

Testimony by Daniel Bustamante
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Welcome to Houston, Texas. My name is Daniel Bustamante, Executive Director of the Greater Houston Fair Housing Center. We are the largest city in the South and one of America's fastest growing cities (www.census.gov). Housing discrimination is alive and well in our city. Growth and prosperity has come at a price to the thousands of people that are denied housing on a daily basis in Houston because of discrimination.

Families with children and individuals are told that housing is not available when in reality it is, simply because of the color of their skin or the language that they speak. Some of these families are single mothers working multiple jobs to make ends meet and many of those discriminated against are disabled individuals who are denied basic fair housing rights to reasonable accommodations and modifications.

The American Dream of owning a home is fast becoming only a dream to many families. Many families have lost or are losing their homes because of the current mortgage crisis. In Houston, Whites got 300% to 400% more conventional and refinance loans than minorities received (www.ffiec.gov/hmda). Bad lending products and higher interest rates were more often received by minorities. One of the reasons for the predatory lending crisis today is the lack of fair housing practices. These predatory lending practices still continue today, particularly in minority and limited English speaking communities.

The public and particularly elected officials are not usually aware of the fair housing laws in our country. This is a very serious problem in protecting people's rights. The importance and requirements of the federal Fair Housing Act is lost among the red tape of jurisdiction's federal budgets. For the most part, only lip service is paid to the enforcement of civil rights when it comes to housing in jurisdictions in our region.

The federal fair housing law needs to be aggressively applied to owners, managers, and developers that are perpetuating housing discrimination. This can not happen until government jurisdictions that receive federal funds do their part in protecting the rights of all people in their homes.

The tragedy of Hurricane Katrina was overwhelming for those who went through it. The continuing tragedy is that today, in 2008, many of the victims of Katrina suffer from housing discrimination in their adopted communities.

Houston is not far removed from the old days of segregated housing and racially restricted covenants. Attitudes of racial prejudice continue to manifest themselves in the provision of housing in our region. When Black Katrina evacuees moved to Texas and

Houston after the hurricane, one of the most serious obstacles faced was the vestige of historic racial discrimination.

In 2005, a survey found that 2 out of 3 apartment complexes in Houston discriminated against black Hurricane Katrina evacuees. The National Fair Housing Alliance had callers pose as hurricane victims seeking information at mid-priced apartment complexes in Houston (www.chron.com).

In most communities, Katrina evacuees usually found housing in areas with inferior mobility when they had no cars. The lack of access to essential services such as schools, job training, child care, and counseling only compounded the crisis. The increase of over 100,000 in population from Katrina added tremendous demands on the social service system in the city (www.chron.com).

Houston is a renter city where the majority of people rent their housing. Many times the only available housing to Katrina evacuees was the same substandard and unsafe housing that most minority poor Houstonians are forced to live in. The resulting cultural clashes between locals and Katrina evacuees exacerbated the community's problems in schools, with police, as well as housing.

Many Black Katrina families were told nothing was available in predominately white communities in and around our city when they sought housing. Some of the denials of housing were made to families with children and to disabled individuals. The discrimination was usually subtle, but its effect was just as devastating on the people that were looking for an affordable, safe, clean place to live.

Housing discrimination against Black Katrina evacuees has added to the well documented racial and national origin discrimination levels in the city. Studies have consistently shown that Blacks are discriminated against at significant levels when they seek to rent or buy a home (www.huduser.org/publications/hsgfin/hds.html). Historical racial discrimination continues in a modern less intrusive manner in our city. Our agency conducted a Rental Audit of Houston in 2001 that found that 85% of families with children, 80% of African Americans, and 65% of Hispanics were treated differently when they sought to rent (www.nationalfairhousing.org).

The abuse of limited English speaking Latino immigrant communities is widespread in the rental and sale of housing. The immigrant Hispanic community is the fastest growing population in Houston (www.census.gov). Abuse is manifested in many ways, such as contracts with exorbitant interest rates on mobile home sales, and the charging of rent based on the number of people in a unit. Recently many apartment complexes have been requiring Spanish speaking applicants to provide additional written information, more than normally asked of "Americans", in a divisive and potentially discriminatory practice.

The lack of zoning and other local development tools has made the need for fair housing laws even more critical in our city. Houston neighborhoods have recently attacked the placement of group homes and facilities for some of the 10,000 plus homeless because of

their potential negative impact. When white affluent communities complained about a high rise development infringing on their homes, the local government responded immediately to find solutions. When a minority low income apartment complex complains about poor conditions and safety, the property could face closure forcing residents to find new housing (www.chron.com).

The City of Houston's current crisis with substandard and unsafe housing occurs primarily in low-income Black, Latino, and Asian housing complexes. Houston is a minority majority city. In 2006, it was 42% Hispanic, 25% Black and 5% Asian (www.census.gov). The shortage of affordable quality housing rental units leaves little alternatives for working people. It is no coincidence that the residents of these properties are Black, Latino, and Asian.

Fair housing laws prohibit property owners from discriminating in the terms and conditions of the provision of housing. Property owner could potentially be discriminating by providing unsafe and unsanitary conditions to protected classes. Fair housing enforcement could insure that housing discrimination is not occurring in these deplorable properties by ruthless owners that at the same time are providing clean and safe properties somewhere else. Poor people deserve a decent place to live just like anyone else.

The Federal Fair Housing Act and the substantially equivalent Texas Fair Housing Act are the laws that apply. No local jurisdiction has passed a substantially equivalent fair housing ordinance. The City of Houston passed its first ever Analysis of Impediments to Fair Housing in 2005. Among its recommendations were that the city should pass a substantially equivalent fair housing ordinance and that it fund fair housing enforcement efforts (www.houstontx.gov/housing/index.html). The city initiated the process of passing a substantially equivalent fair housing ordinance but has not followed through on it. Our agency procured a small enforcement contract in 2008 from the city.

The Greater Houston Fair Housing Center is the only private fair housing enforcement agency in the region. We are struggling for our survival. Our agency has received sporadic federal funding. Fair housing services are limited when budgets are constrained. We are currently negotiating our first fair housing CDBG contract with the City of Houston. Fair housing enforcement and its funding continue to be a critical need in the largest city in the South.

The lack of enforcement of fair housing laws is a historical problem in our region. The City of Houston and other local jurisdictions do not provide fair housing enforcement services. The Texas Workforce Commission Civil Rights Division (the state Fair Housing Administrative Program) does not have a local office in Houston. The only public entity providing fair housing enforcement services in Houston is the local U.S. Housing and Urban Development office of Fair Housing and Equal Opportunity. There have not been any Katrina related fair housing charges brought in Houston by the federal government.