

FOR RENT, UNLESS YOU'RE BLACK:

An Audit Report and Study on Race Discrimination
in the Greater New Orleans Metropolitan Rental
Housing Market

**Greater New Orleans
Fair Housing Action Center**

This document, its contents, and the work product used to produce it are private and owned exclusively by the Greater New Orleans Fair Housing Action Center, a private non-profit organization.

GREATER NEW ORLEANS FAIR HOUSING ACTION CENTER

228 St. Charles Avenue, Suite 1035
New Orleans, LA 70130
Phone: 504-596-2100, *Fax:* 504-596-2004
Web Address: www.gnofairhousing.org

Board of Directors

Anthony Keck, *Board President*
Cynthia Honoré-Collins
Scott Day, CPA
Abigail Van Deerlin, Esq.
Ramona Fernandez
Lucinda Flowers
Monique Harden, Esq.
Bay Love
Telle Madina
Sheila Matute
Andre Perry, Ph.D.
Nathan D. Shroyer
Clayton Williams, MPH
Gary Williams

Staff

James Perry, *Executive Director*
M. Lucia Blacksher, Esq. *General Counsel*
Thena Robinson, *Coordinator of Investigations*
Seth Weingart, *Hurricane Relief Specialist*
Kate Scott, *Coordinator of Outreach and Administration*
Ryan Bahry, *Intern*

TABLE OF CONTENTS

- I. Greater New Orleans Fair Housing Action Center
- II. Foreword
- III. Overview of Fair Housing Law
- IV. Executive Summary
- V. Methodology
 - a. Testing and Investigation
 - b. Training of Testers
 - c. Selection of Sites
- VI. Findings
 - a. Types of Differential Treatment
 - b. Examples of Differential Treatment
- VII. Recommendations

GREATER NEW ORLEANS FAIR HOUSING ACTION CENTER

Mission

The Greater New Orleans Fair Housing Action Center (GNOFHAC) is a private, non-profit civil rights organization established in the summer of 1995 to eradicate housing discrimination in the greater New Orleans area. Through education, investigation, and enforcement activities, GNOFHAC promotes equal opportunity in all housing transactions, including rental, sales, lending, and insurance. GNOFHAC is dedicated to fighting housing discrimination not only because it is illegal, but also because it is a divisive force that perpetuates poverty, segregation, ignorance, fear, and hatred.

History

The Greater New Orleans Fair Housing Action Center (GNOFHAC) was established in the summer of 1995 to put a stop to housing discrimination in the greater New Orleans area. Since its inception, GNOFHAC has built an impressive record of advocating for the fair housing rights of New Orleans consumers. GNOFHAC has filed over 20 lawsuits in state and federal court and assisted complainants in filing over 120 administrative complaints. GNOFHAC has assisted in the recovery of over \$1,200,000 in monetary relief as a result of its enforcement actions and has negotiated numerous consent decrees requiring housing providers to comply with fair housing laws, attend educational seminars, market their properties to protected classes, and engage in other proactive measures to ensure that housing opportunities are provided on an equal basis.

GNOFHAC has expanded the expertise and willingness of the private bar to assist victims of housing discrimination. GNOFHAC has also conducted training for more than 100 attorney participants to handle fair housing cases for victims of housing discrimination and provides regular updates through its attorney round table discussions. In addition, GNOFHAC has developed cooperative relationships with other area nonprofit legal service organizations in order to help them build their capacity to identify

and challenge violations of fair housing laws and to refer such matters to GNOFHAC for investigation.

GNOFHAC quickly developed a reputation in the community as an effective source of fair housing assistance and information. The organization receives and processes over one hundred cases each year, which is only a fraction of the hundreds of calls GNOFHAC receives requesting technical assistance on general housing issues. GNOFHAC serves all protected classes and investigates all forms of housing discrimination. Trained by national experts, the organization conducts sophisticated testing and investigation in the fields of rental, sales, lending, insurance, and public accommodations. It investigates systemic as well as complaint-based allegations of housing discrimination and works with a variety of community and advocacy groups.

GNOFHAC has also expanded the community's ability to eliminate housing discrimination and enhanced the ability of other organizations and public service entities to serve their clients. GNOFHAC has worked with a variety of community groups to ensure that their members can identify and respond to fair housing violations. GNOFHAC provides over 30 first time homebuyer trainings per year, reaching over a thousand consumers, and regularly conducts additional fair housing trainings and workshops for hundreds of other consumers and industry members each year.

FOREWORD

This year I ran both the Baton Rouge and New Orleans Susan G. Komen Race for the Cure, a 5k run/walk to support the fight against breast cancer and to honor the survivors, the fallen, and their friends and family. I would guess between the two, almost 15,000 people ran and walked. It was an amazing show of individual and community support and resolve at a time when so many other challenges compete for our time, attention and money. Watching runners pass with the name of a sister, mother or friend pinned to their back, it was easy to see that common experience had brought people of all shapes, sizes and colors to the streets those days, and I realized that empathizing with the pain of others – together – builds a hope that is hard to extinguish.

I make this observation in the context of the release of the Greater New Orleans Fair Housing Action Center's 2007 Rental Discrimination Audit (Rental Audit)– the first after Hurricane's Katrina and Rita. The audit clearly demonstrates that even when African American applicants have the same jobs, credit, and income required to rent a home, more often than not, it is more difficult for them to do so than for their similarly qualified white counterparts. Given the battles the Center has fought over the past year and a half, it is not unexpected to find that a high level of discrimination persists. What may be different, however, is how we react as a community of survivors who continue every day to struggle with our losses from Katrina, Rita and the more recent tornados.

Can any of us now consider losing a home to racism, religious intolerance, sexism or bigotry any different than losing a home to floods, tornadoes or storm surge? Can we hold the agencies, organizations and officials bound to comply with the laws against discriminatory zoning, predatory lending, redlining or steering any less accountable than the Corp of Engineers, FEMA or the Road Home for the loss of opportunity and security that a home of our choosing brings to our families? I hope the answer is now a unanimous no.

Prior to Katrina, the Greater New Orleans Fair Housing Action Center was fighting the lingering effects of discrimination and failed government policies of the previous 200 years. It became easy to identify - almost routine. Post-Katrina, we face entirely new challenges, where decisions and actions by those in power have the potential

to cement in place for the next 100 years entirely new patterns of discrimination on a grand scale – not just in housing, but in health care, education and most other social institutions.

Already, an alarming number of local politicians in Orleans, Jefferson and surrounding parishes have actively tried to discourage the poor – disproportionately Black, Latino, single mothers, disabled or the elderly – from returning home by blocking the construction of multi-family housing in their districts, towns or Parishes. The prevalent but unchallenged notion in our public discourse of “not wanting to concentrate poverty” is more of an insult than a remedy. Who is deciding what level of income and housing price is good and what level is bad? Why don’t we instead “concentrate” on building the local small businesses, parks, schools, police force and health clinics to support vibrant communities regardless of class, income, race, disability, and national origin? It may simply be easier for our leaders to tear down rather than build up.

While this audit reminds us how far we have to go in eliminating discrimination in housing, we should also recognize from our common experience how much we can overcome in the face of great obstacles. Individuals and communities are organizing to make a difference where government has not, and leaders will continue to rise among us based on the strength of their actions, not simply their words.

Anthony Keck

Board President, GNOFHAC

OVERVIEW OF FAIR HOUSING LAW

Title VIII of the Civil Rights Act of 1968, commonly referred to as the Fair Housing Act (FHA), was passed on April 11, 1968. The FHA, as amended in 1988 (42 U.S.C. § 3601 et seq.), the Civil Rights Act of 1866 (42 U.S.C. § 1981, 1982), and several Supreme Court decisions provide the legal foundation for the fair housing movement. These laws prohibit race discrimination in housing and provide protection for other groups seeking to rent or buy a home, secure a mortgage loan, or purchase homeowner's insurance.

The FHA prohibits discrimination on the basis of race, color, religion, sex, disability, family status, and/or national origin. These bases of protection are commonly referred to as "protected classes." The FHA enumerates a number of actions and practices that are illegal when found to discriminate or cause discrimination against a member of a protected class.

For instance, the FHA makes it illegal to:

- Refuse to sell or rent a property to a person because of his/her membership in a protected class;
- Discriminate in the terms, conditions and/or privileges of sale or rental because of membership in a protected class;
- Discriminate in advertising, specifically to make, print, publish, or cause to be made, published or printed, any notice, statement or advertisement that indicates any preference, limitation, or discrimination because of membership in a protected class;
- Misrepresent the availability of housing because of a person's membership in a protected class;
- Engage in blockbusting or steering: Blockbusting is designed to induce panic in a neighborhood by telling a homogeneous group in a community that others like them are leaving because a group of people representing a protected class is moving into the neighborhood. Steering occurs when housing provider direct renters or buyers to a certain neighborhood because of their protected class status;
- Refuse to accommodate people with disabilities by allowing them to make

reasonable modifications to housing or fail to make new multi-family housing accessible to people with disabilities;

- Discriminate in making loans for real estate transactions including purchasing, constructing, improving, repairing and/or maintaining a dwelling; or
- To coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of a fair housing right or any person who has aided or encouraged any other person in the exercise or enjoyment of a fair housing right.

The Civil Rights Act of 1866 gave black citizens the same rights as white citizens to inherit, sell, lease, hold, and convey real land and personal property. In *Jones v. Mayer*, 392 U.S. 409 (1968), the Supreme Court reaffirmed the validity of the Act and held that Congress could regulate the sale of private property in order to prevent race discrimination.

In *Trafficante v. Metropolitan Life Ins. Co. et al*, 409 U.S. 205 (1972), the Supreme Court held that white tenants of an apartment complex had standing to sue the complex for discriminating against non-whites. The Court found that the white tenants were aggrieved persons under the FHA because they were being denied the social benefits and opportunities that come with living in an integrated community.

The Supreme Court considered the issue of real estate professionals steering prospective homebuyers to different neighborhoods on the basis of race in *Gladstone Realtors v. Village of Bellwood*, 441 U.S. 91 (1979). In this case, the Court held that steering on the basis of race is illegal. The Court granted the Village of Bellwood and its residents standing to sue two real estate brokerage firms after they steered potential African American buyers away from homes in the area because of their race. The Court reasoned that the discriminatory sales practices deprived the Village and its residents of the benefit of living in an integrated society.

In *Havens v. Coleman*, 455 U.S. 363 (1982), the Supreme Court gave the seal of approval to “testing” as a valid and legal tool used to investigate claims of housing discrimination. The Court also held that testers who experience housing discrimination during the course of an investigation have standing to sue. Further, the Court determined that fair housing centers, like the Greater New Orleans Fair Housing Action Center, also

have standing to sue when the discriminatory actions of a defendant impair the center's activities.

In addition to federal protections against housing discrimination, the Louisiana Open Housing Act (La. R.S. 51:2601, et seq.) is substantially equivalent to the FHA and allows the Louisiana Department of Justice to investigate complaints of discrimination and to file enforcement actions when appropriate. The City of New Orleans' Human Rights Laws provide protections for the same protected classes enumerated under the FHA, and provides protection for five (5) additional classes: creed, gender identification, age, marital status, and sexual orientation.

EXECUTIVE SUMMARY

The only way to get equality is for two people to get the same thing at the same time at the same place.

– Thurgood Marshall, 1934

Despite the passage of the Fair Housing Act in 1968 and the Fair Housing Amendments Act of 1988, the passage of the Louisiana Open Housing Law and the City of New Orleans' Human Rights Laws, the Greater New Orleans Fair Housing Action Center's (GNOFHAC) 2007 Fair Housing Rental Study indicates that as of April 24, 2007, the New Orleans metropolitan area has not achieved equal housing opportunity. The Rental Audit documents, describes and quantifies the rate of discrimination against African American testers in rental housing throughout the New Orleans metropolitan area. The Rental Audit not only measures the extent of the discrimination, but also reveals the nature of that discrimination – how housing providers are discriminating in rental housing.

The Rental Study found a **57.5% rate of discrimination** in metro New Orleans rental housing searches. That is, in nearly **6 out of every 10 transactions, GNOFHAC's African American testers encountered less favorable treatment based on race.**

The Rental Audit was conducted using a method of housing mystery shopping called testing and is based on tests of approximately 40 rental properties. The tests were conducted throughout the New Orleans metropolitan area between September 2006 and April 2007. Testers were trained and subsequently instructed to mystery shop rental housing or instructed to respond to rental housing advertisements. Testers did so, and GNOFHAC staff analyzed tester reports for differential treatment.

The types of differential treatment documented in the Rental Audit confirm that discriminatory practices in housing can be quite subtle and, oftentimes not even recognized by victims without the benefit of comparison to applicants of other races. Discriminatory treatment in the investigation never consisted of the use of racial slurs or express policies of refusing to rent to protected class testers. Instead, strategies were covert. Housing providers simply didn't return phone calls from African American testers, didn't provide applications to African American testers, and/or didn't show

available rental units to African American testers. However subtle, generally each of these practices are prohibited under fair housing law.

GNOFHAC, investigates complaints of housing discrimination and works to find resolutions to complaints through investigation and private enforcement of fair housing laws. It is the hope of the organization that the release of this audit will help residents of the Greater New Orleans metro area to know and understand their rights under the fair housing laws and will reverse the trend of housing discrimination in the region.

METHODOLOGY

Testing and Investigation

Housing units for rent were audited for discrimination using testers. Testers were paired by matching incomes, career paths, family types and rental histories.

The paired tests were designed to hold all variables constant except race, also referred to as protected class status.

The United States Supreme Court has held that testing is a legal and effective tool to investigate claims of housing discrimination. The United States Department of Justice and the United States Department of Housing and Urban Development also use testers to conduct investigations of housing discrimination.

40 housing providers were tested for racial discrimination against African-Americans. In instances where actions were particularly egregious or housing providers' actions indicated a pattern of differential treatment, housing providers were tested more than once.

The methodology relies on and prioritizes the legal concepts of fair housing law and testing. It is not a statistical report.

Training

All testers received standardized training from The Greater New Orleans Fair Housing Action Center. The training included both classroom and field training. Testers were taught to be objective fact-finders and to report, but not interpret, the results of their test.

Selection of Sites

Tests were conducted in four parishes: Orleans, Jefferson, St. Tammany, and St. Bernard. GNOFHAC based the number of tests conducted in each Parish on pro-rata post-hurricane population estimates in each Parish, as reported on January 18, 2007, in the 2006 Louisiana Health and Population Survey Report¹. The population survey is

¹ 2006 Louisiana Health and Population Survey. Center for Disease Control and Prevention/Agency for Toxic Substances and Disease Registry and the U.S. Census Bureau. 17 Jan. 2007
<http://www.gnocdc.org/demographic_estimates.html>

available through the Greater New Orleans Community Data Center and was compiled by the U.S. Census Bureau and Centers for Disease Control and Prevention/Agency for Toxic Substances and Disease Registry. The highest populated parishes are ranked in the following order (highest to lowest): Jefferson, St. Tammany, Orleans, and St. Bernard.

In Jefferson Parish, the household survey population estimates were reported to total 434,666. A total of 20 tests (50%) were conducted in Jefferson Parish. In St. Tammany Parish, household survey population estimates were reported to total 220,656. A total of 10 tests (25%) were conducted in St. Tammany Parish. In Orleans Parish, household survey population estimates were reported to total 191,139. A total of 9 tests (22%) were conducted in Orleans Parish. In St. Bernard Parish, household survey population estimates were reported to total 25,296. As a result, one test (3%) was conducted in St. Bernard Parish.

Rental housing units were randomly selected from print and internet listings of available units on a pro-rata basis in each parish and tested.

FINDINGS

Overall

Of 40 tests conducted, African Americans who were otherwise qualified encountered less favorable treatment in 57.5% of their searches for rental housing in the New Orleans metropolitan area.

Jefferson Parish

20 of the 40 tests were conducted in Jefferson Parish, as it was found to be the Parish with the largest population. Differential treatment occurred in 10 out of 20, or 50%, of the tests conducted in Jefferson Parish.

St. Tammany Parish

10 of the 40 tests were conducted in St. Tammany Parish, as it was found to be the Parish with the second largest population. Differential treatment occurred in 6 out of 10, or 60%, of the tests conducted in St. Tammany Parish.

Orleans Parish

9 of the 40 tests were conducted in Orleans Parish, as it was found to be the Parish with the third largest population. Differential treatment occurred in 5 out of 9 tests, or 55%, of the tests conducted in Orleans Parish.

St. Bernard Parish

1 of the 40 tests was conducted in St. Bernard Parish, as it was found to be the Parish with the smallest population. Differential treatment occurred in that test. Accordingly, differential treatment occurred in 100% of the St. Bernard Parish tests.

TYPES OF DIFFERENTIAL TREATMENT

The Rental Audit illustrates how housing discrimination is being practiced in the New Orleans metropolitan area. Differential treatment generally fell into one or more of the following patterns:

1. Difference in access to appointments to view units: In 20% of tests (8 of 40), protected class testers were not given the same access to appointments to view units. In some instances, housing providers would return calls from African American testers, but not invite or allow the protected tester to view the property. In some instances housing providers indicated to African-American testers that they were not taking applications even though, only hours later, they informed white testers that they were in fact accepting applications. In some instances, housing providers did not return phone calls from protected testers, even though they returned calls from white testers and arranged site visits only hours later.
2. Difference in information regarding availability of units: In 40% of tests (16 of 40), African Americans were not told about all or some of the available units. Sometimes they were told that units would not be available for an extended period of time, while the white testers were told that the units in question would be available immediately.
3. Difference in access to applications: In 35% of tests (14 of 40) testers were not provided the same access to applications. In most occurrences under this subsection, African American testers simply were not offered or provided applications for housing while white testers were.
4. Differences in terms and conditions: In 12.5% of tests (5 of 40), housing providers applied more rigid or less favorable criteria to African American testers than to their white counterparts. Protected testers were advised of more fees, higher rent, and a more strenuous application processes. In one test, an African American tester was informed that the unit rented for \$1000

per month even though it was advertised with a rent of \$850 per month and the white tester was told that the unit rented for \$850 per month.

5. Steering of testers to lesser or more favorable units based on race: In 5% of tests (2 of 40), testers were steered based on race. In one instance, the African American tester was informed that the unit he called about was unavailable. He was directed to units for rent in a less favorable neighborhood. However, the white tester was advised that the initial unit was in fact still available. In another case of steering, the landlord attempted to show the white tester a luxury unit, but never informed the African American tester of the same unit.
6. Differences in access to waiting lists: In 5% of tests (2 of 40), testers were not provided the same access to waiting lists. In both instances, white testers were informed that they could sign up for the waiting list while African American testers simply were informed that nothing was available.
7. Differences in response to voice messages: In 20% of tests (8 of 40), housing providers did not return phone calls from black testers but returned phone calls from white testers on the same day. This process is called linguistic profiling and is well documented as a typical method of housing discrimination.

EXAMPLES OF DIFFERENTIAL TREATMENT

Example #1 – Orleans Parish

African American Tester #1: On the morning of January 22, 2007, an African American tester made a phone call in response to a housing advertisement. A female agent informed the tester that two units were available. The tester arranged an appointment to view the units. At the site visit, the tester was greeted by a male agent. The agent informed the tester that there was only one unit to consider and allowed the tester to peek in the window of the unit. The agent advised that it was the only unit coming on line, however it would not be available until the end of February. The tester was not informed of any other available units.

White Tester #1: Later on the same day, a white tester responded to the same housing advertisement. He also arranged an appointment to view the units. When the white tester arrived at the unit, he was greeted by the same male agent who greeted the African American tester. The agent immediately advised the tester that he wanted him to view a luxury unit. The white tester declined and asked about the advertised units. The agent showed the tester two available units and advised that both would be available on February 1st. Additionally, the agent advised the tester of a fourth unit that would be available on March 1st.

Example #2 – Jefferson Parish

African American Tester #1: On the morning of March 7, 2007, an African American tester called in response to a housing advertisement. A female agent answered and informed the tester that she was sending and accepting applications via fax because she lived out of state and was unable to show the unit. She advised the tester that she would make contact once she began showing the unit. The tester was never contacted and never saw the unit.

White Tester #1: Later on the same day, a white tester responded to the same housing advertisement. The same agent answered and informed the tester that the unit could be shown the following day. The agent advised that her sister, a local resident, could show the apartment. On the following day, the tester met the agent's sister at the property for a site visit.

African American Tester #2: On the morning of March 8, 2007, an African American tester called in response to the same housing advertisement. A female agent answered and informed the tester that she was sending and accepting applications via fax because she lived out of state and was unable to show the unit. She advised the tester that she would make contact once she began showing the unit. The tester was never contacted and never saw the unit.

White Tester #2: On March 9, 2007, a white tester responded to the same housing advertisement. The same agent answered and informed the tester that she would be in town that weekend and could see the unit then. They arranged a site visit for the following day. The next day, the tester met the agent at the property for a site visit. The agent showed the unit to the tester and stated, "We don't want any loud rap music," and "We want people that are more settled." She gave the tester an application and advised that he could apply immediately.

Example #3 – Jefferson Parish

African American Tester #1: On the afternoon of January 24, 2007, an African American tester made a phone call in response to the same housing advertisement. A female agent informed the tester that someone had already agreed to rent to the unit. The agent further advised that she would call the tester back if the person backed out of the rental agreement.

White Tester #1: Later on the same day, a white tester responded to the same housing advertisement. The same female agent answered and advised that the unit was still available. She advised that the tester could see the unit that evening. The tester scheduled an appointment with the agent and visited the site that evening. The tester met the agent's spouse (male agent) at the property. He showed the property to the tester and advised that it rented for \$950 per month. The tester did not commit to the property.

African American Tester #1: On January 25, 2007, an African American tester called the female agent and again inquired as to the availability of the unit. The agent informed the tester that someone saw the unit, liked it and was bringing a deposit that day. She advised that she would call the tester if they did not bring the deposit. The tester never heard from the agent again.

White Tester #1: On January 25, 2007, the male agent called the white tester to follow up to see whether she was interested in the unit. The tester advised the agent that she was not interested. The agent informed her that if she reconsidered, he would discount the rent to \$900 per month. The tester informed the agent that she was not interested in the unit.

African American Tester #2: On the afternoon of January 24, 2007, an African American tester made a phone call in response to a housing advertisement. A female agent informed the tester that someone had committed to the unit. The agent further advised that she would call the tester back if the person backed out. The tester did not hear from the agent.

White Tester #2: On January 31, 2007, a white tester made a phone call in response to a housing advertisement. The tester left a message on an answering service. On the same day, the tester received a return call and was invited to view the unit on that day. The tester arrived at the site that afternoon and met the

female agent. She showed the tester the unit and advised that it rented for \$950 per month. She provided the tester an application to apply.

African American Tester #3: On the morning of February 1, 2007, an African American tester made a phone call in response to the housing advertisement. A female agent informed the tester that a building near the unit was being demolished and had damaged the unit. She said that as a result, she was not aggressively renting the unit. She advised the tester that she had two units available in Orleans Parish that he could see instead. She advised that she would contact her maintenance personnel to show the tester the unit. The tester met with the agent's maintenance personnel and was shown two units in Orleans Parish.

White Tester #3: On the afternoon of February 1, 2007, a white tester made a phone call in response to a housing advertisement. The tester was informed he could see the unit that same day. The tester arrived at the site that afternoon, met the female agent, and was shown a unit in move-in condition. The agent advised that it rented for \$950 per month. She provided the tester an application to apply for the unit. The agent mentioned that she was being "pretty selective" about the tenants, but that the tester looked like a "good person."

African American Tester #4: On the morning of February 8, 2007, an African American tester made a phone call in response to a housing advertisement. A female agent informed the tester that a building near the unit was being demolished and was causing problems to the advertised unit. The agent took the tester's phone number and advised that she would call back later. The tester did not hear from the agent again.

White Tester #4: On the afternoon of February 8, 2007, a white tester made a phone call in response to a housing advertisement. The tester was invited to view the unit on the same day. The tester arrived at the site that afternoon and met both

the female and male agents. They showed the tester the unit and advised that it rented for \$950 per month. They provided the tester with an application.

Example #4 – St. Bernard Parish

African American Tester #1: On the morning of March 20, 2007, an African American tester made a phone call in response to a housing advertisement. A male agent answered and granted an appointment on the same day. The tester arrived at the site that afternoon. He was greeted by a male agent. The agent advised that one of the available units had been rented and that a second unit would not be available for another six weeks. The agent advised that the tester could give him a call to pick up an application the next day. The agent also informed the tester that he would have to pass a background check.

White Tester #1: Later on the same day, a white tester responded to the same housing advertisement. A male agent answered and granted an appointment for the next day. The tester arrived at the site the next morning. He was informed that one unit would be available on April 1st and that the second unit would be available in 3 weeks. The agent explained that there had been a lot of interest in the units but that he didn't want "certain types of people," moving there. The agent told the tester, "You're our kind of people."

RECOMMENDATIONS

Make Fair Housing a Primary Component in the Rebuilding Process

Federal, state and local governments should demonstrate their dedication to fair housing by assuring equity in the rebuilding process and implementing fair housing programs that promote integration. The redevelopment of communities that are integrated in terms of race, national origin, familial status, disability and economic class must be a priority. Municipalities that receive Community Development Block Grant funds are required to affirmatively further fair housing. As a result the municipalities should utilize a portion of these funds to fund the education and enforcement programs of local fair housing organizations. Such education and outreach would go far to combat the latest NIMBYISM trends in our area. NIMBY means “not in my backyard” and is a common outcry for neighborhoods engaging in discriminatory practices.

Get Business Owners and Developer Involved

Businesses cannot be successful in the post-hurricane environment, if their employees don't have a place to live. Accordingly, business owners and developers should partner with GNOFHAC to combat discrimination. They should call on housing providers to provide equitable housing opportunities for all citizens.

Expand Private Fair Housing Initiatives

Currently, GNOFHAC is the sole full service private fair housing organization in the state of Louisiana. Further it is reasonable to assume that if the rate of discrimination is this high in the New Orleans metropolitan area, then a high rate of housing discrimination is likely in other parts of the State of Louisiana. Citizens and government entities should band together to create fair housing organizations in other parts of Louisiana to help combat housing discrimination.

Fund Fair Housing Enforcement

Fair housing enforcement is important for both detecting discrimination and holding accountable those who commit violations of the law. The federal agencies that are

charged with enforcement of the Fair Housing Act include HUD, the Justice Department and the US Department of Agriculture. In similar fashion, the Louisiana Department of Justice and New Orleans Human Relations Commission are charged to do so within the state. As the primary agency charged with fair housing enforcement, HUD should fund a national enforcement testing project to uncover the nature and extent of housing discrimination against people displaced by the recent hurricanes and people rebuilding in the Gulf Coast region. It should also take steps to identify predatory lending and home repair schemes. Local fair housing organizations in the Gulf Coast region should receive additional funding from HUD and other entities for their enforcement programs. The Louisiana Department of Justice should receive HUD funding for litigation of cases of housing discrimination in which the organization has found cause for discrimination. Additionally, the New Orleans Human Relation Commission currently employs only three people to investigate discrimination in the city. The agency should be fully funded and provided a staff of not fewer than ten employees including two staff attorneys.

Fund Fair Housing Education

Congress should approve funding for a fair housing education campaign, specific to victims of Katrina, to be developed and distributed in print and electronic media outlets. Resources should be allocated to address the needs of those who respond to the campaign.

Hold State and Local Agencies Accountable for Upholding the Fair Housing Act

As of 2005, GNOFHAC was unable to confirm that the Louisiana Department of Justice had ever found cause for discrimination in a single investigation during its entire existence. It is unfathomable that after years of investigating claims of housing discrimination, the agency has rarely if ever found evidence of discrimination. On more than one occasion, the agency has dismissed complaints filed by GNOFHAC, which were later filed in court and successfully litigated by GNOFHAC. Simply put, the agency must do a better job of enforcing fair housing law. If it refuses this mandate, HUD should revoke its funding.

Dedicate Resources to Preserving and Expanding Affordable Rental Housing

The lack of affordable rental housing is acute on the Gulf Coast and prevents many displaced residents from returning home. Congress and HUD should facilitate their return by providing funds for housing construction and providing rent subsidies in the form of Section 8 vouchers to assist with the high cost of housing. The State government should utilize their funding and target resources to preserve affordable rental housing. Further, municipalities that engage in discriminatory zoning and/or legislative practices should be forced to allow and provide integrated affordable housing or have all federal and state funding revoked.