# Lower Merion Township, Pennsylvania
## Analysis of Impediments to Fair Housing Choice

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I. INTRODUCTION AND GENERAL SUMMARY OF THE ANALYSIS

This *Analysis of Impediments to Fair Housing* (AI) document is a revision to the original document prepared by the Lower Merion Township Community Development Division within the Department of Building & Planning and is designed to update Census and local data and to revisit issues previously identified as Impediments.

The Housing and Community Development Act of 1974 and the National Affordable Housing Act, as amended, govern the administration of Community Development Block Grant and require participating jurisdictions to certify that they will affirmatively further fair housing. This means that the jurisdiction will conduct an analysis of impediments to fair housing choice; take appropriate actions to overcome the effects of impediments identified through that analysis; and maintain records reflecting the analysis and actions.

A. WHO CONDUCTED

The Township of Lower Merion has received an estimated $1,093,054.00 in CDBG funds in federal fiscal year 2011.

The Department of Housing and Urban Development requires that an AI include:

- An analysis of demographic, income, housing and employment data
- An evaluation of the fair housing complaints filed in the jurisdiction
- A discussion of impediments: if any, in 1) the sale or rental of housing; 2) provision of brokerage services; 3) financing, 4) public policies; and 5) administrative policies for housing and community development activities that affect housing choice for minorities
- An assessment of current fair housing resources
- Conclusions and recommendations

The AI utilizes publicly available data from a number of sources, including:

- Census and other demographic data
- Consolidated Plan and associated planning documents
- Fair housing complaint data, as provided by the Township’s contracted Fair Housing Agency, the Fair Housing Rights Center in Southeastern Pennsylvania, as well as the Pennsylvania Human Relations Commission and the U.S. Department of Housing & Urban Development (HUD) Fair Housing & Equal Opportunity Office (FHEO)
- Educational/outreach data maintained by the Township’s contracted Fair Housing Agency, in conjunction with other local Fair Housing Agencies
- Internet resources on fair housing
- Lower Merion Township Fair Housing Survey Responses
In addition to the identification of impediments, jurisdictions are required to develop methods to address the issues that limit the ability of residents to access fair housing, regardless of their inclusion in a protected class.

Fair housing choice is defined as the "ability of persons, regardless of race, color, religion, sex, national origin, familial status, or handicap, of similar income levels to have available to them the same housing choices." The Fair Housing Analysis encompasses the following six areas:

1. The sale or rental of dwellings (public or private);
2. The provision of housing brokerage services;
3. The provision of financing assistance for dwellings;
4. Public policies and actions affecting the approval of sites and other building requirements used in the approval process for the construction of publicly assisted housing;
5. The administrative policies concerning community development and housing activities, which affect opportunities for minority households to select housing inside or outside areas of minority concentration; and
6. Where there is a determination of unlawful segregation or other housing discrimination by a court or a finding of noncompliance by the U.S. Department of Housing and Urban Development (HUD) regarding assisted housing in a recipient's jurisdiction, an analysis of the actions which could be taken by the recipient to remedy the discriminatory condition, including actions involving the expenditure of funds made available under 24 CFR Part 570.

As an entitlement community, the Township is charged with the responsibility of conducting its Community Development Block Grant (CDBG) Program, as well as other federal programs, in compliance with the Fair Housing Act. The responsibility is extended to non-profit organizations that receive financial assistance from the Township's CDBG Program.

The purpose of this Analysis of Impediments to Fair Housing for Lower Merion Township is to evaluate the housing characteristics, to identify blatant or defacto impediments to fair housing choice, and to arrive at a strategy for expansion of fair housing opportunities throughout the Township.

With the acceptance of the Analysis of Impediments to Fair Housing, the community will have a baseline for progress against which implementation efforts will be judged.

The legislative basis for HUD's review of fair housing practices in communities receiving federal funds is the Civil Rights Act of 1968. On the 20th anniversary of the passage of the legislation, an amendment to Title VIII of the Civil Rights Act was passed. The amendment, which is known as the Fair Housing Act of 1988, expanded the scope of coverage of the law to include, as protected classes, families with children and handicapped persons. Further, enforcement powers for HUD including a monetary penalty for discrimination were added.

Title VIII of the Civil Rights Act of 1968 is otherwise known as the Fair Housing Act. It states that you cannot be discriminated against in any type of housing related transaction because of your Race, Gender, Religion, National Origin or Color. This Act was amended in 1988 to include Familial Status (i.e. the presence of children under the age of 18 in a family) and Handicap.
Pennsylvania Human Relations Commission

The Pennsylvania Human Relations Commission enforces commonwealth laws that prohibit discrimination: the Pennsylvania Human Relations Act, or PHRA, which encompasses employment, housing, commercial property, education and public accommodations; and the Pennsylvania Fair Educational Opportunities Act, or PFEOA, which is specific to postsecondary educational institutions and secondary and postsecondary vocational, secretarial, business and trade schools. In the State of Pennsylvania, the Human Relations Act also includes the protected class of Age (for those over 40). In this area, the Cities of Reading and Philadelphia also have local coverage and include other protected classes such as Marital Status, Sexual Preference and Source of Income.

Per the PHRA, all single family homes are covered by the act when they are owned by private persons and a real estate broker is used, and all single family homes owned by corporations or partnerships regardless of whether a broker is used. All Multifamily dwellings are covered by the Act, including townhouse and condominium communities. There are two exceptions to this rule. The first is called the “Mrs. Murphy’s exemption.” This exemption states that if the dwelling has four or less units and the owner lives in one of the units, it is exempt from the Fair Housing Act. The second is for qualified senior housing which is exempt only from the Familial Status provision of the act. To be a qualified senior community you must meet the following standards: either 100% of the community is 62 or older, or 80% of the households have at least one resident 55 or older. None of this housing is exempt from section 804(c) of the Act which states that you cannot make, print or publish a discriminatory statement. Any exempt housing that violates 804(c) has lost that exemption and can be held liable under the Act. Housing run by religious organizations and private clubs that limit occupancy solely to members, as long as the organization does not discriminate based on race, is also considered a valid exemption under the Act.

Under the Fair Housing Act, it is against the law to:

1. Refuse to rent or sell housing
   • Refuse to negotiate for housing
   • Make housing unavailable or deny that housing is available
   • Set different terms, conditions or privileges for the sale or rental of housing
   • Advertise in a discriminatory way
   • Blockbust: persuade owners to sell or rent by telling them that minority groups are moving into the neighborhood
   • Deny or make different terms or conditions for a mortgage, home loan, home insurance, or other real estate related transaction
   • Threaten, coerce or intimidate anyone exercising a fair housing right or assisting others in exercising those rights

Under the law, a disability is defined as a physical or mental impairment that substantially limits one or more of a person's major life activities. This includes wheelchair users, those who are visually impaired, those limited by emotional problems, mental illness, or retardation, recovering alcoholics, recovering drug addicts, difficulties associated with aging, or those suffering from HIV/AIDS. It does not apply to the illegal use of, or addiction to illegal drugs.
Accessible is defined in the Pennsylvania Human Relations Act as "being in compliance with the applicable standards set forth in" the Fair Housing Act, the Americans with Disabilities Act and the Universal Accessibility Act.

Activities that might indicate discrimination in rental housing include:

- Misrepresenting the availability of housing
- Steering or segregating housing (for example: the buildings in the complex are racially segregated; they have a policy that "children are only allowed in building C," or that "children are required to live on the first floor.")
- Requiring different terms or conditions for rental occupancy.
- The information told to you in person does not match the information told to you on the phone.
- The landlord takes an application from you and promises to call but never does.
- The sign says "vacancy," but the landlord says it was just rented.
- There is nothing available now, or there won't be when you need to move.
- The landlord imposes burdensome conditions for rental occupancy.
- The landlord keeps using various delaying tactics.
- The complex has overly restrictive occupancy standards and age limits (requiring less than 2 people in a bedroom or allowing no one under the age of 18 to live there).
- The landlord has rules about adults sharing a bedroom with a child or male and female children sharing a bedroom.
- The landlord claims the property is unsafe for children.
- The landlord will not allow guide or support animals.
- The landlord will not make a reasonable accommodation.
- The landlord will not allow you to make reasonable modifications to the premises.

Activities that might indicate discrimination in real estate sales include:

- The agent refuses to show a property in a particular neighborhood or discourages you from considering that neighborhood because of the racial makeup of that neighborhood.
- The agent requires you to be pre-qualified before discussing any properties with you, but you believe they don't require this of everyone.
- The agent gives you listings of properties in "select" neighborhoods that appear to be chosen because of their racial makeup (i.e. steering).
- The agent encourages or discourages sales or purchases in a particular neighborhood because of the changing racial makeup of that neighborhood (i.e. blockbusting).
- Different terms and conditions in townhouse, condominium, or manufactured housing communities regarding your children (for example, requiring an extra security deposit because you have children).
- Different terms and conditions in townhouse, condominium, or manufactured housing communities regarding special needs you have because of a disability.

Activities that might indicate discrimination in home mortgage loans include:

- You believe you are qualified for a conventional mortgage but the agent insists that an FHA loan is better.
- The interest rate and points offered are much higher than current average.
• The agent will not count income from sources other than your employment.
• The mortgage company won’t return your phone calls and it is difficult to get information about the status of your application.
• The mortgage company is very discouraging or gives negative comments about your ability to qualify even though you believe you are qualified.
• The mortgage company has a policy that eliminates your new home from a mortgage at that institution (for example: ”We don’t give loans under $50,000”).

Activities that might indicate discrimination when applying for homeowners insurance include:

• Policies by the insurance company that eliminate your house or apartment from being insured by that company. (For example: ”We don't write policies in that neighborhood," ”We don't write policies for older homes," ”We don't write policies for properties worth less than $50,000," ”Your property doesn't fit our profile,” etc.)
• One insurance company’s quote is significantly different from others.
• The insurer will only offer you a market rate policy and not a replacement cost policy.

Activities that might indicate discrimination in reference to your property appraisal report include:

• The properties chosen to compare your property to are not in similar neighborhoods.
• The appraisal report has not taken into consideration positive economic changes in your neighborhood (for example: the presence of new construction or new investments planned for your neighborhood that might have the effect of increasing the value of your property).
• The appraisal report lists negative comments about your neighborhood that could be interpreted as having racial connotations.

Other Types of Activities Covered Under Fair Housing Laws:

• Advertising: Fair housing laws state that it is unlawful to "...make, print, publish, or cause to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on one of the protected classes." Ads that say "no children," "adults only," "male preferred or female preferred" are examples of illegal ads.
• Harassment: It is unlawful to threaten or intimidate persons who have filed fair housing complaints or any individual who is supporting these persons in pursuit of their rights.

Permissible activities under the Fair Housing Act stipulate that landlords, real estate professionals, and other housing providers may inquire about your income, perform a credit check and evaluate your credit worthiness, contact your previous and current landlords for references, and check if you have a criminal background. These standards are perfectly legal—as long as they are applied to every applicant for housing.

Under the Pennsylvania Human Relations Act, realtors, brokers or agents may not:

• Steer or otherwise direct a property seeker’s attention to a particular neighborhood based on the race, color, religion, national origin, ancestry, sex, disability, age, familial status or use of a guide or support animal because of the blindness, deafness or physical disability of the user, or
because the user is a handler or trainer of support or guide animals, of either the property seekers or persons already residing in that neighborhood.

- Volunteer information to or invite questions from property seekers concerning the race, color, religion, national origin, ancestry, sex, disability, age, familial status or use of a guide or support animal because of the blindness, deafness or physical disability of the user or because the user is a handler or trainer of support or guide animals of persons already residing in a neighborhood.
- Answer questions from or initiate a discussion with persons who are selling, renting or otherwise making housing or commercial property available concerning the race, color, religion, national origin, ancestry, sex, disability, age, familial status or use of a guide or support animal because of the blindness, deafness or physical disability of the user or because the user is a handler or trainer of support or guide animals of prospective buyers, applicants or others seeking housing.
- Engage in certain practices which attempt to induce the sale, or discourage the purchase or lease of housing accommodations or commercial property by making direct or indirect reference to the present or future composition of the neighborhood in which the facility is located with respect to race, color, religion, sex, ancestry, national origin, disability, age, familial status or guide or support animal dependency.
- Engage in any course of action which could be construed as reluctant or delayed service having the effect of withholding or making unavailable housing accommodations or commercial property to persons because of their race, color, religion, national origin, ancestry, sex, disability, age, familial status or use of a guide or support animal.

## B. Participants

Lower Merion Township is a HUD CDBG entitlement community. The Township’s Community Development Division within the Department of Building & Planning, is responsible for the preparation of the *Analysis of Impediments to Fair Housing* under the direction of the Township Commissioners. The Department of Building and Planning acts as an advisor to the Board of Commissioners on matters pertaining to community development, housing, and economic development. To this end, the Department of Building and Planning represents the Board of Commissioners on boards, commissions and task forces.

The Township’s sub-recipients also play a role in affirmative furthering fair housing. These non-profits provide a variety of services including housing for the elderly, fair housing education, outreach and advocacy, affordable housing, and counseling services.
C. Methodology Used

The preparation of the Analysis of Impediments to Fair Housing included a comprehensive review of the most recently available demographic data regarding population, housing, income, and employment. Additionally, the Township reviewed and analyzed public policies affecting the siting of housing. The community also examined administrative policies concerning housing and community development, the financing and housing brokerage services and their administration in the community. A Fair Housing Survey was also provided on the Township’s website and distributed amongst various real estate lenders, fair housing agencies, housing providers and other interested parties. Using the listed information, Lower Merion Township was able to prepare actions to be completed that affirmatively further the provision of fair housing in the jurisdiction. This revised Analysis of Impediments to Fair Housing was undertaken, at the Township’s direction, by Triad Associates, Inc., a community planning and development consulting firm.

D. How Funded

The Township funded the Analysis of Impediments to Fair Housing and the revisions to the document in 2011 with funds from its CDBG entitlement.

E. Conclusions: Impediments Found and Actions to Address Impediments

Impediment I – Awareness Regarding Fair Housing Laws

As in many municipalities, there is an increased need for education, outreach, and referral regarding the Fair Housing Act and the Pennsylvania Human Relations Act. The Pennsylvania Human Relations Commission enforces commonwealth laws that prohibit discrimination, which include: the Pennsylvania Human Relations Act, or PHRA, which encompasses employment, housing, commercial property, education and public accommodations; and the Pennsylvania Fair Educational Opportunities Act, or PFEOA, which is specific to postsecondary educational institutions and secondary and postsecondary vocational, secretarial, business and trade schools.
IMPEDIMENT IV – LACK OF DECENT, AFFORDABLE HOUSING

Actions:
- Continue housing rehabilitation program
- Continue Home Purchase Program
- Consider adoption of affordable housing incentive ordinance
- Continue to collaborate with Montgomery County Housing Authority

IMPEDIMENT V – AVAILABILITY OF HOUSING FOR THE DISABLED

Actions:
- Maintain position of ADA Coordinator
- Coordinate with Service Providers to incentivize production of supportive housing

Actions to Address Impediment I

The Township will continue to support education of the public with regard to fair housing and to assist the public with connection to agencies that help with fair housing problems. Information provided to the public needs to be presented in an accessible, readable format so that it is easy to understand. The information needs to be updated annually to ensure that it contains the most recent information. This information will be distributed.

Lower Merion Township will continue to fund the use of a Fair Housing Rights group to education and advocate for fair housing practices. These groups provide the type of educational programs that have reached the protected classes and landlords and tenants. These groups also provide investigative work on complaints, referrals to the Pennsylvania Human Relations Commission, HUD and municipal courts and assist individuals through follow-up after the filing of a complaint with the Human Relations Commission.

The Township’s contracted Fair Housing Rights Group will continue to provide education, outreach, and training to local residents. This includes consumer trainings, participation in the Don’t Borrow Trouble Campaign, distributing Housing Provider Newsletter and materials to landlords within the Township, supply a fair housing (It’s the Law flyer), provide brochures, information and PSAs to residents, publicize on SEPTA buses, provide educational lectures on fair housing laws, air PSAs on Lower Merion cable, publish a bi-weekly Homeseeker’s List, produce materials in Spanish, conduct a fair housing stewardship program, offer school program to the Lower Merion School District, and investigate complaints and advocate for victims of Housing discrimination.

The Township and the Fair Housing Agency will contact the HUD Regional Office of Fair Housing and Equal Opportunity, local civil rights groups, and the Pennsylvania Human Relations Commission to arrange to work cooperatively in order to disseminate fair housing information, including information about Federal and State laws regarding housing discrimination.

Impediment II – Awareness Regarding the Housing Discrimination Complaint Process

Some confusion exists concerning whom to turn to when a violation of fair housing law is alleged to occur, as well as how to access the Federal and State fair housing complaint system. Overall, the process to file a fair housing complaint is viewed as complicated. There is a general fear of retaliation that may prevent complainants from filing a fair housing complaint.
Actions to Address Impediment II

The Township will work to raise the visibility of Fair Housing and the Fair Housing Complaint Process, including increasing landlord and resident awareness and knowledge of Fair Housing. The Township will implement a local fair housing counseling program including a referral service to appropriate State and federal enforcement agencies for enforcement of fair housing laws.

The Township’s local Fair Housing Rights group will continue to work with the regional fair housing agency and/or the Pennsylvania Human Relations Commission to plan and conduct presentations and distribute information about fair housing, through elementary schools, public libraries, affordable housing providers and community/recreation centers. This includes the Pennsylvania Human Relations Commission, as well as the local HUD-approved Counseling Agencies.

The Township will also explore the creation of a Fair Housing Task Force, where its mission would be to address issues of impediments and/or discrimination. In such older communities, institutional practices are deeply rooted in historical issues. The task force can comprise of a variety of stakeholders, which include representative from the housing, economic development, government, human services, and faith-based sectors, where collaboration can occur to identify institutional and structure policies and/or practices that may be corrected through improving educational outreach and human services with residents and landlords.

Impediment III – Bias in Lending, Credit Counseling & Money Management

According to the 2002 Analysis, the rate of denial of minority households in Lower Merion Township is double that of white households in the community. The most common cause of denial is lack of credit history or poor credit history. More consumer education on credit and purchasing a home needs to be available. At that time there, Genesis Housing Corporation offers the public general credit counseling in Lower Merion Township. However, homebuyers can take classes through Genesis Housing Corporation, as well as the Montgomery County Down-payment Assistance Program. CADCOM, the Community Action Agency for Montgomery County, provides consumer education in Norristown. Similarly, the most common cause of denial, nationally, is lack of credit history or poor credit history. More consumer education on credit and purchasing a home needs to be available.

Action to Address Impediment III

Local credit and budget counseling is now available to residents of Lower Merion through the Consumer Credit Counseling Service of Delaware Valley, Genesis Housing Corporation, Pennsylvania Housing Finance Agency, Affordable Housing Centers of America, Asociacion de Puertoriquenos en Marcha, Concilio, Congreso de Latinos Unidos, Diversified Community Services, Esperanza, and a variety of other Community Development Corporations and HUD-approved counseling agencies. The Township will work with these and other agencies to ensure their services are marketed and accessible to the residents of the Township.

Impediment IV – Lack of Decent Affordable Housing

Approximately 17.81% of the Township’s households are at 80% or less of the Area Median Income, suggesting that the Township has a moderate and manageable need for affordable housing. As the
housing stock continues to age, unit rehab and replacement will continue to be in demand.

The Township continues to conduct owner-occupied housing rehabilitation for low- and moderate-income families, as well as conducting its Home Purchase Program.

Lower Merion’s Home Purchase program is partnered with Lower Merion Affordable Housing Corp. and Genesis Housing in Norristown to secure affordable housing in the area and to date they have purchased, rehabilitated and resold 4 properties to low to moderate income families in Bryn Mawr and Ardmore areas. These areas of the Township are most attractive due to the convenience of employment, transportation, shopping, apartments, senior housing and other local amenities. Genesis Housing is the third party that procures the buyers in a “non-discriminatory manner” and assists the low income buyers with homeownership counseling and the mortgage process. The beneficiaries were of the following ethnic backgrounds; Asian, White, and two African American families. In 2011 our goal is to purchase at least two more properties for low income families.

The Township passed an ordinance in December of 2010, to provide for the creation of The Lower Merion Township Human Relations Commission in Chapter 93 in the Code of the Township of Lower Merion.

Every year the Township issues rental licenses, which includes the Fair Housing Laws brochure for each landlord to review and contact us with any questions. Contracted local Fair Housing Rights groups have organized workshops at the Township building for local landlords and tenants to attend.

Although the Township has no Montgomery County Housing Authority (MCHA) developments in the Township, the Township has future plans to collaborate with the MCHA for the construction of an additional 25 units to the existing Ardmore House for Seniors. While Housing Choice Vouchers are not assigned to municipalities, as a vast majority of Montgomery County’s program is tenant-based, Lower Merion is currently home to 97 housing voucher participants. In addition, Lower Merion has 102 units which participate in the project-based voucher program.

The Township has also seen the recent development of Ardmore Crossing, which provides 53 rental units affordable to low- and moderate-income senior citizens and 5 townhomes affordable to moderate-income first-time homebuyers, alongside 26 market rate townhomes. The development was a TIF project with Lower Merion Township, Lower Merion School District and Montgomery County Redevelopment Authority. The Redevelopment Authority uses the net proceeds of the TIF debt available to four low- and moderate-income homebuyers as a subsidy toward the purchase price of the condominium units under this program. These homes are all occupied at this time. The property is in a low income area census tract, a former PECO Ardmore Service building on West County Line Road in Ardmore, which was completed in 2006-2007. As we know housing impacts; schools, transportation, jobs, and tax bases.

Action to Address Impediment IV

To the extent that resources are available, the Township will continue to maintain existing affordable housing through the residential rehab activities operated by the Township, as well as the Home Purchase program.

Additionally, the Township has, and continues to explore, the enactment of an Affordable Housing
Overlay Ordinance. The ordinance, which is currently in draft form, would be applied to commercial and mixed-use areas within the Township, with the intention to expand these provisions to residential districts once the Township gauges the success of the ordinance. Currently, municipalities do not have the authority to mandate affordable housing units in Pennsylvania. Until Township is authorized to mandate affordable housing, the Township will continue to look to utilize incentives to encourage the development of affordable housing within the Township. Through such an ordinance, the Township could support the creation of new affordable units through technical assistance and subsidies to housing developers, both for-profit and non-profit, who are producing affordable and workforce housing within the Township. The education of local government leaders on the potential impacts of this ordinance will also be required.

The Township will also continue to fund the Home Purchase Program through the Lower Merion Affordable Housing Corporation (non-profit, sub-recipient). The Lower Merion Affordable Housing Corporation (LMAH), in cooperation with Lower Merion Township, has an affordable first-time homebuyers' program. LMAH, in cooperation with the Township, will purchase approximately one (1) home per year, will renovate the homes and sell them to low- and moderate-income families.

Sources of funding for these activities include CDBG, Montgomery County Housing Trust Funds, Pennsylvania HOME funds, the Pennsylvania Housing & Finance Agency (PHFA), the Federal Home Loan Bank (FHLB) and other private sources and subsidies.

Additionally, the Township also works with and supports the Montgomery County Housing Authority in its efforts to expand its inventory of affordable units and will continue to do so.

**Impediment V – Availability of Housing for the Disabled**

The 2005-2007 American Community Survey (U.S. Census) reported 4,784 disabled persons (ages 5 and over) within Lower Merion Township, representing 8.8% percent of the population, thus presenting a challenge to producing or retrofitting accessible housing supply to meet the Township’s moderate demand.

Persons with disabilities face other challenges that may make it more difficult to secure both affordable or market-rate housing, such as lower credit scores, the need for service animals (which must be accommodated as a reasonable accommodation under the Fair Housing Act), the limited number of accessible units, and the reliance on Social Security or welfare benefits as a major income source.

A record 10,552 fair housing discrimination complaints were filed Nation-wide in fiscal year 2008 to HUD. The report shows that a large portion of the complaints, 44 percent, were filed by persons with disabilities. Therefore, this impediment becomes even more significant for Lower Merion Township and its disabled population.

**Action to Address Impediment V**

The Township will continue to utilize Federal funding via the Community Development Block Grant (CBDG) and/or HOME programs to ensure that developers and builders conform to the Uniform Federal Accessibility Standards (UFAS) that require that 5% of the units be accessible and 2% be accessible for persons with hearing or visual disabilities. The Township will also explore the use of the Low Income Housing Tax Credit (LIHTC) program for project development subsidies for the Special Needs Cycle set-
aside required in PHFA’s Qualified Allocation Plan and the allocation of LIHTCs to sponsors who provide housing for persons with developmental disabilities for projects.

In addition, the Township continues to comply with the Americans With Disabilities Act. The Township, recognizing its responsibility to comply with the provisions of the ADA, has been working since May 1991 to ensure that all facilities, services and information are made available to all persons of the Township, regardless of ability. It is the policy of the Township of Lower Merion to attempt to provide reasonable accommodations to meet the needs of persons requesting the use of Township facilities or services, or seeking Township information.

The Township has taken progressive steps to ensure that all programs and services of Lower Merion Township are accessible to all residents, and as such, the Township has an appointed ADA Coordinator within the Township who coordinates the Township’s Transition Plan (which outlines procedures to remove structural barriers in all Township-owned facilities, parks, municipal structures and major thoroughfares); the Self Evaluation Plan (which ensures that all persons have equal access to programs and services offered by the Township); and the Grievance Procedure (which provides a means for a prompt and equitable resolution of all complaints alleging discrimination against persons with disabilities). As of 2011, the Township is currently updating its Self Evaluation Report.

The Township will also work with local service providers that can assist with education and awareness of availability of housing for the disabled. These providers include but are not limited to the Association of Retarded Citizens (ARC), Lower Merion Counseling Center, ElderNet Inc., Women’s Center of Montgomery County, New Foundations, the Housing Consortium for Disabled Individuals, Resources for Human Development, and other local and regional organizations that provide support and services for disabled populations. Furthermore, Resources for Human Development has 43 consumer sites and four (4) administrative offices in Lower Merion.

The Township will work to assist residents with special needs to ensure they have full access to housing and needed services. The Township will also consider incentivizing the production of special needs and supportive housing by reducing or waiving respective water, sewer, and/or public facilities services impact fees for non-profit organizations seeking to build accessible units.

Special needs and supportive housing programs will also be explored through the assistance of local non-profits and through the implementation and development of the Township’s alternative housing options for the elderly, which is established by ordinance.

II. **Lower Merion Township Demographic Background Data**

In this section of the *Analysis of Impediments to Fair Housing*, demographic and socio-economic characteristics of the Township are described to identify conditions and trends within the Township. The demographic data will serve as a basis for determining needs and identifying impediments to fair housing choice.

The statistical information in this section of the *Analysis of Impediments to Fair Housing*, unless noted, was derived from census reports published by the U.S. Bureau of the Census and the Township’s Five Year Consolidated Plan.
Lower Merion Township, Pennsylvania

Census Tracts and Census Designated Places

Legend
- Census Designated Places
- Census Tracts
- Township Boundary
- PA Counties

Lower Merion Township | Analysis of Impediments to Fair Housing Choice
A. Demographic Data

Lower Merion Township was first settled in 1682. Covering an area of 23.64 square miles, Lower Merion Township is bounded by the City of Philadelphia, the Boroughs of Conshohocken and West Conshohocken, and the Townships of Upper Merion and Whitemarsh in Montgomery County, and by the Townships of Haverford and Radnor in Delaware County. The Borough of Narberth, although a separate political entity of one-half square mile, is completely surrounded by Lower Merion Township.

The major suburban thrust of development in Lower Merion Township began about in the 1940s, as wealthy families began to move out of Philadelphia into nearby suburban areas. As the first of the suburban communities to be serviced by the "Main Line" of the Pennsylvania Railroad, Lower Merion Township attracted not only the affluent, but also those of more modest means who lived and worked in the Township. Lower Merion Township’s location, accessibility, and schools, have helped it to remain a desirable community since its inception. As such, Lower Merion has the 5th highest per-capita income and the 12th highest median household income in the country with a population of 50,000 or more.

**The Township continues to experience a gradual, net population loss.** According to the 2010 US Census, the Township’s population is 57,825. Lower Merion Township has experienced a gradual, net population decrease in the last 40 years. The Township’s greatest population figure was recorded in 1970 at 63,594 – most likely a residual of the vast suburbanization that occurred in the 1950s and 1960s.

**The Township is slowly becoming more diversified.** The table below shows the racial composition of the Township population. The percentage of White persons is slightly above State and National percentages, as are American Indian and Native Alaskan populations. While, for the most part, minority populations are much lower than State and National averages, significant increases in Asian populations have diversified several portions of the Township.

<table>
<thead>
<tr>
<th>Census</th>
<th>Population</th>
<th>±%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1930</td>
<td>35,166</td>
<td>-</td>
</tr>
<tr>
<td>1940</td>
<td>39,566</td>
<td>12.50%</td>
</tr>
<tr>
<td>1950</td>
<td>48,745</td>
<td>23.20%</td>
</tr>
<tr>
<td>1960</td>
<td>59,420</td>
<td>21.90%</td>
</tr>
<tr>
<td>1970</td>
<td>63,594</td>
<td>7.00%</td>
</tr>
<tr>
<td>1980</td>
<td>59,635</td>
<td>-6.2%</td>
</tr>
<tr>
<td>1990</td>
<td>58,003</td>
<td>-2.7%</td>
</tr>
<tr>
<td>2000</td>
<td>59,850</td>
<td>3.20%</td>
</tr>
<tr>
<td>2010</td>
<td>57,825</td>
<td>-3.4%</td>
</tr>
</tbody>
</table>

*US Census Bureau, 2010*
Minority concentrations are strategically locating around transit. The Township’s Consolidated Plan for 2010-2014 defines areas of racial or ethnic minority concentration as geographical areas where the percentage of a specific minority or ethnic group is 10 percentage points higher than in the Township overall.

In Lower Merion, Black populations accounted for 5.6% of the overall population in 2010. Therefore, an area of racial concentration of Black populations would include any Census Tract where the percentage of Black residents is 15.6% or higher. Technically, not one specific Census Tract boundary is considered to be an area of minority concentration. However, the 2005-2010 American Community Survey (ACS) data identifies the Ardmore Census Designated Place (CDP), which includes parts of Census Tracts 2055.01 and 2053, as an area of minority concentration. Approximately, 16.67% of Census Tract (part) 2055.01 and 38.74% of Census Tract 2053 (part) are considered to be a minority concentration. Additionally, the Bryn Mawr CDP, specifically the part of Census Tract 2052, would also be considered areas of minority concentration amongst Black populations. It should be noted, however, that these concentrations and CDP counts includes populations in Delaware County.

Similarly, Asian populations in the Ardmore CDP, Census Tract 2055.02 (part) and the Penn Wynne CDP, Census Tract 2055.02 (part), constitute an area of minority concentration at 40.60% and 24.36% respectively. Again, it should be noted that these concentrations and CDP counts includes populations in Delaware County.

No other race and/or ethnicity, including Hispanic populations, constitute an area of minority concentration, as defined herein.
Nearly, 12 percent (6,921) of the Township’s population is considered Foreign Born, similar to the national percentage. Approximately, 13.2 percent of the population speaks a language other than English at home. While those populations who speak a language other than English significantly greater than the percentages State-wide (5.2%), it mirrors National trends. However, of those populations that speak a language other than English at home, only 2.7 percent of those populations speak English less than very well.
It is illegal to refuse the right to housing based on place of birth or ancestry. The 2008-2010 American Community Survey provides a breakout of the ancestry of the population in Lower Merion Township as follows:

<table>
<thead>
<tr>
<th>Ancestry</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>American</td>
<td>1,995</td>
<td>3.40%</td>
</tr>
<tr>
<td>Arab</td>
<td>205</td>
<td>0.40%</td>
</tr>
<tr>
<td>Czech</td>
<td>170</td>
<td>0.30%</td>
</tr>
<tr>
<td>Danish</td>
<td>64</td>
<td>0.10%</td>
</tr>
<tr>
<td>Dutch</td>
<td>480</td>
<td>0.80%</td>
</tr>
<tr>
<td>English</td>
<td>5,448</td>
<td>9.40%</td>
</tr>
<tr>
<td>French (except Basque)</td>
<td>1,108</td>
<td>1.90%</td>
</tr>
<tr>
<td>French Canadian</td>
<td>73</td>
<td>0.10%</td>
</tr>
<tr>
<td>German</td>
<td>7,420</td>
<td>12.80%</td>
</tr>
<tr>
<td>Greek</td>
<td>662</td>
<td>1.10%</td>
</tr>
<tr>
<td>Hungarian</td>
<td>775</td>
<td>1.30%</td>
</tr>
<tr>
<td>Irish</td>
<td>8,365</td>
<td>14.50%</td>
</tr>
<tr>
<td>Italian</td>
<td>4,403</td>
<td>7.60%</td>
</tr>
<tr>
<td>Lithuanian</td>
<td>589</td>
<td>1.00%</td>
</tr>
<tr>
<td>Norwegian</td>
<td>174</td>
<td>0.30%</td>
</tr>
<tr>
<td>Polish</td>
<td>3,866</td>
<td>6.70%</td>
</tr>
<tr>
<td>Portuguese</td>
<td>87</td>
<td>0.20%</td>
</tr>
<tr>
<td>Russian</td>
<td>6,432</td>
<td>11.10%</td>
</tr>
<tr>
<td>Scotch-Irish</td>
<td>849</td>
<td>1.50%</td>
</tr>
<tr>
<td>Slovak</td>
<td>135</td>
<td>0.20%</td>
</tr>
<tr>
<td>Subsaharan African</td>
<td>543</td>
<td>0.90%</td>
</tr>
<tr>
<td>Swedish</td>
<td>519</td>
<td>0.90%</td>
</tr>
<tr>
<td>Swiss</td>
<td>264</td>
<td>0.50%</td>
</tr>
<tr>
<td>Ukrainian</td>
<td>598</td>
<td>1.00%</td>
</tr>
<tr>
<td>Welsh</td>
<td>411</td>
<td>0.70%</td>
</tr>
<tr>
<td>West Indian (excluding Hispanic origin groups)</td>
<td>541</td>
<td>0.90%</td>
</tr>
</tbody>
</table>

*US Census Bureau American Community Survey, 2008-2010*

**Married families dominate Township household makeup.** The US Census Bureau divides households into family households and non-family households. Family households are married couple families with or without children, single parent families, and other families made up of related persons such as an adult woman and her mother or two sisters living together. Non-family households are either single persons living alone or two or more non-related persons living together.

Women have protection under Title VIII of the Civil Rights Act of 1974 against gender and sex discrimination in housing. Female-headed households often experience difficulty in obtaining housing. Protection for families with children was added in the 1988 amendments to Title VIII. Except in limited circumstances involving elderly housing and owner-occupied buildings of one to four units, it is unlawful to refuse to rent or sell to families with children.

The 2005-2009 ACS reported 18,963 households in Lower Merion Township. There were 1,005 female-headed households in Lower Merion Township representing 5.24 percent of all households in the community. Census tract 2055.01, with 9.95 percent, contained the greatest percentage of female-headed family households in any given Census Tract.

The 2005-2009 ACS identified 13,328 family households representing 70.3 percent of the households in Lower Merion Township. The number of family households in Lower Merion Township is significantly higher than in the County (26.4%), and is contrary to State and nation-wide trends where non-family households growing faster than family households.
The 2005-2009 ACS reported that 6,168 of the family households in Lower Merion Township had children under age 18. The family households with children represent 46.28 percent of the family households. Census tract 2055.03 has the highest ratio of family households with children under age 18 (54.69%). Other Census Tracts with large percentages include CT2053 (52.08%), CT2046 (50.67%) and CT2044 (50.41%). While Census Tracts 2046 and 2044 have large numbers of family households, CT2053 only represents 75 of the 13,328 households Township-wide. It’s percentage is a relative to the small household count found within its CT boundaries. Census Tract 2047.02 has the highest number of households with children (734). This is closely followed by Census Tracts 2045 with 50.3% and 623 families, Census Tract 2055.02 with 50.3% and 501 families and Census Tract 2054 with 47.4% and 718 families.

The following table provides a review of female-headed households and family households with children by census tract in Lower Merion Township.

An examination of the low and moderate income and minority areas of the Township shows a correlation with the percent of Female Headed Households, but no correlation to the percentage of Families with Children.

<table>
<thead>
<tr>
<th>Census Tract</th>
<th>Total Households</th>
<th>Female-Headed Households</th>
<th>%Female-Headed Households</th>
<th>Family Households</th>
<th>Families with Children</th>
<th>% of Families with Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>2043</td>
<td>1,152</td>
<td>52</td>
<td>4.00%</td>
<td>819</td>
<td>335</td>
<td>40.90%</td>
</tr>
<tr>
<td>2044</td>
<td>1,194</td>
<td>33</td>
<td>2.67%</td>
<td>1,339</td>
<td>675</td>
<td>50.41%</td>
</tr>
<tr>
<td>2045</td>
<td>1,450</td>
<td>94</td>
<td>6.28%</td>
<td>660</td>
<td>256</td>
<td>38.79%</td>
</tr>
<tr>
<td>2046</td>
<td>1,567</td>
<td>83</td>
<td>4.95%</td>
<td>963</td>
<td>488</td>
<td>50.67%</td>
</tr>
<tr>
<td>2047.01</td>
<td>1,068</td>
<td>42</td>
<td>3.67%</td>
<td>1,153</td>
<td>573</td>
<td>49.70%</td>
</tr>
<tr>
<td>2047.02</td>
<td>1,295</td>
<td>95</td>
<td>8.30%</td>
<td>1,409</td>
<td>734</td>
<td>52.09%</td>
</tr>
<tr>
<td>2048</td>
<td>1,939</td>
<td>49</td>
<td>2.53%</td>
<td>580</td>
<td>251</td>
<td>43.28%</td>
</tr>
<tr>
<td>2049</td>
<td>1,765</td>
<td>50</td>
<td>2.87%</td>
<td>981</td>
<td>377</td>
<td>33.43%</td>
</tr>
<tr>
<td>2050</td>
<td>172</td>
<td>0</td>
<td>0.00%</td>
<td>1,549</td>
<td>637</td>
<td>41.12%</td>
</tr>
<tr>
<td>2051</td>
<td>135</td>
<td>11</td>
<td>7.19%</td>
<td>1,304</td>
<td>616</td>
<td>47.24%</td>
</tr>
<tr>
<td>2052</td>
<td>1,124</td>
<td>9</td>
<td>0.77%</td>
<td>101</td>
<td>25</td>
<td>24.75%</td>
</tr>
<tr>
<td>2053</td>
<td>172</td>
<td>8</td>
<td>4.65%</td>
<td>144</td>
<td>75</td>
<td>52.08%</td>
</tr>
<tr>
<td>2054</td>
<td>1,503</td>
<td>112</td>
<td>7.92%</td>
<td>608</td>
<td>262</td>
<td>43.09%</td>
</tr>
<tr>
<td>2055.01</td>
<td>1,618</td>
<td>165</td>
<td>9.95%</td>
<td>98</td>
<td>27</td>
<td>27.55%</td>
</tr>
<tr>
<td>2055.02</td>
<td>905</td>
<td>56</td>
<td>5.96%</td>
<td>821</td>
<td>400</td>
<td>48.72%</td>
</tr>
<tr>
<td>2055.03</td>
<td>1,902</td>
<td>146</td>
<td>7.81%</td>
<td>799</td>
<td>437</td>
<td>54.69%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>18,963</td>
<td>1,005</td>
<td>5.24%</td>
<td>13,328</td>
<td>6,168</td>
<td>46.28%</td>
</tr>
</tbody>
</table>

US Census Bureau American Community Survey, 2005-2010
The Township, home to many families, are likewise home to many children-\textit{aged} cohorts. The Township of Lower Merion is representative of the County figures for the age of its population, as indicated in the Montgomery County Demographic and Information Report (2010). The Township has a greater presence of school-aged children than that of the State and Nation, representative of the family households present in the aforementioned narrative. Similarly, the percentage of elderly (65+) is greater than the national and state percentages. Most, notably are the dominant presence of females within the Township – at 54 percent, they are approximately 2 percent and 4 percent higher than State and National averages.

\textbf{Township residents (25 years and older) are highly educated.} Lower Merion’s population has a high ratio of residents with educational attainment levels above a high school degree, as compared to the State or Nation. This is most likely due to the presence of Bryn Mawr College, Harcum College, Rosemont College, and St. Charles Borromeo Seminary. The campus of Saint Joseph’s University straddles the city line between Lower Merion and Philadelphia while Haverford College straddles the lines between Lower Merion and Haverford Townships. Villanova University is also on the border, located in Radnor, PA.
Disabled populations continue to be a prevalent population within the Township. A handicap is defined as a physical or mental impairment that substantially limits one or more life activities. Discrimination based on physical, mental, or emotional handicap, provided “reasonable accommodation” can be made is prohibited. Reasonable accommodation may include changes to address the needs of the disabled persons and may include adaptive structural changes as well as administrative changes, provided these changes can reasonably be made.

<table>
<thead>
<tr>
<th>Disability Status of the Civilian Noninstitutionalized Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population 5 years and over</td>
</tr>
<tr>
<td>Population 5 to 15 years</td>
</tr>
<tr>
<td>Population 16 to 64 years</td>
</tr>
<tr>
<td>Population 65 years and over</td>
</tr>
<tr>
<td>With a disability</td>
</tr>
<tr>
<td>With a disability</td>
</tr>
<tr>
<td>With a disability</td>
</tr>
<tr>
<td>With a disability</td>
</tr>
</tbody>
</table>

It is difficult to accurately determine the size of the disabled population in a given area largely due to difficulty in defining what constitutes a disability. Census estimates traditionally define the handicapped population from a rather narrow perspective.

Under Pennsylvania law, a disability is defined as a physical or mental impairment that substantially limits one or more of a person's major life activities. This includes wheelchair users, those who are visually impaired, those limited by emotional problems, mental illness, or retardation, recovering alcoholics, recovering drug addicts, difficulties associated with aging, or those suffering from HIV/AIDS. It does not apply to the illegal use of, or addiction to illegal drugs.

Accessible is defined in the Pennsylvania Human Relations Act as "being in compliance with the applicable standards set forth in" the Fair Housing Act, the Americans with Disabilities Act and the Universal Accessibility Act.

The 2005-2007 American Community Survey (U.S. Census) reported 4,784 disabled persons (ages 5 and over) within Lower Merion Township, representing 8.8% percent of the population.

Lower Merion Township's Consolidated Plan, completed in 2010 reported that the frail elderly population (based on 2000 Census data) was 2,403. Projections have estimated projected an increase to 5,034 by 2010. The Consolidated Plan also reported that the number of persons with severe mental illness in Lower Merion Township being served by Lower Merion Counseling Services is 211, and the number of persons who are developmentally disabled is estimated to be 1,077. The Consolidated Plan indicates that the disabled in Lower Merion Township need affordable and accessible housing. Many disabled owners and renters need financial assistance to carry out reasonable accessibility modifications. As recommended in the 2000 Consolidated Plan, Lower Merion Township's
rehabilitation guidelines were revised to include examples of reasonable accessibility modifications for its disabled population.

There are two life care facilities in Lower Merion Township including Beaumont in Bryn Mawr with 68 villa units, 132 apartment units, a nursing home, administrative offices and a commons building; and Waverly Heights in Gladwyne with 50 villas and 163 apartments, and 60 skilled nursing beds, administrative offices and a commons building. There are four licensed personal care homes for the frail elderly in Lower Merion Township with a capacity of 150 residents. The personal care homes include the Sunrise Assisted Living, the Charles Knox Home, which was designed as affordable assisted living, in addition to Beaumont and Waverly Heights. There are two housing sites for the independent elderly in Lower Merion Township, which were developed by or operated by the Lower Merion Affordable Housing Corporation; New Foundation System with 5 homes and 33 apartments and Residential Services System with two houses.

Ardmore House for the Elderly is in downtown Ardmore, and has 62 subsidized one-bedroom and efficiency apartments. Ardmore House receives services from ElderNet making it easier for residents to stay in their units as they age. The second housing development for the independent elderly is St. Asaph’s, which has five units. Ardmore Crossings also houses some disabled, low- and moderate-income, with 53 units.

**B. Income Data**

According to 2010 statistics provided by the 2010 Census, Lower Merion has the 5th highest per-capita income and the 12th highest median household income in the country with a population of 50,000 or more. Income figures (2010) for the Township of Lower Merion show that the Township’s median incomes are extraordinarily higher than that State and National averages. Households at or below the poverty level equal 6 percent Township-wide – significantly lower than State and National percentages (12.5% and 14.3% respectively).

**The Township’s median household and per capita incomes continue to be one of the highest in the nation.** The 1990 and 2000 Census reported that the median household income in Lower Merion Township was $63,197 and $86,373 respectively. Correspondingly, the median household income in Montgomery County in 1990 and 2000 was $43,720 and $60,829. Median household income by census tract in Lower Merion Township in 1990 and 2000 ranged from a low of $29,716 (1990) and $47,813 (2000) in census tract 2053 to a high of $125,263 in census tract 2048 (1990) and $177,098 in census tract 2049. In 1990 and 2000, Census tract 2053 also had the largest minority population in the Township, where Census Tracts 2048 and 2049 was home large lot, high-end residential development.

The US Census Bureau reports that, in 2010, the Township’s median household income is $151,870, whereas the County’s median household income is $93,299. These figures are significantly greater than that of State and National medians. More importantly, however, it should be noted that all Census Tracts saw an increase in median household income – more some than others. There seems to be a direct correlation between educational attainment levels and the lower (but still significant) median household income for Census Tract 2055.01.
The 1990 and 2000 Census reported that Lower Merion Township had 3.9 percent and 4.5 percent of its population below the poverty level, respectively. Similarly, 3.6 percent and 4.4 percent of Montgomery County’s population was below the poverty level. The highest poverty thresholds occurred in Census tract 2053 (1990) with 11.9 percent of the population below the poverty level, and in 2000, Census Tract 2050 had the highest percentage below the poverty level (19.7 percent).

The US Census Bureau reports that, in 2010, approximately 6 percent of the Township’s population is below the poverty threshold. This figure is significantly less than that of State (12.5%) and National (14.3%) percentages. The data, however, shows interesting and significant shifts in the reduction of poverty since 1990. While it is difficult to extrapolate why this has occurred, it is most likely due to an error in the data collection, the underreporting of numbers, and/or shifts of these low- and moderate-income households to areas where housing is cheaper and more affordable.

HUD provides information regarding the number of low- and moderate-income persons. Unfortunately, this data has not been substantially updated to account for 2010 census counts so the data still does not provide an accurate count for low- and moderate-income populations. The following table provides a review of low- and moderate-income persons by census tract within the Township. Based on 1990 Census data, HUD reports that there were 8,215 low- and moderate-income persons. Township-wide, 14.92 percent of the population was classified as low- and moderate-income. Census tract 2055.01...
contains the greatest number of low-income persons and census tract 2053 has the greatest percentage of its population classified as low-income.

2000 Census HUD data reports that there were 10,269 low-income persons, where updates indicate a similar count for 2010 (10,300). Township-wide, 18.6 percent (17.6 percent for 2010) of the population was classified as low- and moderate-income. As in 1990, census tract 2055.01 contains the greatest number of low-income persons and census tract 2053 has the greatest percentage of its population classified as low-and moderate-income in 1990, 2000, and 2010.

A comparison of the 1990, 2000, and 2010 low- and moderate-income data shows that the low income population has become far more evenly distributed throughout the Township, a further indication of non-discrimination in the sale and rental of housing in Lower Merion.

<table>
<thead>
<tr>
<th>Census Tract</th>
<th>Low/Mod Population</th>
<th>% Low/Mod Population</th>
<th>Low/Mod Population</th>
<th>% Low/Mod Population</th>
<th>Low/Mod Population</th>
<th>% Low/Mod Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>2043</td>
<td>288</td>
<td>12.20%</td>
<td>792</td>
<td>33.30%</td>
<td>756</td>
<td>33.45%</td>
</tr>
<tr>
<td>2044</td>
<td>445</td>
<td>13.50%</td>
<td>434</td>
<td>13.40%</td>
<td>434</td>
<td>13.42%</td>
</tr>
<tr>
<td>2045</td>
<td>494</td>
<td>12.30%</td>
<td>562</td>
<td>12.50%</td>
<td>562</td>
<td>12.63%</td>
</tr>
<tr>
<td>2046</td>
<td>339</td>
<td>7.60%</td>
<td>574</td>
<td>12.50%</td>
<td>575</td>
<td>12.46%</td>
</tr>
<tr>
<td>2047.01</td>
<td>192</td>
<td>9.50%</td>
<td>301</td>
<td>13.40%</td>
<td>302</td>
<td>13.47%</td>
</tr>
<tr>
<td>2047.02</td>
<td>701</td>
<td>19.80%</td>
<td>768</td>
<td>22.80%</td>
<td>768</td>
<td>22.82%</td>
</tr>
<tr>
<td>2048</td>
<td>236</td>
<td>4.60%</td>
<td>491</td>
<td>9.60%</td>
<td>492</td>
<td>9.66%</td>
</tr>
<tr>
<td>2049</td>
<td>413</td>
<td>9.40%</td>
<td>328</td>
<td>7.20%</td>
<td>328</td>
<td>7.19%</td>
</tr>
<tr>
<td>2050</td>
<td>429</td>
<td>26.60%</td>
<td>594</td>
<td>32.60%</td>
<td>596</td>
<td>32.75%</td>
</tr>
<tr>
<td>2051</td>
<td>662</td>
<td>37.90%</td>
<td>615</td>
<td>36.70%</td>
<td>615</td>
<td>36.74%</td>
</tr>
<tr>
<td>2052</td>
<td>233</td>
<td>8.60%</td>
<td>386</td>
<td>13.50%</td>
<td>386</td>
<td>13.48%</td>
</tr>
<tr>
<td>2053</td>
<td>758</td>
<td>41.60%</td>
<td>690</td>
<td>40.90%</td>
<td>693</td>
<td>41.10%</td>
</tr>
<tr>
<td>2054</td>
<td>755</td>
<td>13.60%</td>
<td>1,050</td>
<td>17.80%</td>
<td>1,055</td>
<td>17.86%</td>
</tr>
<tr>
<td>2055.01</td>
<td>1,212</td>
<td>34.30%</td>
<td>1,248</td>
<td>33.70%</td>
<td>1,252</td>
<td>33.76%</td>
</tr>
<tr>
<td>2055.02</td>
<td>690</td>
<td>12.00%</td>
<td>526</td>
<td>16.20%</td>
<td>526</td>
<td>16.18%</td>
</tr>
<tr>
<td>2055.03</td>
<td>327</td>
<td>14.70%</td>
<td>910</td>
<td>20.60%</td>
<td>914</td>
<td>20.69%</td>
</tr>
<tr>
<td><strong>Lower Merion Township</strong></td>
<td><strong>8,215</strong></td>
<td><strong>14.90%</strong></td>
<td><strong>10,269</strong></td>
<td><strong>18.60%</strong></td>
<td><strong>10,300</strong></td>
<td><strong>17.81%</strong></td>
</tr>
</tbody>
</table>


C. **EMPLOYMENT DATA**

In 2010, the Philadelphia-Camden-Wilmington, PA-NJ-DE-MD MSA had an annual unemployment rate of 8.1 percent, which was slightly higher than the state average of 7.2 percent (October 2011). The employment rate for Montgomery County alone is 6.3 percent, for the same year. Astoundingly, but not
surprisingly due to the high educational attainment levels in the Township, the US Census reports that the Township’s unemployment rate is only 2.7 percent.

**Unemployment is low and professional/managerial sector jobs are most prevalent within the Township.** The number of persons age 16 and over in the civilian workforce numbered 28,328 according to the 2008-2010 American Community Survey (ACS) estimates. Similar to the State’s trends, employment in the Educational services, health care, and social assistance are prominent. Unlike the State, Township employment is also prominent in the professional, scientific, and management, and administrative and waste management service industry but not as prominent in the construction and manufacturing sectors, as much of the Township employs white collar industry, as opposed to blue collar sector jobs.

<table>
<thead>
<tr>
<th>Industry</th>
<th>People Employed</th>
<th>Employed in this Industry within Township (%)</th>
<th>Employed in this Industry within State (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture, forestry, fishing and hunting, and mining</td>
<td>12</td>
<td>0.00%</td>
<td>1.20%</td>
</tr>
<tr>
<td>Construction</td>
<td>445</td>
<td>1.60%</td>
<td>6.10%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>1,421</td>
<td>5.00%</td>
<td>12.80%</td>
</tr>
<tr>
<td>Wholesale trade</td>
<td>745</td>
<td>2.60%</td>
<td>2.90%</td>
</tr>
<tr>
<td>Retail trade</td>
<td>1,674</td>
<td>5.90%</td>
<td>11.70%</td>
</tr>
<tr>
<td>Transportation and warehousing, and utilities</td>
<td>527</td>
<td>1.90%</td>
<td>5.20%</td>
</tr>
<tr>
<td>Information</td>
<td>924</td>
<td>3.30%</td>
<td>2.00%</td>
</tr>
<tr>
<td>Finance and insurance, and real estate and rental and leasing</td>
<td>2,684</td>
<td>9.50%</td>
<td>6.50%</td>
</tr>
<tr>
<td>Professional, scientific, and administrative and waste management services</td>
<td>5,191</td>
<td>18.30%</td>
<td>9.50%</td>
</tr>
<tr>
<td>Educational services, and health care and social assistance</td>
<td>11,235</td>
<td>39.70%</td>
<td>25.40%</td>
</tr>
<tr>
<td>Arts, entertainment, and recreation, and accommodation and food services</td>
<td>1,735</td>
<td>6.10%</td>
<td>7.90%</td>
</tr>
<tr>
<td>Other services, except public administration</td>
<td>1,123</td>
<td>4.00%</td>
<td>4.60%</td>
</tr>
<tr>
<td>Public administration</td>
<td>612</td>
<td>2.20%</td>
<td>4.10%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>28,328</strong></td>
<td><strong>100.00%</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>

*US Census Bureau American Community Survey, 2008-2010*
D. Housing Profile

Housing supply within the Township is ample and balanced. According to the 2000 U.S. Census, there are 23,699 housing units in the Township of Lower Merion, 96.5 percent of which (22,868 units) were occupied. This percentage of occupied units is higher than the national and Pennsylvania figures of 91.0 percent and is reflective of the Township’s attractive housing market. Creating conditions that address an ample and varied housing stock will become a critical aspect of supplying future demand and growth for the Township.

New 2006-2008 American Community Survey (ACS) data estimates the existence of 23,777 housing units, 94% of which (22,282) were occupied, representing a slight reduction in housing occupancy that more closely reflects that of the region but may very well be a response to recent housing market decline and swell of foreclosure rates – although foreclosure rates are not significant within the Township with only 30 REO properties currently on the market (December 2011). Furthermore, recent trends reflect the slowing of the local housing resale market, declining home prices, longer residential sales cycle and increased residential home inventory.

The ACS data identifies an increase of only 78 housing units since 2000, however information from the Lower Merion Department of Building and Planning indicates that there have been 504 permits for 4,465 housing units most of which were large condominium developments. These developments involved primarily the demolition of commercial property (i.e. a car dealership) or single homes for multi-family developments. This greatly increases housing density. These new condominium units are not considered “affordable” housing.

According to 2000 census data, of the total housing units existing within the Township, 17,255 (75.5%) of these units are owner-occupied, while 5,613 units (24.5%) are renter-occupied. The rate of home ownership in the Township is significantly higher than the national percentage (66.2%). This is representative of the Township’s resident life stage and financial prosperity, which create homeownership preferences over renting. While the balance between owner- and renter-occupied housing units has not changed dramatically within Montgomery County within the last 30 years, many more owner-occupied units have been added to the region’s housing stock.

Similarly, 2006-2008 ACS data continues to show this trend regardless of housing occupancy reductions. Of the 22,282 occupied units, 75.7% (16,871) of these units were owner-occupied, while renter-occupied units maintained its ratios at 24.3% (5,411). Comparatively, the number of owner-occupied units experienced a slightly larger decline than that of renter-occupied units over the eight (8) year period from 2000 to 2008 (3% decline for owner-occupied units; .96% decline for renter-occupied units). The introduction of over 4,000 new units to the housing stock should show significant differences when the 2010 Census data is released.

Currently, the Township’s market strikes a ‘balance’ of owner- and renter-occupied housing. It is suggested that communities approaching 50% or more renter-occupied units should explore methods of increased homeownership, whereas those with 85% or more owner-occupied units should consider methods of increasing rental opportunities. While the Township’s supply provides a fair balance, methods to provide varied housing opportunities should be an objective to meet future demand.

The number of units in a structure, otherwise known as housing type, summarizes the housing styles
and market preferences of Township, which vary from single-family detached units to multi-family dwelling structures and apartment complexes (20+ units). The table below shows the units per structure in the Township, compared to percentages for the Township:

There are relatively few duplex or small apartment type structures, as well as very few mobile homes. (The Township has indicated that according to the Codes Division there are no mobile homes in the Township.) The Township’s overwhelming large single-family home presence reflects the Township’s high-income population and may be reflective of large-lot zoning dominance.

Surprisingly, the Township has a large presence (as a percentage of total housing) of apartment complexes and/or townhome development.

ACS data conveys a similar trend for the number of units within any given structure and its distribution within the Township.

<table>
<thead>
<tr>
<th>UNITS IN STRUCTURE</th>
<th>Estimate</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total:</td>
<td>24,145</td>
<td>100%</td>
</tr>
<tr>
<td>1, detached</td>
<td>13,869</td>
<td>57%</td>
</tr>
<tr>
<td>1, attached</td>
<td>2,724</td>
<td>11%</td>
</tr>
<tr>
<td>2</td>
<td>553</td>
<td>2%</td>
</tr>
<tr>
<td>3 or 4</td>
<td>680</td>
<td>3%</td>
</tr>
<tr>
<td>5 to 9</td>
<td>791</td>
<td>3%</td>
</tr>
<tr>
<td>10 to 19</td>
<td>983</td>
<td>4%</td>
</tr>
<tr>
<td>20 to 49</td>
<td>1,094</td>
<td>5%</td>
</tr>
<tr>
<td>50 or more</td>
<td>3,436</td>
<td>14%</td>
</tr>
<tr>
<td>Mobile home</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Boat, RV, van, etc.</td>
<td>15</td>
<td>0%</td>
</tr>
</tbody>
</table>

U.S. Census Bureau, 2008-2010 American Community Survey

Oddly, the Township saw a small decline in the number of 1-unit (single family) homes, both attached and detached. Subsequently, the number of 2 to 19-unit structures saw a two (2) percent increase, which is the result of new major condominium developments. Most likely, this is not the result of conversions of large single family homes to multi-family rentals.

An examination of the number of rooms within a unit demonstrates a median of 7.1 rooms per dwelling unit. While 44.7 percent of units encompass approximately 4- to 7-rooms, there is a modest supply of small units (1 and 2 rooms). Approximately, 867 or 3.6% of the Township’s total housing units have 1 or 2 rooms. Compared to the Nation’s percentage of 7.0%, it appears that a large percentage of the Township’s housing stock is larger in size.
To the contrary, CHAS data provides that there are 16,122 small-related and elderly (one or two-person) households within the Township, which does not include the ‘other’ households of which many are students. It appears that many of these small and elderly households are residing in larger units. This may be in response to age trends where populations, particularly those of the baby boomer generation, age within their homes. It may also be reflective of the types of units available in the market – for instance, the 1990s saw a large increase in school-age children, putting pressure on schools and supporting the construction of more single-family detached homes than in the previous two-decades.

Subsequently, there are 7,529 units of 9- or more rooms (31.8% of the total) for large households, compared to 7.7 percent nationally. However, only 1,699 large households exist per the CHAS data, indicative of a significant supply of large units and a lack of overcrowding as a problem.

ACS suggests similar data, as the median continues to reflect 7.1 rooms per dwelling unit. Overall, there was a 1% increase in the percentage of small units (1 and 2 rooms), a slight reduction in 4- to 7-rooms within a unit thought still the dominant range and a slight 1% increase units of 9- or more rooms.

Across the area, estimated 24.16% or 5,437 households rented their home between 2005 and 2009. According to the U.S. Census Bureau, Lower Merion Township was home to rental units of the following bedroom sizes between 2005-2009.

Approximately, 82.1 percent of the Township’s housing units were constructed prior to 1970, which is much higher than the pre-1970 construction percentages of the County, State and Nation, which are 60.8%, 66.0% and 48.7% respectively. The median age of the units in the Township is approximately sixty (60) years old (circa 1948 construction date). This means that half of the existing housing units within the Township are fifty-five (55) years old or greater. As a result, rehabilitation and improvement of the units will continue to be an on-going problem and priority. Furthermore, the presence of lead-based paint continues to be a widespread concern. ACS data estimates that approximately 573 housing units were built between 2000 and 2005 or later (366 units from 2000-2004; 207 units from 2005-later).

The supply of housing is not increasing rapidly in Montgomery County according to figures from the HUD database. However, some the County’s greatest assets are the beauty and stability of its residential neighborhoods. Conserving and maintaining existing homes and neighborhoods is an important part of ensuring an adequate supply of housing to serve the needs of persons at difference life-cycle stages and different income levels. Land is scarce in Lower Merion and construction, especially of affordable units, has been modest. The Township must strategically position itself to provide affordable housing through rehabilitation, redevelopment and strategic infill development. An Affordable Housing Ordinance has

### Rental Units by Size

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lower Merion Township</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0 or 1 Bedroom</td>
<td>2,151</td>
<td>41.56%</td>
</tr>
<tr>
<td>2 Bedrooms</td>
<td>1,786</td>
<td>34.51%</td>
</tr>
<tr>
<td>3 or more Bedrooms</td>
<td>1,239</td>
<td>23.94%</td>
</tr>
<tr>
<td><strong>All</strong></td>
<td>5,176</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Montgomery County</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0 or 1 Bedroom</td>
<td>29,764</td>
<td>41.14%</td>
</tr>
<tr>
<td>2 Bedrooms</td>
<td>28,177</td>
<td>38.95%</td>
</tr>
<tr>
<td>3 or more Bedrooms</td>
<td>14,403</td>
<td>19.91%</td>
</tr>
<tr>
<td><strong>All</strong></td>
<td>72,344</td>
<td>100%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Pennsylvania</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0 or 1 Bedroom</td>
<td>452,222</td>
<td>34.62%</td>
</tr>
<tr>
<td>2 Bedrooms</td>
<td>489,931</td>
<td>37.51%</td>
</tr>
<tr>
<td>3 or more Bedrooms</td>
<td>364,058</td>
<td>27.87%</td>
</tr>
<tr>
<td><strong>All</strong></td>
<td>1,306,211</td>
<td>100%</td>
</tr>
</tbody>
</table>

**US Census American Community Survey 2005-2009**
been prepared for consideration by the Board of Commissioners. This Ordinance would require a percentage of new units to be affordable or contribute to a funds to construct affordable units.

**Median sales prices for housing with the Township are high – as are sales relative to other housing markets.** According to the Boxwood Means, Inc., a real estate research firm and value added reseller of residential and commercial data, median sales prices of existing single-family homes within the Township experience an insignificant decrease between 2007 and 2008 – due to the burst in the housing market. While the number of sales decreased somewhat, median sales prices maintained their high values. Re-emerging increases in sales was characteristic of the single-family market, which is uniquely situated in Lower Merion Township, and may have been attributed to the affects of the Federal homebuyer tax credit.

<table>
<thead>
<tr>
<th>Year</th>
<th>Lower Merion Township</th>
<th>Montgomery County</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of Sales</td>
<td>Median Sale Price</td>
</tr>
<tr>
<td><strong>2006</strong></td>
<td>889</td>
<td>$375,500 to $889,638</td>
</tr>
<tr>
<td><strong>2007</strong></td>
<td>866</td>
<td>$390,000 to $881,309</td>
</tr>
<tr>
<td><strong>2008</strong></td>
<td>675</td>
<td>$370,500 to $1,101,250</td>
</tr>
<tr>
<td><strong>2009</strong></td>
<td>564</td>
<td>$389,500 to $657,750</td>
</tr>
<tr>
<td><strong>2010</strong></td>
<td>673</td>
<td>$375,000 to $900,000</td>
</tr>
</tbody>
</table>

*Boxwood Means, Inc., 2006-2010*

The demand for housing in Eastern Pennsylvania has been consistently high for the last decade, driving prices upward in the process. The median sale price for an existing home in 2012 within the Township is $489,000.00. Like median sales prices, the actual number of home sales declined, as a result of the subprime mortgage lending crisis and the economic recession, but this was insignificant as compared to nation-wide statistics.

Aggregate housing prices provide a measure with which to understand the behavior of housing prices and their influence on the economy. These amounts represent the total dollar volume of sales that occurred in an area. For all areas with complete coverage, Boxwood Means, Inc. sums the home sale price for each transaction made within the time period and reports the total amount per year.

<table>
<thead>
<tr>
<th>Year</th>
<th>Lower Merion Township</th>
<th>Montgomery County</th>
<th>Percentage of County Sales</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Aggregate Home Sale</td>
<td>Aggregate Home Sale</td>
<td>Aggregate Home Sale</td>
</tr>
<tr>
<td></td>
<td>Amounts</td>
<td>Amounts</td>
<td>Amounts</td>
</tr>
<tr>
<td><strong>2006</strong></td>
<td>$505,956,937</td>
<td>$5,400,645,413</td>
<td>9%</td>
</tr>
<tr>
<td><strong>2007</strong></td>
<td>$472,901,553</td>
<td>$4,726,310,000</td>
<td>10%</td>
</tr>
<tr>
<td><strong>2008</strong></td>
<td>$382,920,555</td>
<td>$3,480,402,558</td>
<td>11%</td>
</tr>
<tr>
<td><strong>2009</strong></td>
<td>$280,887,615</td>
<td>$3,195,493,248</td>
<td>9%</td>
</tr>
<tr>
<td><strong>2010</strong></td>
<td>$348,454,134</td>
<td>$3,320,663,653</td>
<td>11%</td>
</tr>
</tbody>
</table>

*Boxwood Means, Inc., 2006-2010*

Overwhelmingly, the Township has contributed to about 10 percent of County-wide home sales, making it a significant player in the region’s housing market.
Residential Building Permits

The U.S. Department of Housing and Urban Development reported that single-family building permit authorizations in the Philadelphia-Camden-Wilmington, PA-NJ-DE-MD MSA Core Base Statistical Area dropped from a high of 21,080 in 2003 to 7,053 in 2010. Multi-family permit authorizations peaked in 2003 then dropped sharply in 2007, and again in 2009, with only 3,564 and 1,823 permits issued respectively – again, most likely a result of the subprime mortgage lending crisis and the economic recession.

<table>
<thead>
<tr>
<th>Units Authorized By Building Permits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Philadelphia-Camden-Wilmington, PA-NJ-DE-MD MSA</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
<tr>
<td><strong>Single Family</strong></td>
</tr>
<tr>
<td><strong>Multifamily</strong></td>
</tr>
<tr>
<td><strong>5+ Units</strong></td>
</tr>
</tbody>
</table>

(Source: Data Base: http://scohs.huduser.org/permits/summary.cdb)

Rental Housing and Housing Affordability

The table below shows the HUD fair market rent levels calculated for apartments of various sizes in the Township of Lower Merion (which is part of the Philadelphia-Camden-Wilmington, PA-NJ-DE-MD CBSA).

<table>
<thead>
<tr>
<th>HUD Fair Market Rents, FY 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Area Jurisdiction</strong></td>
</tr>
<tr>
<td><strong>Lower Merion Township</strong></td>
</tr>
</tbody>
</table>

(US Department of Housing and Urban Development, National Low Income Housing Coalition)

Based on this information, the table below provides annual and monthly wages that a single-person household would have to earn in order to afford a two-bedroom apartment priced at HUD FMR. Based on the 2012 median family income estimates, rental housing in these areas appears to be moderately affordable than in other real estate markets, with housing priced at Fair Market Rent levels affordable to families and households at or significantly below the median. This is also in consideration of the high-end housing available in the Township. As shown above, housing affordability would be a significant problem for a family of four at the very low income level (fifty percent of area median), with incomes of $40,750 or less.
In today’s especially restrictive mortgage market, many prospective homebuyers with incomes at or below median would be likely to have difficulty qualifying for financing, especially for households with poor credit histories. However, assuming the availability of mortgage financing and assuming that buyers obtain mortgages for which debt service does not exceed thirty percent of income, the mortgage amounts and associated home purchase prices that would be available to buyers within the income ranges associated with 100 percent, 80 percent, and 50 percent of median family income as characterized above.

According to the U.S. Census ACS, 2,301 renters in this area were cost burdened (paying more than 30% of their income towards rent) between 2005-2009. Of those renters, 28.47% were over the age of 65. Additionally, 45.55% of cost burdened renters earned less than $20,000 between 2005-2009.

Low-income households living in this high housing cost area face difficult challenges. It is more difficult for these households to meet monthly expenses, more difficult to maintain their homes, more difficult to save for a down payment for a home, and more difficult to qualify for a mortgage to purchase home,
especially in light of the rising prices of housing and the tight housing market.

As the Housing Market Analysis table in the Consolidated Plan shows, the Fair Market Rent (FMR) for a moderate sized unit is above the affordable rent for households at 50% of MFI ($892 FMR versus $853 affordable rent). Figures from the National Low Income Housing Coalition indicate that a minimum wage worker would have to work 108 hours per week to afford a one-bedroom apartment, and that the wage required to afford a two-bedroom apartment at the area’s fair market rent would be $17.15.

**Montgomery County Housing Authority (MCHA)**

Lower Merion Township does not have a public housing agency. The Montgomery County Housing Authority (MCHA) is the primary provider of assisted housing in the Township. While MCHA does not have a public housing complex within the Township they have a Project Based Voucher family housing complex, Ardmore Crossing in the Ardmore section of Lower Merion. In addition to this complex low income Township residents receive assistance through MCHA’s Housing Choice Voucher Program. Lower Merion Township does not provide financial support to MCHA, however the Township does supporting MCHA in any efforts to secure additional Housing Choice Vouchers and expanding assistance to residents of Lower Merion Township where possible.

The Township has reviewed the 5-Year and Annual Plans for MCHA and agrees with and supports the goals and objectives contained in these plans. Copies of the MCHA plans are on file with Lower Merion Township.

The Montgomery County Housing Authority has a Resident Advisory Board that creates opportunities for the residents to participate in the management and operation of the County’s public housing. The board has operated successfully for many years and there are no plans to change the existing structure. Representatives from all eight public housing complexes are encouraged to participate in Board meetings.

The Montgomery County Housing Authority’s Public Housing Program strategies for addressing housing needs continue to include:

1. Reduce turnover time for vacated public housing units
2. Reduce time to renovate public housing units
3. Seek replacement of public housing units lost to the inventory through mixed finance development
4. Leverage affordable housing resources in the community through the creation of mixed-finance housing
5. Adopt rent policies to support and encourage work
6. Employ admissions preferences aimed at families who live in the county, who are working, are elderly and disabled and who are veterans or surviving spouses of veterans
7. Employ effective maintenance and management policies to minimize the number of public housing units offline and to help preserve current housing stock
8. Carry out the modifications needed in public housing based on the section 504 Needs Assessment
9. Utilize HUD capital funding for modernization and development and seek alternate funding opportunities such as Affordable Housing Trust and Community Development
10. Block Grants
11. Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
12. Continue to consult with residents, the Resident Advisory Board and local government officials

III. Evaluation of Current Fair Housing Profile

This section of the Analysis of Impediments to Fair Housing provides a review of the existence of fair housing complaints or compliance reviews where a charge of a finding of discrimination has been made. Additionally, this section of the Analysis of Impediments to Fair Housing will review the existence of any fair housing discrimination suits filed by the Department of Justice or private plaintiffs in addition to the identification of other fair housing concerns or problems.

A. Existence of Fair Housing Complaints

HUD’s Office of Fair Housing and Equal Opportunity (FHEO) receive complaints by households regarding alleged violations of the Fair Housing Act. Since 2001, twenty one (21) fair housing complaints were filed in Lower Merion Township. The information below identifies the basis for the complaint.

Fair Housing Complaints in Lower Merion Township

A listing the Fair Housing Act complaints filed with HUD and the Fair Housing Rights Center of Southeastern Pennsylvania from 2001 in Lower Merion Township, as provided below. It includes the total number of complaints filed in the state, the date the complaint was filed, the issues related to the complaint, the basis under which the complaint was filed, the closure type, and the date the complaint was closed.

HUD only received one (1) complaint since 2001, which is detailed below:

The Philadelphia FHEO Title Eight Automated Paperless Office Tracking System (TEAPOTS) indicated that the only fair housing complaint documented in the system is from 2001. The complaint was not investigated because the complainant failed to cooperate. The case was filed against the Lower Merion Township Zoning and Codes.

Also, provided are the complaints filed with the Fair Housing Rights Center of Southeastern Pennsylvania.
## Fair Housing Rights Center in Southeastern Pennsylvania

### Complaint Data for Lower Merion 2006-2010

<table>
<thead>
<tr>
<th>Year</th>
<th>City</th>
<th>Protected Class</th>
<th>Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>Ardmore</td>
<td>Disability</td>
<td>FHRC confirmed with HUD that Ardmore House lawfully denied complainant housing because he had a mental health disability rather than a physical disability</td>
</tr>
<tr>
<td>2006</td>
<td>Ardmore</td>
<td>Disability</td>
<td>Statue of limitations passed</td>
</tr>
<tr>
<td>2006</td>
<td>Ardmore</td>
<td>Race</td>
<td>Referred complainant to HUD to file a complaint</td>
</tr>
<tr>
<td>2007</td>
<td>Merion</td>
<td>Familial status; Age</td>
<td>Sent notice to housing provider notifying them that they placed an illegal ad on Craigslist, which stated preference for &quot;young couple or single person&quot;</td>
</tr>
<tr>
<td>2007</td>
<td>Ardmore</td>
<td>Disability</td>
<td>Not a fair housing violation; complainant misunderstood the requirements for the housing application</td>
</tr>
<tr>
<td>2007</td>
<td>Ardmore</td>
<td>Familial status; Disability; Age</td>
<td>Sent notice to housing provider notifying them that they placed an illegal ad on Craigslist, which stated preference for &quot;young professional&quot; and housing provider changed the ad</td>
</tr>
<tr>
<td>2007</td>
<td>Ardmore</td>
<td>Disability</td>
<td>FHRC explained to the housing provider their responsibilities under Section 504 regarding reasonable modifications. FHRC sent a letter and informed Eldernet of 504 compliance</td>
</tr>
<tr>
<td>2007</td>
<td>Ardmore</td>
<td>Familial Status</td>
<td>Sent notice to housing provider notifying them that they placed an illegal ad, which stated preference for &quot;not child friendly&quot;</td>
</tr>
<tr>
<td>2007</td>
<td>Wynnewood</td>
<td>Disability</td>
<td>Reasonable accommodation request to allow a service animal was granted</td>
</tr>
<tr>
<td>2007</td>
<td>Ardmore</td>
<td>Race</td>
<td>Referred to Pennsylvania Human Relations Commission</td>
</tr>
<tr>
<td>2008</td>
<td>Bala Cynwyd</td>
<td>Race</td>
<td>FHRC provided education and a referral to the Pennsylvania Human Relations Commission</td>
</tr>
<tr>
<td>2008</td>
<td>Ardmore</td>
<td>Disability</td>
<td>FHRC requested a reasonable accommodation, which was denied. FHRC referred complainant to HUD</td>
</tr>
<tr>
<td>2008</td>
<td>Ardmore</td>
<td>Disability</td>
<td>Reasonable accommodation request for complaint not to be evicted was granted</td>
</tr>
<tr>
<td>2009</td>
<td>Ardmore</td>
<td>Disability; Age</td>
<td>Sent possibly discriminatory documents to private attorney for review</td>
</tr>
<tr>
<td>2010</td>
<td>Ardmore</td>
<td>Disability</td>
<td>FHRC contacted private attorney for assistance</td>
</tr>
<tr>
<td>2010</td>
<td>Ardmore</td>
<td>Disability</td>
<td>FHRC provided education on housing discrimination to complainant</td>
</tr>
<tr>
<td>2010</td>
<td>Ardmore</td>
<td>Disability</td>
<td>FHRC contacted private attorney for assistance</td>
</tr>
<tr>
<td>2010</td>
<td>Ardmore</td>
<td>Religion</td>
<td>FHRC provided education on housing discrimination to complainant</td>
</tr>
<tr>
<td>2010</td>
<td>Bryn Mawr</td>
<td>Disability</td>
<td>FHRC provided education on fair housing issues for people with disabilities</td>
</tr>
</tbody>
</table>

*Fair Housing Rights Center in Southeastern Pennsylvania, 2006 - 2010*
B. Existence of Fair Housing Discrimination Suits

There are no Fair Housing discrimination suits that have been filed and/or pending in Lower Merion Township.

IV. Identification of Impediments to Fair Housing Choice

This section of the Analysis of Impediments to Fair Housing will discuss the existing conditions within Lower Merion Township that limit the choice of fair housing among owners and renters of similar income levels. This analysis is based upon the collected data describing the seven protected classes and the demographic assessment conducted for the Township.

Identification of the barriers to fair housing is accomplished by analyzing the following:

A. Public sector actions; and
B. Private sector actions.

Both of these areas will be discussed in order to determine the existence of any impediments to fair housing in Lower Merion Township.

A. Public Sector

An important element of the Fair Housing Analysis involves an examination of public policy in terms of its impact on housing choice. Public sector decision makers exert a profound effect on housing opportunities. Such policies as land use and zoning determine the kind of housing that can be found in a community. Other policies such as the location of parks, schools, transportation routes, and services also affect the composition of housing.

From a regulatory standpoint, local government measures to control land use such as zoning and subdivision define the range and density of housing resources that can be introduced to a community. Housing quality standards are enforced through the local building code and inspections procedures.

From a budgetary standpoint, housing choice can be affected by the allocation of staff and financial resources to housing related programs and initiatives. The decline in federal funding opportunities for low-income housing has shifted much of the challenge of affordable housing production to state and local government decision makers.

Finally, a community's sensitivity to housing issues is often determined by people in positions of public leadership. The perception of housing needs and the intensity of a community's commitment to housing related goals and objectives are often measured by board members, directorships and the extent to which these individuals relate within an organized framework of agencies, groups, and individuals involved in housing matters. The expansion of housing choice requires a team effort, and public leadership and commitment is a prerequisite to strategic action.
The purpose of this section of the *Analysis of Impediments to Fair Housing* is to evaluate the public policies within the Township of Lower Merion and the potential for impediments due to those policies, and to determine opportunities for furthering the expansion of housing choice for the protected classes.

**Land Development Regulations and Development Standards and Fair Housing Access**

Land use regulations that affect the protected classes by acting as impediments to fair housing include:

- **X** Restrictive forms of land use that exclude any particular form of housing, particularly multi-family housing, or require inordinately large lot sizes that deter affordable housing development;

- **X** Restrictive definitions of family that impede unrelated individuals from sharing a dwelling unit; and;

- **X** Placing administrative and siting constraints on group homes.

Comprehensive zoning and subdivision regulations that are considerate of the protected classes should also provide for handicapped parking as a percentage of the total minimum parking requirements along with curb cuts with the handicapped parking.

A zoning ordinance primarily regulates: a) the uses of land and buildings, and b) the densities of development. Different types of land uses and different densities are allowed in various zoning districts. A zoning ordinance also regulates: the distance buildings can be placed from streets and lot lines, the heights and sizes of signs, and the amount of parking that must be provided by new development.

Zoning is primarily intended to protect existing residential neighborhoods from incompatible development. However, it also can be used to avoid traffic problems, improve the appearance of new development, preserve historic buildings, and protect important natural features.

The Pennsylvania Municipalities Planning Code ("MPC") provides municipalities with the authority to regulate development. The MPC establishes limits on the ways zoning can be used and requires that certain procedures are followed.

The following is a listing of each zoning district located within the Township that permits residential development:

1. RAA: Residence District
2. RA: Residence District
3. R1: Residence District
4. R2: Residence District
5. R3: Residence District
6. R4: Residence District
7. R5: Residence District
8. R6: Residence District
9. R6A: Residence District
10. R7: Residence District
11. Cl: Commercial District  
12. C1: Commercial District  
13. C2: Commercial District  
14. ASDD: Ardmore Special Development District  
15. ROHO: Rocky Hill Overlay District  
16. MUST: Mixed Use Special Transportation District  
17. BMV1, BMV2, BMV3 & BMV4: Bryn Mawr Village Districts  
18. M: Manufacturing / Industrial

The existing zoning provides a variety of opportunities to provide a mix of incomes and types of housing throughout the Township. Of the 20 districts (including all of the BMV Districts) that allow residential development, fourteen (14) districts permit the development of two-family and multi-family housing options. A majority of these districts are located in the southeastern, south and southwestern/western portions of the Township. With suitable lot size bulk standards, strategic location to transit and transportation corridors, and connection and proximity to jobs, these opportunities are appropriately located for fair housing opportunities for low- and moderate-income families, and other HUD protected classes.

Additionally, the Township has, and continues to explore, the enactment of an Affordable Housing Overlay Ordinance. The ordinance, which is currently in draft form, would be applied to commercial and mixed-use areas within the Township, with the intention to expand these provisions to residential districts once the Township gauges the success of the ordinance. Currently, municipalities do not have the authority to mandate affordable housing units in Pennsylvania. Until Township is authorized to mandate affordable housing, the Township will continue to look to utilize incentives to encourage the development of affordable housing within the Township.

**Additional Township Regulations**

The Township also has a Fair Housing ordinance in place in order to protect the health, safety and general welfare of the citizens and inhabitants of the Township of Lower Merion. This ordinance authorizes a comprehensive Fire Prevention Code and a comprehensive Housing-Property Maintenance Code, as to protect the rights and welfare of renters.

The Township’s Human Relations Commission ordinance also ensures that all persons, regardless of race, color, religious creed, ancestry, age, sex, national origin, handicap or disability, use of guide or support animals because of the blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of a person's sexual orientation, gender identity or gender expression, enjoy the full benefits of citizenship and are afforded equal opportunities for employment, housing, commercial property, and the use of public accommodations, deter discriminatory practices, as it relates to employment, housing, treatment, and public welfare.
School Quality and Fair Housing Access

The Lower Merion School District (LMSD), located in Philadelphia’s historic Main Line suburbs, serves the 62,000 residents of Lower Merion Township and the Borough of Narberth. The District's six elementary schools, two middle schools and two high schools provide a challenging, multi-disciplinary academic program and dynamic, co-curricular experience to more than 7,300 students.

Of the District's nine eligible schools, all have received recognition for excellence by the Commonwealth and seven have received the National Blue Ribbon Award for Excellence in Education. LMSD schools rank among the highest in Pennsylvania for SAT and PSAT scores, AP Participation rate, total number of National Merit Semifinalists, total number of International Baccalaureate diplomas granted and in numerous publications' "Top Schools" lists. Approximately ninety-four percent of high school graduates attend institutions of higher learning.

LMSD’s comprehensive instructional program encompasses an array of services for special needs and gifted children as well as community-based learning programs, extended daycare, early-intervention literacy support, an International Baccalaureate diploma program and a full menu of high school honors and AP courses. An extensive range of course offerings in core areas, music and the arts, technology and special subjects form the foundation of the District’s secondary curriculum. Themed, year-long middle school programs offer students enhanced opportunities to explore subjects through hands-on, interdisciplinary study and block scheduling. The District's World Languages program enables all students to receive uninterrupted foreign language instruction from second grade until the time they graduate from high school.

The District's professional staff consists of more than 630 full time teachers, 80% of whom have advanced degrees. The faculty is complemented by a support staff of more than 500 skilled individuals. A guidance counselor and psychologist are available in every school.

LMSD maintains one of the lowest class size averages in Pennsylvania. The student-to professional staff ratio at the secondary level is 11:1 and average class size in the District is approximately 21 students. In addition to providing a supportive teaching environment, the District offers one of the highest salaries and best benefits packages in Pennsylvania and extensive staff development opportunities.

Due to the exceptional quality of the Township’s school system, education is not perceived to be an impediment that would impact a person’s ability to reasonably access fair housing opportunities.

Hate Crime and Fair Housing Access

To a certain degree, hate crimes are an indicator of the environmental context for discrimination. In an attempt to determine the scope and nature of hate crimes, the Federal Bureau of Investigation’s (FBI) Uniform Crime Reporting program collects statistics on these incidents.

Over 6,000 hate crimes were reported nationally to the Federal Bureau of Investigation in 2010, but none of those instances occurred in Lower Merion, according to the FBI’s 2010 Hate Crime Statistics report. In fact, Lower Merion last reported hate crimes in 1996, when one race-based incident and two religion-based incidents occurred. Due to the lack of hate crimes, and the overall high safety
accommodation within the Township, crime does not seem to be an impediment to fair housing access for Lower Merion Township.

**Lead Paint and Fair Housing Access**

Lead-based paint poses a particular hazard to children under the age of six, and is the focus of efforts by HUD to raise awareness of the problem and mitigate or eliminate the hazard. Lead-based paint was banned in 1975, but housing constructed prior to that time typically contains lead-based paint to some degree.

Of the housing units located in the Township, nearly 90.1 percent of the total units in 2000 were constructed before 1980. However, studies have shown that the lead-based paint hazard lessens with newer construction. That is, a unit constructed between 1960 and 1979 has a 62 percent chance of having this hazard; units built from 1940 to 1959 have an eighty (80) percent chance; units built prior to 1940 have a ninety (90) percent chance. Using this formula, the Township has an estimated 17,000 housing units with the presence of lead-based paint in them.

Children under six are the persons most severely affected by lead poisoning. These children typically constitute about seven (7) percent of the population in an area. (However, because of the age breaks in the census data, we have had to use figures for children five and under.) On average the percentage of children under five in the Township of Lower Merion is approximately five (5) percent. An examination of the census data indicates that several census tracts in the Township of Lower Merion have a concentration of children in excess of that five (5) percent. The areas of overlay between the highest percent of pre-1960 housing and concentrations of children five or under includes the communities of Wynnewood, Penn Wynne, Belmont Hills, Penn Valley and portions of Bala Cynwyd. These overlap areas are ones that should receive priority in lead hazard mitigation efforts, both in terms of education and public awareness, and rehabilitation of older structures.

Though there is a significant number of units built before 1975, which can contain lead paint, the number of units affordable to low-income households is modest. It should be noted, however, that the lead-based paint hazard remains a significant problem for those households living in these units.

The greatest indicator of high risk of lead hazard is the condition of the housing unit. Housing that is not properly maintained has a higher risk of exposing lead hazards since it is more likely to suffer from paint chipping and flaking, as well as paint deterioration, as a result of moisture control problems from faulty plumbing, heating or roof leaks. Because housing units occupied by low-income households are more likely to suffer from neglect and improper maintenance, there is a greater likelihood that older housing stock occupied by lower income households may have a higher incidence of lead-based paint hazards. Low-income households with young children in contaminated housing are at higher risk of lead poisoning since small children are likelier to ingest paint flakes or chips.

The Township of Lower Merion has an estimated 815 units of housing that are affordable to low- and very low-income households that may contain high levels of lead-based paint. Children under 6, the persons most affected by lead poisoning, are concentrated in these areas.

Lead based paint hazard reduction has been integrated into the Township of Lower Merion's Owner Occupied Housing Rehabilitation Program as follows:
The Housing Rehabilitation guidelines comply with the lead based paint hazard regulations as stated in 24 CFR Part 35.

In homes where there are children under six years old, the owners are asked to have their children tested for elevated blood levels and to undergo a physical that should be sent to the school. A copy of the blood testing is inserted in the housing rehabilitation file. Home owners are referred to the Montgomery County Department of Health for testing.

When paint is disturbed in properties constructed prior to 1978, only a qualified contractor performs lead hazard reduction activities. The contractor must employ a certified lead-based paint abatement supervisor, or have employees certified in lead-based paint abatement. Certified testing companies perform a pre-rehabilitation risk assessment for lead-based paint hazards and post-rehabilitation clearance test for lead dust hazards.

Lead paint hazard reduction is an eligible rehabilitation activity under the Lower Merion Housing Rehabilitation Program.

The Township’s Housing Rehabilitation Program is periodically reviewed to determine if modifications to the types and/or terms of the assistance should be instituted.

Lead-based paint inspections are also conducted as part of the Township’s Home Purchase Program.

Lead poisoning through exposure to lead-based paint is addressed through participation in the Pennsylvania Childhood Lead Poisoning Prevention Program (CLPPP). This program is administered by the Montgomery County Health Department which performs blood lead screening tests on children six and under, focusing on children with the highest risk of being lead poisoned. Screening services are provided at the County Health Department’s two health centers and four community based sites. As part of CLPPP the Health Department also provides the following:

- Referral for diagnostic services and medical treatment
- Investigation of lead hazards in the homes of lead-poisoned children
- Technical assistance to property owners regarding the remediation of lead-based paint hazards
- Lead-based paint brochures are given to homeowners
- Community, professional and parent education regarding lead poisoning

Given the extensive efforts to ensure the abatement and protection of families living in homes built prior to 1978, it is not foreseen that lead paint hazards as an impediment to fair housing access. The Township, in conjunction with Montgomery County, and the State will continue to educate the public on the affects of lead paint on children.

**Section 3 and Fair Housing Access**

Section 3 is a provision of the Housing and Urban Development Act of 1968. The purpose of Section 3 to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, be directed to low- and very low income persons, particularly those who are recipients.
of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons.

The Township employs an Operation Manual to promote the use of Section 3 for CDBG-eligible activities. Specifically, the Community Development Division assists contractors with little or no experience in achieving Section 3 hiring and contracting goals by:

- Requiring the contractor to present a list, to the Section 3 Compliance Officer, of the number of subcontracting and/or employment opportunities expected to be generated from the initial contract.
- CO will provide the contractor with a list of interested and qualified Section 3 residents for construction projects.
- CO will provide contractor with a list of Section 3 business concerns interested and qualified for construction projects.
- CO will inform contractor of know issues that might affect Section 3 residents from performing job related duties.
- CO will review the new hire clause with contractors and subcontractors to ensure that the requirement is understood. It is not intended for contractors and subcontractors to terminate existing employees, but to make every effort feasible to employ Section 3 program participants before any other person, when hiring additional employees needed to complete proposed work to be performed with HUD (federal) funds.

The Township continues to employ these policies at pre-bid and pre-construction meetings with general contractors.

**Taxes and Fair Housing Access**

Taxes impact housing affordability. While not an impediment to fair housing choice, real estate taxes can impact the choice that households make with regard to where to live.

Pennsylvania is one of the 37 states that collect property taxes at both the state and local levels. As in most states, local governments collect far more. Pennsylvania’s localities collected $1,142.79 per capita in property taxes in fiscal year 2006, which is the latest year the Census Bureau published state-by-state property tax collections. At the state level, Pennsylvania collected $4.88 per capita during FY 2006, making its combined state/local property taxes $1,147.68, which ranks 20th highest nationally. The tax increases are also usually passed on to renters through rent increases. There is a need to reform tax policy in Pennsylvania to reduce impediments to housing choice. The communities often are populated by long-time residents, many of whom are older and in need of services. While the Township of Lower Merion is largely residential, there are some major commercial and institutional districts throughout the region and may provide some (but minor) tax relief to those municipalities with proportionally high property taxes.

Estimated at 10.2% of income, Pennsylvania's state/local tax burden percentage ranks 11th highest nationally, above the national average of 9.7%. Pennsylvania taxpayers pay $4,463 per capita in state and local taxes.
Real estate transfer taxes levied on the price of real property sold in the Township were consistently strong in booming years (2004–2006), and peaked in 2006 with record high collections of $4.8 million. Since then, this revenue has declined to $4.2 million in 2007, $3.2 million in 2008 and $2.0 million estimated for 2009. Recent real estate sale volume has increased with the new homeowner federal tax credit and lower housing prices. It is difficult to project if the housing market will stabilize in 2010; however, positive factors, including the national economy, mortgage financing availability and housing affordability will certainly influence the future real estate market.

Lower Merion Township assesses a property tax. The property tax in Lower Merion Township is in the middle range of millage rates charged by the municipalities in Montgomery County. The diversity of land uses in the community, including commercial uses, helps Lower Merion Township maintain moderate tax rates avoiding municipal property taxes from being an impediment to housing choice.

**Public Financing and Fair Housing Access**

For 36 years the Township of Lower Merion has funded a community development program with HUD CDBG funds. Funds are used for a variety of public services, planning, removal of architectural barriers, housing rehabilitation, non-profit service development, and improvements to public facilities and infrastructure that support housing and economic development throughout the Township. The community development program has served to benefit primarily low income persons in agreement with the statutory requirements.

The Township’s Community Development Division within the Department of Building & Planning has had the responsibility of administering the Community Development Block Grant (CDBG) Program.

The Lower Merion Township Consolidated Plan represents a vision for housing and community development. Included in the 2010-2014 Five-Year Plan are the Township’s goals, needs, strategies and projected resources to address those needs and specific projects. The general goals around which the Plan was written include:

- provision of decent, affordable housing
- provision of a suitable living environment
- expansion of economic opportunities
- increase homeownership among minorities
- assist the Continuum of Care to end chronic homelessness

**Housing and Community Development Priorities**

- **Housing**
  - Increase the supply of affordable rental housing units for elderly and other low income households.
  - Preserve the supply of rental units for the elderly and other low-income households.
  - Improve the safety of housing units for low and moderate income families in the Township.
  - Preserve and improve the condition of owner occupied low and moderate income housing.
  - Increase homeownership opportunities for lower income households.
  - Increase understanding and compliance with Fair Housing Laws.
• **Homeless and Special Needs Priorities**
  – Prevent premature institutionalization of elderly home owners and renters.
  – Improve accessibility for frail elderly and physically and mentally disabled.

• **Non-Housing Community Development Priorities**
  – Improve and expand public facilities and public services which serve low and moderate income families, seniors and youth.
  – Improve the infrastructure and general safety conditions in low income areas to increase safety and accessibility and to spur investment.
  – Support and expand affordable social, housing, transportation and health services for low income residents.
  – Increase viability of the Township’s business corridors.
  – Provide planning services and develop strategies to implement Housing and Community Development objectives.

The Township will continue to prioritize these goals, and its CDBG dollars to provide leveraging dollars for community development and fair housing activities.

**B. Private Sector**

**Real Estate Practices**

There are two local membership organizations for real estate brokers operating in the Philadelphia area to which Realtors in Lower Merion Township belong. Both the Montgomery County Board of Realtors (Board) and the Suburban West Realtors (Association) are open for membership to any persons regardless of race, color, national origin, sex, religion, handicap or familial status. Neither keeps statistics on the number of female-owned or minority-owned firms that are members.

Members of the Board and the Association are bound by the Code of Ethics of the National Association of Realtors. The Code of Ethics obligates members to maintain professional standards including affirmatively furthering fair housing. The Association enforces its Code of Ethics through a Disciplinary Commission consisting of members of the Association. In recent years the Disciplinary Commission has not reviewed a case involving a fair housing complaint. The Board and the Association report that they would refer any fair housing problem to the Pennsylvania Human Relations Commission. The Board and the Association each have an Affirmative Fair Housing Marketing Plan. In Pennsylvania licensed Realtors are required to complete continuing education requirements annually. The continuing education components include fair housing education.

The Board and the Association make available to their members a listing contract and agreement of sale as used by the Pennsylvania Association of Realtors. The contract and listing agreement contain the statement from the State Attorney General about obligations and rights in the area of fair housing under State and federal laws. The members are not required to use the listing contract and agreement of sale, but under State law, any listing contract and agreement of sale must include the statement.

The Association has an Equal Opportunity/Fair Housing Committee. The Committee conducts seminars for the Association educating its members on the Fair Housing Act. Seminars have involved advertising and financing and the Committee has invited speakers from HUD and industry representatives to make
presentations. In 2002, the Committee worked on a project to promote the advantages of good credit to high school seniors.

The Committee has worked with TREND, the multi-list service that serves the Delaware Valley, to expand the options on the listing that describe modifications and features in sales units that support the disabled. The Committee took the initiative to work with TREND because members of the Association found that the system used by TREND was not descriptive enough. Also including the information in the listing, it will allow the members to better serve the consumers.

The Board and the Association indicate that they are often a first point of contact regarding complaints about real estate practices in Lower Merion Township.

**Private Financing**

Because credit history is a major reason for denial of home mortgage applications in the Township of Lower Merion, it is expected that there may be opportunities for the banks to focus on the problem and work with applicants to address the on-going concern of problems with credit history. The following are actions that lenders need to consider to assist with reduction of the denial of home mortgage applications based on credit history:

- The lenders should share with the applicant the specific information on the credit report on which the denial was based.
- The lenders should give the applicant the opportunity to investigate questionable credit information prior to denial of a home mortgage application by the bank.
- The lenders should allow the applicants to offer alternative credit references in lieu of the standard traditional references.
- The lenders should take the unique credit practices of the various cultures into account when considering applications.
- The lenders should refer applicants for credit counseling or other readily available services in the community.

According to 2011 HMDA data, 13,215 loans originated for the purposes of purchasing, refinancing and improving housing units at an aggregate amount of 4.6 billion dollars between 2004 and 2009. The costs of these loans ranged anywhere from $124,000 to $528,000. Approximately, 5,093 (38.5%) loans originated for the purpose of purchasing a home; 6,978 (52.8%) loans originated for the purpose of refinancing a home; and 1,144 (8.6%) loans originated for home improvement.

In 2009, 2,410 of home loans were originated in Lower Merion Township. Please note that the 2009 HMDA data reflect the ongoing trauma in the housing and mortgage markets. Additionally, the high incidence of FHA lending activity in 2009 will be apparent in the government-insured home loan data.

A loan is considered high-cost when there is a rate spread reported. In the fourth quarter of 2009, HMDA changed its rules for reporting rate spreads in an effort to more accurately capture the current high-cost lending activity. Therefore, data provided separates the first three quarters of 2009 from the last quarter of 2009. Change calculations between previous years and 2009 should not be made due to the omission of the fourth quarter of data.
For 2004-2009Q3, the rate spread on a loan was the difference between the Annual Percentage Rate (APR) on the loan and the treasury security yields as of the date of the loan’s origination. Rate spreads were only reported by financial institutions if the APR was three or more percentage points higher for a first lien loan, or five or more percentage points higher for a second lien loan. A rate spread of three or more suggested that a loan was of notably higher cost than a typical loan.

For 2009Q4, the rate spread on a loan is the difference between the Annual Percentage Rate (APR) on the loan and the estimated average prime offer rate (APOR). Rate spreads are only reported by financial institutions if the APR is more than 1.5 percentage points higher for a first lien loan, or more than 3.5 percentage points higher for a second lien loan. For the purposes of this analysis, and due to the lack of 2009Q4 data, only 2004-2009Q3 data is provided.

High-Cost Lending 1.46% of loans originated in Lower Merion Township were high-cost loans in the first three quarters of 2009, compared to 5.69% of loans in Pennsylvania.

Of the 653 high cost loans originated between 2004 and 2009, approximately 192 high-costs loans (29.4%) were used for purchase (17 used for government-insured purchase and 191 used for conventional purchase). Approximately, 399 high-cost loans (61.1%) were issued for refinancing and 62 high-cost loans (9.4%) were used for home improvement. Of the total, nearly 59.98% of all high-cost loans were originated to White applicants. A majority of these loans also went to borrowers who had a gross income of 120% or greater than the MSA median income; followed by households whose median income were between 80% and 120% of the MSA median income.
<table>
<thead>
<tr>
<th>Loans to Whites</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009Q1 - 2009Q3</th>
<th>2009Q4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Loans</td>
<td>43</td>
<td>67</td>
<td>83</td>
<td>47</td>
<td>24</td>
<td>22</td>
<td>0</td>
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<td>Median Loan Amount</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Percent of Loans to Whites</td>
<td>2.56%</td>
<td>4.16%</td>
<td>6.52%</td>
<td>4.77%</td>
<td>2.43%</td>
<td>1.28%</td>
<td>0%</td>
</tr>
<tr>
<td>Percent of High-Cost Loans</td>
<td>52.44%</td>
<td>50%</td>
<td>60.53%</td>
<td>55.29%</td>
<td>88.83%</td>
<td>68.75%</td>
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<tr>
<th>Loans to African Americans</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009Q1 - 2009Q3</th>
<th>2009Q4</th>
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<tr>
<td>Number of Loans</td>
<td>8</td>
<td>14</td>
<td>18</td>
<td>11</td>
<td>2</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Median Loan Amount</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Percent of Loans to African</td>
<td>10.39%</td>
<td>22.95%</td>
<td>25.71%</td>
<td>20%</td>
<td>7.63%</td>
<td>8.57%</td>
<td>0%</td>
</tr>
<tr>
<td>Percent of High-Cost Loans</td>
<td>9.76%</td>
<td>10.45%</td>
<td>13.14%</td>
<td>12.94%</td>
<td>7.41%</td>
<td>9.38%</td>
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<th>Loans to Asians</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009Q1 - 2009Q3</th>
<th>2009Q4</th>
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<tr>
<td>Number of Loans</td>
<td>2</td>
<td>4</td>
<td>5</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>N/A</td>
</tr>
<tr>
<td>Median Loan Amount</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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</tr>
<tr>
<td>Percent of Loans to Asians</td>
<td>2.2%</td>
<td>4.4%</td>
<td>7.56%</td>
<td>3.7%</td>
<td>0%</td>
<td>0.9%</td>
<td>N/A</td>
</tr>
<tr>
<td>Percent of High-Cost Loans</td>
<td>2.44%</td>
<td>2.99%</td>
<td>3.65%</td>
<td>2.95%</td>
<td>0%</td>
<td>3.15%</td>
<td>N/A</td>
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</table>

<table>
<thead>
<tr>
<th>Loans to Hispanics</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009Q1 - 2009Q3</th>
<th>2009Q4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Loans</td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Median Loan Amount</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Percent of Loans to Hispanics</td>
<td>0%</td>
<td>7.14%</td>
<td>11.11%</td>
<td>9.52%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Percent of High-Cost Loans</td>
<td>0%</td>
<td>0.75%</td>
<td>2.13%</td>
<td>2.35%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Loans to Nonhispanics</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009Q1 - 2009Q3</th>
<th>2009Q4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Loans</td>
<td>44</td>
<td>89</td>
<td>111</td>
<td>68</td>
<td>27</td>
<td>27</td>
<td>1</td>
</tr>
<tr>
<td>Median Loan Amount</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Percent of Loans to Nonhispanics</td>
<td>2.7%</td>
<td>5.08%</td>
<td>7.88%</td>
<td>5.38%</td>
<td>2.5%</td>
<td>1.4%</td>
<td>0.52%</td>
</tr>
<tr>
<td>Percent of High-Cost Loans</td>
<td>53.66%</td>
<td>66.42%</td>
<td>81.02%</td>
<td>80%</td>
<td>100%</td>
<td>84.38%</td>
<td>100%</td>
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</table>

PolicyMap contains HMDA data for 2004 through 2009. The 2003 HMDA data reflect the ongoing difficulties in the housing and mortgage markets that began appearing in 2007. Users will find sharp decreases in originations, regardless of race, ethnicity or income. Users will also see an understated decline in higher priced loans (those PolicyMap previously classified as subprime and now classifies as high cost) as a result of widening rate spreads. Additionally, the higher incidence of FHA lending activity in the second half of 2008 and the entire year of 2009 will be apparent in the government-insured home loan data. For more information and analysis of the 2008 HMDA data, see the published draft of an article that is forthcoming in the Federal Reserve Bulletin, available at http://www.federalreserve.gov/pubs/bulletin/2010/pdf/2009_HMDA_final.pdf.
C. Public and Private Sector

Fair Housing Enforcement

In addition to the Fair Housing Act, the Pennsylvania Human Relations Commission enforces commonwealth laws that prohibit discrimination: the Pennsylvania Human Relations Act, or PHRA, which encompasses employment, housing, commercial property, education and public accommodations; and the Pennsylvania Fair Educational Opportunities Act, or PFEOA, which is specific to postsecondary educational institutions and secondary and postsecondary vocational, secretarial, business and trade schools. In the State of Pennsylvania, the Human Relations Act also includes the protected class of Age (for those over 40). In this area, the Cities of Reading and Philadelphia also have local coverage and include other protected classes such as Marital Status, Sexual Preference and Source of Income. It is wise to determine if your state or locality has its own Human Relations Act that includes different protected classes.

Per the PHRC, all single family homes are covered by the act when they are owned by private persons and a real estate broker is used, and all single family homes owned by corporations or partnerships regardless of whether a broker is used. As previously noted, all Multifamily dwellings are covered by the Act, including townhouse and condominium communities. There are two exceptions to this rule. The first is called the “Mrs. Murphy’s exemption.” This exemption states that if the dwelling has four or less units and the owner lives in one of the units, it is exempt from the Fair Housing Act. The second is for qualified senior housing which is exempt only from the Familial Status provision of the act. To be a qualified senior community you must meet the following standards: either 100% of the community is 62 or older, or 80% of the households have at least one resident 55 or older. None of this housing is exempt from section 804(c) of the Act which states that you cannot make, print or publish a discriminatory statement. Any exempt housing that violates 804(c) has lost that exemption and can be held liable under the Act. Housing run by religious organizations and private clubs that limit occupancy solely to members, as long as the organization does not discriminate based on race, is also considered a valid exemption under the Act.

Informational Programs

Lower Merion Township will continue to invest in fair housing education and outreach. To ensure that fair housing is fully integrated into its housing, especially those most affected by housing discrimination, the Township intends to:

- Expand on-going housing education programs for housing providers, consumers, and local government officials about fair housing laws, right, and responsibilities. These workshops should occur at varying times throughout the year and should specifically relate to persons with disabilities and families with children.
- Integrate fair housing educational programs into CDBG workshops so that housing education information related to protected classes, especially immigrants, families, persons with disabilities and people of color is disseminated.
- Raise awareness/increase education programs on Federal Fair Housing Act and State Law Against Discrimination.
- Ensure fair housing informational resources are made available to community partners to facilitate their ability to affirmatively further fair housing.
- Ensure that translated fair housing materials are available to immigrant groups.
- Increase fair housing information and links to fair housing laws/programs on the Township’s web site.
- Advocate with newspapers, real estate organizations, and housing providers to increase accessibility to fair housing internet resources on their web sites and to display fair housing information/resources in their offices.
- Increase educational efforts to homeless and transitional shelters to ensure compliance with fair housing laws.
- Work with Real Estate professionals to ensure that Fair Housing information is distributed to customers.
- Work with landlords to provide Fair Housing information to tenants as part of unit certification process.
- Place housing brochures and posters in public buildings, service agencies, libraries, and any other places where the public may find information on services.

**Visibility in Housing**

The Township’s website (www.lowermerion.org) provides information about the Township’s CDBG Consolidated Plan, One-Year Action Plan and the Analysis of Impediments and actions to address those impediments. This is just one tool in improving the Township’s ability to communicate key housing, community development and fair housing information.

The Township must also raise its fair housing visibility through public outreach. The Township and its local fair housing agency partners will continue to conduct presentations and distribute information about fair housing, through elementary schools, public libraries, affordable housing providers and community/recreation centers. One suggestion is to develop a small brochure to be placed near public use computers in libraries, computer rooms in housing developments, and in churches, containing links to the Township, and local fair housing agency websites. Another idea is to place advertisements/public service announcements in the real estate section of the newspaper, asking “Have you faced discrimination in trying to find housing to rent or buy?” along with the number to call to report potential discrimination.

**V. SUMMARY OF FINDINGS**

- The Township continues to experience a gradual, net population loss. According to the 2010 US Census, the Township’s population is 57,825. Lower Merion Township has experienced a net population decrease over the last 40 years.
- The Township is slowly becoming more diversified. The percentage of White persons is slightly above State and National percentages, as are American Indian and Native Alaskan populations. While, minority populations are much lower than State and National averages, significant increases in Asian populations have diversified several portions of the Township.
- Minority concentrations are strategically located around transit stops.
- The Southeastern Pennsylvania Transit Authority (SEPTA) provides public transit including commuter rail and bus in Lower Merion Township. SEPTA’s service throughout Lower Merion Township provides residents with convenient public transit to locations throughout the Township and the region. Supplemental transportation services are available locally through ElderNet.
- Not one specific Census Tract boundary is considered to be an area of minority or ethnic concentration, that is 10% above the Township wide average.
- Nearly 12 percent (6,921) of the Township’s population is considered Foreign Born.
- Only 2.7 percent of those populations that speak other than English at home speak English less than very well.
- Married families dominate Township household makeup.
- The 2005-2009 ACS reported 18,963 households in Lower Merion Township. There were 1,005 female-headed households in Lower Merion Township representing 5.24 percent of all households in the community. Census tract 2055.01, with 9.95 percent, contained the greatest percentage of female-headed family households in any given Census Tract.
- An examination of the low and moderate income and minority areas of the Township shows a correlation with the percent of Female Headed Households, but no correlation to the percentage of Families with Children.
- The Township is home to many children and families.
- Township residents (25 years and older) are highly educated.
- Disabled populations continue to be prevalent within the Township.
- The Township’s median household and per capita incomes continue to be one of the highest in the nation, where the Township’s median household income in 2010 was $151,870.
- The US Census Bureau reports that, in 2010, approximately 6 percent of the Township’s population is below the poverty threshold.
- A comparison of the 1990, 2000, and 2010 low- and moderate-income data shows that the low income population has become far more evenly distributed throughout the Township, a further indication of non-discrimination in the sale and rental of housing in Lower Merion.
- Unemployment is low and professional/managerial sector jobs are most prevalent within the Township.
- US Census reports that the Township’s unemployment rate is only 2.7 percent.
- Similar to Pennsylvania trends, employment in the educational services, health care, and social assistance are prominent.
- Housing supply within the Township is ample and balanced.
- According to the 2006-2008 ACS data, of the 22,282 occupied units, 75.7% (16,871) of these units were owner-occupied, while renter-occupied units maintained its ratios at 24.3% (5,411).
- The Township saw a small decline in the number of 1-unit (single family) homes, both attached and detached. Subsequently, the number of 2 to 19-unit structures saw a two (2) percent increase, which is the result of new condominium developments. This is not the result of conversions of large single family homes to multi-family rentals. The decline of single-family homes was due to the demolition of the Bryn Mawr Hospital, of which 30-40 single-family homes were demolished.
- Approximately, 867 or 3.6% of the Township’s total housing units have 1 or 2 rooms. Compared to the Nation’s percentage of 7.0%, it appears that a large percentage of the Township’s housing stock is larger in size.
- The median age of the units in the Township is approximately sixty (60) years old (circa 1948 construction date).
- Median sales prices for housing within the Township are high – as are sales relative to other housing markets.
- According to the Boxwood Means, Inc., a real estate research firm, median sales prices of existing single-family homes within the Township experienced an insignificant decrease between
2007 and 2008 due to the burst in the housing market. While the number of sales decreased somewhat, median sales prices maintained their high values.

- There is little vacant land in Lower Merion Township making the cost of land in the desirable community a major contributor to the housing prices. High land costs and the limited land available for new development limit the ability to develop affordable housing in Lower Merion Township.
- The median sale price for an existing home within the Township’s 2012 Budget Report is $489,000.00. Like median sales prices, the actual number of home sales declined, as a result of the subprime mortgage lending crisis and the economic recession, but this was insignificant as compared to nation-wide statistics.
- The Township has contributed to about 10 percent of County-wide home sales, making it a significant contributor in the region’s housing market.
- According to the U.S. Census ACS, 2,301 renters in this area were cost burdened (paying more than 30% of their income towards rent) between 2005-2009. Of those renters, 28.47% were over the age of 65. Additionally, 45.55% of cost burdened renters earned less than $20,000 between 2005-2009.
- HUD has only received one (1) fair housing complaint for Lower Merion Township since 2001. This case was dismissed because the complainant failed to cooperate.
- From 2006 to 2010 the Fair Housing Rights Center in Southeastern Pennsylvania investigated nineteen (19) complaints regarding fair housing in Lower Merion Township. A majority of the complaints related to disability. While some were resolved, many were referred to the Pennsylvania Human Relations Commission and/or HUD. Other instances included private attorney consultation and/or educational services.
- The existing zoning provides a variety of opportunities to provide a mix of incomes and types of housing throughout the Township.
- Lower Merion Township Zoning Code permits a variety of residential land uses at various densities.
- Home Purchase Program partnered with non-profits.
- Lower Merion Township’s Human Relations Commission passed December of 2010.
- Lower Merion Township’s rental license renewal contains Fair Housing Rights information.
- Resources for Human Development regulates 43 community units and 4 service offices throughout Lower Merion Township.
- Ardmore House is considering adding an additional 25 units if approved and funded.
- There are approximately 97 Montgomery County Housing vouchers for Lower Merion Township
- LMUSD schools rank among the highest in Pennsylvania for SAT and PSAT scores, AP Participation rate, total number of National Merit Semifinalists, total number of International Baccalaureate diplomas granted and in numerous publications’ "Top Schools" lists. Approximately ninety-four percent of high school graduates attend institutions of higher learning.
- Over 6,000 hate crimes were reported nationally to the Federal Bureau of Investigation in 2010, but none of those instances occurred in Lower Merion, according to the FBI’s 2010 Hate Crime Statistics report.
- The Township has an estimated 17,000 housing units with the presence of lead-based paint in them based on broad-statistical assumptions.
- The diversity of land uses in the community, including commercial uses, helps Lower Merion Township maintain moderate tax rates and avoiding municipal property taxes from being an impediment to housing choice.
There are two local membership organizations for real estate brokers operating in the Philadelphia area to which Realtors in Lower Merion Township belong. Both the Montgomery County Board of Realtors (Board) and the Suburban West Realtors (Association) are open for membership to any persons regardless of race, color, national origin, sex, religion, handicap or familial status.

According to 2011 HMDA data, 13,215 loans originated for the purposes of purchasing, refinancing and improving housing units at an aggregate amount of 4.6 billion dollars between 2004 and 2009. The costs of these loans ranged anywhere from $124,000 to $528,000. Approximately, 5,093 (38.5%) loans originated for the purpose of purchasing a home; 6,978 (52.8%) loans originated for the purpose of refinancing a home; and 1,144 (8.6%) loans originated for home improvement.

High-Cost lending, due to credit, 1.46% of loans originated in Lower Merion Township were high-cost loans in the first three quarters of 2009, compared to 5.69% of loans in Pennsylvania.

Of the 653 high-cost loans originated between 2004 and 2009, approximately 192 high-cost loans (29.4%) were used for purchase (17 used for government-insured purchase and 191 used for conventional purchase). Approximately, 399 high-cost loans (61.1%) were issued for refinancing and 62 high-cost loans (9.4%) were used for home improvement. Of the total, nearly 59.98% of all high-cost loans were originated to White applicants. A majority of these loans also went to borrowers who had a gross income of 120% or greater than the MSA median income; followed by households whose median income were between 80% and 120% of the MSA median income.

A majority of high-cost loans went to White and non-Hispanic applicants.

Lower Merion Township has adopted regulations to support the creation of group homes for the handicapped in the community.

Lower Merion Township continues to use its CDBG funds to support a variety of community development, housing, and economic development activities.

The Township’s Residential Rehabilitation Program continues to benefit members of the protected classes in a greater proportion to their representation in Lower Merion Township’s population. CDBG funds have been provided to activities that directly benefit members of the protected classes.

Lower Merion Township funds adaptive modifications as part of its Residential Rehabilitation Program.

Lower Merion Township uses CDBG funds, through the Fair Housing Rights Center in Southeastern Pennsylvania, to conduct fair housing education including education to housing consumers and landlords, outreach, referral, follow-up and complaint investigation. While activities are available to all residents in the community, through its education and outreach programs, Lower Merion Township has targeted members of the protected classes. Recognizing that much of the fair housing problem in the Township affects renters, Lower Merion has also directed activities to landlords and tenants.

Fair Housing Information is posted on the Lower Merion Township’s website.

Many of these findings informed the identification of the impediments to fair housing access, as well as those actions identified to resolve them.
VI. DETERMINATION OF UNLAWFUL SEGREGATION

There has been no determination of unlawful segregation or other housing discrimination by a court or a finding of noncompliance by HUD under Title VI of the Civil Rights Act of 1964 or Section 504 of the Rehabilitation Act of 1973 by Lower Merion Township. Additionally, the Secretary has not issued a charge under the Fair Housing Act regarding assisted housing in Lower Merion Township.

VII. SIGNATURE PAGE

By my signature I certify that the Analysis of Impediments to Fair Housing is in compliance with the intent and directives of the Community Development Block Grant program regulations.

Douglas S. Cleland, Township Manager
Lower Merion Township, Pennsylvania

Date