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Discrimination 'haunts' local renters

Commissioner Nick Fish considers city initiatives to combat bias uncovered in study

BY STEVE LAW

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An alarming number of Portland landlords are discriminating against blacks and Latinos trying to rent their apartments, based on a study by the Fair Housing Council of Oregon.

When a white man hired by the housing council went to rent one Portland apartment, the landlord quoted move-in costs of around \$730. When a black man asked about the same unit, the landlord wanted \$1,495 to \$2,040.

One landlord failed to show up for multiple appointments when a man with a Mexican-sounding name and accent was interested in renting a unit. A white man with a similar profile, but no accent or Latino surname, had no such problem.

According to the council, in 17 of 19 cases, rental agents showed discriminatory behavior toward immigrants specifically from Mexico, compared with how they treated an Anglo person with a similar income and profile.

In 14 of 25 cases, landlords discriminated against black apartment-seekers, compared to the treatment given white applicants with similar incomes. In one instance, the black applicant was given better treatment than the white applicant.

"The main conclusion we draw is that race and national origin discrimination continue to haunt us," says Moly Good, executive director of the Fair Housing Council of Oregon, a nonprofit civil rights group based in Portland.

Progress has been made in the past couple decades in reducing discrimination, Good says. "But it's there at a higher rate than we would like to believe and we would like to receive."

The Portland Housing Bureau commissioned the study to assess impediments to fair housing – a requirement for government agencies that receive federal block grants and other funding.

"It provides a snapshot of pervasive discrimination in rental housing," says Portland City Commissioner Nick Fish, who oversees the bureau. "I'm alarmed and disappointed by the results."

The Fair Housing Council of Oregon employs the testing system adopted by the U.S. Department of Housing and Urban Development, which must be rigorous enough to use in courts or other enforcement actions against landlords, Good says.

Testers are given fake profiles, including comparable incomes and jobs, so there's no basis for landlords to prefer one applicant over another. Testers do not know the other person hired to approach the same landlord, or the precise nature of why they are being hired.

"This methodology has withstood the scrutiny that comes with a contested adversarial proceeding," Good says.

If there's a "silver lining" in the Portland study, he says, it's that none of the landlords tried to say a unit was no longer available to the testers. Housing discrimination has evolved since the days before the 1968



CHRISTOPHER ONSTOTT / TRIBUNE PHOTO
Moly Good, executive director of the Fair Housing Council of Oregon, said a test of bias among landlords uncovered widespread instances of discrimination against applicants who were black or Mexican immigrants.

passage of the U.S. Fair Housing Act, when it wasn't uncommon to find signs saying no blacks should apply for a vacant unit.

"It's shifted from the overt blunt discrimination to where it's more subtle," Good says. It could be that some landlords are now afraid to be caught lying or openly discriminating, he says.

Understanding the law

The Fair Housing Council of Oregon has conducted similar tests since its formation in 1990, but they are usually done on a smaller scale, and often in response to allegations of discrimination.

Two 2009 studies revealed significant racial discrimination by landlords in Beaverton and Ashland. A 2010 study of four areas around the state also showed discrimination against people with disabilities.

Fish, a former civil rights attorney, says fair housing is a top concern of the bureau he oversees. His father, former U.S. Rep. Hamilton Fish Jr., a New York Republican, championed 1988 amendments that toughened and expanded the Fair Housing Act to cover more types of discrimination, he says.

A citizens committee appointed by Fish is now readying a series of policy recommendations on how the bureau and the housing industry should respond to the study findings and prevent housing discrimination.

Fish envisions a combination of enforcement actions and community education of landlords, among other initiatives.

"You've got to go after some of the bad actors," he says, to send a signal that those violating the law will be held accountable. The city typically collaborates in such cases with the nonprofit Oregon Law Center, which files the lawsuits.

But filing one suit against one bad apple can be time-consuming, expensive and won't get any relief for other victims of discrimination, Fish says. "I'm looking for larger systemic change." That involves bringing all the players to the table, he says, including the landlords group –the Metro Multifamily Housing Association.

A community campaign in Beaverton appeared to reduce the instances of discrimination after the 2009 study, at least based on a follow-up study in 2010, Good says.

A similar community campaign in 2009 helped Portland increase the usage rate for low-income tenants eligible for Section 8 housing vouchers, Fish says. Some landlords are reluctant to accept tenants with such subsidies, fearing they don't have other money to cover their rent.

"One quarter of the people getting vouchers were unable to successfully rent in our community," Fish says.

The campaign boosted the percentage of people able to use their vouchers from about 75 percent to more than 90 percent, he says.

Good and Fish say they view the landlords group as a key partner in efforts to weed out discriminatory practices. "We work very closely with the housing industry, to see that as many people as possible can get trained in fair housing and understand the laws," Good says.

The Portland study was not designed for use in prosecuting those violating fair housing laws, he says. But that could be an objective of future studies.

Examples of racism found in Portland landlord study

Discrimination encountered by pairs of testers when they inquired about the same vacant rental unit in Portland:

- **Caucasian man:** Agent said move-in costs were \$720 to \$740.
- **African-American man:** Agent said move-costs were \$1,495 to \$2,040.

- **Caucasian man:** Agent required a deposit equal to 1 1/2 months' rent.
- **African-American man:** Agent required deposit equal to 2 1/2 months' rent.

- **African-American:** Agent asked for pay stubs and numerous other requirements to qualify for rental.
- **Caucasian man:** Agent didn't ask for any of those requirements.

- **Mexican man:** Agent asked if applicant was Mexican, and questioned why a married couple would want a three-bedroom unit.
- **Caucasian man:** Agent didn't ask similar questions.

- **Mexican man:** Agent failed to show up for multiple appointments and never called applicant back.
- **Caucasian man:** No similar treatment.

- **Caucasian man:** Agent offered move-in special of two months' free rent, and mentioned other units were available.
- **Mexican man:** No similar offers made.

- **Mexican man:** Agent required pay stubs to verify income.
- **Caucasian man:** No similar requirements.

- **Caucasian man:** Agent said move-in costs were \$720 to \$740, and mentioned there were more vacant units available.
- **Mexican man:** Agent said move-in costs were \$1,415 to \$2,130.

Source: Fair Housing Council of Oregon