
CITY OF CUPERTINO

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI)



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The City of Cupertino
Community Development Department
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I. Introduction

“ . . . affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.”¹

– U.S. Department of Housing and Urban Development (HUD), Affirmatively Furthering Fair Housing; Final Rule

The City of Cupertino (City) is committed to affirmatively furthering fair housing and overcoming identified impediments to fair housing choice throughout the City. This Analysis of Impediments to Fair Housing Choice (AI) draws on the City’s previous AI, regional and local data sources, and planning documents to provide an overview of the laws, policies, procedures, and circumstances that shape housing choice for individuals and households in the City.

The purpose of the AI is to provide information on fair housing, identify limitations to housing choice, and offer recommendations to minimize or eliminate any fair housing choice barriers that individuals and households face in their search for housing. It is intended to serve as a blueprint to guide future fair housing planning and resource allocation and is meant to provide meaningful information to policymakers, housing advocates, providers, and lenders in their efforts to build and support fair housing policies and practices.

As a recipient of Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD), the City is compelled to complete an AI to offer an overview of the current housing profile and set guidelines to address any fair housing choice issues identified.

Organization of the AI

This AI is divided into the following eight chapters:

- I. **Introduction** defines “fair housing” and discusses the purpose of the report.
- II. **Background Data** provides an overview of the socio-demographic and access characteristics of the City, along with a discussion of their relationship to fair housing choice.
- III. **Housing Profile** provides an overview of the housing characteristics of the City, along with a discussion of their relationship to fair housing choice.
- IV. **Mortgage Lending Practices** discusses public and private lending practices that shape the ability of individuals and households to obtain housing.

¹ 24 CFR Parts 5, 91, 92, 570, 574, 576, and 903: Affirmatively Furthering Fair Housing, Executive Summary Page 42272

- V. **Public Policies and Practices** discusses public policies that shape the ability of individuals and households to obtain housing.
- VI. **Fair Housing Profile** analyzes current public and private sector fair housing programs and activities and identifies any findings regarding trends and patterns associated with discriminatory housing practices.
- VII. **Fair Housing Progress Since 2010** summarizes the actions and recommendations outlined in the 2010 AI and the City’s progress to date.
- VIII. **Key Findings and Recommendations** presents a set of recommended strategies and action steps to overcome the barriers to fair housing choice identified within the report.

What is Fair Housing?

Federal and state fair housing laws are designed to prohibit housing discrimination and guarantee equal access to purchasing, renting, leasing, or lending a home and obtaining housing insurance and mortgages. Federal fair housing laws prohibit housing discrimination on the basis of race, color, religion, sex, national origin, familial status, and disability. California fair housing laws advance those implemented at the federal level and forbid discrimination because of age, marital status, ancestry, source of income, sexual orientation, and other forms of arbitrary discrimination.

Legal Framework

To ensure that all individuals and families are given equal access to housing, the federal government and the State of California (State) have enacted the following laws to prohibit subtle and overt forms of housing discrimination.

Federal Fair Housing Laws

- *Title VI of the Civil Rights Act of 1964 (Title VI)*: Title VI is intended to protect the rights of individuals regardless of race, color, or national origin in programs and activities that receive federal funding or financial assistance.²
- *Title VIII of the Civil Rights Act of 1968 (Fair Housing Act)*: The Fair Housing Act (adopted in 1968 and amended in 1988) prohibits housing discrimination against any of the following seven protected classes:
 1. Race
 2. Color
 3. Religion
 4. Sex
 5. National origin
 6. Familial status
 7. Disability³

² U.S. Department of Housing and Urban Development. “Fair Housing Laws and Presidential Executive Orders.” http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws

³ Ibid

- As amended in 1988, the Fair Housing Act added “familial status” and “disability” as protected classes and increased HUD’s authority to establish mandatory enforcement measures to ensure compliance with federal law.⁴
- *Section 504 of the Rehabilitation Act of 1973 (Section 504)*: Section 504 established guidelines that prohibit individuals with disabilities from being denied access to housing under programs and activities that receive federal funding or financial assistance.⁵
- *Section 109 of Title I of the Housing and Community Development Act of 1974 (Section 109)*: Section 109 prohibits housing discrimination based on race, color, national origin, sex, or religion under programs and activities that receive federal funding or financial assistance.⁶
- *Title II of the Americans with Disabilities Act of 1990 (Title II)*: Title II prohibits discrimination based on disability under programs, services, and activities provided by public entities. HUD is responsible for enforcement of Title II when it is associated with public housing, housing assistance, and housing referrals administered by state and local jurisdictions.⁷
- *Architectural Barriers Act of 1968 (Architectural Barriers Act)*: The Architectural Barriers Act mandates that buildings and facilities that received federal funding assistance after September 1969 be accessible to and functional for handicapped individuals.⁸
- *Age Discrimination Act of 1975 (Age Discrimination Act)*: The Age Discrimination Act prohibits programs or activities that receive federal funding from discriminating against individuals on the basis of age.⁹
- *Title IX of the Education Amendments Act of 1972 (Title IX)*: Title IX prohibits educational programs or activities that receive federal funding or financial assistance from discriminating against individuals on the basis of sex.¹⁰

In addition to federal fair housing laws that guarantee equal access to housing, a number of presidential executive orders were also issued to minimize discrimination and barriers to obtaining housing.

⁴ U.S. Department of Housing and Urban Development. “Title VIII: Fair Housing and Equal Opportunity.” http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/progdesc/title8

⁵ U.S. Department of Housing and Urban Development. “Section 504.” http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504

⁶ U.S. Department of Housing and Urban Development. “Section 109 of Title I of the Housing and Community Development Act of 1974.” http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws/109

⁷ U.S. Department of Housing and Urban Development. “Fair Housing Laws and Presidential Executive Orders.” http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws

⁸ United States Access Board. “About the ABA Standards.” <http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards>

⁹ United States Department of Labor. “Equal Employment Opportunity: Age Discrimination.” <http://www.dol.gov/dol/topic/discrimination/agedisc.htm>

¹⁰ U.S. Department of Housing and Urban Development. “Fair Housing Laws and Presidential Executive Orders.” http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws

California Fair Housing Laws

The California Department of Fair Employment and Housing (DFEH) was established as an independent department of the State in 1980 that holds responsibility for protecting California residents from discrimination and hate violence in employment and housing and public accommodation. DFEH's statutory mandate calls for implementation and enforcement of the following fair housing laws:¹¹

- *California Fair Employment and Housing Act (FEHA)*: In addition to the protected classes identified under the federal government's Fair Housing Act, FEHA requires that the following classes also be protected from employment discrimination in the State of California "because of:
 1. Age (40 and over)
 2. Ancestry
 3. Color
 4. Religious Creed (including religious dress and grooming practices)
 5. Denial of Family and Medical Care Leave
 6. Disability (mental and physical) including HIV and AIDS
 7. Marital Status
 8. Medical Condition (cancer and genetic characteristics)
 9. Genetic Information
 10. Military and Veteran Status
 11. National Origin (including language use restrictions)
 12. Race
 13. Sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding)
 14. Gender, Gender Identity, and Gender Expression
 15. Sexual Orientation"¹²

- *Unruh Civil Rights Act (Unruh Act)*: The Unruh Act protects individuals from discrimination in business establishments in California, to include housing and public accommodations on the basis of "sex, race, color, religion, ancestry, national origin, disability, or medical condition." Specifically, the Unruh Act prohibits arbitrary discrimination associated with personal characteristics or traits in an individual or family's efforts to obtain housing.¹³

- *Disabled Persons Act*: Under California Civil Code §54(a) (1), individuals with disabilities shall be entitled to full and equal access, as other members of the general public, to all housing accommodations offered for rent, lease, or compensation in this state, subject to the conditions and limitations established by law, or state or federal regulation, and applicable alike to all persons.¹⁴

¹¹ California Department of Fair Employment and Housing. "About Us." <http://www.dfeh.ca.gov/About.htm>

¹² California Department of Fair Employment and Housing. "Fair Employment and Housing Act." http://www.dfeh.ca.gov/Publications_FEHADescr.htm

¹³ California Department of Fair Employment and Housing. *Unruh Civil Rights Act Fact Sheet*. May 2002. <http://www.dfeh.ca.gov/res/docs/Publications/DFEH-250.pdf>

¹⁴ California Government Legislative Information. "Civil Code Section 54-55.32." <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=civ&group=00001-01000&file=54-55.32>

- *Ralph Civil Rights Act (Ralph Act)*: The Ralph Civil Rights Act prohibits hate violence against individuals on the basis of race, ethnicity, religious affiliation, gender, age, disability, sexual orientation, or political affiliation and provides civil and administrative remedies for victims protected under these classes. The Ralph Act is intended to protect individuals from hate and impose criminal penalties on violators.¹⁵

As discussed below, DFEH is also responsible for administering the Bane Civil Rights Act and three California government code sections aimed at protecting individuals from housing discrimination.

- *Bane Civil Rights Act (Bane Act)*: The Bane Act prohibits violence or threat of violence against individuals on the basis of “race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability, or position in a labor dispute.” It is intended to ensure that Californians do not experience force or threat of force; protects equal access to housing for residents; and imposes criminal penalties on violators.¹⁶
- California Government Code Sections 111135, 65008, and 65589.5 are also intended to protect individuals from discriminatory practices under state-funded programs and activities and land-use negotiations.¹⁷

Methodology

The City prepared this report with the assistance of LeSar Development Consultants (LDC) through funding provided from CDBG entitlement dollars. Data sources for this report include the 2000 and 2010 U.S. Census, along with American Community Survey (ACS) 2009-2013 five-year estimates. Additionally, this AI was drafted immediately following the preparation of the City of Cupertino’s 2015-2020 Consolidated Plan, which utilizes 2007-2011 Comprehensive Housing Affordability Strategy (CHAS) data, also based on ACS five-year estimates. CHAS data from the 2015-2020 Consolidated Plan is referenced throughout the AI. While ACS one-year estimates provide the most current data, this report utilizes five-year estimates, as they reflect a larger sample size and are considered more reliable and precise.¹⁸ As a result of the production of the City’s AI immediately following the preparation of its Consolidated Plan, some of the same language is used verbatim when discussing certain data. In some instances, this data is analyzed in both reports but in different contexts.

Data Sources

Various data sources and planning documents were consulted in the drafting of this AI to provide a quantitative and qualitative overview of past and current housing choice conditions within the City and to ensure future compliance with fair housing regulations. Data sources include:

¹⁵ State of California Department of Justice Office of the Attorney General. “Chapter 1 – Racial, Ethnic, Religious, and Minority Violence.” <http://oag.ca.gov/publications/CRhandbook/ch1>

¹⁶ State of California Department of Justice Office of the Attorney General. “Chapter 1 – Racial, Ethnic, Religious, and Minority Violence.” <http://oag.ca.gov/publications/CRhandbook/ch1>

¹⁷ Legal Services of Northern California. *Fair Housing in California: Families with Children*. March 2004. http://www.lsn.net/housing/fh_manual/fh_manual_all_2004.pdf

¹⁸ United States Census Bureau. “American Community Survey: When to Use 1-year, 3-year, or 5-year Estimates.” http://www.census.gov/acs/www/guidance_for_data_users/estimates/

- U.S. Census Bureau (Census)
- American Community Survey (ACS)
- Federal Financial Institutions Examination Council (FFIEC)
- California Department of Finance
- Comprehensive Housing Affordability Strategy (CHAS)

Additionally, the following documents were consulted:

- *Regional Housing Need Allocation (RHNA) provided by the Association of Bay Area Governments (ABAG), 2014-2022*: The RHNA calculates the housing needs of each jurisdiction located in Santa Clara County, including the City of Cupertino, which allows jurisdictions to plan for, prioritize, and determine how it will address current and future housing needs.¹⁹
- *Community Plan to End Homelessness in Santa Clara County*: The Community Plan to End Homelessness in the County is a five-year plan to guide governmental personnel, nonprofits, and other community members as they make decisions about funding, programs, priorities and needs.²⁰
- *City of Cupertino Housing Element 2014-2022 (Housing Element)*: The Housing Element identifies the housing needs of the community, goals and objectives to address those needs, and continues the City’s commitment to ensuring new opportunities for residential development, as well as for preserving and enhancing existing neighborhoods.
- *City of Cupertino 2015-20 Consolidated Plan*: The Consolidated Plan is a comprehensive planning document that identifies the City’s overall needs for affordable housing and non-housing community development and outlines a strategy to address those needs. The Consolidated Plan and Annual Action Plan are designed to correspond with adopted goals from the City’s General Plan Housing Element.

Public Engagement

To add a qualitative component to the quantitative data gathered for this report, the City proactively established relationships with community residents and representatives of organizations, agencies, and businesses to share ideas and concerns regarding fair housing issues and ensure future implementation and evaluation of the fair housing recommendations included within this report. Through community forums and small group interviews with community stakeholders, the City collected information on concerns of residents, service providers, and representatives of organizations, agencies, and businesses regarding existing limitations to fair housing choice in the City.

¹⁹ Association of Bay Area Governments. *Regional Housing Need Plan [for the] San Francisco Bay Area 2014-2022*. August 2013. http://www.abag.ca.gov/files/ABAG_Final_RHNA_Publication.pdf

²⁰ Santa Clara County Continuum of Care. *Community Plan to End Homelessness in Santa Clara County, 2015-2020*. http://destinationhomesc.org/wp-content/uploads/2015/02/Community_Plan_to_End_Homelessness_in_Santa_Clara_County_web.pdf

Community Forums

During the 2015-20 Consolidated Plan outreach process the City partnered with other jurisdictions in Santa Clara County and LDC and hosted regional and local community forums to gather community input and feedback for the creation of the City's Consolidated Plan and AI. Three regional forums were held in Gilroy, Mountain View, and San José, from September 2014 to October 2014. Eight community forums were held in Los Gatos, Morgan Hill, Mountain View, Saratoga, and San José from September 2014 to November 2014. These meetings were open to the public and were scheduled on different days of the week and at various times of day to allow maximum flexibility for participants to attend.

The Countywide meetings provided residents, service agencies, and organizations with the opportunity to share their fair housing experiences and concerns as well as to gain awareness of fair housing laws. Seventy-six people in total attended the Countywide regional forums, including community members, service providers, fair housing advocates, school district board members, housing and human services commission members, non-profit representatives, and interested stakeholders. The Countywide community forums had a total of 133 attendees, for a combined total of 209 individuals.

Outreach

Countywide, approximately 4,847 entities, organizations, agencies, and persons were directly engaged via outreach efforts and asked to share materials with their beneficiaries, partners, and contacts. These stakeholders were also encouraged to promote attendance at the public forums and to solicit responses to the Regional Needs Survey. Stakeholder engagement included phone calls, targeted emails, newsletter announcements, social media posts, and personalized requests from jurisdiction staff.

Through these communications, stakeholders were invited to participate in one of the forums planned throughout the County and to submit survey responses. Each participating jurisdiction also promoted the regional forums and regional survey links on their respective websites and announced the Consolidated Plan process through their electronic mailing lists.

Approximately 1,225 printed flyers noticing the regional forums were distributed throughout the County, including at libraries, recreation centers, community meetings, and organizations benefiting LMI residents and areas. These flyers were available online and in print in English and Spanish.

Multi-lingual, print advertisements in local newspapers were posted in the Gilroy Dispatch (English), Mountain View Voice (English), El Observador (Spanish), La Oferta (Spanish), Thoi Bao (Vietnamese), Philippine News (Tagalog), World Journal (Chinese) and San José Mercury News (English). In addition, an online display ad was placed in the San José Mercury News to reach readers electronically.

Each segment of the community outreach and planning process was transparent to ensure the public was aware its input was being collected, reviewed, and considered.

Primary Needs Associated with the Housing Issue Area

The following themes emerged for the housing issue area:

- Ensure availability of affordable housing, including transitional housing
- Provide legal services to protect fair housing rights and to mediate tenant/landlord legal issues
- Address affordable housing eligibility restrictions to expand the number of residents who can qualify
- Provide affordable rental housing for low income families, at-risk families and individuals with disabilities
- Fund additional homeless prevention programs
- Provide rental subsidies and assistance for low income families to support rapid re-housing

Regional Needs Survey

A Regional Needs Survey was conducted to solicit input from residents and workers in the County of Santa Clara. Respondents were informed that the Santa County Entitlement Jurisdictions were updating their Consolidated Plans for federal funds that primarily serve low income residents and areas. The survey polled respondents about the level of need in their neighborhoods for various types of improvements that can potentially be addressed by entitlement funds.

To give as many people as possible the chance to voice their opinion, emphasis was placed on making the survey widely available and gathering a large number of responses rather than administering the survey to a controlled, statistically representative pool. Therefore, the survey results should be viewed as an indicator of the opinions of the respondents, but not as representing the opinions of the County population as a group.

The survey was distributed through a number of channels to gather responses from a broad sample. It was made available in printed format, as well as electronic format via Survey Monkey. Electronic responses could be submitted via smartphone, tablet, and web browsers. The survey was available online and in print in English and Spanish, and in print in simplified Chinese, Tagalog, and Vietnamese.

Responses were solicited in the following ways:

- Links to the online survey in both English and Spanish were placed on the websites of each Entitlement Jurisdiction.

English: https://www.surveymonkey.com/s/SCC_Regional_Survey

Spanish: https://es.surveymonkey.com/s/SCC_Regional_Survey_Spanish

- The survey was widely shared on social media by elected officials, organizations, entities, and other individuals. An estimated 25,000 persons on Facebook and 11,000 persons on Twitter

were engaged. (This represents the number of “Likes” or “Followers” of each person/entity that posted a message about the survey or forum.)

- At least 3,160 printed surveys were printed and distributed throughout the County at libraries, community meetings, and organizations benefiting LMI residents and areas.

Survey Results

A total of 1,472 survey responses were collected from September 19, 2014 to November 15, 2014, including 1,078 surveys collected electronically and 394 collected on paper. The surveys were available in five languages. Of these surveys, 1,271 individuals responded in English, 124 individuals responded in Spanish, 25 individuals responded in simplified Chinese, 49 individuals responded in Vietnamese, and three individuals responded in Tagalog.

Respondents rated the level of need in their neighborhood in five overall areas:

1. Create additional affordable housing available to low income residents
2. Improve non-profit community services (such as senior, youth, health, homeless, and fair housing services)
3. Create more jobs available to low income residents
4. Improve city facilities that provide public services (such as parks, recreation or senior centers, parking facilities, and street improvements)
5. Other

Nearly two-thirds (62 percent) of respondents rated the need to create additional affordable housing as high.

In addition to the four overall need areas, 373 respondents provided open-ended feedback through the “Other” survey response option. Below are the key themes and needs identified by survey respondents for the housing issue area:

- Increase availability of senior housing
- Provide housing for LGBT/HIV population
- Create housing for median income population
- Provide more subsidized housing for disabled population

Respondents also rated the need for 13 different housing-related improvements in their neighborhoods. The five highest priorities in this area were:

1. Increase of affordable rental housing inventory
2. Rental assistance for the homeless
3. Affordable housing located near transit
4. Housing for other special needs

5. Permanent supportive rental housing for the homeless

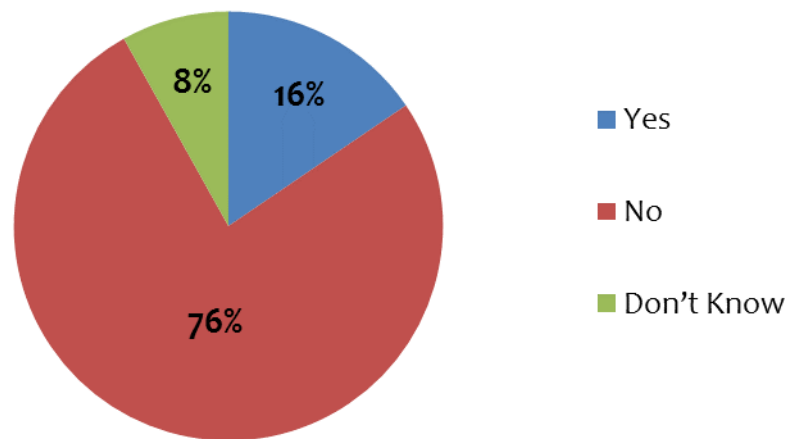
The table below shows the highest level of need for each of the housing-related improvements and the share of respondents who rated each category as “high level” of need.

High Level of Need for Specific Housing Improvements

Priority Rank	Housing: High Level of Need	Share of Respondents
1	Increase affordable rental housing inventory	63.1%
2	Rental assistance for the homeless	51.0%
3	Affordable housing located near transit	48.6%
4	Housing for other special needs (such as seniors and persons with disabilities)	48.0%
5	Permanent supportive rental housing for the homeless	46.8%
6	Energy efficiency and sustainability improvements	41.6%
7	Healthy homes	37.5%
8	Down-payment assistance to purchase a home	33.8%
9	Code enforcement, in coordination with a neighborhood plan	33.4%
10	Housing accessibility improvements	29.7%
11	Rental housing rehabilitation	27.7%
12	Emergency home improvement/repair	24.9%
13	Owner-occupied housing rehabilitation	18.5%

Respondents were also asked to answer a series of questions related to Fair Housing. Four questions were used to gauge each individuals experience with housing discrimination.

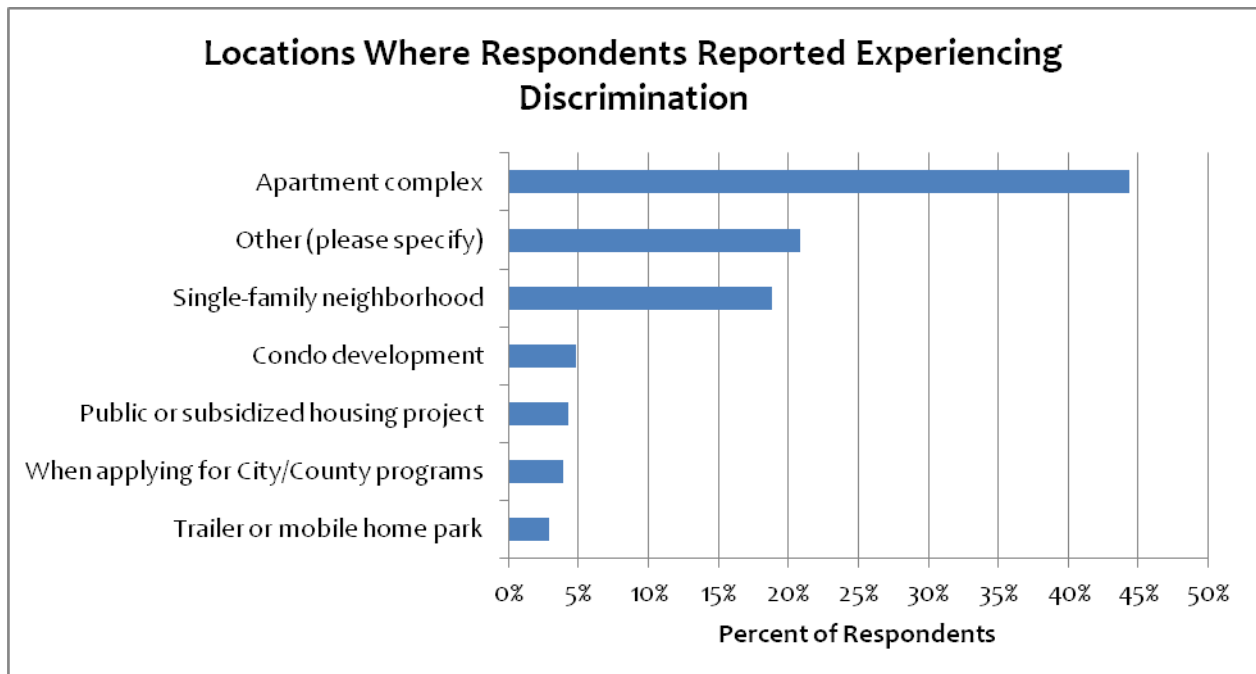
Percent of Individuals Who Have Experienced Housing Discrimination in Santa Clara County



Of the 1,472 total respondents, 192 (16 percent) said they have experienced some form of housing discrimination. The majority of discrimination occurred within an apartment complex (19 percent). The next highest location for discrimination was indicated by the “Other” category. Within this category, duplexes, condos, and private renters were the most commonly indicated. Many respondents who selected “Other” expressed experiencing discrimination in multiple locations. The three highest locations of discrimination were:

- Apartment Complex
- Other
- Single-family neighborhood

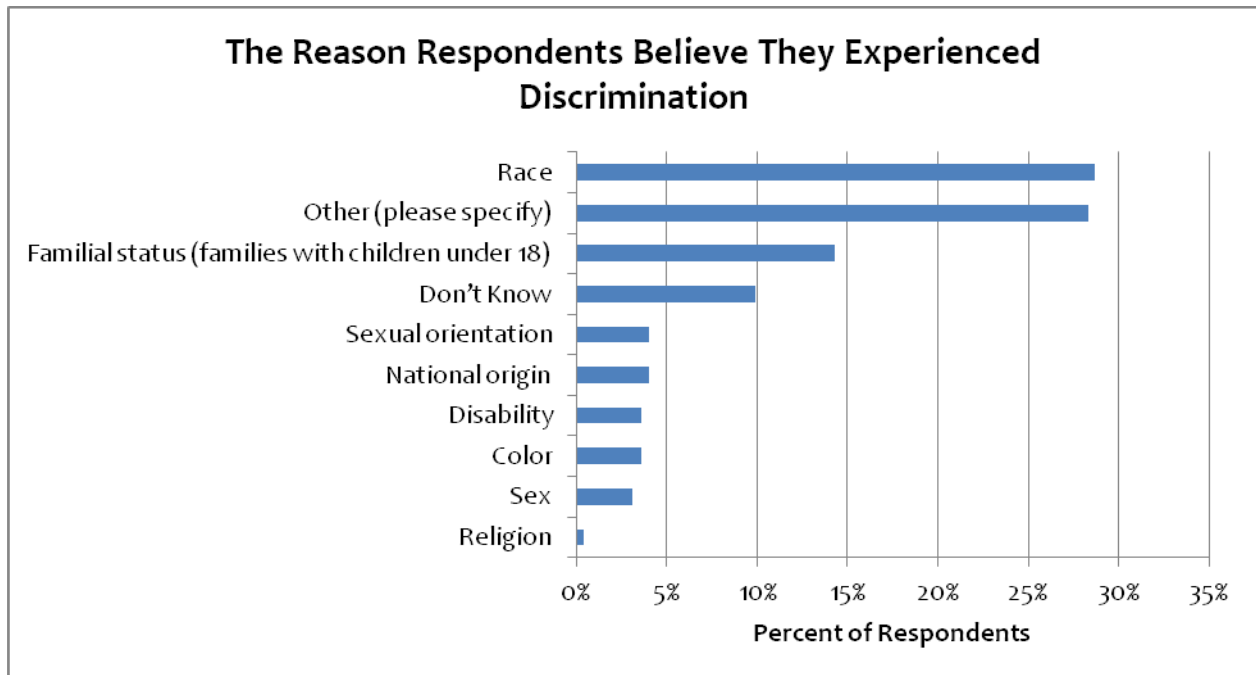
The figure below shows where respondents experienced discrimination.



The majority of respondents (29 percent) who experienced discrimination indicated that race was the primary factor for that discrimination. Respondents selected “Other” as the next highest basis of discrimination. Within the “Other” category respondents indicated race, inability to speak English, religion, credit, and marital status as the cause for discrimination. The three highest basis of discrimination were:

1. Race
2. Other
3. Familial Status

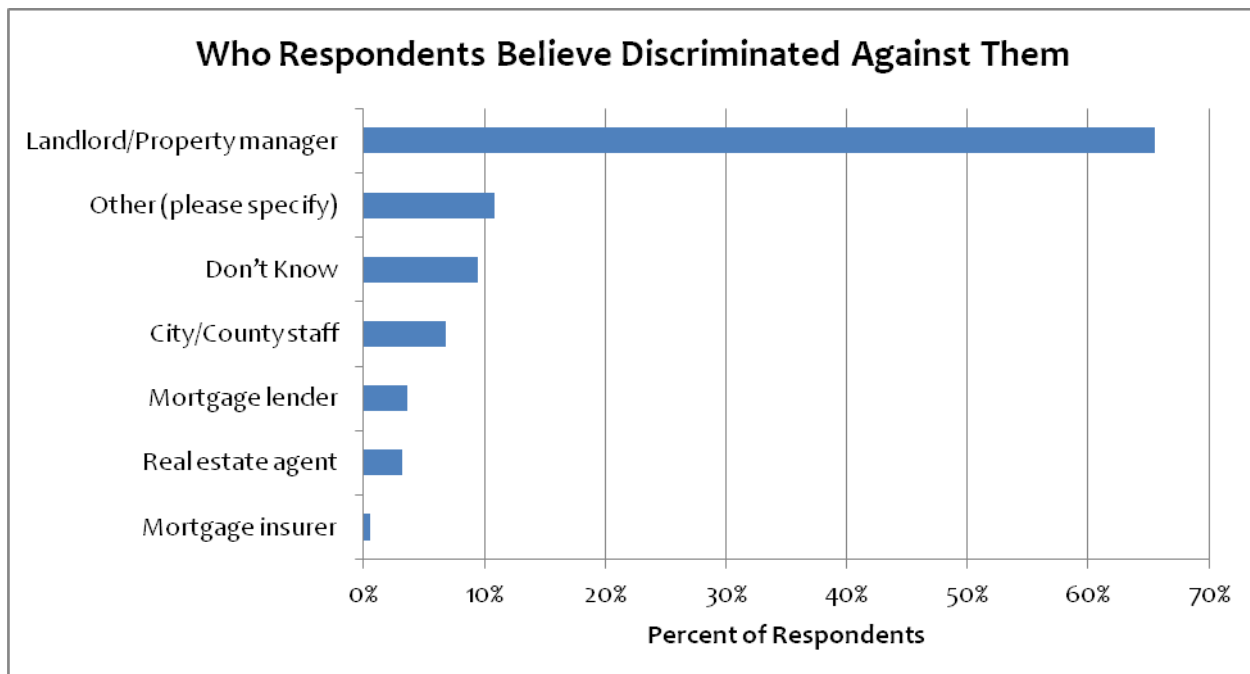
The figure below depicts what respondents believe is the basis for discrimination they have experienced.



Respondents were then asked to identify who they felt had discriminated against them. The majority of respondents (66 percent) indicated they were discriminated against by a landlord or property manager. Respondents selected “Other” as the next highest category of who discriminated against them. Within the “Other” selection, respondents indicated they experienced discrimination from landlords, property managers, existing residents, and home owner associations. The three highest categories that respondents believed discriminated against them were:

1. Landlord/Property Manager
2. Other
3. Don't Know

The figure on the following page illustrates who respondents believe is responsible for the discrimination they have experienced.



While less than a quarter (16 percent) of respondents believe they have experienced some form of housing discrimination, this figure may actually be higher as housing discrimination often occurs in subtle forms. This is in line with recent studies that show racial and ethnic minorities face more subtle housing discrimination:

“ ‘Fewer minorities today may be getting the door slammed in their faces, but we continue to see evidence of housing discrimination that can limit a family’s housing, economic and educational opportunities,’ said former HUD Secretary Shaun Donovan. ‘It’s clear we still have work to do to end housing discrimination once and for all.’ ”²¹

Public Review

A draft of this AI was made available for 30-day public comment from October 19, 2015 through November 20, 2015. A 30-day public comment notice was published in the Cupertino Courier on October 16, 2015. No public comments were received during the 30 day public comment period related or specific to this AI.

Summary of Key Findings and Recommendations

Historically, the City has dedicated an average of 13 percent of its Entitlement Administration dollars to Fair Housing counseling, education, investigation, and enforcement. The City elects “to affirmatively further the purposes and policies of the Fair Housing Act, . . . [and] to take steps proactively to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities for all”²² by undertaking the actions outlined in **Table 1.1** below.

²¹ U.S. Department of Housing and Urban Development. “Racial And Ethnic Minorities Face More Subtle Housing Discrimination.” http://portal.hud.gov/hudportal/HUD?src=/press/press_releases_media_advisories/2013/HUDNo.13-091

²² U.S. Department of Housing and Urban Development. Proposed Rule 24 CFR Parts 5, 91, 92, 570, 574, 576, and 903.

Table 1.1: Key Recommendations to Reduce Impediments to Fair Housing Choice

Action	Description
Category 1: Access to Affordable Housing	
Goal 1: Facilitate access to below-market-rate units	
1.1	Continue to assist affordable housing developers in advertising the availability of below-market-rate (BMR) units via the City’s database of BMR units on its housing website (available to the public and updated at least once annually), the County’s 2-1-1 information and referral phone service, and other media outlets.
1.2	Continue to host the annual public informational workshop announcing the availability of BMR units and delineating the application process, as well as announcing other housing programs and services including those for seniors and other special needs populations.
1.3	Continue to annually update the housing packet, which has information on the City’s BMR program, senior housing, fair housing, legal services, tenant/landlord services, and other service available in the area. Continue to make the housing packet available at City Hall and other public locations.
1.4	Continue to work with neighboring jurisdictions within Santa Clara County to help promote each jurisdiction’s housing programs and services, including availability of BMR units.
1.5	Continue to contract with West Valley Community Services (WVCS) to administer the City’s BMR program, promote BMR information and other housing programs to the public, and promote programs and services to seniors and special needs populations throughout the community.
1.6	Periodically update the nexus study on BMR mitigation fees to determine appropriate housing mitigation fees and amend fee structure as necessary.
Goal 2: Facilitate access to all available housing programs	
2.1	Continue to fund multiple CDBG, BMR, and General Fund Human Service Grants (HSG) grant contracts annually. Continue to work with each one of the City’s grantees to help promote programs and services to the public throughout each year, including providing transitional housing, senior adult day care services, legal assistance services, fair housing/housing counseling, landlord/tenant mediation, housing rehabilitation, and site acquisition, among others.
2.2	Continue to fund the United Way Silicon Valley 211 program, which provides housing information and other resources to the public.
2.3	Continue the Housing Division’s work with other departments and divisions such as the Planning Division, Economic Development Department, Building Division, Public Works Department, and other applicable departments as necessary to promote the City’s housing programs and services.
2.4	Continue to work with non-profit affordable housing developers that own and manage special

Action	Description
	needs and affordable housing units in the City by distributing program brochures, lists of available units, and announcements of upcoming affordable housing projects to the public.
2.5	Continue to facilitate communication between special needs service providers and affordable housing developers to ensure home seekers with special needs have fair access to available units.
Category 2: Fair Housing Services	
Goal 3: Contract with local service providers to conduct ongoing outreach and education regarding fair housing for home seekers, landlords, property managers, real estate agents, and lenders.	
3.1	Continue to conduct annual outreach via training sessions, public events, the City's website, other media outlets, staffing at service providers' offices, and the placement of multilingual flyers in a variety of public locations.
3.2	Continue to contract annually with Eden Council for Hope and Opportunity (ECHO) to provide fair housing outreach and education to the community, including the distribution of flyers and public service announcements, as well as the provision of trainings at community centers, schools, housing associations, and other community assets.
3.3	Continue to contract annually with Project Sentinel to provide tenant/landlord services to the community, including free counseling on leases, rental agreements, landlord duties, tenant rights, and any other issues that affect rental relationships.
3.4	In order to capture all potential service requests to fair housing providers, the City should allocate increases in funding to outreach and education efforts, if available, or reevaluate and amend, if necessary, the current media mix and affirmative marketing strategy to ensure targeted outreach attains maximum reach, scope, and diversity of tenants, landlords, and other housing suppliers and providers.
Goal 4: Contract with local service providers to conduct fair housing testing in local apartment complexes.	
4.1	Continue to contract annually with a local service provider to conduct fair housing testing, which looks for any evidence of differential treatment among a sample of local apartment complexes. Following the test, the service provider will continue to submit findings to the City and conduct education outreach to landlords that showed differential treatment during the test.
Goal 5: Reevaluate current fair housing contracts based on highest need	
5.1	The City should reevaluate its current contracts and amend future contracts, if necessary, to ensure it provides the most needed fair housing services. In particular, the City should consider a rental assistance program to prevent low-income residents from leaving the area due to security deposit issues, imperfect credit histories, falling behind on rent, inability to utilize Section 8 vouchers, etc.

Action	Description
Category 3: Local Zoning	
Goal 6: Periodically review the Zoning Ordinance to ensure regulations are consistent with fair housing laws and do not constrain housing production.	
6.1	The City will annually review the Zoning Ordinance to ensure regulations affirmatively further fair housing. If particular zoning requirements impede fair housing or constrain housing production, the City will amend the regulations.
6.2	The City will provide adequate capacity through the Zoning Ordinance to accommodate the Regional Housing Needs Allocation (RHNA) of 1,064 units as identified in the 2014-22 General Plan Housing Element while maintaining a balanced land use plan that offers opportunities for employment growth and provides the necessary commercial/retail activities, services, and amenities.
6.3	The City will continue to implement the Second Dwelling Unit Ordinance and encourage the production of second units to further promote affordable housing, increase the variety of housing opportunities, and attain the quantified objective as identified in the 2014-22 General Plan Housing Element of 4 second units annually for a total of 32 units over the next 8 years.
Category 4: Public Housing	
Goal 7: Assist local Housing Authorities with outreach.	
7.1	Continue to support the Housing Authority of the County of Santa Clara to ensure adequate outreach to minority, limited-English proficiency, and special needs populations regarding the availability of public housing and Section 8 vouchers. Outreach may occur via the City's website and informational flyers in multiple languages available at public locations. Given the extended waiting lists for public housing and Section 8 programs, attention will primarily be paid to fair management of the list.
7.2	Consider new or expanded outreach strategies to promote the Housing Authority's and other fair housing providers' Section 8 vouchers assistance to mitigate issues with returning unused vouchers, applying for voucher extensions, landlord discrimination, and any other issues tenants may face when attempting to utilize a Section 8 voucher in the City.
7.3	Continue participation in the Housing Authority's CDBG Coordinator's meeting, where the City meets quarterly with other housing staff from various jurisdictions in the County of Santa Clara to learn of new updates and the availability of new housing projects, programs, and BMR units.
Category 5: Links Between Housing and Employment	
Goal 8: Plan for and encourage transit-oriented development.	
8.1	The City will encourage mixed-use transit-oriented development near the previously identified new housing sites that are located near transportation facilities and employment centers and have been appropriately zoned for higher density residential and mixed-use developments, maximizing the linkages between employers and affordable housing.

Action	Description
8.2	The City will monitor the new housing sites inventory and make it available on the City's website.
Goal 9: Facilitate safe and efficient transit routes.	
9.1	Continue to work with local transit agencies, including CalTrans, Santa Clara Valley Transportation Authority (VTA), and Metropolitan Transportation Commission (MTC), to facilitate safe and efficient routes for various forms of transportation, including public transit, biking, and walking.

II. Background Data

This chapter provides an overview of the demographic profile of the City and contains information on income, employment, and housing patterns to help identify emerging trends that may provide insight on methods to address fair housing choice issues relevant to specific populations.

General Population Characteristics

Growth Trends

Population and household growth rates serve as an indicator of the City’s long-term housing demand and provides information that helps the City determine the capacity of current resources. As shown in **Table 2.1**, projected population and household growth for the City will lag behind the County and Bay Area Region.

Table 2.1: Projected Population and Household Growth, 2010-2040

Jurisdiction	Population			Households		
	2010	2040	Growth	2010	2040	Growth
Cupertino	58,302	71,200	22%	20,181	24,040	19%
Santa Clara County	1,781,640	2,423,470	36%	631,920	842,350	33%
Bay Area Region	7,150,740	9,299,150	30%	2,608,020	3,308,100	27%

Source: Bay Area Plan, Strategy for a Sustainable Region, ABAG, July 2013; 2010 Census

Race and Ethnicity

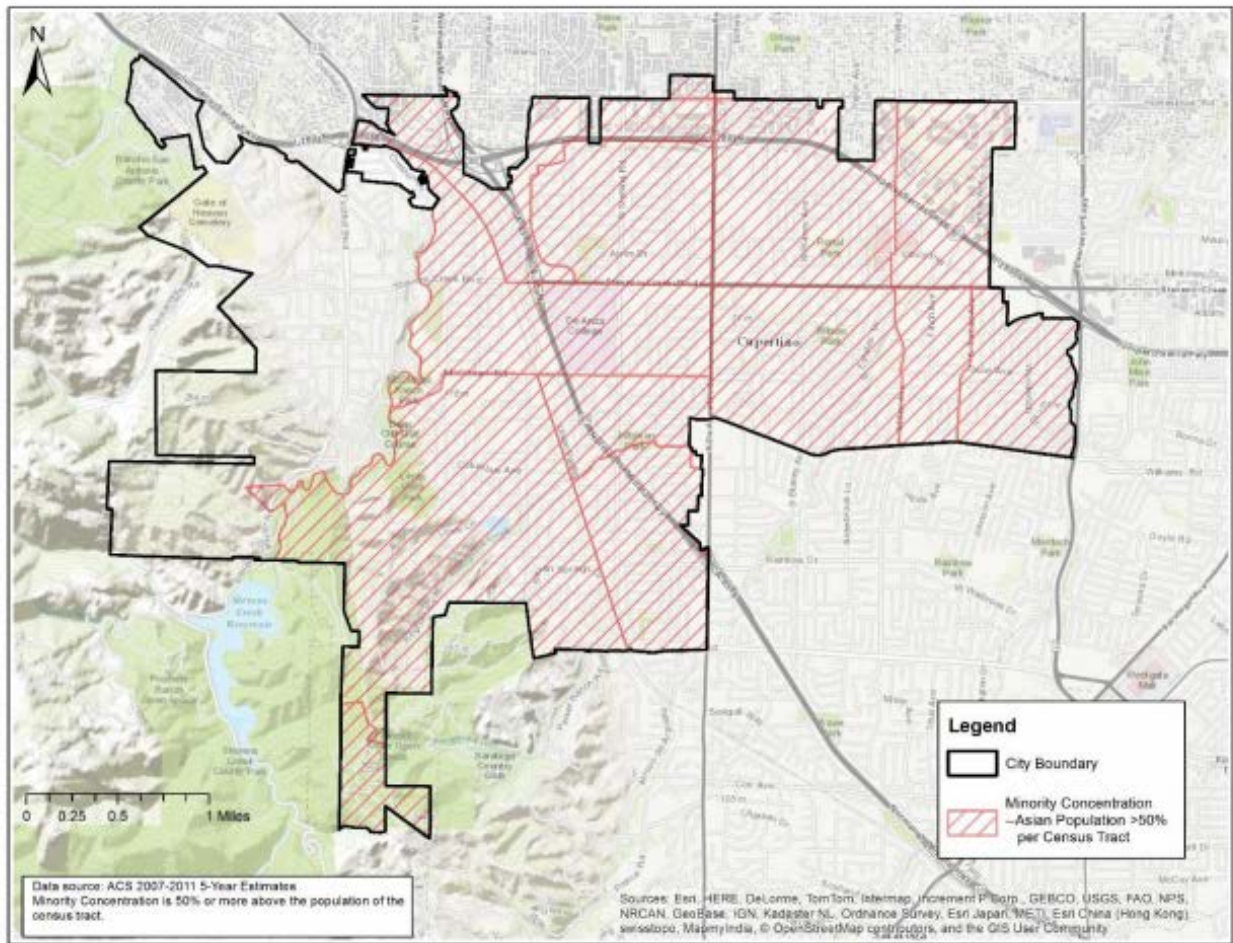
As shown in **Table 2.2**, the City’s population continues to diversify as nearly every minority ethnic group has seen population growth since 2010. Asian households are the only racial/ethnic group that comprises a minority concentration in any of the City’s census tracts. The City is in fact a “majority minority” city, with Whites constituting a little under 30 percent. However, the percentage of Whites in the City remains higher than either the County or the State. Both the City and County have smaller percentages of Hispanic/Latinos relative to California as a whole, a trend which may continue as the growth rate has been greater at the State level. The opposite is true regarding Asians, who comprise a much larger share of the population in both the City and County relative to the State. As seen in **Figure 2.1**, Asian households are concentrated in a majority of the City.

Table 2.2: Population Distribution by Race and Ethnicity, 2000 – 2013

	Cupertino			Santa Clara County			California		
	2000	2013	Δ	2000	2013	Δ	2000	2013	Δ
White	48%	29%	-30%	30%	23%	-17%	27%	24%	0%
Hispanic or Latino	4%	5%	57%	24%	27%	20%	32%	38%	30%
African American	1%	0%	-60%	3%	3%	1%	7%	6%	0%
American Indian	0%	0%	77%	1%	1%	-15%	1%	1%	-14%
Asian	44%	64%	67%	26%	33%	37%	11%	13%	35%
Pacific Islander	0%	0%	130%	0%	0%	9%	0%	0%	25%
Other /2 or More	3%	2%	-12%	17%	14%	-9%	22%	17%	-11%
Population	100%	100%	17%	100%	100%	8%	100%	100%	11%

Source: 2000 Census; 2014 ACS

Figure 2.1 - Areas of Minority Concentration in the City of Cupertino



Data Source: ACS 2007-2011
Data Source: Minority concentration is defined as census tracts where the percentage of individuals of a particular racial or ethnic minority group is at least 20 percentage points higher than the citywide average. Minority refers to all ethnic groups other than non-Hispanic white.
Comment:

Age Characteristics

The age characteristics of the City provide insight regarding current and projected housing demands, as different age groups have diverse housing needs and preferences. **Table 2.3** demonstrates several important factors, both in the distribution of age groups and growth among age groups within the City. Every cohort other than 20-34 years old continues to comprise a greater percentage of the City’s population relative to the County and State distribution; however, the Under 20 cohort is growing in the City, whereas that cohort is shrinking for the County and State, which suggests a growing number of families and/or larger families. The City is also experiencing much higher growth in the 65 years old and over cohort, outpacing the County and State by 16 and 24 percentage points, respectively.

Table 2.3: Age Distribution and Median Age

	Cupertino			Santa Clara County			California		
	2000	2010	Δ	2000	2010	Δ	2000	2010	Δ
Under 20 years old	28.4%	29.5%	+20%	27.3%	26.6%	-3%	30.1%	28.1%	-7%
20-34 years old	15.5%	12.2%	-10%	24.5%	21.4%	-13%	22.4%	21.7%	-3%
35-64 years old	45.1%	45.6%	+17%	38.7%	40.8%	+5%	36.7%	38.8%	+6%
65 years old and Over	11.0%	12.4%	+31%	9.6%	11.0%	+15%	10.7%	11.4%	+7%
Median Age (in years)	38.0	39.9	+1.9	34.0	36.2	+2.2	33.3	35.2	+1.9

Source: 2000 Census; 2010 Census

While the median age has increased across all three levels, the robust growth in the youngest cohort in the City has resulted in a smaller increase to median age when compared to the County. The median age growth is the same compared to the State due to the large growth in persons 35 years and older.

Household Composition

As shown in **Table 2.4**, Cupertino has had a materially higher percentage of family households relative to both the County and the Bay Area Region during 2000 and 2010. However, while the percentage of family households has remained constant between 2000 and 2010 for the County and region, the percentage has increased by two percent in the City.

Table 2.4: Household Composition

Jurisdiction	2000		2010	
	Family	Non-family	Family	Non-family
Cupertino	75%	25%	77%	23%
Santa Clara County	70%	30%	70%	30%
Bay Area*	65%	35%	65%	35%

Source: City of Cupertino General Plan, 2014-2022 Housing Element

*Includes Alameda, Contra Costa, Marin, Napa, Solano, Santa Clara, San Mateo, and Sonoma Counties

Income Characteristics

Household income is a strong indicator of socio-economic status and a household’s ability to meet the costs of living, such as housing, transportation, and the basic necessities of life. As a determinant

of the financial resources available, the median household income of a city plays a significant role in predicting the type of housing households can afford. It is also one of the factors taken into account when households apply for mortgage loans or rental housing.

Median Income

Table 2.5 shows that while the median income for Cupertino has increased in unadjusted dollars between 2000 and 2013, it has decreased when adjusted for inflation, a trend also occurring at the County and State levels. Over this same timeframe, the median income in the City has widened the already significant gap vis-à-vis both the County and the State.

Table 2.5: Median Household Income 2000 – 2013

	Cupertino			Santa Clara County			California		
	2000	2013	Δ	2000	2013	Δ	2000	2013	Δ
Unadjusted	100,411	129,976	29%	74,335	91,702	23%	53,025	61,094	15%
In Real 2000 dollars	100,411	96,077	-4%	74,335	67,785	-9%	53,025	45,160	-15%

Source: 2000 Census; 2013 ACS Estimates

Income Distribution

In 2000, both the City and County had an income distribution that skewed towards the higher income brackets relative to the State. As seen in **Table 2.6**, households earning \$100,000+ accounted for half (50 percent) of total households in Cupertino, over one-third (35 percent) of total households in Santa Clara County, and 17 percent of households across the State. This disparity has increased between 2000 and 2013; households earning \$100,000+ was nearly two-thirds of total households in the City, nearly half (46 percent) of total households in the County, and nearly one-third (29 percent) of total households in the State. Once again, Cupertino has leapfrogged both the County and the State in the percent of households earning six-or-more figures.

Table 2.6: Household Income Distribution, 2000 – 2013

	Cupertino			Santa Clara County			California		
	2000	2013	Δ	2000	2013	Δ	2000	2013	Δ
Less than \$10,000	4%	4%	15%	5%	4%	-13%	8%	6%	-32%
\$10,000 to \$14,999	2%	1%	-14%	3%	3%	10%	6%	5%	-7%
\$15,000 to \$24,999	5%	5%	19%	6%	6%	3%	12%	10%	-17%
\$25,000 to \$34,999	4%	3%	1%	7%	6%	-13%	11%	9%	-20%
\$35,000 to \$49,999	7%	5%	-18%	11%	9%	-22%	15%	12%	-19%
\$50,000 to \$74,999	16%	10%	-30%	19%	14%	-28%	19%	17%	-12%
\$75,000 to \$99,999	14%	8%	-35%	15%	12%	-19%	12%	12%	8%
\$100,000 to \$149,999	24%	20%	-5%	19%	19%	1%	10%	15%	43%
\$150,000 to \$199,999	13%	16%	43%	8%	11%	40%	3%	7%	106%
\$200,000 or more	14%	28%	129%	8%	16%	106%	4%	7%	100%

Source: 2000 Census; 2013 ACS Estimates

*Totals may not add to 100% due to rounding errors

Low Income Households

The Community Development Block Grant (CDBG) program is primarily concerned with activities that benefit Low and Moderate Income (LMI) households whose incomes do not exceed 80 percent of the area median family income (AMI), as established by HUD, with adjustments for smaller or larger families.²³ HUD utilizes three income levels to define LMI households:

- Extremely Low Income: Households earning 0-30 percent of the median family income for the area, subject to specified adjustments for areas with unusually high or low incomes
- Very Low Income: Households earning 30-50 percent of the median family income for the area, subject to specified adjustments for areas with unusually high or low incomes
- Low-Moderate Income: Households earning 50-80 percent of the median family income for the area, subject to adjustments for areas with unusually high or low incomes or housing costs

Table 2.7 below shows that nearly one-quarter (22 percent) of households in City are LMI (0-80% AMI), compared to 34 percent for the County and 44% for the State.

Table 2.7: Low and Moderate Income Households

Household Income	Cupertino		Santa Clara County		California	
	Count	%	Count	%	Count	%
0-30% AMI	1,675	8%	78,230	13%	1,778,310	14%
30% - 50% AMI	1,390	7%	63,545	11%	1,569,280	13%
50% - 80% AMI	1,405	7%	59,205	10%	2,081,345	17%
80% - 100% AMI	1,125	5%	51,460	9%	1,220,095	10%
>100% AMI	14,880	73%	347,215	58%	5,784,145	47%
Total	20,475	100%	599,655	100%	12,433,175	100%

Source: 2007-2011 CHAS

Special Needs Populations

Certain sub-populations often require special accommodations due to their unique characteristics and/or needs. These characteristics may include age, family characteristics, or disability, and can affect their accessibility to decent and affordable housing. For example, elderly individuals are often reliant on a fixed income and experience higher health care costs. Large households require a greater number of bedrooms. Persons with disabilities have physical or mental impairments that substantially limit major life activities and may require accessible housing accommodations. **Table 2.8** provides an overview of several special-needs populations within the City. The City contains a lower percentage of large households and disabled persons than both the County and State. While the City contains a lower percentage of elderly households than the State, it has a slightly higher percentage than the County.

²³ U.S. Department of Housing and Urban Development. "Glossary of CPD Terms"
http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/glossary

Table 2.8: Special Needs Populations

Population	Cupertino		Santa Clara County		California	
	Count	%	Count	%	Count	%
Elderly households (62+)	5,745	28%	160,640	27%	3,570,615	29%
Large households	1,505	7%	66,895	11%	1,579,510	13%
Disabled persons	3,456	6%	137,909	8%	3,762,239	10%

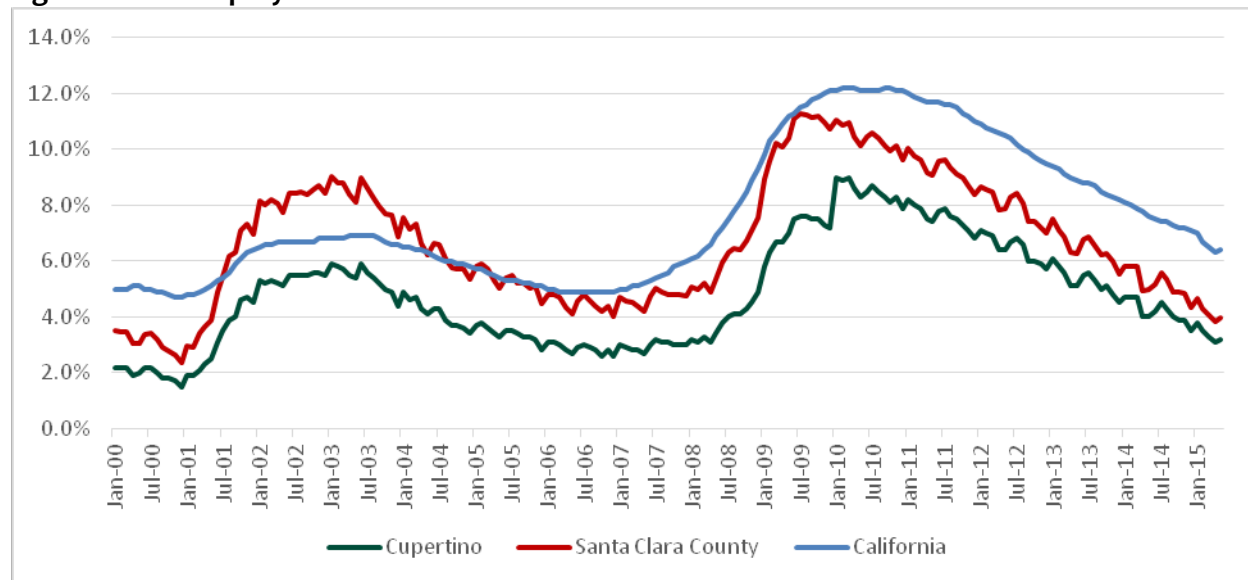
Source: 2007-2011 CHAS; 2008-2012 ACS Estimates

Employment Profile

Unemployment Rates

The unemployment rate for the City is consistently below both the rate at both the County- and State-levels. As shown in **Figure 2.2**, this gap widened especially between the City and State during the recent Recession, up to 4.9 percent in late-2009, before slowly shrinking to the low-3 percent range by mid-2015.

Figure 2.2: Unemployment Rates



Source: California Employment Development Department (EDD)

Employment Trends

The rate of job creation between 2009 and 2013 in the City was more than three times the rate for the County (**Table 2.9**). The two dominant industries, manufacturing and professional, scientific, and technical services, recorded robust growth in both the total number of jobs (15 and 13 percent, respectively) and as a share of overall employment in the City (28 and 24 percent of jobs, respectively). These same trends for professional, scientific, and technical services were mirrored at the County level; however, manufacturing lost share over this period. Together in 2013, manufacturing comprised 47 percent and professional, scientific, and technical services comprised 38 percent of the total number of jobs in the City and County, respectively. The only other sector

with 10 percent or greater share in 2013 was healthcare and social assistance for both the City and County.

Table 2.9: Employment by Industry, 2009 – 2013

	Cupertino			Santa Clara County		
	2009 % of Jobs	2013 % of Jobs	Job Count Δ	2009 % of Jobs	2013 % of Jobs	Job Count Δ
Civilians employed population 16 years and over	23,389	25,707	10%	838,792	856,327	3%
Agriculture, forestry, fishing and hunting	0.2%	0.0%	-100%	0.5%	0.6%	24%
Mining, quarrying, and oil and gas extraction	0.0%	0.0%	0%	0.0%	0.0%	74%
Construction	2.6%	1.6%	-32%	6.1%	5.1%	-14%
Manufacturing	26.5%	27.8%	15%	20.2%	19.1%	-3%
Wholesale trade	2.5%	1.5%	-35%	2.7%	2.2%	-18%
Retail trade	6.1%	7.1%	28%	9.7%	9.9%	5%
Transportation and warehousing	1.3%	1.1%	-6%	2.4%	2.2%	-6%
Utilities	0.6%	0.5%	-13%	0.5%	0.5%	14%
Information	6.5%	4.6%	-22%	3.9%	3.9%	1%
Finance and insurance	2.8%	3.1%	21%	3.1%	2.8%	-7%
Real estate and rental and leasing	2.1%	1.9%	-3%	2.4%	2.1%	-9%
Professional, scientific, and technical services	23.0%	23.6%	13%	12.7%	14.1%	14%
Management of companies and enterprises	0.2%	0.0%	-73%	0.1%	0.0%	-41%
Administrative, support, waste mgmt. services	1.6%	2.0%	41%	4.4%	4.6%	7%
Educational services	6.4%	7.8%	33%	7.7%	8.1%	9%
Health care and social assistance	9.2%	10.4%	23%	9.6%	10.7%	15%
Arts, entertainment, and recreation	0.9%	0.9%	7%	1.6%	1.7%	10%
Accommodation and food services	2.6%	2.6%	6%	5.5%	5.6%	6%
Other services, except public administration	3.2%	2.3%	-21%	4.2%	4.4%	6%
Public administration	1.7%	1.4%	-8%	2.6%	2.5%	0%

Source: 2009-2013 ACS Estimates

Education

As shown in **Table 2.12** below, the educational attainment for Cupertino residents aged 18 years and older is as follows:

- 3 percent have not graduated high school
- 8 percent have graduated high school (including equivalency), but no further education
- 12 percent have some college but no degree
- 5 percent have an associate’s degree

- 34 percent have a bachelor’s degree
- 38 percent have a graduate or professional degree

Overall, nearly all (97 percent) of Cupertino residents aged 18 years and older have at least a high school diploma or higher and nearly three-fourths (71 percent) have a bachelor’s degree or higher. With 37 percent of the workforce having an advanced or professional degree, it may be more difficult for those without an advanced degree to compete for jobs requiring higher education or technical skills.

Table 2.10: Cupertino Educational Attainment by Age

Educational Attainment	Age					Total	% of Total
	18–24 yrs	25–34 yrs	35–44 yrs	45–64 yrs	65+ yrs		
Less than 9th Grade	0	23	24	159	220	426	1%
9th to 12th Grade, No Diploma	213	53	130	228	311	935	2%
High School Graduate, GED, or Alternative	735	330	337	918	998	3,318	8%
Some College, No Degree	1,085	525	567	1,609	1,029	4,815	12%
Associate's Degree	161	251	342	1,070	511	2,335	6%
Bachelor's Degree	483	2,847	3,535	4,691	2,248	13,804	34%
Graduate or Professional Degree	59	1,589	5,230	6,870	1,459	15,207	37%
Total	2,736	5,618	10,165	15,545	6,776	40,840	100%

Source: 2007-2011 ACS Estimates

Cupertino also has higher education levels than both the County and the State (**Table 2.11**). The City boasts nearly three-fourths of residents aged 18 years and older with a bachelor’s or higher and over one-third with a graduate or professional degree. In fact, the share of those residents with a graduate or professional degree is greater than the share of those residents with a bachelor’s degree only. Neither the County nor the State come close to matching these statistics.

Table 2.11: Statewide Educational Attainment by Age

Educational Attainment	Cupertino	Santa Clara County	California
Less than 9th Grade	1%	7%	10%
9th to 12th Grade, No Diploma	2%	6%	9%
High School Graduate, GED, or Alternative	8%	16%	21%
Some College, No Degree	12%	17%	22%
Associate's Degree	6%	7%	8%
Bachelor's Degree	34%	26%	19%
Graduate or Professional Degree	37%	21%	11%

Source: 2007-2011 ACS Estimates

Table 2.12 shows that those residents with bachelor’s and professional degrees have significantly higher median incomes. Holders of bachelor’s degrees have an approximately 70 percent higher median income than those with only an associate’s, and those with a professional degree have a 132 percent higher median income.

Table 2.12: Cupertino Educational Attainment and Median Earnings in the Past 12 Months

Educational Attainment	Median Earnings in the Past 12 Months
Less than High School Graduate	\$15,250
High School Graduate (Includes Equivalency)	\$37,555
Some College or Associate's Degree	\$46,523
Bachelor's Degree	\$78,905
Graduate or Professional Degree	\$107,843

Source: 2007-2011 ACS Estimates

Public Transportation

Public transit is critical for linking those without access to private transportation to job centers and services. The Santa Clara Valley Transportation Authority (VTA) manages several transit services that link neighborhoods within the City to commercial centers, job sites, and public institutions. In fact, a University of Minnesota study has ranked the San José-Sunnyvale-Santa Clara metropolitan area 10th in the nation for the total number of jobs workers are able to access by public transportation within 60 minutes.²⁴ **Table 2.13** below shows the travel times to work for residents in the City, County, and State. The City outperforms both the County and State in all categories, with over two-thirds (68 percent) of residents being able to travel to work in less than 30 minutes.

Table 2.13: Travel Time to Work

Time	Cupertino	Santa Clara County	California
Less than 30 minutes	68%	66%	61%
30 to 59 minutes	29%	28%	29%
60 or more minutes	4%	6%	10%

Source: 2007-2011 ACS Estimates

However, the City and surrounding areas remain highly car-centric, with low-density residential areas that are difficult to serve with mass transit. In addition, the County has built several new freeways that have undermined transit ridership.

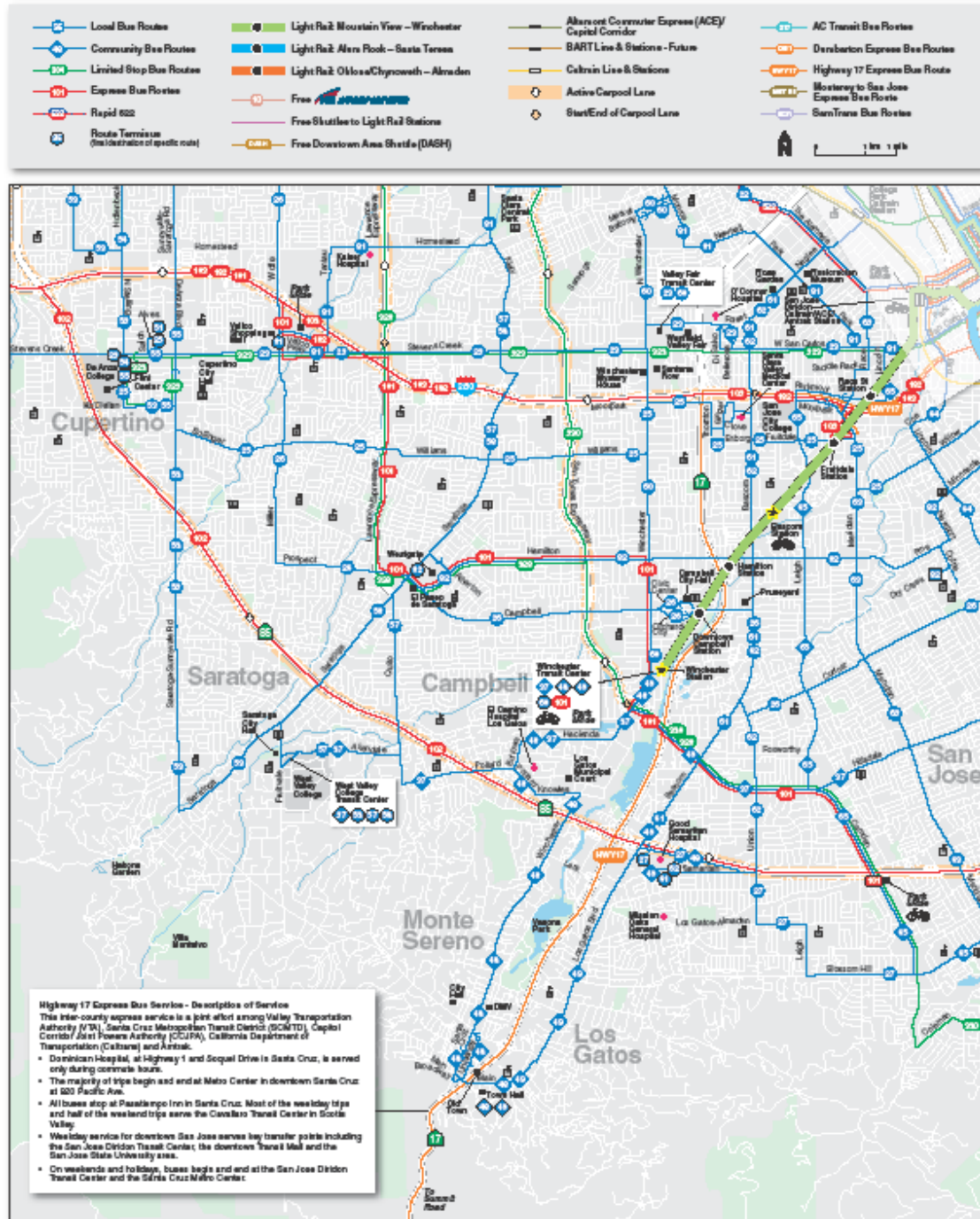
Santa Clara Valley Transportation Authority

The Santa Clara Valley Transportation Authority (VTA) operates over 50 fixed-routes that offer access to affordable public transit to residents of the City. There is a Regional Transit Connection Discount Card ID (RTC Discount Card) program that is available to qualified persons with disabilities and to senior citizens, 65 years of age or older for reduced fares on fixed-route transit bus, rail, and ferry systems throughout the San Francisco Bay Area. The RTC Discount Card costs \$3.00 and is good for up to three years.

²⁴University of Minnesota. “Access Across America.” Webpage tab. <http://www.access.umn.edu/research/america/>

Figure 2.3 shows the public transit routes within the City and to immediately neighboring areas within the County. As seen in Figure 2.3, the City of Cupertino is served by several local, limited stop, and express bus routes, as well as a Park & Ride station.

Figure 2.3: VTA System Map – Cupertino



Source: Santa Clara Valley Transportation Authority

Table 2.14 shows the fare rates offered to VTA fixed-route riders.

Table 2.14: VTA Fixed-Route Transit Fares

Fare	Cost
Adult Ages 18-64	
Single Ride	\$2.00
Express Single Ride	\$4.00
Community Bus	\$1.25
8-Hour Light Rail Pass	\$4.00
Day Pass	\$6.00
Express Day Pass	\$12.00
Monthly Pass	\$70.00
Express Monthly Pass	\$140.00
Annual Pass Subscription	\$770.00
Annual Express Pass Subscription	\$1,540
31-Day Pass Senior/Disabled	\$30
Rider Reward Monthly Pass	\$40
Youth Ages 5-17 (children under 5 ride free when traveling with a paying adult)	
Single Ride	\$1.75
Community Bus	\$0.75
8-Hour Light Rail Pass	\$3.50
Day Pass	\$5.00
Monthly Pass	\$45.00
Annual Pass Subscription	\$495.00
Senior/Disabled Ages 65+	
Single Ride	\$1.00
Community Bus	\$0.50
8-Hour Light Rail Pass	\$2.00
Day Pass	\$2.50
Monthly Pass	\$25.00
Annual Pass Subscription	\$275.00

Source: Santa Clara Valley Transportation Authority as of November 2014

VTA Bus Rapid Transit Program

The VTA is upgrading transit service along the County's three busiest transit corridors to Bus Rapid Transit (BRT) status. These projects consist of improvements in technology and infrastructure as well as new vehicles that will allow riders on the Rapid 522 and Limited 323 routes to travel faster and more comfortably with more frequent service and better on-time reliability.

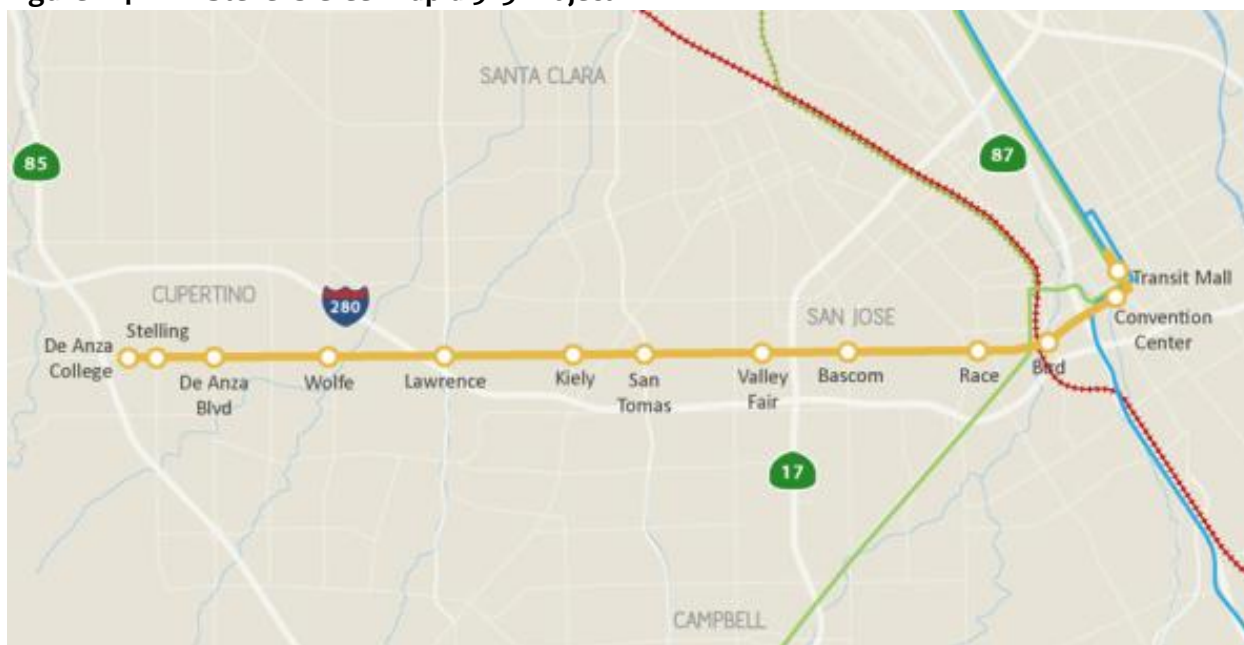
The BRT program consists of the following three projects: El Camino Real BRT Project, Santa Clara-Alum Rock BRT Project, and Stevens Creek Rapid 523 Project. The first two projects will upgrade a bus line that serves San José and another that will upgrade the western portion of the 522 Rapid Bus Route to Bus Rapid Transit status between the Palo Alto Transit Center and Downtown San José. However, the Rapid 523 Project will service the City of Cupertino.

Based on current ridership demand in the Stevens Creek Corridor, the Rapid 523 project will improve travel time, enhance the passenger waiting area, and look at opportunities to encourage more walking and bicycling in the corridor. The goal of the project is to design a compelling, attractive service that will build ridership for future BRT implementation. The VTA is also working with the City

to help achieve its goals of transforming the Stevens Creek corridor into a multi-modal street in order to improve safety for bicycles, pedestrians, and connections to transit. The VTA is also working with the City to identify ways to improve streetscapes around stations such as connecting sidewalks and bicycle lanes, adding landscaping and pedestrian lighting, and reducing the length of pedestrian crossings.

The Rapid 523 planning effort will identify additional travel time improvements that can speed up transit in the VTA's second highest ridership corridor. The project also creates an opportunity for the VTA to implement its Transit Passenger Environment Plan (TPEP), providing high quality bus stop environments that enhance the transit experience and speed up boarding, which helps to reduce overall travel times. Construction will commence in 2016 and first day of service is scheduled for Late 2017.

Figure 2.4: VTA Stevens Creek Rapid 523 Project



Source: Santa Clara Valley Transportation Authority

III. Housing Profile

Housing Stock

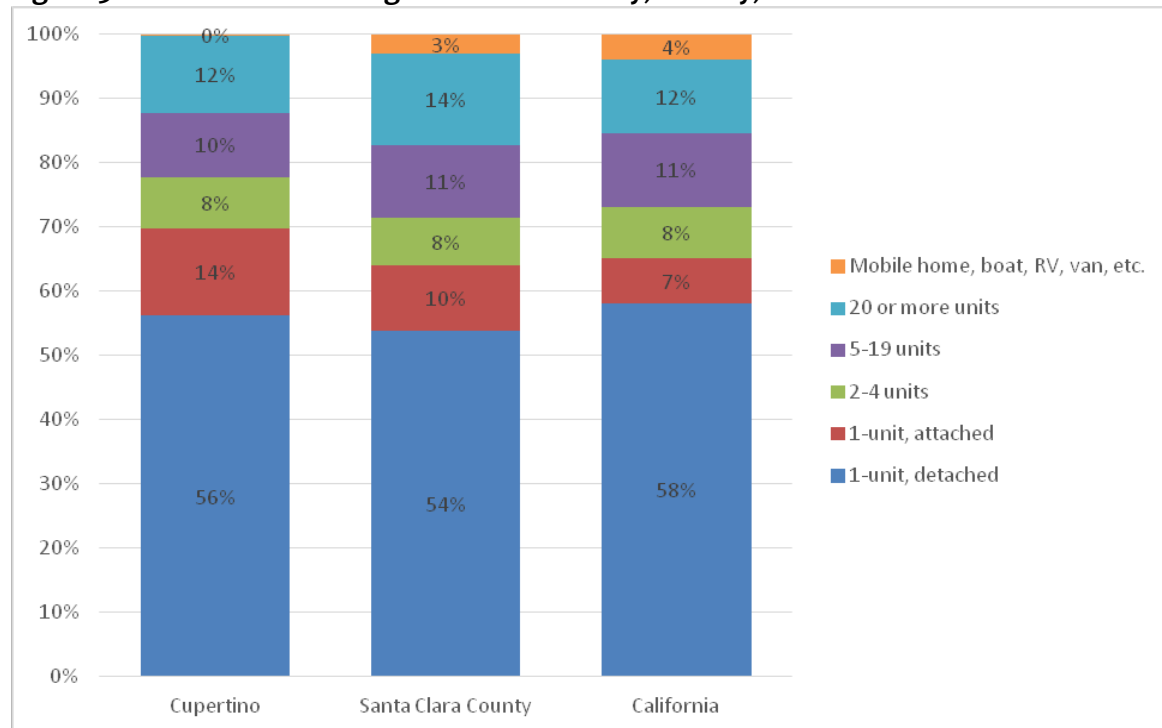
A diverse and balanced housing stock will provide a greater range and flexibility of housing options for households in the City. **Table 3.1** below reflects the distribution of housing found throughout the City, while **Figure 3.1** reflects the distribution compared to the County and State. As shown in **Figure 3.1**, the City has a slightly lower percentage of multifamily housing (5 or more units in a structure) at 22 percent relative to the County (25 percent) and State (23 percent). Since multifamily units tend to be less expensive than single-family units to rent or purchase, the abundance of single family units means that from a distribution standpoint, the City’s current housing stock may stand as an impediment to fair housing choice for households seeking a source of affordable housing.

Table 3.1: Cupertino Residential Housing Distribution

Property Type	Count	Share
1-unit detached structure	12,065	56%
1-unit, attached structure	2,920	14%
2-4 units	1,712	8%
5-19 units	2,164	10%
20 or more units	2,585	12%
Mobile Home, boat, RV, van, etc.	27	0%
Total	21,473	100%

Source: 2013 ACS

Figure 3.1: Residential Housing Distribution in City, County, and State



Source: 2013 ACS

Housing Affordability

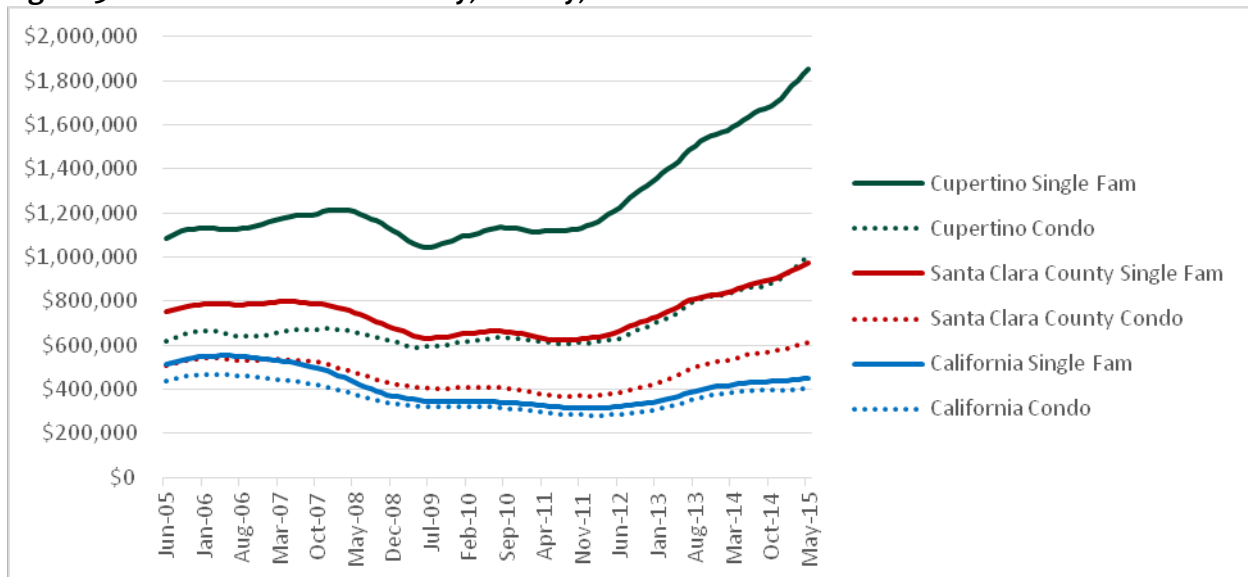
Housing is often one of the most significant expenses for households and can be one of the most significant factors in evaluating a housing market. This section provides an overview of housing affordability in the City.

Cost of Housing

Housing is significantly more expensive in Cupertino compared to the County or State. As shown in **Figure 3.2**, the disparity has increased since 2005. The median sales price for a single family home in May 2015 was \$1,852,500 or nearly double (90 percent) the County (\$974,500) and 313 percent greater than the State (\$448,800). For condominiums in the City, where the median sales price was \$1,005,400 in May 2015, the gaps were smaller but still quite significant at 64 percent for the County (\$614,900) and 149 percent for the State (\$404,200).

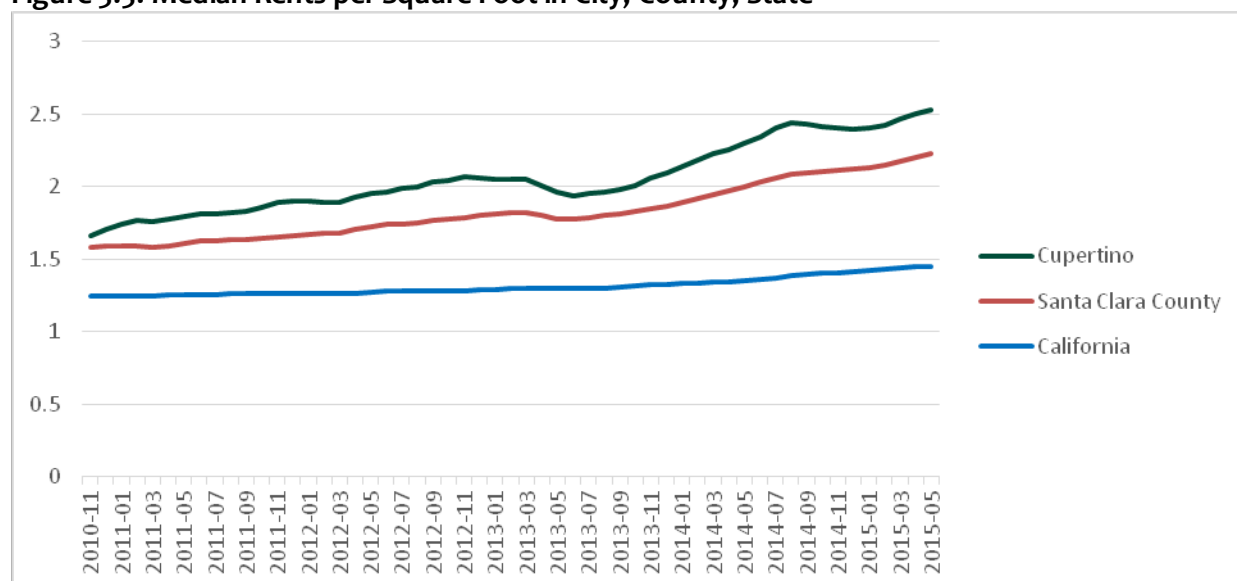
Similarly, the gap in rental rates has increased over the past few years. The median rent price per square foot for all homes in Cupertino rose from \$1.67 in late-2010 to \$2.53 in mid-2015, an increase of 51 percent; for the same period, median rent price per square foot rose 41 percent in the County (\$1.58 To \$2.23) and 16 percent in the State (\$1.25 To \$1.45). In mid-2015, rental rates in the City are 14 percent higher per square foot than the County, and 74 percent higher than the State.

Figure 3.2: Median Sales Price in City, County, State



Source: Zillow

Figure 3.3: Median Rents per Square Foot in City, County, State



Source: Zillow

Housing Affordability

There is a disparity between need and availability of affordable housing in the City. As seen in **Table 3.2**, approximately 885 renter households are at 0-30% AMI, yet there are only 250 rental units available that are affordable to these households (no data is available on homeowner units). In total, there are 695 rental units affordable to LMI households earning 50% or less AMI, yet there are 1,415 households within this income bracket in need of housing. While there are 805 rental units affordable to LMI households earning 51% to 80% AMI, there are only 450 households in this income bracket. The shortage of affordable units also extends to owner households, with an overall under supply of 1,712 units. Housing affordability is most acute for those in the lowest income brackets; however, households earning 50-80% AMI may have difficulty finding affordable units if there is high demand and competition for units from the higher income brackets, especially for households looking to own.

Table 3.2: Low and Moderate Income Households by Tenure

Household Income	Owner			Renter		
	Household Count	Affordable Unit Count	Over/Under Supply	Household Count	Affordable Unit Count	Over/Under Supply
0 - 30% AMI	690	No Data	No Data	885	250	-635
31% - 50% AMI	805	150	-655	530	445	-85
51% - 80% AMI	825	214	-611	450	805	+355
81% - 100% AMI	720	274	-446	400	No Data	No Data
>100% AMI	9,920	No Data	No Data	4,950	No Data	No Data
Totals	12,960	No Data	No Data	7,215	No Data	No Data

Source: 2007-2011 CHAS

Cost Burden

HUD defines **cost burden** as households paying more than 30 percent of their incomes toward housing costs, including utilities, and **severe cost burden** as those paying more than 50 percent of their income toward housing costs.

Table 3.3 demonstrates the degree of cost burden for renter and owner households within the City. For extremely low, very low, and low-moderate income households (together, households earning less than 80 percent AMI), nearly three out of four renters (71 percent) and nearly half of owners (49 percent) are cost burdened, while nearly half of renters (49 percent) and over one third of owners (38 percent) are severely cost burdened. The percentage of cost burdened households does not always decrease as the household AMI increases, as would be expected. There is a higher percentage of very low income renters (81 percent) and moderately low income renters (70 percent) that are cost burdened than extremely low income renters (66 percent). Similarly, there is a higher percentage of moderately low income owners (35 percent) that are severely cost burdened than very low income owners (29 percent). It would also be expected to see renters as more likely than owners to be cost burdened. However, the same percentage of extremely low renters and owners are cost burdened and a higher percentage of moderately low income owners are severely cost burdened compared to moderately low income renters.

Table 3.3: Cost Burden by Household

	Owner Households			Renter Households		
	Count	Cost Burden >30%	Cost Burden >50%	Count	Cost Burden >30%	Cost Burden >50%
0-30% AMI	690	66%	51%	885	66%	55%
31-50% AMI	805	43%	29%	530	81%	51%
51-80% AMI	825	40%	35%	450	70%	34%
< 80% AMI	2,320	49%	38%	1,865	71%	49%
> 80% AMI	10,640	No data	No data	5,350	No data	No data

Source: 2007-2011 CHAS

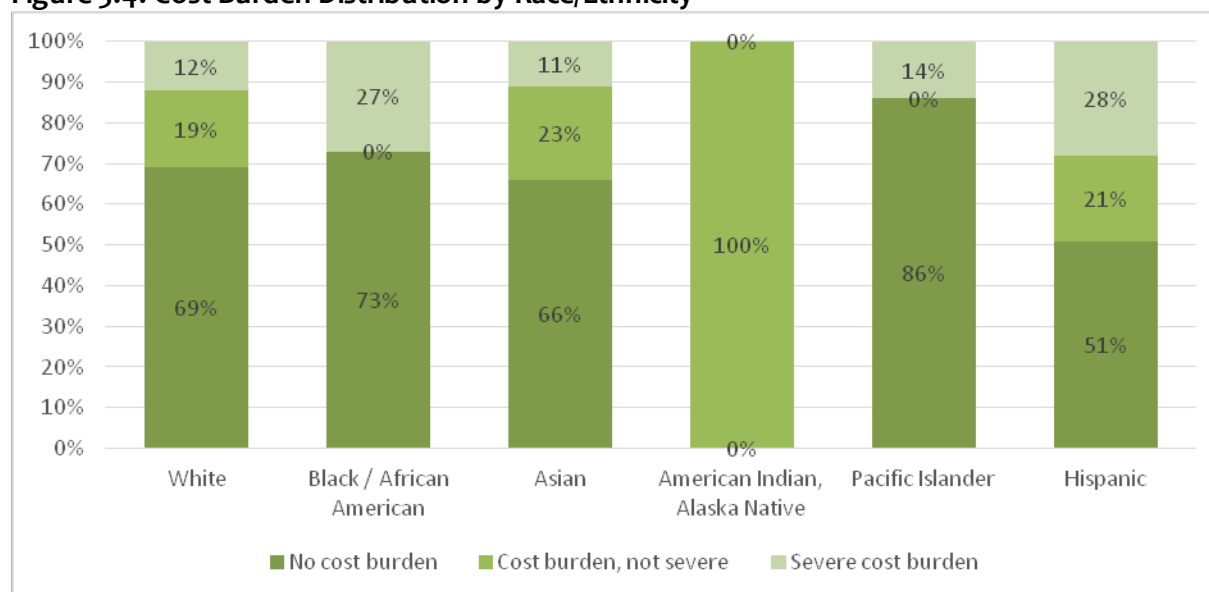
Tables 3.4 and 3.5 below show the housing cost burden distribution by race/ethnicity. Per HUD definitions, a disproportionate need exists when any group has a housing need that is ten percent or higher than the jurisdiction as a whole.

Table 3.4: Number of Households with Cost Burden by Race/Ethnicity

	No cost burden (≤30% Income)	Cost burden, not severe (31-50% Income)	Severe cost burden (>50% Income)	No / Negative Income (Not Computed)
Jurisdiction as a Whole	11,850	3,700	2,220	180
White	5,500	1,480	980	10
Black/ African American	110	0	40	0
Asian	5,765	1,990	985	165
American Indian, Alaska Native	0	10	0	0
Pacific Islander	25	0	4	0
Hispanic	330	135	185	0

Source: 2007-2011 CHAS

Figure 3.4: Cost Burden Distribution by Race/Ethnicity



Source: 2007-2011 CHAS

Table 3.5: Percentage of Households with Cost Burden by Race/Ethnicity

	No cost burden (≤30% Income)		Cost burden, not severe (31-50% Income)		Severe cost burden (>50% Income)	
	Count	Percent	Count	Percent	Count	Percent
Jurisdiction as a Whole	11,850	67%	3,700	21%	2,220	12%
White	5,500	69%	1,480	19%	980	12%
Black/ African American	110	73%	0	0%	40	27%
Asian	5,765	66%	1,990	23%	985	11%
American Indian, Alaska Native	0	0%	10	100%	0	0%
Pacific Islander	25	86%	0	0%	4	14%
Hispanic	330	51%	135	21%	185	28%

Source: 2007-2011 CHAS

The data indicates that as a whole, 33 percent of households in the City are cost-burdened and paying more than 30 percent of their income toward housing costs. Overall, 21 percent are cost-burdened and paying 31-50 percent of their income toward housing costs and 12 percent are severely cost-burdened and paying more than 50 percent of their income toward housing costs. No racial/ethnic group is disproportionately cost burdened. However, both Black/African American and Hispanic households are disproportionately affected by severe cost burden, with 27 percent and 28 percent paying more than 50 percent of their income toward housing, respectively (compared to 12 percent of the City as a whole). This suggests that households in these race/ethnicity groups experience significantly greater barriers to finding affordable housing.

Note: Due to insufficient HUD data, the analysis for households paying more than 30 percent of their income toward housing costs does not include Black/African American, American Indian, Alaska Native, or Pacific Islander households. For households paying more than 50 percent of their income toward housing costs, the analysis does not include American Indian, Alaska Native households.

Assisted Housing

The Housing Authority of the County of Santa Clara (HACSC) assists approximately 17,000 households through Section 8. The Section 8 waiting list contains 21,256 households and the wait for assistance is estimated to be ten years. The HACSC also develops, controls, and manages more than 2,600 affordable rental housing properties throughout the County. The HACSC’s programs are targeted toward LMI households, and more than 80 percent of their client households are extremely low income families, seniors, veterans, persons with disabilities, and formerly homeless individuals.²⁵

In 2008, the HACSC entered into a ten-year agreement with HUD to become a Moving to Work (MTW) agency. The MTW program is a federal demonstration program that allows greater flexibility to design and implement more innovative approaches for providing housing assistance.²⁶ Additionally, the HACSC has used Low Income Housing Tax Credit (LIHTC) financing to transform and rehabilitate 535 units of public housing into HACSC-controlled properties. The agency is an active developer of affordable housing and has either constructed, rehabilitated, or assisted with the development of more than 30 housing developments that service a variety of households, including special needs households.²⁷

Table 3.6 below displays the public housing inventory and housing vouchers maintained by the HACSC in the County. Approximately 16,387 housing vouchers are in use countywide.

Table 3.6: Public Housing by Program Type (City of Cupertino)

Program Type		Unit/Voucher Count	Accessible Unit Count	
Certificate		0	The HACSC does not collect data on whether or not households use a voucher for an accessible unit	
Mod-Rehab		0		
Public Housing		0		
Vouchers (Total of 10,931)	Project-based	0		
	Tenant-based	33		
	Special Purpose	VA Supportive Housing		0
		Family Unification Program		0
		Disabled (includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition)		0

Source: HACSC

Affordable Housing Projects

Although the HACSC does not operate any properties within the City, there are HACSC properties located within ten miles of Cupertino and their income limits are shown in **Table 3.7** on the following page.

²⁵ Housing Authority of the County of Santa Clara. “Welcome to HACSC.” <http://www.hacsc.org/>

²⁶ HACSC. “Moving to Work (MTW) 2014 Annual Report.” September 2014.

²⁷ Housing Authority of the County of Santa Clara. “Welcome to HACSC.” <http://www.hacsc.org/>

Table 3.7: HACSC Housing Properties (County)

Project Name	City	Income Limit	Number of Units	Housing Type
Bracher Senior Apartments	Santa Clara	50% AMI	72	Senior Tax Credit Housing
Clarendon Street Apartments	San José	50% AMI	80	Family Tax Credit Housing
Cypress Gardens Apartments	San José	50% AMI	125	Senior Tax Credit Housing
Deborah Drive Apartments	Santa Clara	30% AMI	4	Family Public Housing
DeRose Gardens Apartments	San José	60% AMI	76	Senior Tax Credit Housing
Eklund Gardens Apartments I	Santa Clara	50% AMI	10	Family Tax Credit Housing
Eklund Gardens Apartments II	Santa Clara	50% AMI	6	Public and Other HUD Assisted Housing
El Parador Senior Apartments	San José	50% AMI	125	Senior Tax Credit Housing
Huff Gardens Apartments	San José	60% AMI	72	Family Public Housing
Klamath Gardens Apartments	Santa Clara	50% AMI	17	Family Tax Credit Housing
Lenzen Gardens Apartments	San José	50% AMI	94	Senior Tax Credit Housing
Miramar Way Apartments	Santa Clara	50% AMI	16	Senior Tax Credit Housing
Pinmore Gardens Apartments	San José	60% AMI	51	Family Public Housing
Rincon Gardens Apartments	Campbell	50% AMI	200	Senior Public Housing
The Willows	San José	30% AMI	47	Family Tax Credit Housing

Source: HACSC

Within the City of Cupertino, the Community Development Department’s Housing Division generates affordable housing units through its Housing Mitigation Program. BMR for-sale units are made available to moderate and median-income households. BMR rental units are made available to low- and very low-income households. The City contracts with West Valley Community Services (WVCS) to screen and place qualified households in BMR units in the City. The WVCS maintains a waiting list of interested persons for these BMR units.

Table 3.8 lists the amount of existing BMR affordable housing for-sale and rental units that were either developed through the City’s Housing Mitigation Residential Program or assisted through the City’s BMR Affordable Housing Fund (AHF). See **Appendix B** for a list of all existing BMR units in the City.

Table 3.8: BMR Housing Units in Cupertino

BMR Housing Type	Range of Expiration of Affordability Covenants	# of Units
Ownership	2016-2112	114
Rental	2026-2056	135
Total		249

Source: City of Cupertino Public Database of Below Market-Rate Affordable Housing For-Sale and Rental Units

Community Care Facilities

Community care facilities are designed to provide shelter and assistance to individuals and groups who are unable to live on their own but do not require extensive medical services. Services offered at these facilities are catered to meet the needs of the specific groups which they serve and can include assistance with medications and personal hygiene. Community care facilities ensure that children and adults with special needs and the elderly receive the support that they need with day-to-day living. **Table 3.9** provides a list of licensed senior housing facilities, while **Table 3.10** includes a list of licensed community care facilities for special needs groups.

Table 3.9: Housing Resources for the Elderly

Facility Name	Address	Capacity
Residential Care Facilities		
The Forum at Rancho San Antonio	23500 Cristo Rey Drive	741
Paradise Manor 4	19161 Muriel Lane	6
Pleasant Manor of Cupertino	10718 Nathanson Avenue	6
Purglen of Cupertino	10366 Miller Avenue	12
Sunny View Manor	22445 Cupertino Road	190
Total		955
Skilled Nursing Facilities		
Health Care Center at Forum at Rancho San Antonio	23600 Via Esplendor	48
Cupertino Healthcare & Wellness Center	22590 Voss Avenue	170
Sunny View Manor	22445 Cupertino Road	48
Total		266
Subsidized Independent Senior Rental Housing		
Sunny View West	22449 Cupertino Road	99
Senior Housing Solutions	19935 Price Avenue	1
Total		100
Adult Day Care		
Live Oak Adult Day Services	20920 McClellan Road	6
Cupertino Senior Center	21251 Stevens Creek	6

Source: California Department of Social Services; California Department of Public Health

Table 3.10: Community Care Facilities for Special Needs Groups

Facility Name	Address	Capacity
Adult Residential Facilities		
Paradise Manor 2	19133 Muriel Lane	6
Paradise Manor 3	19147 Muriel Lane	6
Total		12
Group Homes		
Pace-Morehouse	7576 Kirwin Lane	6
Pacific Autism Center for Education Miracle House	19681 Drake Drive	6
Total		12

Source: California Department of Social Services

IV. Mortgage Lending Practices

“Without investment in mortgage and home improvement loans, residential areas decline rapidly.”

– U.S. Department of Housing and Urban Development (HUD), *Fair Housing Planning Guide Volume 1* pg. 5-10

Equal access to fair and safe credit is essential to fair housing choice. Mortgage lending policies and practices impact the economic stability and viability of individual borrowers, as well as the entire nation. This chapter provides legislative background and review of the practices of lending institutions as they apply to fair housing choice.

Legislation

Fair Housing Act 1968

“Discrimination in mortgage lending is prohibited by the federal Fair Housing Act and HUD's Office of Fair Housing and Equal Opportunity actively enforces those provisions of the law. The Fair Housing Act makes it unlawful to engage in the following practices based on race, color, national origin, religion, sex, familial status or handicap (disability):

- Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Discriminate in appraising property
- Refuse to purchase a loan or set different terms or conditions for purchasing a loan”²⁸

Home Mortgage Disclosure Act

The Home Mortgage Disclosure Act (HMDA), enacted by Congress in 1975, requires that mortgage lenders make loan data public. HMDA tracks information to ensure that fair and safe home financing is available in all geographic areas including urban neighborhoods. This information is made available to highlight whether or not lending institutions are servicing the neighborhoods and communities in which they are located.

The Consumer Financial Protection Bureau oversees HMDA compliance. Data collected and reported on includes applications, approvals and denials, loan amount, type of loan, applicant demographic information, property type, and census tract. This information is released annually each September.

²⁸ U.S. Department of Housing and Urban Development. “Fair Lending.” Webpage tab.
http://portal.hud.gov/hudportal/HUD?src=/topics/fair_lending

Community Reinvestment Act

In response to reports of discriminatory and/or denial of lending, Congress passed the Community Reinvestment Act (CRA) in 1977. The CRA encourages “depository institutions to help meet the credit needs of the communities in which they operate, including LMI neighborhoods, consistent with safe and sound operations.”²⁹ The CRA requires periodic evaluation of the depository institutions. These evaluations are conducted by the Federal Reserve System (FRB), the Federal Deposit Insurance Corporation (FDIC), and the Office of the Comptroller of the Currency (OCC).

The CRA Lending Test considers the institution’s record of helping to meet the credit needs of its assessment area through home mortgage, small business, small farm, and community development lending.³⁰ Institutions receive a rating of "outstanding," "satisfactory," "needs to improve," or "substantial noncompliance." **Table 4.1** lists the latest available CRA ratings of financial institutions serving the City. Based on this information, these financial institutions have been given at least a satisfactory rating.

Table 4.1 Cupertino Financial Institution Community Reinvestment Act Ratings

Exam Date	Bank Name	CRA Rating
5/13/1993	Cupertino National Bank	Satisfactory
3/31/1995	Cupertino National Bank	Satisfactory
2/24/1997	Cupertino National Bank	Satisfactory
10/18/1999	Cupertino National Bank and Trust	Outstanding
9/23/2002	Cupertino National Bank	Satisfactory

Source: FFIEC Interagency CRA Rating Search

Note: Any banks not listed are not publicly available or are not reported by the FFIEC

Conventional vs. Government-Backed Financing

Conventional loans are made by the private sector (banks, mortgage companies, etc.) and are not guaranteed or insured by the U.S. government. Conventional loans are more risk averse and typically have more stringent credit score and down payment requirements along with lower debt acceptance and loan maximums.

Conversely, government-backed loans, such as those issued by the Federal Housing Administration (FHA), Department of Veterans Affairs (VA), and the Rural Housing Services/Farm Service Agency (RHA/FSA), are completely or partially insured by the U.S. government. Due to the less strict lending guidelines, government-backed loans were historically more popular with LMI borrowers.

²⁹ Board of Governors of the Federal Reserve System. “Community Reinvestment Act (CRA).”

http://www.federalreserve.gov/communitydev/cra_about.htm

³⁰ Board of Governors of the Federal Reserve System “Regulation BB Community Reinvestment.” Webpage tab. June 2007.

http://www.federalreserve.gov/boarddocs/supmanual/cch/cra_disc.pdf

The tables below attempt to demonstrate if a relationship exists between a borrower’s race, ethnicity and/or income and his/her ability to secure a loan. Many factors contribute to a potential homebuyer’s ability to secure safe financing. Credit history, savings, and education regarding the home-buying process all affect financing opportunities. It is critical to understand that FFIEC HMDA data does not provide insight into these other factors. The Tables below do not definitively indicate that race or ethnicity were factors in the San José-Sunnyvale-Santa Clara Metropolitan Statistical Area’s (MSA) home purchase loan approval rates in Conventional and Government Backed Loans. They do, however, indicate that the City should continue to partner with qualified agencies to test for potential cases of discrimination in mortgage lending to ensure all residents have optimal mortgage lending opportunities.

Table 4.2 San José-Sunnyvale-Santa Clara MSA Approval Rate of Conventional Home Purchase Loan by Race/Ethnicity

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White
Approval Rate	73%	80%	73%	69%	71%	80%

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Note: Approval rate includes loans originated and applications approved but not accepted

Table 4.3 San José-Sunnyvale-Santa Clara MSA Approval Rate of Government Backed Home Purchase Loan by Race/Ethnicity

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White
Approval Rate	53%	63%	60%	64%	61%	71%

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Note: Approval rate includes loans originated and applications approved but not accepted

Table 4.4 San José-Sunnyvale-Santa Clara MSA Conventional Home Purchase Loan Approval Rate by Race and Income

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White
Less than 50% Median Income	40%	63%	60%	49%	50%	59%
50-79%	75%	73%	64%	66%	59%	74%
80-99%	75%	79%	42%	73%	70%	79%
100-119%	75%	82%	92%	75%	75%	81%
120%+	82%	81%	80%	77%	83%	83%

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Note: Approval rate includes loans originated and applications approved but not accepted

Table 4.5 San José-Sunnyvale-Santa Clara MSA Government-Backed Home Purchase Loan Approval Rate by Race/Ethnicity and Income

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White
Less than 50% Median Income	n/a	25%	n/a	49%	100%	54%
50-79%	29%	54%	57%	66%	67%	68%
80-99%	100%	49%	100%	69%	33%	74%
100-119%	100%	76%	50%	62%	67%	71%
120%+	25%	69%	60%	61%	57%	74%

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Note: Approval rate includes loans originated and applications approved but not accepted

As the HMDA data, for both conventional and government-backed loan approval rates by Race/Ethnicity and Income, does not provide clear trends one can look to the total number of loan originations as shown below in **Tables 4.6** and **4.7**. This data, in conjunction with **Tables 4.2-4.5**, may paint a clearer picture of race and income opportunities.

Table 4.6 San José-Sunnyvale-Santa Clara MSA Conventional Home Purchase Loan Originations by Race/Ethnicity and Income

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White	Total by Income
Less than 50% Median Income	2	152	3	48	2	111	318
50-79%	3	589	10	182	9	638	1,431
80-99%	4	683	5	113	6	574	1,385
100-119%	3	957	11	77	8	622	1,678
120%+	15	4,773	41	210	24	3,602	8,665
Total by Race	27	7,154	70	630	49	5,547	13,477

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Table 4.7 San José-Sunnyvale-Santa Clara MSA Government-Backed Home Purchase Loan Originations by Race/Ethnicity and Income

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White	Total by Income
Less than 50% Median Income	n/a	1	n/a	17	1	26	45
50-79%	2	21	4	117	4	178	326
80-99%	4	27	2	75	1	155	264
100-119%	2	41	2	51	4	133	233
120%+	1	111	9	95	3	404	623
Total by Race	9	201	17	355	13	896	1,491

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

The HMDA data indicates that Asians accounted for the majority (53.1 percent) of all conventional loan originations and Asians and Whites together accounted for 94 percent of all conventional loan originations. Whites accounted for the majority (60.1 percent) of government-backed loan originations and together with Asians totaled over 73 percent of all originations despite Asians

comprising only 32.4 percent and Whites only 34.4 percent of the MSA’s total population. Hispanics make up 27.8 percent of the MSA’s total population yet only accounted for 4.7 percent of all conventional loan originations. However, Hispanics were more proportionally represented in government-backed loans with 23.8 percent of total originations.³¹

Refinance approval rates by race, ethnicity and income, shown below in **Tables 4.8** and **4.9**, are similar to home purchase rates in that they do not indicate evident discrimination.

Table 4.8 San José-Sunnyvale-Santa Clara MSA Refinance Approval Rate by Race/Ethnicity

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White
Approval Rate	68%	77%	66%	66%	64%	74%

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Note: Approval rate includes loans originated and applications approved but not accepted

Table 4.9 San José-Sunnyvale-Santa Clara MSA Refinance Approval Rates by Race/Ethnicity and Income

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White
Less than 50% Median Income	61%	59%	60%	59%	55%	61%
50-79%	69%	71%	62%	68%	64%	70%
80-99%	71%	74%	60%	68%	67%	73%
100-119%	57%	77%	73%	69%	69%	74%
120%+	75%	80%	69%	69%	64%	78%

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

Note: Approval rate includes loans originated and applications approved but not accepted

However, just as with Home Purchase Originations, **Table 4.10** Refinance Loan Originations by Race/Ethnicity and Income shows that Whites accounted for more than half (50.5 percent) of all refinance originations while Hispanics accounted for only 7.0 percent.

Table 4.10 San José-Sunnyvale-Santa Clara MSA Refinance Loan Originations by Race/Ethnicity and Income

Applicant Race/Ethnicity	American Indian	Asian	Black Or African American	Hispanic Or Latino	Pacific Islander	White	Total by Income
Less than 50% Median Income	28	821	40	563	24	1,664	3,140
50-79%	28	2,036	80	987	56	3,599	6,786
80-99%	22	1,777	47	553	46	2,914	5,359
100-119%	20	2,211	48	401	35	2,685	5,400
120%+	66	13,135	171	906	110	13,874	28,262
Total by Race	164	19,980	386	3,410	271	24,736	48,947

Source: FFIEC HMDA Aggregate Reports, San José-Sunnyvale-Santa Clara MSA, 2013

³¹The Heller School for Social Policy and Management. “San José-Sunnyvale-Santa Clara.” Webpage tab.

<http://diversitydata.org/Data/Profiles/Show.aspx?loc=1240>

This information does not in and of itself point to wrongdoing and further doesn't point to wrongdoing within the boundaries of the City itself. However, the City should monitor application and approval rates across race/ethnicity as it eliminates impediments to fair housing choice and support testing of lending institutions. The City does fund local nonprofit agencies such as Project Sentinel to provide homebuyer education services, including mortgage counseling, and Eden Council for Hope and Opportunity (ECHO) to provide fair housing services to Cupertino residents. The City also participates in the Mortgage Credit Certificate Program, which provides a tax credit to first-time homebuyers in the County.

Subprime Lending

Subprime lending is usually targeted to borrowers with “blemished or limited credit histories.”³² Subprime loans are characterized by high interest rates and fees. Unlike the prime market (e.g. conventional and government-backed loans), subprime lending institutions are not regulated. While subprime loans are not predatory by definition, they were often provided to borrowers who could not afford their repayment in the housing boom of the 2000's. Today, new subprime regulations are enforcing stricter requirements such as tightened credit standards and income verification. The regulations are intended to create a safer subprime market while providing household ownership options for those with less than perfect credit.

Predatory Lending

While no governing or statutory institutions have one definition of predatory lending, HUD describes the loans as having “outrageous terms and conditions, often through deception.”³³ The US Department of Treasury provides, “Predatory lending-- whether undertaken by creditors, brokers, or even home improvement contractors – involves engaging in deception or fraud, manipulating the borrower through aggressive sales tactics, or taking unfair advantage of a borrower’s lack of understanding about loan terms. These practices are often combined with loan terms that, alone or in combination, are abusive or make the borrower more vulnerable to abusive practices.”³⁴ Available through the subprime market and characterized by excessive fees, disregard for credit worthiness or ability to repay, a subprime loan “drains wealth from families, destroys the benefits of homeownership, and often leads to foreclosure.”³⁵

Effective January 2014, Regulation Z, “which implements the Truth in Lending Act (TILA), requires creditors to make a reasonable, good faith determination of a consumer’s ability to repay any consumer credit transaction secured by a dwelling.”³⁶ The final rule also implements limits prepayment penalties - a red flag of predatory loans.

There is collective agreement that education and reform are the best protectors against predatory lending. The Silicon Valley Community Foundation (SVCF) is one of the nation’s largest advocates

³² U.S. Department of Housing and Urban Development. “Subprime Lending.” Webpage tab. http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/lending/subprime

³³ U.S. Department of Housing and Urban Development. “Fair Lending.” Webpage tab. http://portal.hud.gov/hudportal/HUD?src=/topics/fair_lending

³⁴ U.S. Department of the Treasury. <http://www.treasury.gov/press-center/press-releases/Documents/treasrpt.pdf>

³⁵ National Association of Consumer Advocates. “Predatory Lending.” Webpage tab. <http://www.naca.net/issues/predatory-lending>

³⁶ Consumer Financial Protection Bureau. “Ability to Repay and Qualified Mortgage Standards Under the Truth in Lending Act (Regulation Z).” <http://www.consumerfinance.gov/regulations/ability-to-repay-and-qualified-mortgage-standards-under-the-truth-in-lending-act-regulation-z/-date>

against predatory lending. As part of its broader strategy of promoting economic security, the SVCF aims its efforts at curbing predatory lending. The organization incorporates a multipronged grant-making strategy to target the problem that includes both hands-on work to increase financial literacy and advocacy work to regulate payday lending. The SVCF awards these grants to local organizations that work to pass ordinances curtailing predatory payday lending. Some of these local organizations include the Center for Responsible Lending, which works to enact state policy reforms to inhibit predatory payday lending, and the Law Foundation of Silicon Valley, which works to limit the reckless financial practices of payday lenders in Santa Clara County through ordinance advocacy, public education, and development of alternatives.

The City itself could protect against predatory lending by supporting providers and programs that increase access to A-Paper³⁷ financing, credit counseling and education, down payment assistance, closing costs assistance, and first-time home buyer education, especially for those targeted by predatory lenders such as senior citizens, people of color, lower income families, and people with disabilities.

³⁷ “A-Paper” mortgages are available to low-risk borrowers and offer the best (lowest) interest rates

V. Public Policies and Practices

This chapter identifies various public policies and practices at the local and regional level that may affect housing development and fair housing choice within the City. While the City has reviewed all of its zoning laws, policies, and practices for compliance with fair housing law, this section contains additional analysis of potential and actual public sector constraints on the development of housing. The following City documents were reviewed in the preparation of this chapter:

- City of Cupertino General Plan: Community Vision 2040 Land Use and Community Character Element
- City of Cupertino 2014-2022 Housing Element
- City of Cupertino, California Municipal Code

Zoning Ordinance and Land-Use Regulation

Zoning Ordinance

Zoning ordinances and other land-use controls have a direct effect on the availability and range of housing choices within a community. The zoning ordinance establishes the densities and intensities for all new development within the City and determines requirements such as lot size, number of dwelling units per acre, setback needs, and building height.

Exclusionary zoning practices, such as those that limit where, how, or if affordable housing can be developed or that restrict development such as small-lot homes, mobile homes, or group homes, can decrease the number of affordable housing opportunities. The City’s zoning ordinance includes residential districts that allow for a variety of housing types for residential development.

Table 5.1: Residential Land Use Designations

Zoning District	Zoning Code	Allowed Residential Uses	Minimum Lot Size (sq ft)	Maximum Floor Area Ratio (FAR)	Density and Intensity
Agricultural-Residential	A-1	Single-family dwelling unit; second dwelling unit; employee housing	43,000-215,000	40% of net lot area	1 DU/lot
Single-Family Residential	R-1	Single-family detached	5,000-20,000	45% of net lot area	1 DU/lot
Residential Duplex	R-2	Two units under same ownership on one lot	8,500-15,000	40% of net lot area	2 DU/lot
Multi-Family Residential	R-3	Multi-family dwelling units	9,300 for 3 DUs and 2,000 per additional DU	40% of net lot area	3+ DU/lot
Residential Hillside	RHS	Single-family detached	20,000-400,000	45% of net lot area	1 DU/lot
Residential Single-Family Cluster	R1C	Small lot development	No minimum	N/A	N/A

Source: City of Cupertino, California Municipal Code

Notes: DU = Dwelling Unit(s)

General Plan Land-Use Element

The creation of a General Plan is mandated for every city and county within the State by the California Housing and Community Development Department (HCD) and provides the long-term vision, goals, and policies for a jurisdiction. On December 4, 2012, the City Council adopted the 2040 General Plan. The 2040 General Plan, known as Community Vision 2040, Plan is a roadmap to the future that encompasses the hopes, aspirations, values and dreams of the community. It provides a vision of the City's future by integrating the aspirations of residents, businesses, and officials into a comprehensive strategy for guiding future development and managing change. Community Vision 2040 describes the long-term goals for the City's future and guides daily decision-making. The Plan contains the City's official policies on land use and community design, transportation, housing, environmental resources, and health and safety. It provides guidance about growth, housing, transportation, neighborhood improvement and municipal service delivery.

The Land Use and Community Design Element is the keystone of Community Vision 2040 and deals with housing, the issues of future growth, and desired quality of life in the community. As such, it contains several items that can affect the development and distribution of housing, such as land use classifications, land use mix, distribution, density and intensity standards, and the identification of priority development areas where new development will support the day-to-day needs of residents and workers in a pedestrian-friendly environment served by transit.

General Plan Housing Element

In November 2013, the City initiated a State-mandated update of the Housing Element of the General Plan. The Housing Element, which is a required component of the General Plan, identifies policies and appropriate locations for future housing in Cupertino. The Housing Element Update was combined with the General Plan Amendment process (initiated in August 2013) so the City and community could fully evaluate and discuss issues in one comprehensive outreach and planning process.

The Housing Element identifies the City's current housing conditions and future housing needs while creating policies and adopting land use plans and regulations that provide opportunities for housing development, including units that could accommodate households of various income categories such as very low, low, moderate, and above moderate-income. The 2014-22 Housing Element was adopted by the City Council and certified by the State of California Housing and Community Development (HCD) in May 2015. The updated element covers the 2015 to 2023 period and will be updated every 8 years as mandated by the State Department of Housing and Community Development.

Definition of Family/Occupancy Standards

The Fair Housing Act forbids discrimination on the basis of familial status, which protects families with children and large households. A city must avoid occupancy standards that may be limiting and violate fair housing regulations that contain a restrictive definition of family. When the definition of family in a zoning ordinance is too rigid, it may be exclusive of certain segments of the population that do not completely match its classification. For instance, zoning ordinances that distinguish between related or unrelated individuals lead to the exclusion of nontraditional families and households comprised of individuals who are not biologically related to one another.

The City's current zoning ordinance defines "family" as an individual or group of persons living together who constitute a bona fide single housekeeping unit in a dwelling unit. "Family" shall not be construed to include a fraternity, sorority, club, or other group of persons occupying a hotel, lodging house, or institution of any kind.

Density Bonuses

Local jurisdictions have the authority to implement policies and programs that promote the development and integration of affordable housing units, such as density bonuses. A density bonus is a zoning tool that is designed to encourage and grant developers exceptions to zoning and development standards in exchange for providing a public benefit to the community, such as funding for affordable housing or construction of affordable housing units.³⁸ According to Section 19.56 of the City's Municipal Code, density bonuses include a density increase over the otherwise maximum allowable residential density in accordance with the provisions of Section 19.56, and are intended to comply with the State Density Bonus Law, Government Code Section 65915.

Housing developments resulting in a net increase of at least five units (excluding density bonus units) are eligible for a density bonus when the applicant for the housing development agrees or proposes at least one of the following:

1. Construct:
 - a. Ten percent of the total units affordable to lower income households at affordable rent or affordable housing cost; or
 - b. Five percent of the total units affordable to very low income households at affordable rent or affordable housing cost; or
 - c. Ten percent of the total units proposed in a common interest development for sale to moderate income households, provided that all units in the development are offered to the public for purchase; or
 - d. A senior citizen housing development.
2. Donate land in accordance with Municipal Code Section 19.56.030C;
3. Provide affordable housing in a condominium conversion project in accordance with Municipal Code Section 19.56.030E.

In addition to meeting the above requirements, housing developments which include a child care facility are entitled to an additional density bonus. Additionally, an applicant may submit a proposal for specific incentives or concessions to be granted in conjunction with the density bonus. The granting of a density bonus, incentive, or concession, does not require a general plan amendment, zone change, or other discretionary approval and is reviewed concurrently with the housing development.

³⁸ Puget Sound Regional Council. "Featured Tool: Density Bonuses*." <http://www.psrc.org/growth/hip/alltools/density-bonus/>

Parking Requirements

Off-street parking standards for housing units may stand as a limitation to the development of affordable housing, as these requirements increase development costs and diminish the availability of land for additional units. **Table 5.2** below illustrates the City’s off-street parking requirements for residential uses.

Table 5.2: Residential Off-Street Parking Requirements in the City

Housing Type	Zone	Parking Ratio
Single-family	R-1, RHS, A-1, P	4/DU (2 garage, 2 open)
Small Lot Single-Family, Townhouse	P	2.8/DU (2 garage, 0.8 open)
Duplex	R-2	3/DU (1.5 enclosed, 1.5 open)
High Density Multi-Family	R-3, P	2/DU (1 covered, 1 open)

Source: City of Cupertino Housing Element 2015, 2023

Building Codes

Building codes set guidelines that identify minimum standards to ensure that building and non-building structures protect the health and safety of the community. Local building codes, however, often mandate that costly improvements be made to meet regulation requirements. In November 2013, the City adopted the 2013 California Building Code (CBC), which is grounded on the 2012 International Building Code (IBC). The 2013 triennial edition applies to all occupancies that applied for a building permit on or after January 1, 2014, and remains in effect until the effective date of the 2016 triennial edition. The adoption of the City’s building codes prove to be in line with those of other California jurisdictions and do not have negative consequences on the development of affordable housing in the City.

Growth Management

Cities often use growth-management techniques, including controlling the rate of growth and using building moratoriums to regulate growth by pausing or reducing the construction of housing. Currently, the City does not have any building moratorium plans to limit the development of housing. However, the City has outlined goals, policies, and strategies related to land use, building form, streetscape, connectivity, open space, landscaping, and the urban/rural ecosystem for “special areas” located along major mixed-use corridors and nodes that have access to a variety of different forms of transportation. Future growth in Cupertino will be focused in these areas to manage growth while minimizing traffic, greenhouse gas, and health impacts on the community. The City has also designated key policy direction for certain planning areas predominately composed of single-family residences to preserve lower-intensity residential character, with special focus on improving pedestrian and bicycle connectivity to services and community amenities.

Planning and Housing Mitigation Fees

As with many other jurisdictions across California, the City collects planning and housing mitigation fees to offset the administrative costs generated from these projects, such as processing permits and building inspections, and to mitigate the impact of new development on the need for affordable housing. Since 1993, the City has implemented an Office and Industrial Housing Mitigation Program

and a Residential Housing Mitigation Program requiring the payment of housing mitigation fees by non-residential development and residential projects with six units or less or with fractional unit requirements, and requiring the provision of moderate-income and median-income housing in developments with seven units or more.

California law requires that City-enforced fees be reasonable and relative to the cost of providing specific services. These fees, however, may limit the supply of affordable housing produced due to the additional costs associated with housing construction. The planning fees are in line with other California jurisdictions and do not have negative consequences on the development of affordable housing in the City. To ensure the mitigation fees do not exceed the actual affordable housing impacts attributable to the development projects on which the fee is imposed, and to further implement the affordable housing goals, objectives, policies, and programs of the City’s Housing Element, the City Council commissioned and considered updated nexus study reports authored by Keyser Marston Associates. The nexus study reports were used to determine the maximum amount needed to fully mitigate the burdens created by residential and non-residential development and to ensure that development projects remain economically feasible. The implemented mitigation fees are lower than the maximum amount needed to fully mitigate the burdens created by new development on the need for affordable housing. The collected fees are deposited into the City’s BMR Affordable Housing Fund to be used to increase and preserve the supply of housing affordable to households of extremely low, very low, low, median, and moderate incomes.

The City evaluates all fee schedules annually and will make any adjustments, if necessary. Fee amounts are adjusted based on the percentage increase in the Consumer Price Index for All Urban Consumers for San Francisco, California.

Tables 5.3 and 5.4 demonstrate the estimated planning and mitigation fees in the City.

Table 5.3: Planning Fees

Fee	Fee Amount
Tentative Map	15,974.00
Parcel Map	7,461.00
Use Permit /Development Permit - Major	15,974.00
Use Permit /Development Permit - Minor	7,461.00
Amendment to Use Permit /Development Permit - Major	7,988.00
Amendment to Use Permit /Development Permit - Minor	3,730.00
Architectural and Site Approval - Major	7,461.00
Architectural and Site Approval - Minor	3,609.00
Planning Commission Interpretation	3,649.00
Exception	2,813.00
Heart of the City/Hillside Exception	7,077.00
R-1 Design Review	2,400.00
R-1 Exception	2,694.00
Minor Residential Permit	1,206.00
Environmental Impact Report (Plus State & County Filing Fees)	27,948.00
Negative Declaration - Major (Plus State & County Filing Fees)	4,299.00
Negative Declaration - Minor (Plus State & County Filing Fees)	2,149.00
Categorical Exemption (Plus County Filing Fee)	250.00
Sign Exception	2,108.00

Fee	Fee Amount
Fence Exception	716.00
Variance	2,813.00
Director - Minor Modification	1,259.00
Conditional Use Permit - Administrative	3,730.00
Reasonable Accommodation	548.00
Tree Removal Permit	
First Tree	180.00
Each Additional Tree	92.00
Retroactive Tree Removal Permit	3,222.00
Tree Management Plan	1,259.00
Heritage Tree Designation	107.00
Temporary Use Permit	1,439.00
Temporary Sign Permit	211.00
Sign Program	721.00
Appeals	182.00
Zoning, Planning, Municipal Code (Building Permit Fees)	
Non-Residential/Multi-Family(per sq. ft.)	0.29
Residential Single Family(per sq. ft.)	0.14
General Plan Office Allocation Fee(per sq. ft.)	0.27
Wireless Master Plan Fee: Equipment Mount on Existing Utility Pole	6.00
Wireless Master Plan Fee: Other Personal Wireless Facility	1,308.00
Residential - Ownership (per sq. ft.)	
Detached Single Family Residence	15.00
Small Lot Single Family Residence or Townhome	16.50
Multi-family Attached Townhome, Apartment, or Condominium (up to 35 du/ac)	20.00
Multi-family Attached Townhome, Apartment, or Condominium (over 35 du/ac)	20.00
Residential - Rental (per sq. ft.)	
Multi-family Attached Townhome, Apartment, or Condominium (up to 35 du/ac)	20.00
Multi-family Attached Townhome, Apartment, or Condominium (over 35 du/ac)	25.00
Non-Residential (per sq. ft.)	
Office, Research and Development, or Industrial	20.00
Hotel	10.00
Commercial/Retail	10.00
Zoning Verification Letter	190.00
Public Convenience and Necessity Letter (Alcoholic Beverage License)	190.00

Source: City of Cupertino Resolution 14-143 Schedule C - Planning Fees Effective July 1, 2014

Table 5.4: Housing Mitigation Fees

Fee	Fee Amount
Residential Housing Mitigation Fees - Ownership Developments (1-6 Units)	
Detached Single Family Residence	15.00/sq. ft.
Small Lot Single Family Residence/Townhome	16.50/sq. ft.
Multi-Family Attached Townhome/Apartment/Condominium (up to 35 du/ac)	20.00/sq. ft.
Multi-Family Attached Townhome/Apartment/Condominium (over 35 du/ac)	20.00/sq. ft.
Residential Housing Mitigation Fees - Rental Developments (1+ Units)	
Multi-Family Attached Townhome/Apartment/Condominium (up to 35 du/ac)	20.00/sq. ft.

Fee	Fee Amount
Multi-Family Attached Townhome/Apartment/Condominium (over 35 du/ac)	25.00/sq. ft.
Non-Residential Housing Mitigation Fees	
Office/Research & Development/Industrial	20.00/sq. ft.
Hotel	10.00/sq. ft.
Commercial/Retail	10.00/sq. ft.

Source: City of Cupertino Resolution 15-036 Residential and Non-Residential Housing Mitigation Fees Effective July 6, 2015

Variety of Housing Opportunity

To maximize the availability of housing opportunities for City residents, the City’s public policies and practices must allow for a diverse set of housing options. The City is currently involved in various efforts to provide diverse housing opportunities for all residents, including zoning that allows for the development of single-room occupancy units, second dwelling units, manufactured housing, farmworker and employee housing, and emergency shelters, transitional housing, and supportive housing.

Single-room Occupancy (SRO)

State law requires that local jurisdictions provide housing options for extremely low-income households. Single-room occupancy (SRO) units are a housing option that is often viable to extremely low income households, such as the homeless, those with mental illnesses, substance abuse issues, and AIDS. SRO units ensure that even the most disadvantaged populations have the opportunity to access extremely low-cost affordable housing.

SRO units are one-room units intended for occupancy by a single individual. They are distinct from a studio or efficiency unit, in that a studio is a one-room unit that must contain a kitchen and bathroom. However, many SROs have one or the other. The City’s zoning ordinance does not contain specific provisions for SRO units. Rather, they are treated as a regular multi-family use, subject to the same restrictions that apply to other residential uses in the same zone.³⁹

Second Dwelling Units

The City’s zoning ordinance defines second dwelling units as an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons and shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated.⁴⁰ Second dwelling units are designed to offer occupants housing at a more affordable cost and give multi-generational households the opportunity to live in close proximity to one another but in more private spaces. To promote the goal of affordable housing within the City, the zoning ordinance permits second dwelling units on lots in the following zones: R-1, RHS, A, and A-1.

³⁹ City of Cupertino. “2014-2022 Housing Element.” Cupertino. 2015. B-87.

⁴⁰ American Legal Publishing Corporation. “Cupertino, CA Municipal Code.”

[http://www.amlegal.com/nxt/gateway.dll/California/cupertino/title19zoning?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:cupertino_ca&nc=](http://www.amlegal.com/nxt/gateway.dll/California/cupertino/title19zoning?f=templates$fn=default.htm$3.0$vid=amlegal:cupertino_ca&nc=)

Manufactured Housing or Mobile Homes

Manufactured housing, also known as mobile home housing, is a portable type of low-cost, prefabricated housing. As mobile homes provide housing with low yard and housing maintenance, they can be an affordable housing option for low-and moderate-income households, as well as seniors. The City’s zoning code defines a mobile home as “a vehicle, other than a motor vehicle, designed or used as semi-permanent housing, designed for human habitation, for carrying persons and property on its own structure, and for being drawn by a motor vehicle, and shall include a trailer coach.”⁴¹

According to the Department of Finance, as of 2013, there are no mobile homes in Cupertino. Pursuant to State law, a mobile home built after June 15, 1976, certified under the National Manufactured Home Construction and Safety Act of 1974, and built on a permanent foundation may be located in any residential zone where a conventional single-family detached dwelling is permitted subject to the same restrictions on density and to the same property development regulations.⁴²

Farmworker and Employee Housing

Pursuant to the State Employee Housing Act, employee housing consisting of no more than 36 beds in a group quarters or 12 units designed for use by a single family or household shall be deemed an agricultural land use. As such, no permit or additional condition is required of employee housing that is not required of any other agricultural activity in the same zone. Permitted occupancy for employee housing includes agricultural employees who do not work on the property where the employee housing is located. The Employee Housing Act also specifies that housing for six or fewer employees be treated as a residential use. In 2014, the City amended the zoning ordinance to permit employee housing for six or fewer residents in all residential zoning districts and employee group quarters in the A and A-1 districts, and in the RHS district with approval of an Administrative Conditional Use Permit (CUP).⁴³

Emergency Shelters, Transitional Housing, Supportive Housing

Local jurisdictions are expected to identify sites in which emergency and transitional housing shelters can be developed. Emergency shelters are a temporary housing option for individuals and households to meet the immediate housing needs of those who can no longer live in their previous home. State law (SB 2) mandates that local jurisdictions permit emergency shelters without a Conditional Use Permit or any other discretionary permit requirements in at least one zoning district to adequately accommodate for at least one year-round emergency shelter.⁴⁴

⁴¹ American Legal Publishing Corporation. “Cupertino, CA Municipal Code.”

[http://www.amlegal.com/nxt/gateway.dll/California/cupertino/title19zoning?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:cupertino_ca&nc=](http://www.amlegal.com/nxt/gateway.dll/California/cupertino/title19zoning?f=templates$fn=default.htm$3.0$vid=amlegal:cupertino_ca&nc=)

⁴² City of Cupertino. “2014-2022 Housing Element.” Cupertino. 2015. B-87.

⁴³ Ibid. B-87-B-88

⁴⁴ California Department of Housing and Community Development. “Senate Bill No. 2 Chapter 633.”

http://www.hcd.ca.gov/hpd/sb_2_bill_20071013_chaptered.pdf

Currently, the City’s zoning ordinance allows for “rotating” and “permanent” homeless shelters by right in the Quasi-Public Building (BQ) zone.⁴⁵ Rotating shelters are permitted within existing church structures in the BQ for up to 25 occupants. The operation period of rotating shelters cannot exceed two months in any one year span at a single location. Permanent shelters are permitted if occupancy is limited to 25 occupants, provides a detailed operation plan, and is available to any individual or household regardless of their inability to pay. Occupancy of permanent shelters is limited to six months or less.

Additionally, AB 2634 mandates that local jurisdictions address the need for transitional and supportive housing.⁴⁶ Transitional housing, configured as rental housing, operates under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible tenant after a predetermined period. In contrast, supportive housing has no limit on the length of stay, is linked to on-site or off-site services, and is occupied by a target special needs population such as low-income persons with mental disabilities, AIDS, substance abuse, or chronic health conditions. Services typically include assistance designed to meet the needs of the target population in retaining housing, living and working in the community, and/or improving health, and may include case management, mental health treatment, and life skills.

The City’s zoning ordinance defines transitional housing to mean buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months from beginning of assistance.⁴⁷ Supportive housing means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.⁴⁸ The City also amended the zoning code to add a definition of target population. Per Government Code Section 65582(g), target population is defined as persons with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act. The zoning ordinance treats transitional and supportive housing as a residential use, located in housing of a type permitted by right in the following zones: A, A-1, R-1, RHS, R1C, R-2, and R-3.

Table 5.5 provides a comprehensive list of the transitional and permanent supportive housing opportunities serving individuals in need of this type of housing in the County.

Table 5.5: Homeless Housing Inventory in the County

Organization Name	Project Name	Target Population	Total Beds
Abode Services	Abode Place-Based Rapid Re-Housing	SMF+HC	100

⁴⁵ American Legal Publishing Corporation. “Cupertino, CA Municipal Code.” [http://www.amlegal.com/nxt/gateway.dll/California/cupertino/title19zoning?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:cupertino_ca&nc=](http://www.amlegal.com/nxt/gateway.dll/California/cupertino/title19zoning?f=templates$fn=default.htm$3.0$vid=amlegal:cupertino_ca&nc=)

⁴⁶ California Government Legislative Information. “Bill Number: AB2634.” http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_2601-2650/ab_2634_bill_20060930_chaptered.html

⁴⁷ American Legal Publishing Corporation. “Cupertino, CA Municipal Code.” [http://www.amlegal.com/nxt/gateway.dll/California/cupertino/title19zoning?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:cupertino_ca&nc=](http://www.amlegal.com/nxt/gateway.dll/California/cupertino/title19zoning?f=templates$fn=default.htm$3.0$vid=amlegal:cupertino_ca&nc=)

⁴⁸ Ibid

Organization Name	Project Name	Target Population	Total Beds
	Program		
Abode Services	Encampments	SMF+HC	20
Abode Services	SCC Rental Assistance Program	SMF+HC	90
Abode Services	SCC Rental Assistance Program	SMF+HC	70
Abode Services	SJ Mental Health TH	SMF+HC	24
Abode Services	SJ Mental Health TH	SMF+HC	13
Abode Services	St. James Park (Dept. of Drug & Alcohol Services)	SMF+HC	21
Abode Services	Sunnyvale TH	SMF+HC	9
Abode Services	Sunnyvale TH	SMF+HC	30
Abode Services	Sunset Leasing	SMF+HC	21
Asian Americans for Community Involvement	Asian Women's Home	SFHC	14
Bill Wilson Center	8th Street/Keyes (formerly Leigh)	SMF	4
Bill Wilson Center	Bill Wilson RRH	SMF+HC	44
Bill Wilson Center	High Glen (formerly Villa Street)	HC	9
Bill Wilson Center	Jackson St.	HC	17
Bill Wilson Center	Lafayette Street	SMF	6
Bill Wilson Center	Norman Drive (North County)	HC	11
Bill Wilson Center	PeaCoCk Commons	SMF+HC	34
Bill Wilson Center	PeaCoCk Commons LI	SMF+HC	11
Bill Wilson Center	PeaCoCk Commons MHSA	SMF+HC	11
Bill Wilson Center	Rockefeller Drive (North County)	SMF	8
Bill Wilson Center	Runaway and Homeless Youth Shelter	YMF	20
Bill Wilson Center	Via Anacapa	HC	8
Catholic Charities of Santa Clara County	Family Housing	HC	56
Catholic Charities of Santa Clara County	Navigator Project	SMF	29
Catholic Charities of Santa Clara County	New Directions	SMF	25
Catholic Charities of Santa Clara County	New Directions Expansion - Medical Respite	SMF	22
Charities Housing	San Antonio Place and Scattered Sites	SMF	10
City Team Ministries	City Team Rescue Mission	SM	48
City Team Ministries	Heritage Home	SF	23
City Team Ministries	House of Grace	SF	30
City Team Ministries	Men's Recovery/Discipleship	SM	56
City Team Ministries	Rescue Mission TH	SM	11
Community Solutions	El Invierno TH Gilroy	SM	12
Community Solutions	Glenview Dr.	SM	6
Community Solutions	La Isla Pacifica	HC DV	14
Community Solutions	Maria Way	SM	6
Community Solutions	Walnut Lane	SM	6
Community Working Group/Housing	Opportunity Center - HUD	SMF	6

Organization Name	Project Name	Target Population	Total Beds
Authority			
Community Working Group/Housing Authority	Opportunity Center - NON-HUD	SMF+HC	82
Downtown Streets Team	Workforce Supportive Housing Program	SMF	9
Family Supportive Housing	Glen Art - Transitional Housing Program #1	HC	21
Family Supportive Housing	San José Family Shelter	HC	123
Family Supportive Housing	Transitional Housing Program #2	HC	23
Family Supportive Housing	Transitional Housing Program #3	HC	13
Family Supportive Housing	Transitional Housing Program #4	HC	8
Goodwill Institute for Career Development	Goodwill SSVF	SMF+HC	30
HomeFirst (formerly EHC Lifebuilders)	Boccardo FLC San Martin 2 year Transitional Program	HC	63
HomeFirst (formerly EHC Lifebuilders)	Boccardo FLC San Martin Family Wellness Court Units	HC	15
HomeFirst (formerly EHC Lifebuilders)	Boccardo FLC San Martin Farmworkers Housing	HC	0
HomeFirst (formerly EHC Lifebuilders)	Boccardo FLC San Martin Short Term Transitional	HC	48
HomeFirst (formerly EHC Lifebuilders)	BRC Nightly Shelter	SMF	167
HomeFirst (formerly EHC Lifebuilders)	BRC Supportive Transitional Housing (Mental Health)	SMF	18
HomeFirst (formerly EHC Lifebuilders)	EHC Lifebuilders - SSVF	SMF+HC	20
HomeFirst (formerly EHC Lifebuilders)	GPD BRC Veterans Per Diem	SMF	20
HomeFirst (formerly EHC Lifebuilders)	Housing 1000 Care Coordination Project	SMF	14
HomeFirst (formerly EHC Lifebuilders)	Housing for Homeless Addicted to Alcohol	SMF	42
HomeFirst (formerly EHC Lifebuilders)	Nightly CWSP Gilroy	SMF+HC	101
HomeFirst (formerly EHC Lifebuilders)	Nightly CWSP Sunnyvale	SMF	125
HomeFirst (formerly EHC Lifebuilders)	Scattered Site TH Program #1	HC	45
HomeFirst (formerly EHC Lifebuilders)	Scattered Site TH Program #2	HC	15
HomeFirst (formerly EHC Lifebuilders)	Sobrato Family Living Center ELI	HC	40
HomeFirst (formerly EHC Lifebuilders)	Sobrato Family Living Center PSH	HC	32
HomeFirst (formerly EHC Lifebuilders)	Sobrato Family Living Center VLI	HC	99
HomeFirst (formerly EHC Lifebuilders)	Sobrato House Youth Shelter	SMF	10
Homeless Veterans Emergency Housing Facility	HVEHF - Aging	SMF	71
Homeless Veterans Emergency Housing Facility	HVEHF - Men's	SM	38
Homeless Veterans Emergency Housing Facility	HVEHF - Women's	SF	11
Housing Authority of the County of Santa Clara	CHDR 2010 (formerly known as Section 8 Vouchers - Housing First)	SMF+HC	267

Organization Name	Project Name	Target Population	Total Beds
Housing Authority of the County of Santa Clara	CHDR 2013	SMF	75
Housing Authority of the County of Santa Clara	CHDR 2013	SMF	25
Housing Authority of the County of Santa Clara	King's Crossing	SMF+HC	59
Housing Authority of the County of Santa Clara	Section 8 Voucher - MTW	SMF+HC	750
Housing Authority of the County of Santa Clara	Shelter Plus Care 5022	SMF+HC	409
Housing Authority of the County of Santa Clara	Shelter Plus Care 5320	SMF	24
Housing Authority of the County of Santa Clara	Tully Gardens	SMF	10
Housing Authority of the County of Santa Clara	VASH - HUD-VASH	SMF+HC	809
InnVision (with Community Services Agency)	Graduate House	SMF	5
InnVision Shelter Network	Alexander House	SF	6
InnVision Shelter Network	Commercial Street Inn	SFHC	51
InnVision Shelter Network	CSI Cold Weather Inn	HC	3
InnVision Shelter Network	Highlander Terrace (formerly known as North Santa Clara County Permanent Housing for Families)	HC	23
InnVision Shelter Network	Hotel de Zink	SMF	15
InnVision Shelter Network	InnVision Villa	SFHC	54
InnVision Shelter Network	JSI 24-Hour Care	SMF	12
InnVision Shelter Network	JSI Cold Weather Inn	SMF	5
InnVision Shelter Network	JSI DADS	SMF	8
InnVision Shelter Network	JSI DADS/AB 109 THU	SMF	2
InnVision Shelter Network	JSI Full Service Provider (FSP)	SMF	8
InnVision Shelter Network	JSI Mental Health	SMF	21
InnVision Shelter Network	Julian Street Inn	SMF	10
InnVision Shelter Network	MSI AB 109/DADS THU	SM	4
InnVision Shelter Network	MSI Cold Weather Inn	SF	5
InnVision Shelter Network	MSI Emergency Shelter	SM	46
InnVision Shelter Network	MSI HUD THU	SM	10
InnVision Shelter Network	MSI THU AB 109	SM	5
InnVision Shelter Network	MSI Transitional Housing Unit	SM	8
InnVision Shelter Network	MSI VA PD THU Beds	SM	12
InnVision Shelter Network	North County Inns	SMF	18
InnVision Shelter Network	Rolison Inns (formerly known as North Santa Clara County Supportive Housing Coalition)	SMF	8
InnVision Shelter Network	Safe Haven Permanent Housing for	SF	10

Organization Name	Project Name	Target Population	Total Beds
	Women (Hester Project)		
InnVision Shelter Network	Samaritan Inns	SMF+HC	25
InnVision Shelter Network	Stevens House	SMF	7
InnVision Shelter Network	Sunset Square	HC	39
InnVision Shelter Network/Next Door Solutions to Domestic Violence	Home Safe San José	SFHC DV	70
InnVision Shelter Network/Next Door Solutions to Domestic Violence	Home Safe Santa Clara	SFHC DV	72
Next Door Solutions to Domestic Violence	Residential Emergency Shelter	SFHC DV	20
Salvation Army	Emmanuel House (Overnighter)	SM	22
Salvation Army	Hospitality House-Working Man's Program	SM	50
Salvation Army	Volunteer Recovery	SM	6
Santa Clara County Mental Health Department	AB 109	SMF	30
Santa Clara County Mental Health Department	Abode - Rental Assistance Project (RAP) #1	SMF	55
Santa Clara County Mental Health Department	Abode - Rental Assistance Project (RAP) #2	SMF	8
Santa Clara County Mental Health Department	Community Reintegration - Central County	SMF	10
Santa Clara County Mental Health Department	Community Reintegration - North County	SMF	10
Santa Clara County Mental Health Department	Community Reintegration - South County	SMF	10
Santa Clara County Mental Health Department	CSJ and MHD/CC - TBRA	SMF+HC	13
Santa Clara County Mental Health Department	CSJ and MHD/MMH - TBRA	SMF+HC	2
Santa Clara County Mental Health Department	Custody Health High Users	SMF	15
Santa Clara County Mental Health Department	Mental Health Permanent Supportive Housing Project	SMF	20
Santa Clara County Mental Health Department	MHSA 4th Street Apartments	SMF	6
Santa Clara County Mental Health Department	MHSA Archer Street Apartments	SMF	6
Santa Clara County Mental Health Department	MHSA Armory Family Housing	SMF	10
Santa Clara County Mental Health Department	MHSA Bella Terra Senior Apartments	SMF	5
Santa Clara County Mental Health Department	MHSA Belovida Santa Clara	SMF	3
Santa Clara County Mental Health Department	MHSA Curtner Studio	SMF	27
Santa Clara County Mental Health Department	MHSA Donner Lofts	SMF	15

Organization Name	Project Name	Target Population	Total Beds
Santa Clara County Mental Health Department	MHSA Fair Oak Plaza	SMF	18
Santa Clara County Mental Health Department	MHSA Ford and Monterey Family Apartments	SMF	5
Santa Clara County Mental Health Department	MHSA Gilroy Sobrato Apartments	SMF	17
Santa Clara County Mental Health Department	MHSA King's Crossing	SMF+HC	10
Santa Clara County Mental Health Department	MHSA Parkside Studio	SMF	11
Santa Clara County Mental Health Department	MHSA Paseo Senter I (1896 Senter)	SMF+HC	17
Santa Clara County Mental Health Department	MHSA Paseo Senter II (1900 Senter Rd.)	SMF	5
Santa Clara County Mental Health Department	Pay For Success	SMF	120
Santa Clara County Mental Health Department	Scattered Site Rental Assistance	SMF	14
South County Housing	Royal Court Apartments	SMF+HC	34
South County Housing	Sobrato Gilroy Permanent Housing	HC	52
South County Housing	Sobrato Transitional (HUD)	HC	61
South County Housing	Sobrato Transitional (non-HUD)	HC	83
St. Joseph's Family Center	Gilroy Place	SMF	12
St. Joseph's Family Center	Gilroy Sobrato Apartments - HUD	SMF	8
St. Joseph's Family Center	Our New Place	HC DV	36
The Health Trust	Housing for Health Program	HC HIV	167
Valley Homeless Health Care Program	Valley Health Medical Respite Center	SMF	18
West Valley Community Services	Transitional Housing Program	SMF+HC	18
YWCA of Silicon Valley	Support Network for Battered Women	SFHC DV	23
Total			6,320

Source: 2014 HIC

Community Representation and Participation

The City has several commissions that facilitate public participation. While the commissions do not establish official policy, they serve to advise City Council in the determination of City policies and procedures. The City offers the following commissions:

- Bicycle Pedestrian Commission:** The Commission consists of five members appointed by the City Council to four-year overlapping terms. All members are City of Cupertino residents. Meetings take place once a month. The function of the Bicycle Commission is to review, monitor, and suggest recommendations for City transportation matters including, but not limited to, bicycle and pedestrian traffic, parking, education, and recreation. The commission's goals are:

- Complete the bicycle transportation plan and begin to incorporate pedestrian plans to develop a Bicycle and Pedestrian Transportation Plan.
 - Support bikeway improvements.
 - Improve safe paths to bike and walk to school and safe paths to bike and walk to downtown.
- *Fine Arts Commission:* The Fine Arts Commission is a group of citizens appointed by the City Council, and their purpose is to foster, encourage and assist in the realization, preservation and advancement of fine arts for the benefit of the citizens of Cupertino. Meetings are held every other month and more often as necessary. The commission's activities include:
 - Distributing fine arts grants to individuals and groups
 - Selecting both a Distinguished Artist and an Emerging Artist of the Year
 - Overseeing the selection and installation of public art
 - Introducing new arts and cultural events to the community
 - Working in partnership with local schools for student exhibits
- *Housing Commission:* The Housing Commission consists of five members appointed by the City Council to four-year terms. The Commission assists in developing housing policies and strategies, recommends policies for implementation and monitoring of affordable housing projects, helps identify sources of funding for affordable housing, and provides other advisory functions as authorized by the Council. Meetings are held once a month.
- *Library Commission:* The Library Commission consists of five members appointed by the City Council to four-year, overlapping terms. The commission advises the Council on the adequacy of library service within the community and such other matters relating to library service as specified by the City Council. The commission also serves as liaison between the City and the Santa Clara County library system. Meetings are held once a month.
- *Parks and Recreation Commission:* The Parks and Recreation Commission consists of five members appointed by the City Council to four-year, overlapping terms. The Commission advises the City Council on municipal activities in relation to parks and recreation, including park site acquisition and development, recreation program policy, and expansion of the park program as development occurs. Meetings are held once a month.
- *Public Safety Commission:* The Public Safety Commission consists of five members appointed by the City Council to four-year, overlapping terms. The primary functions are to advise the Council on all areas relating to public safety, traffic, and police, fire, and any other public safety matters. Meetings are held once a month.
- *Teen Commission:* The Commission consists of nine members with the intention if possible to include at least one person from each public middle school and public high school in Cupertino. Membership on the Commission is limited to Cupertino residents. Members may attend schools outside of the City limits, or be schooled at home. Commissioners must be in 8th through 12th grade. Teen Commissioners serve two-year staggered terms. The powers and functions of the Teen Commission are to advise the City Council and staff on issues and

projects important to youth. The Commission meets nine months out of the year (September through May), twice monthly (except December).

- *Technology, Information, and Communication Commission:* The Technology, Information, and Communication Commission consists of five members, from among the qualified electors of the City, appointed by the City Council to four-year, overlapping terms. The commission advises the City Council on all matters relating to telecommunications within the City and serves as liaison between the City, the public, and telecommunications providers in enhancing education and information. Meetings are held at least once every three months and other meetings may be held as necessary.

VI. Fair Housing Profile

This chapter provides an evaluation and analysis of overt and inherent fair housing practices in the City as they relate to services, complaints, violations, and testing to determine the extent to which fair housing choice is limited for residents of the City. This chapter reviews fair housing practices in the ownership and rental housing markets and identifies barriers and opportunities that may exist within these industries. Further, it provides a discussion of fair housing education and outreach efforts within the City and data associated with fair housing complaints, cases of discrimination, and race and familial status testing.

Fair Housing Practices: Ownership Market

For many generations, home ownership has been considered the American Dream in the United States. However, in recent years and largely due to the demise of the housing bubble, many Americans have perceived the American Dream to be more and more out of reach as a result of the high cost of housing, the complexity of the process, the time and effort required to purchase a home, and the responsibilities associated with being a homeowner.⁴⁹

Homeownership Process

While no HUD-approved Housing Counseling Agencies are located within the City, there are five located within the County (Gilroy, Palo Alto, San José, Santa Clara) that provide pre-purchase counseling and education, financial management/budget counseling, non-delinquency workshops, predatory lending education, and mortgage default and delinquency resolution counseling services: Eden Council for Hope and Opportunity, Project Sentinel (three locations), and Surepath Financial Solutions.

National Association of Realtors

In 2013, The National Association of Realtors (NAR) celebrated the 100th anniversary of the Realtors Code of Ethics (Code). The Code's adoption in 1974 highlighted the NAR's commitment to equal housing opportunities. Since its adoption, the Code has been amended 37 times to protect buyers, sellers, landlords and tenants.⁵⁰ Article 10 of the Code begins:

“REALTORS® shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. REALTORS® shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. (Amended 1/14)

⁴⁹ Gopal, Prashant and Benson, Clea. “American Dream Slipping as Homeownership at 18- Year Low.” www.bloomberg.com: 30 July, 2013.

⁵⁰ National Association of Realtors®. “Realtors® Celebrate 100 Years of Professionalism in Real Estate. <http://www.realtor.org/news-releases/2013/11/realtors-celebrate-100-years-of-professionalism-in-real-estate>

REALTORS®, in their real estate employment practices, shall not discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity. (Amended 1/14)”⁵¹

All NAR members are required to complete Code training as per its Fair Housing Partnership with HUD. The Fair Housing Partnership replaces the Voluntary Affirmative Marketing Agreement. Further, “Agents in a real estate transaction are prohibited by law from discriminating on the basis of race, color, religion, sex, handicap, familial status, or national origin. A request from the home seller or landlord to act in a discriminatory manner in the sale, lease or rental cannot legally be fulfilled by the real estate professional.”⁵² NAR links consumers to ethics complaints and arbitration requests at www.realtor.org/code-of-ethics/ethics-complaints-arbitration-requests-and-related-information, as well as directs them to HUD.

The California Association of Realtors adheres to the same Code, as does the Santa Clara County Association of Realtors (SCCAOR).

California Department of Consumer Affairs Bureau of Real Estate

The regulation of licenses is within the purview of the California Bureau of Real Estate (Bureau). The Bureau requires real estate salespersons to undergo Ethics and Fair Housing training at three hours per course as well as a minimum 18 hours of consumer protection courses.

The Bureau links consumers to all enforcement agencies for compliance, questions or complaints to include HUD and the Federal Reserve board at www.dre.ca.gov/consumers/WhoDoYouCall.html.

Fair Housing Practices: Rental Housing Market

Ensuring that landlords adhere to Fair Housing laws is more difficult in the rental housing market than the ownership market as renting is a far less complicated process and licensing and certification are not required. Many landlords do not have property managers or associations to ensure they are educated about the law. Do-It-Yourself Landlords can conveniently outreach to potential rentals via social media and may purchase lease agreements from their local Office Depot without knowledge of the law.

To be clear, no landlord may discriminate against anyone based on any protected class at any time during the rental process.

California Apartment Association

The California Apartment Association (CAA) is the nation’s largest statewide organization representing the rental housing industry. Since 1941, CAA has served apartment owners and managers. CAA provides education for all landlord and property manager members and also created a California Certified Residential Manager (CCRM) credential. This credential enables landlords to

⁵¹ National Association of Realtors®, *Code of Ethics and Standards of Practice of the National Association of REALTORS®*. January 2014. <http://www.realtor.org/governance/governing-documents/the-code-of-ethics>

⁵² National Association of Realtors®, “What Everyone Should Know About Equal Opportunity Housing.” <http://www.realtor.org/programs/fair-housing-program/what-everyone-should-know-about-equal-opportunity-housing>

comply with the law and includes mandatory ethics and fair housing courses at three-and-a-half hours each. CAA Tri-County Division serves San Mateo, Santa Clara, and Santa Cruz Counties.

Fair Housing Services

Education and Outreach Efforts

The City is involved in the following efforts to inform the public and housing providers on housing counseling and services.

- *Eden Council for Hope and Opportunity:* The City contracts with Eden Council for Hope and Opportunity (ECHO) annually to provide fair housing services to the community. These activities include the provision of fair housing counseling, case investigation services, and outreach and educational activities to increase community awareness of fair housing. ECHO is committed to ending discrimination in housing by providing counseling, investigation, mediation, enforcement, and education through its Fair Housing Program. The Counselors conduct site investigations and enforcement in response to reports of housing discrimination complaints. All services provided by ECHO are offered to Cupertino residents free of charge.
- *Project Sentinel:* The City contracts with Project Sentinel to assist Cupertino residents with tenant/landlord disputes. Project Sentinel offers confidential services to both tenants and landlords to help them understand their rights and responsibilities under state and local laws and ordinances that affect the rental relationship. Project Sentinel aims to prevent disputes between tenants and landlords by providing each party with a neutral explanation of their rights and responsibilities. All services provided by Project Sentinel are offered to Cupertino residents free of charge.
- *West Valley Community Services:* The City funds the West Valley Community Services (WVCS) Community Access to Resources and Education (CARE) Program to provide vital services and support programs to at-risk and vulnerable households. These services assist lower income households to access vital services through translation, transportation, outreach and information, and other forms of assistance.

Fair Housing Statistics

Federal Complaint Process

If individuals feel that their fair housing rights have been violated, they have the right to file a fair housing complaint to HUD. The complaint process involves the following eight steps:

1. *Intake:* An individual or community group (referred to as the complainant) files a fair housing complaint to HUD for free by phone, mail, or online. Once a complaint has been filed, a HUD specialist contacts the complainant for an interview to gather information about the alleged discrimination. If the HUD specialist finds that the allegations made are not under HUD's jurisdiction, HUD closes the case.

2. *Filing:* If the housing complaint is accepted, the investigator sends the complainant a formal HUD complaint that must be signed and mailed back to HUD. Once HUD receives the signed complaint back from the complainant, the department sends the respondent a notice about the complaint that has been filed. The respondent must respond to HUD's notice within 10 days of receipt of the notice.
3. *Investigation:* During the investigation period, HUD collects pertinent documents or conducts onsite visits, and/or interviews the complainant, respondent, and witnesses, as applicable.
4. *Conciliation:* As a requirement of the Fair Housing Act, HUD must bring the complainant and respondent together in efforts to conciliate every fair housing complaint. However, both parties have the option to opt out of the conciliation process. If both parties come to an agreement, HUD terminates the investigation and closes the case. If either party breaks the agreement, the U.S. Department of Justice (DOJ) files a suit to apply the agreement under a recommendation from HUD.
5. *No Cause Determination:* If the results of the investigation indicate that there is no reasonable cause to think that housing discrimination occurred, it will issue a determination of no reasonable cause and close the case.
6. *Cause Determination and Charge:* If the results of the investigation indicate that there is reasonable cause to think that discrimination has occurred, it will issue a determination of "reasonable cause" and file charges against the respondent for violating the law. Once a charge has been issued, a HUD Administrative Law Judge (ALJ) will hear the case, unless the complainant or the respondent opts to send the case to federal civil court for hearing.
7. *Hearing in a U.S. District Court:* If the complainant or the respondent chooses to send the case to federal civil court for hearing, DOJ will begin a civil action on behalf of the aggrieved party. If the court determines that discrimination has occurred, it can provide financial assistance for punitive damages and attorney fees.
8. *Hearing before a HUD ALJ:* If neither the respondent nor the complainant chooses to send the case to federal civil court, HUD ALJ will hear the case and issue a decision on the case. If HUD ALJ determines that housing discrimination has occurred, it can grant up to \$16,000 per violation for the first offense and additional assistance for the complainant. If either party is negatively affected by ALJ's decision, the party can petition to have the case sent to the HUD Secretary for review. The HUD Secretary has the authority to "affirm, modify, or set aside the ALJ's initial decision, or remand the initial decision for further proceedings" within 30 days. If the HUD Secretary does not take action within 30 days, the Department must issue a final decision. If any party is negatively affected by the Department's final decision, it has the opportunity to appeal the case in the applicable court of appeals.⁵³

⁵³ U.S. Department of Housing and Urban Development. "HUD's Title VIII Fair Housing Complaint Process." http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/complaint-process

Fair Housing Complaints and Discrimination Cases

Tables 6.1 through 6.3 below provide an overview of the fair housing cases filed through the Department of Fair Employment and Housing (DFEH) for the City of Cupertino from January 1, 2010 through June 30, 2015. According to this data, a total of 32 cases were filed during this time period.

Table 6.1: Housing Cases Filed through DFEH January 1, 2010 – June 30, 2015

Base(s)	File Date	Close Date	Closing Category
Familial Status (Children)	3/1/2010	4/30/2010	Successful mediation
Sex – Orientation	4/26/2010	12/28/2010	Dismissed due to no basis to proceed
Sex – Orientation	4/26/2010	12/28/2010	Dismissed due to no basis to proceed
Disability	8/4/2011	9/21/2011	Successful conciliation
Disability	11/10/2011	2/21/2012	Dismissed due to no basis to proceed
Disability	11/21/2011	2/24/2012	Withdrawal
Familial Status (Children)	12/20/2011	6/12/2012	Withdrawal
Familial Status (Children)	12/29/2011	4/30/2012	Dismissed due to no basis to proceed
Familial Status (Children)	2/23/2012	8/21/2012	Dismissed due to insufficient evidence
Familial Status (Children) National Origin	2/23/2012	8/21/2012	Dismissed due to insufficient evidence
Familial Status (Children) National Origin	3/2/2012	8/8/2012	Dismissed due to insufficient evidence
National Origin	4/5/2012	4/3/2013	Successful mediation
Disability	4/13/2012	9/11/2012	Settlement
Disability	4/13/2012	9/11/2012	Successful mediation
Disability	5/29/2012	12/13/2012	Settlement
Family Care	8/9/2012	8/22/2013	Settlement
National Origin	8/28/2012	4/8/2013	Dismissed due to insufficient evidence
Race	9/19/2012	2/19/2013	Dismissed due to insufficient evidence
Disability	10/9/2012	1/11/2013	Dismissed due to no basis to proceed
Disability	10/15/2012	2/26/2013	Dismissed due to insufficient evidence
Family Care	3/8/2013	7/8/2013	Dismissed due to insufficient evidence
Sex – Gender	10/14/2013	12/17/2013	Dismissed due to no basis to proceed
National Origin	1/21/2014	3/17/2014	Dismissed due to no basis to proceed
Disability	4/23/2014	3/30/2015	Dismissed due to insufficient evidence
Disability	4/30/2014	4/27/2015	Settlement
Pregnancy	5/16/2014	7/21/2014	Dismissed due to no basis to proceed
Family Care	7/15/2014	3/26/2015	Settlement
Family Care	7/15/2014	3/26/2015	Settlement
Disability	10/7/2014	5/29/2015	Withdrawal
National Origin	4/9/2015	Open	n/a
Family Care	7/24/2015	Open	n/a
National Origin	7/27/2015	Open	n/a

Source: Department of Fair Employment and Housing

Table 6.2: Housing Complaints by Base Filed through DFEH January 1, 2010 – June 30, 2015

Base Complaint	# of Complaints
Disability	11
Familial Status (Children)	6
Family Care	5

Base Complaint	# of Complaints
National Origin	7
Pregnancy	1
Race	1
Sex	3

Source: Department of Fair Employment and Housing

Of the 32 complaints, 29 were resolved in some manner, with over one-third mediated or settled successfully:

Table 6.3: Closing Results of Housing Complaints Filed through DFEH January 1, 2010 – June 30, 2015

Closing Result	# of Closings
Dismissed due to insufficient evidence	8
Dismissed due to no basis to proceed	8
Settlement	6
Successful Conciliation	1
Successful Mediation	3
Withdrawal	3
Total	29

Source: Department of Fair Employment and Housing

The City also contracts annually with ECHO to investigate fair housing complaints and test for discrimination. From 2010-2014, ECHO opened 51 cases of suspected rental housing discrimination. All cases were investigated, with 39 tested for discrimination.

Tables 6.4 and 6.5 below show the outcomes of these investigations and tests.

Table 6.4: Rental Housing Discrimination Cases Investigated by ECHO 2010 – 2014

Closing Category	# of Cases	Base							
		Age	Arbitrary Discrimination	Disability	Familial Status	Gender	National Origin	Race	Source of Income
Closed due to insufficient evidence	3	1						2	
Closed due to no evidence	34			7	1		6	10	10
Dropped	2						1	1	
Referred to DFEH	1			1					
Training provided to landlord	7			5				2	
Successfully conciliated	3		1	1		1			
Unsuccessfully conciliated	1			1					
Totals	51	1	1	15	1	1	7	15	10

Source: Eden Council for Hope and Opportunity

Table 6.5: Rental Housing Tested for Discrimination by ECHO 2010 – 2014

Base	# of Cases
Disability	12
National Origin	6
Race	12
Source of Income	9
Total	39

Source: Eden Council for Hope and Opportunity

Fair Housing Testing

The Fair Housing Act authorizes the Department of Justice to pursue suit in instances in which illegal housing discrimination patterns or practices are identified. The Civil Rights Division of the Department of Justice created the Fair Housing Testing Program to conduct fair housing testing investigations to help local jurisdictions determine if landlords, property managers, real estate agents, mortgage lenders, and property insurers are granting equal treatment and services to the protected classes under fair housing law. Fair Housing Testing is a method to evaluate the extent to which a protected class is provided different treatment and/or information in the process of renting or purchasing a home.⁵⁴

The City contracts annually with ECHO to perform systemic audits on a small sampling of Cupertino rental sites. The findings from 2010-2014 are as follows:

- 2010: ECHO performed systemic audits based on race. 4 of 6 sites tested showed evidence of differential treatment against African-American tenants.
- 2011: ECHO performed systemic audits based on disability. 3 of 5 sites tested showed evidence of differential treatment against disabled tenants (reasonable modification).
- 2012: ECHO performed systemic audits based on national origin. No differential treatment was found against Hispanic tenants.
- 2013: ECHO performed systemic audits based on race. No differential treatment was found against African-American tenants.
- 2014: ECHO performed systemic audits based on disability. 2 of 5 sites tested showed evidence of differential treatment against disabled tenants (reasonable accommodation).

All non-compliant landlords were notified and provided education regarding fair housing laws.

⁵⁴ U.S. Department of Justice. "Fair Housing Testing Program." http://www.iustice.gov/crt/about/hce/housing_testing.php

VII. Fair Housing Progress Since 2010

This section summarizes the actions and recommendations outlined in the 2010 AI and the City’s progress to date.

Table 7.1: Progress to Reduce Impediments to Fair Housing Choice Since 2010

Action	Description	Timeframe / Frequency	Efforts
Category 1: Access to Affordable Housing			
1	<p>Facilitate access to below-market-rate units. The City shall continue to assist affordable housing developers in advertising the availability of below-market-rate units via its website, the County’s 2-1-1 information and referral phone service, and other media outlets. The City will also facilitate communication between special needs service providers and affordable housing developers, to ensure that home seekers with special needs have fair access to available units.</p>	Ongoing	<ol style="list-style-type: none"> 1. The City has created and posted a database of BMR affordable housing units on its housing webpage that is available to the public. The database is updated at least once annually. 2. The City created a housing packet which has information on the City’s BMR program, senior housing, fair housing, legal services, tenant/landlord services, and other services which are available in the area. The housing packet is available at City Hall and other public locations such as the Cupertino Library, Cupertino Senior Center and Cupertino Quinlan Center to the public. The housing packet is updated at least once annually. 3. Annually the City hosts a public BMR informational workshop announcing the availability of BMR units and the application process. Other housing programs and services are also announced at the workshop including housing programs for seniors and other special needs populations. At the annual workshop the City partner’s with other cities,

Action	Description	Timeframe / Frequency	Efforts
			<p>non-profit HUD counseling agencies, non-profit developers and down payment assistance providers to notify the public of other housing programs as well.</p> <p>4. The City funds United Way Silicon Valley 211 program which provides housing information and other resources to the public.</p> <p>5. The City continues to work with non-profit affordable housing developers who own and manage special needs and affordable housing units in Cupertino. For example, a non-profit developer will forward a program brochure and a list of available affordable units or announce an upcoming affordable housing project to the City to pass out to the general public.</p> <p>6. The City also works with neighboring jurisdictions within Santa Clara County such as the City of Sunnyvale, City of Mountain View, City of San Jose, and the County of Santa Clara to help promote each other's housing programs and services, including availability of BMR units. For example, when a BMR unit becomes available in a respective jurisdiction, an e-mail is sent out with a link and photo of the unit. City staff also attends the Santa Clara County quarterly CDBG Coordinators meetings to also learn of</p>

Action	Description	Timeframe / Frequency	Efforts
			<p>updates and availability of new housing projects, programs and BMR units.</p> <p>7. The City also works with West Valley Community Services (WVCS) who administers the City's BMR program to promote BMR information and other housing programs to the public. WVCS offers other housing services and programs in-house and also promotes programs and services to seniors and special needs populations throughout the community.</p> <p>8. The City funds multiple CDBG, Below Market-Rate (BMR) and General Fund Human Service Grants (HSG) grant contracts annually. The City works with each one of its grantees to help promote programs and services to the public throughout the year.</p> <p>9. The City's Housing Division also works with other departments and divisions such as the Planning Division, Economic Development Department, Building Division, Public Works Department, etc. to promote its housing programs and services.</p>
Category 2: Fair Housing Services			
2	<p>Contract with local service providers to conduct ongoing outreach and education regarding fair housing for home seekers, landlords, property managers, real estate agents, and lenders.</p> <p>Outreach will occur via training sessions, public events, the jurisdiction's website and other media outlets, staffing at service providers' offices, and multi-lingual flyers available in a variety of public</p>	Annually	<p>1. The City contracts with Project Sentinel annually to provide tenant/landlord services to the community.</p> <p>2. The City also contracts with Eden Council for Hope and Opportunity (ECHO)</p>

Action	Description	Timeframe / Frequency	Efforts
	locations.		<p>annually to provide fair housing outreach and education to the community.</p> <p>ECHO conducted outreach from 2010 through 2014, as follows:</p> <ul style="list-style-type: none"> • An average of 775 flyers were distributed every year to various community-based organizations serving the City of Cupertino. • ECHO distributed public service announcements to an average of 23 radio stations every year. • ECHO conducted trainings at Abode Services, Quilan Community Center, Cupertino Adult School, Cupertino Senior Center, West Valley Community Center, De Anza Student Services Center, Foothill College, and Santa Clara Law School for service providers and clients. • ECHO conducted trainings at the California Apartment Owners' Association and the East Bay Rental Housing Association for owners and managers. Additionally, ECHO placed an ad annually in the California Apartment Owners' Association, inviting landlords to contact ECHO for free training. • Public Radio International and KEAR Family Radio interviewed ECHO's Fair Housing Coordinator regarding federal and state fair housing laws.

Action	Description	Timeframe / Frequency	Efforts
3	<p>Contract with local service providers to conduct fair housing testing in local apartment complexes. The testing program looks for any evidence of differential treatment among a sample of local apartment complexes. Following the test, the service provider submits findings to the City and conducts education outreach to landlords that showed differential treatment during the test.</p>	Annually	<p>The City contracts with ECHO annually to conduct fair housing testing.</p> <p>From 2010 through 2014, ECHO opened 51 cases of suspected rental housing discrimination. All cases were investigated and, of those cases, 39 cases were tested for discrimination.</p> <p>The results for each protected class are as follows:</p> <p>Age: one case was investigated and closed due to insufficient evidence.</p> <p>Arbitrary Discrimination: one case was investigated and successfully conciliated.</p> <p>Disability: 15 cases were investigated; 12 cases were tested. Of the 15 cases that were open, one was referred to the Department of Fair Employment and Housing; 7 were closed due to no evidence of discrimination; 5 cases resulted in providing training to the landlords; one was successfully conciliated; one was unsuccessfully conciliated.</p> <p>Familial Status: One case was investigated, and was closed due to no evidence of discrimination.</p> <p>Gender (Domestic Violence): one case was investigated and successfully conciliated.</p> <p>National Origin: 7 cases were investigated; 6 cases were tested. Of the 7 cases that were open, 6 cases were closed due to no evidence of discrimination;</p>

Action	Description	Timeframe / Frequency	Efforts
			<p>one case was dropped.</p> <p>Race: 15 cases were investigated; 12 cases were tested. Of the 15 cases that were opened, 2 were closed due to insufficient evidence; 10 were closed due to no evidence of discrimination; 2 cases resulted in providing training to the landlords; one case was dropped.</p> <p>Source of Income: 10 cases were investigated; 9 cases were tested. Of the 10 cases that were opened, 10 were closed due to no evidence of discrimination.</p> <p>Additionally, systemic audits are conducted annually on a small sampling of Cupertino rental sites, as follows:</p> <p>2010 – Race – 4 of 6 sites tested showed evidence of differential treatment against African-American tenants.</p> <p>2011 – Disability – 3 of 5 sites tested showed evidence of differential treatment against disabled tenants (reasonable modification).</p> <p>2012 – National Origin – No differential treatment found against Hispanic tenants.</p> <p>2013 – Race – No differential treatment found against African-American tenants.</p> <p>2014 – Disability – 2 of 5 sites tested showed evidence of differential treatment against disabled tenants (reasonable accommodation).</p>

Action	Description	Timeframe / Frequency	Efforts
			Non-compliant landlords were notified and provided education regarding fair housing laws.
Category 3: Local Zoning			
4	Periodically review the Zoning Ordinance to ensure regulations are consistent with fair housing laws and do not constrain housing production. If particular zoning requirements impede fair housing or housing production, the City should amend the regulations.	Annually	The City recently updated its Zoning Ordinance to ensure it complies with State housing law, which covers special needs housing, fair housing, emergency housing, etc. as part of its 2014-22 General Plan Housing Element update. The City's 2014-22 General Plan Housing Element was adopted by the City Council and certified by the State of California Housing and Community Development (HCD) in May 2015.
Category 4: Public Housing			
5	Assist local Housing Authorities with outreach. The City shall continue to support the Housing Authority of the County of Santa Clara to ensure adequate outreach to minority, limited-English proficiency, and special needs populations regarding the availability of public housing and Section 8 vouchers. Outreach may occur via the City's website and informational flyers in multiple languages available at public locations. Given the extended waiting lists for public housing and Section 8 programs, attention will primarily be paid to fair management of the list.	Ongoing	<ol style="list-style-type: none"> 1. The City continues to work with the Housing Authority of the County of Santa Clara County regarding the availability of public housing and Section 8 vouchers. Information was recently updated in the City's 2014-22 General Plan Housing Element regarding Section 8 vouchers in Cupertino. The City also passes out information to the public regarding the Housing Authority's programs. 2. The City meets with other housing staff from various jurisdictions in the County of Santa Clara quarterly through its Housing Authority's participation in the CDBG Coordinator's meeting. At these meetings, the City learns of new updates.
Category 5: Links Between Housing and Employment			
6	Plan for and encourage transit-oriented development. The City shall continue to plan for higher residential and employment densities where	Annually	The City identified multiple housing sites that could accommodate up to

Action	Description	Timeframe / Frequency	Efforts
	appropriate to maximize linkages between employers and affordable housing.		approximately 1,400 new housing units as part of its 2014-22 General Plan Housing Element. The sites identified in the Housing Element are sites that have been appropriately zoned for higher density residential and mixed-use developments, which should maximize the linkages between employers and affordable housing.
7	Facilitate safe and efficient transit routes. The City shall continue to work with local transit agencies to facilitate safe and efficient routes for the various forms of public transit.	Ongoing	The City continues to work with CalTrans, Santa Clara Valley Transportation Authority (VTA), and Metropolitan Transportation Commission (MTC) to facilitate safe and efficient routes for public transit.

VIII. Key Findings and Recommendations

Key Findings

Historically, the City has dedicated an average of 13 percent of its Administration dollars to Fair Housing counseling, education, investigation, and enforcement.

In previous program years, the City has dedicated:

Table 8.1: Historical Fair Housing Funding

Program Year	\$ Amount to Administration	\$ Amount to Fair Housing	%	Description
2010-2011	\$77,985	\$8,619	11%	Fair Housing counseling, education, investigation, and enforcement
2011-2012	\$70,726	\$7,156	10%	
2012-2013	\$58,707	\$8,560	15%	
2013-2014	\$71,486	\$8,560	12%	
2014-2015	\$62,188	\$9,148	15%	

Source: City of Cupertino

Recommendations: New and Ongoing

Table 8.2 below represents the new and ongoing recommendations for the City to affirmatively further fair housing and reduce and/or eliminate impediments to Fair Housing Choice. The ongoing recommendations repeat recommendations from the City of Cupertino’s 2010 Analysis of Impediments to Fair Housing Choice that necessitate continued implementation. The new are recommended actions “that are designed and can be reasonably expected to achieve a material positive change that affirmatively furthers fair housing by, for example, increasing fair housing choice or decreasing disparities in access to opportunity.⁵⁵ The implementation of the new recommendations in **Table 8.2** will concurrently satisfy many of the ongoing recommendations from **Table 7.1** in the previous section. As described in **Table 7.1**, the City did meet its previous recommendations -- however ongoing implementation is optimal to continuously affirmatively further fair housing.

Table 8.2: New and Ongoing Recommendations to Reduce Impediments to Fair Housing Choice

Action	Description
Category 1: Access to Affordable Housing	
Goal 1: Facilitate access to below-market-rate units	
1.1	Continue to assist affordable housing developers in advertising the availability of below-market-rate units via the City’s database of BMR units on its housing website (available to the

⁵⁵ 24 CFR Parts 5, 91, 92, 570, 574, 576, and 903: Affirmatively Furthering Fair Housing, Page 42354

Action	Description
	public and updated at least once annually), the County’s 2-1-1 information and referral phone service, and other media outlets.
1.2	Continue to host the annual public informational workshop announcing the availability of BMR units and delineating the application process, as well as announcing other housing programs and services including those for seniors and other special needs populations.
1.3	Continue to annually update the housing packet, which has information on the City’s BMR program, senior housing, fair housing, legal services, tenant/landlord services, and other service available in the area. Continue to make the housing packet available at City Hall and other public locations.
1.4	Continue to work with neighboring jurisdictions within Santa Clara County to help promote each jurisdiction’s housing programs and services, including availability of BMR units.
1.5	Continue to contract with West Valley Community Services (WVCS) to administer the City’s BMR program, promote BMR information and other housing programs to the public, and promote programs and services to seniors and special needs populations throughout the community.
1.6	Periodically update the nexus study on BMR mitigation fees to determine appropriate housing mitigation fees and amend fee structure as necessary.
Goal 2: Facilitate access to all available housing programs	
2.1	Continue to fund multiple CDBG, BMR, and General Fund Human Service Grants (HSG) grant contracts annually. Continue to work with each one of the City’s grantees to help promote programs and services to the public throughout each year, including providing transitional housing, senior adult day care services, legal assistance services, fair housing/housing counseling, landlord/tenant mediation, housing rehabilitation, and site acquisition, among others.
2.2	Continue to fund the United Way Silicon Valley 211 program, which provides housing information and other resources to the public.
2.3	Continue the Housing Division’s work with other departments and divisions such as the Planning Division, Economic Development Department, Building Division, Public Works Department, and other applicable departments as necessary to promote the City’s housing programs and services.
2.4	Continue to work with non-profit affordable housing developers that own and manage special needs and affordable housing units in the City by distributing program brochures, lists of available units, and announcements of upcoming affordable housing projects to the public.
2.5	Continue to facilitate communication between special needs service providers and affordable housing developers to ensure home seekers with special needs have fair access to available units.
Category 2: Fair Housing Services	

Action	Description
Goal 3: Contract with local service providers to conduct ongoing outreach and education regarding fair housing for home seekers, landlords, property managers, real estate agents, and lenders.	
3.1	Continue to conduct annual outreach via training sessions, public events, the City's website, other media outlets, staffing at service providers' offices, and the placement of multilingual flyers in a variety of public locations.
3.2	Continue to contract annually with Eden Council for Hope and Opportunity (ECHO) to provide fair housing outreach and education to the community, including the distribution of flyers and public service announcements, as well as the provision of trainings at community centers, schools, housing associations, and other community assets.
3.3	Continue to contract annually with Project Sentinel to provide tenant/landlord services to the community, including free counseling on leases, rental agreements, landlord duties, tenant rights, and any other issues that affect rental relationships.
3.4	In order to capture all potential service requests to fair housing providers, the City should allocate increases in funding to outreach and education efforts, if available, or reevaluate and amend, if necessary, the current media mix and affirmative marketing strategy to ensure targeted outreach attains maximum reach, scope, and diversity of tenants, landlords, and other housing suppliers and providers.
Goal 4: Contract with local service providers to conduct fair housing testing in local apartment complexes.	
4.1	Continue to contract annually with local service providers to conduct fair housing testing, which looks for any evidence of differential treatment among a sample of local apartment complexes. Following the test, the service provider will continue to submit findings to the City and conduct education outreach to landlords that showed differential treatment during the test.
Goal 5: Reevaluate current fair housing contracts based on highest need	
5.1	The City should reevaluate its current contracts and amend future contracts, if necessary, to ensure it provides the most needed fair housing services. In particular, the City should consider a rental assistance program to prevent low-income residents from leaving the area due to security deposit issues, imperfect credit histories, falling behind on rent, inability to utilize Section 8 vouchers, etc.
Category 3: Local Zoning	
Goal 6: Periodically review the Zoning Ordinance to ensure regulations are consistent with fair housing laws and do not constrain housing production.	
6.1	The City will annually review the Zoning Ordinance to ensure regulations affirmatively further fair housing. If particular zoning requirements impede fair housing or constrain housing production, the City will amend the regulations.
6.2	The City will provide adequate capacity through the Zoning Ordinance to accommodate the Regional Housing Needs Allocation (RHNA) of 1,064 units as identified in the 2014-22 General

Action	Description
	Plan Housing Element while maintaining a balanced land use plan that offers opportunities for employment growth and provides the necessary commercial/retail activities, services, and amenities.
6.3	The City will continue to implement the Second Dwelling Unit Ordinance and encourage the production of second units to further promote affordable housing, increase the variety of housing opportunities, and attain the quantified objective as identified in the 2014-22 General Plan Housing Element of 4 second units annually for a total of 32 units over the next 8 years.
Category 4: Public Housing	
Goal 7: Assist local Housing Authorities with outreach.	
7.1	Continue to support the Housing Authority of the County of Santa Clara to ensure adequate outreach to minority, limited-English proficiency, and special needs populations regarding the availability of public housing and Section 8 vouchers. Outreach may occur via the City's website and informational flyers in multiple languages available at public locations. Given the extended waiting lists for public housing and Section 8 programs, attention will primarily be paid to fair management of the list.
7.2	Consider new or expanded outreach strategies to promote the Housing Authority's and other fair housing providers' Section 8 vouchers assistance to mitigate issues with returning unused vouchers, applying for voucher extensions, landlord discrimination, and any other issues tenants may face when attempting to utilize a Section 8 voucher in the City.
7.3	Continue participation in the Housing Authority's CDBG Coordinator's meeting, where the City meets quarterly with other housing staff from various jurisdictions in the County of Santa Clara to learn of new updates and the availability of new housing projects, programs, and BMR units.
Category 5: Links Between Housing and Employment	
Goal 8: Plan for and encourage transit-oriented development.	
8.1	The City will encourage mixed-use transit-oriented development near the previously identified new housing sites that are located near transportation facilities and employment centers and have been appropriately zoned for higher density residential and mixed-use developments, maximizing the linkages between employers and affordable housing.
8.2	The City will monitor the new housing sites inventory and make it available on the City's website.
Goal 9: Facilitate safe and efficient transit routes.	
9.1	Continue to work with local transit agencies, including CalTrans, Santa Clara Valley Transportation Authority (VTA), and Metropolitan Transportation Commission (MTC), to facilitate safe and efficient routes for various forms of transportation, including public transit, biking, and walking.

Appendix A: Table of Acronyms

Appendix A: Table of Acronyms

ABAG	Association of Bay Area Governments
ACS	American Community Survey
AHF	Affordable Housing Fund
AI	Analysis of Impediments to Fair Housing Choice
AIDS	Acquired Immune Deficiency Syndrome
ALJ	Administrative Law Judge
AMI	Area Median Income
BMR	Below Market Rate
BRT	Bus Rapid Transit
CAA	California Apartment Association
CARE	Community Access to Resources and Education
CBC	California Building Code
CCRM	California Certified Residential Manager
CDBG	Community Development Block Grant
Census	U.S. Census Bureau
CHAS	Comprehensive Housing Affordability Strategy
CHDR	Chronically Homeless Direct Referral
CRA	Community Reinvestment Act
CUP	Conditional Use Permit
DFEH	Department of Fair Employment and Housing
DOJ	Department of Justice
ECHO	Eden Council for Hope and Opportunity
EDD	California Employment Development Department
FAR	Floor Area Ratio
FDIC	Federal Deposit Insurance Corporation
FEHA	Fair Employment and Housing Act
FFIEC	Federal Financial Institutions Examination Council
FHA	Fair Housing Act
FRB	Federal Reserve System
GED	General Educational Development
HACSC	Housing Authority of the County of Santa Clara
HCD	Department of Housing and Community Development
HIV	Human Immunodeficiency Virus
HMDA	Home Mortgage Disclosure Act
HSG	Human Service Grants
HUD	U.S. Department of Housing and Urban Development
IBC	International Building Code
LIHTC	Low Income Housing Tax Credits
LMI	Low- and Moderate-Income
MSA	Metropolitan Statistical Area
MTC	Metropolitan Transportation Commission
MTW	Moving to Work
NAR	National Association of Realtors
OCC	Comptroller of the Currency
RHA/FSA	Rural Housing Services/Farm Service Agency

RHNA	Regional Housing Needs Allocation
SCCAOR	Santa Clara County Association of Realtors
Section 8	Section 8 Housing Choice Voucher Program
SRO	Single-Room Occupancy
SVCF	Silicon Valley Community Foundation
TILA	Truth in Lending Act
VA	Department of Veterans Affairs
VASH	Veterans Affairs Supportive Housing
VTA	Santa Clara Valley Transportation Authority
WVCS	West Valley Community Services

Appendix B: City of Cupertino Below-Market Rate (BMR) Units

Appendix B.1: Below-Market Rate (BMR) Rental Units

Project Name	Property Address	Unit Number	Expiration Date of Restriction
Arioso	19608 Pruneridge Avenue	2201	2028
Arioso	19608 Pruneridge Avenue	2206	2028
Arioso	19608 Pruneridge Avenue	3105	2028
Arioso	19608 Pruneridge Avenue	3107	2028
Arioso	19608 Pruneridge Avenue	4205	2028
Arioso	19608 Pruneridge Avenue	4206	2028
Arioso	19608 Pruneridge Avenue	5105	2028
Arioso	19608 Pruneridge Avenue	5205	2028
Arioso	19608 Pruneridge Avenue	5209	2028
Arioso	19608 Pruneridge Avenue	6103	2028
Arioso	19608 Pruneridge Avenue	6105	2028
Arioso	19608 Pruneridge Avenue	6206	2028
Arioso	19608 Pruneridge Avenue	7101	2028
Arioso	19608 Pruneridge Avenue	7107	2028
Arioso	19608 Pruneridge Avenue	7204	2028
Arioso	19608 Pruneridge Avenue	8305	2028
Arioso	19608 Pruneridge Avenue	9102	2028
Arioso	19608 Pruneridge Avenue	9104	2028
Arioso	19608 Pruneridge Avenue	9205	2028
Arioso	19608 Pruneridge Avenue	9207	2028
Avaire	20451 Via Pavisio	A25	2026
Avaire	20451 Via Pavisio	A36	2026
Avaire	20451 Via Pavisio	B28	2026
Avaire	20451 Via Pavisio	F31	2026
Avaire	20451 Via Pavisio	G11	2026
Avaire	20451 Via Pavisio	G12	2026
Avaire	20451 Via Pavisio	G13	2026
Avaire	20451 Via Pavisio	G14	2026
Avaire	20451 Via Pavisio	G21	2026
Avaire	20451 Via Pavisio	G22	2026
Avaire	20451 Via Pavisio	G23	2026
Avaire	20451 Via Pavisio	G24	2026
Avaire	20451 Via Pavisio	G25	2026
Avaire	20451 Via Pavisio	G26	2026
Avaire	20451 Via Pavisio	G28	2026
Avaire	20451 Via Pavisio	G32	2026
Avaire	20451 Via Pavisio	G33	2026
Avaire	20451 Via Pavisio	G34	2026
Avaire	20451 Via Pavisio	G37	2026

Project Name	Property Address	Unit Number	Expiration Date of Restriction
Avaire	20451 Via Pavisio	G38	2026
Forge Homestead	20691 Forge Way	102	2026
Forge Homestead	20691 Forge Way	106	2026
Forge Homestead	20691 Forge Way	110	2026
Forge Homestead	20691 Forge Way	112	2026
Forge Homestead	20691 Forge Way	124	2026
Forge Homestead	20691 Forge Way	129	2026
Forge Homestead	20691 Forge Way	131	2026
Forge Homestead	20691 Forge Way	159	2026
Forge Homestead	20691 Forge Way	172	2026
Forge Homestead	20691 Forge Way	202	2026
Forge Homestead	20691 Forge Way	206	2026
Forge Homestead	20691 Forge Way	210	2026
Forge Homestead	20691 Forge Way	212	2026
Forge Homestead	20691 Forge Way	259	2026
Forge Homestead	20691 Forge Way	359	2026
Hampton	19500 Pruneridge Avenue	3101	2027
Hampton	19500 Pruneridge Avenue	3102	2027
Hampton	19500 Pruneridge Avenue	3104	2027
Hampton	19500 Pruneridge Avenue	3107	2027
Hampton	19500 Pruneridge Avenue	3112	2027
Hampton	19500 Pruneridge Avenue	3202	2027
Hampton	19500 Pruneridge Avenue	3206	2027
Hampton	19500 Pruneridge Avenue	4101	2027
Hampton	19500 Pruneridge Avenue	4103	2027
Hampton	19500 Pruneridge Avenue	4109	2027
Hampton	19500 Pruneridge Avenue	4112	2027
Hampton	19500 Pruneridge Avenue	4306	2027
Hampton	19500 Pruneridge Avenue	5101	2027
Hampton	19500 Pruneridge Avenue	5201	2027
Hampton	19500 Pruneridge Avenue	5204	2027
Hampton	19500 Pruneridge Avenue	5207	2027
Hampton	19500 Pruneridge Avenue	5211	2027
Hampton	19500 Pruneridge Avenue	5305	2027
Hampton	19500 Pruneridge Avenue	5307	2027
Hampton	19500 Pruneridge Avenue	6112	2027
Hampton	19500 Pruneridge Avenue	6206	2027
Hampton	19500 Pruneridge Avenue	6212	2027
Hampton	19500 Pruneridge Avenue	7210	2027
Hampton	19500 Pruneridge Avenue	7212	2027
Hampton	19500 Pruneridge Avenue	8102	2027
Hampton	19500 Pruneridge Avenue	8110	2027
Hampton	19500 Pruneridge Avenue	8202	2027
Hampton	19500 Pruneridge Avenue	8210	2027
Hampton	19500 Pruneridge Avenue	9112	2027
Hampton	19500 Pruneridge Avenue	9211	2027
Hampton	19500 Pruneridge Avenue	9212	2027

Project Name	Property Address	Unit Number	Expiration Date of Restriction
Hampton	19500 Pruneridge Avenue	10112	2027
Hampton	19500 Pruneridge Avenue	10202	2027
Hampton	19500 Pruneridge Avenue	10212	2027
Lake Biltmore	19500 Pruneridge Avenue	18A	2029
Lake Biltmore	19500 Pruneridge Avenue	24C	2029
Markham	20800 Homestead Road	09A	2039
Markham	20800 Homestead Road	15B	2039
Markham	20800 Homestead Road	19A	2039
Markham	20800 Homestead Road	23B	2039
Markham	20800 Homestead Road	25A	2039
Markham	20800 Homestead Road	31A	2039
Markham	20800 Homestead Road	39C	2039
Markham	20800 Homestead Road	42B	2039
Markham	20800 Homestead Road	44A	2039
Markham	20800 Homestead Road	46B	2039
Markham	20800 Homestead Road	49B	2039
Markham	20800 Homestead Road	52A	2039
Markham	20800 Homestead Road	65C	2039
Markham	20800 Homestead Road	67B	2039
Markham	20800 Homestead Road	70B	2039
Markham	20800 Homestead Road	72A	2039
Markham	20800 Homestead Road	77A	2039
Park Center	20380 Stevens Creek Boulevard	209	2026
Park Center	20380 Stevens Creek Boulevard	218	2026
Park Center	20380 Stevens Creek Boulevard	220	2026
Park Center	20380 Stevens Creek Boulevard	227	2026
Vista Village	10114 Vista Drive	101	2056
Vista Village	10114 Vista Drive	102	2056
Vista Village	10114 Vista Drive	103	2056
Vista Village	10114 Vista Drive	104	2056
Vista Village	10114 Vista Drive	105	2056
Vista Village	10114 Vista Drive	106	2056
Vista Village	10114 Vista Drive	107	2056
Vista Village	10114 Vista Drive	108	2056
Vista Village	10114 Vista Drive	109	2056
Vista Village	10114 Vista Drive	110	2056
Vista Village	10114 Vista Drive	111	2056
Vista Village	10114 Vista Drive	112	2056
Vista Village	10114 Vista Drive	113	2056
Vista Village	10114 Vista Drive	114	2056
Vista Village	10114 Vista Drive	115	2056
Vista Village	10114 Vista Drive	116	2056
Vista Village	10114 Vista Drive	201	2056
Vista Village	10114 Vista Drive	202	2056
Vista Village	10114 Vista Drive	203	2056
Vista Village	10114 Vista Drive	204	2056
Vista Village	10114 Vista Drive	205	2056

Project Name	Property Address	Unit Number	Expiration Date of Restriction
Vista Village	10114 Vista Drive	206	2056
Vista Village	10114 Vista Drive	207	2056
Vista Village	10114 Vista Drive	208	2056

Source: City of Cupertino

Appendix B.2: Below-Market Rate (BMR) For-Sale Units

Street No.	Street Name	Unit No.	APN	Sale/Transfer Date	Expiration of Affordability Covenant
10813	North Stelling Road		326-61-006	2/24/2010	2/24/2109
21127	Canyon Oak Way		342-60-009	1/23/2001	1/23/2100
11029	Sycamore Drive		342-56-026	12/28/2000	12/28/2099
20500	Town Center Lane	#292	369-55-062	2/16/2007	2/16/2106
10503	Peralta Court		342-60-018	3/13/2001	3/13/2100
10076	Imperial Avenue		357-22-014	3/8/2010	3/8/2109
11019	Sycamore Drive		342-56-027	12/22/2000	12/22/2099
20488	Stevens Creek Blvd	#2214	369-53-046	7/6/2012	7/6/2111
20500	Town Center Lane	#262	369-55-036	3/6/2007	3/6/2106
10477	Manzanita Court		342-61-013	7/26/2001	7/26/2100
20500	Town Center Lane	#172	369-55-011	5/16/2007	5/16/2106
19503	Stevens Creek Blvd	#220	369-49-055	11/17/2009	11/17/2108
20500	Town Center Lane	#181	369-55-019	1/26/2007	1/26/2106
20488	Stevens Creek Blvd	#1112	369-53-025	5/3/2005	5/3/2104
10094	Imperial Avenue		357-22-002	4/30/2003	4/30/2102
10458	Manzanita Court		342-61-007	8/31/2001	8/31/2100
21121	Canyon Oak Way		342-60-008	1/23/2001	1/23/2100
20488	Stevens Creek Blvd	#1120	369-53-030	2/17/2006	2/17/2105
20128	Stevens Creek Blvd	#110	369-56-011	5/7/2009	5/7/2108
10745	N. De Anza Blvd	#310	326-26-066	11/6/2008	11/6/2107
20488	Stevens Creek Blvd	#1110	369-53-023	5/27/2005	5/27/2104
20189	Civic Park Lane		369-55-080	4/25/2007	4/25/2106
19507	Stevens Creek Blvd	#202A	316-49-006	3/13/2007	3/13/2106
19503	Stevens Creek Blvd	#211	316-49-049	3/2/2007	3/2/2106
20488	Stevens Creek Blvd	#1306	369-53-094	2/12/2006	2/12/2105
19503	Stevens Creek Blvd	#117	316-49-020	2/23/2007	2/12/2106
23644	Oak Valley Road		342-57-023	6/20/2000	6/20/2099
10456	Manzanita Court		342-61-006	6/29/2001	6/29/2100
10481	Manzanita Court		342-61-014	7/26/2001	7/26/2100
11503	Murano Circle		366-58-035	10/12/2005	10/12/2104
19503	Stevens Creek Blvd	#319	316-49-089	2/15/2011	2/15/2110
20488	Stevens Creek Blvd	#1204	369-53-056	5/18/2005	5/18/2104
19503	Stevens Creek Blvd	#357	316-49-107	2/13/2007	2/13/2106
21060	Canyon Oak Way		342-61-002	7/16/2001	7/16/2100
10515	Madrone Court		342-61-037	4/17/2001	4/17/2100
10280	Park Green Lane	#844	369-54-044	12/27/2006	12/27/2105
10505	Madrone Court		342-61-036	5/1/2001	5/1/2100
10745	N. De Anza Blvd	#221	326-26-057	11/18/2008	11/18/2107
10073	Craft Drive		375-02-040	4/15/2005	4/15/2104

Street No.	Street Name	Unit No.	APN	Sale/Transfer Date	Expiration of Affordability Covenant
20488	Stevens Creek Blvd	#1404	369-53-113	11/16/2009	11/16/2108
19503	Stevens Creek Blvd	#128	316-49-028	1/31/2007	1/31/2106
19999	Stevens Creek Blvd	#105	316-48-004	12/12/2003	12/12/2102
19503	Stevens Creek Blvd	#239	316-49-070	1/4/2007	1/4/2106
10150	Imperial Avenue		357-22-046	4/22/2003	4/22/2102
10847	North Stelling Road		326-61-003	2/24/2010	2/24/2109
10696	Stevens Canyon Road		356-03-061	11/27/2013	11/27/2112
10531	Manzanita Court		342-61-020	10/31/2001	10/31/2100
10745	N. De Anza Blvd	#209	326-26-048	5/27/2009	5/27/2108
10823	North Stelling Road		326-61-016	10/5/2010	10/5/2109
20488	Stevens Creek Blvd	#2205	369-53-052	3/18/2005	3/18/2104
21068	Canyon Oak Way		342-61-003	7/27/2001	7/27/2100
20488	Stevens Creek Blvd	#2216	369-53-047	3/10/2005	3/10/2104
10134	Imperial Avenue		357-22-043	12/30/2003	12/30/2102
20488	Stevens Creek Blvd	#1212	369-53-062	10/28/2004	10/28/2103
10740	Stevens Canyon Road		356-03-050	1/24/2008	1/24/2107
20488	Stevens Creek Blvd	#1101	369-53-037	4/7/2005	4/7/2104
20128	Stevens Creek Blvd	#111	369-56-012	6/29/2009	6/29/2108
19503	Stevens Creek Blvd	#265	316-49-077	4/19/2007	4/19/2106
19503	Stevens Creek Blvd	#309	316-49-083	9/21/2012	9/21/2111
10280	Park Green Lane	#837	369-54-037	12/12/2006	12/12/2105
20488	Stevens Creek Blvd	#1213	369-53-063	12/7/2004	12/7/2103
20488	Stevens Creek Blvd	#1106	369-53-020	4/29/2005	4/29/2104
19503	Stevens Creek Blvd	#233	316-49-065	8/11/2011	8/11/2110
10090	Imperial Avenue		357-22-020	4/22/2003	4/22/2102
19999	Stevens Creek Blvd	#215	316-48-028	11/17/2003	11/17/2102
10281	Torre Avenue	#824	369-40-058	6/26/2007	6/26/2106
7326	Rainbow Drive		366-58-054	11/23/2005	11/23/2104
17045	N. De Anza Blvd	#223	326-26-058	11/14/2008	11/14/2107
10280	Park Green Lane	#834	369-54-034	12/26/2006	12/26/2105
20488	Stevens Creek Blvd	#1304	369-53-093	8/3/2012	8/3/2111
20500	Town Center Lane	#166	369-55-005	12/20/2010	12/20/2109
20500	Town Center Lane	#170	369-55-009	3/29/2007	3/29/2106
10280	Park Green Lane	#848	369-54-048	12/28/2006	12/28/2105
19503	Stevens Creek Blvd	#225	316-49-058	12/28/2006	12/28/2105
19503	Stevens Creek Blvd	#263	316-49-076	5/13/2010	5/13/2109
20488	Stevens Creek Blvd	#1115	369-53-027	12/4/2013	12/4/2112
20320	Town Center Lane	#806	369-54-006	12/21/2006	12/21/2105
10745	N. De Anza Blvd	#112	326-26-039	1/9/2009	1/9/2108
20128	Stevens Creek Blvd	#202	369-56-014	3/27/2009	3/27/2108
10712	Stevens Canyon Road		356-03-057	1/25/2008	1/25/2107
10188	Imperial Avenue		357-22-027	6/26/2003	6/26/2102
20500	Town Center Lane	#276	369-55-048	3/29/2007	3/29/2106
20488	Stevens Creek Blvd	#1113	369-53-026	12/13/2011	12/13/2110
20500	Town Center Lane	#187	369-55-024	3/23/2012	3/23/2111
20500	Town Center Lane	#198	369-55-033	2/28/2007	2/28/2106

Street No.	Street Name	Unit No.	APN	Sale/Transfer Date	Expiration of Affordability Covenant
20488	Stevens Creek Blvd	#2203	369-53-053	3/18/2005	3/18/2104
20488	Stevens Creek Blvd	#1104	369-53-019	4/7/2005	4/7/2104
20488	Stevens Creek Blvd	#1210	369-53-060	1/19/2005	1/19/2104
20488	Stevens Creek Blvd	#1208	369-53-058	6/10/2005	6/10/2104
19999	Stevens Creek Blvd	#102	316-48-002	1/30/2004	1/30/2103
19503	Stevens Creek Blvd	#159	316-49-043	9/10/2009	9/10/2108
10281	Torre Avenue	#820	369-40-058	6/21/2007	6/11/2106
10507	Peralta Court		342-60-019	3/13/2001	3/13/2100
19999	Stevens Creek Blvd	#303	316-48-036	10/31/2003	10/31/2102
19999	Stevens Creek Blvd	#108	316-48-007	10/31/2003	10/31/2102
10745	N. DeAnza Blvd	#315	326-26-071	8/1/2013	8/1/2112
10745	N. De Anza Blvd	#109	326-26-036	1/30/2009	1/30/2108
20721	Garden Place Court		362-30-066	8/18/2009	8/18/2108
20272	Pinntage Parkway		369-47-029	5/10/2002	5/10/2101
10281	Torre Avenue	#812	369-54-012	12/21/2006	12/21/2105
20500	Town Center Lane	#283	369-55-055	12/5/2012	12/5/2111
20488	Stevens Creek Blvd	#1215	369-53-064	12/15/2006	12/15/2105
19503	Stevens Creek Blvd	#112	316-49-018	1/31/2007	1/31/2106
20500	Town Center Lane	#271	369-55-044	3/23/2007	3/23/2106
10527	Manzanita Court		342-61-019	11/27/2001	11/27/2100
10163	Macadam Lane		369-01-055	3/19/1997	3/19/2027
11422	Garden Terrace Drive		362-30-081	12/2/1986	12/2/2016
10198	Macadam Lane		369-01-038	1/24/1997	1/24/2027
19810	Portal Plaza		369-46-042	6/17/1996	6/17/2026
21865	Eaton Place		326-19-131	5/30/1995	5/30/2025
21810	Eaton Place		326-19-144	5/31/1995	5/31/2025
20274	Pinntage Parkway		369-47-028	4/18/1997	4/18/2027
19803	Portal Plaza		369-46-037	6/21/1996	6/21/2026
10075	Craft Drive		375-02-039	8/1/1985	8/1/2084

Source: City of Cupertino