

## **Overview of Articles**

### **August 18, 2015**

*L.A. County to Pay \$2 Million to Antelope Valley Housing Discrimination Victims* - This article discusses a recently completed four-year investigation by the U.S. Justice Department that found that the Los Angeles County Housing Authority and Sheriff's Deputies joined with two cities to discriminate against black voucher holders. As you may recall, the Justice Department briefly queried HACCC while the investigation in LA was ongoing concerning black voucher holders in the City of Antioch during 2005-2007.

*HUD Announces Final Rule on Affirmatively Furthering Fair Housing;*

*Can HUD's New Rule Fix Residential Segregation?* - HUD's press release about its new rule and an article discussing the possible effects of that rule and a recent Supreme Court decision.

*How Race Still Influences Where We Choose To Live;*

*Finley: Obama's Next Target: The Suburbs* - The first article uses an example from Chicago in support of HUD's new rule while the second uses Detroit as an example in opposition to the same rule.

## **L.A. COUNTY TO PAY \$2 MILLION TO ANTELOPE VALLEY HOUSING DISCRIMINATION VICTIMS**

Los Angeles Times – 7/20/2015 – by Abby Sewell

The U.S. Justice Department on Monday closed the books on a four-year investigation that found that Los Angeles County housing officials and sheriff's deputies joined with two cities to drive black residents out of Antelope Valley.

The county Housing Authority agreed to pay \$2 million to victims of alleged discrimination, and some families who lost their housing assistance will have the chance to get it back. This year, the Sheriff's Department agreed to pay \$700,000 and implement policies aimed at preventing racial bias.

The Justice Department launched an investigation in 2011 into allegations that minorities — particularly African Americans — living in federally subsidized housing in Lancaster and Palmdale were being harassed and discriminated against by sheriff's deputies and county housing agency officials.

Prosecutors alleged in a lawsuit that the agencies had engaged in a “targeted campaign of discriminatory enforcement against African American [housing] voucher holders in order to discourage and exclude them and other African Americans from living in the cities.”

Vanita Gupta, head of the Justice Department's civil rights division, said the changes made as a result of the case will give more people the chance to live in neighborhoods of their choosing without fear of government harassment.

“There's really no question that for many people and communities in this country, where you live determines the opportunities you have,” she said.

Those who say they were targeted by the discrimination — and there could be hundreds — will be eligible for monetary damages and will have a chance to have their Section 8 low-income housing vouchers reinstated.

Toni Clark, 55, said she lost her rental subsidy after deputies found a small amount of marijuana in her car during a traffic stop in 2008 and alerted housing officials. Clark said she and her children ended up homeless because of the incident.

“I've been through hell,” she said. “I just didn't feel the punishment fit the crime.”

Clark said she was “overjoyed” to hear of the settlement.

The county supervisors voted 4 to 0 last week with Don Knabe absent to approve the monetary part of the agreement and 3 to 1 for the “remedial measures.” But the terms were not released until it was finalized Monday.

Supervisor Michael D. Antonovich, who represents Antelope Valley, cast the lone “no” vote. Antonovich’s housing deputy, Jarrod DeGonia, said the supervisor “felt it was important that those individuals who were caught in violation of Section 8 rules not receive any money because of the settlement.”

The federal complaint alleged that the county Housing Authority and Sheriff’s Department subjected black Section 8 voucher holders to “more intrusive and intimidating compliance checks” than their white counterparts and also were more likely to terminate black residents’ vouchers. Federal officials alleged that the cities, which provided money to the county for extra enforcement, encouraged the discriminatory practices.

The settlement requires the county and cities to put in place new anti-discrimination policies and training for employees who deal with housing.

Section 8 voucher holders who can show that they were discriminated against from 2004 to 2011 will also have the chance to have their vouchers reinstated or receive compensation of up to \$25,000. The process could take a year or longer, Justice Department officials said.

Of the hundreds of people who say they were discriminated against, only five households will be able to have their vouchers restored, according to settlement documents, which did not specify a reason for that number. They must first go through a vetting process. A larger number will be eligible to receive monetary compensation or have their voucher termination wiped from public housing records.

V. Jesse Smith, co-founder of the Community Action League, an Antelope Valley advocacy group that filed a separate lawsuit in 2011 over the discrimination allegations, said he was happy to hear that some people would have the chance to get their vouchers back.

“We never did this for money,” he said. “We did this to protect the rights of our Section 8 citizens.”

County housing officials said they have made changes since 2011, including discontinuing the compliance check program that had led to many of the discrimination complaints. A Housing Authority spokeswoman said the agency has since adopted “alternative program enforcement measures, vetted by the DOJ, that have actually proven to be more effective and efficient.”

Housing Authority Executive Director Sean Rogan said in a statement that the settlement will allow the agency to “put the matter behind us and focus efforts on our goal of providing quality housing assistance to low-income families, seniors and veterans.”

Palmdale Assistant City Atty. Noel Doran said the allegation that the city encouraged discrimination is “patently false.” The practice of cities providing money to the county for housing enforcement was common at the time, he said. Palmdale Mayor Jim Ledford said Palmdale is an “incredibly integrated city.”

A spokesman for the city of Lancaster did not respond to a request for comment. The cities will not be required to contribute to the monetary settlement but must put policies in place to prevent discrimination.

Under the separate agreement reached with the Sheriff's Department in April, the county was required to put in place rules that require deputies to be more courteous toward Antelope Valley residents.

The county also agreed to set aside \$700,000 to pay victims of racial profiling and to track data on stops and searches to determine whether minorities are being unfairly targeted.

## **HUD ANNOUNCES FINAL RULE ON AFFIRMATIVELY FURTHERING FAIR HOUSING**

HUD Press Release No. 15-084

Heather Fluit

202-708-0685

<http://www.hud.gov/news/index.cfm> FOR RELEASE

Wednesday

July 8, 2015

WASHINGTON – The U.S. Department of Housing and Urban Development (HUD) announced a final rule today to equip communities that receive HUD funding with data and tools to help them meet long-standing fair housing obligations in their use of HUD funds. HUD will also provide additional guidance and technical assistance to facilitate local decision-making on fair housing priorities and goals for affordable housing and community development.

For more than forty years, HUD funding recipients have been obligated by law to reduce barriers to fair housing, so everyone can access affordable, quality housing. Established in the Fair Housing Act of 1968, the law directs HUD and its program participants to promote fair housing and equal opportunity. This obligation was intended to ensure that every person in America has the right to fair housing, regardless of their race, color, national origin, religion, sex, disability or familial status. The final rule aims to provide all HUD program participants with clear guidelines and data they can use to achieve those goals.

“As a former mayor, I know firsthand that strong communities are vital to the well-being and prosperity of families,” said HUD Secretary Julián Castro. “Unfortunately, too many Americans find their dreams limited by where they come from, and a ZIP code should never determine a child’s future. This important step will give local leaders the tools they need to provide all Americans with access to safe, affordable housing in communities that are rich with opportunity.”

HUD’s final rule responds to the recommendations of a 2010 Government Accountability Office report as well as stakeholders and HUD program participants who asked for clearer guidance, more technical assistance, better compliance and more meaningful outcomes. HUD considered and incorporated feedback from the significant public input and comments that it received during

the development of this final rule. For example, in response to public feedback, HUD will phase in implementation of the rule so that grantees have substantial time to transition to the new approach. By encouraging a balanced approach that includes targeted investments in revitalizing areas, as well as increased housing choice in areas of opportunity, the rule will enable program participants to promote access to community assets such as quality education, employment, and transportation.

HUD's rule clarifies and simplifies existing fair housing obligations and creates a streamlined Assessment of Fair Housing planning process, which will help communities analyze challenges to fair housing choice and establish their own goals and priorities to address the fair housing barriers in their community. While the final rule will take effect 30 days after publication, it will not be fully implemented immediately. HUD will provide support to program participants that need to complete an Assessment of Fair Housing to ensure they understand the process and to identify best practices across a diverse group of communities.

To learn more about the Affirmatively Furthering Fair Housing Final Rule visit:  
[www.hud.gov/affh](http://www.hud.gov/affh).

## **CAN HUD'S NEW RULE FIX RESIDENTIAL SEGREGATION?**

The Atlantic – 7/8/2015 -- By Alana Semuels

Ever since the passage of the Fair Housing Act in 1968, the federal government has been obligated to try and foster inclusive, diverse communities. In practice, that means moving poor, black families into richer, white neighborhoods and providing grants for improving areas of concentrated poverty.

But for decades, the Department of Housing and Urban Development, or HUD, has fallen short of these goals, and at times its efforts have even backfired, [perpetuating patterns](#) of segregation by building more housing for America's poorest in America's poorest neighborhoods. Deep racial and economic segregation [continues to dictate where Americans live](#).

“One of the problems with the failure to really give this statutory provision meaning and teeth up until now is that people could pretend it didn't mean anything, and failure to comply with it didn't have consequences,” said Betsy Julian, the president of Inclusive Communities Project, a Dallas non-profit that recently won a Supreme Court case protecting parts of the Fair Housing Act. (Julian also served as HUD's Assistant Secretary for Fair Housing and Equal Opportunity in the Clinton Administration.)

On Wednesday, HUD took a big step toward fixing its own ineffectiveness, [releasing a new rule](#) that requires that cities and regions evaluate the presence of fair housing in their communities, submit reports detailing the presence of segregation and blight, and detail what they plan to do about it. Communities will be required to hold meetings or otherwise solicit public opinion about housing planning and integration every five years, and will have a new trove of resources to assess their progress.

“This important step will give local leaders the tools they need to provide all Americans with access to safe, affordable housing in communities that are rich with opportunity,” said HUD Secretary Julian Castro.

Parts of the new rule will take effect in 30 days.

By law, communities are expected to affirmatively further fair housing through the way they use federal funds, including Community Development Block Grants (used for a variety of development initiatives), public-housing-authority programs such as Housing Choice Vouchers and housing complexes, and HOME grants, which fund the development of affordable housing.

But the law previously only required that, to get these funds, communities certify that they have a document called an Analysis of Impediments outlining why people could not find affordable housing, and that they are taking actions to overcome these impediments. Many communities don’t update their Analysis of Impediments, though; a [2010 GAO report](#) found that some grant recipients didn’t have a document at all, and in other communities, the reports were from the 1990s.

The [new rule](#) replaces this process with a tool that allows participants to assess fair housing issues in their communities with the aid of data provided by HUD. Cities, regions, or housing authorities will submit a document called an Assessment of Fair Housing to HUD, which will review and accept the document. That document will analyze integration patterns and disparities in access to high-quality affordable housing, and will include input from the community on what to do about it. HUD can choose to reject parts of a community’s Assessment of Fair Housing if it determines that that plan is incomplete or is inconsistent with fair-housing laws.

This may all just sound like a change in the way housing authorities do their paperwork, but for housing advocates, this is a big deal.

“This is going to be an incredibly important and positive step to changing things over the long run,” said Ed Gramlich, a special advisor to the National Low Income Housing Coalition.

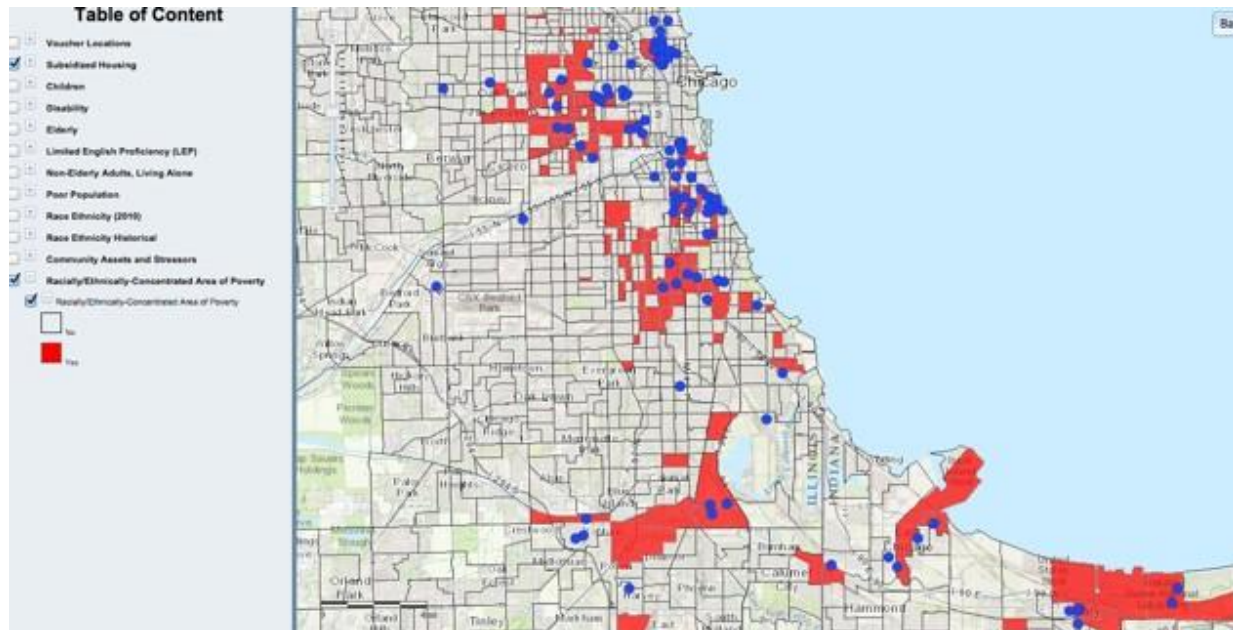
Previously, there had been no definition of what, exactly, an impediment to fair housing is, and what communities should do about it. The county of Westchester, in New York, for example, took millions of dollars of federal housing money and [claimed to comply](#) with fair-housing mandates. It signed a consent decree in 2009 to settle a lawsuit about this, but still has not taken any steps to comply with fair-housing laws, and the county executive there has [spoken publicly](#) about his opposition to integration.

Now, HUD will be hopefully able to spot such misuses of funds before the money is spent. Jurisdictions have guidance for how they can “affirmatively further fair housing,” and administrations that want to enforce the Fair Housing Act have more tools at their disposal.

The tools and data that jurisdictions will use to figure out whether they are promoting fair housing are the “centerpiece” of the new rule, according to the Washington Post’s Emily Badger.

“The premise of the rule is that all of this mapped data will make hidden barriers visible—and that once communities see them, they will be much harder to ignore,” [she writes](#).

The mapping tool will include data about housing, voucher locations, subsidized housing, income, limited income proficiency and other factors. A [prototype of that map](#), released last year, is a stark reminder of the segregation that exists across the country today.



The new HUD map allows users to look at factors including racially-concentrated poverty (red) and public housing complexes (blue).

The new rule comes on the heels of the [Inclusive Communities](#) decision by the Supreme Court, in which the Court ruled, 5-4, that housing policies that have a disparate impact on minority populations are illegal, whether or not discrimination is present. Disparate impact is a separate issue than policies that “affirmatively further fair housing,” but both concern what the law has to say about integration and fairness in the nation’s housing stock.

Taken together, said Julian, of Inclusive Communities, the new HUD rule and the Supreme Court decision require public entities that administer federal funds to take a hard look at whether their programs are working to integrate their residents..

These entities don’t just include HUD—they also include states that distribute Low Income Housing Tax Credits, which were the subject of the Supreme Court case, as well as transportation entities that administer urban development funds and city housing authorities that build in urban and suburban areas.

They’ll have to look at whether “those programs have been operating with the effect of perpetuating segregation, containing people in neighborhoods and communities marked by

conditions of slum and blight, and excluding people from well-resourced neighborhoods and communities,” she said.

The new rule makes communities look at their segregation and poverty patterns, Julian said, while at the same time holding them accountable for remedying them. That was the goal of the Fair Housing Act of 1968. Now, it might just begin to happen.

“The imperative to appropriately address those conditions of distress becomes a civil rights and fair housing imperative, not just a feel good community development policy,” she said.

## **HOW RACE STILL INFLUENCES WHERE WE CHOOSE TO LIVE**

Washington Post – 7/17/2015 – by Emily Badger

The sticky role of preference in preserving segregation — and how to change it.

OAK PARK, Ill — Every day renters walk into the Oak Park Regional Housing Center certain they don’t want to live on the *east side of town*. The *east side of town*, in this small suburb that borders Chicago, is geographic code for uncomfortably close to where the poor blacks live.

“I have people come in and draw a map of where they’re only willing to live,” says Kate Lindberg-Vazquez, a rental housing adviser at the center, which has a walk-in storefront steps from Chicago’s green line where renters — college students, young professionals, modest-income families — can find free help searching for a home. People walk in with mental maps and memories of stories they saw on a blog and rumors they’ve once been told. *Don’t live on the east side of Oak Park*.

“How there are ‘sides of town’ in a place that’s four square miles baffles me,” Lindberg-Vazquez says.

The non-profit housing center’s mission is to take those notions and gently but persistently dispel them. For decades, that’s been part of this middle-class suburb’s strategy to preserve its rare degree of racial integration. Last week, the Obama administration [announced new rules nudging communities to desegregate](#) — to look a little more like places like Oak Park. But while most of the attention around the rules has focused on the possibility that [white suburbs will have to build new affordable housing to integrate](#), Oak Park has long tried another tactic: shaping preferences rather than housing itself.

That means the town is concerned not just with where minorities and lower-income families have an opportunity to live, but where middle-class whites are willing to consider, too.

So housing counselors lightly push back against those biases renters bring in. What exactly are your concerns, they want to know, about the east side? Have you ever been there? Let me show you a beautiful two-bedroom there I think you might love that has a washer-and-dryer *in unit*!

Lindberg-Vazquez ushers clients into her Subaru Outback and drives them to available units that landlords have listed through the center. She drives them past Oak Park’s handsome 1920s brick



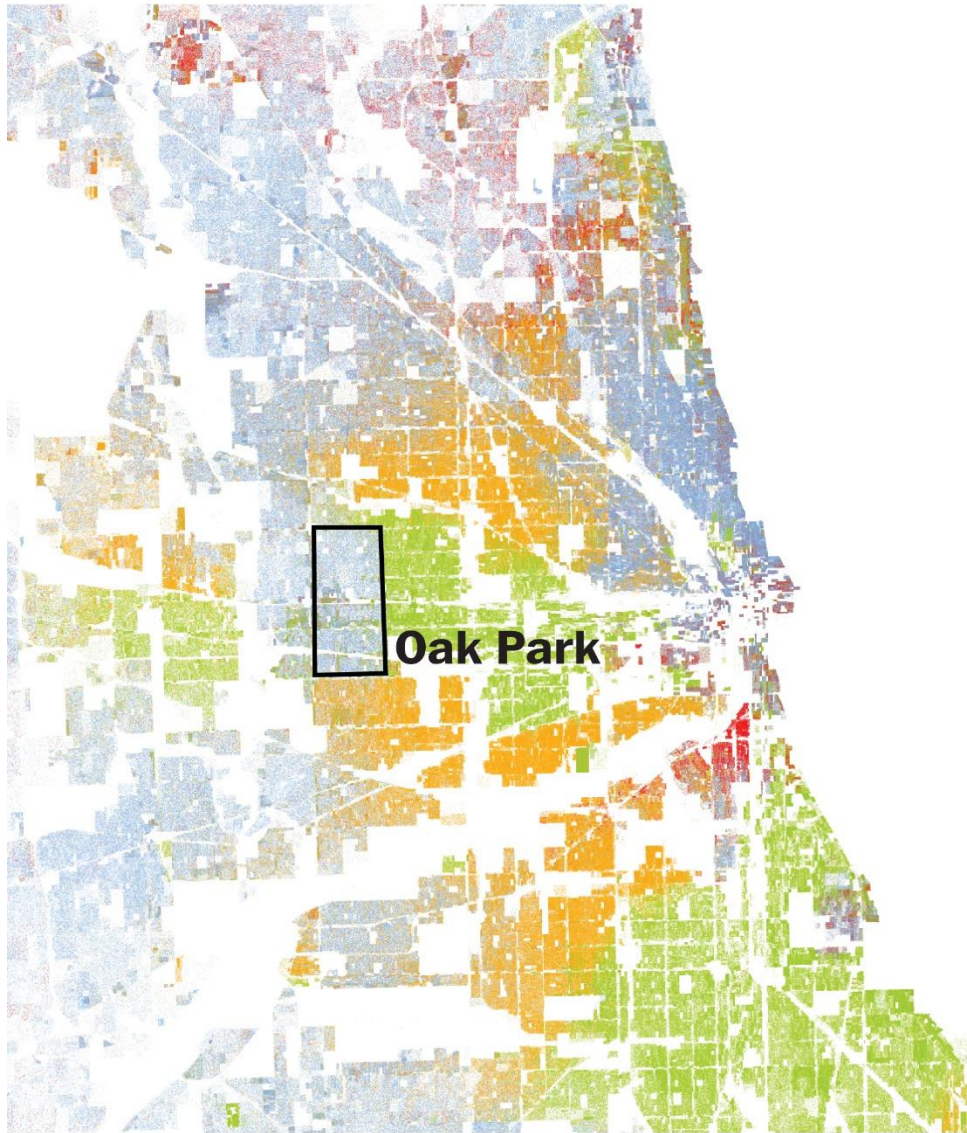
apartment buildings and its craftsman-style single-family homes. The community, surrounded on most sides by more heavily segregated neighborhoods and suburbs west of Chicago, looks, on Lindberg-Vazquez's route, quaint, leafy and clean.

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● White   ● Black   ● Asian   ● Hispanic   ● Other

1 dot = 1 person

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Source: Weldon Cooper Center for Public Service, University of Virginia  
THE WASHINGTON POST

The units the center has access to aren't listed online precisely because the group wants to influence what renters see. It wants white professionals to consider apartments a few blocks from

the Chicago city line, the other side of which sits the predominantly black neighborhood of Austin. It wants black families to know they're welcome in whiter corners of Oak Park, too.

If this sounds like a reverse form of steering — the practice real-estate agents once deployed to deter blacks from segregated white neighborhoods — the housing center argues this strategy is necessary to keep segregation at bay.

“If we weren't doing this work, Oak Park would probably remain diverse, but it would start segregating very quickly,” says Rob Breymaier, the center's executive director. Hispanics are underrepresented here. But blacks, who make up about 22 percent of the population, are slightly overrepresented relative to the larger Chicago region. And they are not all clustered on the east side. Given how quickly rental units turn over, Breymaier estimates it would only take about five years before that fact was undone, without the center's efforts, by newcomers who had never heard its message.

“This is not something we can stop doing,” he says. “Unless there's an intention to promote integration, segregation often just happens because of the way our society is built.”

### Racial blind spots

The center's work is built on the premise that housing patterns in a significant way are still shaped by racial bias. And studies suggest it's not so much that blacks choose to self-segregate; it's that whites are open to fewer kinds of neighborhoods, search within places that are seldom integrated, and know less about communities that aren't predominantly white.

“I think people just don't think it matters any more — race doesn't matter any more,” says Maria Krysan, a sociologist at the University of Illinois at Chicago, who also sits on the housing center's board. “Yes, it actually does.”

Krysan's research reveals [“racial blind spots”](#) in how we search for housing. People tend to look in communities they know about, but whites are much less likely than blacks to know about places where they're not in the majority.

When asked to describe their neighborhood preferences, whites and blacks also diverge. Blacks say they'd move to a wider range of neighborhoods, from mostly black to mostly white places. Whites are less likely to say they'd choose even moderately integrated places, and they tend to search in places that are largely white.

Krysan and colleagues have also asked blacks and whites in Chicago and Detroit to assess neighborhoods filmed in brief videos. The neighborhoods ranged from lower to upper-income, and in each one black and white actors posed as residents, as in these two videos of the same middle-class Detroit neighborhood:

In a study led by sociologist Maria Krysan at the University of Illinois at Chicago, people were asked to assess short video clips of neighborhoods with black and white actors posing as residents. Whites rated more positively the places that appeared to be white neighborhoods,

compared to when the very same neighborhoods were shown with blacks. These two clips used in the study capture the same middle-class neighborhood in Detroit. (Maria Krysan)

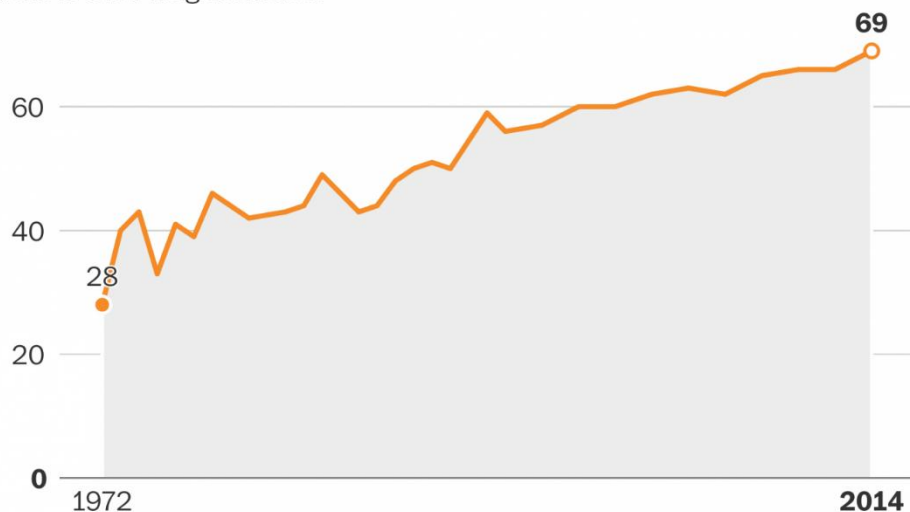
In the study, whites were [more likely to positively rate a neighborhood with white residents in it](#) than they did the identical neighborhood when the people collecting the morning paper or walking the sidewalks were black. Those results suggest that whites aren't simply hesitant about the *kinds* of neighborhoods where they believe blacks live. In this case, whites downgraded black neighborhoods even when they were clearly affluent.

“The self-segregation trope tends to be thrown out about blacks in the popular discourse, ‘well blacks must want to live in these segregated places,’” Krysan says. “We’re not turning the tables around and saying whites are the ones who are more likely to be self-segregating.”

Whites today are much more likely than they were in the past to live in neighborhoods with blacks and other minorities. In fact, all-white neighborhoods [in America are largely disappearing](#). But, says American University sociologist Michael Bader, who has conducted research with Krysan, that’s because minorities have been willing to move to once all-white places.

### Share of whites who say blacks live in their neighborhood

As all-white neighborhoods have disappeared, most whites now say there are some blacks in their neighborhood.



Question wording: Are there any blacks living in this neighborhood now?

Source: General Social Survey

THE WASHINGTON POST

As for whites, Bader says, “they’ll stay as long as integration comes to them.”

When white families eventually leave these neighborhoods that have grown more integrated, they’re unlikely to be replaced by another white family. That means, in demographic data Bader

has analyzed going back to 1970 in New York, Chicago, Los Angeles and Houston, that many integrated places [have experienced over time “steady resegregation.”](#)

"Not waiting"

Oak Park became the place it is today — progressive, proudly integrated, “the People’s Republic of Oak Park” — because of decisions residents there made in the 1960s and 1970s when the suburb was almost all-white. At the time, white neighborhoods on the west side of Chicago were rapidly changing, as real estate agents stoked the fears of white families, then turned a profit selling their homes to blacks.

As that wave of “blockbusting” approached Oak Park’s borders, residents there began to organize to avert the same fate. The housing center was created in 1972. The city passed an ordinance banning “for-sale” lawn signs, out of fear they could prompt a panic. The prohibition unofficially endures in Oak Park today. The city also created an “equity assurance” program that homeowners could pay into to hedge against the possibility of tumbling property values. But no one ever made a claim against it.

The housing center’s efforts today flow from the same tradition: “It’s proactive instead of reactive,” Breymaier says. “We’re not saying let’s wait until somebody has had their rights violated and do something about it. We’re saying let’s get involved with somebody when they’re trying to make a decision.”

About 3,500 households come through the center every year, and maybe 1,000 end up moving to Oak Park. Roughly 70 percent of them, Breymaier says, make a move that sustains or improves the community's integration.

Under the Obama administration's new rules, this is the kind of step a community could take to further desegregation. It's not costly and controversial new construction. It's marketing. It's about, among other things, being publicly explicit that a community *wants* diversity.

“I feel like who wouldn’t want that?” says Lindberg-Vazquez, piloting her Subaru through town. “Who wouldn’t see the value in that?”

Emily Badger is a reporter for Wonkblog covering urban policy. She was previously a staff writer at The Atlantic Cities.

## **FINLEY: OBAMA’S NEXT TARGET: THE SUBURBS**

Detroit News – 7/18/2015 – by Nolan Finley

The president who pledged to transform America has picked his next target in the country’s makeover: the suburbs.

Obama the Utopian hopes to use both the federal Treasury and the federal club to coax Americans into neighborhoods planned by bureaucrats to perfectly reflect the nation’s diversity.

No more rich town, poor town. All towns will be places where everyone lives on the right side of the tracks in blissful harmony without any social barriers to separate them.

That's the vision of the Affirmatively Furthering Fair Housing Rule announced earlier this month by HUD Secretary Julian Castro.

It is a masterwork of social engineering that will allow the federal government to reshape nearly every neighborhood in the country to assure it has the correct income, racial and ethnic balances.

On paper, it appears fairly innocuous. It authorizes HUD to send local zoning boards reams of data about racial and economic disparity in their communities to help them "proactively" overcome "historic patterns of segregation...and foster inclusive communities for all."

Communities will get feedback on their schools, transportation systems and racial and socioeconomic make-up to help them determine whether they are fully welcoming to poor people and other classes protected by the Fair Housing Act.

Once the data is compiled and analyzed, the expectation is that communities will take positive action to improve their numbers. And if they don't? They'll lose federal housing dollars.

Or worse — they'll face a lawsuit from a federal government emboldened by the recent Supreme Court ruling on disparate impact, which makes it OK for prosecutors to determine discrimination simply by looking at statistics.

Suburban communities will be coerced to urbanize by plopping "affordable" (read: low income) housing in middle and upper income neighborhoods, and to demand that all residential developments, including luxury projects, contain a percentage of low-rent units.

The intent here is to make every neighborhood "look like America," the popular buzz phrase for arranging society by racial percentages.

More likely, the rule will make every neighborhood look like Detroit.

The Motor City should have settled the question of whether forced integration works. Its abandonment was accelerated by court-ordered school busing and government efforts to reorder neighborhoods.

Housing is one of the more difficult markets to manipulate for social outcomes. Homeowners always have the option of packing up and moving on when the nature of their communities no longer meets their needs. They won't be trapped by government mandates in communities where they don't feel comfortable.

It's a nice thought that there can be suburbs where \$1 million estates sit right next to \$800 a month apartments, and everybody gets along just fine. The reality is that efforts to coerce economic diversity in housing almost always end up destroying neighborhoods.