



April 26, 2023

# Fair Housing 101

*Intro to Fair Housing for Community Boards*



Department of  
Housing Preservation  
& Development

# Agenda

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- 1. What is HPD?**
- 2. What is fair housing?**
- 3. What is affirmatively furthering fair housing?**
- 4. How can NYC advance fair housing?**



# What is HPD?

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## NYC Housing Preservation & Development (HPD)

# NYC Housing Preservation and Development's mission

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## 1. Ensure housing quality

- Conducted **738,000** inspections and issued **731,000** housing violations in 2021

## 2. Preserve existing affordable housing & create new affordable housing

- Since 2014: **65,000** new affordable homes financed and **135,000** existing affordable homes preserved

## 3. Engaging New Yorkers to build and sustain neighborhood strength and diversity

- Neighborhood plans
- Education and outreach about housing resources and rights
- Community engagement for public sites





# Icebreaker

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# Icebreaker

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**What borough is your  
Community District in?**

# Icebreaker

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**What Community  
Boards do you  
represent?**

***Drop your CB in the  
chat***

A large teal oval shape centered on the page, containing the text.

**Why do people choose to  
move to your district?**



**What are the top issues that  
make it hard for people to  
stay in your district?**

# Housing Choice for New Yorkers

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- Fair housing is about housing and neighborhood choice
- Where New Yorkers live is shaped by past and present housing policy and decision making from the federal to local level
- Community Boards have a critical role in upholding New York City's commitment to fair housing goals

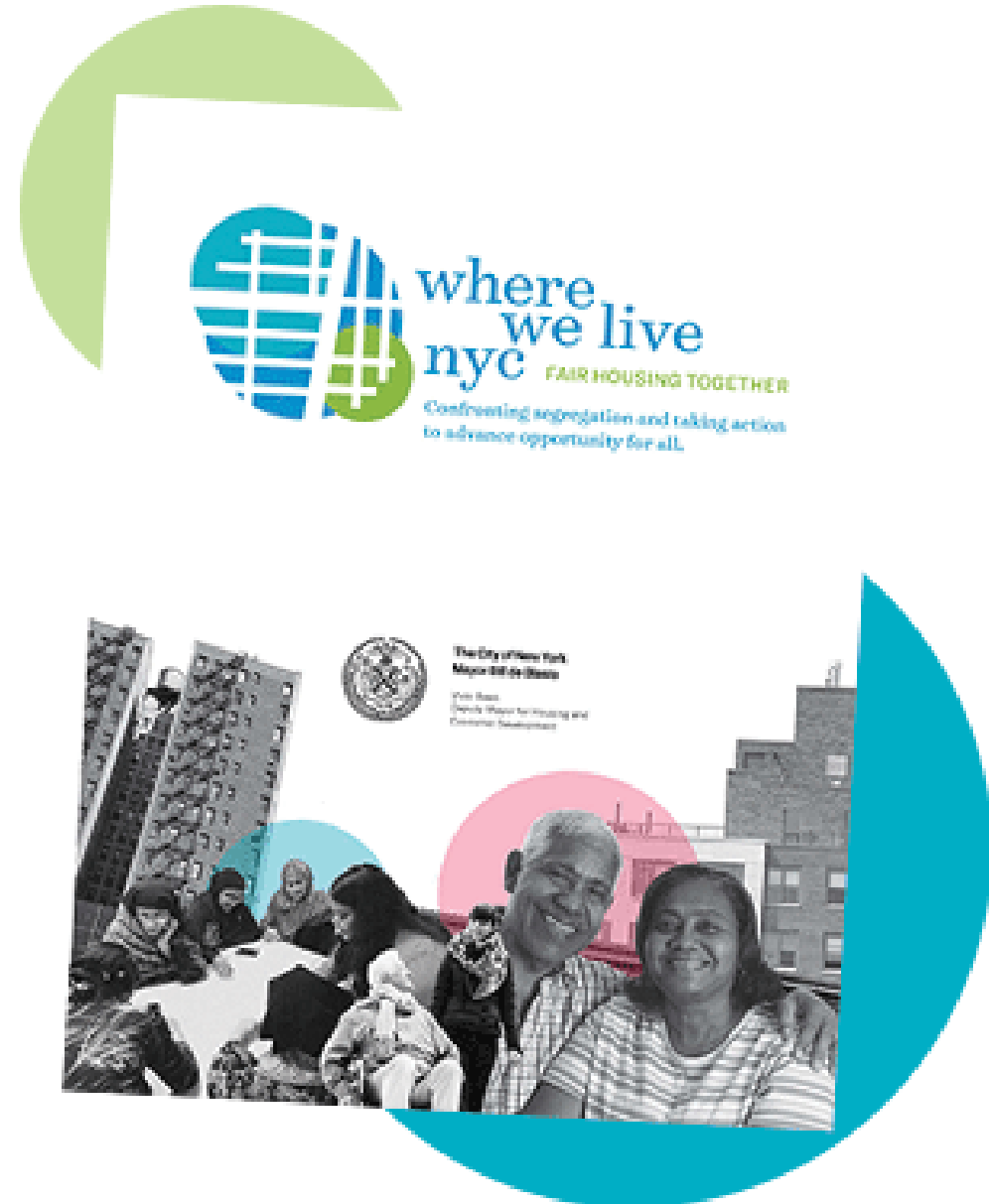


Irving Square Park in Bushwick, Brooklyn

# Where We Live NYC

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- Confront segregation
- Fight discrimination
- Take action to advance opportunity for all



# Fair Housing History & Concepts

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# Fair Housing History & Concepts

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## How far have we come?

- Fair Housing History
- Housing in the Civil Rights Movement
- The Fair Housing Act of 1968

## How far do we still need to go?

- NYC living patterns today
- New Yorkers talk discrimination

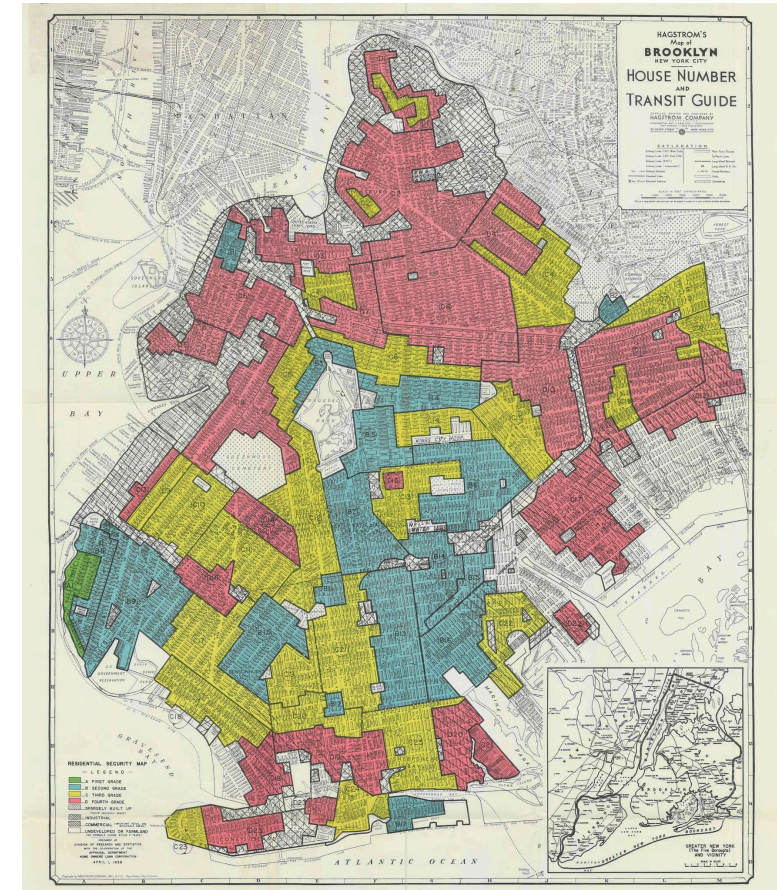


Source: C.O.R.E. *Demonstration for Fair Housing*, August 21, 1963. NYC Department of Records & Information Services.

# Redlining

- Redlining coincided with the development of the outer boroughs and metropolitan region
- Federal government subsidized mortgages and housing developments for whites in white areas
  - Mortgages often less than rents paid in the city
- People of color cut off from subsidized financing & confined to redlined neighborhoods which received little investment

Source: Nelson, Winling, Marciano, Connolly, et al., Mapping Inequality



*Home Owners Loan Corporation (HOLC) maps of Brooklyn*



# Racially restrictive covenants

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- Established by developers & homeowners  
Federal Housing Administration encouraged them through underwriting policy
- Found in contracts for subdivisions like Levittown, in the deed to individual homes, and apartment complexes

**“No dwelling shall be used or occupied by members of other than the Caucasian race”**

**-Levittown Contract, 1947**



Wilkinson, Annie. “Levittown, America’s First Suburb Historically Shunned Black Families.” *Long Island Press*, February 9, 2022.

# Stuyvesant Town

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- Post-WWII publicly subsidized, private development, targeting returning veterans with a whites only policy
- New York Supreme Court:  
*“Housing accommodation is not a recognized civil right.”*
- Public housing was also initially segregated

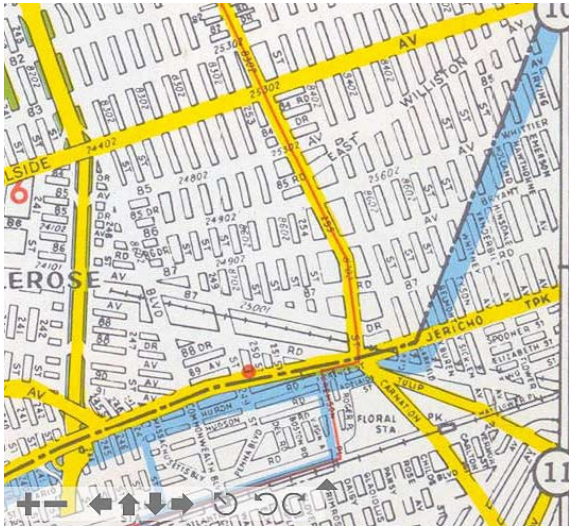


**Source:** Lionel Pincus and Princess Firyal Map Division, The New York Public Library. "Plate 45, Part of Section 3" New York Public Library Digital Collections. Accessed January 31, 2023. <https://digitalcollections.nypl.org/items/41dea770-468b-0132-6a52-58d385a7bbd0>



# Discrimination was at play when housing was...

Planned      Financed      Built      Marketed      Bought / Leased      Renovated      Sold



**Attention  
White Home  
Buyers!**

The Largest Restricted White  
Community in Washington

Invites your attention  
to the decision of  
The U. S. Supreme Court

—that negroes cannot buy  
in a restricted white section

Buy or Rent  
in the section known as

**Eckington      High View  
Bloomingdale      Edgewood**

For further information apply to:  
Executive Committee of

Bloomingdale Owners P. W. Fritchett, Chairman 2651 North Capitol St. W. T. Richardson, Secy. 78 S St. N.W.	North Capital Citizens' Association Henry Gilligan, President 2304 1st St. N.W. Jesse W. Morgan, Secy. 47 Seaton St. N.W.
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**Would you panic if a Negro moved next door?**

"I'm broad-minded," said one home owner when Negroes moved into his block. But a short time later he panicked—and sold his house at a loss.

In this week's Post, you'll read how speculators decide which blocks are "ripe" for racial change. How they use vicious tactics to force out the whites. And how one speculator brags that he could "bust" your block in no time at all.

**The Saturday Evening  
POST**  
July 14-21 issue.  
A Curtis Magazine

Michney, Todd and LaDale Winling. "How Academica Laid the Groundwork for Redlining"  
Source: Balk, Alfred. "Confessions of a Block-Buster." Originally published in *The Saturday Evening Post*, 1962. Found in Alfred Balk Papers, 1941-2010, Bulk 1953-1993. Newberry Library.

# Urban renewal

- Urban neighborhoods deemed “blighted” were demolished
- Marginalized communities dispersed to limited areas available
- Many urban renewal projects produced benefits but often unevenly
  - Highways, sports & entertainment facilities, public housing, & more



**Top:** 345 buildings cleared in Greenpoint to make way for BQE construction

**Bottom:** Artifacts from these demolished homes wash up on Dead Horse Bay today

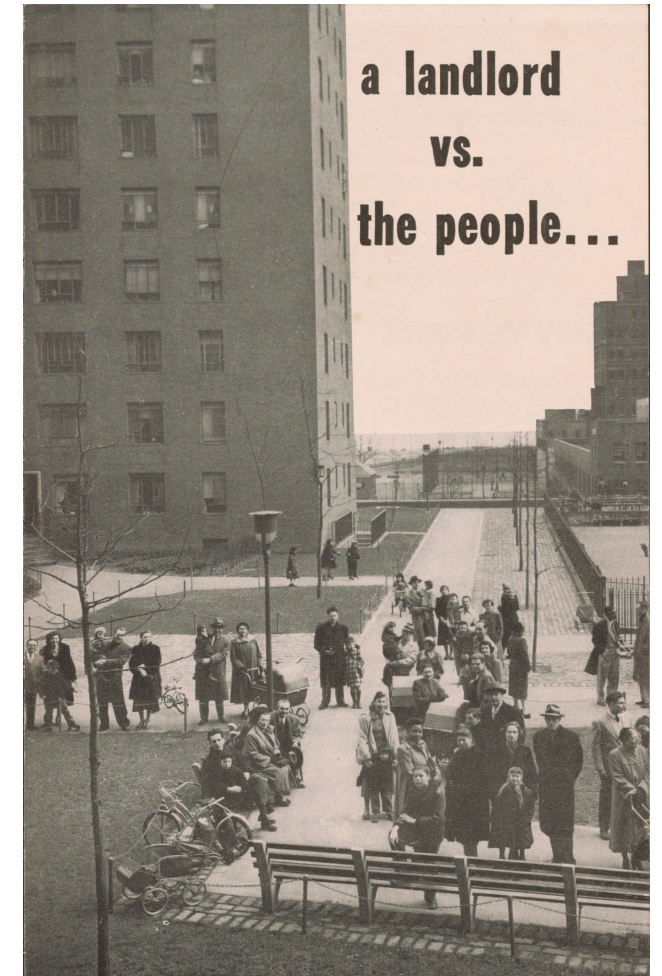
**Sources:** [Brooklyn-Queens Expressway Construction]. 1939? Brooklyn Daily Eagle photographs, Brooklyn Public Library, Center for Brooklyn History  
Murray, James. “Take a tour of Dead Horse Bay, Brooklyn’s hidden trove of trash and treasures.” *6sqft*, August, 28, 2018.



# New Yorkers fought back...

...against urban renewal

...against discrimination



**Source:** Pamphlet by the Town and Village Committee to End Discrimination in Stuyvesant Town. This pamphlet depicts the 19 families who faced eviction from Stuy Town as a result of their involvement in the fight against segregation (oral history). *Metropolitan Council on Housing Records, Tamiment Library and Robert F. Wagner Labor Archives.*

Publication documenting the destruction of neighborhoods during urban renewal. Homes slated for demolition were marked with white crosses on their windows. (c.1963). *Metropolitan Council on Housing Records, Tamiment Library and Robert F. Wagner Labor Archives*

# Civil Rights Timeline

## Civil Rights and Voting Rights Acts

1964-1965

Prohibited discrimination in many aspects of American life, but not housing

## Chicago Freedom Movement

1966

Dr. Martin Luther King, Jr first Civil Rights campaign in the North, focused on open housing and real estate discrimination



## Kerner Commission

1967-1968

Influential report released after riots in several US cities; found residential segregation and lack of housing choice to be cause of unrest

## Fair Housing Act Passed

1968

In the wake of MLK Jr assassination & nationwide urban uprisings, including outside US Capitol



# Fair Housing Act

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**1968 Civil Rights legislation that protects people from discrimination when they are renting, buying, or securing financing for housing**

**Federal law covers seven protected classes:**

- **Race**
- **Color**
- **Religion**
- **National Origin**
- **Sex (1974)**
- **Disability (1988)**
- **Family Status (1988)**

**New York State and NYC Human Rights laws additionally protect:**

- age
- citizenship
- current children or plans to have children
- experience as a survivor of domestic violence, sexual violence, or stalking
- lawful source of income or occupation
- gender/gender identity or expression
- marriage or partnership
- military service
- sexual orientation



# Reasonable Accommodations & Modifications

## FHA amended in 1988

Mandates reasonable accommodations to rules & policies, and modifications to housing, so people with disabilities have equal opportunity to use dwellings and common areas.



**IT'S NOT EASY  
TO TURN OFF  
THE LIGHTS**

**IF YOU  
CAN'T  
REACH THE  
SWITCH**

SCAN HERE FOR  
MORE INFO

The Fair Housing Act requires that most multifamily dwellings built for first occupancy after March 1991 contain accessible light switches, outlets, thermostats, entrances and common areas, as well as usable kitchens and bathrooms. The Act also prohibits discrimination in housing based on disability, race, color, national origin, religion, sex and familial status.

Visit [hud.gov/fairhousing](http://hud.gov/fairhousing) or call the HUD Hotline  
**1-800-669-9777** (English/Español) **1-800-927-9275** (TTY)

**Fair Housing Is Your Right. Use It!**

   Phone: 317-644-0673  
Toll-free: 855-270-7280  
Web: [www.fhcci.org](http://www.fhcci.org) 

A public service message from the U.S. Department of Housing and Urban Development in partnership with the National Fair Housing Alliance. The federal Fair Housing Act prohibits discrimination because of race, color, religion, national origin, sex, familial status or disability. For more information, visit [www.hud.gov/fairhousing](http://www.hud.gov/fairhousing).

Source: "FHEO Outreach Tools." U.S. Department of Housing and Urban Development, <https://www.hud.gov/FHEOoutreachtools>.

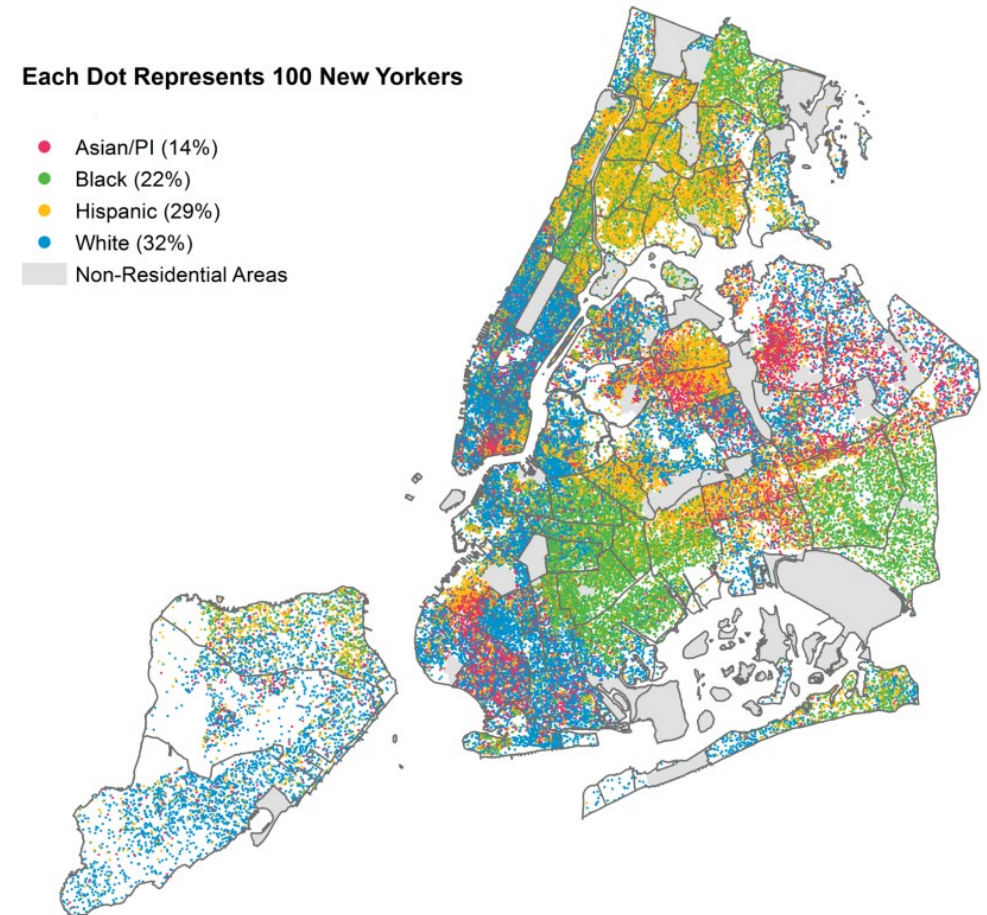
**What are barriers to fair  
housing in NYC today?**



# A Segregated City

NYC's segregated neighborhoods have been shaped by a legacy of intentional policies and practices

NYC Population by Race & Ethnicity, 2012-2016



Source: ACS 2012-2016, five-year estimates, Table B0300 tract level data.

## What we heard: *equity ≥ integration*

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"It's not a bad thing to be integrated, and it's not a bad thing to be separated. The bad thing is that when we all pay our fair share and we're not getting the equal things."

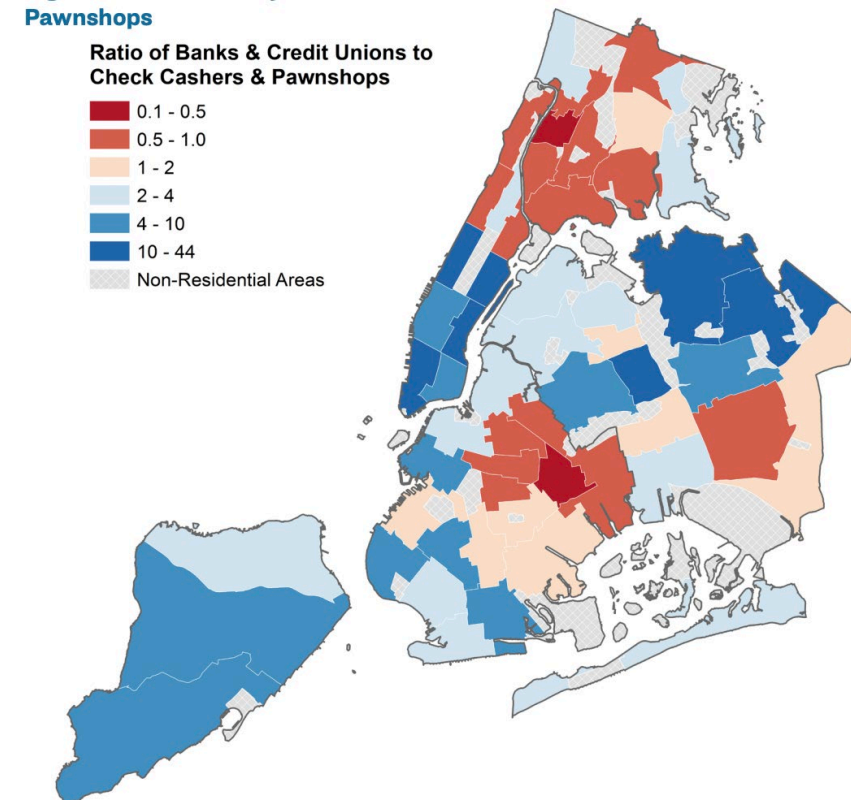
"Living in a neighborhood of opportunity means that we can raise our families according to our cultural values. I want the Bangladeshi community to exist in the future for my children."



# Unequal Opportunity

Access to financial services and employment opportunities vary dramatically across the city's neighborhoods.

## Availability of Banks and Credit Unions versus Check Cashers and Pawnshops



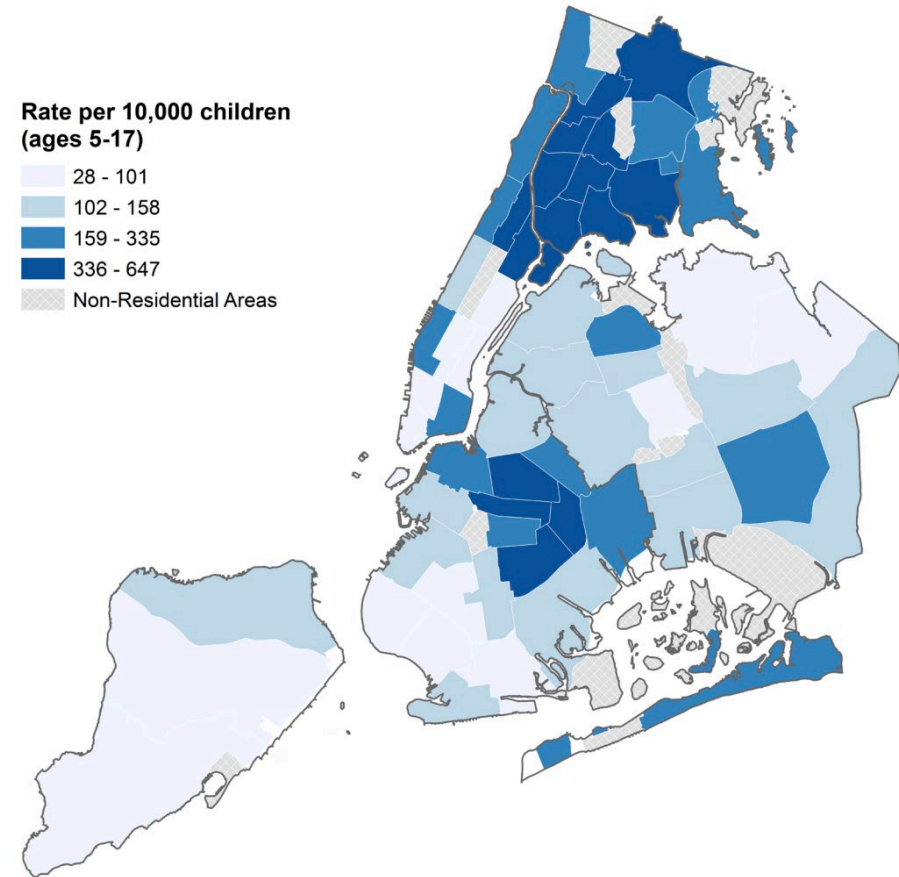
Source: Department of Consumer Affairs. Bank branch data: FDIC Summary of Deposits - June 2018; Credit Union data: National Credit Union Administration - November 2018; Check Cashers: New York State Department of Financial Services - November 2018; Pawnshops: New York City Department of Consumer Affairs - March 2019. Note: A ratio of 0.1 means that for every one bank or credit union, there are 10 check cashers or pawnshops, where as a ratio of 10 means that for every one check casher or pawnshop, there are 10 banks or credit unions.



# Unequal Outcomes

Historic disinvestment in low-income neighborhoods of color manifests in negative health, environmental, and social impacts today

## Asthma Hospitalization Rate for Children by Community District

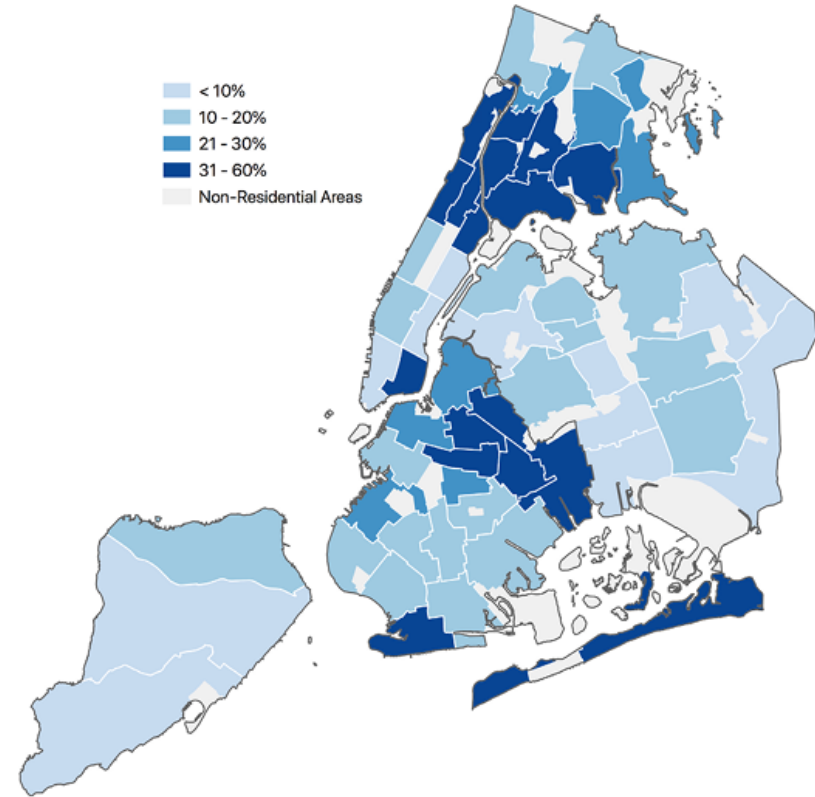


Source: NYC Department of Health and Mental Hygiene, Bureau of Vital Statistics, 2013–2015. From the “Community Health Profiles” public use dataset, available here: <https://www1.nyc.gov/site/doh/data/data-publications/profiles.page>.

# Lack of affordability

**Less than 10% of homes rent for low enough prices to be affordable to households earning 60% of the Area Median Income in parts of core Manhattan, Queens, and Staten Island**

- People can't afford to leave, can't afford to stay

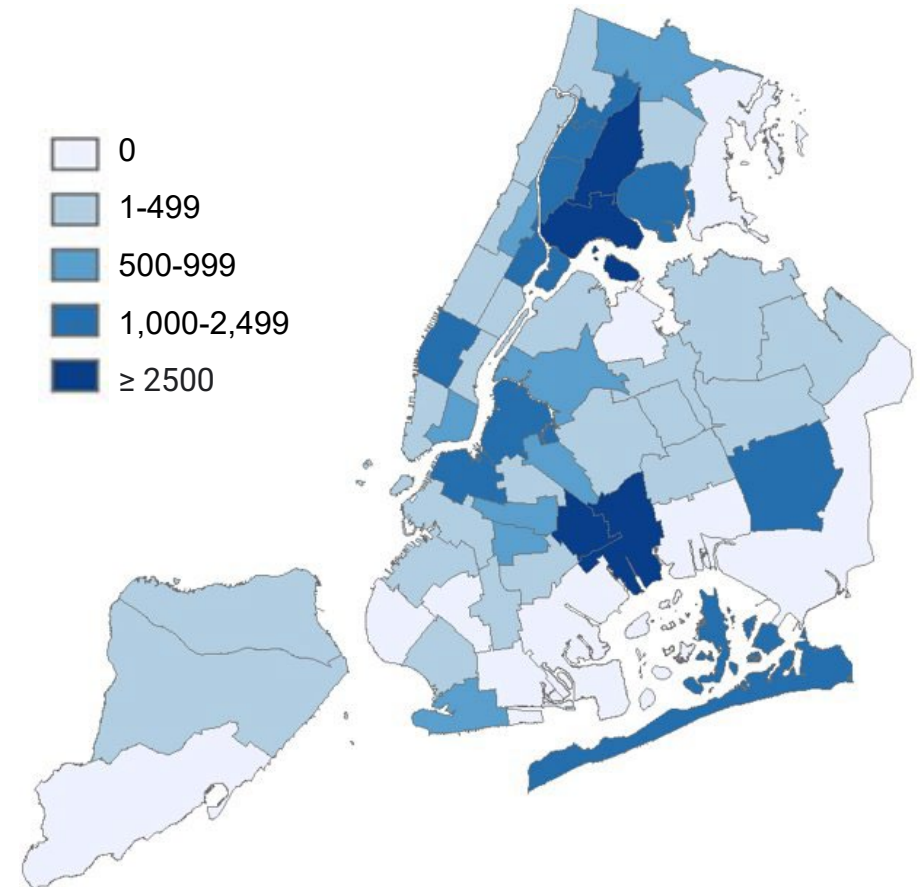


Source: 2013-2017 American Community Survey Public Use Micro Data. Note: Denominator includes both owner and rental units. Affordable units include both those that receive subsidies or are under regulatory agreements and units that are unregulated but still affordable to families below 60% AMI. Rent tiers are based on 2017 HUD Income Limits.

# Uneven Affordable Housing Growth

- Nearly 50,000 new affordable homes were constructed and an additional 135,000 were preserved between 2014 and 2022
- New units are not spread evenly throughout NYC as most neighborhoods saw little to no new affordable housing construction

New Affordable Housing  
Construction (2014 – 2022)



## What we heard: *source of income discrimination*

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“When we moved, the landlord told us he would not take any vouchers...he didn’t want ‘those kinds of people here.’”

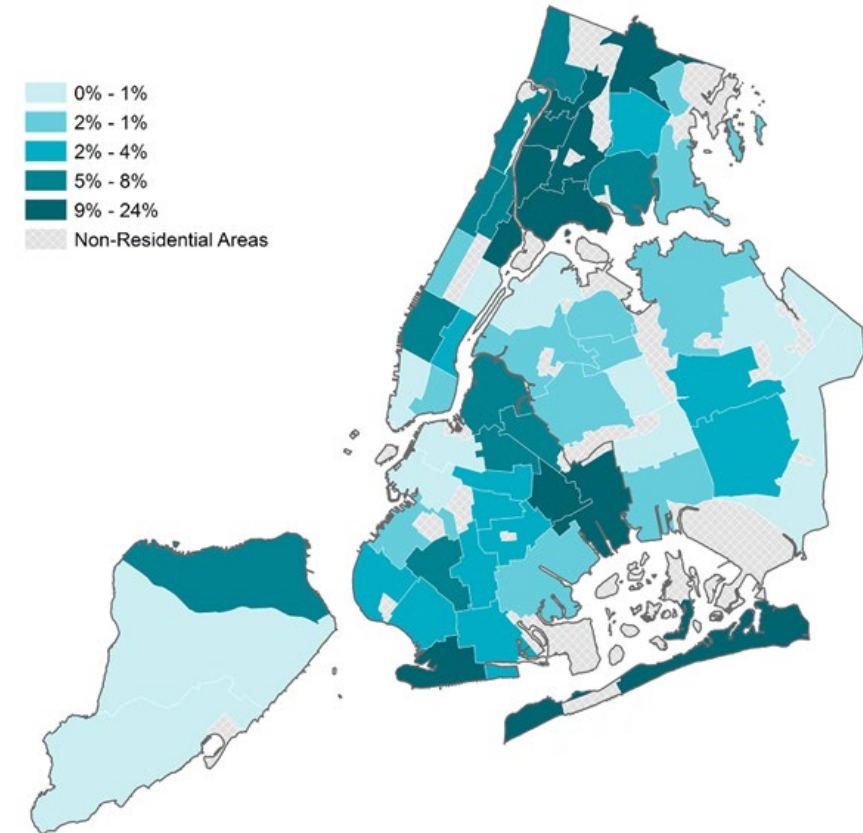


**Source:** “Community Conversations: New Yorkers talk Fair Housing.” *Where We Live NYC*, 2020.

# Voucher distribution

- **Vouchers, such as Section 8, are tools to make housing affordable in a much wider variety of neighborhoods**
  - **Used by 100,000+ New Yorkers**
- **Vouchers are not accepted by landlords in much of the city, despite being a Fair Housing violation**
  - **Most frequent form of housing discrimination in NYC (via The New York City Commission on Human Rights)**

Share of Total Units Rented with Federal Housing Vouchers



Source: NYC Housing and Vacancy Survey, 2017. US Census Bureau/NYC HPD.



## What we heard: *disability discrimination*

“At an apartment I went to see, that my girlfriend saw first, they didn’t have any problems. But when they see me and see my cane, they had a problem.”



“[I had a] motorized wheelchair...The landlord wouldn’t put a ramp in because he said it would bring down the value of the building.”

# Affirmatively Furthering Fair Housing (AFFH)

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# Affirmatively Furthering Fair Housing (AFFH)

- Eliminate discrimination and other barriers to creating housing options in integrated areas and areas with access to opportunity
- Equitably invest in all neighborhoods so households can access opportunities



Source: Klenia, Bernard. *Chicago Fair Housing Mural*. Chicago Freedom Movement Through the Eyes of Bernard Kelnia. <http://chicagofreedommovement.com>

# AFFH History

1994

## Executive Order for AFFH Guidance

➤ President Clinton

2015

## Final Rule for AFFH

➤ President Obama

2020

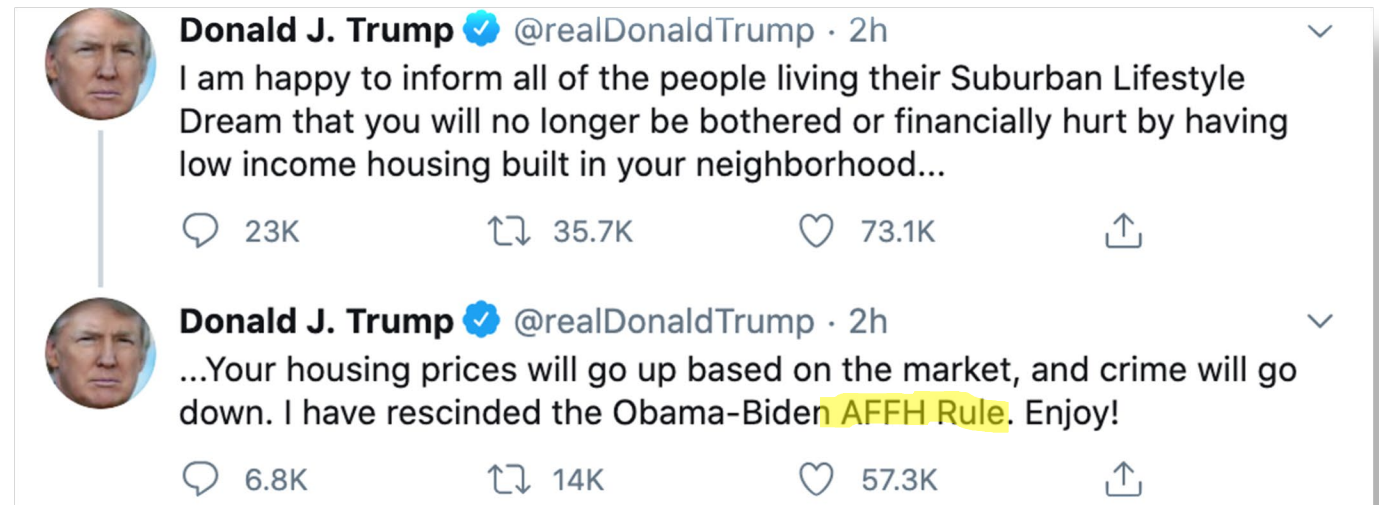
## AFFH Rule Repealed

➤ President Trump

2023

## Biden AFFH

➤ President Biden



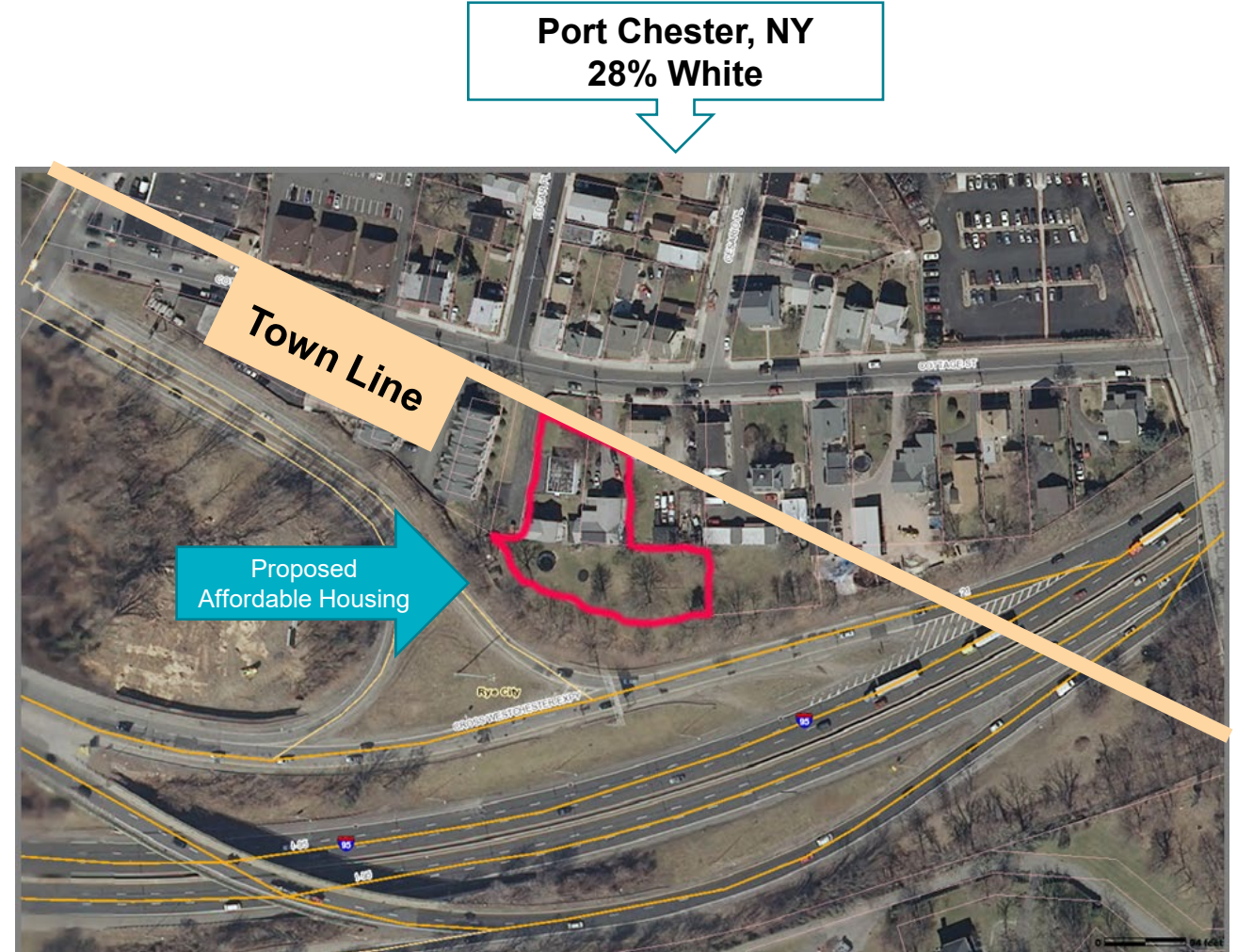






# HUD vs Westchester

- To meet AFFH goals, HUD mandated that Westchester build affordable housing in homogenously White communities
- The City of Rye chose a site that while technically in Rye, was separated from the rest of the town by two interstates
- The site is only accessible from Port Chester, a diverse town that HUD deemed ineligible for AFFH housing

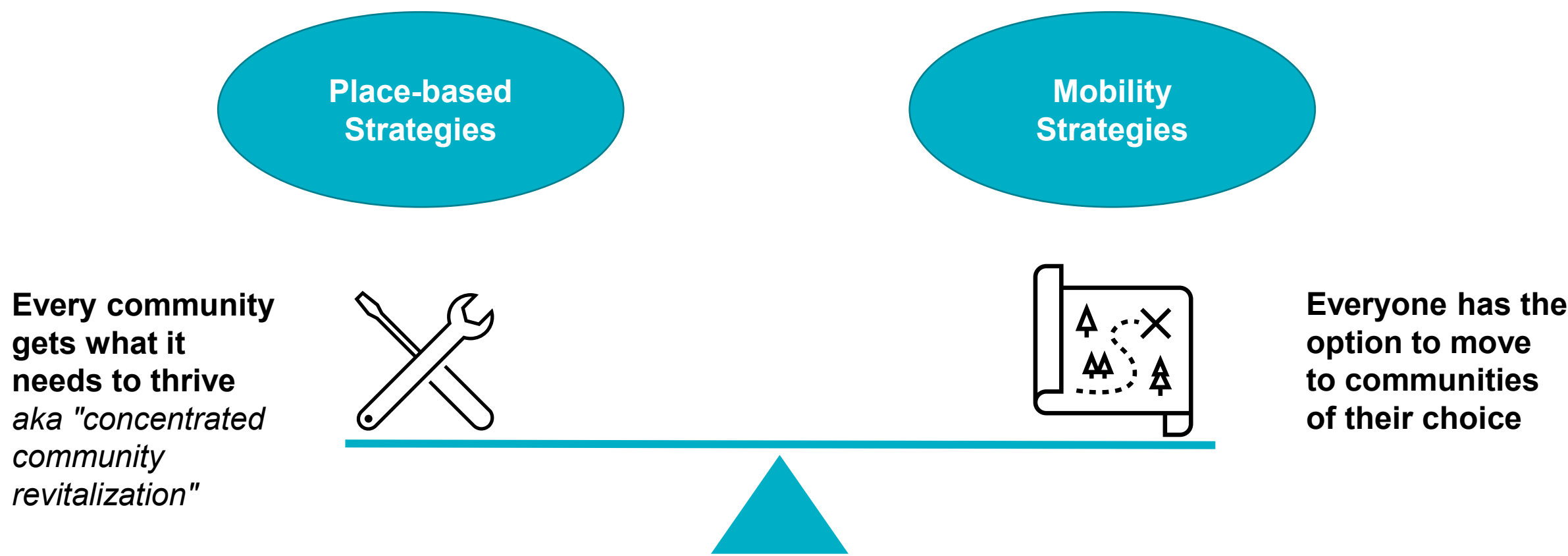


"Westchester development sites" Anti-Discrimination Center

Rye, NY  
77% White

# Obama HUD Final AFFH Rule: A Balanced Approach

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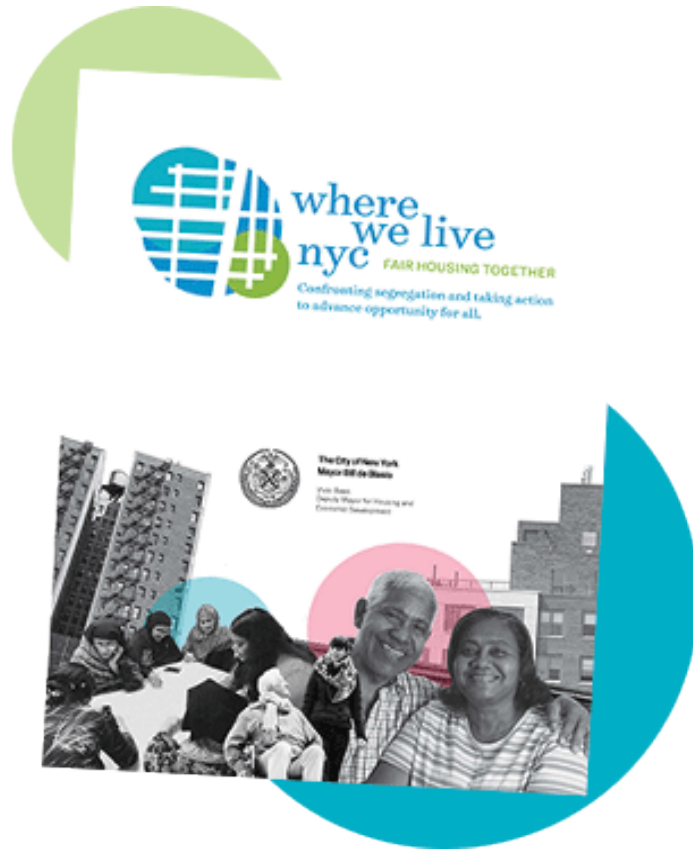
# How NYC is advancing fair housing?

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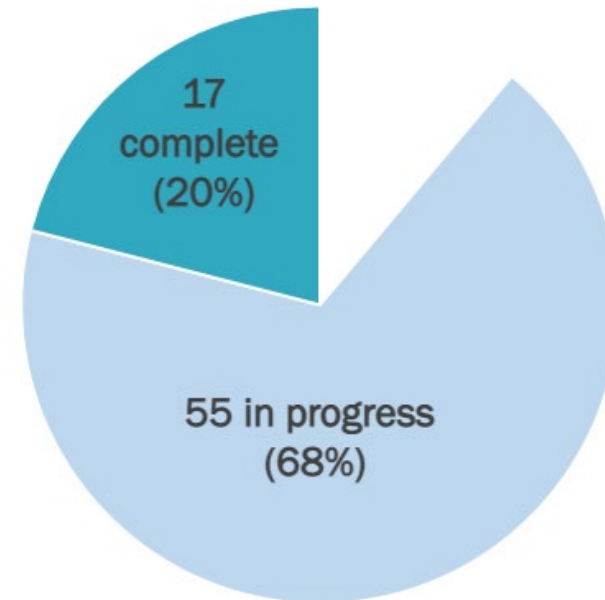
*Where We Live NYC*

Progress Report

# Where We Live Commitments



Of the Plan's 81 commitments, 86% are complete or in progress





# Six Goals

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Combat **persistent, complex discrimination** with expanded resources and protections



Facilitate **equitable housing development** in New York City and the region



Preserve affordable housing and **prevent displacement** of long-standing residents



Enable more effective use of **rental assistance benefits**, especially in amenity-rich neighborhoods



Create more independent and **integrated living options for people with disabilities**

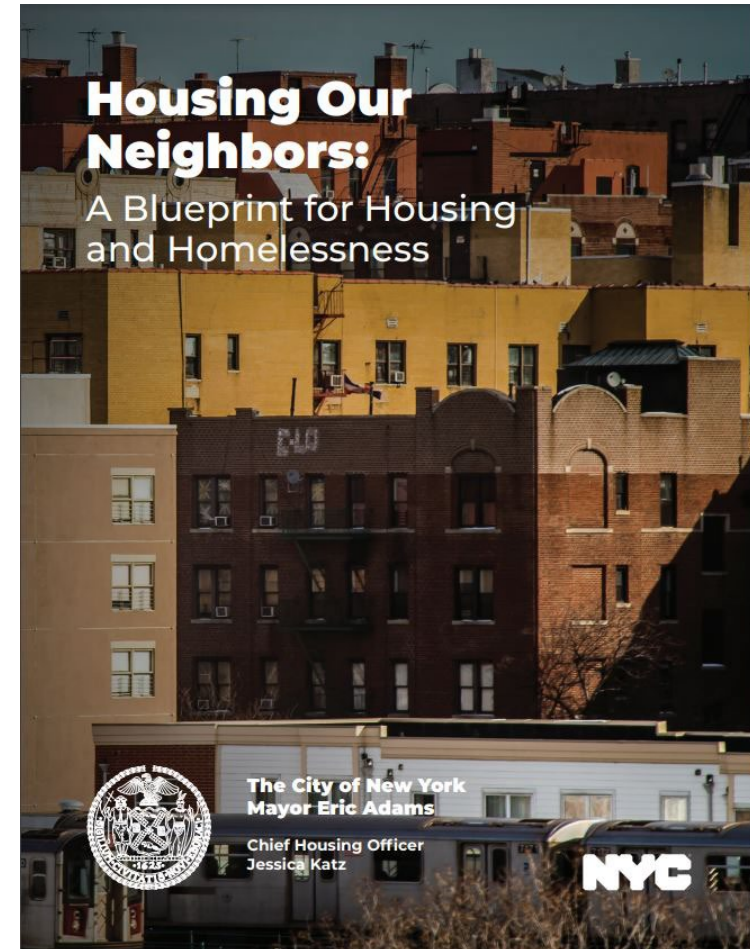


**Make equitable investments** to address the neighborhood-based legacy of discrimination, segregation, and concentrated poverty

# Housing our Neighbors: A Blueprint for Housing and Homelessness

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- Improve services and create supportive housing
- Create and preserve affordable housing
- Improve housing quality, sustainability, and resiliency of homes



# Goal 1: Combat persistent, complex discrimination

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## Completed

- New city funding to tackle source of income discrimination

## In Progress

- Addressing discrimination against people with criminal justice involvement
- Addressing discrimination by co-op associations



Flyer from NYC Commission on Human Rights

# Goal 2: Facilitate Equitable Housing Development

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## Completed

- Gowanus and SoHo neighborhood rezonings
- Increased down payment assistance for low-income home buyers to \$100,000

## In Progress

- Zoning for Housing Opportunity



Rendering of Gowanus Green, a 100% affordable project financed by HPD in the Gowanus rezoning area





# Goal 4: Enable More Effective Rental Assistance Benefits

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## Complete & ongoing

- Investment in housing mobility counseling for vouchers holders
- Significant increase in HPD-financed units for homeless households



# Goal 5: Improve Housing Options for People with Disabilities




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## Complete & ongoing

- Accessibility expansion of HPD's Housing Ambassador Program
- Expand opportunities for seniors and people with disabilities to obtain home modifications



### Accessibility needs

- ☐ Wheelchair and mobility device accessible 
- ☐ Sign language interpreters available 
- ☐ Printed materials available in large print 
- ☒ I would like to meet with a Housing Ambassador for People with Disabilities

HPD Housing Ambassadors Page

# Goal 6: Make Equitable Investments

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## Completed

- Launched the Equitable Development Data Explorer (EDDE)
- Implementing community plans in Brownsville, Bed-Stuy and Edgemere

## In Progress

- Develop new neighborhood plans
- Accelerate opportunities for groups to create and preserve community-owned or shared-equity housing



The Brownsville (Neighborhood) Plan



# Goal 6: Make Equitable Investments

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## In Progress

- Renovate green spaces on NYCHA campuses
- Enable renters to build credit through rent payments
- Support the creation of school district diversity plans
- Facilitate faster and more reliable bus service



Public shared space at a NYCHA campus

**How can you help NYC  
advance fair housing?**

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# Housing choice & choice neighborhoods

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- **Persistent discrimination in the housing market and segregation in our neighborhoods impacts New Yorkers' choice about where they can live**
- **Unequal access to amenities and resources means not all New York City neighborhoods have what they need to thrive**



Adventure Playground on the Upper West Side

# CBs further fair housing

## Community Boards...

- ...advocate for investment in their communities
- ...weigh in on land use changes through the ULURP process
- ...educate and involve their neighbors in public policy decisions
- ...connect their neighbors to resources and information

## Where We Live NYC fair housing goals:



**Combat  
Discrimination**



**Facilitate equitable  
development**



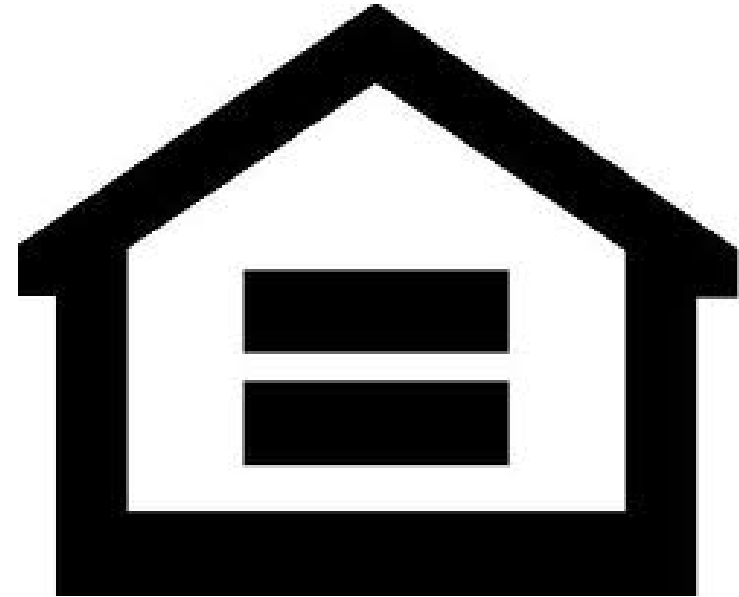
**Make equitable  
investments**



## Next steps

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- HPD can visit your Board to talk about fair housing in your community
- Toolkit for integrating AFFH into land use decisions



Equal Housing Opportunity Icon

# Coming soon...

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**Join us for Affordable Housing 101 next week!**

- Tuesday, May 2<sup>nd</sup> at 6 PM

**Fair Housing encore**

- Tuesday, May 9<sup>th</sup> at 6 PM

*Registration for all events at NYC Civic Engagement Commission's website*



# Thank you!



## Questions?

<https://wherewelive.cityofnewyork.us/>

Contact: [rudoyc@hpd.nyc.gov](mailto:rudoyc@hpd.nyc.gov)



# Appendix

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# Appendix sections

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- 1. Discrimination resources**
- 2. Fair housing concepts**

# Discrimination resources

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# Resources: Source of Income Discrimination

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- Report it to the **NYC Commission on Human Rights** by dialing **311** and asking for "**human rights**"
- File a complaint with the **New York State Division** on Human Rights
- Contact a nonprofit (**Fair Housing Justice Center, Human Rights Initiative**) for help with filing a complaint



# Guidance for Source of Income Discrimination

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**Be on the lookout for:**

- **Advertisements that discourage voucher holders from applying**
- **A broker or landlord that stops responding after learning that an applicant has a voucher**
- **A broker or landlord saying that the voucher holder does not meet the income requirements or that they have to be working**





# Fair housing concepts

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# Blockbusting

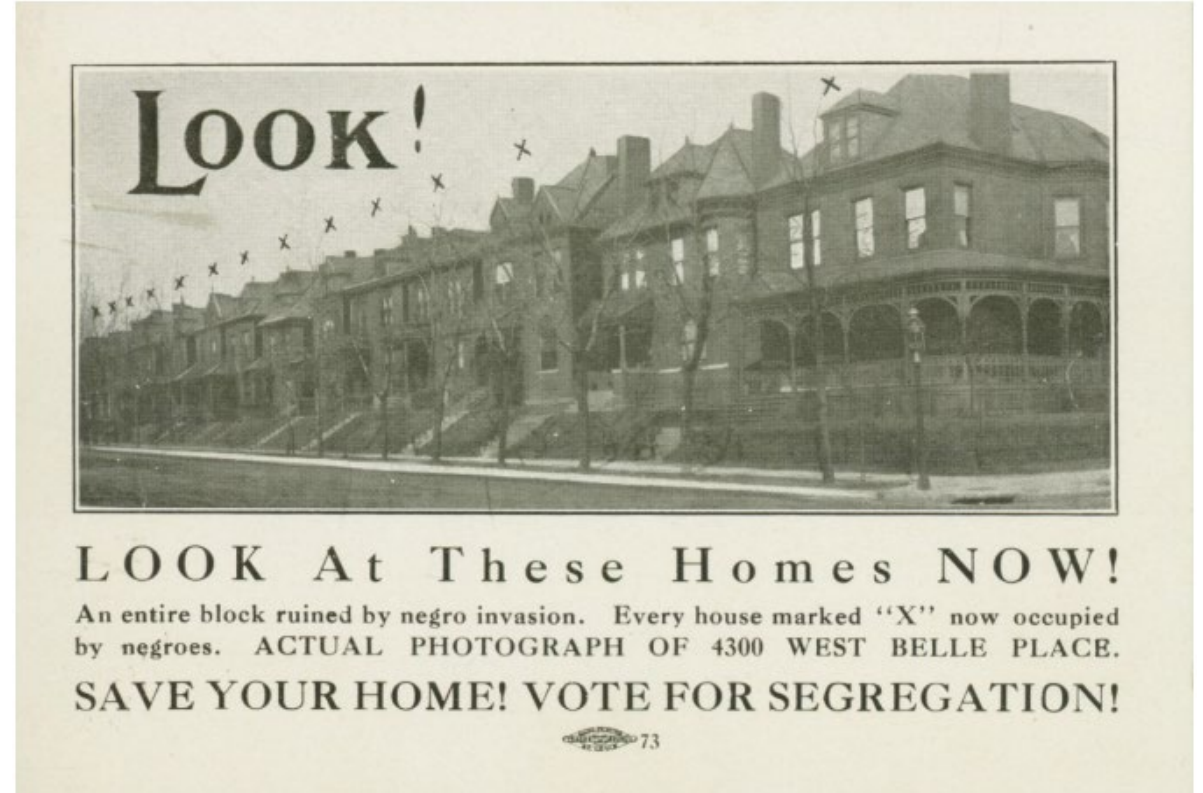
**Blockbusting:** the practice of persuading owners to sell property cheaply because of the fear of people of another ethnic or social group moving into the neighborhood, and then profiting by reselling at a higher price.



Source: Balk, Alfred. "Confessions of a Block-Buster." Originally published in *The Saturday Evening Post*, 1962. Found in Alfred Balk Papers, 1941-2010, Bulk 1953-1993. Newberry Library.

# From racial zoning to single-family zoning

- Many cities had explicit racial zoning that prohibited certain racial groups from living on certain blocks
- Supreme Court made racial zoning illegal in 1917 but city planners found “race-neutral” single-family zoning achieved similar ends



*A 1916 leaflet promoting a successful ballot referendum to establish racial zoning in St. Louis*

**Source:** Rothstein, Richard. *The Making of Ferguson: Public Policies at the Root of its Troubles*. Washington, DC: Economic Policy Institute, 2014.



# Steering

- Realtor attempts to influence a prospect's choice of a housing and neighborhood based on prospect's race or another characteristic
- Presents different information or different requirements depending on race or other characteristic

BIRMINGHAM  
OR  
? BROOKLYN ?  
?

MISS EDA MAE COLE, NEGRO,  
APPLIED FOR A 4 1/2 ROOM  
APARTMENT 2 WEEKS AGO.  
HER SALARY IS \$5400 PER YEAR  
AND HAS BEEN EMPLOYED AT  
THE SAME JOB FOR 10 YEARS.  
SHE WAS TOLD THAT SHE COULD  
NOT RENT THE AP'T BECAUSE SHE  
IS DIVORCED.

A WHITE MEMBER OF CORE, APPLIED FOR  
A 4 1/2 ROOM AP'T & TOLD THEM SHE  
WAS DIVORCED. SHE WAS TOLD TO COME  
& SIGN THE LEASE THIS MORNING.  
THE CONCLUSION IS OBVIOUS: BLATANT  
RACIAL DISCRIMINATION!!

BROOKLYN CORE  
769 ST. MARKS AVE  
PR 8-5170

Brooklyn Congress of Racial Equality (circa 1963-1964). Arnie Goldwag Brooklyn Congress of Racial Equality (CORE) collection, Center for Brooklyn History.