

# **National Origin Discrimination in Rental Housing in Vermont**

A Study Funded by the US Department of Housing and  
Urban Development

Completed by

## **CVOEO Fair Housing Project**

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## Summary

The CVOEO Fair Housing Project conducted this testing study in order to survey the rental market for national origin discrimination. Federal and state fair housing laws protect people from being discriminated against in housing based on the country of their birth or ancestry. This study was done in order to examine the barriers immigrants face in obtaining housing in Vermont, and to see what kinds of illegal discrimination, if any, are present in the rental market.

There has been a nationwide increase in discrimination against Muslims over the past few years, based partly on prejudicial stereotypes and fueled by the events of September 11, 2001. This study examined both Islamic and non-Islamic national origin discrimination in order to gather data about this trend in Vermont.

Fair housing testing was the method used for studying whether people are treated differently, based on their national origin, in the apartment search process. A total of 27 tests were successfully completed in Chittenden, Lamoille and Washington Counties between October 2003 and September 2004.

- ◆ 50% of the non-Islamic national origin tests found discrimination
- ◆ 47% of the Islamic national origin tests found discrimination

The discrimination found included:

- ◆ Not returning the immigrant tester's calls
- ◆ Not informing the immigrant tester of all available units
- ◆ Telling the immigrant tester nothing was available when there were available units
- ◆ Different terms and/or conditions
- ◆ Different treatment, being discouraging or encouraging the control tester

## Background

### About the CVOEO Fair Housing Project

The Fair Housing Project is a program of the Statewide Housing Services division of the Champlain Valley Office of Economic Opportunity (CVOEO), a non-profit community action agency, that works to eradicate housing discrimination in Vermont through outreach, education, and enforcement of fair housing laws. The CVOEO Fair Housing Project assists victims of discrimination, investigates complaints, and works with attorneys to pursue litigation when necessary.

The work of the CVOEO Fair Housing Project has increased the number of complaints processed and referred to private attorneys, the Vermont Human Rights Commission and the United States Department of Housing and Urban Development. In the past three years, the CVOEO Fair Housing Project has assisted over five hundred complainants through screening, intake and referral processes, with more than two-dozen cases resulting in settlement agreements.

The U.S. Dept. of Housing and Urban Development provided funding for the CVOEO Fair Housing Project to conduct a study on national origin discrimination in rental housing. The findings outlined in this report reveal incidences of housing discrimination based on national origin. These results are consistent with two other fair housing studies completed by CVOEO Fair Housing Project in recent years.

### About Housing Discrimination

Under federal law prospective tenants and homebuyers cannot be treated differently in their search for housing or denied housing on the basis of race, color, sex, the presence of minor children (familial status), disability, national origin, and religion.

Under Vermont law, prospective tenants and homebuyers are also protected for their marital status, sexual orientation, age, and receipt of public assistance (defined as any assistance provided by federal, state or local government including medical and housing assistance).

Federal and state law also require housing providers to make reasonable accommodations and allow reasonable modifications based on the needs of people with disabilities.

## Methodology Used

The most effective way to study housing discrimination is to use a method called *testing*. Testing for housing discrimination involves individuals (testers), posing as prospective tenants, replicating the housing search process.

The courts have long accepted testing as a valid, if not indispensable, method of investigating housing discrimination. Testing evidence often serves as the crucial piece of evidence in many fair housing cases. Since 1991, the Civil Rights Division of the US Department of Justice has operated their own fair housing testing program used to investigate patterns and practices of housing discrimination. The US Department of Housing and Urban Development has approved the CVOEO Fair Housing Project's testing methodology and tester training program.

In our study, **testers were paired**. One tester was in a “protected category” under the Fair Housing Act, such as national origin, and the other tester acted as a control. For example, in a national origin test one tester was an immigrant, and the other tester was born in the United States.

Testers were matched for age and gender and assigned **similar characteristics**, such as household size, income and rental history.

A tester's **income** was at least three times the rent of the apartment being tested.

Testers received classroom-style training and also completed a “practice” test, which was carefully reviewed. *Testers were instructed to be objective, to dress appropriately, and to be polite and courteous to the housing provider.*

All tests examined the housing search experience *up to* the point of completing an application; **testers did not fill out applications** or provide references. After a tester completed a test they were instructed to objectively report their experiences in writing, which was then reviewed by the CVOEO Fair Housing Project.

## What Was Tested

This rental housing discrimination study focused on **national origin**. In the aftermath of the events of September 11, 2001, there has been a nationwide increase in discrimination against people who are perceived to be Muslim and/or of Middle-Eastern descent. The tests conducted for this study looked at both **Islamic** and **non-Islamic** national origin discrimination.

All buildings tested were covered under applicable fair housing law. This means they were not owner occupied duplexes or triplexes (except in Burlington where owner occupied triplexes are covered under a city fair housing ordinance).

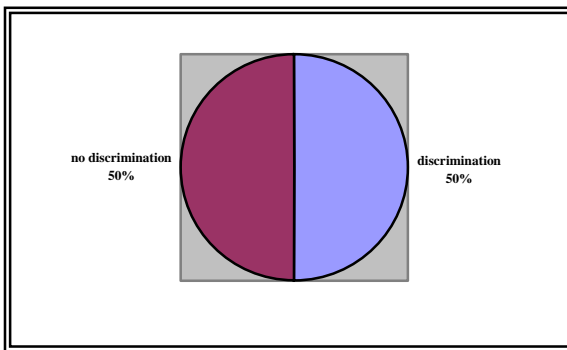
The tests took place in Chittenden, Lamoille and Washington Counties, but the majority of the tests were conducted in the Burlington area. The selection of the properties to be tested was random with the exception of an effort to test larger housing providers.

## Testing For Non-Islamic National Origin Discrimination

It is illegal for housing providers to discriminate against prospective tenants because of their national origin. The Fair Housing Project conducted a survey of non-Islamic national origin discrimination among rental housing providers. A total of 12 tests were successfully completed. A successfully completed test required that the property was covered under fair housing law and that two matched testers contacted the housing provider to inquire about availability. An immigrant tester was matched with a US born tester of the same gender and of a similar age. The two testers were assigned very similar characteristics, such as income and rental history.

- **In 50% of the tests, evidence of non-Islamic national origin discrimination was found.**

The discrimination took different forms. In 67% of the tests that found discrimination, the immigrant tester (who had a foreign accent) left multiple messages for the housing



provider and never got a call back, but the control tester was called back and was able to get information about available housing. In 33% of the positive tests, the housing provider did not inform the immigrant tester about all the available units and treated the immigrant tester less favorably. Less favorable treatment could include being told more was required to apply or not being encouraged to apply.

**Example of a test that showed non-Islamic national origin discrimination:**

*The immigrant tester was told nothing was available and received less favorable treatment.*

The immigrant tester called a property management company listed in the yellow pages and asked if there were any 1 or 2 bedroom apartments available in the area. She was told that the last apartment was rented the previous week and that nothing else was going to be available until June.

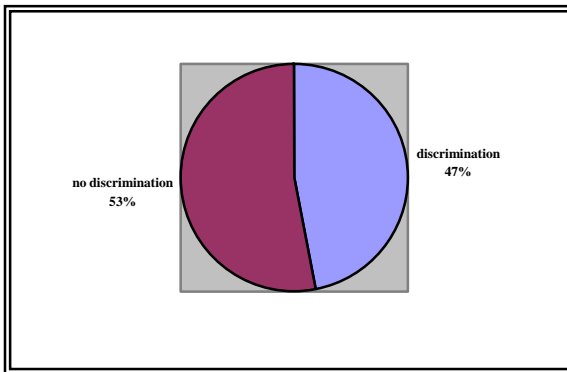
When the US born tester without a foreign accent called and asked the same thing, she was told there was an apartment available May 1<sup>st</sup> and two apartments were going to be available in June. She received information about the apartments and was told to call back if she wanted to set up an appointment to see any of them.

## Testing For Islamic National Origin Discrimination

It is illegal for housing providers to discriminate against prospective tenants because of their national origin or religion. The Fair Housing Project conducted a survey of Islamic national origin discrimination among rental housing providers. A total of 15 tests were successfully completed. A successfully completed test required that the property was covered under fair housing law and that at least two matched testers contacted the housing provider to inquire about availability. An Islamic immigrant tester was matched with a non-Islamic US born tester of the same gender and of a similar age. The two testers were assigned very similar characteristics, such as income and rental history.

- **In 47% of the tests, evidence of Islamic national origin discrimination was found.**

The discrimination took different forms. In 43% of the tests that found discrimination, the housing provider did not inform the Islamic immigrant tester about all available



apartments. In one test, the Islamic immigrant tester was told nothing was available when the non-Islamic US born tester was told an apartment was going to be available soon. In all of the tests, the Islamic immigrant tester received less favorable treatment. Less favorable treatment could include being told more was required to apply or not being encouraged to apply. For example, in one test the Islamic immigrant tester was told

there was a required application and credit check and that he “must have a job or income source,” while the non-Islamic US born tester was simply told to submit ½ of the security deposit to secure the apartment.

### Example of a test that showed Islamic national origin discrimination:

*The Islamic immigrant tester was told there was a fee to apply and received less favorable treatment.*

When the Islamic immigrant tester called about the advertised apartment, he confirmed the price and made an appointment to see it. The tester met the agent at the apartment and was told to go ahead and look around and ask if he had any questions. The agent gave him an application and told him to drop it off with a \$10 fee when it was completed.

When the non-Islamic US born tester called to make an appointment, the agent gave him directions to the apartment and they agreed on a time. The tester met the agent at the apartment and was shown around. The agent told the tester that he should submit the application and the security deposit as soon as possible—the sooner, the better if he wanted the apartment.

## Conclusion

The CVOEO Fair Housing Project's rental audit study on national origin discrimination found a 50% rate of discrimination against non-Islamic immigrants and a 47% rate of discrimination against Islamic immigrants. The high rate of discrimination found in this study indicates there are significant barriers for both Islamic and non-Islamic immigrants seeking housing in Vermont.

The results of this study are consistent with two statewide fair housing audit studies conducted by the CVOEO Fair Housing Project in recent years. An audit of the rental market conducted in 1999 found a 46% rate of race discrimination, and 48% of the race based tests in a 2002 study of the sales market found evidence of discrimination.