

KERNER COMMISSION (AND FAIR HOUSING ACT) AT 50

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- To continue present policies is to make permanent the division of our country into two societies: one largely Negro and poor, located in the central cities; the other, predominantly white and affluent, located in the suburbs and in outlying areas.
- We believe that the only possible choice for America is...a policy which combines ghetto enrichment with programs designed to encourage integration of substantial numbers of Negroes into the society outside the ghetto.





EQUALITY



EQUITY

Segregation, Integration, or What?

I love Puerto Ricans and Negroes, as long as they don't move next door
Phil Ochs "Love Me, I'm a Liberal" 1965

Do the kids in the neighborhood play hockey or basketball?
Anonymous homeowners insurance agent, 2002

The housing market and discrimination sort people into different neighborhoods, which in turn shape residents' lives – and deaths. Bluntly put, some neighborhoods are likely to kill you.

John Logan 2003: 33

The most standard segregation measure shows that American cities are now more integrated than they've been since 1910.

Edward Glaeser and Jacob Vigdor 2012: 1

The Half Full Glass

- Black/White index of dissimilarity dropped from 80 in 1970 to 55 in 2010
- In 2012 White and Non-White homeseekers were equally likely to get an appointment and learn about at least one housing unit
- Share of whites favoring laws prohibiting housing discrimination increased from 37% in 1972 to 69% in 2008
- \$6 trillion have been invested in traditionally underserved neighborhoods, in part due to the CRA, according to the National Community Reinvestment Coalition

The Half Empty Glass

- In 2010 the typical black family lived in a neighborhood that was 35% white compared to 40% in 1940
- In 2012 whites were told about and shown more homes than equally qualified blacks and Hispanics
- Hypersegregation persists where black population is high
- In 2014 28% of whites reported they believed they should have the right to keep blacks out of their neighborhood and would favor a law allowing such discrimination
- Gentrification has resulted in the displacement (geographical, cultural, political) of long term residents of urban communities

NAR as Bellweather?

- A realtor should never be instrumental in introducing into a neighborhood a character of property or occupancy, members of any race or nationality, or any individual whose presence will clearly be detrimental to property values in the neighborhood
 - National Association of Realtors 1950

- REALTORS shall not deny equal professional services to any person for reasons of race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity...
- When involved in the sale or lease of a residence, REALTORS shall not volunteer information regarding the racial, religious or ethnic composition of any neighborhood...
- REALTORS shall not print, display or circulate any statement or advertisement with respect to selling or renting of a property that indicates any preference, limitations or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, or gender identity.
(<http://www.realtor.org/sites/default/files/policies/2015/2015-Code-of-Ethics.pdf>)

Moral Arc of the Universe is Bending Toward Justice

- Fair housing/community reinvestment infrastructure
- Disparate impact and affirmatively furthering fair housing rules
- Housing first movement and a right to housing

A Right to Housing

- Rights as Residents
- Right to housing
- Community benefits agreements
- Democratization of community development –
“if you’re not at the table, you’re probably on the menu”
- Legal resources for families facing eviction
- Move your money campaigns
- Equity offices

Persisting and Emerging Challenges

- Racial steering – an enduring if not growing phenomenon
- Redlining and reverse redlining
- Reappearance of contract sales
- Attacks on disparate impact, AFFH, CRA, HMDA, CFPB and other fair housing rules

Persisting and Emerging Challenges

- Exclusionary zoning remains a particularly problematic barrier
- Linguistic profiling, cybersegregation and the “contribution” of social media (Facebook, Airbnb)
- More than just race – immigrants, LGBTQ, women, families with children, formerly incarcerated, lawful source of income, and more often protected by law but not in practice

“Reforming” HUD’s Mission

- Current mission statement
- "HUD’s mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination, and transform the way HUD does business.”

- Proposed mission statement:
- "HUD's mission is to ensure Americans have access to fair, affordable housing and opportunities to achieve self-sufficiency, thereby strengthening our communities and nation."
- Key words to be removed: "build inclusive and sustainable communities free from discrimination"

Contested Terrain

- When high-income black families cannot qualify for a prime loan and are steered away from white suburbs, the goals of the Fair Housing Act are not fulfilled. When the federal and state governments will pay to build new suburban highways, streets, sewers, schools and parks, but then allow these communities to exclude affordable housing and nonwhite citizens, the goals of the Fair Housing Act are not fulfilled. When we build most new subsidized housing in poor black or Latino neighborhoods, the goals of the Fair Housing Act are not fulfilled
- Walter Mondale, co-sponsor of the Fair Housing Act ([New York Times](#) 2015: Sunday Review 8).

Politics More Challenging Than Programs

- But there is more than a little light at the end of the tunnel and it is not just a train coming the other way. Perhaps the greatest challenge today is to identify strategies and tactics that will enable us to shine an even brighter light.

THANK YOU

Questions?

ICMA | conference