

What is Fair Housing?

The Virginia and federal fair housing laws provide protection in housing to groups of persons based on certain characteristics. A group sharing a protected characteristic is described as a 'protected class'. Together, the Virginia and federal fair housing laws prohibit discrimination in housing-related transactions (rental, sales, lending, insurance, zoning) based on the protected classes of:

- Race (*any race*)
- Color (*any color*)
- Religion (*any religion or no religion*)
- National Origin (*any nationality*)
- Gender (*sex*)
- Familial Status (presence of children under 18 in the family or pregnant women or adults attempting to secure custody of children)
- Disability (handicap)
- Elderliness (55 years or older, covered under Virginia state law only)

Each of us is a member of several protected classes. Fair housing laws apply to us all!

What is HOME?

Housing Opportunities Made Equal of Virginia, Inc. (HOME) is a private, nonprofit fair housing organization founded in 1971. HOME serves the Commonwealth of Virginia with a mission of ensuring equal access to housing for all people. HOME has an extensive history in conducting testing and is an industry leader in fighting housing discrimination.

We Need You!

If you are interested in learning more about testing or getting an application to be a tester, email:

fairhousing@phoneHOME.org

Or, contact the following HOME staff:

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Housing Opportunities Made Equal of Virginia, Inc. (HOME)

Fair Housing Testing Program



Serving the Commonwealth of Virginia

HOME
Housing Opportunities Made Equal

Fair Housing is a Right.....HOME Fights Discrimination.....But We Need Your Help.

What is Fair Housing Testing?

Testing is a tool used by fair housing organizations and government agencies to uncover housing discrimination in violation of fair housing laws.

Testing is a simulated housing transaction designed to obtain evidence of any differential treatment based on an individual's protected class status.

Stated simply, testing is typically sending two individuals with similar profiles and housing needs but with different protected class statuses, such as race, to the same available housing unit to see if they are treated differently because of their protected class status.

Testing can occur in the rental, real estate, sales or lending markets. Without testing, most housing discrimination goes undetected.

Who are Testers?

Testers are a diverse group of dependable, conscientious people, 18 years and older, who assist us in gathering information about housing practices. They are of various racial and ethnic groups, men and women, over a broad range of ages with and without disabilities.



Testers take on various roles and profiles. They do not try to trap the housing provider or cause them to discriminate. They perform a task similar to a restaurant critic. They observe and record their experiences. Testers are sometimes also referred to as 'secret shoppers' or 'auditors'.



The tester's job is to gather information, much like anyone on a housing search or when seeking a loan, and to observe how a housing provider treats prospective housing tenants, mortgage applicants or home buyers. After each test, the tester will complete a detailed account of what occurred during the test and submit to HOME staff.

What is Required of Testers?

Testers are volunteer consultants who receive a stipend for their time ranging from \$25-200 per test depending upon the type of test conducted. Related expenses are also provided with prior approval.



Following approval of their application, testers are required to participate in a training prior to conducting any tests. Trainings are scheduled on a periodic basis. HOME also provides any needed additional preparation prior to conducting a test.

Testers do not need to have a private vehicle as long as they are able to get to and from needed test sites. Depending upon the circumstances, HOME may also approve reimbursement of any public transportation or vehicle rental costs. Some tests may even be done over the phone without a need for transportation. Tests are arranged around the tester's schedule on an as needed basis.



Due to the potential to be witness to a fair housing violation, testers are screened for criminal history and any possible conflicts of interest.

What Have the Courts Said About Fair Housing Testing?

In *Havens Realty Corp. v. Coleman* (456 U.S. 363 (1982)), the U.S. Supreme Court upheld the use of testers in housing discrimination cases as an important and legitimate means of enforcing fair housing laws.

In *Richards v. Howard* (712 F.2d 319, 321 (7th Cir. 1983)), the court noted the evidence provided by testers both benefited unbiased landlords by quickly dispelling false claims of discrimination and is a major resource in society's continuing struggle to eliminate the subtle but deadly poison of racial discrimination.

