



We fight housing discrimination. We strengthen communities.

**FHIP-PEI Enforcement Trends Report  
Program Year Activities  
August 15, 2023, to August 14, 2024**

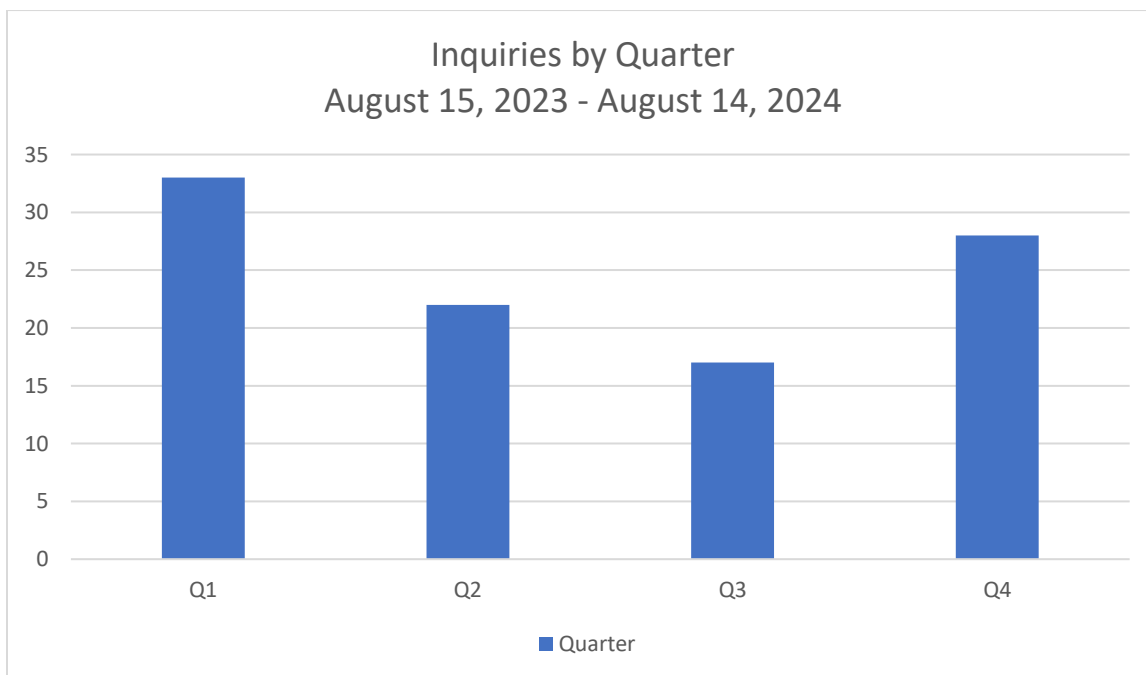
The Fair Housing Rights Center in Southeastern Pennsylvania's (FHRC) mission is to ensure equal access to housing opportunities for all persons. FHRC achieves its mission by educating the public on fair housing laws, provides legal assistance to individuals who have experienced unlawful housing discrimination, monitors the community for compliance with applicable housing laws, and offers information and referrals on housing related issues.

In 2007, FHRC expanded its geographical reach to reflect the public that relied on the organization for services. The expansion into other communities is also why the organization changed its name from the Fair Housing Council of Montgomery County to the Fair Housing Rights Center in Southeastern Pennsylvania serving Bucks, Chester, Delaware, Montgomery, and Philadelphia counties. Future Trends Report will show that FHRC increased its boundaries to serve residents living in Berks, Bucks, Chester, Cumberland, Dauphin, Delaware, Lackawanna, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Perry, Philadelphia, Schuylkill, and York counties. By expanding into new communities, FHRC serves 16 counties in the Commonwealth of Pennsylvania.

This report captures enforcement activities from August 15, 2023, through August 14, 2024, a Fair Housing Initiative Program-Private Enforcement Initiative (FHIP-PEI) program year. The following paragraphs detail FHRC's methods with handling inquiry intakes, enforcement intakes, and enforcement actions such as requesting reasonable accommodations or reasonable modifications and filing *bona fide* fair housing complaints with administrative law enforcement agencies such as the United States Department of Housing and Urban Development (HUD) and the Pennsylvania Human Relations Commission (PHRC), a former Fair Housing Assistance Program (FHAP) on behalf of consumers or in organizational standing.

## FHRC's Inquiry Intakes

FHRC receives inquiries from consumers who may have *bona fide* fair housing inquiries, landlord/tenant inquiries, or other housing related inquiries. From August 15, 2023, to August 14, 2024, FHRC received 100 fair housing inquiries. Many of the inquiries that FHRC receives from the public are regarding landlord/tenant issues, which are out of the jurisdiction of the federal, state, and local fair housing laws. FHRC does not have the capacity to assist consumers with issues outside of its program Statement of Work (SOW), but FHRC will refer clients to the appropriate organizations and agencies if consumers' concerns are not regarding fair housing matters. Landlord/tenant inquiries are referred to community-based organizations (CBO) such as the Tenant Union Representative Network (TURN, Community Legal Service (CLS), Legal Aid of Southeastern Pennsylvania (LASP), SeniorLAW Center (SLC), MidPenn Legal Services; Disability Rights Pennsylvania (DRP), etc. For issues regarding habitability in Philadelphia, FHRC refers tenants to the Philadelphia Fair Housing Commission (FHC) which serves as a local administrative hearing agency and Licenses and Inspection (L&I). For issues regarding habitability outside of Philadelphia, FHRC refers tenants to the county's local code enforcement and LASP or other CBO that handles landlord/tenant matters.



**Chart 1. Inquiries by Quarter during PEI grant year August 15, 2023, to August 14, 2024.**

This program year, FHRC's most frequent inquiries came from individuals who needed assistance with maintenance requests, representation in eviction proceedings, inquiring about their placement on public housing waitlists, requesting lease terminations without penalty, and requesting transfers to other units to accommodate mobility and issues within the unit that affect consumers' pre-existing conditions. For consumers that contacted FHRC regarding landlord/tenant concerns that could be rectified with a reasonable accommodation or modification (RAs or RMs), FHRC assisted the consumers. RAs are a possible remedy for adults or children suffering from asthma, severe allergies, respiratory conditions, and other medical conditions that prevent the consumer from full use or enjoyment of their housing.

Over the last three FHIP-PEI program years, FHRC has determined that there is a clear need for more legal, mental health, and social service resources in the counties within FHRC's service area outside of Philadelphia County. When organizations outside of Philadelphia County reached their respective capacities, their potential clients came to FHRC for assistance with their concerns. While it is FHRC's practice and policy to perform inquiry intake with every consumer who contacts FHRC, the organization could only provide a limited amount of assistance for non-fair housing inquiries and referred these consumers to the appropriate agencies and organizations which often leads to the consumer becoming frustrated. Unfortunately, because most non-profit organizations have limited resources, many consumers contacted FHRC looking for assistance with eviction appeals after previously being represented by another community-based organization.

In addition to consumers seeking representation in eviction proceedings, several consumers have contacted FHRC seeking to preserve their housing arrangements by way of a RA request after they received notice that their landlord is selling or has sold the rental unit, is performing large renovation projects, or had filed for eviction with the court. The housing market has changed significantly during the height of the pandemic and continues to change as we experience the aftereffects of the post pandemic resumption to normal. As more landlords who rent their properties through housing authorities exercise their legal and property rights to sell their homes, many Housing Choice Voucher (HCV) tenants are being displaced. It should also be noted that this trend is also occurring amongst private landlords increasing their rental rates exponentially during lease renewals discussions with market-rent tenants, but at a lesser rate. FHRC successfully

requested lease extensions on behalf of consumers whose landlords or property management company terminated their lease, issued notices to quit or notices not to renew, or had filed for eviction, but this is rare and difficult because the landlord/tenant and landlord's property rights often supersede the fair housing concerns in these situations. It should be noted that once an eviction is filed, it is difficult to persuade the landlord to withdraw their complaint—especially because the filing costs money. This aside, the issue deserves attention as it is a legal practice for landlords to increase rent, sell their homes, or unenroll as a public housing scatter site housing provider, but these practices largely impact the most vulnerable members of our communities ultimately leading to systemic effects.

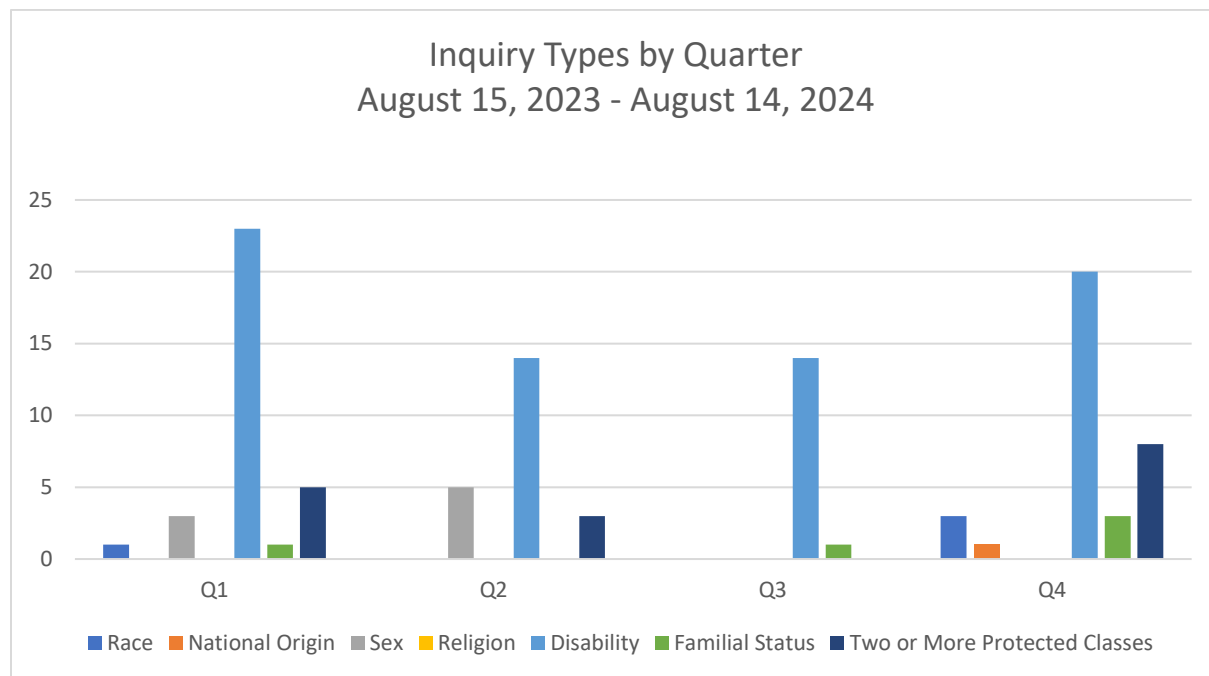
### **FHRC's Enforcement Intakes**

FHRC receives inquiries which raise fair housing concerns and require investigation to substantiate the potential complainant's claims. Excluding landlord/tenant inquiries and previously resolved fair housing concerns, from August 15, 2023, through August 14, 2024, the Director of Client Advocacy (DCA) analyzed 100 inquiry intakes and performed enforcement intake with each consumer. During enforcement intake, the DCA requested the potential complainant's supporting documents, interviewed the potential complainant and witnesses, and analyzed the allegations of housing discrimination to determine merit and whether there was sufficient evidence to support filing a fair housing complaint.

As presented in previous program years, FHRC continues to receive a high number of disability-related inquiries from the public. For more than a decade, disability has been the top inquiry at FHRC. During this program year, FHRC received 25 inquiries based on consumers' needs for reasonable accommodations and 5 reasonable modifications. Of the reasonable accommodation requests, the most frequent reasonable accommodation requests were for lease extensions for additional moving time due to physical disabilities, voucher transfers and requests for emotional support and service animals.

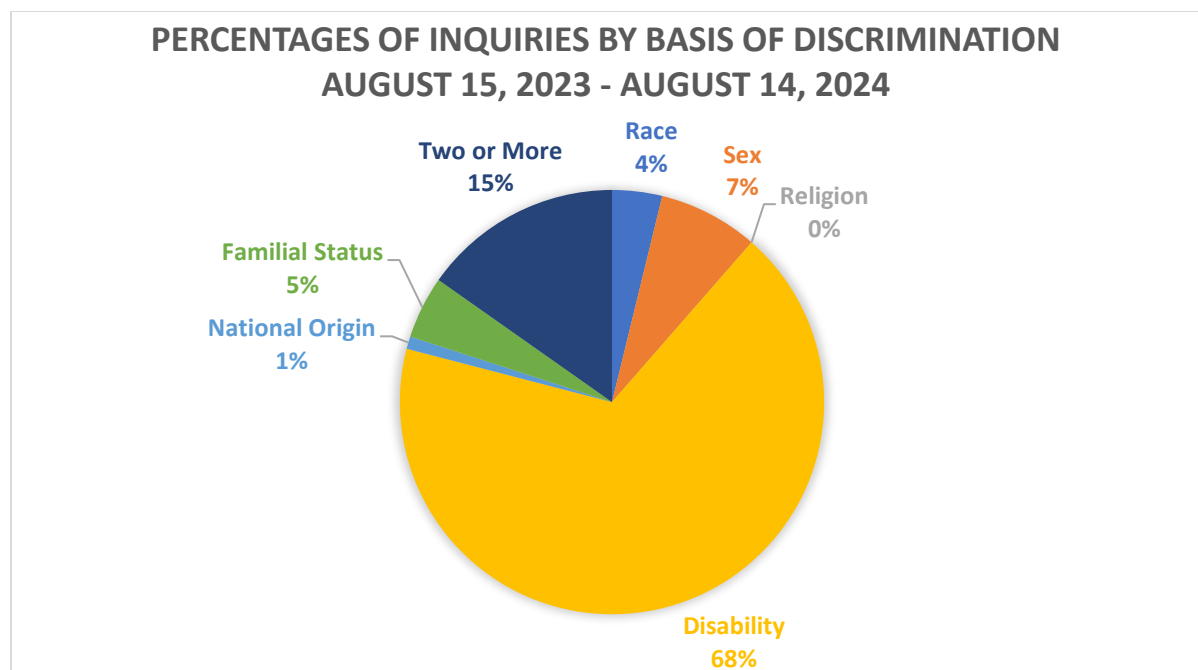
Because many landlords that either rent privately or rent through housing authorities are taking advantage of the current housing market, several persons with disabilities are required being asked to leave the home within one to two months, and the consumers do not have the financial and physical resources to move as quickly as the housing providers would like. Additionally, these consumers are having difficulty finding affordable or accessible housing leaving several

consumers in a particularly vulnerable position often requiring that they live with friends or family members in overcrowded homes and apartments or that the consumer move out of the county or state which affects the diversity of our communities.



**Chart 2. Inquiry Types by Quarter**

Throughout all four quarters of this program year, disability-related inquiries were consistently the most popular protected class status in which consumers contacted FHRC for assistance with their concerns. HUD’s burden-shifting standard begins with the complainant, therefore, in the absence of direct evidence, complainants may not be able to prove that discrimination occurred. Additionally, testing may not render proof that can be used to file a complaint as proving intentional unlawful discrimination in housing is not always possible.



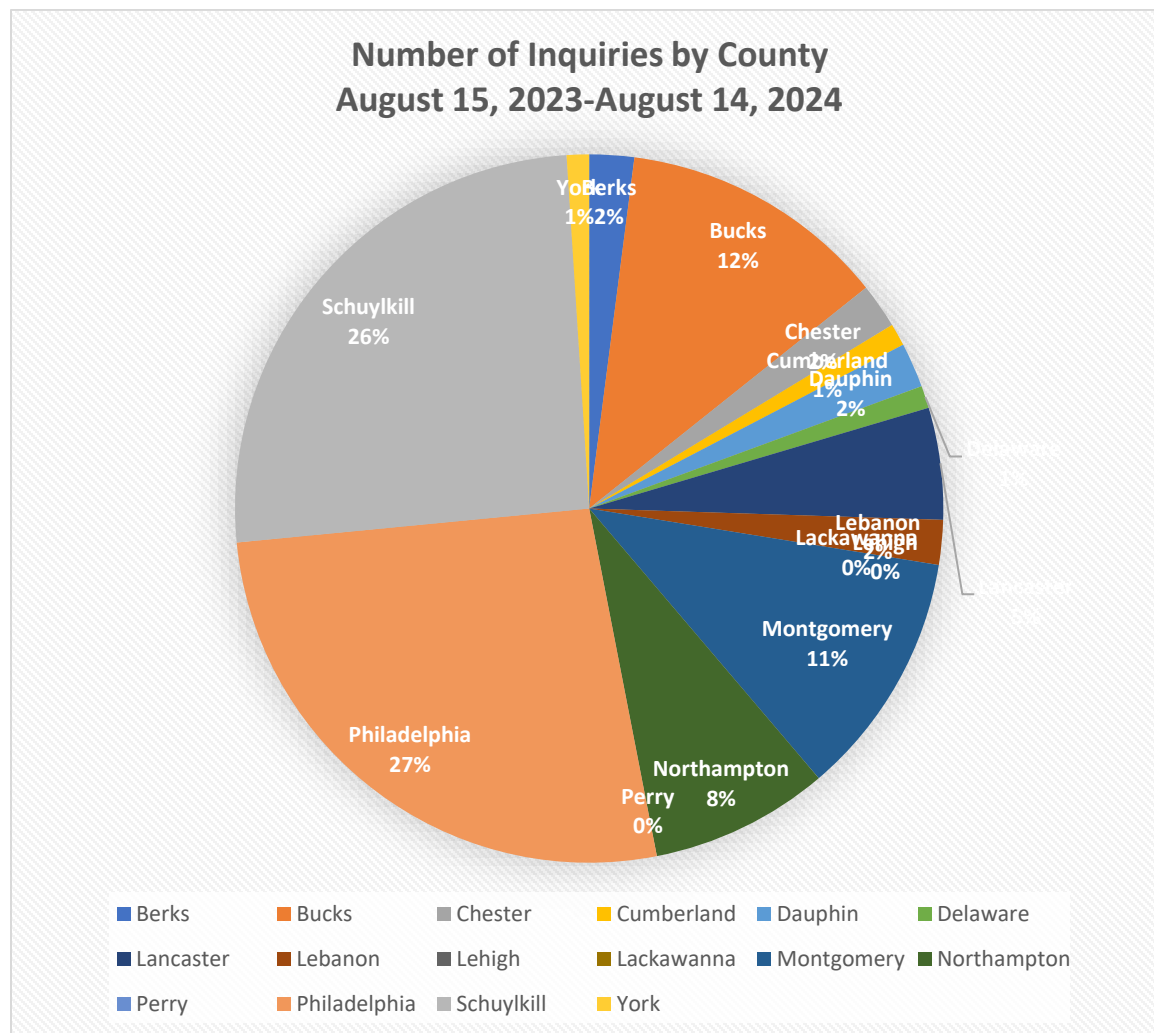
**Chart 3. Percentage of Intakes by Basis of Discrimination**

As previously mentioned, disability discrimination inquiries were the most common inquiries received throughout the year totaling 68% of FHRC’s intakes. The second highest inquiry was for More Than 1 Protected Class: at 15% of intakes. Consistent with Program Year 1, there were no complaints based on color discrimination.

The bulk of FHRC’s complaints normally came from residents of Philadelphia. This year, 27% of FHRC’s complaints came from Philadelphia County and 26% came from Schuylkill County. The remainder of FHRC’s complaints came from the other surrounding counties. Because Philadelphia County is a city of the first class as proclaimed by Pennsylvania’s Constitution and the seventh-largest metropolitan city in the United States<sup>1</sup>, Philadelphia has countless resources while the other counties within FHRC’s service area have very few. FHRC has several Community Partners listed on its Statement of Work (SOW) such as Community Legal Services (CLS), Tenant Union Representative Network (TURN), and New Kensington CDC which are among the largest organizations from which FHRC receives referrals. FHRC receives several inquiries from Montgomery County, and FHRC attributes this to its Norristown CDBG grant. In the next Program Year, FHRC will focus on increasing its community connections with the mental health, housing,

<sup>1</sup> [Metropolitan and Micropolitan Statistical Areas Population Totals and Components of Change: 2010-2020](#). United States Census Bureau, Population Division. April 2020. Retrieved October 25, 2023.

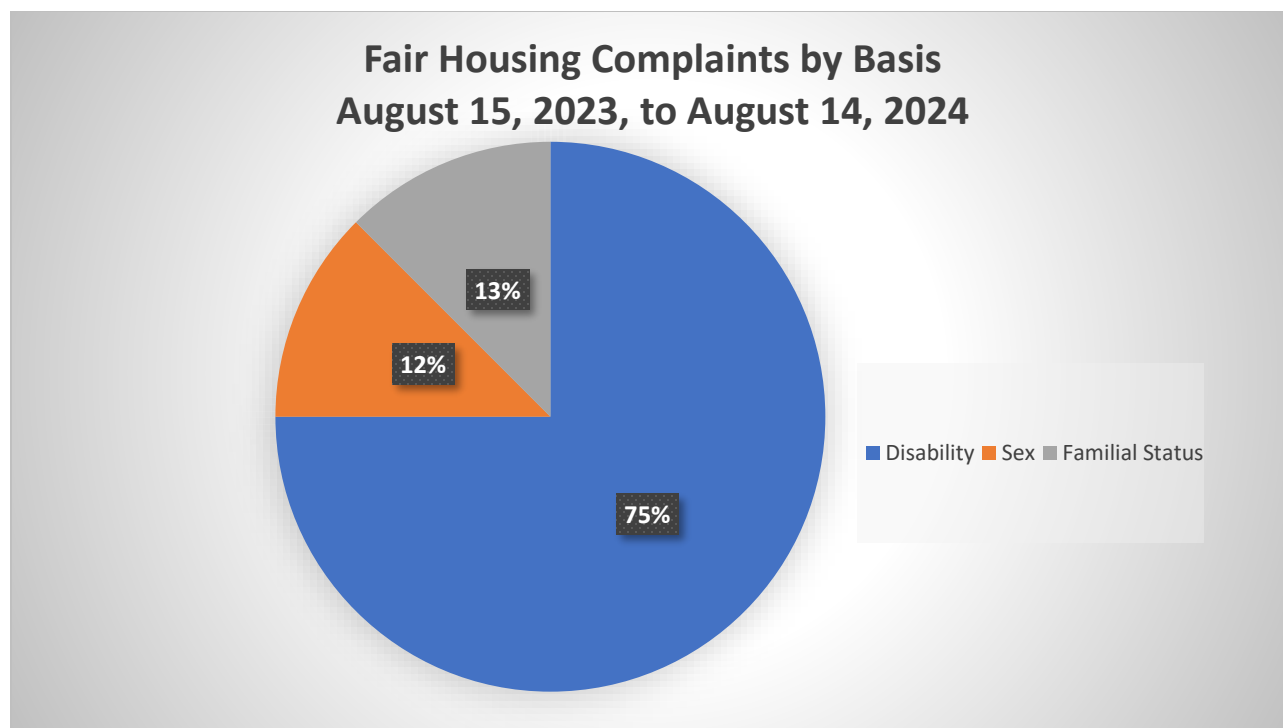
legal, and social service community-based organizations and municipalities outside of Philadelphia County to influence increased inquiries from the other 16 counties within FHRC's service area.



**Chart 4. Total Complaints by County in Southeastern Pennsylvania.**

### **FHRC's Fair Housing Complaints**

After completing a thorough investigation, FHRC submits *bona fide* fair housing complaints to HUD, PHRC, PCHR, or state and local judicial bodies. Only a small percentage of inquiries lead to an investigation which produces enough evidence to lead to a meritorious fair housing complaint. Of the 100 fair housing inquiries received this program year, 9 inquiries led to a complaint that were submitted to HUD.



**Chart 5. HUD and PHRC Submitted Complaints by Basis**

During this program year, one disability complaint, [REDACTED], resulted in a private settlement between the Complainant and Respondents, including monetary compensation and fair housing best practices training attended by the Respondents.

FHRC is awaiting conciliation and/or complaint investigation for the remaining open complaints with HUD, including fair housing complaints filed in FHIP-PEI Year One and Two.

### **Conclusion**

During this grant year, FHRC saw that three protected class statuses that remain of prominent concern are disability discrimination, familial status discrimination, and sex discrimination. FHRC is committed to serving all protected classes through direct services and advocacy. Therefore, the results from this program year have already informed and influenced another cycle of multi-year FHIP-PEI grant activities through a HUD agreement. Additionally, FHRC recommends that researchers examine the effects of housing discrimination against the disabled community, families with minor children, and sex/gender. Each form of discrimination has bio-psycho-social implications on people impacted by housing discrimination and produces societal effects, including the need to develop more income-driven housing,



enforcement, public education, housing provider and property management compliance training, and support for organizations whose missions prevent and protect fair housing. To achieve those outcomes, government and private partners must fund activities that enhance and enrich residents. FHRC seeks private and public funding opportunities that support its Education and Outreach program, Testing/Investigations program, and Enforcement program. All enable FHRC to provide intakes, referrals, or extensive internal assistance.

For more information about the content of this report, please submit a written request to Angela McIver, Chief Executive Officer of the Fair Housing Rights Center in Southeastern Pennsylvania at [amciver@fairhousingrights.org](mailto:amciver@fairhousingrights.org).

Thank you for your interest in the Fair Housing Rights Center in Southeastern Pennsylvania. To learn more about the organization's work, please contact Angela McIver, Chief Executive Officer at [amciver@fairhousingrights.org](mailto:amciver@fairhousingrights.org), 215-625-0700 Ext. 10 located at 444 N. 3<sup>rd</sup> Street, Suite 110, Philadelphia, PA 19123.