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**Re: Extension of a Currently Approved Information Collection
Docket No. FR-5685-N-04**

To the Department of Housing and Urban Development:

The Greenlining Institute and the undersigned organizations thank the Department of Housing and Urban Development (HUD) for the opportunity to comment on the extension of a currently approved information collection via Housing Discrimination Information Form HUD—903.1 (“the Form”).

In the proposed extension, HUD outlines the way which those injured by a discriminatory housing practice may file a complaint with HUD within a year after the discrimination. These individuals are to file their complaints with HUD through the Form. The Form is an important procedure by which HUD carries out its duties under the Fair Housing Act, which makes it unlawful to discriminate on the basis of certain protected categories in the realm of housing.

We urge HUD to continue to collect this important data. It serves two purposes: giving a complaint venue to those who have been injured by housing discrimination and providing HUD with important data. The Form is a procedure that helps protect the housing rights of the communities we serve.

Good Data Collection is Vital in an Environment where Housing Discrimination is Widely Underreported

The Fair Housing Act prohibits discrimination in the sale, rental, occupancy, advertising, and insuring of residential dwellings; and in residential real estate-related transactions; and in the provision of brokerage services, based on race, color, religion, sex, disability, familial status, or national origin. If someone believes they have been injured by housing discrimination, or will be injured, they may use the Form to report the discrimination to HUD.

We are concerned about the many communities of color who are harmed by housing discrimination. HUD studies confirm that African Americans, Latinos, Asians/Pacific Islanders, and Native Americans often receive less favorable treatment than similarly qualified whites



when attempting to buy or rent homes. Discrimination because of race and national origin is alleged in more than 50 percent of the complaints received by HUD and the state and local agencies it funds through the Fair Housing Assistance Program.¹

The data provided by the Form is the first step toward HUD's Office of Fair Housing and Equal Opportunity (FHEO) determining authority to investigate the aggrieved person's allegations under the Fair Housing Act. This is a good move toward accountability in the housing marketplace, helping to shed light on the very underreported issue housing discrimination. In 2003, the National Fair Housing Alliance reported that while surveys suggest 3 million incidents of discrimination occur each year, only 25,000 formal complaints are lodged. Indeed, in FY 2012, FHEO staff only received approximately mailed 4,875 complaints.²

For this reason, we recommend that Form data be accompanied by anti-discrimination awareness campaigns as well as aggressive investigation and enforcement actions.

HUD is Helping Underserved Communities by Providing the Form in Different Languages

The Form is currently provided in the following languages: English, Spanish, Chinese, Vietnamese, Korean, Arabic, Cambodian, Russian, and Somali. This is a vital service to those who speak non-English languages at home.

In California, for example, a Census report found that 44% of residents live in non-English speaking homes.³ The same report found that nationally, less than 50 percent of those who spoke Korean, Chinese or Vietnamese spoke English "very well." For Spanish speakers, the rate was 56 percent. This contrasts with the 80 percent or more of French and German speakers spoke English "very well."⁴

This data illustrates how offering the Form in English alone would disadvantage non-English speaking communities of color. For this reason, we applaud HUD for offering the Form in a wide range of languages and urge it to continue to do so.

¹ "As U.S. Marks 36th Anniversary of Fair Housing Act, HUD Says Housing Discrimination is Underreported by Victims." Press release, HUD No. 04-031 (1 April 2001).

² "FR-5119-N-01 Notice of Proposed Information Collection: Comment Request; Housing Discrimination Information Form; Economic Opportunities for Low- and Very Low-Income Persons." 78 FR 67180 (8 November 2013), p. 67180.

³ Ryan, Camille. "Language Use in the United States: 2011," American Community Survey Reports, ACS-22 (August 2013), p. 11.

⁴ *Ibid.*, p. 4.



Adding to the Body of Data by Including the Complainant's Racial Self-Identification

We recommend that HUD add a small section to the Form allowing the complainant to racially self-identify. This will help HUD spot discrimination trends against particular groups, and tailor its anti-discrimination strategies accordingly.

There is currently great need to have disaggregated housing discrimination data on specific communities of color. For example, a report from the National Council of La Raza and the Equal Rights Center found that Latinos were more likely to receive adverse, differential treatment when compared to their white counterparts, including housing agents' resistance to scheduling appointments with them, and being quoted higher fees and costs.⁵

Having more detailed racial data will help HUD better respond to the many race-related discrimination complaints, and develop more tailored prevention and enforcement strategies.

Conclusion

The Greenlining Institute⁶ and the undersigned organizations believe that continuing to collect data through the Form, offered in different languages, and in paper and electronic format, is an important procedure that helps protect underserved communities from housing discrimination. We would like to thank HUD again for this opportunity to share our perspective on the proposed extension of the currently approved information collection.

Sincerely,

The Greenlining Institute
Consumer Action
Demos
Empire Justice Center
National Fair Housing Alliance
National Consumer Law Center (on behalf of its low income clients)
National Council of La Raza
Woodstock Institute

⁵ "Puertas Cerradas: Housing Barriers for Hispanics." National Council of La Raza and the Equal Rights Center (19 July 2013)

⁶ Greenlining works to bring the American Dream within reach of everyone, regardless of race or zip code. Our coalition is comprised of over 40 national and statewide organizations, including more than a dozen community-based organizations. We pursue a multi-issue platform of racial and economic justice to promote America's future prosperity.