Fair Housing Testing

In a Nutshell

Fair Housing Testing is an investigative tool to identify potential discrimination. Testing can be conducted in rental, sales, and mortgage markets. Local governments can work with qualified fair housing organizations to conduct testing in their jurisdiction. This tool helps enforce the Fair Housing Act, which prohibits discrimination on the basis of race, color, religion, national origin, sex, disability, and familial status.

The “How To”

Fair housing testing refers to the use of individuals who, without a bona fide intent to rent or purchase a home or apply for a mortgage, pose as prospective renters or purchasers for the purpose of gathering information which may indicate whether a housing provider is complying with fair housing laws. Testing is a controlled process that simulates a housing transaction for the purpose of comparing the responses given by housing providers to different types of home seekers.

Fair housing organizations administer testing programs to investigate and enforce the fair housing laws. The Metropolitan St. Louis Equal Housing and Opportunity Council (EHOC) is the only qualified fair housing organization that has an established testing program in the St. Louis region.

Individuals can volunteer to become testers. Local governments, housing providers, and other entities can partner with fair housing organizations to develop a testing program to investigate a specific housing practice or a specific jurisdiction.

Through the Fair Housing Initiatives Program (FHIP), the federal government funds a range of investigative and enforcement activities, as well as education and outreach services, via contracts with private non-profit fair housing organizations.

Anyone interested in becoming a tester or contracting withThe Metropolitan St. Louis Equal Housing and Opportunity Council (EHOC) can use the following contact information:

1027 South Vandeventer Avenue, 6th Floor
St. Louis, MO 63110
Phone (314) 534-5800
or TOLL FREE (800) 555-3951
FAX (314) 534-2551
TDD (Missouri Relay) (800) 735-2966
TDD (Illinois Relay) (800) 526-0844
Email:ehoc@ehocstl.org

Dollars & Cents

HUD provides funds for fair housing organizations to conduct investigation and testing of housing discrimination. Fair Housing organizations can contract with additional partners to conduct investigations and testing of specific housing practices in specific jurisdictions within the St. Louis Region.

Measuring Success

Fair Housing testing that uncovers evidence of discrimination on the basis of a protected class can be used to enforce the federal Fair Housing Act and local fair housing laws. Testing evidence can be used in an administrative complaint filed with the U.S. Department of Housing and Urban Development, the Department of Justice or local enforcement agencies, as well as a private lawsuit filed in court. Testing evidence is also used in fair housing outreach and education in order to further inform people about housing discrimination and their rights.

Discover More

The United States Department of Justice provides background for the Fair Housing Testing Program here.

Case Studies

An Estimate of Housing Discrimination Against Same-Sex Couples

Contact

United States Department of Housing and Urban Development (HUD)

Description

The study found that same-sex couples are significantly less likely than heterosexual couples to get favorable responses to e-mail inquiries about advertised rental housing. Specifically, heterosexual couples were favored over gay male couples in 15.9 percent of tests and over lesbian couples in 15.6 percent of tests (HUD).

The study summary and full report can be found here:
http://www.huduser.org/portal/publications/fairhsg/discrim_samesex.html

Havens Realty Corp. v. Coleman

Description

Havens Realty Corp. v. Coleman is a precedent-setting case involving testers finding evidence of racial discrimination. The case says that testers have legal standing under the Fair Housing Act to bring cases of discrimination.
http://nationalfairhousing.org/LinkClick.aspx?fileticket=bhbysiuCiEg%3d&tabid=3916&mid=5300

The Housing Discrimination Study 2000 (HDS 2000)

Contact

United States Department of Housing and Urban Development (HUD)

Description

The Housing Discrimination Study 2000 (HDS 2000) was a nationwide study sponsored by HUD to measure the amount of discrimination faced by minority home seekers. There were two previous studies in 1977 and 1989.

HDS 2000 was based on 4,600 paired tests in 23 metropolitan areas nationwide. The report shows a large decrease between 1989 and 2000 in the level of discrimination experienced by Hispanics and African Americans seeking to buy a home. There has also been a modest decrease in discrimination toward African Americans seeking rental units, however no such decrease was found for Hispanic renters (HUD). However discrimination is still a major problem in U.S. metropolitan areas.

For example, HUD states that Whites were consistently favored over blacks for rental units in 21.6 percent of tests completed. In particular, whites were more likely to receive information about available housing units, and had more opportunities to inspect available units (HUD).

The study summary and full report can be found here:
http://www.huduser.org/portal/publications/hsgfin/hds.html