

Analysis of Impediments to Fair Housing Choice in the District of Columbia

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D.C. Department of Housing and Community Development (DHCD)
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Jalal Greene, Director
Anthony A. Williams, Mayor

Analysis of Impediments to Fair Housing Choice in the District of Columbia

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Peter A. Tatian
Kenneth Temkin
Barika Williams

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The Urban Institute
Metropolitan Housing and Communities Policy Center
2100 M Street, NW
Washington, DC 20037

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TABLE OF CONTENTS

ANALYSIS OF IMPEDIMENTS TO I

FAIR HOUSING CHOICE IN THE..... I

DISTRICT OF COLUMBIA I

ACKNOWLEDGEMENTS..... I

INTRODUCTION..... 1

 Overview of Methods 3

 Progress Since Previous Analysis of Impediments 4

 Summary of Findings—Impediments and Recommended Actions 4

IMPEDIMENTS TO FAIR HOUSING CHOICE 13

AND RECOMMENDED ACTIONS..... 13

 Recommendations for Improving the Enforcement of Fair Housing Laws 14

 Recommendations for Increasing Knowledge of Fair Housing Laws 20

 Recommendations for Increasing Affordable Housing Opportunities 25

 Recommendations for Increasing Knowledge of Housing Options Throughout the City 27

 Recommendations for Improving Creditworthiness and Financial/Homebuyer Literacy 31

 Monitoring Progress 33

REFERENCES..... 37

ENDNOTES 41

Analysis of Impediments to Fair Housing Choice in the District of Columbia

ATTACHMENT A: BACKGROUND DATA ON THE DISTRICT OF COLUMBIA

ATTACHMENT B: DISTRICT OF COLUMBIA'S CURRENT FAIR HOUSING PROFILE

ATTACHMENT C: LIST OF ROUNDTABLE/INTERVIEW PARTICIPANTS

ATTACHMENT D: ROUNDTABLE INTRODUCTIONS AND INSTRUCTIONS

**ATTACHMENT E: SUMMARIES OF FAIR HOUSING COURT CASES AND
COMPLAINTS FILED WITH THE D.C. COMMISSION ON HUMAN RIGHTS**

ATTACHMENT F: SUPPLEMENTAL DATA TABLES

section 1

INTRODUCTION

The U.S. Department of Housing and Urban Development (HUD) has a longstanding commitment to eliminate racial and ethnic segregation and other discriminatory practices in the provision of housing. As stated on the HUD web site:

It is HUD's mission to promote nondiscrimination and ensure fair and equal housing opportunities for all. In an ongoing effort to provide services and activities on a nondiscriminatory manner and to *affirmatively further fair housing*, HUD is charged by law to implement and enforce a wide array of civil rights laws, not only for members of the public in search of fair housing, but for HUD funded grant recipients as well.¹

HUD extends the responsibility of affirmatively furthering fair housing to local jurisdictions through a variety of regulations and program requirements. For example, HUD requires all local jurisdictions participating in the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) formula programs to complete an annual Consolidated Plan, which establishes a “unified vision for community development actions.”² As part of the consolidated plan process, jurisdictions are required to complete an *analysis of impediments to fair housing choice* (“analysis of impediments”) report and to take actions to overcome the effects of any impediments identified through that analysis.

In addition to being the local government entity responsible for implementing HUD's consolidated planning requirement, the District of Columbia Department of Housing

and Community Development (DHCD) shares HUD's commitment to promoting fair housing choice for all residents of Washington, D.C. In partial fulfillment of its responsibilities to HUD and to the citizens of the District of Columbia, DHCD contracted with the Urban Institute of Washington, D.C., to prepare an updated analysis of impediments report for the District of Columbia.

This report, *Analysis of Impediments to Fair Housing Choice in the District of Columbia*, is the result of that effort. According to the HUD *Fair Housing Planning Guide*, an analysis of impediments should include:

- a comprehensive review of a jurisdiction's laws, regulations, and administrative policies, procedures, and practices;
- an assessment of how those laws, regulations, and administrative policies, procedures, and practices affect the

2 Analysis of Impediments to Fair Housing Choice in the District of Columbia

location, availability, and accessibility of housing; and

- an assessment of the conditions, both public and private, affecting fair housing choice.

The *Fair Housing Planning Guide* further states that the goal of the analysis of impediments is to identify impediments to fair housing choice in the public and private sector. The *Guide* defines impediments to fair housing choice as

- any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices; and
- any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.³

It is important to note that HUD does not restrict the scope of the analysis of impediments to only those actions that are in direct violation of fair housing laws, but rather to any actions, omissions, or decisions that may have an ultimate effect of restricting housing choice. Consequently, we have taken an appropriately broad view of the issues that impact fair housing choice in this analysis of impediments. To be clear, however, we will throughout this report

distinguish between those actions that may be viewed strictly as violations of fair housing laws and those that may have a fair housing impact but are not necessarily illegal.⁴

We recognize that the District of Columbia's housing market is integrated into the larger metropolitan area. As such, housing choice is not only affected by real estate market participants in the city, but also by participants who are active in nearby jurisdictions. Therefore, a comprehensive analysis would analyze the range of impediments throughout the area. While this analysis is restricted to highlighting impediments in the District of Columbia and making recommendations for those impediments, it is very likely that these recommendations would be more effective if they were implemented in coordination with nearby local jurisdictions in Virginia and Maryland.

The next two sections provide an overview of the methods we used to prepare this analysis of impediments and a summary of the key findings and recommendations. The findings and recommendations are discussed in detail in the rest of this report. Background and supporting materials can be found in the attachments to the main report.

Overview of Methods

Researchers from the Urban Institute in Washington, D.C., prepared this analysis of impediments under contract with DHCD.⁵ In preparing this analysis of impediments, we used a variety of information sources. First, we conducted a literature review of materials related to national and local issues in fair housing. We also analyzed data sources on patterns of segregation, home sales, mortgage lending, subsidized housing, and building permits. The data analysis is summarized in attachment A of this report, with additional supplementary data tables provided in attachment F. We compiled a current fair housing profile for the District of Columbia (laws, trends in fair housing complaints, lawsuits, and fair housing programs and activities), which is provided in attachment B. In addition, the Urban Institute subcontracted with the Washington Lawyers Committee on Civil Rights and Urban Affairs to conduct an analysis of key court cases on fair housing law for the District of Columbia (attachment E).

Finally, we held a roundtable discussion and conducted interviews with “key stakeholders” (that is, individuals who were knowledgeable about housing and fair housing issues in the District of Columbia). To ensure that the analyses reflect a cross-section of constituent views, the Urban Institute sought input from a cross-section of individuals and organizations involved in the Washington, D.C., housing market, including local government officials,

developers, lenders, realtors, community-based organizations, community development corporations, housing counseling groups, and both national and local fair housing experts. A list of persons participating in this study is provided in attachment C of this report; a description of the roundtable/interview procedures is included in attachment D.

In both the roundtable and the individual interviews, participants were asked to address two main questions:

- What are the main impediments to fair housing choice that exist in the District of Columbia?
- What actions should the District of Columbia take to address these impediments?

The discussions with stakeholders helped determine the impediments and recommendations included in this report. Summaries of stakeholder views are incorporated into the “Impediments to Fair Housing Choice and Recommended Actions” section.

A draft version of this report was read and reviewed by staff from DHCD as well as three reviewers selected by the Urban Institute. The Urban Institute incorporated all reviewers’ comments into the final version of this document.

Progress Since Previous Analysis of Impediments

The *FY 2004 District of Columbia Consolidated Plan* makes note of several accomplishments by DHCD in its efforts to overcome the impediments identified through previous analyses of impediments.⁶ The Plan notes that DHCD has hired a bilingual Fair Housing Program Coordinator who oversees the Department's adherence with fair housing and equal opportunity laws and regulations in the execution of its programs and in expenditures of federal funds. In addition, DHCD is engaged in the following activities:

- Continuing to promote fair housing education and participate in activities which further fair housing outreach to under-served communities. To comply with federal regulations and to ensure program accessibility to communities with Limited English Proficiency (LEP), the Department will continue to provide program materials in Spanish, Vietnamese and Chinese and continue outreach to these communities.
- Working in concert with HUD's Fair Housing and Equal Opportunity (FHEO) office and private non-profit civil rights organizations to provide fair housing training sessions for sub-recipients, DHCD program and project managers, developers, and community development corporations.

- Preparing a Fair Housing Symposium for Fair Housing Month in collaboration with the D.C. Office of Human Rights and the Equal Rights Center, a regional fair housing non-profit organization.
- Continuing to monitor all its sub-recipients to ensure compliance with fair housing and equal opportunity laws and regulations as well as to be available as a resource for constituents and service providers.
- Meeting with representatives of the city's various special needs housing advocacy groups (e.g., groups representing individuals with chronic mental illness, needs related to substance abuse, physical challenges, the elderly, etc.), to better determine how DHCD may meet those populations' needs. Strategies will include enhanced enforcement of fair housing requirements, but also will include more targeted funding for special needs housing.

Additional information on DHCD's fair housing activities can be found in attachment B under "Other Public Fair Housing Programs and Activities."

Summary of Findings—Impediments and Recommended Actions

Because impediments to housing choice can result from any number of factors,

including laws, regulations, administrative policies, procedures, and practices within the District of Columbia, we analyzed each of these to determine their impact on housing choice. Moreover, we asked our key stakeholders to identify any specific factors that affected housing choice.

Overall, we found four major impediments that affect housing choice in the District of Columbia:

- Real estate market participants still do not comply with fair housing laws.
- Affordable housing for low- and moderate-income households and special needs housing is available in a small and decreasing number of District of Columbia neighborhoods.
- Households may not consider housing opportunities across a broad range of neighborhoods that provide a desired quality of life and contain quality affordable housing.
- Certain members of protected classes exhibit low levels of home buying literacy and high proportions of having no credit history or a blemished credit history.

As summarized in the following table, each impediment reduces housing choice for particular populations in the District of Columbia. Our analysis suggests that one important impediment to housing choice is that some real estate market participants—

realtors, lenders, insurance companies, property managers, and owners—continue to practice unlawful discrimination that violates fair housing laws. There are instances in which victims of discrimination initiate legal action, either through filing a lawsuit or contacting the District of Columbia's Office of Human Rights (OHR). But, given the relatively small number of such proceedings, it is very likely that only a small proportion of unlawful discrimination practiced in the District of Columbia is detected and corrected through legal action.

The second impediment relates to the interaction between income and race/ethnicity in the District of Columbia. Black, Latino, and Asian households have lower incomes, on average, than white households in the city. Therefore, a smaller proportion of black, Latino, and Asian households can afford to either rent or purchase housing in many neighborhoods as compared to white households, a problem that has been exacerbated by the sharp rise in real estate prices in the past few years. While high real estate prices themselves are not a violation of fair housing laws, the result is that housing units affordable to black, Latino, and Asian households are concentrated in fewer neighborhoods, contributing to the segregation by race and ethnicity that we observe in the District of Columbia.

While income disparities across racial and ethnic groups contribute to segregated residential patterns, our analysis suggests that households across all income groups

live in racially and ethnically segregated neighborhoods. In particular, black households of all incomes live in neighborhoods with disproportionately fewer whites. This finding means that black households who *can* afford to live in predominantly white neighborhoods do not do so, because (a) they choose not to or (b) other factors (such as discrimination) prevent them. To the extent that such decisions are a matter of choice, the third impediment to fair housing choice is that households may not be making housing decisions with information about the full range of options available throughout the District of Columbia, and so restrict their housing searches to a subset of neighborhoods. These search patterns reinforce the segregation in the city.

Over the past 10 years lenders and landlords have used credit scores and other automated systems to make decisions regarding loan and rental applications. The result is that a person's credit history has a large influence on his ability to acquire a mortgage or rent an apartment. Unfortunately, many District of Columbia residents do not have basic financial literacy skills that allow them to conduct personal transactions in a manner that leads to a favorable credit history. For such people who are interested in purchasing a home, lenders may offer only mortgages with relatively high interest rates or that require larger down payments. In either case, a potential homeowner faces higher

transaction costs, thereby reducing the potential number of affordable units, or may be vulnerable to predatory lending practices. Renters with poor credit histories are likely to be required to place a larger security deposit or may not be offered the available unit. Therefore, our fourth impediment is a lack of financial literacy that leads to a poor credit history and restricts housing choices.

Table 1 summarizes our recommendations to address each of the four impediments described above. The recommendations, detailed further in the rest of this report, address the impediments by (a) increasing the effectiveness of enforcing fair housing laws to increase compliance, (b) increasing the affordable housing stock across District of Columbia neighborhoods by implementing the recommendations of the Comprehensive Housing Strategy Task Force, (c) providing counseling services and other forms of information to real estate market participants regarding affordable housing options in all District of Columbia neighborhoods, and (d) improving the financial literacy and creditworthiness of District of Columbia residents.

Because assigning responsibility for individual recommendations is beyond the scope of this analysis, in other than the most obvious cases we have not identified specific city agencies or other entities that would implement particular recommendations. We would hope that all

relevant city agencies would collaborate with nonprofit and for-profit organizations in the District of Columbia to act on as many of these recommendations as possible.

Nonetheless, any plan to implement the recommendations would need to address budgetary, regulatory, and other constraints, and would also need to recognize that some recommendations may take more time to put into action than others.

8 Analysis of Impediments to Fair Housing Choice in the District of Columbia

Table 1. Summary of Impediments to Fair Housing Choice in the District of Columbia and Proposed Action Items		
Impediment to fair housing choice	Impediment's effects	Recommended actions
1. Real estate market participants still do not comply with fair housing laws.	Despite the presence of fair housing laws enacted nearly 40 years ago, many real estate participants, including realtors, lenders, property managers, and developers, continue activities that are not consistent with fair housing laws. These unlawful activities restrict housing choices for D.C. apartment and home seekers.	<p><i>Actions to detect violations of fair housing laws</i></p> <p>The District of Columbia should</p> <ul style="list-style-type: none"> • conduct or fund periodic fair housing testing of real estate market participants, including realtors, mortgage lenders, insurance companies, and property managers; • collect information that supplements Home Mortgage Disclosure Act data to determine the creditworthiness of loan applicants; • incorporate accessible housing design requirements into the review process before issuing building permits for newly constructed multifamily units; and • assess current compliance with fair housing accessibility requirements for multifamily properties and initiate appropriate actions to prompt remediation.

Table 1. Summary of Impediments to Fair Housing Choice in the District of Columbia and Proposed Action Items

Impediment to fair housing choice	Impediment's effects	Recommended actions
(continued)		<p><i>Actions to raise public awareness of fair housing protections</i></p> <p>The District of Columbia should</p> <ul style="list-style-type: none"> • raise public awareness of fair housing protections through a D.C. Fair Housing Action Network (DC-FAN) whose members disseminate information regarding, among other items, (a) precedents and other changes to fair housing laws resulting from litigation, (b) successful litigation strategies, (c) successful fair housing enforcement strategies, and (d) new communities whose members are particularly vulnerable to fair housing abuses; • develop and disseminate tailored educational materials targeted to different real estate market participants and that describe specific scenarios and actions which, while perhaps appearing ambiguous, do not comply with fair housing laws; • raise public awareness of fair housing issues through a comprehensive annual fair housing assessment report that includes testing results, OHR complaints, and other filings from both public and private sources; and • continue and increase its work with representatives of communities within the city, especially vulnerable ones, to inform them of their fair housing rights and available remedies.

Table 1. Summary of Impediments to Fair Housing Choice in the District of Columbia and Proposed Action Items		
Impediment to fair housing choice	Impediment's effects	Recommended actions
2. Affordable housing for low- and moderate-income households and special needs housing is available in a small and decreasing number of District of Columbia neighborhoods.	Since black, Latino, and Asian households in the District of Columbia have lower incomes, on average, than white households, if affordable housing is concentrated in only a few neighborhoods, housing choice will be more limited for these groups. This contributes to the city's residential segregation by race and ethnicity.	<ul style="list-style-type: none"> • The District of Columbia should • consider the recommendations of the Comprehensive Housing Strategy Task Force and implement any recommendations that are adopted in a manner that promotes fair housing.
3. Households may not consider housing opportunities across a broad range of neighborhoods that provide a desired quality of life and contain quality affordable housing.	Residential segregation patterns are nearly identical for black, white, Latino, and Asian households, regardless of their income. This finding suggests that self-segregation, which may result from lack of information regarding housing options across a broad range of neighborhoods within the city, acts to limit housing choices.	<ul style="list-style-type: none"> • The District of Columbia should increase knowledge of housing opportunities across a wide array of neighborhoods through a housing choice counseling center that would • provide information to recipients of housing assistance as to available units across the city; • work with the D.C. Housing Authority and private landlords to identify barriers that reduce participation in the Housing Choice Voucher program and implement best practices to lower or remove these barriers; and • develop and initiate affirmative marketing strategies to promote housing opportunities for all persons across the city.

Table 1. Summary of Impediments to Fair Housing Choice in the District of Columbia and Proposed Action Items

Impediment to fair housing choice	Impediment's effects	Recommended actions
<p>4. Certain members of protected classes exhibit low levels of home buying literacy and high proportions of having no credit history or a blemished credit history.</p>	<p>Lenders typically use credit scores and other measures of a borrower's creditworthiness when underwriting mortgage applications and pricing approved loans; landlords also use this information in selecting tenants. To the extent that financial literacy and good credit histories are disproportionately lower among protected class members, they are at a disadvantage in seeking mortgages and rental housing. They are also more susceptible to subprime and predatory loans with higher prices and disadvantageous terms and conditions.</p>	<p>The District of Columbia should</p> <ul style="list-style-type: none"> • expand its partnering arrangements with local and national organizations that provide home buying and financial literacy education to increase residents' ability to evaluate mortgage products; • partner with organizations that represent communities whose members lack bank accounts or have no or poor credit histories to establish accounts with traditional credit providers; and • strive to increase creditworthiness and financial literacy among residents by promoting acceptable standards for credit counseling service providers.

section 2

IMPEDIMENTS TO FAIR HOUSING CHOICE AND RECOMMENDED ACTIONS

In preparing this analysis of impediments report, we reviewed a wide range of information—secondary data, key stakeholder interviews, and published reports and research literature—to identify impediments to fair housing choice, including relevant laws, regulations, administrative policies, procedures, and practices within the District of Columbia. All of this information is brought together in this section in our discussion of impediments and recommended actions to address these impediments.

Each of the four main impediments is discussed in turn in this section. For each impediment, we present one or more specific recommendations that we believe, if taken by the District of Columbia, would significantly reduce this impediment to fair housing choice.

Impediment #1: Real estate market participants still do not comply with fair housing laws.

Our analysis suggests that one impediment to fair housing choice in the District of Columbia is that a portion of real estate market professionals continue activities that are illegal under fair housing laws. This conclusion is supported by fair housing complaints processed by the D.C. Office of Human Rights (OHR); fair housing cases filed in the courts and with the D.C. Commission on Human Rights; available fair housing testing data; and observations of our key stakeholders.

OHR received 44 new fair housing complaints in fiscal year 2004, up from 32 complaints in the previous year. Complaints alleging discrimination based on national origin (ethnicity) accounted for the largest proportion of new complaints, followed by

race discrimination and disability discrimination. Of the 31 complaints closed in fiscal year 2004 (not all of which were filed in that year), 39 percent were settled in mediation and 6 percent resulted in a formal charge of illegal discrimination.⁷

In addition, our research has documented 29 cases raising fair housing issues from 1994 through 2005 filed in D.C. Superior Court and federal district court in D.C., and 2 complaints alleging fair housing violations sent to the D.C. Commission on Human Rights from 2000 through 2005 after a finding of probable cause by the D.C. Office of Human Rights.⁸ The largest numbers of these cases and complaints dealt with unlawful housing discrimination based on source of income (10 cases), disability (9

cases), and race (8 cases). Finally, testing results from HUD's 2000 Housing Discrimination Study revealed differential treatments for black and white homebuyers and renters in the District of Columbia.

While the key stakeholders differed on the extent to which illegal housing discrimination exists in the District of Columbia, all agreed that the problem continues today. Some stakeholders cited recent testing on use of housing choice vouchers, which indicated that landlords refuse to accept housing choice vouchers in violation of the D.C. Human Rights Act. Others noted recent court cases against builders for failing to adhere to the accessibility requirements for newly constructed apartment buildings.

Whatever the reason for noncompliance with fair housing laws, such behaviors are illegal and restrict housing options for apartment and home seekers in the District of Columbia. Violations of fair housing laws also provide less access to affordable mortgage financing and increase the probability that members of protected classes will receive loans with predatory features that strip wealth from such communities. Given the significance of this impediment and its impact on fair housing choice, we propose eight recommendations intended to achieve three main objectives: improving the enforcement of fair housing laws, increasing knowledge and awareness of fair housing requirements among real

estate professionals and consumers, and ensuring that government processes promote fair housing choice. These recommendations are detailed below.

Recommendations for Improving the Enforcement of Fair Housing Laws

Some noncompliance with fair housing laws likely results from real estate market participants' belief that their unlawful activities will not be detected or prosecuted. Therefore, the following set of recommendations are intended to increase the probability that unlawful discrimination will be detected and, once detected, successfully remedied or prosecuted.

Recommendation #1: The District of Columbia should conduct or fund periodic fair housing testing of real estate market participants, including realtors, mortgage lenders, insurance companies, and property managers.

The current fair housing enforcement system in the District of Columbia is largely dependent on victims recognizing that their rights have been violated and filing a complaint either to the OHR or by directly filing a lawsuit. Of course, many victims may be unaware that they have been the victim of illegal discrimination and so do not file a complaint. As a result, some unlawful acts may not be detected. In addition, since the fair housing complaint process can be lengthy, as one key stakeholder pointed out,

it is better to identify and correct fair housing problems before they affect actual tenants or homebuyers.

A preventive strategy in the form of fair housing testing can address these concerns. In general, fair housing testing involves using paired testers who have identical profiles except that they differ according to a class protected by fair housing laws. For example, a black and a white tester with similar characteristics might be paired in tests targeting apartment managers. Each tester would, in turn, inquire about apartments available from the same manager. Any differences in treatment may be evidence of unlawful discrimination.

Most key stakeholders were in favor of more comprehensive fair housing testing and saw it as necessary to uncover illegal housing discrimination. Key stakeholders were aware of some recent testing, but said that no extensive testing has been done in this city for at least the past five to ten years. One stakeholder expressed concern about testing not revealing true illegal practices, but rather finding inadvertent actions. Despite such concerns, properly conducted testing by competent fair housing organizations has been demonstrated to be an effective method for detecting unlawful discrimination. We note as well that some private real estate firms nationally have initiated their own internal fair housing testing programs to identify and correct problems with their staff or procedures.

Fair housing testing has been used successfully for research and to provide the foundation for discrimination lawsuits.

Testing can address discrimination for all protected classes (race, ethnicity, disability, familial status, etc.) and all types of real estate activities (renting an apartment, searching for a home to buy, obtaining a mortgage loan).⁹ Therefore, we recommend that the District of Columbia contract with organizations with experience in conducting paired testing, following best practices, to complete regular fair housing tests of a wide range of real estate professionals, including lenders, property managers, realtors, property owners and insurance companies.

Results from tests can be used for a variety of fair housing purposes. Test results can provide data for statistical measures of the overall level of compliance with fair housing laws in the community. Tests can also be used to bring cases through the Office of Human Rights or the courts against persons or companies found to be practicing illegal discrimination. Tests can also be the basis for publicity campaigns and for targeting fair housing training.

The proposed testing program can be financed from a number of sources, including existing CDBG allocations from HUD or from funds generated from real estate property transactions. Whatever the source, the financing for paired testing should be sufficient to increase the detection and potential litigation of unlawful discrimination. It is very likely that increased levels of testing, along with follow-on legal

action, will decrease the level of noncompliance with fair housing laws.

Recommendation #2: The District of Columbia should collect information that supplements Home Mortgage Disclosure Act data to determine the creditworthiness of loan applicants.

Many analyses of mortgage lending patterns (including those presented in this report) rely on Home Mortgage Disclosure Act (HMDA) data to characterize differences in denial rates across racial and ethnic groups, higher rates of subprime lending across different types of borrowers and neighborhoods, and other mortgage lending outcomes. A problem with relying on the results of any such analyses is that differences across groups of borrowers may simply be the result of differences in the creditworthiness of group members. Several key stakeholders commented on this, with some asserting that differences in loan denial rates and subprime lending among whites, blacks, Latinos, and Asians could largely be attributed to unobserved differences in credit scores. For example, if minority loan applicants, on average, are less creditworthy than white applicants, the HMDA data will show higher denial rates for minority loan applicants, but the denial disparity would result from differences in credit quality rather than unlawful differential treatment.

National research suggests, however, that race is still a factor in explaining differences in mortgage acceptance rates. In a study for the Federal Reserve Bank of Boston, Carr and Megbolugbe (1993), confirming the same finding made earlier by Munnell and her colleagues (1992), found that even after controlling for objective measures of credit risk, mortgage lenders in the Boston metropolitan area were still more likely to reject minority loan applicants than otherwise identical white applicants. Similarly, Kim and Squires (1998) studied mortgage approval data in Atlanta, Boston, Denver, Milwaukee, and San Francisco and found that loan approval rates for minority loan applicants varied depending on the racial composition of the lender's workforce. A study by the Urban Institute also found "credible statistical evidence strongly indicates that [mortgage lending] discrimination persists."¹⁰

Without more specific data, it is difficult to determine whether mortgage lending decisions are being made independently of the race and ethnicity of the applicant. Therefore, to improve the detection of unlawful activities related to mortgage lending, the District of Columbia should require that loan originators for mortgage-secured properties located in the city must report additional data regarding the credit quality of the borrower. One potential source of this information is the applicant's credit score, which could be provided to supplement the data typically required by

HMDA. To comply with privacy requirements, these public data should be reported so that it is not possible for users to identify individual borrowers, as is done with HMDA data.

Analyses of disparities that control for borrower creditworthiness in this way would be more informative than those that rely solely on HMDA information. For example, if an analysis of loan data indicates that, holding income and credit score constant, borrowers of certain racial and ethnic groups are more likely to receive subprime loans than persons in other groups, this may indicate activities that are not in compliance with fair lending laws, and so require further investigation. These targeted investigations, based on disparate outcomes for borrowers with similar credit scores, would likely result in better enforcement of lending-related fair housing requirements.

Recommendation #3: The District of Columbia should incorporate accessible housing design requirements into the review process before issuing building permits for newly constructed multifamily units.

Persons with disabilities are a protected group under the federal Fair Housing Act Amendments, and fair housing laws require that certain newly-constructed multifamily residential buildings (ready for first occupancy March 13, 1991 or later) be designed to accommodate such residents. Our analysis suggests that many such buildings in the District of Columbia do not

comply with fair housing requirements for accessibility, however. Several key stakeholders raised this as an important issue, noting that the laws on accessibility are only being enforced after the fact, if at all. This is undesirable for all concerned because it is much more difficult and expensive to address accessibility concerns in a finished building than it is to do so at the design and construction stages. Some key stakeholders also raised concerns that federally subsidized housing in the District of Columbia was not fully compliant with Section 504 requirements for accessibility, although the Housing Authority reports that it has added 324 fully accessible units to its inventory over the last three years and is scheduled to add more in the next two years.

To ensure that more new multifamily buildings comply with fair housing accessibility requirements, we recommend that the District of Columbia incorporate a review of planned developments with respect to such requirements, and only issue building permits in cases where the proposed units do comply with them. This requirement, however, should be written so as not to make the District of Columbia liable in any future lawsuits if the approvals were granted in error.

Recommendation #4: The District of Columbia should assess current compliance with fair housing accessibility requirements for multifamily properties and initiate appropriate actions to prompt remediation.

The previous recommendation will likely reduce the number of planned residential developments not in compliance with fair housing accessibility requirements. However, key informants claimed that there currently exist many buildings that are subject to these requirements, based on the year that they were built, but that are not in compliance. Since the exact number of such properties is unknown, to catalog the extent of this problem the District of Columbia should assess the current situation with respect to compliance with accessibility requirements for existing multifamily properties. One option for doing this would be to initiate an inspection of a sample of buildings subject to fair housing accessibility requirements to assess the extent to which there are violations. Some of the requirements (i.e., parking spaces and ramps) can be inspected without gaining access to the building. Other requirements relate to features of the units, however, and so can only be inspected by entering the units. Such inspections would need to be conducted with the assistance of property owners and managers.

The results of the inspections could be placed into a publicly accessible database that reports the types of violations within the sampled buildings and so provide a basis for comparisons over time, as periodic inspections provide information about violations. Moreover, the information in the database could be used by parties who wish

to initiate legal action to remediate the violations.

Recommendation #5: The District of Columbia should raise public awareness of fair housing protections through a D.C. Fair Housing Action Network (DC-FAN) whose members disseminate information regarding, among other items, (a) precedents and other changes to fair housing laws resulting from litigation, (b) successful litigation strategies, (c) successful fair housing enforcement strategies, and (d) new communities whose members are particularly vulnerable to fair housing abuses.

Fair housing is enforced through formal legal action. Therefore, it is critical that key actors—law firms, community groups, OHR, DCHD, and others—remain informed on issues that are necessary to pursue and win legal actions against parties that violate fair housing laws. Our research indicates that there is no single forum where lawyers, fair housing activists, local government officials, community groups, and others can obtain regular information about emerging fair housing related topics. Indeed, in preparing this report we were surprised that we could find no single entity in the District of Columbia that is compiling and tracking all fair housing cases and complaints.

Discussions with key stakeholders revealed to us the extent to which such a group could provide better information and coordination

of fair housing activities in the city. While organizations do work together in particular situations, such cooperation appears to be sporadic and inconsistent. Some key stakeholders, for example, who deal regularly with fair housing issues were very unfamiliar with OHR's activities. Even in situations where groups do cooperate, coordination could be improved. For example, the DHCD web page explaining where to report a fair housing complaint has not been updated to indicate that such complaints can be filed with OHR, but rather still lists HUD as the sole fair housing enforcement agency for the District of Columbia.¹¹

To address these issues, we propose that a D.C. Fair Housing Action Network (DC-FAN) be created to provide a forum for strengthening the relationships and coordination between fair housing groups in the District of Columbia.¹² It could also provide a mechanism for creating and disseminating a uniform message on fair housing for the entire city. This voluntary group would meet regularly to provide an opportunity for its members and other interested parties to receive information about the state of the art in fair housing issues and enforcement in the District of Columbia. Information exchanged through DC-FAN could include new legal strategies that have been used to litigate cases successfully, unlawful actions that are targeted against new communities and have not been previously evident, and the impact

of recent rulings that may set precedents for future fair housing litigation.

Moreover, by providing relationships between law firms and community groups, victims of discrimination can be referred by community groups to law firms that provide pro bono assistance to support them through OHR's mandatory mediation process and other forms of legal proceedings. In addition to providing a forum for members to meet and share best practices, DC-FAN could publish a periodic newsletter that provides details of legal settlements, rulings, and other actions that can be used by members in developing legal strategies and tactics when litigating fair housing cases.

Key stakeholders with whom we discussed the idea were very supportive of creating a DC-FAN and saw clearly the benefits that such a group would provide. One model for a DC-FAN would be a similar group in Los Angeles, known as Call to Action. Like the proposed DC-FAN, Call to Action consists of a voluntary association of about 30 legal, government, and nonprofit groups all working on fair housing issues in the greater Los Angeles metropolitan area. The group meets monthly to hold working sessions on how to address more effectively fair housing issues in the region. They also get quarterly updates on national fair housing issues from the Western Center on Law and Poverty.

Recommendations for Increasing Knowledge of Fair Housing Laws

More effective enforcement through the previous recommendations is likely to detect and remediate a greater number of fair housing violations. However, much of the current enforcement system relies on people being able to recognize that their fair housing rights have been violated and knowing where to file a complaint. In addition, according to our key stakeholders, real estate professionals may not always know that certain activities or actions are prohibited under fair housing law.

Therefore, rather than address noncompliance solely through enforcement, we recommend that *all* real estate market participants, both providers and consumers, receive additional information that advises them of allowable activities under the law, and that such information clarify potentially ambiguous activities which, while unlawful, may not appear to have an intuitive fair housing impact. It is also critical that District of Columbia residents, especially those in particularly vulnerable populations, such as immigrants, are made aware of (a) their rights under fair housing laws and, (b) law firms and other organizations that they can contact in the event that they believe they are victims of unlawful discrimination. The following three recommendations address these issues.

Recommendation #6: The District of Columbia should develop and disseminate tailored educational materials targeted to different real estate market participants and that describe specific scenarios and actions which, while perhaps appearing ambiguous, do not comply with fair housing laws.

Fair housing laws, while clear in the abstract, may be difficult to apply in specific circumstances. In addition, certain provisions of the District of Columbia's fair housing laws, such as protection against discrimination because of source of income, are particular to the city and this may lead to unintended violations if people are only versed in federal fair housing requirements. Since enforcement of fair housing laws depends, among other things, on people's ability to recognize and report fair housing violations, public understanding of fair housing laws is a vital component to fighting housing discrimination. Therefore, we recommend that the District of Columbia develop additional informational materials (printed, online, and public service announcements) which describe specific scenarios faced by real estate professionals and consumers in the city and which illustrate actions that are and are not consistent with fair housing laws.

The report *What Do We Know: Public Awareness of the Nation's Fair Housing Laws* documented the extent to which the public may be misinformed about fair housing laws. While this national survey

found that there was relatively widespread understanding of the core fair housing prohibitions with regard to race, ethnicity, and religion, fewer people were familiar with discriminatory practices in real estate searches, advertising, and affecting persons with disabilities and families with children. The report suggested the need for a variety of educational strategies depending on “people’s knowledge, attitudes, and the relationship of the two.” Perhaps, the most significant finding was the number of persons who felt they had been discriminated against and failed to report it, suggesting the need to provide information regarding the complaint and enforcement process and to encourage people to use this system if they feel their rights have been violated.¹³

Almost all of the key stakeholders thought that additional education and outreach was needed on fair housing issues in the District of Columbia. While key stakeholders were aware of and appreciated the existing fair housing brochures prepared by DHCD, they pointed out that these materials did not cover all areas of fair housing. Most notably, none of these brochures addressed issues of fair lending. In addition, the current materials may not have included enough specific examples of scenarios where fair housing violations are currently taking place.

For example, according to our key stakeholders, some realtors may believe that they are providing useful information to their customers when commenting on the

quality of a particular neighborhood’s schools, even though providing such information may not be consistent with fair housing laws. Another example cited was a property manager informing a frail, elderly tenant that she might be more comfortable in an assisted living environment. Such managers may believe they are acting with the best of intentions, but, in fact, asking a person to leave their housing because of a disability is illegal under fair housing law.

A particular concern for several key stakeholders was the lack of knowledge of the applicability of the D.C. Human Rights Act to the Housing Choice Voucher program.¹⁴ Recent testing conducted by the Equal Rights Center in the District of Columbia indicates that many voucher holders are told by property managers and owners that they do not accept tenants with such a subsidy, despite the fact that they are legally required to do so. Since not every jurisdiction’s fair housing laws contain this provision, property managers and owners who are not familiar with the District of Columbia law may incorrectly believe that it is lawful to deny rental applications based on source of income.

Some key stakeholders also expressed concern that the District of Columbia Housing Authority (DCHA) may not have been clearly informing landlords and voucher holders of this requirement. DCHA indicated to us, however, that it is very aware of the provisions with regard to discrimination against voucher holders, and will assure that its staff is fully trained as to

the "source of income" provisions of D.C. Human Rights Act. DCHA also indicated that it directs program participants who encounter refusals to accept vouchers, or other types of illegal discrimination, to file complaints with the D.C. Office of Human Rights.¹⁵

A targeted education campaign on this issue would include a scenario in which a property manager or owner is told by a prospective tenant that he has a housing choice voucher, and would explain that under the law such a person cannot be refused housing because all or part of his rent will be paid for by a voucher. This targeted education campaign could be coordinated through the recommended housing choice counseling center, described in recommendation # 10. An explanation of the law requiring the acceptance of housing choice vouchers should also be part of the training of all real estate professionals and property managers.

Since the types of scenarios encountered will likely change over time, it is important that educational materials be developed on an ongoing basis to address new situations. The DC-FAN could contribute to the development of these educational materials by identifying those scenarios that are most frequently encountered in the community.

Recommendation #7: The District of Columbia should raise public awareness of

fair housing issues through a comprehensive annual fair housing assessment report that includes testing results, OHR complaints, and other filings from both public and private sources.

The issue of fair housing competes for the attention of public officials, local media, neighborhood organizations, and the general public along with other very important issues. Therefore, the District of Columbia should increase the public's awareness of the severity of fair housing issues by completing and disseminating an annual fair housing assessment report that presents details about testing results, OHR complaints, and other legal proceedings from all sources related to fair housing cases. The report can also include analyses of lending data, the location of new building permits, rents, and owner-occupied housing values and other information that characterizes the overall fair housing environment in the District of Columbia. This recommendation is consistent with HUD's recommendation that jurisdictions update their analysis of impediments annually to identify emerging issues and develop strategies to address them before they have a material effect.¹⁶

The District of Columbia should publicize the release of the annual fair housing assessment report with press announcements and other outreach efforts that would raise the visibility of fair housing issues among decision makers,

stakeholders, and the general public. The contents of the report can be modeled after the Fair Housing Index that was published by the Fair Housing Council of Greater Washington, which provided data regarding the incidence of unlawful discrimination practiced by realtors, lenders, and other real estate market participants in the current year, and compared the current year's incidence to previous years' results. Presentation of the fair housing assessment report could also be a feature of the annual Fair Housing Symposium, given in April each year and organized by DHCD, OHR, and other organizations.

Recommendation #8: The District of Columbia should continue and increase its work with representatives of communities within the city, especially vulnerable ones, to inform them of their fair housing rights and available remedies.

The real estate market in the District of Columbia is such that previously lower-income neighborhoods are now experiencing rapid price increases generated by in-movements of higher-income households. The result is that many lower-income residents, frequently blacks, Latinos, and Asians, are vulnerable to people who are seeking to evict them from their residences to convert the building for higher-income tenants. To the extent that tenants of particular racial or ethnic groups are targeted for removal, these types of activities violate fair housing laws. Unfortunately, many victims of this type of unlawful activity are unaware of their rights

or do not know where to receive assistance in initiating a complaint.

Enforcement actions take time and money, and so many victims may choose not to pursue such cases. Comments from key stakeholders indicated large differences in the perception of how long it would take to process and address a fair housing complaint through OHR. Some stakeholders felt that the OHR did an effective job processing complaints within the 100 days required by law, and noted that many cases have been resolved quickly through negotiated remediation. Others, however, said that complainants have been told that resolving a complaint through OHR could take up to two years, much too long a time for people who need immediate relief from discrimination.

While it is certainly true that some fair housing cases may require a lengthy court process to be resolved, the fact that many cases can be resolved through negotiation without a legal trial or hearing needs to be better publicized. Indeed, a complainant has little to lose in filing a complaint with OHR and attempting to resolve a dispute through mediation, since there is no commitment required to continue the process if a resolution is not reached. Therefore, we recommend that OHR better document and publicize its successes at resolving fair housing complaints quickly. The DC-FAN could be a good forum for disseminating this information and building better cooperation between OHR and the community in bringing more complaints into their process.

In addition, the District of Columbia has many recent immigrants who, either because of cultural or language barriers, are not aware of their fair housing rights. Housing discrimination against immigrant groups incorporates a number of issues that may not be reflected in issues of racial discrimination. Language barriers, knowledge of the laws, and apprehension about asserting fair housing rights based on immigrant status are some of the factors that contribute to immigrant housing discrimination.¹⁷

Several key stakeholders cited situations in which landlords have used threats to report people to immigration authorities as a way of discouraging them from filing complaints. Therefore, the District of Columbia should continue preparing educational materials in

a variety of languages spoken by recent immigrants and partnering with organizations that represent these communities. Outreach effort should also be focused in neighborhoods where persons are especially susceptible to pressures to move due to rising property values.

Key stakeholders also noted that language access was facilitated not only through translation, but also by hiring members of different communities to work in city government. We do not have the information to assess the extent to which this is being done now, but as much as possible OHR, DHCD, and other city agencies should recruit and hire members of vulnerable communities to work on fair housing issues.

Impediment #2: Affordable housing for low- and moderate-income households and special needs housing is available in a small and decreasing number of District of Columbia neighborhoods.

Affordable housing is an increasingly serious problem in the District of Columbia. Low- and moderate-income households are being priced out of an increasing number of neighborhoods within the city. Lack of affordable housing can exacerbate segregated housing patterns and make it more difficult, if not impossible, to provide housing opportunities to members of certain groups in particular neighborhoods. For example, our data analysis has demonstrated the shrinking opportunities for

black, Latino, and Asian homeownership in many parts of the city.

The connection between fair and affordable housing was emphasized many times by our key stakeholders. Stakeholders noted that there was little development of affordable housing in the northwest quadrant, particularly in upper northwest, and that much low-income housing was being lost in certain wards. The prohibitive costs of acquiring land and properties for

affordable housing in certain neighborhoods, as well as regulations limiting the locations where particular types of federal development monies can be spent, may also contribute to the concentration of assisted housing. Our analysis of the locations of subsidized housing and households (attachment A) supports these concerns. In addition, key stakeholders noted the increasing difficulties in siting housing for special needs populations, such as persons with HIV/AIDS or with substance abuse problems, because of community opposition and rising housing costs.

Therefore, while not strictly a fair housing issue, we recognize the impact that affordability can have on housing choice and have included it in this report as a significant impediment to fair housing in the District of Columbia. The following recommendations are intended to address the problem of affordable housing in the city.

Recommendations for Increasing Affordable Housing Opportunities

In response to the affordable housing problem, Mayor Anthony A. Williams and the Council of the District of Columbia established the Comprehensive Housing Strategy Task Force to recommend public policies to meet the housing needs of both current and future city residents. The Task Force recently published a summary of their draft report with specific recommendations

and strategies to increase the city's stock of affordable housing.¹⁸

Sine the Task Force's recommendations are still in draft form, this analysis of impediments does not provide any further recommendations to increase affordable housing; it defers to the recommendations that will be included in the Task Force's final report. However, it is important to bear in mind that an affordable housing strategy may not *necessarily* promote neighborhood choice if newly developed affordable housing units are concentrated in parts of the city which already have large shares of such housing.

Recommendation # 9: The District of Columbia should consider the recommendations of the Comprehensive Housing Strategy Task Force and implement any recommendations that are adopted in a manner that promotes fair housing.

The Comprehensive Housing Strategy Task Force's draft recommendations cover a wide array of policy choices designed to promote more opportunities for affordable housing and inclusive neighborhoods throughout the city. The recommendations address a number of policy areas, including increasing residential development throughout the District of Columbia, accelerating efforts to preserve and increase high-quality affordable housing for owners and renters, developing attractive mixed-income neighborhoods in all parts of the city, integrating housing for persons with

special needs into all types of housing in neighborhoods throughout the city, and increasing the city's capacity to facilitate subsidized and market-rate housing production and renovation and to manage housing programs efficiently. We note, however, that the Task Force's recommendations are still being developed and have not, as of yet, been adopted as official policy by the City Council or any D.C. government agency

As we presented in our analysis of residential location patterns, the District of Columbia is a highly racially segregated city. If affordable housing policies simply promote the development of such units in neighborhoods that already have high concentrations of black or Latino residents, the result will be little change in residential segregation. Therefore, we recommend that any implementation of the Task Force's recommendations take into account potential fair housing effects and avoid, as

much as possible, concentrating newly constructed affordable housing in neighborhoods that already have a high concentrations of such housing.

In addition, we note two other developments related to affordable housing in the city. The City Council this past year approved legislation to amend the law requiring that landlords give first right to purchase to tenants in multifamily rental buildings. The amendment closed a loophole that would allow landlords to bypass this requirement if only 95 percent of the property's ownership were transferred (the so-called 95-5 provision). Second, the Council is currently considering a number of proposals to amend existing rent control legislation, including stronger requirements for providing information to tenants on rent levels in apartment buildings, longer time periods for tenants to appeal improper rent increases, and modifications to the method for calculating rent ceilings.

Impediment #3: Households may not be considering housing opportunities across a full range of neighborhoods that provide a desired quality of life and contain quality affordable housing.

As discussed in the data analysis section (attachment A), the segregated residential patterns in the District of Columbia may be caused by several factors, including possible unlawful discrimination and differences in income levels among racial and ethnic groups. In addition, the observed segregation may be the result of personal

decisions to live in neighborhoods that have large shares of residents who are similar in terms of race or ethnicity. Such decisions could reflect a reluctance of District of Columbia residents to move into neighborhoods of a different racial/ethnic group because of fear of prejudice, discrimination, or nonacceptance.

Residents' preferences of where to live may be partially driven by stereotypes of certain neighborhoods, some of which may be based on fact, while others may be a result of a lack of knowledge, outdated information, or misperceptions. It is likely that most people moving to the city or region for the first time, but also many current residents, lack familiarity with certain parts of the city and therefore do not consider looking for housing in some areas that may, in fact, provide affordable housing with desired neighborhood amenities.

A lack of knowledge of housing choices is especially an issue for housing choice voucher holders, who typically locate in predominantly black or Latino neighborhoods, even though the value of the assistance presumably makes other types of neighborhoods affordable. To be sure, lack of affordable housing in certain neighborhoods, particularly in northwest Washington, D.C., also limits the options of housing choice voucher holders. Nevertheless, other factors may also further limit housing options for voucher holders.

For example, one stakeholder told us that apartments in desirable neighborhoods frequently are not advertised in the newspaper or in apartment listings. If voucher holders are relying on published sources of apartments to rent, a portion of the market will be unavailable to them. Of course, the decisions of voucher holders are also affected by the locations of buildings whose owners are willing to participate in the program because, even though

landlords in the District of Columbia may not legally refuse to accept a housing choice voucher, many voucher holders may not want to go through the hassle of dealing with an unwilling or uncooperative landlord.

Recipients of rental assistance are not the only District of Columbia residents who may be unaware of affordable housing options in unfamiliar neighborhoods. Because the city is so segregated by race and ethnicity, it may be that many black and Latino households are not aware of affordable housing in predominantly white neighborhoods while whites are not familiar with housing options in mostly black or Latino neighborhoods.

Recommendations for Increasing Knowledge of Housing Options Throughout the City

While there are many sources of information about housing opportunities in the District of Columbia, there is no central organization that provides this type of information in conjunction with services that would promote increased housing choices. A housing choice counseling center, whose mission would be to promote housing choices across the city, could coordinate and expand upon such functions that may already exist in government agencies providing housing counseling services.

Recommendation #10: The District of Columbia should increase knowledge of housing opportunities across a wide array of neighborhoods through a housing choice

counseling center that would (a) provide information to recipients of housing assistance as to available units across the city; (b) work with DCHA and landlords to identify barriers that reduce participation in the Housing Choice Voucher program and identify best practices that address these barriers and are consistent with HUD requirements, (c) develop and initiate affirmative marketing strategies to promote housing opportunities for all persons across the city.

To provide more complete information regarding potential affordable housing options to all District of Columbia residents and people considering moving into the city, we recommend that a housing choice counseling center be established with a mission of promoting housing choice throughout the city. Such information should not be restricted to rental assistance; rather, the center should provide information regarding neighborhood amenities to realtors and other real estate market participants that can be used to supplement information provided in Multiple Listing Service (MLS) property descriptions.

While the center should make available information on housing conditions in District of Columbia neighborhoods to all market participants, it should also provide mobility counseling for housing choice voucher recipients to make them aware of affordable housing options in neighborhoods that may be unfamiliar to them. This counseling could

include taking recipients to view available units in neighborhoods that are not located in areas that have traditionally been the location choices of previous voucher holders; providing relocation assistance and other services that make it easier for a recipient to consider moving to an unfamiliar neighborhood.

We recognize that several groups in the city are already working to provide housing counseling services to households in the District of Columbia. DHCD currently funds six nonprofit organizations to provide housing counseling, and the D.C. Housing Finance Agency and the D.C. Housing Authority also provide such services. Nevertheless, there would be some advantage to having a single point of entry for housing counseling that could help align and build upon efforts currently underway.

For example, the center could work with landlords and the D.C. Housing Authority (DCHA) to identify and propose solutions for any practices and policies that may increase the costs to landlords to participate in the Housing Choice Voucher program. While the District of Columbia's fair housing laws prohibit discrimination by source of income (including vouchers), certain practices, such as delays in completing inspections that increase the time before landlords receive their first rental subsidy payment, as a practical matter reduce the willingness of landlords to accept vouchers. Key stakeholders stated that it was important to

remove administrative obstacles to program participation. DCHA noted, however, that its average initial inspection time is less than two weeks, which it claims is less than the inspection turn around of many of the voucher programs in surrounding jurisdictions.¹⁹ The work of the center could build on the efforts of DCHA's existing Landlord Advisory Committee, which brings together landlords and DCHA managers to try to resolve issues or problems that have been encountered in the voucher program.

The center could examine best practices from other communities to make recommendations for improving the Housing Choice Voucher program. For example, a key stakeholder told us that Baltimore County, Maryland, has an innovative program to reduce the inspection burden by classifying apartment buildings into categories. Category A buildings, the highest quality, only require inspection once every two years; category B buildings once a year; and so on. Implementing such recommendations would increase the number of units available to voucher recipients, thereby increasing choices for such residents. Another idea suggested to us was that the center be funded to provide security deposit loans or guarantees to voucher holders seeking to lease up. Being unable to provide an adequate security deposit is another impediment to

participants being able to use their voucher, particularly in higher cost areas with landlords unfamiliar with the program.

The activities of the center would not be restricted to working with those who receive housing subsidies, however. The center should also initiate and implement affirmative marketing campaigns that inform *all* District of Columbia residents (and potential residents) about housing opportunities throughout the city that are affordable to households with different income levels. These affirmative marketing campaigns could provide information about unique cultural, recreational, commercial, and other amenities located in specific District of Columbia neighborhoods, which may not be well known by people who reside outside of these neighborhoods. This information could be linked to MLS systems to make it available to potential homebuyers and renters who are actively seeking a new residential unit.

The center could also compile and maintain a list of available housing units in the city that are accessible to persons with disabilities, a resource that at present does not exist. This list could be compiled from both public and private housing providers. The lack of a list of accessible units currently makes it very difficult for persons with disabilities to locate suitable housing in the city.

Impediment #4: Certain members of protected classes exhibit low levels of home buying literacy and high proportions of having no credit history or a blemished credit history.

Our analysis of HMDA mortgage lending data (attachment A) has shown clearly the disparate lending outcomes among black, white, Latino, and Asian borrowers. Blacks, Latinos, and Asians are more likely to be denied a mortgage loan than white borrowers with similar income levels and are more likely to receive a costly subprime loan than white borrowers. Whether these differences are a result of illegal discrimination in the lending market, differences in creditworthiness and financial literacy across racial/ethnic groups, or both, the impact on fair housing choice is clear. Blacks, Latinos, and Asians have less access to the prime mortgage finance market than do whites, and this limits their housing choices.

In fact, we know that creditworthiness is a serious problem for many households in the District of Columbia. To address this problem and increase quality housing choices for all groups, it is necessary to improve the overall level of creditworthiness in the community. Key stakeholders echoed the need for such efforts in their comments. District of Columbia residents need to be able to identify predatory loans and predatory lenders. Younger people must be educated on credit and financial issues so that they will grow up to be successful citizens. Creditworthiness is a serious issue

for renters as well as homebuyers. One stakeholder told us that the most frequent reason that prospective tenants are turned down for an apartment is because they have a bad credit history or no credit history.

A lack of financial literacy is likely to be a contributing factor to lower levels of creditworthiness for some District of Columbia residents. It may be that many residents do not know how credit scores are generated, and so are unaware of the consequences to their creditworthiness of how well or poorly they manage their day-to-day finances. In addition, a lack of good money management skills, such as making and adhering to a budget, may make it difficult for some households to keep current on all of their financial obligations, thereby reducing their creditworthiness.

While financial literacy covers general management of personal finances, home buying literacy is more focused: it relates to an understanding of the home buying process and the ability to understand the true costs associated with a particular mortgage. It may be that many District of Columbia residents agree to predatory loans or high-cost subprime mortgages because they are unable to determine their true costs. Of course, some lender practices

deliberately obfuscate the costs associated with such loans, making it difficult for even a savvy borrower to determine their true costs. Nonetheless, a low level of homebuyer literacy certainly reduces housing choices to the extent that such households are more likely to agree to mortgages that have inappropriately high costs, given their credit risk.

Recommendations for Improving Creditworthiness and Financial/Homebuyer Literacy

Due to the increasing importance of one's credit history in obtaining a mortgage loan or renting an apartment, as well as the higher levels of financial sophistication required to assess alternative loan products, some of which may be predatory, a loan applicant's creditworthiness and financial literacy has a large impact on housing choice. The next three recommendations address these impediments. Again, we recognize that many efforts are currently underway to deal with these issues. To some extent, these recommendations may involve a realigning of existing resources and activities, instead of creating new organizations or institutions.

Recommendation #11: The District of Columbia should expand its partnering arrangements with local and national organizations that provide home buying and financial literacy education to increase residents' ability to evaluate mortgage products.

For many people, purchasing a home is the most complex transaction that they will ever complete and it is very easy for consumers not to make the best choice among available loan products. This problem has been exacerbated by the explosion in new mortgage financing products in recent years, including adjustable rate and interest-only loans. In addition, a lack of financial literacy can have serious consequences. Agreeing to a predatory loan can place the borrower at risk of losing his or her home through foreclosure.

A lack of understanding about the costs and benefits is likely to contribute to some borrowers agreeing to loans with disadvantageous terms. However, many borrowers receive subprime loans because they have poor credit histories and therefore are judged by lenders to be too risky to receive prime loans. To the extent that blacks, Latinos, and Asians have more problematic credit histories, or no formal credit histories at all, they are more likely than whites to receive subprime loans. Therefore, our recommendation to address this impediment is to provide targeted information that educates populations who are most at risk to be marketed for predatory loans about ways to identify such mortgages and methods to improve their credit histories so that they are eligible to receive the most advantageous financing available in the market.

Many organizations in the District of Columbia have prepared educational materials that provide information about the

costs and benefits of subprime loans and mortgage features that may be predatory. A recent survey conducted by the Capital Asset Building Corporation identified 16 such organizations.²⁰ The District of Columbia's Department of Banking and Financial Institutions also has a number of financial education and community outreach initiatives that provide financial literacy and homebuyer counseling.²¹ These efforts should not only be expanded, but also targeted through neighborhood organizations and media campaigns to neighborhoods in which subprime and predatory loans are most common. In addition, the District of Columbia should help train representatives of neighborhood organizations to review the terms and conditions of loans offered to neighborhood residents to identify potentially predatory loans.

Recommendation #12: The District of Columbia should partner with organizations that represent communities whose members are less likely to have bank accounts or have no or poor credit histories to establish accounts with traditional credit providers.

Many District of Columbia residents, especially those in low-income families, conduct their finances without establishing a formal credit history. They do not have a bank account (and so are “unbanked”); they do not have a credit card or other types of accounts that are reported to credit

repositories. Because lenders increasingly rely on credit scores in making underwriting decisions, a lack of a formal credit history makes it difficult for applicants to be approved for a mortgage.

Some have argued that one reason that low-income families do not obtain bank accounts is because retail banks do not locate in low-income neighborhoods. Recent research indicates that this is not the case in the District of Columbia, however. Sawyer and Temkin (2004) found that although low-income, black, and Latino neighborhoods in the District of Columbia have larger shares of check cashers and payday lenders than other neighborhoods, retail bank branches were present in these communities, too.

Others have argued that banks need to make more of an effort reach out to low-income families. Another, more local, source of information on this topic is a survey of 775 persons who took advantage of the free tax preparation services offered by the D.C. CASH Campaign in 2004. Respondents, who were primarily working, low-income individuals and female-headed families living in wards 5, 7, and 8, were asked several questions about their use of financial services. About 22 percent of D.C. CASH Campaign's respondents reported that they had no bank account. For these people, the most common explanation for not having a bank account was that they did not have enough money (41 percent). Other

responses included that banks not being open at convenient hours (17 percent), having bad credit (15 percent), not trusting banks with their money (14 percent), and high costs of using banks (11 percent).²²

Having a bank account is a good first step to establish a credit history. Therefore, the District of Columbia should work with lenders and neighborhood groups to create low-cost/low-balance bank accounts that allow lower-income residents to have accounts with low balances but not incur relatively expensive maintenance fees. Some lenders have offered these accounts in the past, but with surprisingly low take-up rates. To be effective, such accounts could be offered through community groups and other organizations that reach households that are likely to benefit from such accounts, but for cultural and other reasons are hesitant to open formal bank accounts.

For example, the D.C. CASH Campaign, which is supported by local and national foundations, partners with local nonprofit organizations to run free tax preparation centers in low-income neighborhoods in the city. As part of this service, the D.C. CASH Campaign has arranged with Citibank to provide free, no-minimum-balance saving and checking accounts to taxpayers who do not already have an account. The D.C. CASH Campaign also works with its local partners to connect low-income taxpayers with financial education, credit counseling, individual development account, and other programs intended to help them boost their savings and improve their creditworthiness.

Recommendation #13: The District of Columbia should strive to increase creditworthiness and financial literacy among residents by promoting acceptable standards for credit counseling service providers.

Unfortunately, some organizations that provide credit counseling services, putatively to improve customers' credit histories, are not legitimate service providers. On the other hand, many District of Columbia residents need services that improve their credit so that they can qualify for affordable mortgages. Therefore, the District of Columbia should certify credit counseling agencies that meet certain ethical standards and agree to an established recommended rate structure so that clients of such providers are assured that they will receive quality credit repair services for a reasonable price.

Monitoring Progress

This analysis of impediments report has reviewed a variety of information—secondary data, research literature, court cases, and key stakeholder interviews—to determine the impediments to fair housing choice in the District of Columbia and to recommend actions that could be taken to address these impediments. The four impediments that we have identified—noncompliance with fair housing laws, lack of affordable housing, lack of information on available housing choices, and low levels of creditworthiness and financial literacy—all act to reduce the housing choices available

to residents of the District of Columbia. Our recommended actions are intended to expand housing choices through better enforcement of fair housing laws, increasing the supply of affordable housing, providing greater access to information on housing opportunities in a variety of neighborhoods, and facilitating access to credit repair and financial education services.

In addition to taking specific actions to address impediments to fair housing choice, another requirement of the analysis of impediments process set forth by HUD is that local jurisdictions monitor their progress towards meeting their fair housing goals. In this report, we have noted in several places where lack of information has made it difficult to be precise about the exact fair housing situation in the District of Columbia. For example, we have little information about the specific level of illegal housing discrimination in the city.

To remedy this, and to fulfill the tracking requirements of the analysis of impediments process, we recommend that the District of Columbia compile and report the following types of information:

- The comprehensive fair housing testing program that we have recommended can be designed to produce regular estimates of discrimination levels for different protected class categories.

- National HMDA data is updated annually and should be used to track differences in mortgage denials and subprime lending by race/ethnicity and income.
- The supplementary mortgage lending data that we have recommended the city collect should be used to track differences in mortgage denials and subprime lending while controlling for credit history.
- One of the functions of the DC-FAN should be to compile information about fair housing complaints and court cases in a central location. This information should be shared among DC-FAN members and incorporated into the annual fair housing assessment report.

Finally, as the substantially equivalent organization for enforcing fair housing law, the D.C. Office of Human Rights (OHR) should provide more extensive information about its activities and performance. OHR should track intake information about persons who may potentially file a complaint, as well as those who actually file complaints. We recommend the following statistics be reported for each fiscal year:

- number of persons who enquired about filing a complaint;
- number of complaints filed by protected class types;

- number of mediations held within 45 days, within 90 days, and after 90 days of filing;
- number of mediations resulting in a remedy;
- number of complaints with a full investigation;
- number of investigated complaints closed with probable cause;
- number of complaints closed for administrative or other reasons; and
- number of complaints closed within 100 days and after 100 days of filing.

In addition, OHR reports should distinguish closing statistics for complaints filed within the current fiscal year and those filed in previous fiscal years. This information should be shared with the DC-FAN on a regular basis, as well as being part of the annual fair housing assessment report. Such information will help convince people that the OHR is an effective agency in addressing fair housing complaints in a timely manner. It will also allow other fair housing organizations in the city to work more closely with OHR and help it improve its performance and procedures.

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ENDNOTES

¹ HUD, OFHEO 2004a.

² HUD, OCPD undated: 1.

³ HUD, OFHEO 1996: 2–8. In preparing this analysis of impediments, we were also guided by the previous published analysis of impediments for the District of Columbia (Metropolitan Washington Council of Governments and Fair Housing Council of Greater Washington 1996) and the report structure recommended by the Fair Housing Council of Greater Washington (1998).

⁴ We say “not necessarily illegal” here because the illegality of particular actions under fair housing law is often a matter of dispute and can only be resolved definitively in specific instances by the courts.

⁵ Established as a private nonprofit corporation in 1968, the Urban Institute is nationally known for its objective and nonpartisan research and educational outreach on social, economic, and governance problems facing the nation. It provides information and analysis to public and private decision makers to help them address these problems and strives to raise citizen understanding of the issues and tradeoffs involved in policymaking. Work on this analysis of impediments report was carried out by researchers in the Urban Institute’s Metropolitan Housing and Communities Policy Center (Metro Center). Metro Center has extensive experience in housing policy and fair housing, both nationally and in the Washington region. In addition, Metro Center operates NeighborhoodInfo DC, a rich repository of housing and other data on District of Columbia neighborhoods. For more on the Urban Institute and NeighborhoodInfo DC, see <http://www.urban.org> and <http://www.NeighborhoodInfoDC.org>.

⁶ DHCD 2003: 51-52.

⁷ Fiscal year 2004 data are from D.C. Office of Human Rights 2004: 6; fiscal year 2003 data are from D.C. Office of Human Rights 2005: 2.

⁸ Both referrals to the Human Rights Commission were still pending at the time of this report.

⁹ For example, see Turner and Skidmore 1999; Turner, Ross, et al. 2002; Turner, Herbig, et al. 2005; Turner et al. 1999; Wissoker, Zimmerman, and Galster 1997.

¹⁰ Turner and Skidmore 1999.

¹¹ [http://dhcd.dc.gov/dhcd/cwp/view,a,1243,q,556118,dhcdNav_GID,1734,dhcdNav,\[33880\].asp](http://dhcd.dc.gov/dhcd/cwp/view,a,1243,q,556118,dhcdNav_GID,1734,dhcdNav,[33880].asp)

¹² Although we have proposed that DC-FAN be a citywide entity, there would be advantages to expanding it to a regional group, if feasible. Fair housing issues are not restricted to the District of Columbia alone and the housing market is a regional one.

¹³ Abravanel and Cunningham 2002.

¹⁴ Until a few years ago, housing choice vouchers were known as Section 8 vouchers.

¹⁵ Communication with Adrienne Todman, D.C. Housing Authority.

¹⁶ HUD, OCPD undated: 24.

¹⁷ See Yzaguirre, Arce, and Kamazaki 1999.

¹⁸ D.C. Comprehensive Housing Strategy Task Force 2005.

¹⁹ Communication with Adrienne Todman, D.C. Housing Authority.

²⁰ Melford and Dailey 2005.

²¹ D.C. Department of Banking and Financial Institutions undated.

²² Unpublished data from D.C. CASH Campaign 2004 tax payer survey, tabulated by the Urban Institute.



ATTACHMENT A: BACKGROUND DATA ON THE DISTRICT OF COLUMBIA

As a key step in conducting this analysis of impediments, we compiled a variety of data on population and housing conditions in the District of Columbia. These data allowed us to look at differences in segregation patterns and housing outcomes for members of protected classes. From this analysis, we arrived at the following key findings:

- Black vs. white segregation remains very high in the District of Columbia.
- Latinos and Asians are relatively less segregated than blacks and whites, but still tend to concentrate in certain areas.
- Income differences are not the main explanation for the existing patterns of racial and ethnic segregation.
- Elderly and disabled populations have lower overall levels of segregation than racial/ethnic groups.
- High housing costs restrict housing choice in many neighborhoods.
- Blacks and Latinos have the highest mortgage denial rates and are the most likely to receive subprime loans.
- Subsidized housing units are concentrated in black and Latino neighborhoods.

Racial and Ethnic Segregation

The District of Columbia has slowed its rate of population loss somewhat in recent decades, but nevertheless the overall racial and ethnic composition of the city continues to change. According to the U.S. Census, the total number of persons residing in Washington, D.C., declined from 638,332 in 1980 to 572,059 in 2000, a loss of 66,273 people, or 10 percent, over two decades. At the same time, the racial and ethnic distribution of the population has undergone a gradual shift, with the shares of the population who are white, Latino, and

Asian all having increased in the last two decades.¹ The largest increase was for the Latino population, which grew from 2.9 percent of the total population in 1980 to 7.9 percent in 2000. Both the white and Asian populations increased by approximately 2 percentage points to reach 28.0 percent and 3.0 percent, respectively. Conversely, the black population had the largest change, dropping from 69.7 percent of District of Columbia residents in 1980 to 65.3 percent in 1990, and 60.5 percent in 2000.

We used Census population data to look at different perspectives of racial and



ethnic “segregation” in the District of Columbia (that is, the extent to which blacks, whites, Latinos, and Asians live in separate areas of the city). While the existence of such segregation is not definitive proof discrimination in the housing market, it may indicate that such discrimination exists or else suggest that other factors are at work that are limiting the housing choices of racial and ethnic groups.

To provide a visual perspective on the differences in residential segregation for persons by race and ethnicity, maps 1a, 1b, and 1c show the locations of black, white, Latino, and Asian persons living in the District of Columbia in 2000. As can be seen in map 1a, blacks and whites are highly segregated. Whites live primarily in the northwest quadrant of the city, west of 16th Street and north of Constitution Avenue. There is an additional concentration of whites in the areas northeast and southeast of Capitol Hill. Blacks, in contrast, live predominantly east of 16th Street and in the southeast and northeast quadrants, with large population concentrations east of the Anacostia River. Although we are only presenting a map for 2000 in this report, it should be noted that this pattern has not changed appreciably in the past 20 years.

The Latino population (map 1b) has been growing in the city, and Latinos have been slowly expanding into the areas north and south along the 16th Street corridor, east of Rock Creek. For the most part, Latinos are not settling in new areas of the city as their population grows but, rather,

are moving gradually out from existing Latino neighborhoods. Finally, the Asian population (map 1c) is the smallest of the four groups but like Latinos is growing in number. Asians are more dispersed than the Latino population, but seem to settle predominantly in the northwest quadrant.

While the population has been changing over time, the overall patterns of racial and ethnic segregation in the city have remained quite constant. We used two common measures of segregation and integration to examine the changes in segregation of different groups within the city.² The segregation index is a good measure of the overall segregation of two different populations; the integration index provides a better measure of how well multiple groups are integrated with each other.

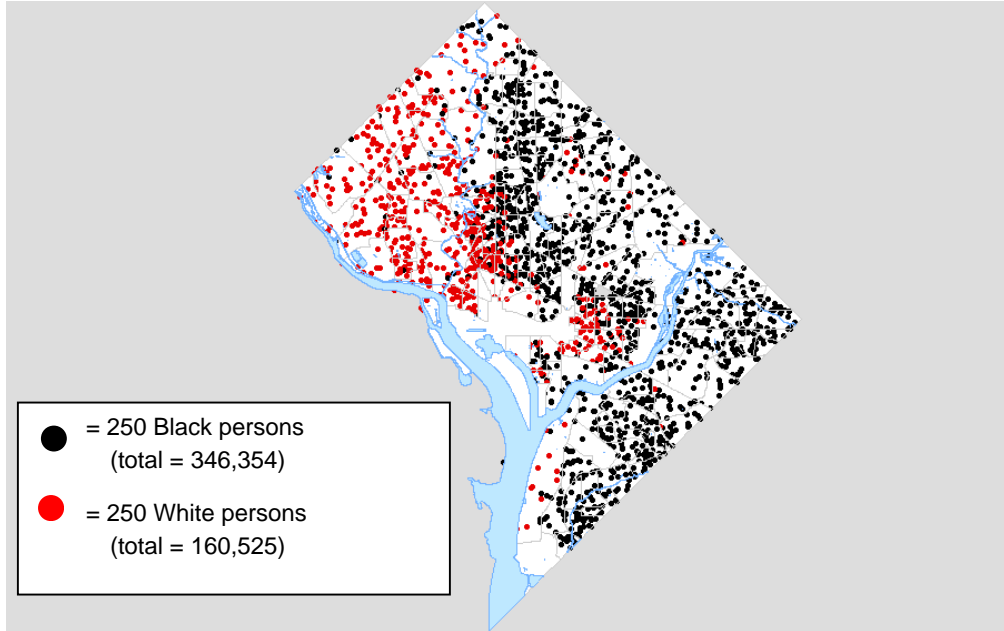
Using U.S. Census data, we were able to examine how overall segregation levels have changed in the District of Columbia based on the segregation index (table 2). The value of the segregation index varies between 0 and 100, with a value of 0 indicating total integration of two populations and a value of 100 indicating total segregation.³ The segregation index values confirmed that the city has remained very segregated along racial and ethnic lines. In particular, black segregation levels have remained quite high over the past 20 years, with segregation indices of 73 in 1980 and 1990 and 71 in 2000. Similarly, white segregation is equally high, with segregation indices of 73 in all three census decades. We saw lower but still significant



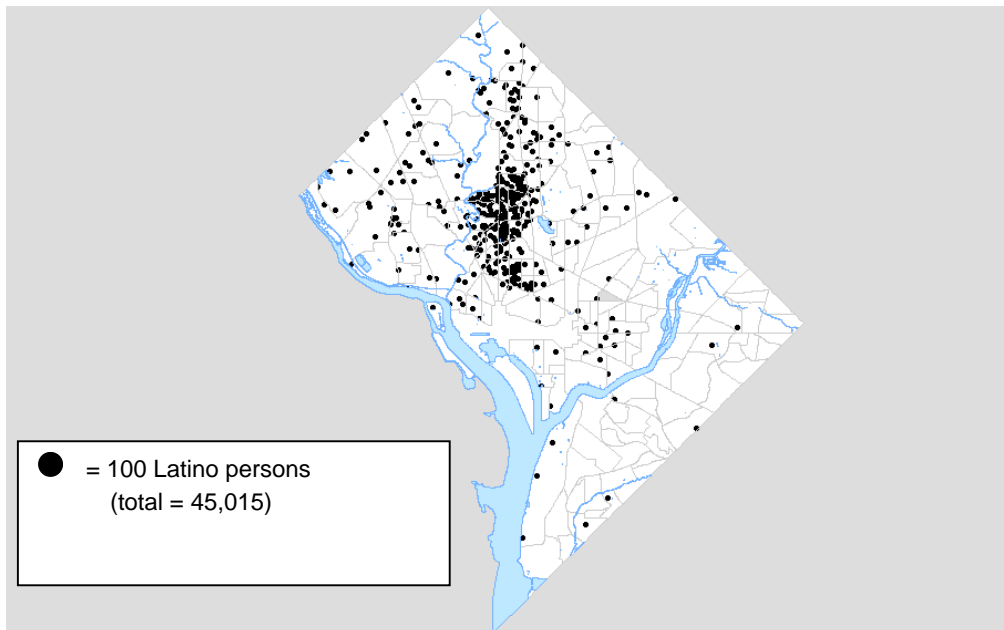
levels of segregation for other racial and ethnic groups. The segregation indices for Latinos and Asians were all between 45 and

50 for all three decades. These levels indicate a consistent segregation of the population by race and ethnicity.

**Map 1a. Black and White Population, 2000
Washington, D.C.**

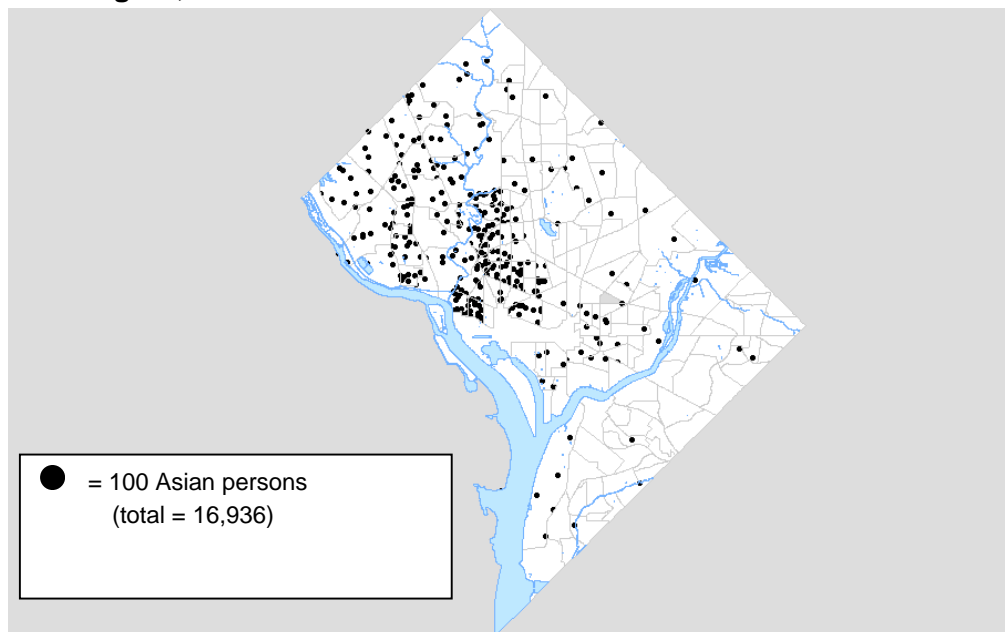


**Map 1b. Latino Population, 2000
Washington, D.C.**





Map 1c. Asian Population, 2000
Washington, D.C.



As noted earlier, the integration index provides a better measure when dealing with multiple groups simultaneously. The integration index can be thought of as representing what the typical census tract

looks like for the average person in a particular group—an “average person” being a composite of all persons in that group and a “typical census tract” being a composite of all census tracts.⁴

Table 2. Overall Segregation (Segregation Index) for Racial/Ethnic Groups, 1980–2000
Washington, D.C.

	Segregation Index		
	1980	1990	2000
White to nonwhite	73	73	73
Black to nonblack	73	73	71
Latino to Non-Latino	45	50	49
Asian to Non-Asian	50	51	49

Source: U.S. Census data tabulated by the Urban Institute.

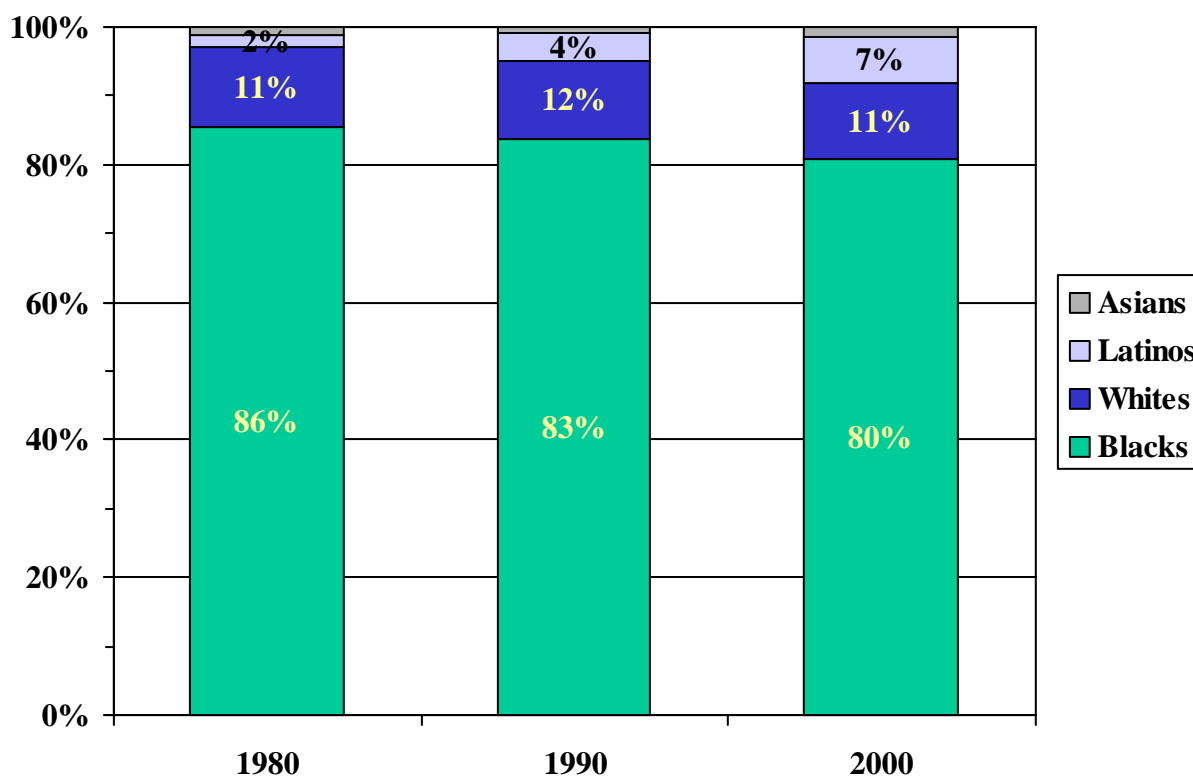
Note: Segregation index value of 100 indicates groups are completely segregated;
0 indicates groups are completely integrated.



The integration indices (figures 1a to 1d) reinforced the picture of racial and ethnic segregation given by the segregation indices. The typical neighborhood of a white person in the District of Columbia was comprised of 63 percent whites in 1980 and 61 percent whites in 2000. This is a strong indication of segregation given that whites made up only 28 percent of the city's

population in 2000. The typical neighborhood of a black person, however, was 86 percent black in 1980, dropping slightly to 80 percent in 2000. The percentage of whites in a black person's typical neighborhood was 11 percent, further confirming that blacks and whites tend to live in different neighborhoods in the District of Columbia.

Figure 1a. Average Neighborhood for a Black Person (Integration Index), 1980–2000 Washington, D.C.

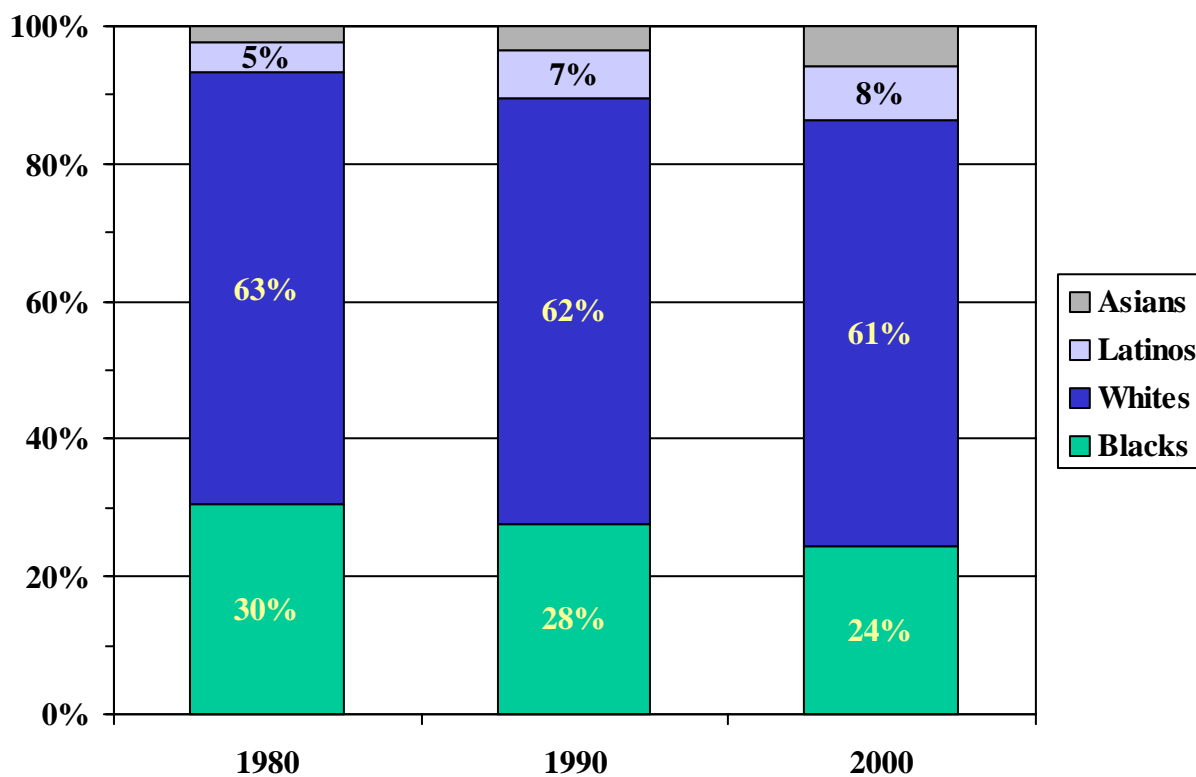


Source: U.S. Census data tabulated by the Urban Institute.

Note: Percentages for Asians: 1% (1980), 1% (1990), 1% (2000). Percentages may not add to 100 due to rounding.



**Figure 1b. Average Neighborhood for a White Person (Integration Index), 1980–2000
Washington, D.C.**

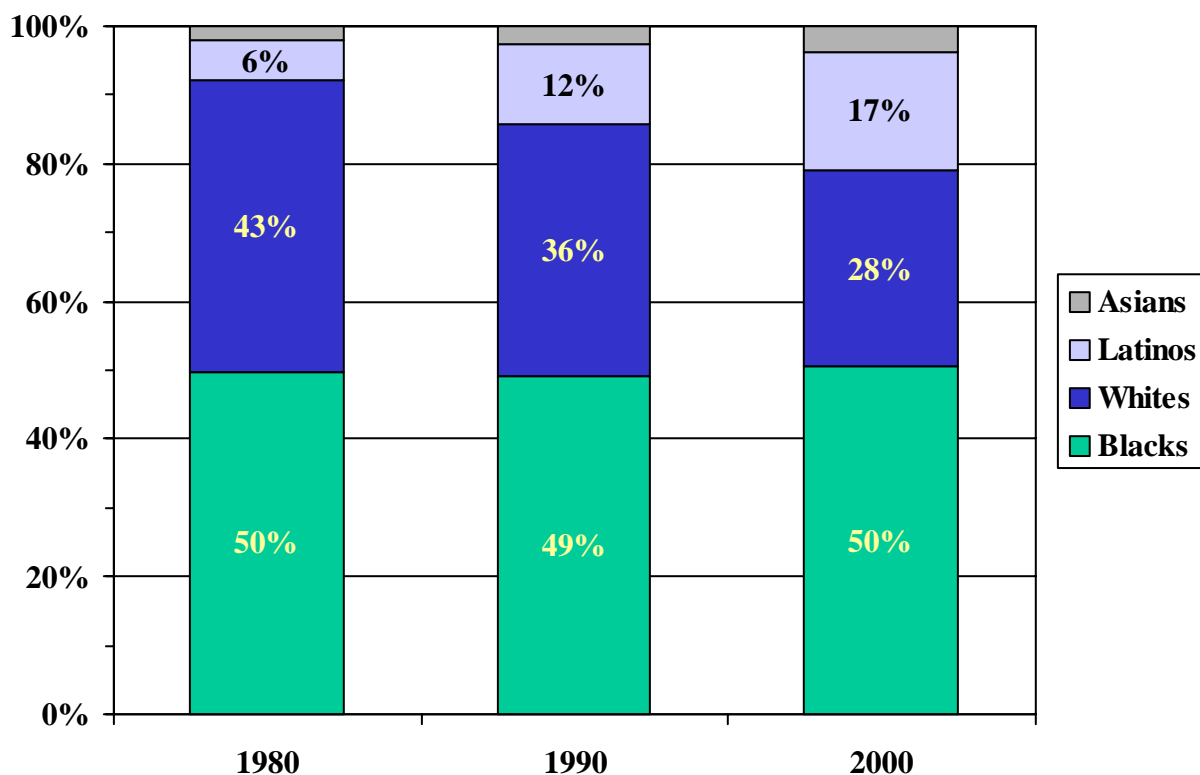


Source: U.S. Census data tabulated by the Urban Institute.

Note: Percentages for Asians: 2% (1980), 4% (1990), 6% (2000). Percentages may not add to 100 due to rounding.



**Figure 1c. Average Neighborhood for a Latino Person (Integration Index), 1980–2000
Washington, D.C.**

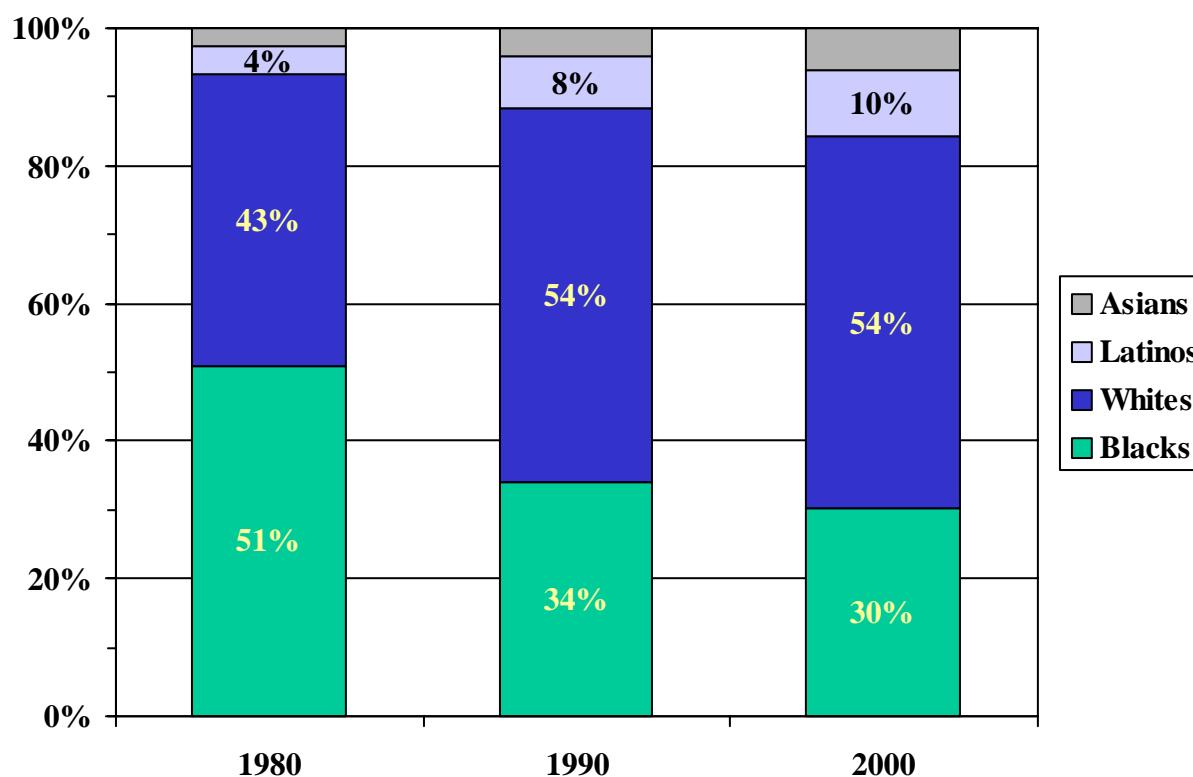


Source: U.S. Census data tabulated by the Urban Institute.

Note: Percentages for Asians: 2% (1980), 3% (1990), 4% (2000). Percentages may not add to 100 due to rounding.



**Figure 1d. Average Neighborhood for an Asian Person (Integration Index), 1980–2000
Washington, D.C.**



Source: U.S. Census data tabulated by the Urban Institute.

Note: Percentages for Asians: 3% (1980), 4% (1990), 6% (2000). Percentages may not add to 100 due to rounding.

There were only two sizeable changes, more than 10 percent, in integration indices between racial/ethnic groups. Latinos integration with whites dropped from 43 percent in 1980 to 28 percent in 2000, indicating that Latinos are becoming more segregated from whites. Similarly, the integration of Asians with blacks dropped from 51 percent to 30 percent over the same time period, indicating that these two groups are also

becoming more segregated from each other.

Racial and Ethnic Segregation by Income

As noted previously, while the measures of racial and ethnic segregation that we have presented are a clear indication of differences in housing patterns for blacks, whites, Latinos, and Asians in the District of Columbia, this does not, by itself, prove that this segregation is a result



of illegal discrimination. In fact, there could be at least three reasons why these segregated patterns exist:

- Illegal discrimination in the housing market limits the selection of neighborhoods where persons of a particular race and ethnicity can live,
- income differences across race and ethnic groups limit the selection of neighborhoods where persons of a particular race and ethnicity can live, and
- personal preferences cause individuals to want to live in neighborhoods with others of a particular race and ethnicity.

All three of these factors could be acting, to different degrees, to influence the choices people make as to where to live in Washington, D.C. While we have no data that can directly measure the extent to which illegal discrimination and personal preferences contribute to the observed patterns of racial and ethnic segregation, we do have data on household income from the U.S. Census that can be used to determine whether income differences are a possible explanation.

The Census data show that black, Latino, and Asian households generally had lower incomes than whites (table 3).⁵ While only 15 percent of white households had annual incomes at or below \$25,000 in

1999, 42 percent of all black households in the city had this low level of income. About a third of Latino and Asian households (34 percent and 36 percent, respectively) also had incomes at or below \$25,000. At the opposite end of the spectrum, 45 percent of white households had incomes above \$75,000 in 1999, compared with only 14 percent of black households, 18 percent of Latino households, and 25 percent of Asian households.⁶

The differences in incomes across racial and ethnic groups could be part of the explanation for the segregation patterns that we observe in the city. Since such a large share of black households have lower incomes, they may not be able to afford to live in many neighborhoods in the city, such as in upper northwest, where more affluent white families can afford to live. Because of this, we would expect to find more blacks living in lower-priced neighborhoods and more whites living in higher-priced neighborhoods.

Nevertheless, our analysis of the Census data indicates that income differences do not appear to be a major explanation for the patterns of racial and ethnic segregation that we observed in the District of Columbia. If income differences were the main explanation, then we would expect to find blacks, whites, Latinos, and Asians of *similar income levels* living in the same neighborhoods. In fact, this is not what we find.

**Table 3. Household Income by Race and Ethnicity, 2000
Washington, D.C.**

	By Race/Ethnicity			
	Black	White	Latino	Asian
Number of households	139,143	83,742	14,449	6,502
Pct. households by income	100	100	100	100
\$0–\$25,000	42	15	34	36
\$25,001–\$50,000	25	17	28	22
\$50,001–\$75,000	18	22	21	17
Over \$75,000	14	45	18	25

Source: U.S. Census data tabulated by the Urban Institute.

Note: Household income is in 1999 dollars. Percentages may not add to 100 due to rounding.

In table 4 we calculated separate integration indices for households by race/ethnicity and income to determine the “average” neighborhood composition for particular groups. For example, the table indicates that the average neighborhood for a black household with an income at or below \$25,000 was 81 percent black, 10 percent white, 7 percent Latino, and 2 percent Asian, while the average neighborhood for a Latino household with an income over \$75,000 was 39 percent black, 42 percent white, 13 percent Latino, and 4 percent Asian.

If income were a major determinant in segregation, then we would expect the composition of neighborhoods to vary substantially for different income groups within a given race and ethnicity. Table 4 clearly shows that neighborhood

composition was almost identical across income groups, however. For example, although there does appear to be slightly more integration of black and white households with incomes over \$75,000, black households of all income levels lived in neighborhoods that were predominantly (76 to 81 percent) black, while white households of all income levels lived in neighborhoods that were predominantly (58 to 64 percent) white.⁷

This result suggests that illegal discrimination or a personal preference to live with others of a certain race and ethnicity, or both, play a large role in determining where people choose to live in the District of Columbia. Illegal discrimination is obviously a key concern since it represents noncompliance with fair housing laws. Personal preference, while



not a direct concern of fair housing laws, may nonetheless be a result of internal biases and lack of information that limit

people's choices and, therefore, may be an impediment to fair housing.

**Table 4. Average Neighborhood for Households by Race/Ethnicity and Income, 2000
Washington, D.C.**

	Composition of Average Neighborhood for Household (Pct. Persons by Race/Ethnicity)				
	Total	Black	White	Latino	Asian
Black HHs by income					
\$0–\$25,000	100	81	10	7	2
\$25,001–\$50,000	100	80	11	6	1
\$50,001–\$75,000	100	80	12	6	1
Over \$75,000	100	76	14	7	2
White HHs by income					
\$0–\$25,000	100	26	58	9	6
\$25,001–\$50,000	100	25	59	9	6
\$50,001–\$75,000	100	26	59	9	6
Over \$75,000	100	21	64	8	6
Latino HHs by income					
\$0–\$25,000	100	44	34	17	4
\$25,001–\$50,000	100	47	32	17	4
\$50,001–\$75,000	100	47	33	15	4
Over \$75,000	100	39	42	13	4
Asian HHs by income					
\$0–\$25,000	100	33	50	9	7
\$25,001–\$50,000	100	26	57	10	7
\$50,001–\$75,000	100	29	54	10	6
Over \$75,000	100	30	55	9	5

Source: U.S. Census data tabulated by the Urban Institute.

Note: HHs = households. Household income is in 1999 dollars.

Percentages may not add to 100 due to rounding.

Researchers disagree on the extent to which illegal housing discrimination is responsible for the continuing segregation of racial and ethnic groups in cities like Washington, D.C. A number of authors

assert that discrimination against minorities in housing occurs in isolated instances that are fairly infrequent and that have little effect on the overall segregation of neighborhoods.⁸ Several scholars contend



that black-white residential segregation is partially, if not largely, determined by the feelings of blacks and whites.⁹ For example, Stephan and Abigail Thernstrom conclude that “a considerable amount of residential clustering is likely to continue as long as elements of the population continue to identify as members of racial and ethnic groups and feel some desire to live where other members of the group live.” They suggest that a “critical mass” is often an appealing characteristic and therefore people may steer themselves to racially homogeneous areas.¹⁰

Nonetheless, a number of scholars refute that segregation is largely the result of individuals’ preferences. Rather, they assert that segregation is a result of actions by many institutions, such as the government, mortgage lenders, the realtors’ code, the Federal Housing Administration mortgage program, banks, insurers, and many others.¹¹ They emphasize that housing discrimination has neither a single cause nor a single source, but rather operates on two levels, the individual level and the systemic level. Housing economist George Galster explains

Housing discrimination operates at an individual level to deny persons of color the opportunity to live wherever they want and can afford and to maintain and reinforce prejudice—the stereotypes that Whites hold of people of color. Through these individual processes, housing discrimination’s effects then move to the structural level to

maintain the socioeconomic inequalities between Blacks and Whites, between Whites and persons of color, and to deny persons of color the wealth accumulation that comes from rising property values.¹²

Galster labels the individual level of discrimination as *differential treatment*, and the structural discrimination as *adverse impacts*. Fair housing laws, he says, seek to eradicate differential treatment, but the housing market is increasingly producing adverse impacts.¹³

Furthermore, scholars like Galster maintain that the neighborhood preference argument is misleading and ignores that racial attitudes themselves depend on residential integration and hence on discrimination. They point out that individuals, regardless of racial group, have a wide distribution of attitudes and do not have a uniform preference for neighborhood homogeneity.¹⁴

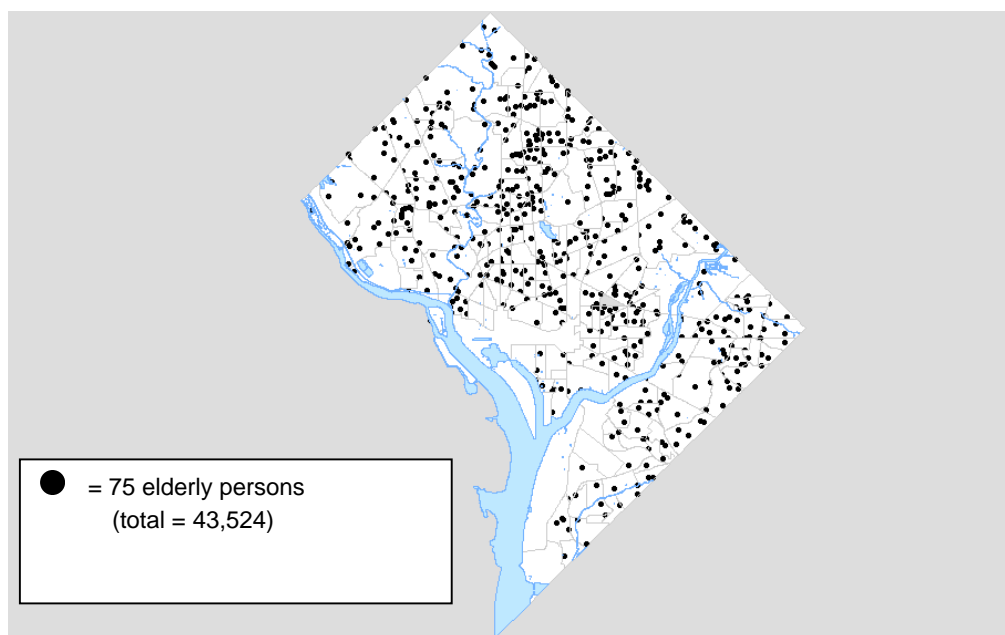
Segregation of Elderly and Disabled Populations

We can also use the segregation index to calculate the distribution of the elderly population to the nonelderly population. The U.S. Census Bureau defines elderly as those persons age 65 years and older. The segregation index of the elderly population has remained constant at 24 for 1980, 1990, and 2000, a level of segregation that is much lower than those of racial and ethnic groups discussed earlier.¹⁵ As map 2 illustrates, the elderly



population was fairly well distributed throughout the city.

**Map 2. Elderly (65+ Years Old) Population, 2000
Washington, D.C.**



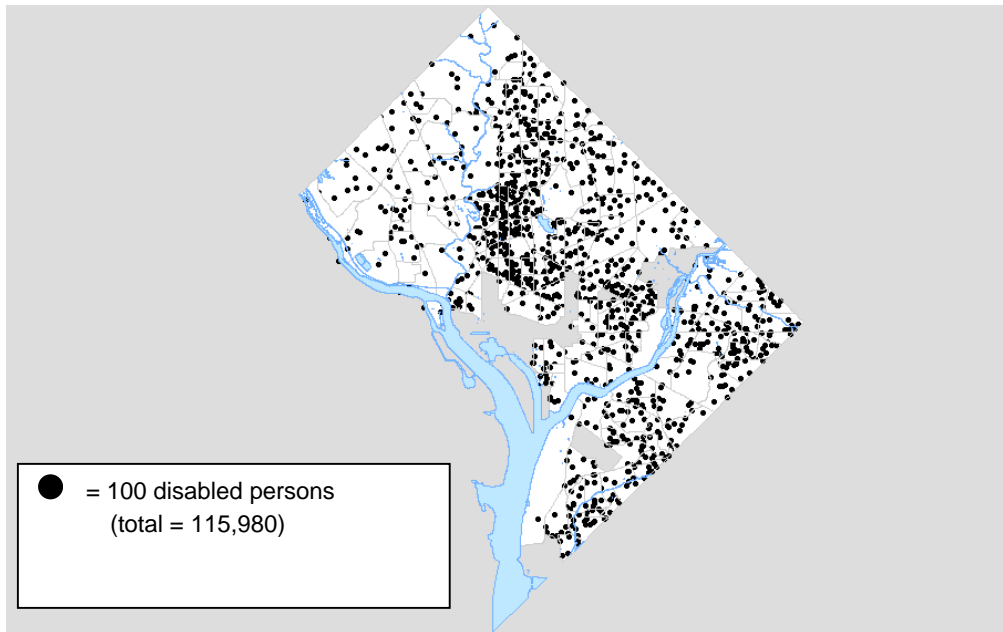
Source: U.S. Census data compiled by the Urban Institute.

The disabled population exhibits similar overall levels of segregation. Map 3 depicts the distribution of the noninstitutionalized, disabled population. Disability, as categorized by the U.S. Census Bureau, includes (a) sensory disability (blindness, deafness, or a severe vision or hearing impairment), (b) physical disability (a condition that substantially limits one or more basic physical activities, such as walking, climbing stairs, lifting, or carrying), (c) mental disability (difficulties

learning, remembering, or concentrating), (d) self-care disability (difficulties dressing, bathing, or getting around inside the home), (e) going outside the home disability (difficulties going outside the home alone to shop or visit a doctor's office), and (f) employment disability (difficulties working at a job or business).¹⁶ The segregation index for those five years of age and older with one or more disabilities, versus those without a disability, is 21.



**Map 3. Noninstitutionalized Population with One or More Disabilities, 2000
Washington, D.C.**



Source: U.S. Census data compiled by the Urban Institute.

Levels for segregation can be higher for subpopulations within the disabled community, however (table 5). Persons with a mental or sensory disability are slightly more segregated, with segregation indices of 25 and 28, respectively, than the overall disabled population. Working-aged persons (16 to 64 years old) with a disability that prevents them from going out of their home

or being employed are also slightly more segregated with a segregation index of 33 (an increase from a segregation index of 26 in 1990). Finally, persons with a disability that make it difficult to care for themselves (self-care disability) are the most segregated of the disabled population with a segregation index of 64.

**Table 5. Overall Segregation (Segregation Index) for Disability Groups, 2000
Washington, D.C.**

	Segregation Index
	2000
Persons 5+ years old	
With 1 or more disabilities	21
With sensory disability	28
With physical disability	23
With mental disability	25
With self-care disability	64
Persons 16–64 years old	
With "go outside" or employment disability	33

Source: U.S. Census data tabulated by the Urban Institute.

*Note: Segregation index value of 100 indicates groups are completely segregated;
0 indicates groups are completely integrated.*

Housing Costs

The average home sales price in the District of Columbia has risen dramatically since 1999. In 1999, the average sales price of a single-family home or condominium in 2005 dollars was \$233,503. By 2002, it was \$330,518 and by 2004 it reached \$417,014 (both in 2005 dollars). As of May, the average home sales price in 2005 was \$434,532, an average real price increase of over \$200,000 in just six years. The cost of homes in the District is rising at an average rate of 12 percent annually, making it

increasingly difficult for many people to afford a home in the District of Columbia.

Similar high and increasing prices are being observed in the rental market as well. In a recent analysis using data from the 2003 American Communities Survey, the D.C. Fiscal Policy Institute found that since 2000 the District of Columbia has lost substantial numbers of affordable rental units. The study noted that the city lost 5,000 apartments with rents under \$500 per month between 2000 and 2003. During the same period, the number of higher-rent



units (more than \$1,000 per month) increased by almost 7,000.¹⁷

Increasing housing costs are not a direct form of housing discrimination. However, a lack of affordable housing does constrain housing choice. Residents may be limited to a smaller selection of neighborhoods because of a lack of affordable housing in those areas.

To assess how increases in housing costs have affected the available housing choices in neighborhoods in the District of Columbia, we used recent home sales data to determine the number of homes affordable at the median household income for whites and blacks in 1995 and 2003. We took the median income of a black household in the District of Columbia in 1995 to be \$27,877 and that of a white household to be \$61,533; in 2003, the median black household income was \$33,658 and the white household income was \$74,291.¹⁸

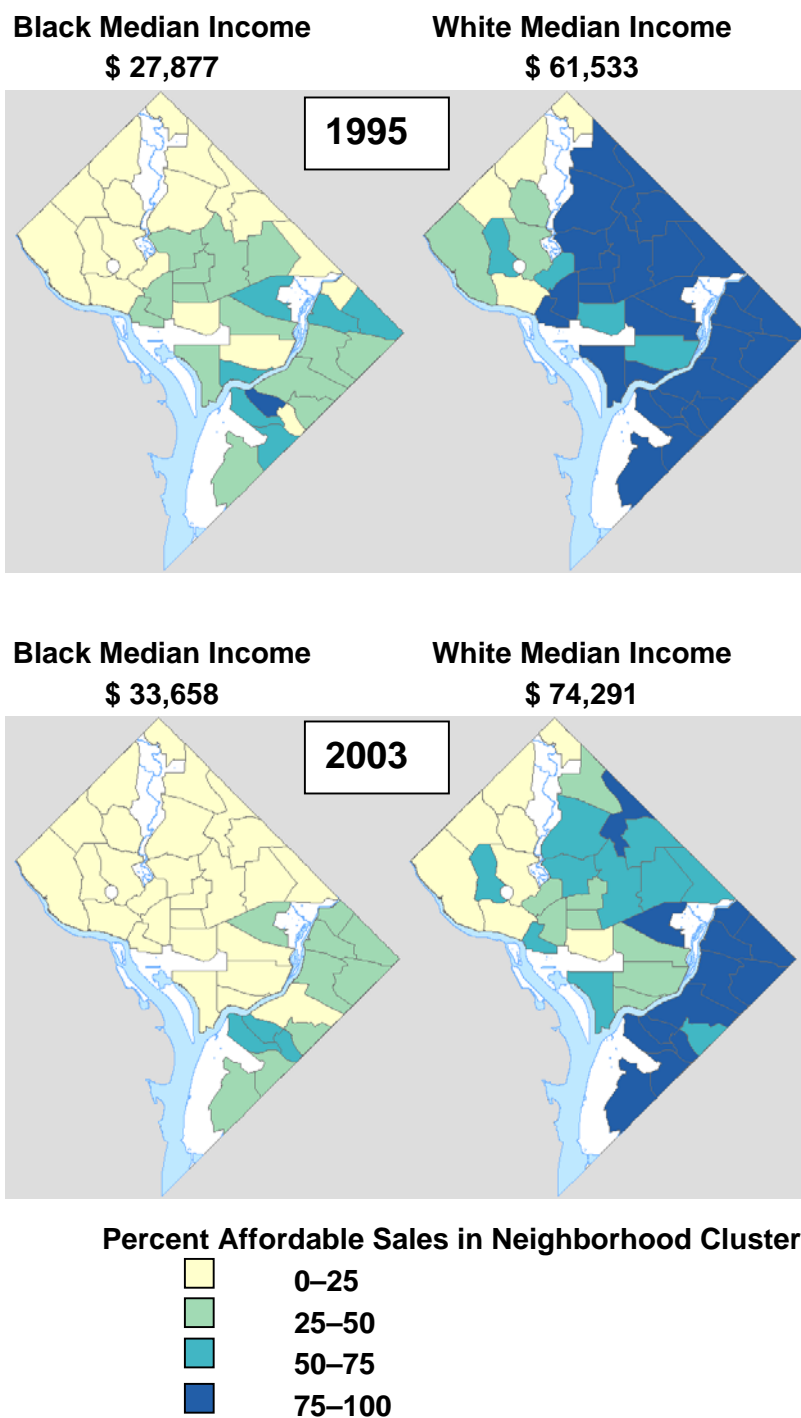
Given the median income, we determined the maximum price of a home affordable to that household and then the percentage of home sales (single-family houses and condominiums) that were at or below that price for the year.¹⁹ The results are shown by neighborhood cluster in map 4 and indicate a clear pattern of decreasing housing affordability for all residents and an extreme lack of affordable homeownership opportunities for blacks. (The median income of Latinos and Asians is about 20

percent higher than that for black households, so the picture would look only slightly better for those two groups.) While more than half of the neighborhood clusters had 75 percent of home sales affordable at the white median household income in 1995, only one cluster had 75 percent of sales affordable at the black median income (cluster 28—Historic Anacostia) and only six clusters had 50 to 75 percent of sales affordable to blacks.

By 2003, however, the situation had changed dramatically. Even at the white median income level of \$74,291, the neighborhood clusters with the majority of home sales affordable had decreased as compared with 1995 (map 4). The situation worsened for black homebuyers as well. In 2003 there were no clusters in which 75 percent of the home sales were affordable at the black median income of \$33,658, and only three clusters had 50 to 75 percent of sales affordable at this income level. These three clusters, as well as all but one of the 12 clusters with 25 to 50 percent of the home sales affordable to blacks, were located east of the Anacostia River. This illustrates the alarming rate at which Washington, D.C.'s housing market is moving beyond the means of its largest population group and further confining black homebuyers to look east of the Anacostia River, maintaining the segregation status quo.²⁰



**Map 4. Percent Affordable Home Sales, 1995 & 2003
Washington, D.C.**



Source: D.C. property sales and U.S. Census data compiled by the Urban Institute.



Mortgage Lending

The previous section noted the declining numbers of homes affordable for purchase at all income levels. But, even if a home is affordable, most people still must obtain a mortgage to purchase it. Another important part of fair housing choice, therefore, is *fair lending*, that is, making mortgage loan products available equally to all those who are qualified to receive credit to purchase a home.

The 1999 report, *What We Know About Mortgage Lending Discrimination in America*, documents the disparity of lending treatments by race in five U.S. cities: Atlanta, Chicago, Denver, Oakland, and Richmond.²¹ As part of this report, audits of HUD's Fair Housing Initiatives Program were reanalyzed. In four of the five cities studied, blacks were less likely to be provided with information about specific loan products than were whites. Furthermore, in four out of five cities lenders spent more time with white testers than with minority testers and in three and out of five cities provided whites with more information about additional possible loan products. The study also found that in every city but one, black testers were quoted higher 30-year mortgage interest rates than white testers. Although this study did not include the District of Columbia and lending practices do vary between cities, it does illustrate a pattern of lending discrimination in urban areas that directly impacts fair housing opportunities and gives some cause for concern that similar forces may be at work in Washington, D.C.

Data provided under the Home Mortgage Disclosure Act (HMDA) allows us to examine differences in the lending patterns by racial and ethnic groups in the District of Columbia. HMDA requires most lending institutions to report on home mortgage loan applications, including the application outcome (approved or denied), loan- and applicant-related information, and property location. Using HMDA data, we can calculate mortgage denial rates (that is, the number of denied applicants out of total applicants, for black, white, Latino, and Asian loan applicants). We can also determine the percentage of loans that were subprime for each of these groups.

Using HMDA data, we found that from 1999 to 2003 black applicants were much more likely to be denied a conventional home purchase mortgage loan than were white applicants (table 6). The denial rate for black applicants was 24.8 percent of all loan applications, a rate over four times that for white applicants, 5.8 percent. Latinos were less than three times as likely as whites to be denied a home purchase mortgage loan, with a denial rate of 15.4, while Asians were over 1.5 times as likely as whites to be denied a loan, at 9.4 percent.

Differences in denial rates across racial and ethnic groups are not proof that illegal mortgage lending discrimination has taken place. Because HMDA data do not provide elements such as credit scores that may reveal why an applicant was refused a loan, it is not possible to determine whether a loan was fairly or unfairly denied.

**Table 6. Home Purchase Mortgage Denial Rates by Race/Ethnicity of Borrower, 1999–2003
Washington, D.C.**

	Mortgage Denial Rates (%) by Race/Ethnicity			
	Black	White	Latino	Asian
All incomes	24.8	5.8	15.4	9.4
Low income	26.5	7.0	17.2	9.1
Moderate income	23.6	5.3	13.9	7.9
High income	19.7	4.8	11.4	9.3

*Source: Home Mortgage Disclosure Act data (conventional loans only) compiled by the Urban Institute.
Note: Low, moderate, and high income are HUD income categories.*

Nevertheless, the large differences in mortgage denial rates reported in HMDA are a cause for concern because they indicate sharp differences in access to credit across racial and ethnic groups, which translates into relatively fewer housing options for blacks, Latinos, and Asians. This is especially true given that the differences in denial rates persist when controlling for the income of the applicant (table 6). Even for high income households, the mortgage denial rates for black applicants is four times that of white households.

The number of subprime loans also allows some understanding into potentially discriminatory lending practices. Subprime loans are designed for applicants with poor credit histories, high loan-to-home value ratios, or other credit risk characteristics that would disqualify them for lower cost, prime-rate loans. Although the subprime lending

market has made credit more available to households with low incomes or imperfect credit, the unregulated status of subprime lending makes it potentially—although not necessarily—predatory in nature.²²

Predatory subprime loans are those that carry unreasonable and unjustifiable loan terms. For example, a predatory loan may require a monthly mortgage payment that is an extremely high share of a household's income. Predatory subprime loans can be quite detrimental to fair housing choice as they can result in borrowers losing their homes through foreclosures. In addition, predatory loans are often targeted to households on the basis of their race, ethnicity, age, gender, or other traits unrelated to creditworthiness, and may involve outright fraudulent behavior such as inappropriate marketing strategies and lack of full disclosure of loan terms.²³



It is important to note that, since the District of Columbia does not have a law prohibiting predatory lending, loans with predatory features may not necessarily be illegal. To the extent that predatory lending involves targeting to members of protected classes (such as to blacks or Latinos) or violating truth in lending laws, such lending can be considered illegal.

HMDA data from 2003 and earlier do not capture whether an individual loan is subprime, nor do they allow us to determine the extent to which subprime loans may be predatory. HMDA data do approximate, however, the number of subprime loans by calculating the number of loans originated by lenders identified by HUD as subprime specialists.²⁴ To the extent that subprime lending is occurring, this may be a warning that subprime predatory lending is taking place as well.

The percentages of borrowers by race and ethnicity receiving subprime loans

mirror the disparities that we observed in mortgage denial rates (table 7). Between 1999 and 2003, black borrowers were over 4.5 times more likely than white borrowers to have a subprime conventional home purchase loan and 7 times more likely to have a subprime conventional refinance loan. Latino borrowers were over 2.5 and 3 times as likely as white borrowers to have subprime purchase or refinance loans, respectively. Asians were over 1.5 times as likely as whites to have both purchase and refinance subprime loans.²⁵

As with mortgage denial rates, differences across racial and ethnic groups in the use of subprime loans do not necessarily mean that illegal lending discrimination has taken place. There are a number of valid reasons for subprime loans to be offered to a household. Nonetheless, as noted earlier, these differences do present a troubling trend, especially since they may indicate the presence of predatory or illegal lending practices.

**Table 7. Subprime Loans by Race/Ethnicity of Borrower, 1999–2003
Washington, D.C.**

	Pct. Mortgage Loans that are Subprime by Race/Ethnicity of Borrower			
	Black	White	Latino	Asian
Home purchase loans	12.9	2.7	7.2	4.5
Refinance loans	19.2	2.7	8.8	4.3

Source: Home Mortgage Disclosure Act data (conventional loans only) compiled by the Urban Institute.



Rental and Sales Paired Testing

The 2000 Housing Discrimination Study (HDS2000), prepared by the Urban Institute for the U.S. Department of Housing and Urban Development, included a paired testing analysis designed to measure change in the incidence of discrimination against blacks and Latinos, to document the extent of discrimination against Asian home seekers nationwide, and to produce the first rigorous estimates of discrimination against Native Americans seeking housing outside of Native Lands.²⁶

HDS2000 found that the incidence of discrimination against black renters declined from 26 percent in 1989 to 22 percent in 2000, while discrimination against Latino renters stayed essentially unchanged at 26 percent.²⁷ The decline in adverse treatment against black renters reflects the fact that blacks are now much more likely to be told about the same number of available units as comparable white renters, to be able to inspect the same number of units. Latinos appear no better off than in 1989 on these indicators. Latinos are now more likely than in 1989 to be quoted a higher rent compared to non-Latino whites when asking about the same unit. On the other hand, agents are more likely than in 1989 to encourage Latinos to apply by asking them to complete an application and/or make future contact.

In metropolitan sales markets, both blacks and Latinos have experienced quite dramatic declines in discrimination since 1989. Specifically, the incidence of discrimination dropped from 29 percent in

1989 to 17 percent in 2000 for black homebuyers and from 27 percent to 20 percent for Latino homebuyers. These overall reductions in sales market discrimination reflect more complex changes in patterns of discrimination on individual treatment measures. For blacks, the decline in adverse treatment is largest with respect to housing availability; black homebuyers are more likely to be told about the same number of available homes as whites than they were in 1989. However, black homebuyers are also more likely to be steered to racially mixed neighborhoods (while comparable whites are steered to predominantly white neighborhoods) compared to 1989. In other words, they may find out about just as many homes as comparable whites, but not necessarily in the same neighborhoods.

Latino homebuyers are also much more likely now than in 1989 to be told about and to inspect the same number of available homes as non-Latino whites. They are also more likely to receive equal levels of follow-up contact from real estate agents. However, over the course of 1990s, agents appear to have expanded the assistance and information about financing that they provide to white customers, but not Latinos, leading to an increase in the level of adverse treatment experienced by Latinos on measures of financing assistance.

Despite the significant progress since 1989, HDS2000 found that levels of discrimination against black and Latino home seekers remained high. Moreover,



HDS2000 shows (for the first time) that Asians and Pacific Islanders face comparable levels of adverse treatment nationwide, and that Native American renters may face even higher rates of discrimination than other groups (based on evidence from three states). In the rental market, estimates of discrimination are relatively similar across racial/ethnic groups, ranging from 29 percent for Native Americans to 20 percent for blacks. In the sales market, levels of discrimination are somewhat lower, but still significant – ranging from 17 percent for African Americans to 20 percent for Asians.

Subsidized Housing

Low income families who cannot afford housing on the private market must often rely on subsidized housing programs. To see what impacts housing assistance might have on fair housing choice, we examined the locations of the three major types of subsidized housing in the District of Columbia: public housing, project-based Section 8 housing, and housing choice vouchers.

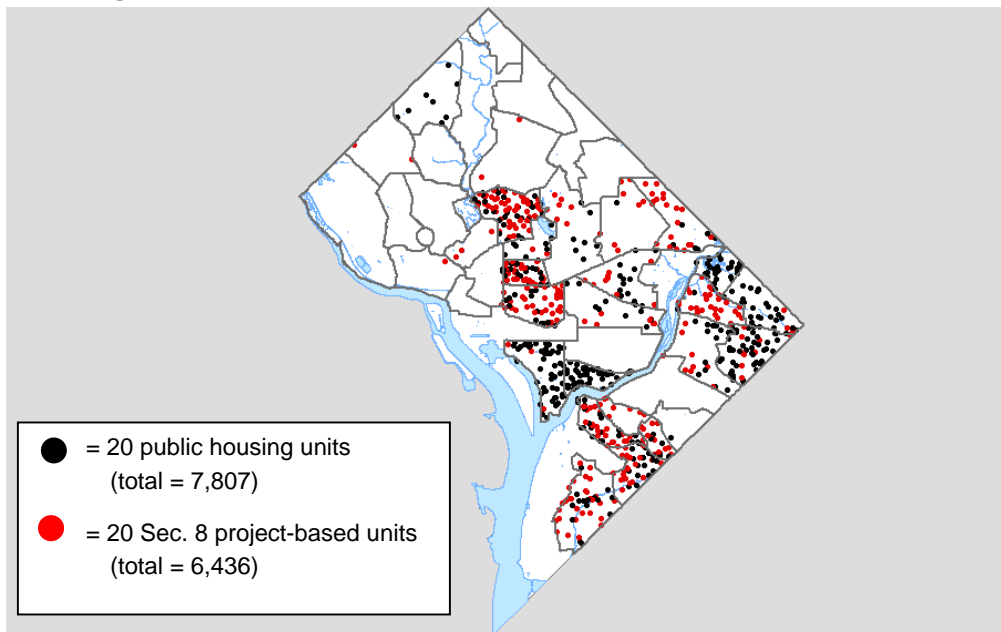
Public housing in the District of Columbia is owned by the city and operated by the D.C. Housing Authority. It is primarily concentrated in neighborhood clusters in northeast and southeast that have high black and Latino populations (map 5a). Fifty (50) percent of the public housing units in 2000 were located in the 10 neighborhood clusters east of the Anacostia River.

Another 25 percent of the units were located in neighborhood clusters 9 (Southwest Waterfront) and 27 (Near Southeast). These numbers are troubling because 75 percent of all public housing units are concentrated in 12 neighborhood clusters. In addition, planned subsidized housing developments in the District of Columbia, which include both publicly- and privately-owned units, do not reverse this trend but rather continue to place subsidized housing in the same areas.²⁸ Therefore, those low-income families in public housing, principally black and Latino, elderly, and disabled persons, are concentrated in one area of the city.

There is likewise a concentration of project-based Section 8 units. Unlike public housing, these units are privately owned and operated, but in exchange for subsidies the owners have agreed to make a designated number of units affordable to low-income households. As with public housing, we see a concentration of project-based units east of the Anacostia River, but to a lesser degree (map 5a). The 10 clusters east of the river made up 42 percent of the project-based units in 2000, as opposed to 50 percent of public housing units. There is also a grouping of project-based units along 13th Street from Pennsylvania Avenue, Downtown-Chinatown, up to Spring Road, Mount Pleasant. These four neighborhood clusters comprise 36 percent of the project-based units in the city, again limiting the neighborhood choices of low-income families.



**Map 5a. Public and Section 8 Project-Based Housing, 2000
Washington, D.C.**



Finally, unlike public housing or project-based housing, Housing choice vouchers are portable (that is, they are not tied to a particular neighborhood or housing unit). The program provides assistance to qualifying families or individuals so that they can afford housing in the private rental market. Participants are free to find and choose their own housing, including single-family homes, townhouses, or apartments, provided they meet program requirements. One of these requirements is that the unit's rent cannot be more than 110 percent of the fair market rent (FMR). For 2005, HUD has set a FMR of \$1,187 for a two-bedroom unit and \$2,000 for a four-bedroom unit in the District of Columbia.²⁹

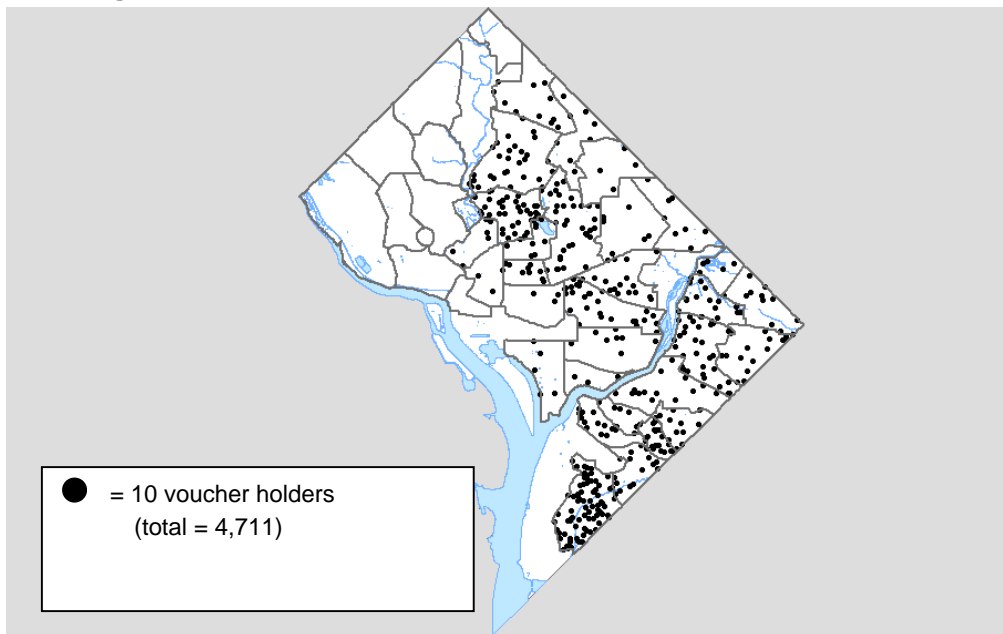
Despite the fact that housing choice voucher recipients can use their vouchers in

a qualifying units anywhere in the city, we see a similar segregated pattern for voucher holders (map 5b) as we do for persons in public and project-based subsidized housing. In 2000, 50 percent of the housing choice vouchers in the District of Columbia were used east of the Anacostia River.³⁰

Two factors may explain the concentration of voucher holders in the city. First, vouchers only subsidize up to a unit's FMR. In the event that a unit's rent is greater than FMR, participants must either pay the difference themselves (provided that the unit's rent is still below 110 percent of FMR) or find an alternative unit. In the District of Columbia's escalating housing market, rents in many neighborhoods often exceed the FMR, limiting the choices for voucher holders in certain areas.



**Map 5b. Housing Choice Vouchers, 2000
Washington, D.C.**



Second, landlords in neighborhoods with healthy rental markets may have little incentive to participate in the Housing Choice Voucher program, which has more administrative burdens than renting to a nonsubsidized tenant. Such landlords may choose not to accept housing choice vouchers, despite the fact that such a refusal is prohibited under the D.C. Human Rights Act. Federally, the Housing Choice Voucher program is optional and landlords are not required to take vouchers. Within the District of Columbia, however, source of income is a protected class and landlords are not permitted to turn away a prospective tenant because she is using a voucher to pay all or part of her rent. Nonetheless, the existence of landlords who are unaware of the requirement to accept vouchers, or are aware of it but choose to ignore it, further

limits the options available to voucher holders in the city.

We have seen that all three subsidized housing programs contribute to a concentration of lower-income families in the District of Columbia. With all else being equal, this would result in a concentration of poverty only. However, given the disproportionately higher numbers of lower-income persons among blacks, Latinos, and Asians, the concentration of subsidized housing also contributes to the concentration of these populations and therefore has an impact on fair housing choice in the city.

Building Permits

The growing housing market and the increasing numbers of moderate and upper-



income households moving into the District of Columbia in recent years has brought with it an increased demand for higher-end housing.³¹ The District of Columbia Department of Regulatory Affairs issued 1,787 building permits between 1999 and 2004, fluctuating between 160 and 538 per year. However, the number of units approved jumped from 921 in 2000 to 1,744 in 2002. That number had dropped only slightly to 1,684 units in 2003 and 1,621 units in 2004.

While housing construction has increased throughout the city, the largest volume of units being built is concentrated in a small number of neighborhoods. The building permits' units were highly concentrated in two neighborhood clusters.

Cluster 7 (Logan Circle) was issued permits for 1,428 units between 1999 and 2004, while cluster 8 (Downtown-Chinatown) was issued permits for 1,393 units. Together, these two clusters accounted for over a third of all new units permitted during this period. Other clusters with large numbers of units for issued building permits were cluster 3 (LeDroit Park) with 754 units, cluster 5 (the West End) with 456 units, cluster 6 (Dupont Circle) with 530 units, cluster 12 (North Cleveland Park-Van Ness) with 507 units, cluster 38 (Douglass-Shipley) with 418 units, and cluster 39 (Congress Heights-Bellevue) with 519 units. With the exception of clusters 38 and 39, all of these clusters are located in the northwest quadrant of the District of Columbia.³²



ENDNOTES

¹ In Census terminology, black, white, and Asian are “races,” while Latino is an “ethnicity.” Throughout this report, we use the label “black” to refer to non-Latino blacks/African-Americans; “white” to refer to non-Latino whites; “Asian” to refer to non-Latino Asians, native Hawaiians, and other Pacific Islanders; and “Latino” to refer to persons of Hispanic/Latino descent. Persons of other races, including Native Americans, made up less than 1 percent of the District of Columbia’s population in 2000 and are excluded from the data analysis.

² The segregation measure we used was the “dissimilarity index” and the integration measure was the “exposure index” (Sawyer and Tatian 2003).

³ The actual value of the segregation index is the percentage of one group who would have to move to achieve total integration of the two populations across census tracts (Sawyer and Tatian 2003).

⁴ A census tract is a small area used for collecting and reporting U.S. Census data. There were 188 census tracts in the District of Columbia in 2000, with an average population per tract of about 3,000 persons.

⁵ The racial and ethnic designations of households are based on the race and ethnicity of the household head.

⁶ Comparisons of household income levels for 1990 and 2000 can be found in supplemental table F3 in attachment F.

⁷ Additional integration index measures for income can be found in supplemental table F2 in attachment F.

⁸ See, for example, Patterson 1997; Thernstrom and Thernstrom 1997. Heckman (1998) critiques the audit-pair method of measuring discrimination in the context of labor markets, but his criticisms could also apply to using this method for housing discrimination.

⁹ See Clark 1992; Patterson 1997; Thernstrom and Thernstrom 1997.

¹⁰ Thernstrom and Thernstrom 1997: 230.

¹¹ See Hirsch 1983; Jackson 1985; Massey and Denton 1993; Squires 1994; Yinger 1995.

¹² Galster 1992.

¹³ *Ibid.*

¹⁴ See Galster 1988; Yinger 1995.

¹⁵ See supplemental table F4 in attachment F.

¹⁶ Sensory and physical disabilities must have been long lasting; mental, self-care, going outside the home, and employment disabilities must have been exhibited for at least six months.

¹⁷ Rodgers 2005.

¹⁸ The median incomes were derived using the 1999 median incomes for black and white households in the District of Columbia from the U.S. Census, adjusting them to 1995 and 2003 levels using the consumer price index.

¹⁹ The maximum affordable price was determined using a method similar to the National Association of Home Builders–Wells Fargo Housing Opportunity Index (National Association of Home Builders 2005). It assumes a first-time homebuyer making a down payment of 10 percent on house can afford a 30-year, fixed-rate loan at prevailing interest rates, property taxes, utilities, and other costs up to 28 percent of household income.

²⁰ Additional sales and affordability data can be found in supplemental tables F5–F11 in attachment F.

²¹ Turner et al. 1999.

²² Pettit and Droesch 2005: 8.

²³ *Ibid.*

²⁴ “HUD compiled the subprime lenders list using industry trade publications, HMDA data analyses, and lenders’ self-identification. Lenders are identified as subprime specialists if they report that such loans account for at least half of their conventional (i.e., not government-backed or insured) business. HUD also uses feedback from lenders, policy analysts, and housing advocacy groups to update the list. Because these subprime specialists might also offer traditional prime-market loans, HMDA indicators based on loans from subprime lenders include some prime loans from subprime lenders and exclude some subprime loans from institutions not included in HUD’s subprime specialist list” (Pettit and Droesch 2005: 8).

²⁵ Additional mortgage lending data can be found in supplemental tables F12–F22 in attachment F.



²⁶ Turner, Ross, et al. 2002. The Washington, D.C. region was one of the 20 sites selected; non-Hispanic white and non-Hispanic black testers, with equal qualifications and other characteristics, were paired to explore differences in treatments for renters and home buyers. The study found no significant differences in the overall treatment of black vs. white renters and home buyers in the region, but the lack of a significant finding is likely explained by the much smaller number of tests compared with the national sample. Indeed, the authors of HDS2000 concluded that the individual regional results did not differ statistically from the national results.

²⁷ The discrimination estimates reported here are based on the share of tests in which the white tester was *consistently* favored over his or her black or Latino partner.

²⁸ Turner, Kingsley, et al. 2005: 41-42.

²⁹ HUD 2005.

³⁰ Counts of federally-subsidized housing units by neighborhood cluster can be found in supplemental table F23 in attachment F.

³¹ Much information on the region's housing market can be found in the *Housing in the Nation's Capital* reports (Turner et al. 2004; Turner, Kingsley, et al. 2005; Turner, Kingsley, et al. 2002; Turner et al. 2003).

³² Counts of building permits by year and neighborhood cluster can be found in supplemental table F24 in attachment F.



ATTACHMENT B: DISTRICT OF COLUMBIA'S CURRENT FAIR HOUSING PROFILE

This section provides an overview of the fair housing situation in the District of Columbia. It includes a review of fair housing laws, enforcement agencies, trends in fair housing complaints and lawsuits, and other fair housing activities in the city.

Overview of Relevant Legal Requirements

Fair housing in the District of Columbia is bound by a number of federal and local laws and Presidential executive orders. Below is a summary of the relevant legislation and executive orders currently in effect.

Federal Fair Housing Laws¹

- *Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended.* Prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status, and handicap (physical or mental impairment which substantially limits one or more of such person's major life activities). Amendments also established that new multifamily buildings must meet specified accessibility standards for persons with disabilities.
- *Title VI of the Civil Rights Act of 1964.* Prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.
- *Section 504 of the Rehabilitation Act of 1973.* Prohibits discrimination based on disability in any program or activity receiving federal financial assistance.
- *Section 109 of Title I of the Housing and Community Development Act of 1974.* Prohibits discrimination on the basis of race, color, national origin, sex or religion in programs and activities receiving financial assistance from HUD's Community Development and Block Grant (CDBG) Program.
- *Title II of the Americans with Disabilities Act of 1990.* Prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance, and housing referrals.
- *Architectural Barriers Act of 1968.* Requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 must be accessible to and useable by handicapped persons.
- *Age Discrimination Act of 1975.* Prohibits discrimination on the basis of age



in programs or activities receiving federal financial assistance.

- *Title IX of the Education Amendments Act of 1972*. Prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.

Fair Housing–Related Presidential Executive Orders²

- *Executive Order 11063*. Prohibits discrimination 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, as amended*. Bars discrimination in federal employment because of race, color, religion, sex, or national origin.

- *Executive Order 12892, as amended*. Requires federal agencies to affirmatively further fair housing in their programs and activities, and provides that the Secretary of HUD will be responsible for coordinating the effort. The order also establishes the President's Fair Housing Council, which is chaired by the Secretary of HUD.

- *Executive Order 12898*. Requires that each federal agency conduct its program, policies, and activities that substantially affect human health or the environment in a manner that does not exclude persons based on race, color, or national origin.

- *Executive Order 13166*. Eliminates, to the extent possible, limited English

proficiency as a barrier to full and meaningful participation by beneficiaries in all federally subsidized and federally conducted programs and activities.

- *Executive Order 13217*. Requires federal agencies to evaluate their policies and programs to determine if any can be revised or modified to improve the availability of community-based living arrangements for persons with disabilities.

District of Columbia Fair Housing Laws

- *D.C. Human Rights Act of 1977, as amended September 2002*. Prohibits the federally covered classifications of discrimination by race, color, national origin, religion, sex, familial status, and handicap or disability. However, the D.C. Human Rights Act expands this protection to include prohibitions of discrimination based on age, marital status, personal appearance, sexual orientation, family responsibilities, matriculation, political affiliation, source of income, and place of residence. It also adds that it is unlawful to refuse or restrict facilities, services, repairs, or improvements for a tenant or lessee.

- *D.C. Housing Act of 2002*. Specifies that a housing owner may not refuse to rent an apartment to a person because that person will provide his or her rental payment, in whole or in part, through a Section 8 voucher.

The two most important pieces of legislation related to fair housing in the District of Columbia are the federal Fair



Housing Act (FHA) and the D.C. Human Rights Act (DCHRA).

The FHA was initially enacted as Title VIII of the Civil Rights Act of 1968.³ It was later amended by the Fair Housing Amendment Act (FHAA) of 1988 and currently prohibits housing discrimination based on race, color, national origin, religion, sex, familial status, and handicap. Familial status includes children under the age of 18 living with parents of legal custodians, pregnant women, and people securing custody of children under the age of 18. A handicap is a physical or mental impairment that substantially limits one or more of a person's major life activities.

Under the FHA, housing discrimination incorporates rentals, sales, mortgage lending, appraisals, homeowners insurance, zoning, tax assessment, blockbusting, and advertising.⁴ Specifically, the FHA prohibits taking any of the following actions based on race, color, national origin, religion, sex, familial status, or handicap:

- refusing to rent or to sell after an offer, refusing to negotiate to rent or to sell, or otherwise making unavailable or denying housing;
- discriminating in the terms, conditions, or privileges of the sale or rental of housing;
- representing that a dwelling is not available for inspection, sale, or rental when it is, in fact, available;
- inducing or attempting to induce for profit the sale or rental of any dwelling by

the entry or prospective entry of a person into the neighborhood (also referred to as blockbusting);

- denying anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing;
- refusing to make a mortgage loan or to provide information on a mortgage loan;
- imposing different terms or conditions on a mortgage loan (such as interest rates, points, or fees);
- discriminating in appraising a property; and
- refusing to purchase a mortgage loan or setting different terms for purchasing a loan.

In addition, the FHA prohibits

- making, printing, publishing, or causing to be made any advertisement or notice for the sale or rental of housing that indicates a preference or limitation based on race, color, national origin, religion, sex, familial status, or handicap (the prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act);
- coercing, intimidating, interfering, or threatening of an individual's ability to exercise their rights under the FHA; and
- retaliating against an individual because they exercised their FHA rights.

The FHA includes exemptions for owner-occupied buildings with no more than



four units; the sale or rental of single-family homes without the use of a real estate agent if the owner has no more than three properties; the sale, rental, or occupancy of housing operated by a religious organization or private club to its members; or the limiting of familial status in housing for the elderly.⁵

Additional provisions of the FHA require allowing handicapped persons to make “reasonable modifications” to housing that they occupy or will be occupying so that they can afford full enjoyment of the premises. The landlord can, however, require a handicapped person to pay for any modifications and, in the case of rental housing, require the tenant to restore the apartment back to its original condition prior to the modification. Landlords must also make “reasonable accommodations” in rules, policies, practices, or services if necessary for a disabled person to use the housing.⁶

Finally, the FHA requires multifamily buildings that are ready for first occupancy after March 13, 1991, have an elevator, and have four or more units to meet minimum standards of accessibility for persons with disabilities:

- All public and common-use areas must be readily accessible to and usable by handicapped persons.
- All doors designed to allow passage into and within all apartments must be sufficiently wide to permit access by handicapped persons in wheelchairs.
- All apartments must contain an accessible route into and through the living

space; light switches, electrical outlets, thermostats, and other environmental controls in accessible locations; reinforcements in bathroom walls to allow later installation of grab bars; and usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.

If a building with four or more units has no elevator and will be ready for first occupancy after March 13, 1991, these standards apply to ground floor units only.

While the FHA has federal jurisdiction, local and state laws, such as the DCHRA, can include similar or additional protections for their residents against housing discrimination. State and local laws cannot revoke any protection guaranteed by the FHA, but they can expand protections to include classes of persons not covered under federal laws. For example, 14 states plus the District of Columbia have passed laws that provide protection for gays, lesbians, bisexuals, and transgender people, who are not federally protected by the Fair Housing Act.⁷

Fair Housing Law Enforcement

While HUD has primary responsibility for enforcing the FHA, a fair housing complaint or claim can be filed not only with HUD but also with a local “substantially equivalent” agency (if one exists), a state or local fair housing agency, or the judicial system (the courts).⁸ A substantially equivalent agency is a state or local agency that HUD has certified as enforcing a law that “provides substantive



rights, procedures, remedies and judicial review provisions that are substantially equivalent to the federal Fair Housing Act.”⁹ Discriminatory acts covered by state and local housing laws but not by the FHA are filed with a state or local fair housing agency or human rights agency. There is a one-year statute of limitations to file a complaint with HUD or a substantially equivalent agency and a two-year statute if filing with the judicial system.

After receiving a complaint, HUD or the local substantially equivalent agency has 100 days from the complaint filing date to either investigate or send written notification to both parties as to why an investigation was not completed. If the investigation finds discrimination or “reasonable cause” to believe the law was violated, a charge is issued against the person or entity committing the alleged discriminatory act, which will result in further legal action. The FHA requires that HUD or the substantially equivalent agency first attempt to reconcile each complaint before issuing a charge. If a resolution cannot be reached, the complainant may choose to have the charge decided in federal district court with the Department of Justice (DOJ) or before a HUD administrative law judge.¹⁰ In the District of Columbia, charges of fair housing violations may also be heard and decided upon by the D.C. Commission on Human Rights.

The DCHRA established the District of Columbia Office of Human Rights (OHR) as the local government entity responsible for enforcing the Act’s provisions. As

described in the DCHRA, the purpose of the OHR is to:

secure an end to unlawful discrimination in employment, housing, public accommodations, and educational institutions for any reason other than that of individual merit. The Office shall seek to eradicate discrimination on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, physical handicap, source of income, and place of residence or business.¹¹

The 1997 analysis of impediments for the District of Columbia, as well as an updated analysis of impediments that was completed in 2000, identified illegal housing discrimination as a major impediment to fair housing choice and recommended that OHR obtain status as a local substantially equivalent agency for enforcing the FHA. In response to this recommendation, OHR sought designation as a substantially equivalent agency and was certified by HUD in 2000.¹²

In its capacity as an enforcement agent of the FHA and DCHRA, OHR investigates and processes complaints of unlawful discrimination in housing. In the next section, we report the numbers and types of fair housing complaints received by OHR since fiscal year 2001.¹³ As noted above, however, private parties may also initiate lawsuits that allege unlawful



discrimination in housing without filing complaints with OHR. Several nongovernment organizations in Washington, D.C., including the Equal Rights Center, the Washington Lawyers Committee for Civil Rights and Urban Affairs, and AARP, file fair housing complaints with the courts on behalf of persons who believe their rights have been violated. (Some of these organizations also refer clients to OHR and represent them during that process.) An overview of the private cases filed is presented in a later section.¹⁴

Trends in Fair Housing Complaints

Since being designated as a substantially equivalent agency in 2000, OHR has received complaints from individuals who believe that they have been subject to unlawful housing discrimination. This process begins with intake during which an OHR intake counselor determines if the complaint meets all of the Fair Housing Act's jurisdictional requirements and if there is sufficient information to begin an investigation.

Once the complaint is docketed by OHR, OHR requires that the complainant and respondent named in the complaint attend mandatory mediation. This mediation is scheduled to be held within 45 days of the complaint; usually the session is held within 30 days of the complaint. According to our key stakeholders, respondents typically appear with counsel while complainants do not.

While many cases are settled at this mandatory mediation, those in which the parties are unable to reach a settlement at this point are subject to a full investigation in which OHR staff determine if the respondent most likely engaged in an unlawful discriminatory act. If this is the case, then OHR makes a probable cause determination and the parties are provided an opportunity to reach a settlement through conciliation. Either party can choose not to hold a conciliation hearing (though this rarely happens) and have the case heard either by the District of Columbia Commission on Human Rights or the Superior Court of the District of Columbia.¹⁵

In FY 2004, OHR docketed 44 new housing discrimination complaints, with allegations of discrimination based on national origin (17 complaints) accounting for the largest proportion. Race (12) and disability discrimination (10) were the next two largest categories of complaints, while sexual orientation, gender, and source of income were the bases of the remaining 5 complaints.¹⁶ This was an increase from 32 new complaints received by OHR in FY 2003.¹⁷

During the same period, OHR closed 31 housing discrimination cases. In 39 percent of these cases, the parties agreed to a settlement, while in another 39 percent the investigation found that there was no probable cause. Of the remaining 16 percent of cases, two-thirds were closed for administrative reasons: in most instances the complainant withdrew his or her case. In the remaining 6 percent of closed cases in



FY 2004, an investigation resulted in a finding in which the respondent likely engaged in discrimination and so there was probable cause.¹⁸

In part due to OHR's outreach efforts, fair housing complaints received by that organization have increased dramatically since 2000, when OHR processed only seven new cases of housing discrimination. Moreover, OHR's efforts to increase its visibility with Latino and other immigrant communities by partnering directly with local organizations in these communities have increased the proportion of complaints based on discrimination on the basis of national origin.¹⁹

Both the 1997 and 2000 analysis of impediments indicated that the OHR was overburdened, and that a lack of funding contributed to a backlog of cases and an inadequate amount of testing. The FY 2004 OHR operating budget was \$2.2 million with 26 full-time staff.²⁰ Since OHR also enforces employment and other forms of discrimination, not all of these resources are dedicated to the fair housing complaints division, which has one full-time intake officer and three investigators.²¹ The

information available to us for this analysis of impediments does not permit us to determine whether OHR currently has adequate resources to fulfill its responsibilities.

Housing Discrimination Lawsuits

Table 8 lists the fair housing cases filed with D.C. Superior Court and federal district court in D.C. from 1994 through 2005 and complaints filed with the D.C. Commission on Human Rights from 2000 through 2005. This information is an important indicator as to the types and levels of discrimination that is occurring in the housing market. Cases and complaints are listed in table 8 by the basis of the fair housing complaint; cases and complaints may be listed more than once if they have multiple bases.

Detailed summaries of the individual cases and complaints listed in table 8 can be found in attachment E.

**Table 8. List of Fair Housing Cases Filed with D.C. Superior Court and Federal District Court in D.C. (1994–2005); Complaints Filed with the D.C. Commission on Human Rights (2000–2005) by Basis of Alleged Fair Housing Violation**

Basis	Cases/Complaints
Source of income (10 cases)	Cherry Brown and The Equal Rights Center v. Barac Co., Inc.; Equal Rights Center v. Bojan Management Corporation; Equal Rights Center v. Century 21 Real Estate Corporation; Equal Rights Center v. Long & Foster Companies, Inc., et al.; Equal Rights Center v. Metropolitan Regional Information System; Equal Rights Center v. Sawyer Realty Holdings, et al.; Equal Rights Center v. United Dominion Realty Trust, Inc.; Equal Rights Center v. Vista Management Co., Inc.; Equal Rights Center v. Weichert Realtors; Feemster, et al., v. BSA Limited Partnership
Disability (9 cases)	Bussey v. Green Valley Apartments/Second New St. Paul Housing, Inc.; Community Housing Trust, et al., v. Department of Consumer and Regulatory Affairs, et al.; Douglas v. Kriegsfeld Corp.; Flynn v. 3900 Watson Place, Inc.; Neithamer v. Brennenman Property Services, Inc.; Samaritan Inns v. District of Columbia, et al.; Truitt Management, Inc. v. District of Columbia Commission on Human Rights; United States of America v. District of Columbia; Wai v. Allstate Insurance Company
Race (8 cases)	Cherry Brown and The Equal Rights Center v. Barac Co., Inc.; Equal Rights Center v. Kriegsfeld Corporation; Equal Rights Center v. Sawyer Realty Holdings, et al.; Hargraves, et al., v. Capital City Mortgage Corp., et al.; Kemp & Houston v. 2101 Connecticut Avenue, Inc.; National Fair Housing Alliance, Inc. v. The Prudential Insurance Company of America; Reeves v. Carrollsbury Condominium Unit Owners Association; United States of America v. Chevy Chase Federal Savings Bank and B.F. Saul Mortgage Company
National origin (3 cases)	2292 Sherman Avenue Tenants' Association, et al., v. District of Columbia; 2535 13th Street Tenants Association, et al., v. Crescent Properties, L.L.C., et al.; Equal Rights Center v. Kriegsfeld Corporation
Sex (2 cases)	Margaret Foster, Robert Payne, Luke Tullberg, The Equal Rights Center v. Beverly Court Cooperative; Reeves v. Carrollsbury Condominium Unit Owners Association
Familial status (1 case)	Petropoulos v. Dorchester House Associates/Modern Property Management, Inc.

**Table 8. List of Fair Housing Cases Filed with D.C. Superior Court and Federal District Court in D.C. (1994–2005); Complaints Filed with the D.C. Commission on Human Rights (2000–2005) by Basis of Alleged Fair Housing Violation**

Basis	Cases/Complaints
Age (1 case)	Margaret Foster, Robert Payne, Luke Tullberg, The Equal Rights Center v. Beverly Court Cooperative
Sexual orientation (2 cases)	Kemp & Houston v. 2101 Connecticut Avenue, Inc.; Neithamer v. Brenneman Property Services, Inc.
Other (3 cases)	Executive Sandwich Shoppe, Inc. v. Carr Realty Corporation; George Washington University v. District of Columbia Board of Zoning Adjustment; Petropoulos v. Dorchester House Associates/Modern Property Management, Inc.

Note: Cases and complaints may be listed more than once if they have multiple bases.

Other Public Fair Housing Programs and Activities

In addition to OHR, other agencies of the government of the District of Columbia have responsibilities related to fair housing. The D.C. Department of Housing and Community Development (DHCD) educates and provides training to its subrecipients and housing partners on their responsibilities as housing providers and Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) grant recipients. DHCD enforces compliance of fair housing equal opportunity (FHEO) civil rights laws with any organization it contracts with.²²

The Fair Housing program also aims to educate city residents—particularly underserved populations such as the immigrant communities, people with disabilities, and the elderly—about their fair

housing rights in rental, sales, financing or home insurance transactions. DHCD works with HUD's FHEO office and private, nonprofit civil rights organizations to provide fair housing training to funding subrecipients, DHCD program and project managers who manage subrecipient grants, developers, and community development corporations. DHCD also ensures that its subrecipients complete and submit prescribed Affirmative Fair Housing Marketing Plan forms.

In fiscal year 2001, DHCD was awarded a competitive HUD Fair Housing Initiatives Program (FHIP) education and outreach grant. The FHIP award enabled DHCD to seek out and partner with local nonprofit organizations to bring about greater awareness of fair housing laws, rules, and regulations in selected communities. In its first year, DHCD partnered with the Central American



Resource Center (CARECEN), a 20-year-old nonprofit organization based in Washington, D.C., which provides education, employment, immigration, housing counseling, and legal advocacy to the Salvadorian and Latino communities, and Boat People S.O.S (BPSOS), a national organization with a local office, which serves the domestic, social, and professional needs of the city's growing Vietnamese community.

DHCD also used the FHIP grant to produce the housing brochure series "Your Fair Housing Rights." The series consists of five informational brochures covering all the federal protected categories. The series explains pertinent laws that enforce fair housing, describes illegal tactics used by housing providers to deny housing to qualified home seekers, explains protections on a particular category, and notes where to file a fair housing

discrimination complaint. These brochures have been printed in English and are translated and available in Spanish and Vietnamese. English and Spanish versions of the brochures are available in PDF format on the DHCD web site.

DHCD received additional FHIP funding in fiscal year 2003, in partnership with Housing Counseling Services, Inc., which it intends to use to continue its Education and Outreach Initiative (EOI) Homeownership Component.

Finally, DHCD, in collaboration with the D.C. Office of Human Rights and the Equal Rights Center, holds a yearly Fair Housing Symposium during Fair Housing Month (April). The Symposium includes both national and local fair housing experts, who present information and discuss fair housing issues with city residents, service providers, and government and private sector housing professionals.



ENDNOTES

¹ HUD, OFHEO 2004b.

² *Ibid.*

³ 42 U.S.C §§ 3601-3619.

⁴ 42 U.S.C §§ 3604-3619.

⁵ 42 U.S.C §§ 3604-3619.

⁶ 42 U.S.C §§ 3604.

⁷ Leadership Conference on Civil Rights Education Fund 2005.

⁸ In 1996, HUD began distinguishing between claims and complaints. A claim is a filing from a complainant that was not accepted for full investigation by HUD, nor referred to a fair housing agency, because it was untimely, did not allege discrimination based on a prohibited basis, or did not warrant continuation after an initial screening. (Schill and Friedman 1999).

⁹ HUD, OFHEO 2004c.

¹⁰ 42 U.S.C. § 3610.

¹¹ D.C. Human Rights Act of 1977, as amended September 2002, § 2-1441.02.

¹² D.C. Department of Housing and Community Development 2001.

¹³ OHR's data on housing related complaints begin after it obtained substantially equivalent status (that is, with fiscal year 2001).

¹⁴ The fact that several different entities are dealing with fair housing complaints in the city makes it difficult to track the overall level of activity in this area, an issue that we will address further in the recommendations section.

¹⁵ D.C. Office of Human Rights 2004: 4.

¹⁶ *Ibid.*: 6.

¹⁷ D.C. Office of Human Rights 2005: 2.

¹⁸ *Ibid.*: 7. Some of the complaints closed in FY 2004 may have been initially filed in previous years. The information published by OHR does not allow one to determine this, however.

¹⁹ D.C. Office of Human Rights 2004: 9.

²⁰ *Ibid.*: 3.

²¹ D.C. Department of Housing and Community Development. 2001: pg. 60.

²² Information on DHCD activities obtained from DHCD web site (<http://dhcd.dc.gov/>) and the *Consolidated Plan for the District of Columbia: Fiscal Year 2005 Action Plan* (DHCD 2004: 81–82, 87).



ATTACHMENT C: LIST OF ROUNDTABLE/INTERVIEW PARTICIPANTS

Mr. Eugenio Arene
Council of Latino Agencies

Ms. Barbara Delaney
D.C. Office of Human Rights

Ms. Amber Harding
Washington Legal Clinic

Mr. Donald Kahl
Washington Lawyers' Committee for Civil Rights and Urban Affairs

Mr. Bruce Kahn
Equal Rights Center

Ms. Nguyet Lam
Asian American LEAD

Ms. Jessica Lightfoot
Equal Rights Center

Ms. Zixta Martinez
National Fair Housing Alliance

Ms. Marcy Meyer
Housing Counseling Services

Mr. Dominic Moulden
MANNA CDC

Ms. Kathleen Overr
Equal Rights Center

Mr. W. Shaun Pharr
Apartment and Office Building Association

Ms. Eliza Platts-Mills
Washington Lawyers' Committee for Civil Rights and Urban Affairs

Ms. Marjorie Rifkin
University Legal Services



Dr. Malcolm Rivkin

Rivkin Associates

Ms. Susan Silverstein

AARP, Elder Rights Committee

Ms. Jackie Simon

Avery-Hess, Realtors

Mr. W. Christopher Smith, Jr.

Wm. C. Smith & Co., Inc.

Mr. Daniel Sullivan

Equal Rights Center

Ms. Jennifer Sweeny

Legal Council for the Elderly

Ms. Isabelle Thabault

Washington Lawyers' Committee for Civil Rights and Urban Affairs

Ms. Nicolo Whiteman

Apartment and Office Building Association

Ms. Patty Widerman

BB&T, Sr. VP & Regional Mortgage Manager

Ms. Louvenia Williams

Edgewood-Brookland Family Strengthening Collaborative

Note: One participant requested not to be listed in this report.



ATTACHMENT D: ROUNDTABLE INTRODUCTIONS AND INSTRUCTIONS

Thank you for attending our roundtable discussion on the impediments to fair housing in the District of Columbia. As you know, this roundtable is part of a project being conducted by the Urban Institute under contract with the D.C. Department of Housing and Community Development (DHCD) to analyze fair housing choice in the city. The final product from this project will be a written report on impediments to fair housing choice that will be delivered to DHCD, which will share the report with the U.S. Department of Housing and Urban Development (HUD).

We have asked you here tonight because we have identified you have key stakeholders who are concerned with fair housing in Washington, D.C. The purpose of this roundtable is to solicit your comments and views on two key questions:

- What significant impediments to fair housing choice currently exist in the District of Columbia?
- What specific policy recommendations should be made to overcome the impediments identified?

Because we are going to be discussing topics that may be of a sensitive or controversial nature, we wish to explain to you how the information you provide to us tonight will be used and what protections we will take to guard confidentiality. Each of you has been given an informed consent form to read and sign. Before giving you a chance to read it over, let me emphasize a few points:

- Your participation in this study is completely voluntary. You do not have to participate if you do not want to, and you

may refuse to answer any question at any time.

- A list of names and organizational affiliations of roundtable participants will be provided in the final report to DHCD. If you do not wish your name and organization to be listed in the report, you may indicate this by checking the box at the bottom of the informed consent form.

- We will be summarizing the views and opinions people express during tonight's discussion in the final report. We may also use selected quotations from participants. However, when we present summaries or quotations in the report, we will do so in such a way that it will not be possible to attribute particular points of view with specific individuals or organizations.

- To ensure accuracy of reporting, we will be taking notes and audio taping tonight's conversation. A written transcript will be made from the audio tapes that will use anonymous codes to identify speakers. The audio tapes will be destroyed once the transcript has been completed. All written



transcripts and notes will be stored in locked file cabinets or secured computers that will only be accessible by the project team. All members of the project team have signed a confidentiality pledge, which prohibits them from revealing personal or confidential information from this study.

- To reduce any possible risk from discussing problems, conflicts and controversial opinions, we agree to keep tonight's conversation focused on the two questions I mentioned earlier and to use proper discretion in discussing anything said tonight, even among members of the project team. We also ask all of you to please refrain from discussing any views or opinions expressed here with anyone outside of this group.

- We think that there is a great benefit in your participation in tonight's discussion, including recognition of your assistance in the final publication and providing you with the opportunity to share your observations and experiences on fair housing issues with DHCD and HUD. We hope that his report will make a valuable contribution toward helping the District of Columbia ensure fair housing choice for all its citizens.

If you have any questions about the study, your participation in it, or any of the issues discussed in the informed consent agreement, I invite you to ask them now. When you have read and are satisfied with it, I would ask you to please sign the informed consent agreement. Once everyone has done this, we can get started.



ATTACHMENT E: SUMMARIES OF FAIR HOUSING COURT CASES AND COMPLAINTS FILED WITH THE D.C. COMMISSION ON HUMAN RIGHTS

Fair Housing Cases from 1994-2005 resolved in the D.C. District Court, D.C. Appeals Court and D.C. Superior Court

Cherry Brown and The Equal Rights Center v. Barac Co., Inc. Superior Court for the District of Columbia Case No.: 04-0001562

- **Year case settled:** 2004
- **Fair housing protected class(es):** Housing discrimination on the basis of source of income and race under the District of Columbia Human Rights Act ("DCHRA") and the Fair Housing Act ("FHA").
- **Outcome:** The parties entered into consent decree resolving the complaint that defendant management company refused to rent to tenants who used Housing Choice Vouchers (Section 8 vouchers) for payment of a part of their rent.
- **Summary:** Cherry Brown and the Equal Rights Center ("Plaintiffs") alleged that Barac Corporation ("Defendant"), an owner and manager of numerous apartment buildings in the District of Columbia, maintained an unlawful policy of refusing to rent to individuals holding Housing Choice Vouchers. The overwhelming majority of voucher holders are African American. In February 2003, Ms. Brown attempted to use a voucher to rent an apartment from the Defendant. The Defendant told Ms. Brown that it did not accept Housing Choice Vouchers. Ms. Brown contacted the Equal Rights Center ("ERC"). The ERC investigated the matter and confirmed that the Defendant refused to rent to voucher holders. The ERC and Ms. Brown filed a complaint in D.C. Superior Court alleging source of income and race discrimination in violation of the DCHRA, and race discrimination under the FHA, alleging that the acts have a disparate impact on African American tenants. In July 2004, the Superior Court of the District of Columbia denied the Defendant's motion to dismiss.

The parties entered into a consent decree on November 30, 2004. The three year decree provided an injunction against Barac's discriminatory practices; the revision of Barac's non-discrimination policy; the posting of signs indicating Barac's acceptance of Housing Choice Vouchers; and fair housing training for all Barac employees. The Respondent was also required to make a monetary payment of \$35,000 to the plaintiffs.



Community Housing Trust, et al., v. Department of Consumer and Regulatory Affairs, et al., 257 F. Supp. 2d 208 (D.D.C. 2003)

- **Year of relevant decision:** 2003
- **Fair housing protected class(es):** Housing discrimination on the basis of handicap under the Fair Housing Act ("FHA").
- **Outcome:** The U.S. District Court for the District of Columbia concluded that the D.C. zoning regulations, both on their face and as applied to the group home run by Plaintiffs, treated persons with chronic mental illness less favorably than similarly situated persons without disabilities and thereby discriminated on the basis of disability in violation of the federal Fair Housing Act.
- **Summary:** Community Housing Trust and Community Council for the Homeless at Friendship Place ("Plaintiffs") are related, non-profit organizations dedicated to serving D.C. residents who are at risk of becoming homeless. In March 2001, Plaintiffs purchased a home in a residential district of Washington, D.C. The residence, planned to house five men with chronic mental illnesses and one resident manager, was named Zeke's House. The neighbors of Zeke's House were concerned about the proposed arrangement and inquired of the Zoning Administrator whether the residents of Zeke's House constituted a "family" or a "community-based residential facility" ("CBRF") under D.C. regulations. Under D.C. law, a family has a right to live in any residential district, but a CBRF is regulated and requires a certificate of occupancy. The Zoning Administrator decided that Zeke's House constituted a CBRF and issued a Notice of Infraction and fine because Zeke's House did not have a certificate of occupancy. Subsequently, the D.C. Office of Tax and Revenue denied Plaintiffs' request for a real property tax exemption unless and until Plaintiffs obtained this certificate.

In April 2003, the District Court granted Plaintiffs' motion for summary judgment, finding that the District's zoning regulations were facially discriminatory and had been discriminatorily interpreted and applied with regard to Zeke's House. The Court held that the requirement of a certificate of occupancy as a CBRF, in combination with a series of inspections that a CBRF must pass, posed a substantial hurdle to legal occupancy. Finally, the Court concluded that the District had not shown that there were "unique and special needs and abilities" of the residents of Zeke's House which justified the District's decision to require Plaintiffs to obtain a certificate of occupancy and have the house pass an inspection. The case subsequently settled for \$275,000 in compensatory damages and attorney fees, and a mandatory fair housing training course for the decision-making employees of the Office of the Zoning Administrator.



Flynn v. 3900 Watson Place, Inc. 63 F. Supp. 2d 18 (D.D.C. 1999)

- **Year case decided:** 1999
- **Fair housing protected class(es):** Housing discrimination on the basis of disability under the Fair Housing Act (“FHA”).
- **Outcome:** The U.S. District Court for the District of Columbia granted summary judgment in favor of defendant co-op apartment finding plaintiffs’ FHA complaint barred by *res judicata* as the discrimination charges were not raised in the landlord-tenant court in an eviction hearing.
- **Summary:** Defendant, 3000 Watson Place, a co-op, brought a successful eviction action in landlord tenant court to evict plaintiffs, a married couple. The eviction was based on numerous complaints against the husband, William Flynn, including that he was a problem tenant who harassed and assaulted a receptionist, vandalized cars in the parking garage and was drunk in public areas of the building. The plaintiffs, Mr. and Mrs. Flynn, subsequently filed an action in federal court alleging the eviction was discriminatory on the basis of Mr. Flynn’s disabilities, alcoholism and hearing impairment, and thus in violation of the FHA.

The district court concluded plaintiffs’ claims are barred by the doctrine of *res judicata* because plaintiffs’ FHA claim in federal court arose from the same nucleus of facts as those adjudicated in the landlord-tenant court. The plaintiffs had an opportunity to raise their FHA claim as a defense in the landlord tenant proceeding, and did raise the defense. Therefore, the plaintiffs’ claim was dismissed with prejudice.

George Washington University v. District of Columbia Board of Zoning Adjustment 831 A.2d 921 (D.C. 2003)

- **Year case decided:** 2003
- **Fair housing protected class(es):** Housing discrimination on basis of matriculation under the District of Columbia’s Human Rights Act (“DCHRA”).
- **Outcome:** Agreeing with the University, the D.C. Court of Appeals held that students are a protected class under DCHRA, and DCHRA applies to zoning regulations. The Court further held that the Act must be applied in harmony with zoning regulations and the City’s comprehensive plan and thus the City is permitted to set target levels of student population for a neighborhood.
- **Summary:** George Washington University (“GWU”) appealed an order of the D.C. Board of Zoning Adjustment (“BZA”) issued in January 2002 that imposed certain conditions on a campus plan, including limits on student residents, for the development of the



University and expansion into residential areas. Neighborhood residents and organizations objected to GWU's expansion. District of Columbia officials, including the Office of Planning ("OP") and the BZA took into consideration these concerns when reviewing GWU's plan. In April 2000, OP concluded that if GWU continued to expand into the Foggy Bottom area the residential community would reach a "tipping point" and become a "University area." After five hearings, the BZA approved a campus plan which permitted significant construction of non residential facilities but only if GWU took action to provide housing for a majority of its undergraduates on campus. The BZA detailed specific requirements in orders that outlined how many beds would have to be provided on campus or outside the adjacent neighborhoods and consequences for not meeting these requirements.

The D.C. Court of Appeals found the DCHRA prohibits housing discrimination on account of "matriculation" which is defined as "the condition of being enrolled in a college, or university." The Court held that the DCHRA applies to municipalities and to zoning actions. However, the Court concluded that the DCHRA should be read in conjunction with the District's Comprehensive Plan and its zoning regulations and thus the BZA was permitted to take into consideration the "number of students" who would be housed in residential neighborhoods when imposing conditions on the campus plan. In reviewing the orders/conditions that required GWU to meet bed requirements, the court concluded that those conditions were not arbitrary or capricious and were sustained.

Hargraves, et al., v. Capital City Mortgage Corp., et al., 140 F. Supp. 2d 7 (D.D.C. 2000); 147 F. Supp. 2d 1 (D.D.C. 2001)

- **Year case settled:** 2004
- **Fair housing issue:** Plaintiffs alleged Defendants engaged in a pattern or practice of predatory and racially discriminatory lending, or "reverse redlining," in the Washington, D.C. metropolitan area, in violation of the Fair Housing Act ("FHA"), the Equal Credit Opportunity Act ("ECOA"), other federal civil rights laws, and D.C. common law.
- **Outcome:** The U.S. District Court for the District of Columbia denied Defendants' motion for summary judgment on Plaintiffs' federal fair housing, civil rights, and equal credit claims, finding that Plaintiffs had introduced sufficient evidence from which a jury could find that Defendants' practice of extending predatory loans to African Americans and to African-American neighborhoods violated the FHA and ECOA. In particular, the Court held that the extension of predatory loans to African-American neighborhoods could "make housing unavailable" and constitute "discriminatory terms and conditions," in violation of the FHA. The case settled in 2004 with substantial monetary and injunctive relief for Plaintiffs.



- **Summary:** Plaintiffs' claims were based on secured loans made to them by Defendants Capital City Mortgage Corporation and its president, Mr. Thomas Nash. The loans were made to the Greater Little Ark Baptist Church; the church's pastor Mr. Hargraves; a member of its board of trustees, Ms. Cooper; and individual Plaintiffs Ms. Hilliard, Ms. Birth, Mr. Jamison, and Ms. Robinson. The final Plaintiff was the Fair Housing Council of Greater Washington, Inc. Plaintiffs' claims alleged that Defendants engaged in a pattern or practice of predatory and racially discriminatory lending in the Washington D.C. metropolitan area. This practice, also known as "reverse redlining," involves extending credit on unfair terms to specific geographic areas based on the income, race, or ethnicity of the residents of those areas.

With regard to the FHA claims, the District Court noted that the predatory practices alleged can "make housing unavailable" by putting borrowers at risk of losing the property which secures their loans. In analyzing the applicability of the FHA to the loans involved, the District Court found that under the FHA a "dwelling" referred to "any building" and that each of the loans at issue was secured by property which meets the definition of "dwelling." In so finding, the Court concluded that the FHA does not require Plaintiffs to reside in the dwellings or residential real estate that has been the subject of the predatory loan. The Court also concluded that Plaintiffs' allegations of discriminatory, predatory lending were sufficient to allege a violation of ECOA.

In Defendants' motion for reconsideration brought in 2001, the District Court concluded that 42 U.S.C. § 1981 only applied to the Greater Little Ark Baptist Church, as this law was intended to protect the rights of parties that enter into a contract. However, the Court found that the Church's pastor and trustee had standing to bring claims under 42 U.S.C. § 1982, as they "held" church property for purposes of Section 1982. With regard to standing under the FHA, the Court acknowledged the broad definition of "aggrieved person" under the act and found that the individual Plaintiffs had standing even if the alleged discrimination was directed against the Church.

Neithamer v. Brenneman Property Services, Inc. 81 F. Supp. 2d 1 (D.C.1999)

- **Year of relevant decision:** 1999
- **Fair housing protected class:** Housing discrimination on the basis of sexual orientation and disability under District of Columbia's Human Rights Act ("DCHRA") and disability under Fair Housing Act ("FHA")
- **Outcome:** The U.S. District Court for the District of Columbia denied a motion for summary judgment and held plaintiff established prima facie case of discrimination. On the disability claim, the court rejected defendant's claim that he had no knowledge that plaintiff had AIDS and ruled plaintiff introduced sufficient evidence that there were



enough “clues” to allow a reasonable jury to conclude that the defendants suspected plaintiff was infected with HIV or AIDS. In 2000, the court dismissed the case with prejudice.

- **Summary:** William Neithamer (“plaintiff”), who is gay and HIV positive brought an action in federal court against Brenneman Property Services, Inc. and its agents (“defendants”) under the FHA and the DCHRA. Plaintiff alleged that defendants discriminated against him when he applied for housing, on the basis of his sexual orientation and disability. In September 1997, the plaintiff contacted Brenneman Property Services, Inc. in response to an advertisement for a townhouse and filed an application for rental of the property. The plaintiff explained to defendant that his credit report would show that he failed to make payments to some of his creditors a few years earlier because he had devoted his financial resources to the medical bills of his partner who had died of AIDS, but that he had maintained good credit since that time. Plaintiff’s application was rejected. After the rejection, plaintiff offered to pay a second month’s rent, provide a co-signor or to pre-pay one year’s rent but defendant continued to reject the application.

The court, applying the McDonnell-Douglas burden shifting approach for cases in which there is no direct evidence of discrimination, found plaintiff must establish four elements: 1) that plaintiff is a member of a protected class and defendant knew or suspected that; 2) that plaintiff applied for and was qualified for the housing; 3) defendant rejected plaintiff; 4) the housing remained available. If plaintiff establishes a prima facie case, the burden shifts to defendant to show a legitimate non-discriminatory reason and then defendant must show the reasons are pretext. The court found that the plaintiff had established that the defendant rejected his application and that the apartment remained available thereafter. However, the court found there was a dispute as to whether plaintiff was qualified for the apartment, and whether defendant knew plaintiff had AIDS. The court found plaintiff had established, with respect to the sexual orientation claim, that defendant knew or suspected that the plaintiff was gay. However, defendant claimed he did not know plaintiff had AIDS and thus, defendant claimed, the FHA disability claim must fail. The district court concluded that there were enough “clues” to allow a reasonable jury to conclude that defendants suspected that plaintiff was infected with HIV or AIDS as the plaintiff had informed them that his partner had died of AIDS and thus was probably exposed to the virus. The defendants’ credibility regarding the denial of such perceptions was for the jury to decide. The court, in denying defendant’s motion for summary judgment, concluded that plaintiff had advanced evidence suggesting defendants’ reasons were pre-textual and established that material facts existed which could not be resolved on summary judgment. In 2000, the court dismissed the case with prejudice.



Reeves v. Carrollsborg Condominium Unit Owners Association 1997 U.S. Dist. LEXIS 21762

- **Year of relevant decision:** 1997
- **Fair housing issue:** Plaintiffs alleged racial and sexual harassment by a resident of the condominium and that the homeowners association tolerated the conduct, all of which deprived the individual plaintiff of her entitlement to fair housing and caused her emotional and physical harm.
- **Outcome:** The U.S. District Court for the District of Columbia held that the plaintiffs could proceed with a hostile housing environment theory under the FHA as they had made a prima facie showing of the claim. The Court further held that the Fair Housing Council of Greater Washington, Inc. ("FHC"), had organizational standing to bring suit against defendant on the FHA claims but not on claims under 42 USC 1981 or 1982. The individual plaintiff, Ms. Reeves, could proceed with her claims under both the FHA and sections 1981 and 1982.
- **Summary:** Plaintiff, Deborah Reeves, an African American woman, owned a condominium unit in the Carrollsborg Building. Plaintiff alleged that, beginning in 1989, a fellow resident at the Building began racially and sexually harassing her. This prevented her from using the common areas of the building. As a result, in 1995, Ms. Reeves offered to sell her unit to the homeowners association. The parties entered into a contract for sale but for over two years the association failed to proceed to settlement. Ms. Reeves, with the help of and in conjunction with the FHC, filed suit in 1996 alleging a hostile housing environment due to racial and sexual harassment. Ms. Reeves also alleged a breach of contract claim.

Defendant moved to dismiss the claims on various grounds. However, the court concluded that the FHC had alleged sufficient injury to establish standing under the FHA. The court found that the FHC did not have standing under 42 USC §§ 1981 and 1982 as claims under these provisions are restricted to "the direct victims of the alleged discriminatory practice." In assessing the plaintiffs' hostile housing environment theory under the FHA, the court held that the plaintiffs could proceed with these claims under the FHA as the plaintiffs had satisfied the prima facie case for hostile housing environment due to racial and sexual harassment. Additionally, the court allowed Ms. Reeves's Sections 1981 and 1982 claims to proceed against the defendant resident and association. A punitive damage award was not precluded by the court. Finally, the court concluded that equitable relief for the plaintiff was appropriate given the circumstances and plaintiff's partial motion for summary judgment was granted entitling her to specific performance compelling defendant Association to purchase her apartment. On the eve of trial the matter settled with defendant paying \$650,000 in damages.



Samaritan Inns v. District of Columbia, et al., 1995 U.S. Dist. LEXIS 9294 (D.D.C., June 30, 1995)

- **Year of relevant decision:** 1995
- **Fair housing protected class(es):** Housing discrimination on the basis of handicap under the Fair Housing Act (“FHA”).
- **Outcome:** Following a bench trial, the District Court for the District of Columbia found that the Defendants’ decision to issue a stop work order on a group home for former abusers of drugs and alcohol, to appease local political and private opposition to the home, violated the FHA. Specifically, the District Court concluded that the Defendants’ actions made housing unavailable on the basis of disability, under both a disparate treatment and a disparate impact theory of liability and that the Defendants’ actions constituted an attempt to coerce or intimidate Plaintiff from continuing its efforts to complete and open the group home, in violation of the FHA. Finally, the District Court concluded that Plaintiff had failed to produce evidence to support its claim that it was denied a reasonable accommodation. The District Court awarded Plaintiff its reasonable attorney fees and costs; compensatory damages for construction delay, staff overhead, delayed receipt of funds from the group home, lost charitable contributions, and the value of delayed charitable contributions, for a total amount of \$2.4 million; and punitive damages of \$500 against each of the government officials named as Defendants. On appeal, the U.S. Court of Appeals for the District of Columbia reversed the trial court’s award of compensatory damages for lost charitable contributions, holding that Samaritan Inns did not show with sufficient, reasonable certainty that charitable contributions were lost due to the delays caused by the District of Columbia government. See *Samaritan Inns, Inc., v. District of Columbia, et al.*, 114 F.3d 1227 (D.C.C. 1997). The Court also reversed and remanded for recalculation the trial court’s award of compensatory damages for delayed charitable contributions, holding that the duration used to calculate such damages was erroneous. On April 14, 1998, the court entered an amended judgment in favor of the plaintiff against the defendants in the amount of \$575,000.
- **Summary:** Samaritan Inns is a tax-exempt, charitable corporation that provides affordable housing to former drug and alcohol users in the District of Columbia. Samaritan Inns provides fully furnished, low-cost, rental housing in drug and alcohol free buildings for tenants who are former users of drugs and alcohol and are gainfully employed, independent, and do not require rehabilitative or similar treatment related to their former use of drugs or alcohol. In 1992, Samaritan Inns purchased a three-story building in northwest D.C., which it named Tabitha’s House, with the intent to develop it into 45 long-term, affordable, single room occupancy rental housing units for former users of drugs and alcohol. In August 1993, Samaritan Inns applied for and received a



building permit authorizing it to renovate Tabitha's House for use as a boarding house, a use which is permitted as a matter-of-right in the district in which Tabitha's House is located. In October 1993, District officials issued a stop-work order for Tabitha's House, in response to the vocal opposition of the surrounding community, which opposed the construction of Tabitha's House. In November 1993, the Acting Director of the D.C. Building and Land Regulation Administration revoked the building permits for Tabitha's House, charging that Samaritan Inns had falsely represented that the home would be used as a boarding house when it was actually a community-based residential facility ("CBRF"). In December 1993, an Administrative Law Judge found that Tabitha's House was to be operated as a boarding house and not a CBRF and that construction of Tabitha's House was therefore permitted as a matter-of-right in the residential area. In December 1993, while the stop-work order remained in effect, Plaintiff filed suit.

Truitt Management, Inc. v. District of Columbia Commission on Human Rights 646 A.2d 1007 (D.C. 1994)

- **Year case decided:** 1994
- **Fair housing protected class(es):** Housing discrimination on the basis of handicap under the District of Columbia's Human Rights Act ("DCHRA").
- **Outcome:** The D.C. Court of Appeals affirmed a ruling by the District of Columbia Human Rights Commission finding that a management company discriminated against a tenant who had AIDS on the basis of his handicap when it required a health certificate as a condition of making repairs to the apartment. The court also affirmed the Commission's damage award of \$35,000 to the tenant.
- **Summary:** Truitt Management, Inc. ("Truitt") managed the rental apartment building where the complainant-tenant, J. Corwin Condren ("Condren") resided. Condren was diagnosed with AIDS in 1990. On December 19, 1991, a plumbing company arrived at the building to make repairs. The plumber, who was aware that the tenant had AIDS, stated that he would not enter the unit without an assurance of medical safety and left the building. Truitt sent a memorandum to Condren stating that trades people were afraid to enter his apartment due to his disease and that he should provide a certification from a qualified health authority that stated it was safe to enter the apartment and that there was no danger of acquiring the disease. Condren filed a complaint of discrimination with the District of Columbia Department of Human Rights and Minority Business development. The complaint alleged that Truitt had engaged in an unlawful discriminatory practice by refusing to repair the apartment because of a handicap. The D.C. Human Rights Commission ruled that Truitt had violated the statute without justification by restricting or impeding repairs to Condren's apartment on the basis of his



handicap (AIDS) and awarded Condren \$35,000 in compensatory damages. The D.C. Court of Appeals affirmed the decision. The Court noted that AIDS is a condition that falls within the definition of “physical handicap” and is protected by the D.C. Code. The court found that the memorandum Truitt sent to Condren was facially discriminatory. The court rejected Truitt’s reliance on the business necessity exception. Additionally, the court found that the damages awarded by the D.C. Commission on Human Rights were not excessive.

United States of America v. Chevy Chase Federal Savings Bank and B.F. Saul Mortgage Company (Consent Decree)

- **Year consent decree entered:** 1994
- **Fair housing protected class(es):** Redlining practices on the basis of race by Chevy Chase Federal Savings Bank and B.F. Saul Mortgage Company. The complaint alleged these entities denied residents of African American neighborhoods in the District an opportunity to obtain mortgage financing and other types of credit transactions.
- **Outcome:** A five year consent decree was entered into by the parties resulting in an \$11 million dollar investment in the African American community of the Washington D.C. metropolitan area through subsidized lending programs, the opening of new bank branches and mortgage offices.
- **Summary:** This settlement resolved claims of the United States (“U.S.”) and the Chevy Chase Federal Savings Bank and B.F. Saul Mortgage company, a wholly owned subsidiary of Chevy Chase Federal Savings Bank. The U.S. claimed that these financial entities discriminated on the basis of race in home mortgage financing and other types of credit transactions in the Washington D.C. metropolitan area. The complaint alleged these entities rarely solicited loan-production business from African American residential areas but actively solicited such business in white residential areas. Prior to the 1993 investigation, Chevy Chase had never opened a branch bank in an identifiably African American neighborhood in the District and a mortgage office did not appear in a majority African American census tract until May 1993. The complaint alleged redlining practices were not limited to home financing but included residential construction and commercial loans.

The remedial order provided a general injunction that would enjoin the entities from engaging in any act or practice that discriminates on the basis of race in any aspect of residential real estate related transactions or in the extension of other types of credit. Further, the Bank agreed to an aggressive marketing program that would help meet the credit needs of African American residential areas through the addition of bank branches and mortgage offices, advertising campaigns targeted for these areas, special programs



and training. The financial entities agreed to invest \$11 million in the neighborhoods that the U.S. claimed were redlined.

Wai v. Allstate Insurance Company 75 F. Supp. 2d 1 (D.D.C. 1999)

- **Year of relevant decision:** 1999
- **Fair housing protected class(es):** Landlords and civil rights organization alleged that insurance companies violated the Fair Housing Act (“FHA”) and the Americans with Disabilities Act (“ADA”) on the basis of disability by refusing to provide standard landlords’ insurance or by providing insurance at less favorable rates and terms to landlords who rented to disabled tenants.
- **Outcome:** The U.S. District Court for the District of Columbia denied defendants’ motions to dismiss concluding that: (1) claim of standing of individual property owners was, in fact, a joinder question to be decided later, (2) organizational plaintiffs had standing based on allegations of frustration of mission and diversion of resources, (3) claims under the FHA and under the ADA were properly stated, and (4) the FHA was not preempted by Maryland insurance law as a result of the McCarran-Ferguson Act. A notice of settlement was entered on May 22, 2001 and the court terminated this case on May 30, 2001.
- **Summary:** The individual plaintiffs were two landlords who rented their homes to persons with disabilities. Each landlord was denied insurance for their homes by their respective insurance companies who contended the homes required commercial insurance. The organizational plaintiffs were the Fair Housing Council of Greater Washington (“FHC”), who alleged that defendants’ practices frustrated its mission of identifying and eliminating discriminatory housing practices; and Oxford House, Inc., who claimed that defendants’ discriminatory practices interfered with its efforts to provide housing to recovering alcoholics and drug addicts. The Court concluded that, under *Havens Realty Corp. v. Coleman*, 455 U.S. 363 (1982) and its progeny, the organizational plaintiffs had properly plead their standing.

As to the claims, the Court noted that most courts have concluded that a denial of homeowners’ insurance makes housing unavailable under the FHA, and additionally, that HUD’s determination that Section 3604 applies to discrimination in insurance policies was reasonable and entitled to deference. The Court concluded that the plaintiffs had properly stated a claim under the FHA. As to plaintiffs’ ADA claims, the Court found that the protections of Title III of the ADA extended beyond just physical access to insurance offices, to prohibit discrimination on the basis of disability to access to goods and services offered by an insurer.



The Court ruled Maryland insurance laws did not preempt the FHA. The Court concluded that the FHA and ADA policies of prohibiting discrimination against persons with handicaps actually furthered, not frustrated, Maryland insurance laws espousing the same policy.

A notice of settlement was entered on May 22, 2001 and the court terminated this case on May 30, 2001.

Fair Housing Cases from 1995-2005 resolved in the D.C. Office of Human Rights

2535 13th Street Tenants Association, et al., v. Crescent Properties, L.L.C., et al., District of Columbia Office of Human Rights, Docket No. 02-290-H

- **Year case settled:** 2004
- **Fair housing protected class(es):** Housing discrimination on the basis of national origin under the District of Columbia Human Rights Act ("DCHRA") and the Fair Housing Act ("FHA").
- **Outcome:** The parties entered into a settlement agreement which provides that Respondents adopt measures to promote compliance with fair housing laws and pay a monetary award to Complainants.
- **Summary:** Four individual Complainants, Orlando Argueta, Jose Espinal, Hector Torres, and German Gonzales, and the Equal Rights Center ("ERC"), filed a complaint against Mohamed Salarbux and Crescent 13th Street, LLC ("Respondents") in the District of Columbia Office of Human Rights alleging that Respondents discriminated and retaliated against them on the basis of national origin in violation of the FHA and the DCHRA. The D.C. Office of Human Rights found probable cause to believe that Respondents had discriminated against all Complainants in violation of federal and District fair housing law on the basis of national origin (Hispanic) when Respondents expressed a preference for non-Hispanic tenants by stating that Respondents did not want them in the building, that Complainants were all relatives, and that most of the tenants did not have a green card; and discriminated against Complainants in the terms, conditions, and privileges of their tenancies, by creating a hostile living environment on the basis of Complainants' national origin when Respondent Salarbux threatened to call the Immigration and Naturalization Services ("INS"), insinuated Complainants lacked legal immigration status and took other actions against Complainants.

In April 2004, the parties entered into a settlement agreement. The agreement requires Respondents to send Mr. Salarbux to attend Fair Housing Symposium training; to adopt a written policy of non-discrimination that applies to all of their housing-related



decisions and actions; to post “Fair Housing Law” posters in both English and Spanish at their D.C. rental properties; and to pay Complainants \$25,000.

Bussey v. Green Valley Apartments/Second New St. Paul Housing, Inc. D.C. Office of Human Rights 03-030 (H) CN

- **Year case settled:** 2004
- **Fair housing protected class(es):** Housing discrimination on the basis of disability under the District of Columbia Human Rights Act (“DCHRA”) and the Fair Housing Act (“FHA”).
- **Outcome:** The parties entered into a settlement agreement whereby the Respondent would cease discriminating against individuals on the basis of disability. Respondent would also take measures that would ensure that reasonable accommodation requests were acknowledged and answered.
- **Summary:** Arabella Bussey (“Bussey”) filed a complaint in October 2002 with the District of Columbia Office of Human Rights and with the U.S. Department of Housing and Urban Development against Green Valley Apartments/Second New St. Paul Housing, Inc. (“Respondent”) alleging unlawful discriminatory housing practices due to her disability. In November 2000, Bussey requested that the Respondent make a reasonable accommodation for Bussey’s disability allowing her to have a caregiver in her apartment until her tenancy terminated in February 2002. The Respondent failed to respond to this request and began to harass Bussey. Bussey claimed that the Respondent violated the FHA and the DCHRA by engaging in unlawful discriminatory practices on the basis of disability. The D.C. Office of Human Rights issued a finding of probable cause that some of the Respondents had engaged in discriminatory housing practices.

The parties entered into a settlement agreement on March 29, 2004. The Respondent agreed to cease discriminating against individuals on the basis of disability. The agreement further provided that the Respondent would: adopt an anti-discrimination policy; adopt a written policy for assessing and responding to requests for reasonable accommodations; attend fair housing training; and contract with a management company that had an anti-discrimination policy. Respondent also agreed to make a \$10,000 payment to Bussey.

Equal Rights Center v. Bojan Management Corporation District of Columbia Office of Human Rights No. 05-126-H

- **Year case settled:** 2005



- **Fair housing protected class(es):** Housing discrimination on the basis of source of income under the District of Columbia Human Rights Act (“DCHRA”).
- **Outcome:** The parties entered into a settlement agreement in which Bojan Realty Co. would cease discriminating against individuals seeking rental units on the basis of any protected characteristic and would take additional measures to insure that applicants were aware that Bojan accepted Section 8 Housing Vouchers.
- **Summary:** The Equal Rights Center (“ERC”) filed a complaint against Bojan Realty Co. (“Bojan”) and Jesse L. Parker stating that it had discriminated on the basis of source of income in the rental of two multi-unit properties. An investigation conducted by the ERC discovered that Bojan discriminated against residents using Section 8 vouchers who were seeking to obtain rental housing at the properties by refusing to accept the vouchers. These actions violated the DCHRA.

The parties entered into a settlement agreement on July 18, 2005. As part of the settlement, Bojan agreed to cease discrimination against individuals on the basis of any protected characteristic. The four year agreement further stated that Bojan 1) will establish and implement a company wide non discrimination policy; 2) will display signage in both English and Spanish that it accepts Section 8 vouchers; 3) agreed that all advertisement materials would state that Section 8 vouchers were accepted; and 4) will require current and future leasing agents to receive a fair housing training course. Additionally, Bojan agreed to provide the ERC 10 days advance notice of vacancies at all of its properties and ensure that no inappropriate income requirements are imposed on voucher holders. Finally Bojan paid the ERC \$30,000 in damages.

Equal Rights Center v. Century 21 Real Estate Corporation District of Columbia Office of Human Rights No. 05-064-H

- **Year case settled:** 2005
- **Fair housing protected class(es):** Housing discrimination on the basis of source of income under the District of Columbia Human Rights Act (“DCHRA”).
- **Outcome:** The parties entered into a settlement agreement where Respondents agreed to cease discriminating against individuals based on source of income and agreed to measures that would help guarantee that applicants were aware that Section 8 Housing Vouchers were accepted.
- **Summary:** The Equal Rights Center (“ERC”) filed a complaint with the District of Columbia Office of Human Rights (“DCOHR”) against Century 21 Real Estate Corporation, Century 21 Advantage Realty, Paul Nettleford, Benjamin Knox and Jadine Hill (“Respondents”) alleging that they were discriminating against individuals on the



basis of source of income in the rental of housing at 715 Decatur Place, N.E. Specifically, a posting on the Metropolitan Regional Information System, Inc. database listed a property offered by Century 21 Advantage Realty but stated that Section 8 was not accepted although the property fell within the voucher payment standards. ERC's complaint alleged this practice violated the DCHRA which prohibits discrimination on the basis of source of income.

The ERC, Paul Nettleford (the listing agent) and Century 21 Advantage Realty entered into a settlement agreement on September 22, 2005. These Respondents agreed to cease discriminating against individuals on the basis of source of income; establish and implement a company wide non discrimination policy; place language in advertisements acknowledging the acceptance of Section 8 vouchers; create a flier describing a landlord's obligation under fair housing laws and describe benefits to landlords of tenants with Housing Choice Vouchers. Additionally, Century 21 Advantage agreed to sponsor the ERC's participation in the Annual Fair Housing Symposium for two years. The Complaint was withdrawn against the remaining respondents.

Equal Rights Center v. Kriegsfeld Corporation D.C. Office of Human Rights 03-205-H (CN)

- **Year case settled:** 2004
- **Fair housing protected class(es):** Housing discrimination on the basis of race and national origin under the District of Columbia Human Rights Act ("DCHRA"), the Fair Housing Act ("FHA") and civil rights law.
- **Outcome:** The parties entered into a conciliation agreement that provides Kriegsfeld Corporation will cease its discriminatory practices and adopt various measures to enhance an equal opportunity for members of protected classifications to obtain rental units in properties managed by the corporation.
- **Summary:** The Equal Rights Center ("ERC") filed a complaint with the District of Columbia Office of Human Rights ("DCOHR") and the U.S. Department of Housing and Urban Development alleging discrimination in the rental and sale of housing on the basis of race and national origin against Kriegsfeld Corporation ("Kriegsfeld") in the rental of units at 1424 W St., NW. ERC's complaint alleged Kriegsfeld had discriminated against Hispanic persons seeking to obtain rental housing or to purchase units at this building. The ERC claimed these actions violated the DCHRA, the FHA and the Civil Rights Act of 1866, Section 1981. The DCOHR issued a probable cause finding as to some of the discriminatory practices engaged in by the Respondent.

The parties entered into a conciliation agreement on November 16, 2004. Kriegsfeld agreed to cease and desist from discriminating against protected groups in



making housing-related decisions and actions. The agreement further provided that Kriegsfeld employees and agents would attend a Fair Housing Symposium for two years; adopt a non-discrimination policy; display “Fair Housing Law” posters in English and Spanish at its residential housing properties and management office; display an equal housing opportunity logo on all of its promotional materials and rental and sale applications; and pay \$45,000 to the ERC to settle all damages.

Equal Rights Center v. Long & Foster Companies, Inc., et al. District of Columbia Office of Human Rights No. 05-063-H

- **Year case filed:** 2004
- **Fair housing protected class(es):** Housing discrimination on the basis of source of income under the District of Columbia Human Rights Act (“DCHRA”).
- **Outcome:** On November 28, 2005, DCOHR issued a finding of probable cause that the Respondent discriminated on the basis of source of income by advertising a unit was not available for rental to tenants using Housing Choice Vouchers and that the fair housing group had standing. The matter remains pending.
- **Summary:** The Equal Rights Center (“ERC”) filed a complaint in the District of Columbia Office of Human Rights (“DCOHR”) against Long & Foster Companies, Inc. and others (“Respondents”) stating that they had discriminated on the basis of source of income in the rental of housing at two locations in the District. Investigations conducted by the ERC revealed that in November 2003 a posting on the Metropolitan Regional Information Systems, Inc. database indicated Long and Foster Real Estate, Inc. was the listing company for a unit offered that did not accept Section 8 vouchers. A similar posting in the spring of 2004 at another property again listed Long and Foster Real Estate, Inc. as the listing company and again stated that the property would no longer be accepting Section 8 applicants. These listings violate the DCHRA which prohibits discrimination on the basis of source of income.

On November 28, 2005, the DCOHR issued a finding of probable cause that Respondent's advertising that indicated a preference against Housing Choice Vouchers was discriminatory on the basis of source of income. The DCOHR also found probable cause that the ERC, a fair housing organization, alleged harm sufficient to satisfy the requirements of standing under the FHA and the DCHRA.

One of the property owners entered into a settlement agreement with the ERC on April 4, 2005. The complaint against respondent, Long & Foster, is pending.



Equal Rights Center v. Metropolitan Regional Information System, District of Columbia Office of Human Rights, Dkt. No. 05-137-H

- **Year case settled:** 2005
- **Fair Housing protected class(es):** Housing discrimination on the basis of source of income under the District of Columbia Human Rights Act (“DCHRA”).
- **Outcome:** The parties entered into a settlement agreement whereby the Metropolitan Regional Information System (“MRIS”) agreed not to publish listings that indicate holders of Section 8 housing vouchers are not welcome.
- **Summary:** The Equal Rights Center (“ERC”) brought a complaint against the MRIS alleging discrimination on the basis of source of income in violation of the DCHRA based on listings published on the MRIS multiple listing database that stated housing choice vouchers were not accepted.

The parties settled the matter on June 30, 2005. The agreement provided that the MRIS would no longer publish listings that discriminate against voucher holders and would sponsor the ERC’s annual fair housing seminar for three years.

Equal Rights Center v. Sawyer Realty Holdings, et al. Superior Court of the District of Columbia Civil Action No. 05-0002582

- **Year case settled:** 2005
- **Fair housing protected class(es):** Housing discrimination on the basis of source of income and race under the District of Columbia Human Rights Act (“DCHRA”).
- **Outcome:** The parties entered into a settlement order whereby the Defendants agreed to cease discriminating on the basis of source of income or race against individuals seeking to use housing choice vouchers to rent apartments. The settlement order detailed measures that Defendants were to take to encourage an equal opportunity for all holding vouchers to obtain housing at the properties in question.
- **Summary:** The Equal Rights Center (“ERC”) brought suit against Sawyer Realty Holding, LLC, Lynwood Apartment Associates and Randolph Towers Apartments, LLC (“Defendants”). The ERC alleged that the Defendants engaged in unlawful and discriminatory acts by refusing to rent to individuals who rely on Housing Choice Voucher as a source of payment for their rent. Holders of these vouchers are primarily African American. Through testing, the ERC discovered that the Defendants were refusing to accept Housing Choice Vouchers. This refusal constituted source of income discrimination and race discrimination in violation of the District of Columbia common



law and the DCHRA. In May 2005, the Defendants' motion to dismiss based on the status of the ERC's charter was denied by the D.C. Superior Court.

The parties settled on September 2, 2005. The Defendants agreed to refrain from discrimination against any individual on the basis of any category protected by the federal Fair Housing Act or the DCHRA. The three year order provided that the Defendants 1) will modify their existing non discrimination policy accordingly and implement a company wide non discrimination policy; 2) will display signage in English and Spanish at its offices stating that they accepted Housing Choice Vouchers; 3) will include language in advertisements that state that Housing Choice Vouchers are welcome; and 4) will require its employees to attend a fair housing training course. Additionally, the Defendants are required to supply the ERC with a list of vacancies at the subject properties on a monthly basis and ensure that inappropriate income requirements would not be imposed on voucher holders. Finally, Defendants paid \$130,000 in damages to the ERC.

Equal Rights Center v. Vista Management Co., Inc. District of Columbia Office of Human Rights
Docket No. 05-131-H

- **Year case settled:** 2005
- **Fair housing protected class(es):** Housing discrimination on the basis of source of income under the District of Columbia Human Rights Act ("DCHRA").
- **Outcome:** The parties entered into a settlement agreement in which Respondent agreed not to discriminate against tenants on any characteristic prohibited by the DCHRA. Additionally, other measures were taken in order to enforce the Respondent's commitment to refrain from discriminating against Section 8 Housing Voucher holders including a monetary settlement.
- **Summary:** The Equal Rights Center ("ERC") alleged that Vista Management Company, Inc. ("Respondent") discriminated on the basis of source of income in the rental of housing at the multi-unit property, the Idaho Terrace Apartments. Through testing, the ERC discovered that Respondents did not accept Section 8 Housing Vouchers.

The parties entered into a settlement agreement on May 26, 2005. Respondent agreed to cease discriminating on the basis of any protected characteristic. The agreement further required that the Respondent 1) establish and implement a company wide non discrimination policy; 2) post signage in English and Spanish that it accepts Section 8 vouchers; 3) state in all advertisements that it accepts housing vouchers; and 4) provide fair housing training for its employees. Respondent also agreed to pay the ERC \$35,000 in damages.



Equal Rights Center v. Weichert Realtors District of Columbia Office of Human Rights No. 05-026-H

- **Year case partially settled:** 2005
- **Fair housing protected class(es):** Housing discrimination on the basis of source of income under the District of Columbia Human Rights Act (“DCHRA”).
- **Outcome:** The Equal Rights Center and the property owner entered into a settlement agreement which required the property owner to cease discriminating against individuals based on source of income or against individuals holding Section 8 vouchers and required the property owner to take other measures to ensure that this type of discrimination would not reoccur on her property. The matter is still pending against the remaining respondents.
- **Summary:** The Equal Rights Center (“ERC”) filed a complaint with the District of Columbia Office of Human Rights (“DCOHR”) against Weichert Realtors, Weichert Realtors-Andrews, Constance McKinnon, Joan Fort and M. Louise Toler for discriminating on the basis of source of income in the rental of housing located at 3910 R Street, S.E. A posting on the Metropolitan Regional Information Systems’ multiple listing service noted that Section 8 was not accepted at the unit owned by Ms. Toler. The complaint alleged the posting violated the DCHRA.

On May 11, 2005, the ERC entered into a settlement agreement with Ms. Toler, the owner of the property in question. The complaint is pending as to the other respondents.

Margaret Foster, Robert Payne, Luke Tullberg, The Equal Rights Center v. Beverly Court Cooperative, D.C. Office of Human Rights, Docket No. 02-0153-H

- **Year case settled:** 2004
- **Fair housing protected class(es):** Housing discrimination on the basis of age and sex under the District of Columbia Human Rights Act (“DCHRA”) and the Fair Housing Act (“FHA”).
- **Outcome:** The parties entered into a conciliation agreement that entails monetary payments to the Complainants and substantial injunctive measures that the Respondent will take in order to prevent future housing discrimination in its cooperative.
- **Summary:** Margaret Foster, Robert Payne and others (“Complainants”) alleged that the Beverly Court Cooperative (“Respondent”) subjected them to disparate treatment due to their age and sex when the Respondent refused to approve their application to purchase a cooperative unit. Complainants alleged that these actions violated the FHA, as well as



the DCHRA. In January 2001, the Complainants made an offer to purchase a unit in the Beverly Court Cooperative. The owners of the unit accepted the offer and settlement was to occur in March 2001. On March 21, 2001, according to protocol, the Complainants were interviewed by the Board of Directors of the cooperative. During the interview, the Respondent's treasurer, in analyzing the financial capabilities of the couple, focused on Mr. Payne as the wage earner, as Ms. Foster did not have tax documents detailing her employment income. During the course of the interview, statements were made about the Complainants' young age (Ms. Foster was 29 and Mr. Payne was 27) and their decision to take on this type of debt. An e-mail to the seller dated April 4, 2001, from a board member, indicated that age was a significant factor in the decision to reject the couple. Additionally, the seller was told by a board member that Ms. Foster's income was not considered because she might have children and stop working. The couple was formerly rejected by the Board on March 22, 2001, and was told that they were not considered financially well-established. The D.C. Office of Human Rights found that there was probable cause to believe that Complainants were victims of discrimination on the basis of age and that Ms. Foster was a victim of discrimination on the basis of sex, when they were denied membership in the cooperative.

The parties entered into a conciliation agreement on March 12, 2004. The Respondent agreed to comply with the FHA as well as the DCHRA. The agreement further provided that the Respondent would write an apology letter to Ms. Foster and Mr. Payne; Respondent's board of directors would attend D.C. Fair Housing Symposium for two years; Respondent would adopt an anti-discrimination policy; and Respondent would make a monetary payment to the individual Complaints in the amount of \$25,000 and to the Equal Rights Center in the amount of \$5,000.

Cases Pending in the U.S. Court of Appeals for the District of Columbia Circuit

2292 Sherman Avenue Tenants' Association, et al., v. District of Columbia, Civil Docket # 1:00-cv-00862-JR

- **Year of relevant decision:** 2004
- **Fair housing protected class(es):** Housing discrimination on the basis of national origin under the Fair Housing Act ("FHA") and national origin and place of residence under the District of Columbia Human Rights Act ("DCHRA").
- **Outcome:** In April 2004, a jury returned a verdict in favor of tenants of a multi-family apartment building located in a predominantly Latino part of the District, finding that the District discriminated against those tenants in violation of the federal Fair Housing Act,



under a disparate impact theory of liability, and awarding the tenants \$180,000 in compensatory damages. Defendants and Plaintiffs filed cross-appeals. The D.C. Circuit has scheduled oral argument on those appeals for January 12, 2006.

- **Summary:** The lawsuit alleged that in March 2000, the District government posted closure notices at five, multi-family apartment buildings in predominantly Latino neighborhoods in and around the Columbia Heights neighborhood, declaring that the buildings were not fit for human habitation or occupancy and that they would be closed within thirty days. For several months thereafter, on the eve of the thirty-day period, the District government posted a new closure notice again stating that the building was inhabitable and would be closed in thirty days time. The District failed to prosecute, either civilly or criminally, the landlords who were responsible for the housing code violations at the buildings; failed to provide the tenants with any relocation assistance; and failed to use District monies available for this purpose to make repairs to the building. In April 2000, tenant associations from each of the five buildings filed a suit in federal court alleging violations of the FHA on the basis of national origin and violations of the DCHRA on the basis of national origin and place of residence, accusing the District of discriminatory housing code enforcement under both a disparate treatment and a disparate impact theory of discrimination. Over the next year, the parties were able to reach settlements for three of the initial five buildings. In January 2001, despite the pending lawsuit, the plaintiffs alleged the District government summarily closed a sixth building, with less than three hours notice to the tenants leaving the residents homeless without any assistance from the District officials who closed their building. For each of the buildings closed or placarded for closure, Plaintiffs alleged the District had been aware of the housing code violations at the buildings for many months, and typically years, preceding the closure and attempted closure.

The tenants filed a federal lawsuit in April 2000 and sought a temporary restraining order. In April 2004, tenants from 1512 Park Road, 2922 Sherman Avenue, and 1458 Columbia Road proceeded to trial before a jury. The jury awarded the tenants of 1512 Park Road approximately \$180,000 in money damages to compensate them for the harms that they suffered. The jury returned a verdict in favor of the District on claims related to the tenants of 1458 Columbia Road and 2922 Sherman Avenue. The parties filed cross appeals. Oral argument before the D.C. Circuit is scheduled for January 2006.

Cases Pending in the U.S. District Court for the District of Columbia

Feemster, et al., v. BSA Limited Partnership, United States District Court for the District of Columbia, Civil Case No. 04cv1901



- **Year complaint filed:** 2004
- **Fair housing protected class(es):** Housing discrimination on the basis of source of income under the District of Columbia Human Rights Act (“DCHRA”) and other federal and D.C. claims.
- **Outcome:** Cross motions for summary judgment pending.
- **Summary:** Ms. Bridgette Feemster and the other individual Plaintiffs (“Plaintiffs”) were tenants in a subsidized, townhouse development known as the Bates Street Townhouses and owned by BSA Limited Partnership (“Defendant”). Plaintiffs were participants in a Section 8, project-based, rental subsidy program administered by the U.S. Department of Housing and Urban Development (“HUD”). In the fall of 2003, Plaintiffs allege Defendant sent letters to the tenants providing them with a one-year notice of its decision to terminate its Section 8 contract with HUD. In August 2004, the D.C. Housing Authority held a meeting for Section 8 residents to discuss the process of converting their project-based subsidy to the tenant-based voucher program. The Defendant provided no indication that it would not accept the tenants’ soon-to-be-issued vouchers. Plaintiffs allege when Plaintiffs received the vouchers, however, they were notified that the Defendant would not accept vouchers and that the tenants would be required to pay the full price of the rent themselves. Plaintiffs allege that the Defendant’s actions violated the Multifamily Assisted Housing Reform and Affordability Act of 1997, the National Housing Act, the D.C. Human Rights Act, and the D.C. Consumer Protection Procedures Act. The Plaintiffs seek injunctive and declaratory relief.

On April 27, 2005, Defendant filed a motion for summary judgment arguing that individuals who receive housing vouchers are not entitled to remain in their units if the owner has complied with all federal regulations and local laws to end its participation in the project-based voucher program. On May 31, 2005, Plaintiffs filed a motion for partial summary judgment seeking judgment against Defendant for liability under the federal laws protecting tenants of former project-based Section 8 units and under the source of income provision of the DCHRA. These cross motions for summary judgment are currently pending before the Court.

National Fair Housing Alliance, Inc. v. The Prudential Insurance Company of America 208 F. Supp. 2d 46

- **Year of relevant decision:** 2002
- **Fair housing protected class(es):** Redlining procedures on the basis of race in homeowners insurance.



- **Outcome:** Since certain sections of the Fair Housing Act (“FHA”), could be construed to apply to the provision of homeowners insurance, the U.S. District Court for the District of Columbia held that the plaintiffs had stated legally cognizable claims. The Court also noted that the plaintiffs had sufficiently alleged a claim of disparate impact under the FHA. The case is pending.
- **Summary:** The plaintiffs were non profit organizations that promoted fair housing policies and practices, and three individual plaintiffs who are homeowners in predominantly African American neighborhoods in Toledo, Ohio. In October, 2001, plaintiffs sued Prudential Insurance Company and Prudential Property & Casualty Company (“Prudential”) under the FHA claiming Prudential engaged in policies and practices that discriminated against minority applicants for homeowners insurance. The plaintiffs alleged “redlining” procedures denied homeowners insurance in certain areas, including the entire District of Columbia, and that Prudential used factors such as credit history to determine eligibility for homeowners insurance. Plaintiffs claimed that adequate and cost effective homeowners insurance is necessary to home ownership as it is a prerequisite to qualifying for a mortgage or home equity loan. Additionally, plaintiffs claimed that defendants engaged in discriminatory “redlining” by maintaining underwriting policies that disparately affected minority homeowners and minority neighborhoods. These practices showed disparate treatment of minority homeowners. The individual homeowner plaintiffs alleged they were denied the ability to apply for insurance from Prudential.

The district court denied defendant’s motion to dismiss finding plaintiffs stated legally cognizable claims under the FHA. The court concluded that the Fair Housing Group plaintiffs had standing to bring suit as they had clearly alleged injury to their programs and activities. In assessing the applicability of §3604 of the FHA to homeowners insurance, the court found it was reasonable to conclude Congress intended to prohibit discrimination in the provision of homeowners insurance. The court deferred to HUD regulations defining the sale of homeowners insurance as an activity covered by § 3604. As § 3604 applies to prohibiting discrimination in the provision of services related to the sale or rental of a dwelling, the court held the section encompassed the provision of homeowners insurance. In assessing § 3605 involving financial transactions in real estate, the court noted that individuals are often unable to purchase or to maintain financing for homes without homeowners insurance and that it was reasonable to conclude that Congress intended that homeowner’s insurance fall within the scope of § 3605’s protections. Additionally, the court concluded that there was a disparate impact claim under the FHA and that the plaintiffs had alleged sufficient statistical data to support this claim. The case is pending.



United States of America v. District of Columbia

- **Year complaint filed:** 2004
- **Fair housing protected class(es):** Housing discrimination on the basis of disability under the Fair Housing Act (“FHA”).
- **Outcome:** The case is pending and trial is set for late 2006 or early 2007 to decide whether or not the District of Columbia’s actions constituted discrimination on the basis of disability under the FHA.
- **Summary:** On April 15, 2004, the United States filed a complaint against the District of Columbia alleging the District discriminated on the basis of disability when it failed to approve building permits for homes for children with disabilities and otherwise took actions to delay or interfere with plaintiffs’ efforts to open the homes. The complaint alleged that in February 2000, Father Flanagan’s Girls & Boys Home (“plaintiff”) a charitable non-profit organization, purchased a piece of land in the Southeast area of the District of Columbia. Plaintiffs thereafter submitted applications for building permits to construct group homes for children with one or more mental impairments. Each home would house six children. District officials and surrounding neighbors opposed the construction of these homes. The DCRA imposed conditions on the plaintiff, such as a requirement for an environmental impact statement and an archeological study, which plaintiff alleged had no basis in D.C. law and are not required from developers of housing intended for persons without disabilities. The complaint alleged that the District imposed burdensome and unnecessary requirements on Girls and Boys Town including on building permit applications, and delayed issuance of the permits, revoked the permits, and required special exceptions or reasonable accommodations be submitted, that such actions had no basis in law and delayed Plaintiffs from establishing and opening the homes. The complaint alleged the District’s actions were taken on the basis of the disability of the intended residents of the homes in violation of the FHA. The Plaintiff alleged it encountered similar circumstances when it applied for a residence in May 2002 on another D.C. property.

Additionally, the plaintiff alleges that the District of Columbia’s municipal regulations include zoning classifications on the basis of disability which violates the FHA by the imposition of different terms, conditions or privileges of housing on the basis of disability resulting in stricter requirements on housing for persons with disabilities than for those individuals without disabilities. The case is pending and trial is expected in late 2006 or early 2007.



Cases Pending in the D.C. Superior Court

Douglas v. Kriegsfeld Corp. 2005 D.C. App. LEXIS 515 (Oct. 13, 2005)

- **Year of relevant decision:** 2005
- **Fair housing protected class(es):** Housing discrimination on the basis of handicap under the Fair Housing Act (“FHA”).
- **Outcome:** The D.C. Court of Appeals held when a tenant requests a reasonable accommodation a landlord under the FHA is required to respond promptly by “opening a dialogue” with the tenant and to make a good faith effort at providing the requested accommodation. The case was reversed and remanded to the trial court to permit the tenant to show, by affidavit or similar evidence, that triable issues of fact remained as to whether her mental impairment could be accommodated in a manner consistent with the health and safety of other tenants. The case is pending.
- **Summary:** In August 2001, Kriegsfeld Corporation (“landlord”) served Evelyn Douglas (“tenant”), a tenant who was a Section 8 housing voucher recipient, with a thirty day notice to “cure or quit” for violation of her lease covenant to maintain the apartment in a clean and sanitary condition. The landlord alleged the tenant’s apartment had a foul odor emanating from it into the rest of the building due to unclean conditions. The tenant initially asked for a brief stay of the eviction proceeding based on a mental illness that allegedly caused her to be unable to keep her apartment clean and sanitary. The tenant requested a reasonable accommodation based on her disability. She stated that a D.C. Agency had a fund available to assist needy persons in taking care of their apartments and provided evidence to show that Adult Protective Services would clean her apartment. Additionally, as part of her request, the tenant conceded that eviction would be warranted if the premises did not remain clean with the agency’s help. The trial court rejected the tenant’s arguments and found the tenant’s request for accommodation was untimely and “extremely vague” and that her evidence was insufficient to show that she had a “mental disability.” Additionally, the trial court concluded the landlord was entitled to deny the tenant’s request because the tenant posed a threat to “health and safety.”

In reviewing this decision, the D.C. Court of Appeals noted that “handicap” is defined to include a “mental impairment” while “discrimination” includes a landlord’s “refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford [a handicapped] person equal opportunity to use and enjoy a dwelling.” Reversing the trial court’s determination that the tenant’s defense was too “vague,” the appeals court held that the requested accommodation to have the D.C. agency clean the apartment was not “extremely vague.” Moreover, the Court found the FHA’s reasonable accommodation requirement



requires the landlord to respond to requests, and to engage in an interactive process with the tenant regarding the requested accommodation. The court found a landlord, under the FHA, is required to respond promptly to a tenant's request for a reasonable accommodation by "opening a dialogue" with the tenant to determine whether a requested accommodation was feasible. The Court found the landlord here failed to engage in a discussion with the tenant's counsel until approximately two weeks before the trial and that there was a feasible proposal which was rejected without a good faith discussion by the landlord. The court also determined that the trial court ruled prematurely that the "health and safety" exception barred the tenant's defense because until a landlord makes a good faith, reasonable effort at accommodation, the landlord's continued pursuit of a pending action for possession is a discriminatory act under the FHA. The court held that the tenant must be allowed to proffer her reasonable accommodation defense at the trial court. The case is pending.

Cases Pending in the D.C. Commission on Human Rights After a Probable Cause Finding by the D.C. Office of Human Rights (2000-2005)

Kemp & Houston v. 2101 Connecticut Avenue, Inc. Case currently pending before the D.C. Commission on Human Rights

- **Year of probable cause finding:** 2005
- **Fair housing protected class(es):** Housing discrimination on the basis of race and sexual orientation under the District of Columbia Human Rights Act ("DCHRA").
- **Outcome:** The matter was investigated after Mr. Kemp and Mr. Houston, complainants, filed a complaint before the DC Office of Human Rights ("DCOHR"). The DCOHR concluded that there was probable cause to support the complainants' allegations of disparate treatment based on race and sexual orientation when they were denied permission by the cooperative's Board of Directors to purchase an apartment. The complaint was referred to the D.C. Commission on Human Rights where the case is currently pending.
- **Summary:** Complainants claim they were subjected to disparate treatment because of their race (black and white) and sexual orientation (homosexual) when the cooperative housing entity and its five member Board of Directors rejected their application to purchase a unit in the building. This disparate treatment claim was based on evidence that showed complainants were asked to submit extensive financial documentation which was not required of previous applicants. Complainants alleged they were also harassed by the wife of the Chairman of the Board who made inquiries at their residence regarding their employment and lifestyle and they were denied an explanation for their



rejected application. The cooperative and Board responded that the application was denied due to Mr. Kemp and Mr. Houston's refusal to pay income taxes to the District of Columbia. The Complainants countered this was a pretext for discrimination.

The DCOHR investigated and concluded that there was probable cause to believe that a violation of the DCHRA occurred. The Office concluded complainants had established a prima facie case of disparate treatment which was sufficient to support their claim of discrimination. The Office rejected the Respondents' claims that the rejection was justified based on the out of state registration of the Complainants' automobiles and the fact that they paid income taxes in a neighboring jurisdiction. The only valid reason for rejection was the inability to service the mortgage debt and none of the alleged reasons for rejection related to this issue. This case is currently pending before the Commission on Human Rights.

Petropoulos v. Dorchester House Associates/Modern Property Management, Inc. Case currently pending before the D.C. Commission on Human Rights

- **Year of probable cause finding:** 2004
- **Fair housing issue:** Housing discrimination on the basis of familial status and retaliation under the Fair Housing Act ("FHA") and familial status under the D. C. Human Rights Act ("DCHRA").
- **Outcome:** The matter is currently pending before the D.C. Commission on Human Rights based on the D. C. Office of Human Rights' finding of probable cause to support the claim that the Landlord's occupancy policy that limited to three the number of residents in one bedroom apartments had a disparate impact on families with children.
- **Summary:** Mr. Petropoulos and his wife ("tenants") occupied a 701 square foot, one-bedroom apartment at the Dorchester House. Although tenants' lease allowed only three people to live in the apartment, tenants ultimately had two children and were verbally warned that the apartment was overcrowded. The Landlord commenced an eviction proceeding against the tenants and the tenants filed their complaint with the Office of Human Rights claiming disparate treatment and disparate impact based on familial status, and an unrelated retaliation claim based on the tenants' opposition to the Landlord's rent policies. Although the eviction proceeding was dismissed, tenants continued their claims based on the Landlord's reservation of the right to reinstate the eviction proceedings.

Under both the FHA and the DCHRA, a housing provider may not take actions that discriminate based on "familial status." Further, both statutory schemes make it



unlawful to “coerce, intimidate, threaten or interfere with any person in the exercise of [a protected right].”

The DCOHR found that tenants had not made out a prima facie case of disparate treatment based on familial status because their membership in a protected class (families with children) was not shown to be a “substantial factor” in the Landlord’s decision to evict them because the Landlord had enforced its three-person policy against other families, and had not allowed exceptions to that policy for families without children. However, based on the fact that 50% of the families with children were affected by the Landlord’s occupancy policy, but that no families without children were affected, the DCOHR found probable cause to support the tenants’ disparate impact claim based on familial status. Finally, the DCOHR found no probable cause to support the tenants’ retaliation claim because the tenants’ actions in soliciting opposition to the Landlord’s rent policies and organizing a mayoral candidate’s forum were not protected activities under either the FHA or the DCHRA. The case is currently pending before the Commission on Human Rights.



ATTACHMENT F: SUPPLEMENTAL DATA TABLES

Supplemental Data Tables

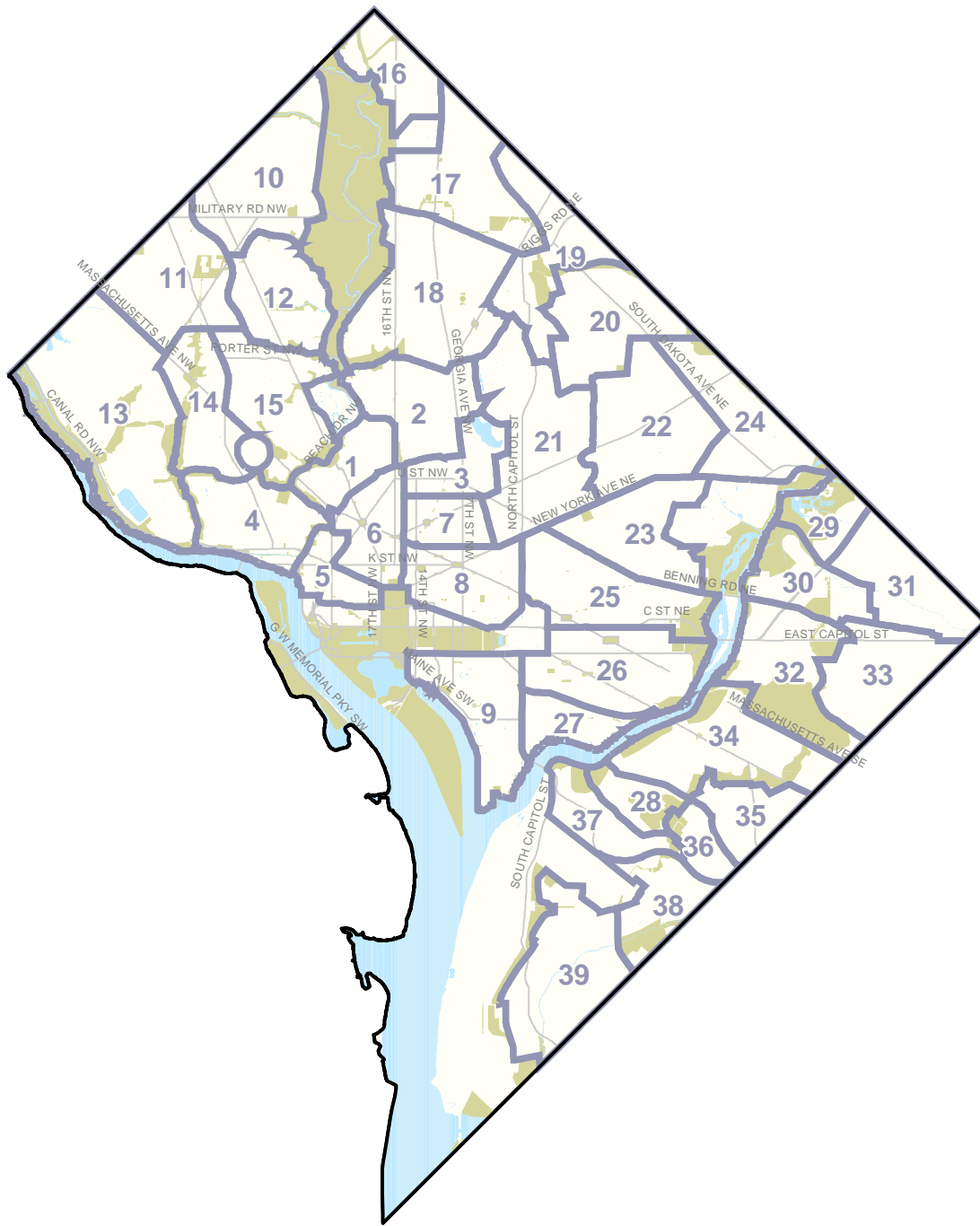
Table F1:	Neighborhood Clusters in the District of Columbia
Table F2:	Integration Index by Income, 1990 - 2000
Table F3:	Households by Race/Ethnicity and Income, 1990 and 2000
Table F4:	Overall Segregation (Segregation Index) for Elderly Persons, 1980-2000
Table F5:	Home Sales by Neighborhood Cluster, 1999 - 2005
Table F6:	Average Home Sales Price by Neighborhood Cluster, 1999 - 2005
Table F7:	Affordability of Home Sales based on Median Income by Neighborhood Cluster, 1995, 2000, 2003 & 2004
Table F8:	Affordability of Home Sales based on White's Median Income by Neighborhood Cluster, 1995, 2000, 2003 & 2004
Table F9:	Affordability of Home Sales based on Black's Median Income by Neighborhood Cluster, 1995, 2000, 2003 & 2004
Table F10:	Affordability of Home Sales based on Latino's Median Income by Neighborhood Cluster, 1995, 2000, 2003 & 2004
Table F11:	Affordability of Home Sales based on Asian's Median Income by Neighborhood Cluster, 1995, 2000, 2003 & 2004
Table F12:	Conventional Prime and Subprime Home Purchase Mortgages by Neighborhood Cluster, 1995 - 2003
Table F13:	Conventional Prime Home Purchase and Refinance Mortgages by Neighborhood Cluster, 1995 - 2003
Table F14:	Conventional Subprime Home Purchase and Refinance Mortgages by Neighborhood Cluster, 1995 - 2003
Table F15:	Owner-Occupied Home Purchase Mortgage Loans by Race/Ethnicity, 1995 - 2003
Table F16:	Owner-Occupied Home Purchase Mortgage Loans by Income Group, 1995 - 2003
Table F17:	Conventional Subprime Home Purchase Loans by Race/Ethnicity, 1999 - 2003
Table F18:	Conventional Subprime Refinance Loans by Race/Ethnicity, 1999 - 2003
Table F19:	Denials of Conventional Home Purchase Loans by Neighborhood Cluster, 1995 - 2003
Table F20:	Denials of Conventional Home Purchase Loans by Race/Ethnicity, 1999 - 2003
Table F21:	Denials of Conventional Home Purchase Loans by Income, 1999 - 2003
Table F22:	Denials of Conventional Home Purchase Loans by Race/Ethnicity and Income, 1999 - 2003
Table F23:	Federally-Subsidized Housing Units by Neighborhood Cluster, 2000
Table F24:	Building Permits by Neighborhood Cluster, 1999 - 2004

**Table F1: Neighborhood Clusters in the District of Columbia
Washington, D.C.**

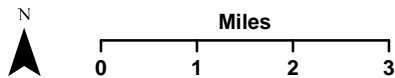
Cluster Number	Cluster Name
1	Kalorama Heights, Adams Morgan, Lanier Heights
2	Mt. Pleasant, Columbia Heights, Pleasant Plains, Park View
3	Howard University, Le Droit Park, Cardozo/Shaw
4	Georgetown, Burleith/Hillandale
5	West End, Foggy Bottom, George Washington University
6	Dupont Circle, Connecticut Avenue/K Street
7	Logan Circle, Shaw
8	Downtown, Chinatown, Penn Quarter, Mount Vernon Square, North Capitol Street
9	Southwest Employment Area, Southwest/Waterfront, Fort McNair, Buzzard Point
10	Hawthorne, Barnaby Woods, Chevy Chase
11	Friendship Heights, American University Park, Tenleytown
12	North Cleveland Park, Forest Hills, Van Ness
13	Spring Valley, Palisades, Wesley Heights, Foxhall Crescents, Foxhall Village, Georgetown Reservoir
14	Cathedral Heights, McLean Gardens, Glover Park, Massachusetts Avenue Heights (part)
15	Cleveland Park, Woodley Park, Massachusetts Avenue Heights (part), Woodland-Normanstone Terrace
16	Colonial Village, Shepherd Park, North Portal Estates
17	Takoma, Brightwood, Manor Park
18	Brightwood Park, Crestwood, Petworth, 16th Street Heights
19	Lamond Riggs, Queens Chapel, Fort Totten, Pleasant Hill
20	North Michigan Park, Michigan Park, University Heights
21	Edgewood, Bloomingdale, Truxton Circle, Eckington, Stronghold
22	Brookland, Brentwood, Langdon
23	Ivy City, Arboretum, Trinidad, Carver, Langston
24	Woodridge, Fort Lincoln, Gateway, South Central
25	Union Station, Stanton Park, Kingman Park, Linden, Near Northeast, North Lincoln Park, Rosedale
26	Capitol Hill, Lincoln Park, Hill East, Barney Circle, Stadium Armory
27	Near Southeast, Washington Navy Yard, Artur Capper, Carrollsburg
28	Historic Anacostia, Anacostia
29	Eastland Gardens, Kenilworth
30	Mayfair, Central Northeast
31	Deanwood, Burrville, Grant Park, Lincoln Heights, Northeast Boundary
32	River Terrace, Benning, Greenway, Fort Dupont
33	Capitol View, Marshall Heights, Benning Ridge
34	Twining, Fairlawn, Randle Highlands, Penn Branch, Fort Davis, Dupont Park
35	Fairfax Village, Naylor Gardens, Hillcrest
36	Woodland, Garfield Heights, Knox Hill/Buena Vista, Skyland
37	Sheridan, Barry Farm, Hillside, Fort Stanton
38	Douglass, Shipley
39	Congress Heights, Bellevue, Washington Highlands
99	No cluster assignment

Source: District of Columbia Office of Planning

Note: The neighborhoods within each cluster follow the printed Strategic Neighborhood Action Plans (SNAPS) with two exceptions. We added the Sheridan neighborhood to the list for Cluster 37 and the Union Station neighborhood to the list for Cluster 25.



District of Columbia Neighborhood Clusters



★ ★ ★ Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ May 22, 2003

This map was created for planning
purposes from a variety of sources.
It is neither a survey nor a legal document.
Information provided by other agencies
should be verified with them where appropriate.





-  Neighborhood Clusters
-  Major Roads
-  Water
-  Parks

Table F2: Integration Index by Income, 1990 - 2000
Washington, D.C.

	Composition of Average Neighborhood for Household (%)	
	1990	2000
Avg. neighborhood for HH with income \$0 - \$25,000 consists of	100.0	100.0
HHs w/inc. \$0 - \$25,000	46.2	38.1
HHs w/inc. \$25,001 - \$50,000	30.3	23.8
HHs w/inc. \$50,001 - \$75,000	13.0	18.7
HHs w/inc. over \$75,000	10.6	19.4
Avg. neighborhood for HH with income \$25,001 - \$50,000 consists of	100.0	100.0
HHs w/inc. \$0 - \$25,000	40.9	33.7
HHs w/inc. \$25,001 - \$50,000	31.3	23.7
HHs w/inc. \$50,001 - \$75,000	14.4	19.9
HHs w/inc. over \$75,000	13.3	22.6
Avg. neighborhood for HH with income \$50,001 - \$75,000 consists of	100.0	100.0
HHs w/inc. \$0 - \$25,000	37.6	30.5
HHs w/inc. \$25,001 - \$50,000	30.8	23.0
HHs w/inc. \$50,001 - \$75,000	15.5	20.7
HHs w/inc. over \$75,000	16.1	25.8
Avg. neighborhood for HH with income over \$75,000 consists of	100.0	100.0
HHs w/inc. \$0 - \$25,000	31.2	24.5
HHs w/inc. \$25,001 - \$50,000	29.1	20.2
HHs w/inc. \$50,001 - \$75,000	16.4	20.0
HHs w/inc. over \$75,000	23.3	35.2

Source: U.S. Census data tabulated by the Urban Institute.

Note: Household incomes are in 1989 dollars for 1990; 1999 dollars for 2000.

Table F3: Households by Race/Ethnicity and Income, 1990 and 2000
Washington, D.C.

	Number of Households		Percent of Households		Change over Time 1990 - 2000	
	1990	2000	1990	2000	Number	Percent
Households - All Races	259,344	248,590	100.0%	100.0%	-10,754	0.0%
Income \$0 - 25,000	106,982	79,976	41.3%	32.2%	-27,006	-9.1%
Income \$25,001 - 50,000	79,183	56,477	30.5%	22.7%	-22,706	-7.8%
Income \$50,001 - 75,000	36,951	48,979	14.2%	19.7%	12,028	5.5%
Income over \$75,000	36,228	63,158	14.0%	25.4%	26,930	11.4%
White Households	88,529	83,742	100.0%	100.0%	-4,787	0.0%
Income \$0 - 25,000	21,064	12,610	23.8%	15.1%	-8,454	-8.7%
Income \$25,001 - 50,000	26,472	14,564	29.9%	17.4%	-11,908	-12.5%
Income \$50,001 - 75,000	16,425	18,539	18.6%	22.1%	2,114	3.6%
Income over \$75,000	24,568	38,029	27.8%	45.4%	13,461	17.7%
Black Households	151,235	139,143	100.0%	100.0%	-12,092	0.0%
Income \$0 - 25,000	76,764	58,423	50.8%	42.0%	-18,341	-8.8%
Income \$25,001 - 50,000	45,913	35,337	30.4%	25.4%	-10,576	-5.0%
Income \$50,001 - 75,000	18,495	25,567	12.2%	18.4%	7,072	6.1%
Income over \$75,000	10,063	19,816	6.7%	14.2%	9,753	7.6%
Latino Households	10,313	14,449	100.0%	100.0%	4,136	0.0%
Income \$0 - 25,000	4,827	4,856	46.8%	33.6%	29	-13.2%
Income \$25,001 - 50,000	3,599	3,980	34.9%	27.5%	381	-7.4%
Income \$50,001 - 75,000	1,062	3,045	10.3%	21.1%	1,983	10.8%
Income over \$75,000	825	2,568	8.0%	17.8%	1,743	9.8%
Asian Households	4,102	6,502	100.0%	100.0%	2,400	0.0%
Income \$0 - 25,000	1,732	2,342	42.2%	36.0%	610	-6.2%
Income \$25,001 - 50,000	1,351	1,412	32.9%	21.7%	61	-11.2%
Income \$50,001 - 75,000	496	1,128	12.1%	17.3%	632	5.3%
Income over \$75,000	523	1,620	12.7%	24.9%	1,097	12.2%

Source: U.S. Census data tabulated by the Urban Institute.

Note: Household incomes are in 1989 dollars for 1990; 1999 dollars for 2000.

Table F4: Overall Segregation (Segregation Index) for Elderly Persons, 1980-2000
Washington, D.C.

	Segregation Index		
	1980	1990	2000
Elderly to nonelderly	24	24	24

Source: U.S. Census data tabulated by the Urban Institute.

*Note: Segregation index value of 100 indicates groups are completely segregated;
0 indicates groups are completely integrated.*

Table F5: Home Sales by Neighborhood Cluster, 1999 - 2005
Washington, D.C.

	1999		2000		2001		2002		2003		2004		2005		Total	
	Sales	Percent	Sales	Percent	Sales	Percent	Sales	Percent	Sales	Percent	Sales	Percent	Sales	Percent	Sales	Percent
District of Columbia	8,341	100%	8,016	100%	8,911	100%	8,446	100%	8,401	100%	9,296	100%	533	100%	51,944	100%
Neighborhood Cluster																
1	403	5%	354	4%	407	5%	405	5%	396	5%	391	4%	26	5%	2,382	5%
2	541	6%	514	6%	575	6%	596	7%	584	7%	681	7%	42	8%	3,533	7%
3	203	2%	256	3%	410	5%	264	3%	231	3%	175	2%	11	2%	1,550	3%
4	480	6%	421	5%	388	4%	398	5%	388	5%	417	4%	23	4%	2,515	5%
5	200	2%	222	3%	290	3%	200	2%	212	3%	216	2%	7	1%	1,347	3%
6	523	6%	532	7%	473	5%	468	6%	526	6%	518	6%	25	5%	3,065	6%
7	275	3%	329	4%	311	3%	418	5%	407	5%	686	7%	46	9%	2,472	5%
8	47	1%	37	0%	48	1%	52	1%	117	1%	167	2%	25	5%	493	1%
9	103	1%	118	1%	230	3%	123	1%	120	1%	130	1%	1	0%	825	2%
10	260	3%	192	2%	200	2%	204	2%	207	2%	158	2%	11	2%	1,232	2%
11	271	3%	220	3%	256	3%	209	2%	210	2%	197	2%	6	1%	1,369	3%
12	242	3%	261	3%	265	3%	214	3%	207	2%	217	2%	12	2%	1,418	3%
13	475	6%	422	5%	371	4%	411	5%	346	4%	358	4%	26	5%	2,409	5%
14	223	3%	224	3%	257	3%	208	2%	316	4%	251	3%	15	3%	1,494	3%
15	196	2%	219	3%	182	2%	170	2%	183	2%	207	2%	8	2%	1,165	2%
16	77	1%	74	1%	49	1%	69	1%	56	1%	59	1%	4	1%	388	1%
17	215	3%	226	3%	230	3%	216	3%	208	2%	226	2%	10	2%	1,331	3%
18	555	7%	470	6%	581	7%	508	6%	529	6%	650	7%	43	8%	3,336	6%
19	93	1%	80	1%	103	1%	95	1%	70	1%	105	0%	4	1%	550	1%
20	95	1%	113	1%	108	1%	94	1%	124	1%	124	1%	8	2%	666	1%
21	381	5%	328	4%	421	5%	375	4%	367	4%	435	5%	17	3%	2,324	4%
22	98	1%	106	1%	114	1%	124	1%	117	1%	124	1%	8	2%	691	1%
23	133	2%	115	1%	189	2%	165	2%	132	2%	156	2%	7	1%	897	2%
24	136	2%	128	2%	173	2%	151	2%	167	2%	164	2%	10	2%	929	2%
25	757	9%	704	9%	717	8%	752	9%	730	9%	793	9%	45	8%	4,498	9%
26	392	5%	341	4%	364	4%	375	4%	393	5%	376	4%	21	4%	2,262	4%
27	50	1%	51	1%	57	1%	56	1%	43	1%	38	0%	2	0%	297	1%
28	50	1%	42	1%	48	1%	69	1%	38	0%	76	1%	10	2%	333	1%
29	15	0%	10	0%	14	0%	19	0%	13	0%	18	0%	0	0%	89	0%
30	38	0%	42	1%	45	1%	49	1%	61	1%	52	1%	1	0%	288	1%
31	159	2%	177	2%	219	2%	205	2%	159	2%	238	3%	10	2%	1,167	2%
32	93	1%	90	1%	98	1%	85	1%	65	1%	109	1%	6	1%	546	1%
33	100	1%	106	1%	133	1%	129	2%	138	2%	179	2%	14	3%	799	2%
34	168	2%	144	2%	160	2%	136	2%	124	1%	157	2%	10	2%	899	2%
35	55	1%	75	1%	94	1%	82	1%	82	1%	114	1%	8	2%	510	1%
36	27	0%	17	0%	42	0%	13	0%	13	0%	15	0%	0	0%	127	0%
37	20	0%	22	0%	51	1%	72	1%	123	1%	99	1%	4	1%	391	1%
38	18	0%	63	1%	67	1%	71	1%	22	0%	33	0%	1	0%	275	1%
39	157	2%	157	2%	152	2%	178	2%	164	2%	179	2%	5	1%	992	2%
99	17	0%	14	0%	19	0%	18	0%	13	0%	8	0%	1	0%	90	0%

Source: District of Columbia Real Property Assessment File tabulated by the Urban Institute.

Table F6: Average Home Sales Price by Neighborhood Cluster, 1999 - 2005
Washington, D.C.

	Sales Price (Unadjusted Dollars)						
	1999	2000	2001	2002	2003	2004	2005
District of Columbia	\$ 201,354	\$ 229,935	\$ 268,035	\$ 307,765	\$ 351,791	\$ 407,733	\$ 434,532
Neighborhood Cluster							
1	\$ 263,110	\$ 312,216	\$ 378,242	\$ 434,240	\$ 454,758	\$ 542,170	\$ 477,039
2	138,273	168,849	188,112	245,271	274,914	346,846	323,690
3	144,197	172,789	208,687	279,173	350,268	437,181	413,073
4	403,043	488,500	657,675	698,366	747,589	950,530	1,034,327
5	140,099	218,265	469,856	377,275	305,716	462,969	772,357
6	177,929	193,420	237,031	273,347	333,437	377,252	435,337
7	125,813	184,940	206,802	272,377	339,313	386,171	412,737
8	175,508	224,844	221,856	316,667	424,781	382,578	388,872
9	119,791	138,892	247,715	191,218	214,016	290,677	662,300
10	366,201	417,447	517,357	537,087	675,449	720,671	850,197
11	358,108	393,734	460,295	548,959	614,780	730,037	844,775
12	264,478	297,071	349,243	433,903	523,431	578,515	666,267
13	471,067	552,988	643,432	682,818	769,409	832,683	765,201
14	165,119	194,223	242,922	325,314	268,787	381,398	546,060
15	463,488	503,843	678,304	630,626	721,406	820,068	891,138
16	312,847	375,030	409,654	474,898	542,064	625,048	590,000
17	142,284	159,205	187,777	216,274	271,717	318,171	370,035
18	143,874	157,126	179,915	222,780	275,060	336,801	314,405
19	112,863	125,512	132,650	157,957	189,219	235,732	242,500
20	124,960	142,606	146,443	174,682	216,087	270,041	314,213
21	106,006	126,415	138,598	194,017	246,007	293,106	345,267
22	120,354	129,589	142,371	178,392	230,756	265,721	295,988
23	73,869	83,432	85,078	107,355	130,559	168,324	213,314
24	120,777	128,548	130,472	161,570	210,287	243,260	298,750
25	140,486	169,448	198,770	245,158	285,129	342,747	366,949
26	177,936	210,482	263,052	318,026	356,659	477,875	480,295
27	108,822	116,742	127,172	200,332	250,700	273,983	307,259
28	67,251	71,351	82,517	85,353	98,738	126,678	132,370
29	103,824	96,417	107,471	138,343	154,206	177,661	-
30	86,415	86,261	91,497	98,709	116,486	127,325	105,000
31	69,329	74,405	81,795	93,548	112,701	132,998	137,500
32	70,631	85,774	102,676	113,354	119,158	141,644	157,350
33	72,926	81,550	90,474	99,075	118,285	138,052	150,118
34	95,794	98,637	111,991	130,487	158,844	185,068	227,310
35	100,647	104,379	121,312	110,765	164,779	162,408	147,384
36	106,091	112,405	90,593	99,326	124,421	162,801	-
37	57,396	63,994	94,841	93,155	110,779	119,781	134,675
38	73,572	111,029	109,729	119,040	124,400	130,293	155,000
39	83,673	91,503	88,845	107,413	121,512	148,579	138,100
99	112,311	120,825	127,094	141,392	196,000	243,738	302,500

Source: District of Columbia Real Property Assessment File tabulated by the Urban Institute.

Table F7: Affordability of Home Sales based on Median Income by Neighborhood Cluster, 1995, 2000, 2003 & 2004
Washington, D.C.

	1995			2000			2003			2004		
	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable
District of Columbia	5,088	2,113	42%	8,016	2,421	30%	8,401	1,493	18%	9,296	1,259	15%
Neighborhood Cluster												
1	231	69	30%	354	67	19%	396	13	3%	391	22	6%
2	317	157	50%	514	178	35%	584	73	13%	681	47	7%
3	97	57	59%	256	71	28%	231	14	6%	175	9	5%
4	254	10	4%	421	28	7%	388	4	1%	417	2	0%
5	111	62	56%	222	104	47%	212	27	13%	216	9	4%
6	265	116	44%	532	130	24%	526	25	5%	518	6	1%
7	158	103	65%	329	112	34%	407	63	15%	686	12	2%
8	18	8	44%	37	6	16%	117	8	7%	167	6	4%
9	91	38	42%	118	54	46%	120	42	35%	130	31	24%
10	143	4	3%	192	3	2%	207	3	1%	158	1	1%
11	176	8	5%	220	21	10%	210	6	3%	197	2	1%
12	152	32	21%	261	51	20%	207	10	5%	217	2	1%
13	259	51	20%	422	33	8%	346	5	1%	358	3	1%
14	153	46	30%	224	57	25%	316	45	14%	251	4	2%
15	115	17	15%	219	30	14%	183	8	4%	207	1	0%
16	46	0	0%	74	1	1%	56	0	0%	59	0	0%
17	145	37	26%	226	44	19%	208	14	7%	226	16	7%
18	387	131	34%	470	129	27%	529	67	13%	650	40	6%
19	77	19	25%	80	13	16%	70	6	9%	105	6	6%
20	103	19	18%	113	20	18%	124	21	17%	124	5	4%
21	196	140	71%	328	123	38%	367	50	14%	435	46	11%
22	57	29	51%	106	37	35%	117	17	15%	124	6	5%
23	91	86	95%	115	87	76%	132	77	58%	156	70	45%
24	141	57	40%	128	44	34%	167	24	14%	164	21	13%
25	400	205	51%	704	239	34%	730	134	18%	793	81	10%
26	208	75	36%	341	68	20%	393	25	6%	376	6	2%
27	38	29	76%	51	22	43%	43	4	9%	38	6	16%
28	31	31	100%	42	37	88%	38	34	89%	76	58	76%
29	12	5	42%	10	5	50%	13	7	54%	18	6	33%
30	23	22	96%	42	31	74%	61	50	82%	52	38	73%
31	111	95	86%	177	146	82%	159	120	75%	238	156	66%
32	63	58	92%	90	67	74%	65	47	72%	109	65	60%
33	73	53	73%	106	84	79%	138	100	72%	179	126	70%
34	127	85	67%	144	83	58%	124	59	48%	157	59	38%
35	73	41	56%	75	43	57%	82	43	52%	114	76	67%
36	12	4	33%	17	8	47%	13	9	69%	15	5	33%
37	21	19	90%	22	19	86%	123	103	84%	99	89	90%
38	17	16	94%	63	18	29%	22	15	68%	33	21	64%
39	90	77	86%	157	105	67%	164	119	73%	179	99	55%
99	6	2	33%	14	3	21%	13	2	15%	8	1	13%

Source: U.S. Census data and District of Columbia Real Property Assessment File tabulated by the Urban Institute.

Note: Median income in 1999 for all households in D.C. was \$40,127 according to the Census. We adjusted this to other years using the Consumer Price Index.

Calculation of affordability was based on a modified version of the Housing Opportunity Index (NAHB 2005).

**Table F8: Affordability of Home Sales based on White's Median Income by Neighborhood Cluster, 1995, 2000, 2003 & 2004
Washington, D.C.**

	1995			2000			2003			2004		
	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable
District of Columbia	5,088	3,618	71%	8,016	4,896	61%	8,401	3,729	44%	9,296	3,297	39%
Neighborhood Cluster												
1	231	127	55%	354	146	41%	396	104	26%	391	59	15%
2	317	260	82%	514	349	68%	584	297	51%	681	217	32%
3	97	87	90%	256	180	70%	231	61	26%	175	30	17%
4	254	40	16%	421	61	14%	388	19	5%	417	13	3%
5	111	86	77%	222	140	63%	212	117	55%	216	80	37%
6	265	217	82%	532	316	59%	526	157	30%	518	122	24%
7	158	148	94%	329	203	62%	407	131	32%	686	134	20%
8	18	13	72%	37	24	65%	117	18	15%	167	29	17%
9	91	83	91%	118	84	71%	120	85	71%	130	67	52%
10	143	8	6%	192	12	6%	207	7	3%	158	3	2%
11	176	14	8%	220	31	14%	210	17	8%	197	7	4%
12	152	59	39%	261	127	49%	207	49	24%	217	32	15%
13	259	67	26%	422	78	18%	346	51	15%	358	54	15%
14	153	100	65%	224	143	64%	316	168	53%	251	78	31%
15	115	42	37%	219	56	26%	183	28	15%	207	17	8%
16	46	4	9%	74	5	7%	56	1	2%	59	2	3%
17	145	110	76%	226	156	69%	208	91	44%	226	70	31%
18	387	324	84%	470	375	80%	529	268	51%	650	182	28%
19	77	76	99%	80	77	96%	70	61	87%	105	69	66%
20	103	99	96%	113	97	86%	124	82	66%	124	61	49%
21	196	195	99%	328	284	87%	367	184	50%	435	171	39%
22	57	57	100%	106	94	89%	117	73	62%	124	57	46%
23	91	91	100%	115	112	97%	132	129	98%	156	136	87%
24	141	136	96%	128	116	91%	167	118	71%	164	95	58%
25	400	344	86%	704	474	67%	730	318	44%	793	244	31%
26	208	144	69%	341	175	51%	393	109	28%	376	51	14%
27	38	37	97%	51	45	88%	43	16	37%	38	16	42%
28	31	31	100%	42	42	100%	38	38	100%	76	75	99%
29	12	12	100%	10	10	100%	13	12	92%	18	16	89%
30	23	23	100%	42	42	100%	61	60	98%	52	52	100%
31	111	110	99%	177	176	99%	159	159	100%	238	234	98%
32	63	63	100%	90	90	100%	65	65	100%	109	109	100%
33	73	73	100%	106	106	100%	138	138	100%	179	175	98%
34	127	125	98%	144	135	94%	124	105	85%	157	127	81%
35	73	67	92%	75	62	83%	82	59	72%	114	88	77%
36	12	12	100%	17	17	100%	13	12	92%	15	14	93%
37	21	21	100%	22	22	100%	123	123	100%	99	98	99%
38	17	17	100%	63	63	100%	22	22	100%	33	33	100%
39	90	90	100%	157	157	100%	164	164	100%	179	177	99%
99	6	6	100%	14	14	100%	13	13	100%	8	3	38%

Source: U.S. Census data and District of Columbia Real Property Assessment File tabulated by the Urban Institute.

Note: Median income in 1999 for white households in D.C. was \$67,266 according to the Census. We adjusted this to other years using the Consumer Price Index.

Calculation of affordability was based on a modified version of the Housing Opportunity Index (NAHB 2005).

**Table F9: Affordability of Home Sales based on Black's Median Income by Neighborhood Cluster, 1995, 2000, 2003 & 2004
Washington, D.C.**

	1995			2000			2003			2004		
	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable
District of Columbia	5,088	1,275	25%	8,016	1,492	19%	8,401	736	9%	9,296	607	7%
Neighborhood Cluster												
1	231	44	19%	354	24	7%	396	3	1%	391	15	4%
2	317	89	28%	514	93	18%	584	23	4%	681	18	3%
3	97	38	39%	256	39	15%	231	6	3%	175	6	3%
4	254	4	2%	421	20	5%	388	1	0%	417	1	0%
5	111	48	43%	222	67	30%	212	4	2%	216	4	2%
6	265	72	27%	532	108	20%	526	2	0%	518	0	0%
7	158	77	49%	329	93	28%	407	21	5%	686	6	1%
8	18	3	17%	37	5	14%	117	1	1%	167	5	3%
9	91	27	30%	118	40	34%	120	19	16%	130	6	5%
10	143	3	2%	192	1	1%	207	2	1%	158	0	0%
11	176	6	3%	220	13	6%	210	0	0%	197	1	1%
12	152	18	12%	261	27	10%	207	3	1%	217	0	0%
13	259	30	12%	422	16	4%	346	2	1%	358	1	0%
14	153	26	17%	224	29	13%	316	5	2%	251	1	0%
15	115	8	7%	219	10	5%	183	0	0%	207	0	0%
16	46	0	0%	74	1	1%	56	0	0%	59	0	0%
17	145	13	9%	226	20	9%	208	5	2%	226	5	2%
18	387	82	21%	470	67	14%	529	47	9%	650	19	3%
19	77	3	4%	80	9	11%	70	2	3%	105	3	3%
20	103	6	6%	113	6	5%	124	8	6%	124	2	2%
21	196	93	47%	328	78	24%	367	22	6%	435	20	5%
22	57	16	28%	106	24	23%	117	5	4%	124	2	2%
23	91	54	59%	115	67	58%	132	36	27%	156	30	19%
24	141	30	21%	128	17	13%	167	5	3%	164	8	5%
25	400	118	30%	704	142	20%	730	71	10%	793	37	5%
26	208	41	20%	341	42	12%	393	14	4%	376	1	0%
27	38	20	53%	51	17	33%	43	2	5%	38	5	13%
28	31	25	81%	42	25	60%	38	22	58%	76	32	42%
29	12	2	17%	10	4	40%	13	4	31%	18	3	17%
30	23	16	70%	42	17	40%	61	25	41%	52	15	29%
31	111	68	61%	177	108	61%	159	74	47%	238	87	37%
32	63	24	38%	90	40	44%	65	19	29%	109	15	14%
33	73	29	40%	106	49	46%	138	57	41%	179	50	28%
34	127	41	32%	144	53	37%	124	30	24%	157	35	22%
35	73	36	49%	75	39	52%	82	41	50%	114	58	51%
36	12	1	8%	17	5	29%	13	9	69%	15	3	20%
37	21	14	67%	22	18	82%	123	62	50%	99	52	53%
38	17	9	53%	63	11	17%	22	7	32%	33	15	45%
39	90	41	46%	157	48	31%	164	77	47%	179	46	26%
99	6	0	0%	14	0	0%	13	0	0%	8	0	0%

Source: U.S. Census data and District of Columbia Real Property Assessment File tabulated by the Urban Institute.

Note: Median income in 1999 for black households in D.C. was \$30,475 according to the Census. We adjusted this to other years using the Consumer Price Index.

Calculation of affordability was based on a modified version of the Housing Opportunity Index (NAHB 2005).

**Table F10: Affordability of Home Sales based on Latino's Median Income by Neighborhood Cluster, 1995, 2000, 2003 & 2004
Washington, D.C.**

	1995			2000			2003			2004		
	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable
District of Columbia	5,088	1,776	35%	8,016	2,050	26%	8,401	1,157	14%	9,296	979	12%
Neighborhood Cluster												
1	231	61	26%	354	47	13%	396	8	2%	391	19	5%
2	317	128	40%	514	147	29%	584	50	9%	681	34	5%
3	97	48	49%	256	60	23%	231	8	3%	175	8	5%
4	254	7	3%	421	26	6%	388	1	0%	417	1	0%
5	111	59	53%	222	95	43%	212	18	8%	216	5	2%
6	265	94	35%	532	120	23%	526	14	3%	518	3	1%
7	158	97	61%	329	102	31%	407	43	11%	686	8	1%
8	18	8	44%	37	6	16%	117	4	3%	167	6	4%
9	91	33	36%	118	49	42%	120	29	24%	130	17	13%
10	143	4	3%	192	2	1%	207	3	1%	158	1	1%
11	176	8	5%	220	20	9%	210	3	1%	197	2	1%
12	152	26	17%	261	44	17%	207	7	3%	217	2	1%
13	259	42	16%	422	29	7%	346	4	1%	358	2	1%
14	153	44	29%	224	48	21%	316	23	7%	251	3	1%
15	115	13	11%	219	18	8%	183	2	1%	207	1	0%
16	46	0	0%	74	1	1%	56	0	0%	59	0	0%
17	145	22	15%	226	30	13%	208	7	3%	226	5	2%
18	387	99	26%	470	106	23%	529	61	12%	650	32	5%
19	77	12	16%	80	12	15%	70	4	6%	105	5	5%
20	103	14	14%	113	11	10%	124	9	7%	124	4	3%
21	196	121	62%	328	103	31%	367	35	10%	435	29	7%
22	57	25	44%	106	28	26%	117	13	11%	124	5	4%
23	91	76	84%	115	78	68%	132	60	45%	156	50	32%
24	141	44	31%	128	33	26%	167	14	8%	164	9	5%
25	400	176	44%	704	194	28%	730	104	14%	793	66	8%
26	208	61	29%	341	60	18%	393	21	5%	376	3	1%
27	38	28	74%	51	21	41%	43	4	9%	38	5	13%
28	31	28	90%	42	36	86%	38	31	82%	76	50	66%
29	12	5	42%	10	4	40%	13	5	38%	18	5	28%
30	23	20	87%	42	27	64%	61	46	75%	52	30	58%
31	111	87	78%	177	131	74%	159	99	62%	238	138	58%
32	63	49	78%	90	53	59%	65	38	58%	109	52	48%
33	73	48	66%	106	74	70%	138	93	67%	179	90	50%
34	127	55	43%	144	74	51%	124	46	37%	157	48	31%
35	73	38	52%	75	42	56%	82	43	52%	114	71	62%
36	12	3	25%	17	6	35%	13	9	69%	15	4	27%
37	21	19	90%	22	19	86%	123	84	68%	99	76	77%
38	17	14	82%	63	14	22%	22	11	50%	33	18	55%
39	90	60	67%	157	79	50%	164	102	62%	179	71	40%
99	6	0	0%	14	1	7%	13	1	8%	8	1	13%

Source: U.S. Census data and District of Columbia Real Property Assessment File tabulated by the Urban Institute.

Note: Median income in 1999 for Latino households in D.C. was \$36,156 according to the Census. We adjusted this to other years using the Consumer Price Index.

Calculation of affordability was based on a modified version of the Housing Opportunity Index (NAHB 2005).

**Table F11: Affordability of Home Sales based on Asian's Median Income by Neighborhood Cluster, 1995, 2000, 2003 & 2004
Washington, D.C.**

	1995			2000			2003			2004		
	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable	Total Sales	Affordable for First Time Home Buyer	Percent Affordable
District of Columbia	5,088	1,792	35%	8,016	2,071	26%	8,401	1,164	14%	9,296	979	12%
Neighborhood Cluster												
1	231	61	26%	354	47	13%	396	8	2%	391	19	5%
2	317	129	41%	514	147	29%	584	51	9%	681	34	5%
3	97	48	49%	256	60	23%	231	8	3%	175	8	5%
4	254	7	3%	421	26	6%	388	1	0%	417	1	0%
5	111	59	53%	222	95	43%	212	18	8%	216	5	2%
6	265	94	35%	532	120	23%	526	14	3%	518	3	1%
7	158	98	62%	329	103	31%	407	44	11%	686	8	1%
8	18	8	44%	37	6	16%	117	4	3%	167	6	4%
9	91	34	37%	118	49	42%	120	29	24%	130	17	13%
10	143	4	3%	192	2	1%	207	3	1%	158	1	1%
11	176	8	5%	220	20	9%	210	3	1%	197	2	1%
12	152	26	17%	261	44	17%	207	7	3%	217	2	1%
13	259	42	16%	422	29	7%	346	4	1%	358	2	1%
14	153	44	29%	224	48	21%	316	26	8%	251	3	1%
15	115	13	11%	219	19	9%	183	2	1%	207	1	0%
16	46	0	0%	74	1	1%	56	0	0%	59	0	0%
17	145	24	17%	226	31	14%	208	7	3%	226	5	2%
18	387	99	26%	470	108	23%	529	61	12%	650	32	5%
19	77	13	17%	80	12	15%	70	4	6%	105	5	5%
20	103	15	15%	113	11	10%	124	9	7%	124	4	3%
21	196	121	62%	328	105	32%	367	35	10%	435	29	7%
22	57	25	44%	106	28	26%	117	13	11%	124	5	4%
23	91	76	84%	115	78	68%	132	60	45%	156	50	32%
24	141	44	31%	128	33	26%	167	15	9%	164	9	5%
25	400	177	44%	704	198	28%	730	104	14%	793	66	8%
26	208	62	30%	341	61	18%	393	21	5%	376	3	1%
27	38	28	74%	51	21	41%	43	4	9%	38	5	13%
28	31	28	90%	42	36	86%	38	31	82%	76	50	66%
29	12	5	42%	10	4	40%	13	5	38%	18	5	28%
30	23	20	87%	42	28	67%	61	46	75%	52	30	58%
31	111	89	80%	177	133	75%	159	99	62%	238	138	58%
32	63	51	81%	90	53	59%	65	39	60%	109	52	48%
33	73	50	68%	106	76	72%	138	93	67%	179	90	50%
34	127	56	44%	144	74	51%	124	46	37%	157	48	31%
35	73	38	52%	75	42	56%	82	43	52%	114	71	62%
36	12	3	25%	17	6	35%	13	9	69%	15	4	27%
37	21	19	90%	22	19	86%	123	84	68%	99	76	77%
38	17	14	82%	63	14	22%	22	11	50%	33	18	55%
39	90	60	67%	157	83	53%	164	102	62%	179	71	40%
99	6	0	0%	14	1	7%	13	1	8%	8	1	13%

Source: U.S. Census data and District of Columbia Real Property Assessment File tabulated by the Urban Institute.

Note: Median income in 1999 for Asian households in D.C. was \$36,334 according to the Census. We adjusted this to other years using the Consumer Price Index.

Calculation of affordability was based on a modified version of the Housing Opportunity Index (NAHB 2005).

Table F12: Conventional Prime and Subprime Home Purchase Mortgages by Neighborhood Cluster, 1995 - 2003
Washington, D.C.

	1995		1996		1997		1998		1999		2000		2001		2002		2003		Total	
	Prime	Subprime	Prime	Subprime	Prime	Subprime	Prime	Subprime	Prime	Subprime	Prime	Subprime	Prime	Subprime	Prime	Subprime	Prime	Subprime	Prime	Subprime
District of Columbia	3,314	97	3,606	86	4,690	208	6,531	414	7,370	425	7,849	531	8,501	418	9,477	355	10,599	473	61,937	3,007
Neighborhood Cluster																				
1	241	2	280	1	325	1	544	1	639	7	538	16	607	12	707	6	658	10	4,539	56
2	193	5	178	5	217	17	280	49	366	31	548	42	569	48	651	34	756	36	3,758	267
3	65	2	61	2	82	5	120	15	174	16	270	19	363	17	352	14	318	19	1,805	109
4	236	10	277	4	429	12	575	9	576	11	484	17	487	22	508	8	466	11	4,038	104
5	69	2	82	-	94	-	157	1	195	2	189	3	224	5	220	4	239	2	1,468	20
6	236	4	253	2	416	3	535	3	631	4	726	17	687	18	707	11	805	7	4,997	68
7	98	2	142	2	208	5	276	11	326	20	379	18	374	10	581	18	606	16	2,990	102
8	71	1	67	-	48	-	37	1	42	3	50	1	75	3	80	2	171	3	641	14
9	57	-	46	2	68	5	105	4	135	3	170	3	289	6	199	4	227	6	1,296	33
10	185	-	327	-	333	7	337	2	358	3	236	9	274	8	255	7	255	9	2,560	45
11	182	2	177	2	262	4	374	5	334	4	281	14	321	7	295	9	255	2	2,481	49
12	168	0	157	1	215	1	310	2	321	3	323	11	376	9	318	3	348	3	2,536	34
13	200	2	255	5	320	7	439	13	480	13	457	18	418	13	444	5	445	7	3,458	83
14	105	1	103	1	160	2	217	1	279	4	274	7	330	14	279	6	501	3	2,248	39
15	113	1	135	-	177	1	304	2	266	3	267	6	252	5	245	5	273	6	2,032	28
16	43	2	50	1	47	1	90	5	97	10	93	8	56	1	83	4	68	5	627	37
17	66	2	64	4	66	3	96	8	124	11	163	20	173	7	207	11	213	19	1,172	85
18	160	11	144	6	191	20	220	32	260	37	328	40	360	28	436	22	571	40	2,670	236
19	30	2	26	-	20	2	29	7	36	2	40	3	50	5	80	2	70	6	381	29
20	52	2	44	2	43	1	33	6	43	5	56	1	49	2	72	3	125	18	517	40
21	50	3	60	11	81	17	126	51	134	36	207	39	236	27	341	33	415	30	1,650	247
22	20	2	15	1	40	4	41	3	40	7	46	4	65	7	126	7	111	17	504	52
23	29	-	24	2	27	10	43	20	73	30	76	25	101	20	142	16	175	23	690	146
24	39	-	30	-	42	4	55	14	47	12	58	12	80	11	112	11	141	17	604	81
25	198	17	206	14	277	26	499	57	613	44	680	56	701	39	808	30	909	48	4,891	331
26	156	7	183	5	257	13	411	16	438	14	455	33	456	27	562	19	521	8	3,439	142
27	17	1	8	1	22	2	15	2	19	6	42	3	43	4	60	6	50	3	276	28
28	7	1	3	-	5	-	4	3	20	9	16	6	19	2	28	-	33	2	135	23
29	4	-	2	-	2	-	4	2	5	1	3	-	6	-	9	2	10	3	45	8
30	9	-	6	-	12	5	7	3	10	5	23	10	13	-	20	4	41	7	142	33
31	27	2	28	2	26	6	32	15	37	10	58	13	57	6	92	7	126	14	482	76
32	23	1	17	1	13	-	15	4	25	11	38	10	37	2	45	4	68	10	281	43
33	11	1	19	2	30	6	48	12	28	6	43	7	48	1	51	7	95	9	373	51
34	40	2	29	2	30	2	33	8	55	20	66	7	75	11	83	8	133	17	544	77
35	41	-	28	-	28	5	35	5	38	6	51	6	59	8	68	-	103	13	451	43
36	15	-	10	-	9	-	12	1	15	1	13	3	36	2	12	2	22	5	144	14
37	5	-	15	-	9	4	17	15	3	1	10	4	19	2	40	2	103	6	221	34
38	4	-	4	1	4	-	2	-	8	3	11	2	17	1	25	1	17	3	92	11
39	41	6	46	4	28	5	35	6	48	11	51	14	65	6	108	16	127	10	549	78
99	8	1	5	-	27	2	19	-	32	-	30	4	34	2	26	2	29	-	210	11

Source: Home Mortgage Disclosure Act data tabulated by the Urban Institute.

Table F13: Conventional Prime Home Purchase and Refinance Mortgages by Neighborhood Cluster, 1995 - 2003
Washington, D.C.

PRIME MORTGAGES																				
	1995		1996		1997		1998		1999		2000		2001		2002		2003		Total	
	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance
District of Columbia	3,314	2,953	3,606	4,555	4,690	4,738	6,531	9,885	7,370	7,188	7,849	3,800	8,501	11,254	9,477	17,324	10,599	28,346	61,937	90,043
Neighborhood Cluster																				
1	241	76	280	153	325	149	544	417	639	239	538	129	607	630	707	980	658	1,358	4,539	4,131
2	193	146	178	217	217	250	280	465	366	429	548	247	569	667	651	886	756	1,644	3,758	4,951
3	65	45	61	66	82	80	120	146	174	130	270	80	363	302	352	410	318	647	1,805	1,906
4	236	183	277	216	429	248	575	582	576	342	484	145	487	765	508	1,173	466	1,570	4,038	5,224
5	69	28	82	55	94	49	157	121	195	71	189	30	224	142	220	237	239	374	1,468	1,108
6	236	83	253	166	416	170	535	461	631	276	726	129	687	685	707	991	805	1,502	4,997	4,462
7	98	72	142	104	208	107	276	258	326	209	379	140	374	410	581	609	606	1,059	2,990	2,968
8	71	15	67	26	48	15	37	38	42	34	50	14	75	54	80	98	171	140	641	434
9	57	25	46	44	68	32	105	105	135	81	170	45	289	131	199	288	227	533	1,296	1,284
10	185	109	327	187	333	204	337	588	358	306	236	111	274	585	255	1,032	255	1,410	2,560	4,532
11	182	102	177	146	262	177	374	484	334	297	281	112	321	577	295	977	255	1,356	2,481	4,228
12	168	80	157	154	215	143	310	387	321	199	323	63	376	430	318	758	348	1,080	2,536	3,293
13	200	150	255	274	320	262	439	721	480	391	457	137	418	724	444	1,274	445	1,712	3,458	5,645
14	105	44	103	58	160	66	217	204	279	109	274	34	330	302	279	447	501	708	2,248	1,972
15	113	60	135	120	177	126	304	365	266	185	267	69	252	426	245	684	273	974	2,032	3,010
16	43	73	50	80	47	80	90	216	97	135	93	73	56	171	83	302	68	479	627	1,609
17	66	122	64	184	66	194	96	300	124	272	163	162	173	307	207	469	213	929	1,172	2,939
18	160	276	144	400	191	408	220	659	260	538	328	344	360	599	436	922	571	1,807	2,670	5,953
19	30	60	26	113	20	81	29	193	36	144	40	81	50	119	80	156	70	393	381	1,340
20	52	73	44	131	43	113	33	201	43	151	56	91	49	163	72	244	125	533	517	1,700
21	50	109	60	166	81	187	126	233	134	255	207	146	236	293	341	472	415	855	1,650	2,716
22	20	59	15	75	40	82	41	131	40	123	46	79	65	135	126	176	111	361	504	1,221
23	29	70	24	87	27	101	43	133	73	104	76	86	101	95	142	137	175	284	690	1,097
24	39	83	30	142	42	145	55	248	47	217	58	106	80	161	112	221	141	548	604	1,871
25	198	186	206	284	277	284	499	591	613	514	680	331	701	897	808	1,304	909	2,101	4,891	6,492
26	156	130	183	185	257	207	411	514	438	359	455	179	456	651	562	1,005	521	1,604	3,439	4,834
27	17	14	8	19	22	21	15	28	19	28	42	27	43	56	60	53	50	124	276	370
28	7	11	3	27	5	21	4	40	20	35	16	33	19	28	28	29	33	57	135	281
29	4	7	2	10	2	9	4	28	5	17	3	9	6	20	9	23	10	43	45	166
30	9	27	6	28	12	40	7	63	10	43	23	27	13	40	20	43	41	101	142	413
31	27	77	28	104	26	119	32	156	37	160	58	92	57	105	92	116	126	261	482	1,189
32	23	31	17	42	13	61	15	94	25	89	38	57	37	60	45	83	68	202	281	719
33	11	57	19	71	30	96	48	136	28	114	43	66	48	93	51	112	95	222	373	967
34	40	100	29	149	30	149	33	187	55	216	66	93	75	173	83	225	133	471	544	1,763
35	41	54	28	64	28	64	35	121	38	98	51	61	59	90	68	132	103	289	451	973
36	15	12	10	20	9	14	12	29	15	15	13	12	36	15	12	29	22	59	144	205
37	5	15	15	9	9	18	17	25	3	34	10	17	19	8	40	24	103	45	221	195
38	4	10	4	20	4	18	2	23	8	27	11	12	17	11	25	23	17	58	92	202
39	41	69	46	141	28	125	35	168	48	182	51	120	65	111	108	149	127	378	549	1,443
99	8	10	5	18	27	23	19	26	32	20	30	11	34	23	26	31	29	75	210	237

Source: Home Mortgage Disclosure Act data tabulated by the Urban Institute.

Table F14: Conventional Subprime Home Purchase and Refinance Mortgages by Neighborhood Cluster, 1995 - 2003
Washington, D.C.

SUBPRIME MORTGAGES																				
	1995		1996		1997		1998		1999		2000		2001		2002		2003		Total	
	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance	Pur- chase	Re- finance
District of Columbia	97	459	86	695	208	1,239	414	1,574	425	1,581	531	1,033	418	885	355	744	473	1,470	3,007	9,680
Neighborhood Cluster																				
1	2	2	1	3	1	10	1	11	7	11	16	11	12	19	6	14	10	15	56	96
2	5	21	5	41	17	77	49	111	31	120	42	85	48	65	34	47	36	92	267	659
3	2	14	2	5	5	16	15	19	16	28	19	26	17	24	14	18	19	33	109	183
4	10	41	4	21	12	37	9	11	11	17	17	10	22	33	8	14	11	37	104	221
5	2	3	-	2	-	1	1	3	2	4	3	5	5	2	4	1	2	5	20	26
6	4	4	2	7	3	9	3	9	4	13	17	11	18	13	11	17	7	21	68	104
7	2	5	2	13	5	16	11	33	20	45	18	30	10	28	18	25	16	38	102	233
8	1	4	-	2	-	5	1	3	3	1	1	2	3	2	2	3	3	6	14	28
9	-	2	2	4	5	8	4	12	3	7	3	9	6	10	4	13	6	20	33	85
10	-	3	-	7	7	3	2	13	3	13	9	9	8	18	7	12	9	22	45	100
11	2	3	2	2	4	3	5	5	4	2	14	8	7	12	9	12	2	23	49	70
12	0	1	1	1	1	4	2	10	3	9	11	3	9	16	3	11	3	13	34	69
13	2	8	5	7	7	8	13	17	13	14	18	8	13	15	5	29	7	23	83	129
14	1	-	1	-	2	1	1	5	4	1	7	2	14	4	6	2	3	6	39	21
15	1	-	-	3	1	1	2	7	3	5	6	4	5	10	5	12	6	15	28	56
16	2	8	1	6	1	16	5	26	10	25	8	19	1	12	4	14	5	25	37	151
17	2	23	4	33	3	64	8	71	11	84	20	59	7	51	11	48	19	83	85	516
18	11	60	6	95	20	156	32	197	37	175	40	139	28	100	22	87	40	179	236	1,188
19	2	12	-	16	2	37	7	59	2	44	3	23	5	18	2	14	6	36	29	259
20	2	16	2	26	1	33	6	55	5	35	1	33	2	26	3	21	18	46	40	291
21	3	34	11	48	17	87	51	104	36	96	39	55	27	49	33	47	30	92	247	612
22	2	21	1	22	4	39	3	46	7	45	4	38	7	30	7	17	17	39	52	297
23	-	20	2	21	10	40	20	70	30	41	25	27	20	22	16	25	23	52	146	318
24	-	22	-	45	4	60	14	80	12	84	12	45	11	34	11	27	17	60	81	457
25	17	26	14	40	26	102	57	110	44	144	56	93	39	80	30	68	48	124	331	787
26	7	7	5	27	13	38	16	46	14	58	33	27	27	33	19	38	8	61	142	335
27	1	2	1	4	2	8	2	7	6	3	3	11	4	9	6	3	3	12	28	59
28	1	2	-	11	-	14	3	27	9	15	6	16	2	6	-	3	2	13	23	107
29	-	3	-	3	-	6	2	11	1	6	-	4	-	5	2	5	3	3	8	46
30	-	7	-	9	5	19	3	22	5	22	10	11	-	8	4	7	7	18	33	123
31	2	11	2	32	6	68	15	74	10	75	13	40	6	24	7	16	14	36	76	376
32	1	5	1	12	-	29	4	38	11	39	10	24	2	11	4	6	10	26	43	190
33	1	16	2	22	6	56	12	59	6	49	7	28	1	22	7	12	9	35	51	299
34	2	20	2	36	2	57	8	48	20	84	7	37	11	31	8	12	17	52	77	377
35	-	11	-	17	5	26	5	33	6	34	6	19	8	9	-	9	13	22	43	180
36	-	1	-	5	-	5	1	12	1	5	3	2	2	4	2	4	5	7	14	45
37	-	4	-	3	4	7	15	11	1	14	4	5	2	1	2	4	6	10	34	59
38	-	1	1	8	-	10	-	14	3	16	2	3	1	1	1	2	3	4	11	59
39	6	15	4	32	5	60	6	81	11	94	14	51	6	26	16	25	10	62	78	446
99	1	1	-	4	2	3	-	4	-	4	4	1	2	2	2	-	-	4	11	23

Source: Home Mortgage Disclosure Act data tabulated by the Urban Institute.

Table F15: Owner-Occupied Home Purchase Mortgage Loans by Race/Ethnicity, 1995 - 2003
Washington, D.C.

	Number of Loans by Year									Total
	1995	1996	1997	1998	1999	2000	2001	2002	2003	
All Races	4,099	4,420	5,416	7,247	7,736	7,510	7,253	7,165	8,295	59,141
White	2,058	2,235	3,108	4,302	4,535	4,282	4,269	4,205	5,223	34,217
Black	1,651	1,667	1,775	2,215	2,368	2,490	2,227	2,060	2,016	18,469
Latino	189	249	204	226	299	300	279	330	354	2,430
Asian	67	83	78	131	150	153	179	210	276	1,327

Source: Home Mortgage Disclosure Act data tabulated by the Urban Institute.

Note: Excludes loans that did not identify the race/ethnicity of the borrower.

Table F16: Owner-Occupied Home Purchase Mortgage Loans by Income Group, 1995 - 2003
Washington, D.C.

	Number of Loans by Year									Total
	1995	1996	1997	1998	1999	2000	2001	2002	2003	
All Incomes	4,180	4,592	5,653	7,766	8,709	8,827	9,002	9,267	9,731	67,727
Low income	1,923	2,172	2,349	3,121	4,032	3,919	3,618	3,707	3,264	28,105
Moderate income	887	932	1,287	1,785	1,831	1,856	2,068	2,202	2,608	15,456
High income	1,370	1,488	2,017	2,860	2,846	3,052	3,316	3,358	3,859	24,166

Source: Home Mortgage Disclosure Act data tabulated by the Urban Institute.

Note: Low, moderate, and high income are HUD income categories.

Table F17: Conventional Subprime Home Purchase Loans by Race/Ethnicity, 1999 - 2003
Washington, D.C.

	1999	2000	2001	2002	2003	Total
Conventional purchase loans - all races	7,370	7,849	8,501	9,477	10,599	43,796
Subprime conv. purchase loans - all races	425	531	418	355	473	2,202
Percent subprime purchase loans - all races	5.8%	6.8%	4.9%	3.7%	4.5%	5.0%
Conventional purchase loans - whites	4,441	4,409	4,484	4,497	5,586	23,417
Subprime conv. purchase loans - whites	83	185	156	118	97	639
Percent subprime purchase loans - whites	1.9%	4.2%	3.5%	2.6%	1.7%	2.7%
Conventional purchase loans - blacks	1,227	1,397	1,427	1,566	1,931	7,548
Subprime conv. purchase loans - blacks	209	231	162	158	216	976
Percent subprime purchase loans - blacks	17.0%	16.5%	11.4%	10.1%	11.2%	12.9%
Conventional purchase loans - Latinos	200	227	224	301	362	1,314
Subprime conv. purchase loans - Latinos	12	18	17	13	35	95
Percent subprime purchase loans - Latinos	6.0%	7.9%	7.6%	4.3%	9.7%	7.2%
Conventional purchase loans - Asians	154	160	189	222	315	1,040
Subprime conv. purchase loans - Asians	7	6	13	6	15	47
Percent subprime purchase loans - Asians	4.5%	3.8%	6.9%	2.7%	4.8%	4.5%

Source: Home Mortgage Disclosure Act data tabulated by the Urban Institute.

Note: Excludes loans that did not identify the race/ethnicity of the borrower.

Table F18: Conventional Subprime Refinance Loans by Race/Ethnicity, 1999 - 2003
Washington, D.C.

	1999	2000	2001	2002	2003	Total
Conventional refinance loans - all races	7,188	3,800	11,254	17,324	28,346	67,912
Subprime conv. refinance loans - all races	1,581	1,033	885	744	1,470	5,713
Percent subprime refinance loans - all races	22%	27%	8%	4%	5%	8%
Conventional refinance loans - whites	2,633	1,121	5,400	8,212	13,305	30,671
Subprime conv. refinance loans - whites	117	104	164	174	279	838
Percent subprime refinance loans - whites	4%	9%	3%	2%	2%	3%
Conventional refinance loans - blacks	2,689	1,599	2,380	3,422	7,221	17,311
Subprime conv. refinance loans - blacks	1,008	625	457	408	834	3,332
Percent subprime refinance loans - blacks	37%	39%	19%	12%	12%	19%
Conventional refinance loans - Latinos	132	77	237	364	785	1,595
Subprime conv. refinance loans - Latinos	21	21	21	29	49	141
Percent subprime refinance loans - Latinos	16%	27%	9%	8%	6%	9%
Conventional refinance loans - Asians	73	39	124	235	434	905
Subprime conv. refinance loans - Asians	9	5	7	6	12	39
Percent subprime refinance loans - Asians	12%	13%	6%	3%	3%	4%

Source: Home Mortgage Disclosure Act data tabulated by the Urban Institute.

Note: Excludes loans that did not identify the race/ethnicity of the borrower.

Table F19: Denials of Conventional Home Purchase Loans by Neighborhood Cluster, 1995 - 2003
Washington, D.C.

	1995			1996			1997			1998			1999			2000			2001			2002			2003			Total		
	Apps.	Denials	Pct. Denied	Apps.	Denials	Pct. Denied	Apps.	Denials	Pct. Denied	Apps.	Denials	Pct. Denied	Apps.	Denials	Pct. Denied	Apps.	Denials	Pct. Denied	Apps.	Denials	Pct. Denied	Apps.	Denials	Pct. Denied	Apps.	Denials	Pct. Denied	Apps.	Denials	Pct. Denied
District of Columbia	4,124	632	15%	4,503	689	15%	5,845	828	14%	8,016	981	12%	9,332	1,329	14%	10,231	1,633	16%	10,312	1,065	10%	11,226	1,006	9%	12,839	1,319	10%	76,428	9,482	12%
Neighborhood Cluster																														
1	277	27	10%	315	27	9%	382	41	11%	599	33	6%	725	42	6%	625	46	7%	692	47	7%	788	37	5%	736	38	5%	5,139	338	7%
2	246	40	16%	250	57	23%	294	56	19%	372	65	17%	481	79	16%	755	149	20%	711	91	13%	764	70	9%	916	93	10%	4,789	700	15%
3	83	15	18%	86	22	26%	101	16	16%	157	24	15%	230	41	18%	355	68	19%	436	43	10%	424	39	9%	380	33	9%	2,252	301	13%
4	288	44	15%	322	31	10%	499	40	8%	631	38	6%	652	44	7%	584	57	10%	551	32	6%	561	26	5%	534	36	7%	4,622	348	8%
5	78	7	9%	100	14	14%	112	13	12%	187	21	11%	234	23	10%	218	18	8%	264	20	7%	264	32	12%	279	17	6%	1,735	166	10%
6	280	36	13%	296	38	13%	477	49	10%	602	42	7%	724	56	8%	827	60	7%	764	44	6%	783	37	5%	887	37	4%	5,641	398	7%
7	129	26	20%	178	27	15%	275	51	19%	344	53	15%	431	67	16%	465	53	11%	463	50	11%	669	46	7%	732	77	11%	3,686	450	12%
8	84	8	10%	88	19	22%	70	15	21%	57	16	28%	61	17	28%	74	13	18%	88	7	8%	104	12	12%	203	22	11%	829	129	16%
9	73	14	19%	58	7	12%	100	25	25%	129	17	13%	172	24	14%	225	34	15%	333	13	4%	228	14	6%	268	17	6%	1,586	165	10%
10	206	10	5%	349	17	5%	369	25	7%	370	21	6%	378	9	2%	249	4	2%	297	9	3%	282	13	5%	291	15	5%	2,791	123	4%
11	196	10	5%	198	11	6%	279	7	3%	405	17	4%	360	13	4%	316	12	4%	343	10	3%	326	7	2%	272	5	2%	2,695	92	3%
12	185	11	6%	169	9	5%	235	11	5%	341	16	5%	361	16	4%	354	19	5%	396	7	2%	344	7	2%	390	14	4%	2,775	111	4%
13	224	15	7%	296	25	8%	360	26	7%	482	24	5%	551	29	5%	521	37	7%	461	19	4%	487	16	3%	490	29	6%	3,872	220	6%
14	111	4	4%	120	13	11%	174	10	6%	230	7	3%	318	19	6%	297	12	4%	365	15	4%	313	18	6%	546	22	4%	2,474	120	5%
15	126	8	6%	142	4	3%	191	10	5%	328	10	3%	307	21	7%	308	27	9%	278	12	4%	259	2	1%	291	10	3%	2,230	103	5%
16	60	12	20%	61	8	13%	65	9	14%	101	9	9%	118	16	14%	120	16	13%	66	6	9%	97	10	10%	81	8	10%	769	94	12%
17	90	16	18%	92	21	23%	83	12	14%	129	21	16%	150	19	13%	225	46	20%	215	24	11%	252	30	12%	278	43	15%	1,514	232	15%
18	223	52	23%	203	43	21%	279	56	20%	330	70	21%	390	92	24%	498	127	26%	472	72	15%	557	78	14%	762	123	16%	3,714	713	19%
19	43	12	28%	37	9	24%	32	11	34%	45	12	27%	52	14	27%	61	16	26%	67	12	18%	96	6	6%	104	19	18%	537	111	21%
20	65	12	18%	61	12	20%	61	13	21%	51	12	24%	68	17	25%	68	6	9%	64	10	16%	90	11	12%	153	16	10%	681	109	16%
21	81	25	31%	87	22	25%	133	47	35%	219	62	28%	262	103	39%	366	118	32%	333	58	17%	430	54	13%	560	88	16%	2,471	577	23%
22	27	7	26%	26	10	38%	62	15	24%	60	12	20%	72	20	28%	84	28	33%	92	19	21%	156	23	15%	142	13	9%	721	147	20%
23	46	16	35%	51	23	45%	53	18	34%	92	33	36%	148	63	43%	200	94	47%	185	61	33%	216	57	26%	281	73	26%	1,272	438	34%
24	55	13	24%	40	5	13%	66	22	33%	85	14	16%	81	25	31%	112	42	38%	116	22	19%	140	19	14%	175	26	15%	870	188	22%
25	258	50	19%	295	71	24%	373	68	18%	647	92	14%	811	147	18%	891	142	16%	867	91	10%	992	104	10%	1,105	114	10%	6,239	879	14%
26	198	33	17%	219	24	11%	319	43	13%	472	45	10%	513	52	10%	533	44	8%	526	38	7%	626	33	5%	604	48	8%	4,010	360	9%
27	30	10	33%	14	4	29%	28	4	14%	24	8	33%	33	9	27%	65	14	22%	61	11	18%	69	6	9%	59	8	14%	383	74	19%
28	13	6	46%	7	4	57%	10	5	50%	15	3	20%	47	23	49%	57	31	54%	38	12	32%	43	10	23%	57	19	33%	287	113	39%
29	7	3	43%	2	0	0%	3	1	33%	7	2	29%	8	3	38%	6	3	50%	8	2	25%	12	2	17%	16	1	6%	69	17	25%
30	12	2	16%	15	8	56%	20	5	25%	16	7	47%	20	6	29%	37	7	20%	21	7	32%	29	4	13%	56	10	18%	225	56	25%
31	48	16	34%	53	20	37%	52	18	35%	74	27	36%	80	33	42%	141	69	48%	104	34	33%	138	30	22%	182	32	18%	873	279	32%
32	33	7	21%	26	7	27%	18	3	17%	31	11	35%	51	21	41%	65	21	32%	59	11	19%	63	15	24%	109	29	27%	455	125	27%
33	20	7	35%	32	9	28%	51	15	29%	72	20	28%	63	23	37%	83	29	35%	83	25	30%	83	17	20%	138	30	22%	625	175	28%
34	59	13	22%	45	16	36%	45	12	27%	68	23	34%	103	32	31%	109	31	28%	115	31	27%	128	29	23%	194	44	23%	866	231	27%
35	59	16	27%	40	11	28%	42	12	29%	62	22	35%	56	14	25%	91	33	36%	96	24	25%	90	11	12%	141	26	18%	677	169	25%
36	16	1	6%	20	7	35%	24	15	63%	19	3	16%	24	8	33%	30	13	43%	46	7	15%	22	4	18%	34	6	18%	235	64	27%
37	6	1	17%	23	7	30%	17	4	24%	43	23	53%	15	9	60%	30	18	60%	36	10	28%	65	23	35%	129	20	16%	364	115	32%
38	6	0	0%	8	3	38%	7	2	29%	9	4	44%	11	1	9%	19	8	42%	25	6	24%	37	9	24%	24	3	13%	146	36	25%
39	68	22	32%	72	22	31%	50	17	34%	76	33	43%	126	71	56%	115	51	44%	124	40	32%	164	38	23%	205	49	24%	1,000	343	34%
99	15	5	33%	7	2	29%	34	6	18%	35	9	26%	45	8	18%	52	17	33%	51	13	25%	35	7	20%	35	6	17%	309	73	24%

Source: Home Mortgage Disclosure Act data tabulated by the Urban Institute.

Table F20: Denials of Conventional Home Purchase Loans by Race/Ethnicity, 1999 - 2003
Washington, D.C.

	1999	2000	2001	2002	2003	Total
All Races						
Loan Applicants	9,332	10,231	10,312	11,226	12,839	53,940
Loans Denied	1,329	1,633	1,065	1,006	1,319	6,352
Loan Denial Rate	14.2%	16.0%	10.3%	9.0%	10.3%	11.8%
Whites						
Loan Applicants	5,035	5,027	4,989	4,992	6,216	26,259
Loans Denied	323	365	251	256	318	1,513
Loan Denial Rate	6.4%	7.3%	5.0%	5.1%	5.1%	5.8%
Blacks						
Loan Applicants	2,030	2,405	2,127	2,216	2,815	11,593
Loans Denied	599	781	475	442	577	2,874
Loan Denial Rate	29.5%	32.5%	22.3%	19.9%	20.5%	24.8%
Latino						
Loan Applicants	253	323	274	368	471	1,689
Loans Denied	43	67	31	40	79	260
Loan Denial Rate	17.0%	20.7%	11.3%	10.9%	16.8%	15.4%
Asian						
Loan Applicants	192	196	215	251	386	1,240
Loans Denied	19	25	15	16	42	117
Loan Denial Rate	9.9%	12.8%	7.0%	6.4%	10.9%	9.4%

Source: Home Mortgage Disclosure Act data tabulated by the Urban Institute.

Note: Excludes loans that did not identify the race/ethnicity of the borrower.

Table F21: Denials of Conventional Home Purchase Loans by Income, 1999 - 2003
Washington, D.C.

	1999	2000	2001	2002	2003	Total
All Income Groups						
Loan Applicants	9,332	10,231	10,312	11,226	12,839	53,940
Loans Denied	1,329	1,633	1,065	1,006	1,319	6,352
Loan Denial Rate	14.2%	16.0%	10.3%	9.0%	10.3%	11.8%
Low Income						
Loan Applicants	3,566	3,775	3,239	3,705	3,700	17,985
Loans Denied	734	852	477	461	473	2,997
Loan Denial Rate	20.6%	22.6%	14.7%	12.4%	12.8%	16.7%
Moderate Income						
Loan Applicants	2,029	2,234	2,439	2,696	3,303	12,701
Loans Denied	237	314	237	224	328	1,340
Loan Denial Rate	11.7%	14.1%	9.7%	8.3%	9.9%	10.6%
High Income						
Loan Applicants	3,505	3,956	4,262	4,342	5,325	21,390
Loans Denied	263	357	275	236	428	1,559
Loan Denial Rate	7.5%	9.0%	6.5%	5.4%	8.0%	7.3%

Source: Home Mortgage Disclosure Act data tabulated by the Urban Institute.

Note: Low, moderate, and high income are HUD income categories.

Table F22: Denials of Conventional Home Purchase Loans by Race/Ethnicity and Income, 1999 - 2003
Washington, D.C.

	1999	2000	2001	2002	2003	Total
All Races						
Loan Applicants	9,332	10,231	10,312	11,226	12,839	53,940
Loans Denied	1,329	1,633	1,065	1,006	1,319	6,352
Loan Denial Rate	14.2%	16.0%	10.3%	9.0%	10.3%	11.8%
Whites						
<i>All Incomes</i>						
Loan Applicants	5,035	5,027	4,989	4,992	6,216	26,259
Loans Denied	323	365	251	256	318	1,513
Loan Denial Rate	6.4%	7.3%	5.0%	5.1%	5.1%	5.8%
<i>Low Income</i>						
Loan Applicants	1,482	1,323	1,168	1,260	1,412	6,645
Loans Denied	136	108	72	69	80	465
Loan Denial Rate	9.2%	8.2%	6.2%	5.5%	5.7%	7.0%
<i>Moderate Income</i>						
Loan Applicants	1,157	1,109	1,156	1,236	1,629	6,287
Loans Denied	61	70	53	69	78	331
Loan Denial Rate	5.3%	6.3%	4.6%	5.6%	4.8%	5.3%
<i>High Income</i>						
Loan Applicants	2,329	2,495	2,548	2,323	3,035	12,730
Loans Denied	112	152	110	98	142	614
Loan Denial Rate	4.8%	6.1%	4.3%	4.2%	4.7%	4.8%
Blacks						
<i>All Incomes</i>						
Loan Applicants	2,030	2,405	2,127	2,216	2,815	11,593
Loans Denied	599	781	475	442	577	2,874
Loan Denial Rate	29.5%	32.5%	22.3%	19.9%	20.5%	24.8%
<i>Low Income</i>						
Loan Applicants	1,239	1,438	1,127	1,202	1,258	6,264
Loans Denied	377	483	269	269	260	1,658
Loan Denial Rate	30.4%	33.6%	23.9%	22.4%	20.7%	26.5%
<i>Moderate Income</i>						
Loan Applicants	373	500	493	498	730	2,594
Loans Denied	109	158	111	89	146	613
Loan Denial Rate	29.2%	31.6%	22.5%	17.9%	20.0%	23.6%
<i>High Income</i>						
Loan Applicants	338	392	400	384	675	2,189
Loans Denied	69	100	66	51	145	431
Loan Denial Rate	20.4%	25.5%	16.5%	13.3%	21.5%	19.7%

Table F22: Denials of Conventional Home Purchase Loans by Race/Ethnicity and Income, 1999 - 2003 (continued)
Washington, D.C.

	1999	2000	2001	2002	2003	Total
Latino						
<i>All Incomes</i>						
Loan Applicants	253	323	274	368	471	1,689
Loans Denied	43	67	31	40	79	260
Loan Denial Rate	17.0%	20.7%	11.3%	10.9%	16.8%	15.4%
<i>Low Income</i>						
Loan Applicants	162	159	127	196	194	838
Loans Denied	34	36	13	25	36	144
Loan Denial Rate	21.0%	22.6%	10.2%	12.8%	18.6%	17.2%
<i>Moderate Income</i>						
Loan Applicants	40	67	58	59	114	338
Loans Denied	2	13	8	5	19	47
Loan Denial Rate	5.0%	19.4%	13.8%	8.5%	16.7%	13.9%
<i>High Income</i>						
Loan Applicants	45	77	66	84	132	404
Loans Denied	6	10	7	6	17	46
Loan Denial Rate	13.3%	13.0%	10.6%	7.1%	12.9%	11.4%
Asian						
<i>All Incomes</i>						
Loan Applicants	192	196	215	251	386	1,240
Loans Denied	19	25	15	16	42	117
Loan Denial Rate	9.9%	12.8%	7.0%	6.4%	10.9%	9.4%
<i>Low Income</i>						
Loan Applicants	80	84	79	111	99	453
Loans Denied	6	11	6	11	7	41
Loan Denial Rate	7.5%	13.1%	7.6%	9.9%	7.1%	9.1%
<i>Moderate Income</i>						
Loan Applicants	44	43	53	62	114	316
Loans Denied	6	6	4	2	7	25
Loan Denial Rate	13.6%	14.0%	7.5%	3.2%	6.1%	7.9%
<i>High Income</i>						
Loan Applicants	63	67	72	66	161	429
Loans Denied	7	7	3	1	22	40
Loan Denial Rate	11.1%	10.4%	4.2%	1.5%	13.7%	9.3%

Source: Home Mortgage Disclosure Act data tabulated by the Urban Institute.

Note: Low, moderate, and high income are HUD income categories. Excludes loans that did not identify the race/ethnicity of the borrower.

Table F23: Federally-Subsidized Housing Units by Neighborhood Cluster, 2000
Washington, D.C.

	TOTAL Occupied Public & Subsidized Units	Occupied Public Housing Units	Housing Choice Vouchers	Section 8 Project Units
District of Columbia	18,954	7,807	4,711	6,436
Neighborhood Cluster				
1	117	0	56	61
2	1,971	602	368	1,001
3	303	161	102	40
4	17	0	1	16
5	3	0	2	1
6	17	0	17	0
7	1,145	434	100	611
8	926	255	27	644
9	1,063	953	48	62
10	157	155	2	0
11	41	0	2	39
12	3	0	3	0
13	0	0	0	0
14	0	0	0	0
15	2	0	2	0
16	2	0	2	0
17	106	0	106	0
18	320	0	281	39
19	87	0	87	0
20	39	0	39	0
21	643	140	338	165
22	212	14	84	114
23	610	275	157	178
24	616	111	76	429
25	612	181	283	148
26	76	0	76	0
27	1,015	985	30	0
28	238	0	66	172
29	610	557	53	0
30	706	39	150	517
31	734	562	111	61
32	794	259	349	186
33	1,249	903	150	196
34	153	0	153	0
35	138	20	118	0
36	575	139	198	238
37	1,146	472	149	525
38	839	282	149	408
39	1,659	308	766	585
99	10	0	10	0

Source: Tabulations by the Department of Housing and Urban Development (2000)

Table F24: Building Permits by Neighborhood Cluster, 1999 - 2004
Washington, D.C.

	1999		2000		2001		2002		2003		2004		Total	
	Permits	Units	Permits	Units	Permits	Units	Permits	Units	Permits	Units	Permits	Units	Permits	Units
District of Columbia	538	1,084	206	921	160	1,072	423	1,744	184	1,684	276	1,621	1,787	8,126
Neighborhood Cluster														
1	1	20	-	-	-	-	1	6	3	70	2	69	7	165
2	-	-	-	-	1	6	2	26	6	12	6	152	15	196
3	2	159	14	19	8	23	11	203	4	157	7	193	46	754
4	16	16	2	2	3	14	3	2	2	2	5	5	31	41
5	-	-	1	28	2	86	-	-	1	-	2	342	6	456
6	-	-	2	87	1	4	1	144	2	2	2	293	8	530
7	4	186	4	134	7	292	4	192	11	325	15	299	45	1,428
8	-	-	1	49	2	-	3	728	6	586	1	30	13	1,393
9	-	-	92	92	8	8	12	11	-	-	-	-	112	111
10	1	1	3	3	1	1	4	4	3	3	-	-	12	12
11	5	5	5	5	3	3	8	8	4	3	2	1	27	25
12	8	7	6	173	2	320	4	4	1	1	2	2	23	507
13	37	37	18	18	16	16	15	14	8	8	15	15	109	108
14	2	2	2	2	14	14	-	-	-	-	2	2	20	20
15	3	3	1	211	2	2	3	3	8	8	6	49	23	276
16	3	3	3	3	-	-	-	-	1	1	-	-	7	7
17	-	-	2	44	1	1	1	1	2	50	1	1	7	97
18	-	-	2	2	-	-	1	1	1	-	2	1	6	4
19	1	1	-	-	-	-	-	-	2	70	-	-	3	71
20	1	1	-	-	-	-	-	-	1	1	-	-	2	2
21	5	5	-	-	-	-	1	1	6	12	1	2	13	20
22	18	24	1	1	-	-	1	1	1	1	1	1	22	28
23	-	-	-	-	1	1	-	-	1	-	2	2	4	3
24	-	-	2	2	-	-	-	-	1	1	4	4	7	7
25	6	6	14	15	5	7	7	10	-	-	1	1	33	39
26	2	4	-	-	7	35	52	53	22	43	5	10	88	145
27	-	-	1	1	1	-	5	4	-	-	1	2	8	7
28	4	4	-	-	-	-	-	-	-	-	-	-	4	4
30	-	-	1	1	1	1	-	-	2	2	1	1	5	5
31	8	8	5	5	3	3	7	7	35	185	13	12	71	220
32	38	38	5	5	-	-	109	109	-	-	-	-	152	152
33	1	1	2	2	1	1	4	4	5	6	10	10	23	24
34	1	1	1	1	12	176	-	-	1	1	2	2	17	181
35	-	-	1	1	-	-	1	1	-	-	6	6	8	8
36	46	46	-	-	-	-	-	-	-	-	1	1	47	47
37	18	73	-	-	7	7	15	15	1	1	15	-	56	96
38	116	118	15	15	46	46	117	117	12	12	110	110	416	418
39	191	315	-	-	5	5	31	75	31	121	32	3	290	519
99	-	-	-	-	-	-	-	-	-	-	1	-	1	-

Source: D.C. Office of Planning data tabulated by the Urban Institute.

Note: There were 52 building permits omitted from this table due to insufficient geographical information.