



FAIR HOUSING NEWS

A newsletter about fair housing, community development, & neighborhood quality of life

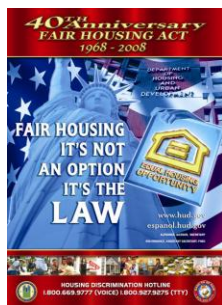
GREETINGS!!!

Welcome To The Fall Edition Of *Fair Housing News*,
Produced By The GBCHRB As A Public Service!

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NATIONAL FAIR HOUSING REPORT

HUD Fair Housing Report Finds Most Complaints Allege Disability Discrimination.

In July, 2010, the Department of Housing and Urban Development released the Obama Administration's first annual HUD Fiscal Year 2009 *State of Fair Housing Report*. The Report "highlights the agency's progress in enforcing the Fair Housing Act, identifies challenges that remain, and demonstrates its commitment to acting now to end housing discrimination." It found

discrimination based on a person's disability continues to be the largest-single category of complaints. Of the 10,242 complaints filed with HUD and its Fair Housing partners during fiscal year 2009, 44% alleged disability discrimination, while 31% were discrimination based on race, and 20% based on family status. The number and type of complaints received are consistent with the previous two years.

The 2009 report highlights HUD's enforcement efforts, including those that led to changes of policies and equal housing opportunities for racial and ethnic minorities, persons with disabilities, and others. HUD also had an array of discrimination cases resulting in compensation for the victims or pertained to families with children. For example:

- HUD charged two Tallassee, AL, landlords with violating the Fair Housing Act for allegedly forcing a white family to move out of the house they rented to them after the landlords saw the family talking with African-American neighbors in their front yard. Three months after charging the case, HUD obtained a settlement that required the landlords to pay the African-American family \$63,000.
- HUD charged a Puerto Rico condominium association with violating the Fair Housing Act for denying a disabled couple the use of two handicap accessible parking spaces. A HUD Administrative Law Judge ordered the association to pay \$25,000 in damages to the couple, and \$10,000 in civil penalties for violating the couple's Fair Housing rights.
- HUD charged an Atlanta condominium association and a local real estate company and its



agent with discrimination for refusing to sell to families with children. The agent advertised a unit and limited the sale to those without children. During HUD's investigation, the agent admitted that several prospective buyers with children younger than 14 inquired about the unit and were told about the restriction.

The report highlights HUD's efforts to ensure that the agency's core housing programs are open to all, regardless of sexual orientation or gender identity. Last month, HUD announced that it will now require all applicants for Fiscal Year 2010 grant funding to certify that they have not been charged with a systemic violation of state or local laws that are equivalent to the Fair Housing Act based on a person's lesbian, bisexual, gay, and transgender status. [Read the July 23, 2010 HUD Press Release.](#) [Read the 2009 National Fair Housing Report.](#)



IN DISABILITY NEWS

Harris Survey on ADA Compliance Finds Companies Lag in Efforts to Diversify. A new survey sponsored by the [Kessler Foundation](#) and the [National Organization on Disability](#) found that most corporations are not hiring people with disabilities and few are proactively making efforts to improve the relevant employment environment. While 70% of corporations polled have diversity policies or programs, only two-thirds of those with programs include disability as a component. Only 18% of companies offer an education program to integrate people with disabilities into the workplace. The study also found that of all working-age people with disabilities, only 21% are employed, compared to 59% of people without disabilities – almost triple. The study concludes that although there has been modest improvement in some areas, the indication is that 20 years after the passage of the Americans with Disabilities Act (ADA), there has yet to be significant progress in most areas. Further info and full survey results: <http://www.2010DisabilitySurveys.org>.

National Council on Disability Calls for Affordable, Accessible, and Appropriate Housing for People with Disabilities. The [National Council on Disability](#) (NCD) just released *The State of Housing in America in the 21st Century: A Disability Perspective*, with recommendations to improve housing opportunities for people with disabilities, and a look at the state of housing for people with disabilities. NCD found that there are unmet housing needs based solely on housing affordability. This analysis also reveals a gap between current policy goals and outcomes, even with laws in place requiring a portion of units to be accessible, some developers and property owners do not comply. [Read the January 19, 2010 NCD Press Release.](#)



OTHER FAIR HOUSING NEWS

All 50 U. S. States Launch Joint Investigation Of The Mortgage Industry. The state attorneys general will examine allegations some banks used shoddy or fraudulent paperwork to remove struggling borrowers from their homes during 2007-2009. "We are in the fourth year of a housing and economic crisis that

was brought on by lax practices of the mortgage lending industry," Minnesota Attorney General Lori Swanson said in a statement. "The latest allegations of corner cutting and slipshod paperwork are troubling, but perhaps not surprising." One of every four homes sold in the second quarter was a



foreclosed property. Barclays Capital analysts said if banks were able to show that the bulk of the foreclosures were handled properly then the impact on their results would be minimal, but it could take some time before a full picture emerges. While momentum for a nationwide halt to foreclosures has been losing steam, lenders still face pressure from the state investigators, a Justice Department inquiry and regulators who have asked the largest servicers to report back on their reviews. Banks repossessed nearly 3 million homes between January 2007 and August

2010, according to real estate data company RealtyTrac Inc., and are expected to take over a record 1.2 million homes this year. Foreclosures have pushed down home prices as banks get rid of their inventory. In a vicious circle, owners left with no equity are walking away from their properties or have become ineligible to refinance at record-low mortgage rates. [Read the October 12, 2010 Reuters Article.](#)

NCRC Study Argues That the Community Reinvestment Act Lessened Damage to Communities in the Recession.

The study by the National Community Reinvestment Coalition found that lenders regulated by the Community Reinvestment Act (CRA) did not have significant decreases in lending in the current foreclosure crisis and recession. Comparing home and small businesses lending and bank branching in two metros (Washington, D.C. and Houston) during 2006-2009, the study's findings include: (1) CRA-covered lenders in areas where they are examined issued a small percentage of high-cost loans; CRA-covered lenders with CRA exams in Washington and Houston made only 4.3% and 12.5% of the high-cost loans in 2006, a year with many subprimes; (2) Financial institutions decreased their lending but lenders not covered by CRA decreased their lending more: in Washington, CRA-covered banks issued 97,216 prime home loans in 2006 and 61,178 loans in 2008 (a decline of 37%); non-covered CRA institutions issued 52,960 prime loans in 2006 and 30,973 in 2008 (a drop of 41.5%); (3) Many large mortgage companies went out of business due to non-performing and risky loans during this time period. Of the 169 lending institutions going out of business in 2007, 167 were independent mortgage companies. Banks with a greater degree of regulatory oversight were more successful in surviving adverse economic conditions and maintaining loan volumes. Regulatory oversight of CRA lenders thus helped mitigate the destabilizing effects of declines in credit. The study also found that CRA's impact on neighborhoods has been uneven. CRA-covered lenders in the Washington, D.C. metro - though not Houston - generally reached a larger percentage of homeowners with prime home loans in modest income neighborhoods and communities of color than in predominantly white communities and upper-income neighborhoods. In both metros, disparities in small business lending and bank branching varied by the race and income level of the neighborhood. [Read the Report.](#)

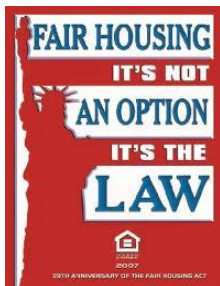


HUD's 2009 American Housing Survey Finds U.S. Homes Today Are Bigger With More Bedrooms And Bathrooms Than in 1973. Did you know: Most families with young children live within a mile of a public elementary school; the most common home heating fuel is gas; and only a third of American homes have a working carbon monoxide detector. The [2009 American Housing Survey \(AHS\)](#) is the most complete look

inside our homes, showing everything from square footage to how many homes have front porches, garages, or usable fireplaces. The 2009 survey showed that many more American homes are larger and have more bedrooms and bathrooms than homes in 1973, which also were less likely to have central air and other amenities now taken for granted. The 2009 AHS includes enhanced data for the Chicago, Detroit, Philadelphia, New York, and Northern New Jersey metros. For the first time, the AHS also includes data on disability status of household members. The AHS found there are 130,112,000 residential housing units in the U.S.; 86% occupied. The median age of 'the American home' is 36 years, though homes constructed since 2007 are generally larger, more expensive, have more bedrooms and bathrooms, and are more likely to include things such as central air. Some other findings: 68% of U.S. homes are owner-occupied; 51% are located in suburban areas; 29% in central cities; and 20% outside metropolitan areas; and 18% are located in the Northeast; 23% in the Midwest; 37% South; and 22% West. [Read the July 1, 2010 HUD Press Release.](#)

A Majority of Americans Believe Gay and Lesbian Couples in Committed Relationships Should Receive Equal Workplace Benefits as Heterosexual Married Couples.

According to the 2010 Out & Equal Workplace Survey, 78% of heterosexual adults agree that how an employee performs at the job should be the standard for judging an employee, not sexual orientation. 62% of heterosexual adults agree that all employees are entitled to equal benefits on the job, such as health insurance for their partners or spouses. When also asked about different workplace benefits offered to spouses of married heterosexual employees compared to committed partners of lesbian, gay, bisexual or transgender (LGBT) employees, 74% of heterosexuals think both spouses and partners should receive leave for employees who lose a spouse/partner or close family member. 70% of heterosexual adults think both spouses and partners should receive leave rights for family and medical emergencies as outlined in the Family and Medical Leave Act. Some 63% of heterosexuals also think both spouses and partners should receive untaxed health insurance benefits. [Read the October 4, 2010 Harris Interactive Article.](#)



HUD DISCRIMINATION CHARGES

HUD Charges New York Landlord With Discriminating Against A Tenant With Disabilities, as Its First-Come, First-Served Parking Policy is Discriminatory.

The U.S. Department of Housing and Urban Development charged Heatherwood-Norwich Gate LLC, the owner-manager of an apartment complex in East Norwich, NY, with violating the Fair Housing Act for allegedly denying a resident with disabilities an accessible parking space. The charge also alleges that the complex refused to modify its first-come, first-served parking policy to accommodate the resident's request. The resident suffers from peripheral vascular and coronary artery disease and a non-healing wound in his foot, rendering him unable to walk long distances. The resident informed the managers of his building of his condition and repeatedly asked for an assigned accessible parking space, but they denied his requests, citing their policy against designating spaces for residents. [Read the October 1, 2010 HUD Press Release.](#)

HUD Charges Chicago Architect, Developer With Failure To Build Apartments That Are Accessible To Persons With Disabilities. HUD announced that it is charging a Chicago developer and architect with housing discrimination for designing and constructing apartments that fail to meet

the accessibility requirements of the Fair Housing Act. [HUD's charge](#) contends that Hector Castillo, Hector Castillo Architects, Inc., and 914 W. Hubbard, Inc. is inaccessible to persons with disabilities, having too narrow doorways, and kitchens and bathrooms without adequate maneuvering space, etc. HUD's complaint, filed by the Assistant Secretary, was based on information provided by Access Living of Metropolitan Chicago, a non-profit disability advocacy organization, retained by the Illinois Department of Human Rights to test for accessibility. The tester, who uses a wheelchair, found that he was unable to pass through a number of doors, and had difficulty maneuvering in the kitchens and bathrooms. [Read the July 26, 2010 HUD Press Release.](#)



DOJ DISCRIMINATION CHARGES

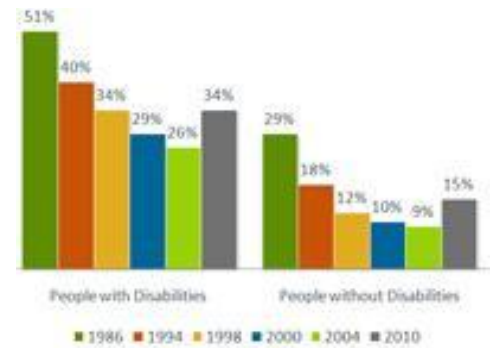
U. S. Justice Department Signs Agreements with Fort Myers, FL, and Newport, RI, For Civic Access for People with Disabilities. The Justice Department announced agreements with the cities of Fort Myers and to improve access to all aspects of civic life. The agreements were reached under Project Civic Access (PCA), DOJ's initiative to ensure that cities, towns and counties throughout the country comply with the Americans with Disabilities Act (ADA). DOJ has now made 185 agreements under the PCA initiative, where department investigators, attorneys, and architects survey state and local government facilities, services and programs to identify modifications needed for compliance with ADA requirements. Under the Fort Myers agreement, city officials will:

- Make physical modifications to the following facilities so that parking, routes into the buildings, entrances, service areas and counters, restrooms, public telephones and drinking fountains are accessible to: the convention center, city hall, Fort Myers Police Station, the Burroughs Home, Dr. Ella Piper Center, Shady Oaks Community Center, the Yacht Basin, the Imaginarium, Golfview Pool and Community Center, Fort Myers Country Club, Stars Sports Complex, Fort Myers Historical Museum and the Edison and Ford Winter Estates.
- Survey other city facilities and programs and make modifications wherever necessary to achieve full compliance with ADA requirements.
- Implement a comprehensive plan to improve the accessibility of the city's sidewalks, transportation stops and pedestrian crossings by installing accessible curb ramps.
- Ensure that buildings and outdoor facilities that will be built or altered by or on behalf of the city comply with the ADA.
- Post, publish, and distribute a notice to inform members of the public of the provisions of the ADA and their applicability to programs, services, and activities.
- Train city staff in using the Florida Relay Service to communicate with individuals who are deaf, are hard-of-hearing, or have speech impairments.
- Do the required planning and modifications to ensure equal, integrated access to emergency management for individuals with disabilities, including emergency preparedness, notification, evacuation, sheltering, response, clean up and recovery.
- Ensure that the city's official website and other web-based services are accessible.
- Ensure that any city programs for victims of domestic violence and abuse are accessible.
- Develop a method for providing information for interested persons with disabilities concerning the existence and location of the city's accessible services, activities, and programs.



- Install signs at any inaccessible entrance to a facility directing individuals to an accessible entrance or to information about accessing programs and services at other accessible facilities.

Over 25% of Fort Myers residents and 17% of Newport residents have a disability. The DOJ will actively monitor compliance for three years or until all required actions have been completed. The agreements were reached under Title II of the ADA, forbidding discrimination against individuals with disabilities by governments. [Read the Sept. 30, 2010 DOJ Press Release.](#)



[DOJ Signs Agreements with Cities of Muskegon and Cheyenne to Ensure Access for People with Disabilities.](#)

DOJ has signed agreements with the cities of Muskegon, MI and Cheyenne, WY to improve access to public programs and facilities for persons with disabilities. Muskegon will make physical modifications to its facilities so that parking, routes into buildings, and other places are more accessible. Cheyenne will improve access to a multi-use arena. These agreements were reached under [Project Civic Access](#), DOJ's initiative to ensure that cities, towns and counties comply with the Americans with Disabilities Act (ADA).

[DOJ Settles Allegations of Disability Discrimination Against City of Satsuma, Alabama.](#)

DOJ has settled a lawsuit against the city of Satsuma, AL and its Board of Adjustment, alleging housing discrimination against individuals with disabilities. The city will pay \$59,000 in damages to the operator of a group home for three women with intellectual disabilities and the trustees of the three residents, as well as a \$5,500 civil penalty. The city also has changed its zoning laws.

[DOJ Publishes Final Rules on Nondiscrimination in Public Accommodations, Commercial Facilities, and State & Local Government Services.](#)

DOJ has issued final rules that revise: (1) its Americans with Disabilities Act (ADA) [title II](#) regulation covering nondiscrimination on the basis of disability in state and local government services; and (2) the regulation that implements [title III](#) of the ADA relating to nondiscrimination on the basis of disability by public accommodations and in commercial facilities. Both rules take effect March 15, 2011. For more information, read the factsheets that describe the major changes in the rules revising [title II](#) and [title III](#). For more about the updated design standards read [Adoption of the 2010 Standards for Accessible Design](#). Compliance with the design standards is not required until March 15, 2012.



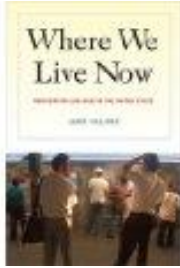
RESOURCES

The U.S. Department of Justice Has An Excellent Americans with Disabilities Act ADA HOME PAGE. It has the laws, standards, resources, links, and so much more. <http://www.ada.gov/index.html>

Interested in Fair Housing? Then You Need to Visit the GBCHRB's YouTube Channel -

<http://www.youtube.com/user/wkladky1>! Also, Listen to a Fair Housing Radio Show - <http://www.gbchrb.org/2rad9899.htm> - Click on any show, including foreclosure problems, Baltimore racial history, Fair Housing laws, disability issues, mortgage lending discrimination, & more.

The GBCHRB Distributes Free Fair Housing Brochures, Posters, and Guides. [Contact us](#) for FREE Fair Housing info, brochures, & posters in English, Spanish, Korean, and Russian, as well as one specifically for people with disabilities.



INTERESTING BOOKS

Where We Live Now: Immigration and Race in the United States by John Iceland. University of California Press, 2009. 240 pp. \$21.95 paper. *Where We Live Now* explores the ways in which immigration - the migration from Mexico and Latin America, Asia, and Africa - is changing neighborhoods.

What evidence suggests that immigrants are assimilating residentially? Does the assimilation process change for immigrants of different racial and ethnic backgrounds? How has immigration affected the residential patterns of native-born blacks and whites? Using census and information from other ethnographic and quantitative studies, Iceland affirms that immigrants are becoming residentially assimilated in metros. The evidence suggests that metros are not splintering permanently into homogeneous, and ethnically-based neighborhoods, but perhaps are "blurring" and indicate that "as we become more diverse, we may in some important respects become less segregated." Let's hope so.

The Diversity Paradox: Immigration and the Color Line in Twenty-First Century America by Jennifer Lee and Frank D. Bean. Russell Sage Foundation, 2010. 240 pp. \$37.50. This study uses population-based analyses and in-depth interviews to examine patterns of intermarriage and multiracial identification among Asians, Latinos, and African Americans. From the Russell Sage review: "They show that Asians and Latinos with mixed ancestry are not constrained by strict racial categories. Racial status often shifts according to situation. Individuals can choose to identify along ethnic lines or as white, and their decisions are rarely questioned by outsiders or institutions. These groups also intermarry at higher rates, which is viewed as part of the process of becoming "American" and a form of upward social mobility. African Americans, in contrast, intermarry at significantly lower rates than Asians and Latinos. Further, multiracial blacks often choose not to identify as such and are typically perceived as being black only—underscoring the stigma attached to being African American and the entrenchment of the "one-drop" rule. Asians and Latinos are successfully disengaging their national origins from the concept of race—like European immigrants before them—and these patterns are most evident in racially diverse parts of the country."

