Race and Color Protections Against Housing Discrimination

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# Overview of Topics for This Session

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Race and Color Protections Against Housing Discrimination

Race and color are protected characteristics under federal, state, and local fair housing laws.

That means that you cannot be treated differently by landlords, sellers, agents, banks, management companies, operators of facilities, co-op boards, or other housing providers because of your race or color.
WHAT DO WE MEAN BY “RACE AND COLOR?”
What qualifies as “race”?  

“Race” can be an identifying characteristic based on actual (what you are), perceived (what you appear to be), or associated (who you interact with or are partnered with) qualities.

It is often categorized into rough groupings that would show up on the Census: White, Black/African American, Asian, American Indian or an Alaska Native, Native Hawaiian or Pacific Islander, or some mixture of two or more of these groups.
What qualifies as “color”?

“Color” refers to the visible color and tone of a person’s skin, usually as a measure of light or dark or tone (i.e., olive, pale).

Taken together, race and color are characteristics that can influence how someone is identified as belonging to or being associated with a particular group or set of groups.
WHAT DOES RACE DISCRIMINATION LOOK LIKE?
Sometimes it’s obvious, like a **flat-out refusal** to rent to individuals, families, roommates, or couples based on their actual, perceived, or associated race. It can also be experienced as disparaging comments made to or about a particular race as a signal for exclusionary preferences, behaviors, or practices.
But more often, it’s **subtle and hidden**. Providers might ask for additional deposits or screening criteria to be met. Some providers steer renters to other neighborhoods, saying things like “*I have units available in another neighborhood.*” Applicants for housing may also hear things like “*You are one of the good ones*” as an indication of distinction from an underlying disdain for members of the same group.
Another method to steer people away may be by offering lower rents or more favorable terms to applicants of a particular race or group.
HOW DOES A PLACE COME TO BE KNOWN AS “RACIAL?”
Race and color can be complex—especially as dynamics around the world don’t always fit into the common categories. Ancestry, national origin, and even location (as a result of segregation patterns) can inform our understandings of race, color, and class.
In the early to 1930s, the Federal Housing Administration created a series of maps outlining where it perceived that it was risky to make loans, largely areas with high populations or proximity to areas with a high percentage of non-white residents. These maps, outlined the areas where access to capital for purchasing or investing in homes would be limited—to become known as redlining.
These neighborhood segregation patterns persist to this day and can accurately predict racial demographics, income, health outcomes, access to transit, and even the number of trees a neighborhood may have.
UNDERSTANDING APPRAISAL BIAS
Who is perceived to live in a home has been shown to impact how much that home is valued. Implicit bias can show up in an assessment of a home’s market value. Some families have removed any traces of race (i.e., photos, cultural items, or name references) to get a second appraisal – only to experience an increased home value.
These individual experiences can reveal larger patterns of practice to demonstrate systemic bias that values “whiteness” over other characteristics. This pattern can be understood as an extension of the valuation practices experienced as a result of redlining in neighborhoods as applied to individual home sellers.
UNDERSTANDING “DISPARATE IMPACT”
Impacts by race and color would be measured against other groups to identify potential fair housing violations.

Housing providers do not have to have intent to discriminate. Housing and leasing practices that are demonstrated to have a “discriminatory effect,” as a result of practices that actually or predictably result in a “disparate impact” on a group of people or action that creates, increases, reinforces, or perpetuates segregated housing patterns.
STAYING ALERT TO POTENTIAL RACE DISCRIMINATION
New waves of racial resentment and discrimination continue to emerge. A recent example, as experienced over the pandemic, was a rise in anti-Asian hate and sentiments. It would be expected that additional harassment, discrimination, and impacts would emerge from this kind of environment.

As a result, it may be more difficult to find housing, more likely to be evicted, or to face bullying from neighbors or other tenants. It is important to stay alert to signs of bias, prejudice, and harassment, discrimination, and other impacts that are based on race and color.
Discussion
THANK YOU!