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**FAIR HOUSING ADVOCATES
OF NORTHERN CALIFORNIA**

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**Civil Rights Organizations Accuse Bank of America of Housing Discrimination
in 37 Metropolitan Areas**

Fair Housing Advocates of Northern California, National Fair Housing Alliance, 18 other Fair Housing Organizations, and Two Homeowners Allege Bank of America and Safeguard Properties Management Violated the Federal Fair Housing Act

Today, Fair Housing Advocates of Northern California (FHANC), the National Fair Housing Alliance (NFHA), 18 other fair housing organizations, and two homeowners in Maryland filed a federal Fair Housing Act lawsuit against Bank of America, N.A., Bank of America Corp., and Safeguard Properties Management, LLC (“Bank of America/Safeguard”). The lawsuit alleges Defendants intentionally failed to provide routine exterior maintenance and marketing at Bank of America-owned homes in working- and middle-class African-American and Latino neighborhoods in 37 metropolitan areas, while they consistently maintained similar bank-owned homes in comparable white neighborhoods.

The data presented in the federal lawsuit, which is supported by substantial photographic evidence, shows a glaring pattern of discriminatory conduct by Bank of America/Safeguard. More than 35,000 photos document the relevant routine exterior maintenance conditions of the homes. In neighborhoods of color, Plaintiffs found evidence of consistently poor exterior maintenance, such as wildly overgrown grass and weeds, unsecured doors and windows, damaged steps and handrails, accumulated trash and debris, unsecured pools, graffiti, and even dead animals decaying in yards. Plaintiffs investigated more than 1,600 Bank of America-owned homes in working- and middle-class white, African-American, and Latino neighborhoods. The lawsuit alleges that Bank of America-owned homes in predominantly white working- and middle-class neighborhoods are far more likely to have the lawns mowed and edged regularly, invasive weeds and vines removed, windows and doors secured or repaired, debris and trash removed, leaves raked, and graffiti erased from the property. Bank of America took possession of these homes after it foreclosed on the properties and became the owner of record. As owner of these homes, Bank of America is responsible for routine exterior maintenance on all of its properties.

This lawsuit is the result of a multi-year investigation undertaken by NFHA and its fair housing agency partners. In June 2009, NFHA notified Bank of America of maintenance problems that appeared to violate the Fair Housing Act. NFHA met with Bank of America officials for more than a year and offered recommendations to ensure proper treatment of its homes in communities

of color. However, after seeing absolutely no improvement in routine exterior maintenance of Bank of America-owned homes in communities of color, NFHA began a multi-year, multi-city systemic investigation. Bank of America was put on notice multiple times since 2009, including the filing of a HUD housing discrimination complaint against it and publication of three reports documenting the nationwide problem of poor maintenance of bank-owned homes in communities of color.

“Bank of America should have taken meaningful steps toward fixing these problems after being put on notice, but failed to do so,” said Caroline Peattie, Executive Director of Fair Housing Advocates of Northern California. “For example, Bank of America boarded windows in communities of color rather than installing clear boarding or fixing the windows. Boarded windows carry a stigma and imply the neighborhood is not safe or desirable. Bank of America must be held accountable for failing to maintain its foreclosure inventory. In California, Bank of America has played a major part in changing single family owner-occupied neighborhoods into rental communities, as large investors buy bank-owned homes in quantity and drag property values down in the process.”

Two Maryland homeowners joined this federal discrimination lawsuit because of Bank of America’s failure to maintain and secure homes next to theirs. The lawsuit claims Ms. Wanda Onafuwa and Ms. Chevelle Bushnell and her son, Jalen Bushnell, suffered not only physical damage to their townhomes, but also experienced emotional harm from living next to unsecured, unmaintained, vacant homes. Because Bank of America and Safeguard failed to secure the homes, unauthorized people entered the homes repeatedly over many months, causing damage to Ms. Onafuwa and Ms. Bushnell’s property.

Ms. Onafuwa has owned her home in Baltimore for 23 years, and Ms. Bushnell has owned her home in District Heights for 28 years. They had never had rodent problems or squatters in their neighborhoods until Bank of America/Safeguard failed to secure and maintain its foreclosed homes adjacent to their properties. Ms. Onafuwa and her neighbors battled a rat infestation at Bank of America’s home in her neighborhood, as well as a squatter. Ms. Onafuwa reported the various problems many times to Bank of America and Safeguard to no avail. She and her neighbors finally got the City of Baltimore involved to evict the squatter, tear down the rat-infested garage, and secure Bank of America’s home.

Ms. Bushnell battled squirrels in her attic when Bank of America/Safeguard failed to board holes in the roof of its property. In addition, after Bank of America sent a foreclosure notice to the homeowners, they vacated the property. Bank of America allowed the property to sit vacant and did not process the official foreclosure notice for several years. As a result, the property looked abandoned and was vandalized several times. During this time period, the Bushnells’ home was broken into when thieves knocked a hole in the wall between the vacant home next door and Ms. Bushnell’s bedroom and then ransacked her home while she was at work.

She had to report this damage to her insurance company, repair her home, and buy an alarm system and security doors to protect herself and her son. When Bank of America finally took

ownership of the home, the Bank/Safeguard continually failed to secure the house, which allowed people to enter the townhome at will and caused Ms. Bushnell and her son great distress, due to their previous experience.

“Bank of America and Safeguard’s deplorable and intentional inaction left innocent homeowners exposed to numerous health hazards and personal risks. No one should have to live like this due to Bank of America’s failure to maintain its own properties,” said Lisa Rice, President and CEO of NFHA. “NFHA and the co-plaintiffs filed this lawsuit to make sure that these discriminatory practices come to an end and that perpetrators like Bank of America are held responsible for their unjust policies and practices,” Rice continued.

The poor appearance of Bank of America-owned homes in middle- and working-class neighborhoods of color destroys the homes’ curb appeal for prospective owner-occupant buyers and invites vandalism because the homes appear to be abandoned. Additionally, the blight created by Bank of America/Safeguard results in a decline in home values for African American and Latino families who live next door or nearby, deepening the racial wealth gap and inequality in America.

Ms. Rice further said, “Bank of America and Safeguard’s intentional failure to correct their discriminatory treatment in African American and Latino neighborhoods—the same communities hardest hit by the foreclosure crisis—is systemic racism. The purposeful neglect of bank-owned homes in communities of color devalues the properties and the lives of the families in the neighborhoods around them. The health and safety hazards created by these blighted bank-owned homes negatively affect the residents, especially the children, living nearby. We have asked Bank of America and Safeguard to provide the same standard of routine exterior maintenance and marketing for all of its bank-owned homes, regardless of the age, value, or racial composition of the neighborhood in which they are located.”

The investigation documented 37 objective aspects of routine exterior maintenance that are common factors used in the preservation maintenance industry. Plaintiffs recorded deficiencies such as overgrown lawns, accumulated litter and debris in yards, broken and boarded windows, unlocked doors and windows, graffiti, unsecured pool gates, lack of for-sale signs and discarded signs in bushes, and obstructed gutters and missing downspouts, among other items that are necessary for property preservation.

Nationwide, the data shows that:

- 45 percent of the Bank of America properties in communities of color had 10 or more maintenance or marketing deficiencies, while only 11 percent of the Bank of America properties in predominantly white neighborhoods had 10 or more maintenance or marketing deficiencies.
- 64 percent of the Bank of America properties in communities of color had trash or debris visible on the property, while only 31 percent of the Bank of America properties in predominantly white neighborhoods had trash visible on the property.
- 37 percent of the Bank of America properties in communities of color had unsecured or broken doors, while only 16 percent of the Bank of America properties in predominantly white neighborhoods had unsecured or broken doors.
- 49.6 percent of the Bank of America properties in communities of color had damaged, boarded, or unsecured windows, while only 23.5 percent of the Bank of America properties in white neighborhoods had damaged, boarded or unsecured windows.

Specifically in Vallejo, California, FHANC visited 24 Bank of America properties. Of these 24 bank-owned properties, 2 were located in Latino neighborhoods, 16 were located in predominantly non-White neighborhoods, and 6 were located in predominantly White neighborhoods. The data shows that:

- Two Bank of America properties in neighborhoods of color had 10 – and one even had 15 – or more marketing or maintenance deficiencies, while none of the Bank of America properties in predominantly White neighborhoods had 10 or more marketing or maintenance deficiencies.
- 44.4% of the Bank of America properties in neighborhoods of color had substantial amounts of trash or debris on the premises, while only 33.3% of the Bank of America properties in predominantly White neighborhoods had the same problem.
- 16.7% of the Bank of America properties in neighborhoods of color had: unsecured, boarded, or broken doors; damaged steps or handrails; holes in the structure of the home; or wood rot; while none of the Bank of America properties in predominantly White neighborhoods had the same problem.
- 22.2% of the Bank of America properties in neighborhoods of color had a damaged roof, while none of the Bank of America properties in predominantly White neighborhoods had the same problem.
- 33.3% of the Bank of America properties in neighborhoods of color had peeling or chipped paint, while none of the Bank of America properties in predominantly White neighborhoods had the same problem.

Below is an example of a Bank of America property in a neighborhood of color, which demonstrates a number of issues that invite further problems.



The boarded door and window reduce marketability, are unappealing, and make the home dark inside. These boards are also not protecting the windows from breaking since the boards are on the inside of the house.



Bank of America failed to clean up the yard and secure holes, allowing rodents and cats into the home's crawlspace.

In the Richmond and Oakland, CA metropolitan area, NFHA and FHANC investigated 61 Bank of America properties. Of these 61 properties, 9 were located in predominantly African-American neighborhoods, 23 were located in predominantly Latino neighborhoods, 13 were located in predominantly non-White neighborhoods, and 16 were located in predominantly White neighborhoods.

- 50.0% of the Bank of America properties in predominantly White neighborhoods had fewer than 5 maintenance or marketing deficiencies, while only 6.7% of the Bank of America properties in neighborhoods of color had fewer than 5 maintenance or marketing deficiencies.
- 82.2% of Bank of America properties in neighborhoods of color had 5 or more marketing or maintenance deficiencies, 46.7% had 10 or more, and 11.1% had 15 or more, while only 43.8% of the Bank of America properties in predominantly White neighborhoods had 5 or more marketing or maintenance deficiencies, 12.5% had 10 or more, and none of the Bank of America properties had 15 or more.
- 77.8% of the Bank of America properties in neighborhoods of color had substantial amounts of trash or debris on the premises, while only 43.8% of the Bank of America properties in predominantly White neighborhoods had the same problem.
- 42.2% of the Bank of America properties in neighborhoods of color had unsecured, boarded, or broken doors, while only 6.3% of the properties in predominantly White neighborhoods had the same problem.
- 48.9% of the Bank of America properties in neighborhoods of color had broken or boarded windows, while only 6.3% of the properties in predominantly White neighborhoods had the same problem.
- 42.2% of the Bank of America properties in neighborhoods of color had a damaged fence, while only 18.8% of the Bank of America properties in predominantly White neighborhoods had the same problem.

The plaintiffs are represented by Brown, Goldstein & Levy, LLP.

Map and photos of Bank of America-owned homes:

<http://nationalfairhousing.org/bank-of-america-property-photos>

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Fair Housing Advocates of Northern California is a non-profit organization serving several Bay Area counties that provides free counseling, enforcement, mediation, and legal or administrative referrals to persons experiencing housing discrimination. Fair Housing Advocates of Northern California also offers foreclosure prevention counseling and pre-purchase education, seminars to help housing providers fully understand fair housing law, and education programs for tenants and the community at large. Fair Housing Advocates of Northern California is a HUD-Certified Housing Counseling Agency.

The mission of Fair Housing Advocates of Northern California is to ensure equal housing opportunity and to educate the community on the value of diversity in our neighborhoods.

National Fair Housing Alliance: Founded in 1988, NFHA is a consortium of more than 220 private, nonprofit fair housing organizations, state and local civil rights agencies, and individuals from throughout the United States. Headquartered in Washington, D.C., NFHA works to eliminate housing discrimination and ensure equal housing opportunity for all people through

leadership, education, outreach, membership services, public policy initiatives, community development, advocacy, and enforcement.

List of Co-Plaintiffs

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