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UNITED STATES COMMISSION ON CIVIL RIGHTS
PENNSYLVANIA ADVISORY COMMITTEE

FORUM ON IMPLEMENTING 1988)
FAIR HOUSING AMENDMENT ACT)
)

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Thursday,
April 6, 1989

Federal Reserve Ban Building
100 North 7th Street
Philadelphia, Pennsylvania

BEFORE: DR. SUSAN M. WACHTER, Chairperson

APPEARANCES:

MEMBERS OF THE COMMISSION ON CIVIL RIGHTS
PENNSYLVANIA ADVISORY COMMITTEE

- LEGREE S. DANIELS
- MIN J. DE COLLINGWOOD
- JOSEPH FISHER
- SAM HWANG
- MORRIS MILGRAM
- MARK STOLARIK

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P R O C E E D I N G S

1
2 DR. WACHTER: It is my pleasure to return to
3 today's forum and welcome the participants who are here.
4 Thank you in advance. I am very appreciative of your
5 efforts in taking the time and trouble to be here, and also
6 I do wish to publicly and put in to the record, to thank
7 Tino Calabria for his great efforts in putting this together,
8 as past efforts as well.

9 I don't know where he finds the time to do all of
10 this. I know he is extremely overworked, but I do want to
11 express my personal thanks. I invite our four opening
12 panelists to come forward. While they are doing that, let
13 me explain this is the first opportunity for any unit if a
14 commission to examine the Fair Housing Amendments Act of
15 1989.

16 If you have the agenda before you, we are going to
17 begin with David Bartelt, who is from the Institute for
18 Public Policy studies, and Raymond Solecki, Raymond
19 Cartwright, and Rachel Lawton. Are you all here? If you
20 would, please come up and sit over here please.

21 MR MILGRAM: Are there any extra copies of the
22 agenda by any chance?

23 MR CALABIA: I have one.

24 DR WACHTER: Does anybody else need an agenda?

25 [Negative response.]

1 DR WACHTER: The Fair Housing Amendment Act of
2 1989, and its lengthy rules and regulations became effective
3 only last month, on March 12th. So we are most fortunate
4 that we are able to have representatives of Governmental
5 Fair Housing Office with us this morning.

6 As we look at the law and regulations, and seek to
7 learn how they will be applied, and how they will hopefully
8 improve our fair housing regulations. Before we hear from
9 our representatives from Governmental Fair Housing Office it
10 should prove instructive to listen to a presentation on
11 racial and ethnic housing patterns in Philadelphia, by a
12 Doctor David Bartelt.

13 Doctor Bartelt is the Director of the Institute
14 for Public Policy Studies at Temple University. With his
15 presentation as a backdrop, we shall then hear from our
16 three panelist representing federal, state, and local
17 governments who will comment on the new law and how it will
18 affect their enforcement functions.

19 Afterwards, the heads of key non-profit
20 organizations and agencies in the Commonwealth will share
21 their views on the changes in enforcement. As our panelists
22 were informed, and the communication sent to them, the
23 information which guests us is given voluntarily.

24 The proceedings are being transcribed, and the
25 transcript will be maintained in the offices of our staff in

1 Washington, D.C., in accordance with the Privacy Act. For
2 access to the information provided by you and stored in
3 Washington, you may contact the office of the solicitor at
4 the U.S. Commission on Civil Rights at the address shown on
5 the agenda.

6 Federal law also requires us that all persons
7 refrain from degrading or defaming any other individuals
8 when providing information. At the same time, all persons
9 presenting information have the right not to be reported or
10 photographed by media.

11 If you wish to exercise this right, please let a
12 committee member know so that requests can be accommodated.
13 In any case, the committee anticipates issuing a summary
14 report of this form based on that transcript, and any other
15 relevant information now in our staff's files, or obtained
16 in the coming weeks.

17 Having stated these requirements, let me welcome
18 out guests and our attendees for the first panel to begin
19 with Mr. Bartelt. Welcome Doctor Bartelt. Please excuse
20 me.

21 DR. BARTELT: Thank you very much. I appreciate
22 the opportunity to appear before you and to share a wide
23 variety of some of the research that we have been doing at
24 Temple University over the last five or six years at the
25 Institute for Public Policy Studies.

1 The Institute for Public Policy Studies is a
2 research unit of the Social Science Departments at Temple
3 University that is oriented particularly to public policy
4 issues. We do not restrict ourselves to housing.

5 We have done in the area of economic development,
6 and we have done work in the area of analysis of various tax
7 packages, but housing has been an important component of
8 many of our research efforts from the very outset.

9 I think that it would be helpful if I would tell
10 you a little bit about why we regard housing, and particular
11 the question of housing bias as being a significant one from
12 our point of view, and why we think it is a centerpiece of
13 most efforts to provide some degree of equity within
14 American society.

15 We generally view housing as having a kind of two
16 fold dimension to it. One is a intentionally personal and
17 private one. Housing provides the framework for much of
18 family and personal life, and the kind of opportunities that
19 people play out in the course of their lives. It is an
20 important subjective component of peoples lives.

21 On the other hand and equally important, I think,
22 is the role of housing in shaping communities. The housing
23 that people occupy is a tangible cymbal of the place in a
24 community in the overall working out of a city or a region.

25 I think that what we have done with those two

1 dimensions is to try and examine the impacts of unfair or of
2 housing segregation patterns. Patterns of bias in the
3 various dimensions of obtaining housing on peoples lives and
4 on the community that they live in.

5 We have tried to take a look at housing not as a
6 kind of single facettted entity. It is not the physical
7 house per say that we are interested in, or in interested in
8 a loan, it is rather the housing process.

9 We look at the housing process as involving at
10 least six or seven different components, one of which is the
11 notion of an open market. The notion that in a market that
12 there must as a prerequisites for an effective market
13 allocation process, there must be full information and lack
14 of bias in the allocation of the commodity to the purchaser.
15 Everybody has an equal steak coming to the table.

16 As part of that process we also take a look at two
17 different appraisal processes that take place. The property
18 appraisal process and the individual appraisal process. I
19 must say that parenthetically it is our best judgement that
20 in the aftermath of the 1960's there has been tremendous
21 progress made in addressing appraisal of individuals,
22 protection of the Equal Credit Opportunity Act, and the
23 kinds of training programs that have taken place within
24 various dimensions of the housing market, and realtors, and
25 bank officials who thinks the record shows a very

1 successful, although not 100 percent successful, but much
2 more successful process has taken place on that front.

3 I will have more to say about the appraisal
4 process property in a few minutes. The fourth kind of
5 component is mortgage credit access. The allocation
6 patterns that exist within the credit community seem to
7 reflect a very distinct pattern of allocating people by race
8 and class to different sources of mortgage credit with
9 differential costs that attach to it, and differential
10 opportunities that are available to them.

11 To the extent that this does not apply to just
12 income level, but applies to various social characteristics
13 such as race ethnicity is a matter of some concern. Work
14 that we have not done but we are very interested in we are
15 aware of, also involves a fifth component, the insurance
16 process.

17 It is attached to housing both mortgage insurance
18 and naturally the accessibility of home owner's insurance.
19 We get a six component of housing in terms of outcomes.
20 What are the immediate kinds of outcomes are the result of a
21 biased housing allocation process?

22 In particular we have been very interested in --
23 my colleagues at the institute have been very interested in
24 documenting the impacts on the education process in
25 Philadelphia, and have made -- I'm sure that many of you are

1 aware of the work that Doctor Bill Yancy and Doctor Ira
2 Goldstein have done with the Philadelphia school district on
3 the kinds of persistent segregation schools.

4 We have some maps that we have included that are
5 borrowed from that research process. Then there are the
6 west direct kinds of access that we don't tend to think of
7 in terms of this, but there is a traditional link between
8 housing opportunity and housing allocation, or community of
9 location, and also things like job access.

10 What the impacts are of a segregated community on
11 peoples lives within those communities. I think that we
12 also need to look at some of the kinds of outcomes in terms
13 of, I guess, the stake in the future. I guess this is the
14 kind of a last part of this.

15 The stake in the future that communities have when
16 they recognize, as most do, that they are playing in a card
17 game in which there is a stacked deck. I think the maps
18 that I had sent to Tino, and I trust that you have, are bi-
19 products of some of our work.

20 I am going to use those as a kind of an indication
21 of some of the major findings that we have come up with in
22 terms of Philadelphia and the region, and around
23 Philadelphia.

24 Most of it is centered on the city itself. I will
25 conclude with a couple of observation about where we think

1 the next kinds of questions -- our research questions, and I
2 think policy questions would go along with this. We need to
3 proceed.

4 The first pair of maps deal with essentially the
5 change in Philadelphia between 1970 and 1980. Do you have
6 copies of these?

7 DR. WACHTER: Some of us do.

8 DR. BARTELT: Some do, some don't. Okay.

9 DR. WACHTER: We could share.

10 DR. BARTELT: Fine. What we have done is to take
11 two different dimensions of the census. The population by
12 race at the level of census tracts and population by race at
13 the block level.

14 To come up with a picture of segregation in
15 Philadelphia as it has changed over time, what you see in
16 the black areas -- the areas that are solid black are tracts
17 that are greater than 80 percent black.

18 The next cross hatch -- the densely cross hatched
19 are highly segregated tracts, that is, these are census
20 tracts which have a population mix of between 20 and 80
21 percent black, but within those tracts, black population is
22 highly concentrated in a cluster of blocks within that
23 tract.

24 Low segregation refers to a situation where they
25 are not as segregated, and what strikes me in looking at the

1 changes between 70 and 80 is that you would have to conclude
2 just graphically, that Philadelphia has made precious
3 little, if any, progress in desegregating.

4 In fact, if you use one of the commonly used
5 measures or indices of segregation in Philadelphia, there is
6 an increase -- a persistent increase that goes back to the
7 earliest time that we can measure this, starting from 1930
8 through 1980, with only one small deviation in between.

9 Philadelphia has consistently more segregated
10 rather than less segregated over time. We have also found a
11 particular interest in 1980. If you would turn to the third
12 map, that there is a much more -- a clearly identified
13 hispanic concentration in Philadelphia that is largely
14 segregated as well.

15 I would point out to you that even though we are
16 very unsure of the validity of the 1970 census, if we were
17 to indicate the pattern that shows up in 1970, that showed a
18 much greater dispersion with the hispanic community than is
19 present in 1980.

20 What this gives this particular cause for alarm,
21 is that it seems to indicate that Philadelphia is becoming a
22 very spaciouly isolated city with all the kinds of
23 political and social consequences of living itself out as a
24 persistently segregated community.

25 Having a white political position, a hispanic

1 political positions, and a black political position. I will
2 leave it to others who are trained in political science, to
3 talk about what some of those consequences might be or might
4 have been over the past decade.

5 I as a citizen seem to see this kind of
6 residential pattern echoing in much of the electoral
7 politics, budgetary discussions, and the like that take
8 place within the city of Philadelphia.

9 I think the one place which this has been more
10 clearly attacked in the city than in any other institution
11 in the city, is in the school district. There has been a
12 tremendous amount of concern over the last four to five
13 years with the pattern of segregation that has shown up in
14 Philadelphia's schools.

15 I am sure you are aware that there is a long
16 standing legal problem that the school district has had with
17 the Pennsylvania Human Relations Commission. I won't go
18 into that, but one of the things that has happen is that we
19 have been asked -- IPPS has been asked to provide some
20 indication of what the dimensions of the problem are.

21 The maps that follow give you a very graphic idea
22 of how residential segregation is replicated in the kind of
23 school segregation that has taken place in the city where in
24 the predominantly white and predominantly black areas of the
25 city.

1 You have that basic residential pattern replicated
2 in the schools with probably a better record now than five
3 years ago in terms of more students going into desegregated
4 school pattern and into multi-cultural schools which are
5 schools which are schools where there is close attention
6 paid to the hispanic community.

7 Finally, the maps that conclude this presentation
8 indicate that in our analysis of the Home Mortgage
9 Disclosure Act data, that every bank must file with their
10 regulatory agency every year, that the conventional and
11 total lending that takes place within Philadelphia's
12 neighborhoods closely follows the racial divisions that are
13 present in the city.

14 It is not an absolute match. It is not the kind
15 of correlation that you -- in your social science research,
16 you have these wonderful dreams about achieving, but it is
17 significant, and when you control for such things as income
18 and education, and the amount of housing that is being sold
19 as opposed to rented in the area, race persists as a
20 predicting variable.

21 I think that in Philadelphia's case, I can add one
22 other dimension that is not reflected here. I have been
23 spending some of my time taking trips down to Washington,
24 and spending time in the National Archives.

25 Under the Home Owner's Loan Corporation Act, the

1 depression, some 230 odd cities in the United States were
2 appraised by the Home Owner's Loan Corporation, which is in
3 the process of providing the modern 20 year advertised
4 mortgage.

5 Neighborhoods were accessed on the basis of their
6 mortgage worthiness. There I found that redlining is not
7 just a term. That Philadelphia is nicely color coded.
8 Green for excellent quality neighborhoods, blue for not
9 quite so good as they put it.

10 It is like buying a 1935 automobile in 1937. It
11 is a good car, but you would obviously go for the newer one
12 if could. Yellow and red were the undesirable
13 neighborhoods. This is the beginning of the neighborhood
14 appraisal process.

15 DR WACHTER: Doctor Bartelt, may I ask you what
16 date that document was referred to?

17 DR. BARTELT: 1937.

18 DR WACHTER: Thank you.

19 DR. BARTELT: These are the mortgages that were
20 bought out from the savings and loan, and building and loan
21 societies, by the Federal Home Owned Bank Board during the
22 depression. Philadelphia from Lehigh Avenue to Oregon
23 Avenue was totally red.

24 The comments that are appended to the map indicate
25 that appraisals were done consciously and openly on the

1 basis of race and ethnicity. A comment about Oak Lane. A
2 green neighborhood in 1937 is, beware of the Jewish
3 encroachment. Now that is the legacy that we walk around
4 with in this city.

5 It would be an interesting historical artifact,
6 were it not for the fact that you can predict the movement
7 of minority populations across neighborhoods in this city,
8 using that red lining of 1937, up to and including the
9 pattern that we saw it in 1970.

10 So this is the legacy that has persisted and
11 stayed with us. I think out of this exposure to the various
12 characteristics in housing would leave with a couple of
13 observations.

14 That all it takes to consider the segregated
15 housing pattern -- lack of fair housing opportunity, is a
16 continuation of the status quo, that at this point if you
17 provide equal opportunity at the search for housing, and at
18 the allocation of mortgages, there are enough hidden
19 barriers within the normal way in which the housing process
20 works that we will simply perpetuate the pattern.

21 This doesn't mean it is not worth doing. It is
22 like the difference between the necessary and the sufficient
23 cause. This is something that we deal with in our
24 methodology classes.

25 It is necessary that some form of fair housing

1 opportunity, some change in real estate procedures, some
2 fair allocation of credit, it is necessary that that be done
3 if we are to achieve a desegregated city. It is not
4 sufficient in and of its own. It is a platform on which
5 things have got to be built.

6 I think that the -- going back to the first two
7 maps, I think that the thing is paradoxical about looking at
8 the changes between 1970 and 1980 is that black and
9 hispanics were moving into neighborhoods in the city of
10 Philadelphia that they had hither to been barred from moving
11 into. If you go back to 1930, there is a whole other
12 presentation. I can point out exactly the kinds of
13 neighborhoods that changed.

14 Yet at the same time we are showing a higher
15 segregation pattern because of the other kinds of
16 compensating actions that are happening within the market.
17 The fact that we are loosing a job base, and the city and
18 people are fleeing to other regions, and to the suburbs, and
19 that these opportunities also are available by race
20 complicates -- you know, available differentially by race
21 complicates this picture.

22 That is why I say these housing regulations are
23 necessary. I would be remiss as in reporting to you what I
24 found, if I did not point out, that there are a considerable
25 set of other factors that we are going to need a much more

1 broad based kind of movement to achieve some form of
2 desegregated community in Philadelphia.

3 (Continued on the next page.)

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1 MR. BARTELT: Thank you for the opportunity.

2 MRS. DANIELS: I imagine we will have comments and
3 questions. I think, perhaps, except for clarifying
4 comments, we ought to hold off until we hear our other
5 panelists, if that's agreeable. I think this is an
6 excellent background, backdrop, for our panelists who will
7 be speaking of the new legislation that is before and has
8 just been implemented.

9 This has been an excellent opening as to the
10 present need for it with data from Philadelphia. I think
11 that Philadelphia is not exceptional in this, in the state
12 of the country as a whole. I think that this kind of data,
13 which we have dramatically before us and have been done in
14 such a detailed and good fashion by census districts, I
15 think there are cities that have been done elsewhere, as
16 well.

17 MR. BARTELT: That's absolutely correct.
18 Virtually every city where this work has been done, a
19 similar pattern shows up. Some cities go up in their
20 segregation ratios; some cities go down. But the kind of
21 clustering of neighborhoods persists. That seems to be a
22 very common legacy.

23 DR. WACHTER: Let us now then welcome Raymond
24 Solecki who is the Regional Director of the Fair Housing and
25 Equal Opportunity Office of the U.S. Department of Housing

1 and Urban Development. Mr. Solecki, thank you for being
2 here.

3 MR. SOLECKI: Thank you for inviting me.

4 Just to let you know, the region that I direct in
5 terms of fair housing covers five states: Pennsylvania,
6 Delaware, Maryland, Virginia and West Virginia.

7 Every symposium or forum that I usually
8 participate in or design, I like to have somebody like Dr.
9 Bartelt to lay that groundwork, just like you said. Because
10 I think it's important to put what we're doing in
11 perspective.

12 But I think that one thing that also should be
13 said right from the beginning, what Dave is dealing in is
14 segregation, segregated patterns. That's an effect of
15 something. We usually tend, on our side, to deal with
16 causes. And that's discrimination.

17 The trouble is that the cause of discrimination
18 based on certain basis, may not, as Dave said, have a one-
19 to-one correlation with the effect of the segregated
20 pattern. That's the one caveat that I'd like to make here
21 in what we do and in what Dave does. And, actually, this is
22 the thing that we're trying to do.

23 In fact, you'll find from the later speakers, that
24 Rachel Lawton and Dr. Ira Goldstein, are also working on
25 this with us to see if we can make that connection and do

1 the further research to show, in fact, that the cause of
2 racial discrimination is the thing that's producing those
3 segregated patterns. And once we can do that, then we have
4 the legal basis for some kind of enforcement action.

5 But right now we don't have that. And that's what
6 we're working on. In fact, hopefully, that will be a good
7 continuation of this forum. As Morris Milgram has said,
8 that maybe we could look into that a little further.

9 What I'd like to do is to do this in two parts:
10 One is to go over the executive summary of the new Act,
11 which you all have and which the audience is free to pick up
12 here. I have extra copies. I've also given you the
13 regulations that were printed or became effective, March 12,
14 1989.

15 What this Fair Housing Act is, or what these
16 amendments are, is an amendment to the Civil Rights Act of
17 1968, the Title 8 of that Act. And that Act, as amended
18 several times thereafter, bars discrimination in housing on
19 the basis of race, color, religion, sex and national origin.

20 What these amendments do is add two new basis to
21 that. One is handicap and the second is families with
22 children. And "families with children" is defined
23 essentially as a family or a living group that has a child
24 that their legal guardians have under 18 years or under.

25 Another thing that the new amendments bar in terms

1 of discrimination is coercion, threats and violence in, not
2 only, the purchase or procurement of housing, but, also, in
3 the actual enjoyment of housing. And even though that was
4 part of the original Act, it never was so explicitly stated
5 as it is now.

6 So those are the three new things are important as
7 amendments to the original Act.

8 Another thing that the new amendments do is to
9 give HUD a much stronger enforcement mechanism. And, in
10 fact, this was the reason why it took from 1968 to 1988 to
11 really get something of this nature.

12 If you remember back in 1968, the Act was passed
13 right after the assassination of Dr. Martin Luther King, and
14 that was certainly a very strong impetus to get something
15 going in this country in terms of barring racial
16 discrimination.

17 The one thing, because of the compromises that
18 were done to get the Act passed so quickly, was that a real
19 strong enforcement mechanism was left out. What HUD could
20 do, up until 1988, was to, once we made an investigation, is
21 just sit down with the complaining party and be, what we
22 call, the Respondent, and to have a Conciliation Conference
23 and say, "Please, can we settle this in some way." But
24 there was nothing else that we could do to enforce any
25 violations of Title 8.

1 Now certainly people had the ability to go
2 through the court system on their own. But if these chose
3 to go through the Federal enforcement mechanism, the only
4 thing that we could do is conciliate.

5 What this new amendment does is now it gives us
6 two things that we can do: One, once we've completed our
7 investigation and found reasonable cause that discrimination
8 had taken place, we give the Complainant or the Respondent
9 20 days to exercise an option of either going to an
10 Administrative Law Judge, which is located in HUD, or going
11 through the Federal court system.

12 Either way, HUD lawyers or Justice Department
13 lawyers will defend and prosecute the case for the
14 Government and for the Complainant.

15 I think what happened here, in fact, Senator
16 Kennedy and Senator Spector who were Senate sponsors of
17 this, as well as Congressman Fish from New York on the House
18 side, spent a lot of time with the Boards of Realtors, the
19 National Board of Realtors, the NAACP, various civil rights
20 coalitions, trying to iron out the key problem, which was
21 the due process. And this is really the compromise that
22 came out of it. That you have an option to go either way so
23 that everybody's rights will be protected. And that's
24 really what paved the way once they were able to get this
25 Act passed.

1 DR. WACHTER: Excuse me, Mr. Solecki, who has the
2 option? The Complainant or the Respondent?

3 MR. SOLECKI: Both. Both do. If either one
4 elects to go through the Federal court system, then it goes
5 through the Federal court system.

6 Okay. Just going down some of the other points in
7 the Executive Summary, some other changes that were made, is
8 that now HUD has the ability to initiate complaints. And
9 this gets back to some of my initial comments where, if we
10 can do some of the kinds of studies with Dr. Bartelt and the
11 Philadelphia Civil Rights Relations Commission, that do show
12 this linkage between racial discrimination and the
13 segregated living patterns, then HUD itself now has the
14 ability to file a complaint and prosecute it. And that's
15 something we never had before. I think that's going to be a
16 very important tool in the future.

17 Another item gives the aggrieved person one year,
18 after the alleged discriminatory practice, to file with HUD.
19 Previous to this, it's only been 180 days.

20 Another thing which is going to be very difficult
21 is that it requires, by law, HUD to process the case in 100
22 days. Sad to say, in my tenure with HUD, the average has
23 been somewhere 200 to 300 days.

24 We're getting new staff. In fact, my staff is
25 virtually doubling to carry out these investigations in a

1 timely manner. So, hopefully, this does, in fact, occur.

2 I was also to seek preliminary injunctions and
3 temporary restraining orders, subpoena of witnesses, a lot
4 of things that we never really could do, or we could do, but
5 we very rarely used before.

6 One of the items that we are continuing with this
7 and, in fact, Ray Cartwright and Rachel Lawton can speak to
8 this; but HUD itself still would not have the number of
9 staff necessary to handle all the complaints that are
10 expected.

11 And so what we do, we have a contracting
12 situation. It's called the Fair Housing Assistance Program.
13 We like to call it the FHAP Program. And what that does is
14 that we contract with states and localities who have
15 substantially equivalent laws to the Federal law. And they
16 in turn -- we pay them a certain amount per case, and they,
17 in turn, do the investigations under their law and do the
18 enforcement under their enforcement procedures. And then we
19 pay them. And the idea being is that the key words there
20 are "substantially equivalent laws and procedures."

21 Under the new Act, or under the new amendments,
22 states and localities who we now have that contract with
23 have four years in which to become substantially equivalent
24 again. And what that means is that if, for instance, a city
25 did not have the handicap provision, they would have to

1 include that in their law. Of if they didn't have the
2 familial status, or if they didn't have the legal procedures
3 down, or if they didn't have the processing procedures in
4 the 100-day time-frame. That would all have to be added to
5 their things to become substantially equivalent. But once
6 that's done, HUD would then turn around and renew the
7 contract with them. And they would continue to process
8 cases for us.

9 Right now we have in this region 19 FHAP agencies
10 that we deal with. And it's those five states, which means
11 we have total coverage of the region as well as individual
12 cities like Philadelphia and Pittsburgh and a few others --
13 Allentown, Reading, in the state of Pennsylvania.

14 That's pretty much how HUD will handle it. Like I
15 said, if HUD is handling the case directly, it would go to
16 either an Administrative Law Judge or through the Federal
17 Courts. If it goes through an Administrative Law Judge, HUD
18 Office of Counsel is also being increased to provide the
19 prosecutorial abilities there. And if it goes through the
20 Federal Courts, the Department of Justice is also
21 tremendously expanding their civil rights division to handle
22 the expected cases.

23 Something else that the law provides is that the
24 Department of Justice can now also do cases, prosecute case,
25 individual complaint cases. Prior to this, the only thing

1 that they could prosecute was cases that we call pattern and
2 practice cases.

3 In other words, if there was a situation where,
4 say, a major bank or something, could be shown to be as a
5 practice routinely discriminating against customers of a
6 certain race, something like that could be taken to court by
7 the Justice Department. And, really, over the 20 years of
8 the Civil Rights Act, very few were actually done; because
9 it was not a high priority on that sort of thing. But my
10 latest information is that with the new amendments and the
11 ability to go to court, on an individual case as well as the
12 pattern and practice, is that the Justice Department will
13 become very active in doing that. And, in fact, the day
14 after the regulations took effect, they filed three suits,
15 which was obviously much more than they had done probably in
16 the past year.

17 Another thing which we can probably talk about a
18 little bit later, maybe through the questioning, is that the
19 new amendments also specifically state that now federal
20 regulatory agencies such as the FDIC and the Federal Reserve
21 where we're sitting right now, the Home Loan Bank Board,
22 have to cooperate with HUD in administering their programs.
23 And one of the first things that we have done in this region
24 to implement that -- in fact, next week we're holding a
25 symposium on fair housing and fair lending at which we will

1 have Dr. Goldstein and Rachel, but also the Federal Reserve,
2 the Home Loan Bank Board, the FDIC, as well as other
3 agencies that we deal with as well as bankers to sit down,
4 and, as a region, try and plot a strategy of how we can
5 start doing some of the studies and initiating some of the
6 complaints that will better enforce the law.

7 Other things that the new amendments require,
8 which HUD had done and then ceased to do for some reason
9 over the past 10 or 15 years, is actually keep data on the
10 programs that we administer as well as the rest of the
11 Federal Government agencies, such as the Farmers Home
12 Administration or the VA, administer in terms of housing.
13 And now we will have to keep racial and ethnic data, which
14 will give us a vast amount of information to, again,
15 possibly initiate complaints or investigations with.

16 And, of course, the last point was that HUD was
17 required to implement the regulations within 180 days, which
18 it did, which, if you read through the regulations, then you
19 realize there are over 6,000 responses to the draft
20 regulations. It's probably a fairly unbelievable feat for
21 the Federal Government to have moved so quickly. But, in
22 fact, did, and we are now in the process of implementing
23 those regulations.

24 I would just like to add a few more things about
25 what we're doing, other than the new amendments, because I

1 do administer other areas which bear on this. One is Title
2 6 of the Civil Rights Act of 1964. And that bars racial and
3 ethnic discrimination in federal programs, Federally funded
4 programs.

5 We also administer section 504 of the
6 Rehabilitation Act of '74, which bars discrimination against
7 the handicapped in federal programs.

8 And, as I mentioned, we handle what we call the
9 FHAP program which is our dealings with state and local
10 agencies who have similar laws to us. And we do studies
11 with them and carry on out-reach training and that sort of
12 thing.

13 And then we have another program where it's a
14 voluntary type of thing. It's a voluntary, affirmative
15 marketing agreement which we have with Boards of Realtors.
16 We have it with the state of Pennsylvania Board, as well as
17 individual boards in various cities.

18 And what that does is say that the Boards of
19 Realtors and the individual realtors who are members, who
20 signed that agreement, they voluntarily agreed not to
21 discriminate, and, in addition, to do various positive
22 things, as Dave was talking about, to affirmatively further
23 fair housing. And they do various kinds of training.

24 Some have even gone so far as to try and get more
25 minorities into the real estate business and various things

1 like that. They are also required to do advertising which
2 shows the little house with the equal signs to make sure
3 that people know that they're not discriminating.

4 One of the ways we try to oversee that -- in fact,
5 I see Renee Settle from the Delaware County agency -- we
6 have what we call community housing resource boards, or
7 CHRB's, which we fund, HUD funds, and they, in turn, do
8 various training and outreaches, as well as monitor the
9 voluntary agreement of the Boards of Realtors in their area.

10 The last thing that we're trying to attempt here
11 is to do that same kind of voluntary agreement with banks
12 and savings and loan institutions. And that, apparently, is
13 going to be a real difficult undertaking, because even our
14 first attempts, we seemed to have pushed the panic button, I
15 think. In fact, the Federal Reserve in Washington called up
16 my headquarters, and they in turn called me, asked what the
17 heck are we doing. So we must be doing something right,
18 because we are trying to get to that area. And, again,
19 that's significant in terms of the patterns that Dave
20 talked about.

21 So with that, I'd like to wrap up my section.
22 And, like I said, I hope that we do talk about some of the
23 things that we are planning and maybe with the help of the
24 Commission.

25 DR. WACHTER: Thank you very much, Mr. Solecki,

1 for the very helpful clarifying comments on the new
2 legislation and overview of your office.

3 I would now like to welcome Raymond Cartwright who
4 is the Housing Director of the Pennsylvania Human Relations
5 Commission. Thank you for being here.

6 MR. CARTWRIGHT: Thank you and good morning.

7 On behalf of Tom McGill our Chairperson and Homer
8 Floyd our Executive Director and all the Commissioners, I
9 would like to extend greeting to you and to thank you for
10 offering us the opportunity.

11 I have put into the record the remarks, a copy of
12 the remarks, and I will have some for persons in the
13 audience. And you have a packet of the attachments as well.

14 As many of you know who have dealt with
15 Pennsylvania that the Pennsylvania Commission is more than
16 30 years old. We have been one of the oldest operating
17 Commissions in the country, and since 1967 have possessed
18 one of the strongest laws as well.

19 Included in your packet, along with the copy of
20 our Act, is a chart showing the various amendments to both
21 our Act and Title 8, so that you can see the progression
22 that had occurred.

23 One of the things that is very clear in that is
24 that until 1988, amendments that the Pennsylvania Human
25 Relations Commission has always had an Act which from the

1 statutory standpoint was stronger than the Federal law, and
2 which from an implementation standpoint, also, was also
3 stronger in that we were able to take actions beyond
4 conciliation.

5 However, all that changed with the adoptions for
6 the new civil rights amendments that Ray had outlined. Some
7 of the ones that will most significantly affect us are the
8 new terms covering familiar status, because we've had
9 "handicap" in our law since 1974. We've had "intimidation
10 and coercion" since 1967.

11 And we will also be affected by the change in
12 damages and the removal of capital and punitive damages,
13 because our courts have ruled that at the present time our
14 legislation doesn't cover the awarding of damages for
15 punitive actions.

16 Not only will the law itself impact on us, but so
17 will the new HUD regulations and the procedures which HUD
18 will adopt for implementing both the law and the
19 regulations. Not only our agency but also all of the
20 potential equivalency agencies in our state, including
21 Allentown, Harrisburg, Philadelphia -- which Rachel will
22 speak to a little later -- Pittsburgh, Reading and York.
23 And in addition, we have 21 other agencies in the state who
24 have some form of fair housing laws but yet have not been
25 recognized for various reasons as substantially equivalent.

1 The effect, then, on all of us will be in terms
2 of: one, the impact the law; two, the impact of
3 regulations; and, finally, the impact of the procedures.

4 When it comes to the law, it's a question of
5 simply to what degree of success do various agencies
6 anticipate having with their adopting bodies. For example,
7 what success will we have with the state legislature when we
8 go in and ask for familiar status to be added to the law.
9 We attempted such an amendment two years ago, and were
10 unsuccessful when the law was amended in '86.

11 Unlimited punitive damages will be an interesting
12 question. Total actual damages, none of which exist in our
13 law, and civil penalties of 10,000, 25,000 and 50,000 to
14 correspond to the Act.

15 Some of the local agencies have indicated that
16 they will have a range from Counsels that are presently
17 considering all of these amendments, and they expect them to
18 pass favorably within months. Others indicate that it will
19 be virtually impossible for them to have these changes.

20 So from that standpoint, we have an initial battle
21 in many areas to see whether we can, in fact, become
22 equivalent. And, of course, those of us who are unable to
23 get those amendments will no longer be able to participate
24 in the program.

25 I would like to say that from our standpoint, and

1 I think speaking from the many comments I've heard
2 throughout the state, that each and every one of our
3 agencies would rather have this law, even if we couldn't
4 come up to it, than to have the law change to come down to
5 us.

6 So this is not a question, and I want it very
7 clear, that we're on the records saying that we think that
8 the law is great and that it is going in the direction we
9 hope that all of us will go, and the Federal Government, in
10 this case, is leading. And we hope that we'll be able to
11 join in the race.

12 Where we have a little more difficulty is when we
13 come down to the impact of the regulations. I included in
14 your packets the only copy of the regulations we were able
15 to get, which was out of the Federal Register. We had three
16 week turnaround time to comment on them. And I included our
17 comments by the Commission which ran 20 pages in itself.

18 (Continued on the next page.)

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1 I understand, if I remember the numbers correctly,
2 I've got altogether over 20,000 comments on these regs. It
3 appears that they adopted roughly 20 to 30 percent of those
4 comments in terms of change, and most of those changes,
5 unfortunately, were in terms of dealing with examples they
6 used, which were not clear, rather than substantive areas.

7 One of the areas where we're going to be impacted
8 at State and local levels is the fact that HUD
9 chose, in its regulations, to adopt without a great deal of
10 input from our agencies, some of the things in forms of
11 procedures that we had learned. One of the things that
12 everybody should have the opportunity to do is benefit by
13 mistakes.

14 And when I teach, I sometimes tell people that if
15 I knew and had long enough to be around them, I'd know which
16 ones of them were children who, as a child, would listen
17 when the mother would say, no, don't touch the stove, it's
18 hot. And how many of them had to put their hands on the
19 stove and get burned. In this respect, we have tried in our
20 comments, the various agencies to say to HUD, look, for 20
21 or more years, our agencies have used Administrative Law
22 Judges. We have had experience with what happens to
23 complaints when they go beyond the informal resolution
24 stage. We have been through court battles and found out
25 which mines blew up in our faces and which of our provisions

1 were safe and court tested.

2 Unfortunately, in many instances, HUD chose not to
3 follow those. And this could eventually lead to
4 Pennsylvania, which was the first agency in the United
5 States in 1972 to automatically require that when we were in
6 intake, that there had to be a Federal complaint filed. We
7 unilaterally set up a system of dual filing before this was
8 recognized by the Federal Government. So from 1972, on,
9 every complaint that was ever filed with our agency today 92
10 to 96 percent of all the complaints in the State of
11 Pennsylvania that end up being HUD cases initiate with the
12 local and State agencies.

13 So that basically, we're still in the intake
14 office for the Department of Housing and Urban Development
15 in the State of Pennsylvania. And we began this before
16 there was any funding to pay. And incidentally, in that
17 respect, the funding for a complaint at the present time is
18 \$650 a complaint. And I have to tell you, in this day and
19 age when the costs are going up, the amounts paid for the
20 complaints are going down. And that sort of puts us in a
21 bind as well, but we're in the business of doing these
22 complaints anyhow. So this is another problem.

23 But what we do have a problem with is that, as the
24 regulations are presently interpreted by HUD and based on
25 the information given us at a conference in Washington,

1 they're going to take very strict, narrow, literal
2 interpretations. And they're basically saying that we're
3 going to have to adopt their procedures. And so we're going
4 to have to give up time-tested procedures in order to
5 experiment with things we've already learned in some cases
6 will fail.

7 The other standards that they've set in the
8 regulations for us is one that Mr. Solecki referred to in
9 terms of the 100 days to complete a case. In fact, the
10 statute says no such thing. It says that Congress requires
11 HUD to complete an investigation, which is far different
12 from completing a case, complete an investigation in 100
13 days where practicable.

14 It does put a mandate on HUD and I think a very
15 legitimate mandate that any of our agencies would accept,
16 and one that I'm under all the time with my bosses. And
17 that is, when the 100 days have run on a case, and it's far
18 less time for me than that in my shop, that I have to
19 explain why the case is not proceeding beyond that point.
20 And that's what they had to do.

21 By contrast, we've been told that one of the
22 criteria for whether we would be determined to be
23 substantially equivalent is that we will have to have all of
24 our cases completed in 100 days and all of our cases closed
25 within one year. That does not appear in the statute; it

1 does appear in the regs that HUD has set. And so they're
2 making some hard and fast rules.

3 As far as the procedures that HUD is adopting to
4 implement the new law, this is more difficult to assess. We
5 went through a week-long conference in Washington, and I'm
6 afraid that we came away with a lot more questions than
7 answers, because HUD does not have definitive policies
8 drafted, yet. But we do have some interim opinions that
9 they've given us which suggest that we're going to have some
10 additional procedural problems.

11 One is what to do with the words, "substantial
12 equivalent." Now, I'm in a peculiar situation. In 1979, I
13 was with the Department of Housing and Urban Development
14 when the FHAP program was first developed, and I drew up the
15 first audits for this region. In fact, the first audit that
16 was conducted of every agency in this region that was
17 declared substantially equivalent was done under my
18 direction. And at that time, we understood that
19 substantially equivalent meant that you looked at the
20 overall perspective of what any agency was doing and you
21 determined whether that agency was going to be substantially
22 able to do the same work as the Federal Government would be
23 able to do. And in most instances, because of the state of
24 the law at that time, all the agencies very clearly stood
25 up.

1 By contrast, now, we are getting words out of HUD
2 that say that our laws will have to be identical twins.
3 These are exact words. Same egg, same parent, but cosmetic
4 differences for informed observers. I defy anybody to find
5 law givers in various localities who will tailor their
6 language that closely.

7 Another form of problem that we're having is with
8 a thing called "final investigative report," the "FIR."
9 That's HUD's term for the tool; we at the Commission call it
10 the same thing, facts showing cause or no cause, etcetera.
11 As I said, as both the Commission's Housing Director in the
12 early 70s, and now again at the end of the '80s and at one
13 time, Title VIII Branch Chief for HUD, I've used both. I
14 know that each have their strengths, each have their
15 weaknesses, but the bottom line is, if you do a good
16 investigation on either form, you can tell whether there is
17 a basis for the complaint to proceed. Yet, now we're told
18 by HUD that anything less than an FIR would not meet Federal
19 requirements or standards for us to continue as a
20 substantially equivalent agency.

21 I know one of the things that's very very hard to
22 do for anyone, especially, and I've sat in the position that
23 HUD has and I've seen materials come in from the nineteen
24 agencies that are substantially equivalent, the diversity
25 makes it tougher to decide what is quality. But that does

1 not mean that you're going to get anything better in terms
2 of quality by enforcing conformity on those agencies.
3 Because the agencies, in many cases, are using the format
4 they are because they have existing court precedents, they
5 have administrative precedents, they have legislative
6 directions and mandates that tell them that this is
7 acceptable to them, and another form may not be.

8 Where this leaves us, for example, is we were one
9 of the first agencies in the United States, and I'm going to
10 steal one thing from Rachel because it started in
11 Philadelphia, the first committee in the United States
12 between a Civil Rights Commission and a real estate board
13 was here in Philadelphia and I say that because that then
14 led to the State of Pennsylvania having the first Equal
15 Opportunity agreement at the state level. In fact, the
16 agreement between the Pennsylvania Association of Realtors
17 that Bob Tyler can comment on later, and the State Human
18 Relations Commission predated the voluntary marketing
19 agreement by two years and was the model for the Voluntary
20 Marketing Agreement that was adopted by NAR.

21 We have been the first to have a Supreme Court
22 test of a housing authority desegregation case. We have had
23 many precedents. We are the first State to have our testing
24 program accepted by the State Supreme Court. And now we may
25 end up being the first State in the United States to loose

1 our substantial equivalency, in part because of the burdens
2 that are being placed.

3 As I said at the beginning, we think something
4 great has happened. We think the amendments of Title VIII
5 are to be commended. We sat and I think all of us who've
6 been in this business any number of years listened with
7 almost tears in our eyes as the various people, Ralph Neiss,
8 the folks from the National Association of Realtors and
9 others told about how they labored long and hard, stamping
10 out a compromise that would be acceptable to get this new
11 law.

12 And what we would like now is to be a part of
13 another dialogue and another compromise that would allow our
14 agencies to continue to dual file rather than the
15 possibility we face that we're simply going to dual file and
16 end up like pit bulls fighting over the bones of the case.

17 And we would say that whatever our agency can do
18 to enrich the relationship and the dialogue, any help your
19 agency can give us in seeing that Pennsylvania and the local
20 agencies are able to continue in this relationship with HUD
21 would be greatly appreciated. And I thank you for
22 listening.

23 DR. WACHTER: Thank you very much, Mr. Cartwright.
24 I do very much hope that we will help today to begin that
25 dialogue. And I'm sure there are a number of questions we

1 will have for you. But let us turn now to Ms. Rachel Lawton
2 who is the Housing Unit Supervisor of the Philadelphia
3 Commission on Human Relations.

4 MS. LAWTON: Thank you for having me.

5 The Philadelphia Commission on Human Relations is
6 very pleased to have the opportunity to testify this morning
7 before the United States Commission on Civil Rights,
8 concerning the impact of implementing the Fair Housing
9 Amendments Act of 1988.

10 PCHR wholeheartedly endorsed the passing of this
11 law. We know that the impact of the Fair Housing Amendments
12 Act will be broad and deep. The longer one is in the field
13 of fair housing enforcement, the clearer it becomes that
14 housing discrimination is an ever present reality. It is
15 always changing to take on subtler and subtler disguises.

16 Until March 12, 1989, when the Fair Housing
17 Amendments Act went into effect, HUD has always had to rely
18 on State and local agencies for the enforcement of Title
19 VIII, as you have heard from Ray and Raymond.

20 While HUD freely admitted that its cooperative
21 relationship with and support for State and local agencies
22 was based to a considerable degree on this reliance, there
23 also was substantial discussion around the importance of
24 having matters relating to fair housing dealt with by
25 States, counties and municipalities whenever possible. As

1 it was recognized that the Federal Government could seldom
2 achieve the same degree of familiarity with local fair
3 housing problems and issues.

4 For over 35 years, Philadelphia Commission on
5 Human Relations has investigated housing discrimination
6 complaints. The Philadelphia Fair Practices Ordinance
7 provides for a complete and thorough investigation to
8 include a finding of probable cause, a public hearing, and
9 in cases where cause is found, an order of remedy
10 commensurate with what had been lost as a result of a
11 discriminatory act. PCHR has always had a broader
12 protection for individuals than has had the Federal
13 Government.

14 Individuals in Philadelphia are protected on the
15 basis of race, color, sex, sexual orientation, religion,
16 national origin, ancestry, physical handicap, which includes
17 AIDS or being perceived to have AIDS, marital status, age,
18 presence of children and source of income. Our ordinance is
19 so broad that it has served as a national model for which
20 state and local agencies have emulated.

21 To date, we have had a mutually beneficial
22 relationship with HUD as a substantially equivalent agency
23 with which we have had a cooperative agreement to
24 investigate dual-filed cases. With the passing of the 1988
25 Fair Housing Amendments Act, HUD now has the enforcement

1 power it never had and the ability to assess punitive
2 damages and civil penalties through the Administrative Law
3 Judge process that now surpasses the remedy available
4 through most state and local agencies, including
5 Philadelphia and Pennsylvania, as you've heard.

6 The law provides that from the date of enactment,
7 which was March 12, 1989, state and local agencies have 40
8 months to go through a recertification process with regard
9 to the new laws. The next 40 months will determine whether
10 the cooperative relationship between HUD and state and local
11 agencies will survive or be so subject to such strict
12 interpretation of the law that few state and local agencies
13 will meet the new certification requirements, thereby
14 resulting in a breakdown of any coordinated effort to
15 address housing discrimination in this country.

16 The preliminary signs from HUD do not look good,
17 particularly from HUD headquarters. With regard to the
18 referral for state or local proceedings, the law states the
19 following:

20 "The Secretary may certify an agency under this
21 subsection, only if the Secretary determines that: 1) the
22 substantive rights protected by such agency in the
23 jurisdiction with respect to which certification is to be
24 made, the procedures followed by such agency, the remedies
25 available to such agency, and the availability of judicial

1 reviewing of such agency's action are substantially
2 equivalent to those created by and under this Title."

3 On January 23, 1989, HUD came out with a final
4 rule with regard to the implementation of the Act. From
5 March 13th to 17th, 1989, HUD met with state and local
6 agencies from around the country in Washington, as Raymond
7 has referred to, for our annual policy conference, with the
8 final rule and follow-up discussions at the policy
9 conference.

10 It has been made very clear that HUD has chosen,
11 for whatever reasons, to develop a very literal
12 interpretation of the law with regard to certification for
13 state and local agencies. The bottom line is basically that
14 the laws, procedures and remedies that are now part of Title
15 VIII must also be part of state and local laws in order for
16 an agency to get certified. In some cases, HUD's rule has
17 gone beyond the law with regard to requirements for state
18 and local agencies.

19 This is going to mean the following for the City
20 of Philadelphia: 1) the Philadelphia Commission on Human
21 Relations currently does not have the authority to assess
22 unlimited punitive damages or up to \$50,000 for civil
23 penalties as is provided in Title VIII. In 1973, the
24 Commonwealth Court of Pennsylvania determined that the
25 Pennsylvania Commission on Human Relations did not have the

1 authority to award compensatory damages to complainants for
2 mental anguish and humiliation. This ruling would have to
3 be overturned and\or more specific language added to current
4 laws authorizing relief on the state and local level similar
5 to that provided for in Title VIII.

6 2) The rule states that a provision that a
7 complaint must be filed within any period of time less than
8 100 days after an alleged discriminatory housing practice
9 occurred, places an undue burden on the complainant which
10 might discourage a complainant from filing a complaint.
11 PCHR currently has a 90-day statute of limitations with
12 regard to the filing of complaints. PCHR must get city
13 council approval to extend the time period to at least 180
14 days.

15 3) The Philadelphia Fair Practices Ordinance
16 currently prohibits discrimination on account of physical
17 handicap. PCHR may be required to petition city council to
18 change the ordinance to specifically include protection for
19 persons with mental handicap.

20 4) While Title VIII does state that a state or
21 local agency should have the availability of judicial review
22 of an agency's actions, the rule takes it one step further
23 by saying that the state or local law must provide for civil
24 enforcement of the law or ordinance by an aggrieved person
25 by the commencement of an action in an appropriate court not

1 less than one year after the occurrence of an alleged
2 discriminatory housing practice. While complainants and
3 respondents have always had the right of appeal in the Court
4 of Common Pleas to a finding resulting from a PCHR public
5 hearing, the Philadelphia Commission does not currently have
6 a bifurcated system whereby a complainant has a choice
7 between PCHR's administrative process and a court of
8 competent jurisdiction.

9 5) Building permits submitted after January 1,
10 1991 must include plans that buildings will be readily
11 accessible to the handicapped in a number of different
12 specific provisions. It remains unclear as to whether PCHR
13 will be responsible for monitoring the approval of such
14 plans or whether another city agency will be acceptable to
15 handle that aspect of Title VIII law, and/or who will be
16 responsible for investigating discrimination complaints with
17 regard to building code violations.

18 As is evidenced by the comments I have made,
19 whether the Philadelphia Commission on Human Relations will
20 remain a substantially equivalent agency as it has been for
21 many many years remains in doubt. What HUD appears to be
22 currently requiring to be eligible for certification will
23 constitute major changes in state and local laws and
24 procedures.

25 While state and local agencies from around the

1 country are puzzling over HUD's motivation with regard to
2 the strict interpretation of the law, one thing appears
3 clear: many of us will not be able to make all of the
4 changes in our various laws that are now necessary for
5 certification. It remains to be seen whether HUD reassesses
6 its requirements or whether the cooperative relationship
7 will dissolve.

8 Let me echo, in closing, one thing that Raymond
9 said, is that, the bottom line is that we're very pleased
10 that this law has passed and that ultimately it is the most
11 important thing that has happened. That the greater
12 enforcement powers and the penalties that now are going to
13 be able to be assessed for a finding of probable cause are
14 probably going to prove to be the greatest deterrent to
15 housing discrimination. And for that, we're very very
16 pleased.

17 But we want to remain a substantially equivalent
18 agency. And we want to retain our cooperative relationship
19 with HUD, which we believe is productive and leads to a
20 better coordinated effort to fight housing discrimination.
21 And, hopefully, that will be the case.

22 Thank you.

23 DR. WACHTER: Thank you very much, Ms. Lawton.
24 Sounds as though there is work that needs to be undertaken
25 even besides the question of equivalency. I know I have

1 some questions. I imagine others here have questions.
2 Perhaps we can go to some of them now, and if you can stay
3 here, we can invite our next set of panelists up and get
4 more questions to you afterwards if they occur.

5 Are there questions, then, from our Committee?

6 MR. MILGRAM: Well, I'm a little bit worried about
7 all the technical details which those of us who are
8 practitioners of the art of developing integrated housing
9 don't really get involved in. These are just general ways
10 in which HUD says, no, to progress that has been made in the
11 law, apparently, according to the last speaker presenter.
12 And I'm deeply worried that there has been very little
13 contact between in the last 10, 15 years, 20 years even,
14 compared with the early days when I started developing
15 integrated housing.

16 A family started moving into my first integrated
17 development in 1954 in Bucks County and in 1956 into
18 Philadelphia, and this was way ahead of the Fair Housing law
19 efforts, generally. The reality is that on both sides of
20 the first site I found for integrated housing in
21 Philadelphia are what seem to be, so far as we can locate,
22 find out, are 200 percent lily white developments, one form
23 of public housing 1,000 units still lily white, and one 400
24 units private twin houses still lily white.

25 And in the first case, we did go to Federal court

1 twice, and the second time they signed a consent decree not
2 to discriminate but it doesn't seem to have had any effect.
3 And it would be appreciated if someone from the City
4 Commission on Human Relations would look into this
5 situation. And I'll be glad to leave you my card if you'll
6 see me after the meeting.

7 MS. LAWTON: I'd be happy to.

8 DR. WACHTER: Thank you very much, Morris.

9 MR. FISHER: I have a question. My question would
10 be, and I'm not sure to whom it should be directed, in terms
11 of these differences that we're hearing, what would you say
12 would be the possibility of some kind of reconciliation.
13 Does this appear to be a hopeless case or is there room for
14 working out these potential problems, or? I just would
15 like to get some feel in terms of --.

16 MR. SOLECKI: I certainly don't want to speak for
17 the people in Washington, but my sense of the situation is
18 that with the change of Administration, there's a lot of
19 confusion going on. And I think what you're seeing is the
20 result of what I might characterize as hard line staff
21 people imposing policy in the absence of an Assistant
22 Secretary or in the absence of Secretary Kemp really taking
23 hold at this point.

24 I know personally at the regional level, and I'm
25 sure Ray and Rachel will bear this out, I've tried to be

1 totally cooperative and forthcoming and really probably
2 bending the rules to my own detriment to make sure that we
3 do have that kind of cooperative relationship. But based on
4 the comments that I've heard so far from Secretary Kemp, he
5 has made fair housing one of his top -- in fact, I think
6 he's got seven priorities right now -- he's made it number
7 two on his list, right after homelessness.

8 And I think that will give you an idea that, if he
9 has anything to say about it -- and I'm sure he will, when
10 he nominates the Assistant Secretary for Fair Housing, that
11 he will nominate the kind of person that will be cooperative
12 and will take these kinds of arguments into account. And
13 I'm confident personally that this initial confusion that we
14 have will not persist because the real job ahead of us has
15 to be done, and we just don't have the resources to be
16 quibbling about, you know, procedures.

17 So I think from what I've heard, especially from
18 the Secretary's level, this certainly will be resolved.
19 It's just that we're in this hiatus right now where a lot of
20 things are being talked about and said, and really nobody
21 has the authority to say some of those things.

22 DR. WACHTER: Ray, Rachel, do you want to add to
23 that?

24 MS. LAWTON: Well, I'd just like to simply say
25 that Ray Solecki has been very cooperative on a regional

1 level. And this is basically regulations that are coming
2 from Washington. To what degree he's been able or to what
3 degree that they have solicited his opinions as a regional
4 director, you know, from my opinion has not been to the
5 extent as they should have been. He after all is
6 responsible for the implementation of this at the grass
7 roots level and has to implement all of this if agencies
8 aren't going to get certified, you know. He's going to end
9 up with a tremendous burden of processing all these
10 complaints himself which will be extremely expensive for the
11 Federal Government and probably on final analysis
12 impossible.

13 So I personally believe that ultimately these
14 things will work out. The question remains, what's going to
15 happen between now and then, and what will remain state and
16 local agencies' responsibility with regard to pursuing
17 getting some laws changed that are very significant laws,
18 particularly the ones regarding civil penalties, and
19 punitive damages and civil penalties. That's a biggie for
20 states to pass to authorize state and local agencies to be
21 able to assess those kinds of damages.

22 And some smaller agencies or some larger agencies
23 may prove that trying to attempt to get that passed on state
24 and local levels may not prove to be politically wise. You
25 know, there's so much involved with trying to make our laws,

1 as Ray said, the identical twin. And there are other
2 alternatives that could be done to maintain a standard
3 substantially equivalent relationship that might not involve
4 having to change laws on state and local levels if it proves
5 to be imprudent to do that, or impossible to do that.

6 As cases are always dual filed under Title VIII
7 and you have your standard equivalent relationship, it's
8 entirely possible that complainants, if you had a finding of
9 probable cause, could go through the Federal process with
10 the Administrative Law Judge, or choose to go into Federal
11 Court at that point. And then have the same access to the
12 exact same remedies that are now on the Federal level and
13 still have state and local agencies investigate the
14 complaint for the Federal Government.

15 There are ways, in other words, that could be
16 worked out. But that is not been what we've been told we
17 have to do at this point so, as I say, it remains to be
18 seen.

19 MR. FISHER: Has anyone from the local or state
20 agencies articulated these problems to them on the national
21 level? I mean, does Washington, D.C., are they aware of the
22 potential problems?

23 MR. CARTWRIGHT: Yes.

24 MR. FISHER: And how did you do that, through the
25 Senators or? How do you articulate or communicate these

1 problems?

2 MR. CARTWRIGHT: We've communicated this on almost
3 every front that we have available to us. For example, most
4 of our organizations belong to a national group called the
5 International Association of Human Rights Organizations.
6 They met separately with HUD and with various characters in
7 HUD. Each of our agencies has lobbied individually and in
8 meetings and through whatever political powers we have and
9 with our senators and our representatives and we have done
10 it through the proper channels in terms of the comments that
11 you'll find to the regulations.

12 Now, to emphasize and to point out an example of
13 the kind of hard lining that Mr. Solecki was referring to,
14 it's a little bit like playing bridge with somebody who has
15 a series of choices to make and they make them all that head
16 in one direction. One of the things that we specifically
17 asked was, since we're going to have the most significant
18 changes in our laws we will ever have, can we submit them to
19 you beforehand for evaluation so that we'll know that what
20 we're asking for would be acceptable. We're presently
21 grandfathered, meaning that they will continue to send
22 certain complaints to us.

23 Their answer was, no, they would not do that. And
24 furthermore, if we submitted the amendments to our
25 legislature or city councils, and city councils adopted

1 those changes and they were not substantially equivalent, we
2 then would lose our grandfather clausung immediately rather
3 than four years from now. And that we could only make this
4 request for certification once a year. Now, none of that is
5 statutorial; that is somebody's hard nosed push.

6 DR. WACHTER: Dr. Stolarik?

7 DR. STOLARIK: Yes. I think it would be useful if
8 this group sent a message to the National Group, the Civil
9 Rights Commission that certainly I'm appalled, I don't know
10 about the rest of you. I'm appalled by what has happened
11 because on the one hand, we have a good law and on the other
12 hand, there seems to be a lack of communication in
13 negotiation between the Federal, the state and the city
14 organizations. And I would recommend that this group say to
15 the National Civil Rights Commission that the three groups
16 work together and try to resolve this.

17 And in the future when directives come down from
18 on high, that they come down after consultation with the
19 states and the cities to make sure that it'll work, rather
20 than just directives which might not work, as we've heard
21 this morning, directives that may actually hurt the process
22 because of this lack of communication and so on. I might
23 liken it to simply good business practices.

24 I happen to be an executive director of an
25 organization and I could say to my staff, do this, do this,

1 do this, do that. And they would probably get very upset if
2 I ran the organization that way, rather than to have
3 meetings with them and ask for their input, and realize the
4 difficulties and therefore come up with a solution that is
5 acceptable to all. And this is the way it should have been
6 done, I would think.

7 And I would hope that we could make such a
8 recommendation to the National Civil Rights Commission that
9 when laws like this come from Washington, that they be
10 passed and enacted after having discussed the implications
11 and how they can be enforced at the state and at the city
12 level so that we don't run into this kind of problem in the
13 future. Because I'm appalled that we have a good law but in
14 fact the state and the city may lose their equivalency
15 because they are unable to follow the regulations that are
16 being imposed from up on high.

17 DR. WACHTER: What I would like to suggest is that
18 we phrase that as this forum has pointed to what seem to be
19 difficult implementation issues and that we encourage going
20 forward the kind of dialogue and cooperation to resolve
21 these difficulties. That certainly is my feeling. I don't
22 know, is that yours, as well?

23 DR. STOLARIK: Yes Yes.

24 MR. FISHER: Would it be helpful if we were able
25 to include in that recommendations from the city and state.

1 (Discussion held off the record.)

2 MRS. DANIELS: Is there a memorandum of
3 understanding between the United States Government and the
4 Agency?

5 DR. WACHTER: Excuse me. If I may just interject
6 here, if it's all right with you, unless you wish to add to
7 this, but I believe we have a consensus that we quickly
8 arrived at at that statement that I have previously made.
9 And if it is all right with all the members of the
10 Committee, then I will put this, it will not only be in the
11 transcript as part of our official record, but I will put
12 this in a cover letter that I will write delivering this to
13 the U.S. Civil Rights Commission.

14 Are there other direct comments on that statement?

15 Then I thank you, and return.

16 MRS. DANIELS: No. I just was going to ask one
17 question. Is there a formal memorandum of understanding
18 with the state, as well as the local?

19 MR. SOLECKI: Yes, there is. And that piece is
20 not, the draft of that is just being written out for the new
21 law so we really don't know what it's going to say.

22 DR. WACHTER: Are there other questions for our
23 panelists?

24 Mr. Hwang?

25 MR. HWANG: I have a question for Mr. Solecki, a

1 rather pointed question, but you mentioned that your staff
2 has been enlarged by double. Do you perhaps think that that
3 was done in anticipation that you might be taking on the
4 load of enforcing this law, to take on the load that was
5 previously or now being handled by these local or the city
6 and the state enforcement agencies?

7 MR. SOLECKI: Okay. When you say, double, of
8 course that sounds tremendous. But it's basically going
9 from ten to 17, which is not exactly tremendous. But even
10 there, the break down shows that what this staff increase
11 was directed toward is just handling the complaints under
12 the two new bases, which are handicapped and familial
13 status, because as Ray and Rachel pointed out, the pieces
14 that they're grandfathered into are just the original five
15 bases and not the two new ones. So I knew that the cases
16 under the two new bases would be handled by HUD right now
17 anyway. And that's what our staffing is aimed at.

18 There is proposals for supplementary budgets in
19 Congress right now to add more staff in the event that this
20 other agreement doesn't work. But right now, that wasn't
21 the point of this initial one.

22 MR. HWANG: I have one more question. I have
23 questions for Mr. Cartwright and Ms. Lawson.

24 If you were to lose the certification, what would
25 you say would be the financial impact on the local agencies?

1 And Mr. Cartwright, you mentioned that you were currently
2 getting \$650 per complaint to process those complaints, and
3 you sounded as if that was not enough at this time. But if
4 you were to lose that financial aid or financial assistance,
5 what sort of impact?

6 MR. CARTWRIGHT: Oh, I think at the present time,
7 the financing was not a key factor in terms of the loss.
8 That's not -- I think at most that they may fund the
9 equivalent of one and a half positions, and one of those
10 positions is someone who is solely responsible for what's
11 called a HUD liaison who does nothing but process paper
12 work. So, in essence, the money that's generated by the
13 contract basically is to handle the paper flow.

14 This is something, as I said, we would have to do
15 anyhow. It's a greater loss of the coordination of the
16 effort that we've had over the years regarding being able to
17 tell, for example, the real estate industry which we work
18 with very well in the State of Pennsylvania, that they only
19 have to deal with a single agency, as opposed to two of our
20 agencies, doing what were basically double investigations
21 over the same ground. It's a burdensome kind of thing.

22 MR. HWANG: Thank you.

23 MS. LAWTON: Well, I would agree with, basically,
24 what Ray said. That the money is not as much of a
25 significant issue as is the relationship itself. HUD

1 sponsors several times a year policy conferences,
2 opportunities for people in fair housing to get together
3 from various states and localities around a particular
4 region, and sometimes nationwide which gives us an
5 opportunity to network with one another, share each other's
6 strategies and be sort of a supportive and enlightening
7 training opportunity. I think that that would be a
8 significant loss for the City of Philadelphia to lose that.

9 In addition, there are particular opportunities,
10 as Ray said, that we are now working with Temple and other
11 community organizations to submit a grant proposal on these
12 mortgage lending practices by area banks that we would be
13 dependent upon federal funding for if we got that. We would
14 lose that opportunity to apply for these special requests
15 for proposals, and that would be a big loss to the City of
16 Philadelphia. So in specific instances, the monetary aspect
17 would be significant.

18 The amount that we get per case basically goes
19 into the city general fund and is in any one of our
20 particular positions is not dependent and therefore we
21 wouldn't lose a staff person as a result of that.

22 DR. WACHTER: Mr. Fisher?

23 MR. FISHER: Yes. I wanted to ask just very
24 quickly, Mr. Solecki, I think I heard you in terms of the
25 new amendments, a complainant, a person that has a complaint

1 about alleged racial discrimination in housing has an option
2 of either having the case heard before an arbitrator or
3 going into Federal court?

4 MR. SOLECKI: Right, an Administrative Law Judge
5 or a Federal court. .

6 MR. FISHER: Well, if one chooses the Federal
7 court, I would assume that comes under the Justice
8 Department, does the Attorney General or anybody in the
9 Justice Department have discretion in terms of whether they
10 will hear the case or go forward with the case, or can alter
11 the case, or are they mandated by the new amendments that
12 they must do certain things?

13 MR. SOLECKI: Right. They're mandated by the
14 amendments to go forward.

15 MR. FISHER: Okay.

16 DR. WACHTER: Thank you very much, and thank you
17 for what to my mind has been an extremely enlightening
18 panel. Again, I would ask you and very much appreciate it
19 if you could stay, so that we could continue the exchange
20 after our next panel.

21 And let me invite up the members of our next
22 panel. And perhaps as we do, those of you who'd like to,
23 might wish to stand. We have coming up now the heads of
24 non-profit organizations and agencies of the Commonwealth,
25 and they will share with us their views on the changes in

1 enforcement.

2 I would like to welcome now on our second panel,
3 let me mention briefly their names: Robert Tyler, Mary Ann
4 Holloway, James Frazier, Melvin Johnson and Dan Welliver.
5 And we will begin with Robert Tyler who is Chairman of the
6 Pennsylvania Association of Realtors.

7 Let's take a few moments break, and we'll start up
8 very shortly.

9 (Brief recess is taken.)

10 DR. WACHTER: Robert Tyler who is Chairman of the
11 Pennsylvania Association of Realtors.

12 Thank you very much for being with us.

13 MR. TYLER: Thank you.

14 On behalf of the Pennsylvania Realtors'
15 Association, we'd like to thank you for inviting us to this
16 panel discussion on the new Fair Housing law. There are
17 several things that I'd like to talk about, certainly, and
18 will start off with the attitude. That seems to be a key
19 factor in anything that we do. The other one is the
20 education. And the other one would be compliance as well as
21 the complaints that are involved.

22 We have 28,000 membership statewide, and as far as
23 the attitude is concerned, and I'll go with that, first, we
24 are quite informed of the new rules and regulations in terms
25 of 1866 through the current law of 1989, even though

1 sometimes trying to understand the current law makes life a
2 little bit difficult. But we do try to disseminate this
3 information to our realtors and realtors associates.

4 It appears that sometimes the public does not know
5 the fact that the realtors try to be a little more
6 professional than the real estate agents, and that has to be
7 gotten out to the public. And that's our opinion.

8 As far as education is concerned, we have worked
9 along with HUD and Mr. Cartwright and the Human Relations
10 Commission in terms of what Fair Housing rules are. We, as
11 realtors, do compare with the Fair Housing rules, even
12 though there might be a few that may not in total do what
13 they're supposed to do. NAR, the National Association of
14 Realtors, along with HUD did sit down to talk about the new
15 Fair Housing Regulation. They did come to some sort of an
16 agreement. Certainly, I'm glad that we do have the laws of
17 the land, and we must comply with them. And that we will
18 continue to have a working relationship.

19 As Mr. Cartwright has indicated, even before HUD
20 had their rules and regulations, we had a memorandum of
21 understanding between the Human Relations Commission and
22 that was far before the time that the state had come in.
23 during that term also we had fair housing guidelines which
24 was a working relationship with the Human Relations
25 Commission and with the Pennsylvania Association of Realtors

1 indicating what to do in terms of marketing, renting and
2 also sales. So Pennsylvania has been number one, in my
3 opinion, in terms of trying to give out information.

4 Not only that, with the new Fair Housing Rules and
5 Regulations, there are posters also indicated by the Human
6 Relations, that most of the realtors and realtors associates
7 do have in their offices.

8 To get back to the affirmative marketing agreement
9 which is on a volunteer basis, again, this is the kind of
10 working relationship that we have with HUD. Sometimes we do
11 have misunderstandings on it. That we have agreed in 1987,
12 this is through NAR, to do certain things to try to get
13 minorities into the real estate industry. Not only that, it
14 has rules and regulations on a volunteer basis on how you
15 should advertise, how do you put posters and all those kinds
16 of things.

17 Now, this agreement which was effective June 10,
18 1987, for a period of five years until June 1992, and as the
19 Chair person of an equal opportunity committee state wide
20 and also locally, we're at this point in time encouraging
21 and suggesting that all designated realtors sign the fair
22 marketing agreement. Because it makes good business and
23 good sense, as someone had indicated. So we're in the
24 process of doing that. And also on a national level, they
25 are doing the same thing.

1 Just recently at the State meeting, the Human
2 Relations Commission had a policy on AIDS. And the Board of
3 Directors accepted that. So, again, anything that's
4 pertaining to the law of the land, we are disseminating that
5 information out to our realtors.

6 These are some of the educational things that we
7 as realtors are doing for our membership. The other thing
8 that we're talking about is compliance. We again, under
9 Article 10 or our association's rules and regulations
10 dictates that we do not discriminate. So if in fact any
11 individuals have a complaint of any certain realtor or
12 realtor associates, that we can handle the case ourselves,
13 which is through the grievance or professional standards,
14 whatever the case might be, again getting information out to
15 our realtors and realtors associates.

16 The enforcement part of it certainly is implied
17 with our rules and regulations and also with the enforcement
18 of HUD as well as the Human Relations Commission. And with
19 all our hearts and minds, we will comply with them. We do
20 hope that these new rules and regulations that has come in
21 force, even though there might be some misunderstanding, it
22 appears to be the best thing for the future. And as soon as
23 the Human Relations Commission, as well as HUD, will be able
24 to resolve some of their differences, certainly it will be
25 the right thing for the future as far as my opinion is

1 concerned.

2 There were some remarks in terms of the appraisal
3 part of it, I think, from the doctor. There are certain
4 rules and regulations in that that dictates that all
5 appraisers cannot discriminate based on race, creed and the
6 rest of it. As far as the financial end of it, there are
7 some implications that that's under the guidelines as well.
8 But, again, the attitude of the people who are involved with
9 the enforcement as well as with serving the public certainly
10 has to be very receptive.

11 I would hope that the various agencies that we
12 work with that we would find again some money to try to
13 disseminate this information to the public. And once that
14 comes about, I think we'll get a clearer understanding what
15 is going on, I mean, in terms of the Fair Housing law.

16 There are other particular things in the Fair
17 Housing rules and regulations that are a concern of the
18 realtors. Certainly the new regulation of the handicapped,
19 when that would come in force, the cost factor that's
20 involved, the family status. Some of them say, it may not
21 be too clear the number of people who can occupy a residence
22 some times may not be too clear. But I think through time,
23 we'll be able to straighten those items out.

24 But, again, the working relationship is there; it
25 has been established and it will continue to be so.

1 Thank you.

2 DR. WACHTER: Thank you very much, Mr. Tyler, for
3 your comments. I imagine that there will be interest in
4 following up some of the issues that you've raised, and
5 perhaps other comments that you raised for Dr. Bartelt,
6 after hear our other presenters.

7 And I now turn to Mary Ann Holloway who is the
8 Executive Director of the Pennsylvania Low Income Housing
9 Coalition.

10 MS. HOLLOWAY: Good morning. Thank you for the
11 opportunity to speak with you and to share with you some of
12 the concerns of the Pennsylvania Low Income Housing
13 Coalition with respect to the implementation of the new
14 provisions that have been added to the Fair Housing Law.

15 The Pennsylvania Low Income Housing Coalition is a
16 membership organization comprised primarily of non-profit
17 organizations that are involved in housing development, in
18 housing counseling, in housing rehabilitation and in serving
19 homeless persons either in shelters, transitional housing or
20 seeking to find permanent housing. Our membership is spread
21 across the State of Pennsylvania. We've been in existence
22 since 1985.

23 One of the areas that we have found that there's a
24 vast shortage of is rental housing that's affordable to
25 families. In my remarks, I'm going to be concentrating

1 really on the two new aspects in the law which is the need
2 to provide housing for families and also the housing for
3 handicapped individuals.

4 That I would urge that the Commission provide
5 guidance to the Department of Housing and Urban Development
6 with respect to ensuring that their own programs which come
7 to local governments in the form of entitlements under the
8 Community Development Block Grant and under Rental
9 Rehabilitation, be aggressively pursued to provide
10 assistance to the owners of rental housing and to the
11 tenants in rental housing that would be moving in who are
12 handicapped and who would need to have accessibility
13 requirements carried out in the property. That the
14 regulations, as they're written down, really do presuppose
15 that a tenant would have all of the funds available to them
16 in order to make whatever reasonable adaptations would be
17 necessary.

18 It is not that all handicapped persons are of low
19 and moderate income, but it is not reasonable to assume that
20 all handicapped persons have sufficient credit to be able to
21 make those provisions in housing. There are Federal
22 programs, as I previously mentioned, which can make those
23 provisions available both to homeowners and to landlords in
24 order to engender a cooperative relationship. And I think
25 that's really what everybody would like to see come about

1 even though we've been working at this now for several
2 decades and haven't quite reached the point we'd like.

3 That the Department of Housing and Urban
4 Development, even though on the books in other regulatory
5 provisions makes provision to have certain percentages of
6 the housing it finances or insures be accessible units,
7 those provisions can be waived. And waivers of their nature
8 undercut accomplishing the goals that are set out.

9 And that's why I think it's important for the
10 Commission, in a conciliatory friendly fashion, to persuade
11 the Federal agencies that do provide the funding -- and it
12 includes both Farmers' Home Administration, as well as the
13 Department of Housing and Urban Development -- to monitor
14 the results that are obtained.

15 That on the State level, we would hope to see that
16 the State Commission would be working closely with the State
17 agencies, which would include such entities as the
18 Pennsylvania Housing Finance Agency, the Pennsylvania
19 Department of Community Affairs, the Pennsylvania Commerce
20 Department, and the Department of Industry and Labor to see
21 that they, too, cooperate in the implementation insofar as
22 State regulations, State laws and State policies are
23 affected.

24 That the Pennsylvania Housing Finance Agency
25 provides financing directly to both profit and non-profit

1 and at the present time, as far as I know, they have not
2 aggressively and affirmatively stated that funding is
3 available for providing accessible units. And it is these
4 avenues of approach, of seeking to use what is available in
5 order to create the units to be occupied by families and by
6 handicapped individuals that also need to be pursued in the
7 implementation.

8 I was very sorry to hear in the earlier panel of
9 the conflict in terms of the relationships now between the
10 State and HUD. And am happy that the Commission is pursuing
11 the strategy that was adopted earlier in seeking to have the
12 two, have HUD work out its regulations so that the state
13 agencies and the localities will be able to better carry
14 forth what the new law that everyone is very happy to see
15 intends to accomplish.

16 Housing for families and particularly placing
17 families in housing is very difficult. It's ironic that, as
18 a society in our arts and our culture, we love children but
19 in our real estate, we're scared of them. And this is a
20 public attitude. And education needs to be done in the
21 attitudes as well as strong enforcement. That in surveying
22 our membership in Delaware, Lancaster, York, Scranton, over
23 and over what I hear coming from our non-profits is that
24 it's very important that there be education. That everybody
25 be aware of what their rights are and what their obligations

1 are as both tenants and as landlords. And what they can
2 expect that is fair.

3 That the most promising avenues are when you have
4 other persons in the community saying, you really aren't
5 supposed to do that; you'd better change. And those are the
6 avenues of approach that I hope that we can all work
7 together on. And that certainly the members of the
8 Pennsylvania Low Income Housing Coalition will do all that
9 they can to work with both the State and the National
10 agencies in implementing this law.

11 Thank you.

12 DR. WACHTER: Thank you very much. Perhaps
13 formally we can have some discussion as to who is doing what
14 in terms of the agency, and perhaps also informally because
15 a lot of the people who can do this are right here today.

16 Let us now turn to James Frazier who is the
17 Housing Director of the Pittsburgh Urban League.

18 MR. FRAZIER: The Urban League of Pittsburgh is 76
19 years old. It's one of the oldest urban leagues and it's
20 the third largest urban league in the United States. We see
21 about 4,000 households, basically low income, in our housing
22 counseling operation, which is one of the things that I
23 direct.

24 We see, we come to sort of fair housing in two
25 ways: obviously, we're a civil rights organization, and

1 secondly, we are a social welfare organization providing
2 services to residents of the City of Pittsburgh and to the
3 County of Allegheny. And minorities and women are
4 disproportionately represented in that population as a
5 result of discrimination.

6 We know, as in Philadelphia and in other cities,
7 segregation is on the increase and we'll in the 1990s see it
8 even, in a continuation in this pattern of very modest gains
9 in the desegregation area and very significant increases in
10 the segregation area. We also know from HUD studies that if
11 you are black and you're entering the sales market, you
12 stand a 50 percent chance of being discriminated, and if you
13 enter the rental market, you stand a 75 percent chance of
14 being discriminated. This is a 1977 study.

15 We have also found what we've already suspected
16 from the Atlanta Constitution Article that came out on Super
17 Bowl Sunday that Pittsburgh is the second worst city as far
18 as minority turn down rates. If you're black, you stand a
19 31 percent chance of being turned down at the lending
20 barrier so to speak, as opposed to ten percent for whites.
21 So there's a great deal of problem in terms of
22 discriminatory practices in the lending market.

23 The Urban League strategy is to promote fair
24 housing. We're very active with the CHRB and in fact staff
25 the CHRB in the greater Pittsburgh area, and active with HUD

1 as well. We look forward to the implementation of this Act.
2 We've been very frustrated with the last 20 years
3 implementation phase of the Fair Housing Act, very
4 disappointed, and we hope that these new laws and new
5 enforcement procedures will make a difference. We've been
6 sort of working on the voluntary. I see he has one of the
7 pins from the Pittsburgh CHRB on there, good neighbors come
8 in all colors. We try and promote fair housing in a
9 positive way. But also it's obvious from the research that
10 the hard cold facts are that that's not enough, and that we
11 do need a very vigorous enforcement aspect.

12 We're also going to take the Atlanta Constitution
13 findings and increase our activity in the prepurchase
14 housing counseling. Our objective there is to create a pool
15 of prequalified minority home seekers in -- well, actually,
16 Allegheny County, because the City of Pittsburgh hasn't
17 agreed to the funding -- but Allegheny County has agreed to
18 additional funding to create a pool of prequalified minority
19 home seekers so that the excuses used by the banks of credit
20 and work histories and all the other business that they keep
21 throwing up at us will not be relevant if in fact they do
22 turn them down. And then we will be there as their
23 advocates.

24 I know the S&Ls in the Pittsburgh area are a
25 little bit embarrassed about these findings, and will

1 probably be a lot more cooperative, thanks to the findings
2 of this research. And I think that we've sort of been
3 saying that these things are happening when we do have
4 findings of this kind, when we do have enforcement, the jobs
5 of the sort of social welfare civil rights organizations
6 become a lot easier.

7 And so that maybe my next 20 years at the Urban
8 League will be a lot more fruitful in terms of
9 accomplishments because of the fact that all these laws are
10 enacted, and we hope to be moving forward. Because I don't
11 really think that we have an awful lot of time. We know a
12 lot more than we did 20 years ago, and the tools are now at
13 our disposal, and it's time that we put them to work.

14 DR. WACHTER: Thank you very much, Mr. Frazier,
15 for your helpful comments. I hope we can have for the
16 record some specifics of those citations and I for one have
17 a question or two on that. Thank you again for being here
18 for Pittsburgh, appreciate that.

19 And we turn to Mr. Melvin Johnson and Mr. Dan
20 Welliver, Chairman and Researcher Statistician,
21 respectively, of the Harrisburg Fair Housing Council. And
22 we welcome you.

23 MR. JOHNSON: Thank you very much. We appreciate
24 the opportunity to speak before you this morning. And I'm
25 very fortunate to be last because we have the opportunity to

1 critique everyone who's before us and learn something as
2 well.

3 We are a community organization specifically
4 directed toward housing, and what has been said here today
5 points out that discrimination still occurs especially with
6 low and moderate income people. Our talk today will be
7 really directed toward discrimination as far as credit is
8 concerned. Because that's a first key to getting rental
9 housing or affordable housing of any kind.

10 And we have been very fortunate to be able to look
11 at this rather succinctly and that's why our statistician,
12 Mr. Welliver, is here with us today because this is
13 something which, as Mr. Solecki, has related to, takes place
14 in the financial institutions.

15 We're a 15-year old organization and really back
16 in 1979 and '80, became aware that red lining in various
17 forms was taking place in the City of Harrisburg. We sought
18 to try to speak to those issues before the FDIC under the
19 CRA Act and were the only second organization nationally to
20 have a citation upheld based on a protest before the FDIC.

21 I understand that the Federal Reserve just had
22 their first one in Chicago here within the last couple of
23 weeks. Ours took place around in 1980.

24 Forms of discrimination took the place of varying
25 credit criteria, one neighborhood versus another. Lack of

1 programs. At the time we instituted this process, there
2 were no FHA or VA programs within any of the institutions
3 within the city. Lack of loan officers within branches in
4 the inner city. The people being turned off even before the
5 application process, even something just as simple as a
6 person who you meet at the desk saying, oh, we don't have
7 anybody here to take that application, or by just what
8 you're telling me, I know we wouldn't approve you. But
9 these are very definitely discriminatory practices, no kind
10 of media directed toward the inner city.

11 And, again, a feeling that there were a
12 predominance of loans approved by blacks in black
13 neighborhoods more so than whites in white neighborhoods.

14 Our organization spoke to those issues and, as I
15 indicated, went before the FDIC and because of those kinds
16 of statistics that we shared with the FDIC at that time, we
17 got the bank to negotiate with us after the hearing found in
18 our favor. Out of that has come to this date with that
19 particular institution \$13 million in mortgage write downs
20 in the inner City of Harrisburg. In other words, if the
21 rate is 11.5 percent, then in the inner city in low and
22 modern income neighborhoods, it's 10.5 percent.

23 MR. MILGRAM: Are these write downs just to help
24 to poor or write downs to end segregation?

25 MR. JOHNSON: Mr. Welliver's going to get into

1 that in his statistical report because it's broken down in
2 various areas. But the write downs were not specifically
3 for it was neighborhoods and we have added on a subsequent
4 contract income levels. In other words, we refined it
5 because we found that there were inequities in it when we
6 first started, because we were not knowledgeable enough in
7 the beginning. But as we've had subsequent contracts with
8 this particular institution, we have refined the criteria.

9 To date, we have been able to establish other
10 kinds of things. For instance, the institutions
11 supplementing credit counseling in the inner city so that
12 they pay to have, we are not doing the credit counseling
13 although we have a counseling service. The dropping of home
14 improvement loan criteria. In other words, now the
15 institutions will now lend you \$300 on a home improvement
16 loan if a person has a minor repair and they need \$300 to
17 put a hot water tank in, they need \$300. But the banks had
18 a level that they set of several thousand dollars to which
19 they would not lend below that. And of course, low income
20 people could not meet the credit criteria to get the higher
21 amount of money.

22 The publishing of credit criteria so that it's out
23 front. In addition to that, community review councils for
24 the institutions so that we look at the amount of loans
25 made, the dollar value of loans made, the census tracts on

1 which they're made on a regular basis. So that we now have
2 three councils with three different institutions and other
3 relationships with other institutions to try to look at
4 that.

5 Unfortunately, we do not have full cooperation
6 from the FDIC, Comptroller of the Currency, Federal Home
7 Loan Bank Board and Federal Reserve to the extent that we
8 have had unofficial official meetings from regulatory
9 agencies who have come and sat down with us and said, well,
10 they promised us they were going to do this or they promised
11 us they were going to do that, and really were saying to us,
12 back off, because you're not really going to get anything
13 from this institution. We have filed protests. We've filed
14 protests with established institutions and new institutions
15 that came into the community that did not do a credit
16 assessment for low and moderate income, and of course, went
17 to high priority areas in the suburban markets without any
18 consideration of the inner city.

19 One of the major S&Ls in the Harrisburg area only
20 has one branch in the city, and if you look and see where
21 they have put their branches, the location of their branches
22 in and of itself speaks to a pattern. We have another S&L
23 who has come into the community but has a poor record of
24 disinvestment and selling off branches in other low and
25 moderate income areas in the City of Philadelphia. We

1 protested that and have come up with a working agreement
2 with them.

3 So the first line of this is the fact that even
4 though people are available, we find that they are being
5 discriminated against from a credit standpoint. We will be
6 announcing on the 25th of this month a no-down-payment home
7 mortgage program for low and moderate income in the City of
8 Harrisburg.

9 What I would like to do is to turn to Mr. Welliver
10 and let him give you an overview of why it's so significant
11 from the figures and how we developed to them, similar to
12 the kinds of studies Dr. Bartelt is doing in Philadelphia,
13 it relates directly to those kinds of studies that show
14 patterns of discrimination.

15 MR. WELLIVER: Good morning. Thanks for the
16 opportunity to speak with you.

17 I provided in advance to the panel, a summary of
18 some of the statistical research I've been doing over the
19 past year for the Harrisburg Fair Housing Council.

20 Although the level of the statistical analysis
21 that I did in Harrisburg does not approach the kind of level
22 of statistical analysis done by Dr. Bartelt's institute, by
23 the Atlantic, the folks in Atlanta who recently won a nobel
24 prize for their serious of articles on lending patterns in
25 the Atlanta area, I provide some summary statistics based on

1 home mortgage disclosure data that lending institutions must
2 make available upon demand by anyone from the public as to
3 the number of loans they make by census tract and the amount
4 of loan dollars. This basic information can give, put in
5 the hands of community organizations and non-profits in
6 addition to academic institutions, information that talks to
7 them about their own community and what's happening.

8 Although we can summarize based on that, using
9 somewhat outdated census data and using this very limited
10 information that's available to us, we can summarize to the
11 extent where we can make statements like I make in my
12 summary that, in low and moderate income census tracts, for
13 instance, 38 percent of the homes are located in low and
14 moderate income tracts while only 29 percent of the loans go
15 there, and only 17 percent of loan dollars go to those
16 tracts.

17 We can make summary statements like, although in
18 minority tracts, 45 percent of the homes exist there, only
19 37 percent of the loans are made there and only 22 percent
20 of the loan dollars go there. Those, obviously, are not
21 controlling for a lot of compounding variables that can get
22 in the way of making clear distinctions as to whether race
23 or income are determining variables in lending patterns.
24 Although, just doing this level of analysis puts some
25 information in the hands at the community level that allows

1 the initial use of a CRA process to approach lending
2 institutions, confront them with patterns that are seen,
3 talk about the limitations of the research but on the other
4 hand, confront them with what it seems to show.

5 There's no evidence that we've been able to
6 develop in the Harrisburg market within the last seven years
7 that this kind of research has been done that shows that
8 Harrisburg is any different from Atlanta, Chicago,
9 Baltimore, Philadelphia, in terms of inequitable lending
10 patterns based on minority status of census tracts or income
11 status of census tracts.

12 And so that leads us to the banker's table. And I
13 reflect back on what Dr. Bartelt said about the fact that we
14 have many dimensions in housing that need to be paid
15 attention to. And also that regulations, Federal
16 regulations, state regulation can only be one component of a
17 successful front to have an impact on that. Another
18 important component is at the community grass roots level
19 where citizens have enough information to be able to make
20 their impact on that entire process. That they can use this
21 information to either confront local institutions for which
22 there's a problem but also not to get beyond the confronting
23 and to sit down and work out a partnership or relationship.

24 The program Mel referred to that's going to be
25 instituted soon within the City of Harrisburg whereby no

1 down payment mortgages are available to low and moderate
2 income persons is the direct result of an approach to an
3 institution that had a particular poor record. That was
4 demonstrated to them and they responded without formal CRA
5 leverage. There was no pending merger, there were no
6 pending applications for branches. But they saw the track
7 record of the community group. They knew that down the
8 road, this could be something confronting them. And they
9 were sensitive to that and they saw it in their own best
10 interests to tap a market they were not tapping and to do it
11 in a way in which they got the cooperation of the community
12 organization in doing that.

13 This is one of the tools that I think we have to
14 keep continuing to be aware of and we have to also move
15 beyond what happens in the regulatory realm and see what
16 kind of information can be had by community organizations
17 and how do we empower those organizations to have an impact
18 on lending practices, mortgage practices, and discrimination
19 in our communities.

20 MR. MILGRAM: But isn't no down payment money
21 being used in such a way as to increase integration or to
22 perpetuate segregation?

23 DR. WACHTER: May I hold off the answer to that
24 question to simply thank you --

25 MR. JOHNSON: I have one other statement. I

1 wanted to state that the funds for which we did this study
2 were from the Urban Development Grant Housing Assistance
3 Project which is a HUD Project. Unfortunately, even though
4 the kind of analysis that was done has a tremendous impact
5 in our dialogue with the institutions, these kinds of funds
6 are not readily available. And this may be one of the kinds
7 of vehicles that need to be established to not only monitor
8 the Fair Housing Assistance Act but the other kinds of
9 entities in fair housing that grass roots organizations are
10 capable of doing.

11 We do not get funding from any source. We have
12 had two grants in the past. Currently, we have no funds
13 coming from any outside source at all. So it's very
14 difficult. We get over 200 calls per month from our help
15 line that answer to housing needs and complaints. And in
16 many cases, we refer it to appropriate agencies that have a
17 legal enforcement responsibilities but in many cases, we
18 handle them ourselves. And this is the kind of organization
19 that can be the kind of support for this kind of activity in
20 this Act. But we can't do it alone. It's just impossible
21 to do.

22 Thank you.

23 DR. WACHTER: Maybe we can help think through some
24 possibilities for addressing those kinds of concerns to get
25 cooperation on education and reporting of current problems.

1 Let me stop now just to simply thank Mr. Melvin
2 Johnson and Mr. Dan Welliver for coming here from Harrisburg
3 and for their very helpful comments.

4 And then turn to our questions and start perhaps
5 with Mr. Milgram's question.

6 MR. MILGRAM: Yes. It's very easy to use, to get
7 money that helps to increase segregation. So for example
8 the various housing programs in Philadelphia and elsewhere
9 around the country simply banks agree to give money at lower
10 than going rates slightly providing it's used within the
11 city and with no proviso that the move has to be a pro-
12 integration move or even any percentage of it.

13 I should say there are some good signs on the
14 horizon that the State of Ohio which used to do exactly the
15 same thing of getting tax exempt bond offerings for housing
16 moves to help modest income families was finally persuaded
17 by Fair Housing leadership, specifically the leadership of
18 National Neighbors, Charles Brownlee, to put a substantial
19 percentage which several years ago ran to \$6 million out of
20 a \$60 million allocation for Cleveland to go only for pro-
21 integration housing moves by whites and blacks and
22 Hispanics, etcetera. And the last one they just got that's
23 now operating is \$10 million in the Cleveland area for pro-
24 integration housing moves at 8.6 percent plus I believe it
25 is 1.5 or 2 points.

1 But this is the kind of money that is not yet
2 coming from any state housing finance agency anywhere in the
3 country that I know of outside of Ohio, and it only occurred
4 in Ohio because Cleveland's a heavily segregated city and
5 all the other things they were doing weren't working very
6 well in the City. And this is working in the greater
7 Cleveland area now, and I think in the Cincinnati area as
8 well.

9 MR. JOHNSON: There currently is Pennsylvania
10 housing finance money for blacks and Hispanics in the City
11 of Harrisburg and --

12 MR. MILGRAM: To make pro-integration moves or to
13 stay in the ghetto?

14 MR. JOHNSON: It's all city. I'm not as familiar
15 with it, but I don't think it's implemented, yet. It's been
16 announced. I have not yet been able to get the details on
17 it, but it is for the City of Harrisburg only. The money
18 that we're talking about is basically low income and has
19 income guidelines. If you look at the income levels of the
20 City of Harrisburg with a population mix, low income areas
21 are minority areas, and we've established that through our
22 statistical process.

23 As you well know, Harrisburg is a city that's a
24 government city and the areas that are supported by many of
25 the people who work in the capital complex are in many areas

1 still segregated to some extent. The mix is not great so
2 that you can very definitely determine low income census
3 tracts and high minority census tracts which are basically
4 in the inner city.

5 DR. WACHTER: Dr. Bartelt?

6 DR. BARTELT: There's a side to this I think we
7 could easily miss. I'm picking up on your comment, Mr.
8 Milgram. One of my observations, and it's been a problem in
9 working with neighborhood based organizations on some of
10 these CRA challenges, is that many of these organizations
11 are content to take a Plessey v. Ferguson kind of approach
12 to the problem of segregation. That they would be satisfied
13 with separate but equal treatment under the way in which
14 banks operate. And they do not push to the point of
15 insisting on support for integrated or funds for integration
16 of housing, but are satisfied to go after a larger slice of
17 the bank's pie to keep their neighborhood essentially
18 stable.

19 There is a major noteworthy agreement in
20 Philadelphia, in eastern north Philadelphia without going
21 into any of the personalities or the particular bank that is
22 involved with it, it's very clear that the allocations of
23 money that are being processed through there are to keep the
24 traditional barrier between Kensington and North
25 Philadelphia very much present and to not try and build the

1 necessary bridges across those communities, keep them very
2 segregated.

3 There is no one that I can see that is taking the
4 sort of initiative. And it gets complicated. I have to get
5 back to the appraisal point that I made, earlier. It's
6 common practice in Philadelphia for integrating
7 neighborhoods to be down graded because they're integrated.
8 Even though looking at the sale prices, both in the short
9 run and the long run, that doesn't seem to be borne out and
10 it creates problems in terms of getting that mortgage
11 approved, even when you go after it.

12 So until somebody takes and makes that
13 integration, the point of integration the major agenda item
14 on the CRA agreements, on the kinds of city and state and
15 federal housing funds, what I very much am concerned about
16 is it will drift backwards toward this notion that well,
17 it's too tough a task so we'll be satisfied with only a
18 separate city as long as there's better access. And I don't
19 think that's the point at all of this discussion.

20 DR. WACHTER: Thank you, Dr. Bartelt. Is there
21 anyone who wishes to add to that or respond to it?

22 Mr. Frazier?

23 MR. FRAZIER: Well, the Pennsylvania Housing
24 Finance Agency had a minority home ownership program that's
25 sort of defunct right now. And it made it very easy, in

1 fact, it targeted part of that program to, it targeted and
2 gave more favorable conditions to reduced interest rate to
3 those who would buy minorities, because it was a minority
4 home ownership program, to minorities who would buy in
5 depressed areas, census tracts that were depressed. I mean,
6 easily identified as neighborhoods that were depressed. So
7 it was along the lines that you're talking about.

8 MR. MILGRAM: Along those lines, most of the banks
9 working in the housing programs that have been going for
10 some years, the Philadelphia Mortgage Program, etcetera,
11 including wonderful people, people who wouldn't hurt a fly
12 but they made it clear that moves had to be within the City
13 of Philadelphia. You couldn't cross the boundary into white
14 suburbia and still get this money. In addition, you
15 couldn't get more than a very modest size mortgage so you
16 couldn't possibly buy in suburbia even if they changed that
17 rule. And you couldn't possibly buy in the better
18 neighborhoods of Philadelphia, you could buy in the most
19 depressed neighborhoods of Philadelphia.

20 DR. WACHTER: Mr. Tyler?

21 MR. TYLER: In respect to the appraisal end of it,
22 you know the Federal Government is now investigating the
23 appraisal industry. As a matter of fact, they're talking
24 about certifications and what have you. So that is
25 partially being addressed. There's no doubt in my mind that

1 they still that, and I'm not arguing the point about it.
2 But they're trying to clean it up somewhat.

3 As far as the urban lending program, it's my
4 understanding because the gentleman was down in my office
5 recently, that Philadelphia National Bank, they're extending
6 out into the suburban area. True, it's on a limited basis
7 but they're starting to expand.

8 MR. MILGRAM: The Philadelphia Housing?

9 MR. TYLER: The Philadelphia National Bank, if I
10 stand to be corrected.

11 MR. MILGRAM: Oh, I see, Philadelphia National
12 Bank.

13 MR. TYLER: Yes.

14 MR. MILGRAM: Is extending outside of the city
15 limits?

16 MR. TYLER: Yes, suburban area, just recently
17 started that.

18 DR. WACHTER: I have a question for Mr. Frazier.

19 You had cited studies which showed that something
20 like 70 percent of the minorities --

21 MR. FRAZIER: Okay, that's --

22 DR. WACHTER: -- could you tell me how that --

23 MR. FRAZIER: That's the 40-city testing study
24 done by the NCDH National Committee Against Discrimination
25 In Housing, which is now defunct, unfortunately, under a

1 contract with HUD. So it was the HUD's 40-city study. And
2 the other thing was the --

3 DR. WACHTER: Can you tell us in more detail what
4 an act of discrimination is in that context?

5 MR. FRAZIER: Well, I don't think they even
6 followed, it was -- it was disparate treatment. In other
7 words, this thing of coming in and not being able to make
8 application. In fact, that study did not cover steering
9 which is a major tool of segregating housing patterns. And
10 is still rampant today. And in any other kind of testing
11 program, steering would be, steering is against the law and
12 it would be enforceable in the courts. It's, it, the in
13 looking at the survey instruments that they used, it was the
14 courtesy, the denials, a lot of denials, we don't have
15 anything, that kind of thing, and then of course when the
16 white counterpart comes in, there's a great deal of variety
17 in white neighborhoods. They don't even get, whites don't
18 get to see the integrated neighborhoods.

19 DR. WACHTER: Thank you, Mr. Frazier. Other
20 questions?

21 MR. CARTWRIGHT: Jim pretty well covered. There
22 was a study and I still have some old extra copies of it.
23 There were 40 things that the tester checked off including
24 whether they were offered in this day and age one of the
25 great boo-boos, cigarettes, coffee, chairs, business cards,

1 follow-up letters, and that was part of what was lumped in
2 as opposed to the more serious thing of what was the
3 difference in the quality of the houses offered, the
4 neighborhoods, the number of units and so on. So it had
5 some problems in its applicability.

6 DR. WACHTER: Thank you very much. I would
7 appreciate a copy of it.

8 MRS. DANIELS: I would, too.

9 MR. MILGRAM: Me, too.

10 DR. WACHTER: Are there other questions?

11 MR. TYLER: Yes. In respect to the minority loans
12 that you talk about, there has been several calls to my
13 office and I wasn't quite privy to this information, if you
14 can inform me, then I can inform the other realtors that
15 call me. So could you give me a little information on this
16 particular type of loan?

17 DR. WACHTER: This is the no down payment loan?

18 MR. WELLLIVER: What happens there is the nature of
19 our agreement is that the Fair Housing Council operates as a
20 partner with the financial institution in administering the
21 program so that both the institution and the community
22 organization will identify potential applicants, recruit
23 potential applicants. There are income guidelines that I
24 think are based on low moderate income guidelines so that
25 those income based on sliding scale based on family size and

1 then the criteria are listed or , you know, what is a credit
2 criteria, all that's listed in advance and then the
3 organization helps to screen very much similar to Mr.
4 Frazier's, like developing a pool of pre-qualified
5 applicants, that the community organization takes the
6 responsibility in developing that. And then as they work
7 through with some pre-application counseling, identifying
8 what the credit history is, working through those kinds of
9 things, the person is determined to be ready to make
10 application then when that happens.

11 MR. TYLER: So that's with respect to all ethnic
12 groups, not necessarily blacks or Hispanics, all ethnics
13 groups is what you're saying here?

14 MR. WELLIVER: The way it's apparently designed is
15 solely on income eligibility.

16 DR. WACHTER: Thank you very much for that.

17 MR. MILGRAM: I just want to add one thing.
18 Somebody was saying that nobody is steered in such a way as
19 to make a pro-integration move. There are some real estate
20 brokers who deliberately try to find whites to move into
21 Germantown and areas near Germantown where the schools are
22 virtually 100 percent black in neighborhoods that are maybe
23 two-thirds, three-quarters black. And one of them is Twin
24 Realty which has been doing that since the inception of the
25 non-profit mortgage fund that I head, fund for an open

1 society, and others. Louise O'Donnell, a broker that
2 happens to be married to the state legislator, Bob
3 O'Donnell, she deliberately tries to get people, black or
4 white, to make pro-integration moves in that region where
5 she operates.

6 DR. WACHTER: Thank you. We have no further
7 questions formally. But what I would like to do first of
8 all is thank all of you. We have been privileged with your
9 comments today and I, myself, found them very informative.
10 And I know others of us over here and I'm sure in the
11 audience will want to have the opportunity, if you will
12 remain a bit, to informally speak with you.

13 Thanks again very much for all our panelists being
14 here. And is there a motion to adjourn?

15 MR. SOLECKI: So moved.

16 DR. WACHTER: Second?

17 MRS. DANIELS: Second.

18 DR. WACHTER: We are adjourned. Thank you.

19 (Whereupon, at 12:20 p.m., the meeting was
20 concluded.)

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2 Forum on Implementing 1988 Fair Housing Amendment Act

3 Name of Hearing

4 Docket No. (If applicable)5 Philadelphia, Pennsylvania

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