

2022 SYSTEM SERIES

*The 2022 CoC Program Competition
Prioritizes Racial Equity and LGBTQ+
Discrimination: How to Get Started*

August 31, 2022



Panelists

- **(Moderator) *Chan Crawford, Ph.D.***
Chief Equity Officer, National Alliance to End Homelessness
- ***Kahlib Barton***
Co-Director of Technical Assistance, True Colors United
- ***David Dirks, Esquire***
Senior Staff Attorney, Homebase
- ***Scott Chang***
Senior Civil Rights Counsel, NFHA
- ***Saba Mwine***
Managing Director, HPRI, USC

Outline

- *Overview: Racial Equity and LGBTQ+ Discrimination in the NOFO*
- *Homelessness, Racial Disparities, and Taking Action*
- *Addressing LGBTQ+ Discrimination*
- *The Connection Between Fair Housing and Improving Outcomes*
- *Closing Remarks*
- *Q&A*

Notice of Funding Opportunity (NOFO) for Fiscal Year (FY) 2022 Continuum of Care Competition - Priorities

2 Priority Areas from the NOFO: Racial Equity and Improved LGBTQ+ outcomes

1) HUD revised its rating factors regarding CoC evaluation of racial disparities to place greater emphasis on racial equity and increased the number of points on whether CoCs and homeless providers have identified barriers that lead to racial disparities, have taken steps to eliminate barriers to improve racial equity, and have implemented measures to evaluate the efficacy of the steps taken.

2) HUD revised of the rating factors for addressing the needs of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) individuals to place greater emphasis on CoCs implementing and training their providers on the CoC-wide anti-discrimination policies that ensure LGBTQ+ individuals and families receive supportive services, shelter, and housing free from discrimination. Further, points were added that will be awarded to CoCs that are updating their CoC-wide anti-discrimination policies based on stakeholder feedback.

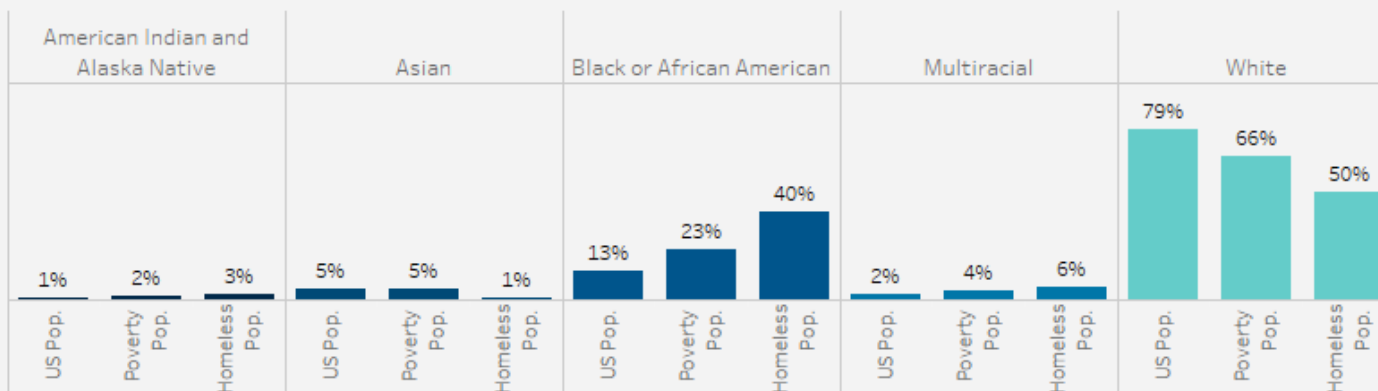
Race and Homelessness

- Most minority groups in the US represent a disproportionate share of the homeless population
 - The most striking disproportionality can be found among African Americans
 - **African Americans** make up **40%** of homeless population, but only **13%** of general population

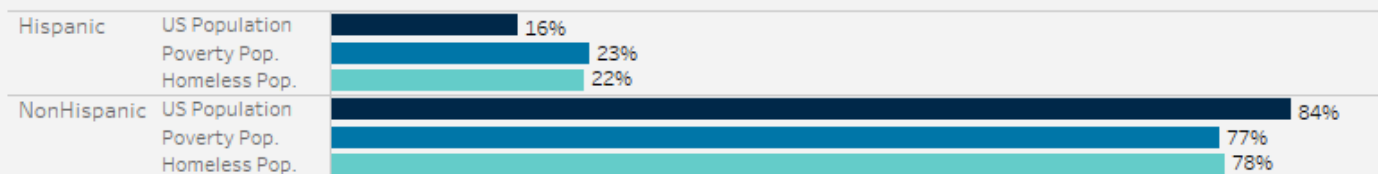
Race and Homelessness Cont.

2018 Race & Ethnicity Data: Homeless Population Compared to US Population

Racial Comparisons

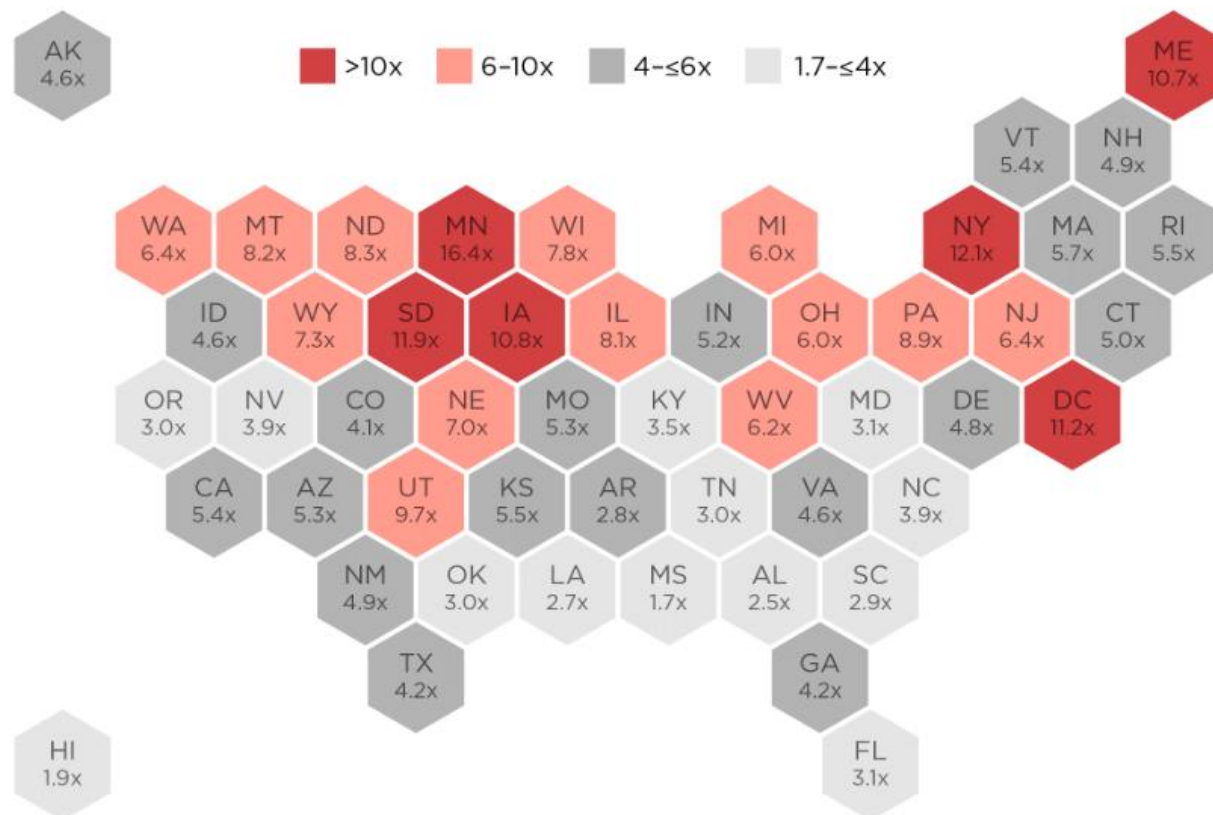


Ethnicity Comparisons



In Every State, African Americans Are More Likely Than Whites to Experience Homelessness

Ratio of Black-to-White homelessness rate by state, 2018



Source: NAEH analysis of U.S. Department of Housing and Urban Development 2018 Point-in-Time Count data

 National Alliance to
END HOMELESSNESS

Pileup of Inequities = Disproportionality in Homelessness

- **Poverty**
 - Black people are more likely to live in **deep** poverty than Whites
- **Segregation/Rental Housing Discrimination**
 - government supported housing discrimination/redlining that discouraged investment in Black neighborhoods and NIMBYism
- **Overcriminalization**
 - studies show Black people are more than two times likely to be arrested, 3 times more likely to be in jail and 5 times more likely to be in prison
- **Access to Health Care**
 - gains have been made with the ACA, but gaps still occur, including outcomes

What Can the Homelessness System Do?

- Disproportionality is influenced by historical and structural racism; including feeder systems such as criminal justice
 - *The homeless sector can and should contribute to these efforts to address disproportionality*
- ***Homeless systems have the responsibility to make sure they are not, themselves, having a disparate impact on people based on race or ethnicity***
- ***With new federal funding (COVID) we now have more opportunities to end homelessness and to do it in an equitable way***

Step 1: Assess Disproportionality and Disparity

- **Tool:** HUD [CoC Analysis Tool on Race and Ethnicity](#).
 - Allows you to examine what percentage of people in your CoC are poor, homeless, sheltered and unsheltered based on race and ethnicity

Step 2: Assess Data for Disparate Outcomes

- **Tool:** NAEH Race Equity Tool
- The Alliance's Racial Equity Network created a tool to help measure whether the outcomes of a program or system vary depending on the race or ethnicity of a homeless person or family
- Simple dashboard measuring key portions of a homeless program or system

<https://endhomelessness.org/resource/the-alliances-racial-equity-network-toolkit/>

Data Elements

Who experiences homelessness?

Who gets into crisis housing (emergency shelter and transitional housing)?

Who gets into permanent housing?

Who returns to homelessness?

Use Data to Make Changes

- Without racial data we cannot see whether disparities exist
- If we don't see disparities, then we typically don't factor them into our decision-making or response
- Be intentional and committed for the long haul
- **Now what?**

Step 3: Develop Action Plans

Who Experiences Homelessness?

Immediate Steps:

- Make your data visually known internally/externally
- Add race/ethnicity data to CoC reports for continual tracking

Long-term Steps:

- Convene other stakeholders of feeder systems (e.g., child welfare, criminal justice) to share data and strategize how to reduce disparities of minority groups experiencing homelessness

Step 3: Use Data to Make Changes

Who Gets into Crisis Housing?

If you notice a disparity in clients accessing shelter and transitional housing (TH)

Immediate Steps:

- Convene a group of staff members and guests in the shelter/TH, including community stakeholders to review policy and procedure for barriers that might cause a specific racial group to avoid shelter (e.g., if African Americans are not accessing shelter proportionately, examine rules on dress code, criminal records and so on)
- Review data on bans/termination of services (e.g., is there a disparity with who is getting terminated from shelter and for how long?)

Long-term Step:

- Work with other community partners that largely serve minorities with outreach and assessment resources

There's More To Do!

- **Organizational**

- designate a staff person or a team to address racial equity in your organization
- commit resources
- annually train staff
- hold ongoing opportunities to discuss racial equity

- **Listening to People with Lived Experience**

- provide opportunities for those in your system to give feedback and expand opportunities for policy participation

Resources

<https://www.hudexchange.info/resource/5787/coc-analysis-tool-race-and-ethnicity/>

<https://endhomelessness.org/resource/the-alliances-racial-equity-network-toolkit/>

<https://www.hudexchange.info/resource/5827/stella-p-quick-start-guide/>

THANK YOU

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Establishing Equity

For LGBTQ2S+ Populations within Housing Response Systems



Reflections

Collaboration with NYFH!!!

Multiple briefings on Capitol Hill

Multiple Hill Days

Collab with federal, national, & local partners

Partnership with people with lived expertise/experience works!



Why focus on LGBTQ2S+ folks?

Social determinants of health

Outcomes across the board

Targeted universalism



What we mean by...

- Inclusive
- Affirming
- Safe
- Supportive



SOGIE: Sexual Orientation, Gender Identity, Expression

Sexual Orientation: Describes to whom a person is sexually attracted. Some people are attracted to people of a particular gender; others are attracted to people of more than one gender. Some are not attracted to anyone.

Sex Assigned at Birth: Female/Male/Intersex-Other

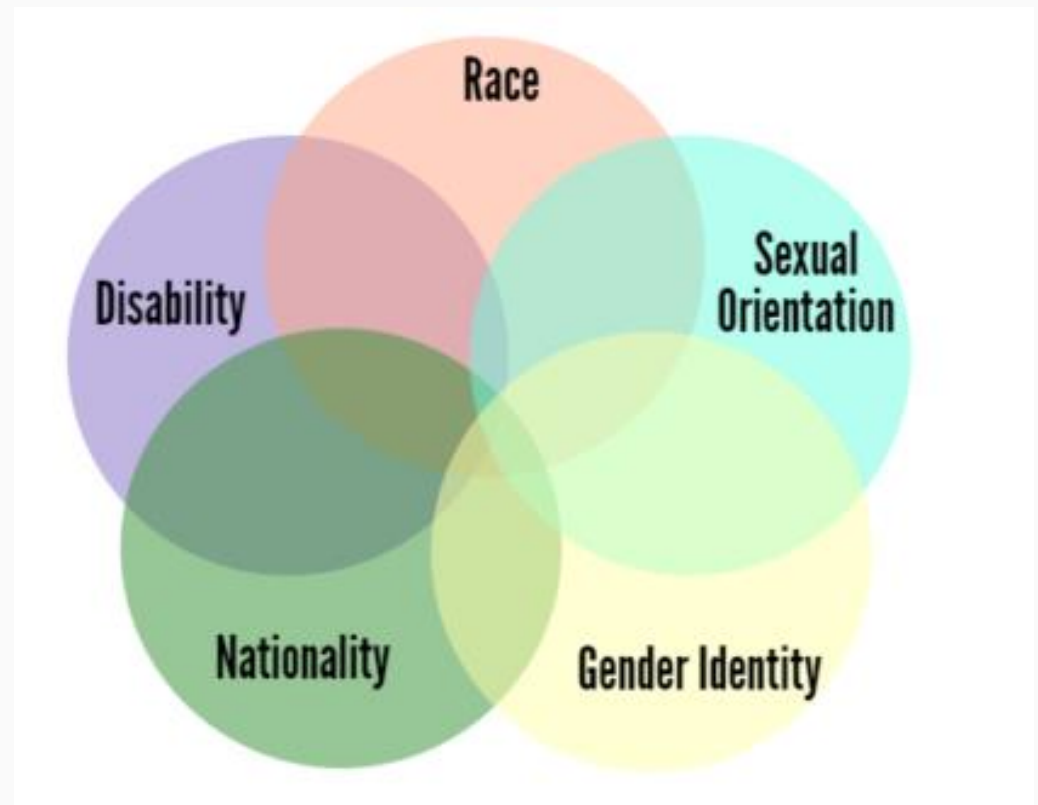
Gender Identity: An individual's internal, deeply felt sense of being a man, a woman, both, neither, or in-between.

Gender Expression: One's gender expression (e.g. masculine, feminine, androgynous, etc.) is how one embodies gender attributes, presentations, roles, and more.



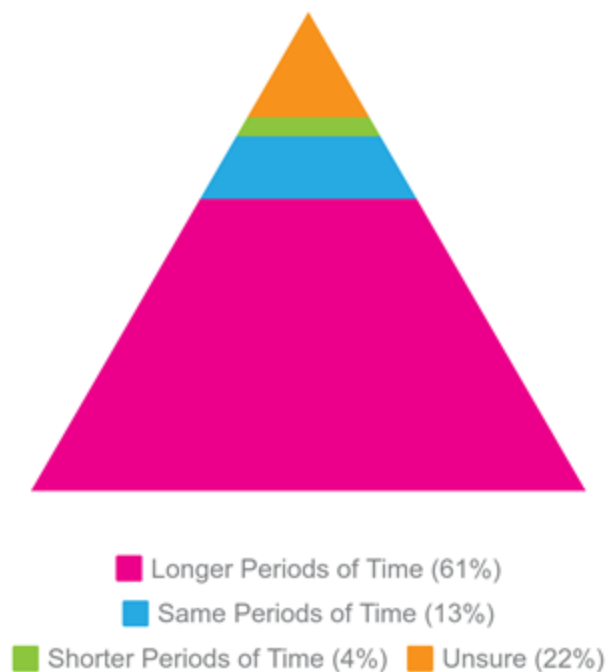
Intersectionality.

Dr. Kimberle' Crenshaw describes this as the interconnected nature of social categorizations such as race, class, and gender as they apply to a given individual or group, regarded as creating overlapping and interdependent systems of discrimination or disadvantage.

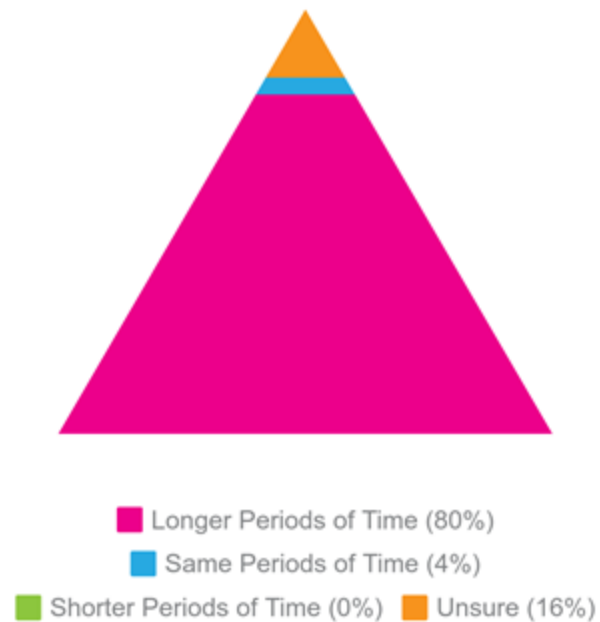


Duration of Homelessness

LGBQ



Transgender



For Your Consideration...

- Where to place stickers?
 - Bulletin Board
 - Clipboard
 - Window
 - Common areas
- Where to place posters?
 - Welcome desk
 - Dining area
- Strategies for identifying all-gender restrooms



Staff Training

- As part of onboarding
- Yearly LGBTQ competency training
- Ensure staff are comfortable with LGBTQ terminology



Intake Forms & Agency Paperwork

- Consider meeting the basic needs prior to asking invasive questions
- Leave questions open-ended
- Explain why you are collecting this information
- Remember names and pronouns are subject to change
- Model respect



Posted Policies

- Informal practice into formal policies
- Policies of non-discrimination and inclusivity posted throughout the space
- Question policies that have never been challenged especially if they seem punitive
- Encourage clients to advocate for what they feel is best



Thank you!

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Furthering Fair Housing in ESG and CoC Programs to Address Equity

David Dirks, Esq.

Senior Staff Attorney, Homebase

(materials adapted from HUD Resources)

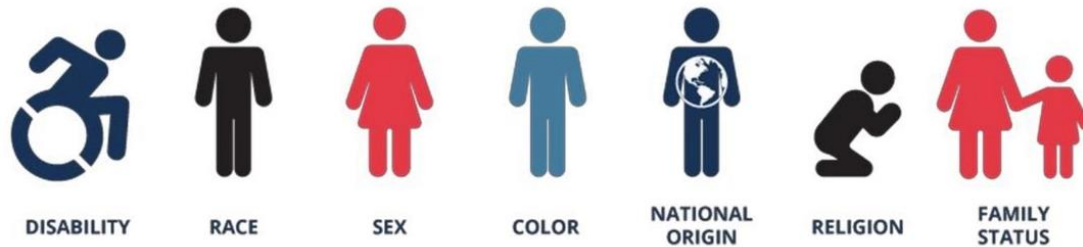
Housing “Policies” Prior to Fair Housing Laws

- Land Occupation
 - Indian Removal Act ➡ Trail of Tears
 - Indian Appropriations Act ➡ Reservations
 - Slavery
 - Use of Eminent Domain to Acquire Land
 - Racial Covenants
 - Redlining
 - Racial Profiling



Federal Fair Housing Act

- The Federal Fair Housing Act (The Act) prohibits housing discrimination on the basis of any “protected class.” Protected classes include race, color, religion, sex (sexual orientation, gender identity), disability, familial status, and national origin.



- The Act applies to all housing, regardless of the type of funding or ownership, including housing owned by private individuals or organizations.

CoC and ESG Programs

- HUD's Continuum of Care (CoC) and Emergency Solutions Grants (ESG) Program recipients and subrecipients must comply with the Fair Housing Act (Act) and Equal Access Rule (Rules)'s nondiscrimination provisions.
- The Act requires HUD's recipients to implement CoC and ESG projects in a manner that "affirmatively furthers fair housing" (AFFH) by assessing and taking meaningful actions to address their community's disparities in housing needs.
- For more information on AFFH, federal fair housing laws, and other laws that may apply (Section 504, Title VI). See, e.g., Affirmatively Furthering Fair Housing and Fair Housing; and Rights and Obligations | HUD.gov
- All CoC and ESG assisted projects must have updated policies and procedures that reflect fair housing requirements.

Fair Housing Act and Equal Access Rule

- HUD's Equal Access Rule at 24 CFR Part 5, and in various HUD program regulations, ensure that HUD's housing programs are open to all eligible **individuals and families regardless of sexual orientation, gender identity, or marital status.**
- The rule requires CPD funded recipients and subrecipients, in whole or in part, to grant **equal access** to shelters, other buildings and facilities, benefits, accommodations and services to individuals **in accordance with the individual's gender identity, and in a manner that affords equal access to the individual's family.**

Equal Access in Practice: Placement and Accommodations

- An individual is placed, served, and accommodated in accordance with the individual's gender identity and in a way that affords the individual's family equal access.
- Placement and accommodation of an individual in temporary, emergency shelters and other buildings and facilities with shared sleeping quarters or shared bathing facilities must be consistent with the individual's gender identity without subjecting the individual to intrusive questioning or requiring documentation.

Examples of Fair and EAR Overlap & Violations

- A tenant using a Housing Choice Voucher is evicted after the housing provider discovers the tenant has dated persons of the same sex and identifies as bisexual.
- A gay man who currently uses a voucher to pay his rent contacts the property owner to request to add his male partner, who is also income-eligible, to the lease so they can live together. The owner asks, “Are you gay?” and denies the request when the tenant confirms that he is gay.

Examples of FH and EAR Overlap & Violations (cont.)

- A transgender woman seeks a long-term stay at a HUD-funded women's homeless shelter. During the intake process, shelter staff refuse to address the transgender woman as a woman.
- They misgender her and made other statements to discredit her gender identity. The shelter staff refuse to shelter the transgender woman at the woman's shelter in accordance with her gender identity but offer to place her in a men's shelter.



[Additional Examples](#)

FH, Equity, and Homelessness

- While you cannot prioritize households based on legally protected characteristics, **you can adopt approaches that address inequities in your homelessness response system.**
- Prioritization can be based on **needs, vulnerabilities, and barriers.**
- CoCs are encouraged to include minoritized and disenfranchised groups to drive and implement changes in the homeless services system.
- Prioritization decisions should be grounded in evidence (quantitative and qualitative).
- Your CoC needs to be transparent and consistent about its prioritization practices through policies and procedures.

First Equity Example

- Your CoC has evidence that people living unsheltered within the CoC experience physical and sexual violence at higher rate than their sheltered counterparts.
- In addition, your CoC has found that LGBTQIA+ youth in your community both live unsheltered and experience physical and sexual violence disproportionately relative to the overall population.
- It would be appropriate to make prioritization decisions based on both of those vulnerabilities: unsheltered homelessness and increased risk of physical and sexual violence.

Second Equity Example

- Your CoC has looked at data from Stella, the CoC Analysis Tool, and a qualitative study with participants in the community. The data indicated, for example, that Black single moms with criminal justice and eviction histories are overrepresented in the emergency shelter population and their length of stay far exceeds other groups experiencing homelessness.
- To address this issue, your CoC has decided to develop a project that prioritizes individuals and families that have a criminal justice and eviction history along with an emergency shelter stay that exceeds 60 days.

Second Equity Example (con't)

- This project would improve access to units with landlords who have historically screened out applicants for eviction and criminal records, by providing education and supports to both the landlords and the participants. These supports would address concerns that might put the housing opportunity at risk; provide the participant with help resolving past legal actions; and help decrease the likelihood the person would be evicted in the future.
- This project would not prioritize based on protected characteristics like race or sex, as anyone with an eviction record, a criminal justice history, and a length of stay in emergency shelter that exceeds 60 days will qualify for the project.

Who is Responsible for Upholding Fair Housing Laws?

Property owners (individual & corporate)

Property managers

Maintenance & administrative staff

Housing Authorities, Voucher program administrators

Shelter program employees

Real estate agents & brokers

Lenders

Insurers & appraisers

Homeowner/condominium associations

Property management companies

Architects, builders, developers, and engineers

Municipalities

Harassment

A single incident of harassment can violate the Fair Housing Act

Harassment does not require physical contact

Includes written, verbal, and other conduct

Quid Pro Quo

- An unwelcome request or demand that makes submission to request or demand a condition of accessing or maintaining housing because of a protected characteristic

Hostile Environment

- Unwelcome conduct that is "sufficiently severe or pervasive" such that it interferes with accessing or maintaining housing, including the "use or enjoyment of a dwelling."

Disparate Impact

Examples:

No curry permitted in apartments
(disproportionate impact on South Asians)

No one can play outside (disproportionate
impact on families with children)

No rental to people with criminal history
(disproportionate impact on race or national
origin)

A policy or practice can be discriminatory even if the provider did not intend it to be.

A policy that appears to be neutral could be considered discriminatory if it has a harsher impact on people who are in a protected class.

Ensure Participants Understand Their Rights

HUD funded projects have an obligation to ensure participants understand their rights under the Fair Housing Act and the Equal Access Rule. Here are examples of information that can be shared:

- It is prohibited under the Fair Housing Act for any landlord or housing provider to discriminate against LGBTQ persons because of their actual or perceived sexual orientation or gender identity or any other reason that constitutes sex-based discrimination.
- Under the Equal Access Rule, HUD-funded homeless providers must place clients in a shelter or facility that corresponds to the gender with which the person identifies, taking health and safety concerns into consideration. Providers must also ensure that their policies do not isolate, or segregate clients based upon gender identity.

Understand Your Rights (cont.)

- It is unlawful for a landlord or housing provider of a covered dwelling to deny housing because of actual or perceived HIV/AIDS status under the Fair Housing Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act.
- It is prohibited under the Fair Housing Act for any landlord or provider to discriminate in housing transactions based on disability, including serious mental illness (SMI), and co-occurring disorders (COD).
- It is prohibited for a lender to deny an HUD-insured mortgage to any qualified applicant based on their actual or perceived sexual orientation, gender identity, or marital status.

How to File a Complaint with HUD

Individuals:

- If you believe you have experienced (or are about to experience) housing discrimination, you may contact [HUD's Office of Fair Housing and Equal Opportunity](https://www.hud.gov/program_offices/fair_housing_equal_opportunity) at (800) 669-9777 to file a complaint.
- Because there are time limits (typically one year) on when a complaint can be filed with HUD after an alleged violation, you should submit a complaint as soon as possible.
- You may also contact [your local FHEO office](#) or file a complaint online by visiting https://www.hud.gov/program_offices/fair_housing_equal_opportunity/online-complaint
- Filing a complaint is free, no cost to you.

Organizations:

- If an organization believes it has been impacted by fair housing discrimination, it can file a complaint, by contacting [HUD's Office of Fair Housing and Equal Opportunity](https://www.hud.gov/program_offices/fair_housing_equal_opportunity) at (800) 669-9777.
- Organizations cannot file complaints on behalf of individuals; however, they can assist the individual in understanding how to file their own complaint.



Mission Statement

The National Fair Housing Alliance is the voice of fair housing. NFHA works to eliminate all forms of housing discrimination and to ensure equal housing opportunity for all people through leadership, education, outreach membership services, public policy initiatives, community development, advocacy, and enforcement



Find an Operating Member -
<https://nationalfairhousing.org/find-help/>

Centuries of government policies led to structural inequalities for communities of color.

Headrights System * Slave Codes * Early U.S. Constitution * Land Ordinances & Grants * Fugitive Slave Act * Homestead Act * Indian Removal Act * Freedman's Savings & Trust * Black Codes * Jim Crow Laws * Home Owners Loan Corporation Act * National Housing Act * Racially Restrictive Covenants * Chinese Exclusion Act * Sundown Town Ordinances * GI Bill * Social Security Act * Japanese Internment * Urban Renewal * Model Cities * National Highway Act



New Deal policies perpetuated redlining

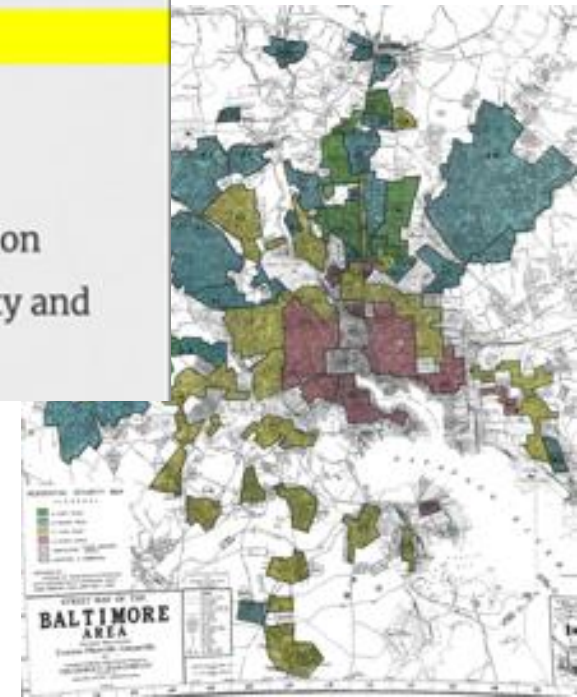
D4

Obsolescence. Negro concentration. Excessive ground rents in many cases.

(Detrimental Influences)

C6

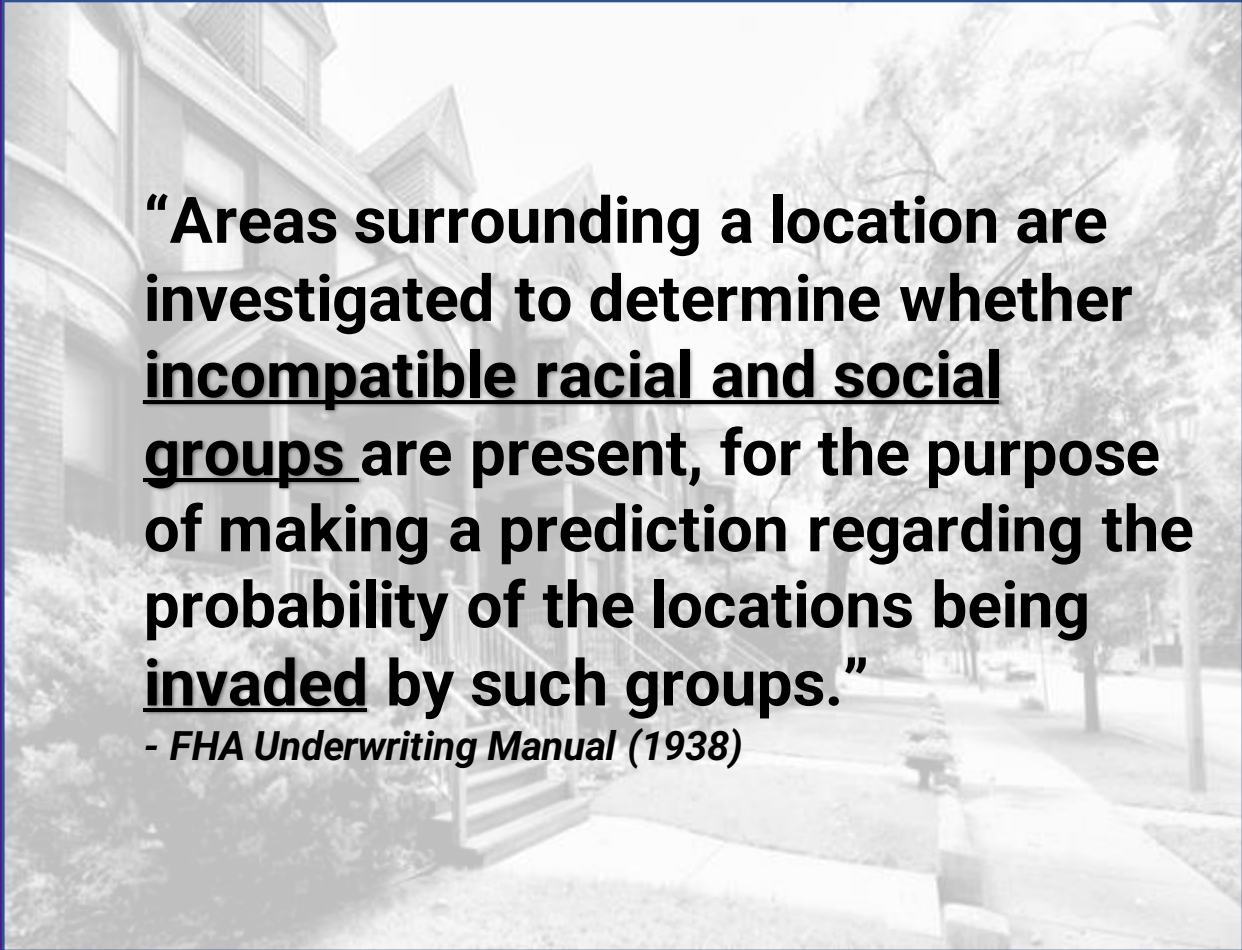
No immediate danger of negro encroachment, but there is a heavy concentration of negroes in the section adjoining. Section is somewhat spotty and has few ground rent up to \$120.



Underwriting and appraisal policies further perpetuated the unfounded association between race and risk.

“Areas surrounding a location are investigated to determine whether incompatible racial and social groups are present, for the purpose of making a prediction regarding the probability of the locations being invaded by such groups.”

- FHA Underwriting Manual (1938)



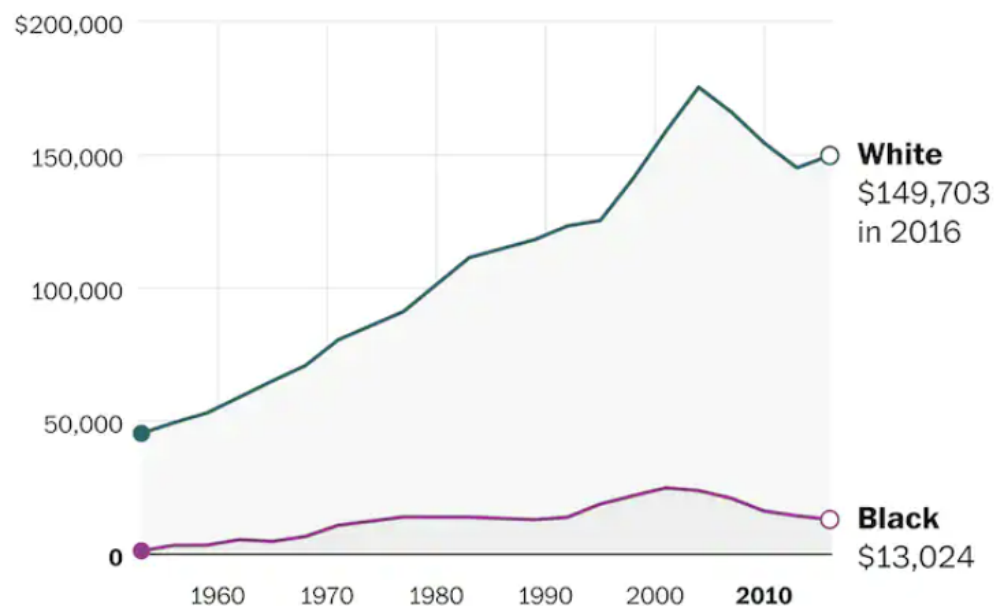
Hoyt's Hierarchy 1st Chief Economist of FHA

- English, Germans, Scotch, Irish, Scandinavians
- North Italians
- Bohemians or Czechoslovakians
- Poles
- Lithuanians
- Greeks
- Russian Jews of the lower class
- South Italians
- Negroes
- Mexicans

Discriminatory policies led to today's homeownership and wealth gaps.

White wealth surges; black wealth stagnates

Median household wealth, adjusted for inflation



Source: Historical Survey of Consumer Finances via Federal Reserve Bank of Minneapolis and University of Bonn economists Moritz Kuhn, Moritz Schularick and Ulrike I. Steins
THE WASHINGTON POST

Where You Live Matters

Wealth

In 2016, the **median wealth** of White families was 10 times that of Black families and 8 times that of Latino families. According to Prosperity Now, if White wealth were to remain constant, it would take Latinos 84 years and Blacks 228 years to reach parity. This **wealth gap** is tied to disparities in H/O rates – 72% for Whites, 47% for Latinos and 42% for Blacks.

Healthy Environments

People of Color are more likely to be impacted by **environmental injustice** and are twice as likely to live in areas without potable water or proper sanitation. Race is the most significant predictor of whether a person will live in a neighborhood with contaminated air, land or water. More than half of the people who live within 2 miles of a waste facility are People of Color.

Living Wage Jobs

There are large **income disparities** based on race. Higher paying jobs are not located in Communities of Color. These jobs are located either in core downtown areas or suburban hubs. In addition, People of Color face direct discrimination when trying to get a job. One study found that people with "White" sounding names are contacted 20% more than those with "Black" sounding names.

Digital Access and Tech Equity

Communities of Color have less access to **high-speed Internet**. Most people who benefit from federal investments on rural broadband subsidies are non-Hispanic White. Moreover, people who lack residential broadband service for reasons other than network availability are disproportionately people of color. Black and Brown communities are also disproportionately impacted by **tech bias**, like automated underwriting, credit scoring, tenant screening, and risk-based pricing systems that often manifest discrimination.

Education

Where you live impacts your child's ability to attend a **well-resourced school** with expanded learning opportunities. Across the nation, schools spend \$334 more on White students than students of Color and predominately White school districts receive \$23B more than non-White districts. Moreover, schools in predominately White communities have higher instances of veteran, highly-qualified educators who are teaching in their field of expertise. The COVID-19 pandemic has exacerbated the racial education gap.

Transportation

Transportation points, like highways, toll roads, and train lines have been used to isolate communities of color cutting them off from access to job centers and important amenities and services. Since People of Color are less likely than their White counterparts to own a car, access to reliable public transportation is imperative. Moreover, NFHA's investigative work shows even when People of Color have better credit, they are often charged more for auto loans than their White counterparts.

Healthy Food

People of Color are more likely to live in a **food desert**. Latinos are a third less likely and Blacks half less likely to have access to a grocery store than their White counterparts. 8% of Blacks live in a census tract with a grocery store compared to 31% of Whites.

Healthcare

Blacks and Latinos are more likely to live in **health deserts** with fewer healthcare facilities and primary care physicians. As Melody Goodman, Assistant Professor of Washington University put it, when it comes to your well-being, "Your zip code is a better predictor of your health than your genetic code." The COVID-19 pandemic has exacerbated racial health disparities. Due to discrimination, segregation, and other structural inequities, people of color are dying from the coronavirus at more than twice the rate of Whites.

Access to Credit

People of Color are more likely to be affected by America's **dual credit market**. 46% of Blacks, 40% of Latinos, and 38% of American Indian/Alaska Natives use non-traditional credit compared to 18% of Whites. Subprime and fringe lenders are hyper-concentrated in Communities of Color. Alternatively, White communities have an average of 41 bank branches while Communities of Color have an average of 27 bank branches for every 100,000 people.

The Fair Housing Act

- Passed in 1968
- Dual Purposes: To eliminate housing discrimination and to promote residential integration



Protected Classes Under the FHA

- Race
- Color
- Religion
- National Origin
- Sex (including sexual orientation and gender identity)
- Disability
- Familial Status



HUD and Protections Against LGBTQ+ Discrimination in Housing

2010 – HUD accepts gender identity complaints

2012 – Equal Access Rule

2016 – HUD harassment rule treats gender identity as sex discrimination



HUD and Protections Against LGBTQ+ Discrimination in Housing

2021 – HUD and HUD-funded entities to treat sexual orientation and gender identity as sex discrimination consistent with *Bostock v. Clayton County*



Protected Classes Under State and Local Laws

- Sexual orientation and gender identity

https://www.lgbtmap.org/equality-maps/non_discrimination_laws

- Source of Income including Vouchers

<https://www.prrac.org/pdf/AppendixB.pdf>

- Housing Status



Housing Covered

Most housing covered under federal, state or local fair housing laws



Key Discriminatory Housing Practices

- Refusal to rent or sell or otherwise make unavailable
- Discriminatory terms or conditions
- Discriminatory statements or advertisements
- Misrepresenting the availability of housing



Practices Covered

- Reasonable Accommodations
- Harassment
- Land Use and Zoning
- Lending
- Appraisals
- Insurance



Other Key Features of FHA

- Disparate impact
- Affirmatively Furthering Fair Housing
- Standing including organizations
- Fair housing testing
- Administrative or DOJ enforcement
- Broad range of remedies



LGBTQ+ and Homeless Services and Shelters

Williams Institute Report:

- Between 20% and 45% of homeless youth identify as LGBTQ
- LGBT people have a 2.2 times greater risk of homelessness than non-LGBT people
- 22% of LGBT adults reported experiencing housing discrimination based on their sexual orientation or gender identity



LGBTQ+ and Homeless Services and Shelters

Williams Institute Report:

- High rates of harassment of LGBTQ+ youth in homeless shelters
- Transgender people housed in shelter according to the sex assigned at birth



Assisting People Experiencing Homelessness Through Fair Housing

- Land use and zoning
- Source of income
- Sexual orientation discrimination



Land Use and Zoning

United States v. City of New Orleans

- Permanent Supportive Housing for people with disabilities who were formerly homeless
- Comments made at hearing based on disabilities of proposed residents
- City attempted to delay and block construction



Land Use and Zoning

United States v. City of New Orleans

- Department of Justice filed a lawsuit on behalf of the developers
- Alleged that the City denied or otherwise made housing unavailable to people with disabilities
- Settlement allows for the construction of the supportive housing and provides funding for 350 units of supportive housing



Source of Income Discrimination

Equal Rights Center v. Belmont Crossings Apts.

- Counseling agency attempted to place a veteran who was experiencing homelessness into an apartment
- Veteran was receiving a emergency housing subsidy for veterans
- Apartment complex refused to accept subsidy
- Fair housing organization conducted fair housing testing



Source of Income Discrimination

Equal Rights Center v. Belmont Crossings Apts.

- Fair housing organization filed a lawsuit
- Court found that short term housing subsidies constitutes source of income discrimination
- Settlement required apartment complex to accept short term housing subsidies and pay \$310,000 in damages and attorneys' fees to the organization



Sexual Orientation Discrimination

Smith v. Avanti

- Transgender woman, her wife and two children attempted to rent a townhouse
- Owner refused to rent to the family because of the “unique relationship” of the plaintiffs and said that she spoke to a friend who has a transvestite friend herself
- Court held that the refusal to rent was based on sex



Resources

- Adam Romero et al, UCLA School of Law Williams Institute, *LGBT People and Housing Affordability, Discrimination, and Homelessness* (2020)

<https://williamsinstitute.law.ucla.edu/publications/lgbt-housing-instability/>

- HUD Resources Page on LGBTQ+

https://www.hud.gov/program_offices/fair_housing_equal_opp/housing_discrimination_and_persons_identifying_lgbtq

- Training and other partnerships – NFHA

Member Fair Housing Organizations:

<https://nationalfairhousing.org/find-help/>



NFHA

NFHA

National Fair Housing Alliance

Thank You

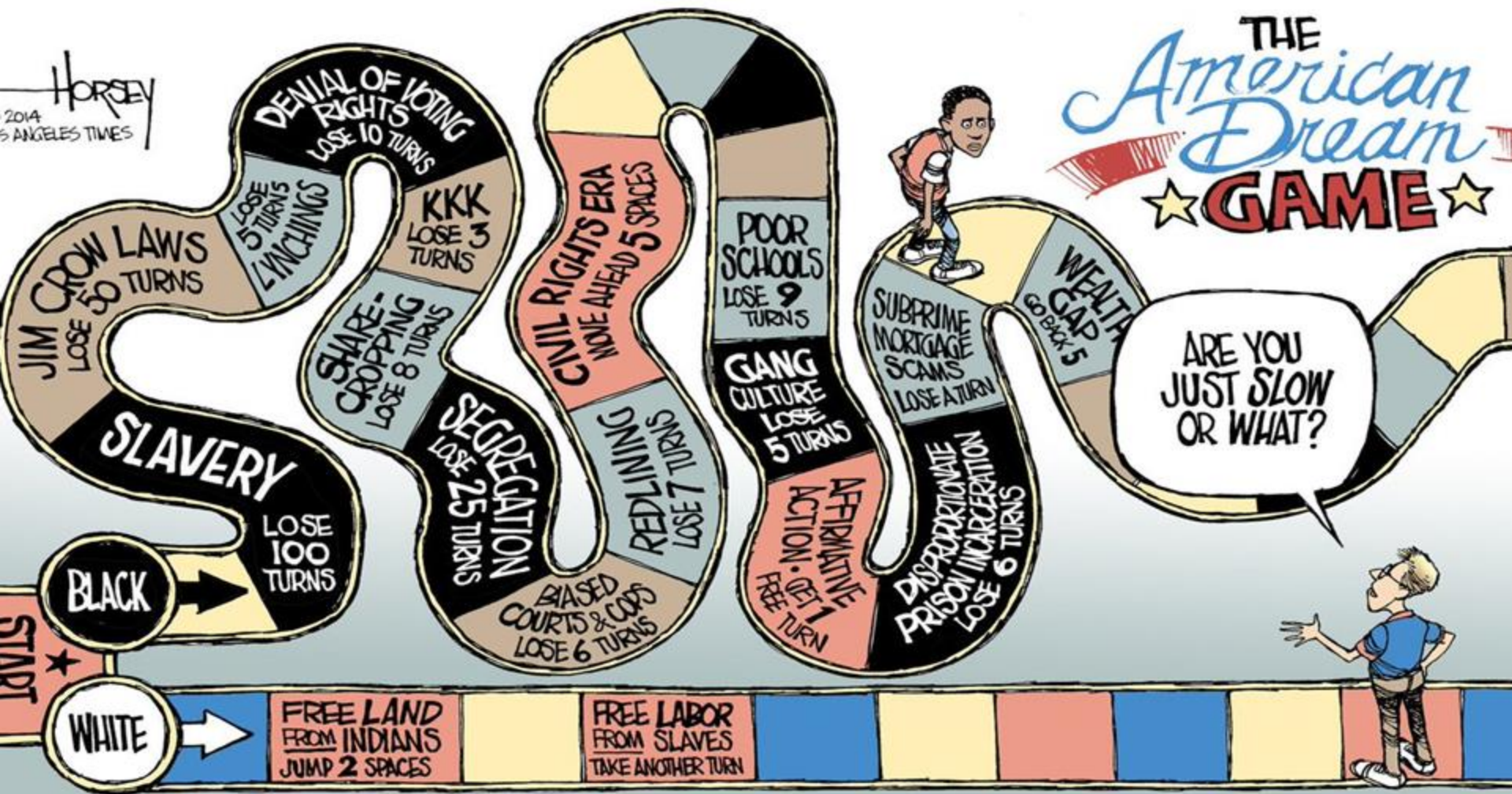
schang@nationalfairhousing.org

Our Mission

The Homelessness Policy Research Institute (HPRI) is a **collaborative** of over one hundred researchers, policymakers, service providers and experts with lived experience of homelessness that accelerate **equitable and culturally informed solutions** to homelessness in Los Angeles County by **advancing knowledge and fostering transformational partnerships between research, policy and practice.**

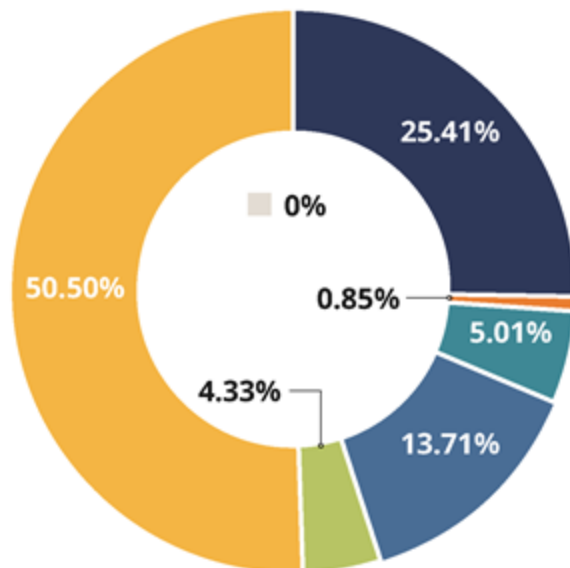


HORSEY
2014
LOS ANGELES TIMES

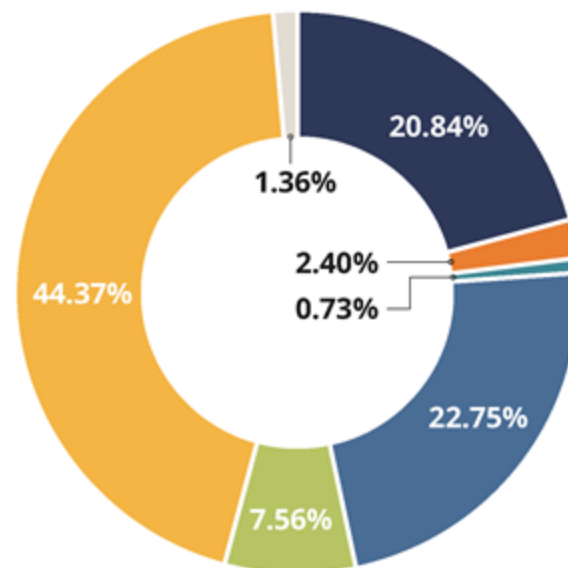


Child Welfare System...

Child Population by Race



Children in Foster Care by Race



- Hispanic or Latino
- Non-Hispanic American Indian
- Non-Hispanic Asian, Non-Hispanic Native Hawaiian and other Pacific Islanders
- Non-Hispanic Black
- Non-Hispanic multiple race groups
- Non-Hispanic White
- Race unknown

Source: Annie E. Casey Foundation's Kids Count Data Center, 2018

Criminal Legal System

Lifetime Likelihood of Imprisonment of U.S. Residents Born in 2001

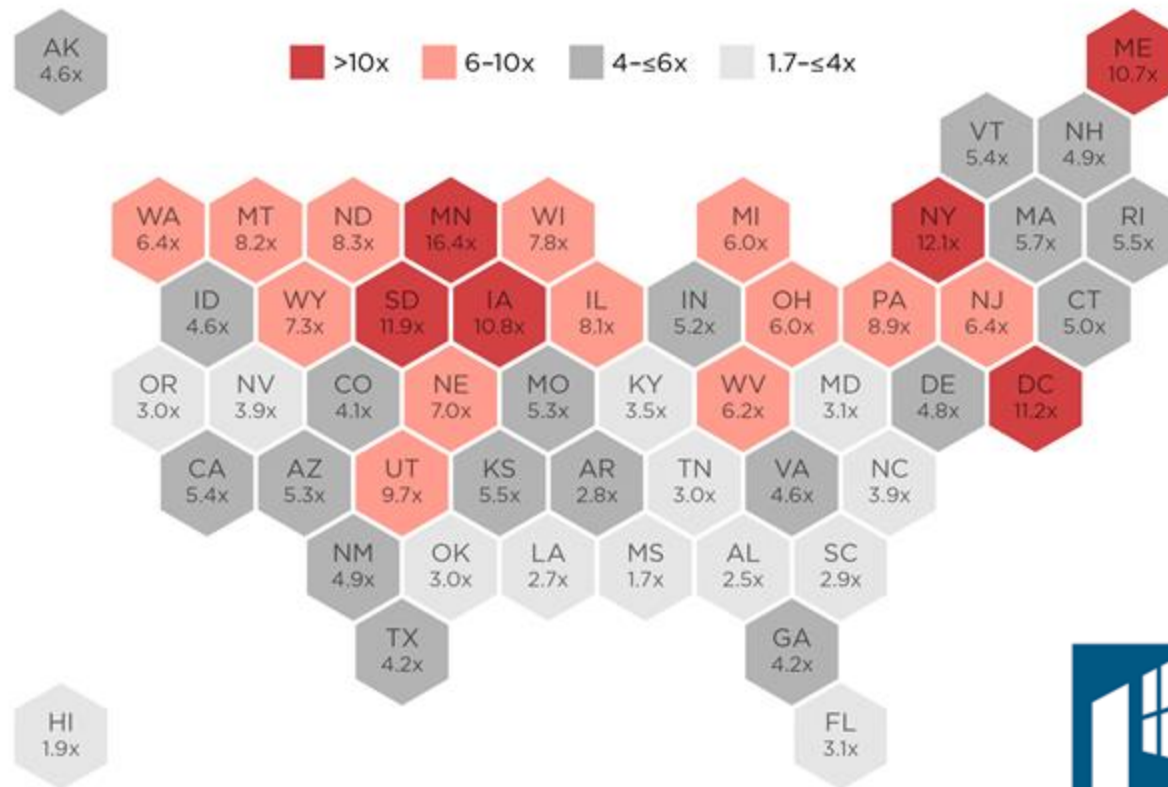


Source: Bonczar, T. (2003). *Prevalence of Imprisonment in the U.S. Population, 1974-2001*. Washington, DC: Bureau of Justice Statistics.



In Every State, African Americans Are More Likely Than Whites to Experience Homelessness

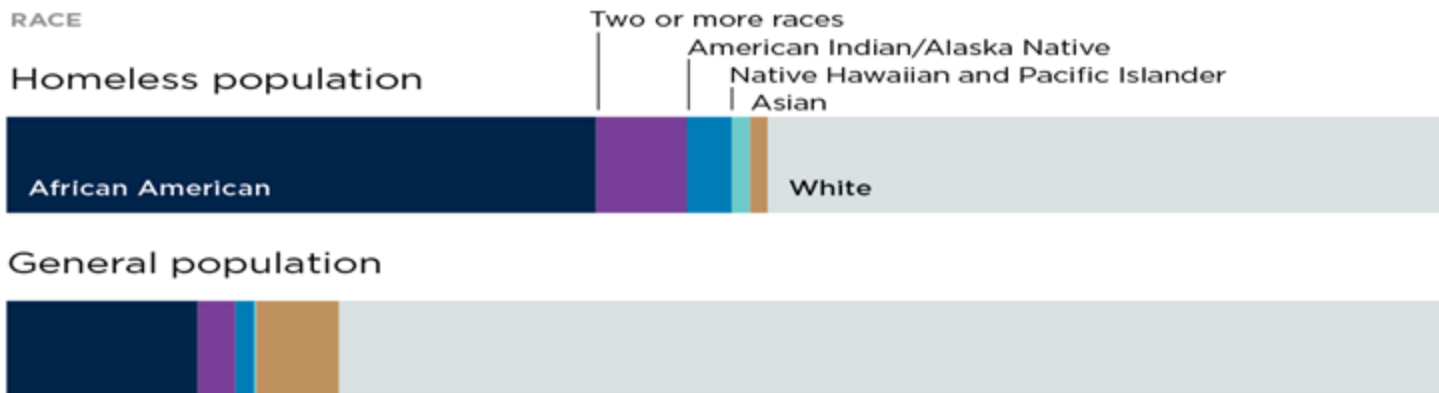
Ratio of Black-to-White homelessness rate by state, 2018



US Pop/Homeless
 1.35 - 3% Native
 13% - 40% Black
 16.7% - 22% Latinx
 76% - 49% White

Most Minority Groups Make up a Larger Share of the Homeless Population Than They Do of the General Population

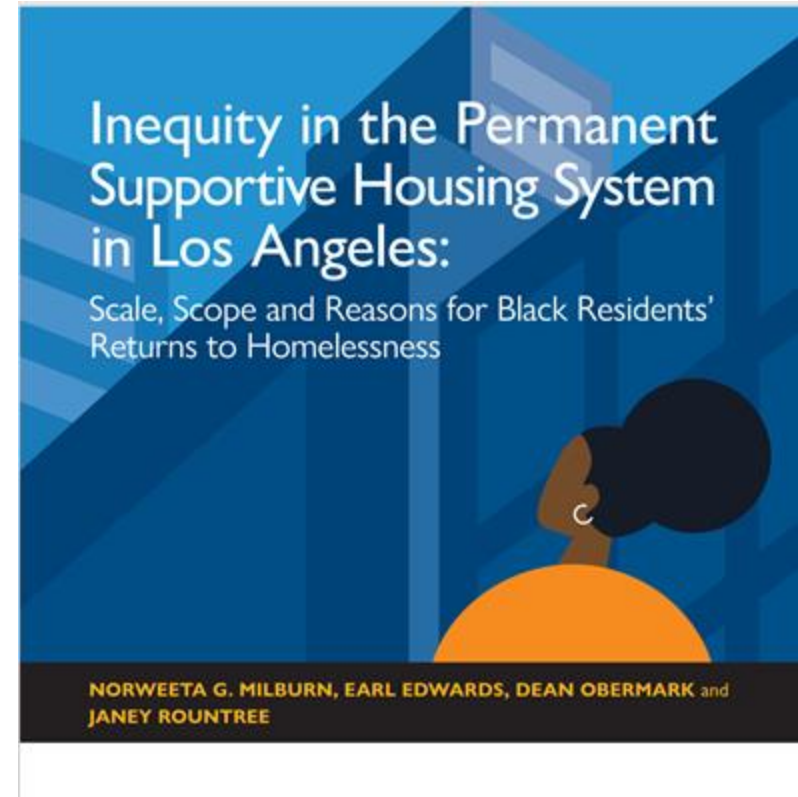
Race and ethnicity of those experiencing homelessness compared with the general population



Homeless population data are for a given night in 2017.
Source: 2017 *Annual Homeless Assessment Report to Congress*, Part 1

There are clear racial inequities in returns to homelessness after enrolling in PSH...

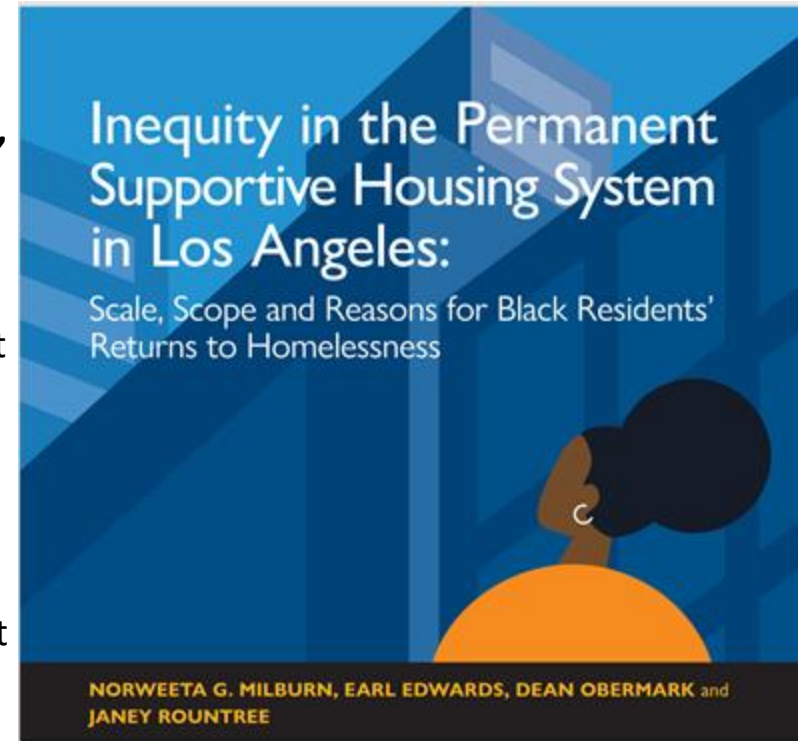
- Between 2010 and 2019, one in four **(25%) Black, single adult residents returned to interim housing or street homelessness after being placed in PSH**. In the same period, the return rate for White single adult residents was 18%.
- **Black PSH residents are 39% more likely to return to homelessness than white residents.** Adjusting for resident demographics, prior homelessness and HMIS service history, housing type, and specific PSH programs, Black residents are still 19% more likely than White residents to return to homelessness.



Findings related to obstacles encountered while housed in PSH...

Housing Discrimination: According to case managers, **landlords' racial discrimination limits the housing options of Black residents with tenant-based vouchers**. Case managers anticipate racial discrimination from some landlords, and thus suggest housing placements with landlords they know or expect will accept Black residents. These landlords are often in under-resourced neighborhoods

Pathologizing and racist treatment: Case managers described **Black residents being subject to unequal treatment**, microaggressions, and pathologizing that may occur throughout their interaction with the homelessness services system. Residents discussed dehumanizing interactions with system staff.





Addressing Racial Trauma

PROVIDERS GUIDE TO RACIALLY CONSCIOUS, TRAUMA INFORMED CARE

Safety	Choice	Collaboration	Trustworthiness	Empowerment
<ul style="list-style-type: none"> Racialized and intersectional safety is considered and explored Individual, therapeutic, familial, community and organizational safety addressed Trauma is anticipated to have an impact 	<ul style="list-style-type: none"> Decision making, with both micro and macro consequences historically and in the present are considered Clients provided culturally relevant tools and information to analyze options 	<ul style="list-style-type: none"> Providers and client broach dialogue regarding differences in intersectional identities and lived experiences to develop a genuine rapport Clients invited to share honest racial feedback 	<ul style="list-style-type: none"> All interactions respectful, with the understanding that racism plays a role Systemic interaction with other organizations clarified Boundary violations are explored with curiosity 	<ul style="list-style-type: none"> Client lived experiences are believed, validated and affirmed Clients are encouraged to share narratives Therapeutic intervention and advocacy is not provided without real consent (not pseudo equity)

Credit:
Dr.
Wendy
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CULTURALLY SPECIFIC MODEL FOR SERVICES

Attributes of the model...

- Staff, board and leadership (racially/culturally) reflect the community being served (belonging)
- Org environment is culturally focused as identified by clients
- Established and successful community engagement & involvement with the community served

Benefits of the model...

- Affirms racial identity and pride
- Holistic interventions/less reliance on medical model of services
- Improved client retention, longer periods of service engagement, fuller use of services, shared (racial/cultural) identity has a positive impact on client outcomes



Applications informed by Fair Housing, Research and doing the right thing...

- **Reasonable accommodations**
 - Ensure BIPOC and tenants of other protected classes are receiving accommodations
- **Housing Retention**
 - Co-develop housing retention practices w/ BIPOC people with lived experiences
 - Consider culturally specific services, supporting BIPOC providers and BIPOC providers w/ lived experiences to address BIPOC turn over
 - Practice Racially Trauma informed care
- **Systems Design**
 - Model your design based on vulnerabilities experienced in your system
 - Co-produce research w/ BIPOC to address systems needs
 - Work with cross-sector partners (criminal legal system, foster care system)