

*The Nation's Oldest  
Fair Housing Council*

# **Fair Housing Council of Suburban Philadelphia**

**Fair Housing Council of Suburban  
Philadelphia**

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## **2009 Annual Report**

# Fair Housing Council of Suburban Philadelphia

## 2009 Board of Directors

### **President**

Lisa Gaffney

### **Vice President**

Debbie Cooper

### **Treasurer**

Stephanie Cehelsky

### **Recording Secretary**

Frankie Baughn

### **Members**

Nelson J. Acevedo

Michael Bannon

Kristi Dennis

Elizabeth Moreira, Esq.

Jennifer Perry

## **Staff**

### **Executive Director**

James Berry

### **Assistant Director**

Rachel Wentworth

### **Test Coordinator**

Megan Bolin

### **Education Specialist**

Sarale Sewell

### **Bookkeeper**

Lynne Ellison

# Message From the President

The Fair Housing Council of Suburban Philadelphia would like to thank its many individual and corporate supporters who have made the year 2009 activities possible.

In addition special thanks to:

- ◆ The U.S. Department of Housing & Urban Development
- ◆ Delaware County Office of Housing & Community Development
- ◆ Bucks County Department of Community and Business Development
- ◆ The Philadelphia Foundation
- ◆ Montgomery County Department of Housing and Community Development
- ◆ Chester County Department of Community Development
- ◆ Ethel Sergeant Clark Smith Foundation
- ◆ TD Bank Charitable Foundation

Dear Friends of the Fair Housing Council:

While 2009 was a year that many of us wish to forget, it was another year in which the Fair Housing Council of Suburban Philadelphia (FHCSF) continued to expand its efforts to protect the rights of all citizens to have equal access to the housing of their choice regardless of race, color, national origin, religion, gender, disability or because of the presence of children in their household. Unfortunately, the need for fair housing education and enforcement efforts, through testing and other forms of investigation, still exists, especially as the methods of housing discrimination have become more subtle yet no less insidious.

As the means of discrimination have evolved, FHCSF has had to change to keep current. FHCSF's voice recognition study is just one example of an innovative strategy developed in the past year to uncover discrimination. By racially identifying voices, property owners and managers are able to deny housing opportunities early in the process withholding applications and stating that housing units are not available. Realizing that these practices occur, FHCSF is now able to tailor its testing methods to expose this type of discrimination and remove barriers to housing opportunities.

FHCSF's hard working and dedicated staff is to be commended for their efforts in promoting fair housing and directly assisting families whose lives have been impacted by discrimination. As Executive Director, Jim

Berry is widely recognized as an expert in the field of fair housing and we are fortunate to have him leading the organization. The staff has continued to set high standards for its work that it has met or exceeded in 2009.

In the past year, I have been especially pleased with the development of the Board of Directors of FHCSF. Our Board members bring to the table expertise in the fields of accounting, law, finance and many other disciplines. While each Director possesses their own unique skills, they share a common commitment to fair housing and the work of FHCSF.

Without our funders, the work of FHCSF would not be possible. Your support has been instrumental, especially in these hard economic times. Our government, corporate and foundation contributors, as well as individual donors, are true partners in upholding fair access to housing and have enabled us to deal with an ever-increasing number of complaints in 2009.

Expect many more innovative and exciting projects in 2010 as we work with a variety of partners to provide housing choice and opportunity to all. We appreciate your support and encourage your continued involvement.

Lisa Gaffney  
President, Board of Directors

**Fair Housing Council of Suburban Philadelphia  
Statement of Activities  
Year Ended December 31, 2008\***

<b>Revenues &amp; Support</b>	
Government Contracts	\$399,450
Foundations	\$37,500
Litigation Proceeds	\$1,116
Contributions	\$3,355
In-kind Contributions	\$5,000
Other	\$2,905
Investment Income	\$15,299
Total Revenues and Support	\$464,625
<b>Expenses</b>	
Compensation	\$250,595
Conferences	\$1,511
Consultants and Subcontractors	\$84,165
Copying & Printing	\$10,030
Depreciation	\$3,480
Fundraising	\$3,112
In-kind	\$5,000
Insurance	\$2,749
Memberships, Contrib., & Fees	\$2,012
Office Supplies and Expense	\$5,640
Computer Hardware/Software	\$2,419
Payroll Taxes	\$21,753
Postage	\$7,030
Professional Fees	\$13,231
Proposals	\$14,677
Rent & Utilities	\$25,247
Repairs & Maintenance	\$881
Retirement Plan	\$11,264
Telephone	\$4,199
Travel	\$7,264
Training—CLASI	\$19,439
Training—Staff	\$5,000
Total Expenses	\$500,698
<b>Change in Net Assets</b>	(\$36,073)
<b>Net Assets—January 1, 2008</b>	\$652,086
<b>Net Assets—December 31, 2008</b>	\$616,013

\*This is an audited income statement as of December 31, 2009. The Council's financial records are audited yearly. A final audited Statement of Activities for the year 2009 will be available by July 2010.

could live in the apartment. FHCSF was represented by Beth Pepper, Esq. In August 2009, the parties agreed to a settlement where the apartment owners and the real estate office would pay FHCSF a total of \$4,149.56, which included attorney fees. In addition, the owner and agent attended a training in September 2009 to ensure future compliance with fair housing laws.

#### **Leslie Wood and Joseph Trabaccone**

FHCSF also settled a complaint against apartment owners Leslie Wood and Joseph Trabaccone and their tenants for violating the familial status provision of the Fair Housing Act. The settlement occurred after the U.S. Department of Housing and Urban Development (HUD) charged the co-owners with unlawful discrimination in refusing to rent to families with children. Wood and Trabaccone own a six-unit apartment building in the City of Philadelphia.

In August, 2008, apartment owners Wood and Trabaccone allowed their current tenants to end their lease early, as long as they found another suitable tenant to take their place. The tenants placed an ad for their one bedroom apartment on craigslist.com stating "No dogs or children". FHCSF monitoring uncovered the discriminatory advertisement, and prompted a further investigation. FHCSF testing showed that the landlords would not permit a single mother and her daughter to live in the one bedroom unit, but would allow a couple.

FHCSF filed an administrative complaint with HUD against Wood and Trabaccone in February of 2009. Upon further investigation, HUD announced in July, 2009 that it had charged the co-owners and tenant with unlawful discrimination against families with children. Beth Pepper, Esq. intervened on FHCSF's behalf. As a result of the settlement, the respondents agreed to pay \$10,250 to FHCSF, to cover the costs of the investigation, training and attorney fees, submit a letter of regret from the tenant, attend a fair housing training seminar, develop and implement a written nondiscriminatory rental policy, include a fair housing logo on all rental documents, advertisements and application forms, and undergo HUD monitoring on a quarterly basis.

## **Message From the Executive Director**

Dear Friends of the Fair Housing Council:

Despite passage of the Fair Housing Act 41 years ago, housing discrimination persists at an unacceptable level in the five-county Greater Philadelphia area. In April 2009 FHCSF released *FHCSF Testing Audit: Housing Discrimination Trends in the Philadelphia Region*, a report on the results of 237 tests completed over three years in the region. The report found that: 54% of testers sounding African American were treated less favorably than testers sounding white; 33% of new construction communities violated the design and construction requirements of the Fair Housing Act; 29% of tests showed preferential treatment favoring white testers over African American testers; 27% of tests showed that individuals with disabilities were denied reasonable accommodation or modification requests; 19% of tests showed preferential treatment favoring households without children over households with children. Coincidentally, FHCSF continued to receive a higher than average number of housing discrimination complaints in 2009.

The need for a strong organization that helps assure fair access to quality housing for everyone remains as pressing today as it was in the 1950's when FHCSF was founded. Housing discrimination limits freedom of choice and perpetuates segregation, denying individuals and families the opportunity to live in diverse and open communities. Housing consumers are generally unaware of their protected rights under fair housing laws - they simply desire a decent place to live to be close to schools, employment and other quality of life needs.

Financial support from individuals, the United States Department of Housing and Urban Development, The Philadelphia Foundation, Ethel Sergeant Clark Smith Foundation, TD Bank Charitable Foundation, Bucks County Department of Community and Business Development, Delaware County Office of Housing and Community Development, Chester County Department of Community Development and Montgomery County Department of Housing and Community Development provided the resources to carry out FHCSF's 2009 education, compliance and enforcement programs.

The tremendous support staff received from FHCSF's Board of Directors was instrumental in exceeding all of our objectives for 2009. The brilliant leadership of Lisa Gaffney, President of the Board of Directors, was key to FHCSF expanding its capacity to ensure equal housing opportunity.

James Berry  
Executive Director

### **Chestnut Hill Local**

FHCSF settled an administrative complaint filed against the *Chestnut Hill Local* newspaper for violating the federal Fair Housing Act and the Pennsylvania Human Relations Act. The *Chestnut Hill Local* is a weekly newspaper that serves the Chestnut Hill section of Philadelphia as well as the surrounding area.

In March, 2007, FHCSF found an instance of discriminatory advertising in the *Chestnut Hill Local* and began to monitor the newspaper on a regular basis over the period of several months for discriminatory conduct. As a result of this investigation, FHCSF found that the *Chestnut Hill Local* was discriminating in advertising property rentals. FHCSF observed phrases such as "one person only", "only mature adults need apply" or "ideal for single professional" being printed in the newspaper's classifieds section, indicating a preference for prospective tenants based on their familial status.

In July, 2007, FHCSF filed a complaint with the U.S. Department of Housing and Urban Development (HUD) against the *Chestnut Hill Local*, which was then referred to the PA Human Relations Commission (PHRC) for investigation. Upon conducting its investigation, PHRC found probable cause in the case to credit FHCSF's allegations of discrimination.

FHCSF and the *Chestnut Hill Local* newspaper reached a settlement in March of 2009, where the *Chestnut Hill Local* agreed to reimburse FHCSF for the cost of its investigation. In addition, the *Chestnut Hill Local* agreed to undergo a fair housing training for its staff members, to publish a commentary on fair housing, publish an equal housing opportunity statement in its classified ad section, and to publish a fair housing advertisement in each edition of the paper for the next ten years.

### **Bucks County Realtor and Landlord**

FHCSF observed advertisement on craigslist saying "not suitable for children due to steps" for a two bedroom unit. Testing confirmed that the provider would not allow a single parent with two children to live in the unit, but that three adults

covered by the Fair Housing Act or other fair housing related issues (numbers add up to more than 128 because some complainants alleged discrimination based on multiple protected classes).

In April of 2009 the Fair Housing Council of Suburban Philadelphia released a report entitled *FHCSP Testing Audit: Housing Discrimination Trends in the Philadelphia Region*, documenting the continued prevalence of housing discrimination in our region. This report consisted of 237 tests completed between 2006 and 2008 throughout the region.

The report includes an analysis of the Voice Profiling Project, designed to evaluate the level of racial profiling experienced by African Americans when they inquire about housing over the phone. FHCSP partnered with linguistic expert, Dr. John Baugh, to analyze the voices of trained testers. Testers with racially identifiable voices contacted rental housing providers to determine if white testers were treated more favorably than African American testers.

Results from the project showed that:

- ◆ 54% of tests showed that testers that sound African American on the phone were treated less favorably than testers that sound white
- ◆ 29% of tests showed preferential treatment favoring white testers over African American testers on site visits
- ◆ 33% of new construction communities violated the design and construction requirements of the Fair Housing Act by developing housing inaccessible to individuals who use wheelchairs
- ◆ 27% of tests showed that individuals with disabilities were denied reasonable accommodation or modification requests
- ◆ 19% of tests showed preferential treatment favoring households without children over households with children

This year, FHCSP also completed the first year of a 3-year Performance-Based Fair Housing Initiatives Program grant from HUD. The purpose of this grant is to allow FHCSP to implement strategic plans and develop long-term systemic investigations.

Finally, in 2009 FHCSP settled the following complaints:

## Education Report

During the past year, FHCSP's education programs were supported by funding from the U.S. Department of Housing and Urban Development, the Delaware County Office of Housing and Community Development, The Philadelphia Foundation, the Bucks County Department of Community and Business Development, the Montgomery County Department of Housing and Community Development, the Chester County Department of Community Development, the Ethel Sergeant Clark Smith Foundation, and TD Bank Charitable Foundation.

During 2009, FHCSP staff spoke at 41 educational events, trainings, and meetings and trained 1,457 individuals on their rights and responsibilities under the Fair Housing Act. These educational programs and trainings included:

- ◆ Asociación Puertorriqueños en Marcha
- ◆ Bucks County Fair Housing Committee
- ◆ Bucks County Homeless Shelters
- ◆ Bucks County Housing Group
- ◆ Bucks County Landlord Workshop
- ◆ Chester City/ Delaware County Homeownership Fair
- ◆ Chester County Department of Community Development
- ◆ Chester County Local Housing Options Team
- ◆ Chester County Municipalities
- ◆ Chester County Planning Commission
- ◆ Chestnut Hill Local
- ◆ Congressman Joe Sestak's "Working Families Summit"
- ◆ Delaware County Fair Housing Task Force
- ◆ Delaware County First Time Homebuyers
- ◆ Delaware County Housing Authority
- ◆ Delaware County Local Housing Options Team
- ◆ Family Services Association of Bucks County
- ◆ Habitat for Humanity, Chester County
- ◆ HUD Fair Housing Month Symposium
- ◆ National Association of Housing Counselors National Conference
- ◆ National Alliance on Mental Illness

- ◆ PA Careerlink
- ◆ PA Housing Finance Agency
- ◆ The McKee Group
- ◆ Residential Living Options

FHCSP staff also participated in the following local coalitions and task force meetings:

- ◆ Chester Partners in Homeownership
- ◆ Delaware County Fair Housing Task Force
- ◆ Bucks County Fair Housing Committee
- ◆ Don't Borrow Trouble Suburban Philadelphia
- ◆ Housing Alliance of Pennsylvania

In March of 2009, FHCSP's Education Specialist appeared in a fifteen-minute television interview on a show called *Joy in Our Town* on WGTW TV-48. Host Al Box interviewed FHCSP about housing discrimination trends in the Philadelphia region. The program aired several times during the week of March 20-26, 2009. In June of 2009, FHCSP's Education Specialist, appeared in a radio show entitled "Let's Talk Real Estate" with host Trent Pettus on 900AM WURD Philadelphia. FHCSP participated in an on-air interview discussing general fair housing topics, in particular FHCSP's *Housing Discrimination Trends in the Philadelphia Region* report.

This year, FHCSP continued to distribute four educational guides and two informational brochures, including *Fair Housing: It's Your Right, A Fair Housing Guide for People With Disabilities*, *A Fair Housing Guide to Homeowners Insurance, Non-Discriminatory Rental Practices: A Fair Housing Guide for Landlords and Apartment Management*, *Housing Discrimination Hurts Everyone*, and *Fair Housing is Good Business*. 8,188 guides were distributed to various organizations and individuals in the region.

In addition, FHCSP's newsletter, the *Delaware Valley Fair Housing News* was sent to over 7,700 government officials, housing advocates, organizations that serve members of protected classes, industry professionals, and other individuals in the five-county region and throughout the nation.

FHCSP continued to provide education to real estate

agents on how to comply with the Fair Housing Act. FHCSP writes a regular column in the *Realtor® News*, a publication of the Suburban West Realtors® Association. These fair housing articles reach over 4,200 real estate industry professionals in the Delaware Valley.

FHCSP also continued to provide information to both consumers and providers through its website at [www.fhcsp.com](http://www.fhcsp.com). During 2009, FHCSP's website received 387,204 hits.

Finally, in 2009 FHCSP continued to partner with the Tennessee Fair Housing Council to sponsor the National Fair Housing Advocate Online, the nation's leading resource of fair housing law. The Advocate has been a project of the Tennessee Fair Housing Council since 1995, and pioneered the use of the internet in fair housing enforcement and education. The Advocate is a searchable database of fair housing information, available to both fair housing advocates as well as the general public. With an average of approximately 10,000 page views per day, the Advocate is a comprehensive and accurate source for fair housing information and an invaluable resource to the community. To access the National Fair Housing Advocate Online, visit [www.fairhousing.com](http://www.fairhousing.com).

## Enforcement Report

During 2009, FHCSP's enforcement program was supported by a grant from the U.S. Department of Housing and Urban Development. FHCSP conducted enforcement activities under a Fair Housing Initiatives Program grant, which allowed FHCSP to continue to conduct testing in response to complaints of discrimination as well as testing random sites for compliance with the Fair Housing Act. In 2009, FHCSP completed 123 testing investigations, monitoring rental, sales, accessibility, insurance, and mortgage lending practices throughout the region.

This year, FHCSP received 128 complaints of housing discrimination. Of these, 68 complaints alleged discrimination based on disability, 30 based on familial status, 16 based on race, 11 based on national origin, 4 based on gender, 3 based on age, 1 based on religion, and 8 based on protected classes not