

Commentary: Housing Discrimination Research in the 21st Century

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Housing discrimination continues to be a significant problem in America nearly a half century after the passage of the Fair Housing Act. It is estimated that, annually, 4 million people experience discrimination in the rental housing market (NFHA, 2015). A very small number of those experiencing discrimination, however, actually report it. In 2014, for example, only about 27,000 housing discrimination complaints in both the rental and sales markets were filed with the U.S. Department of Housing and Urban Development (HUD), U.S. Department of Justice, and other substantially equivalent fair housing agencies (NFHA, 2015).

Given that data on complaints are quite limited, the paired-testing methodology has been an important tool that researchers and policymakers have used to study housing discrimination. The articles included in this symposium—especially the article by Sun Jung Oh and John Yinger—offer reviews of the literature that uses paired-testing methodology, present critiques of the current methodology, and provide insights on how to broaden the scope of housing discrimination research beyond racial and ethnic discrimination. I consider the latter two dimensions of this discussion and offer my own insights on current housing discrimination research and the future of that research.

One key issue discussed in this symposium is whether the current use of paired testing adequately captures the actual levels of racial and ethnic discrimination that exist in the housing market. The articles by Rob Pitingolo and Stephen L. Ross and by Fred Freiberg and Gregory D. Squires comment on this important issue, and Pitingolo and Ross (2015) offer new analyses that speak to some of the key criticisms. Another important issue is the extent to which all forms of housing discrimination, not just those based on race and ethnicity, are being measured by the current methodology. The limited complaint data that I mentioned in the first paragraph reveal that the bases of housing discrimination complaints have changed. In fiscal year (FY) 2013, disability status was the protected class forming the largest basis of the complaints, or 53 percent of complaints, up from 44 percent in FY 2008 (HUD 2013, 2011). Race and Hispanic origin together comprised 37 percent of the complaints in FY 2013, down from 43 percent in FY 2008. Claudia L. Aranda and Margery Austin Turner's articles offer insights into the changing nature of housing discrimination and the associated challenges in conducting research on other protected classes, such as those involving people with disabilities or families with children. In this commentary, I discuss and expand on the critiques and insights raised in all these articles.

Racial and Ethnic Discrimination in the Housing Market

Although residential segregation between Black and White households has declined over time, 53 percent of metropolitan Black residents continue to live in metropolitan areas that are either hypersegregated or in the high segregation range (Massey and Tannen, 2015). Results from the 2012 Housing Discrimination Study (HDS2012), which are based on the paired-testing methodology, reveal that, since HDS1989, discrimination against Black homeseekers, particularly in the rental market, has declined (Turner et al., 2013). For example, in HDS1989, White homeseekers were favored over Black homeseekers by 7 percentage points in being told about the availability of the advertised rental unit, but, in HDS2012, the net discrimination rate had reduced to 0, or no difference between the two groups (see Oh and Yinger, 2015). With respect to inspecting more rental units, White homeseekers were favored over Black homeseekers by about 19 percentage points in HDS1989; by HDS2012, the net discrimination rate was reduced to 3 percentage points (see Oh and Yinger, 2015). Among homebuyers, steering increased between HDS1989 and HDS2012, but the relative share of White- to Black-favored audits in HDS2012—or the *net measure of discrimination*—was rather small. White homeseekers were not favored over Black homeseekers in inspecting homes in tracts with majority White populations in HDS1989, but in HDS2012, they were favored over Black homeseekers in 5 percent of the audits (see Oh and Yinger, 2015). Moreover, the percent White in the average neighborhoods to which White and Black homeseekers were steered differed by only about 2 percentage points (Turner et al., 2013). Given that a majority of metropolitan Black households continues to be highly segregated from White households, it is surprising that HDS has not found more discrimination against Black households.

The articles by Pitingolo and Ross (2015) and Freiberg and Squires (2015) in this symposium consider various reasons why HDS may underestimate the level of housing discrimination against Black homeseekers that could be contributing to high levels of Black-White residential segregation in many metropolitan areas. I consider two important methodological issues highlighted in these critiques that relate to HDS and to housing discrimination research more generally. The first relates to the sampling design.

Both articles identify an important critique of HDS sampling design, namely that the housing stock in the sampling frame may not be representative of the housing available in the market. Landlords who want to discriminate do not publicly advertise their units, and the units that are advertised may not represent all the units available for rent or for sale. Using the 2011 American Community Survey (ACS) data, Pitingolo and Ross (2015) determined the number of available rental and owner-occupied units, defined as those units where the household changed between 2010 and 2011. Then they reweighted the analyses of housing discrimination based on the ACS data. Their new analyses are similar to those tabulated in HDS, suggesting that the units being advertised, which are captured in the HDS sample, are similar to the distribution of units in the ACS that were identified as available. As they point out, however, “if variation in discrimination across neighborhoods exists within metropolitan areas, the area estimates on which the national estimates are based may have considerable measurement error because the number of tests per site is too small to accurately cover the many distinct regions or neighborhoods in each site” (Pitingolo and Ross, 2015: 68).

To maintain comparability across time, the sampling strategy of HDS was designed to be nationally representative in scope and locally representative in a handful of metropolitan areas. As a result, the number of audits within each of these metropolitan areas is small, with most having around 44 tests, except for the eight areas where rental tests were oversampled. Whether this design affects the overall results is a question that should guide future housing discrimination research. Hanson and Hawley (2011) conducted more than 4,000 correspondence tests in 10 metropolitan rental housing markets. In 8 of the markets, about 500 tests were conducted; in Washington, D.C., and Houston, 160 and 296 tests, respectively, were conducted. The results reveal that White homeseekers were favored over Black homeseekers in getting a response from the landlord in 6.3 percent of the tests overall and, in Boston and Los Angeles, the net measures were 12.1 and 11.37 percent, respectively. HDS2012 found no significant discrimination at the stage of whether auditors could make appointments to see the advertised units, although their contact was made primarily by telephone rather than e-mail.

In addition to potentially revealing higher levels of discrimination, collecting data from a larger number of audits, either through in-person audits or correspondence tests, for a substantial number of metropolitan areas would enable researchers to create metropolitan-specific estimates of housing discrimination. One of the biggest challenges that researchers studying residential segregation face is the lack of data on housing discrimination. If future research could generate such estimates, it would greatly enhance the research on residential segregation by enabling researchers to assess the direct effect of housing discrimination on residential segregation. In the past, very little research has made this direct link and, as a result, the extent to which housing discrimination directly affects residential segregation remains unknown.

Aside from increasing the sample sizes of data collected within metropolitan areas, future research should consider implementing a more complex sampling design that stratifies neighborhoods by their racial composition and selects advertised housing units based on this stratification. Hanson and Hawley's (2011) results reveal that, in terms of receiving a response, White homeseekers are favored over Black homeseekers in 10.62 percent of the tests in neighborhoods where White households comprise 80 to 95 percent of the population in the tract, or what they call *tipping point* neighborhoods. Moreover, controlling for other factors, Black homeseekers inquiring about rental housing are significantly less likely to receive responses in tipping point neighborhoods than in neighborhoods with other levels of White racial composition. These results suggest that employing a stratified sampling design in future housing discrimination research could potentially reveal greater levels of discrimination than those found in existing studies that sample housing units irrespective of neighborhood racial composition.

The second methodological issue that is important to consider in this research relates to the timing of when the housing discrimination could happen. Pitingolo and Ross (2015) state that one limitation of HDS is that housing discrimination may occur early in the process before the in-person audit occurs. As mentioned previously, however, using HDS2012 data, Turner et al. (2013) found no evidence of differing experiences between White and Black homeseekers when they made appointments by telephone to visit sampled units. The results from the Hanson and Hawley (2011) study and from other recent research (for example, Ewens, Tomlin, and Wang, 2014; Hogan and Berry, 2011), however, contradict these findings and suggest that additional research is needed to fully uncover the extent to which discrimination exists in the earlier part of the process of acquiring a home.

Freiberg and Squires (2015) comment on the later part of the discrimination process, which has received much less attention in the housing discrimination literature. According to their article, testing practitioners report that landlords often provide equal treatment to testers in the initial contact phase but, in subsequent connections with landlords, discrimination is more likely to occur. To echo the recommendations of Freiberg and Squires (2015), future research should build on the experience of housing practitioners and incorporate multiple interactions with providers into the paired-testing methodology. Housing discrimination is a “moving target” (Massey, 2005) and, until housing discrimination research is designed to capture all the time points at which housing discrimination could occur, it will fail to capture the true level of racial and ethnic discrimination that exists.

Broadening the Scope of Housing Discrimination Research

One of the biggest contributions of this symposium on paired testing is that it highlights research on housing discrimination against other protected groups. Such research has received very little attention in the existing literature, despite the changing nature of the bases of complaints mentioned previously, the fact that a growing share of the population is disabled, and the fact that the treatment of the lesbian, gay, bisexual, transgender (LGBT) community is under more scrutiny because of the recent liberalization of marriage laws. Aranda (2015) summarizes new research on housing discrimination in the rental market against people with disabilities. People who are deaf or hard of hearing and those who use wheelchairs face significant barriers in obtaining rental housing. Turner (2015) offers insights on studies in progress aimed at documenting discrimination against families with children, the LGBT community, and people receiving housing vouchers. Significant challenges in studying different protected groups clearly have not arisen in the research on housing discrimination against racial and ethnic minorities. The research discussed in these articles should serve as a point of departure for future studies on these groups to deepen our understanding of the nature of discrimination that these protected classes face.

In addition, this new research can offer methodological insights for research that needs to be conducted on other protected groups that have received very little attention, such as discrimination on the basis of religion, which is also protected by the Fair Housing Act. Oh and Yinger (2015) show in their table in appendix A that significant discrimination exists against Arabic and Moroccan homeseekers—who are likely to be of the Muslim faith—in Italy, Norway, Spain, and Sweden. Only one such study has been conducted in the United States—in Los Angeles, and it also reveals unfavorable treatment against Arabic homeseekers relative to White homeseekers, although the study was not based on paired testing (Carpusor and Loges, 2006). More research should be focused on housing discrimination against Muslim homeseekers in the United States, especially given that Muslim civil rights complaints rose from slightly more than 1,000 in 2003 to more than 2,700 in 2008 (CAIR, 2009).

The research on people with disabilities and other protected classes highlighted in this symposium should be used to guide research that might combine two or more protected classes. Massey and Lundy (2001) found that poor, Black females received the worst treatment by landlords in a telephone audit study of rental housing in Philadelphia. No followup studies, however, have examined

gender, race, and class, or other combinations of protected classes, such as family status, despite the important findings that this study yielded. Desmond (2012) showed that eviction is a more significant problem for Black women in inner-city Black neighborhoods than it is for Black men, with a majority of such women parenting children on their own. Eviction leads to more mobility and potentially more housing discrimination. Given that 30.1 percent of Black family households are single female-headed households (Lofquist et al., 2012) and that 50.5 percent of Black children live in such families (U.S. Census Bureau, 2013), future research should consider how combinations of protected classes like race, sex, and family status may detrimentally affect the treatment of groups in their quest for better housing. Perhaps different segments of the Black population are experiencing different levels of discrimination and that could be another reason why a broad focus on Black-White discrimination underestimates the true level of housing discrimination experienced by Black homeseekers.

Conclusion

Paired-testing methodology has been instrumental in the study of housing discrimination. The articles in this symposium should be commended for broadening our thinking about how to conduct future research on housing discrimination against racial and ethnic minorities and against other protected groups. A large agenda of research lies ahead for the next generation of housing discrimination researchers to capture the moving target of housing discrimination. Funding is extremely limited, however. In recent years, linkages have been made between racial and ethnic disparities in perceived discrimination and various health outcomes (see, for example, Williams and Mohammed, 2009). This work and future research on housing discrimination against people with disabilities could be attractive to funding agencies focusing on health. Researchers clearly will have to be much more innovative and entrepreneurial to acquire sufficient funds to fulfill the challenging objectives of this 21st century housing discrimination research agenda.

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