

Delaware Valley Fair Housing News

Newsletter of the Fair Housing Council of Suburban Philadelphia
Serving Bucks, Chester, Delaware, Montgomery Counties and the City of Philadelphia

Spring 2009

The Delaware Valley Fair Housing News is a publication of the Fair Housing Council of Suburban Philadelphia. Funding for this newsletter was made possible by the U.S. Department of Housing and Urban Development, the Delaware County Office of Housing and Community Development, the Bucks County Department of Community and Business Development, The Philadelphia Foundation, the Chester County Department of Community Development, and the TD Bank Charitable Foundation.

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Voice Profiling Experienced by African American Renters in the Philadelphia Region

In April of 2009, the Fair Housing Council of Suburban Philadelphia (FHCSP) released a report entitled *FHCSP Testing Audit: Fair Housing Trends in the Philadelphia Region*, documenting the shared experiences of families with children, individuals with disabilities and African American home seekers uncovering the continued prevalence of housing discrimination in the greater Philadelphia market. The audit consists of 237 tests completed between January 2006 and December 2008 in Bucks, Chester, Delaware, Montgomery and Philadelphia Counties. The report shows that despite enactment of fair housing laws over 41 years ago, discrimination continues to limit housing choice in the Philadelphia region on the basis of race, disability and familial status.

The report includes 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 with Washington University, to complete a voice analysis of trained testers. Testers with racially identifiable voices contacted landlords, apartment complexes and real estate agents in the region and objectively documented their experiences to determine if white testers were treated more favorably than African American testers.

For many African Americans, housing opportunities are limited simply because they sound African American. Results from the project show that in 54% of tests, testers that sound African American were treated less favorably than testers that sound white. When compared to their white counterparts, African American testers were asked to pay increased security deposits, were offered fewer units and were less likely to be told about discounts. In 8% of the tests, testers sounding African American didn't receive return calls, while white testers received return calls and information about available housing.

The report also analyzed random site visits designed to uncover differences in treatment on the basis of race, disability and familial status. Of the 141 complaints of housing discrimination received by FHCSP in 2008, over 90% reported discrimination on the basis of disability, race or familial status. The evaluated data on random testing uncovered that:

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Contact FHCSP

Fair Housing Council of
Suburban Philadelphia

225 S. Chester Road
Suite 1
Swarthmore, PA 19081

Phone: 610-604-4411
Toll Free: 866-540-FAIR (3247)
Fax: 610-604-4424

Information@fhcsp.com
www.fhcsp.com

HUD Guidance on Sexual Harassment as a Fair Housing Issue

The U.S. Department of Housing and Urban Development (HUD) issued a statement on November 17, 2008 regarding sexual harassment in housing under the Fair Housing Act. Historically, courts have recognized sexual harassment as a form of discrimination which violates the Fair Housing Act. The purpose of this statement is to answer questions that both consumers as well as housing providers may have about sexual harassment in housing, and how it becomes a fair housing issue.

The Fair Housing Act protects people from discrimination in housing based on race, color, religion, national origin, gender, disability, and familial status. Sexual harassment in housing is recognized as a form of illegal discrimination based on sex or gender. If a person can prove unwelcome sexual conduct by another, then that person can sustain a claim of sexual harassment under the Fair Housing Act.

There are two types of sexual harassment that courts recognize. First, there is quid pro quo sexual harassment, when a housing provider or an agent thereof imposes conditions on housing or housing related services based on a victim's submission to sexual conduct. Second, there is hostile environment sexual harassment, when a housing provider or agent thereof engages in sexual behavior that severely alters the terms or conditions of tenancy that result in creating a hostile living environment for the victim. Regardless of whether or not the victim experienced a loss of a housing opportunity or economic loss, claims may be filed to report incidences of sexual harassment.

Some additional questions that this statement answers are as follows:

- Must sexual harassment be motivated by sexual desire in order to violate the Fair Housing Act?
- What duties do property owners or property managers have to prevent or stop sexual harassment?
- Can a property owner or property manager be held liable for the actions of individuals who work for him?
- Can a property owner or property manager be held liable if a tenant sexually harasses another tenant?
- Is it a violation of the Fair Housing Act when a woman sexually harasses a man?
- Is it a violation of the Fair Housing Act when an individual sexually harasses someone of the same sex?
- What legal action can an applicant, tenant or resident take if he or she is a victim of sexual harassment?
- If a person files a complaint with HUD or a substantially equivalent state or local fair housing agency, can that same complainant also bring a private lawsuit?
- Does an individual have to report sexual harassment to the property owner or property manager, particularly when an owner or manager has a procedure for applicants or tenants to report sexual harassment?
- If an individual files a complaint alleging sexual harassment with HUD or a substantially equivalent state or local fair housing agency, what protection does the individual have from retaliation?

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FHCSP's Community Partners

The Fair Housing Council of Suburban Philadelphia (FHCSP) has been collaborating for several years with a number of community and faith-based organizations to educate their clients about fair housing. FHCSP has been partnering with Lutheran Children and Family Service of Southeastern Pennsylvania (LCFS) and Self Determination Housing Project (SDHP) since 2004 in an effort to reach more people in the region who need information about their fair housing rights. LCFS has been working to inform recent refugees and asylees about their rights and responsibilities under the Fair Housing Act, and SDHP has been conducting educational activities to inform persons with disabilities about their fair housing rights.

FHCSP's Newest Partner: Asociación Puertorriqueños en Marcha (APM)

FHCSP is pleased that it will be working with its newest partner, Asociación Puertorriqueños en Marcha (APM), to educate the Puerto Rican and Latino population about fair housing. Through the Fair Housing Initiative Program-Private Enforcement Initiative (FHIP-PEI) funding, FHCSP has formally partnered with APM, and has agreed to add a fair housing component to their program to educate consumers about their fair housing rights and responsibilities in the City of Philadelphia. FHCSP's collaboration with APM will be an asset in its efforts to eliminate housing discrimination in Philadelphia's Puerto Rican and Latino communities.

APM is a non-profit organization dedicated to improving the quality of life in the Greater Philadelphia area by providing a wide variety of social services to the community, and supporting the civil rights of the Puerto Rican and Latino communities. APM serves a diverse population, helping to create job opportunities, revitalize neighborhoods, support families and assist people with disabilities. Established in 1971, APM serves the community at more than 23 sites around the city of Philadelphia, and employs over 200 bilingual and bicultural professionals that serve over 40,000 people each year.

APM services fall into three main categories:

- Community and Economic Development – housing counseling, affordable housing
- Health Services Programs – mental health services, health promotion, primary care services, drug and alcohol treatment
- Human Services Programs – supportive services, Head Start day care, family services, early intervention, learning center

APM has extensive experience with housing issues in the City of Philadelphia. As a HUD approved housing counseling agency, APM's bilingual housing counseling staff is equipped to help consumers with homebuyer education classes, pre-purchase and post-purchase counseling, mortgage delinquency and default resolution counseling, debt repair, and education on predatory lending. In addition, APM offers counseling for tenants seeking information on handling rental delinquency, landlord/tenant disputes and preventing

What Is Fair Housing?

The U.S. Department of Housing and Urban Development (HUD) estimates that each year 2.5 million people are victims of housing discrimination.

The Fair Housing Act prohibits discrimination in housing on the basis of:

- Race
- Color
- Religion
- National Origin
- Gender
- Disability
- Familial Status (presence of children under 18 in the household)

The Fair Housing Act covers all housing related transactions, including:

- Rentals
- Sales
- Mortgage lending
- Homeowner's insurance
- Advertising
- Zoning
- Appraisals

The Pennsylvania Human Relations Act additionally protects people from discrimination in housing on the basis of age (above 40).

If you or someone you know feels victimized by housing discrimination, contact FHCSP at:

Phone: 610-604-4411
Toll Free: 866-540-FAIR (3247)
information@fhcsp.com

FHCSP can help investigate your complaint and assist you in determining what action should be taken.

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Who is FHCSP?

FHCSP's Mission:

To educate and advocate for equal access to quality, affordable housing for everyone in Southeast Pennsylvania

FHCSP is the oldest fair housing council in the nation, established in 1956

FHCSP serves the Greater Philadelphia area, including Bucks, Chester, Delaware, Montgomery Counties and the City of Philadelphia

FHCSP is a Qualified Fair Housing Enforcement Organization (QFHO), as designated by HUD, and additionally provides education for both consumers as well as the housing industry

Since its inception, FHCSP has eliminated discrimination at

46,773

housing units, making them available to members of the protected classes

FHCSP Welcomes New Board Members

The Fair Housing Council of Suburban Philadelphia (FHCSP) is pleased to welcome the newest members of its Board of Directors, Nelson Acevedo and Elizabeth Moriera, Esq. FHCSP's board maintains an active role in providing insights, setting strategy, opening doors, promoting the agency and its mission, and raising funds.

Nelson Acevedo is the Community Consultant and Assistant Vice President for PNC Community Development Banking, PNC Financial Services Group. Nelson is responsible for managing and administering PNC Foundation grants awarded to organizations and businesses with investments or services that target low to moderate income areas or populations. He has extensive experience in the housing industry, having worked as a Home Mortgage Consultant for PNC Bank, and as a Loan Officer and Loan Counselor for Citizens Mortgage Corporation. He currently serves on several other boards, including Nueva Esperanza, Inc. (Board Chairman), Nueva Esperanza Academy Charter High School (Board Treasurer), and the Homeownership Counseling Association of Delaware Valley.

Elizabeth Moriera, Esq. worked as a senior attorney at Gilbert Oshinsky LLP, a boutique firm specializing in insurance coverage and complex commercial litigation. During her tenure at Gilbert Oshinsky LLP, Elizabeth represented a *Fortune 25* company in insurance coverage litigation, litigated class action suits against title insurance companies in federal court alleging systematic overcharging of title insurance premiums, and represented non-profit entities (including FHCSP) and individuals in a five-year litigation against an insurance company alleging discrimination in the sale of homeowners insurance. She was a member of the Pro-Bono Committee, and represented FHCSP for 8 years in litigation, administrative proceedings, and general legal advice with respect to fair housing issues.

FHCSP is very pleased to have Nelson and Elizabeth bring their wealth of knowledge and experience to the board, and join the current board members in furthering the cause of fair housing throughout the region. Nelson and Elizabeth will join FHCSP's other Board members, including:

President: Lisa Gaffney – Housing Director, Chester Economic Development Authority

Vice President: Deborah Cooper – Director of Community Outreach, Consumer Credit Counseling Service of Delaware Valley

Treasurer: Stephanie Cehelski – Finance Director, Women's Center of Montgomery County and Accountant for Housing Alliance of PA

Secretary: Frankie Baughn – Consultant to National Community Reinvestment Coalition

Michael Bannon: Director, County of Bucks Consumer Protection/Weights and Measures

Kristi Dennis: Marketing Director, Hidden Meadows Assisted Living

Jennifer Perry: Compliance Specialist, United Spinal Association

The Face of Discrimination: Reflections from a Swarthmore Resident Who Overcame Discrimination

Joyce Perry has been a content resident in the town of Swarthmore, PA for over 40 years, yet she and her family were not always welcome in town. Four decades ago, Mrs. Perry and her husband Larry Perry struggled for a long time to find a decent house in a decent neighborhood that they could call "home". The reason: The Perrys were an interracial couple trying to find a house in the predominantly white suburbs. As many interracial couples experienced in the mid-1960s, the Perrys faced a struggle with racism and were victims of housing discrimination that prevented them from accessing the housing of their choice.

Even before their marriage, Mrs. Perry experienced discrimination when she was evicted from her apartment due to her relationship with Mr. Perry, an African American. The discrimination perpetuated after they were married and were searching for a place to live, as many real estate agents would turn them away, as they did not serve African Americans or interracial couples.

In one instance, Mrs. Perry was working with a real estate agent who showed her a house for sale. She informed the agent that her husband would need to see the home also before they could make a decision, so the agent left her the keys so her husband could tour the home after he got home from work. Not mentioning that her husband was African American, she returned home with the keys. Hours later, the agent showed up on their doorstep demanding the keys back, having somehow found out about their interracial marriage, and refused to work with them.

After numerous doors were closed for the Perrys, it seemed like there was no hope for them of ever finding a decent place to live. However, one door opened for them, when a friend recommended they call Friends Suburban Housing, Inc., an equal opportunity real estate firm that served all people without regard to color. The Perrys took the advice and contacted this real estate firm. From there, their luck began to change.

Friends Suburban Housing, Inc. was a real estate firm founded by Margaret Collins, a Quaker and a pioneer in fighting housing discrimination in the region. Born to a family of privilege, she observed her segregated, all-white, upper class neighborhood and felt that it was unjust that minorities did not have the opportunity to reside in such a neighborhood. Although faced with immense challenges in her endeavor to promote integration, she stood firm in her beliefs and did everything in her power to help minorities find housing and to lobby for fair housing legislation. In addition, she worked closely with the Committee for Democracy in Housing: Lansdowne and Vicinity, known today as the Fair Housing Council of Suburban Philadelphia, who worked toward the same goal of providing equal housing opportunity for everyone in the region.

The Perrys initially met with a co-worker of Mrs. Collins, Bill Goolsby, who showed them the house in Swarthmore that they wound up purchasing. The sellers were open-minded individuals who had similar beliefs as Mrs. Collins, and were willing to sell to the Perry's when so many other sellers were not. The Perry's wound up meeting Mrs. Collins later on, after they had successfully purchased their house. Mrs. Collins offered to help them make renovations, to make their house more suitable and feel more like their home.

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**Help Fight Housing Discrimination!
Become a Fair Housing Tester**

The Fair Housing Council of Suburban Philadelphia is in need of Fair Housing Testers to assist in uncovering housing discrimination in the Philadelphia region.

Trained testers pose as home seekers and visit housing providers to collect information to assist with regional monitoring and investigations.

Testers are paid a stipend (\$50-80) for their efforts and are reimbursed for mileage, tolls and postage. Testers document their experiences objectively.

Requirements:

- Excellent writing skills & attention to detail
- Access to fax and/or e-mail
- Access to reliable form of transportation

Accepted applicants must attend a 3-4 hour training.

For more information, please contact FHCSP's Test Coordinator, Megan Bolin at bolin@fhcsp.com or 610-604-4411 x2.

Donate to FHCSP

The Fair Housing Council of Suburban Philadelphia is eligible to receive designated United Way funds through the Donor Options Program.

FHCSP's agency code:

#5182



Please Donate!

The Face of Discrimination

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Once the Perrys moved into their new home, they were met with some opposition. Their next door neighbors decided to move out of the neighborhood in protest. Also, on one instance, they found racial slurs written on the sidewalk outside their home. Despite the opposition however, they also received overwhelming support from their new neighbors. A few of the neighbors went out of their way to welcome the Perrys into the neighborhood, and spread the word to other open-minded individuals in the community that they were new to town. As a result, they received visits from not only people in their immediate neighborhood, but from the all over town, welcoming them with open arms.

While it was a struggle, the Perrys finally were able to access the housing of their choice, thanks to Margaret Collins, Bill Goolsby and Friends Suburban Housing, Inc. helping them break through the racial barriers that previously prevented them from finding housing. Mrs. Perry recalls the struggle her and her husband faced, and is glad that they laws have changed to protect people from the type of discrimination her and her husband faced. "I wish people's hearts would change as easily as the law has changed," she said. While society has come so far, Mrs. Perry believes that there is still more work to be done in the struggle for equality.

FHCSP's Newest Partner: Asociación Puertorriqueños en Marcha (APM)

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homelessness.

With its extensive experience in the region with dealing with housing issues, FHCSP believes that APM will be an invaluable partner in its mission to provide fair housing education in the region. This partnership with APM will help FHCSP meet its goal of reaching out to the Puerto Rican and Latino populations in the Greater Philadelphia area who need information about their fair housing rights. APM is one of the most influential Latino agencies in the region, and FHCSP is proud to have forged a partnership with such a prominent agency.

For more information, please contact APM at (267)296-7200 or visit APM's website at www.apmphila.org.

HUD Guidance on Sexual Harassment as a Fair Housing Issue

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- What should a property owner or property manager do if an applicant, resident or tenant accuses the property owner or manager or one of his employees or contractors or another tenant or resident, or sexual harassment?
- What housing provider/manager best practices may help protect applicants, tenants and residents from sexual harassment?

The complete text of this statement may be obtained at:

<http://www.hud.gov/offices/fheo/library/questionsandanswers111708.pdf>

Voice Profiling Experienced by African American Renters in the Philadelphia Region

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- 29% of tests showed preferential treatment favoring white testers over African American testers
- 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

The audit confirmed that housing discrimination persists in the Philadelphia region. Housing discrimination perpetuates segregation, denying consumers the opportunity to live in housing of their choice based solely on their desires and what they can afford. While significant progress has been made, there is much to be done as older, stubborn problems such as racial discrimination persist and new challenges arise as the demographics of the region evolve. 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 FHCSP was founded.

The complete report is available on the FHCSP website: www.fhcsp.com.

HUD Secretary Shaun Donovan Aims to "Re-energize Efforts Around Fair Housing"

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HUD's mission in fair housing is not just enforcement... it is affirmatively furthering fair housing", stated Donovan. "We must have a commitment to creating a geography of opportunity in this country that opens up all neighborhoods to be neighborhoods of choice."

This conference, sponsored by the Rockefeller Foundation, the MacArthur Foundation, and New York University's Furman Center for Real Estate and Urban Policy, aimed to present ideas from leading members of the housing industry to re-examine federal housing policy, in the wake of the housing and economic crises. Bringing together policymakers, housing industry professionals, academics, and advocates from a variety of fields, this conference aims to bring creative ideas to the table for how to move forward with housing policy. Among the topics debated were mortgage finance policy, new models for homeownership, energy, transportation, education policy, and federal rental assistance programs. The issues discussed during this forum will be collected and published in a white paper, which will be distributed to the Obama administration, Congress and other policymakers in Washington.

To read a transcript of Secretary Donovan's keynote address:
<http://www.shnny.org/documents/TranscriptofDonovansKeynoteAddress021309.pdf>

To visit the official conference website:
<http://transformingamericashousingpolicy.org/>

FHCSP supports Energy Star®

The average family spends \$1,900 a year on energy bills, much of which goes to heating and cooling. By reducing the amount of energy used in your home, you save money on energy bills, and reduce the amount of greenhouse gas emissions generated by burning fossil fuels to make that electricity.

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Fair Housing Council
of Suburban Philadelphia
225 South Chester Road, Suite 1
Swarthmore, PA 19081-1919

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The Nation's Oldest Fair Housing Council
Founded in 1956

HUD Secretary Shaun Donovan Aims to "Re-energize Efforts Around Fair Housing"

Shaun Donovan, the newly appointed Secretary of the U.S. Department of Housing and Urban Development (HUD), recently spoke at a housing conference in New York, indicating that fair housing is one of HUD's priorities for the Obama administration. Donovan gave the keynote address at the conference "A Crisis is a Terrible Thing to Waste: Transforming America's Housing Policy", held in February at New York University. In his address, Donovan expressed that HUD is "re-energizing efforts around fair housing", and will be focusing on more fair housing enforcement nationwide.

Secretary Donovan indicated that both he and President Obama are committed to increasing enforcement efforts in fair housing, and aims to implement this within the first 100 days of the presidency. He gave the example of sub-prime lending that targeted minority communities, stating that in 2007 in Jamaica, Queens, 60 percent of mortgages were sub-prime and about a third of these sub-prime mortgages went to people who should have qualified for prime loans. He indicated the urgency of increasing efforts at HUD to ensure that this kind of targeting of minority communities does not happen again in the future.

Secretary Donovan went on to say that HUD's efforts will go above and beyond just enforcement of the Fair Housing Act. "I think it's incumbent upon us to remember that

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