

# Assessment of Fair Housing

DRAFT

City of Rogers, Arkansas

March 29, 2017

**MORNINGSIDE**  
RESEARCH AND  
CONSULTING, INC

[www.morningsideresearch.com](http://www.morningsideresearch.com)

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City of Rogers, Arkansas

March 29, 2017

Submitted by

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# I. COVER SHEET

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- 1. Submission date: To be determined
- 2. Submitter name: City of Rogers, Arkansas
- 3. Type of submission (e.g., single program participant, joint submission): Single program participant
- 4. Type of program participant(s) (e.g., consolidated plan participant, PHA): Consolidated Plan participant
- 5. For PHAs, Jurisdiction in which the program participant is located: n/a
- 6. Submitter members (if applicable): n/a

7. Sole or lead submitter contact information:

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- b) Title: Community Development Block Grant Coordinator
- c) Department: City of Rogers Community Development Department
- d) Street address: 301 W. Chestnut Street
- e) City: Rogers
- f) State: AR
- g) Zip code: 72756

8. Period covered by this assessment: 2017 - 2021

9. Initial, amended, or renewal AFH: Initial

10. To the best of its knowledge and belief, the statements and information contained herein are true, accurate, and complete and the program participant has developed this AFH in compliance with the requirements of 24 C.F.R. §§ 5.150-5.180 or comparable replacement regulations of the Department of Housing and Urban Development;

11. The program participant will take meaningful actions to further the goals identified in its AFH conducted in accordance with the requirements in §§ 5.150 through 5.180 and 24 C.F.R. §§ 91.225(a)(1), 91.325(a)(1), 91.425(a)(1), 570.487(b)(1), 570.601, 903.7(o), and 903.15(d), as applicable.

All Joint and Regional Participants are bound by the certification, except that some of the analysis, goals or priorities included in the AFH may only apply to an individual program participant as expressly stated in the AFH.

\_\_\_\_\_(Signature) \_\_\_\_\_(date)

\_\_\_\_\_(Signature) \_\_\_\_\_(date)

12. Departmental acceptance or non-acceptance:

\_\_\_\_\_(Signature) \_\_\_\_\_(date)

## II. EXECUTIVE SUMMARY

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1. Summarize the fair housing issues, significant contributing factors, and goals. Also include an overview of the process and analysis used to reach the goals.

### OVERVIEW

This Assessment of Fair Housing (AFH) is a process that U.S. Department of Housing and Urban Development (HUD) grant recipients must undertake in keeping with their obligation to “affirmatively further fair housing” (AFFH) in accordance with the Fair Housing Act. This report follows HUD guidance for completing the AFH and includes data and maps provided by HUD, as well as data and analysis gathered from the community and secondary data sources such as the U.S. Census.

This AFH includes a detailed fair housing analysis of the City of Rogers, Arkansas, that includes the following components:

**DEMOGRAPHIC SUMMARY.** This section provides a summary of the race and ethnicity, national origin, language, disability status, sex, age, and family status of residents of the City of Rogers. The section also compares data over time to highlight demographic trends in Rogers since 1990. According to HUD data, Rogers has a predominately Non-Hispanic White population; 29.82 percent of residents are Hispanic.

**SEGREGATION/INTEGRATION.** This section analyzes the location of Rogers residents by race and ethnicity and determines levels of segregation based on the dissimilarity of different groups. The highest segregation in Rogers is between Hispanic and Non-Hispanic White residents.

**RACIALLY OR ETHNICALLY CONCENTRATED AREAS OF POVERTY (R/ECAPS).** A R/ECAP is an area of a city that has a majority Non-White population and poverty rate that is either above 40 percent or three times the regional average. The January 2017 AFFH maps from HUD do not indicate that any areas of Rogers are defined as a R/ECAP. However, the July 2016 version of the maps did show a R/ECAP just north of the center of the city, which has a higher percentage of Hispanic residents than the city as a whole.

**DISPARITIES IN ACCESS TO OPPORTUNITY.** This section analyzes a variety of different indicators to determine whether Rogers residents have access to proficient schools, nearby jobs, inexpensive transportation, robust labor markets, and environmentally healthy neighborhoods, regardless of their location or protected class. The groups with the least access to these opportunities are Hispanic, Native American, and Asian/Pacific Islander residents, who mostly live on the east side of Rogers.

**DISPROPORTIONATE HOUSING NEEDS.** This section analyzes rates of housing cost burden, overcrowding, and substandard housing across different racial and ethnic groups and in different areas of the city. Hispanic residents are the most likely to experience housing burden in Rogers.

**PUBLICLY SUPPORTED HOUSING ANALYSIS.** This section discusses the location and occupancy of publicly supported housing units in Rogers, including public housing units, project-based Section 8 units, and units in the Housing Choice Voucher program. According to the data, residents receiving Section 8 assistance are predominately Non-Hispanic White, while more Hispanic residents live in other multifamily units.

**DISABILITY AND ACCESS ANALYSIS.** This section reviews the location of Rogers residents with disabilities, as well as the resources available to these residents. The City of Rogers provides accessibility modifications through housing rehabilitation and provides utility and transportation assistance to residents with disabilities.

**FAIR HOUSING ENFORCEMENT, OUTREACH CAPACITY, AND RESOURCES ANALYSIS.** This section discusses the organizations responsible for enforcing fair housing in Rogers. These include the Siloam Springs Housing Authority and the Arkansas Fair Housing Commission. The section also discusses various state and local laws that may increase fair housing concerns, including state laws related to criminal eviction and the lack of implied warranty of habitability.

## FAIR HOUSING ISSUES

Based on the input received from stakeholders and residents during the community participation process, the assessment of past fair housing goals and action, and each component of the fair housing analysis, the following factors contribute to each fair housing issue were identified in the City of Rogers. The highest priority is given to those factors that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance.

Fair Housing Issues and Contributing Factors in the City of Rogers	
Fair Housing Issues	Contributing Factors (by priority level)
Segregation/Integration Racially or Ethnically-Concentrated Areas of Poverty (R/ECAPs)	<ol style="list-style-type: none"> <li>1. Location and type of affordable housing</li> <li>2. Displacement of residents due to economic pressure</li> <li>3. Land use and zoning laws</li> </ol>
Disparities in Access to Opportunity	<ol style="list-style-type: none"> <li>1. Location and type of affordable housing</li> <li>2. Availability, type, frequency, and reliability of public transportation</li> <li>3. Location of employers</li> <li>4. Land use and zoning laws</li> </ol>
Disproportionate Housing Needs	<ol style="list-style-type: none"> <li>1. The availability of affordable units in a range of sizes</li> <li>2. Lending discrimination</li> <li>3. Land use and zoning laws</li> <li>4. Other               <ol style="list-style-type: none"> <li>a. housing problems associated with older housing stock</li> <li>b. discrimination based on family size in the rental market</li> <li>c. shortage of accessible housing</li> </ol> </li> </ol>
Publicly Supported Housing Location and Occupancy	<ol style="list-style-type: none"> <li>1. Lack of regional cooperation</li> <li>2. Quality of affordable housing information programs</li> <li>3. Impediments to mobility</li> </ol>
Disabilities and Access	<ol style="list-style-type: none"> <li>1. Lack of affordable, accessible housing in a range of unit sizes</li> <li>2. Lack of assistance for housing accessibility modifications</li> <li>3. Land use and zoning laws</li> </ol>
Fair Housing Enforcement, Outreach Capacity, and Resources	<ol style="list-style-type: none"> <li>1. Lack of local private fair housing outreach and enforcement</li> <li>2. Lack of state or local fair housing laws</li> </ol>

Fair housing goals for the City of Rogers are based on the fair housing analysis and the results for each housing issue listed in the table above. The goals shown in the table below are designed to address the fair housing issues and overcome the contributing factors identified. The goals consider all analysis conducted for the report, including input from the community and the consideration of past fair housing goals and actions that the City of Rogers has undertaken.

## Fair Housing Goals for the City of Rogers

Fair Housing Goals	Contributing Factors	Fair Housing Issues
1. Encourage the development of new affordable housing units in Rogers.	<ul style="list-style-type: none"> <li>▪ Location and type of affordable housing</li> <li>▪ Displacement of residents due to economic pressure</li> <li>▪ Land use and zoning laws</li> <li>▪ The availability of affordable units in a range of sizes</li> </ul>	<ul style="list-style-type: none"> <li>▪ Segregation</li> <li>▪ Racially or ethnically-concentrated areas of poverty (R/ECAPs)</li> <li>▪ Disparities in access to opportunity</li> <li>▪ Disproportionate housing needs</li> </ul>
2. Preserve affordable housing in areas in and around downtown Rogers.	<ul style="list-style-type: none"> <li>▪ Location and type of affordable housing</li> <li>▪ Displacement of residents due to economic pressures</li> <li>▪ Other                             <ul style="list-style-type: none"> <li>▪ housing problems associated with older housing stock</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Segregation</li> <li>▪ Racially or ethnically-concentrated areas of poverty (R/ECAPs)</li> <li>▪ Disparities in access to opportunity</li> <li>▪ Disproportionate housing needs</li> </ul>
3. Provide fair housing outreach and education to low-income residents and local nonprofits.	<ul style="list-style-type: none"> <li>▪ Lack of local private fair housing outreach and enforcement</li> <li>▪ Lack of state or local fair housing laws</li> <li>▪ Other                             <ul style="list-style-type: none"> <li>▪ discrimination based on family size in the rental market</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Fair housing enforcement, outreach capacity, and resources</li> <li>▪ Disproportionate housing needs</li> </ul>
4. Increase the number of accessible housing units for people with disabilities.	<ul style="list-style-type: none"> <li>▪ Lack of affordable, accessible housing in a range of unit sizes</li> <li>▪ Lack of assistance for housing accessibility modifications</li> </ul>	<ul style="list-style-type: none"> <li>▪ Disabilities and access</li> </ul>
5. Ensure that low-income residents have access to publicly supported housing in Rogers.	<ul style="list-style-type: none"> <li>▪ Lack of regional cooperation</li> <li>▪ Quality of affordable housing information programs</li> <li>▪ Impediments to mobility</li> </ul>	<ul style="list-style-type: none"> <li>▪ Publicly supported housing location and occupancy</li> </ul>

### III. COMMUNITY PARTICIPATION PROCESS

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- a. Describe outreach activities undertaken to encourage and broaden meaningful community participation in the AFH process, including the types of outreach activities and dates of public hearings or meetings. Identify media outlets used and include a description of efforts made to reach the public, including those representing populations that are typically underrepresented in the planning process such as persons who reside in areas identified as R/ECAPs, persons who are limited English proficient (LEP), and persons with disabilities. Briefly explain how these communications were designed to reach the broadest audience possible. For PHAs, identify your meetings with the Resident Advisory Board.**
- b. Provide a list of organizations consulted during the community participation process.**
- c. How successful were the efforts at eliciting meaningful community participation? If there was low participation, provide the reasons.**
- d. Summarize all comments obtained in the community participation process. Include a summary of any comments or views not accepted and the reasons why.**

#### SUMMARY OF OUTREACH ACTIVITIES

In order to obtain input from residents and stakeholders in the City of Rogers for the Assessment of Fair Housing (AFH), Morningside Research and Consulting (Morningside) developed a detailed community participation plan in collaboration with City of Rogers staff, including the public information officer (PIO) for the city. The plan was designed to seek meaningful engagement from residents and stakeholders in order to include a summary of local knowledge in this chapter of the report, and to provide local knowledge to supplement the fair housing analysis in subsequent chapters. The plan included suggested press release information for use by the city PIO to invite residents to participate through all available media outlets. The plan included suggested invitees, dates, times, and locations for the community participation activities which are discussed in detail in this section.

Specific outreach methods, lists of participants, and summaries of comments received are discussed in this section for each of the following activities that were conducted:

- Resident survey
- Interviews with fair housing stakeholders
- Focus group with fair housing stakeholders
- Focus group with city residents
- Fair housing public hearing

#### RESIDENT SURVEY

The survey of Rogers residents was available online and in paper formats in both English and Spanish. The survey was open for responses online between December 5, 2016 and December 30, 2016. The survey was advertised by the City of Rogers Public Information Officer via social media, including Facebook and Twitter, and sent to local media outlets, including radio and television channels, via a formal press release. By completing the survey, participants could choose to enter a drawing to win a \$50 Walmart gift card. The gift card winner was randomly selected from surveys received on-line and by mail.

Paper copies were distributed by City of Rogers staff and Morningside staff starting on December 5. Paper surveys included paid postage with instructions for respondents to mail back their completed surveys by folding, stapling, and dropping it in a mailbox. Paper surveys were distributed in English and Spanish to the following locations in order to seek responses from low-income residents, Hispanic residents, seniors, and people with disabilities:

- All Rogers elementary schools for distribution to Spanish-speaking parents at adult education classes
- Rogers Adult Wellness Center
- Rogers Activity Center
- Community Clinic
- Center for Nonprofits at St. Mary’s

Morningside managed the collection of online survey responses. A total of 364 Rogers residents responded to the survey. Of these, 341 completed the survey online and 23 completed and returned the paper version.

### SUMMARY OF SURVEY RESPONSES

A detailed summary of all responses to the survey is provided below.

**DEMOGRAPHICS.** As shown in Survey Table 1, most respondents identify as White/Caucasian, with smaller groups identifying as Hispanic/Latino and American Indian/Native American. Most respondents (59 percent) identify as female. For comparison, in the general Rogers population, 63.35 percent of residents are Non-Hispanic White, 29.82 percent are Hispanic, and 0.82 percent are Native American, as shown in the Demographic Summary section of this report. Approximately 51 percent of all Rogers residents are female.

**Survey Table 1. Race/Ethnicity of Respondents**

Race/Ethnicity	Percent of Respondents
White/Caucasian/Anglo	81.82%
Hispanic/Latino	7.84%
American Indian/Native American	4.39%
Asian	1.57%
Multi-Racial	1.25%
African American/Black	0.94%
Asian Indian	0.63%
Native Hawaiian/Pacific Islander	0.31%
Other	1.88%
Choose not to answer	6.58%

Most survey respondents are between 36 and 64 years old, as indicated in Survey Table 2.

**Survey Table 2. Age Group of Respondents**

Age Group	Percent of Respondents
18-35 years	24%
36-64 years	63%
65-74 years	9%
75 years and older	4%

Survey Table 3 shows the educational attainment of respondents. Approximately 51 percent have a bachelor’s degree or higher, 35 percent have some college or an associate’s degree, 12 percent have a high school diploma, and 3 percent have less than a high school diploma.

**Survey Table 3. Educational Attainment of Respondents**

Highest Educational Attainment	Percent of Respondents
Less than high school diploma	3%
High school diploma	12%
Some college or associate’s degree	35%
Bachelor’s degree or higher	51%

Survey Table 4 shows the household income distribution of respondents. For comparison, according to the 2015 U.S. Census Bureau American Community Survey, approximately 4 percent of all Rogers residents have incomes that are less than \$10,000, 16 percent have incomes between \$10,000 and \$25,000, 11 percent have incomes between \$25,000 and \$35,000, 45 percent have incomes between \$25,000 and \$100,000, and 24 percent have incomes that are more than \$100,000.

**Survey Table 4. Income Distribution of Respondents**

Household Income	Percent of Respondents
Less than \$10,000	3%
Between \$10,000 and \$25,000	9%
Between \$25,000 and \$35,000	9%
Between \$35,000 and \$45,000	7%
Between \$45,000 and \$55,000	11%
Between \$55,000 and \$65,000	8%
Between \$65,000 and \$100,000	21%
More than \$100,000	32%

About 70 percent of respondents are employed full time, 6 percent are employed part time, 22 percent are unemployed, and 1 percent are full-time students.

**CURRENT HOUSING.** On average, respondents have lived in Rogers for approximately 16 years. Most respondents have lived at their current residence from 3 to 10 years. Approximately 45 percent of respondents have at least one child under age 18 in their household, and the average household has three total people (including the respondent). Close to half of the respondents (47 percent) say their home has three bedrooms; 36 percent have more than three bedrooms, 10 percent have two bedrooms, and 6 percent have one bedroom. Most say that they are satisfied with their current housing situation, with a respondent satisfaction average of 4 on a scale of 1 to 5.

Approximately one-third of respondents report that they would like to move to a different neighborhood, citing desires such as paying less for housing, moving to a bigger place, moving to a safer or quieter area, gaining more yard space, and downsizing. Of the residents who want to move but have not yet done so, most base their decision on financial affordability; as one respondent writes, “Due to buying my house before the housing market crash, the value of my home has decreased tremendously and I cannot make back what I paid for the house.”

**HOMEOWNERS.** A majority (74 percent) of respondents say they live in a house or condo that they own. Although all respondents say they have electricity and a working bathroom in their house or condo, six respondents indicate

that they do not have air conditioning, 20 do not have gas, and 54 do not have connection to a public sewer. Most owners say that their house is between 30 and 45 years old. A majority of homeowners (80 percent) indicate that they are able to keep up with the maintenance on their house, with 18 percent indicating they are somewhat able to keep up.

**RENTERS.** Most of the remainder of respondents (23 percent) say that they live in a house or apartment that they rent, and another 3 percent say they live with friends or relatives and do not pay rent. On average, these renters have been living in their current location for about three years. The most common reasons for not buying a house are not having enough money for a down payment and not having good credit, although some respondents point out that they have just moved to the area and will be buying soon. When asked how satisfied they are with the cost of their rent on a scale of 1 to 5, respondents give an average rating of 3.1.

**COST BURDEN.** Approximately 41 percent of respondents indicate that they are experiencing cost burden, which is defined as spending more than 30 percent of their monthly household income on housing, and 13 percent indicate that they are severely cost burdened, and are spending more than 50 percent of their household income on housing.

**ACCESS TO OPPORTUNITIES.** Most residents (91 percent) believe that they have access to good schools in their neighborhood, and 77 percent believe that they have access to good jobs. However, only 46 percent believe that they have adequate access to transportation. Approximately 22 percent indicate that they would use public transportation if it were available, with another 33 percent indicating they might use it.

**ACCESSIBILITY.** Approximately 15 percent of respondents have someone with disabilities in their home, and 16 percent have at least one person over age 65. Only 4 percent of respondents indicate that their residences have been modified for a disability. Some respondents indicate that their homes had been modified by a previous owner, but that they themselves do not need accessibility modifications. Six percent of residents say that they need accessibility modifications, specifying the need for widened doorways, modified bathrooms, and wheel chair ramps. Most residents (47 percent) describe the public areas and facilities in Rogers as “somewhat accessible”, with 30 percent describing them as “very accessible”.

**DISCRIMINATION.** Of the nine percent of respondents who indicate that they have ever been turned down for a mortgage, a majority (71 percent) believe that they were turned down because their credit score was too low. Seven residents believe their mortgage application was turned down for discriminatory reasons on the basis of race/ethnicity, gender, and disability. Twenty-four residents say their real estate agent did not show them all of the places they were interested in when looking for a house or condo to buy.

Similarly, of the six percent of residents who have experienced a rental application rejection, about half believe it was because of their low credit score, although some say it could be because of a weak rental history or criminal record. Eight residents believe their rental applications were turned down for discriminatory reasons, on the basis of familial status, disability, and national origin. Others believe it was because of pets, although in one case this was tied to disability; as one respondent writes, “I have a service dog trained for my disability that is service connected (not an emotional support animal). I showed authentic documentation for this. The rental agency did not accept animals in most of their rentals and they said they didn't like that I had an animal even though it is a service animal and presented with appropriate documentation.”

Out of all respondents, six explicitly say that they have been discriminated against regarding access to housing, based on familial status, disability, race/ethnicity, and religion. Another respondent says they were turned down because of the size of their pet.

**FAIR HOUSING OUTREACH AND EDUCATION.** Most respondents (53 percent) say they do not know how to file a housing complaint, and many (44 percent) say they do not know who to talk to if they believe they have been discriminated against while looking for housing. Of the 174 residents who responded, half say they do not trust that a housing complaint would be addressed if they were to file one.

## INTERVIEWS WITH FAIR HOUSING STAKEHOLDERS

Morningside conducted 14 interviews with fair housing stakeholders between December 7, 2016, and January 24, 2017. City of Rogers staff sent direct email and phone invitations to 37 local organizations, 12 City of Rogers management staff, and 7 Rogers City Council members to participate in interviews. Morningside identified and invited another 11 organizations with a presence in Northwest Arkansas to participate in interviews. Representatives of the following organizations were interviewed by Morningside:

- Rogers Public School District
- TY North America (brokerage firm)
- Rogers City Council
- Evans Construction
- First Western Mortgage
- Open Avenues (disability services provider)
- Harris McHaney Realtors
- Siloam Springs Housing Authority
- Engage Northwest Arkansas (immigrant-focused nonprofit)
- Legal Aid of Arkansas
- Northwest Arkansas Board of Realtors
- Housing Arkansas (organization that manages Arkansas Housing Trust Fund)
- Community Development Corporation
- Credit Counseling of Arkansas

## SUMMARY OF COMMENTS RECEIVED

Interviews with fair housing stakeholders in Rogers resulted in the following themes, in no particular order:  
Shortage of affordable housing

- Shortage of accessible housing for people with disabilities
- Maintenance of older housing stock is difficult for low- moderate-income homebuyers
- Predatory rent-to-own contracts
- Lack of public transportation
- Lack of education for the general public on fair housing laws
- City-wide access to good schools
- Evenly distributed public services and amenities across the city

**SHORTAGE OF AFFORDABLE HOUSING.** Stakeholders believe that affordable housing is evenly distributed throughout all areas of Rogers, but that a general shortage exists. Some stakeholders cited instances of “doubling-up” or overcrowding in low-income, mostly Hispanic areas of Rogers. Stakeholders point out that mobile home parks

in Rogers provide an extremely affordable housing option for individuals and smaller families, but are not a solution for larger families and are generally considered unattractive to neighboring residents.

According to stakeholders, no areas of Rogers are underdeveloped. Due to high land prices, developers are claiming as much land as possible and are choosing to develop the most profitable housing, which tends to be larger, more expensive housing. Stakeholders generally believed this is not intentionally discriminatory, but it is contributing to the shortage of affordable housing. Stakeholders are aware of a large number of apartments being developed, but say that none or very few of them are affordable units. Stakeholders also mentioned the revitalization of downtown Rogers, but that the housing being developed in that area is not affordable for low-income residents.

**SHORTAGE OF ACCESSIBLE HOUSING FOR PEOPLE WITH DISABILITIES.** According to stakeholders who advocate for individuals for disabilities, accessible housing in Rogers is insufficient to meet the need. According to stakeholders, their clients with disabilities live primarily in two private apartment complexes in Rogers. The complex is very well maintained and affordable, but the units are always full and the landlord maintains a waiting list. Stakeholders say that many residents with disabilities also have very low-incomes which limit their housing choices, often forcing them to live in housing that is in poor condition and does not meet their accessibility needs. Even if individuals with disabilities can access benefits, the assistance is typically not enough to afford decent, accessible housing. Stakeholders explained that many of their clients with disabilities rent pay-by-the-week motel rooms because they cannot find a place they can afford.

**MAINTENANCE OF OLDER HOUSING STOCK IS DIFFICULT FOR LOW- MODERATE-INCOME HOMEBUYERS.** While most stakeholders characterize the housing stock in Rogers as generally in good condition, one stakeholder mentioned that some low- to moderate-income buyers are purchasing low-quality housing. Because these homeowners are struggling to make payments, maintenance and repairs for their homes are very difficult to afford. Stakeholders also believe that city code enforcement can disproportionately affect low-income residents. For example, low-income residents may not be able to afford to have trees trimmed, but then receive fines from the city for a code violation.

**PREDATORY RENT-TO-OWN CONTRACTS.** While none of the stakeholders believe that any direct predatory lending practices occur in Rogers, some cited instances of rent-to-own contracts in the area with terms that could be considered predatory. One specific example was a rent-to-own contract that included a penalty for missing a payment in which the payee must forfeit all previous payments toward ownership of the house and become subject to eviction.

**LACK OF PUBLIC TRANSPORTATION.** According to stakeholders, public transportation is lacking in all areas of Rogers. Stakeholders believe the job market in Rogers is healthy at all income levels but transportation to and from jobs may be difficult for low-income individuals. Overall, stakeholders said it is very difficult to live in the area without a car. One stakeholder mentioned a recent collaboration between Tyson Foods, a major area employer, and a local transit provider to provide transportation to and from work for Tyson employees.

Stakeholders who advocate for individuals with disabilities explained how the lack of public transit disproportionately affects their clients who need transportation assistance to visit doctors' offices. In many cases, individuals with disabilities go to the emergency room because they cannot access transportation to a primary care physician. Ozark Regional Transit operates two buses in Rogers between 7:05 a.m. and 7:05 p.m. Monday through Friday.<sup>1</sup> Stakeholders mentioned that Ozark Regional Transit provides paratransit services but a rider must give seven days' notice to request a ride. The City of Rogers also operates a transportation assistance program that provides

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<sup>1</sup> "Schedules & Maps." *Ozark.org*. Ozark Regional Transit, 2017. Web. <http://www.ozark.org/schedules-maps/schedules-maps>. Accessed February 2017.

\$80 per month in taxi or Ozark Regional Transit rides for seniors and residents with disabilities. The program serves 100 residents per year.

**LACK OF EDUCATION FOR THE GENERAL PUBLIC ON FAIR HOUSING.** Stakeholders believe professionals in the housing industry (realtors, lenders, property managers) have adequate information and education on fair housing issues, but the general public may not be informed of their rights and obligations. One stakeholder cited an incident with an individual homeowner who did not want to rent to a family with young children, but was not aware this was discriminatory and illegal. Stakeholders mentioned that education on fair housing laws could be improved for renters, especially non-English speaking residents who are often hesitant to report discriminatory incidents. One stakeholder wished that Community Development Block Grant (CDBG) funds could be allocated for fair housing education and for legal aid in resolving fair housing issues.

**CITY-WIDE ACCESS TO GOOD SCHOOLS.** Stakeholders agree that all public schools in Rogers provide high-quality education. Rogers Public School District recently established a new high school and re-drew boundaries to preserve the demographic diversity of both high schools (Hispanic students represent approximately 40 percent of the study body at each school). Rogers Public School District operates two pre-kindergarten sites, both of which are located in low-income areas.

**EVENLY DISTRIBUTED PUBLIC SERVICES AND AMENITIES ACROSS THE CITY.** Stakeholders believe that public services and amenities, such as community centers and parks, are evenly distributed across the city and residents at all income levels have access. Stakeholders frequently cited the extensive trail system that connects all areas of Rogers and continues both north and south of Rogers.

## FOCUS GROUP WITH FAIR HOUSING STAKEHOLDERS

Morningside conducted a focus group with fair housing stakeholders at Rogers City Hall on December 7, 2016 from 2:00 to 3:30 p.m. City of Rogers staff sent direct email and telephone invitations to 37 local organizations, 12 City of Rogers department heads, and 7 Rogers City Council members to participate in the stakeholder focus group. The stakeholder focus group was attended by 10 individuals representing the following 9 organizations:

- United Way of Northwest Arkansas
- Rogers Police Department
- Regions Bank
- Center for Collaborative Care
- First Security Bank
- City of Rogers Planning and Transportation Department
- Habitat for Humanity of Benton County
- Rogers City Council
- Arvest Bank

## SUMMARY OF COMMENTS RECEIVED

Stakeholders who attended the focus group voiced concerns about the following fair housing issues in Rogers, in no particular order:

- Shortage of affordable housing for rent
- Real estate market excludes low-income and Spanish-speaking home buyers
- Shortage of accessible housing for people with disabilities

- Lack of transitional housing for people returning from incarceration
- Discrimination based on family size in the rental market
- Inadequate public transportation schedule

**SHORTAGE OF AFFORDABLE HOUSING FOR RENT.** Stakeholders believe the City of Rogers has a general shortage of affordable rental housing. Stakeholders note that the housing market is very competitive, and land for new housing development is expensive and scarce, which makes building new affordable housing units not as profitable as market-rate housing for developers. As a result, low-income residents are paying more than they can afford for housing and are experiencing housing cost burden.

According to stakeholders, the Siloam Springs Housing Authority typically has a waiting list of 8 to 12 months for rental assistance and housing choice vouchers. Stakeholders also expressed concern that making the long (45 minutes to an hour) drive to Siloam Springs to get housing assistance and access housing resources is difficult for low-income residents in Rogers.

**REAL ESTATE MARKET EXCLUDES LOW-INCOME AND SPANISH-SPEAKING HOME BUYERS.** Stakeholders stated that highly competitive market for housing in Rogers has led to higher housing prices. Stakeholders believe that rental prices have increased dramatically in the past 5 to 10 years and that owning a home in Rogers is cheaper than renting. However, credit requirements are barriers for potential low-income home buyers. Habitat for Humanity provides affordable homes for sale in the area, but still have credit requirements that many low-income residents cannot meet. Stakeholders agree that credit education could help low-income residents learn to repair or build credit in order to be able to purchase a home. Stakeholders also believe that counseling and education on maintenance and home warranties would help first-time home buyers keep their homes and avoid foreclosure.

Stakeholders also mentioned a need for more Spanish-speaking lenders and banking professionals to serve the Hispanic population in the community. Stakeholders, including representatives of banks, agree that potential customers who primarily speak Spanish may be overwhelmed with the amount of technical paperwork involved in applying for and receiving a mortgage loan.

**SHORTAGE OF ACCESSIBLE HOUSING FOR PEOPLE WITH DISABILITIES.** Stakeholders believe the City of Rogers does not have enough accessible housing units for residents with disabilities in Rogers. Stakeholders say that their clients with disabilities have been told by landlords that if they make accessibility improvements to a rental property, they have to return the property to its original condition or risk losing their security deposit. Stakeholders also mention that one large rental company in Rogers owns about 80 percent of all of the rental properties, and that their clients with disabilities refer to being “blacklisted” by this company, which makes it very difficult to find housing.

**LACK OF TRANSITIONAL HOUSING FOR PEOPLE RETURNING FROM INCARCERATION.** Stakeholders believe that no housing options exist for individuals transitioning back into the community after being incarcerated. Stakeholders cite a “Not in My Backyard” (NIMBY) philosophy in the community as a reason for the lack of transitional housing.

**DISCRIMINATION BASED ON FAMILY SIZE OCCURS IN THE RENTAL MARKET.** Stakeholders say they have heard of larger families being discriminated against when applying for rental housing in Rogers. According to stakeholders, landlords in the area prefer not to rent to large families.

**INADEQUATE PUBLIC TRANSPORTATION SCHEDULE.** Stakeholders believe that residents of Rogers do not have access to adequate public transportation. Ozark Regional Transit does not offer evening and weekend routes and was described by stakeholders as “very infrequent”.

**FAIR HOUSING PRIORITIES WORKSHEET.** Focus group participants were asked to fill out a fair housing priorities worksheet that asked them to identify fair housing issues, rank them in order of priority or importance, and to identify the area of Rogers where these priorities should be focused. Participants identified the following the top fair housing priorities:

Fair Housing Priorities Worksheet Results	
Top Fair Housing Priority	Area of Rogers
Displacement due to economic pressures	Ward 1/downtown
Lack of public transportation	Ward 2, Ward 4, Midtown, all areas of Rogers
Lack of resources for people experiencing homelessness	-
Disparity between affordable housing available vs poverty level	-
Lack of affordable housing	Ward 3
Lack of public infrastructure (sidewalks in low-income areas)	Ward 4, Midtown
Availability of affordable housing units in a variety of sizes	all areas of Rogers

### FOCUS GROUP WITH ROGERS RESIDENTS

The focus group with Rogers residents was conducted at the Rogers Activity Center at 315 West Olive Street on December 7, 2016 from 12:00 p.m. to 1:30 p.m. The Rogers Activity Center is located near public transportation stops in a low-income area of the city. The resident focus group was advertised to the public via the City of Rogers social media accounts, including Facebook and Twitter, and an ad in the local newspaper. In an effort to reach low-income residents, mail invitations to attend the focus group were sent to residents of the 10 apartment complexes that provide low-income housing and City of Rogers transportation assistance recipients. Unfortunately, no Rogers residents attended the focus group. City staff speculated that this was likely due to weather; it was particularly cold with a threat of snow on December 7, 2016 with the high temperature only reaching 35 degrees Fahrenheit.

### FAIR HOUSING PUBLIC HEARING

The fair housing public hearing was conducted at the Rogers Activity Center at 315 West Olive Street on December 7, 2016 from 5:30 to 7:00 p.m. The public hearing was advertised to the public via the City of Rogers social media accounts, including Facebook and Twitter, an ad in the local newspaper, an ad on the local public radio station, and a mention on the local television news. The public hearing was an open house event with a brief presentation about the AFH process, fair housing, and protected classes, as well as two activity stations designed to seek input from participants. The public hearing was attended by two members of the public; a retired teacher and community advocate and an architect with a local firm.

### SUMMARY OF COMMENTS RECEIVED

During a discussion at the beginning of the hearing, both participants expressed concern about a shortage of affordable housing in Rogers. One participant questioned whether housing developers could access federal funding assistance for developing new affordable housing in Rogers. One participant also mentioned that the limited public transportation in Rogers affects residents' housing choice by limiting those who rely on public transit to only be able to look for housing that is near public transit stops.

**PROTECTED CLASSES ACTIVITY STATION.** Large signs showing protected classes (race/ethnicity, national origin, religion, disability, gender, sexual orientation, and family size) were placed along the walls in the meeting room. Participants were given six dot stickers and asked to walk around the room and place the stickers next to the protected class or classes that they believe experience the most housing problems and/or discrimination in Rogers. Participants placed the most dots (four dots each) next to race/ethnicity, national origin, sexual orientation, disability, and family size.

**FAIR HOUSING PRIORITIES WORKSHEET.** Participants were asked to fill out a fair housing priorities worksheet that asked them to identify fair housing issues, rank them in order of priority or importance, and to identify the area of Rogers where these priorities should be focused. Participants ranked “housing availability”, “new housing development”, and “diversity in housing location” as top priorities, but did not indicate the area of town where these concerns are most prevalent.

## IV. ASSESSMENT OF PAST GOALS AND ACTIONS

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Indicate what fair housing goals were selected by program participant(s) in recent Analyses of Impediments, Assessments of Fair Housing, or other relevant planning documents:

- a. Discuss what progress has been made toward their achievement;
- b. Discuss how you have been successful in achieving past goals, and/or how you have fallen short of achieving those goals (including potentially harmful unintended consequences)
- c. Discuss any additional policies, actions, or steps that you could take to achieve past goals, or mitigate the problems you have experienced
- d. Discuss how the experience of program participants with past goals has influenced the selection of current goals.

The following goals and recommendations were included in the most recent Analysis of Impediments to Fair Housing (AI), Consolidated Plan (ConPlan), and Annual Action Plan for the City of Rogers. Each contains a summary of the progress made toward achieving these goals.

### 2012 AI RECOMMENDATIONS

An update on each of the recommendations submitted to HUD by the City of Rogers in 2012 is provided below.

**1. THE CITY SHOULD EVALUATE INITIATIVES UTILIZING ENTITLEMENT FUNDING THAT HELP REDUCE MORTGAGE DEFAULTS AND FORECLOSURE RATES AMONG LOW AND MODERATE INCOME HOME BUYERS.** The city uses CDBG funds for the rehabilitation of low-income housing, including the installation of energy efficient HVAC units, energy efficient windows, energy efficient doors and storm doors, and insulation which provide low-income homeowners with savings on monthly utility bills, which in turn allows residents to use their income to make mortgage payments. As discussed in the Fair Housing Goals and Priorities section of this report, the city should continue providing housing rehabilitation with a focus on the low-income areas surrounding downtown Rogers and a focus on accessibility modification for people with disabilities.

**2. THE JURISDICTION SHOULD CONTINUE TO INCREASE THEIR HOMEBUYER OUTREACH AND EDUCATION, AND CREDIT COUNSELING EFFORTS IN ORDER TO INCREASE THE NUMBER OF MINORITIES WHO APPLY AND QUALIFY FOR MORTGAGE LOANS.** The City of Rogers has not administered or provided funding for the provision of homebuyer outreach and education or credit counseling. As discussed in the Fair Housing Goals and Priorities section of this report, the city should work with community partners to develop a plan for increasing homebuyer outreach and education.

**3. THE CITY SHOULD ENCOURAGE LENDING INSTITUTIONS TO ENSURE THAT BANKING SERVICES ARE EXTENDED TO ALL AREAS, PARTICULARLY AREAS WITHIN LOW-INCOME CENSUS TRACTS, AND TO PROVIDE GREATER OUTREACH TO THE LOW-INCOME AND MINORITY HOUSEHOLDS TO LESSEN THE USE OF PREDATORY LENDERS.** The City of Rogers has not actively encouraged lenders to extend services to low-income and minority households. However, all of the homes that the city rehabilitates using CDBG funds are affordable units and most have mortgages that are in good standing with the bank or mortgage company. Since 2005, only one application for the city CDBG home rehabilitation program was not approved because the mortgage was in default with the lender. Only two of

the low-income homes that have been rehabilitated have gone into foreclosure. In both cases, the foreclosure occurred several years after the rehabilitation work was completed and both homeowners were able regain good standing with the lender and avoid losing their homes.

**4. THE CITY AND LOCAL CHAMBER OF COMMERCE SHOULD CONTINUE TO WORK ON EXPANDING JOB OPPORTUNITIES THROUGH THE RECRUITMENT OF CORPORATIONS, THE PROVISION OF INCENTIVES FOR LOCAL CORPORATIONS SEEKING EXPANSION OPPORTUNITIES, AND OTHER ACTIVITIES AIMED AT REDUCING UNEMPLOYMENT AND EXPANDING THE BASE OF HIGHER INCOME JOBS.** The Rogers/Lowell Chamber of Commerce works on behalf of the city to provide incentives for development in the area and work with the State of Arkansas on incentives that the state provides for development. Northwest Arkansas has one of the lowest unemployment rates in the United States. The most current unemployment rate for the area is 2.7 percent, down from 3.1 percent in October 2015. The headquarters of major corporations including Walmart, Tyson Foods, and J.B. Hunt Trucking are located in the area, which provides a healthy job market at all income levels.

**5. THE CITY OF ROGERS SHOULD EVALUATE AND CONSIDER APPLYING FOR 2012 OR 2013 USDA FOOD DESERT AND OTHER RELATED GRANT FUNDING.** The City of Rogers CDBG Administrator joined a regional coalition, led by the Northwest Arkansas Regional Planning Commission, that brought several agencies together for the purpose of applying for the USDA food desert grant as a region. The coalition dissolved before the grant applications were submitted. The City of Rogers continues to explore applying for the food desert grant on its own, and plans to attend a grant seminar in the spring of 2017 to learn more.

**6. THE CITY OF ROGERS SHOULD CONSIDER APPLYING FOR A 2013 HUD CHOICE NEIGHBORHOOD PLANNING GRANT.** The City of Rogers did not apply for the 2013 HUD Choice Neighborhood Planning Grant, but is still considering applying and plans to attend a grant seminar in spring 2017 to learn more about the grant.

**7. THE CITY SHOULD CONTINUE ITS EFFORTS IN PROVIDING VOLUNTEER-BASED INITIATIVES AIMED AT IMPROVING HOUSING CONDITIONS AND NEIGHBORHOOD STABILITY.** The majority of the housing rehabilitation work coordinated by the City of Rogers using CDBG funds is done by licensed and insured contractors, which is required by Rogers municipal code. One of the 35 houses that were rehabilitated through 2016 included some volunteer labor. The volunteers from a local faith-based organization cleaned up and landscaped the yard for this house after the structural rehabilitation had been completed by contractors. More often, the hired contractors volunteer extra time and materials to complete projects. As discussed in the Fair Housing Goals and Priorities section of this report, the city should consider opportunities to work with local partners to recruit more volunteers to work on certain elements of housing rehabilitation projects that can be done by volunteers, such as landscaping and painting.

**8. THE CITY OF ROGERS SHOULD CONTINUE INCREASING FAIR HOUSING EDUCATION AND OUTREACH IN AN EFFORT TO RAISE AWARENESS AND INCREASE THE EFFECTIVENESS OF ITS LOCAL FAIR HOUSING ORDINANCES.** The City of Rogers has not engaged in any fair housing education or outreach activities. The city refers any fair housing complaints directly to the Arkansas Fair Housing Commission, the governing agency for fair housing in Arkansas. As discussed in the Fair Housing Goals and Priorities section of this report, the city should work with community partners to develop a plan for increasing fair housing outreach and education.

## 2013-2017 CONPLAN ANNUAL GOALS AND OBJECTIVES

An update on each of the 2013-2017 goals and objectives submitted to HUD by the City of Rogers is provided below.

- 1. REHABILITATE 30 UNITS OF AFFORDABLE HOUSING.** The City of Rogers has used CDBG funds for the rehabilitation of 35 houses through 2016. Four more houses are out for bid for rehabilitation in 2017. All of the housing units that have been and plan to be rehabilitated are affordable units. Typically, about one house per year includes accessibility modifications for people with disabilities. Rogers area nonprofits who work with people with disabilities are made aware of the rehabilitation program and can request accessibility modifications.
- 2. ASSIST 350 PEOPLE WITH TRANSPORTATION SERVICES.** The City of Rogers provided transportation assistance using CDBG funds to 375 people through 2016. The city budgets \$20,000 annually for transportation assistance. So far in 2017, 100 people have qualified to receive transportation assistance. Seniors and residents with disabilities are eligible for transportation assistance.
- 3. ASSIST 1,560 PEOPLE THROUGH THE BOYS AND GIRLS CLUB.** The City of Rogers assisted 879 people with after-school and summer programs through the Boys and Girls Club through 2016. These numbers are less than the goal due to the Club not applying for CDBG funds during one of the years. The Boys and Girls Club has applied for funding for 2017 which should increase the number of people served up to the goal.
- 4. ASSIST 125 PEOPLE THROUGH ONE CHILD, ONE ADVOCATE.** The City of Rogers assisted 81 children through 2016. This is less than the goal due to the program not applying for CDBG funds during one of the years. The program is funded for 2017 which will increase the number for the five-year total.
- 5. ASSIST 75 PEOPLE THROUGH SUNSHINE SCHOOL.** The City of Rogers assisted 79 people through 2016. The Sunshine School is also funded for the 2017 program year.
- 6. ASSIST 270 PEOPLE THROUGH UTILITY ASSISTANCE.** The city has provided utility assistance for 457 people through 2016. The city budgets \$5,000 to \$10,000 in CDBG funds for utility assistance annually. The program will also be funded in 2017. All residents who meet HUD low-income guidelines for household income are eligible to apply for utility assistance.
- 7. ASSIST 5,000 PEOPLE WITH SIDEWALKS, STREETS, AND DRAINAGE.** Based on census counts for the low-income census tracts in which the city built new sidewalks, streets, and drainage, at least 5,000 people were assisted.

## 2016 ACTION PLAN GOALS

The goals listed in the 2016 Action Plan submitted to HUD by the City of Rogers are shown below. The City of Rogers is on target to meet each action plan goal.

- 1. PROVIDE DECENT HOUSING BY DOING HOUSING REHABILITATION AND EMERGENCY REPAIRS NEEDED TO KEEP INDIVIDUALS AND FAMILIES WARM, SAFE AND DRY AS WELL AS KEEPING THE CITY'S HOUSING STOCK UP TO CODE. ADMINISTRATION COSTS TO COVER THE HOUSING REHABILITATION PROGRAM ARE ALSO A PART OF**

**THIS GOAL.** The City of Rogers has used CDBG funds for the rehabilitation of 35 houses through 2016 which exceeds the 5-year goal of 30 houses. Four more houses are out for bid for rehabilitation in 2017.

**2. PROVIDE MOBILITY FOR THE CITY'S LOW-INCOME ELDERLY AND DISABLED AS WELL AS FUNDING DAILY TRANSPORTATION TO AND FROM OPEN AVENUES FOR APPROXIMATELY 100 ADULTS WITH DISABILITIES SO THEY MAY WORK, TRAIN, AND PARTICIPATE IN THE PROGRAMS AND SERVICES.** So far in 2017, 100 people have qualified to receive transportation assistance. Residents of Rogers must be seniors over age 62 or have disabilities in order to be eligible for transportation assistance.

**3. PROVIDE ASSISTANCE TO PAY UTILITY BILLS FOR INDIVIDUALS AND FAMILIES WHO ENCOUNTER SITUATIONS THAT MAKE IT IMPOSSIBLE FOR THEM TO PAY THEIR BILLS. ELDERLY AND FAMILIES WITH CHILDREN WILL HAVE PRIORITY ON THESE FUNDS.** The City of Rogers continues to provide utility assistance to low-income residents. The city has provided utility assistance for 457 people through 2016. Of the 46 individuals served thus far in 2017, 14 are residents with disabilities.

**4. PROVIDE FUNDING TO BUILD SIDEWALKS TO CITY STANDARDS IN THE LOW-INCOME CENSUS TRACTS IN ROGERS AND PROVIDE FUNDING FOR A LOADING DOCK AT OPEN AVENUES THAT WILL INCREASE THE WORK/INCOME FOR THEIR CLIENTS AND INCREASE REVENUE FOR THE WORK CENTER.** The City of Rogers has provided \$25,000 in CDBG funds for 2017 to assist with transportation to and from Open Avenues, a supported employment program for residents with disabilities, as well as assist with the construction of a new loading dock at the facility. Each of the goals has been accomplished in 2016 with the exception of building sidewalks in low-income census tracts. The city has met the 5-year goal of assisting 5,000 people with sidewalks, streets, and drainage during the 2013-2017 ConPlan period, but plans to continue to build sidewalks in low-income census tracts. The city is still in the design stage for new sidewalks which are a joint funding effort using CDBG and City of Rogers funds. CDBG funds will be used in low-income census tract/block groups; any census tracts/block groups that do not meet HUD guidelines will be paid for with City of Rogers funds.

**5. PROVIDE FUNDING FOR THE CITY'S ADMINISTRATION OF THE CDBG PROGRAM.** The city continues to use CDBG funds for the administration of the program each year. HUD conducts a monitoring review as well as a review of Consolidated Annual Performance and Evaluation Report (CAPER) and Annual Action Plan each year, which have found all reports and the administration of the program to be in compliance.

**6. PROVIDE FUNDING TO TRAIN AND RECRUIT COURT-APPOINTED SPECIAL ADVOCATES FOR 25 CHILDREN LIVING WITHIN THE ROGERS CITY LIMITS.** The City of Rogers will continue to provide CDBG funding to The One Child, One Advocate program operated by Court-Appointed Special Advocates (CASA). The program is funded for 2017 and is expected to reach the 5-year goal of 125 children served in 2017.

**7. INCREASE THE ACCESS OF LOW-INCOME AND MINORITY FAMILIES TO QUALITY AFTER SCHOOL AND SUMMER CARE FACILITIES AND SERVICES FOR THEIR CHILDREN.** The City of Rogers assisted 879 people with after-school and summer programs through the Boys and Girls Club through 2016. These numbers are less than the 2013-2017 ConPlan goal of 1,560 due to the Boys and Girls Club not applying for CDBG funds during one of the years. The Boys

and Girls Club will be provided about 3.5 percent of total CDBG funding for 2017 which should increase the number of people served up to the 5-year goal.

**8. PROVIDE SCHOLARSHIPS FOR STUDENTS WHO QUALIFY FOR LOW AND REDUCED TUITION RATES FOR PRESCHOOL ENRICHMENT PROGRAM WHICH WILL PROVIDE HIGH QUALITY CHILD CARE AND PRESCHOOL CURRICULUM.** The City of Rogers provides about \$10,000 in CDBG funding for scholarships to the Sunshine School for children with disabilities each year. The city has assisted 79 children through 2016, which exceeds the 5-year goal of 75 children.

## V. FAIR HOUSING ANALYSIS

## A. DEMOGRAPHIC SUMMARY

### a. Describe demographic patterns in the jurisdiction and region, and describe trends overtime (since 1990).

A majority (63.35 percent) of the population in the City of Rogers is Non-Hispanic White. Hispanic residents make up nearly one third of the population (29.82 percent). Asian/Pacific Islander, Black, and Native American residents make up smaller percentages at 3 percent, 1.31 percent, and 0.82 percent, respectively. Of the residents not born in the United States, most are from the Spanish-speaking countries of Mexico and El Salvador, with others from Asian countries including India, Vietnam, and Taiwan.

Compared to the Fayetteville-Springdale-Rogers region as a whole, Rogers has a higher proportion of Hispanic residents, and the number of Rogers residents who speak Spanish with limited English proficiency (13.62 percent) is more than double that of the region as a whole (6.48 percent). Rogers has a smaller percentage of residents with disabilities and a smaller percentage of residents over 65 than the region as a whole. Compared to the overall region, Rogers has more families with children and more residents under 18.

As shown in the U.S. Department of Housing and Urban Development (HUD) Table 2, the most notable demographic trend since 1990 has been the influx of Hispanic residents into Rogers. In 1990, only 434 Hispanic residents lived in the area; by 2000, this number grew to 7,137, and by 2010, it doubled to 14,657. Although the overall Rogers population experienced some growth during this period, it was not proportional to this growth in Hispanic residents; Hispanics were 1.69 percent of the population in 1990 and 29.82 percent in 2010. For comparison, Hispanics made up 1.46 percent of the population of the region as a whole in 1990 and 14.92 percent in 2010. The immigration of Hispanic residents in Rogers also led to higher percentages of foreign-born residents and residents with limited English proficiency.

Families with children also increased as a percentage of the population, rising from 46 percent in 1990 to 56 percent in 2010.

HUD Table 2 shows that the Rogers population became younger from 1990 to 2010. In 1990, residents under 18 represented 26 percent of the population, but by 2010, they represented 30 percent. Residents 65 and older went from 16 percent of the population to 9 percent during this period.

Each of the HUD tables and maps in this report are numbered according to the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

**HUD Table 1. Demographics**

(Rogers, AR CDBG) Jurisdiction <sup>1</sup>			(Fayetteville-Springdale-Rogers, AR-MO CBSA) Region <sup>2</sup>			
Race/Ethnicity	Number	Percent	Number	Percent		
White, Non-Hispanic	31,136	63.35%	353,302	76.27%		
Black, Non-Hispanic	642	1.31%	8,629	1.86%		
Hispanic	14,657	29.82%	69,087	14.92%		
Asian or Pacific Islander, Non-Hispanic	1,475	3.00%	15,884	3.43%		
Native American, Non-Hispanic	405	0.82%	6,364	1.37%		
Other, Non-Hispanic	762	1.55%	9,478	2.05%		
National Origin	Country		Country			
#1 country of origin	Mexico	6,786	12.96%	Mexico	26,435	6.03%
#2 country of origin	El Salvador	2,274	4.34%	El Salvador	5,524	1.26%
#3 country of origin	India	239	0.46%	India	3,194	0.73%
#4 country of origin	Vietnam	184	0.35%	Laos	1,188	0.27%
#5 country of origin	Canada	136	0.26%	Guatemala	1,099	0.25%

**HUD Table 1. Demographics**

(Rogers, AR CDBG) Jurisdiction <sup>1</sup>				(Fayetteville-Springdale-Rogers, AR-MO CBSA) Region <sup>2</sup>		
Race/Ethnicity		Number	Percent		Number	Percent
#6 country of origin	Guatemala	128	0.24%	Philippines	1,009	0.23%
#7 country of origin	Taiwan	121	0.23%	Vietnam	744	0.17%
#8 country of origin	Korea			China excl.		
		99	0.19%	Hong Kong & Taiwan	661	0.15%
#9 country of origin	Philippines	84	0.16%	Honduras	573	0.13%
#10 country of origin	Panama	73	0.14%	Canada	558	0.13%
<b>Limited English Proficiency (LEP)</b>		<b>Language</b>		<b>Language</b>		
#1 LEP Language	Spanish	7,131	13.62%	Spanish	28,408	6.48%
#2 LEP Language	Vietnamese			Other Pacific Island Language	2,607	0.60%
		153	0.29%	Laotian	670	0.15%
#3 LEP Language	Chinese	65	0.12%	Chinese	603	0.14%
#4 LEP Language	French	49	0.09%	Hmong	512	0.12%
#5 LEP Language	Tagalog	44	0.08%	Vietnamese	492	0.11%
#6 LEP Language	German	30	0.06%	Other Asian Language	292	0.07%
#7 LEP Language	Hindi	28	0.05%	Tagalog	266	0.06%
#8 LEP Language	Polish	26	0.05%	Arabic	254	0.06%
#9 LEP Language	Korean	11	0.02%	French	215	0.05%
#10 LEP Language	Other Asian Language	10	0.02%			
<b>Disability Type</b>						
Hearing difficulty		1,310	2.52%		16,037	3.69%
Vision difficulty		736	1.42%		9,263	2.13%
Cognitive difficulty		1,533	2.95%		19,209	4.42%
Ambulatory difficulty		2,270	4.37%		27,433	6.31%
Self-care difficulty		855	1.65%		8,620	1.98%
Independent living difficulty		1,305	2.51%		16,988	3.91%
<b>Sex</b>						
Male		24,102	49.04%		230,152	49.69%
Female		25,050	50.96%		233,052	50.31%
<b>Age</b>						
Under 18		14,895	30.30%		123,608	26.69%
18-64		29,655	60.33%		287,630	62.10%
65+		4,602	9.36%		51,966	11.22%
<b>Family Type</b>						
Families with children		6,883	55.92%		57,364	48.60%

<sup>1</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

<sup>2</sup> Local region defined by HUD as a core-based statistical area (CSBA).

Source: U.S. Census Bureau, 1990-2010, as retrieved from the U.S. Department of Housing and Urban Development (HUD) Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

**HUD Table 2. Demographic Trends**

Race/Ethnicity	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>						(Fayetteville-Springdale-Rogers, AR-MO CBSA) Region <sup>2</sup>					
	1990		2000		2010		1990		2000		2010	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
White, Non-Hispanic	24,762	96.64%	31,527	78.18%	35,323	63.72%	229,420	95.79%	298,250	85.93%	353,302	76.27%
Black, Non-Hispanic	9	0.04%	212	0.53%	876	1.58%	1,741	0.73%	4,687	1.35%	10,638	2.30%
Hispanic	434	1.69%	7,137	17.70%	16,499	29.76%	3,494	1.46%	8,663	2.50%	69,087	14.92%
Asian or Pacific Islander, Non-Hispanic	170	0.66%	751	1.86%	1,748	3.15%	1,472	0.61%	5,984	1.72%	17,814	3.85%

**HUD Table 2. Demographic Trends**

	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>						(Fayetteville-Springdale-Rogers, AR-MO CBSA) Region <sup>2</sup>					
	1990		2000		2010		1990		2000		2010	
Native American, Non-Hispanic	206	0.80%	626	1.55%	883	1.59%	3,068	1.28%	28,847	8.31%	11,736	2.53%
<b>National Origin</b>												
Foreign-born	350	1.35%	5,138	12.66%	9,534	17.03%	3,220	1.34%	23,026	6.63%	43,170	9.32%
<b>LEP</b>												
Limited English Proficiency	310	1.20%	4,362	10.75%	6,962	12.44%	2,572	1.07%	17,660	5.09%	31,298	6.76%
<b>Sex</b>												
Male	12,330	48.14%	19,586	48.61%	24,102	49.04%	117,768	49.18%	172,405	49.68%	230,152	49.69%
Female	13,283	51.86%	20,710	51.40%	25,050	50.96%	121,696	50.82%	174,640	50.32%	233,052	50.31%
<b>Age</b>												
Under 18	6,613	25.82%	11,824	29.34%	14,895	30.30%	59,968	25.04%	92,721	26.72%	123,608	26.69%
18-64	14,914	58.23%	23,736	58.91%	29,655	60.33%	144,914	60.52%	212,220	61.15%	287,630	62.10%
65+	4,086	15.95%	4,736	11.75%	4,602	9.36%	34,582	14.44%	42,104	12.13%	51,966	11.22%
<b>Family Type</b>												
Families with children	3,393	45.90%	4,109	52.95%	6,883	55.92%	30,852	45.49%	35,313	48.87%	57,364	48.60%

<sup>1</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

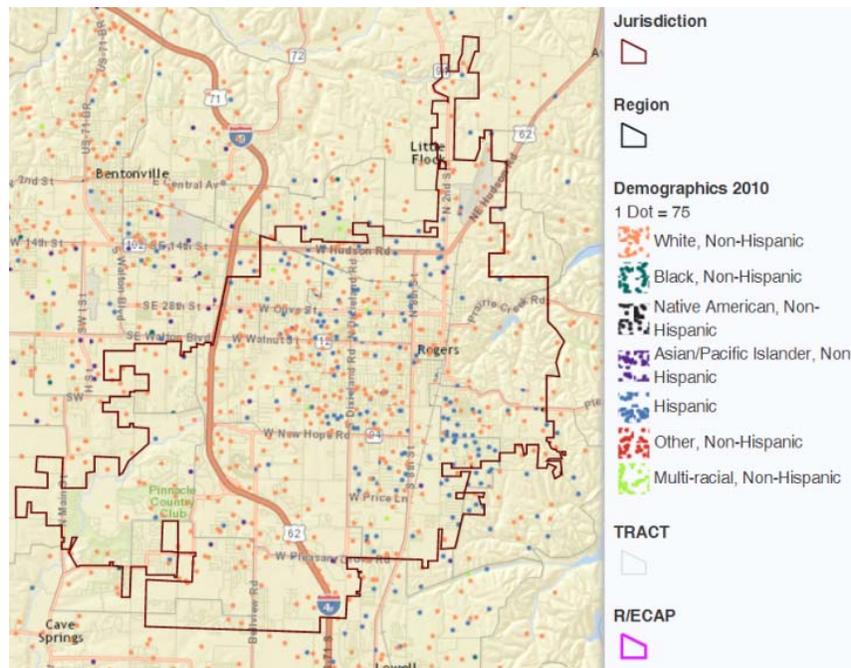
<sup>2</sup> Local region defined by HUD as a core-based statistical area (CSBA).

Source: U.S. Census Bureau, 1990-2010, as retrieved from the U.S. Department of Housing and Urban Development (HUD) Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

**b. Describe the location of homeowners and renters in the jurisdiction and region, and describe trends overtime.**

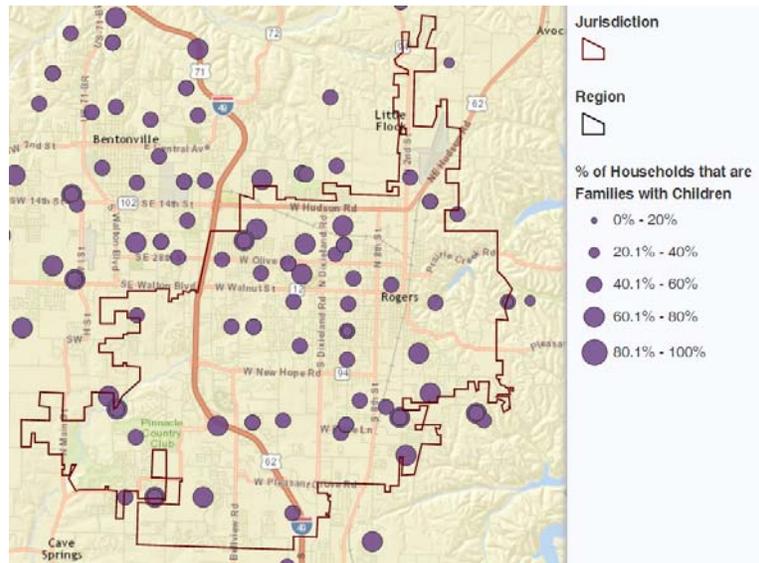
HUD Map 1 displays the location of Rogers residents by race and ethnicity. As discussed in the previous section, a majority of residents are Non-Hispanic White, although Rogers has many Hispanic residents as well. Most Rogers residents live northeast of I-49, although minority residents more likely to live in the southeast area of the city.

**HUD Map 1. Race/Ethnicity**



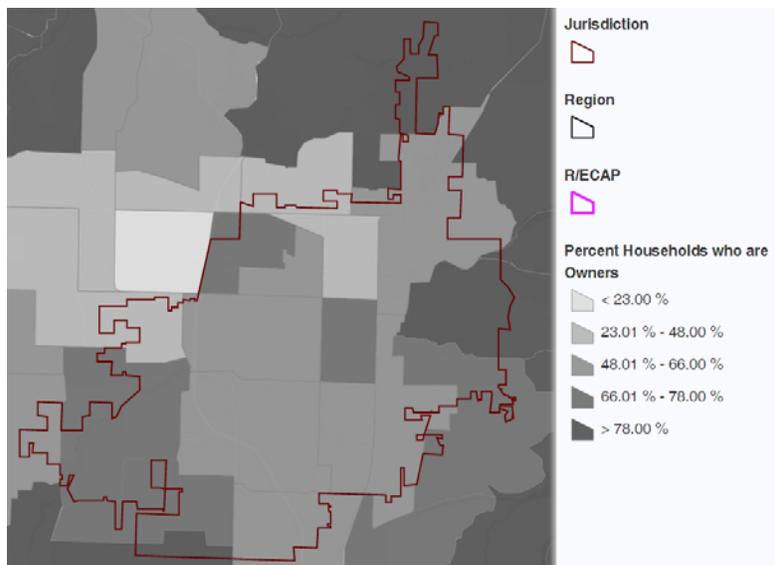
HUD Map 12.3 shows the location of families with children in Rogers. As indicated in HUD Table 1, these households make up approximately 56 percent of the total Rogers population. The highest concentration of families with children is on the outskirts of the city, specifically in the southwest and southeast corners. A high concentration of families with children also live in the northwest area of the city.

**HUD Map 12.3. Family Status**



HUD Map 16 shows the percentage of owner occupied housing in each area of Rogers. The highest concentrations of homeowners are in the southwest corner of the city, the eastern border of the city, and the center of the city. The area with the highest concentration of renters (the lowest percentage of homeowners) is north of the center of the city.

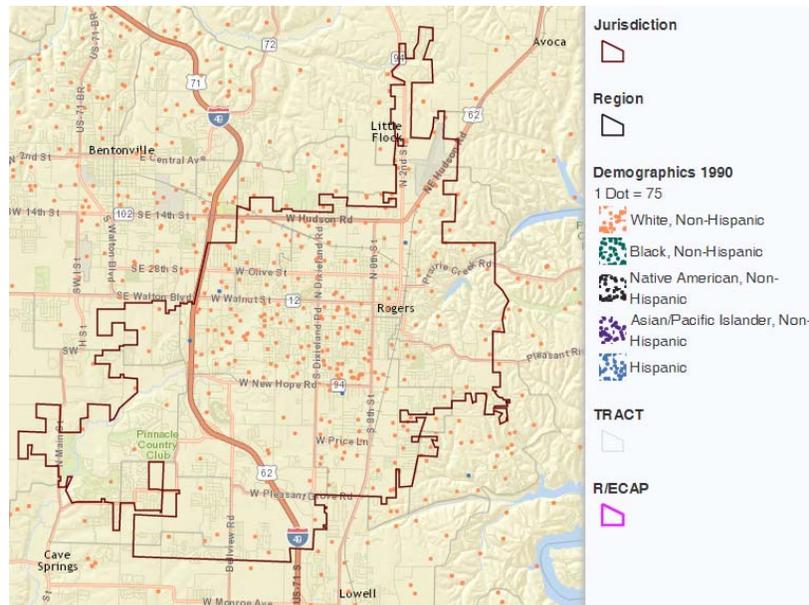
**HUD Map 16. Housing Tenure by Owners**



HUD Maps 2.1, 2.2, and 2.3 show the location of Rogers residents over time. In 1990, most Rogers residents lived in the center of the city, between I-49 and 8<sup>th</sup> St. By 2000, a large group of Hispanic immigrants moved in to the east side of the city, east of Dixieland Road. By 2010, residents had moved to other areas of the city, with a large cluster of Hispanic residents living in the southeast corner.

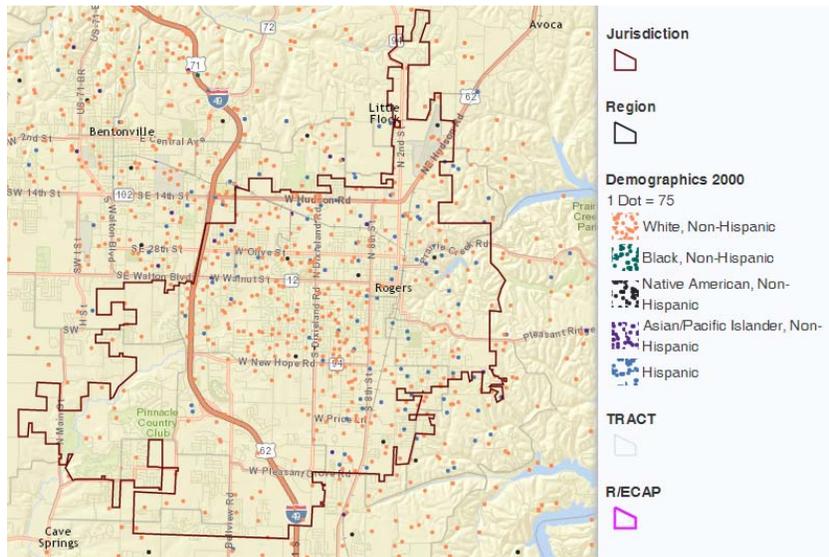
Large rental apartment complexes in Rogers include the Promenade Apartments at Pinnacle, located in the southwest area of the city, Wellington Place Apartments, located near the center of the city, and Briarwood Apartments, located on the eastern area of the city.<sup>2</sup>

**HUD Map 2.1. Race/Ethnicity Trends, 1990**

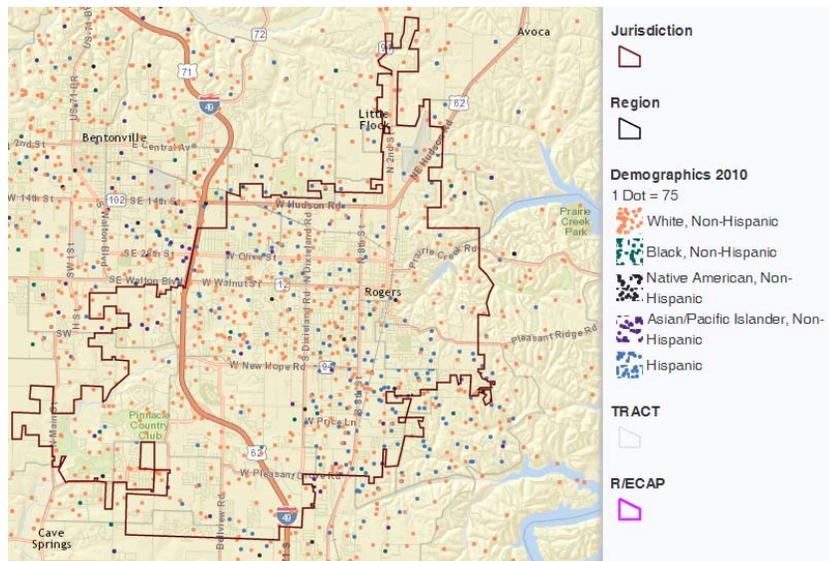


<sup>2</sup> "The Promenade Apartments to Wellington Place Apartments to Briarwood Apartments". *Google.com*. Google Maps, 2017. Web. <https://www.google.com/maps/dir/The+Promenade+Apartments+at+Pinnacle+Hills,+4101+W+Huntington+Dr,+Rogers,+AR+72758/Wellington+Place+Apartments,+2801+Wellington+Cir,+Rogers,+AR+72758/Briarwood+Apartments,+1819+S+B+St,+Rogers,+AR+72756/@36.312216,-94.1841948,12.74z/data=!4m2!4m19!1m5!1m1!1s0x87c9111a2aba90ad:0xdd573e33a12df78c!2m2!1d-94.1753069!2d36.3119629!1m5!1m1!1s0x87c910da83bead7d:0x2398ebe9a6556d4a!2m2!1d-94.1626437!2d36.32976!1m5!1m1!1s0x87c91679c3140b4b:0x978a2296687c81a2!2m2!1d-94.1141226!2d36.312483!3e0>. Accessed February 2017.

**HUD Map 2.2. Race/Ethnicity Trends, 2000**



**HUD Map 2.3. Race/Ethnicity Trends, 2010**



## B.1 GENERAL ISSUES - SEGREGATION/INTEGRATION

### a. Describe and compare segregation levels in the jurisdiction and region. Identify the racial/ethnic groups that experience the highest levels of segregation.

According to the U.S. Department of Housing and Urban Development (HUD), the dissimilarity index measures “the degree to which two groups are evenly distributed across a geographic area” and is commonly used for assessing residential segregation between two groups.<sup>3</sup> In general, values below 40 indicate low segregation, values between 40 and 54 indicate moderate segregation, and values above 55 indicate a high level of segregation.

HUD Table 3 shows the dissimilarity index across different racial and ethnic groups in Rogers. The most recent data in HUD Table 3 indicate the least amount of segregation in Rogers is between Black and Non-Hispanic White residents, who have a dissimilarity index of 26.67. The data also indicate low rates of segregation between Hispanic and Non-Hispanic White residents. Compared to the Fayetteville-Springdale-Rogers regions as a whole, Rogers is less segregated across all racial and ethnic groups, according to HUD Table 3.

### b. Explain how these segregation levels have changed over time (since 1990).

As shown in HUD Table 3, segregation between Black and Non-Hispanic White residents was high in 1990 in Rogers and in the region as a whole (Black/White indices for both areas were well above 55, the threshold for high segregation). Although segregation between these groups across the region decreased considerably from 1990 to 2000, segregation between Black and Non-Hispanic White residents has increased slightly in Rogers since 2000.

Segregation between Hispanic and Non-Hispanic White residents increased from 1990 to 2010 in Rogers and in the region as a whole. The dissimilarity index met the threshold of moderate segregation in 2010 but has decreased slightly back to the low segregation range in current data.

Segregation between Asian/Pacific Islander and Non-Hispanic White residents increased slightly from 1990 to 2010 but has since decreased.

Each of the HUD tables and maps in this report are numbered according to the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

**HUD Table 3. Racial/Ethnic Dissimilarity Trends**

Racial/Ethnic Dissimilarity Index	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>				(Fayetteville-Springdale-Rogers, AR-MO) Region <sup>2</sup>			
	1990	2000	2010	Current	1990	2000	2010	Current
Non-White/White	14.47	30.25	33.09	34.06	23.97	33.35	36.66	42.35
Black/White	60.73	23.09	23.75	26.67	69.91	52.23	38.57	46.07
Hispanic/White	15.87	36.79	42.24	39.10	19.29	45.72	48.67	50.99
Asian or Pacific Islander/White	28.87	30.66	31.82	27.53	42.56	41.13	38.65	47.57

Source: U.S. Census Bureau, 1990-2010, as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

<sup>1</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

<sup>2</sup> Local region defined by HUD as a core-based statistical area (CSBA).

<sup>3</sup> *Affirmatively Furthering Fair Housing (AFFH) Data Documentation*. U.S. Department of Housing and Urban Development, July 2016. p. 13. PDF File. Web. <https://www.hudexchange.info/resources/documents/AFFH-Data-Documentation.pdf>. Accessed February 2017.

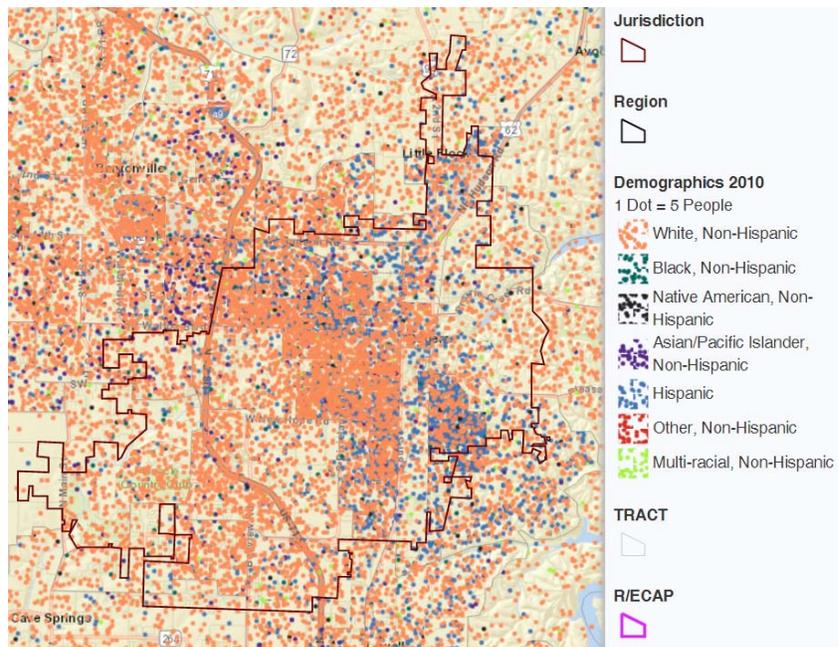
**c. Identify areas with relatively high segregation and integration by race/ethnicity, national origin, or LEP group, and indicate the predominant groups living in each area.**

As shown in HUD Map 1, the eastern half of Rogers has the highest concentration of Hispanic residents, while the western half has the highest concentration of Non-Hispanic White residents. Within these regions, some areas are more diverse than others. The south-central area of the city has a diverse mix of Hispanic and Non-Hispanic residents, while the northwest and southeast corners have a higher concentration of Hispanic residents. The area west of I-49 is mostly Non-Hispanic White.

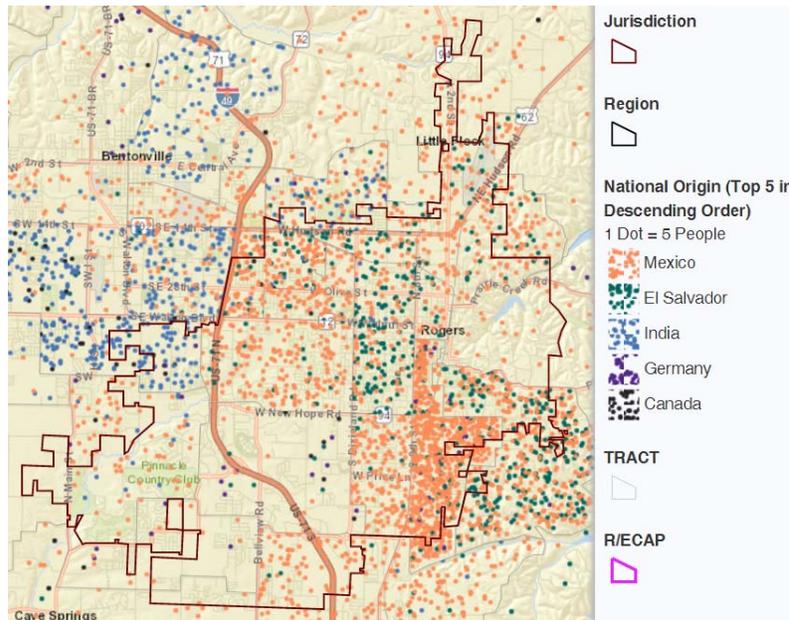
Within the Hispanic community on the east side, as shown in HUD Map 3, Mexican residents are more likely to be clustered in the southeast corner, while Salvadorian residents are more likely to live in the center of the city. A cluster of residents from India live on the western border of the city.

HUD Map 4 shows that many Spanish-speaking residents with limited English proficiency live throughout Rogers with the largest concentration in the southeast corner. Some residents who speak Asian languages with limited English proficiency live in the north central, southwest, and the southeast areas of the city.

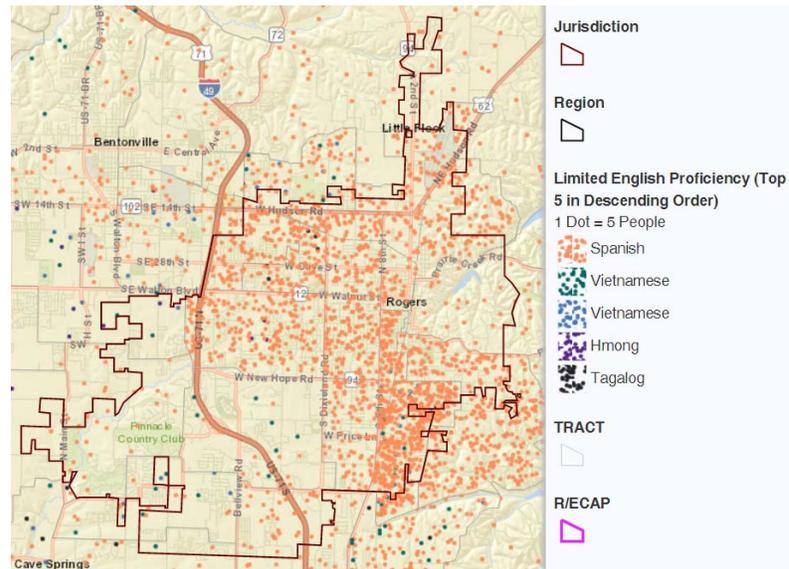
**HUD Map 1. Race/Ethnicity**



**HUD Map 3. National Origin**



**HUD Map 4. Limited English Proficiency**

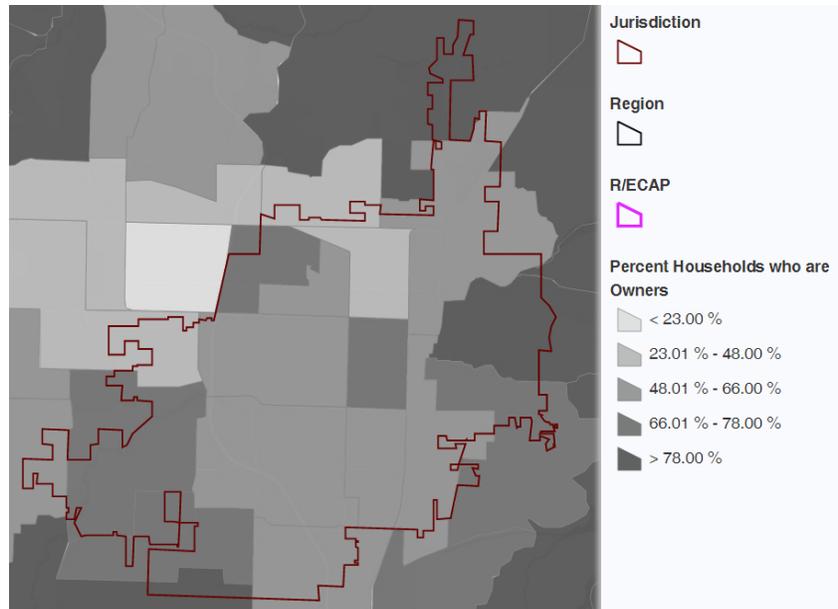


**d. Consider and describe the location of owner and renter occupied housing in determining whether such housing is located in segregated or integrated areas.**

HUD Map 16 shows the percentage of homeowners in each area of Rogers. The highest concentrations of homeowners are in the southwest corner of the city, shown in HUD Map 1 to be a mostly Non-Hispanic White area, the northeastern border of the city, shown in HUD Map 1 to also be a mostly Non-Hispanic White area, and the center of the city, shown in HUD Map 1 to be a relatively diverse area. The area with the highest concentration of renters (the lowest percentage of homeowners) is north of the center of the city, an area that was identified as a

racially or ethnically concentrated area of poverty (R/ECAP) on July 2016 HUD maps. This area has a high concentration of Hispanic residents.

**HUD Map 16. Housing Tenure by Owners**



Zoning laws in Rogers specify that the construction of new affordable housing units be in a large area in central Rogers, shown in HUD Map 1 to be a relatively diverse area, and smaller areas near the largely Hispanic northern boundary and the largely Non-Hispanic eastern boundary. Most of the land zoned for higher-density multifamily housing is located in the northeastern and southwestern areas of the city, which have a higher concentration of Non-Hispanic White residents.

**e. Discuss how patterns of segregation have changed over time (since 1990).**

Immigration into Rogers increased between 1990 and 2010. This can be seen in HUD Table 2 by the increase of foreign-born residents from 1.35 percent of the population in 1990 to 17 percent of the population in 2010. As shown in HUD Table 2, this corresponded with an increase in the number of Hispanic residents in Rogers from 434 residents in 1990 to 16,499 residents in 2010.

**HUD Table 2. Demographic Trends**

Race/Ethnicity	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>						(Fayetteville-Springdale-Rogers, AR-MO CBSA) Region <sup>2</sup>					
	1990		2000		2010		1990		2000		2010	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
White, Non-Hispanic	24,762	96.64%	31,527	78.18%	35,323	63.72%	229,420	95.79%	298,250	85.93%	353,302	76.27%
Black, Non-Hispanic	9	0.04%	212	0.53%	876	1.58%	1,741	0.73%	4,687	1.35%	10,638	2.30%
Hispanic	434	1.69%	7,137	17.70%	16,499	29.76%	3,494	1.46%	8,663	2.50%	69,087	14.92%

**HUD Table 2. Demographic Trends**

Race/Ethnicity	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>						(Fayetteville-Springdale-Rogers, AR-MO CBSA) Region <sup>2</sup>					
	1990		2000		2010		1990		2000		2010	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Asian or Pacific Islander, Non-Hispanic	170	0.66%	751	1.86%	1,748	3.15%	1,472	0.61%	5,984	1.72%	17,814	3.85%
Native American, Non-Hispanic	206	0.80%	626	1.55%	883	1.59%	3,068	1.28%	28,847	8.31%	11,736	2.53%
<b>National Origin</b>												
Foreign-born	350	1.35%	5,138	12.66%	9,534	17.03%	3,220	1.34%	23,026	6.63%	43,170	9.32%
<b>LEP</b>												
Limited English Proficiency	310	1.20%	4,362	10.75%	6,962	12.44%	2,572	1.07%	17,660	5.09%	31,298	6.76%
<b>Sex</b>												
Male	12,330	48.14%	19,586	48.61%	24,102	49.04%	117,768	49.18%	172,405	49.68%	230,152	49.69%
Female	13,283	51.86%	20,710	51.40%	25,050	50.96%	121,696	50.82%	174,640	50.32%	233,052	50.31%
<b>Age</b>												
Under 18	6,613	25.82%	11,824	29.34%	14,895	30.30%	59,968	25.04%	92,721	26.72%	123,608	26.69%
18-64	14,914	58.23%	23,736	58.91%	29,655	60.33%	144,914	60.52%	212,220	61.15%	287,630	62.10%
65+	4,086	15.95%	4,736	11.75%	4,602	9.36%	34,582	14.44%	42,104	12.13%	51,966	11.22%
<b>Family Type</b>												
Families with children	3,393	45.90%	4,109	52.95%	6,883	55.92%	30,852	45.49%	35,313	48.87%	57,364	48.60%

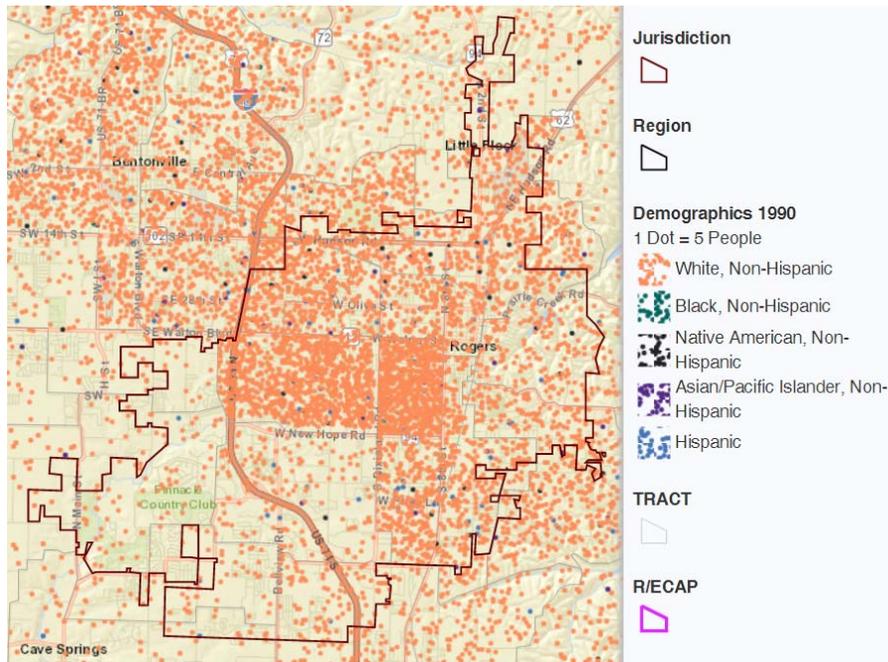
<sup>1</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

<sup>2</sup> Local region defined by HUD as a core-based statistical area (CSBA).

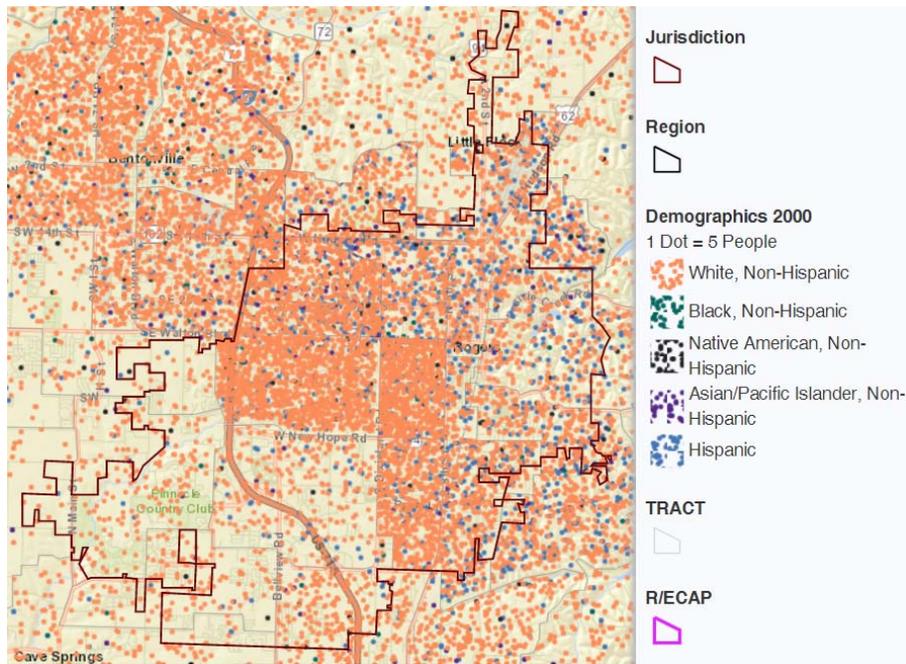
Source: U.S. Census Bureau, 1990-2010, as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

HUD Maps 2.1, 2.2, and 2.3 show the residential patterns of racial and ethnic groups over this time period. In 1990, most residents were Non-Hispanic White and lived in the center and northwest areas of the city. By 2000, after more Hispanic residents arrived, more minority residents began to live on the east side of the city. By 2010, Hispanic residents were relatively dispersed throughout the city, with the highest concentration clustered in the southeast corner.

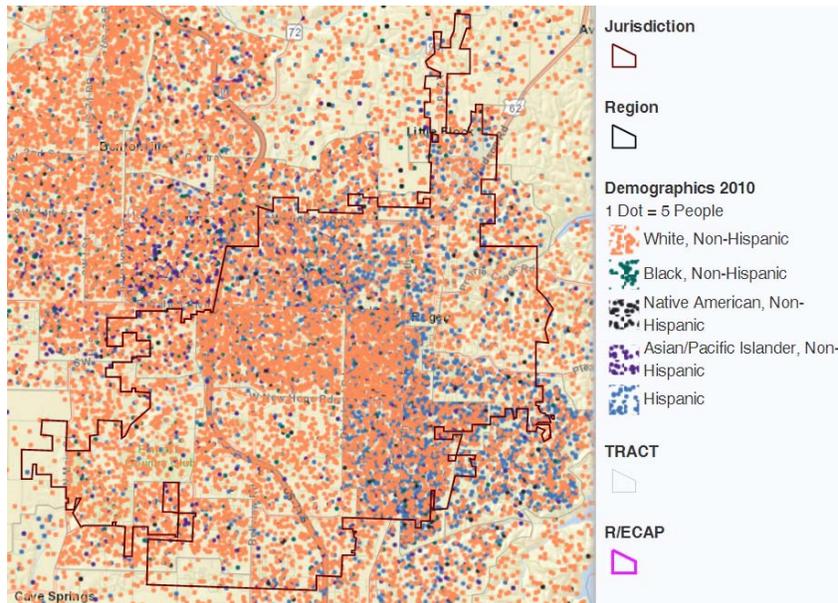
HUD Map 2.1. Race/Ethnicity Trends, 1990



HUD Map 2.2. Race/Ethnicity Trends, 2000



### HUD Map 2.3. Race/Ethnicity Trends, 2010



**f. Discuss whether there are any demographic trends, policies, or practices that could lead to higher segregation in the jurisdiction in the future.**

The City of Rogers has established the Downtown Rogers Development Code in Chapter 14, Article VI, Division 2, Section 14-715, aimed at revitalizing the historic downtown area to “implement the vision for a more walkable, vibrant, mixed use neighborhood.” The code is designed to increase connectivity with surrounding neighborhoods and create more pedestrian-oriented development. The code does allow for mixed-use and multifamily housing development, but does not specify that new development must include affordable units.

#### ADDITIONAL INFORMATION

- a. Beyond the HUD-provided data, provide additional relevant information, if any, about segregation in the jurisdiction and region affecting groups with other protected characteristics.**
- b. The program participant may also describe other information relevant to its assessment of segregation, including activities such as place-based investments and mobility options for protected class groups.**

The increase in Hispanic immigrants to Rogers between 1990 and 2010 affected the integration of public schools in the city. In order to prevent a disproportionate concentration of minority students, the Rogers Public School District analyzed demographic data to create new assignments for the “feeder pattern” of its schools. The city received national recognition for this decision in a PBS story on education policy.<sup>4</sup> The most recent enrollment data indicate that the two largest high schools in Rogers, Rogers High School and Rogers Heritage High School, both have 42 percent Hispanic enrollment, despite being located in different areas of the city.<sup>5</sup>

<sup>4</sup> Kolodner, Meredith. “How a growing Arkansas town avoided segregation in its two high schools.” *PBS.org*. Public Broadcasting Service, October 2015. Web. <http://www.pbs.org/newshour/updates/growing-arkansas-town-headed-school-segregation/>. Accessed February 2017.

<sup>5</sup> “Compare Public Schools: Rogers Heritage High School and Rogers High School”. *Publicschoolreview.com*. Public School Review, n.d. Web. <https://www.publicschoolreview.com/compare-schools/135465/4565/#results>. Accessed February 2017.

## CONTRIBUTING FACTORS OF SEGREGATION

- **Community Opposition**
- **Displacement of residents due to economic pressures**
- **Lack of community revitalization strategies**
- **Lack of private investments in specific neighborhoods**
- **Lack of public investments in specific neighborhoods, including services or amenities**
- **Lack of regional cooperation**
- **Land use and zoning laws**
- **Lending Discrimination**
- **Location and type of affordable housing**
- **Occupancy codes and restrictions**
- **Private discrimination**
- **Other**

Stakeholders identified the following contributing factors to segregation in Rogers during the community participation process:

### LOCATION AND TYPE OF AFFORDABLE HOUSING

Stakeholders believe the City of Rogers has a general shortage of affordable rental housing. Stakeholders note that the housing market is very competitive, and land for new housing development is expensive and scarce, which makes building new affordable housing units not as profitable as market-rate housing for developers. As a result, low-income residents have limited options when looking for affordable housing units. This may lead to segregated communities in the area.

### DISPLACEMENT OF RESIDENTS DUE TO ECONOMIC PRESSURE

Chapter 14, Article VI, Division 2, Section 14-715 of the City of Rogers municipal code outlines a plan for revitalization of the downtown area. The code is designed to increase connectivity with surrounding neighborhoods and create more pedestrian-oriented development. The code does allow for mixed-use and multifamily housing development, but does not specify that new development must include affordable units. Although the downtown area is currently relatively diverse, as shown in HUD Map 1, low-income residents could be displaced by economic pressure created by this revitalization, which could affect the demographic composition of the area.

### LAND USE AND ZONING LAWS

The Rogers municipal code establishes 20 zoning districts for land use in the city. Overall, the majority of the land zoned for housing is single-family residential, but a large amount of land is zoned for “neighborhood residential” in central Rogers, and a large amount of land zoned for multi-family duplex or patio homes around the perimeter of central Rogers. The code also has a specific zoning category for residential affordable housing that limits the construction of new affordable housing units to a large area in central Rogers and smaller areas near the northern and eastern boundary of the city. The locations of these zoning categories may influence segregation in the city.

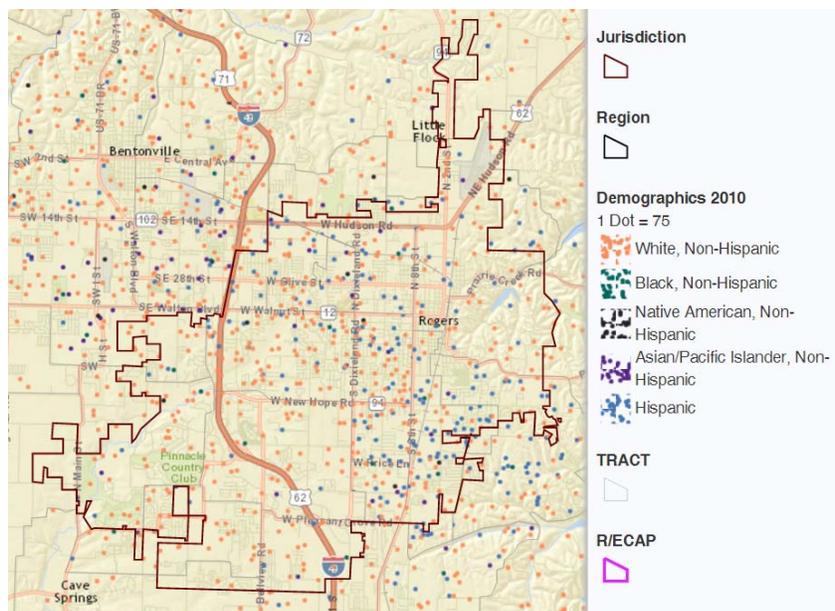
## B.II GENERAL ISSUES - RACIALLY OR ETHNICALLY CONCENTRATED AREAS OF POVERTY (R/ECAPS)

### a. Identify any R/ECAPs or groupings of R/ECAP tracts within the jurisdiction.

A racially or ethnically concentrated area of poverty (R/ECAP) is an area that has a majority Non-White population and a poverty rate that is either above 40 percent or three times the regional average.<sup>6</sup> The January 2017 Affirmatively Furthering Fair Housing (AFFH) maps from the U.S. Department of Housing and Urban Development (HUD) do not indicate that any areas of Rogers are defined as a R/ECAP. However, the July 2016 version of the maps did show a R/ECAP just north of the center of the city (north of Walnut Street, between Dixieland Road and 8<sup>th</sup> Street).<sup>7</sup> This previous R/ECAP area was represented in HUD data as Census tract 020301. HUD Map 1 shows the racial and ethnic composition of this area.

Each of the HUD tables and maps in this report are numbered according to the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

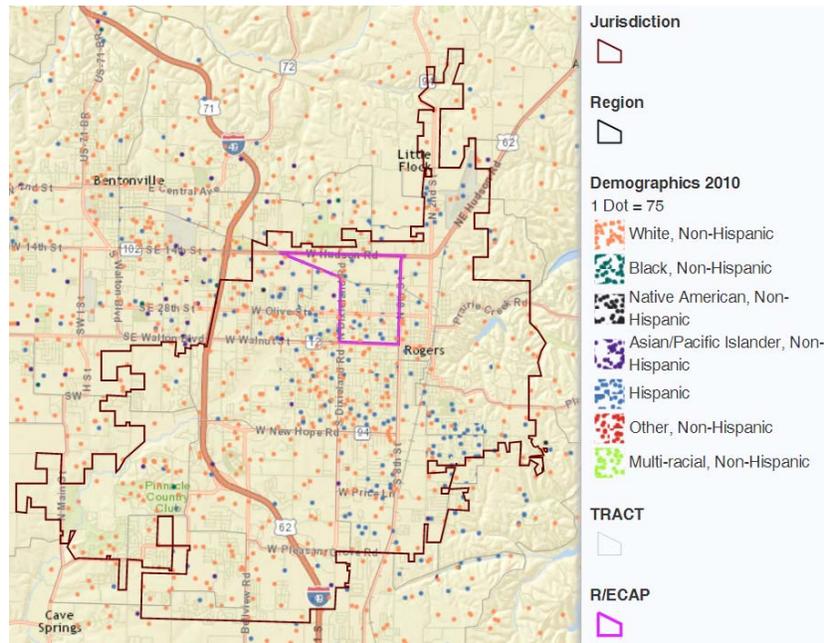
**HUD Map 1. Race/Ethnicity– January 2017 version**



<sup>6</sup> *Affirmatively Furthering Fair Housing (AFFH) Data Documentation*. U.S. Department of Housing and Urban Development, July 2016. p. 10. PDF File. Web. <https://www.hudexchange.info/resources/documents/AFFH-Data-Documentation.pdf>. Accessed February 2017.

<sup>7</sup> The demographic data in both the July 2016 and January 2017 versions of the maps are from the same source (2010 Census); however, the poverty rate may have changed. The poverty rate, according to HUD, comes from annual American Community Survey data.

**HUD Map 1. Race/Ethnicity – July 2016 version<sup>1</sup>**



<sup>1</sup>Based on the July 2016 version of the AFFH Data and Mapping Tool. In the most recent version of this map, the area is no longer defined by HUD as a R/ECAP.

**b. Which protected classes disproportionately reside in R/ECAPs compared to the jurisdiction and region?**

HUD Table 1 shows the demographics of the City of Rogers and Fayetteville-Springdale-Rogers region as a whole, and HUD Table 4 shows the demographics of the former (July 2016) R/ECAP in Rogers, specifically.<sup>8</sup> These data indicate that the former R/ECAP has a much higher proportion of Hispanic residents (46 percent) than in the City of Rogers (30 percent) and the region as a whole (15 percent). HUD Table 4 also shows that many residents in the former R/ECAP are largely from Mexico and El Salvador (in relatively equal proportions). The percentage of families with children (59 percent) in the former R/ECAP is slightly higher than in the City of Rogers (56 percent) and higher than the percentage in the region as a whole (49 percent).

**HUD Table 1. Demographics**

Race/Ethnicity	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>		(Fayetteville-Springdale-Rogers, AR-MO CBSA) Region <sup>2</sup>			
	Number	Percent	Number	Percent		
White, Non-Hispanic	31,136	63.35%	353,302	76.27%		
Black, Non-Hispanic	642	1.31%	8,629	1.86%		
Hispanic	14,657	29.82%	69,087	14.92%		
Asian or Pacific Islander, Non-Hispanic	1,475	3.00%	15,884	3.43%		
Native American, Non-Hispanic	405	0.82%	6,364	1.37%		
Other, Non-Hispanic	75	0.15%	460	0.10%		
<b>National Origin</b>	<b>Country</b>		<b>Country</b>			
#1 country of origin	Mexico	6,786	12.96%	Mexico	26,435	6.03%
#2 country of origin	El Salvador	2,274	4.34%	El Salvador	5,524	1.26%
#3 country of origin	India	239	0.46%	India	3,194	0.73%

<sup>8</sup> While the January 2017 HUD maps have been updated and no longer show a R/ECAP for the City of Rogers, the data in the January 2017 HUD tables are consistent with the July 2016 maps. As a result, the HUD tables show 3,800 people living in a R/ECAP, despite not showing this on the January 2017 map.

**HUD Table 1. Demographics**

	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>			(Fayetteville-Springdale-Rogers, AR-MO CBSA) Region <sup>2</sup>		
#4 country of origin	Vietnam	184	0.35%	Laos	1,188	0.27%
#5 country of origin	Canada	136	0.26%	Guatemala	1,099	0.25%
#6 country of origin	Guatemala	128	0.24%	Philippines	1,009	0.23%
#7 country of origin	Taiwan	121	0.23%	Vietnam	744	0.17%
#8 country of origin	Korea	99	0.19%	China excl. Hong Kong & Taiwan	661	0.15%
#9 country of origin	Philippines	84	0.16%	Honduras	573	0.13%
#10 country of origin	Panama	73	0.14%	Canada	558	0.13%
<b>Limited English Proficiency (LEP)</b>						
<b>Language</b>						
#1 LEP Language	Spanish	7,131	13.62%	Spanish	28,408	6.48%
#2 LEP Language	Vietnamese	153	0.29%	Other Pacific Island Language	2,607	0.60%
#3 LEP Language	Chinese	65	0.12%	Laotian	670	0.15%
#4 LEP Language	French	49	0.09%	Chinese	603	0.14%
#5 LEP Language	Tagalog	44	0.08%	Hmong	512	0.12%
#6 LEP Language	German	30	0.06%	Vietnamese	492	0.11%
#7 LEP Language	Hindi	28	0.05%	Other Asian Language	292	0.07%
#8 LEP Language	Polish	26	0.05%	Tagalog	266	0.06%
#9 LEP Language	Korean	11	0.02%	Arabic	254	0.06%
#10 LEP Language	Other Asian Language	10	0.02%	French	215	0.05%
<b>Disability Type</b>						
Hearing difficulty		1,310	2.52%		16,037	3.69%
Vision difficulty		736	1.42%		9,263	2.13%
Cognitive difficulty		1,533	2.95%		19,209	4.42%
Ambulatory difficulty		2,270	4.37%		27,433	6.31%
Self-care difficulty		855	1.65%		8,620	1.98%
Independent living difficulty		1,305	2.51%		16,988	3.91%
<b>Sex</b>						
Male		24,102	49.04%		230,152	49.69%
Female		25,050	50.96%		233,052	50.31%
<b>Age</b>						
Under 18		14,895	30.30%		123,608	26.69%
18-64		29,655	60.33%		287,630	62.10%
65+		4,602	9.36%		51,966	11.22%
<b>Family Type</b>						
Families with children		6,883	55.92%		57,364	48.60%

Source: U.S Census Bureau, 2010, as retrieved from the HUD AFFH Data and Mapping Tool.

<sup>1</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

<sup>2</sup> Local region defined by HUD as a core-based statistical area (CSBA).

**HUD Table 4. R/ECAP Demographics**

	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>		(Fayetteville-Springdale-Rogers, AR- MO CBSA) Region <sup>2</sup>	
R/ECAP Race/Ethnicity	Number	Percent	Number	Percent
Total Population in R/ECAPs	3,834	-	3,834	-
White, Non-Hispanic	1,844	48.10%	1,844	48.10%
Black, Non-Hispanic	32	0.83%	32	0.83%
Hispanic	1,746	45.54%	1,746	45.54%
Asian or Pacific Islander, Non-Hispanic	69	1.80%	69	1.80%
Native American, Non-Hispanic	46	1.20%	46	1.20%

**HUD Table 4. R/ECAP Demographics**

		(Rogers, AR CDBG) Jurisdiction <sup>1</sup>		(Fayetteville-Springdale-Rogers, AR- MO CBSA) Region <sup>2</sup>	
Other, Non-Hispanic		8	0.21%	8	
<b>R/ECAP Family Type</b>					
Total Families in R/ECAPs		897	-	897	-
Families with children		530	59.09%	530	59.09%
<b>R/ECAP National Origin</b>		<b>Country</b>		<b>Country</b>	
Total Population in R/ECAPs		3,834	-	3,834	-
#1 country of origin	El Salvador	680	17.74%	El Salvador	680 17.74%
#2 country of origin	Mexico	656	17.11%	Mexico	656 17.11%
#3 country of origin	India	102	2.66%	India	102 2.66%
#4 country of origin	Cameroon	19	0.50%	Cameroon	19 0.5
#5 country of origin	Canada	10	0.26%	Canada	10 0.26
#6 country of origin	Iran	9	0.23%	Iran	9 0.23
#7 country of origin	Philippines	9	0.23%	Philippines	9 0.23
#8 country of origin	n/a	0	0.00%	n/a	0 0
#9 country of origin	n/a	0	0.00%	n/a	0 0
#10 country of origin	n/a	0	0.00%	n/a	0 0

Sources: U.S. Census Bureau 2010 Census and American Community Survey, as retrieved from the HUD AFFH Data and Mapping Tool.

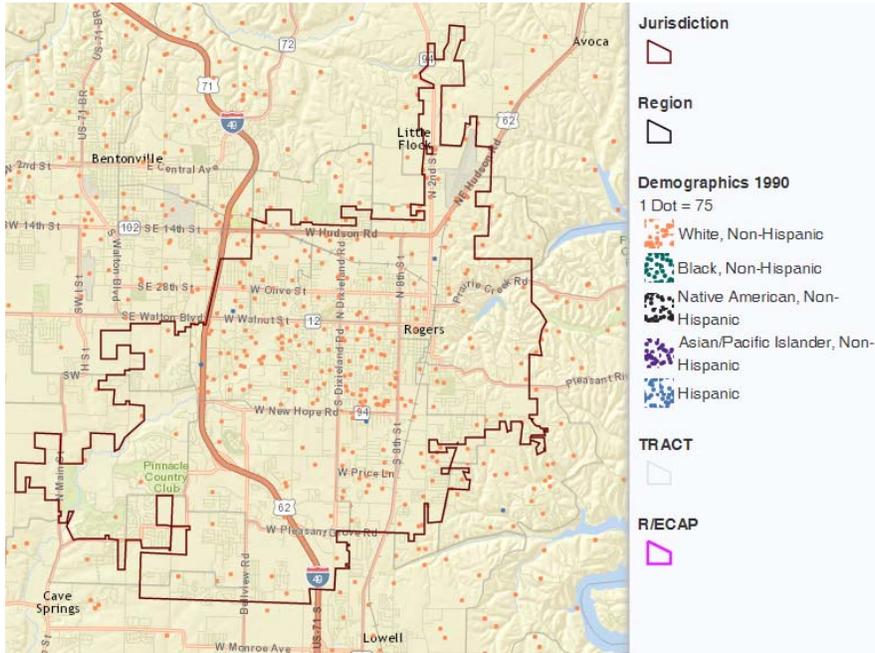
<sup>1</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

<sup>2</sup> Local region defined by HUD as a core-based statistical area (CSBA).

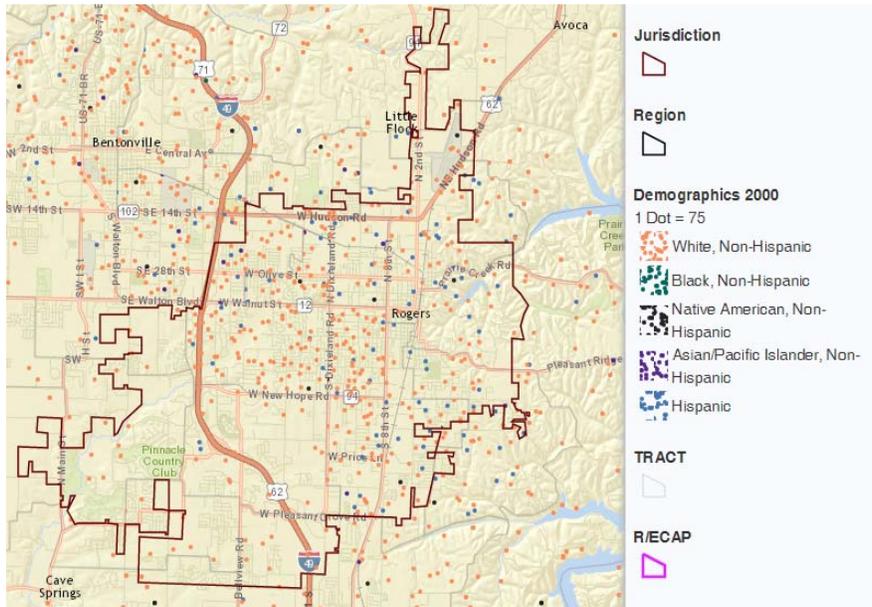
**c. Describe how R/ECAPs have changed over time (since 1990).**

HUD Maps 2.1, 2.2, and 2.3 show the residential patterns of racial and ethnic groups from 1990 to 2010. As seen in HUD Map 2.1, the city was predominately Non-Hispanic White in 1990. From 1990 to 2000, the city received a large influx of minority residents who lived mostly on the east side, as shown in HUD Map 2.2. By 2010, as shown in HUD Map 2.3, minority residents in south Rogers had expanded westward, while residents in north Rogers stayed mostly in the same locations. This may explain the former R/ECAP in north-central Rogers shown in HUD Map 2.3, as Hispanic residents who had immigrated before 2000 settled in this area.

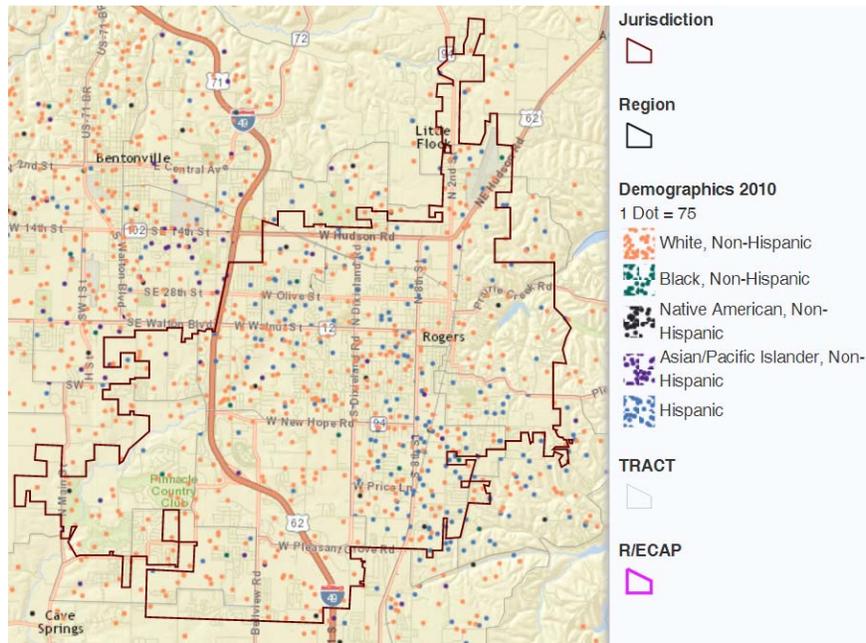
**HUD Map 2.1. Race/Ethnicity Trends, 1990**



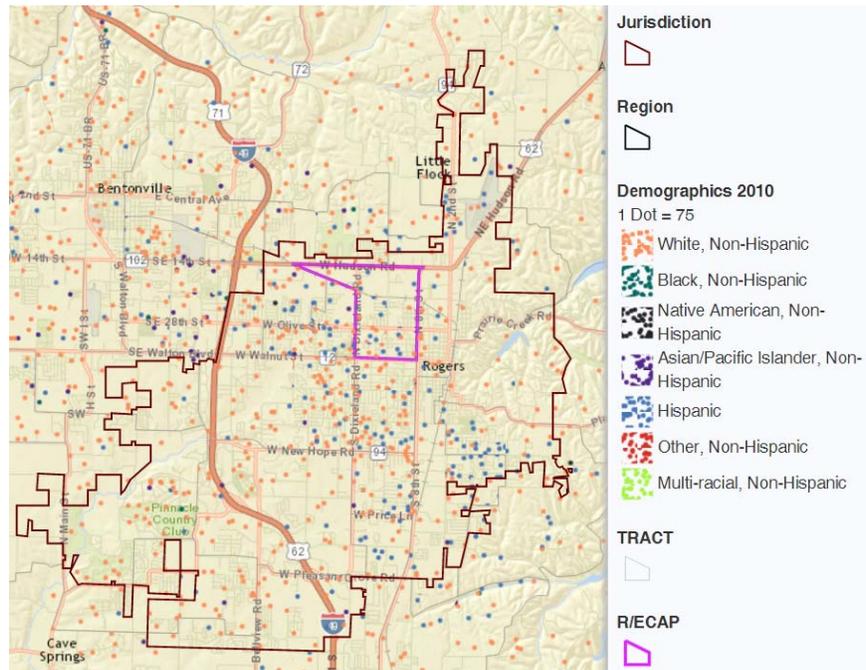
**HUD Map 2.2. Race/Ethnicity Trends, 2000**



### HUD Map 2.3. Race/Ethnicity Trends, 2010 – January 2017 version



### HUD Map 2.3. Race/Ethnicity Trends, 2010 – July 2016 version<sup>1</sup>



<sup>1</sup>Based on the July 2016 version of the AFFH Data and Mapping Tool. In the most recent version of this map, the area is no longer defined by HUD as a R/ECAP.

## ADDITIONAL INFORMATION

- a. **Beyond the HUD-provided data, provide additional relevant information, if any, about R/ECAPs in the jurisdiction and region affecting groups with other protected characteristics.**
- b. **The program participant may also describe other information relevant to its assessment of R/ECAPs, including activities such as place-based investments and mobility options for protected class groups.**

Two major place-based investments are located in or near the former (July 2016) R/ECAP: Northwest Park and The Rogers Activity Center. Northwest Park, located at 901 13<sup>th</sup> Street, in the center of the former R/ECAP, includes baseball fields and tennis courts and was developed with funds from the city.<sup>9</sup> The Rogers Activity Center, which receives funding from the City of Rogers and offers discounted recreational activities and childcare for low-income residents, is located just outside the former R/ECAP. Residents of the former R/ECAP area have better access to public transit than residents of other areas of Rogers. All eight of the Ozark Regional Transit bus stops in Rogers are located in or just outside of the former R/ECAP.<sup>10</sup>

## CONTRIBUTING FACTORS OF R/ECAPS

**Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of R/ECAPs.**

- **Community Opposition**
- **Deteriorated and abandoned properties**
- **Displacement of residents due to economic pressures**
- **Lack of community revitalization strategies**
- **Lack of private investments in specific neighborhoods**
- **Lack of public investments in specific neighborhoods, including services or amenities**
- **Lack of regional cooperation**
- **Land use and zoning laws**
- **Location and type of affordable housing**
- **Occupancy codes and restrictions**
- **Private discrimination**
- **Other**

Based on the data provided by HUD and input from stakeholders and residents during the community participation process, the following factors may have contributed to the former R/ECAP in Rogers, and may still affect residents that live in the area:

### LAND USE AND ZONING LAWS

The Rogers municipal code establishes 20 zoning districts for land use in the city. Overall, the majority of the land zoned for housing is single family residential, but a large amount of land is zoned for “neighborhood residential” in central Rogers, and a large amount of land is zoned for multi-family duplex or patio homes around the perimeter of central Rogers. The code also has a specific zoning category for residential affordable housing that limits the construction of new affordable housing units to a large area in central Rogers, and smaller areas near the northern

<sup>9</sup> “Northwest Park.” *Rogersar.gov*. City of Rogers, n.d. Web. <http://www.rogersar.gov/Facilities/Facility/Details/Northwest-Park-19>. Accessed February 2017.

<sup>10</sup> “Map”. *Ozark.org*. Ozark Regional Transit. n.d. Web. [http://www.ozark.org/images/PDF/Route\\_Maps/Route\\_51.pdf](http://www.ozark.org/images/PDF/Route_Maps/Route_51.pdf). Accessed February 2017.

and eastern boundary of the city. These include areas in the former R/ECAP, in which the north border and southeast corner are zoned for affordable housing.

#### LOCATION AND TYPE OF AFFORDABLE HOUSING

Based on HUD data in the Disproportionate Housing Needs chapter, residents in the former R/ECAP area experience housing cost burden at a higher rate than any other areas of Rogers. This suggests that not enough affordable housing units exist in the area and residents are struggling to afford their current housing. Some stakeholders cited instances of “doubling-up” or overcrowding of affordable housing in low-income, mostly Hispanic areas of Rogers, which include the former R/ECAP.

#### DISPLACEMENT OF RESIDENTS DUE TO ECONOMIC PRESSURES

The City of Rogers has established the Downtown Rogers Development Code in Chapter 14, Article VI, Division 2, Section 14-715, aimed at revitalizing the historic downtown area to “implement the vision for a more walkable, vibrant, mixed use neighborhood.” The code is designed to increase connectivity with surrounding neighborhoods and create more pedestrian-oriented development. The code does allow for mixed-use and multifamily housing development, but does not specify that new development must include affordable units. Low-income residents in the surrounding areas, including the former R/ECAP, could potentially be displaced by the downtown revitalization if no affordable housing units are included in new development, or if new development drives up surrounding real estate prices.

## B.III GENERAL ISSUES - DISPARITIES IN ACCESS TO OPPORTUNITY

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Disparities in access to education, employment, transportation, exposure to poverty, and environmentally healthy neighborhoods for protected classes are discussed in this chapter.

**DISPARITIES IN ACCESS TO EDUCATION.** U.S. Department of Housing and Urban Development (HUD) Table 12 below shows the school proficiency index across racial and ethnic groups. This index uses 4<sup>th</sup> grade state test scores in reading and math to determine the performance level of schools in a given area.<sup>11</sup> According to this data, Non-Hispanic White residents have a medium level of access to proficient schools, while Black and Asian/Pacific Islander residents in Rogers have higher access and Hispanic and Native American residents have lower access. Native American residents below the poverty level have the least access to proficient schools. However, the school proficiency index in Rogers across almost all groups is higher than that of the region as a whole.

**DISPARITIES IN ACCESS TO EMPLOYMENT.** The labor market index represents the level of employment and educational attainment by census tract. According to HUD Table 12, Hispanic residents have a lower labor market index than Non-Hispanic White, Black, and Asian populations, indicating that Hispanics are less likely to participate in the labor market than other populations. Hispanic residents also have a lower job proximity index than other groups. This indicates that fewer jobs are located near where Hispanic residents live. Compared to the Fayetteville-Springdale-Rogers region as a whole, Rogers has a higher labor market index across almost all racial and ethnic groups. The only notable exception shown in HUD Table 12 is for Native American residents below the poverty line; these residents have high job proximity but very low labor market engagement.

**DISPARITIES IN ACCESS TO TRANSPORTATION.** HUD Table 12 provides insight into transportation-related data across racial and ethnic groups. This includes the low transportation cost index, which indicates the relative cost of transportation in a neighborhood, and the transit index, which indicates the likelihood that a resident would use public transportation. The data indicate that Non-Hispanic White residents have the highest cost of transportation in their neighborhoods, although for residents below the poverty line, the highest costs are for Asian/Pacific Islanders. The group most likely to use public transportation is Hispanic residents, based on the data in HUD Table 12.

**DISPARITIES IN EXPOSURE TO POVERTY.** The low poverty index is a HUD metric indicating relative exposure to poverty. The index is calculated by inverting the poverty rate of an area and assigning a value for the area as a national percentile, such that a high value indicates a relatively low exposure to poverty. HUD Table 12 shows that in Rogers, the groups with the highest rates of poverty (the smallest low poverty index) are Hispanic and Native American residents. However, Rogers residents across all races and ethnicities experience lower rates of poverty than in the region as a whole.

**DISPARITIES IN ACCESS TO ENVIRONMENTALLY HEALTHY NEIGHBORHOODS.** According to HUD, the environmental health index “summarizes potential exposure to harmful toxins at a neighborhood level.”<sup>12</sup> This index combines Environmental Protection Agency (EPA) estimates of carcinogens, respiratory hazards, and neurological hazards by census tract. HUD Table 12 indicates that across all races and ethnicities, the environment in Rogers is relatively less healthy than the region. This may be due to the existence of the Tyson poultry plant on Olrich Street in the south-

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<sup>11</sup> *Affirmatively Furthering Fair Housing (AFFH) Data Documentation*. U.S. Department of Housing and Urban Development, July 2016. p. 14. PDF File. Web. <https://www.hudexchange.info/resources/documents/AFFH-Data-Documentation.pdf>. Accessed January 2017.

<sup>12</sup> *Affirmatively Furthering Fair Housing (AFFH) Data Documentation*. U.S. Department of Housing and Urban Development, July 2016. p. 18. PDF File. Web. <https://www.hudexchange.info/resources/documents/AFFH-Data-Documentation.pdf>. Accessed January 2017.

central area of Rogers, which has been known to produce environmental hazards such as ammonia leaks.<sup>13</sup> The groups most likely to live in environmentally unhealthy neighborhoods are Hispanic and Asian/Pacific Islander residents.

Each of the HUD tables and maps in this report are numbered according to the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

**HUD Table 12. Opportunity Indicators by Race/Ethnicity**

	Low Poverty Index	School Proficiency Index	Labor Market Index	Transit Index	Low Transportation Cost Index	Jobs Proximity Index	Environmental Health Index
<b>(Rogers, AR CDBG) Jurisdiction<sup>1</sup></b>							
<b>Total Population</b>							
White, Non-Hispanic	52.77	69.85	63.03	31.00	35.63	60.23	33.66
Black, Non-Hispanic	56.85	74.44	65.33	31.45	37.17	57.12	32.48
Hispanic	42.09	64.66	52.03	34.98	38.97	54.32	30.85
Asian or Pacific Islander, Non-Hispanic	56.85	74.15	66.44	31.43	37.25	59.86	31.58
Native American, Non-Hispanic	44.51	65.91	57.62	32.91	37.59	59.22	32.15
<b>Population Below Federal Poverty Line</b>							
White, Non-Hispanic	34.79	63.76	53.49	34.28	39.76	61.43	32.44
Black, Non-Hispanic	30.29	66.37	55.43	40.49	47.61	63.78	24.36
Hispanic	35.93	63.51	48.28	36.11	40.50	53.47	27.99
Asian or Pacific Islander, Non-Hispanic	64.53	69.80	68.63	31.66	33.33	55.06	30.00
Native American, Non-Hispanic	4.02	54.30	28.01	40.99	50.98	87.99	22.00
<b>(Fayetteville-Springdale-Rogers, AR-MO CBSA) Region<sup>2</sup></b>							
<b>Total Population</b>							
White, Non-Hispanic	49.61	53.84	57.57	25.03	30.80	59.84	50.11
Black, Non-Hispanic	46.12	43.93	61.68	33.65	42.36	60.37	44.53
Hispanic	35.25	45.79	50.54	33.95	38.64	60.12	40.94
Asian or Pacific Islander, Non-Hispanic	40.86	42.09	56.44	33.77	41.12	59.55	42.93
Native American, Non-Hispanic	43.17	51.35	53.27	24.86	28.52	60.60	49.84
<b>Population Below Federal Poverty Line</b>							

<sup>13</sup> "Ammonia leak at Tyson's Chick-N-Quick sends 25 to hospital." 4029tv.com. 40/29 News, December 2014. Web. <http://www.4029tv.com/article/ammonia-leak-at-tyson-s-chick-n-quick-sends-25-to-hospital/4954500>. Accessed February 2017.

**HUD Table 12. Opportunity Indicators by Race/Ethnicity**

	Low Poverty Index	School Proficiency Index	Labor Market Index	Transit Index	Low Transportation Cost Index	Jobs Proximity Index	Environmental Health Index
White, Non-Hispanic	39.13	49.70	52.62	26.98	34.47	52.76	48.23
Black, Non-Hispanic	39.40	46.67	56.58	36.25	46.87	57.45	41.23
Hispanic	30.61	47.40	47.66	34.85	39.76	57.86	39.96
Asian or Pacific Islander, Non-Hispanic	36.49	44.98	54.64	36.20	44.25	55.60	40.88
Native American, Non-Hispanic	28.92	44.52	45.96	30.36	38.09	59.92	43.31

Sources: U.S. Census, 2010; U.S. Census Bureau American Community Survey, 2009-2013; Great Schools, 2012; Common Core of Data, 2012; School Attendance Boundary Information System (SABINS), 2012; Location Affordability Index (LAI) data, 2008-2012; Longitudinal Employer-Household Dynamics (LEHD), 2013; National Air Toxics Assessment (NATA) data, 2005; as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

<sup>1</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

<sup>2</sup> Local region defined by HUD as a core-based statistical area (CSBA).

## DISPARITIES IN ACCESS TO EDUCATIONAL OPPORTUNITIES

- a. Describe any disparities in access to proficient schools based on race/ethnicity, national origin, and family status.
- b. Describe the relationship between the residency patterns of racial/ethnic, national origin, and family status groups and their proximity to proficient schools. Describe how school-related policies, such as school enrollment policies, affect a student’s ability to attend a proficient school. Which protected class groups are least successful in accessing proficient schools?

Access to proficient schools is high throughout most areas of the City of Rogers compared to the Fayetteville-Springdale-Rogers region as a whole; however, some disparities are evident. HUD Map 1 below shows the racial and ethnic breakdown of Rogers residents by location. In general, the southwest area has a higher concentration of Non-Hispanic White, and Asian/Pacific Islander residents and the most proximity to higher performing schools according to HUD Map 7.1. The southeast part of the city, along 8<sup>th</sup> Street, has an area with less access to proficient schools. This area includes residents of multiple ethnicities, including Hispanic and Asian/Pacific Islanders. As shown in HUD Map 7.2, the area of low school proficiency along 8<sup>th</sup> Street is home to many residents of foreign national origin, including Mexican residents, as well as some Salvadorian and German residents.

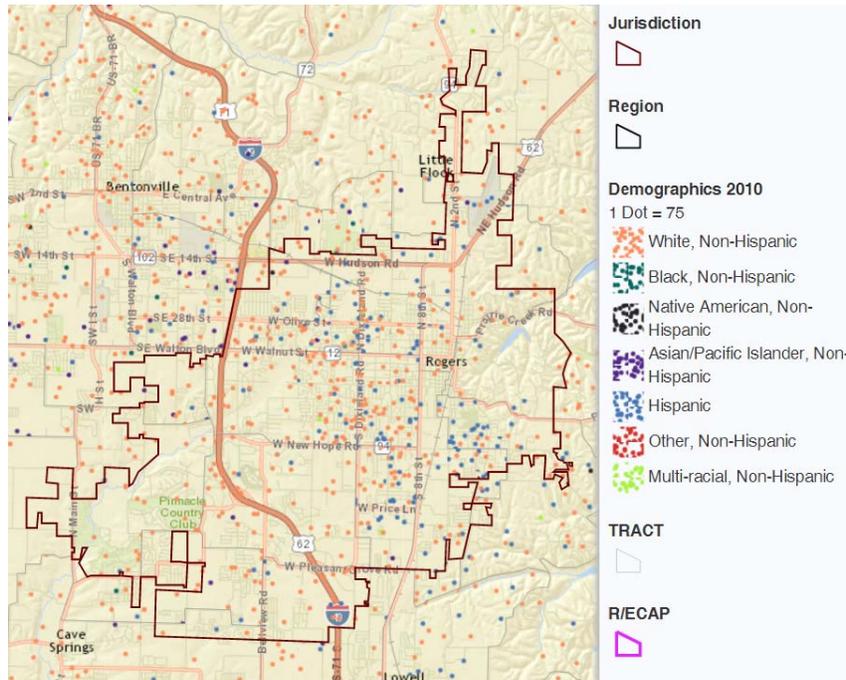
Areas on the outer perimeter of Rogers are home to more families with children. The areas along the northwest and southwest perimeter have relatively high access to proficient schools, as shown in HUD Map 7.3. A high concentration of families live in the area of low access to proficient schools around 8<sup>th</sup> Street, and along the southeast perimeter of Rogers.

Most stakeholders who participated in interviews and the focus group during the community participation process indicated that all Rogers residents have access to good schools, regardless of where they live. City policies also attempt to ensure that schools represent diverse populations; for example, when a new high school was added in 2008, district boundaries were redrawn to maintain about 40 percent minority enrollment across both high schools. Rogers Public School District operates two pre-kindergarten sites, both of which are located in low-income areas.

Although public school students in Rogers are expected to follow a “feeder pattern” to one of the two high schools, they do have the option to apply to Rogers New Technology High School (RNTHS), a charter school open to students

across the city.<sup>14</sup> Each year, RNTHS selects a new class from a lottery of applicants to study a special curriculum that emphasizes integrated technology and project-based learning.<sup>15</sup> However, academic success in Rogers is not contingent on attending this school; the two other public high schools in Rogers, both of which are in the top 10 of U.S. News and World Report’s “Best High Schools in Arkansas”, are very high-performing.<sup>16</sup>

**HUD Map 1. Race/Ethnicity**

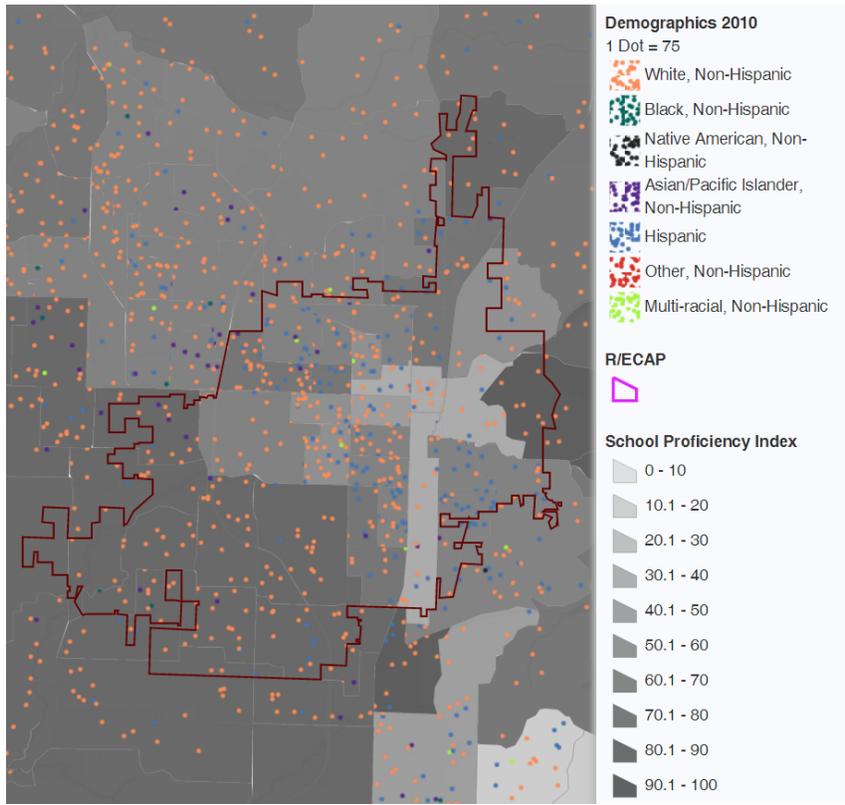


<sup>14</sup> “Rogers Public Schools Feeder Pattern.” *Rogers.ss5.sharpschool.com*. Rogers Public Schools, n.d. Web. [http://rogers.ss5.sharpschool.com/UserFiles/Servers/Server\\_3091658/File/RPSFeederPattern.pdf](http://rogers.ss5.sharpschool.com/UserFiles/Servers/Server_3091658/File/RPSFeederPattern.pdf). Accessed February 2017.

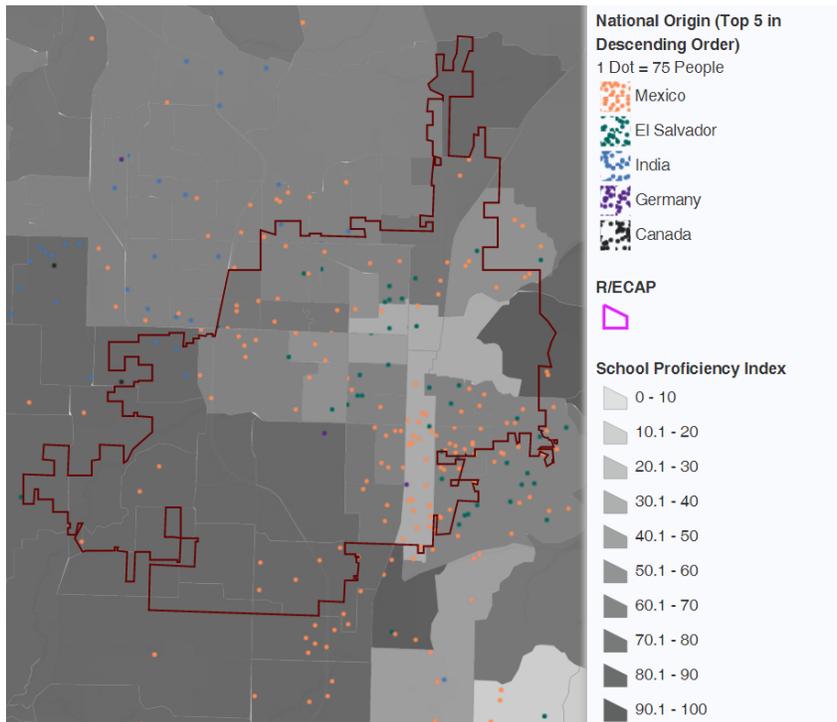
<sup>15</sup> “Enrollment.” *Nth.rogersschools.net*. Rogers New Technology High School, 2017. Web. <http://nth.rogersschools.net/enrollment>. Accessed February 2017.

<sup>16</sup> “Arkansas High Schools.” *Usnews.com*. U.S. News and World Report, 2016. Web. <http://www.usnews.com/education/best-high-schools/arkansas/rankings>. Accessed February 2017.

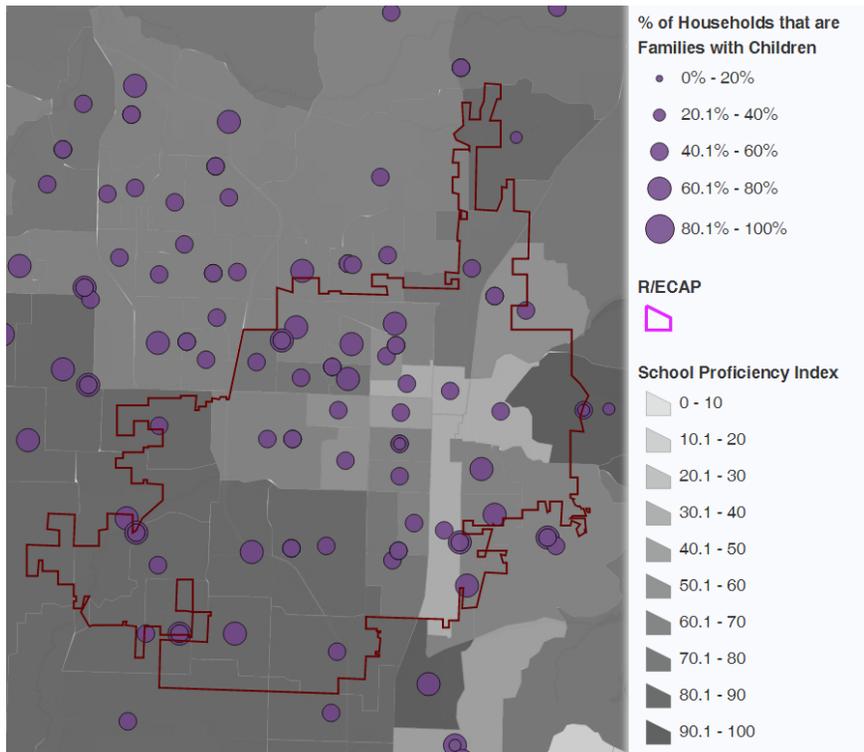
**HUD Map 7.1. School Proficiency and Race/Ethnicity**



**HUD Map 7.2. School Proficiency and National Origin**



### HUD Map 7.3. School Proficiency and Family Status



#### DISPARITIES IN ACCESS TO EMPLOYMENT OPPORTUNITIES

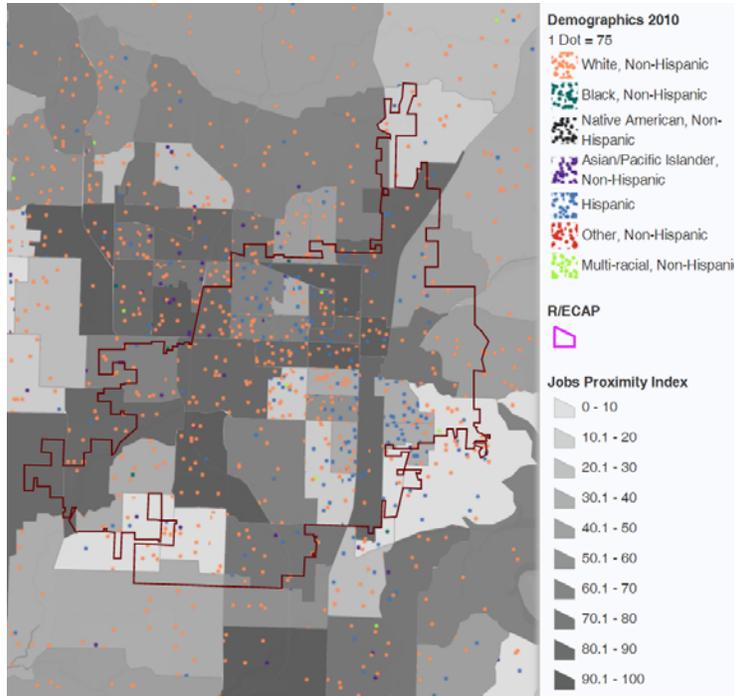
- Describe any disparities in access to jobs and labor markets by protected class groups.**
- How does a person’s place of residence affect their ability to obtain a job?**
- Which racial/ethnic, national origin, or family status groups are least successful in accessing employment?**

HUD Map 8.1 shows job proximity by race and ethnicity in Rogers. Some disparities are evident. The areas of the city where residents are not in as close proximity to jobs are in the southwest corner (west of I-49), the center of Rogers (near the New Hope Road and Dixieland Road intersection), and the eastern border (south of Pleasant Ridge Road). The southwest corner is predominately Non-Hispanic White and has a low poverty level, while the center and eastern border have a higher percentage of Hispanic residents and higher poverty levels. The eastern border also has a high concentration of families with children. In general, areas with high Hispanic populations have relatively lower proximity to jobs as shown in HUD Map 8.1. Tyson Foods, the largest employer in Rogers, has a plant that is slightly north of the center of the city (on East Walnut Street), which is an area of high job proximity. Tyson foods operates another plant on West Olrich Street in the south-central area of Rogers which is an area where residents have a relatively low proximity to jobs.

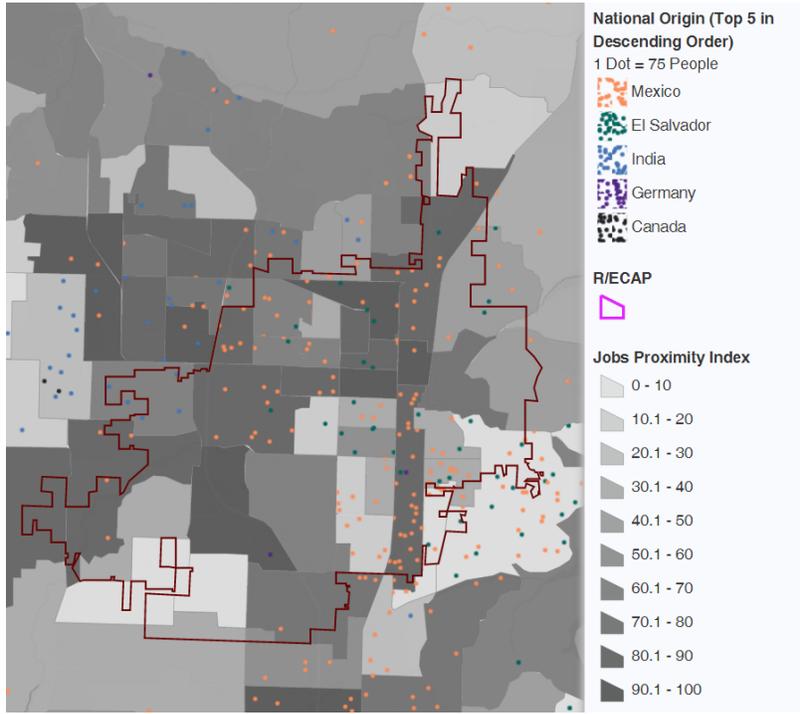
Based on HUD Map 8.2, many residents born in Mexico and El Salvador live in the areas of lowest proximity to jobs, which is in southeast Rogers. HUD Map 8.3 shows some areas in central, south, southeast, and southwest Rogers that have relatively low proximity to jobs, which are also home to a large number of families with children. According to HUD Maps 9.1, 9.2 and 9.3 below, the area with the lowest levels of residents in the labor market is north of the center of the city (between Oliver Street and Hudson Road). This area has a relatively high concentration

of Hispanic families, particularly Mexican and Salvadorian residents. Overall, Hispanic and Native American residents have the least access to employment.

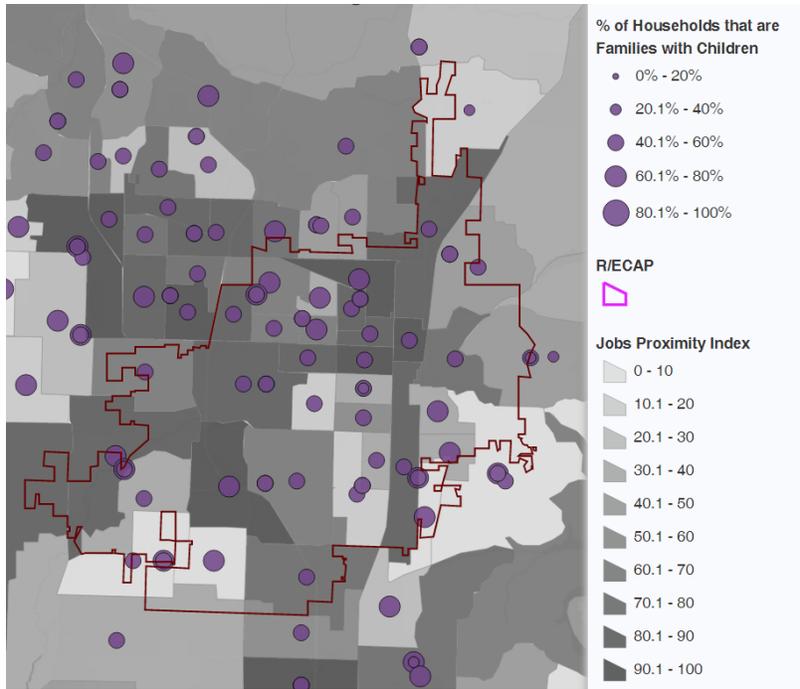
**HUD Map 8.1. Job Proximity and Race/Ethnicity**



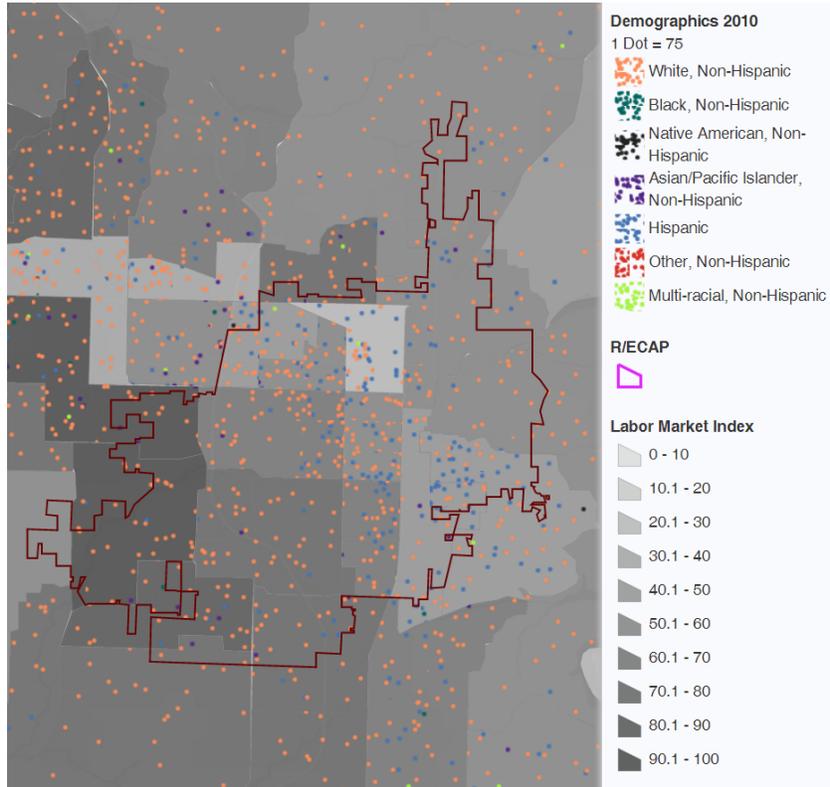
**HUD Map 8.2. Job Proximity and National Origin**



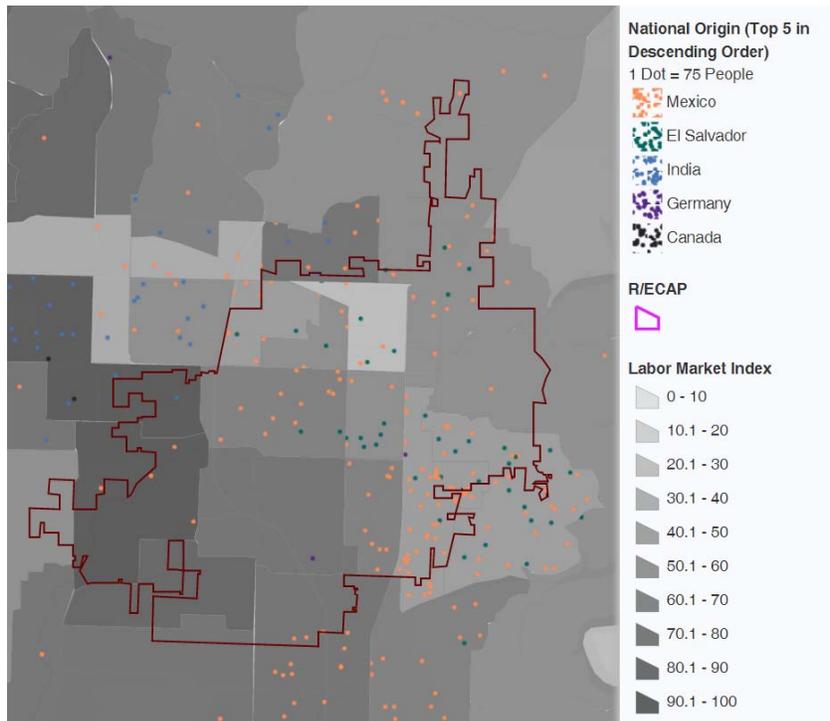
**HUD Map 8.3. Job Proximity and Family Status**



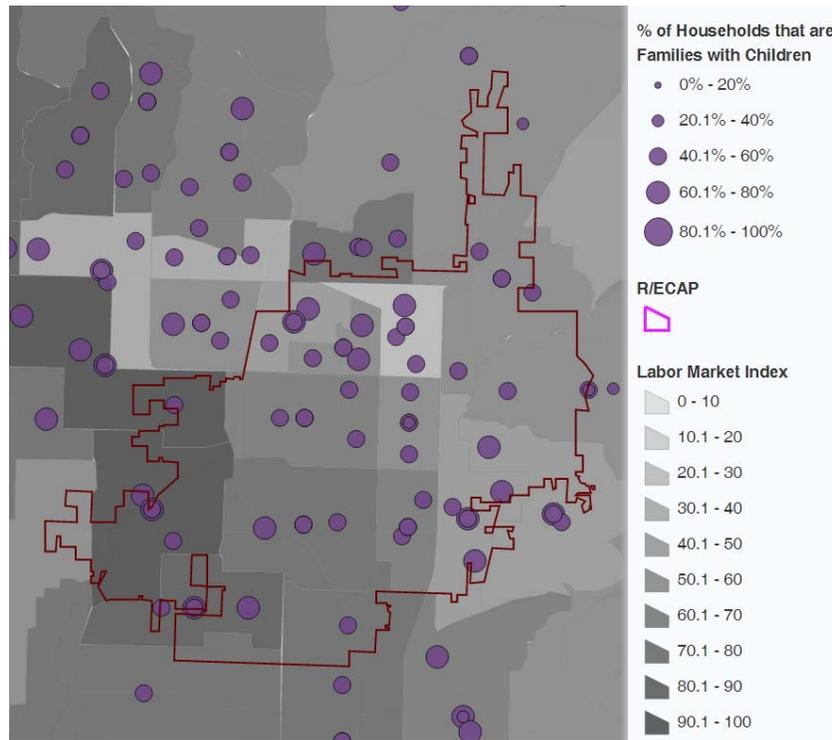
**HUD Map 9.1. Labor Market and Race/Ethnicity**



**HUD Map 9.2. Labor Market and National Origin**



### HUD Map 9.3. Labor Market and Family Status



#### DISPARITIES IN ACCESS TO TRANSPORTATION OPPORTUNITIES

- Describe any disparities in access to transportation based on place of residence, cost, or other transportation related factors.**
- Which racial/ethnic, national origin or family status groups are most affected by the lack of a reliable, affordable transportation connection between their place of residence and opportunities?**
- Describe how the jurisdiction's and region's policies, such as public transportation routes or transportation systems designed for use personal vehicles, affect the ability of protected class groups to access transportation.**

HUD data show that disparities in access to transportation exist for some protected class groups. HUD Maps 10.1, 10.2, and 10.3 below show that the area with the most public transit trips is in the southwest and the northwest border of Rogers (north of Walnut Street). These areas have diverse populations of Non-Hispanic White, Hispanic, Asian, and multi-racial residents. The northwest border also includes Mexican and Salvadorian residents. These areas have higher concentrations of families than the rest of the city.

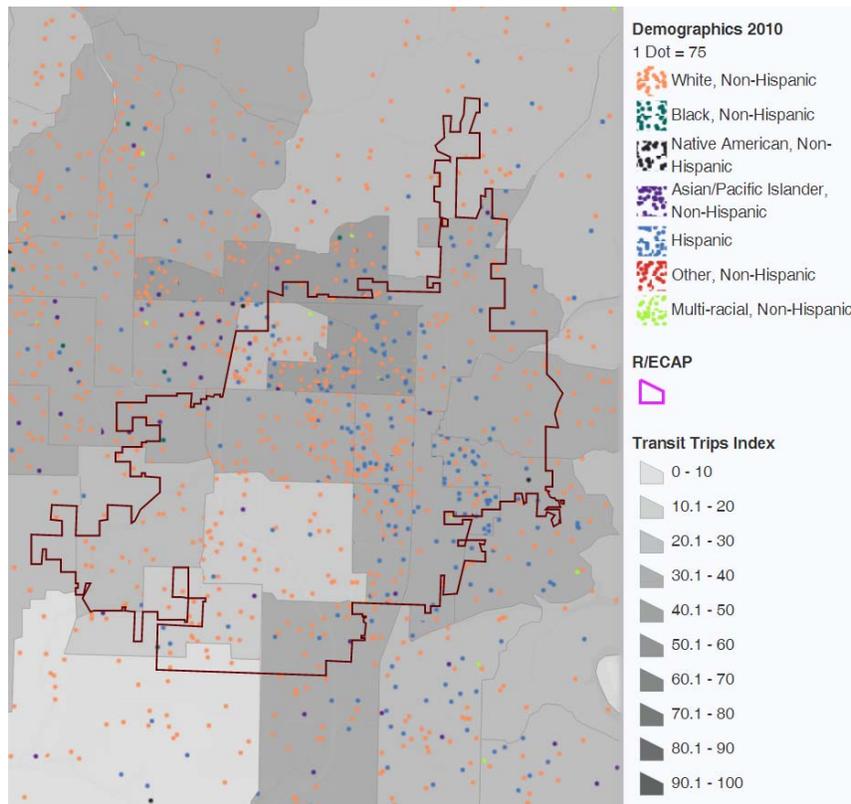
HUD Maps 11.1, 11.2, and 11.3 show the transportation cost index by race and ethnicity, national origin, and familial status across all areas of Rogers. Transportation is most expensive on the southwest border (west of I-49) and on the mid-eastern border (between Prairie Creek Road and Pleasant Ridge Road). Both areas include Non-Hispanic White and Hispanic residents; the southwest area also includes Asian and Pacific-Islander residents, and the mid-eastern area includes residents from Mexico. The southwest area has a higher concentration of families.

According to stakeholders and residents who participated in the community participation process, public transportation is lacking in all areas of Rogers. About 22 percent of all residents who responded to the resident

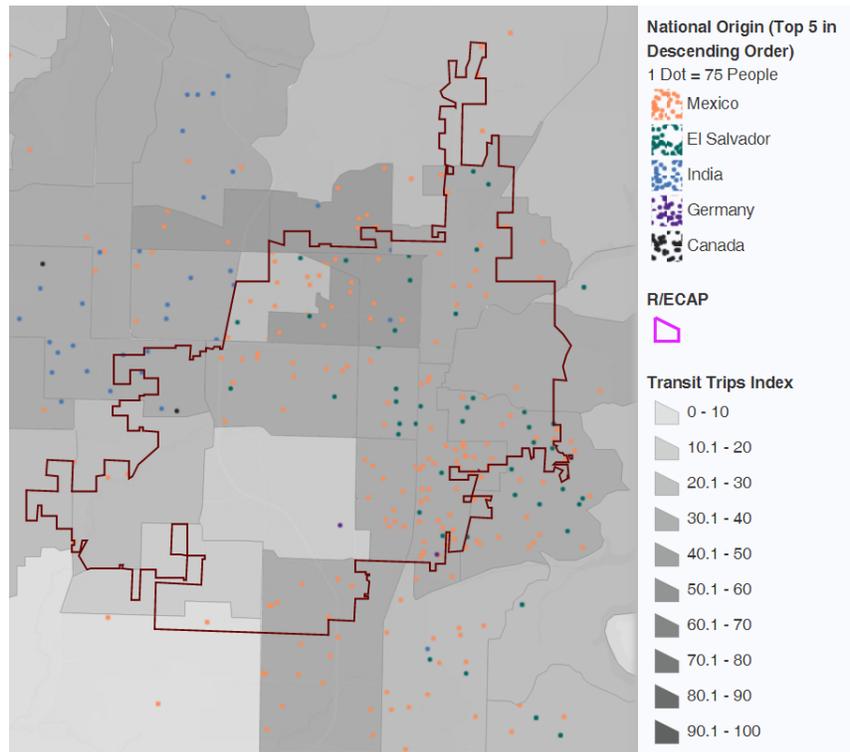
survey discussed in the Community Participation chapter say they would use public transportation if it were available, and another 33 percent might use it. Among Hispanic respondents, 46 percent said they would use it, and 38 percent that they might use it.

Stakeholders believe the job market in Rogers is healthy at all income levels, but transportation to and from jobs may be difficult for low-income individuals. Overall, it is very difficult to live in the Rogers area without a car. One stakeholder mentioned a recent collaboration between Tyson foods, a major area employer, and a local transit provider to provide transportation to and from work for Tyson employees.

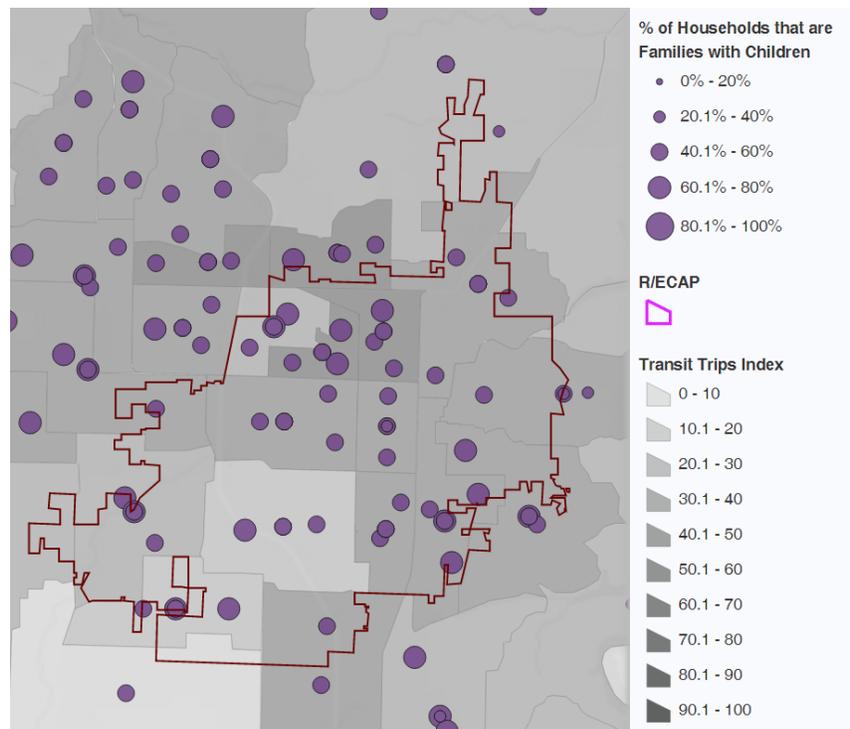
**HUD Map 10.1. Transit Trips and Race/Ethnicity**



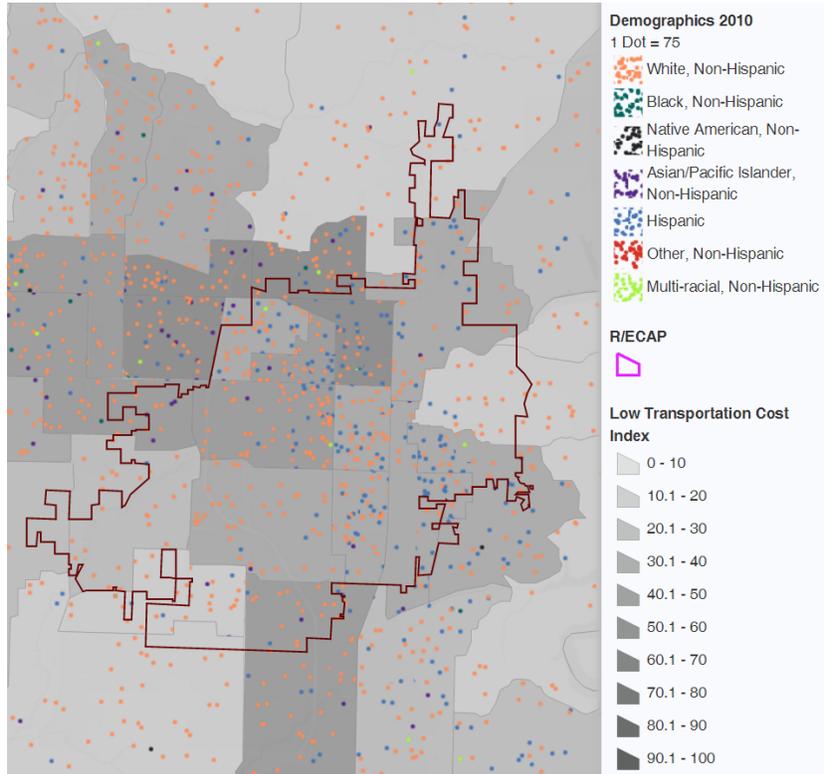
**HUD Map 10.2. Transit Trips and National Origin**



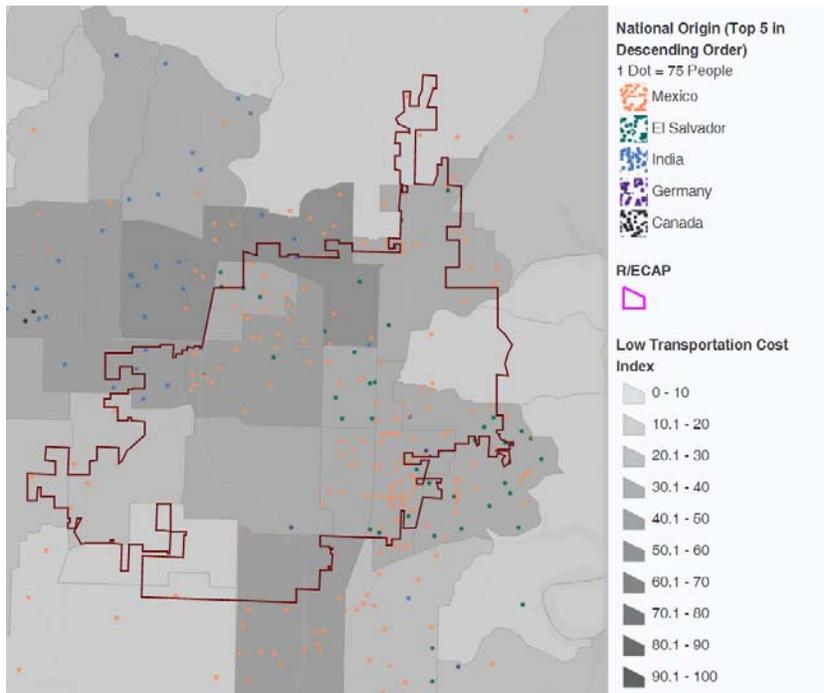
**HUD Map 10.3. Transit Trips and Family Status**



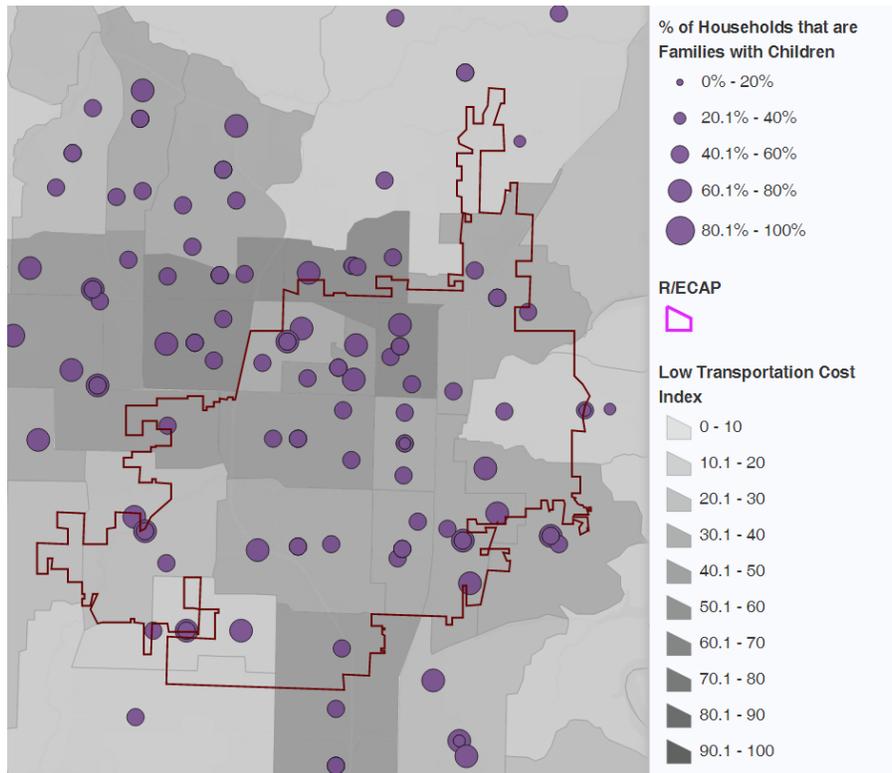
**HUD Map 11.1. Low Transportation Cost and Race/Ethnicity**



**HUD Map 11.2. Low Transportation Cost and National Origin**



**HUD Map 11.3. Low Transportation Cost and Family Status**



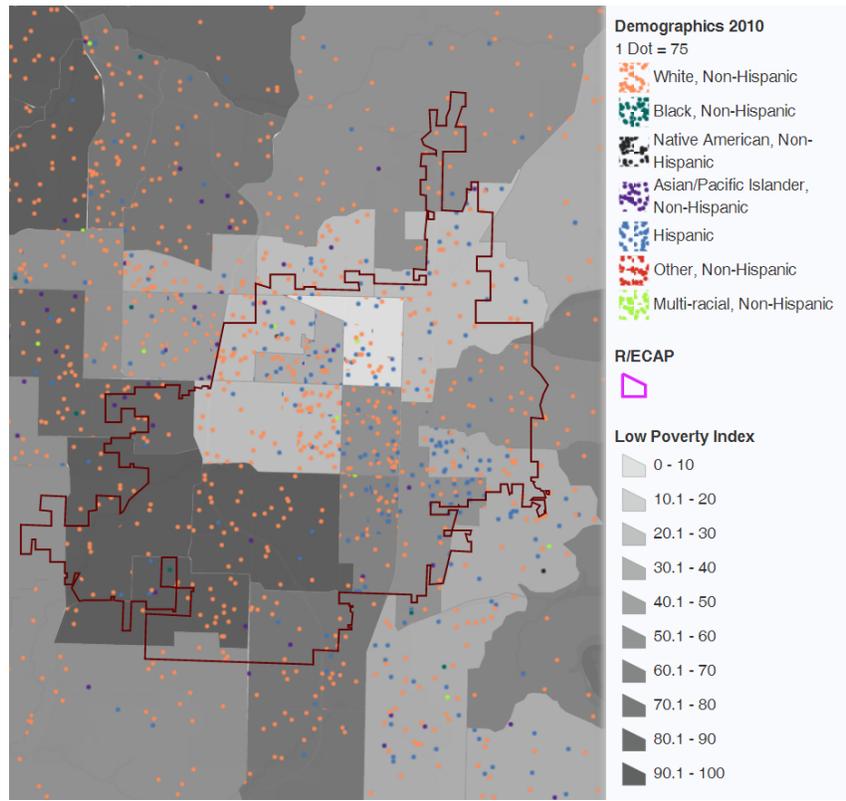
**DISPARITIES IN EXPOSURE TO POVERTY**

- a. Describe any disparities in exposure to poverty by protected class groups.**
- b. What role does a person’s place of residence play in their exposure to poverty?**
- c. Which racial/ethnic, national origin or family status groups are most affected by these poverty indicators?**
- d. Describe how the jurisdiction’s and region’s policies affect the ability of protected class groups to access low poverty areas.**

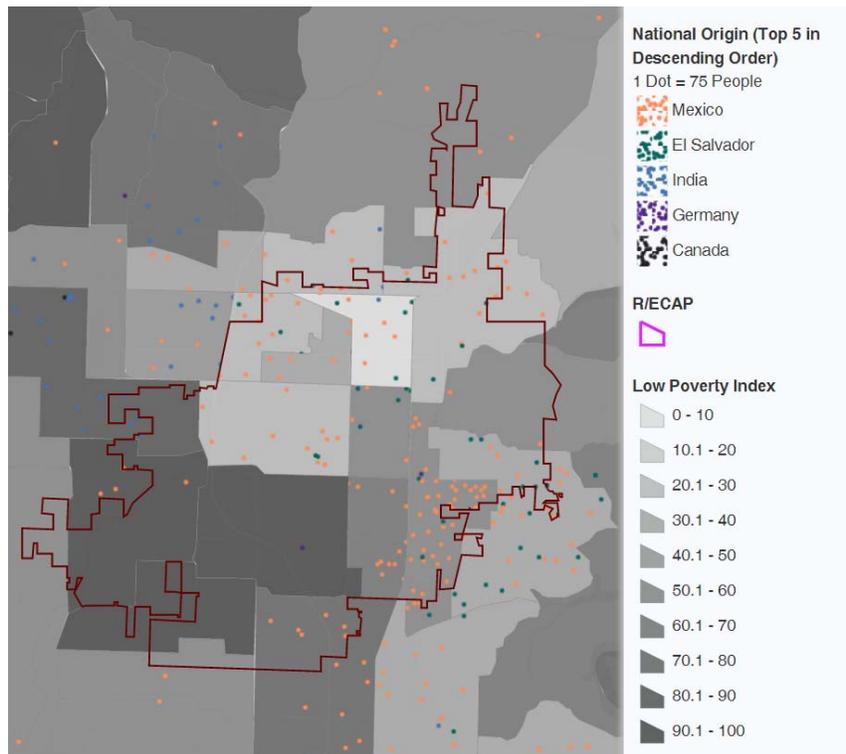
According to HUD Maps 12.1, 12.2, and 12.3 below, the area of highest poverty in Rogers is northeast of the center of the city (between Walnut Street and Hudson Road). This area is relatively diverse and has a high concentration of Hispanic (including Mexican and Salvadorian) residents. This area also has a high concentration of families. The neighborhoods surrounding this area also have relatively high levels of poverty. These include the center and northeast sections of the city. Both of these areas have many Hispanic residents, fewer Salvadorians, and a lower concentration of families than the area between Walnut Street and Hudson Road.

The area of lowest poverty in the city is in the southwest corner. This area is also made up of predominately Non-Hispanic White residents.

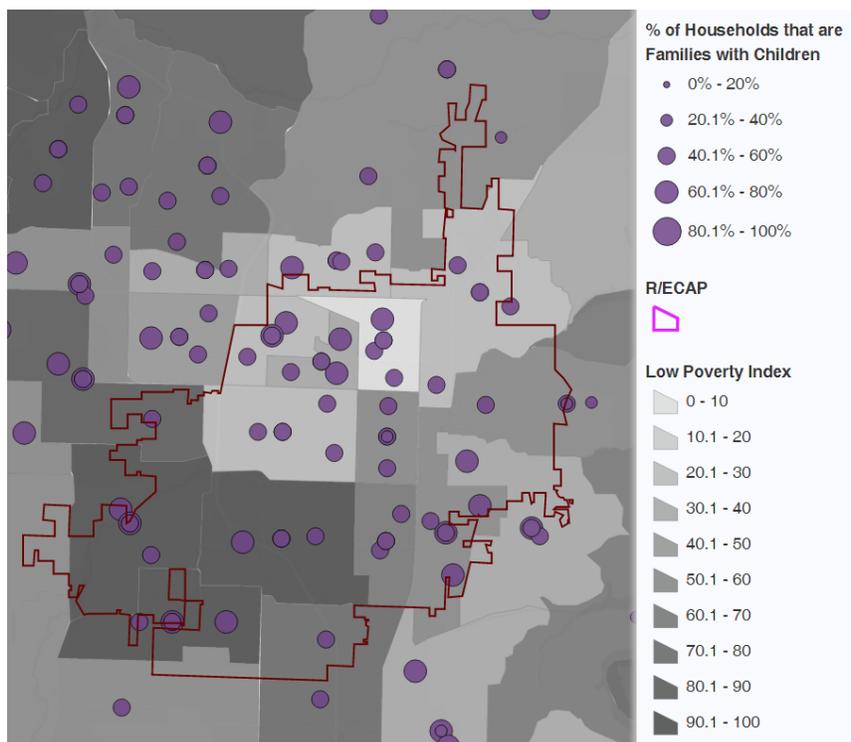
**HUD Map 12.1. Poverty and Race/Ethnicity**



**HUD Map 12.2. Poverty and National Origin**



**HUD Map 12.3. Poverty and Family Status**

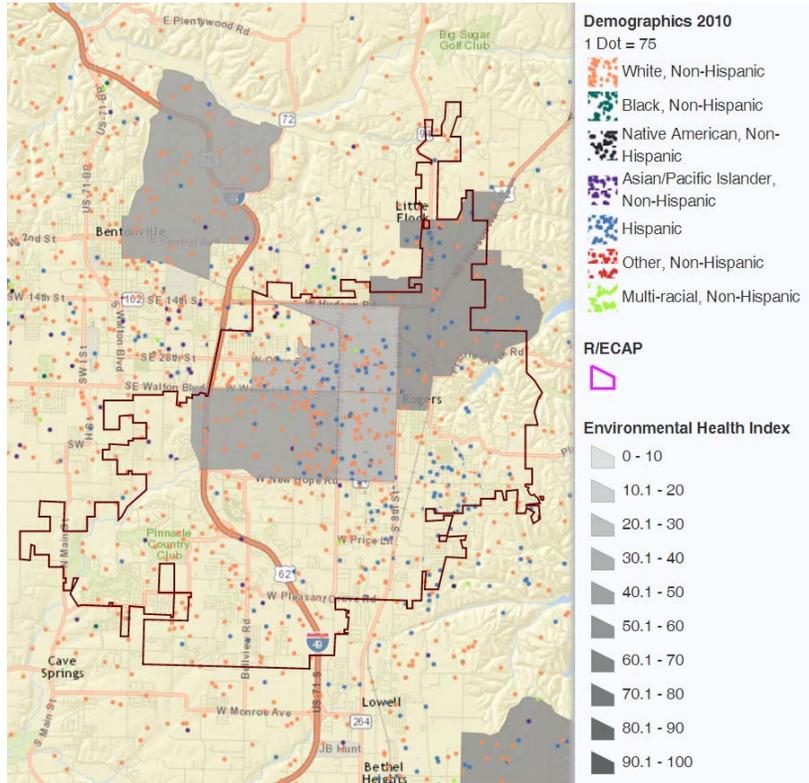


**DISPARITIES IN ACCESS TO ENVIRONMENTALLY HEALTHY NEIGHBORHOOD OPPORTUNITIES**

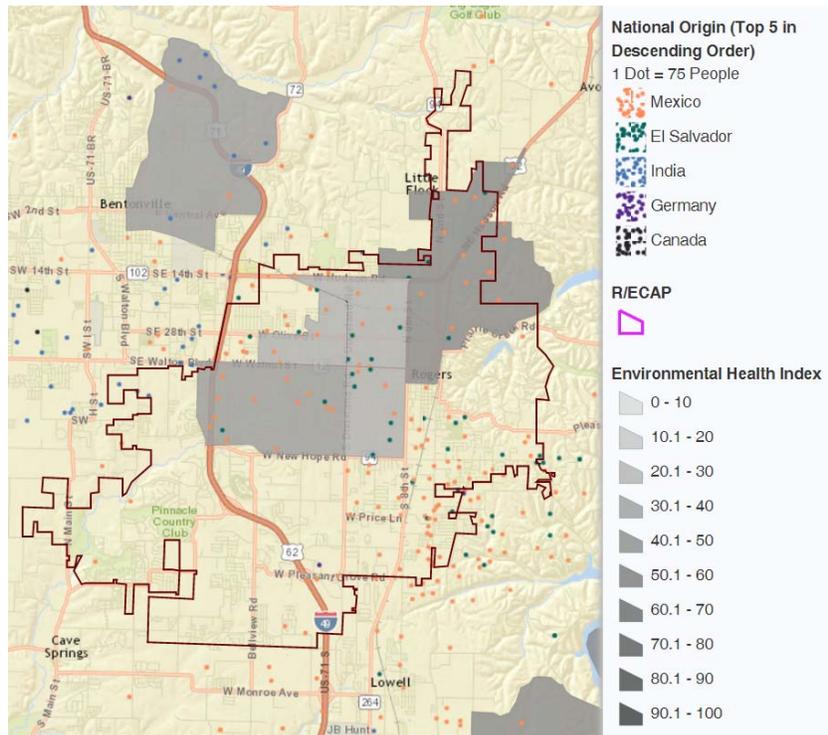
- a. Describe any disparities in access to environmentally healthy neighborhoods by protected class groups.**
- b. Which racial/ethnic, national origin or family status groups have the least access to environmentally healthy neighborhoods?**

HUD Map 13.1 shows environmentally healthy neighborhoods in Rogers by race and ethnicity. Because the data is incomplete, it is difficult to draw conclusions about the environmental quality of each individual area. However, what is available indicates that the northeast region of the city has a high environmental health index, where a relatively high proportion of Hispanic (mostly of Mexican origin) non-family households live, as shown in HUD Maps 13.2 and 13.3 below. The center of the city has a relatively low environmental health index; this area has a mix of Non-Hispanic White and Hispanic (Mexican and Salvadorian) family households. This area is also the location of a Tyson poultry plant. Based on this limited data, disparities by protected class groups to environmentally health neighborhoods are not evident.

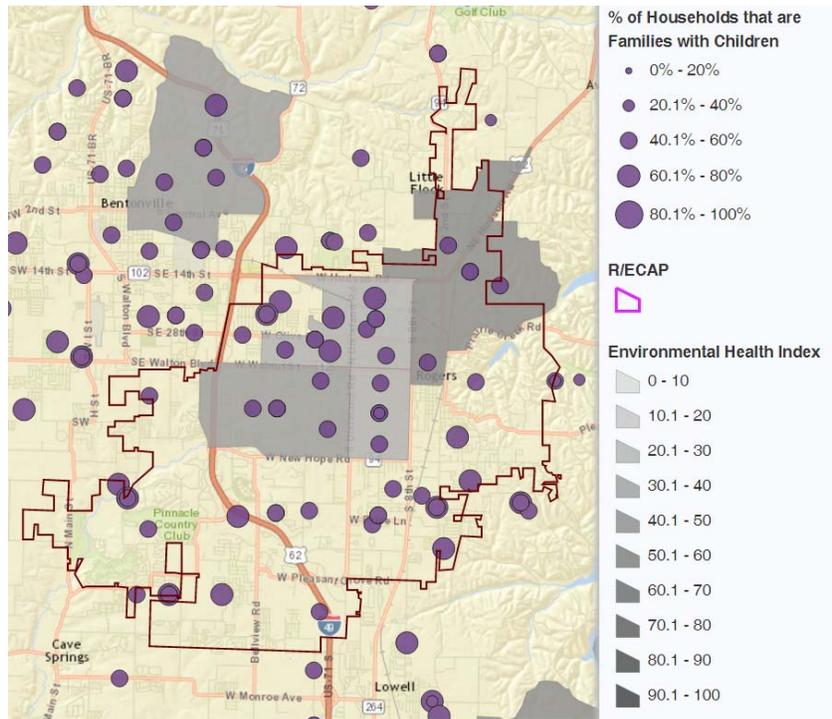
**HUD Map 13.1. Environmental Health and Race/Ethnicity**



**HUD Map 13.2. Environmental Health and National Origin**



### HUD Map 13.3. Environmental Health and Family Status



### PATTERNS IN DISPARITIES IN ACCESS TO OPPORTUNITY

- Identify and discuss any overarching patterns of access to opportunity and exposure to adverse community factors based on race/ethnicity, national origin or familial status. Identify areas that experience an aggregate of poor access to opportunity and high exposure to adverse factors. Include how these patterns compare to patterns of segregation and R/ECAPs.**

For almost all of the opportunity indicators shown in HUD Table 12, Rogers has higher values than the Fayetteville-Springdale-Rogers region as a whole, indicating that overall, Rogers residents have more access to low-poverty areas, proficient schools, robust labor markets, nearby jobs, and low-cost transportation than the residents of the larger region. The only category in which Rogers falls behind the Fayetteville-Springdale-Rogers region is in environmental health, which may be because one of the large poultry plants in Rogers or because of the limited available data for that indicator. For some groups, transportation is more expensive in Rogers than in the region as a whole.

Within the City of Rogers, Hispanic residents have lower values than other racial and ethnic groups across almost all opportunity indicators shown in HUD Table 12. These residents live predominately on the east side of the city, in neighborhoods that have lower access to proficient schools, higher costs of transportation, and higher rates of poverty. In the north-central area of the city, considered on July 2016 HUD maps to be a racially or ethnically concentrated area of poverty (R/ECAP), residents also experience low labor market engagement, despite a high proximity to jobs. Families with children are more likely to live in areas on the outskirts of the city, which generally have high access to proficient schools.

## ADDITIONAL INFORMATION

- a. **Beyond the HUD-provided data, provide additional relevant information, if any, about disparities in access to opportunity in the jurisdiction and region affecting groups with other protected characteristics.**
- b. **The program participant may also describe other information relevant to its assessment of disparities in access to opportunity, including any activities aimed at improving access to opportunities for areas that may lack such access, or in promoting access to opportunity (e.g., proficient schools, employment opportunities, and transportation).**

The Rogers-Lowell Area Chamber of Commerce holds biannual job fairs for Rogers residents seeking employment at all levels. These fairs are advertised through local radio, television, and other media outlets, including a local Spanish-language newspaper. The Chamber of Commerce also promotes economic development through collaboration with local businesses and coordinates scholarship funding for Rogers Public School District.<sup>17</sup>

The Northwest Arkansas Regional Planning Commission organizes transportation projects for Benton County and Washington County, which include the cities of Rogers, Bentonville, Fayetteville, Siloam Springs, and Springdale. The commission created the 2030 Northwest Arkansas Regional Transportation Plan to propose and consider possible transportation options in the region. Among the possible options are light rail transit, toll roads, and taxi service improvements.<sup>18</sup>

Of all Rogers residents who responded to the fair housing survey discussed in the Community Participation chapter, most residents (91 percent) felt that they have access to good schools in their neighborhood, and 77 percent felt that they have access to good jobs. However, only 46 percent felt that they had access to good transportation in the area. Fair housing stakeholders who participated in interviews and focus groups during the community participation process indicate that the lack of public transportation in Rogers primarily impacts low-income residents, including minorities, and residents with disabilities. Stakeholders believe it is very hard to live in the area without a car, and that while the job market is healthy, transportation to and from work for low-income residents is more difficult.

## CONTRIBUTING FACTORS OF DISPARITIES IN ACCESS TO OPPORTUNITY

***Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of disparities in access to opportunity.***

- **Access to financial services**
- **The availability, type, frequency, and reliability of public transportation**
- **Lack of private investments in specific neighborhoods**
- **Lack of public investments in specific neighborhoods, including services or amenities**
- **Lack of regional cooperation**
- **Land use and zoning laws**
- **Lending Discrimination**
- **Location of employers**
- **Location of environmental health hazards**
- **Location of proficient schools and school assignment policies**
- **Location and type of affordable housing**
- **Occupancy codes and restrictions**

<sup>17</sup> "Community Based Scholarship Program." *Rogerslowell.com*. Rogers-Lowell Area Chamber of Commerce, 2015. Web. <http://www.rogerslowell.com/community-based-scholarship-program.html>. Accessed February 2017.

<sup>18</sup> *2030 Northwest Arkansas Regional Transportation Plan*. Northwest Arkansas Regional Planning Commission, 2006. PDF File. Web. [http://oaktrust.library.tamu.edu/bitstream/handle/1969.1/92943/2030\\_Northwest\\_Arkansas\\_Transportation\\_Plan.pdf?sequence=1&isAllowed=y](http://oaktrust.library.tamu.edu/bitstream/handle/1969.1/92943/2030_Northwest_Arkansas_Transportation_Plan.pdf?sequence=1&isAllowed=y). Accessed February 2017.

- **Private discrimination**
- **Other**

Based on the data provided by HUD and input from stakeholders and residents during the community participation process, the following factors contribute to disparities in access to opportunities in Rogers:

#### LOCATION OF EMPLOYERS

Tyson Foods, the largest employer in Rogers, has a plant that is slightly north of the center of the city on East Walnut Street, and another plant south of the center of the city on Olrich Street. Although this employer provides job opportunities for residents living close to the plant, these jobs may not be accessible for residents elsewhere in the city. For example, residents on the higher-poverty eastern border of the city may have trouble accessing these jobs, particularly because these residents are shown in HUD Map 11 to have high transportation costs. HUD Map 8 gives further evidence of this, showing that this eastern area has a low rate of job proximity.

#### THE AVAILABILITY, TYPE, FREQUENCY, AND RELIABILITY OF PUBLIC TRANSPORTATION

Stakeholders who advocate for individuals with disabilities explained how the lack of public transit disproportionately affects their clients who need transportation assistance to visit doctors' offices. In many cases, individuals with disabilities go to the emergency room because they cannot access transportation to a primary care physician. Ozark Regional Transit operates two bus routes in Rogers between 7:05 a.m. and 7:05 p.m. Monday through Friday.<sup>19</sup> Stakeholders mentioned that Ozark Regional Transit provides paratransit services but a rider must give seven days' notice to request a ride. The City of Rogers also operates a transportation assistance program that provides \$80 per month in taxi or Ozark Regional Transit rides for seniors and residents with disabilities. The program serves 100 residents per year.

#### LOCATION AND TYPE OF AFFORDABLE HOUSING

During the community participation process, stakeholders perceived that affordable housing is evenly distributed in Rogers, but believe a general shortage exists. Some stakeholders cited instances of "doubling-up" or overcrowding in low-income, mostly Hispanic areas of Rogers. Stakeholders pointed out that the mobile home parks in Rogers provide extremely affordable housing, but are generally considered unattractive to neighboring residents. One stakeholder suggested that the city should consider encouraging the development of tiny homes as an alternative to mobile homes.

According to stakeholders, Rogers has few underdeveloped areas. Due to high land prices, developers are claiming as much land as possible and are choosing to develop the most profitable housing, which tends to be larger, more expensive housing. Stakeholders believe that this is not intentionally discriminatory, but that it is contributing to the shortage of affordable housing. Stakeholders are aware of a large number of apartments being developed, but say that none or very few of them are affordable units. Stakeholders also mentioned the revitalization of downtown Rogers, an area shown in HUD Map 12.1 to be relatively high-poverty and include Hispanic, Non-Hispanic White, and multi-racial households, mostly without children. According to stakeholders, once revitalized, the housing in that area will not be affordable for low-income residents.

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<sup>19</sup> "Schedules & Maps." *Ozark.org*. Ozark Regional Transit, 2017. Web. <http://www.ozark.org/schedules-maps/schedules-maps>. Accessed February 2017.

## LAND USE AND ZONING LAWS

The Rogers municipal code establishes 20 zoning districts for land use in the city. Overall, the majority of the land zoned for housing is single family residential, with the exceptions of a large amount of land zoned for “neighborhood residential” in central Rogers and a large amount of land zoned for multi-family duplex or patio homes around the perimeter of central Rogers. Most of the land zoned for higher-density multifamily housing is located in the northeastern and southwestern areas of the city, which, based on data provided by HUD, are medium- and low-poverty areas, respectively. City code also has a specific zoning category for residential affordable housing that limits the construction of new affordable housing units to a large area in central Rogers, a high-poverty area, and smaller areas near the northern and eastern boundary of the city which are medium-poverty areas.

The City of Rogers has established the Downtown Rogers Development Code in Chapter 14, Article VI, Division 2, Section 14-715, aimed at revitalizing the historic downtown area to “implement the vision for a more walkable, vibrant, mixed use neighborhood.” The code is designed to increase connectivity with surrounding neighborhoods and create more pedestrian-oriented development. The code does allow for mixed-use and multifamily housing development, but does not specify that new development must include affordable units.

## B.IV GENERAL ISSUES - DISPROPORTIONATE HOUSING NEEDS

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### ANALYSIS

- a. **Which groups (by race/ethnicity and family status) experience higher rates of housing cost burden, overcrowding, or substandard housing when compared to other groups? Which groups also experience higher rates of severe housing burdens when compared to other groups?**

According to the U.S. Department of Housing and Urban Development (HUD), housing burden occurs when a living unit has any one of the following housing problems: incomplete kitchen facilities, incomplete plumbing, overcrowding (more than one person housed per bedroom), or a housing cost burden in which monthly housing costs, including utilities, exceed 30 percent of monthly household income.<sup>20</sup> Severe housing burden is defined the same as above, but with a housing cost burden in which monthly housing costs, including utilities, exceed 50 percent of monthly household income.<sup>21</sup> HUD Tables 9 and 10 show the demographics of households meeting these criteria in Rogers.

Hispanics are most likely to experience housing burden in Rogers. As shown in HUD Table 9, 52.8 percent of these households experience burdens, a rate higher than in the Fayetteville-Springdale-Rogers region as a whole. Households that are Native American, Black, or other non-Hispanic race also experience problems at a higher rate. Asian/Pacific Islander residents are the only racial or ethnic group that experience less housing burden in Rogers than in the region as a whole. These racial and ethnic differences are the same for households with severe housing burden.

In terms of household type and size, households that have more than five family members are much more likely to experience housing burden than smaller families, possibly because these households have more than one person per bedroom. Compared to the Fayetteville-Springdale-Rogers region, family households of all sizes experience more housing burden in Rogers, while non-family households experience less.

HUD Table 10 shows the demographics of households experiencing severe housing cost burden. Hispanic residents are much less likely to experience severe cost burden than any of the four severe housing problems. This indicates that of the 1,298 Hispanic households experiencing severe housing burden shown in HUD Table 9, the majority (688) are not severely cost burdened and instead have some combination of the other housing problems: incomplete kitchen facilities, incomplete plumbing, or more than one person per bedroom. HUD Table 10 also shows that the groups that are most likely to experience severe housing cost burden (and at higher rates than in the region as a whole) are Black, Native American, and Other Non-Hispanic residents. Large family households are less likely to experience severe housing cost burden in Rogers than in the region as a whole.

Each of the HUD tables and maps in this report are numbered according to the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

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<sup>20</sup> *Affirmatively Furthering Fair Housing (AFFH) Data Documentation*. U.S. Department of Housing and Urban Development, July 2016. p. 11. PDF File. Web. <https://www.hudexchange.info/resources/documents/AFFH-Data-Documentation.pdf>. Accessed January 2017.

<sup>21</sup> *Affirmatively Furthering Fair Housing (AFFH) Data Documentation*. U.S. Department of Housing and Urban Development, July 2016. p. 11. PDF File. Web. <https://www.hudexchange.info/resources/documents/AFFH-Data-Documentation.pdf>. Accessed January 2017.

**HUD Table 9. Demographics of Households with Disproportionate Housing Needs**

Disproportionate Housing Needs	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>			(Fayetteville-Springdale-Rogers, AR-MO) Region		
	Number with Problems	Number of Households	Percent with Problems <sup>2</sup>	Number with Problems	Number of Households	Percent with Problems
<b>Households Experiencing any of Four Housing Problems</b>						
<b>Race/Ethnicity</b>						
White, Non-Hispanic	3,719	14,605	25.46%	39,035	145,225	26.88%
Black, Non-Hispanic	75	204	36.76%	1,039	2,947	35.26%
Hispanic	2,194	4,154	52.82%	8,349	17,278	48.32%
Asian or Pacific Islander, Non-Hispanic	95	504	18.85%	1,880	4,818	39.02%
Native American, Non-Hispanic	60	154	38.96%	652	2,024	32.21%
Other, Non-Hispanic	80	209	38.28%	1,153	3,312	34.81%
<b>Total</b>	<b>6,240</b>	<b>19,830</b>	<b>31.47%</b>	<b>52,125</b>	<b>175,635</b>	<b>29.68%</b>
<b>Household Type and Size</b>						
Family households, <5 people	2,835	11,725	24.18%	21,990	101,817	21.60%
Family households, 5+ people	1,489	2,733	54.48%	8,730	19,385	45.03%
Non-family households	1,925	5,393	35.69%	21,405	54,440	39.32%
<b>Households Experiencing any of Four Severe Housing Problems</b>						
<b>Race/Ethnicity</b>						
White, Non-Hispanic	1,619	14,605	11.09%	19,420	145,225	13.37%
Black, Non-Hispanic	45	204	22.06%	710	2,947	24.09%
Hispanic	1,298	4,154	31.25%	5,223	17,278	30.23%
Asian or Pacific Islander, Non-Hispanic	70	504	13.89%	1,264	4,818	26.23%
Native American, Non-Hispanic	45	154	29.22%	397	2,024	19.61%
Other, Non-Hispanic	55	209	26.32%	555	3,312	16.76%
<b>Total</b>	<b>3,140</b>	<b>19,830</b>	<b>15.83%</b>	<b>27,595</b>	<b>175,635</b>	<b>15.71%</b>

Source: Comprehensive Housing Affordability Strategy (CHAS), 2008-2012, as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

<sup>1</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

<sup>2</sup> All percentages represent a share of the total population with the jurisdiction or region, except household type and size, which is out of households.

**HUD Table 10. Demographics of Households with Severe Housing Cost Burden**

Households with Severe Housing Cost Burden	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>			(Fayetteville-Springdale-Rogers, AR-MO) CBSA) Region <sup>2</sup>		
	Number with Severe Cost Burden	Number of Households <sup>3</sup>	Percent with Severe Cost Burden <sup>4</sup>	Number with Severe Cost Burden	Number of Households	Percent with Severe Cost Burden
<b>Race/Ethnicity</b>						
White, Non-Hispanic	1,289	14,605	8.83%	16,145	145,225	11.12%
Black, Non-Hispanic	45	204	22.06%	515	2,947	17.48%
Hispanic	610	4,154	14.68%	2,365	17,278	13.69%
Asian or Pacific Islander, Non-Hispanic	55	504	10.91%	540	4,818	11.21%
Native American, Non-Hispanic	45	154	29.22%	259	2,024	12.80%
Other, Non-Hispanic	55	209	26.32%	500	3,312	15.10%
<b>Total</b>	<b>2,099</b>	<b>19,830</b>	<b>10.58%</b>	<b>20,324</b>	<b>175,635</b>	<b>11.57%</b>
<b>Household Type and Size</b>						
Family households, <5 people	928	11,725	7.91%	7,814	101,817	7.67%
Family households, 5+ people	194	2,733	7.10%	1,747	19,385	9.01%
Non-family households	945	5,393	17.52%	10,770	54,440	19.78%

Source: Comprehensive Housing Affordability Strategy (CHAS), 2008-2012, as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

<sup>1</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

<sup>2</sup> Local region defined by HUD as a core-based statistical area (CSBA).

<sup>3</sup> The number of households is the denominator for the percent with problems, and may differ from the number of households for the table on severe housing problems.

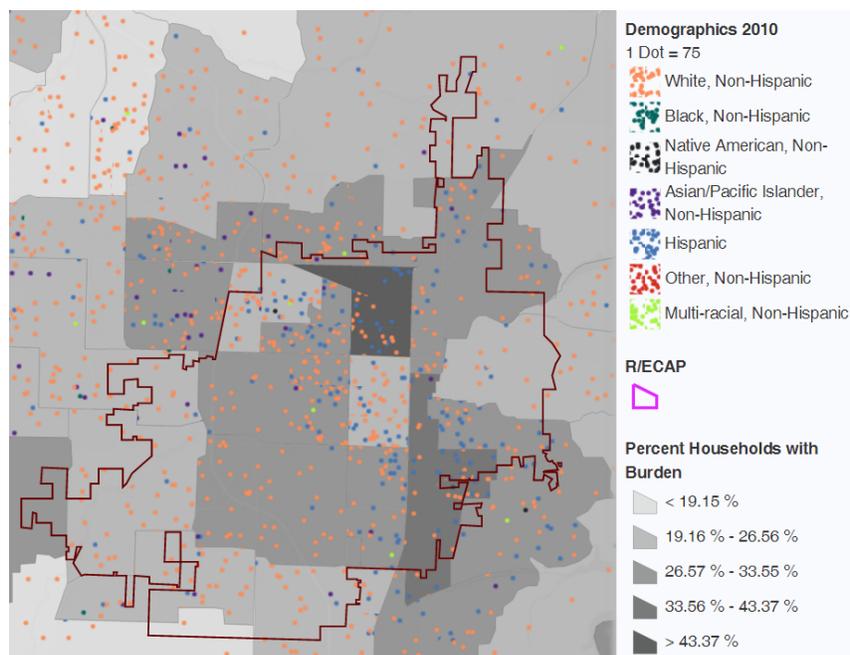
<sup>4</sup> All percentages represent a share of the total population with the jurisdiction or region, except household type and size, which is out of total households.

b. Which areas in the jurisdiction and region experience the greatest housing burdens? Which of these areas align with segregated areas, integrated areas, or R/ECAPs and what are the predominant race/ethnicity or national origin groups in such areas?

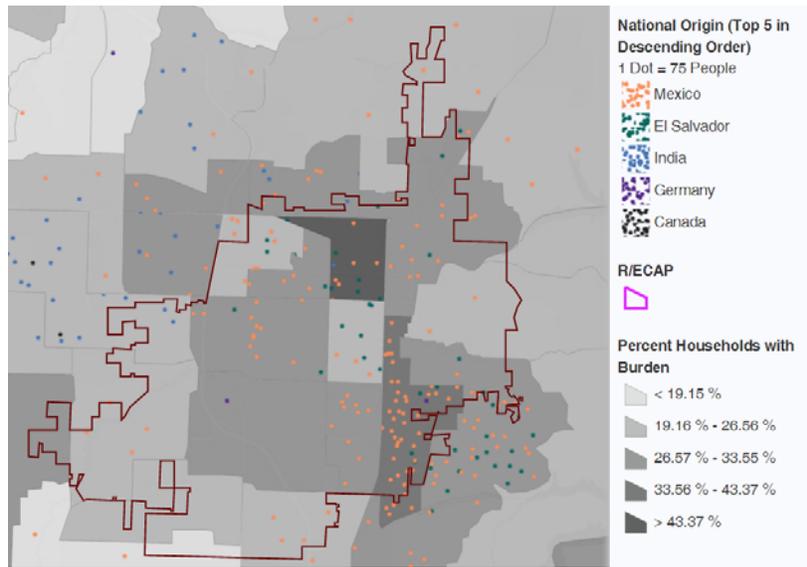
As shown in HUD Map 6.1, the area with the highest concentration of housing burden is north of the center of the city. This area is identified as a racially or ethnically concentrated area of poverty (R/ECAP) on the July 2016 HUD maps. This area is made up of mostly Hispanic (equal parts Mexican and Salvadorian, as shown in HUD Map 6.2) and Non-Hispanic White residents.

Another area with high housing burden is the southeast part of the city, along 8<sup>th</sup> Street. This is also an area of low school proficiency, as shown in HUD Map 7 in the Disparities in Access to Opportunity section.

**HUD Map 6.1. Housing Burden and Race/Ethnicity**



### HUD Map 6.2. Housing Burden and National Origin



**c. Compare the needs of families with children for housing units with two, and three or more bedrooms with the available existing housing stock in each category of publicly supported housing.**

HUD Table 9 indicates that 1,489 family households of more than five people experience housing burden in Rogers. These are households that might require at least three bedrooms. However, as shown in HUD Table 11, only 19 of the units in project-based Section 8 housing in Rogers have three or more bedrooms. This suggests that not enough Section 8 units exist to meet the needs of large families who may need housing assistance.

HUD Table 11 shows that 25.8 percent of the households in the housing choice voucher program are families with children. By contrast, 43.8 percent of the households in project-based Section 8 housing are families with children. HUD Table 11 also shows that the 57 units in the “Other Multifamily” category all have one bedroom or less; this is likely because these units are all designated as senior housing, as discussed in the Publicly Supported Housing chapter.

**HUD Table 11. Publicly Supported Housing by Program Category:  
Units by Number of Bedrooms and Number of Children**

Housing Type	Households in 0-1 Bedroom Units		Households in 2 Bedroom Units		Households in 3+ Bedroom Units		Households with Children	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Public Housing	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Project-Based Section 8	20	19.05%	55	52.38%	19	18.10%	46	43.81%
Other Multifamily	57	100.00%	0	0.00%	0	0.00%	0	0.00%
HCV Program	33	35.48%	32	34.41%	16	17.20%	24	25.81%

Sources: Inventory Management System (IMS)/ PIH Information Center (PIC), 2013; Tenant Rental Assistance Certification System (TRACS), 2013; as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

**d. Describe the differences in rates of renter and owner occupied housing by race/ethnicity in the jurisdiction and region.**

Census Table 1 shows data from the 2015 U.S. Census Bureau American Community Survey on owner and renter occupied housing by race and ethnicity of the householder. Non-Hispanic Black residents in Rogers are least likely to own their current housing, with a homeownership rate of 26.4 percent, while Non-Hispanic White residents are much more likely to own their current housing, with a homeownership rate of 57.6 percent. Residents from Other Non-Hispanic races have the highest homeownership rate at 72.9 percent.

Compared to the Fayetteville-Springdale-Rogers area as a whole, Asian/Pacific Islander residents in Rogers are more likely to own their current housing, and Hispanic residents in Rogers are slightly more likely to own their current housing. By contrast, Non-Hispanic White residents are less likely to own their current housing in Rogers than in the larger area as a whole.

**Census Table 1. Tenure by Race/Ethnicity of Householders**

Race/Ethnicity	Total Households	Owner Occupied Households		Renter Occupied Households	
	Number Households	Number Households	Percent Households	Number Households	Percent Households
<b>City of Rogers, AR</b>					
White, Non-Hispanic	19,033	10,959	57.6%	8,074	42.4%
Black, Non-Hispanic	364	96	26.4%	268	73.6%
Hispanic	4,499	2,182	48.5%	2,317	51.5%
Asian or Pacific Islander, Non-Hispanic	508	252	49.6%	256	50.4%
Native American, Non-Hispanic	259	134	51.7%	125	48.3%
Other, Non-Hispanic	789	575	72.9%	214	27.1%
<b>Total</b>	<b>21,295</b>	<b>12,245</b>	<b>57.5%</b>	<b>9,050</b>	<b>42.5%</b>
<b>Fayetteville-Springdale-Rogers, AR-MO Metro Area</b>					
White, Non-Hispanic	160,376	103,691	64.7%	56,685	35.3%
Black, Non-Hispanic	3,725	822	22.1%	2,903	77.9%
Hispanic	18,983	8,957	47.2%	10,026	52.8%
Asian or Pacific Islander, Non-Hispanic	5,550	2,153	38.8%	3,397	61.2%
Native American, Non-Hispanic	2,185	1,114	51.0%	1,071	49.0%
Other, Non-Hispanic	6,756	2,893	42.8%	3,863	57.2%
<b>Total</b>	<b>182,048</b>	<b>112,726</b>	<b>61.9%</b>	<b>69,322</b>	<b>38.1%</b>

Source: U.S. Census Bureau American Community Survey, 2015.

**ADDITIONAL INFORMATION**

- a. Beyond the HUD-provided data, provide additional relevant information, if any, about disproportionate housing needs in the jurisdiction and region affecting groups with other protected characteristics.**
- b. The program participant may also describe other information relevant to its assessment of disproportionate housing needs. For PHAs, such information may include a PHA’s overriding housing needs analysis.**

Residents in Rogers were asked to report their experience with cost burden as part of the survey conducted for this report. Approximately 41 percent of the 337 respondents who answered indicated they experience cost burden, and 13 percent of the 329 respondents who answered indicated they are severely cost burdened. When asked about the features of their property, three respondents who are renters and one respondent who is a homeowner indicated they did not have indoor running water, which as an “incomplete plumbing facility” would qualify as a housing

burden. HUD Tables 9 and 10 show that, according to HUD data, 31 percent of all Rogers residents experience one of the four housing problems, and about 11 percent experience severe cost burden.

## CONTRIBUTING FACTORS OF DISPROPORTIONATE HOUSING NEEDS

*Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of disproportionate housing needs.*

- **The availability of affordable units in a range of sizes**
- **Displacement of residents due to economic pressures**
- **Lack of private investments in specific neighborhoods**
- **Lack of public investments in specific neighborhoods, including services or amenities**
- **Land use and zoning laws**
- **Lending Discrimination**
- **Other**

Stakeholders and residents identified the following contributing factors to disproportionate housing needs during the community participation process.

## THE AVAILABILITY OF AFFORDABLE UNITS IN A RANGE OF SIZES

Stakeholders believe that affordable housing is evenly distributed throughout all areas of Rogers, but that a shortage exists. Some stakeholders cited instances of “doubling-up” or overcrowding in low-income, mostly Hispanic areas of Rogers. Stakeholders point out that mobile home parks in Rogers provide extremely affordable housing but are generally considered unattractive to neighboring residents. One stakeholder suggests that the city should consider the development of tiny homes as an alternative to mobile homes.

Stakeholders believe the City of Rogers has a general shortage of affordable rental housing. Stakeholders note that the housing market is very competitive, and land for new housing development is expensive and scarce, which makes building new affordable housing units less profitable than market-rate housing for developers. As a result, low-income residents are paying more than they can afford for housing and are experiencing housing cost burden.

According to stakeholders, the Siloam Springs Housing Authority typically has a waiting list of 8 to 12 months for rental assistance and housing choice vouchers. Stakeholders also expressed concern that making the long (45 minutes to an hour) drive to Siloam Springs to get housing assistance and access housing resources is difficult for low-income residents in Rogers.

## LENDING DISCRIMINATION

While none of the stakeholders believe that any direct predatory lending practices occur in Rogers, some cited instances within the Fayetteville-Springdale-Rogers region of rent-to-own contracts with terms that could be considered predatory. One specific example was a rent-to-own contract that included a penalty for missing a payment in which the payee must forfeit all previous payments toward ownership of the house and become subject to eviction.

Stakeholders stated the highly competitive market for housing in Rogers has led to higher housing prices. Stakeholders believe that rental prices have increased dramatically in the past 5 to 10 years and that owning a home in Rogers is cheaper than renting. However, credit requirements are barriers for potential low-income home buyers. Habitat for Humanity provides affordable homes for sale in the area, but still have credit requirements that

many low-income residents cannot meet. Stakeholders agree that credit education could help low-income residents learn to repair or build credit in order to be able to purchase a home. Stakeholders also believe that counseling and education on maintenance and home warranties would help first-time home buyers keep their homes and avoid foreclosure.

## LAND USE AND ZONING LAWS

The Rogers municipal code establishes 20 zoning districts for land use in the city. Overall, the majority of the land zoned for housing is single family residential, but a large amount of land is zoned for “neighborhood residential” in central Rogers, and a large portion of land is zoned for multi-family duplex or patio homes around the perimeter of central Rogers. Most of the land zoned for higher-density multifamily housing is located in the northeastern and southwestern areas of the city. As shown in HUD Map 6.1 above, these areas have medium and low rates of housing burden, respectively. The code also has a specific zoning category for residential affordable housing that limits the construction of new affordable housing units to a large area in central Rogers, a high-poverty area, and smaller areas near the northern and eastern boundary of the city which are medium-poverty areas based on data provided by HUD.

The City of Rogers has established the Downtown Rogers Development Code in Chapter 14, Article VI, Division 2, Section 14-715, aimed at revitalizing the historic downtown area to “implement the vision for a more walkable, vibrant, mixed use neighborhood.” The code is designed to increase connectivity with surrounding neighborhoods and create more pedestrian-oriented development. The code does allow for mixed-use and multifamily housing development, but does not specify that new development must include affordable units.

## OTHER

Stakeholders identified the following other factors that may be contributing to disproportionate housing needs in Rogers.

**HOUSING PROBLEMS ASSOCIATED WITH OLDER HOUSING STOCK.** While most stakeholders characterize the housing stock in Rogers as generally in good condition, one stakeholder mentioned that some low- to moderate-income buyers are purchasing low-quality housing. Because these homeowners are struggling to make payments, maintenance and repairs for their homes are very difficult to afford. Stakeholders also believe that city code enforcement can disproportionately affect low-income residents. For example, low-income residents may not be able to afford to have trees trimmed, but then receive fines from the city for a code violation.

**DISCRIMINATION BASED ON FAMILY SIZE IN THE RENTAL MARKET.** Stakeholders say they have heard of larger families being discriminated against when applying for rental housing in Rogers. According to stakeholders, landlords in the area prefer not to rent to large families.

**SHORTAGE OF ACCESSIBLE HOUSING.** Stakeholders believe the City of Rogers does not have enough accessible housing units for residents with disabilities in Rogers. Stakeholders say that their clients with disabilities have been told by landlords that if they make accessibility improvements to a rental property, they have to return the property to its original condition or risk losing their security deposit. Stakeholders also mention that one large rental company in Rogers owns about 80 percent of all of the rental properties, and that their clients with disabilities refer to being “blacklisted” by this company, which makes it very difficult to find housing.

## C. PUBLICLY SUPPORTED HOUSING ANALYSIS

### 1. PUBLICLY SUPPORTED HOUSING DEMOGRAPHICS

#### a. Are certain racial/ethnic groups more likely to be residing in one category of publicly supported housing than other categories (public housing, project-based Section 8, Other HUD Multifamily Assisted developments, and Housing Choice Voucher (HCV))?

U.S. Department of Housing and Urban Development (HUD) Table 6 shows the distribution of race and ethnicity across publicly supported housing in Rogers. The city does not operate any public housing units. More Non-Hispanic White residents receive Section 8 funding, either through project-based rental assistance or through the housing choice voucher program, than any other racial or ethnic group in Rogers. The difference between these categories is that the project-based Section 8 program works with property owners, allowing for designated units of affordable housing to be clustered in certain areas, while the housing choice voucher program works with tenants, allowing residents to apply their rental assistance to a property of their choosing.

More Hispanic residents live in what are considered “other multifamily” units, which according to HUD include “properties funded through the Supportive Housing for the Elderly (Section 202), Supportive Housing for Persons with Disabilities (Section 811), Rental Housing Assistance (Section 236), Rent Supplement (Rent Supp), Rental Assistance Payment (RAP), and Below Market Interest Rates (BMIR) programs.”<sup>22</sup> Section 8 funding recipients are more likely to be Hispanic in Rogers than in the region as a whole.

Each of the HUD tables and maps in this report are numbered according to the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

**HUD Table 6. Publicly Supported Households by Race/Ethnicity**

Housing Type (Rogers, AR CDBG) Jurisdiction <sup>1</sup>	Race/Ethnicity							
	White		Black		Hispanic		Asian or Pacific Islander	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Public Housing	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Project-Based Section 8	88	93.62%	1	1.06%	4	4.26%	0	0.00%
Other Multifamily	47	83.93%	0	0.00%	9	16.07%	0	0.00%
HCV Program	77	92.77%	1	1.20%	5	6.02%	0	0.00%
Total Households	14,605	73.65%	204	1.03%	4,154	20.95%	504	2.54%
0-30% of AMI	1,081	60.16%	20	1.11%	610	33.95%	0	0.00%
0-50% of AMI	2,331	59.07%	60	1.52%	1,215	30.79%	65	1.65%
0-80% of AMI	4,501	61.86%	75	1.03%	2,235	30.72%	124	1.70%
(Fayetteville-Springdale-Rogers, AR-MO) Region <sup>2</sup>	White		Black		Hispanic		Asian or Pacific Islander	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
	Public Housing	293	67.51%	40	9.22%	85	19.59%	9
Project-Based Section 8	515	86.99%	48	8.11%	20	3.38%	4	0.68%
Other Multifamily	47	83.93%	0	0.00%	9	16.07%	0	0.00%
HCV Program	907	80.48%	151	13.40%	51	4.53%	10	0.89%

<sup>22</sup> *Affirmatively Furthering Fair Housing (AFFH) Data Documentation*. U.S. Department of Housing and Urban Development, July 2016. p. 9. PDF File. Web. <https://www.hudexchange.info/resources/documents/AFFH-Data-Documentation.pdf>. Accessed February 2017.

**HUD Table 6. Publicly Supported Households by Race/Ethnicity**

Housing Type (Rogers, AR CDBG) Jurisdiction <sup>1</sup>	Race/Ethnicity							
	White		Black		Hispanic		Asian or Pacific Islander	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total Households	145,225	82.69%	2,947	1.68%	17,278	9.84%	4,818	2.74%
0-30% of AMI	16,275	79.01%	609	2.96%	2,395	11.63%	590	2.86%
0-50% of AMI	28,910	68.93%	934	2.23%	5,644	13.46%	1,210	2.89%
0-80% of AMI	52,990	72.65%	1,518	2.08%	10,438	14.31%	1,969	2.70%

Sources: U.S. Census, 2010; A Picture of Subsidized Households (APSH); Comprehensive Housing Affordability Strategy (CHAS), 2008-2012; as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

<sup>1</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

<sup>2</sup> Local region defined by HUD as a core-based statistical area (CSBA).

**b. Compare the demographics, in terms of protected class, of residents of each category of publicly supported housing (public housing, project-based Section 8, Other HUD Multifamily Assisted developments, and HCV) to the population in general, and persons who meet the income eligibility requirements for the relevant category of publicly supported housing. Include in the comparison, a description of whether there is a higher or lower proportion of groups based on protected class.**

A disproportionately high number of publicly supported housing residents in Rogers are Non-Hispanic White. The percentage of Non-Hispanic White residents in these units is higher than in the region as a whole and higher than the percentage of Non-Hispanic White residents in Rogers overall.

In contrast, HUD Table 6 shows that Hispanic households make up a large portion of the Rogers population (21 percent) but only a small part of the total population in any category of publicly supported housing (8 percent). Hispanic residents are most likely to live in “other multifamily” housing, but, as shown in HUD Table 5; fewer of these units exist than units in other categories of publicly supported housing. In terms of income eligibility requirements, HUD Table 6 above shows 610 Hispanic households whose income is below 30 percent of the area median income (AMI), although only 18 Hispanic households receive housing assistance. This suggests that some Hispanic families who would qualify for publicly supported housing are not receiving assistance.

**HUD Table 5. Publicly Supported Housing Units by Program Category**

Housing Units	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>	
	Number	Percent
Total housing units	19,668	-
Public Housing	n/a	n/a
Project-based Section 8	128	0.65%
Other Multifamily	56	0.28%
HCV Program	113	0.57%

Sources: U.S. Census, 2010; A Picture of Subsidized Households (APSH); as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

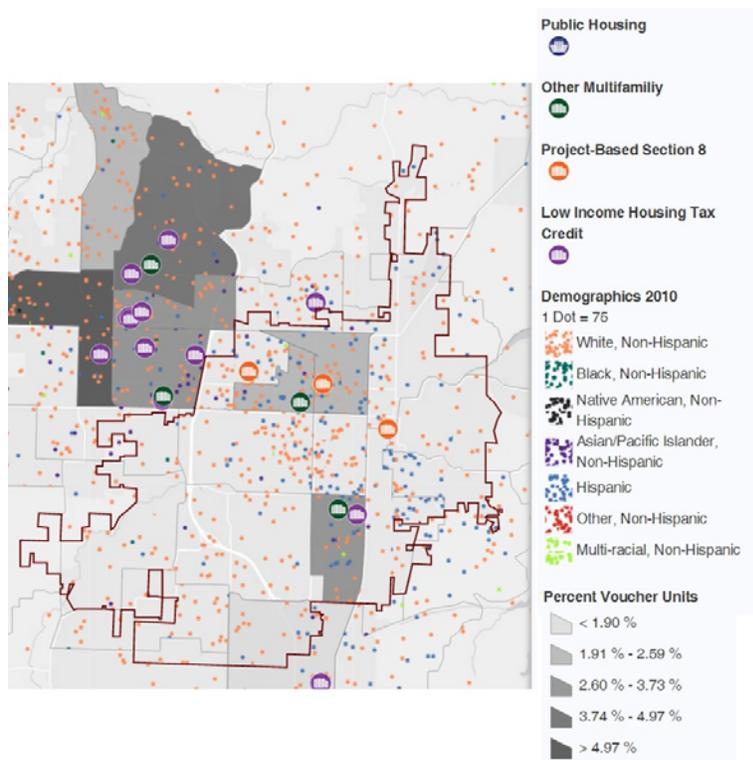
<sup>1</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

## 2. PUBLICLY SUPPORTED HOUSING LOCATION AND OCCUPANCY

**a. Describe patterns in the geographic location of publicly supported housing by program category (public housing, project-based Section 8, Other HUD Multifamily Assisted developments, HCV, and LIHTC) in relation to previously discussed segregated areas and R/ECAPs.**

As shown in HUD Map 5, most of the publicly supported housing in Rogers is in the central, north-central, and south-central areas of the city. The central and north-central areas contain all of the project-based Section 8 complexes, which include Olivewood Apartments, Meadow Park Apartments, and Oak Tree Apartments. The south-central area has the highest concentration of units in the housing choice voucher programs, and it includes units receiving Low-Income Housing Tax Credits (LIHTC). Other multifamily units include the Dixieland Gardens Senior Housing, located in the central area of the city, and Miller Place Senior Housing located in the south-central area. Although not shown on current HUD maps, July 2016 data indicate a racially or ethnically concentrated area of poverty (R/ECAP) in north-central Rogers (north of Olive Street, between Dixieland Road and 8<sup>th</sup> Street). This area has a high concentration of Hispanic residents and is high-poverty, as discussed in the R/ECAPs chapter of this report. As seen on HUD Map 5, this is an area with a high concentration of units in the housing choice voucher program, and is near all of the project-based Section 8 housing units.

**HUD Map 5. Publicly Supported Housing and Race/Ethnicity**



**b. Describe patterns in the geographic location for publicly supported housing that primarily serves families with children, elderly persons, or persons with disabilities in relation to previously discussed segregated areas or R/ECAPs.**

HUD Table 7 shows a detailed demographic breakdown of residents served through publicly supported housing programs. According to this data, the program with the highest proportion of families with children is project-based Section 8 housing. These units are located in the north-central area of the city (near the former R/ECAP).

HUD Table 7 also shows that units in the “Other HUD Multifamily” category only serve elderly residents. Based on data in HUD maps, Dixieland Gardens Senior Housing is in a census tract near the former R/ECAP that is 53 percent Hispanic and high-poverty, and Miller Place Senior Housing is in a census tract on the south side of the city that is 42 percent Hispanic and medium-poverty.

The program that serves the highest proportion of residents with disabilities is the housing choice voucher program. The largest concentration of these units is in the south-central area of the city, a medium-poverty area that includes Hispanic, Non-Hispanic, and multi-racial residents.

**HUD Table 7. R/ECAP and Non-R/ECAP Demographics by Publicly Supported Housing Program Category**

(Rogers, AR CDBG) Jurisdiction <sup>1</sup>	Total Number of Units (occupied)	% White	% Black	% Hispanic	% Asian or Pacific Islander	% Families with Children	% Elderly	% with a Disability
<b>Public Housing</b>								
R/ECAP tracts	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Non R/ECAP tracts	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>Project-based Section 8</b>								
R/ECAP tracts	63	92.86%	0.00%	7.14%	0.00%	56.82%	25.00%	11.36%
Non R/ECAP tracts	49	94.23%	1.92%	1.92%	0.00%	34.43%	9.84%	22.95%
<b>Other HUD Multifamily</b>								
R/ECAP tracts	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Non R/ECAP tracts	54	83.93%	0.00%	16.07%	0.00%	0.00%	100.00%	0.00%
<b>HCV Program</b>								
R/ECAP tracts	22	95.24%	0.00%	4.76%	0.00%	0.00%	31.82%	68.18%
Non R/ECAP tracts	65	91.80%	1.64%	6.56%	0.00%	34.29%	25.71%	25.71%

Source: A Picture of Subsidized Households (APSH), as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

<sup>1</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

**c. How does the demographic composition of occupants of publicly supported housing in R/ECAPS compare to the demographic composition of occupants of publicly supported housing outside of R/ECAPS?**

As shown in HUD Table 7 above, many of the publicly supported housing units in Rogers are in the area defined as a R/ECAP in July 2016; of the 253 total units, 85 (approximately one-third) are in the R/ECAP tract.

For project-based Section 8 housing, units in R/ECAP tracts are more likely to include Hispanic residents, families with children, and elderly residents. Compared to units in non-R/ECAP tracts, they are less likely to include residents with disabilities.

For the housing choice voucher program, units in R/ECAP tracts are more likely to include residents with disabilities, and they are less likely to include Hispanic residents and families with children.

**d. (1) Do any developments of public housing, properties converted under the RAD, and LIHTC developments have a significantly different demographic composition, in terms of protected class, than other developments of the same category? Describe how these developments differ.**

**(2) Provide additional relevant information, if any, about occupancy, by protected class, in other types of publicly supported housing.**

The January 2017 “List of Unit Reservations” document on the HUD Rental Assistance Demonstration (RAD) website does not indicate that Rogers is receiving any assistance under the RAD program.<sup>23</sup> Rogers has one LIHTC development in an area that HUD indicates Hispanics represent 42 percent of the population, but the demographic composition of occupants in this unit is not available.

According to HUD data, three apartment complexes offer project-based Section 8 housing in Rogers: Olivewood Apartments, Meadow Park apartments, and Oak Tree Apartments. Nearly all (96 percent) of the occupants of

<sup>23</sup> “RAD CHAP Awardees and Reservations.” *Portal.hud.gov*. U.S. Department of Housing and Urban Development, 2017. Web. [https://portal.hud.gov/hudportal/documents/huddoc?id=radreservations\\_012317.pdf](https://portal.hud.gov/hudportal/documents/huddoc?id=radreservations_012317.pdf). Accessed February 2017.

Olivewood Apartments are Non-Hispanic White and 51 percent have families with children. Most (87 percent) of the occupants of Meadow Park Apartments are Non-Hispanic White and 62 percent are families with children. The slight difference in demographics of these occupants may be due to the size of units offered, as 27 percent of Olivewood Apartments are one-bedroom units, compared to the 16 percent of Meadow Park Apartments that are one-bedroom units.<sup>24</sup> Data for Oak Tree Apartments are not available in the HUD database.

Among other multifamily complexes, 90 percent of the occupants of Dixieland Gardens Senior Housing are Non-Hispanic White, and 91 percent of occupants of Miller Place Senior Housing are Non-Hispanic White.

- e. Compare the demographics of occupants of developments, for each category of publicly supported housing (public housing, project-based Section 8, Other HUD Multifamily Assisted developments, properties converted under RAD, and LIHTC) to the demographic composition of the areas in which they are located. Describe whether developments that are primarily occupied by one race/ethnicity are located in areas occupied largely by the same race/ethnicity. Describe any differences for housing that primarily serves families with children, elderly persons, or persons with disabilities.**

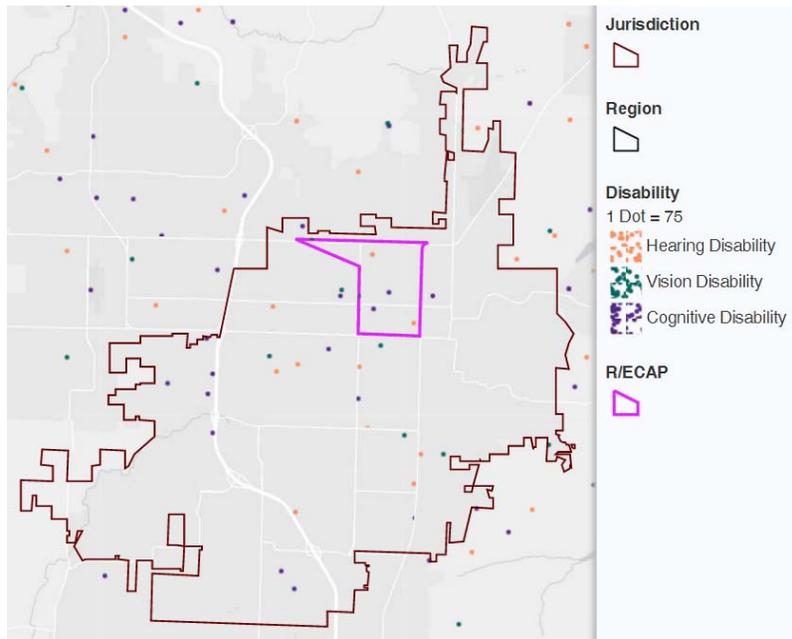
Project-based Section 8 housing is primarily located in the north-central section of the city, as shown in HUD Map 5. This area has a high concentration of Hispanic residents, as well as some Asian/Pacific Islander residents, and was considered a R/ECAP on previous versions of HUD maps. HUD Table 6 indicates that most (close to 94 percent) of the residents in these units are Non-Hispanic White. This suggests that project-based Section 8 housing in Rogers does not reflect the demographic composition of the area in which it is located.

Housing choice voucher units are found in the north- and south-central areas of the city. According to HUD Table 7, these units actually have a higher percentage of Non-Hispanic White residents when they are in a R/ECAP, indicating that they do not reflect the surrounding demographics. Voucher units in a R/ECAP also have a high percentage (68 percent) of residents with disabilities, although HUD Maps 14.1 and 14.2 provide no evidence that residents with disabilities are more likely to live in a R/ECAP area.

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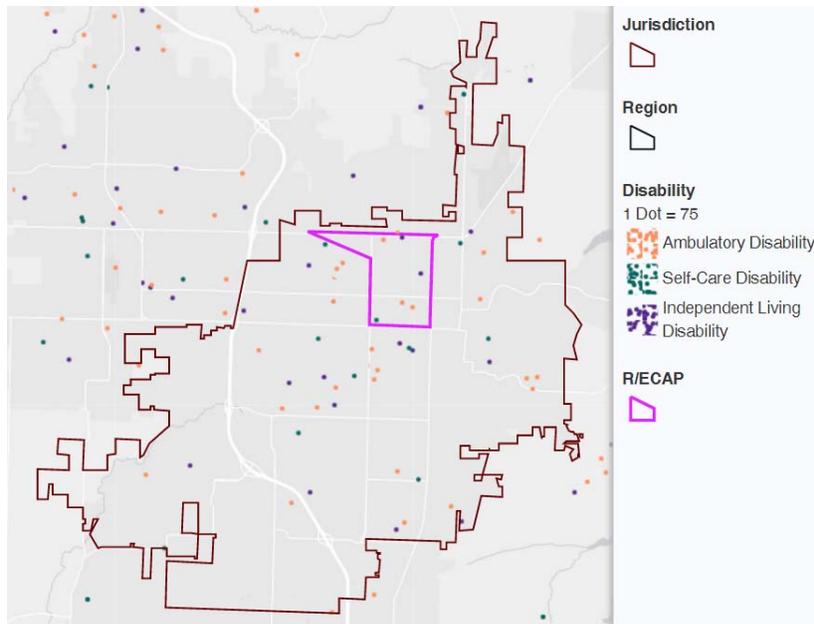
<sup>24</sup> "Olivewood Apartments." *Credio.com*. Graphiq Inc, 2017. Web. <http://section-8-housing.credio.com//10542/Olivewood-Apartments>. Accessed February 2017.

**HUD Map 14.1. Disability by Type (Hearing, Vision and Cognitive Disability)<sup>1</sup>**



<sup>1</sup>Based on the July 2016 version of the Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool. In the most recent version of this map, the area is no longer defined as a R/ECAP by HUD.

**HUD Map 14.2. Disability by Type (Ambulatory, Self-Care and Independent Living Disability)<sup>1</sup>**



<sup>1</sup>Based on the July 2016 version of the Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool. In the most recent version of this map, the area is no longer defined as a R/ECAP by HUD.

### 3. DISPARITIES IN ACCESS TO OPPORTUNITY

- a. **Describe any disparities in access to opportunity for residents of publicly supported housing, including within different program categories (public housing, project-based Section 8, Other HUD Multifamily Assisted Developments, HCV, and LIHTC) and between types (housing primarily serving families with children, elderly persons, and persons with disabilities) of publicly supported housing.**

According to HUD Map 5, project-based Section 8 housing is located mostly in the north-central area of the city. This area is shown in HUD Maps 9 and 12 in the Disparities in Access to Opportunities chapter to have a high rate of poverty and low labor market engagement. Units in the housing choice voucher program are located in the south-central area of the city and include several families with children, according to HUD Table 7. A LIHTC development is also located in this area. As shown in HUD Map 7 in the Disparities in Access to Opportunities chapter, this is an area of low school proficiency.

Senior housing units, considered part of the “Other Multifamily” category in HUD Table 7, are located in an area of medium environmental health, as shown in HUD Map 13 in the Disparities in Access to Opportunity chapter.

### 4. ADDITIONAL INFORMATION

- a. **Beyond the HUD-provided data, provide additional relevant information, if any, about publicly supported housing in the jurisdiction and region, particularly information about groups with other protected characteristics and about housing not captured in the HUD-provided data.**
- b. **The program participant may also describe other information relevant to its assessment of publicly supported housing. Information may include relevant programs, actions, or activities, such as tenant self-sufficiency, place-based investments, or mobility 8 programs.**

The Siloam Springs Housing Authority operates public housing in Rogers and all of Benton County. The housing authority declined to comment on whether they believe that people living in publicly supported housing in Rogers have equal access to educational, employment, and transportation opportunities.

### 5. CONTRIBUTING FACTORS OF PUBLICLY SUPPORTED HOUSING LOCATION AND OCCUPANCY

*Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of fair housing issues related to publicly supported housing, including Segregation, RECAPs, Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each contributing factor that is significant, note which fair housing issue(s) the selected contributing factor relates to.*

- **Admissions and occupancy policies and procedures, including preferences in publicly supported housing**
- **Land use and zoning laws**
- **Community opposition**
- **Impediments to mobility**
- **Lack of private investment in specific neighborhoods**
- **Lack of public investment in specific neighborhoods, including services and amenities**
- **Lack of regional cooperation**
- **Occupancy codes and restrictions**
- **Quality of affordable housing information programs**
- **Sitting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs**

- **Source of income discrimination**
- **Other**

Based on the data provided by HUD and input from stakeholders and residents during the community participation process, the following factors contribute to publicly supported housing location and occupancy in Rogers:

#### LACK OF REGIONAL COOPERATION

All public housing in Rogers is managed by the Siloam Springs Housing Authority. Input from the community participation process indicated limited cooperation between the City of Rogers and the housing authority. In addition, the housing authority is located over 30 miles away from the City of Rogers, which could make it difficult for the housing authority to remain aware of the needs of and accessible to Rogers residents.<sup>25</sup>

#### QUALITY OF AFFORDABLE HOUSING INFORMATION PROGRAMS

According to stakeholders, many low-income residents make complaints to the city about not being able to access information from the Siloam Springs Housing Authority. The most common complaints are related to not receiving complete information about public housing programs and not receiving any communication about the status of their public housing program applications.

#### IMPEDIMENTS TO MOBILITY

According to stakeholders who participated in the community participation process, the Siloam Springs Housing Authority typically has a waiting list of 8 to 12 months for rental assistance and housing choice vouchers. Stakeholders expressed concern that making the long (45 minutes to an hour) drive to Siloam Springs to apply for housing assistance and access housing resources is difficult for low-income residents in Rogers. The Siloam Springs Housing Authority does not have a website or any online public housing resources.

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<sup>25</sup> "Rogers, Arkansas to Siloam Springs Housing Authority." *Google.com*. Google Maps, 2017. Web. <https://www.google.com/maps/dir/Rogers,+AR/siloam+springs+housing+authority/@36.2413414,-94.4961825,11z/data=!4m1!3m1!2m1!1s0x87c910d451c1567d:0x19becf5373f4d412m2!1d-94.118536612d36.332019611m5!1m1!1s0x87c9a278596931bf:0x6785e84f2c5be5cel2m2!1d-94.553524912d36.1790019>. Accessed February 2017.

## D. DISABILITY AND ACCESS ANALYSIS

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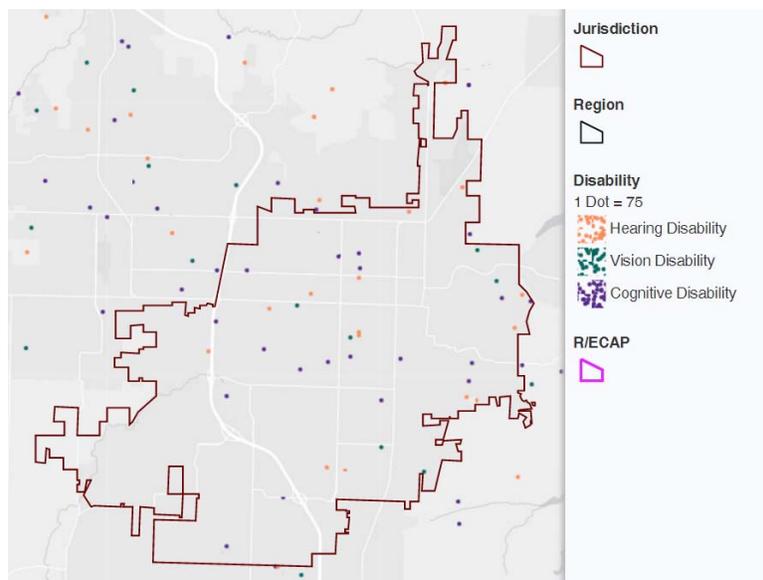
### POPULATION PROFILE

**a. How are persons with disabilities geographically dispersed or concentrated in the jurisdiction and region, including R/ECAPs and other segregated areas identified in previous sections?**

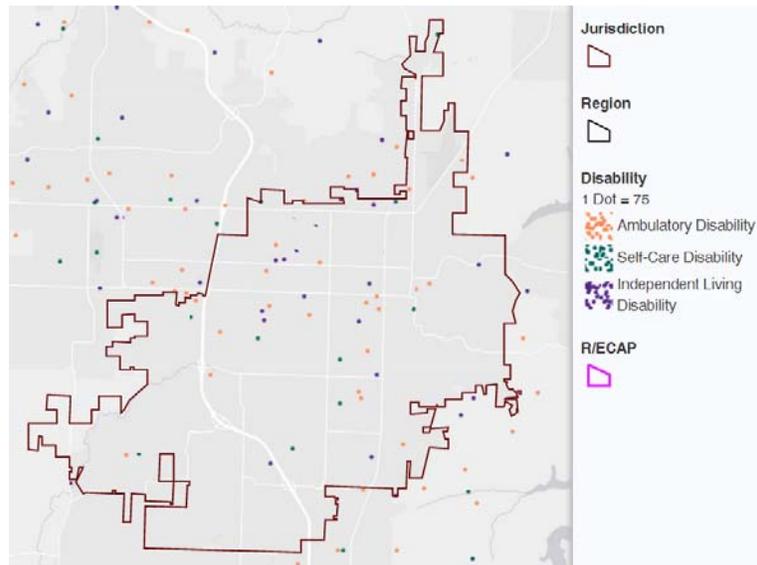
As shown in U.S. Department of Housing and Urban Development (HUD) Maps 14.1 and 14.2, persons with disabilities are relatively dispersed throughout the City of Rogers, although they are slightly more concentrated in the center of the city than in the outskirts. The area north of the center of the city, considered a racially or ethnically concentrated area of poverty (R/ECAP) on July 2016 HUD maps, contains some residents with disabilities but does not represent a particularly high concentration.

Each of the HUD tables and maps in this report are numbered according to the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

**HUD Map 14.1. Disability by Type (Hearing, Vision and Cognitive Disability)**



**HUD Map 14.2. Disability by Type (Ambulatory, Self-Care and Independent Living Disability)**



**b. Describe whether these geographic patterns vary for persons with each type of disability or for persons with disabilities in different age ranges.**

As shown in HUD Table 13, the most common disability in Rogers is ambulatory difficulty, affecting about four percent of the population. Ambulatory difficulty is defined in the U.S. Census Bureau American Community Survey as serious difficulty walking or climbing stairs.<sup>26</sup> Compared to the Fayetteville-Springdale-Rogers region as a whole, Rogers has a lower percentage of residents with disabilities. HUD Table 14 shows that disabilities are most common among residents between the ages of 18 and 64.

HUD Maps 14.1 and 14.2 indicate that residents with ambulatory, self-care, and independent living disabilities are slightly more concentrated in the northwest area of the city. This may be because this is the location of Dixieland Gardens, a senior housing complex with units specifically designed for residents with disabilities.<sup>27</sup> The Rogers Adult Wellness Center, a community center and recreation facility for seniors, is also located in this area.<sup>28</sup>

HUD Map 15 shows the geographical distribution of residents with disabilities by age group. Residents with disabilities over age 64 are slightly more concentrated in the center of the city, and residents with disabilities age 18-64 are slightly more concentrated on the northeast side of the city.

**HUD Table 13. Disability by Type**

Disability Type	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>		(Fayetteville-Springdale-Rogers, AR-MO) Region <sup>2</sup>	
	Number	Percent <sup>3</sup>	Number	Percent
Hearing difficulty	1,310	2.52%	16,037	3.69%
Vision difficulty	736	1.42%	9,263	2.13%
Cognitive difficulty	1,533	2.95%	19,209	4.42%

<sup>26</sup> "Disability: American Community Survey," *Census.gov*. U.S. Census Bureau, 2014. Web. <http://www.census.gov/people/disability/methodology/acs.html>. Accessed February 2017.

<sup>27</sup> "Dixieland Gardens Senior Housing." *Aaanwar.org*. Area Agency on Aging, n.d. Web. <http://www.aaanwar.org/templates/aaanwar.org/uploads/20130103/5eadbb5c4459b869fb931769702043d.pdf>. Accessed February 2017.

<sup>28</sup> "The Adult Wellness Center." *Rogersar.gov*. City of Rogers, n.d. Web. <http://rogersar.gov/131/Adult-Wellness-Center>. Accessed February 2017.

**HUD Table 13. Disability by Type**

Disability Type	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>		(Fayetteville-Springdale-Rogers, AR-MO) Region <sup>2</sup>	
	Number	Percent <sup>3</sup>	Number	Percent
Ambulatory difficulty	2,270	4.37%	27,433	6.31%
Self-care difficulty	855	1.65%	8,620	1.98%
Independent living difficulty	1,305	2.51%	16,988	3.91%

Source: U.S. Census Bureau American Community Survey, as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

<sup>1</sup> All percentages represent a share of the total population within the jurisdiction or region.

<sup>2</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

<sup>3</sup> Local region defined by HUD as a core-based statistical area (CSBA).

**HUD Table 14. Disability by Age Group**

Age of People with Disabilities	(Rogers, AR CDBG) Jurisdiction <sup>1</sup>		(Fayetteville-Springdale-Rogers, AR-MO) Region <sup>2</sup>	
	Number	Percent	Number	Percent
Age 5-17 with Disabilities	436	0.84%	4,400	1.01%
Age 18-64 with Disabilities	2,518	4.85%	29,110	6.70%
Age 65+ with Disabilities	1,592	3.07%	19,882	4.58%

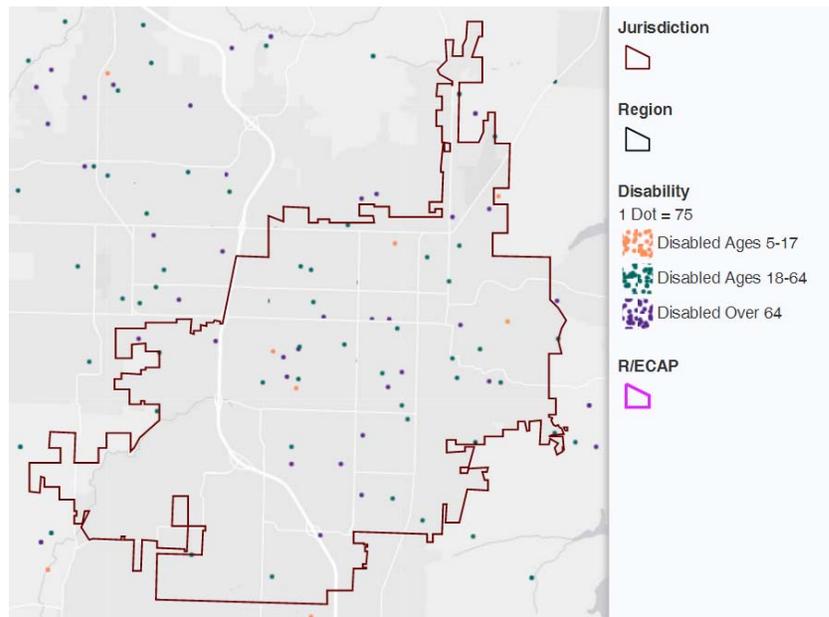
Source: U.S. Census Bureau American Community Survey, as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

<sup>1</sup> All percentages represent a share of the total population within the jurisdiction or region.

<sup>2</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

<sup>3</sup> Local region defined by HUD as a core-based statistical area (CSBA).

**HUD Map 15. Disability by Age Group.**



## PUBLICLY SUPPORTED HOUSING LOCATION AND OCCUPANCY

**a. Describe whether the jurisdiction and region have sufficient affordable, accessible housing in a range of unit sizes. Describe whether these geographic patterns vary for persons with each type of disability or for persons with disabilities in different age ranges.**

HUD Table 5 shows the number of publicly supported housing units in Rogers by program category. In total, the city has 297 publicly supported units across all categories, which represent about 1.5 percent of all housing units. For comparison, publicly supported units in nearby City of Springdale represent 3 percent of all housing units. According to stakeholders, the Siloam Springs Housing Authority, which manages public housing in Rogers, typically has a waiting list of 8 to 12 months for rental assistance and housing choice vouchers.

**HUD Table 5. Publicly Supported Housing Units by Program Category**

(Rogers, AR CDBG) Jurisdiction <sup>1</sup>		
Housing Units	Number	Percent
Total housing units	19,668	-
Public Housing	n/a	n/a
Project-based Section 8	128	0.65%
Other Multifamily	56	0.28%
HCV Program	113	0.57%

Sources: U.S. Census, 2010; A Picture of Subsidized Households (APSH); as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

<sup>1</sup>Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

Stakeholders believe the City of Rogers has a general shortage of affordable rental housing. Stakeholders note that the housing market is very competitive and land for new housing development is expensive and scarce, which makes building new affordable housing units not as profitable as market-rate housing for developers. As a result, low-income residents are paying more than they can afford for housing and are experiencing housing cost burden.

According to stakeholders, no areas of Rogers are underdeveloped. Due to high land prices, developers are claiming as much land as possible and are choosing to develop the most profitable housing, which tends to be larger, more expensive housing. Stakeholders generally believed this is not intentionally discriminatory, but it is contributing to the shortage of affordable housing. Stakeholders are aware of a large number of apartments being developed, but say that none or very few of them are affordable units. Stakeholders also mentioned the revitalization of downtown Rogers, but that the housing being developed in that area is not affordable for low-income residents.

Of the respondents to the resident survey, approximately 15 percent have someone with disabilities in their home, and 16 percent have at least one person over age 65. Only 4 percent of respondents indicate that their residences have been modified for a disability. Some respondents indicate that their homes had been modified by a previous owner, but that they themselves do not need accessibility modifications. Six percent of residents say that they need accessibility modifications, specifying the need for widened doorways, modified bathrooms, and wheel chair ramps.

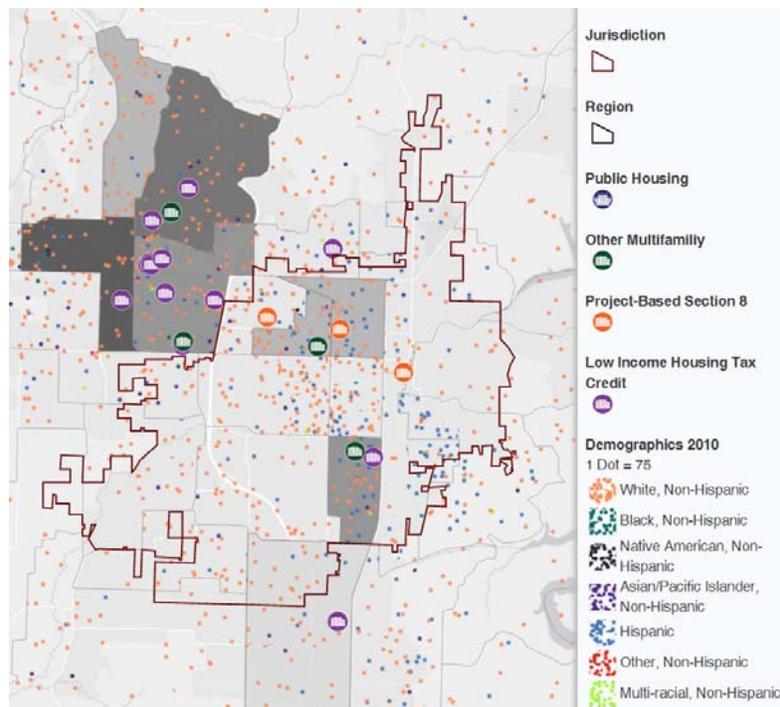
**b. Describe the areas where affordable accessible housing units are located. Do they align with R/ECAPs or other areas that are segregated?**

According to HUD Map 5, publicly supported housing units are located in the north-central and south-central areas of the city. Units in the north-central area, including all of the project-based Section 8 housing, are near the area

identified as a R/ECAP on July 2016 HUD maps, which is north of Walnut Street and between Dixieland Road and 8<sup>th</sup> Street. This area has a high concentration of Hispanic residents and a high level of poverty.

Low-Income Housing Tax Credit developments, housing choice voucher units, and other multifamily units are in the south-central area of the city. This is also an area of relatively high poverty and a high concentration of Hispanic residents, although it includes many Non-Hispanic White and multi-racial residents as well.

**HUD Map 5. Publicly Supported Housing and Race/Ethnicity.**



**c. To what extent are persons with different disabilities able to access and live in the different categories of publicly supported housing?**

HUD Table 15 provides a breakdown of each publicly supported housing program category by the proportion of residents with disabilities. Over 35 percent of the residents who receive housing choice vouchers have disabilities, and about 18 percent of public housing and project-based Section 8 housing residents have disabilities.

Compared to the region as a whole, residents with disabilities in Rogers make up a lower percentage of the population in project-based Section 8 housing and a higher percentage of the population receiving housing choice vouchers.

**HUD Table 15. Disability by Publicly Supported Housing Program Category**

Publicly Supported Housing Program Category	People with a Disability <sup>1</sup>	
	Number	Percent
<b>(Rogers, AR CDBG) Jurisdiction<sup>2</sup></b>		
Public Housing	n/a	n/a
Project-Based Section 8	19	18.10%
Other Multifamily	0	0.00%
HCV Program	33	35.48%
<b>(Fayetteville-Springdale-Rogers, AR-MO) Region<sup>3</sup></b>	<b>Number</b>	<b>Percent</b>

**HUD Table 15. Disability by Publicly Supported Housing Program Category**

Publicly Supported Housing Program Category	People with a Disability <sup>1</sup>	
Public Housing	115	26.32%
Project-Based Section 8	118	19.09%
Other Multifamily	0	0.00%
HCV Program	401	33.64%

Source: U.S. Census Bureau American Community Survey, as retrieved from the HUD Affirmatively Furthering Fair Housing (AFFH) Data and Mapping Tool.

<sup>1</sup> The definition of “disability” used by the U.S. Census Bureau may not be comparable to reporting requirements under HUD programs.

<sup>2</sup> Local jurisdiction defined by HUD as a recipient of Community Development Block Grant (CDBG) funding.

<sup>3</sup> Local region defined by HUD as a core-based statistical area (CSBA).

## INTEGRATION OF PERSONS WITH DISABILITIES LIVING IN INSTITUTIONS AND OTHER SEGREGATED SETTINGS

### a. To what extent do persons with disabilities in or from the jurisdiction or region reside in segregated or integrated settings?

HUD Maps 14.1 and 14.2 indicate that residents with ambulatory, self-care, and independent living disabilities are slightly more concentrated in the northwest area of the city. This may be because this is the location of Dixieland Gardens, a senior housing complex with units specifically designed for residents with disabilities.<sup>29</sup> In January 2017, a new triplex housing facility for individuals with disabilities opened on Oak Street in south-central Rogers.<sup>30</sup> No institutions for people with disabilities are located in Rogers.

### b. Describe the range of options for persons with disabilities to access affordable housing and supportive services.

Residents with disabilities have access to public housing, project-based Section 8 housing, and housing choice vouchers. Residents with disabilities have access to the Rogers Adult Wellness Center, which is located in the northwest area of the city, which is the area with the highest concentration of residents with disabilities. Rogers residents with disabilities are eligible for utility and transportation assistance provided by the City of Rogers.

## DISPARITIES IN ACCESS TO OPPORTUNITY

### a. To what extent are persons with disabilities able to access the following? Identify major barriers faced concerning:

- **Government services and facilities**
- **Public infrastructure (e.g., sidewalks, pedestrian crossings, pedestrian signals)**
- **Transportation**
- **Proficient schools and educational programs**
- **Jobs**

Approximately 47 percent of all Rogers residents who responded to the resident survey describe the public areas and facilities in Rogers as “somewhat accessible”, and 30 percent described them as “very accessible”. Stakeholders who advocate for individuals with disabilities explained how the lack of public transit disproportionately affects their clients who need public transit to visit doctors’ offices. Stakeholders report that in many cases, individuals with disabilities go to the emergency room because they cannot access transportation to a primary care physician.

<sup>29</sup> Dixieland Gardens Senior Housing.” *Aaanwar.org*. Area Agency on Aging, n.d. Web. <http://www.aaanwar.org/templates/aaanwar.org/uploads/20130103/5eadbdb5c4459b869fb931769702043d.pdf>. Accessed February 2017.

<sup>30</sup> Wallace, April. “Rogers gets first Bost housing facility of Northwest Arkansas.” *Nwaonline.com*. Northwest Arkansas Democrat Gazette, January 2017. Web. <http://www.nwaonline.com/news/2017/jan/18/rogers-gets-first-bost-housing-facility/>. Accessed February 2017.

Ozark Regional Transit operates two bus routes in Rogers between 7:05 a.m. and 7:05 p.m. from Monday to Friday.<sup>31</sup> Stakeholders mentioned that Ozark Regional Transit provides paratransit services but a rider must give seven days' notice to request a ride. The City of Rogers also operates a transportation assistance program that provides \$80 per month in taxi or Ozark Regional Transit rides for seniors and residents with disabilities. The program serves 100 residents per year.

The City of Rogers provides \$25,000 in annual Community Development Block Grant (CDBG) funding to Open Avenues, a program that provides training and employment opportunities for people with disabilities.<sup>32</sup> Open Avenues has six buses that assist with transportation to and from their facility.

The city also provides scholarships using CDBG funds to the Sunshine School and Development Center, an organization that provides counseling for students with disabilities and helps with their adjustment into public schools.<sup>33</sup>

**b. Describe the processes that exist in the jurisdiction and region for persons with disabilities to request and obtain reasonable accommodations and accessibility modifications to address the barriers discussed above.**

Residents with disabilities who own their homes are eligible to request accessibility modifications from the City of Rogers housing rehabilitation program. Usually about one rehabilitation project per year includes some type of accessibility modification.

Of the respondents to the resident survey, four percent indicated that their residences have been modified for a disability. Some respondents indicated that their homes had been modified by a previous owner, but that they themselves do not need accessibility modifications. Six percent of residents say that they need accessibility modifications, specifying the need for widened doorways, modified bathrooms, and wheel chair ramps.

Stakeholders say that their clients with disabilities have been told by landlords that if they make accessibility improvements to a rental property, they have to return the property to its original condition or risk losing their security deposit. Stakeholders also mention that one large rental company in Rogers owns about 80 percent of all of the rental properties, and that their clients with disabilities refer to being "blacklisted" by this company, which makes it very difficult to find housing.

**c. Describe any difficulties in achieving homeownership experienced by persons with disabilities and by persons with different types of disabilities.**

Stakeholders say that many residents with disabilities have very low incomes which limit their housing choices, often forcing them to live in housing that is in poor condition and does not meet their accessibility needs. Even if individuals with disabilities can access benefits, the assistance is typically not enough to afford decent, accessible housing. Stakeholders explained that many of their clients with disabilities are forced to rent motel rooms because they cannot find a place they can afford.

## DISPROPORTIONATE HOUSING NEEDS

**a. Describe any disproportionate housing needs experienced by persons with disabilities and by persons with certain types of disabilities.**

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<sup>31</sup> "Schedules & Maps." *Ozark.org*. Ozark Regional Transit, 2017. Web. <http://www.ozark.org/schedules-maps/schedules-maps>. Accessed February 2017.

<sup>32</sup> "Services." *Openavenues.org*. Open Avenues, n.d. Web. <http://openavenues.org/services.htm>. Accessed February 2017.

<sup>33</sup> "Our History." *Nwasunshineschool.org*. Sunshine School & Development Center, 2015. Web. <https://nwasunshineschool.org/about-us/>. Accessed February 2017.

According to HUD, disproportionate housing need exists when housing has any one of the following four problems: lacks complete kitchen facilities, lacks complete plumbing facilities, houses more than one person per room, or has a cost burden (monthly housing costs, including utilities, exceed 30 percent of monthly income).<sup>34</sup> “Severe” housing need exists when any of the first three problems are met and/or the house has severe cost burden (monthly housing costs, including utilities, exceed 50 percent of monthly income).<sup>35</sup> HUD Tables 9 and 10 show the demographics of households meeting these criteria.

Results from the community participation process suggest that Rogers residents with disabilities have a slightly higher rate of housing need. Among respondents with at least one person with disabilities in their household, 53 percent said they experience a cost burden and 31 percent said they experience a severe cost burden. For comparison, according to the HUD data for all residents, 31 percent experience one of the four housing problems and 11 percent experience severe cost burden.

## ADDITIONAL INFORMATION

**a. Beyond the HUD-provided data, provide additional relevant information, if any, about disability and access issues in the jurisdiction and region affecting groups with other protected characteristics.**

**b. The program participant may also describe other information relevant to its assessment of disability and access issues.**

Additional information collected during the community participation process was discussed previously in this chapter. Additional information from residents and stakeholders and from an analysis of local laws and policies is discussed in the following section.

## DISABILITY AND ACCESS ISSUES CONTRIBUTING FACTORS

**Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of disability and access issues and the fair housing issues, which are Segregation, RECAPs, Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each contributing factor, note which fair housing issue(s) the selected contributing factor relates to.**

- Access to proficient schools for person with disabilities
- Access to publicly supported housing for persons with disabilities
- Access to transportation for persons with disabilities
- Inaccessible government facilities or services
- Inaccessible sidewalks, pedestrian crossings, or other infrastructure
- Lack of affordable in-home or community-based supportive services
- Lack of affordable, accessible housing in range of unit sizes
- Lack of affordable, integrated housing for individuals who need supportive services
- Lack of assistance for housing accessibility modifications
- Lack of assistance for transitioning from institutional settings to integrated housing
- Land use and zoning laws
- Lending Discrimination
- Location of accessible housing

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<sup>34</sup> *Affirmatively Furthering Fair Housing (AFFH) Data Documentation*. U.S. Department of Housing and Urban Development, July 2016. p. 11. PDF File. Web. <https://www.hudexchange.info/resources/documents/AFFH-Data-Documentation.pdf>. Accessed January 2017.

<sup>35</sup> *Affirmatively Furthering Fair Housing (AFFH) Data Documentation*. U.S. Department of Housing and Urban Development, July 2016. p. 11. PDF File. Web. <https://www.hudexchange.info/resources/documents/AFFH-Data-Documentation.pdf>. Accessed January 2017.

- **Occupancy codes and restrictions**
- **Regulatory barriers to providing housing and supportive services for persons with disabilities**
- **State or local laws, policies, or practices that discourage individuals with disabilities from being placed in or living in apartments, family homes, and other integrated settings**
- **Other**

Based on input from stakeholders and residents during the community participation process and an analysis of local laws and policies, the following contributing factors to access for people with disabilities were identified:

#### LACK OF AFFORDABLE, ACCESSIBLE HOUSING IN A RANGE OF UNIT SIZES

According to stakeholders who advocate for individuals for disabilities, accessible housing in Rogers is insufficient to meet the need. Stakeholders say that their clients with disabilities live primarily in two private apartment complexes in Rogers. The complexes are very well maintained and affordable, but the units are always full and the landlord maintains a waiting list. Stakeholders also say that many residents with disabilities have very low incomes which limit their housing choices, often forcing them to live in housing that is in poor condition and does not meet their accessibility needs. Even if individuals with disabilities can access benefits, the assistance is typically not enough to afford decent, accessible housing. Stakeholders explained that many of their clients with disabilities end forced to rent motel rooms because they cannot find a place they can afford.

#### LACK OF ASSISTANCE FOR HOUSING ACCESSIBILITY MODIFICATIONS

Stakeholders say that their clients with disabilities have been told by landlords that if they make accessibility improvements to a rental property, they have to return the property to its original condition or risk losing their security deposit. Stakeholders also mention that one large rental company in Rogers owns about 80 percent of all of the rental properties, and that their clients with disabilities refer to being “blacklisted” by this company, which makes it very difficult to find housing.

#### LAND USE AND ZONING LAWS

Although the Rogers municipal code Chapter 14, Article VI, Division 1 does allow unrelated people with disabilities to live together as a “family,” the code limits the size of this “family” to eight people with disabilities and specifies that two additional persons, acting as house parents or guardians, may also be included. The definition of disability used in the Rogers municipal code is different than the definition under the federal Fair Housing Act. Specifically, Rogers code defines these as “mentally retarded or physically disabled persons”, which does not capture groups such as individuals with emotional or mental illnesses and individuals with learning disabilities protected in the Fair Housing Act.<sup>36</sup>

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<sup>36</sup> “Fair Housing Rights of Persons with Disabilities.” *Accessiblehousing.org*. The Directory of Accessible Housing, n.d. Web. <http://www.accessiblehousing.org/rights/disabilities.asp>. Accessed January 2017.

## E. FAIR HOUSING ENFORCEMENT, OUTREACH CAPACITY, AND RESOURCES ANALYSIS

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- a. **List and summarize any of the following that have not been resolved: a charge or letter of finding from HUD concerning a violation of a civil rights-related law, a cause determination from a substantially equivalent state or local fair housing agency concerning a violation of a state or local fair housing law, a letter of findings issued by or lawsuit filed or joined by the Department of Justice alleging a pattern or practice or systemic violation of a fair housing or civil rights law, or a claim under the False Claims Act related to fair housing, nondiscrimination, or civil rights generally, including an alleged failure to affirmatively further fair housing.**

According to available secondary data and information obtained through the community participation process, Rogers does not have any unresolved issues described. A representative from the Siloam Springs Housing Authority, the local public housing agency (PHA) in Rogers, reported no fair housing issues and no history of complaints from residents of the City of Rogers.

- b. **Describe any state or local fair housing laws. What characteristics are protected under each law?**

### ARKANSAS STATE LAWS

The following State of Arkansas laws relate to fair housing and may affect fair housing in the City of Rogers.

#### ARKANSAS CIVIL RIGHTS ACT OF 1993

The Arkansas Civil Rights Act of 1993 was the first modern civil rights legislation in the state.<sup>37</sup> Like the federal Civil Rights Act, it prohibits discrimination based on race, religion, national origin, gender, and disability.<sup>38</sup> However, because the law does not specify an enforcement mechanism, state judges rarely use the Arkansas Civil Rights Act and instead refer to federal law for guidance in most civil rights cases.<sup>39</sup>

#### ARKANSAS FAIR HOUSING ACT

Over 30 years after the federal Fair Housing Act was passed in 1968 (as part of the Civil Rights Act), the state-specific Arkansas Fair Housing Act was enacted in 2001.<sup>40</sup> Recognized by the U.S. Department of Housing and Urban Development (HUD) in 2003 as “substantially equivalent” to the federal law, the Arkansas Fair Housing Act prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status, and disability.<sup>41</sup> The act also led to the creation of the Arkansas Fair Housing Commission, a “quasi-judicial, regulatory, enforcement agency” that works with HUD to enforce fair housing laws.<sup>42</sup>

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<sup>37</sup> *An Overview of the Arkansas Civil Rights Act of 1993*. University of Arkansas at Little Rock, 1997. p. 2. PDF File. Web. [http://lawrepository.ualr.edu/cgi/viewcontent.cgi?article=1059&context=faculty\\_scholarship](http://lawrepository.ualr.edu/cgi/viewcontent.cgi?article=1059&context=faculty_scholarship). Accessed January 2017.

<sup>38</sup> “Fair Housing Laws.” *Fairhousing.arkansas.gov*. Arkansas Fair Housing Commission, n.d. Web. <http://www.fairhousing.arkansas.gov/index.php/fair-housing-laws>. Accessed January 2017.

<sup>39</sup> “Arkansas Civil Rights Act of 1993.” *Encyclopediaofarkansas.net*. The Encyclopedia of Arkansas History & Culture, June 2015. Web. <http://www.encyclopediaofarkansas.net/encyclopedia/entry-detail.aspx?entryID=7312>. Accessed January 2017.

<sup>40</sup> “The Fight for Fair Housing in Arkansas.” *Lawyerscommittee.org*. Lawyers’ Committee for Civil Rights Under Law, April 2016. Web. <https://lawyerscommittee.org/2016/04/fight-fair-housing-arkansas/>. Accessed January 2017.

<sup>41</sup> “History.” *Fairhousing.arkansas.gov*. Arkansas Fair Housing Commission, n.d. Web. <http://www.fairhousing.arkansas.gov/index.php/about-us/history>. Accessed January 2017.

<sup>42</sup> “Arkansas Fair Housing Commission.” *Fairhousing.arkansas.gov*. Arkansas Fair Housing Commission, n.d. Web. <http://www.fairhousing.arkansas.gov/>. Accessed January 2017.

## ARKANSAS ACT 137

Arkansas Act 137 was passed on February 24, 2015 to regulate the definition of protected classes under civil rights legislation. Specifically, the law states that any “county, municipality, or other political subdivision of the state shall not adopt or enforce an ordinance, resolution, rule, or policy that creates a protected classification or prohibits discrimination on a basis not contained in state law.” This means the City of Rogers must adhere to the statewide definitions of protected classes and cannot enact any local laws to expand those definitions or specifically protect any other groups of people. In other states (including California, Virginia, Vermont, and Massachusetts), protected classes have been expanded to include categories such as age, marital status, source of income, and sexual orientation.<sup>43</sup>

## CRIMINAL EVICTION

Under Arkansas Code Ann. § 18-16-101, it is a violation of Arkansas law for a tenant to fail to pay rent as agreed and then fail to vacate ten days after receiving written notice to do so.<sup>44</sup> Arkansas is the only state to have a law that treats eviction as a criminal case.<sup>45</sup> Arkansas is also one of the only states that does not have a law prohibiting “retaliatory eviction”, which would prevent landlords from evicting a tenant because the tenant has reported a housing code violation or filed a similar complaint.<sup>46</sup> This combination of laws restricts tenant rights. Landlords who do not wish to pursue eviction through the criminal court are also able to settle evictions in civil court.<sup>47</sup>

In the case of *State v. Artorio Smith*, a circuit judge in Pulaski County (the county in which Little Rock is located) ruled that the state’s criminal eviction statute was unconstitutional, violating the cruel and unusual punishment prohibition of the U.S. Constitution.<sup>48</sup> A circuit judge in Woodruff County (in the Arkansas Delta) ruled similarly based on the lack of due process and the similarity to a debtor’s prison (debtor’s prisons were ruled unconstitutional by the U.S. Supreme Court in 1983<sup>49</sup>).<sup>50</sup>

## IMPLIED WARRANTY OF HABITABILITY

Arkansas is also unique in that it is the only state without an implied warranty of habitability law.<sup>51</sup> This law states that a landlord’s promise to provide safe, sanitary, and habitable housing is “implied” in every residential lease, but does not explicitly require landlords to maintain any standards of habitability. Arguments against such a law in Arkansas claim that although landlords are not obligated to maintain rental housing, tenants are able to account for any poor housing conditions by reporting them as housing code violations.<sup>52</sup>

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<sup>43</sup> Report to Governor Mike Beebe, *President Pro Tempore of the Senate, and Speaker of the House*. Non-Legislative Commission on the Study of Landlord-Tenant Laws, 2012. p. 28. PDF File. Web. [www.arkansasiustice.org/sites/default/files/file%20attachments/Landlord-Tenant%20Commission%20Report.pdf](http://www.arkansasiustice.org/sites/default/files/file%20attachments/Landlord-Tenant%20Commission%20Report.pdf). Accessed January 2017.

<sup>44</sup> Failure to pay rent- Refusal to vacate upon notice- Penalty, Ark. Code Ann. 18-61-101 (2001). Web. <http://blythevillepd.org/04PublicInformation/LandlordTenant/StatuteandAffidavit.pdf>. Accessed January 2017.

<sup>45</sup> Report to Governor Mike Beebe, *President Pro Tempore of the Senate, and Speaker of the House*. Non-Legislative Commission on the Study of Landlord-Tenant Laws, 2012. p. 8. PDF File. Web. [www.arkansasiustice.org/sites/default/files/file%20attachments/Landlord-Tenant%20Commission%20Report.pdf](http://www.arkansasiustice.org/sites/default/files/file%20attachments/Landlord-Tenant%20Commission%20Report.pdf). Accessed January 2017.

<sup>46</sup> Report to Governor Mike Beebe, *President Pro Tempore of the Senate, and Speaker of the House*. Non-Legislative Commission on the Study of Landlord-Tenant Laws, 2012. p. 7. PDF File. Web. [www.arkansasiustice.org/sites/default/files/file%20attachments/Landlord-Tenant%20Commission%20Report.pdf](http://www.arkansasiustice.org/sites/default/files/file%20attachments/Landlord-Tenant%20Commission%20Report.pdf). Accessed January 2017.

<sup>47</sup> Report to Governor Mike Beebe, *President Pro Tempore of the Senate, and Speaker of the House*. Non-Legislative Commission on the Study of Landlord-Tenant Laws, 2012. p. 13. PDF File. Web. [www.arkansasiustice.org/sites/default/files/file%20attachments/Landlord-Tenant%20Commission%20Report.pdf](http://www.arkansasiustice.org/sites/default/files/file%20attachments/Landlord-Tenant%20Commission%20Report.pdf). Accessed January 2017.

<sup>48</sup> Brantley, Max. “Judge invalidates state’s criminal eviction statute.” *Arktimes.com*. Arkansas Times, 2015. Web. <http://www.arktimes.com/ArkansasBlog/archives/2015/01/20/judge-invalidates-states-criminal-eviction-statute>. Accessed January 2017.

<sup>49</sup> *Bearden v. Georgia*. *Supreme.justia.com*. Justia, n.d. Web. <https://supreme.justia.com/cases/federal/us/461/660/>. Accessed January 2017.

<sup>50</sup> Brantley, Max. “Another judge strikes down Arkansas criminal eviction law.” *Arktimes.com*. Arkansas Times, 2015. Web. <http://www.arktimes.com/ArkansasBlog/archives/2015/04/15/more-court-progress-against-arkansas-eviction-law>. Accessed January 2017.

<sup>51</sup> “Why is Arkansas the Only State in U.S. Without this Law?” *Nwahompage.com*. KNWA Northwest Arkansas News, 2017. Web. <http://www.nwahompage.com/news/knwa/why-is-arkansas-the-only-state-in-us-without-this-law>. Accessed January 2017.

<sup>52</sup> Report to Governor Mike Beebe, *President Pro Tempore of the Senate, and Speaker of the House*. Non-Legislative Commission on the Study of Landlord-Tenant Laws, 2012. p. 18. PDF File. Web. [www.arkansasiustice.org/sites/default/files/file%20attachments/Landlord-Tenant%20Commission%20Report.pdf](http://www.arkansasiustice.org/sites/default/files/file%20attachments/Landlord-Tenant%20Commission%20Report.pdf). Accessed January 2017

## UNIFORM RESIDENTIAL LANDLORD AND TENANT ACT

The Uniform Residential Landlord and Tenant Act (URLTA) is a sample piece of legislation created by the National Conference of Commissioners on Uniform State Laws (NCCUSL).<sup>53</sup> The document is meant to provide a clear and standardized template for states to adopt, allowing for consistency among landlord laws (which are otherwise not federally regulated). The URLTA was created in 1972 and was partially adopted by the Arkansas legislature into the state code as the Arkansas Residential Landlord-Tenant Act of 2007.<sup>54,55</sup> A non-legislative commission on the study of landlord-tenant laws in 2012 concluded that the legislature had specifically removed the pro-tenant components of the URLTA, and the commission advocated that the state fully adopt the act.<sup>56</sup> As of January 23, 2017, there have been no updates to the act (located in Title 18, Subtitle 2, Chapter 17 of the Arkansas state code).<sup>57</sup>

## ROGERS MUNICIPAL CODE

In addition to state laws, several rules in the City of Rogers municipal code relate to fair housing.

### INTERNATIONAL RESIDENTIAL CODE

As specified in Chapter 10, Article 2 of the Rogers municipal code, guidelines for residential housing in the city use the International Residential Code (2012 edition). This is a uniform code created by the International Code Council, an organization that states it “is committed to meeting or exceeding the accessibility requirements of the Americans with Disabilities Act (ADA) and the Fair Housing Act (FHA).”<sup>58</sup> An earlier iteration of this code was reviewed by HUD in 2008 and confirmed to be in compliance with the Fair Housing Act.<sup>59</sup>

### ACCESSIBILITY

The following rules in the City of Rogers municipal code relate specifically to accessibility for people with disabilities.

**DISABILITY DEFINITION.** Although the Rogers municipal code Chapter 14, Article VI, Division 1 does allow unrelated people with disabilities to live together as a “family,” the code limits the size of this “family” to eight people with disabilities and specifies that two additional persons, acting as house parents or guardians, may also be included. The definition of disability used in the Rogers municipal code is different than the definition under the federal Fair Housing Act. Specifically, Rogers code defines these as “mentally retarded or physically disabled persons”, which does not capture groups such as individuals with emotional or mental illnesses and individuals with learning disabilities protected in the Fair Housing Act.<sup>60</sup> The Fair Housing Act defines disability as:

*“Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic, skin; and endocrine; or any mental or*

<sup>53</sup> Hall, Lucas. “The Truth about the Uniform Residential Landlord and Tenant Act (URLTA) of 1972.” *Landlordology.com*. Landlordology, December 2015. Web. <https://www.landlordology.com/summary-uniform-residential-landlord-and-tenant-act-urlta/>. Accessed January 2017.

<sup>54</sup> “Why is Arkansas the Only State in U.S. Without this Law?” *Nwahomepage.com*. KNWA Northwest Arkansas News, 2017. Web. <http://www.nwahomepage.com/news/knwa/why-is-arkansas-the-only-state-in-us-without-this-law/>. Accessed January 2017.

<sup>55</sup> “2015 Arkansas Code Title 18- Property, Subtitle 2- Real Property, Chapter 17- Arkansas Residential Landlord-Tenant Act of 2007.” *Law.justia.com*. Justia, n.d. Web. <http://law.justia.com/codes/arkansas/2015/title-18/subtitle-2/chapter-17/>. Accessed January 2017

<sup>56</sup> *Report to Governor Mike Beebe, President Pro Tempore of the Senate, and Speaker of the House. Non-Legislative Commission on the Study of Landlord-Tenant Laws, 2012.* p. 6. PDF File. Web. [www.arkansasjustice.org/sites/default/files/file%20attachments/Landlord-Tenant%20Commission%20Report.pdf](http://www.arkansasjustice.org/sites/default/files/file%20attachments/Landlord-Tenant%20Commission%20Report.pdf). Accessed January 2017.

<sup>57</sup> “2015 Arkansas Code Title 18- Property, Subtitle 2- Real Property, Chapter 17- Arkansas Residential Landlord-Tenant Act of 2007.” *Law.justia.com*. Justia, n.d. Web. <http://law.justia.com/codes/arkansas/2015/title-18/subtitle-2/chapter-17/>. Accessed January 2017.

<sup>58</sup> “Accessibility Info.” *iccsafe.org*. International Code Council, 2017. Web. <http://www.iccsafe.org/about-icc/safety/accessibility-info/>. Accessed January 2017.

<sup>59</sup> *Design and Construction Requirements; Compliance With ANSA A117.1 Standards; Final Rule.* Department of Housing and Urban Development, October 2008. PDF File. Web. <https://www.hud.gov/offices/fneo/disabilities/ANSIFinalRule.pdf>. Accessed January 2017.

<sup>60</sup> “Fair Housing Rights of Persons with Disabilities.” *Accessiblehousing.org*. The Directory of Accessible Housing, n.d. Web. <http://www.accessiblehousing.org/rights/disabilities.asp>. Accessed January 2017.

*psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.”*

**ACCESSIBLE PARKING.** Parking for people with disabilities is protected under Chapter 52 Article V of the Rogers municipal code, which establishes a fine structure for parking in designated accessible parking spaces without a disabilities decal or certificate.

**REFUSE AND RECYCLABLES COLLECTION.** Aside from the implicit accommodations of the International Residential Code, the city specifies that waste and recycling collectors must make an effort to be accessible to individuals with disabilities (as defined by the Americans with Disabilities Act) and cannot discriminate on the basis of race, sex, age, creed, color, religion, or national origin.<sup>61</sup> The city also gives special consideration to senior citizens (age 60 or older) who produce small amounts of solid waste as “low volume customers”.<sup>62</sup>

## ZONING

The Rogers municipal code establishes 20 zoning districts for land use in the city. Overall, the majority of the land zoned for housing is single family residential, but a large amount of land is zoned for “neighborhood residential” in central Rogers, and a large amount of land is zoned for multi-family duplex or patio homes around the perimeter of central Rogers. Most of the land zoned for higher-density multifamily housing is located in the northeastern and southwestern areas of the city. Based on data provided by HUD, these are medium- and low-poverty areas, respectively. The code also has a specific zoning category for residential affordable housing that limits the construction of new affordable housing units to a large area in central Rogers, a high-poverty area, and smaller areas near the northern and eastern boundary of the city which are medium-poverty areas based on data provided by HUD. Rogers city code does allow for smaller lot sizes which could enable developers to build affordable single-family housing, however land values in Rogers deter developers from building low-density affordable housing.

The City of Rogers has established the Downtown Rogers Development Code in Chapter 14, Article VI, Division 2, Section 14-715, aimed at revitalizing the historic downtown area to “implement the vision for a more walkable, vibrant, mixed use neighborhood.” The code is designed to increase connectivity with surrounding neighborhoods and create more pedestrian-oriented development. The code does allow for mixed-use and multifamily housing development, but does not specify that new development must include affordable units.

### **c. Identify any local and regional agencies and organizations that provide fair housing information, outreach, and enforcement, including their capacity and the resources available to them.**

The Siloam Springs Housing Authority manages public housing in Rogers and is located in Siloam Springs, over 30 miles away from the City of Rogers.<sup>63</sup> According to stakeholders, the housing authority typically has a waiting list of 8 to 12 months for rental assistance and housing choice vouchers. A representative from the housing authority claimed that the staff is adequately informed about fair housing and no one has made a fair housing complaint.

The Arkansas Fair Housing Commission is a statewide organization that works with HUD to enforce fair housing regulations. One stakeholder commented that although the commission is generally responsive when specific fair housing issues arise, it does not conduct testing that could address other, more latent concerns.

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<sup>61</sup> City of Rogers Code of Ordinances Appendix A, Article III, Division 1, Section V.

<sup>62</sup> City of Rogers Code of Ordinances Appendix A, Article III, Division 1, Section I.

<sup>63</sup> “Rogers, Arkansas to Siloam Springs Housing Authority.” *Google.com*. Google Maps, 2017. Web. <https://www.google.com/maps/dir/Rogers,+AR/siloam+springs+housing+authority/@36.2413414,-94.4961825,11z/data=!4m1!3m1!2m1!1s0x87c910d451c1567d:0x19becf5373f4d412m2!1d-94.118536612d36.33201961m5!1m1!1s0x87c9a278596931bf:0x6785e84f2c5be5cel2m2!1d-94.553524912d36.1790019>. Accessed February 2017.

Lindsey & Associates is the largest real estate agency in the area. Employees of the agency participate in fair housing training through the National Association of Realtors and must complete ethics training through the State of Arkansas.

## ADDITIONAL INFORMATION

- a. **Provide additional relevant information, if any, about fair housing enforcement, outreach capacity, and resources in the jurisdiction and region.**
- b. **The program participant may also include information relevant to programs, actions, or activities to promote fair housing outcomes and capacity.**

Of the Rogers residents who responded to the survey as part of the community participation process, most (53 percent) say they do not know how to file a housing complaint, and many (44 percent) say they do not know who to talk to if they believe they have been discriminated against while looking for housing. Of the 174 residents who responded, half say they do not trust that a housing complaint would be addressed if they were to file one.

## FAIR HOUSING ENFORCEMENT, OUTREACH CAPACITY, AND RESOURCES CONTRIBUTING FACTORS

*Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of fair housing enforcement, outreach capacity, and resources and the fair housing issues, which are Segregation, RECAPs, Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each significant contributing factor, note which fair housing issue(s) the selected contributing factor impacts.*

- **Lack of local private fair housing outreach and enforcement**
- **Lack of local public fair housing enforcement**
- **Lack of resources for fair housing agencies and organizations**
- **Lack of state or local fair housing laws**
- **Unresolved violations of fair housing or civil rights law**
- **Other**

Stakeholders identified the following contributing factors to fair housing enforcement, outreach capacity, and resources in Rogers during the community participation process and as a result of an analysis of state and local fair housing laws:

### LACK OF STATE OR LOCAL FAIR HOUSING LAWS

State laws related to criminal eviction and the lack of implied warranty of habitability are unique to Arkansas and leave residents with limited rights. Combined with the disincentive for reporting housing code violations in Rogers, the laws can create an environment that does not allow for adequate fair housing enforcement.

### LACK OF LOCAL PRIVATE FAIR HOUSING OUTREACH AND ENFORCEMENT

Stakeholders who participated in the community participation process believe adequate information and education on fair housing issues is available for professionals in the housing industry (realtors, lenders, property managers), but their clients and the general public may not be fully informed of their rights and obligations.

## VI. FAIR HOUSING GOALS AND PRIORITIES

## VI. FAIR HOUSING GOALS AND PRIORITIES

### PRIORITIZATION OF CONTRIBUTING FACTORS

1. For each fair housing issue, prioritize the identified contributing factors. Justify the prioritization of the contributing factors that will be addressed by the goals set below in Question 2. Give the highest priority to those factors that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance.

The table below shows the fair housing issues that are discussed in this Assessment of Fair Housing (AFH). Contributing factors for each issue are shown in order of priority with justification. The highest priority has been given to contributing factors that were identified during the fair housing analysis which may limit or deny fair housing choice, limit or deny access to opportunity, or negatively impact fair housing and civil rights compliance. Priority is indicated by rank, with “1” being the highest priority.

Fair Housing Issues and Contributing Factors in the City of Rogers		
Fair Housing Issues	Contributing Factors (by priority level)	Justification of Prioritization
Segregation/Integration Racially or Ethnically- Concentrated Areas of Poverty (R/ECAPs)	<ol style="list-style-type: none"> <li>1. Location and type of affordable housing</li> <li>2. Displacement of residents due to economic pressure</li> <li>3. Land use and zoning laws</li> </ol>	<ol style="list-style-type: none"> <li>1. Low- income residents have limited options for affordable housing due to increasing housing prices and lack of new affordable housing development.</li> <li>2. Rogers municipal code outlines a plan for the revitalization of the downtown area. Since this area is surrounded by low-income areas, low-income residents could be displaced by economic pressure created by this revitalization.</li> <li>3. The majority of the land zoned for housing is single family residential. Land zoned for residential affordable housing limits the construction of new affordable housing units to a large area in central Rogers and smaller areas near the northern and eastern boundary of the city.</li> </ol>
Disparities in Access to Opportunity	<ol style="list-style-type: none"> <li>1. Location and type of affordable housing</li> <li>2. Availability, type, frequency, and reliability of public transportation</li> <li>3. Location of employers</li> <li>4. Land use and zoning laws</li> </ol>	<ol style="list-style-type: none"> <li>1. Due to the shortage of affordable housing in Rogers, low income and Hispanic residents on the east side of the city experience more housing burden.</li> <li>2. Public transit is very limited in Rogers, especially for those who rely on it to access essential services such as residents with disabilities.</li> <li>3. Tyson Foods, the largest employer in Rogers, has two plants near the center of the city. Although this employer provides job opportunities for residents living close to the plants, these jobs may not be accessible for residents elsewhere in the city. For example, residents on the higher-poverty eastern border of the city may have trouble accessing these jobs, since they live further away and public transit is limited.</li> <li>4. Most of the land zoned for higher-density multifamily housing is located in the northeastern and southwestern areas of the city, which, based on data provided by HUD, are medium- and low-poverty areas, respectively.</li> </ol>

**Fair Housing Issues and Contributing Factors in the City of Rogers**

Fair Housing Issues	Contributing Factors (by priority level)	Justification of Prioritization
Disproportionate Housing Needs	<ol style="list-style-type: none"> <li>1. The availability of affordable units in a range of sizes</li> <li>2. Lending discrimination</li> <li>3. Land use and zoning laws</li> <li>4. Other                             <ol style="list-style-type: none"> <li>a. housing problems associated with older housing stock</li> <li>b. discrimination based on family size in the rental market</li> <li>c. shortage of accessible housing</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. Some stakeholders cited instances of “doubling-up” or overcrowding in low-income, mostly Hispanic areas of Rogers due to increasing housing prices and the shortage of affordable housing.</li> <li>2. Stakeholders cited instances of rent-to-own contracts with terms that could be considered predatory.</li> <li>3. Rogers municipal code has a specific zoning category for residential affordable housing that limits the construction of new affordable housing units to a large area in central Rogers, a high-poverty area, and smaller areas near the northern and eastern boundary of the city which are medium-poverty areas.</li> <li>4. Other                             <ol style="list-style-type: none"> <li>a. Some low- to moderate-income buyers are purchasing low-quality housing. Because these homeowners are struggling to make payments, maintenance and repairs for their homes are very difficult to afford. Stakeholders believe that city code enforcement can disproportionately affect low-income residents.</li> <li>b. Stakeholders say they have heard of larger families being discriminated against when applying for rental housing in Rogers. According to stakeholders, landlords in the area prefer not to rent to large families.</li> <li>c. Stakeholders believe the City of Rogers does not have enough accessible housing units for residents with disabilities.</li> </ol> </li> </ol>
Publicly Supported Housing Location and Occupancy	<ol style="list-style-type: none"> <li>1. Lack of regional cooperation</li> <li>2. Quality of affordable housing information programs</li> <li>3. Impediments to mobility</li> </ol>	<ol style="list-style-type: none"> <li>1. All public housing in Rogers is managed by the Siloam Springs Housing Authority. Input from the community participation process indicated that cooperation between the City of Rogers and the housing authority is limited. In addition, the housing authority is located over 30 miles away from the City of Rogers, which could make it difficult for the housing authority to remain aware of the needs of and accessible to Rogers residents.</li> <li>2. According to stakeholders, many low-income residents make complaints to the city about not being able to access information from the Siloam Springs Housing Authority. The most common complaints are related to not receiving complete information about public housing programs and not receiving any communication about the status of their public housing program applications.</li> <li>3. Stakeholders expressed concern that making the long (45 minutes to an hour) drive to Siloam Springs to apply for housing assistance and access housing resources is difficult for low-income residents in Rogers. The Siloam Springs Housing Authority does not have a website or any online public housing resources.</li> </ol>
Disabilities and Access	<ol style="list-style-type: none"> <li>1. Lack of affordable, accessible housing in a range of unit sizes</li> <li>2. Lack of assistance for housing accessibility modifications</li> <li>3. Land use and zoning laws</li> </ol>	<ol style="list-style-type: none"> <li>1. According to stakeholders who advocate for individuals for disabilities, accessible housing in Rogers is insufficient to meet the need. Stakeholders say that their clients with disabilities live primarily in two private apartment complexes in Rogers with a waiting list. Stakeholders also say that many residents with disabilities have very low incomes which limit their housing choices, often forcing them to live in housing that is in poor condition and does not meet their accessibility needs. Stakeholders explained that many of their clients with disabilities end forced to rent motel rooms by the week because they cannot find a place they can afford.</li> <li>2. Stakeholders say that their clients with disabilities have been told by landlords that if they make accessibility improvements to a rental property, they have to return the property to its original condition or risk losing their security deposit.</li> <li>3. Although the Rogers municipal code Chapter 14, Article VI, Division 1 does allow unrelated people with disabilities to live together as a “family,” the code limits the size of this “family” to eight people with disabilities and specifies that two additional persons, acting as house parents or guardians, may also be included. The definition of disability used in the Rogers municipal code is different than the definition under the federal Fair Housing Act. Specifically, Rogers code defines these as “mentally retarded or physically disabled persons”, which does not capture groups such as individuals with emotional or mental illnesses and individuals with learning disabilities protected in the Fair Housing Act.</li> </ol>

**Fair Housing Issues and Contributing Factors in the City of Rogers**

Fair Housing Issues	Contributing Factors (by priority level)	Justification of Prioritization
Fair Housing Enforcement, Outreach Capacity, and Resources	<ol style="list-style-type: none"> <li>1. Lack of local private fair housing outreach and enforcement</li> <li>2. Lack of state or local fair housing laws</li> </ol>	<ol style="list-style-type: none"> <li>1. Although goals were established in the 2012 AI for increasing homebuyer outreach, education, and credit counseling efforts in order to increase the number of minorities who apply and qualify for mortgage loans, the City of Rogers does not currently provide or provide funding for the provision of outreach or education. Stakeholders believe that fair housing education and resources is adequate for housing professionals, but the general public is not informed.</li> <li>2. Due to a lack of state fair housing laws that protect consumers in Arkansas, and the state rule that cities cannot enact their own fair housing laws that go beyond federal and state requirements, Rogers residents have a disincentive to make fair housing complaints. Of the Rogers residents who responded to the survey during the community participation process the fair housing survey, most say they do not know how to file a housing complaint, many say they do not know who to talk to if they believe they have been discriminated against while looking for housing, and about half say they do not trust that a housing complaint would be addressed if they were to file one.</li> </ol>

**FAIR HOUSING GOALS**

2. **For each fair housing issue with significant contributing factors identified in Question 1, set one or more goals. Explain how each goal is designed to overcome the identified contributing factor and related fair housing issue(s). For goals designed to overcome more than one fair housing issue, explain how the goal will overcome each issue and the related contributing factors. For each goal, identify metrics and milestones for determining what fair housing results will be achieved, and indicate the timeframe for achievement.**

The table below shows the fair housing goals for the City of Rogers designed to overcome the fair housing issues and high-priority contributing factors that were identified during the fair housing analysis in this Assessment of Fair Housing (AFH).

### Fair Housing Goals for the City of Rogers

Fair Housing Goals	Contributing Factors	Fair Housing Issues	Metrics, Milestones, and Timeframe for Achievement	Responsible Program Participants
1. Encourage the development of new affordable housing units in Rogers.	<ul style="list-style-type: none"> <li>▪ Location and type of affordable housing</li> <li>▪ Displacement of residents due to economic pressure</li> <li>▪ Land use and zoning laws</li> <li>▪ The availability of affordable units in a range of sizes</li> </ul>	<ul style="list-style-type: none"> <li>▪ Segregation</li> <li>▪ Racially or ethnically-concentrated areas of poverty (R/ECAPs)</li> <li>▪ Disparities in access to opportunity</li> <li>▪ Disproportionate housing needs</li> </ul>	<ul style="list-style-type: none"> <li>▪ By the end of 2018, commit to a plan for increasing the amount of affordable housing in Rogers over the next 10 to 20 years.</li> <li>▪ By the end of 2018, amend the Rogers municipal code to require the inclusion of a specific number of affordable units in a range of sizes in new downtown Rogers housing development.</li> <li>▪ By the end of 2019, develop a plan for providing tax abatements, Tax Increment Financing (TIF), or other City of Rogers funding as incentives for affordable housing developments.</li> <li>▪ By the end of 2019, consider providing CDBG funding for the development of new affordable housing</li> <li>▪ By the end of 2019, explore Arkansas Development Finance Authority financing options for affordable housing, such as Low-Income Housing Tax Credits (LIHTC).</li> </ul>	<ul style="list-style-type: none"> <li>▪ City of Rogers Planning Department</li> <li>▪ Housing developers</li> <li>▪ Arkansas Development Finance Authority</li> </ul>
<p><u>Discussion:</u> Due to high land value and the competitive real estate market in Rogers, developers find it difficult to profit from the development of affordable housing. The City of Rogers should actively encourage affordable housing development in order to increase the number of affordable units in a range of sizes across the city and prevent the displacement of low-income residents as a result of downtown revitalization efforts.</p>				
2. Preserve affordable housing in areas in and around downtown Rogers.	<ul style="list-style-type: none"> <li>▪ Location and type of affordable housing</li> <li>▪ Displacement of residents due to economic pressures</li> <li>▪ Other                             <ul style="list-style-type: none"> <li>▪ housing problems associated with older housing stock</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Segregation</li> <li>▪ Racially or ethnically-concentrated areas of poverty (R/ECAPs)</li> <li>▪ Disparities in access to Opportunity</li> <li>▪ Disproportionate housing needs</li> </ul>	<ul style="list-style-type: none"> <li>▪ By the end of 2021, increase the number of affordable housing units rehabilitated from 35 currently to 40.</li> <li>▪ By the end of 2018, consider opportunities to work with local partners to recruit more volunteers to work on housing rehabilitation projects.</li> <li>▪ By the end of 2019, expand the housing rehabilitation program with a focus on older housing stock in low-income areas, including areas surrounding downtown Rogers.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Local nonprofits</li> <li>▪ City of Rogers Risk Reduction Department</li> </ul>
<p><u>Discussion:</u> In order to maintain existing affordable housing units in the neighborhoods surrounding downtown Rogers, which will help prevent low-income residents from being displaced from these areas, the city should expand the housing rehabilitation program with a focus on older housing stock in low-income areas.</p>				

### Fair Housing Goals for the City of Rogers

Fair Housing Goals	Contributing Factors	Fair Housing Issues	Metrics, Milestones, and Timeframe for Achievement	Responsible Program Participants
3. Provide fair housing outreach and education to low-income residents and local nonprofits.	<ul style="list-style-type: none"> <li>▪ Lack of local private fair housing outreach and enforcement</li> <li>▪ Lack of state or local fair housing laws</li> <li>▪ Other                             <ul style="list-style-type: none"> <li>▪ discrimination based on family size in the rental market</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Fair housing enforcement, outreach capacity, and resources</li> <li>▪ Disproportionate housing needs</li> </ul>	<ul style="list-style-type: none"> <li>▪ By the end of 2018, request a fair housing community meeting to be facilitated by the Arkansas Fair Housing Commission.</li> <li>▪ By the end of 2019, work with community partners to develop a plan for increasing fair housing outreach and education and financial literacy education in the community.</li> <li>▪ By the end of 2020, consider contracting for fair housing outreach and education and credit counseling and financial literacy services to be provided to low-income residents and minorities, particularly Hispanic residents.</li> </ul>	<ul style="list-style-type: none"> <li>▪ City of Rogers</li> <li>▪ Local property management companies</li> <li>▪ Local realtors</li> <li>▪ Local lenders</li> <li>▪ Local nonprofits</li> <li>▪ Siloam Springs Housing Authority</li> <li>▪ Arkansas Fair Housing Association</li> </ul>
<p><b>Discussion:</b> Since state and local fair housing laws limit the protection of consumers and limit fair housing enforcement for local governments, the City of Rogers should engage community partners to develop a plan for providing local fair housing outreach and education and consider contracting for these services. Providing outreach and education on fair housing laws may prevent discrimination by making low-income residents, protected classes, and their advocates more aware of their rights.</p>				
4. Increase the number of accessible housing units for people with disabilities.	<ul style="list-style-type: none"> <li>▪ Lack of affordable, accessible housing in a range of unit sizes</li> <li>▪ Lack of assistance for housing accessibility modifications</li> </ul>	<ul style="list-style-type: none"> <li>▪ Disabilities and access</li> </ul>	<ul style="list-style-type: none"> <li>▪ By the end of 2018, update the definition of “disability” in the City of Rogers municipal code to reflect the definition used in the Fair Housing Act.</li> <li>▪ By the end of 2021, ensure that at least four (10 percent) of the housing units rehabilitated through the housing rehabilitation program include accessibility modifications.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Local nonprofits</li> <li>▪ City of Rogers legal counsel</li> <li>▪ Housing developers</li> <li>▪ City of Rogers Planning Department</li> </ul>
<p><b>Discussion:</b> Advocates for people with disabilities in Rogers noted a shortage of affordable housing in Rogers that meets the accessibility needs of their clients. The city should focus on accessibility modifications through the housing rehabilitation program to create more affordable, accessible units. The city should update the definition of “disability” in the municipal code to ensure that all individuals with any type of disability are included in existing and future city policies.</p>				
5. Ensure that low-income residents have access to publicly supported housing in Rogers.	<ul style="list-style-type: none"> <li>▪ Lack of regional cooperation</li> <li>▪ Quality of affordable housing information programs</li> <li>▪ Impediments to mobility</li> </ul>	<ul style="list-style-type: none"> <li>▪ Publicly supported housing location and occupancy</li> </ul>	<ul style="list-style-type: none"> <li>▪ By the end of 2019, consider options for relocating the administrative offices of the public housing authority from Siloam Springs to Rogers.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Siloam Springs Housing Authority</li> </ul>
<p><b>Discussion:</b> The City of Rogers should work with partners in Benton County to consider options for relocating the administrative offices of the Siloam Springs Housing Authority from Siloam Springs to Rogers to better serve residents of Benton County in need of publicly supported housing. Due to the distance between Siloam Springs and Rogers, the lack of public transportation options, and the lack of information and resources available online, publicly supported housing managed by the Siloam Springs Housing Authority is difficult for residents of the City of Rogers to access.</p>				