

SPEAKER'S OUTLINE

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ACHIEVING AN OPEN HOUSING MARKET IN NEW YORK CITY

City of New York

COMMISSION ON INTERGROUP RELATIONS

The following outline has been prepared through the joint cooperation of the Commission on Intergroup Relations and the State Commission Against Discrimination. It is not expected that all of the following points will be included in a single speech. The speaker may select the points he will cover on the basis of the emphasis requested by the audience group, the degree of sophistication of the audience, and other factors which may call for some specialized presentation.

I. The Problem

1. Qualified families have been and are being denied equal access to decent housing accommodations solely because of their race, religion or place of birth.
2. These restrictions have resulted in the creation and perpetuation of racial ghettos which, in addition to developing slums, also destroy the morale of the people affected.
3. Such restrictions present serious problems for slum clearance, code enforcement, and other public works programs by increasing the difficulty of relocating displaced minority families who are barred from decent, safe, and sanitary housing in many areas of the city. These restrictions also cost the taxpayer huge sums of money to maintain services and operations under extreme hardships in ghetto slums.
4. Racial residential restrictions are sustained by a body of myths and fallacies that have played upon the fears of people; these restrictions are costly to all residents of the community.
5. Racially restricted neighborhoods result in racially segregated schools, churches, and other community facilities.
6. Racially homogeneous neighborhoods and institutions limit the opportunity of all people to become familiar with other cultures. They restrict the cultural contributions which various ethnic and religious groups could make in an open city.
7. Residential segregation is the major civil rights issue in Northern cities like New York.

II. The Solution

1. An open housing market in which all people, regardless of race, color, creed, or national origin may compete on equal basis.
2. This means that people who meet the necessary qualifications of income, credit rating, character, and standards of living should have an equal opportunity to rent-lease, or buy shelter as it becomes available anywhere in the city.

3. The abandonment of obsolete concepts of "race and property" and the establishment of new concepts consonant with the public policy and laws of New York State and City.
4. This means abandoning the fallacious idea that homogeneity of occupancy in buildings or neighborhoods will assure decent, safe, and sanitary living conditions and understanding that the way to achieve these objectives is for all the people to have a real stake in the elimination of slums, arrest of blight, enforcement of sanitation and occupancy codes, and the production of housing to meet the needs and demands of the entire market.
5. It is important for landlords and managers of residential property to understand that they have the right and responsibility to establish and maintain sound standards to assure decent, safe, and sanitary living conditions for all occupants of dwellings they control; that these standards should be applied to all such dwellings; but that they should not include the arbitrary exclusion of any occupants solely on the basis of race, color, creed, or national origin.
6. It is important for tenants to understand that they have the right to expect maintenance of sound property standards and the responsibility of respecting these standards for themselves and others; but that they have no right to deprive others of sharing the same buildings or neighborhoods.

III. Laws and Enforcement Agencies

1. When discrimination and segregation have been institutionalized by practice, custom and the control of the so-called "gate-keepers" it is necessary to reverse these practices by the establishment of positive public policies and laws.
2. Various laws have been enacted by the State and City of New York to prohibit discrimination because of race, color, creed, or nationality in housing. These laws generally forbid such discriminatory practices as the refusal to rent, lease, sell, or otherwise to withhold the terms, conditions and privileges of the housing accommodations covered by them.
3. The New York State Commission Against Discrimination (SCAD) is responsible for enforcement of the laws covering publicly-assisted housing, including housing aided by the Federal Housing Administration (FHA), the Veterans Administration (VA), the Urban Renewal Administration (Title I), and several other state and municipally aided programs. Jurisdiction over such housing is partially determined by specific dates set forth in the various laws.
4. The New York City Commission on Intergroup Relations (COIR) is responsible for administration of the municipal Fair Housing Practices Law. COIR is also empowered by law to investigate and hold hearings in regard to any acts of discrimination whether perpetrated by public or private individuals or groups, which are outside the jurisdiction of SCAD or the administrator of the Fair Education Practices Law.

5. Under the existing state and municipal legislation, discrimination is prohibited in multiple dwellings (buildings with three or more apartments) and in new one and two-family housing in developments of ten or more. Certain housing owned or operated by charitable, educational, or religious institutions is exempt; also rooms sublet by a tenant of an apartment in which he or members of his family reside. COIR's jurisdiction embraces all of this housing which is not publicly-assisted and, therefore, under the jurisdiction of SCAD.
6. Persons claiming to be aggrieved in violation of these anti-discrimination housing laws may make inquiry or file a complaint with either SCAD (270 Broadway) or COIR (150 Nassau Street).
7. Either agencies will see to it that the inquiry of complaint is handled by the agency having jurisdiction, will provide advice concerning the proper way to file a verified complaint and assistance in drafting such complaints.
8. It is not necessary to present evidence or proof of the alleged discriminatory practice when filing a complaint. It is helpful to know the name and address of the housing accommodation in question and, if possible, the name of the person who has committed the alleged discriminatory practice.
9. Investigation and handling of cases alleging violation of these laws is directed to determining whether or not the discriminatory practice was actually committed, engaging in mediation to eliminate such practice if it is found to exist, and assisting both landlords and tenants in complying with the laws.

IV. Effect of the Laws

1. These laws do not compel the landlord or manager to rent, lease, nor sell to applicants who are not qualified according to the standards established for any given property, so long as these same standards are used for everyone regardless of race, color, creed, or national origin.
2. These laws do not establish a special priority for any particular group of applicants. Rather they remove any special disadvantage in competing for access to property when such disadvantage is due to race, color, creed, or national origin.
3. These laws alone will not solve the problem of slums, deterioration, or housing shortages prevailing in the housing supply. They will alleviate the undue impact of these housing deficiencies upon any particular ethnic or religious group of people, and they will focus the attention of the community upon the real causes of undesirable housing conditions.
4. Penalties for violation of these laws are subject to ultimate court determination. However, both the state and municipal enforcement agencies place emphasis upon mediating for compliance with these laws. It is assumed that experience in enforcement of these laws will be as successful as comparable experience in employment and public accommodations in which there has been no need for punitive action.

V. Educational Program

1. It is important that individuals and organizations throughout the community understand and help to interpret the necessity for anti-discrimination housing laws, what they are, and how they are administered.
2. Both SCAD and COIR will assist in every possible way with community educational programs designed to encourage understanding and positive acceptance of these laws.
3. It is necessary to dispel myths and misconceptions concerning "race and housing" and the effects of the anti-discrimination housing laws.

Race as such has nothing to do with the upkeep and value of residential property. In fact, in New York City, only one-fourth of the sub-standard rental units enumerated in 1954 by the Bureau of Census were occupied by non-white families. In cities like Detroit, Chicago, and Cincinnati, the most sub-standard housing and congested neighborhoods are occupied by newcomers of Anglo-Saxon stock from the Mid-South.

Panic-selling and flight when minorities move into a building or neighborhood, the reduction of management and municipal services, and prejudicial hostilities are the real causes of precipitant changes in the occupancy and use of buildings or neighborhoods.

Disproportionate concentration of any particular group in buildings or neighborhoods will not occur when the total housing market all over the city is "open" when normal turn-over in the market operates without distortion by racial residential restrictions, and when attention is focused upon the real causes of property deterioration rather than upon the ethnic or religious identity of occupants.

"Social status" will not be endangered by outmoded racial concepts if the same criteria of income, character, and other sound eligibility qualifications are applied without regard to race, creed, or national origin and if heterogeneous occupancy becomes typical throughout the city. The time is rapidly approaching in New York City when it is no longer "respectable" to unfairly exclude people from housing solely because of ethnic or religious characteristics.

The "right" of anyone to select his own friends and associates is in no way restricted by the "right" to attain shelter in an open housing market. Selection of "friends" does not impinge upon proximity of living quarters. At the same time, residential segregation deprives all people of discovering that people of other ethnic groups might be desirable friends or associates. A real freedom of choice is enhanced by an open housing market.

It should be pointed out that FHA's Regional Director in New York City has reported a marked increase in FHA commitments for rental housing in 1957 over 1956, and that more than 1 billion dollars has been invested since July, 1955 in the construction of new housing accommodations in New York State, all of which is publicly-assisted and subject to the jurisdiction of the State's anti-discrimination laws, indicating that the laws, and the prospect of integrated housing has been no deterrent.

4. Things to do to prevent "panic-selling," flight, and property deteriorations are:

Urge the landlord to maintain the same standards of maintenance, upkeep, and services which prevailed before tenants of other ethnic groups were inducted.

If the building is already deteriorating or deficient in services, urge the landlord to make it a good place for all occupants to live in. Call attention to undesirable conditions that existed before the ethnic composition of the occupancy changed.

Be alert to the reduction or withdrawal of essential municipal services in your building or neighborhood and see to it that these services are restored and continued.

Welcome new neighbors and encourage them to join you and other occupants in maintaining sound occupancy standards.

Be on the alert for any signs of misuse of the property regardless of who the misusers may be and seek immediate remedies through management or official agencies as indicated.

Cooperate with your neighbors and with community organizations in supporting programs directed to removing deficiencies from the housing supply and in promoting the production of housing to meet the need and demand of New York City's housing market.

Arrange meetings, discussions, film presentations and other organizational activities to encourage intelligent interpretation of housing conditions as well as of the anti-discrimination laws.

Call upon organizations, such as the Citizens Housing and Planning Council of New York for assistance and guidance in programs to deal with the real housing problems confronting the community.

Call upon SCAD and COIR for guidance in programs to gain understanding and acceptance of the anti-discrimination housing laws.