

The Fight For Fair Housing

The people striving to fix Oregon's housing discrimination problem

BY MEERAH POWELL

Last month, I went on vacation to Seattle. My boyfriend and I decided to book an Airbnb, generally a cheaper option than a hotel.

In preparing for the weeklong excursion, I told my boyfriend he would have to be the one to set up the Airbnb profile and book the trip. He's white and I'm black. I didn't want to risk our being denied a place to stay due to my profile picture.

It may seem like an unrealistic fear, but it's not unwarranted. Last July, *The Guardian* published a story about an Airbnb host who canceled a woman's reservation via text message just minutes before she arrived, stating: "I wouldn't rent it to u if u were the last person on earth," and "One word says it all. Asian."

That's just one among a plethora of stories about discrimination with Airbnb. Later in that same month, Airbnb partnered with the NAACP to reach out to communities of color and help increase the diversity of the website's rental hosts, according to the NAACP. Airbnb also committed to hiring a more diverse workforce internally.

But housing discrimination isn't limited to vacation rental sites.

Housing discrimination also happens with permanent housing situations — renting an apartment or attempting to buy a house. In places like Eugene and Portland, where the housing market is super tight, this makes it even harder to secure housing for already marginalized groups.

With Oregon's specific history of deterring people of color from land and home ownership, the fact that racial discrimination in housing still exists should not be terribly surprising. But other forms of housing discrimination take place here, too, and they tend to get overshadowed — discrimination regarding disability, source of income, sexual orientation and other identifications.

But such forms of discrimination are rarely as blatant as a message of "I won't rent to you because you're Asian," so they're more difficult to prove.

In 2016 alone, the U.S. Department of Housing and Urban Development (HUD) received 60 housing discrimination complaints for the state of Oregon. The individual cases are not available to view in detail, and the most recent 2017 report is not available yet, according to Public Information Officer Leland Jones.

Oregon's Bureau of Labor and Industries (BOLI) handles complaints together with HUD. BOLI has more specific data for regions within Oregon.

Over the past five years in Lane County, 58 housing discrimination complaints have been filed with BOLI. More than half of those cases were closed due to "no substantial evidence." Most of those cases cited either source-of-income discrimination or disability discrimination.

But those numbers are not actually an indicator of what's going on, fair housing advocates say.

Allan Lazo, executive director of Fair Housing Council of Oregon (FHCO), says housing discrimination goes largely underreported. The fact that these cases are hard to prove also discourages tenants from taking action.

"It can be very difficult to get that kind of evidence in a housing discrimination case, because housing discrimination today just looks very different than when the fair housing act passed 50 years ago," Lazo says. "And that's because, at that time, discrimination and segregation around those issues were blatant. They were just flat out. 'No blacks here' or 'Whites only.' And you certainly don't see that anymore, so it can be difficult in a complaint of that nature to prove discrimination."

The Fair Housing Act — also known as Title VIII of the Civil Rights Act of 1968 — "prohibits discrimination by direct providers of housing, such as landlords and real estate companies as well as other entities ... whose discriminatory practices make housing unavailable to persons because of: race or color, religion, sex, national origin, familial status or disability," according to the U.S. Department of Justice.

Oregon also adds marital status, source of income, sexual orientation and gender identity to that list. Eugene additionally protects against housing discrimination based on ethnicity and age.

FHCO, based in Portland, is dedicated to "ending housing discrimination and ensuring equal access to housing opportunities throughout the state," Lazo says.

They do that through their housing discrimination hotline, which Lazo estimates receives approximately 2,000 calls a year, along with providing other services.

About 10 percent of those statewide hotline calls are what FHCO calls bona fide fair housing allegations, Lazo says.

"We get a lot of calls from people who don't know whether or not they've been discriminated against. We kind of talk with them and try to figure out whether or not it's a case of discrimination," he adds. "About 10 percent of those calls, about 200 of them, are bona fide allegations and we will further investigate those."

Lazo says some of those complaints are more easily resolved than others.

"Some of the cases we have around physical disability, those are a little more clear because the rights for disabilities are pretty well defined, so it's pretty easy for us to work with the housing provider and say, 'You're in violation of the fair housing act,' either federal or local or state laws, and it's pretty clear," he says.

Other forms of discrimination — for example, disability involving mental health — aren't as clearly outlined. "The other types of complaints are much more difficult to move through that legal process, for sure," Lazo says.

According to data from FHCO, from "July 1, 2016 to June 30, 2017, the Fair Housing Council of Oregon screened 1,859 intake claims for possible housing discrimination from throughout the state of Oregon; 102 of those intakes came from residents of or properties within the city of Eugene."

"[Twenty-six] of the [Eugene] intake calls, or 25.49 percent, resulted in further investigations of a fair housing allegation," according to FHCO.

Fifteen of those "bona fide" 26 intake calls were related to disability complaints, three were related to race and/or color, three to sex and so on.

Lazo says FHCO does its own investigations, but also refers people to BOLI or HUD if they want to lodge a formal complaint.

Along with its hotline, Lazo says FHCO also does testing throughout the state. "That's like secret shopper testing," he says. The organization sends in pairs of people, one in a protected class and one not, to observe whether they're being treated differently in the rental process.



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