



Accessible Housing:

A Human Right

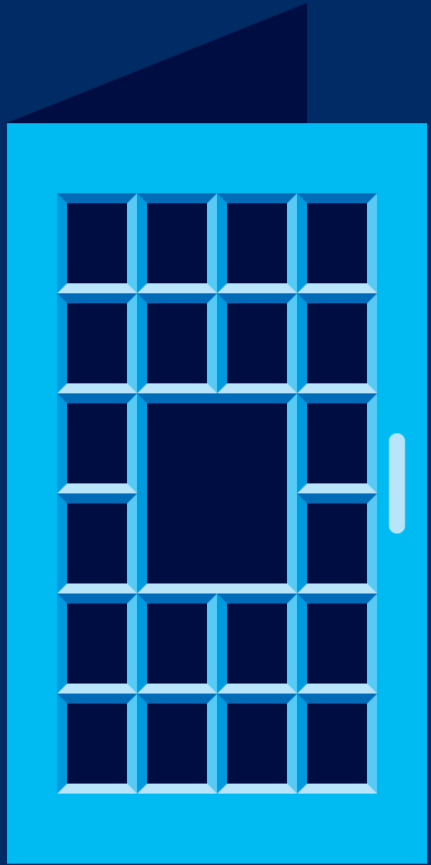
**Inglis Self-Determination Housing of PA
Statewide Housing Conference**

Presented By



In Partnership With





In the Zone with Fair Housing (AFFH)

Brittany Mellinger



Accessible Housing: A Human Right



In Partnership With



pennsylvania
DEPARTMENT OF HUMAN SERVICES

In the Zone with Fair Housing

Presented by Brittany Mellinger
Fair Housing Training & Outreach Coordinator



Fair Housing in
Pennsylvania:

It's Your Right!



Housing is
EVERYTHING

Education

Transportation

Health

Wealth

Opportunity

Training Goals

Provide an introduction to the PHRC

Provide an overview of fair housing laws

Discuss our history of zoning & housing segregation

Discuss effective tools to affirmatively further fair housing

Discuss how partnerships achieve housing change

Answer your fair housing questions

The slide features a dark blue background with abstract, overlapping geometric shapes in various shades of blue and white. A large, light blue circle is positioned on the right side, containing the text "PHRC Overview".

PHRC Overview

The PA Human Relations Commission

Two-Part Mission:

1. Enforce PA Non-Discrimination Laws
 - Pa Human Relations Act
 - Pa Fair Educational Opportunities Act
2. Promote Equal Opportunity for ALL in PA



Non- discrimination Laws in Pennsylvania

PA Human Relations Act

- Employment
- **Housing**
- Commercial Property
- Public Accommodations
- Primary & Secondary Education

PA Fair Educational Opportunities Act

- Post-Secondary Education

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Fair Housing

Fair Housing Laws

- Federal: Fair Housing Act, Section 504 of the Rehabilitation Act, Americans with Disabilities Act
- State: Pennsylvania Human Relations Act
- Local: Check your local ordinances!

Fair Housing Protections

- **Fair Housing Laws make** it unlawful to discriminate in housing transactions because of your protected class.
- **Types of housing:** apartments, single family homes, mobile home parks, condominiums, public housing, nursing homes, dormitories, & more.
- **Disparate treatment** – treatment that directly discriminates against a member of a protected class
- **Disparate impact** – a policy that impacts members of a protected class

Fair Housing Act

Race

Color

National Origin

Familial Status

Religion

Sex

Disability

Pennsylvania Human Relations Act

Race

Color

National Origin

Familial Status

Religious Creed

Sex

Disability

Age 40+

Ancestry

Use, handling, or training of Support Animals for Disability

Fair Housing Goals

Goal #1 – End Housing Discrimination

Goal #2 – Promote diverse, inclusive communities

Affirmatively Furthering Fair Housing

Taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics



Affirmatively Furthering Fair Housing

The PHRC is dedicated to ensuring fair housing choice for **ALL** Pennsylvanians. This is not possible without:

- **Actual choice:** the existence of realistic housing opportunities
- **Protected choice:** housing that can be accessed without discrimination
- **Enabled choice:** realistic access to sufficient information regarding options, so that any choice is informed

24 CFR § 5.151

Actual Choice

Low income Pennsylvanians lack housing options:

- Insufficient affordable housing
- Cost Burdening
- Inaccessible assistance programs
- Poor housing quality
- Insufficient tenant protections

This has a disparate impact on individuals in protected classes.

Protected Choice

Hundreds of Pennsylvanians file complaints of discrimination each year.

Even more fail to file complaints because they do not know their rights or fear retaliation from housing providers.

Enabled Choice

There is significant unmet need about how to access programs, services, and housing opportunities.

Individuals with disabilities face substantial barriers to accessing housing that meets their needs.

The image features a dark blue background with several overlapping, semi-transparent geometric shapes in various shades of blue. These shapes include trapezoids, rectangles, and wavy lines that create a layered, architectural effect. On the right side of the image, there is a large, white circle. Inside this circle, the word "Zoning" is written in a simple, black, sans-serif font, centered horizontally and vertically.

Zoning

Zoning Overview

Our zoning laws regulate land use

1. Divide land into regions
2. Designate what types of structures are allowed to be built in each zone
3. Proscribe limits on size and dimensions of each structure type by zone
4. Define the process by which local governments grant permission for new development

Source: [Is zoning a useful tool or a regulatory barrier? | Brookings](#)

Zoning Policy Timeline (1)

1908: Los Angeles City Council passes first municipal zoning ordinance in the U.S. It lumps laundries, mostly run by Chinese entrepreneurs, into the industrial category to keep the Chinese out of white neighborhoods.

Source: [*Zoning in the United States*](#)

Zoning Policy Timeline (2)

1910: Baltimore, Maryland adopts first racial zoning code. Blacks aren't allowed to live in white neighborhoods and vice versa.

Source: "[Color of Law: A Forgotten History of How Our Government Segregated America](#)," Rothstein, 2018

Zoning Policy Timeline (3)

1916: New York City adopts the first citywide zoning ordinance in the U.S. Unlike L.A.'s earlier ordinance, it applies to all of NYC. It achieves a lasting reduction in density in Manhattan.

Sources: (1) [1916 Zoning Resolution](#);
(2) [Zoning Arrived 100 Years Ago. It Changed New York City Forever.](#)

Zoning Policy Timeline (4)

1917: *Buchanan v. Warley*: Supreme Court rules that a zoning ordinance in Louisville, Kentucky prohibiting the sale of property in a white neighborhood to black buyer and vice versa is unconstitutional.

Sources:

- (1) [“Color of Law: A Forgotten History of How Our Government Segregated America,”](#)
- (2) [Buchanan v. Warley](#)



WE WANT WHITE
TENANTS IN OUR
WHITE COMMUNITY

Zoning Policy Timeline (5)

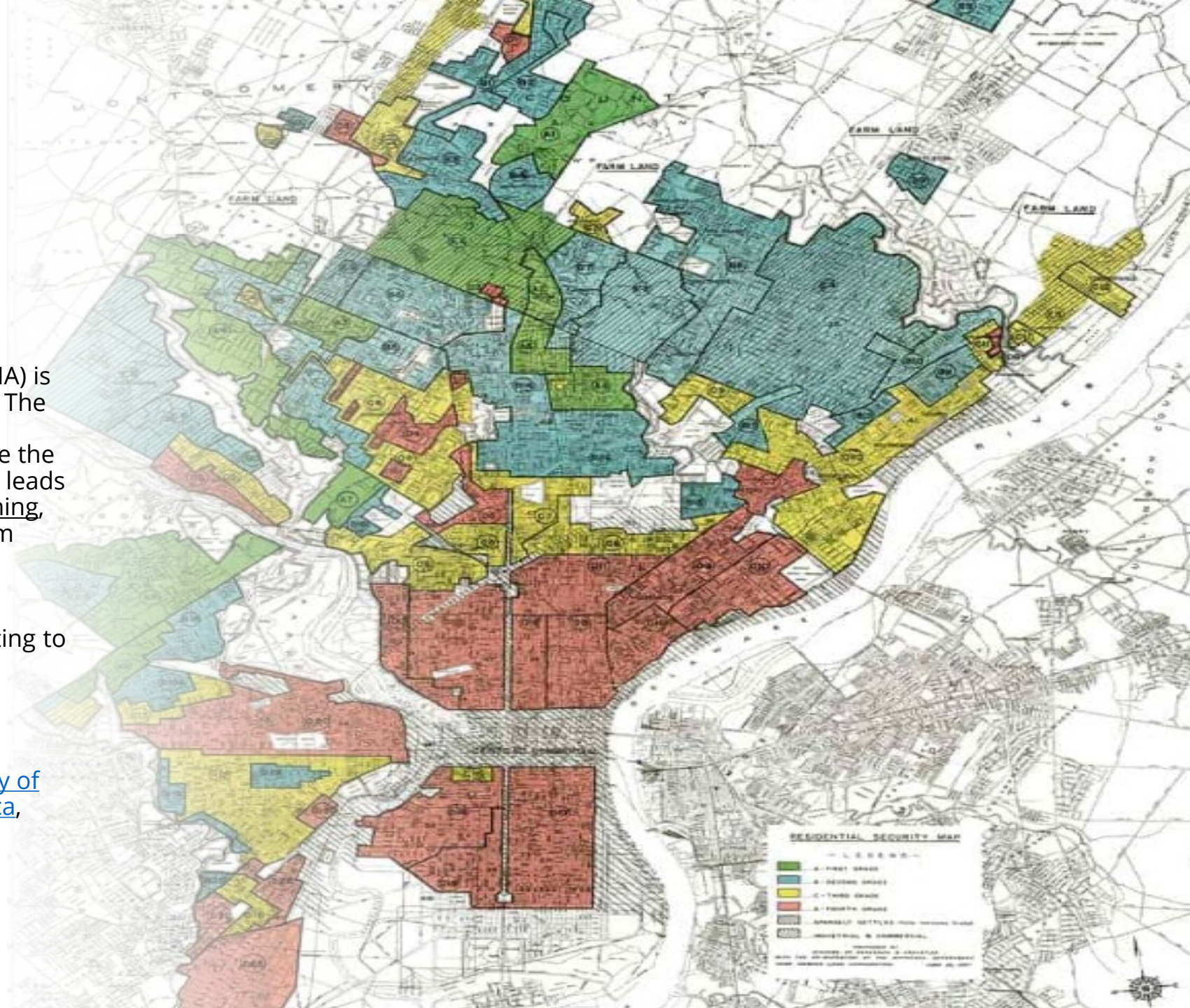
1924: The U.S. Commerce Department publishes “The Standard State Zoning Enabling Act” (SZA), a model law for U.S. states to promote zoning regulations. Fifty-five thousand copies are sold, and 19 states pass laws based on it.

Sources: (1) [*Color of Law: A Forgotten History of How Our Government Segregated America*](#),
(2) [Standard State Zoning Enabling Act](#);

Redlining

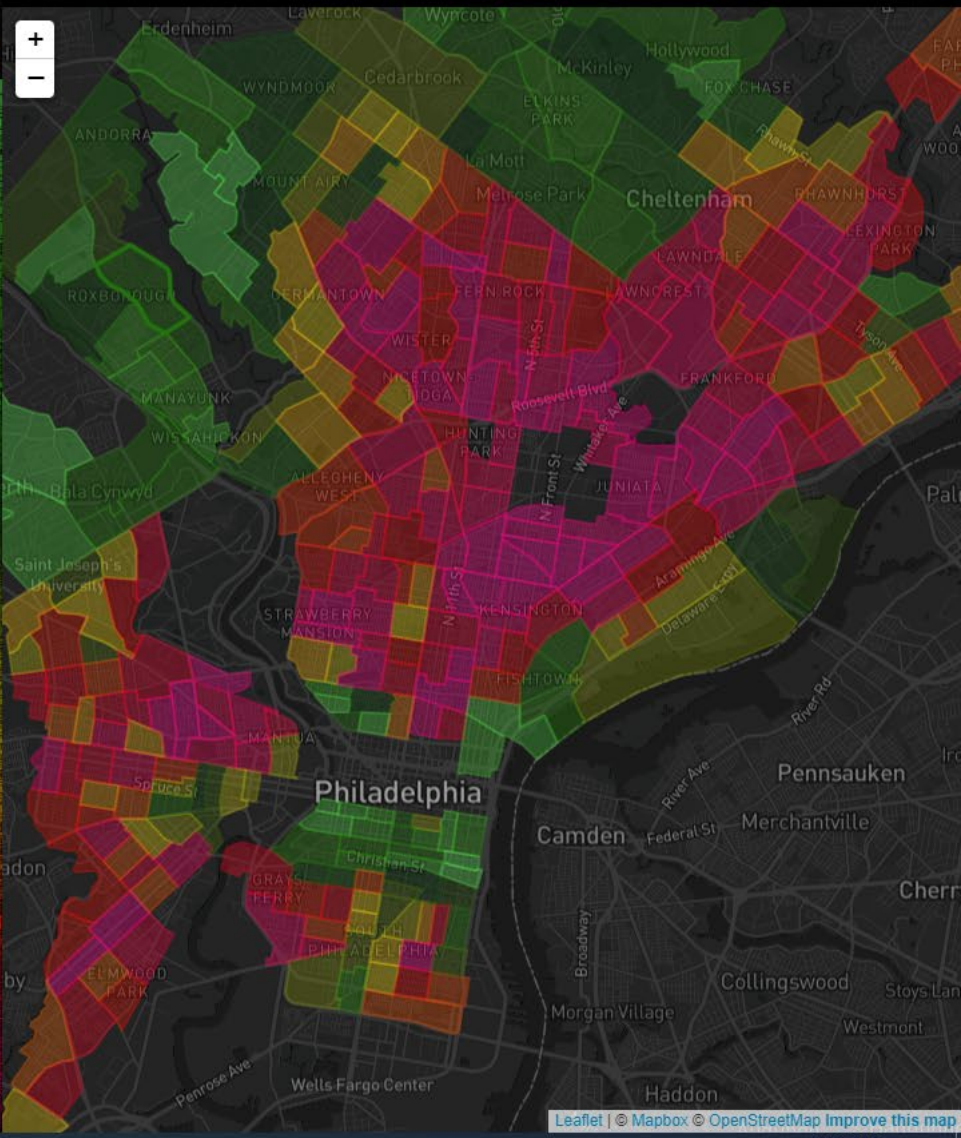
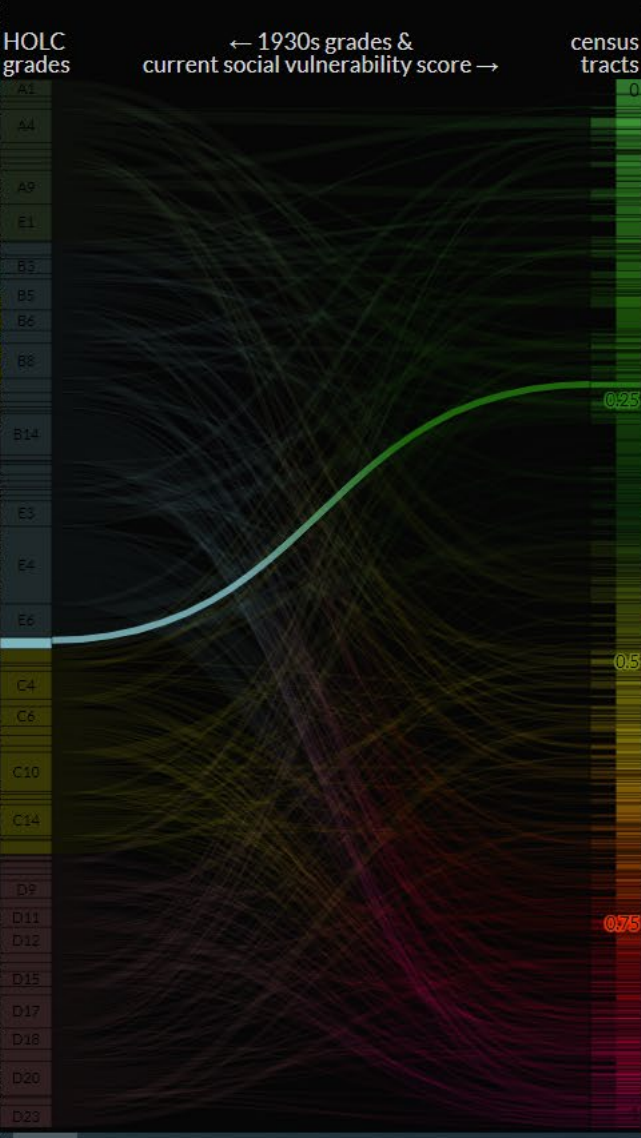
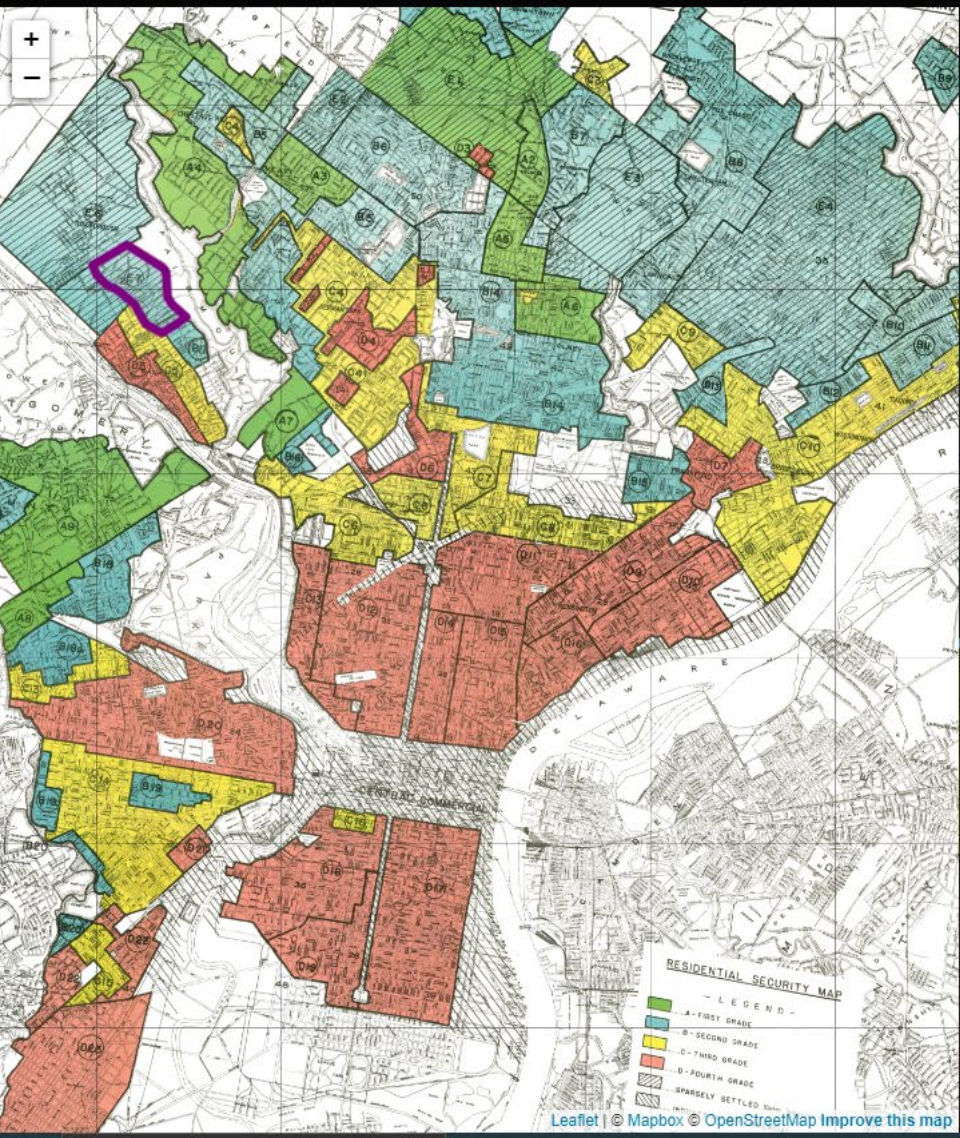
1934: Federal Housing Administration (FHA) is created to boost home ownership during The Great Depression. The FHA insures home mortgages, but only for houses well inside the boundaries of white neighborhoods. This leads to the industry standard practice of redlining, which systematically withholds credit from homebuyers in black neighborhoods. In addition, the FHA favors loans for new suburban construction over older urban properties, thus simultaneously contributing to urban decay and the growth of white suburbia.

Sources: [Color of Law: A Forgotten History of How Our Government Segregated America](#), Rothstein, 2017



Impact Today – Redlined Areas

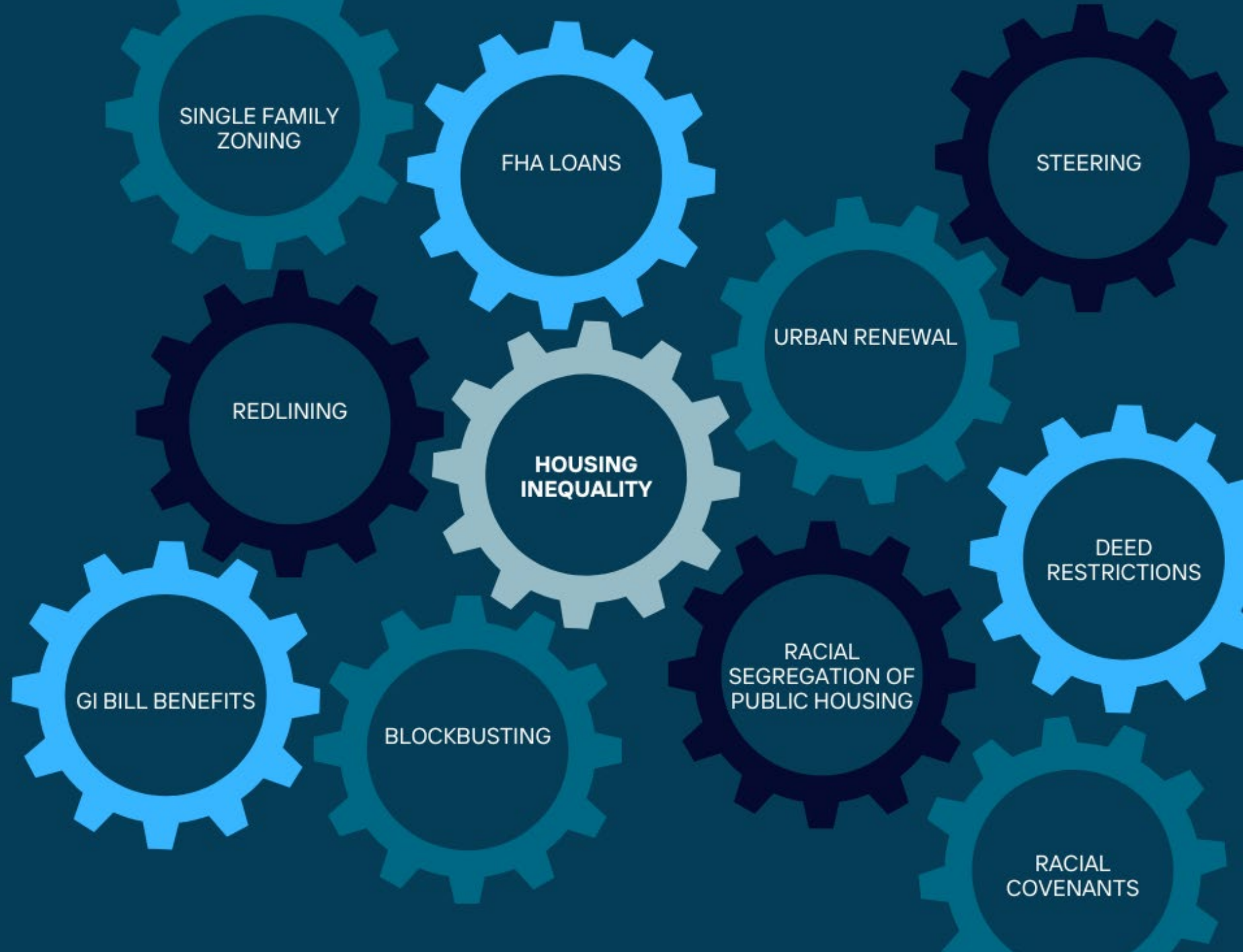
- **Generational Wealth**
Redlined areas are associated with a long-term decline in homeownership, home values and credit scores among minorities, all of which continue today, (*Banrate.com, 2023*).
- **Education**
...effects of redlining include the exclusion of minority communities from key resources within urban areas, such as educational facilities...,” (*Bankrate.com, 2023*).
- **Health & Safety**
Formerly redlined areas tend to have older housing stock which were initially left to decay and through the years created environmental issues, affecting water and air quality.
- **Disinvestment**
Redlined communities suffered from lack of investment in housing, education, community development since the origins of Home Owners Loan Corporation (HOLC) in 1934.



Impact Today Zoning Policies

- Lack of housing affordability
- Lack of diversity of types of housing
- Continuing racial segregation in housing and education
- Difficulty in achieving widespread changes in zoning

Systemic Housing Inequality





EQUALITY



EQUITY

Housing is
EVERYTHING!

Education

Transportation

Health

Wealth

Opportunity

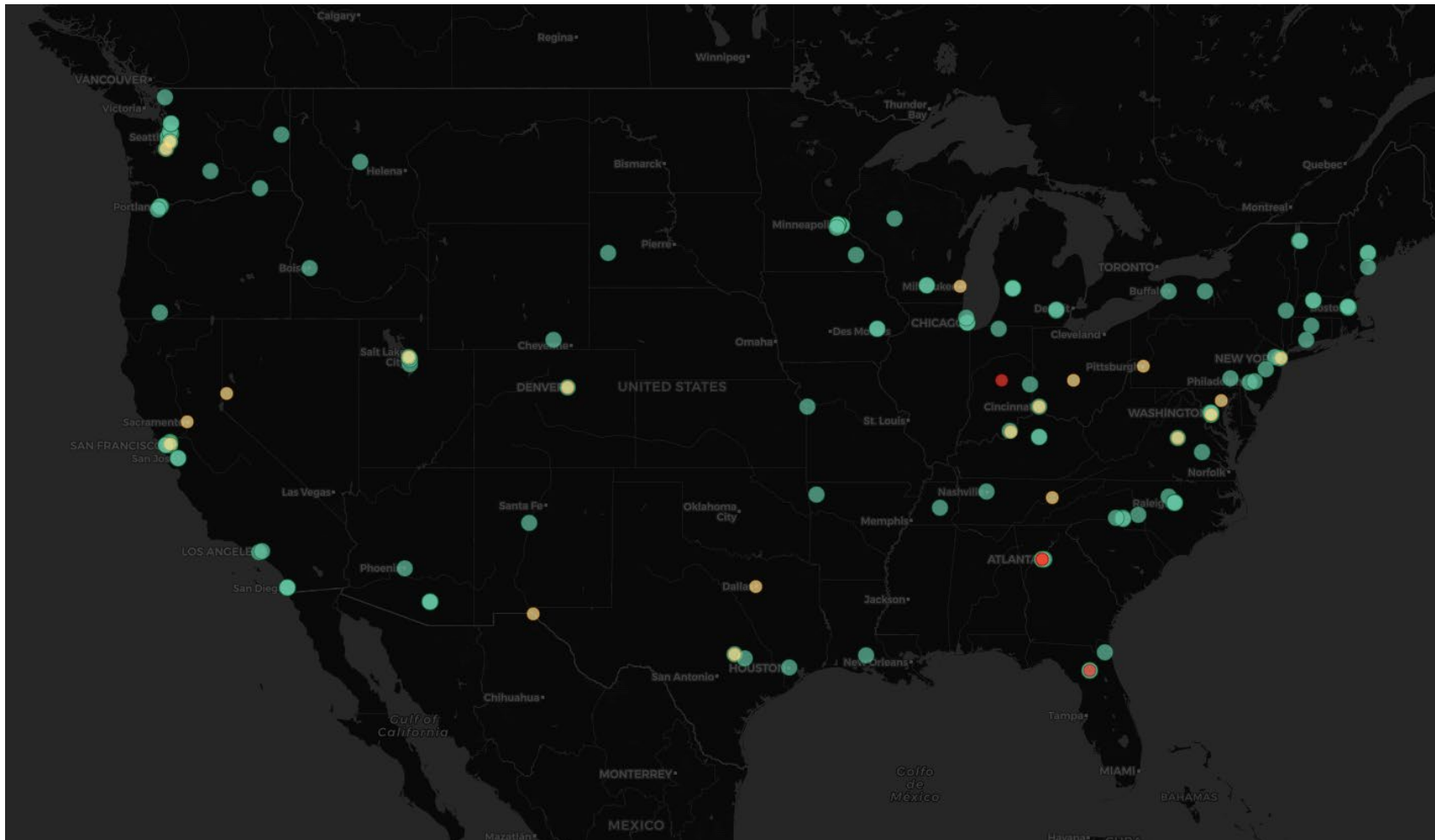
Pennsylvania Human Relations Act – Section 2

Such discrimination foments domestic strife and unrest, threatens the rights and privileges of the inhabitants of the Commonwealth, and undermines the foundations of a free democratic state. The denial of equal employment, housing and public accommodation opportunities because of such discrimination, and the consequent failure to utilize the productive capacities of individuals to their fullest extent, deprives large segments of the population of the Commonwealth of earnings necessary to maintain decent standards of living, necessitates their resort to public relief and intensifies group conflicts, thereby resulting in grave injury to the public health and welfare, compels many individuals to live in dwellings which are substandard, unhealthful and overcrowded, resulting in racial segregation in public schools and other community facilities, juvenile delinquency and other evils, thereby threatening the peace, health, safety and general welfare of the Commonwealth and its inhabitants.

The background is a dark blue gradient with several overlapping, semi-transparent geometric shapes. On the left, there are three vertical, trapezoidal shapes. In the center, there are three horizontal, wavy lines. On the right, there are more vertical, trapezoidal shapes. A large, white, semi-transparent circle is positioned on the right side of the image, containing the text "Moving Forward".

Moving Forward

Zoning Reform



Source: Berkeley Zoning Reform Tracker [leaflet \(berkeley.edu\)](https://leaflet.berkeley.edu)



This work
does not
happen
alone

Local Governments & AFFH

- **Key Issues to Examine:**
 - **Land use and zoning laws**
 - **Occupancy restrictions**
 - **Reasonable Accommodation process**
 - **Residential real estate steering**
 - **Patterns of community opposition**
 - **Economic pressures, such as increased rents, land/development costs**
 - **Municipal or State services and amenities**
 - **Foreclosure patterns**
 - **Nuisance Ordinances**

Practical Zoning Fixes to foster Housing Diversity

“Upzone” single family zoning to allow for more housing choice



More Practical Zoning Fixes to foster Housing Diversity

Simplify review processes for affordable housing projects and allow for housing development projects ‘by right.’

This will minimize patterns of community opposition fueled by fears of increasing housing diversity.



Addressing NIMBYism

- Participate in public meetings and conversation
- Be intentional about language
- Address discriminatory code words
- Show how lack of housing affordability impacts the whole community
- Share real life stories
- Seek allies and partners to support housing affordability

Even More
Practical
Zoning Fixes
to foster
Housing
Diversity

Remove impediments that keep projects from being able to 'pencil out,' for developers

- lot sizes
- parking minimums,
- height restrictions,
- set-back requirements,
- road and housing configurations

How to engage with your local government

- Attend zoning and planning meetings
- Be aware of your local codes, ordinances, and plans
- Advocate for zoning changes that increase opportunity for diversity of housing choices
 - Examples: ADUs, zoning by-right, reduced parking minimums and site requirements; reduced fees and expedited reviews for affordable housing
- Support affordable housing projects in your communities, particularly those who are seeking to meet unmet housing needs
- Request reasonable accommodations when needed for group homes
- Report fair housing issues when you become aware of them.

PHRC Housing Initiatives & Resources

- **White Paper:** the State of Fair Housing in the Commonwealth of Pennsylvania
- **Trainings:** free virtual and in-person trainings on a wide variety of fair housing issues
- **Fair Housing Empower Hour**
- **Advisory Councils and Ambassadors**
- **Fact sheets and brochures:** available on www.phrc.pa.gov
- **PHRC Speaks: Fair Housing in the 21st Century:** PCNtv program:
https://youtube.com/playlist?list=PLSCi27ifBLE57JdmkPMIqB8FMm3MSfroj&si=cR0Tn9Oh4Xd6j_ee
- **Quarterly Newsletter** – email bmellinger@pa.gov to join the email list

Links for further learning

- NCRC Redlining Report: https://ncrc.org/wp-content/uploads/dlm_uploads/2018/02/NCRC-Research-HOLC-10.pdf
- The Color of Law by Richard Rothstein: <https://www.epi.org/publication/the-color-of-law-a-forgotten-history-of-how-our-government-segregated-america/>
- Just Action by Leah and Richard Rothstein: [Just Action: How to Challenge Segregation Enacted Under the Color of Law- Just Action \(justactionbook.org\)](http://justactionbook.org)
- Strategic Casemaking by Dr. Tiffany Manuel: [HOME | TheCaseMade](#)
- PHRC Website: www.phrc.pa.gov

Let's connect

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pennsylvania
HUMAN RELATIONS COMMISSION

Thank you for attending this session! Please take a moment to fill out this survey
(Also available in your program book)



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