



Building
Rural
Communities

Rural Voices

THE MAGAZINE OF THE HOUSING ASSISTANCE COUNCIL

Summer 2009 • Volume 14 / Number 2

MAKING HOUSING FAIR



EQUAL HOUSING
OPPORTUNITY



RURAL ENFORCEMENT AND COLLABORATION

MESSAGE TO OUR READERS

Dear Friends,

As we celebrate the 60th anniversary of the Housing Act of 1949, this issue of *Rural Voices* reflects on another significant piece of legislation: the Fair Housing Act of 1968. The Act, passed days after the assassination of Dr. Martin Luther King, Jr., legitimized the original goals of the Housing Act by prohibiting discrimination on the basis of race, color, religion, sex, or national origin by housing providers. Familial status and disability were added as protected classes in 1988.

Rural communities present unique challenges for those working to advance equal housing opportunities. Metro Fair Housing, a nonprofit fair housing organization in Georgia, outlines these challenges and describes how rural fair housing violations differ from those in urban areas. Articles from other fair housing advocates describe the barriers to fair housing in rural areas across the nation, and explore successful strategies for promoting and enforcing fair housing laws. The National Fair Housing Alliance provides a historical and national perspective on the successes of the Fair Housing Act, while emphasizing that housing discrimination is still a major problem 41 years after President Johnson signed the Act into law.

We are pleased to include articles from HUD Assistant Secretary of Fair Housing and Equal Opportunity, John Trasviña, and USDA Assistant Secretary of Civil Rights, Dr. Joe Leonard. The authors describe current fair housing initiatives for their respective departments, and express the agencies' renewed commitment to making civil rights a priority.

In each 2009 issue of *Rural Voices*, HAC has invited a leader in the affordable housing field to reflect on the importance of the Housing Act of 1949. In this issue, Kim Herman, Executive Director of the Washington State Housing Finance Commission, talks about his personal connections with the Housing Act since starting his career in affordable housing in 1969. Kim's remarkable career highlights the accomplishments and progress our nation has made in providing decent, affordable, and fair housing in rural communities.

In community,

Lauriette West-Hoff, Chair

Debra Singletary, President

Moises Loza, Executive Director

Contents



3 HAC FACTS

FEATURES

5 Fair Housing Practices

By Shanna Smith and Nhu-Han Duong

The National Fair Housing Alliance provides an overview of fair housing challenges and opportunities.

7 The Challenges of Fair Housing Enforcement in Rural America

By Foster Corbin

Fair housing advocates often encounter barriers when working in rural communities. Metro Fair Housing describes these barriers and compares rural fair housing violations to those in urban areas.

9 Enforcement in Maine of Family Status Protections

By Patricia Ender

The Federal Fair Housing Act was amended in 1988 to add protections for families and people with disabilities. Pine Tree Legal Assistance discusses the different forms of family status discrimination and highlights its strategies for protecting the rights of families.

13 Collaboration as a Second Language

By Erik Kingston

The Idaho Fair Housing Forum brings together housing stakeholders to address fair housing needs and promote equal housing rights throughout the state.

16 Combating Housing Discrimination and Promoting Housing Justice for the Disabled in Rural Iowa

By Lionel J. Foster

The Mason City Human Rights Commission outlines the housing rights of people with disabilities and explains what is required of housing providers.

19 Protecting the Rights of Vulnerable Populations

By Ilene Jacobs

California Rural Legal Assistance advocates for the rights of marginalized populations and takes actions to affirmatively further fair housing in rural areas.

VIEW FROM WASHINGTON

22 USDA Office of Civil Rights

Assistant Secretary Dr. Joe Leonard

23 HUD Office of Fair Housing and Equal Opportunity

Assistant Secretary John Trasviña

26 SPECIAL FEATURE

One Person's Connections with the Housing Act of 1949

By Kim Herman

Cover Photo credits from left to right: Will Dickey staff photographer of *The Florida Times-Union*, Southside Outreach Group, and photographer David Bacon for California Rural Legal Assistance. Image is titled **Lamont Trailer Park**.

Summer Training Schedule

HAC's training program is in full swing this summer with numerous workshops scheduled in different parts of the country, emphasizing housing development, financing, construction, and nonprofit management.

Upcoming workshops include:

July 29-30, Burlington, Vermont - Building Rural Communities through CHDOs - Single-Family Housing Development and Advanced Financial Management

August 5-6, Boise, Idaho - Building Rural Communities through CHDOs - Single-Family Housing Development and Advanced Financial Management

August 12-13, McAllen, Texas - Building Rural Communities through CHDOs - Single-Family Housing Development

August 12-13, Milwaukee, Wisconsin - Building Rural Communities through CHDOs - Building HOME for CHDOs and Nonprofits and Fitting the Pieces Together



HAC provides technical assistance in Hutchinson, Kansas for Interfaith Housing Services.

To be notified about HAC's training and conference schedule, subscribe to the *HAC News* or visit HAC's website at www.ruralhome.org/servicesTraining.php.

~For more information or to register, contact Dan Stern, registration@ruralhome.org, 202-842-8600, Fax: 202-347-3441.

Capacity Building Grants Awarded

HAC has awarded a second round of capacity grants through the Rural Homelessness Capacity Building (RHCB) initiative. With funding from the Department of Health and Human Services Compassion Capital Fund, the RHCB initiative awards grants of up to \$15,000 to support the capacity building efforts of homeless assistance providers. The 2009 grant recipients are:

- Big Bend Homeless Coalition, Inc., Florida
- Brother Charlie Rescue Center, Inc., Georgia
- Central Oklahoma Community Action Agency, Oklahoma
- Cirrus House, Inc., Nebraska
- Hope Haven Ministries, Inc., Tennessee
- Liberty Center of Sandusky County, Ohio
- Morgan-Scott Project, Tennessee
- Native American Community Board, South Dakota
- Northwestern Ohio Community Action Commission, Ohio
- Ripley County Family Resource Center, Missouri
- Serenity Pointe, Tennessee
- St. Johnsbury Area Youth Service Bureau, Vermont
- Starting Point's 1st Street Armoury, Illinois
- The Well at Chattooga, Inc., Georgia
- Watertown Area Homes of Hope, South Dakota
- West Tennessee Housing Resource Network, Inc., Tennessee
- Women's Shelter of South Texas, Texas

The RHCB initiative provides rural homeless organizations with the technical assistance, training, information, and financial resources they need to improve their capacity to serve rural homeless populations.

~For more information, visit www.ruralhome.org/rhcbindex2.php.

HAC Celebrates Homeownership Month

National Homeownership Month is a celebration of the American Dream and the programs that support homeownership. For National Homeownership Month 2009, HUD's focus was on helping existing homeowners stay in their homes and responsibly provide opportunities for those ready to purchase their first home.

HAC's partners planned numerous activities for Homeownership Month, including ribbon-cutting ceremonies, community events and picnics, landscaping parties, and community builds. HAC's staff participated in activities in California, Arkansas, New Mexico, and Maryland. HAC congratulates all of its partners for their accomplishments in making the dream of homeownership a reality for low- and moderate-income Americans.



HAC staff members work with Southern Maryland Tri-County CAC self-help families to complete a range of building tasks.

Year End Statistics Compiled for RD Programs

HAC's recently published report, *USDA Rural Development Housing Programs: FY 2008 Year-End Report*, provides a review of USDA rural housing activity. Since the 1950s, USDA has built or repaired millions of affordable homes for rural Americans, primarily through its Rural Development agency (formerly the Farmer's Home Administration). In Fiscal Year 2008, Rural Development (RD) obligated approximately \$8.9 billion, which built, repaired, or supported over 200,000 units of affordable housing for low- and moderate-income families in rural areas.

~For more information, visit HAC's website at www.ruralhome.org/rhs/08report/index.php.

Congratulations USDA Rural Development Appointees

Tammy Treviño was appointed this summer by Agriculture Secretary Tom Vilsack to serve as Administrator of USDA Rural Development's Housing and Community Facilities programs. "Tammy Treviño is a talented, hardworking leader who is a strong advocate for enhancing the quality of life and economic opportunities available in rural areas," Vilsack said.

Treviño has served as the chief executive officer for FUTURO, a non profit organization and HAC partner located in Uvalde, Texas, that provides housing, business, and community development assistance to rural residents.

HAC congratulates Treviño on her new appointment and welcomes her and the new Rural Development State Directors that were recently appointed.

~For more information on the state director appointments, visit www.ruralhome.org/infoAnnouncements_2009RDStateDirectors.php.

FAIR HOUSING PRACTICES

By Shanna Smith & Nhu-Han Duong

Background

The Fair Housing Act is more than 40 years old and was signed into law on April 11, 1968, by President Lyndon Johnson, just one week after the assassination of Dr. Martin Luther King, Jr. This civil rights law was the first to have a dual purpose: to eliminate housing discrimination, and to promote residential integration. The responsibility to enforce the law was placed at the U.S. Department of Housing and Urban Development (HUD), but the enforcement portion of the law had no teeth. After a complaint was filed, HUD could conduct an investigation and if it found evidence of a violation, HUD could only ask a respondent if he/she wanted to conciliate. If the response was no, HUD had to close the case and advise the complainant to pursue the matter in federal court.

For 20 years after the Fair Housing Act was passed, enforcement of the law was carried out by nonprofit fair housing centers, private individuals, and the U.S. Department of Justice. Then in 1988, President Ronald Reagan signed the Fair Housing Amendments Act (FHAA). The FHAA completely overhauled the enforcement mechanism giving HUD authority to investigate a complaint, issue a charge of discrimination, and hold hearings before an Administrative Law Judge. If either the complainant or respondent elects to have a federal court hear the charge, then the Justice Department's Civil Rights Division intervenes to bring a complaint on behalf of the HUD Secretary and complainant. HUD also has authority to initiate an investigation and file a charge without receiving a complaint—this is called a Secretary Initiated Complaint. The limit of \$1,000 for punitive damages was removed and Congress added additional protected groups: families with children and people with disabilities.

Fair Housing, Community Development Block Grants, and Elected Officials

In 1974, Congress passed the Housing and Community Act, which states that recipients of the Community Development Block Grant (CDBG) funds must affirmatively further fair housing (AFFH). A CDBG recipient must certify to HUD that grant funds will be administered in accordance with the Fair Housing Act, and that the grantee will work diligently to affirmatively further fair housing in the community.

To date, no regulations have been promulgated explaining which activities demonstrate compliance with AFFH. However, HUD does require CDBG recipients to complete an Analysis of Impediments to Fair Housing Choice (AI) as part of their Consolidated Plan whether they receive funding as an entitlement city/county or through state allocations (www.hud.gov/offices/fheo/promotingfh.cfm). A CDBG recipient must certify that it will conduct an analysis of impediments, take appropriate actions to eliminate both the impediments and the effects of such impediments to fair housing choice, and maintain records documenting such actions taken (www.hud.gov/local/shared/working/r5/furtherfairhsg.cfm?state=mn).

More than 1,000 cities, counties, and states receive CDBG funds, and therefore, have an affirmative duty to eliminate housing discrimination and promote residential integration. HUD published a Fair Housing Planning Guide that can be found at www.hud.gov/offices/fheo/images/fhpg.pdf to help CDBG recipients comply with the certification. Compliance is essential because CDBG recipients could have their grant awards challenged, conditioned, and even withdrawn if found not to have fulfilled its duty and stated certification.

Continued on page 6

Fair Housing Practices *continued from page 5*

Many AIs reviewed by the National Fair Housing Alliance (NFHA) do not adequately identify barriers to fair housing choice and relatively few CDBG recipients fund activities to eliminate the barriers identified. There is extensive documentation that families with children, people with disabilities, Latinos, and African Americans face discrimination in the rental market, but few CDBG recipients fund testing, enforcement, and education programs to reduce and eliminate rental discrimination. With the increase in foreclosures nationwide, more families with children of all races and national origins are entering the rental market. HUD's Office of Community Development and Planning which administers the CDBG program issued regulations to fund fair housing enforcement activities with CDBG funds.

CPD regulations allow the use of CDBG funds to provide fair housing services as a program administration cost. Eligible fair housing costs designed to support the AFFH efforts in the jurisdictions include: making all persons aware of the range of housing options available; enforcement, education, and outreach; working to avoid undue concentrations of assisted persons in areas with many low- and moderate-income persons; and other appropriate activities, including conducting local paired testing.

Few challenges to CDBG recipients have been filed. However, litigation pending against Westchester County under the False Claims Act for failure to further fair housing has led more and more organizations to evaluate whether or not CDBG recipients are complying with their obligation to further fair housing. CDBG recipients should carefully review the HUD website to identify fair housing activities to implement.

Rural Housing Issues

Between 2002-2004, NFHA tested 337 federally subsidized apartment buildings in rural communities in 24 states and found discrimination against people with disabilities in 36 percent of the tests. Twenty-three percent of the tests showed discrimination against African Americans; 17 percent of the tests identified discrimination against Latinos and Native Americans; and in 20 percent of the tests, families with children were denied units.

Examples of discrimination include managers falsely claiming a complex was exclusively reserved for the elderly when, in fact, the complex was designed to house families with children, as well. In one instance, an apartment manager

informed a Native American tester that no units were available but showed apartments to white testers. Another manager in a different test showed the white tester two units, took her on a tour of the complex, and encouraged her to complete an application. The African-American tester, who arrived at the complex ten minutes prior to the white tester, was not given a tour, was only shown the manager's unit, and told to contact the management company for more information. At several complexes, families with children were segregated in one building or at the back of the complex.

Accessibility Standards under the Fair Housing Act and Results of Rural Housing Testing

The Fair Housing Amendments Act (FHAA) provides protection for people with disabilities by establishing

Continued on page 12

Have a nice set of wheels but can't find a place to park them?



"There's no place for kids here." "The apartment is too small for kids." "We only allow two people in a two-bedroom apartment." Limiting your housing choice just because you have children could be discrimination. You can fight back.

If you suspect unfair housing practices, contact HUD or your local Fair Housing Center. Everyone deserves a fair chance.



FAIR HOUSING IS THE LAW!

U.S. Department of Housing and Urban Development • 1-800-669-9777 • TDD 1-800-927-9275

The National Fair Housing Alliance initiated this PSA campaign in 1998.

THE CHALLENGES OF FAIR HOUSING ENFORCEMENT IN RURAL AMERICA

By Foster Corbin

Metro Fair Housing is a private fair housing agency located in the metropolitan Atlanta area. We were organized in 1974 to combat blockbusting in DeKalb County, Georgia, a county that abuts Fulton County. Parts of the city of Atlanta are in both DeKalb and Fulton County. While most of our complaints and investigations over the past 35 years have been in the metropolitan Atlanta area, we do investigate fair housing complaints in rural areas of Georgia.

Rural Discrimination

Housing discrimination in rural areas is often more blatant than in urban areas. Housing providers in metropolitan areas are usually friendly when someone attempts to rent an apartment or purchase a home. The discrimination is more subtle and may take place after the person has filled out an application or the potential buyer may be steered to a neighborhood where all or most of the individuals are of his or her race. The discrimination in rural areas can be in-your-face. It is not unusual for someone seeking housing in a rural area to be told that the property is not accessible for the disabled; or if they have children, that they would not be happy there because there is no playground equipment; or that it is a quiet community with no turnover in rentals and that most of the people who live there are older individuals.

In one of our cases, a landlady who had run an ad for an apartment in a local newspaper in rural Georgia refused to rent the apartment to our African-American client who was in middle management in a nationwide corporation that had just opened a facility in that area. She told him that the apartment was available when he called her on the phone, but when he came by to see the apartment she informed him that she was saving it for a family member. She later told our Caucasian investigator, who attempted to rent the apartment, that she did not “rent to those kinds of people” and proceeded to offer him the apartment.

While it may be easier to collect evidence when the discrimination is so obvious, if the case winds up in federal or state court, the fair housing plaintiff has to take his or her chances before a jury that may not be sympathetic to fair housing issues. Recently a Metro client settled a sales discrimination case for hundreds of thousands of dollars in an egregious case in a smaller Georgia city. The attorneys in the case believed that they would have gotten a much smaller dollar amount if the case had been tried before a predominantly Caucasian jury.

Barriers to Rural Enforcement

Fair housing enforcement in rural Georgia presents unique challenges that are similar to any other rural area in the country. There are a number of barriers to enforcement in rural areas of the state that make it difficult to investigate discrimination and enforce the Fair Housing Act.

- **Lack of knowledge.** Sometimes residents are simply not aware that their housing rights have been violated. They may not be aware that there are laws to protect them because of the lack of fair housing education and outreach into their communities, so these residents do not know that they can file a housing discrimination complaint with the Department of Housing and Urban Development. The HUD office located in Atlanta covers a wide geographical area so persons in rural areas in other states may not know of HUD’s existence. We are fortunate that Georgia has a state agency that also handles fair housing complaints. Some states do not have such a state agency. Georgia’s fair housing law is substantially equivalent to the federal fair housing law, as well.

Continued on page 8

Challenges *continued from page 7*

- **Fear of retaliation.** People in rural areas also do not file complaints because they are afraid of retaliation. If they come forward and file a complaint, they may be evicted or the landlord may raise their rent. Much of the rental housing is often owned by political figures and wealthy individuals in the county, so renters feel powerless. Everybody knows everybody else, so if a person files a fair housing complaint, word will get around. Your child's teacher may be married to the apartment manager that you believe has denied you housing, or is offering you different terms and conditions after you have moved in. We often hear individuals say that they "do not want to rock the boat."

Another reason, particularly if the person who may have experienced discrimination is Latino, is that he/she may fear retaliation from the government. It does not seem to matter if the person is undocumented or not. In spite of our rigorous campaigns into the Latino communities, often through the churches and always in Spanish, we have had little success in having people from the Latino community come forward and file a case with us. Regardless of how much we try to assure them that filing a fair housing complaint will not put their residency status here in danger, they seldom come forward to file a complaint.

- **Lack of accessible rental housing.** There is also a lack of both affordable housing and housing that is accessible for the disabled in rural communities. All new construction of multifamily dwellings for first occupancy after March 13, 1991, must be accessible for persons with disabilities. We still see, however, that builders of new construction in 2009 are not building accessible apartments.
- **Difficulty of investigation.** Investigating a fair housing complaint in rural areas presents unique problems. Because of the closely knit communities, our investigators may be easily recognized as a stranger coming into the community, sometimes by their race or their automobile with out-of-county license tags. Several years ago, while conducting Equal Employment Opportunity Commission mediations for the U.S. Postal Service, I remember driving from Atlanta to a small town

MFH's mission is to educate and assist all people in the rights and responsibilities of fair housing in all related aspects.



between Nashville and Chattanooga, Tennessee. When I went to the only restaurant on the town square the next morning for breakfast before going to the mediation, a total stranger walked up to my table and asked me what I was doing in town since he had seen the car with Georgia tags parked outside.

Addressing Rural Housing Discrimination

Metro participated in a 2003 study to measure housing discrimination in rural areas throughout the United States. The results showed that race discrimination occurred 22 to 24 percent of the time, and that the figure was even higher for people with disabilities—33 to 36 percent.

Metro is presently engaged in an enforcement project in four counties in Georgia that have large rural populations, and we are still seeing the same problems that we have seen in the past. We find that we have to gain the confidence of those who live in these counties. In an effort to gain their trust and to get aggrieved persons to come forward and file complaints with either our office, HUD, or the state enforcement agency, Metro forms partnerships with other civil rights groups in these counties including the local chapters of the NAACP. We also do education and outreach—which is the key—about all of the services we provide to both African-American and Latino churches in the area.

As I heard a speaker recently say so eloquently: integration and fair housing have recently gone all the way to the White House. Unfortunately, it has not trickled down to rural America. There is still much work to be done as America is still a segregated country and housing discrimination remains a serious problem. 🏠

~Foster Corbin is the Executive Director of Metro Fair Housing.

ENFORCEMENT IN MAINE OF FAMILY STATUS PROTECTIONS

By Patricia Ender

Pine Tree Legal Assistance (PTLA) is Maine's statewide legal services program, with six offices and one outreach satellite at a shelter for the homeless. PTLA has been engaged in general fair housing for decades. Since 2002, Pine Tree has received four HUD Fair Housing Initiative Program (FHIP) grants, including a 2008-2009 enforcement grant. Under its enforcement grants, PTLA is charged with filing complaints of illegal housing discrimination, conducting tests that may reveal illegal housing discrimination, securing reasonable accommodations for people with disabilities, raising fair housing defenses in evictions, answering the public's questions on fair housing, and working with community partners to further fair housing.

The Many Forms of Family Status Discrimination

In Maine, family status and disability discrimination are the most prevalent sources of illegal housing discrimination under the Federal Fair Housing Act as amended and under the Maine Human Rights Act. The Federal Fair Housing Act was amended in 1988 to add protections for families and for people with disabilities. Family status protection prohibits housing discrimination against families with at least one child under the age of 18, pregnant women, persons with or seeking legal custody of a child under 18, or someone with the child who has the parent's or legal custodian's written permission. The Act was amended because of overwhelming evidence of widespread denial of housing choices for families with children.

Family status discrimination in Maine takes many forms, from discriminatory advertisements to rental policies that reject all children, children of a specific age, or limit the number of children in a household. For example, landlords will specify that they are not comfortable with teenagers or that the baby

would not be a good fit in the apartment building. They may also express that two children of different genders cannot share a room or that children are restricted from the use of common areas. Parents are told that they will be evicted if their children are not supervised and some complexes have curfews. A single mother was told that it was illegal for her to share a bedroom with her daughter and that she could not rent a one-bedroom apartment. Grandparents are told their grandchildren can visit, but not overnight. All of these are illegal practices.

Discrimination in Advertising

Every year, PTLA finds illegal advertisements that improperly express a preference for no children: *Not suitable for children, Ideal for single person or couple, Single person only*. We have brought and settled complaints against the newspapers that accept such ads and against the persons who place the ads. We are suspicious of ads that say quiet neighborhood or quiet building and we test these units to see if quiet is a code for no children. Sometimes it is, sometimes it is not.

Illegal Inquiries

Federal and state fair housing acts prohibit asking if and how many children will be living in a specific unit (as always, there is an exception if having a child is a housing qualification, such as for federally funded family projects or to receive a Housing Choice Voucher in the Section 8 program). A corollary to this principle is that a landlord cannot ask for the birthdates of the intended occupants. PTLA has filed several complaints alleging illegal housing discrimination on the basis of applications that illegally request this information. The proper inquiry is how many people will be living in a unit, not how many children.

Continued on page 10

Enforcement *continued from page 9*

Safety Issues, Lead Paint

Years ago, Maine law permitted landlords to refuse to rent units with lead paint to families with children under six. The law was repealed after the Federal Fair Housing Act was amended in 1988, yet too many landlords and others continue to believe it is legal to deny housing to children under six. While there are parents who do not want their children to live in units where there is lead paint, it is not legal for a landlord to make this decision for them. A single father of a two-year old girl described his difficulties in finding housing for them because so many landlords had lead paint in their apartments. He pointed out that he would rather they lived in a unit with lead paint than in his car.

This is not to say that children should be recklessly exposed to lead paint. Maine and many other states have laws that require disclosure of lead paint, and that describe different levels of lead safety and lead abatement processes. Maine law also provides that if a unit has been labeled as hazardous and there are children in residence, the landlord must provide alternate housing while the hazard is removed or abated. Abatement can include licensed removal or encapsulating lead paint so that it is no longer a safety hazard.

Differences in intent may affect damage awards. Landlords who discriminate because of genuine concerns about safety are likely to face lower damage claims than those whose discrimination is malicious and who do not want children running around, making all that noise, and leaving their toys and bikes all over the place.

Occupancy Rates

Occupancy rates are sometimes a form of family status discrimination. As a general rule, state or local occupancy rates will not violate the housing laws if they are adopted or derived from the International Codes Council building/residence model codes or the older Building Officials and Code Administrators model building/occupancy codes. In the absence of such codes, the Maine Human Rights Commission will apply a rule of reasonableness. In 1998, counsel from HUD described some of the circumstances that are considered in determining if an occupancy rule is reasonable. Generally, it would be reasonable to have a two-person-per-bedroom rule, but this is not the only criterion. It is also appropriate to consider other factors, such as the size of the bedrooms, the size of the entire unit, or whether there are spare rooms such as a den, recreation room, or computer room that might be used as a bedroom. If the rules are reasonably related to the burdens on a septic, sewer, or other building services, there is less likely to be illegal family status discrimination. Besides the structure of the unit itself, there is more likely to be illegal housing discrimination if the landlord has made discriminatory statements, has rules that limit children's use of common areas, formerly had adult-only housing, enforced occupancy rates only against families with children, or took other actions that discriminate against children.

Some municipalities have been found to violate the Fair Housing Act amendments when they have issued zoning ordinances which exclude or more heavily deny housing to people with disabilities, such as in group homes. Although rarer, the same reasoning may be applied to zoning ordinances that unduly restrict families with children.

Extra Fees

Visitor fees and extra occupant fees can have a harsher impact on families with children than on households without children. If there are explicit statements or direct evidence that these fees are meant to restrict children, then the fees are clearly illegal. Where the evidence is less clear, however, a statistical analysis is applied to see if the fees substantially affect more families with children than without. Similar to occupancy rates, if the fees are closely related to building issues like septic systems or water use, they may be allowed even if they cause a higher cost to families with children.



Photo provided by PTLA.

The Fair Housing Act as amended prohibits housing discrimination against families with children.

Mobile Home Parks

Mobile home parks raise special challenges for fair housing advocates. Mobile home parks present a delicate balance of housing interests. Mobile homes are an important component of affordable housing and have much less value unless they are installed on a lot. Park owners may believe that their lots would be worth more if developed for alternate commercial uses. In Maine, this has resulted in more restrictive notice requirements for evictions or conversions of use and requirements for uniform and limited rent increases and rule changes. The dependence of mobile home owners on keeping their lots has sometimes led to compliance with unreasonable rules.

Mobile home parks and condominium associations regularly denied or limited families. When HUD proposed regulations in 1989 implementing the new protection for familial status, they received thousands of comments from mobile home parks that wanted to continue to segregate or exclude children. Many landlords also objected to renting to children in high-story units, units with balconies, and other perceived hazards to children.

PTLA represented an elderly woman who needed to sell her home so she could move to an assisted-living facility. As in many mobile home parks, the owner had the authority to approve or disapprove the new owners if they would be living in the park. Several families expressed an interest in purchasing the mobile home but the landlord vetoed all of them. He said, "She is an elderly woman and that is the kind of tenant I want living there." The would-be purchasers and the real estate agent all had claims they did not pursue, but our client secured damages for the lost sales.

PTLA also represented a large New Jersey family that had arranged to rent a mobile home lot in Maine. Although they had described the number of people in their family, the owner decided upon meeting them that they had too many children and told them they could not live there. The owner claimed that they would put undue strain on the well. The owner sold her interest and the family stayed and received damages.

Other mobile home park practices that have violated family status protections include stricter enforcement of rules against children (bike use and storage, walking or running on paths through the park) and attempts to have adult-only parks or sections of a park.

Regardless of the form in which it appears, family status discrimination restricts housing options for families with children.



Photo provided by PTLA.

Familial Status Tests

Pine Tree Legal conducts fair housing tests which have demonstrated strong evidence of illegal discrimination in all categories. Under the 2005-2006 enforcement grant, discrimination occurred in 43 percent of family status tests, 14 percent of disability tests, 8 percent of race tests, and 66 percent of receipt of public assistance tests. Most completed tests under the newest grant have been family status cases, and there has been strong evidence of discrimination in 39 percent of the family status cases.

Conclusion

The Federal Fair Housing Act has prohibited discrimination on the basis of family status for 21 years. Many states, including Maine, have similar prohibitions. Testing can unearth familial status discrimination and provide corroborative evidence for families who have been denied housing. Remedies for illegal family status discrimination include actual damages, punitive damages, state civil legal penalties, training for violators, and changes to policies, applications, rules and occupancy rates.

Although families do not face as much discrimination in 2009 as they did in 1988, family status discrimination remains too common. 🚫

~Patricia Ender is a staff attorney and the program manager for Pine Tree Legal Assistance's fair housing project. She and the PTLA testing coordinator, staff attorney Maureen Boston, work from the Augusta office. Pine Tree Legal is Maine's statewide Legal Services organization, founded in 1967. Patricia has worked for Pine Tree Legal since 1983. More information about PTLA may be found at www.ptla.org.

accessibility standards – a blend of accessible and adaptable design features such that accessible housing resembles conventional housing. It mandates that every multifamily apartment building containing four or more units which was built for first-occupancy after March 13, 1991, is subject to certain design and construction requirements. All ground floor units must comply with certain requirements, as must all units served by an elevator.

These requirements include an accessible building entrance on an accessible route, public and common areas accessible to persons with disabilities, and doors and hallways wide enough for wheelchairs. In addition, all units must have an accessible route into and through the unit; accessible light switches, electrical outlets, thermostats, and other environmental controls; reinforced bathroom walls to allow later installation of grab bars; and kitchens and bathrooms that can be used by people in wheelchairs

If a building with four or more units built after March 13, 1991, does not have an elevator, these standards apply to the ground floor units. FHAA also requires housing providers to make reasonable accommodations in rules, policies, and practices for disabled people in order to provide equal opportunity of use and enjoyment of their home.

In NFHA's investigation of rural housing, 36 percent of the tests revealed some differential treatment on the basis of disability. For example, the rental office and/or entrance to the apartment building was inaccessible to persons with mobility impairment due to steps and no ramp. Or an apartment was inaccessible because a tester in a wheelchair could enter but could not turn around in the bathroom. Ramps or curb-cuts with a 2-3 inch lip were difficult for persons in a wheelchair to ride over, or ramps were too steep and did not have a landing.

In other tests, apartment managers made statements such as, "The office will not allow trapezes in the apartment because if they hang those from the ceilings then they will have to install things for everybody." In one test, an agent told a disabled tester and his wife that they will not get a curb-cut or ramp near or next to the accessible unit. In another test, the disabled tester was told by an agent that they would never move a disabled person into a regular available ground floor apartment because, "Then you'd be submitting 504s

all the time." The agent went on to say that "It would cost thousands of dollars and we're not going to do that."

Discriminatory Internet Advertising

Under the Fair Housing Act, it is illegal to make, print, or publish statements related to housing transactions that discriminate on the basis of race, color, national origin, religion, sex, disability, or familial status. Since the passage of the Act, print media have screened their classified ads for discriminatory content and been held accountable when found to publish discriminatory ads. In today's age, given the rapid growth of the Internet and the greater use of such websites as www.craigslist.com and www.roommates.com to locate housing, the Fair Housing Act's prohibition on discriminatory ads should be applied to electronic publishers as well.

Investigations by NFHA have shown that discriminatory language is widespread in online advertisements for housing. Examples of preferential language found in online advertisements include:

- Female only please. Perfect for single female professional or business executive
- Prefer renting out to a couple
- A single person would be ideal (this appeared in an ad for a two bedroom apartment)
- Looking for a non-smoking female Christian
- No kids

The person or entity that posts the discriminatory ad is held liable under the Fair Housing Act. However, some websites might be exempt under the Community Decency Act (see *Chicago Lawyers' Committee for Civil Rights Under Law, Inc. v. Craigslist, Inc.*). Still, by providing a forum for people to place illegal ads, these websites are not being held to the same standard as print newspapers. Not only do such ads stigmatize and discourage people from seeking housing, they also mislead readers into thinking that it is normal and acceptable to extend preferential treatment on the basis of race, color, sex, religion, or family status. 

~ Shanna Smith is the President and CEO and Nhu-Han Duong is the Director of External Affairs at the National Fair Housing Alliance (NFHA). NFHA is the only national organization dedicated solely to ending discrimination in housing. For more information, visit www.nationalfairhousing.org.

COLLABORATION AS A SECOND LANGUAGE

IDAHO FAIR HOUSING FORUM SEEKS COMMON CAUSE THROUGH COMMUNICATION AND CREATIVITY

By Erik Kingston, PCED

I will never forget my introduction to the disconnect between fair housing advocates and housing providers. I had been asked to review an application for HUD's Fair Housing Initiatives Program (FHIP). The abstract's stated goal was to "increase the number of complaints filed in Idaho." I reread it just to be sure, and then emailed the author, someone I had been working pretty closely with for awhile. I naïvely suggested a more positive goal might be to increase compliance or reduce violations, and received a one-line response: "I'm sorry you don't support fair housing."

What we had here, I suspected, was a failure to communicate. I had spent years serving as a volunteer and board member for programs involving individuals with disabilities, and as an ESL teacher working with immigrants and refugees. I have family members with disabilities and am the adoptive father of a daughter from China. I supported fair housing, but it was clear I needed to learn how others perceived it.

More than a decade later, I am still learning, and happy to report that this particular individual is a great friend and fellow partner in the Idaho Fair Housing Forum.

Creating a Forum

The Fair Housing Forum was created at the suggestion of Brian Dale, Operations Specialist for the HUD Idaho Field Office. Brian recognized that the strain among Idaho's stakeholders reflected what had prompted him to form a similar coalition in Utah. That experience involved bringing together people with different perspectives on fair housing.

It was a chance to help participants understand the law, and one another, better. The same goal is definitely being realized here in the Gem State.

Tension is all too common among fair housing advocates and those required to comply with federal laws. Some hold the notion that all landlords are bad on the one hand, or that all advocates are out to get housing providers on the other. Clearly that is not the case, but longstanding mistrust tends to keep the two sides from engaging in a productive dialogue. Previous attempts at collaboration were short-lived, but Brian is both persuasive and persistent. Our current group has been meeting and cooperating regularly since 2003.

The core group includes property developers and managers; local and state government; fair-housing, human-rights

Continued on page 14



Refugees from Burundi, Somalia, and the Democratic Republic of Congo discuss housing and language challenges with Forum members.

Photo provided by IHFA.

Collaboration *continued from page 13*

and disability advocates, Legal Aid Services, public housing authorities, realtors, and the statewide not-for-profit Idaho Housing and Finance Association (IHFA). Our members also belong to state and regional trade groups and coalitions like the Idaho chapter of the Affordable Housing Management Association (AHMA), Idaho Rural Partnership, Idaho Community Review Team, and IHFA's Regional Housing Roundtable. This network extends our reach to thousands of people and institutions throughout a sparsely populated rural state.

Forum members meet regularly in person and by phone to discuss trends, violations, case law, and enforcement. Ideally, we aim to anticipate needs and recognize opportunities, so it pays to have people with diverse interests and perspectives at the table. Despite occasional pointed discussion, we work hard to create a respectful, safe place for members to explore real and perceived barriers to fair housing. Like any group, as various members have gotten to know one another, we have developed a sense of trust that helps cultivate a shared group identity.

When people find common ground and mutual interests, this is what can happen. Former adversaries begin to think in terms of *we* instead of *them and us*. Gradually, Forum members have come to appreciate our diverse skill sets and values, and we have been able to harness our collective energy to make things happen. This article outlines a few examples of projects that have grown out of this collaboration.

Opportunities Taken

For the first few years, Forum members sponsored annual training events and Fair Housing Month proclamations each April. While this was great, we sensed that a one-time event or action had little impact beyond the photo-op or workshop. Forum training and conferences were attracting hundreds of participants in each region, but we sought to create a more lasting impression.

Planting Seeds

Our answer was a statewide creative competition for high-school students using the theme of fair housing and diversity. The aim was to cultivate an ongoing, statewide conversation in classrooms, at kitchen tables, and other settings. We pooled our resources and secured sponsors to offer really good prizes, such as a new MacBook, digital cameras, and iPods for



More information about the Fair Housing Forum can be found at www.fairhousingforum.org.

the top winners. An independent panel of judges selected the top 12 entries, which were then featured in 20,000 calendars printed and distributed in fall of 2006 (because fair housing is important every day of the year).

Winners submitted a statement about what he or she learned or felt during the process, and we included world holidays from several traditions along with quotes and information on civil rights and fair housing. The following year, the Forum partnered with the Idaho Human Rights Education Center, which had long held its own student art competition, but lacked the resources to produce a calendar. When we announced our second project, we had so many sponsorship offers we expanded the current calendar to 18 months. These now hang on the walls of schools, retail businesses, government offices, and banks with their daily message of diversity and inclusion.

Expanding Services to LEP Individuals

About the same time, Forum members decided to address HUD's increased emphasis of long-standing laws involving Limited English Proficiency, or LEP. Title VI of the Civil Rights Act of 1964 (National Origin Discrimination Against Persons With LEP) states that "Organizations that receive federal funds must create, implement and follow a Language Assistance Plan (LAP) that effectively accommodates the needs of all customers."

Rural communities and other recipients of federal funds often lack administrative capacity, which makes it challenging to deal with complex federal laws and regulations. Many Idaho communities are led by part-time mayors, and professional staff are typically spread pretty thin. We saw

It is one thing to discuss policy and resources issues with other agencies, it is quite another to sit with people who have been uprooted from their homes.

a need for clear and simple guidance to better serve LEP customers. Our initial thought was to create a CD with LEP guidelines, a checklist, and assorted resources. As we realized the information would need to be updated periodically, we settled on a more dynamic website.

This concept evolved into a more robust, Idaho-specific website devoted to fair housing and related law, with interest sections for housing providers and consumers, an FAQ and Glossary section, and a News and Events area featuring updates on training opportunities, case law and other current activities. Launched in mid-2007, www.fairhousingforum.org eventually attracted the attention of Mayor Bloomberg's office in New York City. Staff requested permission to borrow elements of our LEP resources. We refer users to the website on a regular basis, and use it to post training and outreach materials as well as links to educational resources.

IHFA's regional Housing Roundtable meetings presented an LEP training opportunity for housing stakeholders in each of Idaho's major regions. Our main message was simple: good customer service is really at the heart of LEP accommodation and fair housing. We even coined a slogan for use in our outreach materials: Customer service is **welcome** in any language.

It is a safe bet that these LEP materials will be updated and expanded. Boise, Idaho, is one of a handful of resettlement communities for refugees escaping violence and persecution in their home countries. With over 5,000 refugees sent to date—and another 800 expected by fall of 2009—Boise is coming to terms with our new American neighbors. While many of these refugees remain in Boise, others have relocated to surrounding communities in Oregon and Idaho where employment opportunities exist in the agricultural industry. Resettlement organizations and volunteer networks are helping us address the challenges and embrace

the unique gifts presented by the most recent spices thrown into our melting pot of culture.

The Forum now includes local refugee resettlement agencies, and we have invited refugees from Burundi, Congo, Somalia, and elsewhere to share their stories, struggles, and creativity as we seek lasting solutions. Fittingly, these meetings have required someone who can translate among English, Kirundi, Mai-Mai, and Arabic.

Conclusion

It is one thing to discuss policy and resources issues with other agencies, it is quite another to sit with people who have been uprooted from their homes. Many are now struggling to find and keep jobs and housing. All express a sense of helplessness at the many parts of their lives they cannot control. One gentleman, a medical doctor, speaks fluent French and several African languages. He and other professionals will take any job that pays, from a car wash to custodial work or fruit-picking. Another stressed through an interpreter, "We trust what we earn from our sweat, not charity."

Language is identity. Our native language defines us, our culture, and our history. It subtitles our dreams and gives voice to our personal narratives. Integrating into a new culture and country means acquiring new language skills, but embracing that new language can sometimes feel like a rejection of our identities and origins. This applies to any language, including that of fair housing advocates and housing professionals. In order to grow and prosper, we may need to surrender a small part of our ego to embrace a new common language. Sometimes we need to look for a bigger table, too. 🍷

~Erik Kingston has a background in applied linguistics and languages. He connects people—and dots—in the areas of affordable housing, economic and community development for IHFA in Boise, ID and studies Mandarin with his daughter.

COMBATING HOUSING DISCRIMINATION & PROMOTING HOUSING JUSTICE FOR THE DISABLED IN RURAL IOWA

By Lionel J. Foster

Cerro Gordo County is centered in the nation's heartland, surrounded by beautiful lakes and rivers in the north-center portion of Iowa. Eleven cities and towns dot the 568 square mile countryside. The early inhabitants of Cerro Gordo County, long before the farmers and trappers, were the Winnebago and Sioux tribes. Mason City, the county seat with its beautiful sprawling farmland and bustling tourism, is nestled between corn fields and wind turbines. The city of Mason City has a population of 29,172 and the Mason City Metropolitan Statistical Area, which includes all of Cerro Gordo, has a population of 49,000.

The Mason City Human Rights Commission

In Iowa, cities with a population of 29,000 or greater are mandated to maintain an independent local civil rights agency or commission. The Iowa Civil Rights Act requires municipal governments to structure and adequately fund the agency in order to guarantee cooperative undertakings with the state commission. There are 26 local civil rights agencies in

Iowa, eight of which are funded and staffed. The eighteen unfunded local agencies are not staffed and must completely rely on the state commission to process their cases.

The Mason City Human Rights Commission was established in 1964, a year prior the creation of the Iowa Civil Rights Commission. It is a publicly-funded organization dedicated to eliminating unlawful discrimination on the basis of race, color, religion, national origin, sex, familial status, disability, age, ancestry, sexual orientation, and marital status. The Commission promotes equal housing opportunity through education, research, advocacy, and enforcement. The Commission's administrative policy is formulated by a nine-member panel of volunteer citizens who are appointed by the mayor and confirmed by the city council. The volunteers serve staggered four-year terms and act as factfinders during the investigation of unlawful discrimination. The Commission also conducts public hearings when complaints are not resolved.

Under the supervision of the Executive Director, the Commission processes complaints throughout Cerro Gordo County. It is currently the only county-wide civil rights agency in Iowa with authority to enforce anti-discrimination laws involving employment, housing, education, access to public accommodations, credit transactions, and public contracting. One of the primary goals of the Commission is to eliminate unlawful housing discrimination against the disabled.

Disability Discrimination under the Federal Fair Housing Act

In 1988, disability and familial status were added to the Fair Housing Act of 1968. In 1990, Senator Tom Harkin from Iowa wrote and was the chief sponsor of the landmark Americans with Disabilities Act (ADA), the nation's first



Photo provided by Mason City Human Rights Commission.

This Mason City home is accessible to wheelchairs. By law, landlords must consider all requests for reasonable accommodation.

comprehensive civil rights law for people with disabilities, which was signed into law by President George H. W. Bush. In 2008, Senator Harkin was the main proponent of the sweeping changes to the ADA, which was signed into law by President George W. Bush. The ADA reinforces the protection for persons with disabilities under the Fair Housing Act.

According to HUD's *State of Housing 2008* report, 44 percent of fair housing cases filed with HUD in 2008 cited disability as the basis, which exceeded race discrimination complaints. Although the percentage of fair housing complaints based on disability continues to increase, it has been shown that only slightly more than half of Americans realize that housing discrimination against persons with disabilities has become an increasingly important issue in fair housing enforcement.

Definition of Disability

Federal laws define a person with a disability as *any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment*. In general, a physical or mental impairment includes hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex, and mental retardation. Major life activities include walking, talking, hearing, seeing, breathing, learning, performing manual tasks, and caring for oneself. The Fair Housing Act's protection against disability discrimination covers not only home seekers with disabilities, but also buyers and renters without disabilities who live or are associated with individuals with disabilities.

Prohibited conduct under the Act includes refusing to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling. It is unlawful for a housing provider to refuse to rent or sell to a person simply because of a disability. Also, a housing provider may not impose application or qualification criteria; rental fees or sales prices; and rental or sales terms or conditions different than those required of or provided to persons who are not disabled.

Any person or entity engaging in prohibited conduct may be held liable unless they fall within an exception to the Act's coverage. Courts have applied the Act to individuals,

corporations, associations, and others involved in the provision of housing and residential lending, including property owners, housing managers, homeowners and condominium associations, lenders, real estate agents, and brokerage services.

Reasonable Accommodation in Housing for Persons with Disabilities

Under the Commission's fair housing law, a reasonable accommodation must be attempted for disabled persons. If the tenant has a disability and needs an accommodation, he or she should inform the landlord and identify the type of accommodation needed. The disabled individual may have to give the landlord a note from his or her doctor or other health care professional stating that he or she has a disability and describing the functional limitations that their disability imposes. However, the disabled tenant does not have to give the landlord his or her medical records. The fair housing code also provides guidance in assessing requests for reasonable accommodation, taking into account the nature and cost of the proposed accommodation and the financial resources of the landlord or housing provider.

Examples of Reasonable Accommodations Include:

- Providing a ramp at the primary entrance of the dwelling
- Installing grab bars in the bathroom
- Fulfilling the tenant's request for a reserved parking space, even though all parking is unreserved
- Permitting a guide dog or a companion animal, despite a no pets policy
- Paying for an accommodation in a common area if it is deemed to be reasonable

The Fair Housing Assistance Program

When appropriate, the Commission enters into cooperative agreements with federal partners to provide a local mechanism in eliminating discrimination. For example, the Commission participates in the Fair Housing Assistance Program (FHAP) of the U.S. Department of Housing and Urban Development (HUD). A FHAP agency must demonstrate that it enforces a fair housing law that provides rights, remedies, procedures, and opportunities for judicial

Continued page 18

review that are substantially equivalent to those provided by the federal Fair Housing Act. HUD pays FHAP agencies for each complaint they investigate, based on the timeliness and quality of the investigation. If a FHAP agency completes an investigation within 100 days of filing a case, HUD remunerates the agency the full prearranged value of the case. In addition, HUD provides funding to FHAP agencies for capacity building, training, and information systems. In FY 2008, FHAP agencies received 81 percent of the housing discrimination complaints that were filed within HUD's jurisdiction.

Investigating Housing Discrimination Complaints

FHAP agencies receive housing complaints directly from the public in a number of ways—via telephone, the mail, the Internet, or in person. If HUD receives a housing discrimination complaint that falls within the jurisdiction of one of its FHAP agencies, HUD is required by the Fair Housing Act to refer the complaint to that certified agency. The procedure a FHAP agency follows to process a complaint is substantially similar, though not identical, to those HUD follows under the Fair Housing Act.

The Iowa Supreme Court Extends Equal Protection to all Races and Conditions

Seventeen years before the infamous U.S. Supreme Court Dred Scott v. Sandford decision, the first reported civil rights case of the Iowa Supreme Court, In Re the Matter of Ralph, refused to treat a human being as property to enforce a contract for slavery. The 1839 decision held that Iowa laws must extend equal protection to persons of all races and conditions.

Similarly, in Clark v. Board of Directors in 1868 and Coger v. North Western Union Packet Co. in 1873, the Iowa Court struck blows to the concept of segregation long before the U.S. Supreme Court's decision in Brown v. Board of Education in 1954. Iowa was also the first state in the nation to admit a woman to the practice of law, doing so in 1869. Her admission occurred three years before the U.S. Supreme Court affirmed the State of Illinois' decision to deny women admission to the practice of law and 25 years before the U.S. Supreme Court affirmed the refusal of the Commonwealth of Virginia to admit women into the practice of law.

In general, after receiving a complaint, the FHAP agency interviews the complainant and drafts a formal complaint. This complaint is signed by the complainant and then served on the housing provider, who is given an opportunity to respond. The FHAP agency then begins an investigation, and throughout the investigation, works with the parties to conciliate the complaint. If a FHAP agency is unable to conciliate the complaint, it then must determine whether there is reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur.

Should the FHAP agency find no reasonable cause to believe that a discriminatory housing practice has occurred, or is about to occur, the complaint is dismissed. In that case, the complainant retains the right to pursue the matter through private litigation in state or federal court. If a FHAP agency finds reasonable cause to believe that a discriminatory housing practice has occurred, or is about to occur, the agency litigates the complaint in an administrative proceeding, or in civil court. The system of adjudication is set forth in each jurisdiction's fair housing law. In Iowa, each local agency is expected to follow the system developed by the Iowa Civil Rights Commission, but is not strictly bound by that agency's policy.

Critical Resources and the Rising Stakes

Since 2001, reductions and minimal increases in the budgets of HUD and the Equal Employment Opportunity Commission (EEOC) have occurred as case loads continue to grow substantially. Given the increases in complaints, especially the increase in disability discrimination complaints that will surely result from the 2009 sweeping changes to the ADA, inadequate funding for HUD and EEOC will unquestionably undermine the nation's enforcement of civil rights.

At the state and local level, funding for civil rights enforcement is to the point where some agencies will become extinct. Since many of the FHAP agencies rely heavily on HUD funding for enforcing fair housing laws, any further reductions in that source of revenue will surely undermine their enforcement of local civil rights laws, particularly for the disabled. 

~Lionel Foster is the Executive Director of the Mason City Human Rights Commission. More information about the Commission is available at: www.masoncity.net.

PROTECTING THE RIGHTS OF VULNERABLE POPULATIONS

By Ilene J. Jacobs

California Rural Legal Assistance, Inc. (CRLA) is a nonprofit legal services organization working to ensure access to justice and human rights for California's lowest-income, most marginalized rural communities. CRLA, a statewide law firm with a multilingual and multicultural staff, provides no cost legal representation, community education, and outreach in the areas of housing, civil rights, employment, health, and family security. CRLA opened its doors in 1966 and has been a strong advocate seeking to overcome the effects of rural poverty and injustice for more than 40 years. Today it serves clients and community members from 23 offices between the US-Mexico border and northern California.

CRLA also has specially funded projects targeting particularly thorny housing issues, including a fair housing enforcement project, a housing counseling project, and a desperately needed foreclosure intervention project which also confronts predatory lending and foreclosure rescue scams. CRLA, with 55 lawyers and a group of stalwart community workers and staff, tackles its work with a strategic approach to advocacy with more than 550,000 low-income people in its service area and roughly 1 million farmworkers in California.

Vulnerable Populations and Fair Housing Violations

Farmworkers, tenants, lower-income homeowners, linguistically isolated groups, indigenous, and marginal rural communities often confront exploitation, discrimination, health and safety hazards, dangerously substandard housing conditions, and threats of retaliation in housing and employment should they have the temerity to complain or assert their rights to be fairly treated. They are victimized



Photography by David Bacon. Image provided by CRLA.

An Onion Field Near Lamont

Maribel Ramirez and Laura and Alejandro Langley top and bag onions at sunset.

by predatory lenders and landlords, unfairly threatened with eviction and foreclosure, and are subjected to targeted discriminatory code enforcement, redevelopment and forced mass displacement. They are targeted for sexual harassment by landlords and housing managers; face discrimination when they seek housing for rent or purchase; and are treated differently in rental housing, homeownership, or municipal services because of their race, national origin, familial status, or membership in other protected classes.

Affirmatively Furthering Fair Housing

CRLA advocates not only represent individuals by fighting unfair evictions and filing discrimination charges, they also bring forward affirmative cases in support of housing and fair housing rights. These cases address fair housing issues related to the enforcement of decent conditions in farmworker housing and rental housing, maintenance of common areas and services in mobile home parks, prevention of displacement as a result of discriminatory code enforcement, and compliance with land use and planning laws designed to assure the provision of decent, affordable housing for all economic segments of the community. CRLA also challenges the unequal provision of municipal services by local jurisdictions that discriminate against minority neighborhoods. The following affirmative cases highlight a few of the actions CRLA has taken to protect the rights of California's most marginalized rural communities.

Displacement from Mobile Home Parks

When asked by the federal government to shut down the Duroville mobile home park, U.S. District Judge Stephen G. Larson allowed CRLA to intervene to protect the rights and preserve the homes of the extremely low-income farmworkers residing in the park, many of whom are

Continued page 20

Purepechan, an indigenous people from Michoacan, Mexico. The case to shut down the park, which is located on tribal land in Riverside County, California, was superficially about approval of leases with tribal allottees. After six years of litigation, the court ruled against both the government and the park owner and refused to close the park, which would have resulted in the forced displacement of 270 mobile homes, and 2,000 park residents—hundreds of them school children attending a nearby school. (See sidebar for Judge Larson’s ruling)

The Duroville case is stark, but not unique. CRLA advocates have brought enforcement actions to overcome similar inequities. Many of the residents of Duroville were displaced from other mobile home parks in Riverside County after the county government undertook selective code enforcement seeking to close mobile home parks owned by Latinos and occupied by low-income Latino families, primarily farmworkers and other low wage workers. CRLA represented mobile home owners who sought to stop the closures and displacement of their families by filing 30 administrative fair housing complaints with HUD, alleging intentional discrimination and disparate impact on the basis of race, national origin, and familial status. The resulting landmark enforcement agreement provided \$21 million in funding over a period of 10 years to replace older mobile homes, develop a new mobile home park and a farmworker multi-service center, supply relocation assistance, provide fair housing services, and ensure compliance with state and federal fair housing and land use and planning laws. This ruling assured adequate sites for farmworker housing and multifamily housing and barred discrimination with Community Development Block Grant Funds. Local nonprofit housing providers and service providers were able to build housing and a multi-purpose center to serve farmworkers and their families.

Not In My Backyard

The NIMBY (Not In My Backyard) syndrome reveals an unfortunate hostility in some rural areas to recent immigrants, racial and ethnic minorities, and farmworkers. Sometimes touting environmental concerns as a pretext for discrimination, opponents often prevent the development of high quality, well managed housing, leaving substandard, slum housing in place. CRLA housing advocates representing farmworkers who would be eligible for federally funded farm labor housing, along with a pro bono law firm representing a nonprofit housing developer who would build that housing, and a private lawyer representing the would be seller of property on which to build it, fought opponents with a federal

Judge Larson’s Ruling on the Duroville Case

“The Park, or Duroville or Los Duros, as it is better known by its residents, is not a business, it is a village; thousands of our fellow human beings call the Park home. It is not nearly as safe or as healthy as we would want it to be; it is, nonetheless, home for a community of people who are poor, undereducated, disenfranchised, and, in many respects, exploited. The Court must also add that, despite these disadvantages, these very same people, based on the evidence at trial, are an honest, hard-working, proud, colorful, and family-oriented community of people committed to educating their children and raising them to be productive and successful members of our society. The evidence at trial indicates that some are undocumented, some are resident aliens, and some are United States citizens; this complicated combination of immigration statuses places many of the residents of the Park in the crossroads of our Nation’s incongruous immigration and agricultural policies that, on the one hand, portend that undocumented workers lack legal status while at the same time predicating the economic efficiency of an agricultural industry on their hard work; it appears to this Court that we have, once again, established a rather “peculiar institution” to service our agrarian needs.

In any event, the evidence at trial clearly established that to accede to the government’s – and now Mr. Duro’s – request to promptly close the Park, without identifying where the vast majority of its residents would then live, would create a major humanitarian crisis... Although the Court recognizes and applauds the efforts of various government actors, including the United States Attorney himself, to explore potential alternatives, and although the County of Riverside, under the leadership of Supervisor Roy Wilson and his colleagues, and with the support of Senators Dianne Feinstein and Barbara Boxer, have together made significant strides in developing and funding potential alternatives, the evidence at trial clearly establishes that any such alternatives are many months, and perhaps several years, away. Moreover, any of the proposed alternatives are further complicated by the immigration issue referenced above. As unsafe and unhealthy as the Park may be – circumstances the Court has observed first-hand through its visits to the park – it nonetheless offers a shelter in place for a people who otherwise have nowhere to go. Until and unless alternative housing is available – alternative housing that is safe, healthy, affordable and truly available to the residents – this Court will not close Duroville.”

fair housing case against a local jurisdiction that sought to block the housing when neighbors complained. The government had no discretion to refuse the development, but took many actions effectively doing just that. The lawsuit resulted in 40 units of farmworker family housing and a substantial award for the developer who lost significant money due to the delay.

Failure to Provide Equal Services

A final example, a case now awaiting a decision in the Ninth Circuit Court of Appeals, is an attempt by residents living in pockets of poverty in Stanislaus County, California, surrounded by, but not annexed to, the City of Modesto to obtain equal services. They have faced an uphill battle to overcome what they believe to be a discriminatory failure to provide municipal services to their dense neighborhoods. Lower- and moderate-income Latino families in neighborhoods that suffer from failed septic tanks, street flooding, lack of street lights, less responsive police services, and other inequities are represented by CRLA, the Lawyers Committee for Civil Rights, and a pro bono law firm in a challenge to what the families allege to be a violation of the equal protection of law and fair housing rights. This case is representative of many colonias throughout the rural Central Valley of California in which predominantly low-income and racial and ethnic minority communities are underserved by the local jurisdictions in which, or near which, they reside. Local governments either fail to provide the services or refuse to annex the communities, virtually all of which cannot afford to create special districts to provide the services themselves. CRLA and Policylink have created a Community Equity Initiative to document and seek to address the needs of these disadvantaged communities.

(Un)Safe at Home: Research in Support of Advocacy

CRLA's first Rural Justice Forum held in October 2008 focused on farmworker housing and related health disparities. The Forum centered on a discussion of an original paper entitled, *(Un)Safe at Home: The Health Consequences of Sub-standard Farm Labor Housing*. The paper was authored by a working group commissioned by CRLA to explore related research and literature on the topic of health and housing for farmworkers.

Housing conditions for many of California's farmworkers continue to be so poor that the residents' health and well-being clearly is threatened. Health risks associated with housing range from inadequate sanitation to lack of heat to the psychological effects of long-term residence in what can

only be described as "housing" if the broadest definition is taken. The health risks are apparent in individual cases, but empirical research examining the association between farmworkers' health and their housing is underdeveloped.

Researchers, advocates, and health professionals nationwide who are actively engaged in studying the effects of housing conditions on the health of farmworker populations, advocating for improvements and fairness in those conditions, or engaged in related work on inequities in housing and health disparities participated in a day long seminar, reviewed the *(Un)Safe at Home* paper, and have established a national working group. For more information about this research project, contact the author of this article.

Completing the Count

The 2010 Census is around the corner. CRLA has served on the national census advisory committee since its appointment by the late Secretary of Commerce Ron Brown in 1995. CRLA's work with demographers and researchers showed a mega-undercount of migrant and seasonal farmworkers in the Census. Farmworkers, especially emerging indigenous farmworkers, and other hard to count populations in rural and urban areas require special efforts to be included and accurately reflected in census data so critical to civil rights enforcement and federal funding. CRLA encourages nonprofit housing and service providers, community based organizations and local government to become census partners and establish complete count committees.

~For more information contact the author of this article or visit www.census.gov and follow links to 2010.

Conclusion

These cases and CRLA projects are only some of the numerous affirmative cases under state and federal law seeking to enforce decent conditions in farmworker housing, mobile home parks, and slum housing that will result in significant improvement of housing and living conditions in communities throughout CRLA's rural service area.

The efforts described here are a testament to gritty determination and tenacious advocacy by front line CRLA staff, but they also speak of the courage of vulnerable people to assert their rights, stand up, and challenge the unfairness they confront on a daily basis. 

~*Ilene J. Jacobs is a Director of Litigation, Advocacy & Training for California Rural Legal Assistance, Inc. (CRLA), providing legal representation for farmworkers, recent immigrants, racial and ethnic minorities and low income people throughout rural California. Jacobs can be reached at ijacobs@crla.org.*



USDA OFFICE FOR CIVIL RIGHTS

By Dr. Joe Leonard, USDA Assistant Secretary for Civil Rights

The United States Department of Agriculture (USDA) has funded or repaired millions of affordable homes for rural Americans primarily through its Rural Development (RD) agency (formerly Farmers Home Administration). RD housing and community facilities programs work to improve the quality of life in rural America and help build competitive, vibrant rural communities.

Rural Development has financed over 3 million single-family homes since the inception of its homeownership initiative. A house is more than a roof over our heads; it is often the foundation upon which rests our ability to live near jobs and to gain access to good schools and other public services. Homeownership builds economic stability and, over the long term, creates equity to finance education, business startups, and retirement. RD housing programs not only help rural people acquire homes, they also help build better lives and communities.

Prohibition of Discrimination

USDA prohibits discrimination in all its housing programs and activities on the basis of race, color, national origin, sex, marital status, parental status, political beliefs, reprisal, age, disability, familial status, or because all or a part of an individual's income is derived from any public assistance program. All Rural Development housing programs operate under the Fair Housing Act provision, including Section 502 Rural Housing Loans, Section 504 Rural Loans

and Grants, rural rental housing loans to individuals and organizations, technical assistance grants, community facility loans for housing purposes, (i.e., retirement homes, group homes), Housing Preservation Grants, and all other Rural Development programs that provide housing assistance.

The U.S. Department of Agriculture Office of Civil Rights provides leadership and direction for the fair and equitable treatment of all USDA customers and employees while ensuring the delivery of quality programs and enforcement of civil rights. It ensures compliance with applicable laws, regulations, and policies for USDA customers and employees.

USDA Office of Civil Rights received 90 housing program complaints in the fiscal years 2008 and 110 complaints in 2007:

Program (FY 2008)	Number	Percent %
Multifamily Housing (Rental Housing/Apartment)	50	56%
Single-Family Housing	40	44%
Totals	90	100%
Program (FY 2007)	Number	Percent %
Multifamily Housing (Rental Housing/Apartment)	77	70%
Single-Family Housing	33	30%
Totals	110	100%

Continued page 25



HUD OFFICE OF FAIR HOUSING AND EQUAL OPPORTUNITY

By John Trasviña, Assistant Secretary of Fair Housing and Equal Opportunity

The responsibilities of the U.S. Department of Housing and Urban Development (HUD) stretch from coast to coast, in rural as well as urban America. The Obama Administration is committed to serious action to raise the housing and living conditions of all Americans. Some of the greatest challenges in rural communities are too often ignored because they are not at the center of media attention.

America's rural communities have undergone unprecedented change over the last 20 years. Once sparsely populated centers of agricultural activity, they now are home to more than 56 million people who comprise a collage of races, nationalities, and ethnic groups. And while this unprecedented mix of cultures, languages, and religions have reversed a continued trend of population loss in many communities, we at HUD are mindful that tensions can be stirred, leading to housing discrimination.

With the recent election of the first African-American president, it would be easy to assume that the nation has progressed beyond the bigotry and hatred that fuels housing discrimination, but complaints filed with HUD tell us that it still occurs. And even though today's discrimination tends to be less blatant than it was in years past, the effect is the same: someone is denied the housing of their choice.

The unlawful denial of housing opportunities is what drives HUD's efforts to enforce the Fair Housing Act, which

makes it illegal to discriminate in housing transactions based on a person's race, color, national origin, religion, sex, familial status, or disability. Equally important is that the Fair Housing Act applies to all housing, whether located in the nation's most populated urban centers or in the most remote rural areas of the country.

In 1997 HUD developed an agreement with the Department of Agriculture to work together to address housing discrimination and promote fair housing in rural areas. This partnership serves residents in rural communities through education about their rights and responsibilities under the law. The partnership also enforces the laws, including those that obligate communities receiving federal HUD funds to affirmatively further fair housing.

Meaningful action to combat rural poverty or housing discrimination cannot be achieved by a simple edict from Washington, DC. Solutions that work in Elroy, Wisconsin, for instance, may not work in Elba, Alabama. Solutions that work for a New England fishing village may not work in a small Colorado community.

HUD's Rural Housing and Economic Development Gateway project, a national information clearinghouse, connects rural organizations with information, technical assistance, training, and investment capital to help them preserve affordable housing, and establish essential

Continued page 24



infrastructure. The clearinghouse also focuses on developing the capacity of local leaders in nonprofit organizations to develop strategies that address the needs of their communities, and responds to calls from individuals who believe they have experienced discrimination.

In addition, HUD's \$16.8 million Rural Housing and Economic Development Program (RHED) is helping to build the capacity of state and local organizations to conduct innovative housing and economic development activities. Another \$26 million in RHED funds will be awarded by September 2009, including money to support economic development and entrepreneurial activities for federally recognized Indian tribes.

Two of the current RHED projects are already making a difference in their communities. In Crowley, Louisiana, Seventh District Pavilion, Inc., is constructing affordable homes, thanks to a \$300,000 RHED grant. And in San Luis, Arizona, Comite de Bien Estar is using a \$300,000 RHED grant to provide financial literacy training and help individuals living in Colonias, unincorporated rural communities along the U.S.-Mexico border, achieve self-sufficiency and homeownership.

Other Colonias activities are also underway. HUD's Southwest Border Colonias and Migrant/Farmworker Initiative includes several programs that assist distressed communities by addressing their respective needs, and the Federal Interagency Legal Working Group is helping local organizations address a range of legal issues, including discrimination, predatory lending, and illegal land sales.

Finally, HUD has requested \$25 million as part of its 2010 budget request to create a new Rural Innovation Fund

that will advance the development of affordable housing, facilitate the creation of economic development programs, and support cutting-edge approaches to addressing rural housing distress and community poverty.

At the same time, HUD is committed to ensuring that minorities, including those living in rural communities, are not subjected to unfair lending practices.

We are also working to protect the rights of persons with disabilities. While one out of five individuals in the nation has some type of physical disability, they continue to face discrimination and a critical shortage of accessible housing. America cannot afford to have two sets of rules: one for persons with disabilities and one for persons without.

In addition, as part of our efforts to meet the needs of people who speak English as a second language, HUD has issued guidance to help ensure that they obtain equal access to HUD programs, services, and activities.

All of these efforts are helping America's rural areas become thriving communities, where everyone has the same opportunity to pursue their dreams, regardless of how they look, where they come from, what religion they practice, or whether they have a family or a disability.

At a time when America's rural communities are facing some of the toughest challenges they have ever faced, HUD remains vigilant in its commitment to improving the lives of the families who call these areas home. 

~John Trasviña is the Assistant Secretary for Fair Housing and Equal Opportunity. The Office of Fair Housing and Equal Opportunity administers and enforces federal fair housing laws and establishes policies that make sure all Americans have equal access to the housing of their choice.

Reaching Our Goal

Complete elimination of discrimination in its housing programs is USDA's goal. To discourage any type of unfair housing practices, fair housing posters are displayed in all USDA Rural Development agency state offices, area/local offices, and national offices. Notices are also posted in business offices and construction sites of all new single-family housing subdivisions, where all dwellings are sold, construction sites of new multifamily housing projects, and the business offices of existing multifamily housing projects. USDA also requires that fair housing posters be displayed at the offices of real estate brokers, auctioneers, and dealer contractors doing business with USDA under rural housing programs. The fair housing logotype sticker may also be displayed at inventory properties, in the business office for nursing homes, group homes, retirement homes, boarding homes, residential care and detoxification facilities, and other facilities financed under Rural Development's community facilities program.

The USDA housing program discrimination complaint process has three stages: intake, investigation, and adjudication. At the intake stage, the Office of Civil Rights Adjudication and Compliance determines whether your complaint meets the legal requirements to be accepted for processing. If your complaint is not accepted for processing, you will receive a letter notifying you why your complaint was not accepted and your complaint will be dismissed. If your

complaint is accepted for processing, the same office will send you a letter of notification of acceptance that states the issues that will be investigated. The case will then be sent to the next stage - investigation.

An investigator will be assigned to the complaint during the investigation stage. Sworn statements and documents relating to the issues in the complaint will be obtained from all involved individuals. After the complaint is investigated, a Report of Investigation is prepared and the complaint is sent to the next stage - adjudication.

During the adjudication stage, the Office of Adjudication reviews the Report of Investigation and performs a legal and factual analysis of the complaint to determine whether discrimination occurred. If discrimination is found, an attempt will be made to settle the complaint or take other corrective action as appropriate. If no discrimination is found, the complaint is closed.

Aggrieved persons may file complaints with the Secretary by writing to USDA, Director, Civil Rights Office of Adjudication and Compliance, Whitten Building, Room 326-W, 14th and Independence Avenue, SW, Washington, DC 20250.

~Agriculture Secretary Tom Vilsack swore in Dr. Joe Leonard, Jr., as Assistant Secretary for Civil Rights on April 6, 2009. The Office of the Assistant Secretary for Civil Rights ensures compliance with applicable laws, regulations, and policies for USDA customers and employees.



RURAL VOICES

ruralvoices@ruralhome.org

Statements made in *Rural Voices* are the opinions of the authors of the individual articles, not of the Housing Assistance Council. Subscriptions to *Rural Voices* are free, only one free copy per organization. Additional subscriptions cost \$16.00 per year. Single copies and back issues are \$4. Material may be reproduced without permission, but *Rural Voices* should be credited.

The Housing Assistance Council (HAC) is a national nonprofit corporation founded in 1971 and dedicated to increasing the availability of decent housing for low-income people in rural areas. HAC strives to accomplish its goals through providing loans, technical assistance, training, research and information to local producers of affordable rural housing. HAC maintains a revolving fund providing vital loans at below-market interest rates to rural housing developers. Developers can use these funds for site acquisition, development, rehabilitation or new construction of rural, low- and very low-income housing. HAC has a highly qualified staff of housing specialists who provide valuable training and technical assistance, and research and information associates who provide program and policy analysis and evaluation plus research and information services to nonprofit, public, and for-profit organizations. HAC is an equal opportunity lender.

EDITORS: Theresa Singleton, Kathryn Lloyd, and John Covert

DESIGNER: Janice Clark

ISSN: 1903-8044

HOUSING ASSISTANCE COUNCIL

NATIONAL OFFICE

1025 Vermont Avenue, NW, Ste. 606
Washington, DC 20005
TEL 202-842-8600
FAX 202-347-3441
E-MAIL hac@ruralhome.org

MIDWEST OFFICE

10920 Ambassador Drive, Ste. 220
Kansas City, MO 64153
TEL 816-880-0400
FAX 816-880-0500
E-MAIL midwest@ruralhome.org

SOUTHEAST OFFICE

600 W. Peachtree St., NW, Ste. 1500
Atlanta, GA 30308
TEL 404-892-4824
FAX 404-892-1204
E-MAIL southeast@ruralhome.org

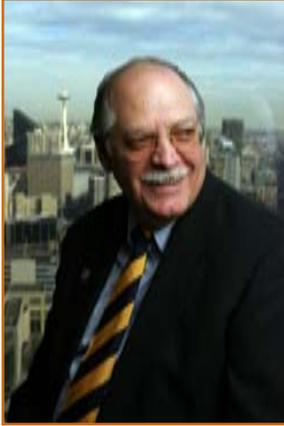
SOUTHWEST OFFICE

3939 San Pedro, NE, Ste. 7-C
Albuquerque, NM 87110
TEL 505-883-1003
FAX 505-883-1005
E-MAIL southwest@ruralhome.org

WESTERN OFFICE

717 K Street, Suite 404,
Sacramento, CA 95814
Tel.: 916-706-1836
Fax: 916-706-1849
E-MAIL western@ruralhome.org

www.ruralhome.org



ONE PERSON'S CONNECTIONS WITH THE HOUSING ACT OF 1949

By Kim Herman

The Housing Act of 1949 was 20 years old when I started my career in rural housing in 1969. Looking back, I was not even aware of the Act until several years after I started work in Warrenton, Virginia, with the Fauquier Community Action Agency as a rural housing specialist. My title was quite a misnomer since I did not know anything about rural housing at the time. My first real challenge was to find out all I could about the resources available to develop affordable housing for low-income rural families.

My boss, Herb Guerrant, pointed me towards the programs of the Farmers Home Administration (FmHA), and without knowing it, I began a lifelong relationship with the Housing Act of 1949. While urban renewal (Title I), broader Federal Housing Administration (FHA) mortgage insurance (Title II), and expanded public housing (Title III), were the more commonly known sections of the Act, Title V allowed FmHA to grant mortgages to encourage the purchase or repair of rural single-family homes. Thus, the first program I used in my housing career had its roots in the 1949 Act.

Not long into my job I attended a rural housing conference in Breakneck, New York, sponsored by the Rural Housing Alliance (RHA) and a smaller meeting at the Bluestone Reservoir in West Virginia. These gave me the actual training necessary to build five single-family homes for low-income families in Fauquier County financed by FmHA.

The conferences also introduced me to the RHA network, which led to 40 years of work and travel across the nation visiting rural and urban housing programs which were outgrowths of the 1949 Act.

Looking back over my career, I can easily pick out some of the highlights that intersected with the Act, starting with my two years in Virginia. My experience in Warrenton led to work with self-help housing projects stretching from Florida to California, and from Mississippi to Wisconsin, all of which were directly related to FmHA's original mortgage authority. I have lost count of the number of self-help housing projects I visited in more than half the states in the nation over the years. For all their diversity and uniqueness, the common thread is that every house built is a new beginning for a low-income, rural family.

My next connection with the 1949 Act was getting involved with rental housing, specifically for farmworkers using the 514/516 programs of FmHA, and then rural rental housing for seniors and other rural families using the 515 program (all of which were add-ons to FmHA's authority). As more organizations tried to address rural housing needs, they recognized that affordable rental housing was needed for those rural families who could not afford to buy a home, even with the savings provided by self-help and other FmHA subsidy programs.

Work on rental housing allowed me to see a different set of projects that included newly constructed apartments

for farmworkers in Oregon and many other states, and remodeled schools housing families in Delaware. I also visited small, senior projects that dotted the landscape of Nebraska, and Japanese internment housing made with Redwood studs during WWII, which were remodeled into affordable apartments in California. Again, the common thread was affordable housing for rural residents of all ages and incomes.

In 1979 I returned to my hometown of Spokane, Washington, to work for the Region X office of HUD directing a Carter Administration Initiative to make HUD programs work better in rural areas. As a result, I found myself using three programs that had direct connections to the Act: the Community Development Block Grant (CDBG) program, developed during the Nixon years as a successor to the urban renewal programs of the 1950s and 1960s; Section 8 New Construction, also a Nixon program to build subsidized rental housing; and FHA single-family mortgage insurance programs. We used these programs to rehabilitate single-family homes, finance small apartment projects and make FHA loans in selected rural communities along the Washington-Idaho border.



Programs rooted in the Housing Act of 1949, such as the mutual self-help housing program of Southern Maryland Tri-County CAC, continue to provide decent and affordable housing for low- and moderate-income families.

When I became the Director of the Yakima Housing Authority in 1981, my connections with the Act continued again through the operation of public housing units, which the Act supported by creating 810,000 new public housing units over 20 years. We also used the CDBG program to develop infrastructure for our developments and intersected with the HUD relocation requirements, which were an outcome of the disenchantment with urban renewal programs in inner cities that failed to protect families that were moved out of urban renewal areas.

My odyssey through the programs which descended from the 1949 Act continued during a stint in Portland, Oregon, managing a single-family home rehabilitation program before my arrival as director of the Washington State Housing Finance Commission in 1984. At the Commission, we use FHA insurance along with Fannie Mae and Freddie Mac guarantees to credit enhance our tax-exempt bond issues, and we administer the Low Income Housing Tax Credit program, all with roots stretching back to the 1949 Act. So now, 60 years later, Washington State alone has used programs with roots from the 1949 Act to finance more than 130,000 units of affordable housing.

Looking back over my 40 year career in affordable housing, ranging from self-help housing to the Tax Credit program, I am convinced that the Housing Act of 1949 had a profound impact on the ability of American families to find decent and affordable shelter. While we have not yet solved the affordable housing problems in our nation, it is clear that we are much better off because of the Act than we would have been without it. Not only did it provide a base for many of the programs we still use today, it has provided literally millions of affordable homes for families across the country, and certainly improved the lives of those of us who became adults after its passage. 🏠

~Kim Herman is the Executive Director of the Washington State Housing Finance Commission. Kim has held various appointments with housing and community development agencies and is a member of several national and regional advisory boards and councils.

Support Rural Voices



Rural Voices
SUBSCRIPTION FORM

NAME _____

ORGANIZATION _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

PHONE _____

Check or money order enclosed.

Please bill my credit card:

Visa MasterCard American Express

CREDIT CARD NUMBER _____

EXPIRATION DATE _____

AUTHORIZED SIGNATURE _____

Single copies and back issues are available for \$4 each.

Subscriptions Are Free

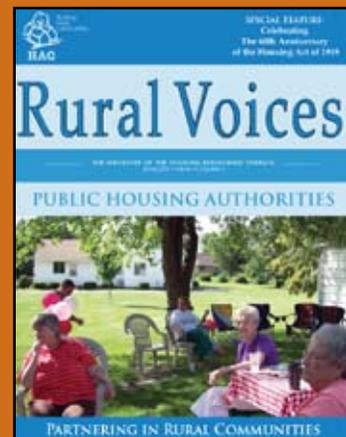
Only one free subscription per organization.

Each additional one-year subscription costs \$16.

Make your check or money order payable to:

Housing Assistance Council
1025 Vermont Avenue, NW
Suite 606
Washington, DC 20005

Or to order with a credit card call
202-842-8600.



HAC

HOUSING ASSISTANCE COUNCIL
1025 VERMONT AVENUE, NW
SUITE 606
WASHINGTON, DC 20005

DELIVER TO

