



**US Virgin Islands  
Analysis of  
Impediments to Fair  
Housing Choice (AI)**

**December 2025**

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# Executive Summary

## Purpose of Fair Housing Planning

The purpose of this process is to better understand the challenges faced by specific groups of people who tend to experience greater housing challenges based on their specific characteristics and needs. This is done through a combination of identifying barriers to housing posed by local policies/zoning codes and local conditions, which include but are not limited to geography, environmental/natural hazards, and factors impacting the development of affordable and fair housing, including high construction costs and high insurance rates, among other identified barriers. This process assists in better understanding the challenges faced by specific groups.

Federal and state governments put legal protections in place to ensure no person faces housing discrimination based on characteristics associated with a particular group. The groups covered by these laws are called protected classes.

The protected classes in the U.S. Virgin Islands (USVI or “the Territory”) are race, creed, age, color, national origin, sex, disability, and political affiliation. Everyone belongs to protected classes such as race and national origin. However, certain groups within each protected class, such as people who are members of racial or ethnic minorities, seniors, or families with children, often face additional barriers to securing housing that meets their needs.

Throughout the fair housing planning process, the Territory analyzed census data, state and local policies, and community feedback. The Assessment of Fair Housing (AFH) serves as the summary of these efforts. The AFH includes a description of fair housing laws, community needs and trends, access to opportunity, local policies, and fair housing complaints.

The fair housing planning process uncovered certain barriers, or impediments, to fair housing in the Territory. The AFH describes these impediments and the actions the Territory will take to overcome them.

## Key Findings

The Territory analyzed various topics, including demographics, income, housing, transportation, local policies, and fair housing complaints, through the lens of certain groups. Note that the analysis was conducted with the most recent datasets available at the time of drafting the AFH.

## Community Needs and Trends

- **Demographics:** In 2020, 21.3 percent of Territory residents were over the age of 65. Elderly residents often face additional challenges in obtaining and maintaining housing. For example, many elderly residents live on fixed incomes. In addition, elderly residents often experience limited mobility and may need physical modifications to units to ensure safety. For household

composition, nearly a fifth (20.5 percent) of all households consisted of a female-headed household with no spouse present, and approximately 40.1 percent of nonfamily households lived alone. In addition, approximately 12.4 percent of Territory residents lived with a disability. The most common forms of disability were ambulatory, difficulty living independently, vision, and cognitive.

- **Median Income and Poverty:** In 2020, the median income of all households was \$40,408, while for African American households it was \$41,070, and for Caribbean households (Haitian, USVI, and other Caribbean nations) it was \$34,988. Households with a householder 45 to 54 years old had the highest median income (\$51,704) of any age group. The poverty rate for all households for whom poverty status is determined was 22.8 percent, with a poverty rate of 24.3 percent for Black or African American households and 11.5 percent for White households. The Hispanic or Latino households had a poverty rate of 31.4 percent.
- **Homeownership and Rental Rates:** Nearly 70 percent (69.2 percent) of all housing units were occupied in 2020, with 47.8 percent occupied by owners and 52.2 percent occupied by renters. St. Croix has the largest percentage of owner-occupied units at 55.7 percent, while 44.3 percent are occupied by renters. For St. John, 48.7 percent are owner-occupied, while 51.3 percent are renter-occupied. Finally, for St. Thomas, 40.6 percent of the units are owner-occupied, while 59.4 percent are renter-occupied, the highest of all of the islands. Seasonal and second homes constitute a significant part of the sales market in USVI, with demand by nonresidents putting upward pressure on home prices.
- **Housing Cost Burden:** In both 2010 and 2020, housing cost burden and severe housing cost burden were the most prevalent housing problems, affecting over a third of the population. From 2010 to 2020, the percentage of households experiencing a housing problem decreased for each category, though in 2020, 43 percent of renters experienced a form of cost burden.
- **People Experiencing Homelessness:** Black or African American and Hispanic households are overrepresented among the population experiencing homelessness. According to the 2020 Island Areas Census, 71.4 percent of the Territory identified as Black or African American, while 77 percent of people experiencing sheltered homelessness in 2024 identified as Black or African American. Similarly, 18.4 percent of the total population identified as Hispanic, while 20 percent of the sheltered homelessness population identified as Hispanic.
- **Education Rates:** In 2020, nearly a quarter (22.3 percent) of people aged 25 and over in households had a bachelor's degree or higher. Educational attainment varied by sex and age: 25.6 percent of women and 18.4 percent of men had a bachelor's degree or higher. People aged 45 to 54 (24.1 percent) were the most likely to have a bachelor's degree or higher, and those aged 65 and over (19.3 percent) were least likely.

## Access to Opportunity

- **Transportation Needs:** In 2020, roughly 70 percent of USVI residents commuted to work alone by car, truck, or private van/bus, with 77 percent on St. Croix, 63 percent on St. John, and 66 percent on St. Thomas (U.S. Census data). Roughly 12 percent carpool Territory-wide, a value that is consistent across all three islands. Roughly 5 percent of USVI residents take public transportation. It should be noted that walking is not generally an option due to the topography, lack of sidewalks, and the distances between housing and employment centers. Virgin Islands Public Transit System (VITRAN) provides bus service on St. Croix, St. John, and St. Thomas, but routes and service hours are very limited, and large sectors on each island are not served by the network. Over 95 percent of street lengths have no public transit stops, and the reach of the public transportation network is limited. Terrain is an issue on St. Thomas and St. John—much less so on St. Croix.
- **Education Trends:** Student enrollment in local public schools has been declining over the past decade, in line with the dynamic observed in the overall USVI population as illuminated in the 2020 Census. According to the most recent data from the 2023 KIDS COUNT USVI Data Book, student enrollment in USVI public schools decreased slightly, down to just 10,166 students during the 2022–2023 school year (SY), with just over 5,000 students in each district. In addition, chronic absence and public-school dropout rates were noted as issues of concern.
- **Employment Opportunities:** Across the USVI, the economy is dominated by three industry sectors: government, accommodation and tourism, and retail trade. St. Croix’s economic base is more diversified than that found in St. Thomas or St. John, with a higher share of workers in health care, energy, and manufacturing. The economic stability of residents and their ability to afford housing across the three islands is shaped by underlying factors such as education, resulting in a mismatch between low wages and high energy costs, which means that many people are priced out of the housing market, increasing the likelihood of overcrowding and homelessness. A family of four with two working adults requires \$40.27 per hour with benefits and \$56.98 per hour without benefits and subsidies to maintain a minimum standard of living (USVI Bureau of Economic Research).
- **Environmental and Natural Hazards:** According to the Public Health Implications of Social Vulnerability in the U.S. Virgin Islands study, most populations with high levels of vulnerability are at greater risk of exposure to flooding, especially on St. Thomas. Proximity to major roads, airports, ports, and other industrial facilities, such as oil refineries, can intensify these vulnerabilities. According to the 2024 USVI Comprehensive Land and Water Use Plan (CLWUP), much of the housing stock is vulnerable to hurricanes and other intense storms, as exemplified by the 2017 hurricanes, and these risks are expected to increase with climate change. As a result of the 2017 hurricane, much of the public housing stock was severely impacted, and displaced residents could not afford rental units on the open market. The resulting housing crisis still persists some eight years later. As a result, the

intersection of housing affordability and natural hazards came into sharp focus with the 2017 hurricanes.

## Policy Review

- **Zoning:** According to Title 29, Zoning and Subdivision Law, Chapter 3, one purpose of the law is to “encourage and facilitate the development of housing affordable to persons of low and moderate income by providing incentives for private persons to produce residential housing developments which include affordable housing units.” Still, the zoning laws, which dictate where various uses can occur, are generally viewed as outmoded and rigid and are anticipated to be updated over the next few years. In addition, while the building codes follow the 2003 International Building Code guidelines, one of the recommendations in the recent 2024 USVI CLWUP was to increase the Department of Planning and Natural Resources’ (DPNR’s) capacity to adequately enforce the current building code, which is intended to reflect the stressors of Category 5 hurricanes.
- **Housing Lending Outcomes:** In 2024, 61 loan applications were reported by financial institutions in the Virgin Islands. Most loans (90.2 percent) were conventional loans. More than two-thirds of all owner-occupied homes in the USVI do not have a mortgage. There are cultural factors that can be attributed to this lending pattern. Persons (especially many originating from the Eastern Caribbean islands) do not believe in securing loans to build homes but rather build “out of pocket,” even if it takes many years to complete the construction. The other factor is loan denial due to debt ratio or credit issues. By comparison, only 37 percent of owner-occupied homes in the United States did not have a mortgage in 2017 (American Community Survey [ACS] 1-year data). White applicants had the highest loan origination rate at 64 percent. Hispanic households had the lowest origination rate of 55 percent.
- **Loan Denial Outcomes:** Asian households had the lowest denial rate at 17 percent, followed by White applicants at 18 percent. Hispanic and Black or African American households had the highest denial rates at 26 and 25 percent, respectively.

## Evidence of Housing Discrimination

- **Number of Complaints:** The Office of Fair Housing and Equal Opportunity (FHEO) data indicate that from 2001 to 2019, there were 28 complaints filed by individuals for housing discrimination in which the alleged violation took place in the Territory. Almost 40 percent of the complaints (11) were filed in 2017 alone.
- **Basis of Complaints:** Of the 28 complaints filed during the time period, 18 (64 percent) were for discrimination on the basis of disability. The second most common basis for complaints was race, which accounted for 32 percent of complaints.

## Identified Impediments to Fair Housing

The Territory identified five impediments to fair housing.

- There is a low supply of affordable housing in the Territory.
- Special needs populations, such as seniors, people with disabilities, people experiencing homelessness, and victims of domestic violence, lack affordable housing options and supportive services that suit their needs.
- Limited public transportation infrastructure can limit access to important places, including jobs and services (medical, etc.).
- Threats of hurricanes and intense storms expose vulnerabilities in the housing and community development landscape.
- There is a lack of knowledge surrounding fair housing rights among Territorial organizations and residents.

# Introduction

AFHs provide valuable insight into the needs of community members. They include an assessment of available data, policies, and insights from community partners and residents. This section provides an overview of the fair housing planning process and how it can be used by communities. This section also describes the fair housing planning process completed by the Territory and summarizes actions taken to address previously identified fair housing issues.

## Overview

The purpose of this process is to better understand the challenges faced by specific groups of people who tend to experience greater housing challenges based on their specific characteristics and needs. Federal and state governments put legal protections in place to ensure that no person faces housing discrimination based on characteristics associated with a particular group. The groups covered by these laws are called protected classes. Under federal law, there are seven protected classes, which are listed below.

- Race
- Religion
- Color
- Sex
- National origin
- Familial status
- Disability

In addition to the federal protected classes, USVI laws include the additional protected classes in the 2019 USVI Code Title 10—Civil Rights Chapter 5, which are listed below.

- Creed
- Age
- Political affiliation

Every individual is part of one or more protected classes, as everyone possesses characteristics such as race, age, national origin, and other protected traits. Nonetheless, certain groups within these classes—particularly racial and ethnic minorities, older adults, immigrants, and families with children—continue to encounter disproportionate barriers in obtaining housing that meets their needs.

The fair housing planning process allows communities to analyze fair housing issues among certain groups, such as housing affordability and availability, homelessness, and access to jobs and services. These factors may limit the range of housing choices available or impede a person’s access to housing. The fair housing planning process is a useful tool for jurisdictions to collect recent data on fair housing issues to inform

programs, provide information to members of the public, and reaffirm working relations with partners.

The fair housing planning process also allows communities to examine their progress toward their goals of eliminating housing discrimination and providing current and future residents with access to equal housing opportunities. In addition, the process allows communities to explore additional actions that are being taken or could be taken to further increase housing choice and create a plan for action over the next five years.

Through the planning process, the Territory identified five barriers to fair housing and developed action steps to be taken over the next five years to address those barriers and promote fair housing.

Through the fair housing planning process and implementation of identified actions in the AFH, the Territory is affirmatively furthering fair housing as required by the Fair Housing Act as a recipient of federal funding through the U.S. Department of Housing and Urban Development (HUD).

## Community Participation Process

The AFH was developed using a variety of information sources. The Virgin Islands Housing Finance Authority (VIHFA) used these sources to develop key themes regarding housing needs for certain populations. Community and stakeholder input served as an important source of information. This section describes the efforts to engage community members to inform the development of the plan.

## Community and Stakeholder Engagement Process

The fair housing planning process sought to ensure members of diverse groups of people and the organizations that serve them had the opportunity to comment on housing needs. VIHFA asked for input from community members and service providers in the summer and fall of 2025. Their feedback was used in the development of the 2025–2029 Consolidated Plan and the AFH.

Community engagement activities took place from June to October 2025. These activities reached 24 unique stakeholder organizations using multiple engagement strategies.

VIHFA conducted an online survey for community organizations through various channels to encourage participation. The survey asked respondents questions regarding community needs on the following topic areas.

- Affordable housing
- Housing and supportive services
- Public facilities and infrastructure
- Human services
- Fair housing

In addition, the Territory held four virtual consultation sessions. The consultation sessions were organized by specific topics, and VIHFA staff attended the sessions that were most relevant to their services and clients. The specific topics are listed below:

- Housing and homelessness
- Public infrastructure and economic development
- Public services
- Fair housing

In each consultation session, the Territory provided a list of questions related to fair housing to prompt organizations to discuss related issues.

In addition, the Territory met virtually with representatives from the USVI Housing Authority, the local public housing authority (PHA), and the Division of Banking, Insurance, and Financial Regulation to gain insight into how each organization functions within the housing landscape.

## **Key Themes from the Community Engagement Process**

Several key fair housing themes emerged through consultation sessions and surveys.

### ***Affordable Housing***

- There was a significant loss of public housing units in the wake of the 2017 hurricanes.
- As housing costs increase, many families are priced out of affording modest homes.
- The Emergency Rental Assistance Program ( ERAP ) provided a temporary solution for renters, but the expiration of the program will likely create housing instability among those relying on the assistance.
- There is a need for public and private partnerships to support affordable housing development.

### ***Housing and Supportive Services for Special Needs Populations***

- Seniors are at greater risk of getting evicted from housing due to rising rents.
- There is a lack of social service support for seniors, in addition to limited senior-specific housing. There are a few senior-specific units on St. Croix, one on St. Thomas, and none on St. John. The Virgin Islands Housing Authority (VIHA) units are focused on independent living, with no options for seniors who need supportive housing.
- Public housing recipients can work with VIHA to obtain necessary accommodation, but, given the lack of elevator buildings, some residents with ambulatory challenges must wait for first-floor units to become available to obtain a unit more suitable to their needs.

- Voucher recipients may request accommodations, but they are responsible for financing any accessibility upgrades/modifications to their units, which can be a significant cost.
- There is a long waitlist for housing for victims of domestic violence.
- There is a need for Americans with Disabilities Act improvements to public buildings and housing in the Territory to meet the needs of the disabled community.

### ***Transportation and Economic Development***

- Public transportation routes and service hours are very limited.
- There are large sectors on each island that are not served by the public transportation network.
- Many public housing residents utilize door-to-door transportation.
- There is a need to implement a Complete Street Policy to advance complete streets, serving all modes of transportation and users, including bicyclists, pedestrians, and those with mobility challenges.
- There is a need for a workforce development program to continue to build and maintain infrastructure and to build up the workforce to meet the needs of businesses and tourism in the area.

### ***Storms and Natural Hazards***

- Many housing units, including public housing units, were lost in the 2017 storms.
- The cost of materials and labor has increased significantly since the 2017 storms, creating a barrier to affordable building.
- The 2017 storms left the main emergency shelter on St. Croix unusable. Construction of a new emergency shelter is set to begin soon.
- There is a recognized need to build more resilient public infrastructure and public facilities. This is a major focus of the investment of the Community Development Block Grant—Disaster Recovery (CDBG-DR) dollars across the Territory.

### ***Fair Housing Knowledge***

- There is a need for fair housing training for housing authority staff. In particular, there is a need for training regarding accommodations for people with unseen disabilities, such as mental disabilities.
- Affordable housing developers lack knowledge of the Fair Housing Act.
- There are not enough organizations incorporating fair housing into the development of affordable housing.
- There is a need to educate property owners on their responsibilities regarding accessible units.

## Public Participation Process

The Territory encouraged feedback from the general public on the draft AFH. The Territory followed the requirements outlined in its Citizen Participation Plan, which outlines the policies and procedures for public involvement in the development of the plan.

Through the public participation process, the Territory publicized and encouraged public comments in the following ways:

- Published a legal ad in the VI Source online newspaper and the VI Daily News.
- Published the draft document on VIHFA’s website.
- Emailed the document and information regarding the public participation process to organizations that participated in consultation sessions and requested they share the information with their client lists.

The Territory did not receive any written comments or comments through the public hearing conducted on **<date>**.

## Progress Since the Previous Analysis of Impediments to Fair Housing Choice

Assessing past progress on fair housing goals lays the groundwork for understanding the current fair housing landscape in the Territory. This allows communities to understand the impact of previous actions to inform the development of future goals and actions.

In the previous AFH prepared in 2021, the Territory outlined three impediments that acted as barriers to certain populations finding and maintaining fair housing. From 2021 to 2025, VIHFA has taken multiple steps to help overcome those barriers. The table below lists the three impediments, their descriptions/recommendations, and the actions taken by the Territory over this time period.

**Table 1—Progress Since the Previous Fair Housing Plan**

Impediment	Description/Recommendation	Actions Taken
<b>There is insufficient choice in affordable, quality housing.</b>	The Territory should continue to expand the supply of safe, affordable housing suitably located throughout neighborhoods. Actions that would contribute to meeting this need include working with partners to improve existing housing, providing additional housing choices, stabilizing residents in housing in the face of losses from the 2017 hurricanes and the COVID-19 pandemic, and	The HOME Investment Partnerships Program (HOME) funds for homeownership assistance have been used primarily as subsidy (secondary) financing in conjunction with primary financing provided by other lenders. HOME funds are used for mortgage buy-downs, closing cost assistance, and

Impediment	Description/Recommendation	Actions Taken
	<p>improving accessibility for persons with disabilities. Most of the actions that would relieve unmet demand for affordable, quality housing are necessarily part of a long-term, coordinated approach.</p> <p>The major barriers to affordable housing in the Territory are the limited supply of buildable land, the high cost of utilities and infrastructure, prohibitively high costs of insurance, lack of centrally supplied water and sewer service for most areas, limited federal program funding, and the strained fiscal condition of the USVI government.</p>	<p>filling other gaps in lending requirements.</p>
<p><b>Lack of awareness of rights and responsibilities concerning fair housing may contribute to unfair or unequal treatment.</b></p>	<p>The Territory should take a strong position on bringing the discussion of fair housing forward on many fronts, making the expectation of fair housing the rule on the part of all partners—the public, housing providers, realtors, lenders, government departments, and policymakers.</p> <p>The lack of awareness concerning fair housing continues to be an issue in the Territory.</p>	<p>The St. Croix Board of Realtors has an annual fair housing event (bringing together realtors, banks, and developers) to provide fair housing awareness and training.</p> <p>VIHFA hired a fair housing staff person to provide additional fair housing outreach efforts to address this impediment. In addition, VIHA hired a fair housing staff person as well to address fair housing issues</p> <p>Both VIHFA and VIHA are working to address issues identified in a Voluntary Compliance Agreement (VCA).</p>
<p><b>Inadequate housing and services for persons with disabilities (including persons with mental illness and other populations with special needs) reduces access to safe, permanent</b></p>	<p>The Territory should continue to strengthen the system of support for vulnerable populations, including persons with disabilities. This includes strengthening the capacity of the system of providers.</p>	<p>The Continuum of Care implemented the Coordinated Entry System to provide a standardized process for persons experiencing or at risk of homelessness to access housing and services fairly and efficiently.</p>

Impediment	Description/Recommendation	Actions Taken
<b>housing and increases the likelihood of unfair or discriminatory practices.</b>		

# Fair Housing Laws

## Overview

Fair housing laws outline certain practices communities must follow to prevent and address housing discrimination. Understanding federal and state laws allows community members and service providers to ensure the housing rights of residents are being protected. This section describes the federal and state laws that pertain to fair housing.

## Federal Housing Laws

All states, the District of Columbia, and all U.S. territories and possessions in the United States are subject to the Fair Housing Act, administered and enforced by HUD, and other federal housing laws such as the Housing for Older Persons Act of 1995 (HOPA) and the Fair Housing Amendments Act of 1988 (FHAA).

## Fair Housing Act

In 1968, Congress passed the Civil Rights Act after years of advocacy in the United States against overt discrimination and segregation in the sale and rental of housing based on a person's race, national origin, skin color, gender, and religion. In 1988, Congress added additional protections against housing discrimination for people based on their familial status (e.g., women who are pregnant or households with the presence of children under 18) and disability.

The Fair Housing Act applies to almost any person or group involved with housing in the United States, including landlords, realtors, homeowners' associations, mortgage lenders, and homeowner's insurance companies. Under the Fair Housing Act, it is illegal to discriminate on the basis of race, religion, color, sex, national origin, familial status, or disability. The following are examples of actions that are violations of the Fair Housing Act when made on the basis of a protected class:

- Refusing to rent or sell housing.
- Refusing to negotiate for housing.
- Otherwise making housing unavailable.
- Setting different terms, conditions, or privileges for the sale or rental of a dwelling.
- Providing a person with different housing services or facilities.
- Falsely denying that housing is available for inspection, sale, or rental.
- Making, printing, or publishing any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination.
- Imposing different sales prices or rental charges for the sale or rental of a dwelling.

- Using different qualification criteria (such as different procedures, documents, or information) for rental standards, applications, income standards, application requirements, application fees, credit analyses, sale approval, or rental approval.
- Evicting a tenant or a tenant's guest.
- Harassing a person.
- Withholding or delaying performance on maintenance or repairs.
- Limiting privileges, services, or facilities of a dwelling.
- Discouraging the purchase or rental of a dwelling.
- Assigning a person to a particular building, neighborhood, or section of a building or neighborhood.
- For profit, persuading or trying to persuade homeowners to sell their homes by suggesting that people of a particular protected characteristic are about to move into the neighborhood (referred to as "blockbusting").
- Refusing to provide, or discriminating in, the terms or conditions of homeowner's insurance because of the race, color, religion, sex, disability, familial status, or national origin of the owner or occupants of a dwelling.
- Denying access to or membership in any multiple listing service or real estate brokers' organization.
- Refusing to make a mortgage loan or provide other financial assistance for a dwelling.
- Refusing to provide information regarding loans.
- Imposing different terms or conditions on a loan, such as different interest rates, points, or fees.
- Discriminating in appraising a dwelling.
- Conditioning the availability of a loan on a person's response to harassment.
- Refusing to purchase a loan.

Under the Fair Housing Act, it is also illegal to threaten, coerce, intimidate, or interfere with anyone exercising a fair housing right or assisting others who exercise the right or retaliate against a person who has filed a fair housing complaint or assisted in a fair housing investigation.

Certain types of housing are exempt from federal fair housing laws, such as owner-occupied buildings with four or fewer units, single-family homes sold or rented by the owner without an agent, and housing operated by religious organizations or private clubs that are limited to members.

Some examples of housing practices that violate the Fair Housing Act include the following:

- The manager of an apartment complex restricts families with children to only one section of the building.

- An apartment manager will not show a unit on an upper floor to a senior or person with a disability.
- A realtor lies about a home having a pending offer when showing it to a couple who do not speak English proficiently.
- An apartment manager runs a credit check on applicants under 30 years old but not on older applicants.

## Housing for Seniors

The 1995 HOPA creates an exception to Title VIII of the Fair Housing Act to allow for housing developments for seniors (referred to as “older persons” in the law). HOPA offers exceptions to discrimination based on family status for housing specifically designed for elderly individuals. To qualify for this exception, the housing must meet certain criteria and comply with all HOPA exemption requirements. The housing may be provided under a state or federal program designed to assist elderly persons or intended for and solely occupied by those at least 62 years old. Alternatively, the housing may be intended and operated for occupancy by those who are at least 55 years old, with at least 80 percent of the units having at least one occupant verified to be 55 years of age or older.

All other Fair Housing Act protections apply to housing for seniors, including the prohibition of discrimination on the basis of race, color, religion, sex, disability, or national origin.

## Fair Housing Amendments Act

The FHAA, signed in 1988, amended the Fair Housing Act to include persons with disabilities as a protected class and added additional regulations for policy accommodations and building modifications.

Under the FHAA, a person with a disability includes individuals with a physical or mental impairment that substantially limits one or more major life activities; individuals who are regarded as having such an impairment; and individuals with a record of such an impairment. “Major life activities” include walking, seeing, caring for oneself, hearing, speaking, breathing, learning, and working. Disabilities may also include mental or emotional illness, difficulties associated with aging, HIV/AIDS, and recovering from alcohol or drug addiction (completing a treatment program).

If a person requires the use of a walker, a wheelchair, a personal-care attendant, or a service animal to live in and enjoy housing in a way that is equivalent to a person without a disability, they are protected from housing discrimination.

An **accommodation** is a change in any rule, policy, procedure, or service needed for a person with a disability to have equal access to and enjoyment of their home. For example, allowing a service animal despite a “no pets” policy or allowing a tenant to mail in a rent check when others must physically deliver checks to a drop box.

A **modification** is a structural change made to the existing premises occupied or to be occupied by a person with a disability to afford such persons full enjoyment of the

premises. A ramp installed into the front entrance of a house where there are only stairs, changing doorknobs to levers for someone with a mobility disability, or allowing a tenant with a sight impairment to install visual doorbells are all examples of reasonable modifications.

Like other housing discrimination laws, protections for people with disabilities apply to rental and owner-occupied housing, government zoning and other land-use planning, and homeowners' associations.

## **Other Federal Laws and Regulations Impacting Fair Housing**

In addition to the laws described in this section, there are additional federal laws, executive orders, and regulations that impact fair housing and provide protection against discrimination. Table 1A in the appendix lists notable fair housing laws and regulations and provides a brief description of their protections.

## **Territorial Laws**

The laws of the USVI pertaining to fair housing are found in Title 10 of the V.I. Code.

### ***Chapter 1: Equal Opportunity of All Persons Against Discrimination***

This chapter outlines prohibitions against any restrictive covenant or condition or other provision in a deed, contract, or writing of whatsoever nature relating to the conveyance, sale, lease, or rental of real estate, or any interest therein, which in any manner prohibits or restricts the reconveyance or resale, ownership, use, or enjoyment of such real estate or interest therein on account of race, creed, color, or national origin.

### ***Chapter 5: Virgin Islands Civil Rights Commission***

This chapter establishes a Civil Rights Commission to encourage and promote programs to ensure equal opportunity and eliminate and prevent discrimination in housing, among other services. The Commission is charged with enforcing the laws, investigating allegations, studying conditions causing the denial of equal protection under the laws, monitoring and analyzing data, holding hearings, and imposing sanctions under the law based on race, creed, color, national origin, age, sex, disability, or political affiliation. Specifically, it is unlawful to discriminate against anyone in these groups when they are leasing, subleasing, or renting publicly assisted housing or privately owned housing.

### ***Chapter 9: Civil Rights of Blind Persons***

This chapter prohibits discrimination in the rental, lease, or sale of housing on the basis of blindness. It also provides that persons who are blind may keep a dog at no extra expense. It does not require other accommodations for other disabilities.

## **Summary of Fair Housing Protections**

Table 2 provides a summary of the protected classes in the Territory as described in both federal and Territory laws.

**Table 2—Summary of Protected Classes in the Territory**

<b>Protected Class</b>	<b>Protected Under Federal Law</b>	<b>Protected Under Territory Law</b>	<b>Notes</b>
<b>Race</b>	Yes	Yes	N/A
<b>Color</b>	Yes	Yes	N/A
<b>National Origin</b>	Yes	Yes	N/A
<b>Religion</b>	Yes	Yes	Territory law expands the protection to include creed.
<b>Sex</b>	Yes	Yes	
<b>Familial Status</b>	Yes	Yes	N/A
<b>Disability</b>	Yes	Yes: Blind	The Territory has specific protections for blind persons outlined in Chapter 9.
<b>Age</b>	Yes	Yes	N/A
<b>Political Affiliation</b>	No	Yes	N/A
<b>Marital Status</b>	No	Yes	N/A

# Community Needs and Trends

## Overview

This section provides an overview of community needs and trends within the USVI that informed the identification of barriers to housing for certain groups, as well as planned actions. This section explores the population, income, housing, and education trends of Territory residents using data from the 2010 and 2020 Decennial Census, consultation sessions, and local reports, plans, and studies.

## Population Trends

Demographic trends provide insight into the makeup of the population in the Territory. Understanding the characteristics of certain groups, particularly those more vulnerable to housing challenges, allows communities to be more responsive to housing needs.

### Population Growth

Between 2010 and 2020, the population decreased by 18 percent, while the total number of households decreased by 8 percent. Analysis from the Federal Reserve Bank of New York (2025) cites the 2012 closing of the Hovensa oil refinery, a major employer, and the extensive damage caused by Hurricanes Irma and Maria in 2017 as contributing factors to the decline in population. The report indicated that the 2020 population was the lowest population level since the 1970s.

Table 3 presents the change in population for each island in the Territory from 2010 to 2020 according to the U.S. Census Bureau. St. Croix recorded the greatest population decline of 19 percent during this period.

**Table 3—Population Increases (2010 to 2020)**

Territory	Base Year Population: 2010	Most Recent Year Population: 2020	% Change
<b>USVI</b>	106,405	87,146	<b>-18%</b>
<b>St. Croix</b>	50,601	41,004	<b>-19%</b>
<b>St. John</b>	4,170	3,881	<b>-7%</b>
<b>St. Thomas</b>	<b>51,634</b>	<b>42,261</b>	<b>-18%</b>

Data Source: 2010–2020 U.S. Census Bureau (Table 1)

## Age

Elderly residents often face additional challenges to obtaining and maintaining housing. Many elderly residents live on fixed incomes, such as Social Security, which can make affording high rents difficult. In addition, elderly residents often experience limited mobility and may need physical modifications to units to ensure safety.

In 2020, 21.3 percent of Territory residents were over the age of 65. The largest age cohort was 35–64, representing 41.5 percent of the population. Table 4 displays the number and percentage of Territory residents in each age category.

**Table 4—Ages**

Total Population	# Total Individuals	% Total Population
Under 5 years	4,468	5.1%
5 to 19 years	14,569	16.7%
20 to 34 years	13,412	15.4%
35 to 64 years	36,156	41.5%
65 to 74 years	11,005	12.6%
75 years or more	7,536	8.6%
<b>Total</b>	<b>87,146</b>	<b>100%</b>

*Data Source: 2020 U.S. Census Bureau*

## Age Trends

According to the 2019 USVI Comprehensive Housing Market Analysis (CHMA), due in part to a general scarcity of high-paying jobs in the USVI, out-migration from the Territory has been heavily concentrated among the working-age population. As a result, the median age has risen sharply relative to the United States. From 2000 to 2010, the median age in USVI rose from 33.4 to 39.2, an increase of 5.8 years. In that same period, the median age for the United States rose from 35.3 to 37.2, an increase of only 1.9 years. That trend continued into the early 2010s, with significant job losses further limiting opportunities for skilled workers.

The CHMA states that the effects of the aging population can be felt in all facets of life in the Territory, including education and affordable housing. Stakeholders described in consultation sessions that the Territory lacks housing and supportive service options for seniors who can no longer live independently. As the population continues to age, there will be more demand for affordable housing and supportive services to meet the needs of seniors.

## Race and Ethnicity

People often experience discrimination in housing based on their race and ethnicity. The majority of people in the Territory, or 71.4 percent, identifies as Black or African American. Table 5 provides a breakdown of the Territory’s population by their self-identified race.

**Table 5—Race as a Percentage of the Population**

Racial Category	USVI
<b>Black or African American</b>	71.4%
<b>White</b>	13.3%
<b>Asian</b>	1%
<b>American Indian/Alaska Native</b>	0.4%
<b>Native Hawaiian and Pacific Islander</b>	0.1%
<b>Some Other Race/Two or More Races</b>	13.8%

*Data Source: 2020 ACS Estimates*

In the Territory, more residents identified as non-Hispanic than Hispanic in 2020. Table 6 presents the ethnic identities of Territory residents: 18.4 percent of Territory residents identified as Hispanic.

**Table 6—Ethnicity as a Percentage of the Population**

Ethnic Category	USVI
<b>Hispanic</b>	18.4%
<b>Not Hispanic</b>	81.6%

*Data Source: 2020 ACS Estimates*

## Ancestry and National Origin

People born outside of the United States may have a limited understanding of how to navigate the housing system due to a lack of familiarity with housing laws and protections, as well as language barriers.

In 2020, 34.8 percent of Territory residents (29,579 people) were foreign-born. Table 7 depicts the continent of origin for foreign-born residents. In the Territory, the most common birthplace of foreign-born residents was the Caribbean.

**Table 7—Foreign-Born Residents by Continent of Origin**

Continent	USVI
<b>Born Elsewhere</b>	1.4%
<b>Europe</b>	2.4%
<b>Asia</b>	3.4%
<b>Caribbean</b>	90.7%
<b>Latin America</b>	2.0%

*Data Source: 2020 ACS Estimates, DP2*

### Limited-English Proficiency

Both foreign-born and native residents may have Limited English Proficiency (LEP). For the purposes of data collection, the U.S. Census Bureau considers a person to have LEP if they read, write, speak, and understand English “less than very well.” In practice, people with LEP lack fluency in the English language. LEP residents, whether foreign- or native-born, have additional barriers to understanding rental contracts, fair housing protections, and laws.

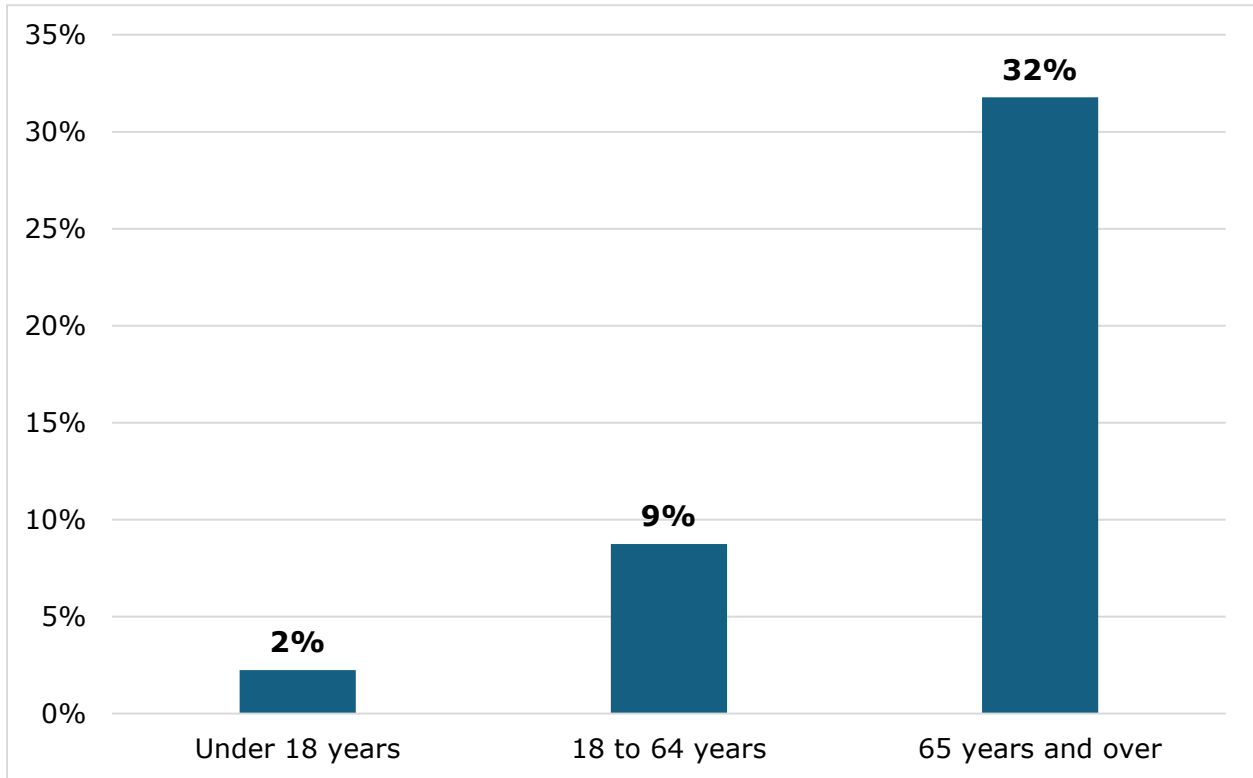
In 2020, approximately 9 percent (7,211 people) of the Territory’s households were LEP. This parallels the 2010 Census data, when 9 percent of the population of the USVI (age 5 and older) spoke English less than “very well.” Fifty-six percent of those households spoke Spanish as their primary language, while 29 percent spoke French or Haitian Creole.

### People with Disabilities

People with disabilities may need additional support to obtain and maintain housing that suits their needs. People with physical disabilities may require modifications to units to ensure accessibility, and people with cognitive disabilities may need services and support to maintain independent living.

In 2020, approximately 12.4 percent of Territory residents lived with a disability. The most common forms of disability were ambulatory, difficulty living independently, vision, and cognitive. Figure 1 depicts the percentage of people living with a disability in each age category. As seen in the figure, older populations lived with disabilities at a much greater rate than younger populations.

**Figure 1—Disability by Age**



*Data Source: 2020 DECIA Detailed Crosstabulations, CT16*

In addition, employment rates vary for those who are disabled vs. nondisabled. For people aged 18-64 years old with a disability, the percentage employed is 42.8 percent, compared to 67.3 percent among those without a disability.

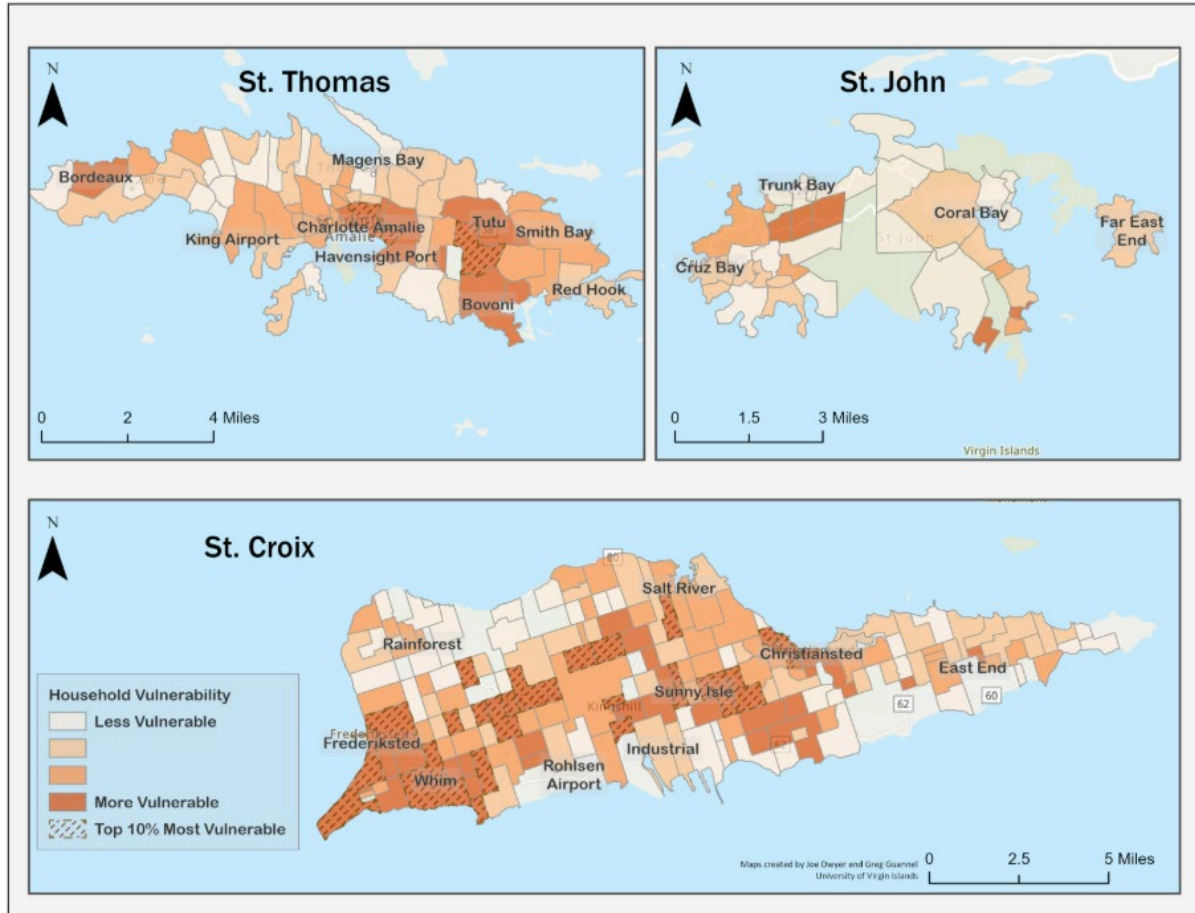
According to the Public Health Implications of Social Vulnerability in the U.S. Virgin Islands study of household composition and disability, on St. Thomas, the regions of high household and disability vulnerability are in Bovoni and Charlotte Amalie. In addition, two rural regions, Tutu and Bordeaux, are home to many farmers and have high levels of vulnerability on the measures of household composition and disability.

On St. Croix, Frederiksted town and Christiansted town also show a high household composition and disability vulnerability. However, in general, St. Croix has fewer estates with high levels of these types of vulnerabilities than it has estates with high levels of socioeconomic vulnerability.

On St. John, the area of high socioeconomic vulnerability has medium to low household composition and disability vulnerability, but estates south of Cruz Bay have a higher vulnerability.

The following maps from the study show household composition and disability vulnerability of the USVI population.

**Figure 2—Household Composition and Disability Vulnerability**



Data Source: 2022 Public Health Implications of Social Vulnerability in the U.S. Virgin Islands Study

Throughout the consultation sessions, stakeholders emphasized that the Territory lacks supportive services and infrastructure for people with disabilities. For instance, public housing residents may request accommodation, such as first-floor units, but often must wait for a suitable unit to become available. In addition, streets and crosswalks do not include accessibility features, such as accessible pedestrian signals, that allow people with vision difficulties to navigate independently.

### Household Type

Different household types, such as roommates, presence of children, or presence of a senior, have unique housing needs, such as the number of rooms, access to schools, and accessibility options.

Most households in the territory are family households. Table 8 outlines the number and percentage of households by each family type: 55 percent of total households belong to family households, with the majority of family households being married couples (accounting for 28 percent of total households), while single-female-headed

households accounted for 21 percent of total households. 40 percent of households were single-person households.

**Table 8—Household Type as a Percentage of the Population**

Family Type	Number	Percent of Total Households
<b>Family Households</b>	<b>21,759</b>	<b>55%</b>
<i>Married</i>	11,018	28%
<i>Single Female</i>	8,134	21%
<i>Single Male</i>	2,607	7%
<b>Non-Family Households</b>	<b>17,883</b>	<b>45%</b>
<i>Living Alone</i>	15,902	40%
<i>Other Non-Family</i>	1981	5%
<b>Total Households</b>	<b>39642</b>	<b>100%</b>

Data Source: 2020 ACS Estimates, DP1

**Household Trends**

According to the 2019 USVI CHMA, despite the population decline, the Territory had modest household growth from 2000 to 2010, due in large part to a long-term trend of decoupling by larger households. Household growth in the Territory averaged 0.6 percent a year from April 2000 to April 2010. As the population decreased during the period, the formation of smaller-sized households accounted for the positive household growth with the average household size declining from 2.64 in April 2000 to 2.41 in April 2010. The percentage of households in the USVI that had five or more people declined from 13 percent in April 2000 to 8 percent in April 2010, while the figure for the United States remained largely unchanged at 11 percent (2000 and 2010 Census data).

The average household size in the Territory has continued to decline since the early 2010s, and although the number of households has decreased since 2010, the rate of decline has been less than that of the population. As of August 1, 2019, the number of households in the USVI was estimated at 42,150, an average annual decline of 0.3 percent since April 2010, compared with an average annual decline of 0.5 percent for the population.

As the number of households increases, so does the demand for housing. Stakeholders noted during consultation sessions that many families are being priced out of affording modest homes. Stakeholders identified single-family homes as the greatest housing need in the Territory.

## Economic and Income Trends

Income is one of several factors used to determine a household's eligibility for a home mortgage loan or an apartment lease. Income directly affects a household's ability to pay for not only housing but also other necessities such as transportation, food, and childcare. Households with lower incomes and households in poverty often experience greater housing challenges, such as difficulty making housing payments or choosing to live in substandard units due to cost savings.

According to recently (2024) released data of 2020 Island Areas Censuses Detailed Cross Tabulations for the U.S. Virgin Islands, the following economic characteristics were noted:

- The poverty rate for all people in households for whom poverty status is determined was 22.8 percent.
- The Black or African American alone population in households had a poverty rate of 24.3 percent, while the White alone population in households had a poverty rate of 11.5 percent.
- The Hispanic or Latino population of any race in households had a poverty rate of 31.4 percent.
- The median income of all households was \$40,408.
- The median income of households with an African American householder was \$41,070 and with a Caribbean householder was \$34,988.
- The median income of households with a householder born in the USVI was \$41,500.
- Households with a householder 45 to 54 years old had the highest median income (\$51,704) of any age group.
- 32.4 percent of households with a householder 15 to 24 years old received Supplemental Nutrition Assistance Plan benefits, compared to 14.7 percent with householders aged 65 and over.
- Among people age 16 and over in the civilian labor force, 90.3 percent were employed, and 9.7 percent were unemployed.
- The unemployment rate of women was 10.1 percent and of men was 9.3 percent.
- Among workers aged 16 and over, 72.7 percent worked full-time, year-round (35 hours or more per week, 50 to 52 weeks).
- Among workers aged 16 and over, 40.0 percent were born outside of the USVI and 60.0 percent in the USVI.

### Median Income

Median income provides insight into the purchasing power of households, which directly affects their ability to obtain and maintain housing.

Median income can vary for different groups of people. Table 9 displays the household median income for various groups. Both Black and Hispanic households had median

incomes that were less than the overall Territory median income. The median income for White households was greater than the overall Territory median income.

**Table 9—Median Incomes of Selected Protected Classes**

<b>Selected Protected Class</b>	<b>Median Income</b>
<b>Household Median Income</b>	<b>\$40,408.00</b>
<b>Race</b>	
<i>White</i>	\$65,362
<i>Black</i>	\$37,011
<i>Hispanic</i>	\$31,435
<b>Family Type</b>	
<i>Family Householder</i>	\$52,000
<i>Nonfamily Householder</i>	\$27,155

*Data Sources: 2020 ACS Estimates, DP1; 2020 DECIA Detailed Crosstabulations, CT14*

From 2010 to 2020, the median household income for the Territory increased by approximately 8 percent. The median family income increased by approximately 15 percent in the same period.

## Low-Income Residents

This section provides information about household incomes combined with other household characteristics, including household size and household type. The area median income is used to determine if a household is considered low- or moderate-income. A household earning less than 30 percent of the area median income is considered to be extremely low-income, 30–50 percent is very low-income, 51–80 percent is low-income, and 80–120 percent is moderate-income. Understanding the number and characteristics of low- and moderate-income (LMI) households helps communities identify housing needs.

## Poverty

Many low- and extremely low-income households live in poverty. Households in poverty lack sufficient resources to meet their basic needs. Certain groups experience poverty at higher rates than the community as a whole.

In 2020, the overall poverty rate for all people in households for whom poverty status is determined was 22.8 percent.

Table 10 outlines the instances of people in poverty in the Territory. As seen in the table, poverty rates among single householder families and married couple families varied, in addition to households with and without children under 18 years old. As illustrated in the table, families with children experienced poverty at a greater rate

than the Territory overall. However, married couples with children experienced poverty at a lesser rate than the Territory overall.

**Table 10—Poverty Rates by Household Type**

Household Type	People in Poverty	Poverty Rate	% Difference to Overall Poverty Rate
<b>Families</b>	4,046	18.6%	<b>-4.2%</b>
<i>With related children under 18 years</i>	2,590	27.4%	<b>4.6%</b>
<i>With related children under 5 years</i>	477	29%	<b>6.2%</b>
<b>Married Couple Family</b>	1,138	10.3%	<b>-12.5%</b>
<i>With related children under 18 years</i>	410	12.2%	<b>-10.6%</b>
<i>With related children under 5 years</i>	71	13.7%	<b>-9.1%</b>

Data Sources: 2020 ACS Estimates, DP3; 2020 DECIA Detailed Crosstabulations, CT15

## Housing Trends

An affordable, adequate, and accessible housing stock ensures that community members can find units that fit their needs. Understanding the housing trends currently experienced in the Territory helps the community make informed decisions about projects and programs.

According to recently (2024) released data of 2020 Island Areas Censuses Detailed Cross Tabulations for the U.S. Virgin Islands, the following housing characteristics were noted:

- Nearly 70 percent (69.2 percent) of all housing units were occupied, 47.8 percent by owners and 52.2 percent by renters.
- In owner-occupied households with only one person, comparing across age groups, those householders ages 15 to 24 made up the smallest share (0.8 percent), and those age 65 and over made up the largest share (53.1 percent).
- The median monthly owner cost for households with mortgages whose housing was built in 2019 or 2020 was \$1,730, and \$351 for households that did not have a mortgage. The median gross rent for households living in units built in 2019 or 2020 was \$926.
- 92.8 percent of children aged 5 to 17 lived in households with a computer and broadband internet subscription.

- The median income of households with a computer and internet subscription (\$50,525) was significantly higher than those without a computer (\$17,911).

## Homeownership

Homeownership provides meaningful opportunities for community members to integrate into a community with stable housing. Historically, certain groups have had limited homeownership opportunities due to restrictive borrowing practices and economic factors.

The CHMA report showed that sales market conditions were relatively stable in early and mid-2017, although sales activity declined dramatically after the hurricanes, as damage was assessed and recovery efforts began. From January through July 2017, the number of homes sold on St. Croix and St. Thomas totaled 340, up 6 percent from the same period in 2016, while the average sales price was largely unchanged at \$327,000. Very little sales activity occurred in late 2017, and home sales, particularly to nonresidents, remained limited through much of 2018. From January through July 2018, only 290 homes were sold on St. Croix and St. Thomas, a 15 percent decline from the same period in 2017.

Seasonal and second homes constitute a significant part of the sales market in the USVI, with demand by nonresidents putting upward pressure on home prices. Prior to the hurricanes, from January through July 2017, sales for a purpose other than primary residence (which include seasonal and second homes) accounted for 49 percent of all home sales in the territory, which was generally consistent with historical levels.

## Affordability

According to the CHMA released by HUD in 2019, relatively low incomes, high construction costs, limited developable land, and strong demand by nonresidents have contributed to an ongoing affordability problem for residents of the Territory seeking to purchase a home. During 2017, the median home price was approximately seven times higher than the median household income in the USVI, compared with five times higher for the nation. The ratio is likely to have increased significantly in the Territory during the more recent years since the hurricanes, because home prices have risen despite severely weakened economic conditions. Homeownership in the Territory is also limited by significant barriers associated with financing. The largest of these barriers is the high cost of homeowner's insurance, which was approximately four times more expensive than for the nation as a whole before the hurricanes and is estimated to have increased as much as 20 percent since 2017. To avoid the lender requirement to purchase home insurance, home sales in the USVI are often cash transactions among family and friends. More than two-thirds of all owner-occupied homes in the USVI do not have a mortgage. By comparison, only 37 percent of owner-occupied homes in the United States did not have a mortgage in 2017 (ACS 1-year data). As mentioned earlier, this is primarily due to cultural factors, since many persons (especially many originating from the Eastern Caribbean islands) do not believe in securing loans to build homes but rather build "out of pocket," even if it takes many years to complete the construction.

Cost burden, or paying more than 30 percent on housing expenses, is one primary metric to gauge the lack of affordability. In both 2010 and 2020, housing cost burden and severe housing cost burden were the most prevalent housing problems, affecting over a third of the population. From 2010 to 2020, the percentage of households experiencing a housing problem decreased for each category, though in 2020, 43 percent of renters experienced a form of cost burden. In 2020, 34 percent of total households experienced housing cost burden or severe housing cost burden. As discussed throughout the Analysis of Impediments to Fair Housing Choice, the lack of affordable housing, including long wait lists for public housing units, high rents, and limited housing supply, is one of the greatest challenges affecting the Territory.

## Homelessness

Homelessness results from complex situations that include income, housing, and social factors. People experiencing homelessness often face unique challenges to obtaining and maintaining housing. Some groups of people may be at a greater risk of experiencing homelessness due to vulnerabilities associated with their specific protected class. Understanding the demographics of people experiencing homelessness helps the community tailor shelter and supportive services to best support people experiencing homelessness.

The 2025 Point-in-Time (PIT) count provides the most recent estimate of unsheltered homelessness. A PIT count represents the number of people and households experiencing homelessness on a specific day as tabulated by the Continuum of Care. Note that the PIT count likely underrepresents the true nature of homelessness in the USVI. For instance, stakeholders noted during consultations that people experiencing homelessness often live with friends or relatives (or "couch surf"). Instances of couch surfing may not be fully represented in the PIT count. The 2025 PIT count identified 304 unsheltered individuals across the Territory: 185 in St. Thomas, 98 in St. Croix, and 21 in St. John. This represents an increase from 252 unsheltered persons reported in the 2023 PIT count.

In the USVI's HOME American Rescue Plan Allocation Plan, which included data and information gleaned from extensive outreach conducted in 2022, VIHFA concludes that single-male households experiencing unsheltered homelessness comprised the greatest share of the population experiencing homelessness. The plan also states that more than 50 percent of people experiencing unsheltered homelessness experienced mental health challenges, while 60 percent suffered from substance abuse disorder.

In 2024, 77 percent of the people experiencing sheltered homelessness identified as Black or African American, 3 percent identified as White, and 20 percent of the sheltered homelessness population identified as Hispanic. A comparison of people experiencing homelessness to the population at large indicates that Black or African American and Hispanic households are slightly overrepresented among the population experiencing homelessness. According to the 2020 Island Areas Census, 71.4 percent of the Territory identified as Black or African American, while 77 percent of people experiencing sheltered homelessness in 2024 identified as Black or African

American. Similarly, 18.4 percent of the total population identified as Hispanic, while 20 percent of the sheltered homelessness population identified as Hispanic.

## Education Trends

Access to education provides community members with opportunities to obtain higher-paying jobs and improve their quality of life. Many factors, such as poverty and geographic location, impact the quality of education people may receive. Understanding barriers to education for certain populations helps communities implement programs and practices to improve educational attainment.

According to recently (2024) released data of 2020 Island Areas Censuses Detailed Cross Tabulations for the U.S. Virgin Islands, the following social characteristics related to education and income were noted:

- Nearly a quarter (22.3 percent) of people aged 25 and over in households had a bachelor's degree or higher. Educational attainment varied by sex and age: 25.6 percent of women and 18.4 percent of men had a bachelor's degree or higher. People aged 45 to 54 (24.1 percent) were the most likely to have a bachelor's degree or higher, and those aged 65 and over (19.3 percent) were the least likely.
- Among people aged 18 and over in households, the median earnings in 2019 dollars of those with a bachelor's degree (\$51,886) was more than double the earnings of those with less than a high school degree (\$21,436). The median earnings of men with a bachelor's degree or higher (\$60,398) were greater than the median earnings of women with a bachelor's degree or higher (\$50,170).
- Among 18- to 24-year-olds in households in the USVI, 21.2 percent of men and 34.2 percent of women were enrolled in college or graduate school.

## Educational Attainment

According to the 2023 KIDS COUNT USVI Data Book, published by the St. Croix Foundation, 42 percent of students enrolled at the University of the Virgin Islands were first-generation college students as compared to the national rate of 24 percent. While the data is specific to students at the University of the Virgin Islands, it represents a bright spot in the USVI, indicating the removal of barriers to opportunity and that the youth see higher education as a means to breaking racial inequities and cycles of poverty. In addition, the University of the Virgin Islands has recently enacted free tuition for local high-school graduates, another significant action that the Territory has taken to remove barriers to education. According to the [Education Trust](#), "Among [young Black male students] who don't complete high school, 68 percent will be imprisoned by age 34. With a high school diploma, [this] falls to 21 percent; with a college degree, to 6 percent."

# Access to Opportunity

## Overview

Equal and free access to residential housing (housing choice) is a fundamental right that enables persons defined in the Fair Housing Act as protected classes to pursue personal, educational, employment, or other goals. Access to opportunity refers to factors that affect community members' quality of life and ability to maintain stable housing. For instance, where a person resides, the characteristics of that neighborhood, and how close they are to public transportation all impact how residents live, work, and socialize. Understanding education and transportation trends, particularly in how they affect certain groups, provides valuable information to communities to help remove barriers to opportunity. This section analyzes education trends, transportation patterns, and identified needs.

## Geographies of Opportunity

According to the Public Health Implications of Social Vulnerability in the U.S. Virgin Islands study published in 2022, the USVI is a highly unequal community with high levels of poverty, high health disparities, low homeownership rates, and low educational achievement. The USVI is also impacted by natural hazards such as hurricanes, droughts, and earthquakes. The health and well-being of people with high levels of social vulnerability—that is, those who experience negative impacts from factors such as limited economic means, disability, age, racial or ethnic identity, language barriers, or substandard housing or transportation—are generally more at risk from the impacts of disasters. The study created an index for USVI social vulnerability to understand the social determinants of health for the most vulnerable and create appropriate policy and interventions to protect them from adverse outcomes during disasters.

## Transportation System

An updated Transportation Plan is currently being developed (USVI 2050), led by USVI's Department of Public Works, which is intended to give the Territory cohesive guidance to "update, maintain, and enhance the transportation network while having an updated account of the existing conditions." As stated in the draft document, transportation is a critical topic for any place. People need to travel for work, school, healthcare, recreation, and to access other goods and services. Transportation infrastructure also affects the Territory's access to goods and services from the mainland and elsewhere and its ability to export its own goods and services. The transportation system influences the attractiveness for and experiences of visitors and the ability of the USVI's residents to travel within the Territory and externally.

Transportation infrastructure also affects and is affected by environmental resources, such as adjacent waterbodies. For these reasons and more, transportation is a critical driver of economic development and quality of life.

## Commuting and Travel Patterns

According to the USVI CLWUP Baseline Summary for transportation, roughly 70 percent of USVI residents commute to work alone by car, truck, or private van/bus, with 77 percent on St. Croix, 63 percent on St. John, and 66 percent on St. Thomas (U.S. Census data). Roughly 12 percent carpool territory-wide, a value that is consistent across all three islands. This category of commuting may be inclusive of the “safari” or “dollar ride” taxis. These refer to shared taxis that run along particular routes (mostly main roads) and do not provide door-to-door service like private taxis. Despite the name, rides on these modes of transportation cost more than \$1. Although more costly than VITRAN, it is often a more convenient option because they travel more frequently than VITRAN. It should be noted that UBER and Lyft are not available in the Territory, and that the “taxi-van” is the St. Croix equivalent of the “safari/dollar-ride” in St. Thomas.

The route traveled by the safari/dollar ride in St. Thomas includes several popular locations, including the malls, the ferry terminal to St. John, downtown, the University of the Virgin Islands, the VITRAN main terminal, Sugar Estate (which includes the hospital, the large senior housing complex, and medical offices) within reasonable walking distance of many residential areas.

The route traveled by the St. Croix “taxi-van” goes from town to town (Christiansted-Frederiksted), through the main shopping mall. Their route passes within walking distance of the hospital, VITRAN’s main terminal and also the University of the Virgin Islands. St. Croix is much larger than St. John, so residential areas are much more dispersed throughout the island, and many of the areas are not served by VITRAN or the taxi-vans.

Of note, 13 percent of St. John residents walk for their commutes, substantially higher than the 4 percent who walk for their commutes Territory-wide.

Territory-wide and on individual islands, all other modes of commuting represent less than 10 percent of residents. Roughly 5 percent of USVI residents take public transportation, with that value even lower for St. Croix (2 percent) and St. John (4 percent) and slightly higher for St. Thomas (7 percent) residents, reflecting the higher VITRAN ridership on St. Thomas. Approximately 5 percent of workers work from home in the USVI, possibly inclusive of new teleworkers from the mainland U.S. who have moved to the USVI since the onset of the COVID-19 pandemic.

## Public Transportation

VITRAN provides bus service on St. Croix, St. John, and St. Thomas, as part of the Transportation Division of the Department of Public Works. Fares are \$1.00 for a regular fare, \$0.75 for students with identification, and free for senior citizens and individuals with a disability.

There are three bus routes on St. Croix that generally run east to west between Frederiksted and Christiansted and adjacent areas. Buses typically run Monday through Friday, with the earliest bus starting its route at 5:30 AM and the latest bus

ending its route at 9:00 PM. Times between buses range from one hour and twenty minutes to three and a half hours, depending on the route and time of day.

On St. Thomas, VITRAN's busiest location in the USVI, there are seven routes generally running east to west, all through Charlotte Amalie, with routes extending from the east end of the island to the west end of the island. The earliest bus is at 5:00 AM, and the latest at 8:55 PM, with up to four hours between buses, although routes tend to have one to two hours between buses. Ridership on St. Thomas is four times higher than on St. Croix or St. John.

On St. John, there are three bus routes that generally run east to west between Cruz Bay and Coral Bay. Buses typically start at 4:00 AM, and the last bus is at 8:40 PM, depending on the route. There are two hours between buses. This service on St. John is particularly important for students who have to take the ferry to Ivanna Eudora Kean High School on St. Thomas each day.

Even with VITRAN's service, public transit options remain limited in the territory. Over 95 percent of street lengths have no public transit stops. In addition, the USVI's population density does not meet the frequently cited minimum threshold density of four dwelling units per acre to have enough demand for hourly transit service, even in the highest-density areas of the territory, such as Charlotte Amalie and Christiansted. However, public transit service is the only means of transportation for many sectors of the population. Investing in VITRAN to support regular, reliable, and affordable service that better connects jobs, commercial centers, schools, and residential areas, including service between islands, was one of the key recommendations in the USVI Comp Plan Policy Preview document.

## **Transportation Needs**

During consultation sessions with stakeholders, several themes regarding transportation arose. Overall, stakeholders noted that limitations on the public transit system and street infrastructure serve as barriers to vulnerable communities accessing transportation services.

- Public transportation routes and service hours are very limited.
- There are large sectors on each island that are not served by the public transportation network.
- Many public housing residents utilize door-to-door transportation.
- Buses often run late, which can create disruptions for people relying on them to get to important places.
- Shared taxi-vans are available on St. Croix, but only with one route.
- Streets are often not accessible to people with disabilities.

## **Transportation Infrastructure Improvements**

One of the transportation infrastructure improvements planned using Community Development Block Grant-Mitigation (CDBG-MIT) funds is the Veterans Drive Project in St. Thomas, USVI, which is a major infrastructure initiative aimed at improving

one of the island's most critical transportation corridors along the Charlotte Amalie waterfront. Veterans Drive (Route 30) serves as the primary east-to-west arterial, connecting residential areas, the cruise ship port, and the downtown shopping district.

While the current CDBG DR Mitigation portfolio does not include projects specifically scoped to improve transportation access in remote areas for LMI populations, the infrastructure program will reassess its unmet needs and consider a project with a similar scope based on the availability of funds. This reassessment will align with broader goals of enhancing resilience through critical and natural infrastructure investments, ensuring equitable access and long-term sustainability for vulnerable communities. See the Fair Housing Action Plan at the end of the document for more details.

## Educational Opportunity

Disparities in educational attainment affect economic mobility and prosperity and the ability to rent or own a home. Post-secondary degrees, especially the completion of a bachelor's degree, significantly raise earnings for all people, regardless of race, ethnicity, or gender. The effect on economic mobility can be greater among different subgroups, such as families with the lowest income. Unemployment rates for individuals with a bachelor's degree are usually half the unemployment rate of those without.

During the development of the Comprehensive Land & Water Use Plan (CLWUP), participants at the engagement meetings raised concerns related to local education opportunities for children and adults.

According to the 2023 KIDS COUNT USVI, the USVI child population of 17,086 is half of what it was 20 years ago, when there were 34,289 children living in the USVI according to the 2000 Census. In 2010, children represented a quarter (25 percent) of the total population in the USVI, but according to the 2020 Census, the share of children in the overall population had decreased to 19.6 percent. The percentage of the population under 18 years of age was similar on St. Croix (20 percent) and St. Thomas (19 percent). On St. John, children made up just 15 percent of all residents.

Demographic highlights of the student population (2020) included the following:

- Black children made up 67 percent of the total USVI child population (11,492).
- White children made up 7 percent of all USVI children (1,193).
- Children of other races made up 4 percent of all USVI children (701).
- Among children of any race, 22 percent were Hispanic (3,700).
- 52 percent of children in the USVI were male.

## K-12 Student Enrollment

The Virgin Islands Department of Education comprises 22 schools, and there are an additional 27 independent, private, or parochial schools that have a certificate of

operations issued by the Virgin Islands Department of Education. The St. Croix District and St. Thomas/St. John District account for 11 public schools each. Of the 27 private and parochial schools, 13 are in the St. Croix District, and 14 are in the St. Thomas/St. John District.

Student enrollment in local public schools has been declining over the past decade, in line with the dynamic observed in the overall USVI population as illuminated in the 2020 Census. During SY 2022–23, USVI public schools saw a slight decrease in student enrollment, with a total of 10,166 students. During SY 2023–2024, enrollment increased slightly to 10,312.

Chronic absence and public school dropout rates were noted as issues of concern. Chronic absenteeism is often defined as students missing 10 percent or more days in a school year. In the USVI, chronically absent students are those who miss 18 or more days in one school year. During SY 2022–2023:

- Among all public school students in the USVI, 31 percent were chronically absent, an increase from the 22 percent of students who were chronically absent in SY 2021–2022.
  - The St. Croix District has a higher percentage of chronic absenteeism (36 percent) than the St. Thomas/St. John District (26 percent).
- In terms of grade levels, the highest percentage of chronic absenteeism is found at the elementary level, where 36 percent of students met the definition, while 25 percent of high school students were chronically absent.

In SY 2021–2022, 185 students in grades 7 through 12 left the public school system, a significant increase from the 114 students who left the system in SY 2020–2021. The report indicates that:

- 11<sup>th</sup>-grade students were the most likely to drop out.
- The most likely age for students to drop out was 17 years old, with 18 years old being the second most likely age for a student to drop out.
- The SY 2021–2022 dropout rate for each district represented an increase from the prior year, with the St. Thomas/St. John District having higher dropout rates than the St. Croix District in each of the past four school years.

## Higher Education

According to the 2023 KIDS COUNT USVI Data Book, more students are choosing to attend college for the first time in the Territory.

In 2022, 42 percent of students enrolled at the University of the Virgin Islands, the only institution of higher learning in the Territory, were first-generation college students. For comparison, just 24 percent of college students in the U.S. are first-generation. One factor likely increasing educational attainment is the Free Tuition Scholarship Program. Signed into law in 2019, the program provides free tuition to eligible USVI high school students. While the data is specific to students at the

University of the Virgin Islands, it represents a bright spot in the USVI, indicating the removal of barriers to opportunity and that young people see higher education as a means to breaking racial inequities and cycles of poverty.

In 2022, among these incoming first-time freshmen who were graduates of a USVI public or private/parochial school:

- 58 percent received financial aid via Pell grants.
- 67 percent were women, compared to 68 percent in 2021 and 61 percent in 2020.
- 48 percent received free tuition via the Virgin Islands Higher Education Scholarship Program, double the percentage (24 percent) that received the Virgin Islands Higher Education Scholarship Program assistance in 2021.
- The majority (73 percent) identified as Black (non-Hispanic), with Hispanic/Latino making up the second largest racial demographic (18 percent). This aligns with the racial demographic makeup of USVI high school graduates.

As the data in Table 11 highlights, higher educational attainment is correlated with increased median earnings.

**Table 11—Educational Attainment and Earnings**

<b>Educational Attainment</b>	<b>Median Earnings in the Past 12 Months</b>
<b>Less than high school graduate</b>	\$21,683
<b>High school graduate (includes equivalency)</b>	\$30,283
<b>Some college or Associate's degree</b>	\$38,621
<b>Bachelor's degree</b>	\$50,403
<b>Graduate or professional degree</b>	\$61,201

*Data Source: 2020 Decennial Census (PCT74)*

## Education Needs

During consultation sessions, stakeholders noted that oftentimes the educational system is not equipped to support individualized learning for people with disabilities. Stakeholders saw this as a barrier to people with disabilities living and working independently.

The USVI Vision 2040 Plan includes a variety of educational goals, including the following:

- Promote and expand curricula focused on critical thinking and skills-based proficiency education.

- Develop programs that are centered on motivating young people with entrepreneurial interests.
- Secure commitment of public educators to connect teachers with businesses so classrooms can better prepare students for high-quality technology jobs.
- Establish an “idea infrastructure” in the K–12 curriculum that provides focus on fun exploration and discovery, research, and hands-on science and technology learning.
- Position the University of the Virgin Islands to be known as an “honors university” among Historically Black Colleges and Universities and position the University of the Virgin Islands to become a U.S. Economic Development Administration (EDA) University Center.
- Develop more academic and research-oriented partnerships with U.S. mainland higher education institutions.
- Focus on technology in all aspects of learning.
- Encourage life-long learning and volunteering opportunities with local nonprofits and foundations.

## Employment Opportunities

The USVI’s economy is heavily based on tourism. USVI’s leading employers tend to be concentrated in industries that offer low pay, limited career opportunities, and lower-growth potential. In 2020, a large share (88 percent) of jobs in the USVI were based in service sectors, and, within those sectors, the most prevalent jobs were often lower-paying. Among the most in-demand jobs are security guards, janitors and cleaners, hotel cleaning staff, groundskeepers, food servers, and service clerks.

Across the USVI, the economy is dominated by three industry sectors: government, accommodation and tourism, and retail trade. St. Croix’s economic base is more diversified than that found in St. Thomas or St. John, with a higher share of workers in health care, energy, and manufacturing.

According to an October 2022 USVI Workforce Assessment and Laborshed Study, pressing skills gaps are impacting existing workers. A 2015 Virgin Islands Bureau of Economic Research employer survey found that many local employers faced challenges in finding talent. Employers noted that critical technical skills, such as computer skills, basic reading, and mathematics, were among the skills in highest demand.

The VI Apprenticeship Council is seeking to expand apprenticeship programs and initiatives to new industries; however, because most USVI employers are quite small, they lack the capacity and resources to support in-house training. In fact, many firms lack the ability to fund specialized employee training, which may require travel to the mainland U.S.

The mismatch between low wages and high housing costs increases the likelihood that many people are priced out of the housing market, increasing the likelihood of overcrowding and homelessness. A family of four with two working adults requires

\$40.27 per hour with benefits and \$56.98 per hour without benefits and subsidies to maintain a minimum standard of living (USVI Bureau of Economic Research).

Based on these data, there were approximately 5,500 workers, or 15 percent of the working population, mostly private industry workers, who may not be earning a living wage in 2020.

## Employment Opportunity Needs

During consultation sessions, stakeholders echoed many of the themes discussed above regarding employment and workforce development. Key themes are listed below.

- There is a need to build a workforce that can serve the needs of the business community.
- Particularly in the tourism industry, there is a need to train individuals to work in hotels and other service areas.
- There is a workforce shortage in construction, particularly housing construction.
- There exist employment opportunities in the resilient infrastructure and rebuilding sectors; however, there are not enough individuals in the area who are trained to perform the work.

In addition to the educational goals outlined in the previous section, the USVI Vision 2040 includes a set of workforce development goals.

- Developing stackable credentials (a series of smaller, sequential credentials, like certificates or micro-credentials, that can be combined to build toward a larger degree, such as an associate's or bachelor's degree) to provide career pathways for students, employees, and adults.
- Recruit world-class academic and industry investigators to help diversify the economy with a focus on blue economy (an economic system that seeks to conserve marine and freshwater environments while using them in a sustainable way to develop economic growth and produce resources such as energy and food).
- Develop programs that are centered on motivating young people with entrepreneurial interests.

## Environmental and Natural Hazards

According to the Public Health Implications of Social Vulnerability in the U.S. Virgin Islands study, most populations with high levels of vulnerability (people at a greater risk of exposure to negative environmental changes) are at greater risk of exposure to flooding, especially on St. Thomas. Proximity to major roads, airports, ports, and other industrial facilities, such as oil refineries, can intensify these vulnerabilities.

The USVI has experienced a variety of natural hazards: hurricanes, which bring high wind speeds, rain, and storm surges; rainstorms; earthquakes; tsunamis; and droughts. The islands experience tropical storms and hurricanes on a regular basis, the most recent direct hits being Hurricanes Irma and Maria in 2017 (USVI Hurricane Recovery and Resilience Task Force, 2018). St. Thomas and St. John have a narrow coastal zone and a steep interior. As a result, most of the large flood zones are located along the coast. St. Croix, on the other hand, is relatively flat, except for a mountain range on the northwest corner. As a result, flood zones are wide and cover a large portion of the island.

The effects of climate change have been felt more dramatically than in most other areas of the U.S. Situated in the path of severe storms and potentially debilitating hurricanes and tsunamis, residents and business owners are vulnerable to extended periods without power, basic services, food, water, communications, and transportation. Along with storms, rising seas, and erosion, increased ocean temperatures and extended droughts will change the environments that enable coral, mangroves, coastal wetlands, beaches, and other important natural areas to thrive.

According to the USVI CLWUP (2024), policy objectives for land and water use to mitigate the effects of natural hazards included the following:

- Carefully consider the safety issues associated with real estate development in areas with high storm-related risks.
- New policies should encourage preparation for drought as well as flood events.
- Policies must also factor in the long-term impacts of warming oceans and what measures can be taken to foster the resilience of sensitive coastal and marine resources, mitigate shoreline loss, and protect bays and harbors both environmentally and for human use.

According to the study, much of the housing stock is vulnerable to hurricanes and other intense storms, as exemplified by the 2017 hurricanes, and these risks are expected to increase with climate change. The intersection of housing affordability and natural hazards came into sharp focus with the 2017 hurricanes. The impact on LMI households reached far beyond 2017, with many families struggling or ultimately unable to rebuild. According to the Territory's CDBG-DR Action Plan, 56 percent of residents experienced damage to their homes due to the storms, and 9 percent of residents experienced either major or severe damage. Challenges with relief administration, limited access to building materials, and stricter building standards created significant challenges for many property owners. Finding cost-efficient, resilient building (and rebuilding) techniques will be imperative for the USVI's future housing strategy.

## **Environmental and Natural Hazard Needs**

During consultation sessions, stakeholders described how the 2017 storms continue to impact the Territory. Themes include:

- Many housing units, including public housing units, were destroyed in the storms and have not been replaced.
- The storms left the main emergency shelter on St. Croix unusable. Construction of a new emergency shelter is set to begin soon.
- The cost of materials and labor has increased significantly since the storms, creating a barrier to affordable housing development.
- There is a focus on building more resilient infrastructure and public facilities with CDBG-DR dollars.

# Policy Review

## Overview

The AFH is a review of impediments to fair housing choice in the public and private sectors. Impediments to fair housing choice are any actions, omissions, or decisions taken that, whether purposefully or inadvertently, restrict housing choices or the availability of housing choices based on protected class—i.e., race, color, religion, sex, disability, familial status or national origin. Understanding the regulatory environment within the Territory allows the USVI to analyze the ways in which public and private policies impact certain populations. This section reviews zoning, assisted housing, and mortgage lending information to provide an overview of the policy landscape in the Territory.

## Public Policy

Public policy decisions, including zoning, building codes, and comprehensive plan goals, set the parameters for how housing is developed and maintained. Reviewing aspects of the Territory’s public policy allows the community to analyze whether certain ordinances or practices may inhibit housing development or create barriers to obtaining housing.

## Policies Governing Investment of Federal Entitlement Funds

Housing choice can be affected by the allocation of staff and financial resources to housing-related programs and initiatives. The decline in federal funding opportunities for affordable housing for lower-income households has shifted much of the challenge of affordable housing production to local government decision-makers.

### ***Federal Entitlement Programs***

The federal entitlement funds received from HUD may be used for a variety of activities to serve a variety of needs, as follows.

*Community Development Block Grant (CDBG):* The primary objective of this program is to develop viable urban communities by providing decent housing, a suitable living environment, and economic opportunities, principally for persons of LMI levels. Funds can be used for a wide array of activities, including housing rehabilitation, homeownership assistance, lead-based paint detection and removal, construction or rehabilitation of public facilities and infrastructure, removal of architectural barriers, public services, rehabilitation of commercial or industrial buildings, and loans or grants to businesses.

*HOME Investment Partnerships Program (HOME):* The HOME program provides federal funds for the development and rehabilitation of affordable rental and ownership housing for LMI households. HOME funds can be used for activities that promote affordable rental housing and homeownership by LMI households, including reconstruction, moderate or substantial rehabilitation, homebuyer assistance, and tenant-based rental assistance.

*Emergency Solutions Grants Funds (ESG):* ESG is a federal formula-allocation block grant. The ESG program provides grants to state and local governments for 1) the rehabilitation or conversion of buildings for use as emergency shelters for the homeless, for the payment of certain related shelter operating expenses such as maintenance, operating costs, rent, repairs, equipment, utilities, insurance and furnishings, and also for expenses related to the provision of essential services such as emergency health services and ground transportation for persons housed in shelters; 2) provision of street outreach services for unsheltered, chronically homeless persons; 3) homelessness prevention and rapid re-housing services for qualified persons who are literally homeless or at imminent risk of homelessness; and 4) qualified expenses associated with the administration of the Homeless Management Information System. The ESG funds are typically sub-granted to non-governmental entities (i.e., non-profit or faith-based organizations) that operate homeless programs within the Territory.

### **Project Proposal and Selection**

Relative to the CDBG Program, a solicitation for proposals is conducted once a year. Applications are generally made available for distribution at VIHFA's offices on St. Thomas and St. Croix in early January. Notices are published in the local newspapers and electronic media announcing the availability of applications as well as the date(s) of any planned orientation sessions. Applications must be submitted by the published due date in order to be considered for funding.

VIHFA conducts two rounds of public hearings to develop the Consolidated Plan and Annual Action Plans. The first round of public hearings is to present all the CDBG proposals received. At the conclusion of the first round of hearings, the CDBG staff completes an evaluation of the proposals and submits recommendations to the VIHFA's Board of Directors relative to those projects that should be approved for funding.

### **Zoning**

Zoning governs the types of housing that can be constructed, the permitted density of housing developments, and various residential uses in the Territory. Understanding how zoning laws may impact housing for certain groups allows communities to make informed decisions about zoning and land use.

The following are general examples of laws and policies, and any other public policies that limit or promote the production of affordable housing:

- Limits on multi-unit developments, which may include outright bans on multi-unit developments or indirect limits such as height limits, limits on project scale and density, and minimum parking requirements.
- Local nuisance ordinances designed to address the number of emergency services calls (for example, from assault, harassment, stalking, disorderly conduct, and many other kinds of behavior, situations, or conditions that require emergency services) that result in loss of housing or limit fair housing

choice for victims of crime (particularly domestic violence) or persons with disabilities.

- Minimum lot sizes, which require residences to be located on a certain minimum-sized parcel of land.
- Occupancy restrictions, which regulate how many persons may occupy a property and, sometimes, the relationship between those persons (refer also to occupancy codes and restrictions for further information).
- Lack of inclusionary zoning practices that mandate or incentivize the creation of affordable units.
- Restrictions on manufactured housing.
- Restriction or allowance of provision of services to persons experiencing homelessness, such as limiting transitional shelters, day shelters, soup kitchens, the provision of other services, or homeless persons' access to areas that are open to the public (e.g., anti-loitering or nuisance ordinances).
- Restrictions on halfway houses, transitional housing, or other housing or programs for people leaving correctional institutions and re-entering society.
- Restrictions on group homes and foster care homes.

According to the USVI Code Title 29, the objective of the Zoning Law is to establish standards and policies concerning development of land which may be used in helping to achieve the goals of a General Development Plan for the Virgin Islands. The purpose and scope also stated that "it is the further purpose of this law to encourage and facilitate the **development of housing affordable to persons of low and moderate income** by providing incentives for private persons to produce residential housing developments which include affordable housing units."

The analysis of zoning regulations was based on the following five topics raised in HUD's Fair Housing Planning Guide, which include:

- The opportunity to develop various housing types (including apartments and housing at various densities).
- The opportunity to develop alternative designs (such as cluster developments, planned residential developments, inclusionary zoning, and transit-oriented developments).
- Minimum lot size requirements (lot sizes that are too large can discourage affordable housing development).
- Dispersal requirements and regulatory provisions for housing facilities for persons with disabilities (i.e., group homes) in single-family zoning districts.
- The definition of family and restrictions on the number of unrelated persons in dwelling units.

### ***Number of Zoning Districts***

The number of residential zoning districts is not as significant as the characteristics of each district, including permitted land uses, minimum lot sizes, and the range of permitted housing types; however, the number of residential zoning districts is

indicative of the jurisdiction's desire to promote and provide a diverse housing stock for different types of households at a wide range of income levels.

Restrictive forms of land use can often discourage the development of affordable housing. Some policies can prevent certain forms of housing, such as multi-family housing, from being developed.

Allowing varied residential types reduces potential impediments to housing choice by members of the protected classes.

The USVI, consisting of the Islands of St. Thomas/Water Island, St. Croix, St. John, and all other smaller islands and outcroppings within the jurisdiction of the Territory (many of which are undeveloped), is divided into 18 districts (not all of which are found on each of the Islands). There are two agricultural districts, five residential districts, four business districts, one commercial district, two industrial districts, two waterfront districts, a public district, and a special district.

According to a Virgin Islands Development Code Pre-Adoption Draft (2014), one of the factors contributing to the shortage of affordable housing is outmoded and rigid zoning and subdivision laws and building codes. The Territorial Government can encourage the provision of affordable housing by making land use and building regulations more flexible and by providing other incentives for the production of such housing. Savings in housing development costs can be achieved through higher density and reductions in frontage and setback requirements and lot coverage requirements. Savings can also be achieved by expediting the land use and building approval process and by making the process more predictable. The draft document has not been adopted by the Legislature of the USVI; however, the Legislature recently passed legislation seeking to create an expedited permitting process for developers. If signed into law, the measure is expected to benefit all developers, including affordable housing developers.

The U.S. Virgin Islands Code Title 29, Public Planning and Development Chapter 3—Virgin Islands Zoning and Subdivision Law, Subchapter I—Zoning Law § 232 planned area development (PAD) addresses the basic contents of PAD regulations and PAD regulations specifically targeted to accommodate affordable housing developments. According to a 2009 Zoning and Subdivision Code Assessment, an initial problem is that the development standards in Sec. 232 refer to “planned residential development,” implying that all such projects will be residential. All PADs must be at least five acres in size. Establishing a PAD requires an amendment of the zoning map following a public hearing and review and approval by the Legislature. Planned residential developments are permitted in the A-1, A-2, R-1, and R-2 districts, so it appears that the map amendment is an overlay rather than a replacement of the underlying district.

Sec. 232 also includes provisions for affordable housing PADs, which are to be used in conjunction with Section 232a, which follows. The requirements for affordable housing developments are less stringent than the general requirements. For example, there are no minimum area standards, and no minimum density, lot occupancy, or setback requirements; instead, the Legislature is to set them for each affordable

housing development based upon the recommendations of the DPNR. Sec. 232a sets forth more specialized procedures for planned area affordable housing development permits, which are to be issued in connection with the approval of a zoning map amendment for a planned development. The section does not, however, fix a minimum percentage or number of affordable units. It states that applications for such permits are to receive priority review by the DPNR, other administrative agencies, and the Legislature, within 60 business days of submission.

Recommendations from the report included the incorporation of the following provisions for affordable housing to provide more substantive standards for Sec. 232a:

1. The PAD plan must include an affordable housing element that provides housing affordable to LMI families, as defined by HUD, adjusted by family size. This requirement shall be fulfilled by one of the following:
  - i. A set-aside of no fewer than [20] percent of the units for occupancy by, and at rates affordable to, families earning no more than [65 or 80] percent of the median area income, adjusted for family size.
  - ii. A dedication of developable land of equivalence value, or its equivalent in cash.
2. Affordable housing must be appropriately designed and integrated into the overall development plan for the PAD [and shall not be limited to one phase of the development if the development is to be built in phases].
3. Affordable housing provided under this section must be restricted by deed, restrictive covenant, or other legal agreement accepted by the government that requires its sale or rental at an affordable price or rent for a period of 25 years from the date the first certificate of occupancy was issued. The government shall have a right of first refusal to buy or rent any affordable housing unit offered for sale or rental during this period. Rental and sales prices may only increase by (a) the increase in the cost of living since the unit was first sold, as determined by the Consumer Price Index, and (b) the fair market value of any improvements to the structures or lot.
4. The applicant or its successor must prepare an annual monitoring report for the government on the affordable housing program, which shall include a description of how the affordable housing plan and deed, covenant, or other legal restrictions are being enforced on the sale and rental of affordable housing.
5. A PAD that provides affordable housing will receive a density bonus of one additional unit of housing for each unit of affordable housing that is provided in the development.

### ***Permitted Residential Lot Sizes***

Permitted residential lot sizes in the USVI vary by zoning district, with a R1 (single-family) requiring a minimum of ½ acre, R2 requiring 10,000 sq. ft. (basically +/- ¼ acre), R3 requiring 6,000 sq. ft., and R4 requiring 3,000 sq. ft. Higher-density districts have smaller minimum lot sizes, while lower-density zones require more land

per lot. Because members of the protected classes are often also in low-income households, a lack of affordable housing may impede housing choice by members of the protected classes. Excessively large lot sizes may deter the development of affordable housing. A balance should be struck between areas with larger lots and those with smaller lots that will more easily support the creation of affordable housing. Finally, the cost of land is an important factor in assessing affordable housing opportunities. Although small lot sizes of 10,000 square feet or less may be permitted, if the cost to acquire such a lot is prohibitively expensive, then new affordable housing opportunities may be severely limited, if not non-existent. In addition, the cost of land is high due to factors such as limited buildable land (especially on St. John, where one-third of the island is part of the federal National Park System), as well as the demand pressure resulting from buying for the construction of luxury vacation homes.

### ***Family Definition***

Typically, zoning ordinances define the term “family” as it relates to housing units. Communities can support various living situations by using an inclusive definition of family. An inclusive definition of family does not restrict the number of unrelated individuals that can live together. Defining family in this way advances non-traditional families and supports the blending of families who may be living together for economic purposes. In addition, an inclusive definition of family supports the development of group homes, which provide housing options for people with disabilities.

For the Territory, family is defined as one person or group of two or more persons living together and interrelated by bonds of kinship, marriage, mutual consent, or legal adoption, occupying the whole or part of a dwelling as a separate housekeeping unit with a common set of cooking facilities. The persons thus constituting a family may also include foster children, gratuitous guests, and domestic servants. The definition does not place a cap on the number of unrelated people and instead focuses on functioning as a single housekeeping unit.

### ***Group Homes***

Group homes provide housing opportunities for people with disabilities. They provide services and community normalization for residents. Communities can support the group homes by defining them in their ordinances that allow up to six unrelated people with disabilities to reside in a group home without requiring a special use/conditional use permit or public hearing, not requiring additional regulatory provisions. Requiring special provisions for group homes, but not for a six-person home, is considered discriminatory under the Fair Housing Act.

Group homes were not defined in the Territory’s zoning code.

### ***Accessory Dwelling Units***

Accessory dwelling units (ADUs) are additional units on a lot with a primary dwelling unit. ADUs could be cottages, carriage houses, mother-in-law units, “granny units,” and more. Units can be attached or detached from the primary dwelling unit. ADUs

provide opportunities for communities to increase affordable housing supply as well as offer accessible housing options for seniors and people with disabilities. Communities can facilitate ADU development by ensuring zoning ordinances allow ADUs and give flexibility on their construction.

ADUs may be permitted in the USVI, but it is not explicitly stated. The USVI's zoning and subdivision code assessment does mention strengthening provisions for affordable housing, including PADs, which could potentially encompass ADUs.

While the term "ADU" may not be used, under the local zoning code, the designation of the zoning districts specifically addresses the number of units permitted on each lot. It is very common to find additional units on properties where the zoning designation allows. Also, as a result of the topography on St. Thomas (i.e., steep terrain), the design of homes there commonly includes a lower-level unit, which is often a rental unit that provides extra income for the homeowner. A bigger issue is that both VIHFA's first-time homebuyer program and USDA Rural Development's program do not allow acquisition/construction of dwellings with multiple units.

## **Comprehensive Land and Water Use Plan**

The DPNR recently (December 2024) developed a plan to articulate the vision and implementation program for land and water use in the USVI. The Plan includes goals, policies, and strategies for the entire Territory, including the need for more affordable housing options and housing types that better meet the needs of USVI residents of all ages and incomes, such as lower-income residents, middle-income residents, young adults, families, and seniors. The lack of affordable housing options and housing types has reached levels that are severely stressing communities, depleting the workforce, and generally stressing the islands' economy.

The plan identified access to good and healthy homes for all USVI residents as Goal 1, with a policy to reform zoning to encourage a broader range of housing choices at different price points, style preferences, and life stages. The plan also outlined specific implementation steps for St. John, given the unique challenges faced by that community:

1. Reform zoning standards to expand the diversity of year-round housing offerings in appropriate areas of the island with a focus on serving the housing needs of local St. Johnians, including more dense, low-height dwelling units that better match the local vernacular.
2. Where residential use is included, prioritize any government financial assistance for properties where long-term rental options (non-transient) will be provided exclusively.

According to the plan, the main drivers of the lack of affordable housing are the comparably low incomes of USVI residents, high costs of construction, limited availability of developable land, demand pressures from nonresidents, and high costs of homeowner's insurance and other financing challenges. In addition, given that most homes do not have access to the municipal sanitary sewer system, the costs of

constructing septic systems and water cisterns, as well as septage and water hauling costs, add to total housing expenses.

One identified strategy in the plan was to consider establishing an Affordable Housing Trust on each of the major islands through existing or expanded real estate transfer taxes or other funding mechanisms to provide dedicated funding for the construction or renovation of affordable housing and establishing advisory committees on each of the three major islands to advise the VIHFA on needed investments. While technically this law already exists on a limited basis, with a portion of the property taxes generated by properties developed by VIHFA to be deposited into a Housing Trust Fund, the overall fiscal condition of the local government results in limited funding to the Housing Trust Fund.

### ***Rental Housing Code***

The intent of rent control is to provide housing affordability and stability for tenants by limiting how much landlords can increase rents. The main goal is to make housing more affordable, particularly for LMI individuals, the elderly, and people with disabilities, who might otherwise be priced out of rapidly growing or expensive urban areas.

There exists within the U.S. Virgin Islands Code Title 28, Chapter 31, Landlord and Tenant, Subchapter III—Rent Control (subchapters 831-846) guidelines for rent control, which is to be administered and enforced by a Rent Control Officer. The codified law was enacted in 1947 to address a declared housing emergency at that time. The local legislature never declared an end to the housing emergency that precipitated the 1947 rent control law, and the prescribed rent ceilings outlined at Subchapter 834 have never been updated. The matter of the law has been the subject of various legal cases over the years, and subsequent court rulings concluded that the Rent Control Law no longer applied to housing accommodations that rent for more than \$ 175 per month (which amount denoted medium rental housing under the law), but that it continued to apply to the low and medium rental categories. Additionally, courts have found that rent control does not apply to high rental or luxury-type housing or business accommodations and that federal law preempts local rent control law in cases where a tenant’s apartment was part of a federally subsidized project. With the rent thresholds in the law never having been updated with respect to the rent thresholds, the rent control landscape is unclear. The research conducted for the Fair Housing Plan planning process found no evidence that there is any rent control actively in practice at this time.

According to the General Provisions, there are prohibitions in lease agreements regarding domestic violence and release from a rental agreement. The Code states that a landlord may not include in a residential rental or lease agreement a provision authorizing the landlord to terminate the agreement or to impose a penalty on a residential tenant for calls made by the residential tenant for peace officer assistance or other emergency assistance in response to a domestic violence or domestic abuse situation. It also provides an allowance for a 14-day written notice that requires the landlord to release the tenant from the lease in situations involving domestic violence or domestic abuse.

## Public Housing

Public housing, also called assisted housing, refers to housing units that are subsidized through federal housing programs such as Section 8. These units provide low-income residents with the opportunity to obtain affordable housing. The number of assisted units available and the demographics of people utilizing those units provide valuable insight into community needs.

### Subsidized Units

Subsidized units available to certain members of the population, such as low-income residents or people with disabilities, are important resources for promoting housing opportunities for all populations. The Virgin Islands Housing Finance (VIHFA) has several residential communities that are managed privately by the Virgin Islands Housing Management, Inc. in conjunction with other Property Management Companies, listed in Table 12.

**Table 12—Assisted Housing Units in the Territory**

Project Name	Number of Assisted Units
<b>Bethlehem Village</b>	96
<b>Profit Hills</b>	98
<b>Frits Lawaetz Complex</b>	60
<b>Ruby M. Rouss Apartments</b>	114

*Data Source: VIHFA (September 2025)*

In addition to the VIHFA-owned subsidized residential communities, there are at least five privately owned rental properties (one is a senior housing project) that have project-based subsidy (via Housing Assistance Program contracts) for 100 percent of their units. In addition, there are a number of Low Income Housing Tax Credits (LIHTC) properties on St. Croix and two on St. Thomas that have 100 percent project-based subsidy through the USDA Rural Development Section 515 program. The island of St. John has no subsidized units; it has two LIHTC properties, but those properties do not have project-based subsidy.

### Housing Authority Inventory

Typically, housing authorities operate most assisted units within a community. They also manage housing vouchers. Housing authorities collect information on the number of vouchers and units available as well as the demographics of people receiving assistance. Analyzing this data allows communities to better understand the types of services and programs needed.

In the Territory, VIHA manages a variety of housing vouchers and assisted units.

Listed below are definitions of the types of programs included in this section.

**Vouchers**

The Section 8 Rental Certificate program (Certificate) provides vouchers to low-income households. Through the voucher program, the tenant pays the landlord 30 percent of the household’s income in rent, and the PHA pays the remaining rental balance. Section 8 vouchers can be either project-based or tenant-based.

- **Project-Based Voucher:** A Section 8 voucher that must be used at a specific property.
- **Tenant-Based Voucher:** A Section 8 voucher that can be used at any private housing that meets the requirements of the Section 8 program.

PHAs also administer special purpose vouchers, which are distinct from the Section 8 Certificate program. These include:

- **Veterans Affairs Supportive Housing:** Offers rental assistance paired with case management and supportive services to eligible veterans experiencing homelessness.
- **Family Unification Program:** Provides rental assistance to eligible families with inadequate housing and eligible youth exiting foster care who are homeless or at imminent risk of homelessness.

**Public Housing**

A public housing unit is a rental property for low-income households that is owned by the federal government and managed locally by a PHA.

Table 13 provides the number of units and vouchers available through VIHA in 2025. VIHA manages 3,212 units of public housing and 1,469 vouchers. Of those vouchers, 24 are Veterans Affairs Supportive Housing and 23 are Family Unification Program.

**Table 13—Total Number of Units by Program Type**

Program Type	# Of Units Vouchers Available
Certificate	1,469
Mod-Rehab	-
Public Housing	3,212

Data Source: PI, 2025

From 2015 to 2025, VIHA has reported fewer available public housing units and vouchers. As outlined in Table 14, VIHA reported a 3 percent decrease in public housing units and a 21 percent decrease in tenant-based vouchers. As noted by stakeholders, the 2017 storms damaged both public and non-public housing units (including one entire community on St. Thomas that was later demolished), which likely impacted the number of available units.

**Table 14—Percent Change in Public Housing and Voucher Capacity (2015–2025)**

-	2025 Con Plan	2015 Con Plan	Percent Change
<b>Public Housing</b>	3,212	3,299	-3%
<b>Project-Based Vouchers</b>	100	177	-44%
<b>Tenant-Based Vouchers</b>	1,369	1,733	-21%

*Data Source: 2015 Consolidated Plan; 2025 Public and Indian Housing*

### **Section 504 and Reasonable Accommodations**

VIHA employs a Section 504 Coordinator to process reasonable accommodation requests for public housing residents. Approximately three to five requests are received each month, with the most common requests being for accessibility modifications, such as grab bars, and first-floor units. As of October 2025, fewer than ten applicants were on the waiting list for an accessible unit. Most requesters either live with a disability or are elderly. VIHA bears the cost of accessibility modifications for public housing residents; however, voucher recipients are responsible for the costs of accessibility upgrades to their units.

During consultation sessions, several themes arose focused on how to improve accessibility in public housing.

- Accessibility upgrades may be cost-prohibitive to voucher recipients. The creation of a program to help tenants pay these expenses could help more voucher recipients get into units that meet their needs.
- There is a need for training for VIHA staff (and also residents) on fair housing, particularly as it relates to people with unseen disabilities, such as mental disabilities.
- VIHA can explore informal routes to assist people who need accommodations while they wait for accessible units, such as utilizing staff to help residents with their daily needs.

### **VIHA Voluntary Compliance Agreement**

VIHA entered a VCA following compliance reviews initiated by FHEO on March 3, 2021. The purpose of the reviews was to determine whether VIHA’s administration of its Low-Income Public Housing and Housing Choice Voucher programs is in compliance with the nondiscrimination requirements of Section 504 of the Rehabilitation Act of 1973.

The following are the primary remedial actions identified in the VCA:

- Remedial Action: Assign a VCA Administrator and a Section 504 Coordinator. It should be noted that VIHA now has a Section 504 Coordinator to further fair housing compliance.
- Grievance Procedures: Receive and respond to any disability-related grievances.
- Non-Discrimination Based on Disability: Comply with all applicable provisions of HUD's Section 504 implementing regulations at 24 C.F.R. part 8 and Title II of the ADA's implementing regulations at 28 C.F.R. part 35.
- Effective Communication: Take steps to ensure effective communication with individuals with disabilities in all its programs and activities.
- Non-Discrimination Based on Disability: VIHA will provide policy documents and procedural information for a Reasonable Accommodation Policy.
- Reasonable Accommodation Log: Develop a system of records (log) for electronically tracking reasonable accommodation-related activities and actions.
- Physical Accessibility: Finalize a Section 504 Transition Plan.
- Distribution and Occupancy of ADUs: Create a unit relocation system that prioritizes disabled residents' transfer requests.
- Training: Staff, including subrecipients and contractors, shall complete, at a minimum, Section 504 disability-related training at least twice a year.

## Private Policy

Private policy refers to the way in which non-government entities interact with the housing system. This includes private landlords, leasing agencies, and banks. Despite being non-governmental, private institutions play an important role in the housing process. Analyzing the policies and patterns of private entities provides insight into barriers that may exist to serving certain groups of people.

## Mortgage Lending

Mortgage lending is a large industry that has direct impacts on the housing system. Most people wishing to purchase a home must be approved for financing from a private entity, such as a bank. Analyzing the lending practices of banks in the Territory illuminates trends in borrowing practices and can help identify gaps in the lending system for certain populations. This analysis differs from similar types of mortgage lending analysis due to the nature of home financing in the Territory. As mentioned earlier, homeownership in the Territory is limited by significant barriers associated with financing. The largest of these barriers is the high cost of homeowner's insurance, which was approximately four times more expensive than for the nation as a whole before the hurricanes and is estimated to have increased as much as 20 percent since 2017. To avoid the lender requirement to purchase home insurance, home sales in the USVI are often cash transactions among family and friends. More than two-thirds of all owner-occupied homes in the USVI do not

have a mortgage. By comparison, only 37 percent of owner-occupied homes in the United States did not have a mortgage in 2017 (ACS 1-year data).

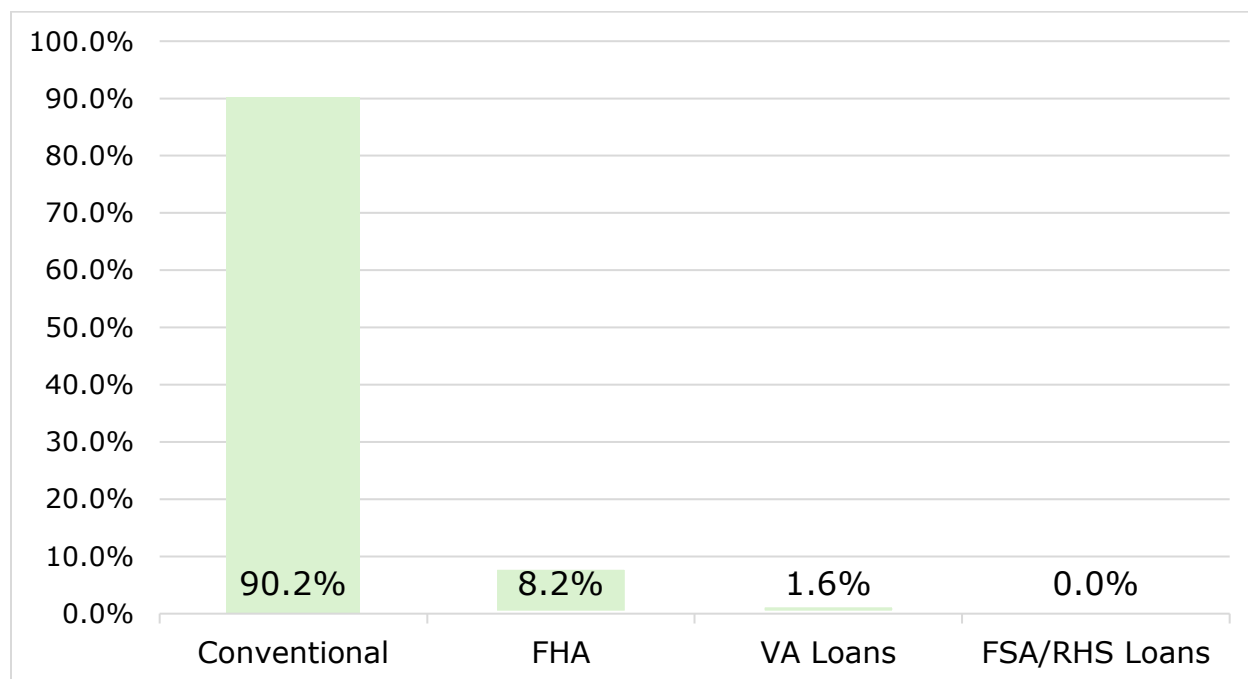
An analysis of mortgage lending in the Territory primarily relies on lending data made publicly available through the Home Mortgage Disclosure Act (HMDA) Regulation C. HMDA, enacted in 1975, requires that financial institutions, including banks, savings associations, credit unions, and other lenders, annually disclose mortgage data to the public and regulators to show lending patterns. This data serves various purposes, including determining whether lenders are meeting community housing needs, supporting public officials in investments to encourage development, and identifying potential patterns of discriminatory lending that are illegal under the Fair Housing Act.

It is important to note that HMDA data alone cannot conclusively identify individual instances of discrimination in lending. Instead, the HMDA analysis aims to explore patterns of discrepancies in lending outcomes and identify areas of concern. If a pattern of discrimination is suspected based on the data, an in-depth investigation will look at the lending institution’s loan data, policies, and practices to determine if discrimination has occurred based on a protected class.

### **HMDA Overview**

In 2024, 61 loan applications were reported by financial institutions in the USVI. Figure 3 displays the different types of loans. Most loans (90.2 percent) were conventional loans.

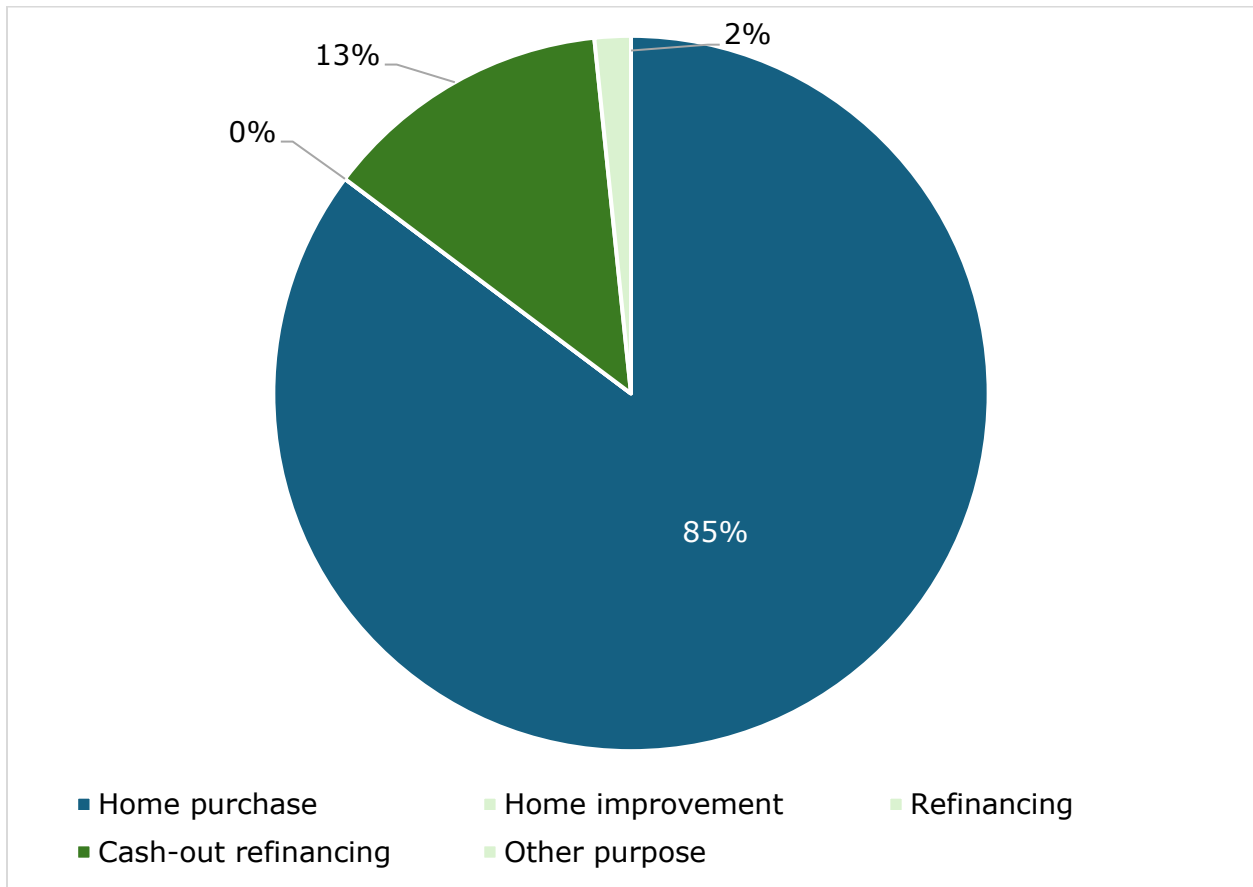
**Figure 3—Types of Loans**



Data Source: 2024 HMDA Estimates

Across the Territory, 85 percent of loans were used for home purchases. Thirteen percent of loans were used for cash-out refinancing and 2 percent for other purposes.

**Figure 4— Loan Purpose**



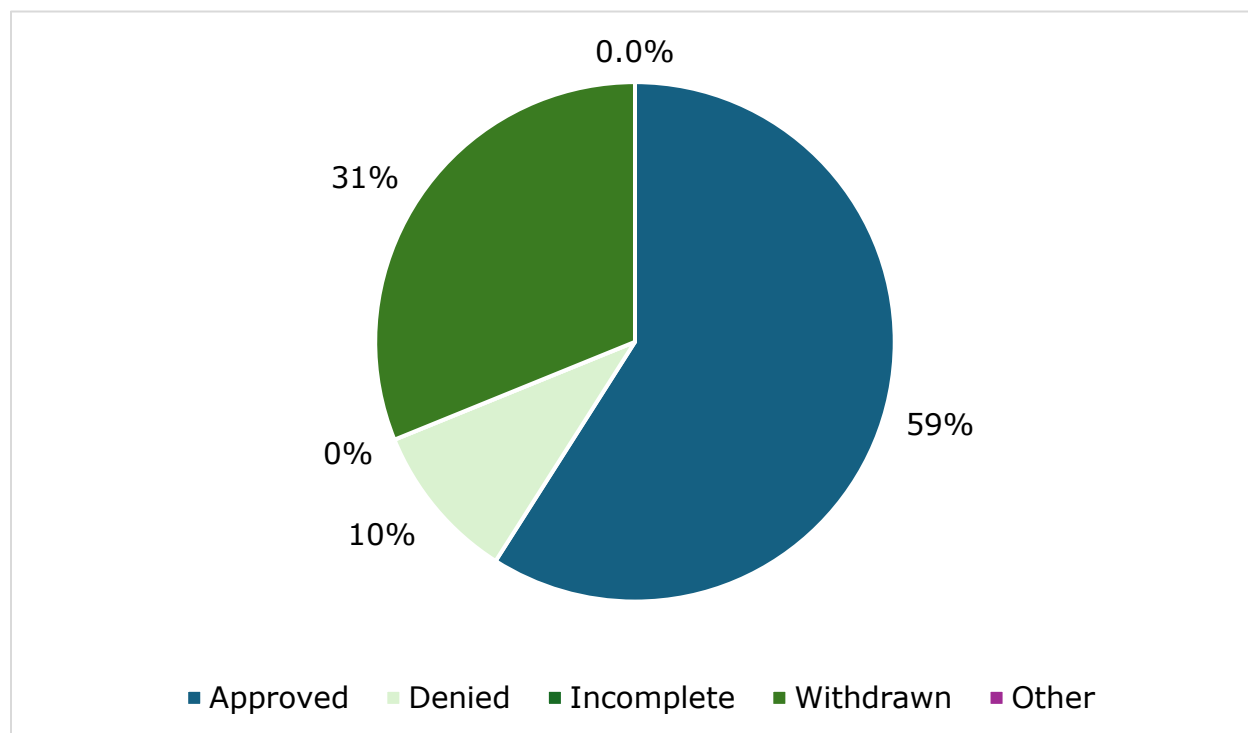
Data Source: 2024 HMDA Estimates

HMDA also provides information on the action taken or the status of a loan application. Explanations of the actions are listed below.

- Loan originated: The loan application was approved, and the financial institution offered credit to the applicant.
- Loan approved but not accepted: The loan application was approved, but the applicant did not accept the offer of credit.
- Loan denied: The loan application was denied.
- Loan withdrawn by applicant: The applicant withdrew the loan application before the financial institution made a credit decision on the application.
- Loan closed due to incompleteness: The loan application was closed due to a lack of information. The financial institution sent the applicant a written notice of incompleteness.
- Loan purchased: The financial institution purchased the loan after closing and did not make a credit decision prior to closing.

In 2024, most loan applications were originated (57 percent). Figure 5 depicts the loan outcomes for the Territory: 59 percent of the loans were approved, 10 percent were denied, and 31 percent of applications were withdrawn due to incompleteness.

**Figure 5—Actions Taken on Loans**



Data Source: 2024 HMDA Estimates

### **Characteristics of Loan Applicants**

One method to explore whether barriers to lending opportunities exist in a community is to analyze differences in outcomes by an applicant’s demographic characteristics. Table 15 depicts the race, ethnicity, gender, and age characteristics of loan applicants in the USVI. The data indicate that most applicants are White (54 percent), and 28 percent of applicants identified as Black or African American. 2023 ACS data estimates that approximately 13 of USVI residents identify as White. The limited HMDA data indicate that White residents are overrepresented in mortgage lending, due to the fact that White households represent a larger share of loan applicants. As previously noted, much of this is attributed to cultural factors. Many local residents, especially those originating from the Eastern Caribbean islands, do not believe in securing loans to build homes but rather build “out of pocket,” even if it takes many years to complete the construction. A related issue is a reluctance to deal with lender requirements regarding verification of income, credit, and other criteria.

Additionally, 11 percent of applicants identified as Hispanic or Latino, and 34 percent of applicants identified as male, while 21 percent identified as female. Finally, the two most common age brackets were 35–44 and 45–54, accounting for 56 percent of loan applicants.

**Table 15—Characteristics of Loan Applicants**

Category	Percentage
<b>Race</b>	
<i>White</i>	54%
<i>Asian</i>	0%
<i>Black or African American</i>	28%
<i>American Indian or Alaska Native</i>	0%
<i>Native Hawaiian or Other Pacific Islander</i>	0%
<i>Two or More Minority Races</i>	0%
<i>Multiple Co-Applicants with Different Races</i>	5%
<i>Race Not Available</i>	13%
<b>Ethnicity</b>	
<i>Not Hispanic or Latino</i>	77%
<i>Hispanic or Latino</i>	11%
<i>Multiple Co-Applicants with Different Ethnicities</i>	0%
<i>Ethnicity Not Available</i>	11%
<b>Gender</b>	
<i>Male</i>	34%
<i>Female</i>	21%
<i>Multiple Co-Applicants with Different Genders</i>	41%
<i>Sex Not Available</i>	2%
<b>Age</b>	
<i>25–34</i>	13%
<i>35–44</i>	25%
<i>45–54</i>	31%
<i>55–64</i>	21%
<i>65–74</i>	3%
<i>&lt;25</i>	0%
<i>&gt;74</i>	3%

Data Source: 2023 HMDA Estimates

## **Denial Reasons**

A total of six applications were denied. Two applications were denied for each of the following reasons: credit history, lack of collateral, and other.

## **Local Context**

The Virgin Islands Division of Banking, Insurance, and Financial Regulation licenses and regulates banking, insurance, and financial services and serves as a consumer protection agency. During the development of the Analysis of Impediments to Fair Housing Choice, VIHFA sought input from the division to add context to the qualitative HMDA data. Listed below are key insights from the consultation session.

- HMDA data shows limited mortgage lending in the Territory. The Division describes that the barriers to mortgage lending are multifaceted.
- There is a lack of availability of homes in the Territory. As housing prices rise, prospective home buyers, particularly those with low incomes, are limited in the homes they can afford with a mortgage.
- Some prospective homebuyers explore the condo market as another housing option, though this often is not an option for LMI households due to other housing costs, such as homeowners' association fees, that raise the cost of housing to unaffordable levels.
- Insurance premiums are high due to threats of natural hazards, which further increases the costs of homeownership.
- Many lending agencies do not offer construction loans for housing development due to the cost and risk associated with investment.
- Insurers do not tend to have an appetite for the rehabilitation market.
- Despite the pressures on the housing market, the division notes that the Territory is entering a softening of the insurance market, followed by a slight easing in prices. This may be an opportunity for expansion in the affordable housing development market, though it would take a significant easing in insurance premium costs to have a measurable effect on the cost of homeownership.

# Evidence of Housing Discrimination

## Overview

Certain groups may face housing discrimination when buying or renting housing units. Housing discrimination can occur at all points in the housing process, including inquiries and applications for rental housing, lease conditions, rental housing renewal, viewing homes for sale, offering to purchase a home, and getting a mortgage. Understanding the nature of housing discrimination in the Territory allows the community to better respond to resident needs. This section explores themes from consultations with fair housing organizations and reviews of complaint data from FHEO.

## Context from Fair Housing Organizations

Fair housing organizations play a vital role in the community. These organizations often represent residents who believe they have been discriminated against, provide fair housing training, and conduct outreach. As a result, representatives from these organizations can provide valuable context into how residents experience housing discrimination. For the USVI, the lack of a designated Fair Housing Initiatives Program (FHIP) is a hindrance to tracking fair housing complaints. While the USVI does not have dedicated private, non-profit fair housing organizations, the Territory's housing entities, VIHA and the VIHFA, are responsible for compliance with the Fair Housing Act. Residents with housing discrimination concerns or questions can also find information and resources through the HUD website for the USVI. It should be noted that Legal Services of the VI and the Disability Rights Council sometimes provide advocacy/support on a limited basis on behalf of clients with Fair Housing concerns who may seek them out or be referred by other agencies.

## Fair Housing Complaints

People who believe they have experienced housing discrimination can file a complaint with FHEO through an online portal for allegations of housing discrimination on the basis of a federally protected class. This section presents the most recent fair housing complaint data from the FHEO. Analyzing complaint data allows communities to identify trends in fair housing discrimination.

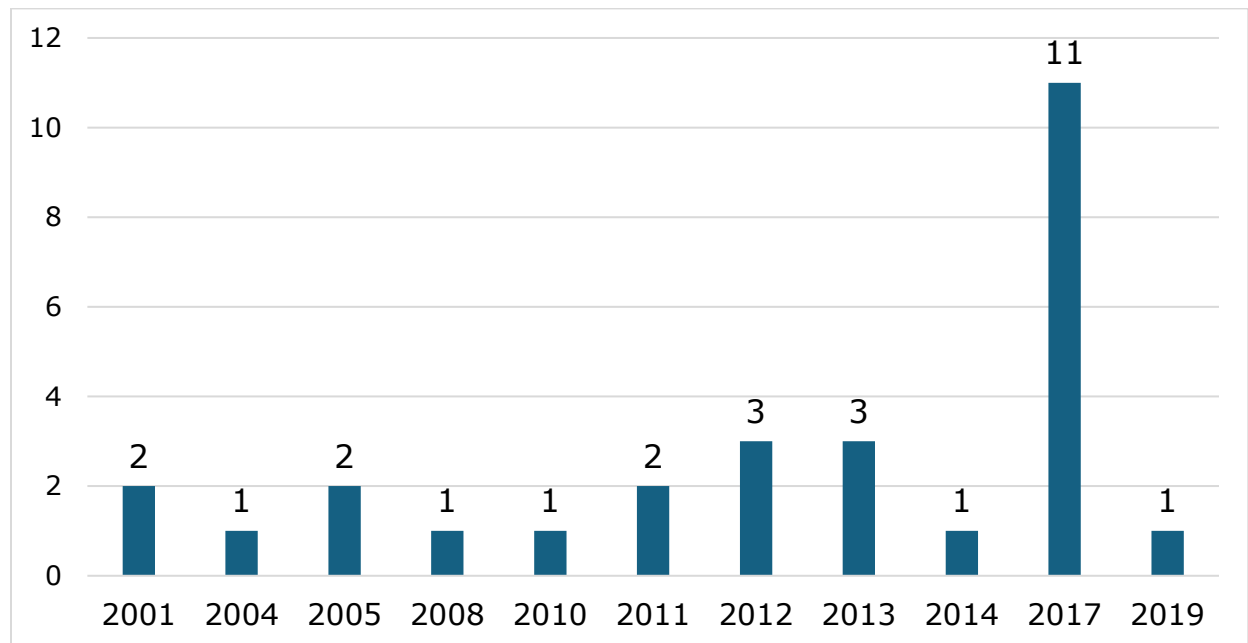
## The Office of Fair Housing and Equal Opportunity

HUD provides publicly available data on housing complaints submitted to FHEO since 2006, with the most recent data being for 2020. For the USVI, data is only available from 2001–2019, with data missing for 2003, 2006, 2007, 2009, 2015, and 2018. While HUD complaint data is a useful resource for better understanding the prevalence and nature of housing discrimination in a community, it is often an undercount of instances of housing discrimination because many individuals who experience discrimination or suspect they have been discriminated against do not report it. There are various reasons an individual may not report housing discrimination such as lacking evidence to support their case; fearing retaliation for

reporting the event; being unwilling to participate in an investigation; not wanting to bring attention to themselves, the suspected perpetrator, or the incident; not knowing how to file a complaint; not knowing that the discrimination they experienced is a fair housing violation; and more.

FHEO data indicate that from 2001 to 2019, there were 28 complaints filed by individuals for housing discrimination in which the alleged violation took place in the Territory (Figure 6). Almost 40 percent of the complaints (11) were filed in 2017 alone.

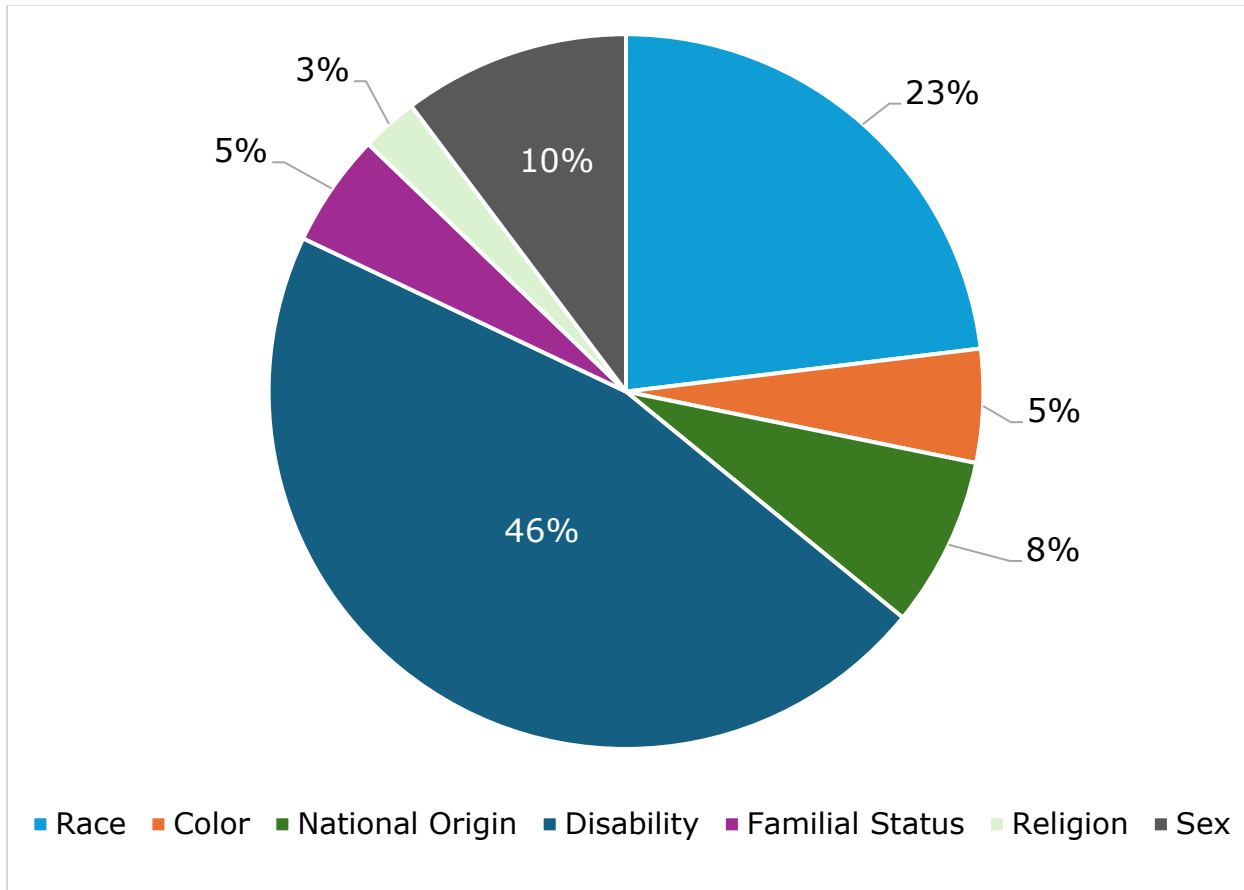
**Figure 6—FHEO Filed Complaints by Year**



*Data Source: HUD Data Catalog (FHEO Filed Title VII Cases)*

Of the 28 complaints filed during the time period, 18 (64 percent) were for discrimination on the basis of disability. Figure 7 displays the basis of complaints. Note, complaints can include multiple bases (such as race and national origin), which impacts the figure on the following page. The second most common basis for complaints was race, which accounted for 32 percent of complaints.

**Figure 7—Housing Complaints by Protected Class**



Data Source: HUD Data Catalog (FHEO Filed Title VII Cases)

### Fair Housing Testing and Training

Fair housing testing and training help communities understand gaps in fair housing practices and fair housing laws and regulations. They serve as tools to reduce housing discrimination. Knowing how to use and access these tools equips communities with resources to better confront discrimination and unfair housing practices.

Typically, fair housing testing is provided by organizations receiving FHIP funding from HUD. FHIP organizations help handle fair housing complaints, investigations, and testing by sending fair housing testers to properties suspected of practicing housing discrimination to uncover information about any potential fair housing issues. The lack of a FHIP in the Territory limits the ability to provide fair housing testing and training.

# Fair Housing Action Plan

## Introduction

Through the fair housing planning process, the Territory gained valuable insight into the housing needs of many groups with certain characteristics. The Territory identified five primary barriers to fair housing, also known as impediments to fair housing. The Territory also identified a set of actions to address each barrier and promote affordable, available housing for all residents.

## Identified Impediments to Fair Housing

Impediments to fair housing restrict fair housing choice or access to opportunity. Impediments to fair housing can include local segregation, disproportionate housing needs in one section of the population, and documented instances of housing discrimination. Identifying impediments to fair housing allows VIHFA to explore programs and policies to help encourage fair housing.

VIHFA identified five impediments to fair housing, which are listed below.

**Table 16—Identified Impediments to Fair Housing**

<b>Impediment</b>	<b>Description/Contributing Factors</b>
<b>There is a low supply of affordable housing in the USVI.</b>	The primary theme that arose from stakeholder consultation sessions was the lack of affordable housing options available in the Territory. The rising cost of construction, damage from the 2017 storms, and expiration of COVID-19-era programs have all contributed to low housing stock and thus increased housing costs. In 2020, 34 percent of Territory residents lived in a unit considered unaffordable to them.
<b>Special needs populations, such as seniors, people with disabilities, people experiencing homelessness, and victims of domestic violence, lack affordable housing options and</b>	Stakeholders emphasized that special needs populations, particularly seniors and people with disabilities, have additional housing and supportive service needs that are not being met. For seniors, stakeholders note the lack of housing options for seniors no longer able to live independently. For people with disabilities, stakeholders note that public services and infrastructure are often not accessible to people with disabilities and do not support independent living. Both populations often live on fixed incomes, which can put them at risk of eviction due to rising rents. Stakeholders also noted the need for greater shelter

Impediment	Description/Contributing Factors
<b>supportive services that suit their needs.</b>	and supportive services for people experiencing homelessness, particularly emergency and transitional shelter options.
<b>Limited public transportation infrastructure can limit access to important places.</b>	Public transportation offers a cost-efficient way for LMI people to access important places, such as school, work, or medical appointments. An analysis of the public transportation system indicated several gaps in service delivery. Limited routes, unreliable stop times, and a lack of geographic coverage create barriers to residents utilizing the bus. With limited public transportation options outside of the bus, residents must rely on other, oftentimes more costly, means of transportation.
<b>Threats of hurricanes and intense storms expose vulnerabilities in the housing and community development landscape.</b>	The 2017 hurricanes impacted the Territory in many ways, many of which are still being felt today. The storms damaged over half of all homes in the Territory, including public housing units and the Territory’s main emergency shelter. The National Oceanic and Atmospheric Administration indicates that many areas of the Territory, particularly in St. Thomas, are highly vulnerable to infrastructure and community damage in the event of an extreme hazard occurrence.
<b>Among service providers, there is a lack of knowledge surrounding fair housing rights and responsibilities.</b>	Stakeholders raised a need for routine fair housing training for service providers. Understanding the fair housing rights of residents and responsibilities of landlords and property owners is foundational to promoting access to safe, affordable housing.

## Recommended Actions

VIHFA recognizes that the impediments described in the previous section have impacts on how certain groups find and maintain housing that suits their needs. VIHFA is committed to removing barriers to fair housing. Through the fair housing planning process, VIHFA identified a set of actions to be taken over the next five years to work toward overcoming the identified impediments to fair housing. Implementation of the recommended action steps will involve not only VIHFA but also various Territorial agencies and other partner entities to address fair housing.

In addition, VIHFA entered a VCA to address fair housing issues identified during a compliance review of the Disaster Recovery grants that was conducted by FHEO. Although the review focused on the Disaster Recovery grant programs, VIHFA will implement the actions to resolve the issues across all programs administered by the agency. A summary of the identified VCA issues and ongoing resolution is included in the following Fair Housing Action Plan table.

**Table 17—Fair Housing Action Plan**

Impediment	Action Steps
<p><b>There is a low supply of affordable housing in the USVI.</b></p>	<ul style="list-style-type: none"> <li>• VIHFA will continue to use tax-exempt Mortgage Revenue Bonds, LIHTC, HOME Funding, CDBG, local subsidies, and other funding to stimulate the development of affordable housing throughout the Territory.</li> <li>• VIHFA will continue to use HOME funds for acquisition/rehabilitation as a means of expanding the supply of affordable units for homeownership. VIHFA will continue to explore other avenues to increase the supply of affordable housing.</li> </ul>
<p><b>Special needs populations, such as seniors, people with disabilities, people experiencing homelessness, and victims of domestic violence, lack affordable housing options and supportive services that suit their needs.</b></p>	<ul style="list-style-type: none"> <li>• VIHFA can explore prioritization for public service projects that support special needs populations.</li> <li>• VIHFA will continue to intentionally use CDBG funds for several projects (one on each island) that entail the construction of new state-of-the-art homeless shelters. This will increase the capacity for emergency shelter for persons experiencing homelessness. CDBG funds have also supported the construction of a few units of transitional housing owned and operated by non-profit domestic violence providers for the benefit of their clients. The domestic violence provider agencies sought to create their own units of transitional housing as a means of addressing the high cost of rent in the Territory (which was depleting their rental assistance budgets).</li> </ul>

Impediment	Action Steps
<p><b>Limited public transportation infrastructure can limit access to important places.</b></p>	<ul style="list-style-type: none"> <li>• VIHFA will participate in the development of the 2050 Transportation Plan to advocate for the link between affordable housing and accessible transportation routes.</li> <li>• VIHFA will advocate for using CDBG-DR Mitigation funds to support the integration of resilient transit infrastructure with community-based connector routes. The project will reduce disaster risk, improve access to essential services, and promote long-term mobility equity for LMI populations. This includes prioritizing service to remote, underserved, and economically disadvantaged island populations.</li> <li>• VIHFA will advocate for Community Connector Routes that would include the following: <ul style="list-style-type: none"> <li>○ Adaptable micro-transit options such as electric shuttles and passenger vans connecting remote estates and underserved residential areas with town centers.</li> <li>○ Direct access to critical services, including hospitals, schools, ports, airports, and government offices.</li> <li>○ Fare-free or subsidized rides for seniors, persons with disabilities, and low-income residents.</li> </ul> </li> </ul>
<p><b>Threats of hurricanes and intense storms expose vulnerabilities in the housing and community development landscape.</b></p>	<ul style="list-style-type: none"> <li>• VIHFA will include resiliency planning and features in homes and public facilities in CDBG- and HOME-funded projects.</li> <li>• VIHFA is in design discussions with a subcontractor building shelters to include a safe room. VIHFA will continue to support this type of activity over the next five years.</li> <li>• VIHFA will continue to support the U.S. Federal Emergency Management Agency’s Hazard Mitigation Grant Program recently awarded to some of the VIHA’s properties in St. Croix, including Ruby Rouss, Profit/Bethlehem, and Fritz Lawaetz, to make improvements to reduce the likelihood of major damage due to storms and preserve affordable housing.</li> </ul>
<p><b>There are few options for persons who experience housing discrimination to report the issue. No coordinated fair housing infrastructure exists.</b></p>	<ul style="list-style-type: none"> <li>• Assist in the development of a fair housing organization to promote fair housing in the Territory.</li> <li>• Increase awareness of federal and Territory fair housing laws and practices.</li> <li>• VIHFA will require fair housing training as part of the application process for HOME and CDBG funds.</li> <li>• Conduct an annual forum to educate landlords and lenders on various sources of income and programs for affordable housing to ease landlord and lender concerns related to source of income.</li> </ul>

Impediment	Action Steps
<p><b>Identified VCA issues and ongoing resolutions:</b></p> <ol style="list-style-type: none"> <li><b>1. Lack of a clear policy and process re: reporting, handling complaints, and enforcement of corrective action.</b></li> <li><b>2. No plan in place to ensure equitable access and initiatives to affirmatively further fair housing.</b></li> <li><b>3. Need to conduct a four-factor analysis.</b></li> <li><b>4. Lack of awareness of programs among LEP persons.</b></li> <li><b>5. No formal process for tracking and reporting LEP compliance.</b></li> <li><b>6. Lack of process for monitoring fair housing compliance (for both projects and programs).</b></li> </ol>	<ol style="list-style-type: none"> <li>1. Actions: Standard operation procedures re: reporting, complaints, and enforcement drafted and under review.</li> <li>2. Action: Affirmatively Furthering Fair Housing Plan drafted.</li> <li>3. Action: Four-factor analysis completed.</li> <li>4. Action(s): Public education and outreach campaign to ensure that LEP persons are aware of programs &amp; fair housing rights is planned. Staff training currently underway; initiative to translate key documents is in progress; website update also in progress.</li> <li>5. Actions: Reporting templates draft completed; Language Bank completed; LEP Log completed.</li> <li>6. Action(s) taken: Compliance checklists for projects completed; checklist for programs is under development; consequential framework completed.</li> </ol>

## Appendix A

**Table 1A—Other Federal Regulations Regarding Fair Housing**

Federal Law/Regulation	Brief Description
<b><u>Title VI of the Civil Rights Act of 1964</u></b>	Title VI prohibits discrimination against any person on the basis of race, color, or national origin in programs and activities that receive federal funding.
<b><u>Age Discrimination Act of 1975</u></b>	This Act prohibits discrimination on the basis of age in programs and activities that receive federal funding.
<b><u>Violence Against Women Act of 1994</u></b>	The Violence Against Women Act provides housing protections for people who have previously or are currently experiencing domestic violence, sexual assault, dating violence, or stalking and are applying for or living in housing units that receive federal funding.
<b><u>Equal Credit Opportunity Act of 1974</u></b>	This Act prohibits discrimination on the basis of race, color, religion, national origin, sex, marital status, age, receipt of public assistance, or good faith exercise of any rights under the Consumer Credit Protection Act. Creditors must also provide applicants with the reasons they were denied credit, if it is requested.
<b><u>Consumer Credit Protection Act Of 1968</u></b>	This Act provides protections for consumers from creditors, banks, and credit card companies by requiring the full disclosure of the terms and conditions of finance charges in credit transactions and offers to extend credit.
<b><u>Home Mortgage Disclosure Act (1975)</u></b>	This Act requires that many financial institutions maintain, report, and publicly disclose information about mortgage loans.
<b><u>Section 1031 Of Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) (“Dodd-Frank”)</u></b>	Section 1031 of the Dodd-Frank Act provides protections for consumers by allowing the Consumer Financial Protection Bureau to prevent individuals or service providers from committing unfair, deceptive, or abusive acts or practices under federal law in connection with consumer transactions for financial products or services.
<b><u>Executive Order 11063: Equal Opportunity in Housing (1962)</u></b>	This Executive Order prohibits discrimination on the basis of race, color, creed, and national origin in the sale, leasing, rental, or other disposition of properties owned or operated by the federal government or provided with federal funding.

Federal Law/Regulation	Brief Description
<p><b><u>Executive Order 12892: Leadership and Coordination of Fair Housing in Federal Programs: Affirmatively Furthering Fair Housing (1994)</u></b></p>	<p>This Executive Order requires federal agencies to affirmatively further fair housing in their programs and activities and tasks the secretary of HUD with coordinating efforts to affirmatively further fair housing.</p>
<p><b><u>2016 Equal Access Rule</u></b></p>	<p>This regulation states that HUD-funded homeless service providers must shelter clients in a shelter or facility that aligns with their gender identity and that clients not be isolated or segregated based on gender identity.</p>

# Appendix B

## Glossary of Terms

- **Accessible:** A dwelling unit or facility is located on an accessible route and, when designed, constructed, altered, or adapted, can be approached, entered, and used by individuals with physical disabilities.
- **Accessory Dwelling Unit (ADU):** A residential unit that is secondary to the primary residence of the homeowner. It can be an apartment within the primary residence, or it can be an attached or freestanding home on the same lot as the primary residence.
- **Affirmatively Furthering Fair Housing (AFFH):** The federal Fair Housing Act requires federal agencies and federal grantees, including recipients of HUD Community Planning & Development (CPD) funds, to affirmatively further fair housing. According to HUD's most recent (2025) AFFH Interim Final rule, this means "a general commitment that grantees will take active steps to promote fair housing."
- **Affordable Housing:** Generally speaking, housing is considered affordable if it costs no more than 30 percent of a household's gross income. Costs such as utilities, mortgage insurance, and homeowners' or condominium association fees are included when determining if housing costs are affordable. The term "affordable housing" is also commonly used to refer to housing that receives public subsidy to reduce the cost for LMI households, whether the housing itself is publicly or privately owned.
- **Analysis of Impediments to Fair Housing Choice:** A document that analyzes impediments to fair housing choice in a community and proposes goals to address these impediments.
- **Area Median Income (AMI):** Median annual household income (pre-tax) for a metropolitan area, subarea of a metropolitan area, or non-metropolitan county.
- **Assessment of Fair Housing (AFH):** A document that analyzes barriers to fair housing choice in a community and proposes goals to address these barriers in accordance with input from community residents and stakeholders.
- **Community Housing Development Organization (CHDO):** A community-based nonprofit organization that is involved in providing affordable housing and meets HOME program requirements for Board of Directors composition, experience, and organizational capacity. Jurisdictions that receive HOME funds from HUD (Participating Jurisdictions) must set aside at least 15 percent of their HOME allocation certain activities to be conducted by organizations that qualify, as determined by the Participating Jurisdiction.
- **Community Redevelopment Agency:** A local public entity created by a county or municipality government, with board members appointed by that government body. A community redevelopment agency has certain powers related to redevelopment, including designating slum or blighted areas as community redevelopment areas, developing community redevelopment

plans for these areas, using Tax Increment Financing to fund redevelopment, and exercising eminent domain in community redevelopment areas.

- **Disabled Household:** A household composed of one or more persons, at least one of whom is an adult (a person of at least 18 years of age) who has a disability. A person shall be considered to have a disability if that person is determined to have a physical, mental, or emotional impairment that:
  - Is expected to be of long and indefinite duration.
  - Substantially impeded his or her ability to live independently.
  - Is of such a nature that the ability could be improved by more suitable housing conditions.
- **Elderly Household:** A one- or two-person household in which the head of household or spouse is at least 62 years of age.
- **Extremely Low-Income:** Household is at or below 30 percent of AMI for households of the same size.
- **Fair Housing Act:** The federal Fair Housing Act was initially passed in 1968 and prohibited housing discrimination on the basis of race, color, religion, or national origin ("protected classes"). Subsequent amendments to the Fair Housing Act have added sex, familial status, and disability to the list of protected classes. The Fair Housing Act prohibits activities such as refusing to rent or sell housing on the basis of a protected class, as well as steering renters and homebuyers to certain neighborhoods or offering them higher prices or less favorable terms than other clients.
- **Fair Housing Choice:** Fair housing choice means that individuals and families have the information, opportunity, and options to live where they choose without unlawful discrimination and other barriers related to race, color, religion, sex, familial status, national origin, or disability. Fair housing choice encompasses:
  1. Actual choice, which means the existence of realistic housing options.
  2. Protected choice, which means housing that can be accessed without discrimination.
  3. Enabled choice, which means realistic access to sufficient information regarding options so that any choice is informed.

For persons with disabilities, fair housing choice and access to opportunity include access to accessible housing and housing in the most integrated setting appropriate to an individual's needs as required under federal civil rights law, including disability-related services that an individual needs to live in such housing.

- **Fair Housing Initiatives Program (FHIP):** A HUD program that provides funding on a competitive basis to fair housing organizations and other nonprofits to help connect people who have experienced housing discrimination with government agencies that handle complaints of housing discrimination. FHIP grantee organizations also conduct preliminary investigations of claims.

- **Familial Status:** Familial status refers to whether a household has children under 18 or anticipated (unborn) children. Familial status is a protected class under fair housing law, meaning that housing providers cannot discriminate against renters and homebuyers based on the presence or anticipated presence of children in their household.
- **HOME Investment Partnerships Program (HOME):** The HOME Investment Partnerships Program, which is authorized by Title II of the National Affordable Housing Act.
- **Limited English Proficiency (LEP):** A person's ability to speak English, as reported to the U.S. Census Bureau, is less than "very well."
- **Low- and Moderate-Income (LMI):** In the context of HMDA data, LMI refers to a mortgage applicant whose household income is <50 percent of AMI (low-income) or between 50 and 80 percent of AMI (moderate-income). Note that the definitions of "low- and moderate-income" for LMI mortgage applicants are different from the definitions used in other contexts in this report.

<b>Low-Income</b>	Households whose incomes do not exceed 80 percent of the median family income for the area, as determined by HUD, with adjustments for family size. HUD income limits are updated annually.
<b>Medically Underserved Area</b>	An area designated by the U.S. Health Resources and Services Administration as having too few primary care providers, high infant mortality, high poverty, or a high elderly population.
<b>Middle- and Upper-Income (MUI)</b>	In the context of HMDA data, MUI refers to a mortgage applicant whose household income is between 80 and 120 percent of AMI (middle-income) or 120 percent of AMI or higher (middle-income). Note that the income range defined as "middle-income" for MUI mortgage applicants is referred to as "moderate-income" in other contexts in this report.
<b>Middle-Income Census Tracts (MINTs)</b>	In HMDA data, MINT refers to Census tracts where the median family income is between 80 and 120 percent of AMI (middle-income). Note that this income range is defined as moderate-income in other contexts in this report.
<b>Moderate-Income</b>	In this report and in most housing programs, a moderate-income household is one whose income is greater than 80 percent of AMI but no higher than 120 percent of AMI for households of the same size.
<b>Not In My Back Yard</b>	A phenomenon where residents of a neighborhood resist the development of new land uses in their neighborhood that are considered undesirable. Proposed affordable housing developments often face this resistance based on stereotypes about affordable housing and its inhabitants.

<b>Protected Class</b>	A protected class (or protected group) is a demographic designation on which basis it is illegal to discriminate in the housing market. Protected classes under federal and USVI law include race, color, religion, national origin, sex, familial status, and disability (note that, from a legal standpoint, a person with a disability is considered a member of a protected class, but a person without a disability is not; as a result, it is legal to set aside housing units for people with disabilities in certain developments).
<b>Section 8 Housing Choice Voucher Program</b>	The federal government’s major program for assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. Participants receive a voucher to find their own housing, including single-family homes, townhouses, and apartments. Housing choice vouchers are administered locally by public housing agencies, which receive federal funds from HUD to administer the voucher program.
<b>Very Low-Income</b>	In this report and in most federal and USVI housing programs, a very low-income household is one whose income is at or below 50 percent of AMI for households of the same size.

## Creed

Interpreted broadly to encompass a wide range of faith systems and belief systems. This includes traditional religions, as well as non-traditional and secular beliefs.