

City of Alexandria, Virginia

MEMORANDUM

DATE: MAY 16, 2012
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER 
SUBJECT: RECEIPT OF RESULTS OF FY 2012 FAIR HOUSING TESTING

ISSUE: Receipt of the results of fair housing tests performed in Fiscal Year 2012.

RECOMMENDATION: That City Council receive the results of fair housing tests conducted in Fiscal Year 2012 for discrimination in rental housing on the basis of familial status.

BACKGROUND: The Fair Housing Testing Program uses pairs of trained testers to identify evidence of discrimination in the provision of housing by the rental, sales, and mortgage lending industries. The program is administered by the Office of Housing with review and oversight by the Executive Committee of the Alexandria Human Rights Commission, and tests for discrimination prohibited by the City's Human Rights Ordinance.

Federal fair housing law prohibits housing discrimination on the basis of race, color, religion, sex, age, familial status, national origin or handicap. The state fair housing law includes the same protections, and adds elderliness. The City's Human Rights Ordinance adds protection against housing discrimination on the basis of marital status and sexual orientation. Prohibited rental, sales, and lending practices include, but are not limited to, refusal to rent, sell, or negotiate the sale or rental of housing, but also discrimination in the terms, conditions, or privileges of rental or sale, as well as the provision of services or facilities.

Since the Fair Housing Testing Program started in 1990, the Office of Housing has conducted a series of tests to identify discriminatory housing practices in real estate sales, lending, and rental housing based on race, national origin, familial status, disability, and sexual orientation. A summary of the test results of all categories tested since the program was initiated in 1990 has been provided as an attachment to this report. These data allow for comparison of the test results to measure progress in industry compliance with fair housing laws. This information is also helpful in evaluating the effectiveness of City programs, including testing, fair housing education, outreach, and enforcement activities.

DISCUSSION: In April 2012 the Office of Housing tested newly constructed housing in the City for discrimination on the basis of race. A total of 13 tests included test of three condominium buildings and five new communities of detached single family residences, each in their initial sales phase, as well as five apartment complexes built since 2007. Two teams of

paired testers were trained and participated in the testing exercise. Each team was comprised of one black and one white tester. Testers were closely matched in their assigned credit, financial and employment profile, with the black tester slightly better qualified than the white tester.

No evidence of differential treatment or discriminatory practices was indicated in the tests. In each pair, both testers were given the same information and were treated similarly. Fiscal Year 2012 testing results show improvement over prior years indicating that housing providers are aware of, and in compliance with fair housing laws. The City's commitment to fair housing and its ongoing testing, education, and outreach programs contribute to this awareness and compliance. Therefore, staff and the Human Rights Commission recommend that staff continue to evaluate and offer fair housing education and outreach services to property management, lending, real estate, and leasing professionals in Alexandria, and continue to conduct ongoing fair housing testing. The City's testing program, education, and outreach programs for property management and real estate professionals, combined with national and regional fair housing efforts, appear to have contributed in the increased awareness and understanding of fair housing laws in the housing industry, resulting in decreasing evidence of housing discrimination in Alexandria.

ATTACHMENT: Summary of Fair Housing Testing Program Results

STAFF:

Mark Jinks, Deputy City Manager

Melodie Seau, Division Chief, Landlord Tenant Relations

Onwuchekwa Okpara, Relocation Advisor, Landlord Tenant Relations

Mildrilyn Davis, Director, Office of Housing

Attachment I

Summary of Fair Housing Testing Program Results

Fiscal Year	Market/TestType	Protected Class	Sites	Total w/Retests	Problems	Sites/Problems	% Problem	% Prob Sites	Action
1990	Rental Apts	Race/NatOrg (Hisp)	79	96	19	14	20%	18%	1 Complaint \$10,000 Settlement
1991	Rental (Realtors)	Race/NatOrg (Hisp)	21	24	3	3	13%	14%	Remedial Action
1992	Rental Apts	Familial Status	71	93	10	10	11%	14%	1 Complaint \$4000 Settlement
1993/1994	Rental Apts	Disability	78	291*	28	25	10%	32%*	3 Complaints \$2500 Settlement
1996	Rental Apts	Race	20	20	0	0	0	0	No Problems Found
1997	Rental Apts	Sexual Orientation	75	79	3	3	5%	4%	Remedial Action
1998	Sales	Race/NatOrg (Hisp)	16	62*	14	7	23%	44%*	3 Complaints \$10,000 Settlement
1999	Rental Apts	Disability	70	218*	6	5	3%	7%*	Remedial Action
2000	Lending	Race/NatOrg (Hisp)	13	14	1	1	7%	7%	Remedial Action
2000	Rental Apts	Race/NatOrg (Hisp)	72	75	3	3	4%	4%	Remedial Action
2001/2002	Rental Apts	Familial Status	85	87	2	2	2%	2%	Remedial Action
2003/2004	Rental Apts	Multiple Bases	83	84	1	1	1%	1%	Remedial Action
2005/2006	Sales	Race/NatOrg (Hisp)	12	12	0	0	0	0	No Problems Found
2006	Lending	Race/NatOrg (Hisp)	11	11	0	0	0	0	No Problems Found
2007	Rental Apts	Race/NatOrg MidEast/Asian	73	77	3	3	4%	4%	Remedial Action
2008	Rental Apts	Race/NatOrg (Hisp)	64	66	2	2	3%	3%	Remedial Action
2009	Lending	Race	8	8	0	0	0	0	No Problems Found
2010	Rental Apts	Disability	67	68	1	1	1%	1%	Remedial Action
2011	Rental Apts	Familial Status	67	67	0	0	0	0	No Problems Found
2012	New Construction	Race	13	13	0	0	0	0	No Problems Found

Note: Remedial Actions are required in all problem test results even when complaints are filed and settled.- Owners of the complexes where problems are encountered in all cases agree to disclose all available units to all prospective renters regardless of race, sex, familial status, sexual orientation, disability, national origin, color, religion, or ancestry; provide fair housing training to all their staff; and if the owners advertise for rental vacancies, they shall do so in compliance with the fair housing advertising regulations. The owners were also required to display fair housing posters visible to the public in their rental offices

*Multiple tests at the same location.