

Fair Housing

in Southeastern Pennsylvania **Rights Center**

Discriminatory Advertising Online: A One Month Survey of Craigslist "Apt/Housing" Rental Ads



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Introduction

The Fair Housing Rights Center in Southeastern Pennsylvania (FHRC) is a private non-profit civil rights organization dedicated to ensuring equal access to housing opportunities for all persons. The FHRC opened its doors in 1990 with the purpose of ending housing discrimination in the area. In order to achieve its mission, the FHRC educates the public on fair housing laws, provides assistance to individuals who have experienced housing discrimination, offers information and counseling on housing related issues, and monitors real estate practices for compliance with applicable housing laws.

The recent boom of internet blogging and online community networks has ignited intense debate over the issue of discriminatory advertising on the internet, most notably among Fair Housing advocates. The federal Fair Housing Act prohibits discrimination in real estate advertising that shows a preference or limitation based on the following protected classes: race, color, religion, national origin, familial status (having children under 18 in the household), disability, and gender. On the state level, it is also illegal to discriminate on the basis of age (over 40). Furthermore, the City of Philadelphia has several additional protections including source of income, marital status, and sexual orientation. Advertising is considered to be any statement made, including but not limited to television, radio, or newspaper ads, fliers, emails, websites, and all oral statements made.

Various websites, such as Craigslist and Roommates.com, provide a free forum where individuals can post classified real estate ads for the general public. In spite of the fact that Craigslist provides a notice on its site that discriminatory advertising is illegal, there are still an overwhelming number of discriminatory real estate advertisements posted on a daily basis. This is because such sites are largely unregulated due to an absence of any sort of monitoring or editing mechanisms. Therefore, these disclaimers are inadequate to stopping discriminatory advertising.

Overview of Survey & Methodology

The FHRC conducted a one month survey of discriminatory rental housing ads on Craigslist's website in order to better assess the extent of this problem in the Philadelphia area. In order to identify such ads, a daily search was conducted by keying in specific phrases into the "search for" box in the "apts/housing for rent" section of philadelphia.craigslist.org. Key phrases included but were not limited to "children", "kids", "young professionals", "Asian", "Hispanic", "welfare", "employment", "single", etc. The ads were then reviewed for stated preferences that were in violation of federal, state, and local fair housing laws. It is important to note that only the "apt/housing" rental section was surveyed. Other real estate sections, such as real estate for sale, rooms/shared, sublets/temporary, housing swap, etc. were NOT surveyed due to time and resource constraints.

Between May 1 and May 31, 2007, **221** discriminatory rental housing advertisements were found on philadelphia.craigslist.org that contained language indicating a tenant preference based on one or more protected classes under the federal, state, and local fair housing laws. Because many of these statements violate more than one protected class, the number of actual violations totaled **683**, an average of **22** violations a day.

The discriminatory statements ranged from phrases such as “Home for Couple w/o kids”, “International inquiries will not be entertained”, “We do not accept SSI”, “Large two bedroom zoned for two people only”, “Asian Students”, “Working professionals b/w 25-40 years old”, etc. Some of the more racially charged ads described predominately African American neighborhoods as “dicey, gentrifying”. One ad in particular stated that the “neighborhood, to be honest, is ‘improving’” and “is still on the edge of the ‘hood’ – so it is not for everyone”.

The majority of discriminatory ads found violated the familial status and disability protections of the Fair Housing Act. This finding is in line with FHRC’s 2006 complaint statistics, which show that the highest volume of complaints received by the office involve allegations of disability and familial status discrimination.

Educational Approach and Complaint Based Testing

Due to limited staff, the FHRC was unable to address each advertisement. Therefore, the Center concentrated on 15 egregious violations with a combination of educational outreach and complaint based testing. The violations were considered egregious if they were posted by a real estate professional or if the statements were blatantly discriminatory, such as “No Kids” or “No SSI”.

Those ads that were chosen for educational outreach were done so because the advertisements were either real estate professionals whose postings were less egregious or landlords whose properties were unable to be tested.

The Center contacted 10 entities either by telephone or email, offering them education on federal, state, and local fair housing laws, as well as an opportunity to correct the violation. 7 out of 10 of advertisements were either removed or changed, resulting in a 70% success rate.

The FHRC followed up on the remaining 5 advertisements with testing, a rigorously controlled investigative tool used by government and private agencies across the country to determine whether or not persons of different backgrounds are treated equally during their housing search. These advertisements contained egregious statements by either real estate professionals or landlords who own numerous rental properties. Of the 5 test sites, 2 sites showed differences in treatment, 1 did not show evidence supporting discrimination, and the other two locations were unable to be tested for varying reasons.

Conclusion

Real estate classifieds on Craigslist and other online community forums have become conventional ways to search for housing. Such sites are reshaping the way real estate advertising is conducted nationwide. The internet offers an alternative to traditional forms of advertising, such as newspapers, and is viewed by a wider audience. Discriminatory advertisements on the internet have a greater impact than traditional sources because they reach a larger demographic base and therefore, limit housing choices for a larger pool of individuals. Furthermore, a significant number of people who use Craigslist to post real estate ads are unaware of their responsibilities under the Fair Housing Act. This is demonstrated in the response received once individuals were notified of fair housing laws. In conclusion, Craigslist et al are emerging forces in the real estate industry that greatly influence where people ultimately reside and by extension, affect access to quality schools, jobs, public services, and health care.