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**HOUSING DISCRIMINATION HIGH IN HAMPTON ROADS  
ACCORDING TO INVESTIGATIVE AUDIT**

*Year-long fair housing audit by Housing Opportunities Made Equal shows increased number of discrimination and illegal barrier problems*

**RICHMOND, VA and PORTSMOUTH, VA – October 8, 2008** – Housing Opportunities Made Equal of Virginia, Inc. (HOME) today released its findings of a fair housing audit conducted over the past year. The audit, which evaluated treatment in the search for housing based on race, disability, and families with children, found that all seven cities in the Hampton Roads area had high levels of racial discrimination and barriers to access for people with disabilities..

Testing was conducted in a controlled investigation in which individuals with specific, similar profiles inquired about the availability of a housing unit and documented the treatment and answers received. The findings of this audit identified the existence or application of various policies or practices which revealed discrimination and inequality of treatment based on the tester’s race, disability, and familial status.

A total of 165 tests conducted from March 2007 to August 2008 revealed discriminatory housing practices in all seven cities of the Hampton Roads region.

“It has been 140 years since discrimination on the basis of race was made illegal, and 40 years since the passage of the Fair Housing Act. Discrimination against people with disabilities has been against the law for 20 years. Yet discrimination continues unabated,” said Connie Chamberlin, President and CEO of HOME. “We should all be appalled at the continuing high level of discrimination and lack of compliance with the fair housing laws. Not only does it keep people from access to housing to which they are entitled, it damages the entire community.”

The federal Fair Housing Act, which was enacted in 1968 and amended in 1988, prohibits discrimination by providers of housing and housing-related services such as landlords, property management and real estate companies, municipalities, lending institutions and homeowners insurance companies whose discriminatory practices make housing unavailable, or available at different terms, to persons because of race, color, religion, sex, national origin, familial status, or disability. The Virginia Fair Housing Law contains the same provisions and also protects persons age 55 or older.

Based on HOME’s recent investigative audit, housing discrimination on the basis of race has actually increased since 2001. In a similar audit completed in 2001 and released in 2002, HOME found that 60% of black testers were treated less favorably than whites. In 2008, 66% of black testers were treated less

favorably than whites. In both audits the level of non-compliance with the accessibility requirements of the fair housing laws was high: 88% in 2008, down slightly from 96% in 2001.

“Housing discrimination strikes at the heart of the American dream and the American promise,” said Chamberlin. “It goes against HOME’s core mission to ensure equal access to housing, denies individuals and families the right to live where they choose, and undermines the ability of communities to grow and prosper.”

The following highlights the findings from the audit:

### **Race**

HOME conducted fifty matched pair tests to evaluate treatment based on race. Two similarly qualified individuals, one Caucasian and one African-American, visited the same site within a short period of time and asked for similar units. The testing was conducted in predominantly white neighborhoods with rents that ranged from \$575 to \$2,800 per month. Of these sites, at least 36 were professionally managed or represented by real estate agents. The sites were selected from newspapers, apartment guides, internet advertising, and “For Rent” signs.

In 66% of the tests, the white tester received more favorable treatment than the black tester. Differences in treatment that favored the white testers included lower rents, security deposits and fees; offers to waive fees for the white testers but not for the black testers; white testers told about more available units and earlier availability; offers to show units to white testers but not to black testers; asking black testers for identification in order to view units, but showing the white testers units without asking for identification; differing requirements for waiting lists; and follow up calls made to white testers, but not to black testers. In 6% of the tests, the black testers received more favorable treatment. Only 28% showed similar treatment for both testers.

### **People with Disabilities**

In 1988 the federal Fair Housing Act was amended to require that most types of new multi-family housing be accessible to people with disabilities, to protect people with disabilities from discrimination, and to require housing providers to permit reasonable modifications to the structure of the unit and make reasonable accommodations in their policies and procedures if necessary for someone with a disability to use and enjoy the unit. The audit showed that people with disabilities who needed housing faced barriers because of the lack of accessible design features in new multi-family construction as well as the unwillingness of landlords to permit required reasonable modifications and accommodations. Visiting sites that were constructed between 2006 and 2008, testers found that 88% of the sites had design and construction problems that failed to meet accessibility requirements. Of that number, 72% had three or more areas of non-compliance and 36% had four or more areas that were non-compliant. These non-compliant sites represent over 4,000 units in communities that were less accessible than required by law.

Accessibility compliance problems included deficiencies in common areas such as mailboxes, trash facilities, and amenities (64%); level changes such as steps, thresholds and exterior drops (52%); lack of reinforced walls and inadequate space in bathrooms; parking areas with incorrectly configured parking and lack of curb cuts (48%); environmental controls placed incorrectly (40%); and insufficient clear space in kitchens (20%).

Of testers asking for a reasonable accommodation based on the need for a service animal, 76% were rejected, discouraged or additional fees were imposed. Specifically, 40% of the testers were rejected or discouraged outright, while 36% had illegal fees imposed, such as a pet deposit and/or additional rent.

To determine whether or not a housing provider would permit a reasonable modification to the unit needed by someone with a disability, testers asked the housing provider if it would be all right for them to install a grab bar in the bathroom. Four percent of the requests were rejected outright and 16% were discouraged by the housing provider talking about difficulties of installation and requiring (illegally) future removal of the grab bars.

A portion of the research work related to accessibility was completed through a Partnership Initiative with the Virginia Department of Professional and Occupational Regulation, with funding from the United States Department of Housing and Urban Development.

### **Families with children**

The fair housing laws protect families with children under 18 from discrimination, and require housing providers to make available to them all housing for which they would qualify, using two persons per bedroom as an occupancy standard, all other things being equal. In testing for familial status, 85% of the testers were treated appropriately and told that families would be accepted based on a 2 person or more per bedroom occupancy standard. However, 15% of the testers were discouraged from renting altogether based on statements of unsuitability for children, no place to play, new house, and yard not fenced.

### **Housing Choice Vouchers**

While acceptance of Housing Choice Vouchers is not required under the fair housing laws, whether or not someone with a voucher can find housing is an important question with substantial bearing on public policy. The Housing Choice Voucher program was intended to ensure that people who qualified for Housing Choice Vouchers had housing choices that included access to good neighborhoods with good schools and access to good jobs. HOME investigated whether or not housing providers would accept vouchers if the applicant otherwise qualified for the unit. The answer was a resounding “no”. 85% of landlords refused to accept the voucher.

### **Impact and next steps**

A healthy community relies on the full economic and social participation of all of its members. If people are denied the housing to which they are legally entitled, they will not be able to build wealth, educate their children, or provide the security for their families that is essential to success. The level of discrimination revealed in this study indicates that many residents of the Hampton Roads community are being denied the housing to which they are entitled. This is a problem that affects the entire community, and that must be addressed. For forty years, education and training for the housing industry has emphasized the fact that discrimination on the basis of race is illegal; for the past twenty years extensive training has been provided about accessibility requirements and fair treatment for people with disabilities and families with children. While there have been improvements in the treatment of people with disabilities and families with children, there are still major problems, and treatment of African-Americans has gotten worse. Effective enforcement of the fair housing laws is essential to guarantee all residents of Hampton Roads the protection of the laws to which they are entitled.

HOME encourages consumers, housing professionals, and city officials to recognize unfair treatment, to be better informed, and to stand up against illegal housing discrimination. When we stand up against inequalities, we stand up for a better, healthier, and more livable community for all of us.

### **About Housing Opportunities Made Equal of Virginia**

Housing Opportunities Made Equal of Virginia, Inc. (HOME) was founded in 1971 to ensure equal access to housing for all people. To ensure equal access to housing, HOME also focuses on issues such as lowering the mortgage default rate, decreasing concentrations of poverty, eliminating the ethnic and racial disparities in homeownership rates, increasing the availability of affordable housing and desegregating housing patterns. HOME is approved as a Fair Housing School by the Virginia Real Estate Board and the Virginia Fair Housing Board, conducts professional training for industry groups such as the Virginia Association of Realtors and the Virginia Apartment Managers' Association, and provides assistance to local governments in planning for housing access. For more information about HOME, and to review the results of the earlier 2002 fair housing audit report on the Hampton Roads area, visit [www.phonehome.org](http://www.phonehome.org).

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