

2021 TOP TEN ISSUES AFFECTING REAL ESTATE®

The Counselors of Real Estate®

Affordable Housing Discrimination in America

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By George T. Vallone, CRE



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Housing Supply and Affordability was listed as the #6 issue in the 2021-22 Top Ten Issues Affecting Real Estate® by The Counselors of Real Estate®.

When I wrote on this same topic a year ago, there was a shortage of 7.2 million affordable and available rental homes for extremely low-income renter households, (those whose incomes are less than either the poverty guideline or 30% of their area median income).^{1,2} This year, the shortage has been reduced to 6.8 million.³

That is progress, but it does not move the needle far enough. This year, I see such a bright light at the end of the tunnel, and we may actually be positioned to build enough new affordable housing to finally move the needle in a significantly positive way. Hopefully, the light is real this time and not the proverbial oncoming train.

The barriers to eliminating housing discrimination and producing more affordable housing (“AH”) highlighted in the 2020 article were: 1) the pervasiveness of the “not in my backyard” (“NIMBY”) attitude, 2) “Home Rule” which allowed the NIMBYs to keep AH out of their back yard by allowing politics, not need, to control outcomes, 3) shortage of financing subsidies, and 4) recognizing that poverty is the root problem, and that creating the opportunity to develop one’s abilities and talents through vocational or college education is the solution.

ABOUT THE AUTHOR



George T. Vallone, CRE, is President & Broker of Record, Hoboken Brownstone Company, a multi-faceted real estate development firm active along New Jersey's Hudson River "Gold Coast" for the past 40 years. George has

extensive experience in urban housing through a socially conscious approach to development. The firm's mission statement is "Quality real estate development means quality community development." His firm has been responsible for renovating brownstones, brick row houses and has built mid-rise and hi-rise condominiums in Hoboken and Jersey City as well as over 1,000 affordable housing units throughout most of New Jersey's urban markets. George's development companies specialize in large mixed-use Brownfield redevelopment projects.

QUESTION 1: WHEN DID HOUSING DISCRIMINATION IN AMERICA START AND WHERE ARE WE TODAY?

The beginnings of housing discrimination in America can be seen in the early colonies in the 1600s. In the Jamestown Colony, black and white indentured servants were treated much differently. The enslavement of people of African descent became more widespread as

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the colonies grew. Slavery was widely accepted by many of the most influential and powerful figures in early American history.

The Declaration of Independence and the American Revolution did not advance any substantial rights or freedom for black people. In determining a state's population for representation in Congress, Article 1 of the U.S. Constitution treated enslaved people as "three-fifths" of a person.

Before the Civil War began, U.S. federal courts did not recognize rights for persons of African descent, whether or not they were enslaved. The federal government did nothing to prohibit discrimination, and discrimination was rampant even in the northern free states. In the 1857 U.S. Supreme Court case *Dred Scott v. Sanford*, the Court held the position that persons of African descent were not "citizens" even if they lived in a free state, and therefore they were still not entitled to any rights.

After the Civil War, the abolition of slavery further granted rights of citizenship to black people. Congress then passed the Civil Rights Act of 1866, which granted the right to inherit, sell, or purchase property to all citizens regardless of race. However, these rights were not upheld, and the gains from Reconstruction were lost as "Jim Crow" laws enforcing racial segregation were created.

After World War II, the federal government subsidized the development of suburbs on the condition that they were only sold to white families.⁴ Jim Crow laws were challenged in 1954, with the *Brown v. Board of Education* decision dismantling the "separate but equal" doctrine from the 1896 *Plessy v. Ferguson* decision. In 1962, equality in housing began to be addressed. That year, President Kennedy signed Executive Order 11063, entitled "Equal Opportunity in Housing." It prohibited discrimination in the sale, rental or use of all residential housing that was owned, operated, or financed by the federal government. However, while it had good intentions, there was little real impact on the housing market in general, as it lacked judicial enforcement.

Two years later, another step was taken. Congress passed Title VI to the Civil Rights Act of 1964, which prohibited discrimination in public accommodations, in all federally assisted programs, and in employment on the basis of race, color, religion, sex, and national origin.

The real change in fair housing came in 1968, a year that is considered the birth of the modern fair housing movement. In March of that year, the Kerner Commission Report said that America was heading for two societies that were separate, but unequal.⁵

That same year, two historic events occurred that forever changed the housing market.

First, on April 4, 1968, Martin Luther King, Jr. was fatally shot while standing on the balcony of the Lorraine Motel in Memphis, Tennessee. There were riots in 130 American cities and 20,000 arrests. King's funeral on April 19th was an international event. Within one week of his death, on April 11, Title VIII of the Civil Rights Act (also known as the Fair Housing Act) was enacted into law by President Lyndon B. Johnson. The Fair Housing Act banned discrimination on the basis of race, color, religion, and national origin in most types of public and private sector housing transactions. The Act also contained a variety of remedies to address both public and private housing discrimination. Unlike previous attempts to create equality, this act included an enforcement provision, and the Housing and Urban Development Authority was born.

Second, in June, the U.S. Supreme Court rendered its decision in *Jones v. Alfred H. Mayer Co.*, and held that the Civil Rights Act of 1866 banned racial discrimination in private, as well as government housing. The Fair Housing Act outlawed a variety of private discriminatory acts, including refusal to rent, sell, or belong to a housing-related organization, discrimination in the terms of sale or rental, blockbusting, and discrimination in advertising and in the use of real estate services.

The Fair Housing Amendments Act of 1988 added provisions to prevent discrimination based on mental or physical disabilities or familial status.⁶

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Answer 1: So, where we are today is basically this; if you discriminate in housing with any person in a protected class of people, you have broken the law.

QUESTION 2: WHAT ARE THE NUMBERS – HOW MUCH AFFORDABLE HOUSING DO WE NEED?

According to the National Low Income Housing Coalition, the U.S. has a shortage of 6.8 million rental homes affordable and available to extremely low-income renters, whose household incomes are at, or below, the poverty guideline or 30% of their area median income. There are 37 affordable and available rental homes for every 100 extremely low-income renter households. Extremely low-income renters face a shortage in every state and major metropolitan area, including the District of Columbia. Among states, the supply of affordable and available rental homes ranges from only 20 for every 100 extremely low-income renter households in Nevada to 61 in Mississippi and Wyoming. Among the 50 largest metropolitan areas in the U.S, the supply ranges from 16 affordable and available rental homes for every 100 extremely low-income renter households in Las Vegas, Nevada, to 50 in Providence, Rhode Island.⁷

According to the Harvard Joint Center for Housing Studies, nearly one in three households spend more than 30% of their income on housing. Almost half of all renters are in that category, including more than ten million households that spend more than 50 percent of income on housing costs. Nearly 75% of very poor renter households, those earning less than \$15,000 annually, spend more than half of their income on housing costs.⁸

Answer 2: We need nearly 7 million new affordable homes for the lowest income cohort of our population.

CHANGES OVER THE LAST YEAR

The two most impactful barriers to producing more AH highlighted in my last article were: 1) NIMBYism combined with zoning by Home Rule and, 2) the shortage of AH financing.

Here is what's occurred over the last year that gives me hope.

From NIMBY to YIMBY

In 2020, we saw the pervasiveness of the NIMBY (Not In My Back Yard) syndrome made worse by “Home Rule”, which empowers the NIMBYs to keep AH out of their back yard by implementing exclusionary zoning, which has resulted in low-income people being discriminated against by being priced out. This is an unfortunate, but orchestrated, end-run around the Fair Housing Act's prohibition against discrimination in housing.

Soon after publication, a comment on my 2020 *Real Estate Issues* article from a Harvard Professor was emailed which said:

“George Vallone hits the nail on the head about the inability of developers to get past local municipality opposition and NIMBYism toward affordable housing, even in the face of drastic needs. Since its passage in 1969, Massachusetts’ 40B legislation has generated more than 70,000 new units of which half are income restricted.⁹ ...This program overrides local zoning codes in municipalities that do not meet a 10% hurdle of affordable housing units and prevents local officials from stopping new affordable housing projects that meet the guidelines. It is arguably the most effective affordable housing legislation in the country to overcome NIMBYism and is a worthy, though contentious, model for the rest of the country.”¹⁰

From city government actions to President Biden's infrastructure plan, the momentum to end exclusionary zoning and land use policies that contribute to both our housing crisis and neighborhood segregation is mounting. Biden's plan sets the national stage for housing policy reform that will make neighborhoods more equitable by encouraging local governments to end widespread local rules that prevent smaller, more affordable housing from being built, such as multifamily housing bans and excessive minimum lot size requirements for new housing.¹¹

Cities like Sacramento and Berkeley have taken the

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lead in recent months passing resolutions to end certain exclusionary zoning laws in their jurisdictions. The impetus for these reforms is a movement led by grassroots YIMBY groups, fair housing advocates and racial equity organizations who want to make it legal to build smaller, naturally affordable multifamily housing in more high-opportunity neighborhoods near transit and jobs — making them accessible to more people of color and low- and middle-income families. The impact of this movement is cascading to other cities throughout California, with Oakland, San Jose, Culver City and San Francisco all reviewing similar proposals.¹²

In early May 2021, a bipartisan and bicameral group of lawmakers reintroduced the Yes In My Backyard (YIMBY) Act. The YIMBY Act will require recipients of Community Development Block Grant (CDBG) program funding to publicly report on how they are addressing a suite of local housing policies, primarily exclusionary zoning, and land-use ordinances. On March 2, 2020, the YIMBY Act passed the House of Representatives without opposition.¹³ In the 117th Congress, Senators Todd Young (R-IN) and Brian Schatz (D-HI) are leading the charge in the Senate, with Derek Kilmer (D-WA) and Trey Hollingsworth (R-IN) sponsoring the legislation in the House.

Beginning on July 1, 2021, the “Virginia Fair Housing Law; Unlawful Discriminatory Housing Practices Act” (VA HB 2046), from Delegate Jeff Bourne (D-Richmond) took effect. Virginia became the third state in the nation to officially go on the books as saying no to NIMBYs. Localities across Virginia are no longer allowed to deny building permits to projects “because the housing development contains or is expected to contain affordable housing units occupied or intended for occupancy by families or individuals with incomes at or below 80% of the median income of the area.”¹⁴

On June 3, 2021, Representative Adam Smith (D-Wash.) introduced the Promoting Affordable Housing Near Transit Act to promote AH Transit-Oriented Development (TOD) near transit lines and city centers. The bill would allow certain transit agencies to transfer underutilized land and buildings directly to community-based organizations at zero cost for the

creation of AH. The Act would solve the combined problems low-income families face of access to AH and public transportation. The Act unfortunately does not include as-of-right zoning for these AH-TOD projects.¹⁵

Affordable Housing Financing

In 2020, we saw a shortage of Affordable Housing financing subsidies.

Now in 2021, Biden’s AH commitment in the American Jobs Plan for the U.S. Department of Housing and Urban Development includes:

- \$45 billion for the national Housing Trust Fund for the very poorest households, those whose incomes do not exceed more than 30% of area median income.
- \$35 billion for the HOME Investment Partnership Program, a George H.W. Bush–era initiative that gives states and localities grants for affordable housing.
- \$2 billion each into the Section 202 program (for the elderly) and project-based rental assistance (subsidies tied to units, not specific tenants), the first issued in more than 20 years.
- \$105 billion in new and expanded tax credits, for renovation and construction projects and includes \$55 billion for Low Income Housing Tax Credits (LIHTC). Together these plans aim to spur the construction of some 500,000 to 600,000 low-cost apartments over the next five years.
- \$10 billion for a new Community Revitalization Fund for investments in parks, incubators, and other shared amenities.
- \$250 million for Main Street grants to spark economic activity in America’s small downtowns to increase home values and productivity in distressed or overlooked communities. “This proposal in particular is an opportunity to invest in small and medium-sized cities,” says Peggy Bailey, senior advisor on rental assistance at HUD, referring to

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the new Community Revitalization Fund, “not just in housing, but in business districts in those small towns.”¹⁶

- \$40 billion to public housing for badly needed investments and upgrades (short of an estimated \$70 billion in capital needs faced by public housing).
- \$5 billion zoning reform program that will be used for local housing policy grants for cities and counties looking to ease restrictive zoning. Progressives and libertarians alike have been searching for a role that the federal government can play in breaking down exclusionary barriers to housing that result in segregation and concentrated poverty.
- \$68 billion for weatherization, energy efficiency, and home rebates.
- \$2 billion for investment in housing for Indigenous communities with most going to Indian Block Grants for AH. Parts of the bill will strengthen the relationship between HUD, USDA, and the Department of the Interior to make these funds more easily available.

CONCLUSION

We are seeing a number of legislative initiatives to defeat ‘NIMBY’ism at the local and national levels, as well as a massive infusion of AH financing. Taken together, the light at the end of the tunnel looks much more like the bright sunshine of hope that we are finally moving towards the end of affordable housing discrimination than the headlight of an oncoming train! •

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Appendix: History of Housing Discrimination

TIMELINE OF HOUSING DISCRIMINATION

1607: Jamestown becomes the first permanent English settlement in the Americas

The early settlements had European indentured laborers who had signed contracts agreeing to work to pay the cost of their passage to the Americas.

1619: Enslaved Africans first arrive in North America near Jamestown

Most Africans were not given indentured servitude contracts and remained enslaved for life.

1662: Partus sequitur ventrem

The legal doctrine "*Partus sequitur ventrem*" (meaning "That which is born follows the womb") is passed in colonial Virginia in 1662 and in the other English colonies. This defined the legal status of children born in the colonies as being the same as the mother, which entrenched African chattel slavery in the fabric of the colonial Americas.

1776: Declaration of Independence

"We hold these truths to be self-evident, that all men are created equal. That they are endowed by their creator with certain unalienable rights, that are among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed....."

There is little doubt that "the pursuit of happiness" included the right to own one's own home.

1787: The U.S. Constitution

Enslaved people were to be counted as "three-fifths" of a person in determining a state's population for congressional representation. The three-fifths compromise is found in Article 1, Section 2, Paragraph 3 of the United States Constitution:

"Representatives and direct Taxes shall be apportioned

*among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, **three fifths of all other Persons.**"*

Article 4, section 9, clause 3, or the "Fugitive Slave Clause" states:

"No person held to service or labour in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labour may be due."

1780 - 1804: Slavery abolished in northern states

After the American revolution, the northern states gradually abolished slavery state-by-state and came to be known as "free states". The Northwest Ordinance of 1787 also prohibited slavery, and the states created from the Northwest Territory were all free states.

1820: Missouri Compromise

Congress passed legislation prohibiting slavery in the Louisiana Purchase lands except for Missouri.

1854: Kansas–Nebraska Act

In the creation of the territories of Nebraska and Kansas, the Missouri compromise was effectively repealed when the status of slavery was decided to be based on "popular sovereignty". This resulted in a series of armed conflicts known as "Bleeding Kansas".

1857: Dred Scott v. Sanford

Dred Scott sued his master, arguing that a person on free soil was entitled to freedom. The Supreme Court declared that Scott was not a citizen of Missouri and not entitled to sue in its courts.

"In the opinion of the court, the legislation and histories of the times, and the language used in the Declaration

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of Independence, show that neither the class of persons who had been imported as slaves, nor their descendants, whether they had become free or not, were then acknowledged as a part of the people, or intended to be included in the general words used in that memorable instrument.”

1861: The American Civil War

After the election of President Abraham Lincoln, slave states formally declared secession, creating the Confederacy and beginning the American Civil War.

1865: 13th Amendment to the U.S. Constitution

After the end of the Civil War, slavery was formally abolished in an amendment to the constitution:

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

It further stated that:

“Congress shall have the power to enforce this article by appropriate legislation.”

1866: The Civil Rights Act of 1866

“All citizens of the United States shall have the same right, in every state and territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property.”

1868: 14th Amendment to the U.S. Constitution

“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any state deprive any person of life, liberty or property, without the due process of law; not deny to any person within its jurisdiction the equal protection of the law.”

1883: Civil Rights Cases

The Civil Rights Cases were a group of five cases by

the U.S. Supreme Court to offer a single judgement. The Court held that the equal protection clause of the U.S. Constitution (i.e., the 14th Amendment) did not prohibit private acts of discrimination; rather it merely prohibited discrimination that was the product of government action.

Even in the cases of state discrimination, an injured party would have to sue to gain protection by the law. Most African Americans did not have the resources to bring a lawsuit—if they could even find a lawyer to represent them.

For another century or so, courts prohibited racial discrimination primarily concerning governmental, or “state,” discrimination such as racial zoning or racial discrimination of restrictive covenants that were enforced by courts.

1896: Plessy v. Ferguson

The court held that the enforcement of racial segregation of private or public facilities did not violate the Constitution as long as separate facilities were equal. This created the “separate but equal” policy that legitimized segregation in all aspects of society, including rights in real property.

1917: Buchanan v. Warley

The U.S. Supreme Court struck down a Louisville, Kentucky zoning law that limited African Americans and other minorities to specific areas of town.

The Court held that governmental zoning laws that discriminate based upon race violate the equal protection clause of the Fourteenth Amendment. This court case did not, however, ban any form of private discrimination. Again, private persons were free to discriminate based upon race.

1948: Shelley v. Kraemer

In 1948, the Supreme Court ruled in *Shelley v. Kraemer* that the enforcement by a state court of a private, racially restrictive covenant constituted a “government involvement that was sufficient to violate the equal protection clause of the Fourteenth Amendment.”

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In this case, the Shelleys, an African American family, purchased a home in St. Louis, Missouri, unaware that a restrictive covenant barring “people of the Negro or Asian race” from living on the property had been in place since 1911. A white neighbor, Kraemer, sued to prevent the Shelleys from living on the property. The U.S. Supreme Court ruled that racially restrictive covenants are not invalid under the Fourteenth Amendment, and their verdict was in favor of Kraemer.

1948: *Hurd v. Hodge*

The "Shelley" rule applies equally to federal courts (in this case, the District of Columbia), as well as state courts.

1954: *Brown v. Board of Education*

The U.S. Supreme Court rendered its landmark decision in *Brown v. Board of Education*, reversing the "separate but equal" decision in *Plessy v. Ferguson*. The Brown case outlawed segregation in schools and marked the beginning of the end of the era of legalized segregation.

It stated that:

“In the field of education ‘separate but equal’ has no place. Separate educational facilities are inherently unequal.”

The court further ruled, in *Brown v. Board of Education*, that segregation was unconstitutional.

1962: *Executive Order 11063 - Equal Opportunity in Housing*

The federal government neglected to pass any laws to prevent housing discrimination throughout the first half of the 20th century. In fact, to a certain extent, the federal government was counterproductive in efforts to defeat segregation. For example, the Federal Housing Administration (FHA) instructed its staff and appraisers to consider the racial makeup of a neighborhood.

Also, it is important to note that discrimination in housing was certainly not limited to African Americans. Other minorities and religious groups were commonly discriminated against, as were women.

In 1962, President Kennedy signed Executive Order 11063, entitled "Equal Opportunity in Housing." It prohibited discrimination in the sale, rental or use of all residential housing that was owned, operated or financed by the federal government. However, while it had good intentions, there was little real impact on the housing market in general, as it lacked judicial enforcement.

1964: *Civil Rights Act of 1964*

Two years later, another step was taken. In 1964, Congress passed Title VI to the Civil Rights Act of 1964, which prohibited discrimination in public accommodations, in all federally assisted programs, and in employment on the basis of:

- Race
- Color
- Religion
- Sex
- National origin

Although this didn't directly address housing issues, it demonstrated a shift in perception when it came to discrimination. Two years later, in 1966, President Lyndon Johnson introduced fair housing legislation. However, it did not have immediate impact as it sat in Congress and was debated for about three years.

1967: *Reitman v. Mulkey*

Court held that the California State Constitutional Amendment, which effectively nullified California's fair housing laws, violated the equal protection clause, since the Amendment encouraged private racial housing discrimination.

1968: *Fair Housing Act*

The real change in fair housing came in 1968, a year that is considered the birth of modern fair housing. In March of that year, the Kerner Commission Report said that America was heading for two societies that were separate, but unequal.

Two historic events occurred that year that forever changed the housing market.

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First, at sunset on April 4, 1968, Martin Luther King, Jr. was fatally shot while standing on the balcony of the Lorraine Motel in Memphis, Tennessee. There was unrest in 130 American cities and 20,000 arrests. King's funeral on April 19th was an international event. Within one week of his death, on April 11, Title VIII of the Civil Rights Act (aka the Fair Housing Act) was enacted into law by President Lyndon B. Johnson.

The Fair Housing Act bans discrimination on the basis of race, color, religion and national origin in most types of housing transactions. The Act also contains a variety of remedies to address both public and private housing discrimination. Unlike previous attempts to create equality, this act had an enforcement provision. Hence the Housing and Urban Development Authority was born.

Second, in June, the U.S. Supreme Court rendered its decision in *Jones v. Alfred H. Mayer Co.*, and held that the Civil Rights Act of 1866 banned private, as well as government, racial discrimination in housing. The Fair Housing Act outlaws a variety of private discriminatory acts, including refusal to rent, sell, or belong to a housing-related organization, discrimination in the terms of sale or rental, blockbusting, and discrimination in advertising and in the use of real estate services.

The Fair Housing Act prohibited discrimination in most types of housing on the basis of:

- Race
- Color
- Religion
- National origin

Thus the 1866 Act was given new life, and it could now be used to fight racial discrimination.

1972: Trafficante v. Metropolitan Life Insurance Co.

In the Court's first Title VIII decision the Court held that Fair Housing Act should be broadly construed, and that Title VII (federal employment discrimination) court cases can be used to interpret Title VIII and that HUD's interpretations of the Act should be entitled to

"great weight."

1973: Rehabilitation Act

Congress enacted Section 504 of the Rehabilitation Act of 1973, prohibiting discrimination against persons with disabilities in all federally assisted programs, including housing.

1974: Fair Housing Act Expanded

In 1974, Congress passed the Housing and Community Development Act, which added "sex" (meaning gender: male or female, not sexual orientation) as another prohibited basis for discrimination. This prohibited sexual harassment, but not discrimination for sexual orientation.

The same year, the Fair Housing Act was also expanded to include prohibition of gender discrimination. Later that year the Equal Credit Opportunity Act was passed by Congress, which prohibited credit discrimination in housing based on the basis of:

- Race
- Color
- Religion
- National origin
- Gender or marital status
- Age

NOTE: In housing, age and marital status are NOT federally protected classes, although many states include these. The ECO Act was limited to credit discrimination.

1975: Age Discrimination Act

Congress enacted the Age Discrimination Act of 1975, which prohibited discrimination on the basis of age in programs receiving federal financial assistance.

1977: Village of Arlington Heights v. Metropolitan Housing Development Corporation

Court holds that a housing corporation and neighborhood residents had standing to challenge a municipality's denial of rezoning, which was alleged to have racially disproportional impact. (But Court also

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held that some "discriminatory intent or purpose was required to prove unconstitutional behavior.")

1979: Gladstone REALTORS® v. Bellwood

Court upholds municipality and residents' standing to sue local real estate brokers for racial steering.

1980: Gender-Based Discrimination

In 1980, President Carter expanded Kennedy's executive order to include gender-based discrimination, and to grant HUD additional authority to issue regulations to further fair housing in federal programs.

1982: Havens Realty Corp. v. Coleman

In 1982, the Court rendered an important decision entitled *Havens Realty Corp. v. Coleman*, which permitted housing organizations and "testers" to sue in racial steering cases. These court cases enable private and public organizations to investigate fair housing violations and to file actions for civil penalties and damages.

1988: Fair Housing Amendments Act

The 1988 Fair Housing Amendments Act was signed into law by President Ronald Reagan in September of 1988. It contained many significant provisions that strengthened the 20-year-old Fair Housing Act. The 1988 Amendment was enacted to expand the coverage of the Fair Housing Act and to enhance enforcement of the Act.

It extended federal civil rights protection to families with children and to persons with physical and mental disabilities. It instituted tougher enforcement policies by HUD and added sanctions and remedies for violations. The Amendment also modified the administrative process for HUD complaints, and it essentially provides that HUD has a higher degree of authority to enforce the Fair Housing Act.

The Act removed the cap on punitive damages and monetary awards that were now possible for actual damages as well as for non-economic injuries such as embarrassment, humiliation and mental anguish.

The Amendment also extended Title VIII to other discriminatory practices, relating to real estate loans for repairs and improvements, certain secondary market activities, and real estate appraisals.

So, we see that true fairness and equality has been a long time coming under the law. However, it has accelerated rapidly in recent years. It is still being debated as to the state of actual fairness and equality in today's world.

FAIR HOUSING RESOURCES

More information on the history of Housing Discrimination in the United States:

- For more information on the Reconstruction period (1865-1877): <http://www.history.com/topics/reconstruction>
- Summary of Plessy v. Ferguson: <https://www.history.com/topics/black-history/plessy-v-ferguson>
- Buchanan v. Warley: <https://www.oyez.org/cases/1900-1940/245us60>
- Shelley v. Kraemer: https://scholar.google.com/scholar_case?case=12732018998507979172&hl=en&as_sdt=2&as_vis=1&coi=scholar
- Video – Brown v. Board of Education: <https://www.youtube.com/watch?v=TTGHLdr-iaK>
- Title VI of the Civil Rights Act of 1964: <https://www.hhs.gov/civil-rights/for-individuals/special-topics/needy-families/civil-rights-requirements/index.html>
- Reitman v. Mulkey: <https://www.casebriefs.com/blog/law/constitutional-law/constitutional-law-keyed-to-chemerinsky/the-structure-of-the-constitutions-protection-of-civil-rights-and-civil-liberties/reitman-v-mulkey/>
- Video - Kerner Commission Report: <https://billmoyers.com/content/the-kerner-commission-40-years-later/>

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- Video – Fair Housing Act: Looking Back, Looking Forward: <http://youtu.be/wdKzxSC7DTU>

More information on the protections of the Fair Housing Act

- Fair Housing - It's Your Right: http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws/yourrights
- Document - Fair Housing - Equal Opportunity for All: http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_12146.pdf
- Document - Fair Housing Act (from GPOaccess.gov): http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse_usc&docid=Cite:+42USC3604
- Here is a link to a comprehensive 6-minute video from the National Association of REALTORS® <https://www.youtube.com/watch?v=94TVHAJtang>
- A Guide To The Fair Housing Act And Its Exemptions: <https://www.forbes.com/advisor/mortgages/fair-housing-act/>

- HUD - Fair Housing Program: www.hud.gov/fairhousing
- HUD on Facebook: www.facebook.com/HUD
- HUD on Twitter: www.twitter.com/hudnews
- HUD on YouTube: www.youtube.com/HUDchannel
- HUD on Flickr (photos): www.flickr.com/photos/hudopa
- The HUDdle (a HUD blog): <http://blog.hud.gov>
- National Assoc. of REALTORS® Diversity program: www.realtor.org/diversity
- The Leadership Conference - Fair Housing: www.civilrights.org/fairhousing/laws
- Leadership Conference on Facebook: www.facebook.com/civilandhumanrights
- National Fair Housing Advocate Online: www.fairhousing.com

Stay current with Fair Housing issues online:

- Housing and Urban Development website: www.hud.gov



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