

A stylized, light-colored outline of a house with a gabled roof, a large arched doorway, and a window to the right. The house is set against a dark brown background.

# Study of the Fair Housing Initiatives Program



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Office of Policy Development and Research

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May 2011



## Acknowledgments

This study could not have been completed without the assistance of a number of people, including staff from Fair Housing Initiatives Program (FHIP) grantee organizations, key informants, and U.S. Department of Housing and Urban Development (HUD) personnel. DB Consulting Group, Inc., gratefully acknowledges all of them for their significant contributions, support, and time, which contributed to the successful completion of this study.

Richard Offner and Jeffrey May were instrumental in developing the overall research approach. May served as the project director until January 31, 2008, and managed the day-to-day intricacies of the project and helped to structure the data analyses presented in this report. Lesley Edmond, who served as a senior research analyst from 2006 to 2008, provided invaluable assistance to May on every aspect of the project, including the web-based survey, Notice of Funding Availability research, and development of the program history in section 2 of this study.

This study includes information collected from key informant interviews and from site visits to 10 FHIP grantee organizations. To maintain their anonymity, this report does not list the names of key informants or grantees. We thank them for their time, however, and for their valuable insights regarding FHIP over the years.

Todd Richardson and Judson James of HUD's Office of Policy Development and Research provided insightful comments and assistance throughout this project; we are grateful for their help on many complicated research issues that had to be resolved during the course of the 2-year study. In addition, Jon Sperling of HUD provided invaluable assistance with assigning geographic identifiers to grant data and providing the research team with maps of the physical locations of grant-recipient organizations.

*The contents of this report are the views of the contractor, DB Consulting Group, Inc., and do not necessarily reflect the views or policies of the U.S. Department of Housing and Urban Development or the U.S. Government.*

## Foreword

This evaluation of the U.S. Department of Housing and Urban Development's (HUD's) Fair Housing Initiative Program (FHIP) is the first major study of the program in 15 years. The study confirms that FHIP funding is a critical component of the U.S. civil rights enforcement infrastructure. Fair housing organizations in communities across the country depend on FHIP funding to support their investigations and enforcement of laws that protect people from housing discrimination and that provide fair housing education and outreach activities.

Among the study's important findings is that, without FHIP enforcement funding, it is likely that most enforcement and investigatory work, particularly paired testing, would no longer occur. Although fair housing organizations are able to secure funding, in addition to their FHIP funding, from a variety of sources for education and outreach activities, few alternative funding sources are available to support testing and other investigative work that fair housing organizations conduct.

This investigative work helps ensure equal access to housing for all individuals and families protected by federal, state, and local fair housing laws. The report shows, among other benefits, that when FHIP grantee organizations are the first point of contact for a complainant, the organization adds value in two ways:

First, FHIP grantee organizations *weed out* cases that are not covered by civil rights statutes, as well as those cases in which the organization's investigations show a complaint lacks merit. This vetting saves resources for HUD and state agencies that do not have to investigate these cases.

Second, the investigative evidence provided to HUD and state agencies for a complaint on which a FHIP grantee organization has signed on as a complainant or representative adds merit to those cases. These are the cases that are much more likely to end in a conciliation or cause finding than are other cases in which the complainant comes directly to HUD and state agencies. Of particularly high value is testing evidence, which is limited almost exclusively to the cases that involve a FHIP grantee organization.

Overall, the report supports maintaining funding for FHIP grantee organizations as an important policy priority for HUD.

Raphael W. Bostic  
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## Executive Summary

This study examines the Fair Housing Initiatives Program (FHIP) from its inception in 1987 through 2006. The goals of this study are to create a history of FHIP, describe its grantees, analyze the types of grants awarded through the program, and analyze the outcomes of cases investigated by grant recipients, especially the comparison of the outcomes of cases referred by the grantees with those referred by others. It is useful to note the limitations of this study. It is primarily a process study of FHIP based on interviews with FHIP grantee organizations. Outcomes are reported based on cases that are referred to the U.S. Department of Housing and Urban Development (HUD). The study does not include reviews of cases not referred to HUD and does not assess the efficiency of FHIP or effects of the program.

This study presents an analysis of the types of grants awarded by HUD under FHIP and the outcomes of cases investigated by grant recipients. The data used in this study are from four sources: (1) indepth interviews with present and past HUD staff who are knowledgeable about the program and representatives of 10 FHIP grantee organizations, (2) a HUD administrative database containing information about awards made under the program between fiscal year (FY) 1989 and FY 2006, (3) a web-based survey of organizations that received FHIP grants between FY 2003 and FY 2005, and (4) outcomes reported in HUD's Title VIII Automated Paperless Office Tracking System (TEAPOTS) of complaints referred to HUD and closed between FY 2003 and FY 2005.

Under FHIP, the HUD Secretary issues grants and enters into contracts and cooperative agreements with state and local government agencies, public and private nonprofit organizations, and other public and private entities that have programs designed to prevent and/or eliminate discriminatory housing practices. FHIP funding generally promotes public awareness of rights protected under the Fair Housing Act and enhances the ability of fair housing organizations (FHOs) to investigate fair housing complaints, especially through enforcement testing results that can be used as evidence of housing discrimination in legal proceedings.<sup>1</sup> FHIP currently has three funding categories: (1) the Private Enforcement Initiative (PEI); (2) the Education and Outreach Initiative (EOI); and (3) the Fair Housing Organizations Initiative (FHOI).<sup>2</sup> A fourth funding category, the Administrative Enforcement Initiative (AEI), was included in the initial program but has not been funded since FY 1995. Between FY 1999 and FY 2004, HUD also granted Secretary Initiated Projects (SIP) awards to support national testing programs.

PEI grants support private nonprofit organizations that enforce fair housing laws in conducting housing discrimination complaint processing, investigations, and other law enforcement activities to remedy violations of the Fair Housing Act. Usually, the investigations that PEI grantees conduct include testing to demonstrate disparate treatment. EOI grants enable recipients to develop and disseminate information to educate the public of rights under the Fair Housing Act and to conduct outreach activities to communities and stakeholders regarding fair housing issues. FHOI grants help increase the capacity of organizations that enforce Fair Housing Act provisions.

### Types of Awards Made Under FHIP

HUD awarded a total of \$283 million in FHIP grants between FY 1989 and FY 2006. The mean award during this period was \$210,000. Most of these awards were either PEI or EOI grants. The mean PEI grant was \$233,000, an amount almost twice the mean EOI amount awarded between FY 1989 and FY 2006 (Table ES-1).

Nonprofit organizations received nearly three-fourths of the FHIP awards that HUD made between FY 1989 and FY 2006. Legal aid organizations received the second largest share of FHIP awards, followed by state and local governments.

<sup>1</sup> 42 U.S.C. Section 3616a.

<sup>2</sup> The FHOI funding category began in FY 1992 when FHIP was made a permanent program (Public Law 102-550 Section 905, approved Oct. 28, 1992).

FHIP awards provide an important source of funding for grantees. According to the web-based survey data, FHIP awards in FY 2006 funded 58 percent of the combined enforcement initiatives and education and outreach efforts that grantee organizations conducted. Because relatively few alternative sources are available to support enforcement, FHIP awards support a larger share of grantee enforcement activity compared with the share of education and outreach efforts. In FY 2006, grantees used 67 percent of their funds to support enforcement initiatives, compared with 34 percent of funds used for education and outreach efforts.

Typically, fair housing funding to FHIP grantee organizations is not stable. About one-half of the survey respondents indicated their organization's fair housing funding was sporadic between FY 2001 and FY 2006. HUD, recognizing the problem, began granting 3-year PEI awards in FY 2005. Although such awards reduce the year-to-year variability in the overall funding for FHIP grantee organizations, multiple-year awards reduce the number of 1-year awards (holding overall funding levels constant) available to organizations that do not have the capacity to be awarded a longer term PEI grant. These longer term awards are typically made to organizations with greater capacity, as measured by experience and infrastructure and usually meaning a longer track record, than recipients of 1-year awards. HUD generally needs to balance the tradeoff between making 1-year and multiple-year awards. Even with 3-year PEI awards, FHOs still face a challenge when making year-to-year budget and staffing projections.

**Table ES-1. Summary of FHIP Awards, FY 1989–FY 2006**

Initiative	Total Awards (N)	Percent of Awards	Total Dollar Awards (\$)	Percent of Dollar Awards	Mean Award (\$)
AEI	34	3	7,462,109	3	219,474
EOI	580	43	73,053,081	26	125,954
FHOI	114	8	41,763,732	15	366,349
PEI	610	45	141,860,388	50	232,558
SIP	10	1	19,263,026	7	1,926,303
Total	1,348	100	283,402,336	100	210,239

AEI = Administrative Enforcement Initiative. EOI = Education and Outreach Initiative. FHIP = Fair Housing Initiative Program. FHOI = Fair Housing Organizations Initiative. PEI = Private Enforcement Initiative. SIP = Secretary Initiated Projects.

Source: Authors' calculations from the U.S. Department of Housing and Urban Development administrative database

## FHIP Grantee Organization Activities

Of the survey respondents, 40 conducted a total of 6,208 investigations in FY 2006, an average of 155 investigations per respondent (about 3 investigations per week).<sup>3</sup> PEI funds financed 70 percent of the investigations that respondents completed in FY 2006. (Respondents did not report sources for the remaining 30 percent.) Most of the investigations (84 percent) were related to rental housing complaints. Sales, lending, insurance, and other discrimination complaints accounted for the remaining 16 percent. Rental housing discrimination complaints are usually resolved faster than other types of housing complaints, which provides faster relief to the complainants.

Using information from their investigations, FHIP grantee organizations determine which complaints need to be referred to HUD for further action. Most investigations that FHIP grantee organizations conduct do not result in the referral of the case to HUD; only 15 percent of inquiries and investigations completed in FY 2006 resulted in a filing of a fair housing complaint with either a Fair Housing Assistance Program (FHAP) agency or HUD. The most common outcome for investigations (43 percent) was the finding that no discrimination occurred. The second most common outcome was that the FHIP organization was able to resolve the complaint without referring the matter to HUD or FHAP (27 percent). A mere 1 percent of investigations led to the filing of a housing discrimination lawsuit. Of the total number of complaints, 19 percent were still under investigation.

Testing is one of the most important investigative methods that PEI grantee organizations use. Of the survey respondents, 37 completed a total of 5,033 tests in FY 2006, an average of 136 tests per FHIP organization. As discussed previously,

<sup>3</sup> Of the 180 organizations receiving FHIP grants between FY 2003 and FY 2005, 68 completed a sufficient number of questions in the survey to be included in the analysis. Responses were more detailed on some questions than on others.

relatively few sources of funding are available for general enforcement activities; the same is true for testing. PEI funds supported about two-thirds of the tests that FHIP grantees conducted.<sup>4</sup>

## Difference in Outcomes for FHIP-Referred and Non-FHIP-Referred Complaints<sup>5</sup>

Analysis of the cases that FHIP organizations refer to HUD, compared with all other FHIP complaints, found that FHIP grantee organizations play a vital role in screening out complaints that do not reflect fair housing violations and help resolve cases that exhibit evidence of discrimination without referring them to HUD or a FHAP agency. This finding is true for cases in which FHOs are included as a complainant and when they are representing a complainant. When compared with all inquiries referred to HUD, only 10 percent of FHIP-referred inquiries were found to be not under HUD jurisdiction, while 62 percent of non-FHIP-referred inquiries were found to be not under HUD jurisdiction. This finding is consistent with the survey findings that show that FHIP organizations find that 43 percent of the cases they investigate do not have merit and thus are not referred to HUD or a FHAP agency.

When cases were found to be under HUD jurisdiction, the FHIP organization referred the complaints to HUD, particularly those in which the FHIP organization was a complainant. These complaints were more likely to be closed as a cause finding or conciliation than were complaints that originated from other sources. According to data reported in the HUD TEAPOTS database, FHIP-referred complaints accounted for only 10 percent of the 26,090 cases that HUD closed between FY 2003 and FY 2005, but 31 percent of the FHIP-referred cases closed because of a cause finding (19 percent) or conciliation (12 percent). Of the complaints in which FHIP organizations were a complainant (4 percent), 71 percent closed as a conciliation or cause finding, compared with 43 percent of cases in which FHIP organizations acted as a representative to the complainant, and 37 percent of non-FHIP-referred complaints.

In addition to a higher cause finding rate, the FHIP-referred cases ending in a cause finding took less time to complete (673 days for FHIP as the complainant, 495 FHIP as the representative, and 708 days for non-FHIP-referred cases).

In contrast, conciliations took somewhat longer on FHIP referrals (156 days for FHIP as the complainant, 149 days for FHIP as the representative, and 108 days for non-FHIP-referred cases). Again, this finding is consistent with FHIP organizations helping complainants and respondents resolve cases before filing with HUD. The longer time for FHIP-referred cases to reach conclusion implies that the easier cases to resolve are done by the FHIP organization directly without referring them to HUD, and the more complex cases are referred to HUD or a FHAP. This finding is consistent with survey findings showing that 27 percent of cases that FHIP organizations investigate are resolved without HUD or FHAP involvement.

Better outcomes are found for FHIP-investigated cases, particularly those cases in which the FHIP organization is a listed complainant, and may be related to testing conducted by FHIP organizations. Of the 542 cases with testing reported as part of the case, 72 percent of the tests were done on cases in which a FHIP organization was the complainant (about 42 percent of all cases in which a FHIP organization was a listed complainant had testing) and 13 percent when the FHIP organization was a representative (about 4.5 percent of all cases in which a FHIP organization was a representative). Only 15 percent of all cases with testing did not appear to involve a FHIP organization (only 0.4 percent of all non-FHIP-referred cases had testing). Testing substantially improves the probability of a case being caused or conciliated, with 69 percent of cases with testing ending in a cause or conciliation, compared with 38 percent of cases without testing.

FHIP organizations also appear to play a particularly critical role in a subset of case types. Specifically, FHIP organizations are disproportionately involved in design and construction cases (42 percent of such cases are FHIP referred), familial status cases (62 percent of such cases are FHIP referred), and pattern and practice cases referred to the U.S. Department of Justice (55 percent of such cases are FHIP referred). This statistic compares with FHIP organizations representing only 10 percent of all cases that HUD or FHAP agencies investigate.

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<sup>4</sup> Testing activities funded by non-FHIP sources went unreported to HUD, however. This unreported activity may be substantial; although the average share of tests funded with PEI grants was 64 percent, 30 percent of respondents funded fewer than one-half of their tests with PEI grants.

<sup>5</sup> This section of the executive summary and section 7 were written by Todd Richardson of HUD.

## Conclusions

This study presents four major findings: (1) FHIP grantee organizations act as a filter, and FHIP-referred complaints are much more likely to result in a cause finding or conciliation than are other sources; (2) complaints in which FHIP organizations are a complainant are more likely to be closed as a conciliation or cause finding compared with complaints in which FHIP organizations act as a representative to the complainant and non-FHIP-referred complaints; (3) FHIP organizations are the primary source for testing evidence associated with complaints and rely heavily on FHIP grants as a stable source of funding for enforcement and testing activities; and (4) FHIP organizations play a particularly important role related to design and construction, familial status, and pattern and practice cases, and these more complex complaints that are referred to HUD may be the reason why FHIP-referred cases may take longer to close than non-FHIP-referred complaints.

## Introduction

This study examines the Fair Housing Initiatives Program (FHIP) from its inception through 2006. The goals of this study are to create a history of the program through 2006, describe its grantees, analyze the types of grants awarded through FHIP, and analyze the outcomes of cases that grant recipients investigate, especially the comparison of the outcomes of cases that the grantees refer to those that other organizations or individuals refer. It is useful to note the limitations of this study. It is primarily a process study of FHIP based on interviews with FHIP grantees. Outcomes are reported based on cases that are referred to the U.S. Department of Housing and Urban Development (HUD). The study does not review cases that have not been referred to HUD, nor does it assess the efficiency of FHIP or program impacts.

HUD is responsible for enforcing Title VIII of the Civil Rights Act of 1968, commonly known as the Fair Housing Act.<sup>6</sup> As such, the HUD Office of Fair Housing and Equal Opportunity (FHEO) accepts and investigates complaints that allege housing discrimination based on race, color, national origin, and religion. The act was later amended to prohibit discrimination on the basis of sex, disability, or familial status in the sale, rental, or financing of most residential housing or other real estate-related transactions. Although FHEO has primary enforcement responsibility, other entities including, but not limited to, state and local administrative agencies, the courts, and private organizations—especially nonprofit fair housing groups—have played critical roles as well (Wienk et al., 1994).

Enforcement of the Fair Housing Act, to a large extent, begins with the filing of a fair housing complaint by persons who believe their fair housing rights have been violated. Thus, it is critically important that people, especially members of protected classes, who have historically faced discrimination in housing market transactions, are aware of their rights under the act (Abravanel, 2002). Without such knowledge, it is highly unlikely victims of discrimination would file fair housing complaints, and discriminatory practices would not be redressed.

Fair Housing Organizations (FHOs) play a vital role in helping to promote fair housing throughout the United States. These organizations increase public awareness of discriminatory housing practices through education and outreach campaigns that advise consumers how and where to file complaints of housing discrimination and inform them of their rights under the act. Organizations that enforce fair housing laws conduct investigations to substantiate or dismiss claims of housing discrimination and equitably resolve violations of the Fair Housing Act.

Organizations that engage in fair housing enforcement activities frequently use testing as an investigative tool to uncover covert forms of disparate treatment. Testing is a means for determining the existence of disparate treatment. Testers examine housing sites to uncover differences in treatment based on illegal discrimination of housing applicants who are eligible as members of a protected class. Testing can help determine if differences exist in the services provided or in the quality, content, or quantity of information given to home seekers based on their race, color, national origin, religion, sex, disability, or familial status. The U.S. Supreme Court has recognized and affirmed the importance of fair housing testing in combating housing discrimination.<sup>7</sup> Federal and state courts have also approved testing results in fair housing litigation and have ruled that testing provides important corroborative evidence that enables plaintiffs to meet their burden of proof (Wienk, et al., 1994).<sup>8</sup>

<sup>6</sup> Public Law 90-284, 82 Stat. 81.

<sup>7</sup> *Havens Realty Corp. v. Coleman*, 455 U.S. 363, 373 (1982).

<sup>8</sup> Cases in which testing played a role in the final outcome of fair housing litigation include *Richardson v. Howard*, 712 F.2d 319 (7th Cir. 1983); *Zuch v. Hussey*, 394 F. Supp. 1028 (E.D. Mich. 1975); and *United States v. Youritan Constr. Co.* 370 F. Supp. 643 (N.D. Cal. 1973), modified 509 F.2d.623 (9th Cir. 1975).

## The Fair Housing Initiatives Program

As the chief enforcer of the Fair Housing Act, HUD actively supports enforcement initiatives and education and outreach activities through the Fair Housing Initiatives Program, which was initially established in 1987 on an interim basis and revised and made permanent in 1992. FHIP was established to allow the HUD Secretary to issue grants and enter into contracts or cooperative agreements with state and local government agencies, public and private nonprofit organizations, or other public or private entities that have programs designed to prevent or eliminate discriminatory housing practices.<sup>9</sup> Since 1989, HUD has awarded \$282 million through 1,348 grants (Table 17).

The activities funded by FHIP are generally designed to promote public awareness of the rights granted to people protected under the Fair Housing Act and improve the ability of existing organizations that investigate fair housing complaints by funding testing, the results of which can be used as evidence of housing discrimination in legal proceedings. Specifically, FHIP now has three funding categories: (1) the Private Enforcement Initiative (PEI); (2) the Education and Outreach Initiative (EOI); and (3) the Fair Housing Organizations Initiative (FHOI).<sup>10</sup> A fourth funding category, the Administrative Enforcement Initiative (AEI), was included in the initial program, but has not been funded since FY 1995. Finally, HUD made awards to support national testing programs conducted between FY 1999 and FY 2004 under the Secretary Initiated Projects (SIP).

PEI grants are generally provided to private nonprofit organizations that enforce fair housing laws to conduct housing discrimination complaint intake, investigations, and other law enforcement activities to remedy violations of the Fair Housing Act. The investigations that PEI grantees conduct usually include testing to uncover disparate treatment. The activities that EOI grants support enable recipients to develop and disseminate information that informs people about their rights under the Fair Housing Act and to conduct outreach activities to communities and stakeholders regarding fair housing issues. FHOI-funded activities generally include efforts to build the capacity of organizations that enforce Fair Housing Act provisions.

Although FHIP was established a little more than 20 years ago, it has not been formally evaluated since a 1994 Urban Institute study, led by Ron Wienk, (who was assisted by Margery Turner, Aleda Freeman, and Martha Kuhlman) titled, *An Evaluation of the FHIP Private Enforcement Initiative Testing Demonstration*. That study evaluated the operation and effect of the testing component of the PEI component, including an assessment of the testing guidelines established for the demonstration phase of FHIP. The evaluation was based on information from first-year 1989 PEI grantees, interviews with individuals, and representatives of organizations that were affected directly or indirectly by the FHIP demonstration program. The study also analyzed data collected from a nationally representative sample of fair housing groups and a legal review of reported fair housing court cases in which testing was used (Wienk et al., 1994).

The Urban Institute study reported that FHIP significantly increased the quality and quantity of fair housing complaint processing, including improvements in tester recruitment and training, the testing of a large number of cases, and provision for increased oversight and monitoring of testers' performance. Tested cases are more likely to be referred to the federal government or private attorneys and to have a higher probability of receiving monetary relief than complaints not tested. FHIP-imposed testing standards, however, did not have a clear effect on improved case outcomes or results.

In addition, the authors of the Urban Institute study concluded that FHIP grantees are seen as effective and professional facilitators of fair housing enforcement by other organizations operating within their local housing markets, including city officials, real estate agents, and other affected parties. Federal courts do not have a single, standard definition for acceptable

<sup>9</sup> 42 U.S.C. Section 3616a.

<sup>10</sup> The FHOI funding category began in FY 1992 when FHIP was made into a permanent program (Public Law 102-550 Section 905, approved October 28, 1992).



testing procedures but allow plaintiffs considerable latitude in providing probative evidence of discriminatory treatment. The testing procedures used are dictated by the facts and particular circumstances of the individual case, and not according to an established set of standards.

The authors of the 1994 study also reported that FHIP demonstration testing guidelines provide a flexible and workable framework for testing. But the increased resources allocated to recruiting, screening, training, and reimbursing testers appear to be more effective in ensuring that testing is conducted objectively, systemically, and professionally rather than ensuring strict adherence to any particular testing guidelines.

A number of changes have been made to the program that Wienk and his colleagues studied in the mid-1990s. The purpose of this study is to provide updated information about the types of organizations that receive FHIP awards, how they use these funds, the effect of these funds on the types of complaints referred to HUD, and the outcome of these complaints. This study, which follows the goals outlined in this project's Statement of Work, is organized as follows.

Section 1 provides a discussion about the data and methods used in the study and a program history that details how FHIP has changed since it began as a demonstration program in 1989. In particular, this history describes how the program has responded to support enforcement and education and outreach activities related to emerging fair housing issues since FHIP's inception.

Section 2 includes a descriptive analysis of the year-by-year awards based on information in HUD's administrative database that tracks all of the awards granted between FY 1989 and FY 2006, including changes in the total amounts awarded, the types of organizations that received awards, the differences in the share of awards made for each program initiative, and the share of awards made to organizations located throughout the 10 HUD regions.

Many types of organizations receive FHIP awards to conduct a range of enforcement initiatives and education and outreach activities to promote fair housing. Using information from a web-based survey of grantees, section 3 provides a descriptive analysis of the organizations that received FHIP awards between FY 2003 and FY 2005. This analysis presents information regarding FHIP grantees' organizational structures and staff, the types of activities that these organizations undertake in their enforcement initiatives and education and outreach efforts, and the contribution that FHIP awards make toward grantees' total funding. This analysis also presents information about the testing and education and outreach activities of survey respondents and representatives of 10 organizations, which were selected for onsite, indepth interviews to discuss how their group processes fair housing complaints.

Section 4 details the procedures used to process fair housing complaints, using information collected through in-depth interviews and the web-based survey. Because these organizations often participate in litigation, the FHIP grantee representatives interviewed were not asked to describe any specific criteria that they used to determine whether a complaint should be investigated through testing or any other potential investigative technique. (The discussion guide used to conduct these interviews is presented in Appendix B.

Section 5 presents descriptive analyses of the extent to which FHIP grants support enforcement activities for organizations that receive funds through the program. Because FHIP applicants receive more points if they demonstrate other sources of funding, it is expected that FHIP awards support a share of the overall activities related to fair housing initiatives among FHIP grantee organizations. The detailed data collected through the web-based survey document the contribution that FHIP awards make to participant organizations' budgets.

Section 5 also describes the testing activities that grantees used. The analyzed information comes from the web-based survey. This survey did not collect client-level information about complaints; rather, grantees were asked to provide aggregate information about the types of tests that they conducted. Grantees were not asked in the survey about specific outcomes for complaints investigated with tests compared with complaints investigated with other types of techniques. (The web-based survey instrument is included in Appendix A.

Section 6 describes education and outreach activities that the program supports. Section 7 follows with an analysis of differences in outcomes for complaints referred to HUD by FHIP grantees compared with complaints referred by Fair Housing Assistance Program (FHAP) organizations or from people who contact HUD directly.



## 1

## Data and Methods

This study analyzes a combination of qualitative information collected through key informant interviews, onsite interviews with representatives of FHIP grantees, FHIP Notices of Funding Availability (NOFAs), and the following three quantitative data sources: (1) a web-based survey administered to organizations that received a FHIP grant between FY 2003 and FY 2005; (2) the HUD administrative database of all grants awarded between FY 1989 and FY 2006; and (3) Title VIII Automated Paperless Office Tracking System (TEAPOTS) data of outcomes for all cases referred to HUD between FY 2003 and FY 2005. This section details how each data source was used to generate the findings presented in this report.

### Key Informant Interviews

To identify the appropriate key informants to interview, the research team created a list of current and former HUD employees and fair housing professionals who are knowledgeable about FHIP's history. This list of names was submitted to HUD for approval. The research team sent letters to each approved key informant requesting his or her cooperation for an interview. Research team members conducted key informant interviews, either through telephone calls or in person, with HUD-approved discussion guides (Appendix B). Team members recorded and transcribed the interviews. They used the views and opinions of key informants to analyze the reasons for some of the changes to the program that were identified in NOFAs and to provide general information about the effects of the program over time.

### Notices of Funding Availability

The research team reviewed every FHIP-related NOFA that HUD issued between FY 1989 and FY 2006. When reviewing a given year's NOFA, research team members identified HUD's goals, eligible activities by initiative, funding availability by initiative, and total projected funding. This information was entered into an electronic database and used to develop a program history, which is presented in section 2.

### HUD Administrative Data

The research team analyzed the types of initiatives funded and the types of organizations that received a FHIP grant between FY 1989 and FY 2006. HUD provided the research team with an administrative database that contained the names of every organization that received a FHIP grant and the amount of the award. Using information available in the *Federal Register*, research team members added the type of award that grant recipients received to the database. The types of awards included AEI, EOI, FHOI, PEI, and SIP. Team members added information from the Internet to the database, specifying, when possible, whether the recipient was a nonprofit, for-profit, or legal aid services organization; a state or local government; or from the Historically Black Colleges and Universities (HBCU) program.

The research team also conducted Internet research to identify the organizational type for 1,194 of the 1,387 grants (86 percent) made between FY 1989 and FY 2006. The total dollar amount (\$265 million) of these 1,194 awards accounted for 94 percent of the \$283 million of all FHIP awards made between FY 1989 and FY 2006.

### Title VIII Automated Paperless Office Tracking System

HUD tracks the outcomes for all complaints it receives in its Title VIII Automated Paperless Office Tracking System database. A critical aspect of this study is to determine any differences in outcomes for FHIP-referred complaints versus non-FHIP-referred complaints made to HUD. FHIP-referred complaints are not reliably flagged in the TEAPOTS database, however, so research team members used the following process to manually identify FHIP-referred complaints.

Research team members examined the names of complainants, organizations, and representatives for each complaint in TEAPOTS that closed between FY 2003 and FY 2005. When matching these data, the research team looked for organization names that were the same or similar to organization names that received a FHIP grant between 1989 and 2005.

After making this match, HUD further divided the FHIP-referred cases into two categories, those in which the FHIP organization was listed as a named complainant (with or without a co-complainant) and those in which the FHIP organization was listed as a representative or other organization. The analysis in Section 7 provides outcomes for cases in which a FHIP organization was a complainant, cases in which a FHIP organization was a representative or referring agency (these are all referred to as FHIP-represented cases), and all other cases that HUD and FHAP agencies (referred to as non-FHIP cases) investigated.

According to HUD staff, some issues exist with the data reported in the TEAPOTS database: because it is not compulsory, some FHAP agencies do not report complaint information into the system, and no standard procedures are available to report information about the amount or presence of monetary relief granted to a complainant. In response to these issues, HUD redesigned its relief data collection procedures under a new TEAPOTS contract. Nonetheless, the TEAPOTS database is the only available source that has comprehensive information about outcomes for cases referred to HUD, and so it is used in this study.

## Web-Based Survey

The research team administered a web-based survey to representatives of all 180 organizations that received a FHIP grant between FY 2003 and FY 2005 (see the survey instrument in Appendix A). This survey included questions that FHEO added and the Office of Management and Budget approved. After securing approval for the survey instrument, HUD sent participation requests to potential respondents. To follow up, research team members made phone calls and sent e-mails to encourage organizations to participate.

Of the 180 organizations, 68 answered enough questions to be included in this analysis, and the remaining 112 did not. Some representatives from nonrespondent organizations indicated the survey was too time consuming and chose not to use staff resources to complete it. At the time of the request, 4 of the organizations were no longer in operation.

Although there were some differences in the types of organizations that responded to the survey, the differences did not appear to invalidate the survey data analyses. Survey respondents were more likely to have received PEI grants and to have been nonprofit organizations than were nonrespondents. However, the mean grant amount made to survey respondents was similar for nonrespondents, which reduces the likelihood that bias exists in the web-based survey results presented in this report.

Between FY 2003 and FY 2005, PEI grants accounted for about one-half of the number of grants and 61 percent of the dollar amount of grants. Among survey respondents, however, PEI grants accounted for 68 percent of the number of grants and 85 percent of the dollar amount of these grants. Conversely, EOI grants accounted for only 31 percent of the number of grants made to survey respondents, which is 16 percentage points less than the 47 percent of all grants during FY 2003 and FY 2005. For the same period, EOI grants made up only 14 percent of the dollar awards made to survey respondents, and EOI grants accounted for 26 percent of the total dollar amount awarded (Table 1).

**Table 1. Comparison of the Number of Grants and Dollar Amount of Grants Awarded to Web-Based Survey Respondents by Initiative, FY 2003–FY 2005**

Type of Award	Number of Grants		Dollar Amount of Grants	
	Share of All Grant Recipients (%)	Share of Survey Respondents (%)	Share of All Grant Recipients (%)	Share of Survey Respondents (%)
PEI	51	68	61	85
EOI	47	31	26	14
FHOI	2	1	9	1
SIP	1	0	5	0
Total	100	100	100	100

*EOI = Education and Outreach Initiative. FHOI = Fair Housing Organizations Initiative. PEI = Private Enforcement Initiative. SIP = Secretary Initiated Projects. Source: U.S. Department of Housing and Urban Development administrative database and web-based survey of Fair Housing Initiative Program grantees*

Although PEI grants accounted for a relatively large share of grants that survey respondents received, the amount awarded to survey respondents was similar to all awards made between FY 2003 and FY 2005. Survey respondents received a total of 104 awards of the 339 awards made during this period. The mean award of \$167,000 granted to survey respondents was only 5 percent less than the \$176,000 award that nonrespondents received and was close to the overall \$173,000 mean award made between FY 2003 and FY 2005 (Table 2).

The differences in the mean award amounts among survey respondents and nonrespondents were relatively small for each initiative. For example, the mean PEI award made between FY 2003 and FY 2005 was \$208,000, which was \$2,000 less than the mean PEI award made to survey respondents, and \$1,000 greater than the mean PEI award made to nonrespondents. Greater differences were noted for EOI grantees: the mean EOI grant that survey respondents received between FY 2003 and FY 2005 was \$77,000, which is 25 percent less than the mean \$100,000 EOI grant that nonrespondents received. The relatively small differences in the award amounts made to survey respondents when compared with nonrespondents suggest that the survey results were representative of all 180 organizations that received awards between FY 2003 and FY 2005 (Table 3).

**Table 2. Comparison of Mean and Median FHIP Grants Awarded to Web-Based Survey Respondents, FY 2003–FY 2005**

<b>Total</b>	<b>All Grant Recipients (N = 339) (\$)</b>	<b>Survey Respondents (N = 104) (\$)</b>	<b>Nonrespondents (N = 235) (\$)</b>
Dollars awarded	58,566,155	17,293,727	41,272,428
Mean award	172,762	166,286	175,627
Median award	159,240	204,206	100,000

FHIP = Fair Housing Initiative Program.

Source: U.S. Department of Housing and Urban Development administrative database and web-based survey of FHIP grantees

**Table 3. Comparison of Mean and Median FHIP Grants Awarded to Web-Based Survey Respondents by Initiative, FY 2003–FY 2005**

<b>PEI</b>	<b>All Grant Recipients (N = 172) (\$)</b>	<b>Survey Respondents (N = 71) (\$)</b>	<b>Nonrespondents (N = 101) (\$)</b>
Dollars awarded	35,778,873	14,648,116	21,130,757
Mean award	208,017	206,311	209,215
Median award	218,938	205,830	188,538
<b>EOI</b>	<b>All Grant Recipients (N = 7) (\$)</b>	<b>Survey Respondents (N = 32) (\$)</b>	<b>Nonrespondents (N = 126) (\$)</b>
Dollars awarded	15,114,896	2,445,611	12,669,285
Mean award	95,664	76,425	100,550
Median award	80,000	32,452	77,603
<b>FHOI</b>	<b>All Grant Recipients (N = 7) (\$)</b>	<b>Survey Respondents (N = 1) (\$)</b>	<b>Nonrespondents (N = 6) (\$)</b>
Dollars awarded	5,007,179	200,000	4,807,179
Mean award	715,311	200,000	801,196
Median award	720,000	NA	898,245
<b>SIP</b>	<b>All Grant Recipients (N = 2) (\$)</b>	<b>Survey Respondents (N = 0) (\$)</b>	<b>Nonrespondents (N = 2) (\$)</b>
Dollars awarded	2,665,207	0	2,665,207
Mean award	1,332,604	0	1,332,604
Median award	1,332,604	0	1,332,604

EOI = Education and Outreach Initiative. FHIP = Fair Housing Initiative Program. FHOI = Fair Housing Organizations Initiative. NA = Not applicable. PEI = Private Enforcement Initiative. SIP = Secretary Initiated Projects.

Source: U.S. Department of Housing and Urban Development administrative database and web-based survey of FHIP grantees

As discussed previously, the research team identified an organization type for 86 percent of all of the awards made under the program. Between FY 2003 and FY 2005, nonprofit organizations accounted for 76 and 77 percent, respectively, of the number and dollar amounts awarded to survey respondents but accounted for 68 and 69 percent, respectively, of the number and dollar amounts awarded to all grant recipients. State and local governments accounted for 8 percent of the number of awards but only 1 percent of the awards that survey respondents received. For-profit organizations accounted for 5 percent of the dollar awards made between FY 2003 and FY 2005, but no for-profit organizations responded to this survey (Table 4).

Although there were differences in the types of FHIP grant recipient organizations (between FY 2003 and FY 2005) that responded to the survey versus all FHIP grant recipients, the mean award that survey respondents received (\$190,000) was close to the mean award that all the organizations that could be identified (\$185,000) and nonrespondents (\$183,000) received (Table 5).

Relatively small differences were found in the mean awards made to survey respondents for each type of organization compared with nonrespondents.

The mean award made to nonprofit survey respondents between FY 2003 and FY 2005 was \$192,000, compared with \$185,000 for nonrespondent nonprofit organizations. Similarly, the mean amount awarded to legal aid respondents was \$169,000, which was similar to the \$155,000 mean amount awarded to legal aid nonrespondents (Table 6).

Of the FHIP grantee organizations that received an award between FY 2003 and FY 2005, 72 referred complaints to HUD that were closed in that same 2-year period (Table 7). Of these 72 organizations, about half responded to the web-based survey. The 35 organizations that responded referred a total of 543 complaints that closed between FY 2003 and FY 2005, for a mean of 16 complaints per organization. The 37 nonrespondents referred a total of 721 complaints that closed between FY 2003 and FY 2005, or a mean of 19 cases per organization (Table 7). This relatively small difference in the mean number of complaints referred to HUD that closed between FY 2003 and FY 2005 for survey respondents and nonrespondents suggests that the two groups' profiles are similar, regarding the volume of complaints referred to HUD.

**Table 4. Comparison of the Number of Grants and Dollar Amount of Grants Awarded to Web-Based Survey Respondents by Initiative, FY 2003–FY 2005**

Organization Type	Number of Grants		Dollar Amount of Grants	
	Share of All Grant Recipients (%)	Share of Survey Respondents (%)	Share of All Grant Recipients (%)	Share of Survey Respondents (%)
Nonprofit	68	76	69	77
Legal aid	20	22	18	20
For profit	1	0	5	0
State or local government	8	1	3	3
HBCU	3	0	5	0
Total	100	100	100	100

HBCU = Historically Black Colleges and Universities.

Source: U.S. Department of Housing and Urban Development administrative database and web-based survey of Fair Housing Initiative Program grantees

#### Grants Awarded to Identified Organization Type

	All Grant Recipients (N = 286) (\$)	Survey Respondents (N = 85) (\$)	Nonrespondents (N = 201) (\$)
Dollars awarded	52,920,777	16,166,413	36,754,363
Mean award	185,038	190,193	182,858
Median award	202,650	206,223	159,240

FHIP = Fair Housing Initiative Program.

Source: U.S. Department of Housing and Urban Development administrative database and web-based survey of FHIP grantees

**Table 6. Comparison of Mean and Median FHIP Grants Awarded to Web-Based Survey Respondents by Type of Recipient Organization, FY 2003–FY 2005**

<b>Nonprofit</b>	<b>All Grant Recipients (N=194) (\$)</b>	<b>Survey Respondents (N=65) (\$)</b>	<b>Nonrespondents (N=129) (\$)</b>
Dollars awarded	36,342,259	12,474,759	23,867,500
Mean award	187,331	191,919	185,019
Median award	206,257	206,490	195,504
<b>Legal Aid</b>	<b>All Grant Recipients (N=58) (\$)</b>	<b>Survey Respondents (N=19) (\$)</b>	<b>Nonrespondents (N=39) (\$)</b>
Dollars awarded	9,262,210	3,216,335	6,045,875
Mean award	159,693	169,281	155,022
Median award	203,111	200,000	206,418
<b>For Profit</b>	<b>All Grant Recipients (N=2) (\$)</b>	<b>Survey Respondents (N=0) (\$)</b>	<b>Nonrespondents (N=2) (\$)</b>
Dollars awarded	2,665,207	0	2,665,207
Mean award	1,332,604	0	1,332,604
Median award	1,332,604	0	1,332,604
<b>State or Local Government</b>	<b>All Grant Recipients (N=24) (\$)</b>	<b>Survey Respondents (N=1) (\$)</b>	<b>Nonrespondents (N=23) (\$)</b>
Dollars awarded	1,814,731	475,319	1,339,412
Mean award	75,614	475,319	58,235
Median award	80,000	475,319	80,000
<b>HBCU</b>	<b>All Grant Recipients (N=8) (\$)</b>	<b>Survey Respondents (N=0) (\$)</b>	<b>Nonrespondents (N=8) (\$)</b>
Dollars awarded	2,836,369	0	2,836,369
Mean award	354,546	0	354,546
Median award	159,834	0	159,834

FHIP = Fair Housing Initiative Program. HBCU = Historically Black Colleges and Universities.

Source: U.S. Department of Housing and Urban Development administrative database and web-based survey of FHIP grantees

**Table 7. Comparison of the Number of Cases Closed for Survey Respondents and Nonrespondents, FY 2003–FY 2005**

	<b>All FHIP Grantee Organizations</b>	<b>Organizations That Received a FHIP Grant</b>	<b>Survey Respondents</b>	<b>Survey Nonrespondents</b>
Total number of FHIP-referred cases closed	1,282	1,264	543	721
Mean number of cases referred that closed	17	18	16	19
N	76	72	35	37

FHIP = Fair Housing Initiative Program.

Source: U.S. Department of Housing and Urban Development Title VIII Automated Paperless Office Tracking System data and web-based survey of FHIP grantees

Given that there were relatively small differences in the award amounts and the types of organizations that responded to the web-based survey compared with nonrespondents, the results of the web-based survey were likely to be representative of all the organizations that received FHIP awards between FY 2003 and FY 2005. The only caveat is that survey respondents disproportionately received PEI awards, so the survey results may be more representative of organizations that received such an award compared with EOI grant recipients. These results also do not account for the for-profit organizations, state and local government, and HBCU program grantees that represent 15 percent of all FHIP grantees. The web survey is most representative of the 85 percent of the grantee universe comprising nonprofit and legal aid agencies receiving PEI awards.

## Onsite Interviews With FHIP Grantee Representatives

The research team conducted onsite interviews with representatives of 10 organizations that received FHIP grants between FY 2003 and FY 2005. During this 3-year period, 2 of the selected organizations received both a PEI and an EOI, 4 organizations received a PEI grant only, and the remaining 4 organizations received an EOI grant only. The sample of EOI grant recipients was selected from a frame that was stratified by the following organizational categories: legal aid services, nonprofit organizations, HBCUs, and local or state governments. The sample of PEI grantees was selected from a frame that was stratified into legal aid services and Fair Housing Organizations.

After stratifying the organizations that received PEI and EOI grants, 10 organizations were selected to reflect the distribution of the role of fair housing initiatives in their overall missions among those 64 web-based survey respondents who provided information by January 22, 2008. Web-based survey respondents were asked whether fair housing work constituted an “exclusive, primary, significant role among several, secondary, or minor” role in their organizations’ missions. Of web-based survey respondents, 34 percent indicated that fair housing initiatives played an “exclusive” role, 25 percent indicated that fair housing initiatives played a “primary” role, and 38 percent indicated that fair housing initiatives played a “significant role among several” activities (Table 8).

The distribution of the role of fair housing initiatives in the mission statements of the 10 organizations selected for onsite interviews was about the same as for all 64 web-based respondents who answered the question regarding the role of fair housing initiatives in their overall mission statements. This sample was selected to ensure that the distribution of the geographic coverage of the 10 organizations was the same as for all web-based survey respondents. Web-based survey respondents identified their organizations’ target area as multiple cities or counties, multiple states, single city, single county, single metropolitan area, statewide, or targeted neighborhoods. Based on responses to this question, the distribution of the sampled organizations’ target areas was about the same as for web-based survey respondents (Table 9). Research team members conducted onsite, semistructured interviews with the executive director and fair housing director of each of the 10 selected organizations using an interview guide that HUD approved (Appendix B). The information that these interviewees provided was used to detail procedures that grantees used when processing complaints and the criteria they used to determine when to conduct fair housing tests.

**Table 8. Distribution of the Role of Fair Housing Initiatives in the Sampled Organizations’ Mission Statements**

Role of Fair Housing Initiatives	Exclusive	Primary	Significant Role Among Several	Secondary	Total
Number of web-based respondents as of Jan. 22, 2008	22	16	24	2	64
Percent of web-based survey respondents	34%	25%	38%	3%	100%
N	3	3	2	2	10
Percent of sampled organizations	30%	30%	20%	20%	100%

Source: Web-based survey of Fair Housing Initiative Program grantees

**Table 9. Distribution of Sampled Organizations by Geographic Target Areas**

Targeted Areas	Multiple Cities or Counties	Multiple States	Single City	Single County	Single Metro Area	State-wide	Targeted Neighborhoods	Total
Number of web-based respondents as of Jan. 22, 2008	19	4	4	9	13	14	1	64
Percent of web-based survey respondents	31%	6%	6%	13%	20%	22%	2%	100%
N	2	1	0	2	2	2	1	10
Percent of sampled organizations	20%	10%	0%	20%	20%	20%	10%	100%

Source: Web-based survey of Fair Housing Initiative Program grantees



# 2

## Program History

This section provides a history of the Fair Housing Initiatives Program. It begins with background about the factors that led HUD to institute the program, and how each program initiative evolved since inception in FY 1989. Following this discussion are analyses of the awards made under the program between FY 1989 and FY 2006. The awards, by year, were analyzed by the types of initiatives funded, types of organizations that received awards, and HUD regions where FHIP grantee organizations were located.

### Factors That Led to FHIP's Implementation

FHIP was authorized under Section 561 of the Housing and Community Development Act of 1987,<sup>11</sup> as amended by the Housing and Community Development Act of 1992, to strengthen HUD's ability to enforce Title VIII of the Civil Rights Act of 1968,<sup>12</sup> commonly known as the Fair Housing Act. FHIP grew out of a realization among participants that enforce fair housing laws that a need existed for a large, reliable source of funding for fair housing law enforcement activities—especially for use in testing conducted by private fair housing groups that supported HUD's role of enforcing the Fair Housing Act.

The effectiveness of funding such groups was documented in a study of the Fair Housing Demonstration Program, which ran from 1980 to 1981, with the support of HUD and the National Committee Against Discrimination in Housing, Inc. The program provided nine local private fair housing groups with \$20,000 per year for 2 years. The study found that each dollar of demonstration program grant funds generated between 2 and 3 dollars of additional activity by local groups (Wienk, et al., 1994).

In 1984, representatives of 25 FHOs adopted a resolution that urged the HUD Secretary to implement a mechanism that would directly fund private fair housing groups, and the U.S. Senate held hearings in 1986 on a proposal to establish the program. One key informant made the following statement:

So I went to the Secretary of HUD [who] was Samuel R. Pierce at the time. I said we are doing for the government what HUD cannot do for itself. We outlined our litigation that we had just gone through ... He listened. I said we must have direct funding from Washington to ... continue the work of antidiscrimination in housing in the New Jersey area and for all of the fair housing groups in the country. I think he went to the president. It was approved, but then it got back to us saying that something like this has got to go through the Congress. He just can't do it. You can't fund these groups because the president or the HUD Secretary feels that it is necessary; so we wasted another 2 years in the Congress, but it did pass.

The 1987 legislation that initially authorized FHIP, directed the HUD Secretary to provide funding to state and local governments or their agencies, public or private nonprofit organizations, or other public or private entities formulating or carrying out programs to prevent or eliminate discriminatory housing practices. Originally funded as a 2-year demonstration program that expired on September 30, 1990, FHIP was renewed as a demonstration program in November 1990 and made permanent in FY 1992 (Public Law 102-550, Section 905, approved Oct. 28, 1992). Another key informant explained why FHIP was not originally a permanent authorization:

In terms of the demonstration, the demonstration aspect of the FHIP program was a reluctance on the parts of organizations to agree to a permanent authorization—they [the private FHOs and the National Association of Realtors] were not completely convinced that the FHIP program, or the testing requirements that might be developed in FHIP, were something that they were ready to jump onto permanent authorization.

<sup>11</sup> The FHOI funding category began in FY 1992 when FHIP was made a permanent program (Public Law 102-550 Section 905, approved October 28, 1992).

<sup>12</sup> 42 U.S.C. 3616; Public Law 100-242, approved February 5, 1988.

So, at that time there were a number of programs that were subject to what they call a sunset provision ... that is why it was a 2-year demonstration. They wanted the ability to shut down the program if they found that they weren't able or weren't satisfied with the way the program was operating.

The 1992 act that made the program permanent included provisions that reflect legislative changes in fair housing requirements subsequent to 1988. In particular, the 1992 act reflected provisions in the Fair Housing Amendments Act of 1988, the 1989 amendments to the Home Mortgage Disclosure Act, and the Equal Credit Opportunity Act Amendments of 1991. The changes require federal banking regulatory agencies to make referrals to the U.S. Department of Justice (DOJ) when a regulator has reason to believe that a pattern or practice of discrimination exists and referrals to HUD when a regulator has reason to believe that a lender violated the Fair Housing Act. The legislation making FHIP a permanent program also authorized FHIP funds to be used for implementing testing programs when there was a reasonable basis for doing so, establishing new FHOs or expanding the capacity of existing organizations, and conducting special projects or undertaking larger, long-term enforcement activities through multiyear funding agreements and funding litigation (GAO, 1997).

## Evolution of FHIP

As detailed in the following section, FHIP has evolved from providing funding for a relatively flexible set of eligible activities among three funding categories to establishing separate components that fund activities targeted for specific fair lending issues or groups. These components mostly focus activities in areas consistent with HUD goals or fair housing issues that emerged after 1989. The following discussion presents an analysis of how each FHIP initiative, such as the EOI, PEI, FHOI, and AEI, has changed since FY 1989.

## Education and Outreach Initiative

EOI funds are made available to Qualified Fair Housing Enforcement Organizations (QFHOs),<sup>13</sup> FHOs,<sup>14</sup> public and private nonprofit organizations or institutions, other private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices, state and local governments, and FHAP agencies. In addition, EOI grants for particular components, detailed below, typically require that an organization has demonstrated experience or expertise in issues related to the component.

In general, the eligible activities within the EOI-funding category remained the same between FY 1989 and FY 1997. The eligible EOI activities in this period changed to reflect specific education and outreach needs for particular groups. For example, in FY 1991, the Notice of Funding Availability included designing education and outreach to people with disabilities, non-English-speaking people, and families with children under age 18, including those in homeless shelters. The FY 1992 NOFA included funding for groups that developed education and outreach activities associated with community opposition to the location of residential facilities for people with disabilities. The FY 1994 NOFA included outreach activities to inform people with disabilities and their advocates about their rights to fair housing and to provide technical assistance to support compliance with housing adaptability and accessibility guidelines in the 1988 Fair Housing Amendments Act.

In addition to requesting that EOI recipients target particular members of protected classes, NOFAs, starting in FY 1993, began to specify that education and outreach areas focus on particular topic areas. These areas reflected emerging fair lending issues at the time, and HUD wanted its EOI grant recipients to address them. The FY 1993 NOFA requested that EOI applicants provide housing, mortgage lending, appraisal, and insurance counseling. During this time, the Boston Federal Reserve Bank released its landmark study of mortgage lending discrimination, which, holding other factors constant,

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<sup>13</sup> 24 CFR Subtitle B, Ch. I, Section 125–103 defines a Qualified Fair Housing Enforcement Organization as any organization, whether or not it is solely engaged in fair housing enforcement activities, that (1) is organized as a private, tax-exempt, non-profit, charitable organization; (2) has at least 2 years of experience in complaint intake, complaint investigation, testing for fair housing violations, and enforcement of meritorious claims; and (3) is engaged in complaint intake, complaint investigation, testing for fair housing violations, and enforcement of meritorious claims at the time of application for FHIP assistance.

<sup>14</sup> 24 CFR Subtitle B, Ch. I, Section 125–103 defines a Fair Housing Enforcement Organization as any organization, whether or not it is solely engaged in fair housing enforcement activities, that (1) is organized as a private, tax-exempt, non-profit, charitable organization; (2) is currently engaged in complaint intake, complaint investigation, testing for fair housing violations, and enforcement of meritorious claims; and, (3) upon the receipt of FHIP funds, will continue to be engaged in complaint intake, complaint investigation, testing for fair housing violations, and enforcement of meritorious claims.



showed that minority loan applicants were more likely to be denied. The FY 1996 NOFA requested that applicants show how their proposed education and outreach activities supported fair housing planning requirements of state and local governments subject to the Consolidated Plan, which included conducting an analysis of impediments to fair housing choice and undertaking actions to eliminate the identified impediments (Table 10).

In FY 1998, HUD indicated an interest in ensuring that immigrant communities were aware of their rights under the Fair Housing Act and acted to file complaints when they believed immigrants were victims of discrimination. The EOI eligible activities in FY 1998 reflected these priorities: all projects that EOI grants funded in that year had to focus on addressing fair housing needs of underserved and immigrant populations. Because HUD made the pledge to increase enforcement of discrimination laws, these education and outreach activities had to be designed so that they increased referrals of fair housing complaints and other information to HUD, and the complaints could be investigated. In addition, a separate NOFA issued in FY 1998 included a Nationwide Education Project that would, in cooperation with real estate industry groups, disseminate information regarding compliance with the housing adaptability and accessibility guidelines contained in the Fair Housing Amendments Act of 1988.

Beginning in FY 1999, EOI NOFAs, rather than continuing to include specific groups to target or activities to complete, requested applicants for different EOI components. Although general education and outreach activities could be funded with applications to the EOI General Component, organizations could also apply for funding made available for outreach for specific activities (Table 11).

**Table 10. Summary of Eligible Activities Under EOI Funding Categories, FY 1989–FY 1997**

NOFA	Eligible Activities
FY 1989	Education: Developing materials on fair housing rights and responsibilities; developing fair housing and affirmative marketing instructional materials for education programs for state, regional, and local housing industry groups; providing education seminars and working sessions for civic associations, community-based groups, and other groups; and developing educational materials targeted at people in need of specific or additional information on their fair housing rights. Outreach: Developing state, regional, or local media campaigns regarding fair housing rights; bringing housing industry and civic or fair housing groups together to identify illegal real estate practices and determining how to correct them; designing specialized outreach projects to inform people of the availability of housing opportunities; developing and implementing a response to new or more sophisticated practices that result in discriminatory housing practices; and developing mechanisms to identify quick response to housing discrimination cases involving threats of physical harm. The change for the November 1989 competition was the inclusion of conducting national campaigns.
FY 1990	No information was provided.
FY 1991	Same as 1989, except developing and implementing school curriculum for fair housing courses; Voluntary Affirmative Marketing Agreements; designing specialized outreach projects to inform people of the availability of housing opportunities (that is, people with disabilities, non-English-speaking people, and families with children under 18, including those in homeless shelters); including fair housing month activities; and establishing private FHOs in geographical areas where none exist.
FY 1992	Same as 1991, except developing informative materials about fair housing rights and responsibilities; developing educational materials targeted at people in need of specific or additional information on fair housing rights; and developing and implementing a response to community opposition to the location of residential facilities for people with disabilities, as defined by the FHA, where supportive health or human services are provided in connection with the housing.
FY 1993	Same as 1992, except focusing on providing housing, mortgage lending, appraisal, and insurance counseling.
FY 1994	Same as 1993, except focusing on informing people with disabilities and their support organizations and service providers, housing providers, and the general public on the rights of people with disabilities under FHA and on the location or availability of accessible housing or the modification of nonaccessible housing; providing guidance to housing providers on meeting the FHA obligation to make reasonable accommodations for people with disabilities; and developing materials and providing technical assistance to support compliance with housing adaptability and accessibility guidelines in the Fair Housing Amendments Act of 1988.
FY 1995	Same as 1994.
FY 1996	Same as 1995, except activities that support fair housing planning requirement of state and local governments subject to the Consolidated Plan, including conducting an analysis of impediments to fair housing choice, and undertaking actions to eliminate the identified impediments.
FY 1997	Same as 1996, except providing educational materials, seminars and working sessions for schools, civic associations, neighborhood organizations, and other groups to support community-based EOI efforts; and providing technical assistance to support compliance with FHA's accessible design and construction requirements and fair housing accessibility guidelines.

*EOI = Education and Outreach Initiative. FHA = Federal Housing Administration. FHO = Fair Housing Organization.  
Source: Fair Housing Initiative Program Notices of Funding Availability, FY 1989–FY 1997*

Table 11. Summary of Components Added to EOI Funding Category, FY 1999–FY 2006

Year Component Added	Component	Component Activities
FY 1999	Disability	Provide information regarding fair housing rights to people with disabilities.
	Homeownership	Improve access to homeownership for racial and ethnic minorities by addressing barriers to fair housing choice.
	Best Practices	Collect prototypes of successful fair housing education and enforcement business practices.
FY 2000	Fair Housing Partnership	Create partnerships with FHAPs.
	Model Codes Partnerships	Develop collaborative activities involving disability rights groups, housing industry organizations, and other agencies involved with building codes related to housing for people with disabilities.
	Community Tensions	Intervention in areas where community tensions emerge and create volatile situations.
FY 2001	No new components	
FY 2002	National Media Campaign	Create a campaign for 2003 fair housing month activities.
	Fair Housing Awareness	Create a national campaign to educate on abusive lending practices.
FY 2003	Hispanic Fair Housing Awareness	Provide bilingual materials and services to Hispanics to make them aware of and educated about their fair housing rights and responsibilities under the Fair Housing Act.
	Fair Housing and Minority Homeownership Component	Perform community outreach activities to educate people about fair housing and prepare them for homeownership.
FY 2004	No new components	
FY 2005	Asian and Pacific Islanders Awareness	Develop and disseminate bilingual materials and services to Asian and Pacific Islanders.
	Minority-Serving Institutions	Establish partnerships with HBCUs and tribal colleges and universities, Hispanic-serving institutions, and Asian and Pacific Islander-serving institutions.
FY 2006	Hurricane Katrina Fair Housing Awareness	Provide fair housing education and outreach in Louisiana, Mississippi, Alabama, and Texas, and to people displaced to other areas because of Hurricane Katrina.
	Subprime Lending	Provide education regarding high-cost loans and abusive lending practices, and legal ways to combat such abusive practices.

EOI = Education and Outreach Initiative. FHAP = Fair Housing Assistance Program. HBCU = Historically Black Colleges and Universities.

Source: Fair Housing Initiative Program Notices of Funding Availability, FY 1999–FY 2006

In most cases, the components that were added in a particular fiscal year directly reflected HUD's goals. In FY 1997, for example, one of HUD's goals was to expand housing choice, especially by increasing the development of scattered-site multifamily housing units. The Community Tensions Component was designed to address areas where local residents did not want such developments in their neighborhoods. The Disability Component, added in FY 1999, was consistent with HUD's goal in FY 1998 to increase the real estate industry's compliance with disability provisions of the Fair Housing Act. The FY 2000 NOFA included a Fair Housing Partnership Component that reflected HUD's goal to increase partnerships between FHIP organizations and FHAP agencies.

In FY 1998, components targeted specific immigrant groups, such as Hispanics, Asians, and Pacific Islanders, which reflected HUD's goal to ensure that they were aware of their fair housing rights. In addition, the Fair Housing and Minority Homeownership Component addressed HUD's goal of increasing homeownership among traditionally underserved groups. Components related to Hurricane Katrina victims and subprime lending issues addressed recent concerns and policy issues. The types of components included in FHIP NOFAs between FY 1998 and FY 2006 changed to balance the funding available with specific issues requiring education and outreach activities (Table 12).

Table 12. Summary of Eligible Activities Under EOI Funding Categories, FY 1998–FY 2006

NOFA	Eligible Activities
FY 1998	<p>All projects must focus on addressing the fair housing needs of underserved populations and immigrant populations; must be designed to increase referral of fair housing complaints and other information to HUD and to educate the public about their fair housing rights and procedures to file with HUD; same as 1997, except cannot use to develop new fair housing materials other than to supplement existing materials.</p> <p>Separate NOFA—Nationwide Education Project addressing one of the following: demonstrated cooperation with real estate industry organizations and dissemination of educational information and technical assistance to support compliance with the housing adaptability and accessibility guidelines contained in the Fair Housing Amendments Act of 1988. HUD anticipates that products will be available in at least three languages other than English. Deliverables: public service announcements for radio and television, posters, and other graphic materials.</p>
FY 1999	<p>Same as 1998, except Homeownership Component focused on improving access to homeownership for racial and ethnic minorities by addressing barriers to fair housing choice; and Best Practices Component collecting prototypes of successful fair housing education and enforcement business practices.</p>
FY 2000	<p>Same as 1999, except General Component focused on racial and ethnic minorities; Fair Housing Partnership Component focused on partnerships with FHAPs. Model Codes Partnership Component focused on collaborative activities involving disability rights groups, housing industry organizations, and other agencies involved with building codes; and Community Tensions Component focused on intervening when community tensions emerged and created volatile situations.</p>
FY 2001	<p>Same as 2000, except Disability Component focused on disability rights; and General Component did not mention specific groups. Separate NOFA—Model Codes Partnership Component, same as 2000.</p>
FY 2002	<p>Same as 2001, except Disability Component; National Media Campaign Component created campaign for 2003 fair housing month activities; and Fair Housing Awareness Component included national campaign to educate on abusive lending practices.</p>
FY 2003	<p>Same as 2002, except Hispanic Fair Housing Awareness Component must show 5 years as serving people of Hispanic origin; Fair Housing and Minority Homeownership Component included community outreach activities to educate on fair housing rights, and prepare for homeownership; and Model Codes Partnership Component is included.</p>
FY 2004	<p>Same as 2003, except Hispanic Fair Housing Awareness Component must show 3 years as serving Hispanic people; and National Media Campaign Component was for 2005 fair housing month activities.</p>
FY 2005	<p>Same as 2004, except no Hispanic Fair Housing Awareness Component or National Media Campaign Component. Asian and Pacific Islanders Awareness Component must show bilingual materials and services to Asian and Pacific Islanders; and Minority-serving Institutions Component to establish partnerships with HBCUs and tribal colleges and universities; Hispanic-serving institutions, and Asian and Pacific Islander-serving institutions.</p>
FY 2006	<p>Same as 2005, except no Asian and Pacific Islanders Fair Housing Awareness Component or Minority-serving Institutions Component. Hurricane Katrina Fair Housing Awareness Component focused on Louisiana, Mississippi, Alabama, and Texas, or those displaced to other areas; and Subprime Lending Component focused on educating regarding high-cost loans and abusive lending practices, and legal ways to combat such abusive practices.</p>

EOI = Education and Outreach Initiative. HBCU = Historically Black Colleges and Universities. HUD = U.S. Department of Housing and Urban Development. NOFA = Notice of Funding Availability.

Source: Fair Housing Initiative Program NOFAs, FY 1998–FY 2006

## Private Enforcement Initiative

Private Enforcement Initiative grants generally make funds available to QFHOs and FHOs to conduct investigations and enforcement activities, including testing, in response to fair lending complaints filed by individuals who believe their rights have been violated under the Fair Housing Act. A key informant explained the reasoning behind using QFHOs and FHOs:

That HUD has framed that slightly differently over the years, but it was always supposed to be for groups that were doing actual enforcement. There were sometimes when, ah well, that the definition of who was eligible for PEI has changed over the years. There was an amendment to the law that [was] initiated by the National Fair Housing Alliance to require qualified private fair housing groups, only to be able to get the PEI money and they had to have 2 years testing experience and enforcement experience. And the reason for that, there was some, I believe, some inappropriate spending of some of FHIP money to groups who were not enforcement entities. There was a very controversial grant in the FHIP program.

In addition, a portion of a recipient’s PEI grant can be used for education and outreach activities. This allowable portion declined from 20 percent in 1989 to 5 percent in 2006.

Few modifications to PEI eligible activities were made between FY 1989 and FY 1997, and there were separate components during this period. In each of those years, PEI grantees could use grant funds to conduct a core group of activities, such as investigations of systemic housing discrimination, conducting tests, or performing other types of investigative support for administrative and judicial enforcement. In some fiscal years, PEI funds could be used for a broader range of activities (Table 13).

The greatest changes to the number of eligible activities between FY 1989 and FY 1997 occurred in FY 1993 when PEI grant funds could be used to discover and provide remedies for discrimination in public and private real estate markets and real estate-related transactions, such as making or purchasing loans, providing other financial assistance for sales and rental housing, engaging in insurance and appraisal practices, and advertising housing. These funds were available for testing and other investigative activities, building the capacity for housing investigative activities in underserved areas, and carrying out special projects, including the development of prototypes to respond to new or sophisticated forms of discrimination against people protected under Title VIII, such as in the areas of independent living and architectural barriers. In addition to changes in allowable activities conducted on complaints that a FHIP organization received, starting in FY 1991, PEI grant recipients could conduct testing of bona fide housing complaints referred by a FHAP agency (Table 12).

The next big change to PEI funding came in FY 2005 with the introduction of the Performance-Based Funding Component. This component was designed to provide high-performing PEI grantees with 3 years of continuous funding to assist with strategic planning and systemic investigations. To qualify for this type of grant, a FHIP organization had to demonstrate excellent performance reviews for the most recent 2-year award period and a minimum score of 95 on their two most recent performance assessments from their government technical representatives. During FY 2005 and FY 2006, 25 PEI grantees received this type of award for their organizations.

The first separate PEI component was included in the FY 1998 NOFA. The Joint Enforcement Component recognized that fair housing investigations often required organizations to work together and share information about particular complaints.

**Table 13. Summary of PEI Eligible Activities, FY 1989–FY 1997**

NOFA	Eligible Activities
FY 1989	Conducting investigations of systemic housing discrimination, professionally conducting testing or other investigative support for administrative and judicial enforcement, linking FHOs regionally in enforcement activities designed to combat broader market discriminatory practices, and establishing effective means of meeting legal expenses in support of litigating fair housing cases.
FY 1990	Same as above.
FY 1991	Same as above, except professionally conducting testing of bona fide housing complaints referred by FHAP agencies.
FY 1992	Only testing provisions, including conducting investigations of systemic housing discrimination, professionally conducting testing of bona fide allegations referred by FHAP agencies, and professionally conducting testing or other investigative support for administrative and judicial enforcement.
FY 1993	Same as 1991, except discovering and providing remedies for discrimination in the public and private real estate markets and real estate-related transactions, such as making or purchasing loans, the provision of other financial assistance for sales and rental housing, insurance redlining and appraisal practices, and housing advertising. Testing and other investigative activities, building the capacity for housing investigative activities in underserved or underserved areas, and carrying out special projects, including the development of prototypes to respond to new or sophisticated forms of discrimination against people protected under Title VIII, such as in the areas of independent living and architectural barriers.
FY 1994	Same as 1993, except building the capacity to investigate, through testing and other investigative methods, housing discrimination complaints based on mental and physical disabilities. Separate NOFA to address property insurance and mortgage lending discrimination—activities included testing, obtaining evidence, and obtaining data.
FY 1995	Same as 1994, except no separate NOFA.
FY 1996	Same as 1995.
FY 1997	Same as 1996, except conducting complaint intake of allegations of housing discrimination, evaluating testing results, and conducting mediations or other voluntary resolutions of allegations of fair housing discrimination.

FHAP = Fair Housing Assistance Program. FHO = Fair Housing Organization. PEI = Private Enforcement Initiative. NOFA = Notice of Funding Availability.  
Source: Fair Housing Initiative Program NOFAs, FY 1989–1997

As a result, the eligible activities under this component were for grantees to share data analyses for use in (1) developing investigations; (2) conducting joint preliminary investigative activities through testing, reviewing property records, developing strategies, conducting interviews, and so forth; (3) developing investigative materials for referral to HUD for action; (4) conducting regular meetings among organizations and with HUD to share information about potential violations for investigation based on complaints, data, or other sources; and (5) having regular contact with HUD to ensure project activities conformed with planned deliverables and that these deliverables met grant agreement requirements (Table 14).

The FY 2000 NOFA promoted collaborative fair housing enforcement projects that proposed strategic planning among public fair housing enforcement agencies, which were state and local government agencies tasked with enforcing state fair housing laws, eligible under FHAP and FHIP. The key informants, as a group, agreed that NOFA changes were based on the priorities of the Assistant Secretary of HUD's FHEO. In FY 2000, the funding for grants that covered 24 months was restricted to grantees that dedicated 60 percent of their activities and budgets on immigrant and other underserved groups. In response to Hurricane Katrina and concerns about predatory lending in the subprime market, the FY 2006 NOFA had separate components for enforcement activities related to both areas.

**Table 14. Summary of PEI Eligible Activities, FY 1998–FY 2006**

NOFA	Eligible Activities
FY 1998	Same as 1997, except for Joint Enforcement Component under which grantees share data analyses for use in developing investigations; conduct joint preliminary investigative activities through testing, review of property records, develop strategies, interviews, etc; develop investigative materials for referral to HUD for action; conduct regular meetings among organizations and with HUD to share information about potential violations for investigation based on complaints, data, or other sources; and have regular contact with HUD to ensure project activities conform with planned deliverables and that deliverables meet grant agreement requirements.
FY 1999	Same as 1998.
FY 2000	Same as 1999, except for Fair Housing Partnership Component to promote collaborative fair housing enforcement projects that propose strategic planning between public fair housing enforcement agencies eligible under FHAP and FHIP organizations. The multiyear component restricted funds to efforts focused 60 percent of activities and budget to needs of immigrants and other underserved populations.
FY 2001	Same as 2000, except no Fair Housing Partnership Component.
FY 2002	Same as 2001.
FY 2003	Same as 2002.
FY 2004	Same as 2003.
FY 2005	Same as 2004, except Performance Based Funding Component under which organizations with excellent ratings for 2002 and 2003 can apply.
FY 2006	Same as 2005, except Hurricane Katrina Enforcement Component under which grantees focus their efforts on affected areas of Louisiana, Mississippi, Alabama, and Texas; and Subprime Lending Component under which grantees focus enforcement activities on subprime lending for discrimination.

*FHAP = Fair Housing Assistance Program. FHIP = Fair Housing Initiative Program. HUD = U.S. Department of Housing and Urban Development. PEI = Private Enforcement Initiative.*

*Source: FHIP Notices of Funding Availability, FY 1998–FY 2006*

## Fair Housing Organizations Initiative

In FY 1993, FHOI started to increase the capacity of existing organizations and to promote the development of new FHOs, especially in areas that had few such groups. Between FY 1993 and FY 1995, FHOI Continued Development and New Organizations grants were made available to QFHOs, other private nonprofit fair housing enforcement organizations, and nonprofit groups that were organized to build their capacity to provide fair housing enforcement (Table 15). A key informant discussed FHOI:

Then we had the establishing of new fair housing groups ... and we opened up fair housing centers in Fresno, California; Montgomery, Alabama; and New Orleans. All three are still open and operating. ... Subsequently we got grants, the National Fair Housing Alliance, to open up groups in San Antonio; Boston; Houston, Texas; and Biloxi, Mississippi.

Table 15. Summary of FHOI Eligible Activities, FY 1993–FY 2006

NOFA	Eligible Activities
FY 1993	Continued Development of Existing Organizations. Eligible activities were the same as for PEI in the 1993 NOFA (Table 13). Establishing New Organizations: helping to establish, organize, and build the capacity of fair housing enforcement organizations in targeted areas that were not served or were underserved. First choice: Arkansas, Idaho, Mississippi, New Mexico, North Dakota, and Wyoming; second choice: Georgia, Iowa, Kansas, Louisiana, Missouri, Nebraska, Oklahoma, South Carolina, Texas, Utah, and Washington.
FY 1994	Same as 1993, except targeted areas: First choice: New Hampshire, New Mexico, Puerto Rico, and Wyoming; second choice: Alabama, Louisiana, Mississippi, Nebraska, Oregon, and Utah.
FY 1995	Same as 1994, except targeted areas: First choice: New Hampshire, Puerto Rico, and Wyoming; second choice: Alabama, Delaware, Oregon, and Utah; and nontargeted areas with proof that the area was underserved.
FY 1996	Same as 1995, without Establishing New Organizations: includes technical assistance and mentoring services for new organizations; training for staff of new organizations; up to 20 percent for EOI; and other costs related to operations of new organizations.
FY 1997	Same as 1996, with emphasis on disability groups and team partnerships with disability groups; only 5 percent available for EOI. Separate NOFA to create a new FHO in East Texas.
FY 1998	Establishing New Organizations Component: helping to establish, organize, and build the capacity of fair housing enforcement organizations in targeted areas that were not served or were underserved. Continued Development Component: emphasis on disability groups and partnerships between disability groups and FHOs.
FY 1999	Same as 1998.
FY 2000	Same as 1999, with no focus on disability groups.
FY 2001	Same as 2000, except no Continued Development Component.
FY 2002	Same as 2001.
FY 2003	Same as 2002.
FY 2004	Same as 2003, except that only sponsoring organizations were eligible for an Establishing New Organizations Component.
FY 2005	Same as 2004.
FY 2006	No funding provided.

EOI = Education and Outreach Initiative. FHO = Fair Housing Organization. FHOI = Fair Housing Organization Initiative. NOFA = Notice of Funding Availability. PEI = Private Enforcement Initiative.

Source: Fair Housing Initiative Program NOFAs, FY 1993–FY 2006

In FY 1996, FHOI funds were made available only under the Continued Development of Existing Organizations component. According to key informants, fair housing enforcement participants believed that there was no need for HUD to support the development of new organizations; rather, there was a greater need for funding to expand the capacity of existing organizations, including those established with previous FHOI grants.

This policy approach changed in FY 1998 when FHOI included two components: Establishing New Organizations and Continued Development. QFHOs could apply for funds available under the Establishing New Organizations Component; QFHOs, FHOs, and nonprofit groups that organized to build their capacity to provide fair housing enforcement could apply for grants under the Continued Development Component. The Continued Development Component was not included in any NOFAs after FY 2000. In FY 2004, only sponsoring organizations could apply for funds available under the Establishing New Organizations Component. No funds were made available for this component in the FY 2006 NOFA.

## Administrative Enforcement Initiative

AEI made funds available to state and local fair housing agencies administering fair housing laws certified by the HUD Secretary as providing rights and remedies that were substantially equivalent to those provided in the Fair Housing Act. Although this funding category was included in the 1989 legislation, and in the subsequent 1992 legislation that made FHIP a permanent program, funding was made available only between FY 1992 and FY 1995. The reason for this change, according to a key informant, is that AEI was created to enable state and local agencies to design special enforcement projects that were not tied to regular complaint processing. A key informant made this statement about redirecting AEI funding: “The FHAP program basically doubled between 1995 and 1996, so there was enough money in FHAP to cover administrative enforcement needs of state and local agencies.”



Another key informant commented on AEI funding:

So the Fair Housing Assistance Program was being funded so much by Congress, so that in the FHAP program that I was working on we didn't know how to spend the money. There was so much money for the FHAP program we didn't know how to spend it all. Now the FHAP program, which I won't go into a lot of detail with, well, it has different categories of funding, and, ah, we created new categories of funding ... administrative overhead money, and in late '90 and late '95 and '96 we created and developed a whole new category of funding called special enforcement initiative. Where we didn't spend all the money Congress was giving us for the FHAP program, well, we put what was left over in the special enforcement initiatives and gave it out to groups that were doing a particularly good job to do special enforcement projects. Well that was what administrative enforcement had been in the past; it was grants to FHAP agencies to do special projects related to enforcement. So, we recreated the administrative enforcement concept but directly out of the FHAP money. And the HUD regulations that were published in, I think, '95 had the special enforcement initiative in the regulations, and we started funding it immediately.

Therefore, AEI was not renewed as an initiative in FHIP because it would be covered financially under FHAP.

Grantees could use AEI funds for the following purposes: (1) providing technical assistance to state and local agencies administering housing and community development programs concerning applicable fair housing laws and regulations; (2) implementing fair housing testing programs; and (3) conducting investigations of systemic discrimination for further enforcement processing by state or local agencies, or for referral to HUD and DOJ. The FY 1993 NOFA specified particular types of fair lending issues as eligible activities (Table 16).

The following section presents an analysis of FHIP's funding history between FY 1989 and FY 2006. It begins with a discussion of FHIP funding patterns by type of initiative, followed by an analysis of the types of organizations that received FHIP awards and their location by HUD region.

**Table 16. Summary of AEI Eligible Activities, FY 1992–FY 1995**

NOFA	Eligible Activities
FY 1992	Providing technical assistance to state and local agencies administering housing and community development programs concerning applicable fair housing laws and regulations; implementing fair housing testing programs; and conducting investigations of systemic discrimination for further enforcement processing by state or local agencies, or for referral to HUD and DOJ.
FY 1993	Focusing on areas of mortgage lending, insurance redlining, and appraisal practices; discovering and providing remedies for discrimination in the public and private real estate markets and real estate-related transactions, such as making or purchasing loans, the provision of other financial assistance for sales and rental housing, insurance redlining and appraisal practices, and housing advertising; implementing fair housing testing, and other related enforcement activity programs; conducting investigations of systemic discrimination for further enforcement processing by state or local agencies, or for referral to HUD and DOJ; and developing new procedures to increase the efficiency of operations.
FY 1994	Same as 1993.
FY 1995	Same as 1994.

*AEI = Administrative Enforcement Initiative. DOJ = U.S. Department of Justice. HUD = U.S. Department of Housing and Urban Development. Source: Fair Housing Initiative Program Notices of Funding Availability, FY 1992–FY 1995*

## Analysis of FHIP Grantees by Initiative

Among the funding categories were 580 EOI awards totaling \$73 million and 610 PEI awards totaling \$142 million. The 114 FHOI awards granted from FY 1993 to FY 2006 totaled \$42 million. Between FY 1992 and FY 1995, 34 AEI grants totaled \$7.5 million. In addition to these four initiatives, 10 FHIP awards were granted under a Secretary-Initiated Projects (SIP) for a total of \$19.2 million. These awards were applied largely toward a nationwide housing discrimination testing project that was conducted between FY 2000 and FY 2002 and for followup testing that was conducted between FY 2003 and FY 2005 (Table 17).

SIP represents a relatively unique set of awards that were made to support one-time testing activities. Therefore, in the remaining analyses such awards will be excluded. Removing SIP awards increased each initiative's share of FHIP funding. PEI awards accounted for 46 percent of the total number of awards made between FY 1989 and FY 2006, followed by EOI awards at 43 percent. AEI and FHOI awards have made up a combined total of 12 percent of all FHIP awards made since the program started (Table 18).

The mean FHIP award made between FY 1989 and FY 2006 was \$197,000. FHOI awards, on average, were the largest, at \$367,000, although such awards accounted for a small share of overall awards. The most common award, PEI grants, averaged \$233,000, which was almost twice the amount of EOI awards. PEI awards, on average, have been larger than EOI awards in nearly every fiscal year since FY 1989 (Figure 1).

PEI awards were slightly greater than EOI awards made between FY 1991 and FY 1994, with the mean award for both initiatives at approximately \$200,000. This pattern changed in FY 1995, when the mean PEI award increased to nearly \$600,000, but declined to \$450,000 in FY 1996. The reason for this increase is that HUD made relatively few PEI awards between FY 1995 and FY 1996. During these 2 years, HUD awarded a total of 25 PEI grants—an average of 12.5 awards per year—compared with an average of 35 PEI awards in the other years. It is unclear what accounted for the relatively small volume of PEI awards made in FY 1995 and FY 1996. Some key informants indicated that it could have resulted from organizations requiring larger PEI grants to continue testing related to mortgage lending discrimination cases, which were being litigated during this period. Mean PEI grants have declined from their FY 1995 and FY 1996 levels to about \$300,000 per year between FY 1997 and FY 2000, and to about \$200,000 since FY 2001.

**Table 17. Summary of FHIP Awards by Initiative, FY 1989–FY 2006**

Initiative	Total Number of Awards	Percent of Awards	Total Dollar Amount of Awards	Percent of Dollar Awards	Mean Award (\$)
AEI	34	3	7,462,109	3	219,474
EOI	580	43	73,053,081	26	125,954
FHOI	114	8	41,763,732	15	366,349
PEI	610	45	141,860,388	50	232,558
SIP	10	1	19,263,026	7	1,926,303
Total	1,348	100	283,402,336	100	210,239

AEI = Administrative Enforcement Initiative. EOI = Education and Outreach Initiative. FHIP = Fair Housing Initiative Program. FHOI = Fair Housing Organizations Initiative. PEI = Private Enforcement Initiative. SIP = Secretary Initiated Projects.

Source: Authors' calculations from the U.S. Department of Housing and Urban Development administrative database

**Table 18. Summary of Non-SIP FHIP Awards by Initiative, FY 1989–FY 2006**

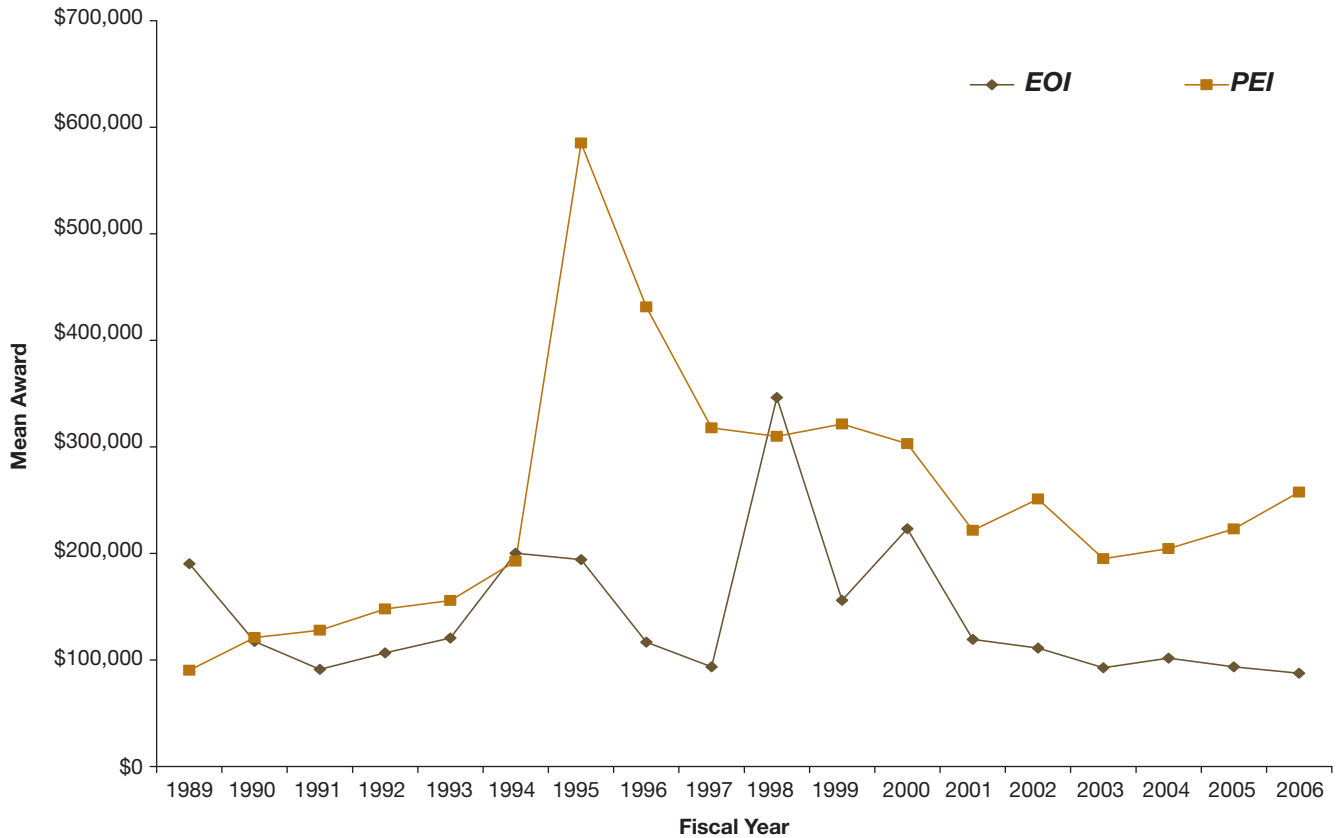
Initiative	Total Number of Awards	Percent of Awards	Total Dollar Amount of Awards	Percent of Dollar Awards	Mean Award
AEI	34	3	7,462,109	3	219,474
EOI	580	43	73,053,081	28	125,954
FHOI	114	9	41,763,732	16	366,349
PEI	610	46	141,860,388	54	232,558
Total	1,338	100	264,139,310	100	197,414

AEI = Administrative Enforcement Initiative. EOI = Education and Outreach Initiative. FHIP = Fair Housing Initiative Program. FHOI = Fair Housing Organizations Initiative. PEI = Private Enforcement Initiative. SIP = Secretary Initiated Projects.

Source: Authors' calculations from the U.S. Department of Housing and Urban Development administrative database



Figure 1. Comparison of Mean Non-SIP PEI and EOI Awards, FY 1989–FY 2006

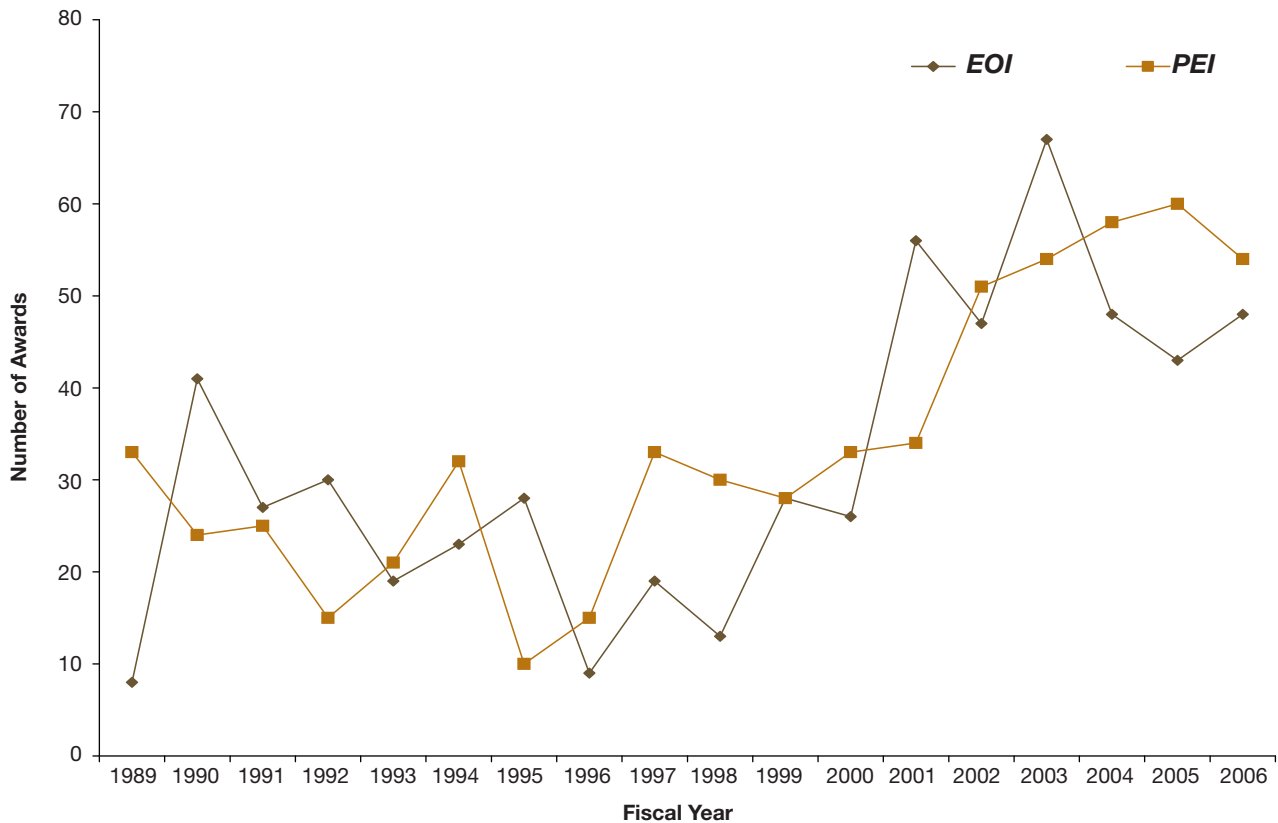


EOI = Education and Outreach Initiative. PEI = Private Enforcement Initiative. SIP = Secretary Initiated Projects.  
 Source: Authors' calculations from the U.S. Department of Housing and Urban Development administrative database

The mean EOI grant, with the exception of FY 1998 through FY 2000, has not changed as much as the mean PEI grant. The amount of the typical mean EOI grant has been around \$100,000, with the exception of two periods: FY 1994 through FY 1995 and FY 1998 through FY 2000. Key informants did not indicate any reasons for the mean EOI award increases during these periods. Note that some education and outreach activities are funded from PEI grants. HUD required that 5 percent of PEI grant funds be used to support education and outreach activities through 2003; the current requirement is that 10 percent of PEI funds be used to support education and outreach activities.

HUD awarded between 20 and 30 PEI awards between FY 1989 and FY 1999; this volume increased starting in FY 2000 and increased in every year to 60 awards in FY 2005, declining slightly in FY 2006 (Figure 2). The pattern is similar for the number of EOI awards. The number of such awards increased from about 20 per year between FY 1989 and FY 1998 to a high of nearly 70 EOI awards in FY 2003 and to the current level of about 45 EOI awards per year.

Figure 2. Comparison of the Number of Non-SIP PEI and EOI Awards, FY 1989–FY 2006



EOI = Education and Outreach Initiative. PEI = Private Enforcement Initiative. SIP = Secretary Initiated Projects.  
 Source: Authors' calculations from the U.S. Department of Housing and Urban Development administrative database

## Analysis of FHIP Funding by Organization Type

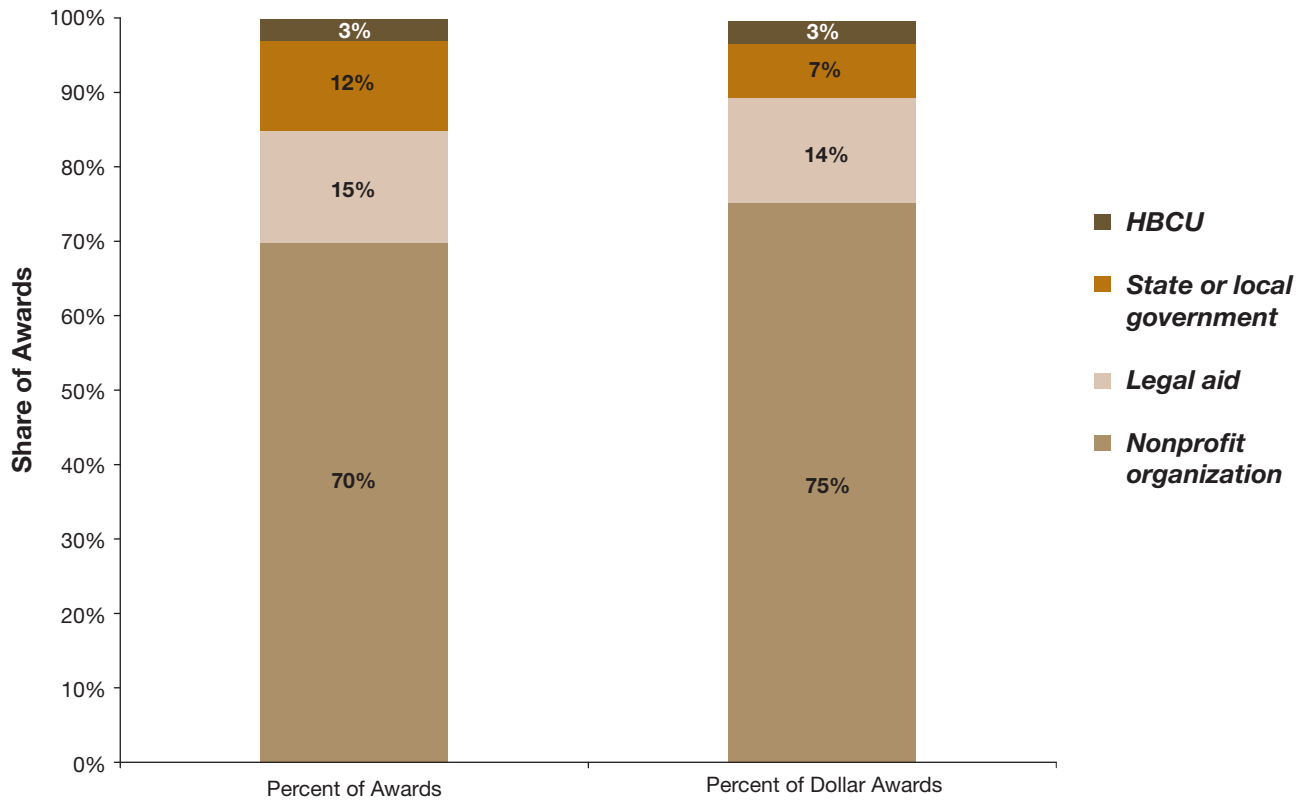
As discussed previously, the research team identified the types of organizations that received 1,194 out of 1,348 FHIP grants (including SIP) made between FY 1989 and FY 2006. These awards totaled \$265 million, or 94 percent of the \$283 million of FHIP awards made since FY 1989. Excluding SIP awards (4 SIP awards went to nonprofit organizations and 6 went to for-profit organizations), organization type was identified for 1,184 (88 percent) of the 1,338 non-SIP awards; these awards accounted for 93 percent of the \$264 million of non-SIP FHIP awards that HUD made between FY 1989 and FY 2006.

Nonprofit organizations received the largest share of non-SIP FHIP awards made between FY 1989 and FY 2006. Such organizations received 70 percent of the awards made during this period and 75 percent of the dollars granted (Figure 3). Legal aid services had the next largest share of FHIP awards. These organizations received about 15 percent of the number and dollar amount of grants awarded between FY 1989 and FY 2006.

A key informant explained how legal aid services started receiving FHIP awards:

I think it was under [former HUD Secretary Andrew] Cuomo. The education money was primarily going to fair housing groups, and you could see significant change in those probably. Now, there were probably about 70 fair housing centers out there, but then Cuomo decided he wanted to spread the money out there, and he made a serious effort to bring in legal services, and for the enforcement side, and to open up the education money to anybody, to any organization.

Figure 3. Share of Non-SIP FHIP Awards by Organization Type, FY 1989–FY 2006



FHIP = Fair Housing Initiative Program. HBCU = Historically Black Colleges and Universities. SIP = Secretary Initiated Projects.

Note: This chart does not show two awards made to for-profit organizations for \$979,000. Including these totals makes the figure more difficult to read.

Source: Authors' calculations from the U.S. Department of Housing and Urban Development administrative database

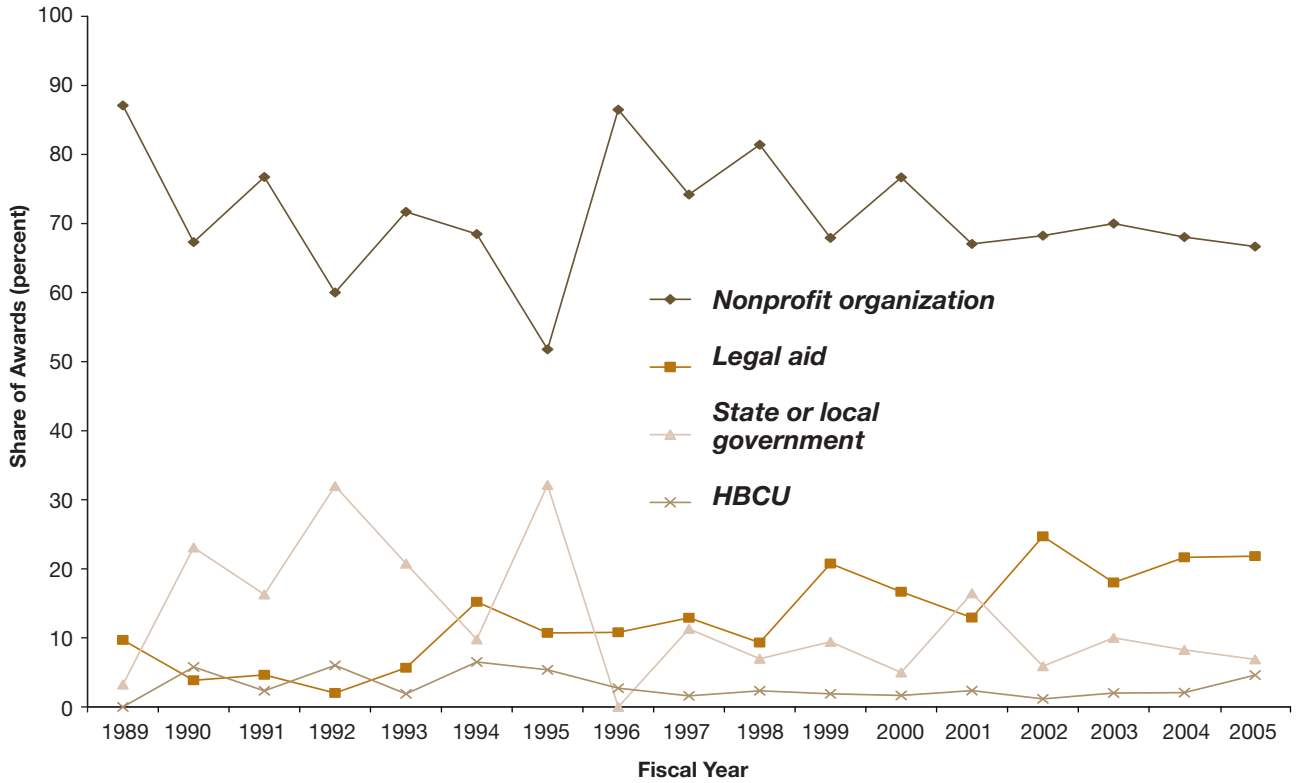
State and local governments received 12 percent of FHIP grants, but these awards were for smaller amounts than those that other types of organizations received, and they account for only 7 percent of FHIP funds awarded. Historically Black Colleges and Universities received 3 percent of FHIP grants and 3 percent of dollars awarded under the program.

Since FY 1989, nonprofit organizations have received the largest share of awards every year. The share that such organizations received ranged from a high of 90 percent in FY 1989 to a low of 52 percent in FY 1995, when state and local governments received 32 percent of FHIP awards (Figure 4). Legal aid services increased their share of awards from about 5 percent between FY 1990 and FY 1993 to 10 percent between FY 1994 and FY 1998 to the current share of about 20 percent.

Nonprofit organizations received the largest mean FHIP award between FY 1989 and FY 2006, followed by HBCU, legal aid services, and state and local governments, respectively (Figure 5). Part of the explanation for the larger mean awards made to nonprofit organizations was that they received a larger share of PEI awards, which were, on average, greater than EOI awards.

Nonprofit organizations received 70 percent of all FHIP awards between FY 1989 and FY 2006. These organizations received 82 percent of PEI grants, measured in terms of the number of awards made and total dollars awarded (Table 19). Conversely, EOI grants, which were, on average, about one-half of the mean PEI grant, were disproportionately awarded to state and local governments. Although such organizations received 12 percent of all awards made, representing only 7 percent of the dollar awards, they received 23 percent of the total EOI awards made between FY 1989 and FY 2006 and 16 percent of the EOI dollar awards made during the same period (Table 19).

Figure 4. Share of Non-SIP FHIP Awards by Organization Type, FY 1989–FY 2006



FHIP = Fair Housing Initiative Program. HBCU = Historically Black Colleges and Universities. SIP = Secretary Initiated Projects.  
 Note: This chart does not show two awards made to for-profit organizations for \$979,000. Including these totals makes the figure more difficult to read.  
 Source: Authors' calculations from the U.S. Department of Housing and Urban Development administrative database

Figure 5. Mean Non-SIP FHIP Awards by Organization Type, FY 1989–FY 2006



FHIP = Fair Housing Initiative Program. HBCU = Historically Black Colleges and Universities. SIP = Secretary Initiated Projects.  
 Note: This chart does not show two awards made to for-profit organizations for \$979,000. Including these totals makes the figure more difficult to read.  
 Source: Authors' calculations from U.S. Department of Housing and Urban Development administrative database

Type of Organization	Share of Number of Awards				
	Type of Award				
	AEI (%)	PEI (%)	EOI (%)	FHOI (%)	Total (%)
Nonprofit	0	82	58	75	70
For profit	0	0	0	0	0
Legal aid	0	16	13	23	15
State or local government	100	1	23	1	12
HBCU	0	1	5	2	3
Total	100	100	100	100	100

Type of Organization	Share of Dollars Awarded				
	Type of Award				
	AEI (%)	PEI (%)	EOI (%)	FHOI (%)	Total (%)
Nonprofit	0	82	63	82	75
For profit	0	0	2	0	0
Legal aid	0	16	11	16	14
State or local government	100	1	16	0	7
HBCU	0	1	8	1	3
Total	100	100	100	100	100

AEI = Administrative Enforcement Initiative. EOI = Education and Outreach Initiative. FHIP = Fair Housing Initiative Program. FHO = Fair Housing Organization. FHOI = Fair Housing Organizations Initiative. HBCU = Historically Black Colleges and Universities. PEI = Private Enforcement Initiative. SIP = Secretary Initiated Projects.

Source: Authors' calculations from the U.S. Department of Housing and Urban Development administrative database

## Analysis of FHIP Funding by HUD Region and Location

The United States and its territories are divided into 10 HUD regions (Table 20). FHIP grants were not concentrated in any particular HUD region. No one region has received greater than 20 percent of the number of FHIP awards made since FY 1989, or 23 percent of the dollar amount of FHIP awards made. Moreover, the share of grants made to HUD regions has changed over time, perhaps due to an increase in the number of fair housing groups in areas of the country that, before FHIP, did not have a large number of fair housing groups.

Organizations in the Midwest Region, which includes Chicago—historically home to many fair housing groups—received the greatest number of FHIP awards. Since 1989, Midwest Region organizations received 20 percent of FHIP awards (Figure 6). This share has been relatively constant over the years. With the exception of FY 1989, Midwest-based organizations received 31 percent of FHIP awards and in FY 1996 received 30 percent of awards. Midwest-based organizations received between 18 and 22 percent of awards in a given fiscal year.

Fair housing groups in the Southeast/Caribbean Region have received the second largest number of awards, with 15 percent of the awards since 1989 (Figure 6). This share, however, has grown since FY 1989, when fair housing groups in this region received only 5 percent of all awards. Between FY 1989 and FY 1993, Southeast/Caribbean-based organizations received 8 percent of all FHIP awards. This share of FHIP awards grew to 13 percent in FY 1994 and to 18 percent between FY 2004 and FY 2006. This increase could be the result of increased growth among fair housing groups located in this region.

Compared with the Midwest Region and the Southeast/Caribbean Region, the number of awards made to organizations in the Mid-Atlantic Region has declined from 18 percent of all awards made between FY 1989 and FY 1991 to 12 percent between FY 2004 and FY 2006, reflecting that fewer awards went to organizations based in Washington, D.C. These organizations received 11 percent of all awards between FY 1989 and FY 1991 but only 3 percent between FY 2004 and FY 2006.

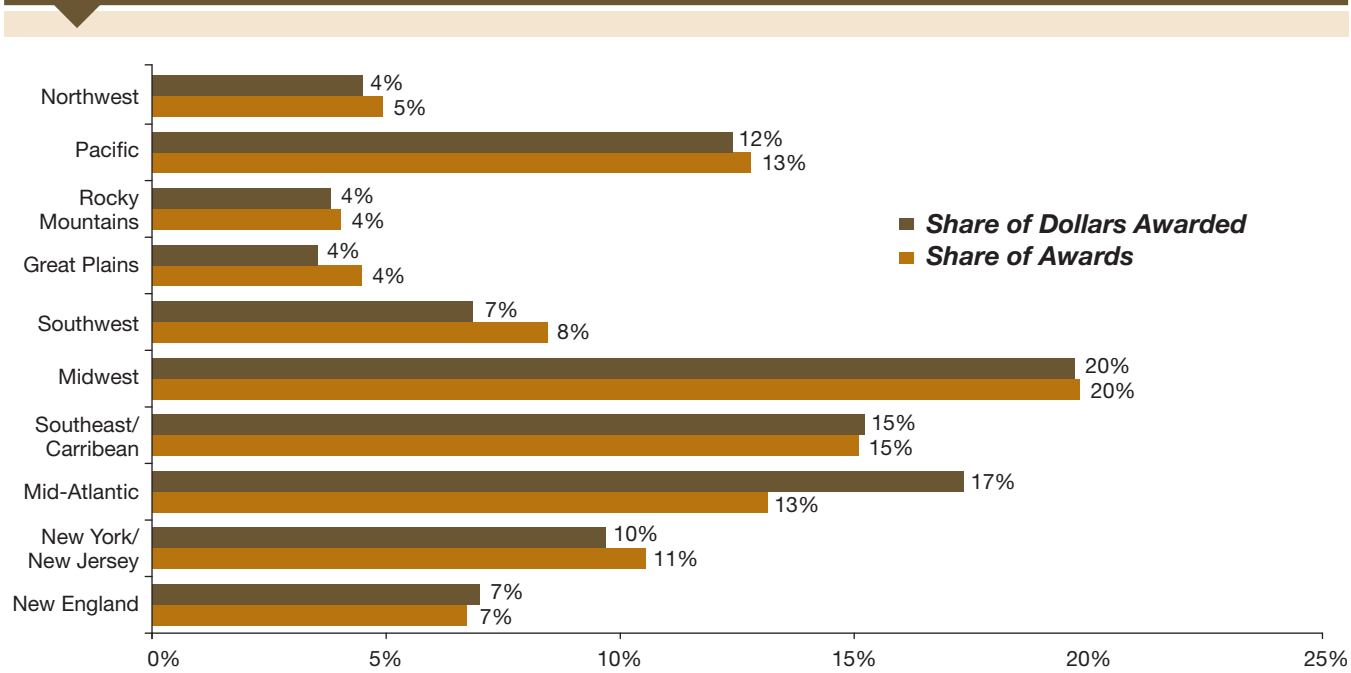
There were relatively small differences in the overall sizes of FHIP awards made across the HUD regions. The mean FHIP grant, excluding SIP awards, made between FY 1989 and FY 2006 was \$197,000; the mean grant by region for the period ranged from a low of \$155,822 in the Great Plains Region to a high of \$259,978 in the Mid-Atlantic Region (Figure 7). The reason for the relatively high mean award in the Mid-Atlantic Region is that the region includes Washington, D.C., where national organizations received relatively large grants.

Table 20. States and Territories Within 10 HUD Regions

Region I New England	Region II New York/New Jersey	Region III Mid-Atlantic	Region IV Southeast/Caribbean	Region V Midwest
Connecticut Maine Massachusetts New Hampshire Rhode Island Vermont	New York New Jersey	Delaware District of Columbia Maryland Pennsylvania Virginia West Virginia	Alabama Florida Georgia Kentucky Mississippi North Carolina Puerto Rico South Carolina Tennessee U.S. Virgin Islands	Illinois Indiana Michigan Minnesota Ohio Wisconsin
Region VI Southwest	Region VII Great Plains	Region VIII Rocky Mountain	Region IX Pacific	Region X Northwest
Arkansas Louisiana New Mexico Oklahoma Texas	Iowa Kansas Missouri Nebraska	Colorado Montana North Dakota South Dakota Utah Wyoming	Arizona California Federated States of Micronesia Hawaii Nevada	Alaska Idaho Oregon Washington

HUD = U.S. Department of Housing and Urban Development.  
 Notes: The Pacific Region includes Hawaii. The Northwest Region includes Alaska.  
 Source: HUD administrative data

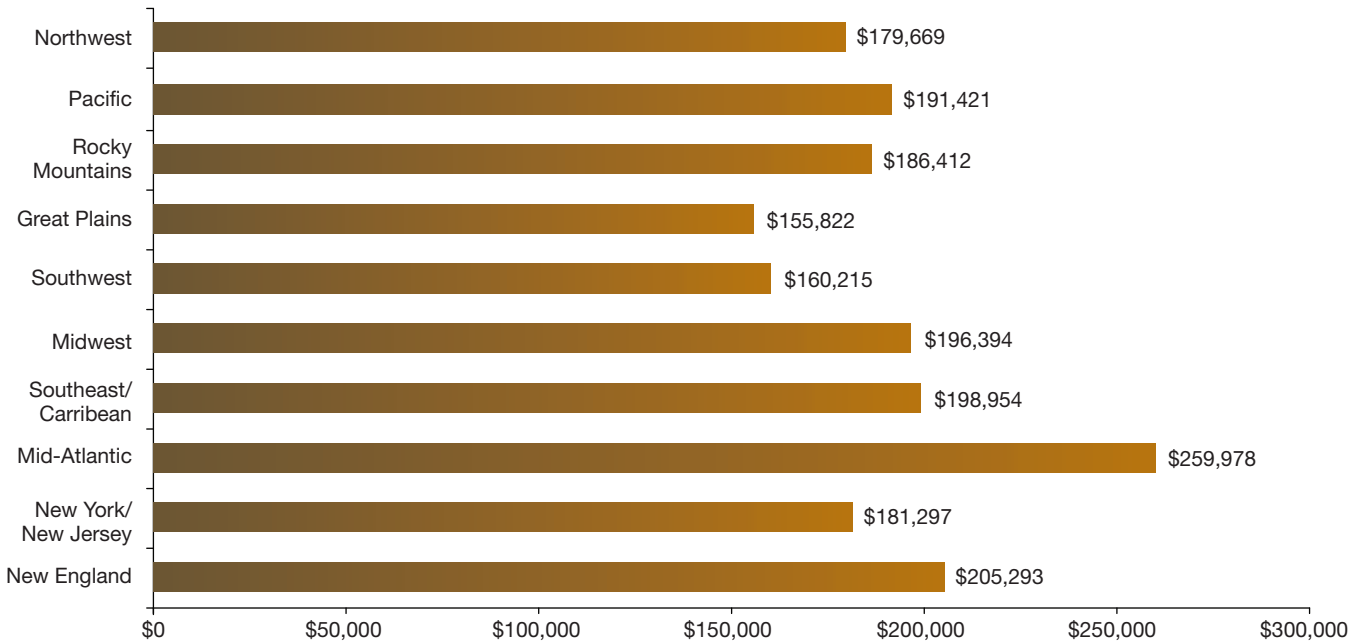
Figure 6. Share of Non-SIP FHIP Awards by HUD Region, FY 1989–FY 2006



FHIP = Fair Housing Initiative Program. HUD = U.S. Department of Housing and Urban Development. SIP = Secretary Initiated Projects.  
 Notes: The Northwest Region includes Alaska. The Pacific Region includes Hawaii.  
 Source: Authors' calculations from the HUD administrative database

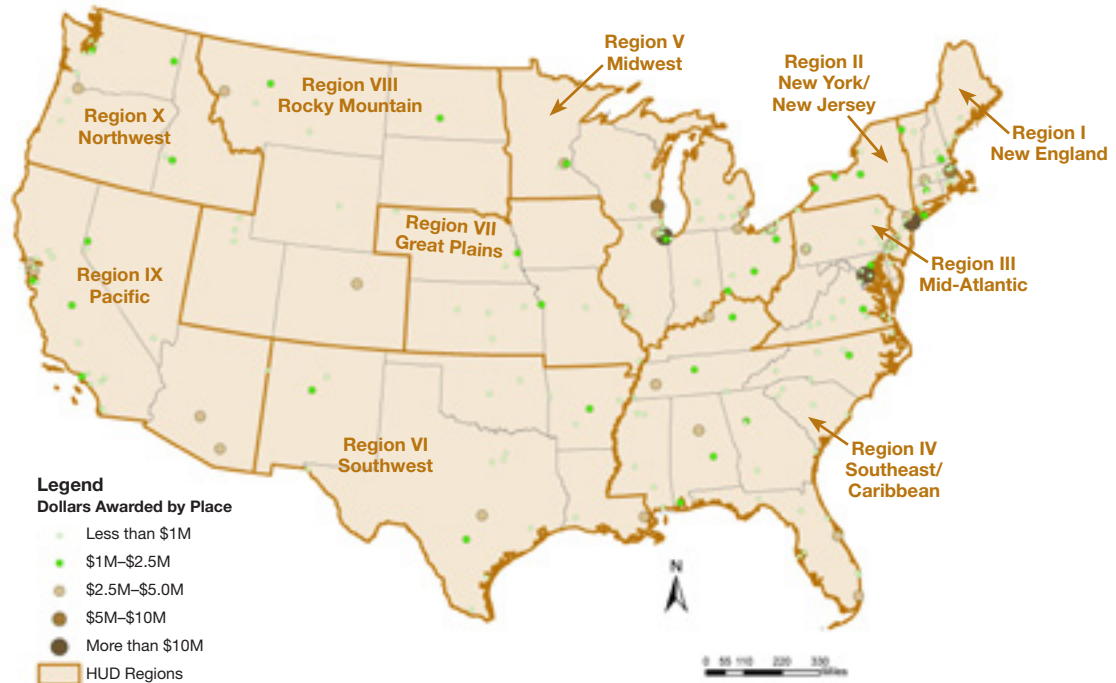
HUD awarded FHIP grants between FY 1989 and FY 2006 to organizations located in 215 cities in nearly every state (Figure 8). About 58 million people, who represent 20 percent of the total U.S. population as of 2000, lived in these 215 cities. As discussed later in this report, FHIP grantee organizations typically serve relatively large metropolitan areas (Table 23), and concentrations of FHIP awards were made to FHIP organizations located in the areas of New York City, Chicago, Los Angeles, and San Francisco. These four metropolitan areas have received relatively large total dollar awards since FY 1989 (Figure 9).

Figure 7. Mean Non-SIP FHIP Awards by HUD Region, FY 1989–FY 2006



FHIP = Fair Housing Initiative Program. HUD = U.S. Department of Housing and Urban Development. SIP = Secretary Initiated Projects.  
 Notes: The Northwest Region includes Alaska. The Pacific Region includes Hawaii.  
 Source: Authors' calculations from the HUD administrative database

Figure 8. Locations of Organizations Receiving FHIP Awards Scaled by Total Dollars Awarded, FY 1989–FY 2006



FHIP = Fair Housing Initiative Program. HUD = U.S. Department of Housing and Urban Development.  
 Note: This map does not include Secretary Initiated Projects awards or awards made in Alaska, Hawaii, or Puerto Rico.  
 Source: Authors' analysis of the HUD administrative database

Figure 9. Location of FHIP Grantees That Received Awards Scaled by Total Number of Awards, FY 1989–FY 2006



FHIP = Fair Housing Initiative Program. HUD = U.S. Department of Housing and Urban Development.

Note: This map does not include Secretary Initiated Projects awards or awards made in Alaska, Hawaii, or Puerto Rico.

Source: Authors' analysis of the HUD administrative database

## Award Summary

The mean FHIP award made between FY 1989 and FY 2006 was about \$200,000. About an equal number of PEI and EOI awards were made during the same period. These awards accounted for 68 percent of non-SIP awards made and about 75 percent of all non-SIP dollars awarded. PEI grants averaged \$233,000 compared with \$126,000 for EOI awards. Non-profit organizations received the overwhelming share—about three-fourths of non-SIP FHIP grants and total dollars awarded between FY 1989 and FY 2006. FHIP grants were not disproportionately awarded in any particular region of the country, on the contrary, organizations that received a FHIP award were located in nearly every HUD region and in every state.



## 3

## Descriptive Analysis of FY 2003–FY 2005 FHIP Grantees

This section presents a descriptive analysis of the types of organizations that received Fair Housing Initiatives Program grants between FY 2003 and FY 2005. The data used for this analysis were derived mainly from the web-based survey described in section 1. Unfortunately, not every respondent completed all of the questions, and the analysis of a given web-based survey question was restricted to organizations that provided responses to that question. As a result, the tables that report data from the web-based survey show the number of responses used in the calculations.

The descriptive analysis portion of this section begins with a discussion of the role that fair housing plays in the mission statements of FHIP grant recipients. As detailed later in this section, the mission of many FHIP grant recipients is to promote fair housing, typically as part of the larger objective to reduce discrimination in general, within the organization's coverage area. This descriptive analysis continues with a discussion of the number of employees and budgets of the FHIP grant recipients, and the administrative structure (that is, the type of organization and, for nonprofits, the size and makeup of their boards of directors). This section is followed by a description of FHIP grant recipient employees, including their length of tenure, educational attainment, and level of experience. This analysis concludes with a description of the sources of funding that FHIP grantees used.

### Mission Statements of FHIP Recipient Organizations

Survey respondent organizations typically promoted fair housing by reducing discrimination in their coverage areas. Some organizations focused their activities on a particular target group, such as people who are homeless, immigrants, or living with HIV/AIDS. These organizations' missions often combined outreach with litigation support (see the full mission statements that respondents provided in Appendix D). Fair housing was a prominent part of the organizational missions for most survey respondents. Only 4 percent of these organizations indicated that fair housing played a secondary role in their activities. Conversely, fair housing had an exclusive role in the missions for 32 percent of respondents and a primary role for an additional 26 percent of respondents (Table 21).

Organizations that indicated that fair housing had either an exclusive or a primary role (as opposed to a lesser role) in their missions were typically regional or local fair housing centers. Of respondents, 38 percent indicated that fair housing had a significant role among several in their mission statements. The primary role was defined as the organization's first goal: to work on fair housing. Organizations that considered fair housing as important but not a priority over other issues—a significant role among several—were usually legal aid services and state or local governments.

Each respondent's organizational mission type, based on the mission statement provided in the survey, was classified as affordable housing, civil rights, disability rights, HBCU, or a homeless coalition. Civil rights organizations comprised 55 percent of respondents, but they accounted for 86 percent of organizations that indicated fair housing had an exclusive role and 81 percent of organizations indicating fair housing had a primary role within their missions (Table 22).

Many civil rights groups indicated that their mission was to work toward eliminating housing discrimination. Conversely, legal aid services, which accounted for 14 percent of respondents, comprised 36 percent of respondents indicating that fair housing played a significant role among several in their activities (Table 22). The mission of many legal aid service providers is to provide low-income people with needed legal assistance, only some of which relates to housing discrimination complaints.

**Table 21. The Role of Fair Housing in Survey Respondents' Organizations**

	Frequency of Role Type	Percent (%)
Exclusive role	22	32.4
Primary role	17	25.0
Secondary role	3	4.4
Significant role among several	26	38.2
Total	68	100.0

Source: Survey of Fair Housing Initiative Program grantees

The Role of Fair Housing in Survey Respondent's Missions					
Type of Organizational Mission	Significant Role Among Several (N)	Secondary Role (N)	Primary Role (N)	Exclusive Role (N)	Total (N)
Affordable housing	8	0	3	3	14
Civil rights	3	1	13	19	36
Legal aid	9	0	0	0	9
Disability rights	4	0	0	0	4
HBCU	0	1	0	0	1
Homeless coalition	1	0	0	0	1
Total	25	2	16	22	65

Percent of Respondents					
Type of Organizational Mission	Significant Role Among Several (%)	Secondary Role (%)	Primary Role (%)	Exclusive Role (%)	Total (%)
Affordable housing	32	0	19	14	22
Civil rights	12	50	81	86	55
Legal aid	36	0	0	0	14
Disability rights	16	0	0	0	6
HBCU	0	50	0	0	2
Homeless coalition	4	0	0	0	2
Total	100	100	100	100	100

HBCU = Historically Black Colleges and Universities.

Source: Survey of Fair Housing Initiative Program grantees

## Target Area for Respondents' Fair Housing Activities

As fair housing issues relate to a particular housing market context, knowledge of local markets is important to any group working in a fair housing role. Consequently, FHIP grantees typically targeted their fair housing activities within a particular geographic area. Most frequently, FHIP grantee organizations' target areas include multiple cities or counties, and some organizations target their activities statewide (Table 23).

FHIP grantees targeted their activities to areas with relatively large populations. This approach may be due to larger population areas having a more supportive infrastructure, including local political groups and foundations, among other groups conducting fair housing activities. The mean population of the areas targeted by the 55 FHIP grantees that provided this information was just more than 2 million. The median population of these groups' targeted areas was 1.2 million (Table 23). The population in the relatively large target areas for survey respondents likely consisted of a diverse mix of racial and ethnic groups. A slight majority of FHIP grantees (52 percent) targeted their activities toward a specific group of protected class members.

Table 23. Location and Population Size of Communities Targeted by Survey Respondents for Fair Housing Activities

	Number of Respondents	Percent of Respondents
<b>Target Area Location</b>		
A single city	4	6
A single county	8	12
A single metropolitan area	12	18
Multiple cities and counties outside of a metropolitan area (includes statewide)	33	49
Multiple states	3	4
Other	7	10
Targeted neighborhood(s)	1	1
Total	68	100
<b>Target Area Population Size</b>		
Mean	2,026,283	
Median	1,200,000	
N	55	

Source: Survey of Fair Housing Initiative Program grantees

## FHIP Grant Recipient Organizations' Age and Size

FHIP is 21 years old, yet the mean survey respondents' organizations existed before the establishment of the program. Among the 68 survey respondents, the newest organization was 5 years old in 2007, and organizations were, on average, 30 years old. The oldest organization among the survey respondents was formed in 1891.

The total organizational budget for survey respondents ranged dramatically. Although the mean organizational budget in 2006 for 53 respondents was \$2,680,721, 13 percent of survey respondents had a total organizational budget below \$250,000. Another 20 survey respondents (38 percent of respondents) had a total organizational budget between \$250,000 and \$500,000. In contrast, 19 percent of respondents had a total organizational budget greater than \$500,000, and 30 percent of respondents had a total organizational budget greater than \$1.5 million (Table 24).

A similar pattern existed for the number of full-time staff that respondents employed in FY 2006. The mean number of full-time employees for 60 respondents was 28. Because that reported number of staff of one organization is so much larger than any other respondent, it is removed from the analysis. Of the respondents, however, 40 percent employed fewer than 5 full-time staff members, and 77 percent had fewer than 30 full-time staff members (Table 25).

Most respondents employed fewer than 25 full- and part-time staff members to conduct fair housing activities. The average number of employees conducting fair housing activities among the 57 respondents was 21. Only 5 percent of the respondents employed more than 50 people for fair housing activities; 21 percent employed fewer than 9 full- and part-time staff members for fair housing activities (Table 26).

Table 24. Summary of Survey Respondents' Total Budgets, FY 2006

Total Budget	Number of Respondents	Percent of Respondents	Mean Total Budget (\$)
< \$250,000	7	13	148,164
\$250,000–\$500,000	20	38	351,176
\$500,001–\$1,500,000	10	19	850,338
> \$1,500,000	16	30	7,844,634
Total	53	100	2,680,721

Source: Survey of Fair Housing Initiative Program grantees

Table 25. Distribution of Survey Respondents' Full-Time Employees, FY 2006

Number of Full-Time Employees	Number of Respondents	Percent of Respondents	Mean Number of Employees
< 5	24	40	4
5–30	22	37	10
31–100	12	20	70
101–500	2	3	272
Total	60	100	28

Note: One respondent, a city agency, reported a total staff of 2,300. That observation was removed because it is such an outlier.

Source: Survey of Fair Housing Initiative Program grantees

Table 26. Total Fair Housing Staff for Survey Respondents, FY 2007

Number of Fair Housing Staff	Number of Respondents	Percent of Respondents	Mean Fair Housing Full-Time and Part-Time Staff
< 9	12	21	6
10–24	28	49	17
25–50	14	25	31
> 50	3	5	70
Total	57	100	21

Source: Survey of Fair Housing Initiative Program grantees

## Size of FHIP Grantees' Fair Housing Component

The mean fair housing budget in FY 2006 for 46 respondents was \$306,000. For 43 percent of these respondents, fair housing activities comprised 100 percent of their total organizational budgets. The mean fair housing budget for these organizations was relatively large at \$409,000. In contrast, fair housing funding was less than 25 percent of the total organizational budget for 39 percent of respondents (Table 27). The mean fair housing budget for these 18 organizations was only \$218,000, about one-half of the fair housing budgets for organizations in which fair housing funds represented 100 percent of their budgets.

Table 27. Fair Housing Activity Shares of Total Budget for Survey Respondents, FY 2006

Fair Housing's Share	Number of Respondents	Percent of Respondents (%)	Mean Fair Housing Budget (\$)
< 25	18	39	217,446
25–99	8	17	245,036
100	20	43	409,445
Total	46	100	305,722

Source: Survey of Fair Housing Initiative Program grantees

## Governance Structure of FHIP Grantees and Employee Characteristics

Of the respondents, 63 (93 percent) were representatives of nonprofit organizations; the remaining 5 respondents were representatives of either state or local governments (Table 28).

The average size of the board of directors for these nonprofit agencies is 16 members. Members serve on boards of directors for a particular period of time. As of FY 2007, the length of time board members served was split evenly among less than 2 years, 2 to 5 years, 5 to 10 years, and greater than 10 years (Table 29).

Survey respondents employed a diverse staff. This diversity may be a function of a HUD requirement that FHIP grantee organizations report the demographic makeup of their board members. On average, just more than one-half of respondents' fair housing employees were non-Hispanic White in 2006, African Americans accounted for 25 percent of fair housing staff, and 18 percent were Hispanic. Asians and other racial groups comprised the remaining 5 percent of respondents' fair housing employees. Women accounted for nearly three-fourths of respondents' fair housing staff (Table 30).

Although nearly all of the respondents were nonprofit or legal aid services, respondents' employees have been with their organizations for a relatively long period of time. As of FY 2007, only 12 percent had been with the FHIP grantee for less than 1 year, and 70 percent of employees had been with the respondent for more than 3 years. This stability was also present for respondents' organizational leadership. Since FY 2002, 62 percent of respondents have had only one executive director; 89 percent have had no more than two executive directors between FY 2002 and FY 2007. In addition to low staff turnover, FHIP grantee employees were well educated. On average, 74 percent of a FHIP grantee's employees had at least a 4-year college degree. Of respondents' employees, 27 percent had law degrees (Table 30), likely due to the importance of fair housing enforcement to FHIP grantees' missions, which often involves some legal action or threat of legal action.

**Table 28. Survey Respondents' Organizational Types**

Organizational Types	Frequency of Role Type	Percent
State government	2	2.9
Local government	3	4.4
Nonprofit	63	92.6
Total	68	100.0

Source: Survey of Fair Housing Initiative Program grantees

**Table 29. Characteristics of Survey Respondents' Boards of Directors, FY 2007**

Board Members' Tenures	Percent of Respondents
< 2 years	20
2–5 years	32
6–10 years	25
> 10 years	23
Total	100
N	60

Source: Survey of Fair Housing Initiative Program grantees

**Table 30. Characteristics of Survey Respondents' Employees, FY 2007**

Employee Characteristics	Share of Reported Fair Housing Staff
<b>Race:</b>	
Non-Hispanic White	52%
Black or African American	25%
Hispanic	18%
Other	5%
Total	100%
N	62
<b>Gender:</b>	
Women	72%
Men	28%
Total	100%
N	62
<b>Length of Employee Tenure:</b>	
<1 year	12%
1–2 years	19%
3–5 years	24%
6–10 years	23%
> 10 years	22%
Total	100%
N	62
<b>Educational Attainment:</b>	
Less than a high school degree	0%
High school graduate	15%
2-year college degree	9%
4-year college degree	34%
Master's degree	13%
Law degree	27%
Doctor of Philosophy degree	0%
Unknown	2%
Total	100%
N	62

Source: Survey of Fair Housing Initiative Program grantees

## Sources of Budget for Enforcement Initiatives and Education and Outreach Activities

One objective of this study is to document the contribution that FHIP awards make to grantee recipients' budgets. Organizations that apply for FHIP awards receive points if they demonstrate that they have other sources of funding to support fair housing activities. Therefore, the expectation is that FHIP awards will not provide 100 percent of grantees' total funding. Fewer funding sources appear to be available to support enforcement activities, however, so FHIP grants are likely to support a larger share of enforcement activities compared with education and outreach activities. In general, as detailed in the following section, the data are consistent with these expectations.

Of the respondents, 51 provided detailed information about their sources of funding. FHIP grants provided a much larger share of the funding that respondents used for enforcement activities than for education and outreach activities. In 2006, the mean amount spent on fair housing activities by these organizations was \$252,000, which was split between 70 percent (a mean of \$177,000) for enforcement activities and 30 percent (a mean of \$75,000) for education and outreach activities (Table 31).

**Table 31. Sources of Funding for Enforcement Initiatives and Education and Outreach Activities for Survey Respondents, FY 2006**

Sources of Funding	Enforcement	Education and Outreach	Total
FHIP PEI grant	64%	4%	46.3%
FHIP EOI grant	0%	30%	8.8%
FHIP FHOI grant	3%	0%	2.5%
CDBG from city, county, or state government	10%	32%	16.2%
Other funding from city, county, or state government	3%	12%	5.6%
HUD counseling funds	0%	6%	1.9%
Proceeds from fair housing settlements	2.9%	0.4%	2.1%
Realtors	0%	0%	0.1%
Bankers/mortgage companies	1%	3%	1.3%
Landlord associations	0%	1%	0.3%
Foundations	6%	6%	5.8%
Charitable donations	3%	3%	2.5%
Other	8%	3%	6.5%
Total	100%	100%	100%
Mean	\$177,444	\$74,492	\$251,936
N	51	51	51

*CDBG = Community Development Block Grant. EOI = Education and Outreach Initiative. FHIP = Fair Housing Initiative Program. FHOI = Fair Housing Organizations Initiative. HUD = Department of Housing and Urban Development. PEI = Private Enforcement Initiative.*

*Source: Survey of FHIP grantees*

## FHIP Funding of Enforcement Activities

FHIP Private Enforcement Initiative funds provided, on average, 64 percent of the overall enforcement funding among survey respondents, which was by far the largest source of funding for this activity. Community Development Block Grant (CDBG) funds from a FHIP grantee's city, county, or state government provided 10 percent of total enforcement activity funds.<sup>15</sup> When FHIP grantee organizations use CDBG funds made available by jurisdictions, they must comply with HUD's requirement that these funds be used to affirmatively further fair housing objectives. The next largest source of funds for enforcement activities came from foundations, which provided an average of 6 percent of a FHIP grantee's total enforcement funding in 2006. The remaining sources provided more than 3 percent of funds for survey respondents' enforcement activities (Table 31).

<sup>15</sup> Note that CDBG funds are allocated by jurisdictions for a wide range of activities. The share of a grantee organizations' fair housing activities funded by CDBG funds is not the same as the share of all CDBG funds that are allocated by a jurisdiction for fair housing-related activities.

PEI grants constituted a larger share, on average, of organizations with relatively small budgets for combined enforcement initiatives and education and outreach activities. In 2006, PEI grants for respondents with combined enforcement funding and education and outreach budgets of less than \$150,000 accounted for, on average, 93 percent of their total enforcement budgets. On the other hand, PEI grants for organizations with combined enforcement funding and education and outreach budgets greater than \$400,000 comprised only 57 percent, on average, of their total enforcement budgets (Table 32).

The organizations that had a total enforcement funding and education and outreach budgets of greater than \$400,000 were able to raise a greater share of their funds from Fair Housing Organizations Initiative grants; 8 percent of the total enforcement budget for these groups came from FHOI grants, compared with 3 percent for all respondents. In addition to FHIP FHOI grants, organizations with relatively large enforcement budgets and education and outreach budgets raised a greater share of their enforcement funds from local city, county, or government sources (6 percent, compared with 3 percent for all survey respondents), perhaps due to their visibility within their coverage areas (Table 33).

**Table 32. PEI Grant Shares of Total Enforcement Budgets by Fair Housing Budget Size, FY 2006**

Total Enforcement and Education and Outreach Budget	PEI Shares of Enforcement Budget (%)	Number of Respondents	Mean PEI Enforcement Funding (\$)	Mean Total Enforcement Funding (\$)
< \$150,000	93	19	8,545	9,235
\$150,000–\$250,000	73	8	112,343	154,226
\$250,001–\$400,000	67	14	180,040	268,793
> \$400,000	57	10	222,449	387,729
Total	64	51	113,846	177,444

PEI = Private Enforcement Initiative.

Source: Survey of Fair Housing Initiative Program grantees

**Table 33. Comparison of Sources of Funding for Enforcement Activities for Large Groups and All Survey Respondents, FY 2006**

Sources of Funding for Enforcement Activities	Total Enforcement and Education and Outreach Budget Greater Than \$400,000	All Survey Respondents
FHIP PEI	57%	64%
FHIP EOI	0%	0%
FHIP FHOI	8%	3%
CDBG from city, county, or state government	7%	10%
Other funding from city, county, or state government	6%	3%
HUD counseling funds	0%	0%
Proceeds from fair housing settlements	4%	3%
Realtors	0%	0%
Bankers and mortgage companies	0%	1%
Landlord associations	0%	0%
Foundations	4%	6%
Charitable donations	2%	3%
Total enforcement activities	100%	100%
Mean	\$387,729	\$177,444
N	10	51

CDBG = Community Development Block Grant. EOI = Education and Outreach Initiative. FHIP = Fair Housing Initiative Program. FHOI = Fair Housing Organizations Initiative. HUD = U.S. Department of Housing and Urban Development. PEI = Private Enforcement Initiative.

Source: Survey of Fair Housing Initiative Program grantees



## Investigations

PEI funding provides a substantial level of support for individual- and grantee organization-initiated investigation activities. Respondents reported that they used PEI funds for 70 percent of all individual investigations completed in FY 2006. Although 70 percent of all these investigations were funded with PEI grants, a great deal of variation existed among respondents. Of the survey respondents, 38 percent funded 100 percent of their individual investigations with PEI funds. Another 13 percent funded between 75 percent and 99 percent of their individual investigations with PEI funds. Conversely, 28 percent of respondents funded a relatively small share (less than 25 percent) of their investigations with PEI funds (Table 34).

Survey respondents reported that FHIP PEI funds were used to finance 1,158 (65 percent) of the total 1,775 organization-initiated investigations completed in FY 2006. When compared with individual investigations, a greater share of respondents funded all of their organization-initiated investigations with PEI grants. Most respondents (51 percent) funded 100 percent of their organization-initiated inquiries with PEI grants (Table 35), compared with 38 percent of respondents who funded 100 percent of their inquiries from individuals with PEI grants.

**Table 34. Distribution of Share of Individual-Initiated Investigations With PEI Grant Funding**

Percent of Investigations From Individual Complainants Funded With PEI Grants	Number of Respondents	Percent of Investigations From Individual Complainants Funded With PEI Grants	Percent of Respondents
< 25	11	5	28
25–49	6	39	15
50–74	3	62	8
75–99	5	95	13
100	15	100	38
Total	40	70	100

PEI = Private Enforcement Initiative.

Source: Survey of Fair Housing Initiative Program grantees

**Table 35. Distribution of Share of Grantee Organization-Initiated Inquiries Investigated With PEI Grant Funding**

Percent of Investigations Funded With PEI Grants	Number of Respondents	Percent of Organization-Initiated Complaints Resulting in Investigations Funded With PEI Grants	Percent of Respondents
Less than 25	8	6	23
25–49	3	29	9
50–74	2	62	6
75–99	4	86	11
100	18	100	51
Total	35	65	100

PEI = Private Enforcement Initiative.

Source: Survey of Fair Housing Initiative Program grantees

## Testing

PEI funds supported about two-thirds of the tests that FHIP grantees conducted. (Respondents were not asked to break out the share of tests from individuals versus organization-initiated inquiries that PEI grants funded.) The share of tests supported with PEI funds is nearly identical to the share of investigations of individual inquiries supported by PEI funds reported previously in Table 34. Note that the remaining testing activities were not funded by PEI grants and went unreported to HUD. This unreported testing activity may be substantial: although the average share of tests funded with PEI grants was 64 percent, 30 percent of respondents funded fewer than one-half of their tests with PEI grants (Table 36).

Percent of Fair Housing Tests Conducted With PEI Grants	Number of Respondents	Percent of Respondents	Mean Percent of Fair Housing Tests Conducted With PEI Grants
< 25	6	16	13
25–49	5	14	39
50–74	6	16	64
75–99	9	24	84
100	11	30	100
Total	37	100%	64%

PEI = Private Enforcement Initiative.

Source: Survey of Fair Housing Initiative Program grantees

## FHIP Support of Education and Outreach Activities

FHIP grants provided a smaller share of total funding used to support education and outreach activities compared with enforcement activities. On average, EOI grants provided 30 percent of the funding that survey respondents used in FY 2006 to support education and outreach activities. CDBG funds that local, county, or state governments provided were an even larger source of support than FHOI grants. Funding from CDBG provided 32 percent of all funds used for education and outreach activities. HUD counseling funds and foundations each provided 6 percent of funds used for education and outreach activities; PEI awards provided a small (4 percent) share of funding for education and outreach activities (Table 31). The share of education and outreach activities that PEI grants funded reflects a HUD requirement, as of 2003, that 10 percent of PEI grant funds are to be used for education and outreach activities. Before 2003, HUD required that 5 percent of PEI grant funds were to be used for education and outreach activities.

FHIP grants accounted for a larger share of survey respondents’ enforcement funding because of activities, such as filing complaints and judicial actions. Some potential funding sources may be named as defendants in such actions, perhaps leaving them less likely to fund enforcement activities compared with relatively uncontroversial education and outreach efforts. One interviewee stated—

We were conducting a training [session] for the real estate industry, and I was introduced as the ‘enemy’ to the group. The moderator was doing it as a joke, but it makes it hard to get up before that audience to explain that we are here as a resource and not have them see you as an enemy.

Given this attitude among some local housing market participants, Education and Outreach Initiative groups had more success receiving funding from other sources.

One case study participant from an organization that was created in 1989 said the organization had chosen to focus exclusively on fair housing enforcement, which made it difficult to raise funds. This participant uses partnerships to fund education and outreach activities when it does not have a FHIP grant for that type of initiative. The organization partnered with groups, such as the American Institute of Architects, Consumer Credit Counseling Services, state real estate commissions, legal services, and other advocacy groups. These groups provided partnerships for actual funding, training facilities, and case referrals to the FHIP organization. This FHIP recipient increased its chances of obtaining a FHIP grant by leveraging these resources. The FHIP NOFA awards points in the grant selection process based on the percentage of outside FHIP funding leveraged by the organization.

EOI grants accounted for a much larger share of the total education and outreach activities for organizations that had a relatively small overall budget for these combined activities, and they represented none of the funding for education and outreach activities for larger organizations. EOI grants provided 50 percent of the funds for education and outreach activities for respondents with a combined budget of less than \$150,000 for enforcement initiatives and education and outreach activities. EOI grants’ share of education and outreach activities is even greater at 70 percent (Table 37).

Organizations with relatively large combined enforcement funding and education and outreach budgets were able to fund a larger share of their education and outreach activities from grants that city, county, or state governments provided. On

average, such funding sources provided 74 percent of respondents with a total enforcement funding and education and outreach budgets of more than \$400,000, 30 percentage points less than the share of education and outreach activities funded from these sources for all respondents combined (Table 38).

One case study participant in a major metropolitan area successfully operated without any EOI funding. Representatives of this organization said distributing newsletters and winning cases was the most effective use of outreach. Because the organization had been involved in influencing positive outcomes in a substantial number of fair housing cases, this outreach strategy was effective and, therefore, had no need for EOI grants.

EOI grants can be a valuable source of support for outreach activities, especially for groups too small to receive PEI grants. For example, one case study participant in a rural area received EOI grants only. Representatives of this organization said that although they received PEI and EOI grants to do their work, they were too small for a substantial PEI grant. Although the FHIP NOFA does not make a distinction in terms of size for a grant award, this organization's staff believes that their organization cannot support a sizable PEI grant for their performance area.

**Table 37. EOI Grants' Share of Total Enforcement Funding and Education and Outreach Budget by Fair Housing Budget Size, FY 2006**

Total Enforcement Funding and Education and Outreach Budget (\$)	EOI Share of Education and Outreach Budget (%)	Number of Respondents	Mean EOI Funding (\$)	Total Mean Education and Outreach Budget (\$)
Less than 150,000	50	19	35,669	70,728
150,000–250,000	70	8	49,999	71,790
250,000–400,000	9	14	4,048	42,636
Greater than 400,000	0	10	0	128,404
Total	30	51	22,242	74,492

EOI = Education and Outreach Initiative.

Source: Survey of Fair Housing Initiative Program grantees

**Table 38. Comparison of Sources of Funding for Education and Outreach Activities for Survey Respondents, FY 2006**

Sources of Funding	Total Enforcement Funding and Education and Outreach Budget Greater Than \$400,000	All Survey Respondents
FHIP PEI	9%	4%
FHIP EOI	0%	30%
FHIP FHOI	0%	0%
CDBG from city, county, or state government	42%	32%
Other funding from city, county, or state government	32%	12%
HUD counseling funds	0%	6%
Proceeds from fair housing settlements	1%	0%
Realtors	1%	0%
Bankers/mortgage companies	0%	3%
Landlord associations	1%	1%
Foundations	7%	6%
Charitable donations	1%	3%
Other	4%	3%
Total education and outreach activities	100%	100%
Mean	\$128,404	\$74,492
N	10	51

CDBG = Community Development Block Grant. EOI = Education and Outreach Initiative. FHIP = Fair Housing Initiative Program. FHOI = Fair Housing Organizations Initiative. HUD = U.S. Department of Housing and Urban Development. PEI = Private Enforcement Initiative.

Source: Survey of FHIP grantees

## Funding History

A steady source of funding is critical for any fair housing group's survival. One case study participant in a large metropolitan statistical area discussed the problem of inconsistent funding. The organization staff was reduced to two employees when it did not receive HUD funding during a round in which it applied. At a later date, the organization recruited additional employees, but the previous job cuts meant a loss to the organization of the fair housing expertise and institutional memory of its former employees. This organization, which received no HUD funding, sought other sources of financial support and added other services to ensure its continuation. It now receives foundation funding in addition to FHIP grants to help pay for fair housing activities.

Unfortunately, fair housing budgets for most respondents fluctuated between years. Of the respondents, 45 provided information about their fair housing budgets between FY 2004 and FY 2006. The fair housing budgets for 36 percent of these respondents both increased and decreased during this period. Respondents said that a single year of an organization's fair housing budget was not a good predictor for the next year. Of the respondents, 38 percent indicated that their fair housing budgets either increased or remained the same in every year between FY 2004 and FY 2006. Conversely, fair housing budgets decreased for 16 percent of respondents, and 4 percent of respondents saw a decrease in their fair housing budgets in at least 1 year without any increases in funding during this period (Table 39).

Respondents were less likely to have their funding increased in every year when looking at a longer period of time. When asked about funding trends between FY 2001 and FY 2006, only 9 percent of 58 respondents indicated that funding for fair housing initiatives generally increased over time (Table 40). Twice as many respondents indicated that funding generally decreased over time. Most respondents, however, indicated that fair housing funding was up and down from year to year. Of respondents, 21 percent indicated that these changes were modest, but 33 percent indicated that fair housing funding changed dramatically from year to year (Table 40).

When asked to identify the factors that most influenced year-to-year fair housing funding stability, many organization's representatives indicated that HUD funding, especially PEI grants, were critical, reinforcing the findings reported in Table 32, which showed the importance of FHIP PEI grants for funding enforcement activities. One organization's representative wrote the following statement:

Most important [for stability] is whether we get a HUD PEI grant from year to year. The CDBG funds in our states will not support enforcement, and foundations in our states are very limited and will not accept requests each year. As a result, we rely on FHIP funding for the majority of our casework.

**Table 39. Fair Housing Budget Changes for Survey Respondents, FY 2004–FY 2006**

Reported Fair Housing Budgets	Number of Respondents	Percent of Respondents
Increased every year	12	27
Decreased every year	7	16
Increased in a year without a decrease	3	7
Remained the same in every year	5	11
Decreased in a year without an increase	2	4
Increased and decreased over the period	16	36
Total	45	100

Source: Survey of Fair Housing Initiative Program grantees

**Table 40. Fair Housing Funding Changes for Survey Respondents, FY 2001–FY 2006**

Fair Housing Funding	Pattern	Percent
Generally decreased over time	9	15.5
Generally increased over time	5	8.6
Relatively stable from year to year	13	22.4
Up and down modestly from year to year	12	20.7
Up and down significantly from year to year	19	32.8
Total	58	100.0

Source: Survey of Fair Housing Initiative Program grantees

Although FHIP grants, especially PEI grants, were critically important to most respondents' abilities to sustain year-to-year activities, such grants were often made for 1 year only. As a result, respondents said, they faced difficulties making multiyear plans because they were uncertain about receiving FHIP grants in subsequent years. One respondent wrote the following:

Our FHIP grant provides us with stability. It is the base for the work that we do and is 80–85 [percent] of our total budget. In the past we received only 1-year FHIP grants, which makes long-range planning and often staff retention difficult. One-year awards also limit applications for other FHIP funds, primarily the FHIP EOI funds.

Another respondent indicated that the 1-year grant period restricted their ability to undertake multiyear fair housing investigations:

It seems futile to plan a multiyear investigation since it is unclear if we will be able to fund it beyond 1 year. It also hurts our ability to recruit quality employees when we cannot guarantee them any job stability. In addition, our salaries are significantly below that of other nonprofits because the board is trying to conserve resources to ensure our continued existence.

Recipients of multiyear awards indicated that they were able to use the grant funding to increase organizational stability and raise money, as one respondent wrote:

The stability of a multiyear FHIP contract has greatly enhanced our ability to raise private funds. Individual, corporate, and foundation donors are confident that their donations will be used well because the HUD funds are secure. Also, we have additional time to spend on private fundraising when we only have to do the HUD application once every [3] years.

These responses were typical of those received in the survey and underscored the importance of FHIP grants for FHOs. Given this importance, respondents indicated that the funding decisions that HUD made influenced their organization's ability to retain staff, conduct fair housing enforcement initiatives and education and outreach activities, and raise funds from other sources. As a result, respondents highlighted the importance of ensuring that FHIP applications, submitted in response to Notices of Funding Availability, be evaluated in a systematic and objective manner that reflects an organization's track record as an FHO.

In addition to the statements from survey respondents, 7 of the 10 FHIP grantees interviewed stated that the funding for fair housing activities was up and down either moderately or significantly from year to year. Three stated that their funding for fair housing activities was stable from year to year. Seven grantees said that their organization started conducting fair housing activities after the creation of FHIP. The three FHIP interviewees with stable funding sources also happened to be from organizations that were in existence before the program's implementation. In the past, groups had to raise the funds for enforcement initiatives and education and outreach activities from nonfederal sources before FHIP existed. It is possible to surmise that groups that had been created by or after FHIP grants adjusted to having FHIP funding on which to rely.

## Descriptive Analysis Summary

Many FHIP organizations work in areas with large populations, and fair housing initiatives play a significant role in their missions. Respondents were overwhelmingly nonprofit organizations with long-term executive directors who employ ethnically diverse staffs—up to three-fourths of whom were women. Most employees in respondent organizations had at least a college degree, 13 percent had a master's degree, and 27 percent had a law degree. More than 60 percent of their enforcement funding came from FHIP grants, but a little less than one-third of their education funding came from FHIP. The budgets for these organizations fluctuated over time in regard to funding for FHIP. The view of these organizations was that they need FHIP funding to continue their work but would prefer a guarantee that they will receive FHIP funding in the future.

# 4 Description of Procedures That FHIP Grantees Used To Handle Fair Housing Complaints

The complaint process discussed in this section is based on information collected from indepth interviews with representatives of 9 Fair Housing Initiatives Program grantee organizations out of the 10 selected for onsite interviews. These interviews were conducted onsite, using the discussion guides presented in the appendix. The representatives were asked to detail the procedures their organizations used to process fair housing complaints.

Out of concern that this information could be used in litigation, the discussion guides used in these interviews did not include questions about specific criteria that organizations used to determine if a complaint warranted an investigation or, if it conducted an investigation, the criteria that organizations used to conduct a test. Perhaps because the questions were restricted to general procedures, most respondents used a similar set of procedures to process fair housing complaints, outlined in the form of a flowchart with a schematic representation of the general process that FHIP grantees (Figure 10) used.

When they believe they have been subject to some sort of fair housing violation, most complainants contact the organization by telephone. When funding allows, respondents said, their organizations run public service announcements and produce and distribute brochures and newsletters that provide a telephone number for people to call to report discrimination.

During the first stage in the process, a complainant contacts a FHIP grantee organization and completes an intake interview with a fair housing specialist, who collects information about the nature of the complaint.<sup>16</sup> The fair housing specialist collects contact information from the complainant, as well as the telephone number of an individual who is close to the complainant.

With the information collected during the intake interview, the fair housing specialist determines whether the complaint is jurisdictional; that is, whether the complaint represents a potential fair housing violation. For example, a complainant may contact a FHIP grantee organization and allege that a landlord is using a prohibited basis for a reason to evict her. During the intake interview, the housing specialist will determine if any other reason (that is, nonpayment of rent) exists as the basis of the eviction that is not a prohibited basis.

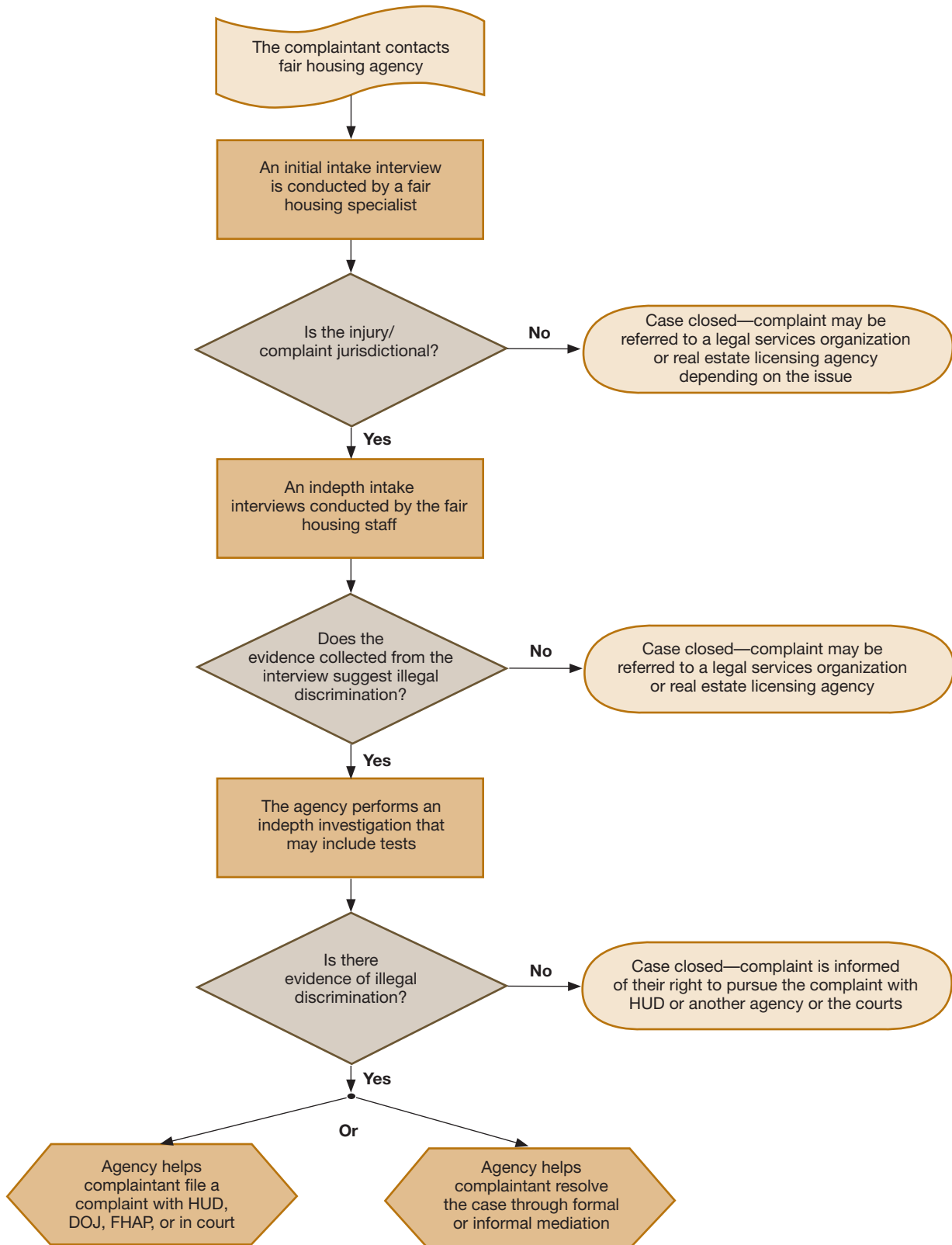
If the housing specialist, using information collected at intake, determines that a possible fair housing violation occurred, he or she refers the complainant to the either the organization's enforcement coordinator or compliance officer. In general, complaints referred for indepth investigations typically have the following characteristics:

- The complainant is a member of a protected class.
- The Fair Housing Act covers the housing.
- The Fair Housing Act covers the respondent (person accused of violating the law).
- The complaint is still within the statute of limitations of the act.

Within 1 week of the initial intake, a fair housing staff member conducts a more indepth interview with the complainant. The information from this interview is recorded on an intake form (see an example of an intake form in Appendix E). During this interview, the fair housing staff member collects information regarding the property address, owner (if the complaint is about a rental property), household income information, members of the household, names of other organizations the complainant may have contacted, and information about the property involved, such as availability of property and price terms.

<sup>16</sup> Note that FHIP grantee organizations refer to contacts as "complaints" compared with FHEO, which refers to contacts from individuals and FHIP grantee organizations of FHAP organizations as "inquiries."

Figure 10. Flowchart of Process That FHIP Grantees Used for Complaints



DOJ = U.S. Department of Justice. FHAP = Fair Housing Assistance Program. FHIP = Fair Housing Initiative Program. HUD = U.S. Department of Housing and Urban Development.

Source: DB Consulting Group, Inc.



It is important to note that FHIP grantee organizations do not classify discussions with a complainant (whom FHIP grantee organizations consider a client) the same as an interview with a third-party who may have information about the alleged fair housing violation. FHIP grantee organizations consider ‘interviews’ to be discussions with people other than the complainant who can provide details about the complaint. Therefore, FHIP grantee organizations can conduct an investigation without an interview defined by HUD, which is more expansive in its definition of interviews, and includes discussions with the complainant.

Using the information that the complainant provided during the indepth interview, the FHIP enforcement coordinator determines whether the complaint is a fair housing-related violation. Complaints that the enforcement coordinator judges to be a potential fair housing complaint are subject to an indepth investigation. Case study participants reported using the following alternate techniques in their indepth investigations:

- Testing.
- Interviewing third-party witnesses.
- Researching local building and zoning codes.
- Researching area demographics.
- Monitoring print advertising.
- Conducting property searches.
- Calling the respondent, when necessary, to gather information to determine if there has been a violation of the law.

FHIP grantee representatives were not asked about the criteria that they use to determine the type of technique used for a particular investigation, although a FHIP grantee organization’s representative did indicate that testing is not conducted for complaints related to allegations of differences in the terms and conditions of housing. Although testing may not be the best method to collect evidence for every type of complaint, 9 out of the 10 FHIP grantee organizations that provided information about indepth interviews used it. One main reason why these organizations use testing, according to their representatives, is that they can conduct tests before making any potential contact with the housing provider.

Survey respondents provided more details about the sources of testers used and the types of training their testers received before testers participate in an investigation. The survey respondents indicated that they used a variety of sources to recruit testers. The most common method, used by 97 percent of respondents, was to recruit testers referred to the organization by existing testers. According to 89 percent of respondents, the two most common sources of testers were referrals from staff and social services organizations (Table 41).

According to the representatives of the 10 FHIP grantee organizations who were interviewed, all testers are screened; the process includes a background check for felony convictions, a disqualifier by HUD standards. Testers who pass the background check are required to receive training. Grantee organizations use presentations, role-playing exercises, and quizzes on fair housing laws to train potential testers. Training classes typically last from 3 to 6 hours in a 2-day period and are usually conducted in the evening and on weekends to accommodate testers’ schedules.

FHIP grantee organizations must train testers; substantial turnover exists among testers, because many of them are volunteers (see discussion that follows). According to the survey respondents, they provided training to at least one-half of the people who conducted tests in FY 2006. Of the respondents, 41 percent indicated that all of their testers who com-

**Table 41. Sources That Survey Respondents Used To Recruit Testers**

	<b>Percent of Respondents Using Source for Tester Recruitment</b>	<b>Number of Respondents</b>
Referrals from current testers	97	38
Informal referrals from staff acquaintances	89	37
Social services organizations	89	36
Graduate school	38	32
Actors guilds or similar	3	29
Advertising in a public paper or flyer	66	35

*Source: Survey of Fair Housing Initiative Program grantees*

pleted tests received a training session in the same year; 20 percent provided training to at least three-fourths of testers; 15 percent indicated that less than one-fourth of their testers received training; and the remaining 24 percent trained about one-half of their testers in FY 2006.

Most respondents said they did not use paid staff to conduct tests; however, 8 percent of respondents indicated that they employed hourly or salaried staff for such a purpose. The remaining 92 percent of respondents indicated that they paid an honorarium or stipend to compensate people who conducted tests. No respondents used volunteers or other people to perform tests without compensation. Most respondents (80 percent) indicated that their testers conducted in-person visits most of the time, and 5 percent of respondents indicated that testers conducted in-person visits in a few of their tests.

After the FHIP grantee organization completes the investigation, it reviews the evidence with the complainant, including any testing results (which include information that testers provided in a debrief session with FHIP grantee organization staff members) and interviews with third parties other than the complainant. Using information from this review, the organization determines if the evidence supports a finding that the party named in the complaint violated fair housing laws.

If a FHIP grantee organization does not find a violation of the Fair Housing Act, the organization reviews this finding with the complainant, who usually does not pursue the case any further. If the evidence supports a finding of a fair housing law violation, however, the organization works with the complainant to identify the best course of action.

One choice available to a complainant is to work with the FHIP grantee organization to conciliate a complaint with a respondent. For such cases the FHIP organization will act as the intermediary between the complainant and respondent and attempt to craft a resolution that is acceptable to both the complainant and respondent.

As detailed in the next section, FHIP grantee organizations resolve 22 percent of all investigations without referring the complaint to HUD or filing in court. FHIP grantee representatives interviewed for this study indicated that HUD's current reporting system does not capture this activity, although these resolutions provide relief to the complainant. As a result, HUD does not count these resolutions toward a FHIP grantee organization's number of complaints that are included in its Statements of Work with HUD, so the current reporting method understates outcomes achieved by FHIP grantee organizations. HUD recognizes that FHIP organizations may settle a case without referring it to HUD. That is why HUD is beginning to collect these data to enable grantees the opportunity to count the number of settlements. The FHIP database, FICTICOS, is being populated with information from FHIP organizations on conciliations, settlements, monetary awards received, and total number of cases. Also, HUD is considering a revision of the eLogic Model for FHIP to allow these settled cases to be counted in grantees' final counts of activities undertaken with FHIP funding.

A complainant's case is closed if a satisfactory resolution through mediation is found. If such a resolution cannot be found, the FHIP grantee organization will consult with the complainant regarding the next steps to take. The step available to the complainant is to file a complaint with a state or local fair housing organization, HUD, or the Department of Justice. Another option available is that the complainant can file suit in a federal or state court.<sup>17</sup> FHIP grantee representatives did not provide information about the criteria that they use to determine where to pursue cases that, through an investigation, show evidence of a fair housing violation.

## Procedures Summary

FHIP organizations tend to follow the same procedures for case processing regardless of the area of the country. A complainant will normally call an agency, which then conducts an intake interview to determine if the Fair Housing Act has been violated. After an indepth interview, FHIP investigates the complaint using testing, interviews, and other research. If the evidence indicates housing discrimination, the FHIP organization helps the complainant decide whether to file the case with HUD or in court. FHIP organizations will help conciliate a settlement between the complainant and violator but may not receive HUD credit for fair housing complaints that have reached conciliation for FHIP grant-reporting purposes.

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<sup>17</sup> Representatives of organizations interviewed for this study were not asked about the ultimate resolution of cases filed in court.

# 5 FHIP Grantee Organizations' Investigation and Testing Activities

This section presents descriptive analyses of the Fair Housing Initiative Program grantee organizations' activities related to investigations and testing. The section describes separate testing activities conducted in response to individual complaints versus those that are grantee organization-initiated. The results presented in this section are based on data provided in the web-based survey, which asked respondents about their volume of inquiries and investigations, testing, and education activities in FY 2006. The reason is that survey respondents were expected to have at hand complete data for that fiscal year to include in the survey.

## Investigations

As discussed in the previous section, FHIP grantee organizations conduct investigations for all complaints that, through the initial intake interview with the complainant, represent potential fair housing violations. Investigations can be completed using techniques such as testing, interviews with third-party witnesses, and reviews of zoning and land use regulations.<sup>18</sup>

A total of 40 respondents conducted 6,208 investigations for a mean of 155 per respondent (or, about three investigations per week) in FY 2006. The overwhelming share (84 percent) of investigations related to complaints regarding rental housing. The remaining four types of complaints (sales, lending, insurance, and other) accounted for 16 percent of the investigations that FHIP grantee organizations completed in 2006 (Table 42). By focusing on rental housing inquiries, it is likely that these investigations result in relatively fast relief to complainants.<sup>19</sup>

Nearly all respondents indicated that they investigated a complaint that was based on a person's race, national origin, or disability. A smaller share of respondents conducted an investigation related to a person's religion or an alleged violation related to design and construction (Table 43). PEI funds are not used to support every type of investigation. Although nearly every survey respondent (98 percent) conducted an investigation based on a person's race, only 85 percent of respondents used PEI funds to investigate such a complaint. This pattern is similar without regard to the basis of an investigation (Table 43).

Of the respondents, 44 provided information about the outcomes of investigations completed in FY 2006. The most common outcome was that the investigation resulted in no finding of discrimination (34 percent). This finding is important: about one-third of investigations that FHIP grantee organizations conducted identify complaints in which no finding of discrimination exists, and so the case is not referred to HUD for processing. The second most common outcome (22 percent) was that respondents' organizations were able to resolve the complaint without referring the matter to HUD or Fair Housing Assistance Program. For these complaints the FHIP grantee organization closes the complaint without having to involve HUD, thereby resulting in a relatively quick resolution of the complaint (Table 44).

**Table 42. Number of Fair Housing Investigations That Survey Respondents Undertook by Type, FY 2006**

	Rental	Sales	Lending	Insurance	Other	Total
Total	5,185	487	328	75	72	6,147
Mean	136	13	9	2	2	162
Median	98	5	2	0	0	113
N	38	38	38	38	38	38
Percent of total	84%	8%	5%	1%	1%	100%

Source: Survey of Fair Housing Initiative Program grantees

<sup>18</sup> Representatives of organizations interviewed for this study were not asked about the ultimate resolution of cases filed in court. FHIP grantee organizations did not provide information about the share of investigations that were completed with each type of investigation technique.

<sup>19</sup> Respondents did not provide breakdowns of investigations by type for individual versus agency-initiated inquiries.

**Table 43. Investigations That FHIP Grantee Organizations Completed by Protected Class, FY 2006**

Protected Class Type	Share of Respondents Who Investigated a Complaint for the Protected Class Type (%)	Number of Respondents	Share of Respondents Who Investigated a Complaint for the Protected Class Type With PEI funds (%)	Number of Respondents
Race	98	44	85	41
Color	59	37	57	30
National origin	95	43	57	30
Familial status	89	44	82	39
Sex	80	41	75	36
Religion	60	40	63	32
Design and construction	77	39	69	32
Disability	93	45	83	40

FHIP = Fair Housing Initiative Program. PEI = Private Enforcement Initiative.

Source: Survey of FHIP grantees

**Table 44. Outcomes for Fair Housing Investigations, FY 2006**

Outcome	Number of Investigations	Percent of All Investigations	Percent of All Investigations Closed in FY 2006
Led to fair housing complaint filed with FHAP or HUD	953	12	15
Led to fair housing suit filed in a court	111	1	2
Resolved by organization outside of HUD, a FHAP agency, or court	1,692	22	27
Investigated but no discrimination found	2,638	34	43
Evidence referred to DOJ	20	0	0
Referred to state licensing agency	5	0	0
Referred to state attorney general	67	1	1
Referred to a state non-FHAP agency	106	1	2
Other	599	8	10
Still under investigation as of the end of FY 2006	1,474	19	NA
Total	7,665	100	100
N	44		

DOJ = U.S. Department of Justice. FHAP = Fair Housing Assistance Program. HUD = U.S. Department of Housing and Urban Development. NA = Not available.

Note: Most respondents completed their survey between January and April 2008.

Source: Survey of Fair Housing Initiative Program grantees

It is important to note that FHIP grantee organizations only report information to HUD about investigations that are supported with PEI funds. On average, information is not reported for about one-third of investigations. For some FHIP grantee organizations, however, this proportion is much greater: PEI grant money funds less than 50 percent of investigations for 17 out of 40 (43 percent) respondents (Table 45).

Of all the investigations, 12 percent resulted in the filing of a fair housing complaint with either a FHAP agency or HUD, and 1 percent of inquiries and investigations led to the filing of a fair housing lawsuit in a court. Of the complaints that were no longer under investigation as of FY 2006, 43 percent resulted in no finding of discrimination by the FHIP grantee organization, and 27 percent resulted in a resolution by the FHIP grantee, FHAP agency, or HUD (Table 46).

Investigations that FHIP grantee organizations completed help to screen out complaints in which no discrimination exists and complaints that can be resolved relatively quickly, and so they reduce the number of cases referred to HUD. The large share of investigations for cases that are not referred to HUD reduces the investigative burden for the department and creates a cost-effective and efficient process to handle fair housing complaints.

Table 45. Investigations Completed by FHIP Grantee Organizations by Protected Class, FY 2006

Protected Class Type	Share of Respondents Who Investigated a Complaint for the Protected Class Type in FY 2006 (%)	Number of Respondents	Share of Respondents Who Investigated a Complaint for the Protected Class Type With PEI Funds (%)	Number of Respondents
Race	98	44	85	41
Color	59	37	57	30
National origin	95	43	57	30
Familial status	89	44	82	39
Sex	80	41	75	36
Religion	60	40	63	32
Design and construction	77	39	69	32
Disability	93	45	83	40

FHIP = Fair Housing Initiative Program. PEI = Private Enforcement Initiative.

Source: Survey of FHIP grantees

Table 46. Outcomes for Fair Housing Inquiries and Investigations, FY 2006

Investigation Outcome	Number of Investigations	Percent of All Investigations	Percent of All Investigations Closed in FY 2006
Led to fair housing complaint filed with FHAP or HUD	953	12	15
Led to fair housing suit filed in a court	111	1	2
Resolved by organization outside of HUD, a FHAP agency, or court	1,692	22	27
Investigated but no discrimination found	2,638	34	43
Evidence referred to DOJ	20	0	0
Referred to state licensing agency	5	0	0
Referred to state attorney general	67	1	1
Referred to a state non-FHAP agency	106	1	2
Other	599	8	10
Still under investigation as of the end of FY 2006	1,474	19	NA
Total	7,665	100	100
N	44		

DOJ = U.S. Department of Justice. FHAP = Fair Housing Assistance Program. HUD = U.S. Department of Housing and Urban Development. NA = Not available.

Note: Most respondents completed their surveys between January and April 2008.

Source: Survey of Fair Housing Initiative Program grantees

## Testing

Some investigations that FHIP grantee organizations completed include testing. Testing is a controlled method of measuring and documenting variations in the quality, quantity, and content of information and services offered or given by real estate market participants. A test is designed to reveal differences in treatment and to isolate the causes of these differences (Fair Housing Center of Greater Boston, 2006). Fair Housing Organizations can conduct a number of different tests. One of the most common is a paired-test, under which two applicants with identical profiles contact a real estate market participant (such as the management agent of a rental property) and each request the same information. The only difference between the two people who contact the real estate market participant is their race or ethnicity, age, or gender. Sometimes testers contact the real estate market participant by phone or visit an office (if feasible) in person. Fair Housing Organizations can also conduct inspections of multifamily properties to determine if they comply with requirements that such units are disability-accessible.

Testing is a vitally important component of many FHO activities. One respondent wrote that testing helps to fill an “evidence gap” by providing information about an alleged discriminatory event. This evidence, the respondent wrote, helps attorneys represent complainants in administrative or court actions. Another respondent wrote that “testing is the most crucial aspect” of all its fair housing activities:

Testing evidence convinces the general public that discrimination still exists, convinces judges and hearing officers that a complainant has been harmed, and shows industry contractors where they need to change their practices to comply with the law. As an independent, mission-driven, nonprofit agency, we provide this tool in a way that is rigorous and, therefore, trustworthy.

Another respondent wrote the following statement:

Testing conducted under our programs provides the best evidence of housing violations and leads to positive results.

The comparative analysis presented in section 7 is consistent with the sentiment that this respondent expressed, because FHIP-referred complaints sent to HUD more often result in a cause finding than non-FHIP-referred complaints.

FHOs conduct tests in response either to complaints from individuals or from agencies. The difference between these two types of tests is that grantee organization-initiated tests are conducted to identify systematic discrimination, and they have the potential to help more people than tests conducted for individual complaints. This section discusses tests in response to individual inquiries and tests conducted in response to organization-initiated inquiries.

Nearly all (82 percent) of survey respondents indicated that their organizations conducted fair housing tests. All of these organizations have a staff member to coordinate testing; 69 percent of respondents said that this staff member worked at least 75 percent of the time on test coordination activities. All six agencies interviewed stated that they will conduct testing on complaints in which the issues are testable. All stated that some of their testing was done for research purposes, or at the request of another agency to check for housing discrimination and to report on activities of the hiring agency's employees. This type of testing is similar to secret shopping that other types of businesses occasionally conduct on their employees.

Of the respondents, 37 said they completed a total of 5,033 tests in FY 2006, an average of 136 tests per respondent.<sup>20</sup> PEI funds supported about two-thirds of the tests that FHIP grantees conducted. (Respondents were not asked to break out the share of tests from individuals versus organization-initiated inquiries funded by PEI grants.) The share of tests supported with PEI funds is nearly identical to the share of investigations of individual inquiries supported by PEI funds reported previously in Table 34. Note that the remaining testing activities were not funded by PEI grants and went unreported to HUD. This unreported testing activity may be substantial: although the average share of tests funded with PEI grants was 64 percent, 30 percent of respondents funded fewer than one-half of their tests with PEI grants (Table 47).

Although fair housing tests can be conducted for a range of real estate transactions, all of the respondents indicated that they completed a test for a complaint related to rental housing. Of the respondents, 84 percent indicated that they completed a test in FY 2006 for a complaint related to a purchase transaction, 40 percent conducted a test related to a lending complaint, and 25 percent completed a test related to an insurance complaint (Table 48).

Respondents conducted tests in FY 2006 for complaints filed by an array of protected classes. Among respondents who conducted tests for complainants, 97 percent completed a test for a complaint filed by an African American, and

**Table 47. Distribution of the Share of PEI-Grant-Funded Tests That Survey Respondents Conducted, FY 2006**

Percent of Fair Housing Tests Conducted With PEI Grants	Number of Respondents	Percent of Respondents	Mean Percent of Fair Housing Tests Conducted With PEI Grants
< 25	6	16	13
25–49	5	14	39
50–74	6	16	64
75–99	9	24	84
100	11	30	100
Total	37	100	64

PEI = Private Enforcement Initiative.

Source: Survey of Fair Housing Initiative Program grantees

<sup>20</sup> The web-based survey did not include questions about the factors that respondents used when deciding to conduct a test or the number of tests conducted per inquiry. In addition, the respondents were not asked about the number of tests they conducted in response to inquiries received in 2006 only. Therefore, the data do not allow for an analysis of the share of inquiries received in 2006 that resulted in a test.

92 percent completed a test related to a complaint based on national origin or familial status. Respondents completed a test for a complaint filed by protected racial or ethnic classes as follows: 87 percent for a Hispanic, 34 percent for an Asian, 29 percent for a Native American or Alaska Native, and 27 percent for a Hawaiian or other Pacific Islander. Respondents completed a test for a complaint filed by protected classes of people with disabilities as follows: about 8 in 10 respondents for a person with a physical disability, 50 percent for a complainant with a mental disability, and 34 percent for a complainant with a sensory disability (Table 49).

Of the respondents, 37 reported information about the outcome of tests conducted in response to individual inquiries. One-half of the respondents indicated that fair housing law enforcement actions (which means that the complaint was referred to HUD) from testing resulted relatively infrequently. Conversely, 30 percent of respondents indicated that enforcement actions occurred from roughly one-half of the tests from individual inquiries that they received (Table 50).

It is important to note that tests that do not generate an enforcement action can still result in relief to the complainant. As shown previously in Table 44, the FHIP grantee organization resolved 22 percent of investigations (regardless of whether they included testing) without referring the case to HUD, a FHAP, or a court. To the extent that tests result in a similar proportion of cases being resolved in the same manner, further tests could generate a larger number of resolutions beyond cases that have an enforcement action.

To build consistency in the testing methodologies of the various agencies that undertake testing, FHIP grantees are mandated that HUD approve all testing methodologies before they are implemented. Given this requirement, it is not surprising

**Table 48. Proportion of Respondents Conducting Tests by Complaint Type, FY 2006**

Type of Complaint	Number of Respondents Completing a Test	Percent of Respondents
Rental	38	100
Sales	32	84
Lending	14	40
Insurance	9	25

Source: Survey of Fair Housing Initiative Program grantees

**Table 49. Share of Respondents Completing a Test for Complaints Filed by Protected Class Type, FY 2006**

Protected Class Type	Number of Respondents Completing a Test for Complaints Filed by Protected Class Type	Percent of Respondents
Black or African American	37	97
Hispanic	34	87
Asian	11	34
Native American or Alaska Native	9	29
Other race	3	10
Native Hawaiian or other Pacific Islander	8	27
Other color	4	13
Religion	13	38
Sex	22	61
National origin	35	92
Familial status	35	92
Design and construction	23	64
Physical disability	30	81
Sensory disability	11	34
Mental disability	17	50
Other	0	0

Source: Survey of Fair Housing Initiative Program grantees



that nearly all survey respondents (97 percent) had a documented tester training manual. This manual was usually developed locally (28 percent of respondents), or based on a manual developed by the National Fair Housing Alliance (NFHA) (15 percent of respondents). The manuals that the remaining 57 percent of respondents used were developed with a combination of local and NFHA information materials.

Respondents used a variety of sources to recruit testers. The most common method, which 97 percent of respondents used, was to recruit testers that existing testers referred to the organization. The next two most common sources of testers, according to 89 percent of respondents, were referrals from staff and from social services organizations (Table 51).

Case study grantees also used similar sources to recruit testers. Some FHIP organizations recruit testers from community events and from advertisements in newspapers and newsletters. Some staff members in larger cities may be called on to conduct tests for their organizations in the event of a tester shortage. All testers go through a screening process, which is determined by FHIP organizations. This process includes a background check because HUD requires that testers not have felony convictions on their records. This screening usually includes questions on a written application—just like an employment application. One case study grantee made the following statement:

We recruit testers by word of mouth, community events, and personal references. The screening process includes completing an application. The testers are interviewed by the enforcement director (now ED). They have a 3-hour mandatory fair housing training, sent on practice sample test, and evaluated to determine if good tester.

Testers who pass FHIP screening are required to be trained to conduct testing, which involves video presentations, role-playing exercises, and quizzes on fair housing laws. The training classes can last from 3 to 6 hours in a 2-day period and are usually conducted in the evening and on weekends to accommodate testers' schedules. Most survey respondents provided training to at least one-half of the people who conducted tests in FY 2006. Of the respondents, 41 percent indicated that all their testers who completed tests received a training session in the same year; 20 percent provided training to at least three-fourths of their testers; 15 percent indicated that less than one-fourth of their testers received training; and the remaining 24 percent trained about one-half of their testers in FY 2006.

Most respondents said they did not use paid staff to conduct tests, however, 8 percent of respondents indicated that they employed hourly or salaried staff for such a purpose. The remaining 92 percent of respondents indicated that they paid an honorarium or stipend to compensate people who conducted tests. No respondent used volunteers or other people to perform tests without compensation. Most respondents (80 percent) indicated that their testers conducted in-person visits most of the time, and 5 percent of respondents indicated that testers conducted in-person visits in a few of their tests.

**Table 50. Proportion of Individual Inquiries Resulting in an Enforcement Action**

	Number of Respondents	Percent of Respondents
A few	20	54
Most	3	8
None	3	8
Roughly one-half	11	30
Total	37	100

Source: Survey of Fair Housing Initiative Program grantees

**Table 51. Sources That Survey Respondents Used To Recruit Testers**

	Percent of Respondents Using Source for Tester Recruitment	Number of Respondents
Referrals from current testers	97	38
Informal referrals from staff acquaintances	89	37
Social services organizations	89	36
Graduate school	38	32
Actors guilds or similar	3	29
Advertising in a public paper or flyer	66	35

Source: Survey of Fair Housing Initiative Program grantees

## Organization-Initiated and FHAP-Initiated Investigations

Some investigations do not result from inquiries that individuals made. Investigations can be ‘organization-initiated,’ which begin with systematic investigations of housing market patterns by FHIP grantee organizations (Table 52). Organization-initiated investigations have the potential to help a large number of people if they uncover systematic discrimination against protected classes. Because this type of investigation is more complex, however, it typically requires more time to complete than an individual complainant investigation.

It appears that a nearly equal number of respondents conducted most of their tests in response to either individual- or organization-initiated complaints (see the bolded numbers in Table 53). Of 41 respondents, 32 percent conducted most or all of their tests in response to an organization-initiated complaint and just about the same proportion (29 percent) conducted most or all of their tests in response to complaints brought by individuals. Of the respondents, 22 percent were equally likely to conduct tests from individual- or organization-initiated complaints (Table 53).

According to the representatives of FHIP grantee organizations who were interviewed for this study, the number of tests conducted in response to individual-initiated complaints versus those that were organization-initiated was a function of the number of testable complaints a FHIP grantee organization received during a year. Some complaints, such as those related to the availability of either rental or sales housing, or the terms and conditions associated with either type of transaction, were more easily investigated with testing. Representatives of FHIP grantee organizations said it was difficult to know from one year to the next what share of individual complaints can be investigated using tests.

In addition to conducting tests for individual- and organization-initiated complaints, some FHIP grantees conducted tests for local FHAP organizations. Most respondents (53 percent) indicated that they conducted tests in FY 2006 in response to a request from a HUD or FHAP agency; 38 percent of respondents conducted tests in response to a settlement or court order, and 36 percent of respondents conducted tests as part of a research program.

**Table 52. Distribution of Share of Grantee Organization-Initiated Inquiries Investigated With PEI Grant Funding**

Percent of Investigations Funded With PEI Grants	Number of Respondents	Percent of Organization-Initiated Complaints Resulting in an Investigation Funded With PEI Grants	Percent of Respondents
< 25	8	6	23
25–49	3	29	9
50–74	2	62	6
75–99	4	86	11
100	18	100	51
Total	35	65	100

PEI = Private Enforcement Initiative.

Source: Survey of Fair Housing Initiative Program grantees

	Share of Tests Conducted in Response to Organization-Initiated Complaints			Total
	None or a Few (%)	Roughly One-Half (%)	Most or All (%)	
Share of tests conducted in response to individual-initiated complaints	10	5	<b>32</b>	46
	0	<b>22</b>	0	22
	<b>29</b>	2	0	32
Total	39	29	3%	100

Source: Survey of Fair Housing Initiative Program grantees

# 6 Description of FHIP Grantees' Education and Outreach Activities

Enforcement of fair housing laws, in many cases, depends on people who have suffered discrimination making complaints that can be investigated and remediated. Real estate participants, including realtors, lenders, and property managers, must be aware of actions that violate fair housing laws and avoid prohibited actions. Many Fair Housing Initiatives Program grantees conduct education and outreach activities that help to inform people who may be at risk for discrimination and real estate participants about the rights and responsibilities required by fair housing laws. Several survey respondents wrote about the importance of providing this service to the community:

Without groups like ours, individuals do not know who to contact to help them or how to navigate the process and get the evidence they need to show they have been a victim of discrimination. We also distribute thousands of fair housing publications each year, which help educate housing providers, so they do not unknowingly discriminate.

Another respondent wrote about education and outreach:

They help the general public become aware of their rights under the Fair Housing Act and learn how to report a complaint. A broader education and outreach campaign is essential. If people don't know their rights, they won't know when they're making violations or experiencing violations. If they don't know there's a problem, they can't fix it.

The grantees use education and outreach to increase enforcement activities, according to one case study participant, "We had a grant ... it was a moving ad, limited to 10 seconds—it doubled client load while it ran."

Out of 68 respondents, 55 indicated that they provided fair housing education in FY 2006. Survey respondents provided fair housing training to 167,962 individuals, a mean of 3,054 people per respondent. Of the survey respondents, 52 provided fair housing training to 1,807 organizations, a mean of 35 organizations per respondent (Table 54).

Respondents referred to a variety of sources for materials they used for education and outreach activities in FY 2006. Of the respondents, 90 percent indicated they used materials they developed in house. In addition, 80 percent of these respondents used materials that HUD or the Federal Reserve Board developed. The two most common HUD sources that respondents used were *Fair Housing: Equal Opportunity for All* and *Fair Housing Act Design Manual*.

**Table 54. Individuals and Organizations Receiving Fair Housing Education or Training From Respondents, FY 2006**

	<b>Number of People Receiving Fair Housing Education or Training From Respondent</b>	<b>Number of Organizations With Staff Receiving Fair Housing Education or Training From Respondent</b>
Total	167,962	1,807
Mean	3,054	35
Median	610	19
Min	100	2
Max	33,000	210
N	55	52

Source: Survey of Fair Housing Initiative Program grantees

The most common education and outreach activity, which 100 percent of respondents performed in FY 2006, was distributing educational materials. Other common activities included training landlords and apartment management agencies (96 percent), training real estate agents (83 percent), and convening meetings for representatives of the housing industry and fair housing groups (85 percent) (Table 55).

Education and outreach activities were not fully supported by Education and Outreach Initiative funds. Depending on the activity, such funds were used in FY 2006 to finance between 6 percent and 33 percent of individual education and outreach activities (Table 55).

This finding was consistent with the analysis presented previously that showed that EOI funds provided about 30 percent of respondents' 2006 budget for education and outreach activities. Presumably, the remaining funds used to finance education and outreach activities completed in FY 2006 came from local, county, and state governments, either through Community Development Block Grant funds or other sources—the two largest sources of the education and outreach budgets for survey respondents.

**Table 55. Education and Outreach Activities That Respondents Completed and the Proportion of Activities Funded With EOI Grant Funding, FY 2006**

<b>Education and Outreach Activities</b>	<b>Number of Respondents Undertaking Education and Outreach Activities</b>	<b>Percent of Respondents</b>	<b>Percent of Respondents Who Used EOI Grants To Finance Activities</b>
Develop educational materials	45	83	24
Distribute educational materials	55	100	29
Analyze local impediments to housing choice	32	59	6
Provide housing counseling and classes	34	62	21
Convene meetings to bring together the housing industry and fair housing groups	47	85	26
Develop technical materials on accessibility	11	22	27
Launch media campaigns	24	45	33
Training landlord and management agencies	53	96	25
Training real estate agents	45	83	25
Training lenders	17	33	24
Training local government officials	39	74	18
Other	12	63	25

*EOI = Education and Outreach Initiative.*

*Source: Survey of Fair Housing Initiative Program grantees*

# 7 Comparing Outcomes for FHIP-Referred and Non-FHIP-Referred Complaints

This section<sup>21</sup> of the Fair Housing Initiatives Program study presents comparative analyses of outcomes for FHIP-referred and non-FHIP-referred complaints that were closed between FY 2003 and FY 2005. During this period, approximately 10 percent of the 26,090 complaints that HUD and FHAP agencies closed were FHIP-referred cases. For this section, FHIP organizations are organizations that have ever received a FHIP grant.

The purpose of this section is to examine four hypotheses about the role FHIP organizations play in the process of enforcing fair housing laws. The hypotheses are as follows:

- 1. FHIP organizations filter inquiries, reducing burden for HUD and FHAP investigators.** The survey in section 5 shows that only 15 percent of cases that FHIP organizations investigated and closed were referred to HUD or FHAP agencies for investigation; 43 percent were determined not to have a case; and 27 percent were resolved by the FHIP organization itself without a referral to HUD or a FHAP agency. FHIP organizations appear to reduce the number of inquiries without basis for a complaint and some portion of the cases HUD or FHAP agencies likely would have conciliated. This survey result can be tested by comparing the proportion of inquiries brought by FHIP organizations to HUD compared with all inquiries brought to HUD. If most FHIP-referred inquiries are converted to a complaint then, this prescreening role might suggest that FHIP organizations are reducing the number of inquiries HUD and FHAP staff have to process.
- 2. FHIP organizations act as a representative for complainants, resulting in better outcomes.** Under this hypothesis, having a FHIP organization represent a complainant helps potential victims of housing discrimination in their contact with HUD or FHAP investigators and respondents. This approach would presumably lead to fewer administrative closures and more cause findings and conciliations as compared with other cases without a FHIP organization representative.
- 3. FHIP organizations do testing and other investigations that increase the merit of a case and thus lead to better outcomes for complainants.** HUD and FHAP agencies rarely include testing as part of their investigation. Nearly all cases with testing evidence are those that involve a FHIP organization. The premise is that testing and other preinvestigation that a FHIP organization conducts increases the merits of a case and leads to better outcomes for the complainant.
- 4. FHIP organizations are critical to the investigation of complicated cases.** HUD and FHAP agencies react to complaints from individuals and thus are largely demand driven. Rarely do HUD and FHAP investigators identify a potential area of discrimination and initiate their own investigations. In contrast, as the survey results show, FHIP organizations initiate a significant number of their own investigations, particularly related to complicated cases such as fair lending, design and construction, pattern and practice, and zoning. If FHIP organizations are involved with most or all complaints related to fair lending, design and construction, pattern and practice, and zoning, this would support this hypothesis.

## Background on FHIP-Referred Complaints

For this analysis, the FHIP-referred complaints are divided into two important subgroups:

- 1. FHIP organization as the complainant.** These are cases in which an FHO is listed as a complainant on a case.
- 2. FHIP organization as the representative for the complainant.** These cases do not have an FHO listed as a complainant but are instead listed as a representative to the complainant in the case.

<sup>21</sup> Todd Richardson of HUD's Office of Policy Development and Research wrote section 7 of this study.

The FHIP-referred complaints were identified using a methodology described in section 1. As discussed in that section, there may be some data reliability issues associated with the way HUD regional offices report data into the Title VIII Automated Paperless Office Tracking System. Nonetheless, the data are analyzed in this section, as they provide a rich source of information about outcomes for complaints referred to HUD and FHAP agencies by both FHIP grantees as compared with cases in which a FHIP organization is not involved.

Before presenting this analysis, it is important to explain the process HUD and FHAP agencies use when they receive an inquiry about a suspected violation of the Fair Housing Act. For each inquiry<sup>22</sup> it receives, HUD or FHAP agencies determine the jurisdictional elements associated with the allegation contained within the inquiry. If the inquiry is jurisdictional, it is classified as a complaint and entered and tracked in TEAPOTS. HUD or FHAP agencies investigate all complaints, and the investigator attempts to close the complaint through conciliation before the conclusion of the investigation.<sup>23</sup> The statute calls for fair housing investigations conducted by FHEO and FHAP offices to be completed within 100 days of the filing of the complaint or inquiry.

The purpose of the HUD or FHAP investigations is to determine if there is reasonable cause to believe the Fair Housing Act has been violated. A complaint will be closed through administrative closure if there are problems contacting the complainant or respondent (housing provider) or if it is determined later that the case was not filed in time. If a case is not conciliated successfully during the investigation, two possible conclusions exist. A determination of reasonable cause can be issued, which means there is evidence of illegal housing discrimination, and the case is then charged. After the case is charged, it may be filed in federal court or adjudicated at a HUD administrative hearing. The other possibility is that a determination of no reasonable cause is issued, which means that the investigator did not find reasonable evidence of illegal housing discrimination.

## Do FHIP Organizations Act As a Filter, Providing Cases More Likely To Be Jurisdictional and Have Merit?

Table 56 shows the total number of inquiries that HUD received divided by those brought by a FHIP organization as a complainant or as a representative for a complainant and compares them with all inquiries that HUD received. As the table shows, 90 percent of FHIP-generated inquiries that are referred to HUD are converted to complaints, compared with 38 percent of inquiries brought directly to HUD. This finding tends to support the survey results from section 6 that only 15 percent of FHIP cases are referred to HUD, suggesting that FHIP organizations play an important filtering role in the number of inquiries that HUD and FHAP agencies received. Expanding on the survey results that showed FHIP organizations brought only 15 percent of their inquiries forward as complaints to HUD or FHAP agencies, it is possible to estimate that FHIP organizations likely reduced the number of fair housing inquiries to HUD (mostly inquiries without merit) by 11,464 in the 3 years of FY 2003 through FY 2005. That is, FHIP organizations likely reduced HUD's inquiry workload by nearly one-fourth.

**Table 56. Inquiries to HUD Field Offices That Were Converted to Complaints (Jurisdictional)**

	Non-FHIP-Referred Complaints	FHIP Organization as a Complainant	FHIP Organization as a Representative for a Complainant	Total
Inquiry unfiled	62%	10%	10%	59%
Jurisdictional	38%	90%	90%	41%
Total	100%	100%	100%	100%
N	36,489	754	1,269	38,512

*FHIP = Fair Housing Initiative Program. HUD = U.S. Department of Housing and Urban Development.*

*Note: Although Table 56 represents only cases for which HUD received an inquiry directly, all other tables in this section refer to filed complaints with either HUD or a FHAP agency and recorded in HUD's Title VIII Automated Paperless Office Tracking System (TEAPOTS) database.*

*Source: Authors' analysis of the HUD TEAPOTS database*

<sup>22</sup> HUD can receive inquiries from FHAP agencies and directly from individuals. This leads to some confusion regarding terminology. A FHIP grantee organization refers to a situation in which an individual contacts the organization alleging a fair housing violation as a complaint. HUD, in a similar circumstance, refers to this activity as an inquiry.

<sup>23</sup> 42 U.S.C. Section 3610 (b) (1).

## Do FHIP Organizations Improve Outcomes for Complainants, Either as a Representative or Through Their Supporting Investigations?

The second and third hypotheses presume that a FHIP organization involvement in a case should result in better outcomes for complainants.

To test these basic hypotheses, data from TEAPOTS are analyzed. HUD uses the TEAPOTS data for all complaints filed either with HUD or a FHAP agency. Unlike the inquiries discussed previously, HUD or FHAP investigators determined that all the complaints used in this analysis were under the jurisdiction of either HUD or FHAP, as determined by the Fair Housing Act.

A total of 23 potential outcomes are reported in the TEAPOTS database. To simplify this analysis, these 23 outcomes were recoded into four categories: (1) administrative closure, (2) conciliation and settlement, (3) a cause finding, and (4) a no cause finding, using the classification system detailed in Table 57.

As Table 58 shows, 4 percent of the cases closed between 2003 and 2005 were cases in which a FHIP organization was listed as a complainant and 6 percent were cases in which a FHIP organization was listed as a representative to a complainant. Comparing their overall representation in number of cases to their share of cause cases show that FHIP organizations have a rate of cause twice their share of all cases (8 percent compared with 4 percent for a FHIP organization as a complainant and 11 percent compared with 6 percent for a FHIP organization as a representative for a complainant).

In addition, Table 59 shows that 71 percent of the cases in which a FHIP organization is a complainant resulted in a conciliation (63 percent) or a cause (8 percent). These data compare with 37 percent for non-FHIP-referred cases. The 43 percent of cases that were conciliated or caused in which a FHIP organization was a representative for the complainant is still higher than the percentage of non-FHIP-referred complaints that resulted in a conciliation or cause outcome, but only by a small margin.

**Table 57. Coding Method Used To Reclassify TEAPOTS Outcomes**

<b>Outcome Reported in TEAPOTS</b>	<b>Outcome Used in the Analysis</b>
Untimely filed	Administrative closure
Dismissed for lack of jurisdiction	Administrative closure
Unable to locate complainant	Administrative closure
Complainant failed to cooperate	Administrative closure
Unable to identify respondent	Administrative closure
Complaint withdrawn by complainant without resolution	Administrative closure
Unable to locate respondent	Administrative closure
Closed because trial has begun	Cause finding
Conciliation and settlement successful	Conciliation and settlement
Complaint withdrawn by complainant after resolution	Conciliation and settlement
No cause determination	No cause finding
DOJ dismissal	Cause finding
DOJ settlement	Cause finding
FHAP judicial consent order	Cause finding
FHAP judicial dismissal	Cause finding
Litigation ended—discrimination found	Cause finding
Litigation ended—no discrimination found	Cause finding
Administrative hearing ended—discrimination found	Cause finding
Administrative hearing ended—no discrimination found	Cause finding
ALJ consent order entered after issuance of charge	Cause finding
ALJ dismissal	Cause finding
Election made to go to court	Cause finding
Appeals Court upholds ALJ finding of discrimination and no appeal	Cause finding

*ALJ = administrative law judge. DOJ = U.S. Department of Justice. FHAP = Fair Housing Assistance Program. TEAPOTS = Title VIII Automated Paperless Office Tracking System.*

*Source: Authors' analysis of the HUD TEAPOTS database*



**Table 58. Comparison of Overall Representation for Non-FHIP-Referred and FHIP-Referred Complaints by Closure Type, FY 2003–FY 2005**

Outcome Category	Non-FHIP-Referred Complaints (%)	FHIP Organization as a Complainant (%)	FHIP Organization as a Representative for a Complainant (%)	Total (%)	Total Number of Complaints
Administrative closure	91	4	6	100	3,213
Conciliation and settlement	88	6	6	100	9,088
No cause finding	94	1	5	100	12,845
Cause finding	80	8	11	100	944
Total	91	4	6	100	26,090

FHIP = Fair Housing Initiative Program.

Source: Authors' analysis of the U.S. Department of Housing and Urban Development Title VIII Automated Paperless Office Tracking System database

**Table 59. Comparison of Reasons for File Closure for Non-FHIP-Referred and FHIP-Referred Complaints, FY 2003–FY 2005**

Outcome Category	Non FHIP-Referred Complaints	FHIP Organization as a Complainant	FHIP Organization as a Representative for a Complainant	Total
Administrative closure	12%	13%	12%	12%
Conciliation and settlement	34%	63%	36%	35%
No cause finding	51%	15%	45%	49%
Cause finding	3%	8%	7%	4%
Total	100%	100%	100%	100%
N	23,675	927	1,488	26,090

FHIP = Fair Housing Initiative Program.

Source: Authors' analysis of the U.S. Department of Housing and Urban Development Title VIII Automated Paperless Office Tracking System database

These findings are difficult to evaluate in terms of the hypothesis on whether or not FHIP organizations improve outcomes for complainants. FHIP involvement does seem to result in modestly improved outcomes for complainants that they refer to HUD or FHAP and represent, and much better outcomes for when they are a complainant or co-complainant. These findings could be due to FHIP organizations operating as a filter of complaints for HUD or FHAP rather than adding value through their role as a representative for the complainant.

In addition, if FHIP organization involvement leads to a longer investigation time on the part of HUD or FHAP agencies, their role as a representative could slow down an investigation, and it might lead to less favorable outcomes. Table 60 shows that FHIP organizations as complainant or as representative result in slightly longer processing times by HUD, which may be because FHIP organizations refer more complicated cases to HUD and FHAP agencies.

Table 61 shows a more nuanced picture of the average time to process, showing that cause finding cases with a FHIP organization involved were processed faster than non-FHIP cases, although conciliations and no cause finding cases with FHIP organization involvement took longer.

The shorter amount of time it takes to investigate a cause finding case is consistent with the theory that FHIP organizations do a significant amount of the investigation work, including testing, to make a determination for a cause finding easier for HUD and FHAP investigators than a case that is brought independently by a complainant directly to HUD or a FHAP. This finding is particularly relevant for cases in which FHIP organizations act as the representative for a complainant.

The longer amount of time it takes for a conciliation to occur once a case has been referred to HUD is consistent with the FHIP organizations acting as a filter by completing the easy-to-conciliate cases in house. As section 5 shows, FHIP organizations reported that 27 percent of the cases they investigated were resolved without filing with HUD or FHAP agencies, implying that FHIP organizations are conciliating the easy-to-conciliate cases without bringing them to HUD or a FHAP agency and suggesting that the cases being brought to HUD are likely to be the more complicated cases.

The most compelling evidence supporting the hypothesis that FHIP organization investigation and testing improve outcomes for complainants is that FHIP organizations are the primary source of the testing evidence used to support a complaint. FHIP organizations are involved with only 10 percent of the total complaints that FHAP and HUD investigate, but they represent 85 percent of the cases with testing evidence. Table 62 shows that the bulk of the testing evidence comes from cases in which the FHIP organization is the complainant (72 percent), which likely explains the very high cause and conciliation rate for cases in which FHIP is a complainant, as discussed previously. In part, this result is probably because it is based largely on testing cases that a FHIP organization is likely to file as a complainant or co-complainant, because FHIP organizations likely choose to involve themselves in cases that have merit based on testing evidence. Of the 927 complaints in which a FHIP organization was a complainant, 42 percent have testing. This result compares with approximately 5 percent of the cases in which a FHIP organization acts as a representative (and only 0.4 percent for non-FHIP cases).

Table 63 shows that a complaint that has testing involved is much more likely to result in a conciliation or a cause finding as compared with cases without testing. This finding is probably a large contributor to the much higher rate of complaints with a FHIP organization as a complainant ending in a cause finding or conciliation relative to other complaints.

Table 64 shows the regional variation in outcome, which indicates the same pattern of higher “good outcomes” for FHIP organizations as the complainant across regions, with a smaller “better outcome” result for FHIP organizations acting as representatives for the complainant. Perhaps more interesting is that significant regional variation existed in the share of complaints processed, ranging from a low of only 3 percent in the Mid-Atlantic Region to a high of 23 percent in the Rocky Mountain Region. This variation in the proportion of cases that are referred by region raises more questions than it answers. Is it because of the allocation of FHIP grants or is it that FHIP organizations are more likely or willing to refer cases to HUD or a FHAP agency in some regions than in others?

The evidence presented here generally supports the hypothesis that FHIP organization involvement in a case improves outcomes for complainants. Their role as an initial filter for cases and, in particular, their role of providing testing evidence to support a complaint seem to be their most powerful added values. The evidence that their role as a representative for a complainant improves complaint outcomes is not well supported from this analysis.

**Table 60. Comparison of the Mean Number of Days Between HUD Receiving a Complaint and Closing a File for Non-FHIP-Referred and FHIP-Referred Complaints, FY 2003–FY 2005**

Total Days From Filed Date	Non-FHIP-Referred Complaints	FHIP Organization as a Complainant	FHIP Organization as a Representative for a Complainant
Median	149	169	190
Mean	227	291	265

*FHIP = Fair Housing Initiative Program. HUD = U.S. Department of Housing and Urban Development.*

*Source: Authors' analysis of the HUD Title VIII Automated Paperless Office Tracking System database*

**Table 61. Comparison of the Mean Number of Days Between HUD Receiving a Complaint and Closing a File for Non-FHIP-Referred and FHIP-Referred Complaints by Closure Type, FY 2003–FY 2005**

Outcome Category	Non-FHIP-Referred Complaints	FHIP Organization as a Complainant	FHIP Organization as a Representative for a Complainant
Administrative closure	134	119	148
Conciliation and settlement	108	156	149
No cause finding	173	200	207
Cause finding	708	673	495
N	23,675	927	1,488

*FHIP = Fair Housing Initiative Program. HUD = U.S. Department of Housing and Urban Development.*

*Source: Authors' analysis of the HUD Title VIII Automated Paperless Office Tracking System database*

**Table 62. Testing as Part of a Complaint for Non-FHIP-Referred and FHIP-Referred Complaints, FY 2003–FY 2005**

	Non-FHIP-Referred Complaints	FHIP Organization as a Complainant	FHIP Organization as a Representative for a Complainant	Total
Testing	15%	72%	13%	100%
N	83	391	68	542

FHIP = Fair Housing Initiative Program.

Source: Authors' analysis of the U.S. Department of Housing and Urban Development Title VIII Automated Paperless Office Tracking System database

**Table 63. Case Outcomes for Cases With and Without Testing for Complaints, FY 2003–FY 2005**

Outcome Category	Without Testing	With Testing
Administrative closure	12%	8%
Conciliation and settlement	34%	63%
No cause finding	50%	23%
Cause finding	4%	6%
N	25,548	542

Source: Authors' analysis of the U.S. Department of Housing and Urban Development Title VIII Automated Paperless Office Tracking System database

**Table 64. Regional Distribution of FHIP-Referred Cases and the Cause Finding and Conciliation Rate for Complaints by Region, FY 2003–FY 2005**

HUD Region	Non-FHIP-Referred Complaints		FHIP Organization as a Complainant		FHIP Organization as a Representative for Complainant		Total		All FHIP Cases (%)
	Total Cases (N)	Cause Finding or Conciliation (%)	Total Cases (N)	Cause Finding or Conciliation (%)	Total Cases (N)	Cause Finding or Conciliation (%)	Total Cases (N)	Cause Finding or Conciliation (%)	
Headquarters	31	10	1	0	1	0	33	9	6
New England	1,363	38	16	88	72	40	1,451	39	6
New York/New Jersey	1,849	31	31	74	56	46	1,936	32	4
Mid-Atlantic	1,767	42	35	51	26	69	1,828	43	3
Southeast/Caribbean	3,966	28	80	63	260	44	4,306	30	8
Midwest	3,856	38	209	74	438	47	4,503	40	14
Southwest	3,089	38	115	63	264	38	3,468	39	11
Great Plains	2,575	45	111	89	87	32	2,773	46	7
Rocky Mountain	694	34	101	74	101	44	896	40	23
Pacific	3,667	39	119	73	103	39	3,889	40	6
Northwest	818	36	109	68	80	44	1,007	40	19

FHIP = Fair Housing Initiative Program. HUD = U.S. Department of Housing and Urban Development.

Notes: The Pacific Region includes Hawaii. The Northwest Region includes Alaska.

Source: Authors' analysis of the HUD Title VIII Automated Paperless Office Tracking System database

## Are FHIP Organizations Critical to Investigating Complicated Cases?

Differences between outcomes for FHIP-referred and non-FHIP-referred complaints could result from a variation in the share of protected class types among FHIP-referred complaints. Table 65 shows that FHIP organizations acting as a complainant have a much higher rate of being involved in familial status cases and a much lower rate of being involved in race and ethnicity cases, compared with cases in which the FHIP organization is a representative for the complainant, and for non-FHIP-referred complaints.

Quite striking is that 41 percent of the total cases that FHIP organizations handled as a complainant are familial status complaints compared with 21 percent for FHIP organizations as a representative and 14 percent for cases in which FHIP organizations were not involved (Table 66). Equally striking is that only 25 percent of the cases that the FHIP organization acted as the complainant were race and ethnicity cases compared with the 51 percent of the non-FHIP-referred complaints.

FHIP organizations also play an extremely important role in bringing design and construction complaints forward. They are involved in 42 percent of the design and construction complaints.

In some instances, HUD is required to refer cases to DOJ for further investigation. For example, DOJ has exclusive authority for investigating zoning and land use cases. In addition, it has exclusively delegated authority to investigate pattern and practice cases and can pursue investigations beyond HUD's 1-year statute of limitations.

Table 67 shows that although FHIP organizations are involved in only 10 percent of all cases referred to HUD and FHAP agencies, FHIP organizations seem to play an important role in pattern and practice cases and a modestly important role in zoning/land use cases.

FHIP organizations, particularly when they are the complainants, are key contributors to familial status, design and construction, and pattern and practice cases. For these types of cases, they participate in 40 to 60 percent of these complaint types, although they are involved in only 10 percent of all cases referred to HUD or FHAP agencies.

The summary of findings from this section include (1) FHIP organizations act as a filter of nonjurisdictional complaints, and FHIP-referred complaints are much more likely to result in a finding of cause or conciliation than are complaints from other sources; (2) complaints in which FHIP organizations are a complainant are more likely to be closed as a conciliation or cause finding compared with complaints in which FHIP organizations act as a representative to the complainant and with non-FHIP-referred complaints; (3) FHIP organizations are the primary source for testing evidence associated with complaints and rely heavily on FHIP grants as a stable source of funding for enforcement and testing activities; and (4) FHIP organizations play an important role in complex complaints relating to design and construction cases and pattern and practice cases, and these more complex FHIP-referred complaints may be the reason why FHIP-referred cases may take longer to close than non-FHIP-referred complaints.

**Table 65. Proportion of Cases by FHIP Referral Type—Complaints Closed, FY 2003–FY 2005**

	<b>Non-FHIP-Referred Complaints</b>	<b>FHIP Organization as a Complainant</b>	<b>FHIP Organization as a Representative for a Complainant</b>	<b>Total</b>
Race/ethnicity	51%	25%	46%	50%
Disability	39%	39%	38%	39%
Gender	10%	4%	11%	10%
Familial status	14%	41%	21%	16%
Other	4%	1%	3%	4%
Total*	118%	108%	119%	118%
N	23,587	915	1,487	25,989

*FHIP = Fair Housing Initiative Program.*

*\*Sum of the subgroups adds to greater than 100 percent of the total due to multiple class cases.*

*Source: Authors' analysis of the U.S. Department of Housing and Urban Development Title VIII Automated Paperless Office Tracking System database*

**Table 66. Proportion of Design and Construction Cases by FHIP Referral Type—Complaints Closed, FY 2003–FY 2005**

	<b>Non-FHIP-Referred Complaints</b>	<b>FHIP Organization as a Complainant</b>	<b>FHIP Organization as a Representative for a Complainant</b>	<b>Total</b>
Design and construction	58%	37%	5%	100%
N	85	54	7	146

*FHIP = Fair Housing Initiative Program.*

*Source: Authors' analysis of the U.S. Department of Housing and Urban Development Title VIII Automated Paperless Office Tracking System database*

**Table 67. Proportion of Types of DOJ Investigations by FHIP Referral Type—Complaints Closed, FY 2003–FY 2005**

<b>DOJ Referrals</b>	<b>Non-FHIP-Referred Complaints</b>	<b>FHIP Organization as a Complainant</b>	<b>FHIP Organization as a Representative for a Complainant</b>	<b>Total</b>
Criminal prosecutions	100%	0%	0%	100%
N	25	0	0	25
Other cases	79%	7%	14%	100%
N	11	1	2	14
Pattern and practice	44%	46%	9%	100%
N	43	45	9	97
Zoning/land use	78%	7%	15%	100%
N	102	9	20	131

*DOJ = U.S. Department of Justice. FHIP = Fair Housing Initiative Program.*

*Source: Authors' analysis of the U.S. Department of Housing and Urban Development Title VIII Automated Paperless Office Tracking System database*

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## Additional Reading

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## Glossary of Abbreviations and Acronyms

AEI	Administrative Enforcement Initiative
ALJ	administrative law judge
CDBG	Community Development Block Grant
DOJ	U.S. Department of Justice
EOI	Education and Outreach Initiative
FHA	Federal Housing Administration
FHAP	Fair Housing Assistance Program
FHEO	Fair Housing and Equal Opportunity
FHIP	Fair Housing Initiatives Program
FHO	Fair Housing Organization
FHOI	Fair Housing Organizations Initiative
GPRA	Government Performance Results Act
GTR	government technical representative
HBCU	Historically Black Colleges, and Universities
HUD	U.S. Department of Housing and Urban Development
NFHA	National Fair Housing Alliance
NOFA	Notice of Funding Availability
OMB	Office of Management and Budget
PART	Program Assessment Rating Tool
PEI	Private Enforcement Initiative
QFHO	qualified fair housing enforcement organization
SIP	Secretary Initiated Projects
TEAPOTS	Title VIII Automated Paperless Office Tracking System

# A

## Appendix

# Fair Housing Initiatives Program Web Survey in Telephone Instrument Guide Format

Please take a few minutes to complete this survey. DB Consulting is conducting a program evaluation of the Fair Housing Initiatives Program on behalf of the U.S. Department of Housing and Urban Development (HUD). This study is intended to provide HUD with an in-depth understanding of how fair housing agencies function and what role FHIP funds play in supporting their operation. This information may be used by HUD as part of future budget justifications for the program, design of new performance measures, and program changes. Your response to the survey is critical to the success and validity of this research.

Your participation in this survey is voluntary. The questions have been approved by the United States Office of Management and Budget, number xxxxxx. It is estimated that it will take you between 45 and 90 minutes to complete the survey. If you do not have time to complete the survey in one sitting, you can return to it at a later time.

Note that this is a survey of all FHIP agencies receiving grants between FY 2003 and FY 2005. Most of the questions are about your agency in 2006, whether or not you received a grant in FY 2005. This is intentional, as we are interested in how groups operate in years when they get funding as well as when they do not get funding. We think by asking about 2006, the information will be most fresh in your mind and we can analyze the data both by current grantees and former grantees.

To make responding to this survey easier for you, you may choose to use calendar year 2006 or your agency's fiscal year 2006, whichever you have better data on budget and program operations. Our objective is to have the best data possible for the most recently completed 12 month period.

## Contact Information

In case we need to follow up with you to clarify any response, please provide the following contact information:

- A) Name of Primary Person Completing Survey: .....
- B) Title: .....
- C) Phone Number: .....
- D) Email: .....

## Questions

### Organizational Mission

As part of this evaluation, HUD is trying to understand the variety of models fair housing organizations use nationwide and in what context of the agency's mission does their fair housing work fall. The following questions asked about your organization's mission and structure:

1) What is the overall mission of your organization?

2) How does fair housing fit within your overall mission?

- Exclusive role.....
- Primary role.....
- Significant role among several.....
- Secondary role.....
- Minor role.....

### Organization Structure

3) Which of the following describes your organization?

- Non-profit .....
- State government .....
- Local government .....

4a) Does your organization have a Board of Directors?

- Yes .....
- No .....

4b) If yes, what is the size of your organization's Board of Directors (including vacancies)? \_\_\_\_\_

4c) How many of the Board of Director positions are currently vacant? \_\_\_\_\_

4d) Does your Board of Directors include representatives from:

- (a) Other civil rights organizations ..... Yes  No
- (b) Legal professionals ..... Yes  No
- (c) Residents of the target service area ..... Yes  No
- (d) Landlords or landlord organizations ..... Yes  No
- (e) Real estate agents/organizations ..... Yes  No
- (f) The lending industry (such as bankers) ..... Yes  No
- (g) Government agencies ..... Yes  No
- (h) Faith Based/Clergy ..... Yes  No
- (i) Other non-profits ..... Yes  No
- (j) Unions/Labor Organizations ..... Yes  No
- (k) Individuals representing themselves ..... Yes  No

4e) How many board members have been on the board for:

- (a) 10 years or longer? ..... \_\_\_\_\_
- (b) 5 to 10 years? ..... \_\_\_\_\_
- (c) 2 to 5 years? ..... \_\_\_\_\_
- (d) Less than 2 years? ..... \_\_\_\_\_

5a) Is your agency an operating member of the National Fair Housing Alliance?

- Yes (skip to 6) .....
- No .....

5b) If No, is your agency a supporting member of the National Fair Housing Alliance?

- Yes .....
- No .....

6) Is it a member of any civil rights organizations?

- Yes .....   
Specify \_\_\_\_\_
- No .....

7) Is it affiliated with other organizations?

- Yes .....   
Specify \_\_\_\_\_
- No .....

### Organization History

As part of this evaluation, HUD wants to know about organization history and where and whom it generally serves. This information will help understand more about FHIP organization stability and the overall geographic coverage by FHIP agencies nationwide.

8) In what year was your organization founded (legally incorporated)? \_\_\_\_\_

9) In what year did it first become active in fair housing activities? \_\_\_\_\_

10a) Has your agency's involvement in fair housing activities been continuous since that time or has it been discontinuous (that is, stopped doing fair housing activities at some point and then restarted)?

Continuous (skip to 11) .....

Discontinuous .....

10b) If discontinuous, why did it stop providing fair housing services?

10c) If discontinuous, in what year did it become active in fair housing activities for the most recent period of continuous activity?

### Service Area and Population

11a) Please describe your organization's fair housing primary service area? (That is, the area where you primarily market your program and where most of the clients you serve live).

Targeted neighborhood(s) .....

A single city .....

A single county .....

A single metropolitan area.....

Multiple cities and/or counties outside of a metropolitan area.....

Statewide .....

Multiple states (specify) \_\_\_\_\_.....

Nationwide.....

Other (specify) \_\_\_\_\_.....

11b) What is the approximate population of your fair housing primary service area? (That is, the number of people in the area where you primarily market your program and where most of the clients you serve live). \_\_\_\_\_

12a) In 2006, did your organization primarily market to a specific population or populations?

Yes .....

No (skip to 13) .....

12b) If yes, what population(s) did your organization primarily market to in 2006 (you may select more than one)?

Persons with Disabilities.....

Families .....

Blacks or African Americans .....

Hispanics or Latinos .....

Asians.....

American Indians or Alaska Natives.....

- Native Hawaiians or Other Pacific Islanders.....
- Immigrants.....
- Low-Income .....
- Women.....
- Men .....
- Other .....
- Specify \_\_\_\_\_

12c) In 2006, did your group limit its fair housing services to only families below a specified income threshold (such as low-income)?

- Yes .....
- No .....

13) Please indicate whether or not your organization provided the following fair housing services in 2006 (you may select more than one)?

- Education and Outreach .....Yes  No
- Investigations Involving Testing.....Yes  No
- Non-Testing Investigations (such as interviewing friendly witnesses) .....Yes  No
- Referrals to pro-bono or contingency attorneys .....Yes  No
- Research Involving Testing .....Yes  No
- Other .....Yes  No
- Specify \_\_\_\_\_

14) If your organization provided other services beyond fair housing in 2006, what were the three largest types of programs provided?

- (a) Largest: .....
- (b) Second Largest: .....
- (c) Third Largest: .....

15a) How do you market your fair housing services? Check each activity you used in 2006.

- Yellow pages.....
- Radio advertisement .....
- Newspaper advertisement .....
- Bus advertisement .....
- Internet advertisement .....
- Brochures .....
- Newsletters.....
- Presentations to organizations/civic groups.....
- Other .....
- Specify \_\_\_\_\_
- Specify \_\_\_\_\_
- Specify \_\_\_\_\_

15b) Does your organization have a Web page?

- Yes .....
- No .....

16a) Do you ask clients how they became aware of your fair housing services?

- Yes .....
- No (skip to 17) .....

16b) Please indicate (by numbering 1,2,3), the three most common ways clients reported that they learned about your agency?

- Yellow pages..... \_\_\_\_\_
  - Radio advertisement ..... \_\_\_\_\_
  - Newspaper advertisement ..... \_\_\_\_\_
  - Bus advertisement ..... \_\_\_\_\_
  - Internet advertisement ..... \_\_\_\_\_
  - Internet search (Google, Yahoo, etc) ..... \_\_\_\_\_
  - Friend, neighbor, or relative ..... \_\_\_\_\_
  - Brochures ..... \_\_\_\_\_
  - Newsletters..... \_\_\_\_\_
  - Presentations to organizations/civic groups..... \_\_\_\_\_
  - Referral from another agency ..... \_\_\_\_\_
  - Other ..... \_\_\_\_\_
- Specify \_\_\_\_\_

### Technology

17a) In 2006, approximately how many of your regular staff had a working computer available for their exclusive use?

- "All"  "Most"  "Roughly Half"  "A few"  "None"

17b) In 2006, approximately how many of your regular staff had a working computer available for their exclusive use that also had access to the internet?

- "All"  "Most"  "Roughly Half"  "A few"  "None"

17c) In 2006, did your organization have a working fax machine?

- Yes  No

17d) In 2006, did your organization use audio recorders in its fair housing testing? (select only one)

- Yes, all of the time  Yes, some of the time  No  Not legal in our state  We do not do testing

17e) In 2006, did your organization use any of the following information services as part of its fair housing work?

- (a) Westlaw .....Yes  No
- (b) LexisNexis .....Yes  No
- (c) Census Data .....Yes  No
- (d) Other .....Yes  No

Specify \_\_\_\_\_

Specify \_\_\_\_\_

Specify \_\_\_\_\_

### Employees

At the core of any organization are its employees. HUD wants to know about the characteristics of fair housing employees, their education levels, fair housing training and experience, and length of tenure in employment.

18) How many employees does your overall organization have?

(a) Full time (35-hour workweek - include volunteers who fill regular staff positions, exclude temporary staff and professional services conducted by third-parties such as accounting, bookkeeping, and legal counsel)?

(b) Part time (less than 35-hour work week - include volunteers who fill regular staff positions, exclude temporary staff and professional services conducted by third-parties such as accounting, bookkeeping, and legal counsel)?

18c) How many employees work on fair housing activities as a regular part of their job?

- (a) Full time?..... \_\_\_\_\_
- (b) Part time? ..... \_\_\_\_\_

19a) How many of your fair housing staff (both full-time and part-time) provided the following fair housing services in 2006. Please distinguish between primary (more than 50%) responsibility and occasional responsibility (less than 50%):

<u>Responsibility</u>	<u>Primary</u>	<u>Occasional</u>	<u>Total</u>
(a) Intake?			
b) Education and Outreach?			
(c) Investigation?			
(e) Testing?			
(f) Statistical Analysis/Research?			
(g) Legal Referrals?			
(h) Policy Issues?			
(i) Advocacy?			
(j) Other? Speciy _____			

19b) How many of your fair housing staff (both full-time and part-time) belong to each of these racial/ethnic groups?

- (a) Non-Hispanic White? ..... \_\_\_\_\_
- (b) Non-Hispanic Black or African-American?..... \_\_\_\_\_
- (c) Non-Hispanic Asian? ..... \_\_\_\_\_
- (d) Non-Hispanic Native Hawaiian or Other Pacific Islander? ..... \_\_\_\_\_
- (e) Non-Hispanic American Indian or Alaska Native? ..... \_\_\_\_\_
- (f) Non-Hispanic Other Race or Two or More Races? ..... \_\_\_\_\_
- (g) Hispanic or Latino AND White? ..... \_\_\_\_\_
- (h) Hispanic or Latino AND Black or African-American?..... \_\_\_\_\_
- (i) Hispanic or Latino AND Asian? ..... \_\_\_\_\_
- (j) Hispanic or Latino AND Native Hawaiian or Other Pacific Islander? \_\_\_\_\_
- (k) Hispanic or Latino AND American Indian or Alaska Native? ..... \_\_\_\_\_
- (l) Hispanic or Latino AND Other Race or Two or More Races?..... \_\_\_\_\_

19c) How many of your fair housing staff (both full-time and part-time) are women, and how many are men?

- (a) Women? ..... \_\_\_\_\_
- (b) Men? ..... \_\_\_\_\_

19d) How many of your fair housing staff (both full-time and part-time) have the following as their highest level of education completed?

- (a) Less than high school graduate?..... \_\_\_\_\_
- (b) High school graduate only? ..... \_\_\_\_\_
- (c) 2-year college degree?..... \_\_\_\_\_
- (d) 4-year college degree?..... \_\_\_\_\_
- (e) Masters degree? ..... \_\_\_\_\_
- (f) Law degree (J.D.)? ..... \_\_\_\_\_
- (g) Doctorate (Ph.D.)? ..... \_\_\_\_\_
- (h) Not Known?..... \_\_\_\_\_



19e) How many of your fair housing staff (both full-time and part-time) have worked for your agency...

- (a) More than 10 years? ..... \_\_\_\_\_
- (b) 6 to 10 years?..... \_\_\_\_\_
- (c) 3 to 5 years?..... \_\_\_\_\_
- (d) 1 to 2 years?..... \_\_\_\_\_
- (e) Less than 1 year?..... \_\_\_\_\_

19f) How many of your fair housing staff (both full-time and part-time) have worked on fair housing issues, whether or not with your agency ...

- (a) More than 10 years? ..... \_\_\_\_\_
- (b) 6 to 10 years?..... \_\_\_\_\_
- (c) 3 to 5 years?..... \_\_\_\_\_
- (d) 1 to 2 years?..... \_\_\_\_\_
- (e) Less than 1 year?..... \_\_\_\_\_

19gi) How many staff in 2006 had responsibility for coordinating tests? \_\_\_\_\_

19gii) If you had a test coordinator(s) in 2006, please describe the testing-related training the test coordinator(s) had received and when they received that training.

19hi) How many staff in 2006 had responsibility for doing complaint intake? \_\_\_\_\_

19hii) If you had intake staff in 2006, please describe the intake-related training that they have received and when they received that training.

20a) Over the past five years how many different Executive Directors have you had for your organization?

20b) If different than the Executive Director, over the past five years how many different Fair Housing Program Directors have you had for your organization? \_\_\_\_\_

21) How much did your organization spend in FY 2006 on fair housing related staff training and continuing education?

\$ \_\_\_\_\_

## Budget

One of the core goals of this evaluation is to understand the financial stability of fair housing organizations from year-to-year. The following questions ask about total budget, sources of funding for fair housing activities, and general budget stability from year-to-year.

22) What was your organization's TOTAL operating budget for its fiscal year 2006?

\$ \_\_\_\_\_

23) What was your organization's FAIR HOUSING operating budget for its fiscal years:

- (a) 2004? .....\$ \_\_\_\_\_
- (b) 2005? .....\$ \_\_\_\_\_
- (c) 2006? .....\$ \_\_\_\_\_

24) For the organization's fiscal year 2006, please indicate the amount of dollars from each source that supported your FAIR HOUSING operations, please distinguish between enforcement activities and education and outreach activities (if unable to differentiate between activities, please provide the "Total" amount and indicate "DK" under "Enforcement" and "Education and Outreach"):

	Enforcement	Education & Outreach	Total
(a) FHIP PEI	\$ _____	\$ _____	\$ _____
(b) FHIP EOI	\$ _____	\$ _____	\$ _____
(c) FHIP FHOI	\$ _____	\$ _____	\$ _____
(d) CDBG from City, County, or State	\$ _____	\$ _____	\$ _____
(e) Other funding from City, County, or State	\$ _____	\$ _____	\$ _____
(f) HUD Housing Counseling Funds	\$ _____	\$ _____	\$ _____
(g) Proceeds from fair housing settlement(s)	\$ _____	\$ _____	\$ _____
(h) Realtors	\$ _____	\$ _____	\$ _____
(i) Bankers/Mortgage Companies	\$ _____	\$ _____	\$ _____
(j) Landlords or Associations	\$ _____	\$ _____	\$ _____
(k) Foundations	\$ _____	\$ _____	\$ _____
(l) Charitable Donations	\$ _____	\$ _____	\$ _____
(k) Specify			
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____

25a) Over the past five years, would you describe your funding FROM ALL SOURCES for fair housing activities to be:

- Generally increasing over time.....
- Relatively stable from year-to-year.....
- Up and down modestly from year-to-year .....
- Up and down significantly from year-to-year.....
- Generally decreasing over time .....

25b) Please explain what most affects the stability of your fair housing funding from year-to-year:

26a) In the past five years (since 2001), has your organization received funds from settlements as a result of lawsuits or administrative complaints?

- Yes .....
- No .....

26b) If yes, what is the total amount your organization has received from settlements in the past 5 years as a result of as a result of lawsuits or administrative complaints?     \$ \_\_\_\_\_

### Enforcement Activities

Please answer the following questions if your organization conducted any enforcement activities in 2006, whether or not you received a PEI grant. Enforcement activities involve receiving, initiating, and/or investigating fair housing complaints.

27) Did your organization receive and/or investigate fair housing complaints in 2006?

- Yes .....
- No (skip to 60) .....

**Inquiries**

28) How do you track and log fair housing inquiries (An inquiry is the initial request for assistance on an allegation of what appears to be unlawful housing discrimination)? (check all that apply)

- (a) Each inquiry is recorded in a database .....
- (b) Each inquiry is recorded in a paper file .....
- (c) Inquiry is noted in some other format.....
- (d) Inquiries are not tracked.....

29) Are any of the following items collected at time of initial contact?

- (a) Name ..... Yes  No
- (b) Address ..... Yes  No
- (c) Phone ..... Yes  No
- (d) Nature of Inquiry ..... Yes  No
- (e) Intake specialist response ..... Yes  No

30a) From how many individuals or organizations (excluding your agency) did the agency receive a fair housing inquiry in 2006?

30b) How many FAIR HOUSING investigations were “agency initiated” (for example, initiation of a systemic investigation based on renting patterns in a community)?

31) How many of the FAIR HOUSING inquiries and other investigations in 2006:

- (a) Led to fair housing complaints filed with HUD or FHAP?..... \_\_\_\_\_or none
- (b) Led to fair housing suits filed in court? ..... \_\_\_\_\_or none
- (c) Were resolved by your organization outside of HUD/FHAP or court? ..... \_\_\_\_\_or none
- (d) Were investigated but no discrimination was confirmed? ..... \_\_\_\_\_or none
- (e) Still under investigation? ..... \_\_\_\_\_or none
- (f) Led to evidence being referred to the Department of Justice? ..... \_\_\_\_\_or none
- (g) Were referred to a state licensing agency? ..... \_\_\_\_\_or none
- (h) Were referred to the State Attorney General? ..... \_\_\_\_\_or none
- (i) Were referred to a state non-FHAP agency? ..... \_\_\_\_\_or none
- (f) Resulted in some other outcome?  
Other Outcome 1: \_\_\_\_\_  
Other Outcome 2: \_\_\_\_\_  
Other Outcome 3: \_\_\_\_\_

32) What are the total number of FAIR HOUSING inquiries where the agency conducted some sort of an investigation in 2006 (an investigation is any proactive work by the fair housing agency to obtain evidence to validate the potential complaint)? \_\_\_\_\_

33a) How many of the FAIR HOUSING inquiries from individuals were investigated using FHIP PEI funds? \_\_\_\_\_or none

33b) How many of the “agency initiated” FAIR HOUSING investigation were conducted using FHIP PEI funds? \_\_\_\_\_or none

34) In 2006, of investigations undertaken, how many were:

	Number	What proportion of inquiries investigated were investigated with PEI funds?		
		All	Some	None
(a) Rental	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Sales	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Lending	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Insurance	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Other	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

35) In 2006, did your FHIP investigate any inquiries involving the following protected classes? If yes, were any investigated using PEI funds?

- (a) Race ..... Yes  No  ; With PEI? Yes  No
- (b) Color ..... Yes  No  ; With PEI? Yes  No
- (c) National Origin ..... Yes  No  ; With PEI? Yes  No
- (e) Familial Status ..... Yes  No  ; With PEI? Yes  No
- (f) Sex ..... Yes  No  ; With PEI? Yes  No
- (g) Religion ..... Yes  No  ; With PEI? Yes  No
- (l) Design and Construction ..... Yes  No  ; With PEI? Yes  No
- (m) Disability (excluding design and construction) ..... Yes  No  ; With PEI? Yes  No
- (h) Other \_\_\_\_\_ ..... Yes  No  ; With PEI? Yes  No

36) Did you do any investigations in 2006 that used consultants or specialists?

- Yes .....
- No (skip to 38) .....

37) For investigations that used consultants or specialists, what types of service did they provide?

- (a) Engineering/Architecture ..... Yes  No
- (b) Statistical Analysis ..... Yes  No
- (c) Other ..... Yes  No

**Fair Housing Testing**

38) Does your organization conduct fair housing tests?

- Yes .....
- No (skip to 60) .....

For organizations conducting fair housing tests:

39) Is there a staff person charged with coordinating tests?

- Yes .....
- No (skip to 41) .....

40) If yes, approximately how much of that person's time in a year is dedicated to coordinating tests?

- "All" .....
- "Three-quarters" .....
- "Roughly Half" .....
- "One-quarter or less" .....

41) Do you have documented tester training manual?

- Yes .....
- No (skip to 43) .....

42) If yes, please describe how you developed the tester training manual (you may indicate more than one)?

- Primarily locally developed .....
- Primarily NFHA developed manual .....
- Primary Housing Discrimination Study (HDS) manual .....
- Other \_\_\_\_\_ .....

43) Indicate if any testers were recruited in 2006 from the following methods:

- Referrals from current testers ..... Yes  No
- Informal referrals from staff acquaintances ..... Yes  No
- Social service agencies ..... Yes  No
- Graduate school ..... Yes  No
- Actors guilds or similar ..... Yes  No
- Advertising in a public paper or posting flyers ..... Yes  No
- No testers recruited in 2006 .....

44) Of the testers conducting tests in 2006, about what proportion were NEW testers in 2006?

- "All" .....
- "Three-quarters" .....
- "Roughly Half" .....
- "One-quarter or less" .....

45) Of the testers conducting tests in 2006, about what proportion had attended a tester training session in 2006?

- "All" .....
- "Three-quarters" .....
- "Roughly Half" .....
- "One-quarter or less" .....

46) How did you compensate the majority of your testers in 2006?

- Volunteers (no compensation) .....
- Paid an honorarium or stipend .....
- Paid staff (hourly or salary) .....

47) Approximately what proportion of your testing in 2006 was based on a complaint of discrimination from an individual complainant (excluding your own "agency initiated" tests or tests initiated at the request of HUD or a FHAP agency)?

"All"  "Most"  "Roughly Half"  "A few"  "None"

48) Approximately what proportion of your testing in 2006 was "agency initiated" (for example, initiation of a systemic investigation based on renting patterns in a community)?

"All"  "Most"  "Roughly Half"  "A few"  "None"

49) Were any tests conducted in 2006 in response to a request from HUD or FHAP agency?

Yes .....   
No .....

50) Did your agency conduct any tests in 2006 for the housing industry as part of a "self-testing" program?

Yes .....   
No .....

51) Did your agency conduct any tests in 2006 as part of a research project (such as to measure the level of discrimination in your community)?

Yes .....   
No .....

52) Did your agency conduct any tests in 2006 for compliance testing in response to a settlement or court order?

Yes .....   
No .....

53) How many TOTAL fair housing tests were conducted by the agency in 2006? \_\_\_\_\_

54) How many TOTAL fair housing tests were conducted by the agency in 2006 that were funded with FHIP PEI funds? \_\_\_\_\_

55) Please indicate if in 2006 you conducted one or more of the following type of fair housing test:

- (a) Rental ..... Yes  No
- (b) Sales..... Yes  No
- (c) Lending..... Yes  No
- (d) Insurance..... Yes  No

56) Please indicate if in 2006 you conducted one or more of the fair housing test for these protected classes:

- (a) Black or African American ..... Yes  No
- (b) Hispanic or Latino ..... Yes  No
- (c) Asian..... Yes  No
- (d) American Indian or Alaska Native ..... Yes  No
- (e) Native Hawaiian or Other Pacific Islander..... Yes  No
- (f) Other Race..... Yes  No
- (g) Other Color ..... Yes  No
- (h) Religion..... Yes  No
- (i) Sex..... Yes  No
- (j) National Origin..... Yes  No
- (k) Familial Status ..... Yes  No
- (l) Design and Construction ..... Yes  No
- (m) Physical Disability (excluding design and construction) ..... Yes  No

- (n) Sensory Disability (excluding design and construction) .....Yes  No
- (o) Mental Disability (excluding design and construction) .....Yes  No
- (p) Other .....Yes  No

57) Approximately what proportion of your testing is done through in-person visits?

- "All"  "Most"  "Roughly Half"  "A few"  "None"

58) Approximately what proportion of your testing based on individual (non "agency-initiated") complaints in 2006 resulted in some type of enforcement action?

- "All"  "Most"  "Roughly Half"  "A few"  "None"

59) Approximately what proportion of your agency initiated testing in 2006 resulted in some type of enforcement action?

- "All"  "Most"  "Roughly Half"  "A few"  "None"

### Education and Outreach Activities

Please answer the following questions if your organization conducted any education and outreach activities in 2006, whether or not you received an EOI grant. Education and outreach activities are activities that include developing education materials, analyzing local impediments to housing choice, providing housing counseling and classes, convening meetings that bring together the housing industry with fair housing groups, developing technical materials on accessibility, and mounting public information campaigns.

60) Did your organization undertake any FAIR HOUSING education and outreach activities in 2006?

- Yes .....
- No (skip to 70) .....

61) Please indicate which of the listed fair housing education materials your organization uses in its education and outreach activities (please only indicate a brochure is used if 10 or more individuals received or used the material in 2006).

- Fair Housing: Equal Opportunity for All (English/Spanish) - HUD .....
- Fair Housing Act Design Manual - HUD.....
- Fair Housing for HOME Participants - HUD .....
- Fair Housing Planning Guide - HUD .....
- Putting Your Home on the Loan Line is Risky Business (English/Spanish) - Federal Reserve .....

62) If you used other educational materials in 2006 created by an outside group, please provide the names and source of each (for example, a brochure developed by the National Fair Housing Alliance (NFHA), your state's civil rights office, or another fair housing group):

- i. Name: \_\_\_\_\_ Source: \_\_\_\_\_
- ii. Name: \_\_\_\_\_ Source: \_\_\_\_\_
- iii. Name: \_\_\_\_\_ Source: \_\_\_\_\_

63) Has your organization developed its own education materials (only indicate "yes" if the materials are currently used in your education and outreach activities)?

- Yes .....
- No (skip to 65) .....

64) For educational material developed locally, please provide a title, purpose, target audience, language, and if its development was paid for with the FHIP EOI grant (if more than three developed, list three used most often in 2006).

i. Title of locally developed material

\_\_\_\_\_

Purpose (i.e., How to spot a predatory loan)

\_\_\_\_\_



Target Audience (i.e., Hispanic homebuyers)

Language (i.e., English)

Funded with current or past EOI grant: ..... Yes  No

ii. Title:

Purpose:

Target Audience

Language :

Funded with current or past EOI grant: ..... Yes  No

iii. Title:

Purpose:

Target Audience

Language :

Funded with current or past EOI grant: ..... Yes  No

65) Please describe any fair housing education material that you think HUD should be developing and producing.

66) What types of Education and Outreach activities did your organization undertake in 2006? For each, indicate if it was undertaken at all followed by whether or not it was funded all or partially with FHIP EOI funds.

- (a) Develop education materials?..... Yes  No  ; With EOI? Yes  No
- (b) Distribute education materials? ..... Yes  No  ; With EOI? Yes  No
- (c) Analyze local impediments to housing choice? ..... Yes  No  ; With EOI? Yes  No
- (d) Provide housing counseling and classes? ..... Yes  No  ; With EOI? Yes  No
- (e) Convene meetings that bring together the housing industry with fair housing groups?..... Yes  No  ; With EOI? Yes  No
- (f) Develop technical materials on accessibility? ..... Yes  No  ; With EOI? Yes  No
- (g) Mount media campaign(s)? ..... Yes  No  ; With EOI? Yes  No
- (h) Training to landlords/management agencies? ..... Yes  No  ; With EOI? Yes  No
- (i) Training to real estate agents? ..... Yes  No  ; With EOI? Yes  No
- (j) Training to lenders? ..... Yes  No  ; With EOI? Yes  No
- (k) Training to local government officials?..... Yes  No  ; With EOI? Yes  No
- (l) Other (specify) ..... Yes  No  ; With EOI? Yes  No

67) How many total people received direct fair housing education or training from your organization in 2006?

68) How many separate organization's did you provide fair housing training to their staff in 2006?

69) Do you undertake customer service survey of individuals after they receive training?

Yes .....

No .....

### FHIP Program Overall

This final section of the survey is seeking information on challenges with current FHIP program implementation and your opinions on possible program changes.

70) To what extent have there been implementation problems, notable hardships, or significant costs associated with the administration of your FHIP grant?

- (a) Implementation Problems .....Yes  No
- (b) Notable hardships .....Yes  No
- (c) Significant costs .....Yes  No
- (d) If yes to any, please specify \_\_\_\_\_

71) What are the most significant challenges for organizations fair housing program?

	Very significant	Somewhat significant	Not at all significant
Consistent funding for enforcement operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consistent funding for education and outreach activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff retention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Staff expertise/training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

72) Please rate your agreement with the following statements about HUD's role in supporting private fair housing organizations with appropriation levels held constant?

	Agree a lot	Agree a little	Disagree a little	Disagree a lot
HUD should set standards for FHIP agency investigations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Standards for testing should be developed so FHIP agencies could have "certified testing programs"	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Make all PEI grants 3-year awards, but have fewer PEI and EOI grants each year	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discontinue PEI 3-year awards and fund more EOI grants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discontinue PEI 3-year awards and fund more PEI grants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reinstate the FHOI Program and have fewer overall PEI grants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

73) In your own words, in what ways do the services your group provides add value to promoting and enforcing fair housing laws?

74) Please tell us what things you see as being problems with the FHIP program and what you think might be done to fix those problems.

75) Please use the following space to provide any further comments on either the challenges facing FHIP agencies, HUD's role in supporting FHIP agencies, or concerns that were not captured in the survey.

Thank you very much for your participation in this survey. If you have any questions regarding the survey please contact the survey director, xxx of DB Consulting group, toll-free at 1-888-xxx-xxxx or email at xxx@DBConsulting.com.

# B

## Appendix

# Interviewer Guide for Key Informants of the Program History

## Introduction

### HUD & DB's role

The basic purposes of these telephone interviews are to obtain information. To understand better the history of the Fair Housing Initiatives Program (FHIP), HUD has asked DB Consulting Group, Inc. to conduct interviews with key informants from the history of the FHIP program. These interviews are necessary to gather a full history of FHIP and to understand how the recipients have changed over the years. Through these telephone interviews, we will gather anecdotal information that may only be available through interviews rather than a document review.

### Use of the information

The data collected will be used to create a full history of the FHIP program from 1988 until 2006. The principal user of the data is the United States Department of Housing and Urban Development (HUD).

### Description

This telephone interview should take about 30-45 minutes of time for you to complete. You will tape record the conversation and will complete a summary of the interview afterwards. Interviews will have been previously scheduled via telephone and advance letters will have been sent to the key informants reminding them of their scheduled interview time and the purpose of such interview.

### Confidentiality

This interview is confidential. You must avoid mentioning or disclosing any materials that would link a specific interviewee with the interview outside of DB. When discussing your job you should never reveal any information, you obtain during an interview with an unauthorized person. Unauthorized disclosure of individual information collected is subject to federal privacy protections. Unauthorized disclosure of information and the falsification of information are immediate grounds for dismissal.

You must assure respondents that the information provided will be used solely for the purpose of the study and only by HUD.

## Conducting the Telephone Interview

- Introducing the interview

All of these steps must be followed in all cases:

- a. Introduce yourself. Give the following introduction (or a similar one):

"I am \_\_\_ from DB Consulting Group, Inc., on behalf of the United States Department of Housing and Urban Development. We are conducting telephone interviews of key informants of the history of the Fair Housing Initiatives Program throughout the country."

- b. Introduce the Advance Letter:

"You may remember receiving a letter a few days/weeks ago. This letter explains the interview. I would like to take the time to read this important information to you now." Read the key points in the letter to the respondent.

- c. Then ask:

"Do you have any questions regarding what I have read/you have read about the interview?"

- d. After answering this question ask:  
“Are you able to conduct the interview at our scheduled time?”  
If so, begin explaining the interview to the respondent.

If the response is no:  
If a respondent is not available, (this should not be the case since the interviews have been prescheduled) begin to explain again the purpose of the interviews and the time sensitive

## Explaining the telephone interview/survey

- General explanation  
Building rapport with respondents begins when you first call them and they answer the phone. Maintaining this rapport throughout the interview is critical to ensuring that you collect full and valid information. Providing a sincere and friendly atmosphere with the respondent will foster honesty and full answers.

A few respondents will want additional information about the interview. Try to identify his/her specific objections and tailor your answer accordingly. A thorough understanding of the interview is key to a good explanation.

You may provide the following general explanation:

“Your participation is critical to providing a full history of the FHIP program. Please be as candid and detailed in your answers. Please be assured that your answers will not be used outside of the study and history that is being created for HUD.”

### Duration

“The interview will take 30-45 minutes to complete.”

### Beginning the Interview

How to ask questions

Ask questions exactly as worded and ask every question. Since the interview involves gathering information for to create a history, respondents may offer information that is not asked. Please follow up on such responses by asking, “Why is that?” The point of the interview is to gain as much knowledge of the history of FHIP as possible. If a respondent misunderstands or misinterprets a question you can repeat the question and give the respondent another chance to answer the question.

### Getting Respondents to answer

When a respondent’s answers do not meet the objective of the question, you can probe to clarify an answer. Brief assent-ing comments show the respondent that you are giving your attention to an answer and stimulate them to talk further. You should expect pauses during the interview, so please give the respondent time to answer a question. Repeating a question is useful when a respondent does not understand or misinterprets a question, is indecisive about an answer or strays from the subject. Repeating the respondents answer is also useful in helping to clarify responses and prompting the respondent to enlarge his/her statement. Please refrain from interjecting your ideas, which may influence interviewee responses.

### Clarifying answers

Neutral questions and probes in a neutral tone of voice will elicit clear answers. These types of questions will show interest; however, you must quickly recognize when respondents answers fail to meet the question’s objective and when it is necessary to get correct information. Maintaining rapport is key to eliciting answers while attempting to clarify answers. Your manner of answering questions must not be demanding or sharp. When a respondent provides an unclear answer, there are techniques to obtain a clearer answer. One such technique that you may wish to use sparingly is to indicate in your probe that is you who does not understand the question. This may arouse the respondents desire to help. Stimulating discussion does not mean unnecessarily prolonging the interview or influencing respondent answers.

## Interviewer demeanor

Your role as an interviewer is to remain objective. In order to do this you must adopt a professional and friendly business-like-attitude. Your tone and attitude is key to developing a rapport that will elicit answers. You must not indicate personal opinion about replies to questions including your tone of voice.

## Respondents

HUD and DB have already identified the key informants and will provide their information to you. Persons to be interviewed will include HUD headquarters officials, executive directors of fair housing organizations, and authors of different fair housing articles and books.

## Script

You will be provided specific questions for the interview that are attached and will use a computer where to input the respondents' answers to each question.

### Instrument Features

- The interviewer will collect the information in a computer database.

### Components:

- Verification of interviewee contact information
- Questionnaire



Appendix

# Interviewer Guide for Case Studies for Data Collection

## Attachment

Customized Interview Questions for the Site

## Introduction

### HUD & DB's role

The basic purpose of these site visit interviews is to obtain information. To understand better the process by which a Fair Housing Initiatives Program (FHIP) grantee processes complaints and conducts education and outreach, HUD has asked DB Consulting Group, Inc. to conduct interviews with FHIP grantees that were selected through a web survey, grantee applications and final reports. These interviews are necessary to conduct a process evaluation of the grantees. Through these site visit interviews, we will gather anecdotal information that may only be available through interviews rather than a document review.

### Use of the information

The data collected will be used to conduct a process evaluation of FHIPs. The principal user of the data is the United States Department of Housing and Urban Development (HUD).

### Description

This site visit should take no more than two days to complete. You will tape record any interviews conducted and transcribe them. You will also complete a summary of the interview afterwards. You will gather documents that are not confidential for analysis. The site visits will have been previously scheduled via telephone and confirmed with letters reminding the agencies of their scheduled site visit time and the purpose of the visit.

### Confidentiality

This site visit interview is confidential. You must avoid mentioning or disclosing any materials that would link a specific interviewee with the interview outside of DB. When discussing your job you should never reveal any information, you obtain during an interview with an unauthorized person. Unauthorized disclosure of individual information collected is subject to federal privacy protections. Unauthorized disclosure of information and the falsification of information are grounds for immediate dismissal. You must assure respondents that the information provided will be used solely for the purpose of the study and only by HUD.

## How the Site Visit Should Be Conducted

This guide contains allocation of how to divide the site visit. All of the information provided is subject to change to accommodate the staff of the site. The following information should be used as a guide.

### ■ First Day

You should conduct as many interviews as you can on the first day. The interview of the Executive Director or Program Manager will take approximately two hours. The interviews of other fair housing staff will take approximately one hour each.

After the interviews are complete, the DB staff member should begin collection and review of documents with the time remaining on the first day.

- **Second Day**

The DB staff member should resume collection and review of documents on the second day. If there are other questions based upon the information collected onsite, those questions should be asked onsite. Any follow-up interviews should take no more than approximately half an hour each.

## Conducting the Site Visit Interview

### Introducing the Interview

All of these steps must be followed in all cases:

- Introduce yourself. Give the following introduction (or a similar one):  
“I am \_\_\_ from DB Consulting Group, Inc., on behalf of the United States Department of Housing and Urban Development. I am here to conduct an interview of your staff for a process evaluation of the Fair Housing Initiatives Program grantees throughout the country.”
- Introduce the Confirmation Letter:  
“You may remember receiving an e-mail a few days/weeks ago. This letter explains the interview. I would like to take the time to read this important information to you now.” Read the key points in the letter to the respondent
- Then ask:  
“Do you have any questions regarding what I have read/you have read about the interview?”
- After answering this question ask:  
“Are you able to begin the interview at our scheduled time?”  
If so, begin explaining the interview to the respondent.

If the response is no – then set another time for the interview during the visit. Also, remind the interviewee that time is of the essence since the interviews were designed to be conducted while onsite.

### Explaining the site visit interview

- **General explanation**

Building rapport with respondents begins when you first meet them and introduce yourself. Maintaining this rapport throughout the interview is critical to ensuring that you collect full and valid information. Providing a sincere and friendly atmosphere with the respondent will foster honesty and full answers.

A few respondents will want additional information about the interview. Try to identify his/her specific objections and tailor your answer accordingly. A thorough understanding of the interview is key to a good explanation.

You may provide the following general explanation:

“Your participation is critical to providing a full evaluation of the FHIP grantees. Please be as candid and detailed in your answers. Please be assured that your answers will not be used outside of the study and evaluation that is being created for HUD. HUD has agreed to take the answers in aggregate fashion and will not know who gave what answer to what question.”

- **Duration**

“The interviews will take approximately 30-45 minutes to complete.” Explain that for the program director or executive director – it will probably be 1 hour to 2 hours.



■ **Beginning the Interview**

Ask questions exactly as worded and ask every question. Since the interview involves gathering information for a process evaluation, respondents may offer information that is not asked. Please follow up on such responses by asking, “Why is that?” The point of the interview is to gain as much knowledge of the FHIP grantee as possible. If a respondent misunderstands or misinterprets a question you can repeat the question and give the respondent another chance to answer the question.

■ **Getting Respondents to answer**

When a respondent’s answers do not meet the objective of the question, you can probe to clarify an answer. Brief assenting comments show the respondent that you are giving your attention to an answer and stimulate them to talk further. You should expect pauses during the interview, so please give the respondent time to answer a question. Repeating a question is useful when a respondent does not understand or misinterprets a question, is indecisive about an answer or strays from the subject. Repeating the respondents answer is also useful in helping to clarify responses and prompting the respondent to enlarge his/her statement. Please refrain from interjecting your ideas, which may influence interviewee responses.

■ **Clarifying answers**

Neutral questions and probes in a neutral tone of voice will elicit clear answers. These types of questions will show interest; however, you must quickly recognize when respondents answers fail to meet the question’s objective and when it is necessary to get correct information. Maintaining rapport is key to eliciting answers while attempting to clarify answers. Your manner of answering questions must not be demanding or sharp. When a respondent provides an unclear answer, there are techniques to obtain a clearer answer. One such technique that you may wish to use sparingly is to indicate in your probe that is you who does not understand the question. This may arouse the respondents desire to help. Stimulating discussion does not mean unnecessarily prolonging the interview or influencing respondent answers.

■ **Interviewer demeanor**

Your role as an interviewer is to remain objective. In order to do this you must adopt a professional and friendly businesslike-attitude. Your tone and attitude is key to developing a rapport that will elicit answers. You must not indicate personal opinion about replies to questions including your tone of voice.

## Respondents

HUD and DB have already identified the agencies for these visits and will provide their information to you. Persons to be interviewed will include executive directors of fair housing organizations, enforcement directors and staff, and education directors and staff.

## Script

You will be provided a laptop and a spreadsheet to capture the respondents’ answers to each question. After each interview, you will write a summary and dictate notes into your digital recorder to allow you to complete your interview report later. You are to follow-up with your own questions for any issues or interesting items that you see on site. The information will be inputted into the interview report at the end of the day’s interviews.

## Equipment

You will be provided a digital recorder and laptop for the site visits. These pieces of equipment will be your responsibility while on-site for these interviews.

## Document Gathering

You will gather documents during these site visits from the agency. These documents will give more information regarding the agencies activities. The list of documents should include but not be limited to the following:

- Educational materials for the public
- Marketing materials for different types of media
- Historical documentation on the agency
- Any enforcement activity information that is not confidential, including any tester training materials
- Any past proposals
- Any HUD reports
- Any reports to other agencies that are not confidential
- Any other documents that the agency volunteers.

These documents can be photocopied and can only be used for the purpose of the research study. Any other use of the documentation such as for personal business shall be grounds for immediate dismissal.

## Ending the Visit

Please thank the agency for hosting you and direct any other inquiries they may have to Tracy McCracken at 877-589-4020 or Judson James, who is the Government Technical Representative for the study, at 202-402-5707.



## Appendix

## Mission Statements of Survey Respondents

Mission	Role of Fair Housing in Mission
Enforcing civil rights laws through compliance, mediation, advocacy, and education.	Significant role among several
To increase affordable housing opportunities for all. The organization contributes to this mission by helping individuals and families remove barriers to housing choice based upon who they are, not what they can afford.	Significant role among several
The mission of the organization is to promote and protect civil rights, particularly the civil rights of poor, minority, and disadvantaged people, in order to facilitate their participation in the social, economic, and political systems of our nation.	Significant role among several
To create affordable housing and community development opportunities for very low- to moderate-income families and individuals.	Significant role among several
We are part of a legal aid program that provides free civil legal services to low-income and disadvantaged people.	Significant role among several
Housing is a basic human right, which is integral to the well-being of both the individual and the community. The organization is an innovative, regional non-profit corporation, whose purpose is to improve the quality of life by improving housing conditions for all residents of area, particularly low-income households, those with special needs, and those who face discrimination. The organization seeks to eliminate physical, economic, and social barriers, thereby, ensuring a broad and diverse choice of decent, safe, and affordable housing that meets each individual's needs and provides secure and stable tenure. We work to accomplish this by providing a comprehensive array of services to assist people in securing adequate housing at an affordable price; promoting the creation and preservation of affordable housing; and forging partnerships with public officials, community groups, and private institutions to build broad-based support and public awareness.	Significant role among several
To plan, develop, and implement programs that foster self-sufficiency through educational, social, physical, and economic development.	Significant role among several
The organization is a private non-profit corporation which provides legal representation to farm worker, minority, and low income communities throughout rural areas of the state. Its mission is to provide legal advocacy for the rural poor through litigation and community education in priority areas of housing, civil rights, employment, health and environmental justice, and education.	Significant role among several
The organization works to maintain or improve the health of people with HIV/AIDS by resolving their legal issues.	Significant role among several
The organization seeks to increase affordable home ownership opportunities for low- and moderate-income immigrants in our city and its suburbs through the provision of technical assistance and counseling, and affordable, accessible second mortgage loans. Through its work, we help immigrant homebuyers and homeowners to surmount barriers to discrimination, cultural, and linguistic isolation and unfamiliarity with the housing, mortgage, and banking systems in this country.	Significant role among several
The organization fosters the dignity, pride, and self-esteem of people with disabilities and enhances the options available to them, so they may choose and maintain individualized and satisfying lifestyles. We offer peer-oriented independent living; services; public education, awareness and development; individual and systemic advocacy; and enforcement of civil rights on behalf of people with disabilities. We recognize the innate rights, abilities, needs, and diversity of people with disabilities, and work toward their integration into community life, and serve as an agent of social change.	Significant role among several
The primary mission of our organization is to provide equal access to justice for persons not able to pay for legal and other essential services. It is a vehicle for keeping many low-income people from falling permanently into the category of chronically poor. It is also a vehicle by which many low-income people successfully get back on their feet and become self-sustaining.	Significant role among several
Protect, promote, and expand the legal and civil rights of persons with disabilities.	Significant role among several
Our commitment is to provide quality civil legal services to individuals and non-profit groups whose circumstances limit their access to legal assistance. As part of our commitment to clients we try to prevent and solve legal problems, so they will have an opportunity for a more self-reliant life.	Significant role among several
To provide management and oversight over all the U.S. Department of Housing and Urban Development (HUD) and other federal funding received in the city that is designed to assist low- to moderate-income citizens.	Significant role among several

## Study of the Fair Housing Initiatives Program

Mission	Role of Fair Housing in Mission
The mission of the organization is to work collaboratively toward the prevention of homelessness and the creation of lasting solutions for homeless and at-risk families, children, and individuals throughout our state. The organization advocates for and provides a continuum of housing and a variety of services to improve the health, well-being, and stability of those it serves.	Significant role among several
Promoting equal, affordable, and accessible housing opportunities for all.	Significant role among several
The organization is committed to providing high-quality civil legal advice, representation, and education to the disadvantaged of our coverage area, so as to protect their personal safety, enhance their opportunities and living conditions, and promote self-sufficiency. Our work helps our clients deal with many of life's most basic needs: a safe home, enough food to eat, a quality education, and protection against exploitation and discrimination.	Significant role among several
The organization's mission is to facilitate the production and preservation of housing, community, and economic development opportunities in partnership with for-profit and non-profit organizations by leveraging local and federal funds with other financing sources to: <ul style="list-style-type: none"> <li>• create and maintain stable neighborhoods,</li> <li>• retain and expand the city's tax base, and</li> <li>• promote economic opportunities through community empowerment, and retain and create jobs and business opportunities for the benefit of our city's residents.</li> </ul>	
To use legal skills to reduce the causes and effects of poverty.	Significant role among several
The mission of the organization is to positively affect the lives of coverage-area citizens with developmental and other disabilities and their families across the life span, and to work toward increasing their independence, productivity, and integration into their communities.	Significant role among several
To provide human services and advocacy that will enable African Americans, and other minority groups residing in our metropolitan area, to cultivate and develop their individual and group potential on a par with all other residents of the area.	Significant role among several
Our mission is to promote social and economic empowerment as a means of overcoming poverty and dependency, thus, stimulating the sustainable development of communities and its residents, especially those of our coverage area.	Significant role among several
The organization offers free legal services for low-income persons and those over 60 who have serious civil legal problems and need legal help to solve them. Our mission is to provide or coordinate the delivery of high quality legal services to low-income individuals, families, and groups.	Significant role among several
To provide high-quality free legal assistance to low-income residents of our coverage area with civil legal needs.	Significant role among several
Provide civil legal services to low-income and elderly residents in housing and benefits cases.	Significant role among several
The organization's mission is to work together with neighbors to provide services and create opportunities, which empower individuals, and build strong interdependent communities.	Secondary role
The mission of the organization, a historically African American university, includes teaching, research, and public service. To expand its community and public-service role, the organization was established in 1988. The mission of the organization is to address the pressing developmental needs of affordable housing, neighborhood revitalization, and economic opportunity for persons in our city, county, and surrounding rural communities. Funded in part by HUD, the program primarily concentrates on housing-related services, including housing rehabilitation, home buyer education and counseling, and fair housing education.	Secondary role
To end discrimination.	Secondary role
To eliminate illegal discrimination in housing, especially racial discrimination, and to promote balanced living patterns.	Primary role
To improve disadvantaged neighborhoods and fund public services and programs through grants management, consolidated and neighborhood planning. Also includes funding for affordable housing and economic development activities for low- and moderate-income persons.	Primary role
To provide all coverage-area citizens, within constitutional limitations, fair housing services that will result in the protection of equal housing opportunity from discrimination based upon race, color, national origin, sex, religion, familial status, or disability.	Primary role
Our mission is to work to eliminate housing discrimination and assure choice in our coverage area by providing those at risk with effective information, intervention, and advocacy.	Primary role
Working to sustain and expand the availability of quality affordable housing for low- and moderate-income residents of our coverage area. We provide outreach, counseling, and education to homeowners, landlords, tenants, and the public regarding local housing issues.	Primary role

Mission	Role of Fair Housing in Mission
Serve as a catalyst for coordinating resources and partnerships that promote economic self-sufficiency, family strengthening, and enhance the quality of life for children, families, and seniors.	Primary role
To fight housing discrimination in our cover age area and to ensure equal housing opportunities throughout our state.	Primary role
To end discrimination in housing and public accommodations and to ensure that all people are fairly and decently housed.	Primary role
To ensure equal access to credit and capital for the under-served populations and communities throughout the state through education, outreach, advocacy, and legislation.	Primary role
To ensure that all who seek housing have an equal opportunity to rent, purchase, finance, or insure the property they choose. The organization is a private, non-profit organization, which has effectively served the metropolitan area since 1975.	Primary role
To eradicate housing discrimination in the northern portion of our state through teaching fair housing education and investigating complaints of housing discrimination.	Primary role
Our mission is the elimination of unlawful housing discrimination and promotion of decent and affordable housing through advocacy and education.	Primary role
The organization seeks to eliminate all forms of illegal discrimination that can impede equal access to housing and housing services for all.	Primary role
Dedicated to promoting and developing fairness and equal housing opportunity for all people.	Primary role
To promote fair housing, fair public accommodations, and economic opportunities through advocacy, education, and public and/or private partnerships.	Primary role
To eliminate housing discrimination in our state.	Primary role
The promotion of a unitary housing market that eliminates discrimination based upon race and all other protected classes, and the fostering of stable, long-term diverse communities.	Primary role
The organization is committed to a process of eliminating all forms of housing discrimination in our coverage area through fair housing education, enforcement, and advocacy.	Exclusive role
The mission of the organization is to ensure that all people have equal access to housing opportunities in our state. Because our state's low-income residents are particularly affected by discriminatory housing practices, the organization devotes its scarce resources principally to assisting the state's low-income residents.	Exclusive role
Our mission is to promote fair housing and work to eliminate discrimination in housing.	Exclusive role
The organization was established in the early 1960s specifically to combat housing discrimination. The mission is to assure the people of seven counties an equal opportunity to live in the housing and communities of their choice through education, advocacy, enforcement of fair housing laws, and creation of housing opportunities.	Exclusive role
Our mission is to eliminate housing discrimination and ensure equal opportunity in housing for all people. Specifically, we are seeking to eliminate housing discrimination against all persons because of race, color, religion, national origin, sex, disability, familial status, and sexual orientation. In furthering this goal, we engage in activities designed to encourage fair housing practices through educational efforts; assist people who believe they have been victims of housing discrimination; identify barriers to fair housing in order to counteract and eliminate discriminatory housing practices; work with elected and government representatives to protect and improve fair housing laws; and take all appropriate action to ensure that the fair housing laws are properly and fairly enforced.	Exclusive role
The organization's mission is to eliminate practices of housing discrimination and to promote diverse, open communities through education and advocacy.	Exclusive role
To promote fair housing throughout our coverage area by working to guarantee all people equal access to housing opportunities and by working to create and maintain integrated housing patterns.	Exclusive role
To eliminate or reduce unlawful housing discrimination, to inform and educate protected classes of fair housing rights, and to inform housing providers of their fair housing responsibilities and obligations.	Exclusive role
To secure fair and equal housing opportunities in our coverage area in accordance with local, state, and federal fair housing laws.	Exclusive role
Our mission is to eliminate housing discrimination in our state through education, counseling, and advocacy.	Exclusive role
The mission of the organization is to ensure equal access to housing opportunities for all persons. To achieve its mission, the organization educates the public on fair housing laws, provides assistance to individuals who have experienced housing discrimination, monitors the community for compliance with applicable housing laws, and offers information and counseling on housing-related issues.	Exclusive role
The organization works to eliminate housing discrimination and to ensure equal housing opportunities for all.	Exclusive role

Mission	Role of Fair Housing in Mission
<p>A non-profit corporation for the production and protection of affordable housing. The purpose of the corporation is exclusively for educational and charitable purposes:</p> <ul style="list-style-type: none"> <li>• to produce and to advocate for the production of affordable housing;</li> <li>• to prevent from loss of, or displacement from, existing housing;</li> <li>• to eliminate discrimination in housing; and</li> <li>• to bring together diverse groups and individuals to aggressively work toward solutions.</li> </ul>	Exclusive role
<p>We work to eliminate housing discrimination and promote open communities in our metropolitan region.</p>	Exclusive role
<p>The organization is dedicated to eliminating housing discrimination and furthering equal housing opportunities through education, outreach, advocacy, and enforcement of fair housing laws.</p>	Exclusive role
<p>The mission is to assure equal access to housing and other related services to the residents of our coverage area. The organization will achieve this purpose through education, investigation, and enforcement of applicable laws.</p>	Exclusive role
<p>To educate and advocate for equal access to quality, affordable housing for everyone in our coverage area.</p>	Exclusive role
<p>To ensure equal housing opportunity for all residents of the state.</p>	Exclusive role
<p>To ensure equal housing opportunity and educate the community on the value of diversity.</p>	Exclusive role
<p>To provide equal access to housing through education and enforcement of the fair housing laws.</p>	Exclusive role
<p>To eliminate housing discrimination and ensure equal housing opportunity for all people in our region.</p>	Exclusive role
<p>The organization is dedicated to the creation of racially and economically integrated communities and the elimination of housing discrimination.</p>	Exclusive role

*Note: References to a survey respondent's name or coverage area were removed to retain anonymity.  
Source: Survey of Fair Housing Initiative Program grantees*



Appendix

# Sample FHIP Grantee Organization Intake Form

## Fair Housing Council Intake Sheet

Date: \_\_\_\_\_

Case No.: \_\_\_\_\_

Interviewer: \_\_\_\_\_

Complainant Name(s) \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address (if different): \_\_\_\_\_

Phone No.: ( ) \_\_\_\_\_ Other No.s.: ( ) \_\_\_\_\_

Contact Person \_\_\_\_\_

Address \_\_\_\_\_

Phone ( ) \_\_\_\_\_ Message Phone ( ) \_\_\_\_\_

M F FHH Age \_\_\_ Marital Status S M W D Other \_\_\_\_\_

Race \_\_\_\_\_ National Origin \_\_\_\_\_ Disability Y N

U.S. Citizen Y N Other \_\_\_\_\_

Household Income \_\_\_\_\_ Mo/Yr

Source of Income/Employer \_\_\_\_\_

Claimants Source of Income \_\_\_\_\_

Household Members Source of Income \_\_\_\_\_

Reason/Basis for Contacting FHC: \_\_\_\_\_

Other People/Organizations You Have Contacted \_\_\_\_\_

### Household Members:

Name	Age	Race	Gender	Relationship
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Case No.: \_\_\_\_\_

A:/Intake.Wpd



**Property Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: (    ) \_\_\_\_\_

Unit No.: \_\_\_\_\_ Bedrooms: \_\_\_\_\_ Baths: \_\_\_\_\_ Rent Amount \$ \_\_\_\_\_ Deposit Amount \$ \_\_\_\_\_

Application/Credit Check Fee \$ \_\_\_\_\_

Current Tenant    Y    N

**Respondent Information:**

Owner   On-Site Manager   Maintenance Broker/Management Company   Realtor Insurance Company   Municipality  
Housing Authority   Advertiser   Lender   Homeowner Association   Developer   Other \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: (    ) \_\_\_\_\_

**Owner Information:**

Owner   On-Site Manager   Broker/Management Company   Realtor Insurance Company   Municipality   Housing  
Authority   Advertiser   Lender   Homeowner Association   Developer   Other \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: (    ) \_\_\_\_\_

**Referral Information:**

Initial Referrals: \_\_\_\_\_

Case No.: \_\_\_\_\_

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