A number of years ago, Norwalk’s Fair Housing officer was quoted in this newspaper as saying that “affordable housing” in Norwalk is an oxymoron. Perhaps that’s an overstatement. But recently available data, including 2010 census data, confirms that the need for affordable housing in Norwalk continues to rise at a rate much greater than the supply. How does that relate to fair housing? Fair housing and affordable housing are inextricably linked: you can’t have fair without affordable.

In 2008, the state counted 3,840 affordable units in Norwalk, which was estimated to be 11.3% of Norwalk’s housing stock. In 2010, we counted 3,839 affordable units. In 2011, Norwalk estimates the number of affordable housing units to be 3,861. But what percentage is that now?

In order to calculate the percentage, you need to know the total number of housing units (the denominator in the equation). That number is only provided every 10 years, from the Census. We’ve been waiting for that number since 2000. We wait no more.

According to 2010 census data, we know that the total number of housing units in Norwalk in 2010 was 35,415 (up from 33,753 in 2000, an increase of 1,662 housing units). If we have 3,861 affordable units today, the percentage of affordable units in Norwalk has dropped to approximately 10.9%

If 10.9% of Norwalk’s housing units is now considered “affordable,” down from estimates of more than 11%, there’s been a significant drop at a time when more, not less, affordable housing is needed.

Local Fair Housing Case Settled at State Level

A Norwalk case filed with the Connecticut Commission on Human Rights and Opportunities in October 2010 has been settled for more than $39,000.

The case involved a complaint by a disabled Norwalk woman who sought appropriate parking accommodations at her residence in compliance with state law. In addition to the monetary settlement and various other waivers, the settlement includes an assigned parking spot for the woman. The settlement also included that the defendant – a Norwalk company -- would get two hours of Fair Housing training. The cost of that training has been included in the Fair Housing Advisory Commission’s budget.

How do we quantify our need for affordable housing? A report called “Out of Reach,” published annually by the National Low Income Housing Coalition, measures that need. It defines “affordable” as paying no more than 30% of household income on housing cost. The 2011 “Out of Reach” report indicates that in Norwalk, nearly 50% of owners and more than 57% of renters are “cost burdened,” meaning they are paying more than 30% of their income on housing.

We are left with an important question: are we aiming at the floor, the minimum required by the state statute, meaning that ten (10%) percent of Norwalk’s housing stock is “affordable” which then allows Norwalk to retain significant zoning control over the development of affordable housing? Or are we setting our sights higher than the floor, looking to meet the affordable housing need of Norwalkers? The two concepts are not the same and should not be confused. That is a discussion item for advocates and a decision for policy makers.

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"Housing Discrimination is Illegal!"

So reads the 17 foot long blue banner hanging in Norwalk City Hall Atrium for the month of April, National Fair Housing Month (see photo above).

On April 2, 2012, Norwalk's Fair Housing Advisory Commission hosted an event in the atrium area of city hall, underneath the blue banner. A Proclamation of April as Fair Housing Month in Norwalk was read by Mayor Richard A. Moccia, and presented to the Fair Housing Advisory Commission by the Mayor and State Representative Bob Duff.

Additionally, the Fair Housing Advisory Commission donated 13 copies of a children's book, one to each of Norwalk's elementary schools. This donation is representative of the Fair Housing Advisory Commission's actions in fulfilling its mission to educate people in Norwalk about Fair Housing laws. This time, the targeted audience is Norwalk's youngest residents. Accepting the books were Anthony Daddona, assistant superintendent of Norwalk Public Schools, along with principals and librarians from the elementary schools.

The book *The Fair Housing Five and the Haunted House*, is written and beautifully illustrated by people associated with the Greater New Orleans Fair Housing Action Center (GNO FHAC). It contains a glossary explaining terminology in a way that is appropriate for young children, and suggests questions to facilitate discussions and critical thinking about discrimination. About $7.00 of the cost of each book is returned to the GNO FHAC, to assist them in furthering their Fair Housing mission.

The funds used by the Norwalk Fair Housing Advisory Commission to buy the book were raised apart from funding provided by the city. If you would like more information about ordering this book, go to www.fairhousingfive.org.

In his remarks, Rev. Dr. Jeffrey A. Ingraham, chairman of the Fair Housing Advisory Commission, stated that it's been 44 years since the passage of the federal Fair Housing Act, which was signed into law one week after the assassination of Rev. Dr. Martin Luther King, Jr., and that the Commission and Fair Housing Officer are also celebrating their silver anniversary, 25 years of serving Norwalk. He noted that when we educate people about housing discrimination, we are contributing to its eradication, and to shaping the world as envisioned by Rev. Dr. Martin Luther King, Jr., a world in which we are judged not by the color of our skin, or our disability, or our religion, or any other protected classification. Rather, we are judged by the content of our character.

Continuing with its educational mission, the Fair Housing Advisory Commission will be hosting an event May 16, 2012 at Norwalk City Hall featuring representatives from the United States Department of Housing and Urban Development (HUD), Connecticut's Fair Housing enforcement office (the Connecticut Commission on Human Rights and Opportunities, "CHRO") and other Fair Housing professionals. The panel discussion is entitled "Fair Housing's 25th Anniversary Serving the City of Norwalk: Celebrating Triumphs and Identifying Challenges, A Panel Discussion."

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n furtherance of the educational aspect of its mission, the Fair Housing Advisory Commission hosted its annual luncheon event May 16, 2012 at Norwalk City Hall. This year, the event celebrated Norwalk Fair Housing’s 25th anniversary with a distinguished panel of speakers. They included the acting director of Region I (New England) Office of Fair Housing Enforcement at the U.S. Department of Housing and Urban Development (HUD), Connecticut’s Commission on Human Rights and Opportunity Housing unit supervisor, and attorneys from the Connecticut Fair Housing Center and Connecticut Legal Services.

Chairman Rev. Dr. Jeffrey A. Ingraham and Mayor Richard A. Moccia welcomed the attendees. Mayor Moccia also announced that Norwalk’s Fair Housing Office would soon move from a tiny cubicle it has outgrown to new office space in the Health Department Building, next to City Hall, at 137 East Avenue. An Open House will take place in August.

The May 16th luncheon panel topic was Celebrating Triumphs and Identifying Challenges. A wide range of Fair Housing concerns were discussed including: granting reasonable accommodations for people with disabilities; that service animals cannot be prohibited by housing provider’s "no pets" policies; a case resulting in damages of more than $350,000 because a housing provider tried to prohibit a live-in aide for a person with a disability; Connecticut’s new laws protecting people from housing discrimination based upon gender identity or expression; HUD’s new regulation protecting members of the LGBT (Lesbian, Bisexual, Gay and Transgender) communities from housing discrimination; recent cases involving religious symbols, such as the Mezuzah, which condominiums or landlords cannot prohibit from being displayed; and more.

The history of Fair Housing in Norwalk was presented by an attorney from Connecticut Legal Services who was involved in the 1983 lawsuit brought by the NAACP against Norwalk. Out of that, the City and NAACP together created the Norwalk Fair Housing Officer position and the Fair Housing Advisory Commission. This commission consists of representatives from the NAACP, the mayor, Connecticut Legal Services, Norwalk Housing Authority, NEON, Norwalk Human Relations Commission, and Redevelopment Agency. It is tasked with educating and addressing issues of housing discrimination and segregation.

This local history was followed by information regarding a recent finding of housing discrimination and segregation in nearby Westchester County, New York.

The work of creating a more perfect union continues.

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Norwalk’s Fair Housing Officer Margaret Sui, Esq., was re-elected chairperson of the state-wide Fair Housing membership organization, the Fair Housing Association of Connecticut, Inc., (“FHACt”) at its annual meeting in September 2012.

FHACt was founded in 1980 by a handful of committed Connecticut Fair Housing advocates, and has grown to nearly 200 members. Its mission is to educate residents of Connecticut about Fair Housing rights and remedies, and advocate for people who experience housing discrimination. In furtherance of that mission, the organization has recently engaged in several broadband, novel activities, while continuing with its core function of assisting individuals who experience housing discrimination to seek redress.

One of FHACt’s primary opportunities to educate comes every year in April (National Fair Housing Month) during its annual conference, which attracts attendees from all over New England, and speakers from all over the nation. Information will be posted soon regarding the 2013 conference on FHACt’s website, www.fairhousingassociationct.org.

This year, FHACt, in partnership with the U.S. Department of Housing and Urban Development (HUD), Connecticut’s Department of Community and Economic Development (DECD), Connecticut’s Commission on Human Rights and Opportunities (CHRO), and the Connecticut Fair Housing Center, provided educational Fair Housing trainings in June and October 2012, in cities across Connecticut. These trainings focused on how to define and identify Fair Housing issues and how to assist a person seeking a remedy. These partnership events reached hundreds of people working in Connecticut’s towns and cities, housing authorities, and other subsidized housing providers, management and maintenance companies, and non-profit service providers. Each is now equipped to recognize, assist, gather information, and refer victims of housing discrimination to the partners. Each is also now more aware of housing discrimination issues and less likely to engage in wrongful actions. Training was free to the attendees: the partners contributed their time in emailing out flyers, registering attendees, providing and distributing materials, and making the presentations. Towns and cities across Connecticut provided the space, free of charge, for the events.

FHACt typically educates adults about Fair Housing. This year, another novel approach to education being engaged in statewide by FHACt has been the purchase of 250 children’s books about Fair Housing, called “The Fair Housing Five and the Haunted House.” It’s an engaging story of a group of young children who have a neighborhood clubhouse and who believe a house nearby is haunted, until one of the children, along with her family, goes to see an apartment for rent within the house. When the landlord tells her family “no kids allowed,” she reports that to her group of friends. The group is mystified, since their neighborhood is full of children, and they decide to become detectives, to see who else is turned away. They discover that a person with a service dog is turned away, and that others are also refused the rental based upon discriminatory reasons. The children then take action, along with their local Fair Housing agency, to address and remedy this housing discrimination in their neighborhood.

In Norwalk, in April 2012, the Fair Housing Advisory Commission purchased these books and donated them to Norwalk’s elementary school libraries. The Fair Housing Association of Connecticut recently purchased the books to donate one to every public library in the state of Connecticut, and efforts to distribute the books statewide are underway. Look for them in your Norwalk elementary school library today, and in every public library in Connecticut by early 2013.
An American social contract providing for our pluralism

BY MARGARET SUIB

In a recent Meet the Press program on NBC television, Thomas Friedman, the Pulitzer prize winning journalist and author, discussed the expulsion of President Morsi in Egypt. Mr. Friedman cited one of the problems in Egypt as... "they are pluralistic but have no pluralism. We forget what freaks we are. We just re-elected a black man whose middle name is Hussein, whose grandfather was a Muslim, who defeated a woman running against a Mormon. No one does that. We are freaks... Can they [Egypt] write a social contract for how they live together with their pluralism? That’s what’s at stake here..."

In 1789 just such a social contract went into effect in America — the United States Constitution. The Civil Rights Act of 1964 and the Fair Housing Act of 1968 (amended in 1988) advanced the revolutionary concept and social contract that for all our differences, we are equal under the law and entitled to nondiscriminatory treatment.

When someone in Norwalk believes s/he has been treated in a discriminatory manner in relation to buying, renting, or financing housing, or in the terms or conditions of the housing in which they live, they contact Norwalk’s Fair Housing officer who then investigates whether there has been housing discrimination. If there are facts supporting the claim, the Fair Housing officer usually attempts to resolve the problem. If that fails, the Fair Housing officer assists residents in filing legal actions alleging housing discrimination and seeking redress.

A single mother in Norwalk was recently told her lease would not be renewed. She had been a tenant in good standing for 10 years. There were new property managers. The Fair Housing officer investigated. The reason given for not renewing the tenant’s lease was that her housekeeping was poor. The Health Department had investigated the property recently and cited the landlord for necessary repairs. The inspector reported that the tenant’s housekeeping was excellent.

A Fair Housing case has what’s called a “shifting burden.” First, the complainant must show that s/he is a member of a group protected by the law (female, elderly, family with children, person with a disability, racial, religious, or ethnic minority, to name a few), and allege that something happened (or failed to happen) “because of” the complainant being a member of a protected group. Then, the burden shifts to the housing provider to show there was a legitimate (nondiscriminatory) reason for the action (or inaction) taken — to show it was not “because of” the person being in a protected group. If the complainant proves that the reason given is false, then s/he has made out a prima facia case of housing discrimination.

In the case described above, the tenant was within several protected groups and claimed her lease was not being renewed because of her belonging to protected classes. The landlord said the legitimate nondiscriminatory reason for not renewing her lease was her poor housekeeping. The tenant answered that claim using the health department inspection, which found that her housekeeping was excellent.

That’s the application of the shifting burden. But what is the pluralism here? In this case, the tenant is originally from North Africa and is Muslim, the landlords are of Mediterranean heritage, the state hearing officer was an African-American female, the tenant’s attorney is of Persian descent, and the Fair Housing officer is Jewish. We are different in our cultures, heritages, customs, native languages, religions, and colors.

America’s Constitution and Fair Housing laws are our social contracts and provide for us to live together, acknowledging our pluralism. We need only to watch the recent news out of Egypt to see what happens when a pluralistic society does not protect and provide for its citizens to live equally, pluralistically, and peacefully under the law.

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“Jefferson, wake up, they’ve gone crazy!”

BY MARGARET SUIB

“Jefferson, réveille-toi, ils sont devenus fous!”

So screamed a recent editorial headline in France’s newspaper, Le Monde. Translation: [Thomas] Jefferson, wake up, they’ve gone crazy!

Who has gone crazy? Congress, in precipitating the shutdown of the American federal government, and threatening a default via a refusal to increase the debt ceiling.

Not so fast. We may seem crazy, and almost everyone hopes we’ve reached the apex of our craziness. But the Le Monde editorial also lists many of our national accomplishments, describing America’s ability to address issues with flexibility as the envy of Europe, including leading the fight against the totalitarianism in the 20th century, space exploration, and our civil rights laws.

One of our civil rights laws, the Fair Housing Act (1968) requires that communities “affirmatively further fair housing.” What exactly do those words mean? That has been debated since 1968, but we know it means more than just reacting to claims of housing discrimination. We must also proactively, or affirmatively, identify, plan to address, and then actually address segregation and discrimination in housing.

The great news is that in September 2013, HUD issued a proposed regulation defining these important words and identifying the kinds of things communities need to do in order to “affirmatively further fair housing.”

In summary, we need to take actions to address: (1) disparities in access to community assets; (2) segregation; (3) racially or ethnically concentrated areas of poverty; and (4) disproportionate housing needs based upon race, color, religion, sex, familial status, national origin, or disability. HUD will provide communities with much of the data needed to assess these concerns, and local communities will supplement the provided data with local data (for example, the cases and activities of Norwalk’s Fair Housing Office). HUD will review these community assessments, plans to address issues, and actual activities for adequacy.

Our Fair Housing assessment will have to be incorporated into the city’s Consolidated Plan and other planning documents. Up until now, there has been a significant disconnect. We would identify Fair Housing issues but addressing them was not incorporated into the key planning documents of the City, and therefore, the activities were neither planned nor funded. Especially without funding, the ability to address Fair Housing concerns is severely limited.

Norwalk is fortunate in that we have a full time Fair Housing officer and a Fair Housing Advisory Commission. We are acknowledged to have one of the premiere Fair Housing offices in the state.

The “carrot” for doing what is expected to “affirmatively further Fair Housing” is the continued receipt of millions of dollars in federal funds. That’s a carrot we Norwalk taxpayers need in our stew pot.

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