, the Housing Authority provided data regarding move-ins for the period of April 1, 2005 and March 17, 2006. An analysis of this information was conducted to

determine the amount of time applicants waited from application to first offer. The analysis showed that the average time from application to first offer for all applicants was 499 days. The average time from application to first offer for applicants identified as minorities was 623 days, while the average time from application to first offer for applicants identified as non-minority was 481 days.

Concern #1

While no specific individual was identified as having been harmed with respect to wait time, it is of concern that there is a significant, as yet unexplained, difference between the number of days between application and first offer for minorities opposed to non-minorities.

Recommendation #1

It is recommended that the Housing Authority re-evaluate its application process to ensure that no steps are being taken or not taken that result in minorities waiting longer for a first offer of housing.

During the review, records of notices of eviction for the period of 1/31/05 through 1/31/06 were obtained. The numbers of residents receiving notices of eviction and the reasons for issuance of notices are reflected in the chart below.

Reason for Issuance of Notice of Eviction	Total Notices Issued	Minority	Non-Minority
Money Owning	28	5	23
Conduct/Alterations	3	0	3
Housekeeping	7	0	7
Conduct	9	0	9
Conduct/Pets	1	0	1
Guests	8	1	7
Pets	9	1	8
Other	7	1	6
Drugs	3	0	3
TOTALS	75	8 (11%)	67 (89%)

It is noted that only five (5) persons were ultimately evicted; the remaining notices were not acted upon because the misconduct involved was remedied or because a resident prevailed in an appeal process. Of the five (5) persons actually evicted none was identified as minority.

Review of eviction files did not reveal any differences in treatment between persons identified as minorities and non-minorities.

IV. Services to Persons with Limited English Proficiency

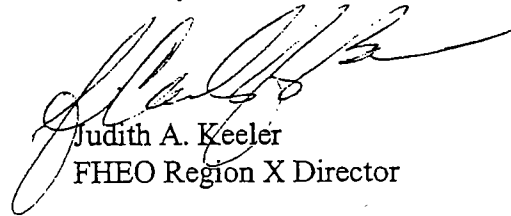
Information concerning the Agency and its programs is provided in both English and Spanish. Persons wishing to apply for assistance are notified that interpreter service is available.

The Housing Authority's policies provide that:

- bilingual staff are available to assist non-English speaking families;
- the Agency translates documents into Spanish;
- the Agency follows the steps outlined in the LEP Guidelines for determining services to be provided in languages other than Spanish.

The Department appreciates the cooperation of the Housing Authority throughout this review. Should you or any of your staff have any questions concerning this letter, please contact Nancy Roach of my staff at (971)222-2633. Also, please contact Ms. Roach within thirty (30) days of your receipt of this letter to discuss the resolution of the concerns described above.

Sincerely,



Judith A. Keeler
FHEO Region X Director

cc: Elizabeth Santone, Director
Office of Public Housing

John Meyers, Regional Director
Seattle Regional Office

Tom Cusack, Director
Portland Field Office