

# **Race Discrimination in Rental Housing in Marin and Solano Counties**

An Audit Report By

**FAIR HOUSING ADVOCATES OF NORTHERN CALIFORNIA**

Fair Housing Advocates of Northern California  
1314 Lincoln Ave., Ste. A, San Rafael, CA 94901  
phone: 415.457.5025 / fax: 415.457.6382  
website: <http://www.fairhousingnorcal.org>  
email: [fhanc@fairhousingnorcal.org](mailto:fhanc@fairhousingnorcal.org)

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# Fair Housing Advocates of Northern California

1314 Lincoln Ave, Suite A, San Rafael, CA 94901 ▼ (415) 457-5025 ▼ TDD: (800) 735-2922  
www.fairhousingnorcal.org ▼ fhanc@fairhousingnorcal.org

## **Race Discrimination in Rental Housing in Marin and Solano Counties** **Summary of June 2017 Audit Report Findings**

Between August 2016 and March 2017, FHANC conducted 47 tests in Marin (22) and Solano (25) Counties to assess the extent to which African-American renters experience discrimination or differential treatment in the initial stages of the home seeking process based on their race. Results of the audit are summarized below; a copy of the full audit report is available upon request.

### **Marin County**

Six tests (27%) showed clear differential treatment favoring the control tester. Seven Marin County tests (32%) showed some differences in treatment favoring the control tester. Nine tests (41%) resulted in no differential treatment or an inconclusive outcome. **Thus, in 13 out of 22 tests (or 59%), there were at least some discrepancies or disadvantages in treatment for the African-American tester.**

### **Solano County**

Five tests (20%) showed clear differential treatment favoring the control tester. Four Solano County tests (16%) showed some differences in treatment favoring the control tester. Sixteen tests (64%) resulted in no differential treatment or an inconclusive outcome. **Thus, in 9 out of 25 tests\* (or 36%), there were at least some discrepancies or disadvantages in treatment for the African-American tester.**

*\*Please note that a number of properties tested in Solano County appeared to use a Revenue Management System, which can cause rental prices to fluctuate on a daily or hourly basis, resulting in a higher number of inconclusive results. FHANC plans to conduct additional testing to investigate these properties.*

### **Results of Tests in Marin and Solano Counties**

	<b>Marin County</b>	<b>Solano County</b>	<b>Both Counties</b>
Clear Differential Treatment	6 (27%)	5 (20%)	11 (23%)
Some Differential Treatment	7 (32%)	4 (16%)	11 (23%)
<b><i>Subtotal/ Some Differential Treatment</i></b>	<b>13 (59%)</b>	<b>9 (36%)</b>	<b>22 (47%)</b>
No Significant Difference	9 (41%)	16 (64%)	25 (53%)
<b>Grand Total</b>	<b>22 (100%)</b>	<b>25 (100%)</b>	<b>47 (100%)</b>

The results of these tests fell into several broad groups, which are defined below:

(1) No differential treatment or inconclusive outcomes means each paired tester received substantially similar information and there were no demonstrable differences, or tests where mitigating factors might explain certain differences, respectively;

(2) Some differential treatment means there was a discrepancy in the information received by each tester, and while the discrepancies favored the control (White) tester, it was not to the clear detriment of the protected (African-American) tester. This includes *statutory violations that do not materially affect the housing transaction* and other less significant types of differential treatment, such as offering information that varies in quality, encouraging a caller to apply, and following up with a caller after the initial inquiry; and

(3) Clear differential treatment means there was a demonstrable discrepancy in the amount, quality, or substance of the information received by the testers, to the disadvantage of the protected tester. This includes *statutory violations*, such as refusing to rent or negotiate; making a false representation about availability; offering different terms, conditions, privileges or services; otherwise making housing unavailable; or making discriminatory statements.

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