

---

---

# ◆ Open House ◆

---

Newsletter of the Fair Housing Council of Montgomery County

Summer 2004

---

**The Fair Housing Council of Montgomery County is committed to ensuring equal housing opportunities regardless of race, religion, gender, age, disability, familial status or national origin.**

**We carry out our mission through education & outreach, complaint reception & resolution, advocacy, monitoring of discriminatory housing practices & assistance in finding open & affordable housing.**

## **STAFF**

Elizabeth Albert  
Executive Director

Konstantina Tatsis  
Enforcement Coordinator

Elizabeth Stamm  
Education and Outreach

Rita Fitzgerald  
Education and Outreach

Gayle O'Keefe  
Bookkeeper

**105 E. GLENSIDE AVE., SUITE E  
GLENSIDE, PA 19038  
TELE: (215) 576-7711  
FAX: (215) 576-1509**

website: [www.fairhousingmontco.org](http://www.fairhousingmontco.org)

## ***Who is the Monster in My Backyard?***

By now the drama has become a housing cliché playing out across America: A developer announces plans to build affordable or special-needs housing, and before the ink on the zoning flyer is dry, somebody has rounded up a posse of irate neighbors – all pledging to fight it to the death under the NIMBY rallying cry “*NOT IN MY BACK YARD!*”

And so the question arises: Why NOT have some affordable housing in my back yard? The usual fears sound like this: the housing will bring “undesirables” into the community, increase crime, decrease the quality of life, destabilize the neighborhood, overcrowd the public schools, increase taxes and most of all –lower property values.

“We worked hard to save up to buy a house in this neighborhood. Now with affordable housing going up, our value of *our* house can only go down- we'll lose everything we worked for! Let them go live somewhere else!”

“Nobody will ever buy my house with a group home next door! Those people are unpredictable – you never know what they'll do!”

“There are enough apartments around here already - only single family homes will protect my investment!”

“I'm not prejudiced but...”

Nobody ever seems to produce any statistics to prove the ills that will surely befall a community that allows affordable housing to be built – it's always *what might happen*. So let's stick to the facts: For over 30 years, research has been done about the social and economic impacts of subsidized housing on the communities in which they are located. Most studies have shown that assisted housing (housing developments, group homes, and scattered section 8 sites) has a negligible effect on the existing character and property values of other homes in the area. In fact, when assisted housing is sited in stable, healthy neighborhoods, this type of housing can actually have a **positive** impact on property values as long as there is not already an over-concentration of subsidized sites in the area -

especially large-scale projects. "A Review of Existing Research on the Effects of Federally-Assisted Housing Programs on Neighboring Residential Property Values" – George Galster PhD- Report to the National Association of Realtors 2002.

A well-managed affordable housing development that replaces a vulnerable property i.e. a dilapidated structure or vacant lot can have a clearly positive impact on the overall values in the surrounding neighborhood. "How to Deal With Property Values Concerns" – Non Profit Housing Corporation of Northern California.

Despite these studies and others with similar findings, stereotypes and assumptions persist. Often the wealthiest and most stable communities that protest the loudest have the least to worry about. Here's a case worth considering right here in neighboring Chester County, in which there was some initial opposition to affordable housing, that was overcome, and the result was that the housing and its owners quickly became completely integrated into the community.

In 1998, the "Alliance for Better Housing" (ABA) a non-profit community development corporation based in Chester County, decided to address the lack of affordable housing in the Kennett Square area. Traditionally a prime agricultural area noted for its big commercial mushroom farms (needing a huge number of farm workers – mostly from Mexico), Kennett Square had also become, in the last few years, a very pricey housing market. With home prices averaging well above the county mean, it meant that these farm workers and their families, by now growing to 34% of the local population, were completely priced out of the local housing market.

On the site of an abandoned mushroom farm, ABA would build "Buena Vista" - a subdivision of 24 three and four bedroom town homes to be marketed to low income homebuyers. Included were credit, homeownership counseling, and low interest loans and grants. The county donated the land. Toll Brothers built the development at cost; and the residents themselves built the gardens and the playground with a community center on site.

Then NIMBYism entered into the picture. Some neighbors raised the tired old statements: "They are not ready for homeownership" "We don't need

## **AND HERE'S WHAT REALLY AFFECTS PROPERTY VALUES**

We know that some folks oppose affordable housing in their community because they think it lowers the value of their own home and we also know (thanks to 30 years of research) that these fears are unfounded—affordable housing usually has very little effect on the value of surrounding homes. So, what kinds of neighborhood features, qualities, or special uses actually DO help set the value of your home?

According to numerous realtor surveys, the most desirable community assets that increase the value of any home are the following:

- *Well-maintained private and public spaces*
- *Proximity to a thriving commercial district/ excellent shopping*
- *Good public schools*
- *Convenient access to transportation*
- *Parks and green spaces*
- *Neighborhood amenities- libraries, community centers, etc.*
- *Low crime/good reputation*

On the flip side, the presence of dilapidated properties, inconvenient transportation, inadequate shopping venues, poor public schools, heavy industry uses, crime, and a lack of parks and community centers will drag down home values relative to other locales.

So, it's no big surprise - people will pay more to live in clean, green, well maintained surroundings with convenient shopping, transportation, and educational opportunities.

Did you notice anything missing from these lists?? *Proximity to an affordable or special purpose housing site was not named in any index of neighborhood features which impact the re-sale values of surrounding homes.*

Here's why: Property values are determined by the specific attributes of the house for sale along with neighborhood qualities of the surrounding community and rarely by the presence of any one particular residence in the community.

A few years ago Smart Money Magazine looked at the property value issue at the root of NIMBYism. In the article "Defending Their Turf" they summed up when there is cause for concern:

*"If it is ungodly loud, blocks your view, smells bad, or is an obvious health hazard, then there's a good chance your property values will suffer."*

Smart homeowners concerned about property values know it's more important to focus on **WHAT'S IN** their community rather than **WHO** to keep out. It's about investing in the community by supporting it's schools, patronizing local businesses, and getting involved in neighborhood improvement activities. How about lending a hand for a block cleanup? Or a tree planting? Joining a Town Watch?

Whether it's these activities, or helping to plan a community festival or volunteering at the local school or library- they ALL contribute enormously to the overall desirability and live-ability of a community. People want to live where there is already investment- economic, social, cultural- where it looks like someone cares...in the long run, that's REALLY what keeps up property values!



more Mexicans here", and, of course, "My property values will go down." Fortunately, this opposition was successfully challenged and the site was completed.

That was the sentiment in 1998. What's happened since then? Did the community suffer? Property values go down? Crime? Blight? Instability?

Hardly. Not a single household has defaulted on their mortgage. The development is beautifully landscaped, complete with community gardens. Property values of surrounding properties, like the rest of area, have skyrocketed. And some of the neighbors who initially opposed the development have come full circle- volunteering in reading programs at the site and attending special events there.

So how does NIMBYism and its position against affordable and special needs housing become a "fair housing" issue?

Under the fair housing laws, it is illegal to discriminate against persons on the basis of certain "protected classes" - i.e. race or ethnicity or disability, etc. When a situation exists (such as in Kennett Square) whereby 1/3 of the local population (not coincidentally belonging to the same ethnic group) are almost completely locked out from the housing market - that is de facto discrimination. In essence, it's akin to saying to an entire class of people, "You can work on our farms and staff our stores and contribute to the growth and prosperity of our Community - but you can't live here!"

When NIMBYism results in exclusionary zoning practices and municipalities pass regulations that favor large expensive homes at the expense of lower income households, a discriminatory situation quickly develops. These practices have a disparate impact on certain groups of people and the net effect is clearly discriminatory - and illegal. Remember, opposition to affordable housing is usually not based on any valid evidence of the merits of a particular property - it's based on hearsay and economic ignorance of what actually makes communities grow and prosper. Let's stop the misinformation NOW. Fair housing is not only everyone's right- it's good for the overall health of our communities!!

-Rita Fitzgerald

## ***FAIR HOUSING—IT'S THE LAW***

Title VIII of the Civil Rights Act of 1968 with the Fair Housing Amendments Act of 1988, is called the Fair Housing Act. As a landlord or housing provider it is YOUR responsibility to follow fair housing laws. Pennsylvania also has housing anti-discrimination laws that pertain to you. Here's some basic information about how the Federal Fair Housing Act works.

### **What Housing Is Covered?**

The Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

### **What Is Prohibited?**

**In the Sale and Rental of Housing:** It is illegal to take any of the following actions based on race, color, national origin, religion, sex, familial status or disability:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale, or rental
- For profit, persuade owners to sell or rent (blockbusting)
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.
- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right
- Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or disability. This prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

### **Additional Protections for people with disabilities:**

Landlords must let a person with a disability make reasonable modifications to their dwelling or common use areas, at their expense, if necessary for the disabled person to use the housing.

Landlords cannot refuse to make reasonable accommodations in rules, policies, practices or services if necessary for the disabled person to use the housing.

### **Housing Opportunities for Families**

Unless a building or community qualifies as housing for older persons, it may not discriminate based on familial status. That is, it may not discriminate against families in which one or more children under 18 years of age live. Familial status protection also applies to pregnant women and anyone securing legal custody of a child under 18. Exemption: Housing for older persons is exempt from the prohibition against familial status discrimination if it is occupied solely by persons who are 62 or older or it houses at least one person who is 55 or older in at least 80 percent of the occupied units, and adheres to a policy that demonstrates an intent to house persons who are age 55 or older.

## *What's New ?*

### *Landlord Outreach Project*

At the Council, we often get calls from landlords concerned about some particular aspect of the fair housing laws - *especially* in regards to renting to families with children and to people with disabilities i.e. Could a certain action or policy make them liable under fair housing laws? What exactly does the law say?

To clear up the confusion, the Council launched a "Landlord Outreach Project" earlier this year via a phone survey of all 62 municipalities in the county asking them about their landlord registration procedures and also soliciting suggestions on the best ways to disseminate the correct information to landlords in their area. We devised a one page flyer "*Fair Housing - It's the Law*", which has won raves from landlords, who have found it to be clear and informative. (View flyer on opposite page.)

A number of municipalities have decided to include this handy flyer as part of their annual landlord registration. For those municipalities that do not have a formal registration procedure or mailing, the flyer will be posted in a conspicuous place in their administration building. Some will post and mail. Although we're still in the process of re-contacting all of the municipalities in the county, thus far the response has been great!

Lower Merion, Upper Dublin, Lower Providence, East Norriton, and North Wales signed on early to participate in the project. Most recently, the Boroughs of **Bridgeport, Bryn Athyn, Collegeville, Green Lane, Hatfield, West Conshohocken** and the Townships of **Douglas, Franconia, and Upper Hanover** have enthusiastically supported the landlord outreach effort as a service to housing providers and business people in the community. If you would like to receive free flyers or obtain other fair housing information, contact the Fair Housing Council.

### *Staff Changes at the Council.....*

We want to say good bye to Elizabeth Stamm, Education and Outreach Coordinator, who is leaving at the end of the summer to pursue her Masters Degree in Latin American Studies and Human Rights at the University of Chicago. Elizabeth will be sorely missed but will stay involved with the Council as our webmaster and Spanish Translator. "Working for the Council has brought me invaluable insight to the importance of housing for the growth and promise of our communities. This experience will remain with me and influence my decisions as I continue my endeavors. Thank you to the staff and Board at the Fair Housing Council for the challenges and positive influences that made working with the Council such a wonderful experience." We wish Elizabeth the best !!!

And we welcome Rita Fitzgerald, the Council's new Education and Outreach Coordinator. Rita has a Masters Degree in Urban Studies and has focused much of her previous work in the area of local community development, especially of economically depressed and transitioning neighborhoods. Rita is involved with many civil rights issues and is committed to helping correct the social injustices in our society. Like Elizabeth, she is bilingual in Spanish. We feel fortunate to be able to draw upon Rita's experience in housing issues, constituent services, and communications.

## ***Community Opposition to New Apartments a Greater Obstacle than Financing or Taxes***

### **Focus on Fairness**

An unusual event took place in Harrisburg on May 19th, 2004. A diverse group of nearly 150 realtors, builders, planners, local officials, smart growth, fair housing, and low income housing advocates came together for fairness. The Inclusive Communities Workgroup of the Housing Alliance of PA, a statewide membership organization, organized the full-day training on "Addressing Community Opposition to Affordable Housing" to better equip homebuilders, developers and concerned community members to address increasingly prevalent zoning practices that exclude apartments, especially for families with children.

### **Choices about the Future of our Community**

Asked to respond to a survey about obstacles to housing development, ***96% of respondents stated that neighborhood opposition had thwarted their construction of multifamily housing in the past year.*** The remaining 4% ended up reducing their development size in response to community opposition.

In the same survey, developers ranked "community concerns about the types of people who will live in the property [new development]" as a greater barrier to affordable housing production than either taxes or financing. It was, however, on par with "community fear about loss of property value," and "local zoning" as obstacles.

The Fair Housing Act prohibits discrimination in virtually all forms of decision making in housing, including zoning and land use decisions made by local government officials and sometimes to the conduct of community groups that act on stereotypes and myths to oppose development of affordable housing. Preeminent civil rights and fair housing attorney, Sara Pratt provided skill building for the audience by teaching them to anticipate and address opposition through planning, building vocal alliances, ensuring fair public hearings, using the media, addressing real concerns responsibly, and, when all else fails, using fair housing laws to take legal action.

### **The Security of Home**

Lack of affordable housing affects apartment choices for low-income people. Low income is generally defined as living on 50% of the Area Median Income, which for the state of Pennsylvania as a whole is \$20,000 a year or \$10 an hour, well below the state's housing wage of \$13.09 (the amount a full time worker must earn per hour in order to afford a two-bedroom unit at the area's Fair Market rent of \$681).

Among those living at or below this level and working full time are: child care workers, bartenders, security guards, dental assistants, waitresses, cooks, medical techs and ambulance drivers, barbers, bakers, home health and nurses aides and secretaries. Those living on disability and social security or, who are unemployed, face even greater shortages.

***A Toolkit for Addressing Community Opposition to Affordable Housing Development***, the first such publication of its kind is now available to the public. To purchase a copy of the publication contact the Housing Alliance of Pennsylvania at 215-576-7044 or visit their website. The Fair Housing Council of Montgomery County is a supporter of the Housing Alliance and a member of the Inclusive Communities Workgroup.

## ***Quad County Anti -Predatory Lending Educational Initiative Underway***

Recent research has shown that predatory lending is occurring in boroughs and cities throughout Pennsylvania. Housing counselors are seeing predatory practices in loan documents of clients facing foreclosure and there has been an increase in foreclosures, property flipping, contractor scams and other predatory lending practices in the region. Predatory lending is both a fair housing and consumer fraud issue.

For several years the Council has been including education about predatory lending in it's workshops to consumers and has conducted several large mass mailings in Montgomery County to educate the public about the issue. To step up it's efforts on a broader scale, the Council is now working with a regional anti-predatory lending group—the Quad County APLEI. Spearheaded by the Delaware County Office of Housing and Community Development, the mission of the group is to provide educational and remedial programs for citizens affected by unfair lending practices in the four county region. The goals of the group include developing anti - predatory lending material for consumer workshops, providing educational materials to communities to warn citizens of predatory lending practices, marketing available relief programs available to victims, coordinating resources for victims, and partnering with statewide movements to eradicate predatory lending practices in PA.

With over 50 partners, including the Department of Justice, Community Impact Legal Services, PHRC, Montgomery, Chester, Delaware and Bucks Counties and many community based and financial organizations, the Quad County Group has recently secured funding to bring Fannie Mae's successful "Don't Borrow Trouble " campaign to the counties and is working to establish an 800 number for centralized intake for victims. The Quad County Initiative is recruiting additional partners in the County who are interested in this issue to join the group. If you are interested in learning more, contact the Council.

### ***Montgomery County Partners for Homeownership Fall Homebuyer Workshop Schedule***

*To register call the Partnership at 610-275-1357*

Royersford  
Wednesday, September 22, 2004  
7:00 PM -8:30 PM  
Golden Age Manor  
Fourth & Walnut Street

Lansdale  
Wednesday October 6, 2004  
7:00 PM -8:30 PM  
Lansdale Public Library  
301 Vine Street

Norristown  
Wednesday October 20, 2004  
7:00 PM -8:30 PM  
Norristown Public Library  
1001 Powell Street

Willow Grove  
Wednesday November 3, 2004  
7:00 PM -8:30 PM  
Willow Grove Public Library





Fair Housing Council of  
Montgomery County  
105 E. Glenside Ave., Ste. E  
Glenside, PA 19038

[www.fairhousingmontco.org](http://www.fairhousingmontco.org)

NONPROFIT  
ORGANIZATION  
U.S. POSTAGE  
PAID  
PERMIT NO. 1078

**In This Issue...**

NOT IN MY BACKYARD...

*Check out these great web resources that provide  
information about NIMBY issues*

**[www.housingalliancepa.org](http://www.housingalliancepa.org)**

- Addressing Community Opposition to Affordable Housing Development:  
A Fair Housing Toolkit. ( May 2004)

**[www.buildingbettercommunities.org](http://www.buildingbettercommunities.org)**

- The NIMBY Report

**[www.huduser.org](http://www.huduser.org)**

- **[www.hud.gov](http://www.hud.gov)**  
Affordable Communities Initiatives

**[www.nlihc.org](http://www.nlihc.org)**

- National Low Income Housing Coalition, articles on affordable housing

**[www.regbarriers.org](http://www.regbarriers.org)**

- HUD's regulatory barriers clearinghouse; information about laws and po-  
lices that affect development of affordable housing.

**BOARD OF  
DIRECTORS**

Derek Zecher  
President

Mary-Louise Homicki  
Vice -President

Carole Sheffield  
Treasurer

Linda Staroscik  
Secretary

Karen Hanson

Carol Peckman