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My name is Marcos Segura and I am an attorney with Central California Legal Services, Inc. (CCLS). CCLS is a nonprofit legal aid organization that provides free legal services to low-income individuals throughout the Central San Joaquin Valley. CCLS assists with a variety of legal issues, including housing. For the last two and a half years, I have worked in CCLS' housing unit, primarily representing those facing eviction.

In our work, CCLS advocates often encounter fair housing issues. In fact, as discussed below, fair housing issues drive much of the demand for our services. This statement provides an overview of the most common fair housing issues we encounter, what CCLS is doing to address those issues, and general thoughts on what more can be done to ameliorate housing discrimination and its negative effects.

Disability-Based Discrimination.

The most common overt discriminatory act that we encounter is discrimination based on a person's disability. Discriminatory acts range from outright denial of reasonable accommodation requests to charging tenants for necessary accommodations. In some instances, reasonable accommodation requests are met with threats of eviction.

In one instance, for example, we assisted a tenant, a single mother with three very young children, who voluntarily entered into a rehabilitation program to deal with her substance abuse issue. The tenant notified her landlord that she would be unavailable during the annual income certification process required by the Federal housing subsidy program in which she participated. The tenant then requested that her sister be allowed to submit the required documents on her behalf. The request was denied. Next, the tenant asked to recertify upon her return. That request was also denied. Consequently, the tenant failed to certify on time, she lost her subsidy, and her rent increased to market rate, which she logically could not afford. During her eviction proceeding, the landlord agreed that the tenant was in a substance abuse program during the recertification period and acknowledged the tenant's multiple reasonable accommodation requests. Instead, the landlord explained, the tenant's requests were denied because they violated its internal corporate policy. Seemingly, the landlord was oblivious to the fact that an exception to a landlord's policies is precisely what the Fair Housing Act (FHA) requires when such an exception is necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling.

In a recent and tragic case, a tenant had to undergo a procedure to amputate his leg. While the tenant was in the hospital, the landlord removed all of the tenant's belongings from his apartment unit and changed the locks. The landlord's reason: he wanted to avoid the

cost and liability of having a disabled tenant living in a second floor unit. The landlord genuinely thought that this was a legitimate reason to do what he did.

The circumstances in cases like these are largely the result of ignorance by landlords, and to a large extent tenants, about the specific requirements of the FHA's reasonable accommodation provisions, as well as ignorance about the law's fundamental goal of bringing those with disabilities into the social and economic fold of society. This ignorance is not limited to landlords; many state court judges are life-long state court practitioners with little or no experience with Federal civil rights laws.

To address this issue, we educate these constituencies in different ways. With regard to tenants, we empower them by informing them of their rights under the FHA during tenants' rights presentations. We educate landlords when we make reasonable accommodation requests on behalf of tenants, insisting that landlords follow the letter of the law. And when we represent tenants in court, we educate the judiciary by effectively presenting the nuances of the FHA's reasonable accommodation requirements.

Structural Issues in the Fresno Metropolitan Region.

In addition to direct services, CCLS has had the opportunity to study systemic housing issues in the Fresno region, where racial segregation is ubiquitous, and the affordable housing stock is limited and aging. CCLS is very concerned about the failures on the part of certain local governments to meet their legal obligations, including the duty to affirmatively further fair housing.

For example, the City of Fresno has identified numerous impediments to fair housing in its Assessment of Impediments to fair housing, a document that it is required by law to prepare under the FHA. Seemingly, the City does not have a clear plan in place to implement the strategies it admits are necessary to fix these impediments. Fair housing will be impossible in our community without a true commitment by the City of Fresno to do this.

The shortage of geographically dispersed, affordable housing in the Fresno metropolitan area necessarily means that communities will continue to be segregated, as communities of color are also among the poorest in the Valley. The reality on the ground is that construction of affordable housing is allowed in only certain parts of town, and this reality only encourages segregation. The conversation about fair housing cannot take place in the absence of a conversation about the need for affordable housing, and the need to have this housing well integrated across the community. Certain local municipalities in the Valley are simply not doing what they are legally required to do to make sure sufficient affordable housing gets built.

CCLS is conducting in-depth analysis of these structural issues and is working with affected communities to assure that their rights under state and federal law are protected.

We thank you for the opportunity to share our experiences and perspective in this forum today.