



BOISE COUNTY

ORIGINAL BOISE COUNTY COURTHOUSE
BOISE COUNTY

RESOLUTION #2006-33

LET IT BE KNOWN TO ALL PERSONS OF Boise County that discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing or in the provision of brokerage services because of race, color, religion, sex, or national origin is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing law).

It is the policy of Boise County to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, or national origin. The Fair Housing Amendments Act of 1988 expands coverage to include handicapped persons and families with children. Therefore, the County does hereby pass the following Resolution:

BE IT RESOLVED that, within available resources, Boise County will assist all persons who feel they have been discriminated against because of race, color, religion, sex, national origin, handicap, or familial status to seek equity under federal and state laws by filing a complaint with the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Compliance Division.

BE IT FURTHER RESOLVED that Boise County shall publicize this Resolution and, through this publicity, shall encourage owners of real estate, and developers, builders, and managers of residential properties to become aware of their respective rights and responsibilities under the Federal Fair Housing Law and amendments, and any applicable state or local laws or ordinances.

SAID PROGRAM will at a minimum include: 1) printing and publicizing of this policy and other applicable fair housing information through local media and community contacts; 2) distribution of posters, flyers, and any other means that will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing; and 3) prepare an analysis of impediments to fair housing choice, and actions to mitigate such impediments.

EFFECTIVE DATE: This Resolution shall take effect as of April 1, 2006, and shall rescind Resolution #97-16 dated March 17, 1997.

APPROVED and ADOPTED in open session this ^{2nd day May 2006.} ~~10th day of April 2006~~

BOISE COUNTY BOARD OF COMMISSIONERS

Roger B. Jackson
Roger B. Jackson, Chairman of the Board

Absent
Fred H. Lawson, Commissioner

Paul A. Stutzman
Paul A. Stutzman, Commissioner

Attest:

Rora A. Canody
Rora A. Canody, Clerk to the Board



County of Boise, Idaho

Fair Housing
Analysis of Impediments
and
Action Plan



January 2006

Analysis of Impediments to Fair Housing and Action Plan
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Analysis of Impediments to Fair Housing and Action Plan for the County of Boise, Idaho

Introduction

As a recipient of U.S. Department of Housing and Urban Development (HUD) funds through an Idaho Community Development Block Grant (ICDBG), it is a requirement that Boise County assure compliance with Title VIII, Civil Rights Act of 1968, as amended. Further, the County is complying with the Consolidated Submissions for Community Planning and Development Programs, 24 CFR 91.225 by developing and implementing a Fair Housing Action Plan.

This effort includes the following activities as part of Boise County's Fair Housing Action Plan:

- 1. Preparation of an analysis of impediments to fair housing choice within the grantee's jurisdiction**
- 2. Implementation of actions to overcome the effects of any impediments identified as a result of preparing the analysis**
- 3. Maintenance of records reflecting activities with regard to the analysis and actions taken to meet our obligation to affirmatively further fair housing**

On January 19, 2006 the County of Boise appointed Rora Canody, County Clerk, as the Fair Housing Officer for the County. Pat L. Engel, Sage Community Resources contacted local citizens representing a good cross-section of the community with an interest in Fair Housing to organize the Fair Housing Advisory Committee for review of this information.

This Analysis of Impediments (AI) was conducted by the county of Boise, Idaho, during 2002 and updated again during January 2006. The purpose of the AI is to determine if any laws, regulations, administrative policies, procedures or practices are present which would present any impediments to the location, availability, and accessibility of housing within the community. Other issues which have been reviewed are those policies, procedures and practices that appear neutral on their face, but may operate to deny or adversely affect housing choice or availability for those classes of persons protected by fair housing laws.

This AI includes an assessment of public and other private conditions, which may constitute impediments to or affect fair housing choice. This involved a review of fair housing complaint statistics, fair housing survey data, and other appropriate and relevant sources of information that would identify impediments to fair housing choice.

Fair Housing Advisory Committee

The purpose of the Fair Housing Advisory Committee (FHAC) is to conduct the AI and provide guidance, direction, and review and comment in the development and ongoing implementation of the County's Fair Housing Action Plan. The FHAC members for the County of Boise are as follows:

**Boise County
Fair Housing Mailing List**

Shadow Mountain Apartments
205 W. Wall Street
Idaho City, ID 83631

Mountain View Title
235 Main Street
Idaho City, ID 83631

U.S. Post Office
946 Banks Lowman Road
Garden Valley, ID 83622

John L Scott
1075 Banks Lowman Rd
Garden Valley, ID 83622

West Wind Real Estate
903 S. Middlefork Rd.
Garden Valley, ID 83622

Valley Real Estate
816 S. Middlefork Rd
Garden Valley, ID 83622

Garden Valley Senior Center
P.O. Box 82
Garden Valley, ID 83622

Lowman Elementary School
3489 Banks Lowman Road
Lowman, ID 83637

Idaho City High School
100 Centerville Road
Idaho City, ID 83631

Garden Valley B&B
41 Anderson Creek
Garden Valley, ID 83622

Garden Valley Motel
1111 Banks Lowman Road
Garden Valley, ID 83622

Idaho City Hotel Prospector
215 Montgomery Street
Idaho City, ID 83631

Prospector Motel
517 Main Street
Idaho City, ID 83631

Webb Insurance
11 Market St.
Garden Valley, ID 83622

Garden Valley Library
342 Village Circle
Garden Valley, ID 83622

Greater Garden Valley Chamber
P.O. Box 10
Garden Valley, ID 83622

ERA West Wind Realty
101 Holiday Drive
Garden Valley, ID 83622

Aspen Realty
12 Outpost Rd
Garden Valley, ID 83622

Payette River Realty
1119 Banks Lowman Rd.
Garden Valley, ID 83622

Garden Valley High School
Main Street
Garden Valley, ID 83622

Basin Elementary School
611 Main Street
Idaho City, ID 83631

Horseshoe Bend School District
398 School Drive
Horseshoe Bend, ID 83629

Walk on the Wild Side B & B
69 River Ranch Road
Garden Valley, ID 83622

Valley Inn Motel
816 Middlefork Road
Garden Valley, ID 83622

Miss Calamity's Inn
504 Main Street
Idaho City, ID 83631

During the analysis of impediments, policies and activities related to fair housing in Boise County were reviewed and that information is addressed here. To ensure that we identified any potential issues – written or unwritten - within Boise County, “local” participation was emphasized as much as possible. The County Clerk and Sage Community Resources were involved in the review of local procedures and planning documents.

In order to complete this analysis, the FHAC was used as a focus group to review community issues on the subject, and included the following information:

- a. Sample advertisements from the newspaper
- b. Speaking with other agencies and departments
- c. Reviewing County Comprehensive plans, codes and adopted ordinances

The County’s Fair Housing Resolution with proof of publication is attached (see Appendix A).

A copy of local demographic data for Boise County used in preparation of the AI is also attached (see Appendix B).

Identification of Impediments to Fair Housing Choice

A. Public Sector Review

The following information represents our review of laws, regulations, administrative policies, procedures or practices that would present any perceived or real impediments to the location, availability, affordability, and accessibility of housing within the community. Any impediments identified below are expanded upon in the Action Plan beginning on Page 13 of this document.

Areas of Review		Impediments Identified		
		Yes	No	N/A
Boise County Comprehensive Plan				
	<u>Land Use</u> – Within Boise County cities and county control minimal land area. Public land management approaches 84% while private land ownership is about 16%. Boise County offers an opportunity of escape to Ada/Canyon County residents within a relatively easy commute of the Boise metropolitan area. Boise County is currently in the process of updating their Comprehensive Plan and ordinances.		X	
	<p><u>Transportation</u> – Boise County does not have any forms of public transportation, other than limited trip-specific services and special-needs groups such as senior citizen centers.</p> <p>Boise County has three general aviation landing strips used by the public and Forest Service (Garden Valley, Idaho City, and Warm Springs (Lowman)).</p> <p>Boise County does not have any highway districts. A road supervisor and staff handle snow removal and road construction and maintenance. Streets and roads within the incorporated areas of Idaho City, Horseshoe Bend, and Placerville are maintained by the respective cities. A County Road Citizens Advisory Committee is appointed by the county commissioners and is composed of six members, two from each geographical area of the county. On an annual basis the committee reviews the roadway capital improvements plan.</p>		X	
	<u>Public Services and Utilities</u> – Standard residential hook-up fees apply regardless of location or other criteria.		X	
	<p><u>Housing</u> – Based on a “trends” analysis of residential growth only, approximately 3,000 new, permanent residents and 1,500 dwelling units may be added to Boise County by 1010. It is assumed that 90% of these new residents or 2,700 people (1,350 dwelling units) will live in subdivision on large lots, with an average size of 1.5 acres minimum, (although some lots will be larger) as required by Central District Health Department.</p> <p>It is assumed that Boise County will remain an attractive recreation</p>		X	

	<p>destination area for weekenders escaping the Treasure Valley. This non-residential development could mean at least a 50% or greater increase in dwelling unit construction than is indicated only by population growth.</p> <p>Manufactured modular and post 1976 mobile homes are allowed and multi-family residences require a Conditional Use Permit (Section 1-10, Zoning and Development Ordinance).</p>			
	<p><u>Recreation and Open Space</u> – Boise County is an area of general ruggedness, high, wooded mountains and deep canyons (Boise National Forest administers the majority of this area).</p> <p>The land use policies have been developed to further the “quality of rural life” character while balancing the need for a potential increase of 3,000 residents over the next 15-20 years.</p> <p>Protecting natural resources from degradation; rural subdivision type development is the preferred land residential pattern; and value of agriculture, mining and forestry land uses to the economy.</p> <p>Currently, the County has no parks or “Parks and Recreation Department” and relies instead on the vast recreation resources of the US Forest Service and Board of Land Management to manage 1,020,000 acres of Boise County land. Local parks should be a collaborative effort with schools in order to maximize use, reduce operating expenses, and improve opportunities for supervision of activities.</p>		X	
Zoning Ordinance				
	<p>Boise County Zoning and Development Ordinance was adopted on March 24, 1997, which specifies allowed uses, conditional uses, and non-allowed uses in the county. The zoning map contains only one zoning classification. The result has been that most uses are considered conditional uses and go to the Planning and Zoning Commission for review and approval or denial.</p>		X	
Building Codes				
	<p>Boise County does not currently have any building code enforcement personnel to monitor whether or not any permits have been sought or issued.</p>		X	
Municipal Services				
	<p><u>Utilities</u>: All lots and parcels should be provided or shall have direct access to utility services including water supply and sewer, as approved by the Central District Health.</p>		X	
	<p><u>Police and Fire</u>: The County of Boise has its own Sheriff Department. This Department provides uniform service and do not discriminate against any of the protected classes. Fire service is contracted with neighboring fire departments (e.g. City of Boise Fire Department) and is augmented with</p>		X	

	local volunteer fire departments.			
Employment - Transportation				
	<p>According to 2001 Idaho Department of Commerce and Labor data there are a total of 121 business establishments and 24 retail businesses in Boise County. The top three businesses by industry are 1) Services, 2) Government, and 3) Retail Trade. The County's per capita income was 64.1% of the nation's average at \$19,502.</p> <p>No public transportation, with limited/special-service exceptions, exists within Boise County</p>		X	
Public Housing Authority or Other Housing Agency				
	<p>The Idaho Housing and Finance Association (IHFA) expands Idaho's affordable housing opportunities by providing vision, leadership, which result in the following: identifying, securing and administering monies for housing; cultivating partnerships through excellent customer service; creatively and innovatively maximizing limited resources; providing education, training, resource coordination and policy formulation on housing issues affecting Idahoans.</p> <p>Between January 1, 1995 and December 31, 2003 a total of four (4) fair housing complaints filed in Boise County with HUD's Office of Fair Housing and Equal Opportunity. In calendar year 2004 there was one (1) complaint filed in Boise County.</p> <p>In addition to the varied choices of housing for sale in Boise County, there are a limited number of affordable rental units available per Sliding -Scale project-based assistance. There are 16 total units of sliding-scale, project-based assistance. These units include 14 family units and two (2) units designated as accessible.</p>		X	
Sale of Subsidized Housing and Possible Displacement				
	There have been no recent sales of subsidized housing, nor are there any pending sales.		X	
Property Tax Policies				
	In Idaho, there are only limited local tax option provisions. No evidence was found of any tax policy provisions negatively affecting protected classes.		X	
Planning and Zoning Commission				
	Because conditions for individual uses are not specified in the ordinance, oftentimes, it has been difficult to judge the impact of a proposed use upon the county. Protected classes in the Fair Housing Act will not be discriminated against in any land use decision made in Boise County.		X	

Hearing Examiner				
	Boise County is fully aware of Fair Housing requirements in decision-making. Protected classes in the Fair Housing Act will not be discriminated against in any land use decision made in the County. Boise County adopted the Residential Anti-Displacement and Relocation Assistance Plan Resolution #2001-10 on February 20, 2001; this was last published on August 3, 2005. Boise County Resolution #2001-36, Establishing a Grievance Procedure to meet the Requirements of Section 504 of the Rehabilitation Act as Amended and the ADA of 1990 was adopted August 27 th , 2001; this was last published on August 3, 2005.		X	
County Staff				
	Department Heads are informed regarding Fair Housing and ADA requirements.		X	
Others				
	None identified.			X

B. Private Sector Review

The following information represents our review of laws, regulations, administrative policies, procedures or practices that would present any perceived or real impediments to the location, availability, affordability, and accessibility of housing within the community. All impediments identified below are expanded upon in the Action Plan beginning on Page 13 of this document.

Areas of Review		Impediments Identified		
		Yes	No	N/A
Fair Housing Enforcement				
	<p>This is an on-going practice through the Board of realtors. Enforcement of acceptable words used in advertisements is provided by the Board's computer software.</p> <p>Boise County does not have any financial institutions within its jurisdiction.</p> <p>According to Richard Mabbutt, Executive Director of the Idaho Fair Housing council, one (1) fair housing complaint was filed in Boise County in 2004 and four (4) fair housing complaints were filed in Boise County between January 1, 1995 and December 31, 2003.</p>		X	
Newspaper Advertisements				
	<p>The Idaho World, Boise County's local newspaper, has a very limited number of rental and real estate ads.</p> <p>The newspaper does have the equal housing opportunity logo on its computer system and could print notice if requested to. According to the Publisher, they do not have any formalized procedures to monitor classifieds, although his review of ads did not produce any restrictive verbiage.</p>		X	
Restrictive Covenants				
	<p>Upon review of all known covenants, conditions, and restrictions (CC&Rs) pertaining to subdivision within the County of Boise, there were no impediments identified.</p>		X	
Real Estate Practices				
	<p>Under real estate practices, the Boise County Association of Realtors continues to advertise the Fair Housing ad quarterly in the (newspaper) see insert. BCAR also checks remarks and directions of ads or property listings for words that do not comply with Fair Housing standards.</p> <p>Each quarter, BCAR has New membership orientation, with a half hour devoted to Fair Housing law. Each BCAR office has the Fair Housing logo</p>		X	

	displayed in their window. All BCAR Realtors have the Fair Housing logo displayed on their cards, signs, and advertisements. Realtors, in general, are quite familiar with Fair Housing laws in the County of Boise.			
Major Employer Impacts				
	Recent statistics provided by the Idaho Department of Commerce indicate that over one-third of the employed people in Boise County are commuting to places outside of the county.			
Rentals (More than 3 Housing Units or 4 Apartment Units)				
	1. Tenant Selection Procedures			
	In Idaho, there are no professional licensing requirements for property managers.			
	2. Housing Choice Availability			
	Regardless of class, two-and three-bedroom units have a high turnover rate. One-bedroom and handicapped-accessible units are hard to come by and typically have long waiting lists.			
	3. Vacancy Advertisement		X	
	Property management's main avenues of advertising are newspapers, brochures, and Chamber of commerce listings. They indicate Fair Housing guidelines are followed in their advertisements. Ongoing review of the newspaper advertisements confirms the claim of advertising compliance.			
	Others			

C. Review of Other Private and Public Areas

The Following reflects our assessment of other private and public programs, activities, and conditions that my constitute impediments or affect fair housing choice in our jurisdiction.

Name of Agency	Services provided
NONE	

D. Action Plan:

Boise County is an area of general ruggedness, high, wooded mountains, and deep canyons with public land management accounting for nearly 84% (U.S. Forest, Bureau of Land Management, and State of Idaho) and private land ownership only about 16%. Access to these state and federal programs and properties is ensured through their government requirements.

Review of current policies and procedures within Boise County did not produce any impediments other than the never-ending potential for additional information sharing regarding Fair Housing requirements.

Although not specifically called for in established procedures or methods of operation, Boise County does bear out their philosophy of open access and consideration to “all”, as well as recognizing the need for lower-cost mobile homes and manufactured housing—even temporary “hardship residence” provided. We did not find any restrictive verbiage.

Based upon the findings discovered through this placing effort, the following findings are presented.

Findings:

1. Public Sector Review

This rural, mountain county is attractive for second-home owners who live and work in the Treasure Valley area. It is also a relatively easy commute into adjacent Ada and Canyon counties with 1/3 of those employed “out-commuting”.

The adopted Boise County Comprehensive Plan does not specifically address either accessibility or restrictive issues anywhere in the document. However, the section on Land Use does identify conservation and protection of quality of life issues including:

- Creation of appropriate growth standards
- Accessibility to government officials
- Opportunities to retain individuality/independence

The Rural and Residential Land Use section of the Comprehensive Plan also states the following:

- The rural residential land use is suitable for single-family residential living and rural subdivisions including manufactured/mobile homes meeting certain siting requirements. One purpose is to provide opportunities for the development of residential neighborhoods in rural settings to meet the demands of the population – preferably on land that is less desirable for timber/agricultural use. All developments shall meet the health and safety regulations set by district health and the state regarding the installation of water and sewer systems on sufficient lot sizes. This designation is best located near community centers or along major transportation routes.

2. Private Sector Review

Continued distribution of literature to property managers on Fair Housing should always be encouraged. No specific impediments were discovered in this analysis.

3. Other Public & Private Area

Nothing at this time.

Based upon impediments found, the FHAC is recommending the following:

Boise County, or its designee, should continue to emphasize their commitment to Fair Housing, it's legal requirements and available resources to help all involved parties.

Action Strategies:

1. **Objective:** Update County Comprehensive Plan
Time Frame: 2006
Resources needed: County Publications
Involved parties: County and citizens of the community

2. **Objective:** Continue implementation of Boise County Transition Plan in relation to handicapped accessibility
Time Frame: Ongoing
Resources needed: County Funds
Involved parties: County Commissioners and County Staff

Fair Housing Resolution:

The Boise County adopted Fair Housing Resolution #97-16 on March 17, 1997; the last publication was August 3, 2005. This Resolution is published at least once annually. **(See Appendix A).**

This report accurately represents the findings and recommendations of the Boise County Fair Housing Advisory Committee and is respectfully submitted for public review.

Pat L. Engel, Director
Business & Community Development
Sage Community Resources

Date

Analysis of Impediments to Fair Housing and Action Plan

Appendix A

- Fair Housing Advisory Committee Mailing List
- Fair Housing Resolution
 - Affidavit of Publication
- Policy regarding non-discrimination on the basis of disability
 - Affidavit of Publication
- Grievance Procedure for the Boise County
- Equal Housing Opportunity Poster (English/Spanish)

Resolution goes here

Copy of published Resolution goes here

Appendix B

- Demographic data for Boise County