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**TESTIMONY IN SUPPORT OF HR 1620 - SUFFOLK COUNTY
LEGISLATURE
SEPTEMBER 9, 2014**

Testimony of V. Elaine Gross

President, ERASE Racism

Public Safety Committee

In support of the passage of HR 1620 to amend the Suffolk County Human Rights Law to include source of income as a protected class in terms of housing discrimination.

Reorganization of Chapter 528, Suffolk County Code

Submitted to the Suffolk County Legislature on June 17, 2014

Committee Vote: Yes 6; No 0; Abstain 0, Not Present 0

Good evening, my name is Elaine Gross and I am the President of ERASE Racism, a civil rights not-for-profit organization based on Long Island. I lend my support to HR 1620 as a founding organizer of the Housing for All Coalition comprised of nonprofits in an effort to eliminate discrimination and protect our neighbors from the unlawful violation of their rights in pursuit of housing.

ERASE Racism as an organization has independent expertise and experience in regards to source of income housing discrimination. ERASE Racism led the charge for strengthened fair housing law in Nassau County which included source of income as a protected class.

Low- and moderate income individuals deserve the same dignity and respect as more affluent households enjoy. Therefore, the Suffolk County Human

Rights Law should adopt the basic principle of anti-discrimination as detailed in the bill. Accordingly, I urge the legislature to pass HR 1620 at a time when Suffolk County residents need source of income protection the most.

The need for affordable rental housing intensified after Superstorm Sandy and the recent financial downturn. Such calamities severely impacted our most vulnerable Long Islanders in finding suitable housing, such as those who experienced a job loss or foreclosure. There is a shortage of rental housing stock on Long Island, and today there is even more pressure on families seeking to lease an apartment using housing subsidies amidst a tight rental market.

The overall affordable housing rental market on Long Island is too small, which in turn may lead to more instances of housing discrimination against renting to those who have lawful sources of income from revenue streams other than employment. In the current rental market, landlords may be more selective in choosing tenants due to the rental housing crisis that is particularly acute on Long Island.¹ With some of the highest market rents in the nation, housing choice vouchers and other housing subsidies may provide a necessary safety net for our neighbors to avoid homelessness.² As a result, source of income should be added as a protected class during this rental crisis to protect fair housing choice for at-risk Suffolk residents.

¹ See Regional Plan Association, Long Island's Rental Housing Crisis, Sept. 2013, <http://library.rpa.org/pdf/RPA-Long-Islands-Rental-Housing-Crisis.pdf>.

² See generally Scott Brinton, Living on the Edge in Nassau County, LI Herald, Feb. 12, 2014, <http://liherald.com/stories/Living-on-the-Edge-in-Nassau-County,52902>.

The Federal Fair Housing Act,³ and the New York State Human Rights Law,⁴ prohibits discrimination in the sale, rental, and financing of housing. For comparative purposes, the Nassau County Human Rights Law includes source of income as a protected class, thereby prohibiting housing discrimination that manifests itself in a variety of contexts such as race and ethnicity. Source of income discrimination may be closely linked to the racial and ethnic discrimination that persists in our area. Such bias only serves to further polarize our local racially segregated communities.⁵ This Suffolk County bill that amends the Human Rights Law within Chapter 528 of the Suffolk County Code would effectively implement additional protection from housing discrimination and practically expand the term “lawful source of income” to include Social Security and Housing Choice Vouchers, along with other forms of income such as court ordered spousal and child support, veterans benefits, and disability payments regardless of skin color.

The passage of HR 1620 would align the Suffolk County Human Rights Law with that of Nassau County towards the elimination of housing discrimination. In support of source of income laws, HUD released a report finding that such anti-discrimination laws may in effect affirmatively further fair housing. Specifically, the study conducted on behalf of HUD, states in part:

³ Fair Housing Act, Title VIII, Civil Rights Act of 1968 (amended in 1988).

⁴ NYS Executive Law, Article 15, Section 296, et seq.

⁵ See generally Angela McNair Turner, *The Elephant in the Hearing Room: Colorblindness in Section 8 Voucher Termination Hearings*, Berkeley Journal of African-American Law & Policy, vol. 13, issue 1, April 2013, <http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1019&context=bjalp>.

“State and local SOI [source of income] anti-discrimination laws are one policy response to address this issue [of residential racial integration]. SOI laws make it illegal for landlords to discriminate against voucher recipients solely on the basis of their having a voucher Neighborhoods with SOI laws in place show improved utilization rates and better locational outcomes for voucher recipients Black, Asian and Native American voucher recipients in jurisdictions with SOI laws had proportionally more white neighbors . . . when compared to their respective counterparts in jurisdictions without SOI laws.”⁶

The Suffolk County Legislature is equipped to eliminate housing discrimination in all forms to promote residential racial integration. I hereby urge you to consider bringing Suffolk County on par with Nassau County in regards to this anti-discrimination bill for the protection of Long Islanders. A vote in favor of HR 1620 today would be a step in the right direction. Thank you for the opportunity to express our coalition’s concerns. I appreciate your consideration in adopting this bill towards economic and racial equality.

Sincerely,



V. Elaine Gross
President

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⁶ Lance Freeman (Columbia University), The Impact of Source of Income Laws on Voucher Utilization and Locational Outcomes, Prepared for HUD – Office of Policy Development and Research, Feb. 2011, pg. iii,
http://www.huduser.org/publications/pdf/Freeman_ImpactLaws_AssistedHousingRCR06.pdf.