

# “This Year is Not Last Year: What the Wave of Change Means for Fair Housing Work”

George Lipsitz

Fair Housing Advocates of Northern California  
Virtual Conference

April 29, 2021

# Important Work To Be Done

## FHANC Mission

- To ensure equal housing opportunity and to educate our communities on the value of diversity in our neighborhoods.

## Citizen Enforcement



# A Wave of Change

**George Floyd**



**Breonna Taylor**



# This Year Is Not Like Last Year

- New Racial Justice Programs and Policies
- Public Pronouncements by Pundits, Politicians, Athletes, Entertainers, and Entrepreneurs
- A New Congress and a New President
- Secretary of Housing and Urban Development who understands fair housing law and is committed to its enforcement

# New Conversations

## Religious Thought and Action

**CHURCH OF ST. FRANCIS XAVIER**

### SCRIPTURE-BASED RACIAL JUSTICE

**MICHAEL ALLOCCA**  
Michael has a Master's in religious studies from the Divinity School at the University of Chicago, and has taught religion at colleges and high schools, currently at St. Peter's Prep. As a parishioner he is active as a lector, Eucharistic minister, and catechist and sponsor in RCIA.

**ROSEANN BONADIA**  
Roseann is a long-time parishioner and has been devoted to this extraordinary and loving community. She has participated in practically every ministry and feels blessed to work with the parents of Family Faith. She holds a Master of Divinity degree from the Jesuit Theology school in Massachusetts and an MPhil in Theology from another Jesuit school.

#### INFORMATION

A prayerful and critical approach to studying the Bible, and other Church teaching documents, that provides a firm foundation and compelling imperative to engage in anti-racist work.

**1/24/2021**  
**1/31/2021**  
**2/7/2021**   **4/11/2021**  
**2/21/2021**   **4/18/2021**  
**2/28/2021**   **4/25/2021**  
**3/14/2021**   **5/2/2021**  
**3/21/2021**   **5/9/2021**  
**3/28/2021**   **5/16/2021**

**SUNDAYS FROM 10:30 AM TO 11:30 AM**

In-person participation at Xavier High School 3C1 classrooms (30 West 16th Street between 5th and 6th avenues.)

Virtual participation via zoom.

RSVP TO [mallocca@sbcglobal.net](mailto:mallocca@sbcglobal.net).

## Scientific Research and Practice



# Bystanders Become Upstanders

**New Spheres of Education -  
WNBA**



**New Songs and Slogans – Mickey  
Guyton**



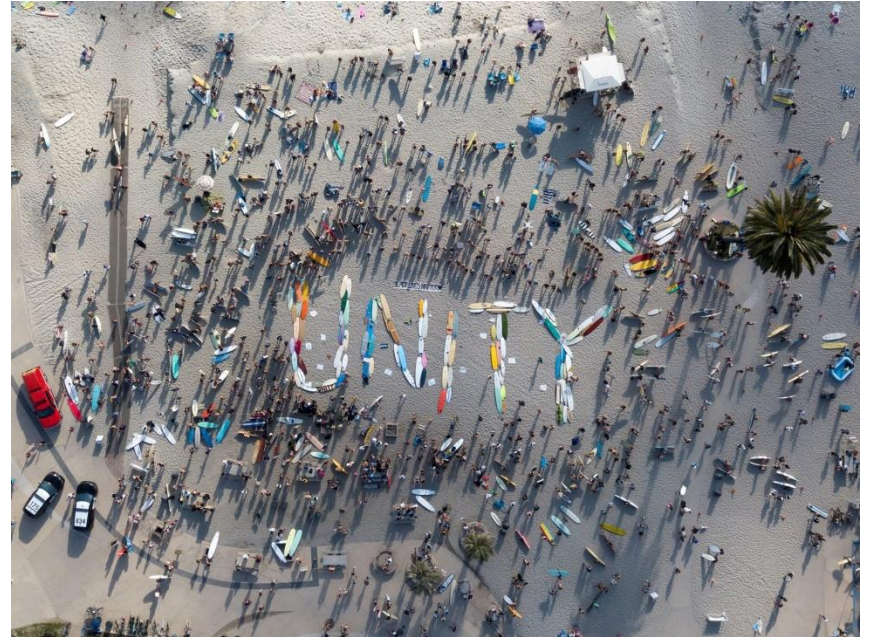


# Ripples Become Waves

## Individuals



## Groups



# The Long Fetch of Waves





# ***Jones v. Mayer, 1968***

- **“...just as the Black Codes enacted after the Civil War to restrict the free exercise of those rights were substitutes for the slave system, so the exclusion of Negroes from white communities became a substitute for the Black Codes. And when racial discrimination herds men into ghettos and makes their ability to buy property turn on the color of their skin, then too it is a relic of slavery.”**
- **Justice Potter Stewart**
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# Long Waves of Our Own



The way to right wrongs is to turn  
the light of truth upon them.

— *Ida B. Wells* —

AZ QUOTES

# Housing at The Heart of the Social Order

- Asset Accumulation
- Exposure to Environmental Hazards
- School District Attendance Zones
- Concentrated Poverty
- Policing Violence, Municipal Fines, Fees, Debts
- Isolation from entry level jobs, fresh food, stores, health care

# Fair Housing Act 1968





# A Law Designed to Be Weak

- HUD Could Investigate But Not Initiate
- 30 Days to Investigate Cases
- No Enforcement Power for HUD – conference, conciliation, persuasion
- Plaintiffs had to bring cases quickly and prove discrimination on their own
- Damages Limited to \$1,000

# Trafficante v. Metropolitan Life

**Dorothy Carr**



**Paul Trafficante**



# Weakness Becomes Strength

- Because HUD has no enforcement power
- Only the Attorney General may sue, and only for a pattern or practice
- Housing Section of DOJ less than 24 lawyers
- “The main generating force” must be private lawsuits with citizens acting as: “private attorneys general in vindicating a policy that Congress considered to be a high priority.”

# The Waves We Ride

**Ruth C. Porter**



**Gail Cincotta**





# The Fair Housing Action Cycle

Litigation

Legislation

Administration

Investigation

Education

Organization

Mobilization

Implementation

**CALIFORNIA FAIR HOUSING LAWS HAVE RECENTLY CHANGED!**

**SOURCE OF INCOME DISCRIMINATION LAWS**

California's Fair Employment and Housing Act (FEHA) prohibits discrimination based on source of income.

Although a housing provider may require prospective tenants to demonstrate "sufficient income to pay the rent," it is illegal to deny an applicant because all or part of their income comes from a source other than employment (such as alimony, SSI, pension, welfare, CalWORKS, investments, etc.)

**FAIR HOUSING ADVOCATES OF NORTHERN CALIFORNIA (FHANC)**

Fair Housing Advocates of Northern California (FHANC) is a non-profit organization designed to monitor discriminatory practices in housing and promote diversity in our neighborhoods.

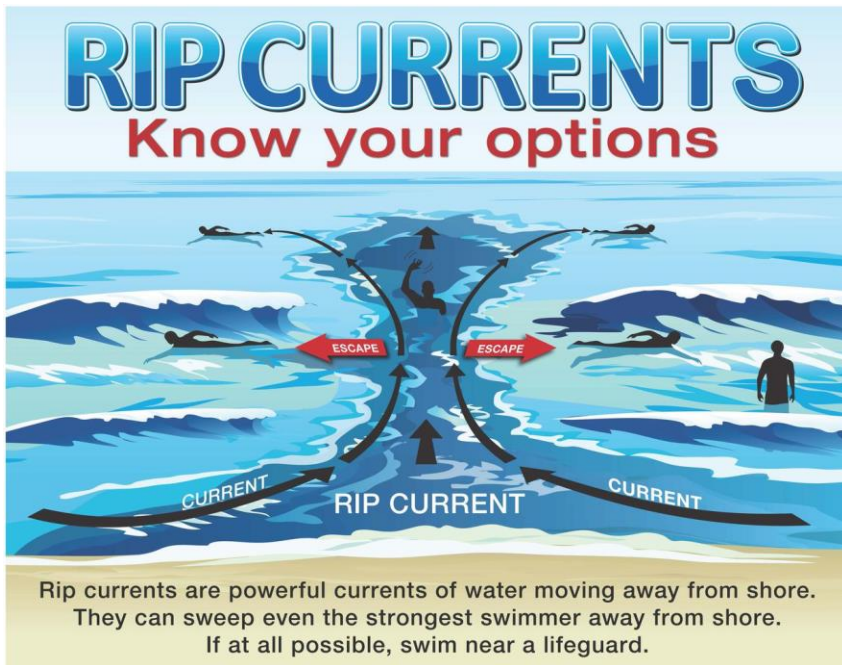
Our work includes educating the public, including housing providers, on fair housing laws and issues related to housing discrimination.

As part of that mission, we are attempting to inform housing providers that California recently made some changes to its fair housing laws regarding source of income discrimination.

For more information about FHANC, please visit our website at [fairhousingnorcal.org](http://fairhousingnorcal.org).

## A woman with long brown hair, wearing a black wetsuit, is walking through shallow ocean waves. She is carrying a white surfboard under her arm. The surfboard is covered in colorful text. On the right side, the words 'BLACK LIVES MATTER' are written in large, bold, black letters. Below this, there are several names in various colors: 'STURGE', 'GEORGE FLOYD', 'TONY Mc DADD', 'DREONNA TAYLOR', 'EZEEL FORD', 'LAMIR RICE', 'MIKE BROWN', 'BLANK', 'PHILANDO CASTILE', 'BOYKIN', 'JEAN', 'ATATIANA JEFFERSON', 'ERIC GARNER', 'ALTON STERLING', 'AMICOLO', 'DILLIO', 'FRENCH', 'GRAY', 'LUCAS', 'MIDWINTER', 'BUTLER', 'MARTIN', 'TRAYVON', 'MURDER', 'PARKER', 'BOND', 'SAY NIMES', 'THEIR', 'RICKI', 'BOND'. There is also a red circular logo with a white anchor-like symbol in the center. The background shows a beach with many people in the distance.

# Rip Currents and Tsunamis



# No Ordinary Time

- “We live in an age of the abnormal, an age of monsters, an age of the strongmen, the devastation of humanity, the ache of decent people.”

-- Vijay Prashad

- Calculated Cruelty
- Hate, Hurt, Fear
- Overt Racism



# Fast Violence



# Slow Violence



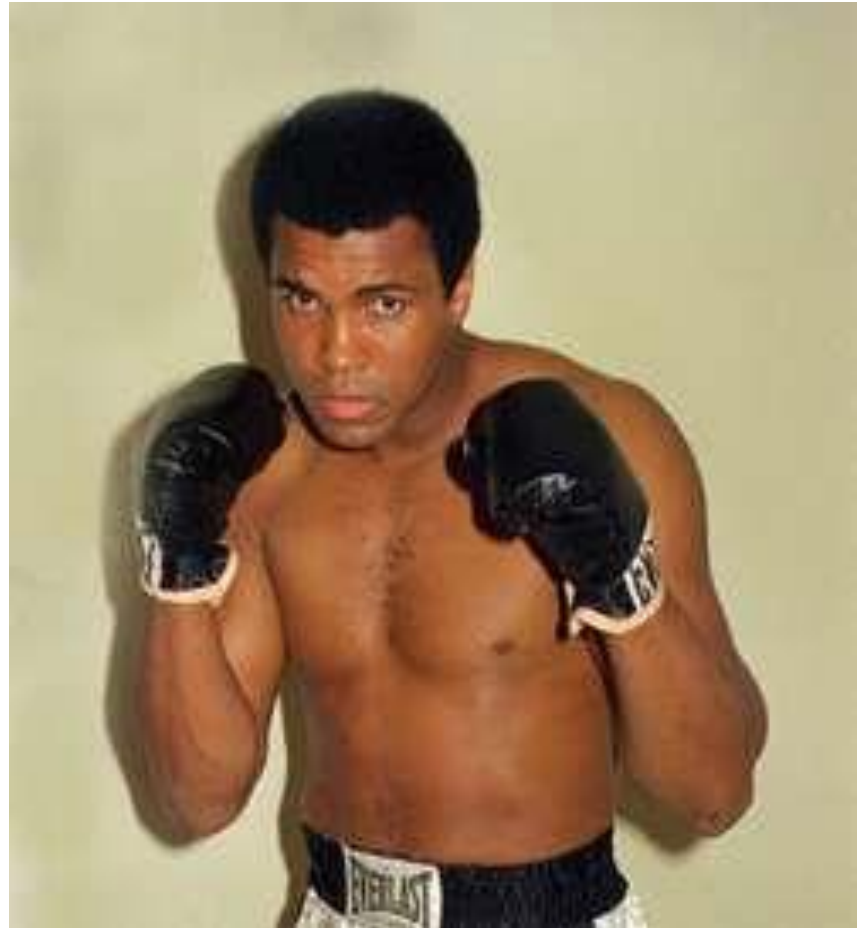
# Housing at The Heart of the Social Order

- School District Attendance Zones
- Tax Revenues and Expenditures
- Poverty
- Pollution
- Policing
- Transportation isolation from entry level jobs, fresh food, stores, health care, mortgage and insurance redlining

# Muhammad Ali

The fight is won or lost before the bout, away from the ring, far from the sight of the witnesses through

- Training
- Sparring
- Planning
- Being Ready

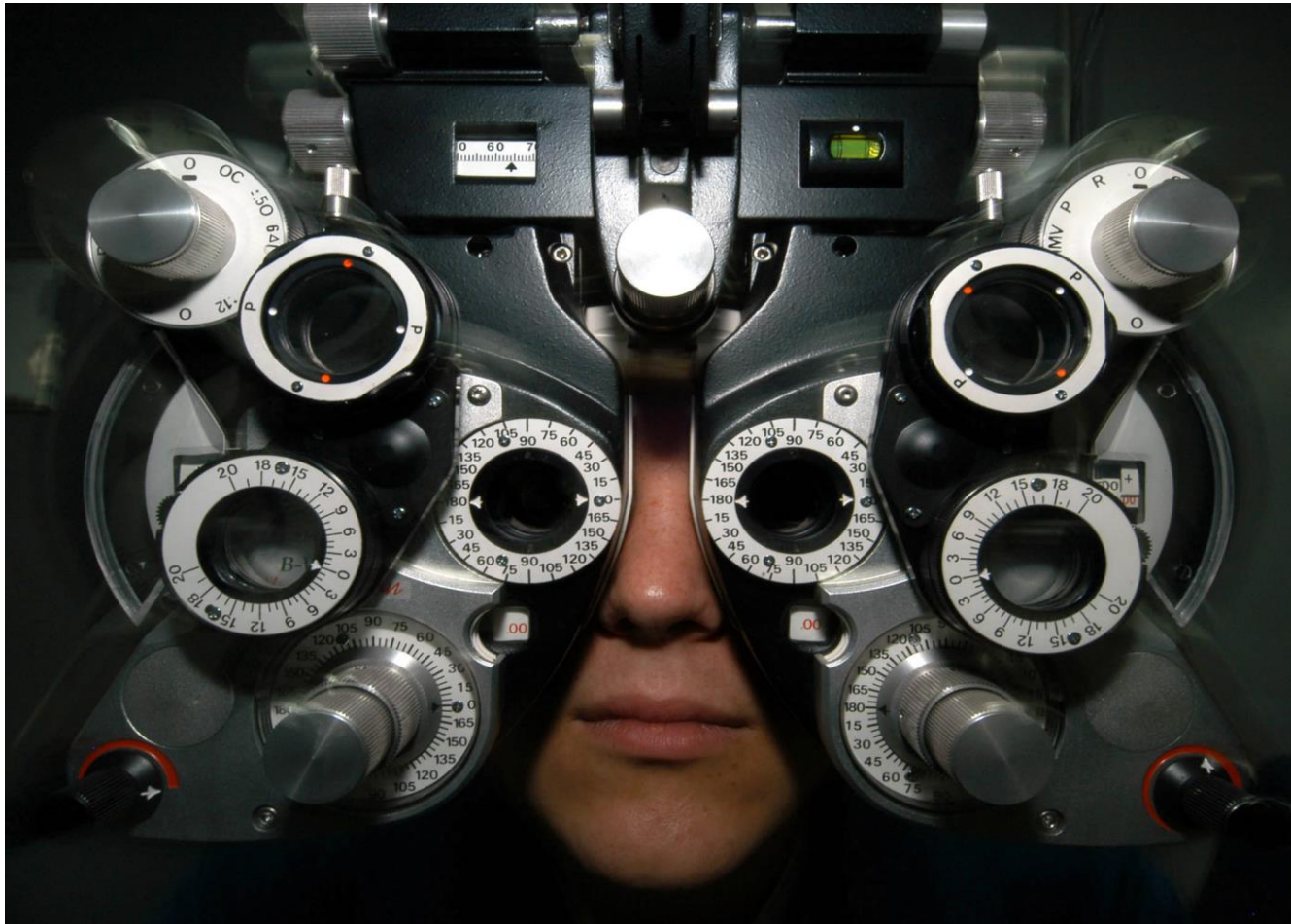




# A Wide Range of Possibilities

- **Municipal Underbounding** – Modesto, Moore County (NC)
- **Sexual Harassment** – Omaha, Scotland County (NC), Morgantown (WVA)
- **Anti-Immigrant Hate Crimes** – Shenandoah, PA
- **Environmental Racism** – Zanesville, OH
- **Re-entry of Incarcerated Neighbors** – Grand Rapids, MI (49507) and Madison, WI

# New Ways of Seeing



# The Destructive Logic of Discrimination

Discrimination is

- Artificial, Arbitrary, Irrational
- Misallocates Resources
- Squanders Talents and Abilities
- Impairs Social Cohesion
- Creates Concentrated Poverty

# An Unequal Economy Harms Everyone

- Societies with inequality have higher incidences of
- Violent Crime
- Infant Mortality
- Mental Illness
- Use of Illegal Drugs

# The Ideal and the Practical



# Social Cohesion

- 1. Promotes Mutual Recognition and Respect
- 2. Creates Shared Responsibility for solving problems
- 3. Affective support and inclusion lessens wear and tear on metabolic systems
- Deepens capacities for democratic deliberation and decision making



# No One Is Coming to Save Us



# Keep Moving



End of Talk

Start of Questions

# What Time Is It?

- Oppositional conjuncture
- An even that exposes the meanness and mendacity of those in power
- Injury and insult that requires a response
- Need to refuse unlivable destinies
- Invention of new democratic ideas, initiatives, and institutions

# New Remedies

- Enforcement and Augmentation of Fair Housing Laws – Collective Injury – Health Hazard
- Disparate Impact Lawsuits Against Mortgage Lender and Insurers
- Inclusionary Zoning, Eviction Protection
- Asset Building Programs, Fair Banking
- Community Land Trusts

# The Contagious Nature of Freedom

