



STATE OF FAIR HOUSING IN OREGON

2014-2022

This report covers statewide fair housing enforcement and testing from the Fair Housing Council of Oregon, including trends, outcomes, and analysis.

With support from Anirban Pal and Mel Keller
information@fhco.org

CONTENTS

Executive Summary	2
Summary.....	3
Background.....	3
Overall numbers	4
Who reaches out to FHCO	4
Trends over time.....	7
Intersectionality.....	7
Trends in the data by protected class.....	8
Analysis by protected class.....	14
Disability	14
Source of Income	15
Race	17
Color	19
Sex/Gender	20
Familial Status.....	21
National Origin.....	22
Religion	24
Domestic violence.....	25
Sexual Orientation	26
Gender Identity.....	27
Marital Status	27
Types of allegations that FHCO were more successful in resolving.....	28
Geographical distribution of FHCO Enquiries (by zip code).....	31
Inquiries and Intakes by Region.....	34
Conclusion: the future of fair housing in Oregon	36

STATE OF FAIR HOUSING IN OREGON

2014-2022

EXECUTIVE SUMMARY

There is a long history of discrimination in housing not only in Oregon, but across the United States. As a country, we must contend with institutional structures that have kept the American dream of homeownership out of the hands of many and have enlarged the racial wealth gap as a result. The Fair Housing Act, passed in 1968 a week after the assassination of the Rev. Dr. Martin Luther King, Jr., was a landmark civil rights bill that purported to address many institutional forms of discrimination. However, with a lack of strong enforcement capabilities until the passage of the 1988 Fair Housing Amendments Act, housing discrimination persisted in practice. The Fair Housing Council of Oregon (FHCO) was founded in 1990 to strengthen enforcement of fair housing law in Oregon. Since then, FHCO has grown into a statewide organization dedicated to investigating claims of discrimination and enforcing fair housing law in all 26 counties of Oregon.

This report represents the work of the Fair Housing Council of Oregon over an eight-year period. During this time, FHCO responded to calls relating to every protected class, expanded our testing and litigation programs, and supported tenants and homeowners across Oregon during the COVID-19 pandemic. This data covers the entire state, although our analysis is limited by the calls we receive. Over the past 5 years, FHCO has developed statewide education and outreach programs to reach rural communities and increase access to fair housing information and enforcement activities.

On average, FHCO receives 2,000 complaints per year. Of these complaints, the majority come from population centers (such as the Portland Metro, Eugene/Springfield, and Salem). Because of the history of FHCO in the Portland Metro region, roughly 50% of overall complaints come from the Metro region, and 50% over the rest of the state. However, we also see an increase in complaints in areas where FHCO has made strategic investments to increase education of fair housing rights. FHCO's statewide strategic plan has led to a demonstrable increase in complaints from outside the Metro region, and we can see specific zip codes in both the Metro region and across the state which have a higher proportion of calls per 1,000 residents.

Broadly, FHCO has the most success in resolving complaints related to disability, familial status, and source of income. We have also found success in resolving source of income complaints and complaints related to reasonable accommodations and modifications informally, without engaging with the legal system. This may be due to a lack of knowledge about source of income protections and requirements for landlords to accept reasonable accommodations and modifications aside from very particular circumstances. FHCO has found that complaints related to race, sex, national origin, and color are least often resolved, and there are not enough cases to make a strong determination on complaints related to gender, sexual orientation, age, and religion.

We see that the protected classes of race, religion, and national origin most often report harassment as the type of discrimination. In part, this is due to the inherited nature of these protected classes, compared to non-inherited protected classes such as source of income. For source of income, discrimination most often comes in the form of refusal to rent, and for disability we most often see reasonable accommodation/modification denial, followed by different terms and conditions and harassment as forms of discrimination.

This report also includes data from FHCO's testing program, which comes with its own benefits and limitations. As a strategy, testing allows us to spot discrimination at the application stage, looking at instances such as different terms and conditions and refusal to rent. However, testing for in-place issues such as eviction, harassment, or discriminatory treatment in-unit can be more difficult. Qualitative data from tests helps to convey the different experiences of certain protected classes compared to others. Testing shows that stereotypes can have a major impact on access to housing, particularly if held by those in a position of power. Seeing teenage boys as "too violent," using obscenities and derogatory language towards those who identify as gender non-conforming, or providing different terms and conditions to those who have Section 8 vouchers due to misconceptions about voucher-holders can have long-term impacts on an individual looking for housing.

We also look to future avenues of research, including a focus on intersectionality in potential claims of housing discrimination. In 2023, The Federal Trade Commission put out a request for information regarding tenant screening companies and the potential for discrimination based on disparate impact in background checks. Future FHCO data collection may allow us to better understand questions of disparate impact through the connection between race and use of criminal history in screening. Similarly, we hope to use data to look at the intersectionality of source of income claims of discrimination as they relate to other protected classes, including race, gender, disability, or familial status. Furthermore, using multiple avenues for contact with complainants will allow for more data collection overall, as well as more effectiveness in FHCO's mission and goals.

This report and the data herein do not represent a complete picture of the current state of housing discrimination in Oregon. In line with the Southern Poverty Law Center's data, we know that one in ten acts of discrimination are reported, and thus we can only use this data as a starting point for future education and enforcement of fair housing law. We hope this report provides a depth of analysis for future policymakers, testers, and educators to better understand the current state of fair housing in Oregon, and that the data can be harnessed to create change and further FHCO's mission of ending housing discrimination in the State of Oregon.

SUMMARY

The Fair Housing Council of Oregon is a statewide civil rights organization whose mission is to end housing discrimination in the state through education and enforcement. This report is based on the data the Fair Housing Council of Oregon collected from hotline calls, email inquiries, intakes of Fair Housing allegations, and audit and complaint-based tests conducted by the agency between January 1, 2014, and December 31, 2022. This report is our first attempt to systematically analyze this dataset to draw a comprehensive picture of the state of Fair Housing in Oregon.

BACKGROUND

The Enforcement team within the Fair Housing Council of Oregon runs a telephone and email hotline service helping Oregonians with questions relating to rights under federal, state, and local Fair Housing laws. We also conduct fair housing audit and complaint-based tests to either monitor and analyze impediments to housing for different protected classes or to collect evidence in cases of alleged Fair Housing violations reported to us. FHCO started electronically filing all inquiries, intakes and records of the Fair Housing tests it conducted in a database in mid-2013. This database is one of its kind for the state of Oregon as it provides empirical data about fair housing issues that Oregonians face. This database can serve as an important input in public policy making. FHCO has shared parts of this data with partners/grantors in the past, but this report is the first attempt to systematically analyze this dataset to draw a comprehensive picture of the state of Fair Housing in Oregon.

This report is based on the data the Fair Housing Council of Oregon collected from hotline calls, email inquiries, intakes of Fair Housing allegations, and audit and complaint-based tests conducted by the agency between January 1, 2014, to December 31, 2022.

This report needs to be read in the context of the following:

- Evolving data entry protocols have meant some inconsistencies in how information is recorded in the database. Therefore, longitudinal trends in absolute number of inquiries and allegations should be read with caution.
- Changes in staffing and hotline hours show up in the number of inquiries and allegations that FHCO received over the last 8 years.
- The numbers in this report show some variations over time that can be explained by FHCO's internal organizational changes and its regional priority focus.
- Despite these issues of comparability of the data across time, we can see some broader trends that we think will be useful for policymakers.

OVERALL NUMBERS

- Total number of housing related inquiries received - 13347
- Total number Bonafide Fair Housing Allegations that FHCO investigated – 1895 (14% of all inquiries FHCO received.)
- Resolutions – About a third of all allegations that FHCO investigated were resolved informally by FHCO.
- Total number of Audit and complaint-based tests – 1619
- Total number of complaint-based tests – 89
- Rental Tests – 1290
- Mortgage Lending Tests – 114
- Homeowner's Insurance Tests – 91
- Sales Tests – 65
- Design & Construction tests – 18
- 1073 of these tests were done over the telephone while 297 were done in-person. 230 tests were conducted by email.

WHO REACHES OUT TO FHCO

Most individuals who reach out to FHC for help or for information relating to their rights under the Fair Housing laws are asked some demographic questions. We do not require them to share this information to receive help from us. Some callers choose not to answer some or all these demographic questions. But based on those who share this information, below are some numbers that show who our callers really are and how their profiles are changing over time.

Disability status

Most of the callers who chose to disclose their disability status reported having at least one disability. We also see in the graph below that there has been a steady rise over the years in terms of the share of callers who identify themselves as people with disabilities. 2021 saw the highest share of persons with disabilities among inquiries where callers shared their disability status.

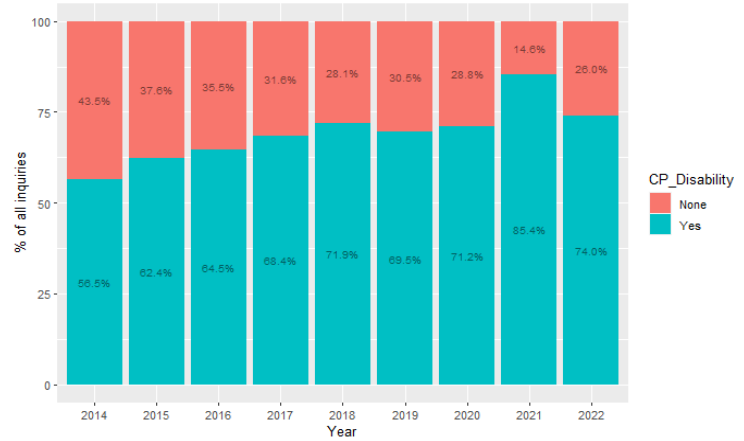


Figure 1: Share of inquiries from people with disabilities

Age of the caller

In terms of age, most of the callers calling us with Fair Housing inquiries are below the age of 65. But the proportion of calls from the Older Oregonians have been rising steadily over the years. 2022 saw about a fifth of the inquiries coming from those who were above the age of 65.

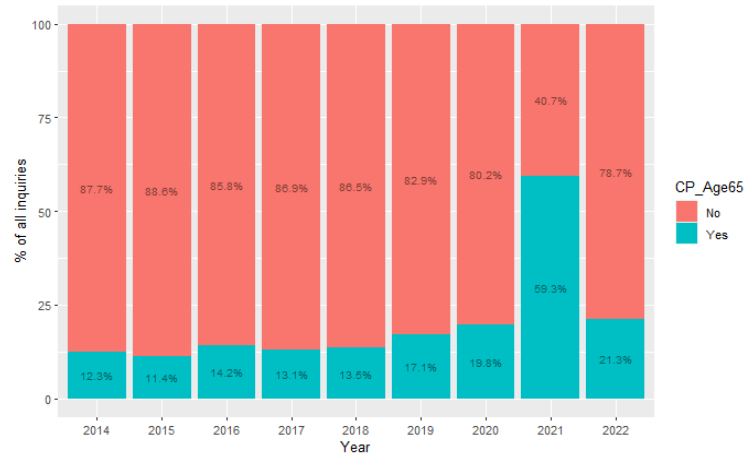


Figure 2: Share of inquiries from people over 65

Gender

In terms of gender, those callers who identify themselves as females form most of our inquiries (70 to 75% of those who answered our gender question). Over the years, we are also seeing a rise in the share of calls from those who do not identify themselves as either male or female. In 2022, almost 7% of callers identified themselves as gender non-conforming.

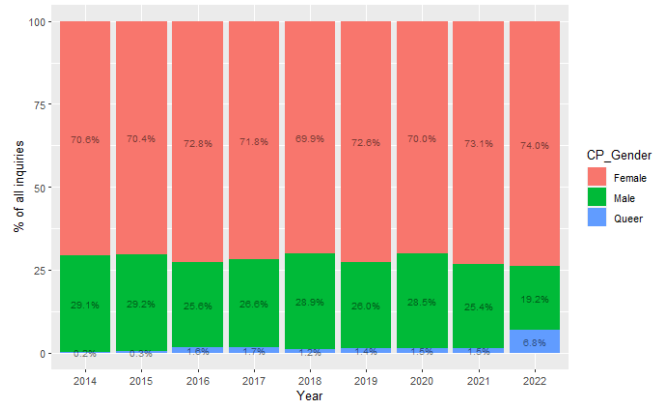


Figure 3: Share of inquiries by gender

Hispanic callers

Most of our callers who disclosed their ethnicity said that they were non-Hispanic/Latino. On average about a third of the callers each year are Hispanic although no clear trend over time can be seen in our data in the last four years.

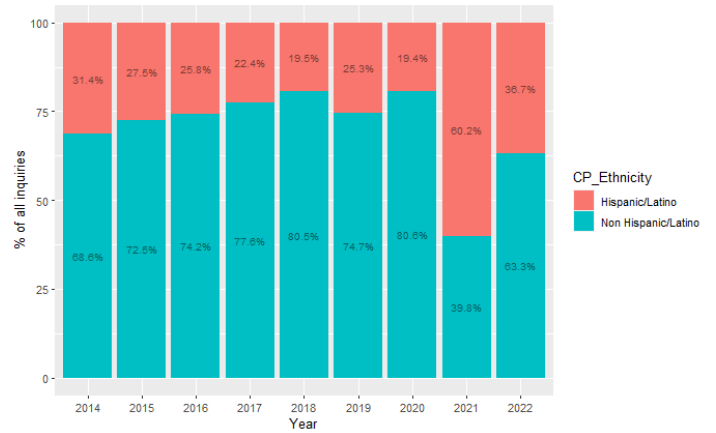


Figure 4: Share of inquiries by ethnicity

Race

In terms of race, most of the callers are white, which is not a surprise given that almost 87% of Oregon’s population is “White only”. Our data also shows that the proportion of calls from non-white Oregonians has been steadily rising over the years. As per US Census (2021 estimates), 2.3% are “Black or African American alone”. But about 15% of those who reached out to FHCO in 2022 identified themselves as “Black”.

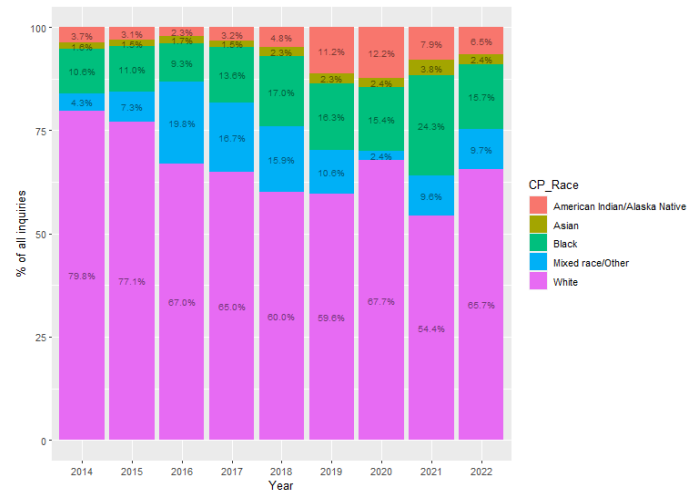


Figure 5: Share of inquiries by race

TRENDS OVER TIME

There has been a drop in the number of inquiries that FHCO has received over the last 9 years for which we have data. FHCO reduced the weekly phone hotline hours by half in early 2019 to better focus on our investigation and advocacy of cases that had a fair housing allegation involved. This has resulted in a drop in the total number of inquiries we received in the last three years. The share of inquiries that had a fair housing allegation and where FHCO was able to assist the complainant (cases marked as “Allegation and Inquiry” in the graph below) does not show any notable change over time and have remained at around 10% of all inquiries.

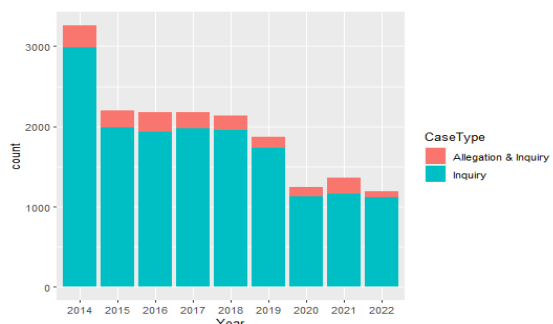


Figure 6: Number of inquiries/allegations received by FHCO

INTERSECTIONALITY

Our data also provides evidence of intersectionality of disadvantages due to multiple protected class memberships. When a complainant reports a Fair Housing violation, FHCO intake staff tries to identify all the possible protected classes that the complainant considers as possible reasons for the different treatment they received. For example, we see that among those who reach out to us with cases of Fair Housing allegations that relate to source of income, 65% also have one or more disabilities that they think may have played a role in how they were treated by the housing provider (Figure 8). More than half of all source of income complainants also reported that their race might have been a reason for how they were treated. More than a third of those reporting disability as a possible reason for different treatment also said that their gender might also have been a reason for the discriminatory treatment they received from a housing provider. Similarly, if we look at all cases where disability was a protected class, more than 15% of those cases also involved Source of Income and more than 12.5% also involved gender and 8.6% also involved race (Figure 9).

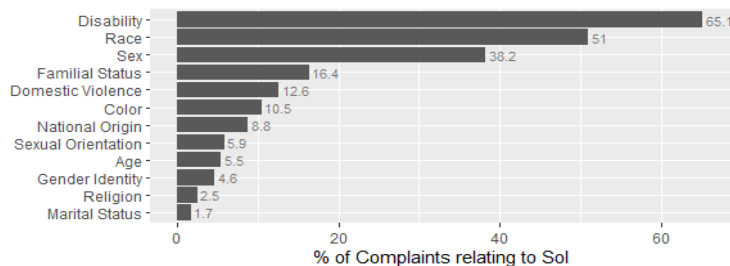


Figure 8: Source of Income complaints by other

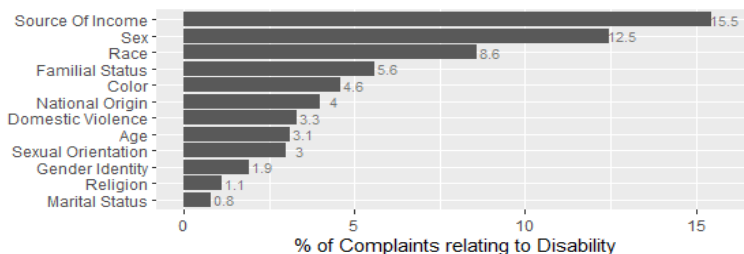


Figure 9: Disability complaints by other protected

Some other findings about intersectionality in the data are as follows:

- 56% of those reporting a race-based Fair Housing violation have one or more disabilities even though they did not consider their disability as a reason for the treatment they received.

- 65% of those reporting a gender-based Fair Housing violation have one or more disabilities.
- More than 13% of those reporting gender based Fair Housing violation are Black.
- 14% of those reporting familial status as the reason for their alleged Fair Housing violation were Black.
- 16% of those reporting being a domestic violence survivor for their alleged Fair Housing violation were Black.

We have recently started tracking criminal history as a factor for housing discrimination faced by some of our clients (even though it is not an explicit protected class in Oregon). In the future we hope to have data on how criminal history intersects with race or disability.

TRENDS IN THE DATA BY PROTECTED CLASS

Figure 11 shows the change in the absolute number of inquiries for each protected class. We notice that there is a drop in the absolute number of inquiries from 2019 to 2022. (Criminal background is not a protected class in Oregon but this category was added to the FHCO database for tracking purposes in 2020.)

Figure 10 shows the change over time in the percentage share of inquiries that had one or more Fair Housing allegations that FHCO investigators/advocates assisted with. Here we notice a rise in the share of cases that FHCO was able to assist with over the last 4 years for most protected classes. This means that even though there was a reduction in the total absolute number of inquiries that FHCO received, we were able to offer investigative and advocacy services to a greater share of our callers than just offering information on rights they have under Fair Housing laws.

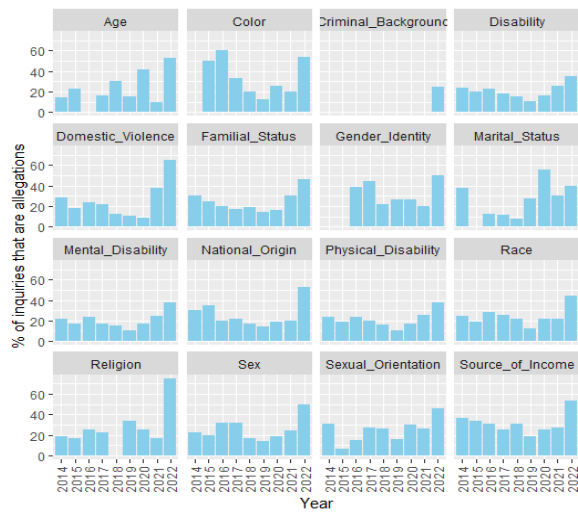


Figure 10: Percentage of inquiries by protected class 2014-2022.

Figure 11: Number of inquiries by protected class

Figure 12 shows that among the protected classes in Oregon, when inquiries are added up across all 9 years, a higher share of Source of Income related inquiries that FHCO received, involved an alleged Fair Housing violation that FHCO was able to investigate or assist with than that of persons with one or more disabilities. Sex, race and national origin are somewhere in between in this list. Disability has the least share of cases where FHCO has advocated. That maybe because many of the disability related cases are resolved through self-advocacy based on the information that callers get about their rights from FHCO. (The total number of cases for some protected

classes such as disparate impact related to criminal background, marital status and religion, are too small to reliably infer meaning from their percentages.)

Distribution of intakes by protected class.

Figure 13 shows that disability (either mental or physical or both) is by far the most common protected class that folks who reach out to us with inquiries belong to. Disability is followed by race, gender (“sex” as it is referred to in the Fair Housing Act), familial status, and source of income. The number of inquiries from folks who belong to these other protected classes may not always get recorded accurately in our database because sometimes intake staff only check the boxes for one or two of the protected classes that a caller belongs to, thus not capturing all other protected classes that they might also identify themselves with and that might have played a role in their being treated differently. This is particularly glaring for the number of inquiries relating to “sex” which in this case implies different treatment meted out to women (since an overwhelming majority of complainants alleging gender-based housing discrimination are women). Demographic information of our callers indicates that the number of inquiries from folks who identify themselves as women constitute 70% of all our callers. A similar percentage of our callers also reported having one or more disabilities. But the number of inquiries relating to disability as a protected class is more than 5 times those relating to sex.

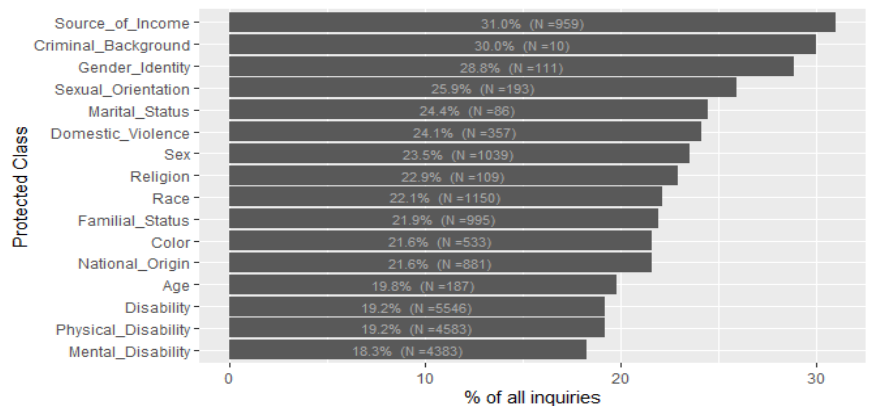


Figure 12: Percent of all inquiries with a fair housing allegation by protected class.

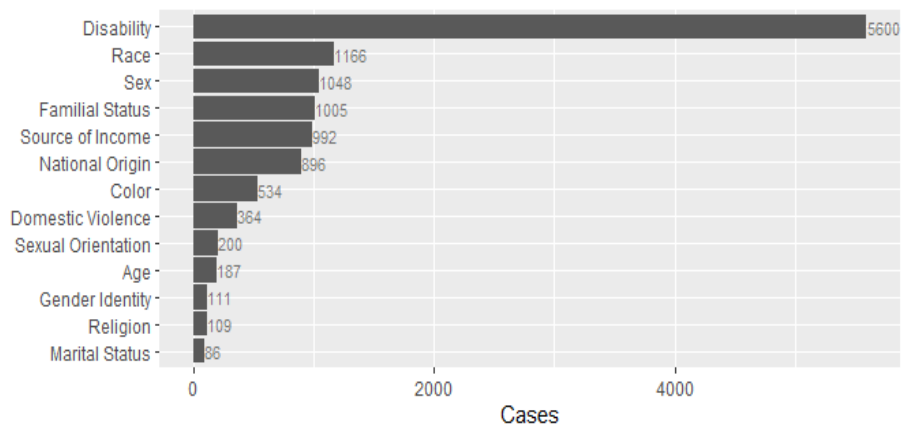


Figure 13: Total inquiries received by FHCO by protected class, 2014-2022

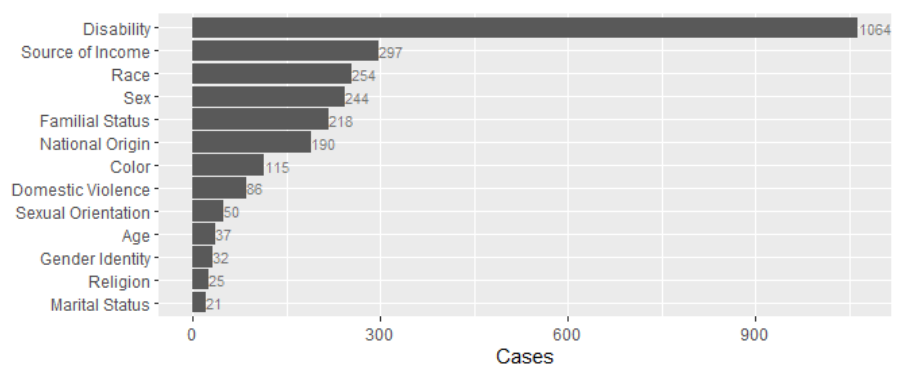


Figure 14: Bona Fide allegations by protected class, 2014-2022

Figure 14 shows the number of Bona Fide allegations that FHCO received for each of the protected class. Here again, it is not surprising that disability (mental, physical or both) is the most common protected class that complainants who reach out to us have reported as the reason they are facing housing discrimination of one form or another. According to our data, the next most common protected class that is a basis for a housing

discrimination allegation is 'source of income' (those with some form of rental assistance, including both housing choice vouchers and other forms of nonprofit support). This is followed by race which is significant given that less than 5% of Oregon population identify themselves as African American. Discrimination due to sex or gender, familial status, and national origin are also significantly represented in our data.

Below are some of the types of fair housing allegations that we commonly hear from those reaching out to us with inquiries. The most common issue among the inquiries we receive is reasonable accommodation. It is not surprising given that many calls we receive are from folks with disabilities. The next highest number of inquiries are issues relating to different treatment in "Terms & Conditions" such as lease terms, required security deposits, income requirements, background checks, etc. Harassment is the third most common type of allegation, and this includes property owners harassing a tenant or a tenant/neighbor harassing another tenant/neighbor.

Figure 15 shows the distribution of fair housing allegations that FHCO has handled based on allegation type. Reasonable accommodation is the most common allegation type even among Bonafide Fair Housing Allegation cases. This is followed by cases where the complainant alleges different terms and conditions that were offered to them by the housing provider because of their protected class status. Harassment, refusal to rent, and eviction are also among the common allegation types that we see in our data.

If we look at the share of fair housing allegations under each protected class that are of the type "Harassment", we see that religion, color, sexual orientation and gender identity have higher share of cases that are harassment-type cases and source of income and disability have a smaller share of cases that are harassment cases. Nearly 68% of religion-based allegations are of type harassment whereas only 13% of source of income cases and 21% of disability related cases are harassment cases. Generally speaking, harassment due to inherited identities like race, color, national origin and religion seem to face more harassment than those protected classes that are non-inherited such as source of income, disability and familial status.

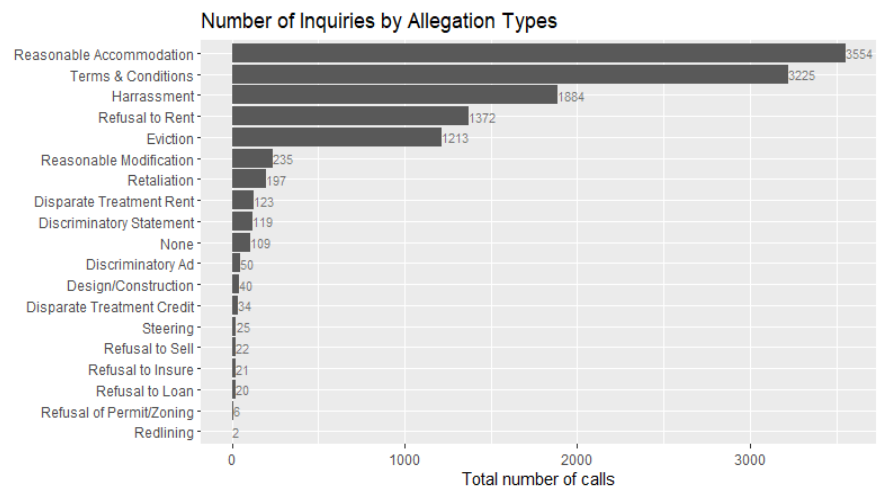


Figure 15: Total number of calls by allegation type, 2014-2022.

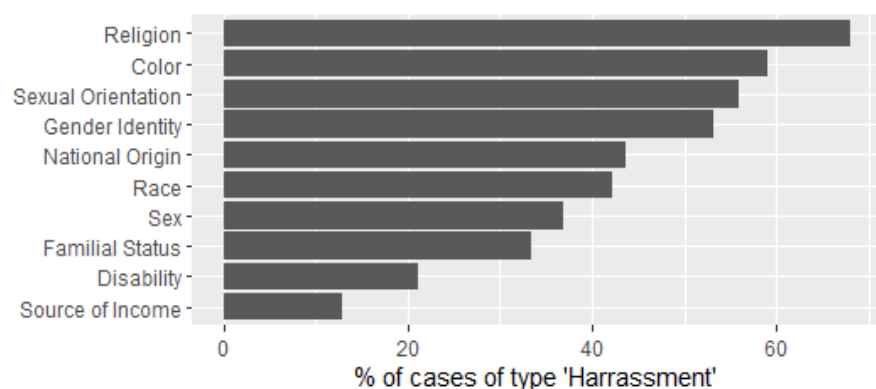


Figure 17: Percent of cases categorized as harassment allegations by protected class

Figure 18 shows the distribution of all Fair Housing allegation cases that FHCO closed based on how they were resolved. Out of around 1900 or so fair housing allegations that FHCO dealt with, about a third of the cases were resolved by FHCO through informal advocacy. The share of cases that went to BOLI or HUD or those that were resolved by an attorney or went to court is only about 1.5%. It is worth noting that about 150 cases were marked as “CP Resolved” which means that the complainants in those cases were able to resolve their issues through self-advocacy after they learnt more about their rights under the Fair Housing laws from the resources FHCO provided them in their intake process. It is also worth noting that over 18 percent of complainants dropped out of the process of engaging with us after we started investigating their allegations (marked as “Complainant dropped”) We hope that some of these complainants also resolved their fair housing issues through self-advocacy and therefore did not need our assistance anymore and so did not return our calls. But we are also aware of cases where complainants dropped out due to fear of possible retaliation by their housing providers. For many of our complainants, ensuring they have a roof over their heads is a much greater priority than holding their housing provider accountable for their alleged discriminatory actions.

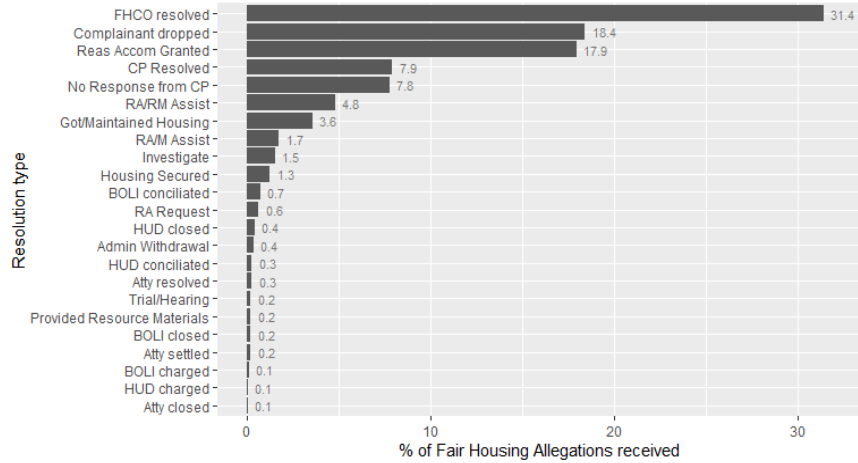


Figure 18: Percent of fair housing allegations by resolution type

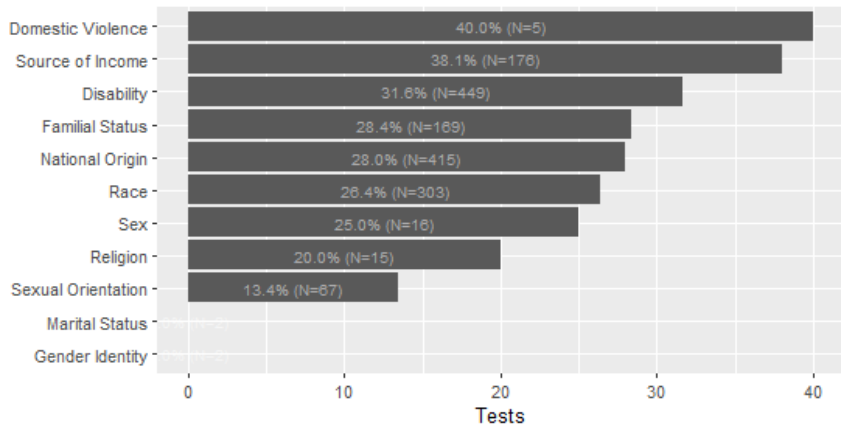


Figure 19: Percent of positive tests by protected class

Distribution of tests by protected class (rental vs advanced, phone test vs. Others, audit vs. Complaint based)

FHCO conducts broadly two categories of tests:

- Rental test (1290 tests conducted between 2014 and 2022, a majority of them are audit tests but it includes 89 tests that complaint-based, that is, they were part of an investigation for alleged Fair Housing violations).
- Advanced tests (which includes 114 mortgage lending tests, 91 Homeowners Insurance tests, 65 sales tests and 18 Design and Construction tests).

1073 of these tests were done over the telephone while 297 were done in-person. 230 tests were conducted by email.

Among the protected classes for which FHCO conducted Fair Housing tests, disability, national origin, and race had the most tests. They were followed by familial status and source of income. Among these protected classes, source of income tests had the highest share of tests that came out positive for different treatment. (Domestic violence tests have a higher share of positive test results than source of income tests but the total number of domestic violence tests conducted are too few to be considered a representative sample. While there were a small number of tests conducted for marital status and gender identity, none of those tests came out positive for different treatment.)

ANALYSIS BASED ON PROTECTED CLASS



ANALYSIS BY PROTECTED CLASS

DISABILITY

Figures 20, 21, and 22 suggest that on average, only about a fifth of all inquiries relating to disability as a protected class end up having a Fair Housing allegation involved where FHCO was able to help. Based on the demographic information of our callers, we know that about 70 percent of callers across all protected classes reported having one or more disabilities. This indicates that callers who have a disability are more likely to overestimate the extent to which they can ask for reasonable

accommodation. Or they are more likely to be able to self-advocate for themselves armed with the information that FHCO provided them in response to their inquiry; in those cases, FHCO’s direct advocacy on behalf of that complainant was not necessary.

Among the Bona Fide Fair Housing allegations that were based on a disability, we see that most cases involved a request for reasonable accommodation. The next most frequently seen allegation types among disability related allegations were offering “different terms and conditions” and “harassment.” An example of different terms and conditions in the context of disability is when a landlord asks a tenant with an assistance animal to get renter’s insurance when other tenants are not required to have a renter’s insurance.

Disability intake case resolution types

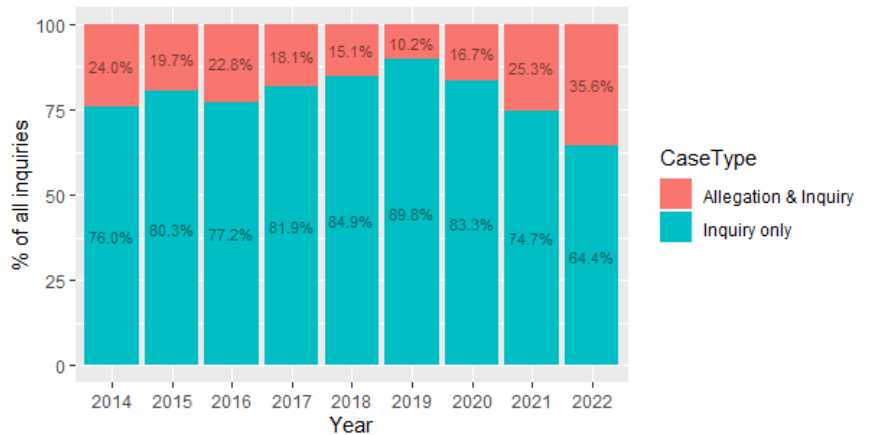


Figure 20: Percent of disability cases by case type

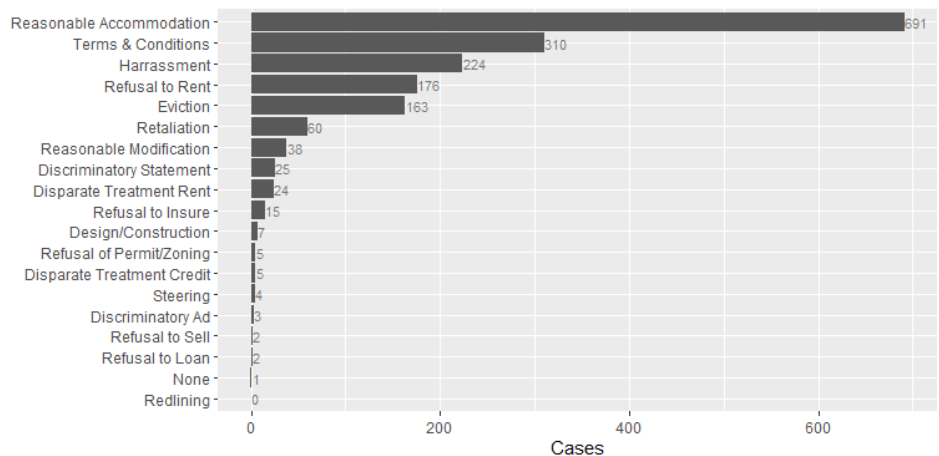


Figure 22: Fair housing allegations related to disability by resolution type

Based Figures 20-22, we see that about half of all disabilities-related Fair Housing allegations that FHCO closed were resolved by FHCO through informal advocacy. This is higher than the overall share of cases of all protected classes closed by FHCO that were resolved by FHCO (which was 33%). This suggests it is easier to resolve disability-related fair housing issues through informal advocacy than cases involving protected classes associated with inherited identities (such as race, color or national origin).

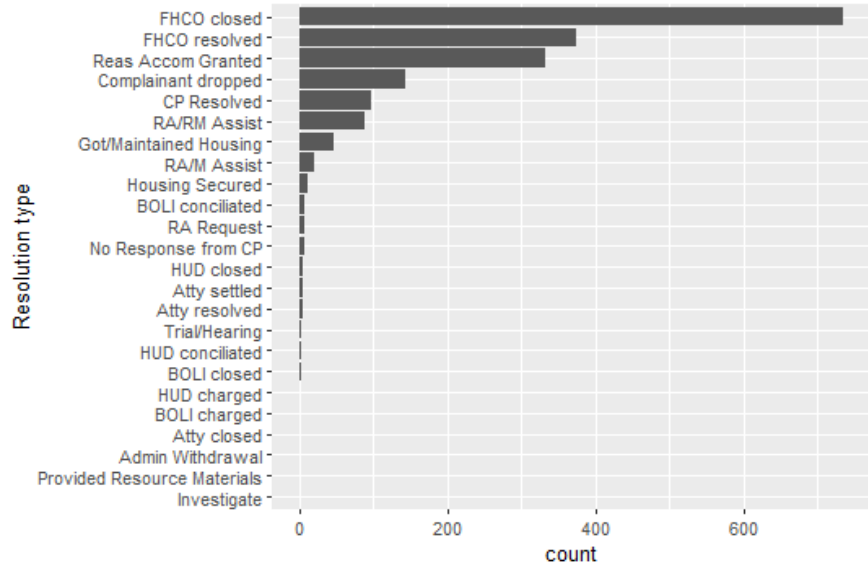


Figure 21: Bona Fide allegations related to disability by allegation type

SOURCE OF INCOME

If we look at the longitudinal breakdown of our numbers since 2014, we see that we receive about 100 inquiries each year from individuals who identify themselves as those receiving some form of housing assistance. About a third of them involve a Bonafide Fair Housing allegation. The share of overall inquiries relating to source of income that involved a Bonafide Fair Housing allegation is higher than that share for other protected classes. This indicates that those calling us with a source of income issue are more likely to be facing a genuine Fair Housing issue and not just a Landlord-Tenant issue. It can also indicate that those allegedly denying housing to voucher holders are less likely to change their mind when the complainant tries to self-advocate and so the FHCO advocacy is necessary in those cases.

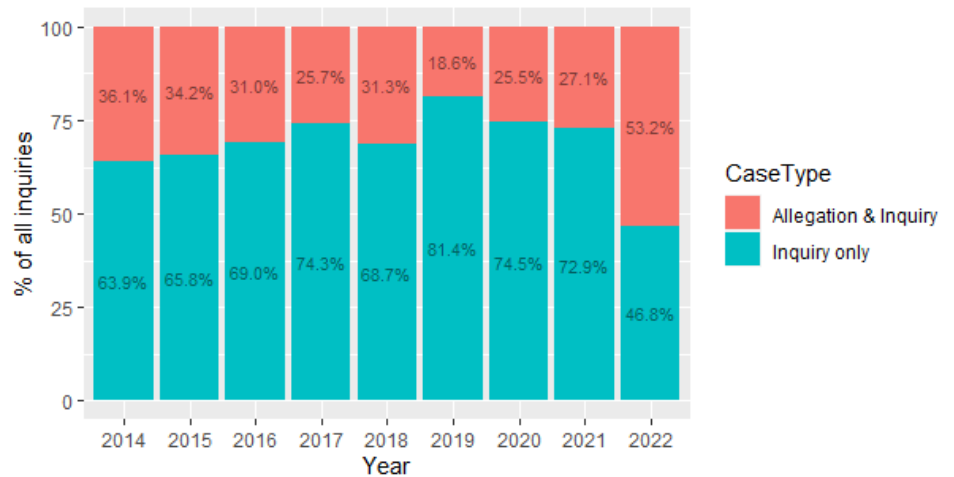


Figure 23: Source of income inquiries by case type

Source of Income inquiries and intakes by allegation type

Figure 24 shows the distribution of source of income related Fair Housing allegations across different allegation types. “Refusal to rent” is the most common allegation type among those who have a housing voucher who reach out to us to report a Fair Housing violation. The next most common allegation among those with vouchers is ‘different terms and conditions’ for their rental (e.g., they were quoted different rent for the same unit than those without a voucher, or they were offered a shorter lease term, or were told higher credit score requirement to apply).

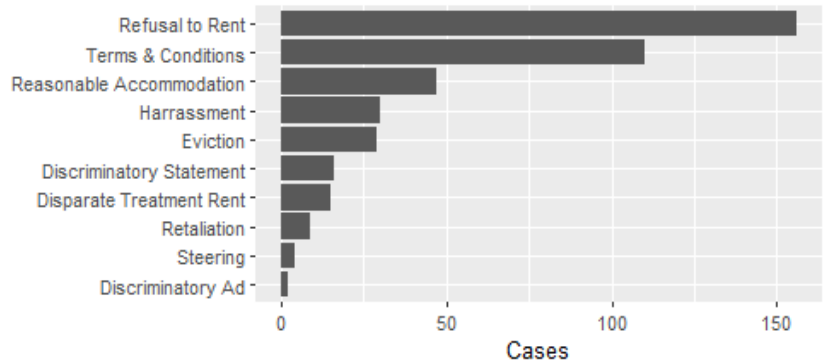


Figure 24: Bona Fide allegations related to source of income by allegation type

Source of Income intake case resolution types

Based on Figure 25, we see that about half of all ‘source of income’-related Fair Housing allegations that FHCO closed were resolved through informal advocacy. Similar to disability-related allegations, share of source of income allegations resolved by FHCO is again higher than the overall share of cases that were resolved by FHCO (which was 33%).

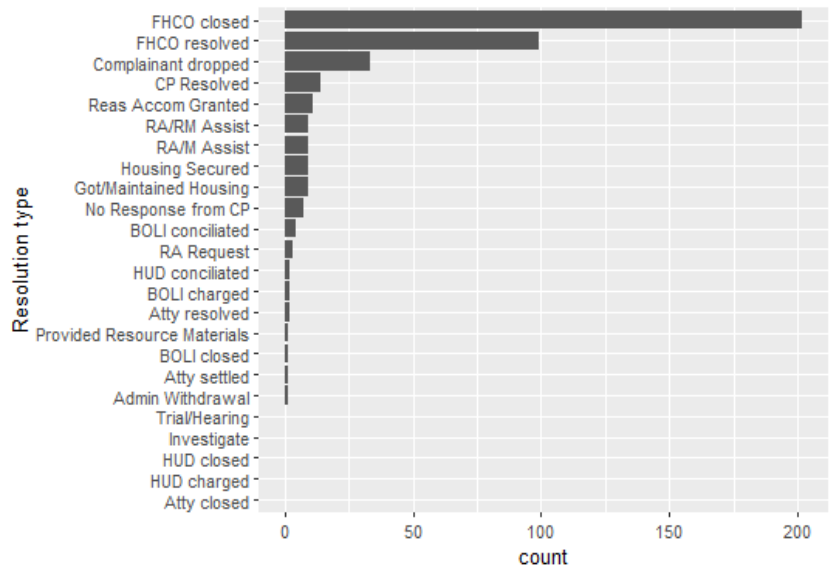


Figure 25: Fair housing allegations related to source of income by resolution type

Source of income test results

38% of all source of income tests FHCO conducted came out positive. This is a high percentage of positive tests relative to that of other protected classes, but it is important to also be clear what this means. It does not mean that 38% of Oregon

landlords discriminate on the basis of source of income. That is because the sample of rental units that we test is not a representative sample. FHCO deliberately tries to test properties that are more likely to discriminate based on the language used in the advertisement for that rental. Therefore, our sample is not entirely random. While the actual percentage of positive tests in any protected class may not tell us much, the percentage for a protected class relative to that of other protected classes does say something. The higher-than-normal share of positive tests for source of income indicates that there remains a gap in awareness among housing providers about legal protections against discrimination afforded to those with housing vouchers. That being said, testing is a particularly useful tool to discover discrimination at the point of entry/leasing. Since a majority of source of income

discrimination that we see from our hotline data also are of the type “refusal to rent”, our testing catches more of such discrimination than our tests in other protected classes.

Here are some examples of Positive test results in Source of Income tests:

Refusal to Rent:

- Both testers sent same initial email inquiry about availability and received same response, both testers provided similar follow-up questions about rental unit and tester with Section 8 added question about Section 8 voucher; tester with no Section 8 voucher was provided specific information about applying and rental criteria as well as an additional follow-up email to see if they were still interested in applying while tester with Section 8 voucher, upon revealing voucher, did not receive a response or any further communication from agent.
- Tester with no Section 8 voucher offered appointment to view the apartment and tester with Section 8 voucher was also offered the option to view the apartment but did not receive a response to their explicit question if Section 8 was accepted, when tester with Section 8 voucher sent another message to ask if voucher was accepted, they did not receive a response from agent.
- Tester with no Section 8 voucher received a reply with info about unoccupied units whereas tester with Section 8 voucher, after indicating they had a voucher, did not receive a response from agent.

Different Terms, Conditions, Privileges, Services, or Facilities:

- Tester with no Section 8 voucher was not told about renter’s insurance whereas tester with Section 8 voucher told by agent that they were unsure if Section 8 was accepted and would have to follow-up with a manager and that renter’s insurance would be required.
- Tester with no Section 8 voucher asked for their email and received a follow-up email about application fee, unoccupied units, and specific time for waitlist for one of the units while tester with Section 8 voucher was not asked for their email and did not receive follow-up communication nor information about application fee.

RACE

On average, in about 22% of race-related inquiries, FHCO identified a Fair Housing allegation and offered to help the complainant.

Race related inquiries and allegations by allegation type

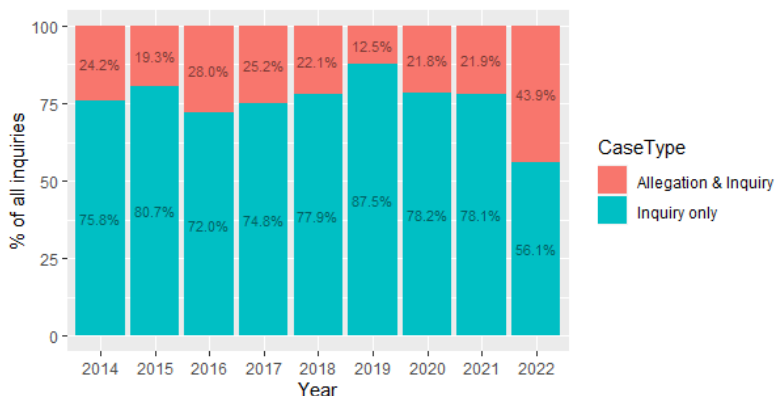


Figure 26: Race inquiries by case type

Most of the race-related allegations involved being offered less favorable terms and conditions (such as higher deposit, not being offered move-in specials, higher income threshold to qualify etc.). The next most frequent allegations among the race-related allegations were of harassment that included harassment from other tenants/neighbors or maintenance staff. Refusal to rent came third among the race-related fair housing allegations.

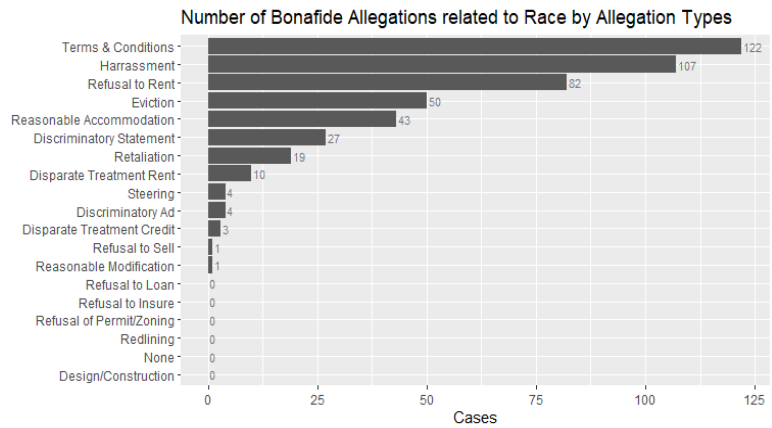


Figure 27: Bona Fide allegations related to race by allegation type

Race related allegations by resolution types

About a third of the race-related fair housing cases were resolved by FHCO by informal advocacy. This is like the overall share of cases involving all protected classes that were resolved by FHCO by informal advocacy. A few of the race-based cases that had to be escalated were settled or resolved after involving private attorneys. Our assumption is that the stigma of being called out as “a racist” makes many property owners/property managers hesitant in acknowledging different treatment because of race and they tend to push back on any concerns about race-based discrimination that FHCO raises with them through informal advocacy.

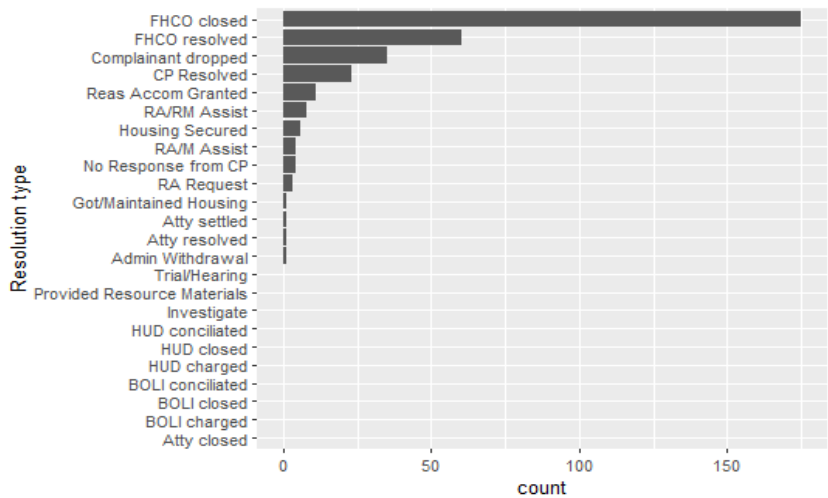


Figure 28: Fair housing allegations related to race by resolution type

Race test results summary

A little over 26% of race-based tests that FHCO conducted came out positive. Like other protected class tests, these tests also did not have a randomized sampling of properties to test. It includes some complaint-based tests as well where we had a prior complaint about the housing provider. Therefore this percentage does not represent an accurate measure of housing providers in the state that are discriminating on the basis of race.

Here are some examples of the type of positive tests we have seen in race-based tests.

- Misrepresentation of Availability:
 - White testers offered information on more unoccupied units than Black tester.
 - Showing Black tester, a model unit and explaining that actual unit was not available, while taking white tester to a unit that was available to rent immediately

- Different Terms and Conditions:
 - White tester offered more significant discounts/promotions than Black tester.
 - White testers informed of special discounts from rent and/or lower move-in costs, but Black testers were not.
 - White tester offered parking special, but Black tester was not.
 - White tester told they need to earn 2.5x rent, while Black tester told they need to earn 3x rent to qualify.
 - Follow up communication with white tester, but not Black tester.

COLOR

The number of inquiries relating to color has seen a lot of variation over the years. Our guess is that this is because of different understanding of what color as a protected class means (as distinct from race) among intake staff who entered the data.

Most common allegation types among those reporting housing discrimination based on Color are “Harassment” and being offered different “Terms & Conditions.”

These are like the allegation types most common in allegations relating to Race.

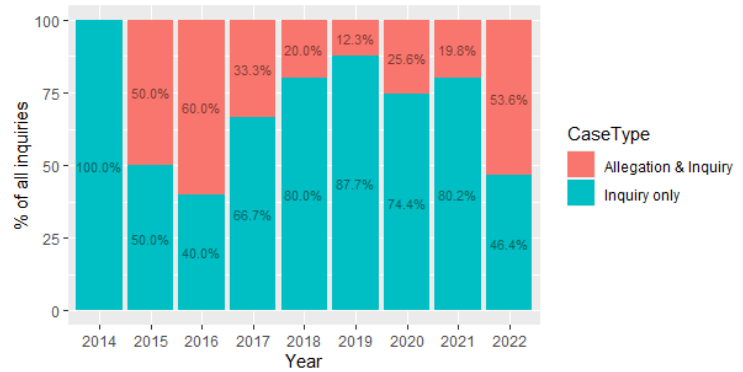


Figure 29: Color inquiries by case type

A little over 40% of all Fair Housing allegations relating to Color that FHCO investigated and closed were resolved by FHCO through informal advocacy. This share is higher than those allegations that were Race-based but is lower than those that were Disability-based or source of income-based.

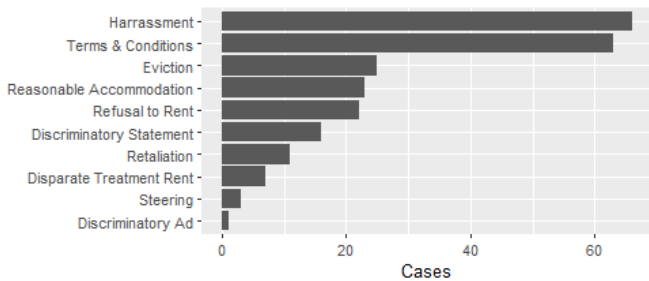


Figure 20: Bona Fide allegations related to color by allegation type

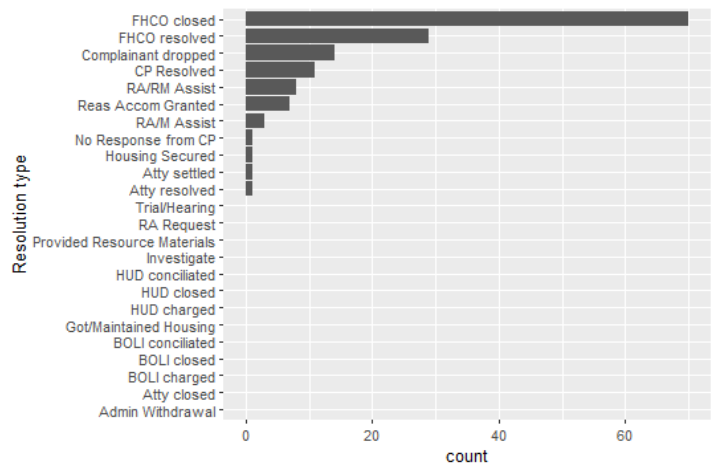


Figure 41: Fair housing allegations related to color by resolution type

SEX/GENDER

On average about 24% of inquiries relating to sex/gender based discrimination that FHCO received have a Fair Housing allegation that FHCO investigated.

The most common sex/gender-based housing discrimination allegation is being offered different “Terms & Conditions.” The second most common type of allegations for this protected class is “Harassment” (including sexual harassment). “Refusal to Rent” is the third most common allegation type for those alleging different treatment based on Sex/Gender. We have also seen some cases where survivors of domestic violence are evicted because of their partner’s behavior.

About 45% of all Fair Housing allegations relating to gender that FHCO investigated and closed were resolved by FHCO through informal advocacy. This share is higher than those allegations that were race-based or color-based but is lower than those that were Disability-based or source of income-based.

Types of Sex/gender related allegations FHCO has received

Many sex/gender related allegations that FHCO receives has other protected classes involved as well. In those cases, the complainant usually highlights those other protected classes (e.g. domestic violence survivor, source of income, sexual orientation, disability etc.) as the primary reason for being treated differently. For those who report allegations that are solely because of their gender, a number of them are sexual harassment allegations directed either at the housing provider, a maintenance staff or a neighbor. Here is a particularly egregious example of an allegation of sexual harassment that FHCO received:

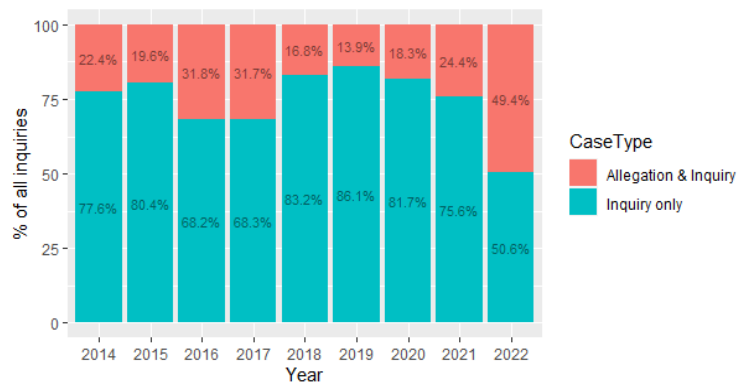


Figure 32: Sex/gender cases by inquiry type

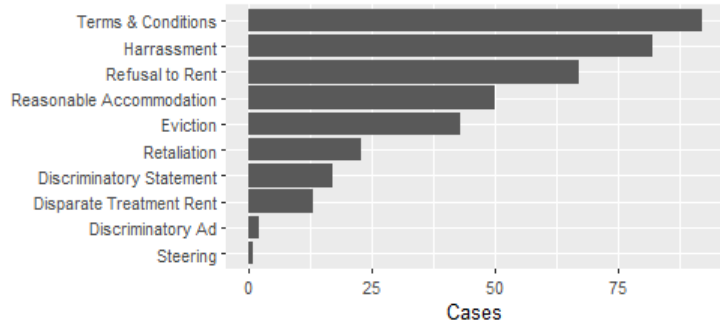


Figure 33: Bona Fide allegations related to sex/gender by allegation type

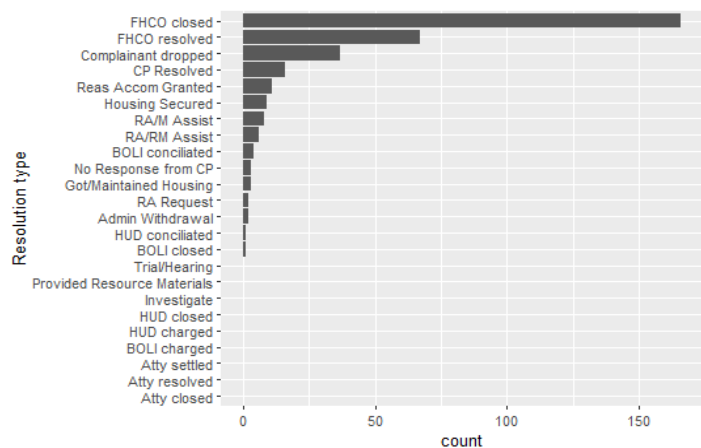


Figure 34: Fair housing allegations related to sex/gender by resolution type

- A female tenant residing in a unit where landlord also lived next door received multiple text messages from her landlord requesting her to share his Jacuzzi. The landlord then made several inappropriate and sexually suggestive comments to her and also explicitly asked for sex in return for money over text messages. At this point, the complainant moved out of the house and wanted to file a complaint. FHCO drafted a complaint but the complainant later asked to drop the complaint.

FAMILIAL STATUS

The share of inquiries that came from families with children that FHCO determined had a Bonafide Fair Housing Allegation shows a gradual drop till 2019 and then an increase. On average about a quarter of all familial status related inquiries are allegations that FHCO has helped with.

Most common type of allegation for familial status related cases is being offered different terms and conditions for the lease. Families with children are sometimes asked to pay a higher deposit at the time of leasing or are told of a higher income to rent ratio to qualify for a unit. The second most common type of different treatment that families with children face is ‘refusal to rent.’ This is sometimes couched in terms of safety concerns (for instance, “the windowsills of the unit are too low, and children can climb on them and fall”) or non-availability of amenities (for instance, “there are no playgrounds around” or “no schools around”) or making references about the demographic profile of neighbors/other tenants (for instance, “there are no other children who live here”). The third type of allegations in this protected class is “harassment” where we see many families with children receiving lease violations either for noise or for children playing on sidewalks, etc.

Unlike some of the protected classes that relate to inherited identities (such as race, color, or national origin), allegations relating to Familial Status are more likely to get resolved by FHCO’s informal advocacy. More than 55% of allegations relating to Familial Status that FHCO helped with were “FHCO resolved”.

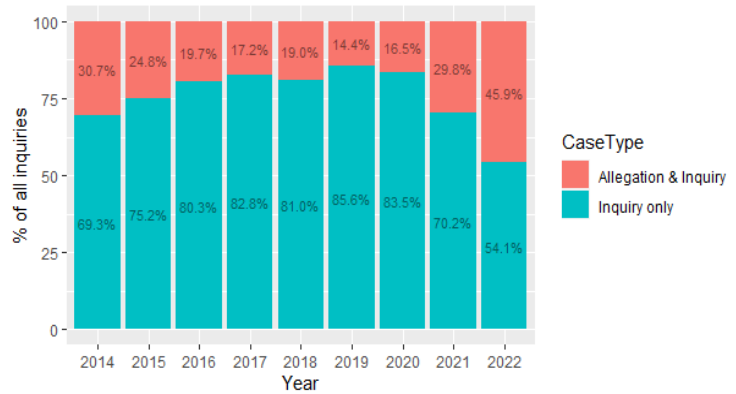


Figure 35: Familial status cases by case type

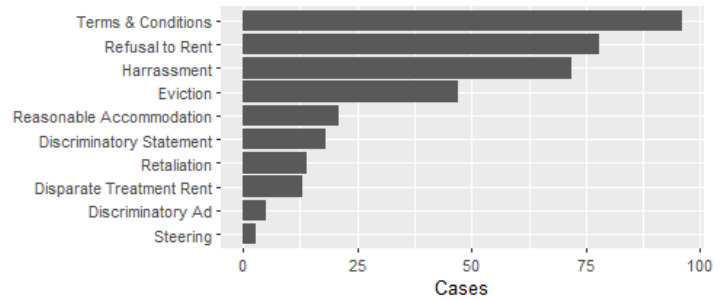


Figure 36: Bona Fide allegations related to familial status by allegation type

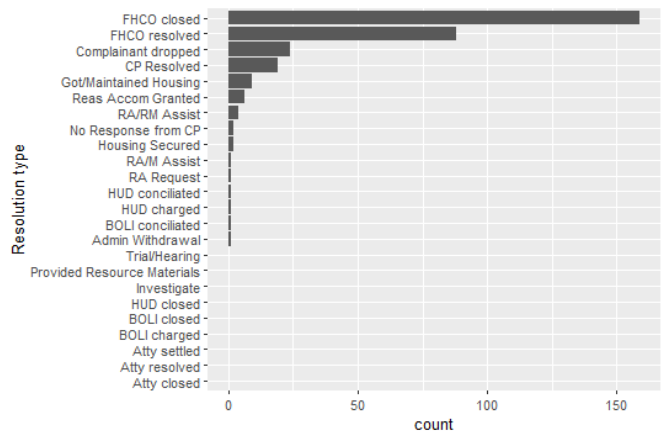


Figure 37: Fair housing allegations related to familial status by resolution type

Examples of allegations relating to Familial Status that FHCO receives

- Complainant was interested in becoming a foster parent. Complainant spoke to housing provider, and the housing provider said they don't like teen boys because they are violent. Complainant became certified as foster parent and next day was issued termination notice. A witness heard the housing provider tell complainant that if they knew kids were in the picture they'd have never rented to them in the first place.
- Complainant got a notice for noise due to her children playing. The landlord comes and knocks at their door when children are playing at home complaining of noise.
- Complainant is a family of five. Neighbor has been harassing complainant about excessive noise after their two-year-old child started walking/running around their property.

Scenario: how does FHCO address discrimination

Complainant contacted FHCO after her child escaped an incident where a neighbor tried to run over the child playing on the sidewalk of a community where homeowners lease the land from a non-profit. This incident happened after previous harassment of the children by the same neighbor. The incident was reported to the police and when FHCO brought this issue to the attention of the non-profit that leased the land to homeowners, they said that they do not have authority over the homeowners to enforce Fair Housing laws in their community and that complainant should continue to contact the police whenever such incidents happen. FHCO sent a second letter to the non-profit landlord and in response the executive director drafted a letter to send to all residents in the community educating about the Fair Housing laws, and protected classes including familial status. Complainant has informed FHCO that all residents have now received this letter and that landlord has proposed to organize a meeting of all residents to try and talk about these issues.

NATIONAL ORIGIN

The share of inquiries relating to national origin as a protected class that have Bonafide Fair Housing allegations have changed over the years. But like other protected classes, we do see this share has risen since 2019.

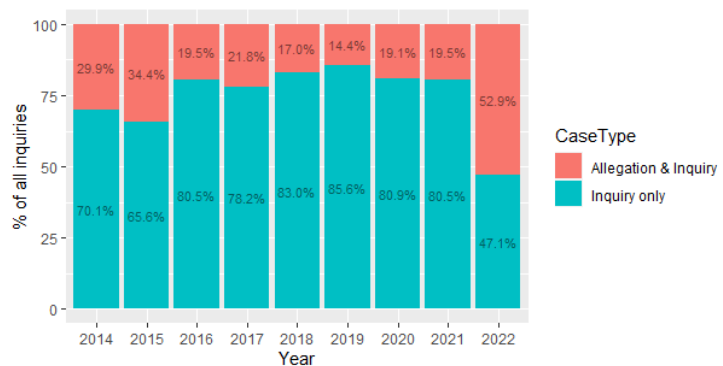


Figure 38: National origin cases by case type

National Origin related inquiries and allegations by allegation type

The most usual form of different treatment due to national origin that we see from the allegations we receive is different terms and conditions. Harassment and refusal to rent are the second and third most common types of discrimination based on national origin.

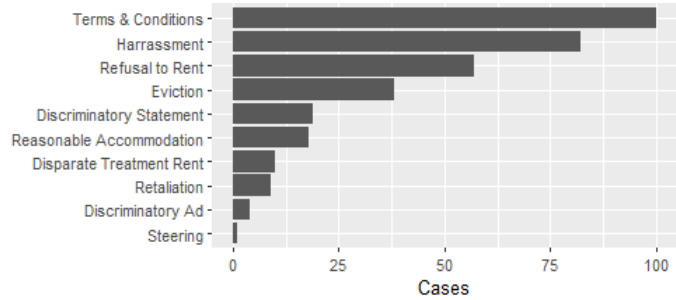


Figure 39: Bona Fide allegations related to national origin by allegation type

National Origin related allegations by resolution types

40% of allegations relating to national origin that FHCO dealt with were resolved through informal advocacy. This is higher than the share for race but is worse than familial status, disability and source of income (non-inherited identities). So, it is easier for FHCO to raise concerns and resolve issues about possible different treatment due to national origin with property owners/property management companies than it is for different treatment due to race.

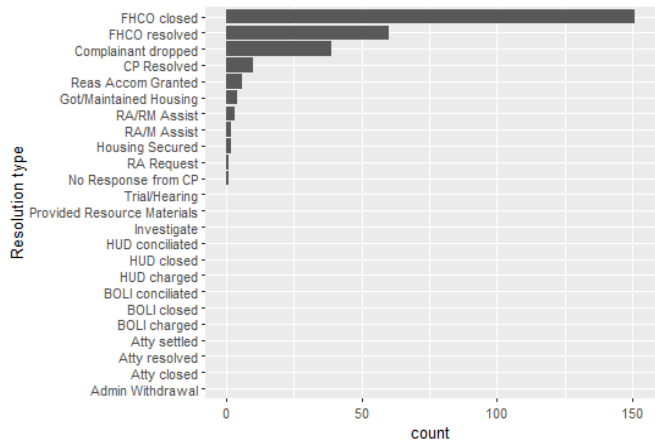


Figure 30: Fair housing allegations related to national origin by resolution type

Positive test results identified the following forms of different treatment:

Misrepresentation of Availability:

- Tester with no foreign accent told of more specific details about unoccupied units, (such as sq footage and corresponding price for two units) as well as information about how to apply and application fee whereas tester with an identifiable accent was provided less specific information (such as sharing that there were a couple of unoccupied units) and then merely told to check the website for more information.
- Tester with no foreign accent told of one additional unit available and two additional units coming available soon whereas tester with an identifiable accent was not told of the extra available unit or the additional units coming available soon.
- Tester with no foreign accent told of additional unoccupied units at additional properties whereas tester with an identifiable accent was not told of the additional units.
- Tester with no foreign accent told of multiple units available and lower rent options whereas tester with an identifiable accent was given only one available unit option with higher rent.

Different Terms, Conditions, Privileges, Services, or Facilities:

- Tester with no foreign accent told of new additions to the apartment including stainless steel appliances, two-tone paint, and onsite laundry whereas tester with an identifiable accent was not told of these apartment features/amenities.

- Tester with no foreign accent told that the agent could email an invitation to apply and video tour of apartment whereas tester with an identifiable accent was not given this invitation or offer.
- Tester with no foreign accent receiving a prompt response to voicemail inquiry about property whereas tester with an identifiable accent leaving identical information in a voicemail inquiry and not receiving a response from agent.
- Tester with no foreign accent offered a tour of the unit and given information on how to schedule a tour whereas tester with an identifiable accent was not offered tour information.
- Testers without a foreign accent told of a less expensive monthly rent than testers with an identifiable foreign accent told more expensive monthly rent for same unit.
- Testers without a foreign accent told how to apply and information about virtual tour options whereas tester with an identifiable foreign accent was not given this information.
- Testers without a foreign accent told about an array of amenities including air conditioning, washer and dryers, and fitness rooms as well as information about virtual tour options whereas tester with an identifiable foreign accent was not given this information.

RELIGION

Number of inquiries and allegations FHCO received for discrimination based on religion has been low each year making it difficult to interpret any trends over time. Only a total of 18 allegations of religion-based housing discrimination have been dealt with by FHCO in the last 9 years.

Religion inquiries and intakes by allegation type

Most of the allegations relating to religion based discrimination is harassment followed by terms and conditions.

Religion intake case resolution types

Out of the 18 religion-based allegations of housing discrimination, six were resolved by FHCO.

Examples of religion related Fair Housing Allegations

- Complainant owns a property that is part of a Homeowners' Association and has a lung disease that is exacerbated due to second hand smoke from a neighbor. They asked the HOA to address the

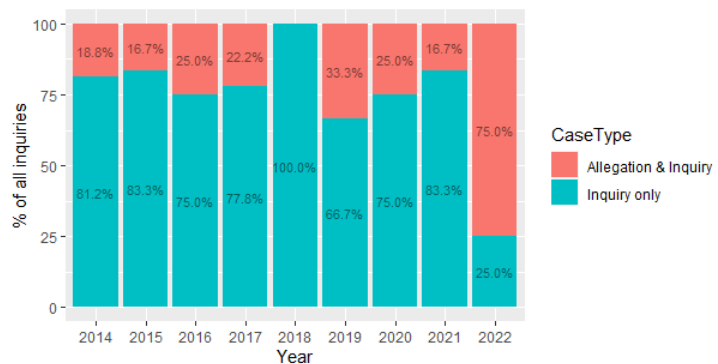


Figure 41: Religion cases by case type

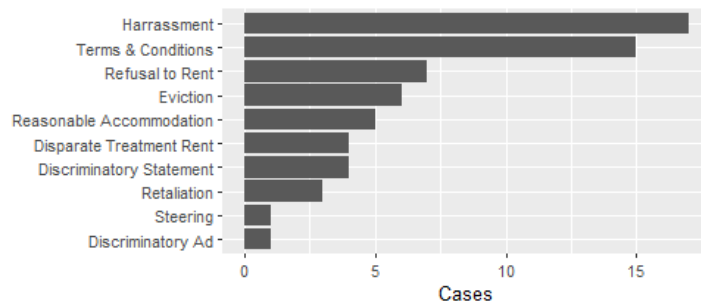


Figure 42: Bona Fide allegations related to religion by allegation type

smoke issue, but the HOA asked them to sell their property and move out. They have been harassed and transphobic comments made and they feel targeted because of their religion. They say that because they don't go to the same church as the others in the community, they are being targeted.

- Complainant who is an older Jewish woman alleges she has faced harassment because of her religion. Her unit has been repeatedly inspected (3 times in six months). Many of requests for reasonable accommodations were taken back temporarily and then granted again. She was given a notice of lease violation with a picture of her porch which had a broom a plant but in the foreground has a picture of a blanket with the Star of David on it.

DOMESTIC VIOLENCE

FHCO receives about 20 inquiries each year that are about fair housing violation that relate to domestic violence. This is too low a number to draw any conclusions about trends over time. Pandemic years (2021 and 2022) did see a large number of these inquiries having a Bona fide allegation that FHCO investigated.

Domestic violence inquiries and intakes by allegation type

The most common type of domestic violence related allegation is about different terms and conditions, followed by evictions.

Domestic violence intake case resolution types

Out of 54 domestic violence related allegations, 32 cases (nearly 60%) were resolved by FHCO. Compared to inherited protected class identities such as race, color, or national origin, FHCO has higher chance of resolving domestic violence allegations.

Examples of Domestic Violence related Fair Housing allegations

- Complainant was given a notice by the landlord because the complainant called the police when her partner was abusive. She has got a restraining order against her partner from court but her landlord wanted her to move out.
- Complainant is a domestic violence survivor whose partner also damaged her credit score by misusing her credit. She now

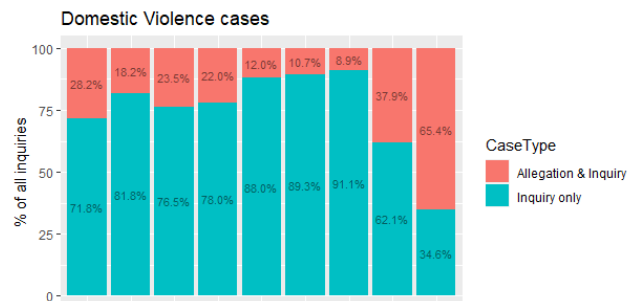


Figure 43: Domestic violence cases by case type

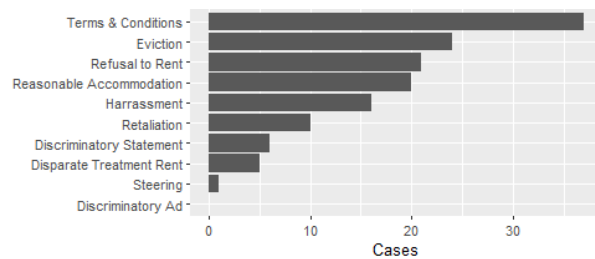


Figure 44: Bona Fide allegations related to domestic violence by allegation type

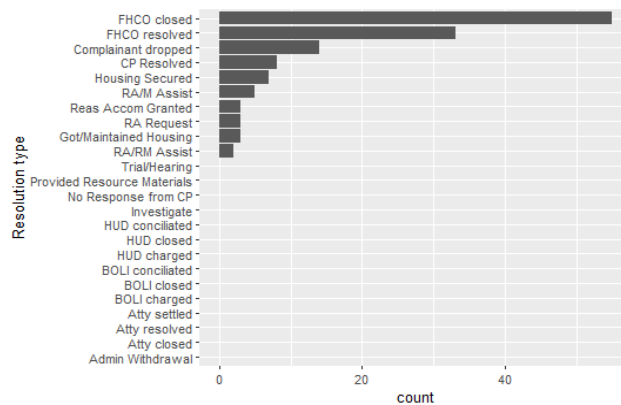


Figure 44: Fair housing allegations related to domestic violence by resolution type

is facing difficulty applying for housing even after letting housing providers know that her bad credit score is due to her abusive partner.

- Complainant who is a domestic violence survivor unable to rent because she does not have a rental history. All her previous housing were in the name of her abusive partner.

SEXUAL ORIENTATION

The number of inquiries and allegations of discrimination due to sexual orientation that FHCO received is too low for analyzing any trends over time. About 25% of inquiries translate into allegations that FHCO investigated or advocated for.

Sexual orientation intakes by allegation type

Most common type of allegation relating to sexual orientation is that of harassment. Terms and conditions is the second most common type of allegation.

Sexual orientation intake case resolution types:

The share of cases that involve sexual orientation that were resolved by FHCO is low compared to most other protected classes. Less than a quarter of the allegations FHCO received were resolved by FHCO.

Examples of allegations relating to Sexual Orientation

Almost all cases that involve sexual orientation involve other protected classes as well. Most often, the complainant alleged that those other protected classes were the reason for the different treatment they faced. Some examples of such allegations are as follows:

- Complainant and their same sex partner bought a house. A neighbor who lives in a rented house harassed, threatened, and assaulted the complainant and her wife. They have also used obscenities related to their sexual orientation.
- Complainant was being stalked, inappropriately touched and harassed by a neighbor due to ethnicity and sexual orientation. They asked to break their lease without penalty to escape the harassment. Complainant vacated at agreed upon date, but was charged a lease break fee in his online account.

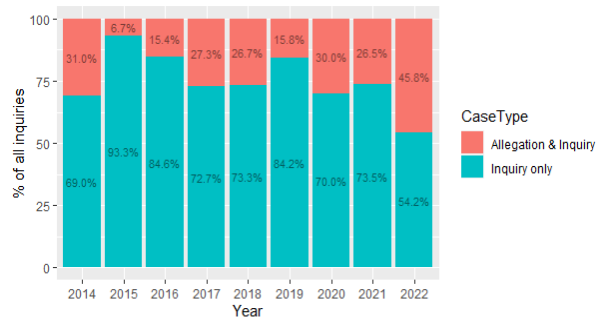


Figure 45: Sexual orientation cases by case type

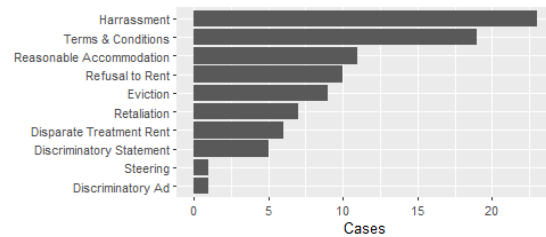


Figure 46: Bona Fide allegations related to sexual orientation by allegation type

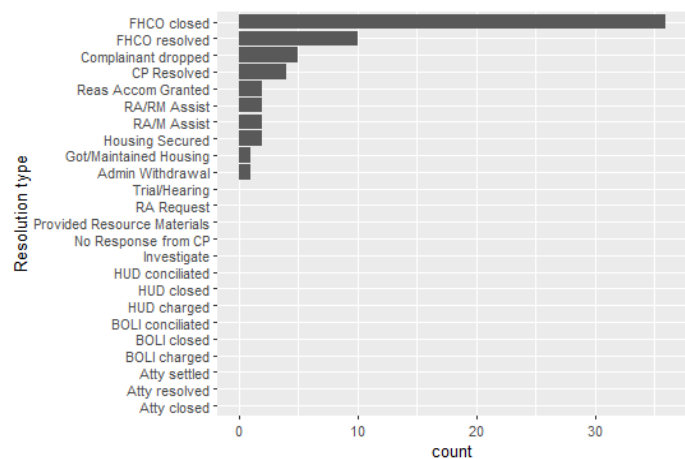


Figure 47: Fair housing allegations related to sexual orientation by resolution type

GENDER IDENTITY

On average there are about 10 inquiries relating to gender identity cases each year, although the numbers have seen slight increase in recent years. The number of Bona Fide allegations relating to gender identity has also seen an uptick in recent years.

Gender Identity inquiries and intakes by allegation type

The most common type of allegation among those that related to gender identity is ‘harassment’ followed by ‘terms and condition,’ meaning that individuals were offered different rental terms than other applicants or tenants.

Gender Identity intake case resolution types

As for sexual orientation related allegations, allegations of discrimination based on gender identity also had a very low share (less than 30%) that were resolved by FHCO.

Examples of allegations of discrimination based on gender identity

- Complainant who identifies as gender non-conforming faces hostility from a new neighbor in their rental complex and starts receiving noise complaints from the property management company after the new neighbor moves in.
- Complainant identifies themselves as transgender and had a roommate who has been aggressive against complainant and their partner. Complainant and their partner moved out of the house and got a restraining order.

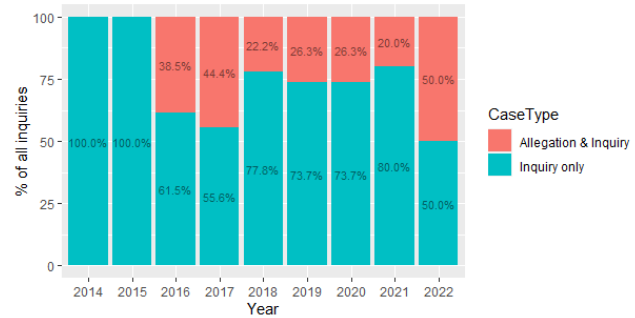


Figure 48: Gender identity cases by case type

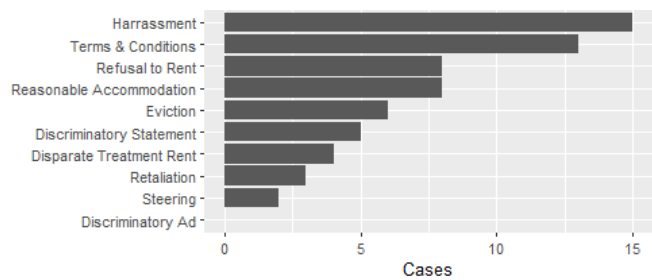


Figure 49: Bona Fide allegations related to gender identity by allegation type

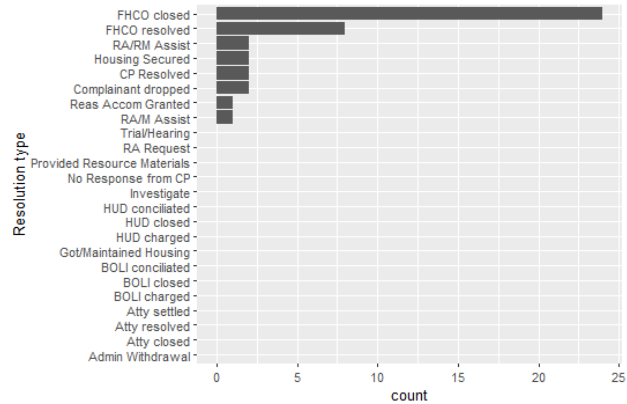


Figure 40: Fair housing allegations related to gender identity by resolution type

MARITAL STATUS

On average, FHCO receives about 10 marital status related allegations of fair housing violations every year.

Marital status inquiries and intakes by allegation type

The most common allegation type for allegations of fair housing violation on the basis of marital status is “refusal to rent” followed by “Terms and Conditions”.

Marital status intake case resolution types

Out of 16 marital status related allegations that FHCO investigated, FHCO resolved 6 of them (38%).

Examples of allegations on the basis of marital status

- Complainant shared an advertisement for a rental unit that appears problematic because it says that a married couple would receive a discount of \$70. When FHCO tested the property, two single tenants if applied would be charged \$170 total, however, a married couple would be charged \$100 total for application fee.
- Complainant is on a fixed term lease, living with two children. Complainant was single at the beginning of the lease. Complainant got married during the lease and was told she could not add her husband to the lease.

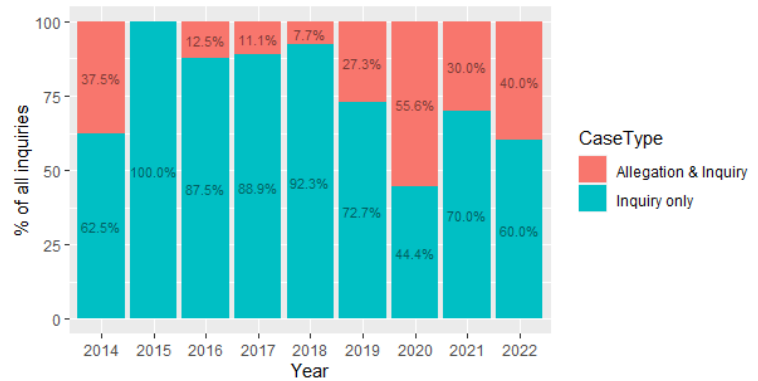


Figure 51: Marital status cases by case type

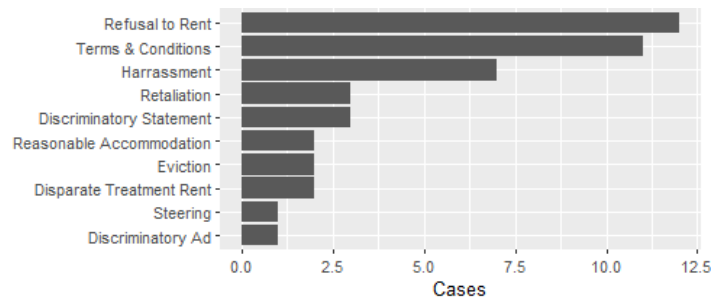


Figure 52: Bona Fide allegations related to marital status by allegation type

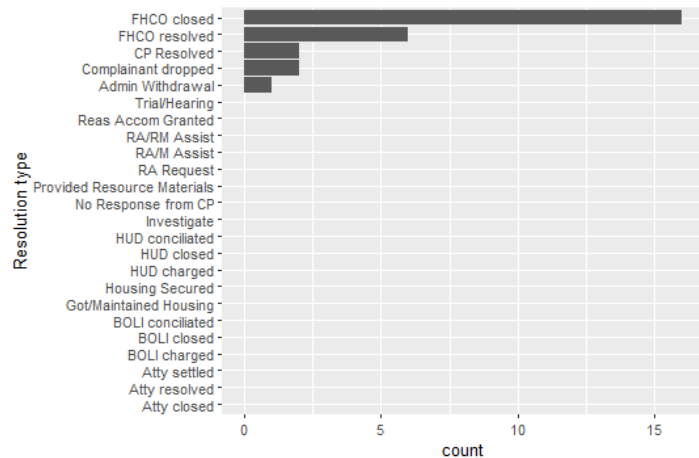


Figure 53: Fair housing allegations related to marital status by resolution type

TYPES OF ALLEGATIONS THAT FHCO WERE MORE SUCCESSFUL IN RESOLVING

Unlike some of the protected classes that relate to inherited identities (such as race, color, or national origin), allegations relating to familial status, disability or source of income are more likely to get resolved by FHCO’s

informal advocacy. These are also one-sided protected classes, meaning that an individual is either “part” of the protected class, or they are “outside” the protected class. For example, in the case of familial status, individuals either are “in” the protected class (i.e. they have children), or they are not. These protected classes may be easier to resolve through informal advocacy for a variety of reasons, but one may be that individuals who are a part of those protected classes feel that it is easier to identify discrimination. More than 55% of allegations relating to familial status that FHCO helped with were “FHCO resolved”. Compared to that, only 34% of race based cases are resolved through informal advocacy by FHCO.

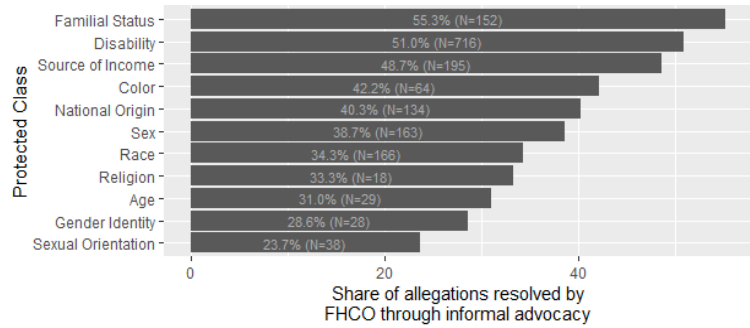


Figure 54: Share of fair housing allegations by protected class resolved by FHCO through informal advocacy

GEOGRAPHIC DISTRIBUTION



GEOGRAPHICAL DISTRIBUTION OF FHCO ENQUIRIES (BY ZIP CODE)

Figure 55 shows the absolute number of inquiries by zip code. Most inquiries come from urban zip codes partly because they have higher population. We also see a higher concentration of inquiries from the Willamette Valley and the I-5 corridor, presumably due to existing resource connections and knowledge about FHCO's work in Portland, Salem, and Eugene/Springfield.

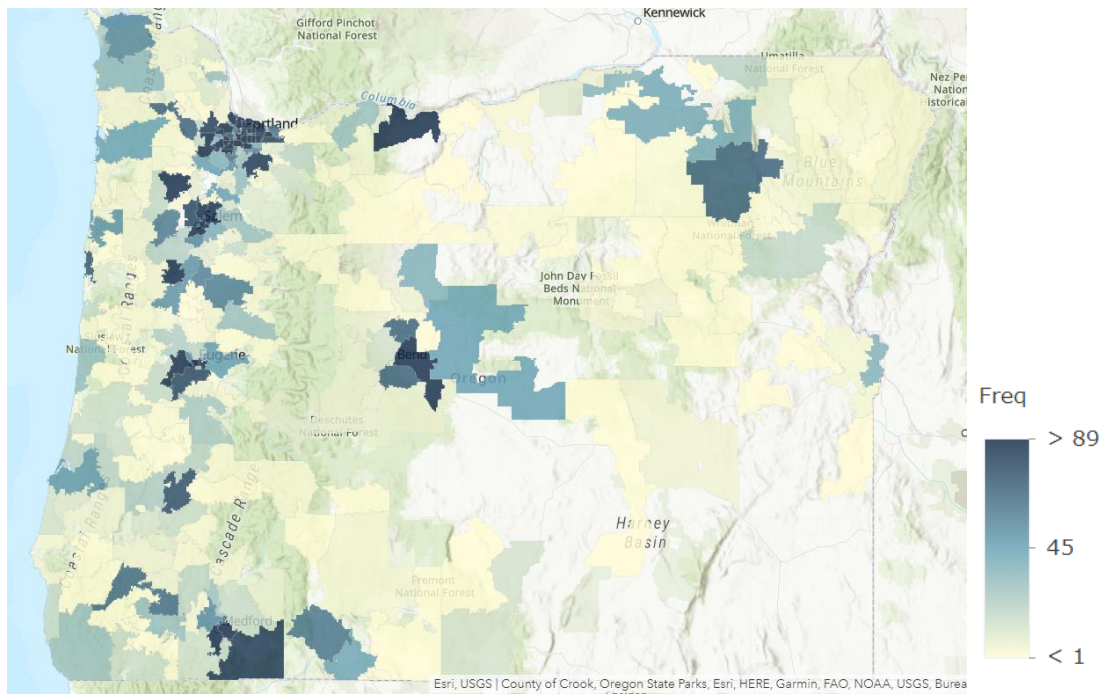


Figure 55: Absolute Inquiries by Zip Code

Figure 56 shows the number of Fair Housing Allegations by zip code. This too shows a similar pattern where most of the allegations are from urban zip codes. Most of the recent inquiries and allegations that we have received from Eastern, Central, Southern and Coastal Oregon have been in the last four years after FHCO's adoption of a strategic plan to expand statewide by recruiting staff from among those communities. In the future, we predict a continued increase in inquiries from non-urban areas due to resource investment outside of the Portland Metro area.

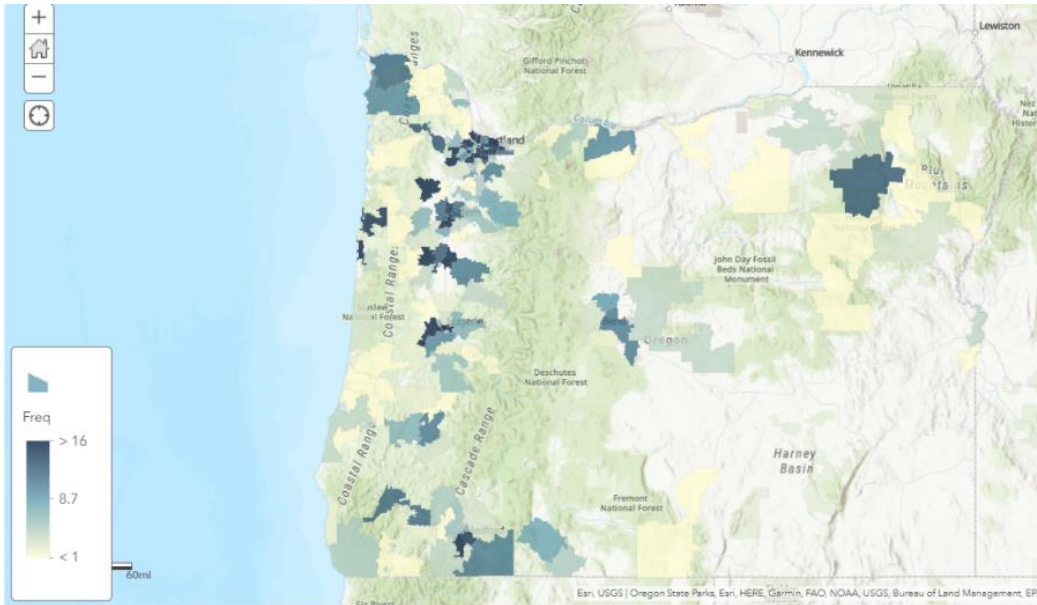


Figure 56: Fair Housing Allegations by Zip Code

Figure 57 below shows the number of inquiries per 1000 population. When we normalize the number of inquiries for a zip code based on their population, there are some outliers among those zip codes that have very few residents in Eastern Oregon. While there are many possible attributes to these outliers, this data allows us to better target education and outreach to create the strongest impact in communities who are reporting the most discrimination.

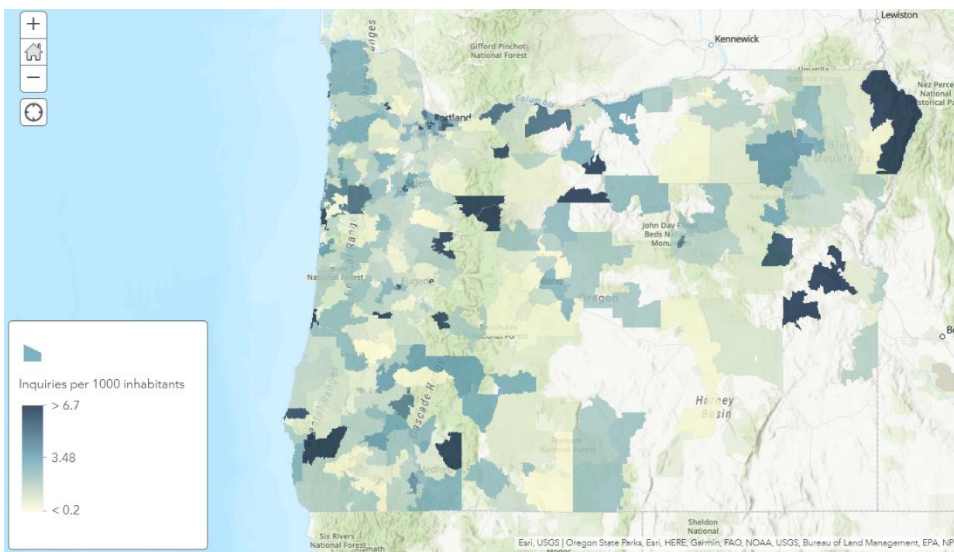


Figure 57: Number of Inquiries Per 1000 Population

If we zoom in on the Portland Metropolitan area (Figure 58), we can see the zip codes that have higher frequency of inquiries relative to their population. For instance, Downtown Portland, Cully and Lents neighborhood of Portland; Gresham; and central Beaverton have a much higher number of inquiries relative to their population than some of the other zip codes in the Metro area. Comparing this data to racial demographic data (Figure 59),

we can see that the zip codes with higher numbers of inquiries per 1000 residents align with the zip codes with higher percentages of non-white residents, using 2020 Census data. In Figure 59, darker shading represents a higher share of residents who are non-white, and lighter shading represents a lower share of non-white residents.

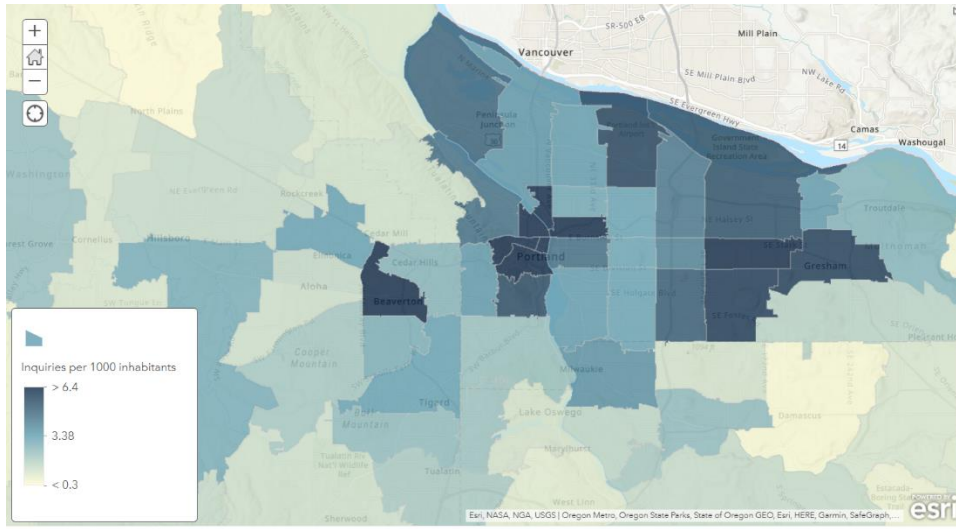


Figure 58: Inquiries per 1000 Population (Portland Metro Area)

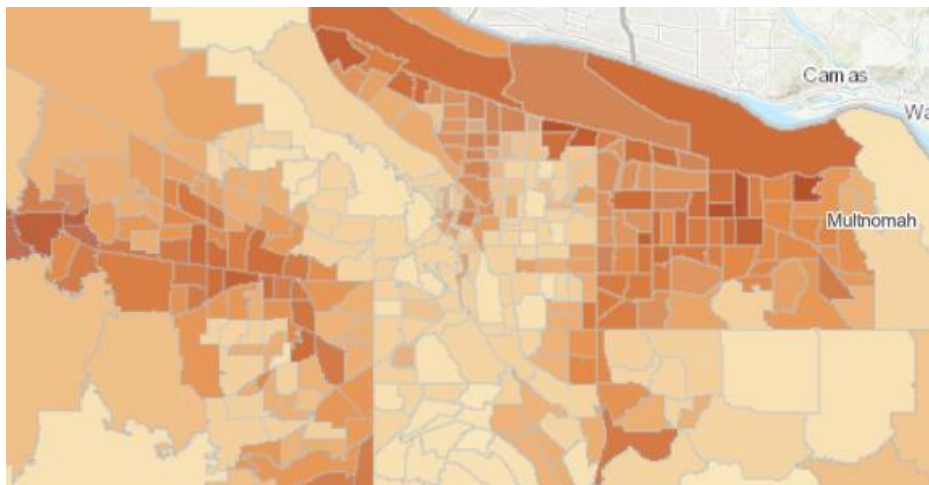


Figure 59: Percent of population race other than white, Portland Metro Area

INQUIRIES AND INTAKES BY REGION

While FHCO has expanded our statewide education and outreach program in the past five years, the data in Figure 60 shows that we have maintained fairly consistent numbers between the Portland Metro region and the rest of the state. Both Figure 60 and 61 show the geographical representation of inquiries as a percentage of total inquiries. This shows that in Figure 60, aside from 2021, over half of all of our inquiries came from outside the Portland Metro region. We have also seen fairly consistent numbers of inquiries based on region, with a slight increase in the Central and South East Region over the years. However, the breakdown of inquiries by region mirrors the population density of Oregon—the majority of the population reside in the Portland Metro region, and the second-most populous region is the Mid & South Willamette Valley Region.

FHCO defines our five regions as follows based on counties:

- Portland Metro: Multnomah, Washington, Clackamas, and Hood River
- Mid & South Willamette Valley: Marion, Polk, Yamhill, Linn, Lane, and Benton
- North Coast: Lincoln, Tillamook, Clatsop, and Columbia
- Southern: Coos, Curry, Douglas, Josephine, Jackson, Klamath, and Lake
- Central: Jefferson, Deschutes, Crook
- Eastern: Wasco, Sherman, Gillam, Wheeler, Morrow, Umatilla, Union, Wallowa, Baker, Grant, Harney, Malheur

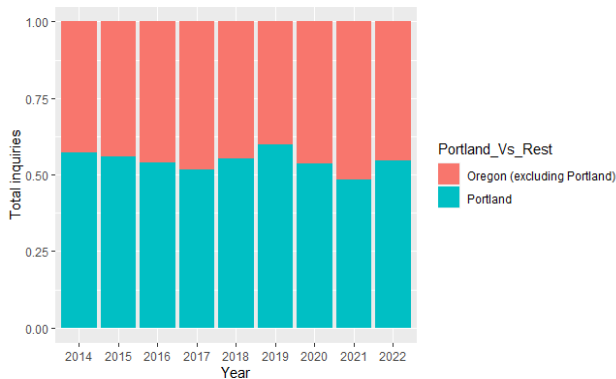


Figure 60: Share of Inquiries by Region

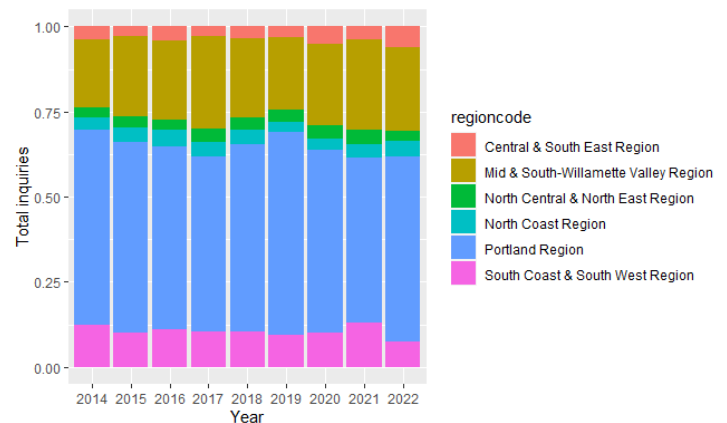


Figure 61: Share of Inquiries by County

Getting into more detailed county-specific data, we can see the breakdown of where the majority of both inquiries and intakes are coming from. Figure 62 shows the overall number of inquiries from each county, and we see the population distribution mirror our earlier graphs. We see Multnomah and Washington counties with the highest number of calls, but Figure 63 takes population into account by normalizing the number of calls per 10,000 inhabitants in each county. With this, Wasco county in Eastern Oregon has the 2nd highest number of calls per 10,000 inhabitants, compared to its 18th place in overall calls. Similarly, Lincoln, Union, and Clatsop counties move into the top 10 counties by number of inquiries when we control for population. This shows us that these counties, while having smaller populations, have a disproportionately high number of calls regarding potential fair housing claims.

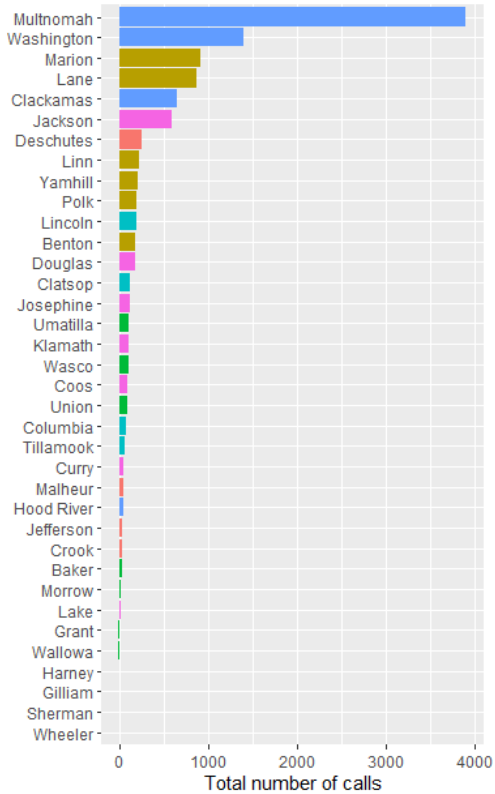


Figure 62: Number of Inquiries by County

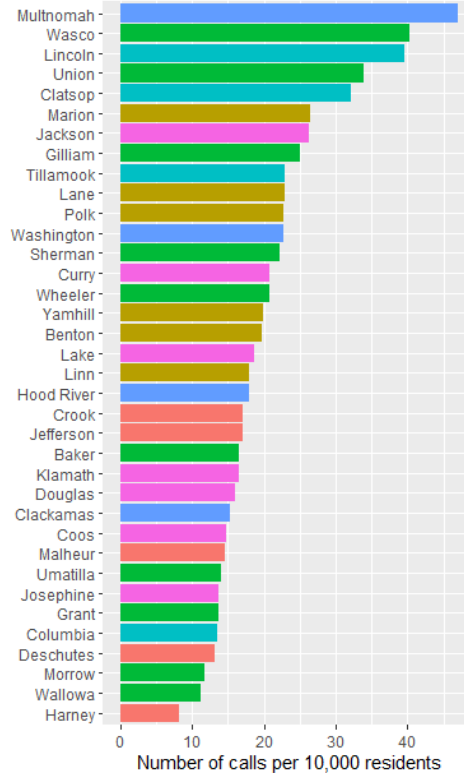


Figure 63: Number of Inquiries per 10,000 inhabitants



As inquiries do not represent the full breadth of fair housing intakes, Figures 64 and 65 look at the same breakdown by county of intakes by the FHCO enforcement team. The difference between the overall number of intakes and the number of intakes when controlled for population is even more stark than the number of calls received by FHCO. In Figure 65, the five counties with the highest number of intakes include four from outside of the Portland Metro area—three from Eastern Oregon and one from the Coast. However, because the number of intakes are relatively low when accounting for population, it is important to take into consideration the comparable ratios rather than the complete numbers. For example, Union County is 14th on the list of absolute intakes, but 2nd on the population-controlled list.

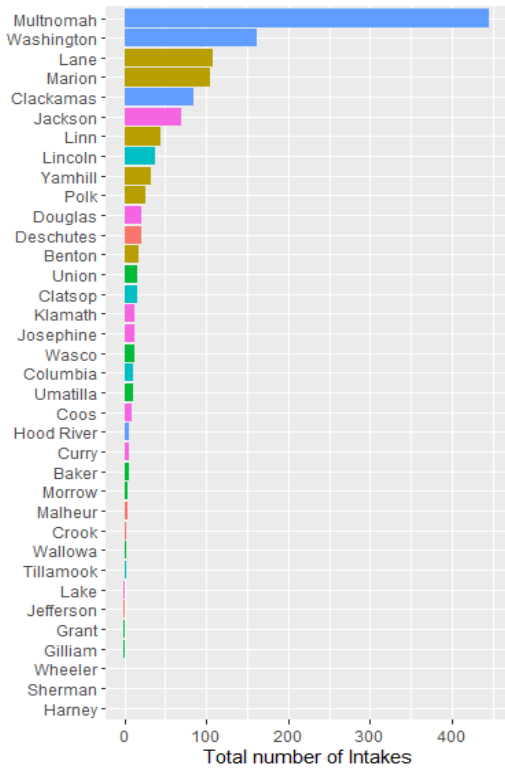


Figure 64: Number of Intakes by county

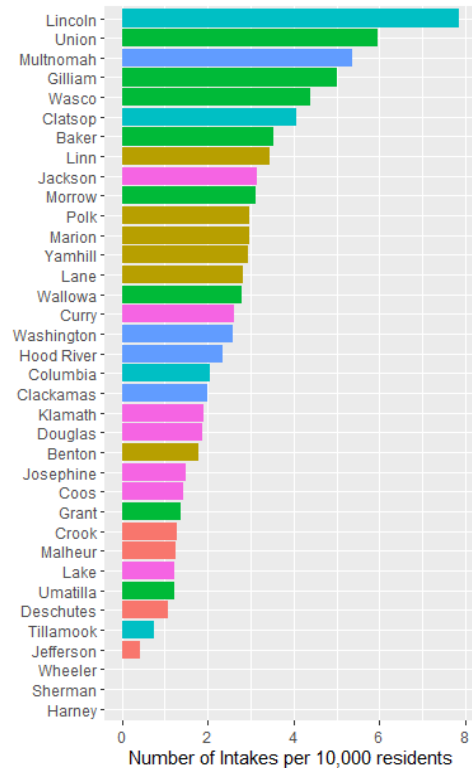


Figure 65: Number of Intakes per 10,000 inhabitants



CONCLUSION: THE FUTURE OF FAIR HOUSING IN OREGON

So where do we go from here? The data has shown that housing discrimination in Oregon is still prevalent. We see that discrimination based on disability is by far the most common form of discrimination that is reported. Disparate treatment based on sex, race, and familial status are also common, as well as source of income discrimination. FHCO’s work providing education and enforcement of fair housing law directly translates to the amount of information we receive from complainants, and continuing to invest in fair housing education and litigation will allow us to be more successful in the future. This data is limited by the size and ability of FHCO as an organization, and our goal is to grow in the future to capture a more accurate sample of the type of housing discrimination in Oregon.