

Housing Discrimination in Our Community

National Statistics:

- Complaints: The National Fair Housing Alliance collected complaint figures for 2002 from the U.S. Department of Housing and Urban Development (HUD), the Department of Justice (DOJ), state and local government organizations, and private fair housing groups like PHA and HOME:
 - 25,246 complaints of housing discrimination
 - 30% were complaints based on race; 27% based on disability; 15% based on familial status (presence of children in household); and 12% based on national origin
 - These actual complaints are only a small fraction of HUD's conservative estimate that over 2 million instances of housing discrimination occur in the U.S. per year.
- Studies: HUD's 2000 Housing Discrimination Study measured differential treatment by race and ethnicity in the rental and sales markets:
 - In rental markets, different treatment based on race (African-American) occurred 22% of the time; different treatment based on ethnicity (Hispanic) occurred 26% of the time
 - In sales markets, different treatment based on race occurred 17% of the time; different treatment based on ethnicity occurred 20% of the time
 - Racial geographic steering (based largely on comments by agents) takes place in both the sales and rental markets nationally.

Local Fair Housing Issues:

- Piedmont Housing Alliance receives approximately 30 fair housing complaints or questions per year (this excludes landlord/tenant issues). A few examples include:
 - Woman who is Latino and African American receives inadequate responses to repair requests, while neighbors' repairs are made.
 - Family with children is harassed and threatened with eviction, as part of owner's attempt to convert to retirement community.
 - Landlords refuse to rent to families with children or foster children; charge additional rent per person; restrict housing based on number of people or genders of children.
 - Landlord refuses to rent to men.
 - Person with a disability needs assistance advocating for a reasonable accommodation to allow her to keep her support animal, as prescribed by her therapist.
 - Condominium owner with a disability is denied permission by neighborhood association to add necessary ramp to allow access to home.
 - People with disabilities and case workers are told that apartments are not rented to people with disabilities.

[Materials: National Fair Housing Alliance 2003 Fair Housing Trends Report]

Community Integration/NIMBYism

Linkage between Fair Housing and Public Education:

- Neighborhood integration promotes school desegregation.
- From the National Fair Housing Alliance 2004 Poster Competition Call for Entries: “White communities, while having access to more funds for education, find their children growing up without the benefit of multicultural and multiracial associations. Many communities of color find their education systems woefully under funded and their children losing the benefits of quality education and associations with children from different cultures and races. In 2002, more than half of white adults gave their local public schools good or excellent marks, while only 35% of African American adults did, according to a poll released by the Joint Center for Political and Economic Studies.”
- According to a 2002 study by The Civil Rights Project at Harvard University, resegregation is occurring in our schools – almost 50 years after state-sponsored school segregation was outlawed, American public schools are becoming increasingly divided by race, even as minority populations increase nationwide.

Group Home NIMBYism:

People with disabilities who desire to live in group homes may face discrimination in the form of zoning barriers or neighborhood NIMBYism. The U.S. Departments of Justice and of Housing and Urban Development have been involved in a great deal of litigation on this issue. Local governments can violate the Fair Housing Act by blocking group homes or denying requested reasonable accommodations in response to neighbors’ stereotypical fears or prejudices about persons with disabilities.

Economic NIMBYism:

Similarly, local governments can violate the Fair Housing Act by rejecting low-income housing because of neighbors’ fears that such housing would be occupied by racial minorities.

Source of Income Discrimination:

Here in Virginia, landlords can refuse to rent to people based on their receipt of rental assistance in the form of housing vouchers. To expand housing opportunities, other communities have passed fair housing laws that include source of income as a protected class (including rental assistance). The Disability Commission’s Housing Work Group has recommended that the Disability Commission build an effective legislative strategy to amend the Virginia Fair Housing Act to include lawful rent payments and “origin of income” protections as protected classes.

[Materials: National Fair Housing Alliance 2004 Poster Competition Call for Entries; Joint Statement of DOJ and HUD on Group Homes, Local Land Use, and the Fair Housing Act; 2 case summaries related to low-income and multi-family housing]

Fair Housing for People with Disabilities and the Elderly

Accessibility:

- The Fair Housing Act as amended in 1988 required all new multifamily housing (built for first occupancy after March 13, 1991) to meet 7 basic accessible design requirements.
- A survey by HOME in 2000 of 5 apartment complexes in the Charlottesville area revealed that none (0) of the 5 complied with the 7 basic accessible design requirements.
- Effective October 2003, the state building code incorporates the Fair Housing Act requirements.

Reasonable Accommodations/Modifications:

Under the Fair Housing Act and the Virginia Fair Housing Law, people with disabilities have the right to reasonable accommodations and reasonable modifications. Reasonable accommodations are changes in rules, policies or practices that are necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling unit (two of many examples include service animals, reserved accessible parking). Reasonable modifications are physical changes to the premises, generally at the resident's expense (adding grab bars or a ramp; widening doorways).

Virginia Fair Housing Law includes "elderliness" (55+) as a protected class.

The number of Virginians aged 60 and older is projected to increase from 1.1 million today to 2.1 million in 2025, and will constitute over 20% of Virginia's population.

Independent Living/Self-Care Requirements:

People who are elderly and who have disabilities may be discriminated against by policies that require "independent living" or "the ability for self-care".

Universal Design and Visitability:

The concepts of Universal Design and Visitability in housing would enable more of us to "age in place" instead of having to make costly home modifications or to move prematurely into costly alternative housing. Some communities have passed visitability ordinances.

- Universal Design is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design – focusing on market usability, not disability.
- Visitability focuses on the three most essential features of entering a home and fitting through the interior doors, so that widespread construction change is more likely to happen: 1) 1 zero-step entrance; 2) all main floor interior doors with 32" of clear passage space; 3) at least a half-bath, preferably a full bath, on the first-floor.

[Materials: Excerpts from HOME's "Report on the Barriers Faced by African-Americans in the Roanoke Area and People with Disabilities in Roanoke, Lynchburg, Charlottesville, and Fredericksburg; Fair Housing Fact Sheet for People with Disabilities; Letters Requesting Reasonable Modifications or Reasonable Accommodations; article "Florida Man Staves Off Eviction"; Barrier-Free Housing and Universal Design information; Concrete Change Visitability information]