

**Oral Testimony from Ginny Hamilton, Executive Director of the  
Fair Housing Center of Greater Boston  
For the National Commission on Fair Housing and Equal Opportunity  
September 22, 2008**

Good afternoon. Mr. Cisneros and Members of the Commission, thank you for this opportunity to discuss the challenges and opportunities to address residential segregation and its causes.

My name is Ginny Hamilton, and I am the Executive Director of the Fair Housing Center of Greater Boston. Founded in 1998, the Fair Housing Center works to eliminate housing discrimination and promote open communities throughout the greater Boston region.

Sadly, our testing shows that African American and Latino residents still experience discrimination in roughly half of their attempts to rent, purchase, or finance homes in greater Boston. Half the time, race and national origin discrimination still happens. We also find discrimination rampant against families with children, people with disabilities and people with housing subsidies. I am pleased that a full panel this afternoon will focus on the issues of source of income discrimination.

To address these stark realities, we pursue our mission through six program areas:

- a. **Case Advocacy** – we help individuals file complaints when they have experienced discrimination
- b. **Testing** – we send people out in matched pairs to seek housing to determine if discrimination is happening in the market place
- c. **Education and Outreach** - we guide local advocates in activities designed to make all of our communities welcoming places to live.
- d. **Training** – we educate home seekers and housing providers about their rights and responsibilities under the law
- e. **Policy Advocacy** – we collaborate with other community organizations to ensure that laws and policies promote housing access and
- f. We conduct **research** into the nature, extent, and effects of housing discrimination in the region.

We cover the 5 counties of Plymouth, Essex, Norfolk, Suffolk and Middlesex – 147 cities and towns in eastern Massachusetts with a staff of 6 and a budget of roughly \$600,000.

Approximately half of our funding comes through the Department of Housing and Urban Development's Fair Housing Initiatives (FHIP) program and the remainder we raise through a combination of foundation and corporate grants, fee-for-service contracts, and individual donations.

We are an active member of the National Fair Housing Alliance, the Massachusetts Community and Banking Council, and the Massachusetts Smart Growth Alliance.

I am pleased to be preceded today by our Board Co-chair Dolores Acavedo-Garcia and our founding Director, David Harris. David has already told you about our organization's first lawsuit, challenging the distribution of community benefits in the Seaport District. Erin has just detailed the scope of fair housing enforcement and case advocacy work conducted by centers like

hers and ours. I refer you to the written testimony of Nadine Cohen, a veteran fair housing attorney and founding president of the Fair Housing Center's Board, for details on the history of fair housing enforcement in our region. Therefore, I will not go into further detail on our legal work, but instead use my time to discuss our efforts at policy advocacy and civic engagement instead.

Because even if we were to eliminate every instance of discrimination tomorrow, racial segregation would remain a confounding problem in greater Boston. Even if we eliminated every individual act of discrimination like advertisements that say No Section 8, we still have policies in place that violate the law and limit housing choices.

For instance, Massachusetts spends millions of dollars annually on affordable housing. However, before our efforts to pass An Act Relative to Data Collection in Affordable Housing, no data existed on the exact number of housing units being funded or the individuals living in them. Little or no data was available regarding housing's accessibility for persons with disabilities; the total number of people living in affordable housing units; the income level of these households; the race and ethnicity of the heads of the households; or the number of people living in each unit. As a result, the Commonwealth had no way to measure whether these programs were meeting their obligation to affirmatively further fair housing.

The Data Collection for Affordable Housing Law passed the Massachusetts legislature and was signed into law October 2006. The law is being implemented by the Patrick Administration, and Undersecretary Brooks and her staff have shown their commitment to use this data to provide evidence of what is working and what needs improvement in existing programs. And as of July, Federal legislation now mirrors this data collection requirement for Low Income Housing Tax Credit properties nationwide.

The question comes, what will this and future Administrations DO with this data? Racial demographic data must be used to judge the impact of programs. Data should drive future funding allocations and compel modifications, if needed, to the state's existing programs, including weighing proposals based on their fair housing impact.

Just as developments are required to undergo an environmental impact review before being approved, government funders should require a Fair Housing Impact Review to identify and mitigate any negative impact on protected classes identified by federal and state fair housing laws. A Fair Housing Impact Review would promote housing developments that are open to a wider variety of residents, including racial diversity, people with disabilities, families with children, and Section 8 holders.

Such a practical implementation of existing fair housing laws is exactly the type of effort we have seen from the Patrick Administration to enforce fair housing laws through tools such as zoning regulations and affirmative marketing requirements.

In just one example, earlier this month, Undersecretary Brooks announced DHCD's gateway cities revitalization project. The proposal includes specific civic engagement and fair housing requirements. Through this, state government is helping to ensure that the residents of our smaller cities, currently the home of the vast majority of Massachusetts' immigrant population and residents of color, have direct input in improving their neighborhoods. In this way, neighborhood development projects can be tools for opportunity, allowing all residents to benefit from the growth, rather than tools for gentrification and displacement.]]

Other policy and programmatic options already exist that can help increase housing choice, especially for people most in need of assistance:

- 1 for one replacement requirements that deconcentrate poverty without gutting the supply of affordable housing
- project based subsidies deep enough to allow very low income residents to remain in their housing once their neighborhoods become vital, desirable places to live
- inclusionary zoning bonuses that require on site mixed income development rather than shunting affordable units to other neighborhoods

Such efforts must be coupled with explicit and enforced fair housing mandates. Otherwise, gains in affordability will continue to perpetuate racial segregation.

In another example, the Fair Housing Center participated in a multi-year Fair Lending Task Force initiated by the MA Division of Banks. The Division is now working to implement regulations for the state's Community Reinvestment Act requirements for mortgage companies. We are pleased that requirements for fair lending training, compliance, and monitoring are part of the regulations, yet expect that increased funding for this monitoring will be necessary for these regulations to have teeth.

Our Governor has stated his commitment to view state policy through a civil rights lens. In our comments to the Patrick Transition team nearly two years ago, the Fair Housing Center recommended the Governor create an Office of Civil Rights charged to ensure that state resources are used to break down residential segregation and promote equitable development and to assess the civil rights impact of state policies and state funded programs in a proactive and preventive manner.

At our 10<sup>th</sup> Anniversary celebration in May, Governor Patrick announced the appointment of the first in the nation Undersecretary for Access and Opportunity, Ron Marlow. Undersecretary Marlow's mandate is in part to identify existing state programs, activities or policies that may unintentionally limit individual efforts to advance economically, and make recommendations to remove barriers that may exist. The efforts of Undersecretary Brooks and her staff can and should serve as examples for other departments.

Undersecretary Marlow begins his statewide hearings and listening tour later this week. I believe that he will hear not only about the problems facing the Commonwealth, but also the commitment of our residents to address these problems.

A founding principle of the Fair Housing Center is that every community contains people of good will, local residents who welcome racial, ethnic, and economic diversity and are willing to stand up in support of these beliefs. We therefore work to identify such supporters and give them information, tools, and action opportunities to affect the climate and policies in the town where they live and the Commonwealth as a whole.

One current effort is called Race & Place. Race and Place is a 4-session dialogue series using the PBS film “RACE - the Power of an Illusion.” The three-episode documentary traces the historic creation of race as a social construct. Scholars from various backgrounds – anthropology, biology, history, genetics, and law – deconstruct the concept of separate biological races, then build historic context for racial division through government, social and cultural institutions, giving different groups vastly unequal life chances. David Harris described this video to you in his testimony. I encourage those of you who have not seen it to do so. Even for people deeply versed in fair housing and civil rights history, the documentary presents new and compelling information.

The Race and Place project adds a fourth session discussing local history designed to help a group of people understand and discuss how issues of race and housing affect their community. A key outcome of Race and Place will be increased awareness on the part of community leaders and members about the historic relationship between race, place, and current economic prosperity. In addition, the fourth session focuses on what the community can do now to address this issue, engaging them in interpersonal actions and policy advocacy. One of the local organizers for this effort, Terri Ragot from Groton, MA, a small town near the city of Lowell, will be speaking later this afternoon about their efforts.

Congressman Barney Frank defines government as the things we choose to do together. And to me, fair housing is ultimately about having equal choice – all people should be able to choose between resourced urban neighborhoods, open suburban ones, or stable rural living, without discrimination, affordability, or fear limiting this choice.

Thank you for your leadership and the opportunity to speak to you today.