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ANALYSIS OF IMPEDIMENTS FOR GUAM, 2019

Prepared for Guam Housing and Urban Renewal Authority

April, 2020



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April 30, 2020

Mr. Ray S. Topasna
Executive Director
Guam Housing and Urban Renewal Authority
117 Bien Venida Avenue
Sinajana, Guam, 96910

Dear Mr. Topasna:

We are pleased to present this report on the Guam Analysis of Impediments to Fair Housing Choice 2019. The study was designed to fulfill HUD requirements for an AI study. It covers all areas of investigation and provides a summary of fair housing issues as they relate to policy development for Guam.

The report differs from past AI studies conducted for Guam because we have adopted the spirit of the Affirming Fair Housing (AFH) Tool in our approach using Guam local data in the absence of HUD data. Within our approach we have concentrated on the fundamentals of Fair Housing infrastructure on Guam. We hope our comments are useful to GHURA and acceptable to HUD.

In addition to documenting impediments to Fair Housing on Guam, this report also summarizes the GHURA's plans for improving the fair housing outlook on Guam and for monitoring progress in the next five years.

We look forward to working with you again in the future.

Sincerely,

James E. Dannemiller
President

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CONTENTS

ACKNOWLEDGEMENTS	VII
I. INTRODUCTION	1
BACKGROUND	1
PURPOSE	1
A. Approach	1
B. Method	2
1. Data Collection	3
2. Community Participation/Engagement Process	4
a. Stakeholder Interviews	4
b. Public Meetings	4
c. Facebook Page and Public Input Survey.....	5
II. FAIR HOUSING POLICY REVIEW	8
A. Guam Housing Planning Priorities	8
1. Fair Housing Law on Guam	8
2. Department of Justice Lawsuit.....	10
3. Tenant Screening and Criminal History Laws.....	11
B. Publicly Funded Housing Programs	11
1. GHURA Public Housing	11
2. HUD Funded Housing Programs and Funds	12
a. Housing Choice Vouchers	12
b. Community Development Block Grant Program.....	13
c. Emergency Solution Grants.....	14
d. HOME	14
e. Housing Trust Fund	Error! Bookmark not defined.
f. NOFA Competitive Grants	14
C. Assessment of Past Goals, plans, and Strategies	15
1. Guam Analysis of Impediments, 2011	15
2. Guam CAPERs, 2012 – 2015.....	16
3. 2015 Guam Consolidated Plan and CAPERs 2015 – 2018.....	17
D. Enforcement	20
1. GHURA Procedures	20
2. HUD Procedures.....	20
3. Guam Fair Housing Law Procedures.....	20
4. Testing.....	21
5. Education and Training.....	21
III. COMMUNITY ENGAGEMENT	23

A. Perspectives from Stakeholders	23
1. Stakeholder Interviews	23
B. Perspectives from residents	26
1. Housing Need	26
2. Equal Access to Amenities	26
3. Fair Housing	28
4. Barriers to access to affordable housing	29
IV. GUAM COMMUNITY PROFILE	32
A. Population Distribution	32
B. Guam Housing Profile	33
C. PROTECTED CLASSES	36
1. Place of Birth	36
2. Gender	36
3. Family Status	37
4. Marital Status	38
5. Disability	38
6. Religion	39
D. Military Presence	39
V. ETHNICALLY CONCENTRATED AREAS OF POVERTY (R/ECAP).....	42
A. An Ethnic Dissimilarity Index	42
1. Profile Analysis	43
2. Comment on Data.....	45
B. Poverty Index	45
1. Profile Analysis	47
2. RECAP Municipalities	48
VI. ACCESS TO HOUSING	51
A. Housing Data.....	51
1. Housing Cost	51
2. Tenure	52
3. Doubling Up	53
4. Shelter-to-Income Ratios	54
5. Access to Affordable Housing.....	56
B. Beneficiaries of Housing Programs	56
1. Public Housing Program	57
2. Section 8 Voucher Program.....	60
3. Ethnicity of Homeless Persons	62
4. Location Data.....	63
VII. ACCESS TO OPPORTUNITY	64
A. Education	64

1. Access to Quality Schools	64
2. Private and Post-secondary Education Costs	66
3. Jobs and Employment	66
4. Transportation.....	67
5. Environmental Health	69
a. Air Quality on Guam	69
b. Water Quality on Guam	69
6. Access to Broadband Internet	71
7. Banking and Financing	72
VIII.ACCESS FOR PERSONS WITH DISABILITIES	74
A. Disabled Population	74
B. Accessible Housing and housing resources	74
C. Access to Public Services	75
D. In-home and Residential Support Programs.....	76
IX. COMPLAINT AND REGULATORY REVIEW	78
A. Federal and Territorial Fair Housing Laws and Enforcement.....	78
1. Fair Housing Complaints Filed.....	78
2. Fair Housing Law Violations	79
3. Other Legal Resources.....	80
4. Survey Findings	80
B. Zoning Regulations	81
X. FACTORS, PRIORITIES, AND RECOMMENDATIONS	83
A. Fair Housing Issues and Contributing Factors.....	83
B. Prioritization.....	86
C. Fair housing goals and action steps.....	89
XI. APPENDIX	93
APPENDIX A: Distribution of Protected Classes	94
1. Gender.....	94
2. Family Status	95
3. Disability	96
4. Religion.....	96
5. Place of Birth	97
6. Military Presence	97
Appendix B: Content of a typical client training session	98
Appendix C: Public Input Survey Data	99
Appendix D: Guam Fair Housing Law.....	106
Appendix E: Bibliography	110

LIST OF TABLES

Table 1: Public Input Survey Geographic Distribution	6
Table 2: Respondent’s Race/Ethnicity	7
Table 3: Respondent’s Language at Home	7
Table 4: Disabled Person in Household.....	7
Table 5: Public Housing Facilities, Guam, 2019	12
Table 6: HUD Funding, 2018	12
Table 7: Housing Choice Vouchers (2019)	13
Table 8: CDBG Funding Allocations	13
Table 9: NOFA Funding Awards, 2018	15
Table 10: Results from Table VR-05, Fair Housing Component, 2015-2018	19
Table 11: Perceived Housing Need by Type	26
Table 12: Equal Availability of Services & Amenities.....	27
Table 13: Resources accessible within communities.....	28
Table 14: Reasons for not filing a discrimination report.....	29
Table 15: Does housing discrimination occur in Guam?.....	29
Table 16: Barriers to Housing Choice	30
Table 17: Population of Guam by Municipality, 2018.....	33
Table 18: Determining Needed Units, Guam, 2020-2025.....	34
Table 19: Total Units Needed by HUD Income Classifications.....	35
Table 20: Military Households, Guam, 2009 and 2019.....	40
Table 21: Median Monthly Housing Costs by Military Status, Guam, 2019	40
Table 22: Military Active Duty & Dependents as a percent of Municipal Population (2010)	41
Table 23: Ethnic Dissimilarity Scores by Municipality, 2015-2018.....	43
Table 24: Ethnic Profile Analysis for Guam Municipalities, 2015-2018.....	44
Table 25: Households with Income below Poverty, 2015 – 2018	46
Table 26: Income Profile Analysis, Guam Municipalities, 2015-2018	47
Table 27: Housing Cost by Tenure, Guam, 2019	51
Table 28: Housing Tenure, Guam, 2019.....	53
Table 29: Doubled-Up Households by District, Guam, 2019	54
Table 30: Shelter-to-Income Ratio by District Guam, 2019	55
Table 31: Access to Affordable Housing Indicators for Guam by Districts, 2019.....	56
Table 32: Breakdown of Asset Managed Properties (AMP)	57
Table 33: Number of Tenants Served and on the Wait List, Public Housing Program 2019	58
Table 34: Public Housing Beneficiaries by Ethnicity Groups by AMP.....	59
Table 35: Number of Tenants Served, Section 8 Program, 2018 to Current	61
Table 36: Number of Tenants Served by Place of Birth, Section 8 Program, 2018 to Current ..	61
Table 37: Ethnic Breakdown of Guam Homeless	62
Table 38: Top Five Villages for Unsheltered Homeless Individuals by Year	63
Table 39: Schools by Region	64
Table 40: Public School Quality Index	65
Table 41: Cost of Private School Education	66
Table 42: Establishments and Employment by Municipality	67
Table 43: Drinking Water Contaminants	70
Table 44: Pollutant Discharge Sites on Guam	70
Table 45: Cleanest Guam Beaches, 2017	71
Table 46: Households Reporting Someone with a Disability	74

Table 47: Housing Accommodations Needed.....	75
Table A1: Gender by Municipality, 2015 to 2018	94
Table A2: Households with Children Under 18 by Municipality, 2015 to 2018	95
Table A3: Marital Status by Municipality, 2015 to 2018	95
Table A4: Persons with Disabilities by Municipality, 2015 to 2018	96
Table A5: Religions Distribution on Guam, 2010	96
Table A6: Place of Birth Distribution on Guam, 2010	97
Table C1: Public housing Tenants and Applicants by Ethnicities by AMP	99
Table C2: Public housing waitlist: Ethnicity by AMP	99
Table C3: Public housing waitlist: Average Annual Income by AMP	100
Table C4: Public housing waitlist: Annual Income Group by AMP	100
Table C5: Public housing waitlist: Applicants' Current Age by AMP	100
Table C6: Public housing waitlist: Disability by AMP	101
Table C7: Public housing waitlist: Familial Status by AMP	101
Table C8: Public housing waitlist: Place of Birth by AMP	101
Table C9: Public housing Tenants: Race by AMP	102
Table C10: Public housing Tenants: Gender by AMP	102
Table C11: Public housing Tenants: Rent by AMP	102
Table C12: Section 8 Waitlist: Disability by AMP	102
Table C13: Section 8 Waitlist: Familial Status by AMP	103
Table C14: Section 8 Waitlist: Place of Birth by AMP	103
Table C15: Section 8 Waitlist: Race	103
Table C16: Section 8 Waitlist: Tenant Rent Group	103
Table C17: Section 8 Waitlist: Homelessness at time of Admission	104
Table C18: Section 8 Waitlist: Place of Birth	104
Table C19: Section 8 Waitlist: Age Group	104
Table C20: Housing Discrimination Complaints Reported 1996 - 2017 Year	105

LIST OF FIGURES

Figure 1: Population Distribution, Guam Municipalities, 2018	33
Figure 2: Dissimilarity Index by Municipality, 2015-2018	42
Figure 3: Guam Municipalities by R/ECAP Status	48
Figure 4: R/ECAP Municipalities.....	49
Figure 5: Transit Routes on Guam.....	68
Figure 6: Percent of Guam Households with Broadband Internet Access, 2011-2019.....	72
Figure 7: Major Bank Branches on Guam.....	73

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I. INTRODUCTION

This report was prepared in response to a request from the Guam Housing and Urban Renewal Authority (GHURA) to conduct an update to the Assessment of Impediments (AI) study conducted in 2011. The AI is an important part of GHURA's responsibility to affirmatively further fair housing on Guam.

HUD updated the structure of the AI in 2015, and while they have not yet provided some jurisdictions with the data required for the new AI protocol, HUD has asked that States and Insular Areas use the new project directive as the basis for preparing the 2019 Assessment of Fair Housing (AFH) adding where available, local data in place of HUD data.

This report is also fully compliant with Section 3 of the Housing and Urban Development Act of 1968, and with the requirements for an AI as defined in HUD's 2015 Affirmatively Furthering Fair Housing (AFFH) Rule.

BACKGROUND

In July of 2019, the Guam Housing and Urban Renewal Authority (GHURA) issued a Request for Proposals (RFP) to provide professional services to conduct an Analysis of Impediments (AI) to Fair Housing. GHURA selected the research team of SMS Research & Marketing Services, Inc. (SMS) and partner PCR Environmental, Inc. to complete the research and analysis required for the AI.

PURPOSE

The purpose of the AI is to serve as a logical basis for Fair Housing program planning and to provide information for policymakers and planners and for fair housing advocates in their quest to plan, execute, and evaluate their own AFFH efforts.

A. APPROACH

Since 1968, an AI has always been based on three key research activities: (1) reviewing policies, procedures, and outcomes for evidence of impediments to Fair Housing; (2) assessing local housing need, stock, and production; and (3) identifying impediments to fair housing and possible solutions in preparation for the next Consolidated Plan. In 2015, HUD introduced new rules for AI. HUD's new approach to AI now called the Assessment of Fair Housing (AFH)¹ requires that we continue to monitor, evaluate, and resolve Fair Housing issues incorporating new rules for data collection and analysis. The work plan developed by SMS and PCR is based on the AFH rules and designed to support planning for effective housing policy consistent with principles forth by HUD.

¹ HUD. 2018,C in HUD's Assessment of Fair Housing Tool for States and Insular Areas,

B. METHOD

The present study was based on the data collection, community outreach, and analysis described below.

Data Collection: In this phase, information was gathered and reviewed for AFFR-related content. Specifically, the team gathered HUD documents; past goals, strategies, and outcomes; past AI Studies for Guam, other program documentation; laws, rules, and regulations affecting Fair Housing on Guam; and local media coverage of fair housing issues. We also assembled existing hard data, maps, and charts related to AFFH. We reviewed public media and blogs for housing-related materials and reviewed past AI studies conducted on Guam. Specific documents and data elements were taken from lists presented in HUD's *Assessment of Fair Housing Tool for States and Insular Areas (The Tool)*.

Outreach strategy: The original outreach plan was designed to produce about 30 Stakeholder Interviews and six public meetings. The stakeholders were identified in consultation with GHURA and included housing program personnel, housing program beneficiaries and their advocates, and other housing-related service providers. The objective was to understand their points-of-view on AFFH and identify impediments to fair housing. The plan for conducting public meetings was guided by our intent to encourage the general public to participate in identifying impediments.

The outreach plan was revised in March 2020 due to the actions taken in response to the COVID-19. The Governor of Guam ordered that all non-essential businesses close and that the Government of Guam would be operating in a limited capacity.² Fortunately, SMS was able to complete 16 Stakeholder Interviews prior to that date. After the lockdown began only five more interviews were able to be completed because of the difficulty in reaching stakeholders who are not in the office.

On March 20, 2020 the Governor also ordered the shutdown of all social gatherings.³ The shutdown required a change in direction from conducting six public meetings to completing outreach via a Public Input Survey driven by Facebook to gather community insights on AFFH.

Analysis:

The analysis strategy was designed to identify key impediments to fair housing and opportunity for protected classes across Guam, as well as for those living in disproportionately poor and densely populated ethnic areas.

The first step in the analysis was to review the available data collected on the Guam population by protected class. This included Gender, Family Status, Disability, Religion, and Place of birth. This data was analyzed at the municipal level where possible, which was done to identify areas with disproportionate numbers of protected classes as well as to identify other factors that may indicate discrimination.

To identify racially or ethnically concentrated areas of poverty (R/ECAPs) SMS and PCR created a poverty and ethnic dissimilarity index. The poverty index compared the poverty rates within each municipality to Guam as a whole. A high score on the poverty index indicates higher than

² "Guam restaurants ordered closed starting Friday," *Pacific Island Times*, March 18,2020.

³ "Guam seeks Federal Relief as Shutdown goes into effect and closures, cancellations continue," *Pacific Daily News*, March 21, 2020.

average poverty. The ethnic dissimilarity index measured the degree to which the ethnic distribution within a certain municipality differed with Guam's distribution as a whole. A high score on the ethnic dissimilarity index indicates higher than average concentrations of one of more ethnic groups. Any municipality with both medium to high poverty and medium to high ethnic dissimilarity was identified as a R/ECAP.

After identification of R/ECAP municipalities, we reviewed access-to-opportunity indicators. These included access to quality education, jobs and employment, transportation, environmental health, broadband internet access, and finance and banking. All these opportunity indicators were analyzed using multiple factors and at the municipality level data when possible. Subject relevant content from community outreach efforts were incorporated into this section as well.

The last section of the report provides a collection of Island themes and issues, as well as municipality-specific issues identified in the R/ECAPs and access to opportunity analyses. Prioritization was completed based on the prominence and severity of issues identified and recommendations were compiled based on best practices and local context.

1. Data Collection

The SMS/PCR team worked closely with GHURA to collect in-house data and documents, including the characteristics of current tenants and wait lists for public housing and Section 8 programs. GHURA staff provided us with many other pieces of information, including copies of training materials, legislative bills, regulations, policy, and plans. Staff were also helpful in establishing group meetings at which we discussed programs and resources, and reviewed information on possible impediments or Fair Housing. Results gleaned from these items appear in several sections of this report.

Data were collected from the HUD Regional Office in Hawaii and the HUD Website. The Regional Office provided consultation and data on complaints filings. The HUD website was our sources for past versions of Consolidated Plans, Annual Action Plans, Annual Community Assessment Reports, and Consolidated Annual Performance and Evaluation Reports (CAPERs). It also was our sources for information on the AI, the AFH, And other aspects of HUD AFFR principles and procedures.

As required, we gathered data from the Guam Organic Law, the Guam Code Annotated (GCA), Guam Rules and Regulations (GAR). Those data formed the basis for our analysis of laws, rules, and regulations affecting fair housing on Guam. Information from those documents was supplemented as necessary by our literature search, stakeholder interviews, and GHURA's inhouse documents.

Data on the many demographic, socio-economic, and housing characteristics of Guam were taken from a variety of sources. The Guam Statistical Yearbook and other documents held by the Bureau of Statistics and Plans was an important source. Data were also obtained from the Departments of Education, Labor, Public Works, Housing and Urban Development, Integrated Services for Individuals with Disabilities, Regional Transit Authority, Guam Waterworks, and Guam Environmental Protection Agency. These data are discussed and cited throughout the report and specific documents are included in the bibliography.

Recent survey data were extremely useful. We used some 2010 Census data and found more recent and reliable data where we could. We relied heavily on the Housing Demand Survey associated with the Guam Housing Study and Needs Assessment, 2019. The survey covered a

large number of housing-related data for Guam. In addition, the Guam Behavioral Risk Factors Surveillance Survey (GBRFSS) provided an excellent set of demographic information on Guam's citizens between 2011 and 2018. These data sources were crucial to the success of the present study and are likely to provide critical data for future housing and Fair Housing studies.

Throughout the project literature searches were conducted and many subject matters were covered. Results are cited throughout this report and items used are listed in the bibliography.

2. Community Participation/Engagement Process

Initially we used a three-part approach to reach Guam communities and gather insights and perceptions of Fair Housing issues: (1) stakeholder interviews: (2) a Facebook page, and (3) public meetings. The Community Participation process was revised in March 2020 due to the actions taken in response to the COVID-19. The Governor of Guam ordered the closing of all non-essential businesses and announced that the Government of Guam would be operating in a limited capacity.⁴ Likewise all social gatherings were shut down. The revised approach included a limited number of stakeholder interviews and added a public input survey as described below.

a. Stakeholder Interviews

The objectives of stakeholder interviews were to gather insights on Fair Housing from “experts” in different aspects of the housing process and to provide all stakeholders with an opportunity to take part in identifying barriers to Fair Housing on Guam. The list of stakeholders included policy makers, service providers, not-for-profit organizations representing underserved communities, housing providers, developers, and bankers. SMS/PCR prepared a list of 56 individuals to be contacted. The list was submitted to GHURA for review and they approved the list. An interview outline was developed and submitted to GHURA for review and approval. SMS Executive staff members were responsible for the interview process including arranging and conducting the interviews. Multiple telephone calls were made, and emails sent to these stakeholders to arrange a time for an interview. Some chose not to participate in the project. In later stages of the project, many contact attempts were unsuccessful because office phones were agency staff members were complying with stay-at-home orders stemming from COVID-19.

During the project, new names and agencies were added to the list as recommended by the initial respondents or because some stakeholders requested an interview. Stakeholders were generally very cooperative and gave freely of their time and expertise.

SMS/PCR completed a total of 46 stakeholder interviews. They are acknowledged at the beginning of this report.⁵

b. Public Meetings

Public meetings were originally planned for six different municipalities throughout Guam. The intent was to reach a broad range of residents. Stakeholders warned that it was extremely difficult to have good attendance at a public meeting on Guam and some were concerned that the most affected people may not be able to attend. GHURA reported very low attendance at such public

⁴ “Guam restaurants ordered closed starting Friday,” Pacific Island Times, March 18,2020.

⁵ Stakeholders were informed that all information they shared with us would be used in our report and that none of it would be associated with their name, title, or organization. Names are included on acknowledgement pages.

meetings held by GHURA as public outreach process for developing five-year plans or CAPERs. With respect to that issue, GHURA has written:

“As part of its Consolidated Plan, Guam developed a Citizen Participation Plan. The Plan is intended to generate ways to involve the public and planning and reporting process for the CPD programs. GHURA received no oral or written public comments during the citizen participation period for the 2017 CAPER. HUD encourages Guam, to continue to foster public participation, as well as to explore additional opportunities to involve the public in its planning process.”⁶

The original plan was to conduct the meetings in March 2020 as part of six different Mayors Council meetings within their municipality. It proved very challenging to find a mutually agreeable date, and then the ban on social gatherings was imposed. SMS, in consultation with GHURA and other stakeholders, decided to gather community input through the public input survey accessed via the Facebook page

c. Facebook Page and Public Input Survey.

The original objective of the Facebook page was to inform Guam residents that the Assessment of Impediments to Fair Housing study being conducted and to allow them to record their opinions if they wished. It was to be a passive survey. Stakeholders told us that Facebook was a widely used means of communications throughout Guam and using Facebook would allow us to reach individuals who live in R/ECAP areas, persons with limited English proficient (LEP), and persons with disabilities.

SMS/PCR consulted with GHURA and decided to add a formal survey to the Facebook page and establish procedures to drive traffic to the page and the survey. A survey was developed to gather community input on fair housing issues and perceptions of access to opportunity factors. A link to the survey was placed on the Facebook page. We purchased three ads, boosting a page post, to encourage users to view the page. GHURA encouraged residents of Asset Managed Properties to view the page, and asked members of the Mayors Council of Guam to share a link to the page with their community members.

The Facebook page reached a total of 34,295 respondents, 21 percent of the population of Guam. About 7,151 people looked at the page, 1,157 clicked through to the survey and some started the survey without completing and submitting it. A total of 432 individuals completed the survey.

The survey was not intended to be a rigorous probability sample of the population. Nevertheless, the geographic profile of the survey respondents was similar to that of the population. There were respondents from every municipality with larger numbers from populous areas like Dededo, Yigo, and Tamuning. The smaller municipalities were slightly overrepresented (Table 1).

⁶ HUD. 2019. Annual Community Assessment Report, Guam: Program Year: October 1, 2017 to September 30, 2018, p. 3.

Table 1: Public Input Survey Geographic Distribution

Village living in	Number of Responses	% of Responses	Population %	Difference
Agana Heights	10	2%	2%	0%
Agat	10	2%	3%	1%
Asan-Maina	5	1%	1%	0%
Barrigada	16	4%	6%	2%
Chalan Pago-Ordot	12	3%	4%	2%
Dededo	152	35%	28%	-7%
Hagåtña (Agana)	2	0%	1%	0%
Inarajan	5	1%	1%	0%
Mangilao	35	8%	10%	1%
Merizo	3	1%	1%	1%
Mongmong-Toto-Maite	35	8%	4%	-4%
Piti	3	1%	1%	0%
Santa Rita	7	2%	4%	2%
Sinajana	28	6%	2%	-5%
Talofofo	5	1%	2%	1%
Tamuning	37	9%	12%	4%
Umatac	4	1%	1%	0%
Yigo	39	9%	13%	4%
Yona	18	4%	4%	0%
Other	6	1%	0%	-1%
Total	432	100%	100%	

For some characteristics, the survey was less representative of the population as a whole. The survey group contained large numbers of persons who were likely to be affected by a lack of affordable housing

Lower-income households were over-represented in the survey responses. Approximately 22 percent of households in Guam have incomes less than \$20,000. The comparable number for the survey groups was 67 percent (Table 2).

Table 2: Respondent's Race/Ethnicity

Race / Ethnicity	Number of Responses	% of Responses
Chamorro	212	49%
Chuukese	85	20%
Filipino	55	13%
Palauan	21	5%
Pohnpeian	17	4%
Yapese	11	3%
White/Caucasian	10	2%
Other Pacific Islander	7	2%
Korean	4	1%
Marshallese	2	0%
Other	8	2%
Total	432	100%

Question: What is your race/ethnicity?

Certain ethnic minorities were also over-represented in the survey. Chamorros make up 45 percent of the population on Guam and Chuukese (including other states in the Federated States of Micronesia (FSM)) make up 7 percent. Among survey respondents, 49 percent identified as Chamorro and 27.1 percent identified as Chuukese or from other FSM.

A high percent of respondents (40%) say they speak a language other than English at home (Table 3) and 19 percent said at least one member of the household had a disability (Table 4).

Table 3: Respondent's Language at Home

Speak a language other than English	Number of Responses	% of Responses
No	259	60%
Yes	173	40%
Total	432	100%

Question: Does anyone in your home regularly speak a language other than English?

Table 4: Disabled Person in Household

Disability	Number of Responses	% of Responses
No	352	81%
Yes	80	19%
Total	432	100%

Question: Does anyone in your home have a disability?

II. FAIR HOUSING POLICY REVIEW

This section of the 2020 Guam AFFH assesses the current situation with respect to policy and regulations on Guam. It covers government planning and priorities, laws, rules, regulations and their enforcement, federally and locally funded housing programs, and past goals and activities.

HUD has stated that the Department considers AFFH to be an essential part of the administration of its grant programs. As the agency designated to receive HUD funding on Guam, GHURA recognizes its duty to affirmatively further fair housing and has certified that they follow AFFH guidelines and will maintain documentation to support that certification. In the RFP for this study, GHURA has agreed that the AI will comply with the Tool and adopt a reporting process that identifies concrete steps to be taken for the next five years, provide objective metrics for assessing AFFH plans, and report on progress through the existing CAPERs system.⁷

The objective is to develop an AFFH tracking system supported by a uniform set of metrics that supports a national comparison of program effectiveness. Guam must complete this study before they develop uniform metrics and before HUD data is available.

A. GUAM HOUSING PLANNING PRIORITIES

GHURA's housing choice analysis is rooted in the Authority's obligations as a recipient of HUD funds on Guam. We consider several priorities that are relevant to Affirmatively Furthering Fair Housing (AFFH) including a review of current policies and regulations, a summary of HUD programs being used now, and indicators of disproportionate housing need in the jurisdiction.

1. Fair Housing Law on Guam

Policy and regulations relevant to Affirmatively Furthering Fair Housing are found in several documents. Here we review Fair Housing Law on Guam and the laws, rules, and regulations that affect Fair Housing situation in the Territory.

"It is hereby declared to be the policy of the territory of Guam in the exercise of its police power for the public safety, public health and general welfare to assure equal opportunity to all persons to live in decent housing facilities regardless of race, color, religion, sex or national origin and, to that end, to prohibit discrimination in housing by any person."

Guam Code Annotated, Title 9, Section 70.45, Article 2.
December 31, 1981.

Fair housing law on Guam is found in Title 9 in the Guam Code. Searching for the term in other sections of the Code, Superior Court Decisions, Supreme Court Decisions, the Attorney General's Decisions and Memoranda reveals no more than two passing references.

The foundation for the Fair Housing Law is derived from the Organic Act which includes the general proscription, "No discrimination shall be made in Guam against any person on account of race, language, or religion, nor shall the equal protection of the laws be denied."⁸ With specific

⁷ See 85 FR 2041. A proposed rule by the Housing and Urban Development Department, FR, January 14, 2020.

⁸ Organic Law of Guam, Subchapter 1, General Provisions, Section 1421b, Bill of Rights, (n), p. 10.

reference to land, the Organic Law requires that “No person shall be denied access to, or any of the benefits accruing from, the lands conveyed by Sections 1705 to 1708 of this Title, or by Section 1545(b) of this Title, on the basis of race, religion, creed, color, sex, national origin, or ancestry.”⁹

The general proscription against discrimination appears in GCA and GARR in many contexts other than housing, including homelessness (GCA Title 10 Health and Safety, Chapter 17, Section 17105), education (GCA Title 17, Chapter 16, Section 16103), employment practices (Title 22, Article 2, Section 5201d) Youth Services (GCA, Title 19 Chapter 20, Section 20120), Personal rights (GCA, Title 19 Chapter 2, Section 2110); Insurance (Title 16, Chapter 21, Section 21103), Health and Safety (CGA, Title 10), jury duty (GCA Title 7, Chapter 22, Section 22103).

The specific part of GCA Title 9 that covers Fair Housing Law is Chapter 70, Miscellaneous Crimes, Article 2, Discrimination in Housing Accommodations. We have included Article 2 in the Appendix to this report. Definitions there show that the law is comprehensively applied to virtually every participant in every type of real estate transaction.

In brief, Guam fair housing policy is fundamentally consistent with HUD principles and requirements. It is founded in the Civil Rights Act of 1968 and the Fair Housing Amendment Act of 1988 to protect the civil rights of applicants and tenants for programs that supply rental or ownership housing on Guam. These rights are included in Chapter 9 of the Guam Code and expanded in Guam laws and regulations.¹⁰

The practices defined as unlawful by Article 2 cover the gamut of real estate transactions and related behaviors committed by any party even peripherally involved (Article 2, Section 70.47). Guam law prohibits housing discrimination against the following protected classes: race, color, religion, ancestry or national origin, family status, disability, marital status, age, and gender. The policy and the law make it illegal for any seller or lessor to:

- a. Print, circulate, post, mail, or cause to be published any statement, advertisement or sign, that indicates, directly or indirectly, the intent to discriminate in a rental transaction
- b. Represent that a dwelling unit is not available for inspection, sale, rent or lease, when in fact, it is available.
- c. Refuse to allow a prospective buyer or renter to inspect the dwelling unit.
- d. Refuse to accept or transmit a bona-fide offer to buy, rent, or lease a dwelling unit.
- e. Ask questions or use an application form containing questions that indicate, directly or indirectly, an intent to limit or discriminate in the tenant selection process.
- f. Steer the applicant or buyer by stating or implying that they would be happier or more comfortable living somewhere else or in another neighborhood.
- g. Communicate, through word or conduct, to attempt to discourage the applicant or purchaser from applying for or accepting the dwelling unit.
- h. State directly or imply that the applicant or buyer will not be considered in the selection process.
- i. Require the applicant or buyer to meet different selection qualifications or subject their application to a different selection review than others.
- j. Refuse to enter into a purchase, rent or lease agreement, if applicant or buyer is an otherwise qualified applicant.

⁹ Op. cit., Section 1708. Note, The Civil Rights Act of 1968 as amended 1988(42 U.S.C. Section 3610, also known as the Fair Housing Act, prohibits discrimination on the basis of race, color, national origin, religion, sex, family status, and disability.

¹⁰ Prohibition against discrimination in transactions other than housing appear in several sections of the CGA. Housing is wholly contained in Section 9.

- k. Impose different terms, conditions or privileges in the use or furnishing of services or facilities connected with a dwelling unit.
- l. Establish unreasonable house rules or rental terms or enforce the house rules or rental terms against only some residents and not equally against all residents.
- m. Refuse to make reasonable accommodations in the rules, policies, practices, or services when necessary to afford a disabled resident an equal opportunity to use and enjoy the dwelling, including public and common use areas.
- n. Refuse to permit, at tenant's expense, reasonable modifications of the existing premises, if necessary, to afford a disabled tenant full enjoyment of the dwelling.

Explanation, additions to and sources related to Guam's fair housing policy are discussed below.

There are some exemptions for: religious and nonprofit organizations; private clubs offering non-commercial accommodations; private individuals owning no more than three properties and not using real estate broker or rental agent and advertise in accordance with this law; and room rentals.

Any person who feel they are a victim of housing discrimination under Article 2 can file a complaint with the Guam Attorney General within 30 days of the incident. The Attorney General's Office will investigate each complaint and attempt to reach a solution acceptable to both parties. Failing that, the attorney General will prosecute the offender (Section 70.49). Violations of Article 2 are a misdemeanor. (Section 70.50)

Between 2009 and 2018, there were no legal opinions and no legal memoranda related to Fair Housing law or violations of the law filed at the Attorney General's Office. See <http://oagguam.org/opinions/>

2. Department of Justice Lawsuit

The Government of Guam is currently litigating a suit by the United States Department of Justice for violation of the Fair Housing Act.

According to the Attorney General, "The United States sent the Government of Guam a Notice of Violation by the Chamorro Land Trust Commission under the Fair Housing Act (42 U.S.C. §3601), proposing settlement by means of a consent decree. After numerous meetings with Governor Edward B. Calvo and other government officials, to include members of the Guam Legislature, a consensus was reached that a consent decree was unfavorable. Subsequently, the United States Department of Justice Civil Rights Division filed a complaint in the District Court of Guam. Litigation is ongoing and will continue through next year."

The DOJ action has no significant impact on Fair Housing activities at GHURA. When the suit is settled, GHURA will review the Consolidated Plan for any impact on programs and procedures.

3. Tenant Screening and Criminal History Laws

HUD has provided guidance on the use of criminal history screening for housing placement under the Fair Housing Act. It is their conclusion that the use of criminal records in the application process can create a discrimination on the basis of race and ethnicity.¹¹ Specifically, denying access to housing opportunity based on the applicant's criminal history violates the Fair Housing Act if applied more often to individuals of one ethnic group than another.

At present, Guam does not screen applicant for criminal records. They do screen for and deny access to convicted sex offenders.

If the rate at which Chuukese or Chamorros are arrested, convicted, or incarcerated is different from their share of the general population, then there may be reason to investigate. It raises the level of concern for any complaints challenging the use of criminal history policies and practices. HUD outlines an assessment procedure to help determine whether local practices are in conflict with the Fair Housing Act. A discriminatory effect on Guam could be assessed using:

- National or local level statistics,
- GHURA's or other housing provider's reasons for the practice,
- An evaluation of a less discriminatory alternative.

To do that we would need:

1. Evidence that GHURA or other housing providers use criminal records in the distribution of affordable housing.
2. Local arrest, conviction, and incarceration rates for all ethnicities in all municipalities, or similar stats.
3. Any reason (surveys, complaints, lawsuits, public reports, public meetings) to suggest that the use of criminal records is being disproportionately applied on Guam.
4. Then, if there is evidence of discriminatory practice, statistical or anecdotal, we need to identify an alternative practice that would eliminate or mediate the alleged disparity.

B. PUBLICLY FUNDED HOUSING PROGRAMS

Reflecting Guam's need for affordable housing for its citizens, and in keeping with GHURA's mandate to Further Fair Housing on Guam, this subsection will describe the types of government sponsored housing programs and grants, including the major sources of HUD funding, that are currently being used by GHURA on Guam.

1. GHURA Public Housing

GHURA operates 17 public housing facilities on Guam. In total, there are 750 units of varying sizes available containing a total of 2,157 bedrooms. The largest units contain five bedrooms. HUD administers federal aid to GHURA for the public housing program, allowing them to offer housing for low-income residents at rents they can afford. To qualify, GHURA determines eligibility based on annual gross income, citizenship, and eligible immigration status. Individuals and families who qualify as elderly or disabled have special units reserved.

¹¹ HUD. 2016. Office of General Counsel guidance on application of Fair Housing Act standards to the use of criminal records by providers of housing and real estate-related TRANSACTIONS, Washington, D.C., April 4, 2016.

These housing facilities are older with 1982 being the median year built. There have been no new public housing developments constructed since 1991. Slightly older facilities are found in central Guam, with an average year built of 1974. More than half of the public housing units and developments (358) are found in the south of Guam.

Table 5: Public Housing Facilities, Guam, 2019

Region	Number of Developments	Number of Units	Number of Bedrooms	Average Bedrooms per Unit	Average Year of Construction
North	3	116	263	2	1987
Central	5	276	827	3	1974
South	9	358	1043	3	1985
Total	17	750	2157	3	1982

Source: Guam Housing and Urban Renewal Authority.

2. HUD Funded Housing Programs and Funds

HUD is GHURA's main source of funding. In FY 2018, GHURA received more than \$37 million from HUD. Most of the HUD funding is received through the following housing related programs seen in Table 6. The figures below show that a large part of total funds was allocated to the Section 8 Housing Subsidy program. Additional funds were granted to various community funds and directly to housing service providers through the Continuum of Care: NOFA Competitive Grants process.

Table 6: HUD Funding, 2018

Program Name & Type	Amount
Housing Choice Voucher Program (Section 8)	\$30,100,000
Community Development Block Grant Program	\$3,096,003
Capital Fund Program	\$2,138,041
Emergency Solution Grants	\$235,382
Home Investments Partnership Program (HOME)	\$1,073,432
CoC: NOFA Competitive Grants	\$1,136,986
Total All Programs	\$37,779,844

Source: HUD Funding Allocations, 2018.¹²

a. Housing Choice Vouchers

Housing Choice Vouchers, better known as the Section 8 program, offers rent subsidies to qualified households. A majority of GHURA's funding received from HUD is dedicated to this program, more than \$30 million in 2018. The program serves about 2,500 households annually and has not reopened its waiting list since 2018 due to high demand. Eligibility was based on gross income by household size, with additional voucher options for veterans, the elderly, persons with disabilities and families with minor children who are homeless, or at risk of homelessness. Recipients must be US citizens or have eligible immigrant status.

¹² <https://www.hudexchange.info/GRANTEES/ALLOCATIONS-AWARDS/>

The following is a list of vouchers authorized by HUD, vouchers issued and in use, and the percent of vouchers in use based on those numbers. VASH (veterans) vouchers had the lowest usage rate at 77 percent and NED (disability) vouchers had a rate of 81 percent. This indicates that recipients of these vouchers are struggling to find adequate units to apply the vouchers to, as the waiting list is still closed and there is no other explanation for unused vouchers. This was confirmed by stakeholders. Low usage rates mean either that the need for rental units is lower than the supply of vouchers, or that people with vouchers cannot find suitable units to rent. Stakeholders confirmed it was the latter.

Table 7: Housing Choice Vouchers (2019)

Housing Choice Vouchers (Section 8)	Authorized	Issued	% in use
Regular	2,098	1,996	95%
Project-based Vouchers (PBV)	112	107	96%
VASH	56	43	77%
Non-elderly disabled (NED)	175	141	81%
Mainstream	11	11	100%
Family Unification Program (FUP)	130	129	97%
Total All Programs	2,582	2,427	94%

Source: GHURA Section 8 Office.

b. Community Development Block Grant Program

The HUD Community Development Block Grant (CDBG) Program provides annual grants on a formula basis to states, cities, and counties. These are considered flexible community development funds, as localities decide how they will be used within the community.

In 2018, Guam received about \$3.1 million in CDBG funding (Table 7). That was a little over ten percent of total HUD funding for the year. Table 8 shows how GHURA planned to distribute accumulated CDBG funds between 2015 and 2019.¹³

Table 8: CDBG Funding Allocations

Project Type	Funds
Homeowner Housing Rehabilitation	\$50,000
Public Facility or Infrastructure Activities	\$2,087,582
Public service, Rapid Rehousing, and Homelessness Prevention	\$568,156
Acquisition/Construction of the Central Precinct Command	\$1,203,902
Rehabilitation/Upgrade of the Yigo Gym	\$230,000

Source: Guam Five-Year Consolidated Plan (2015-2019).

¹³ Expenditures in Table 9 cannot be compared to those in Table 7. Table 8 is from Guam's Five-Year Plan for program expenditures. Data in Table 7 are disbursements for 2018. Some planned activities were completed before 2018. Some are scheduled for 2019. Disbursements have changed in the four plan adjustments between 2015 and 2019, and certain funds can be returned or rolled over to later years. It is not expected that 2018 expenditures would be equal to the intended expenditures in the ConPlan, or to an estimated annual expenditure (one-fifth of the total).

c. Emergency Solution Grants

The Emergency Solutions Grants (ESG) program provides annual grants to states and localities to be distributed amongst local service providers and non-profits. The grants fund a wide range of services including street outreach to homeless persons, emergency shelter services and operations, rapid-rehousing, and homeless prevention.

Over the past five years, Guam has used \$698,232.31 of ESG monies to provide shelter, homeless prevention, and rapid rehousing services.¹⁴

d. HOME

The HOME Investments Partnership Program (HOME) provides annual grants on a formula basis to states and localities. The funds can be used for a wide range of activities including building, buying, or rehabilitating affordable housing or for providing direct rental assistance to low-income people. Guam intended to use HOME funds to construct new homes, acquire existing homes, to build eight new homes for low-moderate income households, and to rehabilitate 200 homes. Not all of that work was accomplished by the end of FY 2017. The initial plan was to spend \$602,919 for rehabilitation of housing units and \$602,919 for construction or rehabilitation of housing units for low-moderate income households. That was a budgeted total of \$1,205,838. The most recent HUD allocation for 2018 provided \$1.1 million.

e. NOFA Competitive Grants

HUD annually releases the Notice of Funding Availability (NOFA) for more than 20 grant programs in line with HUD initiatives, including Fair Housing. Traditionally, the Continuum of Care (CoC) within each community submits a consolidated application for various types of funding and projects are selected on a competitive basis. On Guam, these projects focus on homelessness and affordable permanent or rapid re-housing

¹⁴ Con Plan, Guam 2018, page 6.

Table 9: NOFA Funding Awards, 2018

Project Name/Program	Funds
Coordinated Entry System	\$53,021
Domestic Violence Bonus Project	\$148,285
GU-500 CoC Planning Application FY2019	\$41,076
Guma Mami Bonus Project	\$89,046
Homeless Management Information System	\$117,146
Housing First Rental Assistance Program Expansion	\$399,786
Y Jahame Permanent Housing Program Expansion	\$153,738
Empowered Together	\$134,888
Total all awards	\$1,136,986

Source: HUD Funding Allocations, 2018.

In 2018, Guam received \$1,136,986 in NOFA grant funding towards eight projects. (Table 9).

C. ASSESSMENT OF PAST GOALS, PLANS, AND STRATEGIES

This section reviews the experience, goals, and action plans of Guam's Fair Housing activity. The intent is to place the present AI in an appropriate historical context.

1. Guam Analysis of Impediments, 2011

An Analysis of Impediments for Guam was published in 2011. It identified five impediments to Fair Housing Choice that would be the focus of Guam's Fair Housing policy for the next five years:

1. Difficulty enforcing fair housing laws due to lack of a landlord and tenant code

GHURA would coordinate a revision of Guam's landlord and tenant code by 2016. The plan was that GHURA would publish a work plan for revising the code by February 28, 2012

2. Guam's fair housing law not substantially equivalent to federal fair housing law

GHURA would coordinate an effort to bring about a comprehensive revision of Guam's fair housing law by 2016. By February 28, 2012, GHURA will publish a work plan.

3. Guam's lack of a fair housing enforcement organization

HUD required a Qualified Federal Housing Enforcement Organization (QFHEO). GHURA was to identify the most appropriate procedure and produce a work plan by February 28, 2012.

4. The public does not understand the complaints system

GHURA would ask that information and assistance functions of the complaints system be transferred to GHURA; ask the Guam Office of the Attorney General to streamline the local fair housing complaints system; and ensure that procedures for filing fair housing complaints are in all literature and training materials.

5. The public does not understand the Fair Housing laws, rights, and resources

GHURA would develop information on fair housing law and translate fair housing documents for the protected classes. GHURA planned to: {1) continue the annual conference on fair housing law, (2) create collateral material for fair housing education, outreach, and training that would provide translations needed for contracts, evictions, rules and regulations in Japanese, Tagalog, Ilocano, Chuukese, Marshallese, and Palauan.

2. **Guam CAPERs, 2012 – 2015**

Between 2012 and 2015, GUAM CAPERs tracked efforts to address the five impediments to Fair Housing on Guam. The CAPERs suggest that relatively little progress was made on eliminating the 2011 AI impediments.

The 2012 CAPER was structured around the 2011 AI and some action plans were changed. Impediment 1 (Landlord-Tenant Law) was re-evaluated and its deadline extended to 2016. Impediment 2: (Fair Housing Law Update) timeline increased to five years. For Impediment 3 (Enforcement) GHURA enlisted the Commission on Community Reintegration and the Civil Rights Commission as partners in developing an enforcement agency. Impediment 4 (public outreach) was delayed until tasks 1 and 2 were completed. Impediment 5: (training materials and translation) was unchanged.

The 2013 CAPER noted major events for the year. First, HUD released new procedures for Affirmatively Furthering Fair Housing and agreed to provide data on integration and segregation; poverty; socio-demographic characteristics of local communities, etc. Second, GHURA met with HUD to discuss Guam's recent report on Impediments. HUD encouraged GHURA to continue efforts to address the 2011 impediments. They recommended additional attention to internal processes¹⁵ and to identifying the languages most needed for translations. GHURA would also support efforts to certify training for translators and transcribers and continue to publish the contact information for the Fair Housing Coordinator.

The 2013 Caper introduced a new reporting format. Table, CR-05 – Goals and Outcomes¹⁶ was included to show proposed and actual AFH outcomes for consolidated plan actions (see Table YY, p. Z). Table CR-05 did not include a section for fair housing. Narrative progress reports on the five impediments from the 2011 AI, as amended in previous Capers, were included in responses to item 91.250(a), "Identify actions taken to overcome the effects of any impediments identified in the jurisdiction's analysis of impediments to fair housing choice."¹⁷ No significant progress was reported in 2013.

The 2014 CAPER's Table CR-05 did not contain a section for Fair Housing. Section 91.520(a) noted that Impediments 1 through 3 were as yet incomplete and that Guam would continue to engage law makers in the process of changing impediments 1 and 2. Successful completion of impediments 1 and 2, they thought, would obviate the need for Impediment 3, but there would still be a need for a "FH Enforcement organization, office, or certified FH officer." Impediments 4 & 5 were as yet incomplete and Guam reported that "FH materials are not available in all languages needed in Guam. Guam would continue efforts to pursue opportunities to provide accurate translation..." and mentioned several trainings they would be attending.

¹⁵ The last report had relied too heavily on comments from clients and Guam citizens. The recommendation was to evaluate GHURA's efforts to AFFH.

¹⁶ Guam Consolidated Annual Performance and Evaluation Report, Program Year 2013, p.1.

¹⁷ Ibid., p. 26.

The 2015 CAPER now included a section in Table CR-05 labeled “Promote Fair Housing”. We will summarize the 2015-2018 action on this section for our review of the 2018 CAPER. Under question 91,520(a), the 2015 CAPER reviews the 2011 AI and reports that Guam had “expanded the conversation of fair housing needs, goals, and objectives to community partners both public and private and that they would continue “research and community engagements necessary to complete the Assessment of Fair Housing (AFH) by the April 2017 deadline.”

In addition, the CAPER listed several education and training activities during the year, including:

1. Participation in a Fair Housing and Equal Opportunity Training conducted by HUD
2. Fair housing training for Public Housing property managers, HCV/S8 management, non-profit LIHTC property managers, NGOs, and housing developers. P.32.
3. Meetings with homeless service providers, veterans’ advocacy groups, and the judiciary and adult correctional facility to discuss challenges faced by their clients.

3. 2015 Guam Consolidated Plan and CAPERS 2015 – 2018.

Normally, the AI would have been conducted in 2015. HUD’s plan to reformulate the AI as an AFH and provide data for the AFH construction caused some confusion¹⁸ and delayed the process. On Guam, no new AI/AFH was completed in 2015 and GHURA continued to operate under the structure of the 2011 AI using the 2013 reporting format for the CAPERS.

The consolidated plan (ConPlan) covers all HUD-related activities and concentrates attention on programs that receive substantial funding. Fair Housing issues are often less complex, shorter, and involve fewer metrics. In this sense, Guam is no exception. Also, the ConPlan can be adjusted each year in response to early findings, situation changes, and new opportunities. For this reason, we will reference the most recent version of the 2015 Consolidated Plan, the 4th substantial amendment¹⁹.

The ConPlan’s 6th goal was to “Promote Fair Housing”. In pursuit of that goal Guam would promote awareness of Fair Housing laws, re-orient processes around the new Affirmatively Furthering Fair Housing Final Rule, increase cooperation with partnering agencies, translate written materials, and identify barriers to Fair Housing. To improve accommodations for families in public housing, GHURA was to train managers in equal opportunity and AFFH (p. 101).

As part of the strategy to remove or ameliorate the Barriers to Affordable Housing, GHURA lists the barriers to Fair Housing identified in 2011 quoting CAPERS in 2013, 2014, and 2015.

“Guam continues to struggle to address the identified impediments lacking the technical assistance and guidance to properly adhere to the policies of the Fair Housing Act. On July 19, 2013, HUD released the proposed rule to Affirmatively Further Fair Housing which identified that the current practice of HUD grantees to affirmatively further fair housing has not been effective. The proposed rule aims to assist HUD grantees by providing states, local governments, insular areas, and public housing agencies (PHAs) and the communities receiving services through these entities with data on patterns of integration and segregation; racially and ethnically concentrated areas of poverty; access to education, employment, poverty, transportation, and environmental

¹⁸ “Guam continues to struggle to address the identified impediments lacking the technical assistance and guidance to properly adhere to the policies of the Fair Housing Act.

¹⁹ GHURA. 2019, Substantial Amendment to the Five-Year Consolidated Plan (2015 -2019)/Annual Action Plan Program Year 2015, published December 27, 2019. Downloaded at https://www.ghura.org/sites/default/files/4th_substantial_amendment_to_5_year_consolidated_plan_0.pdf.

health, among other critical assets; disproportionate housing needs based on the classes protected under the Fair Housing Act; data on individuals with disabilities and families with children; and discrimination. Guam will seek technical assistance and guidance from HUD's FH office to ensure the island is effective in affirmatively furthering fair housing laws.' (p.165)

In addition, the ConPlan listed new partnerships.

"The Guam Development Disabilities Council's (GDDC's) 2012 – 2016 Five-Year State Plan identifies the need for Fair Housing training by GHURA and accessible housing programs available for persons with developmental disabilities. The GDDC's Plan also identifies coordination with GHURA to conduct Disability Sensitivity Training to GHURA staff that coordinates the services for persons with developmental disabilities. GHURA staff participates in monthly strategic meetings that address the ADA compliance of governmental services and structural compliance with the Americans with Disabilities Act" (p. 165)

In the **2016 CAPER** there was a reference to the 2011 AI and several activities related to AHFH and the Promote Fair Housing goal. During the year GHIURA:

- attended a HUD Fair Housing and Equal Opportunity training.
- offered two fair housing trainings for public housing personnel, real estate agents, nonprofit LIHTC property managers, veterans' groups and other community members
- offered a similar training presented to the Guam Association of Realtors.
- asked multi-lingual interpreters to provide assistance on housing issues.
- worked with the Guam Legislature to provide input on a tenants' bill of rights.
- received help from HUD to form a broad network of service providers to provide referral services and basic guidance on fair housing issues.

The 2017 CAPER contained no reference to the 2011 AI or the five impediments identified there. Some activities related to section 91,250(a) were mentioned as shown below.

- Continued working with Guam Legislature on a Landlord-Tenant Law and tenant rights.
- Continued to work on planning an updated Analysis of Impediments to Fair Housing, which it plans to contract out in 2019.

Although not identified as a metric for AFFH or to Promote Fair Housing goals, the complaints system was mentioned for what we believe is the first time in the 2017 CAPER. In that year, there were eight fair housing inquiries made but no discrimination complaints were received. (p.23). Hence no actions were taken.

In the **2018 CAPER**, Table CR-05 provided the metrics for the "Promote Fair Housing" initiative as shown in the table below.

Table 10: Results from Table VR-05, Fair Housing Component, 2015-2018

Goal Category	Promote Fair Housing			
Source Indicator	Affordable housing, public housing, homeless, special needs			
Unit of Measurement	Public service activities for Low/Moderate income housing benefit			
Program Year	Households assisted			
	2015	2016	2017	2018
Expected – Strategic Plan	100	100	100	100
Actual – Strategic Plan	0	28	8	34
Percent Complete	0%	28%	8%	34%

Source, Guam CAPER 2018, pp.1-4.

In the reports from 2016 through 2018 the Table CR-05 shows that GHURA’s objective from 2015 through 2018 was to promote Fair Housing (AFFR) by performing public services²⁰ as part of their effort to provide affordable housing, public housing, homeless services and support to special needs groups. These would benefit Low/Moderate income households by providing housing for those that would otherwise have no access to decent housing. Each year, the expectation (objective) was that 100 households would be assisted by these services.

In 2015, no progress was recorded. From 2016 through 2018, between 8 and 34 percent of the objective was met.

Neither the CAPER nor the ConPlan make clear exactly which “public service activities” were included each year. Neither is it clear exactly what types of households were included among the “actual” households served. This should be made clear in the next ConPlan.

As in 2017, the 2018 CAPER makes no specific mention of the five impediments set forth in the 2011 AI. GHURA did mention several other support activities.

- Guam engaged consultants to do an Analysis of Impediments to Fair Housing Choice.
- Guam began a housing study to identify gaps in housing and trends in the housing market.
- Guam obtained approval for an adjustment in the Fair Market Rent (p.16).
- Guam conducted a Fair Housing and Conflict of Interest training in August (p.18).
- Guam fielded several inquiries regarding fair housing, no formal complaints were filed.
- A training for property managers, real estate agents, tenants, housing staff and others.
- GHURA’s incorporates fair housing training in group education HOME beneficiaries.

The most important CAPER finding related to promoting fair housing was announced without fanfare. On April 18, 2018, a roundtable discussion was held at the Guam Legislature to discuss proposed legislation for the Guam Landlord and Tenant Rental Act. The bill set the ground rules for property maintenance, security deposits, evictions, fair housing issues and other matters relating to rental properties. During a follow-up legislative hearing, GHURA contributed oral testimony and written recommendations to improve protections for landlords and tenants.

²⁰ The document does not identify the services. These are described in the 2015 Consolidated Plan, see below.

Not reported in the 2018 CAPER, Guam's Landlord Tenant Law become law on December 18, 2018²¹ and is now Public Law 34-146.

Critics can read the history of Guam's Landlord Tenant Law in CAPER reports and see a story of year-after-year failure to meet the objective. Alternatively, the CAPERs tell a story of how persistent efforts by GHURA and many others eventually brought about the enactment of the Law. GHURA staff who know the corporate history tell us that during all of those years, nearly every report to the Governor, every appearance before the Legislature, every meeting or missive with a lawmaker, reports to HUD, public meetings, training sessions and presentations, repeated the need for a Landlord Tenant Law and asked for help in getting that done.

D. ENFORCEMENT

This section describes the responsibility for Fair Housing Law enforcement and the procedures by which an aggrieved person can file a Fair Housing complaint. The responsibility for front-line Fair Housing education, information, and assistance in filing claims resides with GHURA's Fair Housing Coordinator. Responsibility for receiving complaints, filing formal complaints, and guiding them through the adjudication process belongs to HUD. Responsibility for enforcing Guam's Fair Housing Law lies with the Guam Attorney General's Office.

1. GHURA Procedures

Within GHURA, the Fair Housing Coordinator receives inquiries from complainants regarding discrimination. Inquiries come as direct calls or visits to the GHURA Office. Referrals may originate with private real estate agencies, nonprofit service providers, advocates for persons with disabilities, Public Housing site managers, or Section 8 management and staff.²² The Coordinator reviews discrimination complaint information and makes recommendations, providing forms and other written material where appropriate, and assisting complainants to file a complaint with HUD if needed.

2. HUD Procedures

Nationally, HUD's Title VIII Fair Housing Complaint Process has been published as a three-page document²³ describing the procedure for processing complaints. It covers intake (must be filed by phone or Internet at HUD's main office), filing (HUD investigator files a formal complaint), investigation, conciliation, and various forms of adjudication thereafter. Any Guam complaint must be filed at the national level.

3. Guam Fair Housing Law Procedures

Any person who feels they are a victim of housing discrimination or other fair treatment under Guam's Fair Housing Law²⁴ can file a complaint with the Guam Attorney General. Complaints must be filed within 30 days of the point at which the infraction occurred. The Attorney General's Office will investigate each complaint and attempt to reach a solution acceptable to both parties. Failing that, the attorney General will prosecute the offender (Section 70.49). Violations of Guam's Fair Housing Law are a misdemeanor. (Section 70.50)

²¹ I Mina Trentai Kuáttro Na Liheslaturan Bill HISTORY BILL STATUS - Legislature of Guam, December 18, 2018.

²² Guam Housing and Urban Renewal Authority. 2017. Guam Consolidated Annual Performance and Evaluation Report (CAPER): Program Year 2017 October 01, 2017 – September 20, 2018.

²³ HUD's Title VIII Fair Housing Complaint Process, at https://www.hud.gov/sites/documents/23536_COMPLAINT-PROCESS.PDF

²⁴ Guam Code Annotated, Title 9, Section 75.04, Article 2.

Information on the volume of complaints is presented in Chapter IX of this report.

4. Testing

Fair Housing testing has been used by HUD since 1960 and by DOJ since 1992.²⁵ This form of testing uses people who have no intent to rent or purchase a housing unit, to act as prospective buyers or renters and gather field information on landlord behaviors. Results are used to identify landlords who are not complying with fair housing laws. The testing helps Fair Housing Coordinators make sure local people are not denied housing because of their race, color, national origin or ancestry, religion, sex, sexual orientation, disability, family status (living with minor children), or because they are getting public assistance.

Testing can be done by means of contracts with private fair housing agencies or individuals, or by directly hiring short-term employees or using volunteers to carry out the tests at the direction of the housing office.

Paired testing uses testers who play the role of applicants with equivalent social and economic characteristics who differ only in terms of the characteristic being tested for discrimination, such as race, disability status, or marital status. It can be used to provide evidence in individual cases where there is alleged discrimination. In addition, a long series of Housing Discrimination Studies²⁶ continues to provide improvements in paired testing methods that allow paired testing to be used in broader investigation of discrimination in communities or even across the nation. HUD recommends paired testing in both situations²⁷ and many jurisdictions in States and Island Territories use testing to identify and eliminate discrimination. Some include testing results among their program metrics for evaluation and program improvement.

On Guam, there has been no Fair Housing testing done in the last ten years. GHURA may wish to consider testing in the future.

5. Education and Training

Guam's most recent analysis of impediments to fair housing (2011) cited lack of information and understanding of fair housing regulations. To address this, Guam's Fair Housing Coordinator has been providing guidance and information to individuals seeking assistance with fair housing issues. That includes prevention (preparing information materials, designing trainings for several audiences, providing translation of information documents, and securing interpreter services as needed). It also includes responding to housing discrimination inquiries and providing limited assistance to persons who wish to file a discrimination claim with HUD.²⁸

The stakeholders with whom we spoke this year did not volunteer any praise or concern related to education and training as it might affect the Fair Housing Law on Guam. In the Public Input Survey 2020, almost half of respondents claimed that they understood their Fair Housing Rights (46%). Alternatively, 53 percent said they did not understand their Fair Housing Rights.

²⁵ U.S. Department of Justice. 2019. Fair Housing Testing Program, March 5, 2019, downloaded February 24, 2020, at <https://www.justice.gov/crt/fair-housing-testing-program-1>

²⁶ Turner, Margery Austin, Rob Santos, Diane Levy, Doug Wissoker, Claudia Aranda, and Rod Pitingola. 2013. Housing discrimination against racial and ethnic minorities, 2012, Urban Institute for HUD's Office of Policy Development and Research, xi.

²⁷ U.S. Department of Housing and Urban Development. 2014. Paired testing and the Housing Discrimination Studies, Evidence matters, Spring/Summer 2014.

²⁸ GHURA, 2018 CAPER, p.18.

Similarly, 59 percent of everyone who did not file a complaint said they “did not know what good it would do.” Thirty-nine percent said they did not know where to file, and 24 percent said they did not know discrimination was against the law. Only 5 percent said they would have trouble filing because they did not speak English (Table 14).

Although activities enabled by HUD funds are recorded as required by HUD, no metrics for evaluation of those efforts have been put forward. This might be addressed in the next Five-Year Plan. Metrics for impact on education and training might be designed based on recording greater detail with respect to Fair Housing inquiries; more regular and focused surveys of clients, stakeholders, and the general public to measure their knowledge, understanding, and use of Fair Housing laws and filing assistance.

III. COMMUNITY ENGAGEMENT

Two components of the AI Study this year were focused specifically on extracting community input to the process of identifying impediments to fair housing. The stakeholder interviews sought input from professionals, experts, and practitioners associated with providing housing on Guam. The Public Input Survey was conducted to gather opinion from local residents.

A. PERSPECTIVES FROM STAKEHOLDERS

1. Stakeholder Interviews

We present stakeholder input by topic. We have attempted to excise any material that may identify any particular stakeholder or their agency/organization. Where possible we have maintained the type of wording used by respondents, without directly quoting any one of them.

Access to Opportunity

Education – Schools are not a major factor when selecting a community to live in. Most military families choose DoD schools on base. There are some private schools and Catholic schools, most of which are located in the central area of the island.

Jobs – The negative stereotype is that government jobs are given to “locals” who are related to people in power. They are not available to others who may be more qualified. Overall unemployment is low. Jobs are very concentrated in the central areas.

Transportation – public transportation is extremely limited. Schedules are minimal and frequently not followed. No public transportation available for the southern and northern areas of the island.

While these three areas of opportunity were not highly rated by our stakeholder respondents, no comment was directed at a particular protected class. All three areas of opportunity share a geographic inequity- greater opportunity in Central Guam than in other places. The job issue was described as nepotism among traditionally powerful families. No one described it as ethnic discrimination.

Demographic Changes

Several respondents wanted us to understand that Guam is currently (constantly in one case) affected by demographic changes. As an island community, Guam has substantial population turnover. On one hand, in-migrants (especially from the Philippines and United States), are continuously leaving Guam to return to their home place. On the other hand, there is an increasing number of in-migrants from Micronesia. It is not a new phenomenon but continues to bring people from other Pacific Island Nations to take advantage of Guam’s economic opportunities and especially the superior health care available here.

Immigrants from some Pacific Island Nations tend to be less educated, lack advanced training and skills sets for employment. They originate from cultures that are very different from Guam’s. Like immigrants everywhere, these people may have difficulty adjusting to their new surroundings and getting used to very basic rules and regulations that underlie their new host society. Stakeholders informed us that this may affect housing situations more than other aspects of life. For instance, we were told that some migrants come from societies in which extended family living

in very rural settings is the norm. Urban living, especially in multifamily dwelling units are new to them. Some do not understand “private property” in the same way as do people in the host society. Some recent migrants do not understand rental agreements. Some have no word in their language for “lease”. Some newcomers may not understand the rules and regulations of rental housing, or norms and mores of life in their new host society.

All of these cultural issues make it challenging to provide adequate, safe, and decent and affordable housing in Guam’s multi-ethnic society. The frequent changes in demography and ethnic make-up of the population make it even more challenging.

Availability of Housing

Virtually all stakeholders were familiar with the barriers to construction and renovation of housing due to high military demand for construction workers and the H2B Visa limitation on bringing in laborers from other counties. This has brought construction of new and rehabbing of older houses to a standstill.

A few stakeholders wanted us to know that there is a mix of housing quality around the island because of a lack of zoning regulations. Some homes are just shacks with generators and no running water.

Rental Housing Availability

There is a shortage of rental units, especially affordable rentals. Public Housing occupancy rates are consistently higher than 90 percent. There are LIHTC developments that target 40 to 60 percent HUD median income households. However even with Section 8 vouchers families do not have enough money to pay security deposits or to hook up power and water. These developments require renters to have a job and regular income that can prove challenging for some. More families from FSM than locals are seeking these affordable units. Many FSM families are not accustomed to living in an apartment and damage the property because they don’t know how to properly maintain and live appropriately in their unit. Also, families have to look for places to rent on their own and if they can’t find a place, they start over at the bottom of the voucher list. More training is needed to help FSM families assimilate into Guam society.

Landlords, we were told are hesitant to rent to Section 8 voucher holders for several reasons: they worry about collecting the rent on time and eviction can be difficult. Some cannot qualify under HUD requirements for safe and decent housing and are unwilling to make upgrades to the property. Some are concerned about renting to COFA tenants. Recent immigrants are believed to neglect unit upkeep and even to damage units. Because of language barriers it may also be difficult to resolve disputes. GHURA will investigate when the issues arise but it takes time because GHURA cannot evict residents without going to court. GHURA does conduct Section 8 voucher briefings on expectations of renters and Fair Housing, but families still do not understand what is required of them. It is difficult to increase rents, even at the end of a term. Families must vacate before rents can be increased. GHURA caseworkers seem overworked and unable to appropriately handle some clients. Landlords will leave their property vacant waiting for military buildup so they can charge higher rents

Landlords prefer to rent to military members because they can pay more rent for their units and if there is a problem, they can turn to the military housing office for assistance in handling the dispute. There was mixed feedback on how issues were handled, some stakeholders saying the

military was helpful to landlords in resolving issues, and others saying the military will support their members over the landlord.

Very limited shelter options are available for young people, many under 18 who are homeless and frequently alcoholics. There is a shelter that can serve 20 to 30 people that is supposed to be temporary, up to six months, but often stays are longer because there is no other housing option.

Stakeholders report limited housing options and care services available for seniors. Traditionally seniors were cared for by their family, but this is changing as children move away for employment, and recent immigrants may not have the same sense of obligation.

Market for New Homes

The primary target market for new for sale housing is the U.S. Department of Defense including military members stationed on island. Housing allowances for this group enables them to buy a new home close to their base, and when they leave, they either sell or rent their house to other military members.

Funding/Lending

The preferred borrower is a military/DOD member because of the high housing allowance and if they default on the loan a military department will work on behalf of the lender. Many of the loans made are VA loans.

Lack of Data

Guam must rely only on Census data for planning and tracking changes. The American Community Survey is not conducted on Guam, so there are no new data for mid-decade updates.

Housing for Individuals with Disabilities

There is a severe shortage of housing units for individuals with physical disabilities primarily because there are too few units that are ADA accessible. Guam houses are primarily built of concrete and building codes do not require wide enough hallways and rooms that can accommodate wheelchairs.

Mentally challenged individuals who receive Section 8 vouchers are more likely to find housing because they are assisted in the search by Caseworkers. In addition, there are group housing options for individuals with more severe conditions.

Generally, individuals with disabilities stay with their families, but as parents age or accommodating the disability gets too difficult, families can no longer care for their family members.

Recommendations

Before people can immigrate to Guam, they should acculturate on their home island, so they are better prepared for life on Guam. Rules requiring immigrants to have employment and a place to reside should be enforced. This will possibly improve assimilation on the island.

Chamorro Land Trust management should consider ways of generating revenue on portions of the land to enable development of affordable housing for their beneficiaries.

B. PERSPECTIVES FROM RESIDENTS

As noted earlier, a public input survey that was distributed through the Guam Assessment of Fair Housing Facebook site was completed by 432 respondents. The fielding of the survey was not intended to be a random sample and the results cannot be applied to the population as a whole. However, results do provide insights into a respondent population consisting of lower income renters whose ethnicity is something other than Caucasian. In addition, 40 percent of respondents say they speak a language other than English at home and 19 percent have a disabled person in their household.

1. Housing Need

The overwhelming majority of respondents (72%) believed their communities need lots more housing affordable to low-income families. More than half of them (58%) said Guam needed more rental housing that accepts Section 8 vouchers, and 53 percent said Guam needed programs to provide assistance to first-time homebuyers.

Table 11: Perceived Housing Need by Type

Type of Housing Help Needed	Lots more is needed	Some more is needed
	% of Respondents	% of Respondents
Housing that people with lower incomes can afford	72%	15%
Housing that accepts Section 8 vouchers	58%	18%
First-time homebuyer assistance	53%	13%
Housing for people with disabilities	47%	26%
Housing for seniors	43%	29%
Apartments	35%	28%

Question: Thinking about Guam, please check whether you have enough or need more, or much more of each of these housing types.

2. Equal Access to Amenities

The Public Input Survey respondents were asked for their opinions on whether or not opportunity was equally available in all areas of the Island. This is one of the areas of inquiry suggested by HUD in their instructions for the AFM. It is a high-level concept and may not have been understood in exactly the same way by all respondents.

Table 12: Equal Availability of Services & Amenities

Across all of Guam, are each of the following equally provided and maintained in all villages?	Not equally provided % of responses
Roads and sidewalks	55%
Parks, Trails or Clean Beaches	53%
Property maintenance	53%
Bus service	41%
Banking and lending	35%
Police & fire protection	35%
Quality schools	32%
Garbage collection	23%
Grocery stores and other shopping	22%

Question: Considering across all Guam, please check whether you think each of the following are equally provided and maintained in all villages.

Nevertheless, survey respondents did provide answers to the question, identifying specific services and amenities that were not equally available in all communities. Their responses are shown in Table 12.

Respondents did not feel that all the “access to opportunity” features were equally available throughout Guam. The majority of respondents said that roads and sidewalks, parks, trails or clean beaches, and property maintenance are not equally provided throughout Guam.

Close behind were the 41 percent of respondents who believe that bus service was not equally available. About a third of respondents said that banking, police and fire protection, and quality schools were unequally distributed on Guam. Less than a quarter felt that trash collection and shopping opportunities were unequally available in all communities.

Thus, as guided by the list of amenities offered in the survey, the survey respondents did offer evidence that equal access may be an issue on Guam. Amenities most frequently mentioned, however, were those less closely associated with affordable housing. Banks and lending most closely associated with access to housing was thought to be unequally available by less than half of the respondents. Items like good schools and shopping places were listed by less than 24 percent of respondents.

In addition, respondents were asked to identify specific services or amenities that were not sufficiently available in their own communities. Their responses are presented in Table 13.

Table 13: Resources accessible within communities

Access to the following resources	No	Somewhat	Yes
	% of Responses	% of Responses	% of Responses
Housing that you can afford	46%	24%	22%
Parks and trails	35%	27%	30%
Reliable bus service	28%	24%	28%
Areas with jobs you could get	23%	31%	37%
Housing that is in good condition	16%	33%	43%
Clean environment	13%	36%	48%
Places to shop and bank	11%	17%	69%
Quality public schools	9%	22%	65%

Question: In your community, do you have access to the following resources?

The responses show a different picture than the one suggested in Table 12. The least available amenity in respondents’ communities was affordable housing – an item not provided in the prior question on equal access. Only 22 percent of all respondents disagreed. The other items in this list are generally in the same order as the responses to the equal access question. Parks and trails, reliable bus services are near the top and schools and shopping places are near the bottom of the list. and areas with jobs they can get.

3. Fair Housing

Almost half of respondents indicated they understood Fair Housing Rights (46%). Thirty seven percent say they understand “somewhat,” and 16 percent said they do not understand their Fair Housing Rights. However, the majority of respondents (53%) said they did not know where to file a discrimination complaint.

About a fourth (23%) of respondents reported they had experienced housing discrimination, and of these 81 percent said they were discriminated against by a landlord or property manager and 23 percent say a real estate agent.

Of those reporting incidents of discrimination 60 percent believed it was due to race, ethnicity and or national origin and 58 percent believe it was due to family status. Only nine percent of those who filed a complaint said they filed a report on the incident.

Table 14: Reasons for not filing a discrimination report

Why they did not file a report of discrimination?	% of Respondents
I did not know what good it would do	59%
I did not know where to file	39%
I was afraid of retaliation	27%
I did not know it was a violation of the law	24%
I did not have time to file	14%
The process was not accessible to me because of a disability	8%
The process was in my language	5%
Other	21%

Question: *Why didn't you file a report of discrimination? (Check all that apply)*

When asked why they did not file a formal complaint, the majority (59%) replied “I didn’t know what good it would do.” This was followed by 39 percent reporting “I didn’t know where to file.” This suggests there may still be reason to pursue the education of vulnerable citizens about Fair Housing law and the protections it offers.

Overall 42 percent of respondents believe that housing discrimination does take place and 42 percent do not know if it takes place or not as shown in the following table. Only four percent said they believe that housing discrimination does not take place.

Finally, respondents were asked the straightforward question “Do you think housing discrimination occurs in Guam?” (Table 15). The majority of people said they did not know (54%) and 42% said “Yes, housing discrimination does take place”. Only 4 percent were willing to answer “No” to the question.

Table 15: Does housing discrimination occur in Guam?

Does a housing discrimination occur in Guam?	% of Responses
Yes, housing discrimination does take place	42%
Housing discrimination may take place	12%
No, housing discrimination does not take place	4%
I do not know if housing discrimination takes place or not	42%
Total	100%

Question: *Do you think housing discrimination occurs in Guam?*

4. Barriers to access to affordable housing

To focus Public Input Survey respondents on the types of barriers to Fair Housing that might exist in their areas, we presented a list for their evaluation. In Table 16, their responses have been sorted from most frequently chosen to least frequently chosen.

Table 16: Barriers to Housing Choice

Barriers to Housing Choice	Type	Percent of Respondents
Not enough affordable housing for individuals	A	70%
Not enough affordable housing for large families	A	66%
Not enough Section 8, Housing Choice Vouchers, to meet the need	A	66%
Not enough affordable rental housing for small families	A	60%
Displacement of residents due to the rising cost of housing	A	58%
Discrimination by landlords or rental agents	C	50%
Community opposition to affordable housing	C	48%
Landlords refusing to accept vouchers	C	47%
Limited access to jobs	B	44%
Lack of housing opportunities for people with disabilities	A	43%
Not enough affordable housing for veterans	A	34%
Neighborhoods that need revitalization and new investment	B	32%
Limited access to community resources for persons with disabilities	B	30%
Discrimination or steering by real estate agents	C	29%
Discrimination by lenders	C	26%
Limited access to banking and financial services	B	23%
Limited access to good schools	B	21%
Other		6%

Question: Do you think any of the following are barriers to housing choice in Guam? (Check all that apply)

Responses to the barriers to the housing choice question can be grouped into three main clusters:²⁹ Type A items (Table 16) all involve the current availability of affordable housing on Guam. The group is made up of seven items, six of which describe a lack of affordable housing and one that asks about the high cost of housing. These items hold together well and describe public reaction to a frequently heard opinion that the most serious impediment to fair housing on Guam is a lack of affordable housing. Their average score³⁰ was 56.5.

Type B items were associated with limited access to community resources. They are comprised of the five items in Table 16. They had an average score of 30. It is likely they were less frequently chosen because limited access to community resources was not seen as causally related to fair housing.

Type C items were clearly related to fair housing. Three of the five items included the word “discrimination” and the other two were community opposition to affordable housing (NIMBYism) and landlords refusing to accept Section 8 vouchers. Together they had an average score of 40.

The pattern of responses in the public input survey is wholly consistent with other opinions on access to affordable housing expressed there. The way the people see it, the lack of affordable housing is the most important cause of unfair housing distribution. Overt discrimination on the

²⁹ Principal component analysis conducted by SMS.

³⁰ Sum of percentages, divided by number of items, time 100.

part of landlords, rental agents, and real estate agents is the second most important cause. The inequitable access to opportunity is less directly related to fair housing issues. It would be useful in later research to elaborate on this set of relationships and perhaps to develop them as a set of metrics for AFFH.

IV. GUAM COMMUNITY PROFILE

This section of the report presents a demographic and housing needs summary for Guam. It is intended to investigate housing choice among HUD protected classes and covers data on income, household characteristics, age, disability status and homelessness. The discussion begins with the population distribution, housing profile, and a description of Guam's protected classes.

A. POPULATION DISTRIBUTION

The island of Guam is the westernmost territory of the U.S situated beside the Marianas Trench in the western Pacific Ocean. It is approximately 30 miles long, 8-1/2 miles wide and has an area of 225 square miles³¹. The Google map shows that Guam is located approximately 3,950 miles west of Hawai'i, 1,623 miles south of Japan, 1,548 miles east of Philippines, and 1,296 miles north of New Guinea. It is a territory, or hub that connects the U.S with other Asia countries. Because of its unique geographic location and geopolitical factors, its strategic importance to the U.S. military is significant.

Guam is comprised of 19 municipalities, also known as villages. In 2018, there were an estimated 165,178 residents living on Guam according to the Bureau of Statistics and Planning Office of the Government of Guam. That was approximately an increase of 3.7 percent from 2010 with an average annual growth rate at 0.45 percent per year. Of the 165,178 residents, an estimate of 152,388 (92.3%) were civilians and 12,790 (7.7%) were military personnel and their dependent family members. Guam's is a tourism-driven economy. It attracts millions of visitors each year. Some 1.5 million visitors visited Guam in 2018 with an average daily visitor census³² of 14,493 visitors. Adding the number of transient visitors to the residents of Guam, the *de facto* population³³ totaled to roughly 179,671 people in 2018.

Table 17 presents the 19 municipalities with their associated population for 2018. The map in Figure 1 shows that the population is concentrated in the Northern municipalities of Guam, Dededo, Yigo, and Tamuning. These three municipalities together made up slightly more than half of Guam's total population. Dededo was the most populous among all 19 municipalities with approximately 46,584 (28.2%) people residing in that area. An estimate of 21,289 (12.9%) and 20,404 (12.4%) people lived in Yigo and Tamuning municipalities, respectively.

The Mangilao, Barrigada, Mongmong-Toto-Maite, Chalan Pago-Ordot, and Yona municipalities had relatively smaller populations of approximately 7,000 persons. They accounted for about 13 percent of Guam's population that year. The rest of the 11 municipalities had even smaller population sizes. They only made up 16.9 percent of the Island population. The top three least populous municipalities were Umatac, Hagåtña (Agana), and Piti, each with less than 1,600 people in 2018.

It is worth noting that there was no official data on population by municipalities other than the Decennial Census data and it is available only for every 10 years. The figures below were

³¹ War in the Pacific: Archeology and History of Guam. National Park Service.

³² Average daily visitor census is defined as the average number of visitors visiting Guam per day over one year. No statistics is available for 2018 yet. It was estimated by averaging the average daily visitor census over the past three years.

³³ *De facto* population includes individuals who permanently live in a geographic area and individuals who present in a geographic area for a specific period.

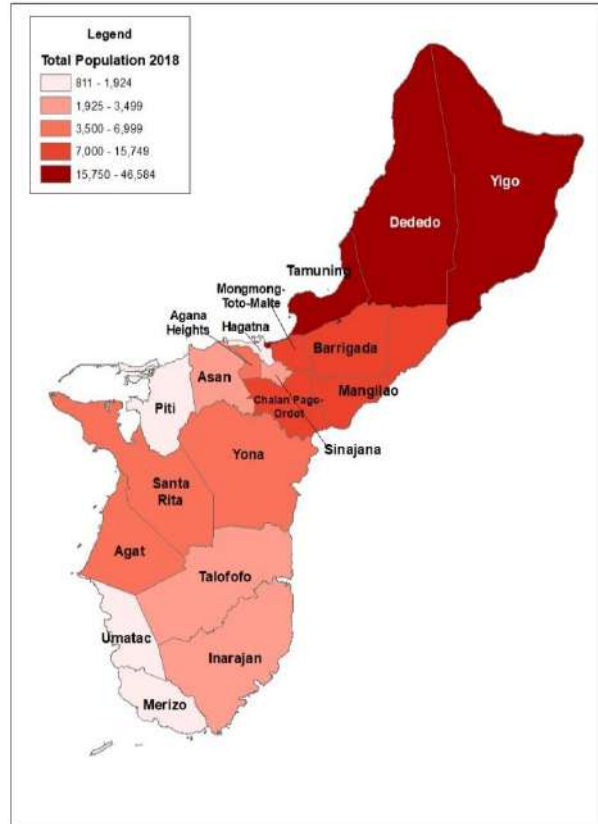
developed based on the Census data in a business-as-usual scenario. It was under the assumption that no significant changes in population growth rates for any municipality.

Table 17: Population of Guam by Municipality, 2018.

	2018	Pct.
Dededo	46,584	28.2%
Yigo	21,289	12.9%
Tamuning	20,404	12.4%
Barrigada	9,199	5.6%
Mongmong-Toto-Maite	7,074	4.3%
Chalan Pago-Ordot	7,071	4.3%
Mangilao	15,746	9.5%
Piti	1,507	0.9%
Hagåtña (Agana)	1,089	0.7%
Agana Heights	3,947	2.4%
Asan-Maina	2,215	1.3%
Sinajana	2,687	1.6%
Agat	5,097	3.1%
Santa Rita	6,306	3.8%
Yona	6,717	4.1%
Merizo	1,918	1.2%
Umatac	811	0.5%
Inarajan	2,356	1.4%
Talofofo	3,161	1.9%
Guam	165,178	100.0%

Source: Guam Statistical Yearbook 2018

Figure 1: Population Distribution, Guam Municipalities, 2018



The population figures reported in the Guam Statistical Yearbook for the years between 2011 and 2019 are based on an arbitrary constant growth of about two percent per year. For that reason, trend analysis is meaningless and would depend entirely on the veracity of the arbitrarily selected constant growth rate relative to actual population growth, year-on-year.

B. GUAM HOUSING PROFILE

In 2019 GHURA commissioned the Guam Housing Study and Needs Assessment.³⁴ The study's purpose was to (1) identify Guam's present and future housing stock and to (2) identify strategies to produce housing stock affordable to all family income levels. A significant part of the study was to identify the gaps between housing supply and demand.

This study used population and housing projections, along with survey data, to develop estimates of unmet demand for housing in Guam. They are called "needed unit estimates" and identify a set of housing units that are of interest to housing planners in Guam (Table 18).

³⁴ *Guam Housing Study and Needs Assessment*, Guam Housing and Urban Renewal Authority, January 2020.

Table 18: Determining Needed Units, Guam, 2020-2025

Element	Description	Need	Cumulative Total
Pent-up Demand	Housing units needed to address pent-up demand or potential demand, 2020 through 2025.	6,650	6,650
Population Demand	Housing units needed to accommodate household growth between 2020 and 2025.	2,768	9,418
Homeless Demand	Housing units needed to accommodate homeless households re-entering the housing market, 2020-25.	490	9,908

Source. Guam Housing Demand Survey, 2019; SMS Population estimates; source on the homeless numbers.

First, unmet demand was based on the survey data discussed in previous sections, especially those on demand and supply projections, and the discussion of effective demand. A 5-year target for reducing pent-up demand caused by years of supply shortages (6,650),

Next, the unmet demand estimate was adjusted for population change. Current population models suggest that 2,768 new housing units will be required to accommodate anticipated population increases over the next five years. This produced a Needed Units estimate of 9,418.

Finally, an additional 490 affordable housing units are needed to accommodate homeless households entering the housing market between 2020 and 2025.³⁵ Therefore the final estimate is 9,908 housing units needed between 2020 and 2025.³⁶

Perhaps the major value of estimating needed units from survey data was that the estimates are available with demographic, geographic and economic information obtained from the buyer and renters who will occupy the new housing units. Table 19 presents a breakdown of the 9,908 needed housing units by HUD income levels, tenure, and unit type (single-family versus multi-family units).

Based on the characteristics of the households from which SMS gathered the survey data, units are needed across the whole scope of HUD income classifications. *Almost three-fourths of the need (74.7%) is for units suited to households with incomes below the HUD Area Median Income (AMI).* Here we see that 34 percent of total need was found in HUD's 'less than 30 percent of AMI' category. Nearly all the units under 50 percent of AMI is generally provided by government agencies and these data suggest that will be a big job. In recent years, it is also the case that the middle-income groups – those between 50 and 120 percent of AMI are also at least partially funded by government.

³⁵ See Section II.E.1.e, Homelessness calculations.

³⁶ We do not account for units needed for special needs groups entering the housing market because the data available were not strong enough. That makes our needed units estimate a conservative one.

Table 19: Total Units Needed by HUD Income Classifications

	Total Units Needed, 2020 through 2025									
	HUD Income Classification									Total
	LT 30	30 to 50	50 to 60	60 to 80	80 to 100	100 to 120	120 to 140	140 to 180	180+	
Guam	3,401	679	935	1,027	1,359	603	223	790	891	9,908
Ownership Units	1,240	325	467	622	635	403	80	375	755	4,903
Single-Family	1,141	325	467	413	520	403	80	375	628	4,352
Multi-Family	99	0	0	209	115	0	0	0	128	551
Rental Units	2,162	354	468	405	723	200	142	415	136	5,005
Single-Family	1,072	354	160	183	0	160	142	415	0	2,486
Multi-Family	1,090	0	308	222	723	40	0	0	136	2,519

Source. Guam Housing Demand Survey, 2019.

There are also units needed in the highest income category - more than 180 percent of AMI. Traditionally, those units are produced by private sector developers and they rarely show up as high in a display like Table 19. In part this may be because high-priced housing markets can become inefficient and fail to provide units suited even to buyers and renters above HUD's highest level. In part it is also due to the rapid rise in the area median income figures developed by HUD for many jurisdictions across the nation. As the HUD median rises, the number of households falling below the median increases. In addition, stakeholders have suggested that non-Guam residents, including military members, have been purchasing higher priced units that might otherwise be available to residents.

We also see that about half (49.5%) of the need is for ownership units and half (50.5%) is for rentals. That is much like the current breakdown of the housing stock and thus perhaps not unexpected.

About 67.1 percent of the need for ownership units was found at the lower end of the market and 82.1 percent of rental need was in the lower half of the market.

About 70 percent of needed units were single-family units and 31 percent multi-family. Most of the single-family need was found among higher-income groups and multi-family units are acceptable to many of the lower income groups.

Table 19 is an end-product of the research that is needed to understand Guam's housing need and for planning affordable housing across the income profile. It is not, however, intended to be used slavishly for either of those purposes. For instance, there is an estimated 1,141 households with incomes below 30 percent of AMI that expressed an interest in a single-family owned unit. While that is their expressed preference, it is doubtful that any known housing program can produce that form of housing. It is likely that planning to increase the number of affordable rentals will solve the housing problems for most of those households in the short run.

The greatest need for housing is for households with incomes less than 30 percent of HUD average median income. The high level of unmet demand for low income affordable rental units creates a barrier to access to fair housing.

C. PROTECTED CLASSES

Title VIII of the Civil Rights Act of 1968 prohibits housing discrimination based on race, color, national origin or ancestry, sex, or religion. The 1988 Fair Housing Amendments Act added familial status and mental and physical disability as protected classes. Guam does not have the data for each of these classes, however, the following is provided based on data that are available:

1. Place of Birth

Place of birth refers to the national origin of individuals. The Fair Housing Act prohibits any discrimination in housing-related activities based on the national origin of an individual. Discrimination based on national origin is similar in concept to discrimination based on place of birth, race, ethnicity, and color. It is not surprising, then that measurements taken on place of birth or national origin are highly correlated with measures people's ancestry, culture, customs, and language rather than their race of color³⁷.

The Decennial Census 2010 is the only available source that we can rely on as the Guam BRFSS did not provide information on place of birth. The Guam population can be broadly classified into one of the two groups: native-born and foreign-born population. Native-born population includes those who were either born in Guam, in the U.S or its associated territories. In contrast, foreign-born population includes those who were born anywhere outside of the U.S and its territories.

Appendix Table A5 shows that the five municipalities with the highest percent of people who were born in Guam were Umatac (87.7%), Merizo (84.9%), Inarajan (83.9%), Yona (72.6%), and Talofofo (71.4%). The differences between these five municipalities and the remaining municipalities were quite substantial, especially when compared to Guam as a whole.

When we turn our focus to the "Born in U.S" category, it appears that the overall differences across municipalities and Guam were less substantial. The top five municipalities were Santa Rita (38.5%), Piti (22.2%), Asan-Maina (19%), Yigo (16.4%), and Talofofo (14.7%). The percent of people who were born in other U.S territories were, on the other hand, at about the same level across all municipalities.

Among the foreign-born population, the "Born in Asia" group appeared to have the largest differences in distribution across municipalities. The municipality that had the highest percent of people who were born in Asia was Tamuning (39.8%). The second and third highest municipalities were Dededo (32.1%) and Yigo (26.5%). Interestingly, the rest of the municipalities had lower percent of people who were born in Asia than Guam as a whole. This suggests that people who were born in Asia were likely clustered in Tamuning, Dededo, and Yigo.

With minor exceptions, these patterns of national origin distribution across Guam municipalities are similar to data on which we based the Ethnic Dissimilarity Index (see Section 5a).

2. Gender

The gender data is readily available from the Decennial Census. However, as with all other social economic variables, they are only available every 10 years. Census 2020 data collection in process as we write and we do not expect the data to be available for several years. To obtain the latest data at the municipal level, the gender data were taken from the Guam BRFSS 2015 to

³⁷ " National Origin Discrimination: Whom Does It Affect?". Dale Lenahan. Athens State University.

2018 for individuals who were 18 years of age or older. The data were combined and averaged over four years to reduce possible volatility and noise due to any sampling errors. Since gender is one of the most fundamental variables, we expect that the data will also be available in the future.

On average, there were slightly more males than females living on Guam. The ratio of males to females was approximately 1.03:1. Despite the similar overall ratio between males and females, it appears that there were some municipalities with significantly more males or females than other municipalities. Those municipalities are highlighted in Table A1 in Appendix A.

The top five municipalities with significantly more male residents were, in order: Tamuning (60.7%), Umatac (59.8%), Santa Rita (55.1%), Mongmong-Toto-Maite (54.5%), and Agana (53.4%). Compared to Guam as a whole, these municipalities were three to ten percentage point higher. More relevant to Fair Housing measurement, five municipalities with significantly more female residing in were Piti (62.6%), Agana Heights (61.4%), Inarajan (59.6%), Asan-Maina (59.4%), and Merizo (52.8%). These five municipalities were three to 13 percentage point higher than the overall Guam on average. One caveat we need to make here is that the sample size for latter municipalities were relatively small. The percentage may fluctuate at a larger scale than other municipalities as a result of any sampling errors.

3. Family Status

Familial status is one of seven protected classes according to the Fair Housing Act. The U.S. Department of Justice measures familial status as the number of families with children under 18³⁸.

The data available was from the Decennial Census 2010 but may not reflect the current situation in 2020. We therefore adopted the more up-to-date data from the Guam Behavioral Risk Factors Surveillance Survey (GBRFSS) 2015 to 2018. GBRFSS reports data for households³⁹ rather than families⁴⁰. Our measure of familial status will be households with children under the age of 18 as a surrogate for families with children under 18. Again, we make this choice of GBRFSS data to better represent contemporary conditions in the municipalities. When the 2020 Census data arrive, these figures can be updated. Even then, it may be more useful to use GBRFSS data because they will continue to be available on an annual basis.

Appendix Table A2 shows data on households with no children under 18 in each municipality. Agana had the highest percent of households with no children under 18 (66.6%). Inarajan was second highest, with 59.3 percent of households with no children under 18, followed by Sinajana (59%), Tamuning (58.1%), and Mongmong-Toto-Maite (48.5%).

Again, more relevant to Fair Housing measurements, the municipalities with greater percentages of households with at least one child under 18 were Merizo (64.1%), Asan-Maina (61.6%), Yigo (61.1%), Umatac (60%), and Agana Heights (58.1%). The percent of households with at least one child under 18 for the rest of the municipalities appear to be much like the figures for Guam as a whole.

³⁸ "The Fair Housing Act". The United States Department of Justice.

³⁹ According to the Census, a household consists of all the people who occupy a housing unit. A household includes the related family members and all unrelated people. It can broadly be classified as "family household" and "nonfamily household".

⁴⁰ According to the Census, a family household is a group of two people or more (one of whom is the householder) related by birth, marriage, or adoption and residing together.

4. Marital Status

The marital status data were taken from the Guam BRFSS 2015 to 2018 and averaged over four years. Marital status describes a person's legal state of being either single, married, divorced, widowed, separated, or a member of an unmarried couple. Table A3 in the Appendix shows the marital status of adults on Guam at the municipal level.

There are several ways in which Marital status may indicate possible housing discrimination.

First, areas with relatively high percentages of married couple households may be preferred by some landlords or rental agents. That could result in discrimination against non-married households. The top 5 municipalities with a higher proportion of married couples were Santa Rita (66.9%), Talofoto (58.3%), Merizo (49.8%), Tamuning (47.9%), and Yigo (47.6%). The proportion of married couples for the remaining municipalities ranged from 38.3 percent to 47.3 percent. Guam's overall percentage of married couple households was 46.3 percent. Single-never-married people are sometimes thought to be risky tenants. They have parties that offend neighbors, are careless about damage to the units, are less responsible and more likely to miss rent day and have other stereotypical memes.

Second, areas with very high percentages of single-never-married households may harbor some bias against families with children which could lead to discriminatory treatment. For Households headed by single, or never married persons, Agana ranked the highest among all 19 municipalities (36.4%). It was followed by Agat (34.8%), Yona (32.8%), Sinajana (30.7%), and Merizo (29.9%). The proportion of single for the remaining 14 municipalities ranged as low as 12.7 percent in Inarajan to as high as 29.2 percent in Barrigada. But the overall proportion of being single appeared to be quite similar across most of the municipalities.

Third, some landlords, rental agents, or real estate agents may prefer not to work with people who are divorced, widowed, or separated. The post-married situations increase the probability that the ratio of earner to household members is low, that the ratio of children to adults may be higher, and that the household might be a single-parent household. All of those may be tenants to avoid for some landlords. The top five municipalities for high percentages of divorced-separated-widowed households were Asan-Maina (30.4%), Agana Heights (27.2%), Inarajan (27.0%), Mongmong-Toto-Maite (26.1%), and Sinajana (25.4%).

Last, people in the real estate game may harbor bias against unmarried couples. Municipalities with larger percentage of households headed by unmarried couples included Inarajan (14.6%), Piti (11.2%), Umatac (10.1%), Talofoto (7.3%), and Mongmong-Toto-Maite (6.4%).

5. Disability

As a protected class, persons are considered disabled if they have a mental or physical condition that substantially limits one or more major life activities.⁴¹ Appendix Table A4 presents the breakdown of disabled persons on Guam.

The Guam BRFSS uses a set of questions that are relevant to the definition of disability under the Fair Housing Act. The disability indicator presented in Table A4 was developed using six of those items:

⁴¹ ADA National Network.

- (1) Is deaf or has serious difficulty hearing,
- (2) Is blind or has serious difficulty seeing even when wearing glasses,
- (3) Has serious difficulty concentrating, remembering, or making decision because of a physical, mental, or emotional condition,
- (4) Has serious difficulty walking or climbing stairs,
- (5) Has difficulty dressing or bathing,
- (6) Has difficulty doing errands alone such as visiting a doctor's office or shopping because of physical, mental, or emotional condition.

A person who responded "Yes" to any of the above questions was considered to be disabled. A person was considered not disabled if he/she answered "No" to all questions. These data were extracted from GBRFSS files for the years between 2015 and 2018.

There were five municipalities with relatively high rates of disabled people: Merizo (35%), Mongmong-Toto-Maite (32.3%), Agat (30.7%), Sinajana (29.5%), and Agana Heights (29.3%). On average, 23.4 percent of households had at least one disabled person in 2018. The differences between the top 5 municipalities and the Guam norm were as high as 6.1 to 11.6 percentage points, which suggests a possible impediment and sign that improvement is needed over those regions. Further analysis of residents with disabilities will be discussed in a later section.

6. Religion

According to the Department of Justice, the Fair Housing Act prohibits discrimination in housing based on religion. Unfortunately, there were no religious data that will support analysis at the municipal level. Even at the Island level, we had to go back to 2010 where we located some rough statistics at the Pew Research Center.⁴² They are presented in Appendix Table A5.

Those data attest to the well-known fact that Guam is a very religious place. Only 1.7 percent of citizens are unaffiliated with any religion. The remaining 5.1 percent of Guam's people are affiliated with other, non-Christian religions, none of which amounted to more than 1.5 percent of the population. Buddhist, Hindu, Jewish, Muslim, and folk religions are listed as well as "other religions" practiced on Guam. Of course, those very small religious groups may experience some discrimination in the housing market, but none of the data sources we found provided any evidence that religious discrimination exists on Guam. Neither did the stakeholders or residents who participated in the Public Input Survey mention housing discrimination based on religion.

D. MILITARY PRESENCE

Guam's housing market and its economy are influenced by the presence of U.S military personnel and their dependents. Those two groups made up approximately 13 percent of households in Guam over the last ten years. The rate of change was low (-1.4% over ten years) and the level of homeownership among military families dropped significantly from 37 percent in 2009 to 24 percent in 2019 (-35% over ten years).

⁴² Pew Research VCenter. 2010. U.S. Religious knowledge Survey, Polling and Analysis September 28, 2010 downloaded at <https://www.pewforum.org/2010/09/28/u-s-religious-knowledge-survey/>.

Table 20: Military Households, Guam, 2009 and 2019

	Regions on Guam							
	North		Central		South		Total	
	2009	2019	2009	2019	2009	2019	2009	2019
Military Households	3,121	3,043	1,368	1,171	1,361	1,552	5,850	5,766
Tenure								
Own	30%	26%	50%	23%	42%	21%	37%	24%
Rent	51%	59%	50%	68%	24%	56%	44%	60%
Occupy w/o Payment	20%	14%	0%	9%	33%	23%	18%	16%

Source: Guam Housing Demand Survey, 2019

The concomitant increase in military renter households brought that percentage to 60 percent, suggesting we should expect a larger impact on the rental market.

Median monthly rents for military families living off base are much higher than rents by non-military households for several reasons. Military households are more likely than non-military to live in larger, four- or more bedroom units (67% vs. 23%), even though average household size is roughly the same. Another factor is that military households receive housing assistance. The Overseas Housing Allowance (OHA), a monthly stipend provided to military servicemen stationed in Guam, is high enough to support military housing choices at the upper end of the rental market, and therefore to influence rental prices island wide.

Table 21 shows monthly housing costs for Guam in 2019. Whether the households was paying down a mortgage or renting, military personnel and their dependents had higher housing costs that year.

Table 21: Median Monthly Housing Costs by Military Status, Guam, 2019

Military Status	Mortgage		Rent	
	Count	Monthly Housing Costs	Count	Monthly Housing Costs
Military	1,391	\$1,770	3,471	\$1,916
Non-Military	21,164	\$1,269	14,406	\$1,069

Note. Does not include cases in which the unit is occupied without payment or no mortgages

Note: Counts may not sum to total units due to weighting. Percentages may not sum to 100% due to rounding.

Source: Guam Housing Demand Survey, 2019.

As expected, the difference between military and local households was larger among renters than among homeowners. The average military homeowner paid 39.4 percent more for their unit than a local resident. The average military renter household paid almost 80 percent more (79.2%) than the average local renter household.

Table 22: Military Active Duty & Dependents as a percent of Municipal Population (2010)

Municipality	Percent Military
Santa Rita	41.8%
Piti	19.9%
Yigo	18.7%
Talofof	13.5%
Asan-Maina	12.2%
Yona	9.9%
Barrigada	9.6%
Chalan Pago-Ordot	9.5%
Inarajan	8.8%
Mangilao	8.8%
Sinajana	8.8%
Merizo	8.6%
Agat	8.5%
Agana Heights	8.3%
Tamuning	8.1%
Dededo	6.7%
Mongmong-Toto-Maite	6.2%
Umatac	5.0%
Hagatna	3.9%
Guam	10.8%

The presence of military households has greater impact in some municipalities than others. Table 22 presents the percent military households in our 19 municipalities.

Military households made up just under 11 percent of the Guam Households in 2010. As expected, larger percentages of military households were found in municipalities near military bases -- Santa Rita, Piti, Yigo and Asan-Maina.

In every area where active military households reside there will be competition for quality housing because of the higher amounts the military members are able to pay. Based on the findings above, we also expect that the competition will have a greater impact on rents than on housing prices and that families with larger household sizes will be more affected than smaller families. All of these will be felt more acutely in areas shown at the top of Table 22.

Increased competition for housing does not necessarily mean there will be greater discrimination. Some stakeholders and Public Input Survey respondents told us that landlords preferred to rent to military tenants because they paid more and were easier to control. Some saw that as a bias against

local families. Landlords, of course, said there was no bias involved it was a rational reaction to economic reality.

V. ETHNICALLY CONCENTRATED AREAS OF POVERTY (R/ECAP)

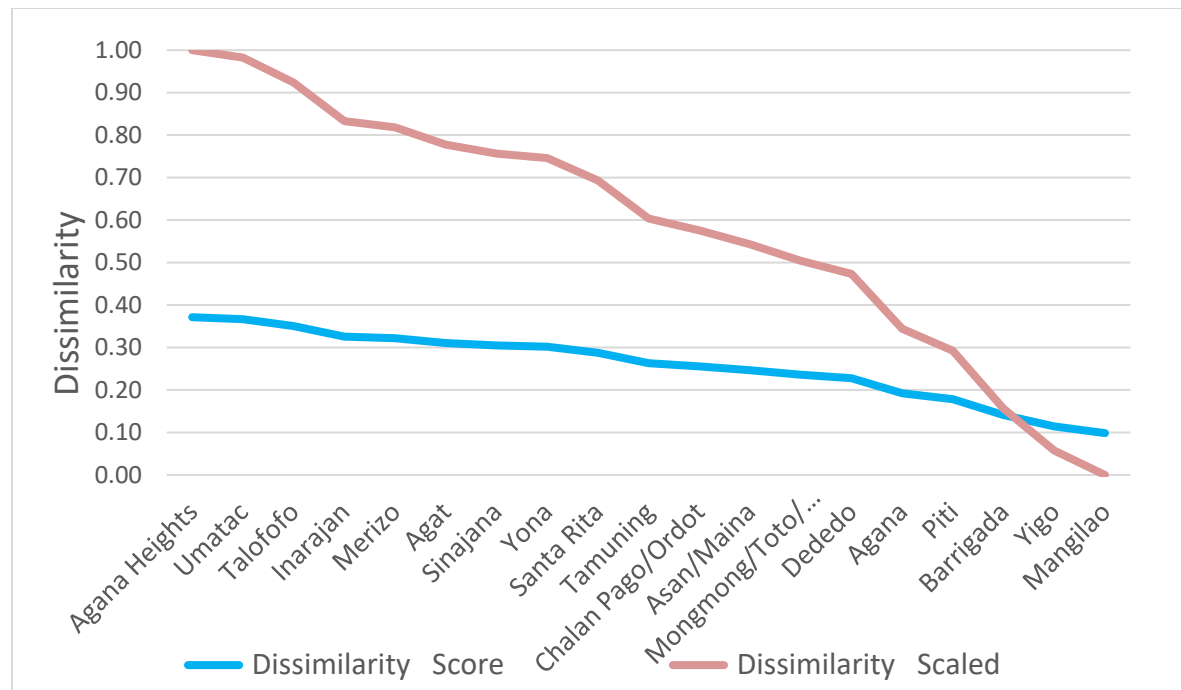
This section identifies R/ECAP municipalities, those with high rates of ethnic dissimilarity and above average poverty rates. RECAPs are required by HUD’s instructions for completing the AFH because concentrating minority groups in areas of poverty limits their access to adequate housing, good schools, well-paying jobs, and many other opportunities. Limited access to opportunity in a municipality may indicate systemic discrimination.

A. AN ETHNIC DISSIMILARITY INDEX

HUD requires a measure of dissimilarity or diversity in order to measure segregation as an indicator of discrimination, which is a violation of Fair Housing Law. There is no national dissimilarity index for Guam and HUD does not supply one. Thus, it was necessary to develop a local measure. Guam elected a measure of ethnic dissimilarity rather than ethnic diversity.⁴³

The raw data on ethnicity by municipality was taken from GBRFSS for the years 2015 through 2018. A five-year average was used to produce an ethnic profile for Guam and one for each of the 19 municipalities used in this study. We calculated the differences between each element (ethnic group) in the municipal profile and the corresponding element of the Guam profile and summed those differences to form the Guam ethnic dissimilarity score. The score was transformed to an index by rescaling the scores to a range of 0 to 100. Figure 2 shows the dissimilarity scores and scaled scores by municipality.

Figure 2: Dissimilarity Index by Municipality, 2015-2018



⁴³ In many island communities, diversity is the norm and measuring it is not an indication of discrimination. Dissimilarity, the measure of difference from the norm in the community, may indicate discrimination.

The Scaled scores have roughly the same shape as the raw scores. They make inflection points clearer and do not change the rank of any municipality. They will serve well as a measure of relative differences across the ethnic profiles of Guam’s 19 municipalities.

Table 23 shows the dissimilarity scores by municipality. The dissimilarity scores are a metric designed to measure the extent to which the pattern of ethnic distribution in each municipality differs from the ethnic distribution for all of Guam. Mathematically, the raw score can range from 0 to 1 where zero represents an area where the ethnic profile is identical to that for the Territory as a whole, and a score of one represents an area where every person is of the same ethnicity. The empirical range of the raw score in 2018 was .10 to .37. The scaled score rescaled that distribution to a scale of 0 to 100. In general, high scores indicate large differences from the local ethnic distribution; low scores indicate greater similarity to the norm. Table 24 shows the values of the scores and scaled scores for each municipality.

Table 23: Ethnic Dissimilarity Scores by Municipality, 2015-2018

Municipality	Dissimilarity	
	Score	Scaled
Agana Heights	37.1	100
Umatac	36.7	98
Talofofo	35.0	92
Inarajan	32.6	83
Merizo	32.2	82
Agat	31.1	78
Sinajana	30.5	76
Yona	30.2	75
Santa Rita	28.8	69
Tamuning	26.3	60
Chalan Pago/Ordot	25.6	58
Asan/Maina	24.7	54
Mongmong/Toto/Maite	23.6	50
Dededo	22.8	47
Agana	19.2	34
Piti	17.8	29
Barrigada	14.1	16
Yigo	11.4	6
Mangilao	9.8	0

Among Guam’s 19 municipalities, scores for Agana Heights, Umatac, Talofofo, and Inarajan and Merizo were relatively high, indicating substantial difference from the local norm. On the other end of the scale. Mangilao, Yigo, Barrigada, Piti, and Agana, had lower scores, indicating greater similarity with the local norm for ethnic distribution.

It was not possible to calculate a trend analysis at the municipal level because the GBRFSS annual sample sizes were too low.

1. Profile Analysis

There remains the question of exactly which characteristics of the ethnic distribution might be associated with high or low dissimilarity scores. To investigate that issue we conducted a profile analysis, comparing the ethnic profiles of each of the municipalities and Guam as a whole. The results are shown in Table 24.

Some scores we clearly different from the Guam norm. For example, Agana Heights and Agat

are two municipalities with very high dissimilarity scores owing to very high percentages of Chamorro households and low percentages of all other ethnic groups. Similarly, Yigo and Dededo differ from the norm due to their relatively low percentages of Chamorros and very high concentrations of Filipinos.

Table 24: Ethnic Profile Analysis for Guam Municipalities, 2015-2018

	Ethnicity of Population.								
	Chamorro	Filipino	White Caucasian	Chuukese, other FSM	Asian	OPI	Other	Score	
								Score	Rank
Agana Heights	73.1%	5.3%	6.8%	3.8%	3.2%	7.2%	0.6%	100	1
Agat	72.0%	15.3%	3.2%	5.1%	0.3%	3.2%	0.8%	78	6
Barrigada	55.8%	21.1%	6.1%	7.6%	4.0%	4.1%	1.3%	16	17
Chalan Pago-Ordot	66.6%	16.2%	8.0%	2.1%	2.3%	2.8%	1.9%	58	11
Sinajana	69.3%	10.9%	8.5%	2.7%	1.0%	4.9%	2.8%	76	7
Inarajan	71.4%	10.4%	9.7%	7.2%	1.3%	0.0%	0.0%	83	4
Mongmong-Toto-Maitei	59.1%	10.8%	6.3%	13.2%	3.1%	4.2%	3.3%	50	13
Merizo	66.2%	5.5%	10.4%	13.4%	0.1%	1.3%	3.3%	82	5
Umatac	70.9%	4.6%	9.5%	12.4%	0.0%	2.6%	0.0%	98	2
Mangilao	50.3%	21.0%	7.0%	7.6%	3.0%	7.9%	3.3%	0	19
Talofof	68.8%	3.4%	13.4%	3.9%	1.8%	5.5%	3.2%	92	3
Asan-Maina	61.1%	11.1%	11.3%	6.5%	1.9%	3.4%	4.6%	54	12
Piti	56.0%	18.7%	17.4%	0.6%	1.5%	2.6%	3.2%	29	16
Yona	63.5%	5.6%	14.4%	7.2%	1.3%	2.0%	5.9%	75	8
Santa Rita	35.5%	15.8%	33.2%	4.6%	1.1%	4.3%	5.5%	69	9
Agana	34.6%	15.3%	7.8%	7.3%	11.5%	13.2%	10.3%	34	15
Tamuning	20.9%	30.0%	17.8%	6.7%	17.7%	3.7%	3.3%	60	10
Yigo	37.2%	36.6%	10.1%	7.1%	2.0%	4.4%	2.5%	6	18
Dedeedo	32.0%	46.5%	4.1%	8.8%	3.1%	4.1%	1.5%	47	14
Guam	44.5%	28.2%	9.2%	7.2%	3.9%	4.4%	2.5%	--	

Other areas have profiles that differentiate them from the Guam norm in interesting and perhaps meaningful ways. Their differences are not apparent in the unidimensional dissimilarity index. Piti, Yona, and Santa Rita show scaled scores of 8, 9, and 15 respectively -- middling scores with a wide range. All three had greater percentages of Caucasian households. That are overshadowed by greater differences for Chamorros and Filipinos.

Similarly, Umatac, Merizo, and Mongmong-Toto-Maitei had scaled scores of 2, 5, and 13 showing little difference from the Guam ethnic profile. But all three shared higher than expected percentages of households classified as “Chuukese and other FSM”.

Finally, Tamuning and Agana have mid-level scores and are distinguished by lower levels of Chamorro and Filipino households and higher levels of several other ethnic groups including Caucasians, Asians, Other Pacific Islanders and “Other” ethnic groups. Had we calculated a diversity index; these two municipalities may have had the highest scores. They have more equally distributed ethnic populations than the Island as a whole. A multidimensional scale would preserve these differences, would lend itself to greater understanding of the segregation process on Guam, and provide more accurate information for planning and evaluation.

2. Comment on Data

When the 2020 Census data become available or when HUD can provide the supporting data for the new tool, Guam will have decennial data on ethnic dissimilarity. Those data may be as far away as three years, and in the final year of the plan, the data available for evaluating AFFH will be five years old. The data used in this analysis were taken from the Guam BRFSS which has been collected on Guam for more than a decade. It is quite likely to be around for use in measuring ethnic distribution. It takes about four or five years of data to support a municipal level analysis. Five-year moving average data will be updated annually and are used routinely for analyzing ACS data now. GBRFSS also contains data on household income and household size, as necessary for this analysis. Unfortunately, it does not contain any data on housing. GBRFSS will continue to support this aspect of Guam's efforts to affirm fair housing choice in the Territory.

There is yet the question of whether dissimilarity, measured as the difference between the ethnic profile of a municipality and the profile for the Territory tells us anything about segregation or discrimination in Guam. A municipal profile that is very dissimilar to the Guam profile may be a random or natural outcome of an open market for housing. A place that is very similar to the Guam ethnic profile could harbor discrimination in one of its neighborhoods, masked by the more equitable distributions of nearby communities.

B. POVERTY INDEX

The U.S. government does not issue specific poverty levels for Guam and other Pacific Island states and directs us to use the national poverty level instead.⁴⁴ To develop a timely poverty measure related to housing, that can be tracked over time, we designed an alternative. Three datasets were available for that task: (1) Census data from 2010, (2) data from the 2019 Housing Demand Survey, and (3) data from the Guam BRFSS. The most recent Census data are for 2010, and the 2020 Census data may not be available until 2022 or 2023. The Housing Demand Survey was conducted in 2019, but the sample size is too low to support analysis at the municipal level. GBRFSS data are available from 2011 through 2018 and include data on income and household size. The data are from the same dataset tapped for the analysis of ethnic dissimilarity, thus allowing for extended calculations and analysis. The GBRFSS are the best base for measuring local poverty levels.

We used 50 percent of the area median household income⁴⁵ as the poverty level for the study. That definition will produce poverty levels that are higher than those based on OMB poverty guidelines for the 50 states. It will also give us a poverty measure that is tied directly to HUD housing income levels.

We calculated the number of households below this poverty level for Guam and each of the municipalities using the GBRFSS data. Table 25 shows the poverty data by municipality -- the number of households with incomes below the Guam poverty level for the years 2015 through 2018 and the percent of households in the municipality with incomes below poverty.

⁴⁴ U.S. Department of Health and Human Services. Federal poverty guidelines, Health Resources & Services Administration, Washington D.C., March 2020.

⁴⁵ In theory, 50 percent of median income would also be equal to the upper bound of the HUD income category for low-and-moderate income households (30 to 50 percent of AMI). In practice the two numbers may differ because the median income is taken from survey data which may differ from Census data. In years other than Census year, this difference is trivial for Guam since no updated Census data or ACS data would be available

The data in Table 25 have been sorted from high to low with respect to the percent of households below poverty. For the sake of convenience, we might consider three levels of poverty observed across the municipalities. Municipalities with relative high poverty levels included Umatac, Mongmong-Toto-Maitei, Merizo, Agana Heights, and Inarajan. Those with mid-level poverty rates are Yona, Talofoto, Tamuning, Dededo, Asan-Maina, Piti, Agat, Barrigada, and Yigo. Low poverty areas include Hagatna, Mangilao, Santa Rita, Sinajana, and Chalan Pago-Ordot.

The available data are insufficient to support trend analysis since the last Census. That will have to await publication of 2020 Census results. Poverty is another example of the kind of data that are crucial to planning, operating, and evaluating housing assistance programs in any jurisdiction. Guam's lack of access to timely data makes it difficult to measure accurately the types of discrimination indicators required by HUD's instructions.

Table 25: Households with Income below Poverty, 2015 – 2018

	Households below Poverty 2015 through 2018		
	Average Households per year	Percent below Poverty	Scaled Score
Umatac	45	28.8%	100
Mongmong/Toto/Maitei	314	28.1%	96
Merizo	104	27.4%	91
Agana Heights	183	27.2%	90
Inarajan	108	26.0%	82
Yona	288	22.3%	59
Talofoto	156	21.9%	57
Tamuning	677	21.3%	53
Dededo	1979	21.0%	51
Asan Maina	50	20.6%	49
Piti	84	20.5%	48
Agat	231	20.4%	48
Barrigada	401	20.3%	47
Yigo	846	19.6%	42
Hagatña	61	18.7%	36
Mangilao	521	16.8%	25
Santa Rita	210	15.8%	19
Sinajana	109	14.4%	10
Chalan Pago/Ordot	204	12.8%	0

Source: SMS/PCR based on GBRFSS data 2015-2018.

The raw score is the percent of households in an area that have a median household income below the Guam poverty level. It is also the percent of households with income below 50 percent of HUD's AMI. The empirical range of the raw score in 2018 was 12.8 to 28.8 percent. The scaled score is the raw score rescaled to a range of 0 to 100. It is an isomorphic transformation of the raw score, preserving the rank order and distribution of the raw score. For both measures, high scores indicate high poverty levels and low score represent low poverty levels. Trend analysis cannot be carried out at the municipal level because sample sizes for GBRFSS 2011 through 2014 were too small.

1. Profile Analysis

Profile analysis can be used to investigate whether municipalities have specific income patterns. For instance, a “middle-class neighborhood” might have more mid-range incomes and fewer very low or very high incomes. Places where there is a high degree of income inequality would be more likely to have a U-shaped distribution of households across the income range.

Table 26: Income Profile Analysis, Guam Municipalities, 2015-2018

	\$10,001	\$15,001	\$20,001	\$25,001	\$25,001	\$50,001	\$75,001 or more	Median Household Income	Percent Below Poverty	
	<%10,000	to \$15,000	to \$20,000	to \$25,000	to \$35,000	to \$50,000				to \$75,000
Piti	12.8%	6.9%	6.3%	1.1%	9.8%	16.1%	9.5%	37.6%	\$ 47,240	20.5%
Santa Rita	9.6%	0.7%	2.1%	6.6%	13.8%	19.3%	15.6%	32.5%	\$ 48,449	15.8%
Talofofo	15.9%	5.3%	4.1%	15.2%	13.9%	5.2%	12.7%	27.8%	\$ 31,882	21.9%
Agana Heights	18.7%	5.1%	6.8%	10.3%	9.1%	15.1%	12.4%	22.6%	\$ 35,074	27.2%
Tamuning	6.0%	5.1%	10.5%	12.2%	10.9%	16.9%	13.3%	25.1%	\$ 39,680	21.3%
Asan-Maina	7.3%	1.1%	21.0%	3.0%	11.1%	19.9%	10.6%	26.0%	\$ 35,863	20.6%
Chalan Pago-Ordot	7.6%	4.8%	8.2%	7.9%	13.9%	20.7%	12.3%	24.6%	\$ 40,532	12.8%
Sinajana	9.6%	4.3%	11.2%	4.5%	11.4%	19.9%	10.6%	26.0%	\$ 41,171	14.4%
Mangilao	6.8%	5.7%	13.3%	11.1%	16.0%	15.4%	13.6%	18.3%	\$ 22,244	16.8%
Yona	5.6%	4.6%	11.3%	9.3%	12.5%	17.5%	14.9%	24.2%	\$ 40,718	22.3%
Barrigada	8.4%	6.7%	8.3%	9.4%	15.8%	14.1%	15.9%	21.5%	\$ 36,249	20.3%
Yigo	14.2%	5.6%	13.0%	9.4%	16.6%	14.1%	9.9%	17.2%	\$ 29,703	19.6%
Agat	14.0%	4.4%	8.1%	5.6%	23.6%	13.1%	14.1%	17.0%	\$ 32,577	20.4%
Dededo	15.9%	7.9%	13.1%	10.8%	15.5%	14.3%	9.1%	13.5%	\$ 26,559	21.0%
Hatgana	12.3%	0.0%	12.8%	9.9%	15.1%	21.4%	18.0%	10.5%	\$ 34,967	18.7%
Merizo	26.9%	6.0%	15.9%	7.5%	9.5%	8.0%	17.5%	8.0%	\$ 20,799	27.4%
Umatac	18.7%	12.8%	10.7%	5.5%	8.2%	22.6%	5.1%	16.5%	\$ 27,905	28.8%
Inarajan	23.0%	6.3%	13.9%	9.2%	5.8%	9.2%	16.3%	18.5%	\$ 24,884	26.0%
MTM	24.2%	5.2%	8.5%	8.5%	14.5%	14.6%	9.3%	15.2%	\$ 27,484	28.1%
Guam	12.5%	5.9%	11.1%	9.7%	14.6%	15.3%	11.9%	19.1%	\$ 32,399	21.1%

Source: SMS/PCR based on GBRFSS data 2015-2018.

Table 26 presents the household income profile of each of the municipalities and Guam as a whole. The figures in that table represent the percent of area households within each household income category listed at the top of the table. We have added the median household income and percent of households living below poverty. Items marked in gold are significantly different from the Guam norm. Those marked in green are significantly lower than the Guam norm.

Profile analysis suggests the household income score is a reasonable measure of income distribution across the municipalities. The score describes a set of municipalities with median household incomes rising steadily from low to high. It will serve well in the next step for our analysis. We found no areas with strong U-shaped distributions, although the profiles for Piti, Talofofo, Agana Heights, and even Inarajan and Mongmong-Toto-Maitei fit the general pattern.

No other income distribution patterns were noted. In part this was because the income categories used in the GBRFSS are the same as those used in the 2010 Census – truncating at \$75,000 or more. In the second half of the last decade, that made the highest category, the tail of the distribution, as large as 20 percent of the population. In Piti, 37.6 percent of all households were in the last category. We can see that Dededo, Merizo, and Umatac had income distributions closer to a normal distribution – the peak was reached before the last category. Otherwise, the

grouping used in GBRFSS severely limits the ability to work with profiles. The 2020 Census will change those categories, and we expect the CDC to follow suit.

The U.S. government does not issue specific poverty guidelines for Guam and other Pacific Island states and directs us to use the national poverty level instead. At present that can be done, but the poverty levels would be applied to household income data from the 2010 Census. Poverty measurement than will be nine years out of date. In 2029, the poverty data will again be 20 years out of date. But there is no income data available for years after 2010.

2. RECAP Municipalities

This section will identify Racially or Ethnically Concentrated Areas of Poverty, municipalities with high levels of ethnic dissimilarity and high levels of poverty. Poverty and ethnic dissimilarity scales were cross tabulated and presented as shown in Figure 3.

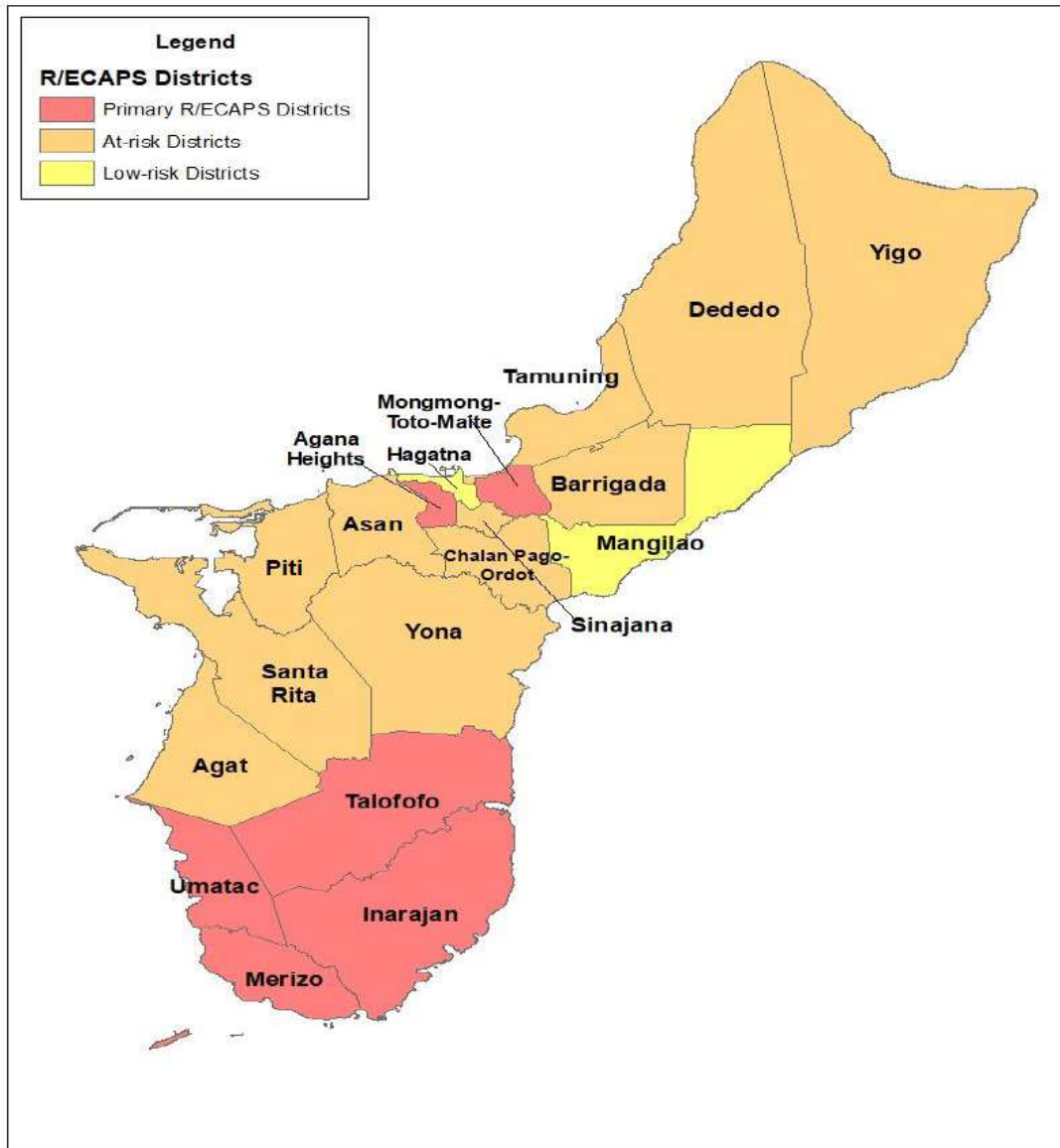
Figure 3: Guam Municipalities by R/ECAP Status

		Ethnic Dissimilarity		
		High	Medium	Low
Percent of Households Below 50% of HUD Average Median Income	High	Umatac Merizo Agana Heights Inarajan	Mongmong-Toto-Maite	
	Medium	Talofofo	Yona Tamuning Dededo Asan-Maina Agat	Piti Barrigada Yigo.
	Low		Santa Rita Sinajana. Chalan Pago - Ordot	Mangilao Hagatna

Four municipalities (Umatac, Merizo, Agana Heights, and Inarajan) were identified as having high scores on both indicators. Two others, Talofofo and Mongmong-Toto-Maitei were included in our further analyses because they had high scores on one indicator and a medium score on the other. That provided us with six areas in which the indicators suggest the housing discrimination might exist. They will be the target of further analysis later in this report.

Four of the six municipalities, Umatac, Merizo, Talafofo, and Inarajan are in the south, MTM and Agana Heights are in the central region. No municipality in the northern region of Guam was identified as having significant issues regarding ethnic dissimilarity or high percentages of their population below the poverty level.

Figure 4: R/ECAP Municipalities.



This entire procedure is based on a measurement model that is well suited to the continental United States. In island communities like Guam, that model may be less useful in identifying potential discrimination. Island communities have many ethnic groups, none of which forms a majority of the population. In that sense, all ethnic groups are minorities and measuring diversity or dissimilarity probably does not indicate segregation. This does not, however, mean there is no segregation, and certainly doesn't rule out discrimination. In fact, many stakeholders we interviewed told us there was significant discrimination based on ethnicity (national origin) on Guam.

Second, discrimination probably cannot be measured at the regional level (see below) and may not be detectable at the municipal level. It is more likely to exist at the neighborhood level.

That kind of measurement may be possible with 2020 Census data but is certainly beyond the scope of data available today.

Three of the R/ECAP targets identified in Figure 4 were identified in the profile analysis (Figure 3) as having disproportionately high percentages of households from Chuuk or other FSM States. But two others (Talofofo and Agana Heights) had very low percentages of those households and Inarajan's FSM rate was just above average for Guam.

Identifying a municipality as having an ethnic profile that differs from the Guam average is cause for concern that Guam data may not fit HUD's R/ECAP model. A lack of continuous data on ethnicity, income, and family size is also problematic. The following section addresses how well the available data on housing conditions fits this measurement procedure.

VI. ACCESS TO HOUSING

This section examines some indicators of the current housing situation on Guam and how it relates to segregation and discrimination. The first objective is to identify a set of housing access indicators to be used as metrics in evaluating progress toward AFFH. The second is to address the research question: Are high R/ECAP scores associated with poor housing outcomes?

We consider four variables – homeownership, housing prices, doubling up, and the shelter-to-income ratio. Data were taken from the Comprehensive Housing Study and Needs Assessment, 2019, Housing Demand Survey (Demand Survey). The Demand Survey does not support analysis at the municipal level. Instead we will examine the housing variables for each of four regions and for the six R/ECAP municipalities combined.

A. HOUSING DATA

The four districts of Guam correspond roughly to GHURA’s AMP Districts.⁴⁶ The North District consists of Dededo, Yigo, and Tamuning. The Central District is the largest and includes Asan-Maina, Agana Heights, Barrigada, Chalan Pago-Ordot, Hagatna, Mangilao, Mongmang-Toto-Maite, Piti, and Sinajana. The Southeast Division includes Yona, Talofoto, and Inarajan. The Southwest District includes Merizo, Umatac, Agat, and Santa Rita.

1. Housing Cost

Housing cost is a barrier to access to affordable housing. Areas with very high housing costs (prices or rents) have fewer housing units that are affordable to lower income families. A person seeking housing in that area will therefore face a disproportionately greater barrier to affordable housing than in other areas.

Table 27: Housing Cost by Tenure, Guam, 2019

District	Own		Rent		Total	
	HH Below 80% AMI	Percent of HH Below 80% AMI	HH Below 80% AMI	Percent of HH Below 80% AMI	HH Below 80% AMI	Percent of Guam’s Households
North	3,525	40.6%	5,162	59.4%	8,687	46.9%
Central	3,206	48.3%	3,430	51.7%	6,636	49.2%
Southeast	1,901	71.4%	761	28.6%	2,662	38.9%
Southwest	746	77.5%	217	22.5%	963	45.9%
R/ECAPs	1,391	53.8%	1,195	46.2%	2,586	38.1%
Guam Total	9,378	49.5%	9,570	50.5%	18,948	46.3%

Source: Guam Housing Demand Survey, 2019

Table 27 shows housing cost data for 18,948 households with annual household incomes below 80 percent of HUD’s AMI.⁴⁷ Data are shown for the four districts and the R/ECAP districts. For

⁴⁶ The Housing Demand Studies, 2009 and 2019, used three “regions”, North, Central, and South. In this study we split the southern district to form a southwest and a Southeast District similar to GHURA’s AMP2 and AMP3.

⁴⁷ As an example, for the owned units in the North district, there were 21,071 households in 2019 (3,913/.423). Of those, 8,913 households had annual household incomes below 80 percent of HUD’s median income for Guam. That means that the North district has fewer low-Mid income households than the average for Guam (50%) and the rest have median to higher incomes.

the Island as a whole in 2019, 46.3 percent of all households had incomes that were less than 80 percent of Guam's area median income.

As expected, homeowners had higher incomes. Among owned units, 50.5 percent had incomes below 80 percent of AMI, and for renters the comparable figure was 29.1 percent. Across districts, the differences were larger. In the North and Central districts, the percentage of Low-Mod incomes was relatively high. In the South more than 70 percent of homeowners had incomes below the HUD median. The reverse was true for renters. The North and Central districts incomes were lower and in the South there were fewer than average Low-Mod households. The data attest to an unusual situation in the southern municipalities. The area has very few renter households, but those who rent there are wealthier people. Among the larger group of owners, the larger majority have incomes above the Low-Mod threshold.

In R/ECAP districts, 38.1 percent of households had incomes below 80 percent of AMI. That was 8.2 points below the Guam average. Among homeowners, 53.8 percent were below 80 percent, and among renters, 46.2 percent had incomes below HUD's 80 percent line. That was higher than average for owned and lower than average for renters. We expected the reverse to be true. The explanation is clear in the table. The R/ECAPs include four municipalities from the South and two from the Central districts of Guam.

2. Tenure

Housing tenure is an indicator of access to affordable housing. The rationale is that homeownership is a desired condition for most households. The fact that residents who want to own a home cannot do so is evidence that discrimination might be at work and suggests that further investigation may be required.

Homeownership is a commonly used measure of housing stock and households. In the United States, national and state housing policy was built on the idea of homeownership as a desirable status, part of the "American Dream", an indicator of community strength and sustainability, and the foundation for housing policies like the homeowners' interest deduction. It is considered to be a measure of economic well-being and gaps in homeownership rates among minority groups compared to whites are a commonly used indicator of housing discrimination. These gaps may relate to factors such as historic housing discrimination leading to segregation of minorities in neighborhoods with low home values and disproportionately lower incomes and employment instability among some minority groups. While that historic American model may not fit the Pacific Island experience, it seems reasonable to assume that where homeownership is low relative to the norm, we might expect to find evidence of discrimination based on ethnic density.

Table 28: Housing Tenure, Guam, 2019

District	Own		Rent		Occupy without payment		Total	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
North	8,913	42.3%	9,604	45.6%	2,561	12.1%	21,078	100.0%
Central	7,567	51.8%	5,923	40.5%	1,121	7.7%	14,611	100.0%
Southeast	3,403	77.1%	795	18.0%	217	4.9%	4,415	100.0%
Southwest	2,939	53.0%	1,807	32.6%	795	14.3%	5,541	100.0%
R/ECAPS	4,547	59.1%	2,241	29.1%	903	11.7%	7,692	100.0%
Total	22,823	50.0%	18,129	39.7%	4,693	10.3%	45,645	100.0%

Source: Guam Housing Demand Survey, 2019

The data indicate that half of the households on Guam own their homes. Homeownership is highest in the Southeast (77.1%) District of Guam. Just over half of the households in Central Guam (53%) and Southwest District own their current housing unit (51.8%). Slightly lower than half of residents in the North are homeowners (42.3%). At the district level, varying homeownership rates do not necessarily suggest fair housing discrimination. Analysis of data at a much smaller level, such as Census blocks or block groups, might provide a more informative view.

About 59.1 percent of households in the R/ECAP districts are homeowners. The rest of 40.9 percent of households are either renters or occupy without payment. Compared to Guam as a whole, the R/ECAP Districts have a higher percent of homeowners, only second the Southeast Districts. It is somewhat surprising that the R/ECAP districts have a slightly higher rate of homeownership than most other districts. It is somewhat surprising that the R/ECAP districts have a higher rate of homeowners than most of the other districts. However, the differences are not substantial across all districts except the Southeast District.

3. Doubling Up

“Doubling up” occurs when more than one family lives in a single home. This is not crowding (persons per room), which may occur for any number of reasons, including the household’s preference for extended family or congregate living. Doubled-up households are those with one or more members who wish to leave but cannot do so for financial reasons. It is a more appropriate housing access indicator than crowding or even multi-generational households, both of which maybe included among doubled-up households. The definition is also nearly identical to that used for hidden homeless persons or groups. Persons may be related or unrelated by blood.

Table 29: Doubled-Up Households by District, Guam, 2019

District	Not Doubled Up		Doubled Up		Total	
	Count	Percent	Count	Percent	Count	Percent
North	18,179	86%	1,900	14%	21,078	100%
Central	11,676	80%	2,935	20%	14,611	100%
Southwest	4,708	85%	832	15%	5,542	100%
Southeast	4,117	93%	298	7%	4,415	100%
R/ECAPs	6,255	81%	1,438	19%	7,692	100%
Guam Total	38,680	85%	6,965	15%	45,645	100%

Source: Guam Housing Demand Survey, 2019.

Note: Sum may not add up to total due to rounding errors.

In 2019, 15 percent of all households on Guam were doubled up. Central District recorded the highest score with 20 percent, and the lowest levels of doubling up was 7 percent in the Southeast District. The other two districts were much closer to the Island norm.

With respect to the R/ECAP target municipalities, 19 percent of households in the six R/ECAP municipalities were doubled up. That is about 4 points higher than for Guam as a whole and suggests that doubling up is associated with segregation according to HUD's procedures.

Doubling remains a reasonable indicator of lack of access to affordable housing. It is likely that measuring doubling at the municipal level or even lower will provide useful information on housing inequalities and point to areas where discrimination may be involved in those inequalities.

4. Shelter-to-Income Ratios

The shelter-to-income (STI) ratio is a frequently used as a measure of access to housing. Also known as "housing burden" the measure is an attempt to get at the human aspect of the problem. It argues that households paying more than 30 percent of their annual income for shelter are unacceptably burdened. Their higher shelter cost reduces the amount of money they have for food, clothing, transportation, education, and entertainment.

The standard (30%) is somewhat arbitrary but widely accepted. It is a figure often applied by financial institutions to determine a homebuyer's qualification for a mortgage loan. The 30% standard is used for both owners and renters. Some observers note that STI does not consider a household's conscious decision to spend more on their shelter than other elements of their monthly budget. Regardless, it is perhaps the most frequently used measure of a housing market's ability to provide shelter for people at all income levels. Finally, it is a standard used by HUD in several capacities.

Table 30 presents the data on STI ratios for Guam Districts in 2019. It shows the acceptable level (<30%) and three higher levels. An STI ratio between 30 and 39 percent describes a burdened household. Those with STI ratios between 40 to 49 percent are called "Moderately burdened" and those with greater than 49 percent are called "extremely burdened".

Table 30: Shelter-to-Income Ratio by District Guam, 2019

District	Less than 30 Percent		30 to 39 Percent		40 to 49 percent		50+ Percent		Total	
	Count	%	Count	%	Count	%	Count	%	Count	%
North	8,356	53%	1,816	11%	1,288	8%	4,458	28%	15,198	100%
Central	5,335	50%	1,382	13%	360	3%	3,527	33%	10,604	100%
Southwest	1,460	56%	404	15%	348	13%	407	16%	3,449	100%
Southeast	2,319	67%	242	7%	404	12%	485	14%	2,618	100%
R/ECAPs	3,375	62%	674	7%	295	5%	1,404	26%	5,453	100%
Guam Total	17,469	54%	3,844	12%	2,400	7%	8,876	27%	32,589	100%

Source: Guam Housing Demand Survey, 2019.

In 2019, Guam had an estimated 45,645 households. Approximately 28.6 percent of them reported having no shelter cost or did not report whether they had a shelter cost⁴⁸. The rest of the households reported shelter cost information. We calculated shelter-to-income ratio by district as report them in Table 30.

Among the 32,589 households that reported having shelter cost, 46 percent of them are shelter burdened (greater than 30 percent). Within the shelter-burdened group, as high as 27 percent of households were extremely burdened. That is an unusually high level of “extreme burden”.

Central District had the highest percent of extremely burdened households among the four districts at 33 percent. The North District (28%) was very similar to Guam as a whole. The STI ratio for the Southwest and Southeast Districts, on the other hand, were the lowest among all Districts at 16 and 14 percent, respectively.

The extreme burden STI Ratio for the six targeted municipalities was 26 percent, just one percentage point below the Guam average. Not what we expected. The data exhibit the same pattern we saw in the housing cost data (Table 28). The lower cost burden data are consistent with much lower housing costs in the southern municipalities.

Shelter burden is appropriate to the task of measuring access to affordable housing. The differences across districts are inadequate for this kind of work. The Census data will allow comparison at more appropriate geographic levels, and periodic surveys can supply intercensal data for CAPERs.

⁴⁸ Guam Housing Demand Survey. 2019.

5. Access to Affordable Housing

This section provides a summary of the four barriers to access to affordable housing. Each of the barriers were discussed in the previous subsection. Table 31 summarizes the indicators by district.

Table 31: Access to Affordable Housing Indicators for Guam by Districts, 2019

District	Barriers to Access to Affordability			
	HH Below 80% AMI	Non-owners	Doubled Up	STI Ratio Greater than 30%
Southwest	46%	55%	15%	47%
North	46%	53%	14%	49%
Central	49%	46%	20%	44%
Southeast	39%	39%	7%	33%
R/ECAPs	38%	41%	19%	38%
Guam	46%	50%	15%	46%

Source: SMS/PCR based on Guam Housing Demand Survey, 2019.

Using the overall score for Guam as a benchmark for each indicator it appears that the four indicators of access to affordable housing do not operate as we expected. Of greatest concern was the R/ECAP group. There we would expect above average scores for all four indicators of segregation (or discrimination) were related to lack of access to affordable housing. In fact, only doubling-up was higher than average for the R/ECAP group.

We could conclude from this that access to affordable housing is unrelated to segregation. Or we might conclude that our four indicators do not measure access to affordable housing. After reviewing each of the indicators, however, it is more likely that the data available are not adequate to test the hypothesis that the greatest barrier to fair housing on Guam is the lack of affordable housing.

It is true that this analysis provided no evidence that access to affordable housing is related to segregation as defined by the HUD R/ECAP procedure.

But a reliable measure of access to affordable housing is essential to any discussion of fair housing on Guam. While it is useful to measure ethnic and economic segregation, it is necessary to present evidence those indicators are empirically associated with housing problems.

Ideally it would be useful to collect that evidence on a household-by-household basis in support of disaggregated analysis. That is possible with Census (PUMS) data, or with periodic surveys like the Housing Demand Survey. We expect that future treatment of the housing data section of future ConPlans will be supported by disaggregated analysis for the census year and analysis by municipality for annual CAPERs.

B. BENEFICIARIES OF HOUSING PROGRAMS

This section considers the characteristics of beneficiaries of Guam's Housing programs. The intent is to identify regions where protected classes have limited options in the private market and/or opportunities for Guam to improve programs for the protected classes.

GHURA routinely records data on the beneficiaries and will continue to do so in the future. The Continuum of Care data are from the Guam Homeless Management Information System (HMIS).

The two largest housing programs on Guam are the Public Housing and Section 8 Voucher Programs. The two programs have different objectives and different operating procedures. According to the HUD, the objective of Public Housing is to provide decent and safe rental housing, made available by public housing agencies to eligible low-income families, the elderly, and persons with disabilities. The Section 8 Voucher Program, on the other hand, is a rental subsidy program. It aims to increase affordable housing choices for very low-income households by allowing families to choose privately owned rental housing.

We designed four districts around GHURA’s Asset Managed Properties (AMP) and include municipalities nearby municipalities. Table 32 below shows the municipalities in which public housing facilities exist in each AMP district.

Table 32: Breakdown of Asset Managed Properties (AMP)

AMP Sites	Municipalities Covered
AMP 1	Asan, Agana Heights, Mongmong, Sinajana
AMP 2	Inarajan, Talofofo, Yona
AMP 3	Agat, Merizo, Umatac
AMP 4	Dededo, Toto

*Some municipalities are not included because there is no public housing in that area

Note that the AMPs are roughly equivalent to the four districts used earlier in the report. Amp 1 is in the Central District. AMP 4 is in the North; AMP 3 is the southwest; and AMP2 is in the southeast part of Guam.

1. Public Housing Program

Table 33 shows that a total of 731 tenants were living in public housing in 2019. The figures include public housing tenants and people on the public housing waitlist. The last column shows the total persons affected by GHURA’s two public housing program 2019.

AMP 4 had the greatest part of tenants who lived in public housing (31.7%). About 25.4 percent of tenants lived in public housing located in AMP 3. AMP 2 and AMP 1 served about the same number of tenants (21.5% and 21.3%, respectively).

Table 33: Number of Tenants Served and on the Wait List, Public Housing Program 2019

District	Public Housing Program					
	Tenants	% Served Across AMPs	% Served Within AMP	Waiting	% Waiting Across AMPs	Total Affected (Tenants and waitlist)
AMP 1	156	21.3%	13.8%	973	42.5%	1,129
AMP 2	157	21.5%	33.5%	311	13.6%	468
AMP 3	186	25.4%	36.0%	330	13.4%	516
AMP 4	232	31.7%	25.6%	673	29.4%	905
Total	731	100.0%	24.2%	2,287	100.0%	3,018

Source: GHURA, 2020

Note: ¹ A tenant may be an individual, a couple, or a family of any size; all occupants of a housing unit.

The waitlist can be used to estimate well each AMP served eligible applicants. Assume that the total affected represents total demand for public housing in 2019. Total demand is the number of persons in public housing plus the number on the waitlist. Overall, the public housing program served about 24 percent of demand.

AMP 1 (Central) had the highest demand for public housing (1,129). It also had the lowest number of public housing tenants and thus the lowest service rate. AMP4, the northern district, had the second highest demand and the highest number of tenants, giving them the second lowest service rate. But that rate was still higher than the Guam average. The other two districts served more than a third of the demand for public housing in their areas. These were southern districts with relatively short wait lists.

The GHURA data on waitlists and clients served is valuable information for the program and tells us that it will be difficult to deal with long waitlists and a short inventory of public housing units. Even comparing percent served across districts tells us very little about segregation or discrimination that may exist on Guam.

We now turn our attention to the characteristics of tenants and persons on the waitlist. The data were taken from program records maintained by GHURA. Perhaps of greatest interest was the data on ethnicity. It is measured as the self-identified ethnicity of a person who supplied data for the application. For ease of presentation we are only including the five largest ethnicities reported. Note also that the largest group, "Native Hawaiian and Other Pacific Islanders" is made up primarily of Chamorros, Filipinos, and other Pacific Islanders and includes very few Native Hawaiians, if any.

So, while reducing ethnic diversity is not something people on Guam find useful, reducing diversity in how people are treated is always a goal. That is also the central purpose of AFFR.

The distribution of these five ethnic groups was not surprising. It is similar to the Guam population as a whole. Pacific Islanders are by far the largest group and it would be better if we could refine it. It aggregates data for several ethnic subgroups with very different relationships to public housing. It would be better to have the ability to analyze differences for Chamorros, Filipinos, Chuukese would be useful in planning and evaluating Fair Housing plans and their outcomes.

We calculated total persons affected by GHURA’s public housing program and the percent served using the same procedures described for Table 33. The result is shown in Table 34. We see that 24.2 percent of the estimated demand for public housing was fulfilled in 2019. To evaluate whether people with different ethnic background were treated equally in the public housing program, an effective way is to compare the service rates across all ethnic groups. In an ideal situation where all ethnic groups are treated equally, the service rates should be equal across all ethnic groups.

Table 34 shows that the service rates ranged from a low of 3.4 percent for African Americans to a high of 32.5 percent for multi-ethnic group. Compared to the African Americans, both Asian and Native Hawaiian/Other Pacific Islander had much higher service rates at 27.2 and 25.6 percent, respectively. White, on the other hand, had a moderate service rate at 15.7 percent, ranked only next to the African American group. If we apply the concept of reducing diversity in how people are treated, then the imbalanced service rates may suggest that the public housing program is slightly skewed toward specific ethnic groups.

We can examine further by looking into the service rates across all ethnic groups for each AMP. This will allow us to see if any segregation exists at the AMP level as well as how each AMP is performing compared to Guam as a whole. It will be more approachable to see if any segregation exists within AMP first then move on to comparison with Guam.

Table 34 summarizes the estimated demand for public housing and the service rates for all ethnic groups by AMP. As an example, in AMP 1, there were a total of 34 White and the service rate was 11.8 percent. Meanwhile, 15.8 percent of Native Hawaiian/Other Pacific Islander were served with public housing compared to Asian at only 10.5 percent. In AMP 2, as high as 35 percent of Native Hawaiian/Other Pacific Islander were served but no white was served. If we continue to examine in this fashion for all AMP, we can see that some segregation exists in AMP 1 and AMP 2 because the service rates are imbalanced across ethnic groups.

Table 34: Public Housing Beneficiaries by Ethnicity Groups by AMP

Total	White		Native Hawaiian/Other Pacific Islander		Asian		Black/African American		Multi-race		NA/Declined to response		Total Demand (Tenants + Waitlist)	
	Count	% Served	Count	% Served	Count	% Served	Count	% Served	Count	% Served	Count	% Served	Count	% Served
AMP1	34	11.8%	895	15.8%	67	10.4%	49	2.0%	41	7.3%	43	0.0%	1,129	13.8%
AMP2	5	0.0%	408	35.0%	23	17.4%	1	0.0%	17	58.8%	14	0.0%	468	33.5%
AMP3	6	33.3%	425	37.6%	33	36.4%	3	0.0%	26	46.2%	23	0.0%	516	36.0%
AMP4	6	33.3%	703	25.3%	90	38.9%	5	20.0%	42	38.1%	59	0.0%	905	25.6%
Total	51	15.7%	2,431	25.6%	213	27.2%	58	3.4%	126	32.5%	139	0.0%	3,018	24.2%

Source: GHURA, 2020

Note: ¹ A tenant may be either an individual, a couple, or a family of any size; all occupants of a housing unit.

In contrast, AMP 4 appears to be the closest to the concept of reducing diversity in how people were treated. This can be validated by looking at its service rates for all ethnic groups. Although not perfectly equal, the service rate for each ethnic group was close to each other and none of the ethnic group was left out. The service rates in AMP 3 were also similar among each ethnic group and were higher than AMP 4 in general, except that no African American group was served. If Guam is used as the norm, then AMP 4 will likely be more equal than all other AMP and Guam itself based on the concept of reducing diversity of how people are treated.

AMPs 2 and 3 are not very revealing because nearly all of their cases are in the same Pacific Islanders group. Details by ethnic group and AMP can be found in Appendix Tables C1.1 and Table C1.2.

This analysis helps to understand the important connection between the percent for persons served and the Fair Housing goal. Again, higher service rates are a housing goal. Equal service rates across protected classes is a Fair Housing Goal. By this measure, AMP4, the northern district, it performs best because it has the most equal, or least diverse, service rates for all ethnic groups.

A reasonable public housing objective for the next five years might be to bring the service rates in all areas closer to equality. At the least, the exercise will teach us all how the system works, what types of conditions cause higher or lower service rates, and what types of programmatic actions might be taken to move toward equality.

First steps are likely to include expanding and refining data. That issue is easier to attack than other data problems because the data sources are all in-house.

Other tenant characteristics

Unfortunately, ethnicity was the only protected class available for this kind of analysis. In all, seven client characteristics are available in GHURA data: ethnicity, income, age, disability, family status, place of birth, rent amount, and homeless status. Public housing tenant data were available for four variables: ethnicity, gender, rent type, and tenure. The other three were available for waitlist applicants only.

Gender, which is another protected class, was only available on the tenant data. Upon investigation, there was no significant difference across all AMPs. More tables can be found in Appendix C.

2. Section 8 Voucher Program

We now look at the Section 8 Voucher program. Unlike the public housing program, Section 8 is associated with any AMPs. Therefore, there are no tenants and waitlist data by AMP breakdown. The only geographic breakdown available to us is the applicants' mailing municipalities on the waitlist. Since the AMPs do not cover all municipalities, we adopted the regions as defined in this study. Table 35 shows that 43.1 percent of the applicants were from the North region, 51.5 percent were from the Central region, and only about 5.4 percent were from the Southeast and Southwest regions.

It should be noted that the original tenants and waitlist data were available in two different timeframes. Therefore, it was reasonable to subset the tenants' data so that they could be comparable with the waitlist data. From 2018 to the current period (2020), there were 694 Section 8 tenants and 406 applicants on the waitlist. It is also important to note that any applicants who possess a section 8 program voucher without a qualified Section 8 housing are still considered as tenants.

Table 35: Number of Tenants Served, Section 8 Program, 2018 to Current

District	Section 8 Program			Public Housing and Section 8 Program		Total Served
	Tenants ¹ (1978 to Current)	Tenants (2018 to Current)	Waitlist (2018 to Current)	Tenants ¹ (1978 to Current)	Waitlist (1978 to Current)	(1978 to Current)
North	Na	Na	175	Na	Na	Na
Central	Na	Na	209	Na	Na	Na
Southeast	Na	Na	8	Na	Na	Na
Southwest	Na	Na	14	Na	Na	Na
Total	2,335	694	406²	3,066	2,693	5,760

Source: GHURA, 2020

Note: ¹ A tenant may be either an individual, a couple, or a family of any size; all occupants of a housing unit.

² Two Applicants with no region reported were removed for reporting purpose

To identify whether the section 8 program under- or over- served eligible applicants, we will look at the protected classes. It is unfortunate that the place of birth was the only common protected class available between the tenants and waitlist data with no geographic breakdown. Analysis will, therefore, be provided at the Guam level only.

Table 36: Number of Tenants Served by Place of Birth, Section 8 Program, 2018 to Current

	Waitlist Families	Percent Waiting	Tenants	Percent Served	Total Demand (Tenants + Waitlist)
Guam	55	11.8%	411	88.2%	466
U.S. (50 States)	8	19.5%	33	80.5%	41
Federated States of Micronesia	295	64.3%	164	35.7%	459
Marshall Islands	3	50.0%	3	50.0%	6
Northern Mariana Islands	0	0.0%	44	100.0%	44
Palau	10	66.7%	5	33.3%	15
Saipan	7	100.0%	0	0.0%	7
Asia	11	28.2%	28	71.8%	39
Other	0	0.0%	3	100.0%	3
N/A	17	85.0%	3	15.0%	20
Total	406	36.9%	694	63.1%	1,100

Source: GHURA, 2020

As in the public housing section, the total demand for section 8 housing was calculated as the sum of the total tenants and applicants. It totaled to 1,100 beneficiaries. Table 36 shows that majority of the tenants and applicants were born in Guam (42.4%). The second largest origin was the Federated States of Micronesia (FSM), which made up 41.7 percent of the total. The Northern Mariana Islands, U.S., and Asia groups were relatively small compared to Guam and FSM.

Among the 466 tenants and applicants whose place of birth was Guam, as high as 88.2 percent were served. The second largest origin—FSM, however, only 35.7 percent were served. Tenants and applicants who were born in Northern Mariana Islands, U.S., Asia and Other were served at

or above 70 percent. In contrast, those who were born in Marshall Islands, Palau, Saipan were served at or under 50 percent. Although it appears that half of the total groups were served at or under 50 percent, the actual number of applicants not served was small except for the FSM. While there is certainly room for program improvement, the data suggest that the section 8 program in Guam had served the applicants quite well.

It would be beneficial if all the protected classes were available for comparisons. With the current information, it is inappropriate to conclude which program serves beneficiaries better than the other. But at the macroscopic level, both programs appear to be impartial and did not under- or over-serve beneficiaries at a significant level. More tables associated with specific programs can be found in the appendix.

Homelessness is an indicator of lack of access to affordable housing among very low-income citizens. While a debate continues on whether homelessness is a housing problem or a mental health problem, recent research on Guam⁴⁹ has shown that the existence of homelessness will require provision of additional housing units, both public housing and private sector rentals.

3. Ethnicity of Homeless Persons

The ethnic breakdown of the homeless community in 2018 shows Native Hawaiian and Pacific Islanders are disproportionately affected by homelessness. They make up more than 90 percent of the homeless population on Guam, compared to 59 percent of the total population of Guam. The Homeless PIT Count in 2018 showed that there were 875 homeless persons in the Territory, including 111 unsheltered persons. Their distribution by ethnicity is shown in Table 37.

Table 37: Ethnic Breakdown of Guam Homeless

Race	Sheltered	Unsheltered	Total	% of Homeless	% of Population
Black	1	4	5	1%	0%
White	9	4	13	1%	9%
Asian	8	23	31	4%	33%
American Indian / Alaska Native	2	1	3	0%	0%
Native Hawaiian / Pacific Islander	86	705	791	90%	59%
Multiple Races	5	27	32	4%	NA
Total	111	764	875	100%	100%

Source: Guam PIT Count, 2018 and population estimates from Guam BRFSS 2015-2018.

Pacific Islanders made up 90 percent of all homeless cases. Using the U.S. Census classifications for analysis of fair housing analysis severely limits the utility of ethnic data on Guam and developing local categories for ethnicity would greatly improve the situation. It would benefit AFFH on Guam if we could measure differences for Chamorros, Filipinos, and migrants from the Federated States of Micronesia.

The most common cause of homelessness was unemployment and the leading causes of unemployment were lack of transportation and job skills. This supports the proposition that access to opportunity plays a significant role in housing security.⁵⁰ Populations that were less

⁴⁹ Guam Housing Study and Needs Assessment, 2019.

⁵⁰ Guam PIT Count, 2018.

likely to be homeless due to their underrepresentation in the homeless community were Whites and Asians, suggesting these populations have more adequate access to housing.

4. Location Data

As an indicator of regional housing need and access, below is a table reporting the top five villages with unsheltered homeless persons by year. These are likely the unsheltered homeless hubs due to their high population density and easier access to social services in these areas.

Table 38: Top Five Villages for Unsheltered Homeless Individuals by Year

2015		2016		2017		2018	
Yigo	407	Yigo	384	Dededo	377	Dededo	246
Dededo	326	Dededo	306	Yigo	113	Yigo	96
Mangilao	83	Hagatna	51	Hagatna	54	Hagatna	75
Yona	83	Agat	48	Mangilao	41	Mangilao	71
Hagatna	71	Barrigada	31	Agat	40	Yona	59

Source: Guam PIT Count Report

VII. ACCESS TO OPPORTUNITY

This section considers unfair access and distribution of community amenities and resources. Areas with opportunity are sought after as places to live. Areas with good schools, places to shop, good public transportation, and healthy environments not only make life pleasant, but provide necessary resources for self-improvement and social mobility. If members of the protected classes are segregated in communities with lesser access to opportunity, they are denied access to social mobility themselves and also for their children perhaps leading to generational poverty.

A. EDUCATION

Access to quality education provides children with greater opportunities for the future. In 2015, HUD adopted new rules requiring jurisdictions to assess access to a quality education as an indicator of access to opportunity.⁵¹ According to the 2020 Fair Housing survey, 32 percent of Guam residents felt that quality schools were not equally available in all municipalities (Table 12) and 9 percent felt quality public schools were not accessible within their community (Table 13).

In 2020 there were 41 public schools on Guam, 23 private schools, and four post-secondary or technical education institutions. There are significantly more private institutions in central and north Guam than in the south. All post-secondary institutions are located in central Guam.

Table 39: Schools by Region

Schools by Region	Public	Private	Post-secondary
North	18	8	0
Central	13	10	4
South	10	5	0
Total	41	23	4

1. Access to Quality Schools

To assess public school quality, reading scores and student/teacher ratios were used to generate a school quality index (SQI). An index was created for both variables, Reading Index (RI) and Student Teacher Ratio Index (STRI), then combined for a School Quality Index (SQI). RI was considered an important indicator of student success, so that index carries more weight compared to STRI. STRI was included as an indicator of school access to funding and resources, as more funding is often correlated with more teachers. Test score data and student teacher ratio data were unavailable for private schools, therefore an SQI was only generated for public schools based off of weighted averages of all public schools in each municipality. The three municipalities not listed, Asan, Hagnata and Umatac, did not have any public schools from which to collect data.

⁵¹ Housing Matters, <https://housingmatters.urban.org/articles/federal-fair-housing-data-can-tell-us-about-access-quality-schools>

Table 40: Public School Quality Index

Municipality	Public School Quality Index	Number of Public Schools	Number of Private Schools	Region
PITI	0.89	1	0	Central
AGANA HEIGHTS	0.68	1	1	Central
TALOFOFO	0.62	1	1	South
AGAT	0.60	2	2	South
CHALAN PAGO-ORDOT	0.52	2	4	Central
TAMUNING	0.49	5	4	North
INARAJAN	0.47	2	0	South
BARRIGADA	0.42	4	2	Central
SANTA RITA	0.40	3	0	South
DEDEDO	0.36	8	3	North
YIGO	0.31	5	1	North
MERIZO	0.30	1	0	South
MONGMONG-TOTO-MAITE	0.26	1	0	Central
SINAJANA	0.24	1	1	Central
YONA	0.22	1	2	South
MANGILAO	0.15	3	2	Central

source: Guam Department of Education, Annual State of Performance Education Reports.

The shaded municipalities in Table 40 are the R/ECAP areas identified earlier in this report. Among the municipalities where public schools scored below average on the SQI, two were R/ECAP districts. One was Merizo, a rural district in the south with one public school and no private or post-secondary schools nearby. The other, Mongmong-Toto-Maite, was a more central and urban district and had scores a bit lower than average on the SQI. However, students in this area have nearby access to other schools, including private institutions.

Funding for public education on Guam can vary significantly from year-to-year making planning difficult. In addition, it is unclear whether the University of Guam Undergraduate program for Teachers is accredited.⁵² A more recent letter to the editor indicates that Guam public schools are significantly underfunded and that there is a significant teacher shortage every year and a lack of textbooks and workbooks.⁵³ But, regardless of the overall quality of education on Guam, what concerns the Fair Housing Coordinator is equal access. The data (Table 40) show an unequal distribution of access to quality education across Guam. Families residing in regions with lower quality schools, especially those in rural areas with less access to affordable alternatives, may be adversely affected.

⁵² <https://education.stateuniversity.com/pages/563/Guam-EDUCATIONAL-SYSTEM-OVERVIEW.html>

⁵³ "Letter: Properly fund public education," Richard W. Fee, Pacific Daily News, August 9, 2019.

2. Private and Post-secondary Education Costs

Private elementary and high school education options across Guam vary in cost, averaging \$4,777 in the South, \$4,794 in Central Guam, and rising to \$6,274 a year in the North. Cost for these alternatives to public school may cause access limitations to families living on lower incomes, with even the lower range of tuition and fees ringing in at nearly \$500 a month.

Table 41: Cost of Private School Education

Average Cost for Private Schools	Registration	Tuition	Total
North	\$470	\$5,804	\$6,274
Central	\$397	\$4,397	\$4,794
South	\$383	\$4,394	\$4,777

Demographic data were unavailable for private and postsecondary enrollment. Collection of this data would benefit analysis of unequal access to education.

3. Jobs and Employment

Access to employment and jobs is critically important to a household ability to maximize its opportunities. The more jobs that are available near to where they live, the less time spent in commuting. Lack of employment was identified earlier as one of the main reasons for homelessness.

The most recent data available for employment for Guam was the 2012 figures from the U.S. Census of Business in 2012. Five of the six R/ECAP municipalities had the fewest paid employees per pay period that year. They also had the fewest number of business establishment. The data for Umatac was too low to include in the table. These municipalities clearly have less opportunity for employment than other Guam communities. Because the employed persons count is so low, this means that many adults have to travel to other municipalities for jobs, requiring an added cost of transportation.

Table 42: Establishments and Employment by Municipality.

Municipality	Establishments	Annual Payroll (1,000s)	Paid Employees per Pay Period
Umatac	N/A	N/A	N/A
Inarajan	11	\$ 933	63
Merizo	15	\$ 3,260	148
Talofof	16	\$ 2,905	168
Agana Heights	22	\$ 4,325	187
Asan-Maina	19	\$ 3,204	187
Sinajana	19	\$ 4,207	221
Chalan Pago-Ordot	23	\$ 5,090	297
Agat	39	\$ 9,529	345
Piti	37	\$ 16,276	538
Yona	19	\$ 10,073	552
Mongmong-Toto-Maite	50	\$ 24,367	1,046
Mangilao	65	\$ 31,676	1,133
Yigo	106	\$ 21,422	1,158
Santa Rita	26	\$ 54,975	1,462
Barrigada	249	\$ 74,980	3,455
Hagåtña (Agana)	387	\$ 144,226	5,212
Dededo	461	\$ 143,940	7,230
Tamuning	1,535	\$ 731,938	30,095
Total	3,099	\$ 1,287,326	53,497

Source: U.S Census Bureau, Department of Commerce, 2012
N/A = Not available, in 2007 Umatac had only one establishment

4. Transportation

The data for HUD’s Low Transportation Cost Index is not currently available for Guam because the data is derived from the American Community Survey which is not conducted for Guam.

Access to transportation, good roads and public transportation, makes it possible for households to better access places of employment, services and amenities. Homes are likely to be lower priced when transportation is poor because of the higher cost households must incur to access those places. As noted earlier, many of the adults who live in the five R/ECAP municipalities must travel for work because there are insufficient employment options where they live.

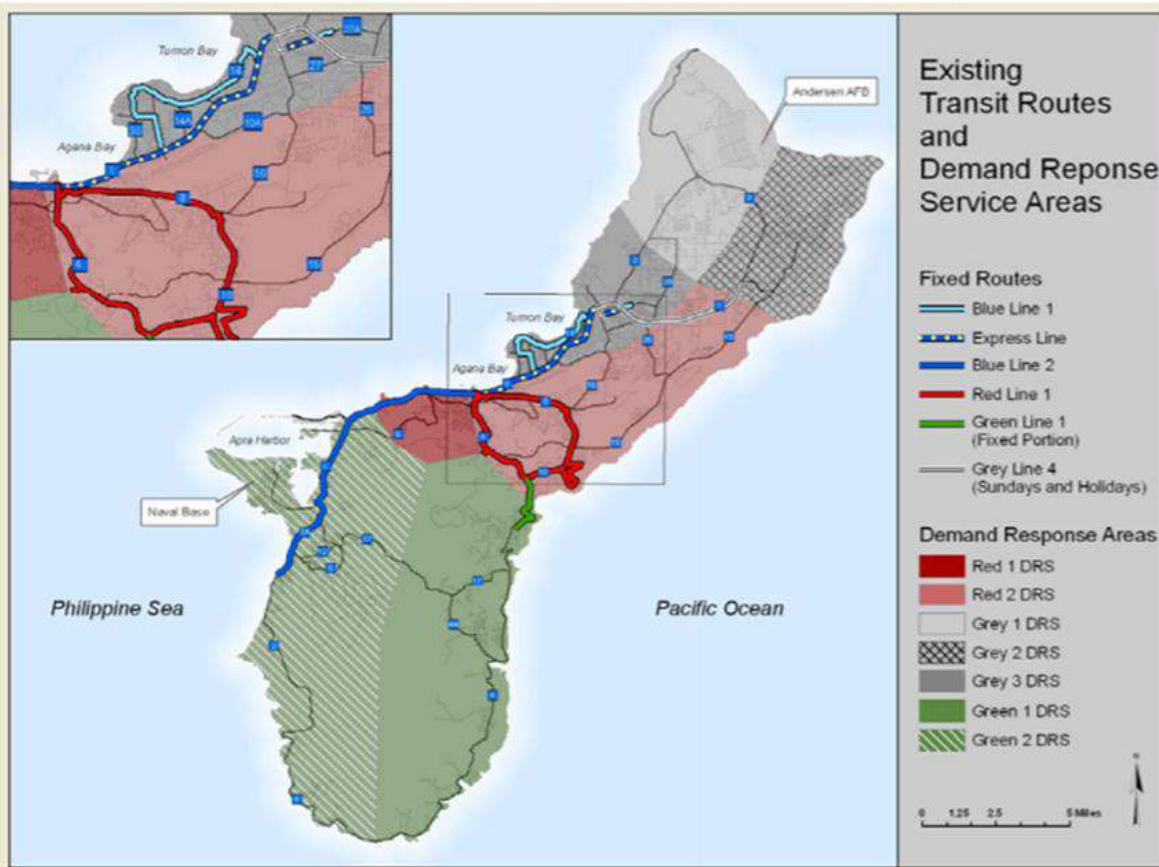
The quality of roads and transportation on Guam vary significantly, from acceptable, to poor, to unacceptable.⁵⁴ The majority of roads and transportation systems are in central and northern Guam, consistent with population density. A major challenge with roads, particularly in the central and southern regions is the flooding that occurs frequently after heavy rains, bringing major roadways to a stop.

⁵⁴ Guam Transportation Plan 2030

The Guam Regional Transit Authority (GRTA) operates a fixed transit system and a paratransit system. Figure 7, Taken from the 2030 Guam Transportation Plan shows existing public transit routes and major highways. As shown, the existing transit routes are primarily located in the central and northern areas where most residents live, and employment centers are located. Paratransit services are available to residents within $\frac{3}{4}$ mile of the fixed transit system. The hours for both are 5:30am to 12:30pm and 2:30pm to 8:30pm. No service is available on Sundays and most holidays. This limited availability of the public transit system requires low income households to live in the Central and Northern areas where housing prices are higher, or, buy a car and incur the added expenses of an automobile. Vacancies in Public Housing projects in the south are partially attributed to the lack of transportation options for residents to commute to work. Four out of the six R/ECAP areas are located in the South that does not have any access to public transportation.

Given that many R/ECAP communities are lacking in job opportunities, residents must commute regularly for employment. The lack of good public transportation and transit routes increases the cost of living in the identified R/ECAP municipalities because residents must commute by car and incur the higher level of expenses.

Figure 5: Transit Routes on Guam



Source: Guam Regional Transit Authority

5. Environmental Health

Exposure to unhealthy environments can result in negative health and socio-economic impacts. The degree to which R/ECAPs align to these high exposure areas is relevant to Fair Housing. According to the 2020 Fair Housing survey, 13 percent of Guam residents felt their community does not have access to a clean environment.

HUD traditionally measures this with an Environmental Health Index to examine whether or not members of protected classes and low-income communities are over exposed to negative environmental health conditions. This index uses air quality measures to make this assessment. While data is not collected in this index for Guam, other potential indicators have been used for this analysis.

a. Air Quality on Guam

As an alternative air quality indicator, IQAir Air Visual maintains tracking of all air quality at a global scale using local data sources as well as satellite visuals. Guam has one local air quality sensor in Tamuning maintained by PCR Environmental, and other localities are tracked using satellite imaging.

The entirety of Guam ranks high, with an Air Quality Index (AQI) score of 25 for the entire territory. The local sensor data indicates conditions are even better than this, scoring a 12. An AQI score between 0 zero and 50 is considered good. This would be expected from an isolated island with clean air flow coming off of the ocean. As a point of comparison, Oahu island AQI scores from local sensors ranging from 7 to 41 and satellite scores ranking from 17 to 21. Overall, this data suggests Guam does not have issues or disproportionate exposure areas when it comes to air quality.

b. Water Quality on Guam

According to USGS, ground water supplies 80% of the drinking water for Guam's residents and visitors. Northern Guam relies on well water from the more than 180 wells and southern Guam relies on surface water.⁵⁵ The EPA has regulated standards for all drinking water that providers must abide by. As of 2012, the only contaminant levels that did not meet EPA standards are those used for water disinfection.⁵⁶ The reported values (RV) of these various chlorine biproducts in central and southern Guam significantly exceed the reported levels in northern Guam. This may be due to the waters varying sources; however, this also means communities in south and central Guam receive lower quality drinking water with significantly more chlorine additives.

⁵⁵ USGS, <https://pubs.usgs.gov/wri/wri034126/htdocs/wrir03-4126.html>

⁵⁶ GWA, <http://guamwaterworks.org/documents/2012WaterQualityReportCombined.pdf>

Table 43: Drinking Water Contaminants

Disinfection Byproducts and Disinfection Residuals²

CONTAMINANT (units)	MCLG	MCL	NORTHERN		CENTRAL		SOUTHERN		Major Sources of Contaminant
			Violation	RV	Violation	RV	Violation	RV	
HAA5 (Five Haloacetic Acids) (ppb) ²	n/a	60	No	14.3	Yes	70.5	Yes	75.3	By-product of drinking water chlorination
Total Trihalomethanes (ppb) ²	n/a	80	Yes	82.5	Yes	147.5	Yes	89.8	By-product of drinking water chlorination
Chlorine (ppm) ²	MRDLG	MRDL							Water additive to control microbes
	4	4	1.1 - 1.3	1.2	1.0 - 1.2	1.1	0.7 - 1.4	1.0	

Source: Guam Waterworks Authority, 2012 Water Quality Report

Proximity to pollutant discharge sites can also be a relative indicator of risk for communities living nearby. The districts with the most permitted pollutant discharge sites include Piti and Santa Rita, both with a mix of private and public power plant or wastewater treatment sites.

Table 44: Pollutant Discharge Sites on Guam

Facility	Discharger	Location
Agana/Hagatna Sewage Treatment Plant	Guam Waterworks Authority	Agana
Tristar Guam Agat Terminal	Tristar Terminals Guam, Inc.	Agat
Agat-Santa Rita WWTP	Guam Waterworks Authority	Hagatna
Northern District Sewage Treatment Plant	Guam Waterworks Authority	Harmon
University of Guam Marine Laboratory	University of Guam	Mangilao
Umatac-Merizo Sewage Treatment Plant	Guam Waterworks Authority	Merizo
Cabras Marine Corporation	Cabras Marine Corporation	Piti
Cabras Power Plant	Guam Power Authority	Piti
Mobil Cabras Terminal	Mobil Oil Guam, Inc.	Piti
Piti Bulk Fuel Terminal	Guam Power Authority/Peterra, Inc.	Piti
South Pacific Petroleum Corporation	South Pacific Petroleum Corp.	Piti
Tristar Guam F-1 Pier Terminal	Tristar Terminals Guam, Inc.	Piti
Unitek Environmental Waste Transfer Fac.	Unitek Environmental Guam	Piti
Apra Harbor WWTP	U.S. Navy, Naval Base Guam	Santa Rita
Fena Water Treatment Plant	U.S. Navy, Naval Base Guam	Santa Rita
Guam Shipyard	Guam Shipyard	Santa Rita
Municipal Separate Storm Sewer System	Department of the Navy (DON)	Santa Rita
Municipal Separate Storm Sewer System	Guam Department of Public Works	Santa Rita
Baza Gardens Sewage Treatment Plant	Guam Waterworks Authority	Talofofo
Ugum Surface Water Treatment Plant	Guam Waterworks Authority	Talofofo

Source: US EPA National Pollutant Discharge Elimination System Permits⁵⁷

Two of these sites, Merizo and Talofofo were located in R/ECAP communities.

⁵⁷ USEPA, <https://www.epa.gov/npdes-permits/guam-npdes-permits>

Guam EPA tracks bacteria levels on a weekly basis at more than 43 beaches across the Territory. Between 5 and 20 beaches are identified each week and are constantly changing. A compilation of most frequently polluted beaches was not available, but Guam EPA identified the 10 cleanest beaches in 2017 (Table 45). These were the beaches with the fewest advisories for bacteria levels above acceptable limits. The municipalities with beaches ranking as very clean year-round include Tamuning, Piti, Yona, and Talofofo, one of our R/ECAP municipalities.

Based on the data, it does not appear that ocean water contaminants are consistently higher in disadvantaged areas. However, more than half (53%) of respondents to the 2020 Fair Housing survey indicated that they felt parks, trails or clean beaches were not equally provided across all municipalities. To make a definitive determination a list of more heavily contaminated municipalities would require additional, more focused, and more granulated data.

Table 45: Cleanest Guam Beaches, 2017

Beach Name	Municipality	2017 Advisories
Ipan Beach Park	Talofofo	0
Tagachang Beach	Yona	0
Matapang Beach Park	Tamuning	1
Guma Trankilidat	Tamuning	1
Outhouse Beach	Piti	1
Family Beach	Piti	1
Port Authority Beach	Piti	2
Gun Beach	Tamuning	2
Ypao Beach	Tamuning	3
First Beach	Talofofo	4

Source: Guam EPA Beach Watch Summary⁵⁸

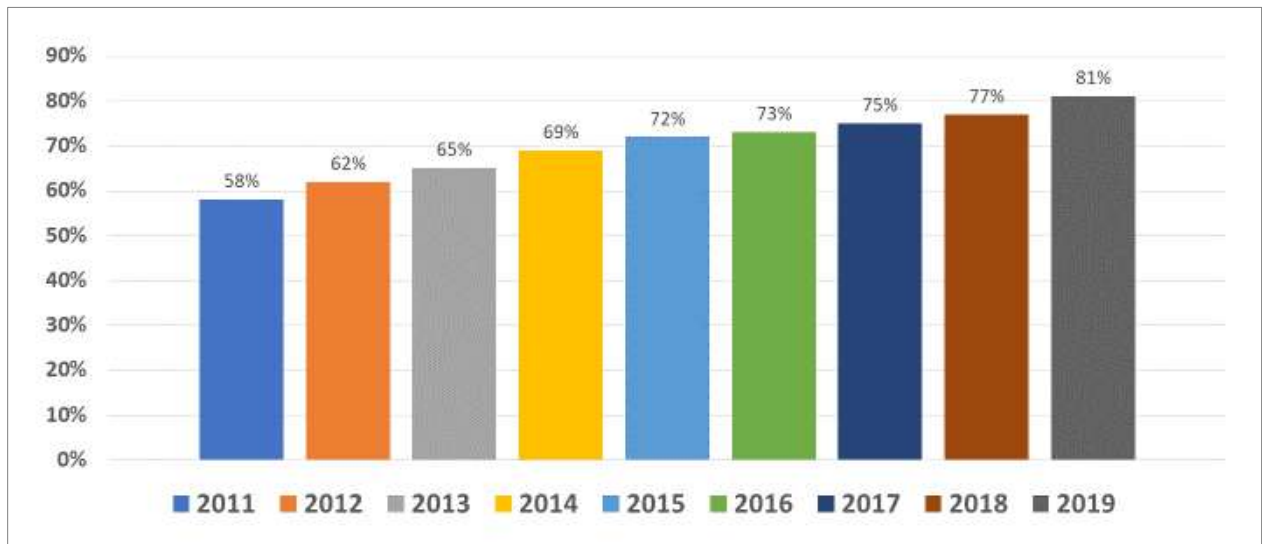
Overall, environmental issues do not appear to be an issue for R/ECAP communities. Air quality is high, and the beaches appear to have few advisories. Pollutant Discharge units appear to be spread throughout the island, although Piti and Santa Rita host more than half of these units. One of the R/ECAP municipalities have two

6. Access to Broadband Internet

We noted earlier with reference to access to banking resources, Guam that many households rely on Internet success for many reasons. This measure is not required by HUD, but is recognized as an indicator of desirable neighborhoods, empowered neighborhoods, and readiness for improvements. Although no data were available for access by municipality, one source was available for the Island as a whole. The World Bank estimates that 132,221 Guam residents had access to Internet in 2019. This represents 81 percent of Guam’s resident population.

⁵⁸ GEPA, <https://www.arcgis.com/apps/MapJournal/index.html?appid=4d0551de9a1c4652a1f7a69325bcbb3b>

Figure 6: Percent of Guam Households with Broadband Internet Access, 2011-2019



Source: Internet World Stats and World Bank

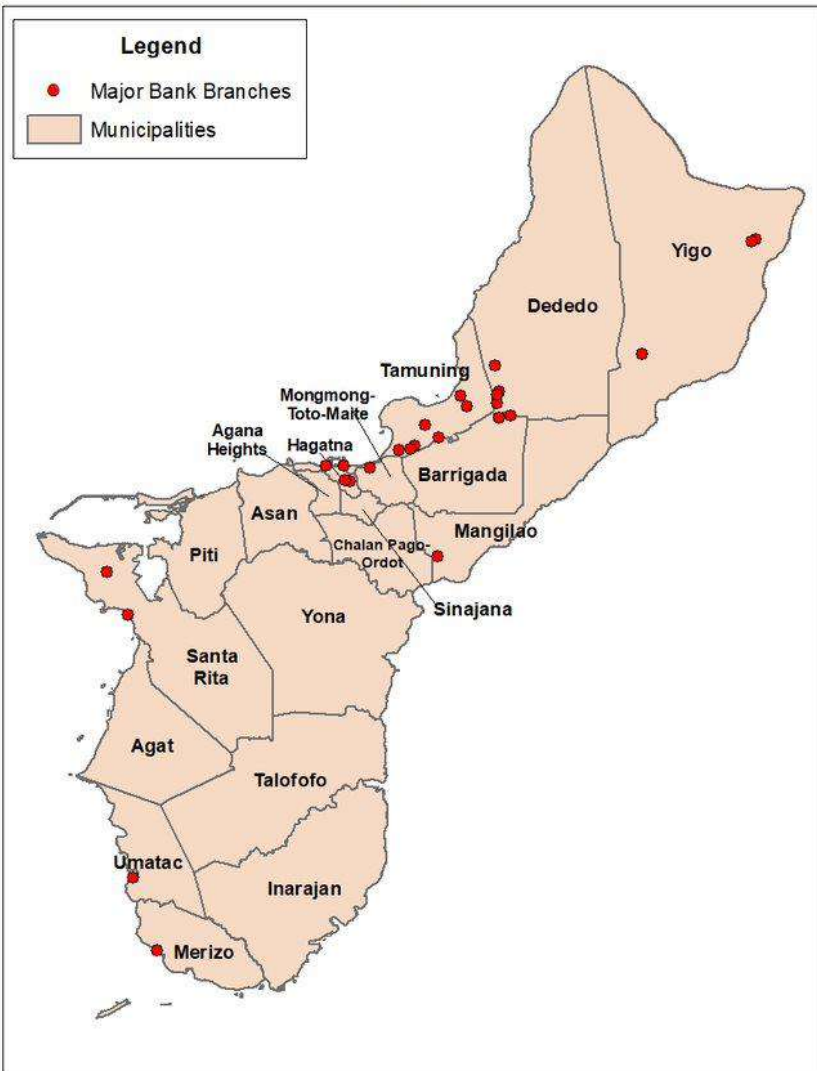
Guam's Internet penetration is high and compares favorably with the United States' penetration at 86.5 percent (Source: Internet World Stats). Guam's Internet penetration is significantly higher than other Pacific nations such as Samoa at 34 percent penetration and the Marshall Islands at 39 percent (Source: Internet World Stats).

7. Banking and Financing

Access to banking and financial services is an essential resource for all households. Even in these days of online banking there are still households without computers, homes without Internet access, and people who do not trust on-line banking. Certainly processing mortgage loans and other real estate transactions many households would prefer to have a bank, and a personal banker, nearby.

Figure 7 maps branch locations for six of the major financial institutions on Guam, including Bank of Hawaii, Bank Pacific, Community First Federal Credit Union, Coast360 Federal Credit Union, Pentagon Federal Credit Union, and the Bank of Guam. There is an obvious concentration of branches in central Guam and only a couple options in the south and northeast.

Figure 7: Major Bank Branches on Guam



Access to banks and financial institutions was not identified as a major issue in the survey, however, stakeholders did say that financial institutions prefer lending to military members because if there was an issue the military housing office would assist the bank in addressing the issue. In addition, military personnel receive housing allowances that can be used for monthly mortgage payments or rent.

VIII. ACCESS FOR PERSONS WITH DISABILITIES

Persons with disabilities sometimes face negative stereotypes, meet with prejudice, and encounter physical barriers that limit their housing options and access to community resources. Because of this, federal and local governments have amended fair housing laws to include persons with disabilities as a protected class.

In the Public Input Survey for Guam, disability was the chief reason for housing discrimination by 10 percent of people who reported having experienced housing discrimination on Guam.

A. DISABLED POPULATION

Households with at least one disabled member is a growing subset of the Guam Population. It is estimated that nearly 1 in 6 households has at least one member with a disability. Based on the 2019 Housing Demand Survey, the proportion of households affected by disability grew by about 4 percentage points in the last ten years. This number is slightly below the national average of 20 percent, likely due to Guam's younger population.

Table 46: Households Reporting Someone with a Disability

Disabled Households	2009		2019	
	Count	Percentage	Count	Percentage
Yes	5,479	12.3%	7,648	16.8%
No	38,980	87.5%	37,649	82.5%
Don't Know/Refused	92	0.2%	348	0.8%
Total	44,551	100.0%	45,645	100.0%

Source: Guam Housing Demand Survey, 2019

This population has a high rate of unemployment and poverty (39%) and, among those who are disabled but not in the labor force, 64 percent are living below the poverty level.⁵⁹

B. ACCESSIBLE HOUSING AND HOUSING RESOURCES

There are currently no available data to assess how much of the housing stock on Guam is accessible or built to ADA standards. Based on public opinion though, the amount of accessible housing is not adequate. About 47 percent of 2020 Fair Housing survey respondents said much more housing was needed for persons with disabilities and stakeholders told us that there is a severe shortage of housing units for individuals with physical disabilities, primarily because there are too few units that are ADA accessible.

Some public housing facilities have been built that are intended specifically for the elderly and those with disabilities. Guma Trankilidat is an accessible 50-unit complex consisting of 49 one-bedroom units and 1 two-bedroom unit, as well as community facilities. Other than this facility, none of the public housing facilities were built and reserved specifically for the disabled. Among households on the public housing waitlist, only 6 percent are classified as disabled (Appendix, Table C6).

⁵⁹ Guam Consolidated Plan, pg. 111.

Mentally challenged individuals are more likely to find housing because they are assisted in the search by Caseworkers and do not need the same types of structural home specifications many physical disabilities require. The specific types of accommodations required vary. Most common needs include bathroom grab bars and wheelchair access or ramps.⁶⁰ If a unit is not built with possible accessibility needs in mind, modifications are often costly due to the construction materials used on Guam to withstand hurricanes. This challenge likely further restricts supply and housing choice among this population.

Table 47: Housing Accommodations Needed

Special Need	Percent of HHs
Need bathroom grab bars in next unit	16.9%
Need shower seat in next unit	15.0%
Need ramps in next unit	9.0%
Need emergency call device in next unit	7.1%
Need wheelchair modifications in next unit	6.8%
Need roll-in shower in next unit	6.6%
Need textured walls for the blind in next unit	5.9%
Need railing in next unit	5.2%
Need alerting device for the deaf in next unit	4.7%

Source: Guam Housing Demand Survey, 2019

Within the Section 8 program, 175 vouchers were reserved for non-elderly disabled persons. Among those approved disability vouchers, 81 percent were in lease compared to an average lease rate of 94 percent for all voucher types. Service providers encountered challenges using the disability vouchers due to a lack of accessible housing options that meet HUD Section 8 standards. In particular, providers cited the lack of available wheelchair-accessible housing.

The 175 disability vouchers represent only 6 percent of all authorized Section 8 vouchers on Guam. Of those on the Section 8 waitlist, 11 percent were classified as having a disability (Appendix, Table C12). Considering Guam’s disability rate of at least 16 percent and the increased likelihood of poverty among that population, these housing subsidy resources which allow for increased housing access seem disproportionately low.

C. ACCESS TO PUBLIC SERVICES

Access to public services for persons with disabilities is an important factor impacting quality of life and economic wellbeing. In the 2020 Fair Housing survey, 30 percent of respondents cited limited access to community resources for persons with disability as a barrier to housing (Table 16). This section reflects on available information and feedback on the accessibility of community resources such as public infrastructure, transportation, jobs and employment.

⁶⁰ Guam Housing Demand Survey, 2019.

Infrastructure, including handicap parking and sidewalk accessibility appear to be some of the major challenges.⁶¹ Parking availability and a lack of signage have been challenges within private sector facilities, with many businesses claiming they are unaware of requirements. Not all sidewalks have ramps for wheelchair access, and many have power poles in the middle of walkways due to road widening. More than half (55%) of respondents to the 2020 Fair Housing survey said that roads and sidewalks were not equally maintained or provided across Guam (Table 12). This likely has an especially negative effect on those with mobility issues.

The public transportation system in Guam is not ideally accessible for many disabled individuals. As an alternative, Guam Public Transit Authority (GPTA) offers a “ADA Paratransit” service to disabled individuals who are prevented from using the standard Guam Public Transit System because of their disability.⁶² This might include being unable to get to or from bus stops, being unable to get on or off buses, or being unable to understand how to ride and use the system. The GPTA program offers fixed route services on a conditional and unconditional basis dependent on circumstance. However, requirements to make reservations a day in advance likely limits the independence and quality of life experienced by persons with disabilities.

Major employment limitations for those with disabilities is apparent when you consider the significant lower financial outcomes, higher poverty and unemployment rates, for this population. According to Section 41210(b) of Article 2, Chapter 41, Division 5 of Title 17 of the Guam Code Annotated, government agencies are required to employ at 2% of their workforce with people of severe disabilities.⁶³ However, no data was available on the degree to which this is complied with or regarding positions within the private sector.

To efforts to employ those with disabilities, Guam Department of Labor’s Department of Integrated Services for Individuals with Disabilities, Division of Vocational Rehabilitation provides training, counseling, guidance and employment services after eligibility has been determined and work with the client to develop Individualized Plans for Employment (IPE).

Employment limitations may be partially a result of limited access and independence linked to inadequate infrastructure and inconvenient transportation options for persons with disabilities. Investing in access improvements for those with limited mobility will likely lead to increased integration of persons with disabilities into the community and workforce.

D. IN-HOME AND RESIDENTIAL SUPPORT PROGRAMS

Increasing numbers of households with disabled persons from 2009 to 2019 indicate increased need for not only accessible housing units but for supportive care services and facilities. This sentiment was confirmed in many stakeholder interviews.

⁶¹ Guam Pacific Daily News, <https://www.guampdn.com/story/opinion/editorials/2018/06/30/guam-still-has-far-go-ada-compliant-our-view/747813002/>

⁶² Guam Regional Transit Authority, <https://grta.guam.gov/services/paratransit-riders-guide>

⁶³ http://www.guamlegislature.com/Public_Laws_26th/P.L.%2026-109.pdf

The government of Guam operates many programs to support those with disabilities. The Department of Integrated Services for Individuals with Disabilities (DISID) was established in 1997 to provide a single point of entry for individuals seeking disability resources and services. During fiscal year 2016 DISID served over 500 individuals with education, training and support services but the offices main initiatives focus on advocacy, public awareness and providing resources or connections to services.⁶⁴ The Family Caregiver Support Program, funded through local and federal funds within the Department of Public Health and Social Services, provides resources and support for families with supportive services, organization of support groups, respite care, individual counseling, training, and supplemental services to help meet caregiving challenges.⁶⁵

In the non-profit sector, Catholic Social Service of Guam runs multiple programs for the elderly and disabled. The In-Home Services program provides personal care services, homemaker services, chore services and check-in calls to elderly who have trouble with multiple daily living activities.⁶⁶ The Karidat Program provides twenty-four (24) hour residential support services for eligible adults with physical, cognitive and/or intellectual disabilities and is funded by the Guam Behavioral Health and Wellness Center. They also provide respite care program and a community day habilitation program for qualified disabled adults. It was not identified whether or not these services were available island wide.

Some additional programs were found within the private sector but these programs have associated costs and may not be reasonable options for most of the disabled community.

⁶⁴ DISID, Citizen Centric Report 2016

⁶⁵ <http://www.dphss.guam.gov/nfcsp.html>

⁶⁶ <http://www.catholicsocialserviceguam.org/in-home-services.html>

IX. COMPLAINT AND REGULATORY REVIEW

This section reviews the fair housing enforcement and regulatory environment. It examines the complaints that have been received and the actions taken from those complaints, as well as reviewing available information on reported hate crimes. The primary areas covered by this analysis were Fair Housing law, local zoning and land use decisions that affect housing choice.

A. FEDERAL AND TERRITORIAL FAIR HOUSING LAWS AND ENFORCEMENT

Appendix D contains Title 9 of the Guam Code, Guam's fair housing law for Guam. The structure of fair housing enforcement was presented in Section II-D above. This section will present the outcomes of fair housing enforcement activities on Guam between 2015 and 2019. We will discuss complaints filed, fair housing law violations, hate crimes, and other legal resources.

1. Fair Housing Complaints Filed

GHURA reported fair housing discrimination complaints in CAPERS between 2012 and 2018. In 2012 through 2016, it was noted that GHURA's Fair Housing Coordinator was available to field inquiries about possible incidents of housing discrimination and no inquiries or complaints were reported. In 2017, the Coordinator received eight inquiries. After discussion the incident with the individuals involved, no discrimination complaints were filed (p.22). In 2018, the Coordinator answered "several" inquiries" and no formal complaints were filed (p.18).

According to HUD, Guam had two HUD complaints filed in 2016 and one in 2017.⁶⁷ Those were filed through the HUD Office across the country. There were 34 discrimination complaints filed under FHAP, for a total of 36 complaints in 2017. Thus there were very few discrimination cases filed under HUD procedures on Guam. As we see in Figure 8, that seems consistent with the national data. HUD files many few complaints every year than FHAP or NFHA members.

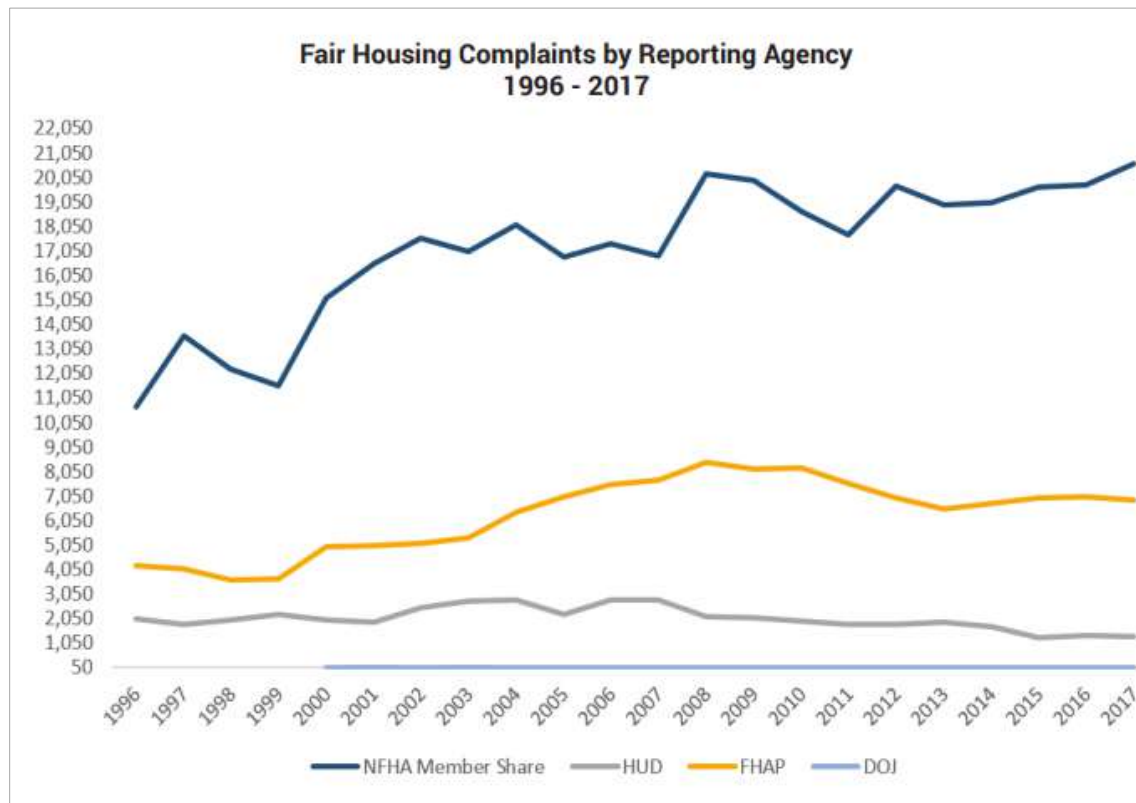
Nationally, HUD maintains records on fair housing complaints to the DOJ.⁶⁸ They report counts and dispositions for all states, but do not report data for Guam or other Island Territories. HUD's Federal Housing Assistance Program (FHAP) provides support and funding to qualified member agencies. FHAP processes fair housing complaints and publishes results for all FHAP agencies.

The number of complaints filed differ from source to source. HUD reports about 6,000 to 8,500 complaints a year (8,186 in 2017), FHAP says there were 28,181 fair housing complaints filed in the U.S. in 2016, both HUD and FHAP. Of those, 70 percent were complaints against a private provider and 30 percent involved a public housing provider. The reasons for the complaints were 55 percent disability, 19.6 percent race, 8 percent families with children. Fully 91.5 percent involved rental transactions.

⁶⁷ Office of Fair Housing and Equal Opportunity, Annual Report to Congress, FY 2017, Table 2.12: HUD and FHAP Complaints by State, FY 2017, p. 13.

⁶⁸ HUD's Title VIII Fair Housing Complaint Process at https://www.hud.gov/sites/documents/23536_COMPLAINT-PROCESS.PDF

Figure 8: Housing Complaints by Reporting Agency, 1996-2017



Source: 2018 Fair Housing Trends Report, p. 14.

The National Fair Housing Alliance (NFHA) says the exact 2017 count was 28,843.⁶⁹ And their distribution is slightly different. An attorney who represents fair housing law defendants report HUD’s 8,186 cases but has a slightly different distribution.⁷⁰ That is largely because the source includes retaliation. Retaliation is not a protected class but is allowed under Section 818 for the Fair Housing Law. It currently accounts for 10.2 percent of housing discrimination cases adjudicated.

2. Fair Housing Law Violations

There is no evidence that housing discrimination has been a problem in Guam’s judicial system in the past ten years. Between 2009 and 2018, there were no legal opinions and no legal memoranda related to Fair Housing law or violations of the law filed at the Attorney General’s Office.⁷¹ USDOJ presents detailed statistics on hate crimes, include crimes related to housing

⁶⁹ National Fair Housing Alliance. 2020. Making every neighborhood a place of opportunity, in 2018 Fair Housing Trends Report, NFHA, 2020.

⁷⁰ Badami, Scott M. 2019 Fair Housing Defense, Information on and Compliance with the FHA. General Fair Housing News & Developments, February 18, 2019. Fox Rothschild, LLP, Attorneys at law.

⁷¹ Guam Office of the Attorney General at <http://oagguam.org/opinions/>.

discrimination. In 2014, they reported zero hate crimes for Guam. In years since, no data are provided for Guam.⁷²

3. Other Legal Resources

Guam has two agencies that provide legal assistance to persons who believe they have been victims of discrimination under Title 9 of the Guam Code or the National Fair Housing Law. The Guam Legal Services Corporation – Disability Law Center and the Micronesian Legal Services Corporation (Guam). There is at least one law firm that advertises fair housing law under its pro bono law services, and numerous attorneys who are qualified to assist fair housing law plaintiffs. Guam Legal Services told us that they have not received any complaints or inquiries from persons seeking assistance with housing discrimination. They also have not filed any cases involving fair housing law in the last five years.

4. Survey Findings

Public Input Survey -- respondents who were likely to have a greater interest in housing and fair housing issues on Guam -- paint another picture of the Fair Housing situation on Guam. More than half of them said they did not know or fully understand their Fair Housing rights.

About a fourth (23%) of the respondents said they had personally experienced housing discrimination on Guam at some time in the past.

Eighty-one percent of them said the discrimination was perpetrated by a landlord or a rental agent, and 18 percent said it was a real estate agent. This was consistent with national research that claims most discrimination is perpetrated on renters by landlords and rental agents.

Of those reporting incidents of discrimination 60 percent believe it was due to ethnicity or National origin and 58 percent said it was due to family status (Table 20). Ten percent said the basis of discrimination was disability of a family member. This too is consistent with national statistics, depending on which numbers we consult. It may suggest that disability is a lesser problem on Guam than elsewhere in the U.S.

Among those who experienced discrimination, nine percent of respondents said they filed a report. Our modeling of the survey data suggests this outcome is possible, but only if survey respondents: (1) used a socially acceptable response bias, or (2) interpreted “filing a report” in a context that was very broad and unlike the formal complaint process used by GHURA and HUD. These issues can be resolved by using a more comprehensive and probing set of questions on housing discrimination in the future.

Finally, we should note that the perception of discrimination on Guam is probably higher than the actual incidence. While nine percent of Public Input Survey respondents experienced housing

⁷² U.S. Department of Justice, Hate Crimes, State Specific Information, Guam, downloaded April 2, 2020 at <https://www.justice.gov/hatecrimes/state-specific-information/guam>.

discrimination, 42 percent of them reported that housing discrimination does take place on Guam (Table 15). Another 42 percent said they didn't know one way or the other, but only 4 percent of respondents said there was no housing discrimination on Guam. This is not an uncommon problem and it can be addressed by public education campaigns.

B. ZONING REGULATIONS

The Zoning Law of the Territory of Guam was established to create minimum regulations to protect public health, safety, and general welfare for the residents of the Territory of Guam by encouraging the most appropriate use of land, providing adequate open space, preventing overcrowding of the population, and providing access to community utilities and resources.⁷³

The Guam Zoning Map was prepared by the Land Use Commission and approved by the Legislature and the Governor. Access to the map is limited. Zoning and land use regulations are found in the Guam Code Annotated, Title 21 Real Property, Division 2, Regulation of Real Property Uses. Chapter 61 outlines zoning laws and provisions.

Our examination of zoning regulations on Guam did not identify any practices that were inimical to Fair Housing Law. Specifically, we did not find:

- high concentrations of low-income housing at the municipal level.
- zoning laws used to deny impede housing developments that promote integration.

We found no rules or activities that allowed NIMBYism to stop affordable housing development, especially for protected classes. In fact, it seems that NIMBYism, or at least the demonstration of NIMBYism against housing development, is relatively rare on Guam. The data gathered on spot zoning showed that spot zoning decisions have not brought about negative reactions from local residents. Stakeholders did not bring up the subject. However, asked to identify barriers to fair housing on Guam, Public Input Survey respondents ranked it 6th from the top on a list of 18 possible barriers.⁷⁴ Fully 48 percent of respondents tagged it as a barrier.

We found no recent housing developments where discussion included the use of discriminatory stereotypes, fears, or comments about prospective residents. We also found no cases in which development of group homes for persons with disabilities were denied, or where group homes are allowed only by conditional or special use permit.

We have not found zoning or building codes that are sometimes associated with housing discrimination, such as large minimum lot sizes, minimum multifamily zoning and age-restricted zoning. Guam's Zoning Law regulates density by zone type. For new single-family construction, minimum lot size is 5,000 sq. ft. and height limitations are three stories not to exceed thirty feet. These restrictions do not seem to be onerous and exemptions are allowed. Stakeholders did not express concern over density limitations

⁷³ Guam Code Annotated, Title 21, Division 2, Ch.61, Article 1, § 61102

⁷⁴ The term NIMBY was not used. The Items read "Community opposition to affordable housing". See Table 18.

Guam adopted the International Building Code (IBC) as its building code⁷⁵. The IBC requires additional protocols to ensure structures survive hurricane force winds and extreme weather. Those requirements increase construction costs and building schedules. They also allow construction and rehabilitation that is not compatible with ADA regulations. Guam should consider adjusting codes to accommodate special needs households⁷⁶.

Guam law does permit spot zoning by the Legislature. The practice is controversial and has been debated on many occasions. A recent review of the practice shows that, as it is used on Guam today, it is not necessarily harmful to the development of affordable housing or to fair housing law.⁷⁷ Spot zoning is used sparingly and usually involves reclassifying residential land to commercial codes. Reviewing zoning requests filed over the last five years, none would have supported development of residential housing units. Spot zoning is not in and of itself discriminatory. It could be used for harm or benefit. At present it does not appear to have fostered housing discrimination on Guam.

Summary Findings

The analysis of complaints suggests that very few people in Guam file fair housing complaints. In the last ten years there may have been three complaints filed. We do not know the outcome of those cases. The evidence also suggests that no complaints have been processed by the Attorney General's Office and no cases have been filed in Guam Courts in the last ten years. Local opinion supports those findings, among stakeholders and survey respondents. None told us that prosecution of discrimination in housing has been noticeable.

That does not mean that housing discrimination does not exist. Stakeholders told us about significant discrimination against recent immigrants from Pacific Island Nations, especially as practiced by private sector landlords. Many survey respondents said they witnessed housing discrimination on Guam this year, and more than half of all respondents said that discrimination came from landlords and rental agents.

Our review of Guam's statutory fair housing regulations and GHURA's programs related to fair housing shows that Guam has a multi-faceted regulatory framework in place that does not appear to create barriers to housing choice. Still, the NFHA says that nationwide, "The biggest obstacle to fair housing rights is the federal government's failure to enforce the law vigorously." More important, Guam fair housing stakeholders report that discrimination based on national origin exists on the Island. It is not lost on Guam residents, either. More than half of respondents have seen housing discrimination on Guam of the types we have been discussing. As one of them put it, "As soon as they find out where you're from, the unit is no longer available."

⁷⁵ Guam Code Annotated, Title 21, Ch. 67, Article 1, § 67101

⁷⁶ See Guam Housing Study and Needs Assessment, 2019, p. 70.

⁷⁷ Guam Housing Study and Needs Assessment, 2019, p. 69.

X. FACTORS, PRIORITIES, AND RECOMMENDATIONS

Following HUD’s new Assessment of Fair Housing (AFH) format, this chapter reviews the issues identified to this point and summarizes related “contributing factors” - those factors that contribute to fair housing concerns. Sections B and C establishes priorities and goals for addressing identified fair housing impediments.

A. FAIR HOUSING ISSUES AND CONTRIBUTING FACTORS

The following table summarizes fair housing impediments identified in this Analysis of Impediments, along with associated contributing factors. According to HUD, a “fair housing contributing factor” is a factor that creates, contributes to, perpetuates, or increases the severity of one or more fair housing issues.

The four primary fair housing issues for HUD are:

- Disproportionate housing need,
- Segregation and concentrated areas of poverty,
- Disparities in access to opportunity
- Disability and access issues.⁷⁸

Figure 9: Issues and Contributing Factors

Issues		Contributing Factors
Disproportionate Housing Needs		
1	<p>There are an insufficient number of affordable rental housing units available in Guam. The 2019 Housing Study identified the greatest need for housing is households with incomes less than 30% of HUD median income. Stakeholders consider “housing you can afford” to be the least available resource available to them.”</p> <p>Challenge in tracking affordable housing units on Guam due to heavy reliance on Decennial Census data and periodic studies because American Community Survey not conducted on Guam & other means of gathering data currently not available on Guam.</p>	<p><i>Lack of available affordable units in a range of sizes</i></p> <p>Construction on Guam is limited by visa restrictions.</p> <p>Projects are viable only if they can afford to pay high labor costs, limiting affordable housing projects.</p> <p><i>There are no fair housing agencies on Guam.</i></p>
2	<p>There is an insufficient number of public housing units on Guam. The wait list for public housing continues to be significant and limited. In 2019 there were 731 tenants and 2,287 on the waitlist.</p> <p>Protected class data, such as race/ethnicity categories relevant to Guam is not available to identify if all classes are being equally served.</p>	<p><i>Lack of available, affordable units in a range of sizes.</i></p>

⁷⁸ “Assessment of Fair Housing Tool for States and Insular Areas, HUD 5173-N-08.

	Issues	Contributing Factors
	Disproportionate Housing Needs	
3	Insufficient number of affordable rental units for local families. Military members are willing and able to pay for larger units because of their high allowance for housing. This reduces the inventory of larger rental units for local families.	<i>Lack of available affordable units in a range of sizes, especially for larger families.</i>
4	Rental rates and purchase prices are too high for the average Guamanian. FMR rate was too low relative to market rents. Received higher rate approval, currently being implemented	<i>Lack of available affordable units in a range of sizes, especially for larger families.</i> Entry fees are high: deposit, first month's, utilities hook-up fees, etc.
5	Many Chamorro Land Trust beneficiaries unable to afford construction costs to build a home. Infrastructure not available nearby therefore higher cost charged to bring infrastructure to the new house.	<i>Lack of public investment in specific areas within Guam, especially infrastructure.</i> Chamorro Land Trust lacks the resources needed for community infrastructure, that will reduce the cost for individual homeowners.
6	Discrimination limiting access to housing based on stakeholder reports. Funds have not been available to conduct Fair Housing testing to verify private sector discrimination by landlords, rental agents and real estate agents. Additional outreach to landlords may be required.	<i>Lack of resources for Fair Housing Testing</i> <i>Insufficient local private fair housing outreach & enforcement.</i>
7	Recent immigrants have great difficulty finding rental units. Survey respondents believe it is due to discrimination against recent immigrants and family status. Few documented reports of discrimination and no Fair Housing Testing to confirm or discount reports. Over 50 percent of renters are unfamiliar with Fair Housing Rules and even more do not know how to report when rules are not followed.	<i>Private discrimination.</i> <i>Lack of resources for fair housing agencies and organizations.</i> <i>Quality of affordable housing information program.</i> Programs need to be provided in more languages and offer more in-depth programs to educate recent immigrants on landlord expectations, as well as what they can expect from a landlord.
8	Survey respondents report that discrimination they are facing is not reported because they feel it would not do any good. Lack of understanding of the discrimination reporting process among recent immigrants and renters. Recent immigrants speak a variety of languages and have challenges adapting to the Metrics do not exist for impact on education and training on Fair Housing. Currently no way to track the effectiveness of current training.	<i>Quality of affordable housing information program.</i> Programs need to be provided in more languages and offer more in-depth programs to educate recent immigrants on landlord expectations, as well as what they can expect from a landlord. <i>Lack of resources for fair housing agencies and organizations.</i>

	Issues	Contributing Factors
	Disparities in Access to Opportunity	
9	Stakeholders report that financial institutions prefer providing mortgages to military households. Guam financial institutions are exempt from Home Mortgage Disclosure Act (HMDA) reporting. ⁷⁹ Without this data that is disclosed in the states, Guam is unable to determine if discrimination is occurring.	<i>Lack of data resources to determine if there is discrimination occurring.</i> Having HMDA data would enable GHURA to determine identify any issues in mortgage approvals.
10	Economic opportunity is lacking in some R/ECAP municipalities. Being unemployed is the primary reason given for being homeless.	<i>Location of Employers</i> Economic concentration of jobs in the visitor, military and construction industries has led to a geographic concentration with few employers in more rural areas.
11	Quality of public schools varies by municipality. Two of the R/ECAP municipalities have lower performing schools. Higher cost private and religious schools are concentrated in the Central area.	<i>Location of proficient schools.</i> Underfunding of public education and a shortage of teachers.
12	Reliable public transportation not available for much of the island, particularly in the south where four of the six R/ECAP areas are located.	<i>Insufficient availability, type, and frequency of public transportation.</i> Public transportation serves a limited area within Guam.
Disability and Access Issues		
13	There is an insufficient number of affordable housing units to accommodate physically disabled persons. Section 8 disabled voucher holders have had more challenges finding units compared with non-disabled holders. Concrete buildings are difficult and expensive to renovate. Current building codes do not consider the physical requirements of physically disable persons.	<i>Lack of affordable, accessible housing in a range of sizes. Only one public housing project of 50 units specifically designed to accommodate this segment. (Guma Trankilidat in Tumon)</i> <i>Lack of assistance for housing accessibility modifications.</i>
14	High unemployment and poverty in the disabled community, especially in some R/ECAP municipalities.	<i>Location of Employers</i> <i>Limited access to transportation for persons with disabilities.</i> Inadequate ADA access to community resources and transportation to resources.

Contributing factors in italics are based on the HUD “Contributing Factors Descriptions”⁸⁰

⁷⁹ Appendix F, “Getting it Right,” Federal Financial Institutions Examination Council. “Guam is not a state, district or commonwealth, it is an unincorporated territory of the U.S.” therefore, not required to report.

⁸⁰ “Assessment of Fair Housing Tool for States and Insular Areas, HUD 5173-N-08.

B. PRIORITIZATION

Contributing factors require prioritization, and prioritization determines the fair housing goals and strategies. According to 24 C.F.R. Section 5.154(d)(4)(ii), in prioritizing contributing factors “highest priority [should be given] to those factors that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance.”

Guam’s prioritization of contributing factors considered the following:

- The number of Fair Housing Issues that each contributing factor addressed. (a)
- The significance of the factor in contributing to fair housing and access to opportunity barriers. How will addressing the factor affect housing and opportunity? (b)
- The ability of Government of Guam to address the factor? Does GHURA and other departments have the authority to affect the issue? ©
- The effect of addressing the factor on affected protected classes. Will addressing the issue affect the protected classes who are facing the most barriers to housing choice and access to opportunity? (d)

Figure 10 below shows the results of the prioritization process for each the contributing factors identified in Table 9 based on the factors to be considered noted above. The process is designed to be flexible and can be adapted based on additional input. Scores will change as factors are addressed, new information becomes available, and changes in the community.

Figure 10: Prioritization of Contributing Factors

Contributing Factors	# of Issues this affects (a)	Impact on Housing & Opportunity (b)	Ability of Guam Gov to address this (c)	Will addressing this affect the protected classes (d)	Total Score
Lack of resources for fair housing agencies and organizations	6	5	5	5	21
Quality of affordable housing information program	2	5	5	5	17
Insufficient availability, type and frequency of public transportation.	2	5	5	5	17
Lack of available, affordable units in a range of sizes	3	5	3	5	16
Limited access to transportation for persons with disabilities.	1	5	5	5	16
Private discrimination	1	5	3	5	14
Lack of affordable, accessible housing in a range of sizes.	1	5	3	5	14
Income Discrimination	2	5	1	5	13
Lack of public investment in specific areas within Guam	1	3	3	5	12
Location of Proficient Schools	1	5	3	3	12
Lack of assistance for housing accessibility modifications.	1	3	3	5	12
Insufficient local private fair housing outreach & enforcement	1	3	3	3	10
Location of Employers	1	5	1	3	10

(a) Number of Housing Issues that had this as a contributing factor

(b, c, d) Scale: 5=high, 3= medium,

All the identified contributing factors are important. However, the resources available to GHURA is limited, therefore for purposes of this study, the top three were selected. All three had high scores across the evaluation factors. In addition, it is likely that addressing these three may have an impact on the contributing factors not immediately addressed. The following describes the rationale underlying selecting these three factors.

Impediment to Fair Housing Contributing Factor #1: Lack of Resources for Housing Agencies and Organizations.

Guam has insufficient resources including quantitative housing/household data to improve its planning efforts, to evaluate programs, to identify protected classes that may be underserved or subject to discrimination, and to better all its residents.

GHURA must rely on decennial census data for planning and evaluation purposes. This is the only reliable, source of data on housing units and related households on Guam. Unfortunately, this means that planners rely on data that is at its best three years old (by the time the census data is released) and at its worse 13 years old. The American Community Survey data that States rely on for planning and evaluation purposes is not an option for Guam. Without this ongoing data set, there are no metrics available to evaluate the effectiveness of housing programs, nor identify if new challenges arise between census periods.

For purposes of this study data from the Guam BRFSS study was used. It provides five-year moving average data that is updated annually. The advantage of GBRFSS is that its race/ethnic data is more detailed and better suited for understanding how protected classes are being served unfortunately it does not include housing data.

Identifying R/ECAP communities according to HUD guidelines for poverty and race/ethnic dissimilarity does not work as well to determine if discrimination occurs within an island community that has many ethnic groups, many minorities, and no majority groups. Therefore, looking at dissimilarity at the regional or municipal level may not be sufficient. To investigate at a neighborhood level requires a larger sample size than data available for this study and hopefully will be available in the 2020 Census.

The Housing Mortgage Disclosures Act (HMDA) data that banks provide enables a review of the type of individuals applying for and receiving mortgages. This enables reviewers to identify if there are segments of the population who are underserved by financial institutions. Unfortunately, reporting under this Act is not required of Guam Financial Institutions, therefore stakeholder reports of bias in lending cannot be determined.

With additional resources GHURA could better determine if stakeholder and survey respondent reports of discrimination can be documented. Reports of discrimination by landlords or property managers can be determined by conducting Fair Housing tests. More detailed, Guam appropriate, race/ethnicity profiles of public housing tenants can provide a better understanding of the relative mix of tenants v. wait list v. Guam population. Likewise, more race/ethnicity data on Section 8 voucher holders would provide a better understanding of whether groups are being underserved. Data collection is important, and it requires additional resources to implement the process, input the data, and analyze the results.

The major contributing factor to impeding Fair Housing is insufficient resources to understand the housing issues clearly and quantitatively on Guam. When actions are taken, there is a need to

Identify the impact of those actions. Resources that are required include: more regular housing data, housing data more representative of the Guam race/ethnic mix, data available at the neighborhood level, lending data, data on public housing and Section 8 voucher clients. With the data and personnel to analyze the data, there can be improved planning, identification of issues, and evaluation of programs.

Impediment to Fair Housing Contributing Factor #2: Quality of Affordable Housing Information Programs

It is important to know that GHURA is doing the best it can with the resources available. There are significant challenges serving clients that include immigrants from different countries that speak different languages and have minimal understanding of the process of finding, renting, and maintaining a housing unit. Approximately 78 percent of the Section 8 voucher holders on the waitlist by place of birth were from the Marshall Islands, Northern Mariana Islands and Palau. Immigrants from each of these areas speak a different language and are accustomed to different standards of living in relation to housing. Based on the survey results and stakeholder input immigrants have more challenges finding rental units, face discrimination from landlords and property managers, and understanding the Fair Housing rules.

Ideally immigrants would have a better understanding of the housing process before leaving their home country, unfortunately that does not appear to be occurring. GHURA conducts voucher briefings for households on the Section 8 waitlist. While these briefings cover the rental process there have been no recent evaluations to determine if attendees grasp all the information that is being shared. Given the size of the waitlist, conducting these briefings alone takes significant resources.

If more resources were available briefings could be designed to be more in-depth for immigrants who do not fully speak or understand English – in their native language, and with more time spent on understanding the rental process, why it's important to follow the rules (such as paying rent on time, paying for utilities, the number of members allowed within a unit, and the repercussions of not following these rules. Time should also be spent on Fair Housing and the process to take if they feel they are being discriminated against. This level of briefing would require staff that speaks different languages, more time, and an agenda suited for this purpose. The impact of this more detailed briefing should be better relationships between landlords and tenants increasing the number of landlords willing to rent to voucher holders, as well as more reporting if discrimination does occur. Ideally a confidential evaluation survey should be conducted after each briefing in the language of the respondent to identify the level of understanding that each participant has received.

Less than half of survey respondents said they “fully understand” Fair Housing rights. Over half of the respondents did not know where to file a discrimination complaint. More effort must be placed on educating Guam residents, in particular renters, on their rights. These sessions must also include information on the process after a complaint is filed. As shown in the survey people will not file a complaint if they feel nothing will be done to address the complaint, therefore enforcement must be part of the process.

Fair Housing Rights education should also be conducted regularly with landlords and property managers. This will be especially important if Fair Housing testing will be conducted at some point in the future.

Improving the quality of affordable housing information programs should help immigrants better understand the rental process, fair housing rights, and improve relations with landlords. Improved understanding and belief that their report will receive the appropriate attention should encourage reporting of incidents.

Impediment to Fair Housing Contributing Factor #3: Insufficient Availability, Type, and Frequency of Public Transportation.

Not having public transportation options as a means to access amenities and employment is a significant barrier to opportunity for Guam residents, especially those living in the southern parts of the island. Eighty-six percent of all paid employees on Guam are working in establishments in four of 19 municipalities (Table 42). The four municipalities, Tamuning, Dededo, Hagatna and Barrigada, are in the Central and Northern part of the island. These areas are served by public transit. The other municipalities have fewer than 1,500 paid employees each and five of the six R/ECAP communities have fewer than 200 paid employees. Four of the six R/ECAP municipalities do not have access to public transportation therefore residents must have their own car to reach employment centers increasing their overall cost of living and the commute time reduces their time at home.

The Guam Regional Transit Authority operates a fixed transit system and a paratransit system. It operates six days a week (no Sundays, few holidays) during commuting hours. The paratransit system is only available to residents within ¾ miles of the fixed transit system.

Having a public transit system that serves more municipalities on Guam would enable more equal access to employment and amenities. This expansion should include the four of the six R/ECAP municipalities not currently served.

C. FAIR HOUSING GOALS AND ACTION STEPS

Based on guidance from HUD, a fair housing goal is designed to overcome one or more contributing factors and related fair housing issues. Goals must have metrics, milestones, and a timeframe for completion. For the purpose of this AI, these are called “Action Steps.”

The action steps that Guam will use to meet its Fair Housing goals in the next five years will be reported in the Annual Action Plan and Consolidated Annual Performance and Evaluation Report (CAPER).

The action steps, as demonstrated in the plans below:

- Are strategic in approach,
- Are specific, measurable and establish a responsible party, and
- Identify the resources that are needed to address the goals.

Fair Housing Goal #1: Guam Housing Agencies have the resources required to support planning, tracking and evaluation of affordable housing programs and compliance with the Fair Housing Act. This will enable the agencies to better identify disproportionate housing need and develop plans to address those needs.

Contributing Factors: Insufficient Resources	Activities	Metrics	Timeline	Responsible Parties
<p>Reliable housing data, only available every ten years.</p> <p>Data should include demographics appropriate for Guam.</p> <p>Insufficient resources to increase staffing to collect and analyze the data.</p>	<p>Identify and act on possible options to increase the availability and timeliness of housing data.</p> <p>Make a request to U.S. Census Bureau to conduct the ACS on Guam.</p> <p>Explore adding housing information questions to the Guam BRFSS conducted by the Department of Public Health and Social Services.</p> <p>Explore whether reliable housing data can be generated from other data sources within Guam such as tax files. This may require more data being collected on homeowners, including landlords.</p> <p>Develop a tracking system for affordable housing units on Guam. Identifying the current number, tenure, number of bedrooms, etc. For LIHTC projects include when the affordable rent requirement will be lifted.</p>	<p>Request made to U.S. Census bureau.</p> <p>Options explored with other Guam departments.</p> <p>Best available option identified.</p> <p>Resources provided, responsibilities assigned, and data collection and analysis begin.</p> <p>Guam Affordable Housing plan implementation tracked with data.</p> <p>The next AFFH report has the data it needs to determine if there are issues to be addressed on Guam.</p>	<p>2021</p> <p>2021 Q1</p> <p>2021 Q3</p> <p>2022 Q2</p> <p>2023</p> <p>2025</p>	<p>GHURA to identify best person to make request.</p> <p>GHURA to initiate process.</p>
<p>No HMDA data to determine if there is a bias in lending</p>	<p>Request that HMDA reporting be required for Guam Financial institutions.</p>	<p>HMDA request made and approved.</p>	<p>2021</p>	<p>GHURA to identify best person to make request.</p>
<p>No resources available for fair housing testing.</p>	<p>Identify options for funding to be available for fair housing testing. Conduct test when discrimination is reported. Enforce when test results show discrimination.</p>	<p>Reports of discrimination are followed up with Fair Housing testing.</p>	<p>Starting 2021 Q3</p>	<p>GHURA</p>
<p>Race/ethnicity data currently collected is not representative of Guam's resident population, making it difficult to identify if there is race/ethnic bias in programs.</p>	<p>Collect more information on Section 8 voucher holders and public housing tenants and wait list.</p> <ul style="list-style-type: none"> • Data collection forms have additional data fields • Procedures developed • Staffing need identified and met. • Reports are provided quarterly 	<p>Reports on Section 8 waitlist and tenants, and public housing waitlist and tenants. Include information on race and ethnicity in addition to place of birth.</p>	<p>2021 Q3</p>	<p>GHURA</p>

Fair Housing Goal #2: Fair Housing Act and Rights are Understood by Guam Renters, Landlords and Property Managers.
 To be done by improving the quality of Affordable Housing Information Programs.

Contributing Factors	Activities	Metrics	Timeline	Responsible Parties
Majority of renters do not fully understand Fair Housing Rights and how to make a report when discrimination occurs.	Provide more in-depth voucher briefings in the language of the clients. <ul style="list-style-type: none"> • Identify and provide resources required including additional staffing. Implement surveys to evaluate the effectiveness of the sessions. Adjust briefings as needed.	Scores for level of understanding increases over time.	2021 Q2 Begin Ongoing	GHURA
Some landlords have a perception that Section 8 renters do not maintain their units adequately nor pay their bills regularly.	Work with real estate agencies to conduct sessions on Fair Housing regulations with landlords and property managers. Enhance Section 8 briefings with information immigrants may be lacking including the rental process and requirements, the level of maintenance required, and the impact of not following these guidelines.	Reach a minimum, of 25 percent of landlords and property managers a year. Add measures of these factors to the Post-briefing survey above.	Annually 2021 Q2	GHURA GHURA

Fair Housing Goal #3: Most Municipalities have Access to Employment Opportunities. Need to address lack of public transportation services between R/ECAP municipalities and employment centers.

Contributing Factors	Activities	Metrics	Timeline	Responsible Parties
Public transportation not available throughout Guam including four R/ECAP areas.	Work with GRTA to expand the commuting options connecting employment centers to southern municipalities.	The number of employed persons increases outside the four main municipalities.	Ongoing discussion, Target 2025 to see the first change.	GHURA
Employment opportunities highly concentrated in four municipalities.	<p>Work with business organizations to evaluate options of expanding employment options beyond the current four municipalities.</p> <p>Work with the University of Guam to explore options on training workers to work remotely from home and help them connect with companies that may or may not be located on Guam</p>	The number of employed persons increases outside the four main municipalities.	Ongoing discussion, Target 2025 to see the first change.	GHURA

XI. APPENDIX

APPENDIX A: DISTRIBUTION OF PROTECTED CLASSES

1. Gender

Table A1: Gender by Municipality, 2015 to 2018

	Male		Female	
	Count	Percent	Count	Percent
Agana	629	53.4%	550	46.6%
Agana Heights	858	38.6%	1,365	61.4%
Agat	2,134	52.9%	1,903	47.1%
Asan-Maina	336	40.6%	492	59.4%
Barrigada	3,444	49.7%	3,482	50.3%
Chalan Pago-Ordot	2,767	51.3%	2,626	48.7%
Dededo	15,889	48.7%	16,730	51.3%
Inarajan	596	40.4%	880	59.6%
Mangilao	5,660	52.4%	5,151	47.6%
Merizo	599	47.2%	670	52.8%
Mongmong-Toto-Maite	2,085	54.5%	1,742	45.5%
Piti	500	37.4%	837	62.6%
Santa Rita	2,518	55.1%	2,048	44.9%
Sinajana	1,427	52.8%	1,273	47.2%
Talofof	1,202	49.1%	1,244	50.9%
Tamuning	6,331	60.7%	4,094	39.3%
Umatac	383	59.8%	257	40.2%
Yigo	7,523	49.2%	7,776	50.8%
Yona	2,241	47.8%	2,447	52.2%
Average Total	57,122	50.7%	55,566	49.3%

Source: Guam BRFSS 2015 to 2018

2. Family Status

Table A2: Households with Children Under 18 by Municipality, 2015 to 2018

	Households with No Children < 18	Households with 1+ Children < 18
Agana	66.6%	33.4%
Agana Heights	41.9%	58.1%
Agat	47.9%	52.1%
Asan-Maina	38.4%	61.6%
Barrigada	42.1%	57.9%
Chalan Pago-Ordot	46.4%	53.6%
Dededo	44.0%	56.0%
Inarajan	59.3%	40.7%
Mangilao	43.0%	57.0%
Merizo	35.9%	64.1%
Mongmong-Toto-Maite	48.5%	51.5%
Piti	45.5%	54.5%
Santa Rita	42.7%	57.3%
Sinajana	59.0%	41.0%
Talofofo	46.7%	53.3%
Tamuning	58.1%	41.9%
Umatac	40.0%	60.0%
Yigo	38.9%	61.1%
Yona	46.1%	53.9%
Average Total	45.5%	54.5%

Source: Guam BRFS 2015 to 2018

Table A3: Marital Status by Municipality, 2015 to 2018

	Married		Divorced		Widowed		Separated		Never married		A member of an unmarried couple		Total	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Agana	516	43.8%	38	3.2%	54	4.6%	82	7.0%	429	36.4%	59	5.0%	1,179	100.0%
Agana Heights	992	44.6%	258	11.6%	338	15.2%	8	.4%	576	25.9%	50	2.2%	2,223	100.0%
Agat	1,620	40.1%	297	7.3%	343	8.5%	148	3.7%	1,405	34.8%	224	5.5%	4,037	100.0%
Asan/Maina	387	46.8%	96	11.5%	43	5.2%	113	13.7%	168	20.3%	22	2.6%	828	100.0%
Barrigada	3,193	46.1%	911	13.2%	522	7.5%	56	.8%	2,024	29.2%	220	3.2%	6,926	100.0%
Chalan Pago-Ordot	2,549	47.3%	587	10.9%	262	4.9%	286	5.3%	1,378	25.6%	331	6.1%	5,393	100.0%
Dededo	14,547	44.7%	3,390	10.4%	2,664	8.2%	1,253	3.8%	9,099	27.9%	1,623	5.0%	32,577	100.0%
Inarajan	674	45.7%	201	13.6%	174	11.8%	23	1.5%	188	12.7%	216	14.6%	1,475	100.0%
Mangilao	4,826	44.7%	1,178	10.9%	586	5.4%	342	3.2%	3,232	29.9%	643	6.0%	10,807	100.0%
Merizo	632	49.8%	144	11.4%	34	2.7%	11	.9%	380	29.9%	67	5.3%	1,269	100.0%
Mongmong-Toto-Maite	1,513	39.5%	290	7.6%	494	12.9%	215	5.6%	1,071	28.0%	243	6.4%	3,827	100.0%
Piti	597	44.6%	171	12.8%	160	11.9%	8	.6%	252	18.8%	150	11.2%	1,337	100.0%
Santa Rita	3,056	66.9%	433	9.5%	99	2.2%	59	1.3%	850	18.6%	68	1.5%	4,566	100.0%
Sinajana	1,034	38.3%	348	12.9%	278	10.3%	59	2.2%	828	30.7%	153	5.6%	2,700	100.0%
Talofofo	1,427	58.3%	140	5.7%	88	3.6%	84	3.4%	529	21.6%	179	7.3%	2,446	100.0%
Tamuning	4,999	47.9%	1,591	15.3%	492	4.7%	548	5.3%	2,434	23.3%	361	3.5%	10,425	100.0%
Umatac	276	43.2%	48	7.6%	85	13.3%	10	1.5%	155	24.3%	65	10.1%	640	100.0%
Yigo	7,275	47.6%	1,254	8.2%	1,147	7.5%	572	3.7%	4,297	28.1%	754	4.9%	15,299	100.0%
Yona	2,020	43.1%	540	11.5%	278	5.9%	61	1.3%	1,537	32.8%	252	5.4%	4,688	100.0%
Average Total	52,135	46.3%	11,915	10.6%	8,141	7.2%	3,938	3.5%	30,833	27.4%	5,679	5.0%	112,641	100.0%

Source: Guam BRFS 2015 to 2018

3. Disability

Table A4: Persons with Disabilities by Municipality, 2015 to 2018

	Not Disabled		Is Disabled		Total	
	Count	Percent	Count	Percent	Count	Percent
Agana	931	86.2%	150	13.8%	1,081	100.0%
Agana Heights	1,556	70.7%	645	29.3%	2,201	100.0%
Agat	2,761	69.3%	1,223	30.7%	3,984	100.0%
Asan/Maina	601	73.7%	214	26.3%	815	100.0%
Barrigada	5,037	76.1%	1,585	23.9%	6,622	100.0%
Chalan Pago-Ordot	4,068	79.6%	1,046	20.4%	5,114	100.0%
Dededo	23,736	74.9%	7,954	25.1%	31,690	100.0%
Inarajan	1,089	75.5%	353	24.5%	1,442	100.0%
Mangilao	8,047	76.2%	2,511	23.8%	10,558	100.0%
Merizo	760	65.0%	410	35.0%	1,171	100.0%
Mongmong-Toto-Maite	2,547	67.7%	1,216	32.3%	3,764	100.0%
Piti	1,013	84.1%	192	15.9%	1,204	100.0%
Santa Rita	3,622	83.1%	737	16.9%	4,359	100.0%
Sinajana	1,837	70.5%	770	29.5%	2,606	100.0%
Talofof	1,690	71.0%	690	29.0%	2,380	100.0%
Tamuning	8,500	84.0%	1,616	16.0%	10,116	100.0%
Umatac	469	73.9%	165	26.1%	635	100.0%
Yigo	12,071	80.4%	2,940	19.6%	15,011	100.0%
Yona	3,472	75.5%	1,129	24.5%	4,601	100.0%
Average Total	20,952	76.6%	6,386	23.4%	27,338	100.0%

Source: Guam BRFS 2015 to 2018

4. Religion

Table A5: Religions Distribution on Guam, 2010

Religions	Percent
Christians	94.20%
Hindus	<1%
Buddhists	1.10%
Muslims	<1%
Unaffiliated	1.70%
Folk Religions	1.50%
Jews	<1%
Other Religions	1.60%

Source: Pew Research Center

Note: The categories may not add up to 100% due to rounding errors.

5. Place of Birth

Table A6: Place of Birth Distribution on Guam, 2010

	Native-born population						Foreign-born population								Total
	Born in Guam	Pct.	Born in the United States	Pct.	Born in other U.S. Island Area or Puerto Rico /elsewhere of U.S. parent (s)	Pct.	Born in Europe	Pct.	Born in Asia	Pct.	Born in Oceania	Pct.	Born in Elsewhere	Pct.	
Agana	534	50.8%	92	8.8%	53	5.0%	4	0.4%	176	16.7%	185	17.6%	7	0.7%	1,051
Agana Heights	2,626	69.0%	472	12.4%	129	3.4%	16	0.4%	302	7.9%	253	6.6%	10	0.3%	3,808
Agat	3,366	68.5%	341	6.9%	152	3.1%	9	0.2%	802	16.3%	234	4.8%	13	0.3%	4,917
Asan-Maina	1,404	65.7%	406	19.0%	61	2.9%	12	0.6%	155	7.3%	91	4.3%	8	0.4%	2,137
Barrigada	5,393	60.8%	894	10.1%	331	3.7%	31	0.3%	1,676	18.9%	538	6.1%	12	0.1%	8,875
Chalan Pago-Ordot	4,679	68.6%	775	11.4%	280	4.1%	17	0.2%	707	10.4%	347	5.1%	17	0.2%	6,822
Dededo	21,837	48.6%	2,772	6.2%	2,131	4.7%	68	0.2%	14,420	32.1%	3,637	8.1%	78	0.2%	44,943
Inarajan	1,906	83.9%	187	8.2%	58	2.6%	6	0.3%	63	2.8%	49	2.2%	4	0.2%	2,273
Mangilao	8,698	57.3%	1,458	9.6%	727	4.8%	46	0.3%	2,523	16.6%	1,707	11.2%	32	0.2%	15,191
Merizo	1,571	84.9%	146	7.9%	33	1.8%	2	0.1%	48	2.6%	50	2.7%	0	0.0%	1,850
Mongmong-Toto-Maite	4,082	59.8%	636	9.3%	371	5.4%	18	0.3%	986	14.4%	724	10.6%	8	0.1%	6,825
Piti	890	61.2%	323	22.2%	51	3.5%	16	1.1%	101	6.9%	65	4.5%	8	0.6%	1,454
Santa Rita	2,588	42.5%	2,342	38.5%	272	4.5%	17	0.3%	725	11.9%	85	1.4%	55	0.9%	6,084
Sinajana	1,838	70.9%	256	9.9%	86	3.3%	2	0.1%	265	10.2%	140	5.4%	5	0.2%	2,592
Talofofo	2,178	71.4%	447	14.7%	130	4.3%	8	0.3%	144	4.7%	138	4.5%	5	0.2%	3,050
Tamuning	6,203	31.5%	2,639	13.4%	883	4.5%	101	0.5%	7,840	39.8%	1,935	9.8%	84	0.4%	19,685
Umatac	686	87.7%	50	6.4%	7	0.9%	0	0.0%	11	1.4%	26	3.3%	2	0.3%	782
Yigo	8,759	42.6%	3,376	16.4%	972	4.7%	68	0.3%	5,439	26.5%	1,866	9.1%	59	0.3%	20,539
Yona	4,704	72.6%	736	11.4%	279	4.3%	44	0.7%	389	6.0%	301	4.6%	27	0.4%	6,480
Guam	83,942	52.7%	18,348	11.5%	7,006	4.4%	485	0.3%	36,772	23.1%	12,371	7.8%	434	0.3%	159,358

Source: U.S. Decennial Census 2010

Note: Asia includes China, Japan, Korea, Philippines, and Other Asia. Oceania includes the Federated States of Micronesia, Marshall Islands, Palau, and Other Oceania

6. Military Presence

APPENDIX B: CONTENT OF A TYPICAL CLIENT TRAINING SESSION



GHURA

Guam Housing and Urban Renewal Authority
Aturidat Ginima' Yan Rinueban Suidat Guahan
117 Bien Venida Avenue, Sinajana, Guam 96910
Phones: (671) 477-9851 to 4 · Fax: (671) 472-7565 · TTY: (671) 472-3701



Conducted by: Housing Specialist Name

VOUCHER BRIEFING

Topics:

___ Selection Letter

1. Change reports
2. Emergency Contact Sheet
3. TTP/Tenant Share: Utility Reimbursement
4. 40% Rent Burden (Section 8 Voucher)

___ Voucher

___ Portability (Section 8 Voucher)

___ Lead Base Paint

___ Booklets:

1. Fair Housing
2. A Good Place to Live

___ Landlord Packet

___ Appointments:

1. Inspection Scheduling
2. Contract Signing
3. Walk-In (No Walk-In)

___ Family Self Sufficiency Program (Section 8 Voucher)

___ Hearing Officer

I acknowledge that I attended the voucher briefing and was informed of the topics listed above.

Print Name: _____ Signature: _____ Date: _____

Revised: 5/16/2019 - RF

GHURA does not discriminate against persons with disabilities.
The Chief Planner has been designated as Section 504 Coordinator.
The Coordinator can be contacted at the above address and telephone numbers.

APPENDIX C: PUBLIC INPUT SURVEY DATA

Table C1: Public housing Tenants and Applicants by Ethnicities by AMP

Table C1.1 Public Housing Tenants by Ethnicities														
Tenants	White		Native Hawaiian/Other Pacific Islander		Asian		Black/African American		Multi-race		NA/Declined to response		Total	
	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %
AMP1	4	2.6%	141	90.4%	7	4.5%	1	.6%	3	1.9%	0	0.0%	156	100.0%
AMP2	0	0.0%	143	91.1%	4	2.5%	0	0.0%	10	6.4%	0	0.0%	157	100.0%
AMP3	2	1.1%	160	86.0%	12	6.5%	0	0.0%	12	6.5%	0	0.0%	186	100.0%
AMP4	2	.9%	178	76.7%	35	15.1%	1	.4%	16	6.9%	0	0.0%	232	100.0%
Total	8	1.1%	622	85.1%	58	7.9%	2	.3%	41	5.6%	0	0.0%	731	100.0%

Table C1.2 Public Housing Applicants Waitlist by Ethnicities														
Waitlist	White		Native Hawaiian/Other Pacific Islander		Asian		Black/African American		Multi-race		NA/Declined to response		Total	
	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %
AMP1	30	3.1%	754	77.5%	60	6.2%	48	4.9%	38	3.9%	43	4.4%	973	100.0%
AMP2	5	1.6%	265	85.2%	19	6.1%	1	.3%	7	2.3%	14	4.5%	311	100.0%
AMP3	4	1.2%	265	80.3%	21	6.4%	3	.9%	14	4.2%	23	7.0%	330	100.0%
AMP4	4	.6%	525	78.0%	55	8.2%	4	.6%	26	3.9%	59	8.8%	673	100.0%
Total	43	1.9%	1,809	79.1%	155	6.8%	56	2.4%	85	3.7%	139	6.1%	2,287	100.0%

Table C1.3 Total Demand and Percent Served with Public Housing by Ethnicities														
Total	White		Native Hawaiian/Other Pacific Islander		Asian		Black/African American		Multi-race		NA/Declined to response		Total Demand (Tenants + Waitlist)	
	Count	% Served	Count	% Served	Count	% Served	Count	% Served	Count	% Served	Count	% Served	Count	% Served
AMP1	34	11.8%	895	15.8%	67	10.4%	49	2.0%	41	7.3%	43	0.0%	1,129	13.8%
AMP2	5	0.0%	408	35.0%	23	17.4%	1	0.0%	17	58.8%	14	0.0%	468	33.5%
AMP3	6	33.3%	425	37.6%	33	36.4%	3	0.0%	26	46.2%	23	0.0%	516	36.0%
AMP4	6	33.3%	703	25.3%	90	38.9%	5	20.0%	42	38.1%	59	0.0%	905	25.6%
Total	51	15.7%	2,431	25.6%	213	27.2%	58	3.4%	126	32.5%	139	0.0%	3,018	24.2%

Source: GHURA Data, 2020

Table C2: Public housing waitlist: Ethnicity by AMP

	White		Hawaiian/Other Pacific Islander		Asian		Black/African American		Multi-race		NA/Declined to response		Total	
	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %
AMP1	30	3.1%	754	77.5%	60	6.2%	48	4.9%	38	3.9%	43	4.4%	973	100.0%
AMP2	5	1.6%	265	85.2%	19	6.1%	1	.3%	7	2.3%	14	4.5%	311	100.0%
AMP3	4	1.2%	265	80.3%	21	6.4%	3	.9%	14	4.2%	23	7.0%	330	100.0%
AMP4	4	.6%	525	78.0%	55	8.2%	4	.6%	26	3.9%	59	8.8%	673	100.0%
Total	43	1.9%	1,809	79.1%	155	6.8%	56	2.4%	85	3.7%	139	6.1%	2,287	100.0%

Source: GHURA Data, 2020

Table C3: Public housing waitlist: Average Annual Income by AMP

	Count	Average Annual Income
AMP1	970	\$ 13,313.46
AMP2	311	\$ 10,654.07
AMP3	330	\$ 10,840.03
AMP4	673	\$ 12,025.43
Total	2,284	\$ 12,214.45

Source: GHURA Data, 2020

Income data were not available for public housing tenants

*Outliers were removed

Table C4: Public housing waitlist: Annual Income Group by AMP

	AMP1		AMP2		AMP3		AMP4		Total	
	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
< \$9,999	501	51.6%	194	62.4%	207	62.7%	375	55.7%	1,277	55.9%
\$10,000 to \$19,999	219	22.6%	56	18.0%	62	18.8%	128	19.0%	465	20.4%
\$20,000 to \$29,999	139	14.3%	26	8.4%	26	7.9%	91	13.5%	282	12.3%
\$30,000 to \$39,999	58	6.0%	20	6.4%	21	6.4%	47	7.0%	146	6.4%
\$40,000 to \$49,999	29	3.0%	6	1.9%	6	1.8%	15	2.2%	56	2.5%
\$50,000 to \$59,999	9	.9%	1	.3%	2	.6%	8	1.2%	20	.9%
\$60,000 to \$69,999	7	.7%	3	1.0%	3	.9%	6	.9%	19	.8%
\$70,000 to \$100,000	4	.4%	5	1.6%	2	.6%	1	.1%	12	.5%
\$100,000+	4	.4%	0	0.0%	1	.3%	2	.3%	7	.3%
Total	970	100.0%	311	100.0%	330	100.0%	673	100.0%	2,284	100.0%

Source: GHURA Data, 2020

*Outliers were removed

Table C5: Public housing waitlist: Applicants' Current Age by AMP

	AMP1		AMP2		AMP3		AMP4		Total	
	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
18 to 24	142	14.6%	81	26.0%	85	25.8%	109	16.2%	417	18.2%
25 to 29	248	25.5%	87	28.0%	79	23.9%	189	28.1%	603	26.4%
30 to 39	292	30.0%	95	30.5%	96	29.1%	192	28.5%	675	29.5%
40 to 49	149	15.3%	31	10.0%	45	13.6%	100	14.9%	325	14.2%
50 to 59	78	8.0%	10	3.2%	16	4.8%	51	7.6%	155	6.8%
60 to 69	48	4.9%	6	1.9%	5	1.5%	28	4.2%	87	3.8%
70 to 79	15	1.5%	1	.3%	3	.9%	3	.4%	22	1.0%
80+	1	.1%	0	0.0%	1	.3%	1	.1%	3	.1%
Total	973	100.0%	311	100.0%	330	100.0%	673	100.0%	2,287	100.0%

Table C6: Public housing waitlist: Disability by AMP

	Disabled		Not Disabled		Total	
	Count	Row N %	Count	Row N %	Count	Row N %
AMP1	76	7.8%	897	92.2%	973	100.0%
AMP2	11	3.5%	300	96.5%	311	100.0%
AMP3	18	5.5%	312	94.5%	330	100.0%
AMP4	34	5.1%	639	94.9%	673	100.0%
Total	139	6.1%	2,148	93.9%	2,287	100.0%

Table C7: Public housing waitlist: Familial Status by AMP

	Households with no children under 18		Households with children under 18		Total	
	Count	Row N %	Count	Row N %	Count	Row N %
AMP1	269	27.6%	704	72.4%	973	100.0%
AMP2	29	9.3%	282	90.7%	311	100.0%
AMP3	19	5.8%	311	94.2%	330	100.0%
AMP4	141	21.0%	532	79.0%	673	100.0%
Total	458	20.0%	1,829	80.0%	2,287	100.0%

Table C8: Public housing waitlist: Place of Birth by AMP

	AMP1		AMP2		AMP3		AMP4		Total	
	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
American Samoa	0	0.0%	2	.6%	1	.3%	1	.1%	4	.2%
U.S (States)	93	9.6%	11	3.5%	17	5.2%	20	3.0%	141	6.2%
Guam	419	43.1%	166	53.4%	156	47.3%	249	37.0%	990	43.3%
China	0	0.0%	1	.3%	0	0.0%	1	.1%	2	.1%
Federated States of Micronesia	278	28.6%	81	26.0%	101	30.6%	246	36.6%	706	30.9%
Northern Mariana Islands	45	4.6%	13	4.2%	15	4.5%	32	4.8%	105	4.6%
Japan	5	.5%	0	0.0%	0	0.0%	0	0.0%	5	.2%
Korea	0	0.0%	0	0.0%	1	.3%	0	0.0%	1	.0%
Saudi Arabia	0	0.0%	0	0.0%	0	0.0%	1	.1%	1	.0%
Marshall Islands	16	1.6%	3	1.0%	5	1.5%	26	3.9%	50	2.2%
Mexico	1	.1%	0	0.0%	0	0.0%	0	0.0%	1	.0%
Palau	8	.8%	0	0.0%	2	.6%	7	1.0%	17	.7%
Philippines	40	4.1%	7	2.3%	5	1.5%	34	5.1%	86	3.8%
Puerto Rico	2	.2%	1	.3%	1	.3%	0	0.0%	4	.2%
Spain	2	.2%	1	.3%	0	0.0%	0	0.0%	3	.1%
Russia	1	.1%	0	0.0%	0	0.0%	0	0.0%	1	.0%
Taiwan	1	.1%	0	0.0%	0	0.0%	0	0.0%	1	.0%
Other	13	1.3%	1	.3%	2	.6%	7	1.0%	23	1.0%
N/A	49	5.0%	24	7.7%	24	7.3%	49	7.3%	146	6.4%
Total	973	100.0%	311	100.0%	330	100.0%	673	100.0%	2,287	100.0%

Table C9: Public housing Tenants: Race by AMP

Tenants	White		Native Hawaiian/Other Pacific Islander		Asian		Black/African American		Multi-race		NA/Declined to response		Total	
	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %	Count	Row N %
AMP1	4	2.6%	141	90.4%	7	4.5%	1	.6%	3	1.9%	0	0.0%	156	100.0%
AMP2	0	0.0%	143	91.1%	4	2.5%	0	0.0%	10	6.4%	0	0.0%	157	100.0%
AMP3	2	1.1%	160	86.0%	12	6.5%	0	0.0%	12	6.5%	0	0.0%	186	100.0%
AMP4	2	.9%	178	76.7%	35	15.1%	1	.4%	16	6.9%	0	0.0%	232	100.0%
Total	8	1.1%	622	85.1%	58	7.9%	2	.3%	41	5.6%	0	0.0%	731	100.0%

Table C10: Public housing Tenants: Gender by AMP

	Female		Male		Total	
	Count	Row N %	Count	Row N %	Count	Row N %
AMP1	122	78.2%	34	21.8%	156	100.0%
AMP2	126	80.3%	31	19.7%	157	100.0%
AMP3	138	74.2%	48	25.8%	186	100.0%
AMP4	174	75.0%	58	25.0%	232	100.0%
Total	560	76.6%	171	23.4%	731	100.0%

Table C11: Public housing Tenants: Rent by AMP

	AMP1		AMP2		AMP3		AMP4		Total	
	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
< \$0	74	47.4%	67	42.9%	76	41.1%	65	28.1%	282	38.7%
\$1 to \$200	40	25.6%	41	26.3%	59	31.9%	72	31.2%	212	29.1%
\$201 to \$400	23	14.7%	31	19.9%	34	18.4%	62	26.8%	150	20.6%
\$401 to \$600	12	7.7%	13	8.3%	9	4.9%	21	9.1%	55	7.6%
\$601 to \$800	5	3.2%	4	2.6%	6	3.2%	4	1.7%	19	2.6%
\$801+	2	1.3%	0	0.0%	1	.5%	7	3.0%	10	1.4%
Total	156	100.0%	156	100.0%	185	100.0%	231	100.0%	728	100.0%

Table C12: Section 8 Waitlist: Disability by AMP

	Disabled		Not Disabled		Total	
	Count	Row N %	Count	Row N %	Count	Row N %
North	16	9.1%	159	90.9%	175	100.0%
Central	24	11.5%	185	88.5%	209	100.0%
Southeast	1	12.5%	7	87.5%	8	100.0%
Southwest	2	14.3%	12	85.7%	14	100.0%
Total	43	10.6%	363	89.4%	406	100.0%

Table C13: Section 8 Waitlist: Familial Status by AMP

	Households with no children under 18		Households with children under 18		Total	
	Count	Row N %	Count	Row N %	Count	Row N %
North	41	23.4%	134	76.6%	175	100.0%
Central	49	23.4%	160	76.6%	209	100.0%
Southeast	3	37.5%	5	62.5%	8	100.0%
Southwest	4	28.6%	10	71.4%	14	100.0%
Total	97	23.9%	309	76.1%	406	100.0%

Table C14: Section 8 Waitlist: Place of Birth by AMP

	North		Central		Southeast		Southwest		Total	
	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %	Count	Column N %
Federated States of Micronesia	129	73.7%	150	71.8%	6	75.0%	10	71.4%	295	72.7%
Guam	18	10.3%	31	14.8%	2	25.0%	4	28.6%	55	13.5%
Marshall Islands	2	1.1%	1	.5%	0	0.0%	0	0.0%	3	.7%
Palau	3	1.7%	7	3.3%	0	0.0%	0	0.0%	10	2.5%
Saipan	5	2.9%	2	1.0%	0	0.0%	0	0.0%	7	1.7%
Philippines	8	4.6%	3	1.4%	0	0.0%	0	0.0%	11	2.7%
U.S (States)	2	1.1%	6	2.9%	0	0.0%	0	0.0%	8	2.0%
N/A	8	4.6%	9	4.3%	0	0.0%	0	0.0%	17	4.2%
Total	175	100.0%	209	100.0%	8	100.0%	14	100.0%	406	100.0%

Table C15: Section 8 Waitlist: Race

	Count	Percent
Native Hawaiian/Other Pacific Islander	637	91.8%
White	6	0.9%
Asian	30	4.3%
Black/African American	1	0.1%
Multi-race	20	2.9%
Total	694	100.0%

Table C16: Section 8 Waitlist: Tenant Rent Group

	Count	Percent
< \$0	4	0.6%
\$0 to \$200	448	64.6%
\$201 to \$400	177	25.5%
\$401 to \$600	50	7.2%
\$601 to \$800	11	1.6%
\$801+	3	0.4%
Total	693	100.0%

Table C17: Section 8 Waitlist: Homelessness at time of Admission

	Count	Percent
Not Homeless	646	93.1%
Homeless	48	6.9%
Total	694	100.0%

Table C18: Section 8 Waitlist: Place of Birth

	Count	Percent
Guam	411	59.2%
U.S. (50 States)	33	4.8%
Federated of Micronesia	164	23.6%
Northern Mariana Islands	44	6.3%
Palau	5	0.7%
Marshall Island	3	0.4%
Japan	1	0.1%
Korea	5	0.7%
Philippines	21	3.0%
Vietnam	1	0.1%
Other	3	0.4%
N/A	3	0.4%
Total	694	100.0%

Table C19: Section 8 Waitlist: Age Group

	Count	Percent
18 to 24	92	13.3%
25 to 29	156	22.5%
30 to 39	244	35.2%
40 to 49	105	15.1%
50 to 59	55	7.9%
60 to 69	33	4.8%
70 to 79	8	1.2%
80+	1	0.1%
Total	694	100.0%

Table C20: Housing Discrimination Complaints Reported 1996 - 2017 Year

Number of Housing Discrimination Complaints Reported 1996 - 2017⁹

Year	FHOs	HUD	FHAP Agencies	DOJ	TOTAL
1996	10,692	2,054	4,216	-	16,962
1997	13,584	1,808	4,072	-	19,464
1998	12,212	1,973	3,634	-	17,819
1999	11,531	2,198	3,676	-	17,405
2000	15,131	1,988	4,971	49	22,139
2001	16,500	1,902	5,041	64	23,507
2002	17,543	2,511	5,129	49	25,232
2003	17,022	2,745	5,352	29	25,148
2004	18,094	2,817	6,370	38	27,319
2005	16,789	2,227	7,034	42	26,092
2006	17,347	2,830	7,498	31	27,706
2007	16,834	2,830	7,705	35	27,404
2008	20,173	2,123	8,429	33	30,758
2009	19,924	2,091	8,153	45	30,213
2010	18,665	1,943	8,214	30	28,852
2011	17,701	1,799	7,551	41	27,092
2012	19,680	1,817	6,986	36	28,519
2013	18,932	1,881	6,496	43	27,352
2014	19,026	1,710	6,758	34	27,528
2015	19,645	1,274	6,972	46	27,937
2016	19,740	1,371	7,030	40	28,181
2017	20,595	1,311	6,896	41	28,843
TOTALS	377,360	45,203	138,183	726	561,472

⁹ DOJ does not conduct intake of complaints from individuals; it processes "election" cases charged by HUD and brings pattern and practice cases.

APPENDIX D: GUAM FAIR HOUSING LAW

Guam Code Annotated
Title 9 Crimes and Corrections
Chapter 70 Miscellaneous Crimes
Article 2 Discrimination in Housing Accommodations

§ 70.46. Definitions.

When used in this Article:

- (a) Discrimination or discriminatory housing practice means any difference in treatment based upon race, color, religion, sex or national origin, or any act that is unlawful under this Article.
- (b) Financial institution includes any person, as defined herein, engaged in the business of lending money or guaranteeing losses.
- (c) Housing accommodation or dwelling means any building, mobile home or trailer, structure or portion thereof which is occupied as or designed, or intended for occupancy as a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, mobile home or trailer, structure or portion thereof, or any real property, as defined herein, used or intended to be used for any of the purposes set forth in this Subsection;
- (d) Mortgage broker means an individual who is engaged in or who performs the business or services of a mortgage broker as the same are defined in the Government Code.
- (e) Open market means the market which is informed of the availability for sale, purchase, rental or lease of any housing accommodation, whether informed through a real estate broker or by advertising by publication, signs or by any other advertising methods directed to the public or any portion thereof, indicating that the property is available for sale, purchase, rental or lease;
- (f) Owner includes a lessee, sub-lessee, cotenant, assignee, managing agent or other person having the right of ownership or possession, or the right to sell, rent or lease any housing accommodation.
- (g) Person includes individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations and all other groups or combinations; p27
- (h) Real property includes buildings, structures, lands, tenements, leaseholds, cooperatives and condominiums; and
- (i) Real estate broker or real estate salesman includes any individual, qualified by law, who, for a fee, commission, salary or for other valuable consideration, or who with the intention or expectation of receiving or collecting same, lists, sells, purchases, rents or leases any housing accommodations, including options thereupon, or who negotiates or attempts to negotiate such activities; or who advertises or holds himself out as engaged in such activities; or who negotiates or attempts to negotiate a loan, secured by a mortgage or other encumbrance, upon transfer of any housing accommodation; or who is engaged in the business of charging an advance fee or contracting for collecting of a fee in connection with a contract whereby he undertakes or promote the sale, purchase, rental or lease of any housing accommodation through its listing in a publication issued primarily for such purpose; or an individual employed by or acting on behalf of any of these. *NOTE: Pursuant to the authority granted by 1 GCA § 1606, numbers and/or letters were altered to adhere to the Compiler's alpha-numeric scheme.*

§ 70.47. Unlawful Practices.

In connection with any of the transactions set forth in this Section, which affect any housing accommodation on the open market or in connection with any public sale, purchase, rental or lease of any housing accommodation, it shall be unlawful within the Territory for a person, owner, financial institution, real estate broker or real estate salesman, or any representative of the above, to:

- (a) refuse to sell, purchase, rent or lease, or deny to or withhold any housing accommodation from a person because of his race, color, religion, ancestry, national origin, sex or place of birth.
- (b) to discriminate against a person in the terms, conditions or privileges of the sale, purchase, rental or lease of any housing accommodation, or in the furnishing of facilities or services in connection therewith.
- (c) to refuse to receive or transmit a bona fide offer to sell, purchase, rent or lease any housing accommodation from or to a person because of his race, color, religion, ancestry, national origin, sex or place of birth.
- (d) to refuse to negotiate for the sale, purchase, rental or lease of any housing accommodation to a person because of his race, color, religion, ancestry, national origin, sex or place of birth.
- (e) to represent to a person that any housing accommodation is not available for inspection, sale, purchase, rental or lease when in fact it is so available, or to refuse to permit a person to inspect any housing accommodation, because of his race, color, religion or national origin, sex or place of birth;
- (f) to make, publish, print, circulate, post or mail, or cause to be made, published, printed, circulated, posted or mailed, any notice, statement or advertisement, or to announce a policy, or to sign or to use a form or application for the sale, purchase, rental, lease or financing of any housing accommodation, or to make a record of inquiry in connection with the prospective sale, purchase, rental, lease or financing of any housing accommodation, or to make a record of inquiry in connection with the prospective sale, purchase, rental, lease or financing of any housing accommodation, which indicates any discrimination or any intent to make a discrimination;
- (g) to offer, solicit, accept or use a listing of any housing accommodation for sale, purchase, rental or lease with the understanding that a person may be subjected to discrimination in connection with such sale, purchase, rental or lease, or in the furnishing of facilities or services in connection therewith;
- (h) to induce directly or indirectly, or attempt to induce directly or indirectly, the sale, purchase, rental or lease, or the listing for any of the above, of any housing accommodation by representing that the presence or anticipated presence of persons of any particular race, color, religion, sex or national origin or place of birth in the area to be affected by such sale, purchase, rental or lease will or may result in either:
 - (1) the lowering of property values in the area.
 - (2) an increase in criminal or antisocial behavior in the area; or
 - (3) a decline in the quality of schools serving the area.
 - (i) to make any misrepresentations concerning the listing for sale, purchase, rental or lease, or the anticipated listing for any of the above, or the sale, purchase, rental or lease of any housing accommodation in any area in the Territory for the purpose of including or attempting to induce any such listing or any of the above transactions;
 - (j) to engage in, or hire to be done, or to conspire with others to commit acts or activities of any nature, the purpose of which is to coerce, cause panic, incite unrest or create or play upon fear, with the purpose of either discouraging or inducing, or attempting

- to induce, the sale, purchase, rental or lease, or the listing for any of the above, of any housing accommodation;
- (k) to retaliate or discriminate in any manner against a person because he has opposed a practice declared unlawful by this Article, or because he has filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding, hearing or conference under this Article;
 - (l) to aid, abet, incite, compel or coerce any person to engage in any of the practices prohibited by this Article, or to obstruct or prevent any person from complying with the provisions of this Article, or any order issued thereunder.
 - (m) by canvassing, to commit any unlawful practices prohibited by this Article.
 - (n) otherwise to deny to or withhold any housing accommodation from a person because of his race, color, religion, ancestry, national origin, sex or place of birth.
 - (o) for any bank, savings and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part, in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration or other terms or conditions of such loans or other financial assistance, because of the race, color, religion, sex or national origin of such person or of any person associated with him in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance or of the present or prospective owners, lessees, tenants or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given; or
 - (p) to deny any qualified person access to or membership or participation in any multiple-listing service, real estate brokers' organization, or other service, organization or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership or participation on account of race, color, religion, sex or national origin. *NOTE: Pursuant to the authority granted by 1 GCA § 1606, numbers and/or letters were altered to adhere to the Compiler's alpha-numeric scheme.*

§ 70.48. Exemptions.

This Article shall not apply to:

- (a) a religious organization, association or society or any nonprofit institution or organization operating, supervised or controlled by or in conjunction with a religious organization, association or society, which limits the sale, rental or occupancy of dwellings which it owns or operates for other than commercial purposes to persons of the same religion, or which gives preference to such persons, unless membership in such a religion is restricted on account of race, color, sex or national origin;
- (b) a private club not in fact open to the public, which, as an incident to its primary purpose or purposes, provides lodgings which it owns or operates for other than a commercial purpose, and which limits the rental or occupancy of such lodgings to its members or gives preference to its members;
- (c) any single-family house sold or rented by an owner; provided, that such private individual owner does not own more than three (3) such single-family houses at any one time; provided further, that in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this Subsection shall apply only with respect to one such sale within any twenty-four month period; provided further,

that such bona fide private individual owner does not own any interest in, nor is there owned or served on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of, more than three (3) such single-family houses at any one time; provided further, that the sale or rental of any such single-family house shall be excepted from the application of this Article only if such house is sold or rented:

- (1) without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent or any such broker, agent, salesman or person; and
 - (2) without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of the provisions of § 70.47 of this Code; but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies and other such professional assistance as necessary to perfect or transfer the title; or
- (d) rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four (4) families living independently or each other if the owner actually maintains and occupies one of such living quarters as his residence. *NOTE: Pursuant to the authority granted by 1 GCA § 1606, numbers and/or letters were altered to adhere to the Compiler's alpha-numeric scheme.*

§ 70.49. Procedure.

Any person aggrieved by an unlawful practice prohibited by this Article may file a complaint with the Attorney General within thirty (30) days after the aggrieved person becomes aware of the alleged unlawful practice, and in no event shall exceed more than sixty (60) days after the alleged unlawful practice occurred. The Attorney General or his duly authorized representative shall investigate each complaint and attempt to resolve such complaint. Failure to achieve a resolution acceptable to both parties and in compliance with this Article shall cause the Attorney General to commence prosecution.

§ 70.50. Other Remedies.

Nothing herein contained shall prevent any person from exercising any right or seeking any remedy to which he might otherwise be entitled.

§ 70.51. Penalties.

Any person violating any provision of this Article shall, upon conviction thereof, be guilty of a misdemeanor.

APPENDIX E: BIBLIOGRAPHY

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