U.S. Department of Housing and Urban Development

The State Of Fair Housing

FHEO enforces the Fair Housing Act which provides for investigation and adjudication of housing discrimination complaints. FHEO works with state and local government partners and non-profit fair housing groups to promote fair housing through enforcement and education and outreach. FHEO also coordinates with all HUD programs to ensure their policies and programs do not perpetuate discriminatory practices and behaviors. FHEO educates the public on their rights to ensure equal opportunities to housing of their choice. FHEO lets the public know their fair housing rights to help them recognize lending discrimination. It informs housing providers about their responsibilities under the federal law to ensure compliance and avoid penalties. FHEO works to affirmatively further fair housing, promotes fair lending and building inclusive, diverse, and sustainable communities free from discrimination.

Annual Report on Fair Housing FY 2009

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D.C. 20410-0001

THE SECRETARY

July 14, 2010

To the Congress of the United States:

The U.S. Department of Housing and Urban Development is pleased to present the Fiscal Year (FY) 2009 Annual Report on the State of Fair Housing in America. This report has been prepared in accordance with Sections 808(e)(2) and (6) of the Fair Housing Act and Section 561(j) of the Housing and Community Development Act of 1987.

HUD is committed to enforcing fair housing laws and ensuring that its programs are administered in a manner that affirmatively furthers fair housing and does not subject persons to discrimination on the basis of race, color, national origin, religion, sex, disability, or familial status. This report describes our fair housing efforts during FY 2009.

Sincerely,

Shaun Donovan

Enclosure

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A Message from the Assistant Secretary

To the Congress of the United States:

John Trasviña, Assistant Secretary for Fair Housing and Equal Opportunity

The U.S. Department of Housing and Urban Development is pleased to present the FY 2009 Annual Report on Fair Housing. This report describes our enforcement of fair housing laws and our administration of fair housing programs. Our goal with this report is not only to provide numerical data but to call attention to the harm that housing discrimination causes and the importance of legislative action to help us address this problem.

In FY 2009, HUD and HUD-certified state or local government agencies received more than 10,000 complaints alleging a violation of the Fair Housing Act. The most common basis of complaints was disability discrimination and the second most common basis of complaints was race discrimination. HUD and Fair Housing Assistance Program (FHAP) agencies also conciliated or settled more than 2,000 cases. These cases resulted in more than $8 million in monetary relief, as well as in public interest relief, such as requirements that respondents modify their applicant and tenant policies, make reasonable accommodations, market their properties to different demographic groups, and undergo fair housing training. Additionally, the U.S. Department of Justice recovered more than $850,000 in damages and civil penalties in Fair Housing Act cases that were investigated and charged by HUD prior to the parties' election to proceed in federal district court.

This report also goes behind the numbers to tell the stories of persons who believe they have been the victims of housing discrimination. These stories include a disabled couple whose condominium association refused to allow them to use the accessible parking spaces near their unit and repeatedly harassed them when they tried to use those spaces. These stories also include that of a family that was denied the opportunity to rent an apartment because the family had a child under the age of 18.

The stories of these and other victims show that housing discrimination has significant effects. When a person is denied housing because of discrimination, it affects where he or she lives and, in turn, the education, employment, and other opportunities available to him or her. Housing discrimination also harms victims in a private way, causing anger, frustration, and hurt.

The same is true of lending discrimination. As the foreclosure crisis affects more and more people, HUD has increased its efforts to help persons who may have been the victims of predatory lending or foreclosure rescue scams. In FY 2009, HUD and FHAP agencies received 343 lending discrimination complaints and settled 40 lending discrimination complaints that resulted in more than $2 million in monetary relief, as well as changes in lending policies and practices. HUD also filed Secretary-initiated complaints against two lenders alleging significant disparities in the pricing of loans and denial rates for white borrowers and minority borrowers. Additionally, HUD undertook several education and outreach activities to raise awareness of lending discrimination and provided grants to private fair housing groups to enforce fair lending and consumer protection laws and to provide mortgage and foreclosure counseling.

Under the Fair Housing Act, HUD is required to not only address housing discrimination, but to affirmatively further fair housing. This mandate imposes an affirmative obligation to combat decades of segregation and help achieve integrated and diverse living patterns. HUD is drafting a regulation to reaffirm

the longstanding legal requirement that recipients of HUD funding affirmatively further fair housing. This rule will help ensure greater accountability and better results in reducing impediments to fair housing choice, and will provide greater certainty to jurisdictions on fulfilling the statutory requirement to affirmatively further fair housing.

During the first months of my tenure, I have had the opportunity to testify in support of several pieces of legislation that would promote fair housing and equal opportunity and increase employment opportunities for low- and very low-income persons.

I have had the opportunity to testify in support of the Housing Fairness Act of 2009, which would authorize a nationwide testing program to detect, document, and measure housing discrimination. This bill would authorize more than double the amount currently spent on testing, which will enable us to increase the number of enforcement actions that we bring.

I have also had the opportunity to testify in support of amending Section 3 of the Housing and Urban Development Act (Section 3) to strengthen its requirement that entities that receive HUD financial assistance for the construction or rehabilitation of housing, infrastructure, or public facilities target employment and contract opportunities to low- and very low-income persons. HUD also supports amending Section 3 to increase sanctions for those entities that fail to comply.

The Department looks forward to working together on these and other legislative actions to promote fair housing and equal opportunity.

About This Report

This report was prepared in accordance with Sections 808(e)(2) and (6) of the Fair Housing Act and Section 561(j) of the Housing and Community Development Act of 1987. These statutory mandates require the Secretary of Housing and Urban Development to report annually to Congress on several aspects of HUD's work in fair housing. In particular:

- Section 808(e)(2) of the Fair Housing Act directs HUD to report on the "nature and extent of progress made nationally in eliminating discriminatory housing practices and furthering the purposes of [the Fair Housing Act], obstacles remaining to achieving equal housing opportunity, and recommendations for further legislative or executive action." It also directs HUD to report on the number of instances in which steps in the complaint process—including investigating a complaint, making a determination of cause, commencing an administrative hearing, or issuing a decision—were not completed as prescribed by law.

- Section 808(e)(6) of the Fair Housing Act requires that HUD annually report data to Congress on the race, color, religion, sex, national origin, age, disability and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of programs administered by HUD, to the extent that such characteristics are within the coverage of the provisions of the civil rights laws and executive orders listed in Section 808(f).

- Section 561(j) of the Housing and Community Development Act of 1987 requires HUD to report on the progress made in accomplishing the objectives of the Fair Housing Initiatives Program, including a summary of enforcement, education, and outreach activities funded under the program.

This report provides information on the foregoing activities for the period beginning October 1, 2008, and ending September 30, 2009.

Executive Summary

Enforcement Activities

- HUD and the Fair Housing Assistance Program (FHAP) agencies, which are HUD-certified state and local government agencies that enforce laws that are substantially equivalent to the Fair Housing Act, received 10,242 complaints alleging a violation of the Fair Housing Act. This was the fourth consecutive year that the number of housing discrimination complaints exceeded 10,000.

- The most common basis of complaints was disability, which was alleged in 44 percent of complaints filed under the Fair Housing Act and substantially equivalent state and local laws. The second most common basis of complaints was race (alleged in 31 percent of complaints), followed by familial status (alleged in 20 percent of complaints).

- The most common issue in complaints was discrimination in the terms or conditions of the sale or rental of property, which was alleged in 55 percent of complaints filed under the Fair Housing Act and substantially equivalent state and local laws. The second most common issue in complaints was refusal to rent (alleged in 24 percent of complaints), followed by failure to make a reasonable accommodation to allow a person with a disability an equal opportunity to use and enjoy a dwelling (alleged in 22 percent of complaints).

- HUD and FHAP agencies obtained more than $8 million in monetary relief as a result of their enforcement efforts. HUD and FHAP agencies also obtained other types of relief, including the creation of housing opportunities, changes in the policies and procedures of housing providers and lenders, the granting of reasonable accommodations or reasonable modifications for persons with disabilities, requirements that housing providers affirmatively market their properties, and requirements that housing providers undergo fair housing training. Additionally, the U.S. Department of Justice recovered more than $850,000 in damages and civil penalties in Fair Housing Act cases that were investigated and charged by HUD, before the parties elected to proceed in federal district court.

Education and Outreach Activities

- HUD's National Fair Housing Training Academy launched an educational program for housing counselors and consumers on home buying, mortgage lending, and avoiding becoming a victim of mortgage rescue scams. These 2-to-3-day courses have been held in eight cities throughout the country and were presented in both English and Spanish.

- HUD unveiled an enhanced website to help persons with limited English proficiency (LEP) gain access to its programs and activities in accordance with Executive Order 13166. HUD's expanded LEP website features translations of its brochures, fact sheets, forms, model leases, and other documents into one or more of 16 languages. The translated documents are available at http://www.hud.gov/offices/fheo/promotingfh/lep.cfm.

- Fair Housing Accessibility FIRST, a HUD-funded training program, held 15 training sessions in 15 states. These sessions trained 889 individuals on the Fair Housing Act's design and construction requirements for multifamily housing.

HUD Launches New Fair Lending Education Initiative

In October 2009, HUD's National Fair Housing Training Academy (NFHTA) launched an educational program for housing counselors and consumers on home buying, mortgage lending, and avoiding becoming a victim of mortgage rescue scams.

An event to begin the initiative was held in Marina Del Rey, California, on October 5, 2009. At the event, John Trasviña, HUD Assistant Secretary for Fair Housing and Equal Opportunity, said the initiative is needed because community advocates working to combat discriminatory lending and fraud "must be armed with education, training, and strategies to help the public."

At the launch of the initiative, Assistant Secretary John Trasviña (third from right) was joined by (left to right) Percy Thomas, NFHTA; Beth Rosen-Prinz, California Department of Fair Employment and Housing (DFEH); Chuck Hauptman, HUD; Robert Pullen-Miles, Office of California State Senator Jenny Oropeza; Phyllis Cheng, DFEH; Karen Newton-Cole, HUD; and Persis Clinton, NFHTA.

The program is made up of four courses—"Buyer Beware," "Financial Aspects of Lending," "Predatory Lending," and "Preventing Foreclosure." These 2-to-3-day courses were held in eight cities throughout the country: Cleveland, Ohio; Fort Worth, Texas; Los Angeles; Miami, Florida; Philadelphia; Phoenix, Arizona; Salt Lake City, Utah; and Stockton, California. The courses were provided in both English and Spanish.

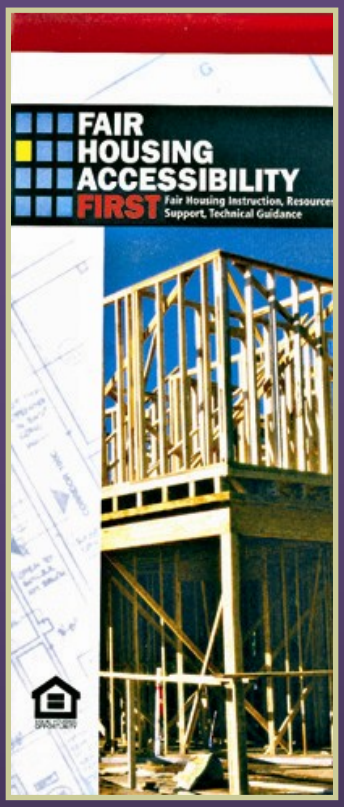
HUD Expands Multilingual Website to Help Persons with Limited English Proficiency to Gain Access to HUD Programs

In June 2009, HUD unveiled an enhanced website to help persons with limited English proficiency (LEP) gain access to its programs and activities in accordance with Executive Order 13166. HUD's expanded LEP website features translations of its brochures, fact sheets, forms, model leases, and other documents into one or more of the following languages: Amharic, Arabic, Armenian, Cambodian, Chinese, Farsi, French, Haitian Creole, Hmong, Korean, Lao, Portuguese, Russian, Spanish, Tagalog, and Vietnamese.

These documents will help LEP persons have meaningful access to a variety of HUD programs, such as public housing, HUD assisted housing, and housing choice vouchers. These documents also provide important information on topics such as fair housing and healthy homes. As the Department translates additional documents, it will make them available on its LEP website. All translated documents are free to the public and are available at http://www.hud.gov/offices/fheo/promotingfh/lep.cfm.

"When buying or renting a home, obtaining important housing information should not depend on how well people speak English," said John Trasviña, HUD's Assistant Secretary for Fair Housing and Equal Opportunity. "This website greatly expands HUD's ability to offer all families access to our programs and services, regardless of the language they speak."

Fair Housing Accessibility FIRST



Since 2003, HUD has funded Fair Housing Accessibility FIRST, a program that provides training and technical guidance on the Fair Housing Act's accessibility requirements to architects, builders, developers, and others involved in the design and construction of multifamily housing. FIRST consists of a comprehensive training curriculum, a website (http://www.fairhousingfirst.org), and a toll-free hotline (1-888-341-7781). The training curriculum is accredited by the American Institute of Architects and various local professional groups. HUD contracts with Deloitte LLP to administer the program.

In general, HUD, in partnership with Deloitte, targets FIRST training sessions toward geographic areas where there are high rates of multifamily housing construction and/or current or recent enforcement activities involving multifamily housing accessibility. After Hurricanes Katrina and Rita, HUD began to conduct some FIRST training sessions in hurricane-affected areas because of the large amount of construction that would be happening in those areas. Additionally, HUD tries to hold training sessions where training has not previously been conducted or where there has been a large number of requests for training.

In FY 2009, FIRST trained 889 persons in 15 training sessions. These training sessions were held in Austin, Texas; Baton Rouge, Louisiana; Charleston, South Carolina; Charleston, West Virginia; Chicago; Denver; Gulfport, Mississippi; Honolulu, Hawaii; Idaho Falls, Idaho; Las Vegas, Nevada; New York City; Pittsburgh; San Francisco; Seattle/Tacoma, Washington; and St. Louis.

The training sessions featured one or more of 11 training modules covering the Fair Housing Act, disability-rights laws, and the technical requirements of designing and constructing accessible routes, public and common-use areas, kitchens, and bathrooms. The attendees reported that their level of understanding of the Fair Housing Act's design and construction requirements increased from an average of 2.88 prior to the training to an average of 3.56 after the training (4 = strong; 3 = average; 2 = weak; 1 = none). In addition, 97 percent of participants said they would recommend the training to a colleague.

At the training sessions, the attendees were asked about the number of multifamily units that they were working on. The attendees who replied to this question reported a total of 562,800 multifamily units in which they were involved with development, design, or construction. As a result of the training, these units are more likely to be built in an accessible manner.

The FIRST website provides detailed information on the Fair Housing Act's design and construction requirements. The website includes the 11 training modules and 91 frequently asked questions and answers. In FY 2009, the FIRST website received 46,560 distinct hits.

The FIRST toll-free hotline is staffed by experts on the Fair Housing Act's design and construction requirements. Architects and other design professionals can call the toll-free hotline for technical guidance and support. In FY 2009, the FIRST toll-free hotline responded to 2,207 requests for technical guidance.

State of Fair Housing

Since the enactment of the Fair Housing Act in 1968, our nation has made significant progress in eliminating housing discrimination. The public has become increasingly aware that housing discrimination is illegal and support for fair housing laws is widespread. Furthermore, it is rare to encounter blatant acts of discrimination that were once commonplace, such as signs and advertisements that declare "whites only."

However, if we look under the surface we see that significant housing discrimination still exists, sometimes in new and different forms. The utility of paired testing as a housing civil rights law enforcement tool is more important than ever in detecting discrimination in the sale or rental of housing. It has also become more difficult to combat discriminatory advertising. Today, Internet advertising has grown to rival the prevalence of newspaper classified home and rental advertisements. Many real estate agents and multiple listing services primarily utilize the World Wide Web.

Discrimination in mortgage lending has also become more subtle. Historically, mortgage lenders redlined minority neighborhoods, refusing to make loans in these areas. The Fair Housing Act outlawed this practice, prohibiting lenders from refusing to make a mortgage loan; from refusing to provide information regarding loans; and from imposing different terms or conditions on a loan, such as different interest rates, points, or fees, based on race, color, national origin, and other protected characteristics. Other laws, such as the Community Reinvestment Act, the Equal Credit Opportunity Act, and the Home Mortgage Disclosure Act (HMDA) also helped expand access to credit to minority communities.

Discrimination in mortgage lending did not go away simply because these laws were passed. As the subprime lending market grew, racial and ethnic minorities who were once refused loans outright were now aggressively targeted with subprime mortgage products. This practice was so widespread that it became known as "reverse redlining." While Americans of all backgrounds received subprime loans, minorities received a disproportionate share. One study by the Center for Responsible Lending analyzed 2006 HMDA data and found that 52 percent of mortgage loans made to African-American borrowers were subprime and 41 percent of mortgage loans made to Hispanic borrowers were subprime, compared to only 22 percent of loans made to white borrowers. While these figures did not adjust for the main drivers of credit risk, another study by the Center for Responsible Lending found that even when controlling for legitimate risk factors, among persons with subprime loans, African American and Latino subprime borrowers were 30 percent more likely to receive higher-rate subprime loans than white subprime borrowers.[1]

The racial disparities in subprime lending have helped contribute to the racial disparities in foreclosures. A November 2008 working paper by the San Francisco Federal Reserve Bank examined mortgage loans originated in metropolitan areas of California and found that minority borrowers were more likely than white borrowers to be in foreclosure. Specifically, African-American borrowers were 3.3 times more likely as white borrowers to be in foreclosure, while Latino borrowers were 2.5 times and Asian borrowers were 1.6 times more likely as white borrowers to be in foreclosure. This was true even when controlling for borrower income and credit score.[2]

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[1] The Center for Responsible Lending (2007). *A Snapshot of the Subprime Market*. Available at http://www.responsiblelending.org/mortgage-lending/tools-resources/snapshot-of-the-subprime-market.pdf; Bocian, Debbie Gruenstein, Keith S. Ernst, and Wei Li (2006). *Unfair Lending: The Effect of Race and Ethnicity on the Price of Subprime Mortgages*. Prepared for the Center for Responsible Lending. Available at http://www.responsiblelending.org/mortgage-lending/research-analysis/rr011-Unfair_Lending-0506.pdf.

[2] Laderman, Elizabeth, and Carolina Reid (2008). *Lending in Low- and Moderate-Income Neighborhoods in California: The Performance of CRA Lending During the Subprime Meltdown*. Prepared for the Federal Reserve Bank of San Francisco. Available at http://www.frbsf.org/publications/community/wpapers/2008/wp08-05.pdf.

Furthermore, there is concern that minorities may experience discrimination when seeking to refinance or modify a mortgage loan or that they may be targeted by foreclosure rescue scams. One study looked at one regional bank and found disparities between white and minority homeowners when seeking to refinance a mortgage loan. When applying for a refinance loan, the study found that the approval rate for white applicants was 97 percent, while the approval rate for black applicants was 50 percent.[3]

HUD is taking a multi-pronged approach to addressing these problems. HUD and Fair Housing Assistance Program (FHAP) agencies investigate and resolve complaints that they receive from persons who believe they have experienced discrimination. In FY 2009, HUD and FHAP agencies received 10,242 complaints, and 343 of these complaints alleged lending discrimination. In FY 2009, HUD and FHAP agencies helped settle 40 lending discrimination complaints that resulted in more than $2 million in monetary relief, as well as changes in lending policies and practices.

Additionally, HUD understands that it must use its authority to initiate investigations in order to effectively address this problem. Recently, the Department launched several investigations of lenders based on the data that they have submitted pursuant to HMDA. By reviewing HMDA data, HUD can determine whether a lender is charging different loan prices for minorities relative to whites. However, it is impossible to ascertain from HMDA data alone whether a lender is engaging in racial discrimination. Therefore, HUD uses its authority under the Fair Housing Act to initiate investigations and issue subpoenas to obtain additional information to determine whether the pricing differences can be explained by factors other than race. In FY 2009, HUD filed two lending complaints that alleged significant disparities in the pricing of loans and denial rates for white borrowers and minority borrowers.

Additionally, in October 2009, HUD's National Fair Housing Training Academy launched an educational program for housing counselors and consumers on home buying, mortgage lending, and how to avoid becoming a victim of mortgage rescue scams. The program is made up of four courses—"Buyer Beware," "Financial Aspects of Lending," "Predatory Lending," and "Preventing Foreclosure." In order to more fully serve attorneys, advocates, counselors, and others in the hardest-hit areas, these courses were held in eight cities throughout the country and made available in both English and Spanish.

HUD is also using its partnerships with community organizations to address these problems. Each year, HUD's Fair Housing Initiatives Program (FHIP) provides grants to public, private, and nonprofit groups to conduct fair housing enforcement, education, and outreach activities. With the help of FHIP grants, these groups have been able to help persons who believe they have experienced discrimination. FHIP grantees investigate complaints from these persons and are often able to remedy the situation without filing a formal complaint or lawsuit.

FHIP grantees have also been instrumental in raising awareness about lending discrimination. After receiving a FHIP grant, the National Fair Housing Alliance developed a national media campaign that informs consumers on how to avoid becoming victimized by predatory lending and foreclosure prevention scams. The campaign includes advertisements in mainstream and community television, radio, newspapers, magazines, movie theaters, buses, and other places, in English, Spanish, and Chinese. As of the end of 2009, the campaign received almost $8.3 million in donated media.

[3] Hodge, Michael E., Mark C. Dawkins, and Jaxk H. Reeves, "A Case Study of Mortgage Refinancing Discrimination: African American Intergenerational Wealth," Sociological Inquiry Volume 77 Issue 1, pages 23 - 43 (January 2007).

Under the Fair Housing Act, HUD is required not only to address housing discrimination, but to affirmatively further fair housing. This mandate imposes an affirmative obligation to combat decades of segregation and help achieve integrated and diverse living patterns. HUD is drafting a regulation to reaffirm the longstanding legal requirement that HUD recipients affirmatively further fair housing. The performance-based approach emphasized in this rule will help ensure greater accountability and better results in reducing impediments to fair housing choice, and will provide greater certainty to jurisdictions on fulfilling the statutory requirement to affirmatively further fair housing. The Department believes that if the regulation is to be effective, it must be a collaborative effort of HUD, state and local recipients, and private fair housing and civil rights groups. Therefore, HUD conducted a listening conference with all stakeholders. More than 600 groups and individuals participated, and many of the comments received have been included in the rule. The rule is expected to be published in late 2010.

HUD is committed to affirmatively furthering fair housing, starting with ensuring that HUD funds are not being used to perpetuate segregation. In FY 2009, HUD helped bring about a settlement in a case that alleged Westchester County, New York, had made false claims to the Federal Government when it certified that it would affirmatively further fair housing, even though it had never analyzed racial segregation patterns in areas where it placed new affordable housing. Under the settlement, Westchester County must build new affordable housing units in locations that are currently less than 3 percent African American and 7 percent Hispanic. HUD and Westchester County are working together to ensure that this settlement produces real change in the county.

HUD's mandate also includes ensuring that it provides meaningful access to its programs and activities to otherwise qualified persons who have a limited ability to read, speak, or understand English. Since the issuance of Executive Order 13166, which directed federal agencies to take reasonable steps to provide persons with limited English proficiency (LEP) meaningful access to their programs and activities, HUD has worked diligently to provide language assistance to persons with LEP. In FY 2009, the Department produced more than 100 translated documents, including brochures, fact sheets, forms, and model leases. These documents, the importance of which was gleaned from stakeholder input, were translated into one or more languages, including Chinese, French, Korean, Russian, Spanish, and Vietnamese. HUD's LEP activities will result in better access to HUD's programs and services for almost 10 percent of the U.S. population, primarily, but not exclusively, foreign-born persons and persons with limited English proficiency. The LEP initiative enhances communication for both English- and non-English speakers alike and will be used in fair housing and other housing transactions between HUD and members of the public and between housing consumers and providers. It will also lead to better integration of and understanding of immigrant groups and LEP persons in communities.

While addressing discrimination and segregation are integral parts of ensuring equal housing opportunity, we know that economic opportunities are equally critical to making neighborhoods open to all persons. That is why HUD is taking a number of steps to ensure that its funds for construction and rehabilitation result in new employment and contracting opportunities for low- and very low-income persons in the community, in accordance with Section 3 of the Housing and Urban Development Act of 1968. In May 2009, HUD entered into a partnership with the U.S. Department of Labor that will help provide employment opportunities for residents of public housing. A few months later, HUD wrote a letter to more than 3,000 state and local governments and public housing authorities to remind them of their duty to comply with the hiring, contracting, and reporting requirements of Section 3. HUD also provided training to recipients on their responsibilities under Section 3. These activities have resulted in a 60 percent response rate by HUD recipients submitting their Section 3 compliance reports. In the previous year, the compliance report rate was less than five percent.

These activities are part of a comprehensive approach to combating discrimination and segregation. The Department recognizes that ensuring fair housing and equal opportunity is an ongoing commitment that requires constant attention and innovation. HUD will continue to develop new and innovative techniques to combat discriminatory practices as these practices change and become harder to detect. This will help promote fair housing and equal opportunity, as well as strengthen and sustain neighborhoods and communities.

Policy Recommendations

HUD is committed to ensuring that its programs and activities are available to all qualified individuals in a nondiscriminatory manner. While HUD is committed to the vigorous enforcement of existing fair housing laws, expansion of their protections is necessary to ensure equal opportunity in 21st-century America. The Department has taken steps to ensure that its programs and activities do not discriminate against otherwise qualified individuals on the basis of sexual orientation, gender identity, and source of income. In order to strengthen these protections, HUD believes that the Fair Housing Act should be amended to prohibit housing discrimination based sexual orientation, gender identity, and source of income.

- Amend the Fair Housing Act to Provide Protection for Lesbian, Gay, Bisexual, and Transgender (LGBT) Individuals

HUD recommends that Congress amend the Fair Housing Act to prohibit discrimination on the basis of sexual orientation and gender identity, and has taken steps to ensure that its programs and activities do not discriminate against LGBT individuals.

In October 2009, HUD announced a series of measures to ensure that its housing programs are open to all, regardless of sexual orientation or gender identity. These measures include requiring applicants for funding under HUD's FY 2010 Notices of Funding Availability (NOFAs) to demonstrate that that they have not been charged with a systemic violation of state or local law proscribing discrimination in housing based on sexual orientation or gender identity. Applicants that have received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law proscribing discrimination in housing based on sexual orientation or gender identity and have not resolved the cause determination to HUD's satisfaction before the application deadline will be ineligible for funding under FY 2010 NOFAs. Furthermore, successful applicants and their subrecipients will have to comply with state and local laws proscribing discrimination in housing based on sexual orientation or gender identity when conducting their programs and activities.

HUD also plans to take steps to ensure that its housing and lending programs are available to all persons, regardless of sexual orientation or gender identity. HUD plans to propose new regulations that will clarify that the term "family," as used to describe eligible beneficiaries of HUD's programs, will otherwise include eligible LGBT individuals and couples. Additionally, the Federal Housing Administration (FHA) will instruct its lending community that FHA-insured mortgage loans must be based on the creditworthiness of borrowers and not on unrelated factors or characteristics such as sexual orientation or gender identity.

Furthermore, HUD will provide enhanced customer service for members of the public who report housing discrimination on the basis of sexual orientation or gender identity. Although federal law currently does not prohibit discrimination on these bases, HUD staff will ensure these complaints are directed to the appropriate state and local offices if the incident occurred in a state or locality that has a law prohibiting discrimination against persons who are LGBT. HUD staff also will be trained to determine whether a housing

discrimination complaint on the basis of sexual orientation or gender identity also contains allegations of discrimination that are prohibited under the Fair Housing Act, such as discrimination against persons with HIV/AIDS.

Finally, HUD will commission the first-ever national study of discrimination against members of the LGBT community in the rental and sale of housing. To help HUD design this historic research effort, HUD officials conducted a national listening tour to solicit feedback on how LGBT individuals experience housing discrimination. Town hall meetings were held in Chicago, New York City, and San Francisco. The Department also solicited online public comment from interested parties on how it might design this new study.

Our initial review of the state of housing discrimination facing lesbians, gay men, bisexual, and transgender individuals and their families found that many people must hide their identity in order to avoid housing discrimination. That is not a price anyone should pay. While the extent of such housing discrimination remains under study, the Department recommends the inclusion of LGBT in the Fair Housing Act.

- Amend the Fair Housing Act to Prohibit Discrimination Based on Source of Income

HUD recommends that Congress amend the Fair Housing Act to prohibit discrimination on the basis of source of income, and has taken steps to ensure that its programs and activities do not discriminate against persons on such a basis.

In June 2010, HUD announced that it will require applicants for funding under its FY 2010 NOFAs to demonstrate that that they have not been charged with a systemic violation of state or local law proscribing discrimination in housing based on source of income. Applicants that have received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law proscribing discrimination in housing based on source of income and have not resolved the cause determination to HUD's satisfaction before the application deadline will be ineligible for funding under FY 2010 NOFAs. Furthermore, when conducting their programs and activities, successful applicants and their subrecipients will have to comply with state and local laws proscribing discrimination in housing based on source of income.

HUD Enforcement of the Fair Housing Act

The Fair Housing Act prohibits discrimination based on race, color, religion, national origin, sex, disability, or familial status in most housing-related transactions. The Act covers public, assisted, and private housing, with a few exceptions. Under the Fair Housing Act and its implementing regulations, HUD has the authority to investigate, attempt to conciliate, and, if necessary, adjudicate complaints of discrimination involving home sales, rentals, advertising, mortgage lending, property insurance, and environmental justice. HUD also investigates complaints alleging discriminatory zoning and land use, but must refer these complaints to the U.S. Department of Justice for enforcement.

HUD shares its authority to investigate housing discrimination complaints with state and local government agencies that participate in the Fair Housing Assistance Program (FHAP). To participate in the FHAP, a jurisdiction must demonstrate that it enforces a fair housing law that provides rights, remedies, procedures, and opportunities for judicial review that are substantially equivalent to those provided by the federal Fair Housing Act. HUD pays FHAP agencies for each complaint they investigate, based on the timeliness and quality of the investigation. In addition, HUD provides funding to FHAP agencies for capacity-building, training, and information systems.

At the end of FY 2009, there were 108 FHAP jurisdictions, in 105 FHAP agencies, three of which enforce a fair housing ordinance for both city and county jurisdictions. The total of 105 reflects the addition of one new FHAP agency (the City of Evansville-Vanderburgh County (Indiana) Human Relations Commission) and the closing of two agencies (Orlando (Florida) Human Relations Department and New Hanover (North Carolina) Human Relations Commission). In FY 2009, FHAP agencies were located in 39 states and the District of Columbia. For a list of FHAP agencies, see Appendix B.

A person who believes that he or she has experienced housing discrimination or that a discriminatory housing practice is about to occur may file a complaint or may have a complaint filed on his or her behalf by someone else, such as a parent, child, spouse, or guardian. HUD and FHAP agencies accept complaints in person, by telephone, through the mail, and through their websites. If HUD receives a housing discrimination complaint where the alleged discriminatory act occurred within the jurisdiction of one of its FHAP agencies, HUD is required under the Fair Housing Act to refer the complaint to that agency.

HUD and FHAP agencies follow substantially similar, though not identical, procedures for handling complaints. In general, when HUD or a FHAP agency receives a complaint, it reviews the complaint to determine if it meets minimal jurisdictional standards. If the complaint is jurisdictional, HUD or a FHAP agency accepts the complaint and serves a copy of the complaint on the respondent.

At no cost to the complainant, HUD or the FHAP agency begins an investigation to determine if there is reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur. As part of its investigation, HUD or the FHAP agency interviews the parties and witnesses, obtains and reviews relevant documents, and, when appropriate, conducts on-site investigations. HUD and FHAP agencies have the authority to issue subpoenas and seek temporary restraining orders. The Fair Housing Act and substantially equivalent state or local laws require HUD and FHAP agencies to complete their investigations and make determinations within 100 days, unless it is impracticable to do so. If the investigation has not been completed or the determination has not been made within the 100-day time limit, HUD or the FHAP agency notifies the complainant and respondent in writing of the reasons why it has not been able to do so.

From the time of the filing of a complaint, HUD or the FHAP agency works with all parties to resolve the case through conciliation, as required by the Fair Housing Act and substantially equivalent state or local laws. During conciliation, HUD or the FHAP agency represents the public interest in the case. HUD or the FHAP agency will attempt conciliation until a complaint is dismissed or a determination of reasonable cause is made. If the parties sign a conciliation agreement, HUD or the FHAP agency terminates its investigation and closes the complaint without making a determination on the merits of the complaint. Any conciliation agreement must be signed by the parties and HUD or the FHAP agency. An agreement may include relief to the complainant, such as a monetary payment, a guarantee of housing, or the provision of a reasonable accommodation. An agreement may also include public interest relief, such as a requirement for the respondent to pay a civil penalty or to attend fair housing training. Additionally, an agreement typically includes assurances that the respondent will eliminate discriminatory policies and practices, provisions to remedy any other fair housing violations and prevent future occurrences, provisions for periodic reporting by the respondent, and provisions for HUD or the FHAP agency to monitor compliance with the agreement.

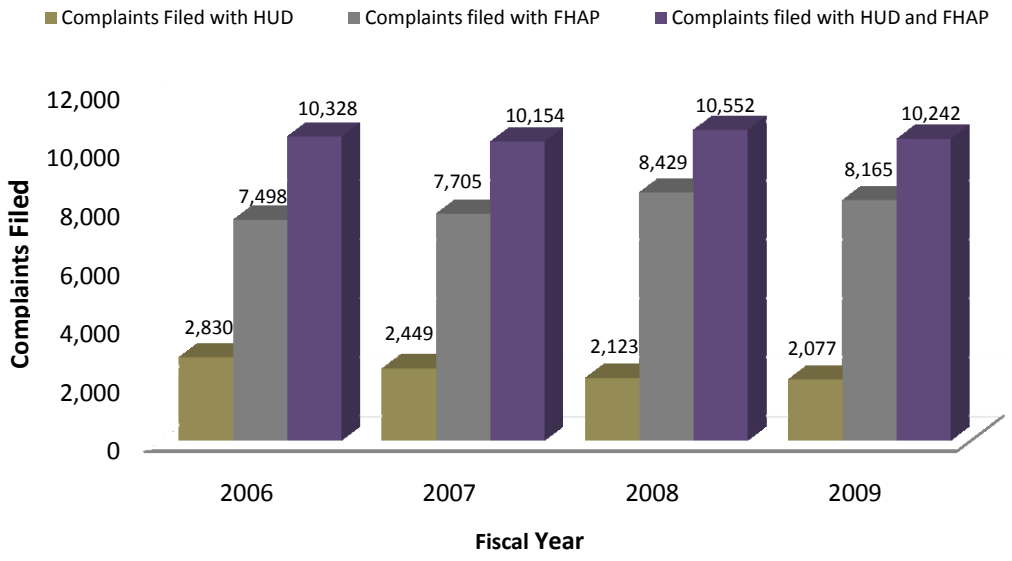
Throughout the conciliation process, HUD or the FHAP agency continues to investigate the complaint. If HUD or the FHAP agency is unable to conciliate the complaint, it determines whether there is reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur. If HUD or the FHAP agency find no reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur, the complaint is dismissed. In that case, the complainant retains the right to pursue the matter through private litigation.

If HUD finds reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur, it issues a charge of discrimination. The parties may choose to pursue the matter in an administrative proceeding or in federal district court. If a FHAP agency finds reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur, the agency or attorneys for the state or locality litigate that complaint in an administrative proceeding or in civil court. The system of adjudication is set forth in each jurisdiction's fair housing law.

Housing Discrimination Complaints

Chart 1 shows the number of housing discrimination complaints filed with HUD and FHAP agencies during the past 4 fiscal years. The complaint data is from HUD's database, the Title Eight Automated Paperless Office Tracking System (TEAPOTS).

Chart 1: Complaints Filed with HUD and FHAP Agencies (FY 2006-FY 2009)



Source: TEAPOTS

In FY 2009, HUD and FHAP agencies received a total of 10,242 housing discrimination complaints. This was the fourth consecutive year that HUD and FHAP agencies received more than 10,000 complaints.

Bases of Complaints

All complaints filed must allege a basis for discrimination. The Fair Housing Act and substantially equivalent state or local fair housing laws list seven prohibited bases for discrimination: race, color, national origin, religion, sex, disability, and familial status. The Fair Housing Act and substantially equivalent state or local fair housing laws also create a cause of action for people who are coerced, threatened, intimidated, or retaliated against for exercising their fair housing rights or encouraging or aiding others in the exercise of their fair housing rights.

Table 1 shows the number of complaints filed with HUD and FHAP agencies that alleged a violation on each basis. If a single complaint alleged multiple bases, it was counted under each basis alleged.

Table 1: Bases of HUD and FHAP Complaints (FY 2006-FY 2009)

Basis	FY 2006		FY 2007		FY 2008		FY 2009	
	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total
Disability	4,110	*40%*	4,410	*43%*	4,675	*44%*	4,458	44%
Race	4,043	*39%*	3,750	*37%*	3,669	*35%*	3,203	31%
Familial Status	1,433	*14%*	1,441	*14%*	1,690	*16%*	2,017	20%
National Origin	1,427	*14%*	1,299	*13%*	1,364	*13%*	1,313	13%
National Origin- Hispanic or Latino	931	*9%*	784	*8%*	848	*8%*	837	8%
Sex	997	*10%*	1,008	*10%*	1,133	*11%*	1,075	10%
Religion	258	*2%*	266	*3%*	339	*3%*	302	3%
Color	154	*1%*	173	*2%*	262	*2%*	251	2%
Retaliation	577	*6%*	588	*6%*	575	*5%*	654	6%
Number of Complaints Filed	10,328		10,154		10,552		10,242	

Percentages do not total 100 percent because complaints may contain multiple bases.
Percentages are rounded to the nearest whole number.

Source: TEAPOTS

Table 1 shows that the share of complaints filed under each basis has remained relatively stable during the past 4 fiscal years, with a few notable exceptions. In FY 2009, disability was the most common basis of complaints filed with HUD and FHAP agencies, being cited as a basis for 4,458 complaints, or 44 percent of the overall total. This large number of complaints is due, in part, to the additional protections afforded persons with disabilities under the Fair Housing Act, i.e., reasonable accommodation, reasonable modification, and accessible design and construction. In FY 2009, race was the second most common basis of complaints, being cited as a basis for 3,203 complaints, or 31 percent of the overall total.

During the past 4 fiscal years, the most notable changes have involved race complaints and disability complaints. Whereas race and disability used to account for nearly the same share of complaints, the gap between these bases has grown during the past 4 fiscal years. During this period, disability complaints have grown from 40 percent of complaints to 44 percent of complaints, while race complaints have decreased from 39 percent of complaints to 31 percent of complaints.

Although the total number of complaints decreased from FY 2008 to FY 2009, two bases experienced an increase. The largest increase occurred in familial status complaints, where the number of complaints

increased from 1,690 to 2,017, or 19 percent of the total. In FY 2009, familial status was cited as a basis in 20 percent of complaints, making it the third most common basis of complaints.

National origin and sex were the fourth and fifth most common bases of complaints filed with HUD and FHAP agencies during the past 4 fiscal years. In FY 2009, national origin was cited as a basis for 1,313 complaints, or 13 percent of the overall total. Sex discrimination was alleged in 1,075 complaints, or 10 percent of the overall total.

Retaliation, religion, and color were the least common bases of complaints filed with HUD and FHAP agencies in the past 4 fiscal years, despite a notable increase in retaliation complaints during the past year. From FY 2008 to FY 2009, retaliation complaints increased by 14 percent. In FY 2009, retaliation was cited as a basis for 654 complaints, or 6 percent of the overall total; religion was cited as a basis for 302 complaints, or 3 percent of the overall total; and color was cited as a basis for 251 complaints, or 2 percent of the overall total.

Tables 2 and 3 provide a breakdown of the bases in HUD and FHAP complaints, respectively. Table 2 shows the number of complaints filed with HUD that alleged a violation on each basis. If a single complaint alleged multiple bases, it was counted under each basis alleged.

Table 2: Bases of HUD Complaints (FY 2006-FY 2009)

Basis	FY 2006		FY 2007		FY 2008		FY 2009	
	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total
Disability	1,259	*45%*	1,196	*49%*	1,037	*49%*	1,036	50%
Race	1,231	*44%*	942	*38%*	655	*31%*	574	28%
Familial Status	311	*11%*	298	*12%*	367	*17%*	455	22%
National Origin	275	*10%*	284	*12%*	194	*9%*	183	9%
National Origin—Hispanic or Latino	182	*6%*	181	*7%*	116	*5%*	121	6%
Sex	295	*10%*	203	*8%*	191	*9%*	181	9%
Religion	79	*3%*	54	*2%*	45	*2%*	35	2%
Color	36	*1%*	21	*1%*	28	*1%*	43	2%
Retaliation	128	*5%*	115	*5%*	77	*4%*	98	5%
Number of Complaints Filed	2,830		2,449		2,123		2,077	

Percentages do not total 100 percent because complaints may contain multiple bases.
Percentages are rounded to the nearest whole number.

Source: TEAPOTS

Table 3 shows the number of complaints filed with FHAP agencies that alleged a violation on each basis. If a single complaint alleged multiple bases, it was counted under each basis alleged.

Table 3: Bases of FHAP Complaints (FY 2006-FY 2009)

Basis	FY 2006		FY 2007		FY 2008		FY 2009	
	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total
Disability	2,851	*38%*	3,214	*42%*	3,638	*43%*	3,422	42%
Race	2,812	*38%*	2,808	*36%*	3,014	*36%*	2,629	32%
Familial Status	1,122	*15%*	1,143	*15%*	1,323	*16%*	1,562	19%
National Origin	1,152	*15%*	1,015	*13%*	1,170	*14%*	1,130	14%
National Origin—Hispanic or Latino	749	*10%*	603	*8%*	732	*9%*	716	9%
Sex	702	*9%*	805	*10%*	942	*11%*	894	11%
Religion	179	*2%*	212	*3%*	294	*3%*	267	3%
Color	118	*2%*	152	*2%*	234	*3%*	208	3%
Retaliation	449	*6%*	473	*6%*	498	*6%*	556	7%
Number of Complaints Filed	7,498		7,705		8,429		8,165	

Percentages do not total 100 percent because complaints may contain multiple bases.
Percentages are rounded to the nearest whole number.

Source: TEAPOTS

Issues in Complaints

All complaints must specify the discriminatory actions that allegedly violated or would violate the Fair Housing Act or substantially equivalent state or local fair housing laws. HUD and FHAP agencies record these discriminatory practices in overarching categories known as "issues."

Table 4 shows the number of complaints filed with HUD and FHAP agencies from FY 2006 to FY 2009, broken down by issue. If a single complaint alleged multiple issues, it was counted under each issue alleged. Although the chart includes both complaints filed under the Fair Housing Act and substantially equivalent state and local laws, the table, for convenience, refers to the section of the Fair Housing Act that would apply.

Table 4: Issues in HUD and FHAP Complaints (FY 2006-FY 2009)

Issue	FY 2006		FY 2007		FY 2008		FY 2009	
	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total
Refusal to Sell § 804(a) and § 804(f)(1)	288	*3%*	234	*2%*	214	*2%*	166	2%
Refusal to Rent § 804(a) and § 804(f)(1)	2,634	*26%*	2,649	*26%*	2,697	*26%*	2,430	24%
Steering § 804(a) and § 804(f)(1)	86	*1%*	76	*1%*	64	*1%*	58	1%
Discriminatory Terms, Conditions, Privileges, Services, and Facilities in the Rental or Sale of Property § 804(b) and § 804(f)(2)	6,005	*58%*	5,922	*58%*	5,862	*56%*	5,617	55%
Discriminatory Notices, Statements, or Advertisements § 804(c)	541	5%	593	*6%*	828	*8%*	1,223	12%
False Denial or Representation of Availability § 804(d)	236	*2%*	251	*2%*	303	*3%*	282	3%
Failure to Permit a Reasonable Modification § 804(f)(3)(A)	124	*1%*	169	*2%*	205	*2%*	178	2%
Failure to Make a Reasonable Accommodation § 804(f)(3)(B)	1,896	*18%*	2,094	*21%*	2,401	*23%*	2,252	22%
Non-Compliance with Design and Construction Requirements § 804(f)(3)(C)	228	*2%*	195	*2%*	176	*2%*	155	2%
Discriminatory Financing § 805(a)	552	*5%*	411	*4%*	324	*3%*	392	4%
Redlining § 804(b) and § 805(a)	4	*<0.5%*	12	*<0.5%*	8	*<0.5%*	14	<0.5%
Refusal to Provide Insurance § 804(a) and § 804(b)	3	*<0.5%*	3	*<0.5%*	5	*<0.5%*	3	<0.5%
Coercion or Intimidation, Threats, Interference, and Retaliation § 818	1,354	*13%*	1,477	*15%*	1,402	*13%*	1,425	14%
Number of Complaints Filed	10,328		10,154		10,552		10,242	

Percentages do not total 100 percent because complaints may contain multiple issues.
Percentages are rounded to the nearest whole number.

Source: TEAPOTS

Table 4 shows that the share of complaints filed under each issue has remained relatively stable during the past 4 fiscal years. However, in the past year, there were a few issue categories that experienced notable increases in complaints, despite the overall decrease in complaints.

In FY 2009, the most common issue in complaints was discriminatory terms, conditions, privileges, services, and facilities in the rental or sale of property. This was by far the most common issue in complaints, cited in more than 50 percent of complaints during each of the past 4 fiscal years. This broad category includes actions that unlawfully subject individuals to different treatment, such as when a landlord makes repairs for white tenants but not for minority tenants, when a landlord charges higher deposits to wheelchair users, or when a landlord imposes stricter rules on families with children. In FY 2009, discriminatory terms and conditions was alleged in 5,617 complaints, or 55 percent of the overall total.

The second most common issue in complaints was refusal to rent. In FY 2009, refusal to rent was alleged in 2,430 complaints, or 24 percent of the overall total. This was closely followed by complaints alleging a failure to make a reasonable accommodation. Under the Fair Housing Act, a reasonable accommodation is any change in the rules, policies, practices, or services that are necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling. An example of such a change is when an apartment manager grants the request of a tenant with a mobility impairment to have a reserved accessible parking space, even though the apartment complex is not in the practice of assigning spaces. In FY 2009, failure to make a reasonable accommodation was alleged in 2,252 complaints, or 22 percent of the overall total. These complaints accounted for nearly half of the complaints alleging discrimination based on disability, helping to make disability the most common basis of complaints.

In FY 2009, the fourth most common issue in complaints involved coercion, intimidation, retaliation, and other actions against persons who exercised their fair housing rights or aided another person in exercising their fair housing rights. These actions were alleged in 1,425 complaints, or 14 percent of the overall total. The fifth most common issue in complaints involved housing advertisements, notices, or statements that indicated discrimination, limitation, or preference on the basis of race, color, national origin, religion, sex, disability, or familial status. These complaints accounted for 1,223 complaints, or 12 percent of the overall total. During the past year, the number of complaints in both of these categories increased despite an overall decrease in complaints. Of these issue categories, complaints that involved discriminatory advertisements, notices, or statements experienced the most notable increase. From FY 2008 to FY 2009, the number of these complaints rose by 395, a 48 percent increase.

The only other issue categories to increase during the past year were discriminatory financing and redlining, increasing by 21 percent and 75 percent, respectively. In FY 2009, discriminatory financing was alleged in 392 complaints, or 4 percent of the overall total, and redlining was alleged in 14 complaints, or less than 0.5 percent of the overall total.

The remaining issue categories each accounted for 3 percent or less of the total number of complaints: false denial or representation of availability (3 percent), refusal to sell (2 percent), failure to permit a reasonable modification (2 percent), noncompliance with design and construction requirements (2 percent), steering (1 percent), and refusal to provide insurance (less than 0.5 percent).

Tables 5 and 6 provide a breakdown of the issues in HUD and FHAP complaints, respectively. Table 5 shows the number of complaints filed with HUD from FY 2006 to FY 2009, broken down by issue. If a single complaint alleged multiple issues, it was counted under each issue alleged. After each issue, the section of the Fair Housing Act prohibiting the activity is referenced.

Table 5: Issues in HUD Complaints (FY 2006-FY 2009)

Issue	FY 2006		FY 2007		FY 2008		FY 2009	
	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total
Refusal to Sell § 804(a) and § 804(f)(1)	59	*2%*	46	*2%*	27	*1%*	19	1%
Refusal to Rent § 804(a) and § 804(f)(1)	687	*24%*	622	*25%*	527	*25%*	441	21%
Steering § 804(a) and § 804(f)(1)	27	*1%*	29	*1%*	13	*1%*	16	1%
Discriminatory Terms, Conditions, Privileges, Services, and Facilities in the Rental or Sale of Property § 804(b) and § 804(f)(2)	1,746	*62%*	1,534	*63%*	1,087	*51%*	1,020	49%
Discriminatory Notices, Statements, or Advertisements § 804(c)	133	5%	157	*6%*	286	*13%*	391	19%
False Denial or Representation of Availability § 804(d)	77	*3%*	62	*3%*	55	*3%*	53	3%
Failure to Permit a Reasonable Modification § 804(f)(3)(A)	38	*1%*	42	*2%*	56	*3%*	34	2%
Failure to Make a Reasonable Accommodation § 804(f)(3)(B)	556	*20%*	583	*24%*	607	*29%*	560	27%
Non-Compliance with Design and Construction Requirements § 804(f)(3)(C)	105	*4%*	45	*2%*	66	*3%*	69	3%
Discriminatory Financing § 805(a)	170	*6%*	137	*6%*	62	*3%*	97	5%
Redlining § 804(b) and § 805(a)	1	*<0.5%*	5	*<0.5%*	1	*<0.5%*	3	<0.5%
Refusal to Provide Insurance § 804(a) and § 804(b)	2	*<0.5%*	1	*<0.5%*	2	*<0.5%*	1	<0.5%
Coercion or Intimidation, Threats, Interference, and Retaliation § 818	464	*16%*	443	*18%*	327	*15%*	316	15%
Number of Complaints Filed	2,830		2,449		2,123		2,077	

Percentages do not total 100 percent because complaints may contain multiple issues.
Percentages are rounded to the nearest whole number.

Source: TEAPOTS

Table 6 shows the number of complaints filed with FHAP agencies from FY 2006 to FY 2009, broken down by issue. If a single complaint alleged multiple issues, it was counted under each issue alleged. While the

complaints are filed under state or local substantially equivalent fair housing laws, the table, for convenience, refers to the section of the federal Fair Housing Act that would apply to that issue.

Table 6: Issues in FHAP Complaints (FY 2006-FY 2009)

Issue	FY 2006		FY 2007		FY 2008		FY 2009	
	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total	Number of Complaints	% of Total
Refusal to Sell § 804(a) and § 804(f)(1)	229	*3%*	188	*2%*	187	*2%*	147	2%
Refusal to Rent § 804(a) and § 804(f)(1)	1,947	*26%*	2,027	*26%*	2,170	*26%*	1,989	24%
Steering § 804(a) and § 804(f)(1)	59	*1%*	47	*1%*	51	*1%*	42	1%
Discriminatory Terms, Conditions, Privileges, Services, and Facilities in the Rental or Sale of Property § 804(b) and § 804(f)(2)	4,259	*57%*	4,388	*57%*	4,775	*57%*	4,597	56%
Discriminatory Notices, Statements, or Advertisements § 804(c)	408	5%	436	*6%*	542	*6%*	832	10%
False Denial or Representation of Availability § 804(d)	159	*2%*	189	*2%*	248	*3%*	229	3%
Failure to Permit a Reasonable Modification § 804(f)(3)(A)	86	*1%*	127	*2%*	149	*2%*	144	2%
Failure to Make a Reasonable Accommodation § 804(f)(3)(B)	1,340	*18%*	1,511	*20%*	1,794	*21%*	1,692	21%
Non-Compliance with Design and Construction Requirements § 804(f)(3)(C)	123	*2%*	150	*2%*	110	*1%*	86	1%
Discriminatory Financing § 805(a)	382	*5%*	274	*4%*	262	*3%*	295	4%
Redlining § 804(b) and § 805(a)	3	*<0.5%*	7	*<0.5%*	7	*<0.5%*	11	<0.5%
Refusal to Provide Insurance § 804(a) and § 804(b)	1	*<0.5%*	2	*<0.5%*	3	*<0.5%*	2	<0.5%
Coercion or Intimidation, Threats, Interference, and Retaliation § 818	890	*12%*	1,034	*13%*	1,075	*13%*	1,109	14%
Number of Complaints Filed	7,498		7,705		8,429		8,165	

Percentages do not total 100 percent because complaints may contain multiple issues.
Percentages are rounded to the nearest whole number.

Source: TEAPOTS

Compliance with Notice Requirements

Complainant Notification

The Fair Housing Act requires HUD to serve notice to the aggrieved person upon the filing of a housing discrimination complaint. The notice acknowledges the filing of a complaint and provides information regarding important deadlines and the choice of forums provided by the Fair Housing Act.

HUD has automated this function so that as soon as an investigator enters a complaint into HUD's database, the Title Eight Automated Paperless Office Tracking System (TEAPOTS), a notice is automatically printed out. The investigator then mails this notice to the aggrieved person. HUD sends its notices via first class mail with return receipt requested. In FY 2009, HUD routinely issued notices for the 2,077 complaints it received.

Respondent Notification

The Fair Housing Act requires HUD to serve notice on each respondent within 10 days of the filing of a complaint or the identification of an additional respondent. The notice must identify the alleged discriminatory housing practice(s) and advise the respondent of all procedural rights and obligations. A copy of the complaint must be included.

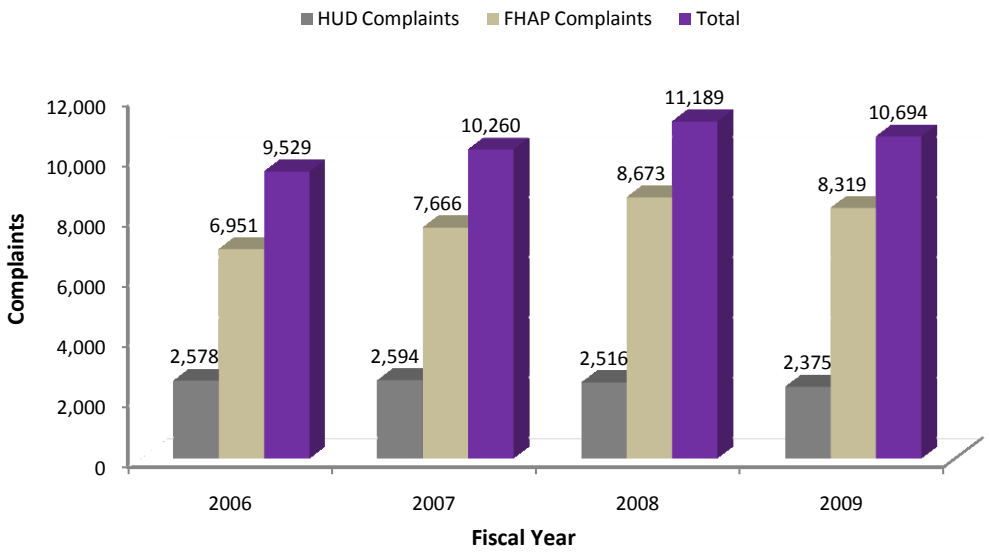
HUD has automated this function so that a notice and a copy of the complaint are automatically generated when a complaint is entered into TEAPOTS. An investigator then mails the materials to each respondent. HUD sends its notices via first class mail with return receipt so that investigators can verify that the respondents received the notices. In FY 2009, HUD consistently provided notice to the respondents for the 2,077 complaints it received.

In a small number of Fair Housing Act complaints, the respondent may not have been notified within 10 days. Pursuant to a memorandum of understanding (MOU) with the U.S. Department of Justice (DOJ), if a criminal investigation was under way, HUD delayed notification of the respondent until DOJ concluded its criminal investigation.

Complaint Closures

Chart 2 shows the number of complaints closed by HUD and FHAP agencies in each of the past 4 fiscal years.

Chart 2: HUD and FHAP Complaints Closed (FY 2006-FY 2009)



Source: TEAPOTS

In FY 2009, HUD and FHAP agencies closed 10,694 housing discrimination complaints; this included 2,375 complaints closed by HUD and 8,319 complaints closed by FHAP agencies. This number of closures was below the FY 2008 level, when HUD and FHAP agencies closed a total of 11,189 complaints. From FY 2006 to FY 2009, HUD and FHAP agencies closed an average of 10,421 complaints annually.

In FY 2009, HUD and FHAP agencies closed complaints in the following ways.

1. Administrative Closure—HUD and FHAP agencies administratively close complaints when the complainant withdraws the complaint, fails to cooperate, or can no longer be located. HUD and FHAP agencies also administratively close complaints when, after accepting the complaint, it is determined that they lack jurisdiction.

2. No Reasonable Cause Determination—HUD and FHAP agencies issue a no reasonable cause determination after they conduct a full investigation and do not find reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur.

3. Conciliation/Settlement—A complaint may be voluntarily resolved in two ways. First, HUD and FHAP agencies attempt to resolve complaints through conciliation. If conciliation is successful, the complainant and respondent enter into a conciliation agreement that is approved by HUD or the FHAP agency. A conciliation agreement seeks to protect the rights of the complainant and the respondent and satisfy the public interest. A complaint may also be voluntarily resolved through a private settlement between the complainant and the respondent. A private settlement is not submitted to HUD or the FHAP agency for approval and usually does not contain public interest relief. HUD and FHAP agencies do not issue a determination in a complaint if it is conciliated or settled prior to the completion of the investigation.

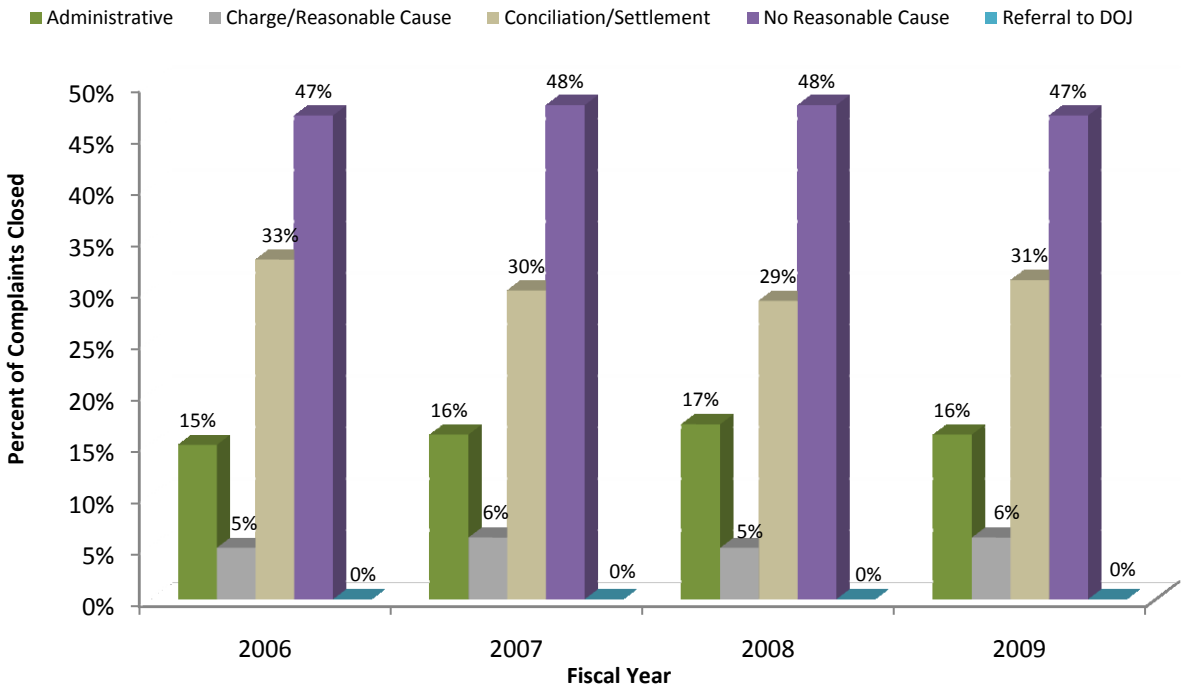
4. Charge of Discrimination—HUD issues a charge of discrimination if it has completed a full investigation and found that there is reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur.

5. Reasonable Cause Determination—A FHAP agency issues a reasonable cause determination if it has completed a full investigation and found that there is reasonable cause to believe that a discriminatory housing practice has occurred or is about to occur.

6. U.S. Department of Justice (DOJ) Referral—HUD refers housing discrimination complaints that involve criminal allegations, a suspected pattern or practice of discrimination, or possible zoning or land use violations to DOJ for enforcement.

Chart 3 shows the outcomes of complaints closed by HUD and FHAP agencies in each of the past 4 fiscal years.

Chart 3: HUD and FHAP Complaint Outcomes, by Type (FY 2006-FY 2009)[4,5]



Percentages are rounded to the nearest whole number. Source: TEAPOTS

In FY 2009, HUD and FHAP agencies made determinations on the merits of 53 percent of the complaints they closed: 47 percent of these complaints were closed with a no reasonable cause determination and 6 percent were closed with either an issuance of a charge of discrimination by HUD or a reasonable cause determination by a FHAP agency.

[4] The category "Charge/Reasonable Cause" combines charges of discrimination by HUD and determinations of reasonable cause by FHAP agencies. Although these types of closures are not identical, this chart combines these categories, since they both involve making a determination that a discriminatory housing practice has occurred or is about to occur.

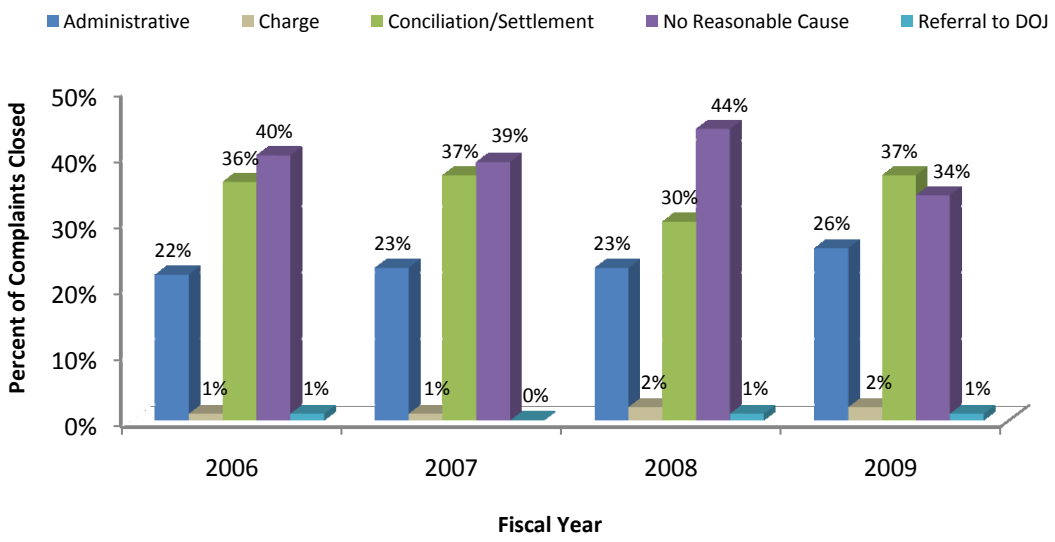
[5] The category "Referral to DOJ" applies only to HUD.

During FY 2009, HUD and FHAP agencies conciliated or settled 31 percent of complaints and administratively closed 16 percent of complaints. During this period, HUD closed less than 0.5 percent of complaints by referring them to DOJ for enforcement.

The following charts provide data on complaint closures for HUD and FHAP agencies. Although Chart 3 shows that there have not been significant changes in the total number of complaints in each closure category, Chart 4 shows that HUD has experienced considerable changes in the number of complaints in each closure category in the past year. The charts below also show that the share of complaints in each closure category differs significantly between HUD and FHAP.

Chart 4 shows the outcomes of complaints closed by HUD in each of the past 4 fiscal years.

Chart 4: HUD Complaint Outcomes, by Type (FY 2006-FY 2009)



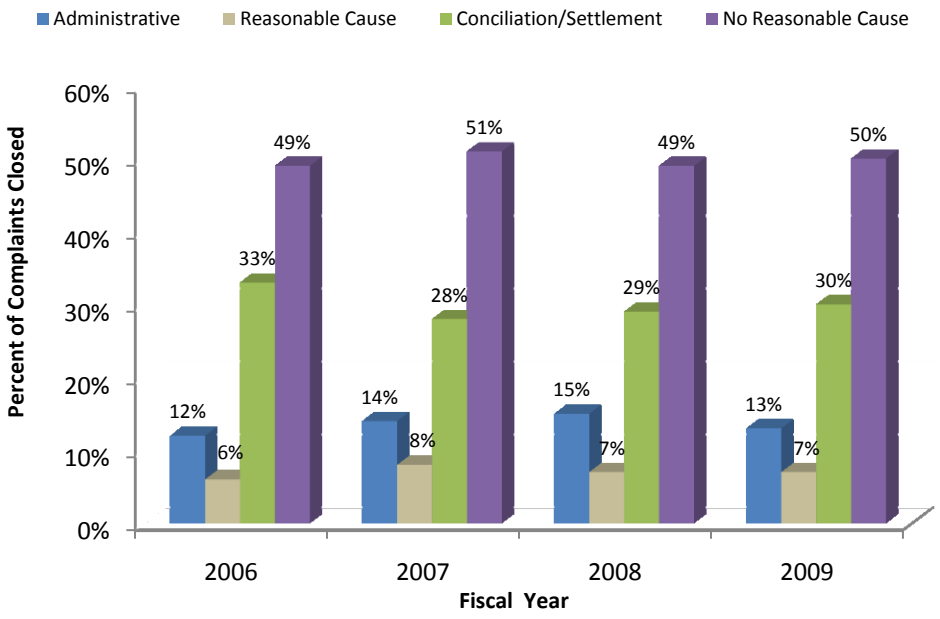
Percentages are rounded to the nearest whole number. Source: TEAPOTS

Chart 4 shows that there have been some notable changes in the outcomes of HUD complaints during the past year. Most notably, there has been a significant decrease in the share of complaints that were closed with a no reasonable cause determination. From FY 2008 to FY 2009, the share of HUD complaints that was closed with a no reasonable cause determination decreased by 10 percentage points, from 44 percent to 34 percent. At the same time, the share of HUD complaints that was conciliated or settled increased by seven percentage points, from 30 percent to 37 percent. There was also a modest increase in the share of complaints that was administratively closed, from 23 percent to 26 percent.

In FY 2009, HUD made determinations on the merits of 36 percent of the complaints it closed: 34 percent of these complaints were closed with a no reasonable cause determination and 2 percent were closed with an issuance of a charge of discrimination. During this period, HUD conciliated or settled 37 percent of complaints and administratively closed 26 percent of complaints. HUD closed less than 0.5 percent of complaints by referring them to DOJ for enforcement.

Chart 5 shows the outcomes of the complaints closed by FHAP agencies in each of the past 4 fiscal years.

Chart 5: FHAP Complaint Outcomes, by Type (FY 2006-FY 2009)



Percentages are rounded to the nearest whole number. Source: TEAPOTS

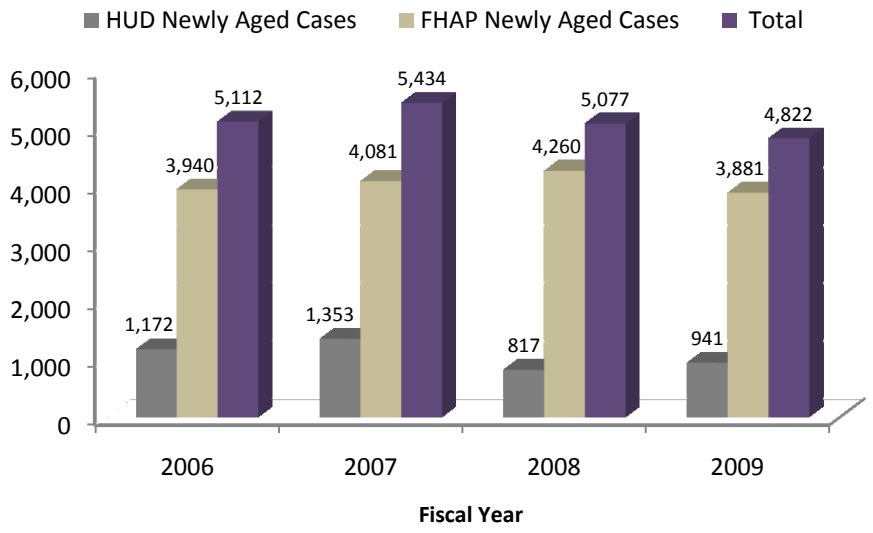
In contrast to the fluctuations in HUD complaint outcomes, the outcomes of FHAP complaints have been fairly stable during the past 4 fiscal years. In FY 2009, FHAP agencies made determinations on the merits of 57 percent of the complaints they closed: 50 percent of these complaints were closed with a no reasonable cause determination and 7 percent were closed with a reasonable cause determination. During this period, FHAP agencies conciliated or settled 30 percent of complaints and administratively closed 13 percent of complaints.

Timeliness of Investigations

The Fair Housing Act and substantially equivalent state and local fair housing laws require that HUD and FHAP agencies complete the investigation of each complaint within 100 days of the date it was filed, unless it is impracticable to do so. The Fair Housing Act requires HUD to report annually on the number of investigations that were not completed within 100 days of the filing of the complaint. In other words, HUD must report the number of investigations that passed the 100-day mark in the fiscal year. For FY 2009, these complaints could have been filed in FY 2008 or FY 2009.

Chart 6 shows the number of HUD and FHAP newly aged complaints, i.e., the number of investigations that passed the 100-day mark during each of the previous 4 fiscal years.

Chart 6: HUD and FHAP Newly Aged Complaints (FY 2006-FY 2009)



Source: TEAPOTS

Chart 6 shows that in FY 2009, a total of 4,822 investigations passed the 100-day mark; this included 941 HUD investigations and 3,881 FHAP investigations. This was the lowest number of newly aged complaints in the past 4 fiscal years. From FY 2006 to FY 2009, an average of 5,111 complaints passed the 100-day mark, annually. In general, it was impracticable to complete an investigation within 100 days when a complaint involved a great number of witnesses, large volumes of evidence, or particularly complex claims and evidence.

Adjudicating Fair Housing Act Complaints

When HUD issues a charge of discrimination, the parties may choose to pursue the matter in an administrative proceeding or in federal district court. In an administrative proceeding, HUD represents the government, bringing the case on behalf of the aggrieved person and the public interest. The aggrieved person, however, may intervene as a party in the proceeding in order to represent his or her own interests. If any party elects to go to federal court, the case will be litigated by DOJ.

An administrative law judge (ALJ) presides over the administrative proceeding. Once before an ALJ, the parties may resolve the charge by entering into an initial decision and consent order signed by the ALJ. Otherwise, an ALJ will conduct an administrative hearing in the vicinity in which the discriminatory practice is alleged to have occurred. The hearing must begin within 120 days of the issuance of a charge, unless it is impracticable to do so.

The Fair Housing Act requires that an ALJ issue an initial decision within 60 days after the end of the hearing, unless it is impracticable to do so. If the ALJ finds that the respondent has engaged, or is about to engage, in a discriminatory housing practice, the ALJ may award actual damages to the aggrieved persons and injunctive or other equitable relief. An ALJ may also impose a civil penalty of up to $16,000 for a first offense of housing discrimination under federal, state, or local law; $37,500 for a second offense during the 5-year period preceding the date of the filing of the charge; and $65,000 for a third offense during the 7-year period

preceding the date of the filing of the charge. Following the issuance of a final decision, the ALJ may award attorney fees and costs to a prevailing party other than HUD.

Any party adversely affected by the initial decision may file a motion with the Secretary of HUD asking that the initial decision be modified, set aside, in whole or in part, or remanded for further proceedings. The Secretary has 30 days from the issuance of the initial decision to serve the final decision on all parties. If a motion is not filed with the Secretary, or if the Secretary does not serve a final decision within this time period, the initial decision becomes the final decision of the agency. A final decision may be appealed to a federal court of appeals.

Table 7 shows the caseload for HUD's Office of Administrative Law Judges (OALJ) in FY 2009.

Table 7: Fair Housing Act Caseload (FY 2009)[6]

Status	Number of Cases
Fair Housing Act Cases Pending at the End of FY 2008	16
Fair Housing Act Cases Docketed in FY 2009	46
Total Fair Housing Docket During FY 2009	**62**

Source: OALJ

Table 8 shows the outcome of the 62 Fair Housing Act cases potentially before an ALJ in FY 2009.

Table 8: Administrative Outcomes (FY 2009)

Status	Number of Cases
Settlement by Consent Order	11
ALJ Decisions	1
Election to U.S. District Court	31
Voluntary Withdrawal of Charge	2
Dismissal	1
Pending Administrative Hearing or Election to U.S. District Court	16

Source: OALJ

In FY 2009, there were 62 Fair Housing Act cases on the OALJ docket. In 11 of these cases, HUD, the aggrieved person, and the respondent settled the complaint through an initial decision and consent order issued by an ALJ. In one of these cases, an ALJ issued a decision. In another case, the ALJ granted a motion to dismiss an application for attorney fees.

Two of the Fair Housing Act cases on the ALJ docket were voluntarily withdrawn by HUD. Both of the cases were withdrawn after consultation with DOJ.

Under the Fair Housing Act, the complainant, respondent, or aggrieved person on whose behalf the complaint was filed may elect to have his or her case heard in federal district court instead of before an ALJ. An election to federal district court must be made within 20 days after being served with the charge of discrimination. In 31 cases, one of the parties elected to proceed to federal court. At the end of FY 2009,

[6] The Fair Housing Act caseload reported by OALJ may be different than the number of charges reported by the Office of Fair Housing and Equal Opportunity (FHEO). This is because FHEO counts the number of complaints received from complainants, while OALJ counts the actual number of charges filed. Both numbers are accurate.

16 cases were still within the 20-day election period and none of the parties had elected to proceed in federal district court.

Table 9 shows the 11 cases that resulted in consent orders in FY 2009.

Table 9: Post-Charge Consent Orders (FY 2009)

Name	Basis	Damages	Civil Penalties
HUD v. Arbors Owners' Association, Inc.	Disability	$8,000	$0
HUD v. Palacios del Rio II Homeowner Association, et al.	Disability	$11,500	$0
HUD v. Cooperativa Jardines de San Ignacio	Disability	$10,000	$500
HUD v. Coachlight Square on the Hudson Condominium Association	Disability	$15,000	$0
HUD v. Burton Towers Housing Development Fund Company, Inc.	Disability	$5,000	$0
HUD v. Niagara Falls Housing Authority	Disability	$3,800	$0
HUD v. 405 E. 82nd Street Cooperative, Inc.	Disability	$5,000	$0
HUD v. West Side Homes, Inc., et al.	Familial Status	$7,500	$0
HUD v. Peltz, et al.	Familial Status	$18,500	$500
HUD v. Chavez	Familial Status	$8,000	$0
HUD v. Williams	Race/Color	$53,000	$10,000

Source: OALJ

Commencement of Administrative Hearings

The Fair Housing Act requires that an administrative hearing begin within 120 days of the issuance of a charge, unless it is impracticable to do so. In FY 2009, there was one hearing held before an ALJ and it began within 120 days of the issuance of the charge.

Issuance of ALJ Decisions

The Fair Housing Act requires an ALJ to make findings of fact and conclusions of law within 60 days after an administrative hearing has ended, unless it is impracticable to do so. In FY 2009, there was one ALJ decision, and this decision was not issued within 60 days after the administrative hearing ended. The ALJ issued a notice that outlined several reasons for the delay, including delayed briefing and the ALJ's health issues.

Table 10 shows the one ALJ decision that was issued in FY 2009.

Table 10: ALJ Decision (FY 2009)

Name	Basis	Damages	Civil Penalties
HUD v. Astralis Condominium Association	Disability	$25,000	$10,000

Source: OALJ

Cases Elected to DOJ

When HUD issues a charge of discrimination, the parties may choose to pursue the matter in an administrative proceeding or in federal district court. If either party elects to proceed to federal district court, DOJ represents the government, bringing the case on behalf of the aggrieved person and the public interest. If

discrimination is proved, a district court may award actual damages for the aggrieved person, injunctive or other equitable relief, punitive damages, and attorney fees and costs for the prevailing party other than DOJ. District courts may also impose a civil penalty.

In FY 2009, DOJ resolved 11 cases that it received as election referrals from HUD. Table 11 shows the outcomes of these cases.

Table 11: Outcomes of Cases Elected to DOJ (FY 2009)

Name	Basis	Type of Outcome	Damages	Civil Penalties
United States v. Schmidt, et al.	Disability	Out-of-Court Settlement	$3,750	$0
United States v. Reading Housing Authority[7]	National Origin, Disability	Out-of-Court Settlement	$0	$0
United States v. Rathbone Retirement Community, Inc.	Disability	Consent Order	$95,000	$21,000
United States v. Price, et al.	Disability	Consent Decree	$35,000	$0
United States v. The Townsend House Corporation[8]	Disability	Stipulation and Order of Dismissal	$0	$0
United States v. Milton	Familial Status	Consent Order	$600	$0
United States v. Witherington	Familial Status	Consent Order	$104,130	$30,000
United States v. S & S Group, Ltd. d/b/a ReMax East-West, et al.	Race, Color, National Origin	Consent Order	$120,000	$0
United States v. Triple H Realty, et al.	Race, Color, National Origin, Religion	Consent Order	$170,000	$30,000
United States v. Erie Insurance Company, et al.	Race	Consent Decree	$225,000	$0
United States v. Crim	Race, Color	Consent Order	$20,000	$0

Source: DOJ

Secretary-Initiated Enforcement

The Secretary of HUD, under Section 810(a)(1)(A)(i) and (iii) of the Fair Housing Act, 42 U.S.C. § 3610, has the authority to conduct an investigation in the public interest, and file a complaint where there is reason to believe that a discriminatory housing practice has occurred or is about to occur. HUD uses its authority to conduct Secretary-initiated investigations and file Secretary-initiated complaints when it has evidence of

[7] This out-of-court settlement resolved Title VI, Section 504, and Fair Housing Act cases. Under this settlement, the defendant agreed to take several actions to promote housing opportunities for persons with disabilities. The defendant agreed to set aside 5 percent of its annual capital funding to create, through new construction or renovation, at least 5 two-bedroom accessible housing units. The defendant also will, at the request of the tenant, retrofit the kitchens in the units of one of its developments so that they comply with federal accessibility requirements. Additionally, the defendant will maintain a list of landlords who participate in the Section 8 program that includes information about whether they have accessible units. The defendant will provide a copy of this list to all participants in its housing choice voucher program. The defendant also will implement a new assistance animal policy that will protect the rights of persons with disabilities to keep assistance animals, and has agreed to return to the individual complainant the $50 it collected as a deposit.

[8] This case was dismissed after the parties agreed that the complainants would be allowed to obtain an emotional support animal for their son as a reasonable accommodation for his disability, provided they abide by certain conditions set forth in a pet license agreement.

housing discrimination, but does not know of a specific aggrieved person or injured party that is willing or able to come forward to file a complaint. Secretary-initiated investigations and complaints follow the same timelines and processes as housing discrimination complaints filed by individuals and fair housing organizations. The following sections provide detail on Secretary-initiated enforcement between October 1, 2008, and September 30, 2009.

Secretary-Initiated Investigations

HUD launches a Secretary-initiated investigation when it learns of allegations of unlawful discrimination in a housing or housing-related transaction, but does not have sufficient evidence to file a complaint. If a Secretary-initiated investigation finds evidence of unlawful discrimination, HUD files a Secretary-initiated complaint against the respondent. If the investigation does not find sufficient evidence of discrimination, HUD closes the investigation. In FY 2009, HUD did not begin any Secretary-initiated investigations.

Secretary-Initiated Complaints

HUD files a Secretary-initiated complaint when a Secretary-initiated investigation has found evidence that a discriminatory housing practice has occurred or is about to occur, but an aggrieved person has not come forward to file a complaint. HUD also files a Secretary-initiated complaint when it has received an individual complaint, but believes that there may be additional victims of the discriminatory act, or wants to obtain broader relief in the public interest. In FY 2009, HUD filed 12 Secretary-initiated complaints.

Table 12 shows the bases of the 12 Secretary-initiated complaints filed in FY 2009. If a single complaint alleged multiple bases, it was counted under each basis alleged.

Table 12: Bases of Secretary-Initiated Complaints (FY 2009)

Basis	Number of Complaints
Disability	7
National Origin	3
Race	4

Source: FHEO Office of Systemic Investigations

Of the 12 Secretary-initiated complaints that were filed during FY 2009, six of these complaints remained open at the end of the fiscal year. The following section describes these complaints. Two of the Secretary-initiated complaints filed during the fiscal year were closed after the parties reached a conciliation agreement. These complaints are described under "Secretary-Initiated Complaints Closed." The other four Secretary-initiated complaints that were filed in FY 2009 were closed during the fiscal year as administrative closures.

Case Summaries of Secretary-Initiated Complaints Filed During FY 2009[9]

HUD v. Hector Castillo Architects, Inc.; HUD v. 914 W. Hubbard, Inc.

[9] This section only describes Secretary-Initiated complaints that were filed during FY 2009 and remained open at the end of the fiscal year.

On October 30, 2008, HUD filed Secretary-initiated complaints against both the architect and developer of a condominium building located in Chicago, alleging that the property did not meet the Fair Housing Act's design and construction requirements.

HUD filed the complaints based on testing done by Access Living, a local disability rights group, which found that the dwelling units were not accessible to persons with disabilities. Among other things, Access Living found that the dwelling units had doorways that were not wide enough for persons in wheelchairs to pass through and kitchens and bathrooms that did not have adequate space for persons in wheelchairs to maneuver.

HUD v. Hanna Architects, Inc.; HUD v. Ospina

On November 4, 2008, HUD filed Secretary-initiated complaints against both the architect and developer of a condominium building located in Chicago, alleging that the property did not meet the Fair Housing Act's design and construction requirements.

HUD filed the complaints based on an inspection by LCM Architects, an accessibility consulting service, which found that the dwelling units and common areas were not accessible to persons with disabilities. The complaint alleges that, among other things, the dwelling units have sinks and thermostats that were installed at heights that persons in wheelchairs are unable to reach and that the property did not have an accessible route to its basement parking.

HUD v. MortgageIT, Inc., and Deutsche Bank

On October 16, 2008, HUD filed a Secretary-initiated complaint against MortgageIT, Inc., a nationwide mortgage lender, alleging discrimination on the basis of race and national origin. HUD filed the complaint after it conducted a preliminary investigation and found evidence of discrimination against minority applicants and borrowers.

HUD analyzed MortgageIT's loan application register and loan files. The complaint alleges that the company denied African-American and Hispanic loan applicants at higher rates than similarly situated white borrowers and that the company charged African-American and Hispanic borrowers, on average, higher annual percentage rates and higher fees than similarly situated white borrowers.

MortgageIT, Inc., is headquartered in New York City and provides products and services throughout the United States. In 2007, Deutsche Bank acquired MortgageIT, Inc.

HUD v. Quicken Loans

On December 23, 2008, HUD filed a Secretary-initiated complaint against Quicken Loans, Inc. HUD filed the complaint after reviewing Home Mortgage Disclosure Act (HMDA) data and finding evidence that suggests that the company discriminated against African-American and Hispanic applicants and borrowers. The complaint alleges that the company denied minority loan applicants at higher rates than similarly situated white loan applicants and charged higher fees to minority borrowers than similarly situated white borrowers.

Quicken Loans, Inc. operates seven home lending centers in Arizona, California, Michigan, and Ohio. It also has a mortgage website and can originate loans throughout the United States.

Secretary-Initiated Complaints Closed

Table 13 shows the outcomes of the six Secretary-initiated complaints closed in FY 2009.

Table 13: Secretary-Initiated Complaints Closed (FY 2009)

Outcome	Number of Complaints
Administrative Closure	4
Conciliation/Settlement	2

Source: FHEO Office of Systemic Investigations

The following section describes the outcomes of the two Secretary-initiated complaints that were conciliated in FY 2009.

Case Summaries of Secretary-Initiated Complaints Closed During FY 2009[10]

HUD v. Glendale Uptown Home, et al.

On October 15, 2008, HUD filed a Secretary-initiated complaint against the owners and administrator of Glendale Uptown Home, located in Philadelphia, alleging that the nursing and rehabilitation center discriminated on the basis of national origin. HUD filed the complaint after it learned that the administrator of the property was quoted in the news media as saying that the "240-bed nursing home has set aside one floor for the Russian unit and it currently has 40 residents." HUD conducted an investigation and found, among other things, that the property had created a "Russian wing" on the fourth floor of the property, which housed 80 percent of the Russian residents of the property. The "Russian wing" was geared toward Russians, featuring Russian food and Russian signs. The Fair Housing Council of Suburban Philadelphia conducted on-site tests of the property and found that when agents gave tours of the property, they showed the "Russian wing" on the fourth floor to Russians only.

On July 27, 2009, the parties entered into a conciliation agreement. Under the terms of the agreement, the respondents will develop and implement written policies that will ensure that all persons seeking admission to the property, transfer to another unit at the property, or who are currently housed at the property are assigned to rooms and floors regardless of their national origin, religion, or ability to speak English. The respondents also will ensure that activities and services provided at the property are provided without regard to national origin, religion, or ability to speak Russian. The respondents will inform the public that its property is operated in a nondiscriminatory manner through its advertising and by notifying hospitals, referral agencies, and religious institutions that the property accepts and places individuals without regard to national origin, religion, or ability to speak English. The respondents also agreed to attend fair housing training.

HUD v. Atlantic Realty Partners, Inc.

On October 10, 2008, HUD filed a Secretary-initiated complaint against Atlantic Realty Partners, Inc. HUD filed the complaint after Access Living of Metropolitan Chicago conducted telephone and on-site tests of The Reserve of Evanston, located in Evanston, Illinois, alleging that the rental agents at the apartment complex provided non-disabled persons with more information than disabled persons on the amenities of the complex

[10] This section only describes Secretary-Initiated complaints that were closed through conciliation during FY 2009.

and any special promotions such as a month of free rent or reduced rental rates. The complaint also alleged that the leasing office of the complex was not accessible to persons with disabilities.

On July 14, 2009, the parties entered into a conciliation agreement. Under the terms of the agreement, the respondent will implement a special rent incentive program to attract disabled applicants. The respondent will fund this program at $10,000. After the program expires, the respondent will donate the leftover funds, if any, to a disability rights organization.

The respondent will also make modifications to its leasing office so that it is accessible to persons with disabilities. These modifications will include the installation of a ramp and an electronic door opener and the creation of a designated accessible parking space. Additionally, the respondent will require all of its rental agents employed at the apartment complex to undergo fair housing training.

Complainant Testimonials

The place we call home is usually a haven of comfort and peace of mind. For Carlos Garcia Guillen and Sonia Velez Aviles, a married couple who live in Astralis Condominiums located in Carolina, Puerto Rico, "home" became a source of frustration and humiliation. Both Mr. Garcia and Ms. Velez have physical disabilities and use various ambulatory devices to help them walk and move around.

Because of their condition, the couple found that they needed parking spaces that were closer to their unit and that had access aisles to make it easier to get in and out of their cars. The couple requested that the condominium association reserve two accessible parking spaces for their use, in exchange for the two spaces they had. The couple provided the board with medical documentation supporting their request. The condominium association approved their request, but a few weeks later a new board was elected, and the new board sent the couple a letter telling them to stop using the parking spaces.

Whenever the couple parked in the accessible spaces, the board drew unwanted attention to them by having parking stickers placed on the side windows of their cars. Having to scrape the stickers from their vehicles only added to the humiliation. Ms. Velez said that she felt "a lot of shame because the entire neighborhood was seeing that spectacle."

The board also filed a complaint in court seeking a cease and desist order preventing the couple from using the accessible parking spaces and made a series of disparaging remarks about them in public. The couple stated that they felt that their peace and tranquility were all "destroyed by the multiple actions taken against us."

In October 2007, Mr. Garcia and Ms. Velez filed a housing discrimination complaint with HUD. After conducting an investigation, HUD issued a charge of discrimination against Astralis Condominium Association. In February 2009, an administrative law judge (ALJ) heard their case. The ALJ determined that the association violated the Fair Housing Act by denying the residents' request to use available accessible parking spaces near their unit. The ALJ ordered the Astralis Condominium Association to allow Mr. Garcia and Ms. Velez to use the accessible parking spaces. The ALJ also ordered the condominium association to pay $25,000 in damages to the couple and a $10,000 civil penalty to the United States.

The couple said because of HUD, they "feel that they are not alone" and that it is important that other people with disabilities know their fair housing rights and that they can go to HUD and get help.

Complainant Testimonials

Jennifer Keyser is an army wife who understands what it means to sacrifice. Mrs. Keyser never thought that her family would have to sacrifice a place to live merely because their daughter was under the age of 18. When Mrs. Keyser was looking for an apartment in Jackson, Mississippi, a local real estate service told her that it did not rent its apartments to families with children, but that she could rent one of its single family homes instead.

Mrs. Keyser said, “I knew they should not be doing this because I had seen fair housing posters before that said this was illegal. When I was told we could not rent the apartment because of my daughter, I felt like I had been slapped in the face.”

Mrs. Keyser filed a housing discrimination complaint with HUD. HUD conducted an investigation and found evidence that the real estate service had a policy of exclusively renting their apartments to medical students, law students, architecture students, and graduate students. The real estate service even implemented a noise policy to ensure that the students were not disturbed while studying. In response to the noise policy, the Keysers stated, “We have a really good girl and she wasn t even given a chance to prove herself; I think it was just assumed that she would be a nuisance because she was a minor.”

HUD conciliated the complaint between the Keysers and the real estate service, whereby the owner of the real estate service agreed to pay $2,000 to the Keysers and $1,667 each to three nonprofit organizations on their behalf: Housing Education and Economic Development (HEED), Mississippi Center for Legal Services, and the University of Southern Mississippi Institute for Disability Studies.

Mrs. Keyser said, “I was very happy that the agreement provided that the housing provider would give money to private nonprofit fair housing organizations to conduct education and outreach about fair housing laws.” The Keysers felt that this would help ensure that other people do not suffer discrimination.

Additionally the owner of the real estate service agreed to advertise that the real estate service complies with federal fair housing laws and undergo fair housing training. He also will submit quarterly reports to HUD on the familial status of applicants and tenants of his property for a period of 2 years.

The Keysers stated that they were very satisfied with the outcome of their complaint. Mrs. Keyser said, “My family received some monetary compensation that we used to pay our daughter’s school tuition and some community housing organizations benefited.”

She concluded, “It really helped me to know that someone could not just get away with breaking the law. I think that happens too often and it contributes to frustration with the system and feelings of powerlessness and hopelessness. This time something was done about it and someone who broke the law learned a lesson. I would certainly file a complaint again if I was discriminated against.”

Complainant Testimonials

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Mr. Figueroa Torres has begun working toward a Master's degree in health administration, enjoying the greater freedom he has to come and go easily from his home. Mrs. Figueroa Torres says she can now concentrate on her job, without worrying about how her husband is managing. When asked to describe the difference moving into appropriate housing has made, Mr. Figueroa Torres said, "I don't feel denigrated and ashamed anymore. My self esteem and self respect have returned."

Complainant Testimonials

Nicholas Valenzuela, a resident of Louisville, Kentucky, was interested in purchasing renters' insurance. Mr. Valenzuela searched the Internet and came across the website of GuideOne Mutual Insurance Company. Mr. Valenzuela noticed that GuideOne's website advertised homeowners' and renters' insurance policies with "special benefits and exclusive discounts" for "churchgoers" and "persons of faith." The GuideOne website also referred him to an independent insurance agent in his area.

Mr. Valenzuela contacted the agent, who provided him with a quote for a GuideOne renters' insurance policy. Mr. Valenzuela noticed that the policy included an endorsement called FaithGuard at no additional charge. The FaithGuard endorsement provided enhanced protections for churchgoers, such as paying church tithes up to $750 if the insured suffers a loss of income from a disability caused by an accident that occurs at the insured's residence.

Mr. Valenzuela said that he felt "anger and resentment" when he realized that the insurance company was offering special benefits to religious persons that he could not take advantage of because he is agnostic. Mr. Valenzuela decided not to purchase the GuideOne policy because he felt that his premium would be used to subsidize benefits that he could not take advantage of because he was not a churchgoer.

On December 28, 2006, Mr. Valenzuela filed a housing discrimination complaint with HUD. Around the same time, the Lexington Fair Housing Council filed a similar complaint with HUD. HUD conducted an investigation and found that GuideOne offered the FaithGuard endorsement in at least 19 states and used an application form that included a space for applicants to indicate their "denomination." The investigation also found that the benefits of the FaithGuard endorsement were not available to policyholders who suffered a covered loss or disability while engaged in similar activities that were not related to a church or religious activity, or who were not churchgoers. HUD issued a charge of discrimination, and after one of the complainants elected to have the case heard in federal court, the case was referred to DOJ.

On September 18, 2009, the parties agreed to settle the case. Under the settlement, GuideOne and two independent agents will pay $7,000 to Mr. Valenzuela, $5,500 to another complainant, and $17,000 to the Lexington Fair Housing Council. The defendants must also pay an additional $45,000 to the government as a civil penalty. The settlement also requires GuideOne to stop selling homeowners and renters insurance policies with the FaithGuard endorsement and to train its insurance agents on their responsibilities under the Fair Housing Act. The consent decree was entered by the court on October 1,2009.

Mr. Valenzuela stated that he is satisfied with the outcome of the complaint because it "ensures that no one else will be subjected to the same type of unlawful discrimination that I suffered from."

The Lexington Fair Housing Council stated that it is "pleased with the work that HUD did in this case" and that it believes "that this case has sent a message to insurance companies and housing providers throughout the country that they cannot use religion as a basis for marketing their services."

The Fair Housing Initiatives Program

The Fair Housing Initiatives Program (FHIP) was created to increase compliance with the Fair Housing Act and substantially equivalent state and local fair housing laws through private enforcement and educational activities. FHIP funds are used to establish a network of experienced fair housing enforcement organizations throughout the country and to educate the public and housing industry about their rights and responsibilities under the Fair Housing Act. Congress established FHIP under Section 561 of the Housing and Community Development Act of 1987. The implementing regulations are found at 24 CFR part 125.

FHIP consists of the following three funding initiatives: (1) Private Enforcement Initiative (PEI), (2) Education and Outreach Initiative (EOI), and (3) Fair Housing Organizations Initiative (FHOI). HUD makes most FHIP funds available competitively, through notices of funding availability (NOFAs) or requests for proposals (RFPs). Appendix D contains a summary of the FY 2009 FHIP grant awards.

Private Enforcement Initiative (PEI)

PEI provides funding to private, tax-exempt fair housing enforcement organizations for the investigation of housing discrimination complaints and the administrative or judicial enforcement of federal, state, or local fair housing laws. PEI recipients conduct intake, investigation, mediation, and litigation of housing discrimination complaints and perform tests of the housing, lending, and insurance markets.

In FY 2009, HUD solicited PEI applications under the General Component (PEI-GC), the Performance-Based Funding Component (PEI-PBC), and the Mortgage Rescue Component (PEI-MRC). PEI-GC provides 12- to 18-month grants of up to $275,000 to fair housing enforcement organizations that meet certain requirements related to the length and quality of their fair housing enforcement experience. The purpose of PEI-PBC is to provide exceptional fair housing enforcement organizations with the necessary funding to conduct systemic investigations that span multiple fiscal years. PEI-PBC provides 36-month grants of up to $825,000 ($275,000/year) to fair housing enforcement organizations that meet certain requirements related to the length and quality of their fair housing enforcement experience and have performed well in their use of previously awarded PEI grants.

The Omnibus Appropriations Act of 2009 provided $2 million under FHIP for activities to protect the public from mortgage rescue scams. To help make these funds available, HUD created two new funding components, one of which is the PEI-MRC. PEI-MRC provides grants to fair housing enforcement organizations or nonprofit organizations to conduct fair lending enforcement and assist persons who may have been victims of mortgage rescue scams. These activities will be conducted during a 12- to 18-month period. These activities will include: (1) conducting intake and investigation of lending discrimination complaints and providing support for administrative and judicial enforcement of the Fair Housing Act; (2) investigating possible violations and taking enforcement actions pursuant to the Equal Credit Opportunity Act and other fair lending statutes when they accompany a suspected Fair Housing Act violation; (3) assisting clients with loan modifications, loan workouts, or refinancing that are necessary as the result of fraudulent or predatory mortgage rescue scams that targeted persons or neighborhoods on a prohibited basis under the Fair Housing Act; and (4) providing education and counseling to persons who may have encountered discrimination in mortgage rescue or foreclosure activities. Grants were made available for up to $1 million.

In FY 2009, HUD awarded 79 PEI grants totaling $21,099,997.20. There were 29 PEI-GC awards totaling $7,307,538.20; 48 PEI-PBC awards totaling $12,792,459; and two PEI-MRC grants totaling $1 million.

Education and Outreach Initiative (EOI)

EOI provides funding to develop, implement, carry out, and coordinate education and outreach programs that inform the public about their rights and responsibilities under federal, state, and local fair housing laws. These activities may include, but are not limited to, developing brochures and other printed materials, producing public service announcements, creating websites, and conducting training. All EOI grantees are required to have a procedure for referring possible fair housing violations to HUD.

In FY 2009, HUD solicited EOI applications under the General Component (EOI-GC) and the National Media Component (EOI-NMC). EOI-GC provides grants to public, private, or nonprofit organizations to conduct fair housing education and outreach activities during a period of 12 to 18 months. Grants were available for up to $100,000.

The EOI-NMC provides grants to fair housing enforcement organizations or other nonprofit organizations that have significant experience in the areas of advertising or public relations. The purpose of the grant is to develop and implement a national fair housing media campaign for a period of 12 to 18 months. The campaign may use a variety of electronic and printed media, including, but not limited to, television, radio, the Internet, newspapers, brochures, and posters. The campaign may also include conferences, seminars, and other events. Grants were available for up to $1 million.

In FY 2009, HUD awarded 24 EOI grants totaling $3,100,000. There were 22 EOI-GC awards totaling $2,100,000 and two EOI-NMC grants totaling $1,000,000.

Fair Housing Organizations Initiative (FHOI)

FHOI provides funding to help establish new fair housing enforcement organizations or build the capacity of existing organizations to conduct fair housing enforcement activities. These activities include investigating, mediating, and litigating housing discrimination complaints, as well as testing housing providers for unlawful discrimination.

In FY 2009, HUD solicited FHOI applications under the Continued Development General Component (FHOI-CDC), the Establishing New Organizations Component (FHOI-ENC), and the Continued Development Mortgage Rescue Scams Component (FHOI-MRC). FHOI-CDC provides grants to fair housing organizations or other nonprofit organizations to help them build their capacity to provide fair housing enforcement. Grants were available for up to $500,000 for a 12-18 month period.

FHOI-ENC awarded a grant to a fair housing organization or other nonprofit organization to help establish a new fair housing enforcement organization in an underserved area of the country. At the end of the grant period, the new organization will be able to conduct fair housing activities, including investigating, mediating, and litigating housing discrimination complaints, as well as testing housing providers for unlawful discrimination. The grant was available for $600,000 for a 12- to 18-month period.

The Omnibus Appropriations Act of 2009 provided $2 million under FHIP for activities to protect the public from mortgage rescue scams. To make these funds available, HUD is adding two components, one of which is the FHOI-MRC. FHOI-MRC provides grants to fair housing enforcement organizations or nonprofit

organizations that have at least 3 years of experience providing assistance to victims of fraud and lending abuse (e.g., through counseling or loan workouts) to build their capacity to take enforcement action against fraudulent or predatory mortgage rescue scams that violate both the Fair Housing Act and other fair lending or equal opportunity statutes. Additionally, applicants may propose to provide education, training, technical assistance, and other services to enhance the capability of existing organizations to investigate and enforce fair lending laws.

In FY 2009, HUD awarded eight FHOI grants totaling $2,100,000. There were two FHOI-CDC awards totaling $500,000, one FHOI-ENC grant at $599,900, and five FHOI-MRC grants totaling $1,000,100.

FHIP Grant Awards

Table 14: FHIP NOFA Awards (FY 2006-FY 2009)

	FY2006	FY2007	FY2008	FY2009
PEI	54	55	78	79
EOI	48	33	15	24
FHOI	0	0	0	8
Total	102	88	93	111

Table 15: Funds Distributed through the FHIP NOFA (FY 2006-FY 2009)

	FY2006	FY2007	FY2008	FY2009
PEI	$13,900,000	$14,000,000	$20,000,000	$21,000,000
EOI	$4,200,000	$4,100,000	$2,800,000	$3,100,000
FHOI	$0	$0	$0	$2,100,000
Total	$18,100,000	$18,100,000	$22,800,000	$26,300,000

Our FHIP Grantees Speak…

Fair Housing Council of Suburban Philadelphia

James Berry, Executive Director, Fair Housing Council of Suburban Philadelphia

"The Fair Housing Council of Suburban Philadelphia (FHCSP), the nation's oldest fair housing agency, has worked since 1956 to educate and advocate for equal access to quality, affordable housing. FHCSP's service area covers the City of Philadelphia and Bucks, Chester, Delaware and Montgomery counties. FHCSP has ended discriminatory practices at 46,783 housing units in the Philadelphia region, opening them to members of the protected classes, and has recovered $1,532,212 for housing discrimination victims."

"Without FHIP resources, a major gap in services supporting the fair housing rights of tens of thousands would result and the region would foster racial and income segregation, thus limiting the 'geography of opportunity' for low-income, minority, and immigrant groups seeking to move to communities of their choice and improve their quality of life."

Fair Housing of the Dakotas

Kourtney Hollingsworth (right), Executive Director, and staff member, Fair Housing of the Dakotas

"The mission of the Fair Housing of the Dakotas is to work to eliminate housing discrimination and to ensure equal housing opportunities for all…We are extremely appreciative of the receipt of any funds, and because of the FHIP funding we have been able to continue with our mission. To date in 2009 under the HUD grant, the Fair Housing of the Dakotas has received 1,787 calls, inquiries, requests, and/or allegations (almost 200 more than 2008). Out of the above, the Fair Housing of the Dakotas has received a total of 252 discriminatory allegations (almost double that of 2008). We have distributed 6,741 publications, and conducted mailings on fair housing rights to 15 underserved communities reaching 4,266 households…We currently are active in litigation in 11 different fair housing cases. "

Toledo Fair Housing Center

The staff of the Toledo Fair Housing Center

"In 1975, the Toledo Fair Housing Center (FHC) was founded on the principles of community, tolerance and justice. Over the past 34 years, the Center has served Northwest Ohio by investigating over 10,000 complaints and has recovered nearly $28 million dollars in damages, while setting national precedents in the enforcement of fair housing laws and expanding housing opportunities for millions of Americans. FHC has received 19 awards through the Fair Housing Initiatives Program (FHIP) and is wrapping up the final year of the first 3-year performance based FHIP ever awarded by HUD…During the current 3-year FHIP grant, FHC has received 1,269 nonsystemic complaints and 78 systemic complaints."

Fair Housing Council of Oregon, FHIP Grantee

The Fair Housing Council of Oregon (FHCO), a HUD FHIP grantee, is a nonprofit civil rights organization serving Oregon and southwest Washington. They promote equal access to housing by providing education, outreach, technical assistance, and enforcement services specifically related to federal, state, and local fair housing laws.

Traditional Japanese timber gates strung with metal "internee ID tags" were displayed at the Portland Expo Center to raise awareness of the detainment of Japanese Americans during World War II

Poet Maya Angelou once said, "History, despite its wrenching pain, cannot be unlived, but if faced with courage, need not be lived again." In Portland, the Fair Housing Council of Oregon courageously revisits the city's and state's painful history of discrimination and segregation with a guided bus tour titled, "Fasten Your Seat Belts—It's Been a Bumpy Ride."

FHCO's bus tour is an innovative outreach effort capturing Portland's progress addressing the impact of discrimination over the years. The bus tour usually serves students, housing providers, civil rights advocates, and low-income tenants, but tours are available to any group interested in understanding Portland's struggle with civil rights. The stops made and stories told on the 2 ½-hour trip include the ghosts of lost ethnic communities, the prominence of the Ku Klux Klan, and references to blatantly racist state laws, historic redline areas, and recent case law. The tour concludes with a conversation on the current state of housing discrimination.

The tour features presentations by local experts who experienced pivotal moments in the community's history. At the Portland Expo Center, the site of the 1942 Portland Assembly Center, artist Valerie Otani tells the story of the Japanese Oregonians who were detained during World War II for more than 4 months before being forcibly relocated from Oregon. Ms. Otani designed traditional Japanese timber gates (pictured above) strung with metal "internee ID tags" at the site, one tag for each of the 3,700 Japanese detainees held there. She incorporated hateful vintage news articles etched in steel and wrapped them around the gate legs in tribute to the detainees that experienced that injustice at the Expo Center many years ago.

Many people associate Oregon with a progressive political culture and are unaware of the state's veiled history of discrimination. After a recent tour a student from George Fox College commented, "This was an amazing day full of new information and insights. It was utterly fascinating; so much better than a slideshow or film."

This innovative bus tour goes a long way to increase public awareness of the history of housing discrimination and the need for federal, state, and local fair housing laws.

Oversight of Recipients of HUD Funds

HUD monitors state and local government agencies and private entities that receive HUD funds to ensure that they comply with civil rights statutes and civil rights-related program requirements. HUD reviews the programs by: (1) investigating complaints alleging discrimination by a HUD-funded agency and (2) conducting compliance reviews of recipients. HUD also monitors HUD-funded recipients to determine their performance under the civil rights-related program requirements of HUD's Office of Community Planning and Development, Office of Public and Indian Housing, and Office of Housing.

The following statutes and executive orders prohibit HUD-funded agencies from engaging in discrimination:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Section 109 of the Housing and Community Development Act of 1974
- Section 282 of the Cranston-Gonzalez National Affordable Housing Act
- Age Discrimination Act of 1975
- Title II of the Americans with Disabilities Act of 1990
- Title IX of the Education Amendments Act of 1972
- Executive Order 11063
- Executive Order 11246

Complaints Against Recipients of HUD Funds

When someone files a discrimination complaint against a recipient of HUD funds, HUD investigates the complaint to determine whether the recipient violated civil rights laws or civil-rights related program requirements. At the conclusion of the investigation, HUD issues written findings of its investigation. Typically, HUD issues a Letter of Findings to the recipient and to the complainant. The Letter of Findings contains the findings of fact and any findings of noncompliance, along with a description of an appropriate remedy. In Section 109 and Section 504 complaint investigations, the Letter of Findings also includes a notice of the right of the recipient or the complainant to request a review of the Letter of Findings.

When HUD makes a determination of noncompliance, HUD encourages a resolution of the matter through informal means. The typical method used to informally resolve complaints is the Voluntary Compliance Agreement (VCA), which details the steps the recipient must take to correct civil rights and other related violations set out in the Letter of Findings. If the recipient refuses to informally resolve the matter, HUD can take appropriate action to effect compliance, including, but not limited to, suspension or debarment proceedings under 2 CFR 2424, suspension or termination of existing federal funds or refusal to grant future federal financial assistance to the recipient (but only after an administrative hearing), or referral of the matter to DOJ with a recommendation for appropriate enforcement action.

Table 16 shows the number of complaints received in FY 2009 that alleged discrimination by a recipient of HUD funds and the civil rights law that was allegedly violated. The table also shows the number of investigations closed during the fiscal year and the number that remained open at the end of the fiscal year. These numbers include investigations of complaints that were filed in FY 2009 or in previous fiscal years.

Table 16: Complaints Against Recipients of HUD Funds (FY 2009)

	Title VI	Title IX	Section 504	Section 109	Title II of ADA	Age Discrimination	Total
Complaints Filed	648	0	955	27	313	6	1,949
Investigations Closed	375	0	657	23	225	4	1,284
Investigations Open at the End of FY 2009	1,706	1	2,197	211	779	17	4,910

Source: TEAPOTS

Compliance Reviews of Recipients of HUD Funds

HUD conducts compliance reviews to determine whether a recipient of HUD funds is in compliance with applicable civil rights laws and their implementing regulations. HUD undertakes compliance reviews based on criteria established by HUD. HUD initiates most compliance reviews based on risk analyses, issues raised during a limited monitoring review, or when a civil rights problem is detected through HUD program monitoring.

After a review to assess whether the recipient of HUD funds has complied with civil rights laws, HUD issues written findings of its review. Typically, HUD issues a Letter of Findings to the recipient. A Letter of Findings contains the findings of fact and any findings of noncompliance, along with a description of an appropriate remedy.

When HUD makes a determination of noncompliance, HUD encourages a resolution of the matter through informal means. The typical method used to informally resolve a finding of noncompliance is a Voluntary Compliance Agreement (VCA), which details the steps the recipient must take to correct the civil rights and other related violations set out in the Letter of Findings. If the recipient refuses to informally resolve the matter, HUD can take appropriate action to effect compliance, including, but not limited to, suspension or debarment proceedings under 2 CFR 2424, suspension or termination of existing federal funds or refusal to grant future federal financial assistance to the recipient (but only after an administrative hearing), or referral of the matter to DOJ with a recommendation for appropriate enforcement action.

Table 17 shows the number of compliance reviews that were initiated in FY 2009 and the civil rights law under which they were conducted. The table also shows the number of compliance reviews that were closed during the fiscal year and the number that remained open at the end of the fiscal year. These numbers include compliance reviews that were initiated in FY 2009 or in previous fiscal years.

Table 17: Compliance Reviews of Recipients of HUD Funds (FY 2009)

	Title VI	Title IX	Section 504	Section 109	Title II of ADA	Age Discrimination	Total
Compliance Reviews Initiated	51	0	68	8	10	0	137
Compliance Reviews Closed	37	0	46	7	0	0	90
Compliance Reviews Open at the End of FY 2009	167	0	231	25	37	1	461

Source: TEAPOTS

Section 3 of the Housing and Urban Development Act of 1968

HUD has always been at the forefront of creating housing opportunities for residents of distressed communities. In fact, just about every community across the country has benefited from HUD-funded housing rehabilitation, infrastructure improvements, and the development of public facilities such as community centers, parks, and libraries.

HUD funds, however, don't merely improve the "bricks and mortar" of communities; they create economic opportunities and promote self-sufficiency for residents of the communities where they are spent.

The words "equal opportunity" in HUD's Office of Fair Housing and Equal Opportunity speaks to HUD's role in promoting economic opportunities through administering and enforcing the requirements of Section 3 of the Housing and Urban Development Act of 1968. While familiarity with Section 3 is not as prevalent as Title VIII of the Civil Rights Act, the Obama Administration is determined to change that.

Section 3 recognizes that the normal usage of HUD funds typically results in new employment, training, and contracting opportunities and ensures that when these economic opportunities are created, low- and very low-income residents of the community where the funds are spent, as well as the businesses that substantially employ these persons, receive preference. Section 3 covered projects typically involve the construction, demolition, or rehabilitation of housing (including reduction of lead-based paint hazards), and other public construction such as community centers, street repairs, sewage line repairs, or installation.

Section 3 does not require recipients of covered funding to use their HUD funding to create employment, training, or contracting opportunities beyond those that are necessary to complete covered projects/activities. Instead, the requirements are triggered only when new economic opportunities are generated as a result of normal activities.

Preference provided under Section 3 differs from other initiatives that target minority- and women-owned businesses because this preference is based on income and location. Essentially, Section 3 ensures that residents of the community with the greatest economic needs, regardless of race or gender, have the opportunity to benefit from the expenditure of HUD funds in their neighborhoods.

Section 3 creates a multiplier effect for HUD's investment in local economies in the form of wages to residents, contracts to businesses that are owned by or employ them, and sales revenue for those in the community that provide needed services.

Section 3 applies to all public housing authorities (PHAs), with the exception of Section 8-only PHAs, and to all contractors that receive awards from PHAs—regardless of the dollar amount. The requirements also apply to direct recipients of more than $200,000 of Housing and Community Development assistance and to contractors that receive awards in excess of $100,000 from those entities.

Recipients of Section 3 covered funding may include: PHAs; tribally designated housing entities; units of state, county, and local government; other public bodies; private nonprofit organizations; private agencies or institutions; mortgagors; developers; limited dividend sponsors; builders; property managers; community housing development organizations; resident management corporations; resident councils; or cooperative associations.

Some forms of Section 3 covered assistance include: Public Housing Operations, Capital, and Modernization funding (including project-based vouchers); as well as Community Development Block Grants, HOME Investment Partnerships Grants, Emergency Shelter Grants, and other housing and community development funding that is expended for work arising in connection with housing rehabilitation, housing construction, or other public construction projects.

Additionally, certain competitive funds under HUD NOFAs are also subject to the requirements of Section 3. The following is a list of some of the Section 3-covered competitive funding:

- HOPE VI Revitalization Grants
- 202 Supportive Housing for the Elderly
- 811 Supportive Housing for the Disabled
- Economic Development Initiative (EDI) Grants
- Brownfields Economic Development Initiative (BEDI) Grants
- Housing Opportunities for Persons with AIDS (HOPWA)
- Lead Hazard Control Grants

Recipients of Section 3-covered financial assistance are required to ensure compliance in their own operations and those of their subrecipients, contractors, and subcontractors. These responsibilities include:

- Designing and implementing procedures to comply with the requirements of the regulation;
- Notifying Section 3 residents about employment and training opportunities and Section 3 business concerns about contracting opportunities ;
- Notifying covered contractors about their Section 3 responsibilities;
- Facilitating the training and employment of Section 3 residents and the award of contracts to Section 3 business concerns, as appropriate to meet the minimum numerical goals;
- Incorporating the Section 3 clause into covered solicitations and contracts;
- Assisting and actively cooperating with HUD in obtaining the compliance of contractors;
- Refraining from entering into contracts with any contractors that fail to comply with Section 3; and
- Submitting Section 3 annual reports in accordance with the regulation.

Section 3 Facts

Section 3 residents are:

- Public housing residents; or
- Low- or very low-income persons living in the metropolitan area or nonmetropolitan county in which the Section 3-covered assistance is expended.

Section 3 business concerns are businesses that provide evidence that they meet one of the following:

- 51 percent or more owned by Section 3 residents; or
- At least 30 percent of its full-time employees include current Section 3 residents, or residents who were considered Section 3 residents within 3 years of the date of first employment with the business concern; or
- Have a commitment to subcontract more than 25 percent of the dollar award of all subcontracts to businesses that meet the qualifications above.

HUD sets minimum numerical goals for employment and contracting opportunities allowing recipients of HUD Section 3-covered financial assistance to demonstrate compliance.

The minimum goals for employment:

- 30 percent of the aggregate number of new hires shall be Section 3 residents annually—i.e., one out of 3 new employees needed to complete a Section 3-covered project/activity shall be a Section 3 resident.

The minimum goals for contracting are:

- 10 percent of the total dollar amount of all Section 3-covered contracts for building trades work for maintenance, repair, modernization, or development of public housing or building trades work arising in connection with housing rehabilitation, demolition, housing construction, and other public construction, shall be awarded to Section 3 businesses; and
- 3 percent of the total dollar amount of all non-construction Section 3-covered contracts shall be awarded to Section 3 businesses.

To effectively demonstrate efforts in achieving Section 3 minimum numerical goals, recipients of covered HUD funding must document actions taken to comply with the employment and contracting requirements of Section 3, the results of those actions, and impediments encountered. Recipient agencies should maintain records of job vacancies, solicitation for bids or proposals, selection materials, and contract documents (including scope of work and contract amount), in accordance with federal or state procurement laws and regulations.

Each recipient of Section 3-covered HUD financial assistance is required to submit an annual report to HUD for the purpose of determining the effectiveness of Section 3 (HUD form-60002). Section 3 summary reports are required even if the recipient agency did not undertake any activities that triggered the requirements.

Any Section 3 resident or business (or authorized representative) seeking employment, training, or contracting opportunities generated by Section 3-covered assistance may file a complaint using form HUD-958 with the appropriate HUD Regional Office in which the violation occurred. Section 3 complaints must be filed no later than 180 days from the date of the action or omission upon which the complaint is based. The Assistant Secretary for Fair Housing and Equal Opportunity may extend the complaint filing deadline for good cause shown, pursuant to 24 CFR 135.76(c)(1).

Section 3 Activities in FY 2009

Now, more than ever, Section 3 is uniquely positioned to promote economic opportunities as a result of the American Recovery and Reinvestment Act (Recovery Act). Approximately $10.1 billion of the $13.6 billion (74 percent) provided to HUD in the final version of the economic stimulus package is subject to the statutory and regulatory requirements of Section 3.

Section 3 also applies to HUD's Neighborhood Stabilization Program (NSP), whose purpose is to stabilize communities that have suffered from rampant foreclosures and abandonment. NSP grantees develop their own programs and funding priorities to purchase and redevelop foreclosed and abandoned homes. Grantees must apply at least 25 percent of the appropriated funds toward the purchase and redevelopment of abandoned or foreclosed homes or residential properties that will be used to house individuals or families whose incomes do not exceed 50 percent of the area median income. In addition, all activities funded by NSP must benefit low- and moderate-income persons whose income does not exceed 120 percent of area median income.

Section 3 is just one of many of HUD's tools for ensuring that federal funding in economically distressed communities provides economic opportunities to benefit not only the residents but the entire neighborhood. HUD provides guidance in creating economic opportunities in community development and housing programs that serve as a major conduit for funding to our nation's most disadvantaged neighborhoods.

In FY 2009, HUD began its long-term efforts to increase the effectiveness of Section 3. In previous years, the majority of Section 3 activities were "complaint-driven." However, in FY 2009, HUD began to primarily focus on Section 3 enforcement, monitoring, and technical assistance. This responsibility required HUD to develop procedures for reviewing Section 3 annual reports (form HUD-60002), create checklists and other tools for conducting compliance reviews, and publish relevant guidance on the Internet.

In order to increase the effectiveness of Section 3, HUD conducted more than 25 training sessions for recipient agencies. Some of the most notable conferences and training events that featured Section 3 were sponsored by the National Association of Housing and Redevelopment Officials, National Black Chamber of Commerce, National Council of State Housing Agencies, and the Public Housing Authorities Directors' Association.

In FY 2009, HUD provided on-site technical assistance to several recipient government agencies to ensure their compliance with the Section 3 requirements. Some of the jurisdictions that HUD visited include the cities of Houston, Texas; Atlanta, Georgia; Newark, New Jersey; Baltimore, Maryland; Indianapolis, Indiana; and New Orleans, Louisiana, and the state government of Louisiana. HUD also participated in dozens of local outreach and education events on Section 3.

Finally, HUD completed a major overhaul of its Section 3 webpage and established an email address devoted to Section 3 (Section3@hud.gov). The redesigned Section 3 webpage—http://www.hud.gov/section3—contains sample documents, best practices, links to the online reporting system, and other relevant tools for recipients and the general public. The Section 3 email address serves as a vehicle for recipients to ask technical questions, submit local training requests, and communicate various concerns to HUD.

Appendix A: Fair Housing Assistance Program (FHAP)

FHAP Agencies, by State, FY 2009

State	FHAP Agencies
Arizona	**State:** Arizona Attorney General's Office **Locality:** City of Phoenix Equal Opportunity Department
Arkansas	**State:** Arkansas Fair Housing Commission
California	**State:** California Department of Fair Employment and Housing
Colorado	**State:** Colorado Civil Rights Division
Connecticut	**State:** Connecticut Commission on Human Rights and Opportunities
Delaware	**State:** Delaware Division of Human Relations
District of Columbia	**State:** District of Columbia Office of Human Rights
Florida	**State:** Florida Commission on Human Rights **Localities:** Broward County Office of Equal Opportunity Hillsborough County Board of County Commissioners Jacksonville Human Rights Commission Lee County Office of Equal Opportunity Palm Beach County Office of Human Rights Pinellas County Office of Human Rights City of Tampa Office of Community Relations
Georgia	**State:** Georgia Commission on Equal Opportunity
Hawaii	**State:** Hawaii Civil Rights Commission
Illinois	**State:** Illinois Department of Human Rights **Locality:** Springfield Community Relations Commission
Indiana	**State:** Indiana Civil Rights Commission **Localities:** City of Evansville—Vanderburgh County Human Relations Commission Elkhart Human Relations Commission Fort Wayne Metropolitan Human Relations Commission Gary Human Relations Commission Hammond Human Relations Commission South Bend Human Relations Commission
Iowa	**State:** Iowa Civil Rights Commission **Localities:** Cedar Rapids Civil Rights Commission Davenport Civil Rights Commission Des Moines Human Rights Commission Dubuque Human Rights Commission Mason City Human Rights Commission Sioux City Human Rights Commission Waterloo Commission on Human Rights

Kansas	**Localities:**	Lawrence Human Relations Commission and Human Relations/Resources Department City of Olathe Office of Human Services Salina Human Relations Department City of Topeka Human Relations Commission
Kentucky	**State:** **Localities:**	Kentucky Commission on Human Rights Lexington-Fayette Urban County Human Rights Commission Louisville Metro Human Relations Commission
Louisiana	**State:**	Louisiana Public Protection Division
Maine	**State:**	Maine Human Rights Commission
Maryland	**State:**	Maryland Commission on Human Relations
Massachusetts	**State:** **Localities:**	Massachusetts Commission Against Discrimination Boston Fair Housing Commission Cambridge Human Rights Commission
Michigan	**State:**	Michigan Department of Civil Rights
Minnesota	**Locality:**	City of Duluth Human Rights Office
Missouri	**State:** **Localities:**	Missouri Commission on Human Rights Kansas City Human Relations Department St. Louis Civil Rights Enforcement Agency
Nebraska	**State:** **Localities:**	Nebraska Equal Opportunity Commission Lincoln Commission on Human Rights Omaha Human Relations Department
New Jersey	**State:**	New Jersey Division on Civil Rights
New York	**State:** **Localities:**	New York State Division of Human Rights Geneva Human Rights Commission Rockland County Commission on Human Rights Westchester County Human Rights Commission
North Carolina	**State:** **Localities:**	North Carolina Human Relations Commission City of Asheville Asheville/Buncombe County Community Relations Council Charlotte/Mecklenburg County Community Relations Committee Durham Human Relations Commission Greensboro Human Relations Department Orange County Department of Human Rights and Relations Winston-Salem Human Relations Commission
North Dakota	**State:**	North Dakota Department of Labor
Ohio	**State:** **Localities:**	Ohio Civil Rights Commission City of Canton Fair Housing Commission City of North Olmsted Department of Law Dayton Human Relations Council Parma Law Department Shaker Heights Fair Housing Review Board

Oklahoma	**State:**	Oklahoma Human Rights Commission
Oregon	**State:**	Oregon Bureau of Labor and Industries
Pennsylvania	**State:** **Localities:**	Pennsylvania Human Relations Commission Erie County Human Relations Commission Lancaster County Human Relations Commission Pittsburgh Human Relations Commission Reading Commission on Human Relations York City Human Relations Commission
Rhode Island	**State:**	Rhode Island Commission for Human Rights
South Carolina	**State:**	South Carolina Human Affairs Commission
Tennessee	**State:** **Locality:**	Tennessee Human Rights Commission City of Knoxville Department of Community Development
Texas	**State:** **Localities:**	Texas Workforce Commission Austin Human Rights Commission City of Corpus Christi Department of Human Relations City of Dallas Fair Housing Office Fort Worth Human Relations Commission Garland Office of Housing and Neighborhood Services
Utah	**State:**	Utah Anti-Discrimination Division
Vermont	**State:**	Vermont Human Rights Commission
Virginia	**State:** **Locality:**	Virginia Department of Professional and Occupational Regulation, Fair Housing Administration Fairfax County Human Rights Commission
Washington	**State:** **Localities:**	Washington State Human Rights Commission King County Office of Civil Rights Seattle Office for Civil Right Tacoma Human Rights and Human Services Department
West Virginia	**State:** **Localities:**	West Virginia Human Rights Commission Charleston Human Rights Commission Huntington Human Relations Commission

Appendix B: HUD and FHAP Complaints, by State (FY 2009)

HUD and FHAP Complaints, by State (FY 2009)

State	HUD	FHAP	Total
Alabama	126	N/A	126
Alaska	12	N/A	12
Arizona	8	231	239
Arkansas	4	106	110
California	205	903	1,108
Colorado	9	88	97
Connecticut	40	98	138
Delaware	0	20	20
District of Columbia	2	42	44
Florida	51	673	724
Georgia	19	181	200
Guam	1	N/A	1
Hawaii	26	40	66
Idaho	86	N/A	86
Illinois	30	340	370
Indiana	2	199	201
Iowa	30	169	199
Kansas	65	43	108
Kentucky	13	94	107
Louisiana	27	91	118
Maine	7	56	63
Maryland	3	77	80
Massachusetts	19	276	295
Michigan	70	427	497
Minnesota	97	4	101
Mississippi	68	N/A	68

Missouri	99	198	297
Montana	4	N/A	4
Nebraska	23	92	115
Nevada	92	N/A	92
New Hampshire	26	0	26
New Jersey	30	173	203
New Mexico	31	0	31
New York	46	850	896
North Carolina	18	165	183
North Dakota	0	56	56
Ohio	143	548	691
Oklahoma	13	88	101
Oregon	5	86	91
Pennsylvania	8	227	235
Puerto Rico	20	N/A	20
Rhode Island	6	55	61
South Carolina	32	69	101
South Dakota	21	N/A	21
Tennessee	29	140	169
Texas	255	762	1,017
Utah	0	45	45
Vermont	3	25	28
Virginia	10	148	158
Washington	26	219	245
West Virginia	4	60	64
Wisconsin	102	N/A	102
Wyoming	12	N/A	12
TOTAL	**2,077**	**8,165**	**10,242**

Appendix C: Fair Housing Initiatives Program

ALABAMA			
Birmingham	**Fair Housing Center of Northern Alabama**	**PEI-PBC**	**$275,000**
Fair Housing Center of Northern Alabama will conduct fair housing enforcement activities in 23 counties. These activities will include complaint intake, investigation, mediation, and referral services for persons who believe they have been victims of discrimination, and 300 tests for discrimination in housing, lending, and insurance transactions. Additionally, the organization will conduct fair housing education and outreach activities.			
Mobile	**Mobile Fair Housing Center, Inc.**	**PEI-PBC**	**$275,000**
Mobile Fair Housing Center, Inc., will conduct fair housing enforcement, education, and outreach activities in Mobile and six other counties. These activities will include complaint investigation and testing, and will focus on disability discrimination, including discrimination against disabled veterans. Mobile Fair Housing Center will partner with at least one faith-based or grassroots organization to conduct these activities.			
Montgomery	**Central Alabama Fair Housing Center**	**PEI-PBC**	**$274,000**
Central Alabama Fair Housing Center will conduct fair housing enforcement activities, including the investigation and mediation of housing discrimination complaints. The organization will focus its efforts on addressing discriminatory practices in home sales, rentals, and mortgage lending, as well as discrimination against persons with disabilities.			
ARIZONA			
Phoenix	**Arizona Fair Housing Center**	**EOI-GC**	**$100,000**
Arizona Fair Housing Center will conduct fair housing education and outreach activities in Arizona. The organization will use a variety of media to inform persons of their fair housing rights, particuarly racial and ethnic minorities, persons with limited English proficiency, and persons with disabilities. The organization also will provide fair housing training for housing providers, social services agencies, and grassroots and faith-based organizations.			
Phoenix	**Arizona Fair Housing Center**	**PEI-GC**	**$275,000**
Arizona Fair Housing Center will conduct fair housing enforcement activities, including the intake, investigation, mediation, and referral of housing discrimination complaints, and tests of housing providers for unlawful discrimination. The organization expects that it will receive 45 housing discrimination complaints, 15 of which will be referred to HUD; recruit and train 50 testers; and conduct 146 tests of housing providers for unlawful discrimination. In addition, the organization will conduct fair housing education and outreach activities targeted to the elderly, persons with disabilities, and persons with limited English proficiency.			
Tucson	**Southwest Fair Housing Council**	**PEI-PBC**	**$274,309**
Southwest Fair Housing Council will conduct an array of fair housing enforcement, education, and outreach activities throughout Arizona. These activities will include the intake, investigation, mediation, and referral of housing discrimination complaints. Southwest Fair Housing Council will collaborate with the Arizona State Attorney General's Office and the City of Phoenix's Department of Equal Opportunity, both FHAP agencies, to conduct these activities.			
CALIFORNIA			
Fresno	**Fair Housing Council of Central California**	**PEI-GC**	**$275,000**
The Fair Housing Council of Central California will conduct fair housing enforcement activities, including the intake, investigation, mediation, and referral of housing discrimination complaints. The Fair Housing Council of Central California also will use testing to detect subtle and sophisticated forms of housing discrimination, such as steering and other practices that perpetuate segregation. The organization expects that these activities will result in an increase in the number of enforcement actions that it takes on behalf of racial and ethnic minorities and persons with disabilities.			

Los Angeles	**Southern California Housing Rights Center**	**PEI-GC**	**$275,000**
The Southern California Housing Rights Center will provide fair housing enforcement services, including the investigation of housing discrimination complaints. The organization also will conduct systemic testing in areas where complaint statistics point to persistent housing discrimination based on race or familial status. The organization will communicate major findings through media sources. In addition, the organization will present workshops that inform and educate landlords and consumers on fair housing practices, including the topic of predatory lending.			
Napa	**Greater Napa Fair Housing Center**	**PEI-GC**	**$136,500**
Greater Napa Fair Housing Center will conduct fair housing enforcement activities, including the intake, investigation, mediation, and referral of housing discrimination complaints, and tests of housing providers for unlawful discrimination. The organization also will provide financial literacy information and referrals to fair lending attorneys. Greater Napa Fair Housing Center will collaborate with eight faith-based and grassroots agencies to market its services, particularly to persons with disabilities and Spanish-speaking persons.			
Oakland	**Bay Area Legal Aid**	**PEI-GC**	**$275,000**
Bay Area Legal Aid will address the fair housing needs of area residents. Bay Area Legal Aid will conduct fair housing enforcement, education, and outreach activities in five area counties, which will include investigating housing discrimination complaints, conducting testing, providing fair housing training for local governments and community organizations, and conducting fair housing presentations for the public. Bay Area Legal Aid will ensure that its services are accessible to persons with disabilities and persons with limited English proficiency.			
Oakland	**Housing and Economic Rights Advocates**	**FHOI-MRC**	**$131,916**
Housing and Economic Rights Advocates will implement a fair lending and foreclosure prevention project in Solano County, with an emphasis on the underserved populations of the two largest and most diverse cities in the county and the underserved rural and unincorporated areas of the county. Housing and Economic Rights Advocates will reach out to the elderly, disabled, immigrant, and minority populations in these areas. The organization expects to provide direct legal assistance to 50 victims of lending discrimination and mortgage rescue fraud and conduct fair lending legal training for attorneys.			
Redwood City	**Project Sentinel, Inc.**	**PEI-PBC**	**$273,787.67**
Project Sentinel, Inc., will work with grassroots agencies, legal service providers, and local units of government to affirmatively further fair housing on behalf of residents of San Francisco, San Mateo, Santa Clara, and Stanislaus counties, as well as the city of Fremont. The 36-month project will include four key components: complaint-based testing; systemic investigations of discrimination based on race, national origin, familial status, and disability; raising public awareness of fair housing Issues; and combating predatory and unfair lending practices.			
San Francisco	**California Rural Legal Assistance, Inc.**	**PEI-PBC**	**$275,000**
California Rural Legal Assistance, Inc., will conduct fair housing enforcement activities in three rural regions in the state of California—the California-Mexico border, the Central Valley, and the Salinas Valley-Central Coast. California Rural Legal Assistance will work with state and local governments, nonprofit service providers, and fair housing organizations to generate housing discrimination complaints from the immigrant and refugee populations, migrant farm workers, and persons with limited English proficiency. California Rural Legal Assistance also will conduct testing of housing providers for unlawful discrimination.			
San Francisco	**Pacific News Media**	**EOI-NMC**	**$500,000**
Pacific News Media will conduct a national fair housing awareness campaign, "Your Home, Your Rights." The campaign will target the cities, regions, and populations most impacted by discrimination, foreclosures, and predatory lending practices. The campaign will use a variety of media, including television and social-networking websites, and grassroots outreach efforts to inform persons of their fair housing and fair lending rights.			

San Rafael	**Fair Housing of Marin**	**EOI-GC**	**$100,000**
Fair Housing of Marin will conduct fair housing education and outreach activities in Alameda, Contra Costa, Marin, Mendocino, Solano, and Sonoma counties. These activities will include conducting workshops on a variety of topics, including home-seeking skills, predatory lending, and reasonable accommodations. Fair Housing of Marin also will distribute fair housing materials in multiple languages.			
San Rafael	**Fair Housing of Marin**	**PEI-PBC**	**$275,000**
Fair Housing of Marin will conduct fair housing enforcement activities in Contra Costa, Marin, Solano, and Sonoma counties. These activities will include the intake, investigation, mediation, and referral of housing discrimination complaints, and tests of housing providers for discriminatory practices.			
Santa Ana	**Orange County Fair Housing Council, Inc.**	**PEI-GC**	**$185,200**
Orange County Fair Housing Council, Inc., will conduct fair housing enforcement activities, including testing, to combat housing discrimination. The organization will focus on identifying steering by real estate agents and brokers, leasing agents, and home builders.			
Upland	**Inland Fair Housing and Mediation Board**	**PEI-PBC**	**$275,000**
Inland Fair Housing and Mediation Board will conduct fair housing enforcement activities in the city of Barstow and surrounding areas. These activities will include the intake, investigation, mediation, and referral of housing discrimination complaints. The organization will strengthen fair housing enforcement by collaborating with the Fair Housing Council of San Diego. In a joint effort, these organizations will conduct 100 tests per year in the Barstow and San Diego regions.			
CONNECTICUT			
Hartford	**Connecticut Fair Housing Center, Inc.**	**PEI-GC**	**$275,000**
The Connecticut Fair Housing Center, Inc., will provide fair housing enforcement services, including the intake, investigation, mediation, and referral of housing discrimination complaints. The organization also will conduct fair housing education and outreach activities and assist homeowners in foreclosure.			
DELAWARE			
Wilmington	**Community Legal Aid Society, Inc.**	**PEI-GC**	**$274,621**
Community Legal Aid Society, Inc., will conduct fair housing enforcement activities in the state of Delaware. These activities will include the intake, investigation, mediation, and referral of housing discrimination complaints, and tests of housing providers for unlawful discrimination. Additionally, Community Legal Aid Society will collaborate with the University of Delaware's Center for Community Research and Service to analyze testing data for evidence of steering by real estate brokers.			
Wilmington	**Delaware Community Reinvestment Action Council, Inc.**	**EOI-GC**	**$90,000**
Delaware Community Reinvestment Action Council, Inc., will coordinate symposia in each of Delaware's three counties on fair housing and fair lending topics. These symposia will educate the public on fair housing and foreclosure prevention. Delaware Community Reinvestment Action Council will refer housing discrimination complaints to HUD.			
DISTRICT OF COLUMBIA			
Washington	**Equal Rights Center**	**EOI-GC**	**$100,000**
Equal Rights Center will collaborate with national civil rights organizations, local agencies, advocacy groups, universities, service providers, and the religious community to conduct fair housing and disability rights presentations for the public. Equal Rights Center also will distribute educational materials on federal accessibility requirements to multifamily housing developers.			

Washington	Equal Rights Center	PEI-GC	$275,000
Equal Rights Center will conduct fair housing enforcement activities in the Washington, DC, metropolitan area. Equal Rights Center will investigate housing discrimination complaints, test rental properties for discrimination against families with children, and conduct in-person accessibility site surveys. The Center also will test rental properties for their willingness to grant reasonable accommodations and/or modifications for people who are blind or deaf and test lending institutions for racial discrimination.			
Washington	**Housing Counseling Services, Inc.**	**FHOI-MRC**	**$100,000**
Housing Counseling Services, Inc., will conduct counseling, education, and outreach activities to help consumers avoid mortgage rescue scams and other types of mortgage fraud. The organization also will identify patterns of discrimination in the foreclosure prevention process. These activities will target low- and moderate-income homeowners, as well as underserved communities such as the disabled, immigrants, and persons with limited English proficiency.			
Washington	**Lawyers' Committee for Civil Rights Under Law**	**FHOI-MRC**	**$155,079**
Lawyers' Committee for Civil Rights Under Law will team with Toledo Fair Housing Center and Housing Opportunities Made Equal of Virginia to implement a comprehensive investigation, training, and technical assistance project. The project is designed to strengthen the capacity of organizations that enforce fair lending laws and to provide advocacy and direct assistance to victims of lending discrimination or mortgage rescue scams. Project activities will include training and technical assistance to fair housing professionals in Ohio and Virginia and an investigation of mortgage scamming tactics in Ohio.			
Washington	**National Fair Housing Alliance**	**EOI-NMC**	**$500,000**
National Fair Housing Alliance (NFHA) will coordinate a national media campaign targeting those in need of mortgage assistance. The campaign will focus on issues relating to mortgage rescue scams and rental discrimination. NFHA will distribute the campaign using radio and print public service announcements, posters, movie theater advertisements, mall marketing, and online marketing initiatives.			
Washington	**National Fair Housing Alliance**	**FHOI-ENC**	**$599,900**
National Fair Housing Alliance (NFHA) will establish a new full-service nonprofit fair housing center in the Dallas-Fort Worth, Texas, metropolitan area. The Center will serve the 12 surrounding counties, seven of which are mostly rural. Its mission will be to eliminate housing discrimination and to ensure equal opportunity for all people, regardless of race, color, national origin, religion, sex, disability, familial status, or other characteristic protected under state or local law. At the end of the grant period, the Center will be able to conduct fair housing activities, including investigating, mediating, and litigating housing discrimination cases.			
Washington	**National Fair Housing Alliance**	**PEI-MRC**	**$871,961**
National Fair Housing Alliance (NFHA) will investigate and combat discriminatory and fraudulent mortgage practices. NFHA will examine companies accused of fraudulent mortgage practices to determine whether they engaged in racial and ethnic discrimination and will take enforcement action against these companies, when necessary. NFHA also will provide counseling to persons who may have been victims of lending discrimination and assist clients with loan modifications, loan workouts, or refinancing.			
FLORIDA			
Daytona Beach	**Community Legal Services of Mid-Florida, Inc.**	**PEI-GC**	**$275,000**
Community Legal Services of Mid-Florida, Inc., will conduct fair housing enforcement activities throughout central Florida. The organization will investigate housing discrimination complaints and operate a comprehensive testing program, which will include recruiting and training 30 testers. Additionally, the organization will distribute fair housing materials in selected languages and will conduct workshops targeted to populations who are vulnerable to discrimination, such as persons with disabilities.			

Jacksonville	**Jacksonville Area Legal Aid, Inc.**	**PEI-PBC**	**$274,751.66**
Jacksonville Area Legal Aid, Inc., (JALA) will provide fair housing enforcement services in several Florida counties. JALA will conduct complaint intake, investigation, mediation, and litigation of housing discrimination complaints. JALA also will conduct testing of housing providers for discriminatory practices. Additionally, JALA will conduct fair housing education and outreach activities.			
Melbourne	**Fair Housing Continuum, Inc.**	**PEI-GC**	**$275,000**
Fair Housing Continuum, Inc., will provide fair housing enforcement services with a special emphasis on three populations—homeless persons, immigrants, and persons with disabilities. These services will include the intake, investigation, mediation, and referral of housing discrimination complaints. Fair Housing Continuum will also inspect multifamily developments for compliance with federal accessibility requirements.			
Tampa	**Bay Area Legal Services, Inc.**	**PEI-PBC**	**$234,973.33**
Bay Area Legal Services, Inc., working with several local partners, will increase enforcement of and compliance with fair housing laws. The organization estimates that it will open 40 fair housing cases, recruit and train 15 new testers, and conduct 84 tests per year. The organization also will distribute fair housing materials to at least 35 groups annually. Bay Area Legal Services will make its services available to everyone, but will reach out to populations that are more likely to experience discrimination, including racial and ethnic minorities, immigrants, persons with limited English proficiency, and persons with disabilities.			
West Palm Beach	**Legal Aid Society of Palm Beach County, Inc.**	**EOI-GC**	**$100,000**
Legal Aid Society of Palm Beach County, Inc., will perform education and outreach activities in Palm Beach County. These activities will include four fair housing workshops for social service caseworkers, two educational sessions open to the public, the production and dissemination of fair housing materials in selected languages, and the production and dissemination of a quarterly newsletter for caseworkers and industry advocates.			
West Palm Beach	**Legal Aid Society of Palm Beach County, Inc.**	**PEI-GC**	**$230,784**
Legal Aid Society of Palm Beach County, Inc., will conduct fair housing enforcement activities, including intake, investigation, mediation, and litigation of housing discrimination complaints. The organization also will conduct testing of housing providers for discriminatory practices.			
GEORGIA			
East Point	**Metro Fair Housing Services, Inc.**	**PEI-PBC**	**$275,000**
Metro Fair Housing Services, Inc., will perform fair housing enforcement activities in four counties within the state of Georgia. The organization will conduct intake, investigation, mediation, and referral of housing discrimination complaints. The organization also will conduct testing of housing providers for discriminatory practices. Metro Fair Housing Services will partner with faith-based organizations to help deliver its services.			
HAWAII			
Honolulu	**Legal Aid Society of Hawaii**	**PEI-PBC**	**$275,000**
Legal Aid Society of Hawaii (LASH) will provide a full-service fair housing enforcement program. LASH will provide assistance to victims of housing discrimination through complaint intake, investigation, mediation, referrals, and litigation. LASH also will conduct complaint-based and systemic tests of housing providers to determine if they are engaging unlawful discrimination. Additionally, LASH will promote public awareness of fair housing laws through education and outreach to housing providers, social service providers, and other interested persons.			

IDAHO			
Boise	**Intermountain Fair Housing Council, Inc.**	**PEI-GC**	**$274,930**
Intermountain Fair Housing Council, Inc., (IFHC) is the only full-service fair housing enforcement organization in the state of Idaho. IFHC will conduct complaint intake, investigation, mediation, and referral and will test for rental, sales, lending, and insurance discrimination. IFHC also will conduct fair housing education and outreach using cable television and Spanish-language radio stations.			
ILLINOIS			
Chicago	**Access Living of Metropolitan Chicago**	**PEI-PBC**	**$275,000**
Access Living of Metropolitan Chicago will conduct a range of enforcement activities to address housing discrimination against persons with disabilities, including investigating housing discrimination complaints and conducting testing of housing providers for discriminatory practices. Access Living will file complaints and lawsuits, as appropriate. Access Living also plans to subcontract with Pilsen Alliance, a neighborhood grassroots organization, to promote fair housing in Chicago's Spanish-speaking and immigrant communities.			
Chicago	**John Marshall Law School**	**PEI-PBC**	**$274,958.33**
The John Marshall Law School's Fair Housing Legal Clinic will provide legal representation to victims of housing discrimination and, when necessary, conduct tests to determine whether discrimination has occurred. The Clinic expects that it will maintain an active caseload of approximately 40 to 45 cases a year.			
Homewood	**South Suburban Housing Center**	**PEI-PBC**	**$273,505**
South Suburban Housing Center (SSHC) will conduct fair housing enforcement activities. SSHC will intake, investigate, and mediate housing discrimination complaints. SSHC also will conduct a comprehensive testing program. The organization estimates that it will investigate 220 housing discrimination complaints, conduct 360 tests of housing providers for discriminatory practices, and conduct 60 inspections of multifamily housing for compliance with federal accessibility requirements. SSHC will file enforcement actions with HUD and will work with community organizations, including disability rights groups, to raise awareness of fair housing.			
Rockford	**Prairie State Legal Services, Inc.**	**EOI-GC**	**$100,000**
Prairie State Legal Service, Inc., will conduct fair housing education and outreach activities in 36 Illinois counties. The organization will provide seminars on fair housing laws, presentations on fair housing rights, and workshops on financial literacy. New curricular materials will be created and translated into Spanish.			
Waukegan	**SER Jobs for Progress, Inc.**	**PEI-GC**	**$127,588**
The Fair Housing Center of Lake County, a component of SER Jobs for Progress, Inc., will engage in fair housing enforcement, education, and outreach activities. These activities will include the intake and investigation of housing discrimination complaints and complaint-based and audit-based tests of housing providers for discriminatory practices. The organization also will conduct fair housing presentations and distribute fair housing informational materials. A Spanish-speaking employee will be available to assist Spanish-speaking clients.			
Wheaton	**HOPE Fair Housing Center**	**PEI-PBC**	**$274,490.66**
HOPE Fair Housing Center (HOPE) will provide a comprehensive fair housing enforcement program throughout the state of Illinois. HOPE will conduct complaint intake and investigation, as well as complaint-based and systemic testing of the housing market. The organization estimates that it will conduct a total of 1,000 tests, including 300 telephonic tests, to determine if housing providers are engaging in unlawful discrimination. HOPE also plans to conduct 30 investigations in six cities to uncover discrimination in the enforcement of housing codes. Additionally, HOPE will collaborate with 15 governmental agencies and community organizations to carry out fair housing education and outreach activities.			

Winnetka	**Interfaith Housing Center of the Northern Suburbs**	**PEI-GC**	**$200,000**
Interfaith Housing Center of the Northern Suburbs will provide fair housing enforcement services in Cook and Lake counties. The organization will conduct intake, investigation, mediation, and referral of housing discrimination complaints. The organization also will test housing providers for discriminatory practices.			
IOWA			
Des Moines	**Iowa Civil Rights Commission**	**EOI-GC**	**$93,536**
Iowa Civil Rights Commission (ICRC) is an anti-discrimination enforcement agency well known for its ability to successfully administer fair housing education and outreach programs. ICRC will work with grassroots and faith-based organizations to distribute fair housing educational materials and conduct fair housing training. The project expects to serve more than 350,000 people.			
KENTUCKY			
Lexington	**Lexington Fair Housing Council**	**PEI-PBC**	**$260,476.66**
Lexington Fair Housing Council (LFHC) will provide fair housing enforcement services, including complaint intake, investigation, mediation, testing, and referral. LFHC estimates that it will receive 240 housing discrimination complaints and conduct 660 tests of the sales and rental markets for discriminatory practices. LFHC will also conduct fair housing education and outreach activities, including providing fair housing classes to housing providers and maintaining a hotline to offer fair housing legal advice to the public.			
LOUISIANA			
New Orleans	**Desire Community Housing Corporation**	**EOI-GC**	**$100,000**
Desire Community Housing Corporation will conduct fair housing education and outreach activities in the New Orleans metropolitan area. These activities will include developing marketing strategies and materials, holding training sessions, and distributing fair housing brochures in a variety of languages throughout the target area.			
New Orleans	**Greater New Orleans Fair Housing Action Center, Inc.**	**PEI-GC**	**$275,000**
Greater New Orleans Fair Housing Action Center, Inc., will conduct an array of fair housing enforcement activities, including intake and investigation of housing discrimination complaints; recruitment and training of testers; and tests for housing, lending, and insurance discrimination. The Center also plans to appear on six local television and radio programs to discuss housing discrimination.			
MAINE			
Portland	**Pine Tree Legal Assistance, Inc.**	**PEI-GC**	**$232,395.72**
Pine Tree Legal Assistance, Inc., a full-service fair housing organization, will provide fair housing enforcement services, including complaint intake, investigation, and testing. Pine Tree Legal Assistance will focus its enforcement activities on discrimination against tenants and homeowners in mobile home communities. Additionally, the organization will conduct education and outreach activities designed to increase public awareness of fair housing and fair lending.			

MARYLAND			
Baltimore	**Baltimore Neighborhoods, Inc.**	**PEI-GC**	**$259,124**
Baltimore Neighborhoods, Inc., will conduct fair housing enforcement activities in the city of Baltimore and Anne Arundel, Baltimore, Carroll, Harford, and Howard counties. These activities will include the intake, investigation, mediation, and referral of housing discrimination complaints; tests of housing providers to determine if they are engaging in unlawful discrimination; and inspections of multifamily properties to determine if they are in compliance with federal accessibility requirements.			
MASSACHUSETTS			
Boston	**Fair Housing Center of Greater Boston**	**EOI-GC**	**$100,000**
Fair Housing Center of Greater Boston will conduct education and outreach activities in Essex, Middlesex, Norfolk, Plymouth, and Suffolk counties. These activities will include developing and disseminating fair housing educational materials and conducting fair housing workshops.			
Boston	**Fair Housing Center of Greater Boston**	**PEI-PBC**	**$274,750**
Fair Housing Center of Greater Boston will conduct fair housing enforcement activities, including intake and investigation of housing discrimination complaints; recruitment and training of testers; and tests for housing, lending, and insurance discrimination. Fair Housing Center of Greater Boston will file complaints with HUD, FHAP agencies, or federal or state courts.			
Holyoke	**Housing Discrimination Project**	**PEI-PBC**	**$275,000**
Housing Discrimination Project (HDP) will conduct fair housing enforcement activities in Berkshire, Franklin, Hampden, Hampshire, and Worcester counties. HDP will conduct intake and investigation of housing discrimination complaints; conduct tests for rental, sales, and insurance discrimination; and monitor housing advertisements for discriminatory language. HDP also will work with local governments and organizations to conduct workshops to educate home buyers on fair housing and fair lending issues. The workshops will be available to persons with disabilities and persons with limited English proficiency.			
Worcester	**Legal Assistance Corporation of Central Massachusetts**	**PEI-PBC**	**$237,933.33**
Legal Assistance Corporation of Central Massachusetts will provide fair housing enforcement services, including complaint intake, investigation, mediation, and referral, in Worcester County. The organization will litigate cases in administrative forums and state and federal courts. The organization also will conduct testing of housing providers to determine if they are engaging in unlawful discrimination.			
MICHIGAN			
Ann Arbor	**Fair Housing Center of Southeastern Michigan**	**PEI-PBC**	**$183,549**
Fair Housing Center of Southeastern Michigan will conduct fair housing enforcement activities in Ingham, Jackson, Lenawee, Livingston, Monroe, and Washtenaw counties. The Center will conduct intake and investigation of housing discrimination complaints, recruit and train testers, and test housing providers to determine if they are engaging in unlawful discrimination. The Center also will help persons with disabilities request reasonable accommodations or modifications.			
Detroit	**Fair Housing Center of Metropolitan Detroit**	**PEI-PBC**	**$180,740**
Fair Housing Center of Metropolitan Detroit will provide fair housing enforcement services, including intake, investigation, mediation, and referral of housing discrimination complaints. The Center also will file fair housing cases in federal or state court. The organization will recruit and train testers and plans to conduct approximately 165 tests of housing providers to determine if they are engaging in unlawful discrimination. In addition, the Center will conduct fair housing education and outreach activities.			

Flint	**Legal Services of Eastern Michigan**	**PEI-GC**	**$258,577**
Legal Services of Eastern Michigan (LSEM) will conduct fair housing enforcement activities in Bay, Genesee, Midland, and Saginaw counties. This area includes two cities with the highest levels of segregation in the state. LSEM will conduct complaint intake, investigation, mediation, and referral; recruit and train testers; and conduct complaint-based and systemic tests of the housing market. LSEM will partner with units of local government and minority-serving institutions to deliver fair housing services.			
Grand Rapids	**Fair Housing Center of West Michigan**	**PEI-PBC**	**$274,603.66**
Fair Housing Center of West Michigan will conduct fair housing enforcement activities in 11 west Michigan counties. These activities will include complaint intake, investigation, mediation, and referral; recruitment and training of testers; tests of housing providers for unlawful discrimination; and inspections of multifamily housing for compliance with federal accessibility requirements. The Center estimates that it will provide fair housing enforcement services to 360 clients. Additionally, the organization will partner with HUD and other government agencies, as well as faith- and community-based groups, to provide fair housing education and outreach to English and non-English speaking clients.			
Kalamazoo	**Fair Housing Center of Southwest Michigan**	**PEI-GC**	**$230,882**
Fair Housing Center of Southwest Michigan will conduct fair housing enforcement activities in southwest Michigan. These activities will include complaint intake and investigation, recruitment and training of testers, tests of the sales and rental markets for unlawful discrimination, and assisting persons with disabilities with requests for reasonable accommodations or modifications. The Center also will work with other organizations to remove regulatory barriers to affordable housing.			
MINNESOTA			
Minneapolis	**Legal Aid Society of Minneapolis**	**PEI-PBC**	**$275,000**
Legal Aid Society of Minneapolis will partner with Southern Minnesota Regional Legal Services to provide fair housing enforcement services in the Minneapolis/St. Paul area and 53 counties in southern and central Minnesota. Legal Aid Society of Minneapolis will conduct complaint intake, investigation, mediation, and referral for victims of housing discrimination. Additionally, the organization will provide technical assistance on fair housing laws to advocates and attorneys.			
MISSOURI			
Jefferson City	**Missouri Commission on Human Rights**	**EOI-GC**	**$97,500**
Missouri Commission on Human Rights' Show-Me Fair Housing Awareness Project will raise awareness of discriminatory lending practices. The project will be part of a coordinated grassroots effort to educate the populations that are most vulnerable to housing and lending discrimination. The Commission expects its comprehensive outreach campaign will educate 25,000 individuals on fair lending issues. The campaign will include media spots, newsletters, bilingual materials, newspaper articles, and radio public service announcements.			
St. Louis	**Metropolitan St. Louis Equal Housing Opportunity Council**	**PEI-PBC**	**$224,379**
Metropolitan St. Louis Equal Housing Opportunity Council is the only private, not-for-profit fair housing enforcement agency serving the St. Louis metropolitan area. The Council will conduct intake and investigation of housing discrimination complaints and tests of housing providers for unlawful discrimination. The Council will also conduct enforcement and education activities designed to increase the number of affordable housing units that are accessible to persons with disabilities in the eight-county region.			

NEBRASKA			
Chadron	**High Plains Community Development Corporation, Inc.**	**EOI-GC**	**$59,878**
High Plains Community Development Corporation, Inc., is the only comprehensive housing organization in western Nebraska. The organization will conduct fair housing education and outreach activities, including distributing informational materials on fair housing and mortgage rescue scams and participating in housing fairs and workshops. Additionally, the organization will work with municipal governments to remove barriers to affordable housing.			
Omaha	**Family Housing Advisory Services, Inc.**	**PEI-PBC**	**$275,000**
Family Housing Advisory Services, Inc., will provide fair housing enforcement services in Nebraska and western Iowa. Family Housing Advisory Services will conduct complaint intake at various locations, including shelters and faith- and community-based organizations; conduct tests for housing and lending discrimination; staff a 24-hour toll-free hotline; and maintain a fair housing website. The organization also will provide fair housing training to staff of community agencies.			
NEVADA			
Reno	**Silver State Fair Housing Council**	**PEI-PBC**	**$268,606**
Silver State Fair Housing Council will provide fair housing enforcement services through the state of Nevada. The Council will conduct intake, investigation, mediation, and referral of housing discrimination complaints; recruitment and training of testers; tests of the housing market for unlawful discrimination; and inspections of multifamily housing for compliance with federal accessibility requirements. The Council will also assist persons with disabilities with requests for reasonable accommodations or modifications. In addition, the Council plans to conduct 23 fair housing training sessions for attorneys, community advocates, design professionals, and housing providers and provide fair housing information through advertising and community outreach.			
NEW HAMPSHIRE			
Concord	**New Hampshire Legal Assistance**	**PEI-GC**	**$275,000**
New Hampshire Legal Assistance will investigate housing discrimination complaints and, if necessary, file complaints with HUD, the New Hampshire Commission for Human Rights, or state or federal courts. New Hampshire Legal Assistance also will conduct a fair housing education and outreach campaign directed to housing consumers, housing providers, and social service providers.			
NEW JERSEY			
Hackensack	**Fair Housing Council of Northern New Jersey**	**PEI-PBC**	**$275,000**
Fair Housing Council of Northern New Jersey will conduct fair housing enforcement activities, including the intake, investigation, mediation, and referral of housing discrimination complaints, and the training of 90 testers to conduct rental and sales tests. In addition, the Council will inform people of their fair housing rights by distributing 6,000 fair housing flyers to community groups, faith-based organizations, local shops and markets, and other places. These efforts will target racial and ethnic minorities, persons with disabilities, and persons with limited English proficiency.			
Newark	**Citizen Action of New Jersey**	**EOI-GC**	**$100,000**
Citizen Action of New Jersey will conduct education and outreach activities on lending discrimination and predatory lending. These activities will target community leaders, low- and moderate-income persons, senior citizens, persons with disabilities, and persons with limited English proficiency.			

NEW YORK			
Brooklyn	**South Brooklyn Legal Services, Inc.**	**FHOI-MRC**	**$318,408**
South Brooklyn Legal Services, Inc., will assist victims of lending discrimination and fraudulent lending practices. The organization will investigate complaints and refer meritorious complaints to HUD. The organization also will litigate complaints and will provide legal representation and other assistance to targeted homeowners at risk of foreclosure. Additionally, the organization will train attorneys and advocates on litigation, foreclosure prevention, and loss mitigation techniques.			
Brooklyn	**South Brooklyn Legal Services, Inc.**	**PEI-GC**	**$275,000**
South Brooklyn Legal Services, Inc., will help victims of discriminatory home sales and financing practices in New York City. The organization will conduct initial intake interviews; and investigate, resolve, or send complaints to HUD. The organization also will hold community education workshops and other outreach activities in at-risk communities.			
Buffalo	**Housing Opportunities Made Equal, Inc.**	**PEI-PBC**	**$263,846.33**
Housing Opportunities Made Equal, Inc., (HOME) will provide fair housing enforcement services in the Buffalo-Niagara region. HOME will conduct intake, investigation, and mediation of housing discrimination complaints and, if necessary, refer complaints to HUD or FHAP agencies. HOME also will administer a revolving litigation fund to support its fair housing litigation activities. Additionally, HOME will conduct testing of housing providers for discriminatory practices. To promote public awareness of fair housing, HOME will conduct 12 training sessions for grassroots, faith-based, and minority-serving organizations.			
Long Island	**Long Island Housing Services, Inc.**	**PEI-PBC**	**$275,000**
Long Island Housing Services, Inc., will investigate housing discrimination complaints, recruit and train testers, and conduct tests of the housing market for unlawful discrimination. Long Island Housing Services will file complaints with HUD when its investigations and testing activities uncover unlawful discrimination. Additionally, the organization will provide assistance to persons affected by predatory lending and foreclosures.			
New York	**Fair Housing Justice Center**	**PEI-GC**	**$274,991**
Fair Housing Justice Center will engage in fair housing enforcement activities in New York City. The Center will conduct complaint intake and investigation, recruit and train testers, conduct testing of the housing market for discriminatory practices, and refer housing discrimination complaints to HUD. The Center also will partner with local agencies and organizations to conduct fair housing educational sessions at selected locations.			
New York	**Neighborhood Economic Development and Advocacy Project**	**EOI-GC**	**$100,000**
Neighborhood Economic Development and Advocacy Project will conduct fair housing education and outreach activities, including disseminating educational materials and conducting presentations. Neighborhood Economic Development and Advocacy Project will assist persons with filing housing discrimination complaints with HUD.			
Rochester	**Legal Assistance of Western New York, Inc.**	**PEI-GC**	**$222,199**
Legal Assistance of Western New York, Inc., will conduct fair housing enforcement activities in Monroe County and five surrounding rural counties. These activities will include the intake, investigation, mediation, and referral of housing discrimination complaints. Additionally, the organization will test housing providers for discriminatory practices.			

NORTH DAKOTA			
Bismarck	**Fair Housing of the Dakotas**	**PEI-PBC**	**$220,540.66**
Fair Housing of the Dakotas (FHD) will conduct fair housing enforcement, education, and outreach activities in North Dakota and South Dakota. Specifically, FHD will provide complaint intake, investigation, mediation, and referral services for victims of discrimination, and will test housing providers and mortgage lenders for discriminatory practices. To help raise public awareness of fair housing, FHD will conduct 24 fair housing workshops and distribute 30,000 fair housing publications.			
OHIO			
Akron	**Fair Housing Contact Services**	**PEI-PBC**	**$275,000**
Fair Housing Contact Services will conduct fair housing enforcement activities in Medina, Portage, Stark, Summit, and Tuscarawas counties. These activities will include the intake, investigation, mediation, and referral of housing discrimination complaints, and the testing of housing providers for discriminatory practices. Additionally, the organization will collaborate with the Ohio Civil Rights Commission to conduct training on accessibility and other topics. Fair Housing Contact Services will ensure that persons who are deaf or hard of hearing and persons with limited English proficiency will have meaningful access to its services.			
Akron	**Housing Advocates, Inc.**	**PEI-PBC**	**$275,000**
Housing Advocates, Inc., will provide fair housing enforcement services in the greater Cleveland and Columbus metropolitan areas. Housing Advocates will provide complaint intake, investigation, mediation, and referral services, and will conduct testing for housing discrimination. These activities will focus on disability discrimination and linguistic profiling. In addition, Housing Advocates will conduct fair housing education and outreach activities.			
Cincinnati	**Housing Opportunities Made Equal of Greater Cincinnati**	**PEI-PBC**	**$273,815.40**
Housing Opportunities Made Equal of Greater Cincinnati (HOME) will provide complaint intake, investigation, mediation, and referral services for victims of discrimination. HOME will also conduct tests of housing providers for discriminatory practices, and inspections of multifamily housing for compliance with federal accessibility requirements. Additionally, HOME will conduct targeted fair housing education and outreach activities, such as holding fair housing training sessions for mental health providers and partnering with faith-based organizations to reach residents of a low- and moderate-income neighborhood in Cincinnati.			
Cleveland	**Housing Research and Advocacy Center**	**PEI-PBC**	**$275,000**
Housing Research and Advocacy Center and its subcontractors, Fair Housing Resource Center and Heights Community Congress, will provide fair housing enforcement services in the Cleveland metropolitan area. The Center will perform intake, investigation, mediation, and referral of housing discrimination complaints; test the sales, rental, lending, and insurance markets for evidence of discrimination; and inspect multifamily housing for compliance with federal accessibility requirements. In addition, the Center will monitor housing advertisements for discriminatory language.			
Dayton	**Miami Valley Fair Housing Center, Inc.**	**EOI-GC**	**$100,000**
Miami Valley Fair Housing Center, Inc., will conduct education and outreach activities in Montgomery county and the Miami Valley region. The organization will offer translation and interpretation services in order to reach persons with limited English proficiency. These activities will result in referrals of housing discrimination complaints to HUD, the Ohio Civil Rights Commission, and the Dayton Human Relations Council.			
Dayton	**Miami Valley Fair Housing Center, Inc.**	**FHOI-CDC**	**$90,000**
Miami Valley Fair Housing Center, Inc., will build its capacity to conduct fair housing activities. The organization will expand its information technology infrastructure to better support its fair housing enforcement and education services, including its services to victims of lending discrimination.			

Dayton	**Miami Valley Fair Housing Center, Inc.**	**PEI-PBC**	**$275,000**
Miami Valley Fair Housing Center, Inc., will provide complaint intake, investigation, mediation, and referral services for persons who believe they have experienced housing discrimination. The Center also will conduct systemic investigations, focusing on linguistic profiling and predatory lending.			
Painesville	**Fair Housing Resource Center, Inc.**	**PEI-PBC**	**$275,000**
Fair Housing Resource Center, Inc., will provide fair housing enforcement services in Ashtabula, Geauga, and Lake counties. The Center will conduct complaint intake, investigation, mediation, and referral, and perform tests of rental housing for discrimination based on race, disability, or familial status. The Center also will perform tests of the lending market for unlawful discrimination.			
Toledo	**Fair Housing Opportunities, Inc. DBA Fair Housing Center**	**PEI-PBC**	**$275,000**
Fair Housing Center will conduct fair housing enforcement activities in northwest Ohio. The Center will investigate housing discrimination complaints and conduct testing of housing providers to look for evidence of systemic discrimination. Additionally, the Center will conduct fair housing education and outreach activities.			
OKLAHOMA			
Oklahoma City	**Metropolitan Fair Housing Council of Oklahoma, Inc.**	**PEI-GC**	**$274,900**
Metropolitan Fair Housing Council of Oklahoma, Inc., will provide fair housing enforcement services throughout Oklahoma. The Council will conduct complaint intake, investigation, mediation, and referral, and perform testing of the housing and lending markets for discriminatory practices. Additionally, the Council will partner with at least eight public and private organizations to conduct fair housing education and outreach activities.			
OREGON			
Portland	**Fair Housing Council of Oregon**	**PEI-GC**	**$275,000**
Fair Housing Council of Oregon will conduct complaint intake, investigation, mediation, and referral of housing discrimination complaints, and conduct testing of the housing market for discriminatory practices. The Council also will conduct fair housing education and outreach activities.			
Portland	**Legal Aid Services of Oregon**	**EOI-GC**	**$100,000**
Legal Aid Services of Oregon (LASO) will conduct fair housing education and outreach activities. These activities will include the development and dissemination of fair housing materials. LASO also will conduct three seminars and tours on the history of housing discrimination in Oregon.			
PENNSYLVANIA			
Erie	**St. Martin Center, Inc.**	**PEI-MRC**	**$128,039**
St. Martin Center, Inc., will work with investigative agencies probing local housing and mortgage fraud. The organization will analyze mortgage-related documents to identify fraud and/or abusive lending practices.			
Glenside	**Fair Housing Rights Center in Southeastern Pennsylvania**	**PEI-PBC**	**$275,000**
The Fair Housing Rights Center in Southeastern Pennsylvania will conduct fair housing enforcement, education, and outreach activities in Philadelphia and four surrounding counties. The Center will provide complaint intake, investigation, mediation, and referral services to victims of discrimination. The Center also will test the housing market for discrimination against racial and ethnic minorities, persons with disabilities, and families with children, and will inspect multifamily housing for compliance with the Fair Housing Act's accessibility requirements. Additionally, the organization will provide fair housing education to first-time home buyers in the region.			

Philadelphia	**Fair Housing Council of Suburban Philadelphia**	**PEI-PBC**	**$274,817.66**
Fair Housing Council of Suburban Philadelphia will conduct individual and systemic investigations and will refer enforcement actions to HUD, the Department of Justice, or the Pennsylvania Human Relations Commission. The Council expects to conduct 210 investigations and 340 tests of the housing, lending, and insurance markets for unlawful discrimination. Additionally, the Council will conduct fair housing education and outreach activities, including holding workshops and distributing fair housing materials.			
Philadelphia	**Reinvestment Fund, Inc.**	**FHOI-CDC**	**$410,000**
Reinvestment Fund, Inc., will partner with the Fair Housing Council of Suburban Philadelphia and the Consumer Credit Counseling Service of Delaware Valley to increase the groups' capacity to uncover and act upon incidents of predatory lending and foreclosure rescue scams in southeastern Pennsylvania. Through the project, the Fair Housing Council will obtain the permanent capacity to collect and analyze fair housing data.			
Pittsburgh	**Fair Housing Partnership of Greater Pittsburgh**	**PEI-PBC**	**$275,000**
The Fair Housing Partnership of Greater Pittsburgh will provide fair housing enforcement services in western Pennsylvania. These services will include complaint intake, investigation, mediation, and referral of housing discrimination complaints. Additionally, the organization will recruit and train testers to conduct tests of the housing market for discrimination against racial and ethnic minorities.			
Washington	**Southwestern Pennsylvania Legal Services, Inc.**	**EOI-GC**	**$100,000**
Southwestern Pennsylvania Legal Services, Inc., will conduct fair housing education and outreach activities in 24 Appalachian counties. As part of these activities, the organization plans to conduct 100 community outreach events, including six events celebrating Fair Housing Month.			
Washington	**Southwestern Pennsylvania Legal Services, Inc.**	**PEI-GC**	**$275,000**
Southwestern Pennsylvania Legal Services, Inc., will provide fair housing enforcement services in 24 Appalachian counties. These services will include legal counsel and representation for victims of housing discrimination. The organization also will recruit and train 60 testers and conduct testing of the housing market for discriminatory practices.			
PUERTO RICO			
Ceiba	**Corporación de Desarrollo Económico de Ceiba, CD**	**EOI-GC**	**$100,000**
Corporación de Desarrollo Económico de Ceiba, CD will conduct fair housing education and outreach activities. These activities will include providing counseling and referrals for persons who believe they have experienced housing discrimination and distributing fair housing materials to the public. The organization also will educate municipal government staff on fair housing issues. The organization will make its classes and written materials available in Spanish.			
TENNESSEE			
Jackson	**West Tennessee Legal Services, Inc.**	**PEI-PBC**	**$275,000**
West Tennessee Legal Services, Inc., will conduct a range of fair housing enforcement activities, including the intake, investigation, mediation, and referral of housing discrimination complaints, and tests of the housing market for unlawful discrimination. Additionally, the organization will conduct fair housing education and outreach to underserved populations.			
Nashville	**Tennessee Fair Housing Council**	**PEI-PBC**	**$275,000**
The Tennessee Fair Housing Council will provide fair housing enforcement services in Cheatham, Davidson, Dickson, Rutherford, Sumner, Williamson, and Wilson counties. These activities will include the intake, investigation, mediation, and referral of housing discrimination complaints; the recruitment and training of testers; and complaint-based and systemic testing of housing providers for unlawful discrimination. The Council also plans to conduct six fair housing training sessions for persons with disabilities and a training session for college students.			

TEXAS			
Austin	**Austin Tenants Council, Inc.**	**PEI-PBC**	**$274,707**
Austin Tenants Council, Inc., (ATC) will conduct fair housing enforcement activities, including the intake, investigation, mediation, and referral of housing discrimination complaints. ATC also will conduct testing of housing providers for discrimination against racial and ethnic minorities and persons with disabilities, as well as testing of independent- and assisted-living facilities for discrimination against persons with disabilities. ATC will inspect multifamily housing for compliance with federal accessibility requirements and monitor housing advertisements for discriminatory language. Additionally, ATC will promote fair housing awareness through television, radio, and print advertisements focusing on the fair housing rights of racial and ethnic minorities and persons with disabilities.			
Houston	**Greater Houston Fair Housing Center, Inc.**	**PEI-GC**	**$275,000**
Greater Houston Fair Housing Center, Inc., will provide fair housing enforcement services in the Houston metropolitan area. The Center will provide complaint intake, investigation, mediation, and referral services for victims of discrimination. These services will be available in both English and Spanish. The Center also will recruit and train testers, conduct tests of housing providers for discriminatory practices, and inspect multifamily developments for compliance with federal accessibility requirements.			
San Antonio	**San Antonio Fair Housing Council, Inc.**	**PEI-PBC**	**$275,000**
San Antonio Fair Housing Council, Inc., will conduct fair housing enforcement activities in south Texas. Specifically, the Council will conduct intake, investigation, mediation, and referral of housing discrimination complaints; perform tests of the rental, sales, and lending markets for discriminatory practices; and inspect multifamily developments for compliance with federal accessibility requirements. The Council also plans to conduct 60 community meetings on fair housing.			
VERMONT			
Burlington	**Champlain Valley Office of Economic Opportunity**	**EOI-GC**	**$100,000**
Champlain Valley Office of Economic Opportunity will conduct workshops for municipal officials, land-use planners, and community groups on fair housing issues. Champlain Valley Office of Economic Opportunity also will partner with numerous agencies and organizations to conduct workshops for their clients on their fair housing rights.			
Burlington	**Vermont Legal Aid, Inc.**	**PEI-GC**	**$274,846.58**
Vermont Legal Aid, Inc., will provide fair housing enforcement, education, and outreach services. Vermont Legal Aid will conduct intake, investigation, mediation, and referral of housing discrimination complaints. The organization also will conduct geographically focused systemic testing and investigation, with an emphasis on discrimination based on race, national origin, familial status, and disability. This will include the investigation of direct discrimination, as well as the impact of environmental, planning, zoning, and other laws on fair housing choice.			
VIRGINIA			
Charlottesville	**Piedmont Housing Alliance**	**EOI-GC**	**$64,139**
Piedmont Housing Alliance will conduct fair housing education and outreach activities in central Virginia. Piedmont Housing Alliance will partner with local organizations to raise awareness among underserved populations of their fair housing rights and responsibilities.			

WASHINGTON			
Spokane	**Northwest Fair Housing Alliance**	**EOI-GC**	**$99,197**
Northwest Fair Housing Alliance will conduct fair housing education and outreach activities in central and eastern Washington. These activities will include conducting eight community awareness workshops and developing and disseminating fair lending information in English and Spanish. Additionally, Northwest Fair Housing Alliance will compile and publish a list of local HUD housing counseling resources and financial literacy classes.			
Spokane	**Northwest Fair Housing Alliance**	**PEI-PBC**	**$275,000**
Northwest Fair Housing Alliance will provide fair housing enforcement services in 17 counties of central and eastern Washington. The organization will conduct intake, investigation, mediation, and referral of housing discrimination complaints, and test the rental and sales markets for discrimination. Northwest Fair Housing Alliance will make its services available to everyone, but will reach out to populations that are more likely to experience discrimination, including racial and ethnic minorities and persons with disabilities.			
Tacoma	**Fair Housing Center of Washington**	**PEI-PBC**	**$275,000**
Fair Housing Center of Washington will conduct fair housing enforcement, education, and outreach in central and western Washington. The organization will conduct intake, investigation, mediation, and referral of housing discrimination complaints; recruit and train 30 testers; test housing providers for unlawful discrimination; and assist persons with disabilities with requesting reasonable accommodations or modifications. Fair Housing Center of Washington also will collaborate with faith- and community-based organizations to provide fair housing education and outreach, particularly to homeless persons and recent immigrants.			
WEST VIRGINIA			
Morgantown	**Northern West Virginia Center for Independent Living**	**EOI-GC**	**$95,753**
Northern West Virginia Center for Independent Living will conduct education and outreach activities in targeted communities. These activities will include designing and distributing fair housing materials and conducting workshops. Additionally, the organization will become an approved provider of continuing education for housing professionals.			
WISCONSIN			
Milwaukee	**Metropolitan Milwaukee Fair Housing Council, Inc.**	**EOI-GC**	**$99,997**
Metropolitan Milwaukee Fair Housing Council, Inc., will conduct fair housing education and outreach activities throughout the state of Wisconsin. The organization will partner with faith- and community-based organizations, as well as local housing counseling agencies, to conduct home buyer workshops aimed at increasing awareness of fair housing issues.			
Milwaukee	**Metropolitan Milwaukee Fair Housing Council, Inc.**	**FHOI-MRC**	**$294,697**
Metropolitan Milwaukee Fair Housing Council, Inc., will provide foreclosure prevention and mortgage rescue assistance. The organization will develop and coordinate the identification of mortgage rescue scams and refer complaints to the appropriate enforcement agencies. The organization also will provide foreclosure prevention services through homeowner counseling events. These services will be available to persons with limited English proficiency.			
Milwaukee	**Metropolitan Milwaukee Fair Housing Council, Inc.**	**PEI-PBC**	**$274,921.33**
Metropolitan Milwaukee Fair Housing Council, Inc., will conduct a statewide enforcement project. The organization will conduct intake, investigation, mediation, and referral of housing discrimination complaints. The organization also will conduct systemic investigations, including a multi-jurisdictional investigation of housing providers for racial discrimination and investigations of multifamily developments for compliance with federal accessibility requirements.			

Appendix D: Fair Housing and Civil Rights in HUD Programs

HUD Reporting Responsibilities

The Fair Housing Act requires that HUD annually report to Congress, and make available to the public, data on the race, color, religion, sex, national origin, age, disability, and family characteristics of households who are applicants for, participants in, or beneficiaries or potential beneficiaries of programs administered by the Department, to the extent that such characteristics are within the coverage of the provisions of law and Executive Orders set forth below.

- Title VI of the Civil Rights Act of 1964
- Title VIII of the Civil Rights Act of 1968
- Section 504 of the Rehabilitation Act of 1973
- Age Discrimination Act of 1975
- Equal Credit Opportunity Act
- Section 1978 of the Revised Statutes
- Section 8(a) of the Small Business Act
- Section 527 of the National Housing Act
- Section 109 of the Housing and Community Development Act of 1974
- Section 3 of the Housing and Urban Development Act of 1968
- Executive Orders 11063, 11246, 11625, 12250, 12259, and 12432

Racial and Ethnic Categories

Prior to the 2000 Census, the Office of Management and Budget (OMB) significantly revised its standards for federal agencies that collect, maintain, and report data on race and ethnicity. HUD implemented this data format on January 1, 2003.

The new OMB standards allow individuals responding to inquiries about race to select one or more of five racial categories: (1) “American Indian or Alaska Native;” (2) “Asian;” (3) “Black or African American;” (4) “Native Hawaiian or Other Pacific Islander;” and (5) “White.” The new OMB format, like the previous approach, treats ethnicity separately from race. Persons must choose one of two ethnic categories: (1) “Hispanic or Latino;” or (2) “Not Hispanic or Latino.”

The previous OMB guidelines on race had been in place since 1977. Under those guidelines, there were only four racial categories: (1) “American Indian or Alaska Native;” (2) “Asian or Pacific Islander;” (3) “Black;” and (4) “White.” Persons also did not have the option of selecting multiple categories. In the past, some agencies incorrectly classified Hispanic as a race instead of an ethnic category.

In FY 2009, most HUD programs used the new racial categories, while a few programs had not fully adopted the new format.

The following sections briefly describe HUD-funded programs and report on the protected characteristics of beneficiaries of these programs.

Federal Housing Administration

The National Housing Act created the Federal Housing Administration (FHA), which insures private lenders against loss on mortgage financing for single-family homes, multifamily housing projects, health care facilities, property improvement, and manufactured homes. By insuring private lenders against loss, FHA encourages lenders to invest capital in single-family, multifamily, and other housing markets.

For single-family loans, FHA insures up to 98.75 percent of the appraised value of the property. Depending on the size of the loan, a single-family loan can be for up to 30 years. Most mortgagors pay at least a 3 percent down payment, but the Secretary may require a larger amount.

Table D.1 provides data on the race and sex of mortgagors who obtained FHA-insured single-family purchase loans or FHA-insured single-family refinance loans in FY 2009. FHA classifies loans based on the sex of the first borrower on the loan papers, regardless of whether there was a co-borrower. Therefore, the loans classified as "male" or "female" could be to a single adult, a couple, or any other household configuration.

Table D.1: Protected Characteristics of Mortgagors who Obtained FHA-Insured Single-Family Home Purchase Loans or FHA-Insured Single-Family Refinance, FY 2009

Protected Characteristic	Purchase Loans	Purchase Loans	Refinance Loans	Refinance Loans
Number of Loans/ Dollar Amount of Loans	**995,555**	**$171,735,908,949**	**836,452**	**$158,748,391,802**
Race				
American Indian or Alaska Native	0.4%	0.4%	0.4%	0.4%
Asian	2.6%	3.6%	1.1%	1.5%
Black or African American	9.6%	9.1%	10.1%	10.0%
Native Hawaiian or Other Pacific Islander	0.7%	0.8%	0.8%	0.9%
White	65.2%	64.3%	69.7%	68.8%
Hispanic	15.0%	14.6%	7.4%	7.5%
Mixed Race	0.3%	0.3%	0.3%	0.3%
Not Disclosed	6.2%	6.9%	10.2%	10.8%
Sex				
Female	34.5%	31.9%	30.3%	28.5%
Male	62.7%	65.2%	64.7%	66.2%
Not Disclosed	2.8%	2.9%	5.1%	5.3%

Percentage may not total 100 percent due to rounding.

Source: Single Family Data Warehouse

Multifamily Subsidized Housing Programs

Project Rental Subsidies

The rental subsidies described below are paid to owners on behalf of tenants to keep their rents affordable. The assistance is tied to the property and differs in that respect from tenant-based rental assistance programs (e.g., housing choice vouchers), where the subsidy follows the tenant when the tenant moves to another property.

Project-Based Section 8

Through Project-Based Section 8, HUD provides rental subsidies to owners of FHA-insured and noninsured properties to ensure that these properties remain affordable to low-income families.

Rent Supplement Contracts

The Rent Supplement program was established by the Housing and Urban Development Act of 1965. Until the program was suspended under the housing subsidy moratorium of January 5, 1973, rent supplement contracts were available to Section 221(d)(3) Below Market Interest Rate (BMIR), Section 231, Section 236 (insured and noninsured), and Section 202 properties for the life of the mortgage. The suspension stopped the funding of any additional projects, although previously funded projects continue to receive funding.

Rental Assistance Payment (RAP) Contracts

RAP was established by the Housing and Community Development Act of 1974 to provide additional rental assistance to property owners on behalf of very low-income tenants. RAP is available only to Section 236 properties.

Section 202 Supportive Housing for the Elderly

Section 202 Supportive Housing for the Elderly helps expand the supply of affordable housing with supportive services for the elderly. Section 202 housing provides elderly persons with options for independent living in an environment that offers services such as cooking, cleaning, and transportation. Once the project is developed, funding is provided through the Section 202 project rental assistance contract (PRAC) to cover the difference between the HUD-approved operating cost for the project and the tenants' contributions toward rent.

In order to live in Section 202 housing, a household must be very low-income (below 50 percent of the median income for the area) and must have at least one member who is age 62 or older.

Section 811 Supportive Housing for Persons with Disabilities

Section 811 Supportive Housing for Persons with Disabilities allows persons with disabilities to live independently, by providing a supply of rental housing that has supportive services. Once the project is developed, funding is provided through a Section 811 project rental assistance contract (PRAC) to cover the

difference between the HUD-approved operating cost for the project and the tenants' contributions toward rent.

In order to live in Section 811 housing, a household, which may consist of a single qualified person, must be very low-income and at least one member must be at least 18 years of age and have a disability, such as a physical or developmental disability or chronic mental illness.

Direct Loans

Section 202 Direct Formula Interest Rate Loans

The Section 202 Direct Formula Interest Rate Loan program replaced the Section 202 Direct Low-Interest Loan program. Both programs provided long-term, direct loans to finance housing for elderly persons or persons with disabilities. However, formula interest rate loans carried an interest rate based on the average yield on 30-year marketable obligations of the United States, and properties were developed with 100 percent Section 8 assistance to help keep units affordable to low-income families. This program is commonly referred to as Section 202/8. While no new projects have been developed under this program since 1991, previously developed projects are still in operation.

The Section 202 Direct Formula Interest Rate Loan program ended in 1991, becoming the Section 202 Capital Advance program and the Section 811 Capital Advance program. Both programs have PRAC funding, which is described above. The Section 202 Capital Advance program serves elderly persons, while the Section 811 Capital Advance program develops housing for persons with disabilities.

Table D.2 provides data on the race, ethnicity, age, sex, disability, and familial status of households receiving assistance from rental subsidies and direct loans in the 18-month period ending September 30, 2009. The data on race, ethnicity, age, and sex were provided for the head of household only, regardless of the composition of the household. The number of households represents only those beneficiaries that submitted data to HUD.[11]

[11] The number of households receiving assistance from Rental Subsidies and Direct Loans is reported differently in the FY 2009 Annual Report on Fair Housing and the FY 2009 Performance and Accountability Report (PAR). The Annual Report on Fair Housing shows the number of households for which demographic information was reported to HUD, while the PAR shows the number of subsidized units available for occupancy.

Table D.2: Protected Characteristics of Households Provided with Housing Assistance from Rental Subsidies and Direct Loans, for the 18-Month Period Ending September 30, 2009

Protected Characteristic	Project-Based Section 8[1]	Rent Supple-ment	Rental Assist. Program (RAP)	Section 202 PRAC	Section 811 PRAC[2]	Section 202 Direct Loan w/ Section 8
Number of Reported Households[3]	**1,026,146**	**9,463**	**13,854**	**101,732**	**27,994**	**156,448**
Race						
Black	34.2%	31.3%	44.8%	22.7%	21.8%	20.2%
White	54.5%	57.1%	45.5%	62.8%	68.9%	68.5%
Other	4.7%	2.3%	4.4%	7.5%	2.2%	4.6%
Data Not Available	6.6%	9.3%	5.2%	7.0%	7.1%	6.7%
Ethnicity						
Hispanic	13.5%	18.4%	14.8%	11.9%	5.0%	9.8%
Not Hispanic	86.5%	81.6%	85.2%	88.1%	95.0%	90.2%
Age						
Younger than 31	23.0%	11.6%	13.5%	0.0%	12.6%	1.5%
31–41	11.5%	11.5%	10.4%	0.1%	18.9%	2.7%
42–51	11.4%	14.0%	12.5%	0.1%	29.5%	5.9%
52–61	12.4%	15.5%	14.6%	0.4%	26.1%	9.4%
62 or Older	41.8%	47.4%	48.9%	99.4%	12.9%	80.4%
Sex						
Female	75.5%	71.7%	72.7%	72.5%	47.2%	67.8%
Male	24.4%	28.3%	27.3%	27.4%	52.8%	32.1%
Disability						
Households Reporting a Disability[4]	24.1%	24.8%	19.9%	4.4%	97.4%	26.4%
Families with Children						
Households with Children[5]	33.6%	25.9%	26.7%	0.0%	2.6%	0.4%

Data are from the TRACS system for the 18-month period ending on September 30, 2009. A household was excluded if its record showed a head of household younger than 15 years of age or older than 105 years of age or if the record showed either program termination or move-out.

1. The Project-Based Section 8 column includes Section 8 new construction, substantial rehabilitation, property disposition, projects with Loan Management Set Asides (LMSA), and Rural Housing. This includes Section 236 and BMIR projects with LMSA. These households are not included in Table D.3 to avoid duplication. This column does not include households covered under Section 202/8.
2. The Section 811 PRAC column contains a small number of Section 202/162 Project Assistance Contract (PAC) households.
3. "Reported Households" reflects the number of households with tenant data reports in the TRACS system.
4. "Households Reporting a Disability" reflects that the head, spouse, or co-head was shown as disabled.
5. "Households with Children" reflects a household with at least one child younger than 18 years of age.

Source: Tenant Rental Assistance Certification System (TRACS)

Multifamily/FHA Housing Programs

Financing Subsidies: Mortgage Insurance and Mortgage Interest Rate Subsidies

Section 236

This FHA program, established by the Housing and Urban Development Act of 1968, combines federal mortgage insurance with interest reduction payments to encourage the production of low-cost rental housing. While no longer providing insurance or subsidies for new mortgage loans, existing Section 236 properties continue to receive interest subsidies. Under this program, HUD provides interest subsidies in order to lower a project's mortgage interest rate to as little as one percent. The interest reduction payment results in lower operating costs and, consequently, a reduced rent structure.

The Section 236 basic rent is the rent that the owner must collect to cover the property's costs, given the mortgage interest reduction payments made to the property. All tenants pay at least the Section 236 basic rent and, depending on their income level, may pay a rent up to the Section 236 market rent.

Some Section 236 properties experienced escalating operating costs that have caused the basic rent to increase beyond levels that are affordable to many low-income tenants. To maintain the financial health of the property, HUD may have allocated project-based rental assistance through a Section 8 Loan Management Set-Aside (LMSA) to a Section 236 property. Some Section 236 properties received other forms of project-based rental assistance from programs such as the Rent Supplement program.

Section 221(d)(3) Below Market Interest Rate (BMIR)

This FHA program insures and subsidizes mortgage loans to facilitate the new construction or substantial rehabilitation of multifamily rental or cooperative housing for low- and moderate-income families. This program no longer provides subsidies for new mortgage loans, but existing Section 221(d)(3) BMIR properties are still in operation.

Families living in Section 221(d)(3) BMIR projects are considered subsidized because the reduced rents for these properties are made possible by subsidized mortgage interest rates. Some BMIR projects experienced escalating operating costs that have caused BMIR rents to increase beyond levels that are affordable to low- and moderate-income tenants. When this occurs, HUD may have allocated project-based rental assistance through an LMSA to these properties to decrease vacancies and improve the project's financial position.

Table D.3 provides data on the race, ethnicity, age, sex, disability, and familial status of households receiving assistance from mortgage insurance and mortgage interest rate subsidies in the 18-month period ending September 30, 2009. The data on race, ethnicity, age, and sex were provided for the head of household only, regardless of the composition of the household. The number of households represents only those beneficiaries that have submitted data to HUD.

Table D.3: Protected Characteristics of Households Provided with Housing Assistance through Mortgage Insurance and Mortgage Interest Rate Subsidies, for the 18-Month Period Ending September 30, 2009

Protected Characteristic	Section 236	Section 221(d)(3)Below Market Interest Rate (BMIR)
Number of Reported Households[1]	**27,408**	**2,382**
Race		
Black	34.1%	24.8%
White	54.6%	55.6%
Other	3.3%	9.9%
Data Not Available	8.0%	9.8%
Ethnicity		
Hispanic	10.8%	17.5%
Not Hispanic	89.2%	82.5%
Age of Head of Household		
Younger than 31	21.3%	27.3%
31–41	15.4%	23.6%
42–51	13.3%	18.9%
52–61	13.1%	14.7%
62 or Older	36.9%	15.5%
Sex of Head of Household		
Female	65.2%	53.0%
Male	34.7%	46.9%
Disability		
Households Reporting a Disability[2]	11.2%	4.7%
Families with Children		
Households with Children[3]	31.0%	49.9%

Data are from the TRACS system for the 18-month period ending on September 30, 2009. A household was excluded if its record showed a head of household younger than 15 years of age or older than 105 years of age or if the record showed either program termination or move-out.

1. "Reported Households" reflects the number of households with tenant data reports in the TRACS system.
2. "Households Reporting a Disability" reflects that the head, spouse, or co-head was shown as disabled.
3. "Households with Children" reflects a household with at least one child younger than 18 years of age.

Source: Tenant Rental Assistance Certification System (TRACS)

Housing Counseling Assistance Program

The Housing Counseling Assistance program counsels consumers on seeking, renting, owning, financing, and maintaining a home. HUD provides counseling services through HUD-approved housing counseling agencies. Such agencies and national, regional, or multi-state intermediaries may apply for one-year grants through a notice of funding availability published by HUD.

Housing counseling agencies provide an array of pre- and post-occupancy education programs, such as one-on-one pre-purchase and pre-rental counseling and home buyer training sessions. These agencies also provide counseling on home equity mortgage conversion, home improvement, rehabilitation, mortgage default, rent delinquency, displacement, and relocation.

Table D.4 provides data on the race and ethnicity of households that received assistance from HUD-funded housing counseling agencies in FY 2009.

Table D.4: Protected Characteristics of Households that Participated in HUD-Funded Housing Counseling Programs, FY 2009

Protected Characteristic	Number of Households
Number of Households	**2,996,112**
Race	
American Indian or Alaska Native	0.8%
Asian	2.3%
Black or African American	28.3%
Native Hawaiian or Other Pacific Islander	0.5%
White	43.7%
American Indian or Alaska Native and White	0.2%
Asian and White	0.1%
Black or African American and White	0.7%
American Indian or Alaska Native and Black or African American	0.1%
Other Multi-Racial	6.4%
Not Reported	16.9%
Ethnicity	
Hispanic or Latino	16.7%
Not Hispanic or Latino	68.8%
Not Reported	14.6%

Percentages may not total 100 percent due to rounding.

Source: Aggregate Data from HUD form 9902

Continuum of Care

The Continuum of Care programs are authorized by the McKinney-Vento Homeless Assistance Act to meet the physical, economic, social, and shelter needs of persons who are homeless. These programs are the Supportive Housing Program, Shelter Plus Care Program, and Single Room Occupancy Program. Grants for these programs are made available on a competitive basis through a notice of funding availability published by HUD. Eligible applicants include states, units of local government, public housing agencies, and private nonprofit organizations.

Supportive Housing Program

The Supportive Housing Program helps develop housing and related supportive services for people moving from homelessness to independent living. The Supportive Housing Program helps homeless persons achieve residential stability, increase their skill levels and/or income, and obtain greater self-determination.

Shelter Plus Care Program

The Shelter Plus Care Program provides rental assistance combined with social services for homeless persons with disabilities and their families. The program allows for a variety of housing choices, such as group homes or individual units, coupled with a range of supportive services (funded by other sources).

Single Room Occupancy Program

The Single Room Occupancy Program provides for rental assistance in and moderate rehabilitation of buildings with multiple single-room units designed to accommodate single homeless individuals. These rooms often do not contain individual food preparation or bathroom facilities. A public housing agency makes Section 8 rental assistance payments to the landlords on behalf of participants.

Table D.5 provides data on the race, ethnicity, and special needs of participants that entered the Supportive Housing, Shelter Plus Care, or Single Room Occupancy programs in FY 2009. The table also provides data on the sex and age of participants and other family members that entered these programs in FY 2009. The "Special Needs" portion of the table provides data on adult participants with disabling conditions. An individual could report more than one disabling condition; hence, it is not possible to determine from the data the number of participants with disabling conditions.

Table D.5: Protected Characteristics of Participants in Continuum of Care Programs, FY 2009

Protected Characteristic	Percent of Participants
Race of 200,259 Adult Participants	
American Indian or Alaska Native	1.9%
Asian	1.1%
Black or African American	40.9%
Native Hawaiian or Other Pacific Islander	0.9%
White	47.0%
American Indian or Alaska Native and White	0.7%
Asian and White	0.1%
Black or African American and White	0.9%
American Indian or Alaska Native and Black or African American	0.3%
Other Multi-Racial	5.9%
Ethnicity of 200,511 Adult Participants	
Hispanic or Latino	14.0%
Not Hispanic or Latino	86.0%
Sex of 350,716 Adult Participants and Other Family Members	
Female	45.3%
Male	54.7%
Age of 350,716 Adult Participants and Other Family Members	
Younger than 18	28.5%
18–30	24.8%
31–50	34.5%
51–61	10.5%
62 or Older	1.7%
Special Needs of 218,783 Adult Participants[1]	
Mental Illness	27.0%
Alcohol Addiction	20.0%
Drug Abuse	23.0%
HIV/AIDS and Related Diseases	2.0%
Developmental Disability	2.0%
Physical Disability	10.0%
Domestic Violence	11.0%
Other	5.0%

1. The total of 218,783 adult participants who entered the program during the operating year and reported disabling conditions. A participant could report multiple special needs conditions.

Percentages may not total 100 percent due to rounding.

Source: Based on 4,875 Annual Progress Reports (APRs) submitted for year ending in 2009.

HOME Investment Partnerships Program (HOME)

HOME is authorized by the Cranston-Gonzalez National Affordable Housing Act to provide annual grants on a formula basis for state and local governments to provide affordable housing for low-income households. States and localities may use their HOME allocations to construct or rehabilitate housing for sale or rental, rehabilitate eligible owner-occupied properties, and provide financial assistance to first-time or other qualified home buyers. Under certain circumstances, a state or local government may use HOME funds to provide tenant-based rental assistance (TBRA).

Table D.6 contains data on the race, ethnicity, and familial status of households that received assistance from the HOME Investment Partnerships Program in FY 2009.

Table D.6: Protected Characteristics of Beneficiaries of the HOME Investment Partnerships Program, FY 2009

Protected Characteristic	Rental	Home Buyer	Homeowner	TBRA
Total Occupied Units	**20,699**	**24,393**	**9,818**	**18,805**
Race or Ethnicity				
American Indian or Alaska Native	0.6%	0.5%	0.7%	1.2%
Asian	3.4%	2.3%	0.8%	1.6%
Black or African American	35.2%	31.3%	26.2%	32.4%
Hispanic or Latino	14.3%	20.6%	12.5%	13.4%
Native Hawaiian or Other Pacific Islander	0.3%	0.3%	0.6%	0.2%
White	44.4%	43.0%	58.3%	49.9%
American Indian or Alaska Native and White	0.2%	0.2%	0.1%	0.3%
Asian and White	0.1%	0.2%	0.1%	0.1%
Black or African American and White	0.4%	0.4%	0.3%	0.2%
American Indian or Alaska Native and Black or African American	0.0%	0.1%	0.0%	0.2%
Other Multi-Racial	1.2%	1.2%	0.5%	0.7%
Familial Status				
Families with Children	31.2%	60.3%	34.9%	50.5%

Percentages may not total 100 percent due to rounding.

Source: Integrated Disbursement and Information System (IDIS)

Community Development Block Grant (CDBG)

CDBG is authorized by Title I of the Housing and Community Development Act of 1974, as amended, to provide annual grants on a formula basis to states, entitled metropolitan cities, and urban counties for activities that benefit persons of low and moderate income and aid in the prevention or elimination of slums or blight. CDBG funds may be used for a wide variety of activities, including homeownership assistance, rehabilitation of

residential structures, economic development, community planning, construction or rehabilitation of community facilities, and the provision of public services, including fair housing activities. Generally, the construction of new housing by units of general local government is ineligible for CDBG assistance; however, new housing construction may be carried out by eligible Community Based Development Organizations under 24 CFR 570.204(a).

Table D.7 contains information on the race and ethnicity of households that benefited from CDBG's owner-occupied housing rehabilitation, rental housing rehabilitation, and homeownership assistance in FY 2009. The number of participants represents only those beneficiaries that have submitted data. Additional CDBG activities also had beneficiaries.

Table D.7: Protected Characteristics of Beneficiaries of CDBG's Owner-Occupied Housing Rehabilitation, Rental Housing Rehabilitation, and Homeownership Assistance Programs, FY 2009

Protected Characteristic	Owner-Occupied Housing Rehabilitation	Rental Housing Rehabilitation	Homeownership Assistance
Number of Participants	**103,926**	**20,097**	**2,441**
Race			
American Indian or Alaska Native	0.6%	1.1%	0.3%
Asian	1.3%	4.3%	0.9%
Black or African American	31.9%	28.0%	36.3%
Native Hawaiian or Other Pacific Islander	0.2%	0.2%	0.0%
White	56.3%	55.9%	50.9%
American Indian or Alaska Native and White	0.2%	0.1%	0.1%
Asian and White	0.2%	0.8%	0.2%
Black or African American and White	0.2%	3.3%	0.4%
American Indian or Alaska Native and Black or African American	0.1%	0.1%	0.0%
Other Multi-Racial	9.0%	6.2%	10.9%
Ethnicity			
Hispanic or Latino	14.2%	13.8%	21.8%
Not Hispanic or Latino	85.8%	86.2%	78.2%

Percentages may not total 100 percent due to rounding.

Source: Integrated Disbursement and Information System (IDIS)

Housing Opportunities for Persons with AIDS (HOPWA)

HOPWA is authorized by the Cranston-Gonzalez National Affordable Housing Act to assist states and local governments in addressing the housing needs of low-income persons with HIV/AIDS and their families. In addition to providing rental assistance subsidies, funds may be used to develop and operate community residences and other housing facilities that offer on-site support for activities of daily living and other needed services.

Table D.8 provides data on the race, ethnicity, age, and sex of persons receiving assistance from HOPWA in the 2008-2009 program year. The total represents only those beneficiaries that have submitted information to HUD.

Table D.8: Protected Characteristics of Persons Provided with Housing Assistance through HOPWA Formula Grants and Competitive Grants, 2008-2009 Program Year

Protected Characteristic	Formula Grants	Competitive Grants
Number of Recipients of Housing Assistance[1]	**12,284**	**8,148**
Persons with HIV/AIDS	58.7%	62.0%
Family Members of Participants with HIV/AIDS	41.3%	38.0%
Race		
American Indian or Alaska Native	1.0%	2.8%
Asian	0.7%	0.3%
Black or African American	42.5%	35.1%
Native Hawaiian or Other Pacific Islander	1.0%	0.4%
White	49.8%	55.6%
American Indian or Alaska Native and White	0.3%	0.6%
Asian and White	0.1%	0.1%
Black or African American and White	1.6%	0.7%
American Indian or Alaska Native and Black or African American	0.1%	0.0%
Other Multi-Racial	3.0%	3.9%
Ethnicity		
Hispanic	18.9%	12.6%
Non-Hispanic	81.1%	87.0%
Age		
Younger than 18	24.1%	22.4%
18-30	11.9%	11.2%
31-50	47.0%	49.7%
51 or Older	17.1%	16.6%
Sex		
Female	41.6%	39.3%
Male	58.4%	60.6%

[1] Data on the number of beneficiaries of HOPWA Formula and Competitive Projects in Program Year 2008-2009 with corresponding demographic data comes in reports submitted by 105 of 222 grantees. Changes in data collection were implemented in October 2009.
Percentages may not total 100 percent due to rounding.

Source: CAPER/IDIS Beneficiary Verification Worksheets (Formula Grants)
Annual Progress Reports (Competitive Grants)

Housing Choice Vouchers

The Housing Choice Voucher program is authorized by the U.S. Housing Act of 1937 to provide rental subsidies to low- and very low-income families to help them afford decent, safe, and sanitary housing in the private market. The participant pays the difference between the subsidy and the rent charged by the landlord. Under certain circumstances, a participant may use his or her voucher to purchase a home.

Public Housing

The Low-Income Public Housing program is authorized by the U.S. Housing Act of 1937 to provide safe and decent rental housing for low-income families, the elderly, and persons with disabilities. Public housing comes in a variety of forms, from scattered-site single-family houses to high-rise apartments.

Moderate Rehabilitation

The Moderate Rehabilitation program provides project-based rental assistance for low-income families. This program began in 1978 as an expansion of the rental certificate program after HUD determined that at least 2.7 million rental units had deficiencies requiring a moderate level of upgrading. The program was repealed in 1991, but assistance is provided to properties previously rehabilitated.

Table D.9 provides data on the race, ethnicity, age, sex, disability, and familial status of households receiving assistance from Housing Choice Vouchers, Public Housing, or Moderate Rehabilitation in the 18-month period ending September 30, 2009. The data were provided for the head of household only, regardless of the composition of the household. The total represents only those beneficiaries that have submitted data to HUD.[12]

[12] The number of households benefitting from Housing Choice Vouchers and Public Housing is reported differently in the FY 2009 Annual Report on Fair Housing and the FY 2009 Performance and Accountability Report (PAR). For Housing Choice Vouchers, the Annual Report on Fair Housing shows the number of households for which demographic information was reported to HUD, while the PAR shows the number of vouchers (contracted units) based on funding. For Public Housing, the Annual Report on Fair Housing reports the number of households for which demographic information was reported to HUD, while the PAR shows the number of units available for occupancy.

Table D.9: Protected Characteristics of Beneficiaries of the Housing Choice Voucher Program, the Public Housing Program, and the Moderate Rehabilitation Program, for the 18-Month Period Ending September 30, 2009

Protected Characteristic	Housing Choice Vouchers[1]	Public Housing	Mod. Rehab.
Number of Reported Households[2]	**1,937,196**	**979,391**	**32,286**
Race[3]			
American Indian or Alaska Native	0.8%	0.6%	1.2%
Asian	2.2%	2.2%	1.3%
Black or African American	44.7%	45.8%	42.7%
Native Hawaiian or Other Pacific Islander	0.5%	0.4%	0.5%
White	51.1%	50.5%	54.0%
Mixed Race	0.6%	0.4%	0.3%
Ethnicity			
Hispanic or Latino	17.6%	23.0%	25.6%
Not Hispanic or Latino	82.4%	77.0%	74.4%
Age			
Younger than 31	18.9%	19.1%	18.8%
31-41	25.3%	16.4%	14.6%
42-51	21.1%	16.7%	23.5%
52-61	15.9%	17.0%	24.3%
62 or Older	18.8%	30.8%	18.9%
Sex			
Female	82.7%	75.0%	54.9%
Male	17.3%	25.0%	45.1%
Disability			
Households Reporting a Disability[4]	39.1%	34.4%	44.8%
Families with Children			
Households with Children[5]	52.9%	40.4%	24.8%

Data are from the PIC system for the 18-month period ending on September 30, 2009. A household was excluded if their record showed a head of household younger than 15 years of age or older than 105 years of age or if the record showed either end of participation or portability move-out.

1. Vouchers include a small number of Section 8 Certificates.
2. "Reported Households" reflects the number of households with tenant data reports in the PIC system after exclusions for end of participation and age of household head below 15 years and over 105 years.
3. Entries for race are mutually exclusive and sum to 100 percent. There is no missing data for race or ethnicity as the PIC system forces the user to choose one ethnicity and at least one race.
4. "Households Reporting a Disability" reflects that the head, spouse, or co-head was shown as a person with a disability.
5. "Households with Children" reflects a household with at least one child younger than 18 years of age.

Source: Public and Indian Housing Information Center

Glossary

Administrative Closure: An administrative closure occurs when a complainant withdraws the complaint, fails to cooperate, or can no longer be located. HUD and FHAP agencies also administratively close complaints when, after accepting the complaint, it is determined that they lack jurisdiction.

Architectural Barriers Act of 1968: A federal law that requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 be accessible to and usable by persons with disabilities.

Age Discrimination Act of 1975: A federal law that prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Charge of Discrimination: Unless a conciliation agreement is reached during the course of the investigation, HUD issues a charge of discrimination after it conducts a full investigation and determines that reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur.

Conciliation Agreement: A conciliation agreement is an agreement between the complainant and the respondent that must be approved by HUD or the FHAP agency. A conciliation agreement seeks to protect the rights of the complainant and the respondent and satisfy the public interest. HUD or the FHAP agency does not issue a determination in a complaint if a conciliation agreement is reached prior to the completion of the investigation.

Design and Construction Requirements of the Fair Housing Act: The Fair Housing Act requires that particular multifamily dwellings constructed for first occupancy after March 13, 1991, contain seven design and construction features that make the property accessible to persons with disabilities. The accessibility requirements apply to all units in multifamily buildings with an elevator and the ground floor units in multifamily buildings without elevators. All of the common spaces, such as exercise rooms, lobbies, mailboxes, laundry rooms, parking lots, and sidewalks must be accessible regardless of building type.

DOJ Referral: HUD refers to the U.S. Department of Justice housing discrimination matters that involve criminal allegations, a suspected pattern or practice of discrimination, or possible zoning or land use violations.

Equal Credit Opportunity Act: A federal law that prohibits any creditor from discriminating against any applicant with respect to any aspect of a credit transaction on the basis of race, color, religion, national origin, sex, marital status, or age (provided the applicant has the capacity to contract).

Executive Order 11063: An executive order that prohibits discrimination on the basis of race, color, religion, national origin, or sex in the sale, leasing, rental, or other disposition of properties and facilities owned or operated by the Federal Government or provided with federal funds.

Executive Order 11246: An executive order that prohibits federal contractors and federally assisted construction contractors and subcontractors, who do more than $10,000 in Federal Government business in one year, from discriminating in employment decisions on the basis of race, color, religion, sex, or national origin.

Executive Order 11625: An executive order that requires each federal agency to develop comprehensive plans

and specific program goals for a national Minority Business Enterprise (MBE) contracting program.

Executive Order 12250: An executive order that requires consistent and effective implementation of various laws prohibiting discriminatory practices in programs receiving federal financial assistance.

Executive Order 12259: An executive order that gave the Secretary of HUD the responsibility of ensuring that all federal programs and activities related to housing and urban development are administered in a manner to affirmatively further fair housing. Executive Order 12259 also amended Executive Order 11063 to prohibit discrimination based on sex. On January 17, 1994, Executive Order 12259 was revoked by Executive Order 12892.

Executive Order 12432: An executive order that requires each federal agency with substantial procurement or grant-making authority to develop a Minority Business Enterprise (MBE) development plan.

Executive Order 12898: An executive order that requires that each federal agency conduct its programs, policies, and activities that substantially affect human health or the environment in a manner that does not exclude persons on the basis of race, color, or national origin.

Executive Order 13166: An executive order that directs federal agencies to improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited English proficient.

Fair Housing Act (Title VIII of the Civil Rights Act of 1968): A federal law that prohibits discrimination on the basis of race, color, national origin, religion, sex, familial status, or disability in the sale, rental, and financing of dwellings and in other housing-related transactions. The Fair Housing Act also create a cause of action for people who are coerced, threatened, intimidated, or retaliated against for exercising their fair housing rights or encouraging or aiding others in the exercise of their fair housing rights.

Familial Status: A parent or another person having legal custody of a child less than 18 years of age, the designee of such parent or guardian, and persons who are pregnant or in the process of obtaining legal custody of a child less than 18 years of age.

No Reasonable Cause Determination: Unless a conciliation agreement is reached during the course of the investigation, HUD or the FHAP agency issues a no reasonable cause determination after it conducts a full investigation and finds no reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur.

Reasonable Accommodation: A change in rules, policies, practices, or services that is necessary to afford an equal opportunity to a person with a disability to use and enjoy a dwelling. For example, an apartment manager would make a reasonable accommodation for a tenant with mobility impairment by fulfilling the tenant's request for a reserved parking space in front of the entrance to his or her unit, even though the apartment complex is not in the practice of assigning spaces.

Reasonable Cause Determination: Unless a conciliation agreement is reached during the course of the investigation, the FHAP agency issues a determination of reasonable cause after it conducts a full investigation and determines that reasonable cause exists to believe that a discriminatory housing practice has occurred or is about to occur.

Reasonable Modification: A structural modification that is made to allow a person with a disability the full enjoyment of the housing and related facilities. Reasonable modification requests may include lobbies, main entrances, and other public and common use areas of buildings, as well as the interior of units. For example, if a person with mobility impairment needs to install grab bars in order to be able to use his or her toilet or shower, the housing provider generally must allow the resident to make that modification.

Redlining: A practice by which lenders and insurers refuse to do business in certain neighborhoods because of the neighborhood's racial composition or due to another prohibited basis.

Section 3 of the Housing and Urban Development Act of 1968: A federal law that requires that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns that provide economic opportunities to low- and very low-income persons.

Section 8(a) of the Small Business Act: A federal law that authorizes the Small Business Administration (SBA) to enter into contracts with other federal agencies. The SBA then subcontracts the actual performance of the work to small businesses owned and controlled by socially and economically disadvantaged individuals. Through a memorandum of understanding, SBA delegated the authority to HUD to contract directly with 8(a) firms.

Section 109 of the Housing and Community Development Act of 1974: A federal law that prohibits discrimination on the basis of race, color, national origin, sex, or religion in programs and activities receiving financial assistance under Title I of the Act, including the Community Development Block Grant program, Urban Development Action Grants, Economic Development Initiative Grants, Special Purpose Grants, and the Section 108 Loan Guarantee program. While Section 109 does not include discrimination based on age or disability on the list of prohibited bases, the statute makes applicable to these programs the prohibitions against discrimination on the basis of age found in the Age Discrimination Act of 1975 and the prohibitions against discrimination on the basis of disability found in Section 504 of the Rehabilitation Act of 1973. On December 30, 2005, Section 109 was amended by the Support our Scouts Act. The Support our Scouts Act prohibits states or units of general local government that receive assistance under Title I of the Housing and Community Development Act and have designated open forums, limited public forums, or nonpublic forums, from discriminating against or denying equal access to any youth organization, including the Boy Scouts of America, that wishes to conduct a meeting or otherwise participate in any of the aforementioned forums.

Section 282 of the Cranston-Gonzalez National Affordable Housing Act: A federal law that prohibits discrimination on the basis of race, color, religion, sex, or national origin under any program or activity receiving assistance from the HOME Investment Partnerships program. While Section 282 does not directly prohibit discrimination based on age or disability, the statute states that the prohibitions against discrimination on the basis of age found in the Age Discrimination Act of 1975 and the prohibitions against discrimination on the basis of disability found in Section 504 of the Rehabilitation Act of 1973 apply to HOME programs or activities.

Section 504 of the Rehabilitation Act of 1973: A federal law that prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance and in HUD programs and activities.

Section 527 of the National Housing Act: A federal law that prohibits discrimination on the basis of sex in any federally related mortgage loan, or federal insurance, guaranty, or other assistance in connection therewith.

Section 1978 of the Revised Statutes: A federal law that gives all citizens of the United States, regardless of race, the same rights in every state and territory to inherit, purchase, lease, sell, hold, and convey real and personal property.

Settlement Agreement: A settlement agreement is a private agreement between the complainant and respondent. A private settlement is not submitted for approval to HUD or the FHAP agency and typically does not contain public interest relief. HUD or the FHAP agency does not issue a determination in a complaint if a settlement agreement is reached prior to the completion of the investigation.

Steering: The practice of directing persons to certain neighborhoods, loans, or insurance products because of their race or other protected characteristic. For example, a real estate agent who automatically limits the home search of an African-American couple to neighborhoods with large minority populations would be engaging in unlawful steering.

Title II of the Americans with Disabilities Act of 1990: A federal law that prohibits discrimination on the basis of disability in programs, services, and activities provided or made available by public entities. The U.S. Department of Justice has primary enforcement responsibility for Title II of the ADA. HUD enforces Title II of the ADA when it relates to state and local public housing, housing assistance, and housing referrals.

Title VI of the Civil Rights Act of 1964: A federal law that prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

Title IX of the Education Amendments Act of 1972: A federal law that prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance. The U.S. Department of Education has primary enforcement responsibility for Title IX. HUD enforces Title IX in HUD-funded educational and training programs and activities.

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