

PRACTICE FAIR HOUSING



THE CITY OF SAN DIEGO



Spring 2013
Inaugural Issue



Mayor Bob Filner

Mayor Bob Filner's Commitment to Fair Housing

As your new Mayor, I am committed to ensuring that the right to fair housing, as provided under law, is available to all San Diegans. I believe in the rights of all Americans under the U.S. Constitution and I have fought for those rights for decades, starting as a teenager, when I boarded a bus as a Freedom Rider and was arrested and jailed for a month in Mississippi during the Civil Rights Movement.

My principles have not changed and I am a strong supporter of fair housing services for all housing consumers and providers in our city.

This commitment is the true foundation for building equitable access to education, health, transportation and jobs for all San Diegans.

It is my responsibility as Mayor to ensure that our city is "affirmatively furthering" our fair housing goals because we are an "entitlement entity" receiving Community Development Block Grant (CDBG) funding. Compliance with related regulations is a requirement for ensuring continued CDBG funding and is also an essential element of our Consolidated Planning and Housing Element processes.

In July 2012, the City of San Diego contracted with the Legal Aid Society of San Diego, Inc. and the Housing Opportunities Collaborative for comprehensive fair housing services delivery with two goals: to meet the mandates of compliance with the San Diego Regional Analysis of Impediments report; and to address and resolve the problems identified for the City.

This collaboration of the Legal Aid Society and the Housing Opportunities Collaborative is a unique and innovative combination and I'm pleased that we will be a leader in this trend-setting model.

The Legal Aid Society has provided 60 years of legal services to the San Diego community, along with the Fair Housing Council of San Diego with a 22-year fair housing record. The Housing Opportunities Collaborative has a HUD-certified housing counseling program. Together this team will provide a wide range of services including: fair housing outreach; public education; and civil rights enforcement. It's a winning combination and a model that is being watched by other jurisdictions.

April is National Fair Housing Month and, with this partnership, we have good reason to be inspired about the continued success for the future of fair housing in our City. Please continue to tune in to this newsletter to learn more about the specific fair housing service details of the past six months and ideas for the anticipated services and programs to which I am committed on behalf of the City of San Diego.

Thank you.

Equal 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. With this inaugural issue of our quarterly newsletter, we introduce you to the City's fair housing campaign and give you a glimpse of what "Fair Housing" can mean to you.

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 that 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 or arbitrary status.



At A Glance

The "Practice Fair Housing" Program officially launched in July 2012 and, from July – December 2012, here is a summary of some activities at-a-glance:

Number of Events Attended	48
Number of Attendees Reached	2,200
Number of Fair Housing Inquiries Received	69
Number of Complaints Received	55
Number of Complaints Investigated	20
Number of Complaints Resolved	16

What Do You Know? Fair Housing Quiz

1. The federal Fair Housing Act protects people with physical disabilities from discrimination but does not apply to mental disabilities.

True or False

2. Tenants with children can be told they have to live in the ground level units so they will not bother other tenants or for safety/liability reasons.

True or False

3. Residents who use a wheelchair may be charged a higher security deposit because they will cause more wear and tear in an apartment.

True or False

4. A landlord may obtain an additional pet deposit from residents requiring a service or companion animal.

True or False

5. An advertisement for a one-bedroom apartment is placed seeking a "single, young professional." This is an example of an illegal advertisement under fair housing laws.

True or False

6. A tenant with a brain injury requests that the landlord provide a verbal reminder to pay rent two days before the due date each month. The landlord replies, "this is not my responsibility." The landlord is correct.

True or False

7. Sexual harassment of tenants and applicants is a violation of the federal Fair Housing Act.

True or False

8. Housing for older persons is permitted and does NOT constitute discrimination based upon familial status.

True or False

9. Only guide dogs that are specially trained and certified are considered support or service animals under fair housing laws.

True or False

10. A housing provider is required by law to pay for all modifications in a unit to accommodate a tenant's disability.

True or False

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.



- 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.



FAIR HOUSING HOTLINE

1-800-462-0503

Calendar of Events

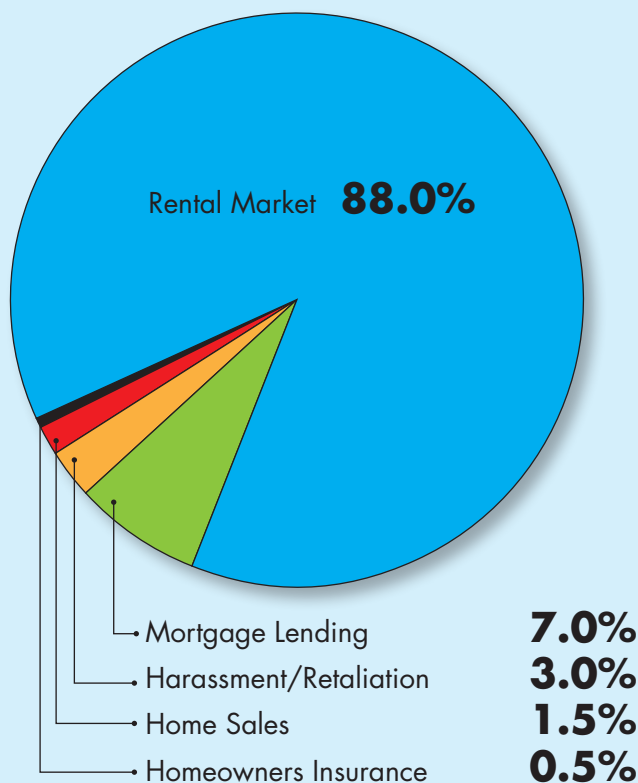
See our calendar of events for updates on future events, workshops and fair housing activities at:
www.sandiego.gov/cdbg/fairhousing

Discrimination Statistics

According to the April 30, 2012 “Fair Housing Trends Report” issued by the National Fair Housing Alliance, more than twice as many complaints of housing discrimination now come from Americans with disabilities than from any other protected group. In 2011, there were 27,092 complaints of housing discrimination in the United States. The largest share of housing discrimination cases, about 44 percent, involved discrimination against people with disabilities. Discrimination involving race accounted for about 19 percent of all complaints, while familial status accounted for 13 percent and national origin and sex each accounted for over 5 percent of all complaints. Private fair housing organizations also reported that over 10 percent of all complaints involved discrimination against people not currently protected under the federal Fair Housing Act, such as military or student status. (Source: National Fair Housing Alliance)



Of the agencies reporting on the discrimination transaction categories, the rental market continued to hold the position for the highest number of complaints:



HUD Launches First Fair Housing APP

In February 2013, the U.S. Department of Housing and Urban Development (HUD) unveiled the first housing discrimination mobile application (app) for the iPhone and iPad. Developed by HUD’s Office of Fair Housing and Equal Opportunity (FHEO) and Hewlett Packard (HP), the app uses the latest technology to provide the public with a quick and easy way to learn about their housing rights, to file housing discrimination complaints and to inform the housing industry about its responsibilities under the federal Fair Housing Act. The application is available at the Apple App Store. (<https://itunes.apple.com/us/app/housing-discrimination-complaint/id570755695?mt=8>)

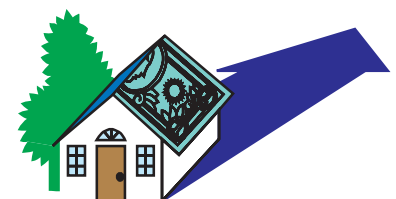


Analysis of Fair Housing Impediments

The promotion and exercise of fair housing requires freedom from the impediments of discriminatory rental, sales, lending and insurance practices, exclusionary zoning and land use practices, and other forms of barriers to housing choice. These barriers to fair housing have been identified in the most recent San Diego Regional Analysis of Impediments to Fair Housing Choice (2010–2015). To review a copy of this analysis, go to: [San Diego Regional Analysis of Impediments to Fair Housing Choice.pdf](#)

To facilitate freedom from identified impediments and to eliminate those barriers, the City will strive to:

- Remedy discrimination in housing through education, training, and outreach;
- Promote fair housing rights and fair housing choice;
- Develop and manage housing choices which are safe, affordable, sustainable, and accessible; and
- Improve access to services for persons with limited English proficiency.



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
 (800) 462-0503 - Fair Housing Hotline

Legal Aid Society of San Diego, Inc.

1764 San Diego Avenue, Suite 200 San Diego, CA 92110-1987
 (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



EQUAL HOUSING
OPPORTUNITY

THE CITY OF SAN DIEGO
 Development Services Department
 Economic Development
 & Project Management
 Fair Housing and Special Programs
 1200 Third Avenue, Suite 1400
 San Diego, CA 92101
 (619) 236-6381

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This information is available in alternative formats upon request.



HOUSING OPPORTUNITIES
COLLABORATIVE
SAN DIEGO, CA



Printed on Recycled Paper

Answers to the Fair Housing Quiz

1. **False.** The federal Fair Housing Act protects persons with physical and mental disabilities, including HIV/AIDS, alcoholics and recovering drug users. The law does not, however, protect a person currently using illegal drugs.

2. **False.** This is an example of "steering" a tenant based on their familial status – a protected characteristic. These types of policies limit the housing choices for families with children and violate the fair housing laws.

3. **False.** A landlord may not charge a higher security deposit for a tenant who has a disability. This would be an example of enforcing different terms and conditions upon a tenant due to his/her disability.

4. **False.** It is illegal under fair housing laws to request a pet deposit for a "service animal". Allowing a service animal in a "no pets allowed" complex would be an example of a reasonable accommodation for a disabled tenant. The animal is not considered a "pet" in this situation.

5. **TRUE.** An ad that shows a preference for 'single' individuals discourages families with children from renting a unit. In addition, the State of California also prohibits discrimination based upon marital status. The term 'young professional' may also violate fair housing laws by discouraging tenants who are elderly, unable to work due to a disability or families with children. This ad could potentially violate the rights of more than one protected class.

6. **False.** The request made by the tenant is an example of a Reasonable Accommodation due to disability. Unless a housing provider can show that giving monthly reminders to

a tenant would impose an undue financial or administrative burden or fundamentally alter the way in which services are provided, such a request would generally be seen as reasonable and be granted to accommodate the tenant's disability.

7. **TRUE.** Sexual harassment in housing is gender discrimination under fair housing laws which protect women and men from coercion, threats, or intimidation when interfering with their housing rights.

8. **TRUE.** Discrimination based on familial status will not apply to housing that qualifies for "exempted status" as housing for older people. Housing for older persons is housing that is: 1) provided under any federal or state program that is specifically designed and operated to assist elderly persons as defined in the federal or state program, 2) intended for and solely occupied by persons 62 years of age or older or, 3) intended and operated for occupancy by at least one person 55 years of age or older per unit.

9. **False.** Support or service animals can be any animal that works, provides assistance, performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. Such animals do not have to be certified in order to be considered a support or service animal.

10. **False.** The federal Fair Housing Act requires only that the housing provider permit the tenant to make reasonable modifications (and reasonably restore the premises) at the expense of the tenant. The housing provider may choose, however, to pay for the modifications.