

Delaware County Fair Housing News

October 2003

Fair Housing News is a publication of the Fair Housing Council of Suburban Philadelphia. Funding for this project was made possible by a grant from Delaware County's Office of Housing & Community Development. For questions or comments regarding the information contained in this newsletter contact the Council at (610) 604-4411 or at information@fhcsp.com.

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Fund for an OPEN Society

The more things change"... well, you know the second half of that old adage. And in many cases it's true. Sadly, sometimes it's truest when we look at our progress in civil rights and fair housing. Next year, 2004, marks the 50th Anniversary of *Brown vs. Board of Education*, which called for the desegregation of our schools. And yet, a half a century after *Brown*, our public schools are in the midst of dramatic *resegregation*, shutting down opportunities for children of color who are often forced to learn in under-funded schools with inadequate facilities and poorly trained teachers. The recent Supreme Court decisions in the University of Michigan cases upheld the value of affirmative action in higher education – just barely. Those decisions – or, more accurately, the decision on the Law School's admissions policy – won't survive another challenge if Justice Sandra Day O'Connor retires.

The same goes for one of America's other serious problems, which is the continued persistence of racial segregation. In five years we will celebrate another civil rights milestone, the 40th Anniversary of the Fair Housing Act. One of the principal goals of the Fair Housing Act was to promote stable racial integration. And yet, segregation is still alive and well in the United States, particularly in the Northeast and Midwest. In the Philadelphia region, for example, nearly 80 out of every 100 people would have to pick up and move in order to achieve an even distribution of Whites and people of color across the nine counties which comprise the Philadelphia region.

Segregation is more than simply morally wrong. The opportunity structure in our nation, which includes good education, high paying jobs, access to capital, and wealth creation, is organized to reward people who live in white suburbs. People of color pay an enormous economic price for segregation. David Rusk has noted that African American people pay an 18% "segregation tax" because their homes are more frequently located in all-minority neighborhoods where there is less market competition for homes for sale. Because our homes represent our largest asset, home value is the single most important ingredient in wealth creation. Over generations, this loss of home value has escalating consequences: Dalton Conley has estimated that the net worth of African Americans is on average seven times lower than that of whites.

Some things are changing dramatically in America, however, including our demographics. We are an increasingly diverse nation, characterized by a large and growing Latino population, the addition of new Americans from every country in the world, and a leap in intermarriage rates which results in a veritable rainbow of bi-racial and multi-racial children. Many new Americans move directly to the suburbs,

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bypassing the traditional stop in central cities, resulting in a welcome move away from the “vanilla” suburbs of the past.

As Whites lose their majority status, as they already have in many places in the West and Southwest, and as we continue to welcome immigrants from all over the world, we will have an unprecedented opportunity to create the world’s first large multi-racial, multi-ethnic nation. We have a historic opportunity to create a just society, too, if we meet our demographic changes creatively and with a commitment to inclusiveness.

To meet these challenges, Fund for an OPEN Society (OPEN) is changing, too. OPEN is America’s only national not-for-profit organization whose mission is to promote thriving racially and ethnically integrated communities. You might remember OPEN as the organization which gave below-market-rate mortgages to people moving to neighborhoods where their race was underrepresented, and you might remember our dynamic and idiosyncratic co-founder Morris Milgram. Morris hailed from the Philadelphia region and was a housing developer here, and older civil rights activists will have clear memories of Morris’ passionate promotion of racial integration and his effectiveness as a fundraiser for the cause. OPEN’s other co-founder, Jim Farmer, is better known as the founder of the Congress on Racial Equality (CORE) and was one of the most outstanding and well-known leaders from the heyday of the civil rights era.

In the last few years, OPEN’s board and staff members have recommitted ourselves to our mission of promoting racial integration while dramatically changing the ways in which we go about fulfilling that mission. Through a strategic planning process, we have committed ourselves to two strategies:

- ◆ **Creating a more fertile environment** for inclusive communities by promoting a deepened understanding of the benefits of racial integration and opportunities for creating and sustaining integration, and by seeking to communicate those benefits as widely as possible;
- ◆ **Building capacity at the community level** by working directly to provide expertise and technical assistance to communities seeking to become stable and integrated, by sharing information about promising practices, and by creating a national network of communities invested in stable inclusiveness.

Communities which are undergoing racial and ethnic change can present special challenges for existing and emerging leadership. Often, community leaders want their neighborhoods and communities to be inclusive, to achieve stable integration. But they don’t know how to make it happen. At OPEN, we have the experience and expertise to help communities do the work of creating inclusive communities. We have been working with some communities in New Jersey for the past several years, including Pennsauken which borders Camden, and would welcome the opportunity to work with Philadelphia’s suburbs.

I have been doing some traveling lately, meeting with people who care about the issue of race and communities. Everywhere I go, I find real excitement about OPEN’s mission and goals. I find a renewed interest in the goal of creating racially and ethnically inclusive communities, and a zeal for fulfilling the dreams of the civil rights movement. I am convinced that we are at a special moment in American history, a crossroads where we will either fulfill the old saying “the more things change...” or we will choose a new path to an inclusive, just and equitable America.

If OPEN can help your community become a microcosm of this new America, or if you want to learn more about what we’re up to, please call me at (215) 546-0511 or email me at lsiena@opensoc.org.

Laura Morris Siena is Executive Director of Fund for an OPEN Society, a national organization located in Philadelphia.

Countywide Housing Programs

The following programs are housing initiatives established or funded by the Delaware County Council to assist income qualifying households who require repairs or accessibility improvements on their properties, to enable qualifying first-time homebuyers with down payment and closing costs, or to assist homeowners facing foreclosure. These programs are administered, implemented, or funded by the Delaware County Office of Housing and Community Development (OHCD) in conjunction with other County departments and non-profit organizations with the exception of the Delaware County Weatherization Program, which is administered by the Community Action Agency of Delaware County, and the COSA Home Modification and Repair Program, which is administered by the County Office of Services for the Aging (COSA).

Home Improvement Loan Program

The Home Improvement Loan (HIL) Program, created by the Greater Philadelphia Urban Affairs Coalition, Delaware County OHCD, Chester Economic Development Authority (CEDA) and Montgomery County OHCD, provides low-interest loans to homeowners who need rehabilitation work performed on their properties. The maximum loan for this program is \$25,000 with a maximum term of 20 years. The interest bearing loans are made to eligible homeowners at 5.75%.

Program Name: Home Improvement Loan (HIL) Program

Application Contact: Chester Community Improvement Project (610) 876-8663
Media Fellowship House (610) 565-0434

Owner Occupied Housing Rehabilitation Program

Delaware County's Owner Occupied Housing Rehabilitation Program (excluding Chester City, Haverford Township, and Upper Darby Township) provides low and moderate income homeowners with financial assistance for home repairs. This program addresses major system repairs (such as roofs, HVAC systems, plumbing, and electrical) and weatherization improvements (door and window repair or replacement) with loans up to \$25,000. The form of assistance is a 0% deferred payment loan that is not payable until the house is sold or transferred.

Program Name: Delaware County Housing Rehabilitation Program

Application Contact: Delaware County Housing Rehabilitation Dept. (610) 583-4481

PA Access Program

The PA Access Program for Delaware County provides Grants up to \$25,000 for removing architectural barriers and installing modifications and/or adaptations for persons with disabilities. This program serves income eligible renters and homeowners in all 49 municipalities of Delaware County. The purpose of this grant is to provide modifications that allow persons with disabilities to better perform daily chores and to live more independently. Under this program, major systems problems are not addressed, thus a property that requires repairs to major systems and/or has HQS violations would require assistance from another source.

Program Name: PA Access Program for Delaware County

Application Contact: Freedom Valley Disability Center (610) 521-8770

Delaware County Weatherization Program

The Delaware County Weatherization Program provides eligible low-income homeowner and renter households with weatherization assistance such as caulking,

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Fair Housing Educational Materials Available

The Fair Housing Council of Suburban Philadelphia has a full array of educational materials available free of charge to Delaware County residents and organizations. In addition, we are available to do seminars or workshops on any of these topics for your staff and clients. If you are interested in receiving any of these materials or arranging to have us come and speak to your group, contact the Council at (610) 604-4411. Materials are also available online at www.fhcsp.com.

Fair Housing: It's Your Right!

This is a general guide that would be helpful for anyone in the housing market. Much discrimination today is subtle and happens "with a smile and a handshake." This guide describes many of the subtle ways discrimination can occur in rental housing, real estate sales, mortgage loans, rental and homeowners insurance, home appraisals and advertising.

Non-Discriminatory Rental Practices: A Fair Housing Guide for Apartment Management

This guide was developed to assist housing providers and landlords in understanding their responsibilities under the Fair Housing Act. In addition to a general description of fair housing laws, the guide also discusses various technical fair housing issues, including: disability issues, occupancy issues and standards, per capita charges and fees, lead-based paint hazards and other "unsafe" living conditions, and advertising guidelines. The guide also describes recommendations for developing standard procedures to avoid discriminatory practices in the rental business.

A Fair Housing Guide to Homeowners Insurance

This guide gives helpful hints on how to compare insurance companies. It also gives descriptions about the different types of policies and what these policies cover, which will help individuals determine what type of policy is best for their family and what things are not covered under a given type of policy. In addition to the helpful insurance information found in this guide, there are also examples of discrimination encountered by the testers in the Chester insurance study. The inclusion of these anecdotes should help individuals get a better understanding of the subtle ways that discrimination can occur in the homeowners insurance industry and therefore be able to recognize it should it happen to them.

Need a Loan? Would you like some extra money? Don't Lose Your Home!

This is the Council's guide about sub-prime and predatory lending. Consumers in black or low-income neighborhoods are much more likely to receive high-cost home loans than consumers in predominantly white or moderate-income neighborhoods. Predatory lending is a term that represents the unconscionable actions of lenders typically operating within the sub-prime market. This guide is designed to help consumers understand the difference between a prime and a sub-prime loan and to recognize potential predatory behaviors of individuals and companies offering them a loan. The guide also gives suggestions that may help the homeowner avoid getting trapped into a predatory loan.

A Fair Housing Guide for Persons With Disabilities

This guide is designed specifically to assist persons with disabilities understand their rights under the law. This guide describes how the Fair Housing Act defines a disability and the differences between the Fair Housing Act and the Americans with Disabilities Act (ADA). It also describes the terms "reasonable accommodation" and "reasonable modification." Included in the guide is a sample letter that persons can use as a guide to request accommodations and modifications.

Fair Lending: A Fair Lending Compliance Program for Mortgage Lenders

This guide was developed to assist mortgage lenders with basic information about their requirements and potential liability under the Fair Housing Act. It also gives an idea about how FHCSP can help lenders minimize the risk of having a complaint filed against them.

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insulation of hot water tanks, attic ventilation and insulation, window replacement, oil and gas heater repairs, and weather-stripping.

Program Name: Delaware County Weatherization Program

Application Contact: Community Action Agency (610) 521-8770

COSA Home Modification and Repair Program

The COSA Home Modification and Repair Program provides assistance to eligible low income adults (aged 60 or older) or COSA consumers living in Delaware County with minor repairs, weatherization, and handicapped accessibility assistance.

Program Name: COSA Home Modification and Repair Program

Application Contact: Delaware County Office of Services for the Aging (610) 872-1316

Homeownership First Program

The Homeownership First Program provides up to \$5,000 in down payment and closing costs to qualifying first time homebuyers purchasing a property in Delaware County in the following communities—Aston Township, Bethel Township, Brookhaven Borough, Chadds Ford Township, Chester Heights Borough, Concord Township, Edgemont Township, Marple Township, Media Borough, Middletown Township, Nether Providence Township, Newtown Township, Radnor Township, Rose Valley Borough, Springfield Township, Swarthmore Borough, Thornbury Township, Upper Chichester Township, and Upper Providence Township. The assistance takes the form of a 0% loan that is only repayable upon the sale or transfer of the property.

Program Name: Delaware County Homeownership First Program

Application Contact: Chester Community Improvement Project (610) 876-8663
Media Fellowship House (610) 565-0434

Renaissance Revitalization Homeownership First Program

The Renaissance Revitalization Homeownership First Program provides up to \$5,000 in down payment and closing costs to qualifying first time homebuyers purchasing a property within Renaissance Revitalization communities—Aldan Borough, Chester Township, Clifton Heights Borough, Colligdale Borough, Colwyn Borough, Darby Borough, Darby Township, East Lansdowne Borough, Eddystone Borough, Folcroft Borough, Glenolden Borough, Lansdowne Borough, Lower Chichester Township, Marcus Hook Borough, Millbourne Borough, Morton Borough, Norwood Borough, Parkside Borough, Prospect Park Borough, Ridley Township, Ridley Park Borough, Rutledge Borough, Sharon Hill Borough, Tinicum Township, Trainer Borough, Upland Borough, and Yeadon Borough. The assistance takes the form of a 0% interest forgivable loan that is only repayable upon sale or transfer of the property, and is forgiven after seven years.

Program Name: Delaware County Homeownership First Program

Application Contact: Chester Community Improvement Project (610) 876-8663
Media Fellowship House (610) 565-0434

Homeowners' Emergency Mortgage Assistance Program (HEMAP)

HEMAP is a Pennsylvania Housing Finance Agency Program that provides short term, temporary funding to cure loan delinquencies. The program makes mortgage payments to lenders on behalf of qualifying homeowners for up to 24 months. Recipients must meet the eligibility guidelines defined in state law (Act 91) and repayment of the assistance is required. Application is done through a local housing counseling agency.

Program Name: Homeowners' Emergency Mortgage Assistance Program

Application Contact: Media Fellowship House (610) 565-0434

U.S. Department of Housing and Urban Development Selects FHCSP to Receive National Best Practices Award

The Equal Rights Center selected the Fair Housing Council of Suburban Philadelphia as one of 14 housing agencies to receive the U.S. Department of Housing and Urban Development's Fair Housing Best Practices award for innovative programs in 2002. The Equal Rights Center identified housing groups that developed best practices for fair housing education, compliance, and enforcement programs. The 14 recipients were selected by a national advisory committee, which included leaders and experts from the housing industry, public interest groups, and both rural and urban non-profit agencies. The winners were evaluated based on such factors as how well the program assisted underserved and difficult to reach communities, how easily the program can be replicated, how it demonstrated leadership, and how well it collaborated with other agencies to maximize resources. The Equal Rights Center will publish a summary of the best practices in a manual that will be used as a model for new and emerging housing organizations, providing a framework for program development.

"The Council is extremely pleased to be the recipient of this prestigious award and proudly accepts it on behalf of all of the agencies in the Delaware Valley who partner with the FHCSP to promote equal housing opportunity in Bucks, Chester, Delaware, and Montgomery counties", said FHCSP Executive Director Jim Berry. "In particular, the Delaware County Office of Housing and Community Development is a key supporter of FHCSP's fair housing educational initiatives and provided a considerable amount of the resources for the programs that led to this Best Practices Award."

Out of Reach 2003: America's Housing Wage Climbs

*(Reprinted with permission from The National Low Income Housing Coalition (NLIHC)
For more information, see www.nlihc.org.)*

In Delaware County:

- ◆ An extremely low income household (earning \$20,460, 30% of the Area Median Income of \$68,200) can afford monthly rent of no more than \$512, while the Fair Market Rent for a two bedroom unit is \$892.
- ◆ A minimum wage earner (earning \$5.15 per hour) can afford monthly rent of no more than \$268.
- ◆ An SSI recipient (receiving \$579 monthly) can afford monthly rent of no more than \$174, while the Fair Market Rent for a one-bedroom unit is \$721.
- ◆ A worker earning the Minimum Wage (\$5.15 per hour) must work 133 hours per week in order to afford a two-bedroom unit at the area's Fair Market Rent.
- ◆ The Housing Wage in Delaware County is \$17.15. This is the amount a full time (40 hours per week) worker must earn per hour in order to afford a two-bedroom unit at the area's Fair Market Rent. This is 333% of the minimum wage (\$5.15 per hour). Between 2002 and 2003 the two bedroom housing wage increased by 2.41%.

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will also be available. Tenants will be responsible for paying the cost of litigation whether CILS, pro bono attorneys, or other organizations provide representation, if the costs cannot be waived. Non-meritorious cases include cases where the sole issue between the parties is nonpayment of rent or legally there is no existing defense to the eviction. Cases involving warranty of habitability issues and fair housing issues will receive priority.

Seminars for Delaware County residents on landlord/tenant issues

CILS will focus on empowering the low-to-moderate income community to learn how to deal with landlords through community education of Delaware County residents. Education is the key to avoiding some difficult situations as a tenant, such as entering into a lease in which the tenant waives notice of an eviction. Also, education helps to dispel myths about evictions like a tenant cannot be evicted if it is cold or if they have children. CILS will be there to provide information, to answer questions from tenants, and to litigate if necessary.

Education for Human Services Organizations on Landlord/Tenant Issues

Education of agencies can be even more important to empowering tenants than litigation or educating the tenants themselves. Agencies that provide food, financial assistance, and other counseling are the first line of defense for low-to-moderate income households. Generally, human services agencies provide referral and advice for their consumers. CILS will educate these agencies to insure that the appropriate advice and referrals are provided to tenants. Education will consist of group meetings where questions can be answered and information provided. Human Services Organizations can also contact CILS for agency specific education.

Predatory mortgage lending counseling to Delaware County homeowners by telephone or in person

Homeownership is a wonderful opportunity for low-to-moderate income households. Unfortunately, these households are the first to suffer from attacks by lenders who are trying to make as much money as possible and do not care about damaging the residents credit or ability to maintain housing. Advice and referral will be provided to Delaware County homeowners who have entered into loans with difficult terms and impossible payments.

The term to describe these loans is predatory mortgage lending. Predatory mortgage lending representation by an experienced consumer law attorney will be provided when litigation is necessary. Possible solutions to predatory mortgage lending involve litigation in state, bankruptcy or other federal court. Homeowners may have defenses related to whether appropriate notices were provided, interest and cost calculated correctly or the actions of the lender may have been fraudulent. Education, advice, and litigation are cornerstones to preventing abuse by lenders.

For more information contact CILS at (610) 876-0804 or 1-800-967-9150

The new Tenant and Landlord Rights and Responsibilities Manual is available from the Delaware County Office of Housing and Community Development. This is a basic guide, intended to provide an overview of the rights afforded to tenants of rental housing along with the responsibilities that come with being a tenant. The guide covers such issues as leases, repairs, security deposits, and the eviction process. Call 610-891-5425 to request a



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Community Impact Legal Services to Provide Landlord & Tenant and Predatory Mortgage Lending Counseling

Community Impact Legal Services, Inc. (CILS) has recently implemented a program designed to assist low to moderate income families obtain and maintain rental housing in Delaware County, as well as educating human services providers, landlords, and tenants. In addition, CILS will provide Predatory Lending counseling and legal representation to Delaware County homeowners being victimized by predatory lenders.

CILS will provide the following Landlord/Tenant and Predatory Lending related services throughout Delaware County:

Landlord/Tenant Counseling to low-income residents of Delaware County

Delaware County residents will receive landlord/tenant advice and counseling on the telephone and in person. Advice will include written as well as verbal advice to tenants facing evictions or who are seeking information about their tenancy. Tenant groups or housing organizations will also be able to contact CILS for assistance with tenancy related issues. Staff attorneys or paralegals will guide the tenant or agency through the eviction process with written and verbal assistance. Clients needing representation will be referred to the Delaware County branch of Legal Aid of Southeastern Pennsylvania for representation when they qualify financially at 125% of the poverty guidelines. Community Impact Legal Services staff attorneys will handle the remaining meritorious cases. Pro Bono assistance from attorneys with the Delaware County Bar Association

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