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Housing discrimination's new main target? The disabled

by [Rahel Solomon](#)

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Housing discrimination isn't what it used to be. Gone are the days when such discrimination was blatant and easily detectable. Today, experts say housing discrimination is subtler – and overwhelmingly hurts those with disabilities.

Housing discrimination against the disabled accounts for 44 percent of complaints filed in 2011, according to a report released late last month by the National Fair Housing Alliance.

Consider two Northwest Side residents.

Alice, 70, and her husband Nic, 76, suffer from arthritis. When they began having trouble making the three-floor trip on stairs to the building's washer and dryer because of their health problems, they reached out to management seeking help.

"When I moved into that building I didn't expect to have the problems that I had after 20 years," Alice said. "I always had good health."

At first Alice, who uses a cane to walk, says she asked that a scheduling system be put in place to ensure tenants have a time slot reserved for their unit. She says a schedule would have made useless trips to the basement with heavy loads of laundry less likely.

Alice lives on the third floor of a four-story building. The washer and dryer are located in the basement. "If you lived on the first floor that was fine," Alice said. "But if you lived on the third floor, that's another story."

After management refused to implement a scheduling system, Alice said she felt she and her husband had no other choice but to seek legal help. Access Living, a non-profit that works to end housing discrimination, represented the couple in talks with the property management company over a period of three years – a year and a half of discussions followed by a year and a half of implementation.

Last year there were 27,092 fair housing discrimination reported incidents, according to its trends report. The 2011 figure represents a slight decline in complaints for the third year in a row.

Experts say they believe a conservative estimate of fair housing violations is 4 million every year, according to the report “Fair Housing in a Changing Nation.”

Despite the high number of estimated violations, the NFHA says many people don’t understand their housing rights under the Fair Housing Act. Those who do know their rights but fail to report likely do so because they don’t know where to report an incident, don’t believe anything will be done or fear the consequences of reporting.

The Fair Housing Act makes it illegal to discriminate based on race, color, national origin, religion, sex, disability or familial status.

The law applies to housing and housing-related activities, including apartment and home rentals. The U.S. Department of Housing and Urban Development and the U.S. Department of Justice are the two federal agencies responsible for enforcing the law.

“For a person with a physical disability, finding affordable and accessible housing is a great challenge,” said Ken Waldon of Access Living in Chicago. He said the problem is only getting worse.

“A lot of people coming back from war have developed mental disabilities,” Waldon said, adding, “Baby boomers are starting to enter their golden years and their need for affordable housing will grow dramatically.”

Disability discrimination and rental discrimination, some experts agree, are among the violations easiest to detect. Part of the ease can be attributed to the outright refusal of property companies to make accommodations or modifications for people with a disability.

“When it comes to rental discrimination, we are seeing more cases,” said executive director of HOPE Fair Housing Center Anne V. Houghtaling in Wheaton. “Persons with disabilities are becoming more aware of their rights.”

She cautioned, however, that for home-buying discrimination, detection becomes trickier. “When it comes to buying a house or buying a mortgage, you don’t know what’s available or what someone else is being given.”

Discrimination during the home-buying process often includes additional requirements for certain groups, Houghtaling said.

“If you’re buying a house and you’re a person of color,” Houghtaling said, “you’re going to have additional qualifications such as a pre-approval before an agent will meet with you. And then once you get in the door, what we find is a continued high level of steering.”

Steering involves the intentional decision to show black individuals homes in predominantly black neighborhoods and white individuals homes in predominantly white neighborhoods. Waldon, of Access Living, said property managers refuse the disabled for many reasons.

“On some level it’s a level of discomfort about someone having a disability,” Waldon said. “It could be liability concerns. It could be stereotypes of the person’s ability to pay, or lack thereof. It could be unjustified concerns that people could be coming into the unit to provide

assistance. [It could be] worries that they'd have to make modifications to the building, an absence of patience, or just not wanting to deal with someone with a disability.”

For Alice and Nic, after a three-year wait and what they call the run-around, a washer and dryer were installed in their unit in March, at their expense.

Earlier this month, HUD said it awarded nearly \$40 million in grants to fair housing organizations and non-profit agencies to fight housing discrimination. More than \$2 million of that money will be granted to 10 Illinois organizations, including five in Chicago, to continue housing discrimination testing, advocacy and education programs.

Access Living received \$325,000, according to HUD, and the HOPE Fair Housing Center of Wheaton received \$429,000.

The National Fair Housing Alliance is a group of more than 220 private, non-profit fair housing organizations, state and local civil rights agencies and individuals from across the country. The organization works to educate, advocate and enforce fair housing programs.

Nic said discrimination against the disabled knows no geographic boundaries. “It’s not only in Chicago. It can be Philadelphia, Los Angeles, wherever.”



Rahel Solomon/MEDILL

When a washing machine isn't just a washing machine. For Alice and her husband, Nic, who suffer from arthritis, the three flight trip to the building's laundromat was too difficult to bear. "There's no time schedule, so I'm walking up and down the stairs five and six times to find out if the laundry room is empty, " Alice said.



Rahel Solomon/MEDILL

High-rise condominiums in the Lakeview neighborhood. "A lot of Chicago's housing is old and a lot of the new housing is beyond the economic needs of many with a disability," said Ken Weldon of Access Living.

Breakdown of HUD grant to Chicago agencies:



ACCESS LIVING OF CHICAGO: \$325,000



CHICAGO LAWYERS COMMITTEE FOR CIVIL RIGHTS UNDER LAW: \$325,000



JOHN MARSHALL LAW SCHOOL: \$279,951



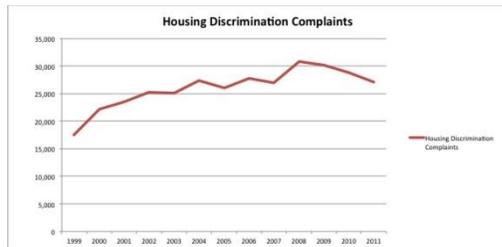
JOHN MARSHALL LAW SCHOOL: \$99,787



JOHN MARSHALL LAW SCHOOL: \$97,133

Rahel Solomon/MEDILL

Five Chicago agencies received federal money to fight housing discrimination. Find out who got what.



Rahel Solomon/MEDILL

The number of reported housing discrimination complaints have recently decreased.

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