

# PRACTICE FAIR HOUSING



**E**qual access to housing is a right protected by both federal and state law. The City of San Diego strives to increase housing opportunities and equality for its citizens. Our "Practice Fair Housing" program offers free services to the community in order to promote equal housing opportunities and our goal for the program is to emphasize solutions through education and enforcement – so that our shared values of community, opportunity and equality can be realized.

## What is Fair Housing?

**There is often much public misunderstanding about the meaning of the term "fair housing." What does it really mean?**

Fair Housing means the ability of persons of similar income levels who are seeking housing in similar housing markets and who have **like qualifications**, will have available to them the **same range of housing choices** without regard to race, color, national origin, religion, sex, disability (physical/mental) or familial status (presence of children), as provided under the federal Fair Housing Act. California laws have the same protections as federal law and further protect against housing discrimination on the basis of sexual orientation, source of income, marital status, age, ancestry, medical condition, genetic information, gender identity, gender expression or arbitrary status.

## Public Review & Comment: April 7, 2015 – May 6, 2015

The DRAFT San Diego Regional Analysis of Impediments to Fair Housing Choice 2015-2020 (AI) is available for public review and comment at:

[www.sandiego.gov/cdbg/pdf/fairhousing/fhAIpubliccomment0415v.pdf](http://www.sandiego.gov/cdbg/pdf/fairhousing/fhAIpubliccomment0415v.pdf)

## CELEBRATE FAIR HOUSING MONTH

**April 2015** marks the 47th anniversary of the passage of federal Fair Housing Act of 1968; a law that prohibits housing discrimination based on race, color, religion, national origin, sex, familial status and disability. As cities across the nation commemorate this momentous time in U.S. history, the City of San Diego reinforced its commitment to affirmatively further fair housing by sponsoring a number of free activities and workshops during "Fair Housing Month" in City of San Diego.

View our calendar of events for Fair Housing Month events, workshops and activities at: [www.sandiego.gov/cdbg/fairhousing](http://www.sandiego.gov/cdbg/fairhousing)

**Fair Housing Center of the  
Legal Aid Society of San Diego, Inc.**  
**(844) 449-3500**  
**City of San Diego - Fair Housing Program**  
**[sandiego.gov/cdbg/fairhousing](http://sandiego.gov/cdbg/fairhousing)**

This public service announcement is funded in part with Community Development Block Grant (CDBG) program funds provided by the U.S. Department of Housing and Urban Development (HUD) to the City of San Diego.

To view the 2014 PSA, click here:

<http://www.youtube.com/watch?v=jjyl84USOYo&feature=youtu.be>

## Fair Housing News Across the Nation

### Texas Housing Case Tests Civil-Rights Doctrine

January 20, 2015

**T**wo days after the Martin Luther King Jr. holiday, the U.S. Supreme Court heard oral arguments about whether the current system for distributing affordable housing tax credits promotes racial segregation and violates the Fair Housing Act of 1968, which sought to impose a comprehensive solution to the unlawful discrimination in housing. "The Supreme Court case revolves around a controversial doctrine used to enforce civil rights law known as 'disparate impact.' It holds that to prove that a policy is discriminatory, one must only show that its results disproportionately affect one group of people—even if the discrimination wasn't intentional."

The Texas suit began in 2008 as a housing dispute by the advocacy group the Inclusive Communities Project Inc. against the Texas Department of Housing and Community Affairs. The case has since blossomed into one of the weightiest housing lawsuits in a generation.



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## Public Hearing

**get involved!**

Public Hearing: San Diego Regional Analysis of Impediments



The San Diego Regional Alliance for Fair Housing, is hosting a **Public Hearing** on the **DRAFT 2015-2020 San Diego Regional Analysis of Impediments to Fair Housing Choice (AI)**.

Attend the Public Hearing to learn about the DRAFT AI and to provide your feedback.

**TUESDAY, APRIL 21, 2015**

County of San Diego - Department of Housing and Community Development

3989 Ruffin Road  
San Diego, CA 92121  
2:00pm to 4:00pm

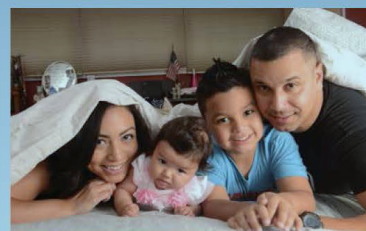
For more information, reasonable accommodation or translation service requests, please contact Anthony McCall 48 hours before the hearing by phone (858-694-4828) or email ([Anthony.McCall@sdcountry.ca.gov](mailto:Anthony.McCall@sdcountry.ca.gov)).

A copy of the Draft AI is available at:

[www.sdfairhousing.org](http://www.sdfairhousing.org)

Comments on the Draft AI may be submitted to:

[info@sdfairhousing.org](mailto:info@sdfairhousing.org)



## Fair Housing in Action

**Complaint:** A quadriplegic young man (complainant) was transitioning from a nursing home – where he resided for three years – into independent living. With the assistance of a social worker, he applied for an affordable housing apartment unit in downtown San Diego, near the college he was attending. After applying and touring the building, which did not have any accessible units designed for persons with disabilities (as required by the law), the complainant requested a modification to the bathroom tub as well as a keyless remote entry for the front door. The complainant was approved to move in but was prevented from doing so until the property management company (respondent) approved his modifications. After ignoring the complainant, the respondent contacted his social worker to express its concern that in an event of a fire, the client was “too disabled” to escape and should not live in the apartment. The respondent unilaterally rescinded its previous approval for the complainant to move in and denied the modification requests. The complainant prepared, for months, to move into the new unit; Due to the respondent’s revocation coupled with his scheduled discharge from the nursing home, the complainant had to quickly find a new place to live. Eventually, the complainant found a non-accessible unit two hours away from the community college he attended.

**Outcome:** Legal Aid Society of San Diego (LASSD) filed a lawsuit in federal court (case #’13-cv-00996-WRBB), alleging a refusal to rent, denial of modification, and violation of section 504 of the Rehabilitation Act 1973, for not having the required amount of accessible units for a federally funded building. The case resolved after litigation, and the respondent paid \$275,000 in damages, which included attorney fees and the respondent agreed to modify thirteen (13) apartment units to make them accessible to persons with physical disabilities, build an additional accessible unit, and post fair housing materials about accommodations and modifications in the building.

**Complaint:** A renter was sexually harassed by the landlord days after her husband of seventeen (17) years died. The complainant attempted to pay rent, in person, after the death of her husband. She alleged that the respondent demanded sex for rent, graphically spoke about his sexual affairs, and then forcibly kissed her, before she fled the building. The complainant contacted the police department. The respondent proceeded to attempt to evict the complainant.

**Outcome:** LASSD represented the client and filed a federal lawsuit against the respondent (case #3:12-cv-02860-W-MDD). After litigating the case for a year, the respondent settled the case for a total of \$147,000 in damages (includes attorney fees), and injunctive relief that required the respondent to only use a certified property management company to rent any rental property for the remainder of his life.

**Complaint:** Two Spanish speaking monolingual tenants were both forced to sign 30-day notices to terminate their tenancies of 15 years. The respondent, a recipient of HUD funding, required the complainants to sign a document (written in English) prepared by the respondent, which both complainants could not read nor understand, and required the complainants to sign the notice terminating their tenancy or risk eviction. The respondent filed an eviction lawsuit against both tenants for failing to move out after the 30-day notice expired.

**Outcome:** LASSD intervened and filed a HUD complaint against the respondent. The case was accepted by HUD and was settled in conciliation. The terms provide that the building will translate all vital documents (notices) in Spanish, offer fair housing training for staff, host two fair housing trainings for tenants – to be provided by LASSD, and be monitored by HUD for compliance for three (3) years (see HUD conciliation agreement 09-15-0417-8; 09-15-0417-6).

## Fair Housing Training for Housing Providers

**Celebrate the 47<sup>th</sup> Anniversary of the Fair Housing Act!**

**FREE, NO COST**

**Fair Housing Training for Housing Providers!**

**April 24, 2015**

**9:00 AM to 12:00 PM (English)**

**San Diego Central Library**  
300 Park Blvd., San Diego, CA 92101

**Who Should Attend?**

LANDLORDS, PROPERTY MANAGERS, REALTORS, LENDERS, MAINTENANCE PERSONNEL, HOUSING PROFESSIONALS

**UPDATE YOUR FAIR HOUSING KNOWLEDGE!**

**HEAR FROM THE SPEAKERS**

**Branden G. Butler**, Senior Attorney, Fair Housing Center of the Legal Aid Society of San Diego, Inc.  
**Rosalina Spencer**, Staff Attorney, Fair Housing Center of the Legal Aid Society of San Diego, Inc.  
... and other “to be announced” speakers.

- The source(s) and content of federal and state laws that govern your business
- How to resolve a broad range of requests from persons with disabilities, including reasonable accommodations and modifications under fair housing laws
- Service dog/ assistance animal discrimination issues
- The role of California Department of Fair Employment and Housing and the U.S. Department of Housing and Urban Development in enforcing fair housing laws

*This facility is wheelchair accessible, let us know if you need any accommodations in order to participate in our program.*

**REGISTRATION**

*This effort is funded in whole or in part with Community Development Block Grant (CDBG) program funds provided by the US Department of Housing and Urban Development (HUD) through the City of San Diego.*



**For registration please call or email**  
**(619) 471-2616/ TTY: 711/ [MarleneT@lassd.org](mailto:MarleneT@lassd.org)**

**For More Information Call (844) 449-3500**

*This program is presented under the Fair Housing Center of THE LEGAL AID SOCIETY OF SAN DIEGO, INC.*

## Calendar of Events

See our calendar of events for updates on future events, workshops and fair housing activities at:  
[www.sandiego.gov/cdbg/fairhousing](http://www.sandiego.gov/cdbg/fairhousing)

**FAIR HOUSING HOTLINE:**

**1-800-462-0503**

### Fair Housing News Across the Nation

*Continued from page 1.*

If the Texas housing authority prevails, the state can continue to give subsidies to housing developers in mostly-black areas without fear of discrimination lawsuits. If the advocates win, the state would be indirectly forced to figure out some way to allocate more funds to build low-income housing in majority-white neighborhoods. The nation's highest court is expected to make a decision before July 2015.

Photo and original article titled, "Texas Housing Case Tests Civil-Rights Doctrine," by Robbie Whelan and Jess Bravin published on The Wall Street Journal. (<http://www.wsj.com/articles/texas-housing-case-tests-civil-rights-doctrine-1421811181>)

### Take Action



If you believe you have been denied housing or the opportunity to apply for housing in the City because of a characteristic protected by federal or state law, you may contact the City's **Fair Housing Hotline** at **1-800-462-0503** or call the Fair Housing Center at Legal Aid Society at: **844-449-3500**.

- ✓ Make sure to contact the hotline within one-year of the incident,
- ✓ Speak to a housing counselor and provide facts about the incident,
- ✓ If merited, you may be referred to our legal service provider for further investigation of your concerns,
- ✓ An attempt will be made to assist both parties in resolving the issue,
- ✓ If the issue remains unresolved, and there is evidence that a violation of the law has occurred, the complaint may be litigated in court.

## At A Glance

Practice Fair Housing Campaign Accomplishments  
Fiscal Year 2015  
(July 1, 2014-December 31, 2014)

- 1534 multilingual informational brochures distributed
- 333 fair housing inquiries received
- 42 fair housing discrimination investigations implemented
- 33 fair housing investigations resolved
- 128\* random fair housing tests conducted
- 4 workshops conducted
- 159 persons educated regarding fair housing rights

\* - Funded by Fair Housing Initiative Program (FHIP) grant

### Multilingual Brochures

The City of San Diego now has informational Fair Housing brochures available in English, Spanish, Vietnamese, Tagalog, and Chinese. To view these brochures, please visit: <http://www.sandiego.gov/cdbg/fairhousing/>

### Local Resources

The City has engaged the services of two Fair Housing Service Providers to provide community outreach and legal services:

#### Housing Opportunities Collaborative

1100 Broadway San Diego, CA 92101-5612  
(619) 283-2200 | General Inquiries  
**(800) 462-0503 | Fair Housing Hotline**

#### Legal Aid Society of San Diego, Inc.

1764 San Diego Avenue, Suite 200  
San Diego, CA 92110-1987  
(877) 534-2524 | General Inquiries  
**(844) 449-3500 | Fair Housing Center**  
**(800) 462-0503 | Fair Housing Hotline**

### Other Fair Housing Resources

#### U.S. Department of Housing and Urban Development, Fair Housing Division

600 Harrison Street, 3rd Floor  
San Francisco, CA 94107-1300  
(800) 347-3739

#### California State Department of Fair Employment & Housing

611 West Sixth Street, Room 150  
Los Angeles, CA 90017-3101  
(800) 233-3212

*This newsletter is funded in whole or in part with the Community Development Block Grant (CDBG) Program funds provided by the U.S. Department of Housing and Urban Development (HUD) to the City of San Diego.*

This information is available in alternative formats upon request.

