

Prepared for Provo Redevelopment Agency

Analysis of Impediments  
to Fair Housing Choice:  
Provo City and Utah County

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**Summary:**  
**Impediments to Fair Housing Choice – Non-Entitlement Cities in  
Utah County and Provo City**

The Provo and Utah County Analysis of Impediments relies on data from the HUD Sustainable Communities grant. This grant provided funding to develop a Regional Analysis of Impediments (RAI) for each of the four counties in the Wasatch Front. The RAI was supported and informed by HUD's required Fair Housing and Equity Assessment (FHEA). The FHEA included detailed demographic and socioeconomic information and analysis for each entitlement city and county in the study region (Wasatch Front). Specifically the FHEA included an examination of the following: (1) demographic trends of protected classes, (2) patterns of segregation, (3) racially concentrated areas of poverty (RCAP) and ethnically concentrated areas of poverty (ECAP), (4) disparities in opportunity, (5) fair housing infrastructure and (6) physical infrastructure.

The Provo and Utah County Analysis of Impediments draws on the material presented in the Utah County FHEA but has a broader scope and objective. The analysis of impediments must encompass issues associated with race, color, national origin, sex, religion, familial status, and disability. These are the characteristics of the protected classes identified in the Fair Housing Act. The analysis of impediments reviews the laws, policies and practices of a jurisdiction and identifies actions, omission, or decisions that may lead to housing discrimination based on these characteristics; again race, color, national origin, sex, religion, familial status, and disability.

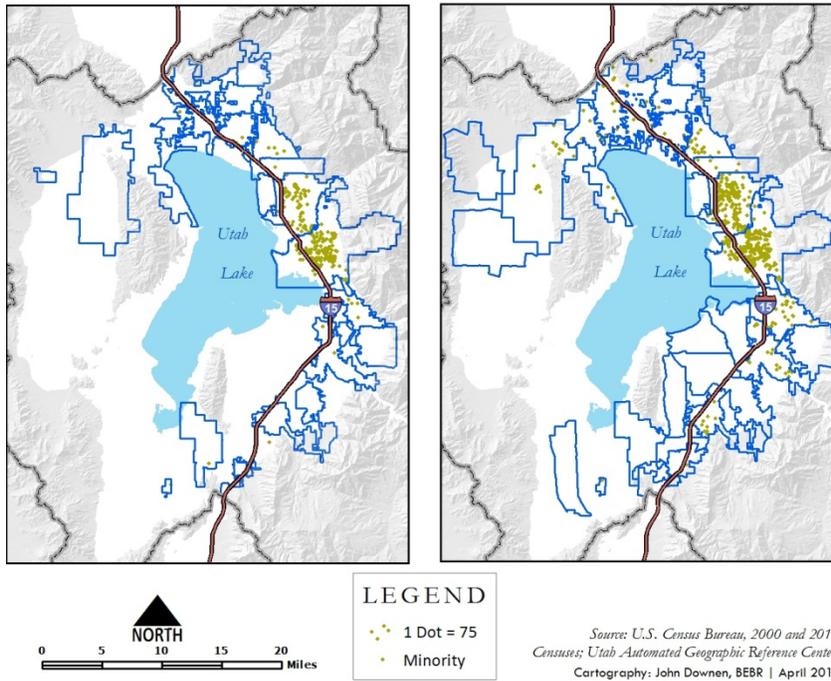
The following impediments to fair housing choice were identified for Utah County and Provo City.

*Impediment # 1: Segregation Due to Concentrations of Affordable Housing: Nimbyism, Zoning and Land Prices*  
Zoning practices and development approvals have a greater impact than any other factor on fair housing choice. If the high growth cities in Utah County do not allow increased levels of affordable housing, particularly rental housing, protected classes will become more highly concentrated and segregated by 2020, thereby further limiting housing choice. Thirty-one percent of the minority population in the county lives in Provo and Provo has only twenty-one percent on the county's population.

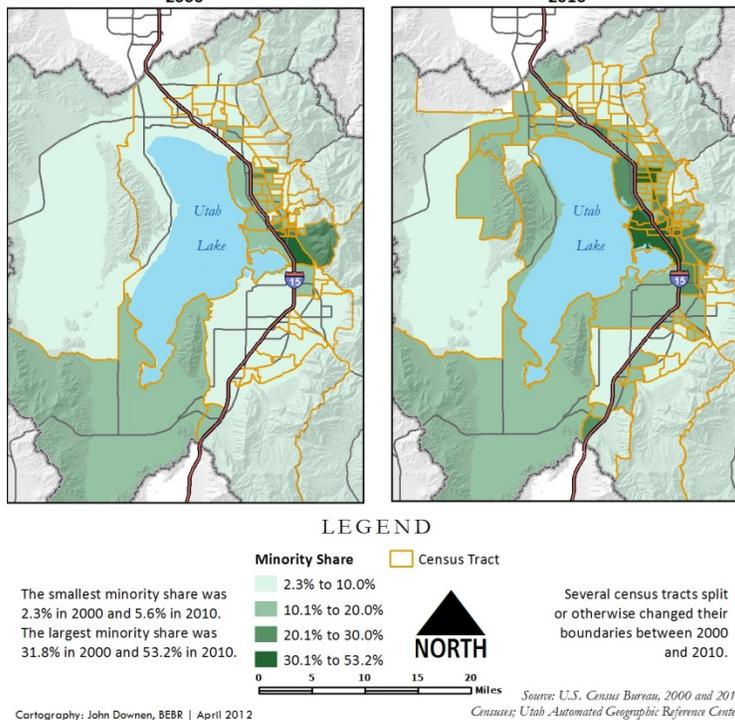
*Figures 1 & 2* show the increasing concentration of minority population in Utah County from 2000 to 2010. Each dot in *Figure 1* represents 75 individuals. From 2000 to 2010 much of the increase in the minority population has occurred in Orem and Provo. The change and increased concentration in minority and Hispanics populations in Utah County and municipalities are shown in *Tables 1-4*.

While there has been some improvement in the spatial distribution of minorities as Eagle Mountain and Lehi have provided affordable owner-occupied opportunities the minority share of the population in Provo is forty-two percent higher than the countywide average; 22.5 percent versus 15.8 percent. There is threat that protected class individuals will continue to be concentrated in Provo and south county cities as Nimbyism, zoning ordinances, land prices, etc. exclude the development of affordable housing, particularly affordable rental housing in the high growth northern cities.

**Figure 1**  
**Dot Density of Minority Population in Utah County**  
 2000 2010



**Figure 2**  
**Share of Minority Population by Census Tract – Utah County**  
 2000 2010



**Table 1**  
**Population by Race and Ethnicity in Utah County**

	1990	2000	2010
Total Population	263,590	368,536	516,564
White Alone	249,056	328,797	434,708
Black Alone	359	1,002	2,421
Asian and Pacific Islander	2,804	3,855	6,912
Other Race Alone	—	—	—
Two or More Races	—	—	—
Hispanic Origin	8,488	25,791	55,793
Minority Population	14,534	39,739	81,856
% Hispanic Origin	3.2%	7.0%	10.8%
%Minority Population	5.5%	10.8%	15.9%

Source: U.S. Census Bureau.

**Table 2**  
**Absolute and Percent Change in Population by Race and Ethnicity**  
**Utah County**

	1990–2000	2000–2010	1990–2000	2000–2010
Total Population	104,946	148,028	39.8%	40.2%
White Alone	79,741	105,911	32.0%	32.2%
Black Alone	643	1,419	179.1%	141.6%
Asian and Pacific Islander	1,051	3,057	37.5%	79.3%
Other Race Alone	—	—	—	—
Two or More Races	—	—	—	—
Hispanic Origin	17,303	30,002	203.9%	116.3%
Minority Population	25,205	42,117	173.4%	106.0%

Source: U.S. Census Bureau.

**Table 3**  
**Population by Race and Ethnicity in Provo City**

	1990	2000	2010
Total Population	86,835	105,166	112,488
White Alone	79,775	88,311	87,186
Black Alone	220	432	672
Asian and Pacific Islander	2,314	2,776	3,972
Other Race Alone	38	14	194
Two or More Races	—	1,790	2,654
Hispanic Origin	3,623	11,013	17,091
Minority Population	7,060	16,855	25,302
%Hispanic	4.2%	10.5%	22.5%
%Minority	8.1%	16.0%	15.2%

Source: U.S. Census Bureau.

**Table 4**  
**Absolute and Percent Change in Population by Race and Ethnicity**  
**Provo City**

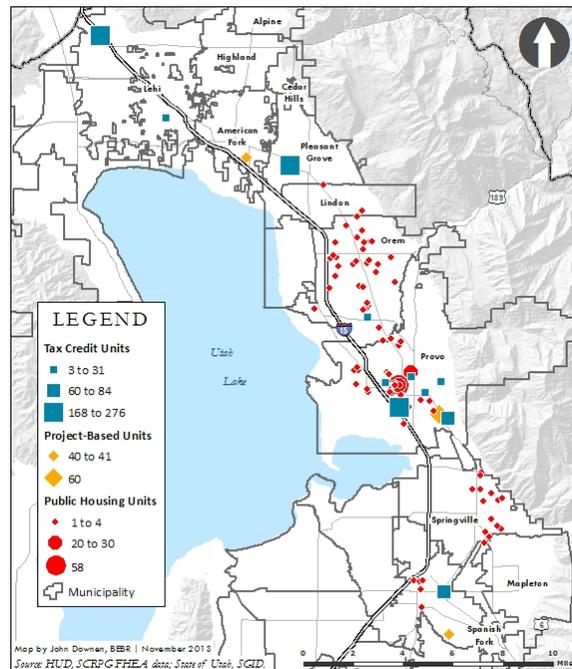
	1990–2000	2000–2010	1990–2000	2000–2010
Total Population	18,331	7,322	21.1%	7.0%
White Alone	8,536	-1,125	10.7%	-1.3%
Black Alone	212	240	96.4%	55.6%
Asian and Pacific Islander	462	1,196	20.0%	43.1%
Other Race Alone	—	180	-63.2%	1,285.7%
Two or More Races	—	864	—	48.3%
Hispanic Origin	7,390	6,078	204.0%	55.2%
Minority Population	9,795	8,447	138.7%	50.1%

Source: U.S. Census Bureau.

*Impediment # 2: Concentration of Tax Credit and Rent Assisted Apartment Communities*

Zoning's impact on the siting of subsidized and assisted rental units has led to greater concentrations of protected classes in the county. Of the 1,100 tax credit units in Utah County, 539 are located in Provo City. Eighty percent of all tax credit units are located in three cities, Provo, Lehi, and Pleasant Grove *Figure 3*. The tax credit data are of particular interest. Utah County has a rental inventory of over 50,000 units but only 2.2 percent of the inventory is devoted to tax credit units, whereas in Salt Lake County tax credit units represent 8 percent of the inventory, and in Summit and Tooele Counties the share is near 20 percent. Protected classes are disproportionately renters of tax credit projects. The concentration of these units in a few cities impedes fair housing choice of protected classes.

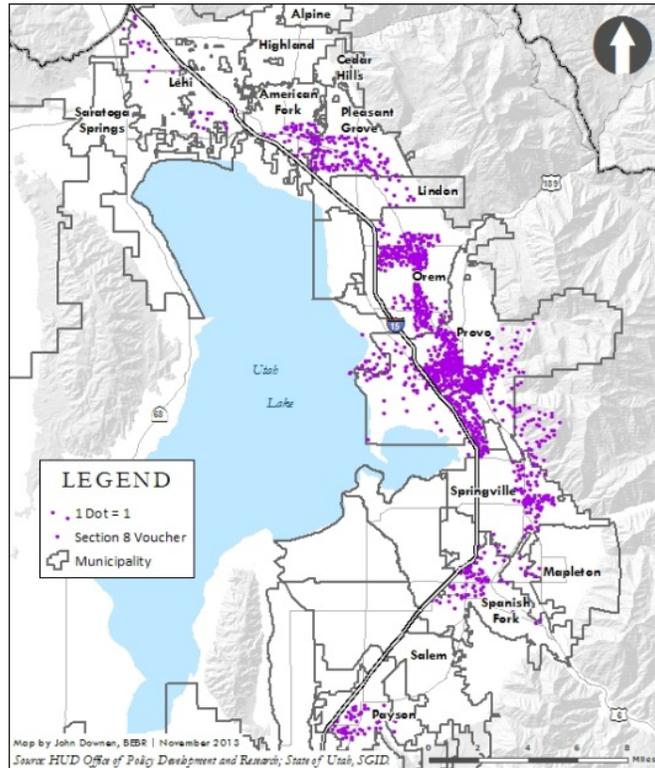
**Figure 3**  
**Tax Credit Units in Utah County**



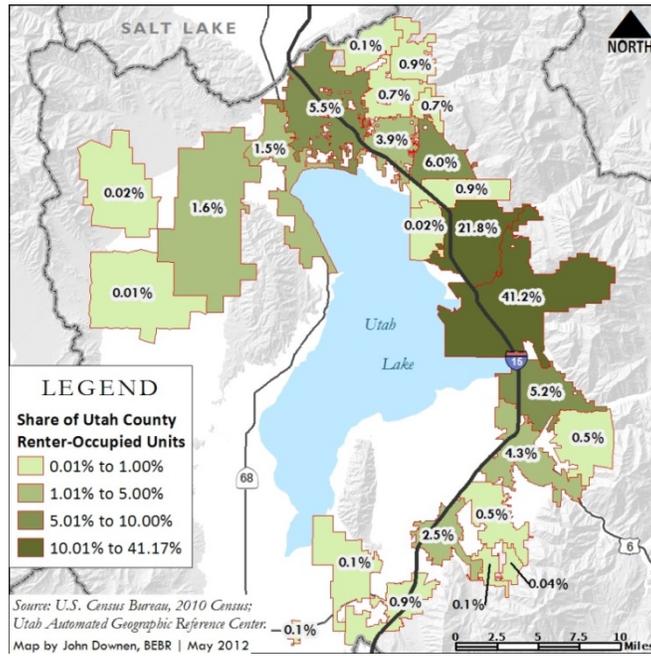
*Impediment #3: Concentration of Rental Units Limits Housing Choice for HUD Voucher Holders*

The high concentration of rental units in a few cities, due in part to zoning ordinances, inevitably leads to the concentration of the 1,900 HUD voucher holders, who are predominately very low-income, protected class households. Over 40 percent of all voucher holders in the county are located in Provo *Figure 4*. All voucher holders have incomes below 50 percent area median income (AMI). About two-thirds of all voucher holders in Utah County are protected class individuals. Nearly half of all voucher holders are renter householders with a disabled individual. The concentration of apartments to a few cities limits fair housing choice of voucher holders *Figures 5-6*.

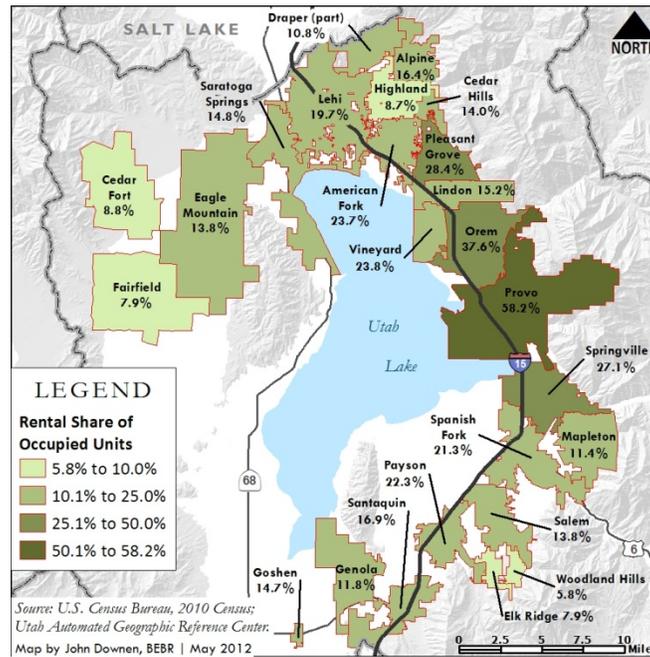
**Figure 4**  
**HUD Section 8 Voucher Holders in Utah County**



**Figure 5**  
**Share of Utah County Renter-Occupied Units by City**



**Figure 6**  
**Renter Share of Occupied Units by City**



*Impediment # 4: Vague and Outdated Housing Plans*

While every city has developed a housing element to their General Plan, often based on the housing needs assessment required by Utah’s affordable housing legislation HB 295, very few of the plans address the most fundamental approach to improve housing opportunities for protected classes; the addition of high density, affordable rental housing. Current and projected affordable rental housing needs for the very low and extremely low-income households are not specified in most of the housing plans, nor is a strategy to increase affordable rental housing discussed. To mitigate impediments affordable housing plans should address ways a city can increase its affordable rental inventory. It would be encouraging if more of the affordable housing plans identified the need for rental housing and discussed approaches to development such as public private partnerships, inclusionary zoning, density bonuses, accessory units, TODs/affordable housing, etc. Provo needs to update their affordable housing plan and Lehi (soon to be entitlement city) needs to more fully address the need for affordable rental housing for families. Again, Provo with its substantial inventory of affordable housing is quite unique among cities along the Wasatch Front and of course this characteristic should be part of the assessment of affordable housing. Non-entitlement cities with outdated (more than five years old) plans are: Alpine (2007), Eagle Mountain (2005), Highland (2008), Pleasant Grove (2007), Santaquin (2007) and Saratoga Springs (2007) *Table 5*.

**Table 5**  
**Year Affordable Housing Plan Updated**

	Year Updated
Utah County	None
<b>Entitlement Cities</b>	
Orem	2011
Provo	2006
<b>Non-Entitlement Cities</b>	
Alpine	2007
American Fork	2012
Cedar Hills	None
Eagle Mountain	2005
Elk Ridge	2010
Highland	2008
Lehi	2012
Lindon	2011
Mapleton	1998
Orem	2011
Payson	2012
Pleasant Grove	2007
Salem	2010
Santaquin	2007
Spanish Fork	2011
Springville	2011

*Source: Utah Dept. Community and Housing.*

*Impediment #5: Availability of Rental Units for Large Families*

There are 9,144 large renter households in Utah County and 2,975 in Provo City *Tables 7 and 8*. Twenty percent of all renter households in Utah County are large households. In Provo sixteen percent are large households. Unfortunately there are no data available on the number of persons per *family* by tenure, which would eliminate large *households* comprised of students. Consequently it was necessary in *Table 8 and 9* to use household counts. It is very likely that most large minority households are families. The data show that there were 2,705 large households that were minority and were renters in Utah County in 2010 and 981 households in Provo. These households are particularly vulnerable to fair housing impediments based of familial status as well as race and ethnicity. The student population competes with large renter households for adequate, affordable rental units and likely limits the supply of these units for families. Furthermore, large renter households are concentrated in Provo and Orem indicating these cities have a greater share of four or more bedroom units and suggesting limited geographic choice for large family renters *Figure 7*.

**Table 6**  
**Renter Households by Household Size and Race in Utah County, 2010**

	Minority Renters	Hispanic Renters	All Renters
Total Renters	8,733	6,075	44,549
1-person household	767	449	6,389
2-person household	1,738	1,051	12,252
3-person household	1,706	1,106	8,679
4-person household	1,817	1,344	8,085
5-person household	1,275	1,026	4,207
6-person household	770	593	3,083
7-or-more-person household	660	506	1,854
Households with 5 or more persons	2,705	2,125	9,144

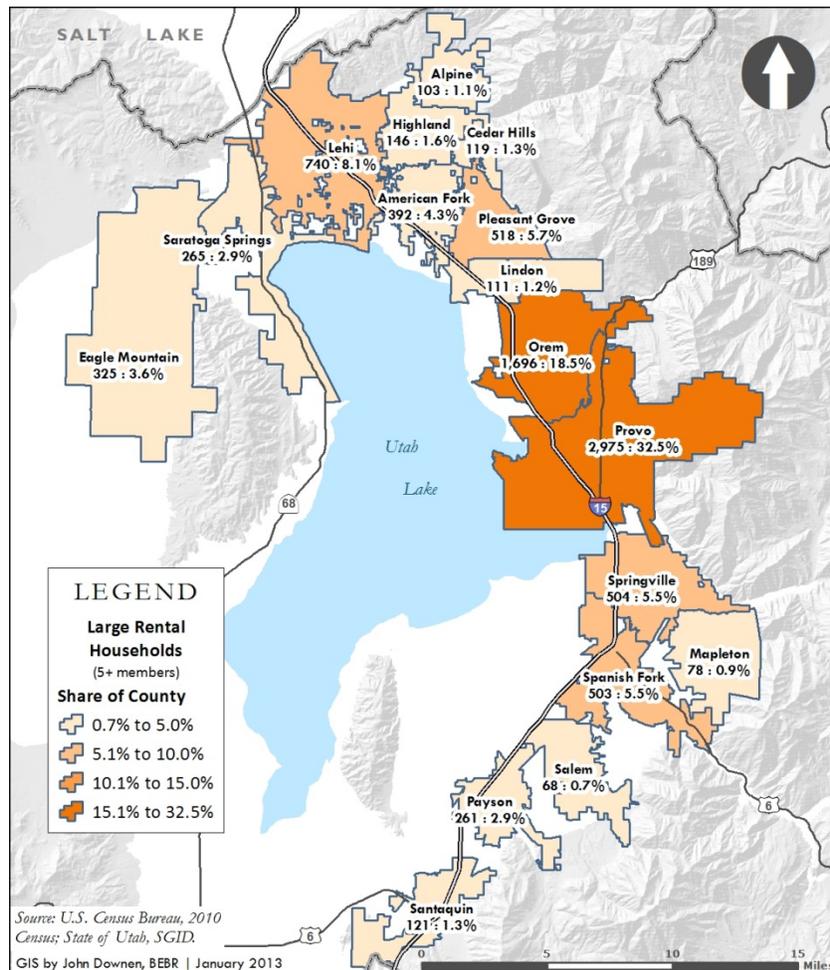
*Source: U.S. Census Bureau.*

**Table 7**  
**Renter Households by Size and Race in Provo City - 2010**

	Minority Renters	Hispanic Renters	All Renters
Total Renters	3,821	2,555	18,340
1-person household	333	200	2,028
2-person household	878	521	5,664
3-person household	802	480	3,824
4-person household	827	568	3,849
5-person household	450	375	1,215
6-person household	318	247	1,367
7-or-more-person household	213	164	393
Households with 5 or more persons	981	786	2,975

Source: U.S. Census Bureau.

**Figure 7**  
**Large Renter Households by City**



*Impediment # 6: Language Access Plans Fundamental to Housing Discrimination Complaint Process and Information*

The absence of language access plans and the availability of language interpreters in the fair housing offices disproportionately impacts minorities, ethnic populations, and immigrants. Information on the Fair Housing Act, housing complaint process, and fair housing websites in cities should be in English and Spanish. A majority of housing discrimination complaints involve renters. Minorities and Hispanics are more than twice as likely to rent as white non-Hispanics; therefore they are more likely to experience discrimination. In Provo 67 percent of minorities rent.

*Impediment # 7: High Cost of Housing Development at TODs Impedes Development of Affordable Housing.*

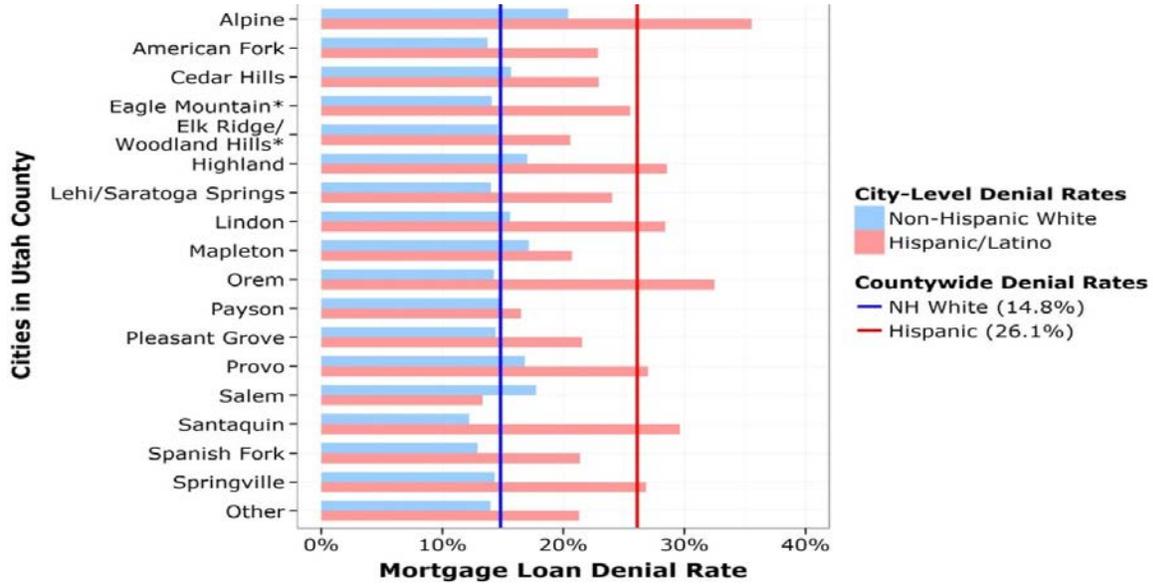
Development of affordable owner occupied and renter occupied housing at TODs is often prevented due to high cost of development. To avoid impeding fair housing choice for protected classes, housing projects at Transit Oriented Developments (TOD) should include housing types and prices that are consistent with the housing needs of protected classes. Innovative development has occurred elsewhere with use of RDA funds, HOME funds and private equity to build affordable housing in high cost areas. Provo's TODs offer a rare opportunity to bring together affordable housing, proximity to employment, and access to public transportation for *transit dependent households*; which are disproportionately minorities and the disabled. Utah Transit Authority hopes to see the development of as many as 500 housing units at the Provo TOD. Without a public private partnership the development of affordable housing is unlikely.

*Impediment # 8: Hispanic Denial Rates for Mortgage Loans Indicate Possible Impediment to Fair Housing*

The significantly higher denial rates for home mortgages for Hispanics suggests a financial impediment to fair housing choice for Hispanics and all minorities. Denial rates for Hispanics are nearly twice as high as denial rates for non-Hispanic whites, even after adjusting for income. In Provo City the denial rate for Hispanic applicants is 27 percent compared to 17 percent for non-Hispanic whites *Figure 8*. Furthermore, if a Hispanic household receives loan approval that household is more than three times as likely to have a high interest loan as a non-Hispanic white household *Figure 9*. Denial rates and the rate of high interest loans for many non-entitlement cities are included in the report, but caution is urged due to small sample sizes.

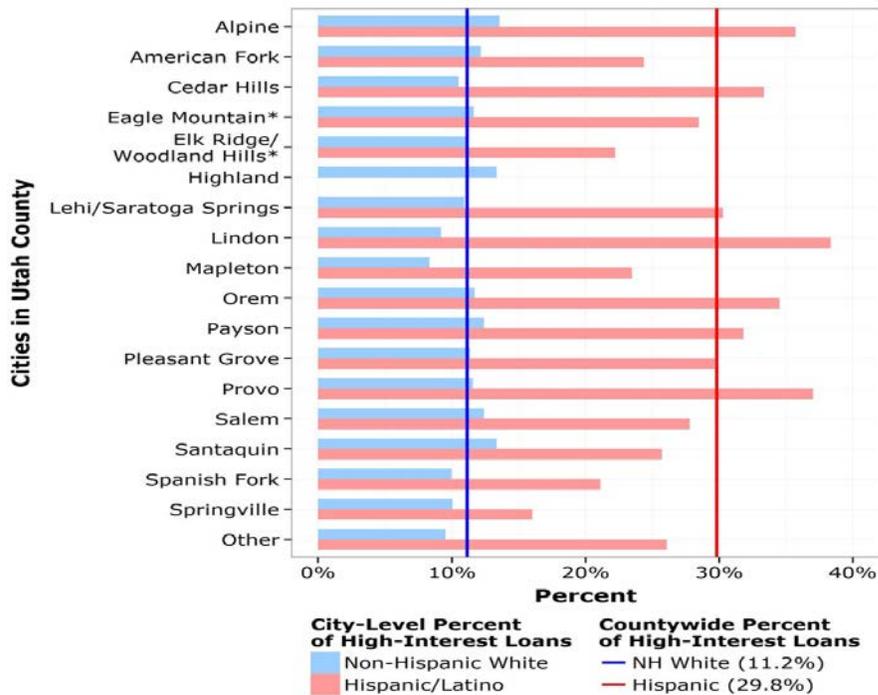
The inequality in lending practices is an impediment, which needs to be mitigated at the regional level by stepping up outreach efforts, and credit counseling, to minority communities, and the financial community, in order to improve loan approval rates. An annual session with representatives of the financial community regarding the results of the most recent HMDA data would be an important component of an outreach program

**Figure 8**  
**Percent of Mortgage Loan Applications (Above 80% HAMFI)**  
**Denied by Race/Ethnicity in**  
**Utah County Incorporated Cities, 2006–2011**



Source: HMDA LAR Raw Data by MSA (2006–2011).

**Figure 9**  
**Percent of High-Interest Loans among Approved Applicants by Race/Ethnicity**  
**in Utah County Cities, 2006–2011**



Source: HMDA LAR Raw Data by MSA (2006–2011).

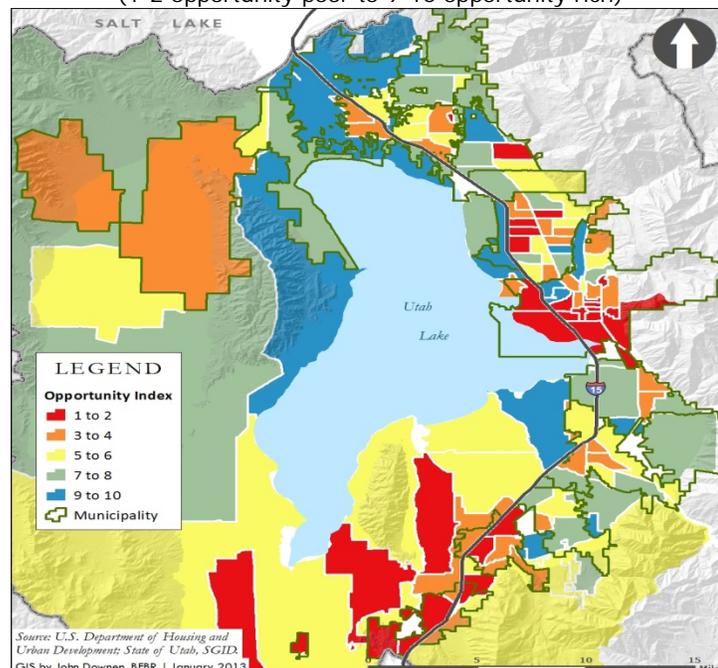
*Impediment # 9: Housing and Disabled Individuals*

The number of disabled individuals in Utah County is estimated by the American Community Survey, U.S. Census Bureau to be 36,500 individuals, about 8 percent of the population. Under the Fair Housing Act, housing providers must make “reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling.” Currently forty percent of all rental housing in Utah County is a detached single-family unit and thirty percent in Provo. Many of the landlords who are renting homes or small “mom and pop” housing providers are not aware of the full implications of the Fair Housing Act and the “reasonable accommodations” provision. The Fair Housing infrastructure in all cities has not systematically addressed the education of landlords regarding “reasonable accommodations.”

*Impediment #10: Concentration of Low Income Minorities in Provo Impedes Housing Choice as Well as Opportunity*

HUD has developed an opportunity index to quantify the number of important liabilities and assets that influence the ability of an individual, or family, to access and capitalize on opportunity. HUD created five indices; school proficiency, poverty, labor market, housing stability and job access. With these five measures, a single index score or composite score for opportunity was calculated for each census tract by HUD index. Not surprisingly, the lowest opportunity tracts and cities are those with high rates of poverty and high concentrations of minority renters generally in the cities of Provo, Orem, and Springville. Of Provo’s sixteen public schools eleven are Title One (free and reduced lunch) schools—indicating low income families—and of the five schools in the county with a student body of more than fifty percent minority four are in Provo. One important measure of low opportunity is reflected in proficiency scores in the schools. Educational opportunity as well as employments opportunities, health care availability, and other opportunities may be threatened by concentrations of low income protected class households.

**Figure 12**  
**Opportunity Index by Census Tract in Utah County**  
(1-2 opportunity poor to 9-10 opportunity rich)



NIMBYism, zoning ordinances, land cost, and historical patterns of residential and commercial development have led to concentrations of protected classes in the Provo, which in turn affects opportunity and equity. Some measures to counter and mitigate the effects of this concentration Provo City are:

- (1) Encourage housing price diversity, particularly in the areas of concentrations of protected classes. The TOD has the potential to bring greater price and demographic diversity to the south end of the city.
- (2) Expand efforts at rehabilitation of existing housing stock in southern area of Provo. Rehabilitation will make the area more attractive to a greater diversity of homeowners and renters.
- (3) Join in public private partnerships with the school system and private sponsors to provide enrichment programs and services for schools with high concentrations of minorities and parents with limited English proficiency. Salt Lake City is a model for innovative programs targeting these populations.

## I. ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE: PROVO CITY AND UTAH COUNTY

### A. Enumeration of Protected Classes

Minorities are the largest protected class in Provo and Utah County. In 2010 the minority population of Provo City totaled 25,302 individuals, approximately 22 percent of the city's population. In Utah County the minority population was nearly 82,000, about 16 percent of the county population *Table 1 and Figure 1*. *Figure 1* shows the percent minority population by city. Provo and Orem, both with are 22.5 percent minority, have the largest share of minority population. Alpine and Elk Ridge have the lowest share of minorities. In both cities less than six percent of the population is minority.

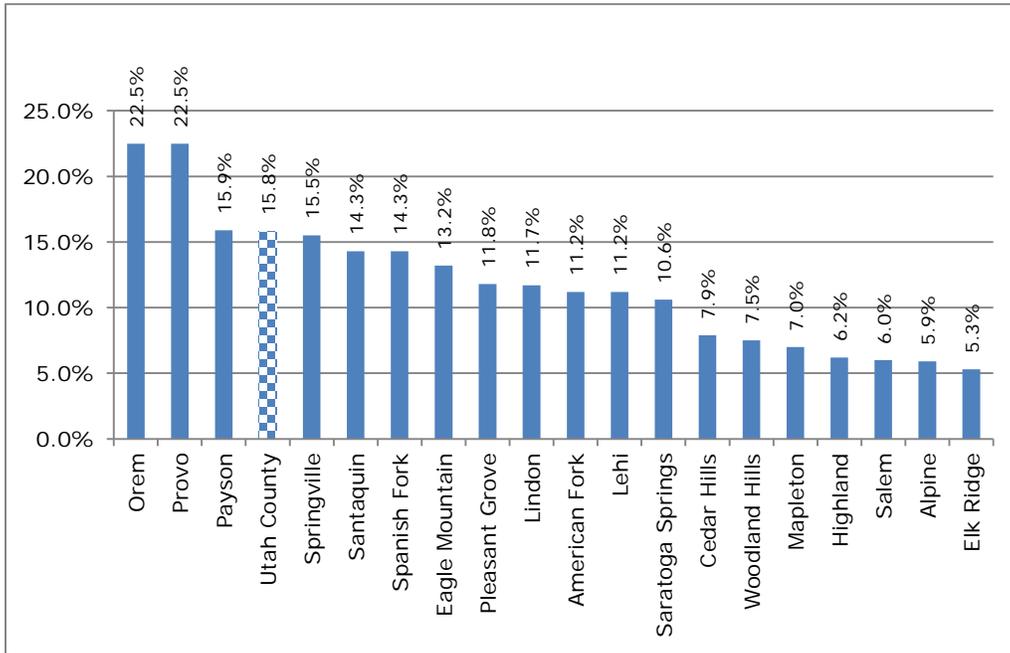
Individuals of Hispanic or Latino origin are the largest and fastest growing subset of the minority population therefore it is important to enumerate the number of Hispanics in Provo City and Utah County. Hispanics account for about two-thirds of all minorities in both the city and the county. In 2010 there were 17,100 Hispanics in Provo City; about thirty percent of the Hispanics in Utah County live in Provo City. Orem ranks second with 14,200 Hispanics followed distantly by Spanish Fork and Springville with 3,700 and 3,500 Hispanics respectively. Four cities; Woodland Hills, Elk Ridge, Highland, and Alpine all have Hispanic populations of less than three percent of the city's population. The Hispanic population in Utah County totals nearly 56,000 individuals which represents about eleven percent of the county population.

**Table 1**  
**Minority Population by City – 1990, 2000, 2010**

	1990	2000	2010
Alpine	41	255	560
American Fork	569	1,528	2,930
Cedar Hills	25	128	773
Eagle Mountain	117	117	2,832
Elk Ridge	17	104	130
Highland	90	315	960
Lehi	290	1,078	5,324
Lindon	93	465	1,175
Mapleton	77	198	555
Orem	3,648	11,248	19,895
Payson	454	1,088	2,901
Pleasant Grove	436	1,723	3,968
Provo	7,060	16,855	25,302
Salem	80	176	384
Santaquin	156	503	1,304
Saratoga Springs	78	78	1,879
Spanish Fork	316	1,321	4,975
Springville	442	1,492	4,581
Woodland Hills	11	36	101
<b>Utah County</b>	<b>14,534</b>	<b>39,739</b>	<b>81,856</b>

*Source: U.S. Census Bureau.*

**Figure 1**  
**Percent of Minority Population by City - 2010**

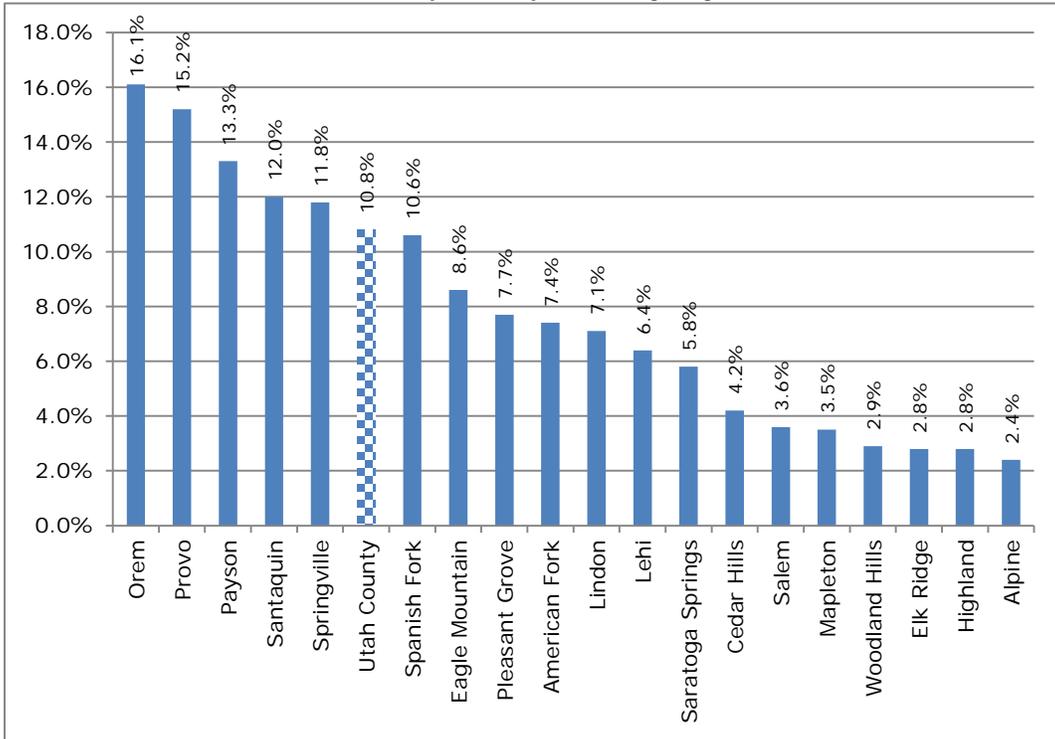


**Table 2**  
**Hispanic Population 2010**

Alpine	232
American Fork	1,941
Cedar Hills	411
Eagle Mountain	1,845
Elk Ridge	67
Highland	431
Lehi	3,054
Lindon	720
Mapleton	279
Orem	14,224
Payson	2,431
Pleasant Grove	2,577
Provo	17,091
Salem	231
Santaquin	1,098
Saratoga Springs	1,026
Spanish Fork	3,678
Springville	3,482
Woodland Hills	39
<b>Utah County</b>	<b>55,793</b>

*Source: U.S. Census Bureau.*

**Figure 2**  
**Percent of Hispanic Population by City - 2010**



Housing discrimination due to an individual’s national origin is also a violation of the fair housing law. Of course, foreign born individuals are often classified by the Census as minority individuals. In addition there is only limited data on national origin. In Utah County in 2013 there were 40,000 individuals who were foreign born *Table 3*. Two thirds of the foreign born were from Latin America while only three percent were from Africa. The foreign born data provide some context for county and city officials regarding potential housing discrimination of this protected class—eight percent of the county population is foreign born. Unfortunately the foreign born population estimates from the American Community Survey for Provo City have margins of error that render the city data unusable.

**Table 3**  
**Birthplace of Foreign Born Population**  
**in Utah County – 2013**

	Persons	% Share
Foreign Born Population	39,998	7.3%
Europe	2,934	15.0%
Asia	5,980	3.1%
Africa	1,225	3.8%
Oceania	1,518	64.0%
Latin American	25,617	6.8%
Northern America	2,724	7.3%

*Source: American Community Survey.*

An important protected class is the disabled. Again data limitations are associated with the enumeration of both these categories. The U.S. Census Bureau reports estimates on the number of disabled individuals. However, the Census Bureau in 2007 changed the definition of disabled. The new definition reduced the number of individuals classified as disabled. Under the 2000 definition the share of disabled individuals in the state was over fifteen percent but in 2010 the share, due to the definition change, dropped to eight percent of the population of the state. In Utah County only seven percent of the population was disabled *Table 4*. The number of disabled in Utah County in 2010 was 36,481 individuals and in Provo City 7,568 individuals *Table 5*. Utah County and Provo City have lower shares of disabled individuals due to the relatively young population of the county. Disability is often related to age. About half of all individuals over 75 have at least one disability. And while Seniors (65 years and older) are not a protected class a significant share of Seniors are disabled. Therefore, a count of the Senior population is important to make inferences about the number of disabled.

**Table 4**  
**Percent Share of Disabled Individuals and Selected Household Types, 2010**

	Total Population	Disabled Individuals	Large Family Households*	Single Parent with Child Under 18 yrs Households*	Households with Persons over 65*
Utah County	100.0%	7.1%	28.7%	7.2%	16.2%
Provo	100.0%	6.7%	16.8%	6.4%	14.4%

\*share of households.

Source: U.S. Census Bureau.

**Table 5**  
**Number of Disabled Individuals, Large Family Households, Single Parent Households and Senior Household in Utah County and Provo City**

	Total Population	Disabled Individuals	Large Family Households	Single Parent with Child Under 18 yrs Households.	Households with Persons over 65
Utah County	516,564	36,481	40,329	10,105	22,824
Provo	112,488	7,568	5,286	2,027	4,530

Source: U.S. Census Bureau.

Another protected class is familial status, which refers to a group that includes pregnant women, children living with their parents, legal custodians of children and particularly large families. Large families needing rental housing often face difficulty in finding adequate housing. In 2010 there were 40,329 families in Utah County with five or more persons *Table 5 and 6*. Twenty-nine percent of households in Utah County were families with five or more persons. The number of families with five or more persons exceeded 40 percent in Alpine, Cedar Hills, Eagle Mountain, and Highland while in Provo, fewer than one-in-four households were large family households.

Excluding the relatively recently incorporated municipalities of Eagle Mountain and Saratoga Springs, the percent change in large families was the largest in Lehi followed by Spanish Fork *Table 7*. Provo City had only an eight percent increase in large families from 2000 to 2010. There are nearly 5,300 large family households in Provo City. These data give an enumeration. Policy implications of the number of large families are included in the Analysis of Impediment #5 in the summary of this report.

**Table 6**  
**Number of Large Families by City – 2010**  
(five or more persons)

	Count	% Share Of Households
Alpine	964	40.4%
American Fork	2,224	30.6%
Cedar Hills	1,053	44.7%
Eagle Mountain	2,122	41.5%
Elk Ridge	232	39.7%
Highland	1,789	48.7%
Lehi	4,392	35.4%
Lindon	991	39.4%
Mapleton	755	37.0%
Orem	6,263	24.3%
Payson	1,608	31.8%
Pleasant Grove	2,809	29.9%
Provo	5,286	16.8%
Salem	589	33.9%
Santaquin	858	36.7%
Saratoga Springs	1,730	39.4%
Spanish Fork	3,087	34.0%
Springville	2,358	27.6%
Woodland Hills	126	36.7%
Utah County	40,329	28.8%

Source: U.S. Census Bureau.

**Table 7**  
**Change in Large Families by City**

	Absolute Change		Percent Change	
	1990-2000	2000-2010	1990-2000	2000-2010
Alpine	372	218	99.5%	29.2%
American Fork	496	382	36.8%	20.7%
Cedar Hills	259	707	297.7%	204.3%
Eagle Mountain	—	1,942	—	1,078.9%
Elk Ridge	113	30	127.0%	14.9%
Highland	307	839	52.7%	94.3%
Lehi	882	2,777	120.3%	172.0%
Lindon	503	120	136.7%	13.8%
Mapleton	219	205	66.2%	37.3%
Orem	747	-511	12.4%	-7.5%
Payson	182	574	21.4%	55.5%
Pleasant Grove	845	692	66.4%	32.7%
Provo	824	393	20.3%	8.0%
Salem	176	191	79.3%	48.0%
Santaquin	205	447	99.5%	108.8%
Saratoga Springs	—	1,651	—	2,089.9%
Spanish Fork	747	1,402	79.6%	83.2%
Springville	499	786	46.5%	50.0%
Woodland Hills	59	34	178.8%	37.0%

Source: U.S. Census Bureau.

## B. Affordable Housing Needs and Protected Classes

Affordable rental housing is the greatest housing need for protected classes. Over half of all minority households rent and these households are more likely to be very low or extremely low income households. For instance, in Utah County nearly two-thirds of all black households are renters *Table 8*. In Provo City the share of black households that rent climbs to 79 percent *Table 9*. Policy measures that encourage additional affordable rental housing are the most effective in meeting the unmet housing needs of protected classes and affirmatively furthering fair housing. And conversely policy measures that limit or preclude the development of additional affordable rental housing are serious impediments to fair housing choice.

**Table 8**  
**Renters by Race in Utah County**

	Owner	Renter	Total	% Renters
Tenure	96,053	44,549	140,602	31.7%
White Alone	90,739	38,595	129,334	29.8%
Black	197	354	551	64.2%
American Indian	336	420	756	55.6%
Asian	970	774	1,744	44.4%
Pacific Islander	410	476	886	53.7%
Other	2,418	2,869	5,287	54.3%
Two or More	983	1,061	2,044	51.9%

Source: U.S. Census Bureau.

**Table 9**  
**Renters by Race in Provo City**

	Owner	Renter	Total	% Renters
Tenure	13,184	18,340	31,524	58.2%
White Alone	11,983	15,750	27,733	56.8%
Black	42	156	198	78.8%
American Indian	65	166	231	71.9%
Asian	219	441	660	66.8%
Pacific Islander	94	192	286	67.1%
Other	579	1,119	1,698	65.9%
Two or More	202	516	718	71.9%

Source: U.S. Census Bureau.

The most critical unmet housing needs are concentrated in the very low and extremely low income households. These households comprise a significant share of the county's population. One-in-four households in the county have incomes below 50 percent of the Area Median Income (AMI). Of the 149,000 households in Utah County in 2012, 37,250 were households with very low income; \$31,900 or less for a family of four. There were over 22,000 households with extremely low income, approximately \$19,140 or less for a family of four *Table 10*. Again these households are much more likely to be renter households of protected classes.

**Table 10**  
**Households by Income in Utah County - 2012**

Category	Households
Households	149,000
Median Income Households	74,500
< 80% AMI Households	59,600
< 50% AMI Households	37,250
< 30% AMI Households	22,350
Occupied Housing Units	149,000
Owner Occupied Units	102,200
Renter Occupied Units	46,800

*Source: Derived from the U.S. Census 2010.*

Local and federal programs provide housing assistance for a number of very low and extremely low income households through Section 8 Housing Choice Voucher, local housing authority’s public housing units and the low income housing tax credit program administered by the Utah Housing Corporation. Combined these programs provide over 5,000 rent assisted units to very low and extremely low income renter households in Utah County *Table 11*.

**Table 11**  
**Total Assisted Rental Units**  
**in Utah County - 2012**

	Number
Total Vouchers All Types	1,934
Tax Credits Units	1,141
HUD Project Based Units	1,550
Public Housing Units	391
Total Assisted Units or Persons	5,016
Percent of All Renters Assisted	10.7%

*Source: Public Housing Authorities, HUD CHAS 2005-2009 and Bureau of Economic and Business Research, University of Utah.*

The supply of rent assisted units however, is far short of the need. The HUD CHAS for Utah County gives an estimate of nearly 9,200 renter households that are very low income, with *no rental assistance* and severe housing cost burden—more than 50 percent of their income devoted to housing. These very low income, severely cost burdened households include nearly 2,100 minority households, at least 1,100 households with a disabled individual and 680 large family households *Table 12*. The need for affordable rental housing for these protected class households is acute. Identification and mitigation of housing impediments is paramount to improving their housing choice and opportunity.

**Table 12**  
**Very Low Income Renter Households with Severe Housing Cost Burdens – Utah County**

	Renter Households
Total	9,200
Whites Non-Hispanic	7,100
Minorities	2,100
Hispanics	1,350
Disabled	1,100
Large Family (5 or more)	680

*Source: HUD CHAS 2005-2009.*

When applied broadly to a housing market the phrase “affordable housing need” is somewhat vague but when applied to a narrow subgroup of owners and renters—very low income households with severe housing problems—the need for affordable housing is no longer vague but apparent and acute. The need is substantial. In Utah County there are 14,200 very low income households with severe housing problems; 1,998 owners and 9,185 renters *Table 13*.

Very low income households are defined as those households with income levels  $\leq$  50 percent AMI. Severe housing problems are defined as those housing units that have any one of the four following conditions: (1) a cost burden of at least 50 percent of income for housing and utilities, (2) incomplete kitchen facilities, (3) incomplete plumbing (4) more than 1.5 persons per room. One in eight owner households (11,420 households) have severe housing problems and over 40 percent, or 4,988 of these households are very low-income households.

For very low income renter households the need for affordable housing is even greater. Nearly one in three renter households have severe housing problems; a total of 12,010 households. Three quarters of these renter households with severe housing problems are very low income households. There are two thousand very low-income minority households that have severe housing problems and 1,355 of these minority households are Hispanics. About 5 percent of all renters are very low-income minority renters with severe housing problems. None of the renter households with severe housing problems have any government housing or rental assistance.

**Table 13**  
**Owner and Renter Households with Severe Housing Problems by Race and Ethnicity Utah County**

	Owners		Renters		Total	
	Households	% Share	Households	% Share	Households	% Share
Total Households	94,190	100.0%	41,480	100.0%	135,670	100.0%
With Severe Housing Problems (SHP)*	11,420	12.1%	12,010	29.0%	23,430	17.3%
Very Low Income (VLI) with SHP**	4,988	5.3%	9,185	22.1%	14,173	10.4%
VLI Whites with SHP	4,055	4.3%	7,140	17.2%	11,195	8.3%
VLI Minorities with SHP	933	1.0%	2,045	4.9%	2,978	2.2%
VLI Hispanics with SHP	705	0.7%	1,355	3.3%	2,060	1.5%

\*Severe housing problems = any one of the following four conditions; incomplete kitchen facilities, incomplete plumbing facilities, more than 1.5 persons per room, and cost burden greater than 50%.

\*\*VLI = very low income households  $\geq$  50% area median family income.

*Source: HUD CHAS Data Table 2. Derived from ACS 2006-2010.*

The number of renter households with severe housing problems and severe cost burdens by city is shown in *Table 14*. Highland and Provo have the highest percentage of renters with severe housing

problems at 38 percent each, much higher than the countywide average of 29 percent. Keep in mind that a household with severe housing problems can have any one of four conditions mentioned above. The most prevalent is a severe cost burden defined as paying more than 50 percent of income for housing. Of course very low-income renter households are much more likely to have severe cost burdens. In Utah County there are 16,400 very low-income renter households (households =< 50% AMI) *Table 15*. More than half of these households, 9,185 (*Table 13*) are paying more than 50 percent of their income for housing.

**Table 14**  
**Renters with Severe Housing Problems and Severe Cost Burdens**

	Renters with Severe Housing Problems*	% of Total Renters with Severe Housing Problems	VLI Renters with Severe Cost Burdens**	% of VLI Renters with Severe Cost Burdens
Utah County	12,010	29.0%	8,280	50.6%
Orem	2,510	25.8%	1,945	54.0%
Provo	6,715	37.7%	4,565	50.0%
Alpine	50	16.4%	15	60.0%
American Fork	365	23.4%	265	66.3%
Cedar Hills	35	24.1%	35	70.0%
Eagle Mountain	75	19.5%	60	85.7%
Elk Ridge	4	13.3%	4	100.0%
Highland	125	38.5%	75	71.4%
Lehi	370	19.0%	230	48.9%
Lindon	100	26.3%	90	60.0%
Mapleton	0	0.0%	0	0.0%
Payson	220	20.7%	125	37.9%
Pleasant Grove	520	22.3%	360	62.1%
Salem	75	32.6%	15	37.5%
Santaquin	50	14.5%	10	16.7%
Spanish Fork	330	16.5%	185	33.6%
Springville	370	19.7%	235	39.8%

\*Severe housing problems = any one of the following four conditions; incomplete kitchen facilities, incomplete plumbing facilities, more than 1.5 persons per room, and cost burden greater than 50%.

\*\*VLI = very low income households >=50% area median family income. Severe cost burden is greater than 50% of income for housing.

Source: U.S. Census Bureau ACS (2006-2010) data using HUD CHAS Query Tool.

**Table 15**  
**Income Distribution of Renters in Utah County**

	Renter Households	% Share of Renters
<= 30% HAMFI	7,995	19.3%
30% to <= 50% HAMFI	8,365	20.2%
>50% to <= 80% HAMFI	11,140	26.7%
>80% to <= 100% HAMFI	4,615	11.1%
>100% HAMFI	9,360	22.6%
Total	41,480	100.0%

Source: Source: U.S. Census Bureau ACS (2006-2010) data using HUD CHAS Query Tool.

Affordable housing needs for protected classes beyond minority or Hispanics can be inferred from data in the HUD CDP mapping tool *Table 16*. Estimates of small and large households (familial status) and elderly (while not a protected class, half of all elderly 75+ years are disabled, which is a protected class) show that many very low income households in these demographic groups have

severe housing problems. And since these demographic groups include a sizeable share of protected class households we can infer that many of the households with severe housing problems are protected class households. Again, the incidence of severe housing problems is much greater for renter households, particularly extremely low-income households. The three-hundred and twenty extremely low-income, elderly renter households with severe housing problems undoubtedly include a fair number of disabled elderly renters *Table 16*. Of the 460 extremely low-income, large related renter households probably at least 40 percent (nearly 200 households) are minority households. In Provo there are 170 large family households *Tables 17*. Large, minority families are more likely to be renter households. In Utah County 31 percent of minority renter households are large family households. For the non-minority renter households it is 20 percent *Table 18*.

**Table 16**  
**Owner and Renter Households with Severe Cost Burden (> =50%)**  
**by Tenure and Household Type, Utah County**

	<30% AMI	30%-50% AMI	50%-80% AMI	Total
<b>Owner Households</b>				
Small Related	765	840	1,150	3,740
Large Related	600	925	655	2,580
Elderly	500	430	425	1,630
<b>Renter Households</b>				
Small Related	2,935	950	185	4,105
Large Related	460	220	85	765
Elderly	320	255	105	730

*Severe housing cost burden = household pays more than 50% of income for housing*  
*Source: Data from HUD CPD Maps tool.*

**Table 17**  
**Owner and Renter Households with Severe Cost Burden (> =50%)**  
**by Tenure and Household Type, Provo City**

	<30% AMI	30%-50% AMI	50%-80% AMI	Total
<b>Owner Households</b>				
Small Related	60	155	55	420
Large Related	40	160	55	300
Elderly	65	80	75	320
<b>Renter Households</b>				
Small Related	1,845	340	85	2,270
Large Related	150	20		170
Elderly	60	95	25	200

*Severe housing cost burden = household pays more than 50% of income for housing*  
*Source: Data from HUD CPD Maps tool.*

**Table 18**  
**Large Family Renter Households**  
(Large family = five or more persons)

	Total Renter Households			Minority Renter Households		
	Renters Households	Large Family Renter Households	Large Family Share of Renters	Total Renter Households	Large Family Renter Households	Large Family Share of Renters
Davis	20,474	3,282	16.0%	2,849	655	23.0%
Salt Lake	112,203	15,728	14.0%	24,876	6,406	25.8%
Utah	44,549	9,144	20.5%	5,954	1,850	31.1%
Weber	21,619	3,127	14.5%	4,377	1,023	23.4%

*Source: U.S. Census Bureau.*

### C. Rental Market Characteristics

As emphasized in the previous section affordable rental housing is a high priority housing choice for protected classes. Members of protected classes are disproportionately low income renters. While the current apartment boom in Utah County is not providing affordable rental housing—new projects are very high priced—the expansion of the rental inventory indirectly enhances rental opportunities for low income renters by relieving some of the upward pressure on rental rates as well as improving the very “tight” availability conditions for renter units. Therefore, it is important for city and county officials to have a good understanding of apartments under construction and those in the development pipeline. To that end, this section discusses rental market characteristics and conditions in Utah County and Provo City.

*Student Rental Market* - The Utah County rental market is the most distinctive market in Utah due primarily to the large student population. Any overview of the local rental market should begin with a discussion of the student rental market. There are currently about 50,000 renter occupied units in Utah County and off-campus student housing for BYU and UVU account for over one quarter of all rental units. The student off-campus rental housing is estimated at 13,000 rental units. A very high percentage of the students attending BYU live off-campus. It is estimated that of the 30,000+ students at BYU about 25,000 live-off campus whereas most students at UVU are residents of Utah County and commute to campus. Of the 25,000 students enrolled at UVU it is estimated about 8,000 students live in off-campus housing.

Some large off-campus student housing projects have unique rental rates. Tenants rent bed spots rather than units. Rental contracts are signed for a bed spot either for a shared or private bedroom situation. This characteristic is unique to Utah County and does not occur in other counties with student populations; Salt Lake (University of Utah), Cache (Utah State University), Washington (Dixie College) and Sanpete (Snow College).

Student housing demand has also affected the type of structures in the rental market. Due to local resident opposition to high density rental properties developers have turned to condominiums as a housing alternative. Consequently, low-priced investor owned condominiums play a significant role in off-campus student housing. Just how many condominiums are in the student rental market is unknown but from demographic data, student enrollment and new construction statistics it appears that about 30-40 percent of new condominiums developed in recent years are in the rental market.

Another unique market characteristic is imposed by BYU and known commonly as “BYU approved housing”. All single undergraduates attending BYU and living off-campus are required to live in approved housing. Approved housing is confined to a portion of Provo City surrounding campus. Landlords and BYU off-campus housing office have agreed to a set of living standards for roommates and tenants. Although the proposed project is located in Vineyard and outside the boundaries of approved housing nevertheless many of the student rental projects in the Orem/UVU area have adopted the standards of “BYU approved housing.” In recent years the rental market in Utah County has benefited from not only the rapid growth of UVU but also the rapid demographic and economic growth of the county. This growth has been concentrated in northern Utah County and has created demand for both new residential and nonresidential development.

How does student housing affect fair housing choice for protected classes? The greatest impact has been in Provo where residents and city officials are very reluctant to approve any new apartment

projects. Fifty-eight percent of the housing units in Provo City are rental units and a significant share of these units are for students. Residents and some city officials feel the city has “done its share” in providing rental housing. Consequently student rental housing (off campus) has “crowd out” non-student housing, both market rate and assisted (tax credit) rental projects. Provo City however, has a minority population of 25,300 and over half of minority individuals live in rental housing. The “crowding out” of non-student housing has not only limited affordable rental opportunities for non-student renters in Provo but likely contributed to the high concentration of minority renters in the south and southwest area of the city.

*Non-student Rental Market* – In 2010 31.7 percent of all occupied units in Utah County were renter units. However, only two of eighteen cities in the county exceeded the countywide share of 31.7 percent renter occupied units; Provo at 58 percent and Orem at 37 percent *Table 19 and Figure 3*. These data indicate a highly uneven distribution of rental units in Utah County, a distribution that has persisted for some time. In both 1990 and 2000 the same cities had a disproportionate share of rental housing. In the past decade the share of rental units in Orem has increased from 32.9 percent in 2000 to 37.6 percent in 2010.

**Table 19**  
**Renter Occupied Units as Share of Total Occupied Units**

	1990	2000	2010
Alpine	15.2%	11.0%	16.4%
American Fork	24.6%	22.1%	23.7%
Cedar Hills	8.1%	4.6%	14.0%
Eagle Mountain	*	1.9%	13.8%
Elk Ridge	12.8%	4.4%	7.9%
Highland	5.9%	4.8%	8.7%
Lehi	21.3%	18.5%	19.7%
Lindon	12.6%	11.9%	15.2%
Mapleton	11.6%	7.4%	11.4%
Orem	32.1%	32.9%	37.6%
Payson	22.0%	22.4%	22.3%
Pleasant Grove	20.8%	22.2%	28.2%
Provo	60.1%	57.4%	58.2%
Salem	14.0%	12.6%	13.8%
Santaquin	19.0%	14.0%	16.9%
Saratoga Springs	**	7.0%	14.8%
Spanish Fork	26.2%	21.5%	21.3%
Springville	31.7%	26.2%	27.1%
Utah County	37.3%	33.2%	31.7%

\*Incorporated in 1996. \*\*Incorporated in 1997.

Source: U.S. Census Bureau.

It is important to note a positive development; most cities have increased their share of rental housing over the past ten years. In most cases the increases have been in the 3 to 5 percent range, relatively small but in the right direction. Only Payson and Spanish Fork show no increase in the share of rental housing. The increase in the share of renter occupied units, however is not solely due to the development of new apartment communities but rather the rental of single family homes, condominiums and town homes.



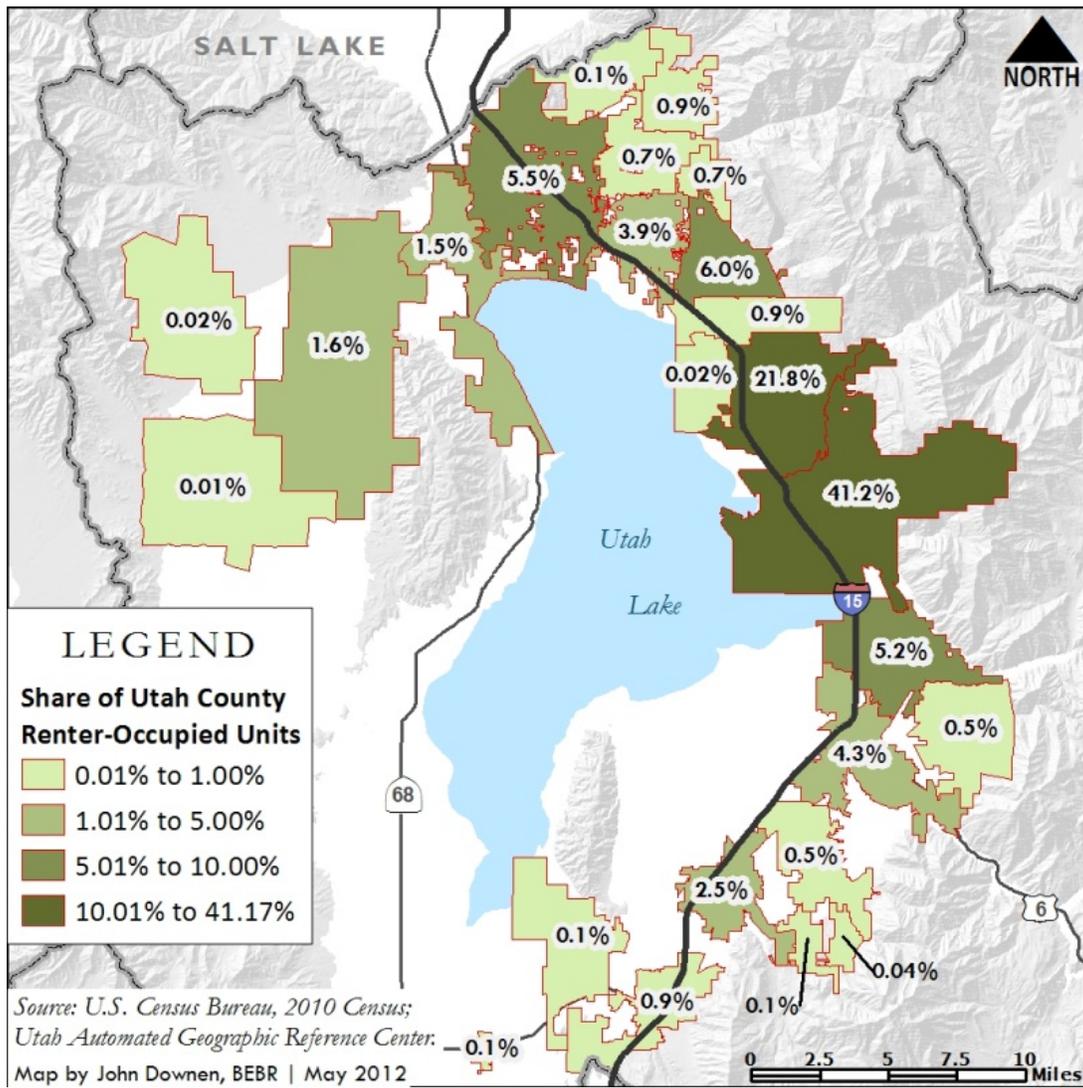
**Table 20**  
**New Apartments Units as a Percent of Increase in Renter Occupied Units**

	Renter Occupied Units 2000	Renter Occupied Units 2010	Absolute Chg.	New Apt. Units	New Apt. Units as % of Chg.
Alpine	182	392	210	12	5.7%
American Fork	1,312	1,726	414	157	37.9%
Cedar Hills	32	329	297	56	18.9%
Eagle Mountain	10	707	697	16	2.3%
Elk Ridge	18	46	28	0	0.0%
Highland	87	307	220	0	0.0%
Lehi	950	2,441	1,491	221	14.8%
Lindon	231	383	152	3	2.0%
Mapleton	107	232	125	0	0.0%
Orem	7,697	9,695	1,998	767	38.4%
Payson	819	1,128	309	13	4.2%
Pleasant Grove	1,358	2,664	1,306	705	54.0%
Provo	16,752	18,340	1,588	818	51.5%
Salem	142	239	97	0	0.0%
Santaquin	183	394	211	40	19.0%
Saratoga Springs	19	651	632	92	14.6%
Spanish Fork	1,189	1,928	739	132	17.9%
Springville	1,564	2,308	744	158	21.2%
Utah County	33,151	44,549	11,398	3,203	28.1%

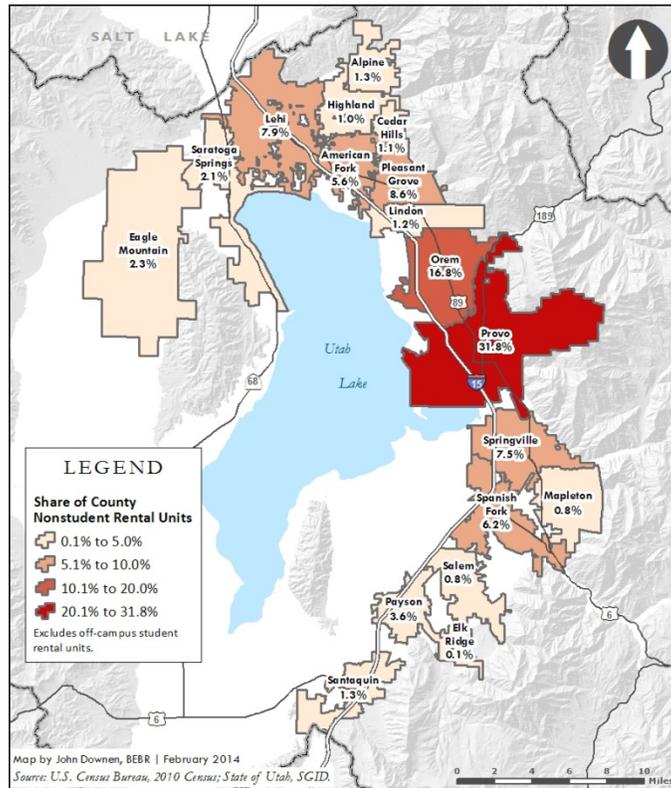
*Source: U.S. Census Bureau and Bureau of Economic and Business Research, University of Utah.*

As mentioned nearly two thirds of rental housing in the county is located in Provo and Orem *Figure 4*. These two cities account for 38 percent of the population for the county. They clearly have a disproportionate share of the rental housing inventory. Of course, a significant number of the renters in these two cities are students living in off-campus housing. As noted the number of off-campus student housing units is estimated at 13,000 units. Excluding these units from the county rental inventory and assuming that a very high percentage of these units are located in Provo and Orem the adjusted nonstudent share of county rental units by city is shown in *Figure 5*. Even after the off-campus student housing adjustment Orem and Provo account for almost 50 percent of all rental housing in the county. It is not that other cities are unsuitable for rental housing due to market conditions, proximity to transportation networks or employment centers. These conditions are met in many cities in Utah County. The uneven distribution of rental housing in the county is often due to zoning ordinances reinforced by NIMBYism. The number of renters (population) is shown in *Figure 6*. Provo City has a renter population of 57,578, nearly seven times as many as Lehi City with 8,817 renters.

Figure 4  
Share of Utah County Renter Households by City



**Figure 5**  
Share of Utah County Renters by City for Nonstudent Rental Units



**Figure 6**  
Renter Population by City



### *Construction Trends*

Since 2000 the average number of new non-student apartment units built over the 2000-2013 period is 340 units, roughly a one percent increase in the inventory annually *Table 21*. In Provo City the average number of new apartment units receiving building permits from 2000 to 2013 was 102 units. Provo City has about 19,000 rental units currently. Therefore, the increase in the rental inventory through new apartment construction has been well below one percent annually in Provo City. This low level of apartment construction, due in part to the “crowding out” by student housing, has limited housing opportunities for renters. .

However new construction is only measure of demand since much of the rental housing demand in Utah County has been met by the shadow market (single-family homes, condominiums, etc.). Renter occupied housing data from the Census show that the rate of change in renter occupied housing units over the 2000 to 2010 was three percent annually, approximately a 1,000 units a year. As noted above new apartment construction satisfied about one third of the demand for rental units. However, recent construction trends indicate an increasing role of new apartment construction in meeting demand. In the last few years the levels of construction have been well above the average and in 2014 permits hit a record high of 2,100 units Therefore in 2014 new apartment construction was several times greater than any single year’s level since 2000.

**Table 21**  
**Apartment Units Receiving Building Permits in Utah County and Provo**

	Utah County	Provo
2000	223	142
2001	308	155
2002	300	59
2003	381	102
2004	476	104
2005	474	84
2006	560	86
2007	320	86
2008	76	0
2009	85	0
2010	274	238
2011	400	234
2012	431	42
2013	415	89
2014	2,100	41
Average 2000-2013	340	102

*Source: Bureau of Economic and Business Research, University of Utah and Construction Monitor.*

### *Under Construction Projects*

There are twenty apartment projects under construction in Utah County. New apartment construction is at a historic level. The twenty new projects have a total of 3,137 units *Table 22*. In Provo City there are only two new projects with a total of 83 units. Countywide, the addition of these units represents a six percent increase in the rental inventory. Although these new projects are high priced and not suitable for very low income renter households nevertheless, additional units will help expand the rental housing opportunities for all renters.

**Table 22**  
**Apartment Projects Under Construction in Utah County**

Project	Address	City	Units	Type
Lofts at Ivory Ridge	3200 North Center Street	Lehi	45	Family Market Rate
Seasons at Traverse Mtn.	4200 North Seasons View	Lehi	260	Family Market Rate
Avalon Senior Living	175 North State Street	Lindon	90	Senior Market Rate
Monte Vista Phase I	905 North State Street	Orem	131	Family Market Rate
Legacy Apartments	1450 South State Street	Orem	180	Family Market Rate
Center Street Apartments	73 North Orem Blvd	Orem	112	Family Market Rate
Sun Canyon Plaza	460 South State Street	Orem	84	Family Market Rate
Summit Ridge	1675 South 400 East	Orem	72	Family Market Rate
Midtown Village	320 South State	Orem	160	Family Market Rate
Aston Court Ph I	University Mall	Orem	231	Family Market Rate
Residences at Mayfield	2275 West 250 North	Pleasant Grove	214	Family Market Rate
Viewpointe	165 North 1650 West	Pleasant Grove	288	Family Market Rate
Maplewood	641 South 350 East	Pleasant Grove	36	Family Market Rate
Grove Crest Villas	488 West Center	Pleasant Grove	162	Senior Market Rate
St. Francis Apartments	500 West 200 North	Provo	42	Senior Tax Credit
63 Apartments	63 East Center Street	Provo	41	Family Market Rate
Start-Up Crossing	575 South Freedom Blvd	Provo	101	Family Market Rate
Outlook Apartments	664 South 2600 West	Springville	260	Family Market Rate
The Alloy Apartments	100 South Geneva Road	Vineyard	324	Family Market Rate
Concord Crossing	125 North Mill Road	Vineyard	304	Family Market Rate
<b>Total</b>			<b>3,137</b>	

*Source: Survey of economic development and planning offices.*

*Apartment Projects Approved or in Entitlement Process*

There are nine approved or entitlement process apartment projects in Utah County *Table 23*. These projects have a total of 2,299 units. As is the case with under construction projects, Orem and Vineyard are again the dominate locations for the approved projects. Eighty-eight percent of the approved or entitlement process units are located in Orem and Vineyard. The two largest projects are in Vineyard; Lakeside Apartments (414 units) and Parkway Lofts (332 units). Most of the approved and entitlement units will be traditional three story walk-up apartments however, Aston Court Phase II at University Mall will be a medium high rise project with underground parking structure. Again, most of the new units under construction or in the approval process are not affordable but these new projects nevertheless will provide a greater range of rental opportunities for all renter households in Utah County. A full range of housing types for both owner and renter occupied units, in terms of age, amenities, price, etc. is a desired goal of HUD.

**Table 23**  
**Apartment Projects Approved or in Entitlement Process in Utah County**

	Project	Address	City	Units	Type
A	Sunrise Crossing	700 West SR 92	Lehi	156	Family Market Rate
B	Wasatch Advantage	1100 West Center Street	Orem	168	Family Market Rate
C	Aston Court Phase II	University Mall	Orem	241	Family Market Rate
D	Midtown Village Second Tower	320 South State Street	Orem	225	Family Market Rate
E	Parkway Lofts	1150 South 1250 West	Orem	332	Family Market Rate
F	Monte Vista Phase II	905 North State Street	Orem	175	Family Market Rate
G	Liberty Center	300 West Center Street	Provo	120	Family Tax Credit
H	Lakeside Apartments	approx. 200 East 400 North	Vineyard	414	Family Market Rate
	Lincoln Square Phase I	400 North Mill Road	Vineyard	240	Family Market Rate
	Lincoln Square Phase II	400 North Mill Road	Vineyard	228	Family Market Rate
	<b>Total</b>			<b>2,299</b>	

*Source: Survey of economic development and planning offices.*

*Proposed Projects* - In addition to the nine projects there are another twelve proposed projects including *Table 24*. Three of these proposed projects are in American Fork and two are in Orem. Four are in Provo. The four Provo projects have a total of 1,045 units. Countywide, the nine projects have a total 2,106 units.

**Table 24  
Proposed Projects in Utah County**

	Project	Address	City	Units	Type
A	American Fork Apartments	400 South 650 East	American Fork	192	Family Market Rate
B	The Meadows	700 West Pacific Drive	American Fork	135	Family Market Rate
C	Pacific Drive Apartments	492 West Pacific Drive	American Fork	26	Family Market Rate
D	Lindon Seniors	70 South Main Street	Lindon	105	Senior Market Rate
E	Harmony Ridge	8000 South Main Street	Mapleton	150	Family Market Rate
F	Monte Vista Phase II	905 South State Street	Orem	175	Family Market Rate
G	Promenade Place	877 South Geneva Road	Orem	112	Family Market Rate
H	Martin on State Street	1530 South State Street	Provo	288	Family Market Rate
I	PEG	231 South University Avenue	Provo	180	Family Market Rate
J	80 East Apartments	80 North 100 East	Provo	77	Family Market Rate
K	UTA (Transit Oriented Dev.)	700 South 200 West	Provo	500	Family Market Rate
L	The Ridge	2700 East Canyon Road	Spanish Fork	166	Family Market Rate
	Total			2,106	

*Source: Survey of economic development and planning offices*

*Total Pipeline Projects* - The combined total of under construction projects, approved and entitlement process projects, and proposed projects is 7,542 units in 38 apartment communities. Historically Utah County has had very few large, high amenity, non-student projects developed. Large apartment communities targeted the student market (BYU and UVU) while the family rental market was highly fragmented with small projects and a high percent of rentals in single family homes, duplexes, tri-plexes, etc.

Over the next three years an estimated 5,450 new apartment units will reach the Utah County rental market; 3,000 currently under construction and 1,750 of the 2,300 proposed units. It's assumed that three quarters of proposed projects will be completed. In addition, of the 2,100 proposed projects it's projected that 700 of these units will be completed by 2017. Therefore, over the next three years 5,450 units will likely reach the Utah County rental market. The supply will exceed demand by about 1,000 units (three year demand of 4,500 units versus new supply of 5,450 units) *Table 3*. The surplus will increase total vacant units to 3,300 of an estimated 57,000 total rental units (vacant and occupied) in 2017. Consequently, by year-end 2017 the vacancy rate will increase from the current 4.4 percent to six percent, rental rate increases are likely to be flat and absorption rates will be slower than in 2013-2014.

**Table 25  
Forecast of Likely Apartment Units Completed – 2015 through 2017**

	Units Likely to be Completed
Under Construction Units Unoccupied	3,000
Three quarters of 2,300 Approved or Entitlement Process Units Completed	1,750
One third of proposed completed by 2017)	700
Three Year Forecast	5,450

There are two countervailing forces at play in the supply of rental units in Utah County: (1) a shrinking shadow market resulting in a loss of rental inventory and (2) the historic levels of new apartment construction resulting in significant increases in the rental inventory. Just how close these two forces come to offsetting one another is unknown but it is certain that the loss of shadow market units helps to reduce the risk of overbuilding in the rental market. On the supply side, at least from 2000-2010, much of the increased demand for additional rental units has been met by rented homes, condominiums and town homes. Traditional apartment construction has played a lesser role in meeting demand. The recent shift to large traditional apartment construction for families rather than students is a new feature in the Utah County rental market.

The recent surge in apartment construction is a positive development in the local housing market and will ultimately benefit to varying degrees protected classes and improve fair housing choice.

#### **D. Zoning Ordinance**

Zoning ordinances are the tools that cities use to implement the General Plan. A zoning ordinance classifies the specific and immediate use of land. The primary purpose of zoning is to control land use and preserve “community character.” Consequently, zoning determines the location, type, and character of housing development and frames housing policies and procedures. Thus, the impact of zoning on housing choice is extensive. Several aspects of zoning ordinances that may affect a person’s access to housing or limit the range of housing choices available are:

- Definition of Family
- Density Bonus Ordinance
- Variety of Housing Opportunity
- Public Policies
- Accessory Units
- Inclusionary Zoning.

*Definition of Family* – A city’s zoning ordinance could potentially limit access to housing for some households if they failed to meet the definition of a family. Provo City and the Utah County have defined families in their zoning ordinance. Utah courts have not ruled on the potentially discriminatory aspect of family definitions, but some state courts have. For example, California courts have ruled that a definition of “family” that: (1) limits the number of persons in a family, (2) specifies how members of the family are related, or (3) a group of not more than a certain number of unrelated persons as a single housekeeping unit, is invalid. Court rulings state that defining a family does not serve any legitimate or useful objective or purpose under the zoning and land planning powers of a city or county. While California court decisions are instructive there is little chance, given the importance of family in the local culture, which Utah courts would agree with California rulings.

None of the reporting entitlement cities limit the number of individuals in a related family *Table 26*. This provision is favorable for large families however, in actual practice some landlords do discriminate based on family size. The number of unrelated persons is limited to two persons in Provo but certainly this provision is not enforced. In the student households near Brigham Young University there are likely many cases of three, or more, unrelated individuals living together in a single-family home. Generally, the definition of family in zoning ordinances in Provo City and Utah County do not appear to be an impediment or threat to fair housing choice.

**Table 26**  
**Zoning Ordinance: Definition of Family**

	Utah County	Provo
Definition of Family	Yes	Yes
Limit number in related family	No	No
Specify how related	Yes	Yes
Limit number unrelated persons	4	2

*Source: Survey of cities.*

*Selected Zoning Incentives and Impediments* – Provo City is an exception. It is one of the few cities along the Wasatch Front that has adopted a full array of incentives for affordable housing. The city allows for fee waivers for affordable housing, has inclusionary zoning, allows accessory units, provides density bonuses, and has an RDA with tax increment financing for affordable housing *Table 27*. TIF revenues are potentially significant source of funds for the development of affordable housing. A few cities have created public-private partnerships using an RDA and TIF funds to develop affordable rental housing jointly with a nonprofit developer. Creating innovative ways to use TIF revenues to support affordable housing should be a high priority for cities.

Planners of Provo and Utah County were asked to identify the most serious impediment to increasing the inventory of affordable housing in their cities. Provo didn't specify, or rank, the impediments to fair housing. In the unincorporated county zoning was identified as the greatest impediment.

**Table 27**  
**Zoning Provisions Favorable to Affordable Housing**

	Utah County	Provo
Permit or Fee Waivers for Affordable Housing	No	Yes
Inclusionary Zoning	Yes	Yes
Accessory Units	No	Yes
Density Bonus for Low Income Low Income Housing	Yes	Yes
RDA with TIF for Affordable Housing	No	Yes
Top Ranked Impediments to Expanding Housing Opportunities		NA
Existing Zoning	1	
Market Conditions	4	
Nimbyism	3	
Impediments minimal	2	
Other		

*Source: Survey of Provo and Utah County.*

*Variety of Housing Opportunity* – To ensure fair housing choice in a community the zoning ordinances should provide for a range of housing types from low density single-family to high density apartment communities, to residential care facilities, to manufactured housing, to transitional housing. The full range of housing types are shown in *Table 28* along with the survey results from each entitlement city.

Of the two entitlement cities, Orem City is the most accommodating in housing variety. All types of housing are permitted with the exception of mobile homes and emergency shelters, which are both excluded. Provo City has permitted use for all types of housing with the exception of emergency

shelters, transitional housing, supportive housing, and SRO units. These four types of use however are allowed by requirement of a conditional use permit. The relatively extensive requirement of a conditional use permit in Provo City for some types of housing targeted for special needs populations or extremely low-income households is problematic. As the largest city in the county Provo is a natural candidate to supply housing for the special needs population. The variety of housing types in the county is more limited, but again the unincorporated county accounts for only 2 percent of all housing units, therefore housing patterns in the county are inconsequential.

**Table 28**  
**Variety of Housing**

	Utah County	Provo
Single-Family	P	P
Multi-family	C	P
Second or Accessory Unit	E	P
Mobile Home Park	E	P
Manufactured Housing	P	P
Residential Care Facilities (6 or fewer)	P	P
Residential Care Facilities (6 or more)	P	P
Emergency Shelters	E	C
Transitional Housing	E	C
Supportive Housing	C	C
SRO	C	C

*P=Permitted, C= Conditional Use and E=Excluded.*

*Source: Survey of cities by Bureau of Economic and Business Research.*

*Other Zoning Characteristics* – A survey of zoning ordinances and procedures was completed by the planning offices of the county and each of the entitlement cities. City comparisons are difficult due to nuances, exceptions, and conditional uses allowed. Nevertheless, in general the county and entitlement cities have diversity of residential densities accommodating various type of development from low density single-family, to high density mixed use, and TODs. Group homes, an important housing type for HUD, are allowed in Provo City and the county. Provo has inclusionary zoning and has accessory housing provisions and provide fee incentives or waivers for affordable housing. Provo does not use zoning to augment the International Building Code requirements for the disabled.

Owner-occupied accessibility was suggested by Assist (local nonprofit). Assist recommended that cities adopt measures in TOD, or mixed-use zones, to require the Fair Housing Act’s seven requirements of accessibility for owner-occupied, high density TOD units.

Inclusionary zoning would be particularly beneficial in the northern high growth cities of Saratoga Springs, Lehi, and Eagle Mountain. This would ensure that in these rapidly growing areas of the county protected classes will have housing opportunities, which will mitigate potential increased segregation and concentration of protected classes in Orem and Provo.

Incentive zoning for affordable housing enables local governments to provide density bonus incentives to developers, in exchange for specific benefits and amenities. “When used to stimulate affordable housing, incentive zoning is similar to voluntary inclusionary policy. However, incentive zoning can also be used to stimulate a broad range of other outcomes, including the creation of walkways, parks and other open space, the inclusion of street-level retail in new development and

the creation of new child care facilities. Generally voluntary in nature, incentive zoning also applies to a wider range of building types (residential, commercial, office, etc.) than inclusionary zoning. By combining incentives for affordable housing with incentives for building higher density housing near public transit and preserved open space, incentive zoning can also address a broad agenda that aims to reduce energy usage and emissions of greenhouse gases and promote smart growth land use patterns” (*HousingPolicy.org*).

Accessory units can be an important source of low-cost rental housing for small households in many communities. They can provide an opportunity for renters to enjoy the advantages of living in established homeownership communities, including good schools, safe and quiet neighborhoods, and also provide opportunities for seniors to live close to family. Accessory units increase density, putting more people where infrastructure, thus lowering per capita infrastructure costs. Accessory units can also allow people who have lost their homes to foreclosure to stay in their community as an ADU renter. As noted, Provo allows accessory units, a practice that should be followed in other cities in the county, particularly Lehi, Saratoga Springs, and Eagle Mountain.

*Siting, Affordability, and Housing Prices* – Utah County has a relatively high level of housing affordability. In 2013, 45 percent of all homes, twin homes, town homes, and condominiums sold in the county were affordable to low-income households (80% AMI) *Table 29*. In Provo well over half of all housing sales were affordable to low-income households. Affordability is widely distributed across the county. To the south, housing affordability is high in Springville and Spanish Fork, and to the north American Fork, Pleasant Grove, and Eagle Mountain. In all these cities over half of all homes sold were affordable in 2013 to a low-income household.

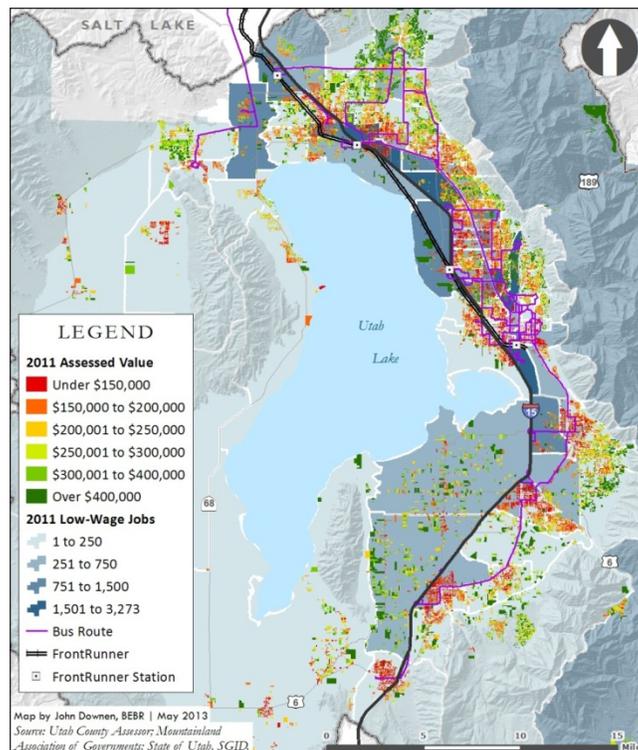
Widespread affordability is illustrated in *Figure 7* which shows the assessed value, at the parcel level, of housing in Utah County. Red and orange denote housing units valued at \$200,000 or less. As shown affordable units are well distributed throughout the county. *Figures 8-9* also demonstrate affordability with the median value of homes by census tract, and the number of affordable homes by census tract. Homes valued at \$250,000 are not as widely distributed throughout the county *Figure 10*. Of the major cities only Springville, Pleasant Grove, Spanish Fork, Payson, and American Fork have a meaningful share of homes valued above \$250,000. Nevertheless, the spatial distribution of housing affordability indicates that the zoning ordinances in Utah County are amenable to affordable owner-occupied housing.

**Table 29**  
**Affordable Residential Units Sold in Utah County in 2013**

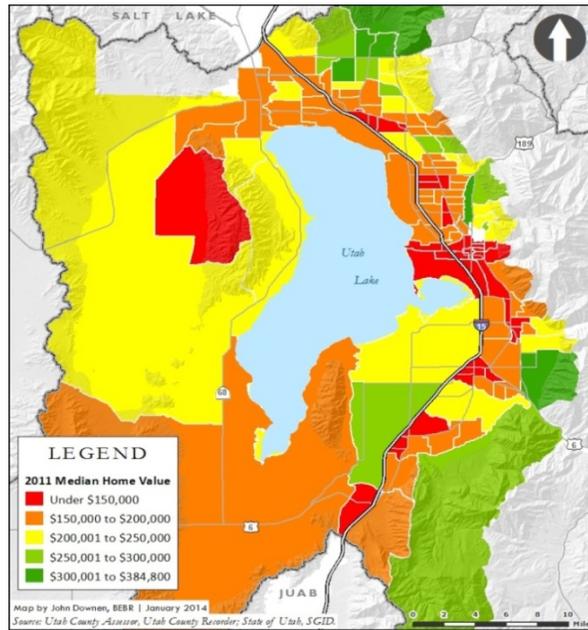
	Total	Less \$200,000	Percent Affordable to 80% AMI
Alpine	86	1	1.2%
American Fork	335	173	51.6%
Cedar Hills	110	18	16.4%
Eagle Mountain	685	353	51.5%
Elk Ridge	29	5	17.2%
Highland	189	7	3.7%
Lehi	945	212	22.4%
Lindon	73	9	12.3%
Mapleton	107	14	13.1%
Orem	719	412	57.3%
Payson	268	195	72.8%
Pleasant Grove	350	184	52.6%
Provo	806	548	68.0%
Salem	95	33	34.7%
Santaquin	152	98	64.5%
Saratoga Springs	546	157	28.8%
Spanish Fork	549	315	57.4%
Springville	429	245	57.1%
Utah County	6,650	3,016	45.4%

Source: Wasatch Front Regional Multiple Listing Service.

**Figure 7**  
**Value of Single-Family Homes in Utah County, 2011**  
 (Parcel Data)



**Figure 8**  
**Median Value of Homes by Census Tract, 2011**



**Figure 9**  
**Number of Affordable Homes by Census Tract.**

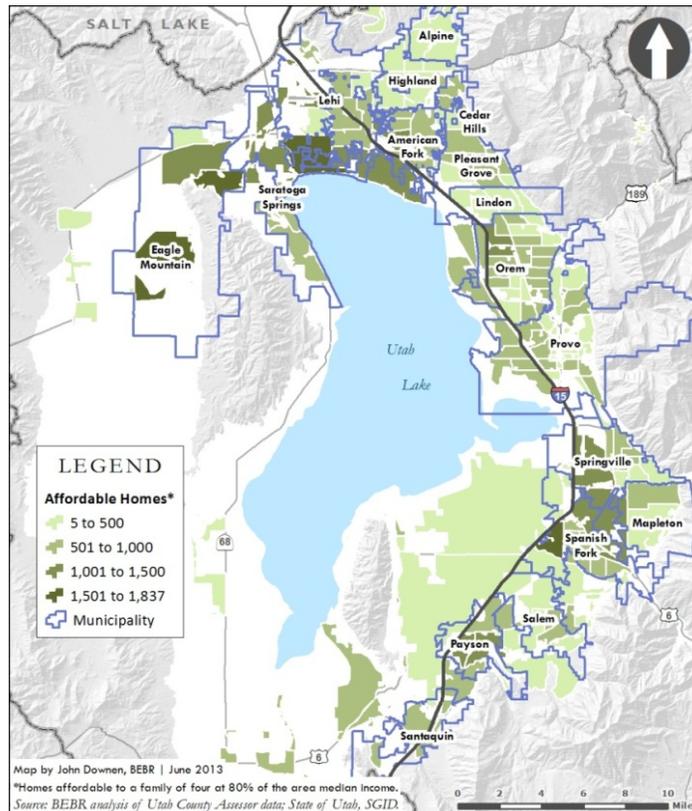
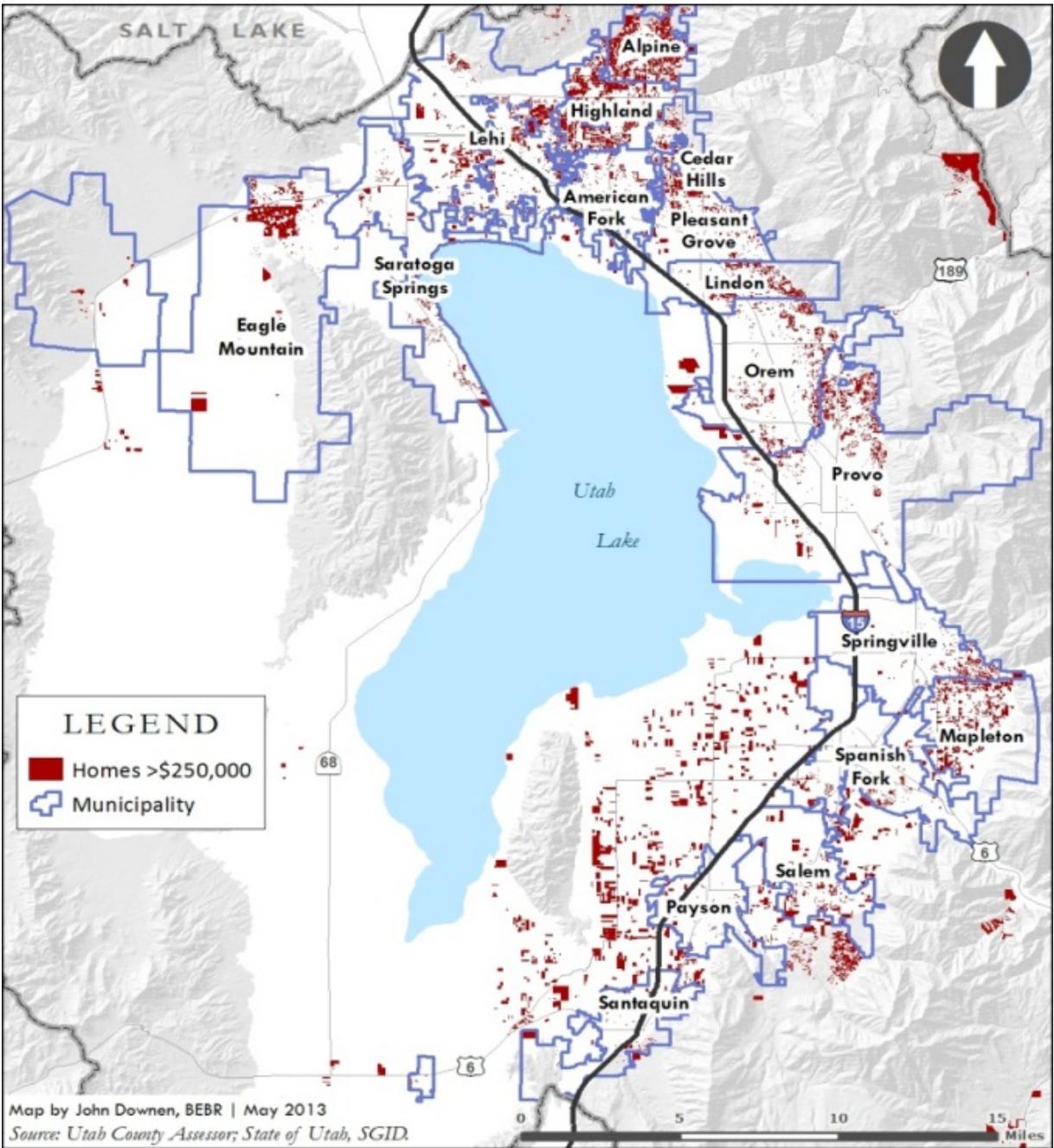


Figure 10  
 Location of Homes with Value > \$250,000



**Policies and Practices of Public Housing Authorities**

Twenty-five percent of the households in Utah County have incomes below 50 percent of the AMI. Many of these 37,000 very low-income households never transition out of their low-income status. Consequently, they are perpetually in housing crisis; faced with severe housing cost burdens, overcrowding, and substandard or deteriorating housing. For some of these households the policies and practices of local Public Housing Authorities are decisive in facilitating affordable housing

opportunity. To this end the principal tools used by Public Housing Authorities are Section 8 Vouchers and development of affordable units for families and seniors.

There are two Public Housing Authorities in Utah County; the Housing Authority of the Utah County and the Provo City Housing Authority. These two PHAs administer 1,934 vouchers in various programs; Section 8, Shelter + Care, HOPWA, refugees, etc. *Table 30*. Waiting lists are almost one year for the Provo City Housing Authority and three years or more for the Housing Authority of Utah County. Both still have open enrollment, which is unusual with long waiting lists. Enrollment is also open for the public housing units owned by the housing authorities. For both PHAs the wait is less than a year for a public housing unit. Neither housing authority offers preferences for special needs populations.

**Table 30**  
**Housing Vouchers by Housing Authority, 2013**

	Provo City Housing Authority	Housing Authority of Utah County
<i>Housing Vouchers</i>		
Section 8 Vouchers	875	1,059
Enrollment	Open	Open
Wait List Status	6-8 months	3 years+
Shelter+Care Vouchers	36	39
Refugees Vouchers	0	0
HOPWA Vouchers	0	0
Criminal Justice Vouchers	0	0
County TBRA Vouchers	0	0
State TBRA Vouchers	0	0
HARP Vouchers	0	0
<i>Housing Units</i>		
Public Housing Units	248	143
Enrollment	Open	Open
Wait List Status	1-6 months	1 year

TBRA = tenant based rental assistance, HARP = Home Affordable Refinance Program.

Source: Provo City Housing Authority and Housing Authority of Utah County

The demographics of voucher holders show that households with a disabled individual comprise a significant share of voucher holders *Tables 31-32*. Forty-eight percent of the vouchers administered by the Housing Authority of Utah County are households with a disabled individual. The Provo City Housing Authority has 40 percent of their vouchers with renter households with a disabled individual. In both PHAs about 80 percent of voucher holders are white. Seniors comprise 15 percent of voucher holders and single mothers have 40 percent of the vouchers administered by the Housing Authority of Utah County, but only 22 percent of the vouchers in the Provo City Housing Authority.

As a protected class, minority households have a modest share of vouchers in both housing authorities. The low share of minority representation may be an impediment to the protected class of minorities. Although the high share of vouchers to another protected class, the disabled, may mitigate this concern.

**Table 31  
Demographics of Voucher Holders by Housing Authority, 2013**

	Housing Authority of Utah County	Provo City Housing Authority
Total Vouchers	1,019	875
Race		
White	865	677
Black	9	10
Asian	4	12
Pacific Islander	11	9
Native American	14	16
Hispanic	116	151
Minority	154	198
Seniors	154	147
Disabled	493	353
Family Size		
Five or More	175	99
Household Type		
Single mother w/children	412	191
Single father w/children	2	9

*Source: Survey by Bureau of Economic and Business Research, University of Utah.*

**Table 32  
Percent Share of Voucher Holders by  
Demographic Characteristics, 2013**

	Housing Authority of Utah County	Provo City Housing Authority
Total Vouchers	100.0%	100.0%
Race		
White	84.9%	77.4%
Black	0.9%	1.1%
Asian	0.4%	1.4%
Pacific Islander	1.1%	1.0%
Native American	1.4%	1.8%
Hispanic	11.4%	17.3%
Minority	15.1%	22.6%
Seniors	15.1%	16.8%
Disabled	48.4%	40.3%
Family Size		
Five or More	17.2%	11.3%
Household Type		
Single mother w/children	40.4%	21.8%
Single father w/children	0.2%	1.0%

*Source: Survey by Bureau of Economic and Business Research, University of Utah.*

## E. General Housing Plans

The housing needs of protected classes are part of a larger affordable housing need identified every four to five years by each municipality and county in Utah. In 1996 the Utah Legislature passed HB 295 which requires cities and counties to adopt an affordable housing plan. The state legislation focuses on affordability, rather than protected classes—leaving that to federal law. To the extent that the state legislation increases affordable housing, particularly rental housing, the housing choices of protected classes are expanded since protected classes are disproportionately low income renters.

The Utah statute states that the housing plan should “afford a reasonable opportunity for a variety of housing, including moderate income housing to meet the needs of people desiring to live there.” The affordable housing legislation requires cities of more than 1,000 residents and counties of more than 25,000 residents to adopt an affordable housing plan and review and report biennially. There is no requirement to update the plan however, to affirmatively further fair housing entitlement cities at the very least should have an updated affordable housing needs assessment. The housing assessments are generally very descriptive and provide information on housing inventory, affordability, and need. The affordable housing plan, as stated in the legislation, should be incorporated in the city’s General Plan. The General Plan of a jurisdiction establishes a vision for the community and provides long-range goals and policies to guide the development in achieving that vision.

Most of the cities in Utah County have submitted updates to their original affordable housing plan however, the state has no record of affordable housing plans submitted by Utah County, Cedar Hills, and Mapleton. The housing plans for Provo, Alpine, Eagle Mountain, Highland, Pleasant Grove, and Santaquin are all at least five years old *Table 33*. An affordable housing assessment study for Utah County was completed by the Bureau of Economic and Business Research, University of Utah in January 2012. The state requirement should be satisfied by that report.

**Table 33**  
**Year Affordable Housing Plan Updated**

	Year Updated
Utah County	None
<b>Entitlement Cities</b>	
Orem	2011
Provo	2006
<b>Non-Entitlement Cities</b>	
Alpine	2007
American Fork	2012
Cedar Hills	None
Eagle Mountain	2005
Elk Ridge	2010
Highland	2008
Lehi	2012
Lindon	2011
Mapleton	None
Orem	2011
Payson	2012
Pleasant Grove	2007
Salem	2010
Santaquin	2007
Spanish Fork	2011
Springville	2011

Source: Utah Dept. Community and Housing.

The absence of a current (less than five year old) housing plan may be an impediment to fair housing choice and more specifically, regarding the substance of the plans, only a few affordable housing plans treat in any detail the future need for additional affordable *rental* housing. When need is discussed it is usually limited to owner-occupied units. But the greatest need for affordable housing is an expansion of rental housing; rental housing targeted at households with incomes below 50 percent AMI. Twenty-five percent of all households in the county have incomes below 50 percent AMI, and a large share of these households rent. Those renters that are not in rent-assisted housing are very likely dealing with moderate to severe housing cost burdens and impediments to housing choice. To mitigate impediments affordable housing plans should address ways a city can increase its affordable rental inventory. It would be encouraging if more of the affordable housing plans identified the need for rental housing and discussed approaches to development such as public-private partnerships, inclusionary zoning, density bonuses, accessory units, TODs/affordable housing, etc. In regards to the entitlement cities, Provo needs to update their affordable housing plan, and Lehi (soon to be entitlement city) to more fully address the need for affordable rental housing for families.

## **F. Land Use Element**

The Land Use Element of a General Plan designates the general distribution, location, and the extent of uses of land for all types of purposes including housing. As it applies to housing, the Land Use Element establishes a range of residential use categories and specifies densities and suggests the types of housing appropriate in a community.

*Residential Densities* – A number of factors, both public and private, affect the supply, location, and cost of housing in a local market. The public or governmental factor that most directly influences the character and pattern of residential development is the allowable density range of residentially designated land. For developers of housing density ranges are critical to economic feasibility of a project. Higher densities generally allow developers to take advantage of economies of scale and reduce the per-unit cost of land and improvements. Density standards are decisive in the supply of affordable housing in a community, particularly affordable rental housing. Reasonable density standards allow for a variety of housing options to meet the needs of all income and age groups ensuring diversity and housing choice within a community.

A summary of allowable residential densities by land use type for entitlement cities is shown in *Table 34*. Provo has a Land Use Elements that allow a range of single-family (less than one unit/acre to 14 units/acre) and multi-family (6 units/acre to 50 units per acre) uses. Special high density, 50 units plus, is not allowed in Utah County, but Provo allows this use.

**Table 34**  
**Land Use Categories and Permitted Density for Entitlement Cities**

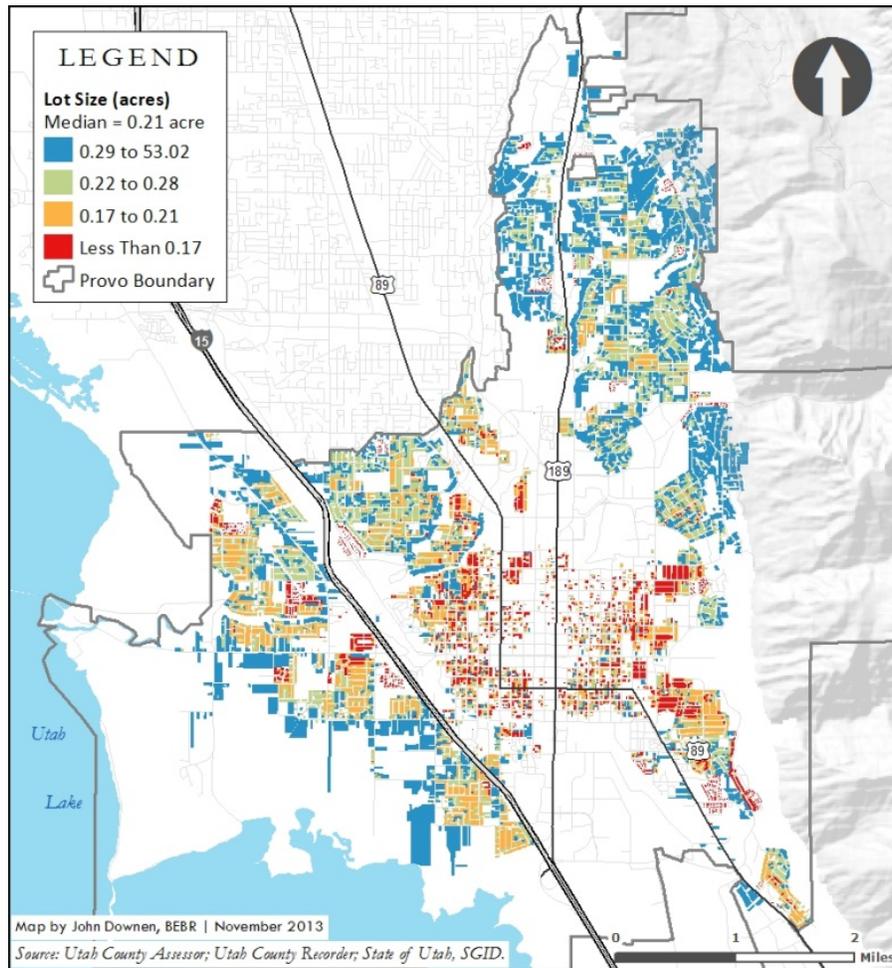
Land Use By Density	Density Range	Utah County	Orem	Provo
<b>Single Family</b>				
Estate	Less one unit/acre	Yes	Yes	Yes
Low	1-3 units/acre	Yes	Yes	Yes
Medium	3-6 units/acre	No	Yes	Yes
High	6-14 units/acre	No	Yes	Yes
<b>Multifamily</b>				
Low	6 to 15 units/acre	No	Yes	Yes
Medium	15 to 20 units/acre	No	Yes	Yes
High	20 to 30 units/acre	No	Yes	Yes
Very High	30 to 50 units/acre	No	Yes	Yes
Special High	50+ units/acre	No	No	Yes

*Source: Survey of cities by Bureau of Economic and Business Research.*

While the Provo City allows a wide range of residential densities, in actual practice approved densities show high density single-family lots at 20 to 25 percent of lot inventory, an adequate level. For example, *Figure 11* maps single-family residential parcels by density in Provo City. The parcels are categorized by size and arranged by quartile.

Red shows higher density areas of a city. Provo has a significant share of high density residential parcels. In Provo the median size lot is 0.21 acres while in the unincorporated county the median size is 1.38 acres. However, the unincorporated county accounts for only two percent of the households in the county, therefore housing densities in the unincorporated area has little impact on the countywide densities. In Provo City 20 percent of all residential parcels are 0.17 acres or less. The smaller the median lot size the more likely the availability of affordable housing. Lot sizes in Provo provide opportunity for affordable housing.

**Figure 11**  
**Residential Parcels by Size, Provo**  
(2011)



## G. Fair Housing Infrastructure

All entitlement jurisdictions should have well-structured and coordinated fair housing efforts (website, brochures, English and Spanish) that can be adopted as part of a regional fair housing outreach program. This outreach program would aim to mitigate fair housing barriers and raise awareness of fair housing issues in the region. Education, outreach, and enforcement are currently undertaken on a city by city basis with differing approaches. Some have a process for adjudicating complaints, others refer complaints to the state or HUD offices. Coordination should include nonprofits such as the Disability Law Center and Utah Legal Services.

*Provo City* – While unable to talk directly with anyone involved in fair housing in the city of Provo, the city website does offer some insight into the practices and policies in the city. Under the Redevelopment Agency, the city hosts a page regarding fair housing.<sup>1</sup> On this site is a description of fair housing mostly targeted for the real estate professional, outlining the law, how to recognize, and

<sup>1</sup> <http://www2.provo.org/redev.fairhousing.html>

avoid, discrimination. While this page is offered only in English there is a broken link that indicates it is also meant to be offered in Spanish.

The city does offer a list of actions for a resident to take if they believe they have been discriminated against:

- Write down statements made during meetings and telephone calls with the landlord, property manager, real estate agent, loan officer, or insurance agent.
- Include the person's name, title (if known), where the incident took place (on the phone, in their office, etc.), the date and time of the occurrence.
- Save all receipts, applications, business cards, or other documents.
- Obtain complete Housing Intake Questionnaire.
- Submit the signed, notarized form to the Utah Fair Housing office at 160 East 300 South, Heber Wells Bldg., Salt Lake City, Utah.
- Utah Law provides for a charge to be made within 180 days of the alleged discrimination.
- There is no charge for filing a charge of housing discrimination.

However, at the end of the page, the city points users to the local and federal HUD office and the official HUD complaint page.

#### *Landlord Tenant Rights*

Local nonprofits cite numerous instances of the imbalance between landlords and tenants. Utah law appears to heavily favor landlord rights. Community Action Program (CAP) recommended a law requiring landlords to provide rental contracts for all tenants. A contract would prevent 15 day no cause evictions that landlords use to arbitrarily evict tenants.

In recent years, many cities have adopted the Good Landlord Program. In some cities their program borders on discriminatory and may face legal challenges. Salt Lake City's Landlord Tenant Initiative should be a model for cities seeking to ensure landlord tenant responsibility. Provo does not have a Good Landlord Programs but has discussed adopting a program.

The policies and practices of entitlement cities are described in *Table 35*.

**Table 35  
Policies and Practices Affecting Fair Housing**

	Orem	Provo
Comprehensive Housing Plan	General Plan: <a href="http://www.orem.org/index.php/community-neighborhood-services/community-services">http://www.orem.org/index.php/community-neighborhood-services/community-services</a>	General Plan: <a href="http://www.provo.org/departments/community-development/planning/general-plan">http://www.provo.org/departments/community-development/planning/general-plan</a>
Fair Housing Law	State & Federal Law	State & Federal Laws
Website for Fair Housing	Yes. English only. Brief description of Fair Housing. Site directs users to HUD. <a href="http://www.orem.org/index.php/community-neighborhood-services/community-services">http://www.orem.org/index.php/community-neighborhood-services/community-services</a>	Yes: Focuses on Fair Housing and real estate industry. <a href="http://www2.provo.org/redev.fairhousing.html">http://www2.provo.org/redev.fairhousing.html</a>
Housing Complaint Form	No	No, sent to state & HUD
Complaint Process	Complaints are referred to state	Outline how to send to Utah Fair Housing office
How does city mitigate housing complaint	Refer to Denver HUD	Refer to state
Good Landlord Program	No	No
Policy for Homeless	Rely on Nonprofits. Emergency shelters excluded from zoning ordinance.	Rely on Nonprofits. Emergency shelters excluded from zoning ordinance.

Source: Survey of cities by Bureau of Economic and Business Research, University of Utah.

### *Fair Housing Complaints*

The Utah Antidiscrimination and Labor Division data on discrimination complaints also includes complaints made to HUD. Over the past six years, 26 complaints in Utah County have been filed *Table 36*. The basis of 54 percent of these complaints has been discrimination due to disability. Disability leads all categories in perceived reason or basis for the discrimination complaint, followed by national origin at 15 percent, and retaliation at 22 percent.

**Table 36  
Housing Discrimination Complaints Filed to State of Utah and HUD  
(Utah County)**

	Disability	Sex	Family Status	Race	Retaliation	Source of Income	Religion	National Origin	Color	Total
2007	1	0	0	2	0	1	0	2	0	4
2008	3	0	1	1	2	0	1	2	1	7
2009	3	0	2	0	1	0	0	0	0	5
2010	1	0	0	0	0	0	0	1	0	2
2011	3	0	0	0	0	1	0	0	0	3
2012	3	0	0	0	1	0	0	2	0	5
Total	14	0	3	3	4	2	1	7	1	26
Share	53.8%	0.0%	11.5%	11.5%	15.4%	7.7%	3.8%	26.9%	3.8%	100.0%

Source: Antidiscrimination & Labor Division, State of Utah.

Utah Legal Services data show that 35 percent of “Cased Call” reports the basis of the complaint as disability. The race and ethnicity of individuals filing complaint is consistent with state and county demographic patterns. Eighty-three percent of those filing complaints were white and 10 percent

were Hispanic. Data in *Tables 37-38* do not suggest, at least for those filing complaints, a significant level of discrimination based on race or ethnicity.

**Table 37**  
**Utah Legal Center Cased Calls: Characteristics of Callers with Housing Complaints In Utah County**

	FY2013	% Share 2013
Total Cased	173	100.0%
Disabled	61	35.3%
Race		
Asian/Pacific Islander	4	2.3%
Black	3	1.7%
Hispanic	17	9.8%
Native American	2	1.2%
White	143	82.7%
Other/Unknown	4	2.3%
Age		
0-12	1	0.6%
13-17	0	0.0%
18-24	18	10.4%
25-59	118	68.2%
60+	36	20.8%
Unknown	0	0.0%
Sex		
Female	127	73.4%
Male	46	26.6%
Unknown	0	0.0%
Marital Status		
Single	64	37.0%
Married	39	22.5%
Separated	13	7.5%
Widowed	11	6.4%
Unknown	46	26.6%

*Source: Utah Legal Center.*

**Table 38**  
**Utah Legal Center Total Calls: Characteristics of Callers with Housing Complaints in Utah County**

	FY2013	% Share 2013
Total Calls	397	100.0%
Age 60+	54	13.6%
Race		
Asian/Pacific Islander	11	2.8%
Black	8	2.0%
Hispanic	48	12.1%
Native American	2	0.5%
White	316	79.6%
Other/Unknown	12	3.0%
Over 125% Poverty or Over in Assets	103	25.9%
Veteran=Yes	19	4.8%

*Source: Utah Legal Center.*

Finally, the Disability Law Center also fields calls regarding housing discrimination. Their data do not show the basis of the discrimination but do show that in fiscal year 2013, 44 individuals in Utah County filed complaints regarding housing discrimination *Table 39*. Over 84 percent of the

complaints filed were filed by whites, and over 86 percent were filed by women. The Disability Law Center is in the process of developing a comprehensive survey regarding housing, transportation, and employment. The housing section of the survey will ask three or four detailed questions regarding housing discrimination. The results should provide further insight into the level of housing discrimination based on disabilities.

**Table 39**  
**Housing Complaint Assistance by Disability Law Center, FY 2011**  
**(Utah County)**

Type	Calls
Level of Service	
Information and Referral	16
Short Term Assistance	27
Representation at Meeting (s)	1
Total	44
Ethnicity	
American Indian (Non-	
Hispanic/Latino)	1
Hispanic/Latino	6
White (Non-Hispanic/Latino Origin)	37
Gender	
Female	38
Male	16
Age	
20-30	10
31-40	10
41-50	3
51-60	18
61-70	2
71-80	1
Unknown	0

*Source: Disability Law Center.*

*Note: Definition of Terms by DLC*

*Information and referral:* a client was given basic information and a referral.

*Short Term Assistance:* a client was given at least one additional piece of information beyond a referral.

*Representation at meeting(s):* the DLC attended meetings and/or made calls with or on behalf of the client.

*Representation at hearings:* the DLC attended a hearing, in these cases a Utah Antidiscrimination and Labor Division administrative hearing with and/or on behalf of the client.

In summary, the Fair Housing infrastructure is not fully developed in the entitlement cities, but this is probably due more to the low level of housing discrimination complaints rather than beign neglect of the cities. Keep in mind, there were 37,000 renter households in the county and only 400 housing complaints in 2013. That's about 1 percent of renter households, assuming most complaints would be associated with rental housing. The data do indicate that discrimination of disabled individuals has the highest prevalence of complaints and discrimination. Most complaints are initiated by females. Whites account for about 80 percent of complaints.

## H. Disparities of Opportunity

HUD provided an opportunity index to quantify the number of important liabilities and assets that influence the ability of an individual, or family, to access and capitalize on opportunity. HUD created five indices; school proficiency, poverty, labor market, housing stability and job access. With

these five measures, a single index score or composite score for opportunity was calculated for each census tract by HUD index *Table 40*. These scores were calculated at the city level by weighting of census tract population.

**Table 40**  
**Weighted, Standardized Opportunity Index**  
 (1=low opportunity to 10 = high opportunity)

	School Proficiency	Job Access	Labor Market Engagement	Poverty	Housing Stability	Opportunity
Utah County	6.2	5.4	5.7	4.2	5.2	4.9
Alpine	9.0	4.0	8.0	6.0	5.0	7.0
American Fork	4.4	6.2	6.3	5.0	5.6	4.7
Cedar Hills	9.0	1.0	8.0	6.0	8.0	7.0
Eagle Mountain	6.0	6.0	6.0	4.0	4.0	4.0
Elk Ridge	7.0	2.0	7.0	6.0	8.0	6.0
Highland	9.9	5.0	7.7	5.9	5.2	8.0
Lehi	5.6	7.6	6.1	5.6	6.8	7.0
Lindon	8.8	6.2	5.5	4.8	5.5	6.5
Mapleton	9.0	6.0	2.1	5.0	10.0	7.1
Orem	5.1	6.0	6.1	4.1	5.0	4.5
Payson	5.0	4.5	2.6	2.2	4.5	2.0
Pleasant Grove	7.3	4.8	5.8	5.3	5.7	6.1
Provo	8.9	6.3	4.0	5.4	8.2	7.5
Salem	8.9	6.3	4.0	5.4	8.2	7.5
Santaquin	4.0	3.6	2.6	3.3	5.9	1.5
Saratoga Springs	6.0	8.6	6.7	4.4	7.7	7.7
Spanish Fork	6.1	4.1	4.9	5.0	7.6	5.1
Springville	7.7	4.7	4.8	4.6	7.0	5.6
Woodland Hills	7.0	2.0	7.0	7.0	9.0	7.0

Source: HUD Spreadsheet for Sustainable Communities grantees.

The overall average opportunity score in Utah County was 4.9, on a scale from 1 to 10. Although the county average was near the middle of the opportunity index scale, the cities in the county varied greatly. As shown in *Table 41*, the city-level opportunity scores ranged from as low as 1.5 in Santaquin to as high as 8.0 in Highland. Based on HUD’s opportunity index there are three low opportunity, five moderate opportunity and eleven high opportunity cities in the county.

**Table 41**  
**Low, Moderate, and High Opportunity Cities**  
 (1 = low and 10 = high)

Low Opportunity	Opportunity Index (1 to <4)	Moderate Opportunity	Opportunity Index (4 to <6)	High Opportunity	Opportunity Index (6 and above)
Santaquin	1.5	Eagle Mountain	4.0	Elk Ridge	6.0
Payson	2.0	Orem	4.5	Pleasant Grove	6.1
Provo	3.0	American Fork	4.7	Lindon	6.5
		Spanish Fork	5.1	Alpine	7.0
		Springville	5.6	Cedar Hills	7.0
				Lehi	7.0
				Woodland Hills	7.0
				Mapleton	7.1
				Salem	7.5
				Saratoga Springs	7.7
				Highland	8.0

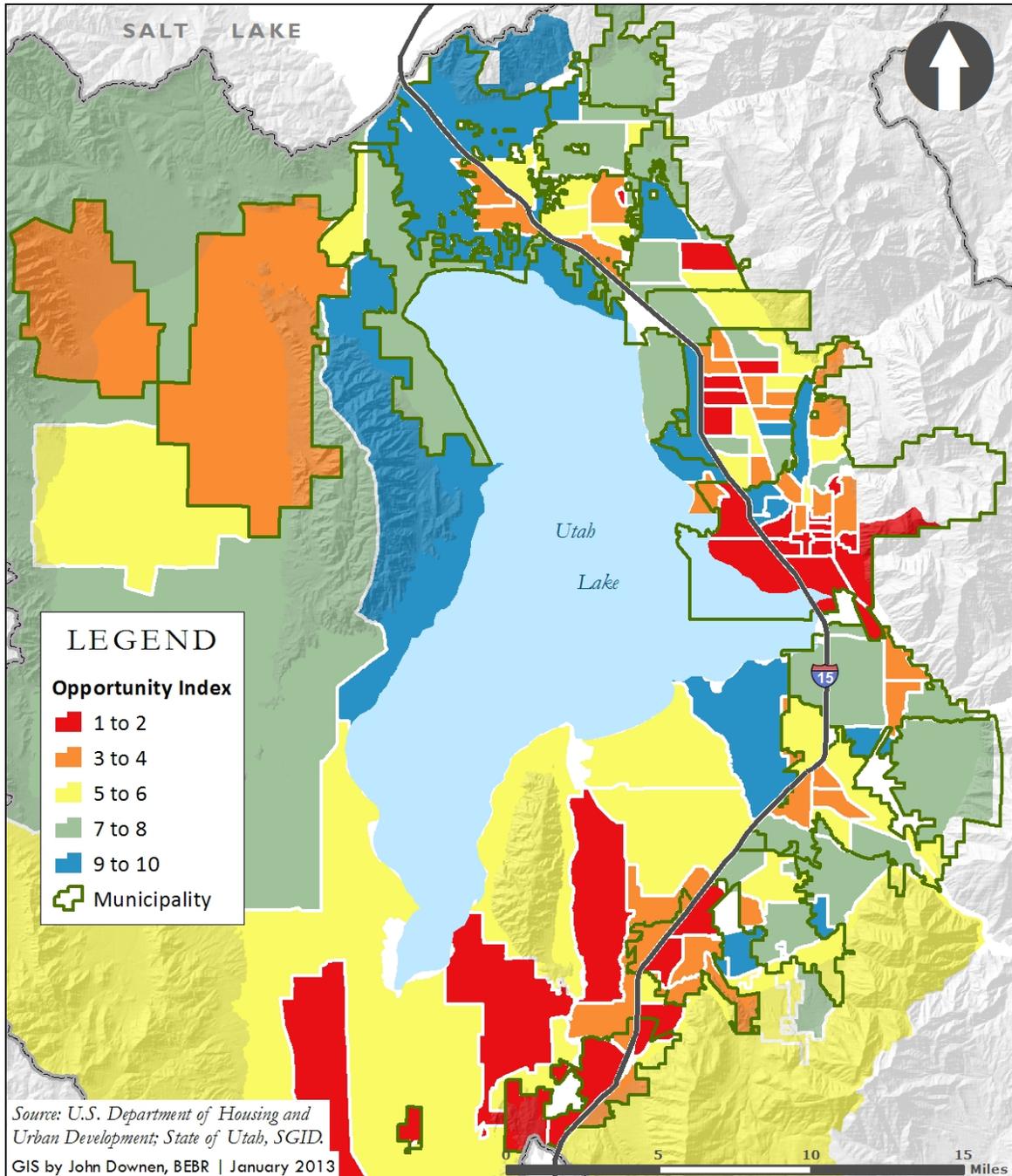
*Source: HUD Spreadsheet for Sustainable Communities grantees.*

The HUD opportunity scores are mapped in *Figures 12 and 13*. *Figure 12* maps the HUD Opportunity Index score for each census tract in Utah County, whereas *Figure 13* maps the aggregate score for each city in the county. The census tract map tells a more detailed story of opportunity and shows the areas within a city that lack access to opportunity. This neighborhood detail is not captured in the city map.

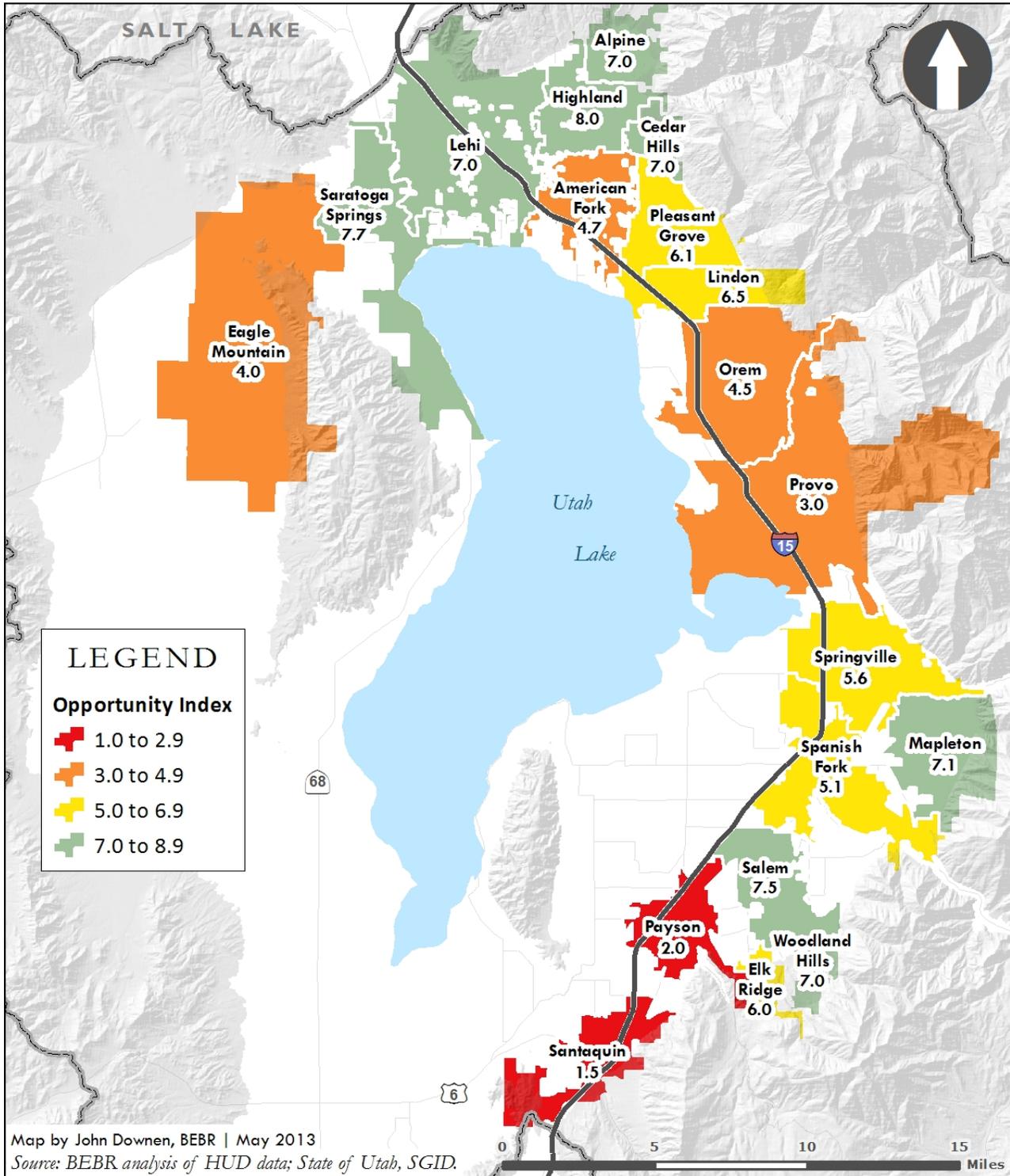
The two maps highlight clear differences in opportunities for residents in the eastern and northern suburban areas versus the Provo and Orem urban areas and the rural southern areas. Overall, Provo, Orem and the southern cities and tracts tend to offer much lower access to opportunity than the northern cities. In fact, only three cities south of Provo—Mapleton, Salem and Woodland Hills—scored above a 6.0. Using the *tract* data the only tracts south of Provo to score a 9.0 or above were a small tract in Springville, an unincorporated, sparsely populated tract just west of Springville and two small tracts just outside of Salem.

Not surprisingly, the lowest opportunity tracts and cities are those with high rates of poverty and high concentrations of minority renters generally in the cities of Provo, Orem, and Springville. In contrast cities on the northeastern and southeastern edge of the county from Alpine to Elk Meadows are high opportunity cities. These opportunity rich communities are relatively affluent and dominated demographically by non-Hispanic whites.

**Figure 22**  
**Opportunity Index by Census Tract in Utah County**  
 (1-2 opportunity poor to 9-10 opportunity rich)



**Figure 13**  
**Opportunity Index by City in Utah County**  
 (1-2 opportunity poor to 9-10 opportunity rich)



Cities have been ranked by each opportunity dimensions in *Tables 42 and 43*. Those cities ranking in the bottom quartile are shaded. These cities have the lowest scores in the particular dimension. Santaquin and Payson both rank in the bottom quartile in five of the six dimensions and Provo in three dimensions.

**Table 42**  
**Ranking of Cities by Opportunity Composite, Job Access and Labor Market Attachment**

Composite Opportunity	Index	Job Access	Index	Labor Market Attachment	Index
Highland	8.0	Saratoga Springs	8.0	Alpine	8.0
Saratoga Springs	7.7	Lehi	7.6	Cedar Hills	8.0
Salem	7.5	Salem	6.3	Highland	7.7
Mapleton	7.1	American Fork	6.2	Elk Ridge	7.0
Alpine	7.0	Lindon	6.2	Woodland Hills	7.0
Cedar Hills	7.0	Eagle Mountain	6.0	Saratoga Springs	6.7
Lehi	7.0	Mapleton	6.0	Cedar Hills	6.3
Woodland Hills	7.0	Orem	6.0	Lehi	6.1
Lindon	6.5	Utah County	5.4	Orem	6.1
Pleasant Grove	6.1	Highland	5.0	Eagle Mountain	6.0
Elk Ridge	6.0	Provo	5.0	Pleasant Grove	5.8
Springville	5.6	Pleasant Grove	4.8	Utah County	5.7
Spanish Fork	5.1	Springville	4.7	Lindon	5.5
Utah County	4.9	Payson	4.5	Provo	5.5
American Fork	4.7	Spanish Fork	4.1	Spanish Fork	4.9
Orem	4.5	Alpine	4.0	Springville	4.8
Eagle Mountain	4.0	Santaquin	3.6	Salem	4.0
Provo	3.0	Elk Ridge	2.0	Payson	2.6
Payson	2.0	Woodland Hills	2.0	Santaquin	2.6
Santaquin	1.5	Cedar Hills	1.0	Mapleton	2.1

*Source: Derived from HUD Spreadsheet for Sustainable Communities Grantees.*

**Table 43**  
**Ranking of Cities by School Proficiency, Poverty and Housing Stability**

School Proficiency	Index	Poverty	Index	Housing Stability	Index
Highland	9.9	Woodland Hills	7.0	Mapleton	10.0
Alpine	9.0	Alpine	6.0	Woodland Hills	9.0
Cedar Hills	9.0	Cedar Hills	6.0	Salem	8.2
Mapleton	9.0	Elk Ridge	6.0	Cedar Hills	8.0
Salem	8.9	Highland	5.9	Elk Ridge	8.0
Lindon	8.8	Lehi	5.6	Saratoga Springs	7.7
Springville	7.7	Salem	5.4	Spanish Fork	7.6
Pleasant Grove	7.3	Pleasant Grove	5.3	Springville	7.0
Elk Ridge	7.0	American Fork	5.0	Lehi	6.8
Woodland Hills	7.0	Mapleton	5.0	Santaquin	5.9
Provo	6.3	Spanish Fork	5.0	Pleasant Grove	5.7
Utah County	6.2	Lindon	4.8	American Fork	5.6
Spanish Fork	6.1	Springville	4.6	Lindon	5.5
Eagle Mountain	6.0	Saratoga Springs	4.4	Highland	5.2
Saratoga Springs	6.0	Utah County	4.2	Utah County	5.2
Lehi	5.6	Orem	4.1	Alpine	5.0
Orem	5.1	Eagle Mountain	4.0	Orem	5.0
Payson	5.0	Santaquin	3.3	Payson	4.5
American Fork	4.4	Provo	2.5	Eagle Mountain	4.0
Santaquin	4.0	Payson	2.2	Provo	2.5

*Source: Derived from HUD Spreadsheet for Sustainable Communities Grantees.*

*Documentation of Opportunity Index* – Within each dimension there are several subcategories to capture various elements of the opportunity dimension. These are summarized in *Table 44*.

**Table 44**  
**Opportunity Dimensions: Variables and Sources**

Dimension	Variables	Source
Poverty Index	Family Poverty Rates	ACS 2005-2009
	Pct. Households Receiving Public Assistance	ACS 2005-2009
School Proficiency Index	School Math Proficiency/State Math Proficiency	Dept. of Education
	School Reading Proficiency/State Reading Proficiency	Dept. of Education
Labor Market Engagement	Unemployment Rate	ACS 2005-2009
	Labor Force Participation Rate	ACS 2005-2009
	Pct. With a Bachelor's Degree or higher	ACS 2005-2009
Job Access Index	Tract-level Job Counts	LEHD, 2009
	Tract-level Job Worker Counts	LEHD, 2009
	Origin-Destination Flows	LEHD, 2009
	Aggregate Commute Time	ACS 2005-2009
Housing Stability Index	Tract-Tract Average Commute Time	CTPP 2000
	Homeownership Rate	ACS 2005-2009
	Pct. Loans Low-Cost (Re-Fi)	HMDA 2009
	Pct. Loans Low-Cost (New Purchases)	HMDA 2009
	Pct. Vacant (Non-Seasonal)	ACS 2005-2009
	Pct. Crowded	ACS 2005-2009
Neighborhood Health Access Index	Health Professional Shortage Areas	HRSA, HHS 2010

ACS = American Community Survey, CTPP = Census Transportation Planning Package, LEHD = Longitudinal Employment-Household Dynamics, Home Mortgage Disclosure Act data, HRSA = Health Resources and Services Administration, HHS = Department of Health and Human Services.

Source: HUD documentation for Sustainable Communities Grantees.

#### *Opportunity by Minority, Hispanics and White Non-Hispanics*

The wide disparity in opportunity between minorities and white non-Hispanics is shown by the population share relegated to low opportunity areas, i.e. those areas with an opportunity index ranging from one to two *Table 45*. Nearly twenty-four percent of the total population lives in areas with the lowest opportunity index of 1-2. However, for the Hispanic population 41 percent live in opportunity-poor areas while 38.5 percent of all minorities live in opportunity poor areas. By comparison only 21.4 percent of whites (non-Hispanic) live in low opportunity areas. A look at the highest opportunity areas (nine and ten) also shows substantial disparity between minorities and white non-Hispanics. Nearly twelve percent of whites live in high opportunity areas compared to only eight percent of minorities.

**Table 45**  
**Opportunity by Population Group**

Opportunity Index Score	Total Population		Minority		Hispanic		White Non-Hispanic	
	Number	Share	Number	Share	Number	Share	Number	Share
1-2	118,351	23.5%	23,921	38.5%	19,474	41.3%	94,430	21.4%
3-4	132,470	26.4%	15,419	24.8%	12,149	25.8%	117,051	26.6%
5-6	82,792	16.5%	7,862	12.7%	5,082	10.8%	74,930	17.0%
7-8	111,914	22.3%	9,650	15.5%	6,706	14.2%	102,264	23.2%
9-10	57,078	11.4%	5,283	8.5%	3,687	7.8%	51,795	11.8%
Totals	502,605	100%	62,135	100.0%	47,098	100%	440,470	100.0%

Source: HUD Spreadsheet for Sustainable Communities Grantees.

### *Education Opportunity in Utah County*

For the children of any neighborhood the most important factor shaping lifetime opportunities is the quality of the local schools. But as this section will show there are significant disparities in educational opportunities throughout Utah County. The impact of these disparities falls heaviest on the children of protected classes. These disparities have long-term consequences. Most obvious is lower levels of educational attainment, which in turn affects future earnings trapping individuals, families and entire communities in a generational cycle of poverty. Due to the strong link between education and opportunity considerable discussion and numerous measures were used to evaluate those factors affecting student achievement and school performance.

*School Proficiency* – School proficiency in Utah County is measured by both local and federal education data and the HUD developed school proficiency index. The Utah Comprehensive Accountability System (UCAS) is the state and federal accountability system for all public schools in Utah. Since 2011 USOE has been using the UCAS to provide a determination of individual school performance by evaluating performance on state tests, prioritizing individual student growth, promoting equity for low-performing students, and incentivizing graduation and college/career readiness (USOE). The UCAS is based on two overall components: Growth, a composite of all students and below-proficient students; and achievement, the percent of students at or above proficient levels. In the case of high schools, readiness, or graduation rate is also factored in as half of the 300 available points for achievement. These scores are based most significantly on the criterion reference tests administered to all public school students for each grade level in the state.

**Table 46**  
**Overall UCAS Score, 2012 - 2013**

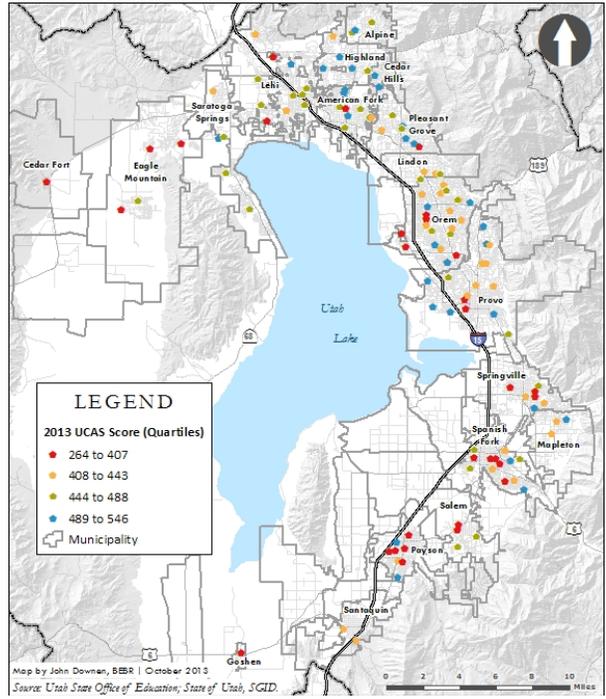
<b>Utah County</b>	<b>Average</b>	<b>Lowest Score</b>	<b>Highest Score</b>	<b>25th Percentile</b>	<b>50th Percentile</b>	<b>75th Percentile</b>
2012	442.9	235	567	405.5	444.5	485.75
2013	445.6	264	549	409.8	444	488
Percent Change	0.6%	29	-18	4.3	-0.5	2.3

*Source: Utah State Office of Education, UCAS 2012 & 2013*

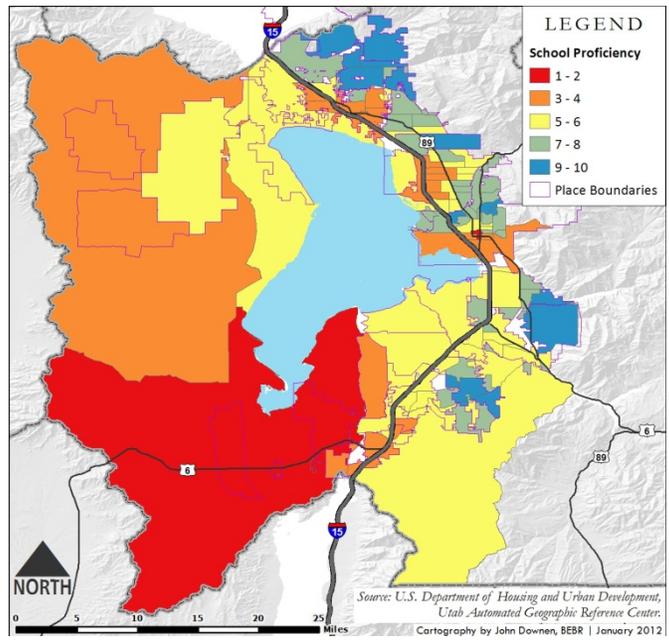
In 2012 Utah County had an overall average UCAS score of 442.9 out of 600 *Table 46*. In 2013, the county increased its average to 445.6. In 2013 the lowest scoring school in Utah County was Summit High School, an alternative high school for at risk students in Orem with a 264. Schools with proficiency levels in the bottom half are spread surprisingly evenly throughout the county although the southern half of the county has a few more low performing schools *Figure 14*. However, three out of four schools in Eagle Mountain, and the only one in Cedar Fort also score in the lowest quartile. Utah County has one of the lowest percentages of its public schools identified as Priority and Focus Schools, as no schools in the county are identified in the bottom performing 15 percent of Title I Schools in the state. Three schools in the county—Central Elementary, Orem Junior High, and Westmore Elementary—each in the Alpine School District are identified as Reward Schools, highest performing schools.

The distribution of lower performing school based on UCAS is reflected in HUD’s School Proficiency Index *Figure 15*. The red and orange census tracts indicate lower proficiency schools and include the cities of Payson, Benjamin and Santaquin in the south, areas in south Provo, west Orem, all of Eagle Mountain and parts of Lehi.

**Figure 14**  
**UCAS Scores in Utah County, 2013**



**Figure 15**  
**School Proficiency Index**



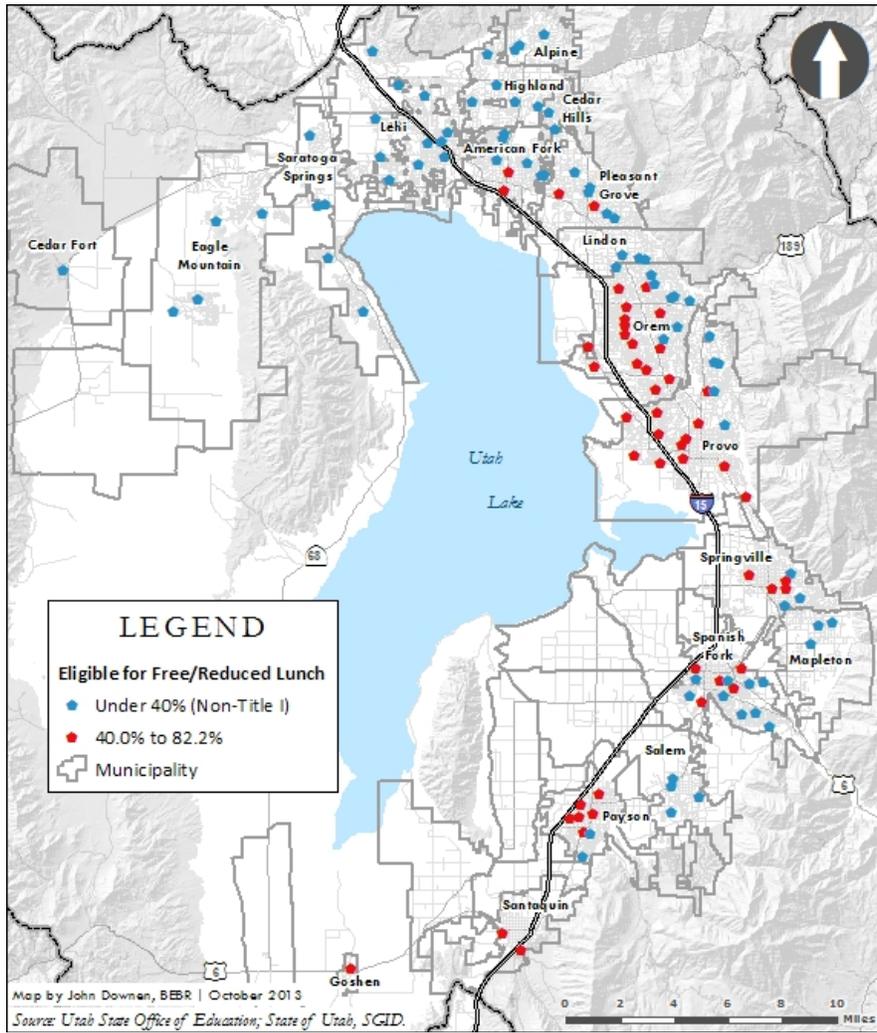
*Low-Income Schools: Free and Reduced Lunch* – Many studies have shown that high rates of poverty are detrimental to school and student achievement. Students from poor households have much higher educational risks and when assigned to a high poverty school the risks and disadvantages are compounded. High concentrations of school poverty are a threat to a student’s educational, social and ultimately employment opportunities. When a school’s student body becomes 50 percent poor, classroom achievement declines; at 75 percent poor achievement is seriously threatened. Income inequality is the driving force in disparities of educational opportunity.

The most often used indicator of a school’s socioeconomic background is the Title One designation. In order for a school to qualify as a Title One school at least 40 percent of the students must be eligible for free and reduced lunch. To be eligible for free lunch the income of the student’s family cannot exceed 130 percent of the poverty level. Reduced lunch eligibility is limited to those students from families with incomes between 130 percent and 185 percent of the poverty level. Once a school crosses the 40 percent threshold the school is designated a Title One school and eligible for federal funds. These funds are targeted to help expand educational opportunities for poor children. It is important to emphasize that many of the families whose students qualify for free and reduced lunch are above the poverty line. The number of students whose families are actually below the poverty line is unknown. Nevertheless, the Title One designation is a reasonable proxy by which to identify those schools at risk of becoming high poverty schools.

In 2012 almost one in three students in Utah County public schools were eligible for the free or reduced lunch program. A majority of these students are concentrated in the Title One schools in Orem and Provo as well as cities in the southern portion of the county; Springville, Spanish Fork, Payson and Santaquin *Figure 16*. There are no Title One schools in several cities in the northern portion of the county; Eagle Mountain, Saratoga Springs, Alpine, Highland and Lehi.

The spatial distribution of Title One schools is very similar to patterns of settlement of minorities, and other protected classes. While the children from low income, minority households in Title One schools benefit from additional federal funding due to their Title One designation there is a strong countervailing force. Schools in poor neighborhoods with high concentrations of poverty are beset with a number of issues that erode academic achievement and eventually limit opportunities; issues such as crime and gangs, high drop-out rates, and teen pregnancies. Expanding housing choice for low income minorities and other protected classes beyond neighborhoods that are racially and ethnically concentrated is an articulated HUD goal. The objective is to enhance opportunity and equity in the city and county. The high concentration of Title One schools in few areas within a few cities in Utah County raises some concern and indicates reduced opportunity in highly concentrated areas of minorities.

**Figure 16**  
**Percent of Public School Students Eligible for Free and Reduced Lunch**

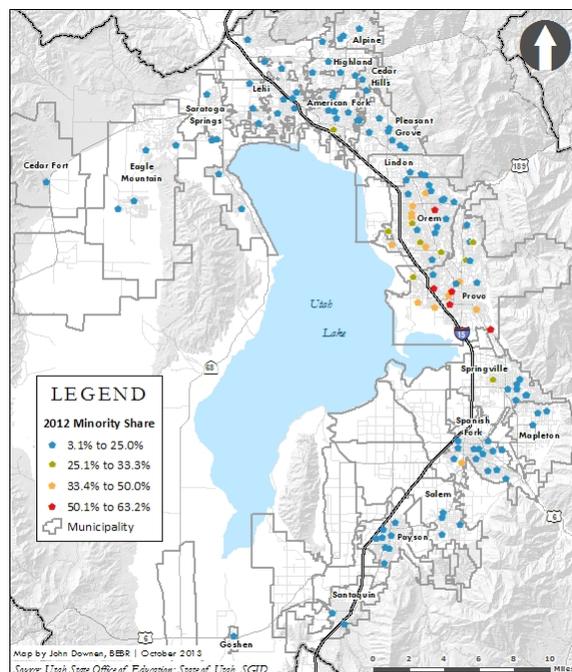


*Demographics of Student Populations* - The increasing number of minority and ethnic populations in Utah County—especially in Provo, Orem, Springville, Spanish Fork, Payson has of course led to increased enrollment of minorities in the public school system. The Utah System of Education collects data on the fall enrollments of each school in the state. Included in these data are the racial and ethnic characteristics of students enrolled in public schools in grades K through 12. The survey allows each student to choose only a single race/ethnicity category (including a multi-race option), creating distinct count per student. Allowing each student to be classified by only one race/ethnic category.

The minority share of the student body at each public school in Utah County is shown in *Figure 17*. Blue dots represent schools with a quarter or less of the students identified as a minority, green represents between a quarter and a half of the students are considered a minority, green is more than a quarter but less than a third minority students, orange represents more than a third to half minority students, and red represents from more than half to the highest concentration of minority students of 63.2 percent. Of course the schools with the highest percentage of minority students reflect the overall minority composition of cities and neighborhoods.

The county has only five schools with minority enrollments exceeding 50 percent of the student body; four in Provo and one in Orem. There are a handful of schools with minority enrollments between 33 percent and 50 percent of the student body, again these schools are concentrated in Orem and Provo. The schools identified by the red dots are at risk of curriculum dilution, lower rates of student and school achievement and less parental involvement. But these risk apply to a very small number of schools. The vast majority of public schools in the county have minority enrollments of less than 25 percent of the student body. Consequently minority children generally have the opportunity to attend schools with a diverse student body.

**Figure 17**  
**Minority Share of Enrollment in Public Schools in Utah County, 2012**



*Limited English Proficiency (LEP)* – One typical characteristic of opportunity-poor areas is the concentration of households in which adults have Limited English Proficiency. LEP concentrations are part of the bundle of characteristics intrinsic to high concentrations of minority populations. Often adults with LEP are less likely to be involved in the education of their children. Consequently educational attainment and opportunities for their children may be reduced and the educational effectiveness of the school diminished. High rates of LEP indicate a need for service and program sensitivity for this protected class (national origin).

The percentage of the student body with parents that have a Limited English Proficiency (LEP) at public schools in Utah County is shown in *Figure 18*. LEP is measured by the percentage of students at a school whose parent’s primary language at home is something other than English. A red dot represents the highest percentage, more a third of the student body has parents with LEP. An orange dot represents more than a quarter to a third percent, a light green represents 10.1 to 25.0 percent, and a dark green dot represents 10 percent or less of the students have LEP parents. Similar to the locations of minority students, the schools with the highest number of students with LEP parents are in the Provo and Orem area as well as the cities to the south. The lowest concentrations stretch from Orem on north.

According to data from the county public schools, there are concentrated areas of both high and low levels of LEP throughout the county. While the county average percent share of students with LEP parents in 2010 was a low 7.3 percent, Highland had less than one percent of its student body with LEP parents *Table 47*. Provo at 19.1 percent ranks second highest in share of students with LEP parents. The areas of high concentrations of LEP households match the opportunity-poor areas of the county.

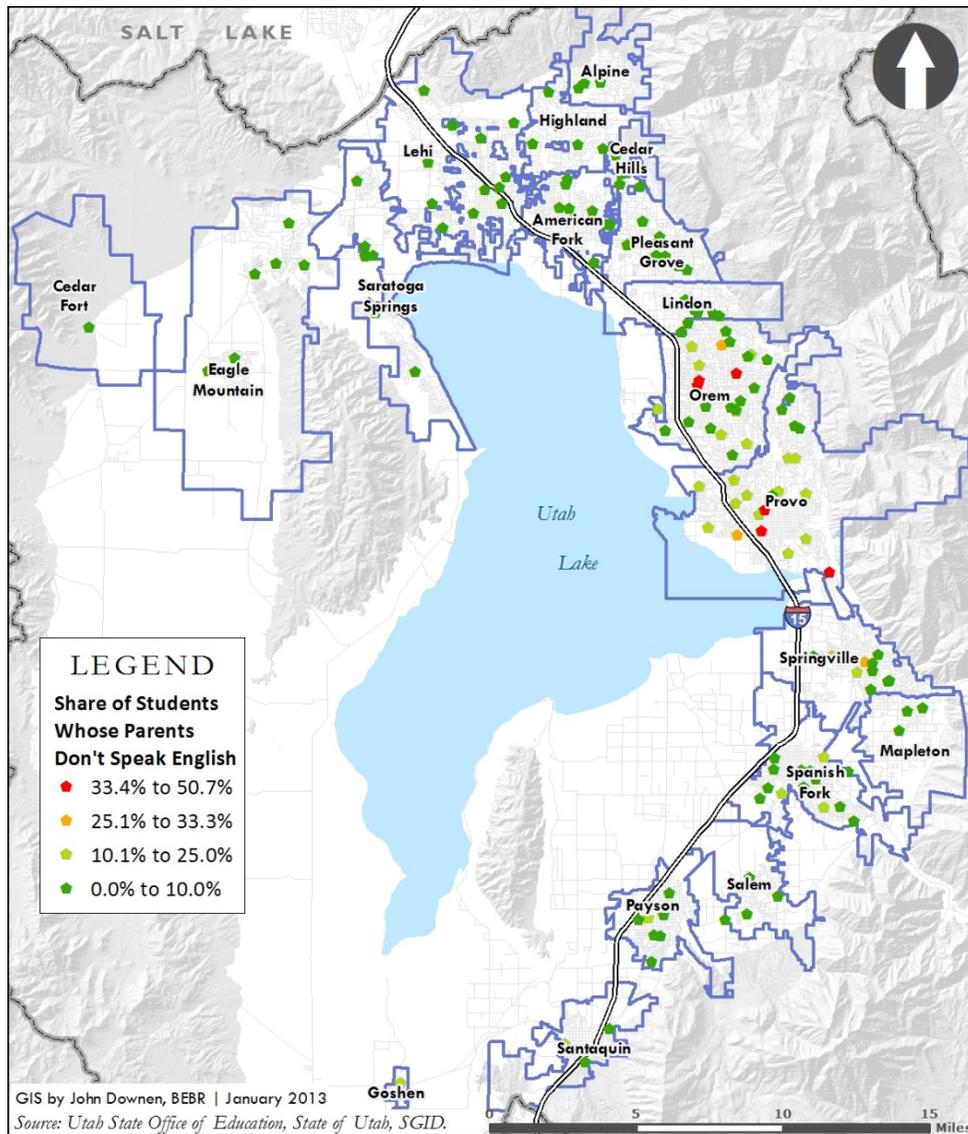
**Table 47**  
**Percent of Students with LEP**  
**Parents, 2010**

	Percent
Utah County	7.3%
Alpine	1.0%
American Fork	3.4%
Cedar Fort	3.6%
Cedar Hills	1.1%
Eagle Mountain	4.6%
Goshen	12.5%
Highland	0.6%
Lehi	3.2%
Lindon	3.7%
Mapleton	2.9%
Orem	13.0%
Payson	9.4%
Pleasant Gove	3.7%
Provo	19.1%
Salem	2.0%
Santaquin	7.0%
Saratoga Springs	1.9%
Spanish Fork	5.7%
Springville	9.0%
Vineyard	22.0%
Other Areas	4.8%

Source: BEBR computations from Utah State Office of Education data.

A large majority of schools in Utah County have LEP rates of less than 10 percent. The number of schools with relatively high rates of LEP is very small. Only six schools have LEP rates about 33 percent and no school has a rate above 50 percent. In stark contrast are Salt Lake City and West Valley City where about one-third of all schools have LEP rates above 50 percent. Again Utah County is fortunate to have LEP issues limited to so few schools and to such low levels.

**Figure 18**  
**Share of Students with Parents of Limited English Proficiency in Utah County, 2010**

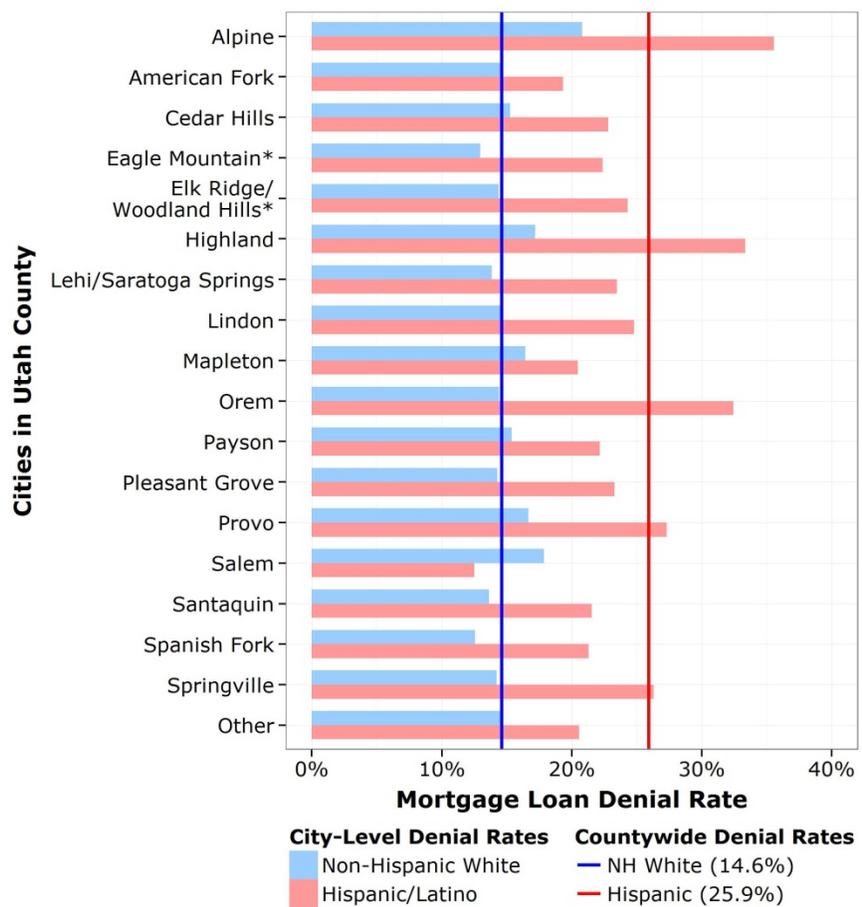


## I. Disparities in Mortgage Lending: Approval and Disapproval Rates

The disparities in homeownership across racial and ethnic lines reflect only the symptoms of underlying impediments in the home mortgage application process. The Home Mortgage Disclosure Act (HMDA) data was compiled for Utah County to better understand the barriers that members of the protected class face in obtaining mortgages. For illustrative purposes, non-Hispanic white applicants were compared with Hispanic/Latino applicants for most metrics derived from the HMDA data. Homeownership and housing stability are two dimensions of housing opportunity that can be assessed using HMDA data by examining mortgage application outcomes and the high-interest lending practices.

Figure 19 shows the overall mortgage denial rates from 2006 to 2011 by race and ethnicity for each city in Utah County. The vertical reference lines in Figure 19 mark the overall county-level denial rates for non-Hispanic white and Hispanic/Latino applicants, which are 15 and 26 percent, respectively. In fact, many Utah County cities have very few Hispanic applicants, thereby causing some aberrantly low and high denial rates. For instance, Alpine and Highland have the highest Hispanic denial rates in the county, averaging at 35.6 and 33.3 percent, respectively. However, these two cities each received fewer than 50 mortgage applications from Hispanics during this six-year period, accounting for only 1.1 percent of the total Utah County Hispanic mortgage applicant pool. On the other hand, while Salem has the lowest Hispanic denial rate—even lower than that of non-Hispanic whites selecting Salem—only 24 Hispanic applicants applied for Salem properties during this six-year period. Notwithstanding these exceptions due to a small Hispanic applicant pool, cities with sizeable Hispanic application volume have experienced large disparities in denial rates between the two groups. Provo, Orem, Lehi, and Saratoga Springs,

**Figure 19**  
**Percent of Mortgage Loan Applications Denied**  
**by Race/Ethnicity in**  
**Utah County Incorporated Cities, 2006–2011**



Source: HMDA LAR Raw Data by MSA (2006–2011)

Note: A few census tracts in Utah County span multiple cities, which cannot be further disaggregated. The category Eagle Mountain includes properties in the towns Cedar Fort and Fairfield. The category Elk Ridge/Woodland Hills includes properties in Spring Lake and parts of southeastern Santaquin.

and Springville, have experienced large disparities in denial rates between the two groups. Provo, Orem, Lehi, and Saratoga Springs,

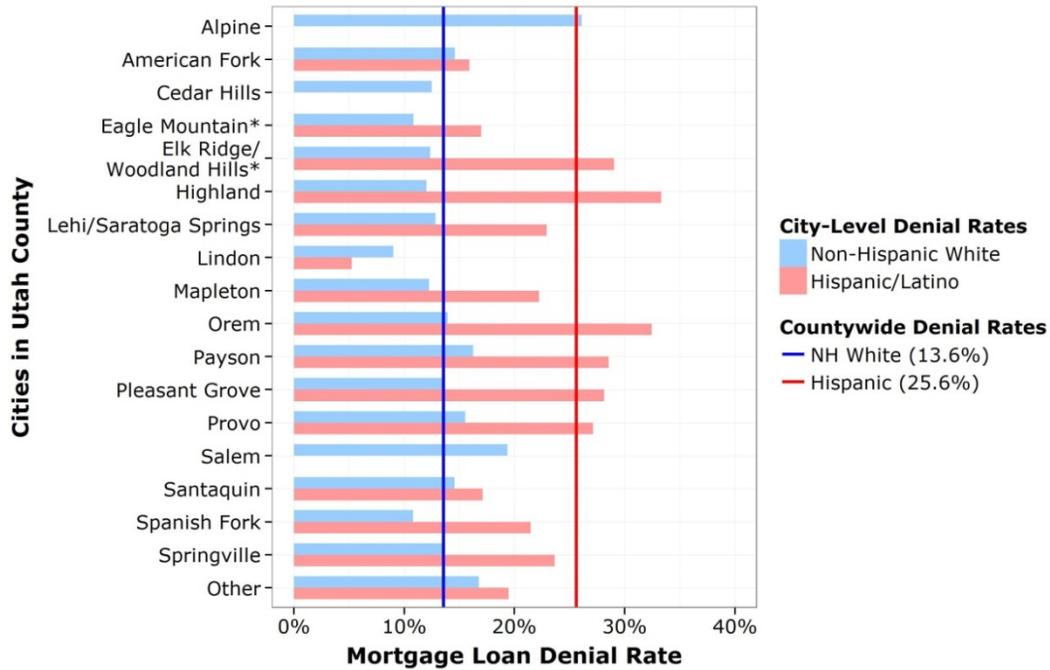
which account for nearly 57 percent of all Hispanic applicants in the Utah County Hispanic applicant pool, all have denial rate gaps near, or above, 10 percentage points.

*Despite the large gaps in denial rates between non-Hispanic white and Hispanic applicants shown in Figure 19, the inherent income differences between the two groups could be a contributing factor to this gap. However, as shown in Figure 20 and Figure 21, even when the denial rates are disaggregated by different income categories, the denial rate gap between the two groups persists with the exception of smaller cities with low Hispanic application volume. Figure 20 shows the denial rates among non-Hispanic white and Hispanic applicants with reported incomes at or below 80 percent HAMFI (median family income), while Figure 21 shows the denial rates for applicants with reported incomes above 80 percent HAMFI. Note that the reported incomes for applicants from 2006 to 2011 are adjusted relative to the median family income for the year that they filed their mortgage applications.*

The overall county level denial rates do not change across groups. The Hispanic denial rate remains at levels around 26 percent, while the white denial rate is roughly 14 percent—regardless of income bracket. At the city level, the denial rate gap persists with obvious deviations due to low Hispanic application volume in cities such as Alpine, Cedar Hills, and Salem, which do not have enough Hispanic applicants below 80 HAMFI to even report denial rates. Thus, the results for small cities should be analyzed with the understanding that much of the deviation can be attributed to the small application volume, especially within the Hispanic applicant pool. Please refer to *Figure 8* for the application volume across cities for both groups.

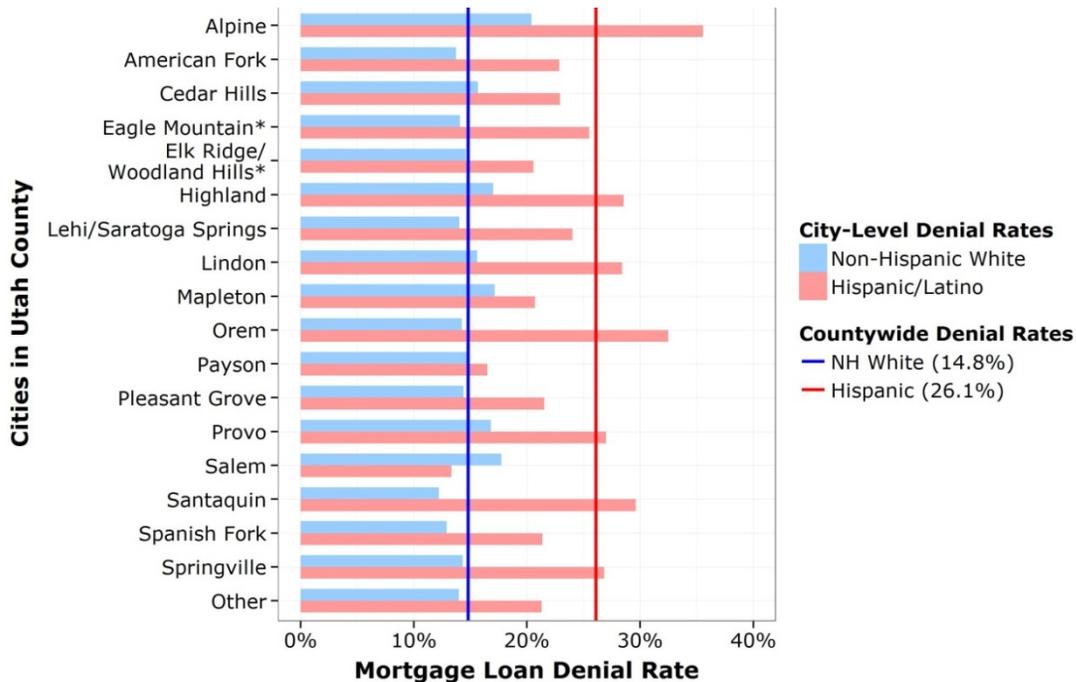
The more instructive components of *Figure 20* and *Figure 21* are the cities such as Provo, Orem, Lehi, Saratoga Springs, and Spanish Fork that have sizeable Hispanic application volume. In these cities, the denial gaps between the two groups persists across both income brackets. While many of the smaller cities in Utah County could potentially attribute the fluctuating gaps to small application volume, these five cities account for 64 and 54 percent of the Utah County Hispanic and non-Hispanic white applicant pool, respectively. Most strikingly, the Orem denial rate gap is over 18 percentage points for both income brackets. Of these five cities, Spanish Fork has the smallest denial rate gap, which decreases slightly from 10.7 percentage points in the income bracket below 80 percent HAMFI to 8.5 percentage points in the bracket above 80 percent HAMFI. Nonetheless, the denial rate gap between the two groups remains fairly persistent across income brackets in populous cities in Utah County.

**Figure 20**  
**Percent of Mortgage Loan Applications (At or Below 80% HAMFI) Denied by Race/Ethnicity in Utah County Incorporated Cities, 2006–2011**



Source: HMDA LAR Raw Data by MSA (2006–2011)

**Figure 21**  
**Percent of Mortgage Loan Applications (Above 80% HAMFI) Denied by Race/Ethnicity in Utah County Incorporated Cities, 2006–2011**



Source: HMDA LAR Raw Data by MSA (2006–2011).

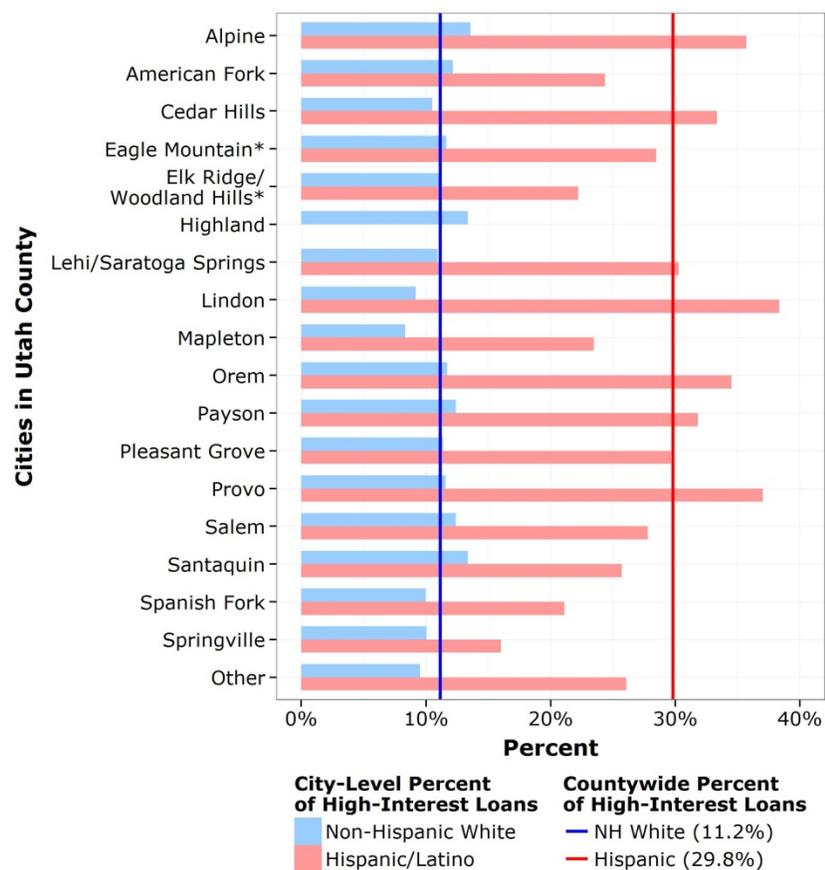
Note: A few census tracts in Utah County span multiple cities, which cannot be further disaggregated. The category Eagle Mountain includes properties in the towns Cedar Fort and Fairfield. The category Elk Ridge/Woodland Hills includes properties in Spring Lake and parts of southeastern Santaquin.

*In addition to the barriers that Hispanic applicants face in the mortgage application process, the housing impediments persist following the approval process in the form of high-interest loans. Hispanic applicants receive a disproportionately high share of high-interest loans.*

For the purposes of this study, high-interest loans are defined as any loan with a reported rate spread that exceeds 3 percent for first liens, and 5 percent for subordinate liens. This is the threshold that lenders have been required to disclose since 2004. The rate spread is the difference between the loan APR and the yield of comparable Treasury securities. The Federal Reserve Board selected this threshold with the intent that the rate spread for most subprime loans would be reported and that most prime loans would not require this disclosure.<sup>2</sup> Thus, the rate spread disclosure could potentially serve as a proxy for subprime lending. Note that for applications filed on or after October 1, 2009, the rate spread definition has been revised as the difference between the loan APR and the average prime offer rate, which is determined from the rates of representative low-risk mortgages currently available in the market. The reported threshold for this new rate spread is 1.5 percentage points for first liens, and 3.5 percentage points for subordinate liens.<sup>3</sup>

Figure 22 shows the composition of approved loans and high-interest loans by race/ethnicity. While Hispanic/Latino applicants represented only 6.4 percent of all approved loans from 2006 to 2011, they received a disproportionate 15.1 percent of all high-interest loans. Note that 92.6 percent of all high-interest loans in Utah County from 2006 to 2011 were, in fact, given during the peak of the housing boom in 2006 to 2007. This disproportionately high share of high-interest loans among Hispanic applicants could be a precursor to foreclosures and thus increased housing instability. Thus, even for Hispanics with approved mortgage loans, their higher tendency of receiving high-interest

**Figure 22**  
**Percent of High-Interest Loans among Approved Applicants by Race/Ethnicity in Utah County Cities, 2006–2011**



Source: HMDA LAR Raw Data by MSA (2006–2011)

<sup>2</sup> Avery, Robert B., Kenneth P. Brevoort and Glenn B. Canner. "Opportunities and Issues in Using HMDA Data." *Journal of Real Estate Research* 29.4 (2007).

<sup>3</sup> Federal Deposit Insurance Corporation. "V. Lending—HMDA." *FDIC Compliance Manual*. February 2013. <<http://www.fdic.gov/regulations/compliance/manual/pdf/V-9.1.pdf>>

loans still reflects an underlying housing impediment that could have repercussions in long-term housing stability.

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