Progress has been made, but work on fair housing effort

By Sheila Mondschein

Each April advocates of “fair housing” celebrate the passage of the United States Fair Housing Act in 1968. That landmark legislation, enacted almost 50 years ago, prohibits discrimination in housing on the basis of certain grounds, and it also requires the recipients of federal housing funds to further fair housing objectives in their decisions and actions.

The Massachusetts fair housing law, first adopted in 1946, also contains strong provisions which now parallel the federal law. The Newton city ordinance establishing the city’s Human Rights Commission and Newton’s Zoning Ordinance provide fair housing protections as well. Despite the passage of time, however, and some progress made thus far in eliminating overt discriminatory practices, much work remains to be done to fulfill the goals of fair housing laws to combat discrimination, reduce segregated residential patterns, and promote inclusive communities and access to opportunities.

Problems of housing discrimination and unequal housing opportunities still persist nationally and locally. The issue of fair housing is particularly timely now in Newton in light of recent efforts to provide affordable housing for low and moderate income families as part of planned multifamily housing developments, and the responses to those efforts.

The Newton Fair Housing Committee (NFHC), a citizen advisory board, was established by former Mayor David Cohen in 2009 to promote and support the city’s efforts to be a diverse and welcoming community with housing choices and opportunities for all, free from housing discrimination. Its direct predecessor was the Newton Fair Housing Task Force created in 2005.

In the early 1960s, a fair housing committee had been organized unofficially by a group of Newton citizens to combat housing discrimination in Newton specifically directed at African Americans. This effort was a response to the extension of the Massachusetts Turnpike which displaced large numbers of African American families living for many years near Myrtle Baptist Church in West Newton. Those residents unsuccessfully sought alternative housing in Newton.

Four decades later, the Newton Fair Housing Task Force solicited a series of expert paired testing audits of Newton housing, both rental and sales. Those audits found differential treatment in 2005 and 2006 based on race, national origin, Section 8 assistance, families with children under 18, and disability in approximately 45 percent of the audits.

To address those findings, the task force undertook education and outreach programs on fair housing for realtors, housing owners and managers, housing agencies, city staff, and the general public. The task force also strengthened the housing discrimination complaint process which is operated by the Newton Human Rights Commission under local ordinance; it advised city officials and staff on policies and procedures relating to fair housing; it wrote and supported Aldermanic adoption of fair housing requirements in Newton’s Zoning Ordinance; and it developed a citywide action plan to help assure that Newton is in fact a diverse and a welcoming community.

This fair housing agenda has been carried forward actively by the NFHC since its inception. It has continued to present fair housing education and training programs for appropriate audiences including housing providers, city officials and housing decision makers, and realtors. It has provided outreach and publicity on various fair housing issues; it has continued to advise city officials and staff on fair housing considerations; and it has successfully advocated for a full time citywide access coordinator (including the preparation and presentation of a consultant report on accessibility in Newton housing and related facilities).

Recently, the NFHC has prepared and distributed a short statement of fair housing principles to guide developers, homeowners, housing decision-makers, and the public in conducting various housing activities. The NFHC has also prepared “Fair Housing in the Newton Housing Strategy”, a report on fair housing ramifications to the mayor’s consultant’s “Housing Needs Analysis and Strategic Recommendations.”

In addition, it has developed a tool for Planning Department staff to use in evaluating proposed development projects for consistency with fair housing goals, and it is providing advice on relevant fair housing issues to the consultant currently performing the review and reform of the city’s Zoning Ordinance.

For further information on NFHC activities and reports, please visit the Committee’s website at http://newtonma.gov/gov/planning/hcd/hrhp/default.asp and search “Fair Housing.” For information on how to file any housing discrimination complaint, please visit the Newton Human Rights Commission website at http://newtonma.gov/hrhp and search “Human Rights Commission” or call 617-796-1420.