

Opening Doors

A Community Dialogue on the Housing Challenges Among Immigrants in New York City through the Lens of South Asians

Friday, November 22nd, 2002

Common Ground Community

255 West 43rd Street, New York, NY 10036

Conference Report

Housing Discrimination: Many Forms and Many Faces

Opening: Edward Watkins, Deputy Commissioner, New York State Division on Human Rights

Panel: Reginald Evans, Director Office of Community Partnerships, New York City, Department of Housing Preservation and Development; Sue Rheem, Asian Americans for Equality, Phyllis Spiro, Former Deputy Director Open Housing Center; Harvey Fisher, Director of Community Service Centers, NYC Commission on Human Rights. Also excerpt from Burhanuddin Khafil's submitted comments are included.

According to the 2000 census, there are 783,000 Asians in New York City (10 percent of the city's total population), 26 percent of whom are identified as South Asians. The numbers are increasing at a dramatic rate. The Bangladeshi population alone experienced a 260 percent increase from 1990 to 2000. The city's shortage of affordable housing becomes even more critical in light of these numbers. The lack of adequate housing, backlash against immigrants, and discrimination exacerbate the housing problems facing South Asians.

Last August a photographer and journalist, Mizanur Rahman, was killed, and more recently the South Asian community saw the murder of Shakawat Hussain. After these tragedies, immigrants, especially members of the Bangladeshi American community, have become afraid of using public transportation. People are being abused verbally, and in some communities, Muslim women are often harassed simply for wearing a Borka or traditional cloths. Discrimination against immigrants has become another factor adding to the housing crisis.

The discussion identified two primary problems in enforcing fair housing: fear and lack of knowledge. These problems can exist separately but they can also be interdependent. Fear of retaliation from landlords due to tenant complaints is one reason why many problems remain unheard and unanswered. Some tenants also fear the consequences of voicing problems because of their immigration status. According to the law, landlords are not permitted to ask tenants for green cards or citizenship papers. It is illegal to discriminate on the basis of national origin. (Note: this does not apply to subsidized housing.) The NYC Human Rights Commission and the NYS Division on Human Rights consider housing complaints to be civil, not criminal matters, and so they will not inquire about immigration status.

In terms of enforcement, several strategies were discussed: (1) The use of Federal Courts was encouraged, as they can often be more effective in advocating for individuals because there is no risk of local influences of the real estate industry on the system; (2) Groups should look at systemic testing of buildings rather than waiting for a complaint to come in ; (3) There is a need for more efforts on ensuring that local brokers are following regulations; (4) Local newspapers should be notified if they print housing advertisements for groups that engage in discriminatory practices and demand they be removed; (5) Finally, it was emphasized that organizations should not be concerned with territorial issues with clients and work together closely on enforcing fair housing laws.

There are several ways to educate the affected population and help them know their rights. Informational material can be translated and distributed through ethnic language newspapers. Some newspapers may be convinced to run free fair housing advertisements. The Independent Press Association of New York is a valuable resource, having done much work developing partnerships with ethnic press; organizations should look at this as strategy. Public agencies doing enforcement work should be encouraged to place prominent advertisements notifying immigrants of their rights and their commitment not to share information with the other agencies on the federal level such as the INS.

Overcrowded Homes, Overcrowded Neighborhoods

Opened by film, "A Place to Call Home, Documentary on the Housing Crisis in Queens," Katherine Cheng & Rob Schmitz, Columbia University. Panel: Seema Agnani, Chhaya CDC, Oda Freidheim, Staff Attorney, Legal Aid Society, Queens Office; Chan Jamoona, United Hindu Cultural Center of USA, Richmond Hill, Queens; Christine Roland, Forest Hills Community House, Forest Hills, Queens

In addition to global economic issues, a lack of affordable housing in New York City accounts for some of the community's overcrowding problems. On the local level, there are several problems that can be identified. Zoning laws and housing department bureaucracy significantly contribute to overcrowded conditions. Outdated zoning plans prevent communities from adequately absorbing an increasing population. Red tape and inefficiency in the real estate industry and among public agencies stall development of new housing options. Part of the problem is also the aggressive marketing of homeownership by brokers and financial institutions.

Illegal conversions impact local communities in many ways, including overcrowding, a strain on local schools, traffic, hazardous conditions, and other infrastructure issues. Local residents complain about excessive garbage and reduced services due to overcrowding. Also, tensions among new and older residents of communities can often result in violence and harassment.

In addition to developing more affordable housing, three potential approaches include encouraging selective rezoning, legalizing illegal units, and lobbying for rent stabilization. A major challenge, however, remains: since rezoning is contentious, how do you convince local residents to accept more people into their community? Voters should express their support for appropriate legislation such as laws that would ensure that buyers are aware of the number of legal units in their building before purchase. Communities should put pressure on real estate brokers (through the Secretary of State) and mortgage companies to ease practices that lead to overcrowding.

Outreach and grassroots organizing are keys to effective solutions. Tenants should be informed of their rights, and the city should emphasize providing information to homeowners and buyers. Eliminating overcrowding and illegal conditions is in everyone's best interest, for tenants as well as owners. With illegal conversions, many tenants are forced underground. As a result they have less legal protection and a minimal ability to advocate for themselves. Tenants also currently serve as the eyes and ears of code enforcement in New York City. If they are forced underground, an important oversight tool is lost. For homeowners, illegal conversions prevent collecting rent in court and the risk of stiff penalties.

Further research and documentation of the causes and impact of illegal conversions is needed. The Richmond Hills community is a good example to study. Community organizers and neighbors asked local children for clues to overcrowding. Community leaders discovered the primary reason for illegal conversions was the renter's desire to buy a home. The increased income required for mortgage payments encouraged residents to rent out illegal units.

Formulating a Strategic Response

Moderated by Joe Weisbord, Housing First! & Mohan Sikka, Senior Program Associate at Community Resource Exchange

Conference attendees presented various approaches to the problems of housing discrimination and overcrowding. Although housing is a problem that impacts all communities in New York City, there is not enough attention given to these important issues. The general public must be educated. Adequate housing is necessary for educational, financial, and developmental success. Housing discrimination is a chronic problem, but there are legal, educational, and organizational strategies available to address it.

The media, both the independent and ethnic press, can be an effective means to reach a broader base. Community organizing and lobbying for change — in the zoning law, for example — are vital strategies to having an impact. Broader based efforts such as Housing First! use a coalition strategy to encourage production and preservation of affordable housing (www.housingfirst.net). Membership from a diverse array of organizations, providing services of all types, are involved. Organizers and advocates from new immigrant communities need to be more involved in such efforts and to have a louder voice in the housing movement.