

6.0 Evaluation of Current Fair Housing Profile

This chapter provides an overview of the institutional structure of the housing industry in governing fair housing practices of its members. Fair housing services available to residents in Los Angeles Urban County and recent fair housing complaints, violations, and suits to determine trends throughout the Urban County are assessed.

Fair Housing Practices in the Ownership Market

On December 5, 1996, HUD and the National Association of Realtors (NAR) entered into a Fair Housing Partnership. Article VII of the HUD/NAR Fair Housing Partnership Resolution provides that HUD and NAR develop a Model Affirmative Fair Housing Marketing Plan for use by members of the NAR to satisfy HUD's Affirmative Fair Housing Marketing regulations. Yet there is still much room for discrimination in the housing market.

The Homeownership Process

One of the main challenges in owning a home versus renting a home is the process. Buying a house takes considerably more time and effort than finding a home to rent. The major legal and financial implications surrounding the process also intimidate potential buyers. Typically, people are overwhelmed by the unique terminology, number of steps required, and financial considerations involved. The process is costly and fair housing issues may surface at any time during this process.

Advertising

The first thing a potential buyer is likely to do when they consider buying a home is search advertisements either in magazines, newspapers, or the Internet to get a feel for what the market offers. Language in advertising has recently become an issue within the realm of real estate. Advertisements cannot include discriminatory references such as the use of words describing:

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As a reminder for agents to choose words carefully, the Multiple Listing Service (MLS) now prompts a fair housing message when a new listing is being added.

- current or potential residents;
- the neighbors or the neighborhood in racial or ethnic terms;
- adults preferred;
- perfect for empty nesters;
- conveniently located by a Catholic Church; or
- ideal for married couples without kids.

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Participants of the AI community workshops indicated for-sale signs and flyers in certain neighborhoods are often in non-English language.

Participants of the community workshops conducted as part of this AI indicated that for-sale ads in certain neighborhoods are often printed in non-English language, making some potential buyers feel unwelcome. While real estate advertising can be published in other languages, by law an English version of the ad must also be published. However, monitoring of this requirement is difficult.

Even the use of models in ads has been questioned, based on the idea that it appears to appeal to a certain race. Additionally, selecting media or locations for advertising that deny information on listings to certain segments of the housing market may also be considered discriminatory. Even if an agent does not intend to discriminate in an ad, it would still be considered a violation to suggest to a reader whether or not a particular group is preferred.

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While studies suggest that electronic underwriting is less biased than human underwriting, a class action suit filed against Fannie Mae argues that it is discriminatory.

Recent litigation has also set precedence for violations in advertisements that hold publishers, newspapers, Multiple Listing Services, real estate agents, and brokers accountable for discriminatory ads.

The argument is that the complex formulas used do not take into consideration cultural differences in banking and credit use (i.e. immigrants may avoid traditional financial institutions).

Lending

Initially, buyers must find a lender that will qualify them for a loan. This part of the process entails an application, credit check, ability to repay, amount eligible for, choosing the type and terms of the loan, etc. Applicants are requested to provide a lot of sensitive information including their gender, ethnicity, income level, age, and familial status. Most of this information is used for reporting purposes required of lenders by the Community Reinvestment Act (CRA) and the Home Mortgage Disclosure Act (HMDA); however, it does not guarantee that individual loan officers or underwriters will not misuse the information.

A report on mortgage lending discrimination by the Urban Land Institute illustrates four basic stages in which discrimination can occur:

- advertising/outreach
- pre-application inquiries
- loan approval/denial and terms/conditions
- loan administration

A number of different individuals take part in the various stages of this process and any of them may potentially discriminate. Further areas of potential discrimination include: differences in the level of encouragement, financial assistance, types of loans recommended, amount of downpayment required, and level of customer service provided.

Muslims face a unique impediment in the homebuying process. Muslim teachings prohibit the payment of interest, thereby preventing many Muslims from obtaining home mortgage loans. Given the large Muslim population in the Urban County, conventional loan structures may be an impediment that must be overcome for many Muslims.

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Muslim teachings prohibit the payment of interests, presenting an impediment for many in obtaining financing for the purchase of a home. Fannie Mae has invested in programs to assist American-Muslims.

Appraisals

Banks order appraisal reports to determine whether or not a property is worth the amount of the loan they will be giving. Generally speaking, appraisals are based on the comparable sales of properties surrounding the neighborhood of the property being appraised. Other factors are taken into consideration, such as the age of the structure, any improvements made, location, etc. Some neighborhoods with higher concentrations of minorities may appraise lower than like properties in neighborhoods with lower concentrations. Unfortunately, this practice is geared toward a neighborhood not an applicant and therefore, is not a direct violation of fair housing law that can easily be addressed. One effect of this practice, however, is that it tends to keep property values lower in a given neighborhood, thereby restricting the amount of equity and capital available to those residents. Individual appraisers are the ones making the decisions on the amounts, thus there is room for flexibility in the numbers. As each appraiser is individually licensed, similar to real estate agents, they risk losing their license for unfair practices.

Real Estate Agents

Finding a realtor is normally the next step, which can be done by looking in newspapers, searching the Internet, and primarily through referrals. The agent will find the potential buyer a home that fits their needs, desires, and budget based on the amount they are qualified for by the lender.

Realtors may act as agents of discrimination. Some unintentionally, or possibly intentionally, may steer the potential buyer to particular neighborhoods by encouraging the buyer to look into certain areas; others may choose not to show the buyer all choices available. Agents may also discriminate by who they agree to represent, who they turn away, and the comments they make about their clients.

The California Association of Realtors (CAR) has included language on many standard forms disclosing fair housing laws to those involved. Many Realtor Associations also host fair housing trainings/seminars to educate members on the provisions and liabilities of fair housing laws, and the Equal Opportunity Housing Symbol is also printed on all CAR forms as a reminder.

Sellers

A seller may not want to sell his/her house to certain purchasers based on classification biases protected by Fair Housing Laws, or they may want to accept offers only from a preferred group. Often times, sellers are home when agents show the properties to potential buyers and they may develop certain biases based upon this contact. The Residential Listing Agreement and Seller's Advisory forms that seller's must sign to disclose their understanding of fair housing laws and practice of nondiscrimination. Yet, enforcement is difficult, because a seller may have multiple offers and choose one based on bias.

Covenants, Conditions, and Restrictions (CC&Rs)

In the past, Covenants, Conditions, and Restrictions (CC&Rs) were used to exclude certain groups such as minorities from equal access to housing in a community. Today, the California Department of Real Estate reviews CC&Rs for all subdivisions of five or more lots, or condominiums of five or more units. This review is authorized by the Subdivided Lands Act and mandated by the Business Professions Code, Section 11000. The review includes a wide range of issues, including compliance with fair housing laws.

The review must be completed and approved before the Department of Real Estate will issue a final subdivision public report. This report is required before a real estate broker can sell the units, and each prospective buyer must be issued a copy of the report. If the CC&Rs are not approved, the Department of Real Estate will issue a "deficiency notice," requiring the real estate broker to revise the CC&Rs.

Communities with old subdivisions or condominium developments may still contain CC&Rs that do not comply with the fair housing law. However, provisions in the CC&Rs that violate the fair housing law are not enforceable.

Insurance

Insurance agents are provided with underwriting guidelines for the companies they work for to determine whether or not a company will sell insurance to a particular applicant. Currently, underwriting guidelines are not public information; however, consumers have begun to seek access to these underwriting guidelines to learn if certain companies have discriminatory policies. Some states are being more responsive than others to this demand and have recently begun to require companies file the underwriting guidelines with the state department of insurance, which would then make the information public. Texas is one state that has mandated this reporting and its office has made some significant findings regarding discriminatory insurance underwriting guidelines.

Many insurance companies have applied strict guidelines, such as not insuring older homes, that disproportionately affect lower income and minority households that can only afford to buy in older neighborhoods. A California Department of Insurance (CDI) survey found that less than one percent of the homeowners insurance available in California is currently offered free from tight restrictions. The CDI has also found that many urban areas are underserved by insurance agencies.

The California Organized Investment Network (COIN) is a collaboration of the California Department of Insurance, the insurance industry, community economic development organizations, and community advocates. This collaboration was formed in 1996 at the request of the insurance industry as an alternative to state legislation that would have required insurance companies to invest in underserved communities, similar to the federal Community Reinvestment Act (CRA) that applies to the banking industry. COIN is a voluntary program that facilitates insurance industry investments, which provide profitable returns to investors, and economic and social benefits to underserved communities.

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"Linguistic profiling- whereby persons are treated differently based on a racially or ethnically identifiable voice - is an increasing phenomenon in many types of housing transactions, [including insurance agency representatives that do not provide return phone calls regarding rate quotes]."

-- National Fair Housing Alliance

The California Fair Access to Insurance Requirements (FAIR) Plan was created by the Legislature in 1968 after the brush fires and riots of the 1960's made it difficult for some people to purchase fire insurance due to hazards beyond their control. The FAIR Plan is designed to make property insurance more readily available to people who have difficulty obtaining it from private insurers because their property is considered "high risk."

Credit and FICO Scores

Credit history is one of the most important factors in obtaining a home purchase loan. Credit scores determine loan approval, interest rates associated with the loan, as well as the type of loan an applicant will be given. Applicants with high credit scores are generally given conventional loans, while lower and moderate range scores revert to FHA or other government-backed loans. Applicants with lower scores also receive higher interest rates on the loans as a result of being perceived as a higher risk to the lender, and may even be required to pay points depending on the type of lending institution used.

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Excessive credit inquiries often lower a person's credit score. According to the Housing Rights Center, this is one of key reasons why full application testing of discrimination is difficult to perform and rarely used, since it affects the testers' credit score.

Fair Isaac and Company (FICO), which is the company used by the Experian (formerly TRW) credit bureau to calculate credit scores, has set the standard for the scoring of credit history. Trans-Union and Equifax are two other credit bureaus that also provide credit scores, though they are typically used to a lesser degree.

In short, points are awarded or deducted based on certain items such as how long one has had credit cards, whether one makes payments on time, if credit balances are near maximum, etc. Typically, the scores range from the 300s to around 850, with higher scores demonstrating lower risk. Lower credit scores require a more thorough review than higher scores and mortgage lenders will often not even consider a score below 600.

FICO scores became more heavily relied on by lenders when studies conducted show that borrowers with scores above 680 almost always make payments on time, while borrowers with scores below 600 seemed fairly certain to develop problems. Credit scores also made it easier to develop computer programs (electronic underwriting) that can make a "yes" decision for loans that should obviously be approved. Some of the factors that affect a FICO score are:

- Delinquencies
- New accounts (opened within the last twelve months)
- Length of credit history (a longer history of established credit is better than a short history)
- Balances on revolving credit accounts
- Public records, such as tax liens, judgments, or bankruptcies

- Credit card balances
- Number of inquiries
- Number and types of revolving accounts

There has been some debate recently regarding the accuracy of the credit scoring software used by lenders. In particular, the *Los Angeles Times Real Estate* section has featured articles suggesting the Next Gen software model, designed by Fair Isaac & Company, is not being used by lenders due to cost even though it is a more fair and accurate version.¹ The new model is said to increase scores by 50 to 100 points and has been on the market for about two years.

National Association of Realtors (NAR)

The National Association of Realtors (NAR) has developed a Fair Housing Program to provide resources and guidance to Realtors in ensuring equal professional services for all people. The term Realtor identifies a licensed professional in real estate who is a member of the NAR; however, not all licensed real estate brokers and salespersons are members of the NAR.

Code of Ethics

Article 10 of the NAR Code of Ethics provides that “Realtors shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, or national origin. Realtors shall not be a party to any plan or agreement to discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status, or national origin.”

A Realtor pledges to conduct business in keeping with the spirit and letter of the Code of Ethics. Article 10 imposes obligations upon Realtors and is also a firm statement of support for equal opportunity in housing. A Realtor who suspects discrimination is instructed to call the local Board of Realtors. Local Boards of Realtors will accept complaints alleging violations of the Code of Ethics filed by a home seeker who alleges discriminatory treatment in the availability, purchase or rental of housing. Local Boards of Realtors have a responsibility to enforce the Code of Ethics through professional standards procedures and corrective action in cases where a violation of the Code of Ethics is proven to have occurred.

¹ Kenneth Harney, *Los Angeles Times Real Estate* section, November 24, 2002, page K10 and December 1, 2002, page K6

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An agent practicing within the Twenty-nine Palms area recently made a comment about his "salt and pepper" clients that has ended up in the U.S. Supreme Court and is likely to set precedence on whether a broker should be held responsible for his/her agent's remarks.

Additionally, Standard of Practice Article 10-1 states that "REALTORS® shall not volunteer information regarding the racial, religious or ethnic composition of any neighborhood and shall not engage in any activity which may result in panic selling. REALTORS® shall not print, display or circulate any statement or advertisement with respect to the selling or renting of a property that indicates any preference, limitations or discrimination based on race, color, religion, sex, handicap, familial status, or national origin."

Realtor Fair Housing Declaration

In accordance with the Code of Ethics, each Realtor signs the following pledge, developed in 1996 as a result of the HUD-NAR agreement.

I agree to:

1. Provide equal professional service without regard to race, color, religion, sex, handicap, familial status, or national origin of any prospective client, customer, or of the residents of any community.
2. Keep informed about fair housing law and practices, improving my clients' and customers' opportunities and my business.
3. Develop advertising that indicates that everyone is welcome and no one is excluded, expanding my client's and customer's opportunities to see, buy, or lease property.
4. Inform my clients and customers about their rights and responsibilities under the Fair Housing Laws by providing brochures and other information.
5. Document my efforts to provide professional service, which will assist me in becoming a more responsive and successful Realtor.
6. Refuse to tolerate non-compliance.
7. Learn about those who are different from me, and celebrate those differences.
8. Take a positive approach to fair housing practices and aspire to follow the spirit as well as the letter of the law.
9. Develop and implement fair housing practices for my firm to carry out the spirit of this declaration.

To continue the efforts to ensure equal and professional services, NAR now requires mandatory Code of Ethics instruction for all Realtor members based on the following schedule:

- Continuing members must complete the instruction within the time frame of January 1, 2001 to December 31, 2004, and every 4 years thereafter.
- New members must complete the instruction within 90 days after submitting the application for membership to NAR.

Diversity Certification

NAR has created a diversity certification, "At Home with Diversity: One America" to be granted to licensed real estate professionals who meet eligibility requirements and complete the NAR "At Home with Diversity" course. The certification will signal to customers that the real estate professional has been trained on working with diversity in today's real estate markets. The coursework provides valuable business planning tools to assist real estate professionals in reaching out and marketing to a diverse housing market. The NAR course focuses on diversity awareness, building cross-cultural skills, and developing a business diversity plan. In July 1999, the NAR Diversity Program received the HUD "Best Practices" award.

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A recent study of Latino Homebuyers indicates that 65% of potential homebuyers prefer to conduct the process in Spanish, 78% prefer to work with a Latino real estate agent, and 63% prefer to deal with a Latino lender.

-- Kotkin, Joel and Thomas Tseng, "Rewarding Ambition: Latinos, Housing, and the Future of California," September, 2002.

California Department of Real Estate (DRE)

The California Department of Real Estate (DRE) is the licensing authority for real estate brokers and salespersons. As noted earlier, not all licensed brokers and salespersons are members of the National or California Association of Realtors.



DRE has adopted education requirements that include courses in ethics and in fair housing. To renew a real estate license, each licensee is required to complete 45 hours of continuing education, including three hours in each of the four mandated areas: Agency, Ethics, Trust Fund, and Fair Housing. The fair housing course contains information that will enable an agent to identify and avoid discriminatory practices when providing real estate services to clients.

As of January 1, 1996, a real estate salesperson renewing the license for the first time must complete separate 3-hour courses in Agency, Ethics, Trust Fund Handling, and Fair Housing to qualify for renewal. All licensees, with the exception of those renewing for the first time, are required to complete a full 45 hours of continuing education for each license renewal.

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The DRE has recently initiated a monitoring program for continuing education courses, after learning that a course provider was selling completion certificates without requiring the licensee to actually take the course. It is estimated that hundreds of licensees cheated the system this way, and if caught they will be penalized.

For the initial renewal on or after January 1, 1996, the law requires, as part of the 45 hours of continuing education, completion of four mandatory 3-hour courses in Agency, Ethics, Trust Fund Handling and Fair Housing. These licensees will also be required to complete a minimum of 18 additional hours of courses related to consumer protection. The remaining hours required to fulfill the 45 hours of continuing education may be related to either consumer service or consumer protection, at the option of the licensee.

The DRE requires all licensees to provide proof of continuing education courses with the following two exceptions:

1. An applicant provides proof that he/she is 70 years of age or older
2. An applicant provides proof that he/she has been licensed for 30 consecutive years

In either of these two cases, the DRE will waive the continuing education requirements for license renewal.

California Association of Realtors (CAR)

The California Association of Realtors (CAR) has recently created the position of Equal Opportunity/Cultural Diversity Coordinator. CAR holds three meetings per year for its general membership, and the meetings typically include sessions on fair housing issues. Current outreach efforts in the Southern California area are directed to underserved communities and state-licensed brokers and sales persons who are not members of the CAR.



Realtor Associations Serving Los Angeles

Realtor Associations are generally the first line of contact for real estate agents who need continuing education courses, legal forms, career development, and other daily work necessities. The frequency and availability of courses varies amongst these associations, and local association membership is generally determined by the location of the broker that an agent works for. Complaints involving agents or brokers may be filed with these associations.

Monitoring of services by these associations is difficult as detailed statistics of the education/services the agencies provide or statistical information pertaining to of the members is rarely available.

The following associations serve the areas within and surrounding the County of Los Angeles:

- Pacific West Association of Realtors
- Rancho Southeast
- Downey Association of Realtors Incorporated
- Laguna Board of Realtors
- Orange County Association of Realtors
- Los Angeles Board of Realtors
- Southwest Los Angeles Board of Realtors
- Beverly Hills and Greater Los Angeles Association of Realtors
- Burbank Association of Realtors
- Glendale Association of Realtors
- Inglewood Association of Realtors
- Malibu Association of Realtors
- Montebello District Board of Realtors
- Palos Verdes Peninsula Association of Realtors
- Pasadena Foothills Association of Realtors
- Arcadia Association of Realtors
- South Bay Association of Realtors
- Southland Regional Association of Realtors
- Tri Counties Association of Realtors, Walnut
- West San Gabriel Valley Association of Realtors

Each of the local associations also provides access to various multiple listing services depending on the specific area they serve. For example, Pacific West Association of Realtors uses So Cal MLS, covering Southern California including Los Angeles County, but is not as comprehensive as the Combined Los Angeles/ Westside MLS (CLAW), which is used by the Malibu Association of Realtors. While many brokers have arrangements that allow their agents to access the MLS's used by other associations, the exclusive use of only one MLS limits the properties an agent will find for his/her clients. Occasionally, an agent using a Los Angeles-based MLS for a client who wants to live in Orange County may be perceived as steering because the search only pulls up limited results for that area.

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The accuracy of MLS data is very important, since fair housing violations may occur as individual agents enter sales data. To address this issue, the So Cal MLS monitors data for violations through a hotline and confidential reports by other agents. If a violation is found, So Cal will correct the error and impose fines of various amounts depending on the number of offenses by the same individual within a 12-month period and the general agreement between member associations using the service.

Fair Housing Practices in the Rental Housing Market

A disproportionate number of fair housing complaints are filed by tenants against landlords or property managers. While a potential homebuyer may face discriminatory practices primarily during the process of purchasing a home, a renter may confront housing discrimination not only during the process of renting but throughout the tenancy. Landlord-tenant complaints are handled by the Housing Rights Center (a merger of two separate agencies - the Westside Fair Housing Council and the Fair Housing Council of San Gabriel Valley), Fair Housing Foundation, and the Fair Housing Council of San Fernando Valley for the Urban County.

The Apartment Rental Process

While the process of renting an apartment may be less expensive and burdensome up front than the homebuying process, it may still be just as time-consuming and potential renters may still face discrimination during various stages of the rental process.

Advertising

Like finding a home to purchase, the main sources of information are the classified advertisements in local newspapers, word of mouth, signs, apartment guides, the Internet, and apartment brokers. The same types of discriminatory language previously described under the Homeownership Process may be used by landlords or apartment managers to exclude “undesirable elements.”

Furthermore, Los Angeles County, like most parts of California, is facing a housing crisis and a particular shortage of rental housing. Most rental properties have low vacancy rates and do not require published advertising. Often, vacancy is announced either via word of mouth of existing tenants or a for-rent sign outside the property. Unless one happens to drive by the neighborhood or have friends or families currently residing at the property, one is not likely to obtain information regarding vacancy. Furthermore, this practice tends to intensify segregation of neighborhoods and properties that already have a high concentration of a racial/ethnic group. When advertising is done, no checks-and-balances mechanism exists to ensure English advertising is provided.

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The Housing Rights Center has been investigating seven different rental internet websites, and recently filed litigation against Apartment Hunters for publishing statements such as “no children” and “professional preferred”, etc.

-- National Fair Housing Advocate Online, www.fairhousing.com, November, 2002

Viewing the Unit

Viewing the unit is the most obvious place where the potential renters may encounter discrimination because landlords or managers may discriminate based on race or disability, or judge on appearance whether a potential renter is reliable or may violate any of the rules. For example, there have been cases where Black applicants have tried to view an apartment unit and the landlord refused to answer the door, after looking out the curtain.

Credit Check

Landlords may ask the potential renters to provide credit references, lists of previous addresses and landlords, and employment history/salary. The criteria for tenant selection, if any, are typically not known to those seeking to rent. Many landlords often use credit history as an excuse when trying to exclude certain groups.

The Lease

Most apartments are rented under either a lease agreement or a month-to-month rental agreement. A lease is favorable from a tenant's point of view for two reasons: the tenant is assured the right to live there for a specific period of time and the tenant has an established rent during that period. Most other provisions of a lease protect the landlord. Information written in a lease or rental agreement includes the rental rate, required deposit, length of occupancy, apartment rules, and termination requirements.

In a tight housing market, when a landlord can “financially afford” to choose tenants, the tendency is to offer shorter lease terms. In this case, a landlord may simply ask the “not-so-desirable” tenant to leave with a 60-day Notice to Vacate. Short-term lease also allows the landlord to raise rent more frequently.

Typically, the lease or rental agreement is a standard form completed for all units within the same building. However, the enforcement of the rules contained in the lease or agreement may not be standard for all tenants. A landlord may choose strict enforcement of the rules for certain tenants based on arbitrary factors, such as race, presence of children, or disability. Since the recent escalation of housing prices throughout California, complaints regarding tenant harassment through strict enforcement of lease agreements as a means of evicting tenants have increased.

Initial Payment and Security Deposit

An initial payment consisting of first and last months' rent, as well as a security deposit are typically required. To deter "less-than-desirable" tenants, a landlord may ask for an initial payment or security deposit higher than for others. Tenants may also face differential treatment when vacating the units. The landlord may choose to return a smaller portion of the security deposit to some tenants, claiming excessive wear and tear.

Apartment Association of Greater Los Angeles

The Certificate in Residential Management (CRM) course is an educational series of classes designed by the California Apartment Association (CAA) and offered throughout the year. The classes provide apartment owners, managers, and other interested individuals with information on a variety of topics, including fair housing and ethics. The Certificate in Residential Management course topics include:

- Introduction to Property Management
- Intermediate Property Management
- Ethics in the Rental Housing Industry
- The Essentials of Fair Housing
- Liability Issues Related to Maintenance
- Drug and Crime-Free Housing
- Navigating the Legal Maze
- Ending the Tenancy: What You Need to Know
- Money Management in Rental Housing

The Apartment Association of Greater Los Angeles (AAGLA) coordinates services for its members in the Los Angeles County. The AAGLA provides free legal information and forms to members. For fair housing questions or concerns, information is provided by the over the phone as well as through referrals, if necessary. The Executive Director typically handles most fair housing questions from apartment owners, managers and landlords. For more complex issues, the AAGLA refers its members to the local fair housing agency or to an attorney.

Fair Housing Services

In general, fair housing services include investigating and resolving housing discrimination complaints, discrimination auditing and testing, education, and outreach, such as disseminating fair housing information through written material, workshops, and seminars. Landlord/tenant counseling services involve informing landlords and tenants of their rights and responsibilities under fair housing law and other consumer protection legislations and mediating disputes between landlords and tenants. This section reviews the fair housing services available in the Urban County, the nature and extent of fair housing complaints, and results of fair housing testing/audits. Tenant/landlord disputes are typically not related to fair housing issues and are not evaluated in this AI.

Service Providers

The following organizations currently provide fair housing services for the Urban County (see Figure 6-1 for service areas of each organization).

Housing Rights Center (formerly WFHC and FHC/SGV)

Fair housing services for the Urban County were handled by the Fair Housing Congress of Southern California until 2002. Created in 1971, the congress was a non-profit organization that collaborated with the following four fair housing councils in Los Angeles County: The Fair Housing Foundation (FHF), the Fair Housing Council of San Fernando Valley (FHC/SFV), the Fair Housing Council of San Gabriel Valley (FHC/SGV), and the Westside Fair Housing Council (WFHC).

The WFHC was created in 1968 by a coalition comprised of the Santa Monica Fair Housing Council, Culver City Neighbors, and the Pacific Palisades Human Relations Commission with common purpose of supporting and promoting equal opportunity in housing to lessen neighborhood tensions, to provide a broad education and outreach program to elimination discrimination, and to monitor real estate practices.

The FHC/SGV was organized in 1968 when congregates of the Christian Church in Temple City formed a task force to address concerns over rising incidents of discrimination in the community. FHC/SGV was later established as a non-profit in 1972. FHC/SGV is dedicated to affirmatively furthering fair housing choice by preventing, reducing and eliminating discriminatory housing practices throughout the San Gabriel Valley and has two locations: one in Pasadena and one in El Monte.

In April 2002, the latter two councils merged to form the Housing Rights Center (HRC). The Fair Housing Congress has since become defunct. The merge of WFHC and FHC/SGV was intended to increase services and programs and combine service areas. In addition to the locations of the original offices, community stations are also installed at the communities of Alhambra, Monterey Park, Carson, Redondo Beach, Lancaster, Palmdale, and East Los Angeles. Currently the CDC contracts with the HRC to coordinate fair housing services in the Urban County. The HRC in turn, retains the FHF and FHC/SFV to provide services in certain parts of the Urban County.

Fair Housing Foundation

The Fair Housing Foundation (FHF) is a non-profit corporation formed in 1964 to promote the enforcement of fair housing laws and to encourage an atmosphere of open housing. FHF has three locations: one in Long Beach and two in Los Angeles (Hollywood-Wilshire and South Central).

Fair Housing Council of San Fernando Valley

The Fair Housing Council of San Fernando Valley (FHC/SFV) is a private, non-profit organization established in 1959 to assure equal access to housing. It has one location in Panorama City.

Figure 6-1: Service Areas for Fair Housing Councils

**Figure 6-1: Service Areas for Fair Housing Councils
(Back)**

Fair Housing Services Provided

One of the discrepancies found during development of this AI is the inconsistency in reporting. Each of the fair housing councils tracked the same type of information in different ways, which was then compiled by the Fair Housing Congress (until 2002) and submitted to the CDC quarterly. In addition, services to the various unincorporated areas are rarely separately tabulated. Considering that these areas are solely dependent upon the County for services, efforts to increase reporting of services in the unincorporated areas would benefit the CDC in tailoring outreach efforts in areas with specific concerns.

Overall, adequate fair housing services appear to be available to the Urban County residents. Often, the issues/concerns raised by residents and service providers relate to education and outreach efforts to increase the awareness of such services.

Housing Rights Center

With 26 staff members, the HRC serves the West, Central, and Eastern areas, including:

- Altadena*
- Arcadia*
- Azusa*
- Beverly Hills
- Covina*
- Duarte*
- El Segundo
- Hermosa Beach
- Irwindale*
- Malibu
- Manhattan Beach
- Marina del Rey
- Monrovia*
- San Gabriel*
- San Marino*
- Sierra Madre*
- South El Monte*
- South Pasadena *
- Temple City*
- West Hollywood
- Adjacent unincorporated**

* Before the merger, FHC/SGV served these communities, and others areas were served by WFHC.

**Includes: Altadena, East Los Angeles, and City Terrace, which were served by FHC/SGV.

As a direct contractor for the CDC and the largest among the three fair housing service providers, services provided by the HRC are comprehensive and include inquiry and complaint intake, counseling, legal advice/representation, outreach/education, landlord/tenant mediation, and discrimination testing, etc. All services provided are directly linked to the CDC's Fair Housing Strategic Plan. Given the service areas covered by the HRC, the types of calls received by the each of the agencies that made up the HRC are quite different. The statistics covering the past three years, as reported by the former Westside Fair Housing Council (WFHC) are summarized in Table 6-1.

**Table 6-1
Fair Housing Services as Reported by the WFHC**

	FY 99/00	FY 00/01	FY 01/02	Total
Direct Services				
General Housing	481	488	767	1,736
Discrimination	64	63	66	193
Inquiries	44	34	46	124
Cases	20	29	20	69
Total	545	551	833	1,929
Type of Caller				
Homebuyer	1	1	0	2
In-Place Tenant	460	484	713	1,657
Landlord/Manager	40	14	21	75
Management Co.	4	7	4	15
Other	17	11	36	64
Property Owner	7	19	37	63
Realtor	2	2	4	8
Rental Homeseeker	14	13	18	45
Total	545	551	833	1,929
Race				
Black	55	57	78	190
Native American	2	-	-	2
Asian/Pacific Islander	18	16	15	49
White	363	347	539	1,249
Hispanic	55	59	83	197
Other	52	72	118	242
Total	545	551	833	1,929
Disposition				
Counseled/Resolved	41	33	45	119
Referred	3	1	0	4
Case Opened	20	29	20	69
Pending	1	0	1	2
Total Inquiries	65	63	66	194

As the table shows, the majority of calls (68 percent) received by the WFHC were made by White residents who were in-place tenants. Calls from Blacks and Hispanics represented 10 percent each, with Asians representing only 3 percent of the callers. Generally, inquiries by callers were resolved. Table 6-1 shows that 61 percent of the inquiries were resolved through counseling, while 36 percent became cases and 3 percent were either referred to other agencies or reported as pending.

The overwhelming majority of calls for services were related to general housing services by in-place tenants. Discrimination complaints and inquires accounted for less than 10 percent of all calls for services. Familial status, physical disability, and race were the three categories of potential discrimination that the WFHC received the most inquiries.

Table 6-2
Discrimination Inquiries as Reported by the WFHC

	FY 99/00	FY 00/01	FY 01/02	Total
Protected Categories				
Color	0	1	1	2
Age	3	2	0	5
Arbitrary	2	2	0	4
Familial Status	21	9	11	41
Gender	2	0	2	4
Marital Status	1	1	2	4
Mental Disability	2	2	6	10
National Origin	7	4	8	19
Physical Disability	12	30	19	61
Race	12	5	11	28
Religion	1	2	0	3
Sexual Orientation	1	3	5	9
Source of Income		1	1	2
Gen. info	1	1	0	2
Total Inquiries	65	63	66	194

Between FY 1999/00 and FY 2001/02, only 69 of the 193 discrimination complaints became discrimination cases with potential for litigation. The remaining complaints were either resolved or referred to other agencies. The disposition of the 69 discrimination cases and basis for discrimination are presented in Table 6-3. As shown, discrimination cases based on disability, familial status, and race are most common. The majority of these cases achieved successful conciliation. However, an equal number of cases indicated no enforcement action was possible. To a large extent, apathy about reporting discrimination complaints is related to the reality that often discrimination is hard to prove and the gray area in various housing regulations and practices weakens a case. Slightly more than half (52 percent) of the cases opened by the WFHC, summarized in Table 6-3, brought sustained allegations, and a little over 36 percent were able to be successfully reconciled.

Table 6-3
Disposition of Discrimination Cases by the WFHC

	FY 99/00	FY 00/01	FY 01/02	Total
Findings				
Sustains Allegations	10	19	7	36
Inconclusive Evidence	9	6	10	25
No Evidence of Discrimination	1	4	0	5
Pending	0	0	2	2
Total	20	29	19	68
Disposition				
Successful Conciliation	6	15	4	25
Client Withdrew	3	3	3	9
No Enforcement Action Possible	9	7	8	24
Pending	0	0	3	3
Referred to Litigation Department	2	2	1	5
Referred to DFEH	0	2	0	2
Total Cases	20	29	20	69
Protected Classification				
Age	1	0	0	1
Familial Status	6	3	4	13
Marital Status	0	1		1
Gender	1	0	2	3
Mental Disability	0	2	1	3
National Origin	4	2	3	9
Physical Disability	5	15	5	25
Race	3	3	5	11
Religion	0	1	0	1
Sexual Orientation	0	1	0	1
Source of Income	0	1	0	1
Total Cases	20	29	20	69

Calls received by the FHC/SGV are presented in Tables 6-4 through 6-6. While the type of calls for service was similar to that by the WFHC, the volume of calls received by the FHC/SGV was significantly greater. In comparison, the WFHC received 1,929 inquiries, while the FHC/SGV received 5,552 over the same three years.

Yet, even with a higher volume of calls, the number of cases opened during the past three years was 73, only four more than the WFHC. Approximately 58 percent of the inquiries were able to be resolved through counseling, while 17 percent were referred to other agencies and 26 percent became cases.

Additionally, the ethnic breakdown of callers to FHC/SGV was different from the calls received by WFHC. As illustrated by Table 6-4, the majority of calls received by the FHC/SGV were from Hispanics (39 percent), while Blacks comprising 24 percent, Whites comprising 25 percent, and Asians comprising 6 percent of the callers.

Most of the inquiries reported by the WFHC were related physical disability, familial status, and race (in order of magnitude). The FHC/SGV received the most inquiries on familial status, race, and physical disability (in order of magnitude).

Of the cases handled by the FHC/SGV, 66 percent revealed sustained allegations, compared to 52 percent of cases with sustained allegations handled by the WFHC. Additionally, 29 percent of the FHC/SGV cases were successfully reconciled, compared to 36 percent of cases reconciled by WFHC.

Table 6-4
Fair Housing Services as Reported by the FHC/SGV

	FY 99/00	FY 00/01	FY 01/02	Total
Direct Services				
General Housing	1,666	1,713	1,889	5,268
Discrimination	90	75	119	284
Inquiries	58	58	95	211
Cases	32	17	24	73
Total	1,756	1,788	2,008	5,552
Type of Caller				
Homebuyer	1	0	1	2
In-Place Tenant	1,621	1,654	1,870	5,145
Landlord/Manager	20	15	11	46
Management Co.	0	0	0	0
Other	0	0	0	0
Property Owner	90	92	105	287
Realtor	3	4	2	9
Rental Home seeker	21	23	19	63
Total	1,756	1,788	2,008	5,552
Race				
Black	439	431	443	1,313
Native American	17	19	25	61
Asian/Pacific Islander	85	98	125	308
White	472	422	478	1,372
Hispanic	648	673	818	2,139
Other	95	145	119	359
Total	1,756	1,788	2,008	5,552
Disposition				
Counseled/Resolved	41	42	81	164
Referred	17	16	14	47
Case Opened	32	17	24	73
Pending	0	0	0	0
Total	90	75	119	284

*Statistics for East LA County served by the former FHC/SGV.

Table 6-5
Discrimination Inquiries as Reported by the FHC/SGV

	FY 99/00	FY 00/01	FY 01/02	Total
Protected Categories				
Color	4	0	1	5
Age	1	1	3	5
Arbitrary	6	4	4	14
Familial Status	33	24	30	87
Gender	3	9	7	19
Marital Status	1	0	3	4
Mental Disability	2	3	3	8
National Origin	1	1	4	6
Physical Disability	9	3	13	25
Race	26	23	36	85
Religion	2	1	1	4
Sexual Orientation	0	0	3	3
Source of Income	1	1	5	7
Gen. info	1	5	6	12
Total Inquiries	90	75	119	284

*Statistics for East LA County served by the former FHC/SGV.

Table 6-6
Disposition of Discrimination Cases by the FHC/SGV

	FY 99/00	FY 00/01	FY 01/02	Total
Findings				
Sustains Allegations	22	8	18	48
Inconclusive Evidence	1	9	4	23
No Evidence of Discrimination	0	0	2	2
Pending	0	0	0	0
Total	32	17	24	73
Disposition				
Successful Conciliation	2	5	14	21
Client Withdrew	0	2	0	2
No Enforcement Action Possible	13	9	4	26
Pending	0	0	3	3
Referred to Litigation Department	1	1	2	4
Referred to DFEH	16	0	1	17
Total Cases	32	17	24	73
Protected Classification				
Age	0	0	0	0
Familial Status	18	7	8	33
Marital Status	1	0	1	2
Gender	1	1	0	2
Mental Disability	1	0	1	2
National Origin	0	0	0	0
Physical Disability	2	2	4	8
Race	8	5	8	21
Religion	0	0	0	0
Sexual Orientation	0	0	0	0
Source of Income	0	0	2	2
Arbitrary	1	2	0	0
Total Cases	32	17	24	73

*Statistics for East LA County served by the former FHC/SGV.

Fair Housing Foundation

With seven staff members, the FHF serves the southeastern areas, including:

- Artesia*
- Avalon
- Bell
- Bell Gardens
- Cerritos
- Claremont
- Commerce
- Cudahy*
- Diamond Bar
- Hawaiian Gardens*
- La Habra Heights
- La Mirada
- La Puente
- La Verne
- Lomita
- Maywood*
- Rancho Palos Verdes
- Rolling Hills
- Rolling Hills Estates
- San Dimas
- Santa Fe Springs
- Signal Hill*
- Walnut
- Adjacent unincorporated

*Cities that have additional contracts for landlord/tenant and discrimination investigation by the South Central office.

Services provided by the FHF include inquiry and complaint intake, counseling, legal advice/representation, outreach/education, landlord/tenant mediation, and discrimination testing, etc. All services provided are directly linked to the CDC's Fair Housing Strategic Plan. The statistics covering the past five years are summarized in Table 6-7.

The overwhelming majority of calls received/services provided by the FHF benefit Hispanics (68 percent), followed by Whites (21 percent), and then Blacks (8 percent). While the Asian group has seen annual increases in the number of calls for service, the overall percentage in comparison with the County population is rather small. While most groups have seen gradual increases in the number of calls/services, the number of Hispanics calling for services fluctuated and the number of Whites requesting services gradually declined.

Low-income persons are overwhelmingly impacted by fair housing issues, representing 75 percent of all calls for service. Very low-income residents made up another 12 percent of the calls. Female-headed household accounted for over 54 percent of the inquiries and 93 percent of the calls came from in-place tenants.

Consistent with the other two service providers, the majority of inquiries received by the FHF were related to general housing issues, rather than discrimination. While FHF handled a large volume of calls over the three-year period (4,737), their caseload (57 cases) was less than the other service providers. At the same time, the demographics of callers were quite different. Calls received by FHF mainly came from Hispanic residents, who represented 68 percent of the calls, compared to the WFHC which received 68 percent of their calls from White residents. FHC/SFV, discussed later, received only 25 percent of their calls from Hispanic residents.

Table 6-7
Fair Housing Services as Reported by the FHF

	FY 97/98	FY 98/99	FY 99/00	FY 00/01	FY 01/02	Total
Direct Services						
General Housing	738	877	947	817	1,100	4,479
Discrimination	32	44	50	59	73	258
Total	770	921	997	876	1,173	4,737
Cases	5	8	5	11	28	57
Audits	30	25	37	31	10	133
Direct Services Demographics						
Race/Ethnicity						
Black	47	52	61	76	101	337
American Indian	0	2	5	2	5	14
Asian Pacific Islander	2	10	20	13	32	77
White	212	197	237	160	170	976
Hispanic	492	637	642	597	849	3,217
Other	17	23	32	28	16	116
Total	770	921	997	876	1,173	4,737
Income						
High	1	7	10	10	23	51
Medium	64	100	123	74	207	568
Low	700	713	747	631	748	3,539
Very Low	5	101	117	161	195	579
Total	770	921	997	876	1,173	4,737
Special Groups						
FHOH	398	453	706	564	455	2,576
Senior	N/A	N/A	N/A	N/A	27	27
Disabled	N/A	N/A	N/A	N/A	19	19
SRO	N/A	N/A	N/A	N/A	N/A	0
Type of Caller						
Homebuyer	0	0	0	0	3	3
In-Place Tenant	742	874	926	804	1,037	4,383
Landlord/Manager	13	27	36	41	79	196
Other	2	1	4	4	12	23
Property Owner	9	15	25	19	23	91
Rental Homeseeker	4	4	6	8	19	41
Total	770	921	997	876	1,173	4,737

Note: Statistics include all geographic areas served by the FHFLB, including communities outside of the Urban County.

Fair Housing Inquires by Jurisdiction: Inquiries tracked by jurisdiction within the Urban County indicate that more residents from certain cities request services than others (Table 6-8). Cities with the majority of inquiries over the last five years combined include: Bell, Bell Gardens, Cudahy, Hawaiian Gardens, La Mirada, La Puente, Lomita, and San Dimas.

While the statistics presented in Table 6-8 may be an indication of potential concentration of fair housing issues in specific areas, it may also indicate that residents in these cities are more aware of the services available. Specifically, Cudahy and Hawaiian Gardens contract separately with the FHF for services, and therefore most likely provide additional outreach to residents.

Among the cities with the most inquiries for services, Hawaiian Gardens consistently has higher incidence of hate crimes reported. In response, the FHF has provided the City with increased outreach efforts in terms of site visits and booths, etc. The cities of Bell, Cudahy, and La Mirada have also received greater levels of outreach from the FHF, which may account for some of the additional calls due to increased education and awareness.

Table 6-8
Service Inquiries by Jurisdiction under the FHF

	FY 97/98	FY 98/99	FY 99/00	FY 00/01	FY 01/02	Total
Artesia	2	2	0	3	6	13
Avalon	1	0	0	0	0	1
Bell	2	4	3	11	3	23
Bell Gardens	2	3	3	5	3	16
Cerritos	2	1	2	1	6	12
Claremont	2	2	5	1	1	11
Commerce	0	1	2	0	1	4
Cudahy	3	2	4	3	12	24
Diamond Bar	0	2	1	0	3	6
Hacienda Heights	0	0	0	0	1	1
Hawaiian Gardens	3	4	4	5	2	18
Irwindale	0	0	0	0	0	0
La Habra Heights	0	0	1	1	1	3
La Mirada	4	4	6	2	0	16
La Puente	1	3	5	2	5	16
La Verne	1	1	1	3	2	8
Lomita	4	6	7	4	3	24
Maywood	0	2	0	2	6	10
Rancho Palos Verdes	0	0	0	0	4	4
Rolling Hills	0	0	0	0	0	0
Rolling Hills Estates	0	0	0	0	1	1
Rowland Heights	1	0	2	1	2	6
San Dimas	1	2	1	12	4	20
Santa Fe Springs	1	2	0	0	1	4
Signal Hill	1	1	0	0	2	4
Walnut	0	0	2	0	1	3
Unincorporated Areas	1	2	1	3	3	10
Total Cases	32	44	50	59	73	258

Discrimination Cases (Litigation): Though inquiries and complaints are received in high numbers, the number of cases that actually ended up in litigation is relatively small in comparison (Table 6-9). Familial status and race comprised the majority of cases. Cities with more than five cases over the past five years include Cudahy, Lomita, Maywood, and San Dimas (Table 6-10). These are the same cities that received a majority of inquiries and complaints, partly due to increased outreach efforts in these communities.

**Table 6-9
Discrimination Cases as Reported by the FHF**

	FY 97/98	FY 98/99	FY 99/00	FY 00/01	FY 01/02	Total
Protected Classification						
Age	0	1	0	0	1	2
Arbitrary	0	0	0	1	1	2
Familial Status	3	4	3	3	5	18
Gender	0	0	1	1	2	4
Mental Disability	0	0	0	0	0	0
National Origin	0	0	0	0	0	0
Physical Disability	0	1	1	3	3	8
Race	2	2	0	3	13	20
Religion	0	0	0	0	1	1
Sexual Orientation	0	0	0	0	2	2
Total Cases	5	8	5	11	28	57

Table 6-10
Discrimination Cases by Jurisdiction as Reported by the FHF

	FY 97/98	FY 98/99	FY 99/00	FY 00/01	FY 01/02	Total
Artesia	1	0	0	0	4	5
Avalon	0	0	0	0	0	0
Bell	0	1	0	2	2	5
Bell Gardens	0	0	0	1	1	2
Cerritos	0	0	0	0	3	3
Claremont	0	0	0	0	0	0
Commerce	0	0	0	0	1	1
Cudahy	1	1	3	0	3	8
Diamond Bar	0	0	0	0	1	1
Hacienda Heights	0	0	0	0	0	0
Hawaiian Gardens	0	2	2	0	1	5
Irwindale	0	0	0	0	0	0
La Habra Heights	0	0	0	0	0	0
La Mirada	1	0	0	0	0	1
La Puente	0	0	0	0	2	2
La Verne	0	0	0	0	1	1
Lomita	2	2	0	1	1	6
Maywood	0	1	0	1	4	6
Rancho Palos Verdes	0	0	0	0	1	1
Rolling Hills	0	0	0	0	0	0
Rolling Hills Estates	0	0	0	0	0	0
Rowland Heights	0	0	0	0	1	1
San Dimas	0	0	0	6	1	7
Santa Fe Springs	0	0	0	0	0	0
Signal Hill	0	0	0	0	1	1
Walnut	0	0	0	0	0	0
Unincorporated Areas	0	1	0	0	0	1
Total Cases	5	8	5	11	28	57

Fair Housing Council of San Fernando Valley

With four staff members, the FHC/SFV serves the northern areas, including:

- Agoura Hills
- Calabasas
- La Canada-Flintridge
- San Fernando
- West Lake Village
- Adjacent unincorporated

Discrimination inquiries and cases received and handled by the FHC/SFV are listed below in Table 6-11. Similar to the statistics reported by other fair housing councils, the most predominant discrimination category for discrimination cases was familial status. Additionally, female-headed households appear to be largely affected.

Approximately 54 percent of the inquiries made in the jurisdiction of the FHC/SFV were from Caucasian residents, followed by 26 percent Hispanic, 15 percent African American, and 5 percent Native American. An interesting note is that there were no inquiries or cases received from Asian residents, even though Figure 3-4 shows some concentrations of Asian residents in the service area.

Table 6-11
Service Inquiries and Cases as Reported by the FHC/SFV

	FY 98/99	FY 99/00	FY 00/01	FY 01/02	Total
Total Discrimination Inquiries	43	32	29	32	136
Total Discrimination Cases	21	18	15	13	67
Race/Ethnicity					
Caucasian	25	15	17	16	73
Black	5	10	4	2	21
Latino	12	7	2	14	35
Native American	1	0	6	0	7
Asian/Pac. Islander	-	-	-	-	-
Income Level					
Extremely Low	8	5	3	12	28
Low	23	16	18	15	72
Moderate	12	10	8	5	35
Above Moderate	0	1	0	0	1
Female Head of Household	38	12	10	38	98
City					
Agoura Hills	2	2	0	1	5
Calabasas	5	5	3	5	18
La Canada	2	2	0	1	5
La Cresenta	3	5	2	6	16
Little Rock	1	0	1	1	3
Montrose	15	8	12	7	42
Pearblossom	2	0	0	0	2
Quartz Hills	3	3	2	4	12
San Fernando	10	7	8	7	32
Westlake Village	0	0	1	0	1
Discrimination Category (Cases)					
Race	2	3	3	1	9
Familial Status	5	6	5	4	20
Physical Disability	2	2	3	1	8
Mental Disability	0	1	0	2	3
Marital Status	1	0	0	0	1
Sex	3	1	0	0	4
National Origin	3	3	3	3	12
Arbitrary	2	0	0	0	2
Religion	1	0	0	0	1
Sexual Orientation	0	1	0	1	2
Source of Income	0	1	1	1	3
Age	2	0	0	0	2

Fair Housing Complaints

Between FY 1997/98 and FY 2001/02, the Fair Housing Congress (FHC) handled fair housing complaints filed by County residents through the four fair housing councils and submitted quarterly reports to the CDC regarding cumulative statistics. As Table 6-8 illustrates, the number of inquiries received increased annually, with the categories of familial status, physical disability, arbitrary, and race (in that order) being the most common types of complaints. The majority of complaints compiled by the FHC came from the rental market, though zero calls were received from the homeownership market.

Fair housing complaints received are usually resolved. If the landlord refuses to take action, the legal ramifications are explained to them. Rather than face legal action, most landlords choose to comply with fair housing regulations. Complaints, which are unable to reach successful resolution, are referred to the DFEH, HUD, or a private attorney.

As was the case with general fair housing service inquiries, Hispanic and White residents, along with low income residents, appeared either to be the most impacted or most knowledgeable of the availability of services. Female-headed households were also adversely impacted, representing almost 60 percent of complaints. The majority of complaints came from the rental market, with 92 percent of the callers being in-place tenants (Table 6-9). Typical examples of fair housing complaints based on these protected categories, and actions and resolution are presented in Table 6-10.

To provide a comparative context for the fair housing profile in the Urban County, the “2002 Fair Housing Trends Report” by the National Fair Housing Alliance was reviewed. According to that report, race, disability, and familial status (in that order) were the most commonly reported forms of discrimination in the U.S. as recorded by HUD, the Department of Justice, National Fair Housing Alliance member agencies, and more than 70 state and local government agencies.

The majority of discrimination complaints compiled by the National Fair Housing Alliance came from the rental market as well, followed by the mortgage lending, ownership market, and homeowners insurance sectors respectively. Approximately 75 percent of all inquiries/complaints were resolved, while 22 percent became cases and less than 1 percent was referred to a higher agency.

Table 6-12
Discrimination Inquiries as Reported by the FHC

	FY 97/98	FY 98/99	FY 99/00	FY 00/01	FY 01/02	Total
Discrimination Inquiries (Including inquiries that became cases)						
Protected Classification						
Age	1	2	3	1	3	10
Arbitrary	6	9	10	3	11	39
Familial Status	8	14	11	23	15	71
Gender	0	1	3	2	4	10
Marital Status	0	1	5	0	2	8
Mental Disability	0	0	2	1	2	5
National Origin	2	0	0	7	10	19
Physical Disability	1	3	5	22	22	53
Race	12	12	8	0	2	34
Religion	0	2	0	0	2	4
Sexual Orientation	0	0	3	0	0	3
Source of Income	0	0	0	0	0	0
Total Inquiries	30	44	50	59	73	256
Disposition						
Counseled/Resolved	25	35	43	45	43	191
Referred	0	1	2	3	2	8
Case Opened	5	8	5	11	28	57
Total Inquiries	30	44	50	59	73	256

Table 6-13
Discrimination Demographics as Reported by the FHC

	FY 97/98	FY 98/99	FY 99/00	FY 00/01	FY 01/02	Total
Discrimination Demographics						
Race/Ethnicity						
African American	5	6	4	21	21	57
American Indian	0	0	1	0	1	2
Asian Pacific Islander	0	1	1	0	0	2
Caucasian	14	11	13	9	14	61
Latino	12	24	30	21	36	123
Other	1	2	1	8	1	13
Total	32	44	50	59	73	258
Income						
High	0	0	0	0	2	2
Medium	1	2	6	4	14	27
Low	26	33	32	39	49	179
Very Low	5	9	12	16	8	50
Total	32	44	50	59	73	258
Special Groups						
FHOH	16	26	37	28	45	152
Senior	N/A	N/A	N/A	N/A	1	1
Disabled	N/A	N/A	N/A	N/A	1	1
SRO	N/A	N/A	N/A	N/A	N/A	0
Type of Caller						
Homebuyer	0	0	0	0	0	0
In-Place Tenant	30	41	48	54	65	238
Landlord/Manager	1	1	0	1	3	6
Other	0	0	0	0	0	0
Property Owner	0	0	0	1	0	1
Rental Homeseeker	1	2	2	3	5	13
Total	32	44	50	59	73	258

Table 6-14
Typical Examples of Fair Housing Complaints in LA County

Complaint	Case Description	Action and Resolution
Disability	A single Hispanic female, who is quadriplegic, asked the developer of the condo complex she lives in to accommodate her disability by providing a bigger parking space for her hydraulic wheelchair lift van. The agent assured her that there was enough space available through guest parking, but after several months of parking there, she began receive fines from the Home Owners Association (HOA). The Association also denied her request for additional spaces in guest parking for her caretakers.	The complainant was counseled on her fair housing rights and proceeded to take legal action. The Housing Rights Center is representing her in the suit against the homeowners association, and the case is currently underway. While the HOA was ordered to restore the required 8 disabled parking spaces, a suit was filed in federal court in May of 2002, because the defendant refused to accept HRC's legal department's proposed settlement.
Race	A single Black male with no children stated that he responded to an on-site for rent sign and the manager showed him the available unit. When he asked for an application, the manager responded that she did not handle that aspect of the process, but that he could come back later to talk to the person who did. When he returned no one answered. He was told again to return at a later date, which he did and again the lady never showed up. The complainant said that he was refused at this same location previously.	A test was conducted that resulted in one tester being told there were no available units, and the other tester being told of two. Both testers saw the same agent and a letter of supporting evidence was mailed to the complainant who filed a case with the DFEH.
Familial Status	The client has resided with his wife in their apartment for five years. The couple recently had a child and received a notice that their rent would increase by \$75 due to the high utility bills from the apartment. The client reported that other tenants received rent increases that were considerably smaller (between \$20 and \$30). No other family with children resides in the building. The HRC conducted an on-site survey which supported the allegation.	The HRC drafted a demand letter, informing the apartment manager and owner that federal laws prohibit discrimination against families because they have children. The letter also required that affirmative marketing of the property to families be conducted. As a result, the manager and owner began renting units to families with children.

Source: HRC & FHFLB, October 2002.

Hate Crimes

To a certain degree, hate crimes are an indicator of the environmental context of discrimination. Hate crimes are crimes that are committed because of a bias against race, religion, disability, ethnicity, or sexual orientation. These crimes should be reported to police or sheriff's department. On the other hand, a hate incident is an action or behavior that is motivated by hate, but is protected by the First Amendment right to freedom of expression. Examples of hate incidents can include name calling, epithets, distribution of hate material in public places, and the display of offensive hate-motivated material on one's property. The freedom guaranteed by the U.S. Constitution, such as the freedom of speech, allows hateful rhetoric as long as it does not interfere with the civil rights of others. Only when these incidents escalate can they be considered an actual crime.

According to a study for the Lewis Center for Regional Policy Studies entitled "A Profile of Race-bias Hate Crimes in Los Angeles County", the definition of a hate crime varies slightly across government agencies and Los Angeles County has the most stringent definition when compared to State and Federal agencies. Specifically, the Los Angeles County District Attorney and the Los Angeles Police Department define hate crimes in the following way:²

Criminal acts in which the facts indicate that bias, hatred, or prejudice based on the victims' actual or perceived race, religion, ancestry, national origin, disability, gender, or sexual orientation are substantial factors in the commission of the offense (Los Angeles County Office of the District Attorney). The Los Angeles Police Department further clarifies that the criminal act or attempted act may be based on the victim's actual or perceived race, nationality, religion, sexual orientation, disability, or gender.

In an attempt to determine the scope and nature of hate crimes, the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting Program collects statistics on these incidents. Hate crime statistics from 1997 through 2000 were compiled for the County of Los Angeles (see Table 6-11). While complaints are reported and tracked for the County as a whole, each one of the participating cities is tracked separately, allowing for comparisons among the various geographic areas.

² Karen Umemoto and Kimi Mikami. Lewis Center for Regional Policy Studies Working Paper Series entitled "A Profile of Race-bias Hate Crimes in Los Angeles County", December, 1999.

**Table 6-15
Hate Crimes by Supervisorial District**

District	1997	1998	1999	2000	Total
District 1	8	8	15	23	54 ¹
District 2	2	0	1	2	5 ²
District 3	30	22	12	9	73 ³
District 4	30	18	19	12	79 ⁴
District 5	19	27	30	27	103 ⁵
Total	89	75	77	73	314
Unincorporated Areas	18	25	19	33	95

1. Majority from Azusa
2. Majority from Lawndale
3. Majority from W. Hollywood and Beverly Hills
4. Majority from Cerritos, Manhattan Beach, Hawaiian Gardens
5. Majority from Claremont, Covina, Monrovia, and San Gabriel

Race was consistently the motivation behind the hate crimes reported during each of these years in each district, except for District 3. In District 3, sexual orientation represented the main motivation behind reported hate crimes, and West Hollywood was the city within District 3 that consistently received complaints; hate crimes based on religion were also proportionally significant.

Some cities within the Urban County tend to continuously report the same types of hate crimes. Cities with high percentages reported for three or more of the four years between 1997 and 2000 include:

- Azusa - District 1
- Beverly Hills - District 3
- West Hollywood - District 3
- Cerritos - District 4
- Manhattan Beach - District 4
- Hawaiian Gardens - District 4
- Arcadia - District 5
- Claremont - District 5
- Covina - District 5
- Monrovia - District 5
- San Gabriel - District 5

Services available to victims include certain rights under the California Constitution's Victim's Bill of Rights (i.e. information about the prosecution of the perpetrator, right to present a victim impact statement at the time of sentencing), and restitution for any loss, damage, or injury incurred.

NIMBYism

Many people agree that a variety of housing should be available for people with special needs, such as homeless shelters, affordable housing, and group homes for persons with disabilities. However, whether or not these types of housing should be located within their own community is another matter.

The Not-in-My-Back-Yard sentiment (NIMBYism) can serve as THE MOST significant constraint to the development of affordable or even market-rate multi-family housing. NIMBYism describes opposition by residents and public officials alike to additional or different kinds of housing units in their neighborhoods and communities. The NIMBY syndrome often is widespread, deeply ingrained, easily translatable into political actions, and intentionally exclusionary and growth inhibiting. NIMBY sentiment can variously reflect concerns about property values, service levels, community ambience, the environment, or public health and safety. It can also reflect racial or ethnic prejudice masquerading under the guise of a legitimate concern. NIMBYism can manifest itself as opposition to specific types of housing, as general opposition to changes in the community, or as opposition to any and all development.

As a result of public opinion and political action, NIMBYism is translated into local codes and ordinances that effectively burden development and constitute barriers to affordable housing and housing for persons with special needs. The results are excessive growth controls, exclusionary zoning ordinances, unnecessarily drawn-out permit and approval processes, and arbitrary restrictions against different types of housing -all of which combine to make housing less affordable. Through such regulations, the NIMBY syndrome has become institutionalized at the local level. Community opposition to high density housing, affordable housing, and housing for persons with special needs (disabilities and homeless) is directly linked to the lack of such housing options for residents in need. In particular, community opposition is typically strongest against high-density affordable housing and group homes for persons with mental disabilities.

Community residents who are especially concerned about the influx of members of racial and ethnic minority groups sometimes justify their objections on the basis of supposedly objective impacts like lowered property values and increased service costs. Such residents are unwilling to admit their prejudices and use these other issues when making their case. Racial and ethnic prejudice often is one root of NIMBYism, although NIMBY concerns still exist where racial or ethnic differences are not involved.

Other NIMBY Terms:

NIMBY - Not in My Back Yard

LULU - Locally Unwanted Land Use

BANANA - Build Absolutely Nothing Anytime Near Anything

NOPE - Not on Planet Earth

NIMTOO - Not in My Term of Office.

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"The National Multi Housing Council (NMHC) and the National Apartment Association (NAA) have filed a friend-of-the-court brief with the U.S. Supreme Court in a case involving a city that refused to issue a building permit for a proposed affordable housing community, even though the developer's plan met all of the city's zoning regulations.

The brief argues that the city's actions violated the Fair Housing Act since there is evidence that the city opposed the new apartment property because the property would house a disproportionate number of minorities and families with children.

-- *City of Cuyahoga Falls v. Buckeye Community Hope Foundation*

Most NIMBY decisions are made at the local level, where officials responding to citizen concerns enact growth controls; regulate density through minimum lot sizes, open space requirements, or single-family only zoning districts; structure a maze of red tape on the way to a public hearing for a proposed project; and enact other legal regulations that support NIMBYism without directly referring to it. With NIMBY-related land use decisions made at the local level, parochialism develops, pitting community residents against nonresidents and community against neighboring community. Because local officials naturally prefer activities that generate high tax revenues (such as employment centers), they place severe restrictions on affordable housing development, even, ironically, on housing that could benefit current local residents who work at the employment centers.

Often, NIMBY sentiments are masked as concerns over growth rates, quality of living issues such as air quality, design compatibility, traffic congestion, crime rates, and infrastructure and service provision. Other times NIMBY reactions are outright, and most frequently are directed toward housing for persons with disabilities. Documenting NIMBY responses to local land use and planning decisions is difficult, but NIMBYism in California has impacted the state housing market significantly, leading to the State passing the Anti-NIMBY bill.

A search on the *Los Angeles Times* archive indicates that NIMBY issues are frequently featured articles. Section 5 of this AI also assessed public policies that may serve to impede fair housing choice to all. Certain policies, such as occupancy standards, restrictive group home standards, and limitation on multi-family housing construction, may be interpreted as NIMBYism.