

FAIR HOUSING

48 Years After the Fair Housing Act, We Still Have Work to Do

In early September, public policy experts, housing advocates, civil rights leaders, academicians and others came together for three days to listen, learn and craft a way forward to advance housing rights and opportunities. Convened by HUD's Office of Fair Housing and Equal Opportunity, the conference held September 1-3 celebrated major milestones in the fight for fair housing, recalled noteworthy achievements and itemized all that still remains to be accomplished.

As co-sponsor of the 1968 Fair Housing Act (FHA), Walter Mondale, former vice president and Minnesota Senator, termed the Act's passage as "one of the great miracles in modern history." His opening keynote address also spoke to contemporary challenges to dismantle residential segregation and governmental policies that deny equal housing.

"The Fair Housing Act has unfinished business," noted Mondale. "When high-income Black families cannot qualify for applied loans 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,



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streets, sewers, school and parks but then allow these communities to exclude affordable housing, the goals of the Fair Housing Act are not fulfilled," continued Mondale. "When we build most new subsidized housing in poor Black and Latino neighborhoods, the goals of the Fair Housing Act

providers are complying with federal fair housing laws, has resulted in more than \$13 million in damages and civil penalties awarded since 1991.

"One investigation found that a nationwide mortgage lender has systematically charged higher interest rates to Hispanic and African American borrowers," noted Lynch. "Another revealed that city officials, law enforcement and a local housing authority in Los Angeles County had engaged in a targeted campaign to discourage African-Americans from moving to and living in the area by enforcing the

tain loan officers or certain brokers who they know will charge more."

Later this month, new mortgage data will be released as part of the annual Home Mortgage Disclosure Act report. One of the few resources that details mortgage lending by race and ethnicity, the most recent report — for 2013 — showed low levels of lending for borrowers of color. Further, when mortgage loans were approved for Black and Latino consumers, the vast majority were backed by government-insured programs from FHA, VA or USDA — and very

and HUD Justice's full support.

"[I] am proud to support the Department of Housing and Urban Development's new rule on Affirmatively Furthering Fair Housing (AFFH), which is a crucial step toward ending historic patterns of segregation and removing disparities based on race, color, religion, sex, familiar status, national origin and disability," said Lynch.

The new rule, announced this past July, clarifies and simplifies existing fair housing obligations.

Also voicing support for HUD's new rule was Wade Henderson, President and CEO of the Leadership Conference on Civil and Human Rights, a coalition of more than 200 national organizations.

"We need HUD to continue its AFFH enforcement efforts . . . To send a strong signal to jurisdictions that it's serious about compliance on this issue," said Henderson. "And HUD needs all of us to engage with local governments in the coming few years to hold them accountable, and to also push to see that HUD itself has the capacity it needs to do its job in the right way."

May we also find the will and the way to continue the journey for justice.

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are not fulfilled.”

Many of Mondale's concerns were echoed by other presenters. For example, according to Attorney General Loretta Lynch, in just the last three years, Justice Department's Civil Rights Division filed more than 100 lawsuits, including 69 pattern or practices lawsuits, to combat housing and lending discrimination. Housing testing, a key tool used to determine whether housing

Housing Choice Voucher program in a prejudicial manner.”

In another conference session, Steven Rosenbaum, head of housing and civil enforcement at the Justice Department's civil rights division, warned of more redlining cases. "Based on what is on my docket right now, stayed tuned," said Rosenbaum. "There are still lenders who seem to think it is OK to steer minority borrowers to cer-

few from the private sector. The private sector exclusion means more hard-earned money is taken out of the pockets from borrowers of color as government-backed mortgages are more expensive.

In the aftermath of the U.S. Supreme Court's decision that upheld the use of disparate impact studies as a tool to fight for fair housing and a new HUD rule, Attorney General Lynch offered the gathering



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