



OPEN COMMUNITIES
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PUTTING FAIR HOUSING LAWS TO WORK FOR YOU

A STEP-BY-STEP GUIDE BY **OPEN COMMUNITIES ALLIANCE**

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PUTTING FAIR HOUSING LAWS TO WORK FOR YOU

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PUTTING FAIR HOUSING LAWS TO WORK FOR A BETTER CONNECTICUT

This guide is intended to assist residents that face some of the highest levels of housing discrimination and segregation in Connecticut: Blacks and Hispanics.¹ It focuses on ways to use fair housing laws to fight housing discrimination, housing segregation, and disinvestment from Black and Hispanic neighborhoods.

In 1968, after the assassination of Martin Luther King, Jr., Congress passed a critical civil rights law: the Fair Housing Act.

Among other things, the Fair Housing Act:

- Bans discrimination in most housing, housing advertising, and housing-related services (like home loans),
- Protects against housing segregation, and
- Supports investments in communities of color.

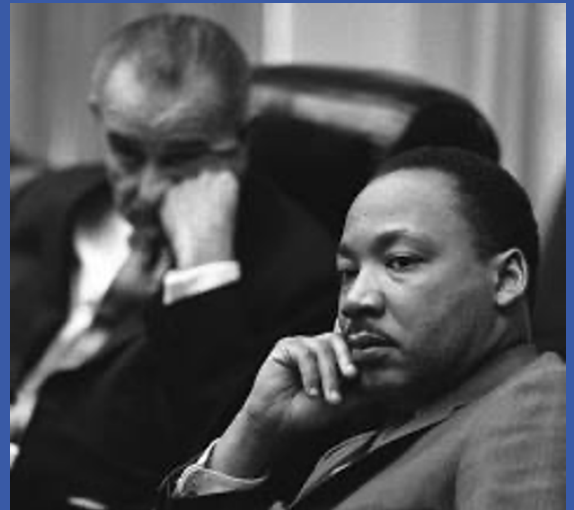


Figure 1: Martin Luther King, Jr., with President Lyndon Baines Johnson looking on. Photo obtained from Texas Housers.

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CONNECTICUT IS ONE OF THE MOST SEGREGATED STATES IN THE COUNTRY.

In Connecticut, more than two-thirds of people of color live in only 15 of the state's 169 cities and towns.ⁱⁱ

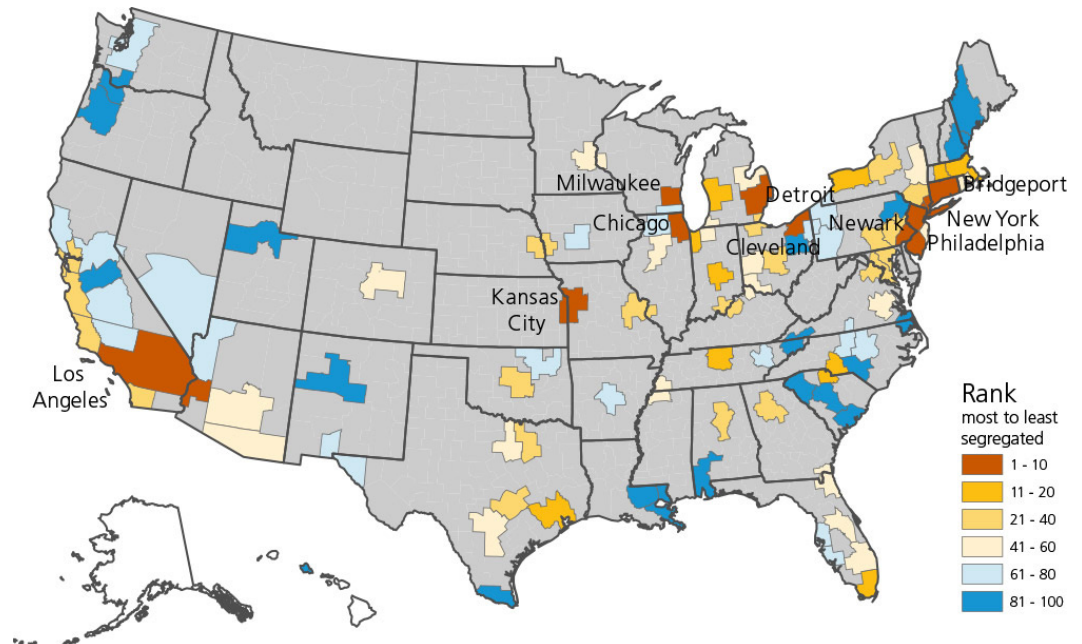
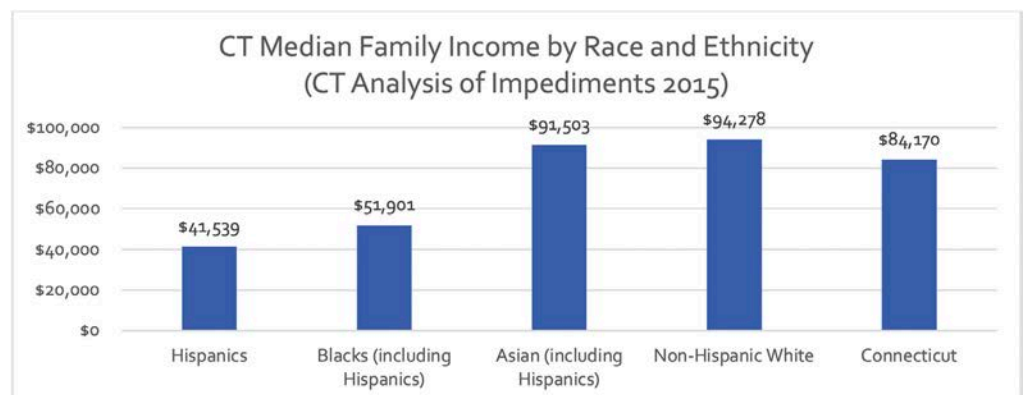


Figure 2: Connecticut is among the top 10% of most segregated states in the nation. Metropolitan Planning Council of Chicago and the Urban Institute

Due to historical and current discrimination and segregation, Blacks and Hispanics are more likely to have lower incomes than whites.ⁱⁱⁱ Therefore, income segregation also means racial segregation.



KNOW WHAT CAUSES SEGREGATION

THE HISTORY: SEGREGATION WAS NOT ACCIDENTAL

Housing segregation is not an accident, but rather the result of intentional efforts both by individuals – some housing developers, landlords and real estate agents – and the government.^{iv} Here are two examples:

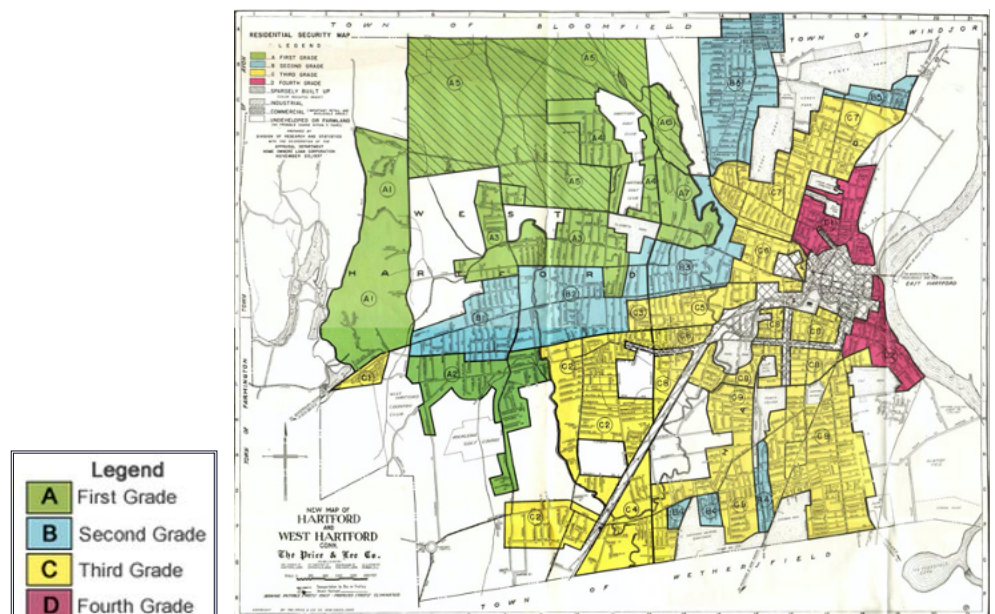
Racial covenants:^v Before the Fair Housing Act was passed in 1968, it was not uncommon to find agreements in the deeds of homes banning the sale or rental of houses or apartments to certain groups, like Blacks and Hispanics. These agreements were called racial covenants. Even where such agreements were not written, and even after the Fair Housing Act was passed, it was a common practice in white neighborhoods to follow an unwritten rule not to sell or rent to Black and Hispanic families.

A sample racial covenant from High Ledge Homes in West Hartford in 1940 is below. Some housing developers, landlords, homeowners, real estate agents, judges, and police departments were part of ensuring that racial covenants kept certain groups out of white neighborhoods.^{vi}

NO PERSONS OF ANY RACE EXCEPT THE WHITE RACE SHALL USE OR OCCUPY ANY BUILDING ON ANY LOT EXCEPT THAT THIS COVENANT SHALL PREVENT OCCUPANCY BY DOMESTIC SERVANTS OF A DIFFERENT RACE EMPLOYED BY AN OWNER OR TENANT.^{vii}

Redlining:^{viii} Starting in the 1930s, federal officials and local lenders rated the risk of making home mortgages in various neighborhoods. Places with lots of Black and immigrant residents were given low ratings making it harder to get home loans (the D & C red and yellow areas on this map).

This is called **redlining**. This made it extremely difficult for Blacks and Hispanics to start to build wealth through homeownership.



Hartford Redline Map, 1934. Available at Mapping Inequality, <https://dsl.richmond.edu/panorama/redlining/#loc=5/39.1/-94.58>.

ACTIONS TODAY CONTINUE SEGREGATION AND LIMIT HOUSING CHOICES

Government Actions that Continue Segregation

Today, even with the Fair Housing Act in place, government policies continue segregation and limit housing choices for low and moderate-income families, including many who are Black and Hispanic. Some examples include:

- **Exclusionary zoning:** Many towns in Connecticut put zoning in place that makes it nearly impossible to build multifamily housing (apartments) or other kinds of housing that costs less. This is referred to as *exclusionary zoning*. Multifamily housing is one of the best ways to make housing less expensive.
- **Placement of subsidized housing:** All across the country, the federal government and some state governments invest in subsidized housing to assist lower income families through programs like Project Based Section 8 and the Low Income Housing Tax Credit program. In Connecticut, almost all of this housing goes into neighborhoods that already have high levels of poverty and are majority-Black and -Hispanic communities. While it is important to include subsidized and affordable housing in lower income Black and Hispanic neighborhoods, it is unfair for all of it to go in neighborhoods that are already hosting more than their fair share, especially when around half of low-income Black and Hispanic families want other choices.^{ix}



CONNECTICUT OPPORTUNITY MAP AND PRESERVATION DEVELOPMENTS

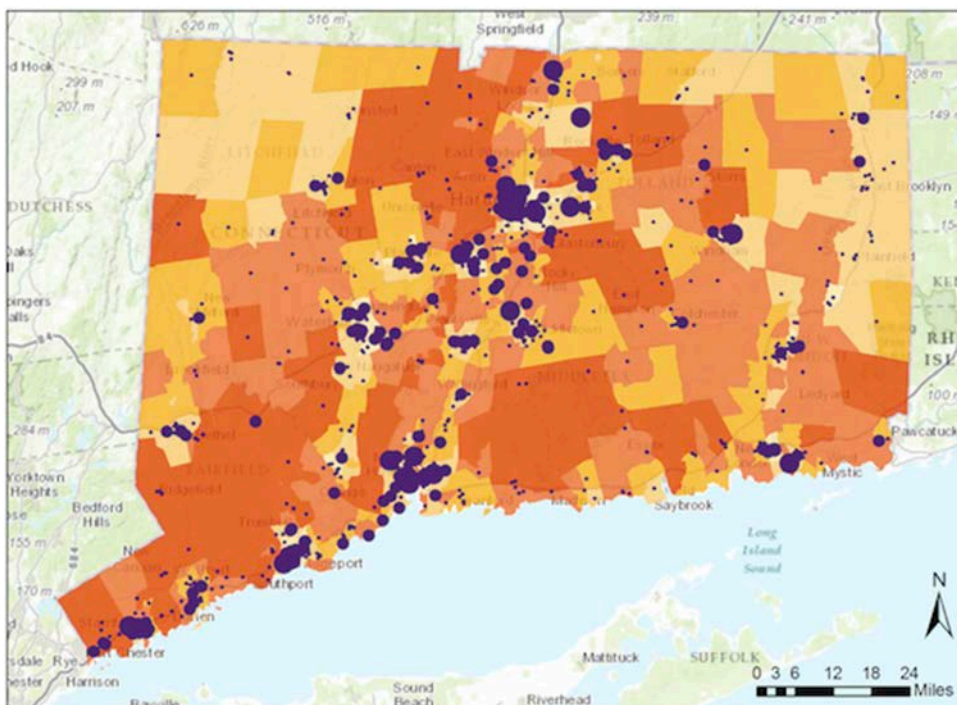


Figure 3: Subsidized Housing Preservation List: This map shows where government subsidized housing is located in CT. The majority is located in areas with high levels of poverty.

To learn more about the shading in this mapping, see page 9.

Ineffective investment in struggling communities: Not enough has been done to provide access to opportunity in Black and Hispanic communities. “Urban Renewal,” an effort in the 1950s and 1960s^x to remake struggling communities, often resulted in the destruction of Black and Hispanic neighborhoods. Other efforts to revitalize disinvested communities have led to the demolition of affordable or subsidized housing that has not been replaced.^{xi}

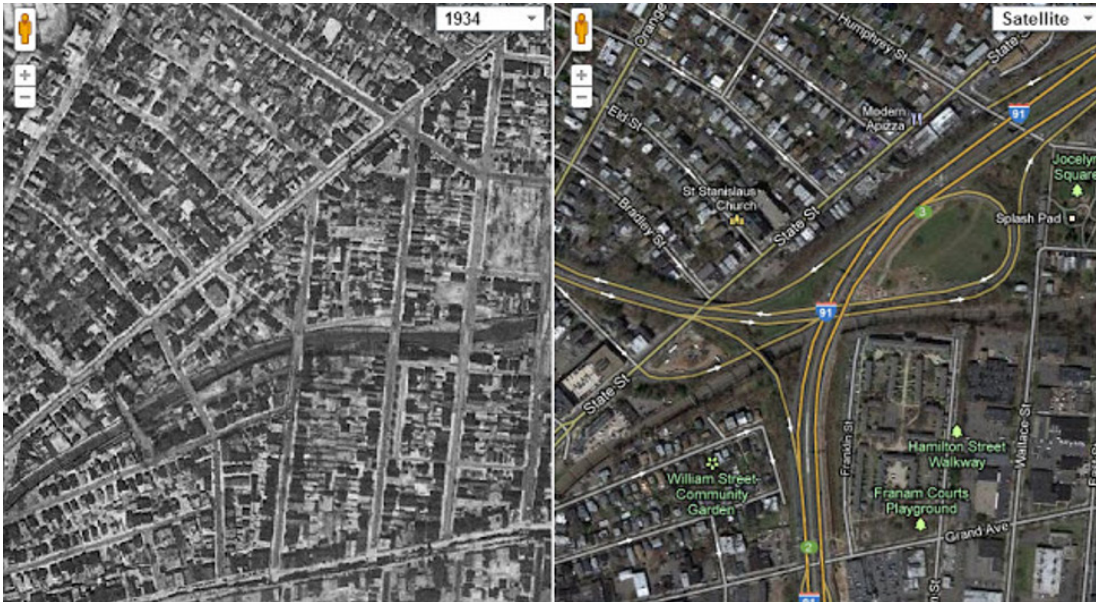


Figure 4: New Haven, in 1934 before the highway was built, and today. Note the blocks of houses that had to be removed to create the highway. Source: *Neighborhood Change in Connecticut, 1934 to Present*, UConn Mapping and Geographic Information Center, http://magic.lib.uconn.edu/mash_up/1934.html

PRIVATE ACTIONS THAT CONTINUE SEGREGATION

Despite civil rights protections, discrimination by landlords, management companies, real estate companies, and mortgage brokers also perpetuates segregation. Recent studies have found that:

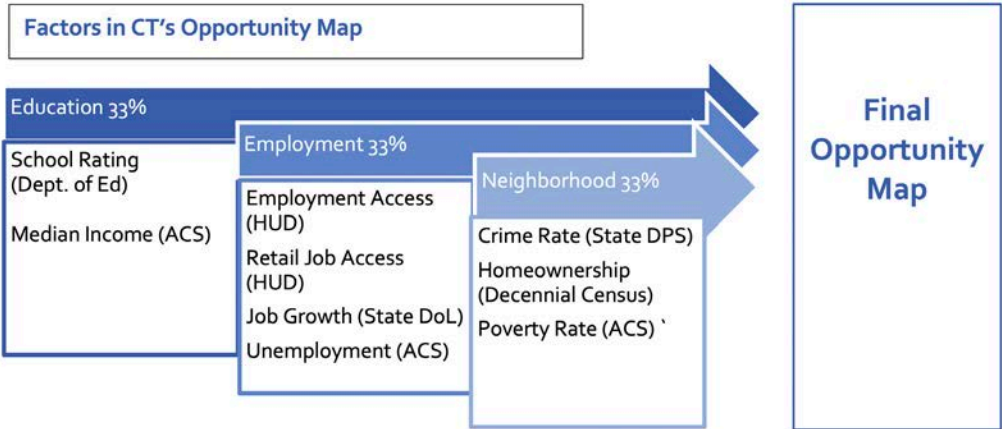
- Landlords, management companies, and real estate agents show fewer rental units to people of color. A 2012 study found that Black, Hispanic, and Asian American households were informed of 11.4%, 12.5%, and 9.8% fewer rental units, respectively, than equally qualified white renters.^{xii}
- When searching for homes to buy, studies have found real estate agents show Blacks 17% fewer homes than whites.^{xiii}
- A recent study in Massachusetts uncovered discrimination by landlords, management companies, and real estate agents against potential tenants using government housing vouchers 86% of the time.^{xiv}
- In Connecticut, Black and Hispanic homebuyers received less favorable treatment from real estate agents compared to white homebuyers in 50% of lending tests and 75% of home sales tests.^{xv}



KNOW THE IMPACT OF SEGREGATION

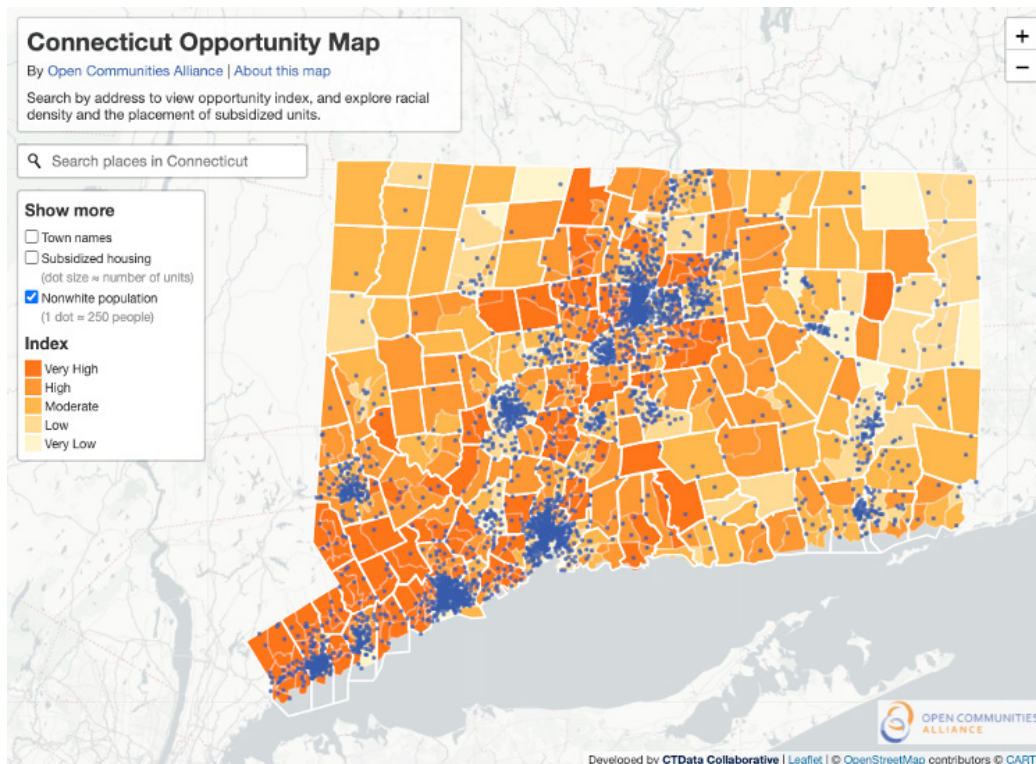
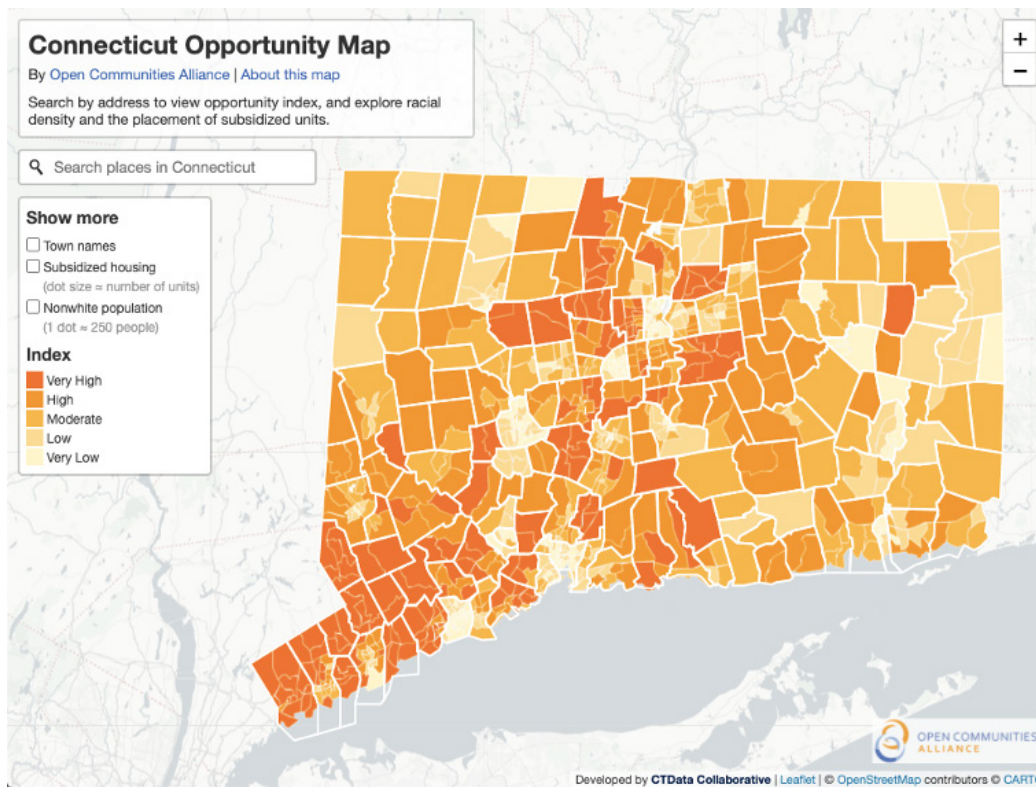
The result of segregation in Connecticut is that Black and Hispanic families do not have equal access to opportunity.

Opportunity Mapping lets us see on a map which areas have access to high performing schools, low levels of crime and other factors that research shows lead to success in life. These factors combined create a “high opportunity” designation. Lightly shaded areas on this map show “lower opportunity” areas where we need more investments to counteract crime and over-policing, under-resourced schools, the need for employment, and more. The darker the orange shading, the more “opportunity” there is in a neighborhood.



With Opportunity Mapping, we can also assess whether Black and Hispanic families are getting access to opportunity. Not surprisingly given the history of segregation and ongoing segregating and discriminatory practices, opportunity is not available on an equal basis by race and ethnicity.

Opportunity Level	Non-Hispanic White	Non-Hispanic Black	Hispanic	Non-Hispanic Asian
Very High	26%	4%	8%	27%
High	26%	9%	10%	20%
Moderate	23%	14%	15%	22%
Low	18%	27%	25%	19%
Very Low	7%	47%	43%	13%



Opportunity maps available at www.ctoca.org/ct_opportunity_map

SOLUTIONS

THIS MEANS WE MUST:



INVEST IN STRUGGLING, LOWER OPPORTUNITY AREAS AND,



ENSURE THERE ARE AFFORDABLE HOUSING CHOICES IN HIGHER OPPORTUNITY AREAS.



KNOW YOUR FAIR HOUSING RIGHTS

In Connecticut, we are fortunate to have the protections of two sets of fair housing laws – the federal Fair Housing Act and the state Human Rights and Opportunities statute. Both laws provide protection for Black and Hispanic families looking for housing, but also protect other characteristics that may describe members of your household. The characteristics that are protected are called “protected classes.”

In Connecticut, you can’t be refused housing or offered housing on unequal terms on the basis of a characteristic that falls into one of the protected classes. The rules apply in different ways depending on the number of units in the building you are considering renting or buying and whether the government is involved.^{xvi}

Federal Fair Housing Act Protected Classes

- Race – Black or white
- Color – skin tone
- National Origin – country of an individual’s origin or the country from which the individual’s ancestors came
- Religion – Limitation based on religious or spiritual beliefs
- Sex – gender (recently being applied to sexual orientation too)
- Handicap/disability
- Familial Status – presence of children under 18; pregnancy; persons in the process of getting legal custody

Connecticut’s Fair Housing Law Additional Protected Classes

- Gender Identity or Expression
- Lawful Source of Income – for example, using a Housing Choice Voucher/Section 8 or the Rental Assistance Program
- Age (except minors)

Fair housing advocates’ experience is that discrimination is more likely when a family has several of these characteristics, for example, when the family is Black, has children, and is using a housing subsidy like a Housing Choice Voucher (aka Section 8).

5. ACTION STEPS

HOW TO PUT FAIR HOUSING IDEAS TO WORK TO PROMOTE HOUSING CHOICE AND COMMUNITY INVESTMENT

For our fair housing laws to work, we need fair housing heroes to stand up for their rights. Here are four ways to take action:

ACTION ONE:

REPORT DISCRIMINATION IN HOUSING AND GET HELP WITH FAIR HOUSING TESTING

REPORT
SUSPECTED
DISCRIMINATION

If you suspect that you are the victim of discrimination, report it and consider filing a legal claim!

Discrimination can come in different forms. Here are some common examples: not getting a call back when looking for housing, disrespectful treatment on the phone or while touring a property or being sent to one building run by a management company but not another. Several agencies in CT help investigate fair housing claims and some offer ways to file complaints:

WHERE TO REPORT SUSPECTED HOUSING DISCRIMINATION AND GET HELP WITH FAIR HOUSING TESTING

OPEN COMMUNITIES ALLIANCE:

If trying use a voucher to access housing in areas that are predominantly white or to report discriminatory zoning:

Services:

- Case investigation
- Fair housing testing

860-610-6040

http://ctoca.org/report_discrimination

CONNECTICUT COMMISSION ON HUMAN RIGHTS & OPPORTUNITIES:

To file all types of housing discrimination complaints

Services:

- Case investigation
- Accept legal complaints

860-541-3403

CONNECTICUT FAIR HOUSING CENTER:

For help addressing all types of discrimination

Services:

- Case investigation
- Fair housing testing
- Free legal representation

860-247-4400

<https://www.ctfairhousing.org/report-housing-discrimination/>

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT:

To file housing discrimination complaints re: federal law protections

Services:

- Case investigation
- Accept legal complaints

1-800-669-9777 or 1-800-877-8339

https://www.hud.gov/program_offices/fair_housing_equal_opportunity/online-complaint

REQUEST FAIR HOUSING TESTING

Often, it is hard to tell if you are being discriminated against, so the fair housing laws allow the use of **Fair Housing Testing**. Fair Housing Testing is a way to investigate suspected housing discrimination by having two other people, one who matches your characteristics, one who does not, connect by phone or an in-person visit to the place suspected of discrimination to assess whether they are treated differently based on protected class.

Open Communities Alliance and the CT Fair Housing Center might be able to test a housing provider you suspect of discrimination (see contact information on previous page).



CONSIDER BECOMING A FAIR HOUSING TESTER

If you are interested in becoming more actively involved in addressing housing discrimination, consider becoming a Fair Housing tester with Open Communities Alliance. Contact us at 860-610-6040!

ACTION TWO:

EDUCATE YOUR COMMUNITY

The more we understand the causes and impact of segregation and the strategies for addressing it, the greater the chance we have to make change.

You can help make this happen within your own community by discussing these issues with community leaders and inviting groups like Open Communities Alliance to speak at neighborhood and faith-based events.

Some possible topics for education events include:

- Fair housing rights
- The history of segregation
- Current policies that continue segregation
- Strategies to fairly revitalize neighborhoods

ACTION THREE:

SUPPORT CHANGE IN OTHER COMMUNITIES

If poverty and a lack of resources are major issues in your community, join with other neighbors or existing community organizations to develop a joint vision of your neighborhood's future and then share that vision with community leaders and stakeholders.

If you need more information about existing efforts in your community or help getting one started, please reach out to Open Communities Alliance.

Some topics to consider:

- How school investments can support revitalization
- Revitalization without involuntary displacement
- Supporting local businesses
- Bringing in investments in parks, streets, lighting, and sidewalks

ACTION FOUR:

ADVOCATE FOR CHANGE

Advocates continually seek to change policies and practices to promote greater housing choice and equitable community investment. Consider becoming involved in such statewide efforts. Likewise, advocate for changes at a local level. Change can come through administrative changes, legislative changes or changes prompted by litigation. Contact Open Communities Alliance for more information.

Consider the following topics to gear up for advocacy:

- What is the power structure affecting your neighborhood?
- Connecting to local leaders
- How to advocate at the state legislature
- Using the press to spread your message
- How the fair housing laws can spark change in your neighborhood

GROUPS TO CONNECT TO REGARDING COMMUNITY ORGANIZING

- Your Local Faith Community
- Congregations Organized for a New Connecticut (CONNECT) – New Haven and Bridgeport regions
 - Website: www.weconnect.org
 - Phone: 203-787-1090
- Greater Hartford Interfaith Action Alliance (GHIAA)
 - Website: cljct.org/ghiaa
 - Phone: 860-527-9860
- Make the Road CT Immigration justice and equity for working people
 - Website: www.maketheroadct.org
 - Phone: 203-549-8841
- FaithActs – Education, focus in Bridgeport
 - Website: faithacts.org
 - Phone: 203-868-0443
- Naugatuck Valley Project – Danbury/Waterbury region
 - Website: www.nvpct.org
 - Phone: 203-574-2410
- Your local Neighborhood Revitalization Zone Committee (NRZ). Listings available through your local townhall. Some NRZs are more active than others.
- Other local community organizations.

The landscape of community organizing groups is constantly evolving. Contact Open Communities Alliance for the most recent information.

CONCLUSION

We hope you have found this guide useful in providing information on how fair housing laws can help you and your family combat discrimination, move to a neighborhood of your choice, or stay in your current neighborhood but trigger positive change. If you have questions or would like to explore this topic further, please contact Open Communities Alliance at 860-610-6040 or info@ctoca.org.

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- i. Throughout this guide the term “Hispanic” is used to refer to people of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race because it is the term used in by US Census. This is in no way intended to convey that the term “Hispanic” is preferable to other terms such as “Latino,” “Latina” or “Latinx”.
 - ii. Susan Eaton, *A Steady Habit of Segregation: The Origins and Continuing Harm of Separate and Unequal Housing and Public Schools in Metropolitan Hartford, Connecticut*, Open Communities Alliance and partners, available at https://www.ctoca.org/steady_habit_of_segregation at 7. (Hereinafter A Steady Habit.)
 - iii. CT Department of Housing, *Connecticut Analysis of Impediments to Fair Housing Choice 2015* at 56. Available at <https://portal.ct.gov/-/media/DOH/AnalysisofImpediments2015pdf.pdf?la=en>. (Hereinafter CT AI)
 - iv. Richard Rothstein, *The Color of Law*, Liveright Publishing (2017) at 77-83. (Hereinafter *Color of Law*.)
 - v. Jack Dougherty, *On the Line: How Schooling, Housing, and Civil Rights Shaped Hartford and its Sub-urbs*, Trinity College, available at <https://ontheline.trincoll.edu/restricting.html>.
 - vi. *The Color of Law* at 77-83.
 - vii. Racial covenant for High Ledge Homes, a West Hartford single family subdivision built in 1940, acquired by Professor Jack Dougherty and his students at Trinity College for the digital book, *On the Line* available at https://ontheline.github.io/otl-covenants/pdf/high_ledge_homes.pdf.
 - viii. A Steady Habit. See also, *Mapping Inequality: Redlining in New Deal America*, University of Richmond, available at <https://dsl.richmond.edu/panorama/redlin-ing/#loc=5/39.1/-94.58>.
 - ix. Erin Boggs, Sam Brill & Lisa Dabrowski “Do Housing Choice Voucher Holders Want to Move to Opportunity?,” *Poverty and Race*, Poverty and Race Research Action Council, April-June 2018, available at <https://prrac.org/do-housing-choice-voucher-holders-want-to-move-to-opportunity/>.
 - x. Digital Scholarship Lab, “Renewing Inequality,” *American Panorama*, ed. Robert K. Nelson and Edward L. Ayers, accessed December 28, 2020, <https://dsl.richmond.edu/panorama/renewal/#view=0/0/1&viz=cartogram>.
 - xi. Keeanga-Yamahtta Taylor, *Race for Profit: How Banks and the Real Estate Industry Undermined Black Homeownership*, University of North Carolina Press, 2019 at 40-41. “‘Urban renewal’ was never conceptualized as a housing program. Instead, urban renewal was largely viewed as an urban eco-nomic revival program that used federal dollars to tear down slum housing... Instead of rebuilding urban communities...private developers built...for a middle-class clientele while ignoring the housing needs of those who had been displaced.”
 - xii. Margery Austin Turner, Rob Santos, Diane K. Levy, Doug Wissoker, Claudia Aranda, and Rob Pitingolo, *Housing Discrimination against Racial and Ethnic Minorities*, 2012 (Washington, DC: US Department of Housing and Urban Development, 2013).
 - xiii. CT AI at 32.
 - xiv. Jamie Langowski et al., *Qualified Vouchers Need Not Apply: Race and Voucher Discrimination in the Metro Boston Rental Housing Market*, The Boston Foundation, 2020 at 6. Available at <https://www.tbf.org/-/media/tbf/reports-and-covers/2020/housing-voucher-report-20200701.pdf?la=en>.
 - xv. *2016-2017 Mortgage Lending Testing Report*, CT Fair Housing Center, at 1 and 5. Available at <https://www.ctfairhousing.org/wp-content/uploads/2017/10/Testing-Report-final.pdf>.
 - xvi. Connecticut Fair Housing Center, *Summary Grid of Fair Housing Laws*. Available at <https://www.ctfairhousing.org/wp-content/uploads/Summary-Grid-of-Fair-Housing-Laws-5.pdf>.



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