What is discrimination?

**Discrimination**: treating a person or group of people differently from other people or groups of people.
Housing Discrimination

- Federal, state, and local fair housing laws ensure equal housing opportunity, or non-discrimination, in housing for the “protected classes” within each of their jurisdictions.

- Applies to ALL housing-related transactions, including: rental, sale, lending, insurance, homeowners associations, etc.
On April 11th, 1968, President Lyndon B. Johnson signed the Civil Rights Act of 1968. This included what is known as the Fair Housing Act.

Signed one week after the assassination of Dr. Martin Luther King Jr.
Fair Housing Act

- Provides protections from housing discrimination on the basis of protected classes.

- A protected class is a characteristic of someone that cannot be targeted for discrimination.
Protected Classes

Federal law:
- Race
- Color
- National Origin
- Religion
- Sex
- Family Status
- Disability

Additional protected classes in Ohio:
- Ancestry
- Military Status
Examples of Housing Discrimination

- To refuse to sell or rent housing after an offer is made
- Differing terms or conditions of sale or rental of a dwelling
- Discriminating in the provision of services or facilities
- To make, print, or publish any statement, notice, or advertisement that indicates any preference, limitation, or discrimination
- To falsely deny the availability of a dwelling
Affirmatively Furthering Fair Housing (AFFH)

- The Fair Housing Act also states that local recipients of federal (HUD) funding are required to affirmatively further the purposes of the Fair Housing Act.

- If an eligible recipient wants federal dollars, they must affirmatively further fair housing.
The primary focus of AFFH is addressing patterns of segregation in a community, many of which have continued for decades.

Banning discrimination does not overcome segregation.

**Segregation:** setting apart or separating from others.
Examining Local Patterns of Segregation
Four Goals for Recipients

- Improve integrated living patterns and overcoming historic patterns of segregation
- Reducing racial or ethnic concentrations of poverty
- Reducing differences in access to community assets across protected classes
- Responding to unequal housing needs by protected classes
How to AFFH

1. Identify barriers to fair housing choice

2. Develop a strategy to address identified impediments

3. Detail and track how the impediment was addressed
In 2009, HUD ruled that Westchester County, NY failed to AFFH by restricting affordable apartment complexes to certain areas.

To restore HUD funding, the Settlement required the county to:

- Build additional affordable housing units in primarily white neighborhoods
- Correct the zoning policy
- Add source of income to protected classes
Consequences

- HUD ruled that the state of Texas did not rebuild affordable housing after Hurricane Ike struck in 2008. HUD withheld $1.7 BILLION until Texas:
  - Set aside $100 million to rebuild public housing
  - Use an additional $152 million for low income and moderate housing
  - Create a “Moving to Opportunity” program
  - Create a buyout program to allow low-income victims to move out of damaged areas