



MIAMI VALLEY FAIR HOUSING CENTER NEWSLETTER

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JIM MCCARTHY, PRESIDENT/CEO

New Report by Fair Housing Experts Provides Solutions to End Discriminatory Real Estate Sales Practices

The recommendations enumerated by the [National Fair Housing Alliance](#) receive strong support from the nation's premiere civil rights leaders, real estate industry groups and Walter Mondale, co-author of the Fair Housing Act.

By National Fair Housing Alliance Staff

Following a [Newsday investigation](#) revealing widespread discrimination by Long Island real estate agents against people of color, the National Fair Housing Alliance (NFHA) released a report on December 19, 2019 offering a broad set of solutions to address discriminatory real estate and housing practices throughout the country.

"The problem of discrimination in real estate sales is not going away on its own and it is not exclusive to Long Island. It's time for real estate associations and state and federal regulators to step up and implement actions that will fix what is clearly a broken industry," said Lisa Rice, President and CEO of NFHA. "The number of housing discrimination complaints is at its highest in years. The good news is that we have the tools to make changes, but we need industry officials, real estate agents, and enforcers to be willing to use them."

In the report, [Fair Housing Solutions: Overcoming Real Estate Sales Discrimination](#), NFHA proposes a wide range of solutions for both the industry and governmental agencies, including:

- Increasing funding for fair housing testing, education, enforcement, and research;

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MVFHC takes MLK Exhibit to Central State University for Black History Month

At 11:00 am on January 30, 2020, the photo exhibit, *Black History and Fair Housing: Chicago Freedom Movement and Commemoration of Coretta Scott King**, will open with a news conference in Room 103 of the Hallie Q. Brown Memorial Library. The Miami Valley Fair Housing Center (MVFHC) is loaning a small portion of a collection to CSU for Black History month. The news conference, led by CSU President Hammond, will be followed by a fair housing educational session in the same room from 11:30 to Noon.

Faculty, staff and students are invited to both events. The educational session will begin with a short video about the artist and Dr. King's open housing marches of the 1960's. This will be followed by an informational session about fair housing and what services MVFHC can provide CSU students and faculty. Attendees will meet MVFHC Vice President John Zimmerman who will be giving information on how to schedule informational sessions about fair housing in disciplines such as history, social services, sociology and political science.

*The photo exhibit is a small part of a rare collection of early photographs of Dr. Martin Luther King and the open housing movement from 1965 to 1966 which resulted in the passage of the Federal Fair Housing Act. The artist, Bernard Kleina, is praised as the only photographer to have captured full color large photos of Dr. King in this era. His images depict a relentless struggle by African-Americans that coincided with a growing resistance of working-class whites who feared the impact that open housing would have on their neighborhoods. Included in the exhibit is a commemoration of Coretta Scott King in the marches and a rare portrait of her taken on the Petus Bridge during the 35th anniversary of Bloody Sunday in the year 2000.

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- Increasing the diversity of agents in the real estate business and establishing more offices in communities of color;
- Improving the content and provision of training for real estate professionals on how to comply with both the letter and spirit of fair housing laws;
- Improving fair housing investigations and instituting more serious sanctions against violators;
- Preserving HUD’s 2013 Disparate Impact Rule; and
- Reinstating HUD’s 2015 Affirmatively Furthering Fair Housing Rule.

Real estate sales discrimination in the United States is not new. For decades, government agencies and real estate boards explicitly sanctioned and even encouraged discrimination and racial segregation. NFHA’s previous multi-year, multi-city investigation revealed an 87 percent rate of racial steering, meaning that people were given listings or shown homes only in neighborhoods occupied predominantly by people of their own race. More than a decade later, Newsday’s “Long Island Divided” investigation found similar results, showing a disturbing lack of progress in the real estate industry. NFHA’s [2019 Fair Housing Trends Report](#) documents that housing discrimination complaints in 2018 were at their highest level since NFHA began producing the report in 1995.

The Honorable Walter Mondale, Former Vice President, Senator, and Minnesota Attorney General

“When Senator Ed Brooke and I wrote the Fair Housing Act over 50 years ago, we had high hopes and expectations both for our government to fully enforce the law and for the housing industry to make necessary changes to comply with the Act. I don’t think it comes as any surprise that I am thoroughly frustrated and disappointed with the lack of progress we have made. We are more segregated today than we were 100 years ago. The Black homeownership rate has fallen to where it was over 50 years ago when the Act was passed and redlining was legal. Shame on us! Shame on all of us, particularly government and industry for not doing much more to achieve fair housing. We have a renewed opportunity to realize fair housing in this nation by instituting every single one of the recommendations NFHA has generated in this compelling report. Ed and I wrote the law to have a dual purpose – both the elimination of housing discrimination and the formation of inclusive, diverse communities replete with the services and amenities that people need to thrive. In order to achieve these dual purposes, these most necessary goals, we must vigorously enforce the Affirmatively Furthering Fair Housing mandate and effectively and fully utilize the Disparate Impact Rule as promulgated in 2013. NFHA’s list of actionable solutions gives me renewed hope and I call on everyone to adopt them!”

Derrick Johnson, President and CEO, NAACP

“Housing discrimination continues to permeate our nation’s communities 50 years after the Fair Housing Act was passed. This report underscores its prevalence and ongoing harms. The actionable recommendations offered by the National Fair Housing Alliance to counter these practices should be adopted forthwith by everyone with an ability to effectuate change. We cannot afford to wait any longer to advance equal justice in housing.”

Sherrilyn Ifill, President and Director-Counsel, NAACP Legal Defense and Educational Fund

“Our schools are segregated in large part because our neighborhoods are segregated. Our neighborhoods are segregated as a result of historical and current discrimination in the real estate industry – as demonstrated by the Newsday investigation. More than 60 years ago our organization brought the seminal case, *Brown v. Board of Education*, that grappled with these very issues and we are still fighting this battle today. The solutions offered by NFHA in this report offer a path forward to address these critical concerns.”

Vanita Gupta, President and CEO, The Leadership Conference on Civil and Human Rights

“We were dismayed, but not surprised, by the recent reporting on widespread and continued housing discrimination against Asian-Americans, Latinos, and African-Americans at the hands of the Long Island real estate industry. It demonstrates why we welcome and support NFHA’s vital list of actionable national recommendations for industry, government, and other key stakeholders. Our neighborhoods remain segregated because of discrimination, perpetuated by government and industry actors that goes on to this day. The time for lip service is over. Organizations that cry out against discrimination must not just speak up, but also work actively to implement real solutions.”

Kristen Clarke, President and Executive Director, The National Lawyers’ Committee on Civil Rights Under Law

“Residential segregation fueled by ongoing racial discrimination in the housing market is the catalyst behind so many of the discriminatory barriers that we currently face. Moreover, racially segregated communities have impacts felt across our public education system, resulting in segregated schools and disparate outcomes for students

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along lines of race. The solutions identified in this report are critical for both ending racial steering and segregation and helping to establish educational systems that are more inclusive and equitable.”

Richard Rothstein, Distinguished Fellow of the Economic Policy Institute and Author of *The Color of Law: A Forgotten History of How our Government Segregated America*

“The racial segregation of metropolitan areas nationwide underlies our most serious social problems, enforcing inequalities in education, health, economic opportunity and criminal justice, while contributing to growing political polarization that threatens our very existence as a democracy. We are challenged to remedy a century of public policies that enforced this segregation while we block ongoing discrimination that makes it worse. This report of the National Fair Housing Alliance, the leader of such efforts nationwide, concludes with an inventory of reforms, some quite modest and others more ambitious, that all who care about a more equitable society can embrace.”

James Huang, President, Asian Real Estate Association of America

“As the leading organization dedicated to improving the lives of the AAPI community through real estate, AREAA wholeheartedly supports comprehensive remedies for eliminating any level of discrimination that thwarts the opportunities that people need to live successful and meaningful lives. AREAA stands with the National Fair Housing Alliance to eliminate all forms of discrimination that are embodied in the National Fair Housing Act.”

Gary Acosta, Founding President, National Association of Hispanic Real Estate Professionals

“The National Association of Hispanic Real Estate Professionals® (NAHREP®) is alarmed to learn about the results of a three-year investigation performed by Newsday, the result of which demonstrated widespread evidence of disparate and unequal treatment of potential homeowners on the basis of their race and ethnicity. NAHREP has been a longtime advocate of strong and robust Fair Housing Legislation and most recently submitted a letter to the U.S. Department of Housing and Urban Development (HUD) strongly urging the agency to maintain the standard the agency adopted in its 2013 final rule, “Implementation of the Fair Housing Act’s Discriminatory Effects Standard.” Homeownership is the number one way communities of color build wealth in the U.S. Newsday’s findings underscore more than ever the need to maintain strong and enforceable laws in place to protect consumers from discrimination along their homeownership journey. Discrimination in housing has devastating consequences, it limits the choices of consumers and denies individuals access to the benefits of living in a diverse and resource rich community. Unfortunately, enforcement of the Fair Housing Law too often relies on the reporting of discriminatory practices, often which are done covertly and difficult to prove. We support the recommendations enumerated in the National Fair Housing Alliance’s report, “Fair Housing Solutions: Overcoming Real Estate Sales Discrimination,” such as promoting diversity in the real estate industry and providing financial support for fair housing testing, research and education. As a community, NAHREP urges our industry partners to become more proactive, eliminating unnecessary and unequal barriers for homebuyers, and to focus on ensuring a business environment that is built on the basis of integrity.”

Antoine Thompson, Executive Director, National Association of Real Estate Brokers

“As the nation’s first Fair Housing organization, established in 1947, we have always fully embraced fair housing and equal opportunity for every member of our society. We supported and fought for passage of the Fair Housing Act to ensure democracy in housing. We wholeheartedly support the recommendations contained in this report and will continue to work side by side with NFHA to implement them.”

Vince Malta, President of the National Association of Realtors® and Broker at Malta & Co., Inc., San Francisco, CA

“NAR has long been a champion of the Fair Housing Act and the critical role it plays in protecting the American Dream. While recent incidents have underscored the progress our nation must still make, Realtors® have redoubled our commitment to pursuing equal access to housing for all Americans. Most recently, NAR created a 45-member Fair Housing Committee to continue elevating these critical issues, while earlier this month calling on Congressional leadership to secure adequate funding for fair housing activities within the Department of Housing and Urban Development – a recommendation made by NFHA in its report. Housing discrimination violates NAR’s Code of Ethics along with federal, state and local laws, and there is no place for this behavior in our industry, our society or our world. NAR maintains its strong support of fair housing testing, another NFHA recommendation, to unmask housing discrimination, and we look forward to strengthening our partnerships with fair housing groups to promote greater accountability within the real estate market.”

The Miami Valley Fair Housing Center is a proud operating member of the National Fair Housing Alliance (NFHA), based in Washington, DC. You can learn more about [NFHA here](#).

Fair Housing Update: Domestic Violence and the latest Guidance for Landlords

In 2016 HUD issued “Guidance on Application of Fair Housing Act Standards to the Enforcement of Local Nuisance and Crime-Free Housing Ordinances Against Victims of Domestic Violence, Other Crime Victims, and Others Who Require Police or Emergency Services.” It is intended to inform state and local governments, as well as private and public housing providers, as to how HUD will assess nuisance or crime-free housing ordinances, policies, or practices alleged to be discriminatory under the Fair Housing Act.

The Nuisance Ordinance Guidance addresses ordinances that penalize residents for a small number of 911 calls to police, even when a person is in need of protection from domestic violence or another crime. Nuisance ordinances often require or allow landlords to evict residents in such circumstances, thereby discouraging victims from reporting domestic abuse or other crimes and obtaining the emergency police and medical assistance they need.

HUD investigated and resolved a complaint brought by a woman living in Norristown, Pennsylvania, who had been subjected to domestic violence by her ex-boyfriend. Police warned her that if she made one more 911 call, she and her young daughter would be evicted from their home. The Norristown ordinance operated under a “three strike” policy, allowing no more than two calls to 911 for help. As a result, the woman was too afraid to call the police when her ex-boyfriend returned to her home and stabbed her. A neighbor called the police. A few days after the woman’s release from the hospital, she was served with eviction papers pursuant to the local nuisance ordinance. As a part of the settlement, the city repealed the ordinance. These types of ordinances violate the Fair Housing Act when they have an unjustified discriminatory effect or are enacted or enforced to intentionally discriminate because of a protected characteristic.

Women are by far the largest class of persons affected by domestic violence and other particular crimes and are covered by the Fair Housing Act’s prohibition against discrimination based on sex (gender).

Information for the article was gathered by John Zimmerman, VP Miami Valley Fair Housing Center from the Department of Justice and HUD. See the HUD Exchange information on this at <https://www.hudexchange.info/news/hud-announces-new-protections-for-victims-of-harassment-and-survivors-of-domestic-violence/>.

Fair Housing Update: People should not be discriminated against due to religion

Finding the right home has long been part of the American dream. That dream should not be denied because of discrimination or harassment based on religion. The Fair Housing Act and local fair housing ordinances prohibit housing discrimination on the basis of race, color, religion, sex, national origin, disability, or familial status and local protected classes like sexual orientation, age and marital status to name a few. These housing protections apply to discrimination in the sale or rental of housing, and also apply to the “terms and conditions” of the sale or rental of housing. Thus, if people are permitted to put decorations on their apartment doors, religious individuals should be able to put religious items or decorations on their doors, such as a Jewish mezuzah or a Christian cross. Similarly, when condominiums or apartments have a common room that can be reserved by residents for private activities like parties or book studies, residents seeking to hold a Bible study or other private religious activity may not be discriminated against.

Does a housing provider have to accommodate a tenant’s religion? Unlike in the world of employment, housing providers generally do not need to accommodate the religious practices of a tenant or homeowner. Housing providers are entitled to impose neutral rules that apply to everyone. For example, if there were a rule that prohibited the use of candles on the property, the housing provider would not be required to waive this rule so that a tenant could use candles in an important religious ceremony. It’s polite and good practice to accommodate religious beliefs, but the law does not require it. If a situation arises like this, call the Miami Valley Fair Housing Center at 223-6035 and seek further guidance.

Information for the article was gathered by John Zimmerman, VP Miami Valley Fair Housing Center from Justice Department’s Housing and Civil Enforcement Section which enforces the Fair Housing Act and information came from Project Sentinel, a HUD approved housing counseling agency. See <https://www.justice.gov/crt/combating-religious-discrimination-and-protecting-religious-freedom-5> and <https://housing.org/fair-housing/religious-discrimination/>.

Fair Housing Update: Locally Protected Classes under Fair Housing Laws

The Miami Valley Fair Housing Center updates its publication *Fair Housing & Non-discriminatory Rental Practices* annually. In 2017 it added a glossary of definitions of protected classes. Included are the state and local protections that Ohio and Dayton have added to their fair housing law.

Ohio protects ancestry and military status. Ancestry- One's lineage, or the people who were in one's family in past times. This bolsters national origin protection afforded by the federal fair housing law. Military status refers to a person's engagement in the uniformed services including the armed forces, the Ohio organized militia, and the National Guard. It does not include a person's veteran status.

Dayton, in addition to the seven federal and two state protected classes, has four additional protected classes: sexual orientation, gender identity/expression, age and military status. Here are the definitions from the Dayton Human Rights Ordinance.

- Age - Means at least forty (40) years old.
- Gender Identity - The gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth.
- Sexual orientation - Means a person's actual or perceived homosexuality; bisexuality; or heterosexuality, by orientation or practice, by and between consenting adults.
- Marital Status - Refers to being single, married, divorced, or widowed.

Information for the article was gathered by John Zimmerman, VP Miami Valley Fair Housing from www.mvfairhousing.com/rental.



January 20	Martin Luther King, Jr. Day
February 2	Groundhog Day
February 12	MVFHC Board of Directors Annual Meeting
February 17	MVFHC Office closed for Presidents' Day
April 9	Fair Housing Month Celebration

MVFHC Mission Statement

The mission of the Miami Valley Fair Housing Center (MVFHC) is to eliminate housing discrimination and ensure equal housing opportunity for all people in our region, the State of Ohio, and nationally.

Specifically, the Miami Valley Fair Housing Center seeks to eliminate housing discrimination against all persons because of race, color, religion, national origin, sex, disability, familial status, or any other characteristic protected under state or local laws. In furthering this goal, MVFHC engages in activities designed to encourage fair housing practices through educational efforts; assists person who believe they have been victims of housing discrimination; identifies barriers to fair housing in order to help counteract and eliminate discriminatory housing practices; works with elected and government representatives to protect and improve fair housing laws; and takes all appropriate and necessary action to ensure that fair housing laws are properly and fairly enforced throughout our region, the State of Ohio, and nationally.

MVFHC Vision Statement

The Miami Valley Fair Housing Center recognizes the importance of "home" as a component of the American dream. We envision a country free of housing discrimination where every individual, group and community enjoys equal housing opportunity and access in a bias-free and open housing market. We envision a country where integrated neighborhoods are the norm, and private and public sectors guarantee civil rights in an open and barrier-free community committed to healing the history of discrimination in America.

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