

A bill pending before the United States House of Representatives could result in more testing by non-profit organizations to determine whether housing providers are complying with the federal Fair Housing Act.

H.R. 476, named the "Housing Fairness Act of 2009," has been scheduled for a hearing before the Financial Services Subcommittee on Housing and Community Opportunity.

Under the terms of the bill, the United States Department of Housing and Urban Development (HUD) would require nationwide testing of the enforcement of policies to combat housing discrimination, authorize \$52 million to fund the Fair Housing Initiative Program, and create a competitive matching grant program for nonprofit organizations to examine the causes and effects of housing discrimination. The bill would require HUD to use these test results to commence, undertake or pursue any investigation or enforcement action to remedy discrimination uncovered as a result of this testing.

Although the bill languished in the House of Representatives for fifteen months before a hearing was scheduled, a series of recent events has provided an impetus to Congress to move forward on it.

Those events included, among others (1) a \$62.5 million settlement by the United States Department of Justice (DOJ) with Westchester County, N.Y. early this year, after the DOJ determined that the county was not satisfactorily using its federal community block grant funding to affirmatively provide fair and affordable housing; and (2) a series of approximately 100 random tests by the Fair Housing Council of Oregon that found high levels of discrimination on all bases and racial bias in up to 78% of the units tested in Ashland and Beaverton, OR.